



REPLY TO
ATTENTION OF

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

August 15, 2016

Regulatory Division

Department of the Army Permit

Regional General Permit SAJ-90
SAJ-2004-07385

Residential, Commercial, and Institutional Developments in Northeast Florida

Upon recommendation of the Chief of Engineers, pursuant to Section 404 of the Clean Water Act (33 U.S.C 1344), general authority is hereby given for the discharge of fill material for activities required for the construction or expansion of residential, commercial, or institutional building foundations and building pads and attendant features (including the filling of roadside ditches) that are necessary for the use and maintenance of the structures.

SPECIAL CONDITIONS:

1. SAJ-90 is authorized for use only in non-tidal waters of the United States, excluding non-tidal wetlands adjacent to tidal waters.
2. SAJ-90 is authorized for use only in Baker, Brevard, Clay, Duval, Flagler, Indian River, Lake, Marion, Nassau, Orange, Osceola, Putnam, Seminole, St. Johns, and Volusia Counties.
3. SAJ-90 will not apply to project sites for which a Department of the Army permit was previously issued or denied.
4. SAJ-90 will not apply to projects that impound water or otherwise flood land. This limitation does not apply to stormwater treatment ponds associated with residential, commercial or institutional development.
5. SAJ-90 will apply only to:
 - a. Wetlands in pine plantations that are planted in pine (in raised beds), and that have been in production for a minimum of 20 years, or
 - b. Wetlands currently in improved pasture, which were converted prior to December 23, 1985, and any other non-forested wetland inclusions within that improved pasture, or
 - c. Wetlands or parcels that are bordered by development around approximately 75%

of their perimeters¹, or

d. Wetlands covered with greater than 80% invasive and/or exotic vegetation, measured as absolute cover, in any strata. Applicable species include, but are not limited to, Australian pine (*Casuarina* spp.), air potato (*Dioscorea bulbifera*), Japanese climbing fern (*Lygodium japonicum*), Old World climbing fern (*Lygodium microphyllum*), Peruvian primrose-willow (*Ludwigia peruviana*), punktree (*Melaleuca quinquenervia*), torpedo grass (*Panicum repens*), Brazilian pepper (*Schinus terebinthifolius*), and cattail (*Typha latifolia*) (definitions and species lists can be found at www.fleppc.org), or

e. Jurisdictional borrow areas, or

f. Jurisdictional ditches and canals, including existing roadside ditches, or

g. Forested wetlands (not to exceed 0.5 acre of fill) not identified in subparts a-f of this special condition.²

6. This permit authorizes activities required for the construction or expansion of residential, commercial, or institutional building foundations and building pads and attendant features that are necessary for the use and maintenance of the structures, including fill in roadside ditches.

a. Attendant features include but are not limited to roads, parking lots, garages, yards, utility lines, stormwater management facilities, and recreational facilities such as playgrounds, playing fields, and golf courses.

b. Residential developments include multiple and single unit developments. Examples of commercial developments include retail stores, industrial facilities, restaurants, business parks, and shopping centers. Examples of institutional developments include schools, fire stations, government office buildings, judicial buildings, public works buildings, libraries, hospitals, and places of worship.

c. This permit authorizes discharge of fill material in roadside ditches that are associated with the construction or expansion of building foundations, building pads, or attendant features. This permit does not authorize road projects independent of the aforementioned land uses.

7. The total area of permanently filled waters of the United States for a single and complete project³ shall not exceed three acres within the larger SAJ-90 Authorization Area (Figure 1), and five acres within the defined Orlando (Figure 2) and Jacksonville (Figure 3) urban growth boundaries. For residential, commercial, or institutional subdivisions, and roadside ditches, the aggregate total loss of waters of the United States authorized by SAJ-90 cannot exceed the thresholds stipulated in this condition. This evaluation of the aggregate loss includes any loss of waters associated with development of individual subdivision lots.

8. No project will be authorized under SAJ-90 if the proposed fill activity will result in upstream waters of the United States being removed from Federal jurisdiction.

9. Permit submittal must include a written statement explaining how avoidance and minimization for losses of waters of the United States were achieved on the project site. An offsite alternatives analysis is not required.

10. Project site wetlands shall be delineated consistent with the 1987 Corps of Engineers Wetland Delineation Manual, as modified by the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (Version 2.0, November 2010, or most recent version):

a. The applicant shall submit a minimum of two sets of data sheets (Routine Wetland Determination Form) per wetland. The total number of data sheets will vary with each site, depending on the number of wetlands.⁴

b. The applicant shall submit a signed "Preliminary Jurisdictional Determination (PJD) Form" (attached). For purposes of computation of impacts, compensatory mitigation requirements, and other resource protection measures, a permit decision made on the basis of a PJD will treat all waters and wetlands that would be affected in any way by the permitted activity on the site as if they are jurisdictional waters of the U.S., or

c. Alternatively, if an Approved Jurisdictional Determination (AJD) is requested, the applicant shall complete and submit the most current version of an Approved Jurisdictional Form (provided as Attachment 3).

11. Compensatory mitigation for unavoidable impacts to waters of the United States will be required for both direct and indirect/secondary wetland impacts (collectively, the impact acreage); required amount shall be determined by the appropriate functional assessment methodology. The indirect/secondary effects analysis will require a functional assessment of all remaining on-site wetlands located within 300 feet of each fill area. To offset lost wetland and other aquatic resource functions, environmentally appropriate mitigation at a Federally-approved mitigation bank will be preferred. As an alternative to conducting a functional assessment, the acquisition of federal mitigation bank credits at a ratio of 1:1 (impact acreage: federal credits) is acceptable. All mitigation proposals are subject to the requirements of 33 CFR, 320.4(r), and 33 CFR, Part 332. These regulations can be accessed at the Jacksonville District Regulatory Division internet web page in the Regulations and Policies section of the Sourcebook⁴ located at:

<http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>

12. No work shall be performed until the applicant submits satisfactory plans for the proposed activity and receives written authorization from the District Engineer. To assist in the submittal of satisfactory plans, a checklist is included as an appendix to this permit.

13. Prior to the initiation of any construction, projects qualifying for Regional General Permit SAJ-90 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 s. 373.069, F.S., or a local government with delegated authority under s. 373.441, F.S., and receive Water Quality Certification (WQC) and applicable Coastal Zone Consistency Concurrence (CZCC) or waiver thereto, 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.

14. No work shall be authorized by SAJ-90 in waters of the United States of the following areas:

- a. The Timucuan Ecological and Historical Preserve (Duval County), or
- b. The St. Mary's River, from its headwaters to its confluence with the Bells River, or
- c. The entire Wekiva River, including Wekiwa Springs Run, Rock Springs Run, the entire Seminole Creek, and Black Water Creek from its outfall at Lake Norris to its confluence with the Wekiva River, or
- d. The Guana Tolomato Matanzas National Estuarine Research Reserve.

15. 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 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 shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

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. In the unlikely event that unmarked human remains are identified on non-federal lands, they will be treated in accordance with Section 872.05 Florida Statutes. 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 medical examiner, Corps, and State Archeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO and THPO(s). 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 without written authorization from the State Archeologist and from the Corps.

16. No work shall be authorized by SAJ-90 which may have direct or indirect effects on estuarine emergent, marine emergent, and/or the following species of submerged aquatic vegetation: shoal grass (*Halodule wrightii*), paddle grass (*Halophila decipiens*), star grass (*Halophila engelmanni*), Johnson's seagrass (*Halophilajohnsonii*), sago pondweed (*Potamogeton pectinatus*), clasping-leaved pondweed (*Potamogeton perfoliatus*), widgeon grass (*Ruppia maritima*), manatee grass (*Syringodium jiliforme*), turtle grass (*Thalassia testudinum*), tapegrass (*Vallisneria americana*), horned pondweed (*Zannichellia palustris*), and eel grass (*Zostera marina*). Indirect effects include secondary and cumulative effects.

17. This permit does not authorize stream channelization or the bank-to-bank filling, relocating and/or culverting of more than 300 linear feet of perennial or intermittent streams. The authorized activities must not increase flooding, or negatively impact the pre-project hydraulic flow characteristics or water quality of any affected stream.

18. For activities proposed under SAJ-90, federally listed plant and wildlife species shall be evaluated as described in Special Conditions No. 19-27. Where applicable, until the U.S. Army Corps of Engineers has reinitiated and completed consultation with the U.S. Fish and Wildlife Service, no activity shall be authorized under SAJ-90 which:

a. may affect:

- 1) any other Federally listed threatened or endangered species; or
- 2) a species proposed for such designation; or

b. may destroy or adversely modify:

- 1) designated critical habitat for any Federally listed threatened or endangered species; or
- 2) habitat proposed to be designated as critical habitat for any Federally listed

threatened or endangered species.

19. No authorization under SAJ-90 shall be made for any project site which supports the presence of Florida scrub jay (*Aphelocoma coerulescens*) until the Corps has reinitiated and completed consultation with the U. S. Fish and Wildlife Service in accordance with the Endangered Species Act. If suitable Florida scrub jay habitat is present on the project site, a survey shall be conducted and provided to the Corps for a listed species effect determination.^{5,6}

20. No authorization under SAJ-90 shall be made for any project in Lake, Marion, Orange, Osceola or Putnam Counties occupied by sand skink (*Neoseps reynoldsi*) and/or blue-tailed mole skink (*Eumeces egregius lividus*) until, where required, the Corps has reinitiated and completed consultation with the U. S. Fish and Wildlife Service in accordance with the Endangered Species Act.^{5,7} The following shall apply:

a. Where the project lies outside of the consultation area, no additional action is required.

b. Where the project lies inside the consultation area and supports skink habitat (i.e., above 82 ft above sea level, appropriate vegetative communities and “skink soils”), a survey shall be conducted pursuant to the Peninsular Florida Species Conservation and Consultation Guide.

21. No authorization under SAJ-90 shall be made for any project that *may affect* wood stork (*Mycteria americana*) until the Corps has reinitiated and completed consultation with the U. S. Fish and Wildlife Service in accordance with the Endangered Species Act, as determined by use of the most recent version of:^{5,8}

a. *The Corps of Engineers, Jacksonville District, U.S. Fish and Wildlife Service, Jacksonville Ecological Services Field Office and State of Florida Effect Determination Key for the Wood Stork in Central and North Peninsular Florida* (September 2008), or

b. *The Corps of Engineers, Jacksonville District, U.S. Fish and Wildlife Service, South Florida Ecological Services Field Office and State of Florida Effect Determination Key for the Wood Stork in South Peninsular Florida* (dated May 2010).

22. No authorization under SAJ-90 shall be made for any project that has, or is located within 0.5 mile of, an active red-cockaded woodpecker (*Picoides borealis*) colony site until the Corps has reinitiated and completed consultation with the U. S. Fish and Wildlife Service in accordance with the Endangered Species Act.

23. No authorization under SAJ-90 shall be made for any project that *may affect* Eastern indigo snake (*Drymarchon corais couperi*), as determined by use of the most recent version of the *Eastern Indigo Snake Programmatic Effect Determination Key* (January 25, 2010; August 13, 2013 Addendum) until the Corps has reinitiated and completed consultation with the U. S. Fish and Wildlife Service in accordance with the Endangered Species Act.^{5,8}

24. Where use of the Eastern Indigo Snake Programmatic Effect Determination Key (January 25, 2010; August 13, 2013 Addendum) results in a *not likely to adversely affect* determination, the following shall apply: ^{5,8}

a. The permittee shall use the Standard Protection Measures for the Eastern Indigo Snake (dated August 12, 2013) during project site preparation and construction.

b. All gopher tortoise burrows, active or inactive, will be evacuated prior to site manipulation in the burrow vicinity. If excavating potentially occupied burrows, active or inactive, individuals must first obtain state authorization via a Florida Fish and Wildlife Conservation Commission Authorized Gopher Tortoise Agent permit. The excavation method selected should also minimize the potential for injury of an indigo snake.

c. Holes, cavities, and snake refugia other than gopher tortoise burrows will be inspected each morning before planned site manipulation of a particular area, and if occupied by an indigo snake, no work will commence until the snake has vacated the vicinity of proposed work.

25. No authorization under SAJ-90 shall be made for any project in Brevard, Indian River, Orange, Osceola or Seminole County that *may affect* Audubon's crested caracara (*Polyborus plancus audubonii*) until the Corps has reinitiated and completed consultation with the U. S. Fish and Wildlife Service in accordance with the Endangered Species Act. For projects in these counties, the following shall apply: ^{5,9}

a. Where a project includes, or is within 1000 feet of, pasture or wet prairie cover types that contain cabbage palms, a survey for Audubon's crested caracara shall be performed per the most recent survey protocol.

b. Consultation with the U. S. Fish and Wildlife Service will be required where nesting Audubon's crested caracara are determined to occur on, or within 1,000 ft of, the project site.

26. No authorization under SAJ-90 shall be made for any project site which supports the presence of Florida grasshopper sparrow (*Ammodramus savannarum floridanus*) and/or Everglades Snail Kite (*Rostrhamus sociabilis plumbeus*) until the Corps has reinitiated and completed consultation with the U. S. Fish and Wildlife Service in accordance with the Endangered Species Act. If suitable habitat is present for these species on the project site, a survey shall be conducted and provided to the Corps for a listed species effect determination.⁵

27. No authorization under SAJ-90 shall be made for any project until the applicant surveys the project site for the presence of Federally listed plant species. If Federally listed plant species are found on the site, no activities will be authorized until the U.S. Fish and Wildlife Service has reinitiated and completed consultation on the project. ¹⁰

28. No authorization under SAJ-90 shall be made for any project proposing work in the

St. Johns River (from the mouth upstream to, and including Lake Monroe), those wetlands abutting the St. Johns River, and the portion of identified streams located downstream of a defined latitudinal/longitudinal point (as listed in Table 1) prior to completing consultation with the National Marine Fisheries Service Habitat Conservation Division on impacts to Essential Fish Habitat.

29. No authorization under SAJ-90 shall be granted for any parcel that is contiguous to conservation lands. Permit submittal must include a statement regarding the conservation status of all parcels contiguous to the project site. For the purpose of this permit, conservation lands are defined as county-, state-, or Federally-owned lands such as those acquired through special land acquisition programs or initiatives, where the primary function is natural land preservation.

30. Where the proposed work involves a discharge of dredged or fill material into waters of the United States resulting in permanent, above-grade fills within the 100-year floodplain (as identified on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps or FEMA-approved local floodplain maps),¹¹ the applicant must provide documentation that the proposed work complies with the appropriate FEMA or FEMA-approved local floodplain construction requirements.

31. Within 60 days of completion of the authorized work and mitigation, the attached Self Certification Statement of Compliance must be completed and submitted to the Corps. Mail the completed form to the Jacksonville District, Enforcement Section, Post Office 4970, Jacksonville, Florida 32232-0019; or send by email to: CESAJ-ComplyDocs@usace.army.mil.

32. Fill material used with this project shall be limited to suitable, clean fill material, which excludes material such as trash, debris, car bodies, asphalt, construction materials, concrete block with exposed reinforcement bars, and any soils contaminated with any toxic substance in toxic amounts (see Section 307 of the Clean Water Act).

33. Reduction and/or elimination of turbid water conditions and the erosion of disturbed or filled areas in adjacent water bodies and wetlands are to be achieved through the use of silt curtains or screens, between the construction area and wetlands or surface waters, during periods of fill placement. Such devices shall be properly maintained until such time as those disturbed areas become sufficiently stabilized by natural recruitment of vegetation or other measures.

34. Conformance with descriptions and quantities contained herein does not necessarily guarantee authorization under this regional general permit. The District Engineer reserves the right to require that any request for authorization under this regional general permit be evaluated as a standard permit.

35. Authorization under this regional general permit is void at any time if the information provided by the applicant in support of the permit application proves to have been false, incomplete, or inaccurate.

36. SAJ-90 shall be valid for a period of five years from the date of issuance unless suspended or revoked by issuance of a public notice by the District Engineer. If SAJ-90 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-90 will remain in effect provided the activity is completed within 12 months of the date SAJ-90 expired or was revoked.

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

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

Jori K White
for
Jason A. Kirk, P.E.
Colonel, U.S. Army
District Commander

FOOTNOTES

¹ For the purpose of this criterion, “bordered by development around approximately 75% of the perimeter” is defined by the following:

a. Approximately half or more of the area bordering the parcel or proposed fill wetland is covered by an impervious surface (e.g., parking lot, structures, paved roads, etc.), or

b. Approximately 75% of the area bordering the parcel or proposed fill wetland consists of Urban and Built-Up (100) or Transportation, Communication and Utilities (800) land uses, including stormwater ponds but excluding transmission lines, as described in *Florida Land Use, Cover and Forms Classification System* (Florida Department of Transportation, January 1999).

² There are situations where fill may be proposed in the areas described in Special Condition 5(a)-(f) but SAJ-90 is excluded from use because there is a minor component of fill in forested wetlands that is beyond the limitations established in Special Condition 5(a)-(f). Nationwide Permits 29 for Residential Developments, and 39 for Commercial/Institutional Developments, allow up to 0.5 acre of fill in palustrine wetlands, including forested palustrine wetlands. This is considered a minor activity and has been added to SAJ-90 as Special Condition 5(g) to allow for flexibility and facilitate use of SAJ-90.

³ The term “single and complete project” is defined at 33 CFR 330.2(i) as the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers. A single and complete non-linear project must have independent utility (e.g, a project that would be constructed even if other phases were not built can be considered as a separate single and complete project with independent utility). Single and complete non-linear projects may not be “piecemealed” to avoid the limits of this programmatic authorization.

⁴ Guidance can be accessed at the Jacksonville District Regulatory Division internet webpage in the Wetland Jurisdiction section of the Sourcebook located at: <http://www.saj.usace.army.mil/Missions/Regulatory/Source-Book/>

⁵ When assessing potential impacts to listed species, the most current USFWS guidance/guidelines shall be utilized.

⁶ Suitable scrub jay habitat determinations and survey methodology shall be Consistent with U.S. Fish and Wildlife Service guidance posted on their website: <http://www.fws.gov/northflorida/Scrub-Jays/scrubjays.htm>

⁷ Consult U.S. Fish and Wildlife Service sand skink guidance posted on their website: <http://www.fws.gov/verobeach/ListedSpeciesReptiles.html>

⁸ Guidance can be accessed at the Jacksonville District Regulatory Division internet webpage in the Endangered Species section of the Sourcebook located at: <http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>.

⁹ Consult Audubon's crested caracara guidance posted on the U.S. Fish and Wildlife Service website: <http://www.fws.gov/verobeach/ListedSpeciesBirds.html>

¹⁰ Review the Florida Natural Areas Inventory website (<http://www.fnai.org/>) to determine if federally listed plant species occur on the project site; for an inventory of all Federally listed species by county, go to: <http://www.fws.gov/northflorida/gotocty.htm>

¹¹Floodplain maps may be found on the FEMA website at: <https://msc.fema.gov/portal/>. Alternatively, floodplain maps may be available on your local government public works website (e.g., Brevard County flood zone map is available at http://gis.brevardcounty.us/flood_map/).

Table 1. Streams Requiring Essential Fish Habitat Consultation under SAJ-90.

Water Name	Latitude	Longitude
Haw Creek, main channel	29.442451°	-81.286682°
Ocklawaha Lake, Ocklawaha River	29.507733°	-81.804826°
North Deep Creek-St. Johns River	29.623220°	-81.455542°
Rice Creek-St. Johns River	29.688041°	-81.741938°
Clarks Creek-St. Johns River, unnamed slough 1	29.803540°	-81.626493°
Clarks Creek-St. Johns River, unnamed slough 2	29.809999°	-81.624249°
Clarks Creek-St. Johns River, unnamed slough 3	29.816115°	-81.622005°
North Deep Creek-St. Johns River, Unnamed drain to St. Johns River	29.819932°	-81.486535°
Clarks Creek-St. Johns River, Unnamed canal	29.842950°	-81.489296°
Clarks Creek-St. Johns River, Clarkes Creek	29.890474°	-81.635594°
Clarks Creek-St. Johns River, Walkill Creek	29.908305°	-81.643546°
Palmo Cove-St. Johns River, Sixmile Creek	29.953538°	-81.456951°
Palmo Cove-St. Johns River, Unnamed trib to Sixmile Creek	29.975722°	-81.531438°
Palmo Cove-St. Johns River, Governor Creek	29.983658°	-81.720519°
Black Creek-St. Johns River, Peters Creek	29.994366°	-81.761810°
South Fork of Black Creek, Lower South Fork of Black Creek	30.001703°	-81.842319°
Palmo Cove-St. Johns River, Petty Branch	30.018291°	-81.607899°
Palmo Cove-St. Johns River, Kendall Creek	30.026844°	-81.613114°
Palmo Cove-St. Johns River, Water Hole Slough	30.047116°	-81.560510°
Doctors Lake-St. Johns River, Durbin Creek	30.086550°	-81.523222°
Doctors Lake-St. Johns River, Mill Creek	30.090618°	-81.629030°
Doctors Lake-St. Johns River, Cunningham Creek	30.102386°	-81.627210°
Doctors Lake-St. Johns River, Corklan Branch	30.122877°	-81.529867°
North Fork of Black Creek	30.136243°	-81.917562°
Doctors Lake-St. Johns River, Big Davis Creek	30.151747°	-81.526139°
Little Black Creek	30.153281°	-81.788011°
Doctors Lake-St. Johns River, Julington Creek	30.161676°	-81.560074°
Trout Creek-St. Johns River, Pottsburg Creek	30.212158°	-81.574519°
Ortega River-St. Johns River, Fishing Creek	30.241545°	-81.742021°
Trout Creek-St. Johns River, Little Pottsburg Creek	30.286231°	-81.614529°
Ortega River-St. Johns River, Wills Branch	30.298764°	-81.777866°
Trout Creek-St. Johns River, Silversmith Creek	30.308927°	-81.578652°
St. Johns River-Atlantic Ocean, Greenfield Creek	30.320543°	-81.455607°
St. Johns River-Atlantic Ocean, Mount Pleasant Creek	30.322034°	-81.473891°
Trout Creek-St. Johns River, Strawberry Creek North Fork	30.327082°	-81.569737°
Trout Creek-St. Johns River, Strawberry Creek	30.332536°	-81.560217°
Trout Creek-St. Johns River, Red Bay Branch	30.334998°	-81.580741°
Trout Creek-St. Johns River, Little Sixmile Creek	30.364357°	-81.737946°
Trout Creek-St. Johns River, Sixmile Creek Reach	30.370825°	-81.746365°
Trout Creek-St. Johns River, Ninemile Creek	30.405897°	-81.756330°
Trout Creek-St. Johns River, Middle Reach	30.425425°	-81.781671°
Trout Creek-St. Johns River, Lower Reach	30.433674°	-81.676405°
Trout Creek-St. Johns River, West Branch East Fork	30.438481°	-81.706986°
Trout Creek-St. Johns River, West Branch	30.438567°	-81.711665°
Trout Creek-St. Johns River, Blockhouse Creek	30.438808°	-81.687993°
Trout Creek-St. Johns River, Half Creek	30.453005°	-81.727683°
St. Johns River-Atlantic Ocean, Rushing Branch	30.462830°	-81.567382°
St. Johns River-Atlantic Ocean, Broward River	30.465013°	-81.706840°
St. Johns River-Atlantic Ocean, Beeghly Heights Drain	30.467662°	-81.668308°
St. Johns River-Atlantic Ocean, Little Cedar Creek	30.468384°	-81.656473°
St. Johns River-Atlantic Ocean, Caney Branch	30.469858°	-81.580977°
St. Johns River-Atlantic Ocean, Dunn Creek	30.483882°	-81.602390°
Rice Creek-St. Johns River, Etonia Creek	29.716353°	-81.724885°

Figure 1. SAJ-90 Authorization Area (in yellow) with Orlando and Jacksonville Urban Growth Areas (in red).

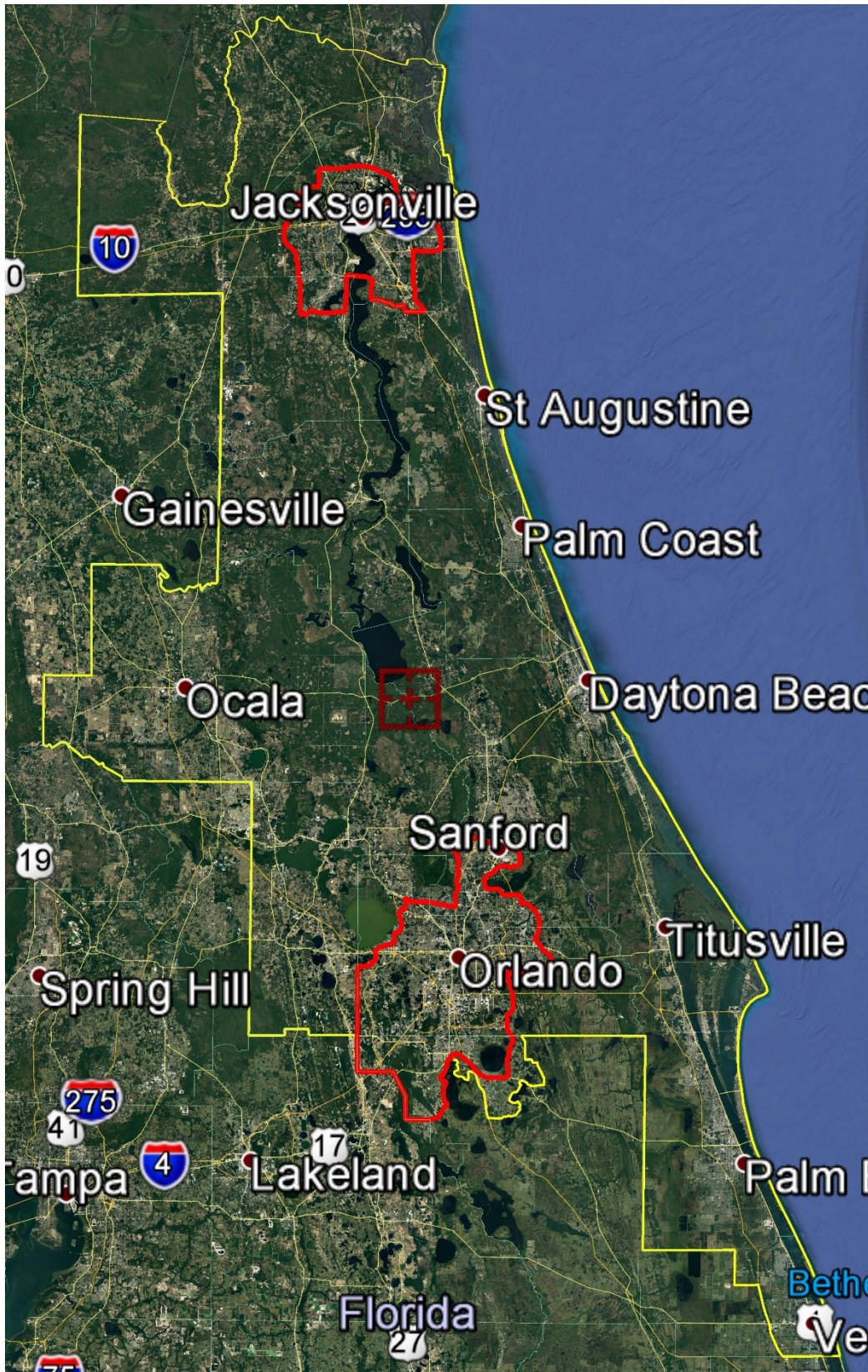


Figure 2. SAJ-90 Orlando Urban Growth Area (in red).

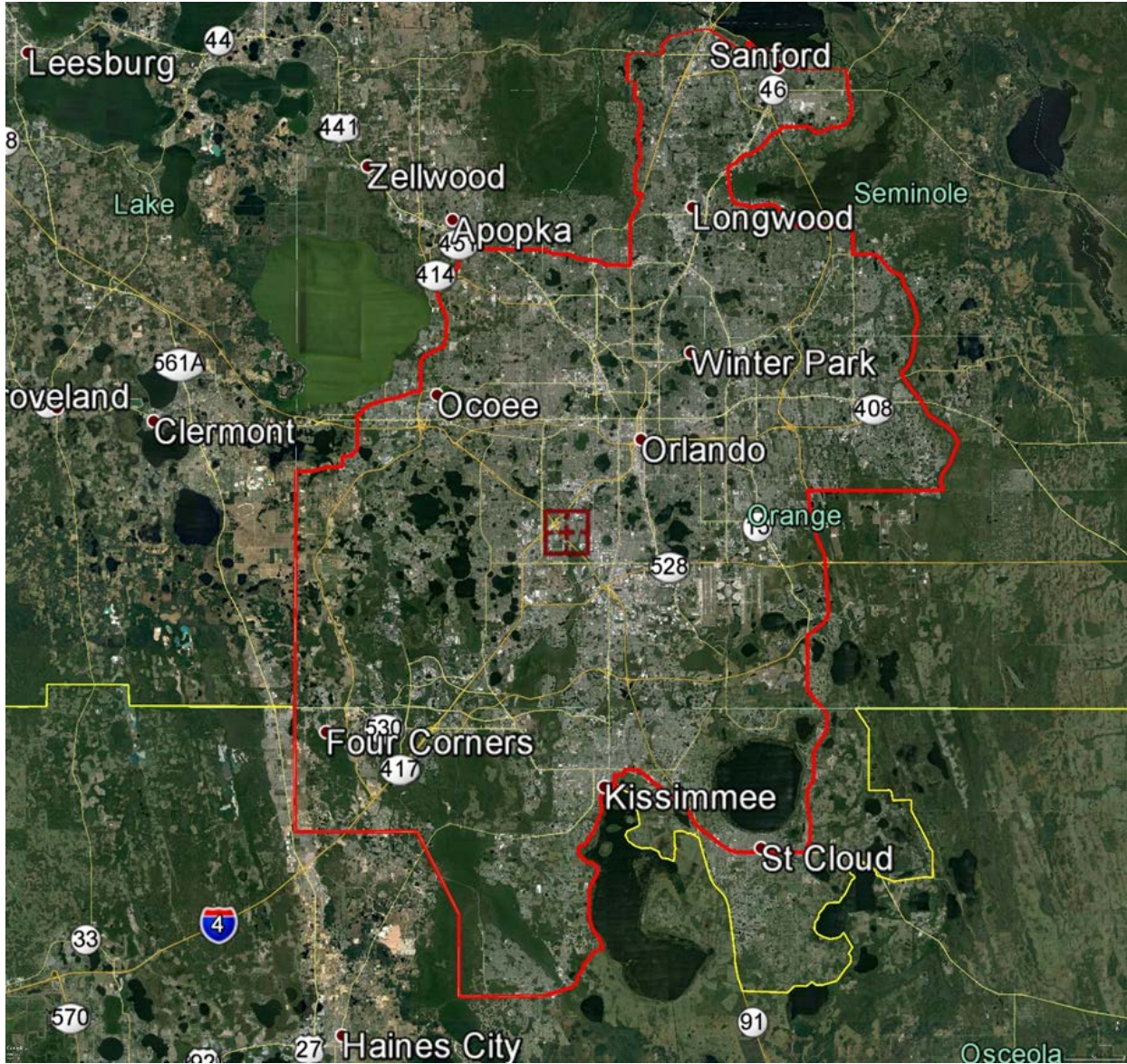
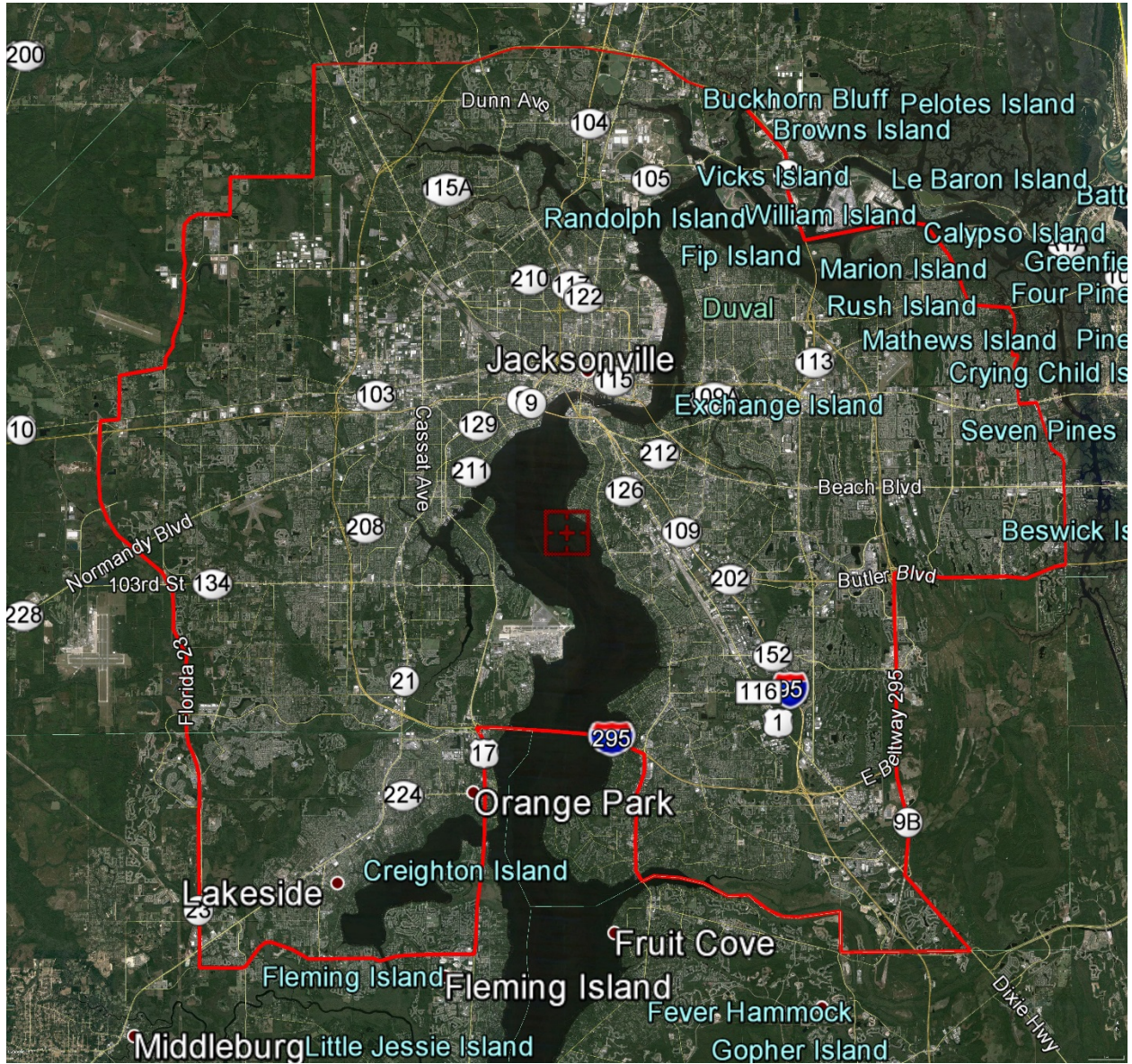


Figure 3. SAJ-90 Jacksonville Urban Growth Area (in red).



GENERAL CONDITIONS

1. The time limit for completing the work authorized ends on **August 15 , 2021**.
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 of 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.

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).

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 verification is not contrary to the public interest was made in reliance on the information you provided.
5. Reevaluation of Permit Verification Decision: This office may reevaluate its decision on this permit verification 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.

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

**Regional General Permit SAJ-90
Application Number: SAJ-XXXX-XXXXX (GP-XXX)**

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.): _____

Acreage 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

**Regional General Permit SAJ-90
Application Number: SAJ-XXXX-XXXXX (GP-XXX)**

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 Branch, Post Office Box 4970, Jacksonville, FL 32232-0019.

(TRANSFEREE-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT) (BLOCK)

(NAME-PRINTED)

(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

**Checklist For Activities Proposed To Be Authorized By
Regional General Permit SAJ-90,
Residential, Commercial, And Institutional Developments In Northeast Florida**

GENERAL INFORMATION

- A complete State (ERP) and Federal (Dredge and Fill) joint application form
- Name & address of applicant
- Name & address of applicant's agent
- Applicant's and agent's (if applicable) signatures on application
- Names and mailing addresses of adjacent property owners (include typed mailing labels for projects with more than 10 adjacent property owners)
- Description of proposed activity
- Narrative description of the total plan of development
- Narrative of the existing site conditions
- Narrative of adjacent, surrounding land uses
- List of threatened or endangered species
- Wildlife surveys that have been performed on the site
- If applicable, notification and response to previous coordination with other agencies including but not limited to: Fish & Wildlife Service, National Marine Fisheries Service, Department of State Division of Historical Resources, and the Federal Emergency Management Administration
- Written statement explaining how avoidance and minimization were achieved on the project site
- Copy or status of state permit

SITE INFORMATION

- Location of site to include street address and parcel number
- Directions to reach the site

- Parcel or project name
- Section, Township, and Range
- County
- Latitude and Longitude for center point of parcel
- Size of parcel
- Site map showing property boundaries and jurisdictional line

DRAWINGS

- Drawings of proposed activity, location map, etc.
- On 8.5-inch by 11-inch paper
- In black and white
- Numbered
- Include a graphic scale to ensure accuracy during reproduction

PLAN VIEW

- North arrow
- Pre- and post-development site drawings
- Dimensions of the property
- Dimensions of the work and fill areas to include length, width, depth, and volume
- Total plan of development to include the proposed use of uplands as well as wetlands. This should include wetland limits, buildings, open water features, parking areas, roads, other related structures, wetland impacts, and mitigation areas.
- Location of culverts under road crossings
- Indicate the relationship of the proposed work site to waters of the United States, i.e., basis of jurisdiction

- Indicate the location of cross-sectional views

CROSS-SECTIONAL VIEW

- Existing and proposed elevations
- Dimensions of the fill
- Top width, bottom width, and side slopes of road crossings to include bottom and invert elevations of culverts and the finished top elevation

COMPENSATORY MITIGATION

- Mitigation proposal, if applicable. Where the use of federal mitigation bank credits are proposed, include documentation from the Mitigation Bank sponsor indicating that the appropriate type and number of mitigation credits have been reserved.
- Detailed plan, in accordance with 33 CFR, 320.4(r), and 33 CFR, Part 332, proposing restoration, establishment, enhancement, and/or preservation, if applicable. (Development of such a mitigation plan by the applicant and subsequent review and approval by the Corps will require an extensive time commitment on both parties. These time consuming activities could significantly extend an otherwise expeditious permit decision.)
- Functional assessment data forms for the pre- and post- impact and mitigation areas
- Drawings to include location map, plan views, and cross-sectional views, if appropriate
- Latitude and Longitude for center point of mitigation area, if mitigation is not in a mitigation bank
- Pre- and post-development mitigation drawings, if appropriate.

DATA FORMS

- Minimum of two sets of data sheets (Routine Wetland Determination Form) to support the wetland delineation. See Special Condition #10.

ATTACHMENT

PRELIMINARY JURISDICTIONAL DETERMINATION FORM

BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR PRELIMINARY JURISDICTIONAL DETERMINATION (JD):

B. NAME AND ADDRESS OF PERSON REQUESTING PRELIMINARY JD:

C. DISTRICT OFFICE, FILE NAME, AND NUMBER:CESAJ-RD-NC,

**D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:
(USE THE ATTACHED TABLE TO DOCUMENT MULTIPLE WATERBODIES AT DIFFERENT SITES)**

State: County/parish/borough: City:
Center coordinates of site (lat/long in degree decimal format): Lat. °
Pick List, Long. ° **Pick List.**

Universal Transverse Mercator:

Name of nearest waterbody:

Identify (estimate) amount of waters in the review area:

Non-wetland waters: linear feet: width (ft) and/or
acres.

Cowardin Class:

Stream Flow:

Wetlands: acres.

Cowardin Class:

Name of any water bodies on the site that have been identified as Section 10 waters:

Tidal:

Non-Tidal:

E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

Office (Desk) Determination. Date:

Field Determination. Date(s):

1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site.

Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring “pre-construction notification” (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant’s acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable. This preliminary JD finds that there “*may be*” waters of the United States on the subject project site, and identifies all aquatic features on the site that could be affected by the proposed activity, based on the following information:

SUPPORTING DATA. Data reviewed for preliminary JD (check all that apply
- checked items should be included in case file and, where checked and requested, appropriately reference sources below):

- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: .
- Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 - Office concurs with data sheets/delineation report.
 - Office does not concur with data sheets/delineation report.
- Data sheets prepared by the Corps: .
- Corps navigable waters' study: .
- U.S. Geological Survey Hydrologic Atlas: .
 - USGS NHD data.
 - USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: .
- USDA Natural Resources Conservation Service Soil Survey. Citation: .
- National wetlands inventory map(s). Cite name: .
- State/Local wetland inventory map(s): .
- FEMA/FIRM maps: .
- 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): .
or Other (Name & Date): .
- Previous determination(s). File no. and date of response letter: .
- Other information (please specify): .

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.

Signature and date of
Regulatory Project Manager
(REQUIRED)

Signature and date of
person requesting preliminary JD
(REQUIRED, unless obtaining
the signature is impracticable)

SAMPLE

Site number	Latitude	Longitude	Cowardin Class	Estimated amount of aquatic resource in review area	Class of aquatic resource
1					
2					
3					
4					