



# Florida Department of Environmental Protection

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Tallahassee, Florida 32399-240

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

December 12, 2016

Mark Crosley  
Executive Director  
Florida Inland Navigation District  
1314 Marcinski Road  
Jupiter, FL 33477

Permit Modification No. 0296970-004-JN  
Permit No. 0296970-001-JC, Martin County  
M-5 DMMA Offloading and Crossroads  
Channel Maintenance Dredging

Dear Mr. Crosley:

Your request to modify Permit No. 0296970-001-JC was received on July 7, 2016, and has been reviewed by Florida Department of Environmental Protection (Department) staff. The proposed permit modification is to add the St. Lucie Sediment Impoundment Basin as an additional disposal site for beach compatible material dredged from the authorized dredge template of Permit No. 0296970-001-JC.

On January 30, 2012, the Department issued Permit No. **0296970-001-JC** to the Florida Inland Navigation District for periodic maintenance dredging of the Crossroads Channel. The permit also authorized the placement of beach compatible material on Jupiter Island Beaches between Department Reference Monuments R-59 and R-80 using sand from either the dredging of the Crossroads Channel or from the nearby M-5 Dredged Material Management Area (DMMA).

On January 30, 2012, The Department also issued Variance No. **0296970-002-BV**, for an expanded mixing zone at the beach placement site, and to establish a maximum allowable turbidity level of 13.1 NTUs above background at the beach placement site and 2 NTUs at the Crossroads Channel dredging location.

For additional background, please see the *Consolidated Notice Of Intent To Issue Joint Coastal Permit, Variance And Authorization To Use Sovereign Submerged Lands* for Permit No. 0296970-001-JC at the following website:

**Notice of Permit Modification**  
**Permit Modification No. 0296970-004-JN**  
**M-5 DMMA Offloading and Crossroads**  
**Channel Maintenance Dredging**  
**Page 2 of 14**

[ftp://ftp.dep.state.fl.us/pub/ENV-PRMT/martin/issued/296970\\_M5\\_%20DMMA%20\\_Offloading/001-JC%20\(MD%20and%20Beach%20placement%20R59-80\)/Intent/M5%20Intent%20-%20\(11-14-11\).pdf](ftp://ftp.dep.state.fl.us/pub/ENV-PRMT/martin/issued/296970_M5_%20DMMA%20_Offloading/001-JC%20(MD%20and%20Beach%20placement%20R59-80)/Intent/M5%20Intent%20-%20(11-14-11).pdf)

On June 27, 2016, the Department's Southeast District issued Permit No. **0296970-003-EM** to widen a portion of the Okeechobee Waterway just west of where it intersects with the Intracoastal Waterway. Material excavated from this portion of the widened channel is not eligible for placement in the St. Lucie Inlet Sediment Impoundment Basin.

**Justification**

Including the St. Lucie Inlet Sediment Impoundment Basin as an option for disposal of beach compatible material dredged from the Crossroads Channel will allow the sand to be more readily available for eventual beach placement.

**Staff Assessment**

Department staff have evaluated the modification request and have determined that disposing of beach compatible sand in the sediment impoundment basin is not expected to adversely affect coastal resources in the area. Additionally, staff have determined that disposal of the material from the Crossroads Channel is not expected to negatively affect the overall quality of sand available for beach placement in the sediment impoundment basin.

Pursuant to Rule 62B-41.007(2)(j), F.A.C., to protect the environmental functions of Florida's beaches only beach compatible fill shall be placed on the beach or in any associated dune system. Beach compatible fill is material that maintains the general character and functionality of the material occurring on the beach and in the adjacent dune and coastal system.

Vibracores were collected for this project in numerous events (2008, 2006, 2001, and 1995) to evaluate the character of the material to be dredged from this channel. The vibracores were taken throughout the proposed channel with adequate coverage (number and spacing) to characterize the sediment to be dredged from the shoaled areas of the channel in this event. Each vibracore was logged and sampled. Each sample was sieved, a gradation analysis completed, and grain size distribution curves created. This information was sufficient for the Department to complete a review and determine the permit complete for geotechnical review.

In accordance with Rule 62B-41.008(1)(k)4, F.A.C., a sediment quality control/quality assurance plan was approved under the original permit and will still be followed for applicable placement options. However, in the event placement will be in the sediment impoundment basin, turbidity monitoring will serve as the sediment QA/QC plan.

**Notice of Permit Modification**  
**Permit Modification No. 0296970-004-JN**  
**M-5 DMMA Offloading and Crossroads**  
**Channel Maintenance Dredging**  
**Page 3 of 14**

Based upon the 2001, 2006 and 2008 vibracore information, the material to be dredged from the channel is a fine to medium sand with an average mean grain size of 0.26 mm. In general, the higher grain sizes occur where the visual percent shell is higher. The predominant Munsell color value of the material to be dredged is a 6. In the past, the material dredged from this portion of the channel has proven to be beach compatible once dredged and placed on the beach.

Given the above, the Department has the reasonable assurance required approve the modification request.

The project description shall be revised as follows (~~strike throughs~~ are deletions, underlines are additions):

The project is to conduct maintenance dredging of the Crossroads Channel; to remove material from the M-5 Dredged Materials Management Area (DMMA); and to use the beach compatible material from both sources to nourish 3.5 miles of shoreline between DEP Reference monuments R-59 and R-80. Beach compatible sand dredged from the Crossroads Channel may also be disposed of in the St. Lucie Inlet Sediment Impoundment Basin. Approximately 60,000 cubic yards of material will be dredged from the channel using a cutterhead dredge, and approximately 290,000 cubic yards of sand will be offloaded from the DMMA. A temporary intermodal facility will be constructed on the northern side of the DMMA in order to put the material from the DMMA into a slurry, which will then be pumped to the beach via pipeline. The intermodal facility will consist of a dredged basin enclosed by 630 feet of sheet pile. Two pipeline corridors will be used to transport the fill material to the beach staging area at R-43 and tie into the existing pipeline easement that runs south through St. Lucie Inlet Preserve State Park. One submerged pipeline corridor will extend from the dredge area and the second corridor will extend from the intermodal facility. The dune and beach template includes a dune crest width of 15 feet at a varying elevation of +10.5 feet to +12.5 feet NAVD. The dune will have a 10:1 (horizontal:vertical) backslope and foreshore slope. The construction template between R-59 and R-69 only includes a dune, which ties into the existing beach berm, unless the slope extends to the MHWL. The construction template between R-69 and R-80 includes both the aforementioned dune and a berm that crests at an elevation of +7.5 feet NAVD and then transitions to a turtle friendly slope of 75:1 (horizontal:vertical). The berm will have a maximum width of 83 feet, and then transitions to an initial seaward slope of 15:1 (horizontal:vertical) and final seaward slope of 25:1 (horizontal:vertical) to the construction toe of fill.

The requested variance (File No. 0296970-002-BV) from Rule 62-4.244(5)(c), F.A.C., would temporarily establish expanded mixing zones that extend 2,000 meters downcurrent from the point where water discharged from the dredge or DMMA pipeline (at the beach placement site) reenters the Atlantic Ocean. The requested variance from the antidegradation provisions in Rule 62-4.242(2)(a)2.b., F.A.C., would establish a

**Notice of Permit Modification**  
**Permit Modification No. 0296970-004-JN**  
**M-5 DMMA Offloading and Crossroads**  
**Channel Maintenance Dredging**  
**Page 4 of 14**

maximum allowable turbidity level of 13.1 NTUs above background for work within St. Lucie Inlet Aquatic Preserve, and 2 NTUs above background for work in the Jensen Beach to Jupiter Inlet Aquatic Preserve, OFW.

The general conditions shall be revised as follows (~~strike-throughs~~ are deletions, underlines are additions):

1. All activities authorized by this permit shall be implemented as set forth in the project description, permit drawings, plans and specifications approved as a part of this permit, and all conditions and requirements of this permit. The permittee shall notify the Department in writing of any anticipated deviation from the permit prior to implementation so that the Department can determine whether a modification of the permit is required pursuant to Rule 62B-49.008, F.A.C.
2. If, for any reason, the permittee does not comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department and the appropriate District office of the Department with a written report containing the following information: a description of and cause of noncompliance; and the period of noncompliance, including dates and times; and, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.
3. This permit does not eliminate the necessity to obtain any other applicable licenses or permits that may be required by federal, state, local or special district laws and regulations. This permit is not a waiver or approval of any other Department permit or authorization that may be required for other aspects of the total project that are not addressed in this permit.
4. Pursuant to Sections 253.77 and 373.422, F.S., prior to conducting any works or other activities on state-owned submerged lands, or other lands of the state, title to which is vested in the Board of Trustees, 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 shall not be considered received until it has been fully executed.
5. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under Section 373.421(2), F.S., provides otherwise.

**Notice of Permit Modification**  
**Permit Modification No. 0296970-004-JN**  
**M-5 DMMA Offloading and Crossroads**  
**Channel Maintenance Dredging**  
**Page 5 of 14**

6. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee. The issuance of this permit does not convey any vested rights or any exclusive privileges.
7. This permit or a copy thereof, complete with all conditions, attachments, plans and specifications, modifications, and time extensions shall be kept at the work site of the permitted activity. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
8. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel with proper identification and at reasonable times, access to the premises where the permitted activity is located or conducted for the purpose of ascertaining compliance with the terms of the permit and with the rules of the Department and to have access to and copy any records that must be kept under conditions of the permit; to inspect the facility, equipment, practices, or operations regulated or required under this permit; and to sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.
9. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall electronically submit to the Department, by email at [JCPCCompliance@dep.state.fl.us](mailto:JCPCCompliance@dep.state.fl.us), and the appropriate District office of the Department a written notice of commencement of construction indicating the actual start date and the expected completion date and an affirmative statement that the permittee and the contractor, if one is to be used, have read the general and specific conditions of the permit and understand them.
10. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, shipwreck remains or anchors, dugout canoes or 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, the permitted project shall cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. 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. Project activities shall not resume without verbal and/or written authorization from the Division of Historical Resources. In the event that unmarked human remains are encountered during

**Notice of Permit Modification**  
**Permit Modification No. 0296970-004-JN**  
**M-5 DMMA Offloading and Crossroads**  
**Channel Maintenance Dredging**  
**Page 6 of 14**

permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, F.S.

11. Within 30 days after completion of construction or completion of a subsequent maintenance event authorized by this permit, the permittee shall electronically submit to the Department, by email at [JCPCCompliance@dep.state.fl.us](mailto:JCPCCompliance@dep.state.fl.us), and the appropriate District office of the Department a written statement of completion and certification by a registered professional engineer. This certification shall state that all locations and elevations specified by the permit have been verified; the activities authorized by the permit have been performed in compliance with the plans and specifications approved as a part of the permit, and all conditions of the permit; or shall describe any deviations from the plans and specifications, and all conditions of the permit. When the completed activity differs substantially from the permitted plans, any substantial deviations shall be noted and explained on as-built drawings electronically submitted to the Department, by email at [JCPCCompliance@dep.state.fl.us](mailto:JCPCCompliance@dep.state.fl.us).
- ~~1. All activities authorized by this permit shall be implemented as set forth in the plans and specifications approved as a part of this permit, and all conditions and requirements of this permit. The Permittee shall notify the Department in writing of any anticipated deviation from the permit prior to implementation so that the Department can determine whether a modification of the permit is required pursuant to section 62B-49.008, Florida Administrative Code.~~
- ~~2. If, for any reason, the Permittee does not comply with any condition or limitation specified in this permit, the Permittee shall immediately provide the Bureau of Beaches and Coastal Systems and the appropriate District office of the Department with a written report containing the following information: a description of and cause of noncompliance; and the period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.~~
- ~~3. This permit does not eliminate the necessity to obtain any other applicable licenses or permits that may be required by federal, state, local, special district laws and regulations. This permit is not a waiver or approval of any other Department permit or authorization that may be required for other aspects of the total project that are not addressed in this permit.~~
- ~~4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of sovereignty land of Florida seaward of the mean high water line, or, if~~

**Notice of Permit Modification**  
**Permit Modification No. 0296970-004-JN**  
**M-5 DMMA Offloading and Crossroads**  
**Channel Maintenance Dredging**  
**Page 7 of 14**

~~established, the erosion control line, unless herein provided and the necessary title, lease, easement, or other form of consent authorizing the proposed use has been obtained from the State. The Permittee is responsible for obtaining any necessary authorizations from the Board of Trustees of the Internal Improvement Trust Fund prior to commencing activity on sovereign lands or other state-owned lands.~~

- ~~5. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under section 373.421(2), F.S., provides otherwise.~~
- ~~6. This permit does not convey to the Permittee or create in the Permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the Permittee. The issuance of this permit does not convey any vested rights or any exclusive privileges.~~
- ~~7. This permit or a copy thereof, complete with all conditions, attachments, plans and specifications, modifications, and time extensions shall be kept at the work site of the permitted activity. The Permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.~~
- ~~8. The Permittee, by accepting this permit, specifically agrees to allow authorized Department personnel with proper identification and at reasonable times, access to the premises where the permitted activity is located or conducted for the purpose of ascertaining compliance with the terms of the permit and with the rules of the Department and to have access to and copy any records that must be kept under conditions of the permit; to inspect the facility, equipment, practices, or operations regulated or required under this permit; and to sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.~~
- ~~9. At least forty eight (48) hours prior to commencement of activity authorized by this permit, the Permittee shall submit to the Bureau of Beaches and Coastal Systems (JCP Compliance Officer) and the appropriate District office of the Department a written notice of commencement of construction indicating the actual start date and the expected completion date and an affirmative statement that the Permittee and the contractor, if one is to be used, have read the general and specific conditions of the permit and understand them.~~

**Notice of Permit Modification**  
**Permit Modification No. 0296970-004-JN**  
**M-5 DMMA Offloading and Crossroads**  
**Channel Maintenance Dredging**  
**Page 8 of 14**

- ~~10. If historic or archaeological artifacts, such as, but not limited to, Indian canoes, arrow heads, pottery or physical remains, are discovered at any time on the project site, the Permittee shall immediately stop all activities in the immediate area that disturb the soil in the immediate locale and notify the State Historic Preservation Officer and the Bureau of Beaches and Coastal Systems (JCP Compliance Officer). In the event that unmarked human remains are encountered during permitted activities, all work shall stop in the immediate area and the proper authorities notified in accordance with Section 872.02, F.S.~~
- ~~11. Within 30 days after completion of construction or completion of a subsequent maintenance event authorized by this permit, the Permittee shall submit to the Bureau of Beaches and Coastal Systems (JCP Compliance Officer) and the appropriate District office of the Department a written statement of completion and certification by a registered professional engineer. This certification shall state that all locations and elevations specified by the permit have been verified; the activities authorized by the permit have been performed in compliance with the plans and specifications approved as a part of the permit, and all conditions of the permit; or shall describe any deviations from the plans and specifications, and all conditions of the permit. When the completed activity differs substantially from the permitted plans, any substantial deviations shall be noted and explained on two paper copies and one electronic copy of as built drawings submitted to the Bureau of Beaches and Coastal Systems (JCP Compliance Officer).~~

The specific conditions shall be revised as follows (~~striketroughs~~ are deletions, underlines are additions):

36. Water Quality - Turbidity shall be monitored as follows:

Units: Nephelometric Turbidity Units (NTUs).

Frequency: 3 times daily, approximately 4 hours apart, and at any other time that there is a likelihood of an exceedance of the turbidity standard, during all construction operations. Sampling shall be conducted while the highest project-related turbidity levels are crossing the edge of the mixing zone. ~~Every 4 hours during all dredging and sand placement operations.~~

Location: Background: At surface, mid-depth, and 2 meters above bottom, clearly outside the influence of any artificially generated turbidity plume.

**Notice of Permit Modification**  
**Permit Modification No. 0296970-004-JN**  
**M-5 DMMA Offloading and Crossroads**  
**Channel Maintenance Dredging**  
**Page 9 of 14**

**Dredge Site:** approximately 300 meters in the opposite direction of the prevailing current flow.

**Disposal at Sediment Impoundment Basin:**  
approximately 300 meters in the opposite direction of the prevailing current flow.

**Beach Site:** approximately 300 meters upcurrent of the point where the return water from the dredged discharge reenters the Atlantic Ocean, and from any portion of the beach that has already been nourished during the current nourishment event, and the same distance offshore as the associated compliance sample.

Compliance: At surface, mid-depth, and 2 meters above bottom, within the densest portion of any visible turbidity plume generated by this project.

**Dredge Site:** Samples shall be collected 150 meters downcurrent from the dredge head, in the densest portion of any visible turbidity plume.

Additionally, if the dredge is operating within 150 meters updrift of the adjacent seagrass bed, samples shall be collected at the nearest seagrass edge downdrift of the dredge or whenever the turbidity plume is observed over the seagrass.

**Disposal at Sediment Impoundment Basin:** Samples shall be collected 150 meters downcurrent from the disposal source, in the densest portion of any visible turbidity plume.

**Beach Site:** Samples shall be collected where densest portion of the turbidity plume crosses the edge of a mixing zone polygon measuring 2,000 meters shore-parallel and 150 meters offshore, starting from the point where the return water is discharged into the Atlantic Ocean. If the plume crosses over the hardbottom, a sample shall also be taken at the landward edge of the hardbottom.

**Notice of Permit Modification**  
**Permit Modification No. 0296970-004-JN**  
**M-5 DMMA Offloading and Crossroads**  
**Channel Maintenance Dredging**  
**Page 10 of 14**

Intermediate (at beach site): In addition to the compliance sampling, turbidity shall also be sampled down-current from the discharge point at 150, 750 and 1500 meters, unless the point is located outside of the mixing zone polygon. These intermediate measurements will be used to calibrate the size of future mixing zones in this area.

37. The **compliance** locations given above shall be considered the limits of the temporary mixing zone for turbidity allowed during construction. If monitoring reveals turbidity levels at the **compliance** sites that are greater than 2 NTUs ~~at the crossroads dredging area~~ within the Jensen Beach to Jupiter Inlet Aquatic Preserve, OFW, and 29 NTUs above the corresponding background turbidity levels for areas outside of the Jensen Beach to Jupiter Inlet Aquatic Preserve; and if monitoring reveals turbidity levels at the beach placement area (within St. Lucie Inlet Aquatic Preserve, OFW) that are greater than 13.1 NTUs, construction activities shall **cease immediately** and not resume until corrective measures have been taken and turbidity has returned to acceptable levels. Any such occurrence shall also be immediately reported to the Department's Division of Water Resource Management Bureau of Beaches and Coastal Systems (BBCS) in Tallahassee via email at [JCP.Compliance@dep.state.fl.us](mailto:JCP.Compliance@dep.state.fl.us) and include in the subject line, "**TURBIDITY EXCEEDANCE**", "**M5 DMMA Offloading and Crossroads Maintenance Dredging Project**" and "**Permit No. 0296970-001-JC.**" Also notify the Department's Southeast District office.

The set of approved permit drawings shall be revised as follows:

The attached plan dated March 2016, shall be added to the set of approved permit drawings.

After thorough review of your application, staff finds that the proposed modification is not expected to adversely affect water quality or change the determination that the project is clearly in the public interest. Staff has also determined that the proposed alteration does not increase the potential for adverse impact on the coastal system, public beach access seaward of the mean high water line or nesting sea turtles and hatchlings and their habitat, and that the proposed alteration does not reduce the design adequacy of the project. Since the proposed modification is not expected to result in any adverse environmental impact or water quality degradation, the **permit is hereby modified** as stated above. By copy of this letter and the attached drawing, we are notifying all necessary parties of the modification.

This letter of approval does not alter the January 30, 2022, expiration date. The only Specific Conditions of the permit that are altered by this modification are those stated above. This letter and the attached drawing must be attached to the original permit.

**Notice of Permit Modification**  
**Permit Modification No. 0296970-004-JN**  
**M-5 DMMA Offloading and Crossroads**  
**Channel Maintenance Dredging**  
**Page 11 of 14**

This permit is hereby modified unless a sufficient petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, Florida Statutes (F.S.), as provided below. The procedures for petitioning for a hearing are set forth below. Mediation under Section 120.573, F.S., is not available for this proceeding.

**NOTICE OF RIGHTS**

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

**Petition for Administrative Hearing**

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rule 28-106.201, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any email address, any facsimile number, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

**Notice of Permit Modification**  
**Permit Modification No. 0296970-004-JN**  
**M-5 DMMA Offloading and Crossroads**  
**Channel Maintenance Dredging**  
**Page 12 of 14**

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

**Time Period for Filing a Petition**

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

**Extension of Time**

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

**Mediation**

Mediation is not available in this proceeding.

**FLAWAC Review**

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

**Judicial Review**

**Notice of Permit Modification**  
**Permit Modification No. 0296970-004-JN**  
**M-5 DMMA Offloading and Crossroads**  
**Channel Maintenance Dredging**  
**Page 13 of 14**

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

When there has been no publication of notice of agency action or notice of proposed agency action as prescribed in Rule 62-110.106, F.A.C., a person may request a copy of the agency action. The Department shall upon receipt of such a request, if agency action has occurred, promptly provide the person with notice. The Department does not require notice of this agency action to be published. However, the applicant may elect to publish notice as prescribed in Rule 62-110.106, F.A.C., which constitutes notice to the public and establishes a time period for submittal of any petition.

If you have any questions regarding this matter, please contact Gregory Garis by email at [gregory.garis@dep.state.fl.us](mailto:gregory.garis@dep.state.fl.us) or by telephone at (850) 245-8280.

Sincerely,



Lainie Edwards, Ph.D.  
Program Administrator  
Beaches, Inlets and Ports Program  
Division of Water Resource Management

Attachments: Drawing dated March 2016

cc: Bob Brantly, DWRM  
Marty Seeling, DWRM  
JCP Compliance Officer, DWRM  
Jennifer Steele, DWRM  
Gregory Garis, DWRM  
Paul Karch, Corps  
Roxane Dow, DWRM  
John Renfranz, DEP SE District

**FILING AND ACKNOWLEDGMENT**

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



12/12/2016

Deputy Clerk

Date