Applicant: Keith Bryant  
Bay County Public Works  
840 West 11th Street  
Panama City, FL 32401  
850-248-8301

Agent: Bethany Womack  
Cypress Environmental  
P.O. Box 16062  
Panama City, FL 32406  
(850) 481-6824

Project Name: N Lagoon Multi-Use Path
Acres Owned: 0.0
Project Acreage: 4.33
County: Bay

STR:

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<thead>
<tr>
<th>Section(s)</th>
<th>Township(s)</th>
<th>Range(s)</th>
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<tr>
<td>6</td>
<td>4S</td>
<td>15W</td>
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Receiving Water Body:

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<th>Name</th>
<th>Class</th>
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<td>Grand Lagoon</td>
<td>II, IW</td>
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Authority: 62-330.447
Final O&M Entity: Bay County Public Works Department

ERP Conservation Easements/Restrictions: No
Interested Parties: No
Objectors: No

Authorization Statement:

Construction of roadway safety improvements along N. Lagoon Drive between the intersection of Thomas Drive and Joan Avenue, in Panama City Beach, (Bay County). The roadway improvements will include the minor roadway safety improvements such as milling and resurfacing, widening of the travel lanes, and a construction of a new 8-foot wide multi-use path along the southern side of the roadway. The construction of the multi-use path along the southern side and the reshaping of the side slopes along the northern side will result in the expansion of two culverted crossings associated with this segment of N. Lagoon Drive. The proposed roadway safety improvements appear to meet the requirements of Subsection 62-330.447, F.A.C. for the General Permit to the Florida Department of Transportation for Minor Activities within Existing Rights-of-Way. The proposed improvements do not appear to adversely affect the hydrology and capacity of the existing conveyance system within the project area. The project includes impacts to wetlands and other surface waters associated with the expansion of two culverted crossings over an area of approximately 0.146 acres (approximately 0.052 acres to surface waters/ditches, and approximately 0.094 acres to forested wetlands). The proposed project is in accordance with the approved plans prepared by Bay County Board of County Commissioners and Gortemoller Engineering, Inc.
Recommendation: Approval
Reviewers: Dana Palermo, P.E.; Ted Reese

Engineering Comments:

The 4.33 acre project will include roadway improvements to N. Lagoon Drive between the intersection of Thomas Drive and Joan Avenue, in Panama City Beach, (Bay County). The roadway improvements will include the minor roadway safety improvements such as milling and resurfacing, widening of the travel lanes, and a construction of a new 8-foot wide multi-use path along the southern side of the roadway. The construction of the multi-use path will result in the expansion of two culverted crossings along the southern side of the roadway. The culverted crossings will also be expanded along the northern portion of the roadway to accommodate the roadway improvements and reshaping of the side slopes of the conveyance system. The proposed improvements appear to meet or exceed the requirements of Section 62-330.447, F.A.C. – General Permit to the Florida Department of Transportation, Counties, and Municipalities for Minor Activities with Existing Rights-of-Way or Easements. The improvements are to be conducted by Bay County Public Works Department.

Environmental Comments:

Wetlands and other surface waters have been identified within the roadway segment over an area of approximately 0.18 acres which includes mixed forested wetlands on the south side of the road over an area of approximately 0.103 acres and surface water conveyance ditches on the north side of the roadway over an area of approximately 0.076 acres. Impacts to wetlands and other surface waters are limited to approximately 0.052 acres to surface waters/ditches, and approximately 0.094 acres to forested wetlands for the replacement and extension of cross culverts to allow for the safety improvements and multi-use trail. The proposed project appears to meet the criteria for use of the requested General Permit.

Site Description:

The 4.33 acre project site is a segment of N. Lagoon Drive between the intersections of Thomas Drive and Joan Avenue, in Panama City Beach, (Bay County). N. Lagoon Drive is a two-lane, bi-directional residential roadway, with grassed shoulders that slope toward conveyance ditches along the southern and northern sides of the roadway.

Conditions

1. The general permit is valid only for the specific activity indicated. Any deviation from the specified activity and the conditions for undertaking that activity shall
constitute a violation of the permit and may subject the permittee to enforcement
action and revocation of the permit under Chapter 373, F.S.

2. This general permit does not eliminate the necessity to obtain any required
federal, state, local and special district authorizations prior to the start of any
construction, alteration, operation, maintenance, removal or abandonment
authorized by this permit.

3. This general 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, or convey any rights or privileges other than those specified in the
general permit.

4. The general permit does not relieve the permittee from liability and penalties
when the permitted activity causes harm or injury to: human health or welfare;
animal, plant or aquatic life; or property. It does not allow the permittee to cause
pollution that violates state water quality standards.

5. Section 253.77, F.S., provides that a person may not commence any excavation,
construction, or other activity involving the use of state-owned or other lands of
the state, the title to which is vested in the Board of Trustees of the Internal
Improvement Trust Fund without obtaining the required consent, lease,
easement, or other form of authorization authorizing the proposed use.
Therefore, the permittee is responsible for obtaining any necessary
authorizations from the Board of Trustees prior to commencing activity on state-
owned lands.

6. The authorization to conduct activities under a general permit may be modified,
suspended or revoked in accordance with Chapter 120, F.S., and Section
373.429, F.S.

7. This permit shall not be transferred to a third party except pursuant to Rule 62-
330.340, F.A.C. The permittee transferring the general permit shall remain liable
for any corrective actions that may be required as a result of any permit violations
prior to sale, conveyance, or other transfer of ownership or control of the
permitted project, activity, or the real property at which the permitted project or
activity is located.

8. Upon reasonable notice to the permittee, Agency staff with proper identification
shall have permission to enter, inspect, sample and test the permitted system to
ensure conformity with the plans and specifications approved by the permit.

9. The permittee shall maintain any permitted project or activity in accordance with
the plans submitted to the Agency and authorized in this general permit.
10. A permitee's right to conduct a specific activity under this general permit is authorized for a duration of five years.

11. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be implemented and maintained immediately prior to, during, and after construction as needed to stabilize all disturbed areas, including other measures specified in the permit to prevent adverse impacts to the water resources and adjacent lands. Erosion and sediment control measures shall be installed and maintained in accordance with the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual* (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), available at www.dep.state.fl.us/water/wetlands/docs/erp/FLErosionSedimentManual_6_07.pdf, and the *Florida Stormwater Erosion and Sedimentation Control Inspector’s Manual* (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), available at www.dep.state.fl.us/water/nonpoint/docs/erosion/erosion-inspectors-manual.pdf.

12. Unless otherwise specified in the general permit, temporary vehicular access within wetlands during construction shall be performed using vehicles generating minimum ground pressure to minimize rutting and other environmental impacts. Within forested wetlands, the permittee shall choose alignments that minimize the destruction of mature wetland trees to the greatest extent practicable. When needed to prevent rutting or soil compaction, access vehicles shall be operated on wooden, composite, metal, or other non-earthen construction mats. In all cases, access in wetlands shall comply with the following:
   a. Access within forested wetlands shall not include the cutting or clearing of any native wetland tree having a diameter 4 inches or greater at breast height;
   b. The maximum width of the construction access area shall be limited to 15 feet;
   c. All mats shall be removed within 72 hours after the work commences; and
   d. Areas disturbed for access shall be restored to natural grades immediately after the maintenance or repair is completed.

13. Barges or other work vessels used to conduct in-water activities shall be operated in a manner that prevents unauthorized dredging, water quality violations, and damage to submerged aquatic communities.

14. The construction, alteration, or use of the authorized project shall not adversely impede navigation or create a navigational hazard in the water body.

15. Except where specifically authorized in a general permit, activities must not:
   a. Impound or obstruct existing water flow, cause adverse impacts to existing surface water storage and conveyance capabilities, or otherwise cause
adverse water quantity or flooding impacts to receiving water and adjacent lands;
b. Cause an adverse impact to the maintenance of surface or ground water levels or surface water flows established pursuant to Section 373.042, F.S., or a Works of the District established pursuant to Section 373.086, F.S.; or

16. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.

17. The activity must be capable, based on generally accepted engineering and scientific principles, of being performed and of functioning as proposed, and must comply with any applicable District special basin and geographic area criteria.

18. The permittee shall comply with the following when performing work within waters accessible to federally- or state-listed aquatic species, such as manatees, marine turtles, smalltooth sawfish, and Gulf sturgeon:
   a. All vessels associated with the project shall operate at “Idle Speed/No Wake” at all times while in the work area and where the draft of the vessels provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
   b. All deployed siltation or turbidity barriers shall be properly secured, monitored, and maintained to prevent entanglement or entrapment of listed species.
   c. All in-water activities, including vessel operation, must be shutdown if a listed species comes within 50 feet of the work area. Activities shall not resume until the animal(s) has moved beyond a 50-foot radius of the in-water work, or until 30 minutes elapses since the last sighting within 50 feet. Animals must not be herded away or harassed into leaving. All on-site project personnel are responsible for observing water-related activities for the presence of listed species.
   d. Any listed species that is killed or injured by work associated with activities performed shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1(888)404-3922 and ImperiledSpecies@myFWC.com.
e. Whenever there is a spill or frac-out of drilling fluid into waters accessible to the above species during a directional drilling operation, the FWC shall be notified at imperiledspecies@myfwc.com with details of the event within 24 hours following detection of the spill or frac-out.

19. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any activity authorized by the general permit.

20. The permittee shall immediately notify the Agency in writing of any submitted information that is discovered to be inaccurate.