



Financial Management Department
Purchasing Division
1112 Manatee Ave W Suite 803
Bradenton, FL 34205
Phone: (941) 749-3014
www.mymanatee.org

December 11, 2014

TO: All Interested Bidders
SUBJECT: Invitation for Bids #14-3257CD
Fort Hamer Bridge Project with Road Improvements on Fort Hamer Road
and Upper Manatee River Road (U.M.R.R)

ADDENDUM #1

Bidders are hereby notified that this Addendum shall be acknowledged on page Bid Form-1 of the Bid Form and made a part of the above named bidding and contract documents. Bids submitted without acknowledgment of the Addendum will be considered incomplete.

The following items are issued to add to, modify, and clarify the bid and contract documents. These items shall have the same force and effect as the original bidding and contract documents, and cost involved shall be included in the bid prices. Bids to be submitted on the specified bid date, shall conform to the additions and revisions listed herein.

1. **CHANGE** Article C.01, Minimum Qualifications of Bidders, on page C-1 of the Invitation for Bid documents to read as follows:

C.01 MINIMUM QUALIFICATIONS OF BIDDERS

Each bidder must possess all licenses required (in accordance with Chapter 489 Florida Statutes) for the Work which is the subject of this bid; and, upon request, shall submit a true copy of all applicable licenses. **The bidding Contractor (company supplying the bid) shall be an FDOT Pre-Qualified Contractor in the category of "Major Bridge- Bridges of Conventional Construction which are over a water opening of 1,000 feet or more", or the bidding Contractor (company supplying the bid) shall be an FDOT Pre-Qualified Contractor in the category of "Roadway".**

If the bidding Contractor (company supplying the bid) is submitting a Bid using the FDOT category "Roadway" qualification criteria above, then they shall be required to use a subcontractor for the construction of the who is an FDOT Pre-Qualified Contractor in the category of "Major Bridge - Bridges of Conventional Construction which are over a water opening of 1,000 feet or more", and shall include this information with their Bid as part of their Contractor's Questionnaire.

The bidders corporate name, and the bridge subcontractor's corporate name if being used as a subcontractor, must appear in the State FDOT database in the category for which they are qualified under on the Bid due date. In addition, the certification(s) must be maintained throughout the duration of the project.

2. **CHANGE** the second paragraph of Article A.06, Clarification & Addenda, on page A-3 of the Invitation for Bid documents to read as follows:

5:00 PM on December 17, 2014 shall be the deadline to submit to the Purchasing Division, in writing, all inquiries, suggestions, or requests concerning interpretation, clarification or additional information pertaining to this IFB.

3. **CHANGE** the Due Date and Time to **Tuesday, January 13, 2015 at 3:00 PM.**

The following questions have been presented by potential bidders:

Question #1: Will a FDOT Qualified Road contractor be able to provide a proposal as a prime contractor for the Fort Hammer Bridge project, provided we have a subcontractor meeting the requirements of the FDOT Pre-qualified “Major Bridge – Bridges of Conventional Construction which are over a water opening of 1,000 feet or more”?

Response #1: Yes. Please see item #1 of this Addendum #1.

Question #2: Reference specifications Section Special Provisions, page 3, LABORATORY TESTING, please confirm that the Contractor will have to provide and pay for independent Quality Control personnel as discussed.

Response #2: Correct, the Contractor will be required to provide and pay for their quality control personnel.

Question #3: Please provide a bid item for Gopher Tortoise survey and relocation.

Response #3: The County will provide and pay for the Gopher Tortoise survey and relocation.

Question #4: Please confirm what type gasket material we are to provide for water mains that are less than 16-inches in diameter.

Response #4: Gaskets for potable water pipe shall be EPDM.

Question #5: The bid date is too close to coming off of the holidays and needs to be postponed three (3) weeks.

Response #5: Please see item #3 of this Addendum #1.

Question #6: Please provide an excel format of the bid form so we can import the data into our estimating software system and start working on the job.

Response #6: An interactive Excel Bid Form has been issued with this Addendum #1.

Question #7: During the pre-bid meeting yesterday I was clear that the County Rep (CEI) will be performing the pile drive testing and will provide to the contractor the pile driving installation plan. It is our understanding the contractor will be monitoring the pile installations together with the CEI (QA), however it is not clear for me who is going to certified the bridge foundation?

Response #7: The Contractor will be required to submit a pile installation plan to the owner's representative in accordance with Specification Section 455-10 no later than 30 days prior to driving the first test pile for review and approval. The owner's representative will provide pile dynamic testing services and will develop authorized production pile lengths and installation criteria in accordance with Specification Section 455-5.14.3. The owner's representative will provide inspection services during pile installation to verify that piles are installed to authorized installation criteria. As such, certification of the pile foundations will be done by the owner's representative.

Question #8: I just wanted to take this opportunity to express my concerns about the bid opening date of Jan. 6. For the most part the construction industry (subs, vendors and GC's) shut down at the close of business on Dec. 23 and do not return until Jan. 5, 2015. That leaves this week and next week to prepare the best possible bid for Manatee County. With the deadline for questions being Dec. 15 we may not have all the answers we need before the Holiday shut down. We encourage you to consider postponing the opening date a week or two. This will not conflict with the FDOT letting date which is Jan. 28.

Response #8: See item #3 of this Addendum #1.

Question #9: Can we get a copy of the permits?

Response #9: All permits listed on page 28 of the Special Provisions are attached to this Addendum #1.

END OF ADDENDUM #1

Bids will be received at Manatee County Purchasing, 1112 Manatee Avenue West, Bradenton, Florida 34205 until **Tuesday, January 13, 2015 at 3:00 PM.**

Sincerely,



Melissa M. Wendel, CPPO
Purchasing Official



Memorandum

Date: 7 July 2014

To: Kent Bontrager, P.E., Project Manager, Manatee County Public Works

From: Tom Pride, URS

Subject: Fort Hamer Bridge
State and Federal Permit Conditions
Environmental Resource Permit (ERP) No. 43041367.000
Department of the Army (DA) Permit No. SAJ-2010-02223 (SP-JPF)
U.S. Coast Guard (USCG) Bridge Permit No. 7-14-7

CC: Daren Carriere, P.E., URS
Sia Mollanazar, P.E., Manatee County Public Works

The above-referenced state and federal permits list General and Specific (Special) Conditions for construction and operation of the bridge over the Manatee River at Fort Hamer Road and Upper Manatee River Road. This memorandum discusses several conditions that are to be implemented either prior to or during construction of the project. Our purpose in discussing these conditions is to provide further clarification of the conditions, to facilitate scheduling of the start of construction, and to assist the County in maintaining compliance with the terms of the permits. It is important that the County and the construction contractor read, understand, and follow all permit conditions, including those not discussed in this memorandum. Copies of the ERP, DA Permit, and USCG Bridge Permit are provided in Attachments 1 through 3, respectively.

Prior to Construction

The following conditions are to be fulfilled prior to the start of project construction.

- DA Permit Special Condition 6 requires implementation of the U.S. Fish and Wildlife Service's August 12, 2013 Eastern Indigo Snake Protection Measures, a copy of which is provided in the DA Permit in Attachment 2. These measures, in part, require the excavation of all active and inactive gopher tortoise burrows within the project limits "prior to site manipulation." Additionally, Florida Fish and Wildlife Conservation Commission (FWC) rules require a pre-construction survey and removal of all gopher tortoises within the project limits prior to any ground-disturbing activity. To comply with this condition, the County should retain the services of an FWC-authorized Gopher Tortoise Agent to conduct the pre-construction gopher tortoise survey. If any gopher tortoise burrows are observed within the project limits, the burrows should be excavated and any gopher tortoises relocated pursuant to current FWC rules. We recommend that the pre-construction gopher tortoise survey be conducted between 60 and 90 days prior to the planned start of construction to allow adequate time for permitting and excavation in the event burrows are observed within the project area.
- A requirement of the August 12, 2013 Eastern Indigo Snake Protection Measures is a pre-construction notification to the U.S. Fish and Wildlife Service, as follows: *At least 30 days prior to any clearing/land alteration activities, the applicant shall notify the appropriate USFWS Field Office via e-mail that the Plan will be implemented as described below...* The construction contractor should review the requirements of the

August 12, 2013 Eastern Indigo Snake Protection Measures, prepare the required educational poster and brochures, and implement the Measures as required. The County should ensure that the U.S. Fish and Wildlife Service is notified as described above.

- ERP Specific Condition 2 requires the County, prior to construction, to inform the Southwest Florida Water Management District (SWFWMD) in writing of the name, address, and phone number of the Florida-registered professional engineer who will conduct on-site observations during construction.
- ERP General Condition D requires the County, *at least 48 hours prior to beginning the authorized activities... [to] submit to the Agency [SWFWMD] a fully executed Form 62-330.350(1), "Construction Commencement Notice...indicating the expected start and completion dates.*
- ERP Specific Condition 4 requires the following to be "clearly delineated" on the site prior to initial clearing or grading activities:
 - Wetland and surface water areas, and
 - Limits of approved wetland impacts.
- ERP Specific Condition 7 lists the Manatee Construction Conditions. An important point of this condition is that *all personnel associated with the project* are to be instructed about the presence of manatees, vessel speed zones, and are responsible for observing water-related activities for the presence of manatees. This condition also requires the posting of manatee signs prior to the start of construction.
- ERP Specific Condition 19 requires the County to provide proof of credit purchase from the Tampa Bay Mitigation Bank *prior to the construction of wetland impacts.*

Initiation of Construction

- DA Permit Special Condition 2 requires the County to provide the U.S. Army Corps of Engineers (USACE) a written notification of the date of commencement of work within 10 days from the date of initiating the authorized work.
- DA Permit Special Condition 4 requires the County, within 30 days of initiating the authorized work, to provide verification to the USACE that the required credits have been purchased from the Tampa Bay Mitigation Bank.
- ERP Specific Condition 20 requires implementation of the project-specific Water Quality Monitoring Plan (Attachment 4). Although page 3 of the ERP states that a mixing zone is not required, the Water Quality Monitoring Plan does require background and down-current sample collection stations. The Water Quality Monitoring Plan provides details for sample collection and reporting.
- ERP Specific Conditions 20 and 21 require a qualified archaeologist be present during all earth-disturbing activities (including staging) that takes place within the boundaries of

Fort Hamer Archaeological Site 8MA315. A figure outlining this area is contained in Attachment 5.

- Condition 3 of the USCG Bridge Permit references compliance with regulations under jurisdiction of the National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (FWS). As part of the permit application process, the USCG was required to consult with these two agencies under Section 7 of the Endangered Species Act. The Section 7 process resulted in the following conditions from the NMFS and FWS:
 - The NMFS requires Manatee County and the construction contractor to implement and comply with the NMFS's *Sea Turtle and Smalltooth Sawfish Construction Conditions*. A copy of the NMFS Section 7 letter and the *Sea Turtle and Smalltooth Sawfish Construction Conditions* is contained in Attachment 6.
 - The FWS requires:
 - All construction vessels to operate at "slow speed/no wake" within 0.5-mile upstream and downstream of the construction site;
 - Qualified manatee observers stationed in place to observe the river during all in-water construction;
 - If a manatee or dolphin is observed within 0.25-mile of a pile-driving operation, work is to cease until the animal leaves the area on its own;
 - All pile-driving to occur during daylight hours only;
 - Movement of barges and other vessels to be minimized during night-time hours;
 - Grating to be installed over any existing or proposed pipes or culverts eight inches to eight feet in diameter that may be accessible to manatees; and
 - Mooring bumpers (fenders) to be in place between vessels where there is a possibility of a manatee being crushed between two moored vessels.

A copy of the FWS Section 7 letter is contained in Attachment 7.

Attachments

Attachment 1 – Environmental Resource Permit (ERP) No. 43041367.000

Attachment 2 – Department of the Army (DA) Permit No. SAJ-2010-02223 (SP-JPF)

Attachment 3 – U.S. Coast Guard (USCG) Bridge Permit No. 7-14-7

Attachment 4 – Water Quality Monitoring Plan

Attachment 5 – Fort Hamer Archaeological Site 8MA315

Attachment 6 – NMFS Section 7 Letter

Attachment 7 – FWS Section 7 Letter

ATTACHMENT 1
ENVIRONMENTAL RESOURCE PERMIT
(ERP) NO. 43041367.000



Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899

(352) 796-7211 or 1-800-423-1476 (FL only)

SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)

On the Internet at: WaterMatters.org

An Equal
Opportunity
Employer

Bartow Service Office
170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Service Office
6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Service Office
7601 Highway 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

April 03, 2014

Manatee County Public Works
Attn: Sia Mollanazar, P.E.
1022 26th Avenue East
Bradenton, FL 34208

Subject: **Consolidated Notice of Intended Agency Action
ERP Individual Construction and State-Owned Submerged Lands
Public Easement**

B.O.T. File No: N/A
SOV Record No: 40134.0
Project Name: Bridge over the Manatee River at Fort Hamer Road
App ID/Permit No: 684326 / 43041367.000
County: MANATEE
Sec/Twp/Rge: S20/T34S/R19E, S19/T34S/R19E, S17/T34S/R19E

Dear Permittee(s):

Your Environmental Resource Permit has been approved contingent upon no objection to the District's action being received by the District within the time frames described in the enclosed Notice of Rights. The District has requested that the Department of Environmental Protection's Recurring Revenue Section of the Bureau of Public Land Administration prepare the Standard Lease instrument. A permit condition prohibits construction on the sovereign submerged lands until this instrument has been fully executed.

If approved construction plans are part of the permit, construction must be in accordance with these plans. These drawings are available for viewing or downloading through the District's Application and Permit Search Tools located at www.WaterMatters.org/permits.

The District's action in this matter only becomes closed to future legal challenges from members of the public if such persons have been properly notified of the District's action and no person objects to the District's action within the prescribed period of time following the notification. The District does not publish notices of intended agency action. If you wish to limit the time within which a person who does not receive actual written notice from the District may request an administrative hearing regarding this action, you are strongly encouraged to publish, at your own expense, a notice of intended agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Publishing notice of intended agency action will close the window for filing a petition for hearing. Legal requirements and instructions for publishing notice of intended agency action, as well as a noticing form that can be used is available from the District's website at www.WaterMatters.org/permits/noticing. If you publish notice of intended agency action, a copy of the affidavit of publishing provided by the newspaper should be sent to the District's Tampa Service Office, for retention in the File of Record for this agency action.

If you have questions, please contact Rob McDaniel, at the Tampa Service Office, extension 2039. For assistance with environmental concerns, please contact Blake Meinecke, extension 2141.

Sincerely,

Michelle K. Hopkins, P.E.
Bureau Chief
Environmental Resource Permit Bureau
Regulation Division

Enclosures: Approved Permit w/Conditions Attached
Statement of Completion
Notice of Authorization to Commence Construction
Notice of Rights

cc: U. S. Army Corps of Engineers
Manatee County Public Works
Daren Carriere, P.E., URS Corporation

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
CONSOLIDATED ENVIRONMENTAL RESOURCE PERMIT (ERP) AND
STATE-OWNED SUBMERGED LAND AUTHORIZATION (SL)
INDIVIDUAL CONSTRUCTION
PERMIT NO. 43041367.000
AND
STATE-OWNED SUBMERGED LANDS PUBLIC EASEMENT**

EXPIRATION DATE: April 03, 2019
SL EXPIRATION DATE:

PERMIT ISSUE DATE: April 03, 2014

This permit is issued under the provisions of Chapter 373, Florida Statutes, (F.S.), and the Rules contained in Chapter 62-330, Florida Administrative Code, (F.A.C.). The permit authorizes the Permittee to proceed with the construction of a surface water management system in accordance with the information outlined herein and shown by the application, approved drawings, plans, specifications, and other documents, attached hereto and kept on file at the Southwest Florida Water Management District (District). Unless otherwise stated by permit specific condition, permit issuance constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341. All construction, operation and maintenance of the surface water management system authorized by this permit shall occur in compliance with Florida Statutes and Administrative Code and the conditions of this permit.

Authorization is granted to use state-owned submerged lands as outlined herein and shown by the application, approved drawings, plans, and other documents attached hereto and kept on file at the District under the provisions of Chapters 253 and 258, F.S., and Chapters 18-20 and 18-21, F.A.C., as well as the policies of the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees). This approval does not disclaim any title interests that the Board of Trustees may have in the project site. Any subsequent authorizations by the Board of Trustees or its designated agents may contain conditions necessary to satisfy the fiduciary responsibilities of the Board of Trustees as well as other applicable statutory or rule requirements implemented by the Department of Environmental Protection's Division of State Lands or other governmental agencies authorized by Florida Statutes.

PROJECT NAME: Bridge over the Manatee River at Fort Hamer Road

GRANTED TO: Manatee County Public Works
Attn: Sia Mollanazar, P.E.
1022 26th Avenue East
Bradenton, FL 34208

OTHER PERMITTEES: N/A

ABSTRACT: This Individual permit is for the construction of a surface water management system to serve 1.50 miles of new roadway. The proposed construction includes a new bridge over the Manatee River connecting Ft. Hamer Road on the north and Upper Manatee River Road on the south. Two wet detention ponds will provide stormwater treatment for a presumptive volume of one inch of runoff. The project is located within the watershed of an Impaired Water Body, Manatee River Below Dam (WBID 1848B), which is listed as impaired for mercury. Therefore, water quality certification is waived as a condition of this permit. The Engineer-of-Record has provided dynamic modeling calculations demonstrating discharges from the project will not cause adverse water quantity impacts. The calculations also demonstrate the elevation of the 100-year floodplain will not be increased as a result of the proposed activity. The project is located in Manatee County.

OP. & MAIN. ENTITY: Manatee County Public Works

OTHER OP. & MAIN. ENTITY: N/A

COUNTY: MANATEE

WATERBODY NAME: MANATEE RIVER

AQUATIC PRESERVE: Non Applicable

SEC/TWP/RGE:	S20/T34S/R19E, S19/T34S/R19E, S17/T34S/R19E
TOTAL ACRES OWNED OR UNDER CONTROL:	47.70
PROJECT SIZE:	47.70 Acres
LAND USE:	Road Projects
DATE APPLICATION FILED:	July 29, 2013
AMENDED DATE:	N/A

I. Water Quantity/Quality

POND No.	Area Acres @ Top of Bank	Treatment Type
South	2.48	MAN-MADE WET DETENTION
North	2.03	MAN-MADE WET DETENTION
	Total: 4.51	

Water Quantity/Quality Comments:

Presumptive criteria were utilized in determining the required treatment volume for the project. In lieu of peak discharge rate attenuation calculations, dynamic stormwater modeling was performed demonstrating that discharges from the project area will not cause adverse water quantity impacts.

A mixing zone is not required.

A variance is not required.

II. 100-Year Floodplain

Encroachment (Acre-Feet of fill)	Compensation (Acre-Feet of excavation)	Compensation Type	Encroachment Result* (feet)
11.61	11.61	Storage Modeling	N/A
0.57	0.57	Storage Modeling	N/A

Floodplain Comments:

Dynamic stormwater modeling was performed using HEC-RAS to demonstrate no impacts to the 100-year floodplain will occur as a result of the proposed activity. A signed and sealed certification of No Impact and No Rise within the FEMA Floodway was provided with the calculations.

*Depth of change in flood stage (level) over existing receiving water stage resulting from floodplain encroachment caused by a project that claims Minimal Impact type of compensation.

III. Environmental Considerations

Wetland/Other Surface Water Information

Wetland/Other Surface Water Name	Total Acres	Not Impacted Acres	Permanent Impacts		Temporary Impacts	
			Acres	Functional Loss*	Acres	Functional Loss*
Wetland 1	2.57	0.00	2.57	1.16	0.00	0.00
Wetland 1 (Secondary)	0.19	0.00	0.19	0.01	0.00	0.00
Wetland 2	1.38	0.99	0.24	0.07	0.15	0.00
Wetland 2 (Secondary)	0.25	0.00	0.25	0.01	0.00	0.00
Wetland 3	2.39	1.11	0.82	0.32	0.46	0.00
Wetland 3 (Secondary)	0.78	0.00	0.78	0.02	0.00	0.00
Wetland 4	0.14	0.10	0.03	0.01	0.01	0.00
Wetland 4 (Secondary)	0.06	0.00	0.06	0.00	0.00	0.00
Ditch 1	0.52	0.00	0.52	0.00	0.00	0.00
Ditch 2	0.09	0.00	0.09	0.00	0.00	0.00
Ditch 4	0.35	0.00	0.35	0.00	0.00	0.00
Ditch 5	0.17	0.00	0.17	0.00	0.00	0.00
River 1a	1.42	1.30	0.12	0.00	0.00	0.00
River 1b	1.81	1.78	0.03	0.00	0.00	0.00
Ditch 3	0.24	0.00	0.24	0.00	0.00	0.00
Total:	12.36	5.28	6.46	1.60	0.62	0.00

* For impacts that do not require mitigation, their functional loss is not included.

Wetland/Other Surface Water Comments:

There are 6.48 acres of wetlands located within the project area for this ERP. Permanent filling/dredging/shading impacts to 1.98 acres of Wetland 1 (FLUCCS 631/617), 0.24 acre of Wetland 2 (FLUCCS 642/631), 0.82 acre of Wetland 3 (FLUCCS 642/615/612), and 0.03 acre of Wetland 4 (FLUCCS 642) will occur for construction of a bridge and approaches.

Permanent filling/dredging/shading impacts to 3.07 acres of qualifying wetlands were evaluated using the Uniform Mitigation Assessment Method (UMAM) as required pursuant to Chapter 62-345, F.A.C. The results of the UMAM analysis indicate a functional loss of 1.56 units due to the permanent impacts proposed. Temporary filling/dredging impacts to 0.62 acre of wetlands will occur for the installation of a temporary work trestle. Re-vegetation of the temporarily impacted wetland areas is to occur via natural recruitment. Secondary wetland impacts to 1.28 acres of qualifying offsite wetlands were evaluated using the UMAM as required pursuant to Chapter 62-345, F.A.C. The results of the Secondary UMAM analysis indicate a functional loss of 0.40 unit due to the secondary impacts associated with the project. The results of the UMAM analysis identify a total functional loss of 1.60 unit due to the project's proposed permanent and secondary wetland impacts.

There are 4.59 acres of other surface waters features, consisting of 1.37 acres of upland cut ditches (FLUCCS 510), and 3.22 acres of the Manatee River (FLUCCS 510), located within the project area. Permanent dredging and filling impacts to 1.52 acres of the project surface waters will occur for construction of a bridge.

Mitigation Information

Name	Creation		Enhancement		Preservation		Restoration		Enhancement +Preservation		Other	
	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain
Tampa Bay Mitigation Bank	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.60
Total:	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.60

Mitigation Comments:

Wetland mitigation for permanent dredging, filling, and shading impacts will be provided by the withdrawal of 1.3 tidal marsh credits and 0.3 estuarine herbaceous credits from the Tampa Bay Mitigation Bank, ERP No. 43020546.01. The results of the UMAM analysis indicate a relative functional gain of 1.60. The UMAM analysis determined that the mitigation provided by the permit adequately offsets the project's proposed impacts to functional wetland habitat. The applicant has requested to pursue purchasing mitigation bank credits from the Tampa Bay Mitigation Bank to offset proposed functional losses. Since this bank is located in a different drainage basin, the applicant has conducted a cumulative impact analysis to provide the required reasonable assurance that proposed impacts will not have unacceptable cumulative impact on similar type wetlands within the basin.

Wetland mitigation is not required for permanent filling impacts to the upland cut ditches pursuant to Subsection 10.2.2.2 of the Environmental Resource Permit Applicant's Handbook Volume I (A.H.V.I). Under this Subsection, wetland mitigation is not required for impacts to drainage ditches that were constructed in uplands and do not provide significant habitat for threatened or endangered species and were not constructed to divert natural stream flow.

IV. State-Owned Submerged Lands

Activity	Preempted Area	Dredged	Shoreline Length (Lin. Ft.)
Public Easement	326700		
Totals:	326700		

Specific Conditions

1. If the ownership of the project area covered by the subject permit is divided, with someone other than the Permittee becoming the owner of part of the project area, this permit shall terminate, pursuant to Rule 40D-1.6105, F.A.C. In such situations, each land owner shall obtain a permit (which may be a modification of this permit) for the land owned by that person. This condition shall not apply to the division and sale of lots or units in residential subdivisions or condominiums.
2. The Permittee shall retain the design engineer, or other professional engineer registered in Florida, to conduct on-site observations of construction and assist with the as-built certification requirements of this project. The Permittee shall inform the District in writing of the name, address and phone number of the professional engineer so employed. This information shall be submitted prior to construction.
3. Wetland buffers shall remain in an undisturbed condition except for approved drainage facility construction/maintenance. No work, construction, maintenance, clearing, filling or any other type of activities may be undertaken within the wetlands, wetland buffers, or drainage easements described in the approved permit, unless prior approval is received from the Southwest Florida Water Management District.
4. The following boundaries, as shown on the approved construction drawings, shall be clearly delineated on the site prior to initial clearing or grading activities:

wetland and surface water areas

limits of approved wetland impacts

The delineation shall endure throughout the construction period and be readily discernible to construction and District personnel.
5. All wetland and surface water boundaries shown on the approved construction drawings shall be binding upon the Permittee and the District for the term of this permit. If this permit is extended, the wetland and surface water boundaries shall only remain binding for the term of such extension provided that physical conditions on the property, as solely determined by District staff, do not change so as to alter the boundaries of the delineated wetlands or other surface waters during the permit term, unless such change has been authorized by a permit issued under Part IV, Chapter 373, F.S.
6. The removal of littoral shelf vegetation (including cattails) from wet detention ponds is prohibited unless otherwise approved by the District. Removal includes dredging, the application of herbicide, cutting, and the introduction of grass carp. Any questions regarding authorized activities within the wet detention ponds shall be addressed to the District's Engineering Manager at the Tampa Service Office.
7. 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 4-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 Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. 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 and to FWC at ImperiledSpecies@myFWC.com.

f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs shall be removed by the Permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. 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. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.

8. Certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341 is waived.
9. If limestone bedrock is encountered during construction of the surface water management system, the District must be notified and construction in the affected area shall cease.
10. The Permittee shall notify the District of any sinkhole development in the surface water management system within 48 hours of discovery and must submit a detailed sinkhole evaluation and repair plan for approval by the District within 30 days of discovery.
11. The Permitted Plan Set for this project includes: Plan Sheets 14,15, 24, and 59 from the submittal received by the District on February 17, 2014; Plan Sheets 12, 13, 16, 55-58, 93-96, and 99-105 from the submittal received by the District on February 21, 2014; the remaining sheets from the submittal received by the District on November 19, 2013.
12. The operation and maintenance entity shall provide for the inspection of the permitted project after conversion of the permit to the operation and maintenance phase. For systems utilizing

retention or wet detention, the inspections shall be performed five (5) years after operation is authorized and every five (5) years thereafter.

The operation and maintenance entity must maintain a record of each inspection, including the date of inspection, the name and contact information of the inspector, whether the system was functioning as designed and permitted, and make such record available upon request of the District.

Within 30 days of any failure of a stormwater management system or deviation from the permit, an inspection report shall be submitted using Form 62-330.311(1), "Operation and Maintenance Inspection Certification" describing the remedial actions taken to resolve the failure or deviation.

13. District staff must be notified in advance of any proposed construction dewatering. If the dewatering activity is likely to result in offsite discharge or sediment transport into wetlands or surface waters, a written dewatering plan must either have been submitted and approved with the permit application or submitted to the District as a permit prior to the dewatering event as a permit modification. A water use permit may be required prior to any use exceeding the thresholds in Chapter 40D-2, F.A.C.
14. Off-site discharges during construction and development shall be made only through the facilities authorized by this permit. Water discharged from the project shall be through structures having a mechanism suitable for regulating upstream stages. Stages may be subject to operating schedules satisfactory to the District.
15. The permittee shall complete construction of all aspects of the surface water management system, including wetland compensation (grading, mulching, planting), water quality treatment features, and discharge control facilities prior to beneficial occupancy or use of the development being served by this system.
16. The following shall be properly abandoned and/or removed in accordance with the applicable regulations:
 - a. Any existing wells in the path of construction shall be properly plugged and abandoned by a licensed well contractor.
 - b. Any existing septic tanks on site shall be abandoned at the beginning of construction.
 - c. Any existing fuel storage tanks and fuel pumps shall be removed at the beginning of construction
17. All surface water management systems shall be operated to conserve water in order to maintain environmental quality and resource protection; to increase the efficiency of transport, application and use; to decrease waste; to minimize unnatural runoff from the property and to minimize dewatering of offsite property.
18. This permit is valid only for the specific processes, operations and designs indicated on the approved drawings or exhibits submitted in support of the permit application. Any substantial deviation from the approved drawings, exhibits, specifications or permit conditions, including construction within the total land area but outside the approved project area(s), may constitute grounds for revocation or enforcement action by the District, unless a modification has been applied for and approved. Examples of substantial deviations include excavation of ponds, ditches or sump areas deeper than shown on the approved plans.
19. The Permittee shall ensure that prior to the construction of wetland impacts, a letter modification for the Tampa Bay Mitigation Bank, ERP No. 43020546.001 shall be submitted to the District requesting the withdrawal of marsh credit for the Bridge over the Manatee River at Fort Hamer

Road project. The letter modification request shall reference the project name, Bridge over the Manatee River at Fort Hamer Road and ERP No. 43041367.000. Failure to submit this letter modification requesting a credit withdrawal from the bank prior to the commencement of wetland impacts shall be a violation of this permit.

20. The permittee shall implement and conduct water quality monitoring as outlined in the "Attachment H - Water Quality Monitoring Plan" received by the District on November 19, 2013.
21. A qualified archeologist must be present to monitor during any construction or staging that takes place within the boundaries of Fort Hamer Archeological Site 8MA315. The archaeologist shall have the authority to stop project activities if significant archaeological artifacts or other cultural remains are encountered, or direct the project operation to shift to another area away from such resources. This discretionary power will enable the archaeologist to determine measures that must be taken to stop or minimize impacts to the discovery, or measures necessary to document and recover the archaeological resources in a professional manner. The archaeologist shall contact the Division of Historical Resources to consult as is deemed necessary. When the archaeologist completes documentation and/or recovery measures the project activities can continue.
22. At project completion, the archaeological monitor shall compile a monitoring report and updated Florida Master Site File archaeological site form for 8MA315 (including an electronic copy) and forward these to the Bureau of Historic Preservation – Compliance and Review Office.

GENERAL CONDITIONS

1. The general conditions attached hereto as Exhibit "A" are hereby incorporated into this permit by reference and the Permittee shall comply with them.

PROPRIETARY GENERAL CONDITIONS

1. The general conditions attached hereto as Exhibit "B" are hereby incorporated by reference and the Permittee shall comply with them.

Michelle K. Hopkins, P.E.

Authorized Signature

EXHIBIT A

GENERAL CONDITIONS:

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

- a. 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., or the permit may be revoked and the permittee may be subject to enforcement action.
- b. 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.
- c. 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(8)(b)5, F.A.C., unless a projectspecific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
- d. 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,"[effective date], incorporated by reference herein (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), 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.
- e. 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.
- f. 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:
 1. 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
 2. For all other activities - "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
 3. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
- g. If the final operation and maintenance entity is a third party:
 1. 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.

2. 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.
- h. 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.
- i. This permit does not:
 1. 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.;
 2. Convey to the permittee or create in the permittee any interest in real property;
 3. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 4. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
- j. 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.
- k. 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.
- l. The permittee shall notify the Agency in writing:
 1. Immediately if any previously submitted information is discovered to be inaccurate; and
 2. 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.
- m. 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.
- n. 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. (2012).

- o. 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.
 - p. 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.
 - q. 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.
 - r. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.
2. In addition to those general conditions in subsection (1) above, the Agency shall impose any additional project-specific special conditions necessary to assure the permitted activities will not be harmful to the water resources, as set forth in Rules 62-330.301 and 62-330.302, F.A.C., Volumes I and II, as applicable, and the rules incorporated by reference in this chapter.

EXHIBIT B

PROPRIETARY GENERAL CONDITIONS

1. Authorizations are valid 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 shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the state-owned submerged land unless cured to the satisfaction of the Board.
2. Authorizations convey no title to state-owned submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.
3. Authorizations may be modified, suspended or revoked in accordance with their terms or the remedies provided in Sections 253.04 and 258.46, F.S., or Chapter 18-14, FAC.
4. Structures or activities shall be constructed and used to avoid or minimize adverse impacts to state-owned submerged lands and resources.
5. Construction, use, or operation of the structure or activity shall 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, FAC.
6. Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.
7. Structures or activities shall not create a navigational hazard.
8. Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of Rule 18-21.005, FAC., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.
9. Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under paragraph 18-21.004 (1)(f), F.A.C., or any other applicable law.

SOUTHWEST FLORIDA
WATER MANAGEMENT DISTRICT

NOTICE OF
AUTHORIZATION
TO COMMENCE CONSTRUCTION

Bridge over the Manatee River at Fort Hamer Road

PROJECT NAME

Road Projects

PROJECT TYPE

MANATEE

COUNTY

S20/T34S/R19E, S19/T34S/R19E, S17/T34S/R19E

SEC(S)/TWP(S)/RGE(S)

Manatee County Public Works

PERMITTEE

APPLICATION ID/PERMIT NO: 684326 / 43041367.000

DATE ISSUED: April 03, 2014



Michelle K. Hopkins, P.E.

Issuing Authority

THIS NOTICE SHOULD BE CONSPICUOUSLY
DISPLAYED AT THE SITE OF THE WORK

Notice of Rights

ADMINISTRATIVE HEARING

1. You or any person whose substantial interests are or may be affected by the District's intended or proposed action may request an administrative hearing on that action by filing a written petition in accordance with Sections 120.569 and 120.57, Florida Statutes (F.S.), Uniform Rules of Procedure Chapter 28-106, Florida Administrative Code (F.A.C.) and District Rule 40D-1.1010, F.A.C. Unless otherwise provided by law, a petition for administrative hearing must be filed with (received by) the District within 21 days of receipt of written notice of agency action. "Written notice" means either actual written notice, or newspaper publication of notice, that the District has taken or intends to take agency action. "Receipt of written notice" is deemed to be the fifth day after the date on which actual notice is deposited in the United States mail, if notice is mailed to you, or the date that actual notice is issued, if sent to you by electronic mail or delivered to you, or the date that notice is published in a newspaper, for those persons to whom the District does not provide actual notice.
2. Pursuant to Subsection 373.427(2)(c), F.S., for notices of intended or proposed agency action on a consolidated application for an environmental resource permit and use of state-owned submerged lands concurrently reviewed by the District, a petition for administrative hearing must be filed with (received by) the District within 14 days of receipt of written notice.
3. Pursuant to Rule 62-532.430, F.A.C., for notices of intent to deny a well construction permit, a petition for administrative hearing must be filed with (received by) the District within 30 days of receipt of written notice of intent to deny.
4. Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days of receipt or other period as required by law waives the right to request a hearing on such matters.
5. Mediation pursuant to Section 120.573, F.S., to settle an administrative dispute regarding District intended or proposed action is not available prior to the filing of a petition for hearing.
6. A request or petition for administrative hearing must comply with the requirements set forth in Chapter 28-106, F.A.C. A request or petition for a hearing must: (1) explain how the substantial interests of each person requesting the hearing will be affected by the District's intended action or proposed action, (2) state all material facts disputed by the person requesting the hearing or state that there are no material facts in dispute, and (3) otherwise comply with Rules 28-106.201 and 28-106.301, F.A.C. Chapter 28-106, F.A.C. can be viewed at www.flrules.org or at the District's website at www.WaterMatters.org/permits/rules.
7. A petition for administrative hearing is deemed filed upon receipt of the complete petition by the District Agency Clerk at the District's Tampa Service Office during normal business hours, which are 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding District holidays. Filings with the District Agency Clerk may be made by mail, hand-delivery or facsimile transfer (fax). The District does not accept petitions for administrative hearing by electronic mail. Mailed filings must be addressed to, and hand-delivered filings must be delivered to, the Agency Clerk, Southwest Florida Water Management District, 7601 Highway 301 North, Tampa, FL 33637-6759. Faxed filings must be transmitted to the District Agency Clerk at (813) 987-6746. Any petition not received during normal business hours shall be filed as of 8:00 a.m. on the next business day. The District's acceptance of faxed petitions for filing is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation, available for viewing at www.WaterMatters.org/about.

JUDICIAL REVIEW

1. Pursuant to Sections 120.60(3) and 120.68, F.S., a party who is adversely affected by District action may seek judicial review of the District's action. Judicial review shall be sought in the Fifth District Court of Appeal or in the appellate district where a party resides or as otherwise provided by law.
2. All proceedings shall be instituted by filing an original notice of appeal with the District Agency Clerk within 30 days after the rendition of the order being appealed, and a copy of the notice of appeal, accompanied by any filing fees prescribed by law, with the clerk of the court, in accordance with Rules 9.110 and 9.190 of the Florida Rules of Appellate Procedure (Fla. R. App. P.). Pursuant to Fla. R. App. P. 9.020(h), an order is rendered when a signed written order is filed with the clerk of the lower tribunal.

ATTACHMENT 2
DEPARTMENT OF THE ARMY (DA) PERMIT
SAJ-2010-02223 (SP-JPF)

DEPARTMENT OF THE ARMY PERMIT

Permittee: Manatee County Public Works
1022 26th Avenue East
Bradenton, FL 34208-3916

Permit No: SAJ-2010-02223 (SP-JPF)

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 U.S. Army Corps of Engineers (Corps) 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 seeks authorization to directly impact a total of 3.42 acres of waters of the United States, including 2.05 acres of Corps-jurisdictional wetlands and 1.37 acres of jurisdictional surface waters (ditches) for roadway improvements related to construction of the Fort Hamer Bridge over the Manatee River. These direct wetland impacts include dredge and fill impacts to approximately 0.51 acre of palustrine forested, 1.48 acres of palustrine scrub/shrub, and 0.06 acre of estuarine emergent and scrub/shrub wetlands. In addition, there will be 1.01 acres of permanent wetland shading impacts from the bridge. The applicant states that the project will also result in approximately 1.28 acres of secondary impacts to wetlands (within a 25-foot buffer). Impacts to the open waters of the Manatee River as a result of the bridge construction are being reviewed as a separate action by the United States Coast Guard (USCG).

The work described above is to be completed in accordance with the 26 pages of drawings and three attachments affixed at the end of this permit instrument.

Project Location: The project would affect waters of the United States associated with the Manatee River (03100202) watershed. The project is located along and between Upper Manatee River Road and Fort Hamer Road in Sections 5, 8, 17, 19, 20, 29, and 30; Township 34 South; Range 19 East; Manatee County, Florida.

Directions to site: Directions to the site are as follows: To access the southern end of the project along Upper Manatee River Road, from Interstate 75 take State Road 64 east to Upper Manatee River Road. Turn left and travel north on Upper Manatee River

PERMIT NUMBER: SAJ-2010-02223
PERMITTEE: Manatee County Public Works
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Road to the south end of the project, in the vicinity of Upper Manatee River Road's turn to the east.

To access the northern end of the project along Fort Hamer Road, from Interstate 75 take US 301 east to Fort Hamer Road. Turn right and travel south on Fort Hamer Road to the north end of the project.

Approximate Central Coordinates: Latitude: 27.518662 North
Longitude: - 82.431619 West

Permit Conditions

General Conditions:

1. The time limit for completing the work authorized ends on **June 16, 2019**. 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.

PERMIT NUMBER: SAJ-2010-02223
PERMITTEE: Manatee County Public Works
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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, Angela Ryan, 10117 Princess Palm Avenue, Suite 120, Tampa, FL 33610. The Permittee shall reference this permit number, SAJ-2010-02223-JPF, 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. **Cultural Resources/Historic Properties:**

a. No structure or work shall adversely affect impact or disturb properties listed in the National Register of Historic Places (NRHP) or those eligible for inclusion in the NRHP.

b. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition ; and if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33

CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

d. In the unlikely event that unmarked human remains are identified on non-federal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO and THPO(s). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the State Archeologist and from the Corps.

4. Mitigation Credit Purchase: Within 30 days from the date of initiating the authorized work the Permittee shall provide verification to the Corps that 1.6 federal mitigation bank credits (0.3 estuarine herbaceous credits and 1.3 estuarine forested credits) have been purchased from the Tampa Bay Mitigation Bank (SAJ-1998-00796). The required verification shall reference this project's permit number (SAJ-2010-02223).

5. As-Builts: Within 60 days of completion of the authorized work or at the expiration of the construction authorization 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 4) 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 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.

6. Eastern Indigo Snake Protection Measures: The Permittee shall comply with U.S. Fish and Wildlife Service's "Standard Protection Measures for the Eastern Indigo Snake" dated August 12, 2013 and provided in Attachment 3 of this permit. All gopher tortoise burrows, active or inactive, shall be evacuated prior to site manipulation in the vicinity of the burrow. If excavating potentially occupied burrows, active or inactive, individuals must first obtain state authorization via a Florida Fish and Wildlife Conservation Commission (FWC) Authorized Gopher Tortoise Agent permit. The excavation method selected shall minimize the potential for injury of an indigo snake. The Permittee shall follow the excavation guidance provided in the most current FWC Gopher Tortoise Permitting Guidelines found at <http://myfwc.com/gophertortoise>. If an indigo snake is encountered, the snake must be allowed to vacate the area prior to additional site manipulation in the vicinity. Holes, cavities, and snake refugia other than gopher tortoise burrows shall be inspected each morning before planned site manipulation of a particular area, and if occupied by an indigo snake, no work shall commence until the snake has vacated the vicinity of the proposed work.

7. 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.

8. 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 Tampa Regulatory Office.

Further Information:

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

() 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.

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.

PERMIT NUMBER: SAJ-2010-02223
PERMITTEE: Manatee County Public Works
PAGE 7 of 10

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.

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.

PERMIT NUMBER: SAJ-2010-02223
PERMITTEE: Manatee County Public Works
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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.

(PERMITTEE)

(DATE)

(PERMITTEE NAME-PRINTED)

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

(DISTRICT ENGINEER)
Alan M. Dodd,
Colonel, U.S. Army
District Commander

(DATE)

PERMIT NUMBER: SAJ-2010-02223
PERMITTEE: Manatee County Public Works
PAGE 9 of 10

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)

PERMIT NUMBER: SAJ-2010-02223
PERMITTEE: Manatee County Public Works
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***Attachments to Department of the Army
Permit Number SAJ-2010-02223***

1. PERMIT DRAWINGS: 26 pages, dated June 16, 2014
2. WATER QUALITY CERTIFICATION: Specific Conditions of the water quality permit/certification in accordance with General Condition number 5 on page 2 of this DA permit. 4 pages.
3. EASTERN INDIGO SNAKE CONDITIONS: 3 pages
4. AS-BUILT CERTIFICATION FORM: 2 pages



Legend

- Project Limits
- - - Proposed Bridge Location

Figure 1

Fort Hamer Bridge Manatee County, Florida

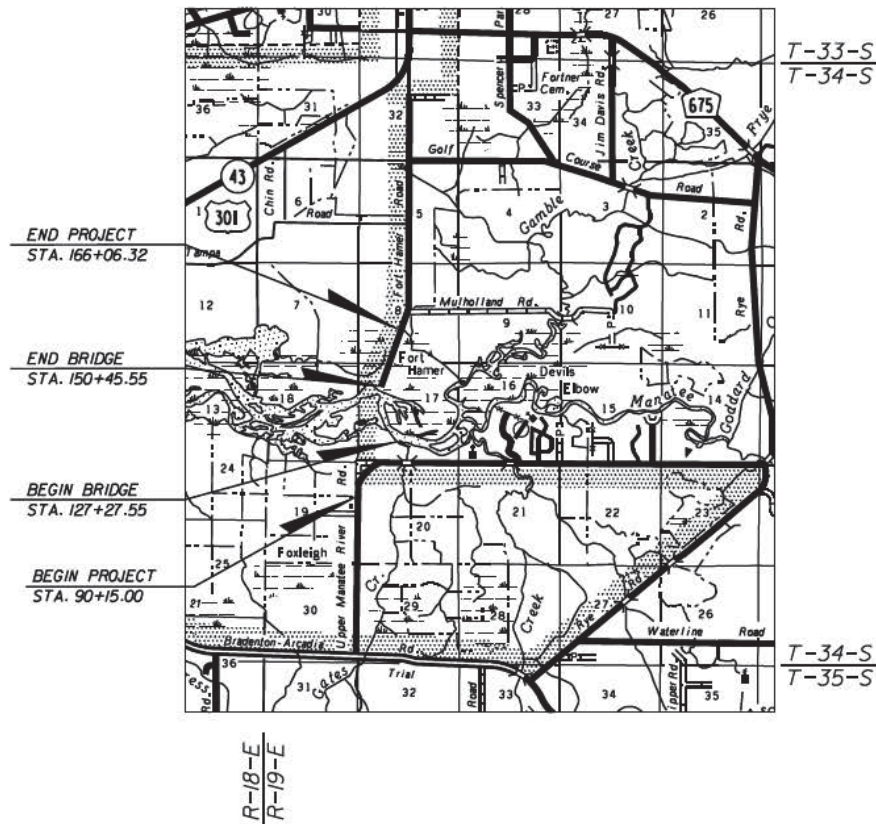
Project Limits



0 2,000 4,000 Feet



MANATEE COUNTY, FLORIDA
BRIDGE OVER MANATEE RIVER AT
FORT HAMER ROAD
PROJECT NO. 09-2392BG



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16 June 2014

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URS

PURPOSE: NEW BRIDGE AND
ROADWAY IMPROVEMENTS
DATUM: NGVD 1929

VICINITY MAP

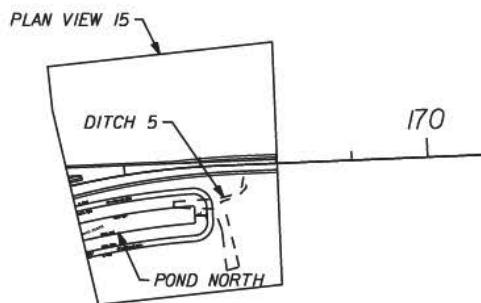
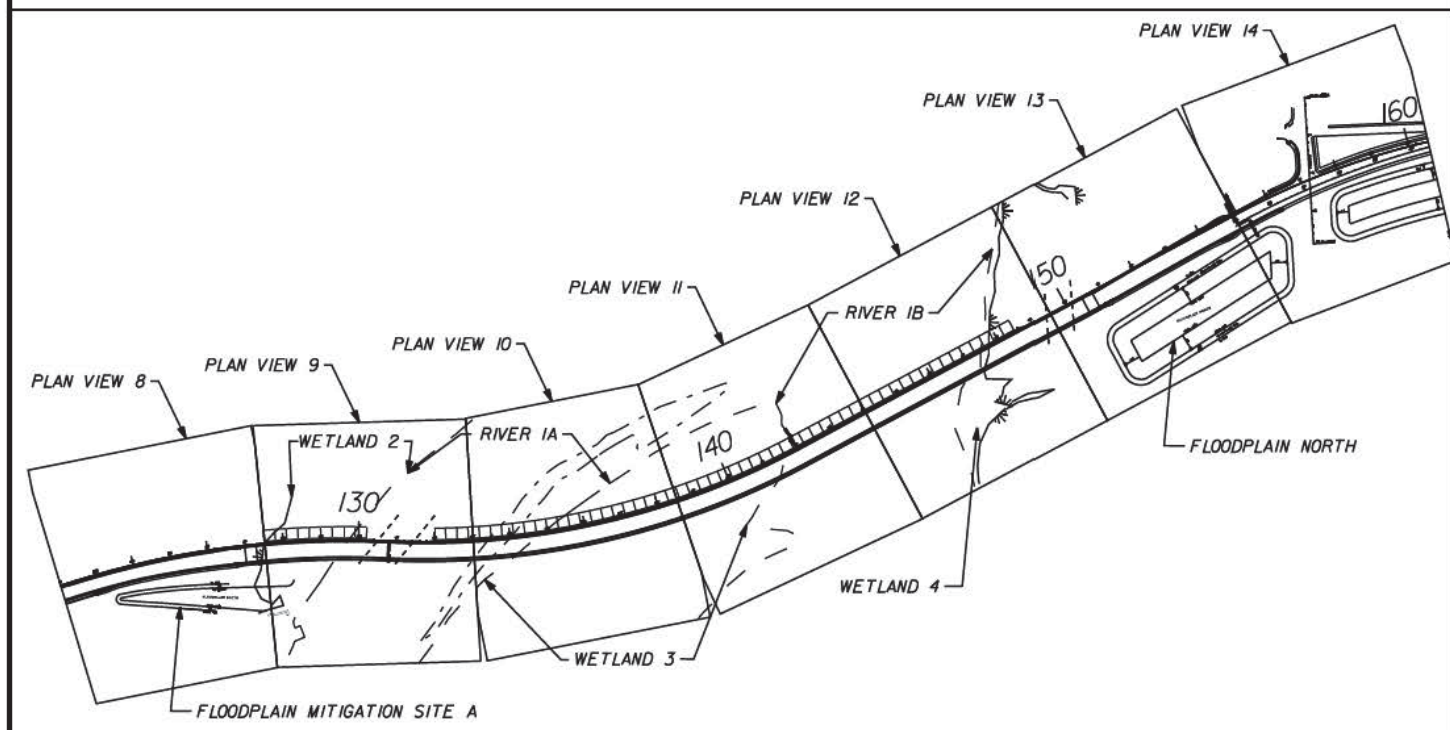
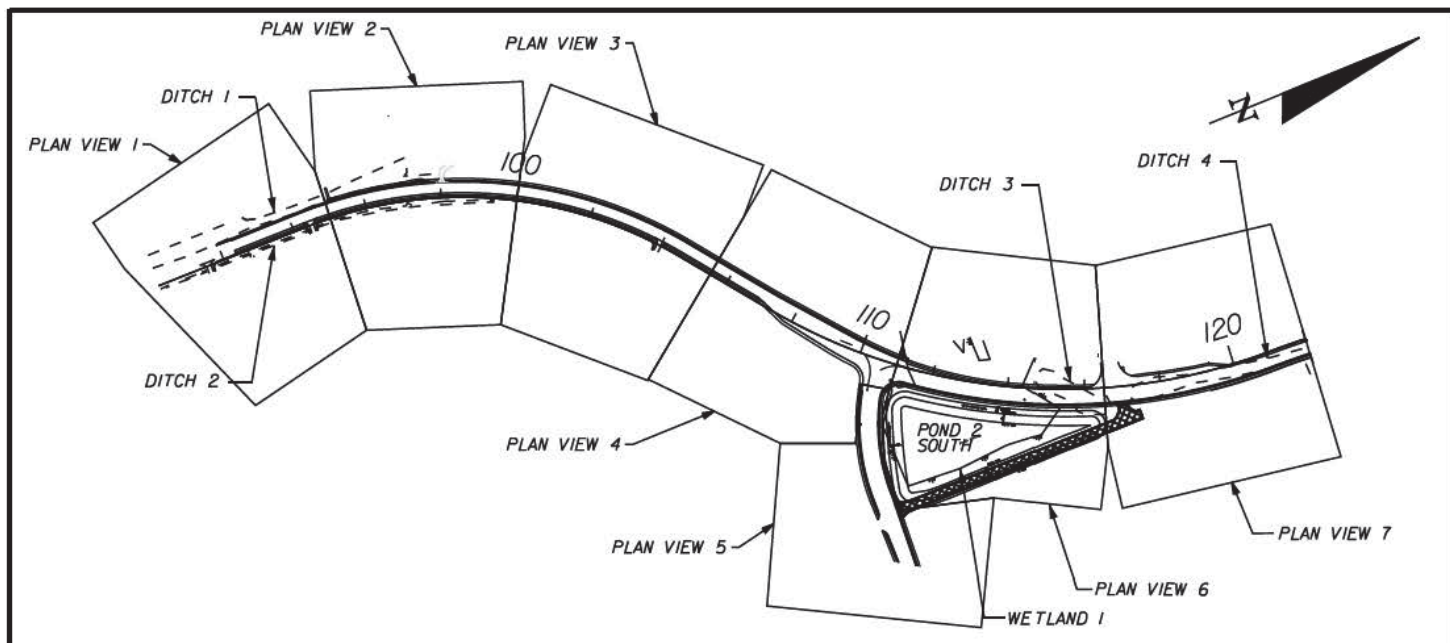
IN: MANATEE RIVER
AT: NEW BRIDGE OVER MANATEE RIVER
AT FORT HAMER ROAD

STATE OF: FLORIDA

COUNTY OF: MANATEE
APPLICATION BY: MANATEE COUNTY

DATE: JULY 2013

SHEET 1 OF 25



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URS

PURPOSE: NEW BRIDGE AND
ROADWAY IMPROVEMENTS
DATUM: NGVD 1988

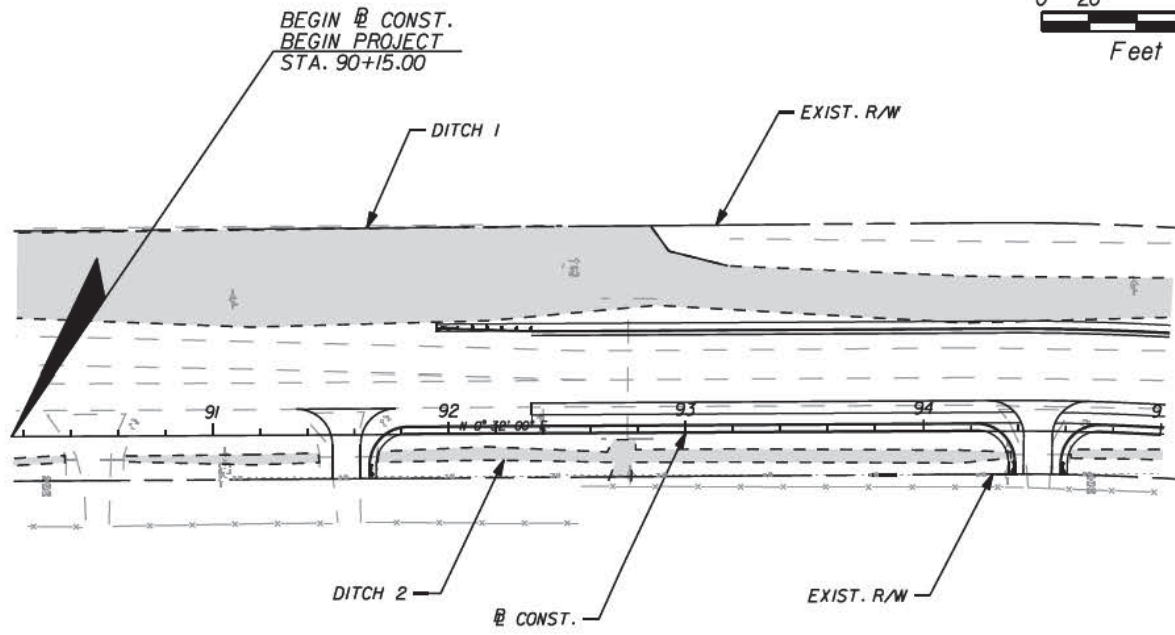
PROJECT KEY MAP

IN: MANATEE RIVER
AT: NEW BRIDGE OVER MANATEE RIVER
AT FORT HAMER ROAD
COUNTY OF: MANATEE
APPLICATION BY: MANATEE COUNTY

STATE OF: FLORIDA

DATE: JULY 2013

SHEET 2 OF 25



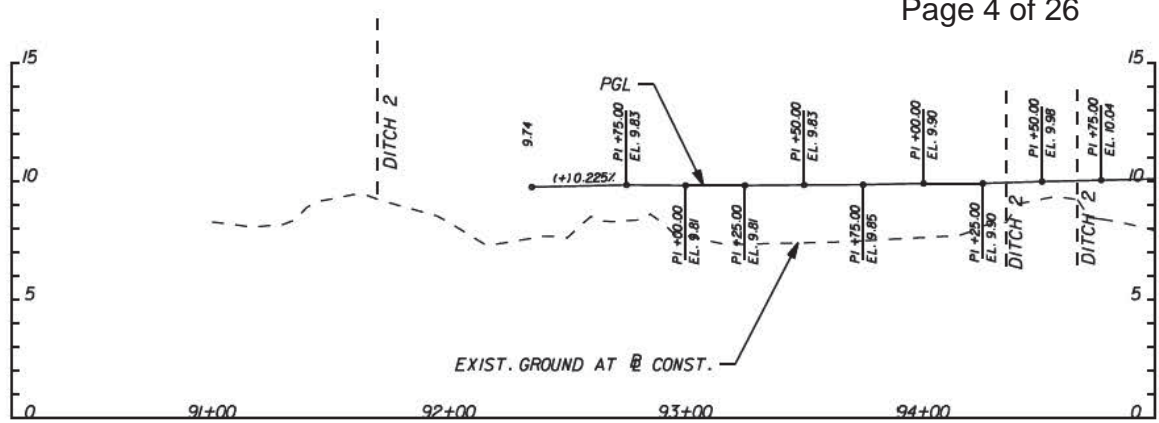
LEGEND

- EXISTING DITCH
- TEMPORARY DITCH IMPACT

DITCH 1:
TEMPORARY IMPACT AREA (THIS SHEET) = 0.340 AC.
TEMPORARY IMPACT AREA (PROJECT TOTAL) = 0.519 AC.

DITCH 2:
TEMPORARY IMPACT AREA (THIS SHEET) = 0.046 AC.
TEMPORARY IMPACT AREA (PROJECT TOTAL) = 0.089 AC.

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PURPOSE: NEW BRIDGE AND
ROADWAY IMPROVEMENTS
DATUM: NGVD 1929

PLAN VIEW 1

IN: MANATEE RIVER
AT: NEW BRIDGE OVER MANATEE RIVER
AT FORT HAMER ROAD
COUNTY OF: MANATEE
APPLICATION BY: MANATEE COUNTY

STATE OF: FLORIDA
DATE: JULY 2013
SHEET 3 OF 25

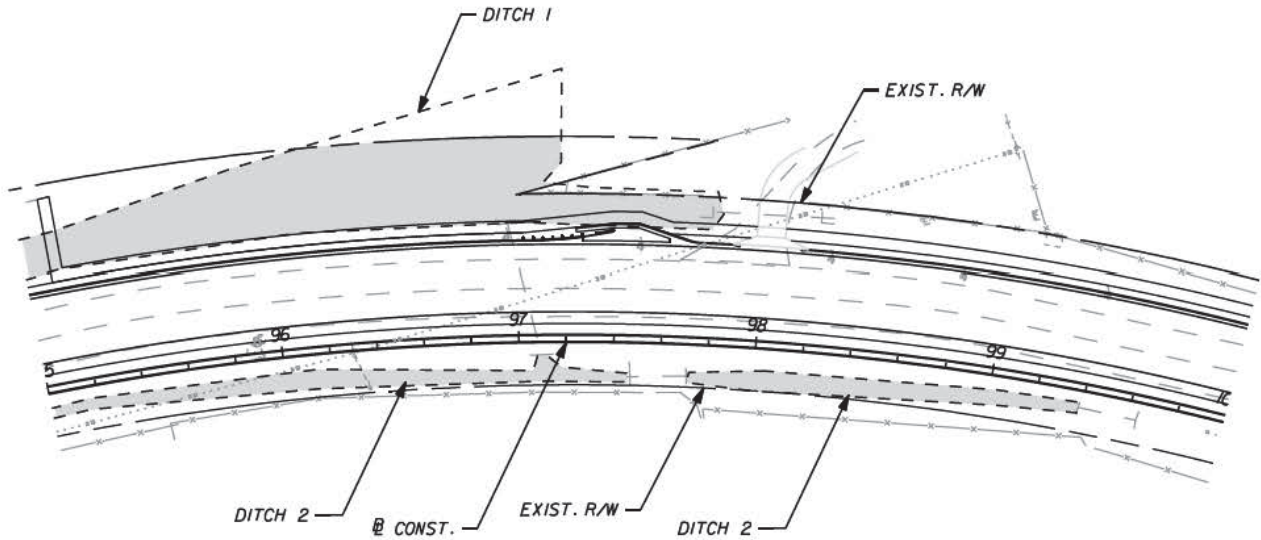
SAJ-2010-02223 (IP-JPF)

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0 20 80
Feet

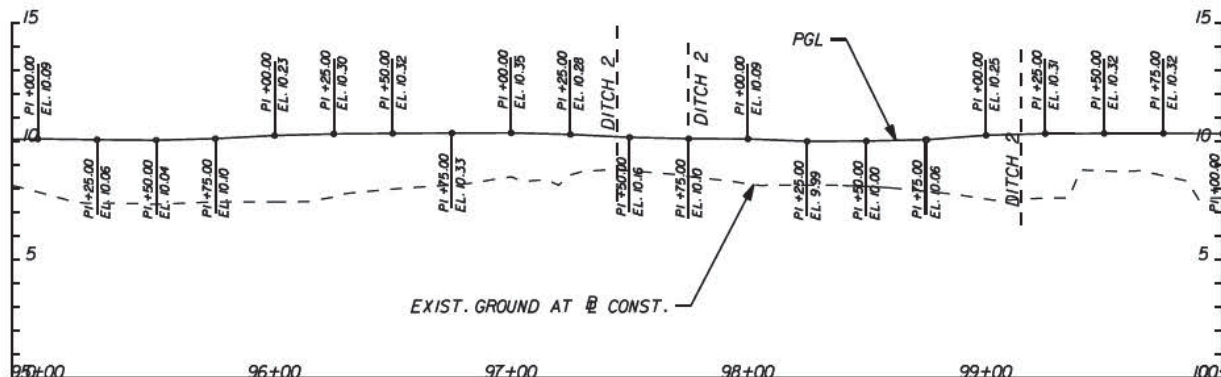


DITCH 1:
TEMPORARY IMPACT AREA (THIS SHEET) = 0.179 AC.
TEMPORARY IMPACT AREA (PROJECT TOTAL) = 0.519 AC.

DITCH 2:
TEMPORARY IMPACT AREA (THIS SHEET) = 0.043 AC.
TEMPORARY IMPACT AREA (PROJECT TOTAL) = 0.089 AC.

LEGEND

----- EXISTING DITCH
TEMPORARY DITCH IMPACT



URS

PURPOSE: NEW BRIDGE AND
ROADWAY IMPROVEMENTS
DATUM: NGVD 1929

PLAN VIEW 2

IN: MANATEE RIVER
AT: NEW BRIDGE OVER MANATEE RIVER
AT FORT HAMER ROAD
COUNTY OF: MANATEE
APPLICATION BY: MANATEE COUNTY

STATE OF: FLORIDA

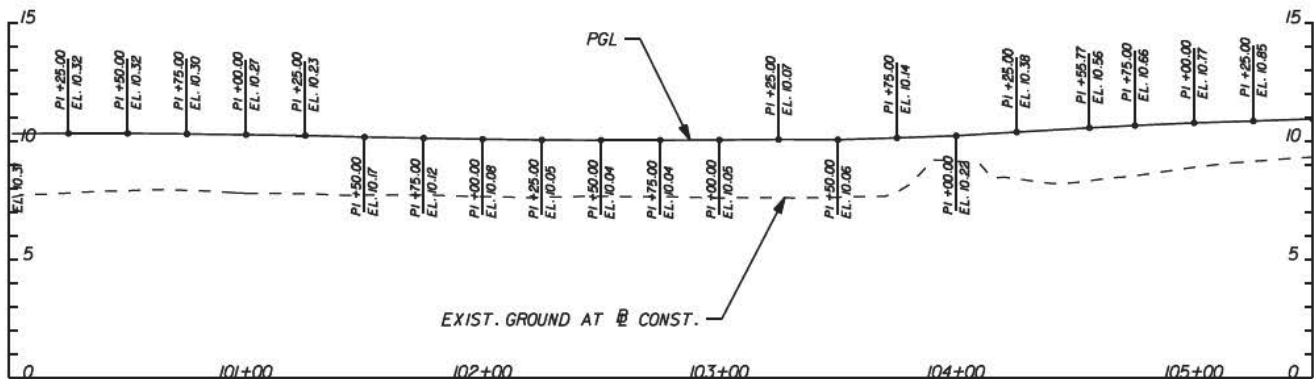
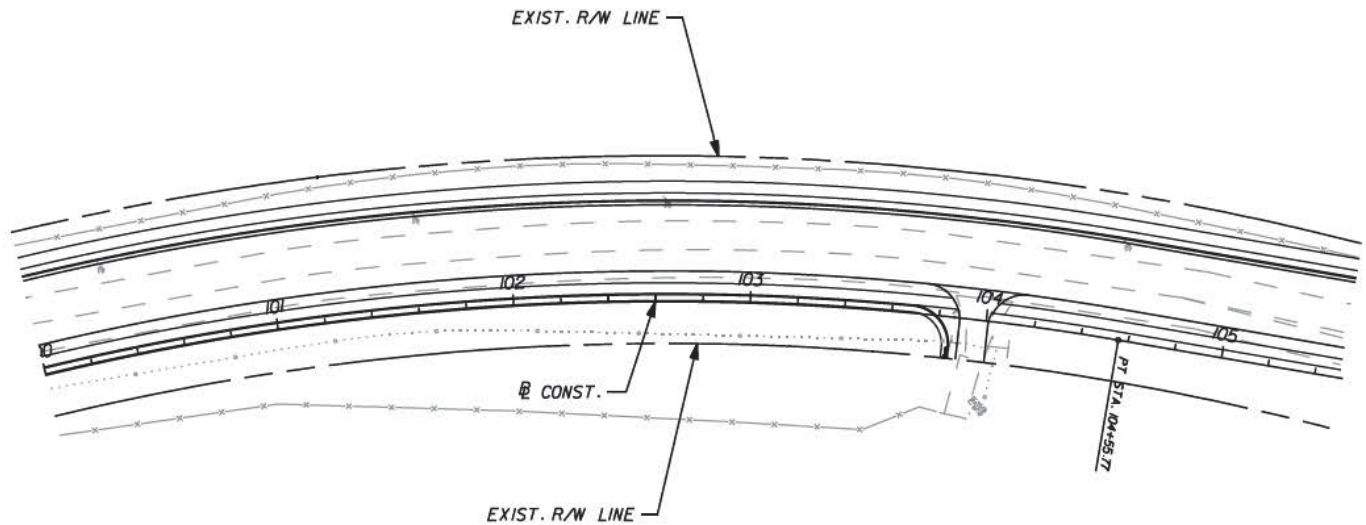
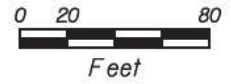
DATE: JULY 2013

SHEET 4 OF 25

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URS

PURPOSE: NEW BRIDGE AND
ROADWAY IMPROVEMENTS
DATUM: NGVD 1929

PLAN VIEW 3

IN: MANATEE RIVER
AT: NEW BRIDGE OVER MANATEE RIVER
AT FORT HAMER ROAD

STATE OF: FLORIDA

COUNTY OF: MANATEE
APPLICATION BY: MANATEE COUNTY

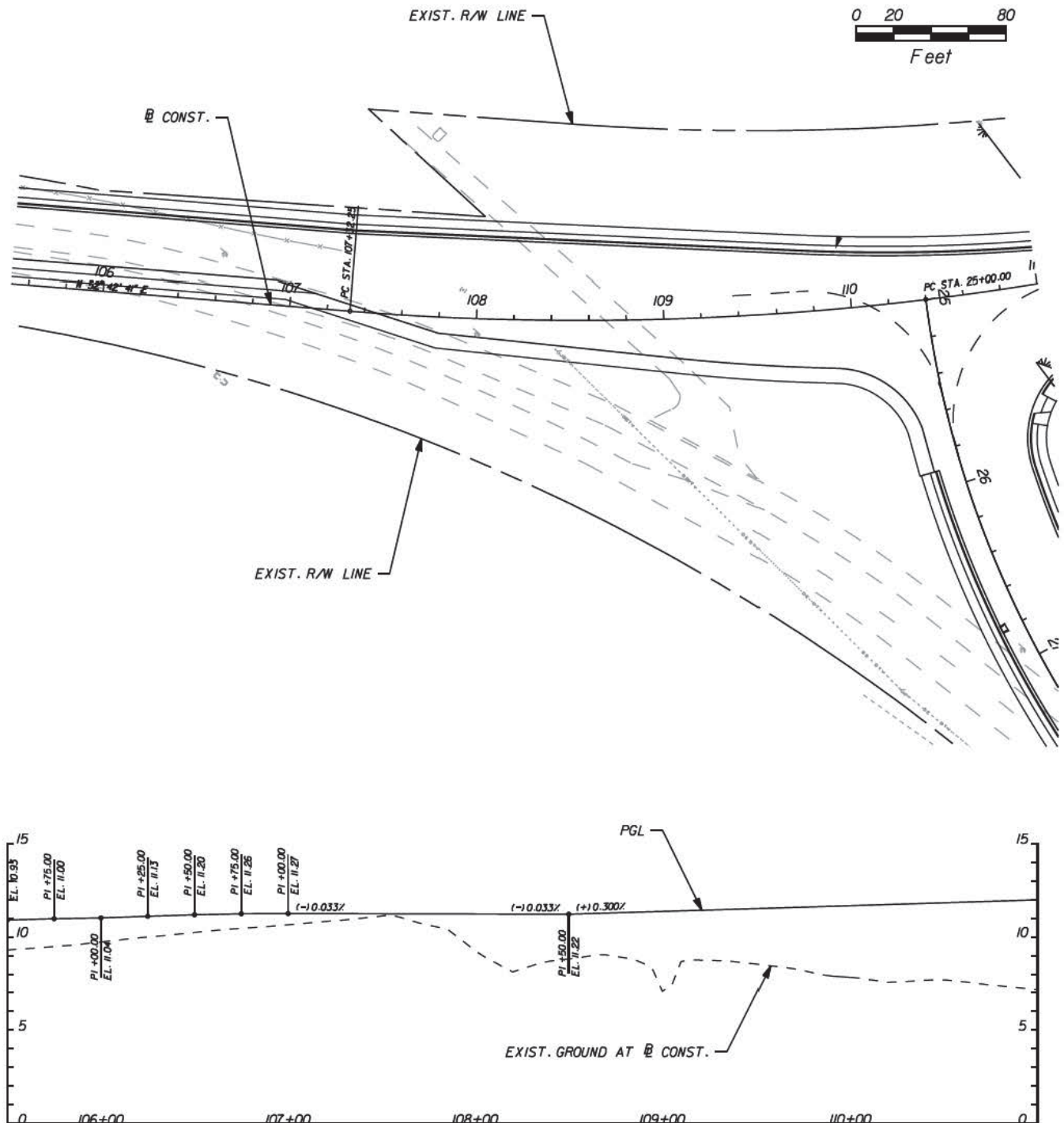
DATE: JULY 2013

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LEGEND

WETLAND JURISDICTIONAL LINE

URS

PURPOSE: NEW BRIDGE AND
ROADWAY IMPROVEMENTS
DATUM: NGVD 1929

PLAN VIEW 4

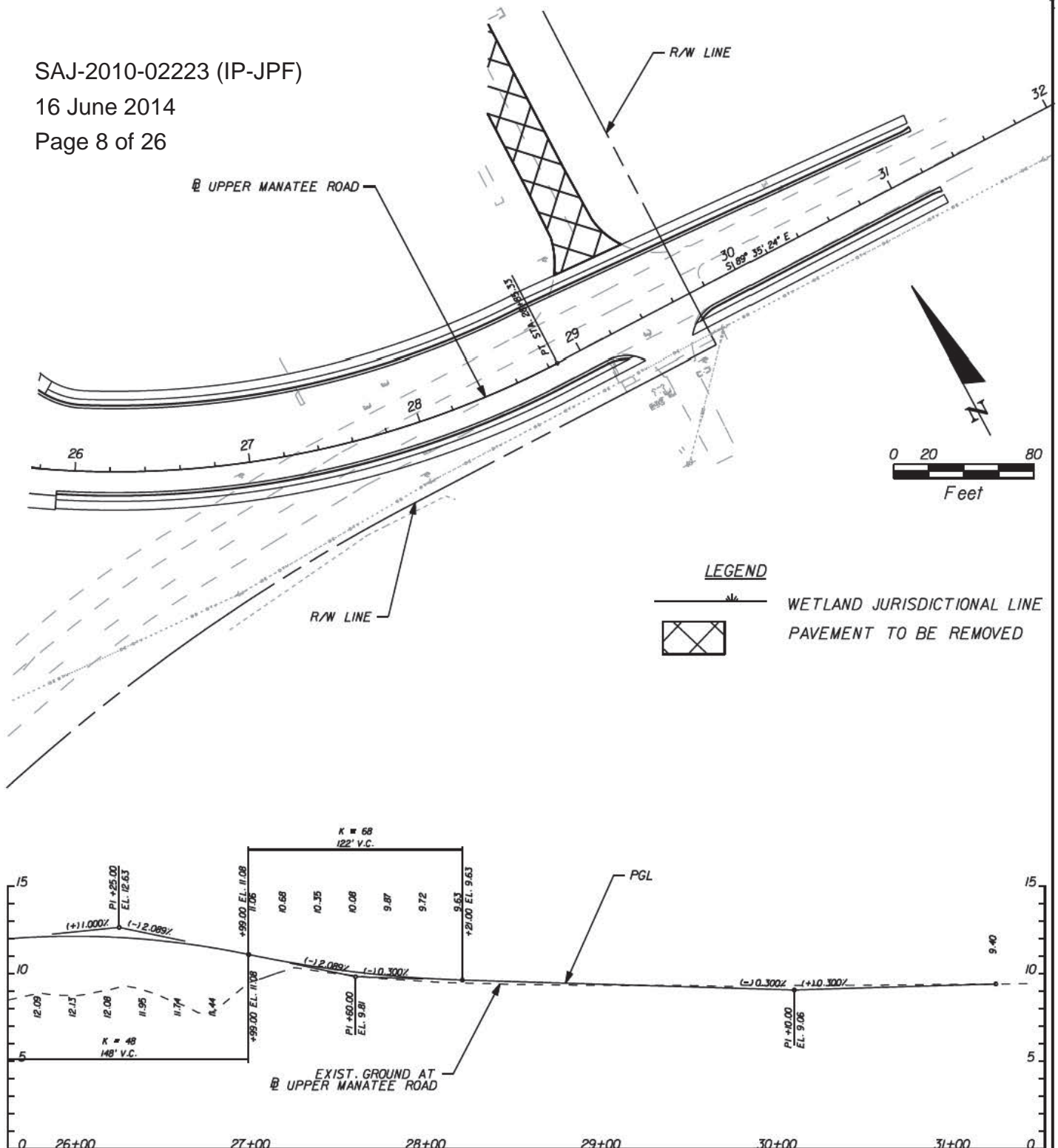
IN: MANATEE RIVER
AT: NEW BRIDGE OVER MANATEE RIVER
AT FORT HAMER ROAD
COUNTY OF: MANATEE
APPLICATION BY: MANATEE COUNTY

STATE OF: FLORIDA
DATE: JULY 2013
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URS

PURPOSE: NEW BRIDGE AND
ROADWAY IMPROVEMENTS
DATUM: NGVD 1929

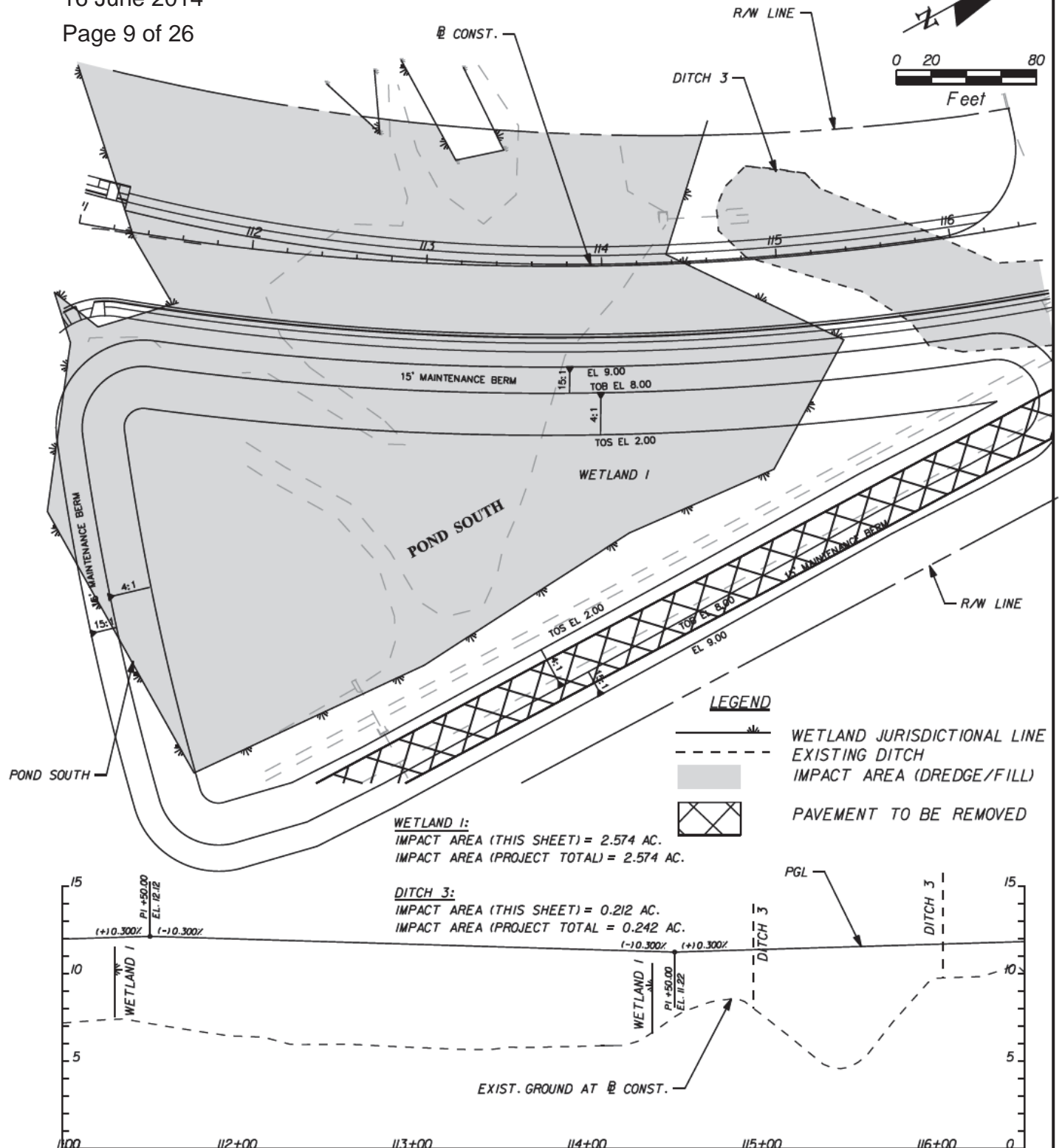
PLAN VIEW 5

IN: MANATEE RIVER
AT: NEW BRIDGE OVER MANATEE RIVER
AT FORT HAMER ROAD
COUNTY OF: MANATEE
APPLICATION BY: MANATEE COUNTY

STATE OF: FLORIDA
DATE: JULY 2013
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**URS**

PURPOSE: NEW BRIDGE AND
 ROADWAY IMPROVEMENTS
 DATUM: NGVD 1929

PLAN VIEW 6

IN: MANATEE RIVER
 AT: NEW BRIDGE OVER MANATEE RIVER
 AT FORT HAMER ROAD



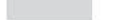

STATE OF: FLORIDA

COUNTY OF: MANATEE
 APPLICATION BY: MANATEE COUNTY

DATE: JULY 2013

SHEET 8 OF 25

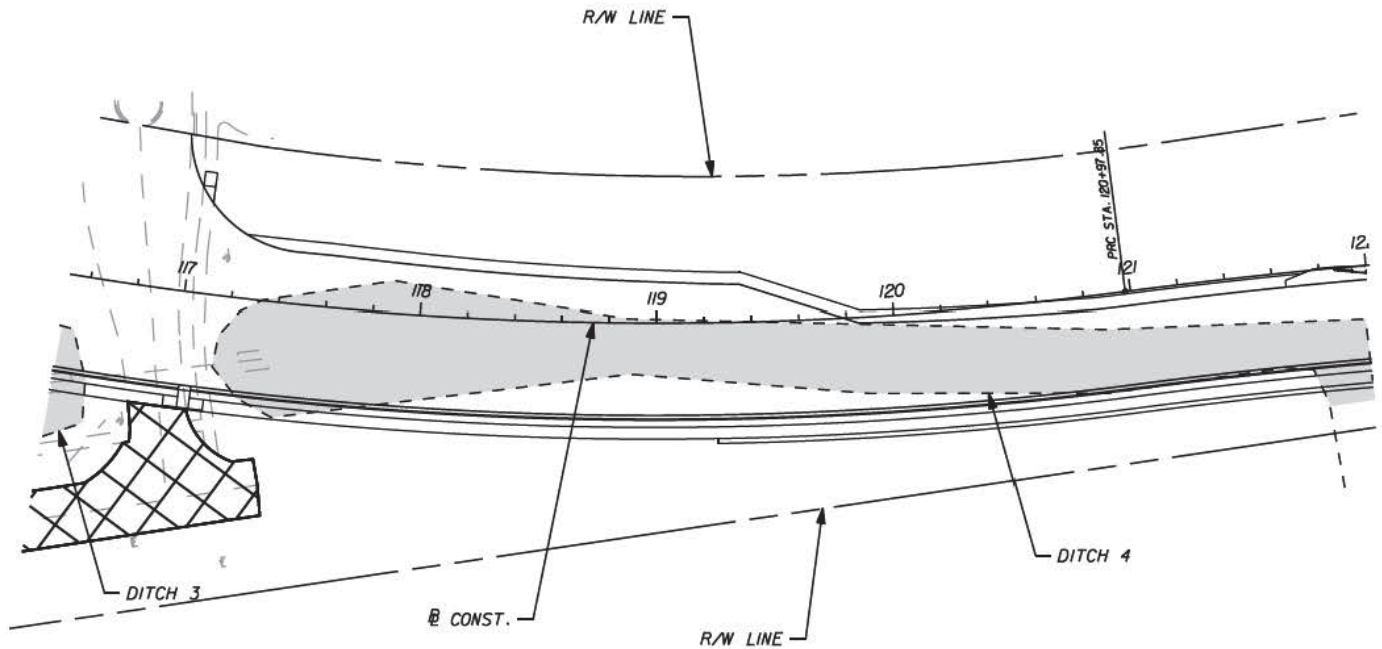
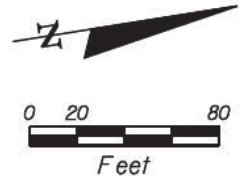
LEGEND

-  WETLAND JURISDICTIONAL LINE
-  EXISTING DITCH
-  IMPACT AREA (DREDGE/FILL)
-  PAVEMENT TO BE REMOVED

SAJ-2010-02223 (IP-JPF)

16 June 2014

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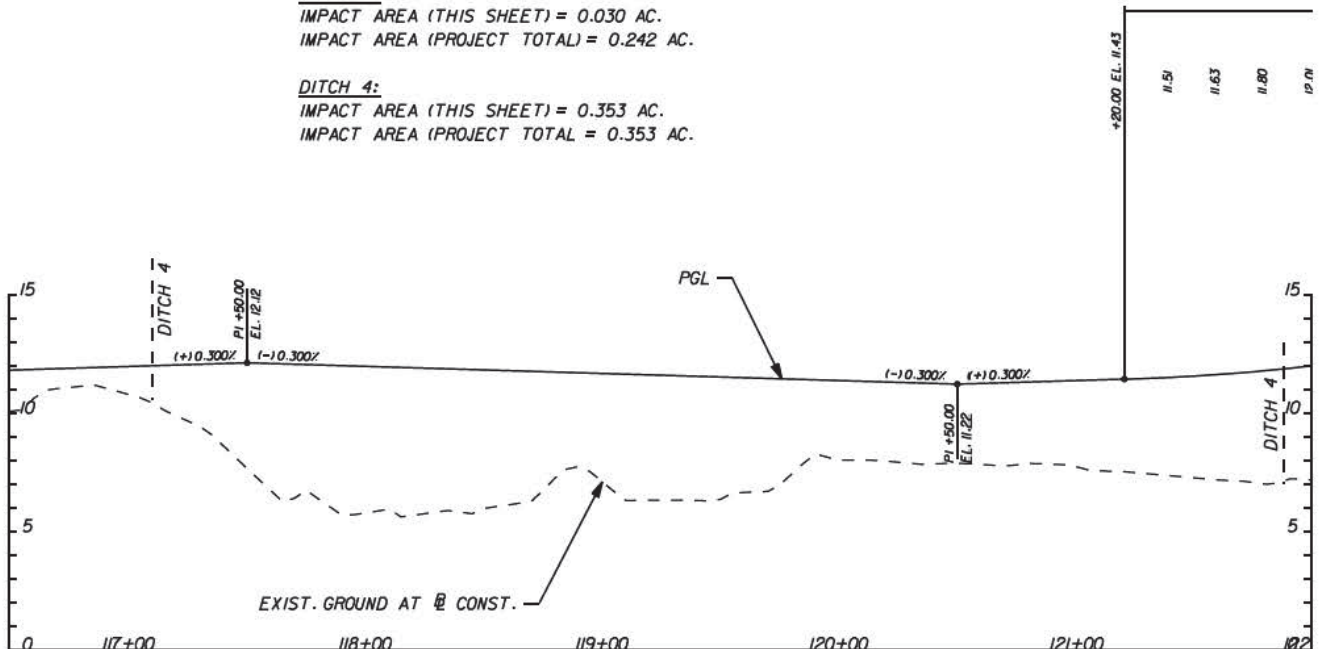


DITCH 3:

IMPACT AREA (THIS SHEET) = 0.030 AC.
IMPACT AREA (PROJECT TOTAL) = 0.242 AC.

DITCH 4:

IMPACT AREA (THIS SHEET) = 0.353 AC.
IMPACT AREA (PROJECT TOTAL) = 0.353 AC.



URS

PURPOSE: NEW BRIDGE AND
ROADWAY IMPROVEMENTS
DATUM: NGVD 1929

PLAN VIEW 7

IN: MANATEE RIVER
AT: NEW BRIDGE OVER MANATEE RIVER
AT FORT HAMER ROAD
COUNTY OF: MANATEE
APPLICATION BY: MANATEE COUNTY

STATE OF: FLORIDA

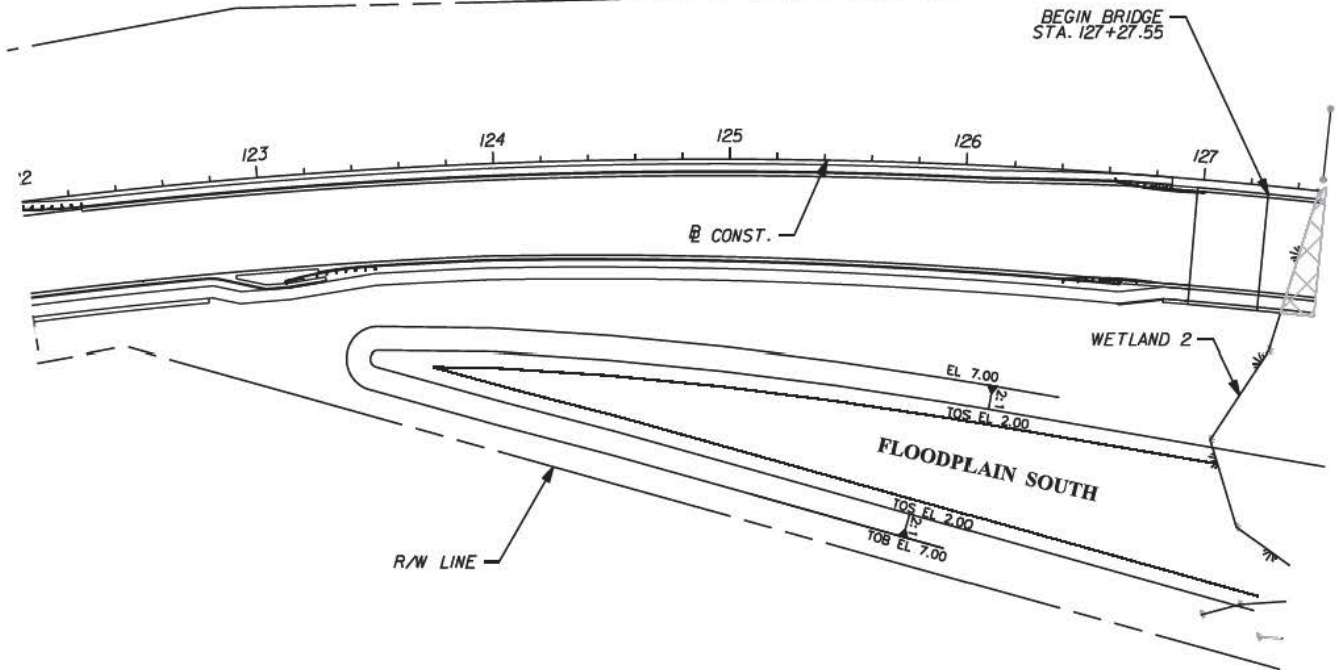
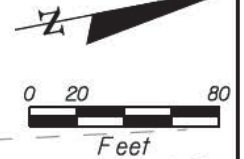
DATE: JULY 2013

SHEET 9 OF 25

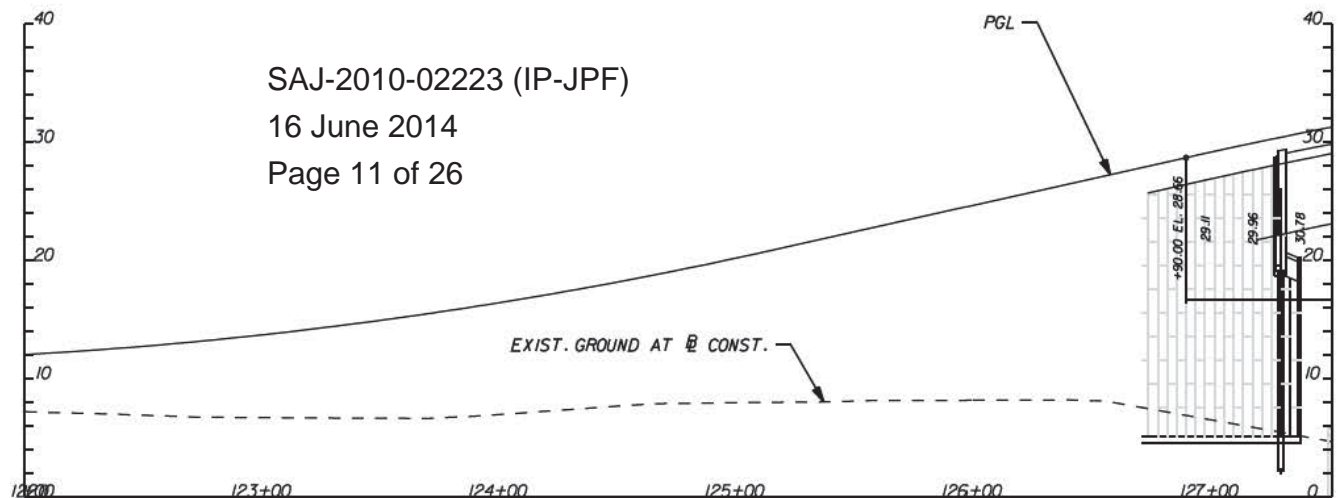
LEGEND

- WETLAND JURISDICTIONAL LINE
- IMPACT AREA (SHADING)
- IMPACT AREA (DREDGE/FILL)

R/W LINE



WETLAND 2:
SHADING IMPACT AREA (THIS SHEET) = 0.010 AC.
SHADING IMPACT AREA (PROJECT TOTAL) = 0.219 AC.



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URS

PURPOSE: NEW BRIDGE AND
ROADWAY IMPROVEMENTS
DATUM: NGVD 1929

PLAN VIEW 8

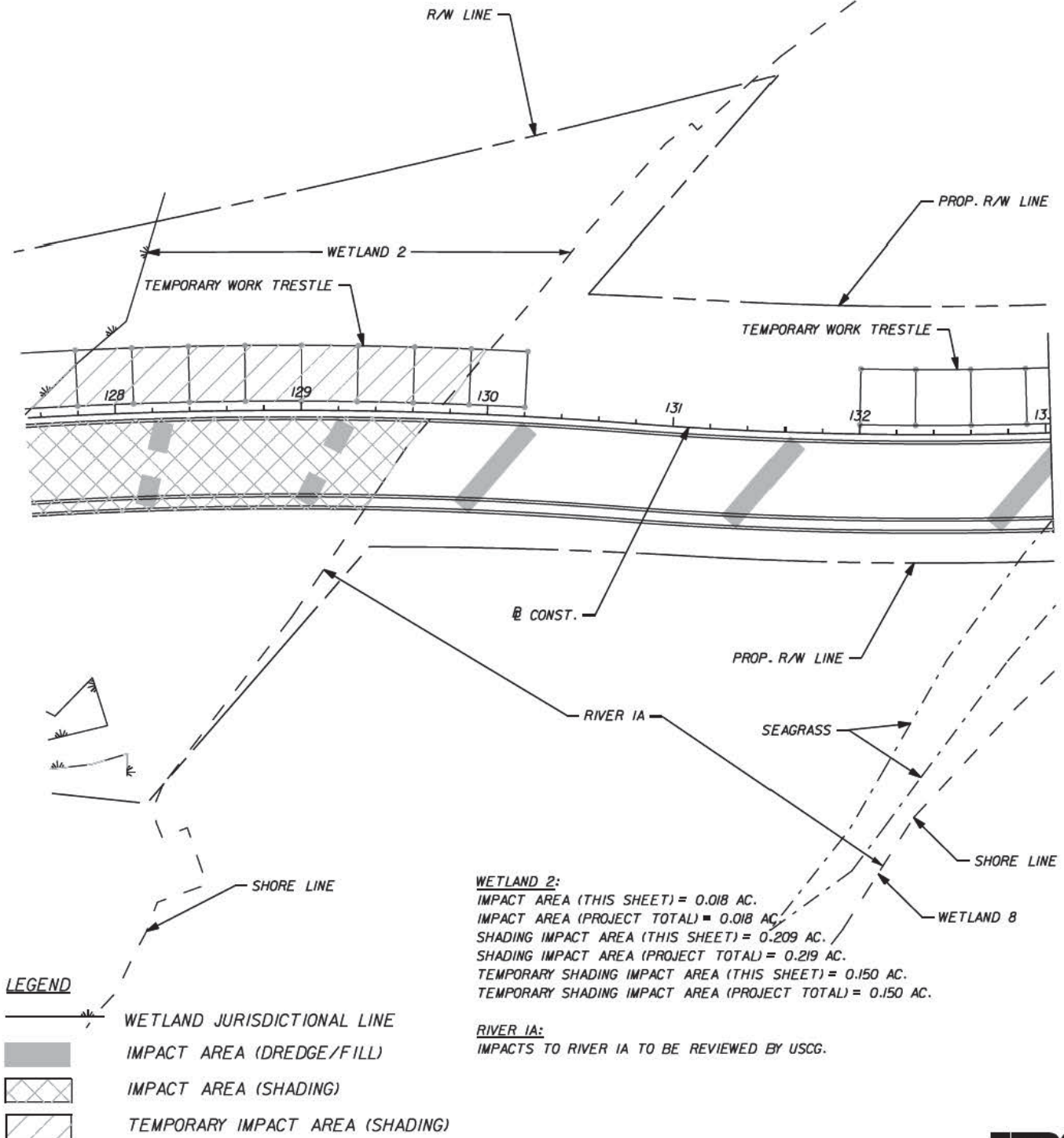
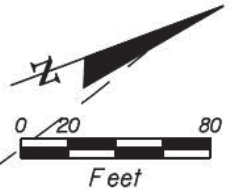
IN: MANATEE RIVER
AT: NEW BRIDGE OVER MANATEE RIVER
AT FORT HAMER ROAD
COUNTY OF: MANATEE
APPLICATION BY: MANATEE COUNTY

STATE OF: FLORIDA
DATE: JULY 2013
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URS

PURPOSE: NEW BRIDGE AND
ROADWAY IMPROVEMENTS
DATUM: NGVD 1929

PLAN VIEW 9

IN: MANATEE RIVER
AT: NEW BRIDGE OVER MANATEE RIVER
AT FORT HAMER ROAD
COUNTY OF: MANATEE
APPLICATION BY: MANATEE COUNTY

STATE OF: FLORIDA

DATE: JULY 2013

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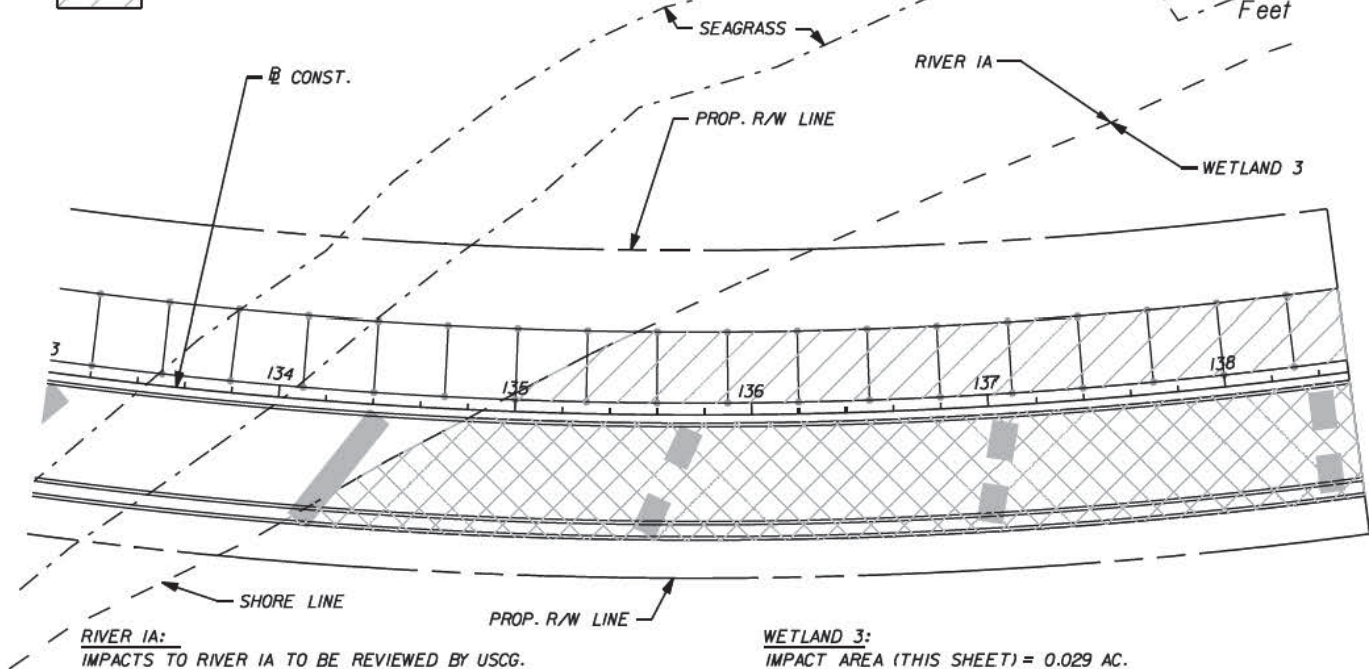
SAJ-2010-02223 (IP-JPF)

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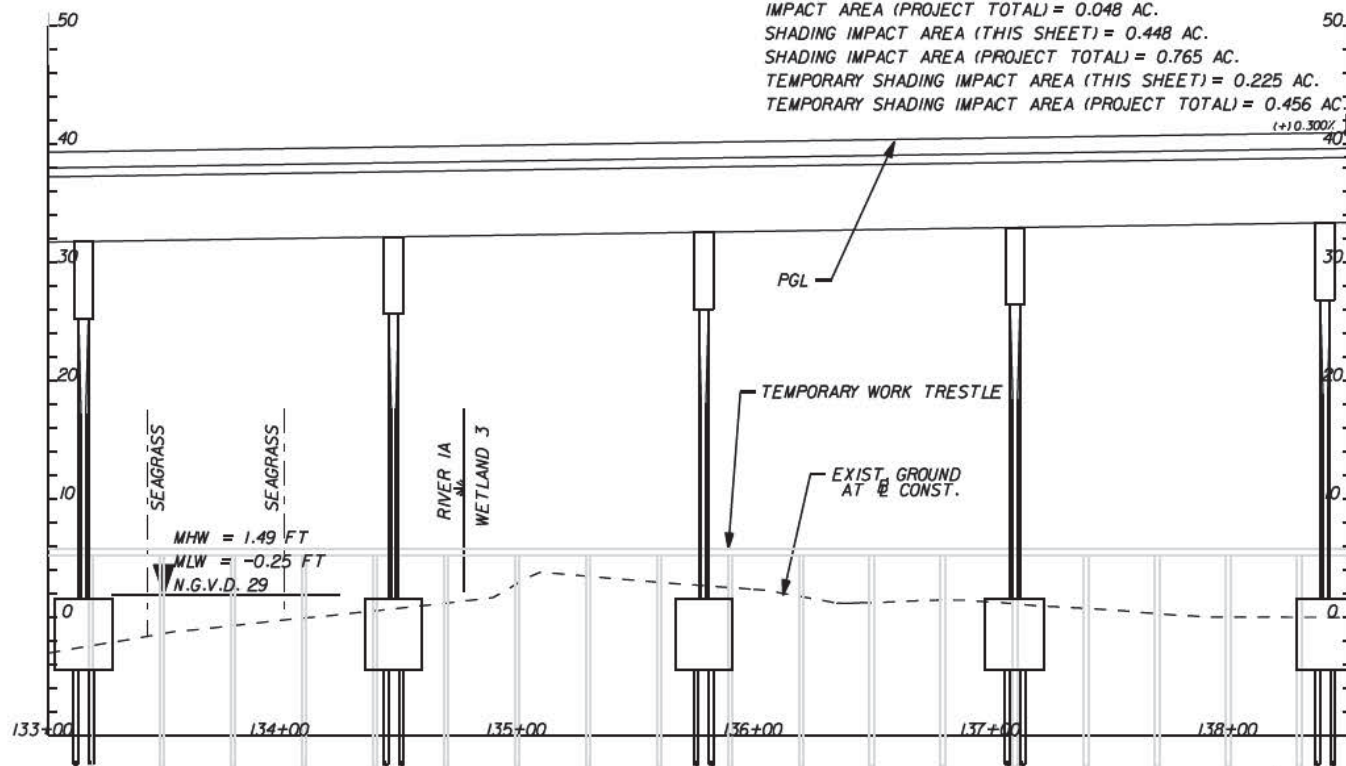
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LEGEND

-  IMPACT AREA (DREDGE/FILL)
-  IMPACT AREA (SHADING)
-  TEMPORARY IMPACT AREA (SHADING)



WETLAND 3:
 IMPACT AREA (THIS SHEET) = 0.029 AC.
 IMPACT AREA (PROJECT TOTAL) = 0.048 AC.
 SHADING IMPACT AREA (THIS SHEET) = 0.448 AC.
 SHADING IMPACT AREA (PROJECT TOTAL) = 0.765 AC.
 TEMPORARY SHADING IMPACT AREA (THIS SHEET) = 0.225 AC.
 TEMPORARY SHADING IMPACT AREA (PROJECT TOTAL) = 0.456 AC.



URS

PURPOSE: NEW BRIDGE AND
 ROADWAY IMPROVEMENTS
 DATUM: NGVD 1929

PLAN VIEW 10




IN: MANATEE RIVER
 AT: NEW BRIDGE OVER MANATEE RIVER
 AT FORT HAMER ROAD
 COUNTY OF: MANATEE
 APPLICATION BY: MANATEE COUNTY

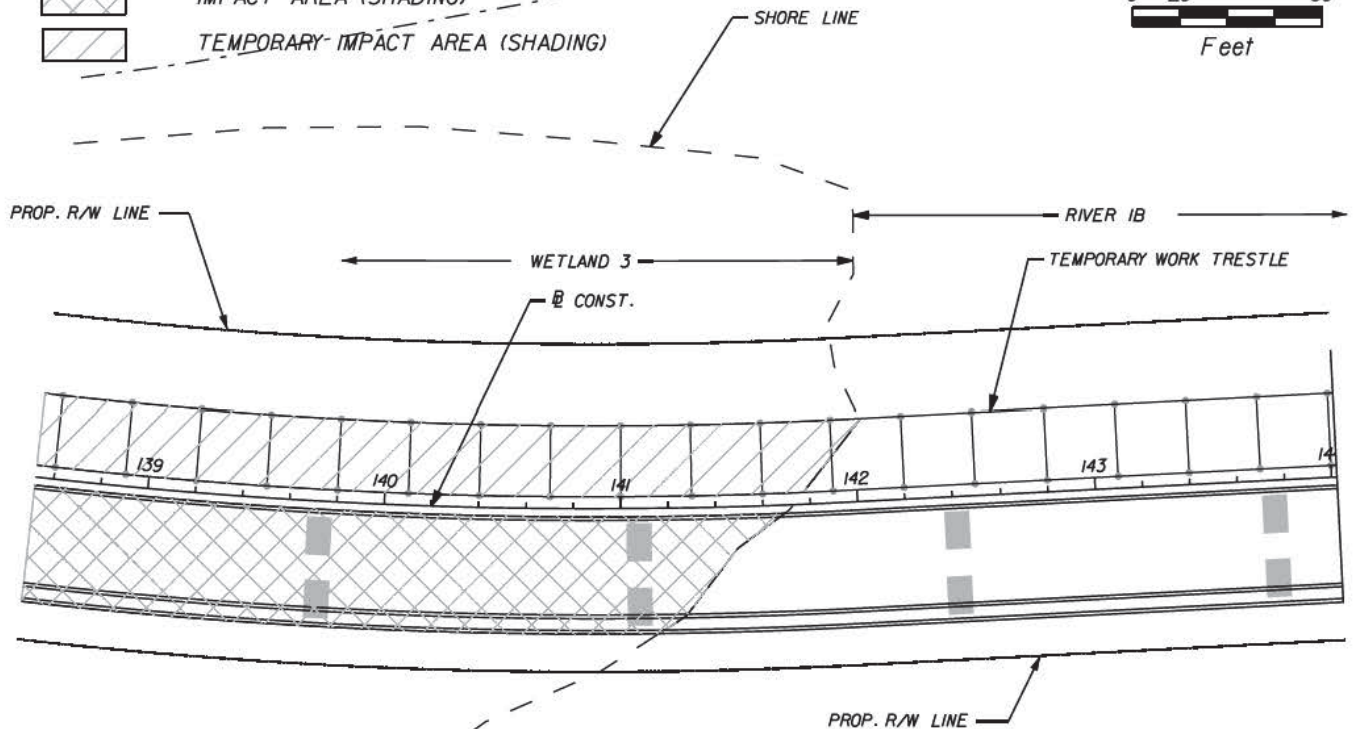
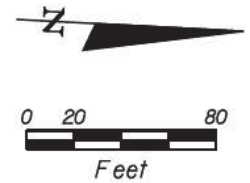
STATE OF: FLORIDA
 DATE: JULY 2013
 SHEET 13 OF 25

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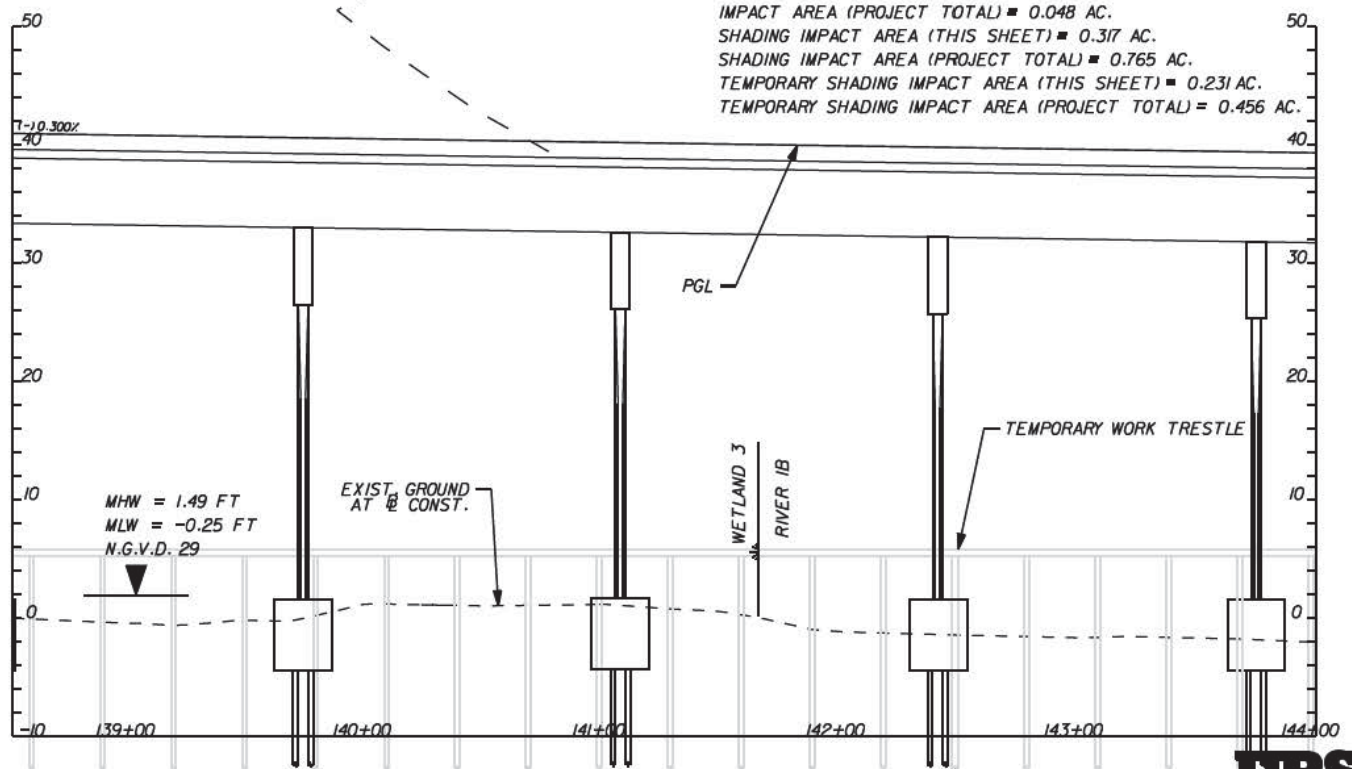
LEGEND

-  IMPACT AREA (DREDGE/FILL)
 IMPACT AREA (SHADING)
 TEMPORARY IMPACT AREA (SHADING)



RIVER IB:
IMPACTS TO RIVER IB TO BE REVIEWED BY USCG.

WETLAND 3:
 IMPACT AREA (THIS SHEET) = 0.019 AC.
 IMPACT AREA (PROJECT TOTAL) = 0.048 AC.
 SHADING IMPACT AREA (THIS SHEET) = 0.317 AC.
 SHADING IMPACT AREA (PROJECT TOTAL) = 0.765 AC.
 TEMPORARY SHADING IMPACT AREA (THIS SHEET) = 0.231 AC.
 TEMPORARY SHADING IMPACT AREA (PROJECT TOTAL) = 0.456 AC.

**URS**

PURPOSE: NEW BRIDGE AND
ROADWAY IMPROVEMENTS
DATUM: NGVD 1929

PLAN VIEW II

IN: MANATEE RIVER
AT: NEW BRIDGE OVER MANATEE RIVER
AT FORT HAMER ROAD
COUNTY OF: MANATEE
APPLICATION BY: MANATEE COUNTY

STATE OF: FLORIDA

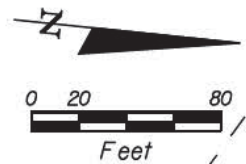
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SHEET 14 OF 25

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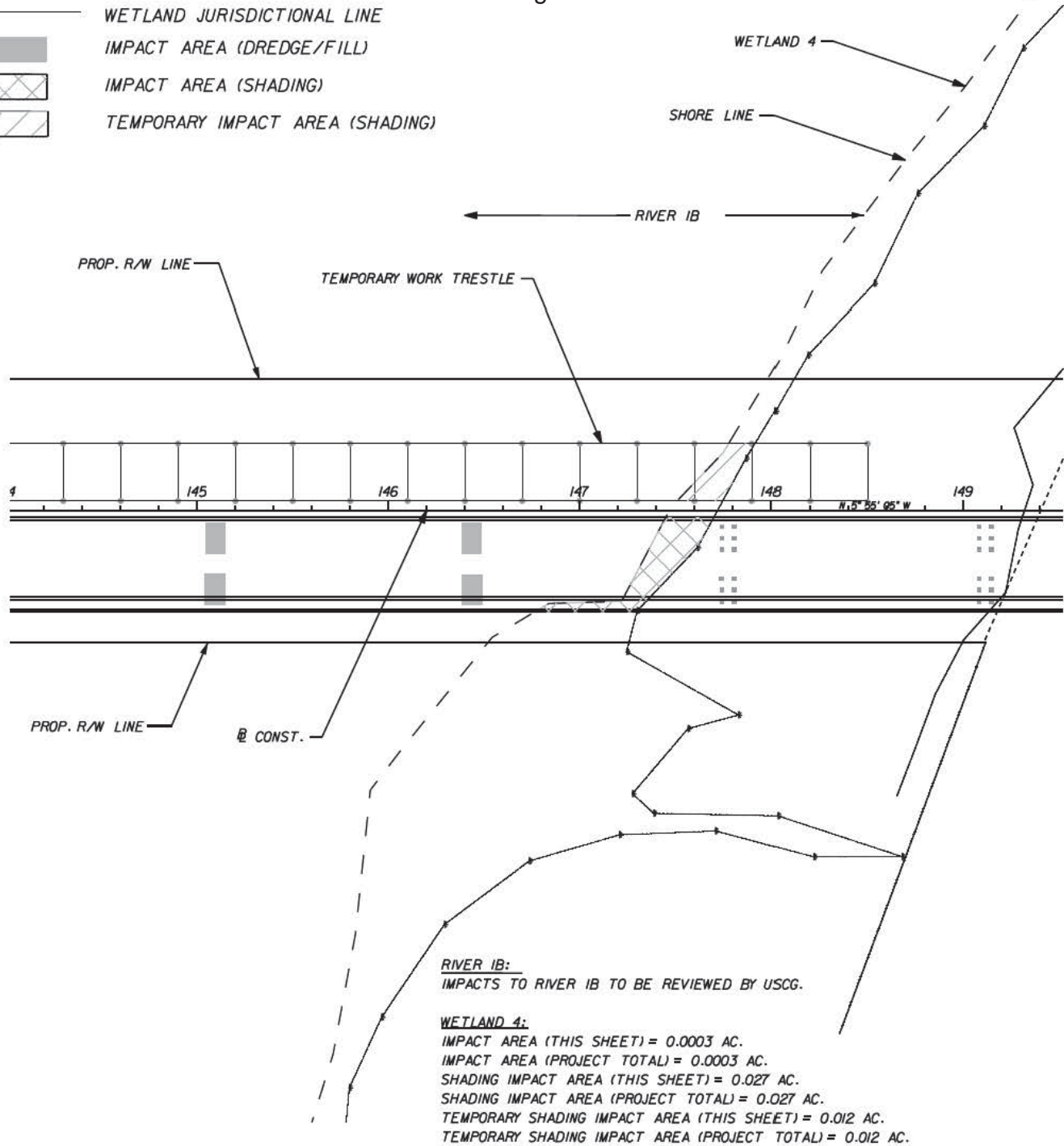
16 June 2014

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LEGEND

- WETLAND JURISDICTIONAL LINE
- IMPACT AREA (DREDGE/FILL)
- IMPACT AREA (SHADING)
- TEMPORARY IMPACT AREA (SHADING)



RIVER 1B:
IMPACTS TO RIVER 1B TO BE REVIEWED BY USCG.

WETLAND 4:
IMPACT AREA (THIS SHEET) = 0.0003 AC.
IMPACT AREA (PROJECT TOTAL) = 0.0003 AC.
SHADING IMPACT AREA (THIS SHEET) = 0.027 AC.
SHADING IMPACT AREA (PROJECT TOTAL) = 0.027 AC.
TEMPORARY SHADING IMPACT AREA (THIS SHEET) = 0.012 AC.
TEMPORARY SHADING IMPACT AREA (PROJECT TOTAL) = 0.012 AC.

URS

PURPOSE: NEW BRIDGE AND
ROADWAY IMPROVEMENTS
DATUM: NGVD 1929

PLAN VIEW 12

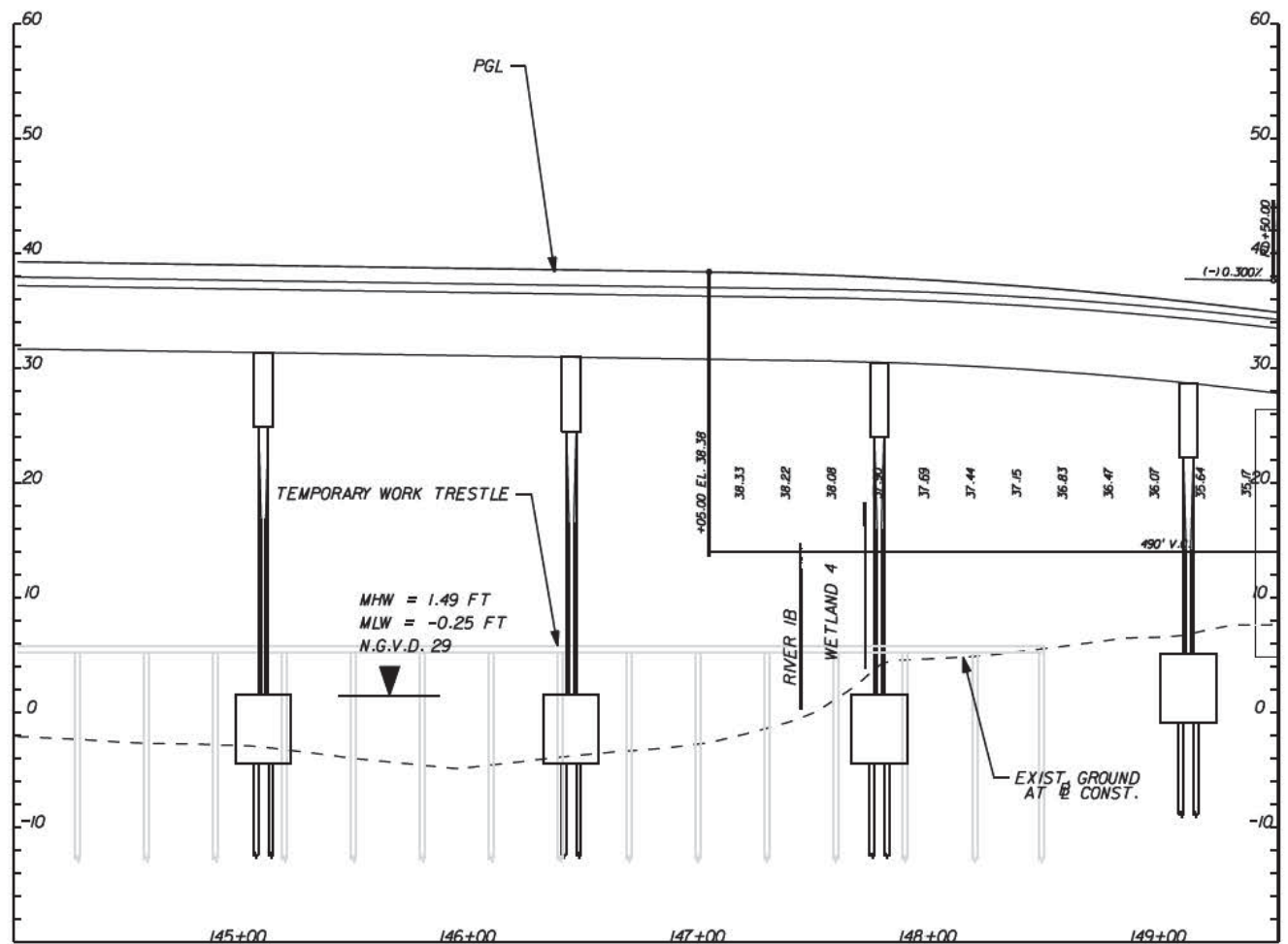
IN: MANATEE RIVER
AT: NEW BRIDGE OVER MANATEE RIVER
AT FORT HAMER ROAD
COUNTY OF: MANATEE
APPLICATION BY: MANATEE COUNTY

STATE OF: FLORIDA
DATE: JULY 2013
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URS

PURPOSE: NEW BRIDGE AND
ROADWAY IMPROVEMENTS
DATUM: NGVD 1929

PROFILE VIEW 12A

IN: MANATEE RIVER
AT: NEW BRIDGE OVER MANATEE RIVER
AT FORT HAMER ROAD
COUNTY OF: MANATEE
APPLICATION BY: MANATEE COUNTY

STATE OF: FLORIDA

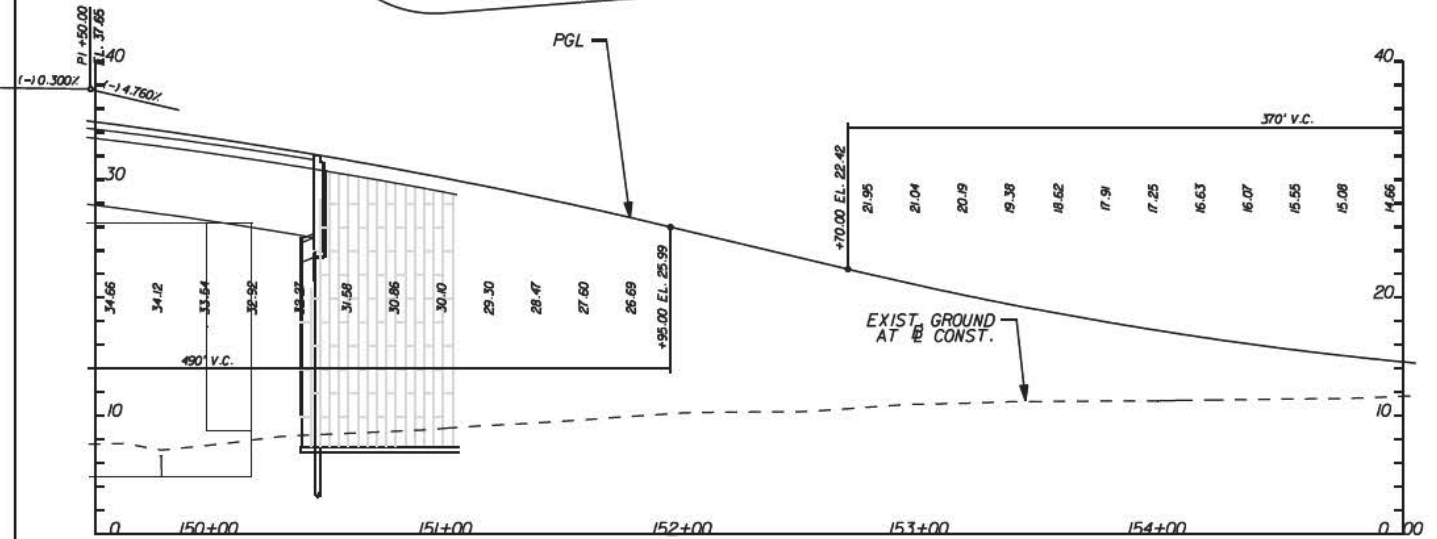
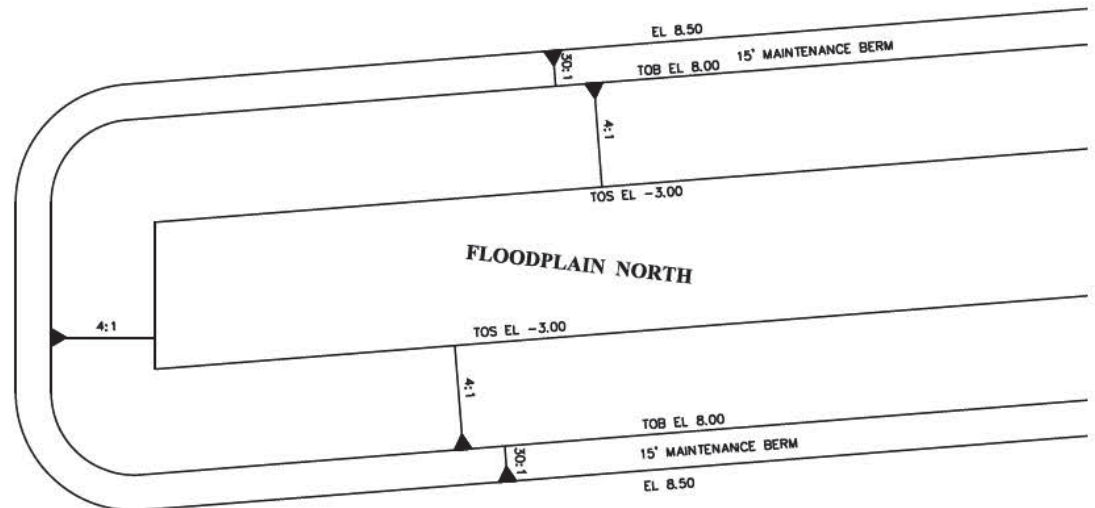
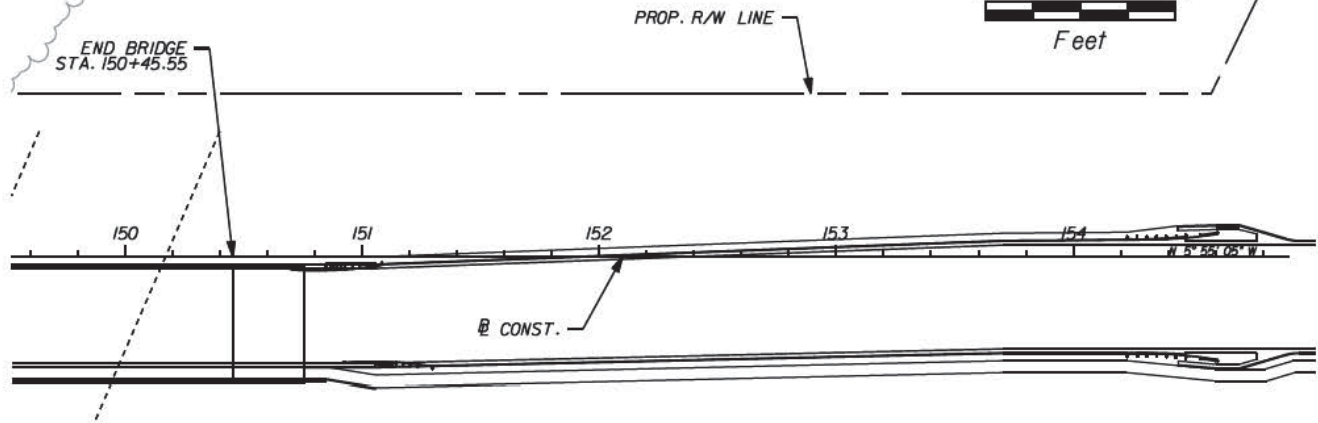
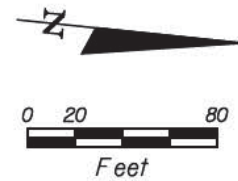
DATE: JULY 2013

SHEET 16 OF 25

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URS

PURPOSE: NEW BRIDGE AND
ROADWAY IMPROVEMENTS
DATUM: NGVD 1929

PLAN VIEW 13

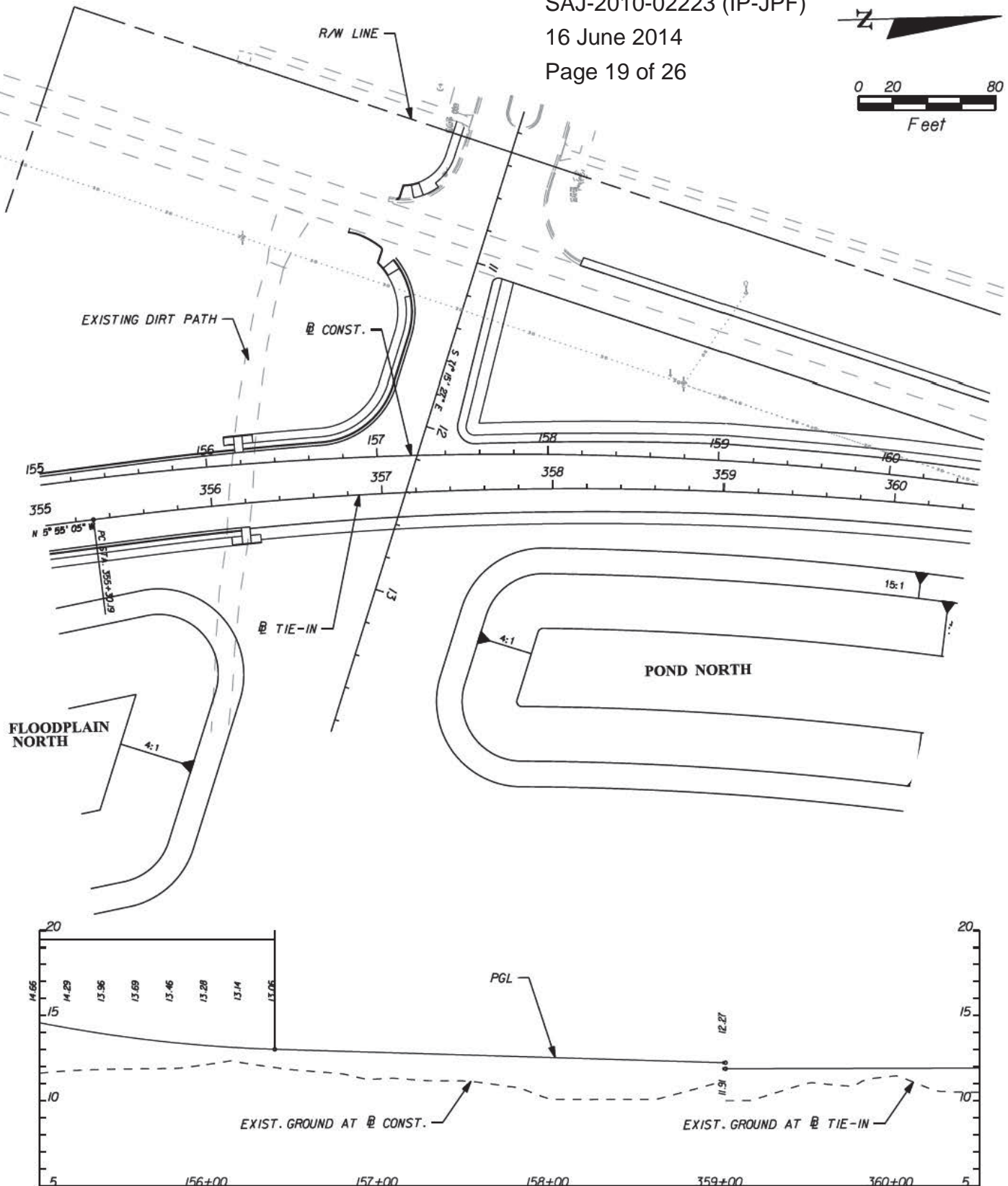
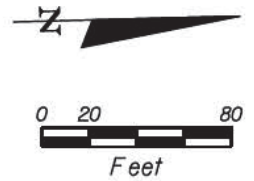
IN: MANATEE RIVER
AT: NEW BRIDGE OVER MANATEE RIVER
AT FORT HAMER ROAD

STATE OF: FLORIDA

COUNTY OF: MANATEE
APPLICATION BY: MANATEE COUNTY

DATE: JULY 2013

SHEET 17 OF 25


URS

PURPOSE: NEW BRIDGE AND
ROADWAY IMPROVEMENTS
DATUM: NGVD 1929

PLAN VIEW 14

IN: MANATEE RIVER
AT: NEW BRIDGE OVER MANATEE RIVER
AT FORT HAMER ROAD
COUNTY OF: MANATEE
APPLICATION BY: MANATEE COUNTY

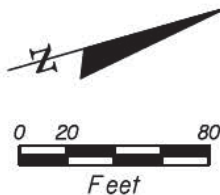
STATE OF: FLORIDA

DATE: JULY 2013

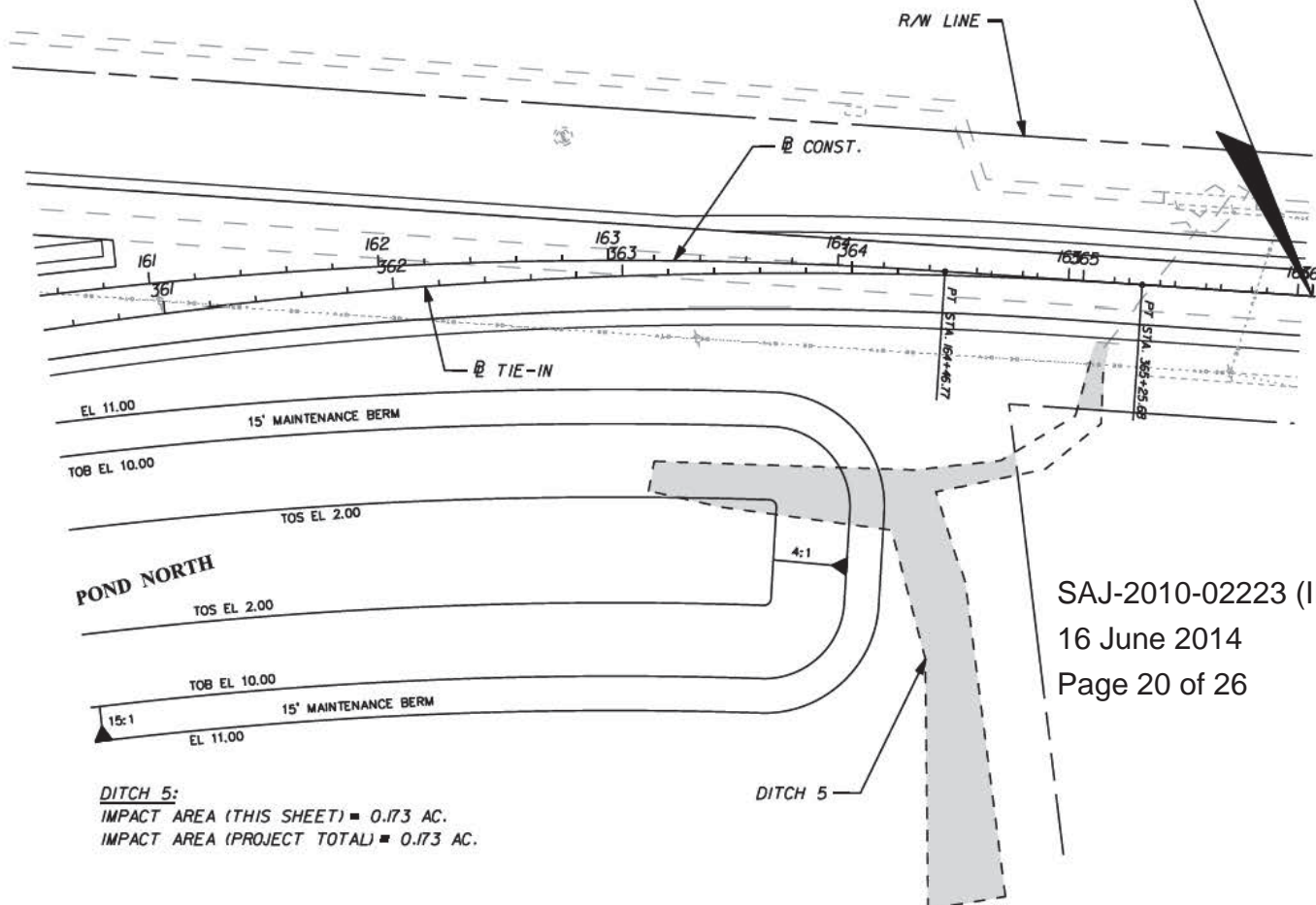
SHEET 18 OF 25

LEGEND

--- EXISTING DITCH
 █ IMPACT AREA (DREDGE/FILL)



END PROJECT
 STA. 166+06.52

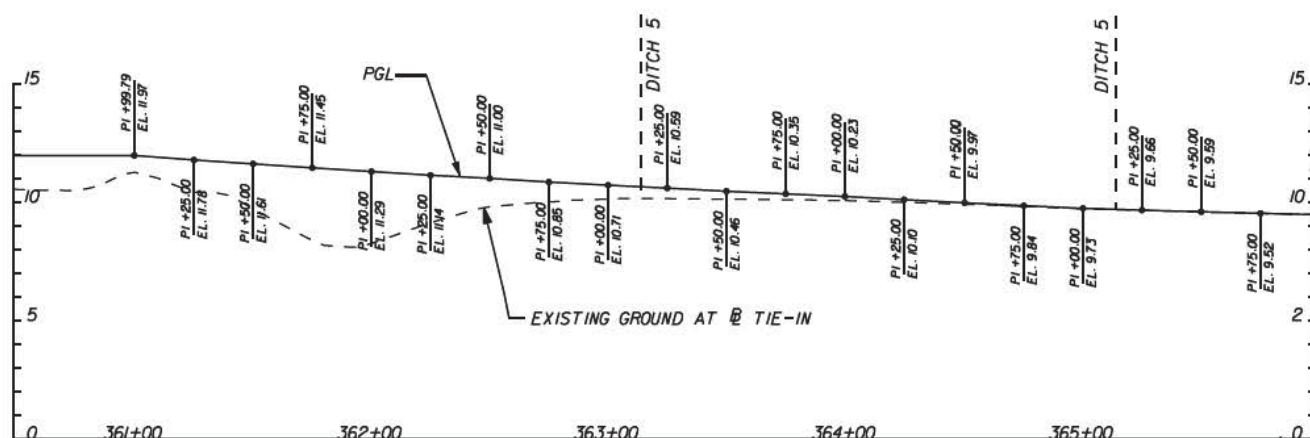


DITCH 5:
 IMPACT AREA (THIS SHEET) = 0.173 AC.
 IMPACT AREA (PROJECT TOTAL) = 0.173 AC.

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16 June 2014

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URS

PURPOSE: NEW BRIDGE AND
 ROADWAY IMPROVEMENTS
 DATUM: NGVD 1929

PLAN VIEW 15

IN: MANATEE RIVER
 AT: NEW BRIDGE OVER MANATEE RIVER
 AT FORT HAMER ROAD

STATE OF: FLORIDA

COUNTY OF: MANATEE
 APPLICATION BY: MANATEE COUNTY

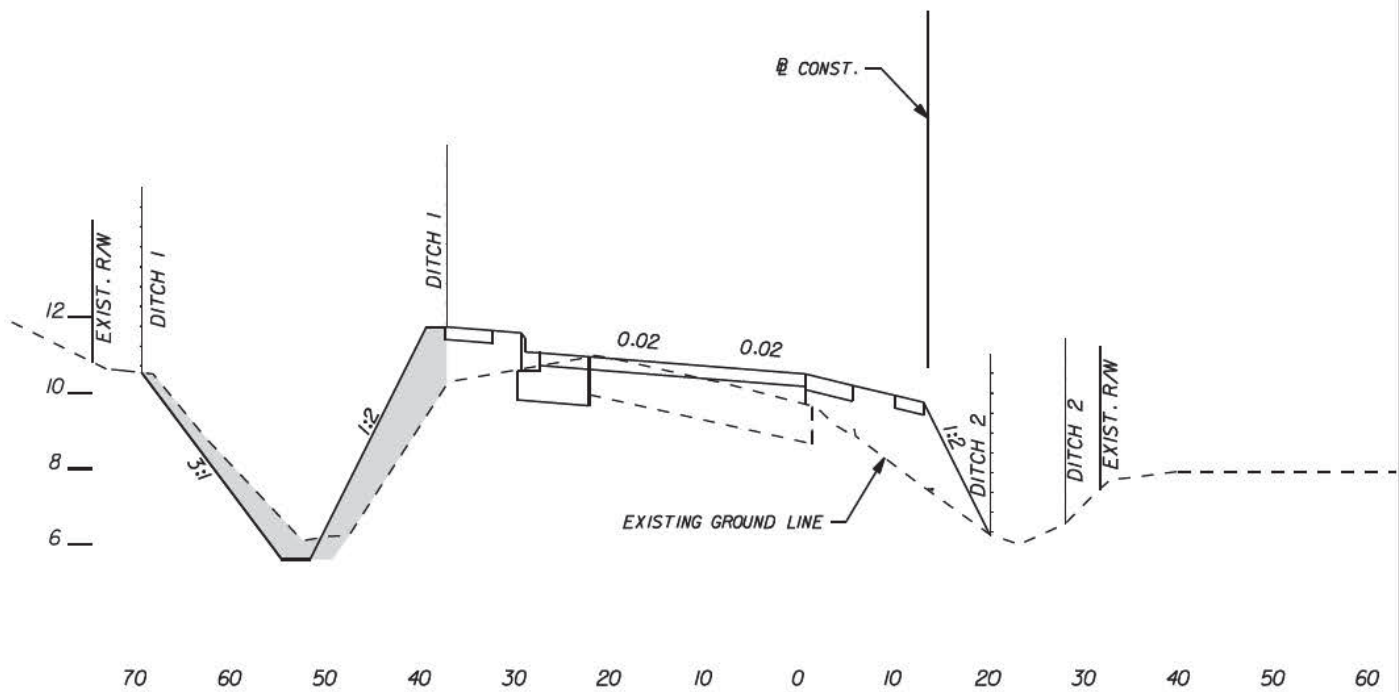
DATE: JULY 2013

SHEET 19 OF 25

SAJ-2010-02223 (IP-JPF)

16 June 2014

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96+00.00

Scale
1" = 20' H
1" = 5' V

IMPACT AREA (DREDGE/FILL)

URS

PURPOSE: NEW BRIDGE AND
ROADWAY IMPROVEMENTS
DATUM: NGVD 1929

CROSS SECTION VIEW:
DITCH 1 & DITCH 2

IN: MANATEE RIVER
AT: NEW BRIDGE OVER MANATEE RIVER
AT FORT HAMER ROAD
COUNTY OF: MANATEE
APPLICATION BY: MANATEE COUNTY

STATE OF: FLORIDA

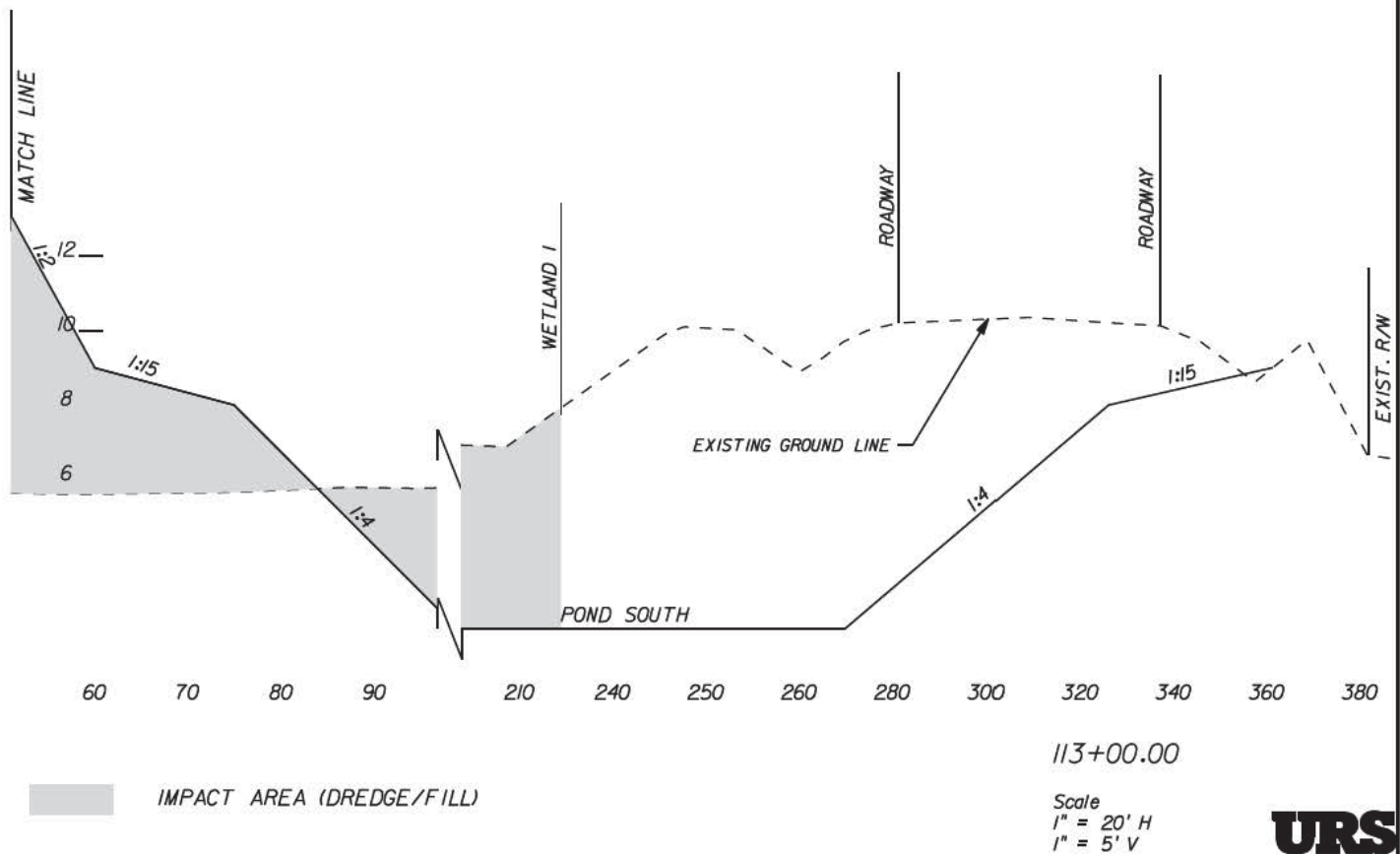
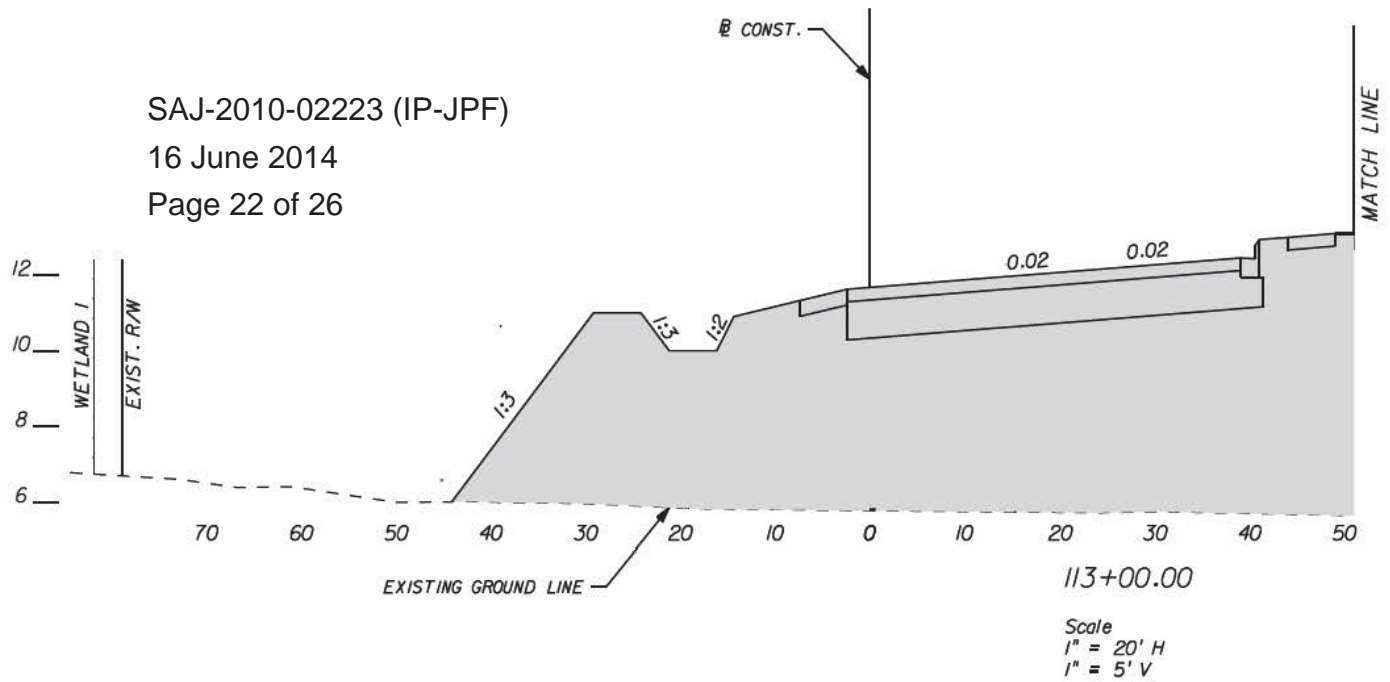
DATE: JULY 2013

SHEET 20 OF 25

SAJ-2010-02223 (IP-JPF)

16 June 2014

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URS

PURPOSE: NEW BRIDGE AND
ROADWAY IMPROVEMENTS
DATUM: NGVD 1929

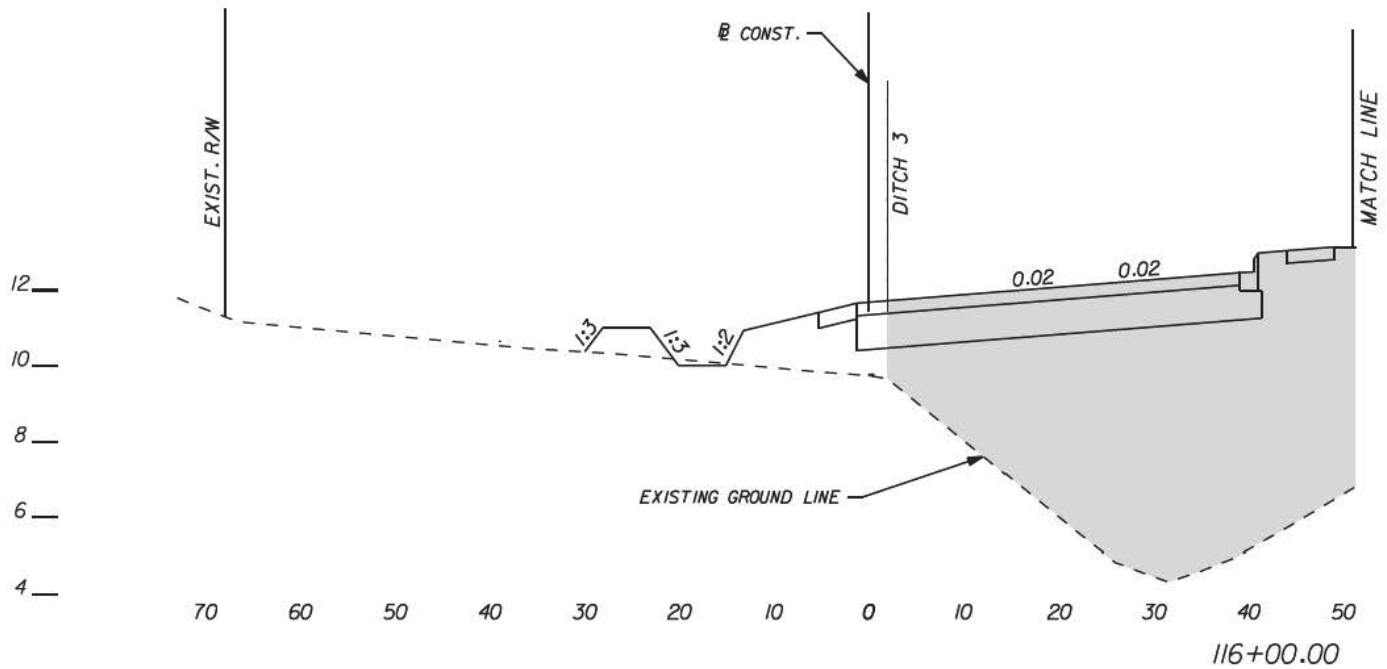
CROSS SECTION VIEW:
WETLAND I

IN: MANATEE RIVER
AT: NEW BRIDGE OVER MANATEE RIVER
AT FORT HAMER ROAD
COUNTY OF: MANATEE
APPLICATION BY: MANATEE COUNTY

STATE OF: FLORIDA

DATE: JULY 2013

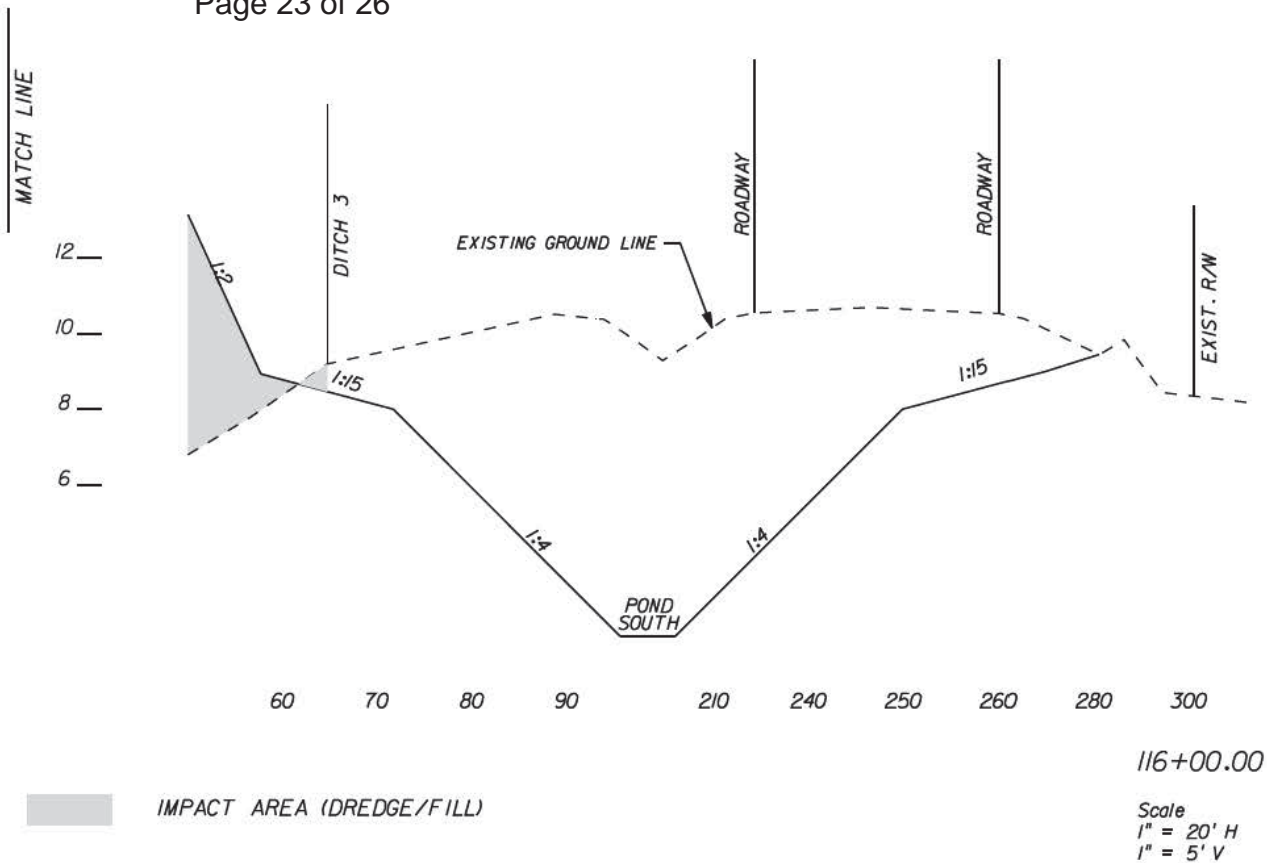
SHEET 21 OF 25



SAJ-2010-02223 (IP-JPF)

16 June 2014

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PURPOSE: NEW BRIDGE AND
 ROADWAY IMPROVEMENTS
 DATUM: NGVD 1929

CROSS SECTION VIEW:
 DITCH 3

IN: MANATEE RIVER
 AT: NEW BRIDGE OVER MANATEE RIVER
 AT FORT HAMER ROAD
 COUNTY OF: MANATEE
 APPLICATION BY: MANATEE COUNTY

STATE OF: FLORIDA

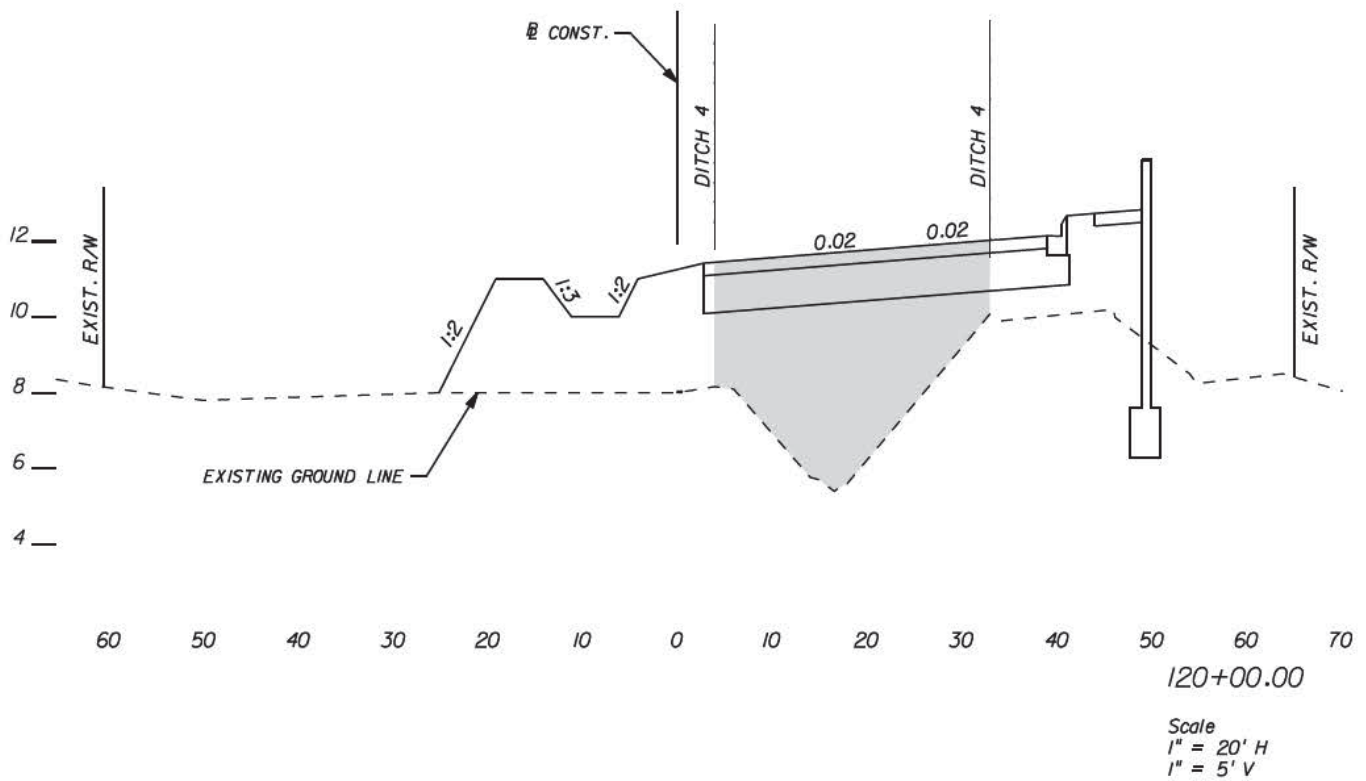
DATE: JULY 2013

SHEET 22 OF 25

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16 June 2014

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IMPACT AREA (DREDGE/FILL)

URS

PURPOSE: NEW BRIDGE AND
ROADWAY IMPROVEMENTS
DATUM: NGVD 1929

CROSS SECTION VIEW:
DITCH 4

IN: MANATEE RIVER
AT: NEW BRIDGE OVER MANATEE RIVER
AT FORT HAMER ROAD
COUNTY OF: MANATEE
APPLICATION BY: MANATEE COUNTY

STATE OF: FLORIDA

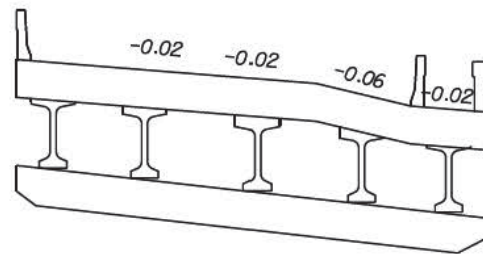
DATE: JULY 2013

SHEET 23 OF 25

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SAJ-2010-02223 (IP-JPF)
16 June 2014
Page 25 of 26

CONST.



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Scale
1" = 20' H
1" = 5' V

IMPACT AREA (DREDGE/FILL)

URS

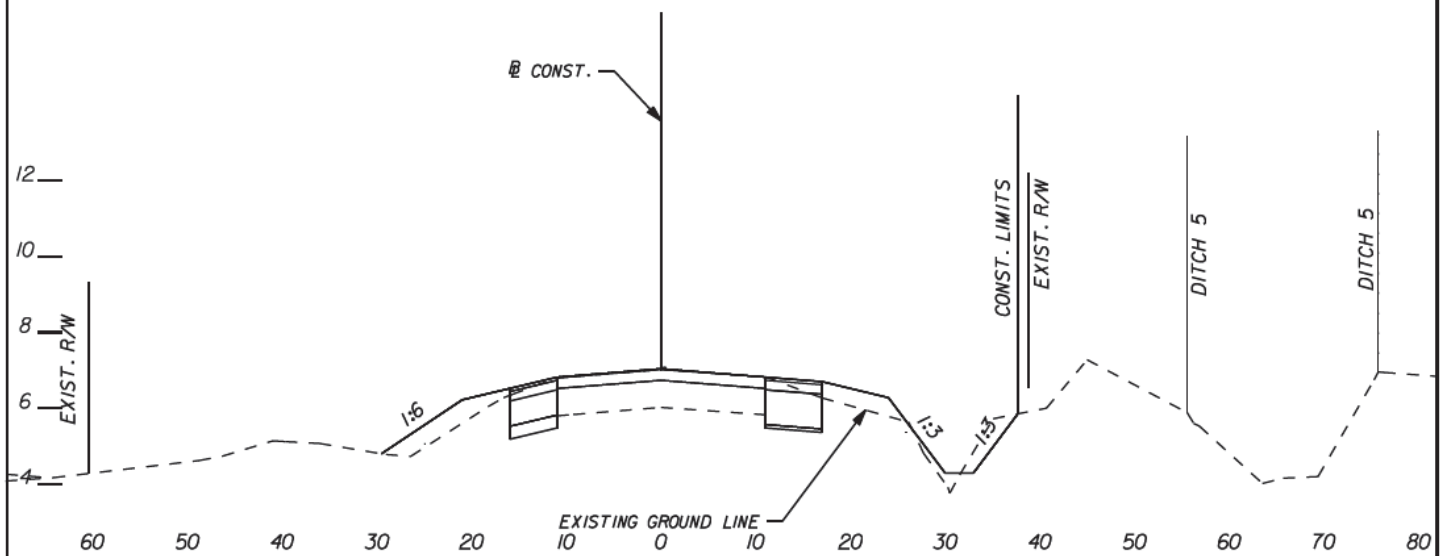
PURPOSE: NEW BRIDGE AND
ROADWAY IMPROVEMENTS
DATUM: NGVD 1929

CROSS SECTION VIEW:
WETLAND 2

IN: MANATEE RIVER
AT: NEW BRIDGE OVER MANATEE RIVER
AT FORT HAMER ROAD
COUNTY OF: MANATEE
APPLICATION BY: MANATEE COUNTY

STATE OF: FLORIDA
DATE: JULY 2013
SHEET 24 OF 25

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Scale
 $1'' = 20' H$
 $1'' = 5' V$

IMPACT AREA (DREDGE/FILL)



URS

SHEET 25 OF 25

ATTACHMENT 2

Specific Conditions

1. If the ownership of the project area covered by the subject permit is divided, with someone other than the Permittee becoming the owner of part of the project area, this permit shall terminate, pursuant to Rule 40D-1.6105, F.A.C. In such situations, each land owner shall obtain a permit (which may be a modification of this permit) for the land owned by that person. This condition shall not apply to the division and sale of lots or units in residential subdivisions or condominiums.
2. The Permittee shall retain the design engineer, or other professional engineer registered in Florida, to conduct on-site observations of construction and assist with the as-built certification requirements of this project. The Permittee shall inform the District in writing of the name, address and phone number of the professional engineer so employed. This information shall be submitted prior to construction.
3. Wetland buffers shall remain in an undisturbed condition except for approved drainage facility construction/maintenance. No work, construction, maintenance, clearing, filling or any other type of activities may be undertaken within the wetlands, wetland buffers, or drainage easements described in the approved permit, unless prior approval is received from the Southwest Florida Water Management District.
4. The following boundaries, as shown on the approved construction drawings, shall be clearly delineated on the site prior to initial clearing or grading activities:

wetland and surface water areas

limits of approved wetland impacts

The delineation shall endure throughout the construction period and be readily discernible to construction and District personnel.
5. All wetland and surface water boundaries shown on the approved construction drawings shall be binding upon the Permittee and the District for the term of this permit. If this permit is extended, the wetland and surface water boundaries shall only remain binding for the term of such extension provided that physical conditions on the property, as solely determined by District staff, do not change so as to alter the boundaries of the delineated wetlands or other surface waters during the permit term, unless such change has been authorized by a permit issued under Part IV, Chapter 373, F.S.
6. The removal of littoral shelf vegetation (including cattails) from wet detention ponds is prohibited unless otherwise approved by the District. Removal includes dredging, the application of herbicide, cutting, and the introduction of grass carp. Any questions regarding authorized activities within the wet detention ponds shall be addressed to the District's Engineering Manager at the Tampa Service Office.
7. 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 4-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 Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. 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 and to FWC at ImperiledSpecies@myFWC.com.

f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs shall be removed by the Permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. 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. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.

8. Certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341 is waived.
9. If limestone bedrock is encountered during construction of the surface water management system, the District must be notified and construction in the affected area shall cease.
10. The Permittee shall notify the District of any sinkhole development in the surface water management system within 48 hours of discovery and must submit a detailed sinkhole evaluation and repair plan for approval by the District within 30 days of discovery.
11. The Permitted Plan Set for this project includes: Plan Sheets 14,15, 24, and 59 from the submittal received by the District on February 17, 2014; Plan Sheets 12, 13, 16, 55-58, 93-96, and 99-105 from the submittal received by the District on February 21, 2014; the remaining sheets from the submittal received by the District on November 19, 2013.
12. The operation and maintenance entity shall provide for the inspection of the permitted project after conversion of the permit to the operation and maintenance phase. For systems utilizing

retention or wet detention, the inspections shall be performed five (5) years after operation is authorized and every five (5) years thereafter.

The operation and maintenance entity must maintain a record of each inspection, including the date of inspection, the name and contact information of the inspector, whether the system was functioning as designed and permitted, and make such record available upon request of the District.

Within 30 days of any failure of a stormwater management system or deviation from the permit, an inspection report shall be submitted using Form 62-330.311(1), "Operation and Maintenance Inspection Certification" describing the remedial actions taken to resolve the failure or deviation.

13. District staff must be notified in advance of any proposed construction dewatering. If the dewatering activity is likely to result in offsite discharge or sediment transport into wetlands or surface waters, a written dewatering plan must either have been submitted and approved with the permit application or submitted to the District as a permit prior to the dewatering event as a permit modification. A water use permit may be required prior to any use exceeding the thresholds in Chapter 40D-2, F.A.C.
14. Off-site discharges during construction and development shall be made only through the facilities authorized by this permit. Water discharged from the project shall be through structures having a mechanism suitable for regulating upstream stages. Stages may be subject to operating schedules satisfactory to the District.
15. The permittee shall complete construction of all aspects of the surface water management system, including wetland compensation (grading, mulching, planting), water quality treatment features, and discharge control facilities prior to beneficial occupancy or use of the development being served by this system.
16. The following shall be properly abandoned and/or removed in accordance with the applicable regulations:
 - a. Any existing wells in the path of construction shall be properly plugged and abandoned by a licensed well contractor.
 - b. Any existing septic tanks on site shall be abandoned at the beginning of construction.
 - c. Any existing fuel storage tanks and fuel pumps shall be removed at the beginning of construction
17. All surface water management systems shall be operated to conserve water in order to maintain environmental quality and resource protection; to increase the efficiency of transport, application and use; to decrease waste; to minimize unnatural runoff from the property and to minimize dewatering of offsite property.
18. This permit is valid only for the specific processes, operations and designs indicated on the approved drawings or exhibits submitted in support of the permit application. Any substantial deviation from the approved drawings, exhibits, specifications or permit conditions, including construction within the total land area but outside the approved project area(s), may constitute grounds for revocation or enforcement action by the District, unless a modification has been applied for and approved. Examples of substantial deviations include excavation of ponds, ditches or sump areas deeper than shown on the approved plans.
19. The Permittee shall ensure that prior to the construction of wetland impacts, a letter modification for the Tampa Bay Mitigation Bank, ERP No. 43020546.001 shall be submitted to the District requesting the withdrawal of marsh credit for the Bridge over the Manatee River at Fort Hamer

Road project. The letter modification request shall reference the project name, Bridge over the Manatee River at Fort Hamer Road and ERP No. 43041367.000. Failure to submit this letter modification requesting a credit withdrawal from the bank prior to the commencement of wetland impacts shall be a violation of this permit.

20. The permittee shall implement and conduct water quality monitoring as outlined in the "Attachment H - Water Quality Monitoring Plan" received by the District on November 19, 2013.
21. A qualified archeologist must be present to monitor during any construction or staging that takes place within the boundaries of Fort Hamer Archeological Site 8MA315. The archaeologist shall have the authority to stop project activities if significant archaeological artifacts or other cultural remains are encountered, or direct the project operation to shift to another area away from such resources. This discretionary power will enable the archaeologist to determine measures that must be taken to stop or minimize impacts to the discovery, or measures necessary to document and recover the archaeological resources in a professional manner. The archaeologist shall contact the Division of Historical Resources to consult as is deemed necessary. When the archaeologist completes documentation and/or recovery measures the project activities can continue.
22. At project completion, the archaeological monitor shall compile a monitoring report and updated Florida Master Site File archaeological site form for 8MA315 (including an electronic copy) and forward these to the Bureau of Historic Preservation – Compliance and Review Office.

GENERAL CONDITIONS

1. The general conditions attached hereto as Exhibit "A" are hereby incorporated into this permit by reference and the Permittee shall comply with them.

PROPRIETARY GENERAL CONDITIONS

1. The general conditions attached hereto as Exhibit "B" are hereby incorporated by reference and the Permittee shall comply with them.

Michelle K. Hopkins, P.E.

Authorized Signature

ATTACHMENT 3

STANDARD PROTECTION MEASURES FOR THE EASTERN INDIGO SNAKE U.S. Fish and Wildlife Service August 12, 2013

The eastern indigo snake protection/education plan (Plan) below has been developed by the U.S. Fish and Wildlife Service (USFWS) in Florida for use by applicants and their construction personnel. At least **30 days prior** to any clearing/land alteration activities, the applicant shall notify the appropriate USFWS Field Office via e-mail that the Plan will be implemented as described below (North Florida Field Office: jaxregs@fws.gov; South Florida Field Office: verobeach@fws.gov; Panama City Field Office: panamacity@fws.gov). As long as the signatory of the e-mail certifies compliance with the below Plan (including use of the attached poster and brochure), no further written confirmation or “approval” from the USFWS is needed and the applicant may move forward with the project.

If the applicant decides to use an eastern indigo snake protection/education plan other than the approved Plan below, written confirmation or “approval” from the USFWS that the plan is adequate must be obtained. At least 30 days prior to any clearing/land alteration activities, the applicant shall submit their unique plan for review and approval. The USFWS will respond via e-mail, typically within 30 days of receiving the plan, either concurring that the plan is adequate or requesting additional information. A concurrence e-mail from the appropriate USFWS Field Office will fulfill approval requirements.

The Plan materials should consist of: 1) a combination of posters and pamphlets (see **Poster Information** section below); and 2) verbal educational instructions to construction personnel by supervisory or management personnel before any clearing/land alteration activities are initiated (see **Pre-Construction Activities** and **During Construction Activities** sections below).

POSTER INFORMATION

Posters with the following information shall be placed at strategic locations on the construction site and along any proposed access roads (a final poster for Plan compliance, to be printed on 11” x 17” or larger paper and laminated, is attached):

DESCRIPTION: The eastern indigo snake is one of the largest non-venomous snakes in North America, with individuals often reaching up to 8 feet in length. They derive their name from the glossy, blue-black color of their scales above and uniformly slate blue below. Frequently, they have orange to coral reddish coloration in the throat area, yet some specimens have been reported to only have cream coloration on the throat. These snakes are not typically aggressive and will attempt to crawl away when disturbed. Though indigo snakes rarely bite, they should NOT be handled.

SIMILAR SNAKES: The black racer is the only other solid black snake resembling the eastern indigo snake. However, black racers have a white or cream chin, thinner bodies, and WILL BITE if handled.

LIFE HISTORY: The eastern indigo snake occurs in a wide variety of terrestrial habitat types throughout Florida. Although they have a preference for uplands, they also utilize some wetlands

and agricultural areas. Eastern indigo snakes will often seek shelter inside gopher tortoise burrows and other below- and above-ground refugia, such as other animal burrows, stumps, roots, and debris piles. Females may lay from 4 - 12 white eggs as early as April through June, with young hatching in late July through October.

PROTECTION UNDER FEDERAL AND STATE LAW: The eastern indigo snake is classified as a Threatened species by both the USFWS and the Florida Fish and Wildlife Conservation Commission. “Taking” of eastern indigo snakes is prohibited by the Endangered Species Act without a permit. “Take” is defined by the USFWS as an attempt to kill, harm, harass, pursue, hunt, shoot, wound, trap, capture, collect, or engage in any such conduct. Penalties include a maximum fine of \$25,000 for civil violations and up to \$50,000 and/or imprisonment for criminal offenses, if convicted.

Only individuals currently authorized through an issued Incidental Take Statement in association with a USFWS Biological Opinion, or by a Section 10(a)(1)(A) permit issued by the USFWS, to handle an eastern indigo snake are allowed to do so.

IF YOU SEE A LIVE EASTERN INDIGO SNAKE ON THE SITE:

- Cease clearing activities and allow the live eastern indigo snake sufficient time to move away from the site without interference;
- Personnel must NOT attempt to touch or handle snake due to protected status.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Immediately notify supervisor or the applicant’s designated agent, **and** the appropriate USFWS office, with the location information and condition of the snake.
- If the snake is located in a vicinity where continuation of the clearing or construction activities will cause harm to the snake, the activities must halt until such time that a representative of the USFWS returns the call (within one day) with further guidance as to when activities may resume.

IF YOU SEE A DEAD EASTERN INDIGO SNAKE ON THE SITE:

- Cease clearing activities and immediately notify supervisor or the applicant’s designated agent, **and** the appropriate USFWS office, with the location information and condition of the snake.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Thoroughly soak the dead snake in water and then freeze the specimen. The appropriate wildlife agency will retrieve the dead snake.

Telephone numbers of USFWS Florida Field Offices to be contacted if a live or dead eastern indigo snake is encountered:

North Florida Field Office – (904) 731-3336

Panama City Field Office – (850) 769-0552

South Florida Field Office – (772) 562-3909

PRE-CONSTRUCTION ACTIVITIES

1. The applicant or designated agent will post educational posters in the construction office and throughout the construction site, including any access roads. The posters must be clearly visible to all construction staff. A sample poster is attached.
2. Prior to the onset of construction activities, the applicant/designated agent will conduct a meeting with all construction staff (annually for multi-year projects) to discuss identification of the snake, its protected status, what to do if a snake is observed within the project area, and applicable penalties that may be imposed if state and/or federal regulations are violated. An educational brochure including color photographs of the snake will be given to each staff member in attendance and additional copies will be provided to the construction superintendent to make available in the onsite construction office (a final brochure for Plan compliance, to be printed double-sided on 8.5" x 11" paper and then properly folded, is attached). Photos of eastern indigo snakes may be accessed on USFWS and/or FWC websites.
3. Construction staff will be informed that in the event that an eastern indigo snake (live or dead) is observed on the project site during construction activities, all such activities are to cease until the established procedures are implemented according to the Plan, which includes notification of the appropriate USFWS Field Office. The contact information for the USFWS is provided on the referenced posters and brochures.

DURING CONSTRUCTION ACTIVITIES

1. During initial site clearing activities, an onsite observer may be utilized to determine whether habitat conditions suggest a reasonable probability of an eastern indigo snake sighting (example: discovery of snake sheds, tracks, lots of refugia and cavities present in the area of clearing activities, and presence of gopher tortoises and burrows).
2. If an eastern indigo snake is discovered during gopher tortoise relocation activities (i.e. burrow excavation), the USFWS shall be contacted within one business day to obtain further guidance which may result in further project consultation.
3. Periodically during construction activities, the applicant's designated agent should visit the project area to observe the condition of the posters and Plan materials, and replace them as needed. Construction personnel should be reminded of the instructions (above) as to what is expected if any eastern indigo snakes are seen.

POST CONSTRUCTION ACTIVITIES

Whether or not eastern indigo snakes are observed during construction activities, a monitoring report should be submitted to the appropriate USFWS Field Office within 60 days of project completion. The report can be sent electronically to the appropriate USFWS e-mail address listed on page one of this Plan.

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, Enforcement Section, address of Enforcement PM, City, State, zipcode. If you have questions regarding this requirement, please contact the Enforcement Branch at 904-232-3131.

1. Department of the Army Permit Number: SAJ- - (-)

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

City

State

ZIP

(Affix Seal)

Date

Telephone Number

Identify any deviations from the approved permit drawings and/or special conditions (attach additional pages if necessary):

ATTACHMENT 3
USCG BRIDGE PERMIT NO 7-14-7



BRIDGE PERMIT

24 JUN 2014

(7-14-7)

WHEREAS by Title V of an act of Congress approved August 2, 1946, entitled "General Bridge Act of 1946," as amended (33 U.S.C. 525-533), the consent of Congress was granted for the construction, maintenance and operation of bridges and approaches thereto over the navigable waters of the United States;

AND WHEREAS the Secretary of Homeland Security has delegated the authority of Section 502(b) of that act to the Commandant, U.S. Coast Guard by Department of Homeland Security Delegation Number: 0170.1;

AND WHEREAS before construction is commenced, the Commandant must approve the location and plans of any such bridge and may impose any specific conditions relating to the construction, maintenance and operation of the structure deemed necessary in the interest of public navigation, such conditions to have the force of law;

AND WHEREAS - MANATEE COUNTY - has submitted for approval the location and plans of a bridge to be constructed across the Manatee River at Parrish, Florida;

NOW THEREFORE, This is to certify that the location and plans dated 13 May 2014 are hereby approved by the Commandant, subject to the following conditions:

1. No deviation from the approved plans may be made either before or after completion of the structure unless the modification of said plans has previously been submitted to and received the approval of the Commandant.

2. The construction of falsework, pilings, cofferdams or other obstructions, if required, shall be in accordance with plans submitted to and approved by the Commander, Seventh Coast Guard District, prior to construction of the bridge. All work shall be so conducted that the free navigation of the waterway is not unreasonably interfered with and the present navigable depths are not impaired. Timely notice of any and all events that may affect navigation shall be given to the District Commander during construction of the bridge. The channel or channels through the structure shall be promptly cleared of all obstructions placed therein or caused by the construction of the bridge to the satisfaction of the District Commander, when in the judgment of the District Commander the construction work has reached a point where such action should be taken, but in no case later than 90 days after the bridge has been opened to traffic.

Bridge across the Manatee River at Parrish, Florida24 JUN 2014
BRIDGE PERMIT

(7-14-7)

3. Issuance of this permit does not relieve the permittee of the obligation or responsibility for compliance with the provisions of any other law or regulation as may be under the jurisdiction of the U.S. Department of the Interior, Fish and Wildlife Service; U.S. Department of Commerce, National Marine Fisheries Service, or any other federal, state or local authority having cognizance of any aspect of the location, construction or maintenance of said bridge.

4. A bridge fendering system shall be installed and maintained in good condition by and at the expense of the owner of the bridge when so required by the District Commander. Said installation and maintenance shall be for the safety of navigation and be in accordance with plans submitted to and approved by the District Commander prior to its construction.

5. Clearance gauges shall be installed and maintained in a good and legible condition by and at the expense of the owner of the bridge when so required by the District Commander. The type of gauges and the locations in which they are to be installed will be submitted to the District Commander for approval.

6. When the proposed bridge is no longer used for transportation purposes, it shall be removed in its entirety or to an elevation deemed appropriate by the District Commander and the waterway cleared to the satisfaction of the District Commander. Such removal and clearance shall be completed by and at the expense of the owner of the bridge upon due notice from the District Commander.

7. The approval hereby granted shall cease and be null and void unless construction of the bridge is commenced within three years and completed within five years after the date of this permit.



Brian L. Dunn

Chief, Office of Bridge Programs

U.S. Coast Guard

By direction of the Commandant



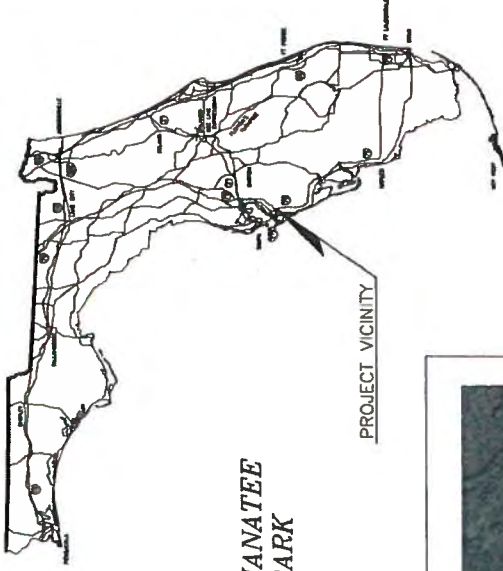
INDEX OF STRUCTURE PLANS

SHEET NUMBER	SHEET DESCRIPTION
1	COVER SHEET
2	PLAN AND ELEVATION (1 OF 6)
3	PLAN AND ELEVATION (2 OF 6)
4	PLAN AND ELEVATION (3 OF 6)
5	PLAN AND ELEVATION (4 OF 6)
6	PLAN AND ELEVATION (5 OF 6)
7	PLAN AND ELEVATION (6 OF 6)
8	TYPICAL SECTION



MANATEE COUNTY, FLORIDA
 BRIDGE OVER MANATEE RIVER FROM UPPER MANATEE
 RIVER ROAD TO NORTH OF FORT HAMER PARK
 PROJECT NO. 09-2392BG

STRUCTURE PLANS



PROJECT VICINITY

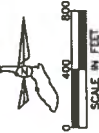


PLANS PREPARED BY:

URS

URS CORPORATION SOUTHERN
 7650 West Courtney Campbell Causeway
 Waterford Plaza, Suite 700
 Tampa, Florida 33607-1462
 (813) 286-1711

CERTIFICATE OF AUTHORIZATION NO. 000000002



NOTE: THE PLANS AND ELECTRONIC FILES
 ARE NOT TO SCALE.

DATE	KEY SHEET REVISIONS
	DESCRIPTION

STRUCTURE PLANS
 ENGINEER OF RECORD: MARK S. ECHOLTZ, P.E.

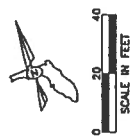
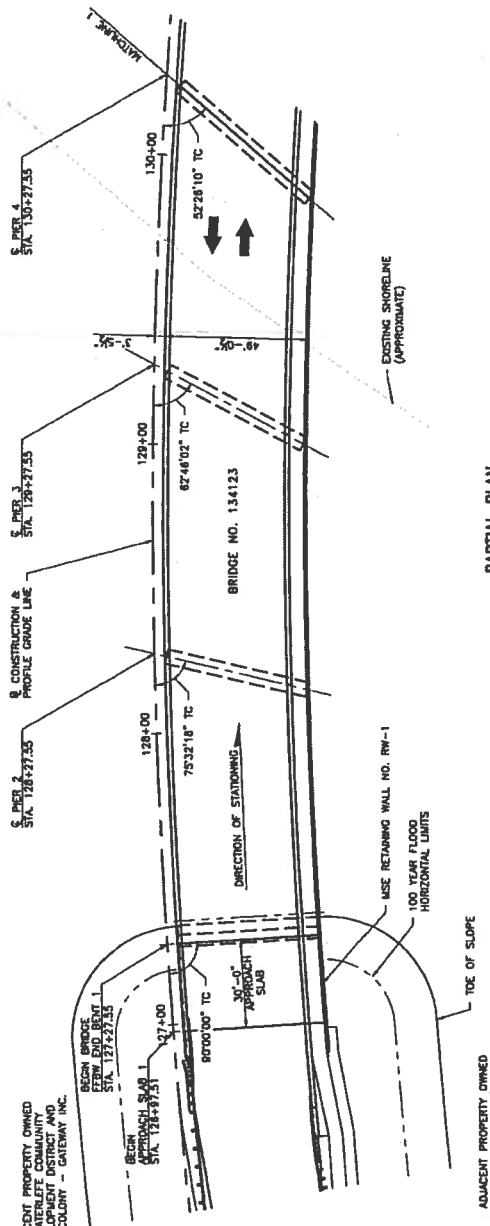
DATE:
 P.E. NO. 36078

MANATEE COUNTY PROJECT MANAGER : Kent Bontrager, P.E.

SHEET NO.
 1 OF 8

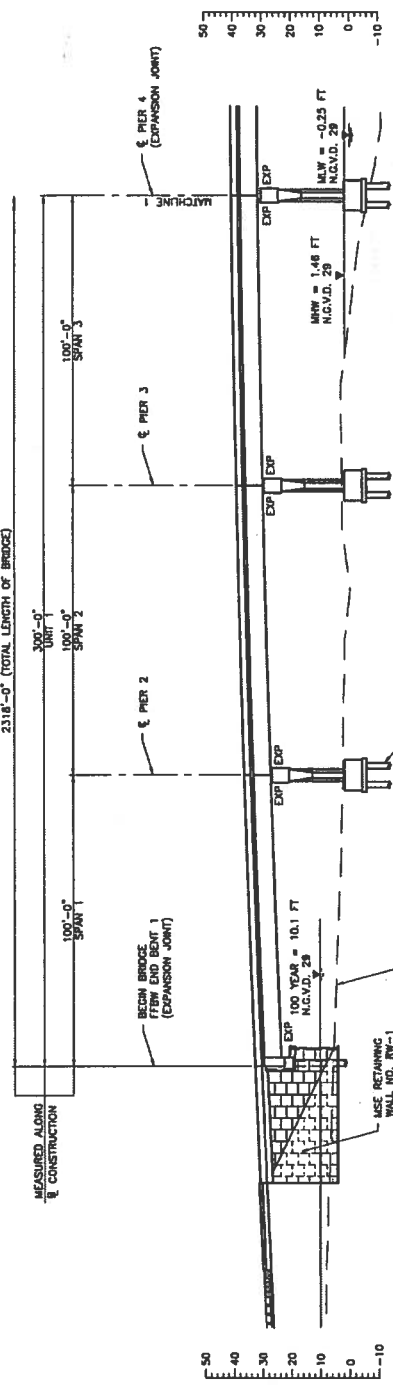
Mark Echoltz
 5/13/14

ADJACENT PROPERTY OWNED
BY WATERLETT COMMUNITY
DEVELOPMENT DISTRICT AND
BAY COUNTY - GATEWAY INC.

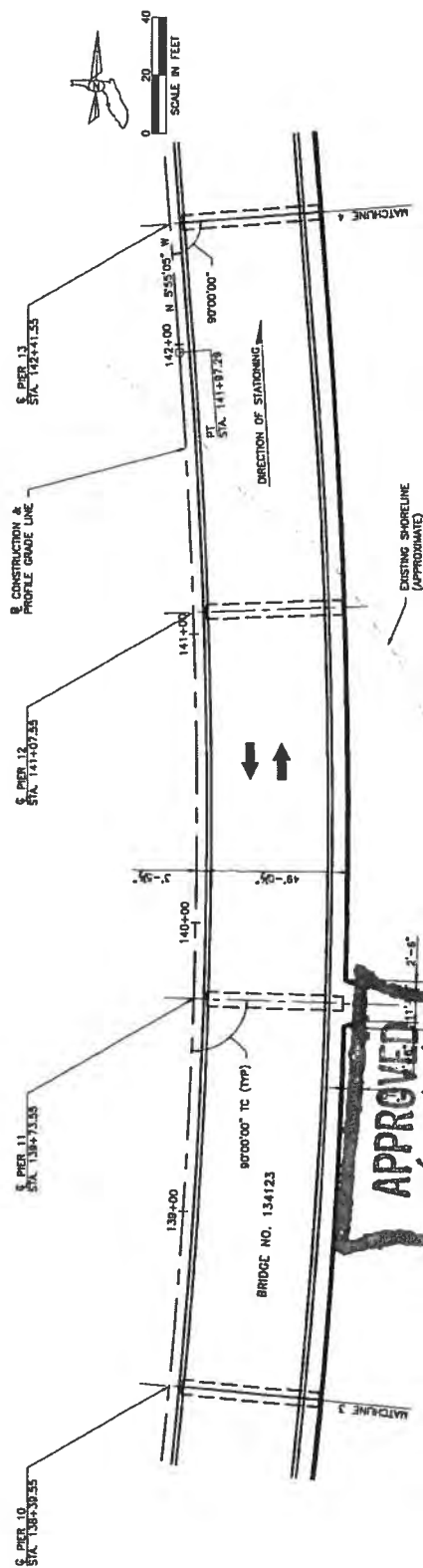


- NOTES
1. BRIDGE IS DESIGNED IN ACCORDANCE WITH ASHUTO LIFT BRIDGE DESIGN SPECIFICATIONS, 5TH EDITION.
 2. AMOUNT OF FILL BELOW MHW = 18,900 YD³.
 3. AMOUNT OF FILL BELOW 100-YEAR FLOOD = 63,900 YD³.

Mark Scholtz
5/13/14

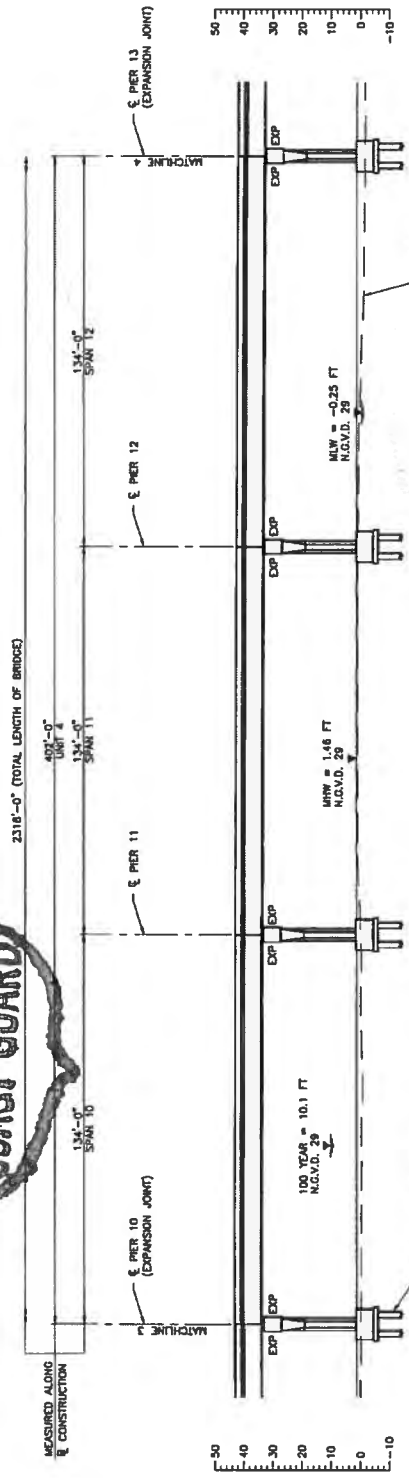


ATTN: c:\users\j214\vol_1\name_jug\sheet\documents\project\log	LASTN	NAME	DOB and extension (J of B)	PICTURE	DATE	TIME	PU	USSE	usssy	caption
					May 12, 2014	4:32:36	PM			




NOTES

1. BRIDGE IS DESIGNED IN ACCORDANCE WITH AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, 5TH EDITION.




Mark E. Scheltz
5/13/14

REVISIONS				Issued By		Checked By		Designed By		Drawn By		Scale	
Date	By	Description	Date	By	ASD	11-08	ASD	11-08	ASD	11-08	ASD	11-08	ASD



URS

URS Corporation Southern
7850 West Courtney
Campbell Causeway
Tampa, Florida 33607-1462
C.A. No. 00000002



MANATEE COUNTY GOVERNMENT

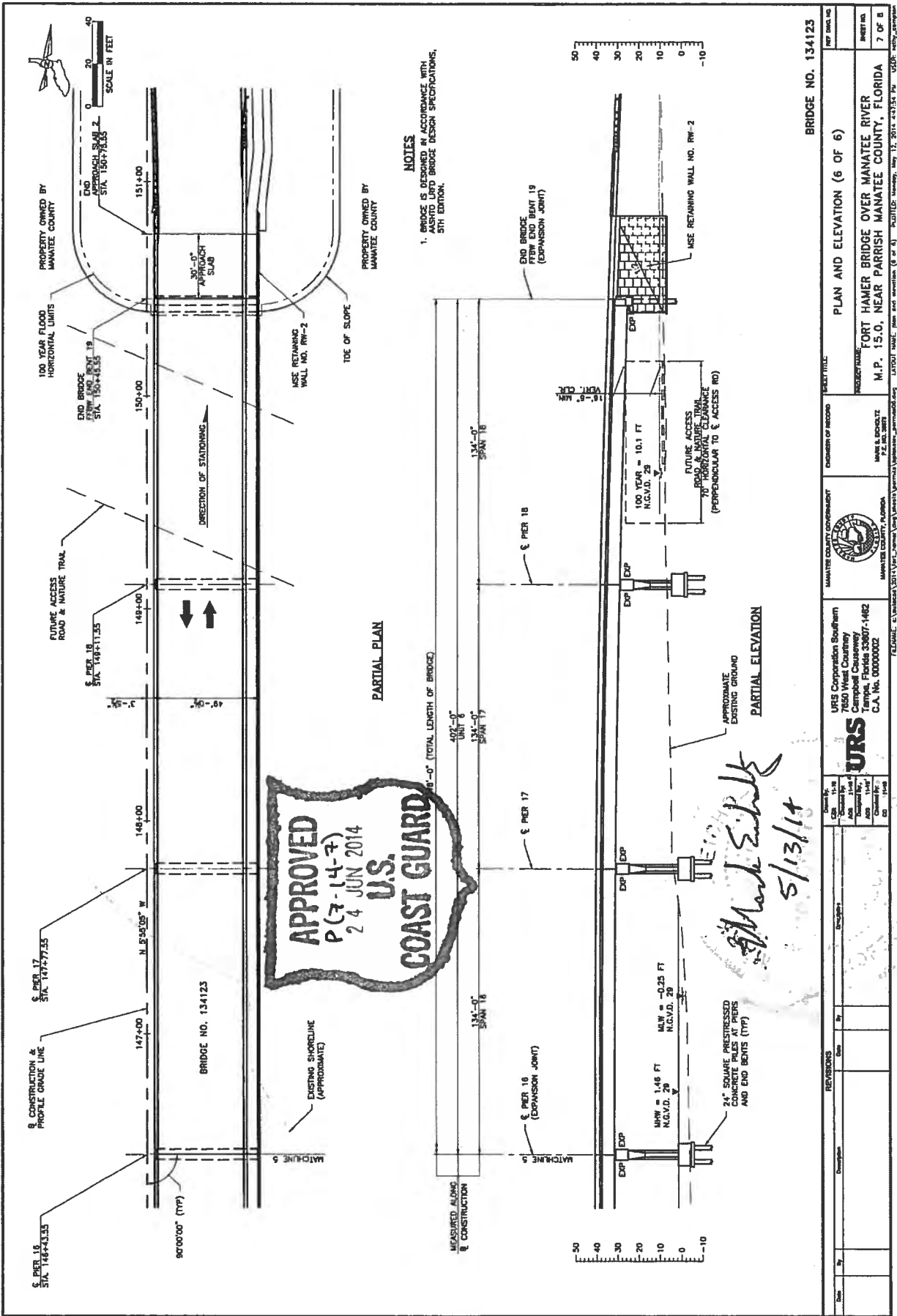
BOOKEND OF RECORD

PLAN AND ELEVATION (4 OF 6)

PORT HANER BRIDGE OVER MANATEE RIVER
M.P. 15.0, NEAR PARRISH MANATEE COUNTY, FLORIDA

JAMES S. BROWDER
1501 N. DIXIE AVE.
SUITE 200
TAMPA, FL 33606

SHEET NO.
9 OF 8





Mark E. Eick
5/13/14

A horizontal scale bar with alternating black and white segments. It is marked with the numbers 0, 2, and 4. Below the bar, the text "SCALE IN FEET" is written.

[illegible]

ATTACHMENT 4
WATER QUALITY MONITORING PLAN

Attachment H – Water Quality Monitoring Plan

State water quality standards for construction activities in Class III waters limit turbidity increases to no more than 29 NTUs above ambient conditions at the compliance location of the mixing zones. To maintain this standard, turbidity monitoring shall occur during all in-water construction activities, including pile-driving, at each compliance and background station as described below. Dissolved oxygen (DO) and temperature shall also be collected concurrently with each turbidity sample.

Background Sampling Location: The background sampling location shall be 150 meters up-current from the construction activity. Since the project is within a tidal area one background sampling location will be located east (up-river) of the construction site and one location will be located west (down-river) of the construction site. Depending upon the tide direction, only one of these locations will be used during each sampling event. The two background sampling locations will be marked by temporary buoys and shall be maintained for the duration of the sampling program; these sites shall not be changed without specific written authorization by the Southwest Florida Water Management District (SWFWMD).

Compliance Sampling Stations: The compliance sampling stations shall be 100, 200, and 300 meters down-current from the construction activity and along the axis of the visible plume. If a plume is not visible the samples shall be collected along a line parallel with the water current and extending from the turbidity source. Since the project is within a tidal area, compliance sampling sites will be located east (up-river) and west (down-river) of the construction site. The location of the compliance sampling sites should not be marked with buoys since the plume location will vary based on the source of the plume and tidal properties.

Monitoring Frequency: Monitoring for turbidity, DO, and temperature shall be conducted for the duration of the project. Sampling is to commence prior to, but no more than 24 hours before initiation of any dredging or filling activities.

Sample Collection: Samples shall be collected from surface, mid-depth and one foot above bottom. Mid-depth samples are sufficient in water that is less than five feet deep. Samples shall be collected with a Kemmerer, Van Dorn, or a similar sampler that is designed to collect in-situ water samples. Samples shall be analyzed immediately after collection with a turbidimeter that produces results in Nephelometric measurements. The field sample results shall be accurately recorded to the precision capabilities (decimal place) of the instrument. Field turbidimeter results shall be rounded to the next whole number (ex. 15.23 NTUs shall be recorded; however the results shall be interpreted as 16.00 NTUs). If monitoring reveals turbidity levels greater than or equal to the 29 NTUs above background, the permittee shall cease all work as described below in the *Thresholds and Corrective Actions Section* of this plan.

QA/QC Requirements: The following QA/QC requirements shall be followed for each sampling event:

- a. Turbidity analysis shall be performed on instruments that produce results in Nephelometric measurements.
- b. The instrument shall be calibrated each morning and each time the instrument is turned on, and recalibrated every four hours thereafter.
- c. Calibrations shall be performed against a blank, and at least one formazin or gel-type standard. The standard value should be in the same range as the sample readings.

- d. Calibration procedures shall be recorded in a permanent logbook, and copies must be submitted with the data.

Reporting: Water quality monitoring reports shall be submitted to the SWFWMD each Monday following project commencement. All reports shall include the permittee name and permit number. When submitting this information, include the following statement at the top of each page or as a cover page to the submittal: "This information being provided in partial fulfillment of the monitoring requirements in Permit No. XX." Failure to submit reports in a timely manner constitutes a violation of the permit and may be grounds for revocation of the permit by the SWFWMD.

Monitoring data shall contain the following information:

- a. Permit number;
- b. Dates of sampling and analysis;
- c. A statement describing the methods used in collection and analysis of the samples;
- d. A map showing the sampling locations, along with indicating the latitude and longitude;
- e. Copies of the Quality Assurance/Quality Control log; and
- f. A statement by the individual responsible for implementation of the sampling program concerning the authenticity, precision and accuracy of the data;

Monitoring reports shall also include the following information for each sample that is taken:

- a. Time of day samples taken;
- b. Depth of water body;
- c. Depth of sample;
- d. Tidal stage and direction of flow; and
- e. Antecedent weather conditions, including wind direction and velocity.

Thresholds and Corrective Action: If monitoring reveals turbidity levels greater than or equal to 29 NTUs above background, the contractor shall take the following measures:

- a. Immediately cease all work contributing to the water quality violation. Work which may contribute to the violation shall not resume until corrective measures have been taken and turbidity levels have returned to acceptable levels; and
- b. Stabilize exposed soils contributing to the violation. Modify work procedures responsible for the violation, install additional turbidity containment devices, repair non-functioning turbidity containment devices; and
- c. Increase monitoring frequency to every 2 hours until turbidity levels are within acceptable limits (<29 NTUs above background). Interim samples collected following the violation (s) shall be collected in the same manner and locations as the routine monitoring. Operations may not resume until further sampling indicates that turbidity levels have returned to acceptable limits.
- d. The violation(s) shall be immediately reported to the SWFWMD. The report shall include the description of the corrective actions being taken or proposed to be taken. The report shall be made to the SWFWMD as soon as normal business hours resume if violation(s) are noted after normal business hours, on holidays, or on weekends. A copy of the monitoring data sheets, which indicate violation(s), shall be forwarded immediately to the SWFWMD.

Failure to report violation(s) or to follow correct procedures before resuming work may constitute grounds for permit revocation and may subject the contractor to formal enforcement action.

ATTACHMENT 5
FORT HAMER ARCHAEOLOGICAL
SITE 8MA315

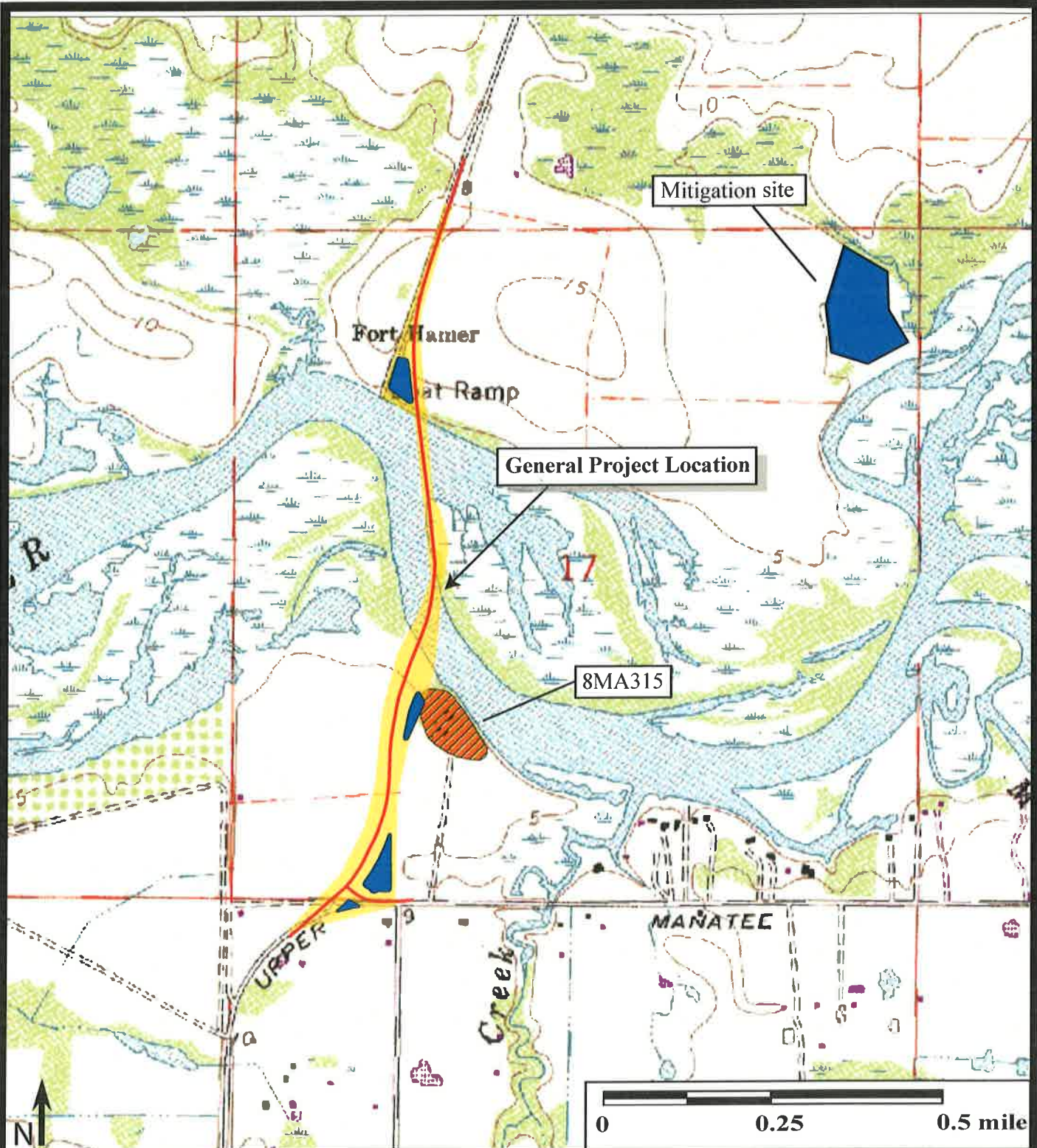


Figure 4.2. Location of previously recorded site 8MA315 within the Fort Hamer project corridor (yellow) and proposed pond site (blue); Township 34 South, Range 19 East, Section 17 (USGS Parrish, Fla. 1973, PR 1987).

CRAS
Fort Hamer Bridge EIS
Manatee County, Florida

ATTACHMENT 6
NMFS SECTION 7 LETTER



UNITED STATES DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office

263 13th Avenue South

St. Petersburg, Florida 33701-5505

<http://sero.nmfs.noaa.gov>

F/SER46:DR

SER-2013-11912

DEC 11 2013

Commander (dpb)
United States Coast Guard
Seventh Coast Guard District
Bridge Administration Branch
909 SE 1st Avenue, Suite 432
Miami, Florida 33131-3050

Attn: Randall D. Overton, Bridge Management Specialist

Ref.: US Coast Guard Public Notice (11-13) Fort Hamer Road Bridge (new bridge), Manatee County, Florida

Dear Mr. Overton:

This responds to your letter dated September 18, 2013, requesting National Marine Fisheries Service (NMFS) concurrence with your project-effect determinations under Section 7 of the Endangered Species Act (ESA) for the above-referenced project. You determined that the project may affect, but is not likely to adversely affect, smalltooth sawfish. Our findings on the project's potential effects are based on the project descriptions in this response. Changes to the proposed action for the project may negate our findings and may require reinitiating consultation.

After reviewing the project's Draft Environmental Impact Statement (DEIS), NMFS sent comments to the U.S. Coast Guard (USCG) on August 8, 2013, including a recommendation that smalltooth sawfish be consulted on under Section 7 of the ESA and that a supplemental section on that species be added to the DEIS's Biological Assessment. NMFS requested information on pile driving activities on August 22, 2013, and received the information that day. NMFS requested additional information on pile driving related to the installation of a temporary work trestle on August 29, 2013. NMFS received a revised ESA/Essential Fish Habitat consultation request letter from the USCG on September 19, 2013, that included a "Not Likely to Adversely Affect" determination for smalltooth sawfish. The letter also included information on temporary work trestle pile driving activities.

The proposed new bridge project site is located at 27.522423°N, 82.428585°W over the Manatee River in Manatee County, Florida (Figure 1). This portion of the Manatee River is tidally influenced, and salt marsh and mangroves are present within the limits of proposed construction. Some submerged aquatic vegetation (widgeon grass, *Ruppia maritima*), a salt-tolerant freshwater species, also occurs in the area. There is currently no bridge structure at the site. Manatee County (the applicant) proposes the construction of a new two-lane bridge. The northern end of the bridge would connect with existing Fort Hamer Road, and the southern end would tie into Upper Manatee Road/Lakewood Ranch Boulevard. The project length would be approximately 2,318 feet. At its highest point the bridge would be 26 feet above Mean High Water.





Figure 1. Proposed Fort Hamer Road Bridge location.

Two temporary work trestles would be installed as part of the project. Each trestle would be 28 feet wide. The southside trestle would be about 270 feet long, and the northside trestle about 1,650 feet long. The trestles would be supported by steel pipe piles in the range of 18-24 inches in diameter. A total of 136 pipe piles would be installed. The pipe piles would be vibrated into place. It will take an average of 30 minutes to install each pipe pile, and about 14-16 pipe piles could be installed each day. Therefore, active pipe pile installation would take about 9-10 days. The trestle components, including the pipe piles, would be removed following completion of the new bridge. The work trestles are estimated to be in place for 14-18 months.

Construction of the bridge itself would require driving 191 pre-cast, pre-stressed 24-inch square concrete piles using a hydraulic impact hammer. These piles would be driven in the river bed and also in the salt marsh peninsula that juts into the river. The piles would initially be placed into pre-formed holes in the river bed, and it is possible that water jetting may also be used to seat the piles before driving begins. The majority of the pile driving would be done from the work trestles, although pile driving at the river channel may require the use of barges. In this instance, two barges would be used: one barge would store materials and the other would carry the pile driving equipment. It is estimated that each pile would take approximately 60 minutes to drive, and that about 6-8 piles could be driven per day. This would translate to about 24-32 days of active pile driving. Overall pile driving-related activities are estimated to take 6 months to complete. Pile driving will only occur during daylight hours.

Heavy equipment such as cranes, backhoes, and dump trucks will be used to accomplish land-based construction activities. There are no plans to place riprap or other armoring components on the river's shorelines. The entire project is expected to take approximately 20 months to complete. The applicant will use turbidity controls and comply with NMFS's *Sea Turtle and Smalltooth Sawfish*

Construction Conditions dated March 23, 2006. Mangrove losses due to the project are estimated to be less than 0.3 acre.

We believe that smalltooth sawfish could be present in the action area and may be affected by the project. However, there are no records of smalltooth sawfish (adults or juveniles) in the vicinity of the project area in the National Sawfish Encounter Database (1999 to 2008). The closest record of a sawfish to the project area occurs 6 miles downstream. There are only three records of smalltooth sawfish in the entire Manatee River in the encounter database. While this does not necessarily preclude the possibility of sawfish occurring near the project, it suggests that they are very uncommon in this part of the Manatee River, if they occur there at all. The project area is not located in critical habitat for this listed species. We have identified the following potential effects to the species and concluded the species are not likely to be adversely affected.

1. Effects to smalltooth sawfish include the risk of injury from in-water construction machinery (e.g., pile driving and jetting equipment, barges and work boats, anchors, etc.) or piling installation, which will be discountable due to the species' ability to move away from the project site if disturbed. The applicant's compliance with NMFS's *Sea Turtle and Smalltooth Sawfish Construction Conditions* will provide an additional measure of protection.
2. Smalltooth sawfish may be affected by daytime pile driving noise associated with the bridge construction. The project involves the installation of 18-to 24-inch steel pipe piles and 24-inch square concrete piles using a vibratory hammer and an impact hammer, respectively. Based on data from the Federal Highway Administration (2012)¹ on vibratory and impact hammer pile driving noise threshold levels for fish, this project's noise levels should be below the threshold for injury. However, maximum pile driving noise levels at the source (approximately 185 dB Root Mean Square or RMS) will likely exceed the threshold for potential behavioral effects to fish (150 dB RMS for fish). Based on this information, fish may exhibit behavioral changes when within a 215-meter radius of the project's active pile driving.

Due to their expected avoidance of project noise and activity, we would not expect a sawfish to remain stationary within 215 meters of a pile during installation operations. The project has adequate avenues for a sawfish to escape or avoid the project area during pile driving activities, and the project area could still be used by the species during early evening and night hours when pile driving will not occur. Also, the likelihood that smalltooth sawfish will be present in the project area is low since the highest densities of the smalltooth sawfish in the Gulf of Mexico occur from Charlotte Harbor and southward, and smalltooth sawfish are relatively rare in the Manatee River system. In addition, the USCG will require the applicants (as a permit condition) to adhere to NMFS's *Sea Turtle and Smalltooth Sawfish Construction Conditions*, which require them to stop work if a sawfish is spotted within 50 feet of construction activities. We believe that piling installation noise generated by this project will have insignificant effects on smalltooth sawfish.

3. The loss of 0.3 acre of mangroves as potential refuge and foraging habitat for juvenile smalltooth sawfish in the area does lessen the overall available habitat to the species. However, the loss of red and black mangroves will have an insignificant effect given the

¹ Federal Highway Administration. 2012. Technical Guidance for Assessment and Mitigation of the Hydroacoustic Effects of Pile Driving on Fish. Final. February (ICF 645.10). Prepared by ICF International, Seattle, WA.

extensive mangrove habitat available around the project area and elsewhere in the Manatee River system.

In conclusion, we concur with your determinations that the proposed actions are unlikely to adversely affect the listed species or their critical habitat. This concludes the USCG's consultation responsibilities under the ESA for species under NMFS's purview. Consultation must be reinitiated if a take occurs or new information reveals effects of the action not previously considered, or the identified action is subsequently modified in a manner that causes an effect to the listed species or critical habitat in a manner or to an extent not previously considered, or if a new species is listed or critical habitat designated that may be affected by the identified action.

Additional relevant information is enclosed for your review. We look forward to further cooperation with you on other projects to ensure the conservation of our threatened and endangered marine species and designated critical habitat. If you have any questions on this consultation, please contact Dr. Dave Rydene, consultation biologist, at (727) 824-5379, or by e-mail at David.Rydene@noaa.gov.

Sincerely,

Miles M. Croom

for Roy E. Crabtree, Ph.D.
Regional Administrator

- Enc.: 1. *Sea Turtle and Smalltooth Sawfish Construction Conditions* (Revised March 23, 2006)
2. *PCTS Access and Additional Considerations for ESA Section 7 Consultations*
(Revised June 11, 2013)

File: 1514-22.H

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

PCTS Access and Additional Considerations for ESA Section 7 Consultations (Revised 6-11-2013)

Public Consultation Tracking System (PCTS) Guidance: PCTS is a Web-based query system at <https://pcts.nmfs.noaa.gov/> that allows all federal agencies (e.g., U.S. Army Corps of Engineers - USACE), project managers, permit applicants, consultants, and the general public to find the current status of NMFS's Endangered Species Act (ESA) and Essential Fish Habitat (EFH) consultations which are being conducted (or have been completed) pursuant to ESA Section 7 and the Magnuson-Stevens Fishery Conservation and Management Act's (MSA) Sections 305(b)2 and 305(b)(4). Basic information including access to documents is available to all.

The PCTS Home Page is shown below. For USACE-permitted projects, the easiest and quickest way to look up a project's status, or review completed ESA/EFH consultations, is to click on either the "Corps Permit Query" link (top left); or, below it, click the "Find the status of a consultation based on the Corps Permit number" link in the golden "I Want To..." window.

The screenshot shows the NOAA PCTS Public Consultation Tracking System homepage. The header includes the NOAA logo and the text "NOAA PCTS PUBLIC CONSULTATION TRACKING SYSTEM NATIONAL MARINE FISHERIES SERVICE". Below the header is a navigation bar with links: home, reports, user guide, glossary. The main content area is divided into three columns. The left column, titled "I Want To...", contains a list of links: "Reset a Password", "Run a Report", "Read the User Guide", "Find Consultations", "Find the status of a consultation based on a Corps Permit number", and "Get New Account". The middle column, titled "Quick Search", contains a search form with fields for "Enter PCTS Tracking Number", "OR", "Select REGION", "Select YEAR", "Enter KEY WORD(S)", and "OR", each followed by a "Search" button. The right column, titled "About PCTS", contains a description of the system: "The Public Consultation Tracking System (PCTS) is an information management system covering National Marine Fisheries Service (NOAA Fisheries) consultations under the Endangered Species Act (ESA) and under the Magnuson-Stevens Fishery Conservation and Management Act sections 305(b)(2) & 305(b)(4) Essential Fish Habitat (EFH)". The footer contains links for "About PCTS", "User Guide", "Training Videos", "Glossary", "Privacy Policy", "Information Quality", "Feedback", "Search", "About Us", and "Contact Us".

Then, from the "Corps District Office" list pick the appropriate USACE district. In the "Corps Permit #" box, type in the 9-digit USACE permit number identifier, with no hyphens or letters. Simply enter the year and the permit number, joined together, using preceding zeros if necessary after the year to obtain the necessary 9-digit (no more, no less) number. For example, the USACE Jacksonville District's issued permit number SAJ-2013-0235 (LP-CMW) must be typed in as 201300235 for PCTS to run a proper search and provide complete and accurate results. For querying permit applications submitted for ESA/EFH consultation by other USACE districts, the procedure is the same. For example, an inquiry on Mobile District's permit MVN201301412 is entered as 201301412 after selecting the Mobile District from the "Corps District Office" list. PCTS questions should be directed to Eric Hawk at Eric.Hawk@noaa.gov or (727) 551-5773.

EFH Recommendations: In addition to its protected species/critical habitat consultation requirements with NMFS' Protected Resources Division pursuant to Section 7 of the ESA, prior to proceeding with the proposed action the action agency must also consult with NMFS' Habitat Conservation Division (HCD) pursuant to the MSA requirements for EFH consultation (16 U.S.C. 1855 (b)(2) and 50 CFR 600.905-.930, subpart K). The action agency should also ensure that the applicant understands the ESA and EFH processes; that ESA and EFH consultations are separate, distinct, and guided by different statutes, goals, and time lines for responding to the action agency; and that the action agency will (and the applicant may) receive separate consultation correspondence on NMFS letterhead from HCD regarding their concerns and/or finalizing EFH consultation.

Marine Mammal Protection Act (MMPA) Recommendations: The ESA Section 7 process does not authorize incidental takes of listed or non-listed marine mammals. If such takes may occur an incidental take authorization under MMPA Section 101 (a)(5) is necessary. Please contact NMFS' Permits, Conservation, and Education Division at (301) 713-2322 for more information regarding MMPA permitting procedures.

ATTACHMENT 7
FWS SECTION 7 LETTER



United States Department of the Interior

U. S. FISH AND WILDLIFE SERVICE

7915 BAYMEADOWS WAY, SUITE 200
JACKSONVILLE, FLORIDA 32256-7517

IN REPLY REFER TO:

FWS Log No. 41910-2013-1-0229

November 29, 2013

Rear Admiral John H. Korn, Commander
Seventh U.S. Coast Guard District
909 SE 1st Avenue
Miami, Florida 33131
(Attn.: Randall Overton)

Dear Commander :

The Fish and Wildlife Service (Service) received the U.S. Coast Guard's (USCG's) letter dated July 24, 2013, regarding a bridge construction project proposed by Manatee County, Florida. You stated that, as lead federal agency for the project, the USCG wished to initiate consultation with the Service under section 7 of the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*). Included in the letter were links to a Biological Assessment (BA) and Wetland Evaluation Report (WER) that are appendices to a July 5, 2013, Draft Environmental Impact Statement (DEIS) for the project. In addition, supplemental updates to the BA and WER were submitted with your letter. You provided determinations of "may affect, not likely to adversely affect" for the West Indian (Florida) manatee (*Trichechus manatus latirostris*), wood stork (*Mycteria americana*), and for the eastern indigo snake (*Drymarchon corais couperi*). In an email dated November 20, 2013, the USCG informed the Service of additional site-specific manatee protection measures to be implemented during construction. We provide the following comments in accordance with the Act, the Fish and Wildlife Coordination Act (FWCA) (16 U.S.C. 661 *et seq.*), and the Marine Mammal Protection Act of 1972 (MMPA), as amended (16 U.S.C. 1461 *et seq.*).

The proposed bridge, referred to in the DEIS as the Fort Hamer Alternative, consists of a new, two-lane, mid-level, fixed span bridge crossing the Manatee River and approaches that would connect the existing Manatee River Road with the existing Fort Hamer Road. The proposed bridge would cross the Manatee River approximately 15 miles upstream of its mouth, near Parish, Manatee County (27.5194N, -82.4286 W). The proposed bridge length is 2,570 feet. The construction limits for the project extend 1.4 miles and the study area (described as the area of potentially increased traffic) extends for 6 miles and 0.5 mile outward from the proposed center line.

West Indian manatees utilize the Manatee River for calving, mating, foraging, resting, and as a travel corridor. The Manatee River from the Manatee Lake Dam to Tampa Bay, including waters at the project site, is designated as manatee critical habitat. Aerial surveys by the Florida Fish and Wildlife Conservation Commission indicate that the Manatee River receives substantial use by manatees year-round.

Potential project threats to the West Indian manatee include collision with construction vessels and acoustic impacts of pile driving with hydraulic hammers during construction. In order to reduce the effects of the project on the manatee, Manatee County has committed to implementing the "Standard Manatee Conditions for In-Water Activities" developed by the FWC. In addition to observing all posted speed zones on the Manatee River, construction vehicles will be required to operate at "slow speed/no wake" within 0.5 mile upstream and downstream of the construction site. Qualified manatee observers will be stationed in place to observe the river during all in-water construction and have authority to cease project operations when appropriate. All pile driving will occur during daylight hours. If a manatee or a dolphin is observed within 0.25-mile buffer of a pile driving operation, work will cease until the animal leaves the area on its own. Additional conservation measures include; movement of barges and other vessels will be minimized during nighttime hours; grating will be installed over any existing or proposed pipes or culverts 8 inches to 8 feet in diameter that may be accessible to manatees; and, mooring bumpers (fenders) will be in place between vessels where there is a possibility of a manatee being crushed between two moored vessels.

With the incorporation of standard manatee construction conditions and other conditions committed to in the USCG's email of November 20, 2013, above, it is our position that the likelihood of take of a manatee or its habitat is insignificant or discountable. As such, we concur with any revised USCG's determination that the project "may affect, but is not likely to adversely affect," the manatee or its designated critical habitat. In addition, because no incidental take of manatees is anticipated, no such authorizations under the MMPA will be needed.

While no wood stork rookeries are located within 2,500 feet of the project site, two active wood stork rookeries are located within 15 miles. Therefore, suitable foraging habitat on the project site is within the Core Foraging Area of these two colonies. The Fort Hamer Bridge project as currently proposed would impact an estimated 4.34 acre of wetlands, including suitable foraging habitat for the wood stork. It appears that some of the wetland types potentially impacted would not constitute suitable foraging habitat for wood storks. Wetlands offered as compensation for suitable foraging habitat impacted will include, at minimum, foraging function for wood storks equal to those habitats impacted. Given this commitment, we concur with a "may affect, but not likely to adversely affect" determination for the wood stork.

Minimal habitat suitable to support the eastern indigo snake is present within the project area. However, gopher tortoise (*Gopherus polyphemus*) burrows have been observed north of the Manatee River within the project area. Wherever the eastern indigo snake occurs in xeric habitats, it is closely associated with gopher tortoise burrows, which provide shelter from winter cold and summer heat. Suitable gopher tortoise habitat is limited in the project area and only 17 acres of uplands are present within the proposed construction limits. We note that standard construction precautions for the eastern indigo snake (Appendix of the BA) are proposed. These precautions should be updated to conform to the Service's August 12, 2013, Standard Protection Measures for the Eastern Indigo Snake (available at <http://www.fws.gov/nmihflorida/Tools2Use/consult-landowner-refs.htm>). Evaluation based on the Service's 2010 Eastern Indigo Snake Programmatic Effect Determination Key (as modified

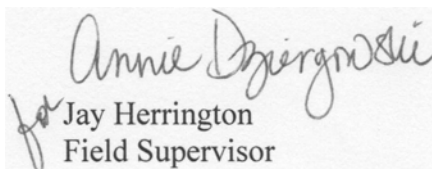
in 2013) indicates a "may affect, not likely to adversely affect" determination for the eastern indigo snake is appropriate, since the proposed project appears unlikely to impact more than 25 active and inactive gopher tortoise burrows or 25 acres of scrub habitat. Based on the information provided, we concur on the "may affect, not likely to adversely affect" determination for the eastern indigo snake.

Although this does not represent a biological opinion as described in section 7 of the Act, it does fulfill the requirements of the Act and no further action is required unless modifications are made to the project that affect listed species; additional information involving potential effects to listed species becomes available; the applicant fails to comply with the permit conditions; or if take of a listed species occurs during the construction of this facility, in which case consultation will be reinitiated.

The U.S. Army Corps of Engineers has received an application for the Fort Hamer Bridge project. We anticipate additional Service review of some aspects of the proposed project and its impacts to fish and wildlife, and potentially providing comments to the Corps consistent with provisions of the FWCA.

We appreciate commitments by Manatee County to conserve fish and wildlife. If you have any questions regarding this letter or to further coordinate with the Service regarding this matter, please contact Peter Plage at (904)731-3085.

Sincerely,



Jay Herrington
Field Supervisor

cc: John Fellows, Corps (Tampa Regulatory Office)
Mary Duncan, FWC (Tallahassee)



An Equal
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Southwest Florida Water Management District

Bartow Service Office
170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Service Office
6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Service Office
7601 Highway 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

2379 Broad Street, Brooksville, Florida 34604-6899

(352) 796-7211 or 1-800-423-1476 (FL only)

TDD only: 1-800-231-6103 (FL only)

On the Internet at WaterMatters.org

March 21, 2014

Manatee County Public Works
Attn: Marianne Lopata
1022 26th Avenue East
Bradenton, FL 34208

Subject: **Project Evaluation - Permit Not Required**
Project Name: Ft Hamer Road
File Number: 691079
County: MANATEE
Sec/Twp/Rge: S5/T34S/R19E, S8/T34S/R19E, S32/T33S/
R19E
Reference: Rule 62-330, Florida Administrative Code (F.A.C.)

Dear Ms. Lopata:

The District has reviewed the information you submitted for the project referenced above and has determined that an Environmental Resource Permit (ERP) **will not be required** for the proposed Fort Hamer Road pavement widening from 22 to 24 feet with eight foot-wide grass shoulders and associated minimal drainage work, construction of 4,150 lineal feet of 5 foot-wide concrete sidewalk on the west side of the roadway, and the addition of turn lanes and other safety related intersection improvements at the following intersections: Mulholland Road (right turn lane); 30th Street East (right/left turn lanes); Old Tampa Rd / Cross Creek Parkway (right turn lanes); Kingsfield Drive (left turn lane); Golf Course Blvd. (right turn lane); and Britt Road (right turn lane). [Rule 62-330.051(4)(c and d), F.A.C.]

The information received by the District will be kept on file to support the District's determination regarding your project. This information is available for viewing or downloading through the District's Application and Permit Search Tools located at www.WaterMatters.org/permits.

The District's determination that your project does not require an ERP is only applicable pursuant to the statutes and rules in effect at the time the information was submitted and may not be valid in the event subsequent changes occur in the applicable rules and statutes. Additionally, this notification does not mean that the District has determined that your project is permanently exempt from permitting requirements. Any subsequent change you make in the project's operation may necessitate further evaluation or permitting by the District. Therefore, you are advised to contact the District before beginning the project and before beginning any activity which is not specifically described in your submittal. Your timely pursuit of this activity is encouraged to avoid any potential rule changes that could affect your request.

This letter constitutes notice of Intended Agency Action of the project referenced above. The District's action in this matter only becomes closed to future legal challenges from members of the public if such persons have been properly notified of the District's action and no person objects to the District's action within the prescribed period of time following the notification. The District does not publish notices of agency action. If you wish to limit the time within which a person who does not receive actual written

notice from the District may request an administrative hearing regarding this action, you are strongly encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Publishing notice of agency action will close the window for filing a petition for hearing. Legal requirements and instructions for publishing notice of agency action, as well as a noticing form that can be used is available from the District's website at www.WaterMatters.org/permits/noticing. If you publish notice of agency action, a copy of the affidavit of publishing provided by the newspaper should be sent to the Regulation Division at the District Service Office that services this permit or other agency action, for retention in the File of Record for this agency action.

If you have questions regarding this matter, please contact Willie Nabong in the Tampa Service Office, extension 2318. Please reference the Project Name and Inquiry/Permit Number in future communications concerning this project.

Sincerely,

Michelle K. Hopkins, P.E.
Bureau Chief
Environmental Resource Permit Bureau
Regulation Division

Enclosures: Notice of Rights
cc: File of Record
Manatee County Government
Christopher Mowbray, P.E.

Notice of Rights

Administrative Hearing

1. You or any person whose substantial interests are or may be affected by the District's intended or proposed action may request an administrative hearing on that action by filing a written petition in accordance with Sections 120.569 and 120.57, Florida Statutes (F.S.), Uniform Rules of Procedure Chapter 28-106, Florida Administrative Code (F.A.C.) and District Rule 40D-1.1010, F.A.C. Unless otherwise provided by law, a petition for administrative hearing must be filed with (received by) the District within 21 days of receipt of written notice of agency action. "Written notice" means either actual written notice, or newspaper publication of notice, that the District has taken or intends to take agency action. "Receipt of written notice" is deemed to be the fifth day after the date on which actual notice is deposited in the United States mail, if notice is mailed to you, or the date that actual notice is issued, if sent to you by electronic mail or delivered to you, or the date that notice is published in a newspaper, for those persons to whom the District does not provide actual notice.
2. Pursuant to Subsection 373.427(2)(c), F.S., for notices of intended or proposed agency action on a consolidated application for an environmental resource permit and use of sovereignty submerged lands concurrently reviewed by the District, a petition for administrative hearing must be filed with (received by) the District within 14 days of receipt of written notice.
3. Pursuant to Rule 62-532.430, F.A.C., for notices of intent to deny a well construction permit, a petition for administrative hearing must be filed with (received by) the District within 30 days of receipt of written notice of intent to deny.
4. Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days of receipt or other period as required by law waives the right to request a hearing on such matters.
5. Mediation pursuant to Section 120.573, F.S., to settle an administrative dispute regarding District intended action is not available prior to the filing of a petition for hearing.
6. A request or petition for administrative hearing must comply with the requirements set forth in Chapter 28-106, F.A.C. A petition for a hearing must: (1) explain how the substantial interests of each person requesting the hearing will be affected by the District's intended action or proposed action, (2) state all material facts disputed by the person requesting the hearing or state that there are no material facts in dispute, and (3) otherwise comply with Rules 28-106.201 and 28-106.301, F.A.C. Chapter 28-106, F.A.C., can be viewed at www.flrules.org or at the District's website at www.WaterMatters.org/permits/rules.
7. A petition for administrative hearing is deemed filed upon receipt of the complete petition by the District Agency Clerk at the District's Tampa Service Office during normal business hours, which are 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding District holidays. Filings with the District Agency Clerk may be made by mail, hand-delivery or facsimile transfer (fax). The District does not accept petitions for administrative hearing by electronic mail. Mailed filings must be addressed to, and hand-delivered filings must be delivered to, the Agency Clerk, Southwest Florida Water Management District, 7601 US Hwy 301, Tampa, FL 33637-6759. Faxed filings must be transmitted to the District Agency Clerk at (813) 987-6746. Any petition not received during normal business hours shall be filed as of 8:00 a.m. on the next business day. The District's acceptance of faxed petitions for filing is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation, available for viewing at www.WaterMatters.org/about.

Judicial Review

1. Pursuant to Sections 120.60(3) and 120.68, F.S., a party who is adversely affected by District action may seek judicial review of the District's action. Judicial review shall be sought in the Fifth District Court of Appeal or in the appellate district where a party resides or as otherwise provided by law.
2. All proceedings shall be instituted by filing an original notice of appeal with the District Agency Clerk within 30 days after the rendition of the order being appealed, and a copy of the notice of appeal, accompanied by any filing fees prescribed by law, with the clerk of the court, in accordance with Rules 9.110 and 9.190 of the Florida Rules of Appellate Procedure (Fla. R. App. P.). Pursuant to Fla. R. App. P. 9.020(h), an order is rendered when a signed written order is filed with the clerk of the lower tribunal.



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On the Internet at WaterMatters.org

February 04, 2014

Manatee County Public Works
Attn: Marianne Lopata
1022 26th Avenue East
Bradenton, FL 34208

Subject: Project Evaluation - Permit Not Required

Project Name: Upper Manatee River Rd
File Number: 691024
County: MANATEE
Sec/Twp/Rge: S19/T34S/R19E, S20/T34S/R19E, S29/T34S/R19E, S30/T34S/R19E

Reference: Rules 62-330.051(2) and 62-330.051(4)(c) and (d), Florida Administrative Code (F.A.C.)
Subsection 373.406(6), Florida Statutes (F.S.)

Dear Ms. Lopata:

District has reviewed the information you submitted for the project referenced above and has determined that an Environmental Resource Permit (ERP) **will not be required** for the proposed minor roadway safety improvements along Upper Manatee River Road from 10th Avenue East to north of Waterlefe Boulevard. Improvements include 5' wide sidewalk, shoulder widening, turn lanes, milling/resurfacing, and associated alterations to the existing surface water management system as shown on the plans. The associated drainage improvements include regrading of existing swales as well as construction of new pipes and swales necessary to maintain existing surface water storage, conveyance and treatment capacities. [Rules 62-330.051(2) and 62-330.051(4)(c) and (d), F.A.C.]

The information received by the District will be kept on file to support the District's determination regarding your project. This information is available for viewing or downloading through the District's Application and Permit Search Tools located at www.WaterMatters.org/permits.

The District's determination that your project does not require an ERP is only applicable pursuant to the statutes and rules in effect at the time the information was submitted and may not be valid in the event subsequent changes occur in the applicable rules and statutes. Additionally, this notification does not mean that the District has determined that your project is permanently exempt from permitting requirements. Any subsequent change you make in the project's operation may necessitate further evaluation or permitting by the District. Therefore, you are advised to contact the District before beginning the project and before beginning any activity which is not specifically described in your submittal. Your timely pursuit of this activity is encouraged to avoid any potential rule changes that could affect your request.

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notice from the District may request an administrative hearing regarding this action, you are strongly encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Publishing notice of agency action will close the window for filing a petition for hearing. Legal requirements and instructions for publishing notice of agency action, as well as a noticing form that can be used is available from the District's website at www.WaterMatters.org/permits/noticing. If you publish notice of agency action, a copy of the affidavit of publishing provided by the newspaper should be sent to the Regulation Division at the District Service Office that services this permit or other agency action, for retention in the File of Record for this agency action.

If you have questions regarding this matter, please contact Steven Lopes in the Tampa Service Office, extension 6506. Please reference the Project Name and Inquiry/Permit Number in future communications concerning this project.

Sincerely,

Michelle K. Hopkins, P.E.
Bureau Chief
Environmental Resource Permit Bureau
Regulation Division

Enclosures: Notice of Rights
cc: File of Record
Christopher Mowbray, P.E.

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