

NOTICE GENERAL CONSTRUCTION DEWATERING PERMIT  
CHAPTER 40C-22, F.A.C.  
PERMIT NO. 84324  
DATE OF RECEIPT: May 18, 2005

ISSUED TO: NASA- Kennedy Space Center  
Mail Code: T A-C3  
Kennedy Space Center, FL 32899

This document shall serve as the formal permit for construction dewatering in accordance with Chapter 40C-22, F.A.C., and expires 3 years from the date of permit application shown above. This permit is issued by the St. Johns River Water Management District and allows the construction dewatering anywhere within the boundaries of the District in accordance with the conditions stipulated in 40C-22.030 and those attached below.

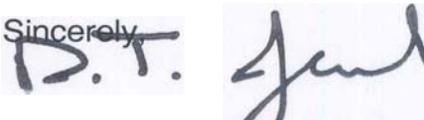
This permit is a legal document and should be read and kept with your other important records. The referenced permit conditions may require submittal of additional information on form RDS50. All information submitted as compliance with permit conditions must be submitted to the nearest District Service Center and should include the above referenced permit/tracking number.

Permit issuance does not relieve the permittee from the responsibility of obtaining permits from any federal, state, and/or local agencies asserting concurrent jurisdiction over this work. The permittee is also required to submit form RDS-SO a minimum of 10 days prior to the start of any individual construction dewatering activity, which exceeds 300,000 gallons per day or 30 days in duration. This permit does not cover construction dewatering which exceeds 6 million gallons per day for the first 120 hours, 2 million gallons per day for 60 days, or any project that exceeds 1 million gallons per day for 180 days. No construction dewatering is authorized for projects greater than 180 days in duration. (See condition #3)

Permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities, which may arise from permit issuance. Said application, including all maps and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to Permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the Permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by Permittee hereunder shall remain the property of the Permittee.

This Permit may be revoked or transferred at anytime pursuant to the appropriate provisions of Chapter 373, Florida Statutes.

Sincerely,  


Dwight Jenkins, Water Use Regulation Division Director  
Department of Resource Management

cc: District Permit File

## CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 84324

DATE OF RECEIPT: May 18, 2005

1. This permit shall expire three years from the date of receipt of permit application on form 40C-22-0S90-1 .
2. Maximum daily withdrawals for any dewatering activity shall not exceed four million gallons per day (MGD), except during the first 120 hours of dewatering when the daily and instantaneous pumpage rates shall not exceed six MGD. Average daily withdrawal shall not exceed two MGD for the first 60 days of the dewatering activity and shall not exceed one MGD over a 180-day duration.
3. Each specific dewatering project shall not exceed 180 days.
4. Withdrawals for dewatering shall be by one of the following:
  - a) A conventional well point system consisting of one or more stages of well points installed near the excavation in lines or rings. These wellpoints shall be installed in variable spacings, and connected to a common header pumped by one or more pumps.
  - b) Vacuum underdrain consisting of a typical pipeline dewatering with the underdrain or "sock" placed horizontally below the design invert elevation of the pipeline via a large trenching machine. The underdrain shall be connected to a pump with the water conveyed through the underdrain and discharged from the pump.
  - c) Shallow vacuum well(s) consisting of one or more stages installed near an excavation in lines or rings. The vacuum well(s) shall be constructed of six inch or smaller pipe with a slotted screen area near the bottom of the well, and connected to a common header pumped by one or more pumps.
  - d) Hydraulic pumps to dewater stormwater management ponds and basins, as part of their construction or maintenance, through the discharge control structures for up to 30 days duration. The stormwater management pond or basin and associated discharge control structure must be permitted by the District and be in operational phase at the time the dewatering is to occur.
5. The permittee shall take turbidity readings once per week at all points of direct discharge into rivers, streams, or natural lakes. A direct discharge means a discharge, which enters a river, stream or natural lake without an adequate opportunity for prior mixing and dilution to prevent significant degradation. A state certified laboratory must analyze the samples collected from the backside of the appropriate turbidity barrier, and the results shall be submitted monthly to the nearest St. Johns River Water Management District office. The results must contain the following information that must be submitted at project completion:
  - a) Name of person sampling.
  - b) Date and time sample was taken.
  - c) Location of sample point.
  - d) Time at which turbidity was measured.
  - e) Turbidity reading in NTU's.
  - f) The permit tracking number.
6. Dewatering discharge must not cause or contribute to flooding of off-site properties.

7. The permittee shall implement the following turbidity control measures, as appropriate, for any discharges off-site:
  - a) If the discharge is to be to a drainage system either pipe water directly into the drainage structure; or if the discharge will be through a swale, or overland, to a structure or water body, then the path of discharge shall be lined with visqueen plastic, sod, or hay bales appropriately to prevent a turbid discharge to the structure or water body.
  - b) If water will discharge to an open water body, appropriate fabric silt screen or hay bales shall be used to prevent turbid discharges. When possible, establish a detention area to allow suspended solids to settle prior to entering the water body.
  - c) If the above turbidity control measures are inadequate to retain sediment on-site and prevent turbid discharge, the permittee shall select, implement, and operate such additional or modified erosion and sediment control measures necessary to prevent violations of water quality standards as specified in Chapter 62-302, F.A.C.
8. There shall be no direct discharges into Outstanding Florida Water (OFW), Class I or Class II waterbodies. A direct discharge means a discharge, which enters an OFW, Class I or Class II waterbody without an adequate opportunity for prior mixing and dilution to prevent significant degradation.
9. The dewatering shall not be located within lands, which have been used for industrial purposes or landfills, unless dewatering has previously been authorized by DER/DEP permit or order.
10. Ten days prior to conducting any dewatering, the permittee must provide to the District form RDS-50 containing the following: a site map with a north arrow; a scale (no greater than 1 inch = 2000 feet); area to be dewatered; location and type of turbidity barriers to be used; the general route of discharge and all points of discharge offsite to waterbodies and wetlands; and the permit tracking number. Any other District permits issued for the project shall also be noted. Submittal of form RDS-50 is not required if:
  - a) the dewatering will be 300,000 gallons per day or less and will not exceed 30 days in duration; or
  - b) the dewatering is in response to an emergency situation involving a threat to public safety. For emergency situations, notification shall be provided on form RDS-50 the next working day.
11. The permittee shall clearly identify all pumps with the District permit tracking number issued to the permittee. The permit tracking number shall be painted on the pump, or a metal embossed tag with the number must be attached to the pump.
12. District authorized staff, upon proper identification, shall have permission to inspect and observe dewatering operations in order to determine compliance with this permit.
13. The permittee must mitigate any adverse impact caused by withdrawals permitted herein on adjacent land uses or legal uses of water existing at the time of permit application. Adverse impacts include but are not limited to:
  - a.) Reductions of well water levels resulting in a reduction of 10% in the ability of an adjacent well to produce water;
  - b.) Reductions of water levels in an adjacent surface water body resulting in a significant impairment of the use of water in that water body;

- c.) Saline water intrusion;
- d.) Change in water quality resulting in either impairment or loss of use of a well or water body;
- e.) Land collapse or subsidence caused by a reduction in water levels; and
- f.) Damage to crops and other types of vegetation.

## Notice of Rights

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District), or may choose to pursue mediation as an alternative remedy under Section 120.569 and 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57 Florida Statutes. Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL32177) within twenty-six (26) days of the District depositing notice of District decision in the mail (for those persons to whom the District mails actual notice) or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Chapter 28-106, Florida Administrative Code.
2. If the Governing Board takes action, which substantially differs from the notice of District decision to grant or deny the permit application, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may choose to pursue mediation as an alternative remedy as described above. Pursuant to District Rule 40C-1.1 007, Florida Administrative Code, the petition must be filed at the Office of the District Clerk at the address described above, within twenty-six (26) days of the District depositing notice of final District decision in the mail (for those persons to whom the District mails actual notice) or within twenty-one (21) days of newspaper publication of the notice of its final agency action (for those to whom the District does not mail actual notice). Such a petition must comply with Chapter 28-106, Florida Administrative Code.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
5. A petition for an administrative hearing is deemed filed upon delivery of the petition to the District Clerk at the District Headquarters in Palatka, Florida.

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Notice of Rights

6. Failure to file a petition for an administrative hearing, within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Section 28-106.111, Florida Administrative Code).
7. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code, and Section 40C-1.1 007, Florida Administrative Code.
8. An applicant with a legal or equitable interest in real property who believes that a District permitting action is unreasonable or will unfairly burden the use of his property, has the right to within 30 days of receipt of notice of the District's written decision regarding a permit application, apply for a special master proceeding under Section 70.51, Florida Statutes, by filing a written request for relief at the Office of the District Clerk located at District Headquarters, P. O. Box 1429, Palatka, F132178-1429 (4049 Reid St., Palatka, F132177). A request for relief must contain the information listed in Subsection 70.51 (6), Florida Statutes.
9. A timely filed request for relief under Section 70.51, Florida Statutes, tolls the time to request an administrative hearing under paragraph no. 1 or 2 above. (Paragraph 70.51 (10)(b), Florida Statutes). However, the filing of a request for an administrative hearing under paragraph no. 1 or 2 above waives the right to a special master proceeding (Subsection 70.51 (1 O)(b), Florida Statutes).
10. Failure to file a request for relief within the requisite time frame shall constitute a waiver of the right to a special master proceeding. (Subsection 70.51 (3), Florida Statutes).
11. Any substantially affected person who claims that final action of the District constitutes an unconstitutional taking of property without just compensation may seek review of the action in circuit court pursuant to Section 373.617, Florida Statutes, and the Florida Rules of Civil Procedures, by filing an action in circuit court within 90 days of the rendering of the final District action, (Section 373.617, Florida Statutes).
12. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
13. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy of the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.

14. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.
15. Failure to observe the relevant time frames for filing a petition for judicial review described in paragraphs No. 11 and 12, or for Commission review as described in Paragraph No. 13, will result in waiver of the right to review.

#### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing notice of rights, has been sent by U.S. Mail to:

NASA - Kennedy Space Center  
Mail Code: T A-C3  
Kennedy Space Center FI 32899

At 4:00 p.m. this **29** day of June, 2005.

Permit Data Services Director,  
Gloria Jean Lewis

## Original Signed By

St. Johns River Water Management District  
Post Office Box 1429  
Palatka FI 32178-1429  
(386) 329-4235

cc: District File 84324