

No. 24-5101

IN THE
**United States Court of Appeals
for the District of Columbia Circuit**

Center for Biological Diversity, et al.,

Appellees,

v.

Michael S. Regan, in his official capacity as
Administrator for the U.S. Environmental
Protection Agency, et al.,

Defendants,

State of Florida and Florida Department of
Environmental Protection,

Appellants.

On Appeal from the United States District Court for the District of Columbia
Case No. 21-119 (RDM)

**MOTION TO STAY PENDING APPEAL
(RULING REQUESTED BY MAY 21, 2024)**

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CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES

A. Parties and Amici

Intervenor-Defendant-Appellants: State of Florida and Florida Department of Environmental Protection.

Federal Defendants: Michael S. Regan, in his official capacity as Administrator for the U.S. Environmental Protection Agency; Radhika Fox, in her official capacity as Assistant Administrator for the Office of Water of the U.S. Environmental Protection Agency; Jeffrey Prieto, in his official capacity as General Counsel for the U.S. Environmental Protection Agency; Lawrence Starfield, in his official capacity as Acting Assistant Administrator for the Office of Enforcement and Compliance Assurance for the U.S. Environmental Protection Agency; John Blevins, in his official capacity as Acting Administrator for Region 4 of the U.S. Environmental Protection Agency; Leopoldo Miranda-Castro, in his official capacity as Regional Director for the U.S. Fish and Wildlife Service; Martha Williams, in her official capacity as Principal Deputy Director for the U.S. Fish and Wildlife Service; Scott Spellmon, in his official capacity as Chief of Engineers and Commanding General of the U.S. Army Corps of Engineers; James Booth, in his official capacity as District Commander of the Jacksonville District for the U.S. Army Corps of Engineers; U.S. Environmental Protection Agency; U.S. Army Corps of Engineers; and U.S. Fish and Wildlife Service.

Plaintiff-Appellees: Center for Biological Diversity; Defenders of Wildlife; the Sierra Club; the Conservancy of Southwest Florida; Florida Wildlife Federation; Miami Waterkeeper; and St. Johns Riverkeeper.

Additional Parties Before the District Court: Tarpon Blue Silver King I, LLC, doing business as Collier Enterprises, Ltd.

Amici Before the District Court: Association of Florida Community Developers, Incorporated; Florida Chamber of Commerce; Cameratta Companies LLC; CAM7-SUB, LLC; Lennar Corporation; G.L. Homes; Greenpoint Holdings; KB Home; Pulte Group; Taylor Morrison; Florida Transportation Builders Association; Florida State Hispanic Chamber of Commerce; and Associated Industries of Florida.

Amici Before this Court: None as of the time of filing of this motion.

B. Ruling Under Review

The State of Florida and the Florida Department of Environmental Protection seek review of the district court's February 15, 2024 order, as amended on April 12, 2024, vacating federal approval of Florida's permitting program under Section 404 of the Clean Water Act and the accompanying Programmatic Biological Opinion and Incidental Take Statement. That vacatur order was made final and appealable on April 12, 2024, when the district court entered a final judgment pursuant to Federal Rule of Civil Procedure 54(b).

C. Related Cases

None.

/s/ Aaron M. Streett

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Dated: April 25, 2024

CERTIFICATE OF COMPLIANCE WITH CIRCUIT RULE 8(a)

The undersigned certifies that this motion for stay complies with Circuit Rule 8(a)(1). The State of Florida and the Florida Department of Environmental Protection previously requested a full stay of the February 15, 2024 vacatur order pending appeal from the district court. The district court denied that request on April 23, 2024. Accordingly, the State of Florida and the Florida Department of Environmental Protection now seek a stay from this Court.

The undersigned further certifies under Circuit Rule 8(a)(2) that counsel for the State of Florida and the Florida Department of Environmental Protection notified by telephone counsel for the Federal Defendants and counsel for Plaintiff-Appellees Center for Biological Diversity, Defenders of Wildlife, the Sierra Club, the Conservancy of Southwest Florida, Florida Wildlife Federation, Miami Waterkeeper, and St. Johns Riverkeeper that the State of Florida and the Florida Department of Environmental Protection would be filing this motion.

/s/ Aaron M. Streett

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Dated: April 25, 2024

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GLOSSARY

APA	Administrative Procedure Act
BiOp	Biological Opinion
CWA	Clean Water Act
Corps	U.S. Army Corps of Engineers
EPA	United States Environmental Protection Agency
ESA	Endangered Species Act
Federal Defendants	EPA, Fish and Wildlife, the Corps, and other named federal officials
Florida	State of Florida and the Florida Department of Environmental Protection
Fish and Wildlife	United States Fish and Wildlife Service
Fisheries Service	National Marine Fisheries Service
Plaintiffs	Center for Biological Diversity, Defenders of Wildlife, the Sierra Club, the Conservancy of Southwest Florida, Florida Wildlife Federation, Miami Waterkeeper, and St. Johns Riverkeeper
Services	Fish and Wildlife and Fisheries Service

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- P Declaration of Justin Wolfe, General Counsel for the Florida Department of Environmental Protection, Apr. 25, 2024
- Q Declaration of Jennifer Marshall, Director of the Office of Environmental Management for the Florida Department of Transportation, Apr. 24, 2024

INTRODUCTION

For more than three years, Florida has run its own permit program under Section 404 of the CWA, as Congress expressly authorized states to do. The program has benefited Florida's citizens, businesses, and environment. Nearly all significant economic development and infrastructure in Florida requires Section 404 permits. Florida's program has streamlined the permit process compared to the default federal-only permitting model, while also protecting Florida's waters and species through extensive federal oversight and a technical-assistance process that brings the federal and state agencies together in a consolidated process. Florida hired and trained over 300 permitting staff, and Florida has already processed thousands of Section 404 permit requests.

When EPA approved Florida's program in 2020, that approval followed a model for ESA compliance that the federal government has used and defended over the course of the last three administrations, and that the Second Circuit approved in *Cooling Water Intake Structure Coalition v. EPA*, 905 F.3d 49 (2d Cir. 2018) (attached as Exhibit A). The district court below upended that status quo when it invalidated Florida's program, halting permitting for new economic development projects. In the district court's view, the Second Circuit, EPA, Fish and Wildlife, and Florida have had it all wrong this entire time. The district court ruled that Fish and Wildlife could not lawfully approve a "programmatically" authorization for Florida

to issue permits under the ESA without conducting an upfront statewide evaluation that is “species-specific”—a term that nowhere appears in the statute—despite EPA’s and Fish and Wildlife’s determination that Florida’s program contained ample safeguards to ensure protection of endangered species in Florida and compliance with the ESA.

The district court’s decision to second-guess the judgments of so many others should be stayed pending appeal. It is likely to be reversed. The decision would make it essentially impossible for any state with many federally-listed species to have a workable 404 program, contrary to what Congress contemplated in the statute. And it imposes irreparable injuries by placing over a thousand Florida projects into indefinite regulatory limbo.

Florida believes that this appeal should be expedited in light of the irreparable harm and important interests at stake, and thus, respectfully requests a ruling on this stay motion by May 21, 2024. For the merits stage, Florida intends to coordinate with the other parties to propose an agreed expedited briefing schedule and placement of the case in the standby pool for oral argument.

STATEMENT OF THE CASE

I. EPA and Florida follow a recognized blueprint in transferring Section 404 permitting authority consistent with the CWA and ESA.

A. The CWA embodies a policy of cooperative federalism and encourages States to administer their own Section 404 programs.

The CWA prohibits unauthorized discharges of any pollutant into waters of the United States. 33 U.S.C. § 1311(a). The CWA creates two permitting programs—(1) the Section 402 program to control point-source pollution to surface waters, and (2) the Section 404 program to regulate the dredge or fill of surface waters. *Id.* §§ 1332, 1344. This case involves the Section 404 permitting program.

The Corps is the default administrator of the Section 404 program. *Id.* § 1344(a). But the CWA favors cooperative federalism, providing that “[i]t is the policy of Congress that *the States . . .* implement the[se] permit programs.” *Id.* § 1251(b) (emphasis added). Accordingly, the CWA invites States to seek EPA’s approval to administer state-level permit programs in place of the Corps-administered federal Section 404 program. *Id.* § 1344(g).

Once a State applies for transfer of Section 404 permitting authority, EPA evaluates that application against statutory criteria. 33 U.S.C. § 1344(h)(1); 40 C.F.R. § 233.15. Upon approval of the State program, the Corps must “transfer” any such pending permit “applications for activities” that fall under the new State program. 33 U.S.C. § 1344(h)(4). But federal oversight of the State program does

not evaporate. EPA is bound to ensure ongoing compliance with federal requirements. *Id.* § 1344(h); 40 C.F.R. § 233, Subpart F (Federal Oversight). That includes EPA’s obligation to review “permits proposed to be issued by such State” and solicit comments from other federal agencies—including the Services, which administer the ESA—in deciding whether to “comment, object or to require permit conditions” vis-à-vis each permit application. 33 U.S.C. § 1344(j); 40 C.F.R. § 233.50(b). This review “assure[s] compliance with” the “guidelines established under [Section 404(b)(1)],” 33 U.S.C. § 1344(h)(1)(A)(i), including that “[n]o discharge of dredged or fill material shall be permitted if it . . . [j]eopardizes the continued existence of [listed] species” or “results in likelihood of the destruction or adverse modification of [designated critical] habitat.” 40 C.F.R. § 230.10(b)(3).

If EPA objects to the permit application, the State must deny the permit or make EPA’s requested changes, or else the authority to issue that permit reverts to the Corps (colloquially referred to as “federalizing” a permit). 33 U.S.C. § 1344(j); 40 C.F.R. §§ 233.50(f)-(j). Along with veto power over non-compliant permit applications, EPA may also withdraw approval of the entire State program if it determines the State “is not administering” the program “in accordance with” the CWA. 33 U.S.C. § 1344(i).

B. ESA Section 7 establishes a species “consultation” process, which the Second Circuit held in *Cooling Water* may be conducted on a programmatic level with project-specific reviews during program implementation.

ESA Section 7 obligates federal agencies to “consult[.]” with the Services for any “agency actions” to “insure that any action authorized, funded, or carried out by such agency. . . is not likely to jeopardize” certain species or damage critical habitat. 16 U.S.C. § 1536(a)(2). EPA approval of a state 404 application is one such “agency action.” Under the governing regulations, “[i]f an agency concludes that its action ‘may affect’ a listed species or critical habitat, then the agency must pursue either formal or informal consultation with the [Services].” *Ctr. for Biological Diversity v. U.S. Dep’t of Interior*, 563 F.3d 466, 474-75 (D.C. Cir. 2009) (citing 50 C.F.R. §§ 402.13, 402.14).

Informal consultation is a precursor evaluation process to determine if the proposed action is “likely to adversely affect” listed species or critical habitat, in which case formal consultation is required. 50 C.F.R. §§ 402.13(a), 402.14(a)-(b). During formal consultation, the Services evaluate the proposed agency action against a set of enumerated “[s]ervice responsibilities,” including to review relevant information, evaluate the environmental baseline, and consider the “effects of the action and cumulative effects on the listed species or critical habitat.” *Id.* § 402.14(g)(3). The formal consultation ends with the Services issuing a BiOp indicating whether a proposed action is likely to “jeopardize the continued existence

of” any listed species or destroy or adversely modify critical habitat. *Id.* § 402.14(g)(4).

If the BiOp indicates that the action would do so, the Services “shall include reasonable and prudent alternatives” to the proposed action or indicate that “there are no reasonable prudent alternatives.” *Id.* § 402.14(h)(2). If the BiOp indicates that the action would result in incidental take¹ but would not have jeopardizing effects, then the Services “shall provide” an incidental-take statement specifying, among other things, the impact of incidental take on the species, measures necessary to minimize that impact, and terms and conditions to implement such measures. 16 U.S.C. § 1536(b)(4). Written in broad terms, Section 7(o) provides that “any taking that is in compliance with the terms and conditions specified in” any such incidental-take statement “shall not be considered to be a prohibited taking of the species concerned.” *Id.* § 1536(o)(2). This incidental-take statement protection applies not just to “the Federal Agency,” but also to the non-federal “applicant concerned, if any.” *Id.* § 1536(b)(4).

¹ Section 9 of the ESA prohibits “take” (e.g., harming, harassing, etc.) of listed species. 16 U.S.C. § 1538. But “takes” that are “incidental” only to otherwise lawful activities are exempt from Section 9 liability if they fall under ESA Sections 7 or 10. 50 C.F.R. § 402.02; 16 U.S.C. §§ 1536(a)(2), 1539(a)(1)(B). Section 10 creates a voluntary process for private actors to seek an incidental take “permit.” 16 U.S.C. § 1539(a)(1)(B).

In *Cooling Water Intake Structure Coalition*, the Second Circuit squarely addressed whether ESA Section 7 can be deployed in a workable fashion in the context of cooperative federal-state environmental programs. There, EPA in 2014 had promulgated a nationwide program applicable to cooling-water-intake structures, to be administered through state permits in 47 states (and, where no state program existed, EPA permits). *Id.* at 58-59. For this program, EPA engaged in the ESA Section 7 consultation process for the program, resulting in the Services issuing a “programmatically” BiOp concluding it was not likely to jeopardize listed species or critical habitat, and providing an incidental-take statement covering program participants. *Id.* at 62-63. Because the “‘large scale and broad scope’ of the proposed rule precluded an accurate estimate of the precise amount of incidental take” at the outset, the “Services therefore deferred quantification of incidental take to the site-specific permitting process.” *Id.* at 63. That deferral, however, was predicated on the existence of a binding “technical assistance process,” which would “giv[e] the Services a meaningful opportunity to review permit applications,” including those administered by the States issuing those permits, and “to recommend [certain] measures.” *Id.* at 71-72.

Environmental petitioners challenged EPA’s program, arguing that the “programmatically approach” of the BiOp violated the ESA. *Id.* at 71. The Second Circuit unanimously rejected those arguments, concluding that “[n]othing in the

ESA requires that the Services assess every future ‘phase’ of an agency action on a site-specific or species-specific basis,” rather than “assess[ing] ‘the effects of the action as a whole’” by relying on the “protections of the technical assistance process” that would bind the Services to ongoing evaluations on a permit-specific basis. *Id.* at 73-75 (citing 50 C.F.R. § 402.14(c)).

C. The federal government and Florida rely on *Cooling Water* in modeling a Section 404 assumption and programmatic BiOp.

In 2018, the federal government and Florida worked together to structure a programmatic Section 404 consultation and permitting process consistent with the ESA and the blueprint approved in *Cooling Water*. This approach adhered to Fish and Wildlife’s position since 1993 that “future consultations on state assumptions will be conducted as programmatic formal consultations.” Ex. B at 3. And it was a decision accompanied by robust agency explanation following the notice-and-comment process.²

After Florida prepared and submitted a comprehensive “Biological Assessment” for its proposed program (Ex. C) and EPA prepared and submitted a comprehensive “Biological Evaluation” of the program (Ex. E), Fish and Wildlife evaluated the program and issued its Biological Opinion, or BiOp, concluding that

² 85 Fed. Reg. 57,853, 57,856 (Sept. 16, 2020) (explaining EPA’s decision to initiate ESA Section 7 consultation in accordance with an agency memorandum dated August 27, 2020, which is available in the Administrative Record at EPA-HQ-OW-2018-0640-0660-A1) (attached as Exhibit D).

EPA's action in approving Florida's Section 404 program was not likely to jeopardize listed species or adversely modify critical habitat. Ex. F at 69-70. Fish and Wildlife explained that, even without a "site- and species-specific analyses to estimate the number of individuals [of listed species] that might be affected by permitted activities," each project approved under the program would undergo sufficient ESA review through a joint federal-state technical-assistance process with Florida incorporating into state permits any project-specific species protections requested by Fish and Wildlife and the Florida Fish and Wildlife Conservation Commission. *Id.* And, as required by ESA Section 7(o), the BiOp included an incidental-take statement authorizing incidental take and providing that the amount and degree of incidental take would be quantified and evaluated on a project-specific basis through the technical-assistance process. *Id.* This approach precisely tracked the model adopted by EPA during the Obama Administration and approved by the Second Circuit in *Cooling Water*.

EPA ultimately determined that Florida had "the necessary authority to operate a program in accordance with the requirements in CWA Section 404 and 40 C.F.R. part 233" and approved Florida's Section 404 program. 85 Fed. Reg. 83,553 (Dec. 22, 2020).

II. The district court vacates Florida's Section 404 program.

In 2021, Plaintiffs sued the Federal Defendants, challenging EPA's approval of Florida's Section 404 assumption. After Florida intervened to defend the program, the parties cross-moved for summary judgment on, *inter alia*, Plaintiffs' APA claims that the Section 404 program—and principally its programmatic BiOp and incidental-take statement—violated the ESA. Ex. G; Ex. H; Ex. I.

On February 15, 2024, the district court granted summary judgment for Plaintiffs on the ESA-related claims. Ex. J at 7. It first rejected Florida's challenge to Plaintiffs' standing, concluding that Plaintiffs had suffered a "procedural injury" through "the failure of both the action agency (the EPA) and the consulting agency ([Fish and Wildlife]) to comply with the ESA." *Id.* at 40. On the merits, the court rejected *Cooling Water* and concluded that Fish and Wildlife and its programmatic BiOp failed to "engage in the detailed, species-specific analysis necessary" to constitute a valid Section 7 consultation, and that the "non-statutory technical assistance process cannot substitute for what the statute requires." *Id.* at 61, 70. Even though it found that only Fish and Wildlife's BiOp and incidental-take statement were invalid, the district court vacated EPA's approval as to the *entire* Florida Section 404 assumption. *Id.* at 88-96.

After inviting the parties to brief the propriety of a partial stay of its vacatur order, *id.* at 96, the district court denied a partial stay nearly two months later. Ex.

K. Concurrently, the district court issued an amended summary judgment opinion (Ex. L) and granted Florida's request for a Rule 54(b) final judgment on Plaintiffs' ESA-based claims. Ex. K.

Florida immediately appealed and moved for a *full* stay of the entire February 15, 2024 vacatur order pending appeal, which the district court denied on April 23, 2024. Ex. M; Ex. N.

STANDARD OF REVIEW

Courts consider four factors in assessing whether to grant stays pending appeal: "(1) whether the stay applicant has made a strong showing that he is likely to succeed on the merits; (2) whether the applicant will be irreparably injured absent a stay; (3) whether issuance of the stay will substantially injure the other parties interested in the proceeding; and (4) where the public interest lies." *Nken v. Holder*, 556 U.S. 418, 434 (2009).

ARGUMENT

I. Florida is likely to succeed on the merits.

A. The district court erroneously vacated the programmatic BiOp and incidental-take statement.

In approving Florida's 404 permitting program, Fish and Wildlife did two things. It issued a biological opinion concluding that Florida and the federal government's collaborative technical-assistance process and corresponding safeguards would ensure that Florida's Section 404 program assumption would not

jeopardize listed species or critical habitat. And it issued an incidental-take statement concluding that the anticipated amount and extent of incidental take would be assessed on a project-specific basis through Florida and Fish and Wildlife. But the district court held that those actions were unlawful because it concluded that the ESA inflexibly requires Fish and Wildlife to engage in a species-specific review of all downstream contingencies of Florida's Section 404 program at the outset. That conclusion transgresses the ESA's text, conflicts with the Second Circuit's *Cooling Water* decision, and runs roughshod over the cooperative-federalism principles that animate the CWA and ESA.

1. The district court's key textual misstep was its assumption that, to satisfy ESA Section 7's consultation process, the BiOp *itself* must exhaustively detail all future "species specific" effects of the program, rather than using a programmatic approach that builds in those assessments on a permit-by-permit basis through the technical-assistance process. The text of the ESA imposes no such requirement; instead, the consultation must result in a finding that the "action" "is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat." 16 U.S.C. § 1536(a)(2). As the Eleventh Circuit explained, ESA Section 7(a)(2) "simply directs the federal agency to 'insure' in consultation with [the Services] that its actions are not likely to jeopardize the existence of listed species or their critical

habitat It is for the agencies to determine how best to structure consultation to fulfill Section 7(a)(2)'s mandate.” *Def. of Wildlife v. U.S. Dep’t of the Navy*, 733 F.3d 1106, 1121 (11th Cir. 2013). The BiOp plainly fulfills that mandate.

The district court divined its rigid requirement from regulations, concluding that “the ESA does not permit an agency to bypass the Section 7 consultative process altogether by postponing the required ‘detailed discussion of the effects of the action on listed species.’” Ex. L at 67 (citing 50 C.F.R. § 402.14(g)). In doing so, the district court fundamentally misapprehended the relevant “action”—EPA’s approval of the Section 404 assumption program. 50 C.F.R. § 402.02 (defining “action” to include “activities or programs”). The BiOp did not “bypass” an analysis of the effects of that action; it robustly considered the *programmatic* process it was approving and how the *program* would fully account for impacts on species and habitats through the technical-assistance process. Ex. F at 3-73.

The district court also mistakenly relied on the regulatory definition of “framework programmatic action” and its reference to “future action(s) [that] are authorized, funded, or carried out and subject to further section 7 consultation.” 50 C.F.R. § 402.02. But “further section 7 consultation” is not required at the state 404 permitting stage, so that definition is inapplicable. Ex. L at 69. When a programmatic framework contemplates future *federal* actions resulting in additional impacts, then further Section 7 consultations are necessary. But nothing about that

regulatory provision expands Section 7's reach to foist formal Section 7 consultation on downstream *state*-permitting decisions. *See Cooling Water*, 905 F.3d at 73 n.15 (“The ‘agency action’ subject to consultation here was the EPA’s promulgation of the Rule, not the subsequent implementation of the Rule by State Directors.”). Fish and Wildlife appropriately evaluated Florida’s 404 federally-approved “program” and made a Section 7 no-jeopardy finding by analyzing all processes that the program would use to protect species. Nothing in the statute or regulations required Fish and Wildlife to make an upfront, species-specific Section 7 analysis of every permit that *Florida* would issue after approval.

Because EPA properly approved Florida’s program under Section 7, Fish and Wildlife was required to issue an incidental-take statement protecting Florida and its permittees. 16 U.S.C. § 1536(b)(4)(C) (providing that the Services “shall provide” a written incidental-take statement to not just “the Federal agency” (here, EPA) but also to “the applicant concerned” (here, Florida as the applicant for EPA approval). And “any taking that is in compliance” with the written incidental-take statement “shall not be considered to be a taking” *Id.* § 1536(o)(2). Contrary to the district court’s opinion, the Second Circuit correctly explained that the incidental-take statement for such a program need not contain take limits, but can instead defer that analysis to the ongoing, federally-overseen site-specific technical-assistance process. *Cooling Water*, 905 F.3d at 77 (“Given the Services’ commitment to the

technical assistance process, their justification for not immediately quantifying take is adequate.”).

2. The programmatic BiOp at issue in *Cooling Water*—which the Second Circuit upheld against various “challenge[s] to the Services’ programmatic approach,” 905 F.3d at 75—provided the blueprint for the programmatic BiOp at issue here. Ex. E at 73; Ex. F at 74-75; Ex. M at 6-7. So it should come as no surprise that *Cooling Water* rejected key arguments embraced by the district court below. Three examples bear emphasis.

First, the district court concluded that the “bottom line is that the Federal Defendants were required to conduct the required species-specific analysis because Florida structured, designed, and implemented its program so as to provide incidental take liability upfront to itself and all future state permittees.” Ex. L at 62. But the Second Circuit rejected that argument, concluding that “[n]othing in the ESA requires the Services to assess every future ‘phase’ of an agency action on a site-specific or species-specific basis.” *Cooling Water*, 905 F.3d at 73; *see also id.* (citing *Navy*, 733 F.3d at 1121 (“[T]he rule that biological opinions must be coextensive in scope with the entire action or else violate the ESA is nowhere to be found in the language of the ESA.”)).

Second, the district court concluded that a “non-statutory technical assistance cannot substitute for” what it believed the statute requires, even if it amounts to

“arguably similar procedures.” Ex. L at 62, 70. Again, the Second Circuit rejected the argument that it was impermissible for Fish and Wildlife to “provide[] the current status of the species and the environmental baseline but, relying on the protections of the technical-assistance process, defer[] evaluation of the Rule’s effects on the species within its jurisdiction.” 905 F.3d at 75.

Third, the district court held that Fish and Wildlife “did not give . . . meaningful consideration” to the “biological information that was available,” thus disagreeing with Fish and Wildlife’s *scientific conclusion* that it lacked information necessary to conduct a species-specific analysis on a categorical, state-wide level at the outset. Ex. L at 63-64. Once more, the Second Circuit disagreed, holding that the programmatic BiOp’s conclusion that “a categorical assessment of . . . impacts was infeasible reflects a scientific determination deserving deference,” thus rejecting an argument that the Services “violate[d] their statutory obligations when they decided to solicit more data (during the permitting process) in order to assess thermal impacts on a site-specific basis.” 906 F.3d at 74 (internal quotation marks omitted). In other words, the Second Circuit rejected each of the core underpinnings of the district court’s opinion.

Acknowledging this dissonance, the district court tried to “distinguish[] [*Cooling Water*] on its facts,” noting that the *Cooling Water* action was a “final rule”—as opposed to an assumption approval—as though that was the key feature

that made the technical-assistance process involve “legally binding responsibilities for all parties.” Ex. L at 65. But what the Second Circuit actually found determinative was that the Services (a) “conditioned their no-jeopardy finding on compliance with certain procedures” nearly identical to those used here for the Florida program, and (b) “represented to th[e] Court . . . that they have a ‘commitment’ to those procedures.” 905 F.3d at 72. That is exactly what Fish and Wildlife did here. See Ex. F at 67-72; Ex. O at 95-96 (counsel for Fish and Wildlife representing that it is “committed” to “comply[ing] with” its “own biological opinion”).

At bottom, the district court deemed *Cooling Water* “at odds with the statute, regulations, and caselaw.” Ex. L at 67. The various facets of Florida’s program that the district court found to violate the ESA all flow from the programmatic-consultation approach. The district court was textually wrong for the reasons given above, which will be further developed in merits briefing. But the critical point for purposes of a stay pending appeal is that the district court was the *first court in the country*³ to question—much less reject—the Second Circuit’s unanimous opinion,

³ The case law relied upon by the district court (Ex. L at 69-71) does not contradict *Cooling Water* or support invalidating a programmatic BiOp like this one. *North Slope Borough v. Andrus* merely stated that a BiOp “may not deal exclusively with any one particular stage of an outer continental shelf project,” 642 F.2d 589, 608 (D.C. Cir. 1980), whereas this programmatic BiOp takes explicit account of the ongoing, comprehensive technical-assistance process. And in *National Wildlife*

which had garnered over five years' worth of reliance interests *nationwide* since its issuance. This Court should stay the district court's judgment while it decides whether to create a circuit split on an important issue of federal law.

3. The district court's opinion also gravely undermines the federalism principles that pervade the CWA and the ESA. Despite acknowledging the "primary responsibilities and rights of States to prevent, reduce, and eliminate pollution," the district court's opinion denigrates the ability of states to carry out those responsibilities. Ex. L at 20, 68 (relying on the fact "that the later phase involves state, rather than federal, action" as grounds to find an ESA violation). Nor did the district court mention Section 2(c) of the ESA, which explicitly calls for "federal agencies [to] *cooperate with [s]tate and local agencies* to resolve water resource issues in concert with conservation of endangered species." 16 U.S.C. § 1531(c)(2) (emphasis added).

The opinion effectively nullifies the bedrock principle that, within a "program of cooperative federalism" like Section 404, states can, "within limits established by federal minimum standard," "enact and administer their *own regulatory programs*, structured to meet their own particular needs." *Hodel v. Va. Surface Min. & Reclamation Ass'n, Inc.*, 452 U.S. 264, 289 (1981) (emphasis added). A

Federation v. Brownlee, the action agency issued nationwide permits while skipping the programmatic consultation EPA conducted here. 402 F. Supp. 2d 1, 4, 10 (D.D.C. 2005).

programmatic ESA Section 7 consultation for a broad statewide program simply cannot quantify, at the outset, all the granular effects from innumerable future permitting activities. And yet the district court’s opinion deprives the Services of the ability to craft the programmatic BiOp and incidental-take statement necessary to facilitate a state-wide assumption—*regardless* of how robust the species-specific safeguards that the state/federal partnership will employ when reviewing each permit. The district court, therefore, reduces Section 404’s pledge of cooperative federalism to an illusory promise, at least for states with a sizeable number of federally-listed species. Congress spoke directly as to its wishes: maximum cooperation between the States and federal agencies. 16 U.S.C. § 1531(c)(2).

B. The district court erroneously held that Plaintiffs have standing.

Florida is also likely to succeed in showing that Plaintiffs lack standing in this programmatic context where federal agencies maintain substantial oversight. Where plaintiffs—as here—assert procedural injuries, “the injury in fact requirement [remains] a hard floor of Article III jurisdiction that cannot be altered by statute,” as does the requisite “causal connection between the government action that supposedly required the disregarded procedure and some reasonably increased risk of injury to its particularized interest.” *Ctr. for Biological Diversity v. Env’t Prot. Agency*, 861 F.3d 174, 183 (D.C. Cir. 2017) (internal quotation marks omitted). Plaintiffs claim that the BiOp and incidental-take statement are procedurally

defective, but they cannot connect the alleged technical shortcomings to any increased risk to species. Indeed, the district court’s standing analysis ignores pivotal D.C. Circuit precedent involving similar facts, including *Waterkeeper Alliance, Inc. v. Regan*, 41 F.4th 654 (D.C. Cir. 2022) (dismissing *sua sponte* an environmental group’s challenge to EPA’s approval of Oklahoma’s coal-ash program), and *Crow Creek Sioux Tribe v. Brownlee*, 331 F.3d 912 (D.C. Cir. 2003) (holding that Indian tribe lacked standing to challenge transfer of federal lands to state government where the federal land-transfer statute ensured continued enforcement of cultural-protection requirements). Because the federal agencies “have an ongoing and undiluted enforcement role” under the Florida Section 404 program to ensure adherence to federal species-protection measures, no non-conjectural injury can be established under this Court’s precedent. *Crow Creek*, 331 F.3d at 332.

II. Florida will be irreparably harmed absent a stay.

Florida had successfully administered its Section 404 program for over three years—administering *thousands of permitting actions* throughout the State—by the time the district court vacated it. Wrenching administration of that program from Florida’s sovereign control imparts a multitude of irreparable harms, each of which is described by the Florida Department of Environmental Protection’s General Counsel. Ex. P. As he explains, the vacatur order eviscerates Florida’s sovereign

interests in the conservation and management of water resources, land use, and wildlife—areas of traditional state responsibility. *Solid Waste Agency of N. Cook Cnty. v. U.S. Army Corps of Eng'rs*, 531 U.S. 159, 161 (2001) (recognizing “States’ traditional and primary power over land and water use”). The loss of sovereignty constitutes irreparable harm. *See, e.g., Akiachak Native Cmty. v. Jewell*, 995 F. Supp. 2d 7, 17 (D.D.C. 2014) (recognizing loss of “state sovereignty and state management of land” as an irreparable harm); *Kentucky v. Biden*, 23 F.4th 585, 611-12 n.19 (6th Cir. 2022) (discussing “invasions of state sovereignty” as harms that cannot be monetarily addressed).

Vacatur has also thrown Florida’s regulators and regulated community into permitting chaos, deprived Florida of the benefits of years of effort and investment into a comprehensive state program, put over 1,000 pending permit applications into regulatory limbo, blocked Florida agencies from performing legal duties, and deprived the State of significant permitting efficiencies obtained from consolidating federal and state wetlands-permitting requirements. Ex. P ¶¶ 15-66. Concerning the Corps’ recent (and vague) assurances about adding Corps employees to help alleviate disruptions to Florida permittees, Florida sees things differently (*id.* ¶¶ 23-29), and the Corps’ vague assurances cannot substitute for the more than 300 personnel on hand at the Florida Department of Environmental Protection who are ready, willing, and able to get back to work immediately processing 404 permits in

Florida. Pending projects involve critically important issues to Florida and its citizens, including everglades restoration work, grid-reliability projects, major roads and bridges, and new medical and educational facilities, just to name a few examples. Ex. P ¶¶ 34-45. A Florida Department of Transportation official's declaration further expands on these concerns (Ex. Q).

III. The balance of harms and public interest weigh heavily in favor of a stay.

As discussed above and the Florida declarations (Exs. P-Q), many of the irreparable harms arising from the vacatur order are inflicted not just on the regulated community in Florida, but also on the beneficiaries of those projects—residents in senior-living communities or affordable-housing projects, commuters, communities that would benefit from post-hurricane restoration work, and countless other beneficiaries of projects that are now on hold. The harm to the public from that regulatory uncertainty and delay is self-evident, while the harm alleged by Plaintiffs is conjectural at best when they have shown no impacts to endangered species that would have differed in any way from impacts under the Corps-administered Section 404 program. Ultimately, the public benefits when federal and state agencies work cooperatively to achieve shared environmental goals, as Congress intended.

CONCLUSION

The Court should stay the district court's judgment pending appeal (including staying in full the district court's February 15, 2024 vacatur order, made final in the last two paragraphs of its April 12, 2024 order).

April 25, 2024

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

1. This document complies with the type-volume limits of Federal Rule of Appellate Procedure 27(d)(2)(A) because, excluding the parts of the document exempted by Federal Rules of Appellate Procedure 27(a)(2)(B) and 32(f), this document contains 4,824 words.

2. This document complies with the typeface requirements of Federal Rules of Appellate Procedure 27(d)(1)(E) and 32(a)(5) and the type-style requirements of Federal Rules of Appellate Procedure 27(d)(1)(E) and 32(a)(6) because this document has been prepared in a proportionally spaced typeface using Microsoft Word for Office 365 in 14-point Times New Roman.

/s/ Aaron M. Streett
Aaron M. Streett

*Counsel for the State of Florida
and the Florida Department of
Environmental Protection*

CERTIFICATE OF SERVICE

I certify that on April 25, 2024, the foregoing was electronically filed through this Court's CM/ECF system, which will send a notice of filing to all registered users.

/s/ Aaron M. Streett
Aaron M. Streett

*Counsel for the State of Florida
and the Florida Department of
Environmental Protection*

EXHIBIT P

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

CENTER FOR BIOLOGICAL
DIVERSITY, ET AL, et al.

Appellees,

v.

MICHAEL S. REGAN, in his official
capacity as Administrator for the U.S.
Environmental Protection Agency, et al.,

Defendants,

STATE OF FLORIDA and FLORIDA
DEPARTMENT OF ENVIRONMENTAL
PROTECTION,

Appellants

CASE NO. 24-5101

**DECLARATION OF JUSTIN WOLFE, GENERAL COUNSEL FOR THE
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION**

1. My name is Justin Wolfe. I declare under penalty of perjury under the laws of the United States of America and the State of Florida that the following statements are true and correct to the best of my knowledge and belief.

2. I serve as General Counsel to the Florida Department of Environmental Protection (“FDEP”). FDEP is the state agency in Florida authorized by law to “control and prohibit pollution of air and water....” Fla. Stat. § 403.061. Pursuant to Section 20.255(c), Florida Statutes, as General Counsel, I am responsible for all legal matters of FDEP. I have held this position for approximately five years. Before

serving as the General Counsel for FDEP, I served as the Deputy General Counsel for the Water, Air, and State Lands Section of FDEP's Office of General Counsel.

3. I am authorized by the Office of the Governor of the State of Florida, the Office of Attorney General of the State of Florida, and the Secretary of the FDEP to provide this declaration to this Court.

4. I am providing this declaration to provide sworn facts to this Court in support of the State of Florida's Petition for Stay Pending Appeal (Petition). I have read the Petition and I affirm the facts as stated therein. I signed and submitted six sworn declarations in the District Court proceedings in this case (Dkt. 4-2, Dkt. 102-1, Dkt. 107-1, Dkt. 149-1, Dkt. 160-1, Dkt. 166-1), all of which I hereby re-affirm and incorporate by reference, subject to any additional information of clarifications provided herein.

5. As set forth herein, vacatur of federal approval of Florida's Clean Water Act (CWA) Section 404 program, along with vacatur of the Programmatic Biological Opinion with Incidental Take Statement (BiOp/ITS) accompanying approval of the program, has severely injured the sovereignty interests of the State of Florida, imposed enormously disruptive consequences on environmental permitting across Florida, deprived the State of the benefit of years of preparation and implementation efforts for this permit program, put over 300 state employees in a "pencils down" posture for purposes of Section 404 permitting, and raised a

number of complex problems for the State of Florida and thousands of Floridians to try to address.

6. The district court vacated the BiOp/ITS on Endangered Species Act (ESA) grounds and took the additional step of vacating EPA's approval of the entire program in Florida, even though every Florida 404 permit is made available for review by the U.S. Environmental Protection Agency (EPA), U.S. Fish and Wildlife Service (FWS or USFWS), and National Marine Fisheries Service (NMFS), and Florida integrates any species-protection measures proposed by federal agencies into state 404 permits.

Injury to Florida's Sovereign Interests Over Water Resources, Land Use, and Wildlife

7. Management of land use, water resources, and wildlife are areas of traditional state responsibility.

8. The Florida Constitution establishes the "policy of the state to conserve and protect its natural resources and scenic beauty," with "[a]dequate provision" for the "conservation and protection of natural resources." Fla. Const. Art. II, Sec. 7(a). The "public policy of [Florida] [is] to conserve the waters of the state," Fla. Stat. § 403.021(2), and "to provide for the management of water and related land resources," *id.* § 373.016(3)(a).

9. On this basis, Florida takes a comprehensive approach to protecting wetlands and other water resources. Those efforts have accelerated in recent years,

with Florida dedicating an unprecedented amount of state funding to the restoration and protection of the Florida Everglades (over \$3.3 billion since 2019), increasing investment in state environmental permitting programs, and completing efforts to obtain federal approval to administer the Section 404 permit program, among other things.

10. For water resource management purposes, Florida has divided the State into five “Water Management Districts,” or “WMDs,” each with technical staff trained to supplement the work of FDEP in conserving water resources.

11. Even before obtaining authority to administer the Section 404 program in assumable waters in Florida, the State of Florida and FDEP had already spent many years (in some cases decades) administering most other major federal environmental programs capable of state delegation/assumption, including the CWA Section 402 NPDES Permit Program (pollutant water discharge permits); Clean Air Act permit programs (air emissions permits); RCRA Subtitle C Program (hazardous waste disposal permits); Coastal Zone Management Act Program (coastal development permits); Safe Drinking Water Act Program (regulation of public water systems in Florida); and the Underground Injection Control Program (regulation of injections to underground areas).

12. On top of these federally-approved programs, FDEP has administered various other non-federal, state-only environmental programs. For decades, FDEP

has administered the State Environmental Resource Permit (ERP) Program, which is broader in scope than the federal Section 404 program because, among other things, ERP regulates dredging or filling of *all waters in the State*, not merely the narrower category of “waters of the United States” regulated under CWA Section 404. The ERP program has successfully provided protection to water resources (including wetlands) in Florida that goes far beyond the jurisdictional limits of the CWA program.

13. The Florida Fish and Wildlife Conservation Commission (FWC) also protects Florida’s wildlife, including state-listed endangered and threatened species that are not listed under the ESA. FWC has developed the Imperiled Species Management Plan to address the needs of state listed species. Following the approval of Florida’s state 404 program, FWC has been able to ensure that state-listed species receive adequate protections during 404 permitting through close coordination with the U.S. Fish and Wildlife Service (USFWS). *See* Attachment A (Florida FWC letter).

14. Florida law currently authorizes FDEP to obtain approval of the 404 program and to administer the 404 program. In March 2018, the Governor of Florida signed into law a new statute authorizing FDEP to establish a Section 404 Program. *See* Chapter 2018-88, Laws of Florida (codified at Fla. Stat. § 373.4146). This state law, which expanded upon previous state laws allowing for the pursuit of

assumption, sought to “enable the [FDEP] to assume and implement the federal section 404 dredge and fill permitting program in conjunction with the environmental resource permitting program....” Fla. Stat. § 373.4146(2). Congress invited all states to undertake implementation of the Section 404 program, and Florida has accepted that invitation in compliance with applicable law.

15. FDEP completely stood up its comprehensive regulatory 404 program over the course of three years. FDEP had trained *over 300 certified wetlands evaluators and other staff*, and received *over 9,300 permit applications* for individual permits, coverage under general or regional permits, and “no permit required” determinations. This includes over 400 individual permit applications for projects in assumable waters that were transferred by the Corps to FDEP in the early weeks of the program. Of the applications received by FDEP, over 3,600 were eventually withdrawn by permit applicants, often based on requests by FDEP for more information or other concerns. To date, FDEP has issued *over 700 individual 404 permits* (including modifications) and *denied over 300 applications* (including individual, regional/general, and NPR requests).

16. The vacatur order severely impedes the State of Florida’s ability to perform its role under the cooperative federalism structure of the CWA and to protect its sovereign interests in the management and conservation of water resources, land use, and wildlife. Instead of having a primary role in leading the processing of permit

decisions, with federal oversight, Florida is now relegated to a much lesser role of merely commenting on the issuance of Corps' 404 permits with only the opportunity to exercise rights under Section 401 of the Clean Water Act concerning certification that permits are consistent with state water quality standards.

17. FDEP officials are under a legal duty to process permits in accordance with law, and a vacatur order from a federal court prohibiting FDEP from processing state 404 permits makes it impossible for FDEP to perform those legal duties.

Impacts to Florida's Ability to Ensure Compliance and Enforce Violations

18. The District Court's vacatur order severely impedes the State of Florida's ability to continue to promote compliance with environmental standards and to enforce against violations of the state 404 program. At the time of the vacatur order, the State of Florida was investigating over 100 potential violations of the 404 program. The vacatur order calls into question whether Florida has legal authority to take actions to ensure compliance and/or pursue enforcement actions for 404 violations in Florida. Given the limited resources and staff of the federal agencies in Florida, it is likely that many, if not most, of those potential violations would go unenforced as a result of the vacatur order. Based on information and belief, it is my understanding that, in comparison to FDEP's program staffing, the Corps has significantly fewer full-time equivalent employees currently working on Section 404 compliance and enforcement investigations for projects in Florida.

Permitting Delays and Waste of State Resources

19. Over the course of the more than two months since the District Court's vacatur order, the State of Florida has repeatedly urged the District Court to stay that order, whether in whole or in part, with no relief granted so far.

20. In the two-year period immediately preceding the February 15 vacatur order (i.e., permits issued from February 1, 2022 through January 31, 2024), FDEP issued 634 individual final permits or individual permit modifications under the 404 program. This averages to approximately 26 individual permits or permit modifications issued each month by FDEP and does not include the numerous general permits or other 404 permitting actions taken by FDEP. While FDEP cannot pre-judge whether any particular permit would have been issued prior to completion of the permit process, it is reasonable to assume that, but for vacatur of the program, FDEP would have issued more than 50 individual permits and permit modifications during the time period since vacatur. These likely would have included permits for many high-priority projects in Florida, with total economic value easily exceeding hundreds of millions (and likely billions) of dollars.

21. At the time of the issuance of the vacatur order, **over 1,000 permit applications were pending in the FDEP 404 process** (as shown on Attachment B). The total economic value of the list of pending projects **easily exceeds \$1 billion**, and likely much more. Hundreds of those projects had undergone extensive state 404

review procedures. FDEP's 404 permit records, which are available online in their entirety in real-time, show that for most individual permit applications, thousands of pages of analysis would have already been developed for these permits, along with public notices, public meetings, and negotiations of terms and conditions to mitigate potential environmental impacts, among other things. This level of effort has been undertaken for hundreds, if not thousands, of projects across Florida.

22. Following the vacatur order, FDEP staff are now “pencils down” on all such pending Florida 404 permit applications and those 404 permit applicants must, absent a stay of the vacatur order or other relief from the courts, *restart* the 404 permit process. Essentially, those applicants are back to “square one” in the Corps’ permit process: a new application must be filed with the Corps; Corps permit officials must make an independent assessment that the permit application is “complete;” a new public notice must be issued; and all of the other steps of the Corps 404 permit process must be followed. As a result, the State of Florida has lost the benefit of the time and resources expended on the processing of more than a thousand 404 permits.

23. I am aware that representatives of the Corps of Engineers have given some general and vague assurances (without any sworn declarations) that the Corps’ Jacksonville District is seeking to reduce burdens on Florida 404 permit applicants following the vacatur order. Almost a decade ago, the United States Supreme Court

observed the very high cost and burdens associated with the federal CWA Section 404 process, explaining that the federal 404 “permitting process can be arduous, expensive, and long” and citing “one study [that] found that the average applicant” for individual 404 permits “spends 788 days and \$271,596 in completing the process,” without ‘counting costs of mitigation or design changes.’” *U.S. Army Corps of Eng’rs v. Hawkes Co.*, 136 S. Ct. 1807, 1811-12 (2016) (internal citations omitted).

24. Based on information and belief, the Corps has stated publicly that the Corps is moving over a “couple dozen” employees to assist with a potential increase in Florida 404 permit applications following the vacatur order. A Corps representative also stated vaguely that the Corps has “identified other people” in the Corps to help with a “surge” of applications.

25. However, those statements by the Corps do not address (A) the already existing backlog of Corps 404 permit applications nationwide and in Florida; (B) the fact that the Corps would still have far fewer employees focused on Florida 404 permits for assumable waters in Florida than FDEP already has trained and in place for this work; or (C) the impact of those efforts by the Corps on other Corps missions in Florida, including processing of Corps 404 permits in non-assumable (retained) waters. It is not so simple as the Corps “picking up where Florida left off.” Vague assurances in that regard do not account for the time and effort required to gather,

transfer, and review the extensive documentation already developed for each of the more than 1,000 pending Florida 404 permit files.

26. I was surprised to hear that a Corps representative informed the district court that “Florida has not transferred permits to the Corps yet.” All Florida 404 permit files are immediately accessible and available to the public, including the Corps of Engineers. Those files can be downloaded directly from the FDEP permit information portal. Yet, on April 24, 2024, the Chief of the Corps’ Jacksonville District asked FDEP to “assemble the [Florida 404 permit] files into an electronic folder structure and transmit the files by external hard drive (or if less than 8GB, by the web-based file transfer program DoD SAFE (<https://safe.apps.mil/>)).” FDEP estimates that the pending permit files in the Florida 404 database is likely in the range of 100 GB of data.

27. Meanwhile, the Corps’ Jacksonville District website for 404 permitting in Florida continues to “recognize[] that either the District Court or an Appellate Court may issue a full or partial stay of the February 15th order at some point. In the interim, **applicants may submit applications to the USACE** for activities involving the discharge of dredged or fill material into formerly state-assumed waters. The **USACE will begin processing any applications it receives**, however

applicants and stakeholders should **recognize the uncertainty surrounding the current litigation.**¹

28. Many of these permit applications involve projects undertaken by the State of Florida, such as various highway projects undertaken by the Florida Department of Transportation, while many others are projects undertaken by citizens in Florida that would have significant benefits to the people of Florida, such as construction of senior living communities, hospital facilities, school facilities, and affordable housing projects, to name a few.

29. With more than 1,000 permit applications required to start anew with the 404 permit process by filing applications with the Corps, the vacatur order means that the State of Florida and its citizens would be losing, collectively, the benefit of *hundreds of thousands* (if not, millions) of hours of FDEP staff permit processing work, including significant time spent on federal review procedures for species protection purposes. Indeed, FWC has logged and reviewed *approximately 2,900* State 404 permitting projects in coordination with USFWS staff for potential impacts to state or federally listed species.

Fiscal Impacts to the State of Florida

30. The vacatur order also imposes severe fiscal impacts on the State of Florida. To even be in a position to apply for Section 404 assumption, the State of

¹ <https://www.saj.usace.army.mil/Missions/Regulatory/>

Florida invested millions of dollars into the process of obtaining state legislative approval, drafting and adopting new state regulations, and assembling a voluminous 404 program application that was submitted to EPA in August 2020. In particular, on August 20, 2020, Florida filed a complete application with EPA to administer a Section 404 Program. Florida's application contained all of the required elements of a State 404 program as set forth in 40 C.F.R. § 233.10. This included (among other things): (a) a letter from Florida's Governor requesting program approval; (b) a complete program description as set forth in 40 C.F.R. § 233.11; (c) a State legal opinion as set forth in 40 C.F.R. § 233.12; (d) a MOA with the EPA Regional Administrator as set forth in 40 C.F.R. § 233.13; (e) a MOA with the Corps of Engineers as set forth in 40 C.F.R. § 233.14; and (f) copies of all applicable State statutes and regulations, including those governing applicable State administrative procedures. Florida's application was available for public review via FDEP's website, EPA's website, and the Federal government's regulatory docket website. The application documents comprehensively described and delineated Florida's 404 program. To help the public "understand the rules, procedures, standards, and criteria that apply to the State 404 Program," FDEP developed the "State 404 Program Applicant's Handbook," which was adopted as a regulation in Florida.

31. After approval of Florida's program in December 2020, the State of Florida expended millions of dollars more on standing-up the Section 404 program.

This included *training over 300 employees*, including certified wetlands evaluators (CWEs), compliance and enforcement personnel, and other staff necessary for the implementation of a comprehensive 404 program. FDEP also entered an agreement with the state Water Management Districts to provide additional staffing support for the 404 program. The vacatur order deprives the State of Florida of the benefits of those significant investments.

32. Absent a stay, FDEP would also likely incur significant additional costs associated with facilitating return of the program to the Corps of Engineers. The time and expense associated with that process would be substantial – for both FDEP and the Corps of Engineers. Permit delays associated with that process would likely extend six months or more, especially in light of the delays associated with the initial ramp-up of the FDEP program when the Corps transferred hundreds of applications to Florida. It is a matter of public record that the Corps of Engineers’ permitting staff already has a backlog of permit applications, and while the Corps may be able to begin processing some small number of Florida 404 permits, it is unrealistic to believe that the Corps would be able to make it through its current backlog of permit applications while also expeditiously issuing permits for those applications that were already pending for months or longer at FDEP.

Loss of Permitting Efficiencies

33. A key advantage for Florida in assuming the Section 404 program was the regulatory efficiencies to be gained from coordinating the issuance of ERP and 404 permits. In fact, Florida and its citizens experienced significant permit delays and other challenges with the Corps of Engineers' administration of the CWA Section 404 program within the State, which was one of the reasons supporting Florida's efforts to obtain program approval. Florida believed that, consistent with the cooperative federalism framework of the CWA, FDEP and its staff would be better suited to administer the Section 404 program, particularly in light of FDEP's longstanding implementation of the ERP program, localized knowledge and experience, a larger number of FDEP offices and staff spread throughout the State, and the availability of Florida's five Water Management Districts. As noted above, it is my understanding that Florida currently has significantly more staff dedicated to administering its Section 404 program than the Corps has historically employed to administer its 404 program in Florida. Florida also hoped to benefit from the improved economic climate that comes from more efficient permit programs for development that also protects the environment. The vacatur order eliminates those significant efficiencies that had been realized via coordination of state 404 with state ERP.

Impacts to High-Value Projects

34. Among the more than 1,000 permit applications that were pending in Florida at the time of the vacatur order, many involved projects with significant public benefits. For illustrative purposes, I would highlight various permit applications that were pending as of February 15, 2024 and are currently in regulatory limbo.

35. Several projects with pending 404 applications involve Everglades restoration work, which is a high priority for the State of Florida. For example, the C-139 Flow Equalization Basin is a priority Everglades project to control the flow of water and improve water quality before it flows south to Everglades National Park. Similarly, the EAA A-2 Reservoir Project is a critical component of Greater Everglades Restoration due to its role in reducing harmful discharges and sending more fresh, clean water south.

36. Over 140 transportation projects, which were the subject of pending 404 applications, are also directly impacted by the vacatur order. This includes over a dozen projects proposed by the Florida Department of Transportation (FDOT). For example, FDEP was in the process of finalizing permits for several highway expansion projects, bridge repair and replacement projects, culvert construction projects to address stormwater near roadways, and various other projects. FDEP was

also reviewing 404 permit applications for projects to expand airport runways as well as to replace a railroad bridge.

37. As of February 15, 2024, FDOT had at least 26 applications for Section 404 permits pending at FDEP. The total cost of those FDOT projects easily exceeds \$1 billion (and likely billions more). FDOT depends upon the timely issuance of 404 permits to maintain project funding and deliver projects on schedule, all while meeting applicable environmental requirements. If FDOT is required to re-file the remainder of these applications with the Corps, FDOT will incur significant new expenses that have not been budgeted and projects will undoubtedly experience delays. Projects with applications on the path of issuance will have to be restarted, requiring duplication of staff and consultant hours. New applications and forms will need to be prepared and submitted to the Corps for each project, triggering new review and re-noticing of FDOT projects, essentially putting these projects back to the start of the Section 404 process and potentially delaying the delivery of these important transportation infrastructure projects.

38. Among the pending Florida 404 permits, there are nearly 200 public projects proposed by state and local governments and agencies, the majority of which are intended to build or improve sidewalks, bridges, utilities, roads, and highways across the state (e.g., over 20 pending applications involving projects

proposed by the state transportation department including a project to construct a wildlife crossing over U.S. Highway 27.

39. Several pending applications involve expansion of sanitary sewer systems including placement of underground sewer utilities. Other applications involve construction of seawalls to protect property and construction of stormwater retention ponds. A noteworthy example involves stormwater infrastructure repairs and improvements at U.S. Naval Air Station-Pensacola due to damage from Hurricane Sally.

40. Three proposed projects to build new medical facilities in different parts of the state, including a new emergency department in South Florida, a new 144 bed behavioral health hospital in Orange County, and an additional campus for the Mayo Clinic in Jacksonville are now in regulatory limbo.

41. Six projects to construct new schools or improve existing school facilities, including construction of a new charter school and construction of a secondary access road to address traffic, bus schedules and safety for an existing school are also in limbo.

42. Also impacted by the vacatur order are hundreds of housing projects, including many dozen multi-family or large single family developments (e.g., 128 unit senior living facility), to provide residences for thousands of people in Florida's

fastest growing areas. Across Florida, Section 404 permit applications filed with FDEP by individual homeowners seeking to develop their property are now on hold.

Impacts to Energy Grid Reliability

43. The vacatur order is also delaying progress on critical energy infrastructure projects necessary for grid reliability and meeting the growing need for electricity in Florida. FDEP was in the middle of processing (and likely soon to be issuing) permits for projects in this category.

44. The Environmental Committee of the Florida Electric Power Coordinating Group (“FCG-EC”), which represents investor-owned electric utilities, rural electric cooperatives, and municipal electric utilities on environmental issues affecting the electric utility industry in Florida, recently informed FDEP that the vacatur order has “created a degree of regulatory uncertainty that is making the impact to [their] members acute,” and is “risking the state’s electrical infrastructure.” *See* Attachment C (FCG-EC Letter). At the time of the vacatur order, members of FCG-EC had twelve permit applications pending with the State 404 Program. Five of those applications were “more than halfway complete with permit processing.” The pending applications include “projects to install new electrical lines (including connections to new solar power sites), rebuild and expand existing transmission lines, replace electric substations, and improve a transmission line right-of-way to

allow for stating during disaster response.” The group anticipated submitting many additional permit applications as well.

45. According to FCG-EC, these “permit applications are required for [their] members’ construction of power distribution systems to new users or the maintenance of existing systems,” as is essential for meeting growing energy needs in Florida. Rapid population growth in Florida “requires nearly continuous expansion of electrical infrastructure to meet the needs of new residents.” Ongoing permit delays caused by the vacatur order are also impacting their ability to develop renewable energy projects.

Impacts on State Contracts

46. The State of Florida has also entered various agreements with federal and state agencies as part of the 404 program, such as the Memorandum of Agreement between FDEP, USFWS, and FWC regarding coordination to protect threatened and endangered species (among several other such agreements). The vacatur order effectively nullifies those agreements.

Loss of Key Environmental Benefits, including Benefits to Listed Species

47. The vacatur order leads to worse environmental outcomes, including delaying or depriving the state and the public of the environmental protection benefits obtained through the State 404 program that exceed those of the federal program; diverting and wasting of limited federal and state resources for

environmental protection that have been utilized in a more efficient manner through the Florida 404 program; and undermining regulatory clarity and consistency, potentially leading to fewer activities that seek permits for projects.

48. FDEP provides early Endangered Species Act (ESA) coordination engagement for all State 404 Program general and individual permit applications. The FDEP process is specifically designed to ensure that the state and federal agencies review the same species-related information using the same legal standards as in the Corps-led 404 program, and FDEP is committed to adopting any species-related measures provided by FWS.

49. The USFWS has a long working history with the FWC (and its predecessor agencies) regarding the recovery and conservation of federal species. The USFWS first entered into an ESA section 6 cooperative agreement with the State in 1976. The FWC's willingness to facilitate and assist the USFWS with the review of federally listed species is fundamental to the State 404 Program's success.

50. The Memorandum of Understanding between FDEP, Florida Fish & Wildlife Conservation Commission (FWC), and the U.S. Fish & Wildlife Service (USFWS) describes the roles, responsibilities, and commitments of each agency in implementing the State 404 Program.

51. FDEP is committed to ensuring protection of species as part of its Section 404 program. Florida's Section 404 Program regulations expressly provide:

“No permit shall be issued ... [w]hen the project is inconsistent with the requirements of this chapter and the [Florida] 404 Handbook, including when the project ... [j]eopardizes the continued existence of endangered or threatened species, or results in the likelihood of the destruction or adverse modification of a habitat which is determined by the Secretary of Interior or Commerce, as appropriate, to be a critical habitat for endangered or threatened species. Compliance with any requirements resulting from consultation with, or technical assistance by, the Florida Fish & Wildlife Conservation Commission, the U.S. Fish & Wildlife Service, and the National Marine Fisheries Service (NMFS) for purposes of the State 404 Program, and review, as it pertains to endangered or threatened species, by the U.S. Environmental Protection Agency as described in Fla. Admin. Code 62-331.052(2) **shall be determinative** for purposes of evaluating violations of this subparagraph...”

Fla. Admin. Code R. 62-331.053(3)(a)(4).

52. Florida’s 404 program ensures that endangered and threatened federally listed species and their critical habitats are protected as an integral part of the program. Both USFWS and FWC review a proposed project’s effect on listed species and provide recommended requirements, if needed, before a permit is issued. Importantly, **FDEP provides a copy of all individual 404 permit applications to the USFWS and FWC for review.** (Actually, all FDEP 404 permit applications and related agency records and files are also instantly available to these agencies and the

entire general public via FDEP's online records system.) The outcomes of the effect determinations and any wildlife agency recommended requirements are incorporated into the State 404 Program permit file and included in the public notice.

53. The species review process under the Florida-led program was comprehensively described in the program application including (among other places) in the MOU entered between USFWS, FWC, and FDEP; and in the Florida 404 Applicant's Handbook. Ultimately, this process was integrated with the Technical Assistance Process established in the Programmatic BiOp and its ITS. USFWS, FWC, and FDEP *must and do* participate in the species review process as part of the Florida 404 program. Importantly, for Florida 404 permits, conclusions by USFWS and NMFS regarding potential impacts to federally-listed species (and necessary measures to address those impacts) are "determinative." BiOp at 31, 40; MOU at 10. And incidental take, if any, is not authorized if a permittee fails to comply with *all* of those measures. BiOp at 70.

54. These procedures ensure that endangered and threatened federally listed species and their critical habitats are protected as an integral part of the State 404 Program that go above and beyond the procedures required by the only other two states with approved state 404 permit programs (Michigan and New Jersey). To be clear, compliance is "required" for "any requirements" set by FWC, USFWS, and NMFS during the technical assistance process "for permits reviewed under the State

404 Program.” Florida 404 Handbook at 1.3.3 (“**Compliance shall be required, as applicable, with any requirements resulting from consultation with, or technical assistance by, [FWC, FWS, and NMFS] for permits reviewed under the State 404 Program.**”).

55. Similar to the lawful consultation process employed under the federal ESA Consultation Handbook, the species coordination efforts under the Florida-led 404 program result in the following categories of projects in regard to species impacts: (1) projects with “no effect” on listed species; (2) projects that “may affect” but are “not likely to adversely affect” listed species; and (3) projects that “may affect” and are “likely to adversely affect” listed species. This third category indicates anticipated incidental take and requires additional review by USFWS.

56. In accordance with the requirements for the Technical Assistance Process as set forth in the Programmatic Biological Opinion, FWS must use the **best available data** when making species-related determinations. The Programmatic Biological Opinion defines “best available data” as “data to assure the quality of the science used to establish official positions, decisions, and actions taken by the State of Florida during the review of State 404 program permit applications, the quality of the biological, ecological, technical, and other relevant information that is used will only be that which is reliable, credible and represents the best data available. Under

Section 7(a)(2) of the ESA, the USFWS is required to use the best available science.”

BiOp at iv.

57. In accordance with these processes, both USFWS and FWC review a proposed project’s anticipated effects on listed species before a permit is issued. The USFWS and FWC effect determinations and recommended requirements are incorporated into the State 404 Program permit file and included in the public notice, and modifications or conditions are incorporated into the permit. If a project’s effect is “likely to adversely affect” a particular species, then incidental take is anticipated, and further analysis is required to determine if the amount of take will result in jeopardizing the continuation of the species (jeopardy or no jeopardy). If adequate protection measures are available, USFWS’s final conclusion would be “may affect, not likely to adversely affect,” or “not expected to jeopardize the continued existence of the species.” If USFWS’s final conclusion is that the activities allowed by a potential permit will “jeopardize the continued existence of a species,” and no protection measures are available to address the adverse impacts, the permit would not be issued pursuant to the ESA and Fla. Admin. Code R. 62-33.053(3)(a) 4, 62-331.201(3)(k), and 62-331.248(3)(j).

58. During the pendency of the Florida-led 404 program, FWC has been able to ensure that state-listed species receive adequate protections through close coordination with USFWS. During FWC’s review of **over 2,900 state 404**

permitting projects with potential species impacts, FWC has had a meaningful seat at the table to propose permit conditions that offer greater protections to state and federally listed species. Unless FDEP is able to resume implementation of the Florida 404 program, FWC staff will not be able to readily offer technical input and expertise, propose conditions to be incorporated into 404 permits, or ensure that state-listed species receive adequate protections (reducing the potential for such species becoming federally listed). *See* Attachment A (FWC letter).

59. Importantly, separate and apart from vacatur of the program approval, Florida is incurring significant and irreparable harm by virtue of vacatur of the BiOp/ITS, in at least three respects.

60. First, the BiOp/ITS provided an effective process for coordinating species reviews among federal and state agencies and enhancing species protections in a manner that goes far above and beyond the basic procedures and protections employed under CWA Section 404 and its implementing regulations found at 40 C.F.R. Part 233. That process is now vacated.

61. As is the case in New Jersey and Michigan, the Florida 404 program provides for federal agency review of Florida 404 permits that may affect listed species as part of the Section 404 regulatory framework under EPA regulations found at 40 C.F.R. Part 233. Under those procedures, EPA may “federalize” (i.e., remove a state 404 permit from state authority and transfer it to the Corps of

Engineers for processing), *but only if* a state has otherwise failed to address a federal agency objection that is necessary to avoid “jeopardy” of a listed species. Importantly, the baseline requirements under Section 404 and Part 233 do not prevent a state from issuing a state 404 permit that may affect, or is even likely to adversely affect, any listed species; the state only must avoid “jeopardy” of a listed species as a matter of compliance with Section 404. The Florida BiOp/ITS provides an additional layer of meaningful species review and species protection that goes above and beyond those efforts required for Section 404 compliance purposes, and the vacatur order eliminates all of those procedures and resulting benefits.

62. The Florida BiOp/ITS ensures a more robust process for species protection than otherwise required under typical state 404 procedures or even under typical federal 404 procedures administered by the Corps of Engineers. Specifically, under the Florida 404 BiOp/ITS, *all Section 404 individual permits* are reviewed and are subject to conditions imposed by USFWS and FWC (and subject to state administrative and judicial review). The State 404 Program provides an opportunity for enhanced conservation of federally listed species and State-listed species by requiring a coordinated, comprehensive review between FWC and USFWS for species under different jurisdictions but that use the same habitats. As noted above, FDEP is required to adopt any species-protection measures proposed by USFWS and FWC for Florida 404 permits.

63. Second, vacatur of the BiOp/ITS eliminated the exemption of incidental take prohibition under section 9 of the ESA for the State of Florida, FDEP, and its employees and personnel involved in the permitting of Section 404 projects.

64. Third, vacatur of the BiOp/ITS eliminated the exemption of incidental take prohibition under section 9 of the ESA for FDEP's permittees who would otherwise benefit from that protection. Again, Florida 404 permittees would only be exempted from the prohibition of incidental take under the ITS *if and only if* they fully comply with all terms and conditions imposed by FWC/USFWS and incorporated into the State 404 permit. The vacatur order eliminates that protection for Florida 404 permittees.

65. If the BiOp/ITS remains vacated while the state 404 program is allowed to remain in effect, it is true that *some* state 404 permittees may decide to apply for an Incidental Take Permit coverage under ESA Section 10, but as a voluntary process, it is unknown which permittees would actually undertake that process. Those engaged in private activities that do not otherwise trigger federal permitting obligations may seek to voluntarily avoid - outside of any permit context - impacts to species. Regrettably, some may, by ignorance of the law or intentionally, forego obtaining Section 10 permits and/or simply assume the risk of potential enforcement. Thus, while all Florida 404 permit applicants are (by virtue of the Florida 404 program with the BiOp/ITS) required to undergo detailed species review procedures

with all USFWS-imposed requirements applying to their activities, it is uncertain what percentage of those applicants would actually seek an ESA Section 10 permit. The voluntary process in Section 10 is not a substitute for the comprehensive approach to species review that is established under the Florida 404 BiOp/ITS.

Comparability of Federal and State Species Review Procedures

66. The Florida-led process ensures *even more protection for species* and *even more public involvement* than the Corps-led process for at least three reasons: (A) FDEP *must* (and, in fact, does) incorporate all FWS measures, terms, and conditions into Florida Section 404 permits (whereas the Corps *may* do so for their permits); (B) FDEP *must* deny a permit if FWS, NMFS, or FWC finds no protection measures are available to reduce the risk of jeopardy to an acceptable level (whereas the Corps *may* decide to issue a permit in such circumstances); and (C) the public has full access to review and comment on *all species-related information* before FDEP makes a final determination on the permit, which allows for FDEP, EPA, and the permit applicant to consider and respond to those concerns including with project and/or permit changes as warranted (whereas there is *no right of public review and comment* on the Biological Opinion/ITS under the Corps-led process).

Species under Jurisdiction of National Marine Fisheries Service (NMFS)

67. Florida has a long history of coordinating with the National Marine Fisheries Service (NMFS) on state permits, and Florida remains committed to

ensuring that NMFS has every opportunity for reviewing Florida Section 404 permits. In fact, the Florida 404 Handbook provides for NMFS review of Florida 404 permits in the same manner as FWS. There is also an ESA Section 6 “Cooperative Agreement” between FWC and NMFS for recovery and conservation efforts in species under NMFS jurisdiction.

68. However, because Florida’s 404 program does not apply to virtually all coastal waters (as such waters are retained by the Corps of Engineers for Section 404 permitting purposes), the presence of listed and protected species under NMFS jurisdiction were not expected to be frequent. As such, NMFS generally has not engaged with FDEP for Florida 404 permits regarding protected species (although NMFS has engaged on at least one project regarding Essential Fish Habitat). Based on information and belief, EPA and NMFS discussed re-evaluating the potential need for NMFS protected species review and initiated Section 7 consultation regarding Florida’s 404 program, but Florida’s current understanding is that this EPA-NMFS consultation recently ceased in light of this Court’s vacatur order. It is Florida’s expectation that, should the vacatur order be stayed, EPA and NMFS would be able to re-engage with consultation efforts here.

Environmental Information

69. In my experience, the volume of species-related information available to the public for review and comment as part of the Florida 404 permitting process

is *substantially greater* than under the Corps-led program. While virtually no Corps 404 permit records are available in real-time during the permitting process, virtually all FDEP 404 permit records for every project are instantly available to the public in real-time via the FDEP Information Portal website. For example, the public file for any particular 404 individual permit application in Florida often includes many thousands of pages of documentation and analysis, all of which is readily available to any member of the public at any time. This includes the USFWS Technical Assistance Process response documentation, which would contain an opinion of the FWS concerning the biological status of species impacted by the project along with an analysis of the effects of the project on those species, with a set of “Special Conditions” and “Additional Commitments.” Other relevant documents in the FDEP Information Portal file also address species impacts issues, such as (among other materials): comments, recommendations, and permit conditions provided by the Florida Fish & Wildlife Conservation Commission; proposed wildlife crossing plans; species management plans; Applicant-prepared Biological Assessments and Species Survey Reports; and Requests for Additional Information and any responses. Florida has made all of its 404 permit records instantly available to the public. Typically, to obtain similar information from the Corps, a member of the public must file a Freedom of Information Act request.

Opportunities for Environmental Groups to Challenge Florida 404 Permits in State Tribunals

70. Where FDEP ultimately decides to move forward with issuance of a Section 404 permit for a particular project, FDEP first issues a “Proposed Permit” that does not become “effective” *unless and until* (A) the permit is received and signed by both the FDEP and the permit applicant (a permit applicant has 60 days to review and sign a proposed permit); *and* (B) a petition for administrative proceeding under Sections 120.569 and 120.57, Fla. Stat., is *not* filed within 21 days of publication of the notice of FDEP’s action. Permit recipients “cannot justifiably rely on the finality” of a permit decision unless notice of the decision and the right of substantially affected persons to challenge the decision has been “duly published or otherwise provided to all persons substantially affected by the decision.” Fla. Admin. Code Ann. R. 62-110.106(1); *see also* Florida 404 Handbook at 8.3.4. Under Florida law, the administrative hearing process is designed to formulate final agency action, and as a result, FDEP may modify or take a different position than the proposed action.

71. When a petition for administrative hearing is filed, FDEP has a standard practice of sending a form letter to the permit applicant advising that FDEP has “received a petition for administrative hearing under Sections 120.569 and 120.57, Florida Statutes, challenging the Department's permitting decision.” The letter explains that “action on this matter is proposed agency action only, and no permit

has been issued” and, accordingly, “no action may be taken based on the above permit application, until the Department enters a Final Order either issuing or denying the above permit...” FDEP also reminds the applicant that they “must demonstrate prima facie entitlement to the permit issuance in any administrative hearing held under the filing of the petition.”

72. Florida administrative law and judicial review processes do not place environmental groups at any disadvantage relative to the federal system for reviewing permit decisions. Among other things, Florida law provides for a *de novo* administrative hearing process where a permit challenger has the opportunity to continue to develop the record to pursue a challenge and FDEP receives no deference. Florida law also provides ample opportunities for judicial review in state courts.

Executed on the 25th day of April, 2024.



Justin Wolfe
General Counsel
Florida Department of Environmental
Protection
3900 Commonwealth Blvd M.S. 35
Tallahassee, FL 32399

Attachment A

April 3, 2024



**Florida Fish
and Wildlife
Conservation
Commission**

Commissioners
Rodney Barreto
Chairman
Coral Gables

Steven Hudson
Vice Chairman
Fort Lauderdale

Preston Farrior
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The Honorable Michael S. Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington D.C. 20460

The Honorable Michael Connor
Assistant Secretary of the Army – Civil Works
U.S. Department of the Army
108 Army Pentagon
Washington, D.C. 20310-0108

The Honorable Shannon Estenoz
Assistant Secretary for Fish and Wildlife and Parks
U.S. Department of the Interior
1849 C Street, NW
Washington D.C. 20240

Re: Florida's Assumption of Section 404 of the Clean Water Act

Dear Mr. Regan, Mr. Connor and Ms. Estenoz:

I am writing to express strong support for Florida's Section 404 permitting program. The Florida Fish and Wildlife Conservation Commission (FWC) is Florida's state wildlife agency established in the State Constitution to exercise the regulatory and executive powers of the state with respect to wild animal life and freshwater aquatic life. FWC administers the Florida Endangered and Threatened Species Act, which establishes Florida's policy to "conserve and wisely manage these resources, with particular attention to those species defined by [FWC], the Department of Environmental Protection, or the United States Department of Interior, or successor agencies, as being endangered or threatened." § 379.2291, Fla. Stat.

FWC partnered with the Florida Department of Environmental Protection (FDEP) and the U.S. Fish and Wildlife Service (USFWS) in August of 2020 by signing a memorandum of understanding (MOU) that was integral to Florida's assumption of the Section 404 permitting program. This MOU institutes a process that enhances coordination between FDEP, FWC and USFWS staff when reviewing State 404 permitting projects for potential adverse impacts to federally and state listed species. For example, the MOU establishes an "Endangered and Threatened Species Technical Team" comprised of FWC, USFWS, and FDEP experts who convene regularly to discuss specific projects and improvements and coordination procedures.

Since the MOU was signed, FWC staff has logged and reviewed approximately 2,900 State 404 permitting projects in coordination with USFWS staff for potential impacts to state or federally listed species. In each of these reviews, FWC has had a meaningful seat at the table to propose permit conditions that offer greater protections to state and federally listed species. If the U.S. Army Corps of Engineers (USACE) resumes responsibility of all 404 permitting, FWC staff could not as readily offer technical input and expertise, propose conditions to be incorporated in the 404 permits, or ensure that state-listed species receive adequate protections (which reduces the potential such species becoming federally listed).

For these reasons, and in the interest of the endangered and threatened species in Florida, I implore you to continue to vigorously defend EPA's approval of Florida's program in the pending litigation and to take any necessary actions to protect and preserve it.

Sincerely,

Roger A. Young
Executive Director

Attachment B

EXHIBIT B

Exhibit B

Section 404 Permit Applications Pending Before FDEP as of February 24, 2024 Sorted by County
 (See <https://prodapps.dep.state.fl.us/pa/summarypending/PaData>)

Application #	County	Project Name	Permit Type / Subtype	Date Received
0431019-001-SFG	ALACHUA	NW 53RD SIDEWALK	SFG 20	1/31/2023
0432709-001-SFG	ALACHUA	SW 62ND BLVD MANHOLE IMPR	SFG 15	3/13/2023
0440450-001-SFG	ALACHUA	BIVENS ARM NATURE PARK	SFG 25	9/19/2023
0443925-001-SFG	ALACHUA	HATCHET CREEK BRIDGE NO 260033	SFG 48	1/8/2024
0416166-001-SFI	BAKER	404 - BARBER POINTE SUBDIV	SFI 32	2/7/2022
0401093-002-SFI	BAKER	WOODSTOCK PROJECT CENTER	SFI 33	12/14/2022
0435886-001-SFG	BAKER	SANDCASTLE MANOR	SFG 36	5/31/2023
0436856-001-SFG	BAKER	ICE CUBE XPRESS	SFG 36	6/20/2023
0441053-001-SFG	BAKER	HIDDEN LAKE SANDERSON	SFG 36	9/27/2023
0429434-001-SFI	BAY	STATE AVENUE TOWNHOMES	SFI 30	12/14/2022
0431236-001-SFI	BAY	TKB ASSETS - DUAL HOTEL	SFI 31	2/6/2023
0068305-001-SFG	BAY	TYNDALL PARKWAY APARTMENTS	SFG 27	3/10/2023
0404276-002-SFI	BAY	ROYAL PALMS APARTMENTS	SFI 32	4/7/2023
0436707-001-SFI	BAY	OSPREY POINT VILLAGE PHASE A	SFI 32	6/20/2023
0398831-003-SFI	BAY	HOMBRE APARTMENTS - RESUBMITTA	SFI 29	6/30/2023
0437745-001-SFG	BAY	OCEAN PARK PAVILION PHASE 2	SFG 36	7/13/2023
0272837-003-SFI	BAY	SUBDIVISION AT MINNESOTA AVE	SFI 29	7/18/2023
0438502-001-SFG	BAY	LITTLE BURNT MILL CREEK PH 1	SFG 27	8/3/2023
0438784-001-SFG	BAY	ALEXANDRA'S PARK	SFG 27	8/11/2023
0439538-002-SFG	BAY	RAMROOP SF RESIDENCE ST404	SFG 27	9/1/2023
0440627-001-SFG	BAY	REDWOOD AVENUE DRAINAGE	SFG 10	9/28/2023
0412425-004-SFRP	BAY	WATERSOUND PARKWAY 79- ST 404	SFRP 86	10/23/2023
0441723-001-SFI	BAY	MLK BLVD COMMERCIAL	SFI 30	10/30/2023
0442049-002-SFG	BAY	MEXICO BCH 16TH ST - SR 390	SFG 17	11/8/2023
0161242-002-SFG	BAY	MINNESOTA AVE MITIGATION ST404	SFG 20	11/8/2023
0403572-025-SFRP	BAY	LMWS PH 5 A 3 ST 404	SFRP 05	12/12/2023
0443343-002-SFG	BAY	DUNDEE LANE HMGP ST 404	SFG 17	12/19/2023
0240230-006-SFI	BAY	HATHAWAY APARTMENTS RESUBMITAL	SFI 32	12/19/2023
0444431-002-SFI	BAY	GAGER SF RESIDENCE - ST404	SFI 29	1/24/2024
0444698-001-SFG	BAY	EMBRIE TOWNHOMES	SFG 27	1/29/2024
0443878-003-SFI	BAY	EMERALD COVE	SFI 32	2/9/2024
0445375-003-SFG	BAY	LINGER LONGER RD ST 404	SFG 17	2/16/2024
0416170-001-SFG	BRADFORD	404 - SE 49TH AVE IMPROVEMENTS	SFG 17	2/7/2022
0283607-002-SFI	BRADFORD	CYPRESS RUN BOAT RAMP	SFI 29	9/26/2023
0397041-001-SFI	BREVARD	C-10 WATER MANAGEMENT AREA	SFI 33	1/8/2021
0413077-001-SFI	BREVARD	HUNTINGTON PARK	SFI 29	11/29/2021
0416990-003-SFI	BREVARD	AREA 2	SFI 32	4/13/2022
0401326-003-SFI	BREVARD	TIER TWO SOUTH CAMPUS	SFI 32	4/13/2022
0423247-001-SFI	BREVARD	RANGE ROAD SUBDIVISION	SFI 29	6/29/2022

Exhibit B

Section 404 Permit Applications Pending Before FDEP as of February 24, 2024 Sorted by County
 (See <https://prodapps.dep.state.fl.us/pa/summarypending/PaData>)

Application #	County	Project Name	Permit Type / Subtype	Date Received
0424336-001-SFI	BREVARD	LAKEWOOD RESERVE	SFI 31	7/27/2022
0424699-001-SFG	BREVARD	BSS BUILDING	SFG 36	8/4/2022
0425332-001-SFI	BREVARD	LENNAR PLUCKEBAUM RESIDENTIAL	SFI 33	8/18/2022
0398515-002-SFI	BREVARD	MATTAMY HOMES AT FISKE BLVD	SFI 32	8/31/2022
0430195-001-SFI	BREVARD	STILLWELL	SFI 32	1/6/2023
0422662-002-SFI	BREVARD	KRODEL PROPERTIES SFH (404)	SFI 29	2/27/2023
0434155-001-SFI	BREVARD	TITUSVILLE SOUTH STREET (404)	SFI 30	4/20/2023
0434549-002-SFG	BREVARD	HADDEN HOME BUILD (404)	SFG 27	5/2/2023
0434817-002-SFG	BREVARD	HEMPEL SATELLITE BLVD. (404)	SFG 27	5/8/2023
0436160-002-SFI	BREVARD	KRODEL - 425 SBRD (404)	SFI 29	6/8/2023
0436161-002-SFI	BREVARD	KRODEL - 435 SBRD (404)	SFI 29	6/8/2023
0436557-001-SFI	BREVARD	MUD LAKE WEST COCOA DRAINAGE	SFI 29	6/15/2023
0423041-002-SFI	BREVARD	1901 SATELLITE BOULEVARD	SFI 29	7/10/2023
0440567-001-SFI	BREVARD	ROBERTS NORTH MASS GRADING	SFI 33	9/29/2023
0441315-001-SFI	BREVARD	ADELON WATER DRIVE MF	SFI 30	10/18/2023
0441855-001-SFG	BREVARD	GRISSOM PARKWAY INDUSTRIAL	SFG 36	11/2/2023
0442208-001-SFG	BREVARD	SPACE LAUNCH COMPLEX 14, CCSFS	SFG 36	11/14/2023
0442547-001-SFG	BREVARD	PINEDA CAUSEWAY IMPROVEMENTS	SFG 17	11/27/2023
0439125-002-SFG	BREVARD	BREVARD REST AREA	SFG 36	1/23/2024
0444969-001-SFG	BREVARD	ROVINI STORAGE	SFG 36	2/6/2024
0399733-001-SFI	BROWARD	ST. KATHARINE DREXEL CHURCH	SFI 31	3/1/2021
0401026-001-SFI	BROWARD	PEMBROKE PINES TOWNHOUSES	SFI 31	3/22/2021
0423208-001-SFG	BROWARD	SR 93 I75 INTERCHANGE IMPROVE	SFG 48	6/29/2022
0426421-001-SFI	BROWARD	TERRA PINES FSER	SFI 29	9/19/2022
0428254-002-SFG	BROWARD	GRAVERAN SFR DREDGE AND FILL	SFG 27	11/9/2022
0430105-002-SFI	BROWARD	VECENERGY SITE	SFI 31	1/3/2023
0433112-001-SFI	BROWARD	PEMBROKE ROAD EXTENSION	SFI 32	3/22/2023
0433047-002-SFI	BROWARD	14010 MUSTANG TRAIL SW RANCHES	SFI 29	3/23/2023
0435645-001-SFI	BROWARD	STIRLING ROAD DRIVEWAY	SFI 29	6/1/2023
0436512-001-SFI	BROWARD	MENORAH GARDENS	SFI 31	6/20/2023
0436812-002-SFI	BROWARD	13310 MUSTANG TRL	SFI 29	6/22/2023
0377669-004-SFG	BROWARD	MUSTANG TRAIL	SFG 27	8/9/2023
0396518-002-SFI	BROWARD	NSU PORT PARCEL	SFI 31	8/15/2023
0440828-002-SFI	BROWARD	ORTIZ RESIDENCE	SFI 29	10/6/2023
0441619-002-SFI	BROWARD	SFR & TENNIS COURT WETLANDS	SFI 29	10/27/2023
0442197-001-SFI	BROWARD	KEISER	SFI 29	11/13/2023
0431581-003-SFI	BROWARD	KBNP LLC RES DEV (404)	SFI 33	11/17/2023
0442660-001-SFI	BROWARD	901 SW 121ST AVE	SFI 29	11/30/2023
0444113-001-SFI	BROWARD	UNIVERSITY HOTEL	SFI 29	1/18/2024
0437895-003-SFG	CALHOUN	CALHOUN BOCC LOTS MILL CREEK	SFG 17	7/20/2023
0439260-003-SFG	CALHOUN	FPL SOLAR ENERGY CENTER ST404	SFG 15	10/12/2023
0441634-001-SFG	CALHOUN	SR 71 FROM S OF CR 275	SFG 17	10/27/2023
0413222-004-SFI	CHARLOTTE	SF DRIVEWAY (404)	SFI 29	1/5/2022
0419860-001-SFI	CHARLOTTE	MCNEW RANCH MIXED-USE DEVELOPM	SFI 33	4/21/2022

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0422030-002-SFI	CHARLOTTE	UTILITY TRAIL MAINT (404)	SFI 30	5/27/2022
0416693-002-SFI	CHARLOTTE	S2A MODULAR	SFI 29	10/28/2022
0429052-001-SFI	CHARLOTTE	SHELL OAKS	SFI 32	12/5/2022
0273798-009-SFI	CHARLOTTE	SR 31 AT CR 74 ROUNDABOUT	SFI 29	2/15/2023
0424972-003-SFI	CHARLOTTE	404 SFR	SFI 29	3/14/2023
0421003-002-SFI	CHARLOTTE	BARSTOOL SFI	SFI 29	5/30/2023
0436057-002-SFG	CHARLOTTE	SFR SFG	SFG 16	6/6/2023
0434642-003-SFG	CHARLOTTE	HDD UTILITY 404	SFG 15	7/26/2023
0429979-003-SFI	CHARLOTTE	BURNT STORE ROAD 265	SFI 30	10/16/2023
0441436-001-SFI	CHARLOTTE	LITTLE HOMESTEAD OF SWFL 404	SFI 29	10/23/2023
0442988-002-SFI	CHARLOTTE	SFR DRIVEWAY WETLANDS 404	SFI 29	12/11/2023
0443030-002-SFG	CHARLOTTE	SF SEAWALL 404	SFG 16	12/12/2023
0437447-002-SFG	CHARLOTTE	WEST PORT EAST 404	SFG 27	2/2/2024
0441705-002-SFI	CHARLOTTE	SFI 404	SFI 29	2/5/2024
0441233-001-SFG	CITRUS	HOMOSASSA SELF STORAGE	SFG 10	10/17/2023
0442514-002-SFG	CITRUS	O'REILLY AUTO PARTS STORE	SFG 36	11/28/2023
0442863-002-SFG	CITRUS	JOHN DAVEY RESIDENCY	SFG 27	11/29/2023
0397632-001-SFI	CLAY	404-VILLAGE PARK	SFI 33	1/13/2021
0409088-001-SFI	CLAY	404-OLD JENNINGS & TYNES	SFI 30	8/30/2021
0414410-001-SFI	CLAY	404-BRANAN FIELD MULTI FAMILY	SFI 29	12/7/2021
0419794-001-SFI	CLAY	404 - ASBURY HAMMOCK	SFI 31	3/22/2022
0424421-001-SFI	CLAY	LAKE ASBURY BUILD TO RENT	SFI 30	5/24/2022
0396377-003-SFI	CLAY	404-ATLANTIS DRIVE ROADWAY IMP	SFI 30	6/16/2022
0422142-002-SFG	CLAY	CHALLENGER TOWNHOMES	SFG 27	6/22/2022
0426427-003-SFG	CLAY	404 - BURKHARDT DRAIN PIPE	SFG 20	10/7/2022
0427634-001-SFI	CLAY	CMAR GROUP 2 PROJECT 5 - CR220	SFI 31	10/18/2022
0427618-001-SFI	CLAY	MIDDLEBURG DUNKIN DONUTS	SFI 29	10/18/2022
0429768-001-SFI	CLAY	BATTON LAKES RV PARK	SFI 29	12/22/2022
0150459-002-SFG	CLAY	404-FPL DAN MOODY ROAD	SFG 15	1/24/2023
0437630-001-SFI	CLAY	MIDDLEBERG STORAGE	SFI 30	7/5/2023
0350535-007-SFI	CLAY	404_PETERS CREEK PIPELINE	SFI 29	7/11/2023
0437648-001-SFI	CLAY	CR315 LANE WIDENING	SFI 31	7/11/2023

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0438295-001-SFG	CLAY	404-HURTZ BLANDING COMMERCIAL	SFG 27	7/31/2023
0439216-001-SFG	CLAY	404-OAKLEAF BOAT AND RV STORAG	SFG 36	8/23/2023
0420584-004-SFM	CLAY	404-FPL TERRILL CREEK SOLAR	SFM 31	9/15/2023
0409518-003-SFM	CLAY	CR 209 FROM US 17 TO CR 315B	SFM 06	10/12/2023
0442894-001-SFI	CLAY	MURRAY FARMS	SFI 30	12/5/2023
0444554-001-SFI	CLAY	CR 315 FROM CSX RAILROAD	SFI 29	1/25/2024
0423014-001-SFI	CLAY	404-VENTURE LANE TOWNHOMES	SFI 31	2/9/2024
0445664-001-SFI	CLAY	HMGP RIVER RD SITES 1-6	SFI 29	2/16/2024
0426429-002-SFI	CLAY	HMGP WINFRED CULVERT	SFI 29	2/16/2024
0396364-001-SFI	COLLIER	BELLMAR COMMUNITY (404)	SFI LT	12/28/2020
0396348-001-SFI	COLLIER	IMMOKALEE ROAD RURAL VILLAGE	SFI 33	12/28/2020
0396561-001-SFI	COLLIER	PICAYUNE CWIP	SFI 33	12/28/2020
0377871-002-SFI	COLLIER	SF RESIDENCE WETLANDS (404)	SFI 29	12/28/2020
0396522-001-SFI	COLLIER	SR 82 WIDENING	SFI 32	12/28/2020
0396966-001-SFI	COLLIER	RURAL LANDS WEST (404)	SFI LT	1/8/2021
0281251-004-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	7/7/2021
0249373-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	8/2/2021
0396121-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	8/4/2021
0408682-002-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	8/23/2021
0409958-002-SFG	COLLIER	SF RESIDENCE (404)	SFG 27	9/20/2021
0409961-002-SFG	COLLIER	SF RESIDENCE (404)	SFG 27	9/20/2021
0410536-002-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	9/29/2021
0232838-003-SFG	COLLIER	SF RESIDENCE (404)	SFG 27	10/8/2021
0276569-002-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	10/11/2021
0411474-002-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	10/19/2021
0411589-002-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	10/25/2021
0411667-002-SFI	COLLIER	SF DRIVEWAY (404)	SFI 29	10/26/2021
0405479-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	11/3/2021
0412065-001-SFI	COLLIER	SHAGGY CYPRESS	SFI 33	11/4/2021
0406897-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	11/9/2021

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0405635-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	11/12/2021
0376365-004-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	11/12/2021
0243229-006-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	11/12/2021
0259920-005-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	11/12/2021
0393322-005-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	11/17/2021
0412725-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	11/23/2021
0214415-005-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	11/30/2021
0413227-002-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	12/2/2021
0413441-002-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	12/8/2021
0413556-002-SFI	COLLIER	SF DRIVEWAY (404)	SFI 29	12/9/2021
0259821-004-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	12/26/2021
0255422-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	1/10/2022
0241214-005-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	1/11/2022
0288100-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	1/12/2022
0414967-004-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	1/18/2022
0415186-002-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	1/19/2022
0415851-002-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	2/2/2022
0394767-004-SFI	COLLIER	SF DRIVEWAY (404)	SFI 29	2/3/2022
0395112-004-SFI	COLLIER	SF DRIVEWAY (404)	SFI 29	2/3/2022
0398572-004-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	2/3/2022
0414684-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	2/7/2022
0395417-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	2/8/2022
0207010-004-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	2/11/2022
0405882-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	2/11/2022
0416754-002-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	2/18/2022
0416757-002-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	2/18/2022
0214403-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	3/3/2022
0410358-004-SFI	COLLIER	SF FENCE (404)	SFI 29	3/11/2022
0222910-005-SFM	COLLIER	MOD 004 MIT BANK	SFM 06	3/14/2022
0369917-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	3/14/2022
0369919-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	3/14/2022

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0405559-002-SFI	COLLIER	BRIGHTSHORE VILLAGE	SFI 33	3/15/2022
0387945-005-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	4/7/2022
0387946-005-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	4/7/2022
0236519-006-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	4/15/2022
0266720-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	4/18/2022
0259142-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	4/21/2022
0403864-005-SFI	COLLIER	SF DRIVEWAY (404)	SFI 29	4/22/2022
0227917-008-SFI	COLLIER	SF DRIVEWAY (404)	SFI 29	4/22/2022
0420092-002-SFI	COLLIER	SF DRIVEWAY (404)	SFI 29	4/27/2022
0420112-002-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	4/27/2022
0420105-002-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	4/27/2022
0275383-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	5/9/2022
0257461-004-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	5/20/2022
0240570-004-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	5/20/2022
0225316-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	5/20/2022
0422231-002-SFI	COLLIER	SF DRIVEWAY (404)	SFI 29	6/9/2022
0408890-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	6/9/2022
0422356-002-SFI	COLLIER	SF DRIVEWAY (404)	SFI 29	6/13/2022
0244622-005-SFI	COLLIER	SF RESIDENCE WETLANDS	SFI 29	7/1/2022
0423445-002-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	7/7/2022
0412138-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	7/8/2022
0232010-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	7/12/2022
0256699-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	7/12/2022
0242670-003-SFI	COLLIER	SINGLE FAMILY RESIDENCE(404)	SFI 29	7/15/2022
0423979-002-SFI	COLLIER	SFR IN WETLANDS (404)	SFI 29	7/19/2022
0424107-002-SFI	COLLIER	SF WETLANDS (404)	SFI 29	7/21/2022
0259172-004-SFG	COLLIER	SF FENCE (404)	SFG 27	7/28/2022
0230159-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	8/10/2022
0271988-004-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	8/15/2022
0425463-001-SFI	COLLIER	GREENWAY FRITCHEY RESIDENTIAL	SFI 33	8/16/2022

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0243586-007-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	8/25/2022
0425632-002-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	8/29/2022
0426249-001-SFI	COLLIER	FIORI APARTMENTS	SFI 31	9/12/2022
0426361-002-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	9/15/2022
0426526-002-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	9/19/2022
0426814-002-SFI	COLLIER	SF RESIDENCE 404	SFI 29	9/26/2022
0263510-005-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	11/4/2022
0428480-001-SFI	COLLIER	KINSALE GOLF CLUB	SFI 29	11/16/2022
0422450-003-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	11/17/2022
0245799-004-SFI	COLLIER	SF RESIDENCE (404)	SFI 29	12/21/2022
0430176-003-SFI	COLLIER	404 SFR	SFI 29	1/19/2023
0189064-003-SFI	COLLIER	404 SFR WETLANDS	SFI 29	1/31/2023
0259202-003-SFI	COLLIER	404 SFR WETLANDS	SFI 29	2/2/2023
0399564-003-SFI	COLLIER	404 SFR	SFI 29	2/22/2023
0431880-002-SFI	COLLIER	404 SFR	SFI 29	2/22/2023
0414894-003-SFI	COLLIER	404 SFR SFI	SFI 29	2/22/2023
0432560-002-SFI	COLLIER	404 SFR	SFI 29	3/10/2023
0432549-002-SFI	COLLIER	404 SFR	SFI 29	3/10/2023
0430260-003-SFI	COLLIER	404 SFR	SFI 29	3/16/2023
0432857-002-SFI	COLLIER	404 SFR	SFI 29	3/17/2023
0432914-002-SFI	COLLIER	SFR 404	SFI 29	3/20/2023
0432977-002-SFI	COLLIER	404 SFR	SFI 29	3/21/2023
0433050-002-SFI	COLLIER	SFR 404	SFI 29	3/23/2023
0433441-002-SFI	COLLIER	404	SFI 30	3/30/2023
0431981-003-SFI	COLLIER	SFR 404	SFI 29	4/3/2023
0433747-002-SFI	COLLIER	SFR 404	SFI 29	4/10/2023
0433924-002-SFI	COLLIER	SFR 404	SFI 29	4/13/2023
0434280-002-SFI	COLLIER	SFR 404	SFI 29	4/24/2023
0434715-002-SFI	COLLIER	SFR 404	SFI 29	5/3/2023
0419998-003-SFI	COLLIER	SFR 404	SFI 29	5/9/2023
0260181-003-SFI	COLLIER	SFR 404	SFI 29	5/12/2023
0435182-001-SFI	COLLIER	GG BRIDGE SFI	SFI 29	5/15/2023
0435178-002-SFI	COLLIER	SFR 404	SFI 29	5/15/2023
0413960-004-SFI	COLLIER	SFR 404	SFI 29	5/22/2023

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0199168-003-SFI	COLLIER	SFR SFI	SFI 29	5/25/2023
0405963-004-SFI	COLLIER	SFR SFI	SFI 29	5/31/2023
0415716-005-SFI	COLLIER	SFR SFI	SFI 29	6/13/2023
0420996-003-SFI	COLLIER	SFR AND DRIVEWAY	SFI 29	6/15/2023
0436573-002-SFI	COLLIER	SFR SFI	SFI 29	6/16/2023
0268920-004-SFI	COLLIER	SF RESIDENCE SFI	SFI 29	6/19/2023
0405904-003-SFI	COLLIER	SFR 404	SFI 29	6/19/2023
0437191-002-SFI	COLLIER	SFR WETLANDS 404	SFI 29	7/3/2023
0406896-005-SFI	COLLIER	SFR WETLANDS 404	SFI 29	7/5/2023
0437385-001-SFI	COLLIER	HORSE TRIALS	SFI 31	7/10/2023
0405964-005-SFI	COLLIER	SFR WETLANDS 404	SFI 29	7/21/2023
0419503-002-SFI	COLLIER	COLLIER ROD AND GUN CLUB	SFI 33	7/24/2023
0438909-001-SFI	COLLIER	CREATIVE COMMONS 404	SFI 30	8/15/2023
0432907-003-SFI	COLLIER	SF DRIVEWAY WETLANDS 404	SFI 29	8/15/2023
0262933-012-SFI	COLLIER	SFR BARN WETLANDS 404	SFI 29	8/16/2023
0335221-004-SFI	COLLIER	SFR DRIVEWAY WETLANDS 404	SFI 29	8/17/2023
0257447-003-SFI	COLLIER	SFR WETLANDS 404	SFI 29	8/18/2023
0436344-003-SFI	COLLIER	SFR WETLANDS 404	SFI 29	8/22/2023
0439362-002-SFI	COLLIER	SFR WETLANDS 404	SFI 29	8/28/2023
0439435-002-SFI	COLLIER	SFR WETLANDS 404	SFI 29	8/31/2023
0268685-005-SFI	COLLIER	SFR WETLANDS 404	SFI 29	8/31/2023
0383520-003-SFI	COLLIER	SFR WETLANDS 404	SFI 29	9/1/2023
0439542-002-SFI	COLLIER	SFR WETLANDS 404	SFI 29	9/4/2023
0436616-004-SFI	COLLIER	SFR WETLANDS	SFI 29	9/5/2023
0214403-005-SFI	COLLIER	SFR WETLANDS	SFI 29	9/5/2023
0432786-003-SFI	COLLIER	SFR WETLANDS 404	SFI 29	9/5/2023
0440079-001-SFI	COLLIER	ASGM 404	SFI 32	9/18/2023
0440193-001-SFI	COLLIER	ST. MARISSA CONDO 404	SFI 29	9/20/2023
0440505-001-SFG	COLLIER	COLLIER BLVD ROADWAY 404	SFG 17	9/28/2023
0428976-004-SFI	COLLIER	SFR WETLANDS 404	SFI 29	9/29/2023
0188424-005-SFI	COLLIER	404 SFI	SFI 29	10/5/2023
0440835-002-SFI	COLLIER	SFI 404	SFI 29	10/6/2023
0440865-002-SFI	COLLIER	SFI 404	SFI 29	10/9/2023

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0440891-002-SFI	COLLIER	SFI 404	SFI 29	10/9/2023
0439561-004-SFI	COLLIER	SFR 404	SFI 29	10/11/2023
0441124-002-SFI	COLLIER	SFR WETLANDS 404	SFI 29	10/13/2023
0393615-003-SFI	COLLIER	SFR FENCE WETLANDS 404	SFI 29	10/25/2023
0441768-002-SFI	COLLIER	SFR WETLANDS 404	SFI 29	11/1/2023
0442183-002-SFI	COLLIER	SFR WETLANDS 404	SFI 29	11/14/2023
0433749-003-SFI	COLLIER	SFR WETLANDS 404	SFI 29	11/17/2023
0389225-005-SFI	COLLIER	SFR DRIVEWAY WETLANDS 404	SFI 29	11/20/2023
0442737-002-SFI	COLLIER	SFR 404	SFI 29	12/4/2023
0255424-003-SFI	COLLIER	SFI 404	SFI 29	12/5/2023
0431964-003-SFI	COLLIER	SFR WETLANDS 404	SFI 29	12/6/2023
0442999-002-SFG	COLLIER	FPL GOLDENROD SOLAR CENTER 404	SFG 45	12/11/2023
0443163-002-SFI	COLLIER	SFR UPLANDS/WETLANDS 404	SFI 29	12/15/2023
0434159-004-SFI	COLLIER	SF DRIVEWAY WETLANDS 404	SFI 29	12/28/2023
0439316-003-SFI	COLLIER	SFR WETLANDS 404	SFI 29	1/5/2024
0442274-004-SFI	COLLIER	SFR DRIVEWAY WETLANDS	SFI 29	1/17/2024
0320260-005-SFI	COLLIER	MAINTAIN SFR WETLANDS 404	SFI 29	1/26/2024
0403473-005-SFM	COLLIER	SFR MOD	SFM 06	1/31/2024
0403966-006-SFI	COLLIER	SFR SFI	SFI 29	1/31/2024
0315742-006-SFI	COLLIER	SFR WETLANDS 404	SFI 29	2/2/2024
0444909-002-SFI	COLLIER	SFR SFI	SFI 29	2/5/2024
0445085-002-SFG	COLLIER	33 ELEC POLES WETLANDS 404	SFG 15	2/8/2024
0412537-006-SFM	COLLIER	SFR MOD	SFM 29	2/8/2024
0445138-001-SFI	COLLIER	NAPLES GREENWAY MF DEV 404	SFI 31	2/9/2024
0445089-002-SFI	COLLIER	SFR WETLANDS 404	SFI 29	2/9/2024
0445306-001-SFI	COLLIER	TAMIAMI 58 404	SFI 32	2/15/2024
0431148-001-SFI	COLUMBIA	COLUMBIA'S SHERIFF'S EVI BLDG	SFI 29	2/2/2023
0348342-002-SFI	COLUMBIA	RIVER RISE BOAT RAMP IMPROVEME	SFI 29	1/29/2024
0407220-001-SFI	DESOTO	CAYMAN LAKES	SFI 31	7/19/2021
0429260-001-SFI	DESOTO	HARBOUR LAKE	SFI 31	12/9/2022
0432952-002-SFI	DESOTO	LLANO RANCHES SFI	SFI 29	5/22/2023
0443877-002-SFG	DESOTO	SADDLE SOLAR CENTER 404	SFG 45	12/18/2023
0443327-002-SFG	DESOTO	JOSHUA CREEK SOLAR SFG	SFG 45	12/19/2023
0424119-001-SFG	DIXIE	CROSS CITY AIRPORT RUNWAY IMPR	SFG 17	7/20/2022
0402457-001-SFI	DUVAL	404-JIA WOODWINGS EAST	SFI 32	4/16/2021

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Section 404 Permit Applications Pending Before FDEP as of February 24, 2024 Sorted by County
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Application #	County	Project Name	Permit Type / Subtype	Date Received
0403621-001-SFI	DUVAL	404-SOUTEL & OLD KINGS SITE	SFI 30	5/5/2021
0409409-001-SFI	DUVAL	404 - ELLIS COVE MODIFICATION	SFI 33	8/24/2021
0409599-001-SFI	DUVAL	404 - ARNOLD RD CANAL CLEARING	SFI 30	9/10/2021
0410322-001-SFI	DUVAL	404 - SERENOA GARDENS SOUTH	SFI 31	9/23/2021
0418733-002-SFG	DUVAL	PRITCHARD ROAD UTILITY LINE	SFG 15	3/30/2022
0420170-001-SFI	DUVAL	404 - BACARDI	SFI 32	4/18/2022
0423180-001-SFI	DUVAL	4390 IMESON ROAD	SFI 30	5/6/2022
0421665-001-SFI	DUVAL	BOWDEN ROAD SITE	SFI 30	5/24/2022
0424791-001-SFG	DUVAL	CECIL CHARTER SCHOOL ROADWAY	SFG 17	8/8/2022
0406188-002-SFI	DUVAL	404-LEM TURNER PROPERTY	SFI 33	8/23/2022
0401097-002-SFI	DUVAL	404 - JONES BRANCH TRUCK YARD	SFI 30	8/30/2022
0426935-001-SFI	DUVAL	IDEA LANE LENOX	SFI 30	9/22/2022
0427091-001-SFG	DUVAL	CHARTER SCHOOL AT OLD ST AUG	SFG 36	10/4/2022
0427122-001-SFI	DUVAL	NEW KINGS ROAD SELF STORAGE	SFI 29	10/5/2022
0429132-001-SFI	DUVAL	ZOO PARKWAY SITE	SFI 30	12/7/2022
0397308-004-SFI	DUVAL	404 - HUNTLEY - SEATON CREEK	SFI 32	12/20/2022
0431434-001-SFG	DUVAL	404-MUNTAZ, HUSSEIN	SFG 27	1/9/2023
0430397-001-SFG	DUVAL	PECAN PARK SELF STORAGE	SFG 36	1/10/2023
0430296-001-SFI	DUVAL	RAHIMI ST JOHNS BLUFF RD	SFI 29	1/12/2023
0431643-001-SFI	DUVAL	JUSTAMERE PROPERTY GRADING	SFI 30	2/14/2023
0425361-002-SFG	DUVAL	404-CEDAR POINT BRIDGES	SFG 17	3/15/2023
0433829-001-SFI	DUVAL	404-ACREE CDD OFFSITE ROADWAY	SFI 31	4/11/2023
0435966-001-SFI	DUVAL	MINING DRIVE	SFI 31	5/31/2023
0436489-001-SFI	DUVAL	DUVAL AND PECAN PARK	SFI 30	6/8/2023
0436211-001-SFG	DUVAL	SR 200 MEDIAN U-TURN	SFG 48	6/8/2023
0384095-002-SFG	DUVAL	MARIGOLD RIDGE TOWNHOMES	SFG 27	6/9/2023
0436327-001-SFI	DUVAL	404-BRADDOCK SOUTH	SFI 33	6/12/2023
0436836-002-SFI	DUVAL	404-JACKSONVILLE FAIRGROUNDS	SFI 31	6/22/2023
0437094-001-SFI	DUVAL	SEATON HOLLOW SUBDIVISION	SFI 31	6/27/2023
0437282-001-SFI	DUVAL	404_OWENS ROAD LAYDOWN	SFI 30	6/29/2023
0396534-002-SFI	DUVAL	CECIL CONNECTOR RD - PH 2	SFI 29	7/5/2023
0435400-003-SFG	DUVAL	404-HOWELL PARK DITCH MAINT	SFG 38	7/21/2023
0413044-002-SFI	DUVAL	FCRU PLANT SITE 404	SFI 31	7/27/2023

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0438538-001-SFG	DUVAL	SHORES LANDING APARTMENTS	SFG 27	7/27/2023
0438539-001-SFI	DUVAL	ANNISTON	SFI 29	7/28/2023
0438540-001-SFG	DUVAL	TOM BUSH PARTS WAREHOUSE	SFG 36	7/31/2023
0438780-001-SFI	DUVAL	AZALEA CREEK	SFI 30	8/3/2023
0423874-004-SFM	DUVAL	404-FPL BALDWIN SUBSTATION	SFM 06	8/4/2023
0439108-001-SFI	DUVAL	KINGS PRESERVE	SFI 31	8/10/2023
0440259-001-SFI	DUVAL	MURIEL STREET PARKING	SFI 30	9/12/2023
0440259-002-SFI	DUVAL	MURIEL STREET PARKING	SFI 30	9/26/2023
0441057-001-SFG	DUVAL	ALADDIN ROAD SUBDIVISION	SFG 27	10/11/2023
0396589-001-SFI	DUVAL	404-EAGLES GLEN SUBDIVISION	SFI 33	10/12/2023
0082095-001-SFG	DUVAL	404-PENSKE PARKING LOT EXP	SFG 36	10/12/2023
0441213-001-SFG	DUVAL	BLANDING TOWNHOMES	SFG 27	10/12/2023
0441377-001-SFI	DUVAL	MAYO CLINIC NORTH CAMPUS	SFI 30	10/19/2023
0433829-002-SFI	DUVAL	ACREE POD G SUBDIVISION	SFI 31	10/30/2023
0435656-002-SFG	DUVAL	WESTLAKE PARCEL 3 - BUILDINGS	SFG 36	11/1/2023
0441948-001-SFG	DUVAL	VILLAGE AT TOWN CENTER	SFG 36	11/2/2023
0409408-001-SFG	DUVAL	404-FENNELL ROAD PROJECT	SFG 27	11/3/2023
0442256-001-SFI	DUVAL	404-THOMAS CREEK PUD	SFI 32	11/10/2023
0442536-001-SFI	DUVAL	NORTHVIEW SUBDIVISION	SFI 31	11/27/2023
0443245-001-SFI	DUVAL	404-BROWARD SELF STORAGE	SFI 29	12/15/2023
0443358-001-SFG	DUVAL	404-ARGYLE FOREST DUTCH BROS.	SFG 36	12/19/2023
0443587-001-SFG	DUVAL	NORTH JAX MINISTRIES	SFG 36	12/22/2023
0420719-001-SFI	DUVAL	404-GARDEN STREET SUBSTATION	SFI 30	1/9/2024
0444357-001-SFI	DUVAL	RING POWERED MANUFACTURING	SFI 31	1/16/2024
0444449-001-SFG	DUVAL	CECIL POINT	SFG 27	1/22/2024
0444526-001-SFI	DUVAL	ROYAL FOREST	SFI 32	1/22/2024
0444543-001-SFG	DUVAL	NEW BERLIN GATE EXPRESS CAR	SFG 36	1/24/2024
0413074-001-SFI	DUVAL	404-SUBEMA WAREHOUSE DEV	SFI 32	2/5/2024
0437286-002-SFM	DUVAL	404-DURBAN CREEK	SFM TO	2/21/2024
0406873-002-SFG	DUVAL	404-BLIUC RESIDENCE	SFG 27	2/22/2024
0405573-001-SFI	ESCAMBIA	WEST KINGSFIELD ROAD EXTENSION	SFI 32	6/15/2021
0283221-002-SFG	ESCAMBIA	WOODLAND HILLS S/D FILL	SFG 27	7/13/2022
0436680-001-SFG	ESCAMBIA	SEMINOLE BEND SUBDIVISION	SFG 17	6/19/2023
0437596-002-SFG	ESCAMBIA	ESCAMBIA CO PINE FOREST ST 404	SFG 16	7/12/2023
0438754-001-SFI	ESCAMBIA	SKYHAWK LANDING SUBDIVISIONS	SFI 30	8/9/2023

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0441040-001-SFG	ESCAMBIA	GOLDENVALE	SFG 27	10/10/2023
0441130-001-SFI	ESCAMBIA	BSIDE MULTI-USE DEVELOPMENT	SFI 29	10/13/2023
0442052-003-SFG	ESCAMBIA	NAS 7.10 CULVERT REPAIR	SFG 17	12/6/2023
0442107-003-SFG	ESCAMBIA	NAS OLD RADFORD SW RR ST 404	SFG 14	12/6/2023
0441636-002-SFG	ESCAMBIA	1000 BLOCK MASSACHUSETTS	SFG 40	12/7/2023
0443846-002-SFI	ESCAMBIA	MOLALE SF HOME ST 404	SFI 29	1/9/2024
0409534-001-SFG	FLAGLER	404 - KOLTER - EAGLE LAKE	SFG 27	9/8/2021
0417664-001-SFI	FLAGLER	404 - E-SECTION WEST	SFI 29	3/3/2022
0419219-001-SFG	FLAGLER	404 - K-SECTION DRAIN CONVEY	SFG 40	4/1/2022
0428743-001-SFG	FLAGLER	MATANZAS SUB & BELLE TERRE STW	SFG 33	11/17/2022
0433508-001-SFG	FLAGLER	THE SOUTHERLY AT PALM COAST	SFG 27	4/3/2023
0419238-002-SFI	FLAGLER	404-DOUGLAS - CASCADES	SFI 31	5/3/2023
0435335-001-SFI	FLAGLER	1784 CAPITAL HOLDINGS FACILITY	SFI 29	5/16/2023
0436647-001-SFG	FLAGLER	BELLE TERRE MASS GRADING	SFG 36	6/19/2023
0407089-002-SFI	FLAGLER	COLBERT & BLAIR CONVEYANCE	SFI 29	8/23/2023
0439716-001-SFI	FLAGLER	WOODSIDE AT ORMOND STATION	SFI 30	8/25/2023
0441466-001-SFI	FLAGLER	OAKSIDE AT ORMOND STATION	SFI 31	9/6/2023
0440466-001-SFI	FLAGLER	RIDGESIDE AT ORMOND STATION	SFI 31	9/6/2023
0440769-001-SFI	FLAGLER	404-COQUINA SHORES	SFI 30	10/5/2023
0401753-003-SFI	FLAGLER	MATANZAS WOODS RETAIL	SFI 31	11/29/2023
0442704-002-SFI	FLAGLER	404-OARE MAGNOLIA TRACE	SFI 31	12/1/2023
0432007-001-SFG	FLAGLER	404-PALM COAST P1 CONTROL	SFG 40	1/4/2024
0434868-001-SFG	FLAGLER	404-BELLE TERRE PARKWAY IMPROV	SFG 17	1/8/2024
0444177-001-SFI	FLAGLER	BELLE TERRE HOLDINGS	SFI 30	1/10/2024
0430653-008-SFI	FRANKLIN	CR 67 PHASE IV SCRAP ST404	SFI 31	8/31/2023
0442407-003-SFG	FRANKLIN	ARWEA LOW WATER CROSSING ST404	SFG 17	11/20/2023
0442407-002-SFG	FRANKLIN	ARWEA LOW WATER CROSSING ST404	SFG 17	11/20/2023
0444666-002-SFG	FRANKLIN	POTEET DRAINAGE IMPRV ST404	SFG 40	1/30/2024
0319515-004-SFI	GADSDEN	COMPLEX A - 404 RENEWAL	SFI 32	6/23/2021
0210571-009-SFI	GADSDEN	N LITTLE RIVER MINE	SFI 31	11/12/2021
0419648-001-SFI	GADSDEN	ALTA EQUIPMENT COMPANY ST 404	SFI 30	4/14/2022
0444925-001-SFG	GADSDEN	CROSS CREEK GARDENS	SFG 27	2/5/2024
0442719-001-SFG	GILCHRIST	RECTOR- SEAWALL REPAIR & DOCK	SFG 16	12/1/2023
0443068-001-SFG	GILCHRIST	HART SPRINGS BOAT RAMP IMPROVE	SFG 33	12/11/2023
0422168-003-SFG	GLADES	REPLACE SEAWALL (404)	SFG 16	6/9/2022

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0436829-002-SFG	GLADES	SFR SFG	SFG 27	6/23/2023
0439198-001-GLSI	GLADES	TURKEY BRANCH	GLSI LT	8/23/2023
0423235-001-SFI	GULF	RISH FAMILY PLAZA	SFI 29	6/28/2022
0426921-002-SFG	GULF	CRAIG HEWIIT DWELLING	SFG 27	4/26/2023
0441417-002-SFG	HAMILTON	404-DUKE ENERGY FLORIDA	SFG 15	10/23/2023
0442445-001-SFG	HAMILTON	FIVE HOLE SPRINGS BOAT RAMP	SFG 33	11/20/2023
0433135-001-SFI	HARDEE	PLATT ROAD RESIDENTIAL	SFI 30	3/24/2023
0417378-002-SFM	HARDEE	PEACH RANCH	SFM 06	2/9/2024
0423286-002-SFG	HENDRY	404 FENCE	SFG 27	7/1/2022
0431793-002-SFG	HERNANDO	LEAD FOOT CITY - PHASE 1	SFG 39	1/16/2024
0444833-001-SFI	HERNANDO	CANOPY PHASE 1 (VILLAGE A)	SFI 31	2/2/2024
0315171-003-SFG	HIGHLANDS	INSTALL SEAWALL (404)	SFG 16	10/13/2021
0411274-002-SFG	HIGHLANDS	INSTALL SEAWALL (404)	SFG 16	10/13/2021
0411276-002-SFG	HIGHLANDS	INSTALL SEAWALL (404)	SFG 16	10/14/2021
0319242-005-SFG	HIGHLANDS	SF RETAINING WALL (404)	SFG 16	3/15/2022
0402537-002-SFI	HIGHLANDS	FLORIDA LAKES RV PARK	SFI 30	9/20/2022
0429167-002-SFG	HIGHLANDS	INSTALL SEAWALL (404)	SFG 16	12/8/2022
0433499-006-SFG	HIGHLANDS	404-SEAWALL 2 PARCELS	SFG 16	1/31/2024
0445151-001-SFG	HIGHLANDS	US 27 VENUS WILDLIFE CROSSING	SFG 17	2/12/2024
0397193-004-SFI	HILLSBOROUGH	WATERSET-WOLF CREEK	SFI 31	2/5/2022
0393210-003-SFG	HILLSBOROUGH	SAMMY HERRERA	SFG 43	2/24/2022
0404384-002-SFI	HILLSBOROUGH	ROBERTS RANCH ROAD INDUSTRIAL	SFI 32	4/4/2022
0422338-001-SFG	HILLSBOROUGH	HCPS VILLEMAIRE TRANSPORTATION	SFG 36	6/13/2022
0424121-001-SFG	HILLSBOROUGH	2005 B C TRL CULVERT REPLACEMT	SFG 16	7/20/2022
0424697-001-SFG	HILLSBOROUGH	I-75 SOUTHBOUND & NORTHBOUND	SFG 48	8/4/2022
0403001-007-SFI	HILLSBOROUGH	LAKESIDE STATION PHASE V	SFI 31	8/10/2022
0426256-001-SFI	HILLSBOROUGH	CROSSROADS INDUSTRIAL CENTER W	SFI 30	9/12/2022
0318596-002-SFG	HILLSBOROUGH	WATERFORD PROPERTY OWNERS	SFG 16	9/12/2022
0427663-001-SFG	HILLSBOROUGH	PILOT TRAVEL CENTER	SFG 36	10/19/2022
0427546-001-SFI	HILLSBOROUGH	OPAL APARTMENTS	SFI 30	10/20/2022
0403001-009-SFI	HILLSBOROUGH	LAKESIDE STATION VILLAGE 3 S	SFI 29	11/17/2022
0429706-001-SFI	HILLSBOROUGH	ARMENIA AVE DRAINAGE IMPROVE	SFI 29	12/21/2022

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0430928-001-SFG	HILLSBOROUGH	ADAMO CSX RETAIL	SFG 36	1/25/2023
0431609-001-SFI	HILLSBOROUGH	MADDUX FERN HILL	SFI 30	2/15/2023
0434371-001-SFG	HILLSBOROUGH	VARREA PH2 OFFSITE RDWY IMRPOV	SFG 17	4/24/2023
0434546-001-SFG	HILLSBOROUGH	WILLIAM CARTER II	SFG 33	4/26/2023
0435350-001-SFI	HILLSBOROUGH	BIG BEND ROAD	SFI 30	5/16/2023
0436459-001-SFG	HILLSBOROUGH	SPENCER CREEK PHASE 3	SFG 27	6/14/2023
0436654-001-SFI	HILLSBOROUGH	LARSON NINE EAGLES	SFI 29	6/19/2023
0437123-001-SFG	HILLSBOROUGH	SOUTHWIND	SFG 27	6/28/2023
0437162-001-SFI	HILLSBOROUGH	MCINTOSH PARK WM PLAN	SFI 33	6/30/2023
0434371-002-SFI	HILLSBOROUGH	VARREA NORTH MASS GRADING	SFI 31	7/28/2023
0438894-001-SFI	HILLSBOROUGH	SYMMES RD @ E BAY RD	SFI 29	8/14/2023
0439759-001-SFG	HILLSBOROUGH	NORTHWOOD CHARTER SCHOOL	SFG 17	9/11/2023
0440149-002-SFG	HILLSBOROUGH	CENTRAL FLORIDA PIPELINE LLC	SFG 15	9/19/2023
0439261-002-SFG	HILLSBOROUGH	CRANBERRY LN DRAINAGE IMPROV.	SFG 14	9/19/2023
0437650-002-SFG	HILLSBOROUGH	N ARRAWANA AVE BR REPLACEMENT	SFG 17	9/26/2023
0440542-001-SFI	HILLSBOROUGH	PERSIMMON FARM	SFI 29	9/26/2023
0425877-002-SFG	HILLSBOROUGH	CROSSROADS EAST FDOT IMPROVE	SFG 17	9/29/2023
0441221-001-SFG	HILLSBOROUGH	WAWA RIVERVIEW, FL	SFG 10	10/17/2023
0441309-001-SFI	HILLSBOROUGH	5412 W LINEBAUGH	SFI 30	10/18/2023
0441453-002-SFG	HILLSBOROUGH	MAGGIEVILLE WETLAND TRAIL	SFG 17	10/25/2023
0442039-001-SFG	HILLSBOROUGH	TAKE 5 OIL CHANGE VALRICO	SFG 10	11/6/2023
0288580-004-SFG	HILLSBOROUGH	DOVER ST TRANSFER STATION	SFG 36	11/8/2023
0133996-109-SFG	HILLSBOROUGH	SPA(13)II--NORTH CONNECTION	SFG 25	11/8/2023
0133996-108-SFG	HILLSBOROUGH	SPA(13)I--SOUTH CONNECTION	SFG 25	11/8/2023
0442591-001-SFG	HILLSBOROUGH	ODESSA PRESERVE	SFG 27	11/28/2023
0442840-001-SFG	HILLSBOROUGH	ANGELIA PAYNE	SFG 10	12/6/2023
0351685-003-SFG	HILLSBOROUGH	ROBERT CREEK	SFG 16	12/6/2023
0442991-001-SFG	HILLSBOROUGH	SLAM RUSKIN CHARTER SCHOOL	SFG 36	12/8/2023
0442937-001-SFG	HILLSBOROUGH	WILLIAM STOVER	SFG 20	12/8/2023
0443063-002-SFG	HILLSBOROUGH	TECO ACCESS RD 230020	SFG 15	12/11/2023
0443134-001-SFI	HILLSBOROUGH	JJ TAYLOR EXPANSION	SFI 31	12/13/2023
0443179-002-SFG	HILLSBOROUGH	BULLFROG CREEK TRANSMISSION	SFG 15	12/14/2023
0443234-002-SFG	HILLSBOROUGH	PROGRESS VILLAGE RDI	SFG 40	12/18/2023
0443499-001-SFG	HILLSBOROUGH	18830 GUNN HWY CULVERT REPLACE	SFG 40	12/22/2023
0443583-002-SFG	HILLSBOROUGH	TECO SOUTH TAMPA RESILIENCY	SFG 15	12/27/2023
0443704-001-SFG	HILLSBOROUGH	MADISON AVE BOX CULVERT EXT	SFG 10	1/4/2024

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0444035-002-SFG	HILLSBOROUGH	HC N WILDER RD CULVERT REPLACE	SFG 15	1/15/2024
0444085-001-SFG	HILLSBOROUGH	GUNN HWY & FOUR OAKS DEV	SFG 36	1/16/2024
0444998-001-SFG	HILLSBOROUGH	O'BRIEN SEAWALL	SFG 10	2/6/2024
0445168-001-SFG	HILLSBOROUGH	ANTHONY BOSCO	SFG 16	2/12/2024
0445201-001-SFG	HILLSBOROUGH	LAKE COOPER DRNG IMPROV	SFG 10	2/13/2024
0445336-001-SFG	HILLSBOROUGH	FL STATE FAIR RV CAMPGROUND	SFG 27	2/14/2024
0418466-002-SFG	HILLSBOROUGH	RODGERS MIDDLE SCHOOL	SFG 36	2/16/2024
0445670-001-SFG	HILLSBOROUGH	JACKSON SPRINGS RD IMPROVEMENT	SFG 17	2/19/2024
0439685-002-SFG	HOLMES	LAVIGNE DRIVEWAY ST404	SFG 27	10/4/2023
0423501-001-SFI	INDIAN RIVER	RAVENS LANDING	SFI 32	7/8/2022
0435358-002-SFI	INDIAN RIVER	899 GLADIOLA RESIDENCE	SFI 29	5/18/2023
0434224-001-SFG	INDIAN RIVER	CR 510 FROM CR 512 TO 84TH AVE	SFG 17	6/27/2023
0439746-001-SFG	INDIAN RIVER	FELLSMERE SW LAKE & STATES ST	SFG 40	9/11/2023
0442269-002-SFG	INDIAN RIVER	RED TRAIL BRIDGE REPLACEMENT	SFG 17	11/15/2023
0442938-002-SFG	INDIAN RIVER	322 BISCAYNE LANE	SFG 14	12/9/2023
0444057-002-SFG	INDIAN RIVER	SPANISH MOSS SOLAR ENERGY	SFG 45	1/11/2024
0444914-001-SFI	INDIAN RIVER	ROCK CITY GARDENS PARKING	SFI 29	2/13/2024
0438087-001-SFG	JACKSON	CR 278 RESURFACING	SFG 17	7/24/2023
0436265-004-SFG	JACKSON	FILLMORE DR BOX CULVERT ST 404	SFG 17	1/4/2024
0434033-001-SFI	JEFFERSON	POND EXPANSION	SFI 31	4/17/2023
0429693-001-SFG	LAFAYETTE	FRIER SEAWALL	SFG 16	12/16/2022
0439367-001-SFG	LAFAYETTE	STEPHEN DOUGLAS SEAWALL	SFG 16	8/25/2023
0407075-001-SFI	LAKE	RACETRAC GROVELAND (404)	SFI 30	7/14/2021
0414592-001-SFG	LAKE	LAKE WINONA BASIN 12A	SFG 20	1/4/2022
0414611-001-SFG	LAKE	SHORELINE RANCH SUBDIVISION	SFG 40	1/4/2022
0424900-001-SFI	LAKE	BANNING RANCH	SFI 29	8/5/2022
0428444-001-SFG	LAKE	CRESSWIND MASS GRADING (404)	SFG 27	11/16/2022
0430036-001-SFI	LAKE	CRS TIMBER PROJECT	SFI 31	1/4/2023
0430547-001-SFG	LAKE	YWAM ORLANDO PH 1 CONSTRUCTION	SFG 36	1/18/2023
0432456-001-SFI	LAKE	SR 516-237/COOK RD TO LAKEORAN	SFI 32	3/7/2023
0433334-001-SFI	LAKE	SR 516 FROM US 27 TO COOK RD	SFI 32	3/29/2023
0434100-001-SFI	LAKE	C.R. 455 PHASE 2	SFI 30	4/18/2023
0436552-001-SFG	LAKE	LAKE DENHAM TOWNHOMES	SFG 27	6/14/2023
0396232-002-SFI	LAKE	PACIFIC ACE PHASE 2 (404)	SFI 30	6/21/2023
0190521-029-SFI	LAKE	CEMEX BARAHONAS EXTENSION	SFI 32	9/6/2023
0352064-003-SFG	LAKE	FISHER_PERMIT2023 PHASE 1	SFG 16	9/8/2023

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0435794-002-SFG	LAKE	LOUCKS ISLAND	SFG 27	9/8/2023
0441101-001-SFG	LAKE	CR 565	SFG 17	10/13/2023
0441296-001-SFI	LAKE	DAMAR STORAGE	SFI 30	10/18/2023
0441486-001-SFG	LAKE	SCHOFIELD ROAD PROPERTY (404)	SFG 27	10/24/2023
0442139-001-SFI	LAKE	PEACHTREE HILLS (404)	SFI 30	11/9/2023
0291030-004-SFI	LEE	FFD CORKSCREW ROAD PROPERTY	SFI 32	10/13/2021
0251053-004-SFI	LEE	SF RESIDENCE (404)	SFI 29	2/2/2022
0253437-005-SFI	LEE	SF RESIDENCE (404)	SFI 29	3/1/2022
0415509-003-SFI	LEE	SF RESIDENCE (404)	SFI 29	3/28/2022
0415412-003-SFI	LEE	SF WETLANDS (404)	SFI 29	3/28/2022
0292013-008-SFI	LEE	TROYER 404 PERMIT MOD	SFI 33	4/1/2022
0411125-005-SFI	LEE	SF RESIDENCE (404)	SFI 29	4/13/2022
0415464-003-SFI	LEE	SF RESIDENCE (404)	SFI 29	4/15/2022
0415507-003-SFI	LEE	SF RESIDENCE (404)	SFI 29	4/15/2022
0155409-003-SFI	LEE	PARALLEL RUNWAY	SFI 33	4/22/2022
0154504-012-SFI	LEE	SF RESIDENCE (404)	SFI 29	4/25/2022
0413811-004-SFI	LEE	SF RESIDENCE (404)	SFI 29	4/25/2022
0422803-001-SFI	LEE	DANIELS SOUTH	SFI 33	6/20/2022
0423130-001-SFI	LEE	KINGSTON	SFI 31	6/28/2022
0420045-004-SFI	LEE	SF RESIDENCE (404)	SFI 29	7/1/2022
0285023-003-SFG	LEE	SF RESIDENCE (404)	SFG 27	7/1/2022
0348414-003-SFI	LEE	SF RESIDENCE (404)	SFI 29	8/11/2022
0425376-001-SFG	LEE	WILLIAMS RD IMPROVEMENTS	SFG 17	8/22/2022
0425863-001-SFI	LEE	ALICO RD WIDENING	SFI 31	9/1/2022
0425753-003-SFG	LEE	INSTALL SEAWALL (404)	SFG 16	9/7/2022
0326400-004-SFG	LEE	SFR WETLANDS	SFG 27	9/16/2022
0426679-001-SFI	LEE	31 OAKS	SFI 32	9/21/2022
0423938-002-SFI	LEE	REVANA LAKES	SFI 33	10/14/2022
0427416-002-SFG	LEE	INSTALL SEAWALL (404)	SFG 16	10/17/2022

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0272653-006-SFG	LEE	SF RESIDENCE (404)	SFG 27	11/7/2022
0406484-002-SFI	LEE	SUNSET FALLS	SFI 32	11/10/2022
0428364-002-SFG	LEE	SF DRIVEWAY BARN (404)	SFG 27	11/14/2022
0428526-002-SFG	LEE	INSTALL SEAWALL (404)	SFG 16	11/15/2022
0428400-002-SFI	LEE	SF RESIDENCE (404)	SFI 29	11/15/2022
0404095-002-SFG	LEE	BONITA GRANDE DR	SFG 17	12/1/2022
0429523-002-SFG	LEE	SF RESIDENCE (404)	SFG 27	12/16/2022
0429658-001-SFI	LEE	UNIVERSITY VILLAGE IMPROVEMENT	SFI 33	12/20/2022
0405511-003-SFG	LEE	404 SFG	SFG 27	2/1/2023
0272230-003-SFG	LEE	SFR 404 SFG	SFG 27	3/29/2023
0325080-004-SFG	LEE	PERMIT EXTENSION (404)	SFG 27	4/19/2023
0430626-002-SFI	LEE	SPORTING CLUB SFI	SFI 29	5/1/2023
0435435-001-SFG	LEE	BOB JANES PRESERVE SFI	SFG 25	5/19/2023
0435584-002-SFI	LEE	SFR 404	SFI 29	5/23/2023
0430788-003-SFI	LEE	SFI WETLAND FILL	SFI 29	7/14/2023
0438186-002-SFI	LEE	SFR WETLANDS 404	SFI 29	7/28/2023
0402225-002-SFI	LEE	OWL CREEK DEVELOPMENT 404	SFI 33	8/11/2023
0439111-001-SFI	LEE	DIA CROSSING MIXED UE 404	SFI 31	8/21/2023
0439522-001-SFG	LEE	WILD TURKEY TRAIL IMPROVE 404	SFG 39	8/31/2023
0324576-004-SFG	LEE	SFR WETLANDS 404	SFG 27	10/9/2023
0430211-003-SFG	LEE	PINE LAKES COUNTRY CLUB 2	SFG 31	10/10/2023
0341072-008-SFG	LEE	SFR WETLANDS 404	SFG 27	11/20/2023
0433074-002-SFI	LEE	PENZANCE SQUARE 404	SFI 31	12/13/2023
0443235-002-SFI	LEE	SFR WETLANDS 404	SFI 29	12/18/2023
0443931-002-SFG	LEE	404SEAWALLW/RIPRAP W/W OF OHWL	SFG 16	1/11/2024
0420343-011-SFM	LEE	009 MOD 404	SFM 29	1/13/2024
0444282-002-SFG	LEE	404-SEAWALL	SFG 16	1/22/2024
0371543-004-SFI	LEE	SFR WETLANDS 404	SFI 29	1/26/2024
0166176-038-SFM	LEE	404 MODIFICATION	SFM 33	1/30/2024
0421077-003-SFM	LEE	404 PERMIT TRANSFER	SFM TO	2/1/2024
0444986-002-SFG	LEE	404-SEAWALL IN FRESHWATER CANA	SFG 16	2/7/2024

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0445120-001-SFI	LEE	CORKSCREW COMMONS 404	SFI 31	2/9/2024
0436311-003-SFG	LEE	DANIELS ROAD WIDENING 404	SFG 17	2/16/2024
0430352-002-SFG	LEON	WYNN SF RESIDENCE	SFG 27	1/17/2023
0439429-002-SFG	LEON	DUKE BAKER TAP KLLRN TAP ST404	SFG 15	8/30/2023
0439465-002-SFG	LEON	DUKE BAKER TAP MICCOSUK ST404	SFG 15	8/31/2023
0441757-002-SFG	LEON	PS12 182 REDUNDANT POWER ST404	SFG 15	11/1/2023
0437287-001-SFG	LEVY	CEDAR KEY TELECOM TOWER	SFG 15	7/5/2023
0439089-001-SFG	LEVY	BLACK PRONG EQUESTRIAN VILLAGE	SFG 24	8/18/2023
0361944-004-SFG	LIBERTY	ANF SALAMANDER POND	SFG 25	11/15/2022
0423153-002-SFG	MADISON	404- DUKE ENERGY SUNDANCE	SFG 45	12/28/2023
0421411-001-SFI	MANATEE	44TH AVE EAST PH 6	SFI 31	5/23/2022
0421411-002-SFI	MANATEE	TAYLOR RANCH	SFI 29	6/10/2022
0431031-001-SFG	MANATEE	ERIE RD WIDENING E SEGMENT	SFG 17	2/1/2023
0431616-001-SFI	MANATEE	FIRETHORN RESIDENTIAL SUBDIV	SFI 30	2/15/2023
0432326-001-SFI	MANATEE	63RD AVE E RDWY IMPROVMENTS	SFI 31	3/2/2023
0400385-002-SFI	MANATEE	MOCCASIN WALLOW RD. SEGMENT 2	SFI 31	3/24/2023
0434271-001-SFG	MANATEE	LENA ROAD WIDENING	SFG 17	4/21/2023
0434219-001-SFI	MANATEE	UPPER MANATEE RIVER RD	SFI 31	4/21/2023
0434261-001-SFI	MANATEE	WATERBURY PARK	SFI 29	4/21/2023
0396251-004-SFG	MANATEE	IA MANATEE	SFG 27	5/1/2023
0435964-002-SFI	MANATEE	FLATFORD SOLAR ENERGY CENTER	SFI 31	6/1/2023
0436817-001-SFG	MANATEE	51ST AVE - 17TH ST TO US 301	SFG 17	6/22/2023
0437310-001-SFI	MANATEE	LINGER LODGE TOWNHOMES	SFI 29	7/6/2023
0400385-003-SFI	MANATEE	MOCCASIN WALLOW RD SEGMENT 3	SFI 31	7/11/2023
0437727-002-SFG	MANATEE	FROG CREEK WETLAND RESTORATION	SFG 25	7/17/2023
0437851-002-SFG	MANATEE	CROSSWIND RANCH PH III-IV MASS	SFG 27	8/7/2023
0439065-001-SFG	MANATEE	BUS BARN PROJECT	SFG 27	8/14/2023
0439129-001-SFG	MANATEE	SR 70 FROM BOURNESIDE BLVD	SFG 48	8/22/2023
0406292-003-SFG	MANATEE	SYMPHONY LAKES PHASE II	SFG 27	8/23/2023
0412254-002-SFG	MANATEE	AAA STORAGE US-41	SFG 36	8/31/2023
0440565-001-SFI	MANATEE	LORRAINE ROAD	SFI 30	9/25/2023
0402112-002-SFG	MANATEE	ROBINSON GATEWAY	SFG 27	10/27/2023
0441678-001-SFI	MANATEE	THE MITCHELL AT TERRA CEIA	SFI 29	10/27/2023

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0417284-002-SFM	MANATEE	44TH AVE E EXTENSION	SFM 31	10/30/2023
0442031-001-SFG	MANATEE	TERRA CEIA	SFG 27	11/8/2023
0299496-005-SFI	MANATEE	LONG BAR POINTE MULTIFAMILY	SFI 30	12/20/2023
0440359-002-SFG	MANATEE	LAKE MINNIE POND IMPROVEMENTS	SFG 20	1/16/2024
0436436-002-SFI	MANATEE	RIVERSONG PHASE IA	SFI 32	1/24/2024
0444635-001-SFI	MANATEE	7110 21ST ST E	SFI 29	1/26/2024
0444651-001-SFI	MANATEE	REAGAN RANCH PHASE I, II & III	SFI 31	1/29/2024
0444937-001-SFI	MANATEE	DEER PARK MASS GRADING	SFI 30	2/6/2024
0431696-002-SFG	MANATEE	COOPER CREEK PARKING EXPANSION	SFG 36	2/7/2024
0445029-001-SFG	MANATEE	KAY RD BRIDGE REPLACEMENT &	SFG 17	2/7/2024
0445048-001-SFG	MANATEE	UNI CHICK-FIL-A MITIGATION MOD	SFG 25	2/7/2024
0445042-001-SFI	MANATEE	UTC OUTPARCEL EXPANSION	SFI 30	2/7/2024
0445595-001-SFG	MANATEE	MEDALLION SR-62 RV	SFG 27	2/19/2024
0445462-001-SFG	MANATEE	O'REILLY AUTO PARTS PARRISH	SFG 36	2/19/2024
0445588-001-SFI	MANATEE	RYE RANCH PH 3 & 4	SFI 30	2/19/2024
0423434-001-SFI	MARION	RIVER CREEK RV RESORT	SFI 30	7/5/2022
0442235-001-SFG	MARION	THE KEYS AT OCALA	SFG 20	11/14/2023
0444397-001-SFI	MARION	CLASSIC MILE FARMS	SFI 30	1/22/2024
0412601-001-SFI	MARTIN	RIVER OAK	SFI 30	11/17/2021
0422344-002-SFI	MARTIN	AVONLEA LOT 10	SFI 29	9/6/2022
0422344-003-SFI	MARTIN	AVONLEA LOT 13	SFI 32	9/6/2022
0313295-005-SFG	MARTIN	DUPUIS WIDLIFE MANAGEMENT	SFG 25	8/28/2023
0444663-001-SFI	MARTIN	THE PRESERVE AT LOBLOLLY NORTH	SFI 29	2/1/2024
0396558-001-SFI	MIAMI-DADE	MICCOSUKEE TRIBE OF INDIANS	SFI 32	12/28/2020
0397047-001-SFI	MIAMI-DADE	FIFTH AVENUE ESTATES	SFI 32	1/8/2021
0397029-001-SFG	MIAMI-DADE	MICCOSUKEE TRIBE OF INDIANS FL	SFG 10	1/8/2021
0407803-002-SFI	MIAMI-DADE	BJ'S WHOLESALE CLUB AT WEST DA	SFI 32	7/6/2022
0419003-003-SFI	MIAMI-DADE	I-75 AT PINES BLVD INTERCHANGE	SFI 32	11/22/2022
0428920-001-SFI	MIAMI-DADE	WHSE/RETAIL BLD FLTWAY 10 LLC	SFI 29	12/2/2022
0396493-002-SFI	MIAMI-DADE	TARGET WEST DADE	SFI 32	1/13/2023
0430625-001-GLSG	MIAMI-DADE	S-332B PUMPSTATION REPLACEMENT	GLSG 25	1/23/2023
0397050-002-SFI	MIAMI-DADE	BEACON LAKES 46 ASSEMBLAGE	SFI 32	1/26/2023
0431464-001-SFI	MIAMI-DADE	ALGER COMMONS	SFI 33	2/21/2023
0175235-023-SFI	MIAMI-DADE	MIAMI QUARRY 404 PERMIT	SFI 33	3/16/2023
0427077-002-SFI	MIAMI-DADE	CEMEX CANAL EXTENSION	SFI 31	3/20/2023

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0432702-001-SFI	MIAMI-DADE	SW 157TH AVE IMPROVEMENTS	SFI 31	3/21/2023
0396424-002-SFG	MIAMI-DADE	115 PRESERVATION LAND TRUST	SFG 25	3/23/2023
0434048-001-SFI	MIAMI-DADE	LVPA COMMERCIAL TRUCK PARK	SFI 31	4/20/2023
0435392-001-SFI	MIAMI-DADE	BRIDGE POINT DORAL PHASE 1	SFI 31	5/23/2023
0175263-018-SFI	MIAMI-DADE	TITAN FLORIDA QUARRY 404	SFI 30	9/26/2023
0443151-001-SFG	MIAMI-DADE	HEFT WIDENING FT N CAMPBELL	SFG 17	12/14/2023
0443581-001-SFG	MIAMI-DADE	SR 821 MAINLINE AND SURFACE	SFG 17	12/22/2023
0444917-001-GLSG	MIAMI-DADE	S-333 SHOAL REMOVAL	GLSG 10	1/9/2024
0444281-002-SFG	MIAMI-DADE	G-72 CONTROL STRUCTURE	SFG 24	1/12/2024
0444333-001-GLSG	MIAMI-DADE	S-332C PS EMERGENCY REPAIRS	GLSG 10	1/18/2024
0444877-001-SFI	MIAMI-DADE	COCONUT PALM GROWERS	SFI 29	2/6/2024
0439914-001-GLSG	MONROE	C-111 SD S-332C PS	GLSG 25	9/12/2023
0417863-001-SFI	NASSAU	404 - GREENBRIE SUBDIVISION	SFI 32	3/11/2022
0419383-001-SFI	NASSAU	404 - WILLIAM BURGESS BLVD EXT	SFI 31	4/11/2022
0421600-001-SFI	NASSAU	CALLAHAN ACRES	SFI 31	5/19/2022
0404052-002-SFI	NASSAU	YULEE MF	SFI 29	6/3/2022
0423775-001-SFI	NASSAU	CREEKSIDE LAKES	SFI 32	7/8/2022
0424427-001-SFI	NASSAU	EAGLES NEST SUBDIVISION	SFI 32	7/25/2022
0425009-001-SFG	NASSAU	BUCKHEAD SUBDIVISION	SFG 27	8/9/2022
0434167-001-SFI	NASSAU	NASSAU COUNTY W-SIDE REG PARK	SFI 30	8/22/2022
0428109-001-SFG	NASSAU	HILLIARD RV PARK	SFG 27	11/2/2022
0433197-001-SFI	NASSAU	SANDY BLUFF SUBDIVISION	SFI 30	3/23/2023
0438402-005-SFG	NASSAU	404-UTILI-LINK WINDSTREAM	SFG 15	11/14/2023
0406196-002-SFM	NASSAU	404-LIBERTY COVE	SFM 30	11/21/2023
0442896-001-SFG	NASSAU	BRIDGE REPLACEMENT MP SM 18.8	SFG 17	12/5/2023
0433883-002-SFI	OKALOOSA	LEGACY PLACE	SFI 33	4/24/2023
0402157-002-SFG	OKALOOSA	INDIAN BAYOU WEST	SFG 27	5/5/2023
0438704-002-SFG	OKALOOSA	EDEN LAKE RESIDENTIAL DEV	SFG 27	10/2/2023
0440827-003-SFG	OKALOOSA	RODRIGUEZ CULVERT REPLAC ST404	SFG 27	11/14/2023
0443728-002-SFG	OKALOOSA	CEFCO HWY 60 & OLD BETHEL	SFG 36	1/23/2024
0445054-003-SFG	OKALOOSA	SAMBOGNA SEAWALL	SFG 16	2/15/2024
0445659-001-SFG	OKALOOSA	CHELSEA VILLAGE ST 404	SFG 27	2/16/2024
0371646-005-SFI	OKEECHOBEE	FPL NUBBIN SUBSTATION EXPAN	SFI 29	3/13/2023
0429427-003-SFI	OKEECHOBEE	SINGLE FAMILY HOME BUILD 2	SFI 29	6/22/2023
0440726-001-SFI	OKEECHOBEE	PINE CREEK SPORTING CLUB	SFI 29	10/9/2023
0138524-006-SFG	OKEECHOBEE	FPL SEVILLE-SWEATT	SFG 15	11/22/2023
0443452-001-SFI	OKEECHOBEE	PARK STREET COMMERCE CENTER	SFI 29	12/27/2023

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0443748-002-SFG	OKEECHOBEE	FPL TANGELO SOLAR ENERGY	SFG 37	1/2/2024
0444541-001-SFI	OKEECHOBEE	QUAIL CREEK CLUBHOUSE	SFI 29	1/30/2024
0396971-001-SFI	ORANGE	THE GROW	SFI 32	1/8/2021
0403474-001-SFG	ORANGE	EAGLE CREEK OF OCOEE (404)	SFG 27	5/5/2021
0409467-001-SFI	ORANGE	HEROLCA TRUCK PARKING FACILITY	SFI 30	8/31/2021
0419799-001-SFI	ORANGE	FICQUETTE ROAD WIDENING	SFI 32	4/19/2022
0420998-002-SFG	ORANGE	BUDRON DALLAS BLVD RESID (404)	SFG 27	5/17/2022
0421819-001-SFI	ORANGE	TUSCANA PD (404)	SFI 33	5/31/2022
0422922-001-SFI	ORANGE	REAMS RD - S TO TABORFIELD AVE	SFI 31	6/22/2022
0424234-002-SFG	ORANGE	LAKE NONA MEDICAL CITY WEST	SFG 20	7/26/2022
0406078-002-SFI	ORANGE	POITRAS WEST	SFI 33	7/27/2022
0425740-001-SFI	ORANGE	BRILEY FARM PHASE 1B & 2	SFI 29	8/29/2022
0426379-002-SFG	ORANGE	PALMVIEW LOT 3	SFG 27	9/15/2022
0427314-001-SFI	ORANGE	RICHARD CROTTY PKWY - SEG 1A&B	SFI 31	10/11/2022
0427566-001-SFI	ORANGE	MIDNIGHT APARTMENTS	SFI 30	10/18/2022
0428418-002-SFG	ORANGE	LAUG ORTEGA ST00424 ORLAND 404	SFG 27	11/16/2022
0429450-002-SFG	ORANGE	CIRRINCIONE_TAMANACOTRLORLANDO	SFG 27	12/16/2022
0429692-002-SFG	ORANGE	WEMBLEY AVE LOT 7 SFH	SFG 27	12/21/2022
0272831-003-SFG	ORANGE	PRITCHETT_ROBERTSONST05200	SFG 27	1/12/2023
0430473-001-SFG	ORANGE	SR 417 WIDENING	SFG 48	1/13/2023
0431714-002-SFG	ORANGE	9A CAESAR AVE. (404)	SFG 20	2/17/2023
0432282-001-SFI	ORANGE	THE GROVE SUBDIVISION	SFI 29	3/2/2023
0433001-001-SFG	ORANGE	ACADIAORLANDO HEALTH - APOPKA	SFG 36	3/21/2023
0433793-001-SFI	ORANGE	SI RESORT, COUNTYLINE PROPERTY	SFI 31	4/11/2023
0434221-002-SFG	ORANGE	12607 W LAKE BUTLER ROAD	SFG 16	4/24/2023
0434246-002-SFG	ORANGE	LEDESMA_REYNOLDS PKWY03-020	SFG 27	4/24/2023
0434245-002-SFG	ORANGE	VASQUEZ-VELEZ-OVERTON-ST11-180	SFG 27	4/24/2023
0423372-002-SFI	ORANGE	FLEMINGS RD WIDENING SEG 5 & 6	SFI 30	5/3/2023
0436093-001-SFI	ORANGE	ETS FACILITY IMPROVEMENTS	SFI 32	6/2/2023
0436465-002-SFG	ORANGE	NAQVI_NORTHCLIFFEST10-080- 404	SFG 27	6/15/2023
0437061-001-SFI	ORANGE	SR 528-168 FROM WEST OF GOLDEN	SFI 30	6/29/2023
0437154-001-SFG	ORANGE	WOODLAWN FUNERAL HOME	SFG 40	6/29/2023
0437553-001-SFI	ORANGE	CENTRAL FLORIDA RESEARCH PARK	SFI 32	7/11/2023
0422958-002-SFI	ORANGE	EMMERSON PROPERTY (404)	SFI 29	7/21/2023
0438557-002-SFG	ORANGE	VASQUEZ MATA PROPERTY - LOT 10	SFG 20	8/9/2023
0438555-002-SFG	ORANGE	VASQUEZ PROPERTY - LOT 09	SFG 20	8/9/2023
0440389-002-SFG	ORANGE	RAMOS NAVARRO PALMVIEW	SFG 27	9/27/2023
0423372-003-SFG	ORANGE	FLEMINGS RD WIDENING	SFG 17	10/6/2023
0441027-001-SFI	ORANGE	POLO GLEN LAKE BETTY	SFI 29	10/11/2023

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0442096-002-SFG	ORANGE	VALLEJO SFH REYNOLDS PKY (404)	SFG 27	11/13/2023
0442463-002-SFG	ORANGE	GODERIS SHELDON STREET (404)	SFG 27	11/27/2023
0289412-002-SFI	ORANGE	PHAM RESIDENCE (404)	SFI 29	11/27/2023
0443398-001-SFI	ORANGE	HAMLIN BOARDWALK MOD	SFI 31	12/20/2023
0205102-011-SFM	ORANGE	CFX SR516 LAKE ORANGE (404)	SFM 32	1/9/2024
0443870-002-SFG	ORANGE	LATTIMORE_ODHAMST 23-080 (404)	SFG 27	1/10/2024
0302579-003-SFG	ORANGE	TARANTINO_QUARTERLY PKWY (404)	SFG 27	1/16/2024
0444244-001-SFG	ORANGE	ANTI-GRAVITY	SFG 36	1/17/2024
0411665-001-SFI	OSCEOLA	EVEREST PLACE	SFI 32	10/25/2021
0416705-001-SFI	OSCEOLA	MAGIC PLACE PHASE 2	SFI 32	2/16/2022
0418277-001-SFI	OSCEOLA	CANOE CREEK RESERVE (404)	SFI 32	3/16/2022
0419929-001-SFI	OSCEOLA	HAM BROWN RESERVE	SFI 31	4/20/2022
0420126-001-SFI	OSCEOLA	GATEWAY COMMONS CONSTELLATION	SFI 31	4/27/2022
0422385-001-SFI	OSCEOLA	REAVES ROAD PROPERTY (404)	SFI 31	6/9/2022
0423362-001-SFG	OSCEOLA	4441 ANDERSON RD SINGLE FAMILY	SFG 27	6/30/2022
0424083-001-SFI	OSCEOLA	SR 538 EX. TO US 17/92	SFI 32	7/18/2022
0424426-001-SFG	OSCEOLA	SR 60 PASSING LANES	SFG 23	7/29/2022
0424083-002-SFI	OSCEOLA	CFX 538-234 TO RONALD R. PKWY	SFI 32	8/12/2022
0425041-002-SFG	OSCEOLA	VELERO PROPERTIES SFR	SFG 27	8/15/2022
0414697-002-SFI	OSCEOLA	GREEN ISLAND RANCH CCN3-B(404)	SFI 30	10/14/2022
0427822-001-SFI	OSCEOLA	POINCIANA INDUSTRIAL E & W	SFI 30	10/25/2022
0413205-002-SFI	OSCEOLA	TUN EXPRESS, LLC	SFI 29	11/1/2022
0429113-001-SFI	OSCEOLA	TYSON RESERVE	SFI 31	12/7/2022
0429423-001-SFI	OSCEOLA	BUENAVENTURA LAKES ALT OUTFALL	SFI 29	12/14/2022
0430466-001-SFI	OSCEOLA	TURNPIKE WIDENING	SFI 33	1/13/2023
0431040-001-SFI	OSCEOLA	FISH LAKE PARCELS 2A AND 2B	SFI 31	2/1/2023
0431688-001-SFI	OSCEOLA	CROSS PRAIRIE PARKWAY NORTH	SFI 31	2/17/2023
0431702-001-SFI	OSCEOLA	HAMMOCK PRESERVE	SFI 31	2/17/2023
0432260-002-SFG	OSCEOLA	FLORIDA SOUTHEAST CONNECTION	SFG 15	3/2/2023
0432166-002-SFG	OSCEOLA	STOREY BEND T-LINE (404)	SFG 15	3/2/2023
0432684-001-SFI	OSCEOLA	LAKEVIEW PRESERVE	SFI 31	3/13/2023
0432652-001-SFI	OSCEOLA	ROAN BRIDGE CONCEPTUAL	SFI 32	3/13/2023
0433290-001-SFI	OSCEOLA	FISH LAKE	SFI 30	3/28/2023
0398098-002-SFG	OSCEOLA	WESTSIDE BLVD EXT-STN 66+00-96	SFG 17	5/15/2023
0435957-001-SFI	OSCEOLA	PRINCESS RESORT TOWNHOMES	SFI 30	5/30/2023
0436012-002-SFG	OSCEOLA	3834 LA SALLE AVE DRIVEWAY 404	SFG 27	6/6/2023

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0436965-001-SFG	OSCEOLA	SULLIVAN ROAD TOWNHOMES	SFG 27	6/26/2023
0438823-001-SFI	OSCEOLA	POINCIANA APARTMENTS	SFI 31	8/14/2023
0438993-001-SFI	OSCEOLA	BARNES BOULEVARD TOWNHOMES	SFI 30	8/17/2023
0439060-001-SFG	OSCEOLA	OCTAVIA STORAGE	SFG 36	8/21/2023
0439504-001-SFI	OSCEOLA	SUNRAY JUNCTION WEST	SFI 31	8/31/2023
0439855-001-SFI	OSCEOLA	CANOE CREEK ROAD	SFI 30	9/13/2023
0439849-002-SFG	OSCEOLA	SOUTH BREEZE DRIVE LOT13 (404)	SFG 27	9/15/2023
0439832-002-SFG	OSCEOLA	SOUTH BREEZE ROAD LOT 12 (404)	SFG 27	9/15/2023
0422877-002-SFI	OSCEOLA	THE SHORES (404)	SFI 30	9/15/2023
0440156-001-SFI	OSCEOLA	SPRINGHEAD LAKE	SFI 32	9/19/2023
0441176-001-SFI	OSCEOLA	SOUTH LAKE TOHO CONCEPTUAL	SFI 32	10/16/2023
0442419-001-SFG	OSCEOLA	OSCEOLA PARKWAY BRIDGE REPAIRS	SFG 10	11/16/2023
0442511-001-SFI	OSCEOLA	SDOC TRANSPORTATION WEST	SFI 31	11/17/2023
0443074-001-SFI	OSCEOLA	BASS ROAD APARTMENTS	SFI 29	12/12/2023
0443548-001-SFI	OSCEOLA	HILLIARD ISLE	SFI 32	12/21/2023
0419228-006-SFG	OSCEOLA	HARMONY II SOLAR MODIFIC (404)	SFG 20	12/27/2023
0419610-004-SFM	OSCEOLA	STOREY BEND SOLAR MODIFI (404)	SFM 30	12/27/2023
0443701-002-SFG	OSCEOLA	LAKE WILSON SUB LINE RR (404)	SFG 15	1/9/2024
0444835-001-SFG	OSCEOLA	POINCIANA PARC	SFG 27	2/2/2024
0445425-002-SFG	OSCEOLA	CYPRESS LAKE RESTORATION (404)	SFG 25	2/15/2024
0445669-002-SFG	OSCEOLA	TOHO S DOVERPLUM AVE. WM (404)	SFG 15	2/22/2024
0401723-001-SFI	PALM BEACH	NORTHLAKE BLVD E HALL	SFI 32	4/2/2021
0415483-001-SFI	PALM BEACH	MIDA FARMS SERVICE DRIVE	SFI 29	1/25/2022
0397581-002-SFI	PALM BEACH	BAYHILL ESTATES_PHASE 2	SFI 29	6/14/2022
0423155-001-SFI	PALM BEACH	DEBRIS DOGS PHASE II	SFI 30	6/28/2022
0146481-002-SFI	PALM BEACH	SAMJACK SOUTH BAY	SFI 32	7/29/2022
0426886-001-SFI	PALM BEACH	PBC ROADWAY IMPROVEMENT	SFI 30	9/23/2022
0427428-001-SFI	PALM BEACH	MINTO PBLH WESTLAKE	SFI 33	10/12/2022
0433622-001-SFI	PALM BEACH	CALUSA POINTE II	SFI 31	4/11/2023
0435817-001-SFI	PALM BEACH	STATE ROAD 7 BUSINESS PLAZA	SFI 32	6/2/2023
0322710-002-SFI	PALM BEACH	THE CLUB AT IBIS NORTH CAMPUS	SFI 30	6/2/2023
0428280-003-SFI	PALM BEACH	JW CORBETT CAMPGROUND G EXPAND	SFI 29	6/9/2023
0436143-001-SFI	PALM BEACH	OLD DIXIE HIGHWAY	SFI 31	6/9/2023
0436554-001-GLSI	PALM BEACH	EAA A-2 CONSTRUCTION VILLAGE	GLSI 33	6/13/2023
0439113-001-SFG	PALM BEACH	AUSTRALIAN AVE.	SFG 17	8/17/2023
0439113-002-SFG	PALM BEACH	AUSTRALIAN AVE.	SFG 40	8/17/2023
0440694-002-SFG	PALM BEACH	EAKINS RESIDENCE	SFG 27	10/3/2023
0441080-001-SFI	PALM BEACH	ROYAL PALM BCH BLVD	SFI 31	10/19/2023
0442218-001-SFI	PALM BEACH	TOWNS AT TIDEWATER	SFI 31	11/14/2023
0442984-001-SFG	PALM BEACH	COMPLETE TURBINE FACILITY	SFG 36	12/18/2023
0421116-001-SFI	PASCO	MAGNOLIA VALLEY STORAGE	SFI 32	5/16/2022

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0398030-010-SFG	PASCO	ANGELINE PHASE 2C	SFG 27	6/29/2022
0396249-005-SFI	PASCO	CONNERTON VILLAGE 3 & 4	SFI 30	11/10/2022
0388624-004-SFG	PASCO	KARZON SINGLE FAMILY RESIDENCE	SFG 27	3/31/2023
0434449-001-SFI	PASCO	FOUNDATION WAY	SFI 30	4/27/2023
0434819-001-SFG	PASCO	POPPLETON	SFG 16	5/4/2023
0404183-003-SFG	PASCO	BOGER RANCH SUBDIVISION	SFG 27	5/19/2023
0432942-004-SFI	PASCO	PROJECT EXCALIBUR PH 1B RDWY	SFI 30	8/4/2023
0438510-001-SFI	PASCO	CATTLE GAP COMMERCIAL	SFI 29	8/7/2023
0403569-002-SFI	PASCO	CROCKETT - SEAWALL	SFI 29	8/8/2023
0256660-004-SFI	PASCO	DOERFLING - SEAWALL	SFI 29	8/8/2023
0434449-002-SFI	PASCO	PASCO COUNTY F&M WAREHOUSE	SFI 29	8/24/2023
0439648-001-SFG	PASCO	CAROLINE DRIVE	SFG 27	9/6/2023
0440488-001-SFG	PASCO	FLYING J TRAVEL CENTER 624	SFG 36	9/25/2023
0440687-001-SFG	PASCO	CHANCEY ROAD	SFG 36	10/3/2023
0440805-001-SFG	PASCO	STARKEY RANCH MULTIFAMILY	SFG 10	10/6/2023
0439637-004-SFG	PASCO	ROBINSON_5712 CONGRESS ST_EXEM	SFG 16	10/10/2023
0441133-001-SFG	PASCO	HANDCART TOWNHOMES	SFG 27	10/13/2023
0442352-002-SFG	PASCO	WRP OBSERVATION DOCK	SFG 39	11/17/2023
0428567-002-SFI	PASCO	STONEHILL	SFI 30	12/1/2023
0411650-002-SFI	PASCO	HARVEST HILLS NORTH PHASE 1A	SFI 32	12/7/2023
0432612-003-SFI	PASCO	RD RANCH MASS GRADING WEST	SFI 32	12/15/2023
0429741-002-SFG	PASCO	SETBACK PVC FENCE	SFG 20	12/18/2023
0401699-002-SFG	PASCO	SR 52 GROVES	SFG 27	12/18/2023
0402383-003-SFI	PASCO	STONEBRIDGE NORTH	SFI 31	12/18/2023
0443352-001-SFI	PASCO	BEXLEY RD/WISTERIA LOOP VISION	SFI 30	12/19/2023
0443410-001-SFI	PASCO	SADDLEBROOK GOLF COURSE RENO	SFI 30	12/20/2023
0444250-001-SFG	PASCO	LAFITTE DR STORMWATER IMPROV	SFG 17	1/19/2024
0444385-001-SFG	PASCO	DOBINSON WAREHOUSE	SFG 36	1/22/2024
0444641-001-SFG	PASCO	CYPRESS CREEK SURFACE WATER	SFG 25	1/26/2024
0411299-003-SFG	PASCO	IMAGINE SCHOOLS PASCO COUNTY	SFG 36	2/5/2024
0424574-002-SFG	PASCO	PASCO COUNTY MOSQUITO CONTROL	SFG 36	2/5/2024
0411391-005-SFG	PASCO	JALLO EXPRESS CARWASH	SFG 36	2/20/2024

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0418633-001-SFG	PINELLAS	FAIRVIEW PARK BANK REINFORCEME	SFG 16	3/28/2022
0430238-001-SFG	PINELLAS	ON TOP OF THE WORLD	SFG 43	1/9/2023
0433136-001-SFG	PINELLAS	CMNY TRANSITIONS	SFG 36	3/21/2023
0435148-001-SFI	PINELLAS	8900 US 19 N	SFI 31	5/12/2023
0441450-001-SFG	PINELLAS	BELLEAIR POND RELOCATION	SFG 40	10/23/2023
0442534-002-SFG	PINELLAS	ULMERTON CDO STORM STAGING SIT	SFG 36	11/27/2023
0444315-002-SFG	PINELLAS	IAN FLYNN VOGEL-THOMPSON	SFG 16	1/19/2024
0445345-001-SFG	PINELLAS	BRIDGE REPLACEMENT 17TH ST N	SFG 10	2/14/2024
0400133-001-SFI	POLK	GREYSTONE NORTH, SOUTH, & WEST	SFI LT	3/10/2021
0411485-001-SFI	POLK	APPLEWOOD RESERVE	SFI 29	10/22/2021
0416259-001-SFG	POLK	N LAKE REEDY RD EAST BRIDGE	SFG 10	2/9/2022
0420908-001-SFG	POLK	OLSEN RD SUBDIVISION	SFG 27	5/11/2022
0427604-001-SFI	POLK	RIDGEWOOD LAKES	SFI 32	10/17/2022
0429061-001-SFI	POLK	AUBURN LAKES PRESERVE	SFI 31	12/5/2022
0396376-002-SFI	POLK	FOX BRANCH WEST	SFI 31	12/14/2022
0431066-001-SFI	POLK	I-4 AT SR 33 INTERCHANGE	SFI 32	2/2/2023
0432064-001-SFI	POLK	CENTRAL POLK PARKWAY	SFI 32	2/23/2023
0435083-001-SFI	POLK	THOMPSON NURSERY ROAD, SEG 1	SFI 31	5/11/2023
0435202-002-SFG	POLK	MOORE	SFG 16	5/15/2023
0435889-001-SFI	POLK	KING BLVD DRAINAGE & DITCH IMP	SFI 30	6/1/2023
0436625-001-SFG	POLK	LEGACY @ DAVENPORT MF	SFG 27	6/16/2023
0436943-001-SFG	POLK	PIPKIN CREEK OFFICE	SFG 36	6/26/2023
0437258-001-SFI	POLK	MARIGOLD AVENUE WIDENING	SFI 32	6/30/2023
0437577-001-SFG	POLK	MOORE ROAD 20 - AG CROSSINGS	SFG 43	7/12/2023
0404339-002-SFI	POLK	NORTH RIDGE TRAIL	SFI 31	7/17/2023
0438667-001-SFI	POLK	HORSESHOE CREEK BRDG REPLACE	SFI 31	8/9/2023
0439784-001-SFI	POLK	CR 557 & BUENA VISTA RD	SFI 33	9/8/2023
0439722-001-SFG	POLK	FAIRWAY AVE DRNG IMPROVEMENTS	SFG 43	9/8/2023
0440114-001-SFG	POLK	KINDER MORGAN CFPL PIPELINE	SFG 15	9/19/2023
0440361-001-SFI	POLK	CRETE - POLK COUNTY	SFI 31	9/22/2023
0440487-001-SFG	POLK	ELLIS BRANCH STORMWATER CLEANO	SFG 10	9/25/2023
0441346-001-SFG	POLK	LAKE ARIAN PARK - PHASE 1	SFG 39	10/19/2023
0396395-004-SFM	POLK	PEACHLEAF / MEDULLA CONNECTOR	SFM 29	11/8/2023

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0442161-002-SFG	POLK	PEGGY BANNER	SFG 31	11/13/2023
0401709-003-SFI	POLK	CITY OF LAKE WALES - POD A	SFI 30	11/17/2023
0442688-001-SFI	POLK	GFI LAKELAND PHASE II	SFI 31	12/1/2023
0442698-002-SFG	POLK	STORMWATER OUTLET LAKE MCLEOD	SFG 40	12/1/2023
0442712-002-SFG	POLK	LAKE AGNES SLALOM COURSE	SFG 20	12/3/2023
0442749-001-SFG	POLK	1ST STREET NW SIDEWALK	SFG 17	12/4/2023
0443205-001-SFG	POLK	STORMH20 OUTLET TO LAKE MCLEOD	SFG 40	12/15/2023
0074283-002-SFG	POLK	EXCLOSURES ON LAKE HANCOCK	SFG 25	12/19/2023
0443571-001-SFG	POLK	ROCKRIDGE RD BRG REPLACEMENT	SFG 10	12/27/2023
0443684-001-SFI	POLK	REYNOLDS TRAILER STORAGE	SFI 31	1/3/2024
0444294-002-SFG	POLK	TECO LOGISTICS PKWY PHASE I	SFG 15	1/19/2024
0444655-001-SFG	POLK	DERBY DITCH DRAINAGE	SFG 43	1/29/2024
0444653-001-SFI	POLK	FORESTLAKE OFFSITE IMPROVEMENT	SFI 29	1/29/2024
0444658-001-SFI	POLK	RIDGEWOOD LAKES MULTIFAMILY	SFI 31	1/29/2024
0445095-001-SFI	POLK	PUBLIX ALLEN BREED WAREHOUSE	SFI 32	2/8/2024
0401882-002-SFI	POLK	CROSSWINDS WEST	SFI 31	2/15/2024
0427693-001-SFG	PUTNAM	SILVER BAY RESIDENTIAL COM	SFG 27	10/20/2022
0436859-001-SFG	PUTNAM	NXFL0332 INTERLACHEN CELLTOWER	SFG 27	6/20/2023
0442268-002-SFG	PUTNAM	404-LAKE GEORGE CONSERVATION	SFG 17	11/15/2023
0174021-007-SFI	SANTA ROSA	YELLOW RIVER RANCH PH II	SFI 29	3/12/2021
0422193-001-SFI	SANTA ROSA	RIVER WOODS RANCH PH 1	SFI 29	5/26/2022
0174021-011-SFG	SANTA ROSA	YRR DITCHES ST 404	SFG 43	6/22/2022
0255307-014-SFI	SANTA ROSA	WHISPER CREEK - PHASE 4A	SFI 29	12/8/2022
0396488-002-SFM	SANTA ROSA	WILSON - FLYNN TRANSFER ST 404	SFM TO	2/6/2023
0432114-001-SFG	SANTA ROSA	NANTAHALA APARTMENTS	SFG 27	2/28/2023
0431990-002-SFI	SANTA ROSA	BOTTLE CREEK (002) SUBDIVISION	SFI 30	3/1/2023
0174021-012-SFI	SANTA ROSA	YELLOW RIVER RANCH PHASE 3	SFI 29	3/7/2023
0396546-002-SFI	SANTA ROSA	FALL SF RESIDENCE ST 404	SFI 29	7/24/2023
0408488-002-SFG	SANTA ROSA	FOREST BAY VILLIAS	SFG 27	8/7/2023
0438982-002-SFI	SANTA ROSA	WHEELER SF RESIDENCE ST404	SFI 29	8/17/2023
0431250-002-SFI	SANTA ROSA	SMITH SF RESIDENCE ST404	SFI 29	10/3/2023
0441765-001-SFG	SANTA ROSA	WOODBINE RD AND US 90	SFG 17	10/31/2023
0441767-002-SFI	SANTA ROSA	DOUGHERTY SF LOT 3 BLK 186	SFI 29	11/1/2023

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0442658-002-SFI	SANTA ROSA	CHARTRAND SF HOME	SFI 29	11/30/2023
0442729-002-SFI	SANTA ROSA	JONES SF RESIDENCE ST404	SFI 29	12/4/2023
0256605-011-SFM	SANTA ROSA	PHILLIPS SF RESIDENCE ST 404	SFM 06	12/19/2023
0443682-001-SFG	SANTA ROSA	PINE BLOSSOM ROAD DRAINAGE	SFG 14	12/28/2023
0438908-004-SFG	SANTA ROSA	E BAY BLVD CULVERT REPLST404	SFG 16	1/9/2024
0443904-002-SFI	SANTA ROSA	HOMES BY VISION LTS 9-10 ST404	SFI 29	1/10/2024
0443938-002-SFI	SANTA ROSA	LOT 12 13TH AVE ST404	SFI 29	1/11/2024
0444252-002-SFI	SANTA ROSA	TAYEBI- SF RESIDENCE ST 404	SFI 29	1/19/2024
0445172-002-SFG	SANTA ROSA	HOLLIMAN DRIVEWAY ST404	SFG 27	2/12/2024
0418283-001-SFI	SARASOTA	TOLEDO VILLAGE	SFI 31	3/17/2022
0407250-002-SFI	SARASOTA	HAWKSTONE	SFI 30	5/16/2022
0414379-004-SFG	SARASOTA	INSTALL UTILITY (404)	SFG 15	7/26/2022
0135934-026-SFI	SARASOTA	BEE RIDGE GMP 2 (404)	SFI 29	11/23/2022
0430014-001-SFI	SARASOTA	LAUREL ROAD WIDENING	SFI 29	1/3/2023
0071131-001-SFI	SARASOTA	SKYE RANCH PHASE 2	SFI 29	2/9/2023
0435526-001-SFG	SARASOTA	REGIONAL PARK SFI	SFG 39	5/19/2023
0434342-002-SFG	SARASOTA	JARVIS ROAD BRIDGE SFG	SFG 24	6/29/2023
0432333-002-SFG	SARASOTA	BOURNESIDE BOULEVARD SFG	SFG 17	7/20/2023
0441781-002-SFI	SARASOTA	VIREO SWEET WATER LAKES 404	SFI 29	11/1/2023
0442032-001-SFG	SARASOTA	TOLL BROTHERS RD 404	SFG 17	11/8/2023
0404503-005-SFI	SARASOTA	BENDERSON PARK BOAT RAMP 404	SFI 29	11/16/2023
0442440-001-SFG	SARASOTA	GATOR CREEK GOLF CLUB 404	SFG 39	11/20/2023
0442443-001-SFI	SARASOTA	TOLEDO PRESERVE 404	SFI 32	11/20/2023
0441781-003-SFI	SARASOTA	NEWGROWTH SFI	SFI 29	11/29/2023
0444402-002-SFG	SARASOTA	404SEAWALL IN FRESHWATER CANAL	SFG 16	1/23/2024
0444581-002-SFG	SARASOTA	PLAYMORE REC TRAIL 404	SFG 17	2/16/2024
0416860-001-SFI	SEMINOLE	YARBOROUGH PROPERTY TRACT 3	SFI 30	2/21/2022
0427569-001-SFI	SEMINOLE	OVIEDO COMMONS - PHASE 1	SFI 29	10/19/2022
0428468-001-SFG	SEMINOLE	OVIEDO CONNECTOR ROAD	SFG 17	11/15/2022
0431599-002-SFG	SEMINOLE	GABRIELLA LANE (404)	SFG 20	2/16/2023
0364097-004-SFI	SEMINOLE	2460 FAWN RUN (404)	SFI 29	2/27/2023
0433666-001-SFI	SEMINOLE	REGISTRY ON LAKE MARY BLVD	SFI 30	4/6/2023
0435317-001-SFI	SEMINOLE	SLAVIA RD CAP IMPR RED BUG LK	SFI 30	5/16/2023
0435115-002-SFG	SEMINOLE	SUNSET PARK BOAT LAUNCH	SFG 33	6/13/2023

Exhibit B

Section 404 Permit Applications Pending Before FDEP as of February 24, 2024 Sorted by County
 (See <https://prodapps.dep.state.fl.us/pa/summarypending/PaData>)

Application #	County	Project Name	Permit Type / Subtype	Date Received
0436788-001-SFG	SEMINOLE	JESUS IMAGE	SFG 36	6/19/2023
0437068-001-SFG	SEMINOLE	MIDWAY DRAINAGE IMPROVEMENTS	SFG 40	6/29/2023
0437450-001-SFI	SEMINOLE	1072 SR 434 RETAIL	SFI 29	7/10/2023
0437068-002-SFI	SEMINOLE	MIDWAY IMPROVEMENT BP2 (404)	SFI 29	8/1/2023
0441030-001-SFG	SEMINOLE	LAKE CHARM DITCH	SFG 20	10/11/2023
0441843-002-SFG	SEMINOLE	THOMAS GARAGE (404)	SFG 27	11/2/2023
0442544-001-SFG	SEMINOLE	OVIEDO MULTIFAMILY	SFG 27	11/20/2023
0443496-001-SFG	SEMINOLE	LOCKWOOD BLVD SIDEWALK	SFG 20	12/21/2023
0443591-001-SFI	SEMINOLE	CONNECTION POINT	SFI 30	12/27/2023
0444967-001-SFG	SEMINOLE	ALAFAYA PUD MASTER PLAN	SFG 40	2/6/2024
0445117-001-SFG	SEMINOLE	CASSELBERRY CHEDDARS	SFG 36	2/9/2024
0400128-002-SFI	ST. JOHNS	404-SUNNYSIDE BORROW PIT	SFI 29	6/12/2022
0396565-002-SFI	ST. JOHNS	404-MIDDLEBOURNE PHASE 3	SFI 31	7/11/2022
0424211-001-SFI	ST. JOHNS	COUNTY ROAD 210 COMMERCIAL	SFI 30	7/21/2022
0424488-001-SFI	ST. JOHNS	404-FLETCHER IGP	SFI 33	8/1/2022
0426062-001-SFI	ST. JOHNS	SCOTT ROAD SUBDIVISION	SFI 31	8/26/2022
0401663-002-SFM	ST. JOHNS	STOKES LANDING	SFM 29	9/22/2022
0427291-001-SFG	ST. JOHNS	LEE RD DRAINAGE IMPROVEMENTS	SFG 17	10/11/2022
0428553-001-SFG	ST. JOHNS	MAI OFFICE	SFG 36	11/16/2022
0428758-001-SFG	ST. JOHNS	311 WEFF ROAD DRIVEWAY	SFG 27	11/17/2022
0404833-003-SFI	ST. JOHNS	DURBIN PARK, PHASE 3	SFI 32	11/30/2022
0380893-002-SFG	ST. JOHNS	SR 206 TRUCK SALES PARKING LOT	SFG 36	12/8/2022
0429474-002-SFG	ST. JOHNS	TONA RESIDENCE, LEMONWOOD RD	SFG 27	12/21/2022
0430789-001-SFG	ST. JOHNS	PLANET SWIM IMPROVEMENTS	SFG 36	1/24/2023
0432228-002-SFG	ST. JOHNS	404-FPL BROOK SUBSTATION	SFG 15	3/2/2023
0434076-001-SFG	ST. JOHNS	REIT US 1 NORTH	SFG 36	4/17/2023
0434071-002-SFG	ST. JOHNS	404-GROSELL PROPERTY	SFG 27	4/18/2023
0434339-002-SFG	ST. JOHNS	HEATH SINGLE FAMILY FILL 404	SFG 27	4/25/2023
0434478-002-SFI	ST. JOHNS	404-SJUCUD CR 214 TO SR 207 FM	SFI 32	4/27/2023
0435025-002-SFG	ST. JOHNS	404-HE HYBISCUS AVE SINGLE FAM	SFG 27	5/10/2023
0435660-001-SFG	ST. JOHNS	CR16A COM OFFICE BUILDING	SFG 36	5/22/2023
0435662-001-SFI	ST. JOHNS	ENCLAVE AT WORLD GOLF VILLAGE	SFI 30	5/23/2023
0436075-001-SFG	ST. JOHNS	STERLING PHASE II	SFG 36	6/3/2023
0436652-001-SFG	ST. JOHNS	PALM VALLEY RD SIDEWALKS PH2	SFG 17	6/19/2023
0437285-001-SFG	ST. JOHNS	SEAGATE CULVERTS	SFG 20	6/30/2023
0437289-001-SFI	ST. JOHNS	DAILYS AT GRAND CREEK	SFI 30	7/5/2023
0437336-001-SFG	ST. JOHNS	PALM VALLEY SINGLE FAMILY	SFG 27	7/6/2023
0437514-001-SFI	ST. JOHNS	DAILYS AT MIDDLEBOURNE	SFI 31	7/10/2023

Exhibit B

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 (See <https://prodapps.dep.state.fl.us/pa/summarypending/PaData>)

Application #	County	Project Name	Permit Type / Subtype	Date Received
0437584-002-SFG	ST. JOHNS	404-FPL D8471788 ST. JOHNS	SFG 15	7/13/2023
0438052-001-SFI	ST. JOHNS	LONGLEAF MIXED-USE BUILDOUT	SFI 31	7/17/2023
0437750-001-SFG	ST. JOHNS	MOSCARELLO CULVERT CROSSING	SFG 14	7/17/2023
0438783-001-SFG	ST. JOHNS	SHERWOOD SENIOR LIVING CENTER	SFG 36	8/3/2023
0439101-001-SFI	ST. JOHNS	2520 SR 207	SFI 30	8/14/2023
0438933-002-SFG	ST. JOHNS	708 AND 716 W FILL 404	SFG 27	8/16/2023
0440290-001-SFI	ST. JOHNS	GREENBRIAR ROAD BTI	SFI 30	9/14/2023
0421031-002-SFI	ST. JOHNS	404-THE LANDINGS AT GREENBRIAR	SFI 31	9/20/2023
0440829-001-SFI	ST. JOHNS	GREENBRIAR ROAD IMPROVMENTS	SFI 30	10/5/2023
0436192-001-SFI	ST. JOHNS	404-WOLFE MARSHALL RESIDENTIAL	SFI 31	10/20/2023
0441583-001-SFI	ST. JOHNS	TRINITY EPISCOPAL NORTH CAMPUS	SFI 30	10/23/2023
0432258-001-SFI	ST. JOHNS	404-US 1 MIXED USE DEVELOPMENT	SFI 32	11/1/2023
0441813-001-SFM	ST. JOHNS	SHEARWATER PH 3H POD 28	SFM 29	11/1/2023
0441917-001-SFG	ST. JOHNS	REGALO ROAD IMPROVEMENTS	SFG 17	11/2/2023
0426459-002-SFG	ST. JOHNS	404-142 SOUTH ROSCOE BLVD	SFG 27	11/6/2023
0442432-001-SFI	ST. JOHNS	VERMEER SOUTHEAST	SFI 29	11/16/2023
0443898-001-SFI	ST. JOHNS	CYPRESS POINT	SFI 31	1/5/2024
0444201-001-SFI	ST. JOHNS	1900 SR 16 COMMERCIAL MASS	SFI 31	1/16/2024
0444072-001-SFG	ST. JOHNS	404-SECESSION SUBDIVISION	SFG 27	1/16/2024
0444206-001-SFI	ST. JOHNS	CORONADO AT WILDWOOD HOA	SFI 29	1/17/2024
0444577-001-SFI	ST. JOHNS	RIVERDALE RANCHES ROADWAY PH 1	SFI 29	1/18/2024
0399294-001-SFI	ST. LUCIE	VERANDA ST. LUCIE LAND HOLDING	SFI 33	2/18/2021
0411546-001-SFI	ST. LUCIE	SILVER OAKS	SFI 29	10/25/2021
0418051-001-SFI	ST. LUCIE	ST.ANDREWS PARK	SFI 30	3/14/2022
0430018-001-SFI	ST. LUCIE	OAK RIDGE RANCHES	SFI 33	1/5/2023
0440194-001-SFG	ST. LUCIE	SLC CYPRESS CREEK REHYDRATION	SFG 25	9/21/2023
0441234-001-SFI	ST. LUCIE	NEILL FARMS ESTATES	SFI 31	10/18/2023
0441243-001-SFG	ST. LUCIE	NAPA - OLEANDER AVE.	SFG 36	10/20/2023
0442828-001-SFG	ST. LUCIE	LAKEWOOD PARK CANAL 4	SFG 14	12/8/2023
0442903-001-SFG	ST. LUCIE	MEADOWOOD WEST	SFG 14	12/14/2023
0443885-002-SFG	ST. LUCIE	SR-70 ST. LUCIE	SFG 15	1/3/2024
0444459-002-SFG	ST. LUCIE	FPL PINE LILY SOLAR ENERGY	SFG 15	1/19/2024
0444437-001-SFG	ST. LUCIE	INDRIO SAVANNAHS WET POND	SFG 16	1/30/2024
0444897-001-SFI	ST. LUCIE	CARTER AVENUE IMPROVEMENTS	SFI 29	2/6/2024

Exhibit B

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0409372-003-SFI	SUMTER	MARLENE O'TOOL INDUSTR. PARK 2	SFI 30	8/5/2022
0399615-002-SFG	SUMTER	CR525E ULT 4-LN IMPROVEMENTS	SFG 17	12/7/2022
0430543-001-SFI	SUMTER	EDEN AT OXFORD VILLAGE	SFI 31	1/13/2023
0432915-001-SFG	SUMTER	GINGERICH CONSTN WRHSE EXPANSI	SFG 36	3/20/2023
0415754-001-SFI	SUWANNEE	404 - PARKER SEAWALL	SFI 31	1/21/2022
0428471-001-SFI	SUWANNEE	LIVE OAK PINES EXPANSION	SFI 29	11/14/2022
0441336-001-SFG	TAYLOR	USACE REPORT CULVERT INSTALL	SFG 17	10/17/2023
0442725-001-SFG	TAYLOR	ASH STREET- WIDENING/RESURFACI	SFG 17	12/1/2023
0444109-001-SFG	TAYLOR	US 221 BRIDGE REPLACEMENT	SFG 17	1/12/2024
0437097-001-SFG	UNION	CR18 RESURFACE UNION COUNTY	SFG 17	6/22/2023
0394847-003-SFG	VOLUSIA	SCHNEIDER DRIVEWAY 404	SFG 27	1/22/2021
0403964-001-SFI	VOLUSIA	DAYTONA LAKES RV RESORT(404)	SFI 31	5/13/2021
0414997-001-SFI	VOLUSIA	WAYPOINTE SUBDIVISION	SFI 31	1/13/2022
0406137-004-SFG	VOLUSIA	MADELINE AVE EXTENSION	SFG 27	2/7/2022
0406137-002-SFI	VOLUSIA	WALKERS GREEN PHASE 1A	SFI 30	2/7/2022
0406137-003-SFI	VOLUSIA	WALKERS GREEN PHASE 1B	SFI 31	2/7/2022
0416438-001-SFI	VOLUSIA	CIRCLE C BOAT & RV STORAGE	SFI 30	2/8/2022
0408272-002-SFI	VOLUSIA	AVALON DAYTONA PHASE 2 (404)	SFI 32	3/7/2022
0405365-003-SFG	VOLUSIA	GRIER RESIDENCE (404)	SFG 27	4/22/2022
0420011-002-SFI	VOLUSIA	FAIRLAWN DEVELOPMENT (404)	SFI 33	4/29/2022
0424125-001-SFI	VOLUSIA	LEILA'S HAMMOCK HOMES	SFI 31	7/21/2022
0417809-002-SFI	VOLUSIA	TOMOKA FARMS INDUSTRIAL	SFI 31	9/8/2022
0428967-001-SFI	VOLUSIA	WASHINGTON PARK NORTH	SFI 30	12/2/2022
0431036-001-SFI	VOLUSIA	OAKBRIDGE COLONY	SFI 31	2/1/2023
0432982-001-SFI	VOLUSIA	RIDGE HAVEN	SFI 30	3/21/2023
0407073-003-SFI	VOLUSIA	SOUTH VILLAGE PHASE 1 (404)	SFI 33	4/7/2023
0435154-002-SFG	VOLUSIA	HOME BUILD (404)	SFG 27	5/16/2023
0437549-001-SFI	VOLUSIA	OAK HILL TOWN CENTER	SFI 30	7/11/2023
0257422-003-SFG	VOLUSIA	DOSTER RD (404)	SFG 27	7/25/2023
0438338-001-SFI	VOLUSIA	B-19 CANAL CULVERT	SFI 29	8/1/2023
0434120-003-SFI	VOLUSIA	RIDDLE SFH ADDITION	SFI 29	9/27/2023
0440815-001-SFI	VOLUSIA	OAK LEAF PRESERVE	SFI 29	10/6/2023
0442267-002-SFG	VOLUSIA	HICA TRUCK TRAIL 12 BRDG REPLM	SFG 17	11/15/2023
0407817-003-SFG	VOLUSIA	FEC 107.04 RAIL BRIDGE REPLACE	SFG 20	11/27/2023
0442545-001-SFG	VOLUSIA	OAK BREEZE PLAZA	SFG 36	11/27/2023
0444245-001-SFG	VOLUSIA	DUNLAWTON AVE DRAINAGE	SFG 17	1/19/2024
0444178-002-SFG	VOLUSIA	1667 6TH AVE SINGLE-FAMILY	SFG 27	1/22/2024
0296797-007-SFI	VOLUSIA	FPL PIROLO TRANSMN LINE PULL	SFI 29	1/22/2024

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Application #	County	Project Name	Permit Type / Subtype	Date Received
0444556-002-SFI	VOLUSIA	ORMOND BEACH FUEL TERMINAL	SFI 31	1/26/2024
0444853-002-SFG	VOLUSIA	BEY RESIDENC 529 PALM DR (404)	SFG 27	2/5/2024
0402347-001-SFI	WALTON	MACK BAYOU SUBDIVISION	SFI 30	4/14/2021
0426893-001-SFG	WALTON	THE CANOPIES	SFG 27	9/23/2022
0424352-002-SFG	WALTON	SEASCAPE P2 / THE GROVE P1	SFG 27	11/29/2022
0429136-002-SFG	WALTON	HESS SF RESIDENCE ST 404	SFG 27	12/7/2022
0431683-002-SFI	WALTON	HOWERTON SF RESIDENCE ST404	SFI 29	2/17/2023
0423772-002-SFI	WALTON	BAY VITA DEVELOPMENT ST404	SFI 30	2/28/2023
0127599-002-SFG	WALTON	HOTEL IN MIRAMAR BEACH	SFG 36	4/3/2023
0276418-007-SFG	WALTON	BROWN RESIDENCE LOT 31 ST404	SFG 27	5/10/2023
0192177-007-SFG	WALTON	FPL SR WEST SS EXP ST404	SFG 15	6/27/2023
0437565-001-SFI	WALTON	DOCK OF THE BAY	SFI 29	7/10/2023
0437510-002-SFI	WALTON	KRESBACH HOME LOT 11 ST 404	SFI 29	7/12/2023
0439086-002-SFI	WALTON	LOT 6 KOURY SF RESIDENCE	SFI 29	8/21/2023
0440113-002-SFI	WALTON	COASTLYE HOMES LOT 32 ST 404	SFI 29	9/19/2023
0231997-004-SFG	WALTON	GOTTIER SF RESIDENCE ST 404	SFG 27	9/22/2023
0441018-002-SFI	WALTON	SASHA SF RESIDENCE ST 404	SFI 29	10/11/2023
0265380-002-SFG	WALTON	ROBERTS MANAGEMENT CORP	SFG 36	10/20/2023
0441763-001-SFG	WALTON	BLACK CREEK ESTATES PUD	SFG 27	10/30/2023
0442423-001-SFI	WALTON	MOLL TOWNHOMES	SFI 29	11/15/2023
0442332-002-SFI	WALTON	STEWART SF RESIDENCE ST 404	SFI 29	11/17/2023
0443250-002-SFG	WALTON	CHAT HOLLEY FORCE ST 404	SFG 15	12/18/2023
0426952-004-SFI	WALTON	FREEPORT HOTEL ROHAN M PATEL	SFI 30	12/19/2023
0443873-002-SFG	WALTON	HANDFELT SF RESIDENCE	SFG 27	1/9/2024
0442796-004-SFG	WALTON	DOLLAR GENERAL 30103 ST404	SFG 36	1/17/2024
0396442-004-SFRP	WALTON	SWCP PHASE 3 - ST404	SFRP 86	1/18/2024
0444830-001-SFI	WALTON	THE SANDBAR	SFI 29	2/2/2024
0445221-002-SFI	WALTON	HAWKEYE DESIGN SF 404	SFI 29	2/13/2024
0435166-001-SFI	WASHINGTON	CHIPLEY RIDGE RV PARK	SFI 32	5/12/2023
0412129-003-SFG	WASHINGTON	JOHNS WAY BREIDGE REPL ST 404	SFG 17	12/11/2023

Permit Type Key:

- GLSG = Everglades State 404 General Permit
- GLSI = Everglades State 404 Individual Permit
- SFG = State 404 General Permit
- SFI = State 404 Individual Permit
- SFM = State 404 Permit Modification
- SFRP = State 404 Regional Permit

Attachment C

FLORIDA ELECTRIC POWER COORDINATING GROUP, INC. (FCG)
3001 N. Rocky Point Drive E, Suite 410
Tampa, Florida 33607
(813) 418-0054



April 22, 2024

Justin Wolfe
General Counsel
Florida Department of Environmental Protection
3900 Commonwealth Blvd
MS 35
Tallahassee, Florida 32399

Re: Current Status of Florida 404 Program

Dear Mr. Wolfe,

The Florida Electric Power Coordinating Group, Inc., Environmental Committee (“FCG EC”) writes to express our deep concern at the continued hiatus in the issuance of permits under Florida’s assumption of the federal 404 permitting program from the U.S. Army Corps of Engineers (“State 404 Program”). As a result of the court’s decision in *Center for Biological Diversity, et al. v. Michael S. Regan, et al.* on February 15, 2024, the Florida Department of Environmental Protection (“the Department”) has been required to cease “all activity”¹ pertaining to the State 404 Program. This “pause” has now lasted over 2 months and created a degree of regulatory uncertainty that is making the impact to our members acute.

The FCG EC represents investor-owned electric utilities, rural electric cooperatives, and municipal electric utilities on environmental issues affecting the electric utility industry. The FCG has a long history of working cooperatively with state and federal regulatory agencies to address regulatory initiatives that affect the electric utility industry in Florida. The FCG EC supported Florida’s assumption of the federal 404 program.

FCG EC members currently have twelve State 404 Program permit applications awaiting action at the Department and a multitude of permit applications that will be submitted in the coming weeks and months. Five of the pending applications awaiting action from the Department are more than halfway complete with permit processing.

These permit applications are required for our members’ construction of power distribution systems to new users or the maintenance of existing systems. Florida received 249,604 new net residents in 2022, or almost 700 people per day (excluding a substantial number of new residents from other countries).² As of 2022, the *growth* in Florida’s population exceeded the total population of 18 other states.³ This population growth requires nearly continuous expansion of electrical infrastructure to meet the needs of new residents. To provide safe and reliable power, FCG members are also continually re-investing in existing electrical power infrastructure.

¹ See [State 404 Program | Florida Department of Environmental Protection](#) (last visited April 4, 2024).

² See [These States Are Bringing In More Residents Than They’re Losing | Best States | U.S. News \(usnews.com\)](#) (last visited April 4, 2024).

³ See [Florida’s booming population. 7 charts tell the hidden story \(tampabay.com\)](#) (last visited April 4, 2024).

Mr. Justin Wolfe

April 22, 2024

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The applications pending at the Department include projects to install new electrical lines (including connections to new solar power sites), rebuild and expand existing transmission lines, replace electric substations, and improve a transmission line right-of-way to allow for staging during disaster responses.

In addition to the impact on these power distribution system and maintenance projects, the ongoing delay associated with suspension of the State 404 Program is impacting our members' ability to develop renewable energy projects. The Sundance Solar Facility, for example, is waiting for completion of its pending application. Because of the hiatus, the project construction has already had to change, at considerable expense. Our members are under increasing pressure from the public and government to eliminate carbon emissions by 2035. To that end, the utilities have made significant investments in capital, workforce, and infrastructure to develop renewable energy in Florida. The current stand-still in processing of pending applications represents a severe setback in meeting clean energy targets and poses a tremendous risk on investments already made in the renewable sector.

Sound planning for this work requires regulatory certainty, and the lack of regulatory certainty is delaying projects and plans for necessary transmission lines, substations, and related infrastructure. FCG EC members are concerned that any transition of the State 404 Program back to the U.S. Army Corps of Engineers will create substantial delay and uncertainty regarding the timing of existing applications and those to be submitted. When the program was transferred to Florida – following a lengthy period in which the relevant agencies were *preparing* for a transfer – no permits were issued for five months and it took another year to get 11 permits issued across the entire state of Florida. Under the current circumstances, in which the agencies have made no preparations for a transition, it seems inconceivable that even lengthier delays won't again bog down planning, building, and maintaining the state's power distribution system.

The continued hiatus of the State's 404 Program is jeopardizing our members' ability to plan and continue these necessary projects due to the regulatory uncertainty. In so doing, this uncertainty is risking the state's electrical infrastructure. We urge the Department to take all necessary steps to immediately resume activities under the State 404 Program.

The FCG EC appreciates the Department's consideration of these comments. Please contact me if you have any questions.

Sincerely,

/s/ Gregory M. Munson

Gregory M. Munson

Gunster, Yoakley & Stewart

On behalf of the Florida Electric Power

Coordinating Group, Inc.

Environmental Committee

cc: Tanya Portillo, Executive Director, FCG Environmental Committee

EXHIBIT Q

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

CENTER FOR BIOLOGICAL
DIVERSITY, ET AL, et al.

Appellees,

v.

MICHAEL S. REGAN, in his official
capacity as Administrator for the U.S.
Environmental Protection Agency, et al.,

Defendants,

STATE OF FLORIDA and FLORIDA
DEPARTMENT OF ENVIRONMENTAL
PROTECTION,

Appellants

CASE NO. 24-5101

**DECLARATION OF JENNIFER MARSHALL, DIRECTOR OF THE
OFFICE OF ENVIRONMENTAL MANAGEMENT FOR THE FLORIDA
DEPARTMENT OF TRANSPORTATION**

1. My name is Jennifer Marshall. I declare under penalty of perjury under the laws of the United States of America and the State of Florida that the following statements are true and correct to the best of my knowledge and belief.

2. I serve as the Director of the Office of Environmental Management for the Florida Department of Transportation (“FDOT”), an executive agency of the State of Florida.

3. FDOT's mission is to provide a safe transportation system that ensures the mobility of people and goods, enhances economic prosperity, and preserves the quality of our environment and communities.

4. The unique nature of the Sunshine State and its year-round warm climate provides numerous opportunities to move people and goods through multiple modes including highways/streets, air, rail, sea, spaceports, transit, and ever-expanding deployment of bicycle & pedestrian facilities.

5. FDOT is committed to building a transportation system that not only fits the current needs of Florida's residents and visitors but also enhances mobility throughout the state to accommodate its consistent and rapid growth.

6. Many, if not most, FDOT projects require various forms of federal and/or state permits, including Section 404 permits under the Clean Water Act (CWA). FDOT routinely applies for CWA 404 permits as part of the development and delivery of Florida's transportation infrastructure improvements.

7. Since December 14, 2016, FDOT has, pursuant to 23 United States Code (U.S.C.) 327, assumed Federal Highway Administration's (FHWA's) responsibilities under the National Environmental Policy Act (NEPA) for highway projects and roadway projects in Florida whose source of federal funding comes from FHWA or which constitute a federal action through FHWA. This assumption, known as NEPA Assignment, includes responsibilities for environmental review,

interagency consultation and other regulatory compliance-related actions pertaining to the review or approval of NEPA projects.

8. As part of NEPA Assignment, FDOT has assumed FHWA's role as the Lead Federal Agency, with approval authority for federally-funded projects resting in FDOT's Office of Environmental Management. In this capacity, FDOT is empowered to directly undertake Section 7 consultation with the United States Fish and Wildlife Service and National Marine Fisheries Service in support of its CWA 404 permits.

9. As of February 15, 2024, FDOT had at least 26 applications for Section 404 permits pending at the Florida Department of Environmental Protection ("FDEP"). At the time of vacatur, three of these applications were within a week of permit issuance with another three pending public notice within approximately 1 - 2 weeks of the order.

10. In response to the vacatur order, FDOT submitted applications for ten of the twenty-six projects, four of which are individual permits, to the United States Army Corps of Engineers ("USACE") for processing due to their priority status and/or quickly approaching contract letting dates. These ten projects have construction costs alone of **\$1,022,300,763**.

11. Currently, sixteen projects have applications that remain pending with FDEP. These projects are also critical to Florida's transportation infrastructure,

including pending applications for highway capacity projects, critical bridge repair and replacement projects, culvert construction projects to address stormwater near roadways, as well as a project to construct a wildlife crossing under US 27.

12. FDOT depends upon the timely issuance of these permits to maintain project funding and deliver projects on schedule, all while meeting applicable environmental requirements.

13. If FDOT is required to re-file the remainder of these applications with the USACE, FDOT will incur significant new expenses that have not been budgeted and projects will undoubtedly experience delays. Projects with applications on the path of issuance will have to be restarted, requiring duplication of staff and consultant hours. New applications and forms will need to be prepared and submitted to the USACE for each project, triggering new review and re-noticing of FDOT projects, essentially putting these projects back to the start of the Section 404 process and potentially delaying the delivery of these important transportation infrastructure projects.

Executed on the 24th day of April, 2024.



Jennifer Marshall, P.E.
Director, Office of Environmental
Management
Florida Department of Transportation
605 Suwannee Boulevard
Tallahassee, FL 32399