



**DEPARTMENT OF THE ARMY**  
**JACKSONVILLE DISTRICT CORPS OF ENGINEERS**  
**400 HIGH POINT DRIVE, SUITE 600**  
**COCOA, FL 32926**

REPLY TO  
ATTENTION OF

Regulatory Division  
North Permits Branch  
Cocoa Section  
SAJ-2009-02668 (SP-TSD)

January 27, 2010

NASA  
C/o Mr. Harold Williams  
Mail Code TA-B1B  
Kennedy Space Center, FL 32899

Dear Mr. Williams:

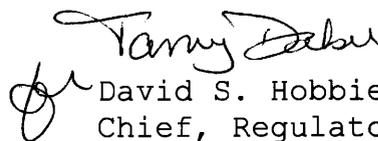
The U.S. Army Corps of Engineers (Corps) is pleased to enclose the Department of the Army permit, which should be available at the construction site. Work may begin immediately but the Corps must be notified of:

- a. The date of commencement of the work,
- b. The dates of work suspensions and resumptions of work, if suspended over a week, and
- c. The date of final completion.

This information should be mailed to the Enforcement Section of the Regulatory Division of the Jacksonville District at Post Office Box 4970, Jacksonville, Florida 32232-0019. The Enforcement Section is also responsible for inspections to determine whether Permittees have strictly adhered to permit conditions.

IT IS NOT LAWFUL TO DEVIATE FROM  
THE APPROVED PLANS ENCLOSED.

Sincerely,

  
David S. Hobbie  
Chief, Regulatory Division

Enclosures.

Copies Furnished:

FWS, Jacksonville  
EPA, Atlanta  
CESAJ-RD-PE

# DEPARTMENT OF THE ARMY PERMIT

**Permittee:** NASA  
c/o Mr. Harold Williams  
Mail Code TA-B1B  
Kennedy Space Center, FL 32899

**Permit No:** SAJ-2009-02668 (SP-TSD)

**Issuing Office: U.S. Army Engineer District, Jacksonville**

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

**Project Description:** The applicant proposes to discharge clean fill in 3.49 acres of waters of the United States (Haulover Canal, Indian and Banana Rivers) for the stabilization of four bascule piers (drawbridges). This bridge scour stabilization project will involve the installation marine mattresses and rubble rip rap at the bascule piers (drawbridges) at four locations within NASA. All work shall be a minimum of 7 foot below the project maintenance depth of -12 feet mean low water (MLW) at each site and all subaqueous cables shall be a minimum of 7 foot below project depth and underneath the scour mattresses. The work is described below:

**Haulover Canal:**

Dredge 1,200 cubic yards of material from Haulover Canal;  
Install 0.52 acres of marine mattress;  
Install 0.09 acres of geotextile "bank & shore" rip rap;  
Impact an area 139 foot long by 254 foot wide.

**Jay Jay Bridge:**

Dredge 150 cubic yards of material from the Indian River at Jay Jay Bridge;

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Install 1.08 acres of marine mattress;  
Install 0.22 acres of geotextile "bank & shore" rip rap;  
Impact an area 209 foot long by 278 foot wide.

NASA Causeway in the Indian River:

Dredge 1,500 cubic yards of material from the Indian River;  
Install 0.71 acres of marine mattress;  
Install 0.26 acres of geotextile "bank & shore" rip rap;  
Impact an area 202 foot long by 226 foot wide.

NASA Causeway in the Banana River:

Install 0.43 acres of marine mattress  
Install 0.12 acres of geotextile "bank & shore" rip rap;  
Install 0.06 acres of bedding stone;  
Impact an area 129 foot long by 230 foot wide.

The work described above is to be completed in accordance with the nineteen pages of drawings referenced in Attachment 1 and the four additional attachments affixed at the end of this permit instrument.

**Project Location:** The project is located in four bridge locations within NASA. The projects are located in the Haulover Canal, and in the Indian and Banana Rivers, Brevard County, Florida.

**Directions to site:** From Jacksonville, take I-95 South; exit onto SR 50 and head east; then turn onto SR 405 (Columbia Blvd./NASA Causeway) and head east to the Indian River and the Banana River.

**Latitude & Longitude:**

Haulover Canal:	Latitude	28.73651	North
	Longitude	80.75481	West
Jay Jay Bridge:	Latitude	28.65053	North
	Longitude	80.80685	West
Indian River:	Latitude	28.52717	North
(at SR 405)	Longitude	80.76534	West
Banana River:	Latitude	28.51298	North
(at SR 405)	Longitude	80.61115	West

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**Permit Conditions**

**General Conditions:**

1. The time limit for completing the work authorized ends on January 27, 2015. 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 and the mailing address 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.

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6. You must allow representatives 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.

**Special Conditions:**

1. **Reporting Address:** All reports, documentation and correspondence required by the conditions of this permit shall be submitted to the following address: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232. The Permittee shall reference this permit number, SAJ-2009-02668 (SP-TSD), on all submittals.

2. **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.

3. **As-Builts:** Within 60 days of completion of the authorized work or at the expiration of the construction window of this permit, whichever occurs first, the Permittee shall submit as-built drawings of the authorized work and a completed As-Built Certification Form (Attachment 3) to the Corps. The drawings shall be signed and sealed by a registered professional engineer and include the following:

a. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached permit drawings (8½-inch by 11-inch). The drawing should show all "earth disturbance," including wetland impacts, water management structures, and any on-site mitigation areas.

b. List any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work, describe on the As-Built Certification Form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note that the

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depiction and/or description of any deviations on the drawings and/or As-Built Certification Form does not constitute approval of any deviations by the U.S. Army Corps of Engineers.

c. The Department of the Army Permit number.

d. Include pre- and post-construction aerial photographs of the project site, if available.

4. **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.

5. **Regulatory Agency Changes:** Should any other regulatory agency require changes to the work authorized or obligated by this permit, the Permittee is advised that a modification to this permit instrument is required prior to initiation of those changes. It is the Permittee's responsibility to request a modification of this permit from the Cocoa Regulatory Office.

6. **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.

7. The permittee shall install all marine mattresses and geotextile "bank & shore" rip rap at a minimum depth of -19 foot MLW, which is a minimum of 7 foot below the project maintenance depth of -12 feet MLW.

8. **Manatee Conditions:** The Permittee shall comply with the "Standard Manatee Conditions for In-Water Work - 2009" provided in Attachment 4 of this permit

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9. **Manatee Condition:** All in-water construction activities associated with the project shall be conducted from ½ hour after sunrise to ½ hour before sunset.

10. **Manatee Condition:** At least one dedicated manatee observer (per in-water operation) shall be present for all in-water work that is being performed. A dedicated manatee observer will be required for each barge and vessel working at the project site. The manatee observers shall have previous experience in manatee observation, and be equipped with polarized sunglasses and binoculars to aid in observation. Manatee observers shall also advise personnel when manatee, Smalltooth sawfish, and/or sea turtles are observed. The observers must be onsite during all in-water activity and shall advise personnel to cease operation upon sighting a manatee, or Smalltooth sawfish, or any sea turtle within 50 feet of any in-water activity.

11. **Manatee condition:** The permittee agrees to continuously monitor any turbidity curtain deployed around the work site to ensure no entrapment or entanglement of manatees.

12. **Manatee condition:** If multiple barges or vessels are employed and moored together for any length of time, such barges and vessels shall be equipped with fenders that allow for a minimum stand-off distance, at and below the water line of 4 feet under maximum compression.

13. **Manatee condition:** The permittee agrees to remove all turbidity curtains at the end of each work day and at the completion of project, and redeploy such curtains the following day, as needed.

14. **Sea Turtle & Smalltooth Sawfish:** The permittee agrees to adhere to the Sea Turtle and Smalltooth Sawfish Construction Conditions (Attachment 5).

15. **State Historical Preservation Office (SHPO):** If 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

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encountered at any time within the project site area, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee, or other designee, should 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. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources.

In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes.

**16. Dredged Material Disposal:** The Permittee shall place all dredged material in a self-contained, upland disposal site. The Permittee shall maintain the upland disposal site to prevent the discharge of dredged material and associated effluent into waters of the United States.

**17. Consent to Easement:** A portion of the proposed work is located within the Federal right-of-way for the Intracoastal Waterway and requires a Department of the Army Consent to Easement. By copy of this permit, the proposal is being forwarded to the Corps Real Estate Division for action on the Consent to Easement. Prior to commencement of construction the Permittee shall provide written verification to the Corps that the Consent to Easement has been approved. Failure to obtain the Consent to Easement invalidates this authorization.

**18. United States Coast Guard:** The permittee agrees that they will obtain the proper authorization from the United States Coast Guard (USCG) prior to commencing any in-water work. (Please note that the USCG "Notice to Mariners" requires a minimum of 60 day prior notice.).

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**Further Information:**

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

(X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

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d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

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6. Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

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Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

Harold Williams  
(PERMITTEE)

1/13/2010  
(DATE)

HAROLD WILLIAMS  
(PERMITTEE NAME-PRINTED)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

Tamy Dabu  
(DISTRICT ENGINEER)

01/27/2010  
(DATE)

for ALFRED A. PANTANO, JR.  
Colonel, Corps of Engineers  
Commanding

PERMIT NUMBER: SAJ-2009-02668 (SP-TSD)  
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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. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

\_\_\_\_\_  
(TRANSFEREE-SIGNATURE)

\_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(NAME-PRINTED)

\_\_\_\_\_  
(ADDRESS)

\_\_\_\_\_  
(CITY, STATE, AND ZIP CODE)

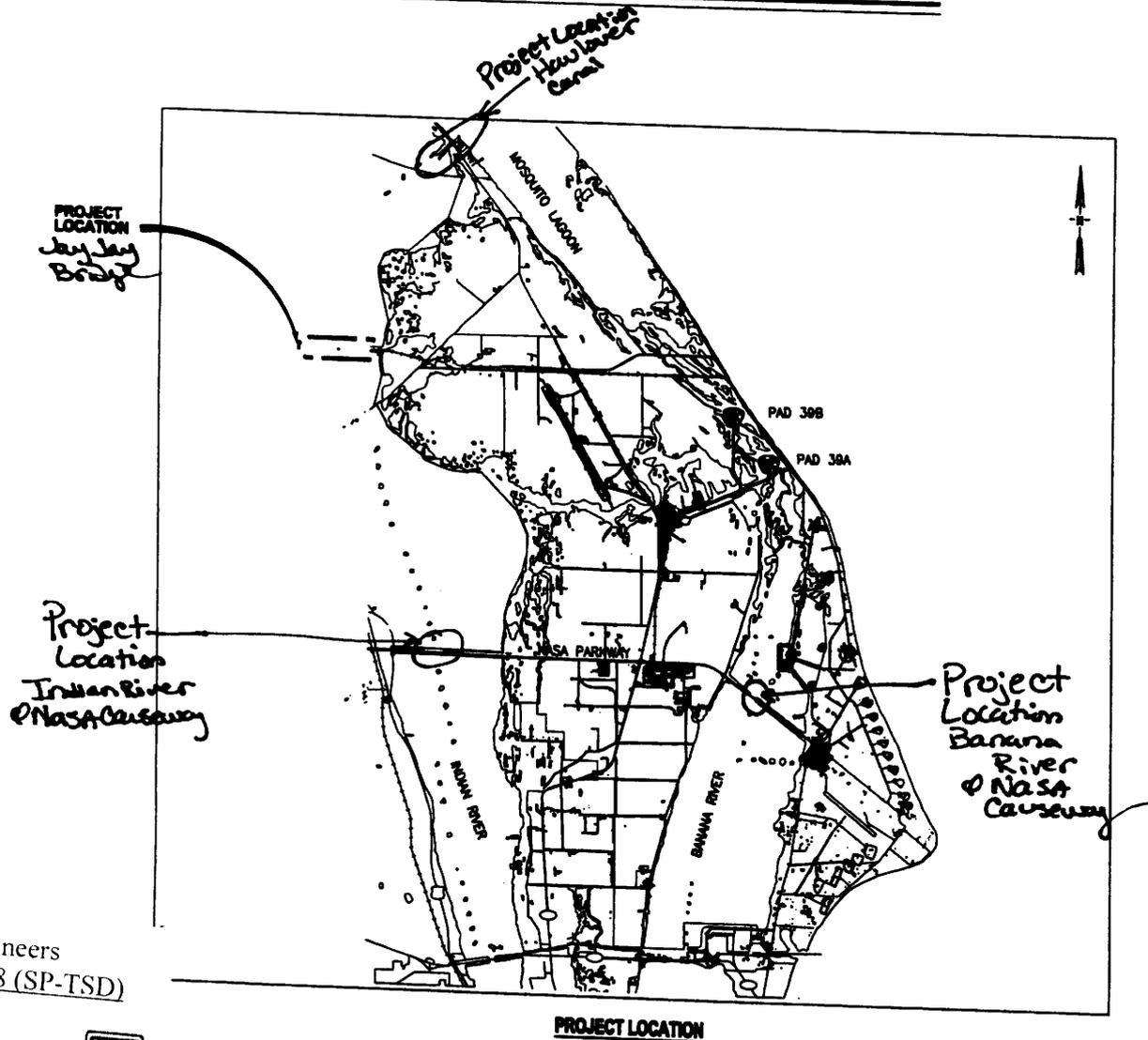
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***Attachments to Department of the Army  
Permit Number SAJ-2009-02668-SP-TSD***

1. PERMIT DRAWINGS: Nineteen pages, dated December 18, 2009.
2. WATER QUALITY CERTIFICATION: SJRWMD permit number 4-009-121139-1 (Attachment 2, 8 pages).
3. As Built Certification by a Professional Engineer (Attachment 3).
4. Standard Manatee Conditions for In-Water Work - 2009 (Attachment 4).
5. Sea Turtle and Smalltooth Sawfish Construction conditions - Attachment 5.

14000-160-01

# INSTALL SCOUR PROTECTION JAY JAY RAILROAD BRIDGE



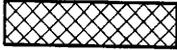
U.S. Army Corps of Engineers  
 Permit # SAJ-2009-02668 (SP-TSD)  
 Date: 12/18/2009  
 Drawing 1 of 19  
 Attachment 1



FIGURE 2 PROJECT COVER SHEET



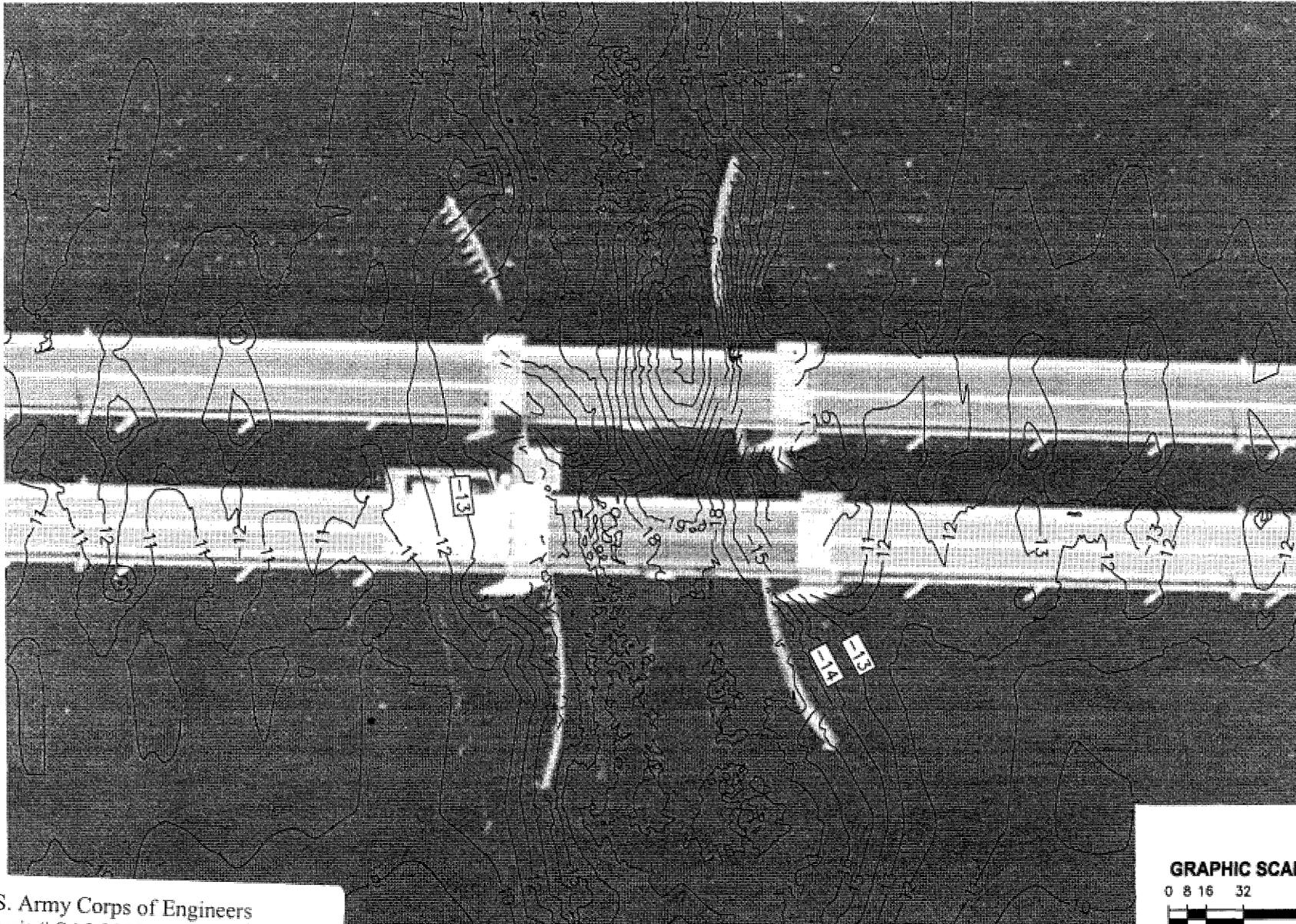
### CIVIL LEGEND

-  MARINE MATTRESS
-  GEOTEXTILE W/ BANK & SHORE
-  EXISTING RIPRAP COVERAGE BOUNDARY
-  CONSTRUCTION BUFFER
-  EXISTING RIPRAP TO REMAIN
-  BEDDING STONE

U.S. Army Corps of Engineers  
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Attachment 1



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U.S. Army Corps of Engineers  
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Date: 12/18/2009  
Drawing 3 of 19  
Attachment 1



GRAPHIC SCALE



SCALE IN FEET  
1/64" = 1'-0"

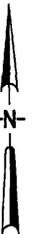
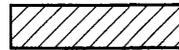


FIGURE 2A INDIAN RIVER BRIDGE EXISTING CONDITIONS PLAN

JONES  
EDMUNDS

**CIVIL LEGEND**



MARINE MATTRESS



GEOTEXTILE W/ BANK & SHORE



EXISTING RIPRAP COVERAGE  
BOUNDARY



CONSTRUCTION BUFFER

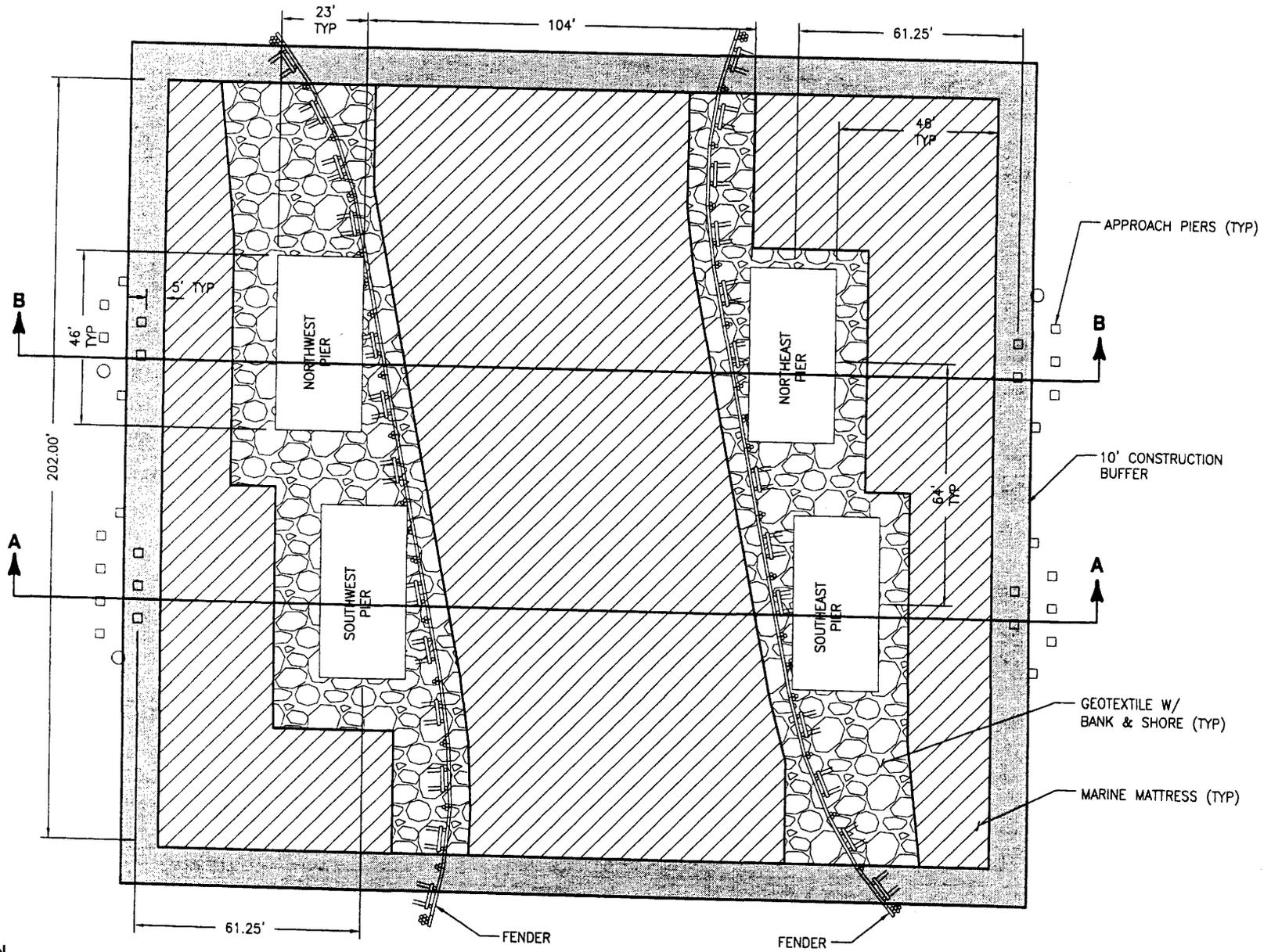


EXISTING RIPRAP TO REMAIN



BEDDING STONE

1400-160-01



**SCOUR PROTECTION**

MARINE MATTRESS:	0.71 ACRES
GEOTEXTILE W/ BANK & SHORE:	0.26 ACRES
CONSTRUCTION BUFFER:	0.19 ACRES
TOTAL:	1.16 ACRES

**INDIAN RIVER BRIDGE  
SCOUR PROTECTION PLAN**  
NTS

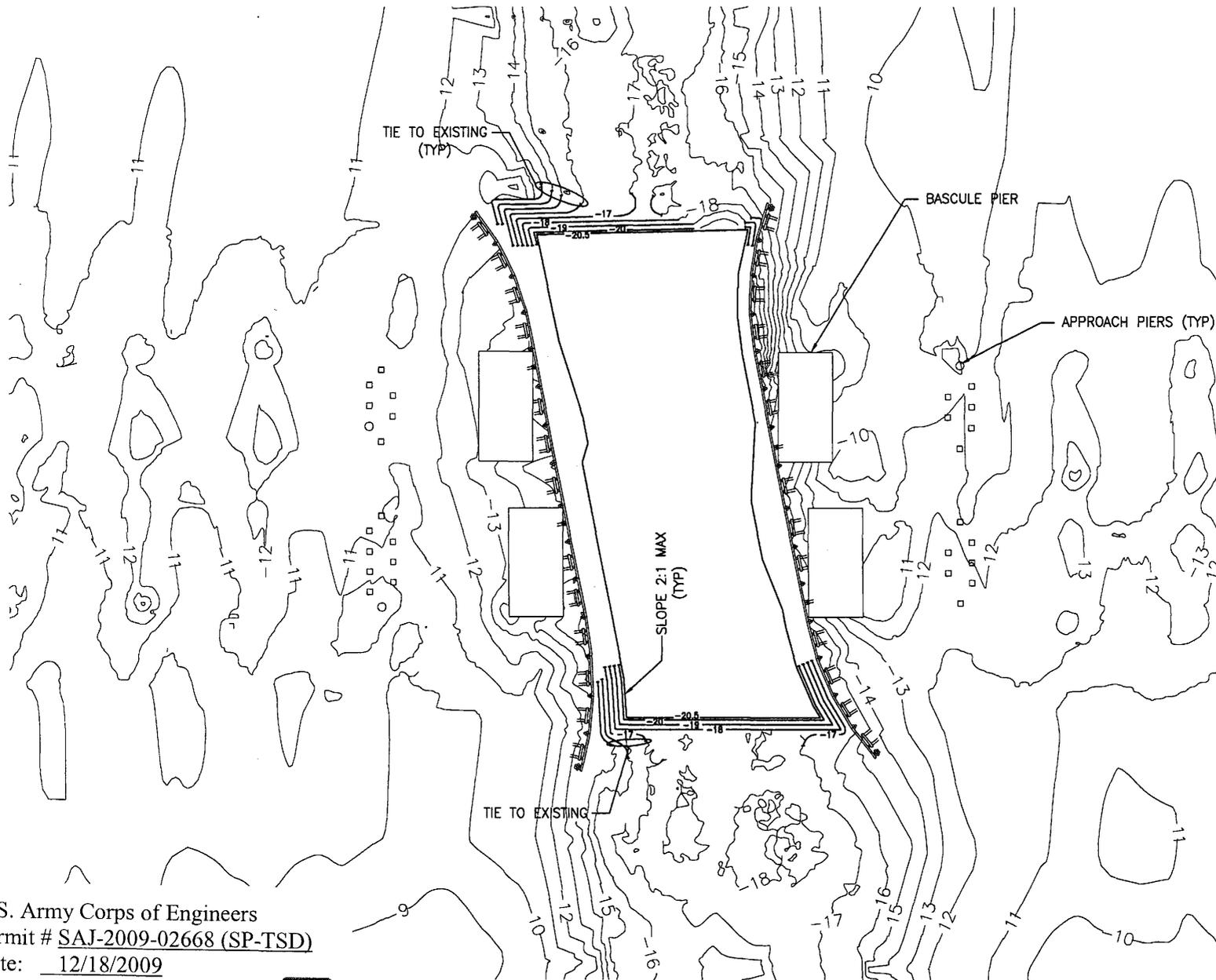
U.S. Army Corps of Engineers  
Permit # SAJ-2009-02668 (SP-TSD)  
Date: 12/18/2009  
Drawing 4 of 19  
Attachment 1

**REVISED FIGURE 3 INDIAN RIVER BRIDGE SCOUR PROTECTION PLAN**



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TOTAL DREDGING VOLUME: 1500 CUBIC YARDS



U.S. Army Corps of Engineers  
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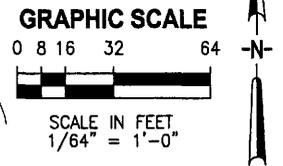
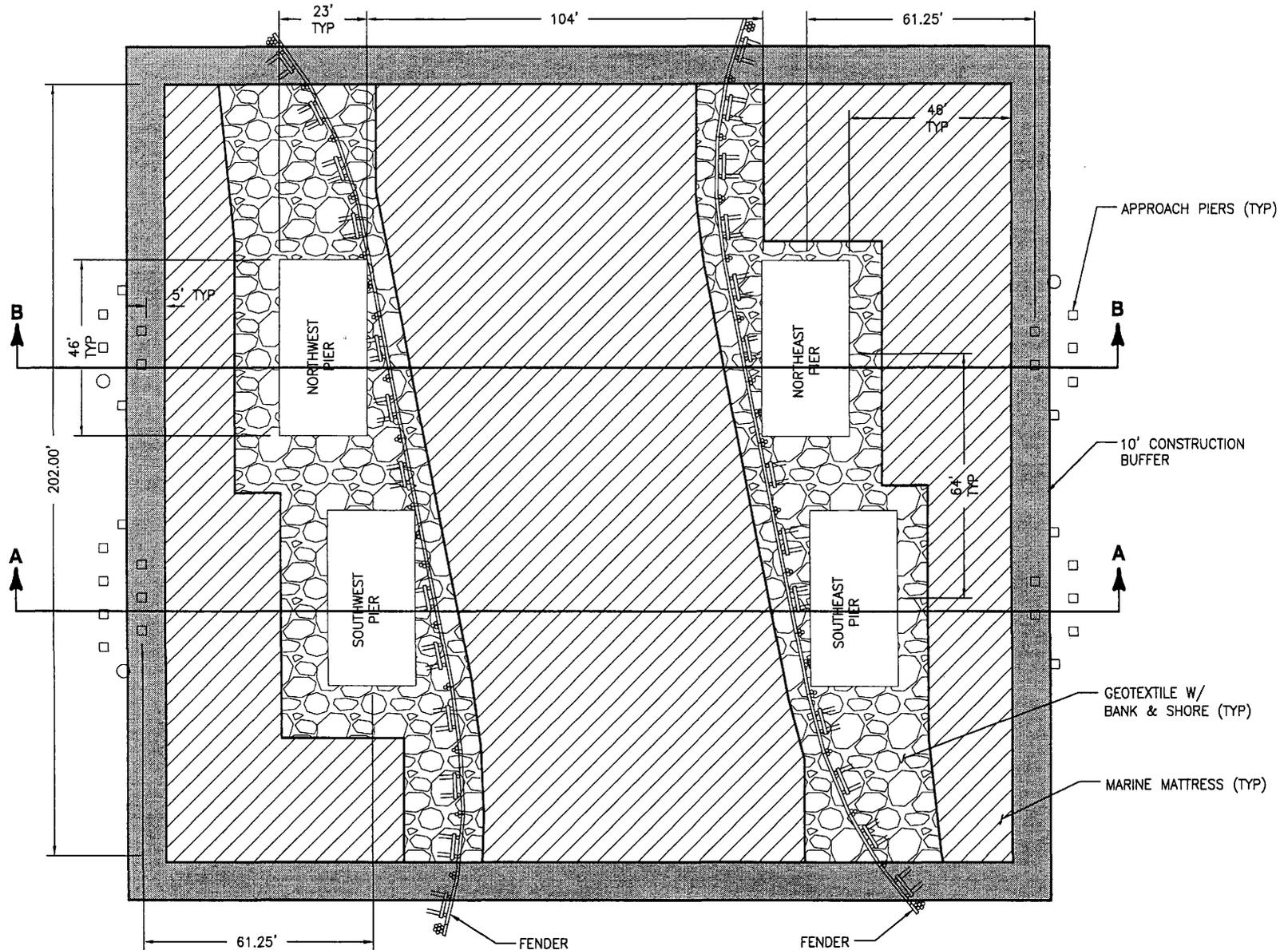


FIGURE 3A INDIAN RIVER BRIDGE FINISHED DREDGING ELEVATIONS



1400-160-01



**SCOUR PROTECTION**

MARINE MATTRESS:	0.71 ACRES
GEOTEXTILE W/ BANK & SHORE:	0.26 ACRES
CONSTRUCTION BUFFER:	0.19 ACRES
TOTAL:	1.16 ACRES

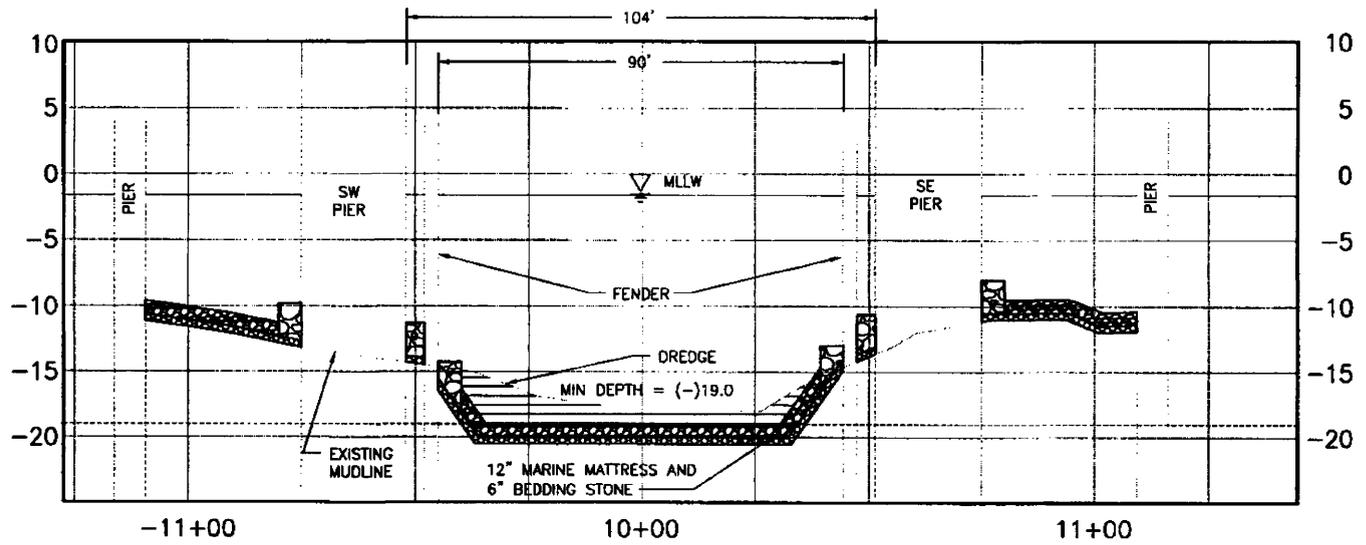
**INDIAN RIVER BRIDGE  
SCOUR PROTECTION PLAN**

NTS

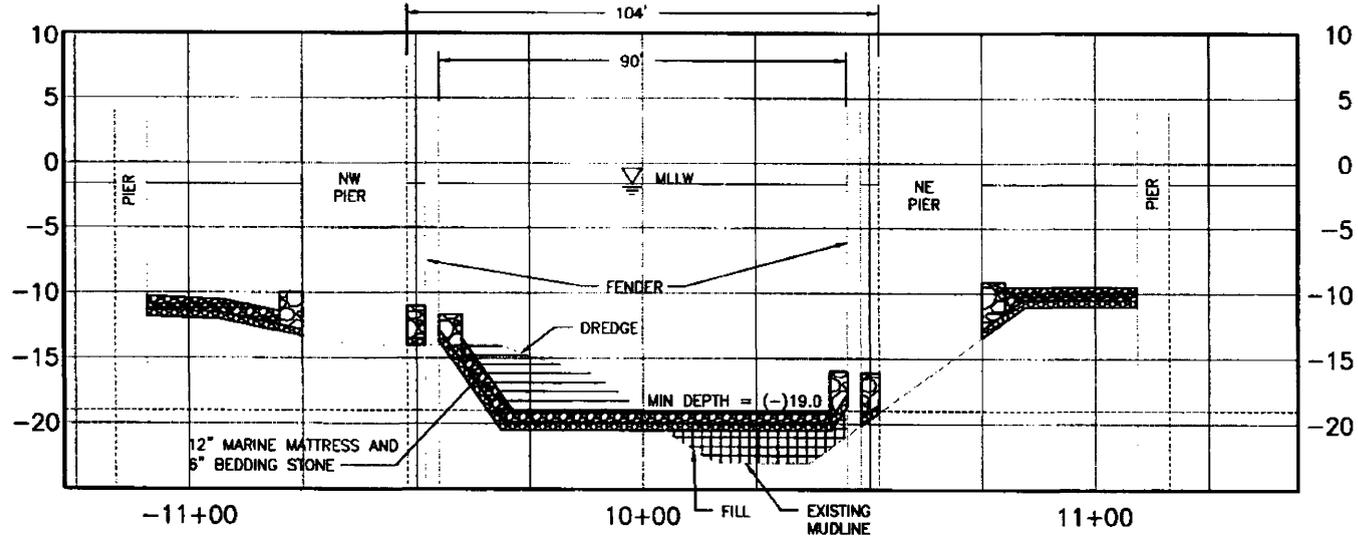
**REVISED FIGURE 3 INDIAN RIVER BRIDGE SCOUR PROTECTION PLAN**



1400-160-01



**SECTION A-A**  
NTS



**SECTION B-B**  
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-  DREDGE (1500 CY)
-  FILL (400 CY)

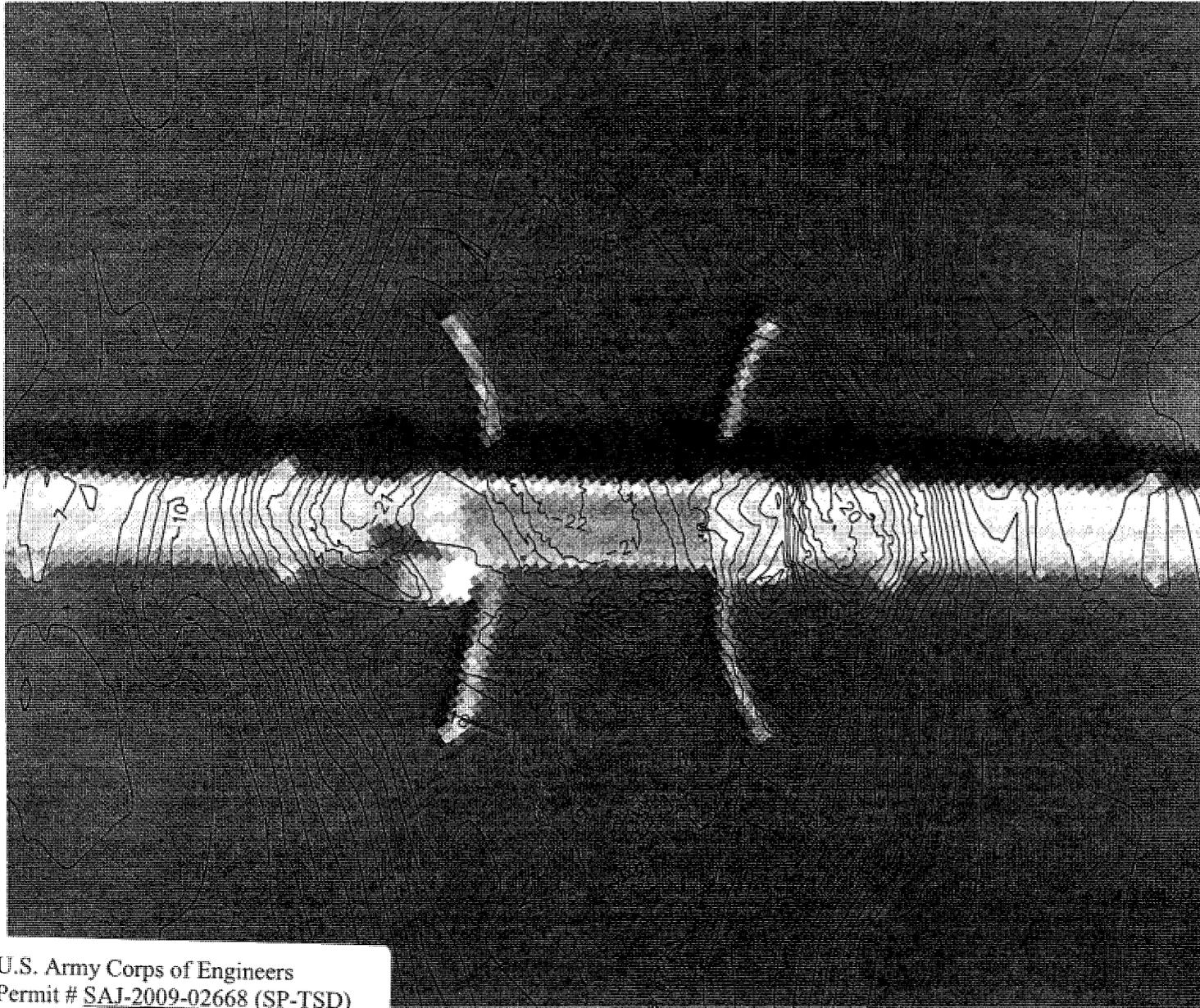
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 Permit # SAJ-2009-02668 (SP-TSD)  
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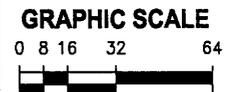
**REVISED FIGURE 4 INDIAN RIVER BRIDGE SCOUR SECTIONS**



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U.S. Army Corps of Engineers  
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 Drawing 7 of 19  
 Attachment 1



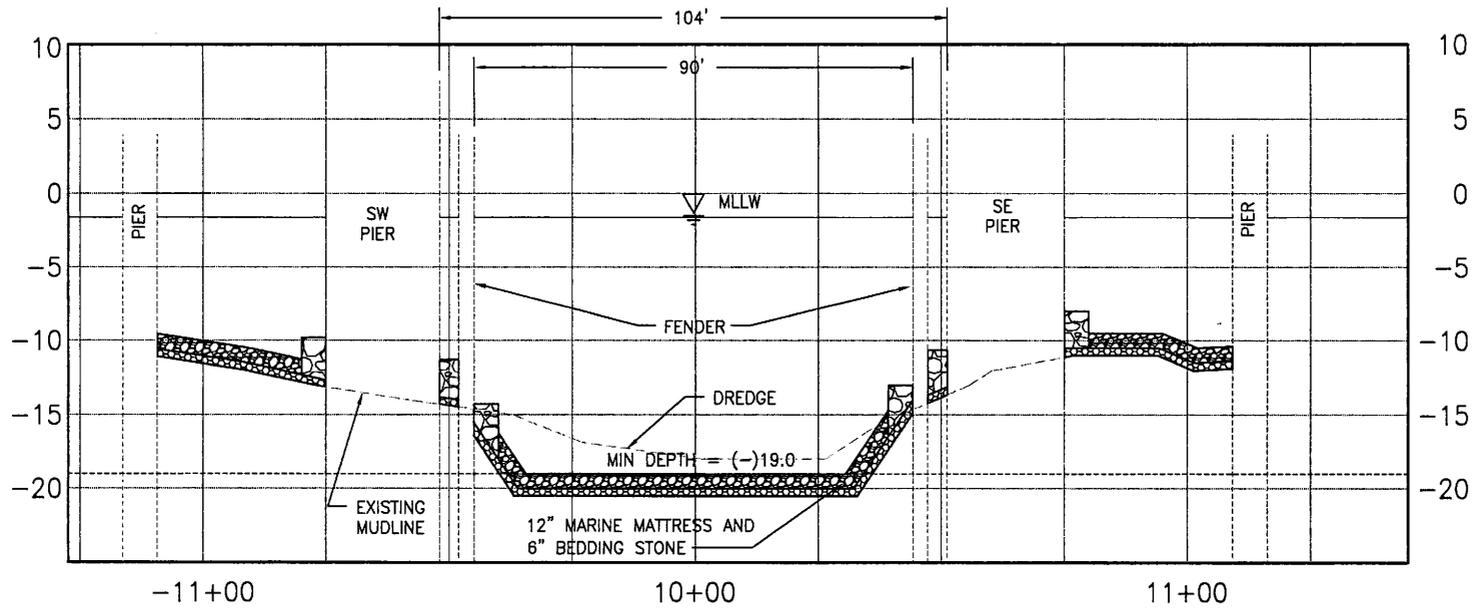
SCALE IN FEET  
 1/64" = 1'-0"



**FIGURE 5A BANANA RIVER BRIDGE EXISTING CONDITIONS PLAN**

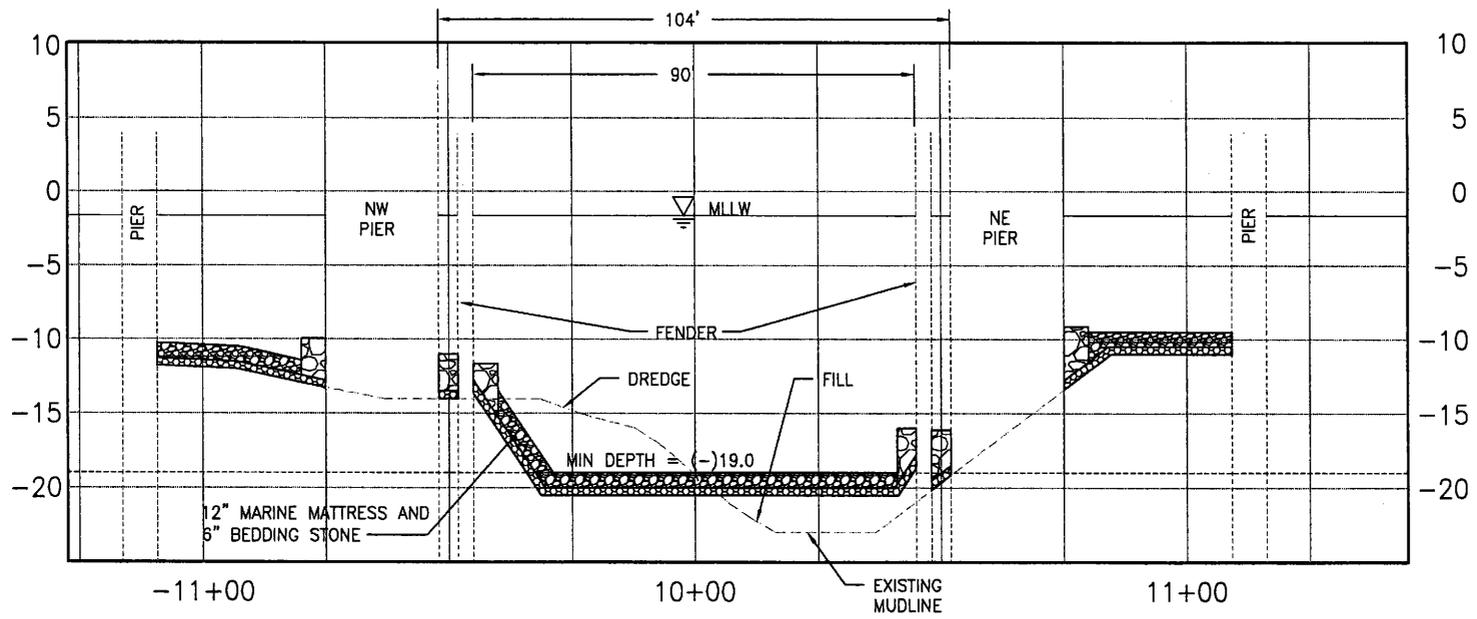
**JONES  
 EDMUNDS**

1400-160-01



**SECTION A-A**

NTS

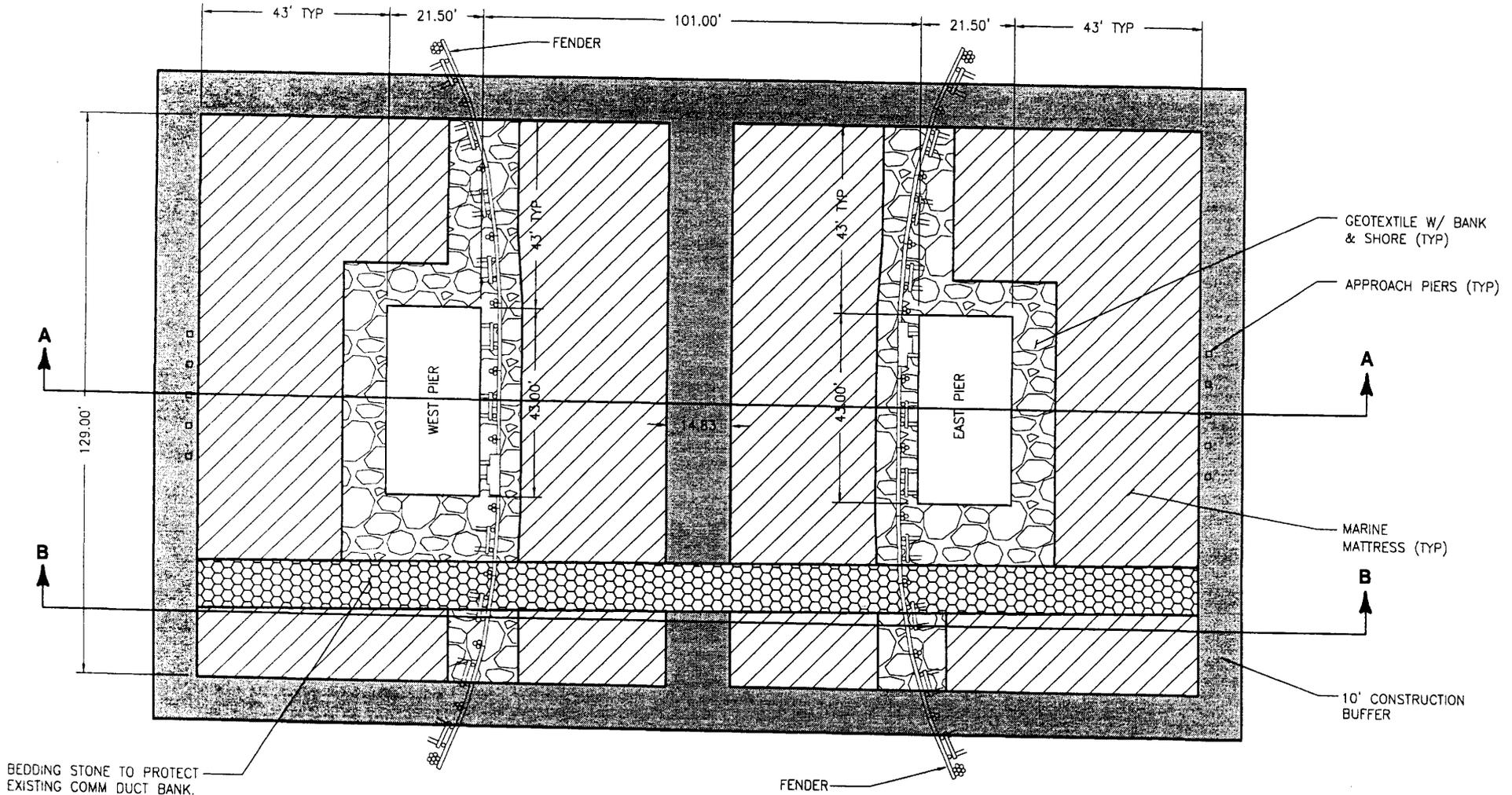


**SECTION B-B**

NTS

**REVISED FIGURE 4 INDIAN RIVER BRIDGE SCOUR SECTIONS**

1400-160-01



BEDDING STONE TO PROTECT EXISTING COMM DUCT BANK.

**SCOUR PROTECTION**

MARINE MATTRESS:	0.43 ACRES
GEOTEXTILE W/ BANK & SHORE:	0.12 ACRES
BEDDING STONE:	0.06 ACRES
CONSTRUCTION BUFFER:	0.21 ACRES
<b>TOTAL:</b>	<b>0.82 ACRES</b>

**BANANA RIVER BRIDGE  
SCOUR PROTECTION PLAN**

NTS

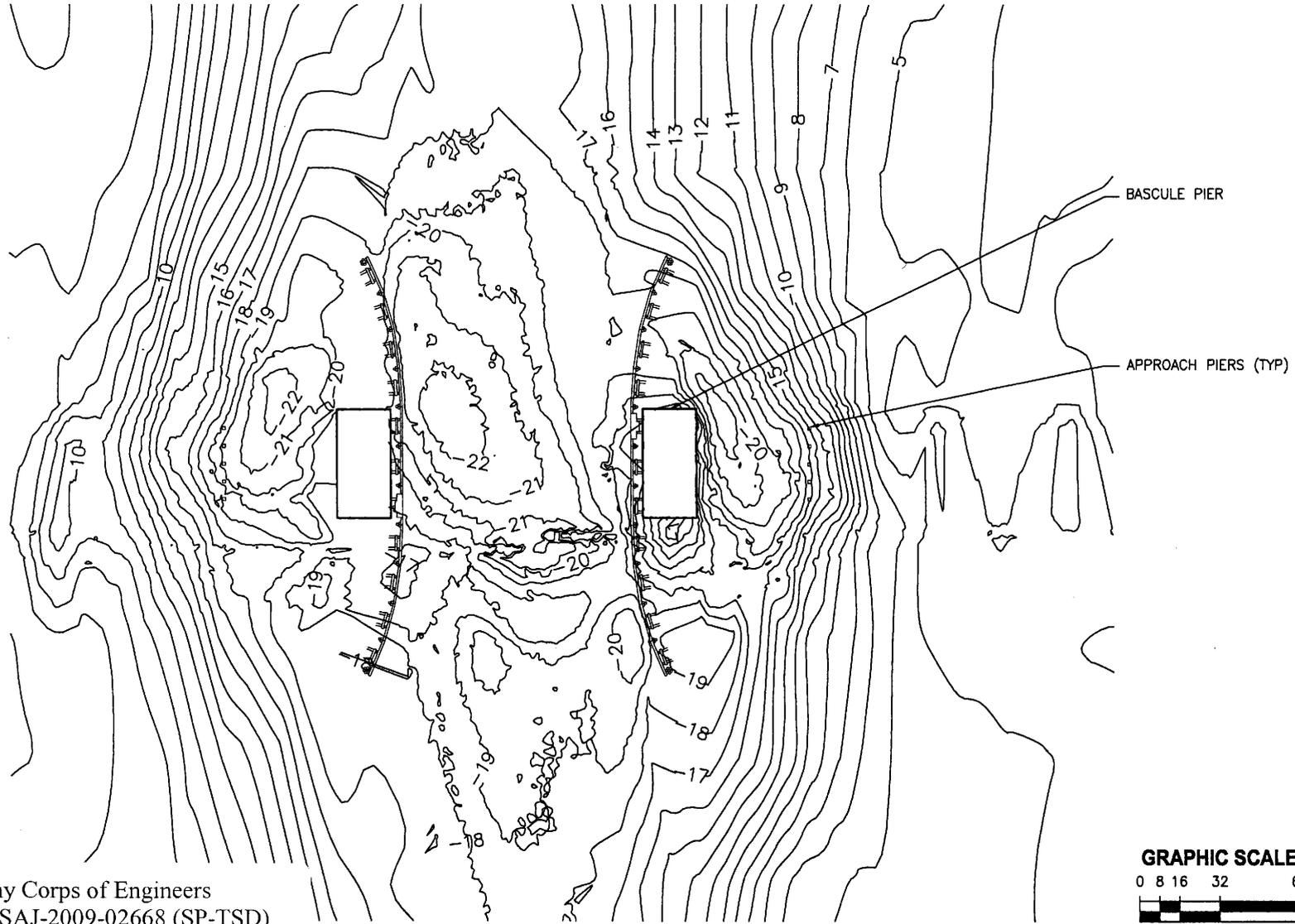
U.S. Army Corps of Engineers  
 Permit # SAJ-2009-02668 (SP-TSD)  
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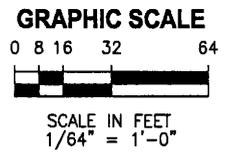
**REVISED FIGURE 6 BANANA RIVER BRIDGE SCOUR PROTECTION PLAN**

1400-160-01

DREDGING IS NOT REQUIRED

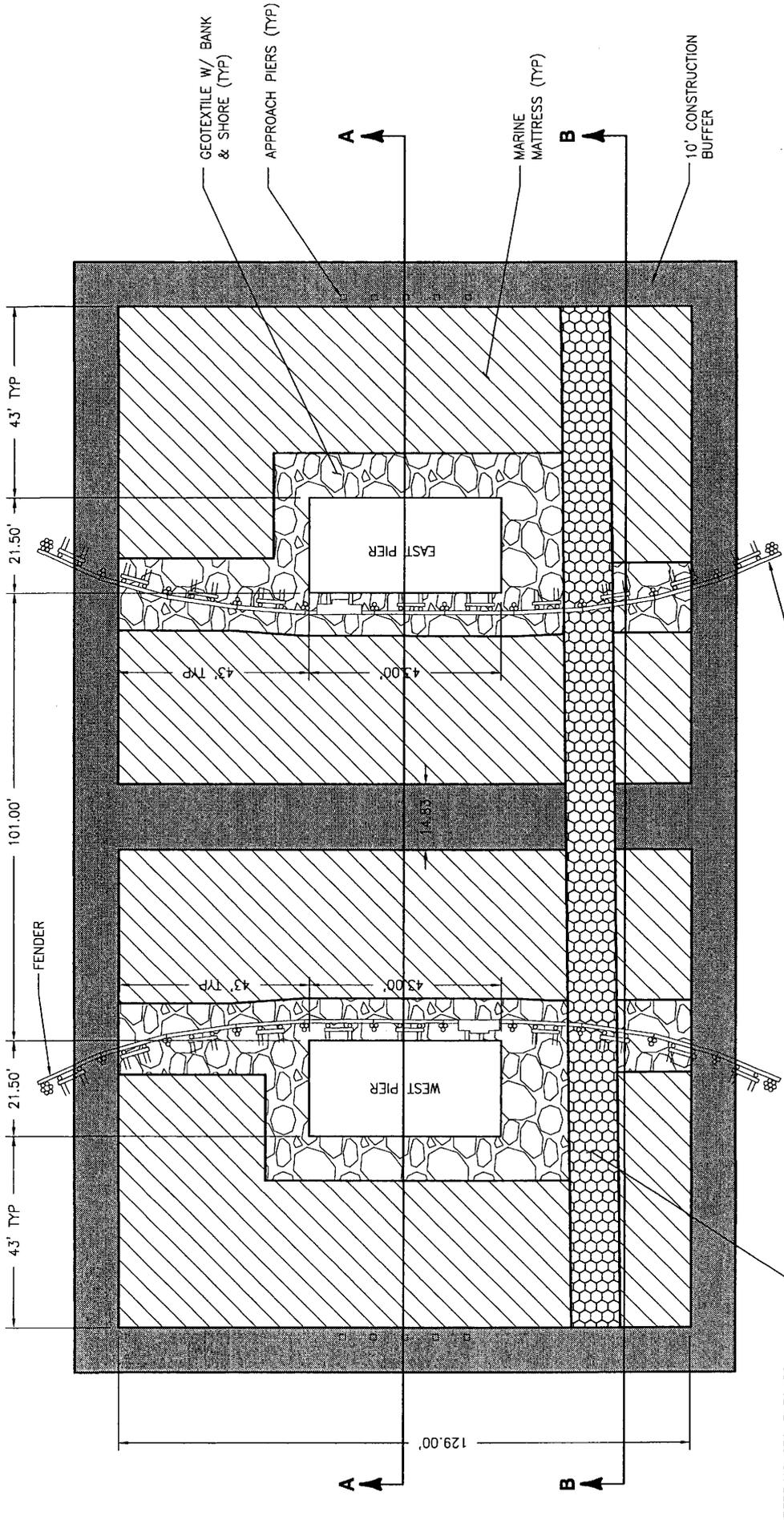


U.S. Army Corps of Engineers  
 Permit # SAI-2009-02668 (SP-TSD)  
 Date: 12/18/2009  
 Drawing 9 of 19  
 Attachment 1



**FIGURE 6A BANANA RIVER BRIDGE DREDGING ELEVATIONS**





**BANANA RIVER BRIDGE  
SCOUR PROTECTION PLAN**

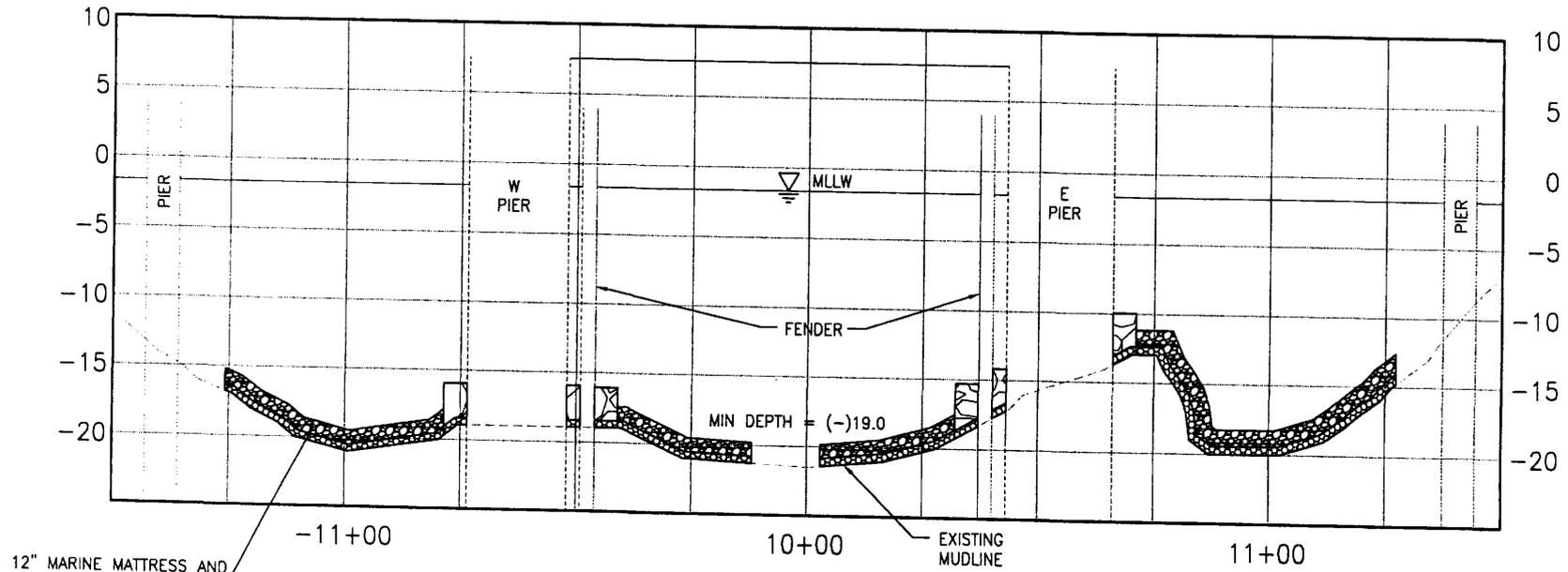
NTS

**SCOUR PROTECTION**

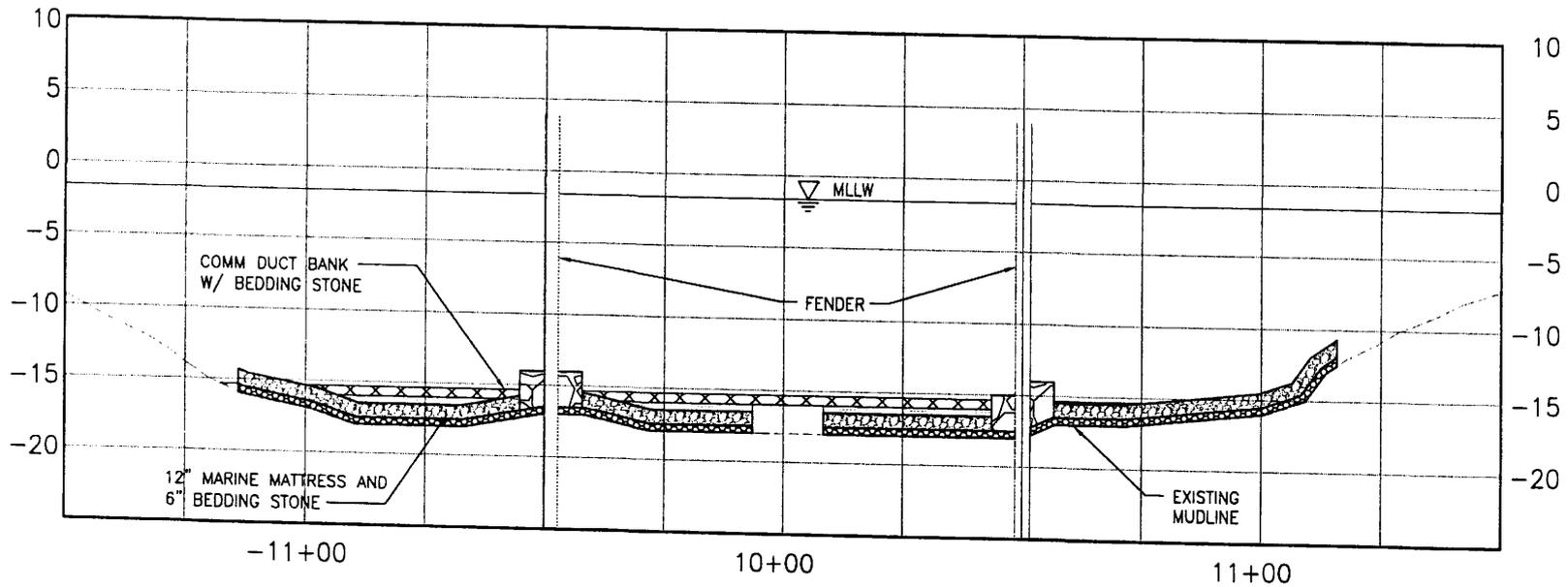
MARINE MATTRESS:	0.43 ACRES
GEOTEXTILE W/ BANK & SHORE:	0.12 ACRES
BEDDING STONE:	0.06 ACRES
CONSTRUCTION BUFFER:	0.21 ACRES
<b>TOTAL:</b>	<b>0.82 ACRES</b>

**REVISED FIGURE 6 BANANA RIVER BRIDGE SCOUR PROTECTION PLAN**

1400-160-01



**SECTION A-A**  
NTS

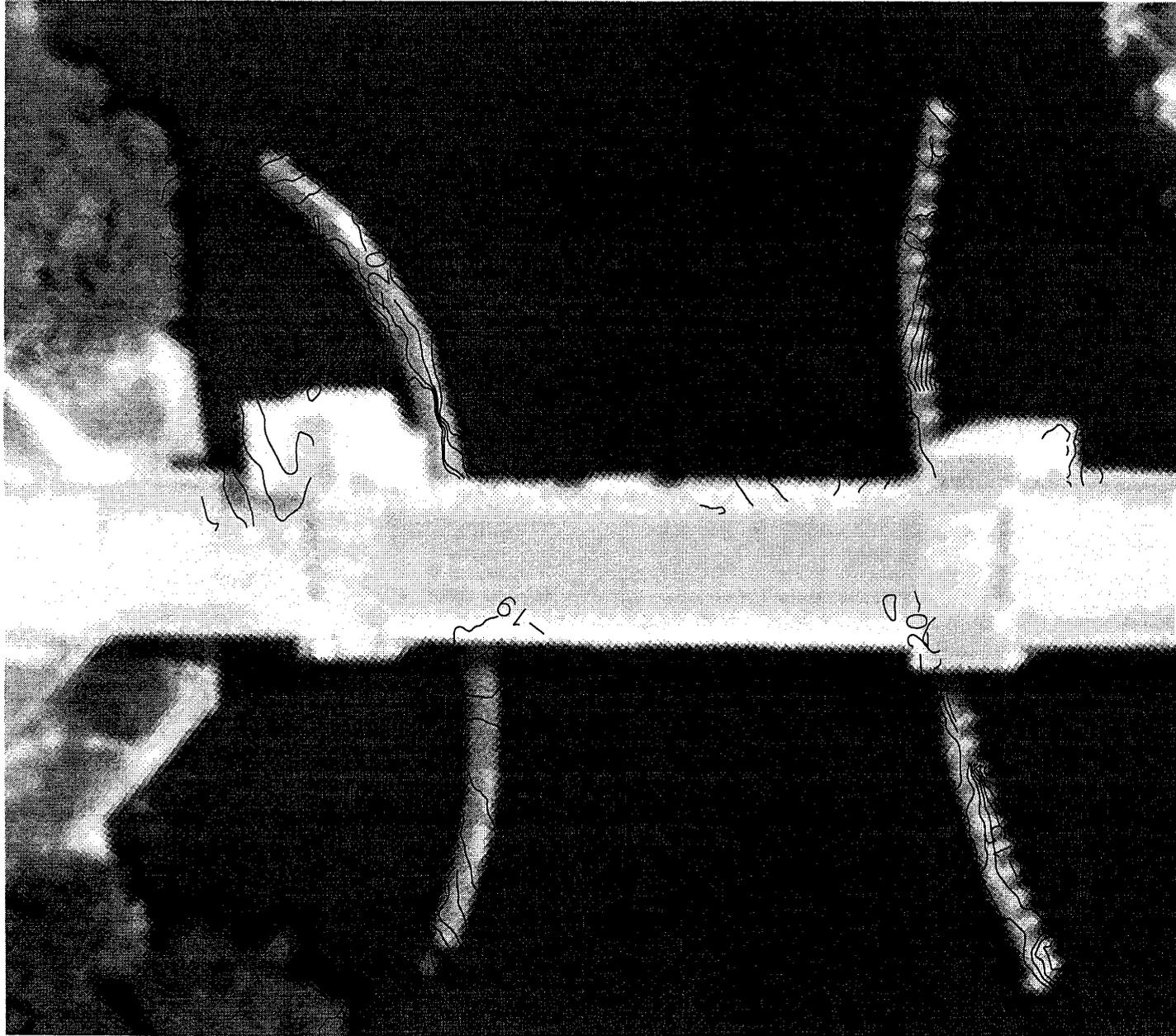


**SECTION B-B**  
NTS

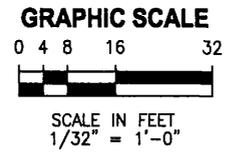
**REVISED FIGURE 7 BANANA RIVER BRIDGE SCOUR SECTION**



1400-160-01



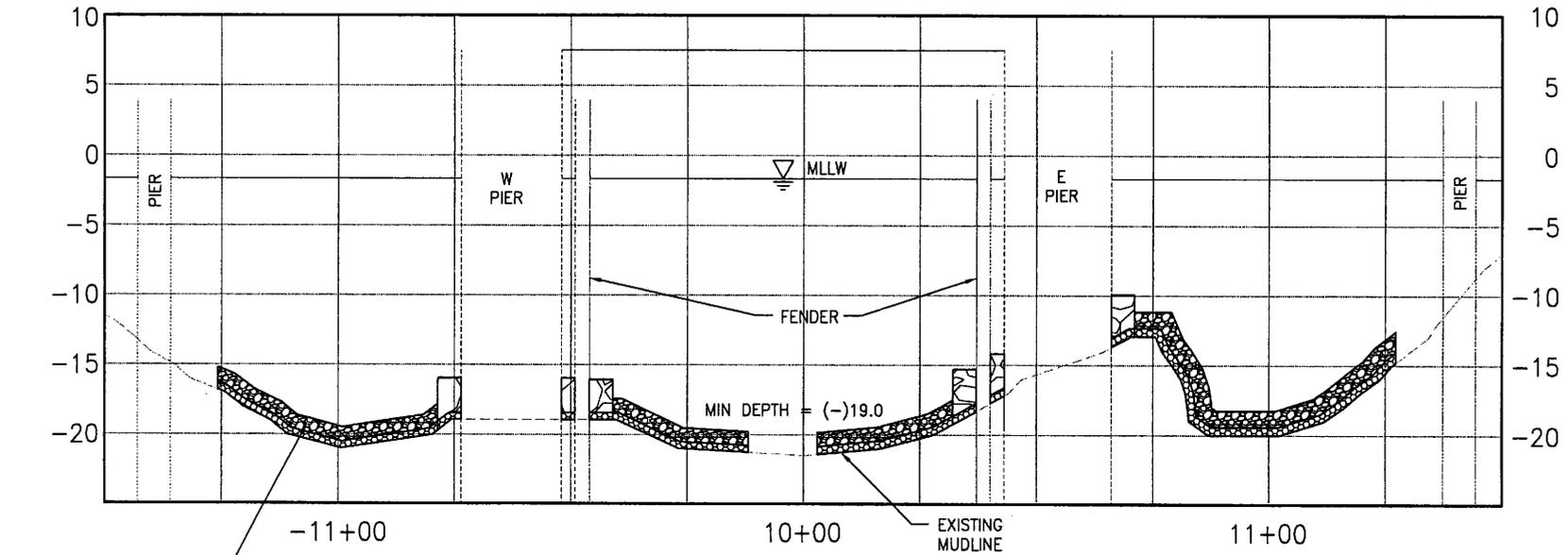
U.S. Army Corps of Engineers  
Permit # SAJ-2009-02668 (SP-TSD)  
Date: 12/18/2009  
Drawing 11 of 19  
Attachment 1



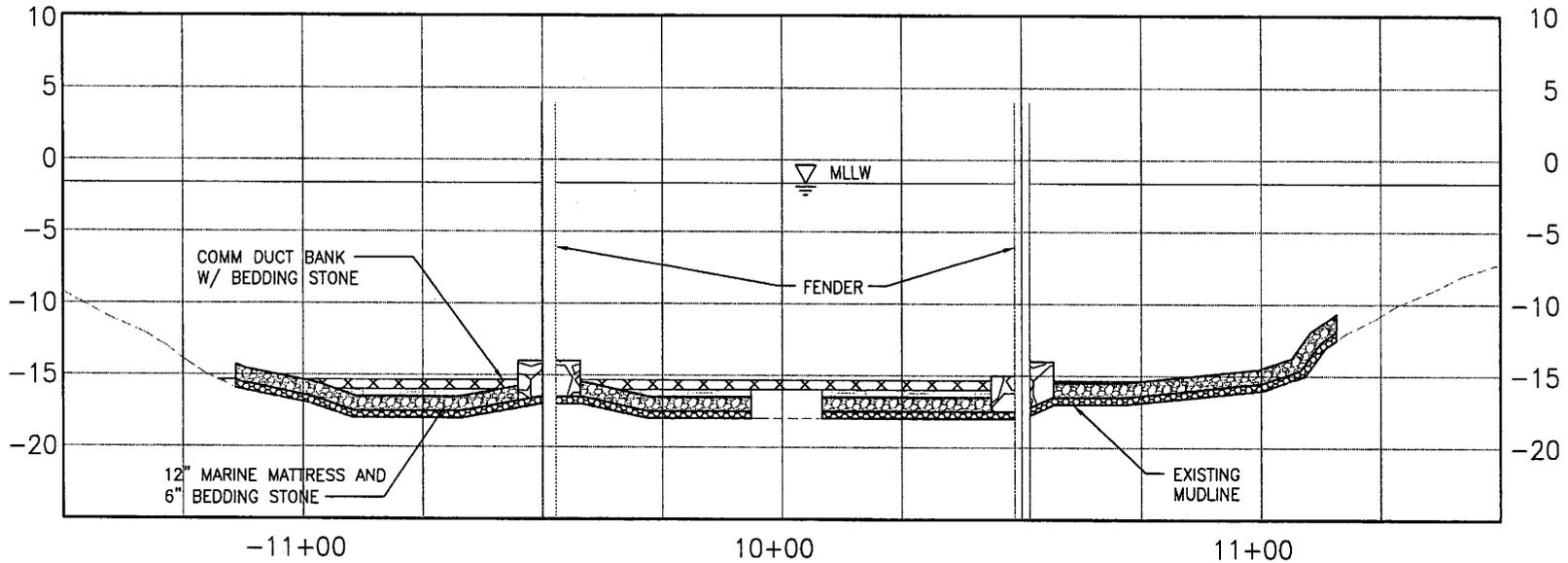
**FIGURE 8A HAULOVER CANAL BRIDGE EXSITING CONDITIONS PLAN**



1400-160-01

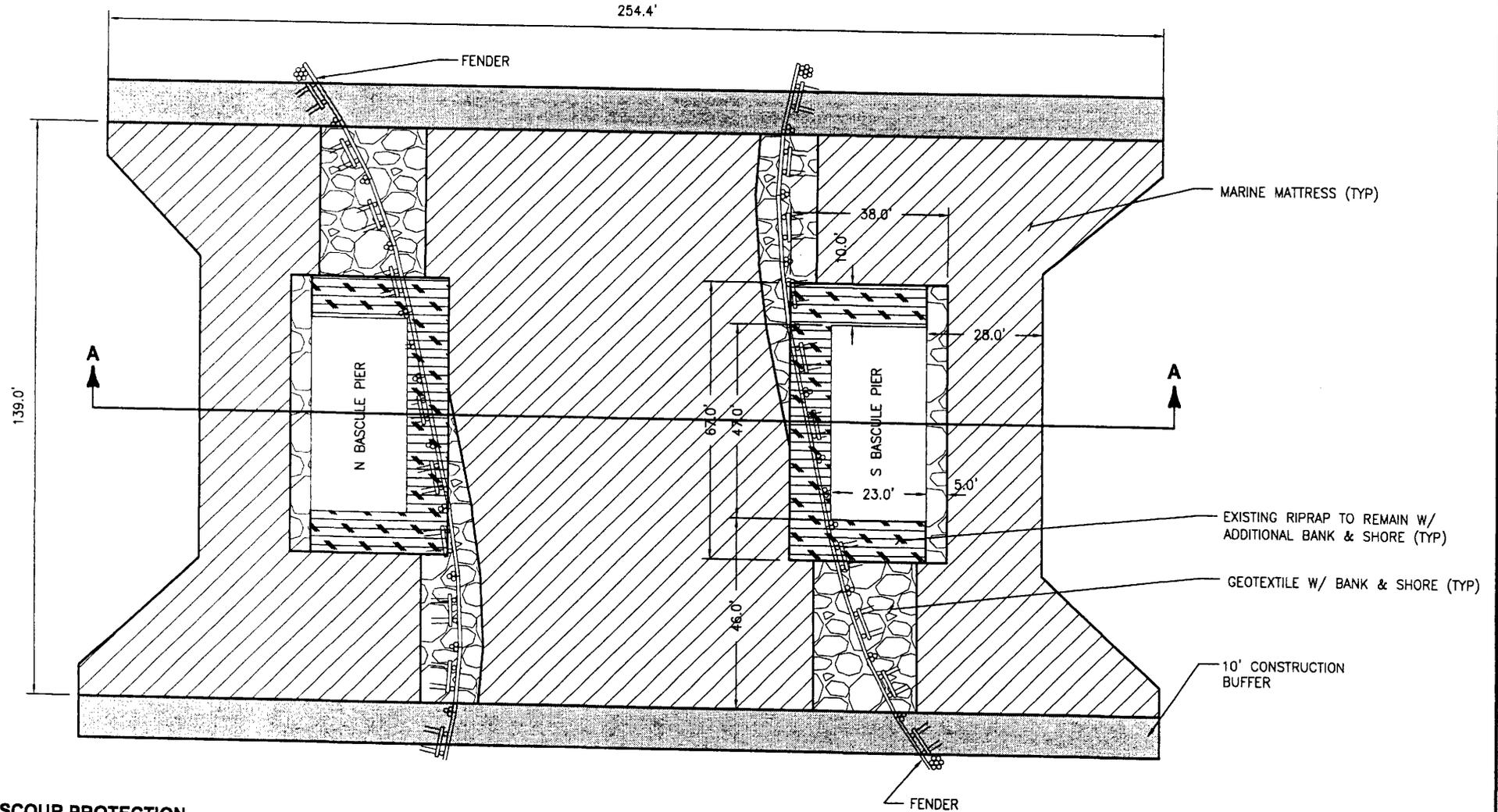


12" MARINE MATTRESS AND  
6" BEDDING STONE



**REVISED FIGURE 7 BANANA RIVER BRIDGE SCOUR SECTION**

1400-160-01



**SCOUR PROTECTION**

MARINE MATTRESS:	0.52	ACRES
GEOTEXTILE W/ BANK & SHORE:	0.09	ACRES
EXISTING RIPRAP:	0.05	ACRES
CONSTRUCTION BUFFER:	0.12	ACRES
TOTAL:	0.78	ACRES

**HAULOVER BRIDGE  
SCOUR PROTECTION PLAN**

NTS

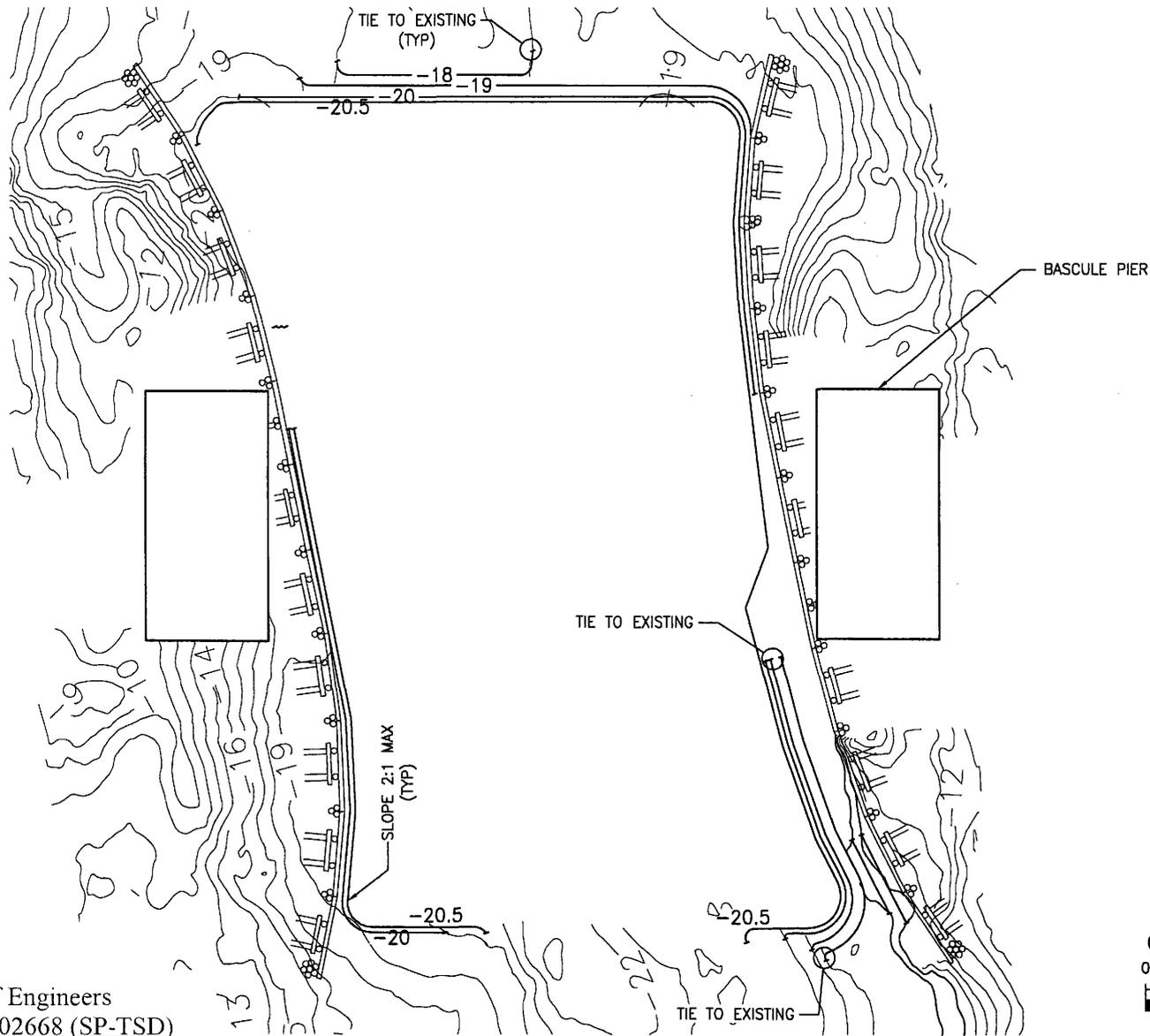
U.S. Army Corps of Engineers  
 Permit # SAJ-2009-02668 (SP-TSD)  
 Date: 12/18/2009  
 Drawing 12 of 19  
 Attachment 1



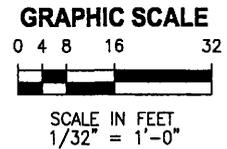
**REVISED FIGURE 9 HAULOVER BRIDGE SCOUR PROTECTION PLAN**

1400-160-01

TOTAL DREDGING VOLUME: 1200 CUBIC YARDS



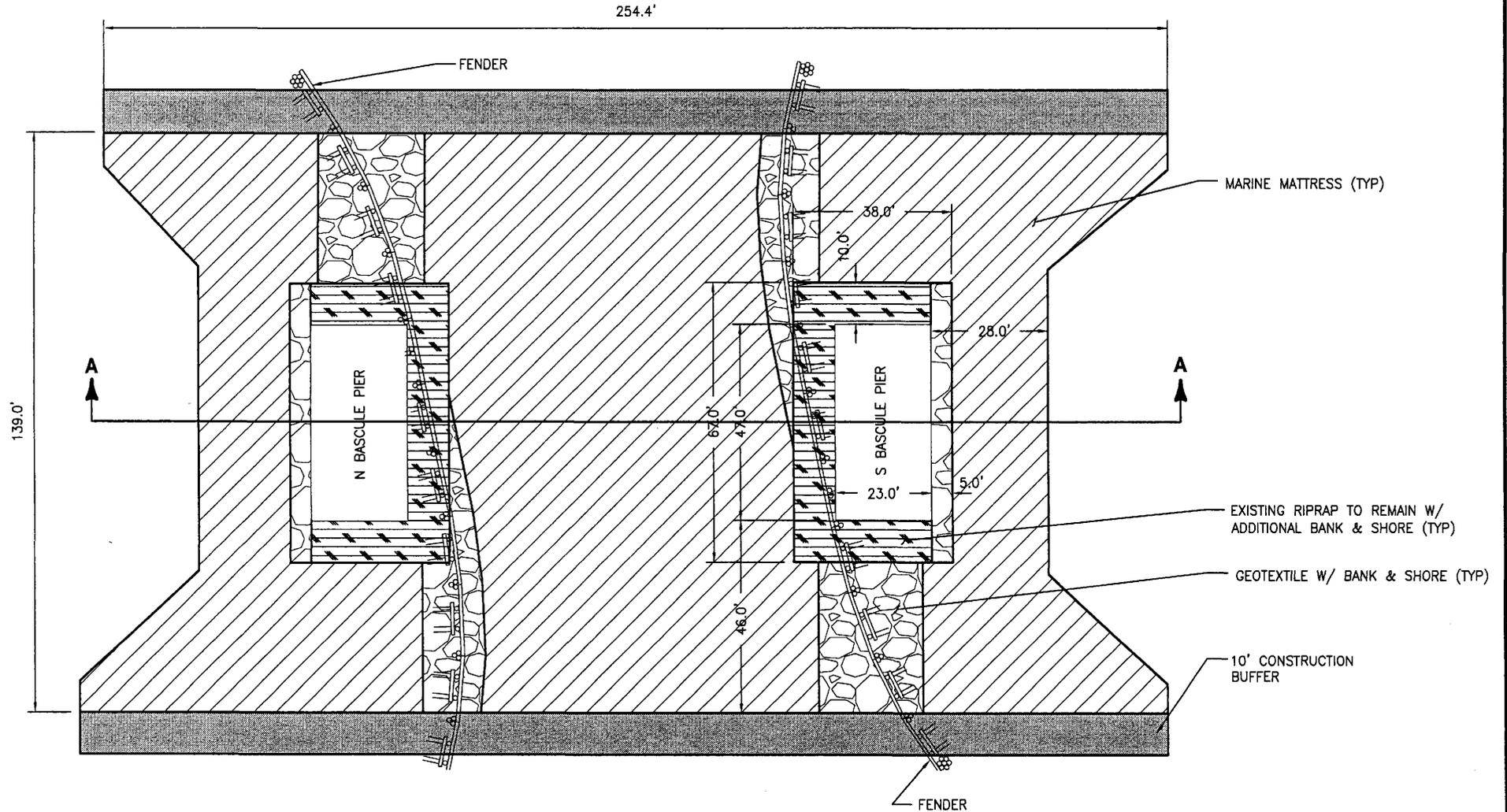
U.S. Army Corps of Engineers  
 Permit # SAJ-2009-02668 (SP-TSD)  
 Date: 12/18/2009  
 Drawing 13 of 19  
 Attachment 1



**FIGURE 9A HAULOVER CANAL BRIDGE FINISHED ELEVATIONS**



1400-160-01



**SCOUR PROTECTION**

MARINE MATTRESS:	0.52	ACRES
GEOTEXTILE W/ BANK & SHORE:	0.09	ACRES
EXISTING RIPRAP:	0.05	ACRES
CONSTRUCTION BUFFER:	0.12	ACRES
TOTAL:	0.78	ACRES

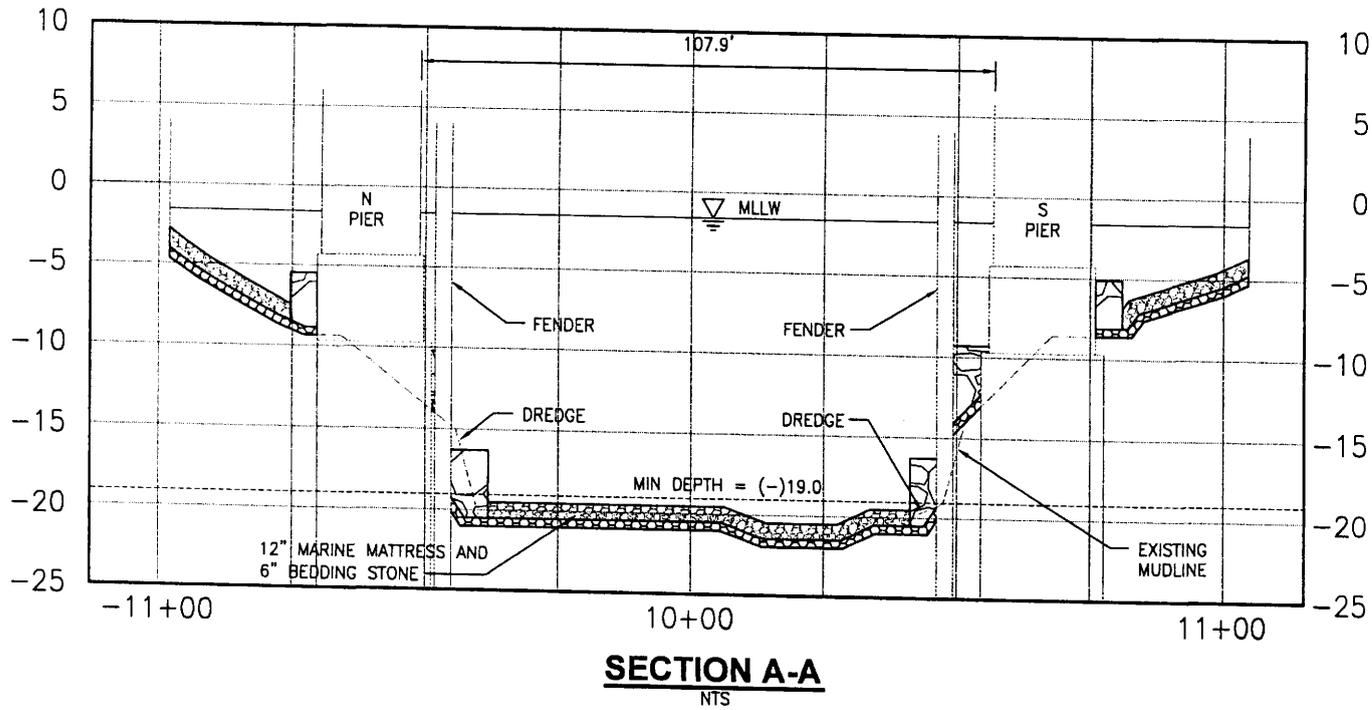
**HAULOVER BRIDGE  
SCOUR PROTECTION PLAN**

NTS

**REVISED FIGURE 9 HAULOVER BRIDGE SCOUR PROTECTION PLAN**



1400-160-01



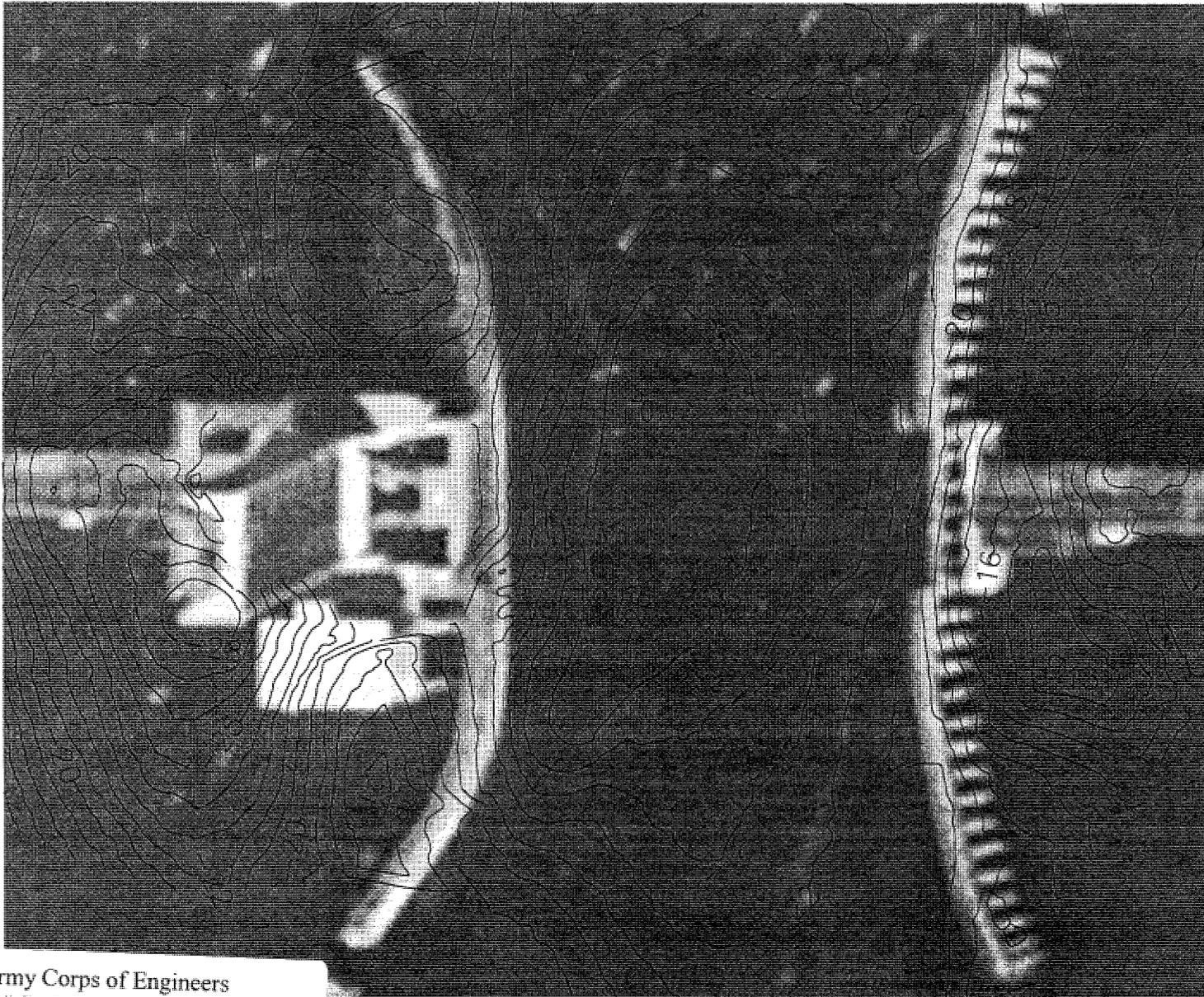
U.S. Army Corps of Engineers  
Permit # SAJ-2009-02668 (SP-TSD)  
Date: 12/18/2009  
Drawing 14 of 19  
Attachment 1



**REVISED FIGURE 10 HAULOVER BRIDGE SCOUR SECTION**



1400-160-01



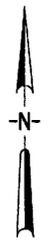
U.S. Army Corps of Engineers  
 Permit # SAJ-2009-02668 (SP-TSD)  
 Date: 12/18/2009  
 Drawing 15 of 19  
 Attachment 1



**GRAPHIC SCALE**  
 0 4 8 16 32



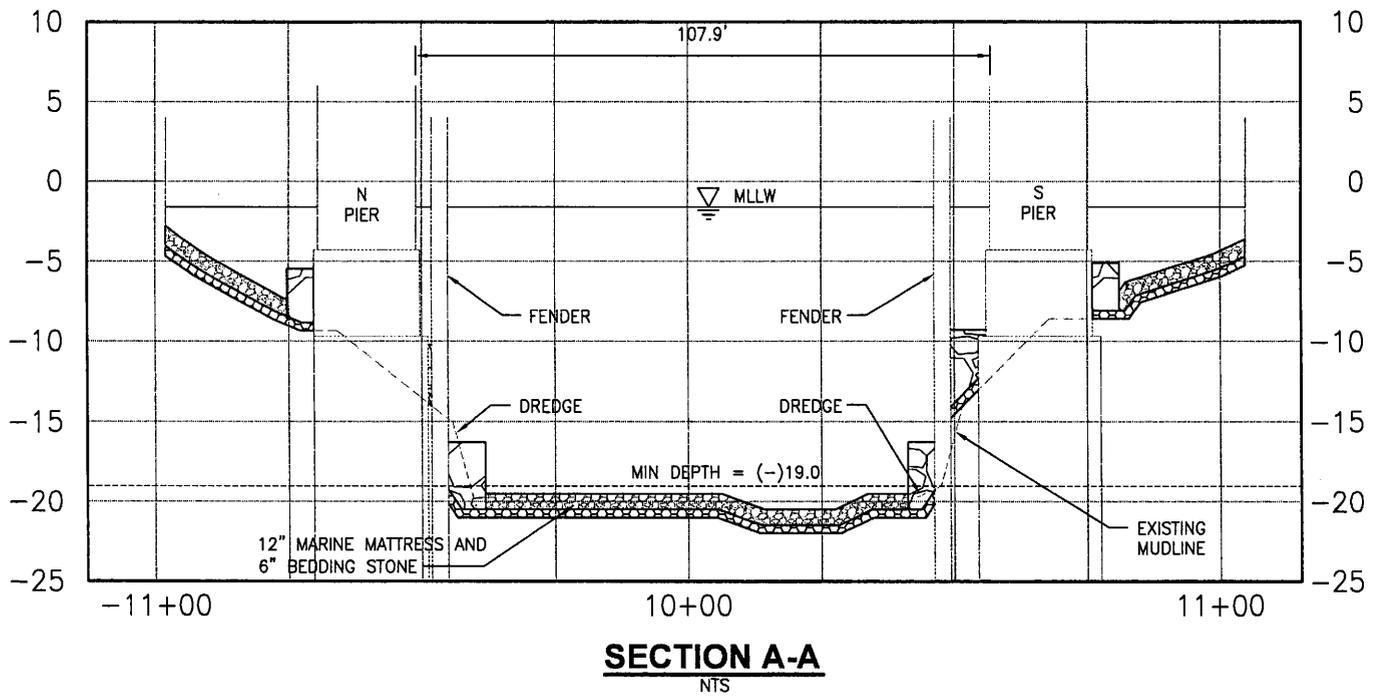
SCALE IN FEET.  
 1/32" = 1'-0"



**FIGURE 11A JAY JAY RAILROAD BRIDGE EXISTING CONDITIONS PLAN**

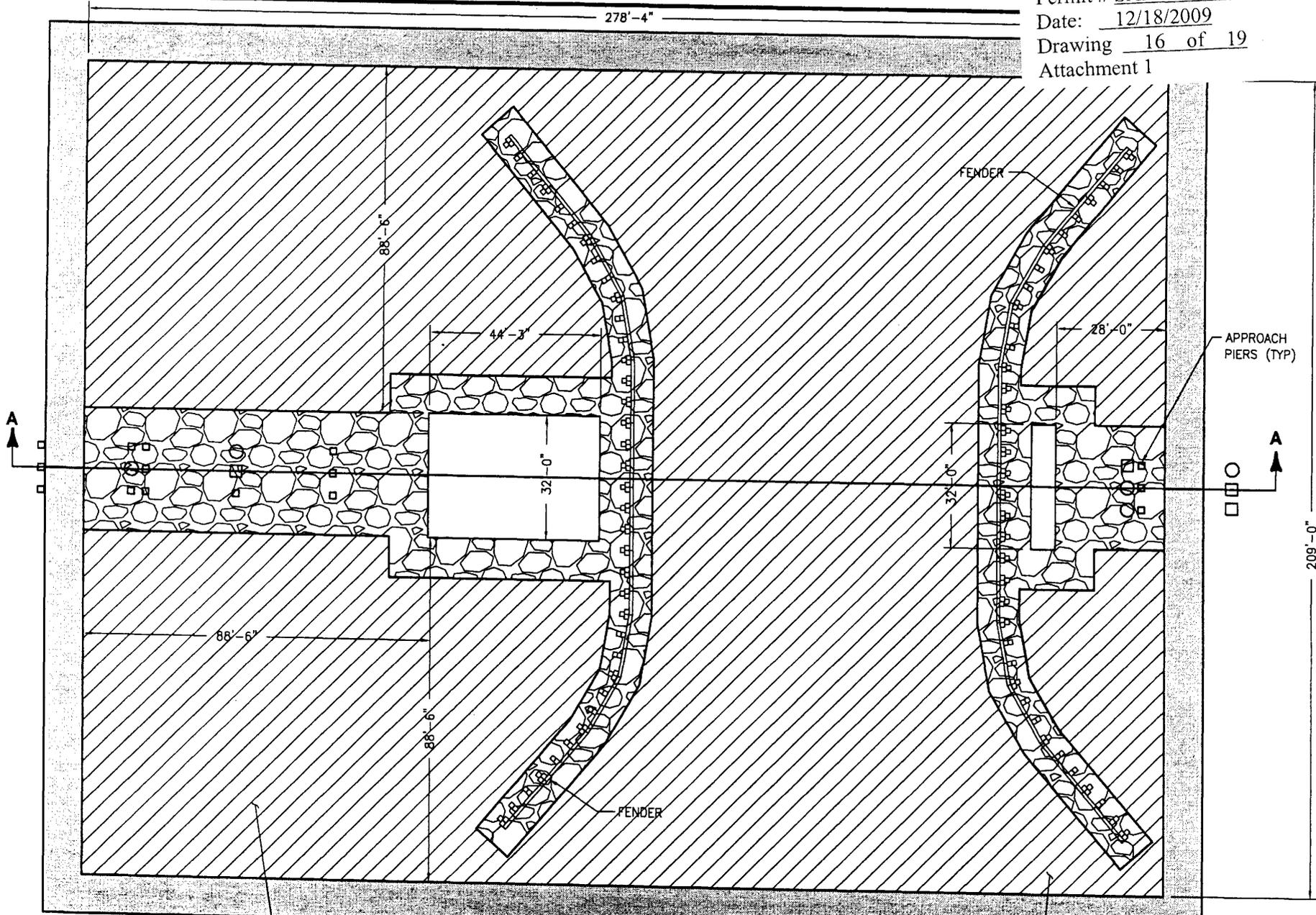


1400-160-01



**REVISED FIGURE 10 HAULOVER BRIDGE SCOUR SECTION**

1400-160-01



**SCOUR PROTECTION**

MARINE MATTRESS:	1.08 ACRES
GEOTEXTILE W/ BANK & SHORE:	0.22 ACRES
CONSTRUCTION BUFFER:	0.23 ACRES
TOTAL:	1.53 ACRES

MARINE MATTRESS (TYP)

**JAY JAY BRIDGE  
SCOUR PROTECTION PLAN**

NTS

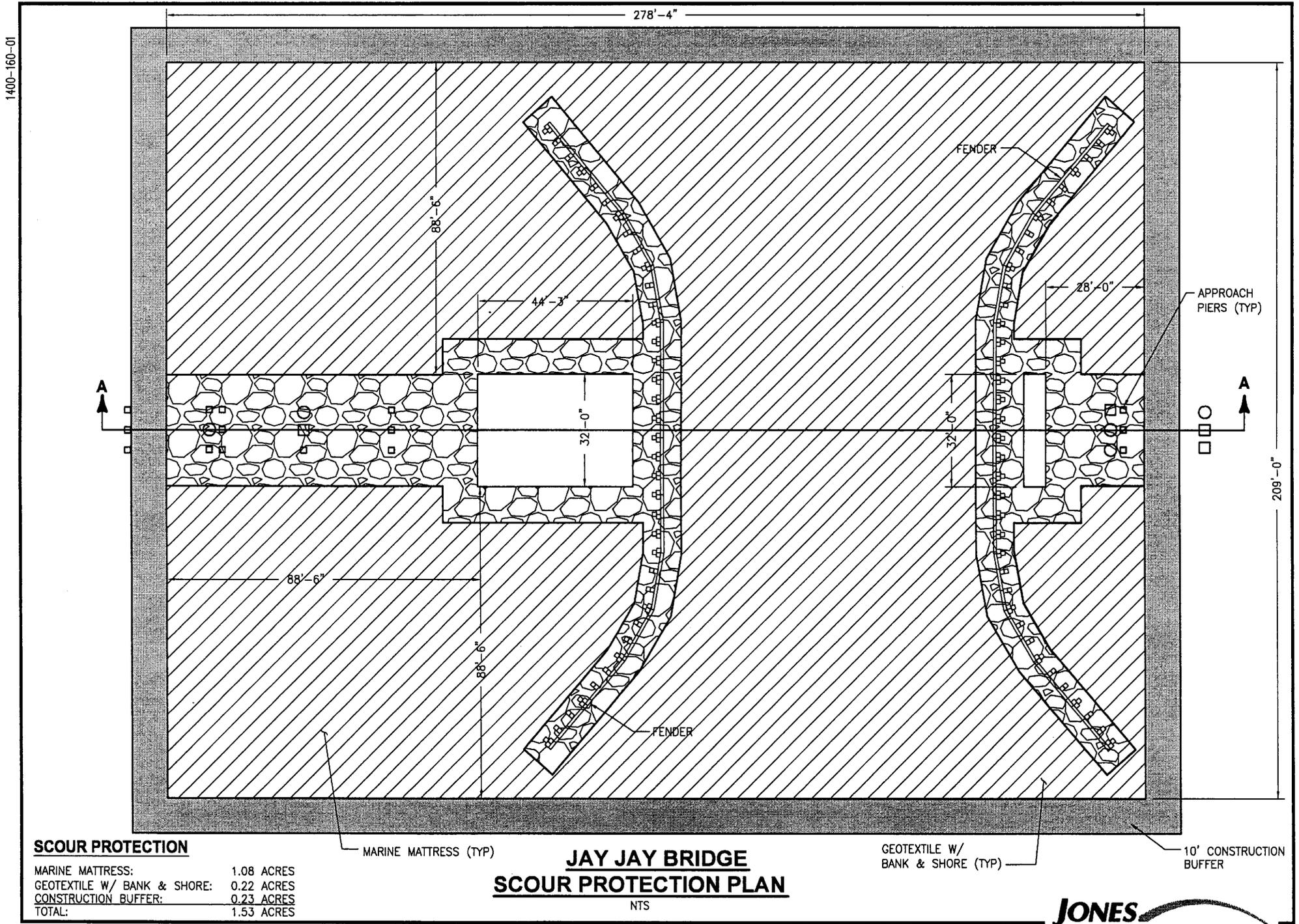
GEOTEXTILE W/  
BANK & SHORE (TYP)

10' CONSTRUCTION  
BUFFER

**REVISED FIGURE 12 JAY JAY BRIDGE SCOUR PROTECTION PLAN**

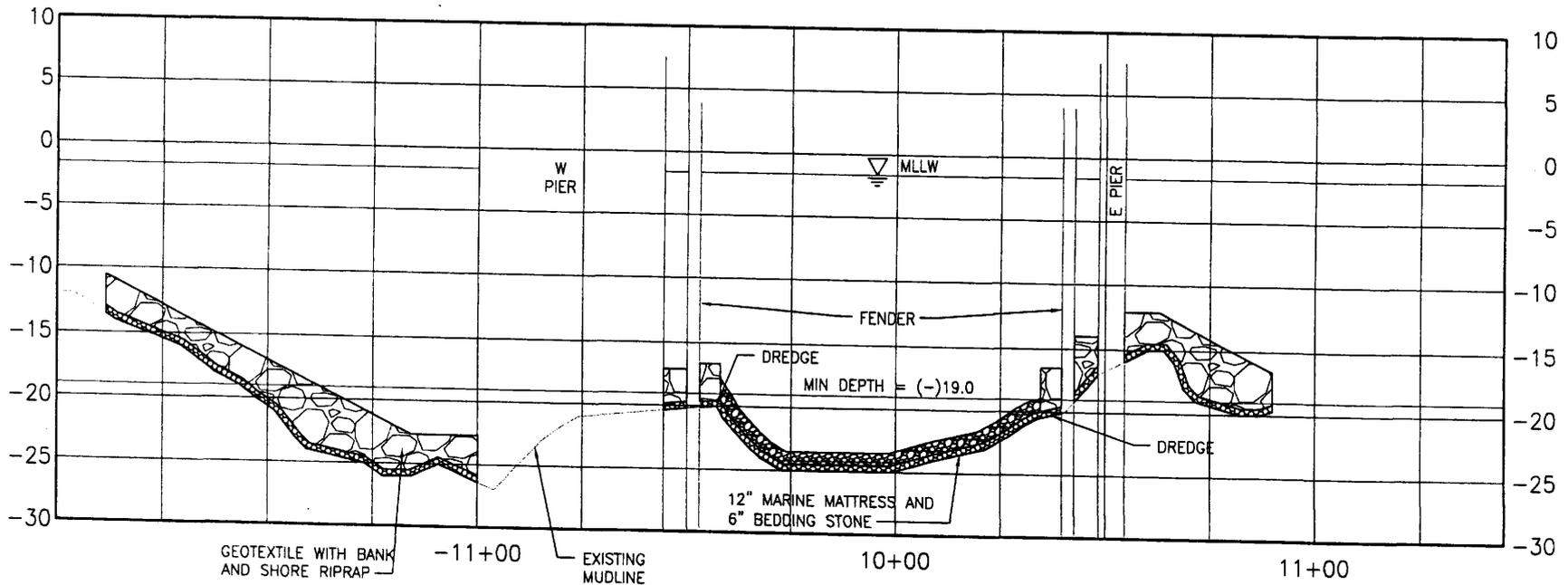






**REVISED FIGURE 12 JAY JAY BRIDGE SCOUR PROTECTION PLAN**

1400-160-01

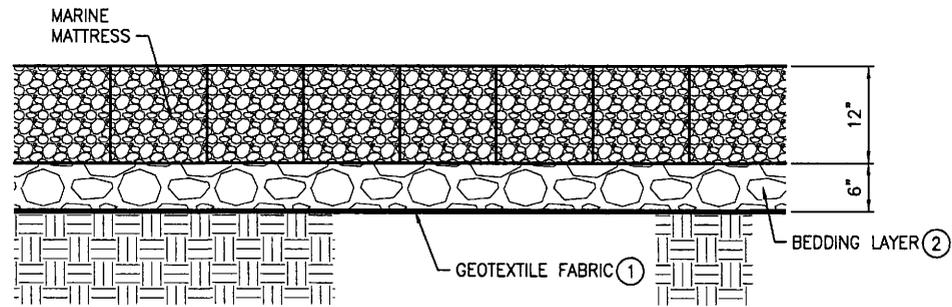


**SECTION A-A**  
NTS

U.S. Army Corps of Engineers  
 Permit # SAI-2009-02668 (SP-TSD)  
 Date: 12/18/2009  
 Drawing 18 of 19  
 Attachment 1



1400-160-01



- ① GEOTEXTILE FABRIC PER SPECIFICATION 31 05 22
- ② BEDDING STONE PER SPECIFICATION 35 43 37

**TYPICAL MARINE  
MATTRESS CROSS SECTION**

NTS

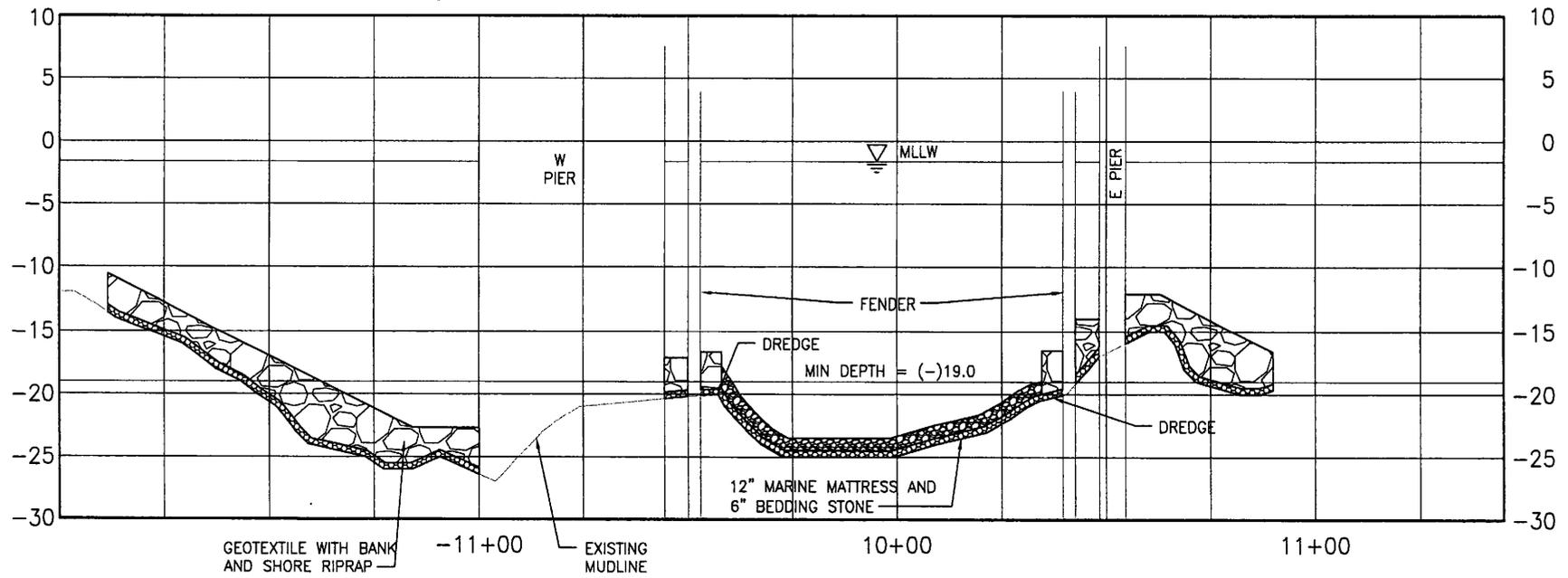
U.S. Army Corps of Engineers  
Permit # SAJ-2009-02668 (SP-TSD)  
Date: 12/18/2009  
Drawing 19 of 19  
Attachment 1



**REVISED FIGURE 14 DETAIL**



1400-160-01



**SECTION A-A**  
NTS

**REVISED FIGURE 13 JAY JAY BRIDGE SCOUR SECTION**



# St. Johns River Water Management District

Kirby B. Green III, Executive Director • David W. Fisk, Assistant Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500  
On the Internet at [www.sjrwmd.com](http://www.sjrwmd.com).

September 29, 2009

Harold Williams  
NASA  
MSC TA-B1B  
Kennedy Space Center, FL 32899

**RECEIVED**

DEC 16 2009

JACKSONVILLE DISTRICT  
USACE

SUBJECT: Permit Number 4-009-121139-1  
Install Scour Protection at Various KSC Bridges

Dear Sir/Madam:

Enclosed is your permit as authorized by the Executive Director of the St. Johns River Water Management District on September 29, 2009.

This permit is a legal document and should be kept with your other important documents. The attached MSSW/Stormwater-As-Built Certification Form should be filled in and returned to the Palatka office within thirty days after the work is completed. By so doing, you will enable us to schedule a prompt inspection of the permitted activity.

In addition to the MSSW/Stormwater As-Built Certification Form, your permit also contains conditions which require submittal of additional information. All information submitted as compliance to permit conditions must be submitted to the Palatka office address.

Permit issuance does not relieve you from the responsibility of obtaining permits from any federal, state and/or local agencies asserting concurrent jurisdiction for this work.

In the event you sell your property, the permit can be transferred to the new owner, if we are notified by you within thirty days of the sale. Please assist us in this matter so as to maintain a valid permit for the new property owner.

Thank you for your cooperation and if this office can be of any further assistance to you, please do not hesitate to contact us.

Sincerely,

Gloria Lewis, Director  
Division of Regulatory Information Management

Enclosures: Permit with EN Form(s), if applicable

cc: District Permit File

**GOVERNING BOARD**

Susan N. Hughes, CHAIRMAN PONTE VEDRA	W. Leonard Wood, VICE CHAIRMAN FERNANDINA BEACH	Hersey "Herky" Huffman, SECRETARY ENTERPRISE	Hans G. Tanzler III, TREASURER JACKSONVILLE
Douglas C. Bournique VERO BEACH	Michael Ertel OVIEDO	Maryam H. Ghyabi ORMOND BEACH	Richard G. Hamann GAINESVILLE
			Arlen N. Jumper FORT MCDOY

**Agent:** John Matthews  
MSC TA-B1B  
Kennedy Space Center, FL 32899

**Consultant:** Stephen Szabo  
3910 S Washington Ave Ste 210  
Titusville, FL 32796

**ST. JOHNS RIVER WATER MANAGEMENT DISTRICT**  
Post Office Box 1429  
Palatka, Florida 32178-1429

PERMIT NO. 4-009-121139-1

DATE ISSUED: September 29, 2009

PROJECT NAME: Install Scour Protection at Various KSC Bridges

**A PERMIT AUTHORIZING:**

Installation of scour protection devices for four bridges within Kennedy Space Center property, a 4.3 - acre project to be constructed as per plans received by the District on June 3, 2009.

**LOCATION:**

Section(s):	19	Township(s):	20S	Range(s):	36E
	23		21S		35E
	5		22S		36E
	4		23S		37E

Brevard County

**ISSUED TO:**

NASA  
MSC TA-B1B  
Kennedy Space Center, FL 32899

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

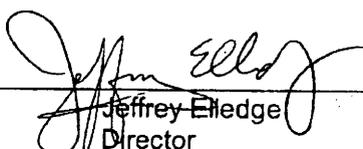
This permit does not convey to permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee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

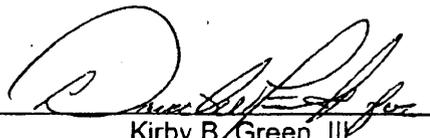
This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes:

**PERMIT IS CONDITIONED UPON:**

See conditions on attached "Exhibit A", dated September 29, 2009

**AUTHORIZED BY:** St. Johns River Water Management District

By:   
Jeffrey Eledge  
Director

By:   
Kirby B. Green, III  
Executive Director

**"EXHIBIT A"**  
**CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 4-009-121139-1**  
**NASA**  
**DATED SEPTEMBER 29, 2009**

1. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.
2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. Activities approved by this permit shall be conducted in a manner which do not cause violations of state water quality standards.
4. Prior to and during construction, the permittee shall implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violations of state water quality standards. All practices must be in accordance with the guidelines and specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988), which are incorporated by reference, unless a project specific erosion and sediment control plan is approved as part of the permit, in which case the practices must be in accordance with the plan. If site specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediment, beyond those specified in the erosion and sediment control plan, the permittee shall implement additional best management practices as necessary, in accordance with the specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988). The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
5. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 7 days after the construction activity in that portion of the site has temporarily or permanently ceased.
6. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District a Construction Commencement Notice Form No. 40C-4.900(3) indicating the actual start date and the expected completion date.
7. When the duration of construction will exceed one year, the permittee shall submit construction status reports to the District on an annual basis utilizing an Annual Status Report Form No. 40C-4.900(4). These forms shall be submitted during June of each year.
8. For those systems which will be operated or maintained by an entity which will require an easement or deed restriction in order to provide that entity with the authority necessary to operate or maintain the system, such easement or deed restriction, together with any other final operation or maintenance documents as are required by subsections 7.1.1 through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters, must be submitted to the District for approval. Documents meeting the requirements set forth in these subsections of the Applicant's Handbook will be approved. Deed restrictions, easements and other operation and maintenance

documents which require recordation either with the Secretary of State or the Clerk of the Circuit Court must be so recorded prior to lot or unit sales within the project served by the system, or upon completion of construction of the system, whichever occurs first. For those systems which are proposed to be maintained by county or municipal entities, final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local governmental entity. Failure to submit the appropriate final documents referenced in this paragraph will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system.

9. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by the portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to local government or other responsible entity.
10. Within 30 days after completion of construction of the permitted system, or independent portion of the system, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing As Built Certification Form 40C-1.181(13) or 40C-1.181(14) supplied with this permit. When the completed system differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the District. Submittal of the completed drawings shall serve to notify the District that the system is ready for inspection. The statement of completion and certification shall be based on on-site observation of construction (conducted by the registered professional engineer, or other appropriate individual as authorized by law, or under his or her direct supervision) or review of as-built drawings for the purpose of determining if the work was completed in compliance with approved plans and specifications. As-built drawings shall be the permitted drawings revised to reflect any changes made during construction. Both the original and any revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor. The following information, at a minimum, shall be verified on the as-built drawings: 1. Dimensions and elevations of all discharge structures including all weirs, slots, gates, pumps, pipes, and oil and grease skimmers; 2. Locations, dimensions, and elevations of all filter, exfiltration, or underdrain systems including cleanouts, pipes, connections to control structures, and points of discharge to the receiving waters; 3. Dimensions, elevations, contours, or cross-sections of all treatment storage areas sufficient to determine state-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems, when appropriate; 4. Dimensions, elevations, contours, final grades, or cross-sections of the system to determine flow directions and conveyance of runoff to the treatment system; 5. Dimensions, elevations, contours, final grades, or cross-sections of all conveyance systems utilized to convey off-site runoff around the system; 6. Existing water elevation(s) and the date determined; and Elevation and location of benchmark(s) for the survey.
11. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of general condition 9 above, the District determines the system to be in compliance with the permitted plans, and the entity approved by the District in accordance with subsections 7.1.1 through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters, accepts responsibility for operation and maintenance of the system. The permit may not be transferred to such an approved operation and maintenance entity until the operation phase of the permit becomes

effective. Following inspection and approval of the permitted system by the District, the permittee shall request transfer of the permit to the responsible approved operation and maintenance entity, if different from the permittee. Until the permit is transferred pursuant to section 7.1 of the Applicant's Handbook: Management and Storage of Surface Waters, the permittee shall be liable for compliance with the terms of the permit.

12. Should any other regulatory agency require changes to the permitted system, the permittee shall provide written notification to the District of the changes prior implementation so that a determination can be made whether a permit modification is required.
13. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and chapter 40C-4 or chapter 40C-40, F.A.C.
14. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.
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 specifically approved unless a specific condition of this permit or a formal determination under rule 40C-1.1006, F.A.C., provides otherwise.
16. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of rule 40C-1.612, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.
17. Upon reasonable notice to the permittee, District authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.
18. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the District.
19. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
20. This permit for construction will expire five years from the date of issuance unless otherwise specified by a special condition of the permit.
21. The permittee must maintain a copy of this permit complete with all conditions, attachments, exhibits, and permit modification in good condition at the construction site. The complete permit must be available for review upon request by District representatives. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
22. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity

and the conditions for undertaking that activity shall be considered a violation of this permit.

23. District authorized staff, upon proper identification, must be granted permission to enter, inspect and observe the system to insure conformity with the plans and specifications approved by the permit.
24. If the permitted system was designed by a registered professional, within 30 days after completion of the stormwater system, the permittee must submit to the District the following: District Form No. 40C-1.181(13) (As built Certification By a Registered Professional), signed and sealed by an appropriated professional registered in the State of Florida, and two (2) sets of "As Built" drawings when a) required by a special condition of this permit, b) the professional uses "As Built" drawings to support the As Built Certification, or c) when the completed system substantially differs from permitted plans. This submittal will serve to notify the District staff that the system is ready for inspection and approval.
25. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than seven (7) days before the construction activity in that portion of the site has temporarily or permanently ceased.
26. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
27. Activities approved by this permit shall be conducted in a manner which do not cause violations of state water quality standards.
28. This permit for construction will expire five years from the date of issuance.
29. All wetland areas or water bodies that are outside the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring or excess turbidity, and dewatering.
30. Prior to construction, the permittee must clearly designate the limits of construction on-site. The permittee must advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.
31. The permittee shall instruct all personnel associated with the project of the potential presence of manatees and the need to avoid collisions with manatees. All construction personnel are responsible for observing water-related activities for the presence of manatee(s).
32. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees protected under the Marine Mammal Protection Act of 1972, the Endangered Species Act of 1973, and the Florida Manatee Sanctuary Act.
33. Siltation barriers shall be made of material in which manatees cannot become entangled, and shall be properly secured and regularly monitored to avoid manatee entrapment. Barriers must not block manatee entry to, or exit from, essential habitat.
34. All vessels associated with construction/dredging activities shall operate at "no wake/idle" speeds at all times while in the construction area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels shall follow routes of deep water whenever possible.

35. If manatee(s) are seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure protection of the manatee(s). These precautions shall include the operation of all moving equipment no closer than within 50 feet of a manatee. Operation of any equipment within 50 feet or less of a manatee is prohibited. Upon discovery of a manatee within 50 feet or less from construction equipment, such equipment shall be shut down immediately. Activities associated with construction or dredging shall not resume until the manatee(s) has departed the project area of its own volition.
36. Any collision with and/or injury to a manatee shall be reported immediately to the Fish and Wildlife Conservation Commission at (1-888-404-FWCC). Collision and injury should also be reported to the U. S. Fish and Wildlife Service in Jacksonville (1-904-232-2580) for north Florida or in Vero Beach (1-561-562-3909) in south Florida.
37. Temporary signs concerning manatees shall be posted prior to and during all construction/dredging activities. All signs are to be removed by the permittee upon completion of the project. A sign measuring at least 3 feet by 4 feet that reads Caution: Manatee Area shall be posted in a location prominently visible to water-related construction crews. A second sign shall be posted if vessels are associated with the construction or dredging activities authorized by a permit consolidated with this sovereign submerged lands authorization, and shall be placed in a location visible to the vessel operator. It shall measure at least 8 1/2" by 11" and read: Caution: Manatee Habitat. Idle speed is required if operating a vessel in the construction area. All equipment must be shut down if a manatee comes within 50 feet of any operating construction equipment. Any collision with and/or injury to a manatee shall be reported immediately to the Fish and Wildlife Conservation Commission at (1-888-404-FWCC). The U.S. Fish and Wildlife Service should also be contacted in Jacksonville at (1-904-232-2580) for north Florida or in Vero Beach (1-561-562-3909) for south Florida.
38. This permit authorizes 2.69 acres of impact to the surface waters of the Indian River Lagoon, 0.82 acres of surface water impact to the Banana River and 0.78 acres of surface water impact the Haulover Canal as shown in the approved plans. No other impacts to wetlands or other surface water are authorized under this permit.
39. As stated on Page 1 of 9 of the Section E Application Form received by the District on June 3, 2009, the contractor must be required to assign a manatee observer to keep watch for manatees and other wildlife in the vicinity of construction. If manatee are spotted within 100 feet of construction all workers will be put on alert that a manatee is in the area, if the manatee comes within 50 feet of construction all activity will cease until the manatee leaves the area. Before construction, the staging area must be surveyed by the NASA Environmental Program Office.
40. As stated in the response to comments received by the District on July 27, 2009, the barge utilized in construction must not be grounded in areas that contain seagrass and in the event of a storm or hurricane the Contractor must remove the barge from the project site or anchor the barge in open water. Barges may not be grounded.
41. The project must be constructed in accordance with the plans and calculations received by the District on June 3, 2009.

**AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER**

**Submit this form and one set of as-built engineering drawings to the U.S. Army Corps of Engineers, Special Projects and Enforcement Branch, Attn: Teresa Frame, Post Office Box 4970, Jacksonville, Florida 32232-0019.. If you have questions regarding this requirement, please contact the Special Projects and Enforcement Branch at 904-232-3131.**

1. Department of the Army Permit Number: SAJ-2009-02668 (SP-TSD)

2. Permittee Information:

Name \_\_\_\_\_

Address \_\_\_\_\_

3. Project Site Identification:

Physical location/address \_\_\_\_\_

4. As-Built Certification:

I hereby certify that the authorized work, including any mitigation required by Special Conditions to the permit, has been accomplished in accordance with the Department of the Army permit with any deviations noted below. This determination is based upon on-site observation, scheduled and conducted by me or by a project representative under my direct supervision. I have enclosed one set of as-built engineering drawings.

\_\_\_\_\_  
Signature of Engineer

\_\_\_\_\_  
Name (Please type)

\_\_\_\_\_  
(FL, PR or VI) Reg. Number

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State ZIP

(Affix Seal)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Telephone Number



**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





**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**  
**JACKSONVILLE DISTRICT CORPS OF ENGINEERS**  
**400 HIGH POINT DRIVE, SUITE 600**  
**COCOA, FLORIDA 32926**

REPLY TO  
ATTENTION OF

Regulatory Division  
North Permits Branch  
Cocoa Section  
SAJ-2009-02668 (SP-TSD)

December 23, 2009

NASA  
C/o Mr. Harold Williams  
Mail Code TA-B1B  
Kennedy Space Center, FL 32899

Dear Mr. Williams:

The U.S. Army Corps of Engineers (Corps) has completed the review and evaluation of your Department of the Army permit application, number SAJ-2009-02668 (SP-TSD). Our regulations require that you have an opportunity to review the terms and conditions prior to final signature by the Department of the Army. Enclosed is an unsigned Department of the Army permit instrument (permit).

Please read carefully the Special Conditions beginning on page 2 of the permit. These were developed to apply specifically to your project. Water Quality Certification is also required prior to issuance of a permit. The Corps has received a copy of the State of Florida certification for your project. In accordance with General Condition 5 of the permit, any special conditions of the Water Quality Certification have been attached to the Department of the Army permit.

**Instructions for Objecting to Permit Terms and Conditions:** This letter contains an initial proffered permit for your proposed project. If you object to certain terms and conditions contained within the permit, you may request that the permit be modified. Enclosed you will find a Notification of Administrative Appeal Options and Process fact sheet and Request for Appeal (RFA) form. If you choose to object to certain terms and conditions of the permit, you must follow the directions provided in Section 1, Part A and submit the completed RFA form to the letterhead address.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria under 33 CFR Part 331.5, and that it has been received by the District office within 60 days of the date of the RFA. Should you decide to submit an RFA form, it must be received at the letterhead address by February 23, 2010.

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**Instructions for Accepting Terms and Conditions and Finalizing Your Permit:** It is not necessary to submit an RFA form to the District office, if you do not object to the decision in this letter. In this case, the permit must be signed by the applicant in the space provided on the signature page of the permit. In the case of corporations, acceptance must be by an officer of that corporation authorized to sign on behalf of the corporation. The party responsible for assuring the work is done in accordance with the permit terms and conditions must sign the permit. Please type or print the name and title of the person signing below the signature and the date signed.

SIGN AND RETURN THE PERMIT, IN ITS ENTIRETY, TO THE LETTERHEAD ADDRESS.

The permit will be signed by the District Engineer and returned to you. It is important to note that the permit is not valid until the District Engineer signs it.

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 the following link and complete our automated Customer Service Survey:

<http://per2.nwp.usace.army.mil/survey.html>

Your input is appreciated - favorable or otherwise.

If you have any questions concerning this application, you may contact Tamy Dabu in writing at the letterhead address, by electronic mail at [tamy.s.dabu@usace.army.mil](mailto:tamy.s.dabu@usace.army.mil), or by telephone at 321-504-3771 extension 11.

Sincerely,

  
 David S. Hobbie  
Chief, Regulatory Division

Enclosures

Applicant: NASA/Scour Protection at four bascule piers (drawbridges)		File Number: SAJ-2009-02668-	Date: 12/23/2009
Attached is:			See Section below
<input checked="" type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
<input type="checkbox"/>	PERMIT DENIAL	C	
<input type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	D	
<input type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

**SECTION I -** The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/inet/functions/ce/ceoweb/reg> or Corps regulations at 33 CFR Part 391.

**A: INITIAL PROFFERED PERMIT:** You may accept or object to the permit.

- **ACCEPT:** *If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.*
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT:** You may accept or appeal the permit

- **ACCEPT:** *If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.*
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**D: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** *You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.*
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**E: PRELIMINARY JURISDICTIONAL DETERMINATION:** You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

**SECTION II: REQUEST FOR APPEAL OR OBJECTIONS TO AN INITIAL OFFERED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION**

If you have questions regarding this decision and/or the appeal process you may contact:

**Tamy Dabu, Project Manager  
321-504-3771 extension 11**

If you only have questions regarding the appeal process you may also contact:

**for process:  
Stuart Santos 904-232-2018**

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

\_\_\_\_\_  
Signature of appellant or agent.

Date:

Telephone number: