

Regulatory Division

9 March 2004

South Permits Section  
Regional General Permit SAJ-75

**DEPARTMENT OF THE ARMY PERMIT**

**REISSUANCE OF REGIONAL GENERAL PERMIT SAJ-75 FOR:**

**Residential Fill in  
Royal Palm Beach Acreage  
Palm Beach County, Florida**

Upon recommendation of the Chief of Engineers, pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344), general authority is given to the Palm Beach County Environmental Resources Management (ERM) to administer this permit for residential and agricultural development on single-family lots in Royal Palm Beach Acreage in accordance with the following special conditions:

SPECIAL CONDITIONS FOR RESIDENTIAL AND AGRICULTURAL DEVELOPMENT  
IN ROYAL PALM BEACH ACREAGE:

1. This permit is limited to the approximately 1,627 acres of wetlands located within the 33 square mile (21,209 acres) of M-1 and M-2 Basins in Royal Palm Beach Acreage (Acreage). It does not include non-residential lots, commercial or infrastructure development or lots located within Unit 11. The area includes all or portions of Sections 13, 14, 15, 23, 24, 25, 26, 35, and 36, Township 42 south, Range 40 east; Sections 17, 18, 19, 20, and 21, 22, 27, 28, 29, 30, 31, 32, 33, 34, and 35, Township 42 south, Range 41 east; Sections 2, 3, 4, 9, 10, and 11, Township 43 south, Range 41 east, Palm Beach County, Florida. (See attached map).

2. This permit acknowledges that the Indian Trail Water Control District shall collect, from each property owner in the M-1 and M-2 basins, a one-time fee of \$56.00 per acre. This fee will be transferred to Palm Beach County to be used for purchase of land in the northeast corner of Unit 11.

3. All property owners with wetland on their property shall pay a one-time fee of \$250.00 per lot to Palm Beach County when seeking approval for use of the property. This fee may be voluntarily paid prior to development. This money shall be placed by Palm Beach County in an interest-bearing account to be used for resource management and supplemental acquisitions in Unit 11. Any funds remaining after acquisition and restoration will be placed in Palm Beach County's Natural Area Stewardship Endowment Fund for long-term management of the area and other natural areas in the county.

4. There is no maximum or minimum size limit per lot on this permit.

5. A report shall be submitted quarterly to the Jacksonville District, South Permits Section, 4400 PGA Boulevard, Suite 500, Palm Beach Gardens, Florida 33410 and the Jacksonville District, Enforcement Section, Post Office Box 4970, Jacksonville, Florida 32232-0019 on the number of projects authorized by this general permit. An annual report will be submitted by ERM outlining the results of the offsite mitigation in Unit 11.

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

7. Reduction and/or elimination of turbid water conditions and the erosion of disturbed or filled areas in adjacent water bodies

and wetlands are to be achieved through the use of silt curtains or screens, between the construction area and wetlands or surface waters, during periods of fill placement. Such devices shall be properly maintained until such time as those disturbed areas become sufficiently stabilized by natural recruitment of vegetation or other measures.

8. The attached "Standard Eastern Indigo Snake Protection Measures" are made a part of this permit.

9. This general permit is valid for five (5) years unless suspended or revoked by issuance of a public notice by the District Engineer. Reviews will be conducted to determine if

continuation of this permit is in the general interest of the public.

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

11. The attached General Conditions are made a part of this permit.

12. Within 60 days of the authorized work and mitigation, the attached Self-Certification Statement of Compliance must be completed and submitted to the Corps. Mail the completed form to the Jacksonville District, Enforcement Branch, Post Office 4970, Jacksonville, Florida 32232-0019

A handwritten signature in black ink that reads "Mari D. Burns". The signature is written in a cursive style with a large, prominent initial "M".

for John R. Hall  
Chief, Regulatory Division

## GENERAL CONDITIONS FOR DEPARTMENT OF THE ARMY GENERAL PERMITS

### General Conditions

1. The time limit for completing the work authorized ends on \_\_\_\_\_.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature and mailing address of the new owner in the space provided below and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

### Further Information:

1. Limits of this authorization.
  - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
  - b. This permit does not grant any property rights or exclusive privileges.
  - c. This permit does not authorize any injury to the property or rights of others.
  - d. This permit does not authorize interference with any existing or proposed Federal projects.
2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
  - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
  - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 3 above).

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

5. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

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

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

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

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

GENERAL PERMIT

