

Proceeding under an NPR rather than a permit is a procedural violation of the Clean Water Act process and invalidates any claim of federal compliance.

2. **NEPA / CEQ Regulations**

By splitting Segments 3A and 3B, FDOT avoided a cumulative-impact analysis, contrary to **40 C.F.R. §1501.9** and **§1508.25**, and failed to take the “hard look” required by **42 U.S.C. §4332(2)(C)**.

3. **OFS Priority Focus Area and Floodplain Standards**

The corridor lies within the **Crystal River–Kings Bay OFS PFA** and a **FEMA SFHA**. Excavation/borrow-pit activity here conflicts with:

- **Executive Order 11988 (Floodplain Management)**;
- **44 C.F.R. §60.3 (NFIP minimum standards)**; and
- **Florida land-development requirements** for compensatory storage below BFE.

The recent excavator submersion indicates aquifer exposure and ignored floodplain protections.

4. **Duty of Accuracy and Transparency**

Under **23 U.S.C. §139** and **40 C.F.R. §1500.1(b)**, environmental documents must be accurate and objective. Recording an NPR as a permit is a material false statement when used to justify advancement or funding.