



REPLY TO
ATTENTION OF
Regulatory Division

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

MAR 23 2015

DEPARTMENT OF THE ARMY PERMIT
PROGRAMMATIC GENERAL PERMIT SAJ-108
SAJ-2013-00429

LIMITED MINOR ACTIVITIES IN LAKE SEMINOLE, FLORIDA

Upon recommendation from the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act, general authority is hereby given to the Operations Division of the Mobile District, U.S. Army Corps of Engineers, to administer this programmatic general permit (PGP) for the following activities: Construction and/or maintenance of boathouses/hoists, piers, and appurtenant structures; dredging of new and existing boat slips, canals or navigation channels; construction of water intake and discharge structures; and shoreline stabilization within waters regulated under the Lake Seminole Shoreline Management Plan (Management Plan) and located within and adjacent to Lake Seminole in Jackson County and Gadsden County, Florida. All projects must adhere to the terms and conditions stipulated in the latest version of the Management Plan and to the following Special Conditions:

A. SPECIAL CONDITIONS FOR CONSTRUCTION AND/OR MAINTENANCE OF BOATHOUSES/HOISTS, PIERS, AND APPURTENANT STRUCTURES:

1. The sizes, designs and installation methods of structures shall conform to the latest version of the Management Plan.
2. No structure shall exceed a total of 1,024 square feet.
3. No activity shall be authorized under this PGP which by its size or location may adversely affect emergent or submerged aquatic vegetation. Within project areas containing emergent or submerged aquatic vegetation, other than invasive or exotic species (see Attachment A), adverse impacts to these aquatic resources from dock construction may be ameliorated by adherence to the attached 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- U.S. Army Corps of Engineers/National Marine Fisheries Service- August 2001." (See <http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>). Dock construction in submerged aquatic vegetation which does not adhere to these guidelines cannot be authorized under this PGP *Note: The Construction Guidelines may be*

subject to revision at any time. It is our intention that the most recent version of this technical tool will be utilized during the evaluation of the permit application.

4. Flotation units associated with floating facilities shall be constructed of material that will not become waterlogged or sink when punctured.

5. In addition to the Special Conditions listed above which are only applicable to the construction and/or maintenance of boathouses/hoists, piers, and appurtenant structures, the Permittee shall abide by all of the Special Conditions which are listed in paragraph "E." below. These Special Conditions are applicable to all structures and/or work authorized under this PGP.

B. SPECIAL CONDITIONS FOR DREDGING OF NEW AND EXISTING BOAT SLIPS, CANALS OR NAVIGATION CHANNELS:

1. Dredging shall not exceed 5,000 cubic yards of accumulated sediment and other material for the purpose of constructing or maintaining a boat slip, canal, or navigation channel.

2. Dredging shall result in a depth not to exceed approved design depths (hardpan or original lake bottom) and in no case shall the depth exceed 6 feet normal lake pool elevation.

3. Dredged material shall not be placed in or on U.S. Army Corps of Engineers managed lands or waters of the United States, including open-waters and wetlands.

4. Turbidity control measures shall be used to control water quality and the work must be in accordance with State Water Quality Standards in Chapter 62-302, and sections 62-4.242 and 62-4.244 Florida Administrative Code. Turbidity control measures may include but are not limited to, turbidity control curtains, the exclusive use of suction dredging or closed "clam shell" dredging, or any other technique necessary to reduce turbidity to no more than background turbidity. The Florida Department of Environmental Protection (DEP) may require the Permittee to submit a daily turbidity report which may be verified by state or local government inspectors.

5. Excavated spoil material shall be deposited at self-contained upland areas that will prevent spoil material and/or return water from re-entering any water of the United States or interfering with natural drainage.

6. Discharge of dredged material into navigable waters of the United States is not authorized by this PGP.

7. Excavation of wetlands and/or areas containing submerged aquatic vegetation, other than invasive or exotic species (see Attachment A), is not authorized by this PGP.

8. The activity must be a single and complete project. Multiple uses of this PGP for the purpose of dredging beyond the 5,000 cubic yards of material limit at one project site (piecemeal dredging) is prohibited by this authorization.

9. In addition to the Special Conditions listed above which are only applicable to new dredging/excavation, the Permittee must abide by all of the Special Conditions which are listed in paragraph "E." below. These Special Conditions are applicable to all structures and/or work authorized under this PGP.

C. SPECIAL CONDITIONS FOR CONSTRUCTION OF RESIDENTIAL IRRIGATION WATER INTAKE STRUCTURES:

1. Construction of residential irrigation water intake structures shall adhere to the latest Lake Seminole Shoreline Management Plan, Land Based Facility Requirements for Waterlines and Pumps.

2. Waterlines shall not exceed two inches in diameter and water pumps must be electric and shall not exceed two horsepower.

3. In addition to the Special Conditions listed above which are only applicable to construction of residential water intake structures, the Permittee shall abide by all of the Special Conditions which are listed in paragraph "E." below. These Special Conditions are applicable to all structures and/or work authorized under this PGP.

D. SPECIAL CONDITIONS FOR SHORELINE STABILIZATION:

1. Examples of shoreline stabilization activities necessary for erosion prevention include the use of vegetative planting, installation of rip-rap material, or the construction of retaining walls. Breakwaters, sills, and artificial reefs are not authorized under this PGP.

2. No material shall be placed in excess of the minimum needed for erosion protection.

3. The activity shall not exceed 500 feet in length along the bank.

4. The activity shall not exceed an average of one cubic yard per running foot along the bank below the normal lake pool elevation.

5. The activity shall not involve discharges of dredged or fill material into special aquatic sites including wetlands.

6. Material shall not be placed in any location or in a manner where it can impair surface water flows into or out of any waters of the United States.

7. In addition to the Special Conditions listed above which are only applicable to shoreline stabilization activities, the Permittee must abide by all of the Special Conditions which are listed in paragraph "E." below. These Special Conditions are applicable to all structures and/or work authorized under this PGP.

E. SPECIAL CONDITIONS FOR ALL WORKS:

1. The work authorized herein is limited to those waters of the United States located within Lake Seminole in Jackson County and Gadsden County, Florida, which are regulated under the latest version of the Management Plan.

2. The term "Applicant" as contained herein shall mean any person, firm or corporation which makes application to the Lake Seminole Natural Resource Manager (Manager) for approval to engage in any activity covered herein, and the term "Permittee" shall mean any person, firm or corporation that has obtained such approval from the Manager after meeting the general and Special Conditions described in this PGP. An Applicant intending to use this PGP for a project must submit written plans and drawings to the Manager that clearly demonstrate the project's compliance with this PGP. Work shall not commence prior to receiving written individual verification from the Manager indicating the project complies with this PGP. The Manager's address is as follows: Natural Resource Manager, US Army Corps of Engineers, Woodruff-Seminole Site Office, Post Office Box 96, Chattahoochee, Florida 32324.

3. No activity shall be authorized under this PGP which may adversely affect water quality, fish and wildlife habitat, wetlands, or emergent or submerged aquatic vegetation.

4. Cultural Resources/Historic Properties:

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

b. If, during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: Pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work in the vicinity and notify the Corps within two calendar days. The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

c. A cultural resources assessment may be required of the permit area, if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR

325, Appendix C (5). Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO and 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 in the vicinity shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archeologist. The Corps shall then notify the appropriate SHPO and THPO(s). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the State Archeologist, SHPO and the Corps.

e. In the unlikely event that human remains are encountered on federal or tribal lands, or in situations where Archaeological Resources Protection Act of 1979, or Native American Graves Protection Repatriation Act of 1990 applies, all work in the vicinity shall immediately cease and the Permittee immediately notify the Corps. The Corps shall then notify the appropriate THPO(s) and 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. After such notification, project activities on federal lands shall not resume without written authorization from the Corps, and/or appropriate THPO(s), SHPO, and federal manager. After such notification, project activities on tribal lands shall not resume without written authorization from the appropriate THPO(s) and the Corps.

5. The Jacksonville District Engineer reserves the right to require that any request for authorization under this PGP be evaluated as an Individual Permit.

6. A complete copy of the permit with written authorization from the Manager, including drawings, Special Conditions and any amendments shall be maintained at the work site whenever work is being performed. The Permittee shall assure that all contractors, subcontractors and other personnel performing the permitted work are fully aware of the permit's terms and conditions.

7. No activity shall be authorized under this PGP which is likely to adversely affect any other federally listed threatened or endangered species or a species proposed for such designation, or destroy or adversely modify its designated critical habitat.

8. No work shall be performed until after the Permittee provides notification to the owner(s) or operator(s) of any marked utilities in the work area.

9. Any structure authorized under this PGP must not interfere with general navigation.

10. Activities qualifying for this PGP 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 PGP 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, or any designated federal, state or local agency administering general permits on behalf of 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 or any designated federal, state or local agency administering general permits on behalf of the Corps shall not be precluded from acting on a request to use this PGP before the applicable SSL authorization is granted.

11. Any activity within a federal right-of-way flowage easement will require the Permittee to enter into a consent-to-easement with the Real Estate Division, U.S. Army Corps of Engineers, Mobile District, prior to the commencement of any construction activity. Contact the Woodruff- Seminole Site Office at 229-662-2001 for more information.

12. Any proposed modification to an existing Corps project (either federally or locally maintained) that exceeds those modifications required for normal Operations and Maintenance (O&M) may require approval under 33 USC 408. There shall be no temporary or permanent alteration, occupation or use of these public works including but not limited to levees, sea walls, bulkheads, jetties and dikes for any purpose without the permission of the Secretary of the Army. Under the terms of 33 USC 408, any proposed modification requires a determination by the Secretary that such proposed alteration or permanent occupation or use of a federal project is not injurious to the public interest and will not impair the usefulness of such work.

13. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized

representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters and/or interfere with the function of federal projects, the Permittee will be required, upon due notice from the Corps, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

14. If fill material is used, the fill must be from upland sources and consist of suitable material. The fill material shall be free from items such as trash, debris, automotive parts, asphalt, construction materials, concrete blocks with exposed reinforcement bars, and soils contaminated with any toxic substance, in toxic amounts in accordance with Section 307 of the Clean Water Act.

15. This PGP shall be valid for a period of 5 years from the date of issuance unless suspended or revoked by issuance of a Public Notice by the District Engineer.

16. The Permittee shall maintain the structure or work authorized herein in good condition and in conformance with the terms and conditions of this permit, including maintenance to ensure public safety.

17. If this PGP 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 this PGP will remain in effect provided the activity is completed within 12 months of the date this PGP expired or was revoked.

18. The Permittee shall perform all work in accordance with the attached General Conditions attached hereto and made a part of this permit.

19. All work performed under authority of this PGP shall be in accordance with the latest version of the Management Plan. If a discrepancy exists between the Management Plan and conditions of this PGP, the conditions of this PGP shall prevail.

20. Failure to comply with the conditions of this PGP may result in the revocation, in part or in whole, of any shoreline use permit associated with said work and/or the issuance of a citation under Title 36, CFR.

F. FURTHER INFORMATION:

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

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

(X) 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:

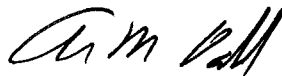
a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

BY AUTHORITY OF THE SECRETARY OF THE ARMY



Alan M. Dodd
Colonel, U.S. Army
District Commander

Attachment A:

Invasive and Exotic Species Occurring in Lake Seminole (including but not limited to):

Scientific Name	Common Name
<i>Alternanthera philoxeroides</i>	Alligator weed
<i>Bacopa caroliniana</i>	Lemon bacopa
<i>Colocasia esculenta</i>	Wild taro
<i>Eichhornia crassipes</i>	Water hyacinth
<i>Hydrilla verticillata</i>	Hydrilla
<i>Limnophila sessiliflora</i>	Limnophila
<i>Ludwigia species</i>	Water primrose
<i>Myriophyllum aquaticum</i>	Parrot feather
<i>Myriophyllum spp.</i>	Water milfoil
<i>Nelumbo lutea</i>	American lotus
<i>Oxycaryum cubense</i>	Cuban bulrush
<i>Panicum repens</i>	Torpedograss
<i>Potamogeton illinoensis</i>	Illinois pondweed
<i>Typha species</i>	Cattail
<i>Zizaniopsis miliacea</i>	Giant cutgrass

GENERAL CONDITIONS:

1. The time limit for completing the work authorized ends on MAR 23 2020.
If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
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 and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow 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.