



**US Army Corps
of Engineers®**

DEPARTMENT OF THE ARMY PERMIT

Permittees: Pasco County Board of County Commissioners
37918 Meridian Avenue
Dade City, Florida 33525

and

Florida Department of Transportation
Florida's Turnpike Enterprise
PO Box 613069
Ocoee, Florida 34761

Permit No: SAJ-2011-00551 (SP-TSH)

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

NOTE: The term "you" and its derivatives, as used in this permit, means the Permittees (both Pasco County Board of County Commissioners and Florida Department of Transportation/Florida's Turnpike Enterprise) 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: To discharge fill material over 42.40 acres of wetlands for the construction of 8.65 miles of roadway and attendant features referred to as the Ridge Road Extension (RRE). The jurisdictional wetland impacts include 37.37 acres of permanent impact and 5.03 acres of temporary impact. The project consists of three segments including Phase I, an interchange with the Suncoast Parkway, and Phase II. Phase I will span from the intersection of Ridge Road and Decubellis Road/Moon Lake Road (CR 587), at Station 11+78.92, eastward to the interchange, at Station 234+00.00. The interchange with the Suncoast Parkway will extend approximately 0.25 mile east and west of the Suncoast Parkway, from Station 234+00, on the west, to Station 286+28, on the east. Phase II will span from the interchange, at Station 286+28, eastward to Land O'Lakes Boulevard (US 41), at Station 468+09.19.

Based on the approved functional analysis, the unavoidable permanent direct and indirect impacts associated with this project result in a loss of a total of 43.01 units of forested wetland function and 3.49 units of herbaceous wetland function. The temporary impacts result in a loss of 0.8 unit of forested wetland function. The approved

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compensatory mitigation fully offsets these impacts to waters of the United States (WOUS).

The work described above is to be completed in accordance with the 105 pages of drawings (**Attachment 1**) and six additional attachments affixed at the end of this permit instrument.

Project Location: The project would affect WOUS associated with the Pithlachascotee River, Fivemile Creek, and Anclote River, within the Crystal River-Pithlachascotee River watershed (HUC 03100207). The Pithlachascotee River watershed (HUC 0310020704) and Anclote River watershed (HUC 0310020705) are direct tributaries to the Gulf of Mexico and Fivemile Creek is a direct tributary to the Pithlachascotee River. The project would commence at the intersection of Ridge Road and Decubellis / Moon Lake Road (County Road 587) and end at the intersection of Land O'Lakes Boulevard (U.S. Highway 41) and Connerton Boulevard in Pasco County, Florida, Sections 25-29, 32, and 33 of Township 25 South, Range 17 East; and Sections 21, 22, and 27-30, Township 25 South, Range 18 East. Part of the western portion of the proposed project would traverse the Serenova Tract of the Starkey Wilderness Preserve.

Directions to site: To reach the west end of the project, from the intersection of US 19 and Ridge Road in Port Richey, travel east on Ridge Road for approximately 6 miles to its existing terminus at Decubellis/Moon Lake Road. To reach the east end of the project, from the intersection of State Road 54 and Land O'Lakes Boulevard (US 41) travel north on Land O'Lakes Boulevard for approximately 7.5 miles to its intersection with Connerton Boulevard.

Approximate Central Coordinates: Latitude: 28.282217° North
Longitude: 82.550395° West

Permit Conditions

General Conditions:

1. The time limit for completing the work authorized ends on **December 20, 2024**. 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

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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 (**Attachment 2**) 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 Address:** The Permittees shall submit all reports, notifications, documentation and correspondence required by the general and special conditions of this permit to either (not both) of the following addresses:

a. For electronic mail (preferred): SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB). For electronic submittals greater than 15 MB, the Corps recommends using an FTP site, such as the AMRDEC Safe Access File Exchange: (<https://safe.amrdec.army.mil/SAFE/Welcome.aspx>)

b. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.

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The Permittees shall reference this permit number, SAJ-2011-00551 (SP-TSH), on all submittals.

2. Commencement Notification: Within 10 days from the date of initiating the work authorized by this permit for each construction phase, the Permittees shall submit a completed "Commencement Notification" Form (**Attachment 3**).

3. As-Built Certification: Within 60 days of completion of the work authorized by this permit, in each of the two phases as defined above, the Permittees shall submit as-built drawings of the authorized work and a completed "As-Built Certification By Professional Engineer" form (**Attachment 4**) to the Corps. The as-built drawings, for each separate phase, 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 transparent overlay of the work as constructed in the same scale as the permit drawings on 8½-inch by 11-inch sheets. The plan view drawing should show all "earth disturbance," including wetland impacts and water management structures.

b. A list of 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 attached "As-Built Certification By Professional Engineer" 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 By Professional Engineer" form does not constitute approval of any deviations by the Corps.

c. Include the Department of the Army permit number on all sheets submitted.

4. Agency Changes/Approvals: Should any other agency require and/or approve changes to the work authorized or obligated by this permit, the Permittees are advised a modification to this permit instrument is required prior to initiation of those changes. It is the Permittees' responsibility to request a modification of this permit from the Tampa Permits Section. The Corps reserves the right to fully evaluate, amend, and approve or deny the request for modification of this permit.

5. Posting of Permit: The Permittees shall have available and maintain for review a copy of this permit and approved plans at the construction site.

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6. 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 (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 Permittees 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 Permittees 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.

7. Erosion/Turbidity Control: Prior to the initiation of any work authorized by this permit, the Permittees shall install erosion control measures along the perimeter of all work areas to prevent the displacement of fill material outside the work area into

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waters of the United States. Immediately after completion of the final grading of the land surface, all slopes, land surfaces, and filled areas shall be stabilized using sod, degradable mats, barriers, or a combination of similar stabilizing materials to prevent erosion. The erosion control measures shall remain in place and be maintained until all authorized work is completed and the work areas are stabilized.

8. Fill Material: The Permittees 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.

9. Biological Opinion: This permit does not authorize the Permittees to take an endangered species, in particular the Eastern indigo snake (*Drymarchon corais couperi*). In order to legally take a listed species, the Permittees must have separate authorization under the Endangered Species Act (ESA) (e.g., an ESA Section 10 permit, or a Biological Opinion (BO) under ESA Section 7, with "incidental take" provisions with which you must comply). The enclosed United States Fish and Wildlife Service BO (**Attachment 5**) contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with "incidental take" that is also specified in the BO. Authorization under this permit is conditional upon compliance with all of the mandatory terms and conditions associated with incidental take of the enclosed BO, which terms and conditions are incorporated by reference in this permit. Failure to comply with the terms and conditions associated with incidental take of the BO, where a take of the listed species occurs, would constitute an unauthorized take, and it would also constitute noncompliance with this permit. The United States Fish and Wildlife Service is the appropriate authority to determine compliance with the terms and conditions of its BO, and with the ESA.

10. Eastern Indigo Snake Protection Measures and Inspection: Permittees shall comply with U.S. Fish and Wildlife Service's "Standard Protection Measures for the Eastern Indigo Snake" dated August 12, 2013, as provided in **Attachment 6** 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 Permittees 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

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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.

11. Mitigation Summary: To offset the wetland functional loss associated with the unavoidable direct and indirect impacts associated with this project, both permanent and temporary, the Permittees agree to provide a total of 47.3 units of compensatory mitigation as summarized below:

a. 6.73 units of excess mitigation associated with the Suncoast Parkway project (DA Permit Number SAJ-1996-04305), as detailed in the approved compensatory mitigation plan (**Attachment 7**), and

b. 40.57 mitigation bank credits, including 21.28 credits for the Initial Phase and 19.29 credits for the Final Phase.

12. Mitigation Bank Credit Purchase:

a. Initial Phase of Construction: Within 30 days from the date of initiating work authorized by this permit for any aspect of Phase I, the interchange with Suncoast Parkway, or the segment of Phase II extending approximately 0.25 mile east of the interchange, from Station 286+28 to Station 299+50, the Permittees shall provide verification to the Corps that 19.61 forested and 1.67 emergent/herbaceous federal mitigation bank credits have been purchased from the Old Florida Mitigation Bank (SAJ-2013-01810). The required verification shall reference this project's permit number (SAJ-2011-00551).

b. Final Phase of Construction: Within 30 days from the date of initiating the work authorized by this permit for any portion of Phase II located east of Station 299+50, the Permittees shall provide verification to the Corps that 18.23 forested and 1.06 emergent/herbaceous federal mitigation bank credits have been purchased from the Old Florida Mitigation Bank (SAJ-2013-01810). The required verification shall reference this project's permit number (SAJ-2011-00551).

13. Remediation: The Permittees have fulfilled their initial obligation with regard to the mitigation associated with the Suncoast Parkway project (DA Permit Number SAJ-1996-04305) by placing the mitigation areas under a Conservation Easement deeded to the Southwest Florida Water Management District (SWFWMD). However, the Permittees, Successors and subsequent Transferees remain perpetually responsible to ensure that

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the mitigation areas remain in a condition appropriate to offset the authorized impacts in accordance with General Condition 2 of this permit. If the SWFWMD ceases to manage the mitigation areas as natural vegetated communities in accordance with the approved compensatory mitigation plan, the compensatory mitigation will be deemed unsuccessful. Within 60 days of notification by the Corps that the compensatory mitigation is unsuccessful, the Permittee shall submit to the Corps an alternate compensatory mitigation proposal sufficient to create the functional lift required under this permit. The alternate compensatory mitigation proposal may be required to include additional mitigation to compensate for the temporal loss of wetland functions associated with the unsuccessful compensatory mitigation activities. The Corps reserves the right to fully evaluate, amend, and approve or reject the alternate compensatory mitigation proposal. Within 120 days of Corps approval, the Permittee will complete the alternate compensatory mitigation proposal.

14. Temporary Wetland Impacts:

a. Phase I: Within 30 days from the date of completing the work authorized by this permit in Phase I, the Permittees shall restore 3.86 acres of temporary wetland impacts, as detailed in the approved plans attached to this permit, to pre-existing contours, elevations, vegetation, habitat type, and hydrology.

b. Phase II: Within 30 days from the date of completing the work authorized by this permit in Phase II, the Permittees shall restore 1.17 acres of temporary wetland impacts, as detailed in the approved plans attached to this permit, to pre-existing contours, elevations, vegetation, habitat type, and hydrology.

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.

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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).

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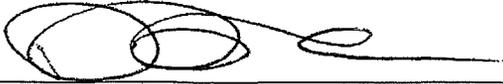
c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

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.

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



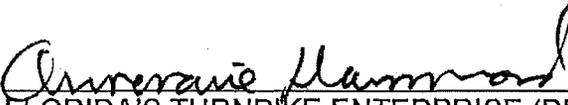
PASCO COUNTY (PERMITTEE)

12/20/19

(DATE)

Daniel Biles

(PERMITTEE NAME-PRINTED)



FLORIDA'S TURNPIKE ENTERPRISE (PERMITTEE)

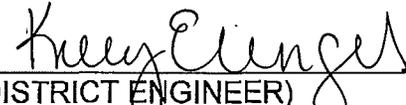
12/20/19

(DATE)

Annemarie Hammond

(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)

12/20/19

(DATE)

for
Andrew D. Kelly, Jr.
Colonel, U.S. Army
District Commander

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TRANSFER REQUEST

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFEREE-SIGNATURE)

(DATE)

(NAME-PRINTED)

(ADDRESS)

(CITY, STATE, AND ZIP CODE)

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***Attachments to Department of the Army
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1. PERMIT DRAWINGS: 105 pages, dated December 20, 2019
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. Major Modification of Southwest Florida Water Management District permit 43018792.006, issued on July 24, 2019. 20 pages
3. COMMENCEMENT NOTIFICATION FORM: 1 page
4. AS-BUILT CERTIFICATION FORM: 2 pages
5. BIOLOGICAL OPINION: U.S. Fish and Wildlife Service Biological Opinion for the Ridge Road Extension, FWS Log # 04E1000-2019-F-0637, dated September 20, 2019. 34 pages
6. EASTERN INDIGO SNAKE CONDITIONS: Standard Protection Measures for the Eastern Indigo Snake, U.S. Fish and Wildlife Service, August 12, 2013. 6 pages
7. COMPENSATORY MITIGATION PLAN: 11 pages