



FLORIDA DEPARTMENT OF Environmental Protection

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Secretary

Permittee/Authorized Entity:

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East – West Connector

Authorized Agent:

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State 404 Program Individual Permit

Okaloosa County
Permit No.: 0396411-001-SFI/46

Permit Issuance Date: October 7, 2021
Permit Expiration Date: October 7, 2026

State 404 Program Individual Permit

Permittee: Okaloosa County
Permit No: 0396411-001-SFI/46

PROJECT LOCATION

The activities authorized by this permit are located west of Crestview starting at the intersection of Antioch Road and Arena Road on the west end and ending at the connection to the east end of Physician's Drive, Crestview, Florida 32536, in Sections 23, 25, 29, and 30, Township 3 North, Ranges 23 and 24 West in Okaloosa County, at 30° 14' 36.8943" North Latitude, 85° 34' 41.8534" West Longitude. The project occurs entirely within Okaloosa County and City of Crestview owned right-of-way.

PROJECT DESCRIPTION

The permittee is authorized to fill 257,483.16 square feet or 5.911 acres of unnamed mixed forested wetlands to construct a vehicular road and associated stormwater ponds to relieve traffic congestion on State Road (SR) 85 in Crestview. The project will result in direct impacts to the 5.911 acres of mixed forested wetlands within the project area and secondary impacts to 2.482 acres of mixed forested wetlands located adjacent to the direct impact areas. The project is within an unnamed wetland associated with Shoal River, a Class III Outstanding Florida Waterbody, Unclassified Shellfish Harvesting Area. Authorized activities are depicted on the attached exhibits.

To offset unavoidable impacts that will occur from these authorized activities, the permittee shall purchase 4.65 palustrine forested credits from the Northwest Florida Water Management District Sand Hill Lakes Mitigation Bank (USACE permit number; SAJ-2002-05061).

AUTHORIZATIONS

East – West Connector

State 404 Program Individual Permit

The Department has determined that the activity qualifies for a State 404 Program Individual Permit. Therefore, the State 404 Program Permit is hereby granted, pursuant to Part IV of Chapter 373, Florida Statutes (F.S.), and Chapter 62-331, Florida Administrative Code (F.A.C.).

Other Authorizations

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

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

PERMIT CONDITIONS

The activities described must be conducted in accordance with:

- **The Specific Conditions**

- **The General Conditions**
- **The limits, conditions and locations of work shown in the attached drawings**
- **The term limits of this authorization**

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

SPECIFIC CONDITIONS

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. This permit shall expire on **October 7, 2026** pursuant to 62-331.090(2), F.A.C. Any deviations must be authorized in a permit modification in accordance with rule 62-331.080, 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.

SPECIFIC CONDITIONS - PRIOR TO ANY CONSTRUCTION

2. Prior to construction or impacts authorized by this permit, the permittee shall provide the Department with documentation that 4.65 palustrine forested credits have been deducted from the ledger of the Northwest Florida Water Management District Sand Hill Lakes Mitigation Bank (USACE permit number; SAJ-2002-05061) to provide compensatory mitigation for direct and secondary impacts to mixed forested wetlands authorized by this permit.

3. Prior to construction, the limits of the proposed impact areas shall be clearly flagged and staked by the agent and/or contractor. All construction personnel shall be shown the location(s) of all wetland areas outside of the construction to prevent encroachment from heavy equipment into these areas.

4. Best management practices for erosion control shall be implemented prior to construction commencement and shall be 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 not be limited to the use of staked haybales, staked filter cloth, sodding, seeding, staged construction and the installation of turbidity screens around the immediate project site.

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

5. This permit authorizes permanent impacts to the wetland fill area shown in the attached permit drawings. No other areas are authorized to be impacted, which includes but is not limited to clearing with the use of heavy equipment, filling, or excavation.

6. 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.

7. 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.

8. The following measures shall be taken by the permittee whenever siltation, sedimentation, or erosion occurs within wetlands outside of the limits of the authorized activities:

- a. Immediately cease all work contributing to the violation.
- b. Stabilize all exposed soils contributing to the violation. Modify the work procedures that were responsible for the violation and install more erosion, sedimentation, and turbidity control devices.
- c. Notify the Department within 24 hours of the time the violation occurred at (850)595-8300.

9. Construction equipment shall not be repaired or refueled in wetlands or elsewhere within waters of the state.

10. This permit does not authorize the entrenchment of water, sewer, cable, or utility line within wetlands or waterbodies outside the authorized impact area.

11. There shall be no stock piling of tools, materials, (i.e., lumber, pilings, riprap, and debris) within wetlands, along the shoreline within the littoral zone, or elsewhere within water/waters of the state.

12. Grass seed, or sod shall be installed and maintained on exposed slopes and disturbed soil areas within 48 hours of completing final grade, and at other times as necessary, to prevent erosion, sedimentation, or turbid discharges into the waters of the state and adjacent wetlands. A vegetative cover that stabilizes and prevents erosion of the fill material shall be established within 60 days of sodding or seeding. Turbidity barriers/erosion control devices shall be removed upon establishment of a substantial vegetative cover.

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

SPECIFIC CONDITIONS - LISTED SPECIES

14. 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.

Eastern Indigo Snake

15. The permittee shall comply with the U.S. Fish and Wildlife Service's "Standard Protection Measures for the Eastern Indigo Snake" dated August 12, 2013 (Attachment). If an eastern indigo snake is encountered, the snake shall be allowed to vacate the area prior to additional site manipulation in the vicinity. Holes, cavities, and other snake refugia shall be inspected each morning before planned site manipulation of a particular area, and if occupied by an indigo snake, no work shall commence until the snake has vacated the vicinity of the proposed work.

Gopher Tortoise

16. A burrow survey covering a minimum of 15% of the potential gopher tortoise habitat to be impacted by development activities (including staging areas for heavy equipment) is required in order to apply for a relocation permit (10 or Fewer Burrows permits require a 100% survey up- front). These surveys must take place no more than 90 days prior to submitting an application. Because gopher tortoises and their burrows are protected from development activities by Florida law, regulatory compliance requires a comprehensive 100% burrow survey of all potential tortoise habitat proposed for development. These 100% surveys must be conducted no more than 90 days prior to, and no fewer than 72 hours before (excluding weekends and holidays) commencing gopher tortoise capture and relocation activities. Potentially suitable habitat may include, but is not limited to, sandhill, scrub, scrubby flatwoods, pine flatwoods, dry prairies, xeric hammock, mixed pine-hardwoods, old fields, agricultural lands, ruderal areas, and a variety of disturbed habitats and areas having relatively well-drained sandy soils. Surveys shall be conducted using the following methods.

- a. One or multiple observers shall systematically search for gopher tortoise burrows along evenly spaced, parallel belt transects. When multiple observers are used, sufficient distance must exist between observers to ensure that transects do not overlap. It is essential that observers focus solely on searching for burrows. They should not be conducting other activities. The transects shall be distributed across all potentially suitable habitat on-site to provide at least 15% coverage of the total potential gopher tortoise habitat within the project boundaries.
- b. The width of each transect shall allow for 100% detection of burrows within the transect. In open habitat, such as mowed pasture or natural sandhill, transects shall be spaced no more than 33 feet (10 meters) apart. In thicker habitat, such as flatwoods and scrub, transects shall be spaced as close as 16 feet (5 meters) apart. Patches of extremely thick habitat, such as saw palmetto or blackberry patches, should be searched more intensely, with spacing at approximately 3 feet (1 meter) or less.
- c. The location of burrows observed within or partially within each transect shall be recorded with sub-meter accuracy GPS. Burrows shall be marked with flagging tape indicating its unique identifying label and burrow activity class.
 - i. Potentially Occupied Burrows – burrows with obvious signs of use and minimal or no sign of use. These burrows appear in good repair with a half-moon shaped entrance and may have tortoise tracks or scrapes clearly visible on the burrow floor or on the mound. The burrow floor may contain loose soil, or it may be hard-packed, and the mound may or may not have vegetation growing on it.
 - ii. Abandoned Burrows – these burrows lack the half-moon shaped entrance; appear unused or dilapidated with an entrance that is partially or completely collapsed; the burrow may also be partially or completely filled with soil or leaves.

17. If site preparation or other project activities do not commence within 90 days of the gopher tortoise burrow survey, an additional gopher tortoise burrow survey shall be conducted.
18. Gopher tortoise burrow surveys shall encompass any areas having potentially suitable habitat within 25 feet of all project activities, including habitats that extend onto adjacent properties. If lawful access cannot be achieved to adjacent properties, surveys may be conducted by visual inspection from the subject property boundary.
19. If gopher tortoise burrows are found, buffers of at least 25 feet, measured from the burrow opening, shall be established. To prevent gopher tortoises from entering the project site, temporary silt fencing shall be installed (buried at least 8 inches into the ground) around the project site and maintained for the duration of the project.
20. The buffering shall not result in a 50-foot diameter (25-foot radius) circle of habitat around each burrow (e.g., undisturbed “islands” or “crop circles”) to develop the rest of the project site.
21. No site preparation, clearing, staging, or other project activities shall occur within the 25-foot buffer.
22. If maintaining the required buffer is not possible, the permittee shall contact the Florida Fish and Wildlife Conservation Commission Gopher Tortoise Program at (850) 921-1031 or GTPermits@MyFWC.com for additional information.
23. Any gopher tortoise mortality or injury shall be reported to the Gopher Tortoise Program at (850) 921-1031 or GTPermits@MyFWC.com within 48 hours of the occurrence. An injured gopher tortoise shall be promptly taken to either a licensed wildlife rehabilitation facility or a licensed veterinarian for evaluation and treatment.

SPECIFIC CONDITIONS – OPERATION AND MAINTENANCE ACTIVITIES

24. All fill areas, fill slopes, and disturbed upland areas shall be stabilized at all times during and after construction so as to prevent any erosion, sedimentation, siltation, or scouring.
25. The remaining unimpacted wetlands onsite shall be maintained in a natural state. Removal of existing vegetation shall be minimized, with the exception of invasive exotic or nuisance species such as popcorn trees, Japanese climbing fern, cogon grass, and Chinese privet. For a more extensive list of invasive exotic and nuisance species, please go to: www.fleppc.org/list/.htm.

GENERAL CONDITIONS FOR STATE 404 PROGRAM INDIVIDUAL PERMITS

(1) General Conditions under section 62-331.054, F.A.C.:

- (a) The permittee shall comply with all conditions of the permit, even if that requires halting or reducing the permitted activity to maintain compliance. Any permit violation constitutes a violation of Part IV of Chapter 373, F.S., and this Chapter, as well as a violation of the CWA.
- (b) The permittee shall take all reasonable steps to prevent any unauthorized dredging or filling in violation of this permit.
- (c) The permittee shall timely notify the Agency of any expected or known actual noncompliance.
- (d) Upon Agency request, the permittee shall provide information necessary to determine compliance status, or whether cause exists for permit modification, revocation, or termination.

(e) Inspection and entry. The permittee shall allow the Agency, upon presentation of proper identification, at reasonable times to:

1. Enter upon the permittee's premises where a regulated activity is located or where records must be kept under the conditions of the permit,
2. Have access to and copy any records that must be kept under the conditions of the permit,
3. Inspect operations regulated or required under the permit, and
4. Sample or monitor, for the purposes of assuring permit compliance or as otherwise authorized by the CWA, any substances or parameters at any location.

(2) Applicable General Conditions under section 62-330.350(1), F.A.C., modified to contain applicable references under Chapter 62-331, F.A.C. (remove those that are not applicable):

(a) 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 62-331.080, 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.

(b) 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.

(c) 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.

(d) 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), (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), incorporated by reference herein, indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C., and shall be submitted electronically or by mail to the Agency. However, for activities involving more than one acre of construction that also require a NPDES stormwater construction general permit, submittal of the Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Form 62-621.300(4)(b), shall also serve as notice of commencement of construction under this chapter and, in such a case, submittal of Form 62-330.350(1) is not required.

(e) Unless the permit is transferred under rule 62-331.100, F.A.C., the permittee is liable to comply with the plans, terms, and conditions of the permit for the life of the project or activity.

(f) Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:

1. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex – "Construction Completion and Inspection Certification for Activities Associated with a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; o

2. For all other activities – “As-Built Certification and Request for Conversion to Operation Phase” [Form 62-330.310(1)].
 3. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
- (g) If the final operation and maintenance entity is a third party:
1. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.4 of Volume I) as filed with the Florida Department of State, Division of Corporations, and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
 2. Within 30 days of submittal of the as-built certification, the permittee shall submit “Request for Transfer of Environmental Resource Permit to the Perpetual Operation and Maintenance Entity” [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
- (h) The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
- (i) This permit does not:
1. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in chapter 62-330, F.A.C.;
 2. Convey to the permittee or create in the permittee any interest in real property;
 3. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 4. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
- (j) Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
- (k) The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
- (l) The permittee shall notify the Agency in writing:
1. Immediately if any previously submitted information is discovered to be inaccurate; and
 2. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.
- (m) Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

- (n) If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, stone tools, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section (DHR), at (850)245-6333, as well as the appropriate permitting agency office. Project activities shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, F.S. For project activities subject to prior consultation with the DHR and as an alternative to the above requirements, the permittee may follow procedures for unanticipated discoveries as set forth within a cultural resources assessment survey determined complete and sufficient by DHR and included as a specific permit condition herein.
- (o) Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under rule 62-330.201, F.A.C., provides otherwise.
- (p) The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under chapter 62-331, F.A.C., or cause violations of state water quality standards.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the subsequent order may modify or take a different position than this action.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;

- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under [Sections 120.569](#) and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do not publish notice of this action, this waiver will not apply to persons who have not received written notice of this action.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission

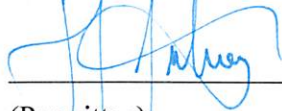
must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Permittee Signature

Pursuant to Rule 62-331.052(3)(a)1, a permit becomes effective when it is signed by both the applicant and the Department. Signing indicates, as permittee, you accept and agree to comply with the terms of this permit. You have **60 days after receipt of this proposed permit** with which to sign and return to the Department for final approval. Failure to return within this timeframe will result in administrative withdrawal of your permit application. After receipt of the signed proposal, the Department will return to you the final signed permit, listing the permit's effective date and expiration date.



(Permittee)

10/6/21

(Date)

Jason T. Autrey, Director of Public Works

(Permittee Name – Printed)

This permit becomes effective when the designated Department official has signed below.

EXECUTION AND CLERKING

Executed in Pensacola, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Kimberly R. Allen

Permitting Program Administrator

KRA:muj

Attachments:

Project Drawings, 27 pages

Mitigation Plan, 1 page

Standard Protection Measures for the Eastern Indigo Snake, 3 pages

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

Kim Allen, Kim.Allen@FloridaDEP.gov

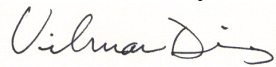
Jennifer Waltrip, Jennifer.Waltrip@FloridaDEP.gov

Okaloosa County, mmartinez@co.okaloosa.fl.us jautrey@co.okaloosa.fl.us sbitterman@co.okaloosa.fl.us
propertyappraiser@okaloosapa.com

FWC, Imperiled Species Management Section

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.



October 7, 2021

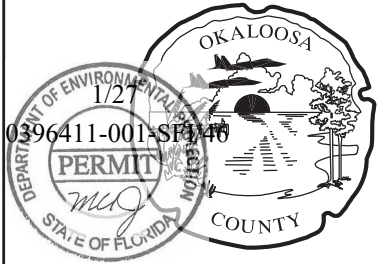
Clerk

Date

OKALOOSA COUNTY, FLORIDA

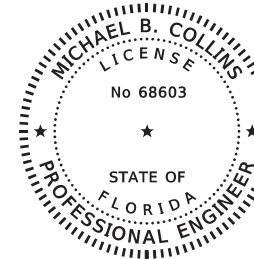
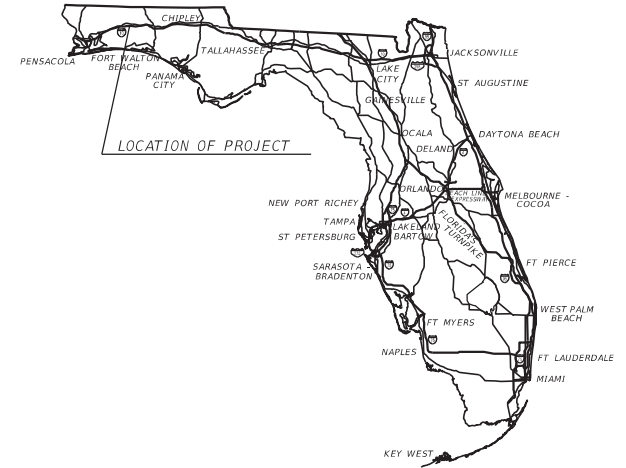
EAST-WEST CONNECTOR

PERMIT PLANS



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16-19	WETLAND 3 CROSS SECTION
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23	WETLAND IMPACTS
24-25	WETLAND 4 CROSS SECTION
26	WETLAND 4 PROFILE
27	IMPACT QUANTITIES



THIS ITEM HAS BEEN DIGITALLY
SIGNED AND SEALED BY:

Brad Collins

2021.03.08 11:29:14 -06'00'

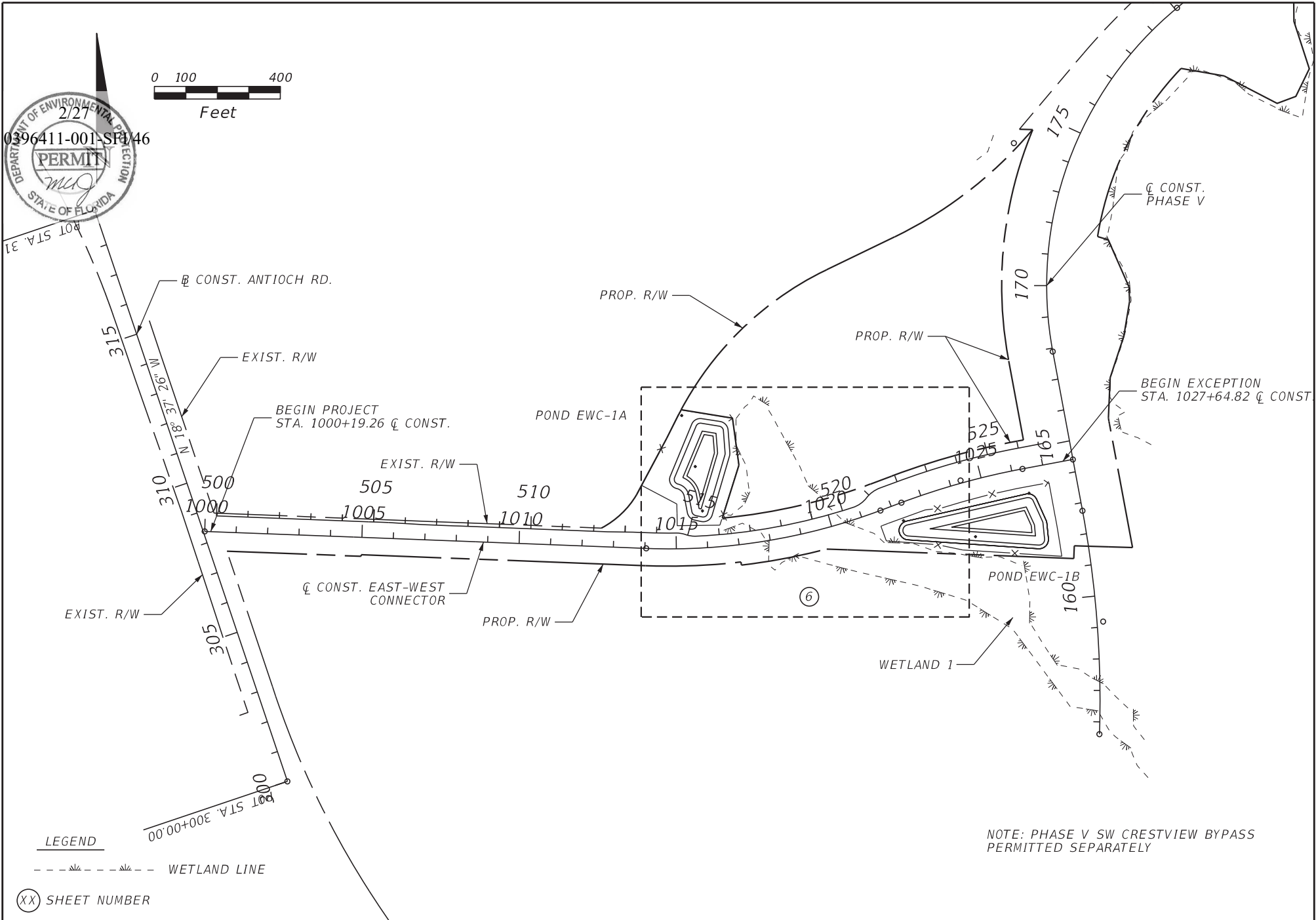
ON THE DATE ADJACENT TO THE SEAL

PRINTED COPIES OF THIS DOCUMENT ARE
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THE SIGNATURE MUST BE VERIFIED
IN THE ELECTRONIC DOCUMENTS.

NOT FOR CONSTRUCTION
FOR PERMITTING PURPOSES ONLY

SHEET
NO.

1



LEGEND

--- WETLAND LINE

(XX) SHEET NUMBER

NOTE: PHASE V SW CRESTVIEW BYPASS
PERMITTED SEPARATELY

REVISIONS				OKALOOSA COUNTY	PROJECT LAYOUT EAST-WEST CONNECTOR	SHEET NO. 2
DATE	DESCRIPTION	DATE	DESCRIPTION			
	NOT FOR CONSTRUCTION FOR PERMITTING PURPOSES ONLY			Michael B. Collins, P.E. P.E. LICENSE NUMBER 68603 HDR Engineering, Inc. 25 West Cedar Street, Suite 200 Pensacola, FL 32502-5945		

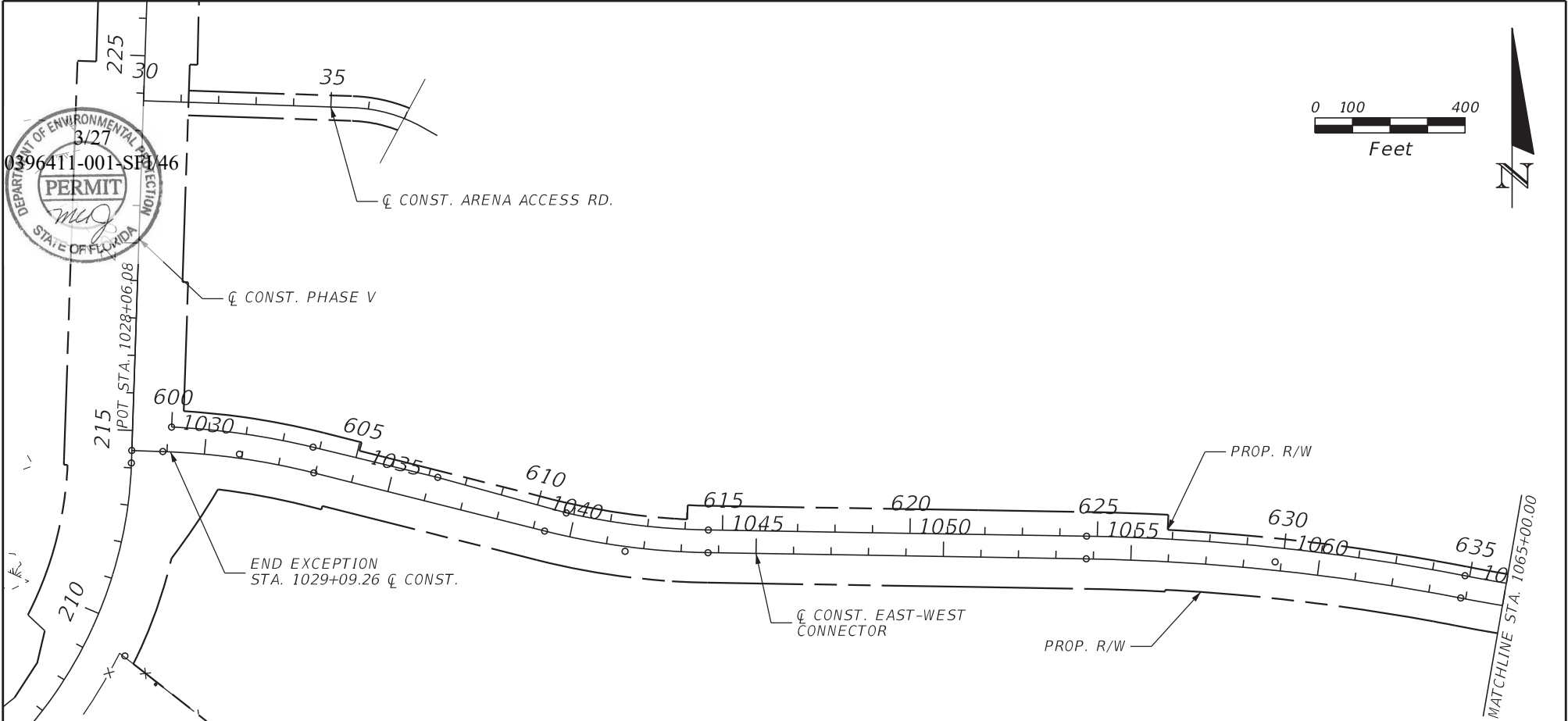
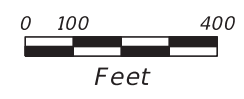
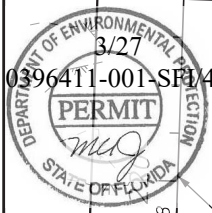


MHO:RNE

3/5/2021

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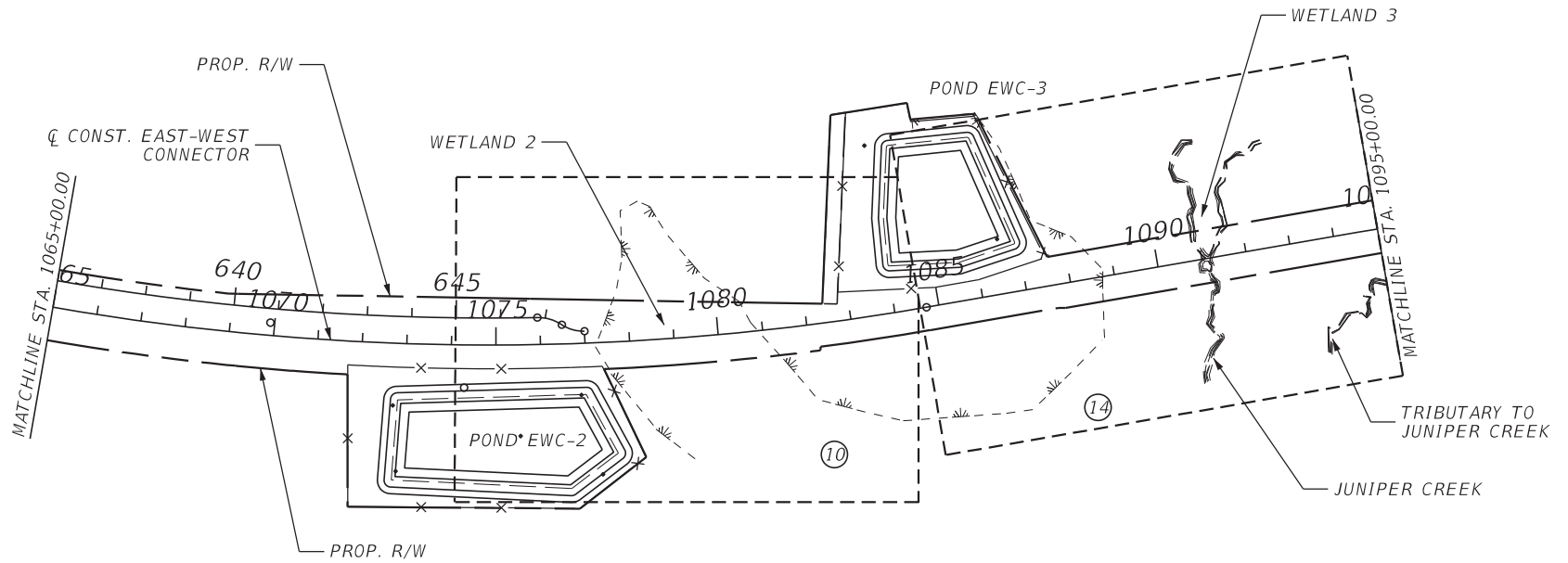
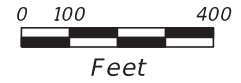


LEGEND

---WETLAND LINE

NOTE: PHASE V SW CRESTVIEW BYPASS
PERMITTED SEPARATELY

REVISIONS				Michael B. Collins, P.E. P.E. LICENSE NUMBER 68603 HDR Engineering, Inc. 25 West Cedar Street, Suite 200 Pensacola, FL 32502-5945	OKALOOSA COUNTY	PROJECT LAYOUT EAST-WEST CONNECTOR	SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION				
	NOT FOR CONSTRUCTION FOR PERMITTING PURPOSES ONLY						3



LEGEND

--- WETLAND LINE

(XX) SHEET NUMBER

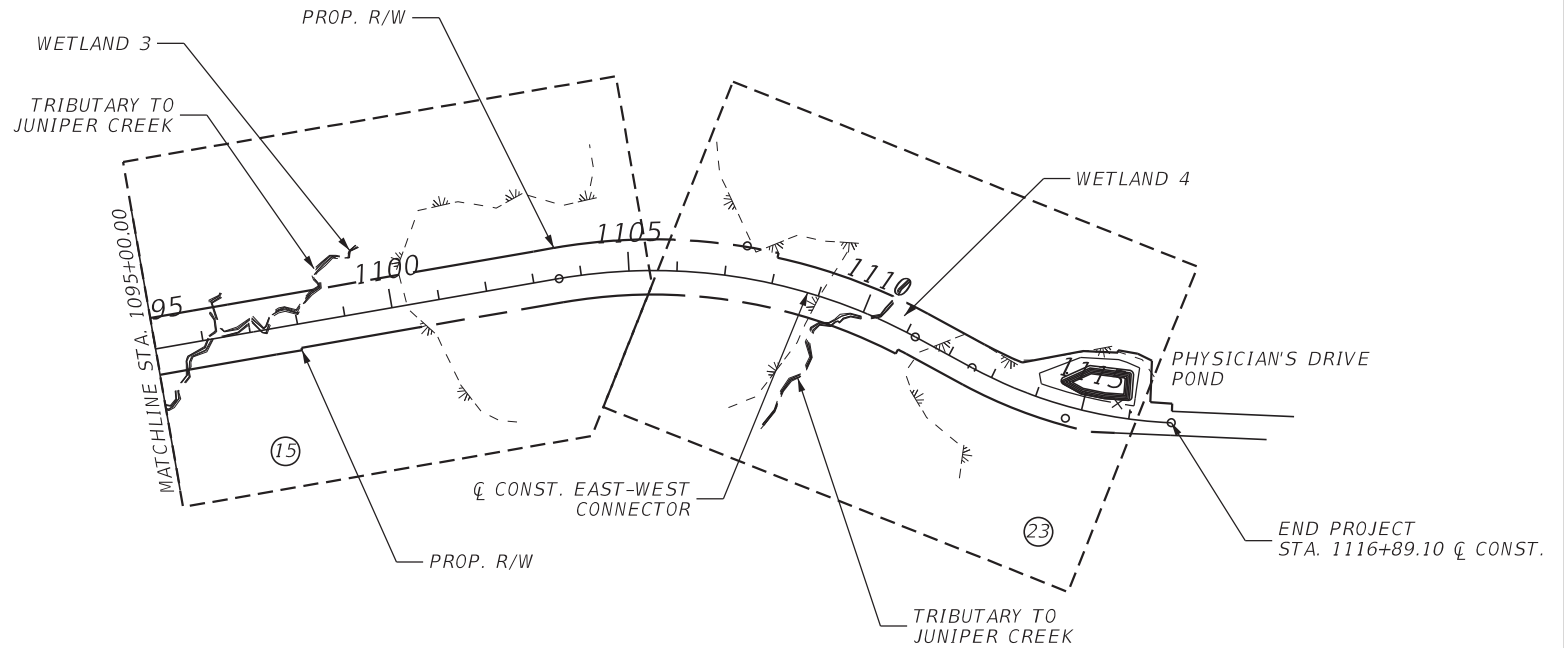
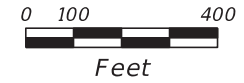
REVISIONS				Michael B. Collins, P.E. P.E. LICENSE NUMBER 68603 HDR Engineering, Inc. 25 West Cedar Street, Suite 200 Pensacola, FL 32502-5945	 OKALOOSA COUNTY	PROJECT LAYOUT EAST-WEST CONNECTOR	SHEET NO. 4
DATE	DESCRIPTION	DATE	DESCRIPTION				
	NOT FOR CONSTRUCTION FOR PERMITTING PURPOSES ONLY						

MHO:RNE

3/5/2021

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LEGEND

---WETLAND LINE

(XX) SHEET NUMBER

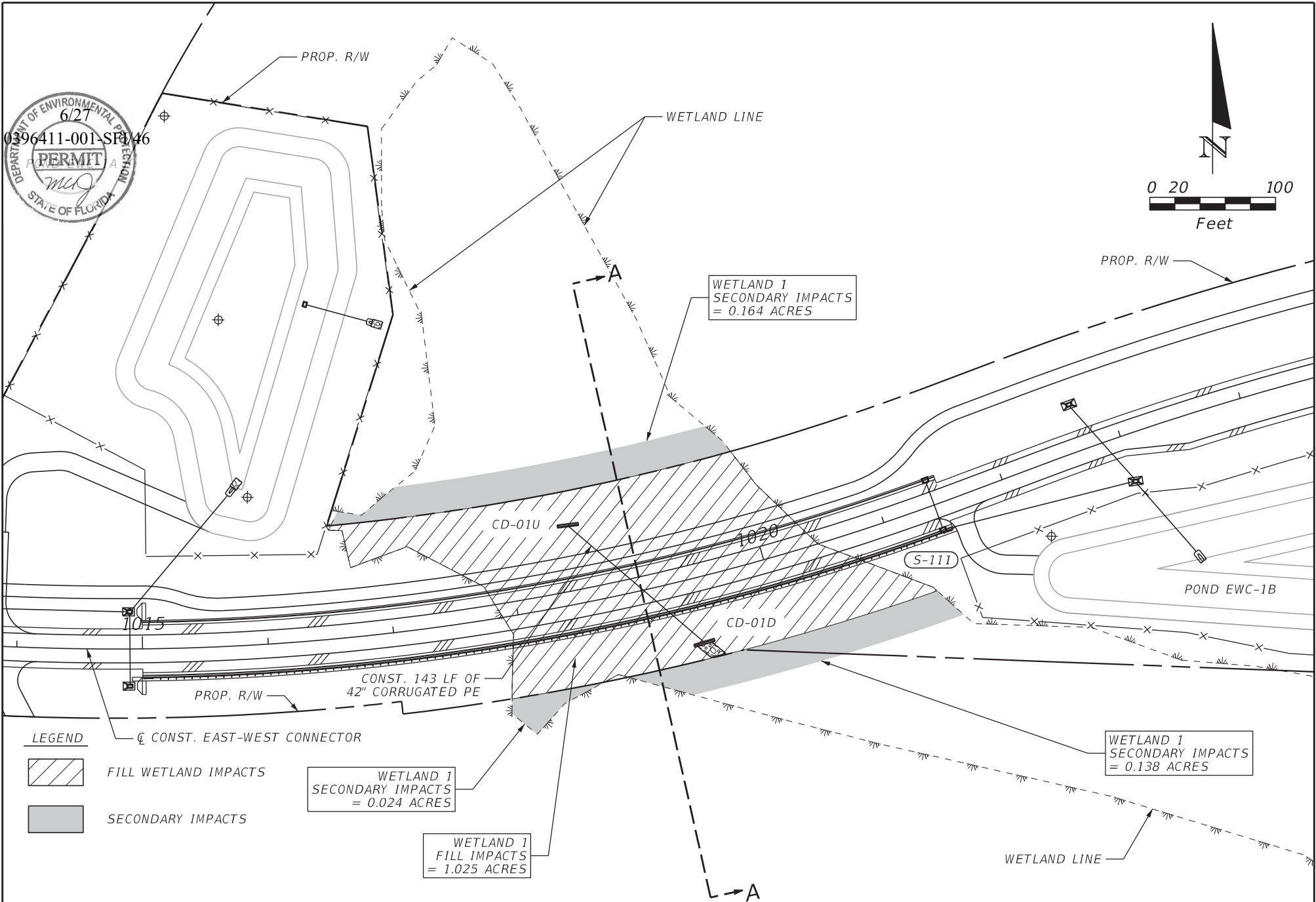
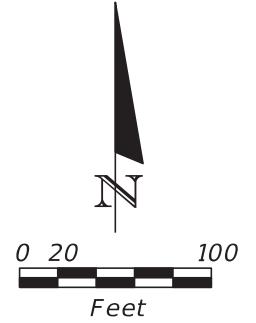
REVISIONS				Michael B. Collins, P.E. P.E. LICENSE NUMBER 68603 HDR Engineering, Inc. 25 West Cedar Street, Suite 200 Pensacola, FL 32502-5945	 OKALOOSA COUNTY	PROJECT LAYOUT EAST-WEST CONNECTOR	SHEET NO. 5
DATE	DESCRIPTION	DATE	DESCRIPTION				
	NOT FOR CONSTRUCTION FOR PERMITTING PURPOSES ONLY						

MHO:RNE

3/5/2021

8:12:43 AM

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REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION
	NOT FOR CONSTRUCTION FOR PERMITTING PURPOSES ONLY		

Michael B. Collins, P.E.
P.E. LICENSE NUMBER 68603
HDR Engineering, Inc.
25 West Cedar Street, Suite 200
Pensacola, FL 32502-5945

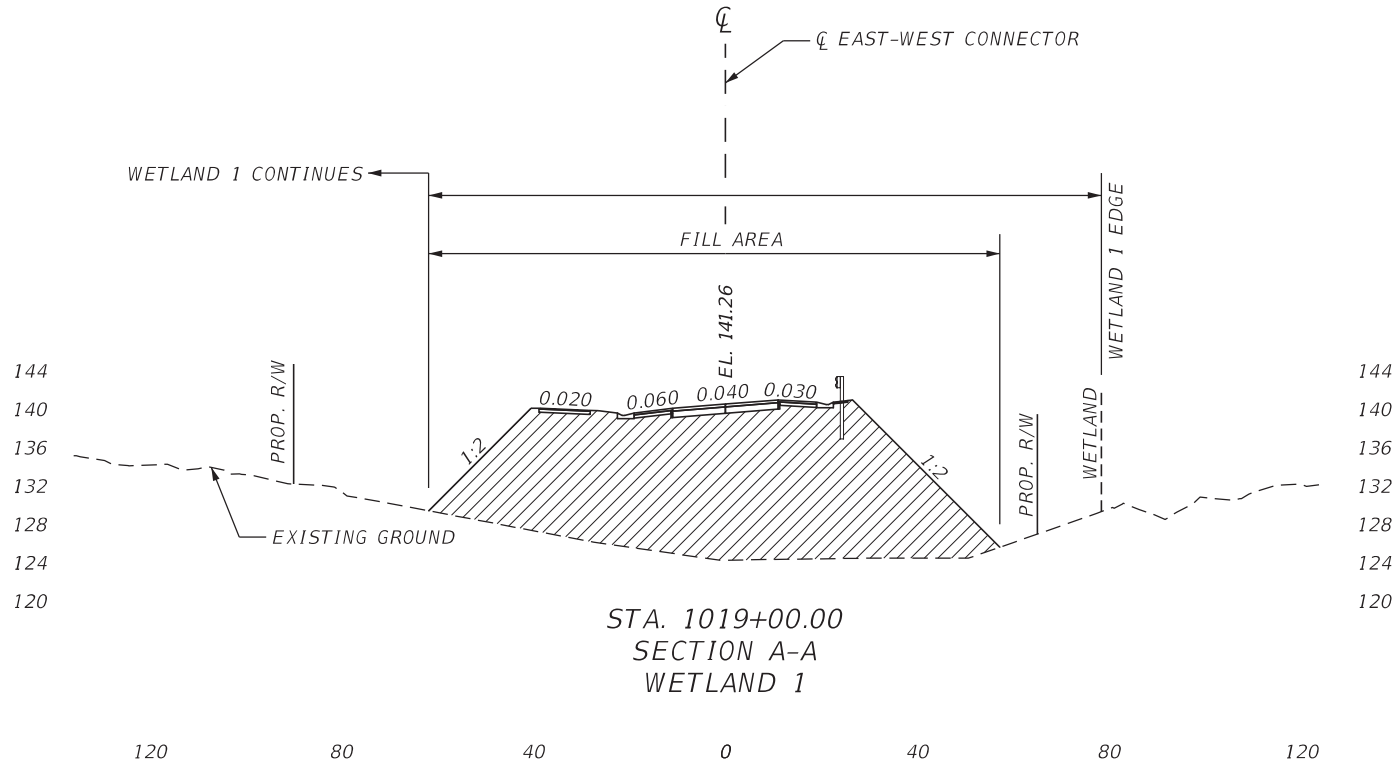


**WETLAND IMPACTS
EAST-WEST CONNECTOR**

SHEET NO.
6



LEGEND:
 FILL WETLAND IMPACTS



SCALE:
1" = 40' HORIZONTAL
1" = 20' VERTICAL

REVISIONS				 OKALOOSA COUNTY	WETLAND 1 CROSS SECTION EAST-WEST CONNECTOR	SHEET NO. 7
DATE	DESCRIPTION	DATE	DESCRIPTION			
	NOT FOR CONSTRUCTION FOR PERMITTING PURPOSES ONLY			Michael B. Collins, P.E. P.E. LICENSE NUMBER 68603 HDR Engineering, Inc. 25 West Cedar Street, Suite 200 Pensacola, FL 32502-5945		

MHORN

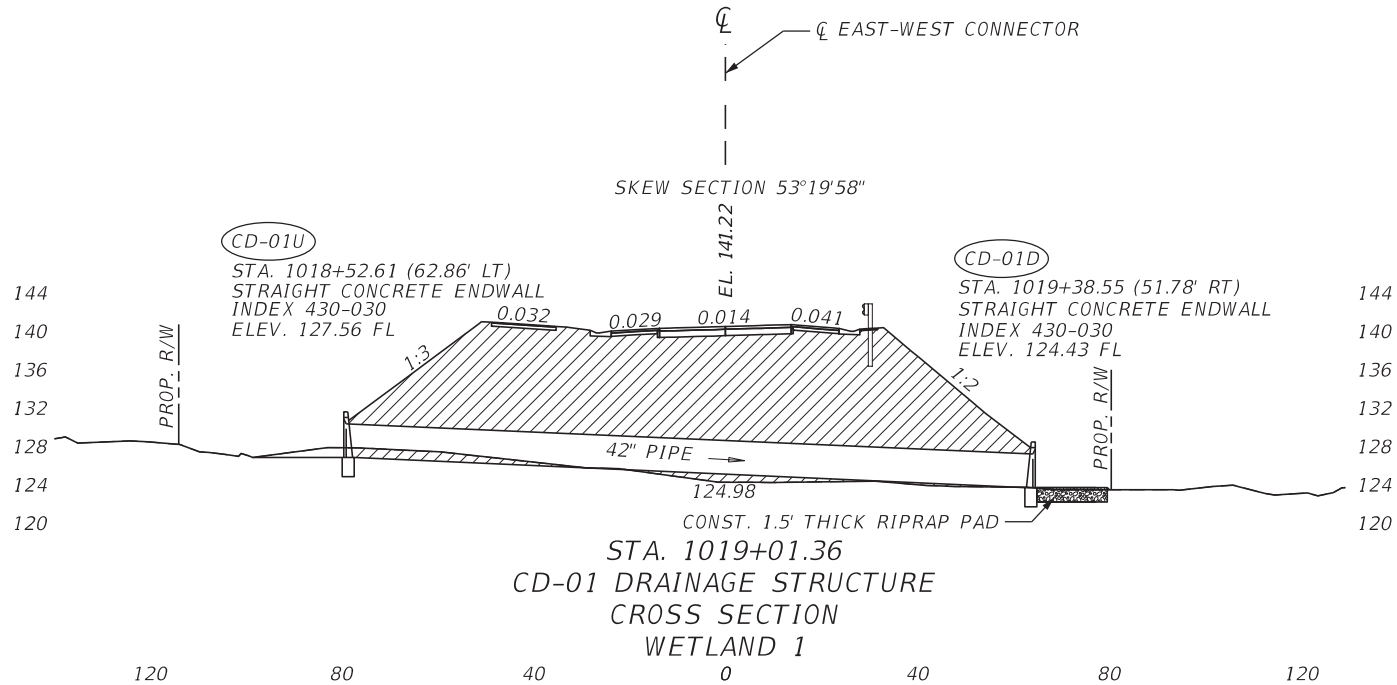
3/5/2021

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PW:\



LEGEND:
 FILL WETLAND IMPACTS



NOTE: CROSS SECTION IS CUT AT SKEW
TO ROADWAY ALIGNMENT AND IS CUT
ALONG PIPE.

SCALE:
1" = 40' HORIZONTAL
1" = 20' VERTICAL

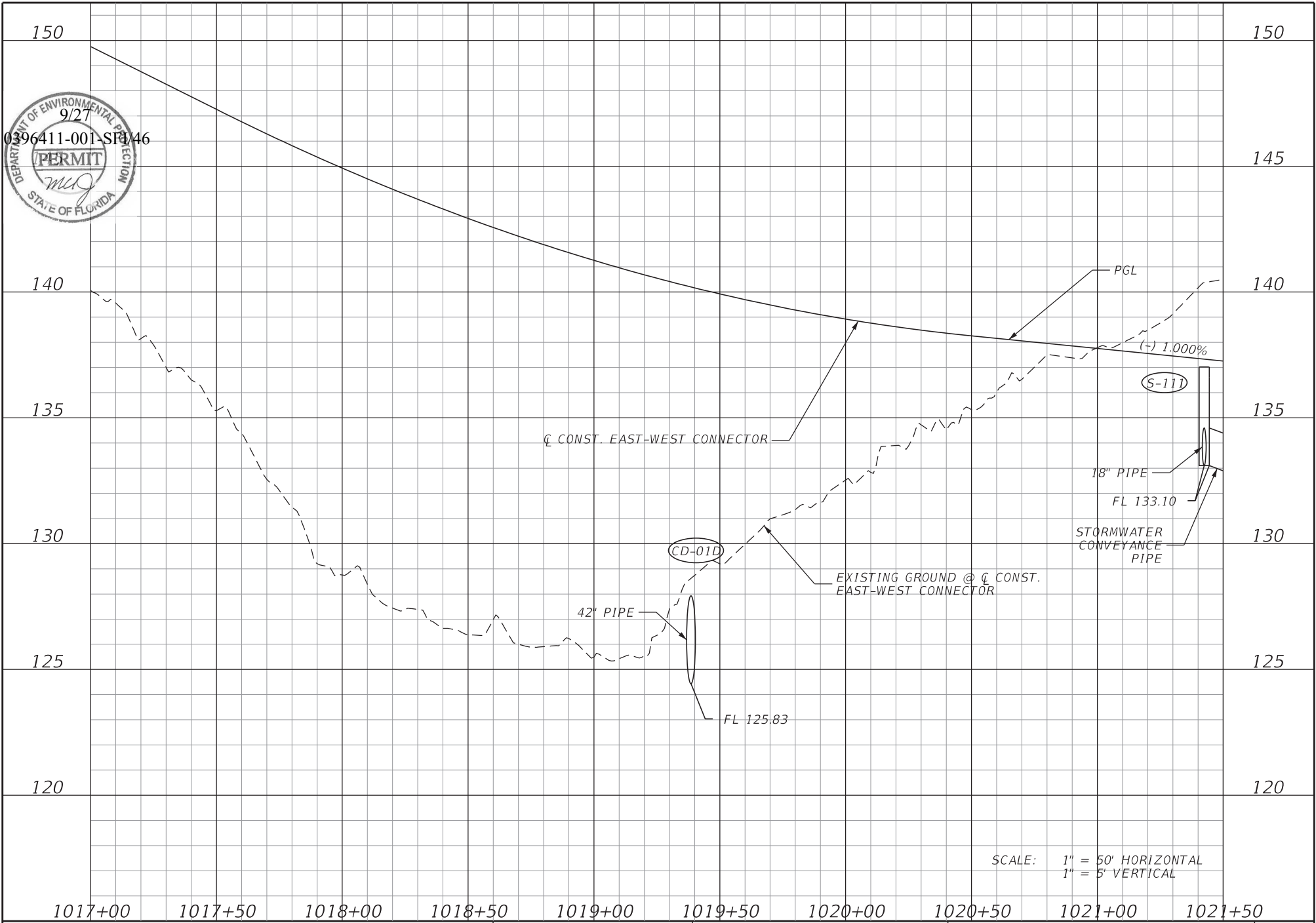
REVISIONS				Michael B. Collins, P.E. P.E. LICENSE NUMBER 68603 HDR Engineering, Inc. 25 West Cedar Street, Suite 200 Pensacola, FL 32502-5945	 OKALOOSA COUNTY	WETLAND 1 CROSS SECTION EAST-WEST CONNECTOR	SHEET NO. 8
DATE	DESCRIPTION	DATE	DESCRIPTION				
	NOT FOR CONSTRUCTION FOR PERMITTING PURPOSES ONLY						

MHORN

3/5/2021

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SCALE: 1" = 50' HORIZONTAL
1" = 5' VERTICAL

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION
	NOT FOR CONSTRUCTION FOR PERMITTING PURPOSES ONLY		

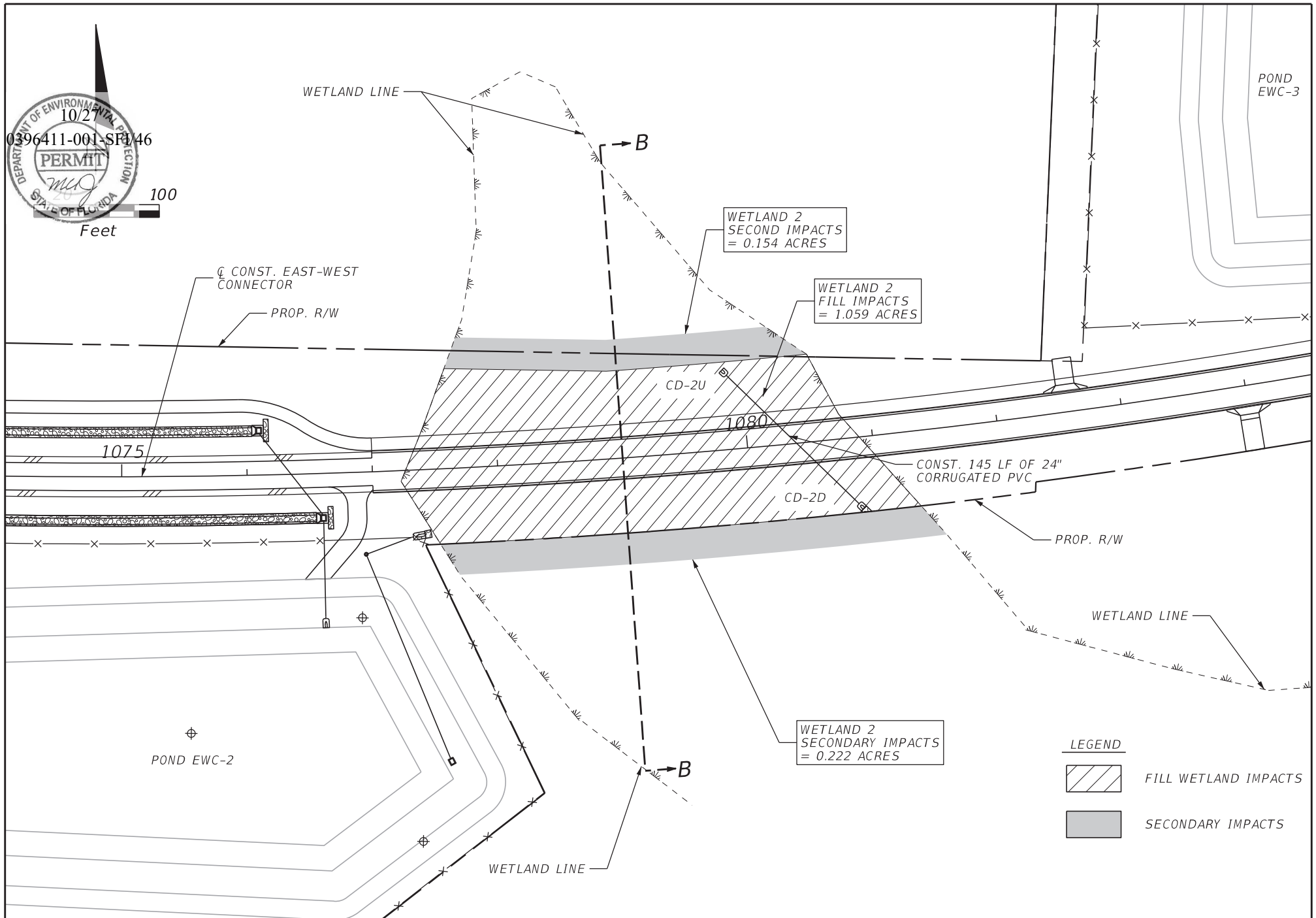
Michael B. Collins, P.E.
P.E. LICENSE NUMBER 68603
HDR Engineering, Inc.
25 West Cedar Street, Suite 200
Pensacola, FL 32502-5945



OKALOOSA COUNTY

**WETLAND 1 PROFILE
EAST-WEST CONNECTOR**

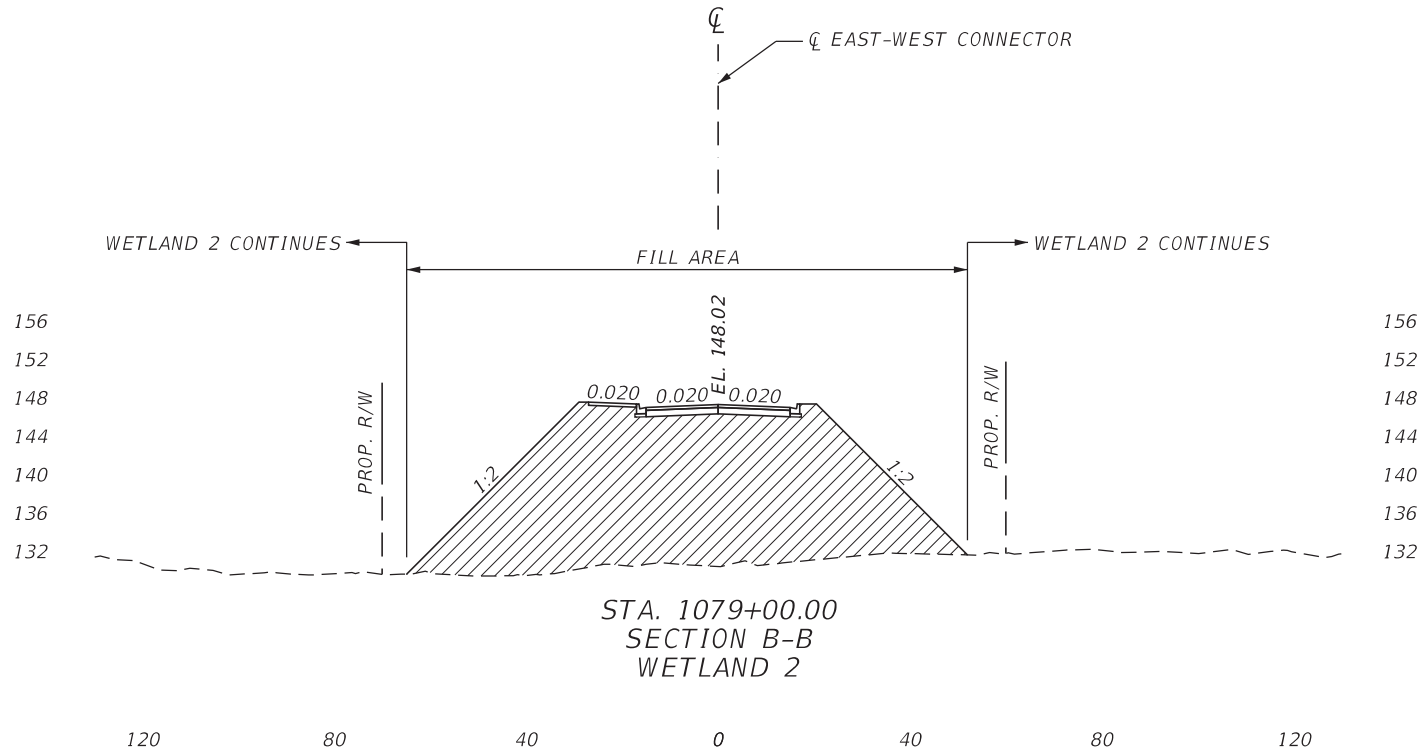
SHEET NO.
9



REVISIONS				Michael B. Collins, P.E. P.E. LICENSE NUMBER 68603 HDR Engineering, Inc. 25 West Cedar Street, Suite 200 Pensacola, FL 32502-5945	OKALOOSA COUNTY	WETLAND IMPACTS EAST-WEST CONNECTOR		SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION					
	NOT FOR CONSTRUCTION FOR PERMITTING PURPOSES ONLY							10



LEGEND:
 FILL WETLAND IMPACTS



SCALE:
 1" = 40' HORIZONTAL
 1" = 20' VERTICAL

REVISIONS				Michael B. Collins, P.E. P.E. LICENSE NUMBER 68603 HDR Engineering, Inc. 25 West Cedar Street, Suite 200 Pensacola, FL 32502-5945	 OKALOOSA COUNTY	WETLAND 2 CROSS SECTION EAST-WEST CONNECTOR		SHEET NO. II
DATE	DESCRIPTION	DATE	DESCRIPTION					
	NOT FOR CONSTRUCTION FOR PERMITTING PURPOSES ONLY							

MHORN

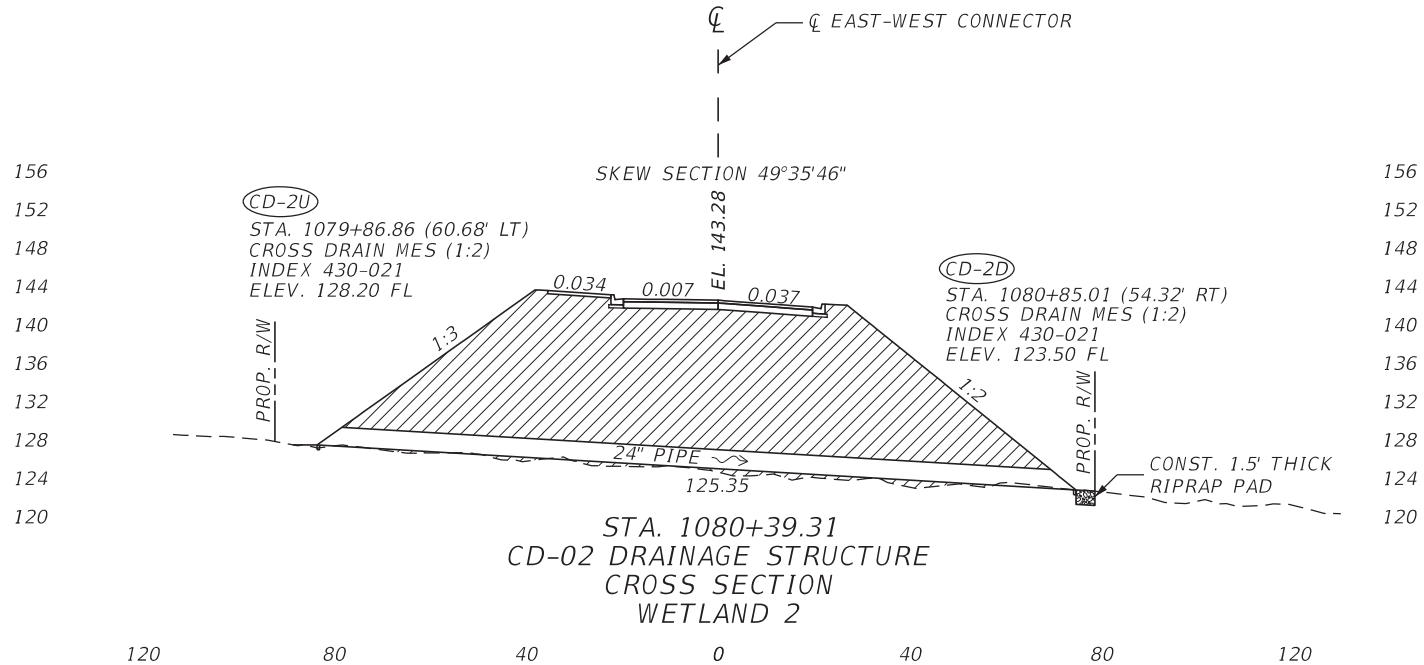
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LEGEND:
 FILL WETLAND IMPACTS



NOTE: CROSS SECTION IS CUT AT SKEW
TO ROADWAY ALIGNMENT AND IS CUT
ALONG PIPE.

SCALE:
1" = 40' HORIZONTAL
1" = 20' VERTICAL

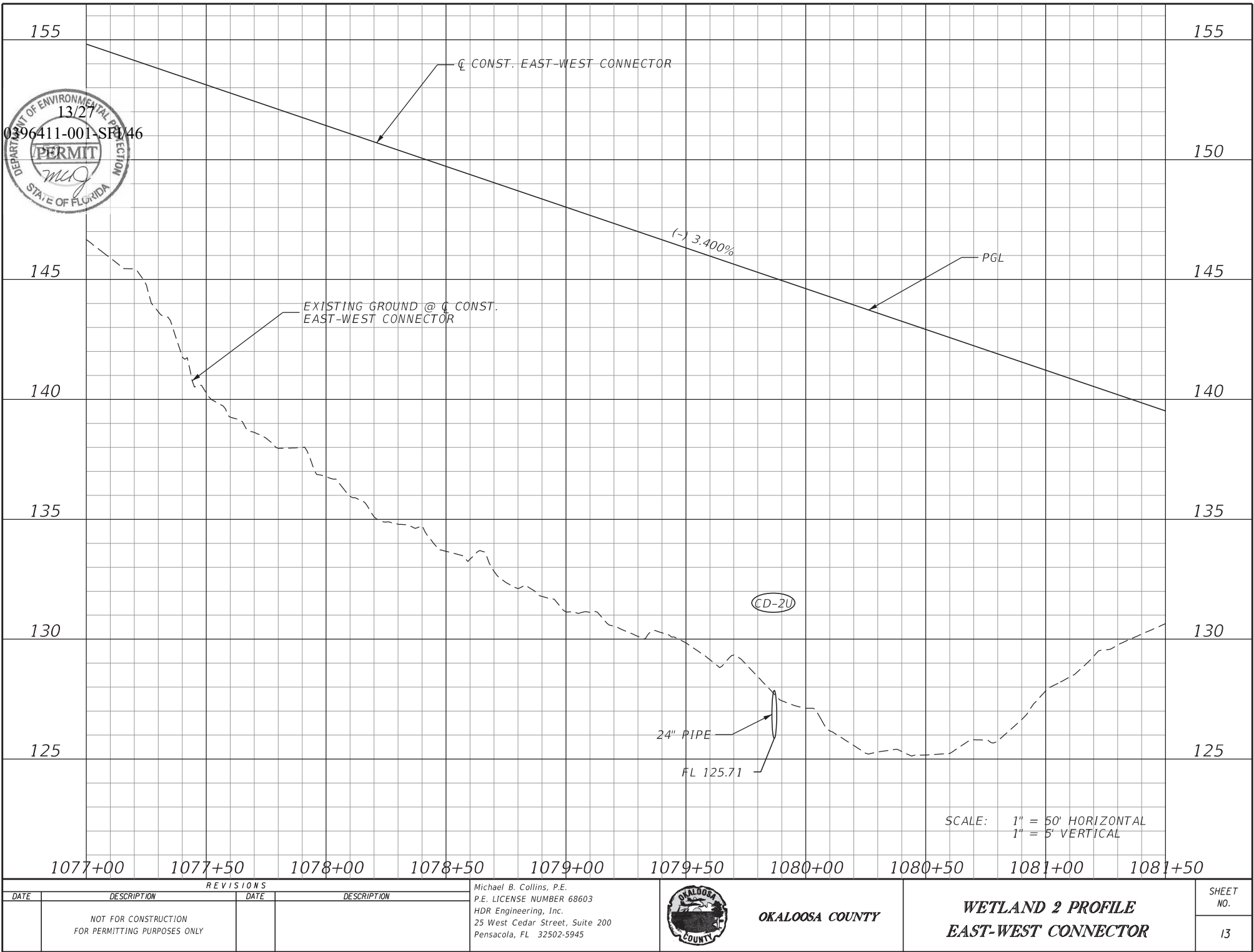
REVISIONS				Michael B. Collins, P.E. P.E. LICENSE NUMBER 68603 HDR Engineering, Inc. 25 West Cedar Street, Suite 200 Pensacola, FL 32502-5945	 OKALOOSA COUNTY	WETLAND 2 CROSS SECTION EAST-WEST CONNECTOR	SHEET NO. 12
DATE	DESCRIPTION	DATE	DESCRIPTION				
	NOT FOR CONSTRUCTION FOR PERMITTING PURPOSES ONLY						

MHC/PNE

3/5/2021

8:16:00 AM

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REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION
	NOT FOR CONSTRUCTION FOR PERMITTING PURPOSES ONLY		

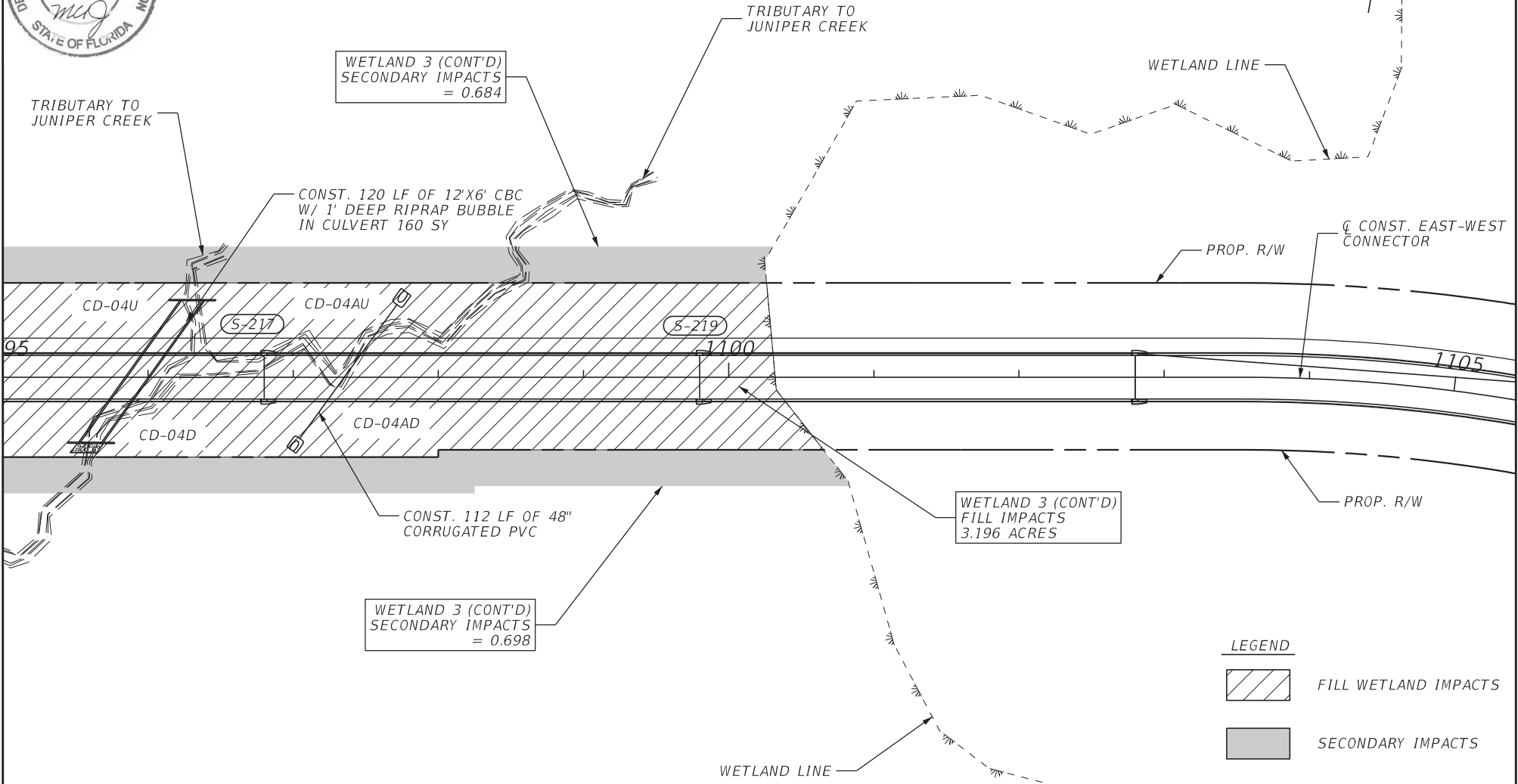
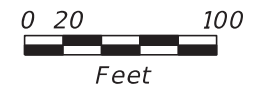
Michael B. Collins, P.E.
P.E. LICENSE NUMBER 68603
HDR Engineering, Inc.
25 West Cedar Street, Suite 200
Pensacola, FL 32502-5945



OKALOOSA COUNTY

**WETLAND 2 PROFILE
EAST-WEST CONNECTOR**

SHEET NO.
13



LEGEND

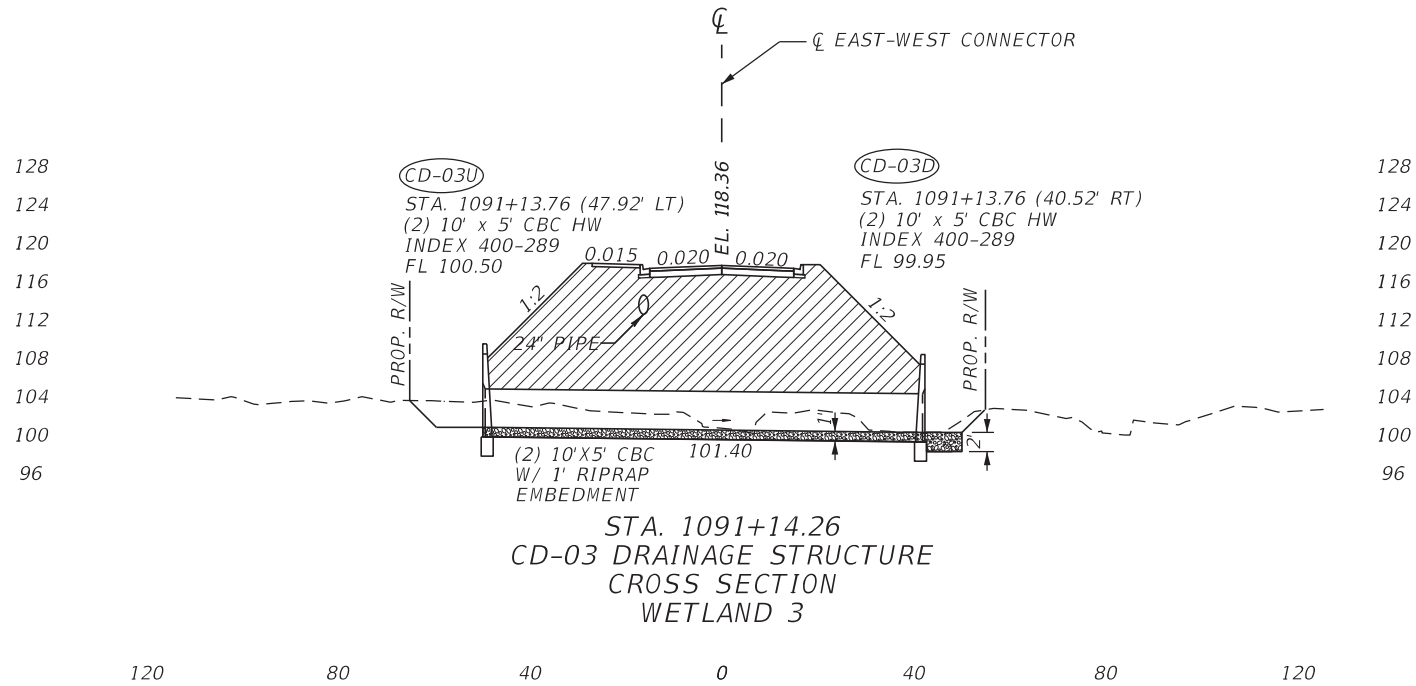
 FILL WETLAND IMPACTS

 SECONDARY IMPACTS

REVISIONS				Michael B. Collins, P.E. P.E. LICENSE NUMBER 68603 HDR Engineering, Inc. 25 West Cedar Street, Suite 200 Pensacola, FL 32502-5945	OKALOOSA COUNTY	WETLAND IMPACTS EAST-WEST CONNECTOR	SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION				
	NOT FOR CONSTRUCTION FOR PERMITTING PURPOSES ONLY						15



LEGEND:
 FILL WETLAND IMPACTS



SCALE:
1" = 40' HORIZONTAL
1" = 20' VERTICAL

REVISIONS				Michael B. Collins, P.E. P.E. LICENSE NUMBER 68603 HDR Engineering, Inc. 25 West Cedar Street, Suite 200 Pensacola, FL 32502-5945	 OKALOOSA COUNTY	WETLAND 3 CROSS SECTION EAST-WEST CONNECTOR	SHEET NO. 16
DATE	DESCRIPTION	DATE	DESCRIPTION				
	NOT FOR CONSTRUCTION FOR PERMITTING PURPOSES ONLY						

MHO:RNE

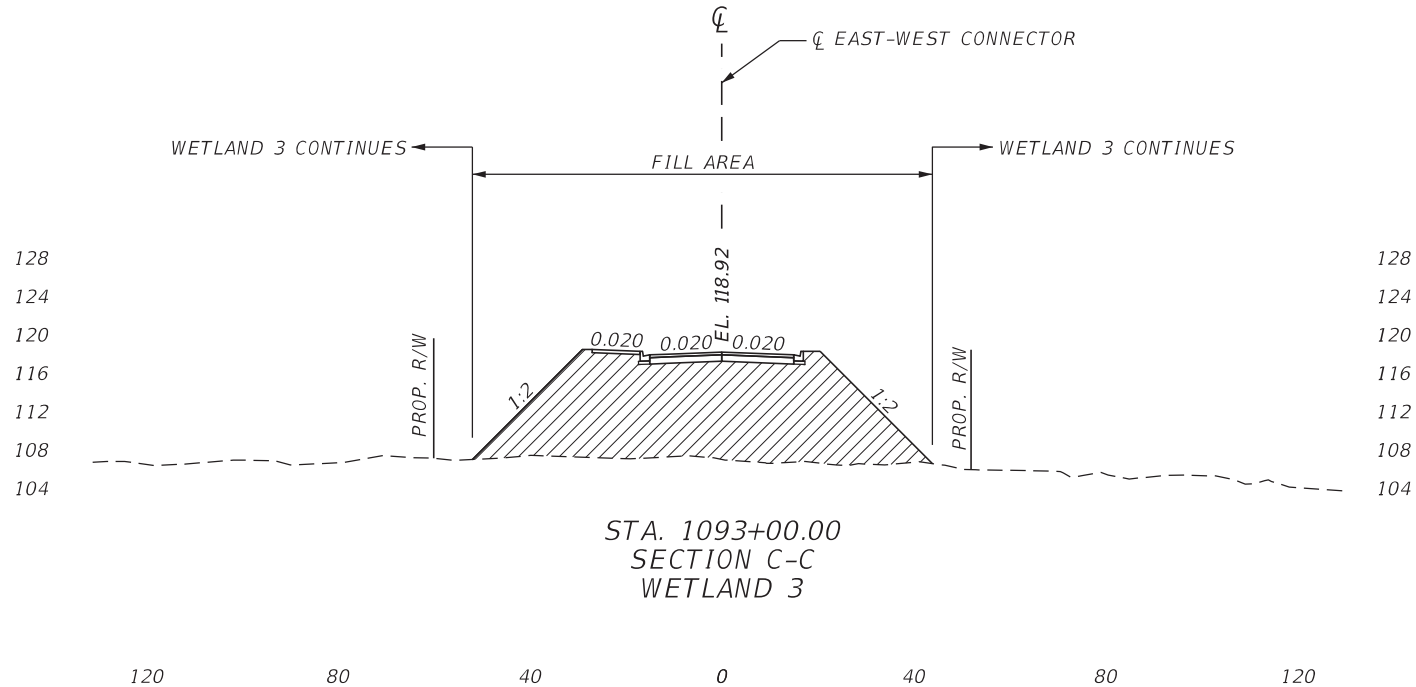
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LEGEND:
 FILL WETLAND IMPACTS



SCALE:
1" = 40' HORIZONTAL
1" = 20' VERTICAL

REVISIONS				Michael B. Collins, P.E. P.E. LICENSE NUMBER 68603 HDR Engineering, Inc. 25 West Cedar Street, Suite 200 Pensacola, FL 32502-5945	 OKALOOSA COUNTY	WETLAND 3 CROSS SECTION EAST-WEST CONNECTOR	SHEET NO. 17
DATE	DESCRIPTION	DATE	DESCRIPTION				
	NOT FOR CONSTRUCTION FOR PERMITTING PURPOSES ONLY						

MHO:RNE

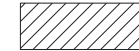
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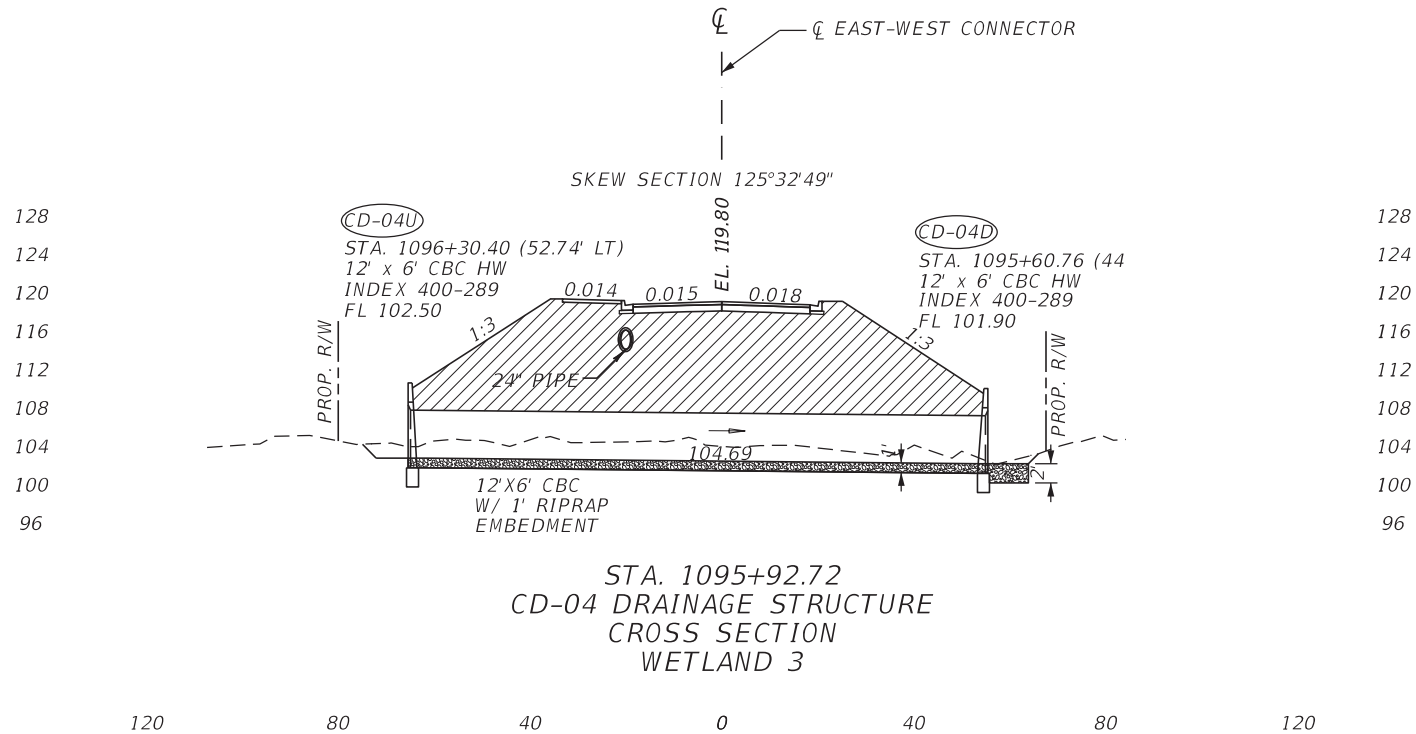
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LEGEND:



FILL WETLAND IMPACTS



NOTE: CROSS SECTION IS CUT AT SKEW TO ROADWAY ALIGNMENT AND IS CUT ALONG PIPE.

SCALE:
1" = 40' HORIZONTAL
1" = 20' VERTICAL

REVISIONS				Michael B. Collins, P.E. P.E. LICENSE NUMBER 68603 HDR Engineering, Inc. 25 West Cedar Street, Suite 200 Pensacola, FL 32502-5945	 OKALOOSA COUNTY	WETLAND 3 CROSS SECTION EAST-WEST CONNECTOR	SHEET NO. 18
DATE	DESCRIPTION	DATE	DESCRIPTION				
	NOT FOR CONSTRUCTION FOR PERMITTING PURPOSES ONLY						

MHC/PNE

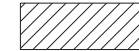
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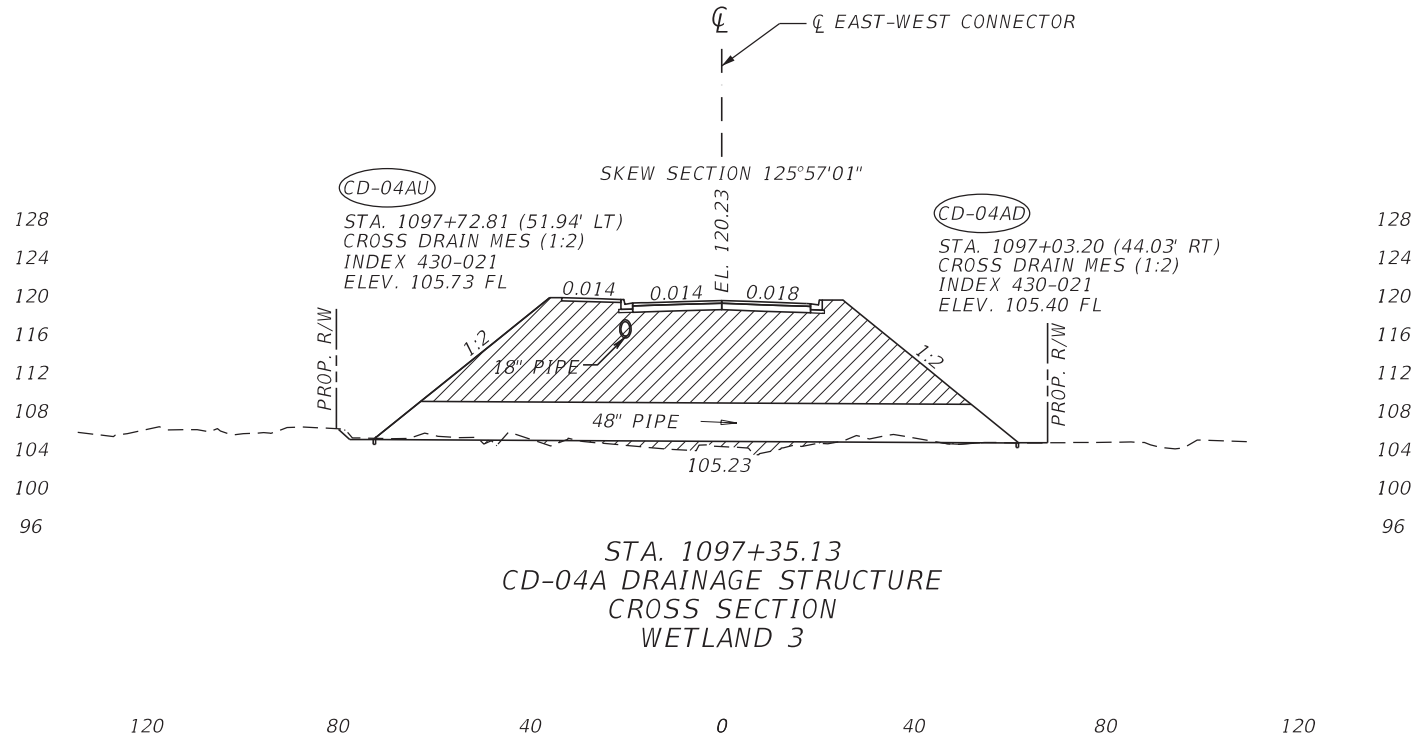
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LEGEND:



FILL WETLAND IMPACTS



NOTE: CROSS SECTION IS CUT AT SKEW TO ROADWAY ALIGNMENT AND IS CUT ALONG PIPE.

SCALE:
1" = 40' HORIZONTAL
1" = 20' VERTICAL

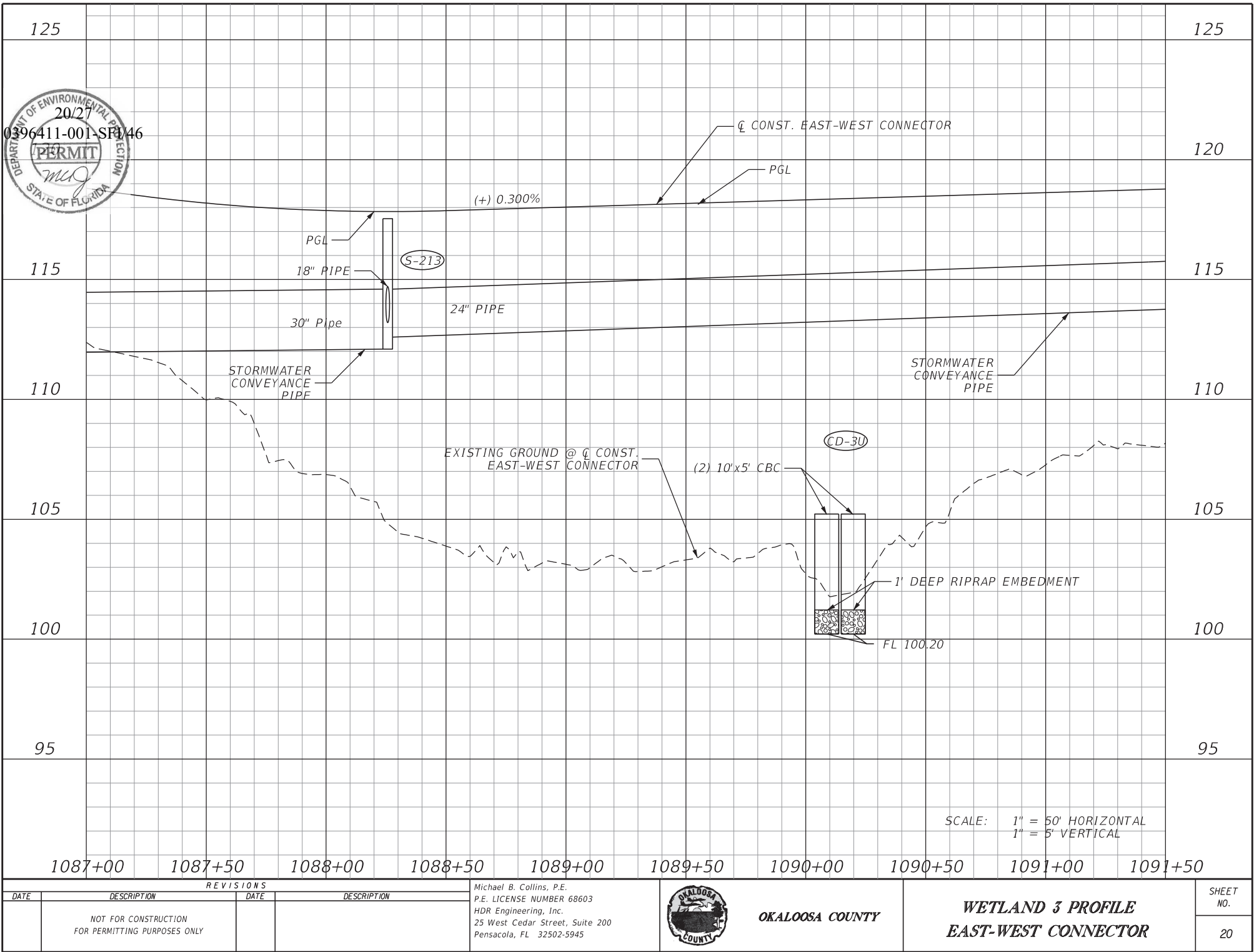
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DATE	DESCRIPTION	DATE	DESCRIPTION				
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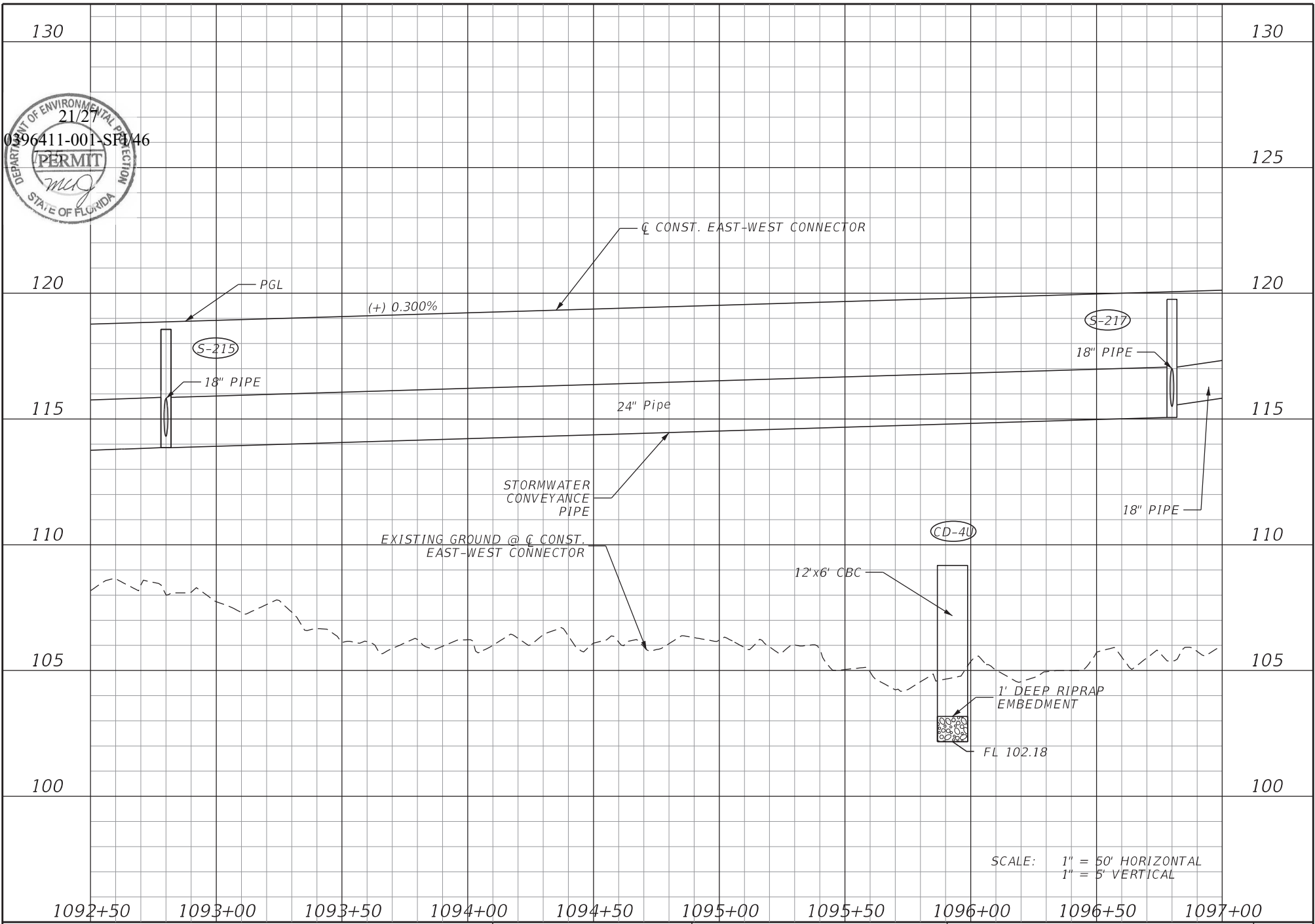
MHC/PNE

3/5/2021

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SCALE: 1" = 50' HORIZONTAL
1" = 5' VERTICAL

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION
	NOT FOR CONSTRUCTION FOR PERMITTING PURPOSES ONLY		

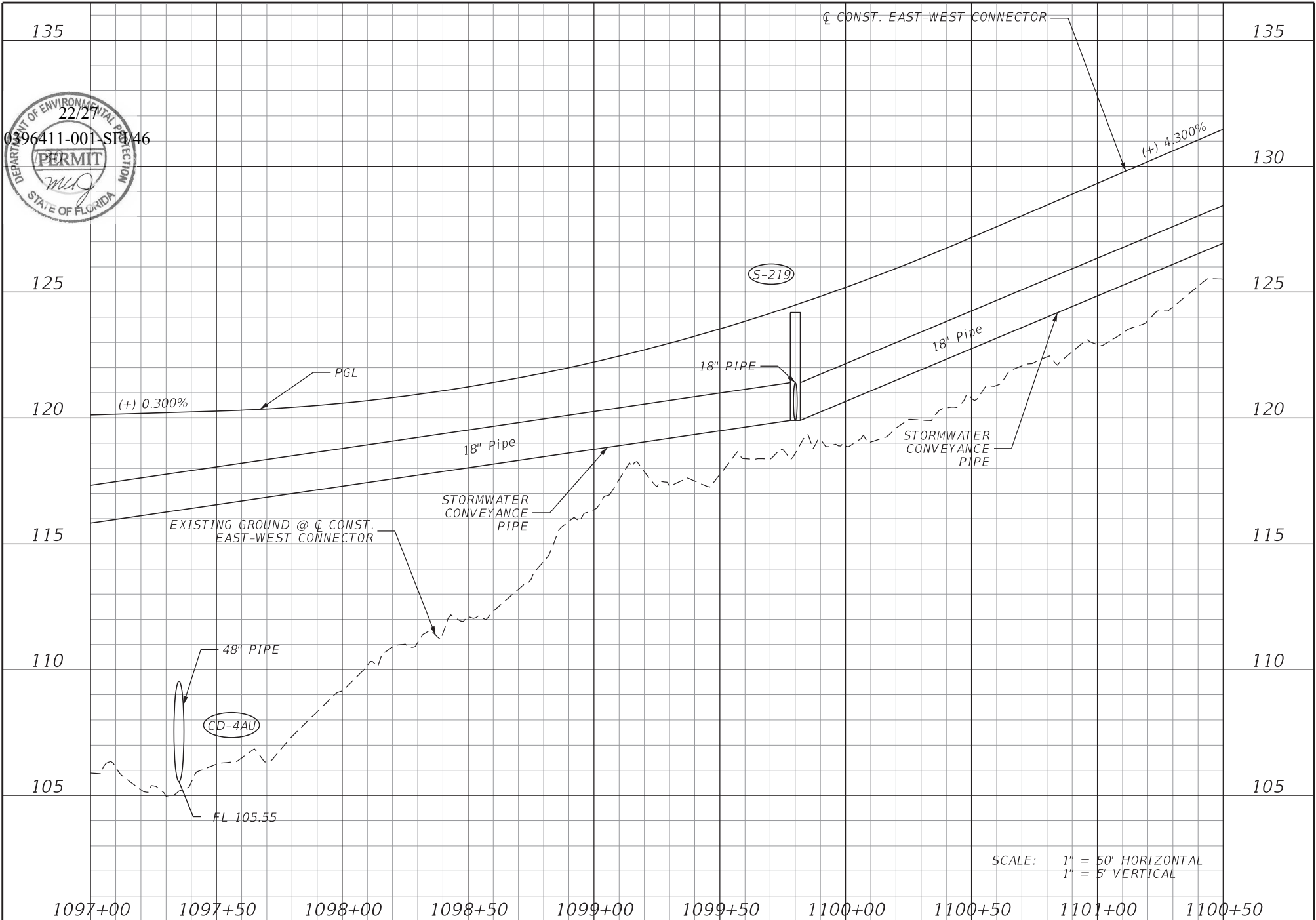
Michael B. Collins, P.E.
P.E. LICENSE NUMBER 68603
HDR Engineering, Inc.
25 West Cedar Street, Suite 200
Pensacola, FL 32502-5945



OKALOOSA COUNTY

WETLAND 3 PROFILE
EAST-WEST CONNECTOR

SHEET NO.
21

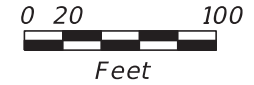


SCALE: 1" = 50' HORIZONTAL
1" = 5' VERTICAL

DATE DESCRIPTION DATE DESCRIPTION				Michael B. Collins, P.E. P.E. LICENSE NUMBER 68603 HDR Engineering, Inc. 25 West Cedar Street, Suite 200 Pensacola, FL 32502-5945		OKALOOSA COUNTY OKALOOSA COUNTY		WETLAND 3 PROFILE EAST-WEST CONNECTOR		SHEET NO. 22
NOT FOR CONSTRUCTION FOR PERMITTING PURPOSES ONLY										



WETLAND 4
FILL IMPACTS
= 0.631 ACRES



WETLAND 4
SECONDARY IMPACTS
= 0.257 ACRES

PROP. R/W

CONST. 125 LF OF 42" PIPE

S-224

S-225

CD-05U

CD-05D

1115

WETLAND LINE

WETLAND LINE

PROP. R/W

CONST. EAST-WEST
CONNECTOR

PHYSICIAN'S DRIVE
POND

WETLAND 4
SECONDARY IMPACTS
= 0.141 ACRES

TRIBUTARY TO
JUNIPER CREEK

LEGEND



FILL WETLAND IMPACTS



SECONDARY IMPACTS

REVISIONS

DATE	DESCRIPTION	DATE	DESCRIPTION
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Michael B. Collins, P.E.
P.E. LICENSE NUMBER 68603
HDR Engineering, Inc.
25 West Cedar Street, Suite 200
Pensacola, FL 32502-5945



OKALOOSA COUNTY

WETLAND IMPACTS
EAST-WEST CONNECTOR

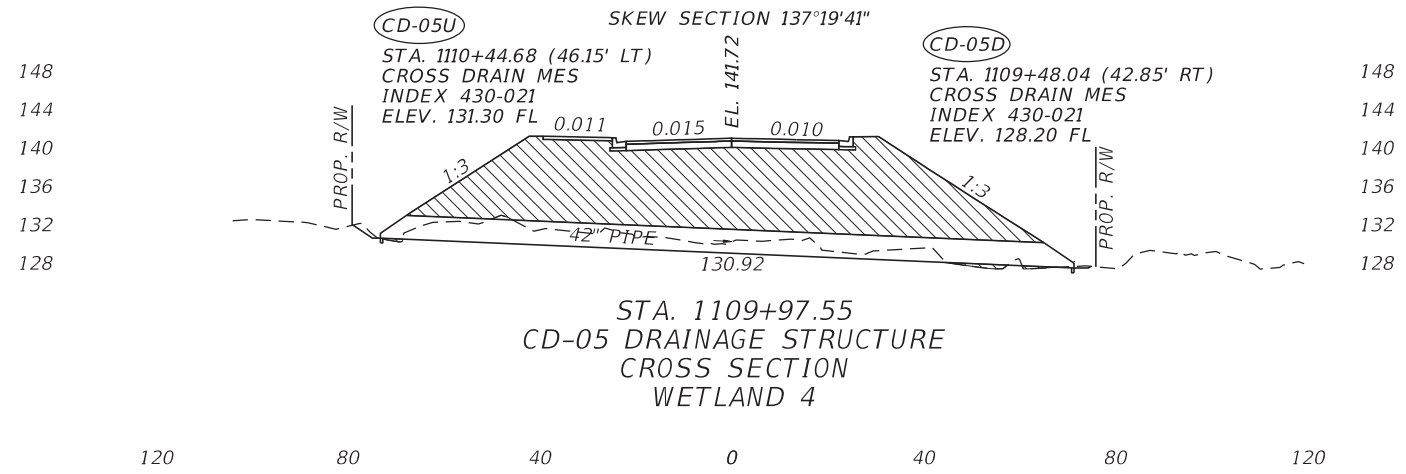
SHEET
NO.

23



LEGEND:

 FILL WETLAND IMPACTS



NOTE: CROSS SECTION IS CUT AT SKEW TO ROADWAY ALIGNMENT AND IS CUT ALONG PIPE.

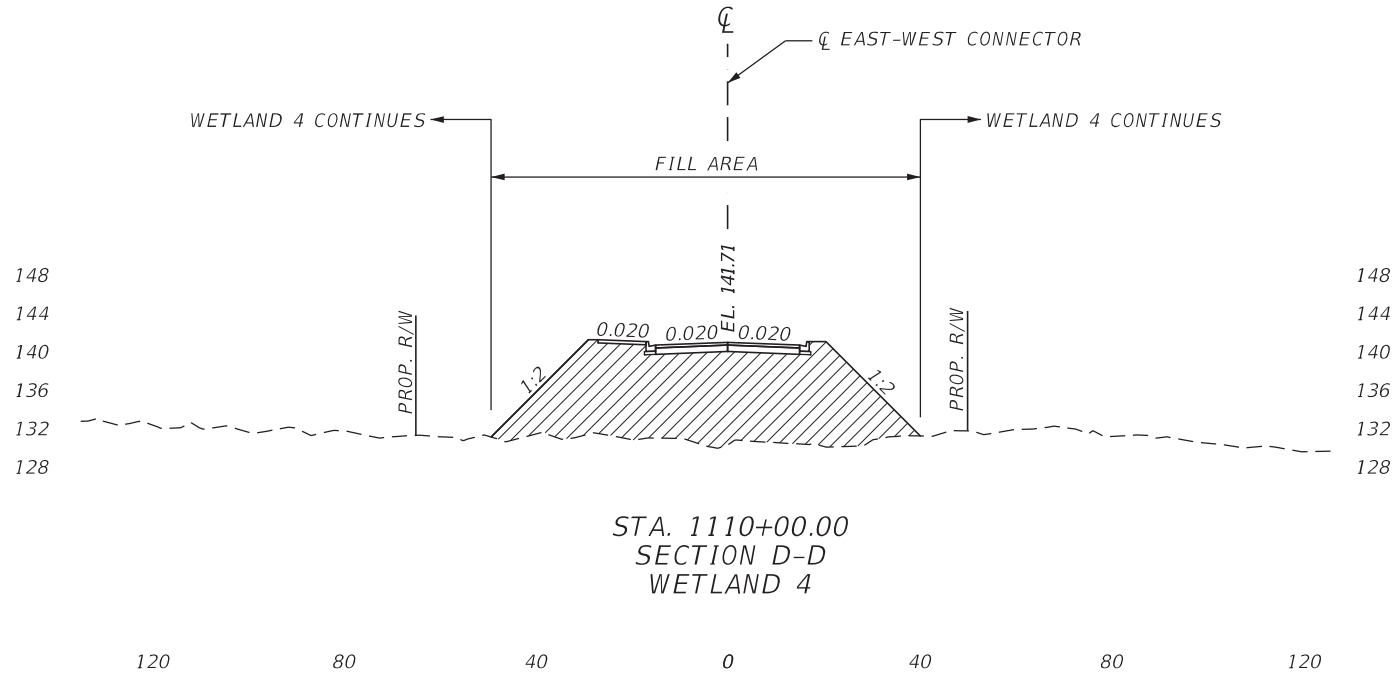
SCALE:
1" = 40' HORIZONTAL
1" = 20' VERTICAL

REVISIONS				Michael B. Collins, P.E. P.E. LICENSE NUMBER 68603 HDR Engineering, Inc. 25 West Cedar Street, Suite 200 Pensacola, FL 32502-5945	OKALOOSA COUNTY	WETLAND 4 CROSS SECTION EAST-WEST CONNECTOR	SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION				
	NOT FOR CONSTRUCTION FOR PERMITTING PURPOSES ONLY						24



LEGEND:

 FILL WETLAND IMPACTS



SCALE:
1" = 40' HORIZONTAL
1" = 20' VERTICAL

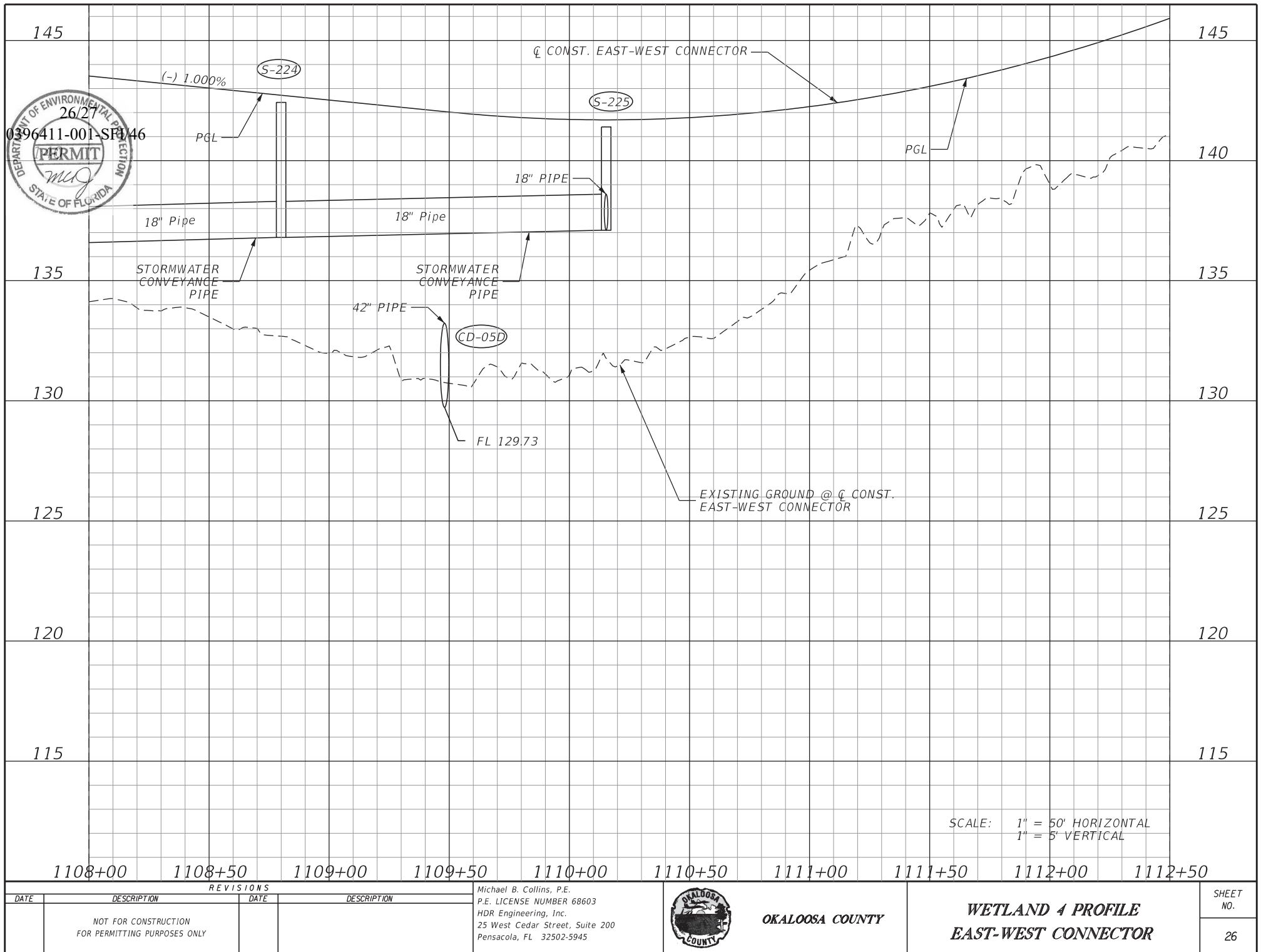
REVISIONS				 OKALOOSA COUNTY	WETLAND 4 CROSS SECTION EAST-WEST CONNECTOR	SHEET NO. 25
DATE	DESCRIPTION	DATE	DESCRIPTION			
	NOT FOR CONSTRUCTION FOR PERMITTING PURPOSES ONLY			Michael B. Collins, P.E. P.E. LICENSE NUMBER 68603 HDR Engineering, Inc. 25 West Cedar Street, Suite 200 Pensacola, FL 32502-5945		

MHORN

3/5/2021

8:16:04 AM

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REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION
	NOT FOR CONSTRUCTION FOR PERMITTING PURPOSES ONLY		

Michael B. Collins, P.E.
P.E. LICENSE NUMBER 68603
HDR Engineering, Inc.
25 West Cedar Street, Suite 200
Pensacola, FL 32502-5945



**WETLAND 4 PROFILE
EAST-WEST CONNECTOR**

SHEET NO. 26



EAST-WEST CONNECTOR WETLAND QUANTITIES			
WETLAND NUMBER	WETLAND FILL IMPACTS (ACRES)	WETLAND FILL IMPACTS (CY)	WETLAND SECONDARY IMPACTS (ACRES)
1	1.025	9700	0.326
2	1.059	15482	0.376
3	3.196	39610	1.382
4	0.631	4930	0.398
TOTALS	5.911	69722	2.482

REVISIONS				 OKALOOSA COUNTY	IMPACT QUANTITIES EAST-WEST CONNECTOR	SHEET NO. 27
DATE	DESCRIPTION	DATE	DESCRIPTION			
	NOT FOR CONSTRUCTION FOR PERMITTING PURPOSES ONLY			Michael B. Collins, P.E. P.E. LICENSE NUMBER 68603 HDR Engineering, Inc. 25 West Cedar Street, Suite 200 Pensacola, FL 32502-5945		



Brett J. Cyphers
Executive Director

Northwest Florida Water Management District

81 Water Management Drive, Havana, Florida 32333-4712
(U.S. Highway 90, 10 miles west of Tallahassee)

Phone: (850) 539-5999 • Fax: (850) 539-2777

July 2, 2021

Jason T. Autrey, P.E.
Director of Public Works
Okaloosa County
1759 S. Ferdon Blvd.
Crestview, FL 32536

Re: Wetland Mitigation for Southwest Bypass (Phase V) and East-West Connector

Dear Mr. Autrey:

This letter confirms the Northwest Florida Water Management District (District) is prepared to reserve, for the benefit of Okaloosa County, mitigation credits from the District's Sand Hill Lakes Mitigation Bank (SHLMB) sufficient to offset wetland impacts associated with construction of the Crestview SW Bypass (Phase V) and East-West Connector.

The precise number of credits to be provided will be finalized once State 404 permits are issued. The associated ERP permits have already been issued by the District. The cost of the credits will be determined in accordance with section 373.4137, Florida Statutes. A one-page "Credit Reservation and Purchase Agreement" between Okaloosa County and the District that specifies the exact number and cost of credits will need to be executed once all permits have been issued. Upon receipt of the purchase price, the District will immediately request that the Florida Department of Environmental Protection and U.S. Army Corps of Engineers debit the specified credits from state and federal ledgers.

The ERP permits issued for the SW Bypass (Phase V) and East-West Connector require a minimum of 5.89 state UMAM Freshwater Mixed Hardwoods credits from the SHLMB (see ERP IND-091-292252-2, Condition 27 and ERP IND-091-292254-2, Condition 29). It is anticipated that State 404 permits will require a similar number of federal credits.

Ample state and federal credits at the SHLMB are available for immediate use. The current balance is 43.67 state UMAM Freshwater Mixed Hardwoods and 92.52 federal WRAP Palustrine Forested credits. The USACE allows WRAP credits at the SHLMB to be converted to UMAM credits using a conversion factor of 0.9518 WRAP credits per UMAM credit.

Although the District strongly encourages the use of private mitigation banks when feasible, it recognizes that FDEP permittees have precluded use of several banks located geographically closer to the impacts.

Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul J. Thorpe", is written over a horizontal line.

Paul J. Thorpe
Deputy Director, Resource Management Division

cc: Josey Walker, HDR
Erica Brookman, FDOT

GEORGE ROBERTS
Chair
Panama City

JERRY PATE
Vice Chair
Pensacola

JOHN W. ALTER
Malone

GUS ANDREWS
DeFuniak Springs

TED EVERETT
Chipley

NICK PATRONIS
Panama City

KELLIE RALSTON
Tallahassee

ANNA UPTON
Tallahassee

STANDARD PROTECTION MEASURES FOR THE EASTERN INDIGO SNAKE
U.S. Fish and Wildlife Service
August 12, 2013

The eastern indigo snake protection/education plan (Plan) below has been developed by the U.S. Fish and Wildlife Service (USFWS) in Florida for use by applicants and their construction personnel. At least **30 days prior** to any clearing/land alteration activities, the applicant shall notify the appropriate USFWS Field Office via e-mail that the Plan will be implemented as described below (North Florida Field Office: jaxregs@fws.gov; South Florida Field Office: verobeach@fws.gov; Panama City Field Office: panamacity@fws.gov). As long as the signatory of the e-mail certifies compliance with the below Plan (including use of the attached poster and brochure), no further written confirmation or “approval” from the USFWS is needed and the applicant may move forward with the project.

If the applicant decides to use an eastern indigo snake protection/education plan other than the approved Plan below, written confirmation or “approval” from the USFWS that the plan is adequate must be obtained. At least 30 days prior to any clearing/land alteration activities, the applicant shall submit their unique plan for review and approval. The USFWS will respond via e-mail, typically within 30 days of receiving the plan, either concurring that the plan is adequate or requesting additional information. A concurrence e-mail from the appropriate USFWS Field Office will fulfill approval requirements.

The Plan materials should consist of: 1) a combination of posters and pamphlets (see **Poster Information** section below); and 2) verbal educational instructions to construction personnel by supervisory or management personnel before any clearing/land alteration activities are initiated (see **Pre-Construction Activities** and **During Construction Activities** sections below).

POSTER INFORMATION

Posters with the following information shall be placed at strategic locations on the construction site and along any proposed access roads (a final poster for Plan compliance, to be printed on 11” x 17” or larger paper and laminated, is attached):

DESCRIPTION: The eastern indigo snake is one of the largest non-venomous snakes in North America, with individuals often reaching up to 8 feet in length. They derive their name from the glossy, blue-black color of their scales above and uniformly slate blue below. Frequently, they have orange to coral reddish coloration in the throat area, yet some specimens have been reported to only have cream coloration on the throat. These snakes are not typically aggressive and will attempt to crawl away when disturbed. Though indigo snakes rarely bite, they should NOT be handled.

SIMILAR SNAKES: The black racer is the only other solid black snake resembling the eastern indigo snake. However, black racers have a white or cream chin, thinner bodies, and WILL BITE if handled.

LIFE HISTORY: The eastern indigo snake occurs in a wide variety of terrestrial habitat types throughout Florida. Although they have a preference for uplands, they also utilize some wetlands

and agricultural areas. Eastern indigo snakes will often seek shelter inside gopher tortoise burrows and other below- and above-ground refugia, such as other animal burrows, stumps, roots, and debris piles. Females may lay from 4 - 12 white eggs as early as April through June, with young hatching in late July through October.

PROTECTION UNDER FEDERAL AND STATE LAW: The eastern indigo snake is classified as a Threatened species by both the USFWS and the Florida Fish and Wildlife Conservation Commission. “Taking” of eastern indigo snakes is prohibited by the Endangered Species Act without a permit. “Take” is defined by the USFWS as an attempt to kill, harm, harass, pursue, hunt, shoot, wound, trap, capture, collect, or engage in any such conduct. Penalties include a maximum fine of \$25,000 for civil violations and up to \$50,000 and/or imprisonment for criminal offenses, if convicted.

Only individuals currently authorized through an issued Incidental Take Statement in association with a USFWS Biological Opinion, or by a Section 10(a)(1)(A) permit issued by the USFWS, to handle an eastern indigo snake are allowed to do so.

IF YOU SEE A LIVE EASTERN INDIGO SNAKE ON THE SITE:

- Cease clearing activities and allow the live eastern indigo snake sufficient time to move away from the site without interference;
- Personnel must NOT attempt to touch or handle snake due to protected status.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Immediately notify supervisor or the applicant’s designated agent, **and** the appropriate USFWS office, with the location information and condition of the snake.
- If the snake is located in a vicinity where continuation of the clearing or construction activities will cause harm to the snake, the activities must halt until such time that a representative of the USFWS returns the call (within one day) with further guidance as to when activities may resume.

IF YOU SEE A DEAD EASTERN INDIGO SNAKE ON THE SITE:

- Cease clearing activities and immediately notify supervisor or the applicant’s designated agent, **and** the appropriate USFWS office, with the location information and condition of the snake.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Thoroughly soak the dead snake in water and then freeze the specimen. The appropriate wildlife agency will retrieve the dead snake.

Telephone numbers of USFWS Florida Field Offices to be contacted if a live or dead eastern indigo snake is encountered:

North Florida Field Office – (904) 731-3336

Panama City Field Office – (850) 769-0552

South Florida Field Office – (772) 562-3909

PRE-CONSTRUCTION ACTIVITIES

1. The applicant or designated agent will post educational posters in the construction office and throughout the construction site, including any access roads. The posters must be clearly visible to all construction staff. A sample poster is attached.
2. Prior to the onset of construction activities, the applicant/designated agent will conduct a meeting with all construction staff (annually for multi-year projects) to discuss identification of the snake, its protected status, what to do if a snake is observed within the project area, and applicable penalties that may be imposed if state and/or federal regulations are violated. An educational brochure including color photographs of the snake will be given to each staff member in attendance and additional copies will be provided to the construction superintendent to make available in the onsite construction office (a final brochure for Plan compliance, to be printed double-sided on 8.5" x 11" paper and then properly folded, is attached). Photos of eastern indigo snakes may be accessed on USFWS and/or FWC websites.
3. Construction staff will be informed that in the event that an eastern indigo snake (live or dead) is observed on the project site during construction activities, all such activities are to cease until the established procedures are implemented according to the Plan, which includes notification of the appropriate USFWS Field Office. The contact information for the USFWS is provided on the referenced posters and brochures.

DURING CONSTRUCTION ACTIVITIES

1. During initial site clearing activities, an onsite observer may be utilized to determine whether habitat conditions suggest a reasonable probability of an eastern indigo snake sighting (example: discovery of snake sheds, tracks, lots of refugia and cavities present in the area of clearing activities, and presence of gopher tortoises and burrows).
2. If an eastern indigo snake is discovered during gopher tortoise relocation activities (i.e. burrow excavation), the USFWS shall be contacted within one business day to obtain further guidance which may result in further project consultation.
3. Periodically during construction activities, the applicant's designated agent should visit the project area to observe the condition of the posters and Plan materials, and replace them as needed. Construction personnel should be reminded of the instructions (above) as to what is expected if any eastern indigo snakes are seen.

POST CONSTRUCTION ACTIVITIES

Whether or not eastern indigo snakes are observed during construction activities, a monitoring report should be submitted to the appropriate USFWS Field Office within 60 days of project completion. The report can be sent electronically to the appropriate USFWS e-mail address listed on page one of this Plan.