



**DEPARTMENT OF THE ARMY**  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
POST OFFICE BOX 4970  
JACKSONVILLE, FLORIDA 32232-0019

REPLY TO  
ATTENTION OF

**February 17, 2010**

Regulatory Division  
Jacksonville Permits Section  
SAJ-1999-03665 (NW-CP)  
Modification #1

Ms. Joy Giddens  
Florida Department of Transportation  
Post Office Box 607  
Chipley, Florida 32428

Dear Ms. Giddens:

The U.S. Army Corps of Engineers has completed the review and evaluation of your modification request received December 17, 2009. The project known as the I-10 Escambia Weigh Station is located along I-10 approximately 1 mile east of the Perdido River, in Sections 34 and 35, Township 1 North, Range 31 West, Escambia County, Florida.

The proposed modification is to change two mitigation conditions. The first condition required that "no less than 20 acres be acquired within the Jones Swamp Preserve from 5 parcels show on page 16 of 16 of the permit drawings...", and that acquired lands be preserved in perpetuity in a natural state via deed restrictions recorded with Escambia County, Florida and that the acquired lands be managed in accordance with the Jones Swamp preserve Management Plan, October 31, 1997, FCT Project #95-014-P56. Mitigation lands would be owned by Escambia County. The condition is modified to shift the required five parcels from the Jones Swamp Preserve to the Schluter parcel, which is located within the Jones Swamp Preserve area. The second modification is to remove the condition that required the recording of a deed restriction with Escambia County.

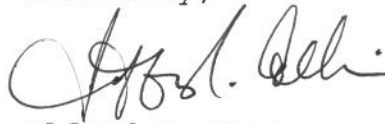
The impact of your proposal on navigation and the environment have been reviewed and found to be insignificant. The permit is hereby modified in accordance with your request. You should attach this letter to the permit. All other conditions of the permit remain in full force and effect.

If you have any questions concerning permit modification,

please contact the project manager Randy Turner at the letterhead address, by telephone at 904-232-1670.

Thank you for your cooperation with our permit program. The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to take a few minutes to visit the following link and complete our automated Customer Service Survey: <http://per2.nwp.usace.army.mil/survey.html>. Your input is appreciated - favorable or otherwise.

Sincerely,

A handwritten signature in black ink, appearing to read "Alfred A. Pantano, Jr.", written in a cursive style.

Alfred A. Pantano, Jr.  
Colonel, U.S. Army  
District Commander

Copy Furnished:  
CESAJ-RD-PE

17 February 2010

**MEMORANDUM FOR RECORD**

**SUBJECT:** Supplement to the Department of the Army Environmental Assessment and Statement of Findings for the Above-Numbered Permit Application

**1. Applicant:** Florida Department of Transportation - District 3  
Attn: Joy Giddens  
1074 Highway 90  
Chipley, Florida 32428

**2. Reason for Supplement:** The permittee requests two modifications to the permit conditions. The first is to modify the mitigation condition that required that "no less than 20 acres" be acquired within the Jones Swamp Preserve from "5 parcels shown on page 16 of 16 of the permit drawings...", that acquired lands be preserved in perpetuity in a natural state via deed restrictions recorded with Escambia County, Florida and that acquired lands be managed in accordance with the Jones Swamp Preserve management Plan, October 31, 1997, FCT Project #95-014-P56. Mitigation lands would be owned by Escambia County. The modification is to change the mitigation to: The required mitigation is shifted from the five parcels within the Jones Swamp Preserve to the Schluter parcel, also located within the Jones Swamp Preserve area. The second modification is to remove the condition that requires the recording of a deed restriction. The Schluter parcel was acquired for preservation purposes and recording would not be necessary.

**3. Original Authorized Project:** The placement of fill in approximately .95 acres of waters of the United States (wetlands) associated with the Escambia County Weigh State located along I-10.

**4. Endangered Species:** The Corps of Engineers determined the proposed modification will have "no effect" on any federally listed species. Issuance of permit number SAJ-1999-03665 addressed any potential impacts to federally listed species.

CESAJ-RD-NJ (1145b)

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**5. Essential Fish Habitat (EFH):** The Corps of Engineers determined the proposed modification will have "no effect" on EFH as the project is not located within EFH.

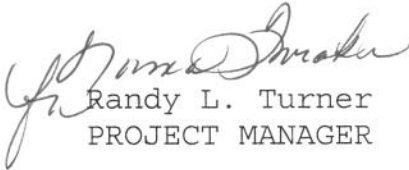
**6. Mitigation:** No additional mitigation is required for the proposed modification.


**7. Special Conditions:** No special conditions are required for the proposed modification.

**8. Determination:** I have reviewed all the pertinent information and have concluded that the determinations of the permit evaluation are still valid and there have been no significant changes in the circumstances surrounding this permit since the final determination was made. Therefore, the conclusion that the permit is not contrary to the public interest, that it complies with the 404(b)(1) Guidelines, and that an Environmental Impact Statement is not required is still valid.

PREPARED BY:

REVIEWED BY:

  
Randy L. Turner  
PROJECT MANAGER

  
Jeffrey S. Collins  
Acting Chief, Jacksonville  
Permits Section