



Florida Department of Environmental Protection

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

SOUTHEAST DISTRICT OFFICE
3301 GUN CLUB ROAD, MSC 7210-1
WEST PALM BEACH, FL 33406
561-681-6600

Ryan E. Matthews
Interim Secretary

In the Matter of an Application for Permit/Water Quality Certification and Authorization to Use Sovereignty Submerged Lands by:

APPLICANT:

Town of Palm Beach
c/o Thomas Bradford, Town Manager
360 South County Road
Palm Beach, FL 33480

PROJECT NAME:

Town of Palm Beach – Central Access Channel
File No: 50-0328105-003-EM
County: Palm Beach

CONSOLIDATED NOTICE OF INTENT TO ISSUE ENVIRONMENTAL RESOURCE PERMIT AND PERMIT MODIFICATION TO USE SOVEREIGNTY SUBMERGED LANDS

The Department of Environmental Protection gives consolidated notice of its intent to:

(a) issue an environmental resource permit under Part IV of Chapter 373, Florida Statutes (F.S.), and Title 62, Florida Administrative Code (F.A.C.) (draft copy of permit attached). Issuance of the environmental resource permit also constitutes certification of compliance with state water quality standards pursuant to Section 401 of the Clean Water Act, 33 U.S.C. 1341;

(b) grant a permit modification to use sovereignty submerged lands for the proposed activity, under Article X, Section 11 of the Florida Constitution, Chapter(s) 253, Title 18, F.A.C., as described, below, subject to any fees, special lease, easement, or consent of use conditions in the attached Recommended Proprietary Action document.

Where applicable (such as activities in coastal counties), issuance of the environmental resource permit also constitutes a finding of consistency with Florida's Coastal Management Program, as required by Section 307 of the Coastal Zone Management Act.

I. DESCRIPTION OF THE PROPOSED ACTIVITY

The applicant, Town of Palm Beach, applied on February 15, 2017 to the Department of Environmental Protection for a permit/water quality certification and authorization to use sovereignty

submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) to perform the following activities:

- 1) Dredge 3.09 acres (13,301 cubic yards) of submerged lands within a historically used channel, to a depth of minus five (-5) feet below mean low water;
- 2) Placement of the dredge spoil material in an area of the Lake Worth Lagoon known as “Bonefish Cove” along the westerly side of the lagoon.

The activity is located within the Lake Worth Lagoon, Class III Waters, in Palm Beach (Sections 26 and 35, Township 43 South, Range 43 East), in Palm Beach County (Latitude N 26° 41' 22.22", Longitude W 80° 2' 40.71").

The dredge spoil material will be placed in an area of the Lake Worth Lagoon known as “Bonefish Cove” along the westerly side of the lagoon, Class III Waters, in Lake Worth. The northwestern extent of the toe of fill will be approximately located at Latitude N 26° 36' 30.0", Longitude W 80° 2' 34.6" and extend east to a location of approximately Latitude N 26° 36' 30.0", Longitude W 80° 2' 30.2". The southern extent of the toe of fill will be approximately located at Latitude N 26° 36' 16.9", Longitude W 80° 2' 34.6" and extend east to a location of approximately Latitude N 26° 36' 16.9", Longitude W 80° 2' 30.2". The material placement at “Bonefish Cove” is anticipated to become part of a future environmental enhancement and restoration project proposed by Palm Beach County Environmental Resources Management. This future project proposes the creation of approximately 47.5 acres of seagrass, oyster and mangrove island habitat, which will require approximately 300,000 cubic yards of fill material. The material placement from this project will be the first placement of fill for the proposed future project.

II. AUTHORITY FOR REVIEW

This project requires an Environmental Resource Permit. Under the operating agreements between the Department and the water management districts, the Department has the authority to issue this permit. References: Part IV of Chapter 373, Florida Statutes; Title 62, Florida Administrative Code; Operating Agreements with the water management districts in Chapter 62-113, Florida Administrative Code.

The activity also requires a proprietary authorization, as it is located on sovereignty submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund. The activity is not exempt from the need to obtain a proprietary authorization. Pursuant to Article X, Section 11 of the Florida Constitution, Sections 253.002 and 253.77, F.S., Sections 18-21.0040, 18-21.0051, 62-343.075, F.A.C., and the Operating Agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C., the Department has the responsibility to review and take final action on this request for proprietary authorization.

III. BACKGROUND/BASIS FOR ISSUANCE

A. General

ERP No. 50-0328105-001-EI authorized the dredging of approximately 11,955 yd³ of submerged lands within a historically used channel to a depth of minus six (6) feet below mean low water within the Lake Worth Lagoon, as well as trimming of mangroves and clearing of vegetative debris from portions of Bingham Island.

ERP No. 50-0328105-002-EM authorized the modification of the dredging of 2,154 yd³ of submerged lands within a historically used channel to a depth of minus five (5) feet below mean low water within the Lake Worth Lagoon.

The applicant is proposing to dredge an additional 13,301 yd³ (15,455 yd³ total) of submerged lands to a depth of minus five (5) feet below mean low water within the Lake Worth Lagoon. Additionally, the applicant is proposing in-water disposal of the material in an area known as “Bonefish Cove” along the westerly side of the lagoon. The material placement at “Bonefish Cove” is anticipated to become part of a future environmental enhancement and restoration project proposed by Palm Beach County Environmental Resources Management. This future project proposes the creation of approximately 47.5 acres of seagrass, oyster and mangrove island habitat, which will require approximately 300,000 cubic yards of fill material. The material placement from this project will be the first placement of fill for the proposed future project.

B. Specific Regulatory Basis for Issuance

Through the above and based on the general/limiting and specific conditions to the permit, the applicant has provided affirmative reasonable assurance that the construction and operation of the activity, considering the direct, secondary and cumulative impacts, will comply with the provisions of Part IV of Chapter 373, F.S., and the rules adopted thereunder, including the Conditions for Issuance or Additional Conditions for Issuance of an environmental resource permit, pursuant to Part IV of Chapter 373, F.S., Chapters 62-330, and Sections 40E-4.301 and 40E-4.302, F.A.C. The construction and operation of the activity will not result in violations of the water quality standards set forth in Chapters 62-3, 62-4, 62-302, 62-520, 62-522, and 62-550, F.A.C. The applicant has also demonstrated that the construction of the activity, including a consideration of the direct, secondary, and cumulative impacts, is not contrary to the public interest, pursuant to paragraph 373.414(1)(a), F.S.

C. Specific Proprietary Basis for Issuance

Through the above and based on the general/limiting and specific conditions to the permit, the applicant has met all applicable requirements for proprietary authorizations to use sovereignty submerged lands, pursuant to Article X, Section 11 of the Florida Constitution, Chapter(s) 253, associated Rule(s) 18-21, F.A.C., and the policies of the Board of Trustees. The applicant has provided reasonable assurance that the activity:

- (1) is "not contrary to the public interest";
- (2) will maintain essentially natural conditions;

- (3) will not cause adverse impacts to fish and wildlife resources or public recreation or navigation; and
- (4) will not interfere with the riparian rights of adjacent property owners.

In addition, the project is consistent with the goals and objectives of the "Conceptual State Lands Management Plan" adopted by the Board of Trustees on March 17, 1981.

IV. PUBLICATION OF NOTICE

The Department has determined that the proposed activity, because of its size, potential effect on the environment or the public, controversial nature, or location, is likely to have a heightened public concern or likelihood of request for administrative proceedings. Under section 403.815 of the Florida Statutes and rule 62-103.150 of the Florida Administrative Code, you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. The notice must be published one time only within 30 days in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of sections 50.011 and 50.031 of the Florida Statutes, in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used should be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant must provide proof of publication to:

Department of Environmental Protection
Southeast District Environmental Resources Permitting
c/o (Rachel Hickey)
3301 Gun Club Road, MSC 7210-1
West Palm Beach, Florida 33406
Email: Rachel.Hickey@dep.state.fl.us

The proof of publication shall be provided to the above address within seven days of publication. Failure to publish the notice and provide proof of publication within the allotted time shall be grounds for denial of the permit and Letter of Consent to use sovereignty submerged lands.

V. RIGHTS OF AFFECTED PARTIES

Under this intent to issue, the permit and letter of consent to use sovereignty submerged lands are hereby granted subject to the applicant's compliance with any requirement in this intent to publish notice of this intent in a newspaper of general circulation and to provide proof of such publication in accordance with section 50.051 of the Florida Statutes. This action is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under sections 120.569 and 120.57 of the Florida Statutes as provided below. If a sufficient petition for an administrative hearing is timely filed, this intent to issue automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. When proof of

publication is provided, if required by this intent, and if a sufficient petition is not timely filed, the permit and letter of consent to use will be issued as a ministerial action. Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines noted below for filing a petition for an administrative hearing or request for an extension of time have expired and until the permit and letter of consent have been executed and delivered.

Mediation is not available.

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 of the Florida Statutes. The petition must contain the information set forth below and 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.

Under rule 62-110.106(4) of the Florida Administrative Code, 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. 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. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

In accordance with rules 28-106.111(2) and 62-110.106(3)(a)(4), 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) of the Florida Statutes 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) of the Florida Statutes, 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 petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing 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 of the Florida Statutes.

A petition that disputes the material facts on which the Department's action is based 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, 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; 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.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301.

Under sections 120.569(2)(c) and (d) of the Florida Statutes, a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to issue constitutes an order of the Department. Subject to the provisions of paragraph 120.68(7)(a) of the Florida Statutes, which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under section 120.68 of the Florida Statutes, by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 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 when the order is filed with the Clerk of the Department.

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Diane Pupa

Program Administrator - Permitting and Waste Cleanup
Southeast District

Copies furnished to:

FDEP – Diane Pupa, Rachel Hickey, Monica Sovacool, Gregory Vazquez

USACOE- Palm Beach Gardens, FDEP-SP@usace.army.mil

Matt Mitchell, Palm Beach County, Environmental Resources, MMitchell@pbcgov.org

Lisa Gregg, FFWCC, Lisa.Gregg@myfwc.com

Robert Webber, Town of Palm Beach Coastal Program Manager,

Coastal@townofpalmbeach.com

Joseph Chaison, Applied Technology & Management, Inc., JChaison@appliedtm.com

FILING AND ACKNOWLEDGMENT

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

Mandakini Patel

Clerk

May 12, 2017

Date

NOTICE OF INTENT TO ISSUE PERMIT

The Department of Environmental Protection gives notice of its intent to issue a permit to the Town of Palm Beach to dredge approximately 7,626 cubic yards of submerged lands within a historically used channel, to a depth of minus five (-5) feet below mean low water and depositing the spoil material in an area of the Lake Worth Lagoon known as "Bonefish Cove" along the westerly side of the lagoon.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Department of Environmental Protection, Southeast District Office, 3301 Gun Club Road, West Palm Beach, FL 33406. Additionally, the application file is available online and can be accessed through the Department's Information Portal at: <http://webapps.dep.state.fl.us/DepNexus/public/electronic-documents/> (Site No. 328105). If you have any questions or are experiencing difficulty viewing the electronic application, please contact Rachel Hickey via email at Rachel.Hickey@dep.state.fl.us or by phone at 561-681-6600.

The Department will issue the Environmental Resource Permit to use sovereign submerged lands, unless a timely petition for an administrative proceeding is filed pursuant to the provisions of Sections 120.569 and 120.57, F.S. The actual terms of the lease will be formally executed at a later date and shall include provisions for rents and such other provisions as normally are included in such lease. 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.

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.

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.

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 is not available in this proceeding.

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.



Florida Department of Environmental Protection

Southeast District Office
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
561-681-6600

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Ryan E. Matthews
Interim Secretary

Project Name:

Town of Palm Beach – Central Access Channel

Permittee/Authorized Entity:

Town of Palm Beach
c/o Thomas Bradford, Town Manager
360 South County Road
Palm Beach, FL 33480
Email: townmanager@townofpalmbeach.com

Authorized Agent:

Applied Technology & Management, Inc.
c/o Joseph Chaison, Senior Coastal Engineer
Phone: (561) 472-2147; Email: JChaison@appliedtm.com

Environmental Resource Permit - Granted

State-owned Submerged Lands Authorization – Granted

U.S. Army Corps of Engineers Authorization – Separate Corps Authorization Required

Permit No.: 50-0328105-003-EM

Permit Issuance Date:

Permit Construction Phase Expiration Date:

**Consolidated Environmental Resource Permit
and
State-owned Submerged Lands Authorization**

Permit No.: 50-0328105-003-EM

PROJECT LOCATION

The activities authorized by this Permit and state-owned submerged lands authorization are located within the Lake Worth Lagoon, Class III Waters, in Palm Beach (Sections 26 and 35, Township 43 South, Range 43 East), in Palm Beach County (Latitude N 26° 41' 22.22", Longitude W 80° 2' 40.71").

The dredge spoil material will be placed in an area of the Lake Worth Lagoon known as "Bonefish Cove" along the westerly side of the lagoon, Class III Waters, in Lake Worth. The northwestern extent of the toe of fill will be approximately located at Latitude N 26° 36' 30.0", Longitude W 80° 2' 34.6" and extend east to a location of approximately Latitude N 26° 36' 30.0", Longitude W 80° 2' 30.2". The southern extent of the toe of fill will be approximately located at Latitude N 26° 36' 16.9", Longitude W 80° 2' 34.6" and extend east to a location of approximately Latitude N 26° 36' 16.9", Longitude W 80° 2' 30.2". The material placement at "Bonefish Cove" is anticipated to become part of a future environmental enhancement and restoration project proposed by Palm Beach County Environmental Resources Management. This future project proposes the creation of approximately 47.5 acres of seagrass, oyster and mangrove island habitat, which will require approximately 300,000 cubic yards of fill material. The material placement from this project will be the first placement of fill for the proposed future project.

PROJECT DESCRIPTION

This permit authorizes dredging of an additional 3.09 acres (13,301 cubic yards) of submerged lands within a historically used channel, to a depth of minus five (-5) feet below mean low water.

Additionally, this permit authorizes the in-water placement of the dredge spoil material, to be placed in an area of the Lake Worth Lagoon known as "Bonefish Cove" along the westerly side of the lagoon, in Lake Worth. The material placement at "Bonefish Cove" is anticipated to become part of a future environmental enhancement and restoration project proposed by Palm Beach County Environmental Resources Management. This future project proposes the creation of approximately 47.5 acres of seagrass, oyster and mangrove island habitat, which will require approximately 300,000 cubic yards of fill material. The material placement from this project will be the first placement of fill for the proposed future project.

The submerged bottom at the project sites consist of sand, rock, and silt. Mangroves, wetland vegetation, submerged resources, or submerged grassbeds are not located within the project boundaries; therefore, this permit does not authorize impacts to these resources.

The dredge material shall be mechanically excavated and placed directly in a self-contained barge with a fully loaded draft of no more than 3-feet. The barge shall operate within waters of sufficient depth to preclude bottom scouring and prop dredging. All construction equipment/tools and materials shall be transported to and from the site via barge and upland roadways and all equipment/tools and materials shall be stored on the barge.

The attached standard manatee conditions (version 2011) shall be adhered to during all in-water work. Prior to construction commencement, weighted floating turbidity curtains, extending to within one-

foot from the submerged bottom shall be utilized around the project area to ensure that any turbidity resulting from construction activities will be contained within the project boundaries. All water bodies, including any adjacent submerged aquatic vegetation outside the specific limits of construction authorized by this permit shall be protected from erosion, siltation, sedimentation, and/or scouring.

AUTHORIZATIONS

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

The activity is located on sovereignty submerged lands owned by the State of Florida. It therefore also requires authorization from the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees), pursuant to Article X, Section 11 of the Florida Constitution, and Section 253.77, F.S.

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 Letter of Consent, as long as the work performed is located within the boundaries as described and is consistent with the terms and conditions herein.

During the term of this Letter of Consent you shall maintain satisfactory evidence of sufficient upland interest as required by paragraph 18-21.004(3)(b), Florida Administrative Code. If such interest is terminated or the Board of Trustees determines that such interest did not exist on the date of issuance of this Letter of Consent, this Letter of Consent may be terminated by the Board of Trustees at its sole option. If the Board of Trustees terminates this Letter of Consent, you agree not to assert a claim or defense against the Board of Trustees arising out of this Letter of Consent.

Federal Authorization

Your proposed activity as outlined on your notice 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 Palm Beach Gardens Regulatory Field Office at (561) 472-3508, 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.

Project: Town of Palm Beach – Central Access Channel

Permit No.: 50-0328105-003-EM

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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/SOVEREIGNTY SUBMERGED LANDS CONDITIONS

The activities described must be conducted in accordance with:

- **The Specific Conditions**
- **The General Conditions**
- **The Special Consent Conditions**
- **The General Conditions for Sovereignty Submerged Lands Authorization**
- **The limits, conditions and locations of work shown in the attached drawings**
- **The term limits of this authorization**

You are advised to read and understand these conditions and drawings prior to beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings herein. If you are using a contractor, the contractor also should read and understand these conditions and drawings prior to beginning any activity. Failure to comply with these conditions, including any mitigation requirements, shall be grounds for the Department to revoke the permit and authorization and to take appropriate enforcement action.

Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit and sovereignty submerged lands authorization, as described.

SPECIFIC CONDITIONS- PROJECT FORMS & ATTACHMENTS

(1) The attached project drawings (sheets 1 through 8); the Standard Manatee Conditions for In-Water Work, 2011, which can be downloaded at http://myfwc.com/media/415448/Manatee_StdCondIn_waterWork.pdf; and DEP forms 62-330.310(1); 62-330.310(2); 62-330.340(1); and 62-330.350(1), which may be downloaded at <http://www.dep.state.fl.us/water/wetlands/erp/forms.htm> become part of this permit. If the permittee does not have access to the Internet, please contact the Department at (561) 681-6600 to request the aforementioned forms and/or document(s).

SPECIFIC CONDITIONS - PRIOR TO CONSTRUCTION

(2) 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 Project Manager, Gregory Vazquez, by email Gregory.Vazquez@dep.state.fl.us, or by phone (561) 681-6620, to schedule the pre-construction conference. If the assigned Compliance Project Manager cannot be reached, the permittee shall contact the ERP Program Compliance/Enforcement section by phone (561) 681-6600, to schedule the pre-construction conference.

(3) Prior to the initiation of any work authorized by this permit, floating turbidity curtains with weighted skirts that extend to within one foot of the bottom shall be placed around the project site, and shall be maintained and remain in place for the duration of the project construction to ensure that turbid discharges do not occur outside the boundaries of the floating turbidity screens. The permittee shall be responsible for ensuring that turbidity control devices are inspected daily and maintained in good working order during all phases of construction authorized by this permit until all areas that were disturbed during construction are sufficiently stabilized to prevent turbid discharges.

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

(5) There shall be no storage or stockpiling of tools and materials (i.e., lumber, pilings, debris), along the shoreline adjacent to waters of the state. All 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. All construction equipment/tools and materials shall be transported to and from the site via upland roadways and barges and all equipment/tools and materials shall be stored on the uplands.

(6) All watercraft associated with the construction of the permitted activities shall only operate within waters of sufficient depth (one-foot clearance from the deepest draft of the vessel to the submerged bottom) so as to preclude bottom scouring or prop dredging.

(7) Dredging shall be conducted from a shallow draft barge with a fully loaded draft of no more than 36-inches. The material shall be mechanically dredged and deposited directly into a fully-lined barge with containment rails to hold the spoil and prevent return water from entering surface waters outside of the authorized impact area.

(8) The fill material shall be mechanically placed into the authorized impact area and shall not be indiscriminately dumped or released above the surface of the water to minimize water turbidity levels.

(9) All vessel movement, construction, and filling activities shall be limited to day light; no dredging or filling activities are authorized to be conducted at night, as turbidity plumes are not visible at night.

(10) If a floating pipeline is utilized to transport the dredged material, then it shall be inspected twice daily by the selected contractor in order to ensure there are no leaks discharging material into surface waters of the State. At the first sign of any leaks, the permittee shall immediately contact the Department and cease all operations until repairs have been made.

(11) All areas to be filled shall be in accordance with the attached permit drawings and shall not exceed the areas and elevations indicated on those drawings.

(12) The slope of the authorized fill areas shall not be steeper than 4:1 (horizontal:vertical).

(13) No dredging or filling of submerged grassbeds or live bottom communities is authorized by this permit.

SPECIFIC CONDITIONS – MONITORING/REPORTING REQUIREMENTS

(14) Turbidity levels outside the construction area shall not exceed 29 NTU's above background levels. The following measures shall be taken immediately by the permittee whenever turbidity levels within waters of the State surrounding the project site exceed 29 NTUs above background:

- a. Notify the Department at (561) 681-6600 at the time the violation is first detected.
- b. Immediately cease all work contributing to the water quality violation.
- c. Stabilize all exposed soils contributing to the violation. Modify the work procedures that were responsible for the violation, install more turbidity containment devices, and repair any non-functional turbidity containment devices.
- d. As required, perform turbidity monitoring per Specific Conditions.
- e. Resume construction activities once turbidity levels outside turbidity curtains fall below 29 NTUs.

(15) Water turbidity levels shall be monitored outside the limits of the required turbidity control devices during all construction and filling activities. Samples shall be taken every four hours at one foot above the bottom, mid-depth, and one-foot below the surface at monitoring stations located as follows:

- a. Approximately 100 feet up-current of the work sites and clearly outside the influence of construction activities. (This shall serve as the natural background sample against which other turbidity readings shall be compared.)
- b. Directly outside the turbidity curtains surrounding the work sites and within the densest portion of any visible turbidity plume. (This sample shall serve as the compliance sample.)

(16) During dredging and filling activities, the permittee or permittee's contractor shall collect the following turbidity monitoring data at the frequency and water depths directed by the Specific Condition above:

- a. Date and time of sampling event
- b. Turbidity sampling results (background NTUs, compliance NTUs, and the difference between them)
- c. Description of data collection methods
- d. An aerial map indicating the sampling locations
- e. Depth of sample(s)
- f. Weather conditions at times of sampling
- g. Tidal stage and direction of flow

Data shall be collected in a turbidity log and shall include a statement by the individual responsible for implementation of the sampling program attesting to the authenticity, precision, limits of detection, and accuracy of the data. The turbidity log shall be scanned and sent on a weekly basis to the Department's Compliance Project Manager, Gregory Vazquez, by email at Gregory.Vazquez@dep.state.fl.us. The subject line of the email shall include the project name, permit number, and the title "Turbidity Monitoring Reports."

SPECIFIC CONDITIONS – MANATEE CONDITIONS

(17) The permittee shall comply with the standard manatee protection construction conditions listed in the attached "2011 Standard Manatee Conditions for In-Water Work".

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.

SPECIAL CONSENT CONDITIONS

1) The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.

2) Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.

3) Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.

4) All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.

5) This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

GENERAL CONDITIONS FOR SOVEREIGNTY SUBMERGED LANDS AUTHORIZATION

Any use of sovereignty submerged lands is subject to the following general conditions are binding upon the applicant and are enforceable under Chapter 253, F.S.

(1) Sovereignty submerged lands may be used only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use will constitute a violation. Violation of the authorization will result in suspension or revocation of the applicant's use of the sovereignty submerged lands unless cured to the satisfaction of the Board of Trustees.

(2) Authorization under Rule 18-21.005, F.A.C., conveys no title to sovereignty submerged lands or water column, nor does it constitute recognition or acknowledgment of any other person's title to such land or water.

(3) Authorizations under Rule 18-21.005, F.A.C., may be modified, suspended or revoked in accordance with its terms or the remedies provided in Sections 253.04, F.S. and Chapter 18-14, F.A.C.

(4) Structures or activities will be constructed and used to avoid or minimize adverse impacts to resources.

(5) Construction, use, or operation of the structure or activity will not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.

(6) Structures or activities will not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity will be modified in accordance with the court's decision.

(7) Structures or activities will not create a navigational hazard.

(8) Structures will be maintained in a functional condition and will be repaired or removed if they become dilapidated to such an extent that they are no longer functional.

(9) Structures or activities will be constructed, operated, and maintained solely for water dependent purposes.

(10) The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.

(11) Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.

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(14) This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

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.

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Diane Pupa
Program Administrator
Permitting and Waste Cleanup
Southeast District

CERTIFICATE OF SERVICE

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

FDEP – Diane Pupa, Monica Sovacool, Rachel Hickey, Gregory Vazquez
Robert Webber, Town of Palm Beach Coastal Program Manager, Coastal@townofpalmbeach.com
Joseph Chaison, Applied Technology & Management, Inc., JChaison@appliedtm.com
USACOE- Palm Beach Gardens, Application-SP@usace.army.mil
Matt Mitchell, Palm Beach County, Environmental Resources, MMitchell@pbcgov.org
Lisa Gregg, FFWCC, Lisa.Gregg@myfwc.com

FILING AND ACKNOWLEDGMENT

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

Clerk

Date

Attachments:

Project Drawings and Design Specs., 6 pages
Standard Manatee Conditions for In-Water Work, 2011, can be downloaded at
http://myfwc.com/media/415448/Manatee_StdCondIn_waterWork.pdf

Project: Town of Palm Beach – Central Access Channel
Permit No.: 50-0328105-003-EM
Page 12 of 13

As-built Certification and Request for Conversion to Operational Phase Form 62-330.310(1)*

Request for Transfer to the Perpetual Operation Entity Form 62-330.310(2)*

Request to Transfer Permit Form 62-330.340(1)*

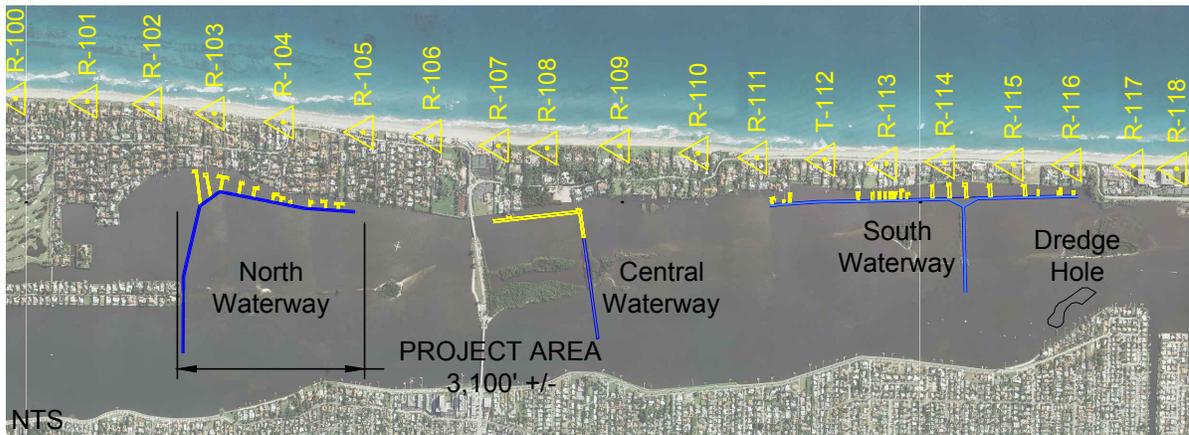
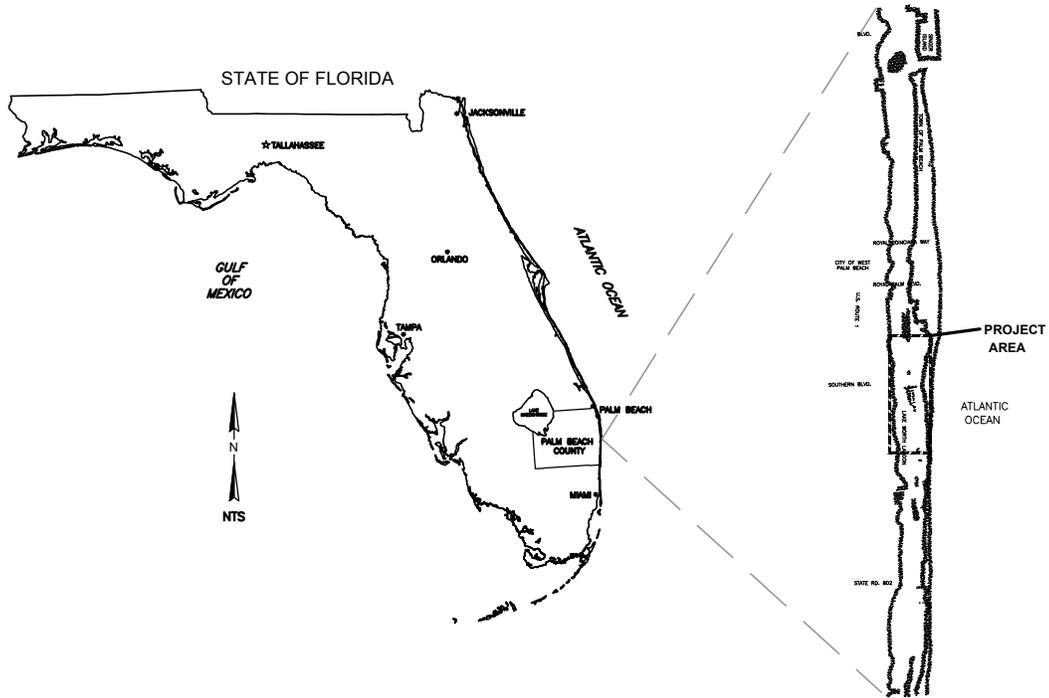
Commencement Notice Form 62-330.350(1)*

*Can be downloaded at: <http://www.dep.state.fl.us/water/wetlands/erp/forms.htm>

DRAFT

DRAFT

Lake Worth Lagoon Waterways Town of Palm Beach, Florida North Waterway



LOCATION: \\PB\BOP\5001\GROUPS\WESTPALMBEACH_SHARES\DRAWINGS\PROJECTS\13-2453_TOPB_WATERWAY_LAKE_WORTH_LAGOON\X\PERMIT-N\LOC_MAP.DWG

ATMSM
APPLIED TECHNOLOGY & MANAGEMENT

2047 Vista Parkway, Suite 201
West Palm Beach, FL 33411
(561) 659-0041
Certificate of Authorization #4669

Location Map

Lake Worth Lagoon Waterways
Town of Palm Beach, Florida
North Waterway

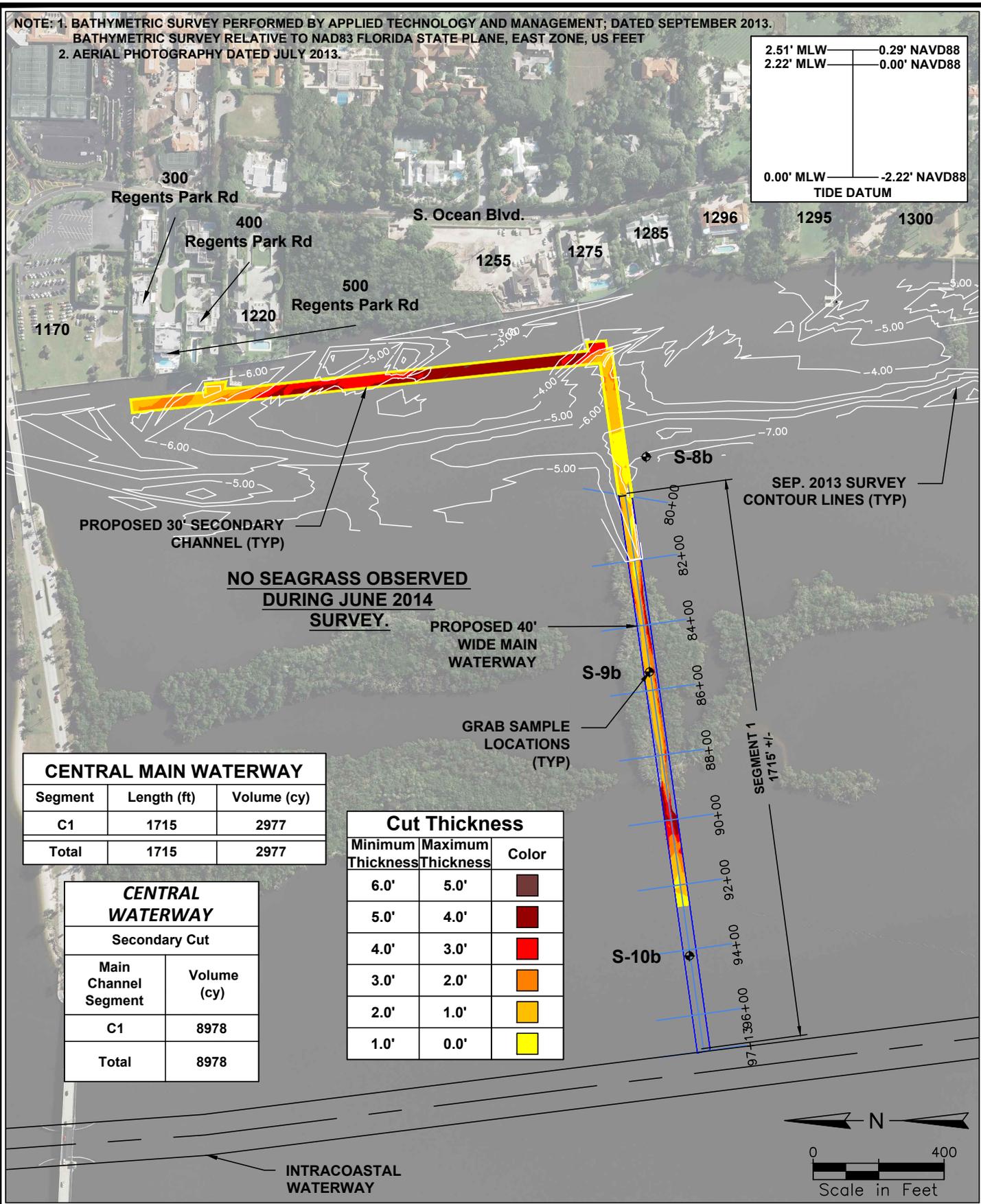
Sheet: 1 of 5

Job Number: 13-2453

Issue Date: 06-26-2014

NOTE: 1. BATHYMETRIC SURVEY PERFORMED BY APPLIED TECHNOLOGY AND MANAGEMENT, DATED SEPTEMBER 2013.
 BATHYMETRIC SURVEY RELATIVE TO NAD83 FLORIDA STATE PLANE, EAST ZONE, US FEET
 2. AERIAL PHOTOGRAPHY DATED JULY 2013.

2.51' MLW	0.29' NAVD88
2.22' MLW	0.00' NAVD88
TIDE DATUM	
0.00' MLW	-2.22' NAVD88



PROPOSED 30' SECONDARY CHANNEL (TYP)

NO SEAGRASS OBSERVED DURING JUNE 2014 SURVEY.

PROPOSED 40' WIDE MAIN WATERWAY

GRAB SAMPLE LOCATIONS (TYP)

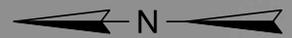
SEP. 2013 SURVEY CONTOUR LINES (TYP)

SEGMENT 1
1715' +/-

CENTRAL MAIN WATERWAY		
Segment	Length (ft)	Volume (cy)
C1	1715	2977
Total	1715	2977

Cut Thickness		
Minimum Thickness	Maximum Thickness	Color
6.0'	5.0'	
5.0'	4.0'	
4.0'	3.0'	
3.0'	2.0'	
2.0'	1.0'	
1.0'	0.0'	

CENTRAL WATERWAY	
Secondary Cut	
Main Channel Segment	Volume (cy)
C1	8978
Total	8978



INTRACOASTAL WATERWAY

LOCATION: \\PBIBOPF5001\GROUPS\WESTPALMBEACH_SHARES\DRAWINGS\PROJECTS\13-2453_TOPB_WATERWAY_LAKE_WORTH_LAGOON\PERMIT-CENTRAL_W-PLAN.DWG

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 West Palm Beach, FL 33411
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 Certificate of Authorization #4669

Central Waterway - Plan View

Lake Worth Lagoon Waterways
 Town of Palm Beach, Florida
 Central Waterway

Sheet: 2 of 4

Job Number: 13-2453

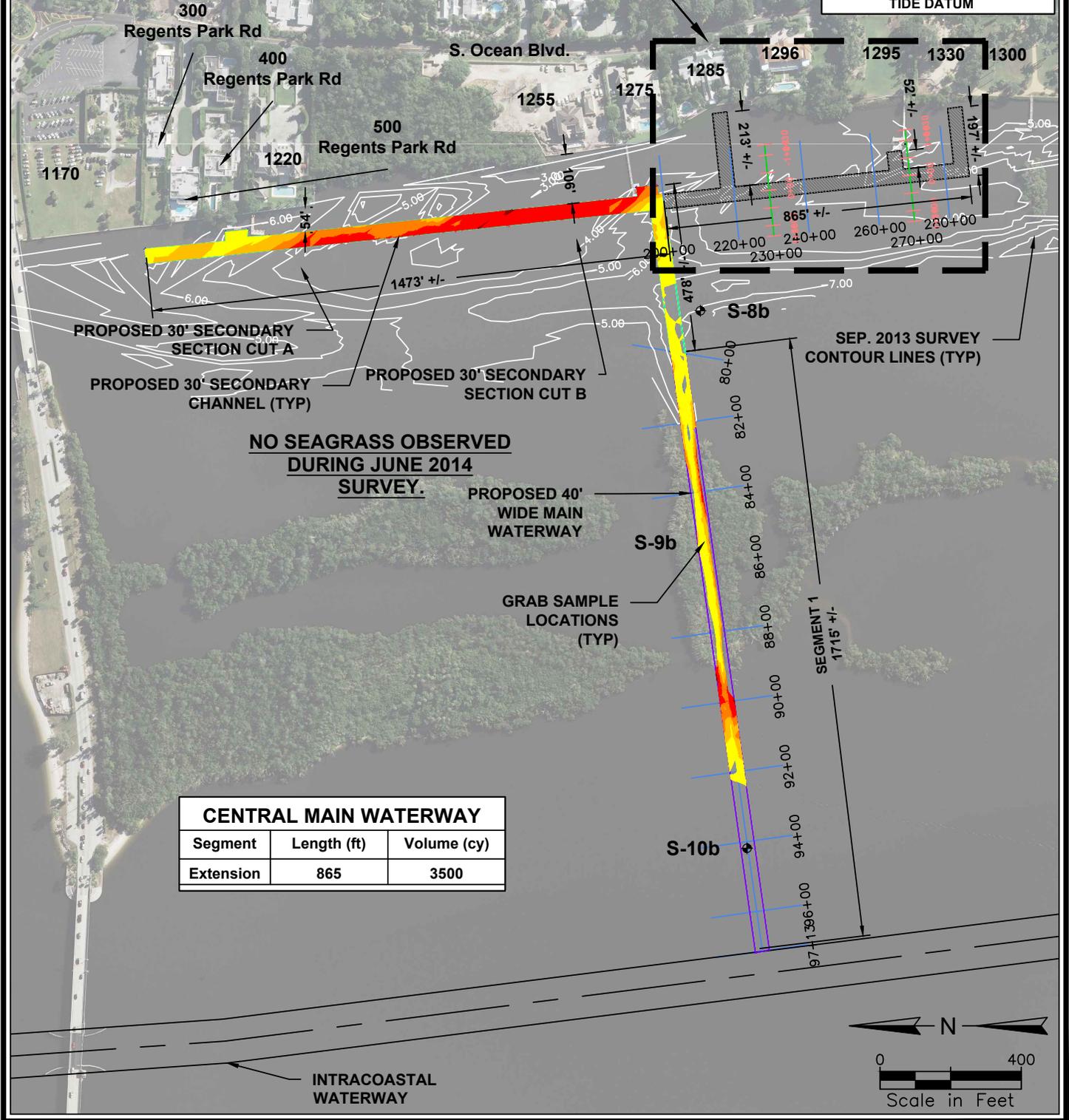
Issue Date: 06-26-2014

NOTE: 1. BATHYMETRIC SURVEY PERFORMED BY APPLIED TECHNOLOGY AND MANAGEMENT;
 DATED SEPTEMBER 2013.
 BATHYMETRIC SURVEY RELATIVE TO NAD83 FLORIDA STATE PLANE, EAST ZONE, US FEET
 2. AERIAL PHOTOGRAPHY DATED JULY 2013.

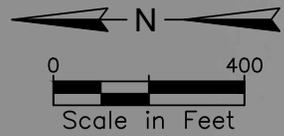
2.51' MLW	0.29' NAVD88
2.22' MLW	0.00' NAVD88
0.00' MLW	-2.22' NAVD88

TIDE DATUM

PERMIT MODIFICATION CHANNEL ADDITION AREA



CENTRAL MAIN WATERWAY		
Segment	Length (ft)	Volume (cy)
Extension	865	3500



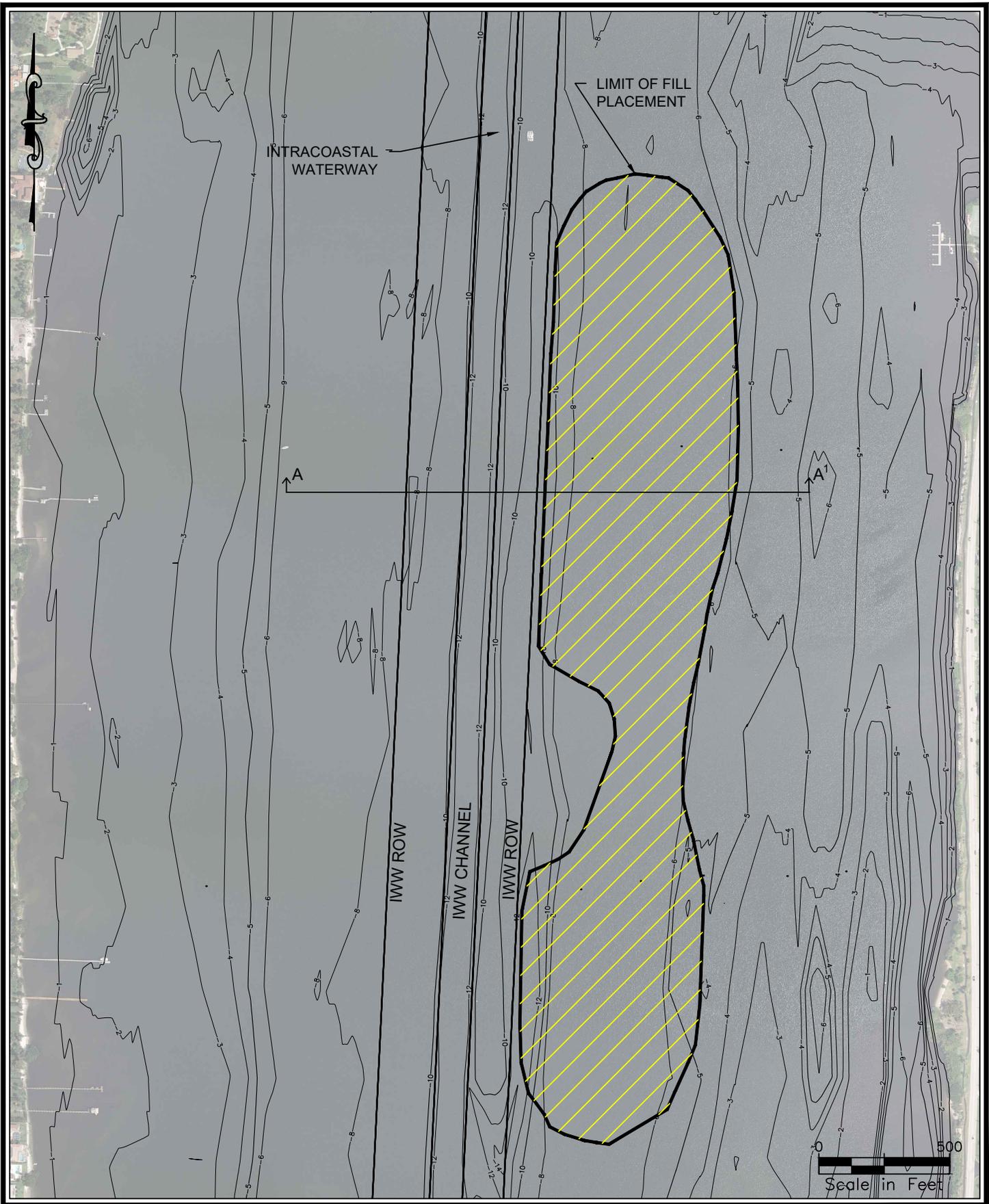
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 West Palm Beach, FL 33411
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 Certificate of Authorization #4669

**Central Waterway - Plan View
 Channel Extension**
 Lake Worth Lagoon Waterways
 Town of Palm Beach, Florida
 Central Waterway

Sheet: 2 of 7
 Job Number: 13-2453
 Issue Date: 06-26-2014

LOCATION: G:\WESTPALMBEACH\SHARES\DRAWINGS\PROJECTS\13-2453- TOPB WATERWAY LAKE WORTH LAGOON\BONEFISH COVE _PMP-2017\BONEFISH_COVE_TOPB_PMP-2017.DWG
DATE: 08/20/2017



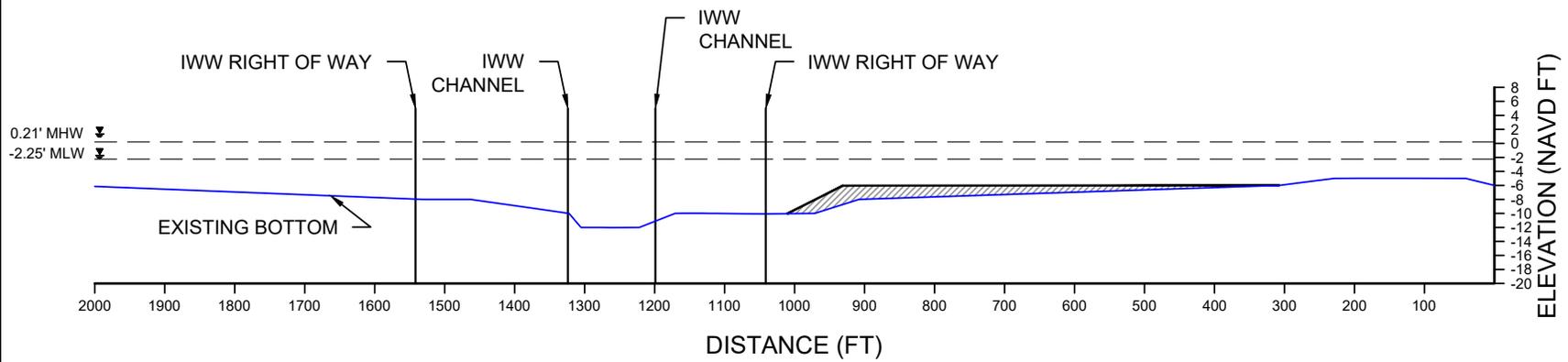
ATMSM
APPLIED TECHNOLOGY & MANAGEMENT

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West Palm Beach, FL 33411
(561) 659-0041
Certificate of Authorization #4669

Bonefish Cove
Plan View

Lake Worth Lagoon Waterways
Town of Palm Beach, Florida

CROSS-SECTION A-A'



LEGEND	
	SURVEY PROFILE
	FILL AREA

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<p>Bonefish Cove Profile View</p>	<p>Lake Worth Lagoon Waterways Town of Palm Beach, Florida</p>
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APPLIED TECHNOLOGY & MANAGEMENT

2047 Vista Parkway, Suite 201
 West Palm Beach, FL 33411
 (561) 689-0041
 Certificate of Authorization #4669

Town of Palm Beach
Lake Worth Lagoon Access Channel Maintenance Dredging Project
ERP Permit #'s 50-0328104-002 50-0328105-002 and 50-0328107-002

Dredging, Transport, Placement, and Turbidity Control

The following techniques, procedures, and sequencing will be undertaken for the excavation, transport, and placement of the dredged materials associated with the Lake Worth Lagoon Access Channel Maintenance Dredging Project.

Excavation and Transport

Excavation will be performed with barge-mounted mechanical (bucket) dredging equipment. The equipment will use GPS positioning to ensure conformance with the permitted dredging template. All dredged materials will be placed into barges with sealed containment for transport to the placement site.

Material Placement

Dredged materials will be mechanically offloaded from the sealed barges. All dredged materials will be placed within the delimited dredge hole placement site. A site-specific placement plan will be established to ensure equal and uniform filling of the dredge hole. The placement plan will involve the establishment of a grid within the placement site. Material will be equally distributed into the cells of the placement grid. The excavation and placement will be scheduled and performed to generally place finer materials into the placement site first and the sandy/shelly materials last. All materials will be released into the placement site from below the water surface.

Turbidity Control Measures

Turbidity curtains will be installed around the perimeter of the placement site. The curtains will be secured with temporary wood pilings or an equivalent anchoring system to ensure the stability of the system. Turbidity curtains will have a floating boom and weighted skirt extending within one foot of the bottom. The turbidity curtain system will incorporate a gate system to allow ingress/egress of sealed barges and equipment. The turbidity curtain will be monitored and maintained throughout the duration of the placement of all materials. Turbidity monitoring and reporting will be performed in conformance with permit conditions.