



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

REPLY TO
ATTENTION OF

JUL 13 2007

Regulatory Division

DEPARTMENT OF THE ARMY PERMIT
PROGRAMMATIC GENERAL PERMIT SAJ-96

PRIVATE SINGLE-FAMILY PIERS AND APPURTENANCES; SHORELINE
STABILIZATION; MINOR STRUCTURES; AND MAINTENANCE DREDGING AT
SINGLE-FAMILY DOCKS IN WATERS OF THE U.S. LOCATED WITHIN PINELLAS
COUNTY, FLORIDA

Upon recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act, general authority is given to the Pinellas County Water and Navigation Control Authority to administer this permit for private single-family piers and appurtenances, shoreline stabilization, minor structures, and maintenance dredging at single-family docks within navigable waters in Pinellas County, Florida, but only where the activity falls under the permitting jurisdiction of the Pinellas County Water and Navigation Control Authority.

COORDINATION AGREEMENT: An agreement has been signed by the Corps and the Pinellas County Water and Navigation Control Authority. The agreement outlines the steps each agency will take during the processing of an application under the SAJ-96, and includes reporting requirements.

This programmatic general permit (PGP) is subject to the following conditions:

A. SPECIAL CONDITIONS FOR PRIVATE, SINGLE-FAMILY PIERS AND APPURTENANT STRUCTURES:

1. The work herein authorized includes private single-family piers not to exceed 2 slips (including personal watercraft lifts and seawall mounted davits) unless a Florida Fish and Wildlife Conservation Commission approved Manatee Protection Plan is more restrictive. This would include normal appurtenances such as boat hoists, boat shelters with open sides, stairways, walkways, lower landings, mooring pilings, dolphins, and maintenance of same, including pier reconfiguration.

2. No activity may cause more than a minimal adverse effect on navigation. Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

B. SPECIAL CONDITIONS FOR MINOR STRUCTURES AT EXISTING FACILITIES:

1. The work herein authorized includes reconfigurations of existing, previously authorized multi-slip and commercial docking structures provided the work does not provide new access for watercraft, improve an existing access to allow increased watercraft usage, or allow a violation of any governmental law, regulation, guideline, or criteria to continue to exist. This would include normal appurtenances such as boat hoists, boat shelters with open sides, stairways, walkways, lower landings, mooring pilings, dolphins, and maintenance of same.

2. No work is authorized under this section for projects that change the use of existing slips to accommodate docking for repeat use vessels, e.g., water taxis, tour boats, gambling boats, rental boats, etc.

3. No work shall be authorized under this section for docking utilized for special events such as boat races, boat shows, military shows, etc.

4. No activity shall cause more than a minimal adverse effect on navigation. Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

C. SPECIAL CONDITIONS FOR SHORELINE STABILIZATION:

1. The work herein authorized includes construction and repair of bulkheads and backfill and riprap revetments in Pinellas County provided:

(i) New vertical seawalls will not be placed waterward of the Mean High Water Line (MHWL) or Ordinary High Water Line (OHWL), unless necessary to align with existing adjacent seawalls and not to exceed 100 feet in length. Seawalls and/or riprap restoration may be permitted at its previous location, upland of, or within one foot

waterward of its previous location. New riprap will not be placed more than 10 feet waterward of the MHWL or OHWL.

(ii) Stabilization measures other than a vertical seawall shall be no steeper than a 2H:1V slope.

2. The backfill must be from upland sources and consist of suitable material, free from toxic pollutants in other than trace quantities.

D. SPECIAL CONDITIONS FOR MAINTENANCE DREDGING AT SINGLE-FAMILY DOCKS:

1. The work herein authorized includes maintenance dredging using non-hopper dredges around single-family docks to previously authorized depths or controlling depths for ingress/egress, or to -5' MLW, whichever is less. Proper siltation control methods must be used.

2. Excavated/dredged material will be deposited in self-contained upland areas that will prevent the excavated/dredged material from entering or reentering any water of the United States or interfering with natural drainage.

E. SPECIAL CONDITIONS FOR ALL WORKS:

1. No work shall be performed until the applicant submits satisfactory plans for the proposed activity and receives written authorization from the Pinellas County Water and Navigation Control Authority.

2. No activity shall be authorized under this general permit which by its size, location, or construction activities may adversely affect water quality, fish and wildlife habitat, wetlands, or emergent or submerged aquatic vegetation.

3. No work shall be performed until after the permittee provides notification to the owner(s) or operator(s) of any marked utilities in the work area.

4. The District Engineer reserves the right to require that any request for authorization under this general permit be evaluated as a Standard Permit.

5. Prior to issuance of authorization, the dichotomous key titled "*The Corps of Engineers, Jacksonville District, and the State of Florida Effect Determination Key for the Manatee in Florida,*" dated July 2005 (version 1.1, revised

on August 28, 2006), will be used to determine potential manatee impacts. All projects determined to require coordination with the U.S. Fish and Wildlife Service will be sent to the Corps for processing and coordination with the U.S. Fish and Wildlife Service in accordance with the Endangered Species Act. *Note: The manatee key may be subject to revision at any time. It is our intention that the most recent version of this technical tool will be utilized during the evaluation of each Department of the Army permit application. The current version dated July 2005 (version 1.1, revised on August 28, 2006) reflects the Interim II Manatee Strategy and can be found on the Jacksonville District Regulatory Home Page at:* <http://www.saj.usace.army.mil/regulatory/what/species/manatee.htm>

6. The permittee must comply with the "Standard Manatee Conditions for In-water Work," July 2005 and the "Sea Turtle and Smalltooth Sawfish Construction Conditions," March 23, 2006. These are available at the District Home Page cited above.

7. No activity shall be authorized under this PGP which is likely to adversely affect any federally listed threatened or endangered species or a species proposed for such designation, or destroy or adversely modify its designated critical habitat.

8. No structure or work that is in Federal manatee sanctuaries, motorboat prohibited zones, mangrove preservation area, or "no entry zones" shall be authorized by SAJ-96. Applications for work in these areas will require review under standard permit criteria.

9. No work shall be authorized under this PGP in the Spring Bayou/Tarpon Springs or Bartow Power Plant Important Manatee Areas. Maps of these areas can be found by clicking on the links for "County Maps," and "Pinellas North" at: <http://www.saj.usace.army.mil/regulatory/what/species/manatee.htm>

10. No work shall be authorized by this permit within the boundaries of any state park.

11. No work shall be authorized under this section in the Harbor Isle, Harbor Isle Unit 1, and Harbor Isle Unit 2 developments, St. Petersburg, Pinellas County, Florida.

12. Prior to the initiation of any construction, projects qualifying for this programmatic general permit must be authorized by the applicable permit required under Part IV of Chapter 373, F.S., 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 applicable Coastal Zone Consistency Concurrence (CZCC) or waiver thereof, as well as any authorizations required for the use of state-owned submerged lands under Chapter 253, *F.S.*, and, as applicable, Chapter 258, *F.S.* (WQC/CZM-FL).

13. For projects proposed adjacent to federally maintained channels, no structure, including mooring piles, authorized under this general permit shall be within 100' of the top of slope of the near edge of the Federal channel of the various ICWs. This restriction may vary in a few specific reaches where the Corps has authorized an exception to the general 100' set back criterion and has established an alternative set back criterion. Any activity proposed within Federal rights-of-way will require the permittee to enter into a consent-to-easement agreement with the Real Estate Division, U.S. Army Corps of Engineers, Jacksonville District, prior to the commencement of any construction activity.

14. Any structure authorized under this general permit must not interfere with general navigation. For projects authorized under the SAJ-96 in navigable waters of the United States, 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 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.

15. No residential, fueling, or storage facilities over navigable waters of the United States shall be authorized under this general permit.

16. The permittee shall perform all work in accordance with the attached general conditions.

17. SAJ-96 shall be valid for a period of five (5) years from the date of issuance unless suspended or revoked by issuance of a public notice by the District Commander. The Corps will conduct periodic reviews to determine if continuation of the permit is not contrary to the public interest.

18. If SAJ-96 expires or is revoked prior to completion of the authorized work, authorization of activities that have commenced or are under contract to commence in reliance on SAJ-96 will remain in effect provided the activity is completed within 12 months of the date SAJ-96 expired or was revoked.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:



Paul L. Grosskruger
Colonel, U.S. Army
District Commander