



# FLORIDA DEPARTMENT OF Environmental Protection

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

Southeast District  
3301 Gun Club Road, MSC 7210-1  
West Palm Beach, FL 33406  
561-681-6600

February 13, 2025

Paul Stadfeld  
1019 Lake Shore Dr  
Delray Beach, FL 33444  
Sent via e-mail: [paul.stadfeld@nm.com](mailto:paul.stadfeld@nm.com)

Re: File No.: 50-454761-001,002,003-EE  
File Name: STADFELD DOCK AND SEAWALL

Dear Paul Stadfeld:

On November 8, 2024, we received your request for verification of exemption to perform the following activities; 1) The repair and replacement of an existing 274 linear foot seawall within 18 inches, wetface to wetface, of the existing seawall; 2) install an associated concrete seawall cap and; 3) to install a new 245 square foot marginal dock. The project is located in the El Rio Canal, Class III Waters, adjacent to 1019 Lake Shore Dr, Delray Beach (Section 8, Township 46 South, Range 43 East), in Palm Beach County (Latitude N 26°28'27.9538, Longitude W 80°5'7.3615).

Your request has been reviewed to determine whether it qualifies for (1) regulatory exemption, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

**Your project qualifies for all three.** However, this letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

If you have any questions regarding this matter, please contact Caroline Richardson at the letterhead address or at [Caroline.Richardson@FloridaDEP.gov](mailto:Caroline.Richardson@FloridaDEP.gov).

### **1. Regulatory Review – VERIFIED**

Based on the information submitted, the Department has verified that the activities as proposed are exempt, under Chapter 62-330.051 (5)(b), (12)(b) & (d), Florida Administrative Code, from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification may not be valid if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. In the event you need to re-verify the exempt status for the activity, a new request and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required.

### **2. Proprietary Review- GRANTED**

The Department acts as staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) and issues certain authorizations for the use of sovereign submerged lands. The Department has the authority to review activities on sovereign submerged lands under Chapters 253 and 258 of the Florida Statutes, and Chapters 18-20 and 18-21 of the Florida Administrative Code.

The activity appears to be located on sovereign submerged lands owned by the Board of Trustees. The activity is not exempt from the need to obtain the applicable proprietary authorization. As staff to the Board of Trustees, the Department has reviewed the activity described above, and has determined that the activity qualifies for an automatic consent by rule under Rule 18-21.005(1)(b) and Section 253.77 of the Florida Statutes to construct and use the activity on the specified sovereign submerged lands, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein. No further application is required for this consent by rule.

### **Special Consent Conditions**

1. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.
2. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.

3. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.
4. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.
5. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

### **General Conditions for Authorizations for Activities**

All authorizations granted by rule or in writing under Rule 18-21.005, F.A.C., except those for geophysical testing, shall be subject to the general conditions as set forth in paragraphs (a) through (i) below. The general conditions shall be part of all authorizations under this chapter, shall be binding upon the grantee, and shall be enforceable under Chapter 253 or 258, Part II, F.S.

- (a) Authorizations are valid only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.
- (b) Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.
- (c) Authorizations may be modified, suspended or revoked in accordance with their terms or the remedies provided in Sections 253.04 and 258.46, F.S., or Chapter 18-14, F.A.C.
- (d) Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.
- (e) Construction, use, or operation of the structure or activity shall not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.

(f) Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.

(g) Structures or activities shall not create a navigational hazard.

(h) Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of Rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.

(i) Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under Paragraph 18-21.004(1)(f), F.A.C., or any other applicable law.

### **3. Federal Review - APPROVED**

Your proposed activity as outlined in your application and attached drawings qualifies for Federal authorization pursuant to the State Programmatic General Permit VI-R1, and a **SEPARATE permit** or authorization **will not be required** from the U.S. Army Corps of Engineers. Please note that the Federal authorization expires on July 27, 2026. However, your authorization may remain in effect for up to 1 additional year, if provisions of Special Condition 15 of the SPGP VI-R1 permit instrument are met. You, as permittee, are required to adhere to all General Conditions and Special Conditions that may apply to your project. Special conditions required for your project are attached. A copy of the SPGP VI-R1 with all terms and conditions and the General Conditions may be found online in the Jacksonville District Regulatory Division Sourcebook (<https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book/>).

Authority for review - an agreement with the USACOE entitled "Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection (or Duly Authorized Designee), State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

### **Additional Information**

Please retain this letter. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S., and Chapter 18-14, F.A.C.

### **NOTICE OF RIGHTS**

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until a subsequent order of the Department. Because the administrative hearing

process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

#### Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at [Agency\\_Clerk@dep.state.fl.us](mailto:Agency_Clerk@dep.state.fl.us). Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

#### Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and

120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do not publish notice of this action, this waiver will not apply to persons who have not received written notice of this action.

#### Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at [Agency\\_Clerk@dep.state.fl.us](mailto:Agency_Clerk@dep.state.fl.us), before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

#### Mediation

Mediation is not available in this proceeding.

#### FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

#### Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

## EXECUTION AND CLERKING

Executed in Palm Beach County, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



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John Tracey  
Environmental Manager  
Southeast District

### Enclosures:

Attachment A- Specific Exemption Rule  
Special Conditions for Federal Authorization for SPGP VI-R1  
General Conditions for Federal Authorization for SPGP VI-R1  
Project drawings, 10 pages

## CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

FDEP – Caroline Richardson, John Tracey  
Ileen Gonzalez, Breezy Permits, LLC, [info@breezypermits.com](mailto:info@breezypermits.com)

### Additional mailings:

SPGP, [nmfs.ser.statewideprogrammatic@noaa.gov](mailto:nmfs.ser.statewideprogrammatic@noaa.gov) ; [spgp@usace.army.mil](mailto:spgp@usace.army.mil)  
Matt Mitchell, Palm Beach County, Environmental Resources, [mmitchell@pbcgov.org](mailto:mmitchell@pbcgov.org)

## FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

*Natalie Nguyen*      02/13/2025  
Clerk                      Date

## Attachment A

### Chapter 62-330.051 Exempt Activities.

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under Chapters 253 and 258, F.S., and Chapters 18-18, 18-20, and 18-21, F.A.C., as applicable.

(5) Dock, Pier, Boat Ramp and Other Boating-related Work –

(b) Installation of private docks, piers, and recreational docking facilities, and installation of local governmental piers and recreational docking facilities, in accordance with section 403.813(1)(b), F.S. This includes associated structures such as boat shelters, boat lifts, and roofs, provided:

1. The cumulative square footage of the dock or pier and all associated structures located over wetlands and other surface waters does not exceed the limitations in section 403.813(1)(b), F.S.;
2. No structure is enclosed on more than three sides with walls and doors;
3. Structures are not used for residential habitation or commercial purposes, or storage of materials other than those associated with water dependent recreational use; and
4. Any dock and associated structure shall be the sole dock as measured along the shoreline for a minimum distance of 65 feet, unless the parcel of land or individual lot as platted is less than 65 feet in length along the shoreline, in which case there may be one exempt dock allowed per parcel or lot.

12) Construction, Restoration, Enhancement, and Repair of Seawall, Riprap, and Other Shoreline Stabilization –

(b) The restoration of a seawall or riprap under section 403.813(1)(e), F.S., where:

1. The seawall or riprap has been damaged or destroyed within the last year by a discrete event, such as a storm, flood, accident, or fire or where the seawall or riprap restoration or repair involves only minimal backfilling to level the land directly associated with the restoration or repair and does not involve land reclamation as the primary project purpose. See section 3.2.4 of Volume I for factors used to determine qualification under this provision;
2. Restoration shall be no more than 18 inches waterward of its previous location, as measured from the waterward face of the existing seawall to the face of the restored seawall, or from the waterward slope of the existing riprap to the waterward slope of the restored riprap; and
3. Applicable permits under chapter 161, F.S., are obtained.

(d) Installation of batter piles, king piles, or a seawall cap, used exclusively to stabilize and repair seawalls, provided they do not impede navigation.

*Rulemaking Authority 373.026(7), 373.043, 373.4131, 373.4145, 403.805(1) FS. Law Implemented 373.406, 373.4131, 373.4145, 373.415, 403.813(1) FS. History—New 10-1-13, Amended 6-1-18.*

## **Special Conditions for Federal Authorizations for SPGP VI-R1**

1. Authorization, design and construction must adhere to the terms of the SPGP VI instrument including the General Conditions for All Projects, Special Conditions for All Projects, Applicable activity-specific special conditions, Procedure and Work Authorized sections.
2. Design and construction must adhere to the PDCs for In-Water Activities (Attachment 28, from PDCs AP.7 through AP11, inclusive, of JAXBO) (Reference: JAXBO PDC AP.1.).
3. All activities must be performed during daylight hours (Reference: JAXBO PDC AP.6.).
4. For all projects involving the installation of piles, sheet piles, concrete slab walls or boatlift I-beams (Reference Categories A, B and C of JAXBO *PDCs for In-Water Noise from Pile and Sheet Pile Installation*, page 86):
  - a. Construction methods limited to trench and fill, pilot hole (auger or drop punch), jetting, vibratory, and impact hammer (however, impact hammer limited to installing no more than 5 per day).
  - b. Material limited to wood piles with a 14-inch diameter or less, concrete piles with a 24-inch diameter/width or less, metal pipe piles with a 36-inch diameter or less, metal boatlift I-beams, concrete slab walls, vinyl sheet piles, and metal sheet piles.
  - c. Any installation of metal pipe or metal sheet pile by impact hammer is not authorized (Reference: Categories D and E of JAXBO *PDCs for In-Water Noise from Pile and Sheet Pile Installation*, page 86.).
  - d. Projects within the boundary of the NOAA Florida Keys National Marine Sanctuary require prior approval from the Sanctuary (Reference: JAXBO PDCs AP.14 and A1.6).
5. The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011” (Attachment 29).
6. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Applicant/Permittee or other party on the Applicant’s/Permittee’s behalf, shall conduct a search of known historical properties by contracting a professional archaeologist, and contacting the Florida Master Site File at 850-245-6440 or SiteFile@dos.state.fl.us. The Applicant/Permittee can also research sites in the National Register Information System (NRIS). Information can be found at <http://www.cr.nps.gov/nr/research>.

- a. If, during the initial ground disturbing activities and construction work, there are archaeological/cultural materials unearthed (which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work in the vicinity and notify the Compliance and Review staff of the State Historic Preservation Office at 850-245- 6333 and the Corps Regulatory Archeologist at 904-232-3270 to assess the significance of the discovery and devise appropriate actions, including salvage operations. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 C.F.R. § 325.7.
  - b. In the unlikely event that human remains are identified, the remains will be treated in accordance with Section 872.05, Florida Statutes; all work in the vicinity shall immediately cease and the local law authority, and the State Archaeologist (850-245-6444) and the Corps Regulatory Archeologist at 904-232-3270 shall immediately be notified. Such activity shall not resume unless specifically authorized by the State Archaeologist and the Corps.
7. The Permittee is responsible for obtaining any “take” permits required under the U.S. Fish and Wildlife Service’s regulations governing compliance with these laws. The Permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such “take” permits are required for a particular activity.
8. Mangroves. The design and construction of a Project must comply with the following (Reference: JAXBO PDCs AP.3 and AP.12.):
  - a. All projects must be sited and designed to avoid or minimize impacts to mangroves.
  - b. Mangrove removal must be conducted in a manner that avoids any unnecessary removal and is limited to the following instances:
    - (1) Removal to install up to a 4-ft-wide walkway for a dock.
    - (2) Removal of mangroves above the mean high water line (MHWL) provided that the tree does not have any prop roots that extend into the water below the MHWL.
    - (3) Mangrove trimming. Mangrove trimming refers to the removal (using hand equipment such as chain saws and/or machetes) of lateral branches (i.e., no alteration of the trunk of the tree) in a manner that ensures survival of the tree.
      - (a) Projects with associated mangrove trimming waterward of the MHWL are authorized if the trimming: (a) occurs within the area where the authorized structures are placed or will be placed (i.e., removal of branches that overhang a dock or lift),
      - (b) is necessary to provide temporary construction access, and (c) is conducted in a

manner that avoids any unnecessary trimming.

(b) Projects proposing to remove red mangrove prop roots waterward of the MHWL are not authorized, except for removal to install the dock walkways as described above.

9. For Projects authorized under this SPGP VI in navigable waters of the U.S., the Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

10. Notifications to the Corps. For all authorizations under this SPGP VI, including Self-Certifications, the Permittee shall provide the following notifications to the Corps:

a. Commencement Notification. Within 10 days from the date of initiating the work authorized by this permit the Permittee shall submit a completed "Commencement Notification" form (Attachment 8).

b. Corps *Self-Certification Statement of Compliance* form. Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the "Self-Certification Statement of Compliance" form (Attachment 9) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.

c. Permit Transfer. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form (Attachment 10).

d. Reporting Address. The Permittee shall submit all reports, notifications, documentation, and correspondence required by the general and special conditions of this permit to the following address.

(1) For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL, 32232-0019.

(2) For electronic mail: SAJ-RD-Enforcement@usace.army.mil (not to exceed 10 MB). The Permittee shall reference this permit number, SAJ-2015-2575 on all submittals.

11. The District Engineer reserves the right to require that any request for authorization under this SPGP VI be evaluated as an Individual Permit. Conformance with the terms and conditions of the SPGP VI does not automatically guarantee Federal authorization.
12. On a case-by-case basis, the Corps may impose additional Special Conditions which are deemed necessary to minimize adverse environmental impacts.
13. Failure to comply with all conditions of the SPGP VI constitutes a violation of the Federal authorization.
14. The SPGP VI will be valid through the expiration date unless suspended or revoked by issuance of a public notice by the District Engineer. The Corps, in conjunction with the Federal resource agencies, will conduct periodic reviews to ensure that continuation of the permit during the period ending expiration date, is not contrary to the public interest. The SPGP VI will not be extended beyond the expiration date but may be replaced by a new SPGP. If revocation occurs, all future applications for activities covered by the SPGP VI will be evaluated by the Corps.
15. If the SPGP VI expires, is revoked, or is terminated prior to completion of the authorized work, authorization of activities which have commenced or are under contract to commence in reliance upon the SPGP VI will remain in effect provided the activity is completed within 12 months of the date the SPGP VI expired or was revoked.

**Special Conditions for *Shoreline Stabilization* activities.**

16. Shoreline stabilization structures other than vertical seawalls shall be no steeper than a 2 horizontal:1 vertical slope (Reference: JAXBO PDC A1.1.4.).
17. Placement of backfill is limited to those situations where it is necessary to level the land behind seawalls or riprap.
18. Living shoreline structures and permanent wave attenuation structures can only be constructed out of the following materials: oyster breakwaters, clean limestone boulders or stone (sometimes contained in metal baskets or cages to contain the material), small mangrove islands, biologs, coir, rock sills, and pre-fabricated structures made of concrete and rebar that are designed in a manner so that they do not trap sea turtles, smalltooth sawfish, or sturgeon (Reference: JAXBO PDC A7.5.).
  - a. Reef balls or similar structures are authorized if they are not open on the bottom, are open-bottom structures with a top opening of at least 4 ft, or are pre-fabricated structures, such as reef discs stacked on a pile, and are designed in a manner that would not entrap sea turtles.
  - b. Oyster reef materials shall be placed and constructed in a manner that ensures that

materials will remain stable and that prevents movement of materials to surrounding areas (e.g., oysters will be contained in bags or attached to mats and loose cultch must be surrounded by contained or bagged oysters or another stabilizing feature) (Reference: JAXBO PDC A7.2.).

c. Oyster reef materials shall be placed in designated locations only (i.e., the materials shall not be indiscriminately dumped or allowed to spread outside of the reef structure) (Reference: JAXBO PDC A7.3.)

d. Wave attenuation structures must have 5 ft gaps at least every 75 ft in length as measured parallel to the shoreline and at the sea floor, to allow for tidal flushing and species movement (Reference: JAXBO PDC A7.6.).

e. Other materials are not authorized by this SPGP VI (Reference: JAXBO PDC A7.5.).

**Special Conditions for Docks, Piers, Associated Facilities, and other Minor Piling-Supported Structures.**

19. Chickees must be less than 500 ft<sup>2</sup> and support no more than 2 slips (Reference: JAXBO PDC A2.1.6.).

20. The design and construction of a Project over marsh (emergent vegetation) must comply with the following:

a. The piling-supported structure shall be aligned so as to have the smallest over-marsh footprint as practicable.

b. The over-marsh portion of the piling-supported structure (decking) shall be elevated to at least 4 feet above the marsh floor.

c. The width of the piling-supported is limited to a maximum of 4 feet. Any exceptions to the width must be accompanied by an equal increase in height requirement.

21. Mangroves. For pile-supported structures, the following additional requirements for mangroves found in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) shall apply:

a. The width of the piling-supported structure is limited to a maximum of 4 feet.

b. Mangrove clearing is restricted to the width of the piling-supported structure.

c. The location and alignment of the piling-supported structure should be through the narrowest area of the mangrove fringe.

22. Regarding SAV, the design and construction of a Project must comply with the following:

a. A pile supported structure

(1) that is located on a natural waterbody (i.e. outside an artificial waterway that was excavated for boating access and is bordered by residential properties); and

(2) that is within the range of seagrass (estuarine waters within all coastal counties except for Nassau, Duval, St Johns, Flagler and Volusia north of Ponce Inlet), but outside of the range of Johnson's seagrass (the range of Johnson's seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida) will be constructed to the following standards:

(a) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then SAV is presumed present and the pile-supported structure must comply with, or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "*Construction Guidelines in Florida for Minor Piling- Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat*" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of SPGP, two uncovered boatlifts are allowed.

(i) If the pile supported structure is currently serviceable, repair and replacement may occur in the same footprint without completion of a benthic survey.

(ii) Boatlifts and minor structures in Monroe County may be installed within existing boat slips without completion of a SAV survey. Boatlift accessory structures, like catwalks, shall adhere to "*Construction Guidelines in Florida for Minor Piling- Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat*" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) if a SAV survey has not been completed.

(iii) A marginal dock may be constructed a maximum of 5 feet overwater, as measured from the waterward face (wet face) of the seawall).

(b) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), then the pile-supported structure must comply with, or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction

Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat” U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

(i) If the pile supported structure is currently serviceable, repair and replacement may occur in the same footprint without completion of a benthic survey.

(ii) Boatlifts may be installed within existing boat slips without completion of a SAV survey.

(iii) A marginal dock may be constructed a maximum of 5 feet overwater, as measured from the waterward face (wet face) of the seawall).

(c) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is absent (including seagrass, tidal freshwater SAV and emergent vegetation), then no design restrictions are required and boatlifts may include a cover.

(d) A pile supported structure

(i) that is located on a natural waterbody (i.e. outside an artificial waterway that was excavated for boating access and is bordered by residential properties); and

(ii) that is within the range of Johnson’s seagrass (the range of Johnson’s seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida) but not within Johnson’s seagrass critical habitat will be constructed to the following standards:

(iii) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then seagrass is presumed present and the pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers’/National Marine Fisheries Service’s “Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat” U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) with the sole exception of the number of allowable boat lifts. For the purposes of this permit, two uncovered boatlifts are allowed.

(e) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), THEN pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers’/National Marine Fisheries Service’s “Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat” U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11).

For the purposes of this permit, two uncovered boatlifts are allowed.

(f) If a survey is performed in accordance with the methods described in the procedure section of this document, section I.3, and SAV is absent (including seagrass, tidal freshwater SAV and emergent vegetation), THEN no design restrictions are required and boatlifts may include a cover.

(g) A pile supported structure located within Johnson's seagrass critical habitat will be constructed to the following standards:

(i) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then seagrass is presumed present and the pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) with the sole exception of the number of allowable boat lifts. For the purposes of this permit, two uncovered boatlifts are allowed.

(ii) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is absent and the project is

1. A dock replacement in the same footprint, no design restrictions are required.
2. A new dock or dock expansion THEN pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

(iii) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), then pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

23. North Atlantic Right Whale. The attached North Atlantic Right Whale Information Form

(Attachment 30) describes the presence of North Atlantic right whales in the area and the Federal regulations governing the approach to North Atlantic right whales. The FDEP or Designee will attach the North Atlantic Right Whale Information Form to their authorizations for any dock project (new construction, repair, or replacement) at a private residence located within 11 nautical miles of an inlet that leads to areas within the known range of North Atlantic right whale. These zones, with an 11 nm radius, are described by the North Atlantic Right Whale Educational Sign Zones, Attachment 7 (from Section 2.1.1.4 of JAXBO, pages 31 and 32, inclusive). (Reference JAXBO PDC A2.4).

24. Educational Signs. For commercial, multi-family, or public facilities, and marine events, signs must be posted as described below (Reference: These replicate JAXBO PDCs A.2.2 and A.2.2.1 to A.2.2.3., inclusive, within the table PDCs Specific to Activity 2 - Pile Supported Structures and Anchored Buoys, starting on page 112.):

a. For commercial, multi-family, or public facilities, and marine events, signs must be posted in a visible location(s), alerting users of listed species in the area susceptible to vessel strikes and hook-and-line captures. The most current version of the signs that must be downloaded and sign installation guidance are available at:

(<https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>). The signs required to be posted by area are stated below:

<https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>

(1) All projects in Florida shall use the Save Sea Turtle, Sawfish, and Dolphin sign. These signs shall include contact information to the sea turtle and marine mammal stranding networks and smalltooth sawfish encounter database.

(2) Projects within the North Atlantic right whale educational sign zone shall post the Help Protect North Atlantic Right Whales sign.

(3) On the east coast of Florida, projects located within the St. Johns River and those occurring north of the St. Johns River to the Florida-Georgia line shall post the Report Sturgeon sign. On the west coast of Florida, projects occurring from the Cedar Key, Florida north to the Florida-Alabama line.

25. Monofilament Recycling Bins. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided as described below (Reference: The below replicates PDC A.2.3 within the table PDCs Specific to Activity 2 –Pile Supported Structures and Anchored Buoys, the PDC itself on page 113 of the JAXBO.):

a. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided at the docking facility to reduce the risk of turtle or sawfish entanglement in, or ingestion of, marine debris. Monofilament recycling bins must:

(1) Be constructed and labeled according to the instructions provided at

<http://mrrp.myfwc.com>.

(2) Be maintained in working order and emptied frequently (according to <http://mrrp.myfwc.com> standards) so that they do not overflow.

26. Lighting for docks installed within visible distance of ocean beaches. If lighting is necessary, then turtle-friendly lighting shall be installed. Turtle-friendly lighting is explained and examples are provided on the Florida Fish and Wildlife Conservation Commission website: <http://myfwc.com/wildlifehabitats/managed/sea-turtles/lighting/> (Reference: JAXBO PDC A2.8.).
27. Construction Location. Project construction shall take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited (Reference: JAXBO PDC A2.9.).
28. Aids to Navigation (ATONs). ATONs must be approved by and installed in accordance with the requirements of the U.S. Coast Guard (i.e., 33 C.F.R., chapter I, subchapter C, part 66, Section 10 of the Rivers and Harbors Act, and any other pertinent requirements) (Reference: JAXBO PDC A2.5.).
29. Aids to Navigation (ATONs) in Acropora critical habitat. The distance from ATONs to ESA-listed corals and Acropora critical habitat (Attachment 20) shall ensure there are no impacts to the corals or the essential feature of Acropora critical habitat from the movement of buoys and tackle. The appropriate distance shall be based on the size of the anchor chain or other tackle to be installed to secure the buoy to its anchor, particularly when the design of the ATON does not prohibit the contact of tackle with the marine bottom. In all cases, buoy tackle will include flotation to ensure there is no contact between the anchor chain or line and the marine bottom (Reference: JAXBO PDC A2.10.).
30. Within Loggerhead sea turtle critical habitat (Reference: JAXBO PDC A2.15.):
  - (1) ATONs (pile-supported and anchored buoys) are allowed in nearshore reproductive habitat of the Northwest Atlantic Distinct Population Segment (NWA DPS) of loggerhead sea turtle critical habitat.
  - (2) No other pile-supported structures are allowed in nearshore reproductive habitat.

**General Conditions for All Projects:**

1. The time limit for completing the work authorized ends on July 27, 2026.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good

faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner on the enclosed form (Attachment 10) and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**Further Information:**

1. Limits of this authorization.
  - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
  - b. This permit does not grant any property rights or exclusive privileges.
  - c. This permit does not authorize any injury to the property or rights of others.
  - d. This permit does not authorize interference with any existing or proposed Federal projects.
2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
  - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
  - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
  - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

- d. Design or Construction deficiencies associated with the permitted work.
  - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
  4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
    - a. You fail to comply with the terms and conditions of this permit.
    - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 3 above).
    - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.
  5. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CER 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.
  6. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form.
  7. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal, relocation or alteration.

**Department of the Army Permit Transfer for SPGP VI-R1**

PERMITEE: \_\_\_\_\_

PERMIT NUMBER: \_\_\_\_\_ DATE: \_\_\_\_\_

ADDRESS/LOCATION OF PROJECT:

\_\_\_\_\_

\_\_\_\_\_  
(Subdivision)

\_\_\_\_\_  
(Lot)

\_\_\_\_\_  
(Block)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Branch, Post Office Box 4970, Jacksonville, FL 32232-0019.

\_\_\_\_\_  
(Transferee Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Name Printed)

\_\_\_\_\_  
(Street address)

\_\_\_\_\_  
(Mailing address)

\_\_\_\_\_  
(City, State, Zip Code)

**STANDARD MANATEE CONDITIONS FOR IN-WATER WORK**  
2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at [ImperiledSpecies@myFWC.com](mailto:ImperiledSpecies@myFWC.com)
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used (see [MyFWC.com/manatee](http://MyFWC.com/manatee)). One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. Questions concerning these signs can be sent to the email address listed above.

# CAUTION: MANATEE HABITAT

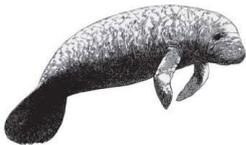
All project vessels

**IDLE SPEED / NO WAKE**

When a manatee is within 50 feet of work  
all in-water activities must

**SHUT DOWN**

Report any collision with or injury to a manatee:



**Wildlife Alert:**

**1-888-404-FWCC(3922)**

cell \*FWC or #FWC



**UNITED STATES DEPARTMENT OF  
COMMERCE**

**National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE**

Southeast Regional Office  
263 13th Avenue South  
St. Petersburg, FL 33701

**SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS**

The permittee shall comply with the following protected species construction conditions:

- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.

- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.
- h. Any collision(s) with and/or injuries to any whale, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (727-824-5312).
- i. Reports to NMFS's Protected Resources Division (PRD) may be made by email to [takereport.nmfsser@noaa.gov](mailto:takereport.nmfsser@noaa.gov).
- j. Sea turtle and marine stranding/rescue organizations' contact information is available by region at <http://www.nmfs.noaa.gov/pr/health/networks.htm>.
- k. Smalltooth sawfish encounters shall be reported to <http://www.flmnh.ufl.edu/fish/sharks/sawfish/sawfishencounters.html>.
- l. All work must occur during daylight hours.



# NEW SEAWALL & DOCK

PROJECT ADDRESS:  
 1019 LAKESHORE DRIVE  
 DELRAY BEACH, FL  
 PALM BEACH COUNTY

PREPARED FOR:  
 BREEZY PERMITS

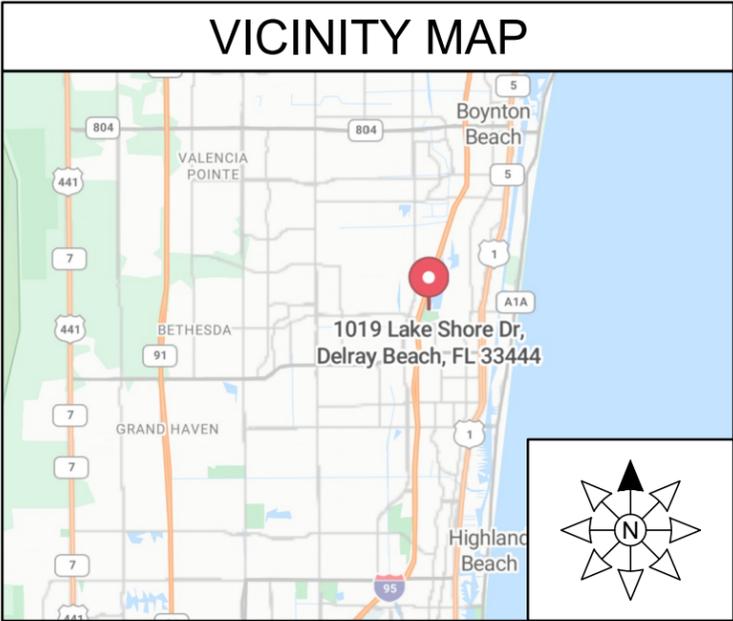
SEAL:

JOB NO.: 240495      DATE: 5-Dec-24

DATE	REV.	DESCRIPTION

SHEET NAME:  
**TITLE SHEET**

SHEET NO:  
**S-0**



**SITE LOCATION**

**ADDRESS:**  
 1019 LAKESHORE DRIVE  
 DELRAY BEACH, FL 33444  
 PALM BEACH COUNTY

**COORDINATES:**  
 26°28'28.1"N, 80°05'07.5"W

**LEGAL DESCRIPTION:**  
 LEGAL DESCRIPTION: LOT 3, BLOCK 2, LAKE IDA SHORES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 25, AT PAGE 54, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

- SCOPE OF WORK**
- DEMOLITION:**
- NONE
- NEW CONSTRUCTION:**
- CONSTRUCT 274 LINEAR FEET OF NEW VINYL SEAWALL RESTRAINED WITH CONCRETE ANCHOR BLOCKS.
  - CONSTRUCT A NEW 5' WIDE x 49' LONG WOOD DOCK INSTALLED ON 8" TIMBER PILES

**SHEET INDEX**

SHEET	DESCRIPTION
S-0	TITLE SHEET
S-1	GENERAL NOTES
S-2	EXISTING PLAN
S-3	PROPOSED PLAN
S-4	SEAWALL SECTION
S-5	TYPICAL SEAWALL DETAILS
S-6	TYPICAL SEAWALL DETAILS
S-7	DOCK PLAN
S-8	DOCK SECTION & PILE DETAILS
S-9	TYPICAL DOCK DETAILS

**APPLICABLE CODES:**

1. FLORIDA BUILDING CODE, 8TH EDITION, 2023 (FBC)
2. AMERICAN SOCIETY OF CIVIL ENGINEERS, MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES, 2022 (ASCE 7-22)
3. NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION, 2024 (NDS)

**DESIGN CRITERIA:**

1. WIND SPEED DATA:
 

RISK CATEGORY	II
EXPOSURE CATEGORY	C
ULTIMATE WIND SPEED	170 MPH
ULTIMATE WIND UPLIFT	55 PSF (35 PSF ASD)
2. LOAD CRITERIA:
 

DOCK LIVE LOAD	40 PSF
DOCK DEAD LOAD	5 PSF
UPLAND LIVE LOAD SURCHARGE	40 PSF
3. SURVEY BY "ACCURATE LAND SURVEYORS".
 

TOP OF EXISTING SEAWALL	+10.0 FEET (NAVD 88)
TOP OF NEW SEAWALL	+12.5 FEET (NAVD 88)

**GENERAL NOTES:**

1. TO THE BEST OF OUR KNOWLEDGE, THESE DRAWINGS ARE IN COMPLIANCE WITH THE REQUIREMENTS OF THE FLORIDA BUILDING CODE.
2. ALL ELEVATIONS ON DRAWINGS DEPICTED AS NAVD 88, U.N.O.
3. INFORMATION SHOWN ON THE DRAWINGS AS TO THEIR LOCATION AND CHARACTER HAS BEEN PREPARED FROM THE MOST RELIABLE DATA AVAILABLE TO THE ENGINEER; THE ACCURACY OF THIS INFORMATION IS NOT GUARANTEED. THE ENGINEER IS NOT LIABLE FOR ANY UNKNOWNNS THAT ARE DISCOVERED DURING CONSTRUCTION.
4. ALL EXISTING DIMENSIONS AFFECTING THE WORK SHOWN ON THE DRAWINGS SHALL BE FIELD CHECKED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
5. DO NOT SCALE THESE DRAWINGS TO OBTAIN DIMENSIONS.
6. NO DEVIATION FROM APPROVED PLANS SHALL BE PERMITTED WITHOUT THE WRITTEN CONSENT OF THE ENGINEER OF RECORD.
7. THESE DRAWINGS DO NOT DEFINE THE TOTAL SCOPE OF CONSTRUCTION CONTRACT DOCUMENTS. REFER TO CONSTRUCTION MANAGER'S CONTRACT DOCUMENTS.
8. AT ALL TIMES THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR THE CONDITIONS OF THE JOBSITE INCLUDING SAFETY OF PERSONS AND PROPERTY. THE ENGINEER'S PRESENCE OR REVIEW OF WORK DOES NOT INCLUDE THE ADEQUACY OF THE CONTRACTOR'S MEANS OR METHODS OF CONSTRUCTION.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL UTILITIES WITHIN THE AREA OF CONSTRUCTION. CONTRACTOR SHALL NOTIFY SUNSHINE STATE ONE (1-800-432-4770) 48 HOURS IN ADVANCE OF CONSTRUCTION.

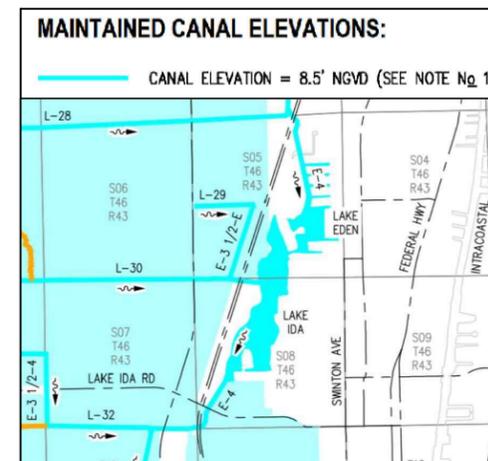
10. BEFORE UNDERTAKING ANY DEMOLITION WORK, THE CONTRACTOR MUST SURVEY AND DOCUMENT THE EXISTING CONDITIONS OF PROPERTIES AND BUILDINGS ADJOINING OR IN CLOSE PROXIMITY TO THE PREMISES.
11. THE CONTRACTOR IS RESPONSIBLE FOR ALL MEANS AND METHODS RELATED TO THE PARTIAL DEMOLITION OF THE EXISTING SEAWALL, INCLUDING SHORING, BRACING, AND PROTECTING THE STABILITY AND INTEGRITY OF EXISTING AND NEW STRUCTURES DURING DEMOLITION AND CONSTRUCTION.

**SHOP DRAWING REVIEW:**

1. SHOP DRAWINGS WILL BE REVIEWED FOR GENERAL COMPLIANCE WITH THE DESIGN INTENT OF THE CONTRACT DOCUMENTS ONLY. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY COMPLIANCE WITH THE CONTRACT DOCUMENTS AS TO QUANTITY, LENGTH, ELEVATIONS, DIMENSIONS, ETC.
2. SHOP DRAWING SUBMITTALS ARE REQUIRED FOR THE FOLLOWING ITEMS:
  - 2.1. CONCRETE MIX DESIGNS
  - 2.2. CONCRETE COATING AND SEALING COMPOUNDS
  - 2.3. ANCHOR RODS & PLATES W/ NUT
  - 2.4. CONCRETE REINFORCEMENT
  - 2.5. EXPANSION JOINT MATERIAL

**TURBIDITY BARRIERS:**

1. FLOATING TURBIDITY BARRIERS WILL BE PLACED AT ALL OUTFALL LOCATIONS CONNECTED TO THE WORK AREA DURING ACTIVE CONSTRUCTION. IF SEAGRASSES ARE PRESENT BARRIERS WILL NOT BE PLACED OVER THEM. THE FLOATING TURBIDITY BARRIERS SHALL BE INSTALLED IN A MANNER TO PREVENT MANATEE ENTANGLEMENT.
2. INSTALL FLOATING TURBIDITY BARRIERS WITH WEIGHTED SKIRTS THAT EXTEND TO WITHIN 1 FT OF THE BOTTOM AROUND ALL WORK AREAS THAT ARE IN, OR ADJACENT TO, SURFACE WATERS.
3. TURBIDITY BARRIERS TO BE MARKED WITH SITE CONTRACTOR'S COMPANY NAME USING PERMANENT MARKINGS NO SMALLER THAN 3 INCHES IN HEIGHT ON THE TOP OF THE BARRIER.
4. TURBIDITY BARRIERS SHALL REMAIN IN PLACE DURING ALL PHASES OF IN-WATER WORK.
5. CONTRACTOR SHALL EMPLOY AND MAINTAIN ADEQUATE SEDIMENT AND EROSION CONTROL MEASURES DURING ALL PHASES OF WORK.



**FLORIDA WATERWAY ENGINEERING**

www.floridawaterwayeng.com  
 Email: info@floridawaterwayeng.com  
 Phone: (954) 406-6042

PROJECT ADDRESS:  
 1019 LAKESHORE DRIVE  
 DELRAY BEACH, FL  
 PALM BEACH COUNTY

PREPARED FOR:  
 BREEZY PERMITS

SEAL:

JOB NO.: 240495	DATE: 5-Dec-24	
DATE	REV.	DESCRIPTION

SHEET NAME:  
**GENERAL NOTES**

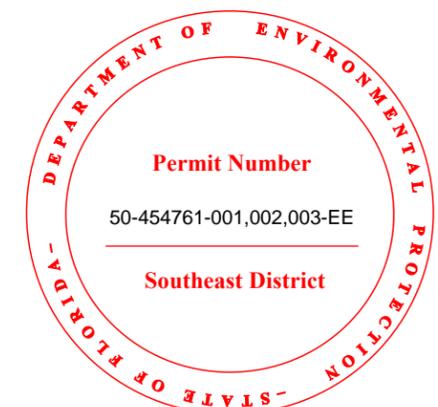
SHEET NO:  
**S-1**



PROJECT ADDRESS:  
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 DELRAY BEACH, FL  
 PALM BEACH COUNTY

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SEAL:

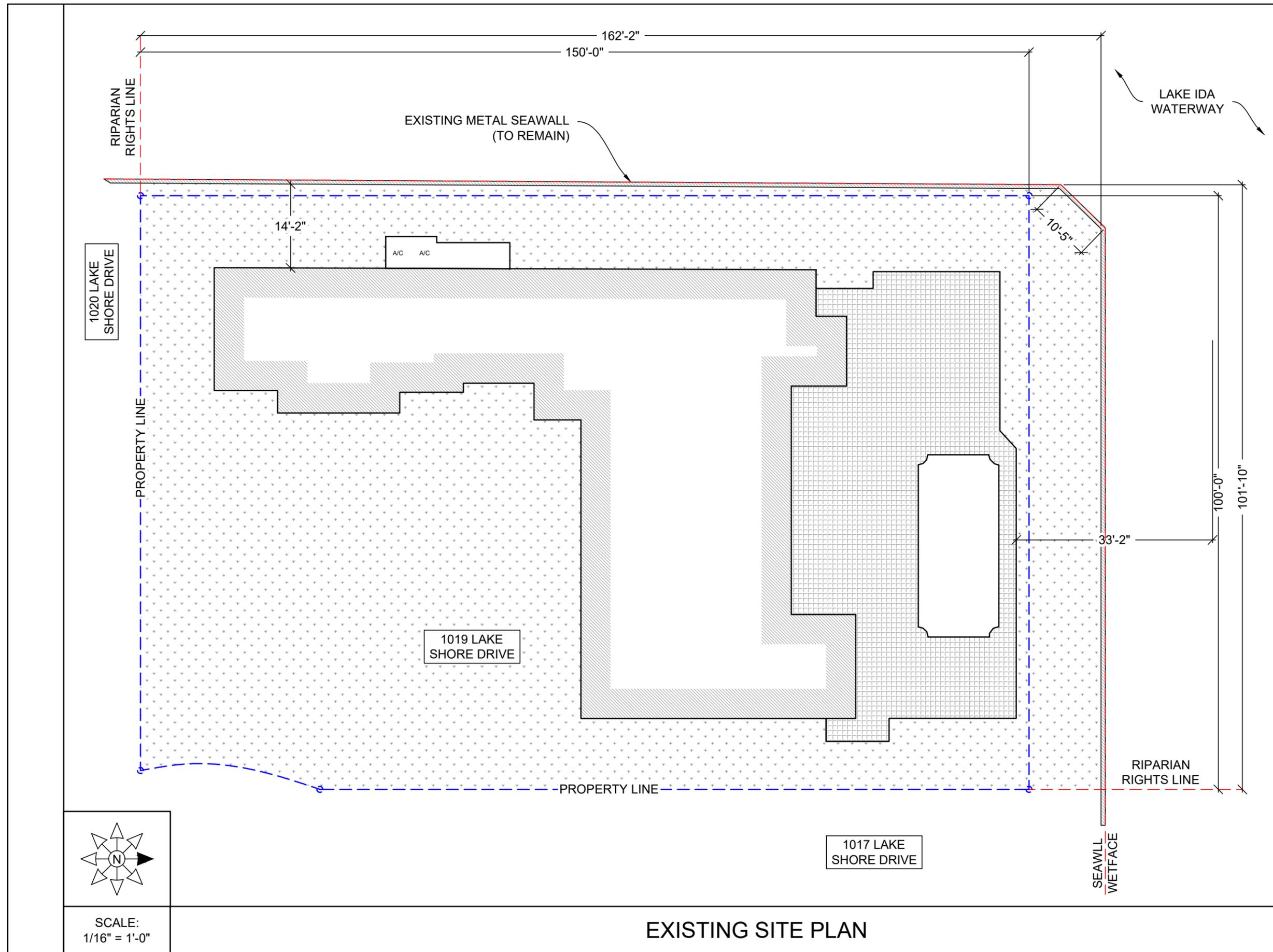


JOB NO.: 240495      DATE: 5-Dec-24

DATE	REV.	DESCRIPTION

SHEET NAME:  
**EXISTING SITE PLAN**

SHEET NO:  
**S-2**



**EXISTING SITE PLAN**

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 1019 LAKESHORE DRIVE  
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 PALM BEACH COUNTY

PREPARED FOR:  
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SEAL:



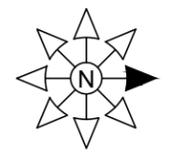
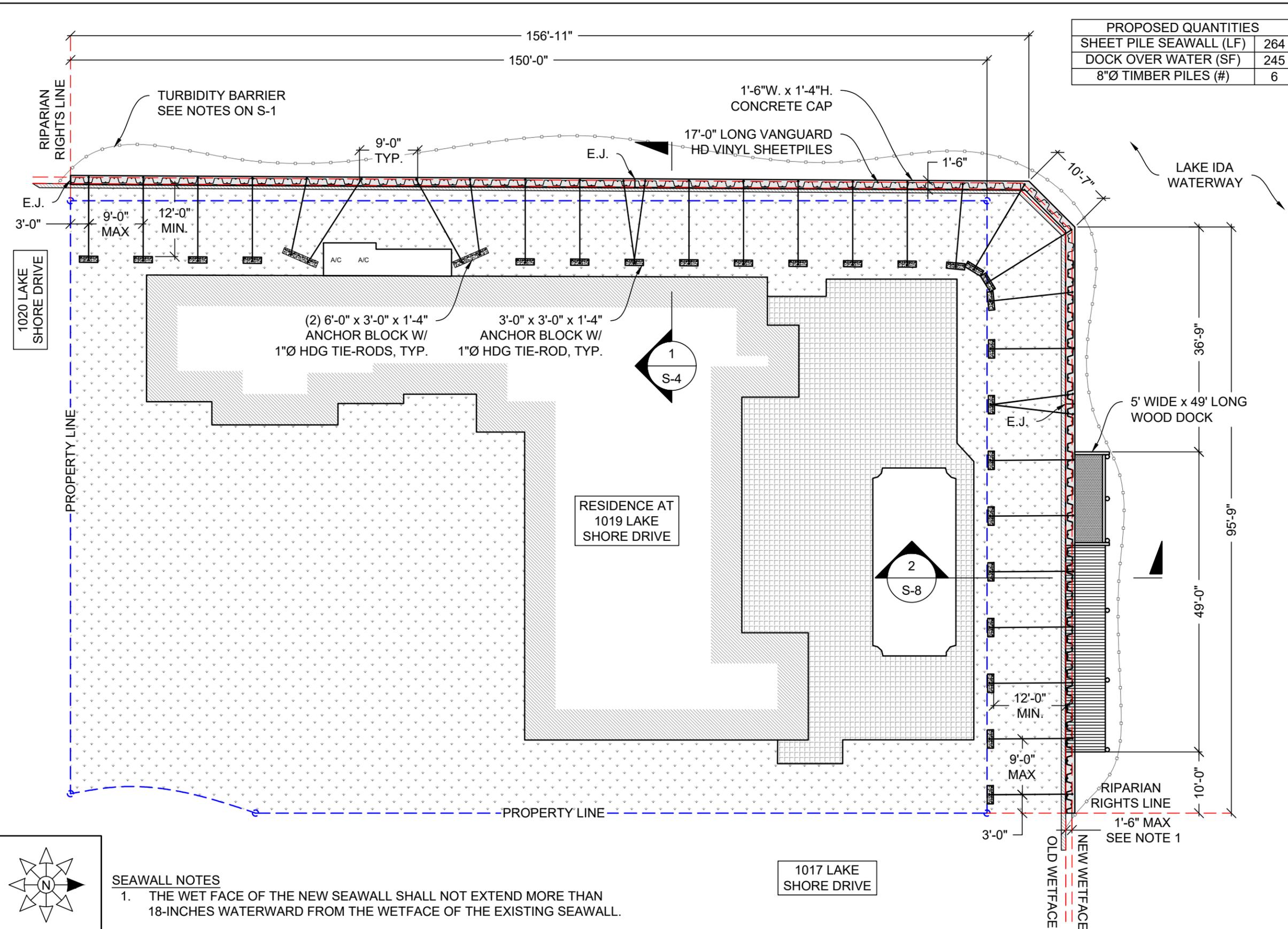
JOB NO.: 240495 DATE: 5-Dec-24

DATE	REV.	DESCRIPTION

SHEET NAME:  
**PROPOSED SITE PLAN**

SHEET NO:  
**S-3**

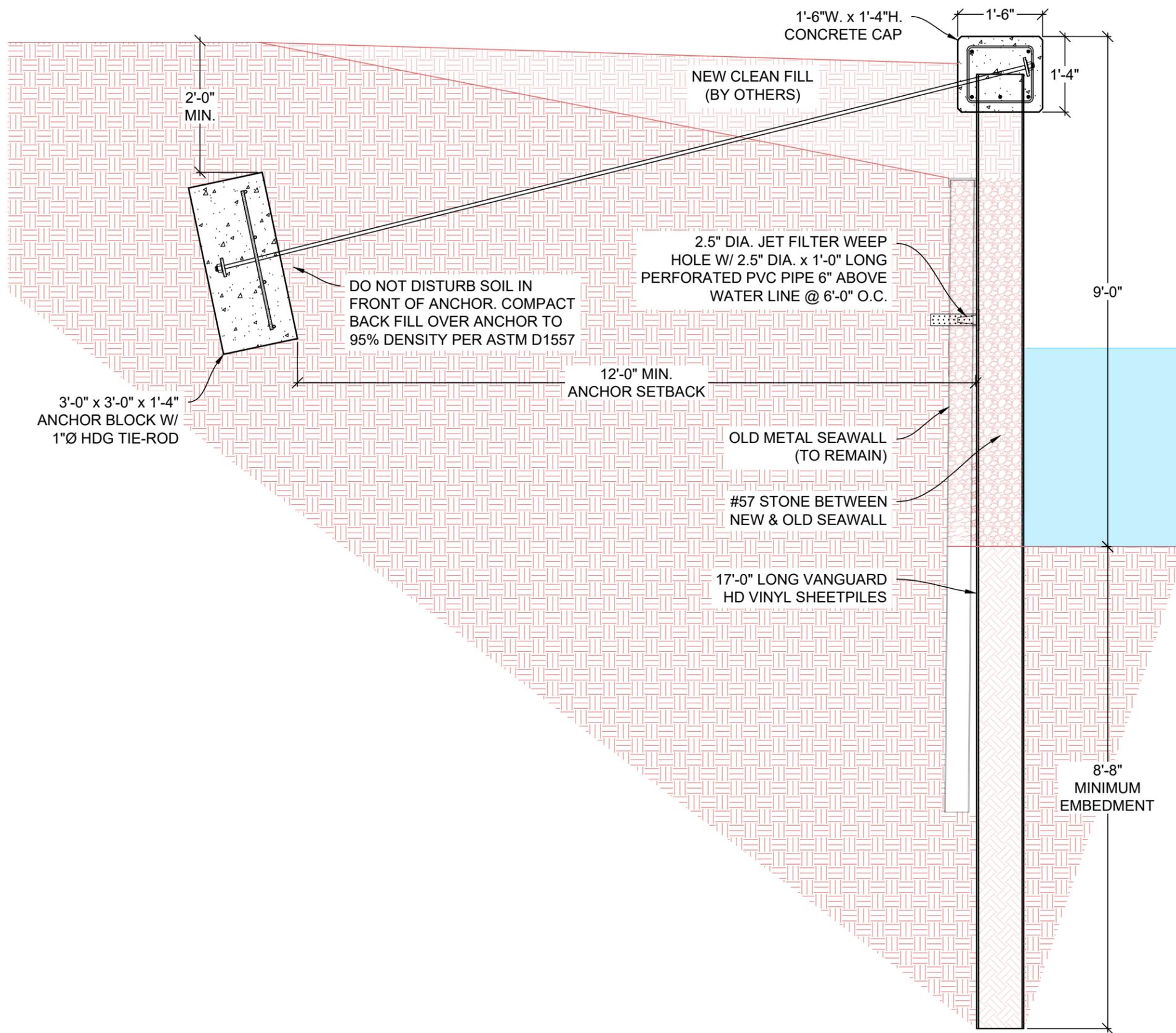
PROPOSED QUANTITIES	
SHEET PILE SEAWALL (LF)	264
DOCK OVER WATER (SF)	245
8"Ø TIMBER PILES (#)	6



**SEAWALL NOTES**  
 1. THE WET FACE OF THE NEW SEAWALL SHALL NOT EXTEND MORE THAN 18-INCHES WATERWARD FROM THE WETFACE OF THE EXISTING SEAWALL.

SCALE:  
 1/16" = 1'-0"

**EXISTING SITE PLAN**



TOP OF NEW SEAWALL  
EL = +12'-6" (NAVD 88)

TOP OF EXISTING SEAWALL  
EL = +10'-0" (NAVD 88)

LWDD MAINTAINED  
WATER ELEVATION  
EL = +7'-0" (NAVD 88)

MUDLINE (VARIES)  
EL = +3'-6" (NAVD 88)

MIN. SHEETPILE TIP  
EL = -5'-2" (NAVD 88)

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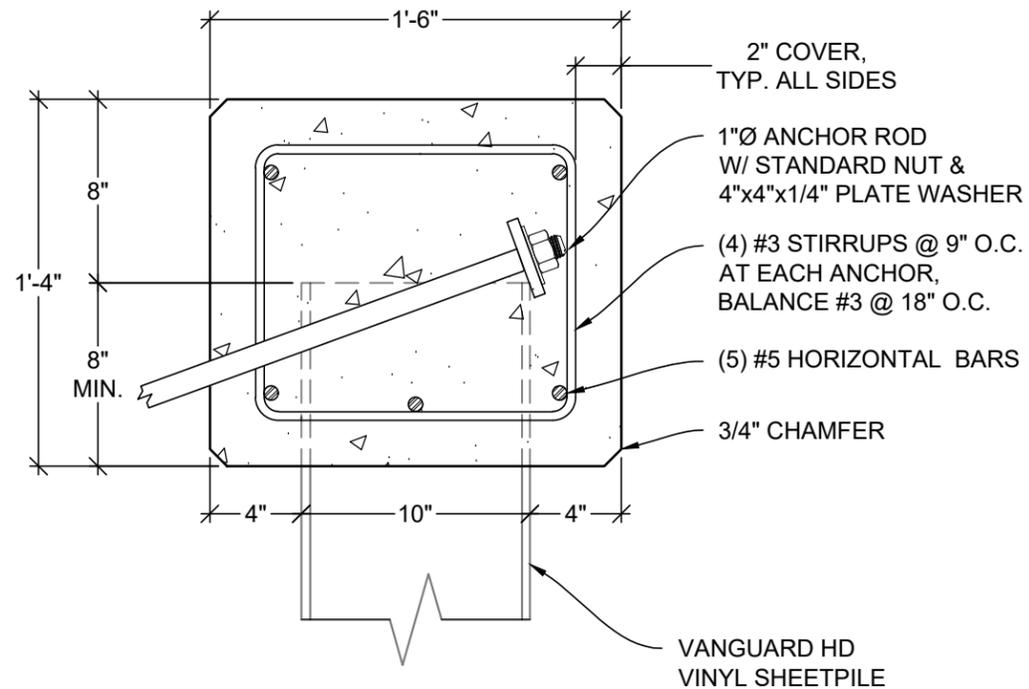
DATE	REV.	DESCRIPTION

SHEET NAME:  
**SEAWALL SECTION**

SHEET NO:  
**S-4**

**REINFORCED CONCRETE NOTES:**

1. STEEL BAR REINFORCEMENT SHALL CONFORM TO PER ASTM A615 GRADE 60.
2. CONCRETE SHALL BE NORMAL WEIGHT WITH A MAXIMUM WATER/CEMENT RATIO OF 0.40 AND SHALL ATTAIN A MINIMUM COMPRESSIVE STRENGTH (F'C) OF 5000 P.S.I AT 28 DAYS.
3. A MINIMUM OF 2" CLEAR CONCRETE COVER IS REQUIRED AROUND ALL REINFORCING, U.N.O.
4. ALL REINFORCING SHALL BE SUPPORTED BY AND SECURED TO PLASTIC BOLSTERS. THE USE OF BRICKS OR ROCKS TO SUPPORT REINFORCING IS NOT ACCEPTED.
5. WHERE SEAWALL CHANGES DIRECTION, PROVIDE CORNER BARS OF SAME SIZE AND QUANTITY AS THE SPECIFIED STEEL. BAR REINF. LAP SPLICE LENGTH SHALL BE A MINIMUM OF 48 TIMES THE BAR DIAMETER U.N.O.
6. THE CONTRACTOR SHALL NOTIFY THE SPECIAL INSPECTOR PRIOR TO PLACING CONCRETE TO ALLOW FOR THE INSPECTION OF REINFORCING AND FORM WORK.
7. WET WOOD FORMS IMMEDIATELY PRIOR TO CONCRETE PLACEMENT.
8. CONCRETE TICKETS SHALL BE TIME-STAMPED WHEN BATCHED AND PLACED WITHIN 90 MINUTES FROM BATCH TIME. BATCHES OLDER THAN 90 MINUTES SHALL BE REJECTED.
9. CONCRETE SHALL BE PROTECTED FROM PREMATURE DRYING AND MAINTAINED WITH MINIMAL MOISTURE LOSS FOR THE PERIOD NECESSARY FOR CONCRETE HARDENING.



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JOB NO.: 240495	DATE: 5-Dec-24	
DATE	REV.	DESCRIPTION

SHEET NAME:  
**TYP. SEAWALL DETAILS**

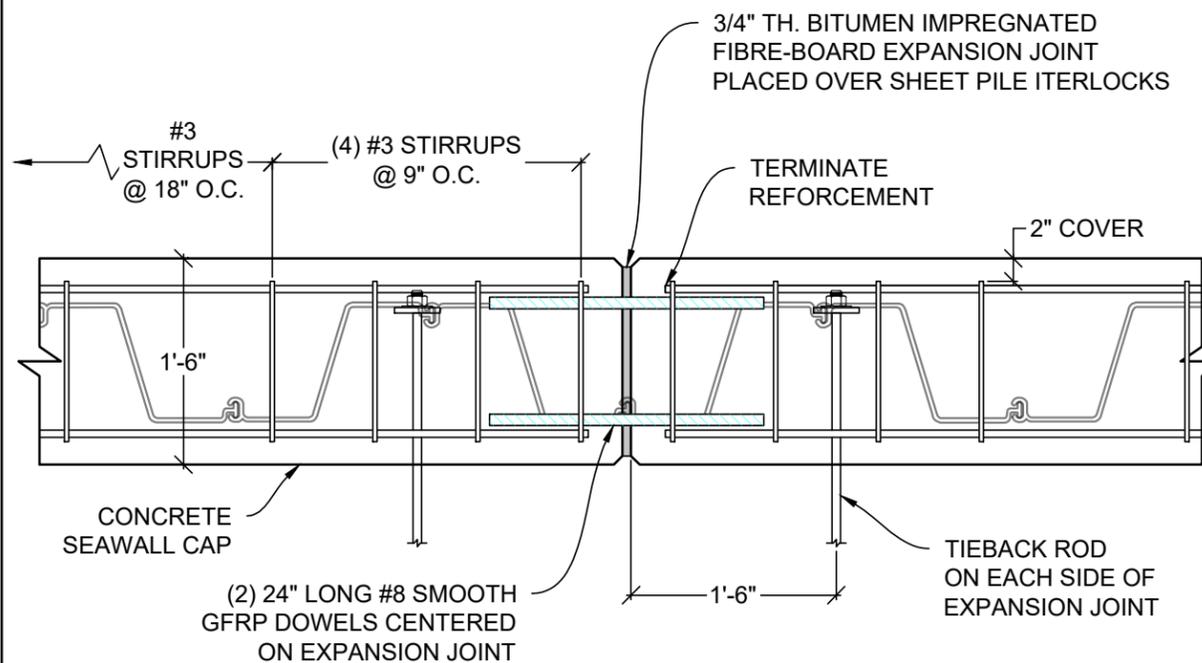
SHEET NO:  
**S-5**

**REINFORCED CONCRETE NOTES**

**C**

SCALE:  
 1 1/2" = 1'-0"

**SEAWALL CAP**



NOTE: REFER TO SITE PLAN FOR EXPANSION JOINT LOCATIONS. SPACING BETWEEN EXPANSION JOINTS SHALL NOT EXCEED 100 FEET.

**E**

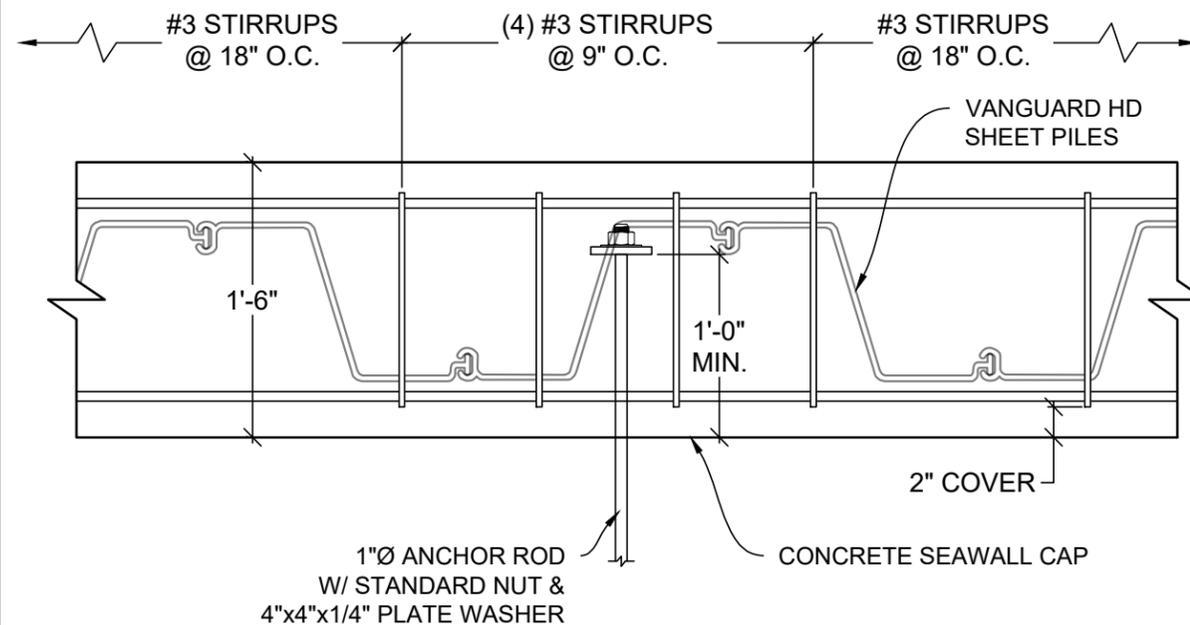
SCALE:  
 3/4" = 1'-0"

**SEAWALL CAP - EXPANSION JOINT**

**R**

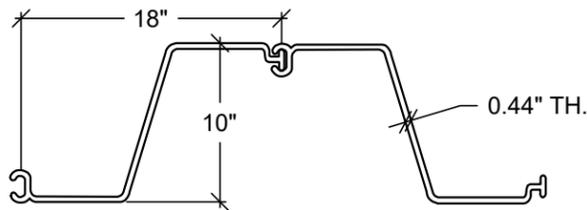
SCALE:  
 1" = 1'-0"

**TIEBACK ROD CONNECTION**

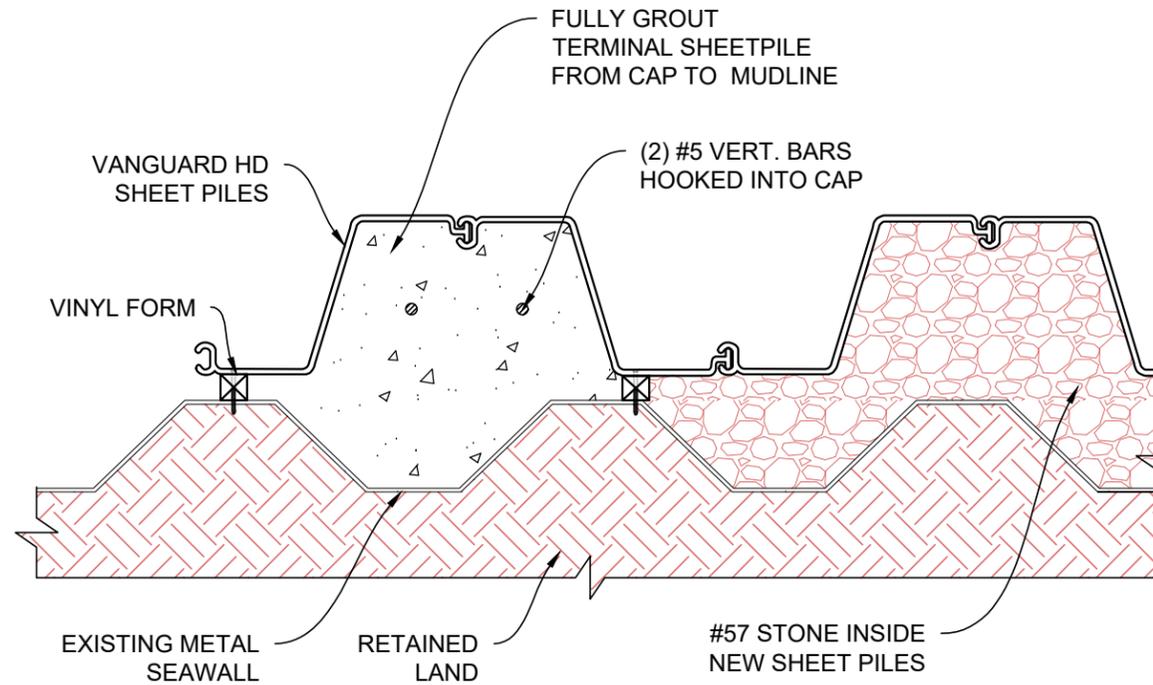


**SHEET PILE NOTES:**

1. SHEETPILES SHALL BE VANGUARD HD VINYL SHEET PILES OR EQUIVALENT.
2. NO BACKFILL SHALL BE PLACED AGAINST WALLS UNLESS THE WALLS ARE ADEQUATELY BRACED.
3. THE CONTRACTOR SHALL NOTIFY THE SPECIAL INSPECTOR PRIOR TO ANY PILE DRIVING ACTIVITY. ALL PILE DRIVING ACTIVITY SHALL BE OBSERVED BY THE SPECIAL INSPECTOR.
4. PILES SHALL BE DRIVEN WITH A VARIATION OF NOT MORE THAN 1/4" PER FOOT FROM THE VERTICAL, WITH A MAX VARIATION OF THE HEAD OF THE PILE FROM THE POSITION SHOWN ON THE PLANS OF NOT MORE THAN 3".



**VANGUARD HD SPECS:**  
 MATERIAL: PVC  
 TENSILE STRENGTH: 6,500 PSI  
 FLEXURAL STRENGTH: 10,200 PSI  
 ALLOWABLE MOMENT: 8,653-FT\*LBS/FT



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V

SCALE:  
N.T.S.

VANGUARD HD SHEET PILE

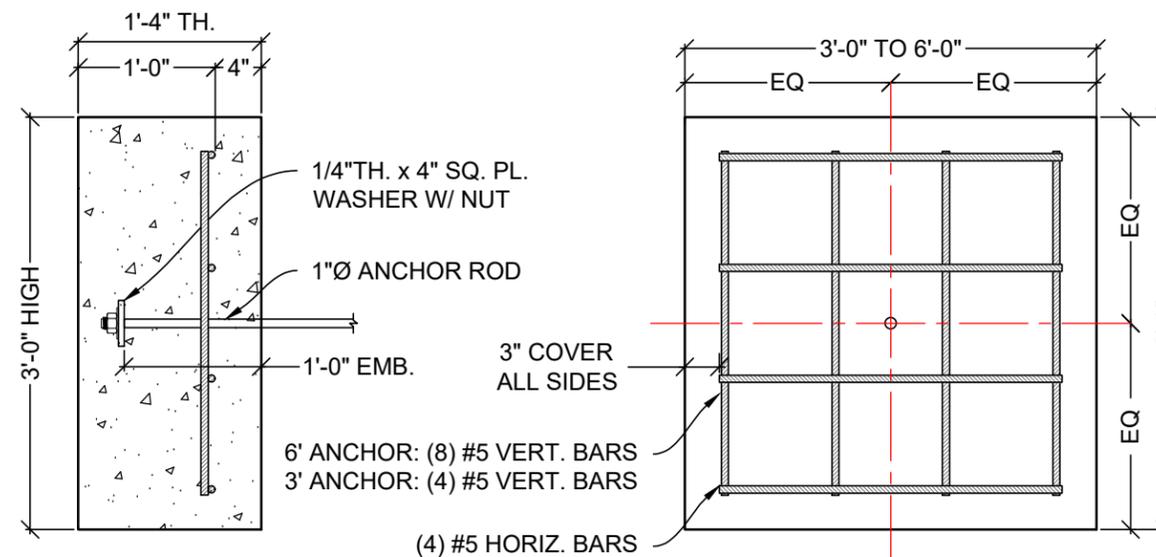
T

SCALE:  
1" = 1'-0"

SEAWALL TERMINATION

**ANCHOR BLOCK NOTES:**

1. MATERIALS:
  - 1.1. TIE-ROD (ASTM F1554, GR. 55), HOT DIPPED GALVANIZED
  - 1.2. PLATE WASHER (ASTM A36), HOT DIPPED GALVANIZED
  - 1.3. HEX NUT (ASTM A563), HOT DIPPED GALVANIZED



A

SCALE:  
3/4" = 1'-0"

ANCHOR BLOCK

JOB NO.:	240495	DATE:	5-Dec-24
DATE	REV.	DESCRIPTION	

SHEET NAME:  
**TYP. SEAWALL DETAILS**

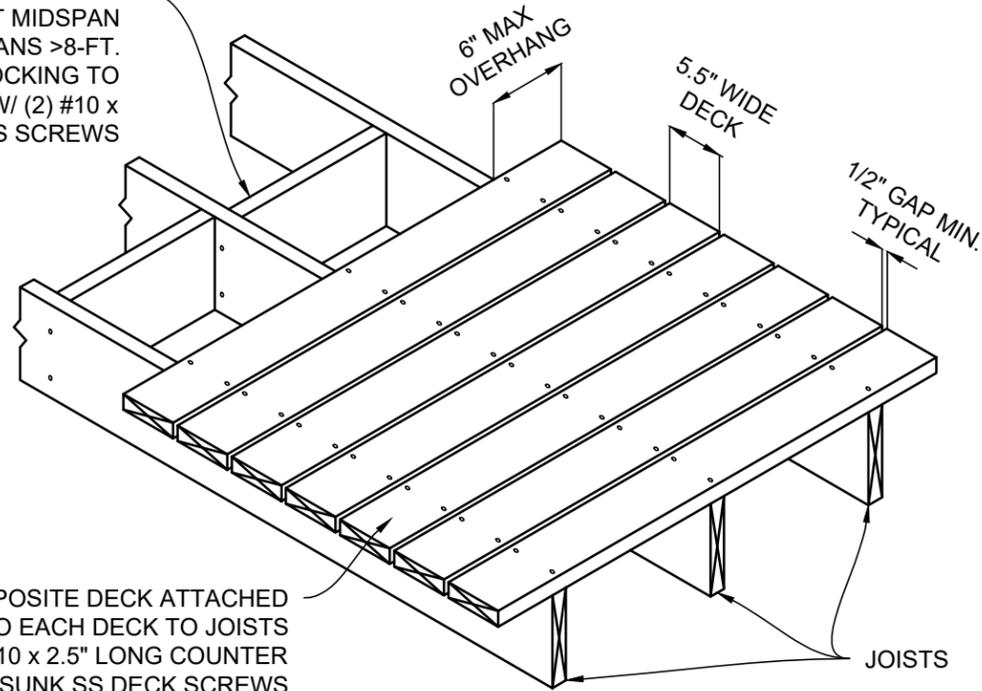
SHEET NO:  
**S-6**

**WOOD FRAMING & CONNECTION NOTES:**

1. MATERIALS:
  - 1.1. TIMBER PILES C.C.A. PRESSURE TREATED SOUTHERN PINE
  - 1.2. WOOD FRAMING: C.C.A. PRESSURE TREATED SOUTHERN PINE NO. 2
  - 1.3. SCREWS: 316 STAINLESS STEEL
  - 1.4. THREADED RODS: GALVANIZED (ASTM A307 GRADE A)
2. BOLT HOLES SHALL BE 1/16" LARGER THAN THE BOLT DIAMETER. HOLES SHALL BE ACCURATELY ALIGNED IN MAIN AND SIDE MEMBERS.
3. BOLTS THROUGH WOOD SHALL BE FITTED WITH STANDARD WASHERS AT HEAD AND NUT.
4. LUMBER SIZES SHOWN IN THE DRAWINGS ARE NOMINAL SIZE. ACTUAL SIZES SHALL CONFORM TO AMERICAN LUMBER STANDARD PS-20-99.
5. FRAMING LUMBER SHALL BE SOUND, FREE OF IMPERFECTIONS, THOROUGHLY SEASONED, SURFACED FOUR SIDES, WELL MANUFACTURED AND FREE FROM WARP NOT CORRECTABLE BY BRIDGING, BLOCKING OR NAILING. MOISTURE CONTENT SHALL BE A MAX OF 19 PERCENT.
6. STACK ALL MATERIAL MINIMUM OF 6" ABOVE GROUND TO INSURE PROPER VENTILATION AND COVER WITH WATERPROOF COVERING.

FULL DEPTH BLOCKING REQUIRED AT MIDSPAN FOR ALL SPANS >8-FT. CONNECT BLOCKING TO EACH JOISTS W/ (2) #10 x 2.5" LONG CS SS SCREWS

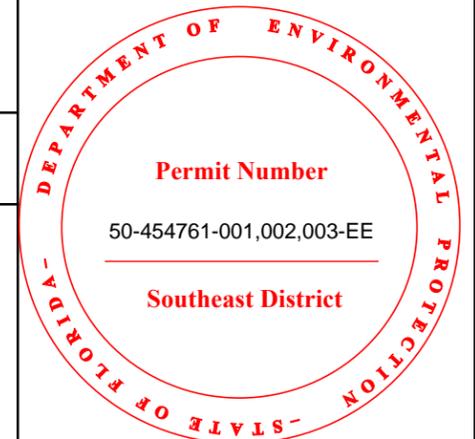
1x6 COMPOSITE DECK ATTACHED TO EACH DECK TO JOISTS W/ (2) #10 x 2.5" LONG COUNTER SUNK SS DECK SCREWS



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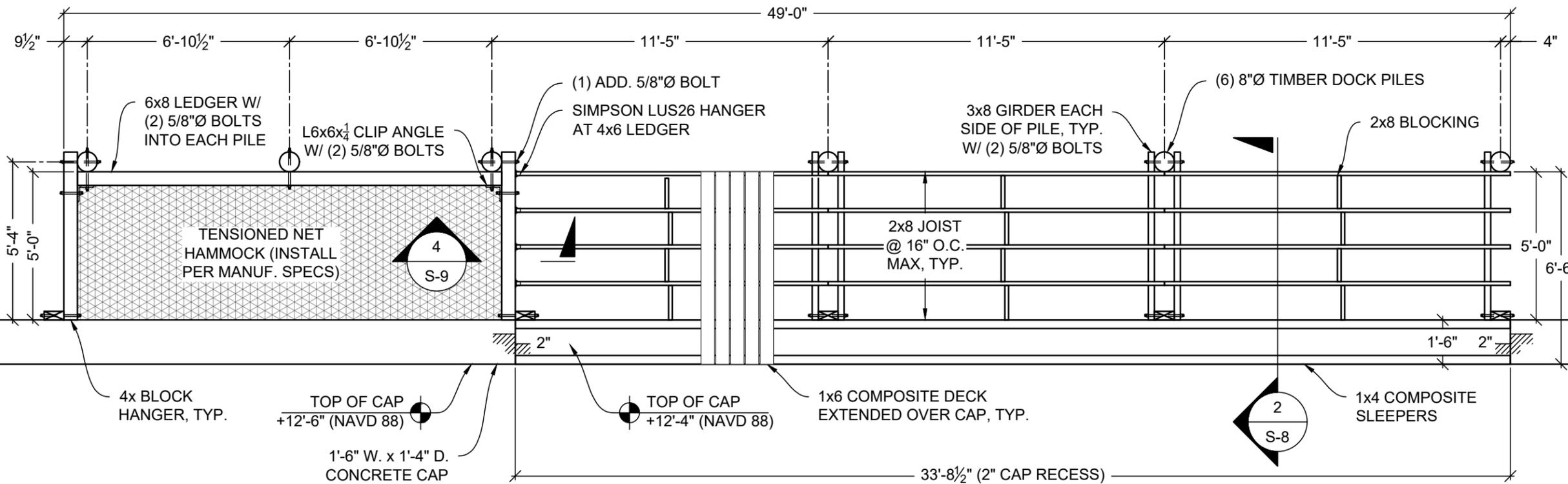


**WOOD NOTES**

D

SCALE:  
N.T.S.

**COMPOSITE DECK**



JOB NO.: 240495	DATE: 5-Dec-24	
DATE	REV.	DESCRIPTION

SHEET NAME:  
**DOCK PLAN & WOOD NOTES**

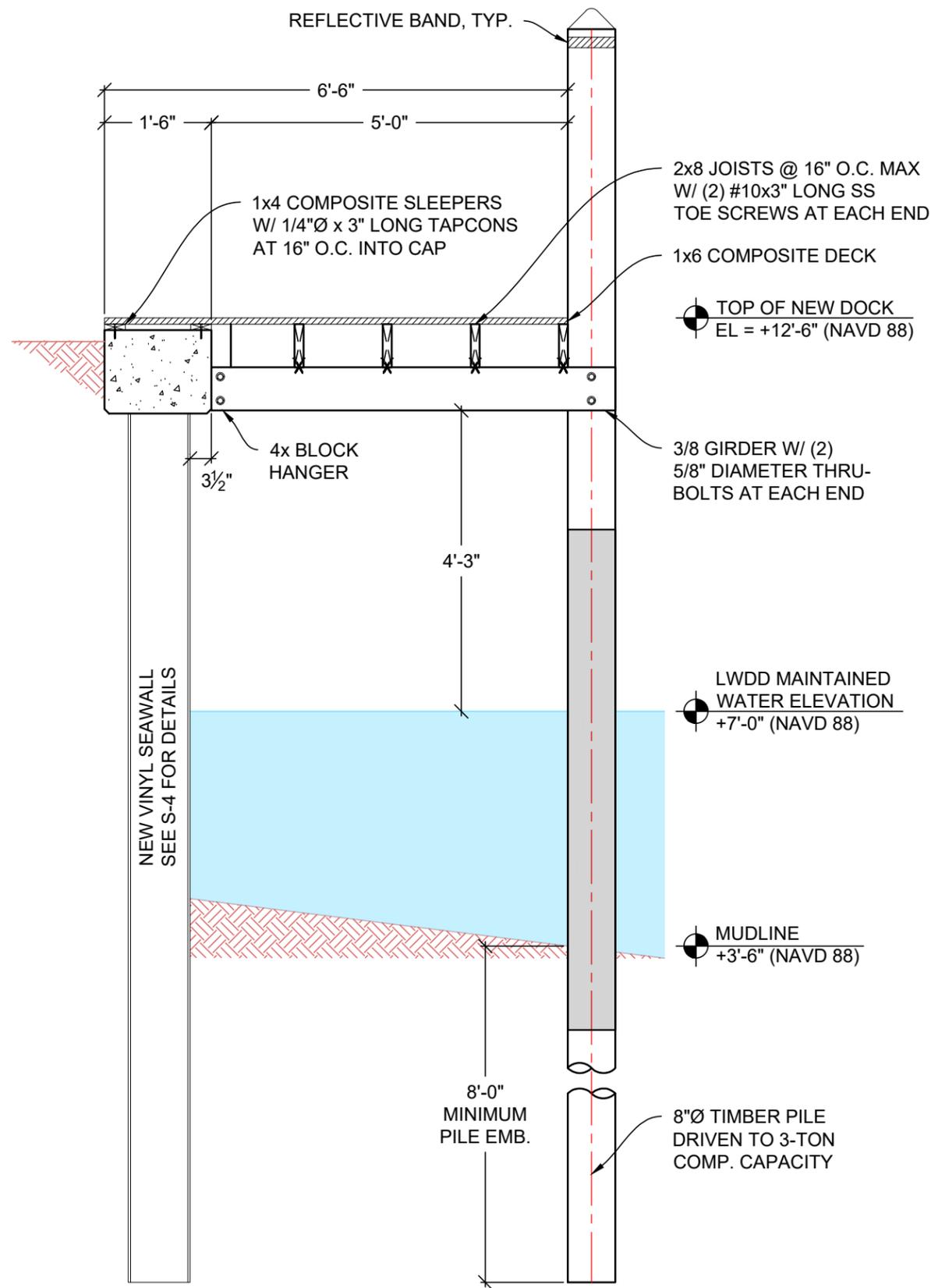
SHEET NO:

**S-7**

1

SCALE:  
1/4" = 1'-0"

**DOCK FRAMING PLAN**



2

SCALE:  
1/2" = 1'-0"

COMPOSITE DOCK SECTION

P

SCALE:  
N.T.S.

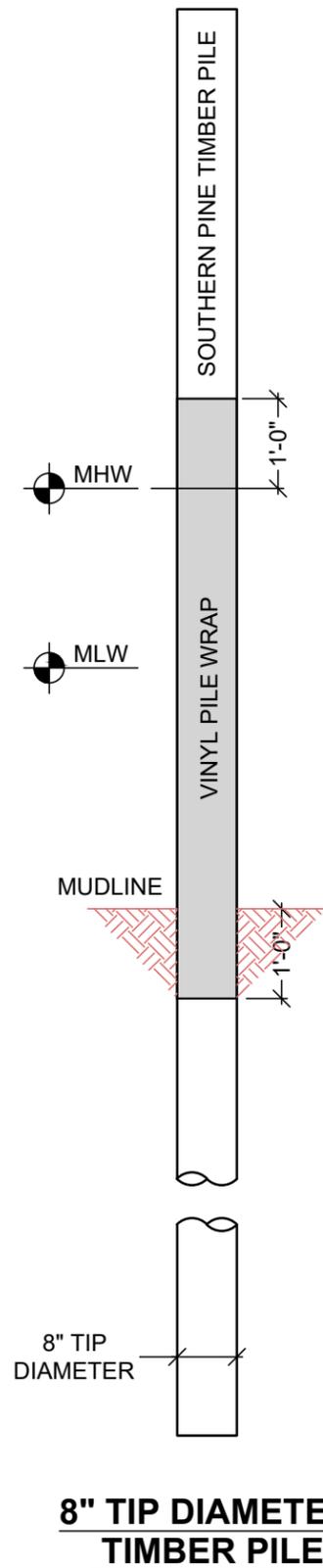
PILE DRIVING NOTES & DETAILS

**PILE DRIVING NOTES:**

1. THE CONTRACTOR SHALL PROVIDE SPECIFICATIONS FOR PILE DRIVING MEANS AND METHODS WITH HAMMER DATA FOR REVIEW AND APPROVAL BY THE ENGINEER.
2. THE CONTRACTOR SHALL NOTIFY THE SPECIAL INSPECTOR PRIOR TO ANY PILE DRIVING ACTIVITY. ALL PILE DRIVING ACTIVITY SHALL BE OBSERVED BY THE SPECIAL INSPECTOR.
3. PILES SHALL BE DRIVEN WITH A VARIATION OF NOT MORE THAN 1/4" PER FOOT FROM THE VERTICAL, OR FROM THE BATTER LINE INDICATED, WITH A MAX VARIATION OF THE HEAD OF THE PILE FROM THE POSITION SHOWN ON THE PLANS OF NOT MORE THAN 3".
4. PILES SHALL BE DRIVEN USING A CUSHION BLOCK TO CUSHION THE TRANSMISSION OF THE HAMMER ENERGY.
5. CARE MUST BE TAKEN TO AVOID EXCESSIVE VIBRATIONS. VIBRATION LEVELS SHALL BE MONITORED TO VERIFY COMPLIANCE WITH LOCAL REGULATIONS.
6. WHERE PILING MUST PENETRATE HARD ROCK LAYERS, THE STRUCTURAL ENGINEER OF RECORD OR SPECIAL INSPECTOR MAY REQUIRE THAT PILES BE SET IN PRE-DRILLED OR PUNCHED HOLES. THE PILES SHALL REACH THEIR FINAL PENETRATION BY DRIVING TO THE SPECIFIED PILE TIP ELEVATION.

**TIMBER PILE NOTES:**

1. TIMBER PILES SHALL MEET ASTM D25.
2. TIMBER PILES SHALL BE C.C.A. PRESSURE TREATED.
3. OPTIONAL TIMBER PILE VINYL WRAP SHALL BE INSTALLED 1-FT INTO MUDLINE AND 1-FT ABOVE MHW PER MANUFACTURER INSTRUCTIONS.
4. PILES HAVE BEEN DESIGNED ACCORDING TO PRESUMPTIVE LOAD-BEARING VALUES OF SOIL SPECIFIED IN THE IBC.



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JOB NO.: 240495 DATE: 5-Dec-24

DATE	REV.	DESCRIPTION

SHEET NAME:

DOCK SECTION &  
PILES NOTES

SHEET NO:

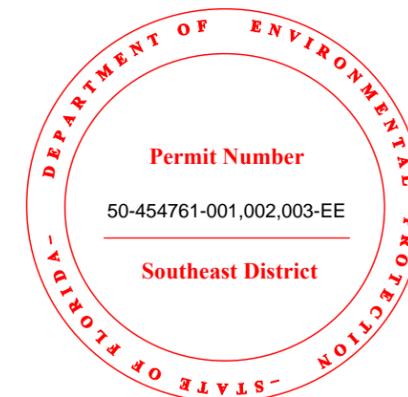
S-8



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SEAL:

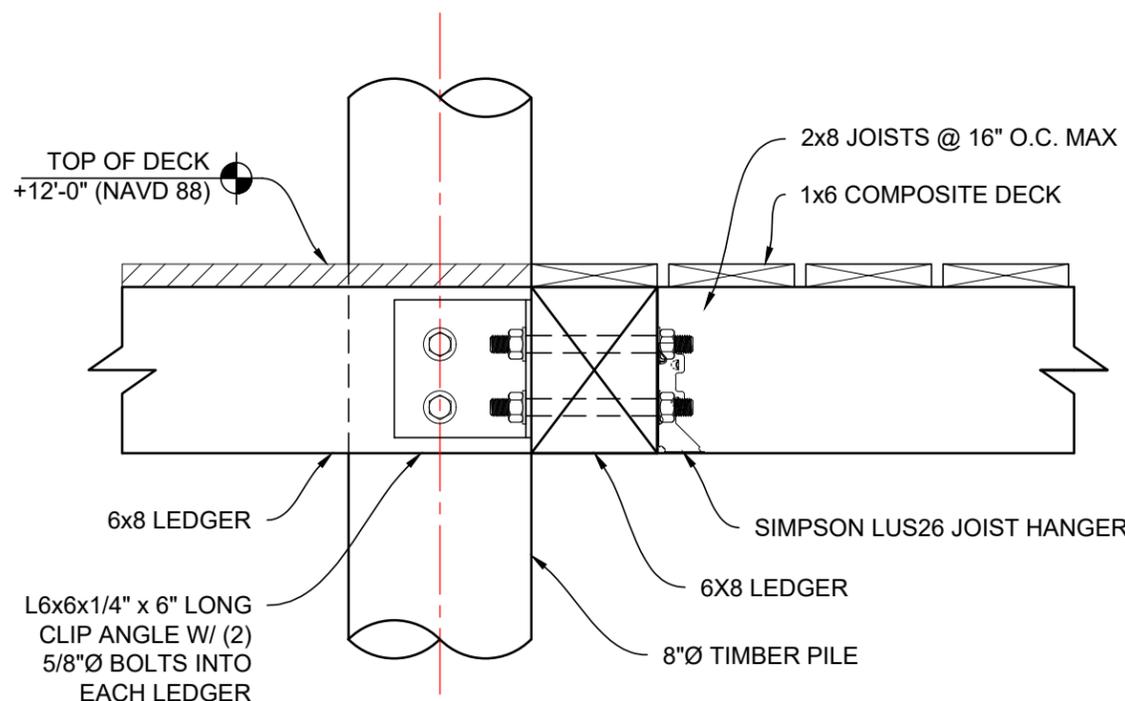


JOB NO.: 240495 DATE: 5-Dec-24

DATE	REV.	DESCRIPTION

SHEET NAME:  
**TYP. DOCK DETAILS**

SHEET NO:  
**S-9**

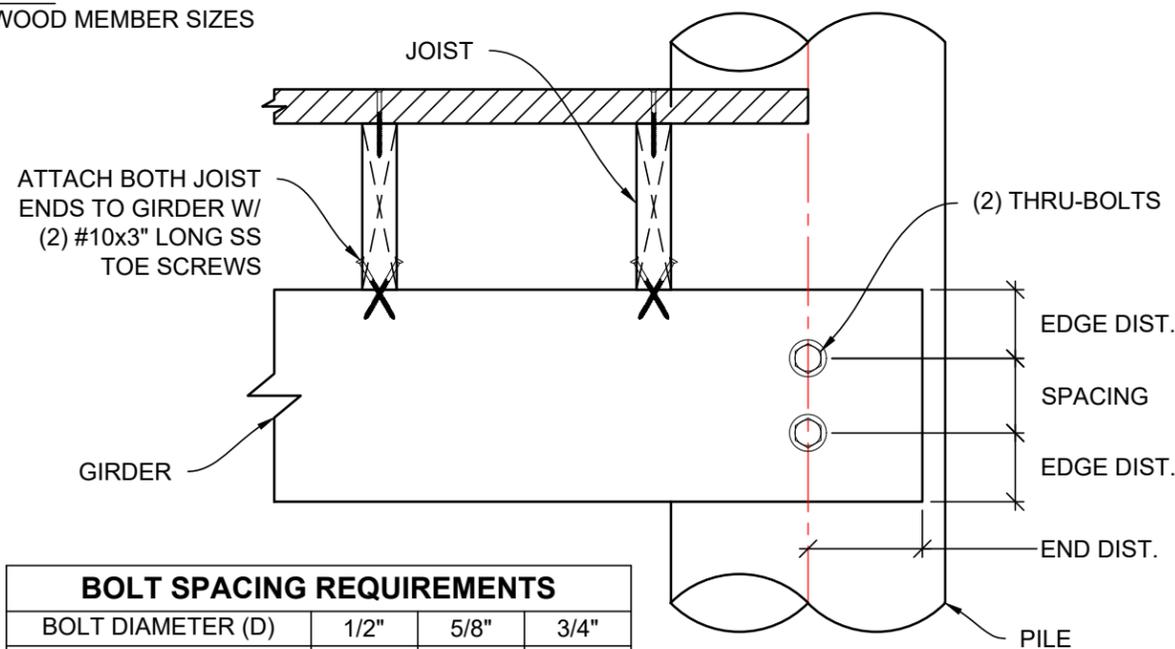


4

SCALE:  
 1 1/2" = 1'-0"

**NETTED DOCK SECTION**

NOTE: SEE PLAN FOR WOOD MEMBER SIZES

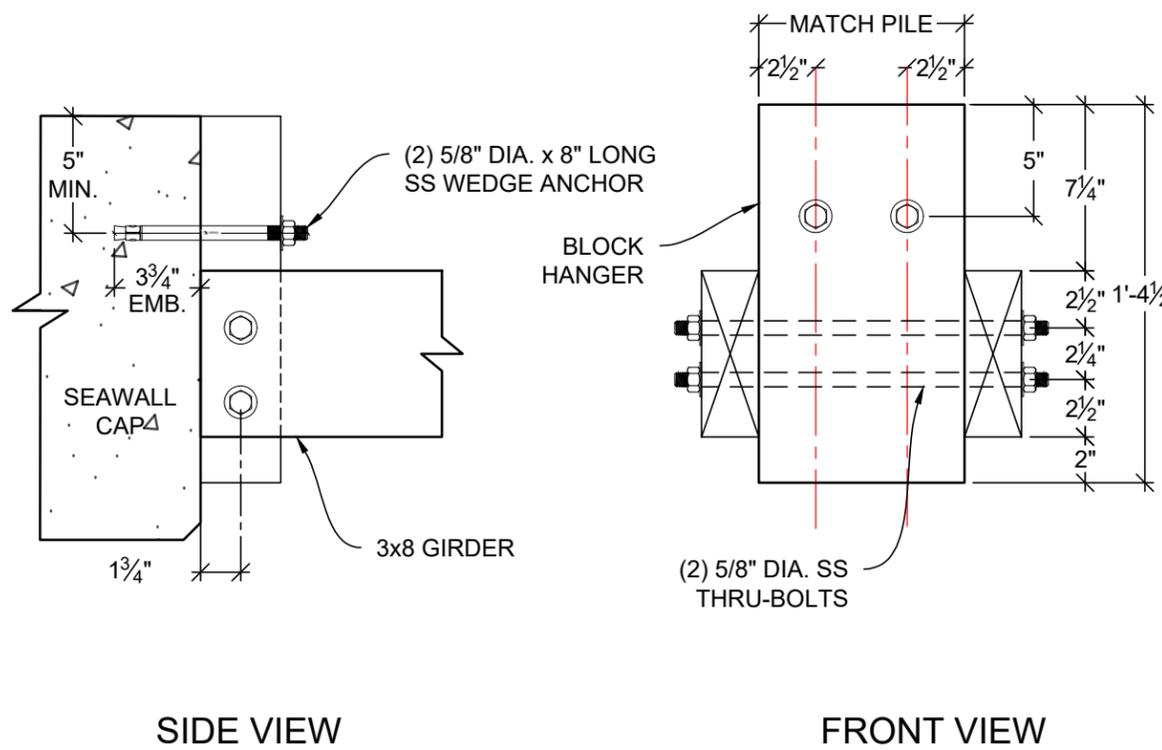


BOLT SPACING REQUIREMENTS			
BOLT DIAMETER (D)	1/2"	5/8"	3/4"
EDGE DISTANCE (4D)	2"	2-1/2"	3"
END DISTANCE (4D)	2"	2-1/2"	3"
BOLT SPACING (4D)	2"	2-1/2"	3"

C

SCALE:  
 1 1/2" = 1'-0"

**TYPICAL DOCK CONNECTIONS**



H

SCALE:  
 1 1/2" = 1'-0"

**4x HANGER W/ 3x8 GIRDER**