SEVEN COUNTY INFRASTRUCTURE COALITION  
December 17, 2021  

Resolution No. 2020-12B  

RESOLUTION RATIFYING ARMY CORP OF ENGINEERS AGREEMENT, AND RELATED MATTERS.  

WHEREAS, pursuant to approval of the Governing Board, the Coalition has applied for permits related to the proposed Uinta Basin Railway, including permits from the U.S. Army Corp of Engineers; and  

WHEREAS, on December 15, 2021, the U.S. Surface Transportation Board, which regulates freight rail in the United States, issued decision Docket No. FD 36284 in which it found that the Coalition’s petition for exemption under §10502 from the prior approval requirements of §10901 should be granted. The STB granted final approval of the construction and operation of the Environmentally Preferable Alternative for the Uinta Basin Railway, the Whitmore Park Alternative, subject to compliance with environmental mitigation measures; and  

WHEREAS, on December 14, 2021, the U.S. Army Corp of Engineers signed Permit SPK-2019-00308, which permit was also signed by the applicant’s Uinta Basin Railway, LLC and the Seven County Infrastructure Coalition; and  

WHEREAS, the Governing Board desire to ratify the Executive Director’s signature on Permit SPK-2019-00308:  

NOW, THEREFORE, be it resolved by the Governing Board of the Seven County Infrastructure Coalition, Utah as follows:  

1. The Governing Board hereby ratifies the execution of Permit SPK-2019-00308 and all other actions taken by the Executive Director with respect to the Coalition’s permits from the U.S. Army Corp of Engineers related the proposed Uinta Basin Railway. The Board further reaffirms its authorization to the Executive Director to take or cause to be taken all further actions necessary or desirable to obtain any other permits or approvals from the U.S. Army Corp of Engineers related to the Uinta Basin Railway project.  

2. All parts of this Resolution are severable, and if any section, clause or provision of this Resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, clause or provision shall not affect the remaining sections, clauses or provisions of this Resolution.  

3. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption.
APPROVED AND ADOPTED this December 17, 2021.

Motion by Commissioner [Signature] and
Seconded by Commissioner [Signature].

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

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ABSENT

Co-Chair Casey Hopes

Co-Chair Greg Miles

ATTEST:

Heather B. Hoyt

ATTACHMENT

PERMIT SPK-2019-00308

RES 2021-128
December 14, 2021

Regulatory Division (SPK-2019-00308)

Seven County Infrastructure Coalition
Attn: Mr. Michael McKee
294 East 100 South
Price, Utah 84501
mmckee@7county.utah.gov

Uinta Basin Railway, LLC
Attn: Mr. Mark W. Hemphill, Senior Vice President – Program Management
400 West Morse Blvd, Suite 220
Winter Park, FL 32789
mhemphill@rgpc.com

Dear Mr. McKee and Mr. Hemphill:

We are enclosing your copy of Department of the Army Permit SPK-2019-00308. Please note you are only authorized to complete the work described in the permit.

If you sell the property associated with this permit, the terms and conditions of this permit will continue to be binding on the new owner. To validate the transfer of this permit, have the succeeding party sign the permit transfer section at the end of the permit and forward a copy to this office, along with their printed name, address, telephone number, and other contact information.

The time limit for completing the work is specified in General Condition 1. If the work will not be completed prior to that date, you may request a time extension. Your request for an extension must be received by this office for consideration at least 30 days before the time limit date.

We appreciate your feedback. At your earliest convenience, please tell us how we are doing by completing the customer survey on our website under Customer Service Survey.

Please refer to identification number SPK-2019-00308 in any correspondence concerning this project. If you have any questions, please contact the project manager, Nicole Fresard, at 533 West 2600 South, Suite 150, Bountiful, Utah.
84010, by email at Nicole.D.Fresard@usace.army.mil, or telephone at (801) 295-8380 Ext. 8321. For more information regarding our program, please visit our website at www.spk.usace.army.mil/Missions/Regulatory.aspx.

Sincerely,

Michael S. Jewell
Chief, Regulatory Division

Enclosures

cc: Mr. Kevin Keller, HDR (kevin.keller@hdrinc.com)
DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT
1325 J STREET
SACRAMENTO CA 95814-2922

DEPARTMENT OF THE ARMY PERMIT

Permittee: Seven County Infrastructure Coalition
Attn: Mr. Michael McKee
294 East 100 South
Price, Utah 84501
mmckee@7countny.utah.gov

Uinta Basin Railway, LLC
Attn: Mr. Mark W. Hemphill, Senior Vice President – Program Management
400 West Morse Blvd, Suite 220
Winter Park, FL 32789
mhemphill@rgpc.com

Permit Number: SPK-2019-00308

Issuing Office: U.S. Army Engineer District, Sacramento Corps of Engineers
1325 "J" Street
Sacramento, California 95814-2922

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. A notice of appeal options is enclosed.

Project Description:

The project involves the discharge of fill material that will result in the loss of 9.27 acres of waters of the United States including 5.06 acres of wetlands, 0.76 acre of open water, and 3.6 river miles (3.45 acres) of perennial and intermittent streams. The proposed activities would also result in temporary impacts to approximately 0.05 acre of wetland and 0.39 river miles (0.32 acre) of perennial and intermittent streams to construct an 88-mile-long railway common-carrier freight rail system that would connect the Uinta Basin to the interstate common-carrier rail network.
The project impacts will be compensated with the implementation of a permittee responsible compensatory mitigation plan consisting of restoring a degraded reach of the Middle Strawberry River. The proposed compensatory mitigation plan will provide a total of 6.62 river miles of stream establishment, 11.02 miles of stream enhancement, and 17.83 acres of wetland establishment. Authorization for potential impacts to waters of the U.S. are included as part of this DA permit application.

All work is to be completed in accordance with the Clean Water Act 404 Revised Map Package, part 1 (Milepost 1-20), part 2 (Milepost 21-40), and Part 3 (Milepost 41-64) plans dated September 10, 2021 (Enclosure 1).

**Project Location:**

The approximately 88-mile-long rail line project site is located between Myton, Utah Latitude: 40.148617 Longitude: -109.861781 and Kyune, Utah Latitude: 39.839449 Longitude: -110.981295, Uintah, Duchesne, Carbon, and Utah Counties, Utah (Enclosure 2). The compensatory mitigation site is located along the Middle Strawberry River, centerpoint location Latitude: 40.115492 Longitude: -110.801786, Duchesne County, Utah (Enclosure 3).

**Permit Conditions:**

**General Conditions:**

1. The time limit for completing the work authorized ends on **December 6, 2026**. If you find that you need more time to complete the 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 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. To compensate for the loss of 5.06 acres of wetlands, 0.76 acre of open water, and 3.6 river miles (3.45 acres) of streams authorized by this permit, you shall establish 6.62 river miles (10.66 acres) of stream, establish 17.83 acres of wetland, and enhance 11.02 river miles (7.42 acres) of stream along the Middle Strawberry River as shown and described in the “Compensatory Mitigation Plan, Uinta Basin Railway, Seven County Infrastructure Coalition and Uinta Basin Railway, LLC” document. You shall fully comply with the October 27, 2021, “Final Mitigation Plan” (Enclosure 4), prepared by HDR, Inc. The mitigation areas shall be managed in perpetuity.

2. You shall complete the construction of the compensatory stream and wetland mitigation required by Special Condition 1 of this permit prior to or concurrent with initiation of construction activities authorized by this permit. Construction and earthwork, including initial vegetative improvements, shall be completed in all compensatory mitigation areas within two growing seasons of initiating construction. In addition, you shall notify this office in writing at least 30 calendar days prior to the scheduled construction date and within 30 calendar days following completion of the required establishment and enhancement work.

3. The final grading plans for each compensatory mitigation resource must be submitted to this office for review and approval prior to construction. The final grading plans shall include plan view and cross-section maps describing the proposed earthwork, a table of design specifications for parameters such as target grading elevations, slopes, target seasonal highwater elevation/depth, and a planting/revegetation plan, as well as a description of the rationale used to develop those specifications. In addition, the final design plans for each stream rehabilitation site must be submitted to this office for review and approval prior to construction. The final design plans shall include a table of design specifications for parameters such as valley slope, bank slopes, bed slope, bankfull flow/effective discharge, bankfull...
dimensions, entrenchment ratio, flood-prone width, sinuosity, riparian buffer width, target species and density for woody riparian vegetation, and habitat enhancements (e.g., root wads, large woody debris, etc.), as well as a description of the rationale used to develop those specifications.

4. The realigned sections of stream along the rail line footprint must be reconstructed in a way that mimics the natural stream environment in the area and restore stable stream conditions. Stream relocation plans must be submitted for review by this office for review and approval prior to construction activities.

5. You shall take the actions required to record the Conservation Land Use Agreement identified in the approved mitigation plan, in addition to the final permit and any applicable maps depicting the 6.62 river miles (10.66 acres) of stream establishment, 11.02 river miles (7.42 acres) of stream enhancement, and 17.83 acres of wetland establishment required in Special Condition 1 of this permit with the Registrar of Deeds or other appropriate official charged with the responsibility for maintaining records of title to or interest in real property. You shall ensure the Conservation Land Use Agreement is recorded in the chain of title against the deed for all parcels comprising the mitigation areas described in the Final Mitigation Plan. You shall not modify the Conservation Land Use Agreement unless the proposed modifications have been reviewed and specifically approved by this office in writing.

6. To ensure success of the compensatory mitigation areas required by the Final Mitigation Plan referenced in Special Condition 1, you shall monitor compensatory mitigation areas for a minimum of 10 years or until the performance standards described in the Final Mitigation Plan identified in Special Condition 1 are met, whichever is greater. This period shall commence upon completion of the construction of the required compensatory mitigation. You shall demonstrate continued success of the compensatory mitigation, without human intervention, for three consecutive years after the final performance standards have been met, which may run concurrent with the minimum 10-year monitoring period. If the compensatory mitigation is not meeting the required performance standards at any time, this office may determine that the compensatory mitigation is not in compliance and require remedial action, including the identification of alternative compensatory mitigation.

a. Monitoring shall be conducted in accordance with the monitoring requirements in the approved mitigation plan referenced in Special Condition 1. Prior to initiation of monitoring in a given site, you shall submit site-specific monitoring plans to this office for approval. The site-specific monitoring plans shall refine sampling locations and sampling methods based on as-built conditions.

b. You shall submit monitoring reports to this office by December 31 for the 10-year monitoring period. The reports shall be submitted annually for years 1 thru 4, and every 2 years from year 4 thru 10. Additional monitoring reports shall be submitted for each additional year, if remediation is required, until the
performance standards have been met. You shall submit a monitoring report at the end of the three-year period demonstrating continued success of the compensatory mitigation without human intervention. If the three-year period occurs wholly within the five-year monitoring period, in which case, the five-year report may be used to meet this requirement. The annual reports shall follow the format identified in the Final 2015 Regional Compensatory Mitigation and Monitoring Guidelines for the South Pacific Division, which can be found online at http://www.spd.usace.army.mil/Portals/13/docs/regulatory/mitigation/MitMon.pdf.

c. Your responsibility to complete the required compensatory mitigation as set forth in Special Condition 1 will not be considered fulfilled until you have demonstrated mitigation success and have received written verification from this office.

7. A Long-Term Management Plan (LTMP) shall be submitted and approved by this office upon demonstration of mitigation success. The mitigation areas shall be managed in accordance with this plan. The LTMPs may be modified prior to the transfer of the property, following coordination with the long-term manager and subject to approval by the Corps.

8. You shall comply with all terms and conditions of the enclosed September 2, 2021 (Enclosure 5) and September 27, 2021 (Enclosure 6) Water Quality Certifications.

9. You are responsible for all work authorized herein and ensuring that all contractors and workers are made aware and adhere to the terms and conditions of this permit. You shall ensure that a copy of the permit and associated drawings are available for quick reference at the project site until all construction activities in waters of the U.S. authorized by this permit are completed.

10. You shall use only clean and nontoxic fill material for this project. The fill material shall be free from items such as trash, debris, automotive parts, asphalt, construction materials, concrete with exposed reinforcement bars, and soils contaminated with any toxic substance, in toxic amounts in accordance with Section 307 of the Clean Water Act. In addition, you shall allow all newly poured concrete to cure for a minimum of 10 days prior to coming into contact with open water.

11. At least 30 days prior to initiation of construction activities in waters of the U.S. authorized by this permit, you shall notify this office in writing of the anticipated start date for the work. No later than 30 calendar days following completion of construction activities in waters of the U.S. authorized by this permit, you shall notify this office in writing that construction activities have been completed.

12. Prior to commencement of construction activities in waters of the U.S. authorized by this permit, you shall clearly identify the limits of disturbance in the field with highly visible markers (e.g., construction fencing, flagging, silt barriers, etc.). You
shall maintain such identification properly until construction is completed, and the soils have been stabilized. You are prohibited from any activity (e.g., equipment usage or materials storage) that impacts waters of the U.S. outside of the permit limits as shown on the September 2, 2021 Clean Water Act 404 Revised Map Package, part 1 (Milepost 1-20), part 2 (Milepost 21-40), and Part 3 (Milepost 41-64) plans.

13. Prior to initiating any construction activities in waters of the U.S. authorized by this permit, you shall install and maintain construction best management practices (BMPs) on-site to prevent degradation to on-site and off-site avoided waters of the U.S. Methods shall include the use of appropriate measures to intercept and capture sediment prior to entering waters of the U.S., as well as erosion control measures along the perimeter of all work areas within 500 feet of on-site and off-site avoided waters of the U.S. to prevent the displacement of fill material. All BMPs shall be in place prior to initiation of (each phase of) construction activities in waters of the U.S. authorized by this permit. You shall ensure the BMPs are inspected bi-weekly and are maintained in good condition while ground disturbing activities are occurring, until construction activities in waters of the U.S. authorized by this permit are complete. All BMPs shall remain until construction activities within 500 feet of waters of the U.S. are completed and all disturbed soils are stabilized. You shall submit a description of and photodocumentation of your BMPs to this office within 30 days following commencement of each phase of construction activities authorized by this permit. Photos may be submitted electronically to SPKRegulatoryMailbox@usace.army.mil. Please ensure to reference the Uinta Basin Railway Project name and SPK-2019-00308 in the email.

14. The enclosed U.S. Fish and Wildlife Service BO (Number USFWS # 06E23000-2020-F-0871, dated September 20, 2021) (Enclosure 7) recognizes adverse effects and may result in the loss of ESA listed plant species, in particular Ute ladies'-tresses (Spiranthes diluvialis), Parriette cactus (Sclerocactus brevispinus), Uinta basin hookless cactus (Sclerocactus wetlandicus), Bameby ridge-cress (Lepidium bamebyanum) during all phases of the proposed project. The applicant must implement the conservation measures indicated in the BO to reduce the permanent loss of ESA listed plant species, occupied habitat, and potential habitat and to and minimize the effects of construction activities within the project area. Your authorization under this Corps permit is conditional upon your compliance with all of the mandatory terms and conditions associated and conservation recommendations of the attached BO for ESA listed plant species.

15. This Corps permit does not authorize you to take federally listed animal species, in particular Canada Lynx (Lynx canadensis) and Mexican spotted owl (Strix occidentalis lucida). In order to legally take a listed animal species, you must have separate authorization under the Endangered Species Act (ESA) (e.g., an ESA Section 10 permit, or a BO under ESA Section 7, with "incidental take" provisions with which you must comply). The enclosed U.S. Fish and Wildlife Service (USFWS) BO (Number USFWS # 06E23000-2020-F-0871, dated September 20, 2021), contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with "incidental take" that is also specified in the BO. Your authorization
under this Corps permit is conditional upon your compliance with all of the mandatory terms and conditions associated with "incidental take" of the attached BO, which terms and conditions are incorporated by reference in this permit. Failure to comply with the terms and conditions associated with incidental take of the BO, where a take of the listed species occurs, would constitute an unauthorized take, and it would also constitute non-compliance with your Corps permit. The USFWS is the appropriate authority to determine compliance with the terms and conditions of its BO, and with the ESA.

16. You shall implement the enclosed (Enclosure 8), March 2021, Programmatic Agreement (PA), entitled "Programmatic Agreement Among the Surface Transportation Board, Utah State Historic Preservation Officer, Ute Indian Tribe of The Uintah and Ouray Reservation, Bureau of Indian Affairs, Bureau of Land Management, Seven County Infrastructure Coalition, State of Utah School and Institutional Trust Land Administration, U.S. Army Corps of Engineers, U.S. Forest Service Ashley National Forest, and Utah Public Lands Policy Coordinating Office Regarding Seven County Infrastructure Coalition Construction and Operation of the Proposed Uinta Basin Railway Project in Carbon, Duchesne, Uintah, and Utah Counties, Utah" and signed by these entities, in its entirety. The STB has been designated the lead federal agency responsible for implementing and enforcing the PA as signed. If you fail to comply with the implementation and associated enforcement of the PA, this office may determine that you are out of compliance with the conditions of your permit and suspend the permit. Suspension may result in modification or revocation of the authorized work.

17. You shall employ a qualified archaeologist, meeting the Secretary of Interior's Professional Qualifications Standards for Archeology (48 FR 44738-39), to monitor all project-related ground-disturbing activities within the compensatory mitigation site.

18. Within 30 days of completion of project-related ground-disturbing activities within the compensatory mitigation site, you shall submit a report detailing the archaeological monitoring and any discoveries of any previously unknown cultural resources.

19. Within 60 days following completion of the authorized work or at the expiration of the construction window of this permit, whichever occurs first, you shall submit as-built drawings and a description of the work conducted on the project site and within the compensatory mitigation, preservation, and avoidance area(s) to this office for review. The drawings shall be signed and sealed by a registered professional engineer and include the following:

a. The Department of the Army Permit number.

b. 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. The drawing should show all "earth disturbance,"
wetland impacts, structures, and the boundaries of the compensatory mitigation areas. The drawings shall contain, at a minimum, 1-foot topographic contours of the entire site.

c. Ground and aerial photographs of the completed work. The camera positions and view-angles of the ground photographs shall be identified on a map, aerial photograph, or project drawing.

d. A description and list of all minor deviations between the work as authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings the location of any deviations that have been listed.

20. You shall establish a minimum endowment fund in the amount of $1,500,000, for management of the compensatory mitigation areas identified in the Final Mitigation Plan as candidates for transfer to the Utah Division of Wildlife Resources, in perpetuity. The endowment account shall be established prior to initiation of construction activities in waters of the U.S. authorized by this permit. Funding will be implemented in annual phases, and the fund shall be fully funded within five years following establishment of the account. You shall also implement the following measures:

a. The endowment funds shall be governed by an investment policy statement that is designed, over long periods of time, to generate investment returns sufficient to increase in value to keep pace with inflation and pay the costs of long-term management, the net of any financial investment, and administrative fees. The endowment fund shall be used in funding perpetual management, maintenance, monitoring, and other activities as required by the Final Mitigation Plan identified in Special Condition 1. If, prior to transfer of all mitigation areas in the Plan into long-term management, either (1) the value of the required endowment decreases to levels that may threaten its continued existence as a source of perpetual funding for long-term management or (2) if long-term management expenses exceed those estimated in the endowment fund analysis and schedule identified in the Final Mitigation Plan identified in Special Condition 1, you shall consult with this office and the endowment holder to identify a plan to implement the management and biological monitoring tasks identified in the Final Mitigation Plan with the resources that are available. The plan may include modifications to the endowment payments to the long-term manager and associated land management and monitoring tasks in order to protect the long-term viability of the endowment amount. This plan must be reviewed and approved, in writing, by this office.

b. You shall ensure disbursements from the endowment fund are made available by the endowment holder to the long-term manager, to fund annual long-term management of the compensatory mitigation area(s) as described in the Final Mitigation Plan approved by this office in Special Condition 1. Any earnings beyond those necessary to provide for growth of the endowment fund
commensurate with inflation shall be retained in the endowment accounts up to a maximum endowment balance of 110% of the initial endowment amount, as adjusted for inflation over a period of 5 or more years. You are eligible to receive the earnings that exceed this amount.

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).


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

Mark W. Hemphill
Senior Vice President
Permittee

December 8, 2021

Michael J. McKee
Executive Director
Permittee

Dec 8, 2021

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

Michael S. Jewell, Chief
Regulatory Division
(For the District Engineer)

14 December 2021

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.

[Signature]
Date

[Signature]
Date

Transferee