

**NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT
NOTICED GENERAL ENVIRONMENTAL RESOURCE PERMIT**

NOTICED GENERAL ENVIRONMENTAL PERMIT NUMBER: 1380

DATE ISSUED: August 15, 2012

PROJECT NAME: SR 30A Culvert Extensions Swales & Ditch Improv. - Gulf County

AN AGENCY ACTION AUTHORIZING:

The use of a Noticed General Environmental Resource Permit, pursuant to section 62-330.447, F.A.C. on August 15, 2012, for the following:

The culvert extensions and modifications at twelve locations along State Road 30A. Additionally, the activity will require the dredging and filling of 20,995 square feet of wetlands that will not exceed .482 acres in area combined.

LOCATION:

City: Port St. Joe County: Gulf
Address: SR 30A From SR 30E (Cape San Blas Road) to SR 30 (US 98)
Section(s): 23 Township(s): 9S Range(s): 11
Latitude: 29° 41' 10" N Longitude: 85° 18' 33" W W

ISSUED TO:

Florida Department of Transportation
1074 Highway 90
Chipley, FL 32428

Permittee agrees to hold and save the Northwest Florida Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

The use of a Noticed General Environmental Resource permit does not convey to permittee any property rights or any rights or privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.

This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes:

Activities conducted under this permit are subject to the following conditions:

See conditions on attached Exhibit A, dated August 16, 2012
See conditions on attached Exhibit B, dated August 16, 2012

AUTHORIZED BY: Northwest Florida Water Management District
Division of Resource Regulation

By: _____

Michael Bateman
Chief, Bureau of Environmental Regulation

U.S. Army Corps of Engineers
Permit # SAT-2012-02348
Date: March 11, 2013
Attachment: 2



Exhibit A
Section 62-330.215, Florida Administrative Code
General Conditions for All Noticed General Permits

62-330.215 General Conditions for All Noticed General Permits.

- (1) The terms, conditions, requirements, limitations, and restrictions set forth in this section are general permit conditions and are binding upon the permittee for all noticed general permits in this chapter. These conditions are enforceable under Part IV of Chapter 373, F.S.
- (2) The general permit is valid only for the specific activity indicated. Any deviation from the specified activity and the conditions for undertaking that activity shall constitute a violation of the permit. A violation of the permit is a violation of Part IV of Chapter 373, F.S., and may result in suspension or revocation of the permittee's right to conduct such activity under the general permit. The Department also may begin legal proceedings seeking penalties or other remedies as provided by law for any violation of these conditions.
- (3) This general permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any construction, alteration, operation, maintenance, removal or abandonment authorized by this permit.
- (4) This general permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the general permit as provided by Chapter 62-330, F.A.C.
- (5) The general permit does not relieve the permittee from liability and penalties when the permitted activity causes harm or injury to: human health or welfare; animal, plant or aquatic life; or property. It does not allow the permittee to cause pollution in contravention of Florida Statutes and Department rules.
- (6) The permittee is hereby advised that Section 253.77, F.S., states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.
- (7) The authorization to conduct activities pursuant to a general permit may be modified, suspended or revoked in accordance with Chapter 120, F.S., and Section 373.429, F.S.
- (8) This permit shall not be transferred to a third party except pursuant to Rule 62-343.130, F.A.C. The permittee transferring the general permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located.
- (9) Upon reasonable notice to the permittee, Department staff with proper identification shall have permission to enter, inspect, sample and test the permitted system to insure conformity with the plans and specifications approved by the permit.
- (10) The permittee shall maintain any permitted system in accordance with the plans submitted to the Department and authorized in this general permit.
- (11) A permittee's right to conduct a specific noticed activity under this noticed general permit is authorized for a duration of five years.
- (12) Construction, alteration, operation, maintenance, removal and abandonment approved by this general permit shall be conducted in a manner which does not cause violations of state water quality standards, including any antidegradation provisions of paragraphs 62-4.242(1)(a) and (b), subsections 62-4.242(2) and (3), and Rule 62-302.300, F.A.C., and any special standards for Outstanding Florida Waters and Outstanding National Resource Waters. The permittee shall implement best management practices for erosion, turbidity, and other pollution control to prevent violation of state water quality standards. Temporary erosion control measures such as sodding, mulching, and seeding shall be implemented and shall be maintained on all erodible ground areas prior to and during construction. Permanent erosion control measures such as sodding and planting of wetland species shall be completed within seven days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into wetlands and other surface waters exists due to the permitted activity. Turbidity barriers shall remain in place and shall be maintained in a functional condition

at all locations until construction is completed and soils are stabilized and vegetation has been established.

Thereafter the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.

(13) The permittee shall hold and save the Department harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any system authorized by the general permit.

(14) The permittee shall immediately notify the Department in writing of any previously submitted information that is later discovered to be inaccurate.

Specific Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.044, 373.406(5), 373.118(1), 373.129, 373.136, 373.413, 373.414(9), 373.416, 373.422, 373.423, 373.429 FS. History--New 10-3-95

Exhibit B
General Permit to the Florida Department of Transportation, Counties, and Municipalities for Minor Activities Within Existing Rights-of-Way or Easements.
Rule 62-330.447, Florida Administrative Code

62-330.447 General Permit to the Florida Department of Transportation, Counties, and Municipalities for Minor Activities Within Existing Rights-of-Way or Easements.

(1) A general permit is hereby granted to the Florida Department of Transportation, counties, and municipalities to conduct the activities described below:

- (a) The extension of existing culverts and crossing approaches to accommodate widening of the roadway where excavation or deposition of material shall not exceed 1000 cubic yards (765 cubic meters) in wetlands and other surface waters and the area from which material is excavated or to which material is deposited shall not exceed a total of 0.25 acres (1012 square meters or 0.1 hectare) at any one culverted crossing. The 1000 cubic yardage (765 cubic meters) limitation shall be separately applied to excavation and deposition of material;
 - (b) Relocation, recontouring, widening, or reconstruction of existing highway drainage ditches through uplands provided the floor elevation of the ditch is not deepened below the original design elevation and provided that the work does not cause a change in the hydrology of any wetlands which are connected to or which are adjacent to the ditch;
 - (c) Culvert placement, replacement and maintenance associated with existing roadways, in streams with an average discharge of less than 10 cubic feet per second (0.28 cubic meters per second) at the culvert location or streams draining less than 10 square miles (25.9 square kilometers), provided that construction does not cause scour in the downstream waters or increase the velocity of the water downstream, does not reduce existing flood conveyance of the stream for the 100 year flood flow and does not reduce existing flood storage within the 10 year flood plain. The material excavated or deposited as fill shall not exceed 1000 cubic yards (765 cubic meters) in wetlands and other surface waters. The cross sectional area of the culvert shall not be reduced, unless the reduced cross section provides an equal or greater discharge capability. In the case of a culvert installed as a wildlife crossing, the cross sectional area shall not be reduced;
 - (d) Construction of temporary bypass lanes and stream channel diversions necessary to complete projects detailed in paragraph (c) above, provided the area used for the temporary bypass lanes and temporary diversion is restored to its previous contours and elevations;
 - (e) Channel clearing and shaping, not to exceed a combined total of 0.5 acres (2023 square meters or 0.2 hectares) of dredging and filling in wetlands and other surface waters, to facilitate maximum hydraulic efficiency of structures authorized by paragraph (c) above, where the spoil material is used on an upland portion of the project or is deposited on a self-contained, upland spoil site. Escape of spoil material and return water from the spoil deposition area into wetlands or other surface waters is prohibited; and
 - (f) Repair of existing concrete bridge pilings by the construction of pile jackets, provided that the permanent outer form is composed of inert materials and the quantity of material shall not exceed 300 cubic yards (229 cubic meters) of dredging or 300 cubic yards (229 cubic meters) of filling per project. Although the bottom sediments within the forms may be removed by jetting or pumping, and may not be recoverable, proper turbidity control measures shall be employed as necessary to prevent violations of state water quality standards.
- (2) This general permit shall be subject to the following specific conditions:
- (a) The permittee shall use erosion and sediment control best management practices, including turbidity curtains or similar devices, in strict adherence to these practices as described in Chapter 6, The Florida Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation, 1988) to prevent violation of state water quality standards;
 - (b) Immediately following completion of slope construction, the fill areas and any disturbed banks of wetlands or other surface waters shall be stabilized with vegetation or riprap to prevent erosion. Temporary erosion controls for all exposed soils within wetlands and other surface waters shall be

completed within seven calendar days of the most recent construction activity. Prevention of erosion of exposed earth into wetlands and other surface waters is a construction priority and completed slopes shall not remain unstabilized while other construction continues;

(c) In addition to complying with the notice provisions of subsection 62-343.090(1), F.A.C., at least 90 days prior to commencement of construction, the permittee shall provide written notification to the Department office to which the prior notice was given of the date the permitted construction activities are planned to begin and within 90 days following completion of construction, the permittee shall provide written notification to the office of the Department that received the original notice to use the general permit of the date construction activities are completed;

(d) The permittee shall limit stream channel relocation to streams which have an average discharge of 10 cubic feet per second (0.28 cubic meters per second) or less. The length of relocated channels or those significantly altered shall be limited to 200 feet (61 meters) per stream. A stream channel shall be altered only when such a measure will reduce the long term adverse water quality impacts and will maintain or restore the stream's natural hydraulic capability; and

(e) This general permit shall not apply to ditch construction in Class I or Class II surface waters, Outstanding National Resource Waters or waters designated as Outstanding Florida Waters.

(3) This general permit does not authorize the construction of additional traffic lanes. Systems which require additional traffic lanes must first obtain a general or individual environmental resource permit under Part IV of Chapter 373, F.S., as applicable, before the start of construction.

Specific Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.414(9), 373.416, 373.418, 373.419 FS. History--New 10-3-95, Amended 10-1-07.