



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Proposed Reissuance of Regional
General Permit SAJ-114
SAJ-2015-03038

Published: June 26, 2025
Expires: July 28, 2025

**Jacksonville District
Proposed Reissuance of Regional General Permit SAJ-114
Residential, Commercial, Recreational, and Institutional Fill,
and Restoration Activities in the Choctawhatchee Bay and St.
Andrew's Bay Watersheds located in Bay and Walton
Counties, Florida**

TO WHOM IT MAY CONCERN: To simplify and expedite processing of Department of the Army permits for minor, substantially similar activities, the Jacksonville District, U.S. Army Corps of Engineers (Corps) proposes to reissue the Regional General Permit (RGP) SAJ-114 for non-tidal wetlands, which are located in the St. Andrews Bay and Choctawhatchee Bay Watersheds in western Bay and eastern Walton Counties, Florida.

Minor activities that would be covered under RGP SAJ-114 include the following, discharge of dredged or fill material into non-tidal waters of the United States for the construction of residential, commercial, recreational, and institutional projects, and restoration activities and their components, which comprise and are necessary for the construction, use and maintenance of such projects. Project components may include, but are not limited to, roads, parking lots, garages, yards, utility lines, temporary construction facilities, and stormwater management facilities. In addition, project components may also include temporary construction facilities necessary to support the project. Examples of residential projects include single family homes, and multiple and single unit developments. Examples of commercial projects include retail stores, light industrial facilities (which means business activity such as commercial distribution, assembly or manufacturing processes with no primary use of raw materials), research facilities, warehouses, distribution facilities, hotels, restaurants, business parks, and shopping centers. Examples of recreational projects include playgrounds, playing fields, golf courses, hiking trails, bike paths, horse paths, stables, nature centers and campgrounds. Examples of institutional projects include schools, fire stations, governmental office buildings, roads, judicial buildings, public works buildings, libraries, hospitals, and places of worship. Restoration activities include those designed to manipulate the physical, chemical, or biological characteristics of a site with the goal of returning or enhancing natural/historic ecological functions to a former or degraded aquatic resource. This permit applies only to the portions of Walton County and Bay County, Florida, as depicted on the SAJ-114 Boundary Map.

The purpose of the RGP is to protect the aquatic environment on a watershed scale within an area of new, and likely in the near future rapid, residential and commercial development by developing a forward-looking, flexible and predictable permitting program that would minimize unavoidable direct impacts to highest quality aquatic resources, minimize impacts to lower quality aquatic resources, and appropriately mitigate for direct, indirect and cumulative impacts within the affected watershed.

Activities would occur within nontidal waters of the United States within an area that encompasses approximately 41,585 acres, including approximately 28,327 acres owned by The St. Joe Company (St. Joe). The area subject to this RGP encompasses portions of the Bay-Walton Sector Plan (BWSP) area. Townships, Ranges and Sections are: T1S R16W S19, 30, 31; T1S R17W S13-17, 19-36; T2S R16W S6-7, 18; T2S R16W S1, 14-16, 18-36; T2S R17W S1-18; T2S R19W S24-26, 36; and T3S R18W S1-6, 11-13, in Bay County and Walton County, Florida. Coordinates at center of RGP Project Area: 30.356389, -85.952778.

BACKGROUND: RGP SAJ-114, and the Florida Department of Environmental Protection's (FDEP) corresponding Ecosystem Management Agreement (EMA 3) with St. Joe, were cooperatively developed by an interagency team of representatives from the Corps, FDEP, U.S. Fish and Wildlife Service (FWS), Florida Fish and Wildlife Commission (FWC), and St. Joe to address existing and anticipated developmental pressures within certain portions of the BWSP area. The BWSP area encompasses approximately 110,500 acres in Bay and Walton Counties, Florida. The effort to develop RGP SAJ-114 and FDEP's EMA 3 with St. Joe was modeled on the development of RGP SAJ-86, and the FDEP's first EMA (EMA 1) with St. Joe, and RGP SAJ-105, and the corresponding FDEP EMA 2. RGP SAJ-86 encompasses an area of approximately 48,150 acres, lying south of the Gulf Intercoastal Waterway in Bay County. RGP SAJ-105 is centered around the Northwest Florida Beaches International Airport and consists of approximately 43,977 acres.

SAJ-114 was originally issued by the Corps on August 21, 2020, and will expire on August 21, 2025.

SAJ-114, in combination with SAJ-86 and SAJ-105 is the culmination of a comprehensive, watershed based approach to deal with expected development within the BWSP area. When SAJ-114 was issued, 100% of the BWSP area was included in the three RGPs.

The Corps anticipates utilization of RGP SAJ-114 to address future requests for minor work within the authorized geographic area. This RGP improves efficiencies for the review and verification of minor activities, thus improving service to the regulated public. This RGP will be coordinated with Federal and State resource agencies to address federal laws such as the National Historic Preservation Act and the Fish and Wildlife Coordination Act.

The term "General Permit" means a Department of the Army authorization that is issued on a nationwide or regional (District) basis for a category of activities when: those activities are substantially similar in nature and cause only minimal individual and cumulative impacts. General permits reduce the burden of the regulatory program on the public and ensure timely issuance of permits while effectively administering the laws and regulations which establish and govern the program. General permits are reviewed every five years. After five years, general permits may be reissued, suspended, or revoked.

An assessment of the cumulative impacts of work authorized under a general permit is performed prior to authorization. In most instances, projects which comply with the conditions of a general permit can receive project specific authorization. Projects that do not comply with the conditions of a general permit may still receive authorization via an individual permit, but the application must be individually evaluated and coordinated with third parties, including the federal and state resource agencies. Review of an application for an individual permit takes additional time to complete as conflict resolution may be required.

AVOIDANCE AND MINIMIZATION:

RGP SAJ-114 would authorize activities that are minor and commonplace. The proposed terms and conditions of the RGP SAJ-114 require activities proposed for authorization to be minimal in nature and avoid aquatic resources to the maximum extent.

Several specific minimization requirements have been incorporated in project design criteria including established impact ratios for individual project sites and within watershed basins, requirements for preservation within designated conservation units, establishment of buffers adjacent to high quality wetlands and an aggregate total impacts to high quality wetlands at 108.42 acres for the permit instrument.

COMPENSATORY MITIGATION:

Mitigation includes upfront minimization of wetland impacts, upfront preservation of thirteen conservation units totaling over 9,794 acres ($\pm 7,543$ acres of wetlands and $\pm 2,250$ acres of upland buffer), and compensatory mitigation through wetland enhancements and restoration within mitigation banks servicing the RGP area, conservation units, or within preserved wetlands within individual project sites. The conservation units and preserved wetlands on individual project sites enhance a network of wildlife corridors and significant habitats, which both traverse and are located immediately adjacent to the RGP area. The RGP provides improved predictability and efficiency of the federal wetland permitting program in an area of over 41,000 acres, of which approximately 68% is owned by St. Joe.

CULTURAL RESOURCES:

The Corps is not making an effect determination to historic properties for this permit instrument. Instead, each activity proposed for authorization under RGP SAJ-114 will be evaluated for compliance with Section 106 of the National Historic Preservation Act (NHPA) and the guidelines of 33 C.F.R. Part 325, Appendix C.

For each activity proposed for authorization under the SAJ-114, the Corps will conduct an individual evaluation of the activity's potential effects to historic properties and Tribal resources, in accordance with Section 106 of the NHPA and Tribal Trust responsibilities.

No activity shall be authorized under this RGP which is likely to adversely affect historic properties listed on, or eligible for listing on the National Register of Historic Places.

If the proposed activity requires consultation under the NHPA, the proposed activity cannot be authorized under this RGP until consultation with the State Historic Preservation Office and other appropriate consulting parties is initiated and concludes with a determination that the activity has little likelihood to affect a historic property.

ENDANGERED SPECIES:

Informal consultation was initiated on April 29, 2016 to address potential impacts to 20 species that may be present in the RGP area. On August 8, 2016, FWS concurred with the Corps determination that the RGP would have no effect on 17 species and may affect but would not likely adversely affect 3 species. FWS requested that during the Individual Project Approval process, if the proposed project is within 1,500 feet of a documented potential pond that may provide habitat for reticulated flatwoods salamander, then a re-initiation of consultation with FWS would occur.

A revised Biological Assessment, that included changes to the conservation units, was submitted by the Corps to USFWS on April 12, 2017. Concurrence was received on April 28, 2019.

The current action does not involve a change to the regulated activity and no new species were listed since consultation was completed, reinitiation of consultation is not required.

WATER QUALITY CERTIFICATION:

The Corps will request general water quality certification from the FDEP.

COASTAL ZONE MANAGEMENT CONSISTENCY:

The Corps will request general coastal zone consistency concurrence from the FDEP.

IMPACT ON NATURAL RESOURCES:

Coordination with FWS, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area.

EVALUATION:

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

COMMENTS:

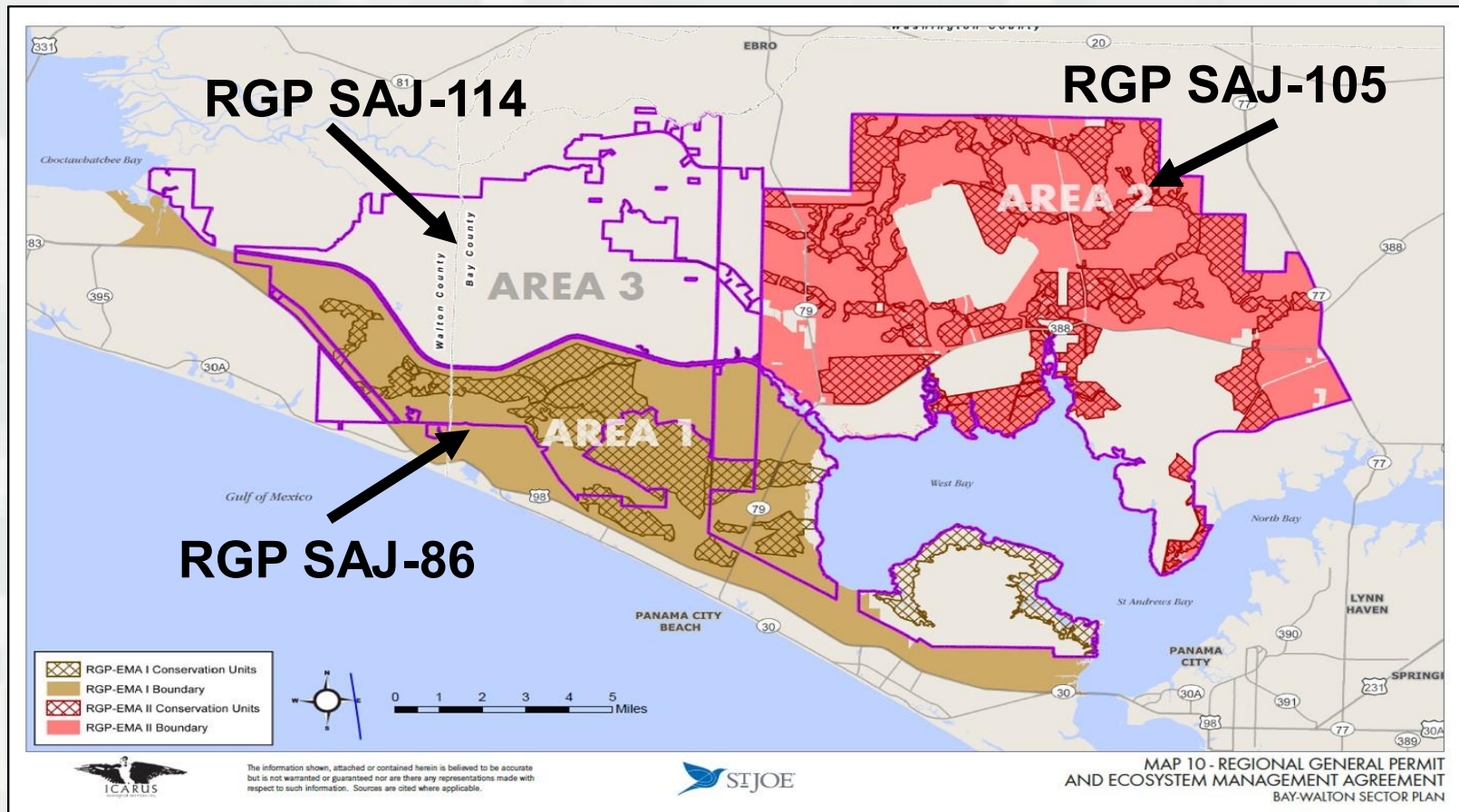
The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COMMENTS regarding the potential authorization of RGP SAJ-114 should be submitted in writing within 30 days from the date of this notice. Comments should be submitted via the Regulatory Request System public notice module at <https://rrs.usace.army.mil/rrs/public-notices>. Alternatively, you may submit written comments to Kelly Bunting at Kelly.A.Bunting@usace.army.mil.

QUESTIONS concerning this public notice should be directed to Kelly Bunting at Kelly.A.Bunting@usace.army.mil, or by telephone at 850-763-0717, extension 2.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

Regional General Permit Geographic Context



*Photo Courtesy of St. Joe Company **BUILDING STRONG®**



**DEPARTMENT OF THE ARMY PERMIT
REGIONAL GENERAL PERMIT
SAJ-2015-03038
SAJ-114**

**Residential, Commercial, Recreational, and Institutional Fill
and Restoration Activities in the Choctawhatchee Bay and St.
Andrew Bay Watersheds
Bay and Walton Counties, Florida**

I. Permittee: Recipient of a verification of a Regional General Permit (RGP) SAJ-114 from the Regulatory Division of the United States (U.S.) Army Corps of Engineers (Corps), South Atlantic Division, Jacksonville District (SAJ).

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

II. Effective Date: **Date**

III. Expiration Date: **Date**

This RGP will be valid for a period of five years from the effective date specified above unless suspended or revoked by the District Engineer prior to that date. If SAJ-114 expires or is revoked prior to completion of the authorized work, authorization of activities that have commenced or are under contract to commence in reliance on SAJ-114 will remain in effect provided the activity is completed within 12 months of the date SAJ-114 expired or was revoked.

IV. Issuing Office: Regulatory Division, Jacksonville District.

V. Authorized Activities: The following activities are authorized by SAJ-114, in accordance with the terms and conditions of this permit:

This permit applies to discharges of dredged or fill material into non-tidal waters of the United States for the construction of residential, commercial, recreational, and institutional projects and restoration activities, and their components, which comprise and are necessary for the construction, use and maintenance of such projects. Project components may include, but are not limited to roads, parking lots, garages, yards, utility lines, temporary construction facilities and stormwater management facilities. Residential

developments include multiple and single unit developments. Examples of commercial developments include retail stores, light industrial facilities, research facilities, warehouses, distribution facilities, hotels, restaurants, business parks, and shopping centers. Examples of recreational facilities include playgrounds, playing fields, golf courses, hiking trails, bike paths, horse paths, stables, nature centers, and campgrounds. Examples of institutional developments include schools, fire stations, government office buildings, judicial buildings, public works buildings, libraries, hospitals, and places of worship. Restoration activities include those designed to manipulate the physical, chemical, or biological characteristics of a site with the goal of returning or enhancing natural/historic ecological functions to a former or degraded aquatic resource. This permit applies only to the portions of Bay and Walton Counties, Florida as depicted by Exhibit 1, as being within the "SAJ-114 Boundary."

This RGP authorizes impacts to wetlands that are defined as altered and high quality. Altered wetlands are hydric pine plantations (silviculture lands), as estimated on the map of high quality and altered wetlands onsite (Exhibit 2). To the extent that silvicultural activities in any area of altered wetlands, as shown by Exhibit 3, have ceased for more than 5 years after the final cut, such wetlands shall be identified as high quality wetlands. Altered wetlands are hydric pine plantations. The class of altered wetlands may also include ditches and borrow pits. High quality wetlands are all other jurisdictional wetlands, and include cypress domes/strands, bay/gallberry swamps, cypress swamps, titi swamps, seepage slopes, *Hypericum* bogs, emergent marsh and other similar areas.

Project design criteria (PDC) required to qualify for verification under SAJ-114:

1. Impacts to wetlands must meet all of the following criteria:

a. Impacts to altered wetlands shall not exceed 23% of the total altered wetlands in any one sub-basin. The area within a particular sub-basin to be used to make the 23% calculation does not include areas within Conservation Units located within the sub-basin. Sub-basins are depicted in Exhibit 4. The 23% calculation is the equivalent of a 3.35:1:00 (77 / 23) preservation to impact ratio on an areal basis.

b. Projects may impact more than 23% of the altered wetlands within an individual project site, if cumulative altered wetland impacts for all approved individual projects within the sub-basin do not exceed 23%, as defined above, at any time. Examples of how this may occur include:

(1) An applicant proposes an individual project, which would impact 10 acres of the 100 acres of altered wetlands located within the proposed project site and preserve the remaining 90 acres of altered wetlands through placement under a conservation easement. This example would result in an altered wetland overage of 13 acres, since 77 acres of altered wetland preservation would be required to comply with the 23% allowable impacts to altered wetlands within a specific sub-basin. The same applicant, or succeeding assignee, with a subsequent individual project, located at a

different site within the same sub-basin, and containing a total of 5 acres of altered wetlands, proposes to impact all 5 acres of altered wetlands for the project. The applicant may use 3.85 acres of the 13-acre overage of preserved altered wetlands from the first project to comply with the 23% requirement for the second project.

(2) An applicant proposes an individual project on a site with a total of 10 acres of altered wetlands. The applicant proposes to impact all 10 acres of the altered wetlands for the project. To comply with the 23% allowable impacts to altered wetlands requirement, the applicant would preserve 33.5 acres of altered wetlands through the placement of a conservation easement, elsewhere within the same sub-basin in which the impact site is located.

c. Impacts to high quality wetlands:

(1) Must be limited to road and bridge crossings, boardwalks and paths, linear infrastructure (which includes stormwater conveyances, but not stormwater ponds), utility corridors, and any other linear access facilities necessary to support the associated development. The impacts shall typically not exceed a width of 100 feet of combined filling or clearing at each crossing but may on a case-by-case basis, be allowed up to a total width of 160 feet. Florida Department of Transportation roads may be allowed up to a width of 200 feet consistent with criteria in this section.

(2) The aggregate total filling or clearing of high quality wetlands for crossings and other linear infrastructure within the RGP area shall not exceed 108.42 acres.

(3) The first preference for new high quality wetland road crossings will be at existing silviculture road crossings. Road crossings at locations other than existing silviculture crossings are allowed if the crossing is designed and constructed to minimize wetland impacts.

(4) All crossings in high quality wetlands shall be designed so that reduction of capacity or impairment of the hydrologic conveyance is minimized to the maximum extent practicable. Bridging, co-locating utilities and infrastructure and directional boring of high quality wetlands is required to the maximum extent practicable. The following factors shall be considered when determining if bridging or directional boring of the high quality wetlands is practicable: (1) The degree of water flow within the high quality wetland, (2) The length of the high quality wetland crossing, (3) The topography of the high quality wetland and associated upland, and (4) The degree to which a roadway would adversely affect the movement of wildlife expected to use the high quality wetland.

2. Buffers:

a. High Quality Wetland Buffers: When present, altered wetlands shall buffer high quality wetlands throughout the RGP area. Except at road crossings, upland and/or altered wetland buffers adjacent to high quality wetlands shall be an average of 50 feet wide, with a minimum 30-foot width. Buffers shall be placed under conservation easement. Activities allowed within buffers and the conservation easement instrument template are included in Exhibit 5.

b. Stream and Tributary Buffers: High quality wetlands, altered wetlands and uplands shall buffer natural streams and tributaries located in Conservation Units, except at bridges and road, trail, boardwalk, and utility line crossings. The exact width of the buffer from the natural streams and tributaries located in Conservation Units shall be evaluated and determined during Individual Project review. However, the buffer along natural streams and tributaries located in Conservation Units shall be a minimum of 100 feet as measured from the edge of the stream or tributary.

c. Protection: All buffers, whether upland or wetland, will be preserved and maintained in a natural condition, except for the construction of boardwalks and on-grade trails. Buffers may be enhanced or restored to increase their ecological functions. If approved by the Corps, buffers may also be managed to provide an urban wildfire interface, as may be requested by local emergency management officials. Conservation easements shall be placed over all buffers (see Special Condition 13.c).

3. No discharge of dredged or fill material is allowed that would sever hydrologic connection in high quality wetlands.

4. Discharge of dredged or fill material may sever hydrologic connection in altered wetlands; however, severed altered wetlands are treated as impacted wetlands for purposes of this RGP. The required 3.35:1 preservation to impact ratio for altered wetland impacts must be met and compensatory mitigation must be provided for the area of altered wetlands within the severed area.

5. Proposed projects must include appropriate compensatory mitigation to replace functions lost as a result of permitted impacts in accordance with the following:

a. Compensatory mitigation consistent with the 2008 Mitigation Rule for individual project wetland impacts may be satisfied using:

- (1) Federal mitigation bank credits from approved mitigation banks
- (2) Mitigation activities within designated conservation units
- (3) Onsite mitigation activities

b. The Corps on a case-by-case basis may approve compensatory mitigation projects located within the conservation units or within individual project sites in

accordance with the 2008 Mitigation Rule. Conservation easements shall be placed over areas on which compensatory mitigation projects are located. The activities, as described within Exhibit 5, are allowed within compensatory mitigation project areas within Conservation Units or within individual project sites, unless otherwise prohibited or modified by the specific compensatory mitigation plan for the site.

c. Except in the specific circumstance, as described in 5.d. below, compensatory mitigation credits and debits are defined in terms of functional units (FU) as determined using the *Uniform Mitigation Assessment Method (UMAM)*, as set forth in Chapter 62- 345, Florida Administrative Code. Each acre of impact to altered wetlands shall be valued at 0.53 FU, and each acre of impact to high quality wetlands shall be valued at 0.87 FU.

d. Only in the specific circumstance when an ecologically appropriate bank does not have a UMAM credit ledger approved by the Corps, but does have a Corps approved credit ledger determined by using the *Wetland Rapid Assessment Procedure (WRAP)*, Technical Publication REG-001, September 1997, then for that specific circumstance the compensatory credits and debits are determined using WRAP with each acre of impact to altered wetlands valued at 0.65 FU, and each acre of impact to high quality wetlands valued at 0.92 FU.

e. Compensatory mitigation will occur prior to or be implemented concurrent with permitted impacts.

f. Compensatory mitigation required for projects authorized by this RGP will be maintained in perpetuity in the enhanced/restored ecological condition, as described in the individual project's compensatory mitigation plan.

6. Conservation units:

a. Twelve Conservation Units in Exhibits 8 through 20 are excluded from development and are subject to the restrictions, as described below.

b. Conservation Units shall be divided between Type I Conservation Units and Type II Conservation Units, as shown in the SAJ-114 Conservation Units Map (Exhibit 8) and Exhibits 9 through 20.

c. Conservation Units can only be used for conservation purposes, wetland or habitat mitigation, limited recreational purposes, sustainable forestry, and other uses, activities and facilities. Allowable uses of Type I Conservation Units are outlined within Exhibit 6 and allowable uses of Type II Conservation Units are outlines within Exhibit 7.

d. Land Disturbance:

(1) Activities, which would result in “Land Disturbance”, are prohibited within Conservation Units, except those as allowed in Exhibit 6 and Exhibit 7. Land Disturbance for the purposes of this RGP is defined as any manmade change of the land surface, including removing vegetative cover that exposes the underlying soil, excavating, filling, grading, grubbing, discing, blading, contouring, ripping, and root raking. Land Disturbance includes areas covered by impervious surfaces such as roofs, concrete and asphalt. No new water withdrawal wells shall be installed within the Conservation Units.

(2) A total of 100 acres within Type I and Type II Conservation Units may be impacted by land disturbance. This total does not include impacts associated with pervious hiking and biking trails, pervious horseback riding trails, and boardwalks.

(3) Areas that are temporarily impacted by Land Disturbance activities will not be included in the 100-acre cap. Temporary impacts are defined as areas where natural soil surface grades have been re-established and appropriate vegetation is naturally re-emerging no later than the 365th day following the date that the Land Disturbance began. Replanting of some areas of Land Disturbance may be required on a case-by-case basis, as determined by the Corps, during the Corps’ review of proposed Land Disturbance activities.

(4) The acreage of disturbance to altered wetlands within a Conservation Unit must be offset by an equal acreage of altered wetlands outside of the Conservation Unit but located within the same sub-basin (Land Disturbance Offset).

e. Prior to initiation of construction, written approval from the Corps is required for any uses, activities or facilities (projects) proposed to be constructed in Conservation Units. Development proposals must include Conservation Units Checklist (Exhibit 21) and be consistent with allowable uses, activities and facilities in the Conservation Units. The applicant will be required to include an avoidance and minimization impact analysis with respect to the proposed uses, activities and facilities. Review by the Corps will include an evaluation of the total scale of the facility to ensure that the proposed use, activity or facility is limited and consistent with the preservation objectives of the Conservation Units.

f. Within each sub-basin The St. Joe Company shall place perpetual conservation easements on portions of conservation units equal to the percentage of the total acreage of approved projects in the sub-basin. St. Joe must ensure that conservation easements are placed on sold or transferred parcels prior to transfer.

(1) Acreages of Conservation Units required to be progressively placed under conservation easements shall be calculated as follows: Using the EMA area only, divide a given project’s total approved site acreage (including upland, buffer, impact, and preserved areas) by the total developable acreage

within its corresponding sub-basin (not including Conservation Unit areas) to calculate the percentage of developable acreage utilized for the project. Then multiply the percentage of developable acreage utilized for the project by the total acres within the corresponding sub-basin's Conservation Units to calculate the number of acres required to be placed under conservation easement within the Conservation Unit. Once all conservation unit acreage within the sub-basin has been placed under conservation easement this requirement shall cease for any additional projects within the sub-basin.

(2) For the purposes of this RGP, the Intracoastal Waterway Sub-basin and the Crooked Creek West Bay Sub-basin shall be combined and treated as a single sub-basin.

(3) Sale or transfer of property within a Conservation Unit may only be made to a governmental entity or a non-profit conservation/natural resource management entity. Prior to conveying a Conservation Unit or any portion thereof or interest therein, the St. Joe Company shall record conservation easements on such property, if not already subject to conservation easement. The Conservation easement shall be in the form of Exhibit 6 for Type I Conservation Units, Exhibit 7 for Type II Conservation Units, and Exhibit 5 for Conservation Units used for Compensatory Mitigation.

(4) Conservation easements in the form of Exhibit 5 shall replace any other conservation easements for Conservation Units used for compensatory mitigation.

(5) Within seven days of conveyance of any portion or interest of a Conservation Unit, The St. Joe Company shall provide to the new owner a complete copy of the RGP, including the Biological Assessment (Exhibit 26), and the recorded conservation easement. Written assurance that a complete copy of the RGP has been given and received shall be provided to the Corps by The St. Joe Company within fourteen days of any such conveyance. The written assurance shall consist of a letter to the Corps stating that the conveyance has taken place and shall be signed by the appropriate representatives of The St. Joe Company and the new owner.

(6) Acreages of Conservation Units conveyed to governmental entities or non-profit conservation/natural resource management entities shall count toward the acreage required to be placed under conservation easements for corresponding watersheds.

7. Conservation easements: This section addresses the placement of conservation easements, as required by this RGP, under four different scenarios:

a. Perpetual conservation easements will be placed on Type I Conservation Units. This easement shall be in the form of Exhibit 6.

b. Perpetual conservation easements will be placed on Type II Conservation Units. This easement shall be in the form of Exhibit 7.

c. Perpetual conservation easements will be placed on unimpacted wetlands on each project site; and will include any required buffers. The conservation easements will be in place following individual project approvals, but prior to commencing any activities authorized by this RGP or according to the timeframe specified in the approval. The easement shall be in the form of Exhibit 5.

d. Areas within the subbasin, but outside of the CUs to compensate for onsite impacts greater than the allowed ratio. The easement shall be in the form of Exhibit

e. For areas to be used for compensatory mitigation outside of a mitigation bank, a conservation easement will be placed on the mitigation area prior to commencement of any activities authorized by this RGP. The easement shall be in the form of Exhibit 5.

8. Wetland Identification: For the purposes of this RGP, in order to establish one wetland line for all Individual Project Approvals the identification and delineation of wetlands is the most landward line identified in accordance with the Corps of Engineers Wetlands Delineation Manual (1987) and the Regional Supplement to the Corps of Engineers Wetlands Delineation Manual: Atlantic and Gulf Coastal Plain Region (2010)) or the State of Florida methodology prescribed in Chapter 62-340, F.A.C. Wetland boundaries may be identified using aerial photo- interpretation (API) and ground-truthing, and, if necessary, mapped using the Global Positioning System (GPS) and other Geographical Information System (GIS) mapping techniques. In much of the project area, historical aerial photography will be used to obtain pre-pine plantation wetland community signatures. A documented field verification based on ground-truthing with flagged wetland delineation lines, will be required.

9. Stormwater management systems for projects authorized under this RGP area will be designed, constructed, operated, and maintained in accordance with the Environmental Resource Permit Applicant's Handbook Volume II (Design and Performance Standards Including Basin Design and Criteria) For use within the geographic limits of the Northwest Florida Water Management District Effective June 1, 2018. A signed statement by a Florida licensed engineer which verifies that the project conforms to the aforementioned manual will be submitted prior to permit issuance.

10. Any work occurring within 100 feet of the Gulf Intracoastal Waterway (GIWW) or its right-of-way (ROW) as depicted on Exhibit 28, dredge material disposal areas as depicted on Exhibit 29, or vehicular access points as depicted on Exhibit 30 shall be designed and constructed in accordance with the SAJ-114 Conditions for Work Adjacent to the Gulf Intracoastal Waterway, Right-of-way, Dredge Material Disposal Areas, and Vehicular Access Points (Exhibit 31). Case specific review in accordance with 33 U.S.C. § 408 will be required prior to verification.

VI. Geographic Area: As shown in Exhibit 1, this RGP applies to non-navigable and non-tidal waters, including wetlands, which are located in two large watersheds: The Choctawhatchee Bay watershed and the St. Andrew Bay watershed, and various drainage basins of the two watersheds. The RGP area is located within southeastern Walton County, southwestern Washington County, and northwestern Bay County. More specifically, the proposed RGP project area is located north of the GIWW. Twelve conservation units (Exhibits 8-20) are located within the boundaries of the RGP. In Bay County, Township, Range, and Sections are: T1S, R16W, S19 & 29-31; T1S, R17W, S20-36; T2S, R16W, S6-7 & 18; T2S, R17W, S1-18. In Walton County, Township, Range, and Sections are: T1S, R17W, S18; T2S, R18W, S14-24 & 26-36; T2S, R19W, 24-26 & 36; and T3S, R18W, S1-6 & 11-14. In Washington County, Township, Range, and Sections are: T1S, R17W, S10-11, 13-17, & 19.

VII. Excluded Uses: This RGP does not authorize:

1. Discharge of dredged or fill material into wetlands for septic tanks or drain fields.
2. Stormwater ponds within high quality wetlands.
3. Application of fertilizers, herbicides or pesticides in all buffers, except to the extent herbicides are used to control nuisance, invasive vegetation.

VIII. Pre-Application Notification and Application Procedures:

1. To be authorized under this RGP, the applicant must first submit a pre-application notification (PAN), including a draft application form ENG 4345 and satisfactory drawings, to the appropriate permitting section. This information will be discussed during standing monthly pre-application meetings with appropriate representatives from the Corps, USFWS, the U.S. Environmental Protection Agency (EPA), the Florida Department of Environmental Protection (FDEP), FWC, and the Northwest Florida Water Management District (NFWFMD) (Team). The application must be provided 14 days prior to the scheduled meeting and include all of the information required in the Individual Project Approval Checklist (Exhibit 27) including the following information:

- a. Scope of the project - Type of project and how it comports with activities authorized by the RGP.
- b. Location / project boundaries - Exhibits showing general project location within the project area boundaries and specific location (1"=200' or other appropriate scale).
- c. Proposed wetland impacts. The number, type, location, and acreage of all wetland impacts, as well as drawings and other exhibits that sufficiently depict that the proposed project fully complies with this RGP. Under current guidance, the Preliminary Jurisdictional Determination form provided in Exhibit 22 may be utilized

for each Individual Project Approval under this RGP. Wetland Determination Data Form - Atlantic and Gulf Coastal Plain Region must be submitted with the draft application prior to the formal pre-application meeting.

d. Maps of high quality and altered wetlands onsite. The existing high quality/altered wetland map shall be used as a starting point for delineation of altered versus high quality wetlands (Exhibit 2). During or after wetland boundaries have been established, the resulting wetland areas will be classified and mapped by quality, as defined above. The procedure will use a combination of GPS technology, visual inspection of photography, timber stand data and ground-truthing.

e. Prior to submittal of formal application, a site visit must be conducted to verify the wetland limits and quality.

f. Mitigation Requirements: Applicant must provide documentation that the project complies with avoidance, minimization and compensatory mitigation requirements.

g. Reticulated flatwoods salamander (*Ambystoma bishopi*): Locations of ponds that have been determined to have the potential to support reticulated flatwoods salamander are depicted on Figure 6 of the SAJ-114 Biological Assessment (Exhibit 26). If the proposed project is within 1500 feet of a documented potential pond, then a re-initiation of consultation with USFWS will occur. Documentation of a site evaluation for the reticulated flatwoods salamander must be performed and documented through completion of the RGP-86 Flatwoods Salamander Pre-application Evaluation. The completed site evaluation must be provided at the pre-application meeting.

h. Bald eagle (*Haliaeetus leucocephalus*): Provide documentation of the location of known bald eagle nests and distance from proposed project area. If a bald eagle's nest occurs within 660 feet of a project, provide documentation that shows that the applicant followed the U.S. Fish and Wildlife Service (USFWS) May 2007 National Bald Eagle Management Guidelines (Exhibit 23) and has contacted the Florida Fish and Wildlife Conservation Commission (FWC) for recommendations relative to Florida's Bald Eagle Management Plan and Permitting Guidelines (Exhibit 24). Appropriate protections must be incorporated in the project design and documentation must be provided showing how the appropriate protections will be implemented.

i. Eastern indigo snake (*Drymarchon corais couperi*): The applicant must provide documentation that impacts to the eastern indigo snake have been evaluated using the EIS Effects Determination Key. The Permittee shall comply with the most current USFWS Standard Protection Measures for the Eastern Indigo Snake (Exhibit 25). The applicant must provide documentation that these protection measures will be implemented during the design and construction of the permitted work.

j. Documentation of coordination by the applicant with the State Historic

Preservation Officer (SHPO) regarding potential impacts on cultural and historical resources associated with a project is required. When a Cultural Resource Assessment Survey (CRAS) has been conducted, SHPO's written response to the report shall be included with the applicant's coordination documentation.

k. The applicant shall provide documentation whether coordination with the USFWS and/or FWC was required and/or initiated regarding any needed fish and wildlife surveys for the project area, and any measures needed to avoid, minimize, or mitigate adverse impacts to listed/protected fish and wildlife species and their habitats.

2. Once the comments received at the pre-application meeting are incorporated into the application package, the application for an individual project may be formally submitted to the Corps for processing. Authorization of the proposed work would be provided through a verification that the project meets the requirements of the RGP if performed in accordance with the terms and conditions specified in this permit instrument and any project-specific terms and conditions in the verification.

IX. Terms and Conditions:

1. **Reporting Address:** The Permittee shall submit all reports, notifications, documentation, and correspondence required by the general and special conditions of this permit to either (not both) of the following addresses:

a. For electronic mail (preferred): SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).

b. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.

2. Cultural Resources/Historic Properties:

a. No structure or work shall adversely affect, impact, or disturb properties listed in the *National Register of Historic Places* (NRHP), or those eligible for inclusion in the NRHP.

b. If, during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with native cultures or early colonial settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps at the addresses listed in the **Reporting Address Special Condition** within the same business day (8 hours). The

Corps shall coordinate with the Florida State Historic Preservation Officer (SHPO) to assess the significance of the discovery and devise appropriate actions.

c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition and, if deemed necessary by the SHPO or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

d. In the unlikely event that unmarked human remains are identified on non-federal lands; they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease, and the Permittee shall immediately notify the medical examiner, Corps, and State Archaeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the SHPO and from the Corps.

3. **Erosion Control:** Prior to the initiation of any work authorized by this permit, the Permittee shall install erosion control measures along the perimeter of all work areas to prevent the displacement of fill material outside the work area into waters of the United States. The erosion control measures shall remain in place and be maintained until all authorized work is completed and the work areas are stabilized.

4. **Fill Material:** The Permittee shall use only clean fill material for this project. The fill material shall be free from items such as trash, debris, automotive parts, asphalt, construction materials, concrete block with exposed reinforcement bars, and soils contaminated with any toxic substance in toxic amounts, in accordance with Section 307 of the Clean Water Act.

5. **Onsite Wetlands and Offsite Preservation Areas:** All unimpacted onsite wetlands and offsite preservation areas must be placed under a conservation easement. Activities allowed within conservation easements and Conservation Instrument are included in Exhibit 5.

6. **Offsite Preservation Location:** Offsite preservation areas must be abutting a designated Conservation Unit or existing preservation area and must consist of a mosaic of upland and altered and high quality wetlands. Activities allowed within conservation easements and Conservation Instrument are included in Exhibit 5.

7. **Buffers:** Buffers must be placed adjacent to high quality wetlands and shall be an average of 50 feet wide, with a minimum 30-foot width. Buffers must be placed under Conservation Easement. Buffers are not required at road crossings

8. **Buffer Requirements:** All buffers, whether upland or wetland, will be preserved and maintained in a natural condition, except boardwalks for dock access and at-grade trails. Buffers may be enhanced or restored to a more natural condition. If approved by the Corps, buffers may also be managed to provide an urban wildfire interface, as may be requested by local emergency management officials. Application of fertilizers, herbicides, or pesticides is prohibited in all buffers, except for the use of herbicides for the eradication of exotic and invasive plants. Such buffers shall be placed under conservation easements. Activities allowed within buffers placed under conservation easements are included in Exhibit 5.

9. **Crossings:** For each crossing proposed at a point where no previous crossing existed, an existing silviculture road crossing within the same sub-basin must be removed and the wetland hydrologic connection including any associated natural stream or tributary within the area of removal shall be restored. Restoration in this section is defined as re-establishment of natural soil surface grades and natural re-vegetation. Restoration activities must occur no later than February 15th of each year following the date of the initiation of construction of the new crossing. Projects authorized 45 days prior to February 15th may be completed by the following year. Once all existing silviculture crossings have been restored within a particular sub-basin this requirement shall lapse.

10. **Conservation Easements:**

a. The permittee shall have the conservation easement, including a legal description, survey, and scaled drawings of the areas in question, prepared and sent for legal review and approval to the U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section via electronic mail at SAJ-RD-Enforcement@usace.army.mil.

b. Within 30 days of U.S. Army Corps of Engineers' approval of the proposed easement, the permittee shall record the easement in the public records of Bay or Walton County, Florida. Within 60 days of the Corps approval of the draft conservation easement, the permittee shall forward a certified copy of the recorded easement to the Regulatory Division, at the addresses listed in the **Reporting Address Special Condition**.

c. The Permittee must show that it has clear title to the real property and can legally place it under a conservation easement. Along with the submittal of the draft conservation easement, the Permittee shall submit a title insurance commitment, in favor of the grantee, for the property that is being offered for preservation. Any existing liens or encumbrances on the property must be subordinated to the conservation easement. At the time of recordation of the conservation easement, a copy of a title insurance policy written in favor of the

DEP must be provided to the Corps in an amount equal to the current market value of the property.

d. In the event the permit verification is transferred, proof of delivery of a copy of the recorded conservation easement to the subsequent permittee or permittees must be submitted to the Corps together with the notification of permit transfer.

e. Grantee shall not assign its rights or obligations under a conservation easement except to another organization qualified to hold such interests under the applicable state and federal laws, including §704.06 Florida Statutes, and committed to holding the conservation easement exclusively for conservation purposes. The Corps shall be notified in writing of any intention to reassign the conservation easement to a new grantee and must approve selection of the grantee. The new grantee must accept the assignment in writing and deliver a copy of the acceptance to the Corps. The conservation easement must then be re-recorded and indexed in the same manner as any other instrument affecting title to real property, and a certified copy of the recorded conservation easement shall be furnished to the Corps.

f. The conservation easements must be recorded prior to commencing any activities authorized by this RGP or according to the timeframe specified in the verification.

g. The required Conservation Unit acreages must be placed under conservation easement within six months from the date of issuance of Individual Project Approval.

11. Reporting and Monitoring Requirements: By 15 February of every year in which impacts are authorized, St. Joe must provide an Annual Report. The Annual Report must include:

a. The total acreage of impact approved.

b. The location and acreage of any mitigation activity undertaken.

c. The number and acreage of conservation easements recorded. Conservation easements for projects authorized 45 days prior to February 15th may be recorded in the following year.

d. Conservation units conveyed to other owners.

e. The number and location of high quality wetland road crossings restored.

f. Activities undertaken within conservation units including the total number of acres of land disturbance.

g. Other activities that may impact this RGP.

12. **Ledger:** The St. Joe Company will maintain a GIS-based ledger and map depicting the amount, type and percentage of wetland impact and mitigation implemented in the EMA area. The Corps will provide The St. Joe Company with information regarding the amount, type and percentage of wetland impact and mitigation implemented in areas not owned by The St. Joe Company.

13. **Ledger Requirements:** Updated ledger balance sheet shall be submitted with each individual request for project approval. The ledger shall include the following by sub-basin:

- a. Total high quality and altered wetlands in the EMA area.
- b. Total project size - uplands and wetlands total.
- c. Project impacts - high quality and altered wetlands amount and percent of total.
- d. Mitigation required and location.
- e. Cumulative project impacts (acreage total and percentage).
- f. Total high quality and altered wetlands remaining in the EMA area.

14. **Recording Conservation Easements:** The St. Joe Company shall record conservation easements in Conservation Units as described in PDC 7 above.

15. **Sale of Conservation Units:** Prior to the sale or transfer of a conservation unit to a governmental entity or 501c(3) private conservation owner, The St. Joe Company shall place conservation easements on such property to assure the perpetual conservation use of the conservation units. The perpetual conservation easement shall be in the form of Exhibit 6 for Type I Conservation Units, Exhibit 7 for Type II Conservation Units, and Exhibit 5 for Conservation Units used for Compensatory Mitigation. Conservation easements in the form of Exhibit 5 shall replace any other conservation easements for Conservation Units used for compensatory mitigation. Within seven days of conveyance of any portion or interest of a Conservation Unit, The St. Joe Company shall provide to the new owner a complete copy of the RGP, including the Biological Assessment (Exhibit 26). Within fourteen days of any such conveyance The St. Joe Company will provide a letter signed by the appropriate representatives of The St. Joe Company and the new owner to the Corps stating that the exchange has taken place.

16. **Listed and Protected Species:** This RGP does not authorize the take of any listed species. In order to legally take a listed species, separate authorization under the Endangered Species Act (ESA) is required. Exhibit 26 is the Biological Assessment for this RGP.

17. **Proposed Species and Critical Habitat:** At this time, this project does not fall within the range for any known candidate or proposed species to be federally listed and/or proposed critical habitat to be designated under the ESA. If any species or critical habitat should become federally listed within the range of the permitted action, the Permittee is required to stop work and ask the Corps to re-evaluate effects on the species or designated critical habitat, and if needed, complete Section 7 consultation with the USFWS or National Marine Fisheries Service (NMFS) to address potential impacts to the species and/or designated critical habitat.

18. **As-Built Certification:** Within 60 days of completion of the work authorized by this permit, the Permittee shall submit as-built drawings of the authorized work and a completed "As-Built Certification by Professional Engineer" form to the Corps. The as-built drawings shall be signed and sealed by a registered professional engineer and include the following:

- a. A plan view drawing of the location of the authorized work footprint, as shown on the permit drawings, with transparent overlay of the work as constructed in the same scale as the permit drawings on 8½-inch by 11-inch sheets. The plan view drawing should show all "earth disturbance," including wetland impacts and water management structures.

- b. A list of any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work, describe on the attached "As-Built Certification by Professional Engineer" form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note that the depiction and/or description of any deviations on the drawings and/or "As-Built Certification by Professional Engineer" form does not constitute approval of any deviations by the Corps.

- c. Include the Department of the Army permit number on all sheets submitted.

19. **Section 408:** Any proposed work that may alter or occupy a Civil Works project will require case-specific review by the Corps Jacksonville District Engineering Division in accordance with 33 USC 408 (Section 408) and approval from the Jacksonville District Commander or the appropriate delegated authority prior to authorization under this RGP. Under the terms of 33 USC 408, any proposed modification requires a determination that such proposed alteration or permanent occupation or use of a Civil Works project is not injurious to the public interest and will not impair the usefulness of such work. For those Civil Works projects with Non-Federal Sponsors, Section 408 requests must be routed through the appropriate Non-Federal sponsor prior to submittal to the Corps Regulatory Office. Additional conditions may be required pursuant to Section 408 approval.

20. **Perpetual Conservation:** The Permittee shall maintain the mitigation areas in their naturally existing, restored, enhanced or created condition in perpetuity. The Permittee agrees that the only future utilization of these areas will not be in conflict with the intended

ecological function of the site and the following uses and/or activities will be prohibited except as required or authorized by this permit:

- a. Construction or placing buildings, roads, signs, billboards or other advertising, utilities or other structures on or above the ground.
- b. Dumping or placing soil or other substances or materials as landfill or dumping or placing of trash, waste or unsightly or offensive materials.
- c. Removing, destroying or trimming trees, shrubs, or other vegetation, except:
 - i. The removal of dead trees and shrubs or leaning trees that could cause damage to property is authorized.
 - ii. The destruction and removal of noxious, nuisance or exotic invasive plant species as listed on the most recent Florida Exotic Pest Plant Council's List of Invasive Species is authorized; and
 - iii. Activities authorized by the Permit or described in the Management Plan or otherwise approved in writing by the Corps.
- d. Excavation, dredging or removal of loam, peat, gravel, soil, rock, or other material substance in such a manner as to affect the surface.
- e. Surface use, except for authorized purposes that permit the land or water area to remain in its naturally restored, enhanced, or created condition.
- f. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation, including, but not limited to, ditching, diking, clearing, and fencing.
- g. Activities or uses detrimental to such aforementioned retention of land or water areas in their naturally restored, enhanced, or created condition; and
- h. Acts or use detrimental to the preservation of the structural integrity or physical appearance of sites or properties having historical, architectural, or cultural significance.

X. Discretionary Authority: Conformance with the descriptions and criteria contained herein does not guarantee authorization under this RGP. The District Engineer reserves the right to require that any request for authorization under this RGP be processed as an individual permit.

XI. General Conditions:

1. The time limit for completing the work authorized ends on **Date**.
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 the permit verification, you must obtain the signature and mailing address of the new owner in the space on the transfer page provided below and forward a copy of the permit verification and executed transfer page to this office to validate the transfer of the authorization.

5. 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.

XII. Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

☐ Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403)

☒ Section 404 of the Clean Water Act (33 U.S.C. § 1344)

☐ Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. § 1413)

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

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

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

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

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

5. 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.

6. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 C.F.R. § 325.7 or enforcement procedures such as those contained in 33 C.F.R. § 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to 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 C.F.R. § 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

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

(DISTRICT ENGINEER)
Brandon L. Bowman
Colonel, U.S. Army
District Commander

(DATE)

***Attachments to Department of the Army
Regional General Permit SAJ-114***

Exhibit 1: SAJ-114 Boundary Map

Exhibit 2: High Quality/Altered Wetlands

Exhibit 3: Aerial Map

Exhibit 4: Hydrologic Unit Code (HUC) Map

Exhibit 5: Conservation Easement

Exhibit 6: Conservation Unit Type I Easement

Exhibit 7: Conservation Unit Type II Easement

Exhibit 8: Conservation Units Map

Exhibit 9: Conservation Unit 1 – Barrett Branch

Exhibit 10: Conservation Unit 2 – Boutwell Branch

Exhibit 11: Conservation Unit 3 – Bunker Cove

Exhibit 12: Conservation Unit 4 – Mitchell River

Exhibit 13: Conservation Unit 5 – Doe Head Swamp

Exhibit 14: Conservation Unit 6 – Kelly Pond

Exhibit 15: Conservation Unit 7 – Otter Creek

Exhibit 16: Conservation Unit 8 – Pigeon Creek

Exhibit 17: Conservation Unit 9 – Sister River

Exhibit 18: Conservation Unit 10 – State Forest

Exhibit 19: Conservation Unit 11 – Three Mile Branch

Exhibit 20: Conservation Unit 12 – Tiller Branch

Exhibit 21: Conservation Unit Checklist

Exhibit 22: Preliminary Jurisdictional Determination Form

Exhibit 23: National Bald Eagle Management Guidelines (USFWS, May 2007)

Exhibit 24: FWC Bald Eagle (*Haliaeetus leucocephalus*) Management Plan Handbook (FWC, June 2010)

Exhibit 25: Standard Protection Measures for the Eastern Indigo Snake

Exhibit 26: Biological Assessment

Exhibit 27: Checklist for Department of the Army Regional General Permit SAJ-114

Exhibit 28: GIWW and Right-of-Way

Exhibit 29: Dredge Material Disposal Area

Exhibit 30: Vehicular Access Points

Exhibit 31: SAJ-114 Conditions for Work Adjacent to the Gulf Intracoastal Waterway, right-of-way, dredge material disposal easements, and vehicular access points

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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 the permit verification 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)