

# DEPARTMENT OF THE ARMY PERMIT REGIONAL GENERAL PERMIT SAJ-93

**Permittee:** Florida Inland Navigation District  
1314 Marcinski Road  
Jupiter FL 33477-9498

**Effective Date:** April 26, 2016

**Expiration Date:** April 26, 2021

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

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

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

**Work Authorized:** The work authorized includes maintenance dredging of the Atlantic Intracoastal Waterway (AIWW), Intracoastal Waterway (IWW), and Okeechobee Waterway (OWW) federal navigation channels, including wideners, along the east coast of Florida which includes the following counties: Nassau, Duval, St. Johns, Flagler, Volusia, Brevard, Indian River, St. Lucie, Martin, Palm Beach, Broward, and Miami-Dade. The federal navigation projects are described in Table 1 below and shown in Attachment 1 and encompass the channel area as defined as the 12-foot deep, 150-foot wide to 125-foot wide federal AIWW channel extending from the Georgia/Florida line in Nassau County to the St. Johns River in Jacksonville; the 12-foot deep, 125-foot wide federal IWW channel extending from the St. Johns River in Jacksonville to the Fort Pierce Harbor Project in St. Lucie County; the 10-foot deep, 125-foot wide federal IWW channel from the Fort Pierce Harbor Project in St. Lucie County to the Miami Harbor in Miami-Dade County; the 8-foot deep, 80-foot wide channel originating at the confluence of the Indian River Lagoon/IWW and the St. Lucie River in Martin County ("Crossroads") to the St. Lucie Lock and Dam/eastern limit of St. Lucie Canal; the 8-foot deep, 100-foot wide channel originating from the St. Lucie Lock and Dam/eastern limit of St. Lucie Canal to the western Palm Beach County line across the middle of Lake Okeechobee (Route 1); and the 6-foot deep, 80-foot channel originating from the Port Mayaca Lock/western limit of St. Lucie Canal to the western Palm Beach County line along the southern shore of Lake Okeechobee (Route 2/Rim canal). This permit authorizes maintenance dredging of any of the aforementioned federal navigation projects in

accordance with the Congressional authorization or as deepened or widened under a Department of the Army permit. Maintenance dredging of residential canals and/or flood control projects; “new” dredging to widen or deepen an existing federal navigation project, new access channels, and channel realignments; and removal of channel/canal plugs or connection of any canal or other waterway to navigable waters of the United States are not authorized herein. This permit includes no limitation on volume. Maintenance dredging is restricted to the amount necessary to restore the congressionally authorized or permitted dimensions of the federal navigation channel allowing for a two-foot over-dredge.

Table 1. Federal Navigation Channels Within the Scope of RGP SAJ-93.

Federal Channel	Limits	Depth (feet)	Width (feet) <sup>1</sup>	Approximate Side Slopes (DepthX3) (feet) <sup>2</sup>
Atlantic Intracoastal Waterway	Florida State line to St. Johns River	12	150-125	36
Intracoastal Waterway	St. Johns River to Ft. Pierce.	12	125	36
Intracoastal Waterway	Ft. Pierce to Miami	10	125	30
Okeechobee Waterway	IWW (at St. Lucie Inlet) to St. Lucie Lock and Dam	8	80	24
Okeechobee Waterway	St. Lucie Lock and Dam to Clewiston (Route 1)	8	100	24
Okeechobee Waterway	St. Lucie Lock and Dam to Clewiston (Route 2)	6	80	18

<sup>1</sup>Channel widenings are not shown in this table.

<sup>2</sup>Actual horizontal width depends on bathymetry outside the federal project limits.

Maintenance dredging within the AIWW, IWW, and OWW would be performed using a hydraulic pipeline cutterhead suction dredge or mechanical clamshell dredge. Hopper dredges are excluded under this permit. Since dredging does not always result in a

smooth and even channel bottom, a drag bar or chain may be dragged along the bottom or agitation or injection dredging used to smooth down high spots and fill in low areas. The authorized work includes activities associated with maintenance dredging including transportation methodology and use of pipelines, booster pumps, and associated dredged material transfer mechanisms. Pipelines may be submerged or floating, typically constructed of steel or high-density polyethylene (HDPE) with connecting steel collars. Authorized pipeline sizes range from 12-inch to 24-inch in diameter. Dredging may require strategically locating booster pumps to facilitate pipeline disposal of the dredged material. Work vessels and activities typically include: the dredge vessel; booster pumps/small barges; push boats; scows/barges; crew transport/work vessels; spudding, anchoring, staging, and stockpile areas; loading/unloading areas; and associated vessel movements.

Dredged material shall be deposited in operational Dredged Material Management Areas (DMMA), upland areas where the dredged material is self-contained, or placed on certain beaches when dredging beach-compatible material. Operational DMMA at the time of this authorization are shown in Attachment 2. Decanted return water is allowed and must meet State Water Quality Standards as established by the Florida Department of Environmental Protection (FDEP). The use of an upland disposal area that is not a standard DMMA shall be constructed with consideration of the existing onsite drainage patterns, and the Permittee shall provide verification no onsite or offsite adverse flooding conditions will result from the placement of dredged material. Beneficial reuse of dredged material is allowed through the placement of dredged material at the eight beach sites shown in Table 2 below where the characteristics of the dredged material are consistent with that of the beach placement site and this authorization. This authorization also includes offload of dredged material from operational DMMA, specifically from DMMA SJ-1 to Summer Haven Beach and from MSA 434 to New Smyrna Beach. Offload of DMMA M-5 to Hobe Sound National Wildlife Refuge (NWR) is covered under SAJ-2009-03015 which expires October 24, 2021.

Table 2. Beach Placement Sites within the Scope of RGP SAJ-93

DREDGE REACH	LOCATION	COUNTY	BEACH	FDEP RANGE MONUMENTS	LINEAR FT OF SHORELINE
N-II	Sawpit	Nassau Co.	Amelia Island	R-75 to R-78	3,000
SJ-III	St Augustine Inlet Intersection	St. Johns Co.	Anastasia State Park	R-84 to R-122 R-123 to R-152	38,000 29,000

SJ-V	Matanzas	St. Johns Co.	Summer Haven	R-205 to R-208	3,000
V-IV	Volusia/Ponce	Volusia Co.	New Smyrna	R-161 to R-189.5	28,500
M-II	Crossroads	Martin Co.	Hobe Sound NWR	R-59 to R-80	21,000
P-I	Jupiter	Palm Beach Co.	Jupiter	R-13 to R-19	4,000
P-IV	Ocean Ridge/South Lake Worth Inlet	Palm Beach Co.	Ocean Hammock Park	R-155 to R-122 R-123 to R-152	2,050
MD-II	Baker's Haulover	Miami-Dade Co.	Bal Harbor	R-28 to R-32	4,000

**Special Conditions Related to Water Quality:**

1. Where disposal of dredged material includes beach placement, prior to the initiation of construction, the project must be authorized by the applicable permit required under Part IV of Chapter 373, F.S., by the FDEP and receive Water Quality Certification (WQC) and applicable Coastal Zone Consistency Concurrence (CZCC) or waiver thereto, as well as any authorizations required for the use of state-owned submerged lands under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. The Permittee shall comply with state standards as approved by FDEP and included as special conditions in the Corps' authorization.

2. Turbidity control measures will be used to minimize turbidity impacts from dredging to the maximum extent practicable to control water quality and the work must be in accordance with State Surface Water Quality Standards as outlined in Chapter 62.302, Florida Administrative Code (F.A.C.). Turbidity control measures may include, but are not limited to, turbidity control curtains, the exclusive use of suction dredging, and the exclusive use of closed "clam shell" dredging, or any other technique necessary to reduce turbidity to meet State Surface Water Quality Standards. The FDEP may require the applicant to submit a turbidity report within seven (7) days of sample collection, which may be verified by federal, state, or local government inspectors. More frequent report submissions, such as daily, may be requested or required by FDEP. If turbidity generated from the project exceeds acceptable levels as defined in Chapter 62-302.530, F.A.C. during normal work hours, i.e., 8:00 am to 5:00 pm, the Permittee shall immediately notify the Corps. If the exceedance occurs after normal work hours, the Permittee shall notify the Corps on the morning of the following workday. All dredging or disposal shall cease until corrective measures have been taken and turbidity has returned to acceptable levels.

3. The Permittee is prohibited from dumping oil, fuel, or hazardous wastes in the work area, and will adopt safe and sanitary measures for the disposal of solid wastes in accordance with federal, state, and local requirements. The Permittee shall develop an environmental protection plan to address concerns regarding monitoring of equipment,

maintenance and security of fuels, lubricants, and spill prevention. The plan shall be submitted to the Corps for review and approval at least 30 days prior to commencement of work under this permit. Subsequent environmental protection plans for individual verifications are not required unless provided there are no major changes to the plan.

**Special Conditions Related to Seagrass and other Aquatic Resources:**

4. This permit authorizes direct impacts to seagrass within the design limits of the federal navigation channel as described in Table 1. The Corps has identified seagrass potentially impacted as a result of maintenance dredging of the AIWW, IWW, and OWW based on two sources: the "Corps' 2015 Side-Scan Sonar and Aquatic Resource Mapping of the AIWW, IWW, and OWW" (referred to below as "side-scan sonar data") and the compilation of existing GIS data from the Fish and Wildlife Research Institute (referred to below as "GIS data"). Where side scan sonar data or the GIS data show seagrass within the design limits of the federal channel, the Permittee shall provide a pre-construction notification to include information on whether the navigation channel has continued to be maintained at or near authorized dimensions and a pre-construction seagrass survey performed in accordance with the requirements of special condition number 5.a and 5.b below. The Corps will evaluate whether there are substantially changed physical conditions that support and sustain significant ecological resources and will address, on a case-by-case, basis whether compensatory mitigation is required. If compensatory mitigation is required, the Corps will debit the appropriate acreage of credits from the Snook Island Natural Area unless the Permittee provides an alternate in-kind compensatory mitigation plan to the Corps for review and approval.

5. For maintenance dredging of the IWW from Dunlawton Bridge in Volusia County to Miami-Dade County, pre-construction seagrass surveys are required for all projects where the side-scan sonar data, GIS data, or other data source indicates seagrass is present within 100 feet from the near bottom edge of the federal navigation channel, within the anchor drop zones (typically within 100 feet of the near bottom edge of the channel), and/or pipeline corridors (typically a 50-foot corridor). Post-construction seagrass surveys are required for all projects where the pre-construction survey identifies seagrass within the survey area.

a. The pre-construction survey will clearly identify the limits of all seagrass beds in their entirety and the seagrass polygons will be illustrated on the project construction plans (plan view and cross-sections). The Permittee must also provide a GIS data set for seagrass and construction plan view. The size, species identified, estimate of percent coverage, and estimate of percent species abundance shall be provided. The pre-construction survey shall be conducted during the period from June 1 through September 30. All surveys within the range of Johnson's Seagrass shall fully adhere to

the *Recommendations for Sampling Halophila johnsonii at a Project Site* as provided in Appendix III of the Johnson's Seagrass Recovery Plan available at: [http://sero.nmfs.noaa.gov/protected\\_resources/johnsons\\_seagrass/documents/recoveryplan.pdf](http://sero.nmfs.noaa.gov/protected_resources/johnsons_seagrass/documents/recoveryplan.pdf) .

b. The pre-construction survey shall involve a visual inspection of the proposed pipeline route(s), the anchor zone adjacent to the dredge areas, and all vessel operation areas. The pre-construction survey shall indicate water depths and bottom contours and shall identify and define existing seagrass beds and other aquatic resources within the anchor and pipeline zone on a map at a resolution sufficient to avoid impacts. Patches of Johnson's seagrass within the anchor zone, pipeline routes, and vessel operation areas shall be delineated with GPS and areas of coverage shall be quantified. Anchor drop points and identified pipeline corridor (within 5 meters from the centerline) shall be free of seagrass resources. Coordinates of all dredge anchor drop points shall be recorded using GPS technology, accurate to one (1) meter.

c. Within 30 days following completion of construction, or after June 1 (whichever is later), a post-construction seagrass survey shall be conducted in the same manner and following the same transect locations and methods that were established during the pre-construction survey and as described in special condition number 5.a and 5.b above. The Permittee must provide the GIS data set for seagrass and construction plan view for the post-construction survey. If construction is completed prior to June 1, the post-construction survey shall be completed between June 1 and July 30.

6. If the pre-construction survey identifies seagrass adjacent to the federal channel, the project may proceed under this permit when the project includes hydraulic dredging of sandy or coarse sediments (no more than 10% of the material passing a #230 sieve for no more than 10% of the total dredged material composition) and seagrass can be avoided with a minimum 25-foot buffer between seagrass and all dredging activities or when the project includes mechanical dredging of fine sediments (material passing a #230 sieve) and seagrass can be avoided with a minimum 100-foot buffer between seagrass and all dredging activities.

7. If the pre-construction survey identifies seagrass adjacent to the federal channel, the Corps will coordinate with NMFS HCD for a 10-day review period prior to verification of a project under this permit when the activity includes hydraulic dredging of sandy or coarse sediments (no more than 10% of the material passing a #230 sieve for no more than 10% of the total dredged material composition) and there is less than a 25-foot buffer between seagrass and all dredging activities or when the activity includes mechanical dredging of fine sediments (material passing a #230 sieve) and there is less than a 100-foot buffer between seagrass and all dredging activities.

8. Work vessels crossing seagrass beds shall have a minimum of eighteen inches of clearance below their operational draft (i.e. lowest point in the water).

9. Direct impacts to seagrass located outside of the federal channel are not authorized by this permit. The Permittee shall not anchor, place pipeline, or stage equipment in a manner that will cause any damage to seagrass. Divers shall survey all anchor and pipeline locations and will document any alterations to the seagrass, changes in bottom contours, and any changes to the extent of the seagrass (e.g., altered bottom strata including coverage by fill, furrowing from pipelines, or anchoring from dredge equipment/work boats). Unauthorized impacts to seagrass shall require remediation and may be subject to compensatory mitigation requirements.

10. Impacts to natural hardbottom (including corals and worm rock) and wetlands are not authorized by this permit. This permit recognizes that the construction of the IWW in certain areas resulted in ledges that provide habitat for a variety of fish and other marine organisms including sessile invertebrates such as corals and sponges. These ledges are part of the federal navigation project as they form the edge of channel and as such this permit recognizes there may be temporary impacts to these resources during dredging. The Permittee shall not anchor, place pipeline, or stage equipment in a manner that will cause any permanent damage to hardbottom or wetlands; these areas shall be avoided to the maximum extent practicable. If the side-scan sonar data or GIS data identifies the presence of hardbottom, a detailed benthic resource survey will be required (date of survey, species type, coverage, quantity, resource characteristics, etc.) prior to commencement of work. If high-functioning benthic groups are present, such as stony corals, and the resources are candidates for relocation, the Permittee may avoid impacts by implementing an approved relocation plan prior to construction. All hardbottom relocation plans for federally-listed coral species shall be provided to the Corps for review and coordination for a 10-day period with NMFS HCD and NMFS Protected Resources Division (PRD) prior to verification under this permit. If impacts to wetland resources cannot be avoided, the Permittee shall develop a compensatory mitigation plan in accordance with 33 C.F.R. Part 332 to be reviewed and approved by the Corps following a 10-day coordination period with NMFS HCD.

11. Anchor or pipeline damage to seagrass, hardbottom (other than the ledges identified in special condition number 10 above), or wetlands outside the federal channel limits shall be reported to the Corps within 48 hours of discovery of impact. If the post-construction survey or project monitoring reveals that unintentional impacts to seagrass, hardbottom, or wetlands have occurred outside the federal channel as described in Table 1 as a result of project-related activities (e.g., anchoring impacts, pipeline impacts, sedimentation and/or burial impacts, side slope sloughing, propeller wash, etc.), the Permittee shall immediately coordinate with the Corps to quantify the

impact, assess the ecological functional loss, and provide an in-kind compensatory mitigation plan in accordance with 33 C.F.R. Part 332. Within 30 days of discovery of the impact, the Corps shall coordinate with NMFS for review and approval of the recommended remediation.

**Special Conditions Related to Federally Listed Species:**

12. Manatee Conditions:

a. The Permittee shall comply with the "Standard Manatee Conditions for In-Water Work - 2011" available at:

[http://www.saj.usace.army.mil/Portals/44/docs/regulatory/sourcebook/endangered\\_species/Manatee/2011\\_StandardConditionsForIn-waterWork.pdf](http://www.saj.usace.army.mil/Portals/44/docs/regulatory/sourcebook/endangered_species/Manatee/2011_StandardConditionsForIn-waterWork.pdf) .

b. For any proposed project located within 500-feet of a Warm Water Aggregation Area (WWAA) or Important Manatee Area (IMA) (identified on the Manatee Key maps available at

[http://www.saj.usace.army.mil/Portals/44/docs/regulatory/sourcebook/endangered\\_species/Manatee/County\\_Maps\\_2013.pdf](http://www.saj.usace.army.mil/Portals/44/docs/regulatory/sourcebook/endangered_species/Manatee/County_Maps_2013.pdf) , the Permittee shall comply with the listed restricted dredging protocols. If a proposed project is within 500-feet of a WWAA or IMA and the Permittee is unable to implement the specified dredging protocols, the Corps will coordinate with the Florida Fish and Wildlife Conservation Commission and the U.S. Fish and Wildlife Service. Upon completion of coordination, the Corps may elect to verify the project under this permit with the inclusion of any additional applicable special conditions. The Manatee Key 2013, or any future revised keys, is available at: <http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>.

*(Note: The manatee key 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 verification of any dredging activity under this permit).*

c. During clamshell dredging operations, a dedicated observer shall monitor for the presence of manatees. The dedicated observer shall have experience in manatee observation and be equipped with polarized sunglasses to aid in observing. Nighttime lighting of waters within and adjacent to the work area shall be illuminated using shielded or low-pressure sodium-type lights, to a degree that allows the dedicated observer to sight any manatee on the surface within 200 feet of the dredging operation. The dredge operator shall gravity-release the clamshell bucket only at the water surface, and only after confirmation that there are no manatees within the safety distance identified in the standard construction conditions.



d. Barges shall install mooring bumpers that provide a minimum 4-foot standoff distance under maximum compression between other moored barges and large vessels.

f. Pipelines may be weighted or floated and shall be positioned such that they do not restrict manatee movement to the maximum extent possible. Pipelines transporting dredged material shall be weighted or secured to the bottom substrate as necessary to prevent movement of the pipeline and to prevent manatee entrapment or crushing.

g. In the event that such pipeline positioning has the potential to impact seagrass or nearshore hardbottom, the pipeline may be elevated or secured to the bottom substrate to minimize impacts.

### 13. Sea Turtle and Smalltooth Sawfish Conditions:

a. The Permittee shall comply with National Marine Fisheries Service's "Sea Turtle and Smalltooth Sawfish Construction Conditions" dated March 23, 2006 and available at [http://www.saj.usace.army.mil/Portals/44/docs/regulatory/sourcebook/endangered\\_species/sea\\_turtles/inwaterWorkSeaTurtle032306.pdf](http://www.saj.usace.army.mil/Portals/44/docs/regulatory/sourcebook/endangered_species/sea_turtles/inwaterWorkSeaTurtle032306.pdf) .

b. Sand placement projects in Brevard, Indian River, St. Lucie, Martin, Palm Beach, and Broward Counties shall occur between November 1 and April 30. During the period May 1 through October 31, no construction equipment or pipes may be operated, placed, and/or stored on the beach.

14. Biological Opinion: This permit does not authorize the Permittee to take an endangered species, in particular sea turtles, shortnose sturgeon, piping plovers, red knots, southeastern beach mice, Anastasia Island beach mice, or Johnson's seagrass. In order to legally take a listed species, the Permittee must have separate authorization under the Endangered Species Act (ESA) (e.g., an ESA Section 10 permit, or a Biological Opinion (BO) under ESA Section 7, with "incidental take" provisions with which you must comply). The following BOs provide incidental take provisions for the above federally listed species: 1) *NMFS Regional Biological Opinion on Hopper Dredging Along the South Atlantic Coast (SARBO)* dated October 29, 1997, including all addendums; 2) *NMFS Maintenance Dredging of the Ports and Intracoastal Waterway within the Range of Johnson's Seagrass Regional Biological Opinion* dated June 4, 2001; 3) *U.S. Fish and Wildlife Service (FWS) Statewide Programmatic Biological Opinion (SPBO) for the U.S. Army Corps of Engineers Civil Works and Regulatory sand placement activities updated March 13, 2015*; 4) *FWS Programmatic Piping Plover Biological Opinion (P3BO) for the effects of U.S. Army Corps of Engineers planning and regulatory shore protection activities dated May 22, 2013*; and 5) *FWS BO for Regional*

*General Permit SAJ-93 dated January 29, 2016.* The aforementioned referenced BOs contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with “incidental take” that is also specified in the BO. Authorization under this permit is conditional upon compliance with all of the mandatory terms and conditions associated with incidental take of the referenced BOs, which terms and conditions are incorporated by reference in this permit. Failure to comply with the terms and conditions associated with incidental take of the BOs, where a take of the listed species occurs, would constitute an unauthorized take, and it would also constitute noncompliance with this permit. The USFWS or NMFS is the appropriate authority to determine compliance with the terms and conditions of its BO, and with the ESA. Mandatory terms and conditions required for projects verified under this permit are described below.

a. Terms and conditions A1-A23 on pages 122-143 of the *SPBO* apply to the following sites: St. Johns County, St. Augustine Inlet Intersection; Volusia County, Volusia/Ponce and MSA 434 offload; and Martin County, Crossroads and M-5 offload. Terms and conditions for beach mouse protection, A18 through A21 apply to St. Johns County, St. Augustine Inlet Intersection, R-132 to R-152.

b. Terms and conditions B1-B23 on pages 143-154 of the *SPBO* apply to the following sites: Nassau County, Sawpit; St. Johns County, Matanzas; Palm Beach County, Jupiter; Palm Beach County, Ocean Ridge; and Miami-Dade County, Baker’s Haulover. Terms and conditions for beach mouse protection, B15 through B18 apply to St. Johns County, St. Augustine Inlet Intersection, R-132 to R-152.

c. The 10 terms and conditions on pages 29-32 of the *P3BO* apply to the following sites: Nassau County, Sawpit; St. Johns County, St. Augustine Inlet Intersection R-123 to R-152; Volusia County, Volusia/Ponce and MSA 434 offload; and Martin County, Crossroads and M-5 offload.

d. The 10 terms and conditions on pages 51-53 of the RGP SAJ-93 BO apply to the following sites: Nassau County, Sawpit; St. Johns County, St. Augustine Inlet Intersection R-123 to R-152; Volusia County, Volusia/Ponce and MSA 434 offload; and Martin County, Crossroads and M-5 offload.

15. This permit acknowledges the federal navigation channel is excluded from Johnson’s seagrass designated critical habitat; however, in the event that dredging related activities such as pipeline placement are proposed within Johnson’s seagrass designated critical habitat, consultation with the NMFS PRD may be required. Upon completion of consultation, the Corps may elect to verify the project under this permit with the inclusion of any additional applicable special conditions.

16. Where beach placement is proposed, the Permittee shall submit to the Corps for review plans and specifications for beach placement and a monitoring plan for sand compaction, scarp formation and leveling, lighting, beach profile surveys, sea turtle surveys and shorebird surveys. The beach profile template for the sand placement projects shall be designed to mimic the native beach berm elevation and beach slopes landward and seaward of the equilibrated berm crest. Prior to verification of a project with beach placement under this permit, the Corps will provide FWS with the pre-construction notification including any required information listed above for a 30-day period of review, including a request for a waiver if any of the terms and conditions of the BOs cannot be met.

17. Any take of, or sighting of, an injured or incapacitated federally listed species shall be reported immediately to the Corps and U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or in Vero Beach (1-772-562-3909) for south Florida.

**Special Conditions Related to Historic Properties:**

18. If, during the initial ground disturbing activities and construction work, there are archaeological/cultural materials unearthed (which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes 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 Compliance and Review staff of the State Historic Preservation Office (850-245-6333) and the Corps (904-232-1658) to assess the significance of the discovery and devise appropriate actions, including salvage operations. 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.

19. In the unlikely event that human remains are identified, they will be treated in accordance with Section 872.05, Florida Statutes; all work in the vicinity shall immediately cease and the local law authority, the State Archaeologist (850-245-6444) and the Corps (904-232-1658) shall immediately be notified. Such activity shall not resume unless specifically authorized by the State Archaeologist and the Corps.

**Special Conditions for Notification and Reporting:**

20. No work shall be performed until the Permittee submits satisfactory plans for the proposed activity and receives written verification from the District Engineer that the proposed project is in accordance with the general and specific conditions of this permit.

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The pre-construction notification (PCN) shall include: the proposed date of construction; the total quantity and type of material to be dredged; type of dredged equipment; anticipated duration of dredging; the location and areal extent of the cut or shoals to be dredged; information on when the area was last dredged and the dredging frequency; the designated disposal sites, including miles of shoreline for beach placement; and any required pre-construction surveys for the areas to be dredged and the disposal site. The PCN shall also identify any terms and conditions that cannot be met and include a rationale for why a waiver may be needed.

21. Within 60 days of completion of the authorized work, the Permittee shall furnish the Corps an "As built Drawing" of the completed project, including a certified/sealed drawing which includes elevations and stations illustrating the total area, including depths. The Permittee shall also provide the Geographic Information Systems (GIS) data set for the area dredged. The information shall be submitted to: [CESAJ-ComplyDocs@usace.army.mil](mailto:CESAJ-ComplyDocs@usace.army.mil) and [nmfs.ser.monitoringreportshc@noaa.gov](mailto:nmfs.ser.monitoringreportshc@noaa.gov)

Hardcopies may be sent to:

Jacksonville District, Regulatory Division  
South Permits Branch, Enforcement Section  
Post Office Box 4970, Jacksonville, Florida 32232

22. The Permittee shall provide an annual report to the Corps by 31 March of each year that includes: a list of all verifications under this permit; total quantity of material dredged; GIS coverage of all cuts/shoals dredged; construction schedule; the results of all required mitigation and monitoring, including pre and post seagrass surveys with supporting GIS data set; and miles of shoreline where dredged material was placed on the beach for the prior year.

**Special Conditions Related to the Activity Authorized:**

23. This permit will not obviate the necessity to obtain any other permits, which may be required.

24. The District Engineer reserves the right to require that any request for authorization under this RGP be evaluated as a Standard Individual Permit or Letter of Permission.

25. This permit shall be valid for a period of 5 years from the above date of issuance, unless suspended or revoked by issuance of a public notice by the District Engineer. If SAJ-93 expires or is revoked prior to completion of the authorized work, authorization of activities that have commenced or are under contract (including if plans and

specifications have commenced for contract) under reliance on SAJ-93 will remain in effect, provided the activity is completed within 12 months of the date the SAJ-93 expired or was revoked.

26. The Permittee shall perform all work in accordance with the general conditions for permits. The general conditions attached hereto are made a part of this permit.

27. Assurance of Navigation: 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, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, 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.

**General Conditions:**

1. The time limit for completing the work authorized ends on **April 26, 2021**.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature and mailing address of the new owner in the space provided below and forward a copy of the permit to this office to validate the transfer of this authorization.

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5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**Further Information:**

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

(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 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 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 CER 209.170) accomplish the corrective measures by contract, or otherwise, and bill you for the cost.

7. 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.

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

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

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

8. 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.

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

*Jori K White*

\_\_\_\_\_  
for  
(DISTRICT ENGINEER)  
Jason A. Kirk, P.E.  
Colonel, U.S. Army  
District Commander

\_\_\_\_\_  
26 April 2016  
(DATE)



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***Attachments to Department of the Army  
Regional General Permit SAJ-93***

1. LOCATION MAPS FOR FEDERAL NAVIGATION CHANNELS: 7 pages
2. FIND/USACE INTRACOASTAL WATERWAY DREDGED MATERIAL MANAGEMENT AREAS, 1 page, dated April 2015.
3. AS-BUILT CERTIFICATION FORM: 2 pages
4. BIOLOGICAL OPINIONS TERMS AND CONDITION: A1-A23 and B1-B23 of SPBO, pages 122-154; 10 terms and conditions of P3BO, pages 29-32; and 10 terms and conditions on RGP SAJ-93 BO, pages 51-53.