



**DEPARTMENT OF THE ARMY**  
**JACKSONVILLE DISTRICT CORPS OF ENGINEERS**  
**COCOA REGULATORY FIELD OFFICE**  
**400 HIGH POINT DRIVE, SUITE 600**  
**COCOA, FLORIDA 32926**

REPLY TO  
ATTENTION OF

**June 30, 2008**

Regulatory Division  
Special Projects and Enforcement Branch  
SAJ-2006-5900 (NW-AWP)

Florida Department of Transportation  
Attn: Van Humphreys  
1109 South Marion Avenue, MS 2007  
Lake City, Florida 32025-5874

Dear Mr. Humphreys:

Reference is made to your request for reauthorization of Department of the Army permit SAJ-2006-5900 (NW-AWP) received on 13 June 2008. A review of the information and drawings provided shows the proposed work is to impact 0.46 acre of waters of the United States (wetlands) associated with the State Road (SR) 26 at the SR 222 and County Road 234 intersection improvement projects. The project is located within the right-of-way at SR 26 at SR 222 and SR 26 and SR 234, in Sections 20, 23, and 29 Township 9 South, Range 21 East, Alachua County, Florida.

Your project, as depicted on the received drawings, is authorized by Nationwide Permit (NWP) Number 14. In addition, project specific conditions have been enclosed. This verification is valid until June 30, 2010. Please access the U.S. Army Corps of Engineers' Jacksonville District's Regulatory web address at <http://www.saj.usace.army.mil/regulatory/permitting/nwp/nwp.htm> to access web links to view the Final Nationwide Permits, Federal Register Vol. 72, dated March 12, 2007, the Corrections to the Final Nationwide Permits, Federal Register 72, May 8, 2007, and the List of Regional Conditions. These files contain the description of the Nationwide Permit authorization, the Nationwide Permit general conditions, and the regional conditions, which apply specifically to this verification for NWP 14. Additionally, enclosed is a list of the six General Conditions, which apply to all Department of the Army authorizations. You must comply with all of the special and general conditions and any project specific condition of this authorization or you may be subject to enforcement action. In the event you have not completed construction of your project

within the specified time limit, a separate application or re-verification may be required.

The following special conditions are included with this verification:

1. Within 60 days of completion of the work authorized, the attached "Self-Certification Statement of Compliance" must be completed and submitted to the U.S. Army Corps of Engineers. Mail the completed form to the Regulatory Division, Enforcement Section, Post Office Box 4970, Jacksonville, Florida 32232-0019.

2. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

3. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Permittee or other party on the Permittee's behalf, shall conduct a search in the National Register Information System (NRIS). Information can be found at; <http://www.cr.nps.gov/nr/research/nris.htm>. Information on properties eligible for inclusion in the National Register can be identified by contacting the Florida Master File Office by email at [fmsfile@dos.state.fl.us](mailto:fmsfile@dos.state.fl.us) or by telephone at 850-245-6440.

If unexpected cultural resources are encountered at any time within the project area that was not the subject of a previous cultural resource assessment survey, work should cease in the immediate vicinity of such discoveries. The permittee, or other party, should notify the SHPO immediately, as well as the

appropriate Army Corps of Engineers office. After such notifications, project activities should not resume without verbal and/or written authorization from the SHPO.

If unmarked human remains are encountered, all work shall stop immediately, and the proper authorities notified in accordance with Section 872.05, Florida Statutes, unless on Federal lands. After such notifications, project activities on non-Federal lands shall not resume without verbal and/or written authorization from the Florida State Archaeologist for finds under his or her jurisdiction.

This letter of authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. In Florida, projects qualifying for this NWP must be authorized under Part IV of Chapter 373 by the Department of Environmental Protection, a water management district under §. 373.069, F.S., or a local government with delegated authority under §. 373.441, F.S., and receive Water Quality Certification (WQC) and Coastal Zone Consistency Concurrence (CZCC) (or a waiver), as well as any authorizations required by the State for the use of sovereignty submerged lands. You should check State-permitting requirements with the Florida Department of Environmental Protection or the appropriate water management district.

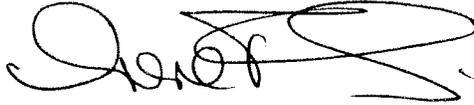
This letter does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if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

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced NWP, please contact Andrew Phillips by telephone at 321-504-3771 ext 14.

Thank you for your cooperation with our permit program. The Corps Jacksonville District Regulatory Division is committed to

improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to take a few minutes to visit the following link and complete our automated Customer Service Survey: <http://regulatory.usacesurvey.com/>. Your input is appreciated - favorable or otherwise.

Sincerely,

A handwritten signature in black ink, appearing to read 'Irene F. Sadowski', with a large, stylized flourish extending to the right.

Irene F. Sadowski  
Chief, Cocoa Permits Section

Enclosures

bcc:  
CESAJ-RD-PE

GENERAL CONDITIONS  
33 CFR PART 320-330

PUBLISHED FEDERAL REGISTER DATED 13 NOVEMBER 1986

1. The time limit for completing the work authorized ends on **date identified in the letter**. 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 a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**SELF-CERTIFICATION STATEMENT OF COMPLIANCE**

**Permit Number: NW-14**  
**Application Number: SAJ-2006-5900**

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

\_\_\_\_\_  
\_\_\_\_\_

Telephone Number: \_\_\_\_\_

Location of the Work: \_\_\_\_\_

\_\_\_\_\_  
Date Work Started: \_\_\_\_\_ Date Work Completed: \_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

Acreeage or Square Feet of Impacts to Waters of the United States:

\_\_\_\_\_

Describe Mitigation completed (if applicable): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*

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

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: \_\_\_\_\_

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

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

\_\_\_\_\_  
(TRANSFEREE-SIGNATURE)

\_\_\_\_\_  
(SUBDIVISION)

\_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(LOT)

\_\_\_\_\_  
(BLOCK)

\_\_\_\_\_  
(NAME-PRINTED)

\_\_\_\_\_  
(STREET ADDRESS)

\_\_\_\_\_  
(MAILING ADDRESS)

\_\_\_\_\_  
(CITY, STATE, ZIP CODE)

30 June 2008

MEMORANDUM FOR RECORD

SUBJECT: Statement of Findings/Environmental Assessment/Finding  
of No Significant Impact/Public Interest Determination

1. For each of the reissued and new Nationwide Permits (NWP), HQUSACE issued a decision document that contains an Environmental Assessment (EA), Statement of Findings, public interest review, and as appropriate, a Section 404(b)(1) Guidelines analysis. The Office of the Chief of Engineers has determined that division and district engineers will impose, as necessary, additional conditions on the NWP authorization or exercise discretionary authority to address locally important factors relating to the public interest, including any potential adverse effects on the human environment, and to ensure that the authorized activity results in no more than minimal individual and cumulative adverse effects on the environment. Supplemental documentation was prepared for the division engineer to address the individual and cumulative effects of the NWP(s) on local resources. On 12 July 2007, the supplemental documentation was issued by the division engineer and the Jacksonville District's proposed regional conditions were approved. Where required by the terms of the permit, general conditions, and/or regional conditions, the Jacksonville District will continue to perform case-specific review to ensure that the NWP will authorize only activities with no more than minimal individual and cumulative adverse effects on the environment and those activities will not be contrary to the public interest.

2. Name and address of applicant:

Florida Department of Transportation  
Attn: Van Humphreys  
1109 South Marion Avenue, MS 2007  
Lake City, Florida 32025-5874

3. Project description: A review of the information and drawings provided shows the proposed work is to impact 0.46 acre of waters of the United States (wetlands) associated with the State Road (SR) 26 at the SR 222 and County Road 234 intersection improvement projects.

The proposed project involves safety improvement for the intersection of SR 26 and SR 222 and SR 26 and CR 234, located in Alachua County. These intersections are located approximately 3

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miles apart and all roads involved are 2-lane rural roads. The following are the existing conditions for each intersection:  
*SR 26 and SR 222:* SR 26 is continuous and curves at this intersection. SR 222 tees into SR 26 at the curve. No storm water system is existing for this intersection and runoff discharges directly to the adjacent wetlands and surface waters contiguous with the Gum Root Swamp on the north side of Newnans Lake. Proposed improvements for this intersection include realignment of the intersection, addition of a westbound turn-lane and replacement of a flashing beacon signal.

*SR 26 and CR 234:* Currently, CR 234 tees into SR 26 from the south. Storm water runoff is collected by shallow roadside swales and conveyed to cross drains discharging to Hatchett Creek and Newnans Lake. Proposed improvements include pavement widening at the intersection for westbound and eastbound lane additions.

Although, the intersection improvements will result in a net increase of 1.02 acres of impervious area they represent a modification of an existing storm water management system which is not intended to increase the original design capacity, and which will not increase pollution loading, or change points of discharge in a manner that would adversely affect the designated uses of waters in the state. Additionally, all erosion and sediment control measures necessary will be implemented during construction.

This activity meets the terms and conditions for authorization under Nationwide Permit 14, as published in the 12 March 2007, issue of the Federal Register (72 FR 11092).

4. Project location: The project is located within the right-of-way at SR 26 at SR 222 and SR 26 and SR 234, in Sections 20, 23, and 29 Township 9 South, Range 21 East, Alachua County, Florida.

5. Existing site conditions: The project includes changes to two intersections along SR 26. The eastern intersection is at CR 234, which is located west of Orange Heights. At this intersection, the road will be shifted to the north and will encroach into two small-channelized tributaries of Hatchet Creek (FLUCFCS 510 - Streams and Waterways), as well as a smaller wetland (FLUCFCS 641 - Freshwater Marsh, which is contiguous with the western tributary. Hatchet Creek is a major tributary of Newnans Lake. The wetlands are within the existing right-of-way. Although the wetlands are routinely mowed, they provide suitable habitat for fish and wildlife as well as water quality benefits to downstream areas. Hatchet Creek is a major tributary of Newnans Lake. The wetlands are within the existing right-of-way.

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SUBJECT: Statement of Findings/Environmental Assessment/Finding of No Significant Impact/Public Interest Determination

The surrounding area is dominated by pine plantation and agricultural lands.

The western intersection, at SR 222, is located north of Newnan's lake, about three miles west of CR 234. At this intersection, SR 26 will be shifted to the west and SR 222 will be widened to the south, both toward the forested Gum Root Swamp system. The project includes both maintained roadside ditches (FLUCFCS 510 - Streams and Waterways) and herbaceous wetlands (FLUCFCS 641 - Freshwater Marsh) associated with an adjacent bottomland swamp known as Gum Root Swamp. The roadside ditches are adjacent to the existing wetland and are not considered to be upland cut ditches. Both the ditches and the herbaceous wetlands are within the existing right-of-way and are routinely mowed. Although the wetlands are routinely mowed, they provide suitable habitat for fish and wildlife as well as water quality benefits to downstream areas. Gum Root swamp is a large forested wetland, which drains south to Newnan's Lake. The surrounding land area is dominated by forested wetlands and pine flatwoods, much of which is in public ownership.

6. Scope of Analysis: Our scope of analysis is limited to the project area.

7. Alternatives: See Decision Document for Nationwide Permit 14, which was approved by the Director of Civil Works on 1 March 2007, and Supplemental Environmental Assessment for Nationwide Permit 14, which was approved by the South Atlantic Division Commander on 12 July 2007.

8. Evaluation of the potential adverse environmental effects (direct, indirect, and cumulative) of the proposed activity: See Decision Document for Nationwide Permit 14, which was approved by the Director of Civil Works on 1 March 2007, and Supplemental Environmental Assessment for Nationwide Permit 14, which was approved by the South Atlantic Division Commander on 12 July 2007.

9. Mitigation required to ensure that the activity being verified by the U.S. Army Corps of Engineers (Corps) will have no more than minimal adverse effect on environment: Mitigation for this project has been completed by SJRWMD in accordance with Florida Statute 373.4137 (Senate Bill). The proposed mitigation is identified in the SJRWMD 2007 FDOT Wetland Mitigation Plan, Basin 11 Northern Ocklawaha River Basin Group (SJ-29). The mitigation will consist of acquisition of a conservation easement over approximately 40 acres of privately owned portion of Orange Creek floodplain adjacent to the Orange Creek Restoration Area,

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SUBJECT: Statement of Findings/Environmental Assessment/Finding of No Significant Impact/Public Interest Determination

Creek floodplain adjacent to the Orange Creek Restoration Area, to facilitate hydrologic restoration of former muck farms on the parcel.

10. Other Federal, State, and Local Authorizations Obtained or Required and Pending:

a. Clean Water Act Section 401 Water Quality Certification (WQC): The WQC, number 40-001-107312-1, was issued on 20 November 2006.

b. Coastal Zone Management (CZM) consistency certification: Issuance of WQC also certifies the project is consistent with CZM.

c. Endangered Species Act compliance: The project is located within the Core Foraging Area of the Wood Stork. The applicant has completed mitigation within the Core Foraging Area of the wood stork. The Corps determined the project may affect, but is not likely to adversely affect the wood stork. This determination was coordinated with the US Fish and Wildlife Service (FWS) via e-mail 30 June 2008. FWS concurred with the determination on the same date.

d. National Historic Preservation Act (NHPA) compliance: NHPA concerns will be addressed by the placement of a special condition in the verification letter advising Permittees to contact the State Historic Preservation Office prior to initiating work and how to proceed should unexpected cultural resources be encountered.

e. Other authorizations: N/A.

11. Special Conditions: No additional conditions other than the standard special conditions and general conditions will be included in any permit authorized.

12. Public interest review: See Decision Document for Nationwide Permit 14, which was approved by the Director of Civil Works on 1 March 2007, and Supplemental Environmental Assessment for Nationwide Permit 14, which was approved by the South Atlantic Division Commander on 12 July 2007.

13. Finding of No Significant Impact: See Decision Document for Nationwide Permit 14, which was approved by the Director of Civil Works on 1 March 2007.

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SUBJECT: Statement of Findings/Environmental Assessment/Finding  
of No Significant Impact/Public Interest Determination

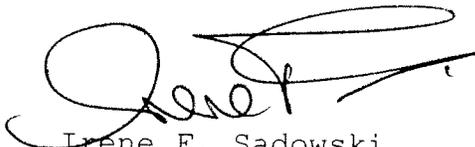
special conditions stated in the NWP verification letter, will  
not be contrary to the public interest.

PREPARED BY:



Andrew Phillips  
PROJECT MANAGER

REVIEWED BY:



Irene F. Sadowski  
Chief, Cocoa Permits Section