

DEPARTMENT OF THE ARMY PERMIT

Permittee: National Park Service
Gulf Islands National Seashore
c/o Daniel R. Brown, Superintendent
1801 Gulf Breeze Parkway
Gulf Breeze, FL 32563

Permit No: SAJ-2019-01821-SP-EPS

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 U.S. Army Corps of Engineers (Corps) 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 remove asphalt debris (derelict pavement, fragments of asphalt and road-base materials), as well as miscellaneous non-natural debris such as PVC pipes, cables less than or equal to 1 inch in diameter, concrete, and boat debris (less than 4 feet x 4 feet) scattered throughout nearshore areas over approximately 2 linear miles between parking lots 19A and 17A on the southern shoreline of Santa Rosa Island in the Fort Pickens Area of Gulf Islands National Seashore (GUIS). Past hurricanes and their associated storm surges have eroded and lifted sections of asphalt road and road base materials and fragmented and scattered these materials considerable distances along the beaches of GUIS. This project is specifically for removal of asphalt and miscellaneous non-natural debris from supratidal, intertidal and sub-tidal areas throughout the Gulf of Mexico shore of the Fort Pickens Area of GUIS only. An estimated volume of 900 cubic yards of asphalt debris has been identified for removal from approximately 5.5 acres. For the removal work that will occur in the intertidal and subtidal zones, equipment similar to a large backhoe with a long arm and bucket or grapple on the end may be used. Equipment may include utility vehicles, skid steers, front end loaders, dump trucks, backhoes, or excavators. No work will be conducted from boats or barges. The equipment will operate near the mean low water (MLW) line and reach out no more than 20 feet to retrieve materials. Maximum water depth encountered may be 3 feet. Depth of removal from these zones is not known but estimated to be in the 0-3 feet deep range with maximum digging depth of 3 feet. Staging/temporary debris holding areas are located on parking lots at the outer limits of the project area where debris will be dumped into containers. Once containers are full,

PERMIT NUMBER: SAJ-2019-01821-SP-EPS
PERMITTEE: National Park Service
PAGE 2 of 10

material will be hauled offsite by the contractors on paved roads to approved local disposal/recycling facilities. Any ruts and or holes greater than 12-inches deep will be filled when reasonably possible with adjacent material. Equipment and vehicles are to be staged overnight in the parking lot closest to debris removal activities. Equipment and vehicles will not remain on the beach after daily/weekly work has completed.

Project Location: Waters of the United States associated with the Gulf of Mexico. The project area is located between parking lots 19A and 17A on the southern shoreline of Santa Rosa Island in the Fort Pickens Area of GUIS, in Section 28, Township 2 South, Range 26 West, Pensacola Beach, Escambia County, Florida.

Approximate Central Coordinates: Latitude: 30.318019°
Longitude: -87.241682°

Permit Conditions

General Conditions:

1. The time limit for completing the work authorized ends on **November 1, 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.

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 either (not both) of the following addresses:
 - a. For electronic mail (preferred): SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).
 - b. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.

The Permittee shall reference this permit number, SAJ-2019-01821 (SP-EPS), on all submittals.

2. **Commencement Notification:** Within 10 days from the date of initiating the work authorized by this permit the Permittee shall complete and submit the attached "Commencement Notification" Form.
3. **Self-Certification:** Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the attached "Self-Certification Statement of Compliance" form and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.
4. **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. If the unlikely event that human remains are encountered on federal or tribal lands, or in situations where Archaeological Resources Protection Act of 1979, or Native American Graves Protection Repatriation Act of 1990 applies, 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 Corps, within the same business day (8-hours). The Corps shall then notify the appropriate THPO(s) and SHPO. 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. After such notification, project activities on federal lands shall not resume without written authorization from the Corps, and/or appropriate THPO(s), SHPO, and federal manager. After such notification, project activities on tribal lands shall not resume without written authorization from the appropriate THPO(s) and the Corps.

e. A professional archeologist who meets the "Archeology and Historic Preservation: Secretary of Interior's Standards and Guidelines" shall be onsite

during the initial ground-disturbing activities. The professional archeologist shall be responsible for monitoring the spoil and ground disturbance for significant archaeological deposits. Should potential significant archaeological deposits (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), recovery be encountered, all work and ground disturbing activities must cease within a 100-meter diameter of the discovery to allow for proper assessment, recording, and recovery of the cultural deposits in a professional manner. The archeologist on site shall notify the Permittee, SHPO, and the Corps Regulatory Project Manager the same business day (8-hours) to assess the significance of the discovery and devise appropriate actions, including salvage operations. Upon completion of the monitoring activities, an archaeological letter must be submitted to Florida's Division of Historical Resources, along with an updated Florida Master Site File form. The archeologist shall submit notification of such action, in the form of the Cultural Resource Certification to the Corps and RD-Archeologist for inclusion in the administrative record.

f. Prior to the commencement of work, Permittee shall coordinate with Muscogee (Creek) Nation, Jena Band and Alabama-Coushatta to address their requests for tribal monitors to be present with the archaeological monitor described in Special Condition 4.e. above.

5. **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.
6. No building or fill materials, tools or other equipment shall be stockpiled in waters of the United States.
7. 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.
8. **Sea Turtle/Sawfish/Sturgeon Guidelines:** The Permittee shall comply with the National Marine Fisheries Service's "Sea Turtle and Smalltooth Sawfish Construction Conditions", which also applies to sturgeon.

PERMIT NUMBER: SAJ-2019-01821-SP-EPS
PERMITTEE: National Park Service
PAGE 6 of 10

9. **Manatee Conditions:** The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – April 2013” provided as an attachment to this permit.
10. All associated onsite activities, including mobilization / demobilization, shall occur November 1 - February 15, outside of sea turtle and shorebird nesting seasons.

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.

PERMIT NUMBER: SAJ-2019-01821-SP-EPS
PERMITTEE: National Park Service
PAGE 8 of 10

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



(PERMITTEE)


11/4/19

(DATE)



(PERMITTEE NAME-PRINTED)

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



(DISTRICT ENGINEER)
ANDREW D. KELLY, JR.
COL, EN
Commanding

6 November 2019

(DATE)

for

PERMIT NUMBER: SAJ-2019-01821-SP-EPS
PERMITTEE: National Park Service
PAGE 9 of 10

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-2019-01821-SP-EPS
PERMITTEE: National Park Service
PAGE 10 of 10

***Attachments to Department of the Army
Permit Number SAJ-2019-01821***

1. PERMIT DRAWINGS: 10 pages
2. WATER QUALITY CERTIFICATION: Specific Conditions of the water quality permit/certification in accordance with General Condition number 5 on page 3 of this DA permit: 4 pages
3. STANDARD MANATEE CONDITIONS FOR IN-WATER WORK: 2 pages
4. SEA TURTLE & SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS: 1 page
5. SELF CERTIFICATION FORM: 1 page
6. COMMENCEMENT NOTIFICATION: 1 page



Tidal Zone Asphalt and Debris Cleanup at Fort Pickens

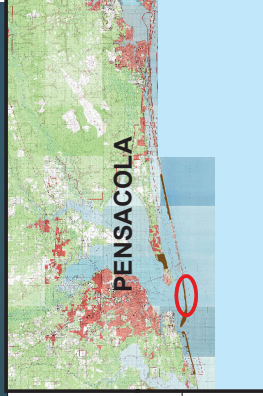


Legend

- Project Area
- GIS_boundary



June 2019





Tidal Zone Asphalt and Debris Cleanup at Fort Pickens - Map 1



Legend

- R_Monuments
- ▲ Exposed Utility Cables
- ▭ Debris Fields
- ▭ Staging Areas
- ↔ Access Corridors
- ▭ Supratidal Zone
- ▭ Intertidal Zone
- ▭ Subtidal Zone
- ▭ Sensitive Resources Area
- ▭ Bathymetry 0 to 3 Feet Depth
- ▭ Seagrass
- Match Lines

1:8,500





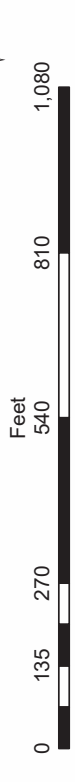
Tidal Zone Asphalt and Debris Cleanup at Fort Pickens - Map 2



Legend

- R_Monuments
- ▲ Exposed Utility Cables
- ▭ Debris Fields
- ▭ Staging Areas
- ↔ Access Corridors
- ▭ Sensitive Resources Area
- ▭ Supratidal Zone
- ▭ Intertidal Zone
- ▭ Subtidal Zone
- ▭ Bathymetry 0 to 3 Feet Depth
- ▭ Seagrass
- Match Lines

1:2,500





Tidal Zone Asphalt and Debris Cleanup at Fort Pickens - Map 3



Legend

- R_Monuments
- ▲ Exposed Utility Cables
- ▭ Debris Fields
- ▭ Staging Areas
- ▭ Access Corridors
- ▭ Sensitive Resources Area
- ▭ Supratidal Zone
- ▭ Intertidal Zone
- ▭ Subtidal Zone
- ▭ Bathymetry 0 to 3 Feet Depth
- ▭ Seagrass
- Match Lines

1:2,500





Tidal Zone Asphalt and Debris Cleanup at Fort Pickens - Map 1



Legend

- R_Monuments
- ▲ Exposed Utility Cables
- ◻ Debris Fields
- ◻ Staging Areas
- ◻ Access Corridors
- ◻ Sensitive Resources Area
- ◻ Supratidal Zone
- ◻ Intertidal Zone
- ◻ Subtidal Zone
- ◻ Bathymetry 0 to 3 Feet Depth
- ◻ Seagrass
- Match Lines

1:8,500





Tidal Zone Asphalt and Debris Cleanup at Fort Pickens - Map 2



Legend

- R_Monuments
- ▲ Exposed Utility Cables
- ▭ Debris Fields
- ▭ Staging Areas
- ↔ Access Corridors
- ▭ Sensitive Resources Area
- ▭ Supratidal Zone
- ▭ Intertidal Zone
- ▭ Subtidal Zone
- ▭ Bathymetry 0 to 3 Feet Depth
- ▭ Seagrass
- Match Lines

1:2,500



Travel throughout the project area will occur as near or below mean high water on hard packed sand as reasonably possible.



Tidal Zone Asphalt and Debris Cleanup at Fort Pickens - Map 3



Legend

- R_Monuments
- ▲ Exposed Utility Cables
- ▭ Debris Fields
- ▭ Staging Areas
- ▭ Access Corridors
- ▭ Sensitive Resources Area
- ▭ Supratidal Zone
- ▭ Intertidal Zone
- ▭ Subtidal Zone
- ▭ Bathymetry 0 to 3 Feet Depth
- ▭ Seagrass
- Match Lines

1:2,500





Tidal Zone Asphalt and Debris Cleanup at Fort Pickens - Map 4



Legend

- R_Monuments
- ▲ Exposed Utility Cables
- ▭ Debris Fields
- ▭ Staging Areas
- ↔ Access Corridors
- ▭ Supratidal Zone
- ▭ Intertidal Zone
- ▭ Subtidal Zone
- ▭ Sensitive Resources Area
- Bathymetry 0 to 3 Feet Depth
- ▭ Seagrass
- Match Lines

1:2,500





Tidal Zone Asphalt and Debris Cleanup at Fort Pickens - Map 5



Legend

- R_Monuments
- ▲ Exposed Utility Cables
- ▭ Debris Fields
- ▭ Staging Areas
- ◄► Access Corridors
- ▭ Supratidal Zone
- ▭ Intertidal Zone
- ▭ Subtidal Zone
- ▭ Sensitive Resources Area
- ▭ Bathymetry 0 to 3 Feet Depth
- ▭ Seagrass
- Match Lines

1:2,500



ATTACHMENT 4: Typical Cross-Section Profile

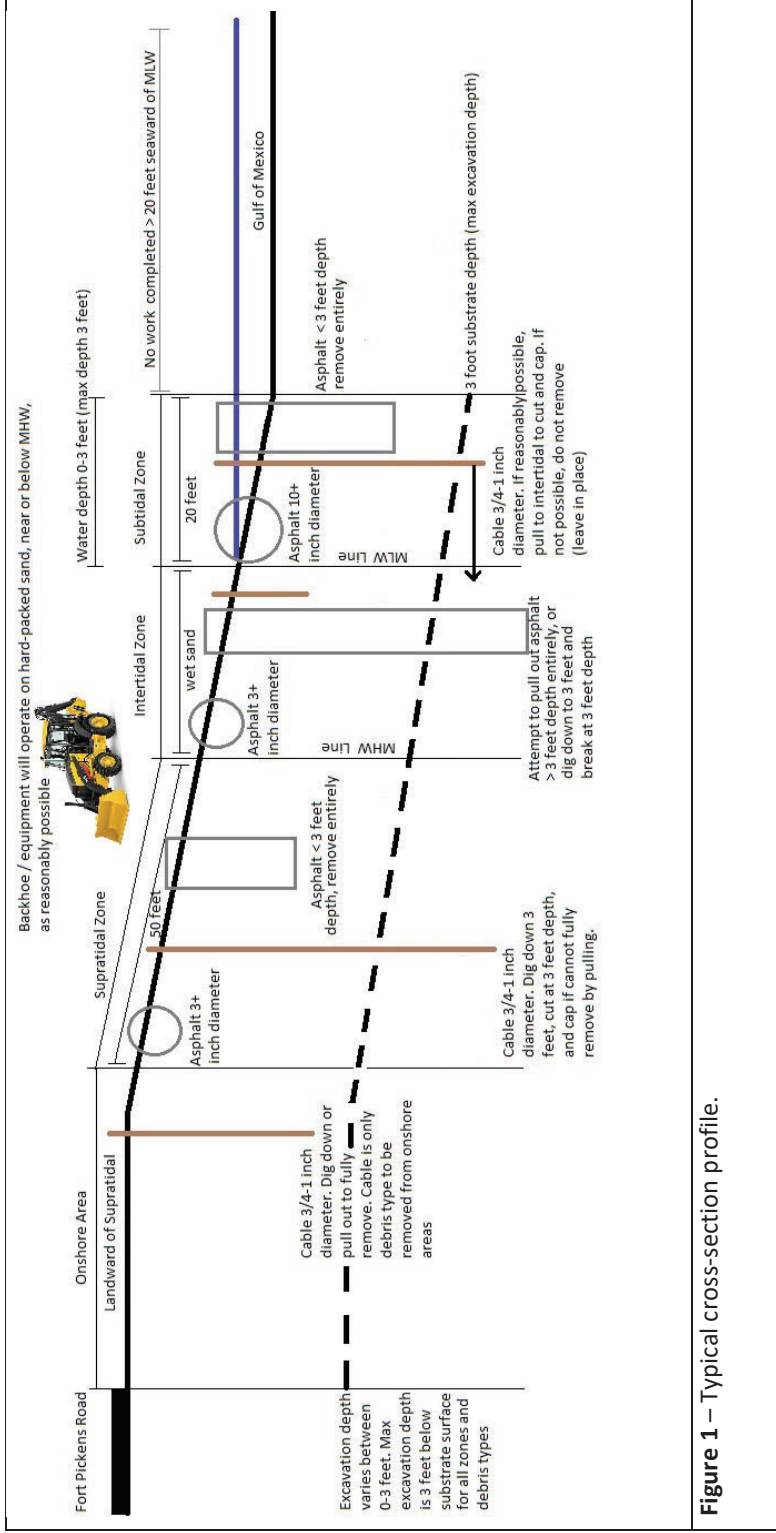


Figure 1 – Typical cross-section profile.

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 sovereignty submerged lands authorization, as described.

SPECIFIC CONDITIONS – ADMINISTRATIVE/EMERGENCIES

1. The construction phase expires at 11:59 p.m. on the date indicated on the cover page of this permit.
2. For emergencies involving a serious threat to the public health, safety, welfare, or environment, the emergency telephone contact number is (800) 320-0519 (State Warning Point). The Department telephone number for reporting nonthreatening problems or system malfunctions is (850) 595-0663, day or night.
3. 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, Suite 308, Pensacola, Florida 32502.

SPECIFIC CONDITIONS – PRIOR TO ANY CONSTRUCTION

4. The Permittee shall instruct all personnel associated with the project about the presence of marine turtles and manatees, and the need to avoid collisions with (and injury to) these protected marine species. The Permittee shall be responsible for harm to these resources and shall require their contractors to advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees or marine turtles, which are protected under the Endangered Species Act, the Marine Mammal Protection Act, the Marine Turtle Protection Act and the Florida Manatee Sanctuary Act.

SPECIFIC CONDITIONS – MANATEE

5. Temporary signs concerning manatees shall be prominently posted prior to and during all in-water project activities, at sufficient locations to be regularly and easily viewed by all personnel engaged in water-related activities. Two temporary signs, which have already been approved by FWC, shall be posted at each location. One sign shall read “Cation Boaters – Watch for Manatees”. A second sign measuring at least 8 ½" by 11", shall explain the requirements for “Idle Speed/No Wake” and the shutdown of in-water operations. All signs shall be removed by the Permittee upon completion of the project. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to ImperiledSpecies@myFWC.com.

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

6. If the approved permit drawings and/or narrative conflict with the Specific Conditions, then the Specific Conditions shall prevail.
7. Construction equipment shall not be repaired or refueled in wetlands or elsewhere within waters of the state.

8. Any damage to wetlands outside of the authorized impact areas as a result of construction shall be immediately reported to the Department at (850)595-8300 and repaired by reestablishing the pre-construction elevations and replanting vegetation of the same species, size, and density as that in the adjacent areas. The restoration shall be completed within 30 days of completion of construction, and the Department shall be notified of its completion within that same 30-day period.

9. Storage or stockpiling of tools and materials (i.e., lumber, pilings, debris) within wetlands, along the shoreline, within the littoral zone, or elsewhere within wetland or other surface waters is prohibited. All vegetative material and debris shall be removed to a self-contained upland disposal area with no stockpiling or debris within wetland areas.

10. Restoration/shoreline activities shall only occur at the locations identified on the enclosed drawings.

11. All vessels associated with the construction project shall operate at “Idle Speed/No Wake” at all times while in the immediate project area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom.

12. Siltation or turbidity barriers (if used) shall be made of material in which manatees and marine turtles can not become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers shall impede manatee or marine turtle movement or travel.

13. The Permittee is responsible for all on-site project personnel and shall require them to observe water-related activities for the presence of marine turtles and manatee(s). All in-water operations shall be immediately shut down if a marine turtle or manatee comes within 50 feet of the operation. For unanchored vessels, operators shall disengage the propeller and drift out of the potential impact zone. If drifting would jeopardize the safety of the vessel then idle speed may be used to leave the potential impact zone. Activities shall not resume until the animal(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the animal(s) has not reappeared within 50 feet of the operation. Animals shall not be herded away or harassed into leaving.

14. Any collision with (or injury to) a marine turtle or manatee shall be reported immediately to the FWC Hotline at 1-888-404-3922, and to FWC at ImperiledSpecies@myFWC.com. Any collision with (and/or injury to) a marine turtle shall also be reported immediately to the Sea Turtle Stranding and Salvage Network (STSSN) at SeaTurtleStranding@myfwc.com.

15. During marine turtle nesting season from May 1 through October 31, no construction operation, transportation or storage of equipment or materials is authorized in marine turtle nesting habitat seaward of the frontal dune crest or existing coastal armoring structure or the sandy beach when neither a dune or armoring structure are present.

16. Before, during and after marine turtle nesting season, all activities must avoid marked marine turtle nests. No activity shall occur within the marked area, nor shall any activity occur that could result in impacts to the nest. If a nest cannot be safely avoided during construction, all

activity within the affected project area shall be delayed until complete hatching and emergence of the nest. Any impacts to nests or marine turtles that inadvertently occur shall be immediately reported the Florida Fish and Wildlife Conservation Commission (FWC) at MarineTurtle@myfwc.com, and all work shall stop until authorized to continue by the Department and FWC.

17. The Permittee shall require their contractor and protected species monitors to inspect all work areas that have excavations and temporary alterations of beach topography each day, to determine which areas have deviations (such as depressions, ruts, holes and vehicle tracks) capable of trapping flightless shorebird chicks or marine turtle hatchlings. If so, the deviations shall be filled or leveled from the natural beach profile prior to 9:00 p.m. each day. The beach surface shall also be inspected subsequent to completion of the project, and all tracks, mounds, ridges or impressions, etc. left by construction equipment on the beach shall be smoothed and leveled.

18. All debris, including derelict coastal armoring material, concrete and metal shall be removed from the beach to the maximum extent practicable. If the debris removal activities will take place during protected species nesting seasons, the work shall be conducted during daylight hours only, and shall not commence until completion of daily monitoring surveys.

19. Staging areas and temporary storage for construction equipment shall be located off the beach to the maximum extent practicable. Nighttime storage of construction equipment that is not in use shall be located off the beach. If staging and storage areas off the beach are not possible, then additional marine turtle and shorebird protective measures shall be implemented. Such protective measures shall be determined in coordination with the Department and FWC prior to beginning of construction.

20. All vehicles operated on the beach shall operate in accordance with the FWC's Best Management Practices for Operating Vehicles on the Beach (<https://clicktime.symantec.com/3TbX8bCNKKj1dPyXdd7x1yh7Vc?u=http%3A%2F%2Fmyfwc.com%2Fconservation%2Fyou-serve%2Fwildlife%2Fbeach-driving/>). Specifically, the vehicle shall be operated at speeds less than 6 mph and run at or below the high-tide line. All personnel associated with the project shall be instructed about the potential presence of protected species, and the need to avoid injury and disturbance to these species.

SPECIFIC CONDITIONS – OTHER LISTED SPECIES

21. This permit does not authorize the permittee to cause any adverse impact to or “take” of state listed species and other regulated species of fish and wildlife. Compliance with state laws regulating the take of fish and wildlife is the responsibility of the owner or applicant associated with this project. Please refer to Chapter 68A-27 of the Florida Administrative Code for definitions of “take” and a list of fish and wildlife species. If listed species are observed onsite, FWC staff are available to provide decision support information or assist in obtaining the appropriate FWC permits. Most marine endangered and threatened species are statutorily protected and a “take” permit cannot be issued. Requests for further information or review can be sent to FWCConservationPlanningServices@MyFWC.com.

22. Upon locating a dead or injured marine turtle, a hatchling, or egg that may have been harmed or destroyed as a result of the project, the Permittee shall notify FWC Wildlife Alert at 1-888-404-FWCC (3922). Care shall be taken in handling injured marine turtles or exposed eggs to ensure effective treatment or disposition, and in handling dead specimens to preserve biological materials for later analysis. If a marine turtle nest is excavated during construction activities, but not as part of the authorized nest relocation process outlined in these specific conditions, the permitted person responsible for egg relocation for the project shall be notified immediately so the eggs can be moved to a suitable relocation site.

23. The term “shorebird” refers to all solitary nesting shorebirds and colonial nesting seabirds. If activities are to extend into the breeding season (February 15 to September 1) coordination is needed with the FWC Regional Shorebird Biologist, Paula Grendel at Paula.Grendel@myfwc.com or (850) 387-9069.

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 from

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

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. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- 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 to FWC at ImperiledSpecies@myFWC.com
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.

CAUTION: MANATEE HABITAT

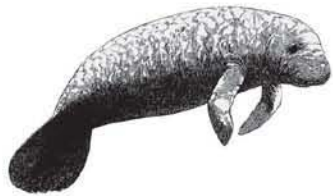
All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:



Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC



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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SELF-CERTIFICATION STATEMENT OF COMPLIANCE

*Within sixty (60) days of completion of the authorized work, submit this form via electronic mail to saj-rd-enforcement@usace.army.mil (preferred, not to exceed 15MB) **or** by standard mail to U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.*

1. **Department of the Army Permit Number:** SAJ- - (-)

2. **Permittee Information:** Name: _____

Email: _____

Address: _____

Phone: _____

3. **Date Authorized Work Started:** _____ **Completed:** _____

4. **Contact to Schedule Inspection:** Name: _____

Email: _____

Phone: _____

5. **Description of Authorized Work (e.g. bank stabilization, fill placed within wetlands, docks, dredging, etc.):** _____

6. **Acreage or Square Feet of Impacts to Waters of the United States:** _____

7. **Describe Mitigation completed (if applicable):** _____

8. **Describe any Deviations from Permit (attach drawing(s) depicting the deviations):**

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

Printed Name of Permittee

Date

Dated 9/18/2019

COMMENCEMENT NOTIFICATION

*Within ten (10) days of initiating the authorized work, submit this form via electronic mail to saj-rd-enforcement@usace.army.mil (preferred, not to exceed 15 MB) **or** by standard mail to U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.*

1. **Department of the Army Permit Number:** SAJ-2019-01821(SP-EPS)

2. **Permittee Information:**

Name: _____

Email: _____

Address: _____

Phone: _____

3. **Construction Start Date:** _____

4. **Contact to Schedule Inspection:**

Name: _____

Email: _____

Phone: _____

Signature of Permittee

Printed Name of Permittee

Date