



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
415 RICHARD JACKSON BOULEVARD, SUITE 411
PANAMA CITY BEACH, FLORIDA 32407

March 10, 2026

Regulatory Division
North Permits Branch
Panama City Permit Section
SAJ-2025-02494 (NWP-LRB)

Florida Department of Transportation (FDOT), District 3 (D3)
c/o Joseph Mixon
1074 Highway 90
Chipley, FL 32428
Sent via email: Joseph.Mixon@dot.state.fl.us

Dear Mr. Mixon:

The U.S. Army Corps of Engineers (Corps) has completed the review of your application for a Department of the Army permit received on August 19, 2025. Your application was assigned file number SAJ-2025-02494. A review of the information and drawings provided indicates that the proposed work will result in 1.73 acres of direct impacts and 0.49 acre of secondary impacts within freshwater forested wetlands. The activity includes the realignment and reconstruction of Dover Road (Rd.) on the north side of State Road (SR) 10 to more safely align with Dover Rd. on the south side of SR 10. Work also includes milling and resurfacing of travel lanes and shoulders on SR 10 and widening of SR 10 to create turn lanes. Additionally, a stormwater management facility will be constructed along the northeast corner of the intersection to capture runoff from the newly constructed roadway. The activities subject to this permit are authorized pursuant to authorities Section 404 of the Clean Water Act (33 U.S.C. § 1344). The project is located in nontidal wetlands at the intersection of SR 10 (US 90) and Dover Rd. within Sections 5 and 8, Township 1 North, Range 2 West, Midway, Gadsden County, FL.

Your project, as depicted on the enclosed drawings, is authorized by Nationwide Permit (NWP) 23 (Approved Categorical Exclusions). **This verification is valid until March 14, 2026.** In order for this NWP authorization to be valid, you must ensure that the work is performed in accordance with the Nationwide Permit General Conditions, the Jacksonville District Regional Conditions, and the General and Project-Specific Special Conditions listed below. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant NWP is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this NWP. You can

access the U.S. Army Corps of Engineers' (Corps) Jacksonville District's Regulatory web page for links to view NWP information at: <https://www.sad.usace.army.mil/Missions/Regulatory/Florida/>. Please be aware this Internet address is case sensitive and should be entered as it appears above. Once there, select "Permitting," then "Nationwide Permits" for links to the federal register containing the text of the pertinent NWP authorization and the associated NWP general conditions, as well as separate links to the regional conditions applicable to the pertinent NWP verification.

You must comply with all of the special and general conditions for NWP-23, including any project-specific conditions included in this letter and all conditions incorporated by reference as described above.

General Conditions:

1. The time limit for completing the work authorized ends on **March 14, 2026**.
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 of the new owner on the attached transfer form (Attachment 1) and forward a copy to this office to validate the transfer of this authorization.
5. You must allow a representative 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.

Project Specific Special Conditions:

The following project specific special conditions are included with this verification:

1. **Reporting Address:** The Permittee shall submit all reports, notifications,

documentation, and correspondence required by the general and special conditions of this permit to either (not both) of the following addresses:

- a. For electronic mail (preferred): SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).
- b. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.

The Permittee shall reference this permit number, SAJ-2025-02494 (NWP-LRB), on all submittals.

- 2. **Permit Conditions Prevail:** If information in the permit attachments conflict with the special conditions of this permit, the requirements of the permit special conditions shall prevail.
- 3. **As-Built Certification:** Within 60 days of completion of the work authorized by this permit, the Permittee shall submit as-built drawings of the authorized work and a completed "As-Built Certification by Professional Engineer or Surveyor" form (Attachment 2) to the Corps. The as-built drawings shall be signed and sealed by a registered professional engineer or surveyor and include the following:
 - a. A plan view drawing of the location of the authorized work footprint, as shown on the permit drawings, with an overlay of the work as constructed. The plan view drawing should show all existing water management structures and the completed structures, dredge/fill activities, and wetland impacts.
 - b. A list of any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work, describe on the attached "As-Built Certification by Professional Engineer" form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note that the depiction and/or description of any deviations on the drawings and/or "As-Built Certification by Professional Engineer" form does not constitute approval of any deviations by the Corps.
 - c. The Department of the Army permit number on all sheets submitted
- 4. **Posting of Permit:** The Permittee shall have available and maintain for review a copy of this permit and approved plans at the construction site.
- 5. **Cultural Resources/Historic Properties:**

- a. No structure or work shall adversely affect, impact, or disturb properties listed in the *National Register of Historic Places* (NRHP), or those eligible for inclusion in the NRHP.
 - b. If, during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with native cultures or early colonial settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps at the addresses listed in the **Reporting Address Special Condition** within the same business day (8 hours). The Corps shall coordinate with the Florida State Historic Preservation Officer (SHPO) to assess the significance of the discovery and devise appropriate actions.
 - c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition and, if deemed necessary by the SHPO or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.
 - d. In the unlikely event that unmarked human remains are identified on non-federal lands; they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archaeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the SHPO and from the Corps.
6. **Erosion Control:** Prior to the initiation of any work authorized by this permit, the Permittee shall install erosion control measures along the perimeter of all work areas to prevent the displacement of fill material outside the work area into waters of the United States. The erosion control measures shall remain in place and be maintained until all authorized work is completed and the work areas are stabilized.

7. **Proposed Species/Critical Habitat:** The action falls within the range for the tricolored bat (*Perimyotis subflavus*), the alligator snapping turtle (*Macrochelys temminckii*), the southern hognose snake (*Heterodon siums*), and the monarch butterfly (*Danaus plexippus*) which are proposed to be federally listed under the Endangered Species Act. If these species become federally listed and the authorized work has not been completed, the Permittee is required to stop work and ask the Corps to re-evaluate the effects of the permitted action on the tricolored bat, the alligator snapping turtle, and the monarch butterfly, and if needed, complete Section 7 consultation with the U.S. Fish and Wildlife Service to address potential impacts to the tricolored bat (*Perimyotis subflavus*), the alligator snapping turtle (*Macrochelys temminckii*), the southern hognose snake (*Heterodon siums*), and the monarch butterfly (*Danaus plexippus*).
8. **Fill Material:** The Permittee shall use only clean fill material for this project. The fill material shall be free from items such as trash, debris, automotive parts, asphalt, construction materials, concrete block with exposed reinforcement bars, and soils contaminated with any toxic substance in toxic amounts, in accordance with Section 307 of the Clean Water Act.
9. **Mitigation Bank Credit Purchase:** Prior to commencement of work, the Permittee shall provide verification to the Corps that 0.99 of federal Palustrine Forested UMAM mitigation bank credits have been purchased from the Shuler In-Lieu Fee (ILF) mitigation site (a component of the NFWFMD In-Lieu Fee Mitigation Program (SAJ-2011-00287)). The required verification shall reference this project's permit number SAJ-2025-02494 (NW –LRB).
10. **Eastern Indigo Snake Protection Measures and Inspection:** Permittee shall comply with U.S. Fish and Wildlife Service's "Standard Protection Measures for the Eastern Indigo Snake" dated May 2024, as provided in Attachment 3 of this permit. All gopher tortoise burrows, active or inactive, shall be evacuated prior to site manipulation in the vicinity of the burrow. If excavating potentially occupied burrows, active or inactive, individuals must first obtain state authorization via a Florida Fish and Wildlife Conservation Commission (FWC) Authorized Gopher Tortoise Agent permit. The excavation method selected shall minimize the potential for injury of an indigo snake. The Permittee shall follow the excavation guidance provided in the most current FWC Gopher Tortoise Permitting Guidelines found at <http://myfwc.com/gophertortoise>. If an indigo snake is encountered, the snake must be allowed to vacate the area prior to additional site manipulation in the vicinity. Holes, cavities, and snake refugia other than gopher tortoise burrows shall be inspected each morning before planned site manipulation of a particular area, and if occupied by an indigo snake, no work shall commence until the snake has vacated the vicinity of the proposed work.

This letter of authorization does not include conditions that would prevent the 'take' of a state-listed fish or wildlife species. These species are protected under sec. 379.411, Florida Statutes, and listed under Rule 68A-27, Florida Administrative Code. With regard to fish and wildlife species designated as species of special concern or threatened by the State of Florida, you are responsible for coordinating directly with the Florida Fish and Wildlife Conservation Commission (FWC). You can visit the FWC license and permitting webpage (<http://www.myfwc.com/license/wildlife/>) for more information, including a list of those fish and wildlife species designated as species of special concern or threatened. The Florida Natural Areas Inventory (<http://www.fnai.org/>) also maintains updated lists, by county, of documented occurrences of those species.

This letter of authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

This letter of authorization does not preclude the necessity to obtain any other Federal, State, or local permits which may be required.

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 complete our automated Customer Service Survey at <https://regulatory.ops.usace.army.mil/customer-service-survey/>. Please be aware this Internet address is case sensitive and you will need to enter it exactly as it appears above. Your input is appreciated – favorable or otherwise.

Should you have any questions related to this verification or have issues accessing the documents reference in this letter, please contact Lucille Brandenburg via telephone at 561-386-0054, or via e-mail at Lucille.R.Brandenburg@usace.army.mil.

Sincerely,

Lisa S. Lovvorn
Chief, Panama City Permits Section

Enclosures

1. Transfer Form
2. As-Built Certification
3. Standard Protection Measures for the Eastern Indigo Snake
4. Project Plans

Cc:

Susan McConnell, Environmental and Geotechnical Specialists (EGS),
susan.mcconnell@egs-us.com