



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
400 HIGH POINT DRIVE, SUITE 600
COCOA, FL 32926

September 23, 2015

Regulatory Division
North Permits Branch
Cocoa Permits Section
SAJ-2014-03686 (SP-TSD)

NASA
C/o Mr. Harold Williams
Mail Code: SI-E2
Kennedy Space Center, FL 32899
E-mail address: Harold.g.williams@nasa.gov

Dear Mr. Williams:

The U.S. Army Corps of Engineers (Corps) is pleased to enclose the Department of the Army permit, which should be available at the construction site. Work may begin immediately but the Corps must be notified of:

- a. The date of commencement of the work,
- b. The dates of work suspensions and resumptions of work, if suspended over a week, and
- c. The date of final completion.

This information should be mailed to the Enforcement Section of the Regulatory Division of the Jacksonville District at Post Office Box 4970, Jacksonville, Florida 32232-0019. The Enforcement Section is also responsible for inspections to determine whether Permittees have strictly adhered to permit conditions.

IT IS NOT LAWFUL TO DEVIATE FROM
THE APPROVED PLANS ENCLOSED.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald W. Kinard", with a large, stylized flourish at the end.

for Donald W. Kinard
Chief, Regulatory Division

Enclosures.
Copies Furnished: CESAJ-RD-PE (via email)

DEPARTMENT OF THE ARMY PERMIT

Permittee: NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA)
C/O MR. HAROLD WILLIAMS
MAIL CODE TA-A4B
KENNEDY SPACE CENTER, FLORIDA 32899

Permit No: SAJ-2014-03686 (SP-TSD)

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

NOTE: The term "you" and its derivatives, as used in this permit, means the Permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers 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: NASA seeks authorization to establish advanced Permittee responsible mitigation within four sites at KSC. Construction activities within two of the mitigation sites (Shiloh and NASA Causeway) were previously authorized and completed. These two sites are currently being monitored and maintained. All remaining functional units of lift generated by the Shiloh and NASA Causeway aquatic habitat restoration and enhancement will be added to the mitigation ledger that is generated by the additional proposed work authorized by this permit. The proposed work authorized by this permit at the remaining two sites includes the following:

T-17 Impoundment – Install sixteen 36 inch corrugated aluminum pipes (CAP) at eight locations within an existing levee and the placement of fill for three ditch plugs. Each ditch plug will be 45 feet by 64 feet, located at either end and in the middle of the impoundment levee. This work is anticipated to hydrologically and vegetative enhance a 39.3 acre area.

C-15E Impoundment – Approximately 4,800 linear feet of an existing levee (5.0 acres) will be graded and backfilled into the adjacent canal (5.2 acres) to match natural wetland elevations. Any excess fill will be removed to an upland site. All areas graded and backfilled will be planted with desirable wetland vegetation. In addition, wetlands within the impoundment will be enhanced. Wetland enhancement Area 1: includes eradication of Brazilian pepper and Carolina willow from a 70 to 100 foot wide area on the west side of the C-15E levee. Wetland enhancement Area 2: includes Brazilian pepper removal within a 50 foot wide area located on the east side of the canal. This

PERMIT NUMBER: SAJ-2014-03686 (SP-TSD)
PERMITTEE: NASA / Advanced Ecological Mitigation
PAGE 2 of 16

work is anticipated to hydrologically and vegetative restore or enhance 34.3 acres of wetlands.

The work described above is to be completed in accordance with the 76 pages of drawings referenced in Attachment 1, identified as the **NASA Kennedy Space Center Proposed Advanced Ecological Wetlands Mitigation Plan** and the three additional attachments affixed at the end of this permit instrument.

Project Location: The project would affect waters of the United States (wetlands) associated with the Indian River Lagoon. The four project sites are located within NASA's Kennedy Space Center (KSC) in Brevard County, Florida.

Directions to site: From Jacksonville, take I-95 South; exit and head east onto SR 50; turn south onto SR 405; one project site is located on the south side of SR 405 and on east side of the Indian River, KSC, Florida.

APPROXIMATE CENTRAL COORDINATES:

Project Location	Latitude	Longitude
Shiloh Impoundment	28.7654 ^o	-80.7931 ^o
NASA Causeway	28.5260 ^o	-80.7334 ^o
T-17 Impoundment	28.5956 ^o	-80.7004 ^o
C-15E Impoundment	28.5528 ^o	-80.7034 ^o

Permit Conditions

General Conditions:

1. The time limit for completing the work authorized under Section 10 of the River and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344) ends on **September 16, 2025**.

If you find that you need more time to complete the Section 10 or Section 404 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 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 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:** All reports, documentation and correspondence required by the conditions of this permit shall be submitted to the following address: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232.

The Permittee shall reference this permit number, SAJ-2014-03686 (SP-TSD), on all submittals. Email submittals shall include the project name and permit number on the subject line.

2. **Commencement Notification:** Within 10 days from the date of initiating any of the authorized work, the Permittee shall provide to the Corps a written notification of the date of commencement of work authorized by this permit.

3. **As-Built:** Within 60 days of completion of the each authorized work activity or at the expiration of the construction window of this permit, whichever occurs first, the Permittee shall submit as-built drawings of the authorized work and a completed As-Built Certification Form (Attachment 3) to the Corps. The drawings shall be signed and

sealed by a Florida registered professional engineer or a professional land surveyor registered in the state of Florida and include the following:

a. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached permit drawings (8½-inch by 11-inch). The plan view drawing should show all "earth disturbance," including wetland impacts and water management structures.

b. List 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. The Department of the Army Permit number on all sheets submitted.

4. Cultural Resources/Historic Properties: At least 30 days prior to commencing any work within the C-15E Impoundment, the Permittee shall provide the Corps documentation from The Florida Department of State, Division of Historical Resources, State Historical Preservation Officer (SHPO) that the proposed work will not adversely affect any cultural resources or historic properties.

5. 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 (prehistoric or historical artifacts) 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 or designee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify 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 Corps within the same business day (8 hours). The Corps shall then notify the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the

significance of the discovery and devise appropriate actions. Project activities shall not resume without verbal and/or written authorization from the Division of Historical Resources.

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. If 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 and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the Corps, within the same business day (8-hours). 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.

6. Turbidity /Erosion Control: Best management practices for turbidity/erosion control shall be used when performing any activity authorized in this permit. The permittee agrees that all wetland areas and surface waters outside of the specific limits of construction authorized in this permit must be protected from erosion, siltation, scouring or excess turbidity and dewatering.

7. Eastern Indigo Snake Protection Measures: The Permittee shall comply with U.S. Fish and Wildlife Service's "Standard Protection Measures for the Eastern Indigo Snake" dated August 12, 2013 and provided in Attachment 2 of this permit."

8. Actions to Initiate Functional Lift:

a. Shiloh Project: All work is complete, monitoring reports and maintenance activities will continue. There are 4.55 functional estuarine credits available.

b. NASA Causeway Project: All work is complete; monitoring reports and maintenance activities will continue. There are 3.75 functional estuarine credits available.

c. T-17 Impoundment Project:

- (1) Wetland Enhancement Area 1: Install 16 culverts and three ditch blocks along a 1.5 mile portion of the T-17 Impoundment to provide hydraulic and vegetative enhancement to 39.3 acres (areas upstream and downstream of the culverts).
- (2) Wetland Enhancement Area 2: Perform exotic/nuisance species eradication, primarily Brazilian pepper removal. This enhancement area consists of approximately 14 acres (50 foot wide area north and a 50 to 250 foot wide area south of the levee). Conduct a controlled burn of the dead Brazilian pepper biomass.

d. C-15E Impoundment Project:

- (1) Wetland Creation: Create 5.0 acres of freshwater marsh wetlands, by excavating a portion of the existing levee to adjacent wetland elevations and planting with native wetland vegetation.
- (2) Wetland Restoration: Restore 5.2 acres of freshwater marsh wetlands, by backfilling a canal to wetland elevation and planting the area with native wetland vegetation.
- (3) Wetland Enhancement Area 1: Perform exotic/nuisance species eradication primarily Brazilian pepper and Carolina willow removal from approximately 70 to 100 foot wide area on the west side of the C-15E levee. This enhancement area consists of approximately 8.3 acres of freshwater wetlands.
- (4) Wetland Enhancement Area 2: Perform exotic/nuisance species eradication within a 50 foot wide area east of the canal backfill. This enhancement area consists of approximately 1.2 acres of freshwater wetlands.
- (5) Wetland Enhancement Area 3: This wetland enhancement area corresponds to wetlands approximately 150-foot-wide that are located 250 feet upstream and 200 feet downstream of Wetland Enhancement Area 1 area that will experience hydrologic enhancement due to the restored hydrology. This enhancement area consists of approximately 34.3 acres of wetlands.

9. Performance Standards:

a. To document the attainment of wetland functional units of lift (credits) of lift in the T-17 Impoundment and the C-15E Impoundment, the Permittee must submit comprehensive narratives, functional assessment analyses (using Uniform Mitigation Assessment Methodology (UMAM)), and monitoring reports, that document the generation of wetland functional lift (credits) after the implementation of the work identified in the Actions to Initiate Functional Lift Special Condition of this permit.

b. To meet the objectives of this project the Permittee shall achieve the Performance Standards outlined in the NASA Kennedy Space Center Proposed Advanced Ecological Wetlands Mitigation Plan, Attachment 1 for the T-17 Impoundment and the C-15E Impoundment mitigation endeavor. This includes the following:

(1) Less than 25 percent mortality of the planted wetland species in each of the planted areas.

(2) At least 80 percent cover by appropriate wetland species (i.e., FACW or OBL) within the wetland enhancement and wetland restoration areas.

(3) Cover of Category I and II invasive exotic and nuisance plant species, pursuant to the most current list established by the Florida Exotic Pest Plant Council at <http://www.fleppc.org>, and the nuisance species, dog fennel (*Eupatorium capillifolium*), Bermuda grass (*Cynodon spp.*), Bahia grass (*Paspalum notatum*), and cattail (*Typha spp.*), melaleuca, Brazilian pepper (*Schinus terebinthifolius*), shefflera, poison ivy, shall total less than 5 percent.

(4) The hydrologic and vegetative enhancement areas within the T-17 Impoundment and the C-15E Impoundment sites provide demonstrable evidence of hydrologic improvement (e.g. water marks, adventitious roots, standing water).

(5) Natural recruitment of desirable wetland plant species in the ground cover, shrub and canopy within the T-17 Impoundment and the C-15E Impoundment Areas.

10. Monitoring and Reporting Timeframes: To document achievement of the Performance Standards identified above and in the NASA Kennedy Space Center Proposed Advanced Ecological Wetlands Mitigation Plan, Attachment 1 of this permit the Permittee shall complete the following:

a. Perform time-zero monitoring events of the wetland mitigation areas within 60 days of completion of the authorized work for each project and in accordance with the NASA Kennedy Space Center Proposed Advanced Ecological Wetlands Mitigation Plan, Attachment 1.

b. Submit the time-zero report to the Corps within 60 days of completion of the monitoring event. The report will include at least one paragraph depicting baseline conditions of the mitigation site(s) prior to initiation of the compensatory mitigation objectives and a detailed plan view drawing of all created, enhanced and/or restored mitigation areas.

c. Subsequent to completion of the mitigation objectives, perform semi-annual monitoring of the wetland mitigation areas for the first 3 years and annual monitoring thereafter for a total of no less than 5 years of monitoring.

d. Semi-annual monitoring will be combined into one annual monitoring report. All annual monitoring reports will be submitted in January of each year. At least six annual monitoring reports are required.

e. Monitor the mitigation area(s) and submit annual monitoring reports to the Corps until released in accordance with the **Mitigation Release** Special Condition of this permit.

11. **Reporting Format:** The Permittee shall submit all monitoring documentation to the Corps on 8½-inch by 11-inch paper, and include the following:

a. Project Overview:

- (1) Department of the Army Permit Number
- (2) Name and contact information of Permittee and consultant
- (3) Name of party responsible for conducting the monitoring and the date(s) the inspection was conducted
- (4) A brief paragraph describing the purpose of the approved project, acreage and type of aquatic resources impacted, and mitigation acreage and type of aquatic resources authorized to compensate for the aquatic impacts.
- (5) Written description of the location, any identifiable landmarks of the compensatory mitigation project including information to locate the site perimeter(s), and coordinates of the mitigation site (expressed as latitude, longitude, UTM's, state plane coordinate system, etc.).
- (6) Dates compensatory mitigation commenced and/or was complete.
- (7) Short statement on whether the performance standards are being met.
- (8) Dates of any recent corrective or maintenance activities conducted since the previous report submission
- (9) Specific recommendations for any additional corrective or remedial actions.

b. Requirements: List the monitoring requirements and performance standards, as specified in the **NASA Kennedy Space Center Proposed Advanced Ecological**

Wetlands Mitigation Plan and special conditions of this permit, and evaluate whether the compensatory mitigation project site is successfully achieving the approved performance standards or trending towards success. A table is a recommended option for comparing the performance standards to the conditions and status of the developing mitigation site.

c. **Summary Data:** Summary data should be provided to substantiate the success and/or potential challenges associated with the compensatory mitigation project. Photo documentation may be provided to support the findings and recommendations referenced in the monitoring report and to assist the PM in assessing whether the compensatory mitigation project is meeting applicable performance standards for that monitoring period. Submitted photos should be formatted to print on a standard 8½-inch x 11-inch piece of paper, dated, and clearly labeled with the direction from which the photo was taken. The photo location points should also be identified on the appropriate maps.

d. **Maps and Plans:** Maps shall be provided to show the location of the compensatory mitigation site relative to other landscape features, habitat types, locations of photographic reference points, transects, sampling data points, and/or other features pertinent to the mitigation plan. In addition, the submitted maps and plans should clearly delineate the mitigation site perimeter(s). Each map or diagram should be formatted to print on a standard 8½-inch x 11-inch piece of paper and include a legend and the location of any photos submitted for review. As-built plans may be included.

e. **Conclusions:** A general statement shall be included that describes the conditions of the compensatory mitigation project. If performance standards are not being met, a brief explanation of the difficulties and potential remedial actions proposed by the Permittee or sponsor, including a timetable, shall be provided. The District Commander will ultimately determine if the mitigation site is successful for a given monitoring period.

12. Release of Credits: The wetland functional units of lift (credits) generated by these projects may be used by NASA to provide compensatory mitigation for only NASA projects at Kennedy Space Center, Florida when the use of these wetland functional units of lift as mitigation is determined by the Corps to be the most practicable alternative. The release of credits is based upon the completion of specified wetland enhancement, restoration and/or creation activities and final success criteria.

- a. **Shiloh Project:** The current balance of the functional credits for this project is 4.55 functional estuarine credits.
- b. **NASA Causeway:** The current balance of the functional credits for this project is 3.75 functional estuarine credits.

- c. T-17 Impoundment: The release of 1.0 functional freshwater unit of lift after receipt of the first annual monitoring report provided the work implemented is achieving the project goals (trending toward success). The Corps shall release 1.0 wetland functional unit of lift after the receipt of the second annual monitoring report, provided the work implemented is achieving the project goals (trending toward success). The Corps shall release 1.0 wetland functional unit of lift after the receipt of the third annual monitoring report, provided the work implemented is achieving the project goals (trending toward success). The Corps shall release 1.0 wetland functional unit of lift after the receipt of the fourth annual monitoring report, provided the work implemented is achieving the project goals (trending toward success). The Corps shall release 0.8 wetland functional unit of lift after the receipt of the fifth annual monitoring report, provided the work implemented demonstrates project success and has attained project goals. Total of 4.8 freshwater functional units of lift can be achieved for this project.
- d. C-15E Impoundment: The release of 1.4 functional freshwater units of lift after receipt of the first annual monitoring report provided the work implemented is achieving the project goals (trending toward success). The Corps shall release 1.2 wetland functional units of lift after the receipt of the second annual monitoring report, provided the work implemented is achieving the project goals (trending toward success). The Corps shall release 1.4 wetland functional units of lift after the receipt of the third annual monitoring report, provided the work implemented is achieving the project goals (trending toward success). The Corps shall release 1.2 wetland functional units of lift after the receipt of the fourth annual monitoring report, provided the work implemented is achieving the project goals (trending toward success). The Corps shall release 1.4 wetland functional units of lift after the receipt of the fifth annual monitoring report, provided the work implemented demonstrates project success and has attained project goals. Total of 6.8 freshwater functional units can be achieved for this project.

All credit transactions will be maintained by the Corps. In order to keep the Corps up to date, the Permittee shall provide notification to the Corps upon successful completion of each mitigation endeavor and for each proposed functional unit of lift usage.

13. Remediation: If the NASA Kennedy Space Center Proposed Advanced Ecological Wetlands Mitigation Plan fails to meet the performance standards 5 years after completion of the compensatory mitigation objectives, the mitigation will be deemed unsuccessful. Within 60 days of notification by the Corps that the mitigation is unsuccessful, the Permittee shall submit to the Corps an alternate mitigation proposal sufficient to create the functional lift required under this permit. The alternate mitigation proposal may be required to include additional mitigation to compensate for the temporal loss of wetland functions associated with the unsuccessful 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 mitigation proposal.

14. Mitigation Release: The Permittee's responsibility to complete the required advanced compensatory mitigation, as set forth in the Special Conditions of this permit and detailed in the NASA Kennedy Space Center Proposed Advanced Ecological Wetlands Mitigation Plan, Attachment 1 will not be considered fulfilled until mitigation success has been demonstrated and written verification has been provided by the Corps. A mitigation area which has been released as successful will require the Permittee, Successors and subsequent Transferees to remain perpetually responsible to ensure that the mitigation area(s) remain successful in accordance with General Condition 2 of this permit.

15. Perpetual Conservation: The Permittee shall maintain the areas referenced in the **NASA Kennedy Space Center Proposed Advanced Ecological Wetlands Mitigation Plan (Attachment 1)** in their natural state in perpetuity. The Permittee agrees that the only future utilization of this area will be as a purely natural area and the following uses and/or activities will be prohibited except as required or authorized by this permit:

- a. Construction or placing buildings, roads, signs, billboards or other advertising, utilities or other structures on or above the ground. Elevated boardwalks, hiking trails and camping areas will be permitted as long as they do not involve any of the other prohibited uses listed below:
- b. Dumping or placing soil or other substance or material as landfill or dumping or placing of trash, waste or unsightly or offensive material.
- c. Removal or destruction of trees, shrubs, or other vegetation.
- d. Excavation, dredging or removal of loam, peat, gravel, soil, rock, or other material substance in such a manner as to affect the surface.
- e. Surface use, except for purposes that permit the land or water area to remain predominantly in its natural condition.
- f. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation.
- g. Acts or uses detrimental to such retention of land or water areas.
- h. Acts or uses detrimental to the preservation of the structural integrity or the physical appearance of sites or properties of historical, architectural, or cultural significance.

16. Regulatory Agency Changes: Should the Permittee or any other regulatory agency require changes to the work authorized or obligated by this permit, the Permittee is advised that a modification to this permit instrument is required prior to

PERMIT NUMBER: SAJ-2014-03686 (SP-TSD)
PERMITTEE: NASA / Advanced Ecological Mitigation
PAGE 12 of 16

initiation of those changes. It is the Permittee's responsibility to request a modification of this permit from the Cocoa Regulatory Office.

17. Posting of Permit: The Permittee shall have available and maintain for review a copy of this permit and approved plans at each mitigation site.

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.

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).

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.

PERMIT NUMBER: SAJ-2014-03686 (SP-TSD)
PERMITTEE: NASA / Advanced Ecological Mitigation
PAGE 14 of 16

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

Harold Williams
(PERMITTEE)

9/17/2015
(DATE)

HAROLD WILLIAMS
(PERMITTEE NAME-PRINTED)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

fu [Signature]
(DISTRICT ENGINEER)
Jason A. Kirk, P.E.
Colonel, U.S. Army
District Commander

23 Sept 2015
(DATE)

PERMIT NUMBER: SAJ-2014-03686 (SP-TSD)
PERMITTEE: NASA / Advanced Ecological Mitigation
PAGE 15 of 16

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)

(E-MAIL ADDRESS)

(PHONE NUMBER)

PERMIT NUMBER: SAJ-2014-03686 (SP-TSD)
PERMITTEE: NASA / Advanced Ecological Mitigation
PAGE 16 of 16

***Attachments to Department of the Army
Permit Number SAJ-2014-03686 (SP-TSD)***

1. NASA Kennedy Space Center Proposed Advanced Ecological Wetlands Mitigation Plan, 76 pages, dated August 31, 2015, Attachment 1.
2. WATER QUALITY CERTIFICATION: St Johns River Water Management District, Attachment 2.
3. As-Built Certification by a Professional Engineer, Attachment 3.
4. Eastern Indigo Snake Protection Measures, Attachment 4.