



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
POST OFFICE BOX 4970
JACKSONVILLE, FLORIDA 32232

November 8, 2018

REPLY TO
ATTENTION OF

Regulatory Division
North Permits Branch
Jacksonville Permits Section
SAJ-2018-02571 (NW-DSD)

Jacksonville Electric Authority
Attention: Andrew Sears
21 West Church Street
Jacksonville, Florida 32202

Dear Mr. Andrew Sears:

The U.S. Army Corps of Engineers (Corps) assigned your application for a Department of the Army permit, the file number SAJ-2018-02571. A review of the information and drawings provided indicates that the proposed work would result in the temporary impact 0.01 acre of wetland for an open cut drench to aid in the installation of a utility line. The project site is located in Section 8, Township 3 South, Range 28 East, Jacksonville, Duval County, Florida. The approximate central coordinates are Latitude 30. 259291°, Longitude - 81. 500909°.

Additionally the project will include the installation of a 1,331 linear feet, 18-inch-diameter high density polyethylene (HDPE) pipe under Buckhead Branch Creek using horizontal directional drilling (HDD) from top of bank to top of bank. This activity does not require a Department of the Army Authorization.

Your project, as depicted on the enclosed drawings, is authorized by Nationwide Permit (NWP) Number 12. In addition, project specific conditions have been enclosed. This verification is valid until **March 18, 2022**. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this nationwide permit. Please access the U.S. Army Corps of Engineers' (Corps) Jacksonville District's Regulatory Internet page to access Internet links to view the Final Nationwide Permits, Federal Register Vol. 82, dated January 6, 2017, specifically pages 1983 to 2008, and the table of Regional Conditions. The Internet page address is:

<http://www.saj.usace.army.mil/Missions/Regulatory.aspx>

Please be aware this Internet address is case sensitive and should be entered as it appears above. Once there you will need to click on "Source Book"; and, then click on "Nationwide Permits." These files contain the description of the Nationwide Permit authorization, the Nationwide Permit general conditions, and the regional conditions, which apply specifically to this verification for NWP 12. Enclosed is a list of General Conditions, which apply to all Department of the Army authorizations. You must comply with all of the special and general conditions and any project specific condition of this authorization or you may be subject to enforcement action. In the event you have not completed construction of your project within the specified time limit, a separate application or re-verification may be required.

The following special conditions are included with this verification:

1. Reporting Address: The Permittee shall submit all reports, notifications, documentation, and correspondence required by the general and special conditions of this permit to the following address:

a. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Special Projects and Enforcement Branch, Post Office Box 4970, Jacksonville, Florida 32232-0019.

b. For electronic mail SAJ-RD-Enforcement@usace.army.mil (not to exceed 10 MB). The Permittee shall reference this permit number, SAJ-2018-02571 (NW-DSD), on all submittals.

2. 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 in the vicinity and notify the Corps. 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. A cultural resources assessment may be required of the permit area, 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 and 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 in the vicinity shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archeologist. 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, SHPO, and the Corps.

e. In the unlikely event that human remains are encountered on federal or tribal lands, or in situations where Archaeological Resources Protection Act of 1979 or Native American Graves Protection Repatriation Act of 1990 applies, all work in the vicinity shall immediately cease and the Permittee immediately notify the Corps. The Corps shall then notify the appropriate THPO(s) and SHPO. 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. After such notification, project activities on federal lands shall not resume without written authorization from the Corps, and/or appropriate THPO(s), SHPO, and federal manager. After such notification, project activities on tribal lands shall not resume without written authorization from the appropriate THPO(s) and the Corps.

3. Agency Changes/Approvals: Should any other agency require and/or approve changes to the work authorized or obligated by this permit, the Permittee is advised 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 Jacksonville Permits Section. The Corps reserves the right to fully evaluate, amend, and approve or deny the request for modification of this permit.

4. Self-Certification: Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the attached Self-Certification Statement of Compliance form and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the Self-Certification Statement of Compliance form. The description of any deviations on the Self-Certification Statement of Compliance form does not constitute approval of any deviations by the Corps.

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

This letter of authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. Prior to the initiation of any construction, projects qualifying for this Nationwide permit must qualify for an exemption under section 403.813(1), Florida Statutes or 373.406, Florida Statutes, or otherwise be authorized by the applicable permit required under Part IV of Chapter 373, Florida Statutes, by the Department of Environmental Protection, a water management district under section 373.069, Florida Statutes, or a local government with delegated authority under section 373.441, Florida Statutes, and receive Water Quality Certification and applicable Coastal Zone Consistency Concurrence or waiver thereto, as well as any authorizations required for the use of state-owned submerged lands under Chapter 253, Florida Statutes, and, as applicable, Chapter 258, Florida Statutes. You should check State-permitting requirements with the Florida Department of Environmental Protection or the appropriate water management district.

This letter of authorization does not include conditions that would prevent the 'take' of a state-listed fish or wildlife species. These species are protected under sec. 379.411, Florida Statutes, and listed under Rule 68A-27, Florida Administrative Code. With regard to fish and wildlife species designated as species of special concern or threatened by the State of Florida, you are responsible for coordinating directly with the Florida Fish and Wildlife Conservation Commission (FWC). You can visit the FWC license and permitting webpage (<http://www.myfwc.com/license/wildlife/>) for more information, including a list of those fish and wildlife species designated as species of special concern or threatened. The Florida Natural Areas Inventory (<http://www.fnai.org/>) also maintains updated lists, by county, of documented occurrences of those species.

This letter of authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced NWP, please Danielle D'Amato by telephone at 904-232-2166 or by email Danielle.S.D'Amato@usace.army.mil

Thank you for your cooperation with our permit program. The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to complete our automated Customer Service Survey at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey. Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Your input is appreciated – favorable or otherwise.

Sincerely,



Susan R. Kaynor
Chief, Jacksonville Permits Section

Enclosures

Copy Furnished: Ryan Carter 7 Waldo Street, Suite C; St. Augustine, Florida 32084

GENERAL CONDITIONS
33 CFR PART 320-330

1. The time limit for completing the work authorized ends on **March 18, 2022**.
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 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 a representative 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.

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: SAJ-2018-02571 (NW-DSD)

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. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Section, Post Office Box 4970, Jacksonville, FL 32232-0019.

(TRANSFEREE-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT)

(BLOCK)

(NAME-PRINTED)

(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: SAJ-2018-02571

Permittee's Name & Address (please print or type): _____

Telephone Number: _____

Location of the Work: _____

Date Work Started: _____ Date Work Completed: _____

PROPERTY IS INACCESSIBLE WITHOUT PRIOR NOTIFICATION: YES _____ NO _____

**TO SCHEDULE AN INSPECTION PLEASE CONTACT _____
AT _____**

Description of the Work (e.g. bank stabilization, residential or commercial filling, docks,
dredging,
etc.): _____

Acreage or Square Feet of Impacts to Waters of the United States: _____

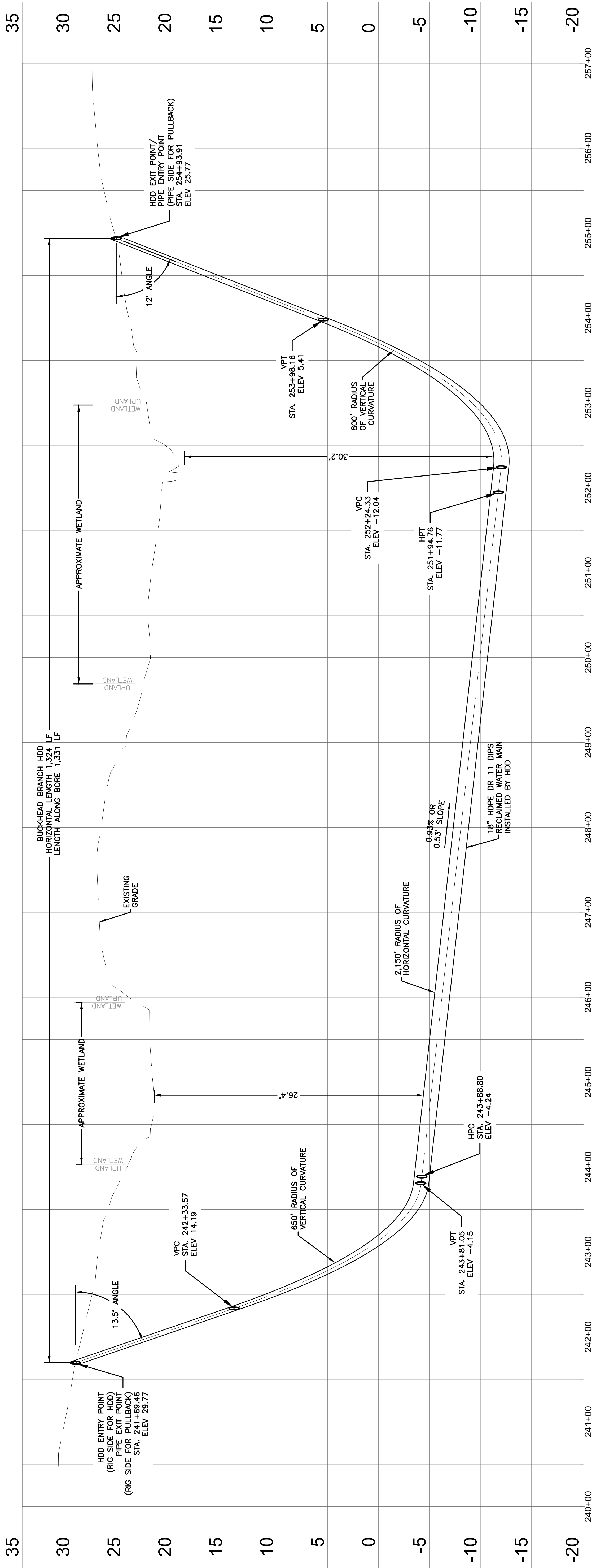
Describe Mitigation completed (if applicable): _____

Describe any Deviations from Permit (attach drawing(s) depicting the deviations):

I certify that all work, and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

Signature of Permittee

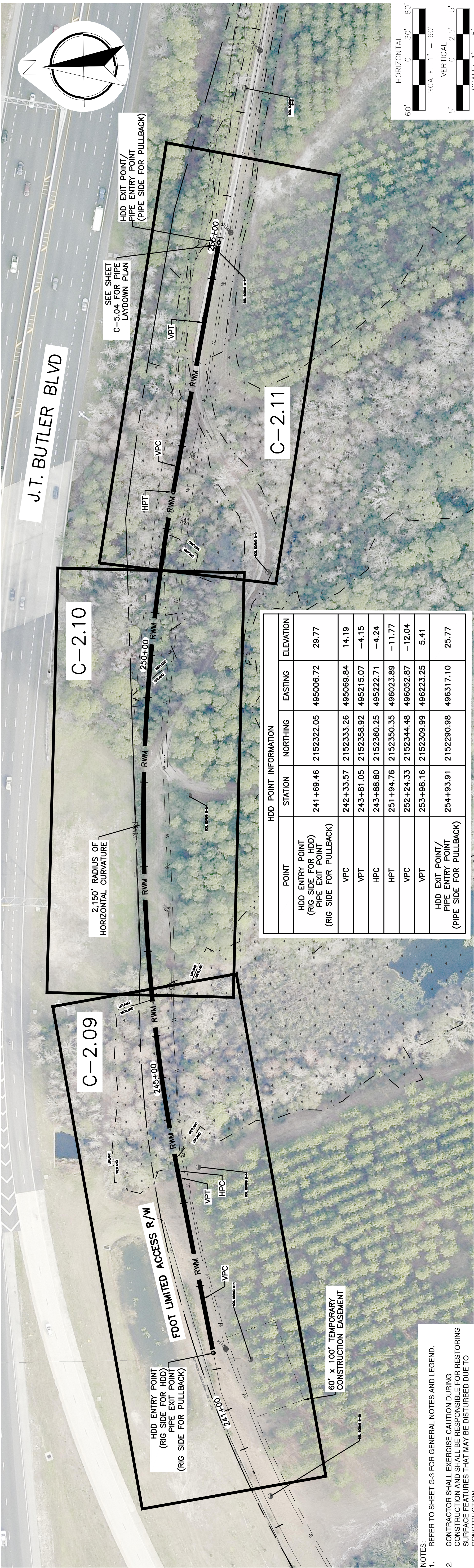
Date

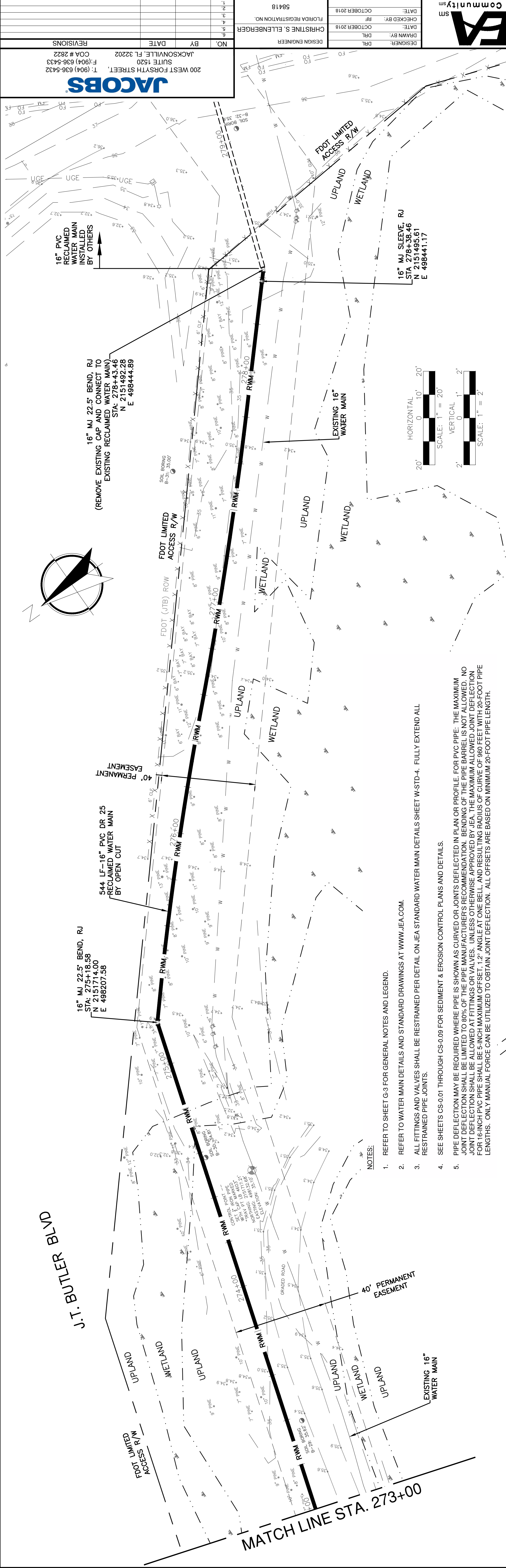
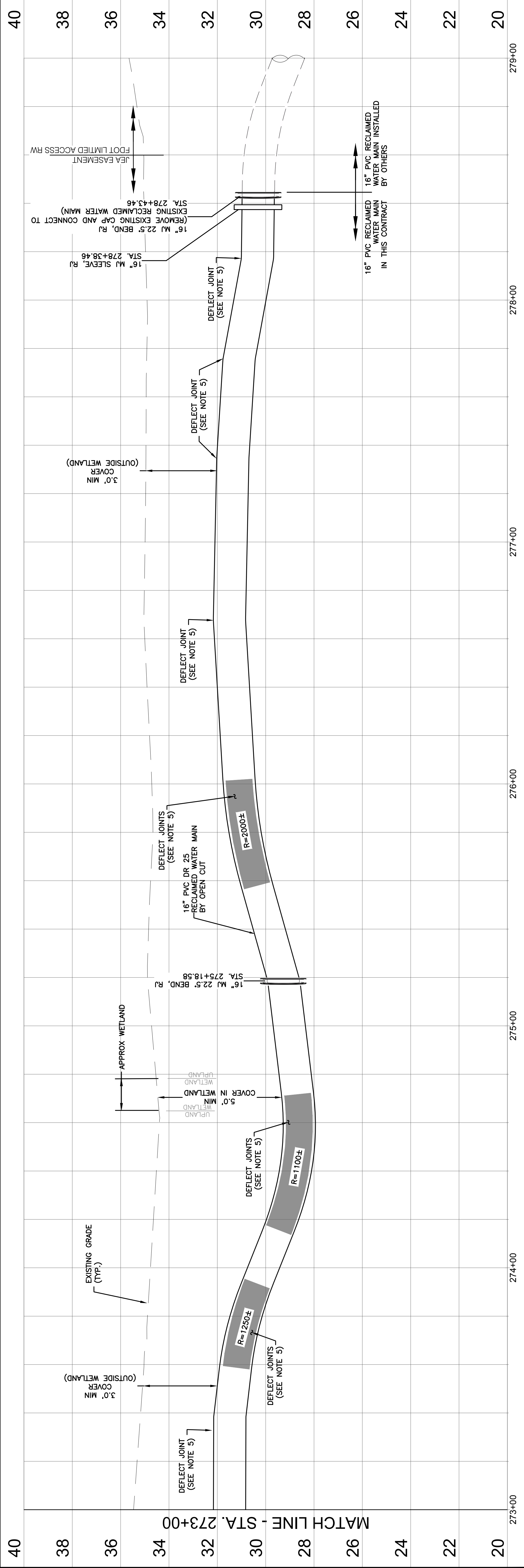


POINT	HDD POINT INFORMATION			
	STATION	NORTHING	EASTING	ELEVATION
HDD ENTRY POINT (RIG SIDE FOR HDD) (PIPE EXIT POINT (RIG SIDE FOR PULLBACK)	241+69.46	2152322.05	495006.72	29.77
VPC	242+33.57	2152333.26	495069.84	14.19
VPT	243+81.05	2152358.92	495215.07	-4.15
HPC	243+86.80	2152360.25	495222.71	-4.24
HPT	251+94.76	2152350.35	496023.89	-11.77
VPC	252+24.33	2152344.48	496052.87	-12.04
VPT	253+98.16	2152309.99	496223.25	5.41
HDD EXIT POINT/ HDD ENTRY POINT (PIPE SIDE FOR PULLBACK)	254+93.91	2152290.98	496317.10	25.77

NOTES:

1. REFER TO SHEET G-3 FOR GENERAL NOTES AND LEGEND.
2. CONTRACTOR SHALL EXERCISE CAUTION DURING CONSTRUCTION AND SHALL BE RESPONSIBLE FOR RESTORING SURFACE FEATURES THAT MAY BE DISTURBED DUE TO CONSTRUCTION.





JEA Gate Parkway - Glen Kernan to T-Line Reclaimed Water Transmission Main Inadvertent Fluid Release Contingency Plan for HDD

1. Introduction

The JEA Gate Parkway - Glen Kernan to T-Line Reclaimed Water Transmission Main will cross under Buckhead Creek and wetlands via one (1) Horizontal Directional Drill (HDD).

HDD is less intrusive than traditional open-cut trenching and is frequently used to cross sensitive habitats and to avoid direct soil disturbance. While HDD is a less intrusive, there are risks associated with HDD construction. A contingency plan provides an agreed upon path forward to ensure that if something does go wrong, the correct remediation measures will be taken promptly. This document addresses the contingency plans for:

- Inadvertent Fluid Release (“frac-out”)

2. Inadvertent Fluid Release

Inadvertent return of drilling fluid (or ‘frac-out’), is a potential concern when the HDD is used under sensitive habitats and waterways. The HDD procedure uses bentonite slurry, a fine clay material as a drilling lubricant. The bentonite is non-toxic and commonly used in farming practices but can cause a temporary increase in turbidity if bentonite were inadvertently discharged to waterways.

The purpose of an Inadvertent Fluid Release Contingency Plan is to:

- Minimize the potential for an inadvertent fluid release associated with horizontal directional drilling activities.
- Provide for the timely detection of inadvertent fluid releases.
- Protect areas that are considered environmentally sensitive (streams, wetlands, other biological resources, cultural resources).
- Ensure an organized, timely, and “minimum-impact” response in the event an inadvertent fluid release of drilling mud occur.
- Ensure that all appropriate notifications are made to the FDEP and USACE and to other appropriate regulatory agencies in 24 hours and that documentation is completed.

The Inadvertent Fluid Release Contingency Plan is prepared, to ensure that preventive and responsive measures can be implemented during construction. To minimize the potential for an inadvertent fluid release, the Contingency Plan includes:

- Prior to construction, sensitive biological resources will be protected by implementing the following measures:
 - The drilling route (to the extent it is accessible) will be walked to look for sensitive resources present on the land surface and construction limits will be clearly marked.
 - Barriers (straw bales or sedimentation fences) will be erected as indicated on the plans prior to drilling, as appropriate, to prevent released material from reaching the resource.

- During construction:
 - Field personnel will be instructed to report inadvertent returns.
 - The HDD driller will maintain necessary response equipment on-site or at a readily accessible location and maintain the equipment in good working order.
 - Monitoring for the duration of drilling activities by the HDD driller and contractor.

The primary areas of concern for inadvertent drilling fluid returns typically occurs within the first two hundred feet of the entrance and exit points where the projected drilling alignment has the least amount of overburden soil cover. The likelihood of an inadvertent return of drilling fluid decreases as the depth of the projected pipe profile increases. To reduce the potential of inadvertent returns affecting sensitive resources, the entrance and exit points for drilling will be located as shown on the drawings. To minimize the potential extent of impacts from an inadvertent return, all HDD operations will be attended by a full-time qualified HDD operator, to monitor for observable inadvertent return conditions or lowered pressure readings indicated on monitors located within the drilling control cab. Early detection is key to minimizing the area and amount of potential impact.

The following design and construction methods have been implemented for the HDD crossing to reduce the risk for inadvertent returns.

- The drilling entry and exit areas will be clearly marked, surrounded by construction fencing and silt fencing to minimize the potential for off-site migration of drilling mud. Access and egress locations will be designated and clearly marked.
- The entry/exit locations will be located on uplands on both sides of creek and wetland crossings.
- For the majority of the crossing below the creek or wetland, the HDD alignment has been designed to be 26 to 30 feet or more below the creek or wetland bottom. The majority of the crossing will traverse through stable formation estimated to provide sufficient overburden pressure to contain down-hole drilling fluid pressures.
- During pilot-hole drilling, the Contractor will monitor down-hole annular fluid pressure and monitor drilling fluid returns to verify that spoils are being returned to the entry/exit points for processing. Spikes in pressure or loss of returns may indicate a potential for an inadvertent return.

2.1 Inadvertent Drilling Fluid Release Response Plan:

If an inadvertent return is identified the following steps are to be taken:

1. All work temporarily stops, including the recycling of drilling mud/lubricant. The pressure of water above the pipe keeps excess mud from escaping through the fracture.
2. Identify the position of the drill head in relation to the point of entry.
3. Dispatch experienced observers to perform terrestrial survey along the drilled alignment and at reasonable offset distances to determine if inadvertent returns have surfaced and the extent of the event.
4. Re-start the pump and stroke the bore-hole up and down in stroke lengths up to 30-feet up to 6 times but no fewer than 2 in an effort to size the bore-hole annulus and re-open the circulation pathway.

If the inadvertent return is terrestrial:

- Isolate the area with hay bales, sand bags, or silt fencing to surround and contain the drilling mud.
- Utilize a mobile vacuum truck or similarly appropriate equipment to pump the drilling mud from the contained area and recycled to the return pit or otherwise properly dispose of the material.
- Once excess drilling mud is removed, the area will be seeded and/or replanted using species similar to those in the adjacent area or allowed to re-grow from existing vegetation.

If the inadvertent return is aquatic (i.e., under water):

- Monitor inadvertent return for 4 hours to determine if the drilling mud congeals. (Bentonite will typically thicken and form a wall-cake, effectively sealing off the fracture area).
- If drilling mud congeals, take no other action that would potentially suspend sediments in the water column.
- If drilling mud does not congeal, evaluate feasibility and safety of deploying surface containment booms with regard to depth and current of water body as well as consideration for whether or not the potential for turbidity to dissipate naturally warrants the need for intrusive mitigation activities that could worsen the condition.
- If inadvertent fluid discharge becomes visible in the water column, it is expected to dissipate naturally and will be kept to a minimum through use of such HDD mitigation measures described above.
- A spill response program will provide containment and clean up measures to the extent feasible for excess drilling mud in the water column that does not dissipate.

After inadvertent return is stabilized, document post-cleanup conditions with photographs and prepare frac-out incident report describing time, place, actions taken to remediate, and measures taken to prevent recurrence.