



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

October 4, 2018

Regulatory Division

**Regional General Permit (RGP) SAJ-72  
SAJ-2006-02758 (RGP-JED)**

**Residential Docks in Citrus County, Florida**

Upon recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C § 403), general authority is hereby given to construct private residential docks in Citrus County, Florida. RGP SAJ-72 is subject to the following special and general conditions:

SPECIAL CONDITIONS:

1. **Description of Work Authorized:** The work authorized under this general permit shall be limited to residential dock facilities including piers, floating docks and platforms, as well as normal appurtenances such as boat hoists, boat shelters with open sides, stairways, walkways, mooring pilings, dolphins, and maintenance of same. The structures shall be designed and constructed in accordance with the special conditions provided below.

2. **Manatee Protection Plan:** Structures authorized under this RGP must conform to the Citrus County Manatee Protection Plan (CCMPP) of Chapter 13, Manatee Protection Element of the Citrus County Comprehensive Plan, as revised 2 December 1997, and any future revisions adopted during the authorization period of this RGP. Structures not in compliance with the CCMPP shall be evaluated under the Standard Permit process. Under most circumstances, the CCMPP limits single family residences to one boat slip per one hundred linear feet of owned shoreline. The current version of the CCMPP can be found on the Citrus County Board of County Commissioners Home Page at:

<http://www.citrusbocc.com/plandev/landdev/comp-plan/chapter-13.pdf>

3. **Drawings:** No work shall be performed until the applicant submits satisfactory plans for the proposed structure, and receives written authorization from the District Engineer.

4. **Number of Vessels Authorized:** Structures authorized under this general permit must conform to one of the following dock density thresholds depending on the specific location of the proposed project site:

a. Private residential dock facilities located within the geographic limits of the City of Crystal River, as depicted in Attachment 1, shall be limited to include only one

(1) boat slip per one hundred (100) linear feet of shoreline the applicant owns at the proposed project site.

b. All other private residential dock facilities must comply with the Citrus County Manatee Protection Plan (CCMPP) of Chapter 13, Manatee Protection Element of the Citrus County Comprehensive Plan, as revised December 2, 1997, and any future revisions adopted during the authorization period of this general permit. Under most circumstances, the CCMPP limits single family residences to one (1) boat slip per one hundred (100) linear feet of owned shoreline. *The current version of the CCMPP can be found on the Citrus County Board of County Commissioners Home Page at:*

<http://www.citrusbocc.com/plandev/landdev/comp-plan/chapter-13.pdf>

Structures not in compliance with this condition shall be evaluated under a Standard Permit process.

5. **Manatee Key:** Prior to issuance of authorization, the dichotomous key titled ***The Corps of Engineers, Jacksonville District, and the State of Florida Effect Determination Key for the Manatee in Florida***, dated April 2013, will be used to determine potential manatee impacts. All projects determined to be "may affect" and certain multi-slip facilities determined to be "may affect, not likely to adversely affect" will be sent by the Corps for consultation with the U.S. Fish and Wildlife Service in accordance with the Endangered Species Act. *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 evaluation of each Department of the Army permit application. The current version can be found on the Jacksonville District Regulatory Home Page at:*

<http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>

6. **Manatee Construction Conditions:** For projects in and/or over waters accessible to manatees, the permittee will implement the ***Standard Manatee Conditions for In-Water Work***, July 2011. These conditions can be accessed at the Jacksonville District Regulatory Division internet webpage in the Endangered Species, Manatee section of the Sourcebook located at:

<http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>

*Note: These conditions may be subject to revision at any time. It is our intention that the most recent version of these conditions will be utilized during the evaluation of the permit application.*

7. **Construction Window:** For any project located in a Manatee Warm Water Aggregation Area identified in ***The Corps of Engineers, Jacksonville District, and the State of Florida Effect Determination Key for the Manatee in Florida***, dated April 2013, or the most current version of the key, the Permittee shall cease all in-water

activity related to any authorized work from November 15 to March 31. The Permittee shall abide by this condition unless project-specific consultation has been reinitiated and concluded with the U.S. Fish and Wildlife Service lifting this seasonal restriction.

**8. Living, Fueling, and Storage Facilities:** No living, fueling, or storage facilities over navigable waters of the United States are authorized under this general permit.

**9. Cultural Resources and/or 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. 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.

**10. Threatened and Endangered Species:** No activity shall be authorized under this general permit which is likely to adversely affect a federally listed threatened or endangered species, or a species proposed for such designation, or destroy or adversely modify its designated critical habitat.

**11. Water Quality Certification and Coastal Zone Management Consistency:** Prior to the initiation of any construction, projects qualifying for this regional general permit must qualify for an exemption under section 403.813(1) F.S. or 373.406, F.S., or otherwise be authorized by the applicable permit required under Part IV of Chapter 373, F.S., by the Department of Environmental Protection, a water management district under section 373.069, F.S., or a local government with delegated authority under section 373.441, F.S., 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.

**12. Water Quality Certification Compliance:** Work will be conducted so as to prevent violations of State Water Quality Standards as established in sections 62-4.242 and 62-4.244 of the Florida Administrative Code and Chapters 62-302, 62-520, 62-522, and 62-550 of the Florida Administrative Code.

**13. Navigation:** No structure authorized under this general permit shall interfere with general navigation. The following measures shall be implemented so as to ensure safe navigation:

a. **Navigation Safety Lights:** Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the Permittee's expense on authorized facilities in navigable waters of the United States.

b. **Open Water Span:** To maintain no less than 50% of the open-water portion of the waterbody available for public use, structures constructed on canals or channels must not extend more than 25% of the canal/channel width.

**14. Federal Channel Setback:** No structures, including pilings shall be within the established Federal channel setback, calculated from the near bottom edge of the channel, until coordination and concurrence with the Corps Navigation business line is complete. The setback may vary between different Federal channels and between

specific reaches of the same Federal channel. Exact locations of the proposed work may be verified by use of Florida State Plane Coordinate System (XY coordinates). Any activity within Federal project lands, including rights-of-way, may require the permittee to enter into a consent-to-easement or other real estate instrument with the Real Estate Division, U.S. Army Corps of Engineers, Jacksonville or Mobile District, as appropriate, prior to the commencement of any construction activity. (COE)

**15. Dock Reconstruction:** For projects adjacent to a Federal navigation channel, if the previously authorized, serviceable, structure was destroyed by an act of nature or other event, the project will be reviewed pursuant to the most recent District's Setback Guidance in effect at the time of the request. Based on the Setback Guidance, it is possible that reconstruction may not be authorized in the same dimensions or design as the original structure.

**16. Dock Construction Guidelines for Structures In or Over Seagrass:** A structure which by its size or location may adversely affect water quality, forested or emergent wetlands, or submerged aquatic vegetation will not be authorized under this general permit. If the project site supports emergent or submerged aquatic vegetation, a structure authorized under this general permit shall adhere to the ***Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat***, August 2001 (and any future revisions adopted during the authorization period of this general permit), jointly developed by the U.S. Army Corps of Engineers and the United States Department of Commerce, National Marine Fisheries Service. These guidelines can be accessed at the Jacksonville District Regulatory Division internet webpage in the Other Permitting Factors, In-Water Construction Conditions section of the Sourcebook located at:

[www.saj.usace.army.mil/Portals/44/docs/regulatory/sourcebook/other\\_permitting\\_factors/DockGuidelines2008\\_Revised.pdf](http://www.saj.usace.army.mil/Portals/44/docs/regulatory/sourcebook/other_permitting_factors/DockGuidelines2008_Revised.pdf)

Where SAV presence on a specific site is expected, but may not currently exist due to causes such as seasonal die-off, a structure authorized under this general permit shall adhere to the ***Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat*** August 2001 unless a survey (performed between June 1 and September 30) confirms year round absence of SAV at the project site.

**17. Essential Fish Habitat and Protected Aquatic Resources:** No work shall be authorized by SAJ-72 which may have direct or indirect adverse impacts to essential fish habitat such as but not limited to hard or soft corals, including listed corals, mangroves, estuarine emergent vegetation, marine emergent vegetation, and/or the following species of submerged aquatic vegetation: shoal grass (*Halodule wrightii*), paddle grass (*Halophila decipiens*), star grass (*Halophila engelmanni*), Johnson's seagrass (*Halophila johnsonii*), sago pondweed (*Potamogeton pectinatus*), clasping-leaved pondweed (*Potamogeton perfoliatus*), widgeon grass (*Ruppia maritima*),

manatee grass (*Syringodium filiforme*), turtle grass (*Thalassia testudinum*), tapegrass (*Vallisneria americana*), horned pondweed (*Zannichellia palustris*), and eel grass (*Zostera marina*). Indirect effects include secondary and cumulative effects. In addition, the project cannot have adverse effects on any other essential fish habitat.

**18. Compliance with the Jacksonville District's Programmatic Biological Opinion:** Structures authorized under this general permit must satisfy the Project Design Criteria (PDCs) provided for all activities and pile-supported structures as stated in the **U.S. Army Corps of Engineers Jacksonville District's Programmatic Biological Opinion**, November 2017 (JAXBO), attached hereto. In accordance with the Endangered Species Act, the Corps will seek individual consultation with the National Marine Fisheries Service (NMFS) for all projects that do not comply with the PDCs of JAXBO prior to verification. Please note that failure to comply with the attached PDCs, where a take of listed species occurs, would constitute an unauthorized take, and noncompliance with this general permit. The NMFS is the appropriate authority to enforce the terms and conditions of JAXBO. The most current version of JAXBO can be accessed at the Jacksonville District Regulatory Division internet webpage in the Endangered Species section of the Sourcebook located at: <http://www.saj.usace.army.mil/Missions/Regulatory/Source-Book/>

Note: JAXBO may be subject to revision at any time. It is our intention that the most recent version of these conditions will be utilized during the evaluation of the permit application.

**19. Restrictions on Materials:** The materials used for construction must consist of suitable material and be free of toxic pollutants in other than trace quantities.

**20. Assurance of Navigation:** For projects authorized under the SAJ-72 in navigable waters of the United States, 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 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.

**21. Self-Certification Statement:** Within 60 days of completion of the authorized work, a *Self-Certification Statement of Compliance* (reference <http://www.saj.usace.army.mil/Portals/44/docs/regulatory/sourcebook/permitting/forms/Other/SelfCert.pdf> ) must be completed and submitted to the Corps. The form must reference the site specific Department of the Army permit number associated with the work. The completed form must be mailed to the Jacksonville District, Enforcement Section.

a. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Special Projects and Enforcement Section, P.O. Box 4970, Jacksonville, Florida 32232-0019.

b. For electronic mail SAJ-RD-Enforcement@usace.army.mil (not to exceed 10 MB).

22. **Permit Expiration:** RGP SAJ-72 will be valid for a period of five years from the date of issuance noted above unless suspended or revoked by the District Engineer prior to that date. If the SAJ-72 expires or is revoked prior to completion of the authorized work, authorization of activities which have commenced or are under contract to commence in reliance upon the SAJ-72 will remain in effect provided the activity is completed within 12 months of the date the SAJ-72 expired or was revoked.

23. **Discretionary Authority:** The District Engineer reserves the right to require that any request for authorization under this general permit be processed as an Individual Permit.

24. **General Conditions:** The Permittee shall perform all work in accordance with the enclosed general conditions, which hereto are attached and made a part of this RGP.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

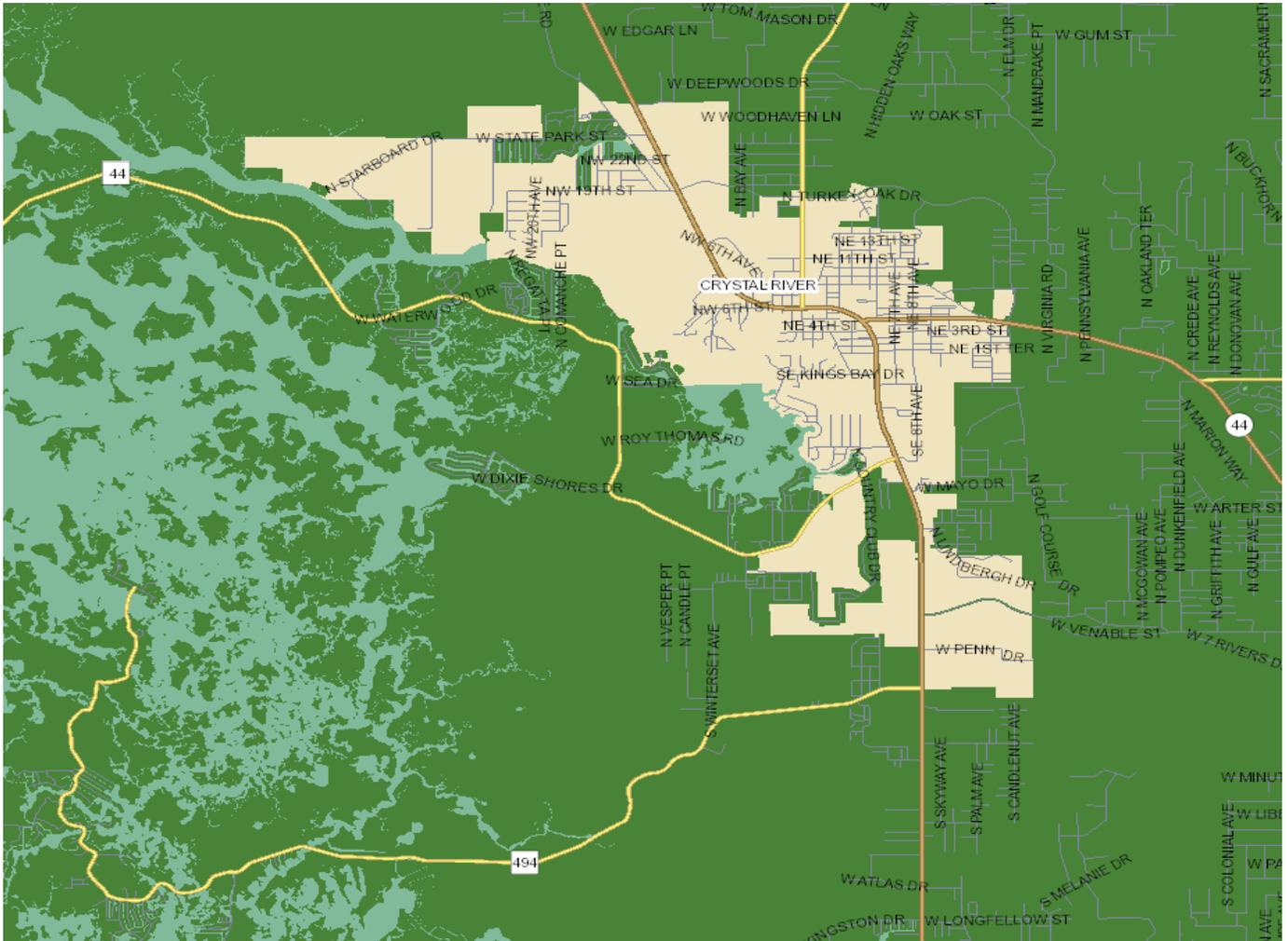
*Shawn Zinszer*

Andrew D. Kelly Jr.  
For: Colonel, U.S. Army  
District Commander

## Regional General Permit SAJ-72

### Attachment 1

## City of Crystal River City Limits



The City of Crystal River city limits depicted in beige polygon above. Private residential dock facilities located within the geographic limits of the City of Crystal River, as depicted in above, shall be limited to include only one (1) boat slip per one hundred (100) linear feet of shoreline the applicant owns at the proposed project site.

In the event that an applicant within the City limits seeks a slip density that exceeds this threshold, the project would not comply with the special conditions of SAJ-72. Any such project shall be reviewed as a Standard Permit.

## **GENERAL CONDITIONS FOR DEPARTMENT OF THE ARMY GENERAL PERMITS:**

1. The time limit for completing the work authorized ends on **October 4, 2023**. 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 the 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.

Further Information:

1. Limits of this authorization.

- a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal projects.

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

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

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

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

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 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.

5. 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)

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(DATE)

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(NAME-PRINTED)

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(ADDRESS)

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(CITY, STATE, AND ZIP CODE)