

Bottom line: An NPR is not a permit. Recording it as “permit obtained” is a material misstatement of FDOT’s §404 status and undermines the SEIR’s “Finding of No Significant Impact.”

2) Legal Distinction and Violation

Under **Clean Water Act §404(a)** and **F.A.C. 62-331**, a **permit** is a formal authorization after environmental review. An **NPR** confirms that **no authorization was issued**.

FDOT’s entry therefore misrepresents a regulatory **exemption** as a **permit issuance**, conflicting with:

- **Clean Water Act §§404 and 401**,
- **NEPA §102(2)(C)** (failure to evaluate significant impacts), and
- **F.A.C. 62-330 & 62-345** (accurate wetland and floodplain impact accounting).

3) Why the 2023 WOTUS Verification Is Inadequate

- Relies on a **2009 USACE AJD**, despite new/altered wetlands and changed hydrology.
- **Segmented** reviews for 3A and 3B obscure cumulative impacts within the **Crystal River–Kings Bay Priority Focus Area (PFA)**.
- Addresses only **surface-water jurisdiction**—no assessment of **groundwater, spring seepage, or floodplain storage**.
- A WOTUS verification **cannot convert** an NPR into a **§404 permit** or **§401 water-quality certification**.