



April 11, 2013

Ms. Cindy Mulkey, Program Administrator
Siting Coordination Office
Florida Department of Environmental Protection
3900 Commonwealth Blvd. MS #48
Tallahassee, FL 32399-3000

**Re: Florida Power & Light Company
Cape Canaveral Energy Center PA 08-53
Proposed Amendment to Site Certification
Barge Slip and Jetty Repair**

Dear Ms. Mulkey:

Florida Power & Light Company (FPL) is requesting a post certification amendment to Site Certification for FPL's Cape Canaveral Energy Center (CCEC), pursuant to rule 62-17.205 (1) F.A.C. The purpose of this amendment request is to obtain approval for FPL to repair the existing barge slip and jetty wall located on south side of the peninsula that extends into the Indian River Lagoon.

To repair the barge slip, the existing fuel slab and piles will be removed and new concrete piles and a fuel slab will be installed. All work will be performed from a barge. Temporary floating turbidity curtains will be used during construction.

There are two sections to the jetty wall, one is 900 feet long and the other is 90 feet long. To repair the jetty wall, vinyl sheets will be installed on either side of the existing concrete wall, the existing jetty wall cap will be removed, voided areas between the vinyl sheets will be filled with concrete and a new cap will be installed. Temporary floating turbidity curtains will be used during construction.

There will be no in-water work from November 15 – March 31 to comply with the Manatee Construction Conditions. Please see the attached drawings for further detail. There will be no impacts to wetlands or threatened or endangered species. FPL will continue to comply with the existing Conditions of Certifications for the CCEC. All Federal Army Corps of Engineer Permits required for this project will be obtained.

Enclosed in this package is:

1. Attachment I – Environmental Resources Permit (ERP) Joint Application for the barge slip repair

Florida Power & Light Company

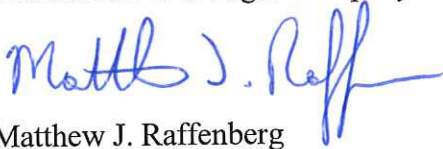
700 Universe Blvd

Juno Beach, FL 33408

2. Attachment II – Environmental Resources Permit (ERP) Joint Application for the jetty repair
3. Attachment III – Submerged Land Easement
4. Attachment IV – Submerged Lands Lease

Thank you for your attention to and consideration of FPL's request to amend the Site Certification for CCEC. If you have any questions regarding this submittal, please do not hesitate to contact me at 561-691-2808 or Stacy Foster at 561-691-7065

Sincerely yours,
Florida Power & Light Company



Matthew J. Raffenberg
Director, Environmental Licensing and Permitting

cc: Ashley Pinnock, FPL
Bob Bennett, FPL

Attachment I
Environmental Resources Permit Application
Barge Slip Repair

SECTION A

FOR AGENCY USE ONLY	
ACOE Application #	DEP/WMD Application #
Date Application Received	Date Application Received
Proposed Project Lat	Fee Received \$
Proposed Project Long	Fee Receipt #

PART 1:

Are any of the activities described in this application proposed to occur in, on, or over wetlands or other surface waters? ☒ yes ☐ no

Is this application being filed by or on behalf of a government entity or drainage district? ☐ yes ☒ no

PART 2:

A. Type of Environmental Resource Permit Requested (check at least one). See Attachment 2 for thresholds and descriptions.

- ☐ Noticed General - include information requested in Section B.
- ☐ Standard General (Single Family Dwelling) - include information requested in Sections C and D.
- ☐ Standard General (all other Standard General projects) - include information requested in Sections C and E.
- ☐ Individual (Single Family Dwelling) - include information requested in Sections C and D.
- ☒ Individual (all other Individual projects) - include information requested in Sections C and E.
- ☐ Conceptual - include information requested in Sections C and E.
- ☐ Mitigation Bank Permit (construction) - include information requested in Sections C and F. (If the proposed mitigation bank involves the construction of a surface water management system requiring another permit defined above, check the appropriate box and submit the information requested by the applicable section.)
- ☐ Mitigation Bank (conceptual) - include information requested in Sections C and F.

B. Type of activity for which you are applying (check at least one)

- ☐ Construction or operation of a new system, other than a solid waste facility, including dredging or filling in, on or over wetlands and other surface waters.
- ☐ Construction, expansion or modification of a solid waste facility.
- ☐ Alteration or operation of an existing system which was not previously permitted by a WMD or DEP.
- ☒ Modification of a system previously permitted by a WMD or DEP.
 Provide previous permit numbers: BBS-72-28
 - ☒ Alteration of a system
 - ☐ Abandonment of a system
 - ☐ Removal of a system
 - ☐ Extension of permit duration
 - ☐ Construction of additional phases of a system

C. Are you requesting authorization to use Sovereign Submerged Lands?

☒ yes ☐ no

(See Section G and Attachment 5 for more information before answering this question.)

D. For activities in, on, or over wetlands or other surface waters, check type of federal dredge and fill permit requested:

- ☐ Individual
- ☒ Nationwide
- ☐ Programmatic General
- ☐ Not Applicable
- ☐ General

E. Are you claiming to qualify for an exemption? ☐ yes ☒ no

If yes, provide rule number if known. _____

FORM #: 62-343.900 (1)
 FORM TITLE: JOINT ENVIRONMENTAL
 RESOURCE PERMIT APPLICATION
 DATE: March 26, 2004

PART 3:	
A. OWNER(S) OF LAND	B. ENTITY TO RECEIVE PERMIT (IF OTHER THAN OWNER)
Name	Name
Randall R LaBauve	
Title and Company	Title and Company
VP Environmental, Florida Power & Light Company	
Address	Address
700 Universe Boulevard	
City, State, Zip	City, State, Zip
Juno Beach, Florida 33408	
Telephone and Fax	Telephone and Fax
561-691-7065	
E-mail Address: (optional)	E-mail Address: (optional)
C. AGENT AUTHORIZED TO SECURE PERMIT	D. CONSULTANT (IF DIFFERENT FROM AGENT)
Name	Name
Title and Company	Title and Company
Address	Address
City, State, Zip	City, State, Zip
Telephone and Fax	Telephone and Fax
E-mail Address: (optional)	E-mail Address: (optional)
PART 4: (Please provide metric equivalent for federally funded projects):	
A. Name of Project, including phase if applicable: <u>Barge Slip - Slab Replacement</u>	
B. Is this application for part of a multi-phase project? ☐ Yes ☒ No	
C. Total applicant-owned area contiguous to the project? 1.47 ac.; ha.	
D. Total area served by the system: ac.; ha.	
E. Impervious area for which a permit is sought: ac.; ha.	
F. Volume of water that the system is capable of impounding: ac. ft.; m ³	
G. What is the total area of work in, on, or over wetlands or other surface waters? ac.; ha.; 772 sq. ft.; sq. m.	
H. Total volume of material to be dredged: yd ³ ; m ³	
I. Number of new boat slips proposed: 0 wet slips; dry slips	

PART 5:

Project location (use additional sheets if needed):

County(ies) Brevard

Section(s) 19

Township 23

Range 36

Section(s)

Township

Range

Section(s)

Township

Range

Land Grant name, if applicable:

Tax Parcel Identification Number: 23-36-19-00-00750.0-0000.00

Street Address Road or other location: 28.468456, -80.760595

City, Zip Code, if applicable: Cape Canaveral

PART 6: Describe in general terms the proposed project, system, or activity.

Replace Slab at existing Barge Slip with same footprint as existing.

PART 7:

A. If there have been any pre-application meetings, including on-site meetings, with regulatory staff, please list the date(s), location(s), and names of key staff and project representatives.

B. Please identify by number any MSSW/Wetland Resource/ERP/ACOE Permits pending, issued or denied for projects at the location, and any related enforcement actions.

Agency	Date	No./Type of Application	Action Taken
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

C. Note: The following information is required for projects proposed to occur in, on or over wetlands that need a federal dredge and fill permit or an authorization to use state owned submerged lands. Please provide the names, addresses and zip codes of property owners whose property directly adjoins the project (excluding application) and/or (for proprietary authorizations) is located within a 500 ft. radius of the applicant's land. Please attach a plan view showing the owner's names and adjoining property lines. Attach additional sheets if necessary.

- | | |
|----|----|
| 1. | 2. |
| 3. | 4. |
| 5. | 6. |
| 7. | 8. |

PART 8:

A. By signing this application form, I am applying, or I am applying on behalf of the applicant, for the permit and any proprietary authorizations identified above, according to the supporting data and other incidental information filed with this application. I am familiar with the information contained in this application and represent that such information is true, complete and accurate. I understand this is an application and not a permit, and that work prior to approval is a violation. I understand that this application and any permit issued or proprietary authorization issued pursuant thereto, does not relive me of any obligation for obtaining any other required federal, state, water management district or local permit prior to commencement of construction. I agree, or I agree on behalf of the applicant, to operate and maintain the permitted system unless the permitting agency authorizes transfer of the permit to a responsible operation entity. I understand that knowingly making any false statement or representation in this application is a violation of Section 373.430, F.S. and 18 U.S.C. Section 1001.

Randall R. LaBauve

Typed/Printed Name of Applicant (If no Agent is used) or Agent (If one is so authorized below)

Signature of Applicant/Agent

Date

VP Environmental, Florida Power & Light Company
(Corporate Title if applicable)

AN AGENT MAY SIGN ABOVE ONLY IF THE APPLICANT COMPLETES THE FOLLOWING:

B. I hereby designate and authorize the agent listed above to act on my behalf, or on behalf of my corporation, as the agent in the processing of this application for the permit and/or proprietary authorization indicated above; and to furnish, on request, supplemental information in support of the application. In addition, I authorize the above-listed agent to bind me, or my corporation, to perform any requirements which may be necessary to procure the permit or authorization indicated above. I understand that knowingly making any false statement or representation in this application is a violation of Section 373.430, F.S. and 18 U.S.C. Section 1001.

Typed/Printed Name of Applicant

Signature of Applicant

Date

(Corporate Title if applicable)

Please note: The applicant's original signature (not a copy) is required above.

PERSON AUTHORIZING ACCESS TO THE PROPERTY MUST COMPLETE THE FOLLOWING:

C. I either own the property described in this application or I have legal authority to allow access to the property, and I consent, after receiving prior notification, to any site visit on the property by agents or personnel from the Department of Environmental Protection, the Water Management District and the U.S. Army Corps of Engineers necessary for the review and inspection of the proposed project specified in this application. I authorize these agents or personnel to enter the property as many times as may be necessary to make such review and inspection. Further, I agree to provide entry to the project site for such agents or personnel to monitor permitted work if a permit is granted.

Typed/Printed Name of Applicant

Signature of Applicant

Date

(Corporate Title if applicable)

SECTION C

Environmental Resource Permit Notice of Receipt of Application

Note: this form does not need to be submitted for noticed general permits.

This information is required in addition to that required in other sections of the application. Please submit five copies of this notice of receipt of application and all attachments with the other required information. Please submit all information on 8 1/2" x 11" paper.

Project Name Barge Slip - Slab Replacement
County Brevard
Owner Florida Power & Light Company
Applicant: Randall R. LaBauve
Applicant's Address: 700 Universe Boulevard, Juno Beach, Florida 33408

1. Indicate the project boundaries on a USGS quadrangle map. Attach a location map showing the boundary of the proposed activity. The map should also contain a north arrow and a graphic scale; show Section(s), Township(s), and Range(s); and must be of sufficient detail to allow a person unfamiliar with the site to find it.
2. Provide the names of all wetlands, or other surface waters that would be dredged, filled, impounded, diverted, drained, or would receive discharge (either directly or indirectly), or would otherwise be impacted by the proposed activity, and specify if they are in an Outstanding Florida Water or Aquatic Preserve:
Indian River
3. Attach a depiction (plan and section views), which clearly shows the works or other facilities proposed to be constructed. Use multiple sheets, if necessary. Use a scale sufficient to show the location and type of works.
See Attached
4. Briefly describe the proposed project (such as "construct dock with boat shelter", "replace two existing culverts", "construct surface water management system to serve 150 acre residential development"):
Replace Slab at existing Barge Slip with same footprint as existing.
5. Specify the acreage of wetlands or other surface waters, if any, that are proposed to be filled, excavated, or otherwise disturbed or impacted by the proposed activity:

filled _____ ac.; _____ excavated ac.;

other impacts 0.018 ac.
6. Provide a brief statement describing any proposed mitigation for impacts to wetlands and other surface waters (attach additional sheets if necessary):

FOR AGENCY USE ONLY

Application Name:
Application Number:
Office where the application can be inspected:

Note to Notice recipient: The information in this notice has been submitted by the applicant, and has not been verified by the agency. It may be incorrect, incomplete or may be subject to change.

SECTION E

INFORMATION REQUESTED FOR STANDARD GENERAL, INDIVIDUAL AND CONCEPTUAL ENVIRONMENTAL RESOURCE PERMIT APPLICATIONS NOT RELATED TO A SINGLE FAMILY DWELLING UNIT

Please provide the information requested below if the proposed project requires either a standard general, individual, or conceptual approval environmental resource permit and is not related to an individual, single family dwelling unit, duplex or quadruplex. The information listed below represents the level of information that is usually required to evaluate an application. The level of information required for a specific project will vary depending on the nature and location of the site and the activity proposed. Conceptual approvals generally do not require the same level of detail as a construction permit. However, providing a greater level of detail will reduce the need to submit additional information at a later date. If an item does not apply to your project, proceed to the next item. Please submit all information that is required by the Department on either 8 1/2 in. X 11 in. paper or 11 in. X 17 in. paper. Larger drawings may be submitted to supplement but not replace these smaller drawings.

I. Site Information

- A. Provide a map(s) of the project area and vicinity delineating USDA/SCS soil types.
- B. Provide recent aerials, legible for photo interpretation with a scale of 1" = 400 ft, or more detailed, with project boundaries delineated on the aerial.
- C. Identify the seasonal high water or mean high tide elevation and normal pool or mean low tide elevation for each on site wetland or surface water, including receiving waters into which runoff will be discharged. Include dates, datum, and methods used to determine these elevations.
- D. Identify the wet season high water tables at the locations representative of the entire project site. Include dates, datum, and methods used to determine these elevations.

II. Environmental Considerations

- A. Provide results of any wildlife surveys that have been conducted on the site, and provide any comments pertaining to the project from the Florida Game and Fresh Water Fish Commission and the U.S. Fish and Wildlife Service.
- B. Provide a description of how water quantity, quality, hydroperiod, and habitat will be maintained in on-site wetlands and other surface waters that will be preserved or will remain undisturbed.
- C. Provide a narrative description of any proposed mitigation plans, including purpose, maintenance, monitoring, and construction sequence and techniques, and estimated costs.
- D. Describe how boundaries of wetlands or other surface waters were determined. If there has ever been a jurisdictional declaratory statement, a formal wetland determination, a formal determination, a validated informal determination, or a revalidated jurisdictional determination, provide the identifying number.
- E. Impact Summary Tables:
 - 1. For all projects, complete Tables 1, 2 and 3 as applicable.
 - 2. For docking facilities or other structures constructed over wetlands or other surface waters, provide the information requested in Table 4.
 - 3. For shoreline stabilization projects, provide the information requested in Table 5.

III. Plans

Provide clear, detailed plans for the system including specifications, plan (overhead) views, cross sections (with the locations of the cross sections shown on the corresponding plan view), and profile (longitudinal) views of the proposed project. The plans must be signed and sealed by an appropriate registered professional as required by law. Plans must include a scale and a north arrow. These plans should show the following:

- A. Project area boundary and total land area, including distances and orientation from roads or other land marks;
- B. Existing land use and land cover (acreage and percentages), and on-site natural communities, including wetlands and other surface waters, aquatic communities, and uplands. Use the Florida Land Use Cover & Classification System (FLUCCS)(Level 3) for projects proposed in the South Florida Water Management District, the St. Johns River Water Management District, and the Suwannee River Water Management District and use the National Wetlands Inventory (NWI) for projects proposed in the Southwest Florida Water Management District. Also identify each community with a unique identification number which must be consistent in all exhibits.
- C. The existing topography extending at least 100 feet off the project area, and including adjacent wetlands and other surface waters. All topography shall include the location and a description of known benchmarks, referenced to NGVD. For systems waterward of the mean high water (MHW) or seasonal high water lines, show water depths, referenced to mean low water (MLW) in tidal areas or seasonal low water in non-tidal areas, and list the range between MHW and MLW. For docking facilities, indicate the distance to, location of, and depths of the nearest navigational channel and access routes to the channel.
- D. If the project is in the known flood plain of a stream or other water course, identify the following: 1) the flood plain boundary and approximate flooding elevations; and 2) the 100-year flood elevation and floodplain boundary of any lake, stream or other watercourse located on or adjacent to the site;
- E. The boundaries of wetlands and other surface waters within the project area. Distinguish those wetlands and other surface waters that have been delineated by any binding jurisdictional determination;
- F. Proposed land use, land cover and natural communities (acreage and percentages), including wetlands and other surface waters, undisturbed uplands, aquatic communities, impervious surfaces, and water management areas. Use the same classification system and community identification number used in III (B) above.
- G. Proposed impacts to wetlands and other surface waters, and any proposed connections/outfalls to other surface waters or wetlands;
- H. Proposed buffer zones;
- I. Pre- and post-development drainage patterns and basin boundaries showing the direction of flows, including any off-site runoff being routed through or around the system; and connections between wetlands and other surface waters;
- J. Location of all water management areas with details of size, side slopes, and designed water depths;
- K. Location and details of all water control structures, control elevations, any seasonal water level regulation schedules; and the location and description of benchmarks (minimum of one benchmark per structure);
- L. Location, dimensions and elevations of all proposed structures, including docks, seawalls, utility lines, roads, and buildings;
- M. Location, size, and design capacity of the internal water management facilities;

N. Rights-of-way and easements for the system, including all on-site and off-site areas to be reserved for water management purposes, and rights-of-way and easements for the existing drainage system, if any;

O. Receiving waters or surface water management systems into which runoff from the developed site will be discharged;

P. Location and details of the erosion, sediment and turbidity control measures to be implemented during each phase of construction and all permanent control measures to be implemented in post-development conditions;

Q. Location, grading, design water levels, and planting details of all mitigation areas;

R. Site grading details, including perimeter site grading;

S. Disposal site for any excavated material, including temporary and permanent disposal sites;

T. Dewatering plan details;

U. For marina facilities, locations of any sewage pumpout facilities, fueling facilities, boat repair and maintenance facilities, and fish cleaning stations;

V. Location and description of any nearby existing offsite features which might be affected by the proposed construction or development such as stormwater management ponds, buildings or other structures, wetlands or other surface waters.

W. For phased projects, provide a master development plan.

IV. Construction Schedule and Techniques

Provide a construction schedule, and a description of construction techniques, sequencing and equipment. This information should specifically include the following:

A. Method for installing any pilings or seawall slabs;

B. Schedule of implementation of temporary or permanent erosion and turbidity control measures;

C. For projects that involve dredging or excavation in wetlands or other surface waters, describe the method of excavation, and the type of material to be excavated;

D. For projects that involve fill in wetlands or other surface waters, describe the source and type of fill material to be used. For shoreline stabilization projects that involve the installation of riprap, state how these materials are to be placed, (i.e., individually or with heavy equipment) and whether the rocks will be underlain with filter cloth;

E. If dewatering is required, detail the dewatering proposal including the methods that are proposed to contain the discharge, methods of isolating dewatering areas, and indicate the period dewatering structures will be in place (Note: a consumptive use or water use permit may be required);

F. Methods for transporting equipment and materials to and from the work site. If barges are required for access, provide the low water depths and draft of the fully loaded barge;

G. Demolition plan for any existing structures to be removed; and

H. Identify the schedule and party responsible for completing monitoring, record drawings, and as-built certifications for the project when completed.

V. Drainage Information

A. Provide pre-development and post-development drainage calculations, signed and sealed by an appropriate registered professional, as follows:

1. Runoff characteristics, including area, runoff curve number or runoff coefficient, and time of concentration for each drainage basin;
2. Water table elevations (normal and seasonal high) including aerial extent and magnitude of any proposed water table draw down;
3. Receiving water elevations (normal, wet season, design storm);
4. Design storms used including rainfall depth, duration, frequency, and distribution;
5. Runoff hydrograph(s) for each drainage basin, for all required design storm event(s);
6. Stage-storage computations for any area such as a reservoir, close basin, detention area, or channel, used in storage routing;
7. Stage-discharge computations for any storage areas at a selected control point, such as control structure or natural restriction;
8. Flood routings through on-site conveyance and storage areas;
9. Water surface profiles in the primary drainage system for each required design storm event(s);
10. Runoff peak rates and volumes discharged from the system for each required design storm event(s);
11. Tail water history and justification (time and elevation); and
12. Pump specifications and operating curves for range of possible operating conditions (if used in system).

B. Provide the results of any percolation tests, where appropriate, and soil borings that are representative of the actual site conditions;

C. Provide the acreage, and percentages of the total project, of the following:

1. Impervious surfaces, excluding wetlands;
2. Pervious surfaces (green areas, not including wetlands);
3. Lakes, canals, retention areas, other open water areas; and
4. Wetlands.

D. Provide an engineering analysis of floodplain storage and conveyance (if applicable), including:

1. Hydraulic calculations for all proposed traversing works;
2. Backwater water surface profiles showing upstream impact of traversing works;
3. Location and volume of encroachment within regulated floodplain(s); and
4. Plan for compensating floodplain storage, if necessary, and calculations required for determining minimum building and road flood elevations.

E. Provide an analysis of the water quality treatment system including:

1. A description of the proposed stormwater treatment methodology that addresses the type of treatment, pollution abatement volumes, and recovery analysis; and
2. Construction plans and calculations that address stage-storage and design elevations, which demonstrate compliance with the appropriate water quality treatment criteria.

F. Provide a description of the engineering methodology, assumptions and references for the parameters listed above, and a copy of all such computations, engineering plans, and specifications used to analyze the system. If a computer program is used for the analysis, provide the name of the program, a description of the program, input and output data, two diskette copies, if available, and justification for model selection.

VI. Operation and Maintenance and Legal Documentation

A. Describe the overall maintenance and operation schedule for the proposed system.

B. Identify the entity that will be responsible for operating and maintaining the system in perpetuity if different than the permittee, a draft document enumerating the enforceable affirmative obligations on the entity to properly operate and maintain the system for its expected life, and documentation of the entity's financial responsibility for long-term maintenance. If the proposed operation and maintenance entity is not a property owner's association, provide proof of the existence of an entity, or the future acceptance of the system by an entity which will operate and maintain the system. If a property owner's association is the proposed operation and maintenance entity, provide copies of the articles of incorporation for the association and copies of the declaration, restrictive covenants, deed restrictions, or other operational documents that assign responsibility for the operation and maintenance of the system. Provide information ensuring the continued adequate access to the system for maintenance purposes. Before transfer of the system to the operating entity will be approved, the permittee must document that the transferee will be bound by all terms and conditions of the permit.

C. Provide copies of all proposed conservation easements, storm water management system easements, property owner's association documents, and plats for the property containing the proposed system.

D. Provide indication of how water and waste water service will be supplied. Letters of commitment from off-site suppliers must be included.

E. Provide a copy of the boundary survey and/or legal description and acreage of the total land area of contiguous property owned/controlled by the applicant.

VII. Water Use

A. Will the surface water system be used for water supply, including landscape irrigation, or recreation.

B. If a Consumptive Use or Water Use permit has been issued for the project, state the permit number.

C. If no Consumptive Use or Water Use permit has been issued for the project, indicate if such a permit will be required and when the application for a permit will be submitted.

D. Indicate how any existing wells located within the project site will be utilized or abandoned.

FORM #: 62-343.900 (1) Section E
FORM TITLE: JOINT ENVIRONMENTAL RESOURCE
PERMIT APPLICATION
DATE: October 3, 1995
Incorporated by Reference in subsection 62-343.070(2), F.A.C.

TABLE 1
Project Impact Summary

[illegible]

WL = Wetland; SW = Surface water; ID = Identification number, letter, etc.

WL = Welland; SW = Surface water; ID = Identification number, letter, etc.
 Wetland Type: Use an established wetland classification system and, in the comments section below, indicate which classification system is being used.

Wetland Type: Use an established wetland classification system and, in the comments section below, indicate which classification system is being used.

Impact Code (Type): D = dredge; F = fill; H = change hydrology; S = shading; C = clearing; O = other. Indicate the final impact if more than one impact type is proposed in a given area. For example, show F only for an area that will first be dewatered and then backfilled.

Note: Multiple entries per cell are not allowed, except in the "Mitigation ID" column. Any given acreage of wetland should be listed in one row only, such that the total of all rows equals the project total for a given category (column). For example, if Wetland No. 1 includes multiple wetland types and multiple impact codes are proposed in each type, then each proposed impact in each wetland type should be shown on a separate row, while the size of each wetland type found in Wetland No. 1 should be listed in only one row.

Comments: _____

FORM #: 62-343.900 (1) Section E
FORM TITLE: JOINT ENVIRONMENTAL RESOURCE
PERMIT APPLICATION
DATE: October 3, 1995
Incorporated by Reference in subsection 62-343.070(2), F.A.C.

TABLE 2

ON-SITE MITIGATION SUMMARY

[illegible]

CODES (multiple entries per cell not allowed): Target Type or Type = target or existing habitat type from an established wetland classification system or land use classification for non-wetland mitigation

COMMENTS:

FORM #: 62-343.900 (1) Section E
 FORM TITLE: JOINT ENVIRONMENTAL RESOURCE
 PERMIT APPLICATION
 DATE: October 3, 1995
 Incorporated by Reference in subsection 62-343.070(2), F.A.C.

TABLE 3
 OFF-SITE MITIGATION SUMMARY

MITIGATION ID	CREATION		RESTORATION		ENHANCEMENT		WETLAND PRESERVE		UPLAND PRESERVE		OTHER	
	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE
PROJECT TOTALS:												

CODES (multiple entries per cell not allowed):
 Target Type= target or existing habitat type from an established wetland classification system or land use classification for non-wetland mitigation

FORM #: 62-343.900 (1) Section E
 FORM TITLE: JOINT ENVIRONMENTAL RESOURCE
 PERMIT APPLICATION
 DATE: October 3, 1995
 Incorporated by Reference in subsection 62-343.070(2), F.A.C.

TABLE 4
 DOCKING FACILITY SUMMARY

DOCKING PROJECT SUMMARY							
Type of Structure*	Type of Work**	Number of Identical Docks	Length (feet)	Width (feet)	Height (feet)	Total square feet over water	Number of slips
*Dock, Pier, Finger Pier, or other structure (please specify what type) **New, Replaced, Existing (unaltered), Removed, or Altered/Modified				TOTALS:	Existing	Proposed	
				Number of Slips			
				Square Feet over the water			

Use of Structure:
 Fuel Drop Off Depot

Will the docking facility provide:

Live-aboard Slips? If yes, Number:
 Fueling Facilities: If yes, Number
 Sewage Pump-out Facilities? If yes, Number:
 Other Supplies or Services Required for Boating (excluding refreshments, bait and tackle)
☐ Yes ☐ No

Type of Materials for Decking and Pilings (i.e., CCA, pressure treated wood, plastic, or concrete)

Pilings Concrete
 Decking Concrete
 Proposed Dock-Plank Spacing (if applicable)

Proposed Size (length and draft), Type, and Number of Boats Expected to Use or Proposed to be Mooring at the facility)

FORM #: 62-343.900 (1) Section E
 FORM TITLE: JOINT ENVIRONMENTAL RESOURCE
 PERMIT APPLICATION
 DATE: October 3, 1995
 Incorporated by Reference in subsection 62-343.070(2), F.A.C.

Table 5: SHORELINE STABILIZATION
 IF YOU ARE CONSTRUCTING A SHORELINE STABILIZATION PROJECT,
 PLEASE PROVIDE THE FOLLOWING:

Type of Stabilization Being Done	Length (in feet) of New	Length (in feet) of Replaced	Length (in feet) of Repaired	Length (in feet) of Removed	Slope: H: V:	Width of the Toe (in feet)
Vertical Seawall						
Seawall plus Rip-Rap						
Rip-Rap						
Rip-Rap plus Vegetation						
Other Type of Stabilization Being Done:						

Size of the Rip Rap: _____

Type of Rip Rap: _____

COMMENTS:

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ISSUED BY	ISSUED ON	PROJECT #
RECEIVED BY	RECEIVED ON	PROJECT #
SHEET (OF SHEETS) - SEE SHEET NUMBER		
PROJECT #		

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ALL DIMENSIONS SHALL BE VERIFIED BY THE FIELD BY THE CONTRACTOR. THE CONTRACTOR IS RESPONSIBLE FOR THE CORRECTION OF ALL DIMENSIONS.

ALL SEALS INDICATED PERTAIN TO 8.5"x11" PLATS

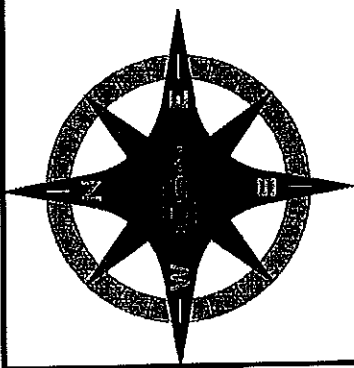
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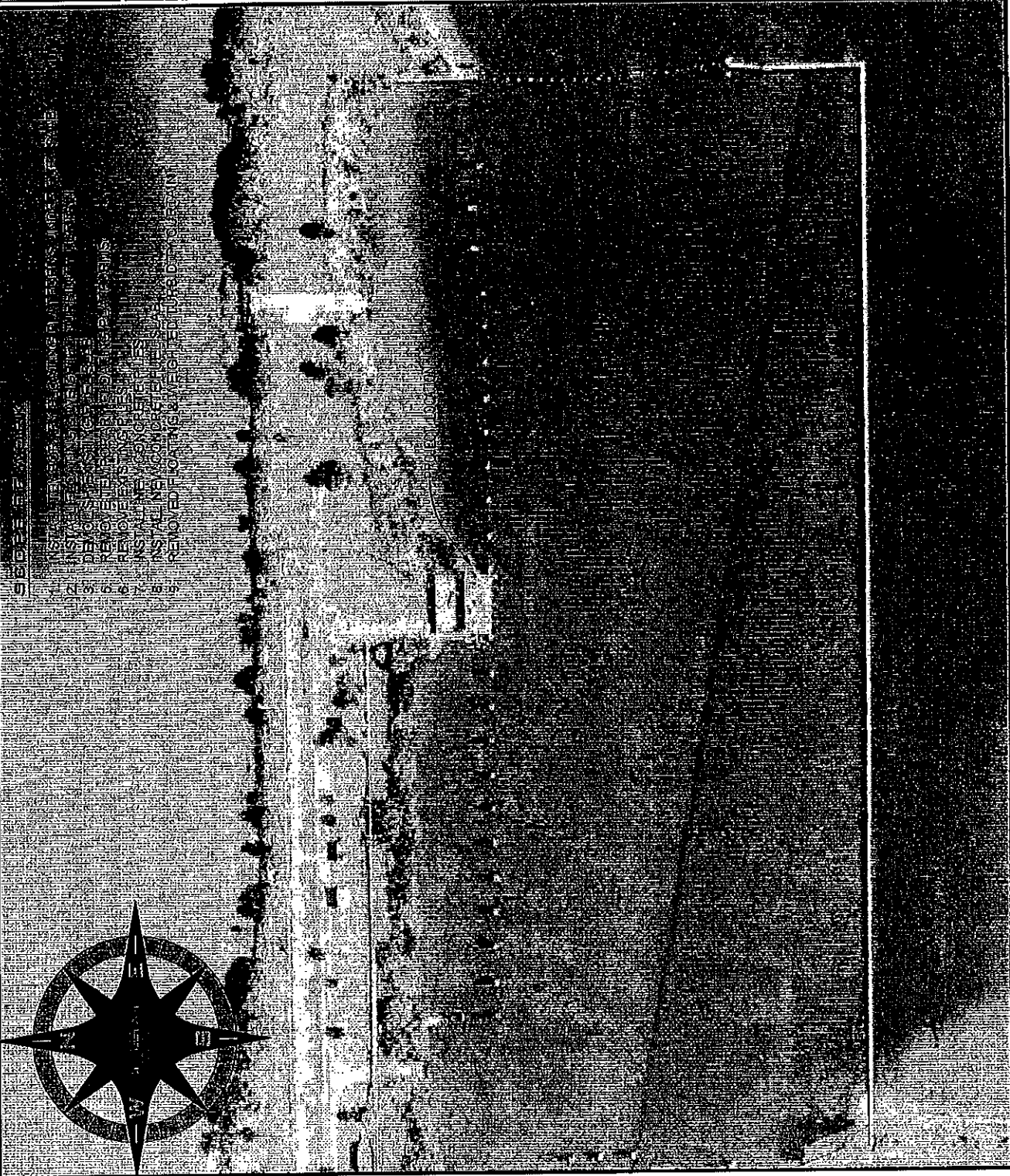


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CSM ENGINEERING, LLC
1235 SE INDIAN STREET - SUITE 103
STUART, FLORIDA 34997
© 772-230-4601
BY: WWW.CSM-FLA.NET
CERTIFICATE OF AUTHORIZATION: 00000263

JUDY ANN PERKINS	DATE
FLORIDA REGISTERED PROFESSIONAL ENGINEER	NO. 12022
LOCATION MAP	
SHEET #	
S-1	





PROJECT:

FUEL SLAB
REPLACEMENT
FLORIDA POWER & LIGHT
28.468456, -80.760595
CAPE CANAVERAL, FLORIDA

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REVISIONS BY:	DATE:
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THE ENGINEER HEREBY CERTIFIES THAT THE ENGINEER HAS REVIEWED THE PROJECT AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE FLORIDA PROFESSIONAL ENGINEERING ACT AND THE FLORIDA PROFESSIONAL ENGINEERING BOARD. THE ENGINEER HAS REVIEWED THE PROJECT AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE FLORIDA PROFESSIONAL ENGINEERING ACT AND THE FLORIDA PROFESSIONAL ENGINEERING BOARD.

ALL DIMENSIONS SHALL BE TAKEN IN THE FIELD BY THE CONTRACTOR. THE CONTRACTOR IS RESPONSIBLE FOR THE CORRECTION OF ALL DIMENSIONS. ALL DIMENSIONS INDICATED FROM THE 1/2" = 1' SCALE.

CIVIL & STRUCTURAL & MARINE



ENGINEERING

DSM ENGINEERING, LLC
2335 SE INDIAN STREET, SUITE 103
ST. AUGUSTINE, FLORIDA 32087
TEL: 772-222-4821
WWW.DSM-ENG.COM
CERTIFICATE OF AUTHORIZATION: 0002625

JUDY ANN PERKINS
FLORIDA REGISTERED PROFESSIONAL ENGINEER
DATE: 15-04-2013
NO. 0002625

SHEET NAME: EXISTING SITE
SHEET #

S-2

PROJECT

FUEL SLAB
REPLACEMENT
FLORIDA POWER & LIGHT
28.468456, -80.760595
CAPE CANAVERAL, FLORIDA

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REVISIONS

REVISION NO. DATE DESCRIPTION
1 12-4-01 ISSUED FOR PERMIT

THE ENGINEER HEREBY CERTIFIES THAT THE DESIGN AND CONSTRUCTION OF THE FUEL SLAB REPLACEMENT PROJECT IS IN ACCORDANCE WITH THE FLORIDA ENGINEERING CODES AND STANDARDS. THE ENGINEER IS NOT PROVIDING ANY GUARANTEE OR WARRANTY FOR THE PROJECT. THE ENGINEER IS NOT RESPONSIBLE FOR THE PROJECT'S PERFORMANCE OR THE PROJECT'S SAFETY. THE ENGINEER IS NOT PROVIDING ANY GUARANTEE OR WARRANTY FOR THE PROJECT'S PERFORMANCE OR THE PROJECT'S SAFETY. THE ENGINEER IS NOT RESPONSIBLE FOR THE PROJECT'S PERFORMANCE OR THE PROJECT'S SAFETY.

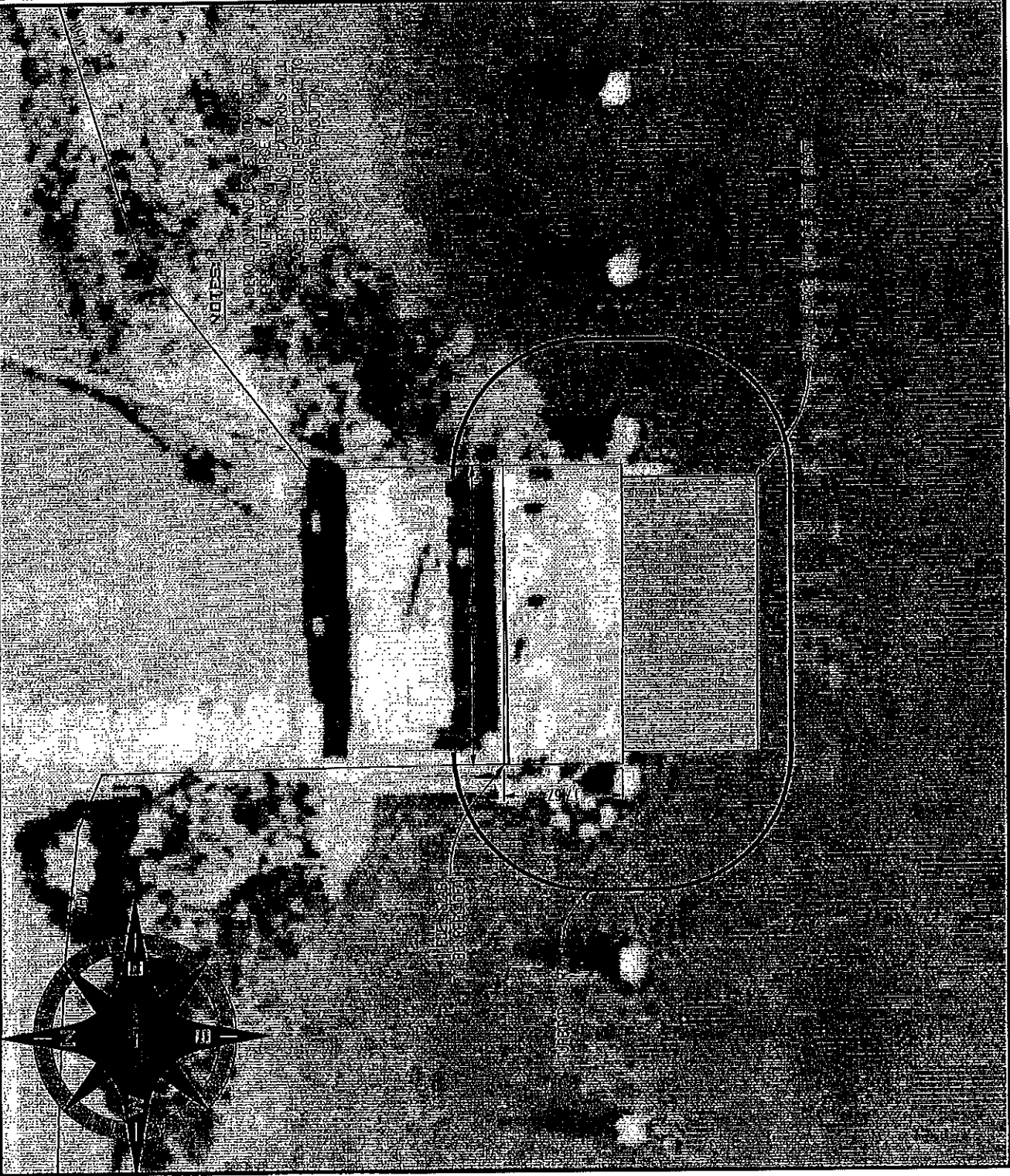
ALL DIMENSIONS SHALL BE SHOWN IN THE FIELD OF THE CONTRACTOR. THE CONTRACTOR IS RESPONSIBLE FOR THE CORRECTION OF ALL DIMENSIONS. ALL DIMENSIONS SHOWN HEREIN TO 0.001" TOLERANCE.

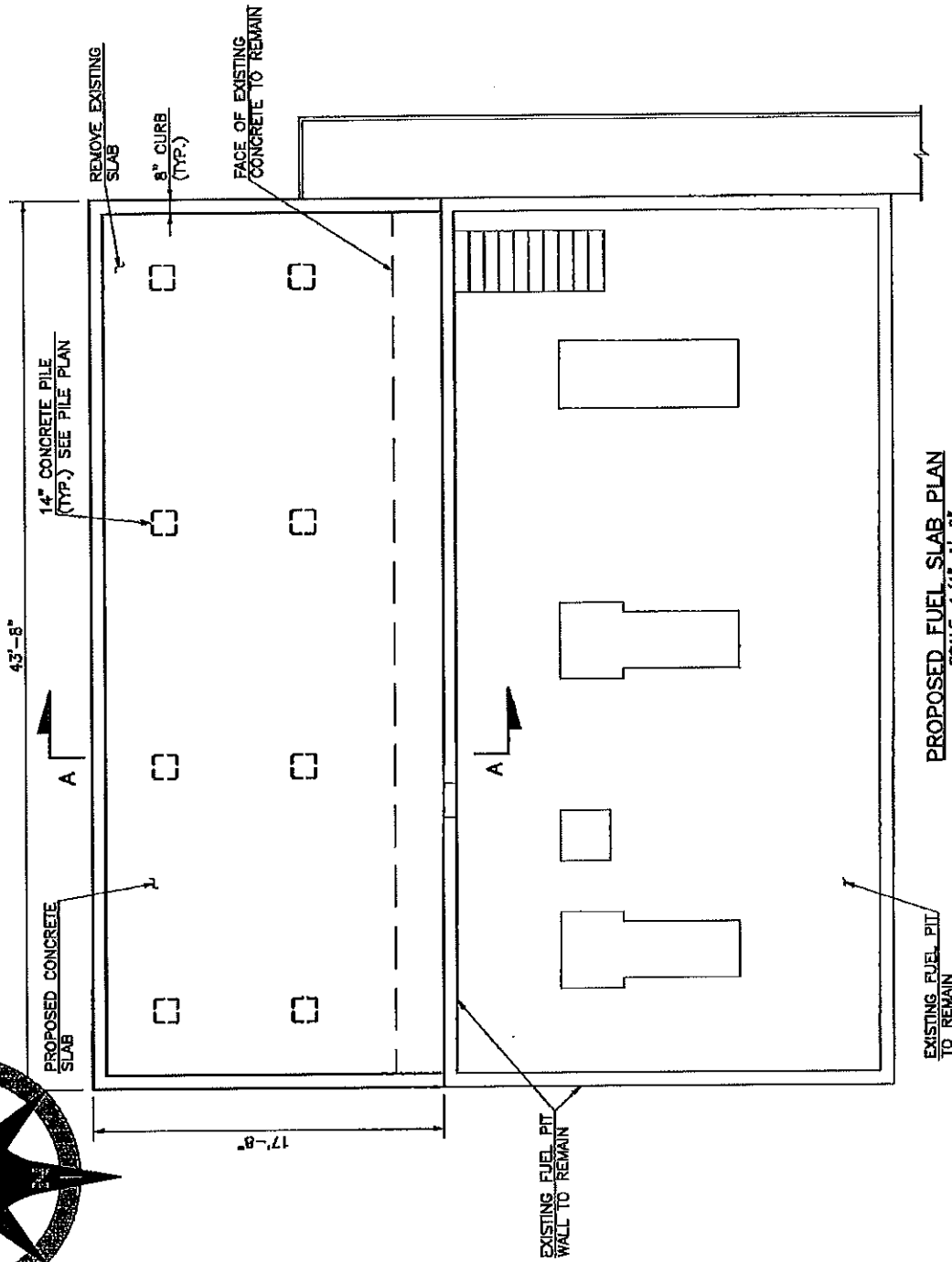
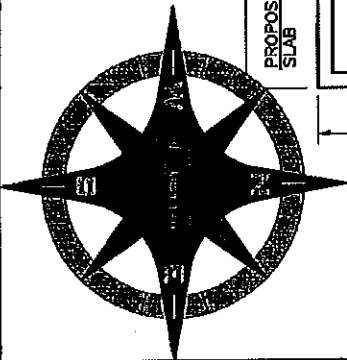
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CEM
ENGINEERING

CEM ENGINEERING, LLC
1235 SE INDIAN STREET, SUITE 103
ST. AUGUSTINE, FLORIDA 32087
TEL: 321-280-4401
WWW.CEM-FLA.COM
CERTIFICATE OF AUTHORIZATION: 00000000

JUDY ANN PERKINS DATE
FLORIDA REGISTERED PROFESSIONAL ENGINEER NO. 00000

SHEET NAME SITE
SHEET # S-3





FUEL SLAB REPLACEMENT
FLORIDA POWER & LIGHT
28.468455, -80.760595
CAPE CANAVERAL, FLORIDA

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DESIGNED BY:	DATE: 12-14-2013
CHECKED BY:	PROJECT NO:
SCALE:	AS SHOWN

THE ENGINEER HEREBY EXPRESSLY ASSURES THAT THE DESIGN OF THE FUEL SLAB AND CURB IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT AND THE ENGINEER HAS NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE ENGINEER HAS NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.

ALL DIMENSIONS SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR. THE CONTRACTOR IS RESPONSIBLE FOR THE CORRECTION OF ALL DIMENSIONS. ALL DIMENSIONS INDICATED HEREIN TO 1/8" ROUNDS.

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COM

ENGINEERING

CEM ENGINEERING, LLC
13515 E. 15th Avenue, Suite 103
Tampa, Florida 33613
407-720-4601
www.cem-engineering.com
CERTIFICATE OF AUTHORIZATION: 00000000

JUDY ANN PERKINS	DATE
FLORIDA REGISTERED PROFESSIONAL ENGINEER	REL. DATE

SHEET NO.	FUEL SLAB PLAN
SHEET #	S-4

Figure 1

[illegible]

THE EMPLOYER HEREBY EXPRESSLY AGREES TO PAY CHARGE 10% OF THE EMPLOYEE'S GROSS EARNINGS TO THE NATIONAL LABORERS' UNION OF THE UNITED STATES OF AMERICA (NLU) FOR THE PURPOSE OF THE REPRESENTATION OF THE EMPLOYEE. THE EMPLOYEE HEREBY AGREES TO PAY CHARGE 10% OF HIS OR HER GROSS EARNINGS TO THE NATIONAL LABORERS' UNION OF THE UNITED STATES OF AMERICA (NLU) FOR THE PURPOSE OF THE REPRESENTATION OF THE EMPLOYEE. THE EMPLOYEE HEREBY AGREES TO PAY CHARGE 10% OF HIS OR HER GROSS EARNINGS TO THE NATIONAL LABORERS' UNION OF THE UNITED STATES OF AMERICA (NLU) FOR THE PURPOSE OF THE REPRESENTATION OF THE EMPLOYEE.

NEW PAGES: 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 94

ALL BUSINESS SHALL BE HANDLED IN THE FIELD BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL DECISIONS.

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STUART, FLORIDA 34997
888-772-2201
WWW.CSM-ENG.COM

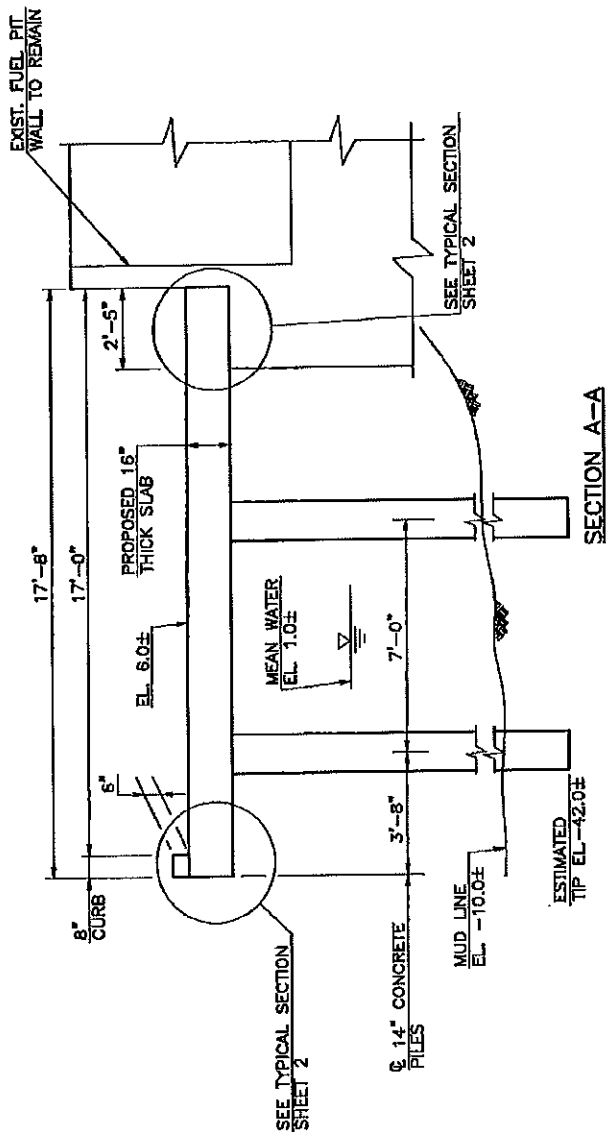
THE ASSOCIATE OF ALPHABETIZATION

JUDY ANN PERKINS
FLORIDA REGISTERED PROFESSIONAL ENGINEER

FUEL SLAB SECTION

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CHECKED BY:	PLUT DATE: 15-04-2015
24/01/2015 CONTINUING - FILED AND RECD FROM DEPTOS	
COULD	PROJECT #:
AS SOON	

THE SHARPER REBET EXPLICITLY DENIES ANY SUCH CLAIM. THE COMPANY AND OTHER MEMBER FIRMS, THESE PLAYS ARE NOT TO BE REPRODUCED, COPIED, OR REPRINTED WITHOUT THE WRITTEN AND SIGNED PERMISSION OF THE COMPANY. THE COMPANY WILL PROSECUTE AND CONSIDER OF THE SHARPER REBET EXPLICITLY DENIES ANY SUCH CLAIM.

CA NUMBER: LC 009867 2012

ALL CHANGES SHALL BE VIEWED IN THE FIELD BY THE CONTRACTOR. THE CONTRACTOR IS RESPONSIBLE FOR THE CORRECTION OF ALL DISCREPANCIES.

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CSM ENGINEERING, LLC
235 SE INDIAN STREET • SUITE 103
STUART, FLORIDA 34997
P 772-220-4601
E www.CSM-Eng.com
CERTIFICATE OF AUTHORIZATION: 0002563

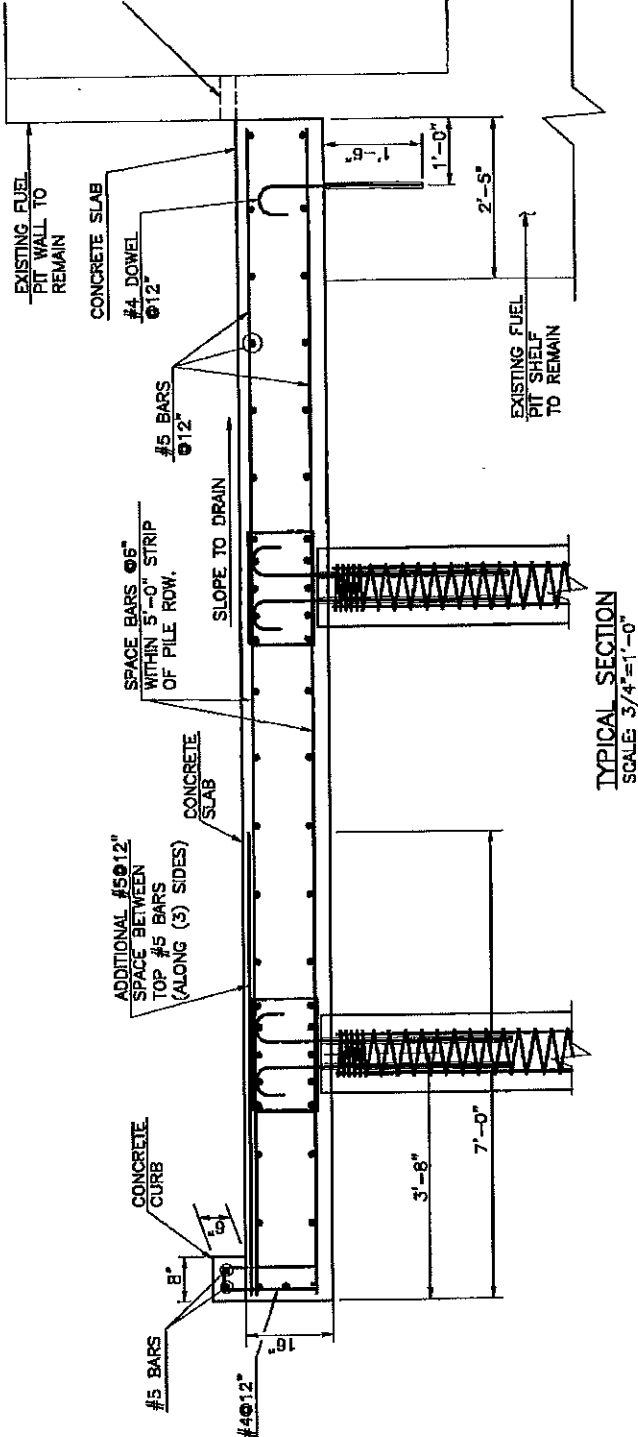
JUDY ANN PERKINS

DATE	NO. 873
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TYPICAL SECTION

9-5

4/28/88



PROJECT:

FUEL SLAB
REPLACEMENT
FLORIDA POWER & LIGHT
28-468456, -80760395
CAPE CANAVERAL, FLORIDA

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DESIGNED BY

CHECKED BY

DATE

SCALE

PROJECT #

THE ENGINEER HEREBY CERTIFIES THAT THE DESIGN AND CONSTRUCTION OF THE PROJECT HAS BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE FLORIDA BUILDING CODE, AS AMENDED, AND THE FLORIDA POWER & LIGHT COMPANY. THE ENGINEER HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROJECT SINCE IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO MAINTAIN THE PROJECT IN ACCORDANCE WITH THE REQUIREMENTS OF THE FLORIDA BUILDING CODE, AS AMENDED, AND THE FLORIDA POWER & LIGHT COMPANY.

CON. DESIGNER, LLC COPYRIGHT ©2012

ALL REINFORCEMENT SHALL BE INSTALLED IN THE FIELD OF THE CONTRACTOR. THE CONTRACTOR IS RESPONSIBLE FOR THE DETERMINATION OF ALL DIMENSIONS.

ALL SPICES INDICATED HEREIN TO BE 1/2" PILES

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ENGINEERING

CON ENGINEERING, LLC
1235 SE INDIAN STREET - SUITE 103
STUART, FLORIDA 34997
TEL: 772-220-4801
WWW.CON-ENG.COM
CERTIFICATE OF AUTHORIZATION: 00026503

JUDY ANN PERKINS

FLORIDA REGISTERED PROFESSIONAL ENGINEER

DATE

PROJECT NAME

STRUCTURAL NOTES

SHEET #

S-7

GENERAL NOTES:

- DESIGN IN ACCORDANCE WITH 2010 FLORIDA BUILDING CODE, AND ACI 318 ALLOWABLE STRESS DESIGN.

- DESIGN PARAMETERS:

RISK CATEGORY II
LIVE LOAD = 250 PSF UNIFORM LOAD
3000 LB CONCENTRATED LOAD

BASIC WIND SPEED = 150MPH

- CONCRETE DESIGN STRESSES:

SLAB: $f_c = 4000$ PSI
 $f_c = 45$ PSI = 1800PSI

- FOR PRE STRESSED CONCRETE PILE NOTES, SEE SHEET 2.

- ALL DIMENSIONS SHALL BE FIELD VERIFIED PRIOR TO ORDERING MATERIALS. VARIATIONS ARE TO BE EXPECTED.

- REINFORCED STEEL TO BE ASTM A615 GRADE 60 AND SHALL BE EPOXY COATED.

- ELEVATIONS WERE TAKEN FROM AS-BUILT PLANS DATED 7/63 BY BECHTEL CORPORATION AND CAN BE CONSIDERED AS ASSUMED DATUM FOR THIS PLAN. THE CONTRACTOR SHALL DETERMINE ACTUAL ELEVATIONS.

- SOIL DATA TAKEN FROM PREVIOUS BORINGS APPROXIMATELY 700' AWAY. CONTRACTOR SHALL TAKE A BORING AT SLAB LOCATION AND PROVIDE RESULTS TO ENGINEER PRIOR TO ORDERING MATERIALS.

- ALL REINFORCEMENT STEEL SHALL HAVE A MINIMUM COVER OF 2" UNLESS NOTED.

PRESTRESSED CONCRETE PILE NOTES:

- EACH WRAP OF SPIRALS SHALL BE TIED TO AT LEAST TWO CORNER STRANDS. ONE TURN REQUIRED FOR SPIRAL SPICES.
- CONCRETE FOR ALL PILES SHALL BE CLASS V (SPECIAL).
- THE PILE CYLINDER STRENGTH SHALL BE 6,000 PSI MINIMUM AT 28 DAYS AND 4,000 PSI MINIMUM AT TIME OF TRANSFER OF THE PRESTRESSING FORCE.
- PILES SHALL BE MARKED AT THE PICK-UP POINTS TO INDICATE PROPER POINTS FOR ATTACHING HANDLING LINES.
- ALL REINFORCING STEEL SHALL BE GRADE 60, EXCEPT THAT SPIRAL TIES SHALL BE MANUFACTURED FROM COLD-DRAWN STEEL WIRE MEETING THE REQUIREMENTS OF ASTM A82.
- PRESTRESSING STEEL SHALL BE 1/2" SEVEN-WIRE STRAND, GRADE 270, LOW-RELAXATION STRAND (LRS). PRESTRESSING FORCE=31K/STRAND.
- FOR ALL PILES HAVING ENDS EXPOSED TO THE ENVIRONMENT AND NOT EMBEDDED UNDER FINAL CONDITIONS, PROTECT THE STRANDS AS FOLLOWS: PRIOR TO SHIPMENT, CUT STRANDS AT APPROPRIATE END(S) BACK TO A MINIMUM DEPTH OF 1" INCH BELOW THE CONCRETE SURFACE AND PATCH WITH TYPE F EPOXY COMPOUND MEETING THE REQUIREMENTS OF SPECIFICATION SECTION 928.
- ULTIMATE PILE CAPACITY = 138K WITH A FACTOR OF SAFETY OF 2.75.
- DESIGN PILE LOAD = 45K
- PILE SHALL BE CONTINUOUS WITH NO SPLICES UNLESS APPROVED BY THE ENGINEER.

SECTION G

Application for Authorization to Use Sovereign Submerged Lands

Part 1: Sovereign Submerged Lands title information (see Attachment 5 for an explanation). Please read and answer the applicable questions listed below:

A. I have a sovereign submerged lands title determination from the Division of State Lands which indicates that the proposed project is NOT ON sovereign submerged lands (Please attach a copy of the title determination to the application). Yes ☐ No ☒

- If you answered Yes to Question A and you have attached a copy of the Division of State Lands Title Determination to this application, you do not have to answer any other questions under Part I or II of Section G.

B. I have a sovereign submerged lands title determination from the Division of State Lands which indicates that the proposed project is ON sovereign submerged lands (Please attach a copy of the title determination to the application). Yes ☒ No ☐ Lease and Easement Attached

- If you answered yes to question B please provide the information requested in Part II. Your application will be deemed incomplete until the requested information is submitted.

C. I am not sure if the proposed project is on sovereign submerged lands (please check here). ☐

- If you have checked this box department staff will request that the Division of State Lands conduct a title determination. If the title determination indicates that the proposed project or portions of the project are located on sovereign submerged lands you will be required to submit the information requested in Part II of this application. The application will be deemed incomplete until the requested information is submitted.

D. I am not sure if the proposed project is on sovereign submerged lands and I DO NOT WISH to contest the Department's findings (please check here). ☐

- If you have checked this box refer to Part II of this application and provide the requested information. The application will be deemed incomplete until the requested information is submitted.

E. It is my position that the proposed project is NOT on sovereign submerged lands (please check here) ☐

- If you have evidence that indicates that the proposed project is not on sovereign submerged lands please attach the documentation to the application. If the Division of State Lands title determination indicates that your proposed project or portion of your proposed project are on sovereign submerged lands you will be required to provide the information requested in Part II of this application.

F. If you wish to contest the findings of the title determination conducted by the Division of State Lands please contact the Department of Environmental Protection's Office of General Counsel. Your proposed project will be deemed incomplete until either the information requested in Part II is submitted or a legal ruling indicates that the proposed project is not on sovereign submerged lands.

Part II: If you were referred to this section by Part I, please provide this additional information. Please note that if your proposed project is on sovereign submerged lands and the below requested information is not provided, your application will be considered incomplete.

A. Provide evidence of title to the subject riparian upland property in the form of a recorded deed, title insurance, legal opinion of title, or a long-term lease which specifically includes riparian rights. Evidence submitted must demonstrate that the application has sufficient title interest in the riparian upland property.

B. Provide a detailed statement describing the existing and proposed upland uses and activities. For commercial uses, indicate the specific type of activity, such as marina, ship repair, dry storage (including the number of storage spaces), commercial fishing/seafood processing, fish camp, hotel, motel resort restaurant, office complex, manufacturing operation, etc.

For rental operations, such as trailer or recreational vehicle parks and apartment complexes, indicate the number of wet slip units/spaces available for rent or lease and describe operational details (e.g., are spaces rented on a month-to-month basis or through annual leases).

For multi-family residential developments, such as condominiums, townhomes, or subdivisions, provide the number of living units/lots and indicate whether or not the common property (including the riparian upland property) is or will be under the control of a homeowners association.

For projects sponsored by a local government, indicate whether or not the facilities will be open to the general public. Provide a breakdown of any fees that will be assessed, and indicate whether or not such fees will generate revenue or will simply cover costs associated with maintaining the facilities.

C. Provide a detailed statement describing the existing and proposed activities located on or over the sovereign submerged lands at the project site. This statement must include a description of docks and piers, types of vessels (e.g., commercial fishing, liveaboards, cruise ships, tour boats), length and draft of vessels, sewage pumped facilities, fueling facilities, boat hoists, boat ramps, travel lifts, railways, and any other structure or activities existing or proposed to be located waterward of the mean/ordinary high water line.

If slips are existing and/or proposed, please indicate the number of powerboat slips and sailboat slips and the percentage of those slips available to the general public on a "first come, first served" basis. This statement must include a description of channels, borrow sites, bridges, groins, jetties, pipelines, or other utility crossings, and any other structures or activities existing or proposed to be located waterward of the mean/ordinary high water line. For shoreline stabilization activities, this statement must include a description of seawalls, bulkheads, riprap, filling activities, and any other structure or activities existing or proposed to be located along the shoreline.

D. Provide the linear footage of shoreline at the mean/ordinary high water line owned by the application which borders sovereign submerged lands.

E. Provide a recent aerial photo of the area. A scale of 1"=200' is preferred. Photos are generally available at minimal cost from your local government property appraiser's office or from district Department of Transportation offices. Indicate on the photo the specific location of your property/project site.

PROPRIETARY PROJECT DESCRIPTIONS

Please check the most applicable activity which applies to your project(s):

Leases

- ☐ Commercial marinas (renting wet slips) including condos, etc., if 50% or more of their wet slips are available to the general public
- ☐ Public/Local governments
- ☐ Yacht Clubs/Country Clubs (when a membership is required)
- ☐ Condominiums (requires upland ownership)
- ☐ Commercial Uplands Activity (temporary docking and/or fishing pier associated with upland revenue generating activities, i.e., restaurants, hotels, motels) for use of the customer at not charge
- ☐ Miscellaneous Commercial Upland Enterprises where there is a charge associated with the use of overwater structure (Charter Boats, Tour Boats, Fishing Piers)
- ☐ Ship Building/Boat Repair Service Facilities
- ☐ Commercial Fishing Related (Offloading, Seafood Processing)
- ☐ Private Single-family Residential Docking Facilities; Townhome Docking Facilities; Subdivision Docking Facilities (upland lots privately owned)

Public Easements and Use Agreements

- ☐ Miscellaneous Public Easements and Use Agreements
- ☐ Bridge Right-of-way (DOT, local government)
- ☐ Breakwater of groin
- ☐ Subaqueous Utility Cable (TV, telephone, electrical)
- ☐ Subaqueous Outfall or Intake
- ☐ Subaqueous Utility Water/Sewer
- ☐ Overhead Utility w/Support Structure on Sovereign Submerged Lands
- ☐ Disposal Site for Dredged Material
- ☐ Pipeline (gas)
- ☐ Borrow Site

Private Easements

- ☐ Miscellaneous Private Easements
- ☐ Bridge Right-of-way
- ☐ Breakwater Groin
- ☒ Subaqueous Utility Cable (TV, telephone, electrical)
- ☐ Subaqueous Outfall or Intake
- ☐ Subaqueous Utility Water/Sewer
- ☐ Overhead Utility Crossing
- ☐ Disposal Site for Dredged Material
- ☐ Pipeline (gas)

Consents of Use

- ☐ Aerial Utility Crossing w/no support structures on sovereign submerged lands
- ☐ Private Dock
- ☐ Public Dock
- ☐ Multi-family Dock
- ☐ Fishing Pier (private or Multi-family)
- ☐ Private Boat Ramp
- ☐ Sea Wall
- ☐ Dredge
- ☐ Maintenance Dredge
- ☐ Navigation Aids/Markers
- ☐ Artificial Reef
- ☐ Riprap
- ☐ Public Boat Ramp
- ☐ Public Fishing Pier
- ☐ Repair/Replace Existing Public Fishing Pier
- ☐ Repair/Replace Existing Private Dock
- ☐ Repair/Replace Existing Public Dock
- ☐ Repair/Replace Existing Multi-family Dock
- ☐ Repair/Replace Existing Fishing Pier (Private or Multi-family)
- ☐ Repair/Replace Existing Private Boat Ramp
- ☐ Repair/Replace Existing Sea Wall, Revetments, or Bulkheads
- ☐ Repair/Replace/Modify structures/activities within an exiting lease, easement, management agreement or use agreement area or repair/replace existing grandfathered structures
- ☐ Repair/Replace Existing Public Boat Ramp

Miscellaneous

- ☐ Biscayne Bay Letters of Consistency/Inconsistency w/258.397, F.S.
- ☐ Management Agreements - Submerged Lands
- ☐ Reclamation
- ☐ Purchase of Filled, Formerly Submerged Lands
- ☐ Purchase of Reclaimed Lake Bottom
- ☐ Treasure Salvage
- ☐ Insect Control Structures/Swales
- ☒ Miscellaneous projects which do not fall within the activity codes listed above

Attachment II
Environmental Resources Permit Application
Jetty Repair

SECTION A

FOR AGENCY USE ONLY

ACOE Application #
 Date Application Received
 Proposed Project Lat.
 Proposed Project Long.

DEP/WMD Application #
 Date Application Received
 Fee Received \$
 Fee Receipt #

PART 1:

Are any of the activities described in this application proposed to occur in, on, or over wetlands or other surface waters? ☒ yes ☐ no

Is this application being filed by or on behalf of a government entity or drainage district? ☐ yes ☒ no

PART 2:

A. Type of Environmental Resource Permit Requested (check at least one). See Attachment 2 for thresholds and descriptions.

- ☐ Noticed General - include information requested in Section B.
- ☐ Standard General (Single Family Dwelling) - include information requested in Sections C and D.
- ☐ Standard General (all other Standard General projects) - include information requested in Sections C and E.
- ☐ Individual (Single Family Dwelling) - include information requested in Sections C and D.
- ☒ Individual (all other Individual projects) - include information requested in Sections C and E.
- ☐ Conceptual - include information requested in Sections C and E.
- ☐ Mitigation Bank Permit (construction) - include information requested in Sections C and F. (If the proposed mitigation bank involves the construction of a surface water management system requiring another permit defined above, check the appropriate box and submit the information requested by the applicable section.)
- ☐ Mitigation Bank (conceptual) - include information requested in Sections C and F.

B. Type of activity for which you are applying (check at least one)

- ☐ Construction or operation of a new system, other than a solid waste facility, including dredging or filling in, on or over wetlands and other surface waters.
- ☐ Construction, expansion or modification of a solid waste facility.
- ☐ Alteration or operation of an existing system which was not previously permitted by a WMD or DEP.
- ☒ Modification of a system previously permitted by a WMD or DEP.
 Provide previous permit numbers: BBS-72-28
 - ☒ Alteration of a system ☐ Extension of permit duration
 - ☐ Abandonment of a system ☐ Construction of additional phases of a system
 - ☐ Removal of a system

C. Are you requesting authorization to use Sovereign Submerged Lands?

☒ yes ☐ no

(See Section G and Attachment 5 for more information before answering this question.)

D. For activities in, on, or over wetlands or other surface waters, check type of federal dredge and fill permit requested:

- ☐ Individual ☐ Programmatic General ☐ General
- ☒ Nationwide ☐ Not Applicable

E. Are you claiming to qualify for an exemption? ☐ yes ☒ no

If yes, provide rule number if known. _____

PART 3:	
A. OWNER(S) OF LAND	B. ENTITY TO RECEIVE PERMIT (IF OTHER THAN OWNER)
Name Randall R LaBauve	Name
Title and Company VP Environmental, Florida Power & Light Company	Title and Company
Address 700 Universe Boulevard	Address
City, State, Zip Juno Beach, Florida 33408	City, State, Zip
Telephone and Fax 561-691-7001	Telephone and Fax
E-mail Address: (optional)	E-mail Address: (optional)
C. AGENT AUTHORIZED TO SECURE PERMIT	D. CONSULTANT (IF DIFFERENT FROM AGENT)
Name	Name
Title and Company	Title and Company
Address	Address
City, State, Zip	City, State, Zip
Telephone and Fax	Telephone and Fax
E-mail Address: (optional)	E-mail Address: (optional)
PART 4: (Please provide metric equivalent for federally funded projects):	
A. Name of Project, including phase if applicable: <u>Jetty wall replacement</u>	
B. Is this application for part of a multi-phase project? ☐ Yes ☒ No	
C. Total applicant-owned area contiguous to the project? <u>1.47</u> ac.; ha.	
D. Total area served by the system: ac.; ha.	
E. Impervious area for which a permit is sought: ac.; ha.	
F. Volume of water that the system is capable of impounding: ac. ft.; m ³	
G. What is the total area of work in, on, or over wetlands or other surface waters? <u>0.09</u> ac.; ha.; <u>3,960</u> sq. ft.; sq. m.	
H. Total volume of material to be dredged: yd ³ ; m ³	
I. Number of new boat slips proposed: <u>0</u> wet slips; dry slips – N/A	

PART 5:

Project location (use additional sheets if needed):

County(ies) Brevard

Section(s) 19

Township 23 South

Range 36 East

Section(s)

Township

Range

Section(s)

Township

Range

Land Grant name, if applicable:

Tax Parcel Identification Number: 23-36-19-00-00750.0-0000.00

Street Address Road or other location: 6000 N. Highway 1 Lat 28.46758296/Long 80.76045858

City, Zip Code, if applicable: Cocoa, FL

PART 6: Describe in general terms the proposed project, system, or activity.

Existing Conditions

The project site is a Florida Power & Light facility with two existing concrete jetty walls in the locations shown on S-2 of the enclosed drawings. The south jetty wall extends easterly from the shoreline into the Indian River and totals 900 L.F. and the north jetty wall which extends off of the existing earthen wave break on the north side totals 90 L.F. A resource survey performed on June 20, 2012 revealed no submerged resources were located in the vicinity of the north jetty wall and submerged resources were a minimum of 10' from the south jetty wall at the closest location, but were typically 40'+ from the proposed jetty wall replacement. White mangroves are present adjacent to the north jetty wall but none are within the actual project footprint therefore no impacts are proposed to these mangroves as a result of the jetty wall replacement.

Proposed Activities

The applicant is requesting to repair/replace the existing concrete jetties. The existing walls will not be removed and the new wall will be constructed by placing vinyl sheet panels directly on each side of the concrete walls. Any debris generated from the activity will be loaded onto the barge for disposal at a proper upland disposal location.

The new wall panels will be installed utilizing a vibratory hammer and/or impact hammer. The project will utilize a 30' barge with a 2' draft fully loaded. During construction of the south jetty wall, the barge will be positioned on the north side of that location (within the basin area) at all times where the minimum depth is - 4' mean low water. Construction of the north jetty wall may occur from land or barge. If a barge is utilized for that location, it will be a 30' barge with a 2' draft fully loaded and will be operating in an area of a 10' depth on average.

Standard manatee construction conditions and sea turtle and smalltooth sawfish construction conditions will be followed and all construction will occur during daylight hours. In addition, a manatee observer will be utilized for the duration of the project. Best management practices for erosion and turbidity control shall be implemented and maintained at all times during the project to ensure that turbidity levels do not exceed the State water quality standard for turbidity in Class III waters (29 nephelometric turbidity units (NTUs) above background levels) described in Rule 62-302, F.A.C. Prior to the start of work, weighted turbidity curtains will be deployed to isolate the proposed activity from ambient waters.

Secondary impacts have been minimized or eliminated through the use of best management practices identified above.

PART 7:

A. If there have been any pre-application meetings, including on-site meetings, with regulatory staff, please list the date(s), location(s), and names of key staff and project representatives.

B. Please identify by number any MSSW/Wetland Resource/ERP/ACOE Permits pending, issued or denied for projects at the location, and any related enforcement actions.

Agency	Date	No./Type of Application	Action Taken
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

C. Note: The following information is required for projects proposed to occur in, on or over wetlands that need a federal dredge and fill permit or an authorization to use state owned submerged lands. Please provide the names, addresses and zip codes of property owners whose property directly adjoins the project (excluding application) and/or (for proprietary authorizations) is located within a 500 ft. radius of the applicant's land. Please attach a plan view showing the owner's names and adjoining property lines. Attach additional sheets if necessary.

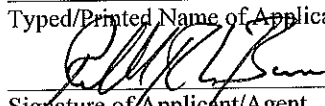
- | | |
|----|----|
| 1. | 2. |
| 3. | 4. |
| 5. | 6. |
| 7. | 8. |

PART 8:

A. By signing this application form, I am applying, or I am applying on behalf of the applicant, for the permit and any proprietary authorizations identified above, according to the supporting data and other incidental information filed with this application. I am familiar with the information contained in this application and represent that such information is true, complete and accurate. I understand this is an application and not a permit, and that work prior to approval is a violation. I understand that this application and any permit issued or proprietary authorization issued pursuant thereto, does not relive me of any obligation for obtaining any other required federal, state, water management district or local permit prior to commencement of construction. I agree, or I agree on behalf of the applicant, to operate and maintain the permitted system unless the permitting agency authorizes transfer of the permit to a responsible operation entity. I understand that knowingly making any false statement or representation in this application is a violation of Section 373.430, F.S. and 18 U.S.C. Section 1001.

Randall R. LaBauve

Typed/Printed Name of Applicant (If no Agent is used) or Agent (If one is so authorized below)


Signature of Applicant/Agent

4-12-13

Date

XP Environmental, Florida Power & Light Company
(Corporate Title if applicable)

AN AGENT MAY SIGN ABOVE ONLY IF THE APPLICANT COMPLETES THE FOLLOWING:

B. I hereby designate and authorize the agent listed above to act on my behalf, or on behalf of my corporation, as the agent in the processing of this application for the permit and/or proprietary authorization indicated above; and to furnish, on request, supplemental information in support of the application. In addition, I authorize the above-listed agent to bind me, or my corporation, to perform any requirements which may be necessary to procure the permit or authorization indicated above. I understand that knowingly making any false statement or representation in this application is a violation of Section 373.430, F.S. and 18 U.S.C. Section 1001.

Typed/Printed Name of Applicant

Signature of Applicant

Date

(Corporate Title if applicable)

Please note: The applicant's original signature (not a copy) is required above.

PERSON AUTHORIZING ACCESS TO THE PROPERTY MUST COMPLETE THE FOLLOWING:

C. I either own the property described in this application or I have legal authority to allow access to the property, and I consent, after receiving prior notification, to any site visit on the property by agents or personnel from the Department of Environmental Protection, the Water Management District and the U.S. Army Corps of Engineers necessary for the review and inspection of the proposed project specified in this application. I authorize these agents or personnel to enter the property as many times as may be necessary to make such review and inspection. Further, I agree to provide entry to the project site for such agents or personnel to monitor permitted work if a permit is granted.

Typed/Printed Name of Applicant

Signature of Applicant

Date

(Corporate Title if applicable)

SECTION C

Environmental Resource Permit Notice of Receipt of Application

Note: this form does not need to be submitted for noticed general permits.

This information is required in addition to that required in other sections of the application. Please submit five copies of this notice of receipt of application and all attachments with the other required information. Please submit all information on 8 1/2" x 11" paper.

Project Name **Jetty Wall Replacement**
County **Brevard**
Owner **Florida Power & Light Company**
Applicant: **Randall R. LaBauve**
Applicant's Address: **700 Universal Boulevard, Juno Beach, FL 33408**

1. Indicate the project boundaries on a USGS quadrangle map. Attach a location map showing the boundary of the proposed activity. The map should also contain a north arrow and a graphic scale; show Section(s), Township(s), and Range(s); and must be of sufficient detail to allow a person unfamiliar with the site to find it.

A location map is included as S-1. It is our understanding that a USGS quadrangle map is not required for this type of project.

2. Provide the names of all wetlands, or other surface waters that would be dredged, filled, impounded, diverted, drained, or would receive discharge (either directly or indirectly), or would otherwise be impacted by the proposed activity, and specify if they are in an Outstanding Florida Water or Aquatic Preserve:

The project is located within the limits of the Indian River.

3. Attach a depiction (plan and section views), which clearly shows the works or other facilities proposed to be constructed. Use multiple sheets, if necessary. Use a scale sufficient to show the location and type of works.

Plan views and section views are included as S-2 through S-7.

4. Briefly describe the proposed project (such as "construct dock with boat shelter", "replace two existing culverts", "construct surface water management system to serve 150 acre residential development"):

The applicant is requesting to repair/replace the existing concrete jetties.

5. Specify the acreage of wetlands or other surface waters, if any, that are proposed to be filled, excavated, or otherwise disturbed or impacted by the proposed activity:

filled 0 ac.; 0 excavated ac.;

other impacts 0.09 ac.

6. Provide a brief statement describing any proposed mitigation for impacts to wetlands and other surface waters (attach additional sheets if necessary):

Based on the absence of submerged aquatic vegetation (SAV) or other resources within the footprint of the project, no impacts are anticipated, therefore no mitigation is proposed.

FOR AGENCY USE ONLY

Application Name:
Application Number:
Office where the application can be inspected:

Note to Notice recipient: The information in this notice has been submitted by the applicant, and has not been verified by the agency. It may be incorrect, incomplete or may be subject to change.

SECTION E

INFORMATION REQUESTED FOR STANDARD GENERAL, INDIVIDUAL AND CONCEPTUAL ENVIRONMENTAL RESOURCE PERMIT APPLICATIONS NOT RELATED TO A SINGLE FAMILY DWELLING UNIT

Please provide the information requested below if the proposed project requires either a standard general, individual, or conceptual approval environmental resource permit and is not related to an individual, single family dwelling unit, duplex or quadruplex. The information listed below represents the level of information that is usually required to evaluate an application. The level of information required for a specific project will vary depending on the nature and location of the site and the activity proposed. Conceptual approvals generally do not require the same level of detail as a construction permit. However, providing a greater level of detail will reduce the need to submit additional information at a later date. If an item does not apply to your project, proceed to the next item. Please submit all information that is required by the Department on either 8 1/2 in. X 11 in. paper or 11 in. X 17 in. paper. Larger drawings may be submitted to supplement but not replace these smaller drawings.

I. Site Information

- A. Provide a map(s) of the project area and vicinity delineating USDA/SCS soil types.
- B. Provide recent aerials, legible for photo interpretation with a scale of 1" = 400 ft, or more detailed, with project boundaries delineated on the aerial.
- C. Identify the seasonal high water or mean high tide elevation and normal pool or mean low tide elevation for each on site wetland or surface water, including receiving waters into which runoff will be discharged. Include dates, datum, and methods used to determine these elevations.
- D. Identify the wet season high water tables at the locations representative of the entire project site. Include dates, datum, and methods used to determine these elevations.

II. Environmental Considerations

- A. Provide results of any wildlife surveys that have been conducted on the site, and provide any comments pertaining to the project from the Florida Game and Fresh Water Fish Commission and the U.S. Fish and Wildlife Service.
- B. Provide a description of how water quantity, quality, hydroperiod, and habitat will be maintained in on-site wetlands and other surface waters that will be preserved or will remain undisturbed.
- C. Provide a narrative description of any proposed mitigation plans, including purpose, maintenance, monitoring, and construction sequence and techniques, and estimated costs.
- D. Describe how boundaries of wetlands or other surface waters were determined. If there has ever been a jurisdictional declaratory statement, a formal wetland determination, a formal determination, a validated informal determination, or a revalidated jurisdictional determination, provide the identifying number.
- E. Impact Summary Tables:
 - 1. For all projects, complete Tables 1, 2 and 3 as applicable.
 - 2. For docking facilities or other structures constructed over wetlands or other surface waters, provide the information requested in Table 4.
 - 3. For shoreline stabilization projects, provide the information requested in Table 5.

III. Plans

Provide clear, detailed plans for the system including specifications, plan (overhead) views, cross sections (with the locations of the cross sections shown on the corresponding plan view), and profile (longitudinal) views of the proposed project. The plans must be signed and sealed by an appropriate registered professional as required by law. Plans must include a scale and a north arrow. These plans should show the following:

- A. Project area boundary and total land area, including distances and orientation from roads or other land marks;
- B. Existing land use and land cover (acreage and percentages), and on-site natural communities, including wetlands and other surface waters, aquatic communities, and uplands. Use the Florida Land Use Cover & Classification System (FLUCCS)(Level 3) for projects proposed in the South Florida Water Management District, the St. Johns River Water Management District, and the Suwannee River Water Management District and use the National Wetlands Inventory (NWI) for projects proposed in the Southwest Florida Water Management District. Also identify each community with a unique identification number which must be consistent in all exhibits.
- C. The existing topography extending at least 100 feet off the project area, and including adjacent wetlands and other surface waters. All topography shall include the location and a description of known benchmarks, referenced to NGVD. For systems waterward of the mean high water (MHW) or seasonal high water lines, show water depths, referenced to mean low water (MLW) in tidal areas or seasonal low water in non-tidal areas, and list the range between MHW and MLW. For docking facilities, indicate the distance to, location of, and depths of the nearest navigational channel and access routes to the channel.
- D. If the project is in the known flood plain of a stream or other water course, identify the following: 1) the flood plain boundary and approximate flooding elevations; and 2) the 100-year flood elevation and floodplain boundary of any lake, stream or other watercourse located on or adjacent to the site;
- E. The boundaries of wetlands and other surface waters within the project area. Distinguish those wetlands and other surface waters that have been delineated by any binding jurisdictional determination;
- F. Proposed land use, land cover and natural communities (acreage and percentages), including wetlands and other surface waters, undisturbed uplands, aquatic communities, impervious surfaces, and water management areas. Use the same classification system and community identification number used in III (B) above.
- G. Proposed impacts to wetlands and other surface waters, and any proposed connections/outfalls to other surface waters or wetlands;
- H. Proposed buffer zones;
- I. Pre- and post-development drainage patterns and basin boundaries showing the direction of flows, including any off-site runoff being routed through or around the system; and connections between wetlands and other surface waters;
- J. Location of all water management areas with details of size, side slopes, and designed water depths;
- K. Location and details of all water control structures, control elevations, any seasonal water level regulation schedules; and the location and description of benchmarks (minimum of one benchmark per structure);
- L. Location, dimensions and elevations of all proposed structures, including docks, seawalls, utility lines, roads, and buildings;
- M. Location, size, and design capacity of the internal water management facilities;
- N. Rights-of-way and easements for the system, including all on-site and off-site areas to be reserved for water management purposes, and rights-of-way and easements for the existing drainage system, if any;

- O. Receiving waters or surface water management systems into which runoff from the developed site will be discharged;
- P. Location and details of the erosion, sediment and turbidity control measures to be implemented during each phase of construction and all permanent control measures to be implemented in post-development conditions;
- Q. Location, grading, design water levels, and planting details of all mitigation areas;
- R. Site grading details, including perimeter site grading;
- S. Disposal site for any excavated material, including temporary and permanent disposal sites;
- T. Dewatering plan details;
- U. For marina facilities, locations of any sewage pumpout facilities, fueling facilities, boat repair and maintenance facilities, and fish cleaning stations;
- V. Location and description of any nearby existing offsite features which might be affected by the proposed construction or development such as stormwater management ponds, buildings or other structures, wetlands or other surface waters.
- W. For phased projects, provide a master development plan.

IV. Construction Schedule and Techniques

Provide a construction schedule, and a description of construction techniques, sequencing and equipment. This information should specifically include the following:

- A. Method for installing any pilings or seawall slabs;
- B. Schedule of implementation of temporary or permanent erosion and turbidity control measures;
- C. For projects that involve dredging or excavation in wetlands or other surface waters, describe the method of excavation, and the type of material to be excavated;
- D. For projects that involve fill in wetlands or other surface waters, describe the source and type of fill material to be used. For shoreline stabilization projects that involve the installation of riprap, state how these materials are to be placed, (i.e., individually or with heavy equipment) and whether the rocks will be underlain with filter cloth;
- E. If dewatering is required, detail the dewatering proposal including the methods that are proposed to contain the discharge, methods of isolating dewatering areas, and indicate the period dewatering structures will be in place (Note: a consumptive use or water use permit may be required);
- F. Methods for transporting equipment and materials to and from the work site. If barges are required for access, provide the low water depths and draft of the fully loaded barge;
- G. Demolition plan for any existing structures to be removed; and
- H. Identify the schedule and party responsible for completing monitoring, record drawings, and as-built certifications for the project when completed.

V. Drainage Information

- A. Provide pre-development and post-development drainage calculations, signed and sealed by an appropriate registered professional, as follows:

1. Runoff characteristics, including area, runoff curve number or runoff coefficient, and time of concentration for each drainage basin;
 2. Water table elevations (normal and seasonal high) including aerial extent and magnitude of any proposed water table draw down;
 3. Receiving water elevations (normal, wet season, design storm);
 4. Design storms used including rainfall depth, duration, frequency, and distribution;
 5. Runoff hydrograph(s) for each drainage basin, for all required design storm event(s);
 6. Stage-storage computations for any area such as a reservoir, close basin, detention area, or channel, used in storage routing;
 7. Stage-discharge computations for any storage areas at a selected control point, such as control structure or natural restriction;
 8. Flood routings through on-site conveyance and storage areas;
 9. Water surface profiles in the primary drainage system for each required design storm event(s);
 10. Runoff peak rates and volumes discharged from the system for each required design storm event(s);
 11. Tail water history and justification (time and elevation); and
 12. Pump specifications and operating curves for range of possible operating conditions (if used in system).
- B. Provide the results of any percolation tests, where appropriate, and soil borings that are representative of the actual site conditions;
- C. Provide the acreage, and percentages of the total project, of the following:
1. Impervious surfaces, excluding wetlands;
 2. Pervious surfaces (green areas, not including wetlands);
 3. Lakes, canals, retention areas, other open water areas; and
 4. Wetlands.
- D. Provide an engineering analysis of floodplain storage and conveyance (if applicable), including:
1. Hydraulic calculations for all proposed traversing works;
 2. Backwater water surface profiles showing upstream impact of traversing works;
 3. Location and volume of encroachment within regulated floodplain(s); and
 4. Plan for compensating floodplain storage, if necessary, and calculations required for determining minimum building and road flood elevations.
- E. Provide an analysis of the water quality treatment system including:
1. A description of the proposed stormwater treatment methodology that addresses the type of treatment, pollution abatement volumes, and recovery analysis; and

2. Construction plans and calculations that address stage-storage and design elevations, which demonstrate compliance with the appropriate water quality treatment criteria.

F. Provide a description of the engineering methodology, assumptions and references for the parameters listed above, and a copy of all such computations, engineering plans, and specifications used to analyze the system. If a computer program is used for the analysis, provide the name of the program, a description of the program, input and output data, two diskette copies, if available, and justification for model selection.

VI. Operation and Maintenance and Legal Documentation

A. Describe the overall maintenance and operation schedule for the proposed system.

B. Identify the entity that will be responsible for operating and maintaining the system in perpetuity if different than the permittee, a draft document enumerating the enforceable affirmative obligations on the entity to properly operate and maintain the system for its expected life, and documentation of the entity's financial responsibility for long-term maintenance. If the proposed operation and maintenance entity is not a property owner's association, provide proof of the existence of an entity, or the future acceptance of the system by an entity which will operate and maintain the system. If a property owner's association is the proposed operation and maintenance entity, provide copies of the articles of incorporation for the association and copies of the declaration, restrictive covenants, deed restrictions, or other operational documents that assign responsibility for the operation and maintenance of the system. Provide information ensuring the continued adequate access to the system for maintenance purposes. Before transfer of the system to the operating entity will be approved, the permittee must document that the transferee will be bound by all terms and conditions of the permit.

C. Provide copies of all proposed conservation easements, storm water management system easements, property owner's association documents, and plats for the property containing the proposed system.

D. Provide indication of how water and waste water service will be supplied. Letters of commitment from off-site suppliers must be included.

E. Provide a copy of the boundary survey and/or legal description and acreage of the total land area of contiguous property owned/controlled by the applicant.

VII. Water Use

A. Will the surface water system be used for water supply, including landscape irrigation, or recreation.

B. If a Consumptive Use or Water Use permit has been issued for the project, state the permit number.

C. If no Consumptive Use or Water Use permit has been issued for the project, indicate if such a permit will be required and when the application for a permit will be submitted.

D. Indicate how any existing wells located within the project site will be utilized or abandoned.

[illegible]

WL = Wetland; SW = Surface water; ID = Identification number, letter, etc.

Wetland Type: Use an established wetland classification system and, in the comments section below, indicate which classification system is being used.

Impact Code (Type): D = dredge; F = fill; H = change hydrology; S = shading; C = clearing; O = other. Indicate the final impact if more than one impact type is proposed in a given area. For example, show F only for an area that will first be dewatered and then backfilled.

(Note: Multiple entries per cell are not allowed, except in the "Mitigation ID" column. Any given acreage of wetland should be listed in one row only, such that the total of all rows equals the project total for a given category of each wetland type found in Wetland No. 1 should be listed in only one row. For example, if Wetland No. 1 includes multiple wetland types and multiple impact codes are proposed in each type, then each proposed impact in each wetland type should be shown on a separate row, while the size of each wetland type found in Wetland No. 1 should be listed in only one row.)

Comments: _____

TABLE 2
 ON-SITE MITIGATION SUMMARY

MITIGATION ID	CREATION		RESTORATION		ENHANCEMENT		WETLAND PRESERVE		UPLAND PRESERVE		OTHER	
	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE
PROJECT TOTALS:												

CODES (multiple entries per cell not allowed): Target Type or Type = target or existing habitat type from an established wetland classification system or land use classification for non-wetland mitigation

COMMENTS:

TABLE 3
 OFF-SITE MITIGATION SUMMARY

MITIGATION ID	CREATION		RESTORATION		ENHANCEMENT		WETLAND PRESERVE		UPLAND PRESERVE		OTHER	
	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE
PROJECT TOTALS:												

CODES (multiple entries per cell not allowed):
 Target Type=target or existing habitat type from an established wetland classification system or land use classification for non-wetland mitigation

TABLE 4
 DOCKING FACILITY SUMMARY

Type of Structure*	Type of Work**	Number of Identical Docks	Length (feet)	Width (feet)	Height (feet)	Total square feet over water	Number of slips
*Dock, Pier, Finger Pier, or other structure (please specify what type) **New, Replaced, Existing (unaltered), Removed, or Altered/Modified				TOTALS:		Existing	Proposed
				Number of Slips			
				Square Feet over the water			

Use of Structure:

Will the docking facility provide:

Live-aboard Slips? If yes, Number:

Fueling Facilities: If yes, Number

Sewage Pump-out Facilities? If yes, Number:

Other Supplies or Services Required for Boating (excluding refreshments, bait and tackle)

☐ Yes ☐ No

Type of Materials for Decking and Pilings (i.e., CCA, pressure treated wood, plastic, or concrete)

Pilings

Decking

Proposed Dock-Plank Spacing (if applicable)

Proposed Size (length and draft), Type, and Number of Boats Expected to Use or Proposed to be Mooring at the facility)

Table 5: SHORELINE STABILIZATION
 IF YOU ARE CONSTRUCTING A SHORELINE STABILIZATION PROJECT, PLEASE PROVIDE THE
 FOLLOWING:

Type of Stabilization Being Done	Length (in feet) of New	Length (in feet) of Replaced	Length (in feet) of Repaired	Length (in feet) of Removed	Slope: H: V:	Width of the Toe (in feet)
Vertical Seawall						
Seawall plus Rip- Rap						
Rip-Rap						
Rip-Rap plus Vegetation						
Other Type of Stabilization Being Done:						

Size of the Rip Rap: ____

Type of Rip Rap: ____

COMMENTS:

**Checklist of Information Needed to Complete Section 7 Consultations for U.S. Army
Corps of Engineers Regulatory Division Applications**

Project Specifications:

- Project or name of applicant, Action ID number

Florida Power & Light Company-concrete jetty wall repair/replacement

- Describe the location of the project site (address and latitude/longitude information).
Location data **must** be given datum (e.g., NAD83) and lat/long format using decimal-degrees (**not** minutes and seconds): e.g., 27.71622N, 80.25174W.
On-line conversion: <http://www.fcc.gov/mb/audio/bickel/DDDMSS-decimal.html>

6000 N. Highway 1, Cocoa, FL 32927
lat/long 28.46758296N / -80.76045858W

- In which body of water is the project located? If on a river or estuary, state the approximate navigable distance from the bay, ocean, or gulf).

Indian River - approximate distance to closest Inlet (Sebastian Inlet) 45 miles

Site Description:

- Describe any existing structures and their use - for instance, acreage of overwater structures, if it's an existing marina, how many boat slips are present and what is their size.

The existing structures consist of a 90 L.F. concrete jetty wall and a 900 L.F. concrete jetty wall. No slips are associated with these structures.

- Is the project location within designated critical habitat?

No

- If project occurs in critical habitat, are PCEs present?

N/A - project is not located in critical habitat

- What are the baseline conditions within the project area, including substrate type?

Please see Attachment 1

- Are seagrasses present in the project area? Include percent coverage estimates by species and the relative location of seagrass in relation to proposed structures. Was a seagrass or benthic habitat survey completed? If so, please submit. *

Please see Attachment 2

- Are mangroves present in or near the project area? Which species (red, black, white) and how much?

Please see Attachment 3

- Are corals present in or near the project area? Include density or percent coverage estimates by species and describe proximity of corals to proposed structures.

No corals are present in or near the project area.

- Was a benthic survey conducted within Johnson's seagrass growing season (April 1 - August 31)?

☒ Yes

☐ No

Construction Methods/ Project Description:

- Construction methods, including description of any demolition of existing structures or removal of debris. Will the work be done from a barge or uplands?

Demolition of the existing concrete jetty wall is not proposed. The new vinyl sheet wall will be installed around the existing wall utilizing a vibratory and/or impact hammer.

The project will utilize a 30' barge with a 2' draft fully loaded. During construction of the 900 L.F. wall the barge will remain on the north side of the existing jetty where the depths are a minimum of -4' at mean low water. The construction of the 90 L.F. wall may take place from the uplands and/or from water. The work from the water side will utilize a 30' barge with a 2' draft fully loaded.

- For docks, what type of decking will be used? If grated, provide manufacturer's name/ address/grating type, and percent light transmittance (%LT) of the grating design used? If wooden planks, what is the proposed spacing between the deckboards (1/2-inch, 3/4-inch, 1-inch, other?). *Has the applicant been advised that COE-NMFS project review is significantly simplified and expedited for dock designs incorporating >43% LT grated decking, or 1-inch deckboard- and walkway-spacing, over Johnson's seagrass areas?* Proposed height of dock? Orientation of the dock (N, S, etc.)?

N/A

- Piling construction methodology. Are pile driving methods adequately described and are potential impacts to species adequately addressed? Will submerged aquatic vegetation (SAV) be impacted by pile installation? *If necessary, will the applicant's contractor adjust the spacing between piles to avoid driving piles onto Johnson's seagrass? Avoiding all piling impacts to JSG will significantly simplify and expedite the COE-NMFS project review process.*

N/A - no pilings are proposed for this construction

- Number of new slips and size of slips, if applicable. If new construction includes High-and-Dry boat storage, what is the High-and-Dry vessel storage capacity?

N/A - no new slips are proposed

- How big are the boats that are planned to be moored at the dock (either in the water or on a boatlift), if known?

N/A

- For all projects **not** involving docks or marinas (i.e., seawalls, jetties, etc.), please provide project description.

The project is to intended to repair/replace two existing concrete jetties, one which is 90' in length and one which is 900' in length. The jetties will be repaired/replaced by placing vinyl sheetwall on each side of the existing concrete wall.

- Dredging? If yes, describe depth of cut, dredge type used, how many cubic yards, and what will be done with the spoil. Describe bottom sediments. Describe area hydrodynamics, i.e., average current speed and direction.

N/A - no dredging is proposed

- Blasting? If yes, describe explosive weights, blasting plan, etc.

N/A - no blasting is proposed

- What is the intended construction schedule (how many days, weeks, or months for in-water work)?

The project is anticipated to take 6-8 weeks for construction.

Potential Effects on Species/Critical Habitat:

- Please explain any impacts/effects to the critical habitat's primary constituent elements - PCEs)? Please identify which critical habitat unit(s) is being affected (e.g., Gulf sturgeon have 14 units, seven under NMFS jurisdiction and seven under FWS jurisdiction).

No critical habitat exists in this location, therefore there are no PCE's

- What will the effects be, if any, to each PCE?

N/A - see above

- Square footage to be affected by project?

3,960 square feet

- Will mangroves be impacted? Explain and quantify impacts.

No mangroves will be impacted by the project. The new vinyl sheet wall will be installed in a manner that does not affect the adjacent mangroves.

- How will the habitat be changed/alterd as a result of the action? Could or will the alteration affect listed species? How?

No habitat change or alteration is anticipated since this is a repair/replacement of the existing structure.

•Listed species within the project area:

- | | | |
|---|--|--|
| ☒ Sea turtles | ☒ Smalltooth sawfish | ☐ Shortnose sturgeon |
| ☐ Elkhorn coral | ☐ Johnson's seagrass | ☐ North Atlantic right whales |
| ☐ Staghorn coral | ☐ Gulf sturgeon | ☐ Other whales |

•Explain potential effects to each species checked above:

The project is not anticipated to have any effects on sea turtles or smalltooth sawfish. Noise levels do not exceed 110 dBs so no impacts from noise are anticipated and while the project may result in some suspension of sediments and the use of a manatee observer and turbidity controls is anticipated to eliminate any impacts to these species.

•Shading impacts from construction.

No seagrass is present in the immediate vicinity therefore no shading impact are anticipated.

•What is the estimated shadow effect of the boat (sq ft of shaded area beneath)?

N/A for jetty wall

•Discuss potential anchoring impacts to seagrass and corals. Discuss available water depth under the keel/propeller at Mean Low Water and the potential for prop dredging or blowouts. Discuss potential prop-scarring impacts to corals and seagrasses.

The structure does not accommodate vessels and the barge associated with construction of the jetty wall is a 30' barge with a draft of 2' fully loaded therefore the barge will maintain 2' or more of clearance from the bottom (no corals or seagrass present in the locations of barge utilization) during the project.

•Describe increased boat traffic impacts, if any. Are there posted speed zones in the area?

N/A for this project

•Describe Noise Impacts (this section not applicable to single-family, multi-family, and marina dock projects where piles driven are 12 inches or less in diameter).

Noise impacts are negligible using both the vibratory and impact hammers to install the vinyl sheet panels. Vibratory hammer noise levels are estimated to be 96 dBs and impact hammer noise levels are estimated to be 101 dBs.

- Source level of noise exceeds 120 dB re 1uPa RMS for continuous noise

☐ Yes ☒ No

- Source level exceeds 160 dB re 1 uPa RMS for impulsive noise

☐ Yes ☒ No

- Source level exceeds 180 dB re 1 uPa zero to peak

☐ Yes ☒ No

Effects Determination:

- For executing the action (i.e., construction activities)

☐ No Effect ☒ NLAA ☐ May Affect

- For the result of the action (i.e., new dock)

☐ No Effect ☒ NLAA ☐ May Affect

- If “No Effect” is determined for all species and critical habitat, please note your findings in a memorandum to your project file; no consultation/concurrence with/from NMFS is required.

☐ Memo made ☒ N/A

Mitigation/Protective Measures:

- Will the applicant follow the August 2001 Dock Construction Guidelines?

☐ Yes ☒ No

- Will the applicant follow the October 2002 Johnson's Seagrass Key?

☐ Yes ☒ No

- Will the Sea Turtle and Smalltooth Sawfish Construction Conditions, dated March 23, 2006, be followed?

☒ Yes ☐ No

- If not following any of the above, please explain:

The project does not involve dock construction and no seagrass is present within the project footprint.

- Turbidity controls? If yes, description of type used.

Weighted turbidity curtains will be utilized for the duration of the project.

- What are the proposed avoidance, minimization, and compensatory measures?

No compensatory measures are proposed since the proposed repair/replacement of the existing jetty walls is not anticipated to have adverse impacts to any adjacent resources. The effects of the project on listed species will be minimized or eliminated by the use of the turbidity curtains, a dedicated manatee observer, and by following the standard manatee conditions for in-water construction activities and sea turtle and smalltooth sawfish construction conditions. In addition, the construction will only be performed during daylight hours for the duration of the project.

Each consultation letter should address the impacts listed in the checklist and their associated effects on listed species and their critical habitat. An explanation of how the impacts occur, their effects, and any mitigative measures that will be implemented to reduce the projects effects on listed species and their critical habitat should be included in the consultation letter.

* If Johnson's seagrass is present, please consult the following:

- Dock Construction Guidelines in Florida for Docks or Other Minor Structures Constructed in or over Submerged Aquatic Vegetation, Marsh or Mangrove Habitat - U.S. Army Corps of Engineers/National Marine Fisheries Service, dated August 2001*
- Key for Construction Conditions for Docks or Other Minor Structures Constructed in or Over Johnson's Seagrass (Halophila johnsonii) National Marine Fisheries Service/U.S. Army Corps of Engineers, dated October 2002*

Updated: August 2008

Print Form

**FPL Jetty Wall
NMFS Checklist**

Attachment 1

The project site has an earthen wave break which includes a concrete bulkhead immediately adjacent to a concrete platform over water. The earthen wave break has a 90' concrete jetty associated with it and the remainder of the shoreline on the wave break consists of a combination of riprap and natural shoreline with a narrow fringe of white mangroves, red mangroves, Brazilian pepper, and black mangroves. On the southern side of the basin, a concrete jetty extends out into the Indian River. The substrate for the area is a sand/silt mix.

**FPL Jetty Wall
NMFS Checklist**

Attachment 2

No seagrasses are present in the area of the north 90 L.F. concrete jetty wall which comes off the earthen wave break. Some sparse *Halodule wrightii* was located adjacent to the south side of the 900 L.F. concrete jetty wall on the south side of the basin but the seagrasses are a minimum of 10' from the existing jetty wall in this location and most of the seagrass was located 40'+ from this existing jetty. A seagrass survey was completed 6/20/12 and a copy of that survey is enclosed.

**FPL Jetty Wall
NMFS Check list**

Attachment 3

A narrow fringe (approx. 10' or less) of white, red, and black mangroves is present to the east and west of the concrete jetty associated with the earthen wave break. White mangroves are present adjacent to the 90' concrete jetty but none actually occur within the work footprint so no mangrove impacts are proposed as a result of the wall installation.

**JETTY WALL
REPLACEMENT
FLORIDA POWER & LIGHT
28.468456, -80.760595
CAPE CANAVERAL, FLORIDA**

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DESIGNED BY: Douglas R Davis	DRAWN BY: Douglas R Davis	PROJECT #:
CHECKED BY: Charles A Darden	PLT DATE: 13-Mar-2013	
KAYLA (ONE CHANNEL) - JETTY (REPLACEMENT)		
SCALE	NOT TO SCALE	

[illegible]

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ALL SIZES MATCHED PERMAN TO 4.5"x1" FLOTS

CIVIL - STRUCTURAL - MARINE



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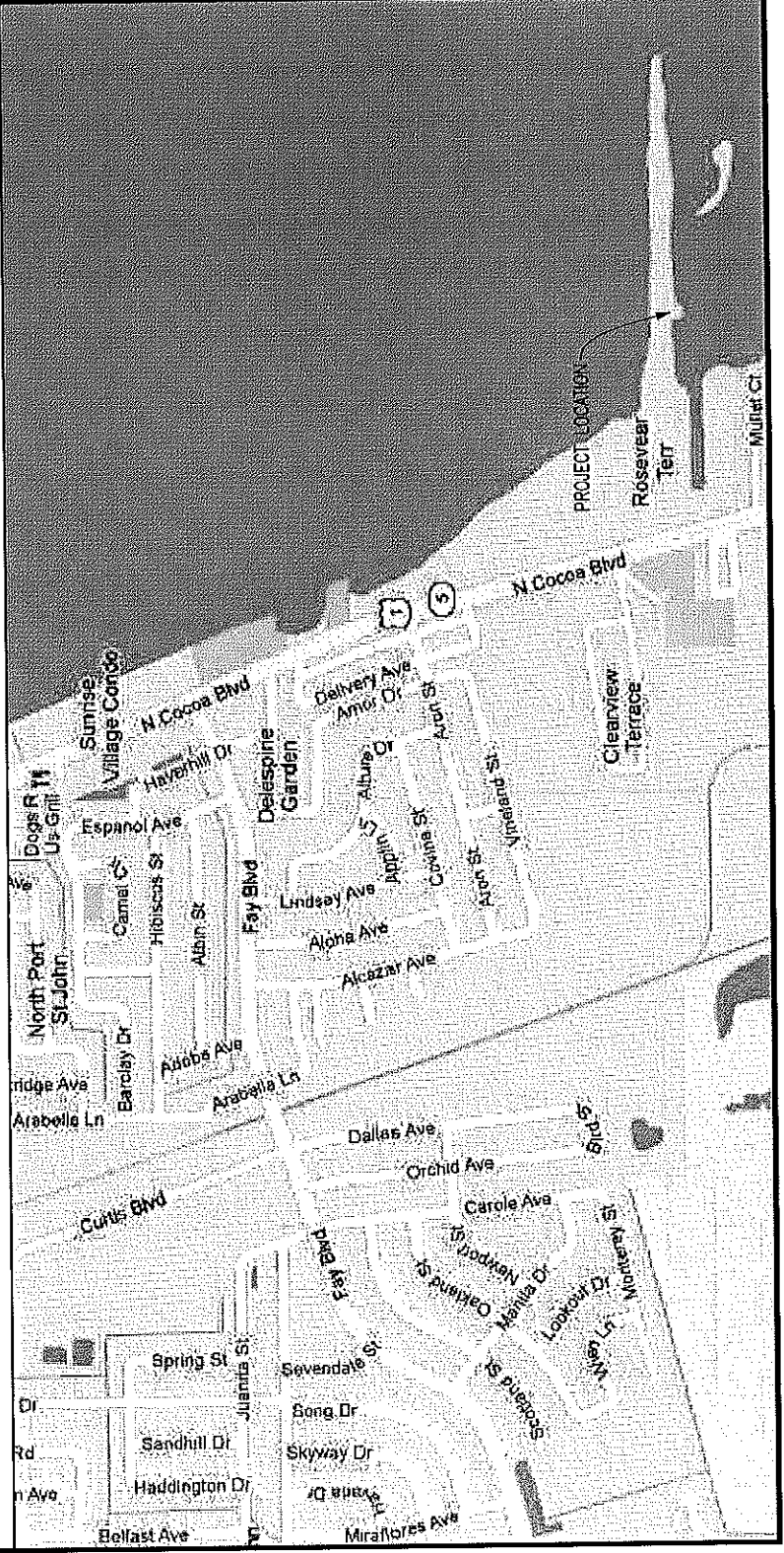
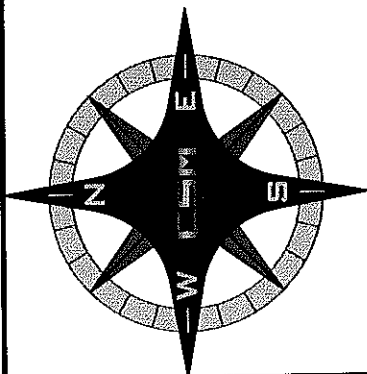
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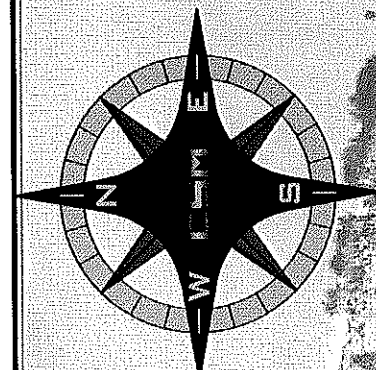
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 ADDRESS OF ALUMINATION: 00060633

JUDY ANN PERKINS
FLORIDA REGISTERED PROFESSIONAL ENGINEER
NO. 60332
DATE

SHEET NAME: LOCATION MAP

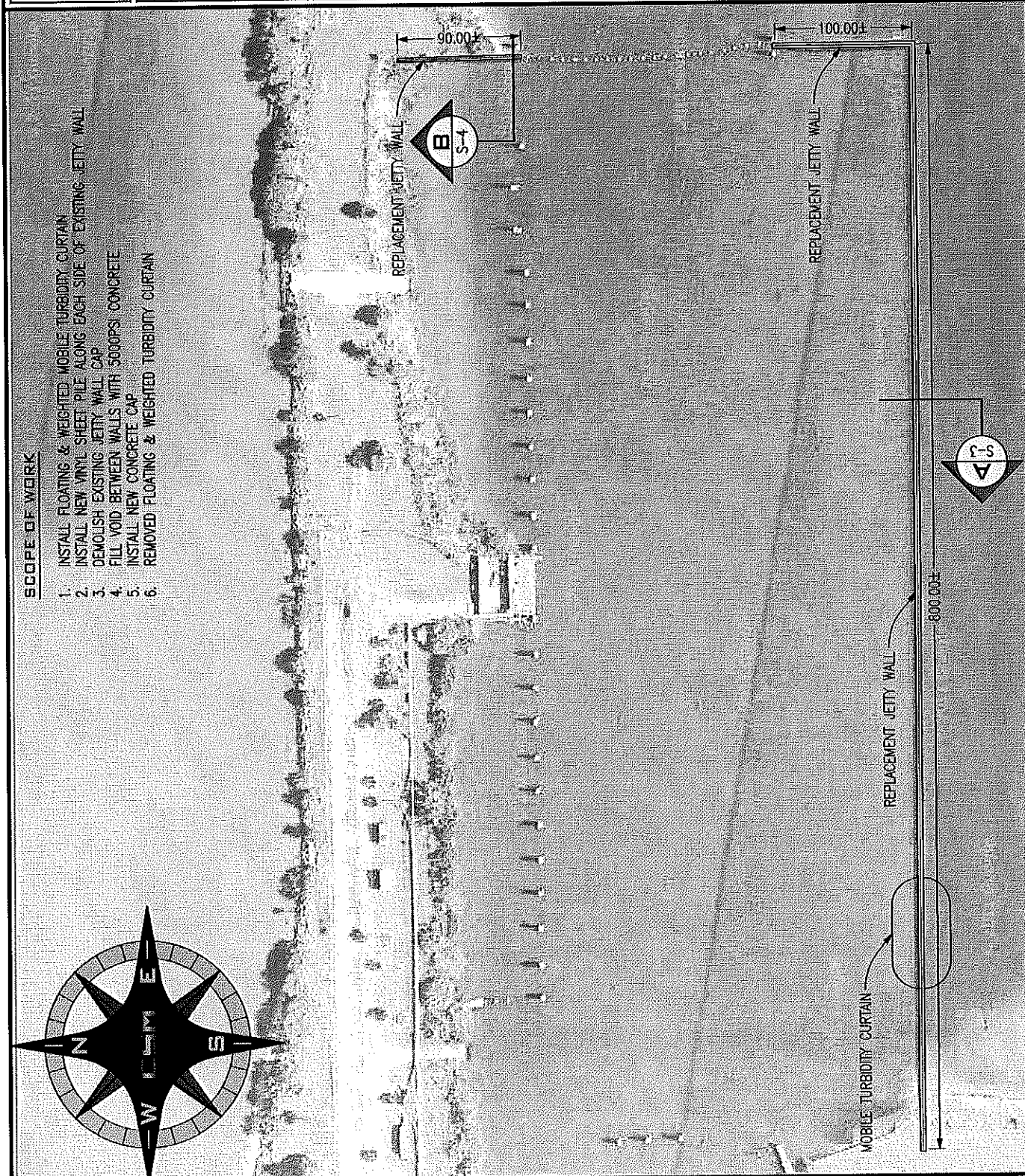
SHEET # S-1





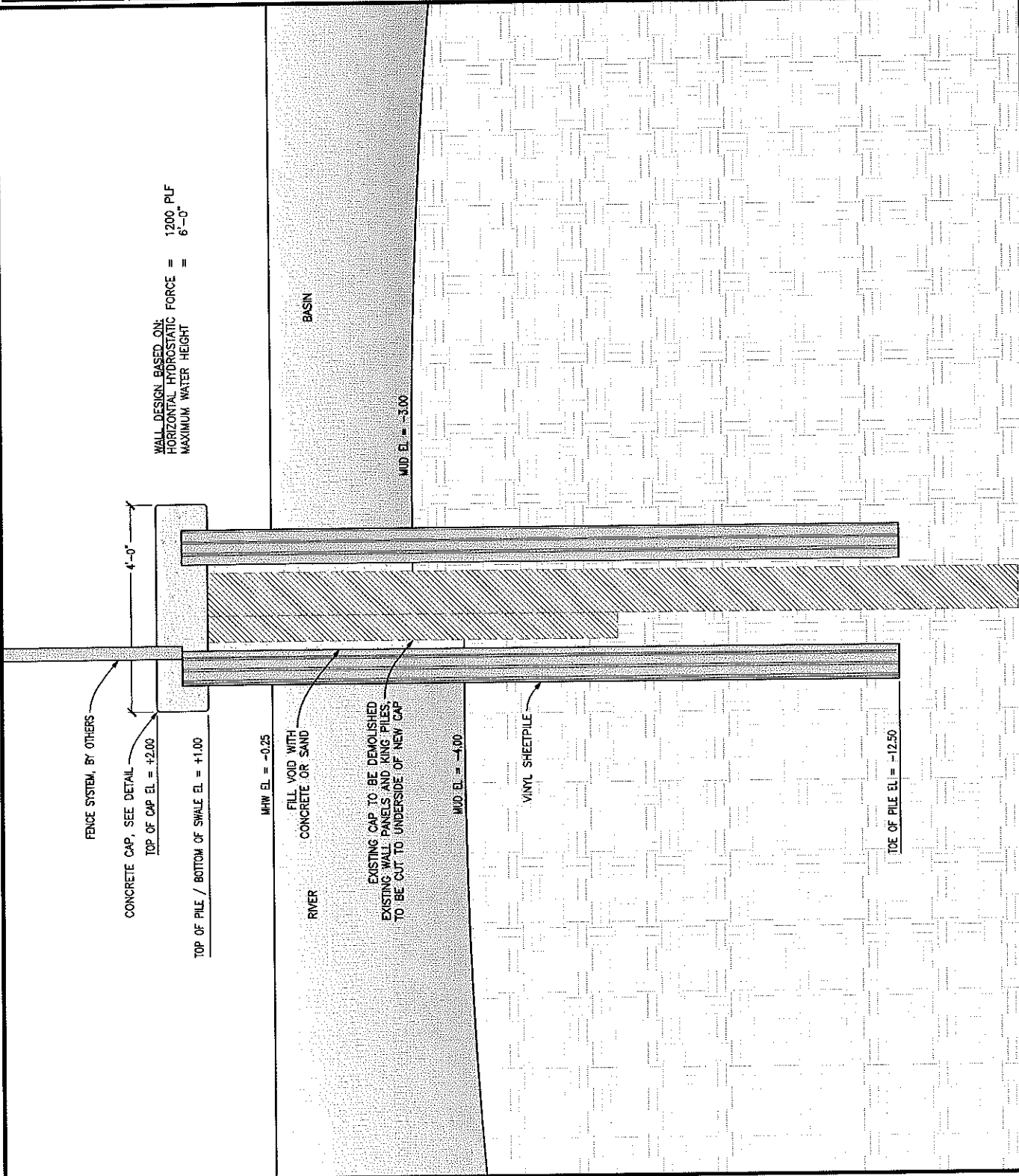
SCOPE OF WORK

1. INSTALL FLOATING & WEIGHTED MOBILE TURBIDITY CURTAIN
2. INSTALL NEW VINYL SHEET PILE ALONG EACH SIDE OF EXISTING JETTY WALL
3. DEMOLISH EXISTING JETTY WALL CAP
4. FILL VOID BETWEEN WALLS WITH 5000PSI CONCRETE
5. INSTALL NEW CONCRETE CAP
6. REMOVED FLOATING & WEIGHTED TURBIDITY CURTAIN



PROJECT	
JETTY WALL REPLACEMENT FLORIDA POWER & LIGHT 28,468456, -80,760595 CAPE CANAVERAL, FLORIDA	
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DESIGNED BY: Douglas E. Davis DRAWN BY: Douglas E. Davis	
CHECKED BY: Charles A. Jordan	PLOT DATE: 12-Mar-2013
SHEET: (CAPE CANAVERAL) - JETTY (REPLACEMENT)	
SCALE: 1" = 20'-0"	
PROJECT #:	
THE ENGINEER HEREBY CERTIFIES THAT THE DESIGN AND CONSTRUCTION OF THE PROJECT HAVE BEEN REVIEWED AND FOUND TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION. THE ENGINEER'S REVIEW IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT AND DOES NOT INCLUDE THE REVIEW OF THE PROJECT'S IMPACT ON THE ENVIRONMENT OR THE PROJECT'S COMPLIANCE WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S REGULATIONS. THE ENGINEER'S REVIEW IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT AND DOES NOT INCLUDE THE REVIEW OF THE PROJECT'S IMPACT ON THE ENVIRONMENT OR THE PROJECT'S COMPLIANCE WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S REGULATIONS.	
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ENGINEERING	
CSM ENGINEERING, LLC 1235 SE JAGUAR STREET - SUITE 103 SUNLAND, FLORIDA 34197 P: 772-220-4901 W: WWW.CSM-ENG.COM CERTIFICATE OF AUTHORIZATION: 00000005	
JUDY ANN PERKINS DATE	
FLORIDA REGISTERED PROFESSIONAL ENGINEER NO. 00000	
SHEET NAME SITE	
SHEET # S-2	

PROJECT: JETTY WALL REPLACEMENT FLORIDA POWER & LIGHT 28.468456, -80.760595 CAPE CANAVERAL, FLORIDA	
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DESIGNED BY:	CSM ENGINEERING, LLC
CHECKED BY:	PLUT DATE: 12-MAR-2013
AS/VP (CAPE CANAVERAL) - JETTY REPLACEMENT	
SCALE:	3/8" = 1'-0" PROJECT #:
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JUDY ANN PERKINS FLORIDA REGISTERED PROFESSIONAL ENGINEER NO. 63332	DATE
SHEET NAME JETTY WALL SECTION A	
SHEET # S-3	



PROJECT:

JETTY WALL
REPLACEMENT
FLORIDA POWER & LIGHT
28.468456, -80.760595
CAPE CANAVERAL, FLORIDA

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DESIGNED BY:	DWIGHT BIR
CHECKED BY:	PLUT DATE: 12-MAR-2013
DATE:	3/12/13
PROJECT #:	3/12/13

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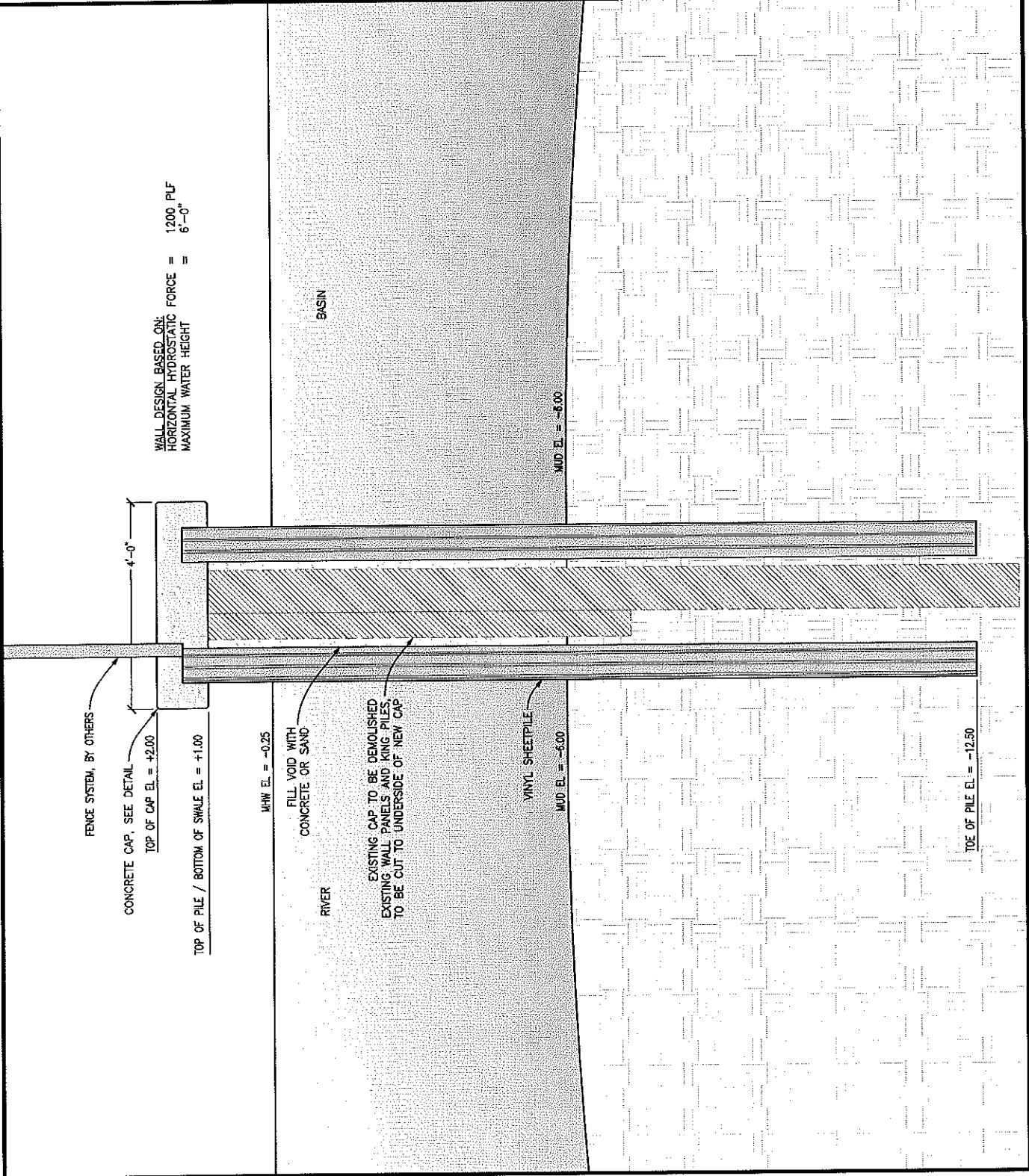
ENGINEERING

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12345 SE INDIAN STREET, SUITE 103
STUART, FLORIDA 34997
OR: 772-220-4601
WC: www.CSM-Eng.com
CERTIFICATE OF AUTHORIZATION: 00026263

JUDY ANN PERKINS
FLORIDA REGISTERED PROFESSIONAL ENGINEER
DATE: NO. 03320

JETTY WALL SECTION B

SHEET # S-4



PROJECT:

JETTY WALL
REPLACEMENT
FLORIDA POWER & LIGHT
28.468456, -80.760595
CAPE CANAVERAL, FLORIDA

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DESIGNED BY:

CHECKED BY:

DATE: 12-16-2013

SCALE: NOT TO SCALE

PROJECT #:

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CIVIL - STRUCTURAL - MARINE



ENGINEERING

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STUART, FLORIDA 34997
P: 772-220-4601
F: 772-220-4602
WWW.CSM-ENG.COM

CERTIFICATE OF AUTHORIZATION: 00026363

JUDY ANN PERKINS

DATE

FLORIDA REGISTERED PROFESSIONAL ENGINEER

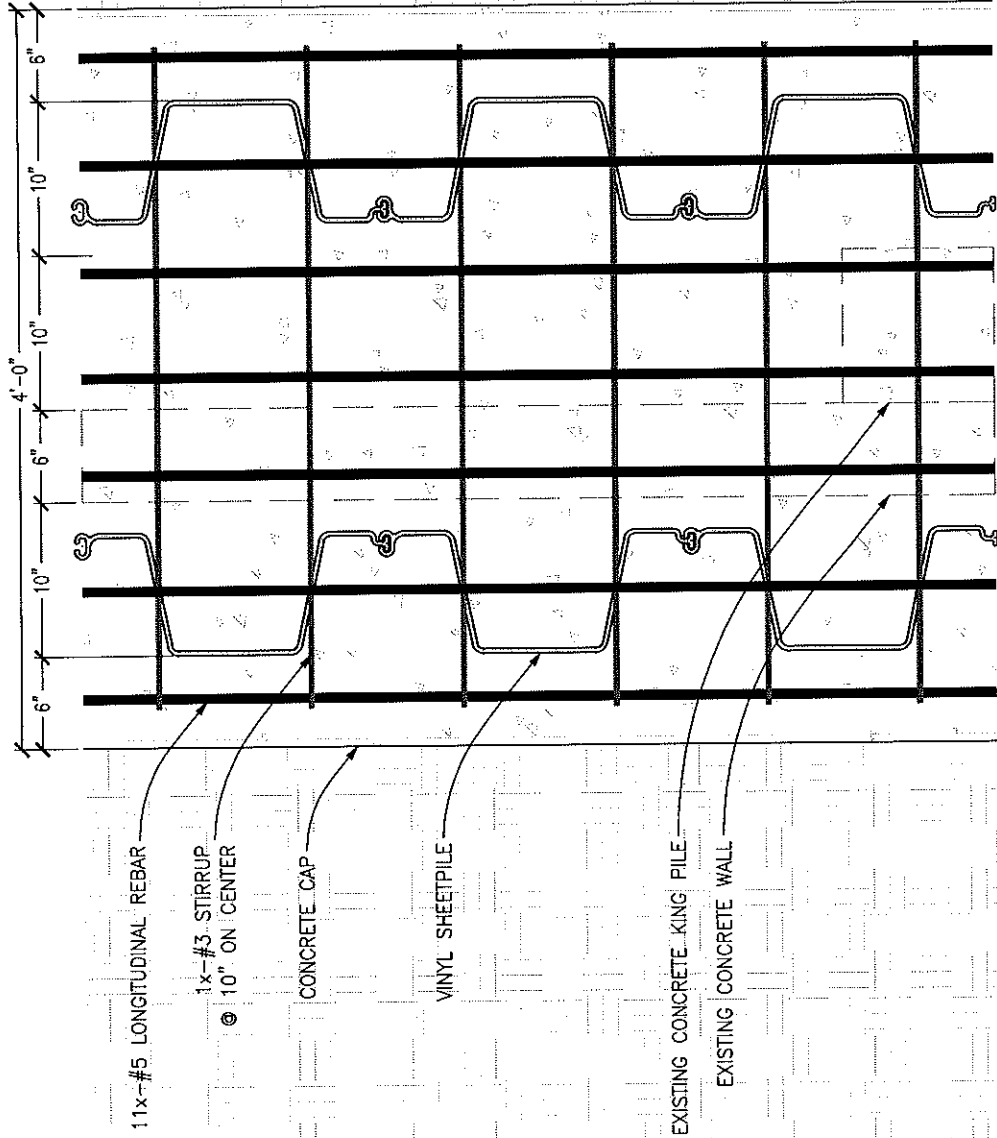
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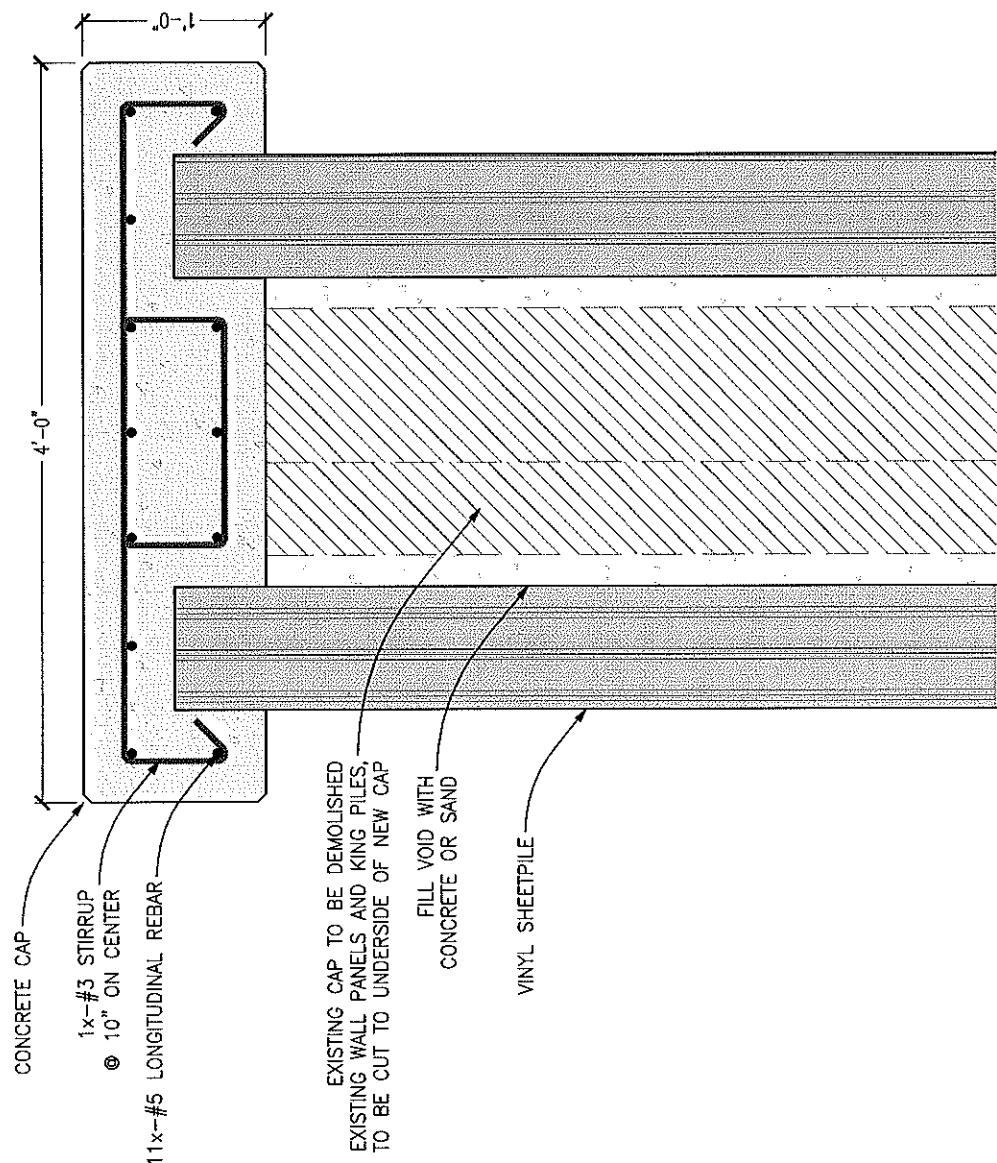
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CAP DETAIL (TOP)

SCALE: 1" = 1'-0"

PROJECT: JETTY WALL REPLACEMENT FLORIDA POWER & LIGHT 28.468456, -80.760595 CAPE CANAVERAL, FLORIDA	
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DESIGNED BY:	DRAWN BY:
CHECKED BY:	PLUT DATE: 12-MAR-2013
SCALE:	AS SHOWN (NOT TO SCALE)
PROJECT #:	
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JUDY ANN PERKINS FLORIDA REGISTERED PROFESSIONAL ENGINEER DATE: _____ NO. 00322	
SHEET NAME: CAP DETAIL	
SHEET # S-6	



CAP DETAIL (SIDE)
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**JETTY WALL
REPLACEMENT
FLORIDA POWER & LIGHT
28.468456, --80.760595
CAPE CANAVERAL, FLORIDA**

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ALL DIMENSIONS SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR. THE CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION OF ALL DIMENSIONS.

ALL SCALES INDICATED PERTAIN TO 8.5"x11" PLOTS

CIVIL - STRUCTURAL - MARINE



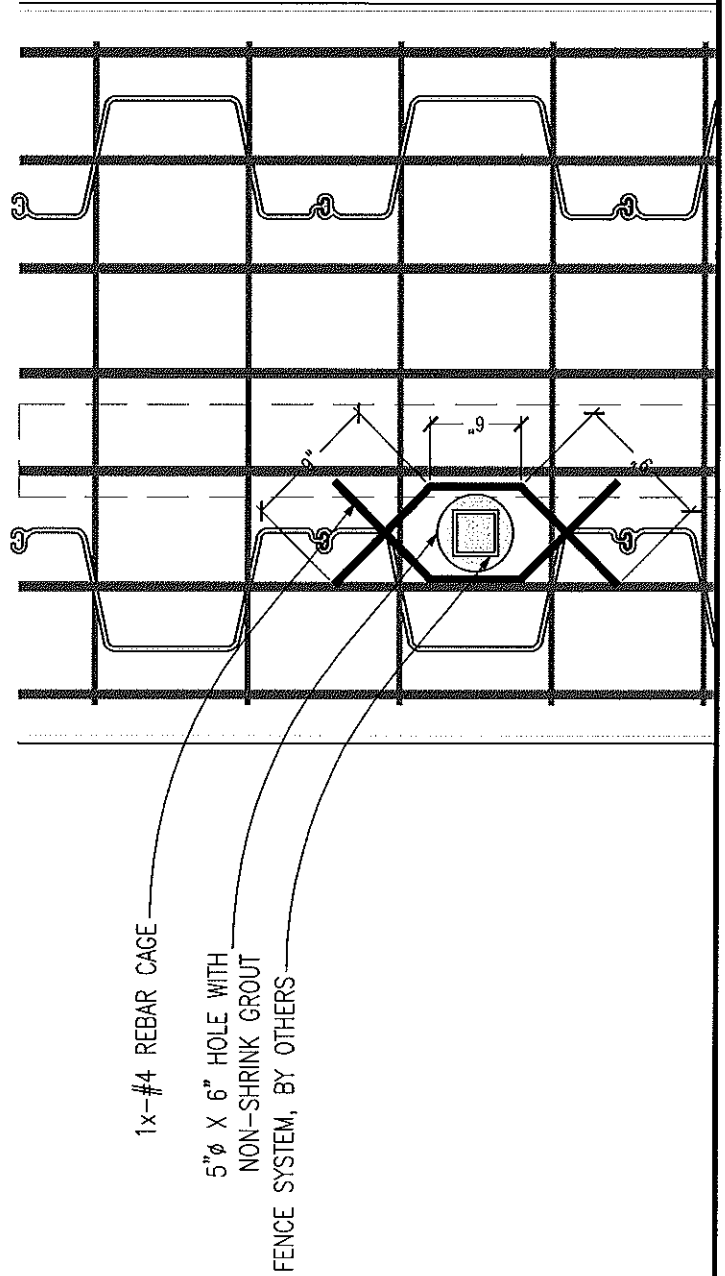
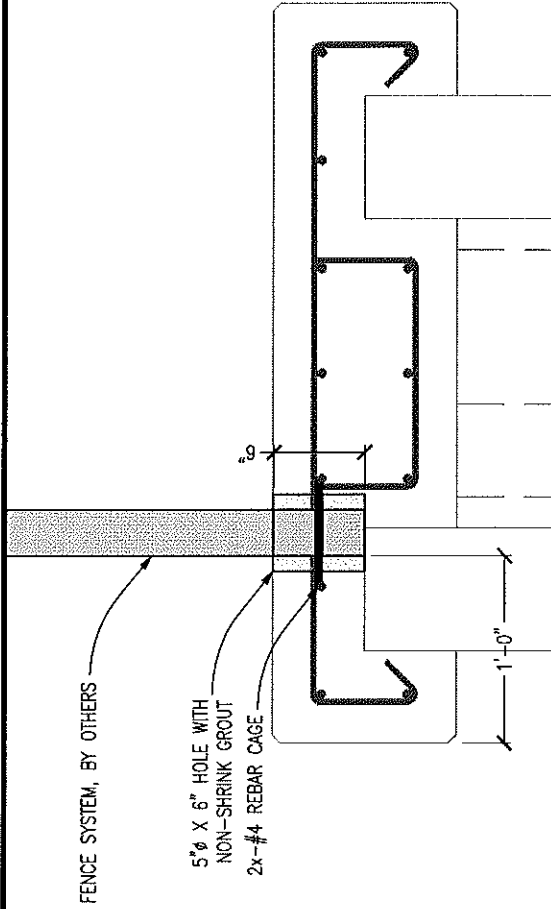
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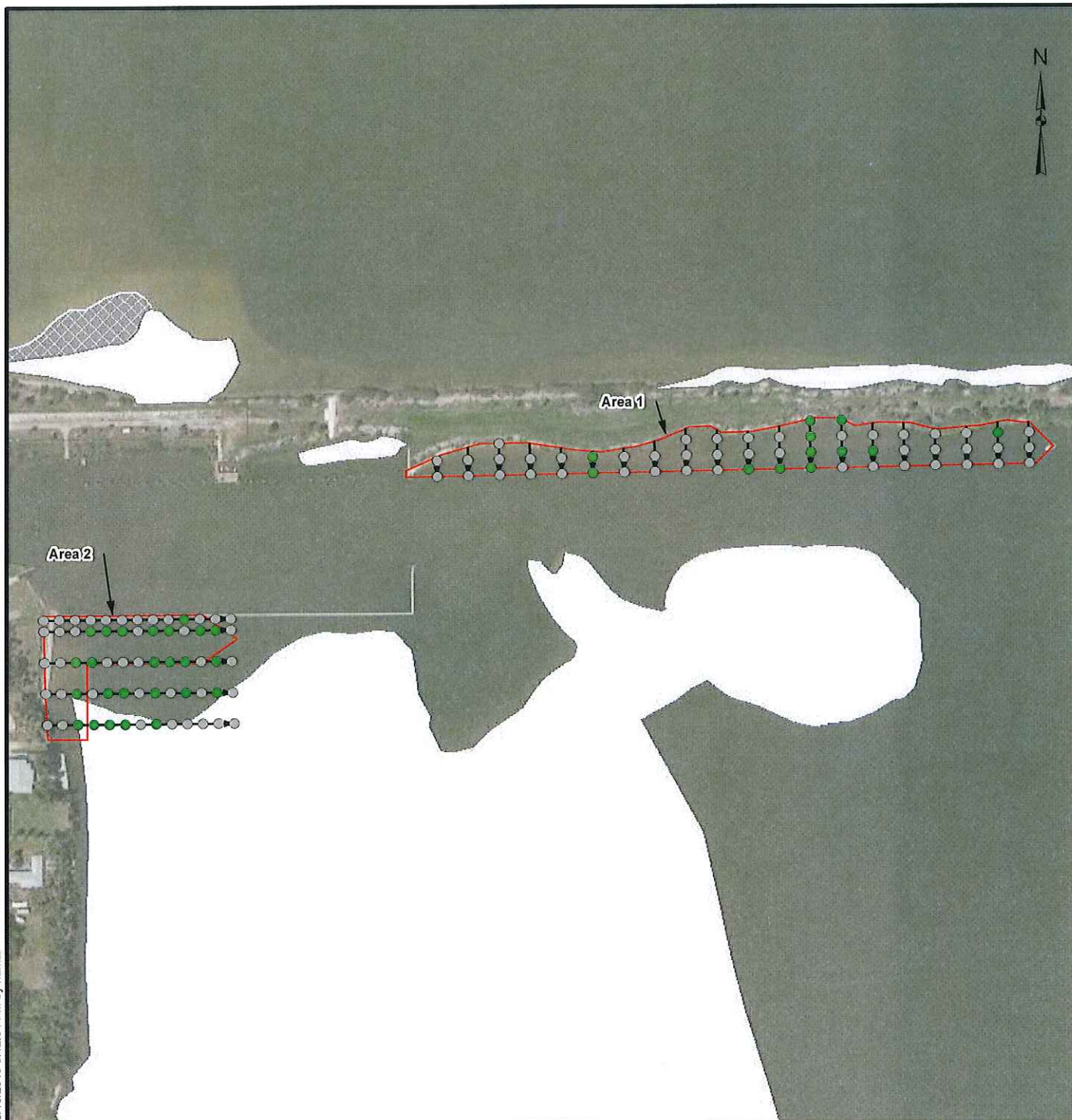
CSM ENGINEERING, LLC
1235 SE INDIAN STREET - SUITE 103
STUART, FLORIDA 34997
o: 772-220-4601
w: www.CSM-Engl
CERTIFICATE OF AUTHORIZATION: 00026263

JUDY ANN PERKINS **DATE**
FLORIDA REGISTERED PROFESSIONAL ENGINEER **NO. 62332**

SHEET NAME
FENCE POST DETAIL

5-7





LEGEND

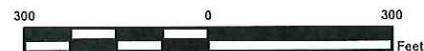
- 1,2 Depth (m)
 → Transects
 Survey Areas
 FWC Seagrass Segments
 Continuous
 Discontinuous

- Seagrass Observed Abundance
 No
 Yes
 Species
Halodule wrightii
 = few
 1 = < 5% cover
 2 = 5 - 25% cover
 3 = 26 - 50% cover
 4 = 51 - 75% cover
 5 = 76 - 100% cover

REFERENCES

1. Transects, Survey Areas, Seagrass Observations, Golder Associates Inc., 2012
2. Seagrass Segements, FWC, 2010
3. Bing Imagery Supplied by Microsoft® Virtual Earth Bing Map™ License Under ESRI Inc. ©2010 Microsoft Corporation and its Data Suppliers. Accessed 6/20/2012

Coordinate System: NAD 1983 StatePlane Florida East FIPS 0901 Feet



REV.	DATE	DES	REVISION DESCRIPTION	GIS	CHK	RWW
PROJECT						

FPL CAPE CANAVERAL ENERGY CENTER

TITLE

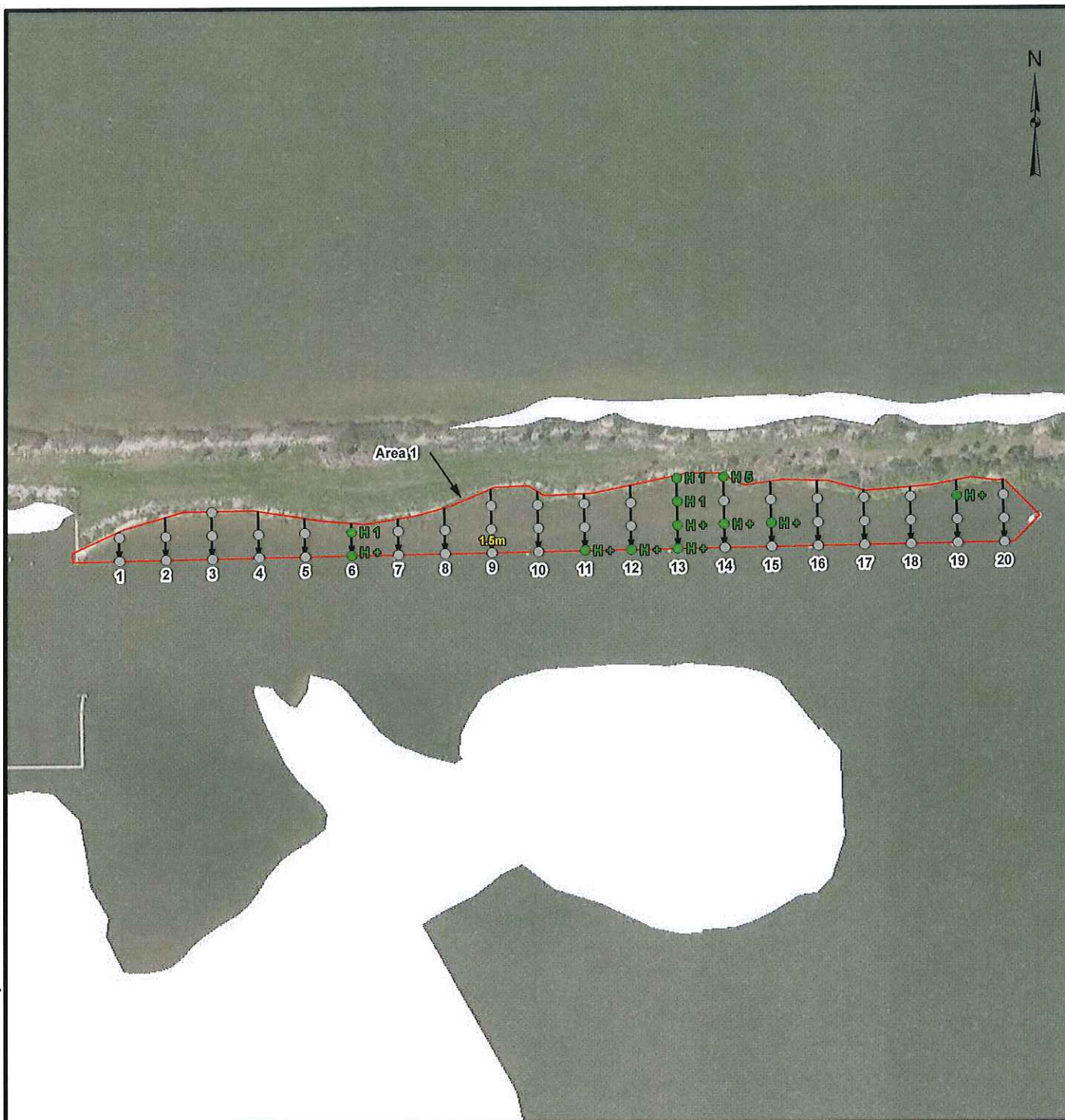
AQUATIC ORGANISM RETURN OPTIONS SEAGRASS ASSESSMENT



PROJECT No.	103-89593	FILE No.	10389593_C001
DESIGN	MH	6/20/2012	SCALE: AS SHOWN
GIS	NRL	6/20/2012	REV. 0
CHECK	BSJ	6/20/2012	
REVIEW	MH	6/20/2012	

FIGURE 1.1

Page 1 of 3



LEGEND

- 12 Depth (m)
 → Transects
 Survey Areas
- FWC Seagrass Segments**
 Continuous
 Discontinuous
- Seagrass Observed Abundance**
 No
 Yes
- Species**
 Halodule wrightii
- Abundance**
 = few
 1 = < 5% cover
 2 = 5 - 25% cover
 3 = 26 - 50% cover
 4 = 51 - 75% cover
 5 = 76 - 100% cover

REFERENCES

1. Transects, Survey Areas, Seagrass Observations, Golder Associates Inc., 2012
2. Seagrass Segments, FWC, 2010
3. Bing Imagery Supplied by Microsoft® Virtual Earth Bing Map™ License Under ESRI Inc. ©2010 Microsoft Corporation and its Data Suppliers. Accessed 6/20/2012

Coordinate System: NAD 1983 StatePlane Florida East FIPS 0901 Feet



REV.	DATE	DES	REVISION DESCRIPTION	GIS	CHK	RWW
PROJECT						

FPL CAPE CANAVERAL ENERGY CENTER

TITLE

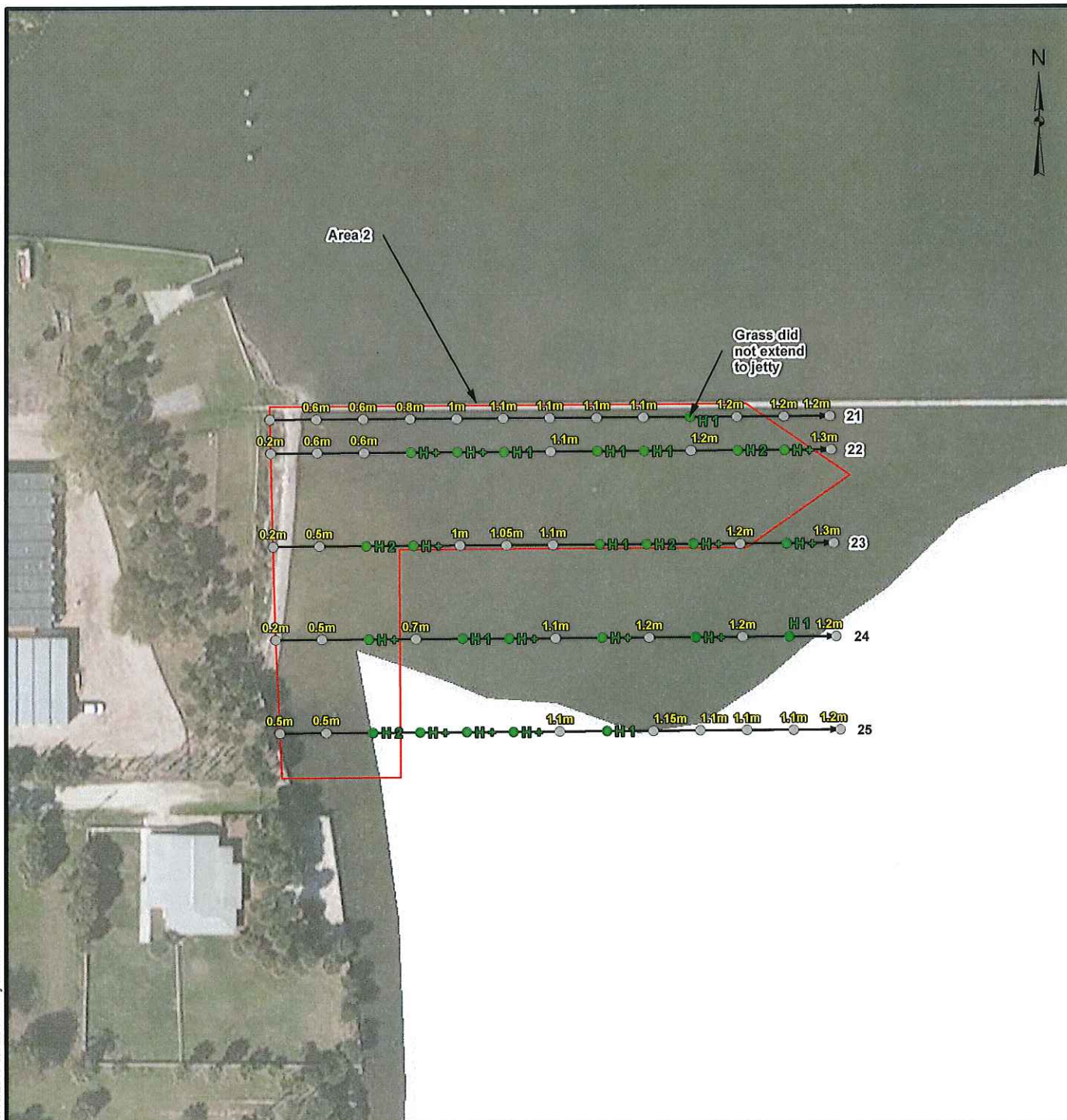
AQUATIC ORGANISM RETURN OPTIONS SEAGRASS ASSESSMENT



PROJECT No.	103-89593	FILE No.	10389593_C001
DESIGN	MH	6/20/2012	SCALE: AS SHOWN REV. 0
GIS	NRL	6/20/2012	
CHECK	BSJ	6/20/2012	
REVIEW	MH	6/20/2012	

FIGURE 1.2

Page 2 of 3



LEGEND

- Depth (m)
 Transects
 Survey Areas
- FWC Seagrass Segments**
 Continuous
 Discontinuous
- Seagrass Observed Abundance**
 No
 Yes
- Species**
Halodule wrightii
- Abundance**
 + = few
 1 = < 5% cover
 2 = 5 - 25% cover
 3 = 26 - 50% cover
 4 = 51 - 75% cover
 5 = 76 - 100% cover

REFERENCES

1. Transects, Survey Areas, Seagrass Observations, Golder Associates Inc., 2012
2. Seagrass Segments, FWC, 2010
3. Bing Imagery Supplied by Microsoft® Virtual Earth Bing Map™ License Under ESRI Inc. ©2010 Microsoft Corporation and its Data Suppliers. Accessed 6/20/2012

Coordinate System: NAD 1983 StatePlane Florida East FIPS 0901 Feet



REV.	DATE	DES	REVISION DESCRIPTION	GIS	CHK	RVW
PROJECT						
FPL CAPE CANAVERAL ENERGY CENTER						
TITLE						
AQUATIC ORGANISM RETURN OPTIONS SEAGRASS ASSESSMENT						
PROJECT No. 103-89593			FILE No. 10389593_C001			
DESIGN	MH	6/20/2012	SCALE: AS SHOWN	REV.	0	
GIS	NRL	6/20/2012				
CHECK	BSJ	6/20/2012				
REVIEW	MH	6/20/2012				
Golder Associates			FIGURE 1.3			
			Page 3 of 3			

Attachment III
Submerged Land Easement

This Instrument Prepared By:
Pattie J. Scott
Recurring Revenue Section
Bureau of Public Land Administration
3900 Commonwealth Boulevard
Mail Station No. 125
Tallahassee, Florida 32399

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
OF THE STATE OF FLORIDA

SOVEREIGNTY SUBMERGED LANDS BASEMENT
MODIFICATION TO INCREASE SQUARE FOOTAGE

BASEMENT NO.: 41218
BOT FILE NO.: 050234533
PA NO.: 05-305821-003

THIS BASEMENT is hereby granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, hereinafter referred to as the Grantor.

WITNESSETH: That for the faithful and timely performance of and compliance with the terms and conditions stated herein, the Grantor does hereby grant to Florida Power & Light Company, a Florida corporation, hereinafter referred to as the Grantee, a nonexclusive easement on, under and across the sovereignty lands, if any, contained in the following legal description:

A parcel of sovereignty submerged land in Section 12,
Township 23 South, Range 36 East, in the Indian River,
Brevard County, as is more particularly described
and shown on Attachment A, dated January 16, 2013.

TO HAVE THE USE OF the hereinabove described premises from February 11, 2013, the effective date of this modified easement, through October 12, 2059, the expiration date of this modified easement. The terms and conditions on and for which this modified easement is granted are as follows:

1. USE OF PROPERTY: The above described parcel of land shall be used solely for a jetty and an aquatic organism return pipe, upland protrusion of land constructed on Sovereignty Submerged Land for use with the daily operations of the associated riparian upland power plant and Grantee shall not engage in any activity except as described in the Site Certification DEP OGC Case No. 08-2971, dated October 12, 2009, incorporated herein and made a part of this easement by reference. All of the foregoing subject to the remaining conditions of this easement.

2. BASEMENT CONSIDERATION: In the event the Grantor amends its rules related to fees and the amended rules provide the Grantee will be charged a fee or an increased fee for this activity, the Grantee agrees to pay all charges required by such amended rules within 90 days of the date the amended rules become effective or by a date provided by an invoice from the Department, whichever is later. All fees charged under this provision shall be prospective in nature; i.e. they shall begin to accrue on the date that the amended rules become effective.

3. WARRANTY OF TITLE/GUARANTEE OF SUITABILITY OF USE OF LAND: Grantor neither warrants title to the lands described herein nor guarantees the suitability of any of the lands for any particular use.

4. RIGHTS GRANTED: The rights hereby granted shall be subject to any and all prior rights of the United States and any and all prior grants by the Grantor in and to the submerged lands situated within the limits of this easement.

5. DAMAGE TO BASEMENT PROPERTY AND INTERFERENCE WITH PUBLIC AND PRIVATE RIGHTS: Grantee shall not damage the easement lands or unduly interfere with public or private rights therein.

6. GRANTOR'S RIGHT TO GRANT COMPATIBLE USES OF THE BASEMENT PROPERTY: This easement is nonexclusive, and the Grantor, or its duly authorized agent, shall retain the right to enter the property or to engage in management activities not inconsistent with the use herein provided for and shall retain the right to grant compatible uses of the property to third parties during the term of this easement.

7. RIGHT TO INSPECT: Grantor, or its duly authorized agent, shall have the right at any time to inspect the works and operations of the Grantee in any matter pertaining to this easement.

8. **INDEMNIFICATION/INVESTIGATION OF ALL CLAIMS:** The Grantee shall investigate all claims of every nature at its expense, and shall indemnify, defend and save and hold harmless the Grantor and the State of Florida from all claims, actions, lawsuits and demands arising out of this easement, which do not arise out of or result from the negligent acts or omissions of Grantor.

9. **ASSIGNMENT OF EASEMENT:** This easement shall not be assigned or otherwise transferred without prior written consent of the Grantor or its duly authorized agent and which consent shall not be unreasonably withheld. Any assignment or other transfer without prior written consent of the Grantor shall be null and void and without legal effect.

10. **TERMINATION:** The Grantee, by acceptance of this easement, binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth, and said provisions and conditions shall be deemed covenants of the Grantee, its successors and assigns. In the event the Grantee fails or refuses to comply with the provisions and conditions herein set forth or in the event the Grantee violates any of the provisions and conditions herein, this easement may be terminated by the Grantor upon 30 days written notice to Grantee. If terminated, all of the above-described parcel of land shall revert to the Grantor. All notices required to be given to Grantee by this easement or applicable law or administrative rules shall be sufficient if sent by U.S. Mail to the following address:

Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408

The Grantee agrees to notify the Grantor by certified mail of any changes to this address at least ten (10) days before the change is effective.

11. **TAXES AND ASSESSMENTS:** The Grantee shall assume all responsibility for liabilities that accrue to the subject property or to the improvements thereon, including any and all drainage or special assessments or taxes of every kind and description which are now or may be hereafter lawfully assessed and levied against the subject property during the effective period of this easement which result from the grant of this easement or the activities of Grantee hereunder.

12. **REMOVAL OF STRUCTURES/ADMINISTRATIVE FINES:** If the Grantee does not remove said structures and equipment occupying and erected upon the premises after expiration or cancellation of this easement, such structures and equipment will be deemed forfeited to the Grantor, and the Grantor may authorize removal and may sell such forfeited structures and equipment after ten (10) days written notice by certified mail addressed to the Grantee at the address specified in Item 10 or at such address on record as provided to the Grantor by the Grantee. However, such remedy shall be in addition to all other remedies available to Grantor under applicable laws, rules and regulations including the right to compel removal of all structures and the right to impose administrative fines.

13. **ENFORCEMENT OF PROVISIONS:** No failure, or successive failures, on the part of the Grantor to enforce any provision, nor any waiver or successive waivers on its part of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Grantor to enforce the same upon any renewal thereof or in the event of subsequent breach or breaches.

14. **RECORDATION OF EASEMENT:** The Grantee, at its own expense, shall record this fully executed easement in its entirety in the public records of the county within which the easement site is located within fourteen (14) days after receipt, and shall provide to the Grantor within ten (10) days following the recordation a copy of the recorded easement in its entirety which contains the O.R. Book and pages at which the easement is recorded.

15. **AMENDMENT/MODIFICATIONS:** This easement is the entire and only agreement between the parties. Its provisions are not severable. Any amendment or modification to this easement must be in writing and must be accepted, acknowledged and executed by the Grantee and Grantor.

16. **USACE AUTHORIZATION:** Prior to commencement of construction and/or activities authorized herein, the Grantee shall obtain the U.S. Army Corps of Engineers (USACE) permit if it is required by the USACE. Any modifications to the construction and/or activities authorized herein that may be required by the USACE shall require consideration by and the prior written approval of the Grantor prior to the commencement of construction and/or any activities on sovereign, submerged lands.

17. **ADDITIONAL STRUCTURES OR ACTIVITIES/EMERGENCY STRUCTURAL REPAIRS:** No additional structures shall be erected and/or activities undertaken, including but not limited to, dredging, relocation/realignment or major repairs or renovations made to authorized structures, on, in or over sovereignty, submerged lands without the prior written consent from the Grantor, with the exception of emergency repairs. Unless specifically authorized in writing by the Grantor, such activities or structures shall be considered unauthorized and a violation of Chapter 253, Florida Statutes, and shall subject the Grantee to administrative fines under Chapter 18-14, Florida Administrative Code. If emergency repairs are required to be undertaken in the interests of public health, safety or welfare, the Grantee shall notify the Grantor of such repairs as quickly as is practicable; provided, however, that such emergency activities shall not exceed the activities authorized by this easement.

18. **UPLAND RIPARIAN PROPERTY INTEREST:** During the term of this easement, Grantee must have satisfactory evidence of sufficient upland interest as defined in subsection 18-21.003(60), Florida Administrative Code, to the extent required by paragraph 18-21.004(2)(b), Florida Administrative Code, in order to conduct the activity described in this easement. If at any time during the term of this easement, Grantee fails to comply with this requirement, use of sovereignty, submerged lands described in this easement shall immediately cease and this easement shall terminate and title to this easement shall revert to and vest in the Grantor immediately and automatically.

WITNESSES:

Original Signature

Print/Type Name of Witness

Original Signature

Print/Type Name of Witness

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE STATE
OF FLORIDA

(SEAL)

BY:

Jeffery M. Gentry, Operations and Management Consultant
Manager, Bureau of Public Land Administration, Division of State
Lands, State of Florida Department of Environmental
Protection, as agent for and on behalf of the Board of Trustees of
the Internal Improvement Trust Fund of the State of Florida

"GRANTOR"

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 20 day of February, 2013, by
Jeffery M. Gentry, Operations and Management Consultant Manager, Bureau of Public Land Administration, Division of State
Lands, State of Florida Department of Environmental Protection, as agent for and on behalf of the Board of Trustees of the
Internal Improvement Trust Fund of the State of Florida. He is personally known to me:

APPROVED AS TO FORM AND LEGALITY:

Notary Public, State of Florida

DBP Attorney

Printed, Typed or Stamped Name

My Commission Expires:

Commission/Serial No.

WITNESSES:

Original Signature

Typed/Printed Name of Witness

Original Signature

Typed/Printed Name of Witness

Florida Power & Light Company, a Florida corporation (SEAL)

BY:

Original Signature of Executing Authority

Dean J. Girard

Typed/Printed Name of Executing Authority

Director, Corporate Real Estate
Title of Executing Authority

"GRANTOR"

STATE OF FL
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 28th day of Feb., 2013, by
Dean J. Girard as Director, Corporate Real Estate of Florida Power & Light Company, a Florida corporation, for and on behalf of
the corporation. He is personally known to me or who has produced as identification.

My Commission Expires:

Notary Public State of Florida
Michelle M. Kahmann
My Commission EE105100
Expires 09/18/2015

Notary Public, State of

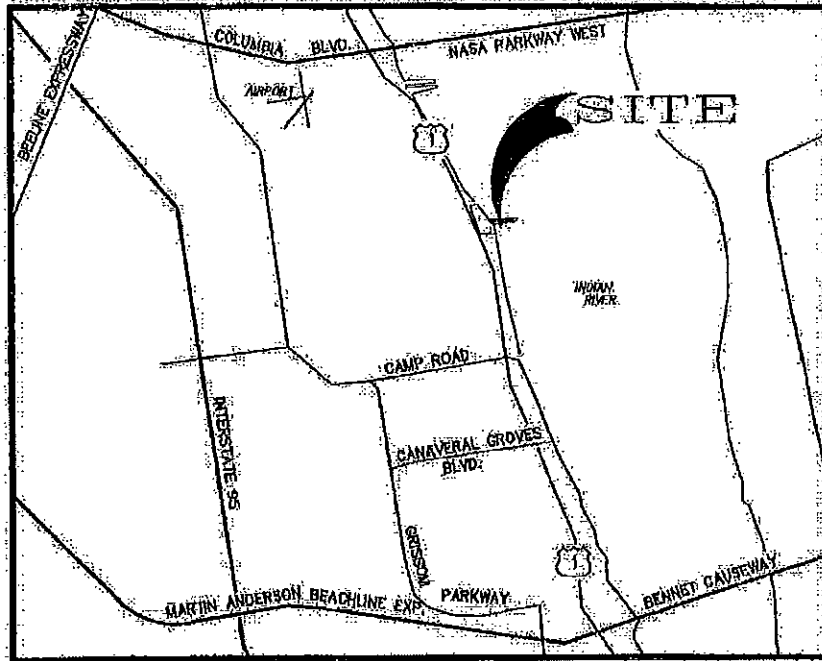
Printed, Typed or Stamped Name

Page 3 of 15 Pages
Easement No. 41218

EXHIBIT "A"
SKETCH AND DESCRIPTION'S
 CAPE CANAVERAL POWER PLANT
 UPLAND FILLED AREA &
 SUBMERGED LAND EASEMENT

ORIGINAL

SECTIONS 19, TOWNSHIP 23 S., RANGE 36 E., BREVARD COUNTY, FLORIDA



LOCATION SKETCH
 (NOT TO SCALE)

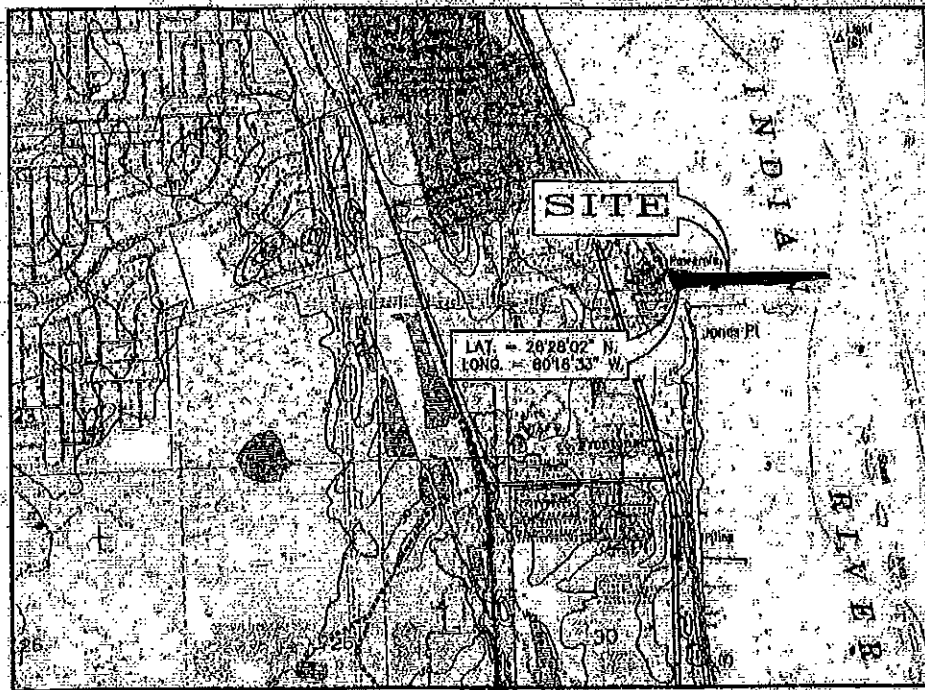
JAN 9 9 2013

DEP Central District

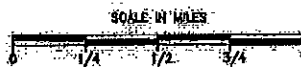
REVISIONS ADD SUBMERGED LAND EASEMENT LEGAL 01/16/2013 	 AVROM & ASSOCIATES, INC. SURVEYING & MAPPING 60 S.W. 2ND AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 TEL: (561) 392-8894 FAX: (561) 394-7185 WWW.AVROM-SURVEY.COM © 2011 AVROM & ASSOCIATES, INC. ALL RIGHTS RESERVED. THIS MAP IS THE PROPERTY OF AVROM & ASSOCIATES, INC. AND SHOULD NOT BE REPRODUCED OR COPIED WITHOUT WRITTEN PERMISSION.	JOB #: 8480-32 SCALE: 1"=100' DATE: 11/11/2012 BY: A.M.R. CHECKED: M.D.A. F.B. 910 PG. 4 SHEET 1 OF 12
--	---	--

EXHIBIT "A"
SKETCH AND DESCRIPTION'S
CAPE CANAVERAL POWER PLANT
UPLAND FILLED AREA &
SURMERGED LAND EASEMENT

SECTIONS 19, TOWNSHIP 23 S., RANGE 36 E. BREVARD COUNTY, FLORIDA



SHARPES QUADRANGLE
 FLORIDA — BREVARD CO.
 7.5 MINUTE SERIES (TOPOGRAPHIC)



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NOTES:

LATITUDE AND LONGITUDE SHOWN ARE BASED ON THE 1980 ADJUSTMENT OF THE NORTH AMERICAN DATUM OF 1983 (NAD 83/80).

LAT. = LATITUDE
 LONG. = LONGITUDE

REVISIONS ADD SURMERGED LAND EASEMENT LEGAL 01/16/2013 	 AVROM & ASSOCIATES, INC. SURVEYING & MAPPING 66 S.W. 2ND AVENUE, SUITE 302 BUKA RATON, FLORIDA 32922 TEL: (904) 392-2896 FAX: (904) 394-7725 WWW.AVROM-SURVEY.COM ©2011 AVROM & ASSOCIATES, INC. ALL RIGHTS RESERVED. This sketch is the property of AVROM & ASSOCIATES, INC. and shall not be reproduced or copied without written permission.	JOB #: 8480-22 SCALE: 1" = 100' DATE: 11/15/2012 BY: AMR CHECKED: MDA F.B. 810 PG. 4 SHEET 2 OF 12
--	--	--

EXHIBIT "A"
SKETCH AND DESCRIPTION'S
 CAPE CANAVERAL POWER PLANT
 UPLAND FILLED AREA &
 SUBMERGED LAND EASEMENT

LEGAL DESCRIPTION: (UPLAND FILLED AREA)

A portion of Section 19, Township 23 South, Range 36 East described as follows:

COMMENCING at the Southwest corner of the RE-SUBDIVISION OF ROSEVEAR TERRACE, Plat Book 8, Page 40b according to the Public Records of Brevard County, Florida; thence S 89°47'27" E, 549.42 feet to the easterly right-of-way line of U.S. Highway No. 1 (State Road No. 5); thence N14°53'20"W along said easterly right-of-way line 209.02 feet; thence N 72°20'22" E, 898.86 feet to the Ordinary High Water Line of the Indian River and the POINT OF BEGINNING (the next 110 courses proceeding along said Ordinary High Water Line); thence N 52°23'52" E, 1.20 feet; thence S 48°20'57" E, 27.90 feet; thence S 35°12'29" W, 1.80 feet; thence S 86°11'51" E, 31.20 feet; thence S 37°59'01" E, 19.34 feet; thence S 67°43'53" E, 28.31 feet; thence S 79°43'04" E, 55.27 feet; thence S 84°28'52" E, 56.13 feet; S 81°19'03" E, 49.44 feet; thence S 83°53'23" E, 52.45 feet; thence S 79°16'44" E, 46.12 feet; thence S 78°14'16" E, 60.38 feet; thence S 81°04'29" E, 62.40 feet; thence S 85°19'43" E, 52.85 feet; thence N 89°05'19" E, 163.90 feet; thence N 89°13'22" E, 110.21 feet; thence N 89°22'24" E, 50.85 feet; thence S 89°03'48" E, 50.48 feet; thence N 81°01'52" E, 40.04 feet; thence S 87°22'00" E, 109.67 feet; thence N 82°07'27" E, 58.69 feet; thence N 87°29'40" E, 53.08 feet; thence N 82°16'19" E, 61.08 feet; thence S 87°09'16" E, 111.65 feet; thence N 81°31'06" E, 50.32 feet; thence S 83°26'17" E, 48.14 feet; thence N 88°28'43" E, 35.82 feet; thence S 89°36'28" E, 64.95 feet; thence S 89°47'43" E, 92.54 feet; thence S 88°00'04" E, 58.02 feet; thence N 85°21'47" E, 53.49 feet; thence N 78°33'49" E, 54.42 feet; thence S 86°06'38" E, 46.03 feet; thence N 89°04'29" E, 57.86 feet; thence S 88°16'08" E, 41.48 feet; thence S 85°38'13" E, 59.82 feet; thence S 87°13'39" E, 39.85 feet; thence N 86°51'41" E, 43.70 feet; thence N 86°23'12" E, 70.09 feet; thence S 80°21'26" E, 40.42 feet; thence S 88°57'04" E, 61.04 feet; thence N 86°45'45" E, 57.70 feet; thence N 85°45'54" E, 51.10 feet; thence N 89°02'51" E, 55.96 feet; thence N 85°13'57" E, 54.54 feet; thence S 76°00'09" E, 19.78 feet; thence S 83°23'43" E, 20.31 feet; thence S 39°08'49" E, 22.43 feet; thence S 72°39'54" E, 18.72 feet; thence S 42°51'23" E, 18.97 feet; thence S 27°38'51" W, 25.55 feet; thence S 52°25'12" W, 17.91 feet; thence N 88°20'29" W, 76.15 feet; thence S 84°39'28" W, 38.95 feet; thence N 88°32'42" W, 49.33 feet; thence S 82°43'06" W, 59.64 feet; thence S 77°07'52" W, 54.81 feet; thence S 88°53'09" W, 54.40 feet; thence N 80°30'49" W, 55.78 feet; thence N 83°01'58" W, 51.39 feet; thence S 84°54'13" W, 48.47 feet; thence N 78°04'10" W, 31.52 feet; thence N 87°44'28" W, 18.00 feet; thence S 88°51'22" W, 55.71 feet; thence S 81°50'12" W, 40.69 feet; thence S 80°34'20" W, 54.93 feet; thence S 79°55'08" W, 52.41 feet; thence S 83°13'24" W, 17.18 feet; thence N 58°07'20" W, 24.76 feet; thence N 79°22'48" W, 13.72 feet; thence

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(CONTINUE ON PAGE 4)

REVISIONS ADD SUBMERGED LAND EASEMENT LEGAL 01/16/2013 	 AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING 60 S.W. 2ND AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 TEL. (561) 382-2884, FAX (561) 384-7126 WWW.AVIROM-SURVEY.COM © 2011 AVIROM & ASSOCIATES, INC. All Rights Reserved. This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.	JOB #: 8480-22 SCALE: 1" = 100' DATE: 11/15/2012 BY: A.M.R. CHECKED: M.D.A. P.B. 810 P.B. 4 SHEET 3 OF 12
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EXHIBIT "A"
SKETCH AND DESCRIPTION'S
 CAPE CANAVERAL POWER PLANT
 UPLAND FILLED AREA &
 SUBMERGED LAND EASEMENT

(CONTINUED)

S 81°05'52" W, 55.20 feet; thence S 72°58'47" W, 44.20 feet; thence S 65°04'09" W, 20.76 feet; thence S 76°23'17" W, 55.28 feet; thence S 66°03'38" W, 38.07 feet; thence N 81°25'43" W, 53.18 feet; thence N 81°13'33" W, 43.92 feet; thence N 84°24'34" W, 94.90 feet; thence N 69°24'18" W, 27.86 feet; thence S 77°34'39" W, 51.08 feet; thence S 84°05'40" W, 53.40 feet; thence S 70°40'21" W, 49.69 feet; thence S 62°21'00" W, 70.31 feet; thence S 01°35'50" E, 13.75 feet; thence S 88°24'10" W, 2.50 feet; thence N 01°35'50" W, 79.14 feet; thence N 78°06'54" W, 92.60 feet; thence S 82°02'31" W, 54.39 feet; thence S 80°47'08" W, 44.95 feet; thence S 76°23'04" W, 75.97 feet; thence S 72°42'52" W, 65.89 feet; thence S 51°25'25" W, 40.54 feet; thence S 00°39'45" E, 28.92 feet; thence S 89°08'12" W, 43.51 feet; thence N 00°55'40" W, 60.30 feet; thence N 66°03'09" W, 8.86 feet; thence N 84°07'49" W, 20.40 feet; thence N 87°33'01" W, 27.93 feet; thence S 89°59'16" W, 33.38 feet; thence S 89°08'33" W, 49.70 feet; thence S 88°32'59" W, 47.17 feet; thence N 85°51'37" W, 57.56 feet; thence S 79°44'00" W, 46.86 feet; thence S 68°12'45" W, 20.89 feet; thence N 76°43'25" W, 14.47 feet; thence S 84°48'07" W, 74.09 feet; thence S 81°14'09" W, 62.61 feet; thence S 70°47'13" W, 22.81 feet; thence S 57°34'21" W, 39.16 feet; thence S 41°15'23" W, 6.63 feet to said Ordinary High Water Line; thence N 31°14'04" W, 332.57 feet to the POINT OF BEGINNING.

Said lands situate in Brevard County, Florida and containing 262,636 square feet, 6.029 acres, more or less.

LEGAL DESCRIPTION: (SUBMERGED LAND EASEMENT)

A portion of Submerged Land in Section 19, Township 23 South, Range 36 East described as follows:

COMMENCING at the Southwest corner of the RE-SUBDIVISION OF ROSEVEAR TERRACE according to the plat thereof, as recorded in Plat Book 8, Page 40B of the Public Records of Brevard County, Florida; thence S 89°47'27" E, 549.42 feet to the easterly right-of-way line of U.S. Highway No. 1 (State Road No. 5); thence S 85°18'48" E, 1127.36 feet to Ordinary High Water Line of the Indian River and the POINT OF BEGINNING; thence N 89°43'26" E, 775.82 feet; thence N 01°19'49" W, 95.81 feet; thence N 88°40'11" E, 10.00 feet to a point hereinafter referred to as "REFERENCE POINT A"; thence S 01°19'49" E, 111.00 feet; thence S 89°43'26" W, 782.28 feet to said Ordinary

(CONTINUE ON PAGE 5)

REVISIONS ADD SUBMERGED LAND EASEMENT LEGAL 01/16/2013 	 AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING 50 S.W. 2ND AVENUE, SUITE 102 APOCA RATON, FLORIDA 33482 TEL: (561) 382-8264, FAX: (561) 584-7125 WWW.AVIROM-SURVEY.COM © 2012 AVIROM & ASSOCIATES, INC. All rights reserved. This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.	JOB #: 8480-22 SCALE: 1" = 100' DATE: 11/16/2012 BY: A.M.R. CHECKED: M.D.A. F.B. 810 PG. 4 SHEET 4 OF 12
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EXHIBIT "A"
SKETCH AND DESCRIPTION'S
CAPE CANAVERAL POWER PLANT
UPLAND FILLED AREA &
SUBMERGED LAND EASEMENT

(CONTINUED)

High Water Line; thence N 00°28'30" E along said Ordinary High Water Line, 8.81 feet; thence N 32°42'43" W along said Ordinary High Water Line, 7.33 feet to the POINT OF BEGINNING.

TOGETHER WITH:

BEGIN at the aforementioned "REFERENCE POINT A"; thence N 01°19'49" W, 179.88 feet to the POINT OF BEGINNING; thence thence S 88°40'11" W, 10.00 feet; thence N 01°19'49" W, 85.03 feet to the Ordinary High Water Line of the Indian River; thence S 78°06'54" E along said Ordinary High Water Line, 3.89 feet to the westerly wet face of a concrete sea wall; thence S 01°35'50" E along said concrete sea wall and said Ordinary High Water Line, 79.14 feet to the southerly wet face of said concrete sea wall; thence N 88°24'10" E along said concrete sea wall and said Ordinary High Water Line, 2.50 feet to the easterly wet face of said concrete sea wall; thence N 01°35'50" W along said concrete sea wall and said Ordinary High Water Line, 13.75 feet; thence N 62°21'00" E along said Ordinary High Water Line, 3.81 feet; thence S 01°19'49" E, 20.45 feet to the POINT OF BEGINNING.

The above described easements contain 13,117 square feet (0.3011 acres) and is situate in Brevard County, Florida.

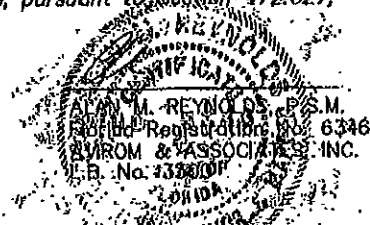
CERTIFICATION:

This Survey is Certified to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida.

I HEREBY CERTIFY that the attached Sketch and Description of the herein described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Minimum Technical Standards set forth in Chapter 5J-17.05, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date: 01/16/2013

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		50 S.W. 2ND AVENUE, SUITE 102	DATE: 11/16/2012
		DOCA RATON, FLORIDA 33432	BY: AMR.
		TEL: (861) 322-2594 FAX: (861) 394-7125	CHECKED: MDA.
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EXHIBIT "A"
SKETCH AND DESCRIPTION'S
CAPE CANAVERAL POWER PLANT
UPLAND FILLED AREA &
SUBMERGED LAND EASEMENT

SURVEYOR'S REPORT:

1. Not valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper.
2. The Legal Description is in accord with the Ownership & Encumbrance Search provided by the client, prepared by Chicago Title Insurance Agency, Inc. and dated May 23, 2008. It is possible that there are Deeds, Easements, or other Instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The undersigned surveyor has no knowledge as to whether any of the hereon property is filled formerly submerged lands.
 *(See exception on sheet No. 2)
 The approximate Ordinary High Water Line (before the creation of the peninsula) is shown using historical aerial photographs created by the US Department of Agriculture, dated 1951. The aerial photographs were found on the University of Florida website below.
 (Http://web.uflib.ufl.edu/digital/collections/flap)
4. No underground improvements were located.
5. Bearings and Coordinates shown hereon are referenced to Grid North, based on the 1990 adjustment of the North American Datum of 1983 (NAD 83/90) of the Florida State Plane Coordinate System (Transverse Mercator Projection), East Zone, with the east right-of-way line of U.S. Highway No. 1, having a bearing of N 14°53'20" W.
6. Elevations shown hereon are based on the North American Vertical Datum of 1988.
7. Benchmark Description: National Geodetic Survey Bench Mark 872 1574 Tidal #1 (PID AK6957) Elevation = 13.36 feet (NAVD 88)
8. Ordinary High Water Line information was provided by the Florida Bureau of Survey and Mapping. Ordinary High Water Line = 1.10' (N.G.V.D. 29) and converted to -0.24' (N.A.V.D. 88).
9. The Safe Upland Line (elevation 1.10 NGVD 29) is at or above the approximate Ordinary High Water Line.
10. Elevations were converted from N.G.V.D. 1929 to N.A.V.D. 1988 using Corpscon version 5.11.08 as found on Land Boundary Information System Internet web site (www.labin.org).
11. Abbreviation Legend: C= Centerline;
 F.P.L.= Florida Power & Light Company; L.B.= Licensed Business;
 N.G.V.D.=National Geodetic Vertical Datum; P.S.M.= Professional Surveyor and Mapper;
 N.A.V.D.= North American Vertical Datum.
12. This is a FIELD SURVEY.

JAN 25 2013
 REP. Central Division

REVISIONS ADD SUBMERGED LAND EASEMENT LEGAL 01/16/2013 	 AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING 60 S.W. 2ND AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 TEL. (561) 362-8544, FAX (561) 364-7115 WWW.AVIROM-SURVEY.COM ©2011 AVIROM & ASSOCIATES, INC. All rights reserved. This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.	JOB #: 8480-22 SCALE: 1"=100' DATE: 11/15/2012 BY: A.M.R. CHECKED: M.D.A. F.B. 610 PG. 4 SHEET 6 OF 12
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EXHIBIT "A"
SKETCH AND DESCRIPTION'S
 CAPE CANAVERAL POWER PLANT
 UPLAND FILLED AREA &
 SUBMERGED LAND EASEMENT

(UPLAND FILLED AREA)

LINE TABLE

No.	BEARING	DISTANCE
L1	N82°23'52"E	1.20'
L2	S48°20'57"E	27.80'
L3	S35°12'20"W	1.80'
L4	S86°11'51"E	31.20'
L5	S37°59'01"E	19.34'
L6	S67°43'53"E	28.31'
L7	S78°43'04"E	55.27'
L8	S84°28'52"E	56.13'
L9	S81°19'03"E	49.44'
L10	S83°53'23"E	52.45'
L11	S79°16'44"E	46.12'
L12	S78°14'18"E	80.38'
L13	S81°04'28"E	62.40'
L14	S88°19'43"E	52.85'
L15	N89°05'19"E	163.80'
L16	N89°13'22"E	110.21'
L17	N89°22'24"E	50.85'
L18	S89°03'48"E	50.48'
L19	N81°01'52"E	40.04'
L20	S87°22'00"E	100.67'
L21	N82°07'27"E	58.68'
L22	N87°29'40"E	53.08'
L23	N82°16'19"E	61.08'
L24	S87°09'16"E	111.85'
L25	N81°31'06"E	50.32'
L26	S83°28'17"E	48.14'
L27	N88°28'43"E	35.82'
L28	S88°36'28"E	64.85'
L29	S89°47'43"E	92.54'
L30	S88°00'04"E	58.02'
L31	N85°21'47"E	53.49'
L32	N78°33'49"E	54.42'
L33	S86°08'38"E	46.03'
L34	N89°04'29"E	57.86'
L35	S88°16'06"E	41.48'
L36	S85°38'13"E	59.82'
L37	S87°13'39"E	39.85'
L38	N86°51'41"E	43.70'
L39	N86°23'12"E	70.09'
L40	S80°21'26"E	40.42'

LINE TABLE

No.	BEARING	DISTANCE
L41	S88°57'04"E	61.04'
L42	N88°45'45"E	57.70'
L43	N85°45'54"E	51.10'
L44	N89°02'51"E	55.96'
L45	N85°13'57"E	64.54'
L46	S78°00'09"E	19.78'
L47	S83°23'43"E	20.31'
L48	S39°08'49"E	22.43'
L49	S72°39'54"E	18.72'
L50	S42°51'23"E	18.97'
L51	S27°38'51"W	25.55'
L52	S52°25'12"W	17.91'
L53	N88°20'29"W	76.15'
L54	S84°30'28"W	38.95'
L55	N88°32'42"W	49.33'
L56	S82°43'06"W	59.64'
L57	S77°07'52"W	54.91'
L58	S88°33'08"W	54.40'
L59	N80°30'49"W	55.76'
L60	N83°01'58"W	51.39'
L61	S84°54'13"W	48.47'
L62	N78°04'10"W	31.52'
L63	N87°44'28"W	18.00'
L64	S88°51'22"W	55.71'
L65	S81°50'12"W	40.69'
L66	S90°34'20"W	54.93'
L67	S79°55'08"W	52.41'
L68	S83°13'24"W	17.16'
L69	N58°07'20"W	24.76'
L70	N79°22'48"W	13.72'
L71	S81°05'52"W	55.20'
L72	S72°58'47"W	44.20'
L73	S85°04'09"W	20.78'
L74	S76°23'17"W	55.28'
L75	S66°03'38"W	38.07'
L76	N81°25'43"W	53.16'
L77	N81°13'33"W	43.92'
L78	N84°24'34"W	94.80'
L79	N68°24'18"W	27.86'
L80	S77°34'39"W	51.08'

LINE TABLE

No.	BEARING	DISTANCE
L81	S84°05'40"W	53.40'
L82	S70°40'21"W	49.68'
L83	S82°21'00"W	70.31'
L84	S01°35'50"E	13.75'
L85	S88°24'10"W	2.50'
L86	N01°35'50"W	79.14'
L87	N78°06'54"W	92.60'
L88	S82°02'31"W	54.39'
L89	S80°47'08"W	44.95'
L90	S78°23'04"W	75.97'
L91	S72°42'52"W	65.89'
L92	S51°25'25"W	40.54'
L93	S00°39'46"E	28.02'
L94	S89°08'12"W	43.51'
L95	N00°55'40"W	60.30'
L96	N66°03'09"W	8.86'
L97	N84°07'49"W	20.40'
L98	N87°33'01"W	27.93'
L99	S88°58'18"W	33.38'
L100	S89°08'33"W	49.70'
L101	S88°32'59"W	47.17'
L102	N85°51'37"W	57.56'
L103	S79°44'00"W	46.86'
L104	S68°12'45"W	20.88'
L105	N78°43'25"W	14.47'
L106	S84°48'07"W	74.08'
L107	S81°14'09"W	62.81'
L108	S70°47'13"W	22.81'
L109	S57°34'21"W	39.18'
L110	S41°15'23"W	6.63'

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DATE: 11/15/2012

BY: A.M.R.

CHECKED: M.D.A.

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SHEET 7 OF 12

EXHIBIT "A"
SKETCH AND DESCRIPTION'S
 CAPE CANAVERAL POWER PLANT
 UPLAND FILLED AREA &
 SUBMERGED LAND EASEMENT

(SUBMERGED LAND EASEMENT)

LINE TABLE

No.	BEARING	DISTANCE
L201	S 85°18'48" E	1127.36'
L202	N 89°43'26" E	775.82'
L203	N 01°19'49" W	95.81'
L204	N 88°40'11" E	10.00'
L205	S 01°19'49" E	111.00'
L206	S 89°43'26" W	782.28'
L207	N 00°28'30" E	8.81'
L208	N 32°42'43" W	7.33'
L209	N 01°19'49" W	179.88'
L210	S 88°40'11" W	10.00'
L211	N 01°19'49" W	85.03'
L212	S 78°08'54" E	3.89'
L213	S 01°35'50" E	79.14'
L214	N 88°24'10" E	2.50'
L215	N 01°35'50" W	13.75'
L216	N 62°21'00" E	3.81'
L217	S 01°19'49" E	20.45'

ORDINARY HIGH WATER LINE = -0.24' N.A.V.D. 1988
 (SEE NOTE #8 & #9 ON SHEET 8)

NOTE:

THE APPROXIMATE ORDINARY HIGH WATER LINE
 IS NOT INTENDED TO BE THE LEGAL BOUNDARY
 BETWEEN PRIVATE AND STATE OWNERSHIP.

STATE PLANE COORDINATES

No.	NORTHING	EASTING	DESCRIPTION
A	1502878.175	731027.223	P.O.C.
B	1502784.336	732700.263	P.O.B.

(SEE NOTE # 5)

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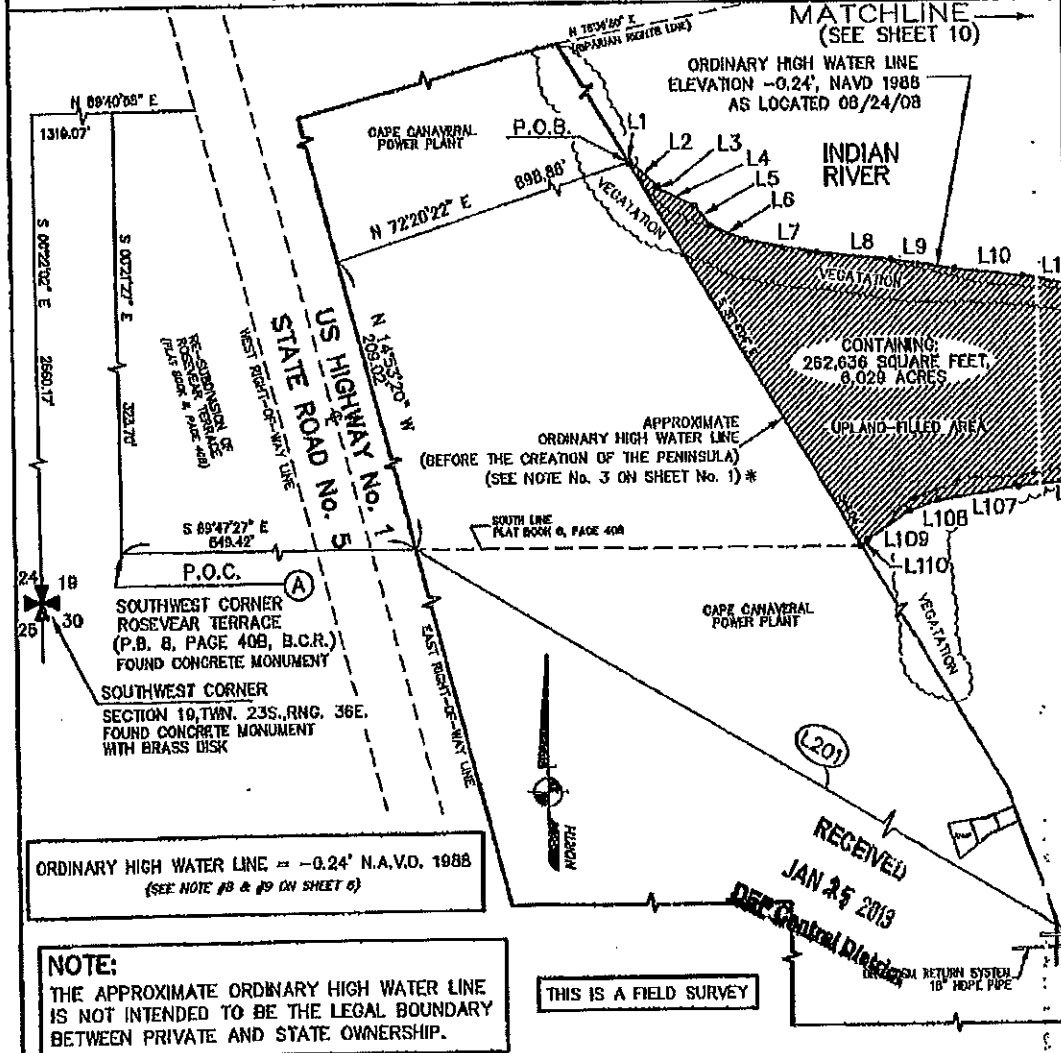
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SHEET 8 OF 12

EXHIBIT "A"
SKETCH AND DESCRIPTION'S
CAPE CANAVERAL POWER PLANT
UPLAND FILLED AREA &
SUBMERGED LAND EASEMENT

SECTION 19, TOWNSHIP 23 S., RANGE 36 E. BREVARD COUNTY, FLORIDA



ORDINARY HIGH WATER LINE = -0.24' N.A.V.D. 1988
 (SEE NOTE #8 & #9 ON SHEET 6)

NOTE:
 THE APPROXIMATE ORDINARY HIGH WATER LINE
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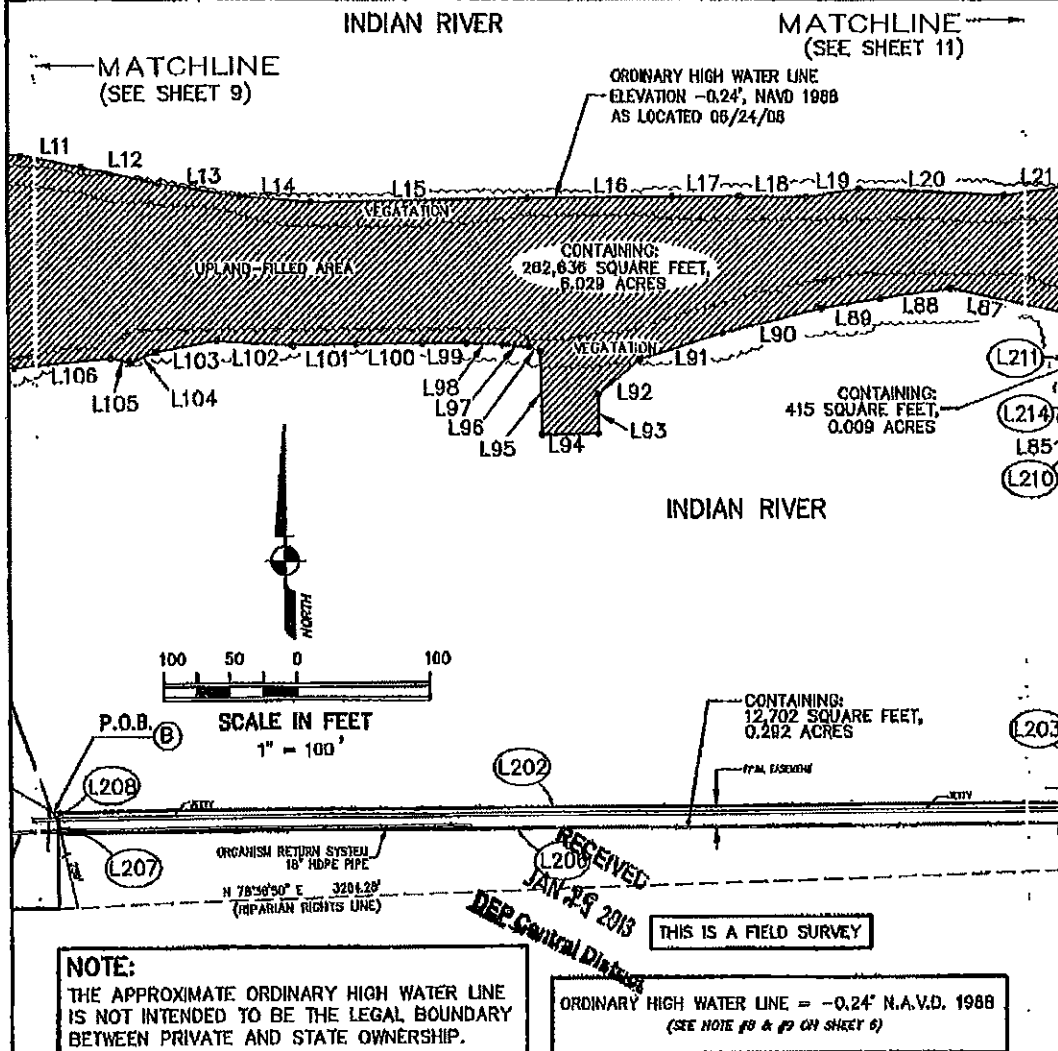
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 SHEET 9 OF 12

EXHIBIT "A"
SKETCH AND DESCRIPTION'S
 CAPE CANAVERAL POWER PLANT
 UPLAND FILLED AREA &
 SUBMERGED LAND EASEMENT

SECTION 19, TOWNSHIP 23 S., RANGE 36 E. BREVARD COUNTY, FLORIDA



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SHEET 10 OF 12

EXHIBIT "A"
SKETCH AND DESCRIPTION'S
 CAPE CANAVERAL POWER PLANT
 UPLAND FILLED AREA &
 SUBMERGED LAND EASEMENT

SECTION 19, TOWNSHIP 23 S., RANGE 36 E. BREVARD COUNTY, FLORIDA

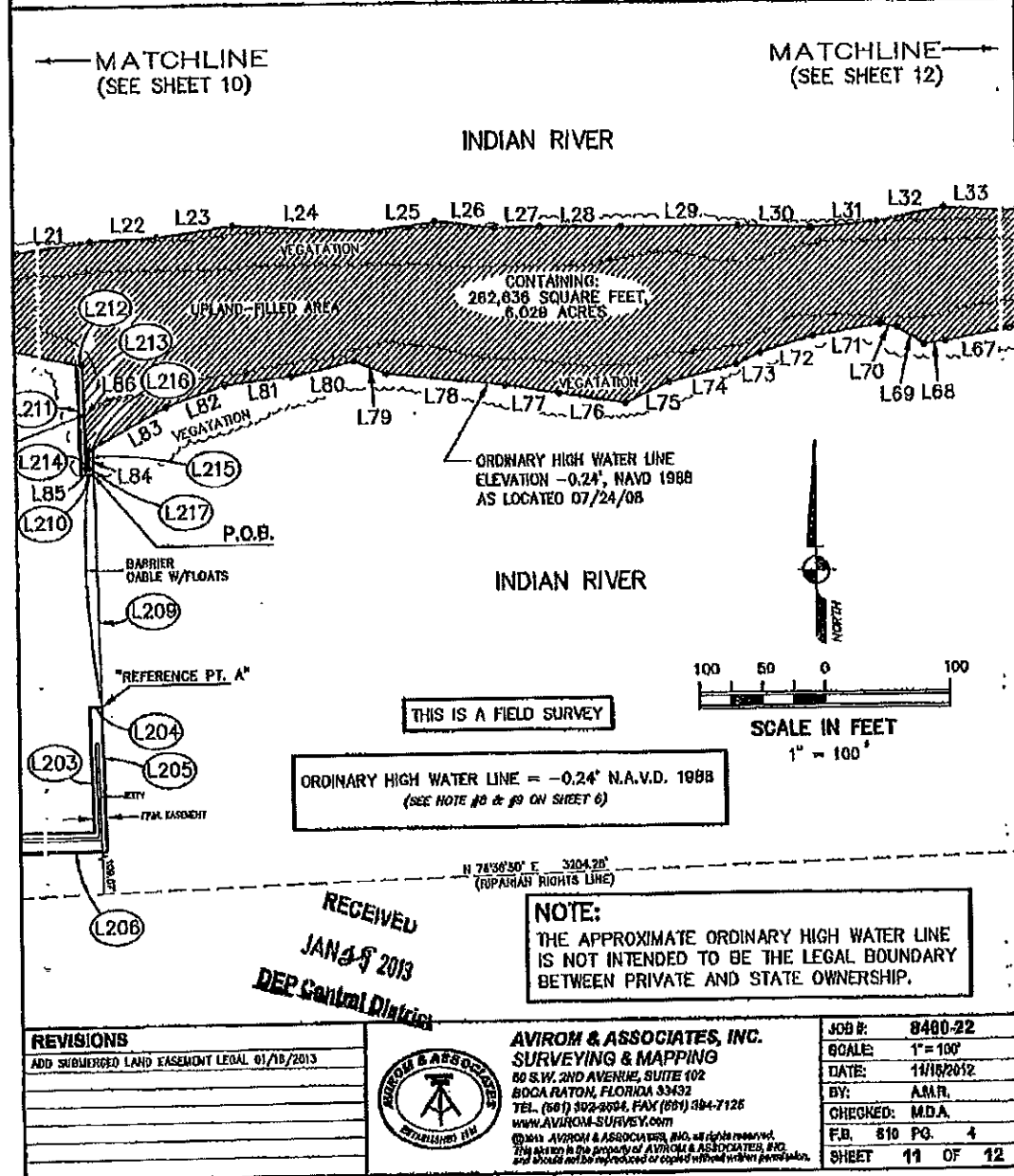
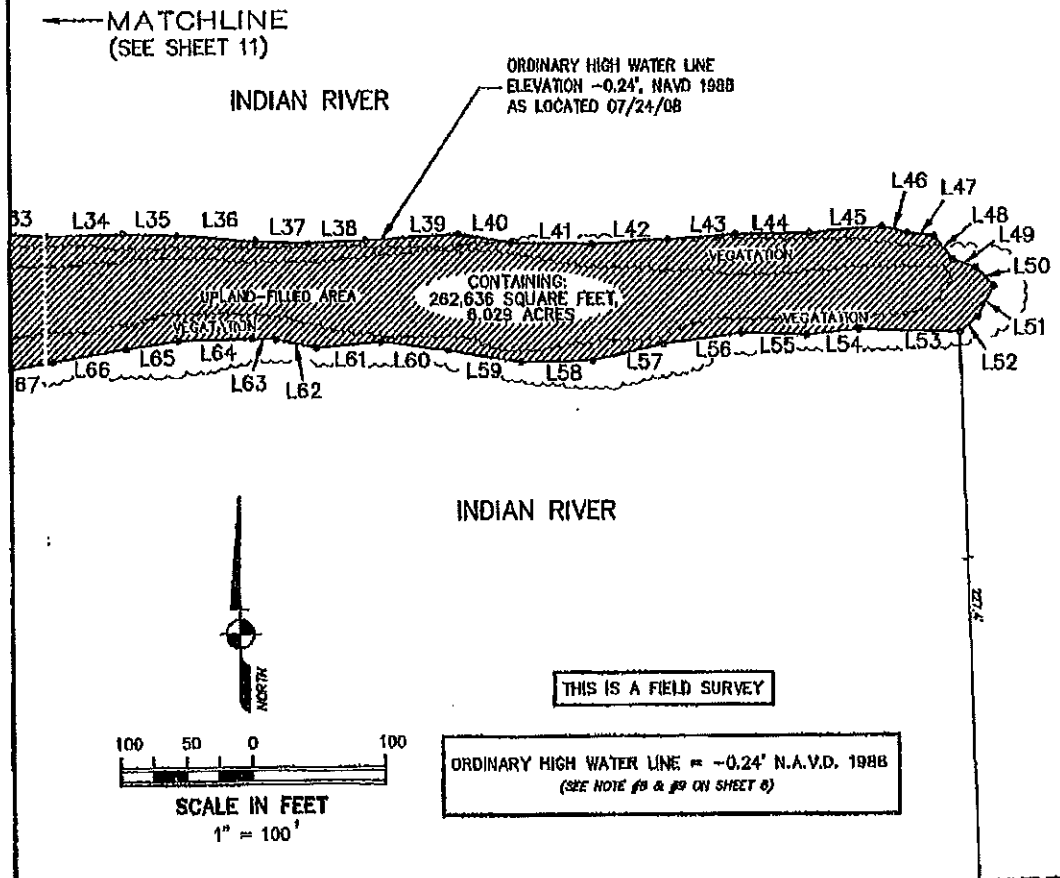


EXHIBIT "A"
SKETCH AND DESCRIPTION'S
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NOTE:

THE APPROXIMATE ORDINARY HIGH WATER LINE
IS NOT INTENDED TO BE THE LEGAL BOUNDARY
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DATE: 11/16/2012
BY: A.M.R.
CHECKED: M.D.A.
P.B. 810 PG. 4
SHEET 12 OF 12

Attachment IV
Submerged Lands Lease

This Instrument Prepared By:
Patricia J. Scott
Recurring Revenue Section
Bureau of Public Land Administration
3900 Commonwealth Boulevard
Mail Station No. 125
Tallahassee, Florida 32399

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
OF THE STATE OF FLORIDA

SOVEREIGNTY SUBMERGED LANDS LEASE RENEWAL

BOT No. 050024374
PA No. _____

THIS LEASE is hereby issued by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, hereinafter referred to as the Lessor.

WITNESSETH: That for and in consideration of payment of the annual lease fees hereinafter provided and the faithful and timely performance of and compliance with all terms and conditions stated herein, the Lessor does hereby lease to Florida Power & Light Company, a Florida corporation, hereinafter referred to as the Lessee, the sovereignty lands described as follows:

A parcel of sovereignty-submerged land in Section 12, Township 23 South, Range 36 East, in the Indian River, Brevard County, containing 64,100 square feet, more or less, as is more particularly described and shown on Attachment A, dated November 30, 1928.

TO HAVE THE USE OF the hereinabove described premises from January 1, 2008, the effective date of this lease renewal, through January 1, 2012, the expiration date of this lease renewal. The terms and conditions on and for which this lease renewal is granted are as follows:

1. USE OF PROPERTY: The Lessee is hereby authorized to operate an existing 1-slip docking/unloading facility exclusively to be used for mooring of barges and tug vessels in conjunction with an upland fuel oil tank farm/power plant, without fueling facilities, with a sewage pumpout facility if it meets the regulatory requirements of the State of Florida Department of Environmental Protection or local authority, whichever entity applies the more stringent criteria, and without liveboards as defined in paragraph 2B, as shown and conditioned in Attachment A. All of the foregoing subject to the remaining conditions of this Lease.

2. LEASE FEE: The Lessee hereby agrees to pay to the Lessor an annual lease fee of \$9,032.00 plus sales tax pursuant to Section 212.031, Florida Statutes, if applicable, within 30 days of the date of receipt of the invoice. The annual fee for the remaining years of the lease shall be adjusted pursuant to provisions of Section 18-21.011, Florida Administrative Code. The Division of State Lands will notify the Lessee in writing of the amount and the due date of the annual payment. The lease fee shall be remitted annually to the Division of State Lands as the agent for the Lessor, beginning with the effective and due date of this lease renewal, and each year thereafter until the term of this lease renewal terminates or expires.

3. WET SLIP RENTAL CERTIFICATION/SUPPLEMENTAL PAYMENT. (A) The Lessee shall provide upon request by the Lessor any and all information in a certified form needed to calculate the lease fee specified in paragraph two (2) above, including the income, as defined in subsection 18-21.003(2d), Florida Administrative Code, derived directly or indirectly from the use of sovereignty submerged lands on an annual basis. When six percent (6%) of said annual income exceeds the base fee or minimum annual fee established pursuant to Rule 18-21.011, Florida Administrative Code, for any lease year during the term of this lease, the Lessor shall send the Lessee a supplemental invoice for the difference in the amounts for that lease year. (B) The instrument or agreement used by the Lessee to transfer or assign the right to use a wet slip at the leased docking facility to a third party shall include a provision that clearly notifies the wet slip renter/user/holder that if the wet slip renter/user/holder subsequently transfers his right to use said wet slip to another party, the instrument or agreement used to transfer said wet slip shall contain a provision that requires six percent (6%) of the annual gross income derived from said instrument or agreement for the use of said wet slip be paid to the Lessee who, upon receipt, shall report and transmit said amount to the Lessor. The instrument or agreement used by the Lessee to transfer a wet slip shall also include a provision that clearly notifies the wet slip renter/user/holder that no interest in said wet slip may be further transferred unless a substantially similar provision to the one contained in the preceding sentence is placed in each succeeding instrument or agreement used to transfer said wet slip to each new wet slip renter/user/holder.

4. LATE FEE ASSESSMENTS: The Lessee shall pay a late charge equal to interest at the rate of twelve percent (12%) per annum from the due date until paid on any lease fees due hereunder which are not paid within 30 days of their due dates.

5. EXAMINATION OF LESSEE'S RECORDS: For purposes of this lease renewal, the Lessor is hereby specifically authorized and empowered to examine, for the term of this lease renewal including any extensions thereto plus three (3) additional years, at all reasonable hours, the books, records, contracts, and other documents confirming and pertaining to the computation of annual lease payments as specified in paragraph two (2) above.

6. MAINTENANCE OF LESSEE'S RECORDS: The Lessee shall maintain separate accounting records for: (i) gross revenue derived directly from the use of the leased premises, (ii) the gross revenue derived indirectly from the use of the leased premises, and (iii) all other gross revenue derived from the Lessee's operations on the riparian upland property. The Lessee shall secure, maintain and keep all records for the entire term of this lease renewal plus three (3) additional years. This period shall be extended for an additional two (2) years upon request for examination of all records and accounts for lease verification purposes by the Lessor.

7. AGREEMENT TO EXTENT OF USE: This lease is given to the Lessee to use or occupy the leased premises only for those activities specified herein. The Lessee shall not change or add to the approved use of the leased premises as defined herein (e.g., from commercial to multi-family residential, from temporary mooring to rental of wet slips, from rental of wet slips to contractual agreement with third party for docking of cruise ships, from rental of recreational pleasure craft to rental or temporary mooring of charter/tour boats, from landing/offloading commercial to rental of wet slips, etc.), shall not change activities in any manner that may have an environmental impact that was not considered in the original authorization or regulatory permit, or shall not change the type of use of the riparian uplands without first obtaining a regulatory permit/modified permit, if applicable, and the Lessor's written authorization in the form of a modified lease, the payment of additional fees, if applicable, and, if applicable, the removal of any structures which may no longer qualify for authorization under the modified lease.

8. PROPERTY RIGHTS: The Lessee shall make no claim of title or interest to said lands hereinbefore described by reason of the occupancy or use thereof, and all title and interest in said land hereinbefore described is vested in the Lessor. The Lessee is prohibited from including, or making any claim that purports to include, said lands described or the Lessee's leasehold interest in said lands into any form of private ownership, including but not limited to any form of condominium or cooperative ownership. The Lessee is further prohibited from making any claim, including any advertisement, that said land, or the use thereof, may be purchased, sold, or re-sold.

9. INTEREST IN RIPARIAN UPLAND PROPERTY: During the term of this lease renewal, the Lessee shall maintain a leasehold or fee simple title interest in the riparian upland property and if such interest is terminated, the lease may be terminated at the option of the Lessor. Prior to sale and/or termination of the Lessee's leasehold or fee simple title interest in the upland property, Lessee shall inform any potential buyer or transferee of the Lessee's upland property interest of the existence of this lease renewal and all its terms and conditions and shall complete and execute any documents required by the Lessor to affect an assignment of this lease renewal, if consented to by the Lessor. Failure to do so will not relieve the Lessee from responsibility for full compliance with the terms and conditions of this lease renewal which include, but are not limited to, payment of all fees and/or penalty assessments incurred prior to such act.

10. **ASSIGNMENT OR LEASE RENEWAL:** This lease renewal shall not be assigned or otherwise transferred without prior written consent of the Lessor or its duly authorized agent. Such assignment or other transfer shall be subject to the terms, conditions and provisions of management standards and applicable laws, rules and regulations in effect at that time. Any assignment or other transfer without prior written consent of the Lessor shall be null and void and without legal effect.

11. **INDEMNIFICATION/INVESTIGATION OF ALL CLAIMS:** The Lessee shall investigate all claims of every nature arising out of this lease at its expense, and shall indemnify, defend and save and hold harmless the Lessor and the State of Florida from all claims, actions, lawsuits and demands arising out of this lease renewal.

12. **VENUE:** Lessee waives venue as to any litigation arising from matters relating to this lease renewal and any such litigation between Lessor and Lessee shall be initiated and maintained only in Leon County, Florida.

13. **NOTICES/COMPLIANCE/TERMINATION:** The Lessee binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth, and said provisions and conditions shall be deemed covenants of the Lessee, its successors and assigns. In the event the Lessee fails or refuses to comply with the provisions and conditions herein set forth, or in the event the Lessee violates any of the provisions and conditions herein, or fails or refuses to comply with the provisions and conditions herein set forth within 30 days of receipt of the Lessor's notice to correct, this lease renewal may be terminated by the Lessor upon thirty (30) days written notice to Lessee. If canceled, all of the above-described parcel of land shall revert to the Lessor. All costs and attorneys' fees incurred by the Lessor to enforce the provisions of this lease shall be paid by the Lessee. All notices required to be given to the Lessee by this lease renewal or applicable law or administrative rules shall be sufficient if sent by U.S. Mail to the following address:

Florida Power & Light Company
Cape Canaveral Plant
Scott Stone, Plant General Manager
6000 North US Highway 1
Cocoa, Florida 32927-6002

The Lessee shall notify the Lessor by certified mail of any change to this address at least ten (10) days before the change is effective.

14. **TAXES AND ASSESSMENTS:** The Lessee shall assume all responsibility for liabilities that accrue to the subject property or to the improvements thereon, including any and all drainage or special assessments or taxes of every kind and description which are now or may be hereafter lawfully assessed and levied against the subject property during the effective period of this lease renewal.

15. **NUISANCES OR ILLEGAL OPERATIONS:** The Lessee shall not permit the leased premises or any part thereof to be used or occupied for any purpose or business other than herein specified unless such proposed use and occupancy are consented to by the Lessor and the lease is modified accordingly, nor shall Lessee knowingly permit or suffer any nuisances or illegal operations of any kind on the leased premises.

16. **MAINTENANCE OF FACILITY/RIGHT TO INSPECT:** The Lessee shall maintain the leased premises in good condition, keeping the structures and equipment located thereon in a good state of repair in the interests of public health, safety and welfare. The leased premises shall be subject to inspection by the Lessor or its designated agent at any reasonable time.

17. **NON-DISCRIMINATION:** The Lessee shall not discriminate against any individual because of that individual's race, color, religion, sex, national origin, age, handicap, or marital status with respect to any activity occurring within the area subject to this lease renewal or upon lands adjacent to and used as an adjunct of the leased area. During the lease term, the Lessee shall post and maintain the placard furnished to the Lessee by the Lessor in a prominent and visible location on the leased premises or adjacent business office of the Lessee. It shall be the responsibility of the Lessee to post the placard in a manner which will provide protection from the elements, and, in the event that said placard becomes illegible at any time during the term of this lease renewal (including any extensions thereof), to notify the Lessor in writing, so that a replacement may be provided.

18. **ENFORCEMENT OF PROVISIONS:** No failure, or successive failures, on the part of the Lessor to enforce any provision, nor any waiver or successive waivers on its part of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Lessor to enforce the same upon any renewal thereof or in the event of subsequent breach or breaches.

19. PERMISSION GRANTED: Upon expiration or cancellation of this lease renewal all permission granted hereunder shall cease and terminate.

20. RENEWAL PROVISIONS: Renewal of this lease shall be at the sole option of the Lessor. Such renewal shall be subject to the terms, conditions and provisions of management standards and applicable laws, rules and regulations in effect at that time. In the event that Lessee is in full compliance with the terms of this lease renewal, the Lessee may apply in writing for a renewal. Such application for renewal must be received by Lessor no sooner than 120 days and no later than 30 days prior to the expiration date of the original or current term hereof. The term of any renewal granted by the Lessor shall commence on the last day of the previous lease term. If the Lessee fails to timely apply for a renewal, or in the event the Lessor does not grant a renewal, the Lessee shall vacate the leased premises and remove all structures and equipment occupying and erected thereon at its expense. The obligation to remove all structures authorized herein upon termination of this lease renewal shall constitute an affirmative covenant upon the riparian upland property more specifically described in Attachment A, which shall run with the title to said riparian upland property, and shall be binding upon Lessee and Lessee's successors in title or successors in interest.

21. REMOVAL OF STRUCTURES/ADMINISTRATIVE FINES: If the Lessee does not remove said structures and equipment occupying and erected upon the leased premises after expiration or cancellation of this lease renewal, such structures and equipment will be deemed forfeited to the Lessor, and the Lessor may authorize removal and may sell such forfeited structures and equipment after ten (10) days written notice by certified mail addressed to the Lessee at the address specified in Paragraph 13 or at such address on record as provided to the Lessor by the Lessee. However, such remedy shall be in addition to all other remedies available to the Lessor under applicable laws, rules and regulations including the right to compel removal of all structures and the right to impose administrative fines.

22. REMOVAL COSTS/LIEN ON RIPARIAN UPLAND PROPERTY: Any costs incurred by the Lessor in the removal of any structures and equipment constructed or maintained on state lands shall be paid by the Lessee and any unpaid costs and expenses shall constitute a lien upon the interest of the Lessee in the riparian upland property enforceable in summary proceedings as provided by law.

23. RECORDATION OF LEASE: The Lessee, at its own expense, shall record this fully executed lease renewal in its entirety in the public records of the county within which the lease site is located within fourteen (14) days after receipt, and shall provide to the Lessor within ten (10) days following the recordation a copy of the recorded lease in its entirety which contains the O.R. book and pages at which the lease is recorded.

24. RIPARIAN RIGHTS/FINAL ADJUDICATION: In the event that any part of any structure authorized hereunder is determined by a final adjudication issued by a court of competent jurisdiction to encroach on or interfere with adjacent riparian rights, Lessee agrees to either obtain written consent for the offending structure from the affected riparian owner or to remove the interference or encroachment within 60 days from the date of the adjudication. Failure to comply with this paragraph shall constitute a material breach of this lease renewal agreement and shall be grounds for immediate termination of this lease renewal agreement at the option of the Lessor.

25. AMENDMENTS/MODIFICATIONS: This lease renewal is the entire and only agreement between the parties. Its provisions are not severable. Any amendment or modification to this lease renewal must be in writing, must be accepted, acknowledged and executed by the Lessee and Lessor, and must comply with the rules and statutes in existence at the time of the execution of the modification or amendment. Notwithstanding the provisions of this paragraph, if mooring is authorized by this lease, the Lessee may install bollards within the leased premises without formal modification of the lease provided that (a) the Lessee obtains any state or local regulatory permit that may be required; and (b) the location or size of the lift does not increase the mooring capacity of the facility.

26. ADVERTISING SIGNS/NON-WATER DEPENDENT ACTIVITIES/ADDITIONAL ACTIVITIES/MAJOR STRUCTURAL REPAIRS: No permanent or temporary signs directed to the boating public advertising the sale of alcoholic beverages shall be erected or placed within the leased premises. No restaurant or dining activities are to occur within the leased premises. The Lessee shall ensure that no permanent, temporary or floating structures, fences, docks, pilings or any structures whose use is not water-dependent shall be erected or conducted over sovereignty submerged lands without prior written consent from the Lessor. No additional structures and/or activities including dredging, relocation/realignment or major repairs or renovations to authorized structures, shall be erected or conducted on or over sovereignty, submerged lands without prior written consent from the Lessor. Unless specifically authorized in writing by the Lessor, such activities or structures shall be considered unauthorized and a violation of Chapter 233, Florida Statutes, and shall subject the Lessee to administrative fines under Chapter 18-14, Florida Administrative Code. This condition does not apply to minor structural repairs required to maintain the authorized structures in a good state of repair in the interests of public health, safety or welfare; provided, however, that such activities shall not exceed the activities authorized by this agreement.

27. COMPLIANCE WITH FLORIDA LAWS: On or in conjunction with the use of the leased premises, the Lessee shall at all times comply with all Florida Statutes and all administrative rules promulgated thereunder. Any unlawful activity which occurs on the leased premises or in conjunction with the use of the leased premises shall be grounds for the termination of this lease by the Lessor.

28. LIVABOARDS: The term "liveaboard" is defined as a vessel docked at the facility and inhabited by a person or persons for any five (5) consecutive days or a total of ten (10) days within a thirty (30) day period. If liveaboards are authorized by paragraph one (1) of this lease, in no event shall such "liveaboard" status exceed six (6) months within any twelve (12) month period, nor shall any such vessel constitute a legal or primary residence.

29. GAMBLING VESSELS: During the term of this lease and any renewals, extensions, modifications or assignments thereof, Lessee shall prohibit the operation of or entry onto the leased premises of gambling cruise ships, or vessels that are used principally for the purpose of gambling. When these vessels are engaged in "cruises to nowhere," where the ships leave and return to the state of Florida without an intervening stop within another state or foreign country or waters within the jurisdiction of another state or foreign country, and any watercraft used to carry passengers to and from such gambling cruise ships.

30. SPECIAL LEASE CONDITIONS: Should a field survey acceptable to Lessor be required or obtained after the effective date of this lease, the annual lease fees due hereunder shall be adjusted to reflect the increase or decrease in the total preempted area shown by the survey. Any such adjustment shall be effective from the date of the acceptable survey and shall be prospective only. No reimbursement or credit shall be given to Lessee by Lessor for overages, and no charge shall be imposed by Lessor for shortages unless the error resulted from inaccurate information supplied by the Lessee.

WITNESSES:

Mary K. Thurmond
Original Signature
Mary K. Thurmond
Print/Type Name of Witness
Kathy C. Griffin
Original Signature
Kathy C. Griffin
Print/Type Name of Witness

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE STATE
OF FLORIDA

BY: Jeffery M. Gentry
Jeffery M. Gentry, Operations and Management Consultant Manager, Bureau of Public Land Administration, Division of State Lands, State of Florida Department of Environmental Protection, as agent for and on behalf of the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida

"LESSOR"

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 18th day of March, 2008, by Jeffery M. Gentry, Operations and Management Consultant Manager, Bureau of Public Land Administration, Division of State Lands, State of Florida Department of Environmental Protection, as agent for and on behalf of the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida. He is personally known to me.

APPROVED AS TO FORM AND LEGALITY:

Jeffery M. Gentry
Notary Public, State of Florida

Printed, Typed or Stamped Name: Jeffery M. Gentry
My Commission Expires: 10/30/2011
Commission/Serial No. _____

WITNESSES:

Tammy J. Jantmann
Original Signature
Tammy Jantmann
Type/Printed Name of Witness
Samantha J. Woodruff
Original Signature
Samantha J. Woodruff
Type/Printed Name of Witness

Florida Power & Light Company, a Florida corporation (SEAL)

BY: Stephen M. Rauwer
Original Signature of Executing Authority
Stephen M. Rauwer
Type/Printed Name of Executing Authority
Sr. Director Corporate Real Estate
Title of Executing Authority

"LESSEE"

STATE OF FL
COUNTY OF Leon Beach

The foregoing instrument was acknowledged before me this 26th day of December, 2007, by Stephen M. Rauwer, as Sr. Director Corporate Real Estate of Florida Power & Light Company, a Florida corporation, for and on behalf of the corporation. He is personally known to me or who has produced _____, as identification.

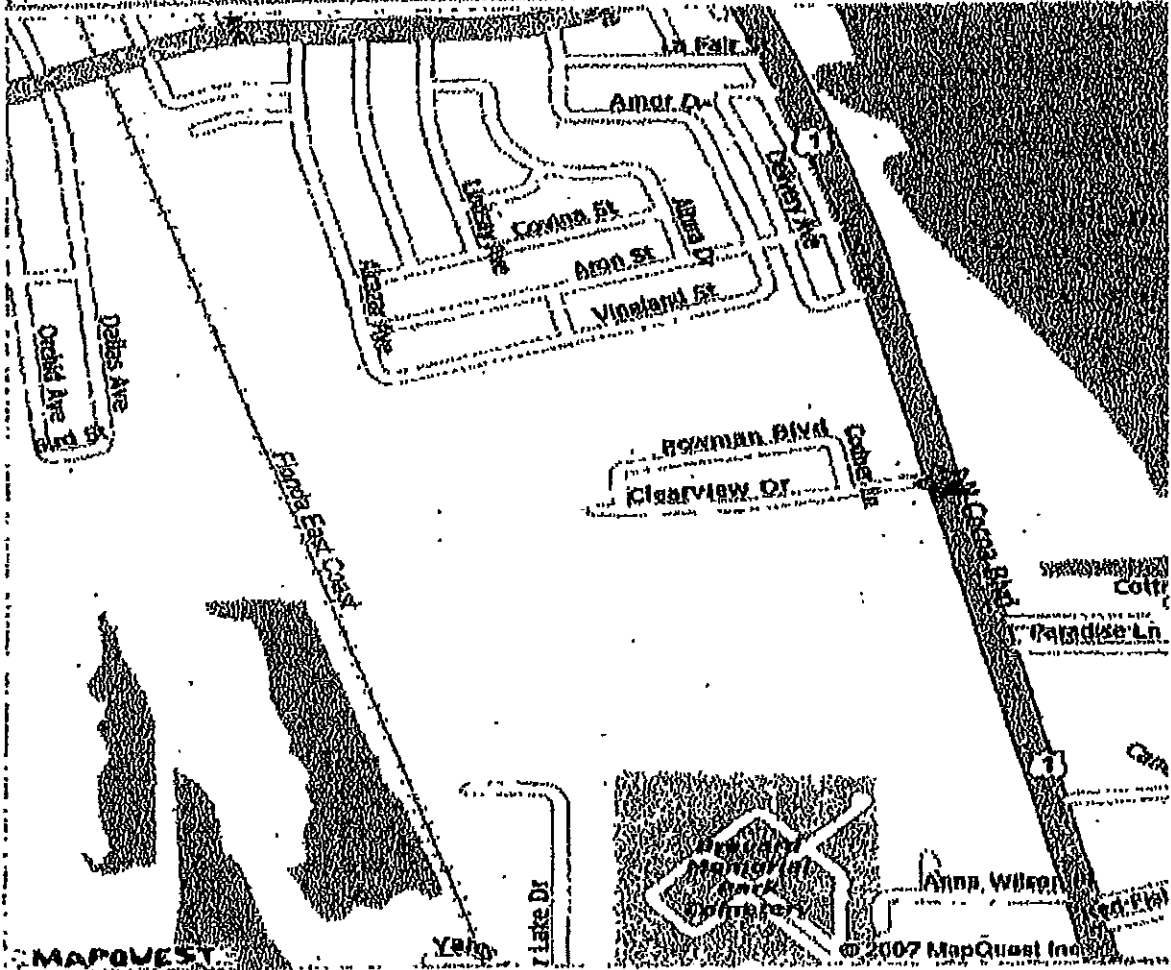
My Commission Expires:

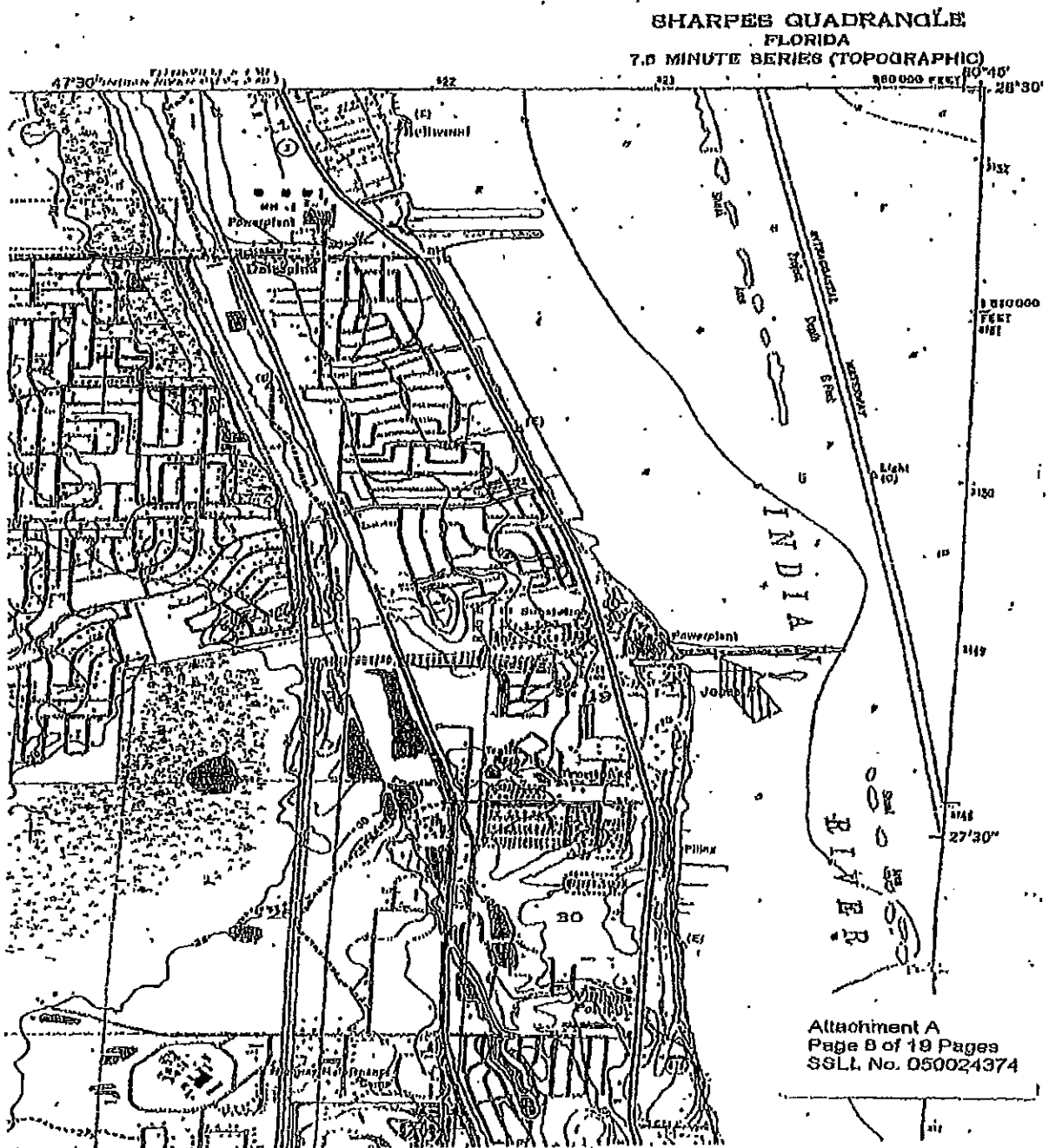
Michelle M. Kahman
Notary Public, State of Florida
My Commission Expires 08/18/2011
Commission/Serial No. _____

Michelle M. Kahman
Notary Signature
Notary Public, State of FL
Michelle M. Kahman
Printed, Typed or Stamped Name

★ 6000 N Cocoa Blvd
Cocoa, FL 32927-6002, US

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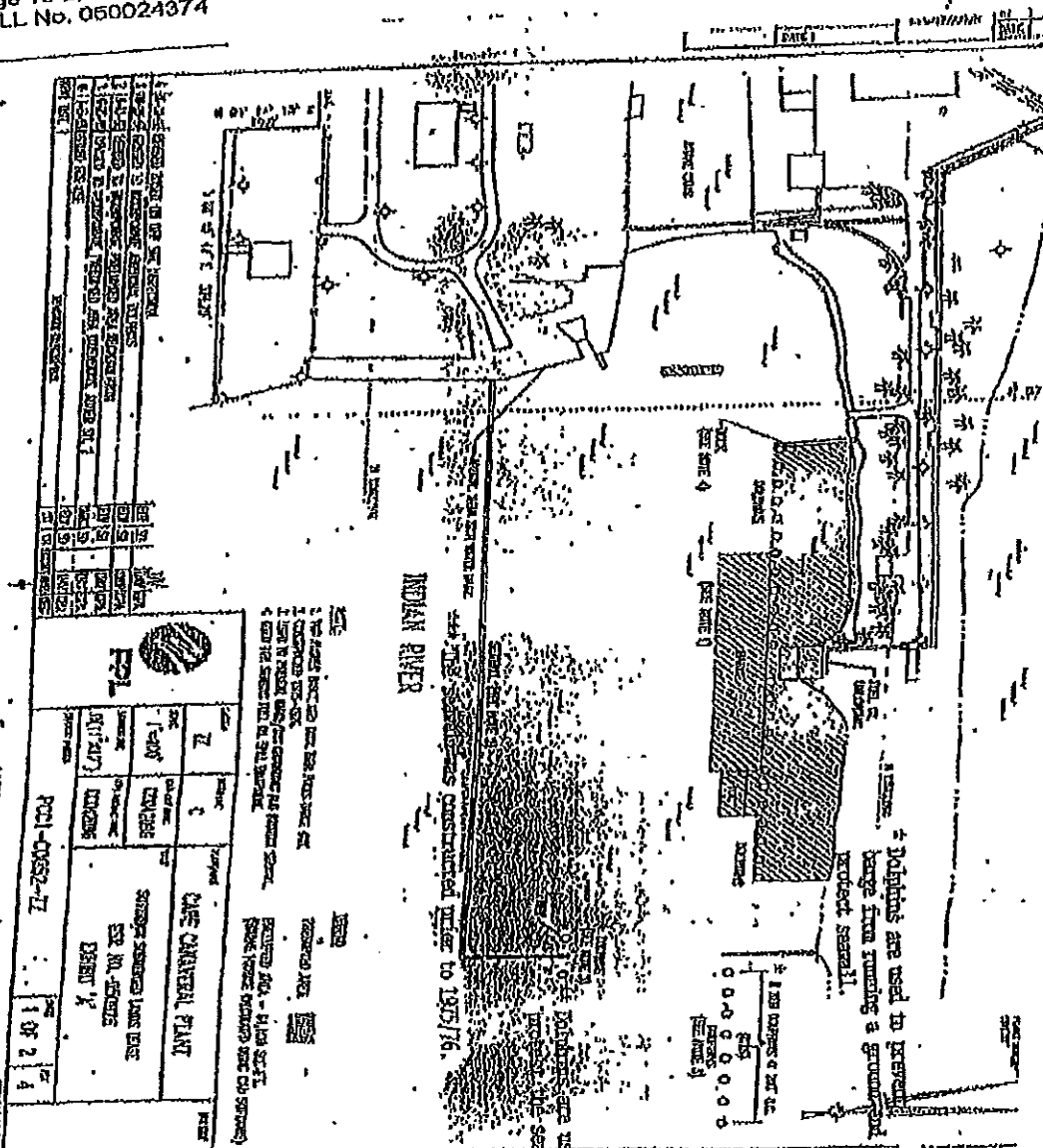


FLORIDA POWER & LIGHT
CAPE CANAVERAL PLANT
BREVARD COUNTY FLORIDA
GSR NO. 050026

A parcel of submerged land located in Section 19, Township 23 South, Range 36 East, Brevard County, Indian River (waterbody) containing 64,100 square feet, as described on the attached sketch labeled as Exhibit A and dated November 30, 1928, located immediately waterward of that upland property with the legal description in the attached summary legal description labeled as Exhibit B.

[LEGAL DESCRIPTION(S) AS DESCRIBED IN THOSE CERTAIN WARRANTY DEED(S), BETWEEN RAPPE DEVELOPMENT COMPANY, ROBERT W. BRUCE AND MILDRED C. BRUCE, HUSBAND AND WIFE, P.D. SHUPING, UNMARRIED, FREDERICK O. RIFON AND MILDRED M. RIFON, HUSBAND AND WIFE, ALBERT RAMOS AND KATHERINE RAMOS, HUSBAND AND WIFE, CHARLES HERMAN AND ERMA EILEEN HERMAN, HIS WIFE, L.A. PERRIN, AS TRUSTEE, AND INDIVIDUALLY, JOINED BY HIS WIFE, LENELLE PERRIN, EDWARD LAWTON AND MARIE LAWTON, HUSBAND AND WIFE, WORTH A. OVERACKER AND MAUD I. OVERACKER, HUSBAND AND WIFE, JAMES H. SWEENEY, JR. AND CHRISTINE B. SWEENEY, HIS WIFE, PALMER B. CONNER AND HELEN H. CONNER, HUSBAND AND WIFE, LYNN E. WHITEMAN AND JULIA C. WHITEMAN, HUSBAND AND WIFE, FRANK A. ROBINSON AND HIS WIFE, GLADYS M. ROBINSON, GRANTORS AND FLORIDA POWER & LIGHT COMPANY, A FLORIDA CORPORATION, GRANTEE, AS RECORDED IN THE ATTACHED SUMMARY OF LEGAL DESCRIPTION(S), OFFICIAL RECORDS OF BREVARD COUNTY, FLORIDA, OTHERWISE KNOWN AS ATTACHMENT B TO THIS LEASE INSTRUMENT.]

Attachment A
Page 10 of 18 Pages
SSLL No. 060024374



11-30-78 Site plan revised to show buildings

EXHIBIT B

CAPE CANAVERAL PLANT
SUMMARY LEGAL DESCRIPTION

PARCEL NO. 1:
(Title vested by virtue of Deed recorded in ORN 526/2).

Government Lot 3, Section 19, Township 23 South, Range 36 East, together with an easement over and across the North fifty (50) feet of the South two hundred eighty (280) feet of Rosemont Terrace subdivision lying West of U. S. Highway #1, in Brevard County, Florida.

PARCEL NO. 2:
(Title vested by virtue of Deed recorded in ORN 070/266).

Begin at the concrete post at the West quarter section corner of Section 19, Township 23 South, Range 36 East, Brevard County, Florida, said post being the Northwest corner of U. S. Lot 3, said Section; thence run South 89 degrees, 22 minutes, 30 seconds East on the quarter section line or North side of U. S. Lot 3 a distance of 1326.8 feet to a concrete monument which replaced old acquiesce post at the Northwest corner of said U. S. Lot 3 for the point of beginning of land herein described; thence for a first course, run North 36 degrees, 30 minutes East along the northwesterly line of lands formerly owned by F. D. Shuping, a distance of 307.1 feet to a concrete monument; thence for a second course, run North 25 degrees, 11 minutes, 25 seconds West a distance of 16 feet to a concrete post; thence for a third course, run South 80 degrees, 13 minutes, 35 seconds West parallel to the North line of Hoxsach Garhart deed as recorded in Deed Book 124, page 124, Public Records of said County a distance of 274.5 feet to an iron pipe; thence for a fourth course, run South and parallel to the West line of Section 19, a distance of 215 feet to an iron rod on the North line of U. S. Lot 3 of the quarter section line; thence for a fifth course, run South 89 degrees, 22 minutes, 30 seconds East along the North line of said U. S. Lot 3 a distance of 98.87 feet to a concrete monument at the Northeast corner of said U. S. Lot 3, which is the point of beginning; together with eight of way 16 feet wide described as follows: from the aforesaid point of beginning, run North 36 degrees, 30 minutes East along the northwesterly line of land formerly owned by F. D. Shuping a distance of 307.1 feet to a concrete monument for the point of beginning of said right of way; thence for a first course, run North 65 degrees, 37 minutes, 13 seconds East 70.13 feet to a concrete monument on the West right of way line of new U. S. Highway No. 1; thence for a second course, run North 13 degrees, 52 minutes, 00 seconds West along said right of way line 16.12 feet to a point; thence for a third course, run South 65 degrees, 37 minutes, 13 seconds West 72.90 feet to a concrete monument; thence for a fourth course, run southeasterly 16 feet more or less to the point of beginning.

PARCEL NO. 3:
(Title vested by virtue of Deed recorded in ORN 524/618).

All of Lot One (1) of the resubdivision of Rosemont Terrace subdivision lying west of the west right of way line of new U. S. No. 1 Highway, except the south two hundred thirty (230) feet, said resubdivision being recorded in Plat Book 2, page 40, of the Public Records of Brevard County, Florida, subject to a fifty (50) foot easement running east and west on the south side of said property.

PARCEL NO. 4:
(Title vested by virtue of Deed recorded in ORN 526/820).

The North one hundred eighty (280) feet of the South two
Continued on next page

hundred thirty (130) feet of that part of Newmark Terrace Subdivision lying west of the west right of way line of New U. S. Highway, said plat of Newmark Terrace Subdivision being recorded in Plat Book U, page 49, Public Records of Brevard County, Florida.

PARCEL NO. 5:
(Title vested by virtue of deed recorded in OMB 824/988).

A tract of land located in Section nineteen (19), Township twenty-three (23) south, Range thirty-six (36) east, Brevard County, Florida, described as follows:

From an iron pipe on the range line, which is 713.10 feet north of the quarter-section corner on the west side of said Section nineteen (19), which is a point of reference, run north seventy-five (75) degrees, nine (9) minutes east and parallel to the south line of the Palmetto Grant, a distance of 1548.24 feet to an iron pipe on the east line of the right of way of U. S. Highway No. 1, also known as Dixie Highway, as presently located, which is the point of beginning of the land herein described, and from the said point of beginning, for a first course, run south forty-two (42) degrees, thirty-two (32) minutes, thirty (30) seconds east on the east right of way line of U. S. Highway No. 1 (which is also known as State Road No. 5), a distance of 295 feet to the northwest corner of the land conveyed to Carl H. and Alice G. Hoppa by deed recorded in Book 264, page 475, Official Records of Brevard County, Florida; thence for a second course, run north forty-seven (47) degrees, sixteen (16) minutes, forty-two (42) seconds east on the north line of the land conveyed to Carl H. and Alice G. Hoppa as aforesaid, a distance of 228 feet, more or less, to and into the waters of the Indian River; thence return to the point of beginning, and for a third course, run north seventy-five (75) degrees, nine (9) minutes east, a distance of 449.78 feet to an iron pipe on the west bank of the Indian River, and continue the said course to and into the waters of the Indian River; and thence for a fourth course, run south thirty-six (36) degrees, fifty-eight (58) minutes east in the waters of the Indian River, a distance of 46.10 feet, more or less, to the southeast terminus of the second course, which is the northwest corner of the land conveyed to Carl H. and Alice G. Hoppa as aforesaid.

Together with the riparian and littoral rights and the submerged lands in Indian River appertaining to said property.

PARCEL NO. 6:
(Title vested by virtue of judgment recorded in OMB 47/102).

Beginning at a point on the west line of fractional Section 19, Township 23 South, Range 36 East, which point is 713.10 feet north of the northwest corner of said northwest quarter (NW 1/4) of the southeast quarter (SW 1/4) of said fractional Section 19; thence run north seventy-five (75) degrees, nine (9) minutes east parallel with the south line of the Palmetto Grant, 1548.24 feet to a point on the east right of way of U. S. No. 1 (Dixie Highway) as presently located; thence south forty-two (42) degrees, thirty-two (32) minutes, thirty (30) seconds east along said east right of way line 295 feet to the point of beginning; from said point of beginning, for a first course, continue south fourteen (14) degrees, thirty-two (32) minutes, thirty (30) seconds east along said east right of way line, two hundred (200) feet; thence for a second course, run north forty-nine (49) degrees, twenty-four (24) minutes, forty (40) seconds east on next page.

(40) seconds east, six hundred (600) feet, more or less, to and into the waters of the Indian River, thence return to the point of beginning) thence for a third course, run north forty-seven (47) degrees, sixteen (16) minutes, forty-two (42) seconds east, five hundred twenty-eight (528) feet, more or less, to and into the waters of the Indian River, thence for a fourth course, run southeasterly along the waters of the Indian River, two hundred (200) feet, more or less, to the above described continuation of said second course. All being and lying in Exceptional Section Nineteen (19), Township Twenty-three (23) South, Range Thirty-six (36) East, in Brevard County, Florida. Together with all riparian, littoral or shore rights in the Indian River to the said land appertaining.

PARCEL NO. 71
(Title vested by virtue of deed recorded in ORB #24/246).

commencing at a concrete monument which is the southwest corner of Government Lot Two (2), Section Nineteen (19), Township Twenty-three (23) South, Range Thirty-six (36) East, Brevard County, Florida, thence run north along the west section line of said Section Nineteen (19), a distance of three hundred forty-nine and sixty-three hundredths (349.63) feet to an iron pipe, thence north eighty (80) degrees, thirty-two (32) minutes, thirty (30) seconds west, a distance of one thousand five hundred seventy-nine and fifty hundredths (1579.50) feet to a concrete monument on the west right of way line of U. S. Highway No. 1, thence continuing north eighty (80) degrees, thirteen (13) minutes, thirty (30) seconds west a distance of sixty-six and twenty-three hundredths (66.23) feet across U. S. Highway No. 1 to a concrete monument on the west right of way of said U. S. Highway No. 1 and the point of beginning of the land hereby described, thence north forty-nine (49) degrees, seven (7) minutes, twenty (20) seconds east six hundred eight and seven-hundredths (608.78) feet to an iron pipe on the shore of the Indian River, thence southeasterly along the shore line of the Indian River two hundred ninety-nine and five hundredths (299.05) feet to an iron pipe, thence south sixty-three (63) degrees, twenty (20) minutes, twenty-five (25) seconds east, six hundred sixty-three and ninety-five hundredths (663.95) feet to a concrete monument on the east right of way line of U. S. Highway No. 1, thence north fourteen (14) degrees, twenty-four (24) minutes, forty (40) seconds east, one hundred eighty (180) feet to a concrete monument and the point of beginning. Together with all riparian rights, thereunto appertaining.

PARCEL NO. 51
(Title vested by virtue of deed recorded in ORB #25/274).

Start at a concrete monument at the southwest corner of Government Lot 2, Section 19, Township 23 South, Range 36 East, Brevard County, Florida, go north along section line 049.63 feet to an iron pipe, thence north eighty (80) degrees, thirteen (13) minutes, thirty (30) seconds west, 1579.5 feet to an iron pipe set on the west right of way line of U. S. Highway No. 1, as presently located, thence south fourteen (14) degrees, thirteen (13) minutes, thirty (30) seconds east along said west right of way line, a distance of 180 feet to a concrete monument for a point of beginning of lands hereby conveyed, thence north sixty-three (63) degrees, thirty-one (31) minutes, east along south line of lands described in Deed Book 410, page 222, public records of Brevard County, Florida, a distance of 664.1 feet to a phone set on the shore of the Indian River, thence

Continued on next page

southeasterly along said shore line, a distance of 76 feet, thence westerly to a point on the east right of way line of U. S. Highway No. 1, said point being 51 feet south-westerly measured along said right of way line from the point of beginning; thence northwesterly along said right of way line, a distance of 51 feet, to the point of beginning.

In addition thereto, all riparian and littoral rights thereto appertaining.

PARCEL No. 9:
(Title vested by virtue of Deed recorded in ORB 525/974).

Beginning on the west shore of the Indian River at the southeast corner of Parcel No. 9, thence run southeasterly along the shore line of the Indian River to the southeast corner of property described in Deed Book 459, page 822, Public Records of Brevard County, Florida; thence continue westerly along said south line of property described in Deed Book 369, page 522, Public Records of Brevard County, Florida, a distance of 340 feet; thence run northerly to an iron pipe located on the south line of the property described as Parcel No. 2 above, said point being located 220 feet, more or less, measured along said south line of Parcel No. 2 from the waters of the Indian River and westerly 310 feet measured along said south line from the east right of way line of U.S. Highway No. 1, thence northerly along the north line of property described as Parcel No. 2 to the point of beginning. In addition thereto, all riparian and littoral rights thereto appertaining.

This conveyance is made subject to an easement ten (10) feet wide, extending from the land hereinabove described to the waters of the Indian River, which was reserved in the deed executed by Edward Lawton and Maria Lawton to Nelson H. Roberts, dated March 1, 1957, and recorded in Deed Book 442, page 851, Public Records of Brevard County, Florida.

PARCEL No. 10:
(Title vested by virtue of Deed recorded in ORB 525/669).

From the Coquina monument at the northwest corner of U. S. Government Lot 3, being the northeast corner of the west-half (1/2) of the southwest quarter (SW 1/4) of fractional Section nineteen (19), Township twenty-three (23) south, Range thirty-six (36) East, Brevard County, Florida, run the northwesterly line of the Rosemont Terrace Subdivision (according to the plat of said subdivision recorded in Plat Book 4, page 70, and replatted according to plat recorded in Plat Book 8, page 40, Public Records of Brevard County, Florida), on a course of north thirty-six (36) degrees, thirty (30) minutes east, a distance of 307.2 feet to an iron pipe; thence run the northerly line of the said Rosemont Terrace Subdivision, being the northerly line of R. B. Shuping's land, on a course of north sixty-four (64) degrees, forty-eight (48) minutes, thirty-five (35) seconds east, a distance of 312.7 feet to a concrete post on the east side of the right of way of U. S. Highway No. 1, which point is the point of beginning of the land herein described; from the said point of beginning, run north fourteen (14) degrees, thirty-six (36) minutes west on the east side of the right of way of U. S. Highway No. 1, a distance of one hundred (100) feet, more or less, to the south line of the land conveyed by Edward and Maria Lawton to Nelson H. Roberts by deed recorded in Deed Book 427, page 2322; thence run westerly on the south line of the land conveyed by Edward

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and Maria Lorton to Delmar H. Roberts, recorded in Deed Book 437, page 232 aforesaid, a distance of 310 feet, more or less, to an iron pipe in a ditch located at the northwest corner of the lands conveyed by Edward and Maria Lorton to Delmar H. Roberts by deed recorded in Deed Book 442, page 251, thence run southerly on the west line of the lands conveyed to Delmar H. Roberts in Deed Book 442, page 251, a distance of 100 feet, more or less, to the north line of the Roosevelt Terrace subdivision aforesaid, and thence run south sixty-four (64) degrees, forty-eight (48) minutes, thirty-five (35) seconds west on the north line of the Roosevelt Terrace subdivision aforesaid, a distance of 254.8 feet, more or less, to the point of beginning.

ALSO, all of the right, title and interest of the parties at the first part in and to the easement ten (10) feet wide, extending from the land hereinabove described to the waters of the Indian River, which was reserved in the deed executed by them to Delmar H. Roberts, dated March 1, 1927, and recorded in Deed Book 442, page 251, Public Records of Brevard County, Florida.

PARAGRAPH NO. 11:
(Title vested by virtue of judgment recorded in Case 47/102).

A tract of land situated in government lot two of Section nineteen (19), Township twenty-three (23) South, Range thirty-six (36) East, Brevard County, Florida, described as follows: From the northeast corner of the west half of the southwest quarter (SW 1/4) of Section nineteen (19) aforesaid, which is a point of reference, run the boundary of the Roosevelt Terrace subdivision (the plat of which is recorded in Plat Book 4, page 70, Public Records of Brevard County, Florida) north thirty-six (36) degrees, thirty (30) minutes east, a distance of three hundred seven and one-tenth (307.1) feet, and thence north sixty-four (64) degrees, forty-eight (48) minutes, thirty-five (35) seconds east, a distance of two hundred twelve and seven tenths (212.7) feet to a point on the east side of the right of way of State Road No. 5, also known as U. S. Highway No. 1, which is the point of beginning of the land herein described, and from the said point of beginning, continue on the north line of the Roosevelt Terrace subdivision, north sixty-four (64) degrees, forty-eight (48) minutes, thirty-five (35) seconds east, a distance of seven hundred thirty-four and eight tenths (734.8) feet, more or less, to the west bank of the Indian River, thence run southerly in the waters edge of the Indian River, a distance of one hundred and ninety two (192) feet to a stake at the northeast corner of the lands of Conrad H. and Ruth D. Graham, described in Deed Book 348, page 314, thence run southerly on the north line of the lands of Conrad H. and Ruth D. Graham to a point on the east line of State Road No. 5, also known as U. S. Highway No. 1, which is 118 feet from the point of beginning, thence run southerly on the east line of the right of way of State Road No. 5, a distance of one hundred sixteen (116) feet to the point of beginning, together with all riparian, littoral or other rights in the Indian River to the said land appertaining.

PARAGRAPH NO. 12:
(Title vested by virtue of judgment recorded in Case 47/102).

A tract of land situated in government lot two (2) of Section nineteen (19), Township twenty-three (23) South, Range thirty-six (36) East, Brevard County, Florida, described as follows: From the northeast corner of the west-half (W 1/2) of

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the southwest quarter (SW 1/4) of Section nineteen (19),
 Narcoossee, which is a point of Narcoossee, run the boundary of
 the Narcoossee Terrace subdivision (the plat of which is recorded
 in Plat Book 4, page 70, Public Records of Duval County,
 Florida) north thirty-six (36) degrees, thirty (30) minutes
 east, a distance of three hundred seven and one-tenth (307.1)
 feet, and thence north sixty-four (64) degrees, forty-eight
 (48) minutes, thirty-five (35) seconds east, a distance of two
 hundred twelve and seven tenths (212.7) feet to a point on the
 east side of the right of way of State Road No. 5, also known
 as U. S. Highway No. 1, thence run southerly on the east line
 of the right of way of State Road No. 5, also known as U. S.
 Highway No. 1, a distance of one hundred fifteen (115) feet to
 the southwest corner of the lands of William Oremar, Jr., and
 Catherine Oremar, which is the point of beginning of the land
 herein described; thence run southerly on the south line of the
 lands of William Oremar, Jr., and Catherine Oremar to a point
 on the west shore of the Indian River, which is one hundred
 ninety two (192) feet southerly, as measured along the shore of
 the Indian River from the northwest corner of the Narcoossee
 Terrace subdivision; thence run southerly in the water's edge of
 the Indian River, a distance of one hundred and ninety two
 (192) feet to the northeast corner of the lands of North A.
 Overaker and Maud K. Overaker, thence run westerly on the
 north line of the lands of North A. Overaker and Maud K.
 Overaker to a point on the east right of way line of State
 Road No. 5, which is two hundred thirty (230) feet, measured on
 said right of way line from the north line of Narcoossee Terrace
 subdivision; thence run northerly on the east line of said
 State Road right of way line, a distance of one hundred fifteen
 (115) feet to the point of beginning. Together with all
 riparian, littoral or shore rights in the Indian River to the
 said land appertaining.

PARCEL NO. 13:
 (Title vested by virtue of Deed recorded in ORN 528/567).

Parcel A: Begin at an iron pipe on the East right of way line
 of U. S. Highway No. 1, which iron pipe is the corner of
 Shuping and Oremar lands, for POINT OF BEGINNING; thence
 southerly along Shuping and Oremar line to an iron pipe set on
 the high water mark of the Indian River; thence southeasterly
 along the high water mark of the Indian River, a distance of
 384 feet to an iron pipe; thence westerly to the East right of
 way line of U. S. Highway No. 1 to a point, which point is 230
 feet from point of beginning, measured along the East right of
 way line of U. S. Highway No. 1; thence northwesterly along
 said right of way line to a point of beginning, being part of
 Narcoossee Terrace as per Plat recorded in Plat Book 4, page 70,
 of the Public Records of Duval County, Florida, in Section
 19, Township 20 South, Range 26 East; together with all
 riparian, littoral and shore rights thereunto belonging or in
 any wise appertaining.

Parcel B: Begin at an iron pipe at a point on the East right
 of way line of U. S. Highway No. 1, which point is 230 feet
 southeasterly from Shuping-Oremar corner point, for POINT OF
 BEGINNING; thence southerly along the southerly line of Warren A.
 Shuping and Catherine O. Shuping, to an iron pipe set on the
 high water mark of the Indian River (which iron pipe is 234
 feet southeasterly from an iron pipe set on the Indian River,
 which iron pipe marks corner of Shuping-Oremar land); thence
 along the high water mark of the Indian River a distance of
 389.30 feet to an iron pipe which marks the corner of
 Shuping-Oremar land; thence westerly to a concrete post set on
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the East right of way line of U.S. Highway No. 1, which post is corner of Shaping-Nash land, which point is 221 feet measured along said right of way line from point of beginning; thence along the East right of way line of U. S. Highway No. 1 to point of beginning, being part of land in Homestead Section as per Plat Book 4, page 70, of the Public Records of Bravard County, Florida, in Section 19, Township 23 South, Range 36 East, together with all and singular the rights, appurtenances, hereditaments, and appurtenances to the same belonging to or in any wise appertaining, and riparian, littoral and shore rights thereunto belonging or in any wise pertaining.

The land above described as PARCEL A and PARCEL B, being otherwise described as:

All that certain tract or parcel of land situate, lying and being in Government Lots 2 and 4, of Section 19, Township 23 South, Range 36 East, in Bravard County, Florida, and being more particularly described as follows:

Beginning at a concrete monument on the Easterly right of way line of U. S. Highway No. 1 (State Road No. 5), as presently located, 519.12 feet South of the North line of said Government Lot 4; (said concrete monument is South 40 degrees East 46.4 feet from the center of a concrete culvert under said U. S. Highway No. 1); thence, run South 95 degrees, 53 minutes, 40 seconds East, 1040 feet along the South line of Government Lot 4, according to plat of said subdivision recorded in Plat Book 4, page 70, of the Public Records of Bravard County, Florida, to a concrete monument set on the West bank of the Indian River, (an 8 inch palm beam South 50 degrees East 42 feet) a gum tree (7 inches) bears North 47 degrees West 51.5 feet, and thence continue on the same course to and into the waters of the Indian River; thence run Northwesterly, measuring the water's edge of the Indian River, a distance of 750 feet to an iron pipe set at the Southeast corner of the lands of Conrad W. Ormer and Ruth D. Ormer, husband and wife, as described in Deed Book 345, page 314, Public Records of Bravard County, Florida; thence run South 78 degrees, 14 minutes, 20 seconds West along the South line of said lands of Conrad W. Ormer and Ruth D. Ormer, as described in Deed Book 345, page 314, a distance of 224 feet to an iron pipe set on the Easterly right of way line of U.S. Highway No. 1 (State Road No. 5) as presently located; thence go South 12 degrees, 14 minutes, 40 seconds East along the Easterly right of way line of said U. S. Highway No. 1 (State Road No. 5) as presently located, a distance of 461 feet to the concrete monument set at the point of beginning, together with all riparian, littoral and shore rights thereunto belonging or in anywise pertaining.

PARCEL NO. 143
(Title vested by virtue of deed recorded in ORD 880/672).

That part of Government Lot 4, Section 19, Township 23 South, Range 36 East, Bravard County, Florida, more particularly described as follows, to-wit: begin at the NW corner of the aforesaid Government Lot 4; thence run N on the W line of said Government Lot 4, 253.77 feet, to a coquina post; thence S 89 degrees, 56 minutes E 419.75 feet, or or less to a concrete post set on the E side of U. S. Highway No. 1, for the point of beginning. From said point of beginning run thence S 14 degrees, 48 minutes E along the E side of said Highway 275.45 feet, to a concrete post, which post is 255 feet, S of the point of beginning by right angle measurement; thence run S 69 degrees, 55 minutes E and parallel to the N line of said

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Government Lot 4 and 500.77 feet, S therefrom a distance of 1,007 feet, more or less, to a concrete post; thence continue S 50 feet, more or less, to and into the waters of the Indian River; thence Northwesterly meandering the waters of the Indian River to a point distant at right angle measurements S of the N line of said Government Lot 4, 222.77 feet, thence N 82 degrees, 35 minutes W and parallel to the N line of said Government Lot 4, 1,039.5 feet, more or less, to the point of beginning.

PARCEL NO. 15:
(Title vested by virtue of Deed recorded in ORN 1/1/1).

Begin at the Northwest corner of Government Lot 4, Section 19, Township 20 South, Range 36 East, Bravard County, Florida; thence South on the West line of said Lot 4 a distance of 222.77 feet to a concrete post; thence East parallel to the North line of said Lot 4 a distance of 249.75 feet to a concrete post on the East right-of-way line of U. S. Highway #1; thence Southwesterly along said East right-of-way line a distance of 265 feet South of the East corner by perpendicular measure to a concrete post; thence East parallel to the North line of said Lot 4 a distance of 595.67 feet to a concrete post for a point of beginning; thence South a distance of 50 feet; thence East parallel to the North line of said Government Lot 4 a distance of 120 feet; thence North a distance of 90 feet; thence West along a line parallel to the North line of said Government Lot 4 a distance of 150 feet to the point of beginning; together with easement for road right of way 20 feet wide running East and West from the Indian River to said Highway and bordering said parcel on the South and together with all riparian, lateral and shore rights belonging or in anywise pertaining.

PARCEL NO. 16:
(Title vested by virtue of Deed recorded in ORN 858/332).

Begin at the Northwest corner of Government Lot 4, Section 19, Township 20 South, Range 36 East, Bravard County, Florida; thence South on the West line of said Lot 4 a distance of 222.77 feet to a concrete post; thence East parallel to the North line of said Lot 4 a distance of 249.75 feet to a concrete post on the East right-of-way line of U. S. Highway No. 1; thence Southwesterly along said East right-of-way line a distance of 265 feet (the 265 feet measured perpendicularly) to a concrete post; thence East parallel to North line of said Lot 4 a distance of 249 feet to a concrete post for point of beginning; thence South a distance of 90 feet; thence East parallel to the North line of said Lot 4 a distance of 90 feet; thence North a distance of 90 feet; thence East parallel to the North line of said Government Lot 4 a distance of 90 feet to the point of beginning and being in Government Lot 4, Section 19, Township 20 South, Range 36 East, together with easement for road right-of-way 20 feet wide running East and West from Indian River to said Highway and bordering said parcel on the South.

PARCEL NO. 17:
(Title vested by virtue of Deed recorded in ORN 858/336).

Begin at the Northwest corner of Government Lot 4, Section 19, Township 20 South, Range 36 East, Bravard County, Florida; thence South on the West line of said Lot 4 a distance of

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