

APPENDIX 10.2.8

OTHER FEDERAL PERMITS OR APPROVALS

APPENDIX 10.2.8-1

**FEDERAL AVIATION AGENCY OE DOCKET NO. 64-SO-7
DETERMINATION OF NO HAZARD TO AIR NAVIGATION**



FEDERAL AVIATION AGENCY
Washington 25, D.C. 20553

RECEIVED
FLORIDA POWER & LIGHT CO.

MAY 7 1964

OFFICE
CHIEF ENGINEER

May 5, 1964

In Reply
Refer To: AT-540

Mr. H. V. Street
Chief Engineer
Florida Power and Light Co.
P. O. Box 3100
Miami, Florida

Gentlemen:

Enclosed is a copy of Obstruction Evaluation Docket No. 64-SO-7
which contains this Agency's determination of the effect of proposed
construction upon the navigable airspace.

Sincerely yours,

George R. Borsari
George R. Borsari, Chief
Obstruction Evaluation Branch
Airspace Regulations and
Procedures Division

Enclosure

REF	NAME	ANS
	Street	
	Bivans	
	Bell	
	Lasseter	
	Beville	
	Eyman	
	MacCarthy	
	Lang	
	Walmy	
	Metz	
	Raine	
	Johnson	
	Trans.	
	Cogburn	
	Relays	
	Keeler	
	Subs	
	Lawrence	
	Meck	
	Stanley	
	Chittom	

FEDERAL AVIATION AGENCY

OE Docket No. 64-SO-7

Florida Power and Light Company

Determination of No Hazard to Air Navigation

The Federal Aviation Agency has circularized the following proposal for aeronautical comment and has conducted an aeronautical study (SO-OE-3902) to determine its effect upon the safe and efficient utilization of the navigable airspace.

The Florida Power and Light Company, Miami, Florida, proposes to increase by 86 feet the height of two existing, and construct two additional, concrete exhaust stacks near Fort Lauderdale, Florida, at latitude $26^{\circ} 05' 07''$ north, longitude $80^{\circ} 07' 32''$ west. The overall height of the stacks would be 359 feet above mean sea level (340 feet above ground).

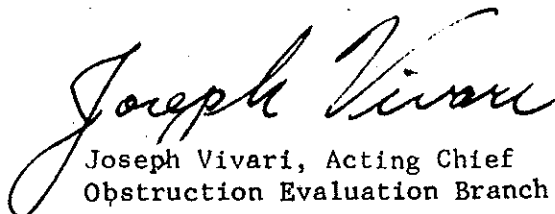
The Florida Power and Light Company submitted a previous proposal for stacks at this location at a height of 419 feet AMSL (400 feet AGL). This proposal resulted in the issuance of a determination of hazard to air navigation (OE Docket No. 64-SO-1).

The construction site is located approximately 10,130 feet northeast of the airport reference point, 6,950 feet northeast of the northeast end of Runway 4/22 and 2,000 feet southeast of the extended runway centerline at the Fort Lauderdale-Hollywood International Airport (formerly Broward County International). At the proposed height, the structures would exceed the inner horizontal surface as

OE Docket No. 64-SO-7

proposed construction would not be a hazard to air navigation provided that it is obstruction marked and lighted in accordance with Agency standards.

This determination is effective and will become final 30 days after the date of issuance unless an appeal is filed under Section 77.39 [New] (27 F. R.10352). If the appeal is denied, the determination will then become final as of the date of the denial or 30 days after the issuance of the determination, whichever is later. Unless otherwise revised or terminated, a final determination hereunder will expire 18 months after its effective date or upon earlier abandonment of the construction proposal (§77.41 [New]).


Joseph Vivari, Acting Chief
Obstruction Evaluation Branch

Issued in Washington, D. C., on April 24, 1964

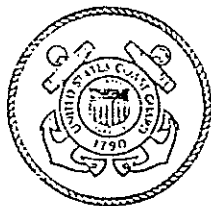
APPENDIX 10.2.8-2

**U.S. COAST GUARD
PRIVATE AIDS TO NAVIGATION APPLICATION NO. 16518**

PPE
Nav. Aids
CG 16518

RECEIVED

AUG 15 1979



DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

Address reply to:
COMMANDEE (oan)
Seventh Coast Guard District
51 S.W. 1st Avenue
Miami, Fla. 33130
Phone: (305) 350-5621

16518

Serial: 2375
13 August 1979

Mr. W. S. Tucker
Manager, Environmental Affairs
Florida Power & Light Company
Post Office Box 529100
Miami, Florida 33152

Dear Mr. Tucker:

I am pleased to enclose Private Aids to Navigation Application, CG-2554, authorizing the establishment of Port Everglades Power Plant Discharge Canal North and South Warning Buoys. These buoys are designated Class I, aids to navigation which the owners are legally obligated to establish, maintain and operate as prescribed by the Coast Guard. This authorization is issued under the following conditions:

1. Compliance with these and other conditions of the application is essential. You must not deviate from this application unless modification is submitted to and approval received from the United States Coast Guard.

2. That you advise the Commander, Seventh Coast Guard District (oan) immediately when the aids are actually established. At that time the Coast Guard will issue appropriate notices to mariners which will update the Light List and nautical charts.

3. These private aids to navigation shall be maintained in proper condition at all times. They will be inspected by the Coast Guard after establishment and thereafter at any time and without prior notice to the maintainer.

4. The applicant agrees to save the Coast Guard harmless with respect to any claim or claims that may result arising from the alleged negligence of the maintenance or operation of the approved aids.

5. A discrepancy exists whenever an aid is not as described in the approved application. Any discrepancy in the operation of the aids at any time shall be reported to the Commander, Seventh Coast Guard District (oan) by telegram or other rapid means of communication in order that notices to mariners may be issued. Discrepancies are to be corrected at once and reported by the same method.

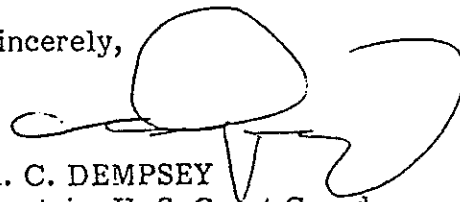
16518
Serial: 2375
13 August 1979

Subj: Private Aids to Navigation

6. Coast Guard authorization of these private aids to navigation does not authorize any invasion of private rights, nor grant any exclusive privileges, nor does it obviate the necessity of complying with any other federal, state or local laws or regulations.

You are invited to review conditions 3 and 5 of this authorization. It must be understood that when any aid to navigation is established, whether federal or private, this information is published immediately and then carried on future editions of appropriate charts and in the Light List. Thereafter, mariners have the right to expect the aid to display the advertised signal and discrepancies left uncorrected may result in marine casualties and resultant litigation.

Sincerely,

A handwritten signature in black ink, appearing to be 'A. C. Dempsey', with a large, stylized loop at the end.

A. C. DEMPSEY
Captain, U. S. Coast Guard
Chief, Aids to Navigation Branch
Seventh Coast Guard District
By direction of the District Commander

Encl: (1) CG-2554 approved 13 August 1979

Copy to: Commander, Coast Guard Group, Miami, FL
Officer in Charge, Aids to Navigation Team, Miami, FL
Corps of Engineers, Jacksonville, FL (Ms. Levin)

DEPARTMENT OF TRANSPORTATION U.S. COAST GUARD CG-2554 (Rev. 7-76)		PRIVATE AIDS TO NAVIGATION APPLICATION (See attached instructions and copy of Code of Federal Regulations, Title 33, Chap. 1, Part 66)				Form Approved OMB-004-		
NO PRIVATE AID TO NAVIGATION MAY BE AUTHORIZED UNLESS A COMPLETED APPLICATION FORM HAS BEEN RECEIVED (14 U.S.C. 83; 33 C.F.R. 66.01-5).								
1. ACTION REQUESTED FOR PRIVATE AIDS TO NAVIGATION:		A. ☒ ESTABLISH AND MAINTAIN B. ☐ DISCONTINUE C. ☐ CHANGE D. ☐ TRANSFER OWNERSHIP		2. DATE ACTION TO START		November, 1979		
3. AIDS WILL BE OPERATED:		A. ☒ THROUGHOUT YEAR B. ☐ TEMPORARILY UNTIL C. ☐ ANNUALLY FROM		TO				
4. NECESSITY FOR AID (Continue in Block 9)		5. GENERAL LOCALITY		6. CORPS OF ENGINEERS AUTHORIZED THIS STRUCTURE OR BUOY BY PERMIT OR LETTER (file and date)				
Navigation barrier is needed to Port Everglades		Port Everglades		78-1040/8/22/78				
FOR DISTRICT COMMANDERS ONLY		7. APPLICANT WILL FILL IN APPLICABLE REMAINING COLUMNS: SAJ-4						
LIGHT LIST NUMBER OR PAGE	NAME OF AID	NO. OR LTR. (7a)	LIGHT FLASH PER. (7b) LGTH. (7c) COLOR (7d)	POSITION (7e)	DEPTH OF WATER (7f)	CAN. OR HT. ABOVE WATER (7g)	STRUCTURE TYPE, COLOR, AND HEIGHT ABOVE GROUND (7h)	REMARKS (See Instructions) (7i)
		1		1542' east of E of S. E. 14th Ave. across canal.	11ft			2' dia. x 4' long white cans connected by wire, rope. Cans @ 5' on center.
	Port Everglades Power Plant Discharge Canal			LOCAL NOTICE TO MARINERS PURPOSES				
375				1600' east of E of S. E. 14th Ave. @ 3rd points in canal	11ft			5' cans (white), w/orange retro-reflective bands, open diamond & black letters
	-North Warning Buoy			26-04-57.1N 80-07-24.2W				White can buoys with orange reflectors worded BOAT HARRIER inside open orange diamond
	-South Warning Buoy			26-04-56.5N 80-07-24.2W				
8. ADDITIONAL COMMENTS								
prevent unauthorized craft from entering FPL's discharge canal.								
9a. NAME AND ADDRESS OF PERSON IN DIRECT CHARGE OF AID		10a. NAME AND ADDRESS OF PERSON OR CORPORATION AT WHOSE EXPENSE AID IS MAINTAINED		10b. THE APPLICANT AGREES TO SAVE THE COAST GUARD HARMLESS WITH RESPECT TO ANY CLAIM OF LIABILITY THAT MAY BE ASSERTED AGAINST THE UNITED STATES OR OPERATION OF THE AID MAINTAINED		10c. DATE		
Port Everglades Plant Maintenance Superintendent		Florida Power & Light Company Port Everglades Plant				7/24/79		
9b. (505) 552-3648		RECD. CHART L. N. M.		DATE APPROVED		10d. SIGNATURE AND TITLE OF OFFICIAL SIGNING		
		11466, 11467, 11470		AUG 13 1979		W. S. Tucker, Jr. Environment & Safety		
FOR USE BY DISTRICT COMMANDER		CLASSIFICATION OF AIDS		CIRCS		A. C. DODD, JR. Chief, Aide to Navigation Branch		
SERIAL NO. PA-87		I						

APPENDIX 10.2.8-3

**DEPARTMENT OF THE ARMY PERMIT NO. SAJ-1996-05163
NATIONWIDE PERMIT NUMBER 3**



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
4400 PGA BOULEVARD, SUITE 500
PALM BEACH GARDENS, FLORIDA 33410

FEB 28 2011

REPLY TO
ATTENTION OF

Regulatory Division
Palm Beach Gardens Section
SAJ-1996-05163 (NW-MJW)

Florida Power & Light Company
c/o Matthew Wetmore
700 Universe Boulevard
Juno Beach, FL 33408

RECEIVED

MAR - 3 2011

Dear Mr. Wetmore:

Your application for a Department of the Army permit received on January 18, 2011, has been assigned number SAJ-1996-05163. A review of the information and drawings provided shows the proposed work is the 1) installation of 75-linear feet of sheet pile seawall, 2) placement of approximately 140 cubic yards of fill, consisting of Sakrete bags and tremie, and 3) repair of the stop log guide reinforcement structures located along the inlet structure. The project is located in an intake canal for the Port Everglades Power Plant (PPE) located at 8100 Einstein Boulevard, (Section 23, Township 50 South, Range 42 east), Fort Lauderdale, FL 33316.

Your project, as depicted on the enclosed drawings, is authorized by Nationwide Permit (NWP) Number 3. In addition, project specific conditions have been enclosed. This verification is valid until the NWP is modified, reissued, or revoked prior to March 18, 2012. It is incumbent upon you to remain informed of changes to the NWPs. We will issue a public notice when the NWPs are issued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this nationwide permit. Please access the U.S. Army Corps of Engineers' (Corps) Jacksonville District's Regulatory webpage to access web links to view the Final Nationwide Permits, Federal Register Vol. 72, dated March 12, 2007, the Corrections to the Final Nationwide Permits, Federal Register 72, May 8, 2007, and the List of Regional Conditions. The website address is as follows:

<http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm>.

Please be aware this web address is case sensitive and should be entered as it appears above. Once there you will need to click

on "Nationwide Permits." These files contain the description of the Nationwide Permit authorization, the Nationwide Permit general conditions, and the regional conditions, which apply specifically to this verification for NWP 3. Additionally, enclosed is a list of the six General Conditions, which apply to all Department of the Army authorizations. You must comply with all of the special and general conditions and any project specific condition of this authorization or you may be subject to enforcement action. In the event you have not completed construction of your project within the specified time limit, a separate application or re-verification may be required.

The following special conditions are included with this verification:

1. Within 60 days of completion of the work authorized, the attached "Self-Certification Statement of Compliance" must be completed and submitted to the U.S. Army Corps of Engineers. Mail the completed form to the Regulatory Division, Special Projects and Enforcement Branch, 4400 PGA Boulevard, Suite 500, Palm Beach Gardens, Florida 33410.

2. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

3. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Permittee or other party on the Permittee's behalf, shall conduct a search in the National Register Information System (NRIS). Information can be found at; <http://www.cr.nps.gov/nr/research>. Information on properties eligible for inclusion in the National Register can be identified by contacting the Florida Master File Office by email at fmsfile@dos.state.fl.us or by telephone at 850-245-6440.

If unexpected cultural resources are encountered at any time within the project area that was not the subject of a previous cultural resource assessment survey, work should cease in the immediate vicinity of such discoveries. The permittee, or other party, should notify the SHPO immediately, as well as the appropriate Army Corps of Engineers office. After such notifications, project activities should not resume without verbal and/or written authorization from the SHPO.

If unmarked human remains are encountered, all work shall stop immediately, and the proper authorities notified in accordance with Section 872.05, Florida Statutes, unless on Federal lands. After such notifications, project activities on non-Federal lands shall not resume without verbal and/or written authorization from the Florida State Archaeologist for finds under his or her jurisdiction.

4. Commencement Notification: Within 10 days from the date of initiating the authorized work, the Permittee shall provide to the Corps a written notification of the date of commencement of work authorized by this permit.

5. Fill Material: The Permittee shall use only clean fill material for this project. The fill material shall be free from items such as trash, debris, automotive parts, asphalt, construction materials, concrete block with exposed reinforcement bars, and soils contaminated with any toxic substance, in toxic amounts in accordance with Section 307 of the Clean Water Act.

6. Manatee Conditions: The Permittee shall comply with the "Standard Manatee Conditions for In-Water Work - 2009" provided in Attachment B of this permit.

7. Sea Turtle and Smalltooth Sawfish Conditions: The Permittee shall comply with National Marine Fisheries Service's "Sea Turtle and Smalltooth Sawfish Construction Conditions" dated March 23, 2006 and provided in Attachment C of this permit.

8. Turbidity Barriers: Prior to the initiation of any of the work authorized by this permit the Permittee shall install floating turbidity barriers with weighted skirts that extend to within one foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained until the authorized work has been completed and all erodible materials have been stabilized.

This letter of authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. In Florida, projects qualifying for this NWP must be authorized under Part IV of Chapter 373 by the Department of Environmental Protection, a water management district under S. 373.069, F.S., or a local government with delegated authority under S. 373.441, F.S., and receive Water Quality Certification (WQC) and Coastal Zone Consistency Concurrence (CZCC) (or a waiver), as well as any authorizations required by the State for the use of sovereign submerged lands. You should check State-permitting requirements with the Florida Department of Environmental Protection or the appropriate water management district.

This letter does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced NWP, please contact Melody White by telephone at 561-472-3508.

Thank you for your cooperation with our permit program. The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to take a few minutes to visit <http://per2.nwp.usace.army.mil/survey.html> and complete our automated Customer Service Survey. Your input is appreciated - favorable or otherwise. Again, please be aware this web address is case sensitive and should be entered as it appears above.

Sincerely,



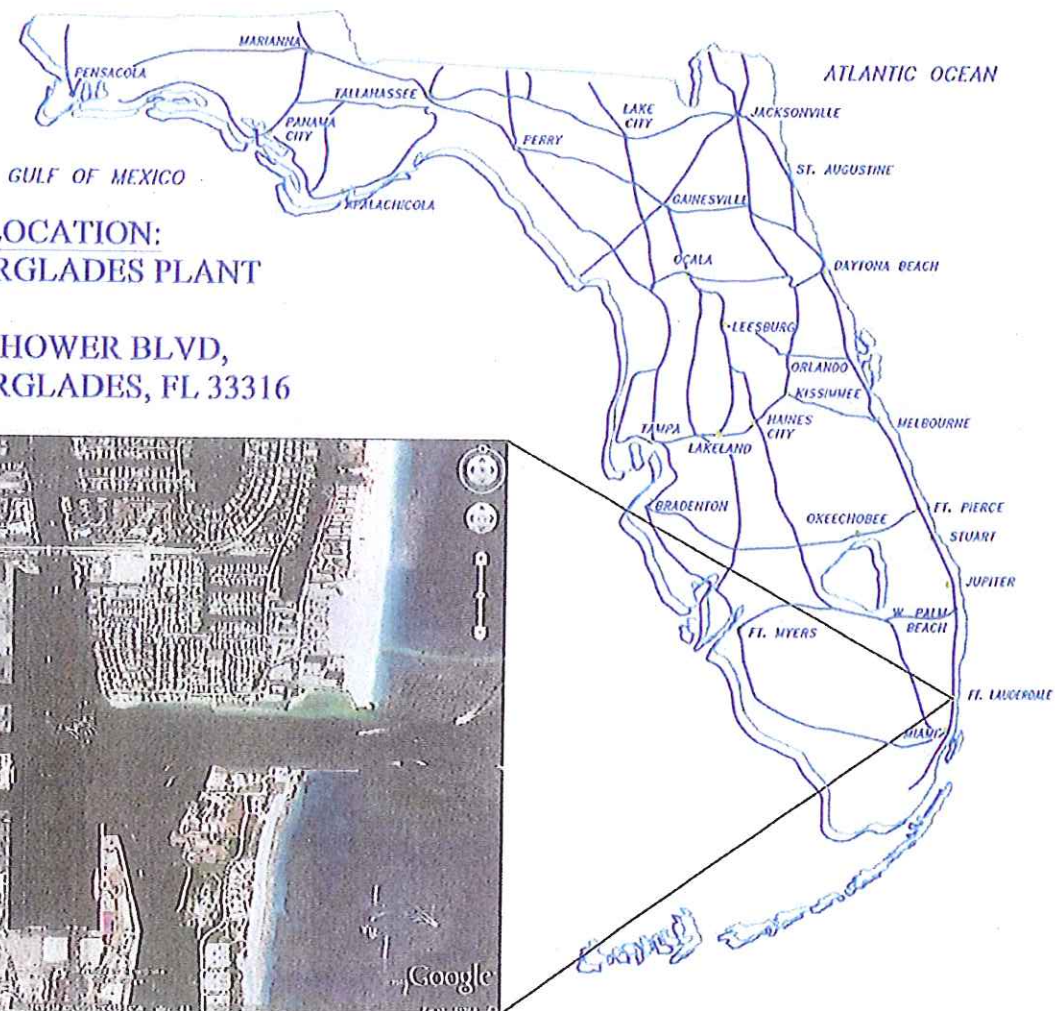
Melody White
Project Manager

-5-

Enclosures

Copies Furnished:

CESAJ-RD-PE



PROJECT LOCATION:
PORT EVERGLADES PLANT
SLIP 3
8100 EISENHOWER BLVD,
PORT EVERGLADES, FL 33316



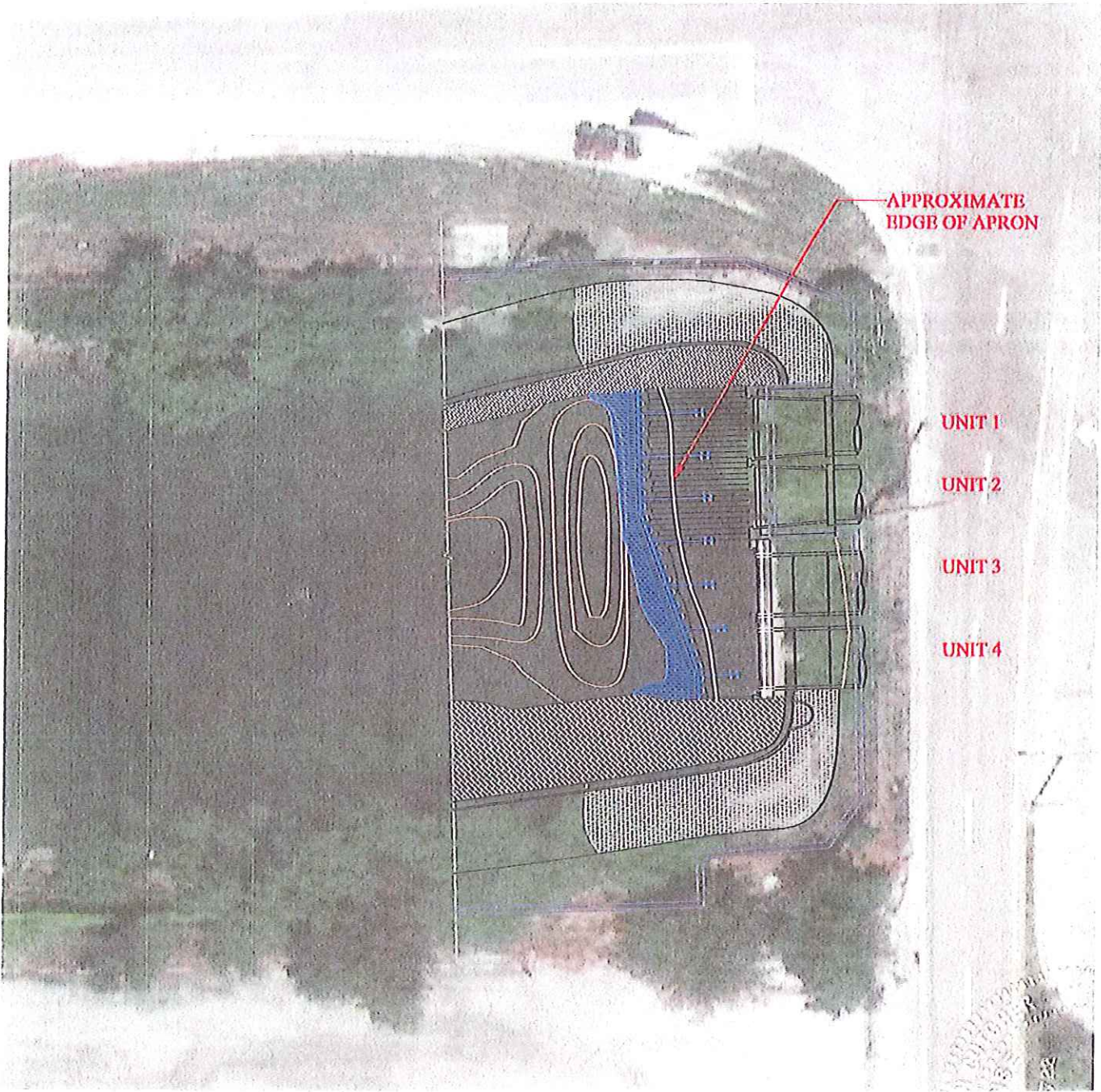
LAT.: 26° 5' 26.54" N
LONG.: 80° 7' 27.10" W

STATE OF FLORIDA
NOT TO SCALE

SITE LOCATION MAP

CLIENT: FLORIDA POWER AND LIGHT PORT EVERGLADES PLANT	SHEET NO.: 1 OF 17	CUTCHER & ASSOCIATES, INC. COASTAL ENGINEERS 752 US Hwy 1 Tequesta, FL 33469 VOICE: (561) 748-6745 FAX: (561) 748-6865 EMAIL: depth@gate.net
PROJECT: INLET STRUCTURE STABILIZATION FILE #: 10-386	DATE: DEC 28, 2010	
SHEET: SITE LOCATION	 US Army Corps of Engineers February 28, 2011 File # SAJ-1996-05163 (NW-MJW) Drawings: Page 1 of 17	

NOTE: SEE SHEET 3 FOR LAYOUT DESCRIPTIONS & DIMENSIONS



AERIAL PLAN VIEW WITH PROPOSED TOE WALL AND ANCHORS
NOT TO SCALE

CLIENT: FLORIDA POWER AND LIGHT
PORT EVERGLADES PLANT

PROJECT:
FILE #: INLET STRUCTURE STABILIZATION
10-386

SHEET: CANAL SIDE - PROPOSED PLAN VI
ATOP AERIAL PHOTO

SHEET NO.: 2 OF 17

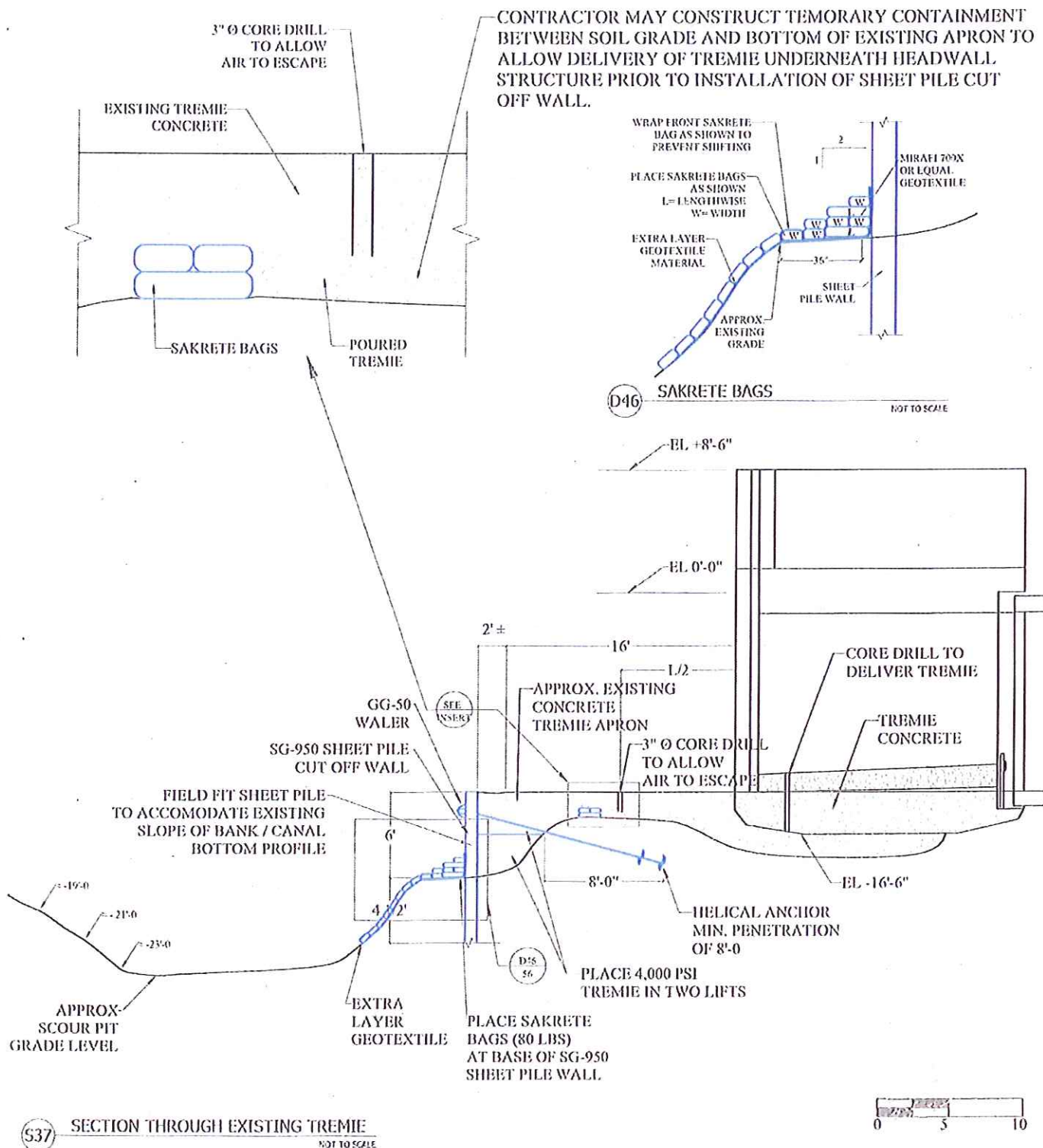
DATE: DEC 28, 2010


US Army Corps
of Engineers
February 28, 2011
File # SAJ-1996-05163 (NW-MJW)
Drawings: Page 2 of 17

CUTCHER &
ASSOCIATES, INC.
COASTAL
ENGINEERS

752 US Hwy 1
Tequesta, FL 33469
VOICE: (561) 748-6745
FAX: (561) 748-6865
EMAIL: depth@gate.net

Handwritten signature



CLIENT: FLORIDA POWER AND LIGHT
PORT EVERGLADES PLANT

PROJECT: INLET STRUCTURE STABILIZATION
FILE # : 10-386

SHEET: CANAL SIDE - SECTIONS / DETAILS

SHEET NO.: 4 OF 17

DATE: DEC 28, 2010

US Army Corps
of Engineers

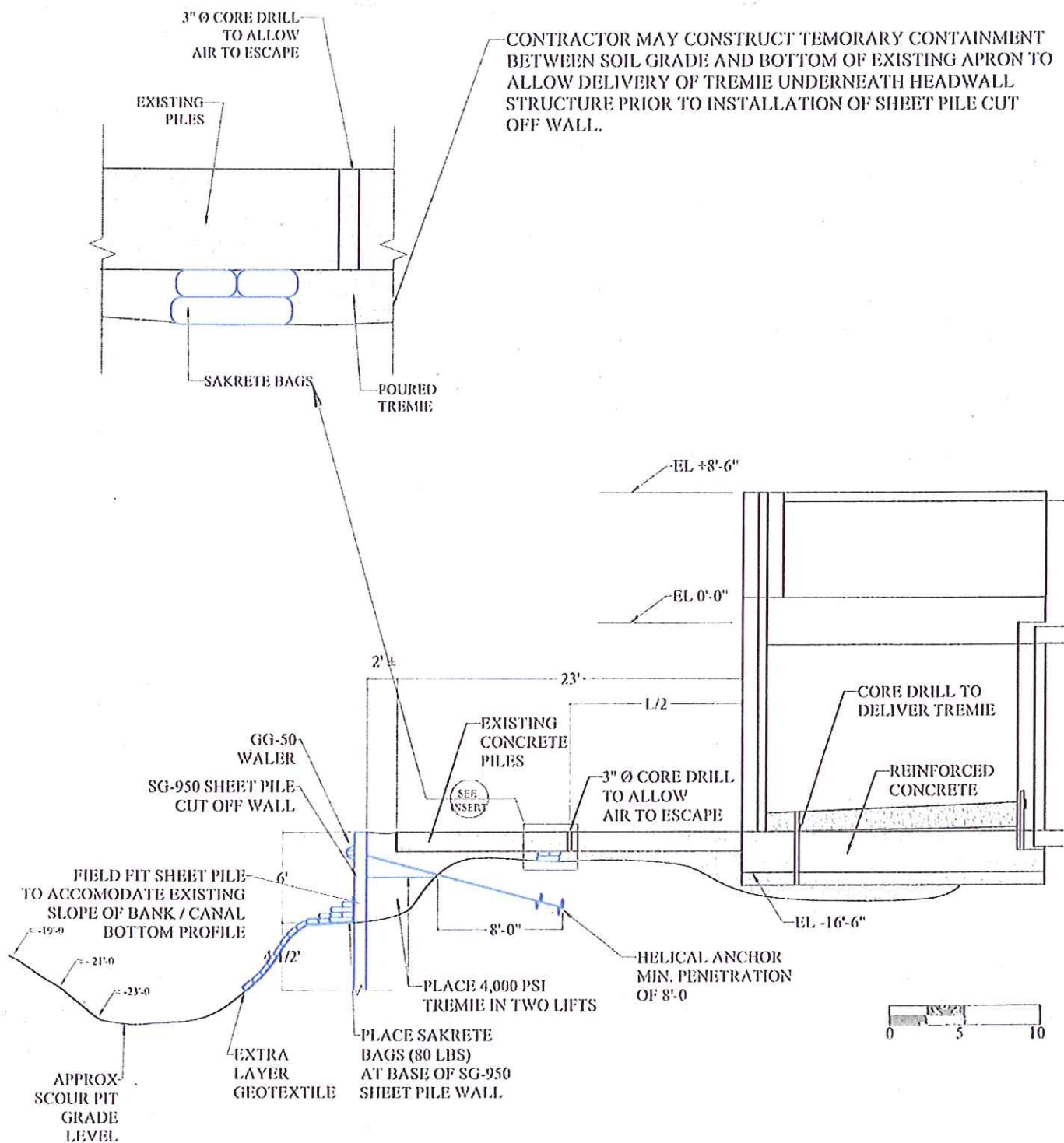
February 28, 2011

File # SAJ-1996-05163 (NW-MJW)

Drawings: Page 4 of 17

CUTCHER &
ASSOCIATES, INC.
COASTAL
ENGINEERS

752 US Hwy 1
Tequesta, FL 33469
VOICE: (561) 748-6745
FAX: (561) 748-6865
EMAIL: depth@gate.net



(S38) SECTION THROUGH EXISTING PILES
NOT TO SCALE

CLIENT: FLORIDA POWER AND LIGHT
PORT EVERGLADES PLANT

PROJECT: INLET STRUCTURE STABILIZATION

FILE #: 10-386

SHEET: CANAL SIDE - SECTIONS / DETAILS

SHEET NO.: 5 OF 17

DATE: DEC 20, 2010



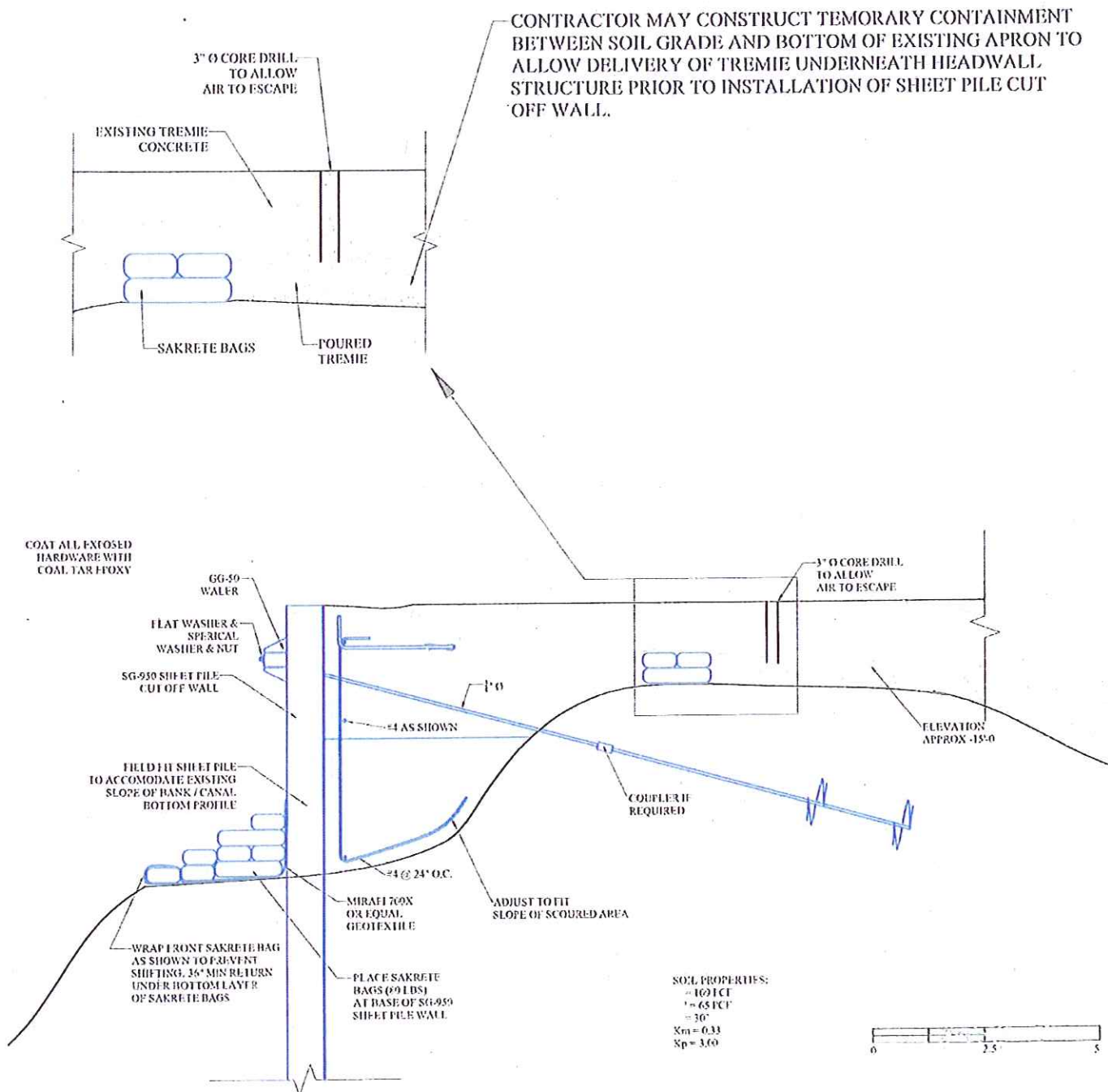
US Army Corps
of Engineers

February 28, 2011

File # SAJ-1996-05163 (NW-MJW)
Drawings: Page 5 of 17

CUTCHER &
ASSOCIATES, INC.
COASTAL
ENGINEERS

132 US Hwy 1
Ft. Pierce, FL 33469
VOICE: (561) 748-6743
FAX: (561) 748-6865
EMAIL: depth@gate.net



S39 SECTION DETAIL - HELICAL ANCHORS AND REINFORCEMENT THROUGH EXISTING TREMIE
 NOT TO SCALE

CLIENT: FLORIDA POWER AND LIGHT
 PORT EVERGLADES PLANT

PROJECT: INLET STRUCTURE STABILIZATION
 FILE #: 10-386

SHEET: CANAL SIDE - SECTIONS / DETAILS

SHEET NO.: 6 OF 17

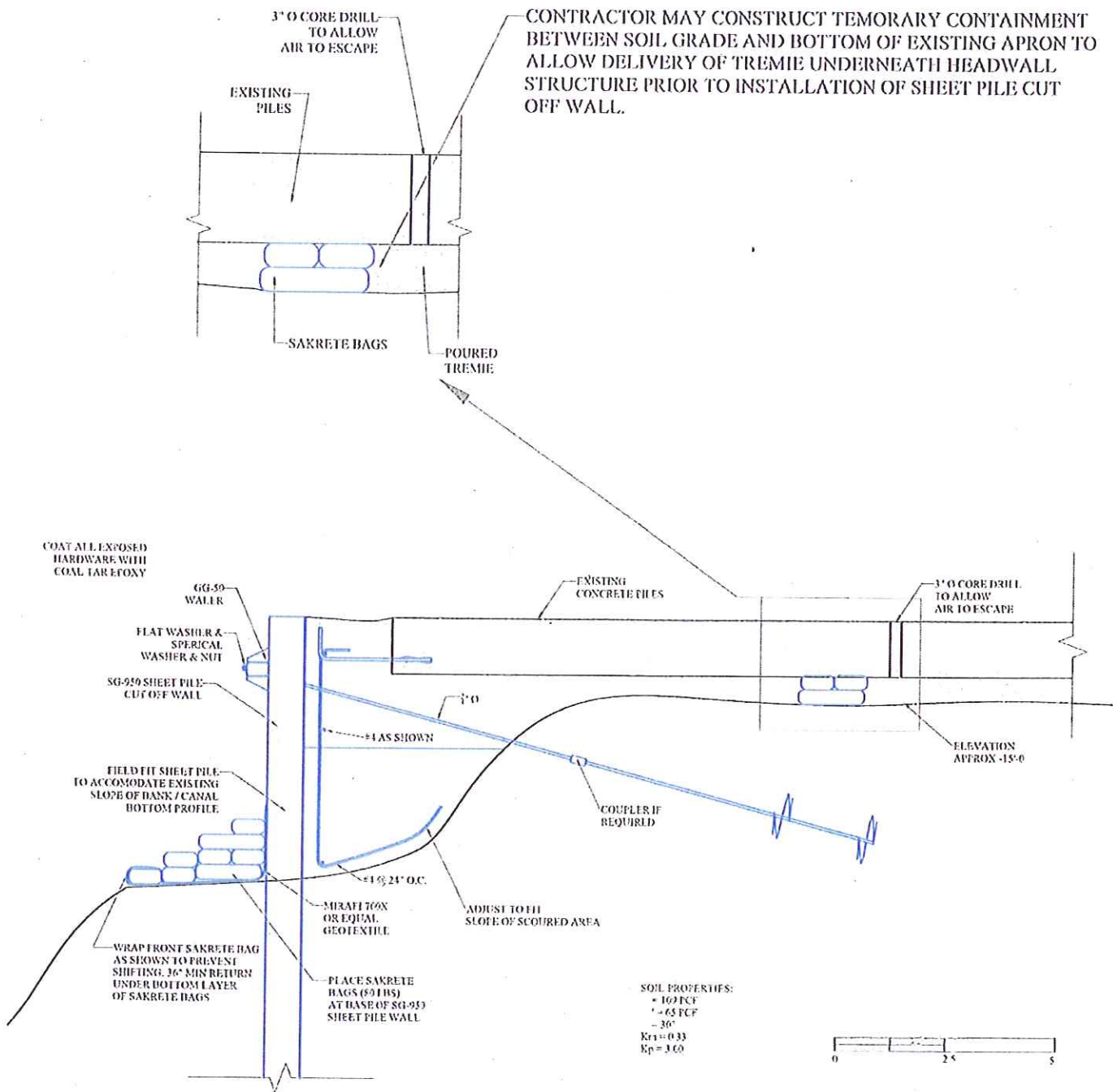
DATE: DEC 28, 2010



February 28, 2011
 File # SAJ-1996-05163 (NW-MJW)
 Drawings: Page 6 of 17

CUTCHER &
 ASSOCIATES, INC.
 COASTAL
 ENGINEERS

752 US Hwy 1
 Tequesta, FL 33469
 VOICE: (561) 748 6745
 FAX: (561) 748 6865
 EMAIL: depth@gate.net



(S40) SECTION DETAIL - HELICAL ANCHORS AND REINFORCEMENT THROUGH EXISTING CONCRETE PILES

CLIENT: FLORIDA POWER AND LIGHT
PORT EVERGLADES PLANT

PROJECT: INLET STRUCTURE STABILIZATION
FILE #: 10-386

SHEET: CANAL SIDE - SECTIONS / DETAILS

SHEET NO.: 7 OF 17

DATE: DEC 28, 2010



US Army Corps
of Engineers

February 28, 2011

File # SAJ-1996-05163 (NW-MJW)
Drawings: Page 7 of 17

CUTCHER &
ASSOCIATES, INC.
COASTAL
ENGINEERS

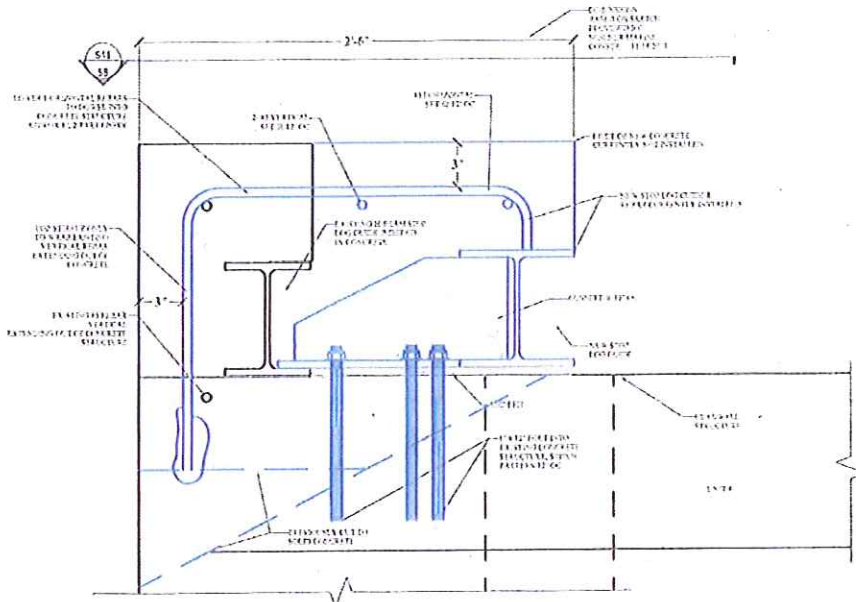
751 US Hwy 1

Destra, FL 33469

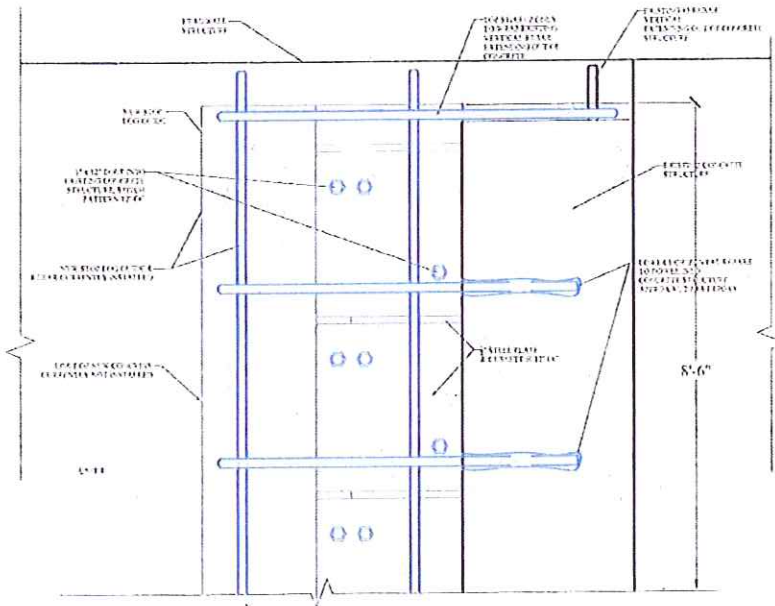
ICE: (561) 748-6745

X: (561) 748-6865

AIL: depth@gate.net



D17 DETAIL NEW STOP LOG GUIDE - SOUTH SECTION
1" = 1'-0"



S41 DETAIL ELEVATION NEW STOP LOG GUIDE - SOUTH SECTION
1" = 1'-0"

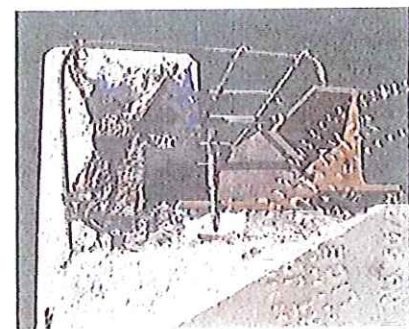


IMAGE OF STOP LOG GUIDE REINFORCEMENT

CLIENT: FLORIDA POWER AND LIGHT
PORT EVERGLADES PLANT

PROJECT: INLET STRUCTURE STABILIZATION
FILE #: 10-386

SHEET: CANAL SIDE - STOP LOG GUIDE
REINFORCEMENTS

SHEET NO.: 8 OF 17

DATE: DEC 28, 2010



US Army Corps of Engineers February 28, 2011
File # SAJ-1996-05163 (NW-MJW)
Drawings: Page 8 of 17

CUTCHER &
ASSOCIATES, INC.
COASTAL
ENGINEERS

1000 US Hwy 1
Ft. Lauderdale, FL 33469
CE: (561) 748-6745
F: (561) 748-6865
JL: depth@gate.net

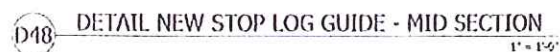
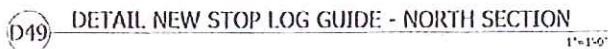


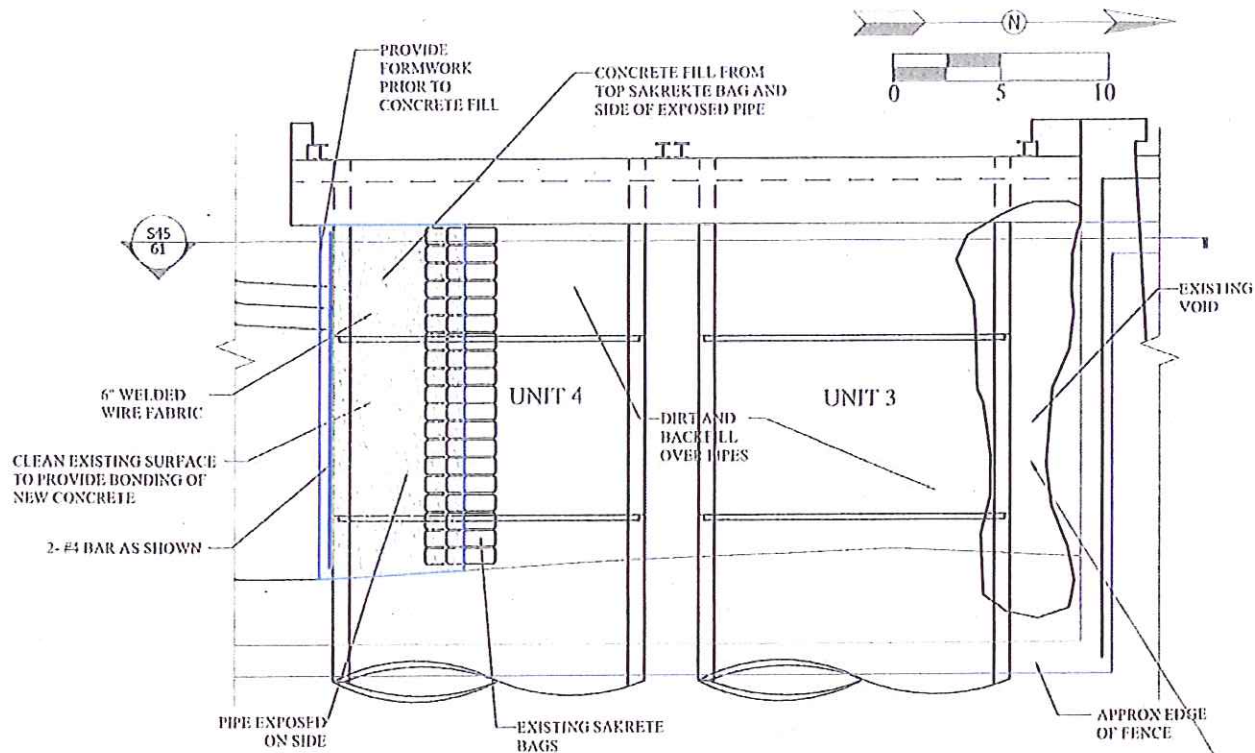
IMAGE: MIDDLE SECTION WITH NEW STOP LOG GUIDES



US Army Corps
of Engineers, February 28, 2011
File # SAJ-1996-05163 (NW-MJW)
Drawings: Page 9 of 17



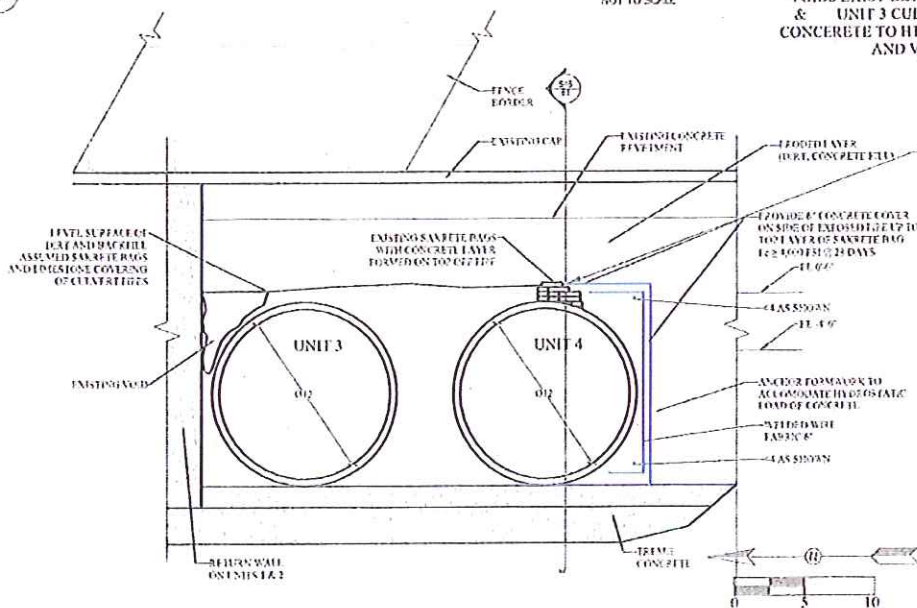
**CUTCHER &
ASSOCIATES, INC.
COASTAL
ENGINEERS**
752 US Hwy 1
Tequesta, FL 33469
VOICE: (561) 748-6745
FAX: (561) 748-6865
EMAIL: dcph@gate.net



D50 PLAN VIEW - EXPOSED PIPES AT UNITS 3 & 4

NOT TO SCALE

VOIDS EXIST BETWEEN END WALL OF UNIT 2 CULVERT & UNIT 3 CULVERT. CONTRACTOR SHALL DELIVER CONCRETE TO THIS AREA VIA TREMIE TO ABOVE MINW AND VIA PUMP TO ELEVATION CONSISTANT WITH ADJACENT FILL.



CONTRACTOR SHALL TAP TEST WET FACE, DRY FACE AND CAP OF HEADWALL. OBSERVED VOIDS AND HOLLOW AREAS WILL BE MARKED WITH SURVEYORS' PAINT & PHOTOGRAPHED. THE VOIDS WILL BE EXCAVATED / ROUTED AND CLEANED. THE PREPARED AREAS WILL BE PATCHED WITH APPROVED PATCHING COMPOUND. FOLLOWING PATCHING, THE REPAIRED AREAS WILL BE PHOTOGRAPHED.

S45 PARTIAL ELEVATION VIEW

NOT TO SCALE

CLIENT: FLORIDA POWER AND LIGHT
PORT EVERGLADES PLANT

PROJECT: INLET STRUCTURE STABILIZATION
FILE #: 10-386

SHEET: CANAL SIDE - SECTIONS / DETAILS

SHEET NO.: 11 OF 17

DATE: DEC 28, 2010



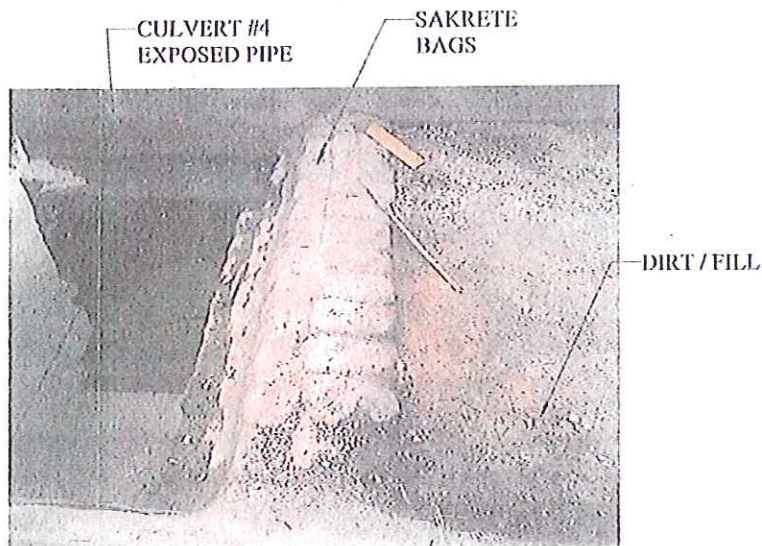
US Army Corps
of Engineers

February 28, 2011

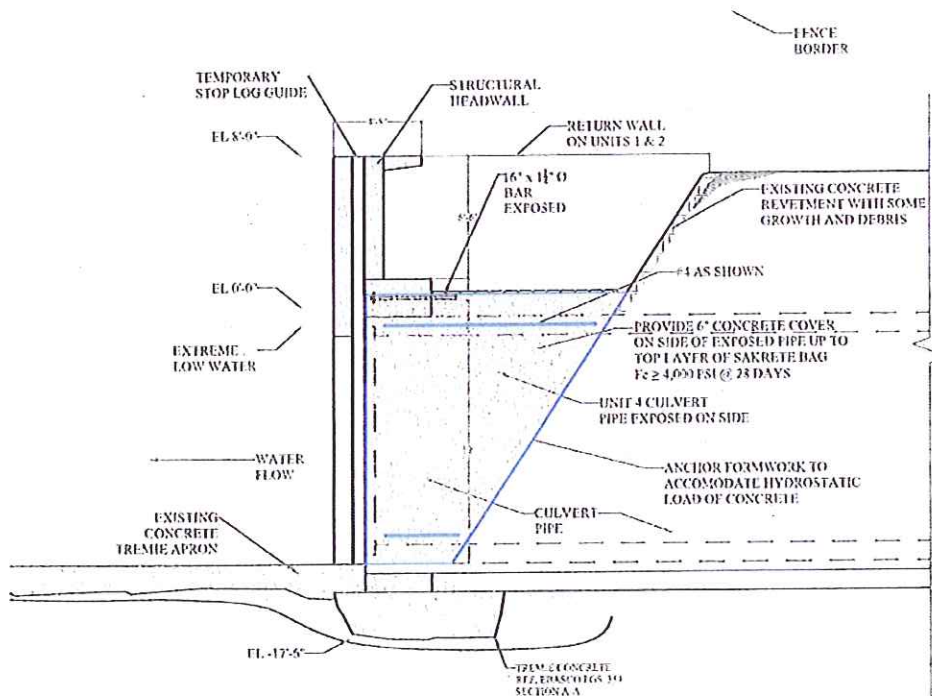
File # SAJ-1996-05163 (NW-MJW)
Drawings: Page 11 of 17

CUTCHER &
ASSOCIATES, INC.
COASTAL
ENGINEERS

743 US Hwy 1
Ft. Lauderdale, FL 33469
CE: (561) 748-6745
TE: (561) 748-6865
FAX: (561) 748-6865
E-MAIL: depth@gate.net



EXISTING SITE IMAGE
NOT TO SCALE



S46 PARTIAL SECTION ELEVATION VIEW
NOT TO SCALE

CLIENT: FLORIDA POWER AND LIGHT
PORT EVERGLADES PLANT

PROJECT: INLET STRUCTURE STABILIZATION
FILE #: 10-386

SHEET: CANAL SIDE - SECTIONS / DETAILS

SHEET NO.: 12 OF 17

DATE: DEC 28, 2010



US Army Corps
of Engineers

February 28, 2011

File # SAJ-1996-05163 (NW-MJW)
Drawings: Page 12 of 17

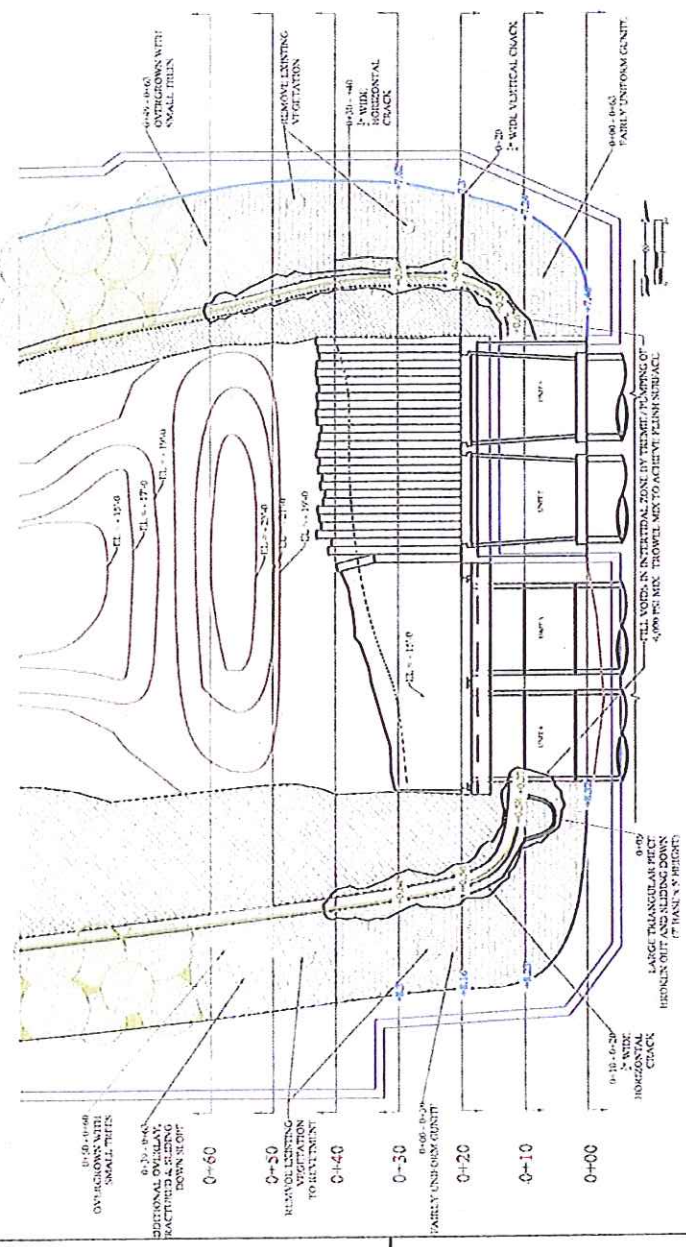
CUTCHER &
ASSOCIATES, INC.
COASTAL
ENGINEERS

752 US Hwy 1
Piqueta, FL 33469
OICE: (561) 748-6745
AX: (561) 748-6865
MAIL: depth@gate.net

Handwritten signature and date: 1/13/11

ALL NUMBERS AND NOTES
REF.
EVAL FROM MINNER
MARINE CONSTRUCTION
FIELD SURVEY
NOVEMBER 9, 2010. SLOPE OF
CANAL SIDE EMBANKMENTS

- REPAIRMENT REPAIRS ABOVE
VIEW
1. LOCATE FRACTURES &
VOIDS ABOVE MFW.
2. PROVIDE SUITABLE
DELIVERY PORT AS NEEDED TO
PUMP VOIDS FULL.
3. USE VIBRATOR TO FLOW
PUMP MIX TO EXTENTS OF
VOIDS.
4. TROWEL FILLED AREAS
TO MATCH FLUSH WITH
SURROUNDING.



PLAN VIEW - SLOPE OF CANAL EMBANKMENTS
NOT TO SCALE

Handwritten signature
11/2/11

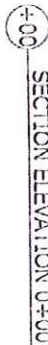
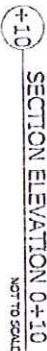
CLIENT: FLORIDA POWER AND LIGHT
PORT EVERGLADES PLANT
PROJECT: INLET STRUCTURE STABILIZATION
FILE #: 10-386
SHEET: CANAL SIDE - CANAL ELEVATIONS

SHEET NO.: 13 OF 17
DATE: DEC 28, 2010



US Army Corps
of Engineers
February 28, 2011
File # SAJ-1996-05163 (NW-MJW)
Drawings: Page 13 of 17

CUTCHER &
ASSOCIATES, INC.
COASTAL
ENGINEERS
752 US Hwy 1
Tampa, FL 33469
VOICE: (561) 748-6745
FAX: (561) 748-6865
EMAIL: depth@gate.net



CONTRACTOR SHALL TAPE TEST WET FACE, DRY FACE AND CAP OF HEADWALL, OBSERVED JOINTS AND HOLLOW AREAS WILL BE MAINTAINED WITH SURVEYORS' PAINT & PHOTOGRAPHED. THE JOINTS WILL BE INCARCATED, ROUTED AND CLEANED. THE PNEUMATIC AIRGUNS WILL BE PATCHED WITH APPROVED PATCHING COMPOUND. FOLLOWING PATCHING, THE REINFORCED AREAS WILL BE PHOTOGRAPHED.

CLIENT: FLORIDA POWER AND LIGHT
PORT EVERGLADES PLANT

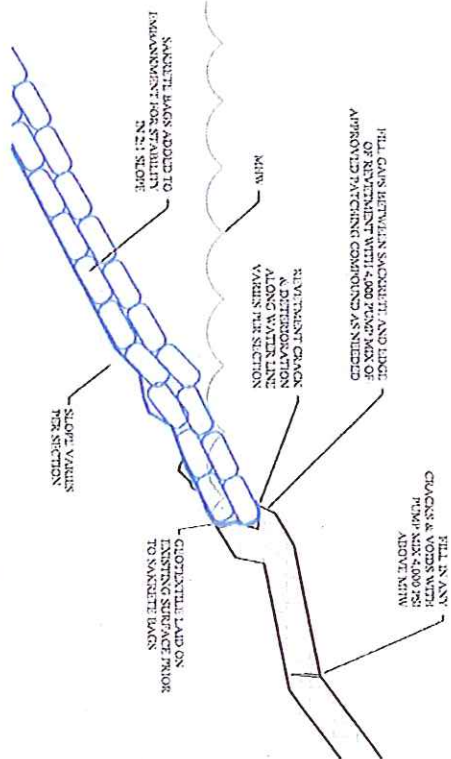
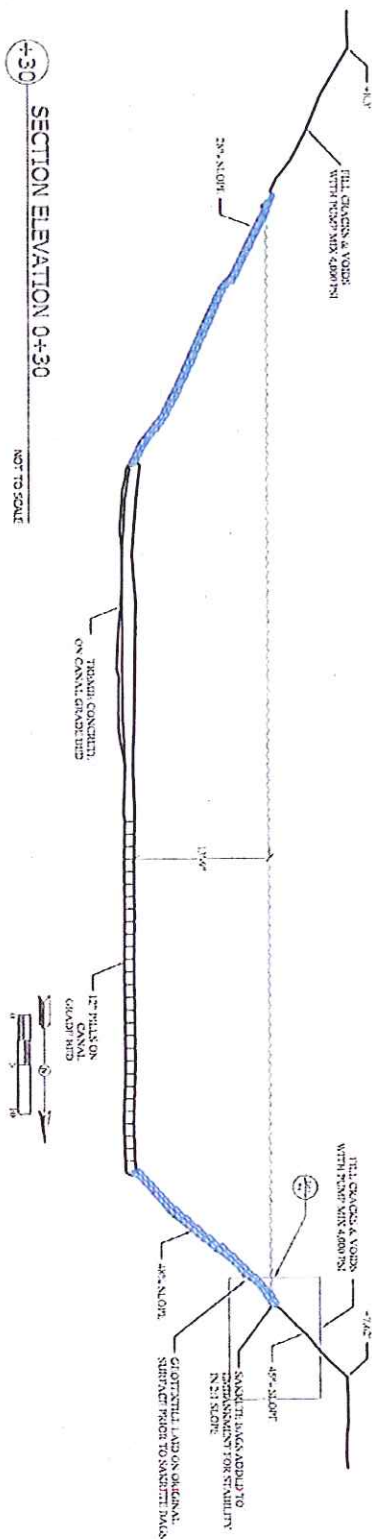
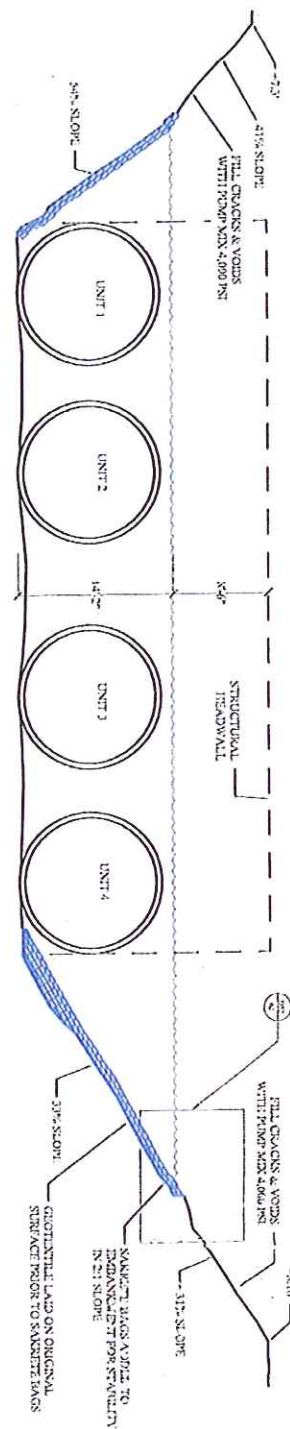
PROJECT: INLET STRUCTURE STABILIZATION
FILE #: 10-386

SHEET: CANAL SIDE - CANAL ELEVATIONS &
DETAILS

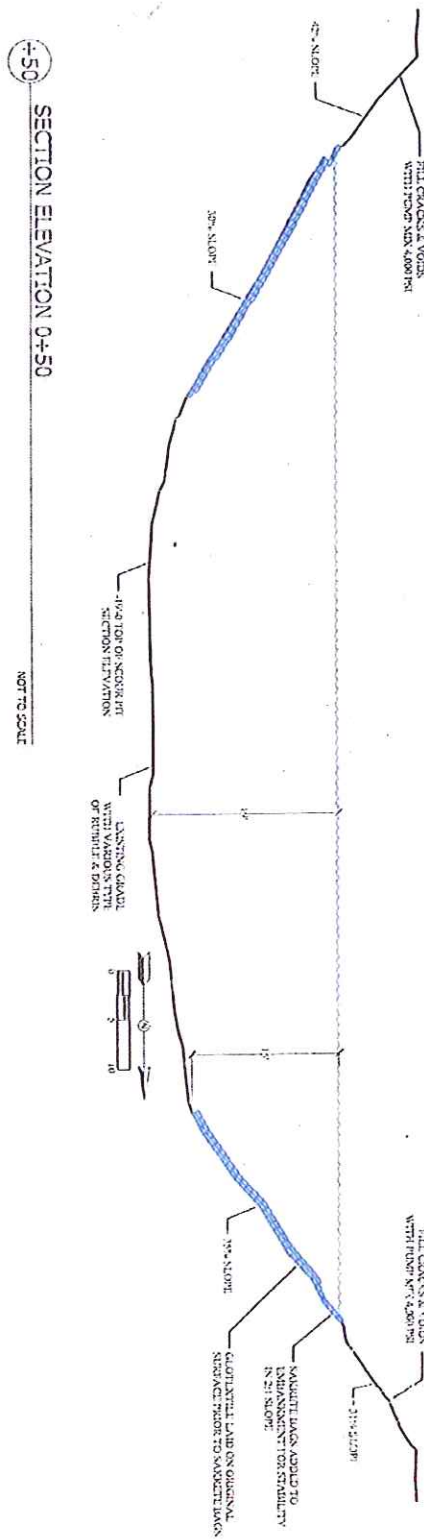
US Army Corps of Engineers, February 28, 2011
File # SAJ-1996-05163 (NW-MJW)
Drawings: Page 14 of 17

752 US Hwy 1
 Ocala, FL 33469
 ICE: (561) 748-6745
 C: (561) 748-6865
 AOL: depth@gate.net

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 Ocala, FL 33469
 ICE: (561) 748-6745
 C: (561) 748-6865
 AOL: depth@gate.net



US Hwy 1
Punta, FL 33469
ICE: (561) 748-6745
X: (561) 748-6865
AIL: depth@gate.net



US Hwy 1
Sta, FL 33469
E: (561) 748-6745
(561) 748-6865
IL: depth@gato.net

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: NW-3
Application Number: SAJ-1996-05163

Permittee's Name & Address (please print or type): _____

Telephone Number: _____

Location of the Work: _____

Date Work Started: _____ Date Work Completed: _____

Description of the Work (e.g., bank stabilization, residential or commercial filling, docks, dredging, etc.): _____

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

Describe Mitigation completed (if applicable): _____

Describe any Deviations from Permit (attach drawing(s) depicting the deviations): _____

I certify that all work, and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

Signature of Permittee

Date

 February 28, 2011
File # SAJ-1996-05163 (NW-MJW)
Attachment A: Self Certification
Statement of Compliance



STANDARD MANATEE CONDITIONS FOR IN-WATER WORK 2009

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-FWCC. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida.
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Awareness signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used (see MyFWC.com). One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities.

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

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

SHUT DOWN

Report any collision with or injury to a manatee:



Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC



US Army Corps
of Engineers

February 28, 2011

File # SAJ-1996-05163 (NW-MJW)

Attachment B: Manatee Conditions

Page 2 of 2





UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

The permittee shall comply with the following protected species construction conditions:

- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.
- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.

Revised: March 23, 2006

O:\forms\Sea Turtle and Smalltooth Sawfish Construction Conditions.doc



DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: SAJ-1996-05163 (NW-MJW)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Section, Post Office Box 4970, Jacksonville, FL 32232-0019.

(TRANSFEREE-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT)

(BLOCK)

(NAME-PRINTED)

(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

GENERAL CONDITIONS
33 CFR PART 320-330
PUBLISHED FEDERAL REGISTER DATED 13 NOVEMBER 1986

1. The time limit for completing the work authorized ends on date identified in the letter. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

APPENDIX 10.2.8-4

**U.S. FISH AND WILDLIFE SERVICE
SPECIAL PURPOSE SALVAGE PERMIT NO. MB697722-0**



FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

FLORIDA POWER AND LIGHT COMPANY
700 UNIVERSE BOULEVARD
JUNO BEACH, FL 33408

2. AUTHORITY-STATUTES
16 USC 703-712

REGULATIONS
50 CFR Part 13
50 CFR 21.27

3. NUMBER
MB697722-0

4. RENEWABLE
☒ YES
☐ NO

5. MAY COPY
☒ YES
☐ NO

6. EFFECTIVE
04/01/2009

7. EXPIRES
03/31/2012

8. NAME AND TITLE OF PRINCIPAL OFFICER (If #1 is a business)
JAMES R. LINDSAY
PRINCIPAL ENVIRONMENTAL SPECIALIST

9. TYPE OF PERMIT
SPECIAL PURPOSE SALVAGE

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED
Anywhere in US permittee has appropriate corresponding State authority.

11. CONDITIONS AND AUTHORIZATIONS:

A. GENERAL CONDITIONS SET OUT IN SUBPART D OF 50 CFR 13, AND SPECIFIC CONDITIONS CONTAINED IN FEDERAL REGULATIONS CITED IN BLOCK #2 ABOVE, ARE HEREBY MADE A PART OF THIS PERMIT. ALL ACTIVITIES AUTHORIZED HEREIN MUST BE CARRIED OUT IN ACCORD WITH AND FOR THE PURPOSES DESCRIBED IN THE APPLICATION SUBMITTED. CONTINUED VALIDITY, OR RENEWAL, OF THIS PERMIT IS SUBJECT TO COMPLETE AND TIMELY COMPLIANCE WITH ALL APPLICABLE CONDITIONS, INCLUDING THE FILING OF ALL REQUIRED INFORMATION AND REPORTS.

B. THE VALIDITY OF THIS PERMIT IS ALSO CONDITIONED UPON STRICT OBSERVANCE OF ALL APPLICABLE FOREIGN, STATE, LOCAL OR OTHER FEDERAL LAW.

C. VALID FOR USE BY PERMITTEE NAMED ABOVE.

D. You are authorized to salvage migratory birds found dead that you had no part in the killing or death thereof. You are also authorized to salvage abandoned nests and addled eggs after the nesting season.

E. Dead bald or golden eagles must be reported immediately to the National Eagle Repository at 303-287-2110. The Repository will provide directions for shipment of these birds.

F. Specimens are to be destroyed by incineration or burial.

G. Authorized to possess live migratory birds for the purpose of transporting to a State and Federally permitted rehabilitator.

H. You must comply with the attached Standard Conditions for Special Purpose - Salvage.

I. Any person who is under the direct control of the permittee, or who is employed by or under contract to the permittee for purposes authorized by this permit, may carry out the activity authorized by this permit.

J. Direct control of the permittee means that the permittee and the subpermittee has entered into an identifiable relationship where there is evidence that the permittee has relayed instructions outlining the authority given to the subpermittee for activities authorized by this permit.

For suspected illegal activity, immediately contact USFWS, Law Enforcement at:
Clermont, Florida at 352-429-1037 or Miami, Florida at 305-526-2610.

☒ ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

Annual report due: 01/31

ISSUED BY

Cornelius P. Smith

TITLE

PERMITS ADMINISTRATOR-REGION 4 MIGRATORY BIRD PERMIT PROGRAM

DATE

06/01/2009



Standard Conditions Special Purpose - Salvage Permits 50 CFR 21.27

All of the provisions and conditions of the governing regulations at 50 CFR part 13 and 50 CFR 21.27 are conditions of your permit. The standard conditions below are additional provisions and conditions of your permit. Failure to comply with the conditions of your permit could be cause for suspension of the permit. If you have any questions regarding these conditions, refer to the regulations or, if necessary, contact your migratory bird permit issuing office. For copies of the regulations and forms, or to obtain contact information for your issuing office, visit: www.fws.gov/permits/mbpermits/birdbasics.html.

1. This permit does not authorize personal use of any migratory bird(s) salvaged under the authority of this permit.
2. You must tag each migratory bird specimen you salvage. Each tag must include the following information:
 - (a) date and location where the specimen was salvaged;
 - (b) name of the person who salvaged the specimen; and
 - (c) permit number under which the specimen was salvaged.
3. All migratory birds salvaged under this permit must be deposited with the repository designated on the face of this permit within six (6) months of acquisition and/or by December 31 of that calendar year.
4. Salvaged migratory birds, including parts, nests, and nonviable eggs unsuitable for donation must be completely destroyed by burial or incineration.
5. If you encounter a migratory bird with a Federal band issued by the U.S. Geological Survey Bird Banding Laboratory, Laurel, MD, report the band number to 1-800-327-BAND or www.reportband.gov.
6. This permit does not authorize salvage of specimens on Federal lands without additional prior written authorization from the applicable Federal agency.
7. This permit does not authorize salvage of specimens on State lands or other public or private property without prior written permission or permits from the landowner or custodian.
8. Subpermittees must be at least 18 years of age. As the permittee, you are legally responsible for ensuring that your subpermittees are adequately trained and adhere to the terms of your permit. You are responsible for maintaining current records of who you have designated as a subpermittee, including copies of letters you have provided.
9. You and any subpermittees must carry a legible copy of this permit and display it upon request when exercising its authority. Subpermittees must also carry your written subpermittee designation letter.
10. You must maintain records as required by 50 CFR 13.46 and 50 CFR 21.27. All records relating to the permitted activities must be kept at the location indicated in writing by you to the migratory bird permit issuing office.
11. Acceptance of this permit authorizes the U.S. Fish and Wildlife Service to inspect any wildlife held, and to audit or copy any permits, books, or records required to be kept by the permit and governing regulations.
12. You may not conduct the activities authorized by this permit if doing so would violate the laws of the applicable State, county, municipal or tribal government or any other applicable law.

(SPSL - 1/11/2008)

APPENDIX 10.2.8-5

**U.S. FISH AND WILDLIFE SERVICE
DEPREDATION PERMIT NO. MB135540-0**



DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

3-201
(1/97)

FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

FLORIDA POWER AND LIGHT COMPANY
700 UNIVERSE BOULEVARD
JUNO BEACH, FL 33408
U.S.A.

2. AUTHORITY-STATUTES
16 USC 703-712

REGULATIONS
50 CFR Part 13
50 CFR 21.41

3. NUMBER
MB135540-0

4. RENEWABLE
☒ YES
☐ NO

5. MAY COPY
☒ YES
☐ NO

6. EFFECTIVE
04/01/2011

7. EXPIRES
03/31/2012

8. NAME AND TITLE OF PRINCIPAL OFFICER (If #1 is a business)

STACY M FOSTER
SENIOR ENVIRONMENTAL SPECIALIST

9. TYPE OF PERMIT

DEPREDAATION

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

Service territory in Florida.

11. CONDITIONS AND AUTHORIZATIONS:

A. GENERAL CONDITIONS SET OUT IN SUBPART D OF 50 CFR 13, AND SPECIFIC CONDITIONS CONTAINED IN FEDERAL REGULATIONS CITED IN BLOCK #2 ABOVE, ARE HEREBY MADE A PART OF THIS PERMIT. ALL ACTIVITIES AUTHORIZED HEREIN MUST BE CARRIED OUT IN ACCORD WITH AND FOR THE PURPOSES DESCRIBED IN THE APPLICATION SUBMITTED. CONTINUED VALIDITY, OR RENEWAL, OF THIS PERMIT IS SUBJECT TO COMPLETE AND TIMELY COMPLIANCE WITH ALL APPLICABLE CONDITIONS, INCLUDING THE FILING OF ALL REQUIRED INFORMATION AND REPORTS.

B. THE VALIDITY OF THIS PERMIT IS ALSO CONDITIONED UPON STRICT OBSERVANCE OF ALL APPLICABLE FOREIGN, STATE, LOCAL OR OTHER FEDERAL LAW.

C. VALID FOR USE BY PERMITTEE NAMED ABOVE.

D. You are authorized to relocate in emergency situations throughout the State of Florida active migratory bird nests (except endangered or threatened species or bald and golden eagles) when birds, nests and eggs are posing a direct threat to human health and safety or when the safety of the bird is at risk if the nest and/or birds are not removed.

G. The following subpermittees are authorized: any other person who is (1) employed by or under contract to you for the activities specified in this permit, or (2) otherwise designated a subpermittee by you in writing, may exercise the authority of this permit.

H. You and any subpermittees must comply with the attached Standard Conditions for Migratory Bird Depredation Permits. These standard conditions are a continuation of your permit conditions and must remain with your permit.

For suspected illegal activity, immediately contact USFWS Law Enforcement at: (352) 429-1037

☒ ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT DUE: 01/31

ISSUED BY

Carmen P. Smith

TITLE

CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 4

DATE

05/23/2011



Standard Conditions Migratory Bird Depredation Permits 50 CFR 21.41

All of the provisions and conditions of the governing regulations at 50 CFR part 13 and 50 CFR part 21.41 are conditions of your permit. Failure to comply with the conditions of your permit could be cause for suspension of the permit. The standard conditions below are a continuation of your permit conditions and must remain with your permit. If you have questions regarding these conditions, refer to the regulations or, if necessary, contact your migratory bird permit issuing office. For copies of the regulations and forms, or to obtain contact information for your issuing office, visit: <http://www.fws.gov/migratorybirds/mbpermits.html>.

1. To minimize the lethal take of migratory birds, you are required to continually apply non-lethal methods of harassment in conjunction with lethal control.
[Note: Explosive Pest Control Devices (EPCDs) are regulated by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). If you plan to use EPCDs, you require a Federal explosives permit, unless you are exempt under 27 CFR 555.141. Information and contacts may be found at www.atf.gov/explosives/how-to/become-an-fel.htm.]
2. Shotguns used to take migratory birds can be no larger than 10-gauge and must be fired from the shoulder. You must use nontoxic shot listed in 50 CFR 20.21(j).
3. You may not use blinds, pits, or other means of concealment, decoys, duck calls, or other devices to lure or entice migratory birds into gun range.
4. You are not authorized to take, capture, harass, or disturb bald eagles or golden eagles, or species listed as threatened or endangered under the Endangered Species Act found in 50 CFR 17, without additional authorization.

For a list of threatened and endangered species in your state, visit the U.S. Fish and Wildlife Service's Threatened and Endangered Species System (TESS) at: <http://www.fws.gov/endangered>.

5. If you encounter a migratory bird with a Federal band issued by the U.S. Geological Survey Bird Banding Laboratory, Laurel, MD, report the band number to 1-800-327-BAND or <http://www.reportband.gov>.
6. This permit does not authorize take or release of any migratory birds, nests, or eggs on Federal lands without additional prior written authorization from the applicable Federal agency.
7. This permit does not authorize take or release of any migratory birds, nests, or eggs on State lands or other public or private property without prior written permission or permits from the landowner or custodian.
8. Unless otherwise specified on the face of the permit, migratory birds, nests, or eggs taken under this permit must be:
 - (a) turned over to the U.S. Department of Agriculture for official purposes, or
 - (b) donated to a public educational or scientific institution as defined by 50 CFR 10, or
 - (c) completely destroyed by burial or incineration, or
 - (d) with prior approval from the permit issuing office, donated to persons authorized by permit or regulation to possess them.

9. Subpermittees must be at least 18 years of age. As the permittee, you are legally responsible for ensuring that your subpermittees are adequately trained and adhere to the terms of your permit. You are responsible for maintaining current records of who you have designated as a subpermittee, including copies of letters you have provided.
10. You and any subpermittees must carry a legible copy of this permit, *including these Standard Conditions*, and display it upon request whenever you are exercising its authority.
11. You must maintain records as required in 50 CFR 13.46 and 50 CFR 21.41. All records relating to the permitted activities must be kept at the location indicated in writing by you to the migratory bird permit issuing office.
12. Acceptance of this permit authorizes the U.S. Fish and Wildlife Service to inspect any wildlife held, and to audit or copy any permits, books, or records required to be kept by the permit and governing regulations.
13. You may not conduct the activities authorized by this permit if doing so would violate the laws of the applicable State, county, municipal or tribal government or any other applicable law.

(DPRD - 2/24/2011)

APPENDIX 10.2.8-6

NPDES STATUS OF INTAKE CANAL



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

REF: 4WM-WPEB

Mr. Charles D. Henderson
Manager
Air and Water Permitting and Programs
Florida Power & Light Company
Post Office Box 078768
West Palm Beach, Florida 33407-0768

Re: Port Everglades Plant
NPDES Permit No. FL0001538

Dear Mr. Henderson:

In the National Pollutant Discharge Elimination System (NPDES) permit issued on September 29, 1992, for the above-referenced facility, the basis for the effluent limitations for outfalls 002 and 003 was inadvertently omitted from the Amendment to the Fact Sheet. The initial draft dated January 21, 1992, included limitations for oil and grease, hydrazine, and pH based on Florida water quality standards. At the time of final issuance, the hydrazine limitation was deleted and the other limitations were changed based on federal effluent guidelines found at 40 CFR § 423.12(b)(3).

NOTE

These changes are based on the following: 1) a determination made by EPA that the intake canal, where outfalls 002 and 003 are located, acts as a conveyance ditch containing effluent (see 40 CFR § 122.2, definition of "point source") and is therefore not considered to be waters of the U.S, and 2) a determination made by the Florida Department of Environmental Regulation that the intake canal is not considered to be waters of the State as stated in Item C of the State certification dated July 31, 1992.

If you have any comments or questions, please call Darryl Williams or my staff at (404) 347-3866.

Sincerely,

A handwritten signature in black ink, appearing to read "James R. Patrick, Jr.", written over a horizontal line.

James R. Patrick, Jr., Chief
Permits Section
Water Permits and Enforcement Branch
Water Management Division

cc: FDER, Tallahassee (with enclosures)
FDER, Southeast District Office (with enclosures)
FL Fish & Wildlife Service (with enclosures)