



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
41 NORTH JEFFERSON STREET, SUITE 301  
PENSACOLA, FLORIDA 32502

January 23, 2019

REPLY TO  
ATTENTION OF

Regulatory Division  
North Permits Branch  
Pensacola Permits Section  
SAJ-2009-00997 (SP-HMM)

Michael Foster  
Florida Department of Environmental Protection  
3900 Commonwealth Boulevard  
Tallahassee, FL 32399

Dear Mr. Foster:

The U.S. Army Corps of Engineers (Corps) is pleased to enclose the Department of the Army permit, which should be available at the construction site. Work may begin immediately but the Corps must be notified of:

- a. The date of commencement of the work,
- b. The dates of work suspensions and resumptions of work, if suspended over a week, and
- c. The date of final completion.

This information should be mailed to the Enforcement Section of the Regulatory Division of the Jacksonville District at [saj-rd-enforcement@usace.army.mil](mailto:saj-rd-enforcement@usace.army.mil). The Enforcement Section is also responsible for inspections to determine whether Permittees have strictly adhered to permit conditions.

IT IS NOT LAWFUL TO DEVIATE FROM  
THE APPROVED PLANS ENCLOSED.

Sincerely,

A handwritten signature in black ink that reads "Shawn H. Zinszer".

for Shawn H. Zinszer  
Chief, Regulatory Division

Enclosures  
CC: DRMP, Inc.  
Florida Environmental & Land Svcs., Inc.



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
41 NORTH JEFFERSON ST, SUITE 301  
PENSACOLA, FLORIDA 32502

January 16, 2019

REPLY TO  
ATTENTION OF

Regulatory Division  
North Permits Branch  
SAJ-2009-00997 (SP-HMM)

Michael Foster  
Florida Department of Environmental Protection  
3900 Commonwealth Boulevard  
Tallahassee, FL 32399

Dear Mr. Foster:

The U.S. Army Corps of Engineers (Corps) has completed the review and evaluation of your Department of the Army permit application, number SAJ-2009-00997. Our regulations require that you have an opportunity to review the terms and conditions prior to final signature by the Department of the Army. Enclosed is an unsigned Department of the Army permit instrument (permit).

Please read carefully the Special Conditions beginning on page 3 of the permit. These were developed to apply specifically to your project. Water Quality Certification is also required prior to issuance of a permit. The Corps has received a copy of the State of Florida certification for your project. In accordance with General Condition 5 of the permit, any special conditions of the Water Quality Certification have been attached to the Department of the Army permit.

**Instructions for Objecting to Permit Terms and Conditions:** This letter contains an initial proffered permit for your proposed project. If you object to certain terms and conditions contained within the permit, you may request that the permit be modified. Enclosed you will find a Notification of Administrative Appeal Options and Process fact sheet and Request for Appeal (RFA) form. If you choose to object to certain terms and conditions of the permit, you must follow the directions provided in Section 1, Part A and submit the completed RFA form to the letterhead address.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria under 33 CFR Part 331.5, and that it has been received by the District office within 60 days of the date of the RFA. Should you decide to submit an RFA form, it must be received at the letterhead address by March 16, 2019.

**Instructions for Accepting Terms and Conditions and Finalizing Your Permit:** It is not necessary to submit an RFA form to the District office, if you do not object to the decision in this letter. In this case, the permit must be signed by the applicant in the space provided on the signature page of the permit. In the case of corporations, acceptance must be by an officer of that corporation authorized to sign on behalf of the corporation. The party responsible for assuring the work is done in accordance with the permit terms and conditions must sign the permit. Please type or print the name and title of the person signing below the signature and the date signed.

**SIGN AND RETURN THE ENTIRE PERMIT (ORIGINAL COPY, INCLUDING ALL ATTACHMENTS), TO THE LETTERHEAD ADDRESS.**

The permit will be signed by the District Engineer and returned to you. It is important to note that the permit is not valid until the District Engineer signs it.

The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to take a few minutes to visit [http://corpsmapu.usace.army.mil/cm\\_apex/f?p=regulatory\\_survey](http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey) and complete our automated Customer Service Survey. Your input is appreciated – favorable or otherwise. Please be aware this web address is case sensitive and should be entered as it appears above.

If you have any questions concerning this application, you may contact Holly Millsap in writing at the letterhead address, by electronic mail at [Holly.M.Millsap@usace.army.mil](mailto:Holly.M.Millsap@usace.army.mil), or by telephone at 850-470-9823.

Sincerely,



for Shawn H. Zinszer  
Chief, Regulatory Division

Enclosures:  
Appeal Form  
Preliminary JD Form  
Initially Proffered Permit (w/ attachments)

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS  
AND REQUEST FOR APPEAL**

Applicant: <b>FDEP-Big Lagoon State Park</b>		File Number: <b>SAJ-2009-00997</b>	Date: <b>January 16, 2019</b>
Attached is:			See Section below
<input checked="" type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
	PERMIT DENIAL	C	
	APPROVED JURISDICTIONAL DETERMINATION	D	
<input checked="" type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

**SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at [http://www.usace.army.mil/CECW/Pages/reg\\_materials.aspx](http://www.usace.army.mil/CECW/Pages/reg_materials.aspx) or Corps regulations at 33 CFR Part 331.**

**A: INITIAL PROFFERED PERMIT:** You may accept or object to the permit.

- ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT:** You may accept or appeal the permit

- ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**D: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information.

- ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**E: PRELIMINARY JURISDICTIONAL DETERMINATION:** You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision you may contact:

**Project Manager as noted in letter**

If you only have questions regarding the appeal process you may contact:

Jason W. Steele  
Administrative Appeals Review Officer  
USACE – South Atlantic Division  
60 Forsyth Street SW, Room 10M15  
Atlanta, Georgia 30303-8801  
(404) 562-5137

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

\_\_\_\_\_  
Signature of appellant or agent.

Date:

Telephone number:

**PRELIMINARY JURISDICTIONAL DETERMINATION (PJD) FORM  
(RGL 16-01 Appendix 2)**

**BACKGROUND INFORMATION**

- A. REPORT COMPLETION DATE FOR PJD:** September 28, 2018
- B. NAME AND ADDRESS OF PERSON REQUESTING PJD:**  
Michael Foster, Florida Department of Environmental Protection  
3900 Commonwealth Boulevard, Tallahassee, FL 32399
- C. DISTRICT OFFICE, FILE NAME, AND NUMBER:**  
SAJ-2009-00997/FDEP-Big Lagoon State Park
- D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:**  
12301 Gulf Beach Highway, Big Lagoon State Park  
**(USE THE TABLE BELOW TO DOCUMENT MULTIPLE AQUATIC RESOURCES AND/OR AQUATIC RESOURCES AT DIFFERENT SITES)**

State: FL County/parish/borough: Escambia City: Pensacola  
Center coordinates of site (lat/long in degree decimal format):  
Lat. 30.311702° North, Long. 87.421944 °West.  
Universal Transverse Mercator: Zone 16  
Name of nearest waterbody: Big Lagoon

**E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):**

- Office (Desk) Determination. Date: May 14, 2018  
 Field Determination. Date(s):

**TABLE OF AQUATIC RESOURCES IN REVIEW AREA WHICH "MAY BE"  
SUBJECT TO REGULATORY JURISDICTION.**

Site number	Latitude (decimal degrees)	Longitude (decimal degrees)	Estimated amount of aquatic resource in review area (acreage and linear feet, if applicable)	Type of aquatic resource (i.e. wetland vs. non-wetland waters)	Geographic authority to which the aquatic resource "may be" subject (i.e. Section 404 or Section 10/404)
1	30.311148	-87.422230	0.5 acres, 500 linear feet	Non-wetland waters	Section 10/404
2	30.311875	-87.422142	0.02 acres	Tidal wetland	Section 10/404


- 1) The Corps of Engineers believes that there may be jurisdictional aquatic resources in the review area, and the requestor of this PJD is hereby advised of his or her option to request and obtain an approved JD (AJD) for that review area based on an informed decision after having discussed the various types of JDs and their characteristics and circumstances when they may be appropriate.
  
- 2) In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring “pre-construction notification” (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an AJD for the activity, the permit applicant is hereby made aware that: (1) the permit applicant has elected to seek a permit authorization based on a PJD, which does not make an official determination of jurisdictional aquatic resources; (2) that the applicant has the option to request an AJD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an AJD could possibly result in less compensatory mitigation being required or different special conditions; (3) the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) undertaking any activity in reliance upon the subject permit authorization without requesting an AJD constitutes the applicant’s acceptance of the use of the PJD; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a PJD constitutes agreement that all aquatic resources in the review area affected in any way by that activity will be treated as jurisdictional, and waives any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an AJD or a PJD, the JD will be processed as soon as is practicable. Further, an AJD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331. If, during an administrative appeal, it becomes appropriate to make an official determination whether geographic jurisdiction exists over aquatic resources in the review area, or to provide an official delineation of jurisdictional aquatic resources in the review area, the Corps will provide an AJD to accomplish that result, as soon as is practicable. This PJD finds that there “*may be*” waters of the U.S. and/or that there “*may be*” navigable waters of the U.S. on the subject review area, and identifies all aquatic features in the review area that could be affected by the proposed activity, based on the following information:

**SUPPORTING DATA. Data reviewed for PJD (check all that apply)**

Checked items should be included in subject file. Appropriately reference sources below where indicated for all checked items:

- Maps, plans, plots or plat submitted by or on behalf of the PJD requestor:  
Map: \_\_\_\_\_
- Data sheets prepared/submitted by or on behalf of the PJD requestor.
  - Office concurs with data sheets/delineation report.
  - Office does not concur with data sheets/delineation report.
- Data sheets prepared by the Corps: .
- Corps navigable waters' study: .
- U.S. Geological Survey Hydrologic Atlas: .
  - USGS NHD data.
  - USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: .
- Natural Resources Conservation Service Soil Survey. Citation: .
- National wetlands inventory map(s). Cite name: .
- State/Local wetland inventory map(s): .
- FEMA/FIRM maps: .
- 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- Photographs:  Aerial (Name & Date): Google Earth Pro  
or  Other (Name & Date):
- Previous determination(s). File no. and date of response letter:
  
- Other information (please specify): .

**IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.**

  
September 28, 2018  
Signature and date of  
Regulatory staff member  
completing PJD

\_\_\_\_\_  
Signature and date of  
person requesting preliminary JD  
(REQUIRED, unless obtaining  
the signature is impracticable)<sup>1</sup>

<sup>1</sup> Districts may establish timeframes for requestor to return signed PJD forms. If the requestor does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.



# DEPARTMENT OF THE ARMY PERMIT

**Permittee:** Michael Foster  
Florida Department of Environmental Protection  
3900 Commonwealth Boulevard  
Tallahassee, FL 32399

**Permit No:** SAJ-2009-00997 (SP-HMM)

**Issuing Office: U.S. Army Engineer District, Jacksonville**

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

**Project Description:** To discharge fill over 0.06 acres of tidal waters and the onsite relocation of 209 square feet of emergent vegetation for the construction of a two-lane public boat ramp, two accessory docks, and two riprap and gravel breakwaters perpendicular to the shoreline (one on each side of the proposed boat ramp). The new work will be located immediately west of the existing two-lane boat ramp. The new ramp will be comprised of a 30 foot wide concrete ramp (1184 square feet) bordered on each side by a breakwater and the breakwaters (1,625 square feet) will consist of riprap (8 feet wide, 2 feet high) and gravel (6.75 feet wide, at ramp grade). The gravel will be placed beneath the proposed docks between the riprap and concrete ramp. Riprap (6 feet wide) will also be installed along the toe of the ramp. A 79 square foot portion of the existing western dock will be removed and a 7 foot by 43 foot dock will be constructed (on the east side of the new ramp) that will tie into the existing dock located on the western side of the existing ramp (to create a U-shaped dock connecting the two ramps). An L-shaped dock will be constructed on the west side of the new ramp measuring 7 feet by 90 feet. Associated work in the adjacent uplands will include installation of a force main line beneath a non-tidal creek via directional boring, parking lot and infrastructure improvements, and construction of a stormwater management area. These aspects of the project will not be located within waters of the United States and therefore are not subject to regulation by the Corps.

The work described above is to be completed in accordance with the 13 (thirteen) pages of drawings (Attachment 1) and 4 additional attachments affixed at the end of this permit instrument.

**Project Location:** The project would affect waters of the United States associated with Big Lagoon. The project is located at 12301 Gulf Beach Highway, in Sections 13 and 14, Township 3 South, Range 32 West, in Pensacola, Escambia County, Florida.

**Directions to site:** From downtown Pensacola, proceed west on Garden Street and veer southwest onto Barrancas Avenue. Barrancas Avenue turns into Gulf Beach Highway then into Sorrento Road. Turn south on Bauer Road (County Road 293) and continue south into Big Lagoon State Park (immediately after crossing Gulf Beach Highway). Past the main gate, the road curves west and continues for one mile then curves south. As the road curves east, the site is located on the south side of the road.

**Approximate Central Coordinates:** *Latitude* 30.311702° North  
*Longitude* 87.421944° West

## **PERMIT CONDITIONS**

### **General Conditions:**

1. The time limit for completing the work authorized ends on **January 16, 2024**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature and the mailing address of the new owner in the space provided, and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions. (Attachment 2)
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**Special Conditions:**

1. **Reporting Address:** The Permittee shall submit all reports, notifications, documentation and correspondence required by the general and special conditions of this permit to the following address:
  - a. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, 41 North Jefferson St, Suite 301, Pensacola, FL 32502.
  - b. For electronic mail SAJ-RD-Enforcement@usace.army.mil (not to exceed 10 MB). The Permittee shall reference this permit number, SAJ-2009-00997 (SP-HMM), on all submittals.
2. **Commencement Notification:** Within 10 days from the date of initiating the authorized work, the Permittee shall provide to the Corps a written notification of the date of commencement of work authorized by this permit.
3. **Self-Certification:** Within 60 days of completion of the authorized work or at the expiration of the construction authorization of this permit, whichever occurs first, the Permittee shall complete the attached "Self-Certification Statement of Compliance" form (Attachment 3) and submit to the Corps. In the event that the completed work deviates, in any manner, from the authorized work, the Permittee shall describe, on the Self-Certification Form, the deviations between the work authorized by the permit and the work as constructed. Please note that the description of any deviations on the Self-Certification Form does not constitute approval of any deviations by the Corps.
4. **Assurance of Navigation and Maintenance:** The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
5. **Turbidity Barriers:** Prior to the initiation of any of the work authorized by this permit, the Permittee shall install floating turbidity barriers with weighted skirts that extend to within 1 foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained until the authorized work has been completed and all suspended and erodible materials have been stabilized. Turbidity barriers shall be removed upon stabilization of the work area.

6. **Fill Material:** The Permittee shall use only clean fill material for this project. The fill material shall be free from items such as trash, debris, automotive parts, asphalt, construction materials, concrete block with exposed reinforcement bars, and soils contaminated with any toxic substance, in toxic amounts in accordance with Section 307 of the Clean Water Act.
7. **Compensatory Mitigation:** Prior to the initiation of the work authorized by this permit, the Permittee shall excavate the 209 square feet of emergent wetland vegetation comprised of *Juncus roemerianus* and *Spartina alterniflora* located within the impact area and relocate and replant it within an area devoid of vegetation to the west of the proposed work. The vegetation shall be planted at appropriate elevations and contours consistent with its current site conditions.
8. **Wetland Vegetation Photos:** Within 30 days of completion of the compensatory mitigation, the Permittee shall provide to the Corps photos documenting the pre and post site conditions of the area where the emergent wetland vegetation is to be relocated.
9. **Regulatory Agency Changes:** Should any other regulatory agency require changes to the work authorized or obligated by this permit, the Permittee is advised that a modification to this permit instrument is required prior to initiation of those changes. It is the Permittee's responsibility to request a modification of this permit from the Pensacola Regulatory Office.
10. **Manatee Conditions:** The Permittee shall comply with the attached "Standard Manatee Conditions for In-Water Work – 2011".
11. **Sea Turtle and Smalltooth Sawfish Conditions:** The Permittee shall comply with the attached National Marine Fisheries Service's "Sea Turtle and Smalltooth Sawfish Construction Conditions" dated March 23, 2006, which also applies to Gulf and shortnose sturgeon.
12. No building or fill materials, tools or other equipment shall be stockpiled in waters of the United States.
13. All contractors involved in this permitted activity shall be provided copies of this permit in its entirety. A copy shall remain on site at all times during construction.
14. **Cultural Resources/Historic Properties:**
  - a. No structure or work shall adversely affect impact or disturb properties listed in the National Register of Historic Places (NRHP) or those eligible for inclusion in the NRHP.
  - b. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the

subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

- c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition; and if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.
- d. In the unlikely event that unmarked human remains are identified on non-federal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO and THPO(s). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the State Archeologist and from the Corps.

**Further Information:**

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
  - (X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
  - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
  - ( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. Limits of this authorization.

- a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
  - b. This permit does not grant any property rights or exclusive privileges.
  - c. This permit does not authorize any injury to the property or rights of others.
  - d. This permit does not authorize interference with any existing or proposed Federal projects.
3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
  - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
  - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
  - d. Design or construction deficiencies associated with the permitted work.
  - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
- a. You fail to comply with the terms and conditions of this permit.
  - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).
  - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative

order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.


Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

  
\_\_\_\_\_  
(PERMITTEE)

1/23/19  
\_\_\_\_\_  
(DATE)

MICHAEL FOSTER  
\_\_\_\_\_  
(PERMITTEE NAME-PRINTED)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

*for*   
\_\_\_\_\_  
(DISTRICT ENGINEER)  
Andrew D. Kelly, P.E.  
Colonel, U.S. Army  
District Commander

23 Jan 2019  
\_\_\_\_\_  
(DATE)

PERMIT NUMBER: SAJ-2009-00997  
PERMITTEE: FDEP-Big Lagoon State Park/Boat Ramp  
PAGE 8 of 9

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. **To validate the *transfer* of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.**

\_\_\_\_\_  
(TRANSFEREE-SIGNATURE)

\_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(NAME-PRINTED)

\_\_\_\_\_  
(ADDRESS)

\_\_\_\_\_  
(CITY, STATE, AND ZIP CODE)



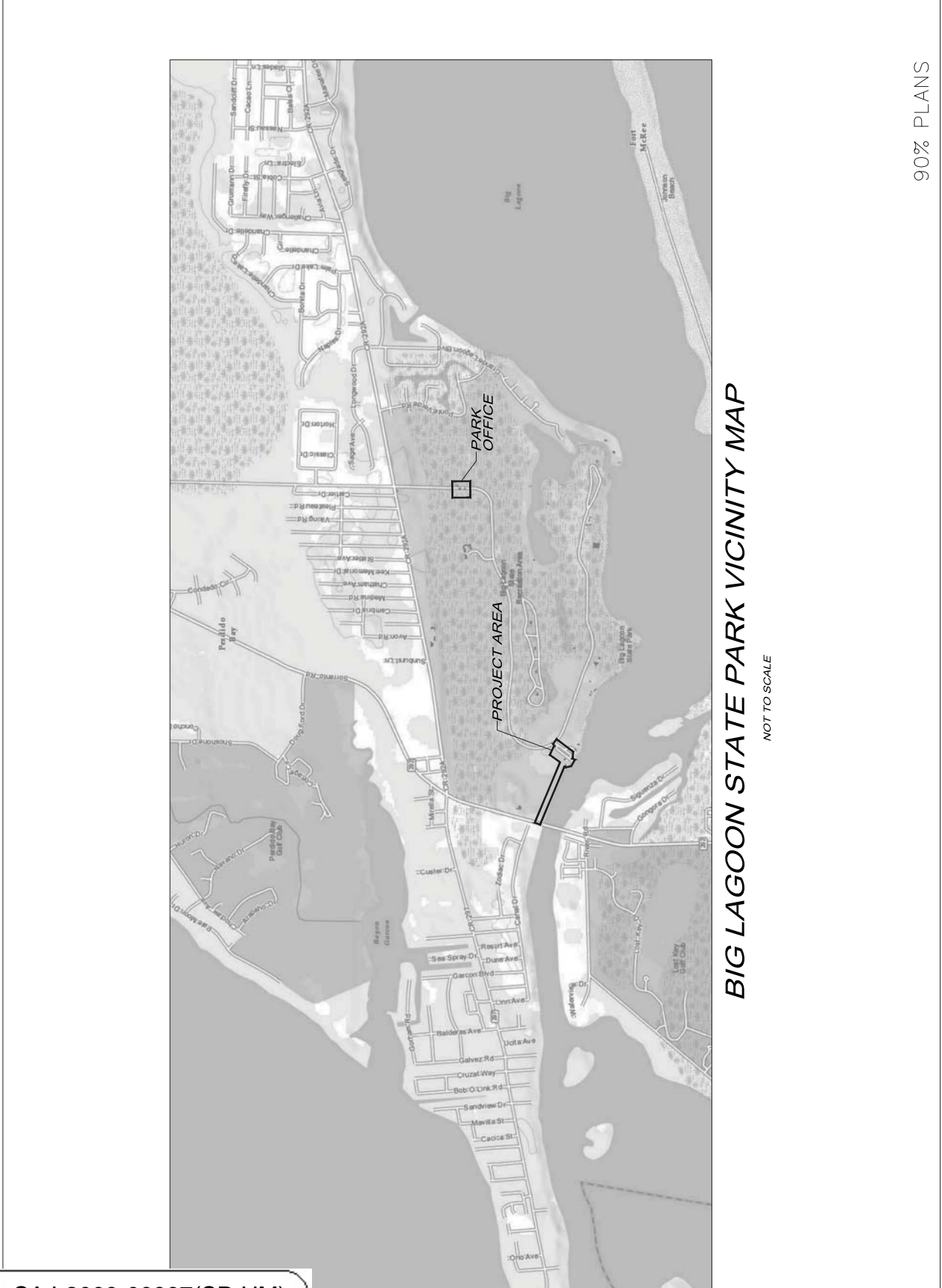
PERMIT NUMBER: SAJ-2009-00997  
PERMITTEE: FDEP-Big Lagoon State Park/Boat Ramp  
PAGE 9 of 9

***Attachments to Department of the Army  
Permit Number SAJ-2009-00997***

1. PERMIT DRAWINGS: Dated January 16, 2019 (13 pages)
2. WATER QUALITY CERTIFICATION: Specific Conditions of the water quality permit/certification in accordance with General Condition number 5 on page 2 of this DA permit. (5 pages)
3. SELF-CERTIFICATION FORM: (1 page)
4. STANDARD MANATEE CONDITIONS: (1 page)
5. SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS (which apply to Gulf sturgeon): (1 page)



PROJECT TITLE <b>BOAT RAMP AREA IMPROVEMENTS</b>		SHEET TITLE <b>VICINITY MAP</b>	SHEET NO. <b>G101</b>
PROJECT TITLE <b>BIG LAGOON STATE PARK</b>			
DESIGNER: MHB FLORIDA ENGINEER REG. NO. 12345		DRAWN BY: CJA FLORIDA ENGINEER REG. NO. 67890	
CHECKED BY: BRL FLORIDA ENGINEER REG. NO. 12345		REVISIONS:	
STATE PROJECT NO.: N1303		DATE: 08/07/2017	
REVISION SYMBOL DATE		REVISION SYMBOL DATE	



**BIG LAGOON STATE PARK VICINITY MAP**

NOT TO SCALE

90% PLANS



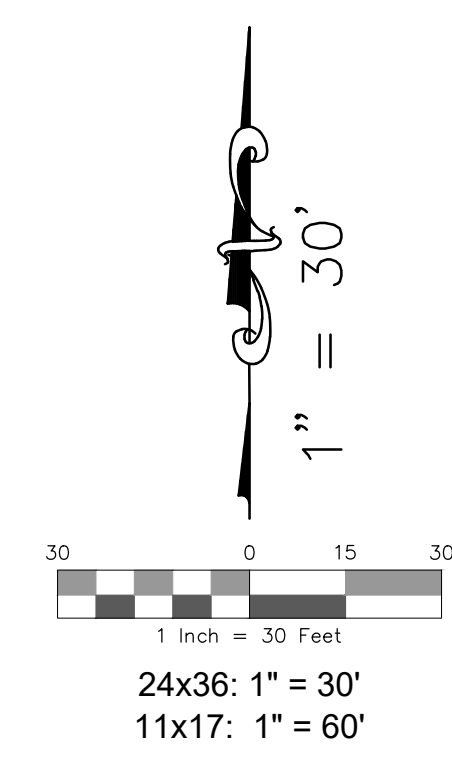
SAJ-2009-00997(SP-HM)  
 FDEP-Big Lagoon SP  
 January 16, 2019  
 2 of 13

Department of Environmental Protection  
 Office of Operations  
 Bureau of Design and Construction  
 3800 Commonwealth Blvd., Tallahassee, FL 32398 (850) 425-2300



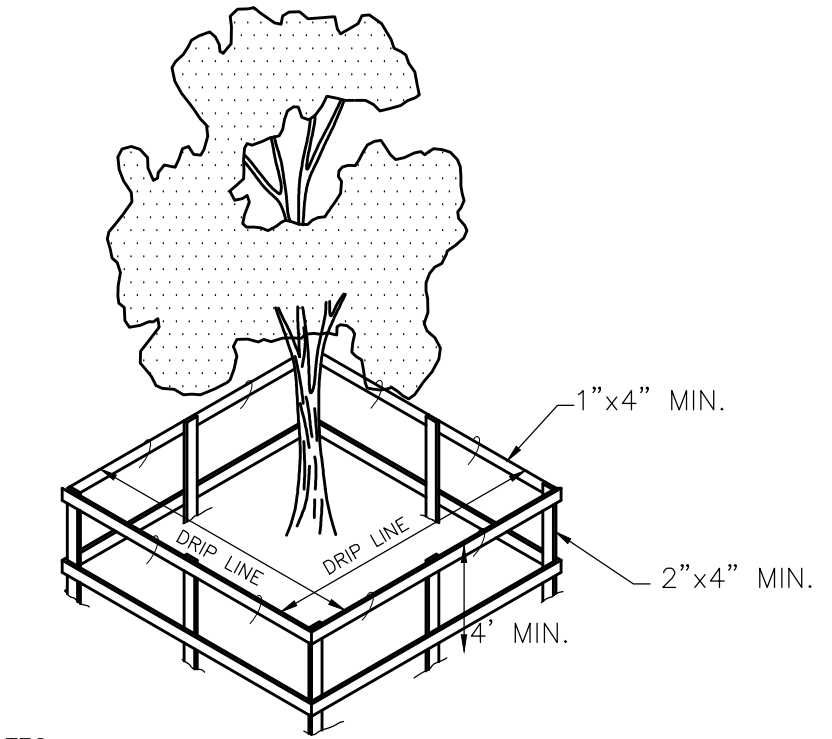
DRMP  
 DESIGN & CONSTRUCTION  
 2022 W. UNIVERSITY BLVD.  
 TALLAHASSEE, FL 32310  
 PH: 904.438.1234  
 WWW.DRMP.COM

MATCHLINE: SHEET C101



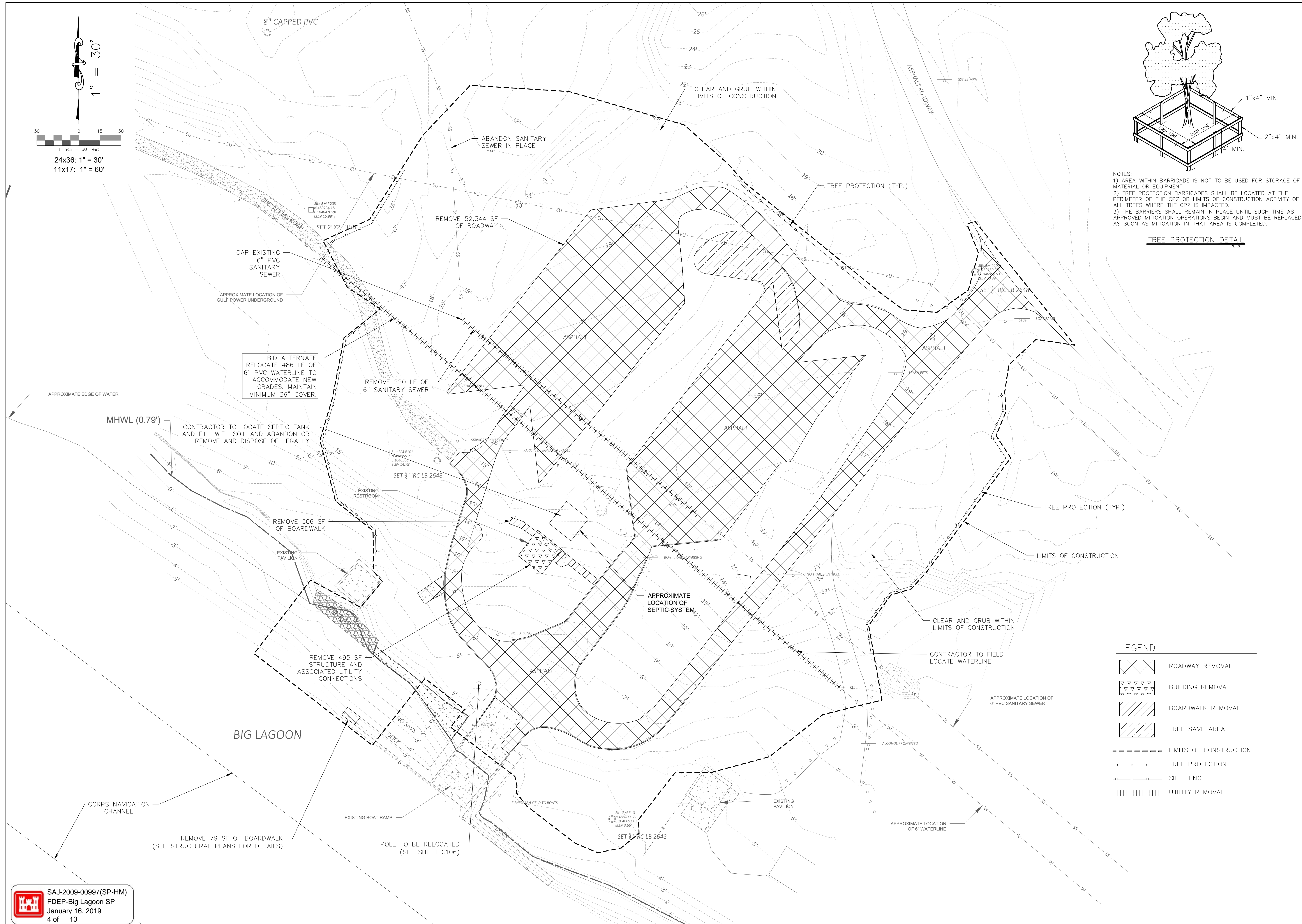
SAJ-2009-00997(SP-HM)  
 FDEP-Big Lagoon SP  
 January 16, 2019  
 3 of 13

PROFESSIONAL REGISTRATION BRYANT KING, P.E. FLORIDA ENGINEER #51894	DESIGNER : MHB DRAWN BY: CJA REVIEWED BY: BRL	ISSUE DATE: 12/12/17 COMP. FILE NO.: STATE PROJECT NO.: N1303	SYMBOL (A) (B)	REVISION	DATE
BIG LAGOON STATE PARK			SHEET NO.		
EXISTING CONDITIONS			C102		
BOAT RAMP AREA IMPROVEMENTS			PROJECT TITLE		
<b>DRMP</b> <small>ENGINEERS • ARCHITECTS • PLANNERS • SURVEYORS</small> <small>10000 Highway 90, Suite 200</small> <small>Tallahassee, Florida 32308</small> <small>Phone: 904.224.1200</small> <small>www.drmp.com</small>			Department of Environmental Protection Office of Operations Bureau of Design and Construction 3800 Commonwealth Blvd., Tallahassee, FL 32399 (850) 425-2300		



NOTES:  
 1) AREA WITHIN BARRICADE IS NOT TO BE USED FOR STORAGE OF MATERIAL OR EQUIPMENT.  
 2) TREE PROTECTION BARRICADES SHALL BE LOCATED AT THE PERIMETER OF THE CPZ OR LIMITS OF CONSTRUCTION ACTIVITY OF ALL TREES WHERE THE CPZ IS IMPACTED.  
 3) THE BARRIERS SHALL REMAIN IN PLACE UNTIL SUCH TIME AS APPROVED MITIGATION OPERATIONS BEGIN AND MUST BE REPLACED AS SOON AS MITIGATION IN THAT AREA IS COMPLETED.

TREE PROTECTION DETAIL  
 N.T.S.

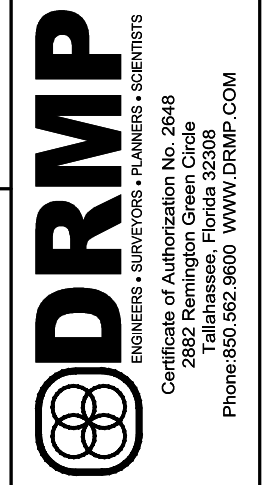


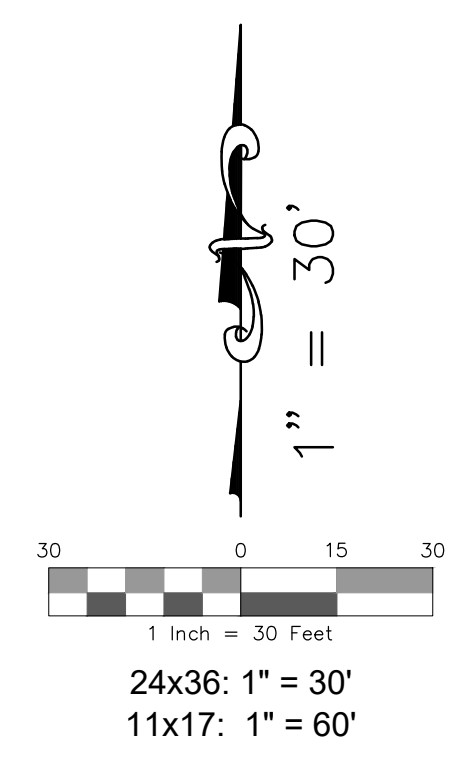
**LEGEND**

	ROADWAY REMOVAL
	BUILDING REMOVAL
	BOARDWALK REMOVAL
	TREE SAVE AREA
	LIMITS OF CONSTRUCTION
	TREE PROTECTION
	SILT FENCE
	UTILITY REMOVAL

PROFESSIONAL REGISTRATION BRYANT KING, P.E. FLORIDA ENGINEER #51894	DESIGNER: MHB	ISSUE DATE: 12/12/17	SYMBOL A	REVISION	DATE
	DRAWN BY: CJA	COMP. FILE NO.:	B		
	REVIEWED BY: BRL	STATE PROJECT NO.: N1303			
	Consultant:				
BIG LAGOON STATE PARK		DEMOLITION PLAN			
SHEET TITLE		BOAT RAMP AREA IMPROVEMENTS			
PROJECT TITLE		C103			

**Department of Environmental Protection**  
**Office of Operations**  
 Bureau of Design and Construction  
 3800 Commonwealth Blvd., Tallahassee, FL 32399 (850) 425-2300





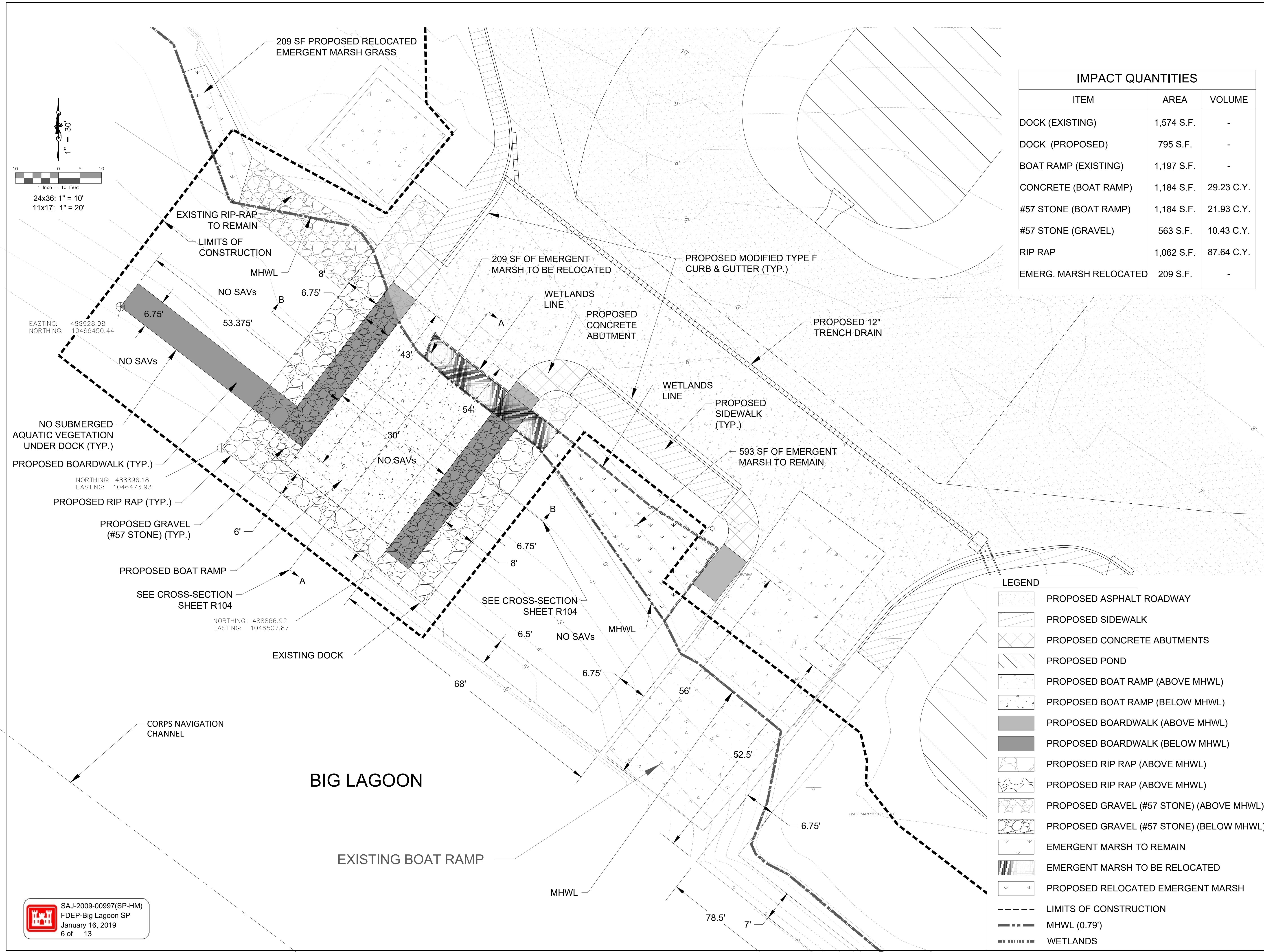
**LEGEND**

	PROPOSED ASPHALT ROADWAY
	PROPOSED CONCRETE BOAT RAMP
	PROPOSED DIRT ROADWAY
	PROPOSED SIDEWALK
	PROPOSED CONCRETE ABUTMENTS
	PROPOSED SODDING
	PROPOSED RIP-RAP
	PROPOSED BOARDWALK
	RIP-RAP CHECK DAM
	LIMITS OF CONSTRUCTION
	CENTERLINE OF ROADWAY

SAJ-2009-00997(SP-HM)  
 FDEP-Big Lagoon SP  
 January 16, 2019  
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NOTES:  
 1. ALL DISTURBED AREAS TO BE SODDED. SODDING FROM SLOPE STABILIZATION AREAS IN THE INTERMEDIATE EROSION CONTROL AREA TO REMAIN.

PROFESSIONAL REGISTRATION BRYANT KING, P.E. FLORIDA ENGINEER #51894	DESIGNER : MHB DRAWN BY: CJA REVIEWED BY: BRL Consultant :	ISSUE DATE: 12/12/17 COMP. FILE NO.: STATE PROJECT NO.: N1303	SYMBOL A B	REVISION	DATE	REVISION	DATE
BIG LAGOON STATE PARK		FINAL EROSION CONTROL PLAN		BOAT RAMP AREA IMPROVEMENTS		SHEET NO.	
C105		 <b>DRMP</b> ENGINEERS • ARCHITECTS • PLANNERS • SURVEYORS 3800 Commonwealth Blvd., Tallahassee, FL 32399 (850) 425-2300 Phone: (850) 425-2300 Fax: (850) 425-2300 www.drmp.com		Department of Environmental Protection Office of Operations Bureau of Design and Construction 3800 Commonwealth Blvd., Tallahassee, FL 32399 (850) 425-2300			



IMPACT QUANTITIES		
ITEM	AREA	VOLUME
DOCK (EXISTING)	1,574 S.F.	-
DOCK (PROPOSED)	795 S.F.	-
BOAT RAMP (EXISTING)	1,197 S.F.	-
CONCRETE (BOAT RAMP)	1,184 S.F.	29.23 C.Y.
#57 STONE (BOAT RAMP)	1,184 S.F.	21.93 C.Y.
#57 STONE (GRAVEL)	563 S.F.	10.43 C.Y.
RIP RAP	1,062 S.F.	87.64 C.Y.
EMERG. MARSH RELOCATED	209 S.F.	-

LEGEND	
[Pattern]	PROPOSED ASPHALT ROADWAY
[Pattern]	PROPOSED SIDEWALK
[Pattern]	PROPOSED CONCRETE ABUTMENTS
[Pattern]	PROPOSED POND
[Pattern]	PROPOSED BOAT RAMP (ABOVE MHWL)
[Pattern]	PROPOSED BOAT RAMP (BELOW MHWL)
[Pattern]	PROPOSED BOARDWALK (ABOVE MHWL)
[Pattern]	PROPOSED BOARDWALK (BELOW MHWL)
[Pattern]	PROPOSED RIP RAP (ABOVE MHWL)
[Pattern]	PROPOSED RIP RAP (BELOW MHWL)
[Pattern]	PROPOSED GRAVEL (#57 STONE) (ABOVE MHWL)
[Pattern]	PROPOSED GRAVEL (#57 STONE) (BELOW MHWL)
[Pattern]	EMERGENT MARSH TO REMAIN
[Pattern]	EMERGENT MARSH TO BE RELOCATED
[Pattern]	PROPOSED RELOCATED EMERGENT MARSH
[Line Style]	LIMITS OF CONSTRUCTION
[Line Style]	MHWL (0.79')
[Line Style]	WETLANDS

ISSUE DATE: 12/12/17	REVISION	DATE	DATE
COMP. FILE No.:	SYMBOL	SYMBOL	SYMBOL
STATE PROJECT No.: N1303	REVISION	REVISION	REVISION
DESIGNER: MHB	SYMBOL	SYMBOL	SYMBOL
DRAWN BY: CJA	SYMBOL	SYMBOL	SYMBOL
REVIEWED BY: BRL	SYMBOL	SYMBOL	SYMBOL
CONSULTANT:	SYMBOL	SYMBOL	SYMBOL
PROFESSIONAL REGISTRATION: BRYANT KING, P.E. FLORIDA ENGINEER #51894	<b>DRMP</b> ENGINEERS • ARCHITECTS • PLANNERS • SURVEYORS 3800 Commonwealth Blvd., Tallahassee, Florida 32308 Phone: 904.224.8100 Fax: 904.224.8101		
BIG LAGOON STATE PARK		Department of Environmental Protection Office of Operations Bureau of Design and Construction 3800 Commonwealth Blvd., Tallahassee, FL 32399 (850) 425-2300	
SHEET TITLE		PROJECT TITLE	
BIG LAGOON STATE PARK		BOAT RAMP AREA IMPROVEMENTS	
SHEET NO.		C106-B	



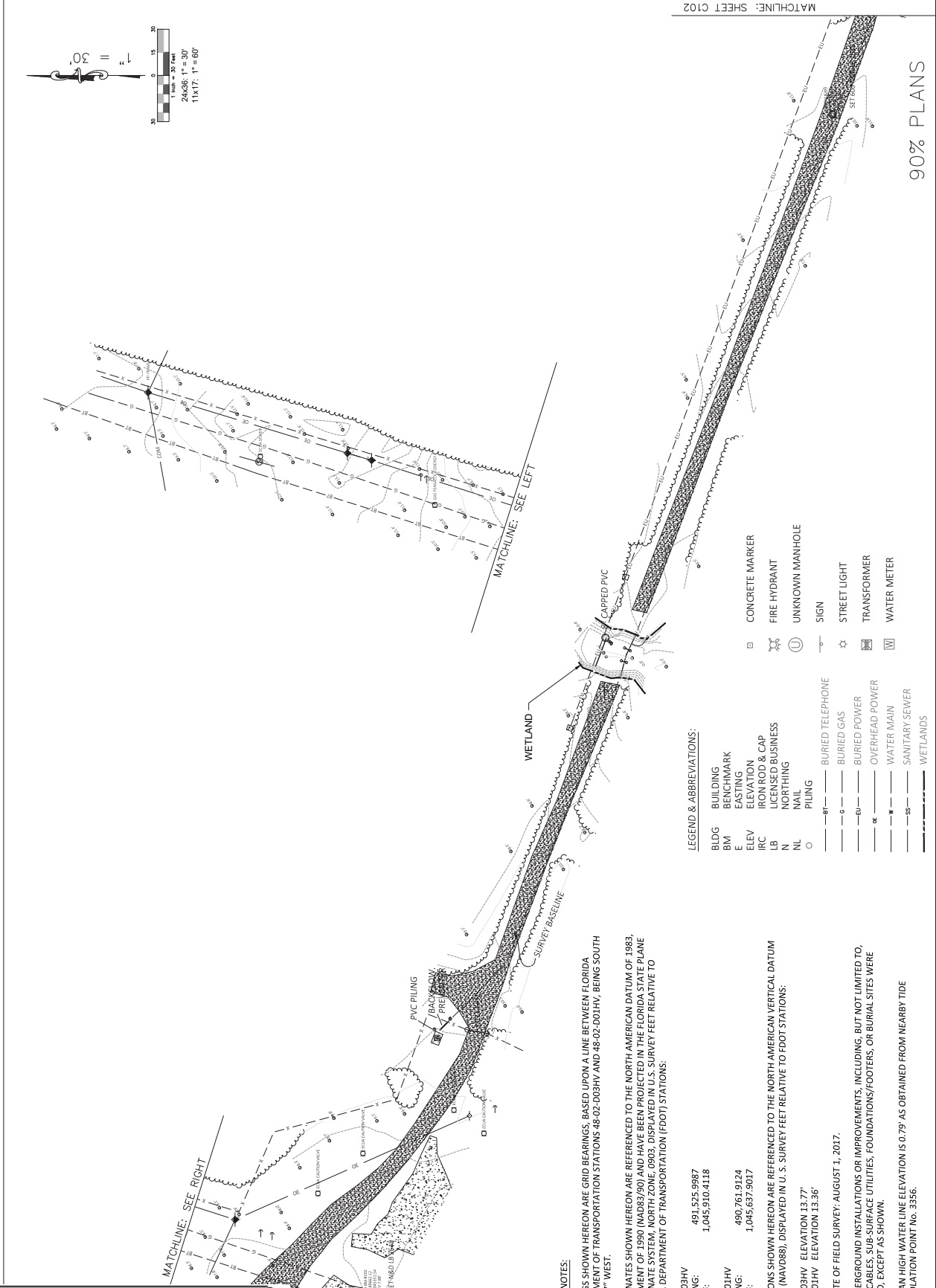
SAJ-2009-00997(SP-HM)

FDEP-Big Lagoon SP

January 16, 2019

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PROJECT TITLE <b>BOAT RAMP AREA IMPROVEMENTS</b>		SHEET NO. <b>C101</b>
EXISTING CONDITIONS		
PROJECT TITLE <b>BIG LAGOON STATE PARK</b>		MATCHLINE: SHEET C102
DESIGNER: MHB	PROFESSIONAL REGISTRATION MAJOR BRANLEN, P.E. FLORIDA ENGINEER #02444	
CHECKED BY: BRL	DRAFTER: CJA	
STATE PROJECT NO.: NI303	ISSUE DATE: 08/07/2017	
SYMBOL 	REVISION	
SYMBOL 	DATE	
SYMBOL 	REVISION	
SYMBOL 	DATE	



Department of Environmental Protection  
 Office of Operations  
 Bureau of Design and Construction  
 3800 Commonwealth Blvd., Tallahassee, FL 32398 (850) 425-2300

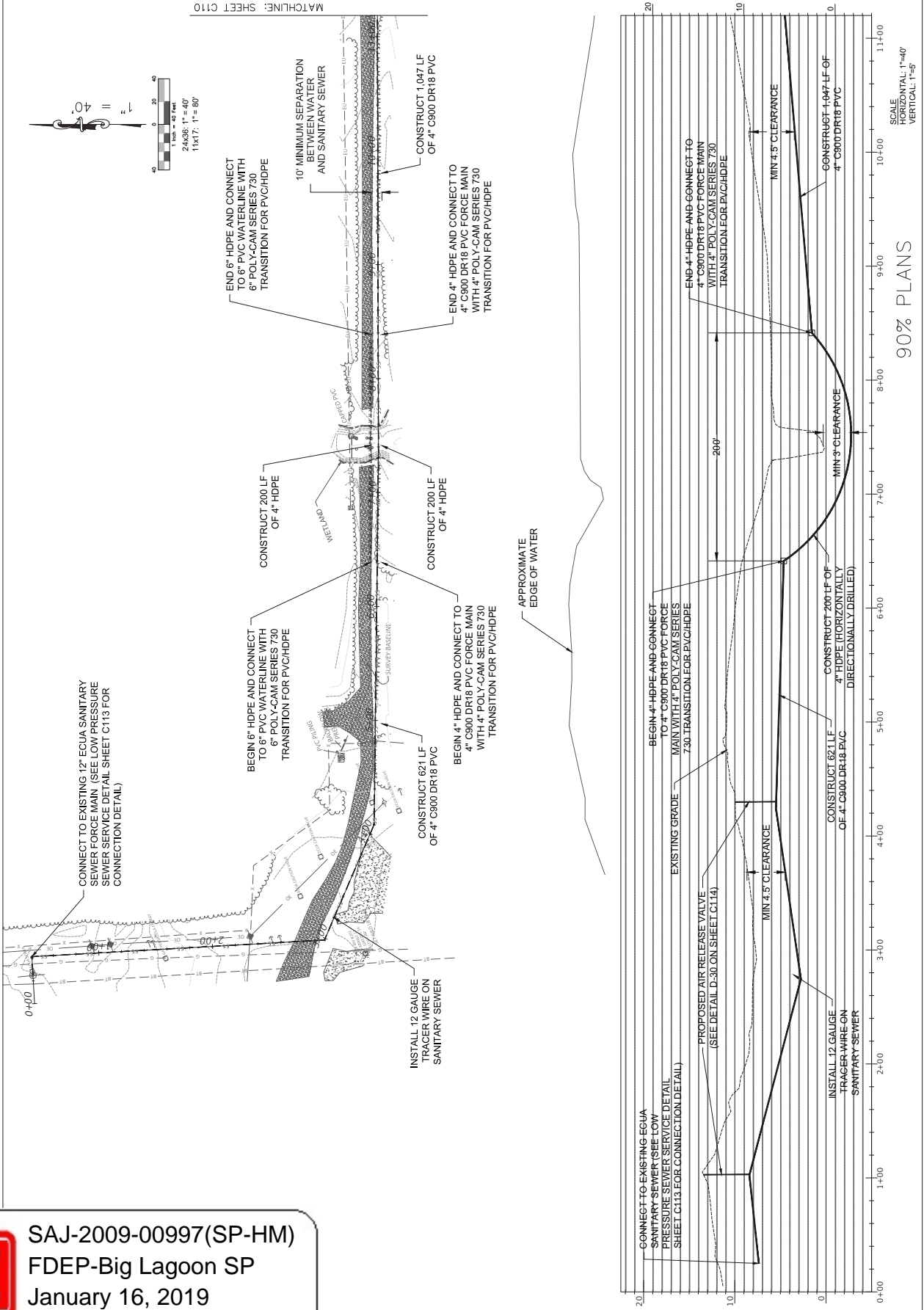
DRMP  
 (Division of Regulatory Management and Planning)  
 1000 North Florida Avenue, Tallahassee, Florida 32304  
 PH: 904.438.2000 FAX: 904.438.2001  
 WWW.FLORIDA.GOV





SAJ-2009-00997(SP-HM)  
 FDEP-Big Lagoon SP  
 January 16, 2019  
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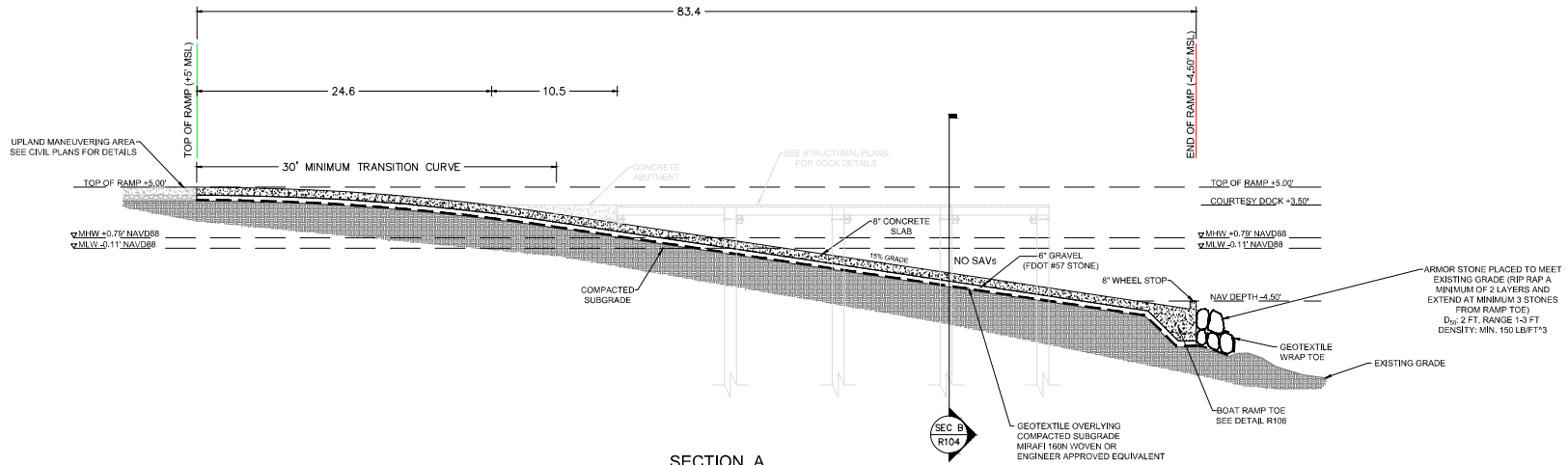
<b>DRMP</b> <small>Division of Environmental Regulation        2500 University Blvd., Tallahassee, FL 32302        (904) 438-2200        www.floridaregulation.com</small>		PROJECT TITLE: <b>BOAT RAMP AREA</b> <b>SEWER PLAN AND PROFILE</b>	
DESIGNER: MHB FLORIDA ENGINEER REG. NO. 10244	DRAWN BY: CJA FLORIDA ENGINEER REG. NO. 10244	SHEET NO. <b>C109</b>	SHEET TITLE: <b>BIG LAGOON STATE PARK</b>
REVISIONS: REVISION NO. 1: 08/07/2017 SYMBOL: [Symbol] DATE: [Date]	STATE PROJECT NO.: NI303	IMPROVEMENTS	



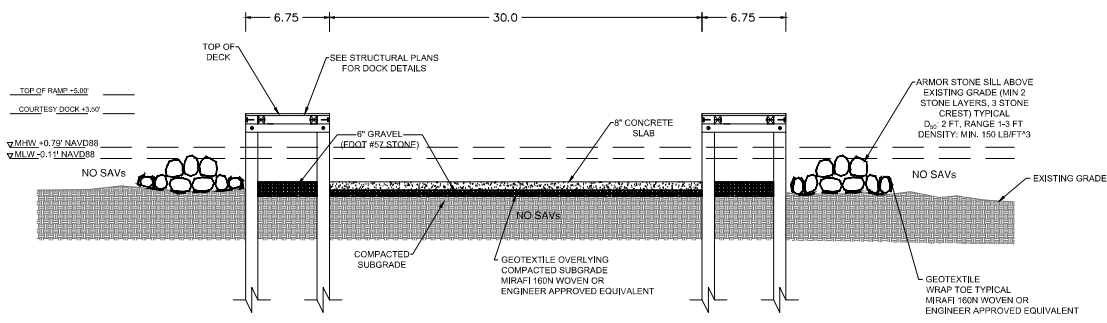
90% PLANS

SCALE  
 HORIZONTAL: 1"=40'  
 VERTICAL: 1"=5'

MATCHLINE: SHEET C110



SECTION A



SECTION B

DATE	REVISION	SYMBOL	DATE	REVISION	SYMBOL
		(A)	11/29/2017		(B)
ISSUE DATE:	DESIGNER:	COMP. FILE NO.:	STATE PROJECT NO.:	CONTRACT:	
11/29/2017	MHR	MHR	N1303		
PROFESSIONAL REGISTRATION NO.:	FLORIDA ENGINEER #:				
	48224				
BIG LAGOON STATE PARK			BOAT RAMP SECTIONS 1		
BOAT RAMP AREA			IMPROVEMENTS		
SHEET NO.	R104				

Department of Environmental Protection  
 Office of Operations  
 Bureau of Design and Construction  
 3900 Commonwealth Blvd., Tallahassee, FL 32399 (850) 426-5900

SAJ-2009-00997(SP-HM)  
 FDEP-Big Lagoon SP  
 January 16, 2019  
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90% PLANS

PROJECT TITLE	BIG LAGOON STATE PARK BOAT DOCK IMPROVEMENT PROJECT
SHEET TITLE	BOAT RAMP DEMOLITION PLAN
	BIG LAGOON STATE PARK

PROFESSIONAL REGISTRATION  
STATE OF FLORIDA #63122  
FRANK M. MCKEE, P.E.  
DESIGNER :

DESIGNED BY :  
CHECKED BY :  
DRAWN BY :  
ISSUE DATE :  
SYMBOL :  
REVISION :  
DATE

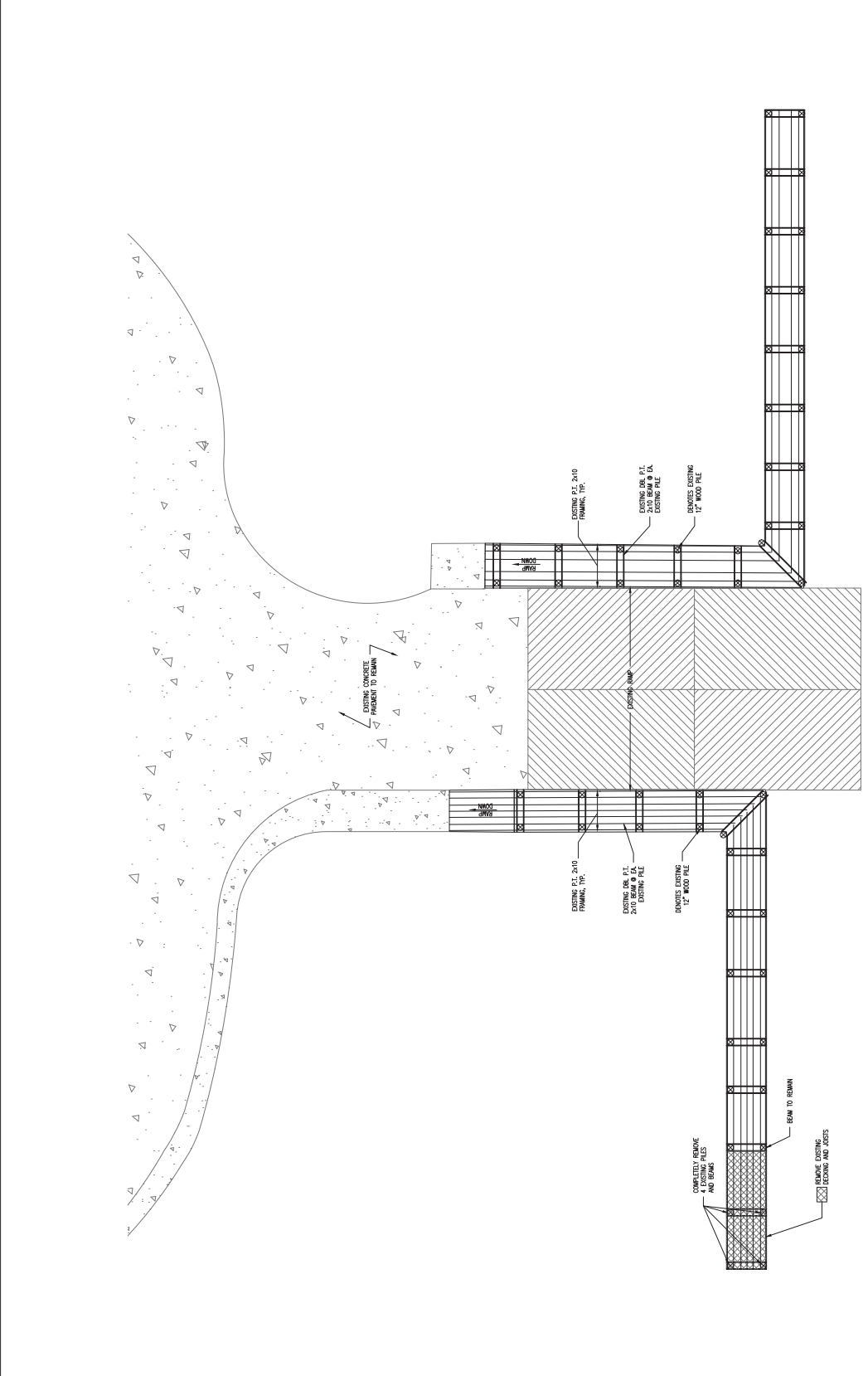
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF DESIGN AND CONSTRUCTION  
3540 THOMASVILLE RD., TALLAHASSEE, FL 32309 (850) 488-5372  
CERTIFICATE OF AUTHORIZATION 2848



**KEVER MCKEE ENGINEERING**  
3540 THOMASVILLE RD.  
TALLAHASSEE, FLORIDA 32309  
OFFICE: 850.727.5367  
AUTORIZATION NO. 31293



EXISTING BOAT DOCK DEMOLITION PLAN  
SCALE: 1" = 1'-0"

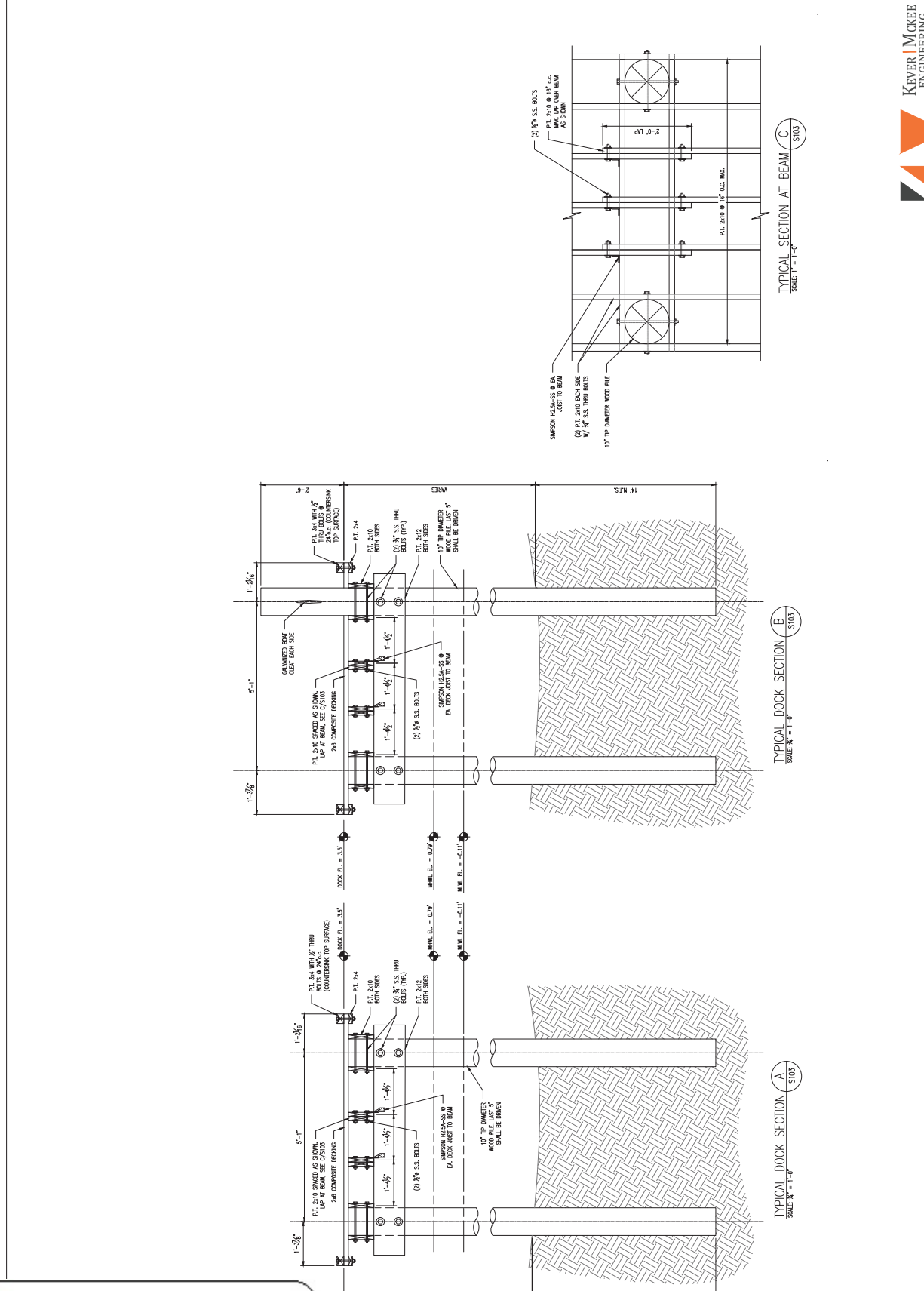







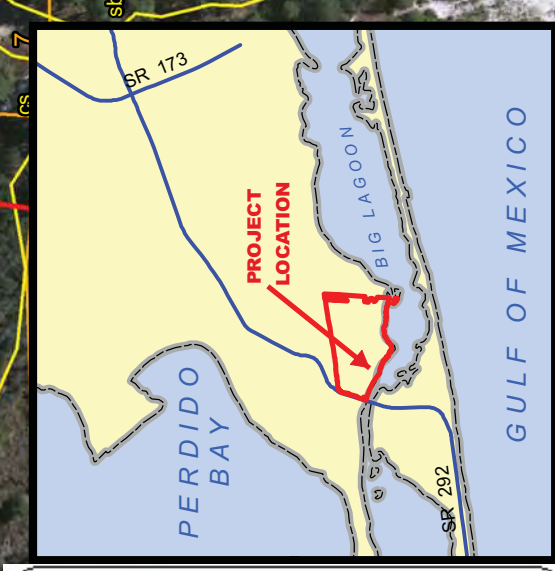
PROJECT TITLE	BIG LAGOON STATE PARK BOAT DOCK IMPROVEMENT PROJECT
SHEET TITLE	BOAT RAMP FRAMING PLAN
PROJECT TITLE	BIG LAGOON STATE PARK


DESIGNER :	PMM	ISSUE DATE:	04/18/2017
DESIGNED BY :	PMM	DATE:	
CHECKED BY :	PMM	SCALE:	
DATE:		PROJECT NO.:	
PROFESSIONAL REGISTRATION	STATE OF FLORIDA #61322		
FRANK M. KEVER, P.E.			
2882 REMINGTON GREEN CIRCLE			
TALLAHASSEE, FL 32308			
(850) 522-9600			
CERTIFICATE OF AUTHORIZATION 2848			
CHAMP, INC.			
3540 Thomsville Rd., Tallahassee, FL 32309 (850) 488-5372			

SAJ-2009-00997(SP-HM)  
FDEP-Big Lagoon SP  
January 16, 2019  
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FNAI Natural Communities	
sb	Shrub Bog
sm	Saltmarsh
cs	Coastal Scrub



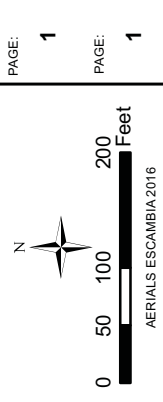

 SAJ-2009-00997(SP-HM)  
 FDEP-Big Lagoon SP  
 January 16, 2019  
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Code	Soils Description
5	CROATAN AND PICKNEY SOILS, DEPRESSIONAL
7	KUREB SAND, 0 TO 8 PERCENT SLOPES
8	NEWHAN-COROLLA COMPLEX, ROLLING, RARELY FLOODED



<p><b>FLORIDA ENVIRONMENTAL AND LAND SERVICES, INC.</b>          221-4 DELTA COURT          TALLAHASSEE, FLORIDA 32303          (850) 385-6255</p>	<p><b>PROJECT:</b>  <b>BIG LAGOON BOAT RAMP</b>          ESCAMBIA COUNTY, FLORIDA</p>	<p><b>TITLE:</b>  <b>Figure 1- Location &amp; Aerial Map</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">DATE:</td> <td style="width: 25%;">MAY-12-2017</td> <td style="width: 25%;">BY:</td> <td style="width: 25%;">KE</td> </tr> <tr> <td>CHECK:</td> <td>EP</td> <td>PROJECT #</td> <td>16-1383</td> </tr> </table>	DATE:	MAY-12-2017	BY:	KE	CHECK:	EP	PROJECT #	16-1383
DATE:	MAY-12-2017	BY:	KE							
CHECK:	EP	PROJECT #	16-1383							
<p><b>Figure 1- Location &amp; Aerial Map</b></p>		<p>PAGE: 1</p>								
<p>PROJECT: 16-1383</p>		<p>PAGE: 1</p>								
<p>DATE: MAY-12-2017</p>		<p>BY: KE</p>								
<p>CHECK: EP</p>		<p>PROJECT #</p>								
<p>PROJECT #</p>		<p>16-1383</p>								
<p>DATE: MAY-12-2017</p>		<p>BY: KE</p>								
<p>CHECK: EP</p>		<p>PROJECT #</p>								
<p>PROJECT #</p>		<p>16-1383</p>								



- Parcel Boundaries
- FNAI Natural Communities
- Soils
- Wetland Line
- Escambia County Parcel Boundaries
- Existing Boat Ramp (Surveyed)
- Existing Mooring (Surveyed)
- Existing Rip-Rap (Surveyed)
- Mean High Water (Surveyed)

AERIALS ESCAMBIA 2016  
 0 50 100 200 Feet

### Coastal Zone Management

Issuance of this authorization also constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Zone Management Act.

### Water Quality Certification

This permit also constitutes a water quality certification under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

### Other Authorizations

You are advised that authorizations or permits for this activity may be required by other federal, state, regional, or local entities including but not limited to local governments or municipalities. This permit does not relieve you from the requirements to obtain all other required permits or authorizations.

The activity described may be conducted only in accordance with the terms, conditions and attachments contained in this document. Issuance and granting of the permit and authorizations herein do not infer, nor guarantee, nor imply that future permits, authorizations, or modifications will be granted by the Department.

### **PERMIT / SOVEREIGNTY SUBMERGED LANDS CONDITIONS**

The activities described must be conducted in accordance with:

- **The Specific Conditions**
- **The General Conditions**
- **The Special Consent Conditions for State-Owned Submerged Lands Authorization**
- **The General Conditions for Sovereignty Submerged Lands Authorization**
- **The limits, conditions, and locations of work shown in the attached drawings**
- **The term limits of this authorization**

You are advised to read and understand these conditions and drawings prior to beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings herein. If you are using a contractor, the contractor also should read and understand these conditions and drawings prior to beginning any activity. Failure to comply with these conditions, including any mitigation requirements, shall be grounds for the Department to revoke the permit and authorization and to take appropriate enforcement action. Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit and sovereign submerged lands authorization, as described.

### **SPECIFIC CONDITIONS – ADMINISTRATIVE / EMERGENCIES**

1. For emergencies involving a serious threat to public health, safety, welfare, or environment, the emergency telephone contact number is **1-800-320-0519** (State Warning Point). The Department telephone number for reporting nonthreatening problems or system malfunctions is 850-595-0663, day or night.
2. The construction phase of this authorization expires at 11:59 p.m. on the date indicated on the cover page of this permit, unless an application for extension is received and approved pursuant to Rule 62-330.320, F.A.C.



3. The permittee shall be responsible for keeping records documenting that relevant permit conditions are met. This documentation shall include, at a minimum, the date of each inspection, the name and qualifications of the inspector, any maintenance actions taken, and a determination by the inspector as to whether the system is operating as intended. Inspection documentation must be readily available and shall be provided at the Department's request. Submittal of the inspection documentation to the Department is not required.
4. Within 30 days of any failure of a stormwater management system or deviation from the permit, a report shall be submitted to the Department on Form 62-330.311(1), Operation and Maintenance Inspection Certification, describing the remedial actions taken to resolve the failure of deviation. This report shall be signed and sealed by a registered professional.
5. The mailing address for submittal of forms for the "Construction Commencement Notice", "As Built Certification ...", "Request for Conversion of Stormwater Management Permit Construction Phase to Operation and Maintenance Phase", or other correspondence is FDEP, SLERP, 160 W. Government Street, Pensacola, Florida, 32502.

#### **SPECIFIC CONDITIONS – PRIOR TO ANY CONSTRUCTION**

6. If the approved permit drawings and/or narrative conflict with the specific conditions herein, then the specific conditions shall prevail.
7. This permit does not authorize the construction of any additional structures or dredging or filling of wetlands not illustrated on the permit drawings.
8. Prior to the initiation of any work authorized by this permit, the limits of the authorized wetland impact areas shall be clearly flagged or staked by the permittee's agent or contractor. All construction personnel shall be shown the locations of wetlands outside of the authorized construction footprint to prevent encroachment of heavy equipment into these areas.
9. Best management practices for erosion control shall be implemented prior to construction activities and maintained at all times during construction to prevent siltation and turbid discharges into adjacent wetlands. Methods shall include, but are not limited to the use of staked hay bales, staked filter cloth, sodding, seeding, and mulching; staged construction; and the installation of turbidity screens around the immediate project site. Erosion control methods shall be implemented as described and shown in the attached permit drawings. The permittee shall be responsible for ensuring that erosion control devices/procedures are inspected and maintained daily during all stages of construction authorized by this permit until all areas that were disturbed during construction are sufficiently stabilized to prevent erosion, siltation, and turbid discharges
10. All storage and staging areas shall be limited to uplands or within the impact areas authorized by this permit. The operation of all equipment associated with the authorized activities shall also be limited to uplands or within the authorized impact areas.

#### **SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES**

11. This permit does not authorize any work that is not illustrated on the attached drawings.



12. All wetland areas or water bodies which are outside the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring and/or dewatering. Turbidity/erosion controls shall be installed prior to any clearing, excavation or placement of fill material and shall be maintained in an effective condition at all locations until construction is completed and disturbed areas are stabilized. Staked filter cloth shall be positioned at the edge of the permitted fill slopes where they are adjacent to wetlands in order to prevent turbid run-off and erosion. The permittee shall be responsible for ensuring that erosion control devices/procedures are inspected/maintained daily during all phases of construction authorized by this permit. Once these conditions are met, the turbidity and erosion control devices shall be removed within 14 days. At no time shall there be any discharge in violation of the water quality standards in Chapter 62-302, Florida Administrative Code.

The following measures shall be taken by the permittee if turbidity levels within waters of the State, exceed 29 NTUs above background:

- a. Immediately cease all work contributing to the water quality violation;
- b. Stabilize any exposed soils contributing to the violation;
- c. Modify the work procedures that were responsible for the violation, install more turbidity containment devices, and repair any non-functional turbidity containment devices; and
- d. Notify the FDEP Northwest Regulatory District's Compliance Assurance Program (ERP) at 850-595-8300 within 24 hours of the time the violation is first detected.

13. Construction equipment shall not be repaired or refueled in wetlands or elsewhere within waters of the State.
14. There shall be no storage or stockpiling of tools, materials (i.e. lumber, pilings, debris) within wetlands or elsewhere within waters of the state.
15. If any construction de-watering is required, which results in an offsite discharge of groundwater, the permittee and/or the contractor shall ensure that the requirements of pertinent portions of Chapter 62-621, F.A.C. are met. Please contact Bill Evans, P.E., at 850-595-0584, for more information.
16. All material used as fill shall be clean earthen or sand/shell material that is not contaminated with vegetation, garbage, trash, tires, hazardous or toxic waste, or any other materials that are not suitable for construction within waters of the State, as so determined by the Department.
17. This permit does not authorize any work in wetlands outside the footprint of the authorized impacts, as depicted on the attached permit drawings. No dredging, filling, or other type of construction activity, including removal of tree stumps and/or vegetative root masses, shall be conducted in wetlands unless performed within the limits authorized in this permit or a subsequent authorization.

18. Any unauthorized impacts to wetlands, the littoral zone, or submerged resources that result from construction shall be immediately reported to the FDEP Northwest Regulatory District's Compliance Assurance Program (ERP) at 850-595-8300 and corrected by reestablishing pre-construction elevations and replanting vegetation of the same species, size, and density as that in adjacent areas. The restoration shall be completed and the Department so notified within 30 days of completion of the permitted activities.
19. Any disturbed wetland areas shall be restored to pre-construction grades immediately upon completion of the work authorized in this permit.
20. All cleared vegetation, demolition debris, excess lumber, scrap wood, trash, garbage, and any other type of debris shall be removed from wetlands or waters of the State within 14 days of completion of the work authorized in this permit.

#### **SPECIFIC CONDITIONS – OPERATION AND MAINTENANCE ACTIVITIES**

22. The stormwater management system shall be inspected by a registered professional to evaluate whether the system is functioning as designed and permitted. The registered professional may record his inspection on Form No. 62-330.311(1), Operation and Maintenance Inspection Certification or may provide his evaluation in any other format; however, any report must be signed and sealed by the registered professional. Submittal of the inspection report to the Department is not required; but the report shall be made available to the Department upon request. Inspections shall be made by the registered professional in accordance with this schedule:  
For dry detention:
  - a. On the first anniversary of the date of conversion to Operation and Maintenance Phase.
  - b. Every fifth year on the anniversary of conversion to Operation and Maintenance phase, after the first year of successful operation.
23. The Stormwater Operation and Maintenance Plan, as approved and enclosed with this permit, shall be implemented.
24. For Dry Retention systems, percolation performance shall be evaluated within the pond at least every third year. If there is evidence of inadequate percolation, the pond bottom must be re-scarified or deep-raked to restore percolation characteristics. If reworking the pond bottom fails to restore adequate percolation, additional retention area restoration shall be performed as follows:
  - a. Remove the top layer of the retention area bottom material to a depth of 2 to 3 inches and scarify or deep-rake the excavated bottom.
  - b. Replace excavated bottom material with suitably permeable material and restore the pond bottom to design grade.

25. For Dry Retention systems, Inspections by the Permittee:
- a. The stormwater system shall be inspected periodically for accumulation of debris and trash. Accumulations of debris and trash that negatively affect the function of the system shall be removed upon discovery.
  - b. The stormwater system shall be inspected periodically for silt accumulation. Accumulations of silt that negatively affect the function of the system shall be removed.
26. All structures authorized by this permit shall remain in operable condition and shall not be allowed to deteriorate or otherwise contribute to a water quality violation for the life of the facility. All stormwater structures identified by this permit shall be maintained in proper working order for the life of the facility

### **GENERAL CONDITIONS FOR INDIVIDUAL PERMITS**

The following general conditions are binding on all individual permits issued under Chapter 62-330, F.A.C., except where the conditions are not applicable to the authorized activity or where the conditions must be modified to accommodate project-specific conditions.

1. All activities shall be implemented following the plans, specifications, and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to and be maintained during and after construction as needed to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual* (Florida Department of Environmental Protection and Florida Department of Transportation, June 2007) and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual* (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)(5), F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice" (October 1, 2013), which is incorporated by reference in paragraph 62-330.350(1)(d), F.A.C., indicating the expected start and completion dates. A copy of this form may be obtained

**SELF-CERTIFICATION STATEMENT OF COMPLIANCE**

**Permit Number: SAJ-2009-00997 (SP-HMM)**

Permittee's Name & Address (please print or type):

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Telephone Number: \_\_\_\_\_

Location of the Work: \_\_\_\_\_

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Date Work Started: \_\_\_\_\_ Date Work Completed: \_\_\_\_\_

**PROPERTY IS INACCESSIBLE WITHOUT PRIOR NOTIFICATION: YES \_\_\_ NO \_\_\_  
PLEASE CONTACT \_\_\_\_\_ AT \_\_\_\_\_  
TO SCHEDULE AN INSPECTION**

Description of the Work (e.g. bank stabilization, residential or commercial filling, docks, dredging, etc.):

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Acreage or Square Feet of Impacts to Waters of the United States: \_\_\_\_\_

Describe Mitigation completed (if applicable): \_\_\_\_\_

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Describe any Deviations from Permit (attach drawing(s) depicting the deviations): \_\_\_\_\_

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I certify that all work, and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date



## STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

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The Permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees, which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. [Omitted]
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and emailed to FWC at [ImperiledSpecies@myFWC.com](mailto:ImperiledSpecies@myFWC.com).
- f. [Omitted]

[Conditions "c" and "f" have been omitted as they are not applicable in Escambia County.]





UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
Southeast Regional Office  
263 13th Avenue South  
St. Petersburg, FL 33701

## SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

The permittee shall comply with the following protected species construction conditions:

- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.
- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.

Revised: March 23, 2006

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ATTACHMENT 5  
Turtle/Sawfish Conditions  
1 Page

THESE CONDITIONS APPLY TO GULF AND SHORTNOSE STURGEON

