US Army Corps of Engineers®

# DEPARTMENT OF THE ARMY PERMIT

NOV 10 2016

**Permittee:** Commanding Officer
United States Navy
Kings Bay Naval Submarine Base
910 USS Hunley Avenue
Public Works Department, Building 2015
Kings Bay, Georgia 31547-2606

**Permit No:** SAJ-1992-01854(SP-SCW)

**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 permittee is authorized to transport approximately one million cubic yards of dredged material on an annual basis to the Fernandina Beach Ocean Dredged Material Disposal Site (ODMDS) for the purpose of disposal. The dredged material primarily consists of sand, silty sand and silt. The material would be transported from the Inner Channel STA 37+504 to STA 00+000, Entrance Channel Cut 1 N STA 0+000 to STA 501+24 including the North Settling Basin, South Settling Basin and Entrance Channel Cut 2N STA 00+000 to STA 250+000. The authorized depths for the project include the Inner Channel at -47 feet Mean Lower Low Water (MLLW) (45 feet dredge depth plus 2 feet allowable overdepth) from Range A, STA 00+000 through Range B, STA 15+349, and to -46 feet MLLW (44 feet dredge depth plus 2 feet allowable overdepth) from Range C, STA 15+349 to Range F, STA 37+504. The authorized depth of the Entrance Channel is -51 feet MLLW (46 feet dredge depth plus 2 feet allowable overdepth plus 3 feet advanced maintenance). The work described above is to be completed in accordance with the three pages of drawings dated May 2016 affixed at the end of this permit instrument.

**Location of Disposal Site:** The center of the Fernandina Ocean Dredged Material Disposal Site (ODMDS) is located approximately 7 miles east of the south end of Amelia Island, Nassau County, Florida. The site has an area of about four square nautical miles.

The corners of the ODMDS, in Geographic (NAD 83):

| | Latitude | Longitude |
|---|---|---|
| NW Corner | 30.55024° | -81.31870° |
| NE Corner | 30.55024° | -81.28092° |
| SW Corner | 30.51691° | -81.31870° |
| SE Corner | 30.51691° | -81.28092° |

**Permit Conditions**

**General Conditions:**

1. The time limit for completing the work authorized ends on **October 28, 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.

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 Addresses**: The Permittee shall ensure reports, notifications, documentation and correspondence required by the general or special conditions of this DA permit are submitted to the Corps at CESAJ-ComplyDocs@usace.army.mil and to the U.S. Environmental Protection Agency at Weiss.Lena@epa.gov. The Permittee shall reference in the subject line of the email this permit number, SAJ-1992-01854 (SP-SCW), and the type of submittal.

2. **Commencement Notification:** The Permittee shall provide the Corps and EPA written notification of the date of commencement of work authorized by the permit at least 15 days before initiation of work authorized by this permit and a completion notification no less than 15 days after completion of the dredging operation.

3. **U.S. Environmental Protection Agency (EPA) Concurrency:** The EPA concurrency is valid until October 28, 2019. The Permittee shall not transport dredged material to the Fernandina ODMDS after that time until EPA grants concurrency that the proposed dredged material meets the Ocean Disposal Criteria (40 CFR 227) and can be disposed in the ODMDS.

4. **Georgia Department of Natural Resources (GaDNR) Concurrency:**

a. The Permittee shall provide the GaDNR written notification of the date of commencement of work authorized by this permit at least 15 days before initiation of work authorized by this permit. The GaDNR notifications shall be submitted to Kelie Moore at Kelie.Moore@gadnr.org or the contact for time-sensitive requests is Mark Dodd at cell 912-506-7260 or mark.dodd@dnr.state.ga.us. The notification shall include access coordinators information for the project.

b. The Permittee shall restrict all hopper dredge transport activities to December 15 through March 31 unless prior approval is obtained from GaDNR.

c. The Permittee shall notify the GaDNR of any sea turtle takes from these authorizations within 24 hours.

d. The Permittee shall provide the GaDNR written notification regarding any modification to the proposed activity.

5. **Load Restriction:** The Permittee shall limit the amount of dredged material (sediment and water) to no more than 13,500 cubic yards per load for disposal at the Fernandina Beach ODMDS.

6. **No Release Zone:** The Permittee shall ensure the vessel used to dispose of the dredged material will not initiate disposal activities in the "no release zone". The no release zone is a zone north of 30°31.500'N (GA State Plane East Zone Y= 191,959ft) and west of 81°18.245'W (GA State Plan East N=927,750ft) [NAD83].

7. **Loss of Material:** This permit does not authorize excessive leakage, overflow, or spill out of barges, dump scows, or hopper dredges of water and excavated material while en route to the Fernandina Beach ODMDS Release Zone. Failure to repair leaks or change the method of operation which is resulting in the leakage, overflow, or spillage will result in suspension of dredging operations and require prompt repair or change of operation to prevent overflow, leakage, or spillage as prerequisite to the resumption of dredging. Excessive leakage is defined by average loss of draft during transit from the dredging area to the disposal area (forward draft loss plus aft draft loss divided by 2) in excess of (18 inches (northeast Florida) or of 12 inches (south)). Once excessive leakage is discovered, it shall be reported immediately as directed in the Disposal Operations Compliance special condition.

8. **Disposal Operations Compliance:** The Permittee shall ensure the vessel(s) used to transport dredged material to the Fernandina Beach ODMDS complies with the disposal operation conditions defined in the permit. If a violation occurs: a) the Permittee shall report the violation to the contracting officer's representative immediately at 904-232-2086 and to EPA's Ocean Dumping Coordinator immediately at 404-562-9391. b) written notification including a narrative description of the violation shall be emailed to the Corps at CESAJ-ComplyDocs@usace.army.mil and to the U.S. Environmental Protection Agency at Weiss.Lena@epa.gov within 24 hours after the violation occurs. The Permittee shall reference in the subject line of the email this permit number, SAJ-1992-01854 (SP-SCW), and the type of violation.

9. **Disposal Zone:** The Permittee shall ensure, when dredged material is disposed, no portion of the hopper dredge or disposal barge or scow shall be outside of the boundaries of the release zone. The boundaries of the release zone are defined by the following coordinates:

| | Geographic (NAD83) | | State Plane (FL East 0901 Ft NAD83) | |
|---|---|---|---|---|
| NW Corner | 30.54612° | -81.31393° | 2258679 **N** | 557344 E |
| NE Corner | 30.54612° | -81.28568° | 2258656 N | 566237 E |

| | | | | |
|---|---|---|---|---|
| SW Corner | 30.52103° | -81.31393° | 2249556 N | 557319 E |
| SE Corner | 30.52103° | -81.28568° | 2249532 N | 566214 E |

| | Geographic (NAD83) deg, dec.min | | State Plane (GA East 1001 FT NAD83) | |
|---|---|---|---|---|
| NW Corner | 30°32.7670'N | 81°18.8359'W | 199620 N | 924592 E |
| NE Corner | 30°32.7670'N | 81°17.1409'W | 199688 N | 933485 E |
| SW Corner | 30°31.2619'N | 81°18.8359'W | 190496 N | 924661 E |
| SE Corner | 30°31.2619'N | 81°17.1408'W | 190565 N | 933557 E |

a. The Permittee shall ensure disposal activities will occur no less than 1,500 feet inside the boundaries of the Fernandina Beach ODMDS.

b. The Permittee shall ensure the hopper dredge, disposal barge or scow shall be in the closed position and all discharge of material has ceased before the disposal vessel leaves the disposal zone of the Fernandina Beach ODMDS.

c. The Permittee shall ensure that dredged material shall be placed such that at no point will depths less than -25 feet MLLW occur. (i.e. a clearance of 25 feet above the bottom will be maintained.

10. **Electronic Tracking System:** The Permittee shall use the electronic tracking system, Dredging Quality Management (DQM) that will continuously track the horizontal location and draft condition of the disposal vessel (hopper dredge or disposal barge or scow) to and from the Fernandina Beach ODMDS. Data shall be collected at least every 500 feet during travel to and from the ODMDS and every minute or every 200 feet of travel, whichever is smaller, while approaching within 1,000 feet and within the ODMDS. The Permittee shall use Florida State Plane or latitude and longitude coordinates (North American Datum 1983). State Plane coordinates shall be reported to the nearest foot and latitude and longitude coordinates shall be reported as decimal degrees out to 6 decimals. Westerly longitudes are to be reported as negative. Draft readings shall be recorded in feet out to 2 decimals. If the electronic positioning system fails or navigation problems are detected, all disposal operations shall cease until the failure or navigation problems are corrected.

11. **Load Data:** The Permittee shall record electronically for each load the following information:

a. Load Number

b. Disposal Vessel or Scow Name

c. Tow Vessel Name (if scow used)

d. Captain of Disposal or Tow Vessel

e. Estimated volume of Load

f. Description of Material Disposed

g. Source of Dredged Material

h. Date, Time and Location at Start at Initiation and Completion of Disposal Event

i. The ETS data required by the Electronic Tracking System Special Condition.

12. **Electronic Data:** The Permittee shall provide electronic data required by the Electronic Tracking System and Load Data Special Conditions to EPA Region 4 on a weekly basis. The data shall be submitted as an eXtensible Markup Language (XML) document via Internet e-mail to DisposalData.R4@epa.gov. XML data file format specifications are available from EPA Region 4.

13. **Post-Disposal Data:** The Permittee shall submit Post-Disposal Data to the Corps and EPA at the address referenced in the **Reporting Addresses** Special Condition documenting compliance with all general and special conditions defined in this permit. The Post-Disposal Data shall be sent within 90 days after completion of the disposal operations authorized by this permit. The Post-Disposal Data shall include the following information:

a. The report shall indicate whether all general and special permit conditions were met. Any violations of the permit or the general and special conditions shall be explained in detail.

b. The Disposal Summary Report shall include the following information: dredging project title; dates of disposal; permit number and expiration date; name of contractor conducting the work; name and type of vessel(s) disposing material in the ODMDS; disposal timeframes for each vessel; volume disposed at the ODMDS (as paid *in situ* volume, total paid and un paid *in situ* volume, and gross volume reported by dredging contractor); number of loads to ODMDS; type of material disposed at the ODMDS; identify any misplaced material (outside disposal zone or the ODMDS boundaries) and associated impacts; dates of pre-disposal and post-disposal bathymetric surveys of the ODMDS; and a narrative discussing any violation(s) of the 103 permit (if applicable). The disposal summary report shall be accompanied by the bathymetry survey results (plot and X, Y, Z, ASCII data file).

14. **Bathymetric Survey:** The Permittee shall conduct a bathymetric survey of the Fernandina Beach ODMDS within 90 days prior to project disposal and within 60 days following project completion in accordance with the following:

a. The number and length of the survey transects shall be sufficient to encompass the Fernandina Beach ODMDS and a 500-foot-wide area around the site. The transects shall be spaced at 500-foot intervals or less.

b. Vertical accuracy of the survey shall be ±0.5 feet. Horizontal location of the survey lines and depth sounding points will be determined by an automated positioning system utilizing either microwave line of site system or differential global positioning system. The vertical datum shall be mean lower low water (mllw) and the horizontal datum shall use Florida State Plane or latitude and longitude coordinates (North American Datum 1983). State Plane coordinates shall be reported to the nearest 0.10 foot and latitude and longitude coordinates shall be reported as decimal degrees to 6 decimal points.

15. **Regional Biological Opinion**: The 1997 South Atlantic Regional Biological Opinion (RBO) for swimming sea turtles, whales, and sturgeon can be found at the following web address: http://el.erdc.usace.army.mil/seaturtles/refs-bo.cfm. The RBO contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with "incidental take" that is specified in the RBO. Your authorization is conditional upon your compliance with all of the mandatory terms and conditions associated with the incidental take of the RBO, which terms and conditions are incorporated by reference in the permit. Failure to comply with the terms and conditions associated with the incidental take of the RBO, where a take of the listed species occurs, would constitute an unauthorized take, and it would also constitute non-compliance with your Corps permit. However, depending on the affected species NMFS is the appropriate authority to determine compliance with the terms and conditions of its RBO and with the Endangered Species Act (ESA). For further clarification on this point, you should contact NMFS. Should NMFS determine the conditions of the RBO have been violated, normally they will enforce the violation of the ESA, or refer the matter to the Department of Justice.

**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)

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

(X) 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.

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.

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

(PERMITTEE) 11/10/16 (DATE)

Gina Paduano Ralph
(PERMITTEE NAME-PRINTED)

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

Susan R Kaynor 11/14/16
(DISTRICT ENGINEER) (DATE)
for Jason A. Kirk,
Colonel, U.S. Army
District Commander

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)

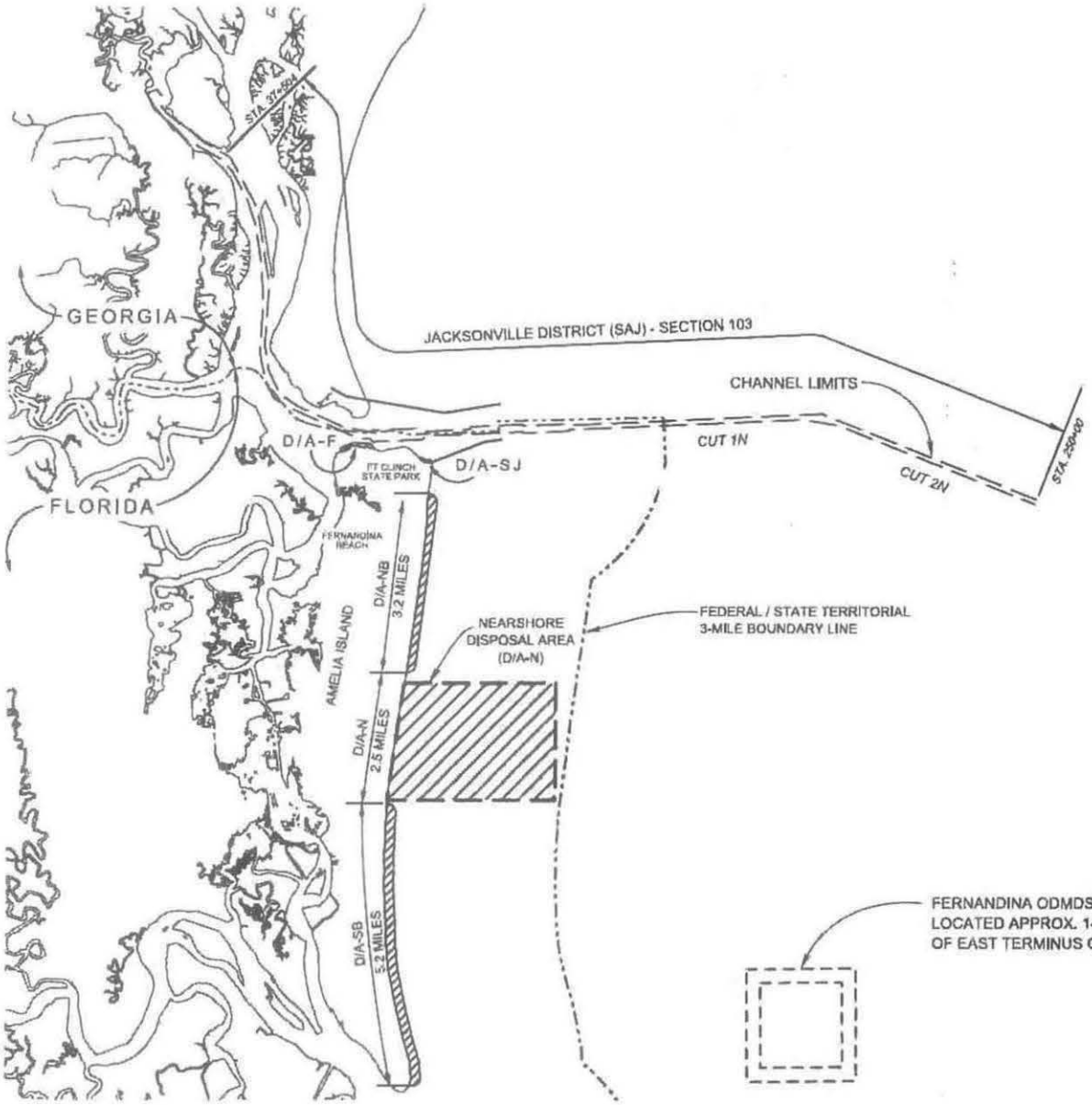
_____
(ADDRESS)

_____
(CITY, STATE, AND ZIP CODE)

## *Attachments to Department of the Army Permit Number SAJ-1992-01854*

1. PERMIT DRAWINGS: 4 pages, dated 1 November 2016

Enclosure 2




| DREDGED MATERIAL PLACEMENT LOCATIONS | |
|---|---|
| D/A-F | FORT CLINCH BEACH DISPOSAL AREA |
| D/A-M | MAINSIDE CONFINED DISPOSAL AREA |
| D/A-N | NEARSHORE DISPOSAL AREA |
| D/A-NB | NORTH BEACH DISPOSAL AREA |
| D/A-O | FERNANDINA ODMDS |
| D/A-SB | SOUTH BEACH DISPOSAL AREA |
| D/A-SJ | SOUTH JETTY BEACH DISPOSAL AREA |

1. PLANE COORDINATES ARE BASED ON THE TRANSVERSE MERCATOR PROJECTION FOR THE EAST ZONE OF GEORGIA AND REFERENCED TO THE NORTH AMERICAN DATUM OF 1983 (NAD 83).
2. THE CHANNEL IS SPLIT AT CUT-1N (STA. 0+00) OF KINGS BAY ENTRANCE CHANNEL (KBEC) AND RANGE-A (STA. 0+000) KINGS BAY INNER CHANNEL (KBIC).
3. KBIC CUTS ARE KNOWN AS RANGES BEGINNING WITH RANGE ALPHA (RANGE-A) AS SHOWN ON NOAA NAVIGATION CHART #11503.

N

GRAPHIC SCALE

10,000 0 10,000 20,000

US Army Corps of Engineers
Jacksonville District

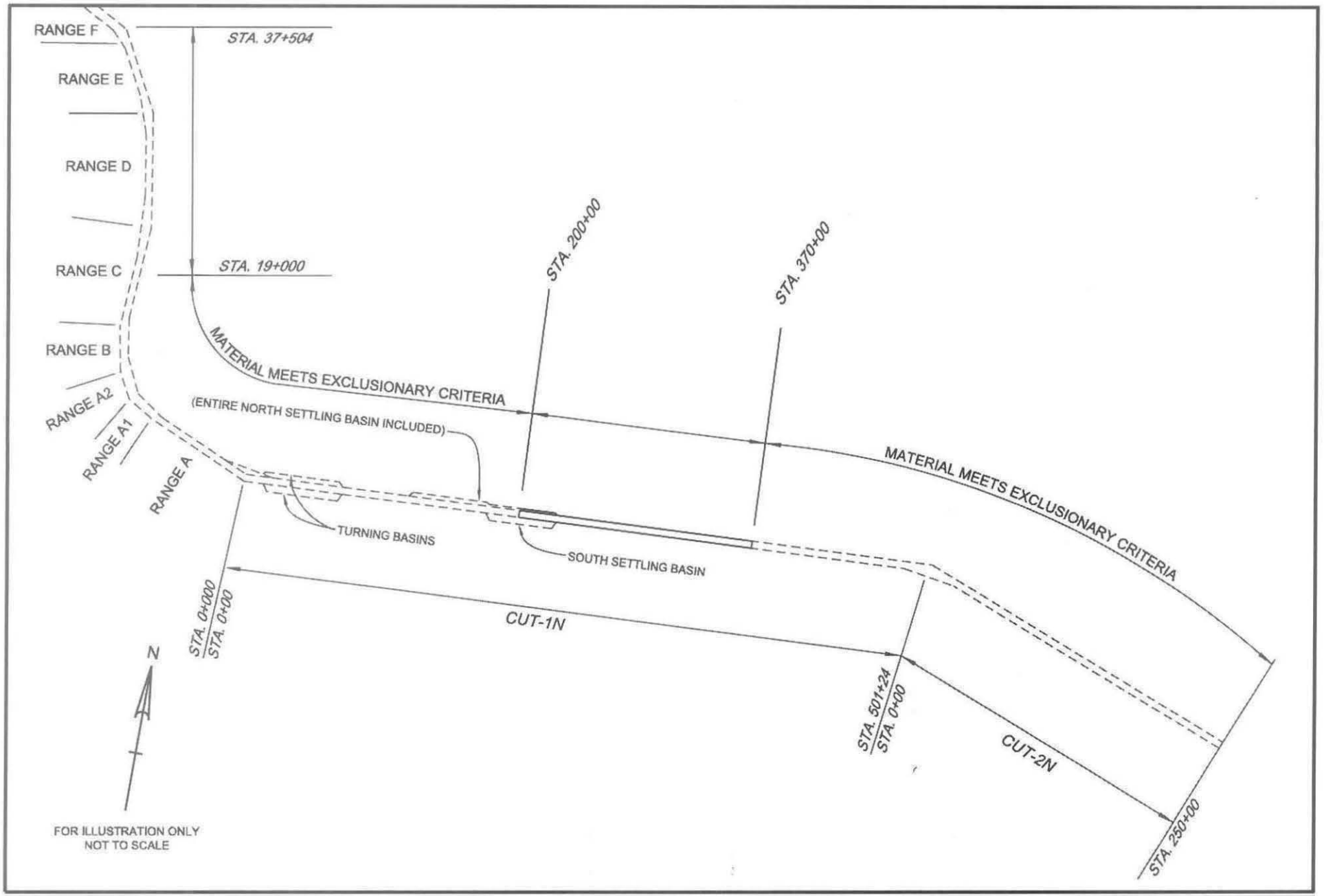
**DESIGN AID**
**NOT FOR CONSTRUCTION**

**DEPARTMENT OF THE ARMY**
JACKSONVILLE DISTRICT, CORPS OF ENGINEERS
JACKSONVILLE, FLORIDA

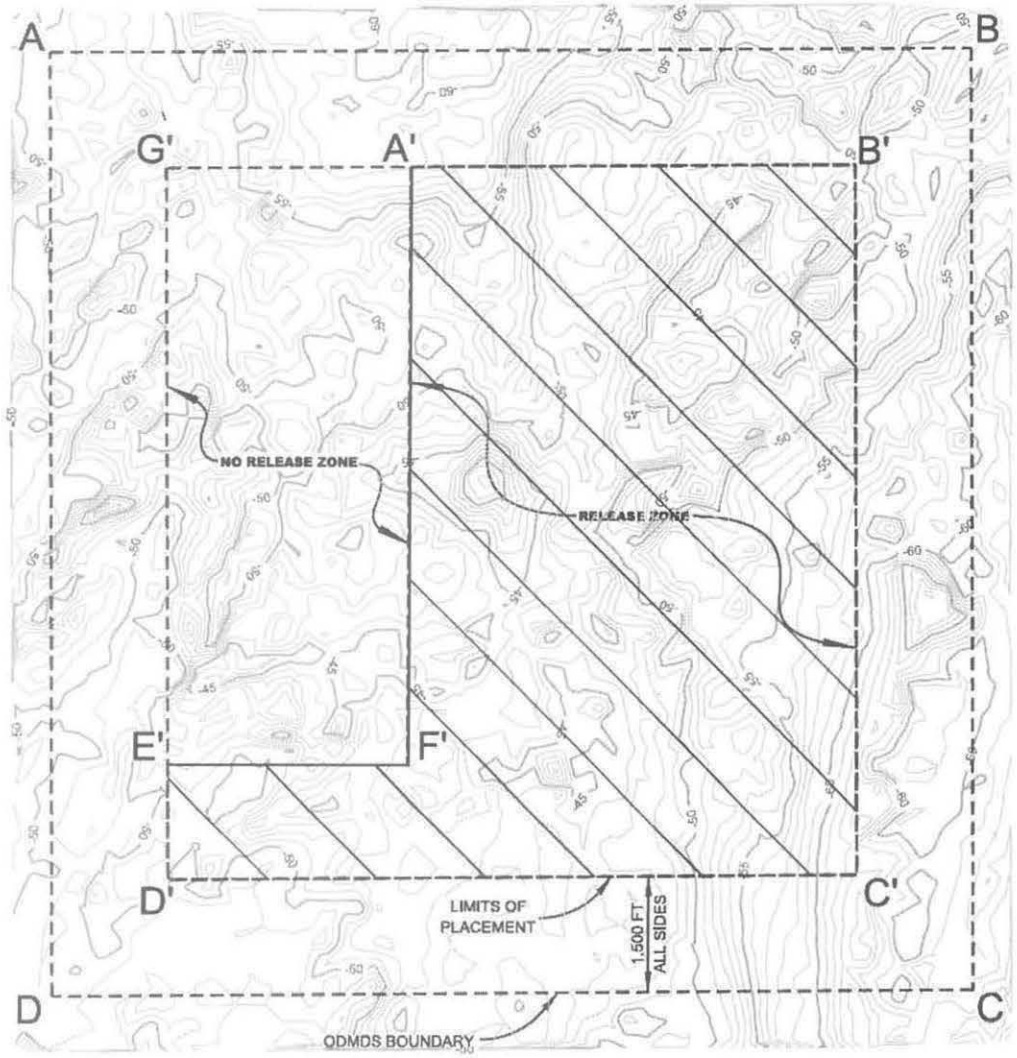
**KINGS BAY MAINTENANCE DREDGING**

**PROJECT LAYOUT**

**MAY 2016**




| | | | |
|---|---|---|---|
| US Army Corps of Engineers Jacksonville District | **DESIGN AID NOT FOR CONSTRUCTION**<br>**DEPARTMENT OF THE ARMY**<br>JACKSONVILLE DISTRICT, CORPS OF ENGINEERS<br>JACKSONVILLE, FLORIDA | **KINGS BAY MAINTENANCE DREDGING**<br>**JACKSONVILLE DISTRICT (SAJ) - SECTION 103**<br>**MAY 2016** | **2 OF 3** |

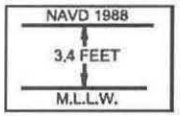



NOTES:

1. PLANE COORDINATES ARE BASED ON THE TRANSVERSE MERCATOR PROJECTION FOR THE EAST ZONE OF GEORGIA AND REFERENCED TO THE NORTH AMERICAN DATUM OF 1983 (NAD 83).
2. DEPTHS ARE IN FEET AND REFER TO THE NOAA REPORTED MEAN LOWER LOW WATER (MLLW) TIDAL DATUM RELATIVE TO THE 1983-2001 TIDAL EPOCH.
3. REFERENCE SITE MANAGEMENT AND MONITORING PLAN (SMMP) DATED DECEMBER 1998, AS AMENDED.
4. THE MAXIMUM PLACEMENT ELEVATION IN THE FERNANDINA ODMDS IS -25 FEET MLLW.
5. MAXIMUM ANNUAL PLACEMENT IS 950,000 CUBIC YARDS.
6. NO PLACEMENT OF MATERIAL WITHIN 1,500 FEET OF THE ODMDS BOUNDARY.
7. CONTOURS APPROXIMATED USING SURVEY #15-107.

| FERNANDINA ODMDS BOUNDARY | | |
|---|---|---|
| CONTROL POINTS | PLANE COORDINATES | |
| | X | Y |
| POINT A | 923,081 | 201,108 |
| POINT B | 934,973 | 201,200 |
| POINT C | 935,069 | 189,076 |
| POINT D | 923,172 | 188,985 |

| RELEASE ZONE BOUNDARY | | |
|---|---|---|
| CONTROL POINTS | PLANE COORDINATES | |
| | X | Y |
| POINT A' | 927,750 | 199,644 |
| POINT B' | 933,485 | 199,688 |
| POINT C' | 933,557 | 190,565 |
| POINT D' | 924,661 | 190,496 |
| POINT E' | 924,650 | 191,959 |
| POINT F' | 927,750 | 191,959 |
| POINT G' | 924,592 | 199,620 |




RELATIONSHIP BETWEEN NAVD 1988 AND NOAA MEAN LOWER LOW WATER TIDAL EPOCH (1983-2001 TIDAL EPOCH)

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GRAHPIC SCALE

1,000 0 1,000 2,000

US Army Corps of Engineers
Jacksonville District

**DESIGN AID**
**NOT FOR CONSTRUCTION**

**DEPARTMENT OF THE ARMY**
JACKSONVILLE DISTRICT, CORPS OF ENGINEERS
JACKSONVILLE, FLORIDA

**KINGS BAY MAINTENANCE DREDGING**

# FERNANDINA ODMDS (D/A-O) PLAN

**MAY 2016**

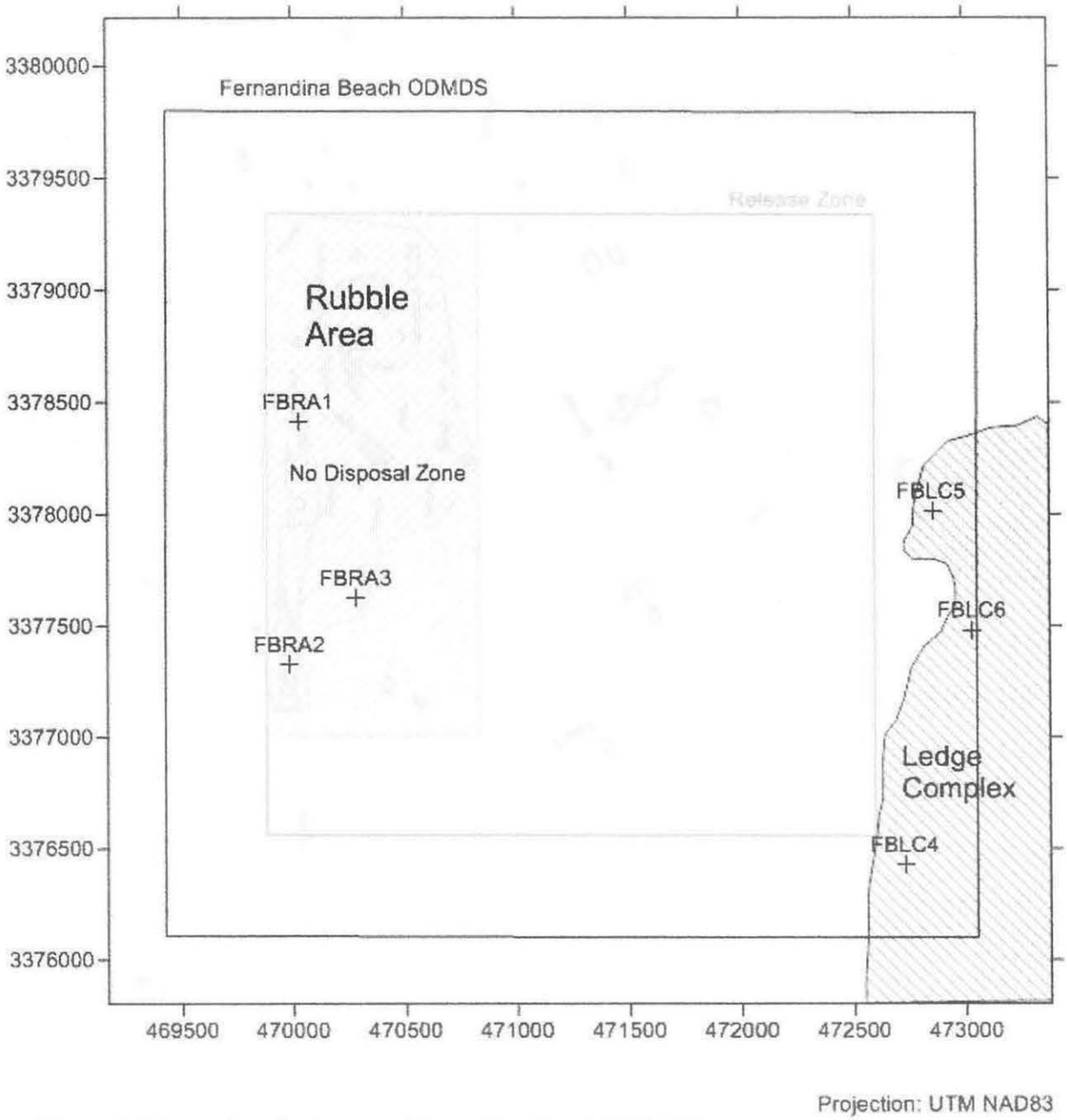


**Figure 1.** Disposal exclusion area, Fernandina Beach ODMDS.