



Florida Department of Environmental Protection

Northwest District
160 W. Government Street, Suite 308
Pensacola, Florida 32502-5794

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Secretary

Permittee/Authorized Entity/Operation and Maintenance Entity:
Florida Department of Environmental Protection - Florida Coastal Office
Jennifer Harper, Environmental Administrator
108 Island Drive
Eastpoint, Florida 32328
Jennifer.harper@dep.state.fl.us

Co-Permittee:
Audubon Florida
Julie Wraithmell – Deputy Executive Director
308 North Monroe Street
Tallahassee, Florida 32301
jwraithmell@audubon.org

St. George Island Causeway Shoreline Stabilization

Authorized Agent/Environmental Consultant:
Scheda Ecological Associates, Inc.
Russell Burdge, Branch Manager
1221 Airport Road, Suite 208
Destin, Florida 32541
rburdge@scheda.com

Engineering Consultant:
Taylor Engineers, Inc.
Matthew Trammell, Senior Coastal Engineer
1221 Airport Road, Suite 210
Destin, Florida 32541
mtrammell@taylorengeering.com

Environmental Resource Permit
State-owned Submerged Lands Authorization – Granted Pending Document Execution
U.S. Army Corps of Engineers Authorization – Separate Corps Authorization Required

Franklin County
Permit No.: 0346392-001-EI/19
Easement File No.: 41967

Permit Issuance Date: January 6, 2017
Permit Construction Phase Expiration Date: January 5, 2027

Consolidated Environmental Resource Permit and Recommended Intent to Grant Sovereignty Submerged Lands Authorization

Permittee: Florida Department of Environmental Protection

Permit No: 0346392-001-EI/19

PROJECT LOCATION

The activities authorized by this permit are located at on the abandoned St. George Island Causeway in Apalachicola Bay, Florida, in Sections 6, 7, 18, 19, 29, 30, Township 9 South, Range 6 West, and Sections 12, 13, 24, 25, Township 9 South, Range 7 West, in Franklin County, at Latitude 29°41'37.88" North / Longitude 84°53'0.27" West. As the activity will take place on filled, formerly submerged lands, there is no address or tax parcel identification number associated with this project location.

PROJECT DESCRIPTION

The permittee is authorized to fill 1.62 acres of emergent/herbaceous jurisdictional wetlands for the purpose of stabilizing an eroding shoreline to maintain colonial beach nesting bird habitat on an abandoned area of filled, formerly submerged land. The shoreline stabilization shall be built on and around an existing decrepit seawall and shall be constructed with granite or lime-stone rip-rap on top of marine mattress in four areas, totaling 2,610 linear-foot, within the landward extent of Apalachicola Bay, Class II Outstanding Florida Waterbody, part of the Apalachicola Bay Aquatic Preserve. Authorized activities are depicted on the attached exhibits.

Due to this project's potential positive contributions towards wildlife conservation, recreational value, and marine productivity, this project is clearly in the public interest.

No mitigation for wetland impacts shall be required as the existence of these wetland areas is due to the failure of existing shoreline protection and because the benefit of this area as wildlife habitat is far greater than the functional contributions of the impacted wetlands.

AUTHORIZATIONS

St. George Island Causeway Shoreline Stabilization

Environmental Resource Permit

The Department has determined that the activity qualifies for an Environmental Resource Permit. Therefore, the Environmental Resource Permit is hereby granted, pursuant to Part IV of Chapter 373, Florida Statutes (F.S.), and Chapter 62-330, Florida Administrative Code (F.A.C.).

Sovereignty Submerged Lands Authorization

As staff to the Board of Trustees under Sections 253.002, F.S., the Department has determined that the activity qualifies for and requires a public easement, as long as the work performed is located within the boundaries as described and is consistent with the terms and conditions herein.

The final documents required to execute the public easement will be sent to the grantee by the Department's Division of State Lands for execution. The Department intends to issue the public easement, upon satisfactory execution of those documents, including payment of required fees

and compliance with the conditions in the attached permit. **You may not begin construction of the activities described until you receive a copy of the executed public easement from the Department.**

Federal Authorization

Your proposed activity as outlined on your application and attached drawings **does not qualify** for Federal authorization pursuant to the State Programmatic General Permit and a **SEPARATE permit** or authorization **may be required** from the Corps. A copy of your permit application has been forwarded to the Corps for their review. The Corps will issue their authorization directly to you or contact you if additional information is needed. If you have not heard from the Corps within 30 days from the date your application was received at the local FDEP Office, contact the Corps at the Panama City Regulatory Office at 850-763-0717, for status and further information. **Failure to obtain Corps authorization prior to construction could subject you to federal enforcement action by that agency.**

Authority for review - an agreement with the USACOE entitled "Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection, or Duly Authorized Designee, State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Coastal Zone Management

Issuance of this authorization also constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Zone Management Act.

Water Quality Certification

This permit also constitutes a water quality certification under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

Other Authorizations

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

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

PERMIT

The activities described must be conducted in accordance with:

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

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

SPECIFIC CONDITIONS - PRIOR TO ANY CONSTRUCTION

1. If the approved permit drawings conflict with the specific conditions, then the specific conditions shall prevail.
2. This permit does not authorize the construction of any additional structures not illustrated on the permit drawings.
3. After selection of the contractor to perform the authorized activities and prior to the initiation of any work authorized by this permit, the permittee (or authorized agent) and the contractor shall attend a pre-construction conference with a representative of the Department. It shall be the responsibility of the permittee to contact this project's compliance coordinator, Michael Mathews, by email at Michael.Mathews@dep.state.fl.us, or by phone (850) 595-0042, to schedule the pre-construction conference.
4. The permittee shall ensure that the permit conditions are explained to all construction personnel working on the project and for providing each contractor and subcontractor with a copy of this permit before the authorized work begins.
5. Live oyster and substrate found within the project area shall be relocated based on the coordination, guidance, and authorization of the Florida Fish and Wildlife Conservation Commission (FWC) and must meet FDACS shellfish food safety requirements, as outlined in Exhibit II.
6. Prior to the initiation of any work authorized by this permit, floating turbidity screens with weighted skirts that extend to within 1 ft. of the bottom shall be placed around the immediate project area. The screens shall be maintained and shall remain in place for the duration of the project construction to ensure that turbidity levels outside the construction area do not exceed 0 NTU's above background levels. The permittee shall be responsible for ensuring that turbidity control devices are inspected daily and maintained in good working order so that there are no violations of state water quality standards outside of the turbidity screens.

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

7. During construction, please ensure that an adequate number of self-contained sanitary facilities in the uplands to prevent contamination of nearby conditionally approved waters. The self-contained sanitary facilities shall be removed immediately after construction completion.

8. All cleared vegetation, excess lumber, scrap wood, trash, garbage and any other type of debris shall be removed from wetlands/waters of the state within 14 days of completion of the work authorized in this permit.
9. There shall be no storage or stockpiling of tools or materials (i.e., lumber, pilings, equipment) within wetlands, along the shoreline within the littoral zone, or elsewhere within waters of the state unless specifically approved in the permit.
10. Any damage to wetlands outside the permitted area shall be restored to pre-construction elevations and conditions within 30 days of completion of the project and the Department shall be notified in writing of said incident.
11. This permit does not authorize the reclamation of land lost through erosion.
12. Riprap shall consist of unconsolidated boulders, rocks, or clean concrete rubble with no exposed reinforcing rods or similar protrusions. The riprap shall be free of sediment, debris and any toxic or otherwise deleterious substance.
13. The slope of the riprap shall be no steeper than 2:1 horizontal to vertical.
14. The permittee shall report any damage to the Department within 24 hours that occurs to the wetlands/littoral zone area as a result of the riprap, seawall, or upland retaining wall construction. The damage will be restored by planting native vegetation of the same size, densities and species that previously existed in this area, or through other mitigation actions as determined appropriate by the Department. The restoration shall be completed within 30 days of completion of the revetment and shall be done to the satisfaction of the Department.
15. Best management practices for erosion control shall be implemented and maintained at all times during construction to prevent siltation and turbid discharges in excess of State water quality standards pursuant to Rule 62-302, F.A.C. Methods shall include, but are not limited to the use of staked hay bales, staked filter cloth, sodding, seeding, and mulching; staged construction; and the installation of turbidity screens around the immediate project site.
16. The permittee shall be responsible for ensuring that erosion control devices/procedures are inspected and maintained daily during all phases of construction authorized by this permit until all areas that were disturbed during construction are sufficiently stabilized to prevent erosion, siltation, and turbid discharges.

The following measures shall be taken immediately by the permittee whenever turbidity levels within waters of the State surrounding the project site, exceed 0 NTUs above background:

- a. Immediately cease all work contributing to the water quality violation.
- b. Stabilize all exposed soils contributing to the violation. Modify the work procedures that were responsible for the violation and install more turbidity containment devices and repair any non-functioning turbidity containment devices.

- c. Notify the FDEP Northwest District Panama City Branch Office at (850) 872-4375, or at the address in Special Condition 21 within 24 hours of the time the violation is first detected.
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- 17. All wetland areas or water bodies which are adjacent to the specific limits of construction authorized by this permit, and all state owned waterbodies in the vicinity, shall be protected from erosion, sedimentation, siltation, scouring, excess turbidity or dewatering.
 - 18. Dredging within waters of the State for the purpose of providing fill material is specifically prohibited.
 - 19. Loose oyster shell shall be placed around the finished project area in the manner recommended in Exhibit II.
 - 20. Construction equipment shall not be repaired or refueled in wetlands or other surface waters.
 - 21. All watercraft associated with the construction and operation of the permitted structure shall only operate within waters of sufficient depth so as to preclude bottom scouring/prop dredging.
 - 22. For emergencies involving a serious threat to the public health, safety, welfare, or environment, the emergency telephone contact number is **800-320-0519** (State Warning Point). The Department telephone number for reporting nonthreatening problems or system malfunctions is (850) 595-0663, day or night.
 - 23. The construction phase expires at 11:59 p.m. on the date indicated on the cover page of this permit, unless an application for extension is received and approved pursuant to Rule 62-346.120, F.A.C.
 - 24. The mailing address for submittal of forms for the "Construction Commencement Notice" or other correspondence is FDEP, SLERP, 470 Harrison Avenue, Panama City, Florida 32401. The permittee shall immediately notify the Department by telephone whenever a serious problem occurs during the course of this project. Notification shall be made to the Panama City Branch Office at (850) 872-4375. Within 7 days of telephone notification, a report shall be submitted electronically or in writing to the Department using Form 62-330.311(1), "Operation and Maintenance Inspection Certification," describing the extent of the problem, its cause, and the remedial actions taken to resolve the problem.
 - 25. Upon completion of construction, the permittee shall submit to the Department of Form 62-330.310(1) "As-Built Certification and Request for Conversion to Operation Phase". The form shall be certified by a registered professional and serve to notify the Department that the project, or independent portion of the project, is completed and ready for inspection by the Department. The person completing Form 62-330.310(1) shall inform the Department if there are substantial deviations from the plans approved as part of the permit and include as-built drawings with the form.

SPECIFIC CONDITIONS – OPERATION AND MAINTENANCE ACTIVITIES

26. If the Department notifies the permittee of deficiencies that must be corrected, and if the permittee fails to correct those deficiencies in a timely manner, the project will be considered to be not operating in accordance with a permit issued under Chapter 62-330, F.A.C., and the permittee will be subject to enforcement action by the Department. In such case, the permittee will be responsible for any necessary permit modifications, alterations, or maintenance to bring the project into such compliance, and for submitting any new certifications and requests to convert the permit to the operation and maintenance phase.
27. All structures authorized by this permit shall be maintained in proper operating function and shall not contribute to a violation of water quality or allowed to fall into disrepair.

GENERAL CONDITIONS FOR INDIVIDUAL PERMITS

The following general conditions are binding on all individual permits issued under chapter 62-330, F.A.C., except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate project-specific conditions.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007)*, and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008)*, which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," [October 1, 2013], which is incorporated by reference [in](#) paragraph 62-330.350(1)(d), F.A.C., indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.

5. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex – “Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit” [Form 62-330.310(3)]; or
 - b. For all other activities – “As-Built Certification and Request for Conversion to Operational Phase” [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
7. If the final operation and maintenance entity is a third party:
 - a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as- built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
 - b. Within 30 days of submittal of the as- built certification, the permittee shall submit “Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity” [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
 - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.

11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the Agency in writing:
 - a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.
13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.
14. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.
15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.
16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.
17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.

18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with subsection 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

NOTICE OF RIGHTS

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

Petition for Administrative Hearing

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

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any email address, any facsimile number, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

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

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14

days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Extension of Time

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

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

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

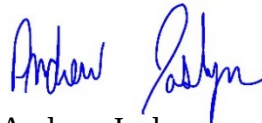
Judicial Review

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If you have any questions regarding this matter, please contact Jared Searcy at the letterhead address, at 850-245-7625 or at Jared.Searcy@dep.state.fl.us.

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Andrew Joslyn
Program Administrator

Attachments:

Exhibit I, Project Drawings and Design Specs., 10 pages

Exhibit II, FWC Comments and Recommendations

Copies furnished to:

Lea Crandall, DEP, Office of General Counsel, Lea.Crandall@dep.state.fl.us

Department of Economic Opportunity, Ray.Eubanks@deo.myflorida.com

DCPPermits@deo.myflorida.com

Sue Maxwell, U.S. Army Corps of Engineers, Susanna.R.Maxwell@usace.army.mil

Jon Brucker, Florida Department of Environmental Protection, Jonathan.Brucker@dep.state.fl.us

Bryan Phillips, FWC, Bryan.Phillips@myfwc.com

Ted Hoehn, FWC, ted.hoehn@myFWC.com

Chris Clark, FDACS – Division of Aquaculture, chris.clark@freshfromflorida.com

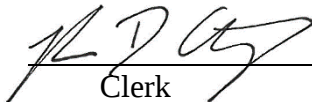
File

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this permit, including all copies, were mailed before the close of business on January 6, 2017 to the above listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date, under 120.52(7) of the
Florida Statutes, with the designated Department Clerk,
receipt of which is hereby acknowledged.

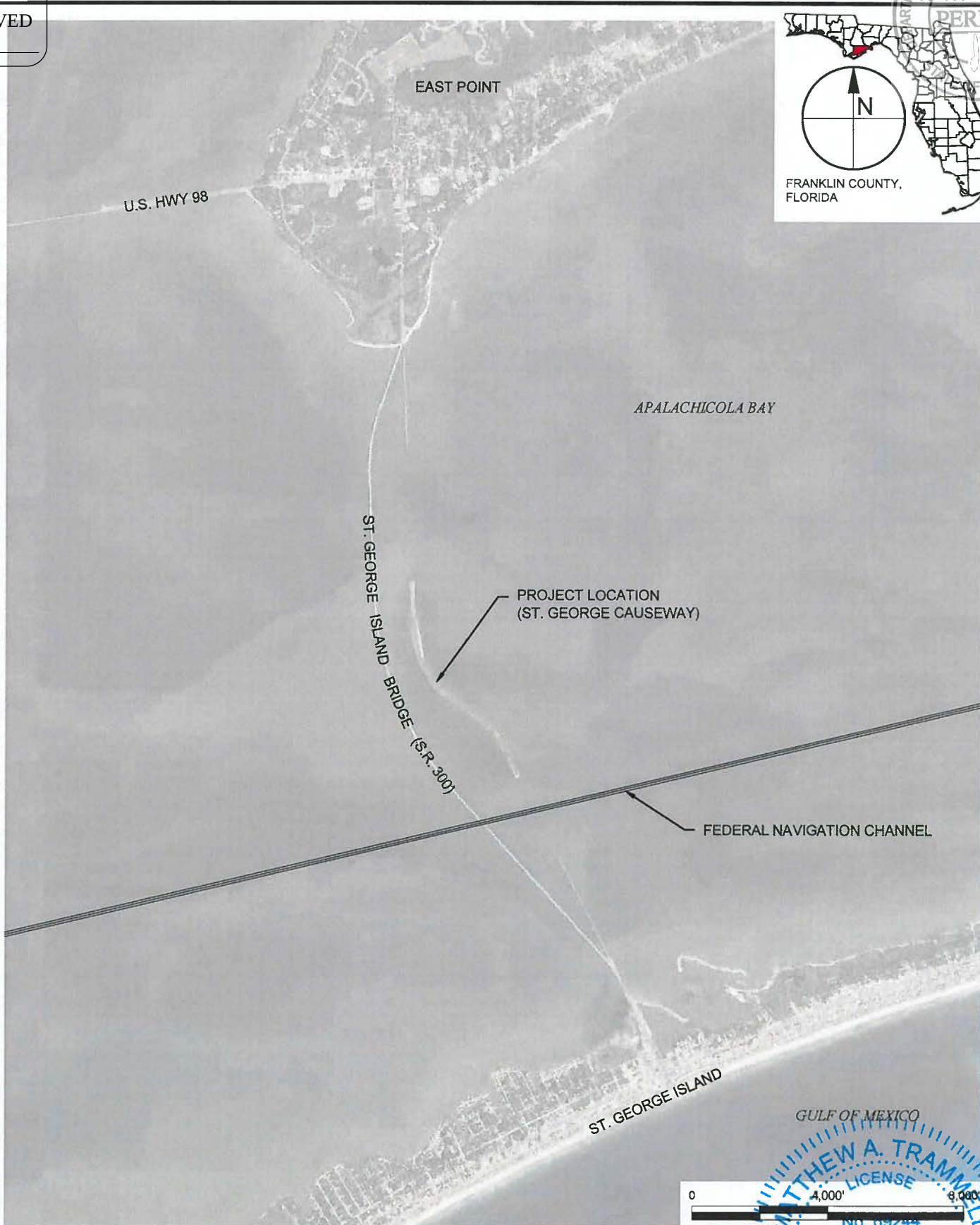

Clerk

January 6, 2017
Date



RECEIVED

8/8/2016



ANTON FLEMING X:\S\PROJECTS\2016\005_AUDUBON\PERMIT\2016-005-P-TITLE SHEET DWG 7/20/2016 2:16:12 PM

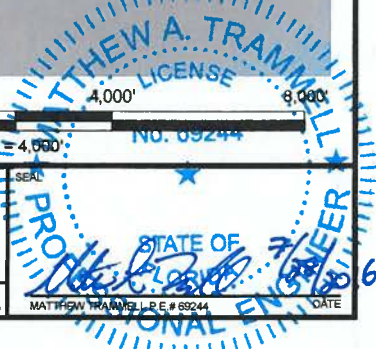


TAYLOR ENGINEERING INC.

1221 AIRPORT ROAD
SUITE 210
DESTIN, FLORIDA 32541
CERTIFICATE OF AUTHORIZATION # 4815

**FIGURE C-1
LOCATION MAP
AUDUBON CAUSEWAY STABILIZATION
FRANKLIN COUNTY, FLORIDA**

PROJECT	DRAWN BY	SHEET	DATE
C2016-005	AF	1 of 10	JULY 2016



PRELIMINARY DRAWINGS. THESE DRAWINGS ARE NOT IN FINAL FORM, BUT ARE BEING TRANSMITTED FOR AGENCY REVIEW.



GENERAL NOTES:

1. ALL ELEVATIONS REFERENCE THE 1988 NORTH AMERICAN VERTICAL DATUM (NAVD 88), ELEVATIONS IN FEET UNLESS NOTED OTHERWISE.
2. ALL COORDINATES REFERENCE STATE PLANE FLORIDA NORTH, NORTH AMERICAN DATUM 1983 (NAD 83), COORDINATES IN FEET UNLESS NOTED OTHERWISE.
3. EXISTING BATHYMETRY FOR APALACHICOLA BAY OBTAINED FROM NOAA'S ESTUARINE BATHYMETRY WEBSITE [HTTP://ESTUARINEBATHYMETRY.NOAA.GOV/](http://ESTUARINEBATHYMETRY.NOAA.GOV/).
4. FEDERAL NAVIGATION CHANNEL LIMITS OBTAINED FROM THE U.S. ARMY CORPS OF ENGINEERS MOBILE DISTRICT WEBSITE [HTTP://NAVIGATION.SAM.USACE.ARMY.MIL/SURVEYS](http://NAVIGATION.SAM.USACE.ARMY.MIL/SURVEYS).
5. AERIAL IMAGERY TAKEN IN 2015 AND OBTAINED FROM GOOGLE EARTH. AERIAL IMAGERY DISPLAYED HEREON FOR INFORMATIONAL PURPOSES ONLY. NO PHOTOGRAPHIC ACCURACY IS IMPLIED BY THESE MAPS.
6. OYSTER BEDS OBTAINED FROM U.S. GEOLOGICAL SURVEY WEBSITE: [HTTP://PUBS.USGS.GOV/OF/2009/1031/HTML/CATALOG.HTML](http://PUBS.USGS.GOV/OF/2009/1031/HTML/CATALOG.HTML).
7. SEAGRASS BOUNDARIES OBTAINED FROM FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION WEBSITE: [HTTP://GEODATA.MYFWC.COM/DATASETS/4D1B4E758E704DEF90773BD49806DD4C_6](http://GEODATA.MYFWC.COM/DATASETS/4D1B4E758E704DEF90773BD49806DD4C_6).
8. APALACHICOLA AQUATIC PRESERVE BOUNDARY OBTAINED FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION WEBSITE: [HTTP://WWW.DEP.STATE.FL.US/GIS/DATADIR.HTM](http://WWW.DEP.STATE.FL.US/GIS/DATADIR.HTM).
9. WETLAND BOUNDARIES ESTABLISHED AND SURVEYED BY SCHEDA ECOLOGICAL ASSOCIATES, INC. ON MAY 8, 2015.
10. MEAN HIGH WATER LINE DRAWN ALONG EXISTING BULKHEAD PER THE DIRECTION OF FDEP AND USACE STAFF AT THE MAY 20, 2015 PRE-APPLICATION MEETING.
11. CONSTRUCTION SHALL NOT VIOLATE STATE WATER QUALITY STANDARDS
12. MATERIALS ARE SUBJECT TO CHANGE. FINAL MATERIALS WILL BE DETERMINED DURING FINAL DESIGN.
13. THE LOCATION OF TURBIDITY CURTAINS SHOWN ON THESE DRAWINGS FOR INFORMATIONAL PURPOSES ONLY. TURBIDITY CURTAINS SHALL BE LOCATED AND REPOSITIONED BY THE CONTRACTOR USING BEST MANAGEMENT PRACTICES TO ASSURE WATER QUALITY STANDARDS ARE MAINTAINED THROUGHOUT CONSTRUCTION.

PROPOSED ROCK SHORELINE STABILIZATION PLAN:

1. TOTAL STRUCTURE LENGTH:

AREA	LENGTH (FT.)
1	320
2	560
3	1,150
4	580
TOTAL	2,610

2. TOTAL STRUCTURE AREA:

AREA	WETLAND IMPACT AREA (SQ. FT.)	BAY BOTTOM COVERAGE AREA (SQ. FT.)
1	1,304	7,472
2	2,013	13,076
3	3,994	26,853
4	2,473	13,543
TOTAL	9,784	60,944

3. TIDAL DATUM REFERENCE:

MHHW ——— 0.61'
MHW ——— 0.43'

MSL ——— -0.31'

MLW ——— -1.05'
MLLW ——— -1.56'

NAVD 88 ——— 0.00'



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1221 AIRPORT ROAD
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DESTIN, FLORIDA 32541

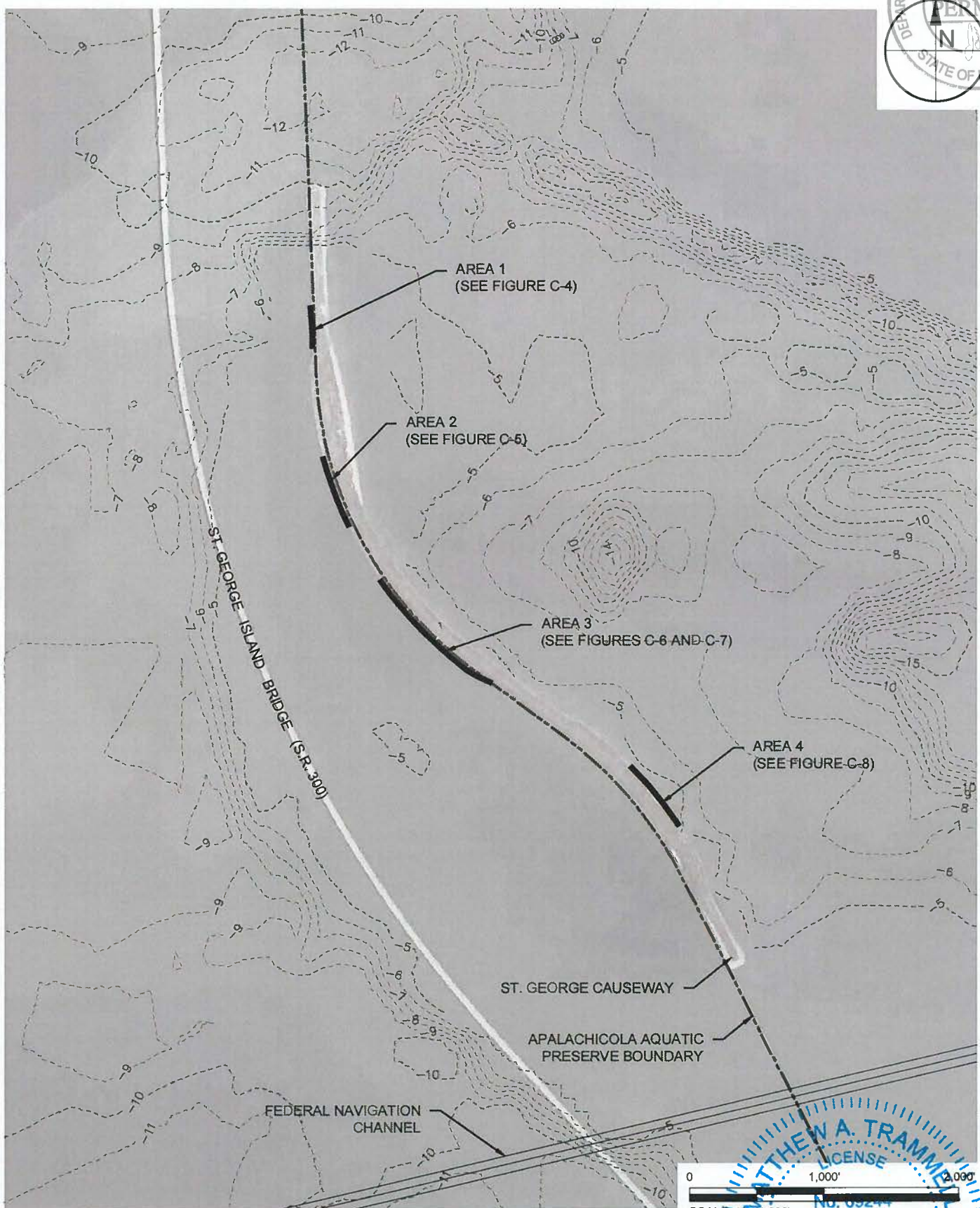
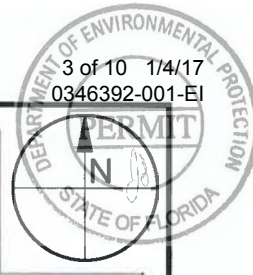
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FIGURE C-2

GENERAL NOTES
AUDUBON CAUSEWAY STABILIZATION
FRANKLIN COUNTY, FLORIDA

PROJECT C2016-005 DRAWN BY AF SHEET 2 of 10 DATE JULY 2016





SCALE: 1" = 1,000'



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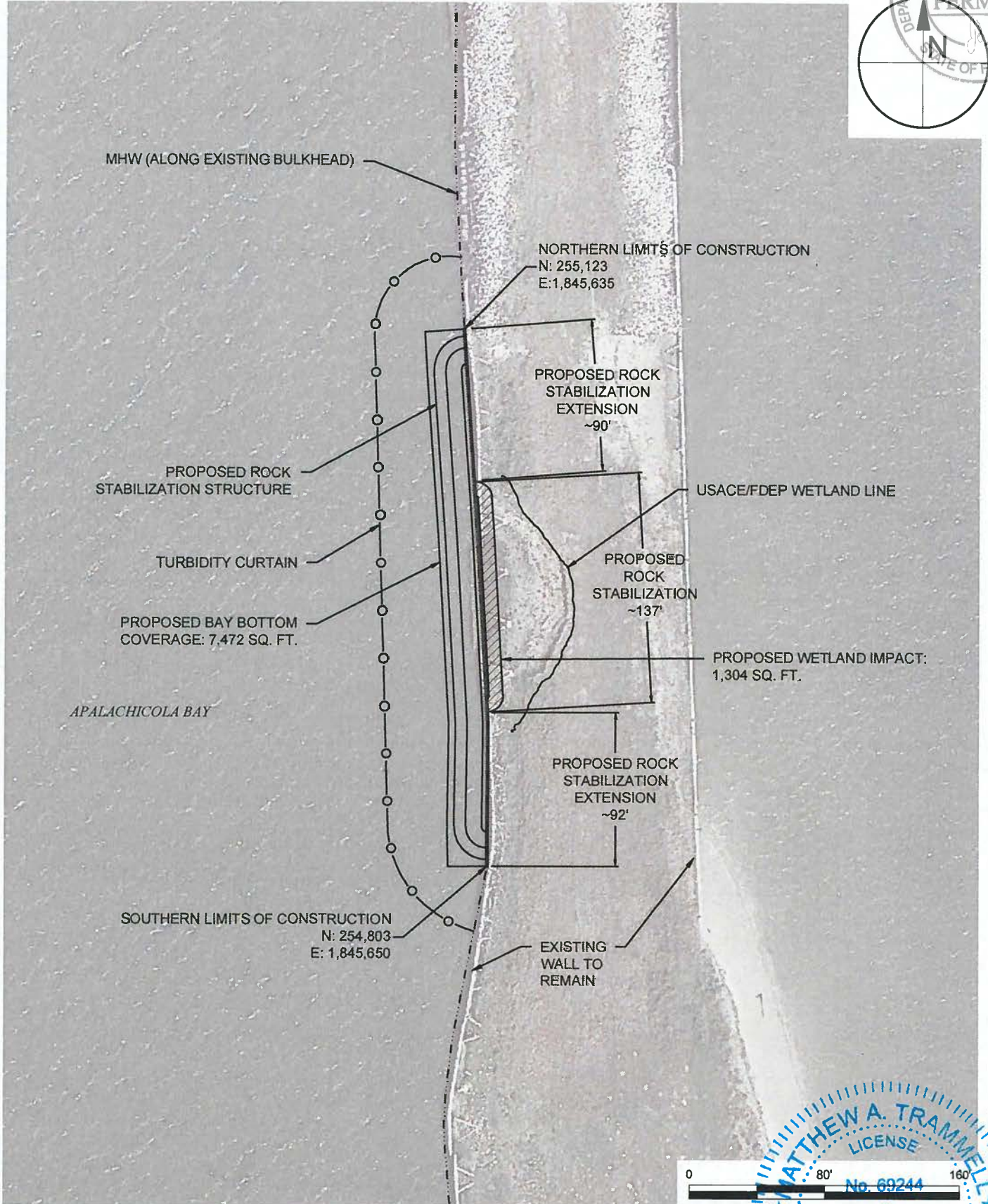
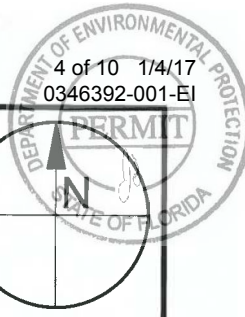
**FIGURE C-3
PROJECT OVERVIEW
AUDUBON CAUSEWAY STABILIZATION
FRANKLIN COUNTY, FLORIDA**

PROJECT	DRAWN BY	SHEET	DATE
C2016-005	AF	3 of 10	JULY 2016



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PRELIMINARY DRAWINGS: THESE DRAWINGS ARE NOT IN FINAL FORM, BUT ARE BEING TRANSMITTED FOR AGENCY REVIEW.



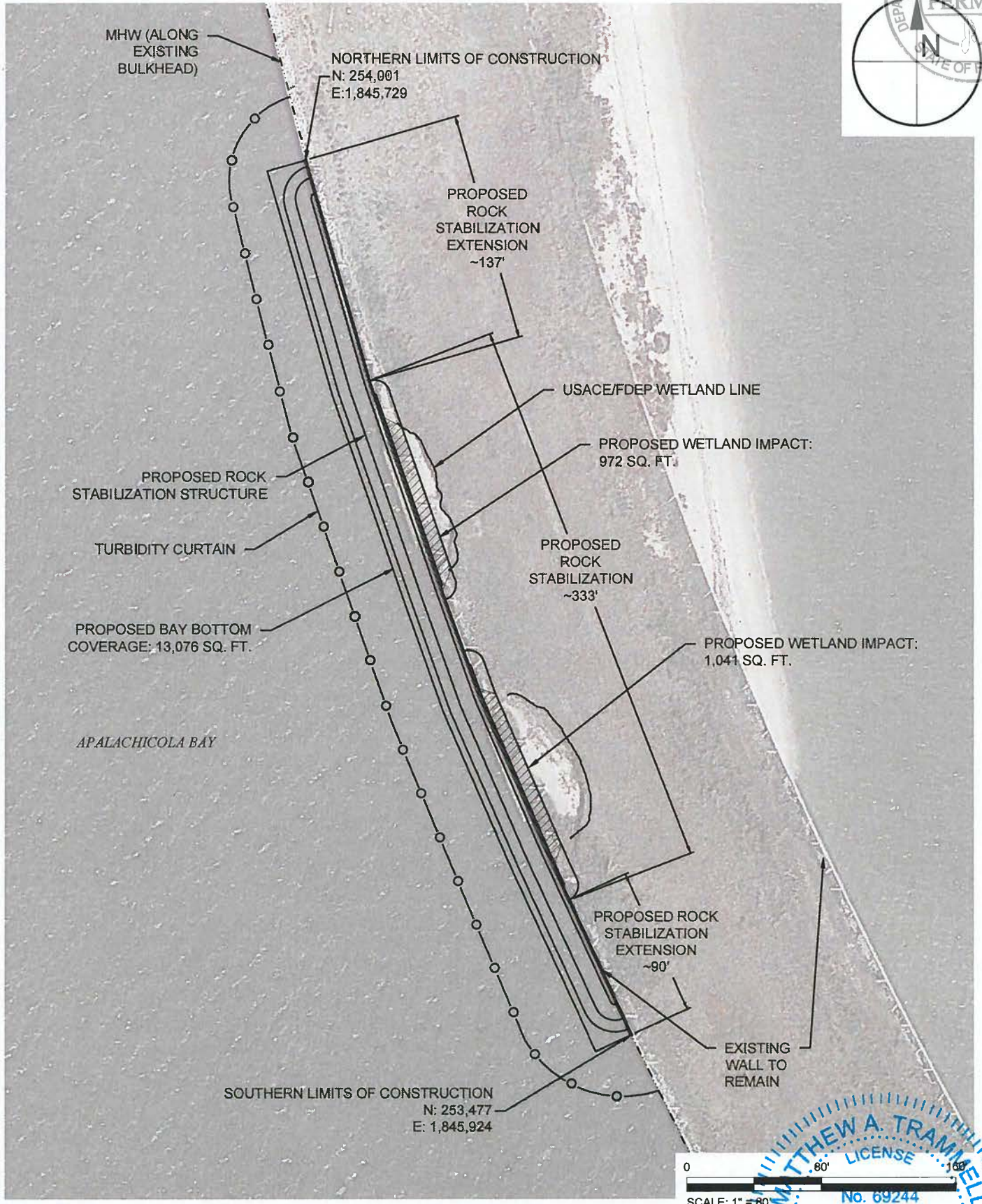
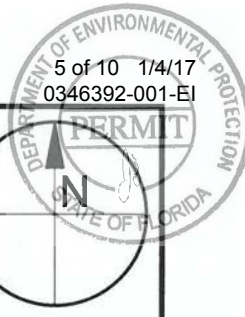
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FIGURE C-4				
AREA 1 STABILIZATION PLAN				
AUDUBON CAUSEWAY STABILIZATION				
FRANKLIN COUNTY, FLORIDA				
PROJECT	DRAWN BY	SHEET	DATE	
C2016-005	AF	4 of 10	JULY 2016	

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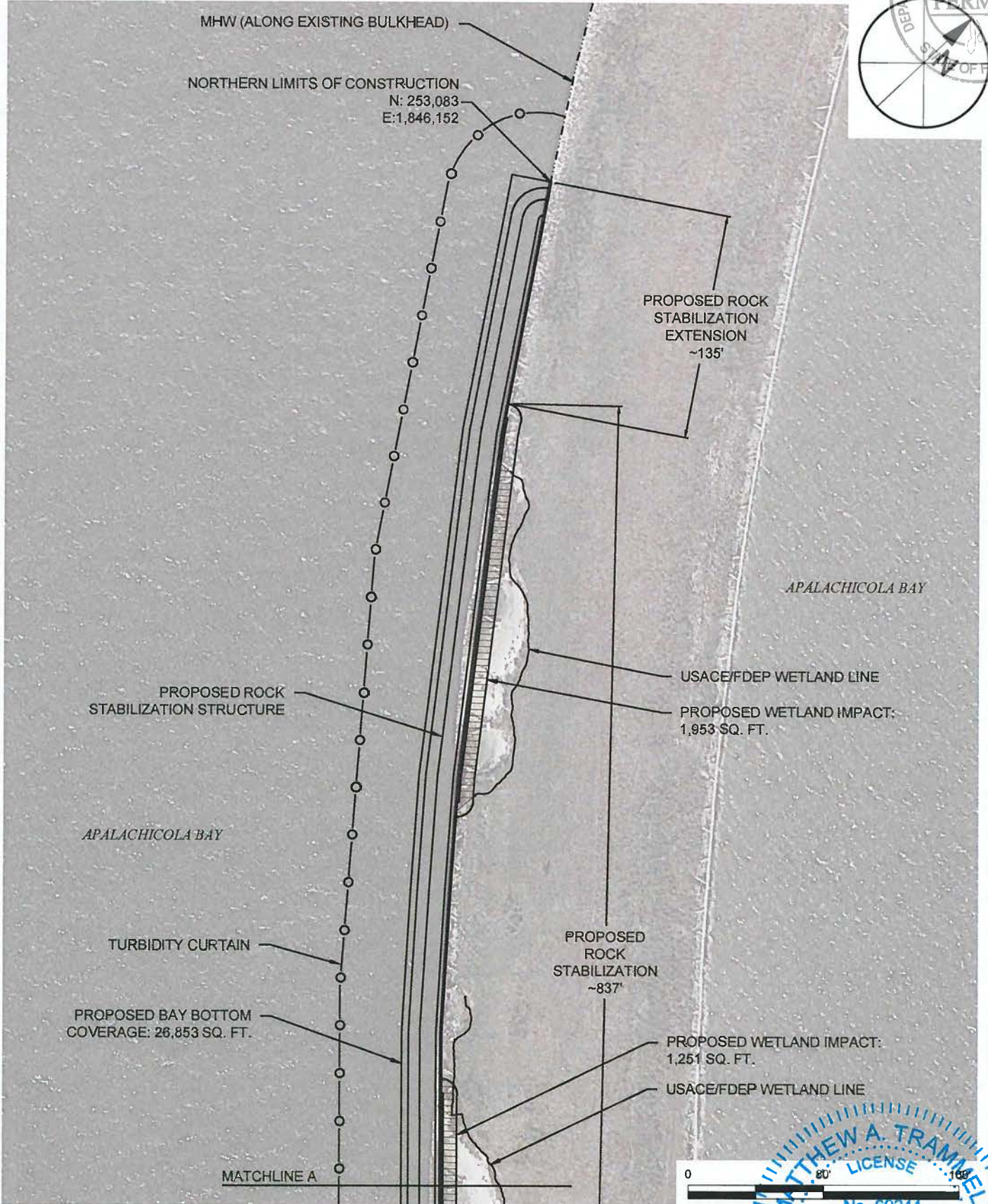
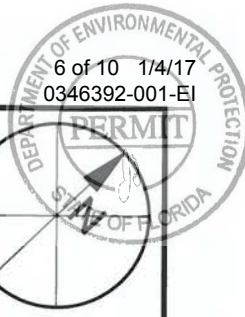
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FIGURE C-5
AREA 2 STABILIZATION PLAN
AUDUBON CAUSEWAY STABILIZATION
FRANKLIN COUNTY, FLORIDA

PROJECT	DRAWN BY	SHEET	DATE
C2016-005	AF	5 of 10	JULY 2016



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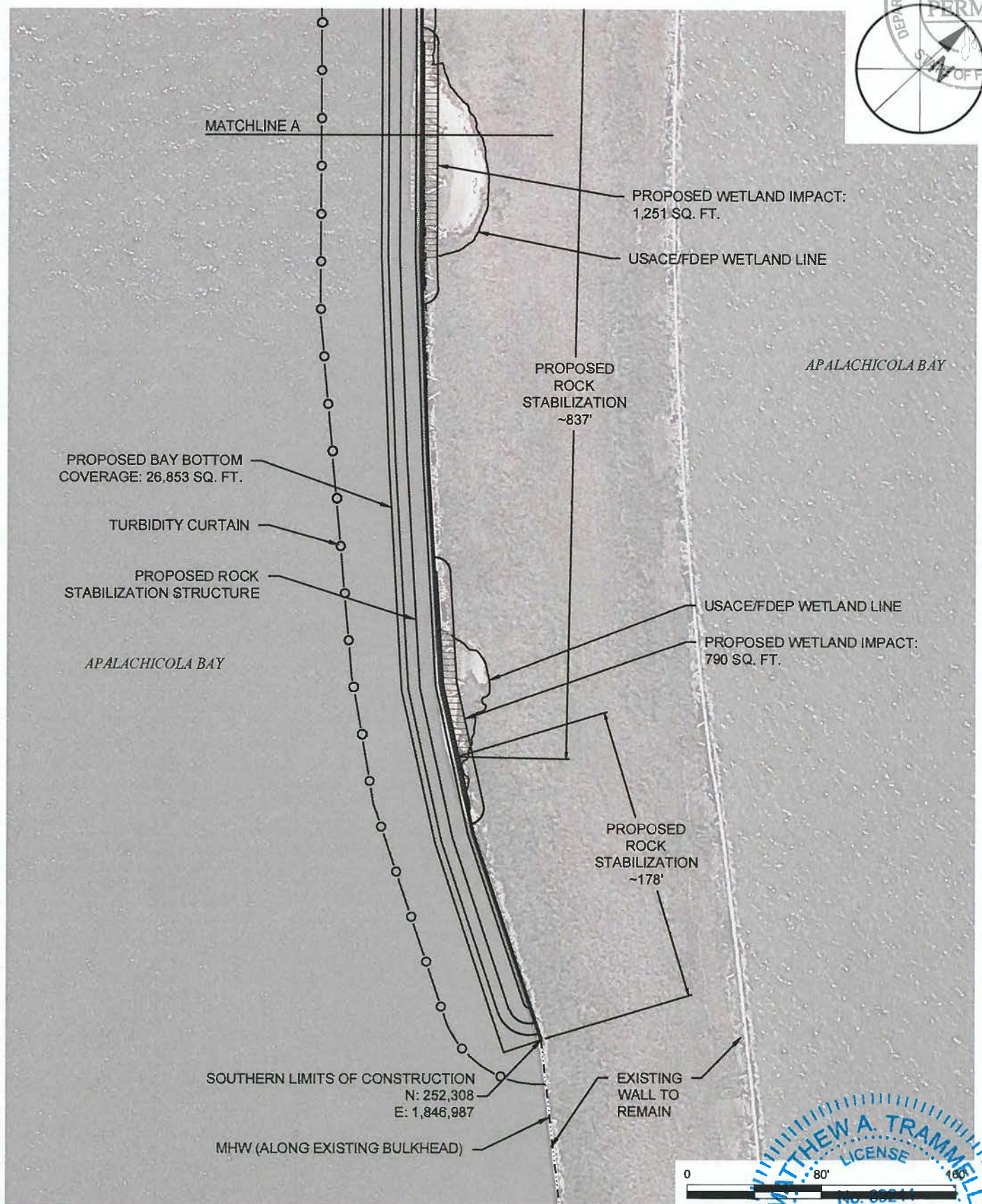
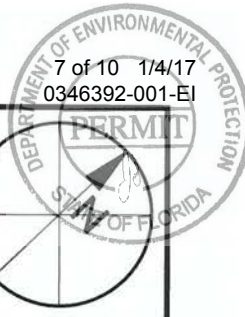
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**FIGURE C-6
AREA 3 STABILIZATION PLAN
AUDUBON CAUSEWAY STABILIZATION
FRANKLIN COUNTY, FLORIDA**

PROJECT	DRAWN BY	SHEET	DATE
C2016-005	AF	6 of 10	JULY 2016





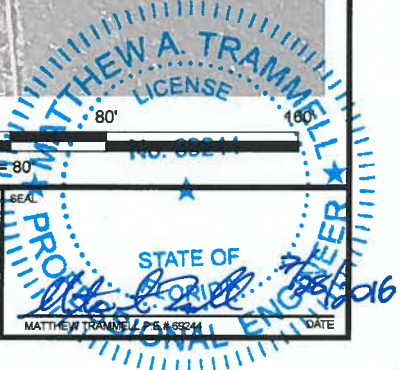
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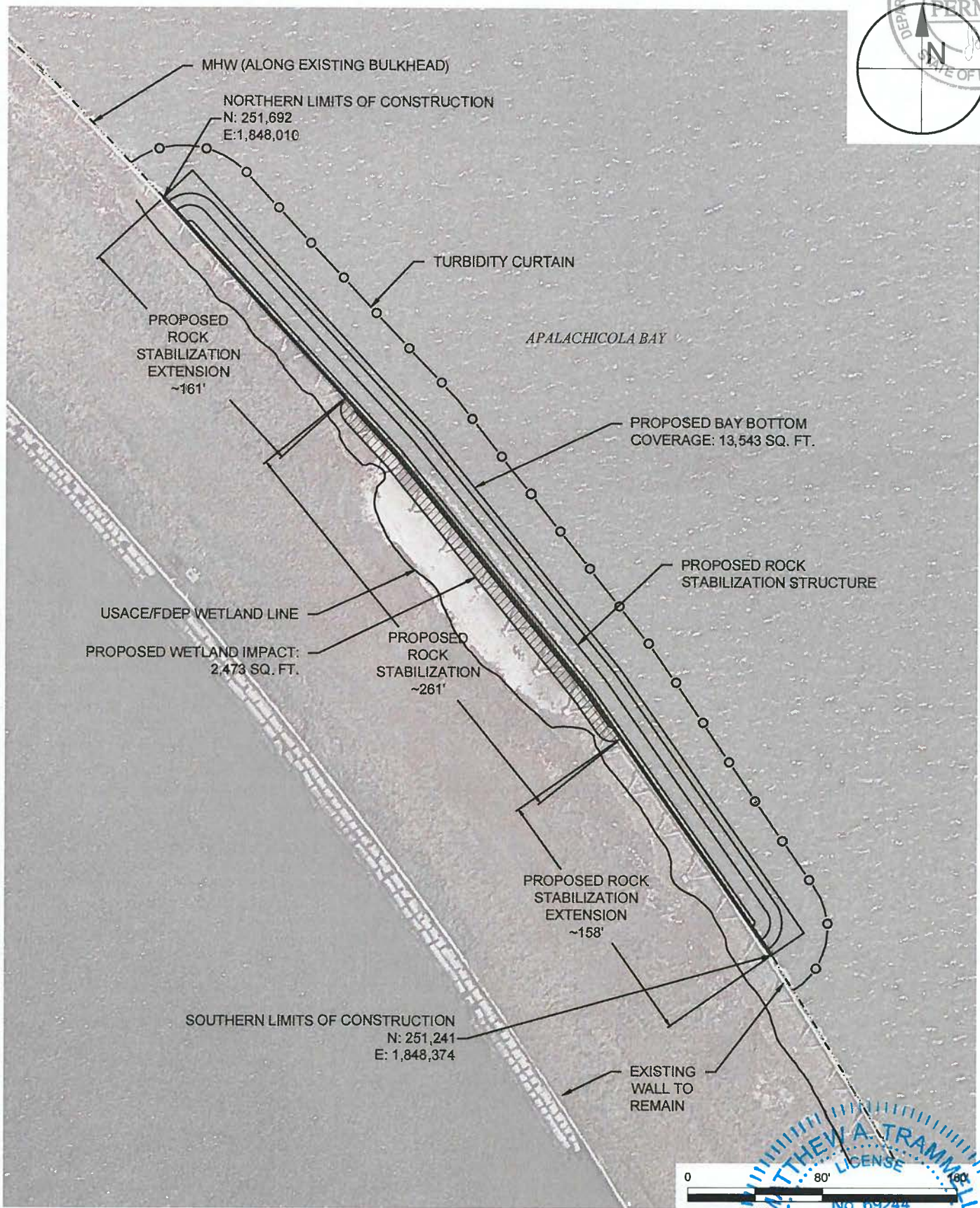
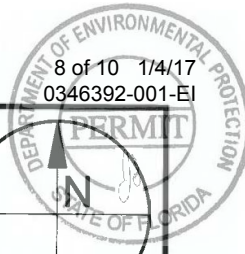
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FIGURE C-7
AREA 3 STABILIZATION PLAN
AUDUBON CAUSEWAY STABILIZATION
FRANKLIN COUNTY, FLORIDA

PROJECT	DRAWN BY	SHEET	DATE
C2016-005	AF	7 of 10	JULY 2016



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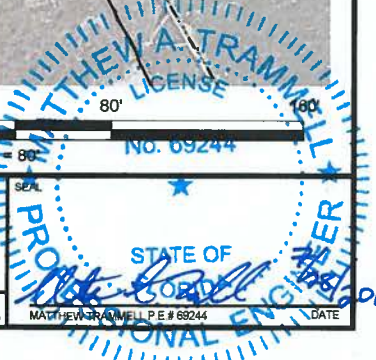
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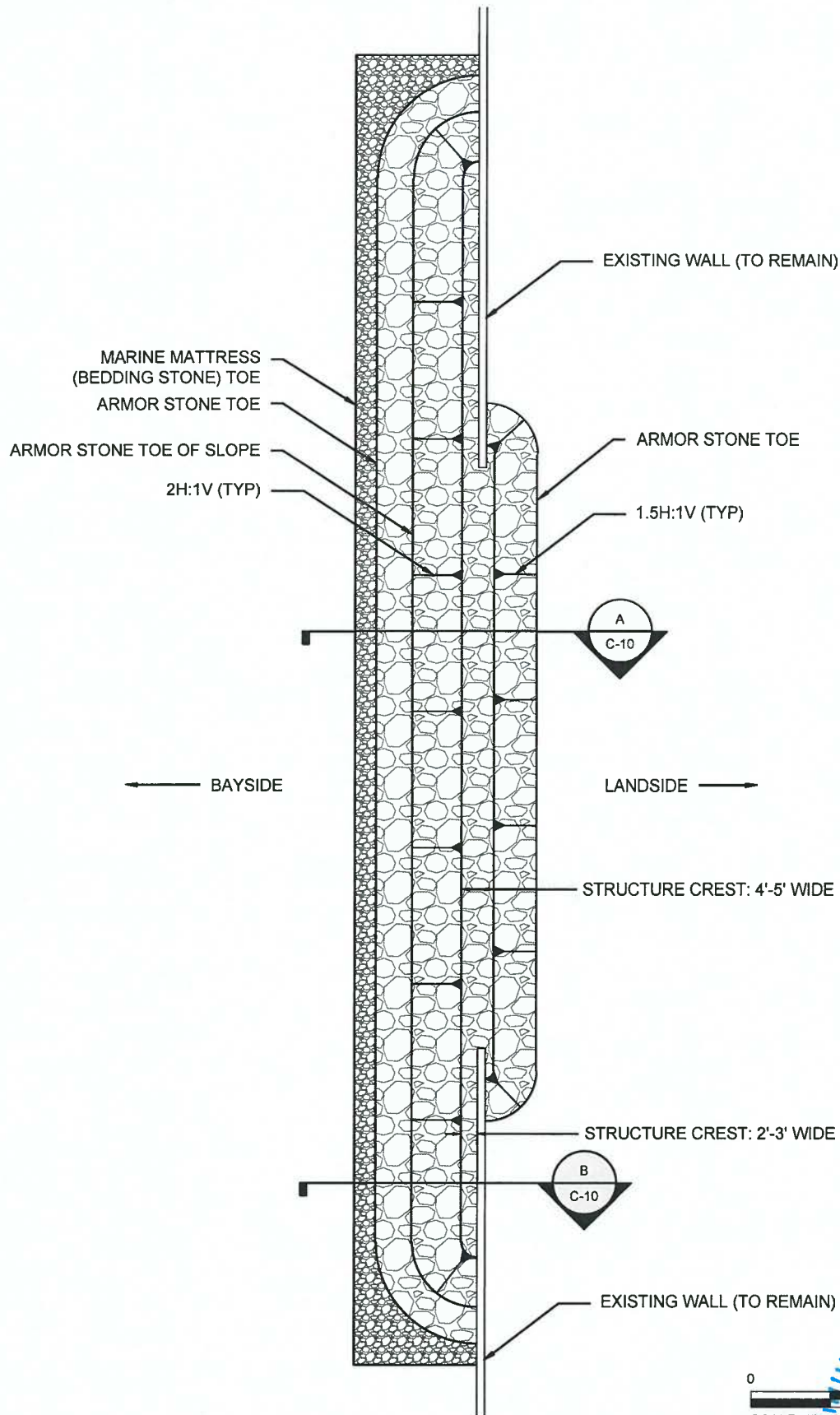
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FIGURE C-8
AREA 4 STABILIZATION PLAN
AUDUBON CAUSEWAY STABILIZATION
FRANKLIN COUNTY, FLORIDA

PROJECT	DRAWN BY	SHEET	DATE
C2016-005	AF	8 of 10	JULY 2016



PRELIMINARY DRAWINGS. THESE DRAWINGS ARE NOT IN FINAL FORM, BUT ARE BEING TRANSMITTED FOR AGENCY REVIEW.



0 30' 60'
SCALE: 1" = 30'



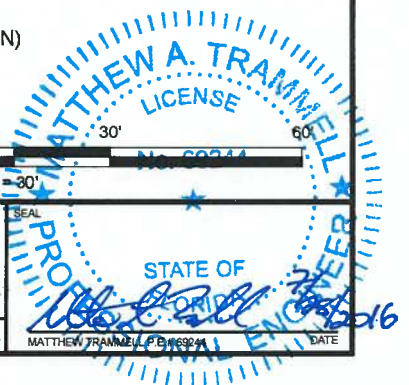
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FIGURE C-9
TYPICAL STABILIZATION PLAN
AUDUBON CAUSEWAY STABILIZATION
FRANKLIN COUNTY, FLORIDA

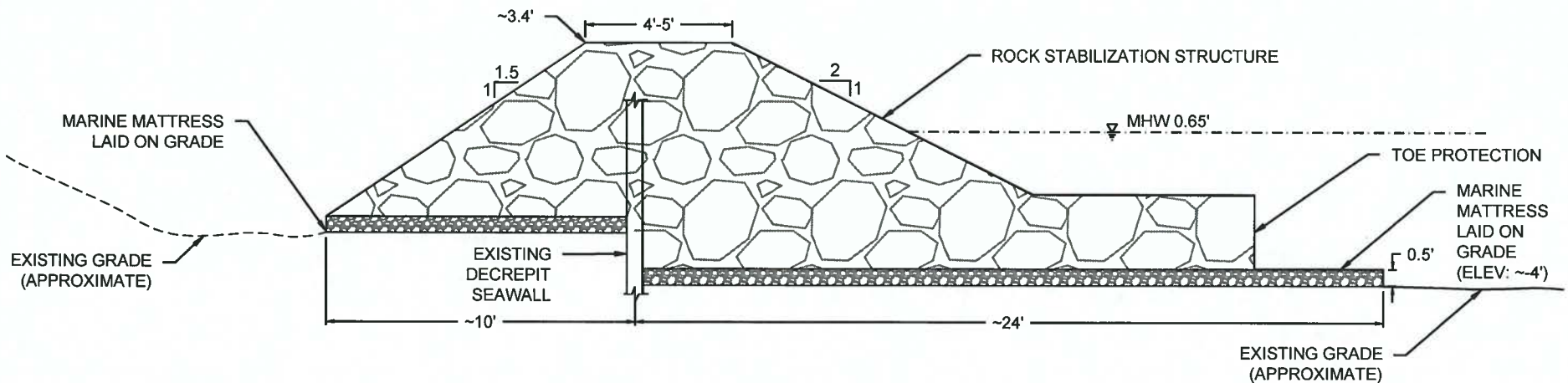
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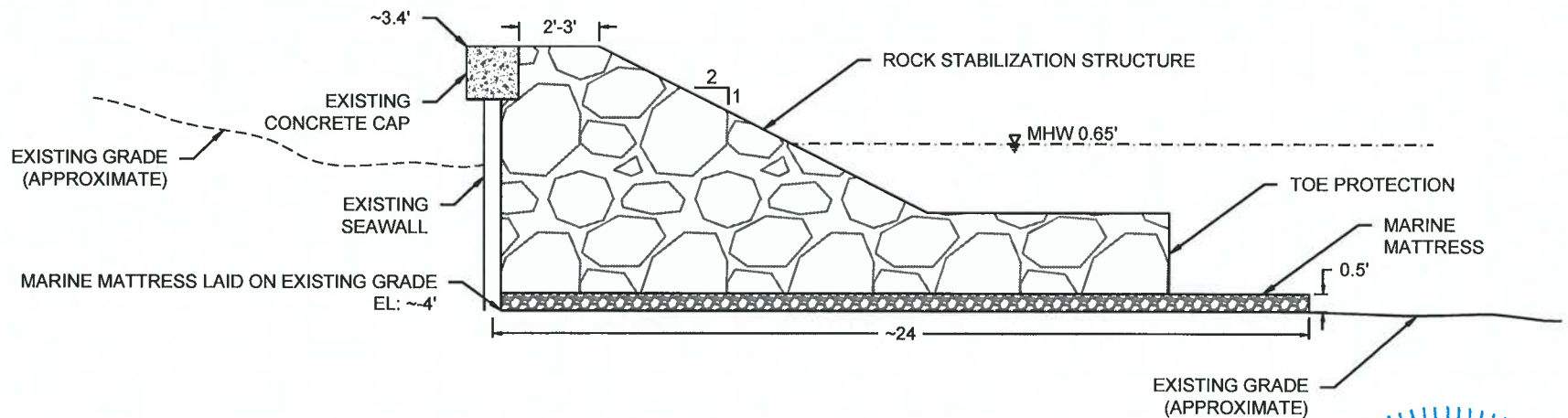
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A
C-9
TYPICAL ROCK STABILIZATION SECTION
SCALE: 1" = 5'



B
C-9
TYPICAL ROCK STABILIZATION EXTENSION SECTION
SCALE: 1" = 5'



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FIGURE C-10
TYPICAL STABILIZATION SECTIONS
AUDUBON CAUSEWAY STABILIZATION
FRANKLIN COUNTY, FLORIDA

PROJECT	C2016-005
DRAWN BY	AF
SHEET	10 of 10
DATE	JULY 2016





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MyFWC.com

September 13, 2016

Jared Searcy
Northwest District
Florida Department of Environmental Protection
470 Harrison Avenue
Panama City, FL 32401
Jared.Searcy@dep.state.fl.us

Re: Apalachicola Causeway Restoration, Florida Department of Environmental Protection (FDEP) Environmental Resource Permit (ERP) Application #20-0346392-001-EI, Franklin County

Dear Mr. Searcy:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the above-referenced project and provides the following comments for your consideration. We provide these comments as technical assistance during your review of the ERP application under Chapter 373, Florida Statutes, and in accordance with FWC's authorities under Chapter 379, Florida Statutes.

Project Description

The proposed project is the construction and rehabilitation of seven shoreline stabilization breakwater structures on the St. George Island Causeway in Franklin County. The project is a joint project between the DEP Florida Coastal Office and Audubon of Florida, and is intended to improve the site for nesting habitat for shorebirds. The site is located approximately 2.5 miles south of Eastpoint and approximately 1,000 feet east of the St. George Island Bridge. The total project area is approximately 1.68 acres and the site contains coastal upland/causeway fill (1.0 acres) and estuary (0.7 acres). Wetland mitigation is not proposed since the application states that the on-site wetlands only exist as a result of the failure of the existing breakwater structures.

Potentially Affected Resources

According to the *Environmental Considerations Report* (July 2016) submitted by Scheda Environmental Associates, Inc., the project is located in Apalachicola Bay, which is designated as a National Estuarine Research Reserve and an Outstanding Florida Water. The project is located in an area that is designated as Conditionally Approved for winter oyster harvesting. The project area contains potential habitat for green sea turtle (*Chelonia mydas*, Federally Endangered [FE]), loggerhead sea turtle (*Caretta caretta*, Federally Threatened [FT]), hawksbill sea turtle (*Eretmochelys imbricata*, FE), Kemp's ridley sea turtle (*Lepidochelys kempii*, FE), leatherback sea turtle (*Dermochelys coriacea*, FE), smalltooth sawfish (*Pristis pectinata*, FE), West Indian (Florida) manatee (*Trichechus manatus latirostris*, FE), and Gulf sturgeon (*Acipenser oxyrinchus desotoi*,

FT). The project area is also Designated Critical Habitat for the Gulf sturgeon. A determination of “may affect, not likely to adversely affect” has been made for these species and consultation with the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) will be conducted. The applicant has committed to following the NMFS *Sea Turtle and Smalltooth Sawfish Construction Conditions* and the USFWS *2009 Standard Manatee Conditions for In-Water Work*. The causeway area has also been utilized for nesting by least tern (*Sterna antillarum*, State Threatened [ST]), American oystercatcher (*Haematopus palliatus*, State Species of Special Concern [SSC]), black skimmer (*Rynchops niger*, SSC), brown pelican (*Pelecanus occidentalis*, SSC), and several shorebird species that are not listed but are protected by the Migratory Bird Treaty Act. The applicant has committed to timing construction outside of nesting season to avoid impacts to shorebirds and colonial seabirds. The application also indicates that the project area is considered to be Essential Fish Habitat and the applicants will coordinate with the NMFS. The proposed project area is located within a Critical Wildlife Area and the applicant is aware of the need to obtain a permit to conduct work on the site.

Comments and Recommendations

The proposed restoration project would provide the stabilization of important protected and managed wildlife habitat. Once restored, this site would provide nesting habitat for multiple shorebirds and colonial nesting seabird species including least tern, American oystercatcher, and black skimmer. FWC staff is supportive of the project and we offer the following technical assistance for project planning, preservation, restoration, enhancement, and creation activities.

The proposed project area is situated within Apalachicola Bay, which is known to contain oysters throughout. Oyster substrate is considered to be Essential Fish Habitat and the information included with the application indicates that oyster substrate is present within the project area. The application indicates that NMFS may recommend the relocation of any oysters found within the project area and that the applicant is willing to implement such a recommendation. A Stock Collection and Release, Special Activity License (SAL) is required for all marine species relocation activities statewide, including but not limited to oyster relocation activities for mitigation purposes. Information on the SAL Program and applications are available at: <http://myfwc.com/license/saltwater/special-activities/>. FWC staff also encourages the applicant to engage local oyster fisherman, who depend on the health of the overall oyster population in the bay, as early as possible in the planning and restoration process.

The application also states that the placement of large limestone rock, which is described as two to three feet per rock, would contribute by providing additional substrate for oyster attachment. FWC staff with experience with similar projects indicates that large rock does not hold oysters well, and while some oysters will eventually attach, it will not provide a major source for oyster attachment. FWC staff recommends providing a buffer between the large rock and the bay through a zone of loose oyster shell around the base of the rock. This layer of oyster shell should be added after the placement of the large rock and will increase the potential of the site for oyster attachment and the functionality as marine habitat.

We appreciate the opportunity to provide input on this project. If you need any further assistance, please do not hesitate to contact Jane Chabre either by phone at (850) 410-5367 or by email at FWCConservationPlanningServices@MyFWC.com. If you have specific technical questions regarding the content of this letter, please contact Bryan Phillips at (850) 767-3646 or by email at Bryan.Phillips@MyFWC.com.

Sincerely,



Jennifer D. Goff
Land Use Planning Program Administrator
Office of Conservation Planning Services

jdg/bwp

ENV 1-12-2

Apalachicola Causeway Restoration for Colonial Beach Nesting Bird Habitat_31454_091316

cc: Jennifer Harper, DEP Florida Coastal Office, Jennifer.Harper@dep.state.fl.us
Russell Burdge, Scheda Ecological Associates, Inc., rburdge@scheda.com
Julie Wraithmell, Audubon of Florida, jwraithmell@audubon.org
Matthew Trammel, Taylor Engineering, Inc.,
MTrammel@Taylorengineering.com
Patty Kelly, USFWS, patricia_kelly@fws.gov