

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application. |
|---|-------------------|-------------------------|-----------------------------------|--------------------|---------|------------------|--------|--------|---------|--------|----------|----------|--|--|
| 1. Aids to Navigation (10) | Navigable | NA | Regional Condition #9 | No | NA | Yes ^o | | | | | | | | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S. Such permit issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1), or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities, as well as for aquaculture certificates issued by the Florida Department of Agriculture and Consumer Services under s. 597.004, by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (CZM-FL)</p> <p>2. In Florida, prior to installation of aids to navigation and other water dependent informational signs, the permittee must have the appropriate authorization required from the U.S. Coast Guard and the Florida Fish and Wildlife Conservation Commission. (CZM-FL)</p> <p>3. Aids to navigation may not be located on tribal lands or in tribal waters without prior written approval from the Seminole Tribe of Florida. (WQC-STF)</p> <p>4. Excluded from all navigable waters within the boundaries of the Florida Keys National Marine Sanctuary, except when NWP 1 is used by the Sanctuary in carrying out its mandate. (COE)</p> <p>5. Excluded within the boundaries of Designated Marine Reserves, Marine Protected Areas, or Parks in the Antilles, except when used within those areas by the local or federal agency responsible for the management of those areas. (COE)</p> <p>6. In Florida and Puerto Rico, for projects in WOTUS accessible to manatees, the permittee shall utilize the "Standard Manatee Conditions For In-Water Work" (see http://www.sai.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> <p>7. For projects in WOTUS accessible to sea turtles, smalltooth sawfish, Gulf sturgeon, or shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.sai.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> <p>8. In the Jacksonville District placement of aids to navigation cannot cause adverse impacts to coral assemblages. (COE)</p> <p>9. PCN required in the Antilles in designated critical habitat for <i>Acropora</i> spp. (COE)</p> <p>10. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE)</p> |
| 2. Structures in Artificial Canals (10) | Artificial Canals | NA | Regional condition #8 | No | NA | Yes ^o | | | | | | | | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued by the Department of</p> |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application. |
|---------------------------|-------------------|-------------------------------|--|--------------------------------------|------------------|------------------|--------|--------|---------|--------|----------|----------|--|---|
| | | | | | | | | | | | | | | 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (CZM-FL) 2. A structure may not be located on tribal lands or in tribal waters without prior written approval from the Seminole Tribe of Florida. (WQC-STF) 3. Structures are limited to private, single-family docks/piers, and/or mooring pilings, davits and boat lifts on lands owned by the Seminole Tribe of Florida. (WQC-STF) 4. Excluded from all navigable waters within the boundaries of the Florida Keys. (COE) 5. In Florida, other than the Florida Keys, this NWP is limited to the installation and removal of individual, single family docks/piers and/or mooring pilings, davits, and boat lifts at single-family residences. (COE) 6. All dock or pier construction over submerged aquatic vegetation, marsh, and/or mangroves shall comply with the joint U.S. Army Corps of Engineers/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat - August 2001," and where applicable, the "Key for Construction Conditions for Docks or Other Minor Structures Constructed in or Over Johnson's seagrass (<i>Halophila johnsonii</i>) National Marine Fisheries Service/U.S. Army Corps of Engineers - February 2002." (See http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) (COE) 7. For projects in WOTUS accessible to sea turtles, smalltooth sawfish, Gulf sturgeon, or shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE) 8. In Florida and Puerto Rico, PCN required for projects in waters accessible to manatees. (COE) 9. PCN in Puerto Rico shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE) |
| 3. Maintenance (10/404) | All | 200 linear ft from structure; | All activities except repair, replacement or rehab; Regional conditions #4, #5, #6, #8, #9; GC #22 | If over ½ acre of WOTUS will be lost | Yes ⁹ | Yes ⁹ | | | | | | | 22. Activities in Designated Critical Resource Waters ³ and/or their adjacent wetlands require notification. | 1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S. Such permit issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1), or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities, as well as for aquaculture certificates issued by the Florida Department of Agriculture and Consumer Services under s. 597.004, by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL) 2. In Florida any structure replaced or repaired in accordance with an emergency order issued by the Governor of Florida or the Secretary of the Department of Environmental Protection is subject to full compliance with the terms of the order. (WQC/CZM-FL) |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application. |
|--|-------------------|-------------------------|-----------------------------------|--------------------------------------|------------------|------------------|--------|--------|---------|--------|----------|----------|---|--|
| | | | | | | | | | | | | | | <p>3. Excluded from use in the Antilles if the structure is within 100 feet of the near edge of a Federal channel. (COE)</p> <p>4. In Florida PCN required for projects proposed adjacent to Federally maintained channels. No structures, including mooring piles, authorized under this Nationwide Permit shall be within the established 100' setback, calculated from the near bottom edge of the channel. The setback may vary between different Federal channels and between specific reaches of the same Federal channel. Exact locations of the proposed work may be verified by use of Florida State Plane Coordinate System (XY coordinates). Any activity within Federal rights-of-way may require the permittee to enter into a consent-to-easement with the Real Estate Division, U.S. Army Corps of Engineers, Jacksonville or Mobile District, as appropriate, prior to the commencement of any construction activity. (COE)</p> <p>5. PCN required prior to start of any work in the Florida Keys, any activity proposed within submerged aquatic vegetation, tidal wetlands, and/or coral assemblages anywhere in the Jacksonville District, or any work located in the Coastal Zone of the Antilles, including the areas listed in Notes 1 and 2 below. The PCN shall be submitted in accordance with General Condition 31. (COE)</p> <p>6. For all work in La Parguera area and Culebra Island, in the Commonwealth of Puerto Rico, the permittee must submit a PCN to the District Engineer prior to commencing the activity, in accordance with General Condition 31. Reconstruction of structures within La Parguera will not be allowed under this nationwide permit. (COE)</p> <p>7. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE)</p> <p>8. In Florida and Puerto Rico, PCN required for projects in waters accessible to manatees. (COE)</p> <p>9. In Florida, PCN required for projects proposed within critical habitat for the smalltooth sawfish. (COE)</p> <p>10. For projects in WOTUS accessible to sea turtles, smalltooth sawfish, Gulf sturgeon, or shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> |
| 4. Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities (10/404) | All | None | Regional Condition #5 | If over ½ acre of WOTUS will be lost | Yes ^o | Yes ^o | | | | | | | | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S. Such permit issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1), or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities, as well as for aquaculture certificates issued by the Florida Department of Agriculture and Consumer Services under s. 597.004, by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL)</p> <p>2. Dredging of sediments is not authorized (except if approved under Condition 1), except for recreational, commercial, aquaculture broodstock collection, scientific research, education, and exhibition harvesting activities authorized pursuant to Chapter 379, F.S., and/or Title 68, Florida Administrative Code. (WQC/CZM-FL)</p> <p>3. In Florida, aquaculture projects must be certified pursuant to s. 597.004, F.S., and if applicable, have obtained a submerged land lease pursuant to Chapter 253, F.S. (WQC/CZM-FL)</p> <p>4. In Florida and the adjacent EEZ, the placement of any type of surface or subsurface fish aggregating devices (FADs) is prohibited for all but research purposes. (WQC/CZM-FL)</p> <p>5. In Florida and Puerto Rico, PCN required for structures proposed in waters accessible to manatees. (COE)</p> |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application. |
|--|-------------------|-------------------------|-----------------------------------|--------------------------------------|------------------|------------------|--------|--------|---------|--------|----------|----------|---|--|
| | | | | | | | | | | | | | | <p>6. Placement of materials for Live Rock culture and the harvesting of Live Rock are excluded from this nationwide. (COE)</p> <p>7. For projects in WOTUS accessible to sea turtles, smalltooth sawfish, Gulf sturgeon, or shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> <p>8. Excluded from use in the Florida Keys for proposed structures. (COE)</p> <p>9. PCN in Puerto Rico shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE)</p> |
| 5. Scientific Measurement Devices (10/404) | All | 25cy for weirs & flumes | None | If over ½ acre of WOTUS will be lost | Yes ^o | Yes ^o | | | | | | | | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S. Such permit issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1), or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities, as well as for aquaculture certificates issued by the Florida Department of Agriculture and Consumer Services under s. 597.004, by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL)</p> <p>2. In Florida and the adjacent EEZ to Florida, this NWP is excluded from use for any activity in, anchored or otherwise affixed in, or in proximity to live/hard-bottom communities or NOAA-designated coral or deepwater coral Habitat Areas of Particular Concern (HAPC). (WQC/CZM-FL)</p> <p>3. The maximum size of the measurement device and associated structures shall not exceed 1000 sq. feet, and the structure shall be used exclusively for purposes associated with scientific measurement unless authorized by the applicable permit under Condition 1. (WQC/CZM-FL)</p> <p>4. A structure may not be located on tribal lands or in tribal waters without prior written approval from the Seminole Tribe of Florida. (WQC-STF)</p> <p>5. A structure may not be located on the sea bed of the Florida Keys without prior approval from NOAA Florida Keys National Marine Sanctuary. (COE)</p> <p>6. For projects in WOTUS accessible to sea turtles, smalltooth sawfish, Gulf sturgeon, or shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> <p>7. In Florida and Puerto Rico, for projects in WOTUS accessible to manatees, the permittee shall utilize the "Standard Manatee Conditions For In-Water Work" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> |
| 6. Survey Activities (10/404) | All | None | Regional Condition #8 | If over ½ acre of WOTUS will be lost | Yes ^o | Yes ^o | | | | | | | | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S. Such permit issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an</p> |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements : | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application. |
|---|-------------------|-------------------------|-------------------------------------|--------------------------------------|------------------|------------------|--------|--------|---------|--------|----------|----------|--|--|
| | | | | | | | | | | | | | | <p>exemption under s. 403.813(1), or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities, as well as for aquaculture certificates issued by the Florida Department of Agriculture and Consumer Services under s. 597.004, by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL)</p> <p>2. Seismic exploratory devices are not authorized within the limits of the Everglades as defined in Sections 403.031(13)(a) and (b), F.S., and the Big Cypress and Water Conservation Areas 1, 2A, 2B, 3 and 3A. (WQC/CZM-FL)</p> <p>3. Activities involving surveying for oil and gas exploration or production shall be performed in accordance with an applicable permit from DEP's Bureau of Mining and Minerals Regulation. (WQC/CZM-FL)</p> <p>4. No survey may be located on tribal lands or in tribal waters without prior written approval from the Seminole Tribe of Florida. (WQC-STF)</p> <p>5. Seismic exploratory activities on tribal lands or in tribal waters are not authorized without prior written approval from the Seminole Tribe of Florida. (WQC-STF)</p> <p>6. Survey activities on tribal lands or in tribal waters using ground penetrating radar are not authorized without prior written approval from the Seminole Tribe of Florida. (WQC-STF)</p> <p>7. Survey activities on tribal lands or in tribal waters using isotope technology are not authorized. (WQC-STF)</p> <p>8. In the Jacksonville District, PCN required for seismic exploratory activities in WOTUS accessible to manatees, Gulf sturgeon, shortnose sturgeon, swimming sea turtles, smalltooth sawfish, or whales. (COE)</p> <p>9. For projects in WOTUS accessible to sea turtles, smalltooth sawfish, Gulf sturgeon, or shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> <p>10. A structure may not be located on the sea bed of the Florida Keys without prior approval from NOAA Florida Keys National Marine Sanctuary. (COE)</p> <p>11. In Florida and Puerto Rico, for projects in WOTUS accessible to manatees, the permittee shall utilize the "Standard Manatee Conditions For In-Water Work" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> |
| 7. Outfall Structures and Associated Intake Structures (10/404) | All | None | All activities | If over ½ acre of WOTUS will be lost | Yes ⁹ | Yes ⁹ | | | | | | | 22. Discharges not authorized in Designated Critical Resource Waters ³ and/or their adjacent wetlands. | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S. Such permit issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1), or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities, as well as for aquaculture certificates issued by the Florida Department of Agriculture and Consumer Services under s. 597.004, by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL)</p> <p>2. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct</p> |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions |
|---|---|-------------------------|------------------------------------|--------------------|---------|------------------|--------|--------|---------|--------|----------|----------|--|---|
| | | | | | | | | | | | | | | <p>NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application.</p> <p>2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE).</p> <p>3. In the Antilles, this NWP is excluded from use in coral assemblages, forested wetlands, salt flats, and/or submerged aquatic or tidal vegetation. (COE)</p> <p>4. For projects in WOTUS accessible to sea turtles, smalltooth sawfish, Gulf sturgeon, or shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.sai.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> <p>5. In Florida and Puerto Rico, for projects in WOTUS accessible to manatees, the permittee shall utilize the "Standard Manatee Conditions For In-Water Work" (see http://www.sai.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> |
| 8. Oil and Gas Structures on the Outer Continental Shelf (10) | Navigable | None | All activities | No | NA | No | | | | | | | 22. Activities in Designated Critical Resource Waters ³ and/or their adjacent wetlands require notification. | <p>1. For Outer Continental Shelf oil and gas activities that affect Florida, this NWP is not applicable until the state has made its final CZCC decision. (CZM-FL)</p> <p>2. In Florida, any construction, alteration, repair, removal or abandonment of any transportation or distribution activities or works located within the waters of Florida associated with oil or gas exploration under this NWP must be authorized, prior to construction, by the applicable permit under Part IV of Chapter 373, F.S., by the DEP, a WMD under Section 373.069, F.S., or a local government with delegated authority under Section 373.441, F.S., and receive applicable 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. (CZM-FL)</p> |
| 9. Structures in Fleeting and Anchorage Areas (10) | Areas established by the US Coast Guard | None | None | No | NA | Yes ⁶ | | | | | | | | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (CZM-FL)</p> <p>2. A structure may not be located on tribal lands or in tribal waters without prior written approval from the Seminole Tribe of Florida. (WQC-STF)</p> <p>3. In Florida and Puerto Rico, for projects in WOTUS accessible to manatees, the permittee shall utilize the "Standard Manatee Conditions For In-Water Work" (see http://www.sai.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> <p>4. For projects in WOTUS accessible to sea turtles, smalltooth sawfish, Gulf sturgeon, or shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.sai.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> |
| 10. Mooring Buoys (10) | Navigable | None | Regional Conditions #2, #3; GC #22 | No | NA | Yes ⁶ | | | | | | | 22. Activities in Designated Critical Resource Waters ³ and/or their adjacent wetlands require notification. | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S. Such permit issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an</p> |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application. |
|--|-------------------|-------------------------|-----------------------------------|--------------------|------------------|------------------|--------|--------|---------|--------|----------|----------|---|---|
| | | | | | | | | | | | | | | <p>exemption under s. 403.813(1), or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities, as well as for aquaculture certificates issued by the Florida Department of Agriculture and Consumer Services under s. 597.004, by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (CZM-FL)</p> <p>2. PCN required prior to the start of any activity proposed within submerged aquatic vegetation, tidal wetlands, and/or coral assemblages. (COE)</p> <p>3. PCN required for all activities in the Antilles. (COE)</p> <p>4. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE)</p> <p>5. A structure may not be located on the sea bed of the Florida Keys without prior approval from NOAA Florida Keys National Marine Sanctuary. (COE)</p> <p>6. For projects in WOTUS accessible to sea turtles, smalltooth sawfish, Gulf sturgeon, or shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> <p>7. In Florida and Puerto Rico, for projects in WOTUS accessible to manatees, the permittee shall utilize the "Standard Manatee Conditions For In-Water Work" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> |
| 11. Temporary Recreational Structures (10) | Navigable | None | Regional Condition #2 | No | NA | Yes ⁶ | | | | | | | | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (CZM-FL)</p> <p>2. In Florida and Puerto Rico, PCN required for projects in waters accessible to manatees. (COE)</p> <p>3. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE)</p> <p>4. For projects in WOTUS accessible to sea turtles, smalltooth sawfish, Gulf sturgeon, or shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> <p>5. A structure may not be located on the sea bed of the Florida Keys without prior approval from NOAA Florida Keys National Marine Sanctuary. (COE)</p> <p>6. Excluded within the boundaries of Designated Marine Reserves, Marine Protected Areas, or Parks in the Antilles, except when used within those areas by the local or federal agency responsible for the management of those areas. (COE)</p> |
| 12. Utility | Non-tidal | ½ acre | 1/10 acre; or | If over ½ | Yes ⁶ | Yes ⁶ | | | | | | | 22. Discharges not | 1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions |
|---------------------------|---|-------------------------|--|-----------------------------|---------|--------|--------|--------|---------|--------|----------|----------|---|---|
| Line Activities (10/404) | only, (also excludes all wetlands adjacent to tidal waters) Substations and all access roads. <u>All waters</u> Utility lines and foundations for overhead utility line towers, poles, and anchors. | | Section 10; Regional Conditions #2, #5, #6, #7, #12, #13 | acre of WOTUS will be lost. | | | | | | | | | Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | <p>NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application.</p> <p>exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL)</p> <p>2. For water intake projects in Puerto Rico, the permittee must submit a PCN to the District Engineer prior to commencing the activity, in accordance with General Condition 31. The PCN must contain plans and drawings, a description of all WOTUS impacted by the project, amount of water to be withdrawn in MGDs, and minimum in-stream flows in MGDs after water extraction, Q99. (COE)</p> <p>3. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE)</p> <p>4. In the Antilles, this NWP is excluded from use in forested wetlands, submerged aquatic vegetation, tidal wetlands, and/or coral assemblages. (COE)</p> <p>5. In Florida, PCN required prior to the start of any activity proposed within submerged aquatic vegetation, tidal wetlands, and/or coral assemblages. (COE)</p> <p>6. PCN required for projects in the following rivers, creeks, and their tributaries: Escambia River, Yellow River, Choctawhatchee River, Chipola River, Apalachicola River, Ochlockonee River, Santa Fe and New Rivers, and Econfina Creek. (COE)</p> <p>7. In Florida, PCN required for projects in WOTUS accessible to the Florida panther. (COE)</p> <p>8. Aerial transmission lines must meet the U.S. Army Corps of Engineers clearance criteria as described in 33 CFR, Part 322.5(i)(1), (2), (3), and (4). (COE)</p> <p>9. Excluded from use in or under all Federal channels with design depths greater than 14 feet.(COE)</p> <p>10. In the Jacksonville District, all subaqueous utility and/or transmission lines authorized by this general permit must be installed a minimum of 14 feet below the authorized depth of any Federal channel it crosses. The 14-foot criterion applies to the entire authorized width of the channel, plus a minimum of 25 feet outside the channel edges to allow for maintenance of the side slopes. (COE)</p> <p>11. Where the proposed subaqueous utility or transmission line is to be installed in navigable waters of the United States, at least two weeks prior to the start of the authorized work, the permittee must notify the National Oceanic Atmospheric Administration (NOAA) and the Corps' office in writing that the work is commencing, and again upon completion of the work. The permittee shall notify the District Engineer at the letterhead address, attention Regulatory Division, and NOAA, at Nautical Data Branch N/CS26, Station 7317, 1315 East-West Highway, Silver Spring, MD 20910-3282. This notification shall include "as-built plans," signed and sealed by a registered surveyor/engineer licensed in the State of Florida, Commonwealth of Puerto Rico, or Territory of U.S. Virgin Islands, as appropriate, that certify the project is constructed as authorized, and must include an accurate (within plus or minus 1 foot) depiction of the location and configuration of the completed activity in relation to the mean high water of the navigable water. (COE)</p> <p>12. In Florida and Puerto Rico, PCN required for projects in waters accessible to manatees. (COE)</p> <p>13. In Florida, PCN required for projects proposed within critical habitat for the smalltooth sawfish. (COE)</p> <p>14. For projects in WOTUS accessible to sea turtles, smalltooth sawfish, Gulf sturgeon, or shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see</p> |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application. |
|---|----------------------------------|--|--|---------------------------------------|------------------|------------------|--------|--------|---------|--------|----------|----------|---|---|
| | | | | | | | | | | | | | | http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm and/or requirements, as appropriate for the proposed activity. (COE) 15. A structure may not be located on the sea bed of the Florida Keys without prior approval from NOAA Florida Keys National Marine Sanctuary. (COE) |
| 13. Bank Stabilization (10/404) | All | 500 ft length; 1cy/ft below OHWM or high tide line | 500 ft length; or 1cy/ft below OHWM or high tide line; Project located in a special aquatic site; Regional Conditions #3, #6, #7, #8, #9; GC #22 | If over ½ acre of WOTUS will be lost; | Yes ⁶ | Yes ⁶ | | | | | | | 22. Activities in Designated Critical Resource Waters ³ and/or their adjacent wetlands require notification. | 1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S. Such permit issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1), or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities, as well as for aquaculture certificates issued by the Florida Department of Agriculture and Consumer Services under s. 597.004, by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL) 2. Excluded from use in the Florida Keys. (COE) 3. PCN required for all activities under this NWP in the Antilles. (COE) 4. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE) 5. Excluded from use in the Antilles if the structure is within 100 feet of the near edge of a Federal channel (COE) 6. In Florida, PCN required for projects proposed adjacent to Federally maintained channels. No structures, including mooring piles, authorized under this Nationwide Permit shall be within the established 100' setback, calculated from the near bottom edge of the channel. The setback may vary between different Federal channels and between specific reaches of the same Federal channel. Exact locations of the proposed work may be verified by use of Florida State Plane Coordinate System (XY coordinates). Any activity within Federal rights-of-way may require the permittee to enter into a consent-to-easement with the Real Estate Division, U.S. Army Corps of Engineers, Jacksonville or Mobile District, as appropriate, prior to the commencement of any construction activity. (COE) 7. PCN required for projects in the following rivers, creeks, and their tributaries: Escambia River, Yellow River, Shoal River, Choctawhatchee River, Chipola River, Apalachicola River, Ochlockonee River, Santa Fe and New Rivers, and Econfina Creek. (COE) 8. In Florida, PCN required for projects proposed within critical habitat for the smalltooth sawfish. (COE) 9. In Florida and Puerto Rico, PCN required for projects in waters accessible to manatees. (COE) 10. For projects in WOTUS accessible to sea turtles, smalltooth sawfish, Gulf sturgeon, or shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE) |
| 14. Linear Transportation Projects (10/404) | Non-tidal waters Tidal Waters | ½ acre 1/3 acre | 1/10 acre; or Discharges into special aquatic sites; Regional Conditions #3, | If over ½ acre of WOTUS will be lost | Yes ⁶ | Yes ⁶ | | | | | | | 22. Discharges not authorized in Designated Critical Resource Waters ³ and/or their adjacent wetlands. | 1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application. |
|---|-------------------|-------------------------|------------------------------------|--------------------|------------------|------------------|--------|--------|---------|--------|----------|----------|--|--|
| | | | #6, #7, #8, #10 | | | | | | | | | | | <p>under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL)</p> <p>2. In the Antilles, this NWP is excluded from use in forested wetlands, submerged aquatic vegetation, coral assemblages, and/or tidal wetlands. (COE)</p> <p>3. PCN required for all projects in the Antilles and shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE)</p> <p>4. Excluded from use in the Belle Meade South bounded by I-75 to the north, CR 951 to the west, Miller Canal to the east, and U.S. 41 to the south in Collier County, FL. (COE)</p> <p>5. Excluded from use in Golden Gate Estates, south of Alligator Alley in Collier County. This NWP may apply up to the 1/2 acre limit within Golden Gate Estates north of Alligator Alley. (COE)</p> <p>6. In Florida, PCN required for projects in WOTUS accessible to the Florida panther. (COE)</p> <p>7. In Florida, PCN required for projects in waters accessible to manatees. (COE)</p> <p>8. In Florida, PCN required for projects proposed within critical habitat for the smalltooth sawfish (COE)</p> <p>9. For projects in WOTUS accessible to sea turtles, smalltooth sawfish, Gulf sturgeon, or shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> <p>10. PCN required for projects in the following rivers, creeks, and their tributaries: Escambia River, Yellow River, Shoal River, Choctawhatchee River, Chipola River, Apalachicola River, Ochlockonee River, Santa Fe and New Rivers, and Econfina Creek. (COE)</p> <p>11. Excluded from use in the Florida Keys. (COE)</p> |
| 15. U.S. Coast Guard Approved Bridges (404) | All | None | Regional Conditions #3, #4; GC #22 | No | Yes ⁶ | Yes ⁶ | | | | | | | 22. Activities in Designated Critical Resource Waters ³ and/or their adjacent wetlands require notification. | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL)</p> <p>2. In the Antilles, this NWP is excluded from use in forested wetlands, submerged aquatic vegetation, coral assemblages, and/or tidal wetlands. (COE)</p> <p>3. PCN required for all projects in the Antilles and shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE)</p> <p>4. In Florida, PCN required for projects in waters accessible to manatees. (COE)</p> |
| 16. Return Water from Upland Contained | All | None | None | No | | | | | | | | | 22. Discharges not authorized in Designated Critical Resource Waters ³ | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued by the Department of Environmental Protection, a water management district under s. 373.069, F.S., or a local government with delegated authority</p> |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions |
|-------------------------------|--|---|--|--------------------------------------|------------------|------------------|--------|--------|---------|--------|----------|----------|--|---|
| Disposal Areas (404) | | | | | | | | | | | | | and/or their adjacent wetlands. | NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application. under s. 373.441, F.S., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL) 2. In the Antilles, this NWP is excluded from use in forested wetlands, submerged aquatic vegetation, tidal vegetation, and/or coral assemblages. (COE) |
| 17. Hydropower Projects (404) | existing reservoirs, project licensed by FERC Project w/ FERC exemption | total generating capacity < 5000KW None | All activities | If over ½ acre of WOTUS will be lost | Yes ⁹ | Yes ⁹ | | | | | | | 22. Discharges not authorized in Designated Critical Resource Waters ³ and/or their adjacent wetlands. | 1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL) 2. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE) 3. Excluded from use in the Florida Keys. (COE) |
| 18. Minor Discharges (10/404) | All | Discharge does not exceed 25 cy below MHWM or OHWM; 1/10 acre | 10 cy below OHWM or high tide line; Any fill in special aquatic site; Regional Conditions #2, #6, #7, #8; GC #22 | If over ½ acre of WOTUS will be lost | Yes ⁹ | Yes ⁹ | | | | | | | 22. Activities in Designated Critical Resource Waters ³ and/or their adjacent wetlands require notification. | 1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S. Such permit issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1), or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities, as well as for aquaculture certificates issued by the Florida Department of Agriculture and Consumer Services under s. 597.004, by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL) 2. In the Antilles PCN required for all activities proposed in the areas listed below in Notes 1 and 2. (COE) 3. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE) 4. In the Antilles, this NWP is excluded from use in forested wetlands, submerged aquatic vegetation, tidal wetlands, and/or coral assemblages. (COE) 5. Excluded from use in the Florida Keys. (COE) 6. In Florida, PCN required for projects proposed within critical habitat for the smalltooth sawfish. (COE) 7. In Florida, PCN required for projects in WOTUS accessible to the Florida panther. (COE) |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions |
|---|-------------------|-------------------------|--|--|------------------|------------------|--------|--------|---------|--------|----------|----------|--|--|
| | | | | | | | | | | | | | | <p>NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application.</p> <p>8. In Florida and Puerto Rico, PCN required for projects in waters accessible to manatees. (COE)</p> <p>9. For projects in WOTUS accessible to sea turtles, smalltooth sawfish, Gulf sturgeon, or shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> |
| 19. Minor Dredging (10/404) | Navigable | 25 cy below OHWM / MHW | Regional Conditions #2, #5, #6, #8; GC #22 | No | Yes ⁹ | Yes ⁹ | | | | | | | 22. Activities in Designated Critical Resource Waters ³ and/or their adjacent wetlands require notification. | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S. Such permit issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1), or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities, as well as for aquaculture certificates issued by the Florida Department of Agriculture and Consumer Services under s. 597.004, by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL)</p> <p>2. PCN required for all projects in the Antilles and shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE)</p> <p>3. Excluded from use in the Florida Keys. (COE)</p> <p>4. In the Antilles, this NWP is excluded from use in forested wetlands, submerged aquatic vegetation, tidal wetlands, and/or coral assemblages. (COE)</p> <p>5. In Florida, PCN required for projects in waters accessible to manatees. (COE)</p> <p>6. In Florida, PCN required for projects proposed within critical habitat for the smalltooth sawfish. (COE)</p> <p>7. For projects in WOTUS accessible to sea turtles, Smalltooth sawfish, Gulf sturgeon, or Shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> <p>8. PCN required for projects in the following rivers, creeks, and their tributaries: Escambia River, Yellow River, Shoal River, Choctawhatchee River, Chipola River, Apalachicola River, Ochlockonee River, Santa Fe and New Rivers, and Econfina Creek. (COE)</p> <p>9. Hopper dredging is not allowed under this NWP. (COE)</p> |
| 20. Oil Spill Cleanup (10/404) | All | None | None | No | Yes ⁹ | Yes ⁹ | | | | | | | | 1. In Florida, activities authorized under this NWP shall be conducted in conformance with the National Response Team Integrated Contingency Plan Guidance, available at 1-800-424-9346 and in conformance with any applicable emergency order for oil spill or hazardous waste control, clean-up, and recovery/restoration issued by the DEP. (WQC/CZM-FL) |
| 21. Surface Coal Mining Operations (10/404) | All | None | All activities | If over ½ acre of WOTUS will be lost; if more than 300 linear feet of intermittent | NAJ | NAJ | | | | | | | 22. Discharges not authorized in Designated Critical Resource Waters ³ and/or their adjacent wetlands. | NONE. COAL MINING DOES NOT OCCUR IN THE JACKSONVILLE DISTRICT |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application. |
|--|-------------------|-------------------------|--|--|------------------|------------------|--------|--------|---------|--------|----------|----------|--|--|
| | | | | or ephemeral stream bed will be impacted | | | | | | | | | | |
| 22. Removal of Vessels (10/404) | All | None | Vessels listed/ or eligible for NRHP; activity in special aquatic sites; regional condition #2, #6; GC #22 | If over ½ acre of WOTUS will be lost | Yes ⁹ | Yes ⁹ | | | | | | | 22. Activities in Designated Critical Resource Waters ³ and/or their adjacent wetlands require notification. | 1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S. Such permit issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1), or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities, as well as for aquaculture certificates issued by the Florida Department of Agriculture and Consumer Services under s. 597.004, by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL) 2. In Florida and the Antilles, PCN required prior to use in forested wetlands, submerged aquatic vegetation, tidal wetlands, and/or coral assemblages. (COE) 3. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE) 4. For projects in WOTUS accessible to sea turtles, smalltooth sawfish, Gulf sturgeon, or shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE) 5. In Florida and Puerto Rico, for projects in WOTUS accessible to manatees, the permittee shall utilize the "Standard Manatee Conditions For In-Water Work" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE) 6. PCN required if the activity is proposed within designated critical habitat for any federally listed species.(COE) |
| 23. Approved Categorical Exclusions (10/404) | All | None | Those stipulated by the CatExs themselves; GC #22 | If stipulated by the CatExs themselves ; | Yes ⁹ | Yes ⁹ | | | | | | | 22. Activities in Designated Critical Resource Waters ³ and/or their adjacent wetlands require notification. | 1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S. Such permit issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1), or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities, as well as for aquaculture certificates issued by the Florida Department of Agriculture and Consumer Services under s. 597.004, by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL) 2. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application. |
|---|-------------------|-------------------------|--|--------------------------------------|------------------|------------------|--------|--------|---------|--------|----------|----------|--|--|
| | | | | | | | | | | | | | | 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE) 3. For projects in WOTUS accessible to sea turtles, smalltooth sawfish, Gulf sturgeon, or shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE) 4. In Florida and Puerto Rico, for projects in WOTUS accessible to manatees, the permittee shall utilize the "Standard Manatee Conditions For In-Water Work" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE) |
| 24. Indian Tribe or State Administered Section 404 Programs (10) | All | None | None | No | NAJ | NAJ | | | | | | | | NONE. NO TRIBAL OR STATE ASSUMPTION HAS OCCURRED YET IN THE JACKSONVILLE DISTRICT. |
| 25. Structural Discharges (404) | All | None | Regional Condition #2; GC #22 | No | Yes ⁶ | Yes ⁶ | | | | | | | 22. Activities in Designated Critical Resource Waters ³ and/or their adjacent wetlands require notification. | 1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL) 2. PCN required for all projects in the Antilles and shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE) 3. For projects in WOTUS accessible to sea turtles, smalltooth sawfish, Gulf sturgeon, or shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE) 4. In Florida and Puerto Rico, for projects in WOTUS accessible to manatees, the permittee shall utilize the "Standard Manatee Conditions For In-Water Work" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE) |
| 26. [Reserved] | | | | | | | | | | | | | | |
| 27. Aquatic Habitat Restoration, Establishment, and Enhancement Activities (10/404) | All | None | All activities except those undertaken with USFWS, NRCS, FSA, NMFS, NOS, or OSM in accordance with the | If over ½ acre of WOTUS will be lost | Yes ⁶ | Yes ⁶ | | | | | | | 22. Activities in Designated Critical Resource Waters ³ and/or their adjacent wetlands require notification. | 1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S. Such permit issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1), or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities, as well as for aquaculture certificates issued by the Florida Department of Agriculture and Consumer Services under s. 597.004, |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions |
|--|--|---|------------------------------------|--|------------------|------------------|--------|--------|---------|--------|----------|----------|--|--|
| | | | notification requirement; GC #22 | | | | | | | | | | | <p>NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application.</p> <p>by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL)</p> <p>2. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE)</p> <p>3. Lake restoration projects proposing any type of in-lake disposal of dredged or fill material are excluded from use of this permit. (COE)</p> <p>4. Except when used by the Sanctuary for restoration work within the Sanctuary as noted in regional condition #5 below, projects proposing restoration of submerged aquatic vegetation are excluded from this permit. (COE)</p> <p>5. Excluded from all navigable waters within the boundaries of the Florida Keys National Marine Sanctuary, except when NWP 27 is used by the Sanctuary for restoration work within the Sanctuary. (COE)</p> |
| 28. Modifications of Existing Marinas (10) | Navigable | None | Regional Conditions #3, #5; GC #22 | No | NA | Yes ^o | | | | | | | 22. Activities in Designated Critical Resource Waters ³ and/or their adjacent wetlands require notification. | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (CZM-FL)</p> <p>2. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE)</p> <p>3. In Florida and Puerto Rico, PCN required for projects in waters accessible to manatees. (COE)</p> <p>4. For projects in WOTUS accessible to sea turtles, Smalltooth sawfish, Gulf sturgeon, or Shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> <p>5. PCN is required prior to the start of any activity proposed within submerged aquatic vegetation, tidal wetlands, and/or coral assemblages. (COE)</p> <p>6. Excluded from use in the Florida Keys. (COE)</p> |
| 29. Residential Developments (10/404) | Non-tidal, excluding all wetlands adjacent to tidal waters | 1/2 acre; 300 linear feet of stream bed | All activities | If over 1/2 acre of WOTUS will be lost ; if more than 300 linear feet of intermittent or ephemeral | Yes ^o | Yes ^o | | | | | | | 22. Discharges not authorized in Designated Critical Resource Waters ³ and/or their adjacent wetlands. | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL)</p> |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions |
|---|-------------------|--|-----------------------------------|--------------------------------------|------------------|------------------|--------|--------|---------|--------|----------|----------|--|--|
| | | | | stream bed will be lost | | | | | | | | | | <p>NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application.</p> <p>2. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE)</p> <p>3. Excluded from use in forested wetlands in the Antilles. (COE)</p> <p>4. Excluded from use in the Florida Keys. (COE)</p> <p>5. Excluded from use in Golden Gate Estates, south of Alligator Alley in Collier County. This NWP may apply up to the 1/2 acre limit within Golden Gates Estates north of Alligator Alley. (COE)</p> <p>6. Excluded from use in the Belle Meade South bounded by I-75 to the north, CR 951 to the west, Miller Canal to the east, and U.S. 41 to the south in Collier County, FL. (COE)</p> |
| 30. Moist Soil Management for Wildlife (404) | Non-tidal | None | GC #22 | If over ½ acre of WOTUS will be lost | Yes ^o | Yes ^o | | | | | | | 22. Activities in Designated Critical Resource Waters ³ and/or their adjacent wetlands require notification. | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL)</p> <p>2. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE)</p> |
| 31. Maintenance of Existing Flood Control Facilities (10/404) | All | Projects previously permitted by, or built by the Corps. | All activities | If over ½ acre of WOTUS will be lost | Yes ^o | Yes ^o | | | | | | | 22. Discharges not authorized in Designated Critical Resource Waters ³ and/or their adjacent wetlands. | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL)</p> <p>2. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE)</p> |
| 32. Completed Enforcement Actions (10/404) | All | 5 acres (nontidal); 1 acre (tidal) | NA | No | Yes ^o | Yes ^o | | | | | | | | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be</p> |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application. |
|--|-------------------|-------------------------|-----------------------------------|--------------------------------------|------------------|------------------|--------|--------|---------|--------|----------|----------|--|---|
| | | | | | | | | | | | | | | precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL) 2. Application shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010. The application must also contain the information described in General Condition 31. (COE) 3. In the Antilles, this NWP cannot be used to legalize any unauthorized fill activities with impacts to forested wetlands. (COE) |
| 33. Temporary Construction, Access and Dewatering (10/404) | All | None | All activities | If over ½ acre of WOTUS will be lost | Yes ^o | Yes ^o | | | | | | | 22. Activities in Designated Critical Resource Waters ³ and/or their adjacent wetlands require notification. | 1. In Florida, the activities under this NWP may have already have received WQC and applicable CZCC as part of a permit under Part IV of Chapter 373, F.S., and any applicable authorization for work on state-owned submerged lands under Chapter 253, F.S., for the larger activity for which construction access is required. If it has not, prior to the initiation of any construction or alteration under this NWP, the construction access must be authorized by the applicable permits required under Chapter 373, F.S., by the DEP, a WMD under Section 373.069, F.S., or a delegated local government under Section 373.441, F.S., as well as any authorization required for the use of state-owned submerged lands under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. (WQC/CZM-FL) 2. In the Antilles, this NWP is excluded from use in forested wetlands, submerged aquatic vegetation, tidal wetlands, and/or coral assemblages. (COE) 3. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE) |
| 34. Cranberry Production Activities (404) | All | 10 acres | All activities | If over ½ acre of WOTUS will be lost | Yes ^o | Yes ^o | | | | | | | 22. Activities in Designated Critical Resource Waters ³ and/or their adjacent wetlands require notification. | NONE. CRANBERRY PRODUCTION DOES NOT OCCUR IN THE JACKSONVILLE DISTRICT. |
| 35. Maintenance Dredging of Existing Basins (10) | Navigable | None | Regional Conditions #4, #5 | No | NA | Yes ^o | | | | | | | 22. Discharges not authorized in Designated Critical Resource Waters ³ and/or their adjacent wetlands. | 1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (CZM-FL) 2. On lands of the Seminole Tribes of Florida the following conditions will apply: Dredging authorized by this nationwide permit will not exceed the originally excavated depth. (WQC-STF) (a) This permit does not authorize the removal of plugs or connections of any canal to navigable waters of the U.S. (WQC-STF) (b) Documentation shall be provided showing the originally authorized depth. (WQC-STF) (c) Any spoil material shall be deposited at a self-contained upland spoil site in such a manner that it will be totally contained in the uplands without discharge. (WQC-STF) 3. Excluded from use in the Florida Keys and the Antilles. (COE) 4. In Florida other than the Florida Keys, a PCN is required prior to the start of any activity proposed within submerged aquatic vegetation, tidal wetlands, and/or coral assemblages. (COE) 5. In Florida, PCN required for projects in waters accessible to manatees. (COE) |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application. |
|--|----------------------------------|-------------------------|--|--------------------------------------|------------------|------------------|--------|--------|---------|--------|----------|----------|---|---|
| | | | | | | | | | | | | | | <p>6. In Florida, PCN required for projects proposed within critical habitat for the smalltooth sawfish. (COE)</p> <p>7. For projects in WOTUS accessible to sea turtles, Smalltooth sawfish, Gulf sturgeon, or Shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> <p>8. Hopper dredging is not allowed under this NWP. (COE)</p> |
| 36. Boat Ramps (10/404) | All except special aquatic sites | 50 cy; 20 ft width | > 50 cy; or > 20 ft width; Regional Conditions #5, #6, #7; GC#22 | No | Yes ^φ | Yes ^φ | | | | | | | <p>22. Activities in Designated Critical Resource Waters³ and/or their adjacent wetlands require notification.</p> | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S. Such permit issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1), or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities, as well as for aquaculture certificates issued by the Florida Department of Agriculture and Consumer Services under s. 597.004, by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL)</p> <p>2. No boat ramps may be constructed on tribal lands or in tribal waters without prior written approval of the STF. (WQC-STF)</p> <p>3. Excluded from use in the Florida Keys and the Antilles.</p> <p>4. Excluded in areas without existing access to navigation channels where the minimum water depth for ingress to or egress from the navigation channels is less than -3 feet at mean or ordinary low water. (COE)</p> <p>5. In Florida, PCN required for projects in WOTUS accessible to the Florida panther. (COE)</p> <p>6. In Florida, other than the Florida Keys, PCN required for projects in waters accessible to manatees. (COE)</p> <p>7. In Florida, PCN required for projects proposed within critical habitat for the smalltooth sawfish. (COE)</p> <p>8. For projects in WOTUS accessible to sea turtles, Smalltooth sawfish, Gulf sturgeon, or Shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> |
| 37. Emergency Watershed Protection and Rehabilitation (10/404) | All | NRCS, USFS, or DOI only | All activities | If over ½ acre of WOTUS will be lost | Yes ^φ | Yes ^φ | | | | | | | <p>22. Activities in Designated Critical Resource Waters³ and/or their adjacent wetlands require notification.</p> | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S. Such permit issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1), or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities, as well as for aquaculture certificates issued by the Florida Department of Agriculture and Consumer Services under s. 597.004, by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL)</p> <p>2. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345,</p> |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions |
|---|--|---------------------------------------|-----------------------------------|--|------------------|------------------|--------|--------|---------|--------|----------|----------|--|---|
| | | | | | | | | | | | | | | <p>NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application.</p> |
| 38. Cleanup of Hazardous and Toxic Waste (10/404) | All | None | All activities | If over ½ acre of WOTUS will be lost | Yes ^o | Yes ^o | | | | | | | 22. Activities in Designated Critical Resource Waters ³ and/or their adjacent wetlands require notification. | <p>Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE)</p> <p>1. In Florida, WQC is granted and the Corps may presume CZCC for cleanup conducted in accordance with Section 121(e) of CERCLA, and separate state permits are not required. Any other cleanup activities under this NWP must be authorized, prior to the initiation of any construction or alteration, by the applicable permit required under Part IV of Chapter 373, F.S., by the DEP, a WMD under Section 373.069, F.S., or a delegated local government under Section 373.441, F.S., and receive WQC and applicable 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. (WQC/CZM-FL)</p> <p>2. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE)</p> |
| 39. Commercial, and Institutional Developments (10/404) | Non-tidal, excluding all wetlands adjacent to tidal waters | ½ acre; 300 linear feet of stream bed | All activities | If over ½ acre of WOTUS will be lost ; if more than 300 linear feet of intermittent or ephemeral stream bed will be lost | Yes ^o | Yes ^o | | | | | | | 22. Discharges not authorized in Designated Critical Resource Waters ³ and/or their adjacent wetlands. | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL)</p> <p>2. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE)</p> <p>3. Excluded from use in forested wetlands in the Antilles. (COE)</p> <p>4. Excluded from use in the Florida Keys. (COE)</p> <p>5. Excluded from use in Golden Gate Estates, south of Alligator Alley in Collier County. This NWP may apply up to the 1/2 acre limit within Golden Gates Estates north of Alligator Alley. (COE)</p> <p>6. Excluded from use in the Belle Meade South bounded by I-75 to the north, CR 951 to the west, Miller Canal to the east, and U.S. 41 to the south in Collier County, FL. (COE)</p> |
| 40. Agricultural Activities (404) | Non-tidal, excluding all wetlands adjacent to tidal waters | ½ acre; 300 linear feet of stream bed | All activities | If over ½ acre of WOTUS will be lost ; if more than 300 linear feet of intermittent or ephemeral stream bed will be lost | Yes ^o | Yes ^o | | | | | | | 22. Discharges not authorized in Designated Critical Resource Waters ³ and/or their adjacent wetlands. | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S. Such permit issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1), or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities, as well as for aquaculture certificates issued by the Florida Department of Agriculture and Consumer Services under s. 597.004, by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL)</p> <p>2. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE)</p> <p>3. Excluded from use in forested wetlands in the Antilles. (COE)</p> |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions |
|---|--|---------------------------------------|---|--|------------------|------------------|--------|--------|---------|--------|----------|----------|--|--|
| | | | | | | | | | | | | | | <p>NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application.</p> <p>4. Excluded from use in the Florida Keys. (COE)</p> <p>5. Excluded from use in the Belle Meade North bounded by I-75 to the south, Golden Gate Canal to the west, and Miller Canal to the east, and Belle Meade South bounded by I-75 to the north, CR 951 to the west, Miller Canal to the east, and U.S. 41 to the south in Collier County, FL. (COE)</p> <p>6. Excluded from use in Golden Gate Estates, south of Alligator Alley in Collier County. This NWP may apply up to the 1/2 acre limit within Golden Gates Estates north of Alligator Alley. (COE)</p> |
| 41. Reshaping Existing Drainage Ditches (404) | Non-tidal, excluding all wetlands adjacent to tidal waters | minimum necessary | Reshaping >500 linear ft; Regional Condition #3 | If over ½ acre of WOTUS will be lost | Yes ⁶ | Yes ⁶ | | | | | | | | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL)</p> <p>2. No change in the rate or volume of water discharged from the site from pre-construction conditions is authorized. (WQC/CZM-FL)</p> <p>3. PCN required prior to the start of any activity in the Jacksonville District. (COE)</p> <p>4. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE)</p> <p>5. Excluded from use in the Florida Keys. (COE)</p> <p>6. In Florida, the PCN shall include a sediment and erosion control plan. (COE)</p> <p>7. Excluded from use in Golden Gate Estates, south of Alligator Alley in Collier County. This NWP may apply up to the 1/2 acre limit within Golden Gates Estates north of Alligator Alley. (COE)</p> <p>8. Excluded from use in the Belle Meade South bounded by I-75 to the north, CR 951 to the west, Miller Canal to the east, and U.S. 41 to the south in Collier County, FL. (COE)</p> |
| 42. Recreational Facilities (404) | Non-tidal, excluding all wetlands adjacent to tidal waters | ½ acre; 300 linear feet of stream bed | All activities | If over ½ acre of WOTUS will be lost ; if more than 300 linear feet of intermittent or ephemeral stream bed will be lost | Yes ⁶ | Yes ⁶ | | | | | | | 22. Discharges not authorized in Designated Critical Resource Waters ³ and/or their adjacent wetlands. | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL)</p> <p>2. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE)</p> <p>3. Excluded from use in forested wetlands in the Antilles. (COE)</p> <p>4. Excluded from use in the Florida Keys. (COE)</p> <p>5. Excluded from use in the Belle Meade South bounded by I-75 to the north, CR 951 to the west, Miller Canal to the east,</p> |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application. |
|--|--|---------------------------------------|--|--|------------------|------------------|--------|--------|---------|--------|----------|----------|--|--|
| | | | | | | | | | | | | | | and U.S. 41 to the south in Collier County, FL. (COE) 6. Excluded from use in Golden Gate Estates, south of Alligator Alley in Collier County. This NWP may apply up to the 1/2 acre limit within Golden Gates Estates north of Alligator Alley. (COE) |
| 43. Stormwater Management Facilities (404) | Non-tidal, excluding wetlands adjacent to tidal waters | ½ acre; 300 linear feet of stream bed | All new construction or expansion but not maintenance; Regional Conditions #2 and #7 | If over ½ acre of WOTUS will be lost ; if more than 300 linear feet of intermittent or ephemeral stream bed will be lost | Yes ⁶ | Yes ⁶ | | | | | | | 22. Discharges not authorized in Designated Critical Resource Waters ³ and/or their adjacent wetlands. | 1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL) 2. PCN required prior to start of all work in wetlands adjacent to Deerpoint Lake and its tributaries, Bay County, FL. (COE) 3. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE) 4. Excluded from use in the Belle Meade South bounded by I-75 to the north, CR 951 to the west, Miller Canal to the east, and U.S. 41 to the south in Collier County, FL. (COE) 5. Excluded from use in the Florida Keys. (COE) 6. Excluded from use in Golden Gate Estates, south of Alligator Alley in Collier County. This NWP may apply up to the 1/2 acre limit within Golden Gates Estates north of Alligator Alley. (COE) 7. In Florida, PCN required for projects in WOTUS accessible to the Florida panther. (COE) |
| 44. Mining Activities (10/404) | non-tidal WOTUS; 300 linear feet of intermittent or ephemeral stream bed | ½ acre | All activities | If over ½ acre of WOTUS will be lost ; if more than 300 linear feet of intermittent or ephemeral stream bed will be lost | Yes ⁶ | Yes ⁶ | | | | | | | 22. Discharges not authorized in Designated Critical Resource Waters ³ and/or their adjacent wetlands. | 1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL) 2. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE) 3. Excluded from use in the Belle Meade North bounded by I-75 to the south, Golden Gate Canal to the west, and Miller Canal to the east, and Belle Meade South bounded by I-75 to the north, CR 951 to the west, Miller Canal to the east, and U.S. 41 to the south in Collier County, FL. (COE) 4. Excluded from use in the Corkscrew Marsh Basin, south of S.R. 82, east of I-75 in Collier and Lee Counties. (COE) 5. Excluded from use in the Florida Keys. (COE) 6. Excluded from use in Golden Gate Estates, south of Alligator Alley in Collier County. This NWP may apply up to the 1/2 acre limit within Golden Gates Estates north of Alligator Alley. (COE) |
| 45. Repair of | All | Minimum | All activities | If over ½ | Yes ⁶ | Yes ⁶ | | | | | | | | 1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by an Emergency Order |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application. |
|---|-------------------------|-------------------------|-----------------------------------|--------------------------------------|------------------|------------------|--------|--------|---------|--------|----------|----------|--|---|
| Uplands Damaged by Discrete Events (10/404) | | necessary | | acre of WOTUS will be lost | | | | | | | | | | <p>executed by the Governor or the Secretary of FDEP, or the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL)</p> <p>2. Excluded from use in the Antilles if the structure is within 100 feet of the near edge of a Federal channel. (COE)</p> <p>3. In Florida, PCN required for projects proposed adjacent to Federally maintained channels. No structures, including mooring piles, authorized under this Nationwide Permit shall be within the established 100' setback, calculated from the near bottom edge of the channel. The setback may vary between different Federal channels and between specific reaches of the same Federal channel. Exact locations of the proposed work may be verified by use of Florida State Plane Coordinate System (XY coordinates). Any activity within Federal rights-of-way may require the permittee to enter into a consent-to-easement with the Real Estate Division, U.S. Army Corps of Engineers, Jacksonville or Mobile District, as appropriate, prior to the commencement of any construction activity. (COE)</p> <p>4. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE)</p> <p>5. For projects in WOTUS accessible to sea turtles, Smalltooth sawfish, Gulf sturgeon, or Shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> |
| 46. Discharges in Ditches and Canals (404) | Upland-cut ditches only | 1 acre | All Activities | If over ½ acre of WOTUS will be lost | Yes ⁶ | Yes ⁶ | | | | | | | | <p>1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL)</p> <p>2. Prior to initiation of construction on tribal lands or in tribal waters under this NWP, prior written approval must be obtained from the Seminole Tribe of Florida. (WQC-STF)</p> <p>3. Prior to initiation of construction on tribal lands or in tribal waters which discharge into Miccosukee Federal Reservation, under this NWP, prior written approval must be obtained from the Miccosukee Tribe of Indians of Florida. (WQC-MTIF)</p> <p>4. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE)</p> <p>5. In Florida, the PCN shall include a sediment and erosion control plan. (COE)</p> |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application. |
|--|-------------------|--|---|--------------------------------------|------------------|------------------|--------|--------|---------|--------|----------|----------|--|--|
| | | | | | | | | | | | | | | 6. Excluded from use in the Florida Keys. (COE) 7. Excluded from use in Golden Gate Estates, south of Alligator Alley in Collier County. This NWP may apply up to the 1/2 acre limit within Golden Gates Estates north of Alligator Alley. (COE) 8. Excluded from use in the Belle Meade South bounded by I-75 to the north, CR 951 to the west, Miller Canal to the east, and U.S. 41 to the south in Collier County, FL. (COE) |
| 47. [Reserved] | | | | | | | | | | | | | | |
| 48. Commercial Shellfish Aquaculture Activities (10/404) | All | None, unless new project area then >1/2 acre impact to SAV | Change in species; or dredge harvesting in SAV; or change in culture methods; or new project area. Regional Conditions #3, #4, #5, #6 | All requiring PCN | Yes ⁹ | Yes ⁹ | | | | | | | | 1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S. Such permit issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1), or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities, as well as for aquaculture certificates issued by the Florida Department of Agriculture and Consumer Services under s. 597.004, by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapters 597 and 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL) 2. Dredging of sediments is not authorized (except as outlined in Condition 1), except for harvesting of crabs, sand dollars, sea urchins and similar invertebrates by properly accredited scientific researchers and private individuals not engaged in commercial activities. (WQC/CZM-FL) 3. In Florida, PCN required prior to the start of any activity proposed within submerged aquatic vegetation, tidal wetlands, and/or coral assemblages. (COE) 4. PCN required for all projects in the Antilles and shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE) 5. In Florida, PCN required for projects in waters accessible to manatees. (COE) 6. In Florida, PCN required for projects proposed within critical habitat for the smalltooth sawfish. (COE) 7. Placement of materials for Live Rock culture and the harvesting of Live Rock are excluded from this nationwide. (COE) 8. For projects in WOTUS accessible to sea turtles, Smalltooth sawfish, Gulf sturgeon, or Shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE) 9. Excluded from use in the Florida Keys. (COE) |
| 49. Coal Remining Activities (10/404) | All | None | All activities | If over ½ acre of WOTUS will be lost | NAJ | NAJ | NAJ | NAJ | NAJ | NAJ | NAJ | NAJ | 22. Discharges not authorized in Designated Critical Resource Waters ³ and/or their adjacent wetlands. | NONE. COAL MINING DOES NOT OCCUR IN THE JACKSONVILLE DISTRICT |
| 50. Underground Coal Mining | All | 2 acres non-tidal waters | All activities | If over ½ acre of WOTUS | NAJ | NAJ | NAJ | NAJ | NAJ | NAJ | NAJ | NAJ | 22. Discharges not authorized in Designated Critical | NONE. COAL MINING DOES NOT OCCUR IN THE JACKSONVILLE DISTRICT |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application. |
|---|--|---------------------------------------|-----------------------------------|--|------------------|------------------|--------|--------|---------|--------|----------|----------|--|---|
| Activities (10/404) | | | | will be lost ; if more than 300 linear feet of intermittent or ephemeral stream bed will be lost | | | | | | | | | Resource Waters ³ and/or their adjacent wetlands. | |
| 51. Land-Based Renewable Energy Generation Facilities (10/404) | Non-tidal, excluding wetlands adjacent to tidal waters | ½ acre; 300 linear feet of stream bed | All activities | If over ½ acre of WOTUS will be lost ; if more than 300 linear feet of intermittent or ephemeral stream bed will be lost | Yes ^o | Yes ^o | | | | | | | 22. Discharges not authorized in Designated Critical Resource Waters ³ and/or their adjacent wetlands. | 1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL) 2. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE) 3. Excluded from use in forested wetlands in the Antilles. (COE) 4. Excluded from use in the Florida Keys. (COE) 5. Excluded from use in Golden Gate Estates, south of Alligator Alley in Collier County. This NWP may apply up to the 1/2 acre limit within Golden Gates Estates north of Alligator Alley. (COE) 6. Excluded from use in the Belle Meade South bounded by I-75 to the north, CR 951 to the west, Miller Canal to the east, and U.S. 41 to the south in Collier County, FL. (COE) |
| 52. Water-Based Renewable Energy Generation Pilot Projects (10/404) | All | ½ acre; 300 linear feet of stream bed | All Activities | If over ½ acre of WOTUS will be lost ; if more than 300 linear feet of intermittent or ephemeral stream bed will be lost | Yes ^o | Yes ^o | | | | | | | 22. Discharges not authorized in Designated Critical Resource Waters ³ and/or their adjacent wetlands. | 1. In Florida, activities qualifying for this Nationwide general permit (NWP) must be authorized by the applicable permit or exemption under Part IV of Chapter 373, F.S., and by any authorization required to use or occupy state-owned submerged lands (SSL) under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. Such permit, issued 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., will provide the applicable Water Quality Certification (WQC) or waiver thereto, and Coastal Zone Consistency Concurrence (CZCC). WQC is waived for activities authorized under this NWP that qualify for an exemption under s. 403.813(1) or 373.406, F.S., or the rules of the Florida Administrative Code (F.A.C.) adopted under Part IV of Chapter 373, F.S. The Corps under 33 C.F.R. § 325.2(b)(2) may presume CZCC for the above exempt activities by operation of s. 380.23(7), F.S., provided the activity receives the applicable authorization to use and occupy SSL under Chapter 253, F.S., and, as applicable, Chapter 258, F.S., and the rules of the F.A.C. adopted thereunder. The Corps shall not be precluded from acting on a request to use this NWP before the applicable SSL authorization is granted. (WQC/CZM-FL) 2. In Florida, in addition to not being available in coral reefs, this NWP is not applicable in the following areas: other coral communities, submerged aquatic vegetation communities, live/hard-bottom communities, and shellfish harvesting areas. A visual survey, conducted by qualified professionals, documenting the benthic habitat types in the project area must be submitted. (CZM-FL) |

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

| Type of Nationwide Permit | Applicable Waters | Acreage & Linear Limits | PCN Threshold and/or Requirements | Coordination Req'd | WQ C FL | CZM FL | WQC PR | CZM PR | WQ C VI | CZM VI | WQ C STF | WQC MTIF | GENERAL CONDITIONS Permittee must satisfy all applicable general conditions. General Condition #22 restrictions are noted below. | Regional Conditions and Water Quality Certification and/or Coastal Zone Consistency Certification Special Conditions NOTE: U.S. Army Corps of Engineers (Corps) Regional Conditions are Jacksonville District conditions and have (COE) beside the condition. All others are special conditions attached to Water Quality Certification or Coastal Zone Consistency. A Nationwide permit cannot be used in an exclusion area designated by the Corps (COE). Exclusion areas attached to WQC/CZM are denied without prejudice until individual WQC/CZM is received. Where technical notes, guidelines, etc. are referenced in the regional conditions below, these documents may be subject to revision at any time. It is our intention that the most recent version of these conditions shall be utilized during the evaluation of the permit application. |
|---------------------------|-------------------|-------------------------|-----------------------------------|--------------------|---------|--------|--------|--------|---------|--------|----------|----------|--|---|
| | | | | | | | | | | | | | | <p>3. This NWP is not applicable in Designated Critical Resource Waters in Florida and other state- and federally-managed areas such as marine sanctuaries, Habitat Areas of Particular Concern (HAPC), aquatic preserves, and parks. (CZM-FL)</p> <p>4. PCN in the Antilles shall be made through the Joint Permit Process using the DA Permit Application ENG FORM 4345, Oct 2010, and the form must indicate it is a NWP Pre-Construction Notification. (COE)</p> <p>5. In Florida and Puerto Rico, for projects in WOTUS accessible to manatees, the permittee shall utilize the "Standard Manatee Conditions For In-Water Work" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> <p>6. For projects in WOTUS accessible to sea turtles, smalltooth sawfish, Gulf sturgeon, or shortnose sturgeon, the permittee shall utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.saj.usace.army.mil/Divisions/Regulatory/sourcebook.htm) and/or requirements, as appropriate for the proposed activity. (COE)</p> <p>7. Excluded from all navigable waters within the boundaries of the Florida Keys National Marine Sanctuary. (COE)</p> <p>8. Excluded within the boundaries of Designated Marine Reserves, Marine Protected Areas and Parks in the Antilles. (COE)</p> |

1. Puerto Rico: Culebra Island; the coastal zone of La Parguera from Punta Jorobado for a distance of approximately twenty kilometers west to Cabo Rojo; Cartagena Lagoon; Tortuguero Lagoons; Mona Island; Forest Reserve Area at Piñones and Torrecilla; Las Cabezas; El Yunque; Jobos Bay; Mar Negro; Río Mameyes; Las Cucharillas Marsh; Caño Tiburones; Río Herrera/Miñi-Miñi/Mediania area; entire Municipality of Cabo Rojo; Caño Boquillas west of PR-2; Cayures Marsh in Aguada and its contiguous wetlands; the basin wetlands of Bajuras at Isabela, Camuy, and Carrizales in Arecibo; Prieta wetlands at Vega Alta; San Pedro wetlands in Dorado and Toa Alta; Cienaga Baja in Río Grande; wetlands associated with Herrera and Espíritu Santo Rivers; coastal wetlands of Santa Isabel; and all Commonwealth designated Natural Reserve areas. Also, areas along Martin Pena Channel and associated wetlands; Pinones State Forest wetlands; Torecilla Alta Pterocarpus Forest - Loiza; El Faro (Cabezas de San Juan) - Fajardo; wetlands in the Guanica State Forest; Humacao Swamp and Pterocarpus Forest; Caja de Muertos - Ponce, Jobos Bay - Salinas, Mar Negro - Salinas, Boqueron State Forest - Cabo Rojo; Dorado Pterocarpus Forest; Vieques Bioluminescent Bay; Laguna Tortugero; Caño Tiburones; Espinar Swamp (Aguada-Aguadilla); Laguna Joyuda mangroves - Cabo Rojo; Pandura and Guardarraya Special Planning Area; and Ceiba State Forest.

2. U.S. Virgin Islands: St. Croix Annally, Green Cay, Isaac Bay, Cramer's Park and East Point, Sandy Point, Salt River, Teague Bay Reef, Vagthus Point, Altonna Lagoon; St. John -- All Cays, Lagoon Point Newfound Bay, Chocolate Hole, Fish Bay; and St. Thomas -- Botany Bay and Sandy Bay, Coki Cliffs, Mangrove Lagoon (in its entirety), Bovoni wetland area; All cays, Cane Bay, Magens Bay, Mandahl Bay, Neltjeberg Bay and Stumpy Bay.

³ In accordance with General Condition No. 21, Designated Critical Resource Waters in Florida are:

- (a) Wetlands and other surface waters in National Estuarine Research Reserves, NOAA-managed National Marine Sanctuaries and marine monuments, and state designated Outstanding National Resource Waters: Biscayne National Park; Everglades National Park.
- (b) State natural heritage sites, and the Marjorie Harris Carr Cross Florida Greenway State Recreation and Conservation Area.
- (c) Wetlands and other surface waters in the Florida Keys.
- (d) Wetlands and other surface waters in active designated State of Florida Areas of Critical State Concern, including the Green Swamp, and the Big Cypress Swamp, and surface waters of the state (as defined in rule 62-312.030, F.A.C.) in the City of Apalachicola.

JACKSONVILLE DISTRICT NATIONWIDE PERMITS
Summary of Applicability, Limits, State and Tribal Certifications,
and
Regional Conditions
March 29, 2012

Antilles: For purposes of these regional conditions, the Antilles means either or both the Commonwealth of Puerto Rico and the Territory of the U.S. Virgin Islands.

COE: U.S. Army Corps of Engineers

CZM: Consistency with the State's Coastal Zone Management Plan

DEP: Florida Department of Environmental Protection

FL: Florida

FWS: U.S. Fish and Wildlife Service

MTIF: Miccosukee Tribe of Indians of Florida

NA: Not Applicable

NAJ: Not applicable in the Jacksonville District

NMFS: National Marine Fisheries Service

NOAA: National Oceanic and Atmospheric Administration

PCN: Pre-construction notification

PR: Commonwealth of Puerto Rico

STF: Seminole Tribe of Florida

USVI: Territory of the U.S. Virgin Islands

WOTUS: waters of the United States

WQC: Water Quality Certification conferred by the State

♠ Indicates a special condition requiring State of Florida individual review language in verification letter.

The term "coral assemblage" includes coral reefs as well as other hard and soft coral communities, including hard-bottom communities.

The term "live/hard-bottom communities" includes any area that contains varying biological assemblages of algal species and/or invertebrates such as corals (stony, soft or black corals), hydroids, gorgonians, teleostaceans, anemones, zoanthids, corallimorphs, worms, bryozoans, tunicates or sponges, living upon and attached to naturally occurring permanent or ephemeral hard or rocky formations with rough, broken or smooth topography and of variable vertical relief. This would include both natural reefs (e.g., coral reefs, oyster reefs, and worm reefs), and artificial reefs.