



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
POST OFFICE BOX 4970
JACKSONVILLE, FLORIDA 32232

May 18, 2010

RECEIVED
MAY 25 2010
ENVIRONMENTAL MANAGEMENT
OFFICE

CESAJ-RD-NJ (1145b)
SAJ-2009-02899 (IP-RLT)

Florida Department of Transportation - District 3
Attn: Ms. Joy Giddens
P.O. Box 607
Chipley, Florida 32428

Dear Ms. Giddens:

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 Special Projects and Enforcement Branch of the Regulatory Division of the Jacksonville District at P.O. Box 4970, Jacksonville, FL 32232. The Special Projects and Enforcement Branch 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,

for Donald W. Kinard
Chief, Regulatory Division

Enclosures

Copies Furnished:

Volkert & Associates Inc., Attn: Mr. Paul Looney, 3809 Moffett
Road, Mobile, Alabama 36618

FWS, Jacksonville
EPA, Atlanta
NMFS, St. Petersburg
CESAJ-RD-PE

DEPARTMENT OF THE ARMY PERMIT

Permittee: Florida Department of Transportation - District 3
Attn: Joy Giddens
P.O. Box 607
Chipley, Florida 32428

Permit No: SAJ-2009-02899 (IP-RLT)

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 widen the existing SR 281 road from a two lane rural to a four lane divided urban roadway. The project will impact 9.3 acres of waters of the United States, wetlands and surface waters. Work will include widening the existing bridge over Mulatto Bayou. Widening will occur within the existing FDOT right-of-way. Pond sites will be acquired prior to construction. The work described above is to be completed in accordance with the 15 pages of drawings and 2 attachments affixed at the end of this permit instrument.

Project Location: The project is located along State Road (SR) 281 (Avalon Blvd) extending between Interstate 10 and the CSX railroad crossing. The project is located in Sections 06, 30, 39, and 40, Township 01 North, Range 28 West, Santa Rosa County, Florida.

Directions to site: From the intersection of Interstate 10 and SR 281 (Avalon Blvd) proceed north on SR 281. The project begins at the interchange and extends north to the CSX railroad crossing.

Latitude & Longitude: Latitude: 30.5464 North
Longitude: 87.0871 West

PERMIT NUMBER: SAJ-2009-02899 (IP-RLT)
PERMITTEE: Florida Department of Transportation - District 3
PAGE 2 of 9

Permit Conditions

General Conditions:

1. The time limit for completing the work authorized ends on May 18, 2015. 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.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to

PERMIT NUMBER: SAJ-2009-02899(IP-RLT)

PERMITTEE: Florida Department of Transportation - District 3

PAGE 3 of 9

ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. **Reporting Address:** All reports, documentation and correspondence required by the conditions of this permit shall be submitted to the following address: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232. The Permittee shall reference this permit number, SAJ-2009-02899(IP-RLT), 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. **Erosion Control:** Prior to the initiation of any work authorized by this permit, the Permittee shall install erosion control measures along the perimeter of all work areas to prevent the displacement of fill material outside the work area. Immediately after completion of the final grading of the land surface, all slopes, land surfaces, and filled areas shall be stabilized using sod, degradable mats, barriers, or a combination of similar stabilizing materials to prevent erosion. The erosion control measures shall remain in place and be maintained until all authorized work has been completed and the site has been stabilized.

4. **Mitigation Credit Purchase:** Wetland impacts for this project will be mitigated through the Northwest Florida Umbrella, Watershed-Based, Regional Mitigation Plan (PLAN), as defined in the agreement between the Northwest Florida Water Management District (NFWMD) and the U.S. Army Corps of Engineers (Corps), Jacksonville District, July 31, 2006. Within 30 days from the date of initiating the authorized work or 12 months from the effective date of this permit, whichever first occurs, the Permittee shall provide verification to the Corps that 3.18 herbaceous wetland credits and 0.96 forested wetland credits have been purchased from a federally approved mitigation bank(s) within the same watershed as the project impacts. The required verification shall reference this project's permit number (SAJ-2009-02899(IP-RLT)).

PERMIT NUMBER: SAJ-2009-02899 (IP-RLT)

PERMITTEE: Florida Department of Transportation - District 3

PAGE 4 of 9

5. **As-Builts:** Within 60 days of completion of the authorized work or at the expiration of the construction window of this permit, whichever occurs first, the Permittee shall submit as-built drawings of the authorized work and a completed As-Built Certification Form (Attachment 3) to the Corps. The drawings shall be signed and sealed by a registered professional engineer and include the following:

a. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached permit drawings (8½-inch by 11-inch). The drawing should show all "earth disturbance," including wetland impacts, water management structures, and any on-site mitigation areas.

b. List any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work, describe on the As-Built Certification Form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note that the depiction and/or description of any deviations on the drawings and/or As-Built Certification Form does not constitute approval of any deviations by the U.S. Army Corps of Engineers.

c. The Department of the Army Permit number.

d. Include pre- and post-construction aerial photographs of the project site, if available.

6. **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 Jacksonville Regulatory Office.

Further Information:

1. **Congressional Authorities:** You have been authorized to undertake the activity described above pursuant to:

PERMIT NUMBER: SAJ-2009-02899 (IP-RLT)

PERMITTEE: Florida Department of Transportation - District 3

PAGE 5 of 9

() 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.

PERMIT NUMBER: SAJ-2009-02899 (IP-RLT)

PERMITTEE: Florida Department of Transportation - District 3

PAGE 6 of 9

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.

PERMIT NUMBER: SAJ-2009-02899 (IP-RLT)

PERMITTEE: Florida Department of Transportation - District 3

PAGE 7 of 9

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

Joy Giddens
(PERMITTEE)

5/11/10
(DATE)

Joy Giddens - FDOT D3
(PERMITTEE NAME-PRINTED)
District Permit Coordinator

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

Bob Lawrence
(DISTRICT ENGINEER)
Alfred A. Pantano, Jr.
Colonel, U.S. Army
District Commander

18 May 2010
(DATE)

PERMIT NUMBER: SAJ-2009-02899(IP-RLT)

PERMITTEE: Florida Department of Transportation - District 3

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.

(TRANSFEEEE-SIGNATURE)

(DATE)

(NAME-PRINTED)

(ADDRESS)

(CITY, STATE, AND ZIP CODE)

PERMIT NUMBER: SAJ-2009-02899(IP-RLT)

PERMITTEE: Florida Department of Transportation - District 3

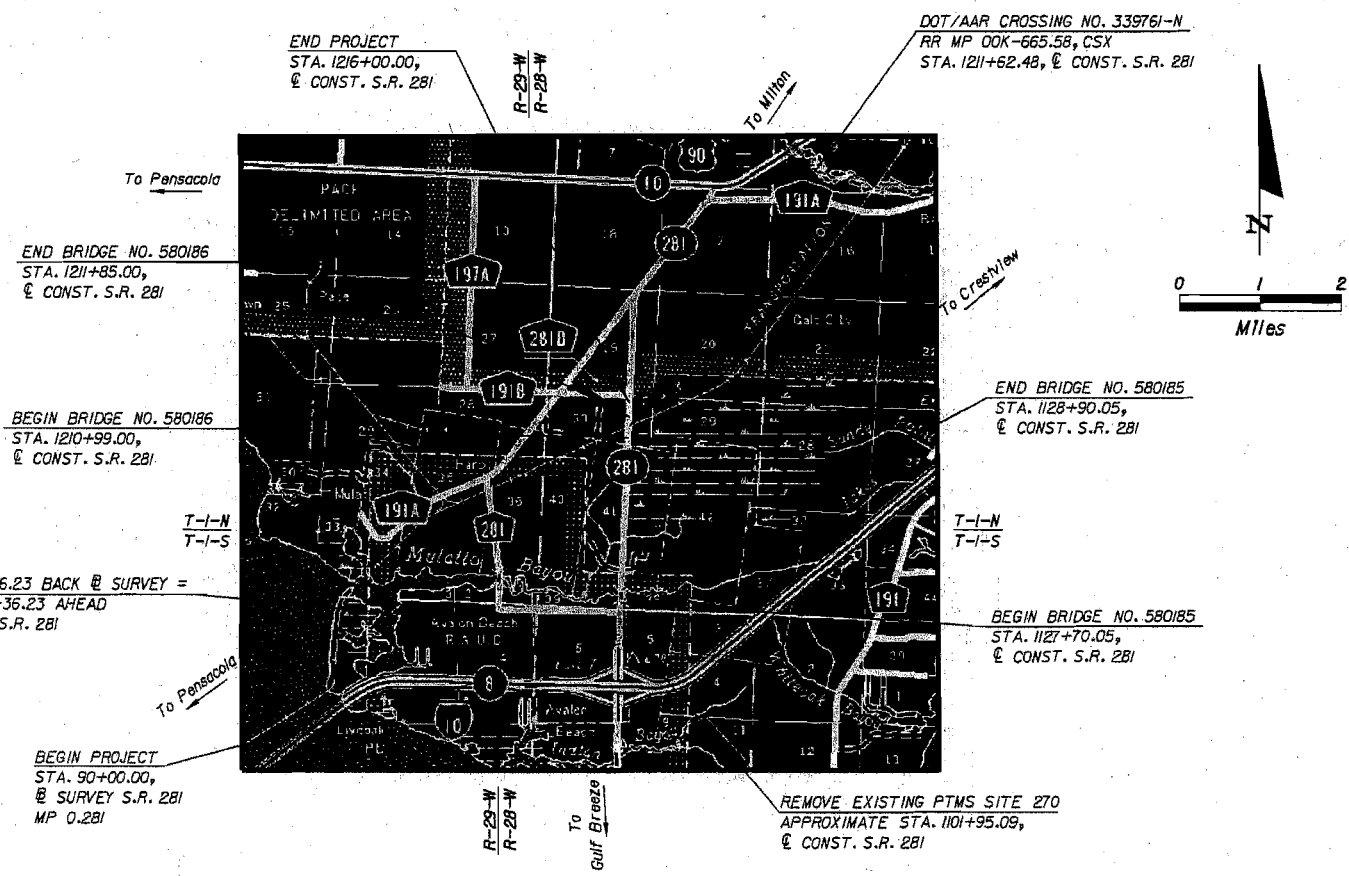
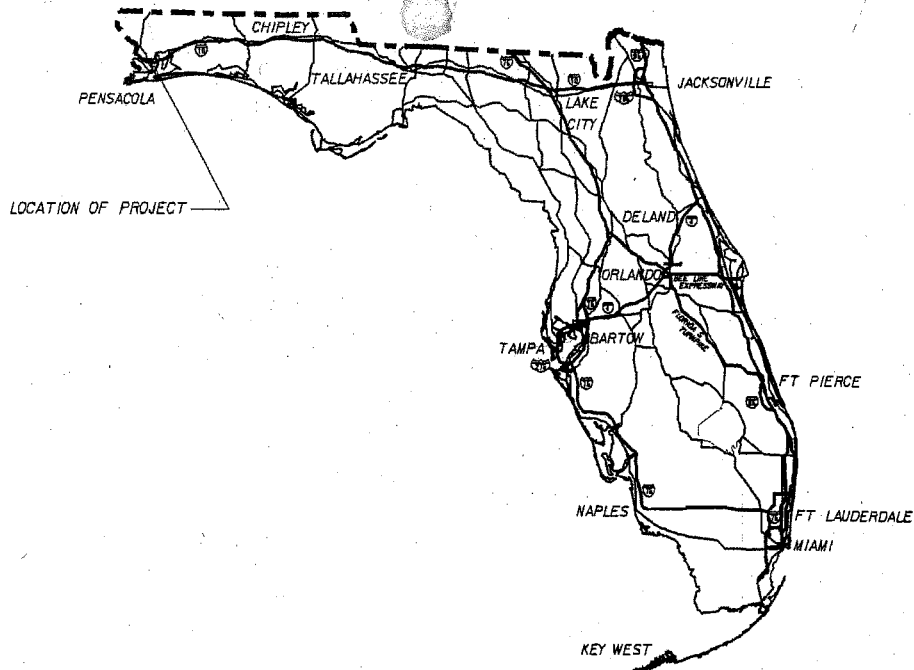
PAGE 9 of 9

***Attachments to Department of the Army
Permit Number SAJ-2009-02899***

1. PERMIT DRAWINGS: 15 pages, dated October 2009.

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. 10 pages.

3. As-Built Certification: 2 pages.



SAT-2009-02499

Applicant: Florida Department of Transportation (FDOT)
 Water Body: N/A
 County: Santa Rosa
 Datum: NAVD 1988

Purpose: Dredge & Fill for Widening of SR 281

Original Work Maintenance

Sheet No.: 1 of 15

Date: October 2009

1" = 1500'

END PROJECT
 FPID 220412-7-52-01
 STA. 1216+00.00
 @ CONST. SR 281

END BRIDGE
 STA. 1211+85.00
 @ CONST. SR 281

BEGIN BRIDGE
 STA. 1210+99.00
 @ CONST. SR 281

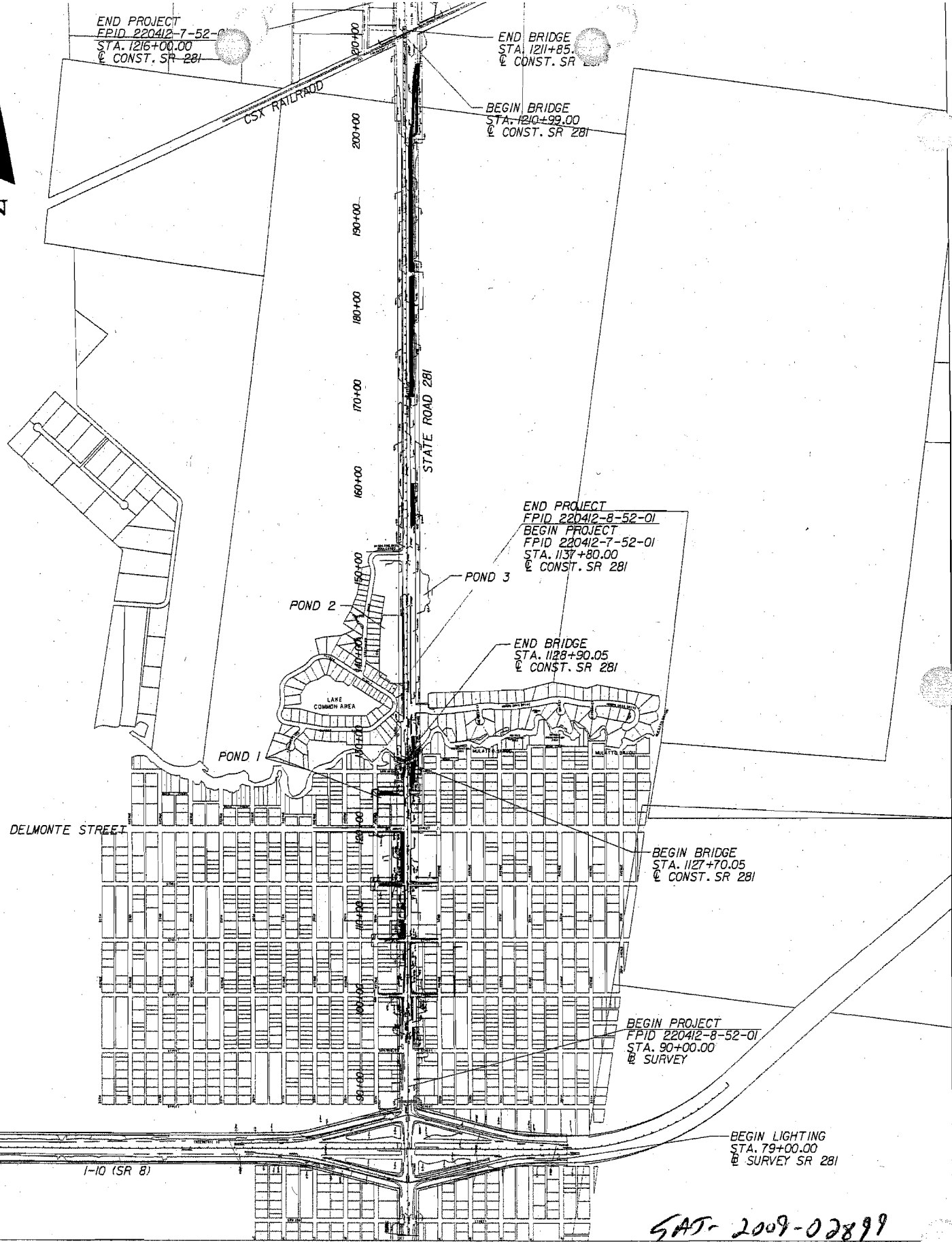
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 BEGIN PROJECT
 FPID 220412-7-52-01
 STA. 1137+80.00
 @ CONST. SR 281

END BRIDGE
 STA. 1128+90.05
 @ CONST. SR 281

BEGIN BRIDGE
 STA. 1127+70.05
 @ CONST. SR 281

BEGIN PROJECT
 FPID 220412-8-52-01
 STA. 90+00.00
 @ SURVEY

BEGIN LIGHTING
 STA. 79+00.00
 @ SURVEY SR 281



SAT-2009-02899

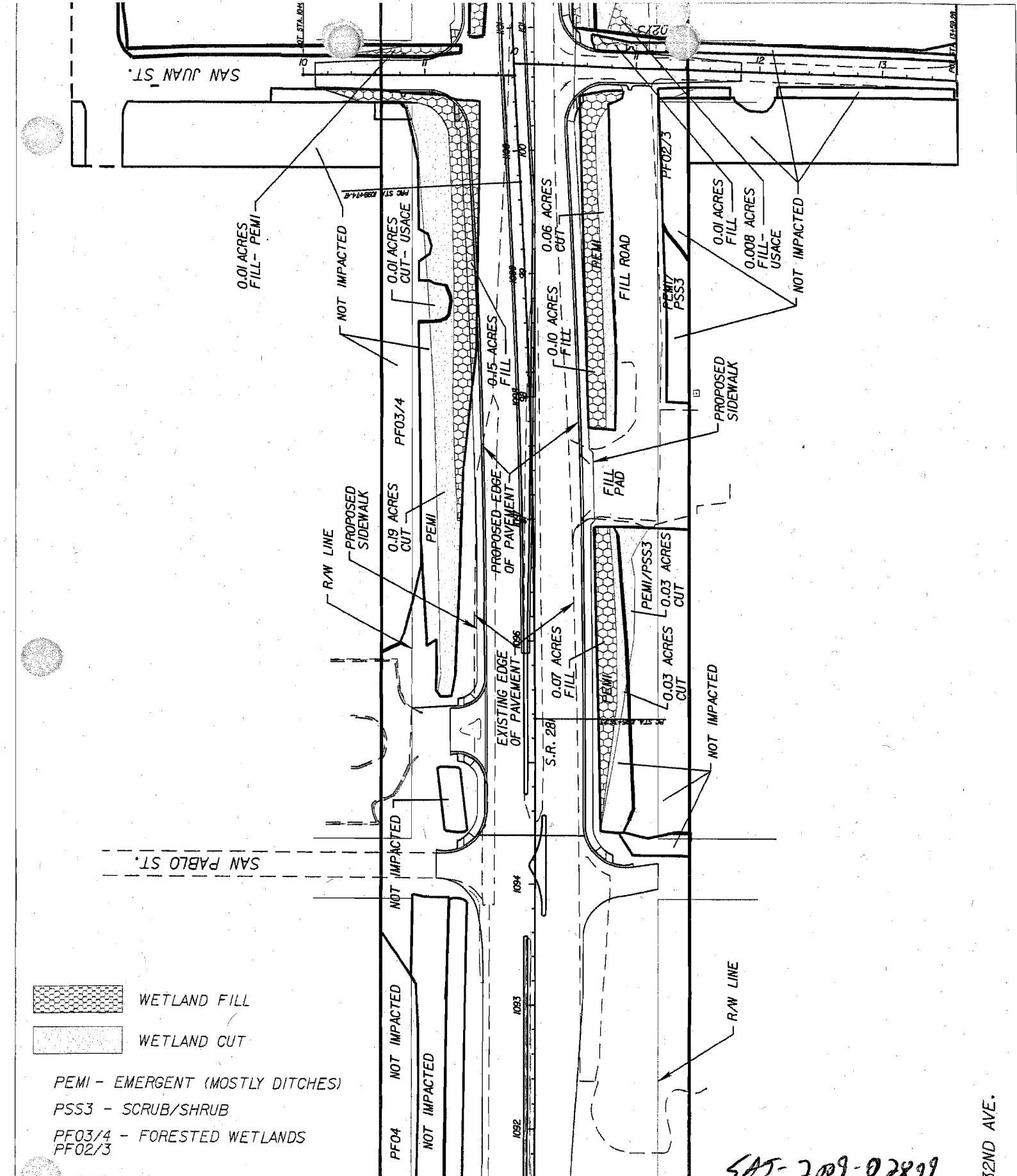
Applicant: Florida Department of Transportation (FDOT)
 Water Body: N/A
 County: Santa Rosa
 Datum: NAVD 1988



Purpose: Dredge & Fill for Widening of SR 281

Original Work Maintenance

Sheet No.: 2 of 15

Date: October 2009



 WETLAND FILL
 WETLAND CUT

PEMI - EMERGENT (MOSTLY DITCHES)
 PSS3 - SCRUB/SHRUB
 PF03/4 - FORESTED WETLANDS
 PF02/3

PF04 NOT IMPACTED
 NOT IMPACTED
 NOT IMPACTED

SAS-2009-02899

32ND AVE.

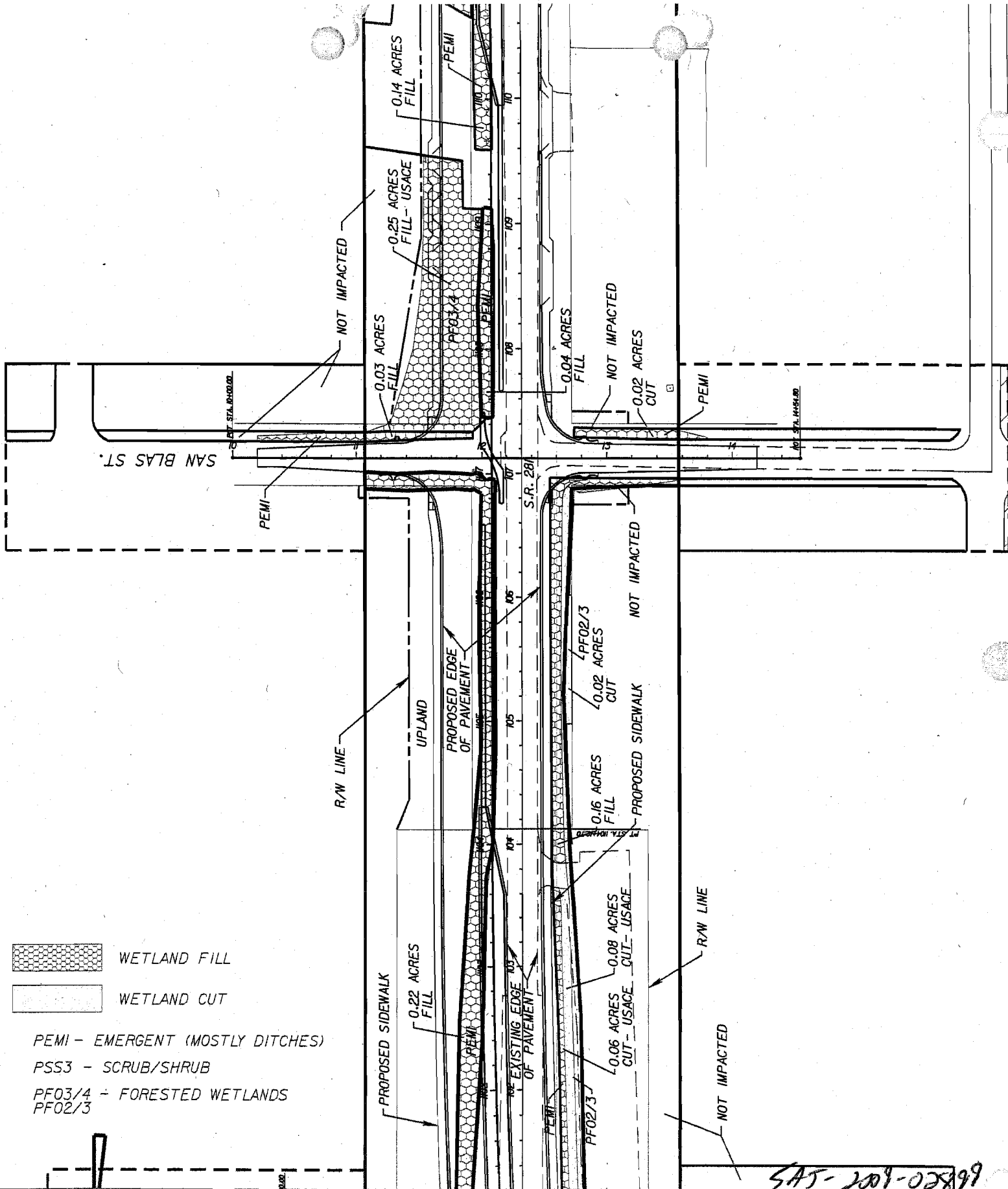
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 Water Body: N/A
 County: Santa Rosa
 Datum: NAVD 1988

Purpose: Dredge & Fill for Widening of SR 281

Original Work Maintenance

Sheet No.: 3 of 15

Date: October 2009



 WETLAND FILL
 WETLAND CUT

PEMI - EMERGENT (MOSTLY DITCHES)
 PSS3 - SCRUB/SHRUB
 PF03/4 - FORESTED WETLANDS
 PF02/3

SAS-209-02899

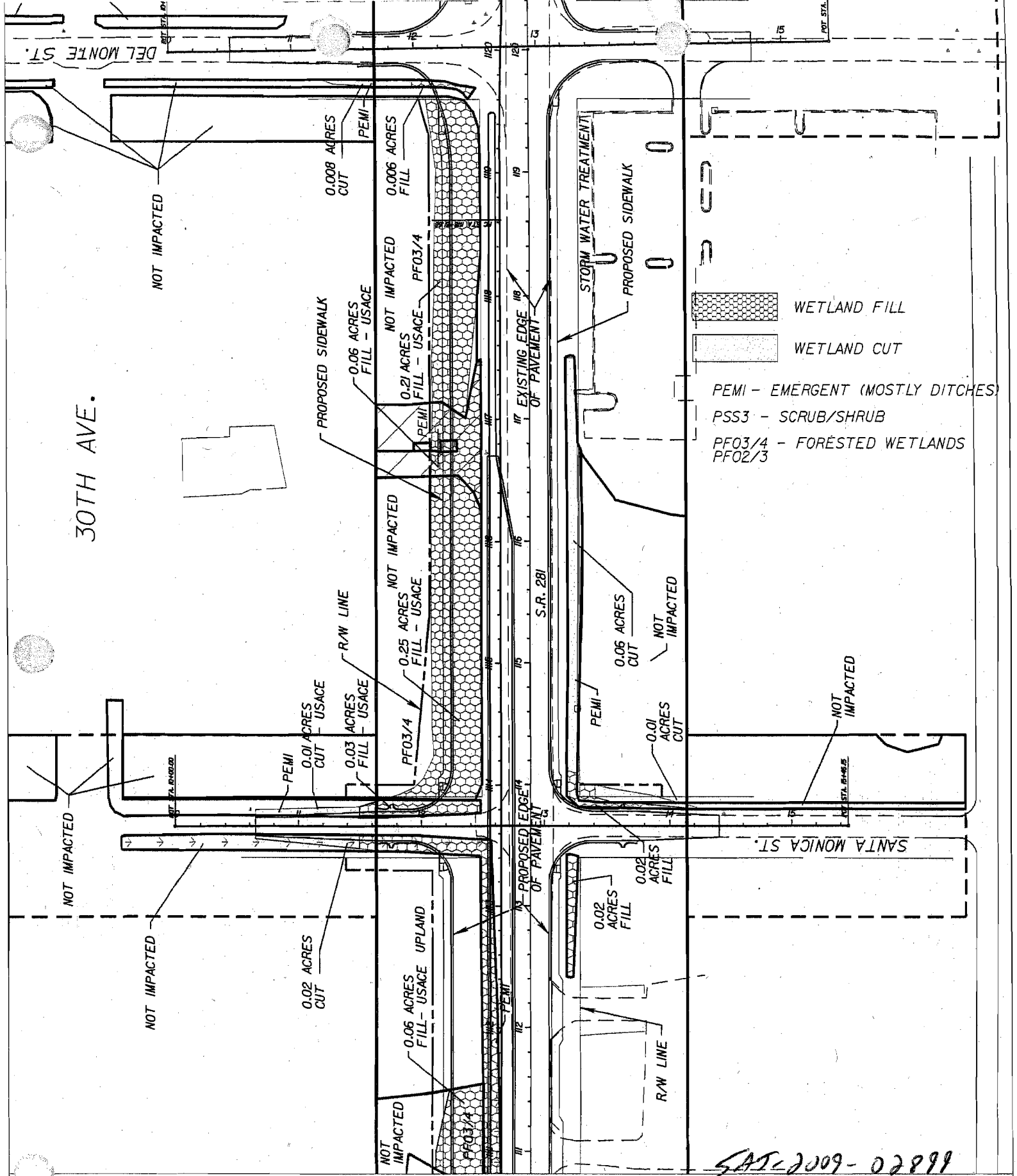
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 Water Body: N/A
 County: Santa Rosa
 Datum: NAVD 1988

Purpose: Dredge & Fill for Widening of SR 281

Original Work Maintenance

Sheet No.: 4 of 15

Date: October 2009



Applicant: Florida Department of Transportation (FDOT)
 Water Body: N/A
 County: Santa Rosa
 Datum: NAVD 1988

Purpose: Dredge & Fill for Widening of SR 281

Original Work Maintenance

Sheet No.: 5 of 15

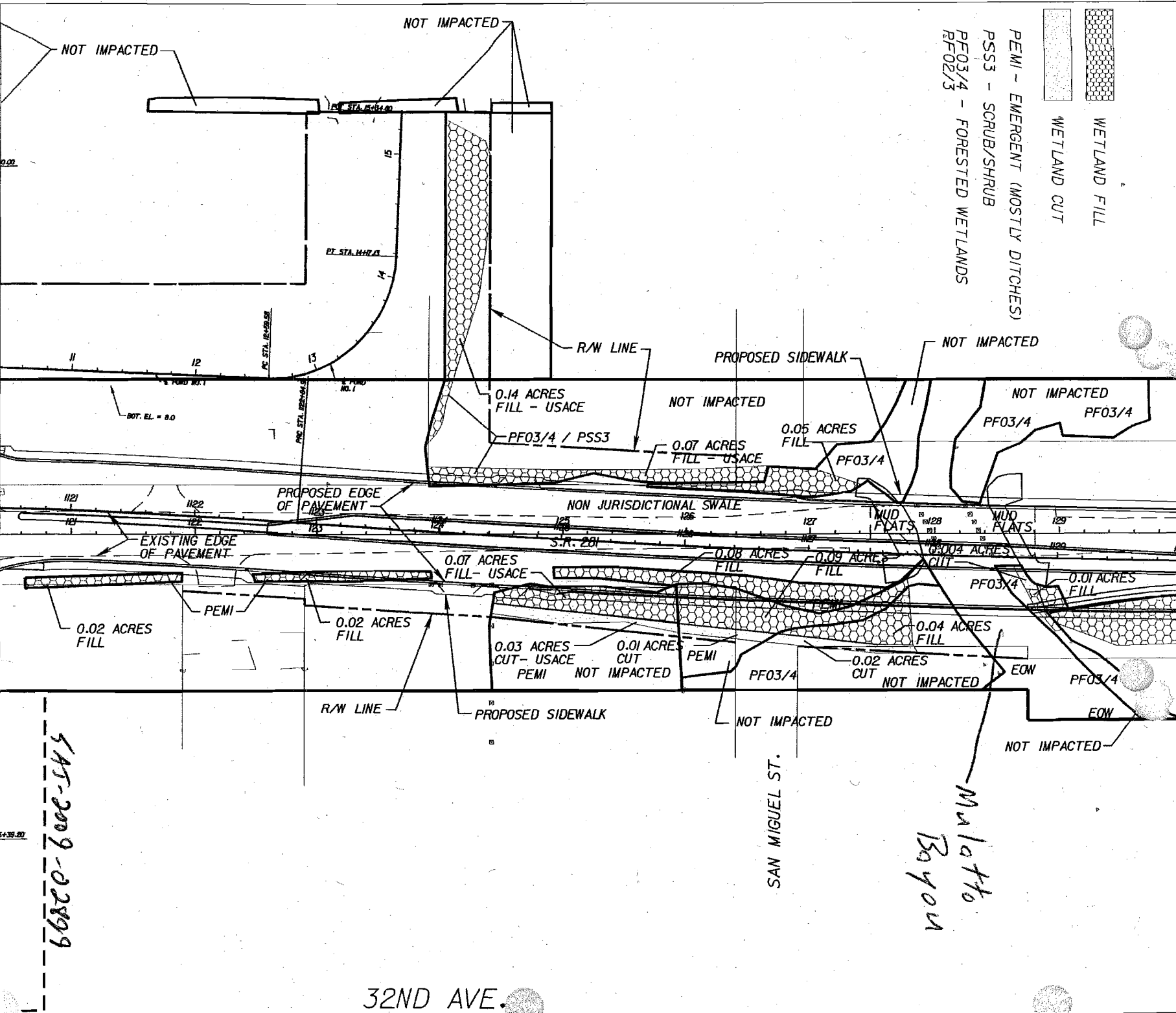
Date: October 2009

Applicant: Florida Department of Transportation (FDOT)
 Water Body: N/A
 County: Santa Rosa
 Datum: NAVD 1988

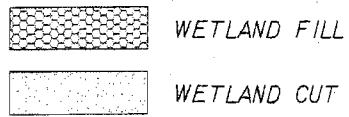
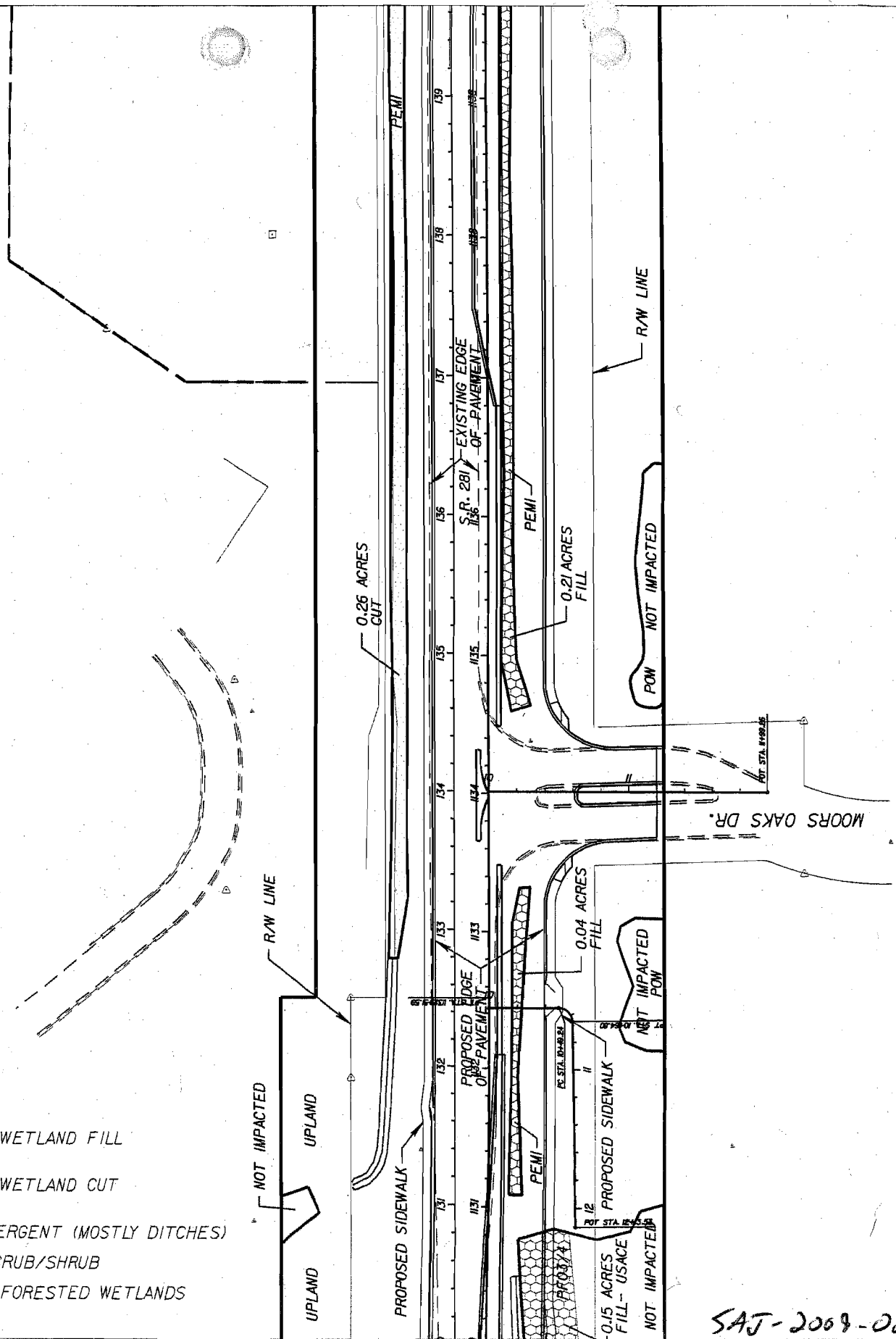
Purpose: Dredge & Fill for Widening of SR 281

Original Work: Maintenance
 Sheet No.: C 2715

Date: October 2009



44-2009-02899



WETLAND FILL

WETLAND CUT

PEMI - EMERGENT (MOSTLY DITCHES)
 PSS3 - SCRUB/SHRUB
 PF03/4 - FORESTED WETLANDS
 PF02/3

SAT-2009-02899

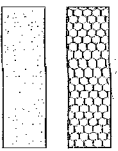
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 Water Body: N/A
 County: Santa Rosa
 Datum: NAVD 1988

Purpose: Dredge & Fill for Widening of SR 281

Original Work Maintenance

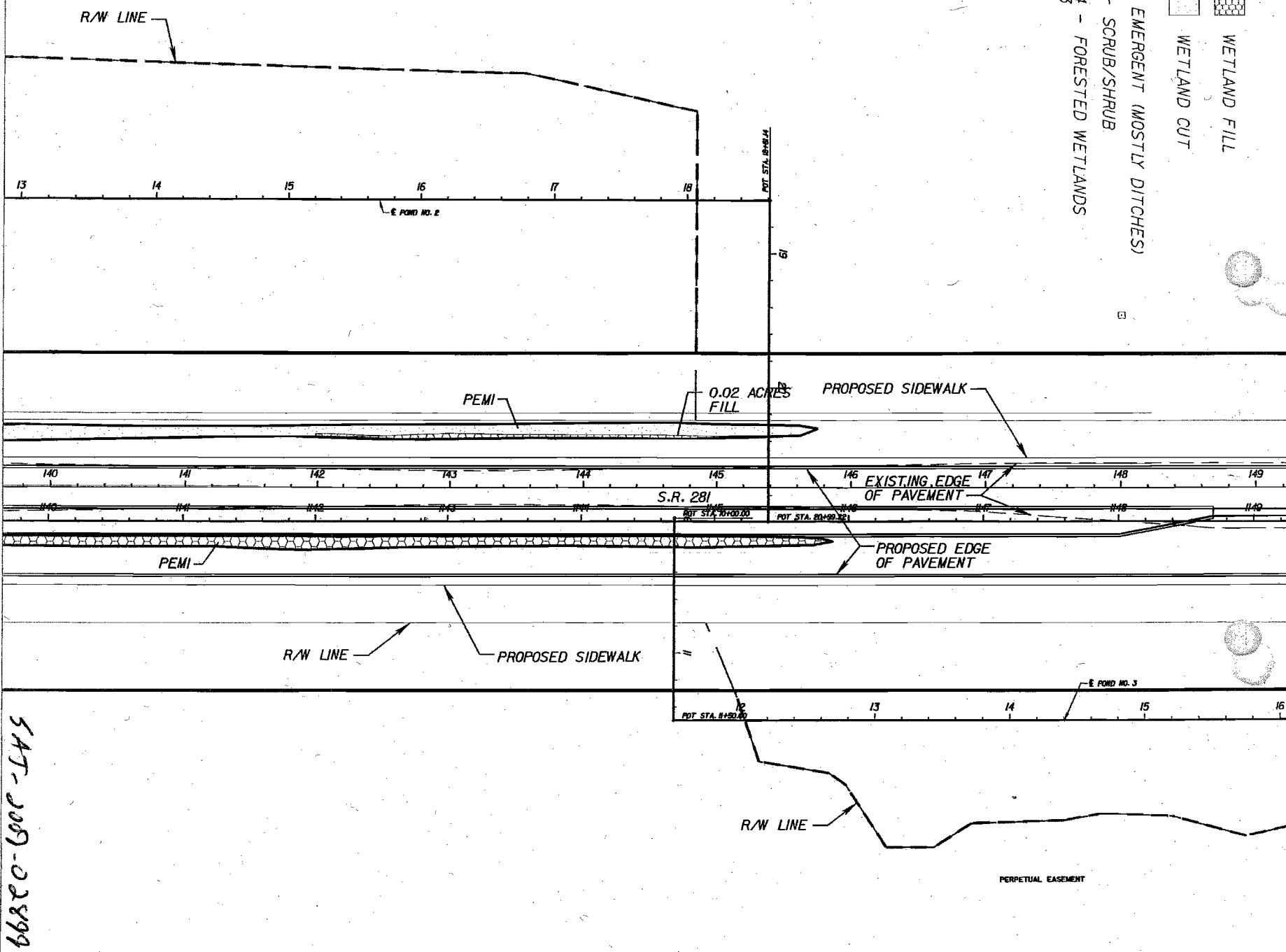
Sheet No.: 7 of 15

Date: October 2009



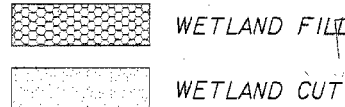
WETLAND FILL
WETLAND CUT

PEMI - EMERGENT (MOSTLY DITCHES)
PSS3 - SCRUB/SHRUB
PF03/4 - FORESTED WETLANDS
PF02/3

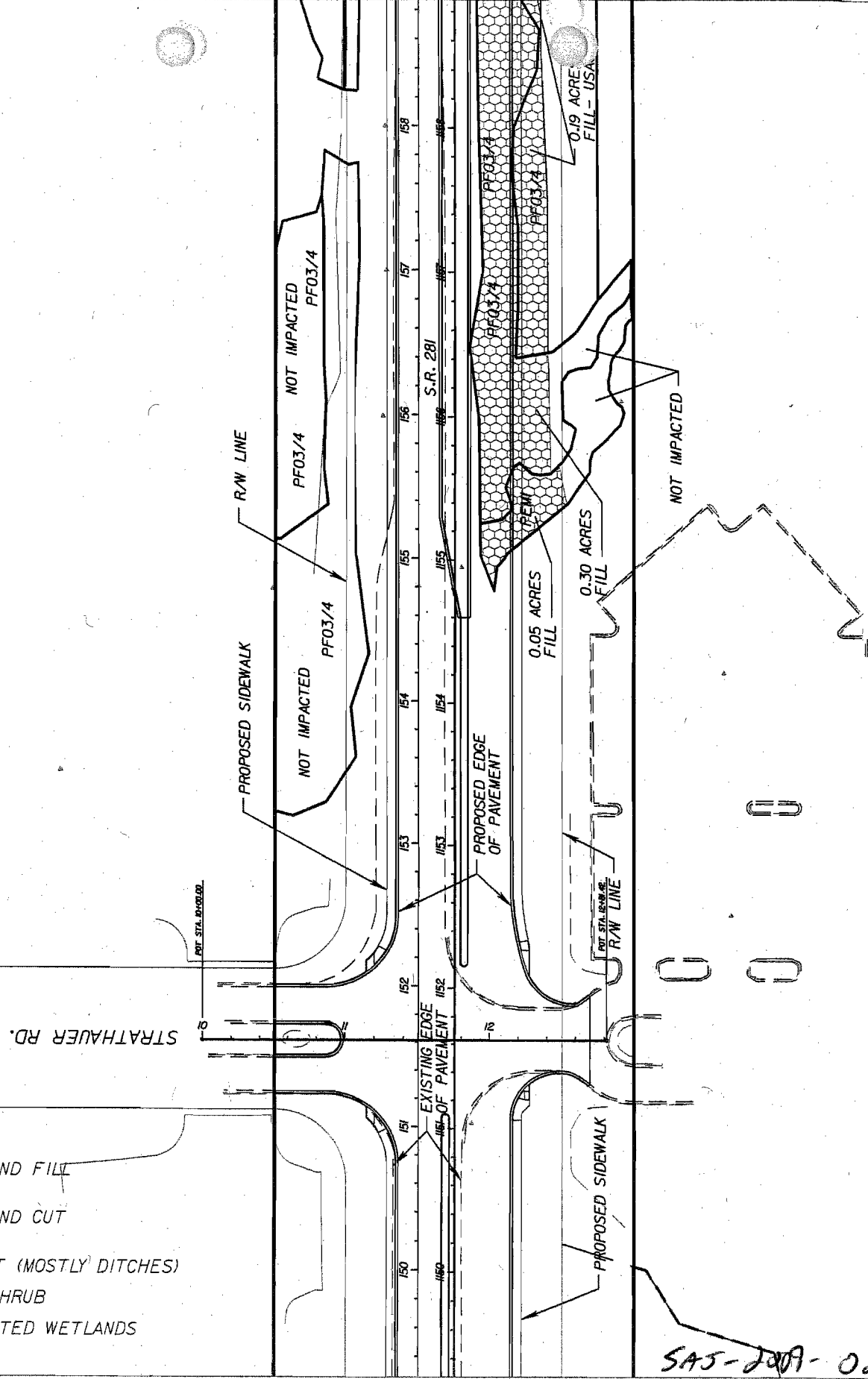


Applicant: Florida Department of Transportation (FDOT)
Water Body: N/A
County: Santa Rosa
Datum: NAVD 1988

Purpose: Dredge & Fill for Widening of SR 281
Original Work Maintenance
Sheet No.: 8 of 15
Date: October 2009



PEMI - EMERGENT (MOSTLY DITCHES)
 PSS3 - SCRUB/SHRUB
 PF03/4 - FORESTED WETLANDS
 PF02/3



SAS-2009-02899

Applicant: Florida Department of Transportation (FDOT)
 Water Body: N/A
 County: Santa Rosa
 Datum: NAVD 1988

Purpose: Dredge & Fill for Widening of SR 281

Original Work Maintenance
 Sheet No.: 9 of 15
 Date: October 2009

 WETLAND FILL

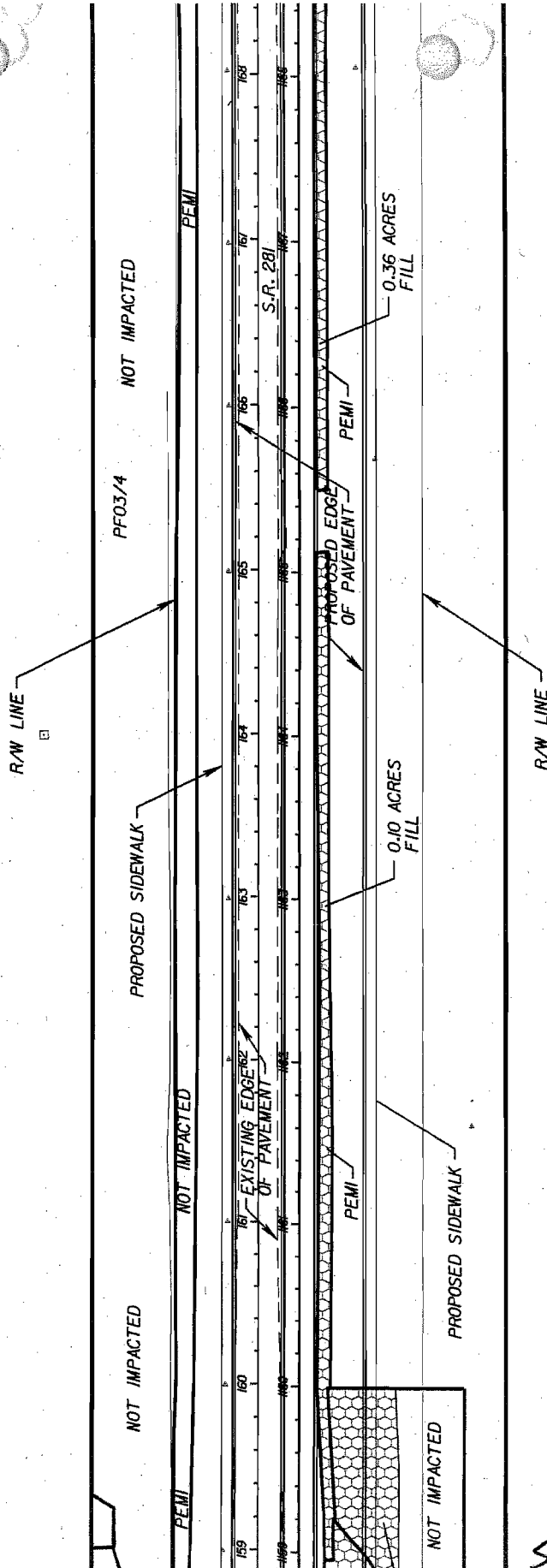
 WETLAND CUT

PEMI - EMERGENT (MOSTLY DITCHES)

PSS3 - SCRUB/SHRUB

PF03/4 - FORESTED WETLANDS

PF02/3



SAT-2009-02899

Applicant: Florida Department of Transportation (FDOT)

Water Body: N/A

County: Santa Rosa

Datum: NAVD 1988

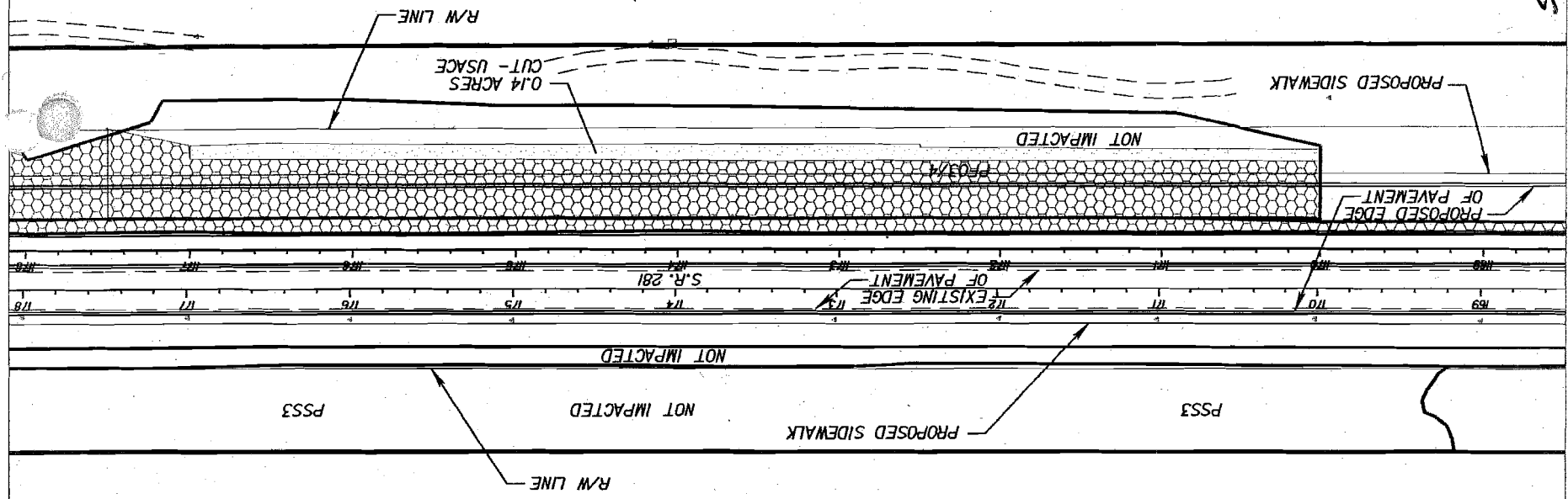
Purpose: Dredge & Fill for Widening of SR 281


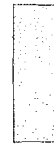
Original Work Maintenance

Sheet No.: 10 of 15

Date: October 2009

SAT-2008-0299



 WETLAND FILL
 WETLAND CUT

PEMI - EMERGENT (MOSTLY DITCHES)
 PSS3 - SCRUB/SHRUB
 PF03/4 - FORESTED WETLANDS
 PF02/3

Applicant: Florida Department of Transportation (FDOT)

Water Body: N/A

County: Santa Rosa

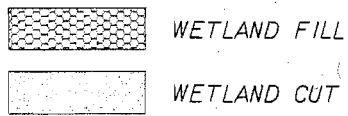
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Purpose: Dredge & Fill for Widening of SR 281

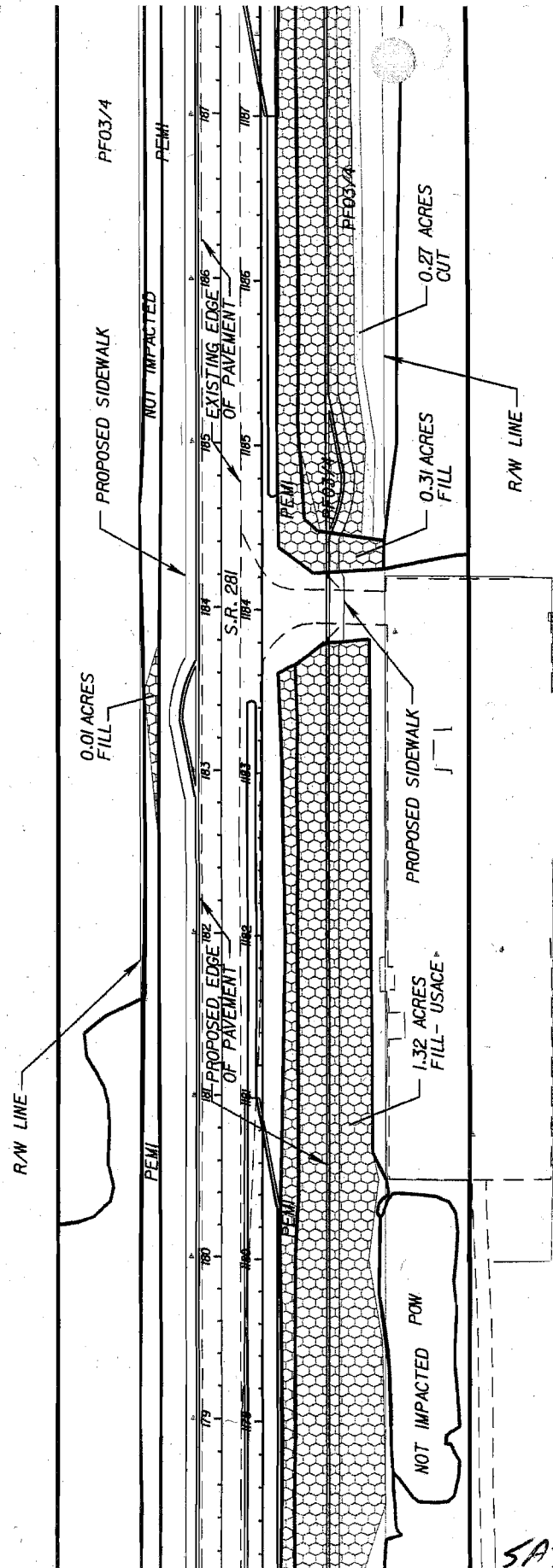
Original Work Maintenance

Sheet No.: 11 of 15

Date: October 2009



PEMI - EMERGENT (MOSTLY DITCHES)
 PSS3 - SCRUB/SHRUB
 PF03/4 - FORESTED WETLANDS
 PF02/3



SAT-2009-02899

Applicant: Florida Department of Transportation (FDOT)
 Water Body: N/A
 County: Santa Rosa
 Datum: NAVD 1988

Purpose: Dredge & Fill for Widening of SR 281

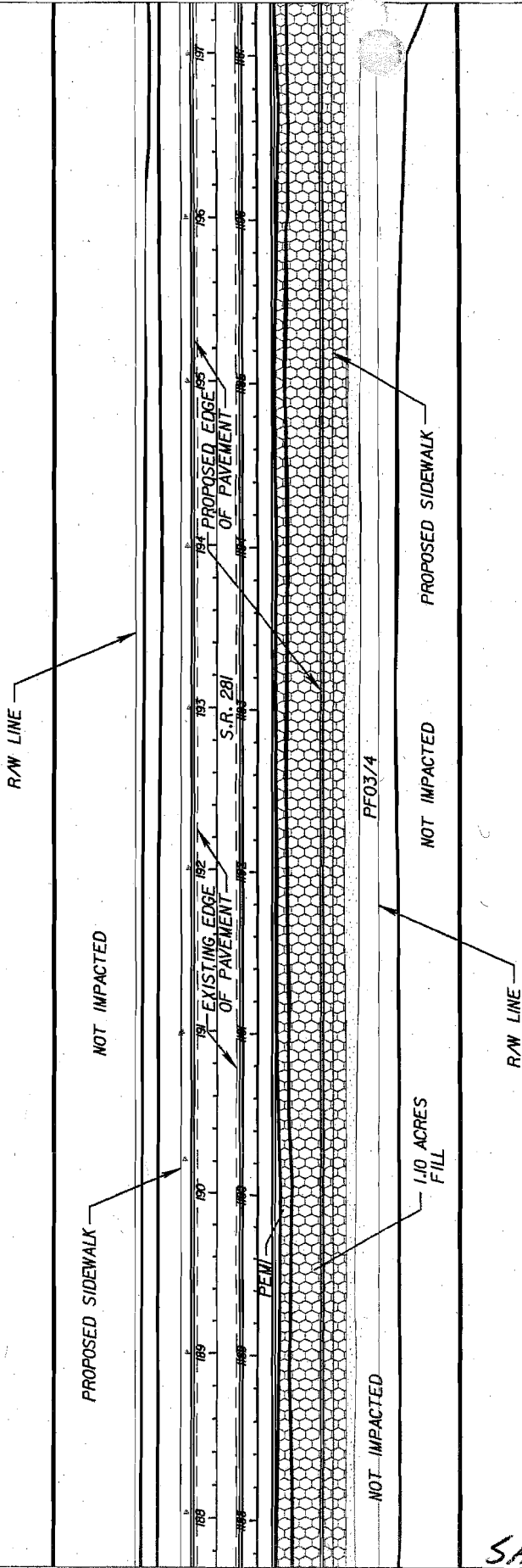
Original Work Maintenance

Sheet No.: 12 of 15

Date: October 2009



PEM1 - EMERGENT (MOSTLY DITCHES)
 PSS3 - SCRUB/SHRUB
 PF03/4 - FORESTED WETLANDS
 PF02/3



SAT-2009-02829

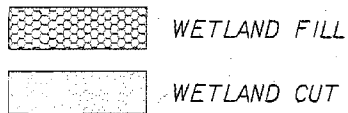
Applicant: Florida Department of Transportation (FDOT)
 Water Body: N/A
 County: Santa Rosa
 Datum: NAVD 1988

Purpose: Dredge & Fill for Widening of SR 281

Original Work Maintenance

Sheet No.: 13 of 15

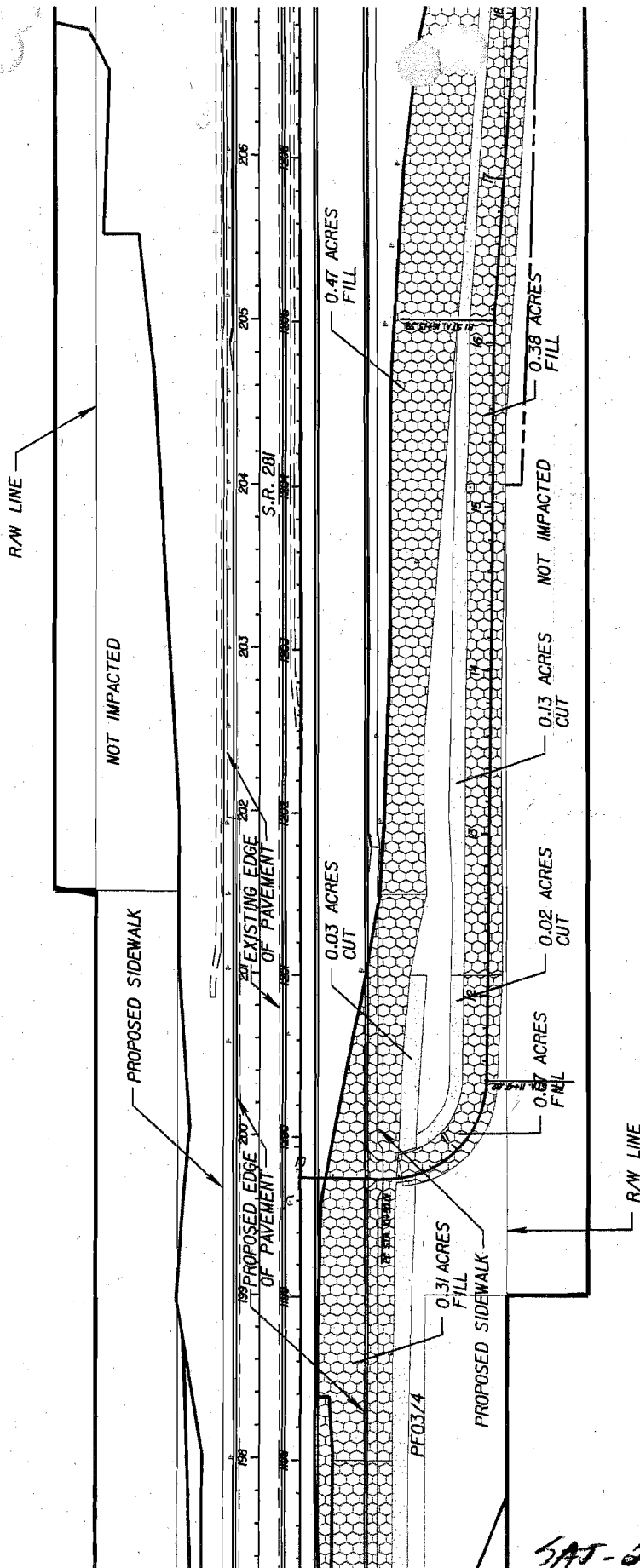
Date: October 2009



PEMI - EMERGENT (MOSTLY DITCHES)

PSS3 - SCRUB/SHRUB

PF03/4 - FORESTED WETLANDS
PF02/3



SAT-2009-02899

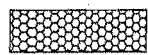
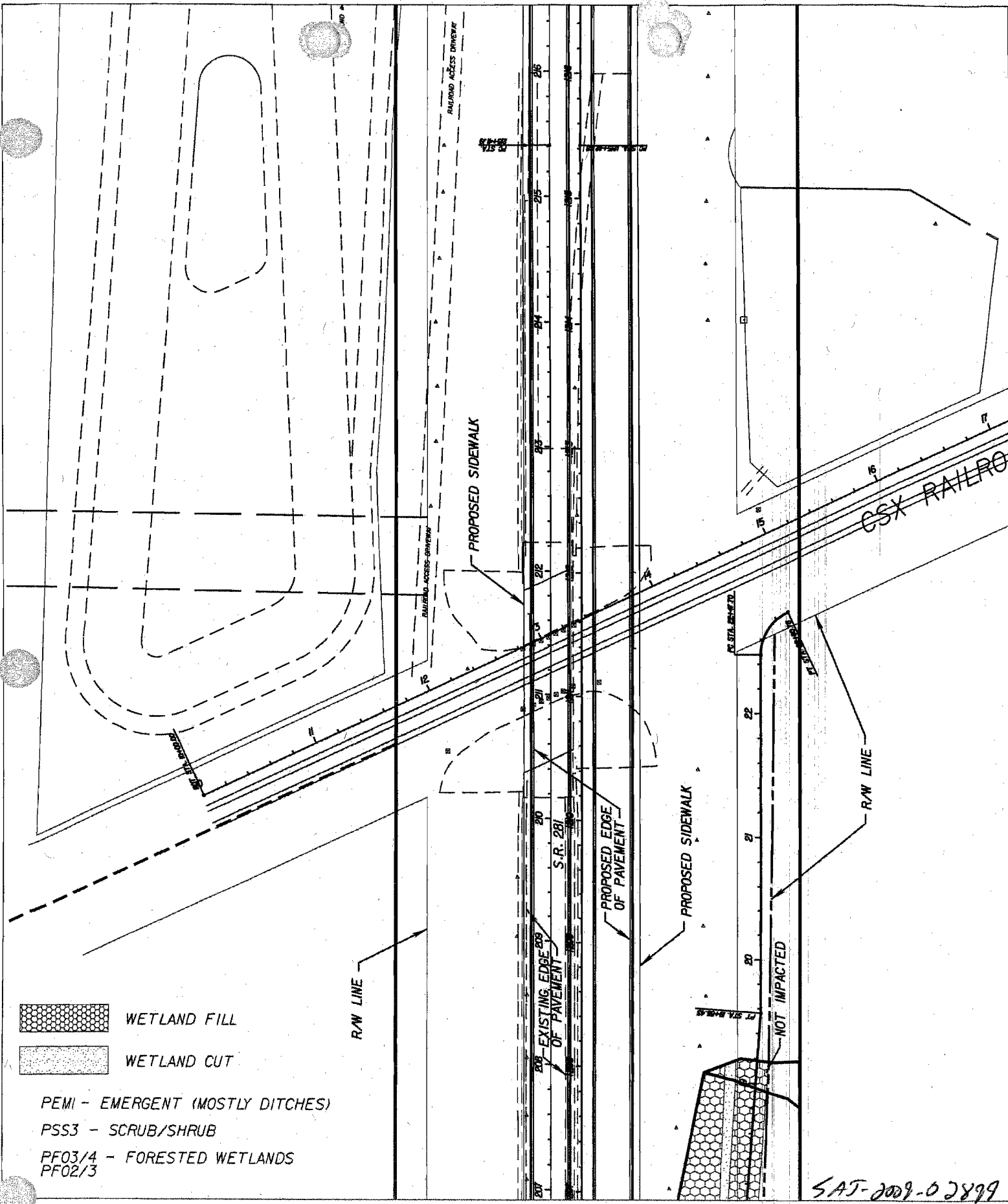
Applicant: Florida Department of Transportation (FDOT)
 Water Body: N/A
 County: Santa Rosa
 Datum: NAVD 1988

Purpose: Dredge & Fill for Widening of SR 281

Original Work Maintenance

Sheet No.: 14 of 15

Date: October 2009



WETLAND FILL



WETLAND CUT

- PEM1 - EMERGENT (MOSTLY DITCHES)
- PSS3 - SCRUB/SHRUB
- PF03/4 - FORESTED WETLANDS
- PF02/3

SAT-2009-02899

Applicant: Florida Department of Transportation (FDOT)
 Water Body: N/A
 County: Santa Rosa
 Datum: NAVD 1988

Purpose: Dredge & Fill for Widening of SR 281

Original Work Maintenance
 Sheet No.: 15 of 15
 Date: October 2009



Florida Department of
Environmental Protection
160 Governmental Center, Suite 308
Pensacola, Florida 32502-5794

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

CONSOLIDATED WETLAND RESOURCE PERMIT AND SOVEREIGN SUBMERGED LANDS AUTHORIZATION

PERMITTEE/AUTHORIZED ENTITY:

Florida Department of Transportation
District Three
P.O. Box 607
Chipley, FL 32428

Permit/Authorization Number:

57-0216580-004-DF

Date of Issue: April 27, 2010

Expiration Date: April 27, 2015

County: Santa Rosa

Project: road, bridge

This permit is issued under the authority of Part IV of Chapter 373, F.S., and Title 62, Florida Administrative Code (F.A.C.). The activity is not exempt from the requirement to obtain a consolidated wetland resource Permit. The Department is responsible for reviewing and taking final agency action on this activity.

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

This activity also requires a proprietary authorization, as the activity is located on sovereign submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund, pursuant to Article X, Section 11 of the Florida Constitution, and sections 253.002 and 253.77, F.S. The activity is not exempt from the need to obtain a proprietary authorization. The Department has the responsibility to review and take final action on this request for proprietary authorization in accordance with section 18-21.0051, F.A.C. In addition to the above, this proprietary authorization has been reviewed in accordance with Chapter 253, F.S., Chapter 18-21, F.A.C., section 62-312.065, F.A.C.

As staff to the Board of Trustees, the Department has reviewed the activity described below, and has determined that the activity requires a sovereignty submerged land public easement land lease for the use of those lands, pursuant to Chapter 253.77, Florida Statutes. The final documents required to execute the easement have been sent to the Division of State Lands. The Department intends to issue the easement upon satisfactory execution of those documents. In addition, the Department has determined that the activity qualifies *temporary* consent to use sovereign submerged lands, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein. Therefore, temporary

Applicant: FDOT District 3
File No.: 57-0216580-004-DF
Page 2 of 9

consent is hereby granted, pursuant to Chapter 253.77, Florida Statutes to perform the activity on the specified sovereign submerged lands.

A copy of this authorization also has been sent to the U.S. Army Corps of Engineers (USACOE) for review. The USACOE may require a separate permit. Failure to obtain this authorization prior to construction could subject you to enforcement action by that agency.

You are hereby advised that authorizations also may be required by other federal, state, and local entities. This authorization does not relieve you from the requirements to obtain all other required permits and authorizations.

The above named permittee is hereby authorized to construct the work shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof. **This permit and authorization to use sovereign submerged lands is subject to the limits, conditions, and locations of work shown in the attached drawings, and is also subject to the attached 15 General Conditions and 25 Specific Conditions, which are a binding part of this permit and authorization.** You are advised to read and understand these drawings and conditions prior to commencing the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings. If you are utilizing a contractor, the contractor also should read and understand these drawings and conditions prior to commencing the authorized activities. Failure to comply with all drawings and conditions shall constitute grounds for revocation of the permit and appropriate enforcement action.

ACTIVITY DESCRIPTION:

Impact jurisdictional wetlands and Mulatto Bayou to widen State Road 281 (Avalon Boulevard) to create a four-lane divided highway. The impact acreage includes 5.0 acres of fill impacts and 1.7 acres of cut impacts. Wetland impacts will be mitigated for in accordance with Florida Statute, Chapter 373.4137.

ACTIVITY LOCATION:

The project begins just north of State Road 8 (Interstate 10) and ends just north of the CSX bridge on Avalon Boulevard, Sections 6, 30, 39, and 41, Township 1-N Range 28-W Latitude 30°33'12.80", Longitude -87°05'13.86" in Santa Rosa County.

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.

4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- a. Have access to and copy any records that must be kept under conditions of the permit;
- b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sample or monitor any substances or parameters at any location reasonable necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- a. A description of and cause of noncompliance; and
- b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages, which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.

11. This permit is transferable only upon Department approval in accordance with rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes Certification of Compliance with State Water Quality Standards (Section 401, PL 92-500).

14. The permittee shall comply with the following:

- a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
- b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous

monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

- c. Records of monitoring information shall include:
1. The date, exact place, and time of sampling or measurements;
 2. The person responsible for performing the sampling or measurements;
 3. The dates the analyses were performed;
 4. The person responsible for performing the analyses;
 5. The analytical techniques or methods used; and
 6. The results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law, which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

SPECIFIC CONDITIONS:

1. This permit shall be readily available at the project site to any duly authorized representative of the Department, the U.S. Army Corps of Engineers, or any empowered law enforcement officer. A copy of this permit and associated drawings shall be clearly posted and remain on site at all times during the activities. In addition to having the permit on site, the permittee is required to have a weather resistant sign, no smaller than 8 ½ inches by 11 inches, which states DEP Permit No. 57-0216580-004-DF. This sign must be posted in such a location that it can be clearly seen from the road. This sign shall be posted on site for the duration of the construction authorized by this permit.
2. This permit is issued with drawings that are stamped "Not for Construction." The permittee is advised that the final construction plans for the authorized project shall not substantively deviate from the design configurations, dimensions, and locations authorized in this permit.
3. The structures/work authorized by this permit shall not be placed/conducted on any property, other than that owned by the permittee, without the prior written approval of that property owner.
4. Applicant shall be responsible for obtaining all necessary property access needed prior to commencement of construction activity.
5. If the approved permit drawings conflict with the specific conditions, then the specific conditions shall prevail.

6. This permit does not authorize the construction of any additional structures not illustrated on the permit drawings.

7. At least 48 hours prior to commencement of work authorized by this permit, the permittee shall notify the Department of Environmental Protection, Submerged Lands & Environmental Resources Program, Compliance and Enforcement Section, Suite 202, Northwest District Office, 160 Governmental Center, Pensacola, Florida 32501-5794, in writing. The Department telephone number for reporting problems, malfunctions or exceedances under this permit is (850) 595-8300 during normal working hours.

8. Prior to construction, the limits of the impacts authorized by this permit shall be clearly flagged and staked by the agent and/or contractor. All construction personnel shall be shown the locations of all wetland areas outside the construction areas to prevent encroachment of equipment into these areas.

9. If during the progress of this project prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures or early colonial or American settlement are encountered at any time within the project site area, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee, or other designee, shall contact the Florida Department of State, Division of Historical Resources, Review and Compliance Section at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section Chapter 872.05, Florida Statutes.

10. This permit does not authorize any dewatering activities. The permittee shall notify the Department before conducting dewatering activities as well as obtain the proper permits for such activities if needed.

11. Best management practices for erosion control shall be implemented and maintained at all times during construction to prevent siltation and turbid discharges in excess of State water quality standards pursuant to Rule 62-302, F.A.C. 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.

12. The permittee shall be responsible for ensuring that erosion control devices/procedures are inspected and maintained daily during all phases of construction authorized by this permit until all areas that were disturbed during construction are sufficiently stabilized to prevent erosion, siltation, and turbid discharges.

The following measures shall be taken by the permittee whenever turbidity levels, within waters of the State, exceed 29 nephelometric turbidity units (NTUs) above background level:

- a. Immediately cease all work contributing to the water quality violation.
- b. Stabilize all exposed soils contributing to the water quality violation, modify the work procedures that were responsible for the violation, install more turbidity containment devices and repair any non-functioning turbidity containment devices.
- c. Notify the Department of Environmental Protection (DEP), Northwest District, within 24 hours of the time the violation is first detected.

13. Substances in concentrations that injure, are chronically toxic to, or produce adverse physiological or behavioral response in humans, animals, or plants shall not be present.

14. All material used as fill for roadways shall be clean material and shall not be contaminated with vegetation, garbage, trash, tires, hazardous, toxic waste or other materials that are not suitable for road construction within waters of the State as so determined by the Department.

15. There shall be no stockpiling or storage of tools, material (i.e. lumber, pilings, debris) within wetlands other than those specifically within the impact area as shown on the permit drawings.

16. Any damage to wetlands outside the permitted area shall be restored to pre-construction elevations and conditions within 30 days of completion of driveway and the Department shall be notified in writing of said incident.

17. All material used as fill shall be clean material and shall not be contaminated with vegetation, garbage, trash, tires, hazardous, toxic waste or other materials that are not suitable for construction within waters of the State as so determined by the Department.

18. No rutting or damage that would otherwise affect hydrology within the impact site is authorized.

19. At no time during construction shall waterway diversions sever jurisdictional wetland connections.

20. All construction staging must occur in uplands or the bridge surface.

21. Prior to the construction of the bridge, floating turbidity curtains shall be installed around the construction areas and remain in place until all pilings have been installed and until turbidity levels within the work areas have returned to background levels.

22. Construction of the bridge shall be accomplished from the permitted footprint. This construction area shall be restored where appropriate, to pre-construction grade. No rutting or damage that would otherwise affect hydrology is authorized.

Applicant: FDOT District 3
File No.: 57-0216580-004-DF
Page 8 of 9

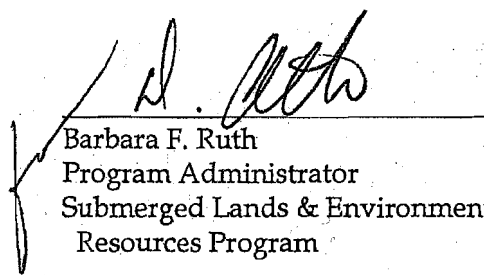
23. All cleared vegetation, excess lumber, scrap wood, trash, garbage and any other type of construction debris shall be removed from wetlands/waters of the state within 14 days of completion of the work authorized in this permit.

24. In addition to a wetland resource permit, you are required to obtain a stormwater treatment permit for the project site. Construction activities shall not commence until a stormwater permit has been obtained as defined in Florida Administrative Code 62-346.

25. This project will also require a private easement to use sovereignty submerged lands, pursuant to Chapter 253.77, Florida Statutes. The applicant must apply for and obtain an easement within one year of permit issuance.

Executed in Escambia County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Barbara F. Ruth
Program Administrator
Submerged Lands & Environmental
Resources Program

Encl: Location Map
Permit Drawings
General Consent Conditions

c: DEP, Office of General Counsel
State Lands Records Administrator
U.S. Army Corps of Engineers
Santa Rosa County Property Appraiser
Paul Looney, Linda Bookout, Agents

Applicant: FDOT District 3
File No.: 57-0216580-004-DF
Page 9 of 9

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit and intent to grant authorization to use sovereign submerged lands, including all copies were mailed before the close of business on April 27, 2010 to the above listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to 120.52(7),
Florida Statutes, with the designated Department Clerk, receipt of which is hereby
acknowledged.

Clerk

Date

Martha Sappert

4/27/10

Prepared By: emo

138 pages attached

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
SUBMERGED LANDS AND ENVIRONMENTAL RESOURCES PROGRAM GENERAL
CONDITIONS FOR AUTHORIZATIONS**

Chapter 18-21.004(7), F.A.C., provides that all authorizations granted by rule or in writing under Rule 18-21.005, F.A.C., except those for aquaculture activities and geophysical testing, shall be subject to the general conditions as set forth in paragraphs (a) through (i) below. The general conditions shall be part of all authorizations under this chapter, shall be binding upon the grantee, and shall be enforceable under Chapter 253 or Chapter 258, Part II, F.S.

Chapter 18-21.004(7), F.A.C., General Conditions for Authorizations:

(a) Authorizations are valid only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.

(b) Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.

(c) Authorizations may be modified, suspended or revoked in accordance with their terms or the remedies provided in Sections 253.04 and 258.46, F.S., or Chapter 18-14, F.A.C.

(d) Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.

(e) Construction, use, or operation of the structure or activity shall not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.

(f) Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.

(g) Structures or activities shall not create a navigational hazard.

(h) Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of Rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.

(i) Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under paragraph 18-21.004(1)(f), F.A.C., or any other applicable law.

[NOTE: These conditions were adopted in rule March 8, 2004, and replace the previous General Consent Conditions

AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER

Submit this form and one set of as-built engineering drawings to the U.S. Army Corps of Engineers, Special Projects and Enforcement Branch, P.O. Box 4970, Jacksonville, FL 32232. If you have questions regarding this requirement, please contact the Special Projects and Enforcement Branch at 904-232-3131.

1. Department of the Army Permit Number: SAJ-2009-02899(IP-RLT)

2. Permittee Information:

Name _____

Address _____

3. Project Site Identification:

Physical location/address _____

4. As-Built Certification:

I hereby certify that the authorized work, including any mitigation required by Special Conditions to the permit, has been accomplished in accordance with the Department of the Army permit with any deviations noted below. This determination is based upon on-site observation, scheduled and conducted by me or by a project representative under my direct supervision. I have enclosed one set of as-built engineering drawings.

Signature of Engineer

Name (Please type)

(FL, PR or VI) Reg. Number

Company Name

Address

City State ZIP

(Affix Seal)

Date

Telephone Number

