

DEPARTMENT OF THE ARMY PERMIT REGIONAL GENERAL PERMIT SAJ-103

Permittee: US Army Corps of Engineers, Jacksonville District

Effective Date: 30 September 2016

Expiration Date: 30 September 2021

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

NOTE: The term "you" and its derivatives, as used in this permit, means the Permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the U.S. Army Corps of Engineers (Corps) having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

After you receive written verification for your project under this Regional General Permit (RGP) from the Corps, you are authorized to perform work in accordance with the terms and conditions specified below.

Work Authorized: The work authorized includes the discharge of dredged and fill material into non-tidal waters of the United States, including wetlands, for residential development in Holley By The Sea, a subdivision located in southern Santa Rosa County, Florida. The authorized fill is limited to the minimum amount necessary to construct a single family residence and customary appurtenant structures, with a maximum amount of fill of 0.23 acre per lot.

Special Conditions:

1. Location/Description: This permit authorizes the discharge of fill necessary to support a single family residence and customary appurtenances such as a garage, driveway, irrigation well, yard with landscaping, garden, etc. This permit does not authorize fill to accommodate or support onsite waste treatment systems (septic systems), drain field or similar or equivalent apparatus. This permit addresses work in specified portions of Section 18, Township 2 South, Range 26 West, Section 19, Township 2 South, Range 26 West, Section 3 Township 2 South Range 27 West, Section 4 Township 2 South Range 27 West, Section 10 Township 2 South Range 27 West, Section 12 Township 2 South Range 27 West, Section 13 Township 2 South Range 27 West, Section 14 Township 2 South Range 27 West, Section 15 Township 2 South Range 27 West, Section 22 Township 2 South Range 27 West, Section 24 Township 2 South Range 27 West in southern Santa Rosa County, Florida (see attached map for approximate boundaries).

PERMIT NUMBER: RGP SAJ-103

PERMITTEE: US Army Corps of Engineers, Jacksonville District

PAGE 2 of 14

2. State of Florida Authorization: Prior to the initiation of any construction, projects qualifying for Regional General Permit SAJ-103 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.

3. Reporting Address: All reports, documentation and correspondence required by the conditions of this permit shall be submitted to the following address: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, 41 North Jefferson Street, Suite 301, Pensacola, Florida 32502. The Permittee shall reference the Department of the Army (DA) file number on all submittals. The Department of the Army file number will be stated on the authorization and is in the following format SAJ-XXXX-XXXXX (GP-XXX).

4. Erosion Control: Prior to the initiation of any fill discharge authorized in accordance with Regional General Permit SAJ-103, the Permittee shall install erosion control measures along the perimeter of all work areas to prevent the displacement or erosion of fill material. Immediately after completion of the final grading of the land surface, all slopes, land surfaces, and filled areas adjacent to wetlands shall be stabilized using sod, degradable mats, or a combination of similar stabilizing materials to prevent erosion. The erosion control measures shall remain in place and be maintained until all authorized work has been completed and the site has been stabilized.

5. Retaining Wall: A permanent low elevation retaining wall will be constructed to contain and separate the fill discharge associated with the single family residence and appurtenant structures from the onsite wetlands which were avoided and will be preserved. The wall must be a minimum of 6-inches higher than the final grade of fill discharged on the lot, shall be constructed as shown on the permit drawings with filter fabric, and shall be permanently maintained by the permittee. The retaining wall must be completely constructed prior to the discharge of fill material for grading purposes.

6. Record Permit: The Permittee shall record the Department of the Army authorization with the Clerk of the Circuit Court, Registrar of Deeds or other appropriate official charged with the responsibility of maintaining records of title to or interest in real property within Santa Rosa County. Within 90 days from the date the Permittee is granted authorization, the Permittee shall provide the Corps a copy of the recorded permit which clearly shows a stamp from the appropriate official indicating the book and page at which the document is recorded and the date of recording.

PERMIT NUMBER: RGP SAJ-103

PERMITTEE: US Army Corps of Engineers, Jacksonville District

PAGE 3 of 14

7. Commencement Notification: Within 10 days of initiating any of the authorized work, the Permittee shall provide to the Corps a written notification of the date of commencement.

8. Avoidance/Preservation: The Permittee shall avoid and preserve that portion of the project site so depicted on the permit drawings. This area was avoided as part of the permit application review process and therefore will not be disturbed by any dredging, filling, mechanized land clearing, agricultural activities, or other construction work whatsoever. No heavy equipment is permitted in this area and it should be clearly marked prior to construction on the remainder of the lot in order to prevent encroachment by heavy equipment. The Corps reserves the right to deny review of any requests for future impacts to this natural area.

9. Permit Transfer: Immediately upon the sale of a lot where authorization has been granted in accordance with Regional General Permit SAJ-103, the new owner(s) shall be provided a complete copy of the Department of the Army authorization for the lot which was subject of the sale and the permit transfer form will be completed by the new owner and mailed to the Corps .

10. Conservation Easement: If a legally sufficient conservation easement over the land to be avoided and preserved under Special Condition 8 has already been recorded in accordance with a permit issued by the Florida Department of Environmental Protection (FDEP) or the Northwest Florida Water Management District (NFWFMD), the Permittee must provide the Corps a copy of the recorded easement within 30 days of being granted Department of the Army authorization in accordance with Regional General Permit SAJ-103. The Permittee must receive the Corps' approval of the recorded Conservation Easement in advance of or concurrent with the impacts authorized under SAJ-103. If applicable, the Permittee may be required to execute an amendment to the Conservation Easement in order to provide third-party beneficiary rights to the Corps to enforce the terms and conditions of the Conservation Easement.

11. Deed Restriction: If a conservation easement over the land to be avoided and preserved under Special Condition 8 has not been required by the FDEP or the NFWFMD, the Permittee shall have a legally sufficient deed restriction prepared to ensure that the onsite preservation area, as referenced in Special Condition 8, will remain in its natural state in perpetuity. These natural preserve areas will not be disturbed by any dredging, filling, land clearing, agricultural activities, planting, or other construction work whatsoever. The Permittee agrees that the only future utilization of the preserved areas in question will be as a purely natural area. The deed restriction shall cite the Department of the Army file number and reference the prohibitions set forth in Florida Statutes § 704.06(1)(a) through (h). The Permittee must receive the Corps' approval of the draft deed restriction prior to its execution. In addition, the deed restriction must be executed in advance of or concurrent with the impacts authorized

under SAJ-103. To show compliance with this condition the Permittee shall complete the following:

a. Within 30 days of being granted Department of the Army authorization under SAJ-103 and prior to any authorized work, submit to the Corps a draft deed restriction document with a legal description, survey, and scale drawings of the preserved area on the lot. The following paragraph shall be incorporated in the deed restriction:

“Rights of U.S. Army Corps of Engineers (Corps). The Corps, as a third-party beneficiary, shall have the right to enforce the terms and conditions of this Deed Restriction, including:

(1) The right to take action to preserve and protect the environmental value of the Property;

(2) The right to prevent any activity on or use of the Property that is inconsistent with the purpose of this Deed Restriction, and to require the restoration of areas or features of the Property that may be damaged by any inconsistent activity or use;

(3) The right to enter upon and inspect the Property in a reasonable manner and at reasonable times to determine if Grantor or its successors and assigns are complying with the covenants and prohibitions contained in this Deed Restriction;

(4) The right to enforce this Deed Restriction by injunction or proceed at law or in equity to enforce the provisions of this Deed Restriction and the covenants set forth herein, to prevent the occurrence of any of the prohibited activities set forth herein, and the right to require Grantor, or its successors or assigns, to restore such areas or features of the Property that may be damaged by any inconsistent activity or use or unauthorized activities; and

(5) The Grantor, including their successors or assigns, shall provide the Corps at least 60 days advance notice in writing before any action is taken to amend, alter, release, or revoke this Deed Restriction. The Grantee shall provide reasonable notice and an opportunity to comment or object to the release or amendment to the Corps. The Grantee shall consider any comments or objections from the U.S. Army Corps of Engineers when making the final decision to release or amend this Deed Restriction.”

b. Submit to the Corps title evidence for the property which is being offered for preservation, such as a title insurance commitment, to show that the Permittee has clear title to the real property and can legally place it under a Deed Restriction. Any

PERMIT NUMBER: RGP SAJ-103

PERMITTEE: US Army Corps of Engineers, Jacksonville District

PAGE 5 of 14

existing liens or encumbrances on the property that are inconsistent with the purpose of the deed restriction shall be subordinated to the Deed Restriction.

c. Within 30 days of Corps' approval of the draft deed restriction, record the deed restriction in the public records of Santa Rosa County, Florida. A certified copy of the recorded document and plat shall be forwarded to the Corps within 30 days of Corps' approval of the draft deed restriction. The Permittee shall rerecord the deed restriction every 30 years and at any other time the Corps may require to preserve the preservation of the land in perpetuity.

d. Immediately upon sale of a lot on which a deed restriction has been recorded, proof of delivery and acceptance of a copy of the recorded deed restriction to the subsequent Permittee or Permittees shall be submitted to the Corps together with notification of permit transfer referenced in Special Condition 9.

12. **Compensatory Mitigation:** Compensatory mitigation for permanent wetland impacts will be determined utilizing an approved functional assessment procedure such as the Uniform Mitigation Assessment Method (UMAM) or Wetland Rapid Assessment Procedure (WRAP) as referenced in Appendix A (attached).

13. **Credit Purchase:** Concurrent with the initiation of discharge of fill material on a lot, the permittee shall purchase wetland credit(s) from a federally approved mitigation bank, such as, but not limited to, Pensacola Bay Mitigation Bank or Garcon Point Mitigation Bank, to offset the permanent wetland impacts. The lot being filled must be located within the service area or buffer of the bank, and the bank must have the appropriate number and resource type of credits available.

14. Concurrent with the purchase of the mitigation credits, the permittee shall provide written documentation to the Corps that the credits have been purchased by the permittee and deducted from the Federal credit ledger of the federally approved, appropriately located, mitigation bank. This documentation shall include the type of credit purchased and shall be sent to both the Jacksonville District Office, Regulatory Division, Enforcement Section, Post Office Box 4970, Jacksonville, Florida 32232-0019 and to the Pensacola Regulatory Office, 41 North Jefferson Street, Suite 301, Pensacola, Florida 32502.

15. **Contractor Notification:** All contractors working on a lot on which authorization has been granted in accordance with Regional General Permit SAJ-103 shall be provided a copy of Regional General Permit SAJ-103 as well as the Department of the Army Authorization specific to the subject lot. A complete copy of these documents shall remain on site at all times during the implementation of the permitted activities.

PERMIT NUMBER: RGP SAJ-103

PERMITTEE: US Army Corps of Engineers, Jacksonville District

PAGE 6 of 14

16. Self-Certification: Within 60 days of completion of the authorized work the Permittee shall complete the attached "Self-Certification Statement of Compliance" form and submit it to the Corps. In the event that the completed work deviates, in any manner, from the authorized work, the Permittee shall describe, on the Self-Certification Form, the deviations between the work authorized by the permit and the work as constructed. Please note that the description of any deviations on the Self-Certification Form may not constitute approval of any deviations by the Corps.

17. Endangered/Threatened Species: This permit has undergone consultation with U.S. Fish and Wildlife Service (FWS) on the listed species and any designated critical habitat noted on Table 1 (attached). If the proposed activity requires additional Section 7 consultation under the Endangered Species Act with the FWS on: 1) these or any other federally listed threatened or endangered species or species proposed for Federal listing; or 2) designated critical habitat or proposed designated critical habitat for these or any other federally listed threatened or endangered species, or proposed species, then, until consultation is reinitiated and concluded, the proposed activity cannot be authorized under SAJ-103.

18. No authorization under SAJ-103 shall be granted for any project that May Affect Eastern indigo snake (*Drymarchon corais couperi*), as determined by application, to each individual project, of the most recent version of the dichotomous key titled "Eastern Indigo Snake Programmatic Effect Determination Key" dated August 13, 2013. Projects that key to a May Affect will be subject to individual consultation with the US Fish and Wildlife Service (see <http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>). Note: The Eastern Indigo Snake Key may be subject to revision at any time. It is the Corps' intention that the most recent version of this technical tool will be utilized during the evaluation of the permit application.

19. No authorization under SAJ-103 shall be granted for any project that May Affect wood stork (*Mycteria americana*), as determined by application, to each individual project, of the most recent version of the dichotomous key titled "The corps of Engineers, Jacksonville District, U. S. Fish and Wildlife Service, Jacksonville Biological Services Field Office and State of Florida Effect Determination Key for The Wood Stork in Central and North Peninsular Florida" dated September 2008, Projects that key to a May Affect will be subject to individual consultation with the US Fish and Wildlife Service (see <http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>). Note: The Wood Stork Key may be subject to revision at any time. It is the Corps' intention that the most recent version of this technical tool will be utilized during the evaluation of the permit application.

PERMIT NUMBER: RGP SAJ-103

PERMITTEE: US Army Corps of Engineers, Jacksonville District

PAGE 7 of 14

20. Area Of Fill Discharge: Fill will be limited to the minimum necessary to construct the residence with appurtenant structures. There is a maximum fill limit of 0.23 acre per lot.

21. Suitable Fill: Fill material used 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).

22. The discharge of fill material for a septic system or residential development supported by a septic system is not authorized by SAJ-103.

23. Cultural Resources/Historic Resources:

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 150' radius of the discovery and notify the Corps Pensacola Regulatory Office, Project Manager 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. A cultural resources assessment 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 within the specific project location for SAJ-103, they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 150' radius of

PERMIT NUMBER: RGP SAJ-103

PERMITTEE: US Army Corps of Engineers, Jacksonville District

PAGE 8 of 14

the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps Pensacola Regulatory Office, Project Manager, 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 the Corps.

24. The District Commander reserves the right to require that any request for authorization under this general permit be processed as an individual permit.

25. Regional General Permit SAJ-103 will be valid for a period of five years from the effective date listed above unless suspended or revoked by the District Commander prior to that date. If Regional General Permit SAJ-103 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-103 will remain in effect provided the activity is completed within 12 months of the date SAJ-103 expired or was revoked.

26. The permittee shall perform all work in accordance with the following General Conditions which apply to all Department of the Army permits.

General Conditions:

1. The time limit for completing the work authorized ends on **30 September 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 or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature and mailing address of the new owner in the space provided below, under "Further

PERMIT NUMBER: RGP SAJ-103
PERMITTEE: US Army Corps of Engineers, Jacksonville District
PAGE 9 of 14

information” item #7 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.

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.

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.

PERMIT NUMBER: RGP SAJ-103

PERMITTEE: US Army Corps of Engineers, Jacksonville District

PAGE 10 of 14

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. Re-evaluation of Permit Decision: This office may re-evaluate 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 3 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

6. Such a re-evaluation 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.

7. As noted in General Condition 4, 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.

PERMIT NUMBER: RGP SAJ-103

PERMITTEE: US Army Corps of Engineers, Jacksonville District

PAGE 11 of 14

(TRANSFEREE-SIGNATURE)

(DATE)

(NAME-PRINTED)

(ADDRESS)

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

Jason A. Kirk

9/30/16

ja

Jason A. Kirk, P.E.
Colonel, U.S. Army
District Commander

PERMIT NUMBER: RGP SAJ-103
PERMITTEE: US Army Corps of Engineers, Jacksonville District
PAGE 12 of 14

***Attachments to Department of the Army
Regional General Permit SAJ-103***

1. Table 1. LIST OF FEDERAL THREATENED, and ENDANGERED SPECIES LIKELY TO OCCUR IN SANTA ROSA COUNTY FLORIDA -1 page
2. Appendix A. Mitigation Determination for Impacts to Waters of the U.S Authorized Under Regional General Permit SAJ-103: 1 page
3. PERMIT DRAWINGS: 6 pages

PERMIT NUMBER: RGP SAJ-103

PERMITTEE: US Army Corps of Engineers, Jacksonville District

PAGE 13 of 14

Table 1.

LIST OF FEDERAL THREATENED, and ENDANGERED SPECIES LIKELY TO OCCUR IN SANTA ROSA COUNTY FLORIDA -

Compiled by the U.S. Fish and Wildlife Service - 2016 List

	Common Name	Scientific Name	FWS Status	Finding
Amphibian	Reticulated flatwoods salamander	<i>Ambystoma bishopi</i>	E (CH)	MANLAA
Bird	Piping plover	<i>Charadrius melodus</i>	T (CH)	NE
Bird	Red knot	<i>Calidris canutus rufa</i>	T	NE
Bird	Red-cockaded woodpecker	<i>Picoides borealis</i>	E	NE
Bird	Wood stork	<i>Mycteria americana</i>	T	MANLAA
Fish	Gulf sturgeon	<i>Acipenser oxyrinchus desotoi</i>	T (CH)	NE
Lichen	Perforate reindeer lichen	<i>Cladonia perforata</i>	E	NE
Mammal	West Indian manatee	<i>Trichechus manatus latirostris</i>	E	NE
Mussel	Choctaw bean	<i>Villosa choctawensis</i>	E (CH)	NE
Mussel	Fuzzy pigtoe	<i>Pleurobema strodeanum</i>	T (CH)	NE
Mussel	Narrow pigtoe	<i>Fusconaia escambia</i>	T (CH)	NE
Mussel	Round ebonyshell	<i>Fusconaia rotulata</i>	E (CH)	NE
Mussel	Southern kidneyshell	<i>Ptychobranthus jonesi</i>	E (CH)	NE
Mussel	Southern sandshell	<i>Hamiota australis</i>	T (CH)	NE
Reptile	Eastern indigo snake	<i>Drymarchon corais couperi</i>	T	MANLAA
Reptile	Green turtle	<i>Chelonia mydas</i>	E	NE
Reptile	Hawksbill turtle	<i>Eretmochelys imbricata</i>	E	NE
Reptile	Kemp's ridley turtle	<i>Lepidochelys kempii</i>	E	NE
Reptile	Leatherback turtle	<i>Dermochelys coriacea</i>	E	NE
Reptile	Loggerhead turtle	<i>Caretta</i>	T (CH)	NE

**Appendix A. Mitigation Determination for Impacts to Waters of the U.S
Authorized Under Regional General Permit SAJ-103**

Regional General Permit (RGP) SAJ-103 authorizes the minimum amount of fill necessary to construct a single family residence and customary appurtenant structures, with a maximum amount of fill of 0.23 acre per lot. In general, this amount will allow fill in waters of the U.S. on the front 100 feet of each single-family residential lot in Holley By The Sea. To avoid and minimize direct and indirect permanent impacts to the aquatic environment, the remainder of each lot will be preserved and remain natural. A low elevation retaining wall will be constructed in waters of the U.S. to separate that portion of the property to be filled from the preservation area to reduce indirect impacts. For the compensatory mitigation needed to offset the above referenced permanent impacts to the aquatic environment resulting from the discharge of fill material, the permittee will be required to purchase credits from a federally approved, appropriately located mitigation bank. A wetland functional assessment documents the ecological value of the wetland habitat to be filled. The functional assessment score of the wetland proposed for impact in combination with the acreage of the wetland impact through direct and secondary means will determine the number of mitigation bank credits required for purchase. For SAJ-103 functional assessments were completed utilizing Wetland Rapid Assessment Procedure (WRAP) and Florida Uniform Mitigation Assessment Methodology (UMAM).

A review of the assessments show a large majority of scores occur within the 0.62 – 0.72 range with 0 representing little or no ecological value and 1.0 representing high ecological value. To facilitate project evaluation the Corps proposes to utilize a standard functional assessment score of 0.62 which will consider the effect of existing and future development on ambient ecological value. In addition, for lots located in the buffer to Pensacola Bay Mitigation Bank the score will be multiplied by a modifier of 1.385 in accordance with the Department of the Army permit instrument for that bank. SAJ-103 only authorizes the discharge of fill material into wetlands or waters of the US on lots located within the subdivision and within the service area of a federally approved mitigation bank. A lot must be within the service area of a bank if credits from that bank are purchased to offset impacts on the lot.

Mitigation Bank Credit Purchase Calculation

FOR LOTS WITHIN THE DIRECT SERVICE AREA OF A BANK:

Acreage of wetland filled x 0.62 = # of credits to be purchased from federally approved Mitigation Bank.

FOR LOTS WITHIN THE BUFFER OF A BANK:

Acreage of wetland filled x 0.62 x 1.385 = # of credits to be purchased for lots in the buffer authorized for Pensacola Bay Mitigation Bank.