

DEPARTMENT OF THE ARMY PERMIT

Permittee: MS. CHANTILLE WEBER
BAY COUNTY BOARD OF COUNTY COMMISSIONERS
2728 EAST 14TH STREET
PANAMA CITY, FLORIDA 32405

Permit No: SAJ-2022-02920

Issuing Office: U.S. Army Engineer District, Jacksonville

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the U.S. Army Corps of Engineers (Corps) having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: Construction of an offshore artificial reef to be known as Small Area Artificial Reef Site (SAARS) M. The project will encompass and expand upon the previous Panama City Marine Institute (PCMI)-Barge artificial reef site. The proposed artificial reef site will be a square site, 1 nautical mile (nm) by 1 nm on each side encompassing 847 acres of seafloor. It is anticipated that at least 16 separate phased patch reef deployments of approved reef materials will be made over the course of the permit depending on funding and suitable reef material availability. All reef materials will be consistent with reef materials referred in the publication Guidelines for Marine Artificial Reef Materials, 2nd Edition, the National Artificial Reef Plan, the state of Florida Artificial Reef Strategic Plan, and the Organization for Artificial Reefs Artificial Reef Development Plan. For the life of the permit, a total area of about 286 acres of Gulf bottom will have new reef materials. This will account for 34% of the new permitted site area when completed, if completed fully. There will be a 200' buffer zone area inside the overall site borders on all sides where no materials will be deployed to ensure all reef materials are deployed within the permitted site. The work described above is to be completed in accordance with the 8 pages of drawings and 5 attachments affixed at the end of this permit instrument.

Project Location: The artificial reef site will be located in the Gulf of Mexico, off Bay County, with the center of the site being located approximately 5.1 nm on a direct bearing of 266° from the center of the St. Andrews Pass Channel. Additionally, the center of the site will be 1.5 nm on a direct bearing of 270° from the west side of the St. Andrews Bay Entrance Channel Navigational Safety Fairway. The northeast corner of

PERMIT NUMBER: SAJ-2022-02920

PERMITTEE: Ms. Chantille Weber, Bay County Board of County Commissioners

PAGE 2 of 13

the proposed site will be 3.14 nm from the nearest coast on a bearing of 220° from Panama City Beach.

Approximate Central Coordinates:

	Point	Decimal Degrees (DD)		Degrees/Decimal Minutes (DDM)	
		Latitude (N)	Longitude (W)	Latitude (N)	Longitude (W)
1	Centroid	30.11323°	-85.83027°	30° 06.794'	85° 49.816'
2	Northeast Corner	30.12158°	-85.82066°	30° 07.295'	85° 49.239'
3	Southeast Corner	30.10487°	-85.82066°	30° 06.292'	85° 49.239'
4	Southwest Corner	30.10487°	-85.83987°	30° 06.292'	85° 50.393'
5	Northwest Corner	30.12158°	-85.83987°	30° 07.295'	85° 50.393'

Permit Conditions

General Conditions:

1. The time limit for completing the work authorized ends on April 7, 2033. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

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.

PERMIT NUMBER: SAJ-2022-02920

PERMITTEE: Ms. Chantille Weber, Bay County Board of County Commissioners

PAGE 3 of 13

4. If you sell the property associated with this permit, you must obtain the signature and the mailing address of the new owner in the space provided 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. For your convenience, a copy of the certification is attached if it contains such conditions.

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.

Special Conditions:

1. Reporting Addresses: The Permittee shall reference this permit number, SAJ-2022-02920, on all correspondence. Unless specifically notified to the contrary, the Permittee shall use the following addresses for transmitting correspondence to the referenced agencies:

- a. U.S. Army Corps of Engineers
415 Richard Jackson Boulevard, Suite 411
Panama City Beach, Florida 32407

or by email: SAJ-RD-Enforcement@usace.army.mil

- b. National Oceanic and Atmospheric Administration (NOAA)
Marine Chart Division
Office of Coast Survey, N/CS26, Sta. 7317
1315 East-West Highway
Silver Springs, MD 20910-3282

or by email: ocs.ndb@noaa.gov

- c. Commander, U.S. Coast Guard (USCG)
Hale Boggs Federal Building
500 Poydras Street
New Orleans, Louisiana 70130

- d. Florida Fish and Wildlife Conservation Commission
Artificial Reef Program

PERMIT NUMBER: SAJ-2022-02920

PERMITTEE: Ms. Chantille Weber, Bay County Board of County Commissioners

PAGE 4 of 13

620 S. Meridian Street, Box 4B2
Tallahassee, Florida 32399

Or by email: artificialreefdeployments@MyFWC.com

2. Initial Agency Notification: The Permittee shall provide to the U.S. Army Corps of Engineers (Corps), National Oceanic and Atmospheric Administration (NOAA), and U.S. Coast Guard (USCG) written notification of the planned deployment start date at least 2 weeks prior to the initial deployment on the authorized artificial reef site.

3. Permit Availability: The Permittee shall provide all contractors associated with construction of the authorized activities a copy of the permit, drawings, and attachments. A copy of the permit shall be available on the work vessels and at the construction site at all times.

4. Authorized Reef Materials: No reef materials or module will weigh less than 500 pounds. Reef materials shall be clean and free from asphalt, petroleum, other hydrocarbons and toxic residues, loose free-floating material or other deleterious substances. All artificial reef materials and/or structures will be selected, designed, constructed, and deployed to create stable and durable marine habitat. The Permittee shall deploy only the following authorized reef materials:

a. Prefabricated artificial reef modules composed of ferrous and/or aluminum-alloy metals, ¼ inch or more in thickness, concrete, rock, or a combination of these materials.

b. Natural rock boulders and other pre-cast concrete material such as culverts, stormwater junction boxes, power poles, railroad ties, jersey barriers, or other similar concrete material.

c. Clean steel and concrete bridge or large building demolition materials such as slabs or pilings with all steel reinforcement rods severed as close to the concrete surface as possible but not to extend more than 6 inches to ensure the rod will not create a fishing tackle or diver ensnaring hazard.

d. Heavy gauge ferrous & aluminum alloy metal material components or structures, ¼ inch or more in thickness, such as utility poles and antenna towers.

5. Pre-Deployment Notification: No less than 14 days prior to deployment of material on an artificial reef, the Permittee shall transmit by electronic mail ("email") a complete and signed "Florida Artificial Reef Materials Cargo Manifest and Pre-

PERMIT NUMBER: SAJ-2022-02920

PERMITTEE: Ms. Chantille Weber, Bay County Board of County Commissioners

PAGE 5 of 13

Deployment Notification” form (Attachment A), to the Corps and Florida Fish and Wildlife Conservation Commission (FWC) to allow inspection of the proposed reef materials as deemed necessary by the agencies. Inspection is allowable at the staging area. By signing the Pre-Deployment Notification, the Permittee certifies all materials are free from asphalt, petroleum, other hydrocarbons and toxic residues. The Permittee shall not deploy material if notified by the Corps or FWC that the material is questionable. The material needs to be evaluated before it is released for deployment. Any material deemed unacceptable for reef material will be disposed in an approved upland disposal site.

Deployment of the material shall not occur until after the end of the 14-day inspection period. The Permittee shall ensure both a copy of this permit and the signed “Florida Artificial Reef Materials Cargo Manifest and Pre-Deployment Notification” form are maintained aboard the deployment vessel at all times during loading, transit, and deployment.

6. Post-Deployment Placement Report/As-Built Drawing: Within 30 days after deployment of materials, the Permittee shall transmit by email to the Corps, FWC, and NOAA a complete and signed “Florida Artificial Reef Materials Placement Report and Post-Deployment Notification” form (Attachment B). Please note, the Corps requires the latitude and longitude to be accurate within 5 meters horizontal distance on the post-deployment report. The report shall include an as-built drawing containing the approximate deployment configurations and the height of the material after placement. Depth shall be verified utilizing fathometer, depth sounder, or similar device accurate to within 1 meter. Also, include information on the condition of the material at the time of deployment. The report and drawing shall be limited to a few pages per deployment. Representative photographs and/or video, if available, should be submitted.

7. Reef Parameters: The Permittee shall deploy all reef materials within the site boundaries as defined on permit drawings, pages 1 through 8. A minimum clearance of -50 feet from the top of the deployed material relative to mean low low water (MLLW) shall be maintained.

8. Emergency Reef Parameters Notification: In the event reef material is deployed in a location or manner contrary to the Reef Parameters Special Condition, the Permittee shall immediately notify the USCG Station and provide information as requested by the station. The Permittee shall notify NOAA, USCG and Corps in writing within 24 hours of the occurrence. The written notification shall include but is not limited to a timeline of events leading to the unanticipated deployment, a description of the material, a description of the vessel traffic in the area, the deployment location in nautical miles at compass bearing from obvious landmarks, the location of the

PERMIT NUMBER: SAJ-2022-02920

PERMITTEE: Ms. Chantille Weber, Bay County Board of County Commissioners

PAGE 6 of 13

unauthorized material in latitude and longitude coordinates (degree, minute, decimal minute format to the third decimal place), and the water depth above the material from MLW. The document will list the information provided by telephone to the USCG as noted above and include the time of the call and the name of the USCG personnel receiving the information.

9. Protection of Existing Resources: The Permittee shall not deploy artificial reef materials until an assessment of the bottom conditions have been accomplished by diver, submersible video camera, fathometer, depth/bottom sounder (e.g., "fish finder"), or side-scan sonar. The inspection of the deployment area may occur at the time of deployment, but no more than 1 year prior to deployment. The Permittee shall maintain a deployment buffer of at least 200 feet from any submerged beds of seagrasses, coral reefs, live bottom, areas supporting growth of sponges, sea fans, soft corals, and other sessile macroinvertebrates generally associated with rock outcrops, oyster reefs, scallop beds, clam beds, or areas where there are unique or unusual concentrations of bottom-dwelling marine organisms. Should the assessment find any evidence of cultural/archaeological resources such as sunken vessels, ballast, historic refuse piles, or careenage areas, the Permittee shall also maintain a deployment buffer of at least 200 feet from any of these resources.

The Permittee shall provide of the information obtained from the assessment to the Corps no less than 14 days prior to deployment of material on an artificial reef in conjunction with the pre-deployment notification.

10. Ownership/Maintenance/Liability: By signing this permit, the Permittee certifies and acknowledges ownership of all artificial reef materials deployed on the reef, accepts responsibility for maintenance of the artificial reef, and possesses the ability to assume liability for all damages that may arise with respect to the artificial reef.

11. Assurance of Navigation and Maintenance: 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, 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.

12. Marine Life Entrapment: Neither reef structure nor material or the method of design or deployment should pose more than minimal risk of entrapping fish, marine

PERMIT NUMBER: SAJ-2022-02920

PERMITTEE: Ms. Chantille Weber, Bay County Board of County Commissioners

PAGE 7 of 13

turtles, or marine mammals. The Permittee shall take all necessary action to minimize this risk. Any observation of entrapped marine turtles or marine mammals on this artificial reef site should be reported immediately to the Enforcement Section by telephone at 904-944-1633, and the National Marine Fisheries Service by telephone at 727-824-5301.

13. Manatee Conditions: The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011” (Attachment C). The most recent version of the Manatee Conditions must be utilized.

14. Sea Turtle/Sawfish/Sturgeon Guidelines: The Permittee shall comply with the National Marine Fisheries Service’s “Sea Turtle and Smalltooth Sawfish Construction Conditions”, which also applies to sturgeon (Attachment D).

15. Protected Species Guidance: The Permittee shall comply with the “Vessel Strike Avoidance Measures and Injured or Dead Protected Species Reporting” (Attachment E), for marine turtles and marine mammals.

16. Jacksonville District Programmatic Biological Opinion (JAXBO): Structures and activities authorized under this permit will be constructed and operated in accordance with all applicable PDCs contained in the JAXBO, based on the permitted activity. Failure to comply with applicable PDCs will constitute noncompliance with this permit. In addition, failure to comply with the applicable PDCs, where a take of listed species occurs, would constitute an unauthorized take. The NMFS is the appropriate authority to determine compliance with the Endangered Species Act. The most current version of JAXBO can be accessed at the Jacksonville District Regulatory Division website in the Endangered Species section of the Sourcebook located at: <http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>

JAXBO may be subject to revision at any time. The most recent version of these JAXBO must be utilized during the design and construction of the permitted work.

17. Cultural Resources/Historic Properties:

- a. No structure or work shall adversely affect impact or disturb properties listed in the National Register of Historic Places (NRHP) or those eligible for inclusion in the NRHP.
- b. If, during permitted activities, items that may have historic or archaeological origin are observed the Permittee shall immediately cease all activities adjacent to the discovery that may result in the destruction of these resources and shall prevent

PERMIT NUMBER: SAJ-2022-02920

PERMITTEE: Ms. Chantille Weber, Bay County Board of County Commissioners

PAGE 8 of 13

his/her employees from further removing, or otherwise damaging, such resources. The applicant shall notify both the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850)-245-6333 and the Corps, of the observations within the same business day (8 hours). Examples of submerged historical, archaeological or cultural resources include shipwrecks, shipwreck debris fields (such as steam engine parts, or wood planks and beams), anchors, ballast rock, concreted iron objects, concentrations of coal, prehistoric watercraft (such as log "dugouts"), and other evidence of human activity. The materials may be deeply buried in sediment, resting in shallow sediments or above them, or protruding into water. The Corps shall coordinate with the Florida State Historic Preservation Officer (SHPO) to assess the significance of the discovery and devise appropriate actions. Project activities shall not resume without verbal and/or written authorization from the Corps.

c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition; and if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

d. In the unlikely event that unmarked human remains are identified on non-federal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO and THPO(s). Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the State Archeologist and from the Corps.

e. If prehistoric or historic artifacts such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The applicant shall contact the Florida Department of State, Division of

PERMIT NUMBER: SAJ-2022-02920

PERMITTEE: Ms. Chantille Weber, Bay County Board of County Commissioners

PAGE 9 of 13

Historical Resources, Compliance Review Section at (850)-245-6333. Project activities shall not resume without verbal and/or written authorization. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately, and the proper authorities notified in accordance with Section 872.05, Florida Statutes.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403)

Section 404 of the Clean Water Act (33 U.S.C. 1344)

Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413)

Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408)

2. 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.

3. 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.

PERMIT NUMBER: SAJ-2022-02920

PERMITTEE: Ms. Chantille Weber, Bay County Board of County Commissioners

PAGE 10 of 13

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.

4. 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.

5. 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 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

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 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

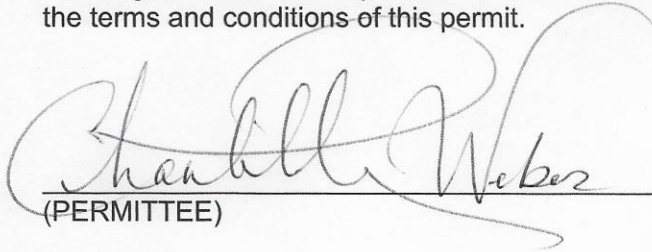
6. Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

PERMIT NUMBER: SAJ-2022-02920

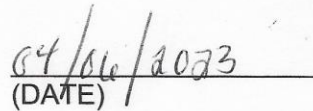
PERMITTEE: Ms. Chantille Weber, Bay County Board of County Commissioners

PAGE 11 of 13

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.



(PERMITTEE)



(DATE)



(PERMITTEE NAME-PRINTED)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

For JAMES L. BOOTH
Colonel, U.S. Army
District Commander

Date: _____

PERMIT NUMBER: SAJ-2022-02920

PERMITTEE: Ms. Chantille Weber, Bay County Board of County Commissioners

PAGE 12 of 13

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 below.

(TRANSFEREE-SIGNATURE)

(DATE)

(NAME-PRINTED)

(ADDRESS)

(CITY, STATE, AND ZIP CODE)

PERMIT NUMBER: SAJ-2022-02920

PERMITTEE: Ms. Chantille Weber, Bay County Board of County Commissioners

PAGE 13 of 13

***Attachments to Department of the Army
Permit Number SAJ-2022-02920***

1. Permit Drawings: 8 pages, dated November 21, 2021
2. Water Quality Certification Special Conditions: 9 pages, dated May 17, 2022
3. Florida Artificial Reef Materials Cargo Manifest and Pre-Deployment Notification form (Attachment A): 2 pages
4. Florida Artificial Reef Materials Placement Report and Post-Deployment Notification form (Attachment B): 2 pages
5. Standard Manatee Conditions for In-Water Work – 2011 (Attachment C): 2 pages
6. Sea Turtle and Smalltooth Sawfish Construction Conditions, revised March 23, 2006 (Attachment D): 1 page
7. Vessel Strike Avoidance Measures and Injured or Dead Protected Species Reporting (Attachment E): 2 pages

Figure - 1

UNITED STATES COAST AND GEODETIC SURVEY
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
DEPARTMENT OF COMMERCE

ST JOSEPH AND ST ANDREW BAYS
FLORIDA

Scale: 1:50,000
Datum: Mean High Water
Projection: UTM
Zone: 18N

Vertical Datum: Mean High Water
Horizontal Datum: UTM
Scale: 1:50,000
Datum: Mean High Water
Projection: UTM
Zone: 18N



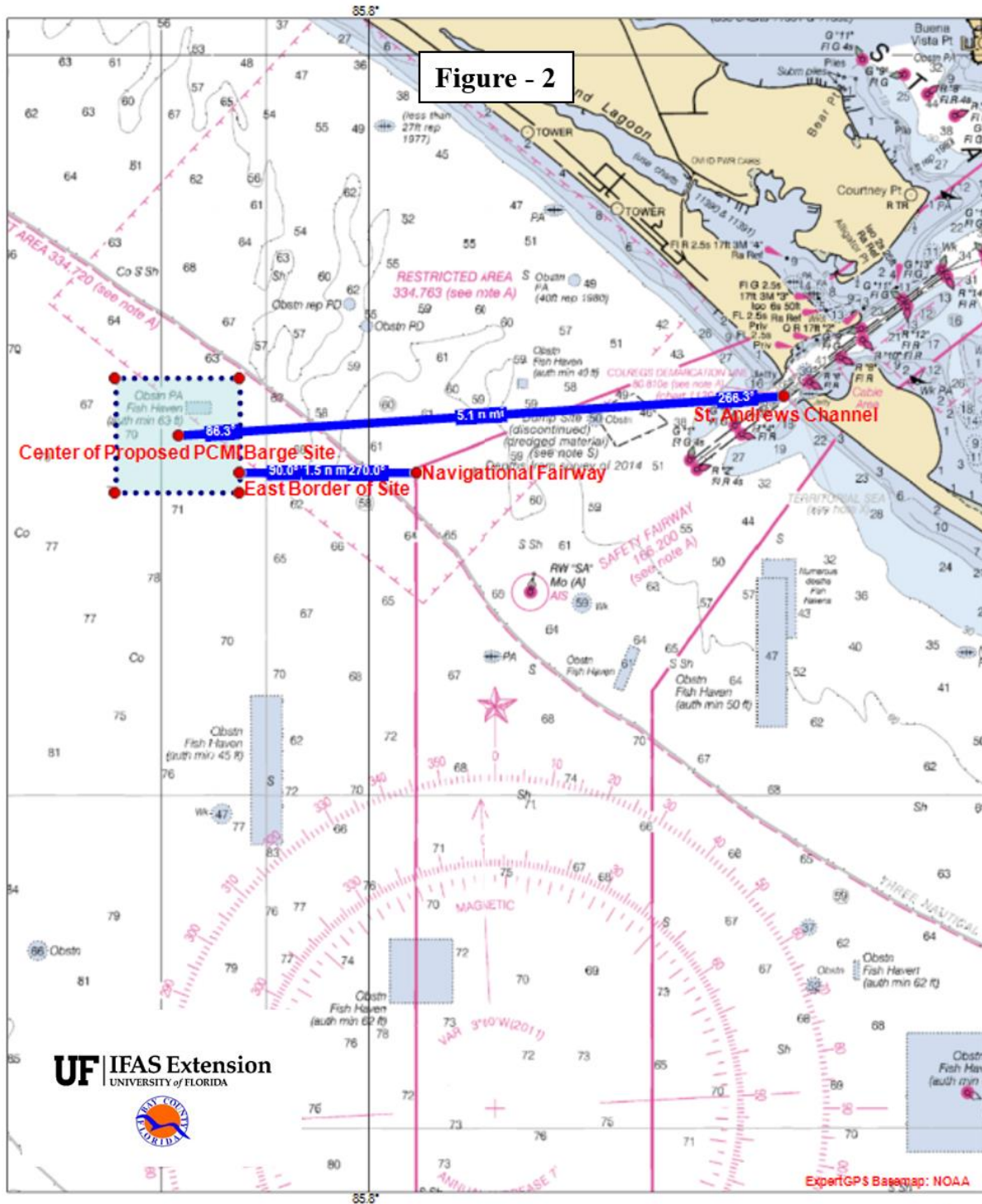
**SAARS –
PCMI Barge
Reef**

30° 06.794' N
85° 49.816' W
or
30.11323
-85.83027



FHS-March-2020

Figure - 2



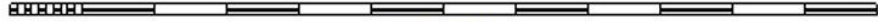
UF IFAS Extension
UNIVERSITY of FLORIDA



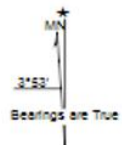
FHS-March-2020

Proposed New Bay SAARS Site (PCMI Barge)

0.5 0 0.5 1 1.5 2 2.5 3 3.5 4 4.5 5 5.5 n mi

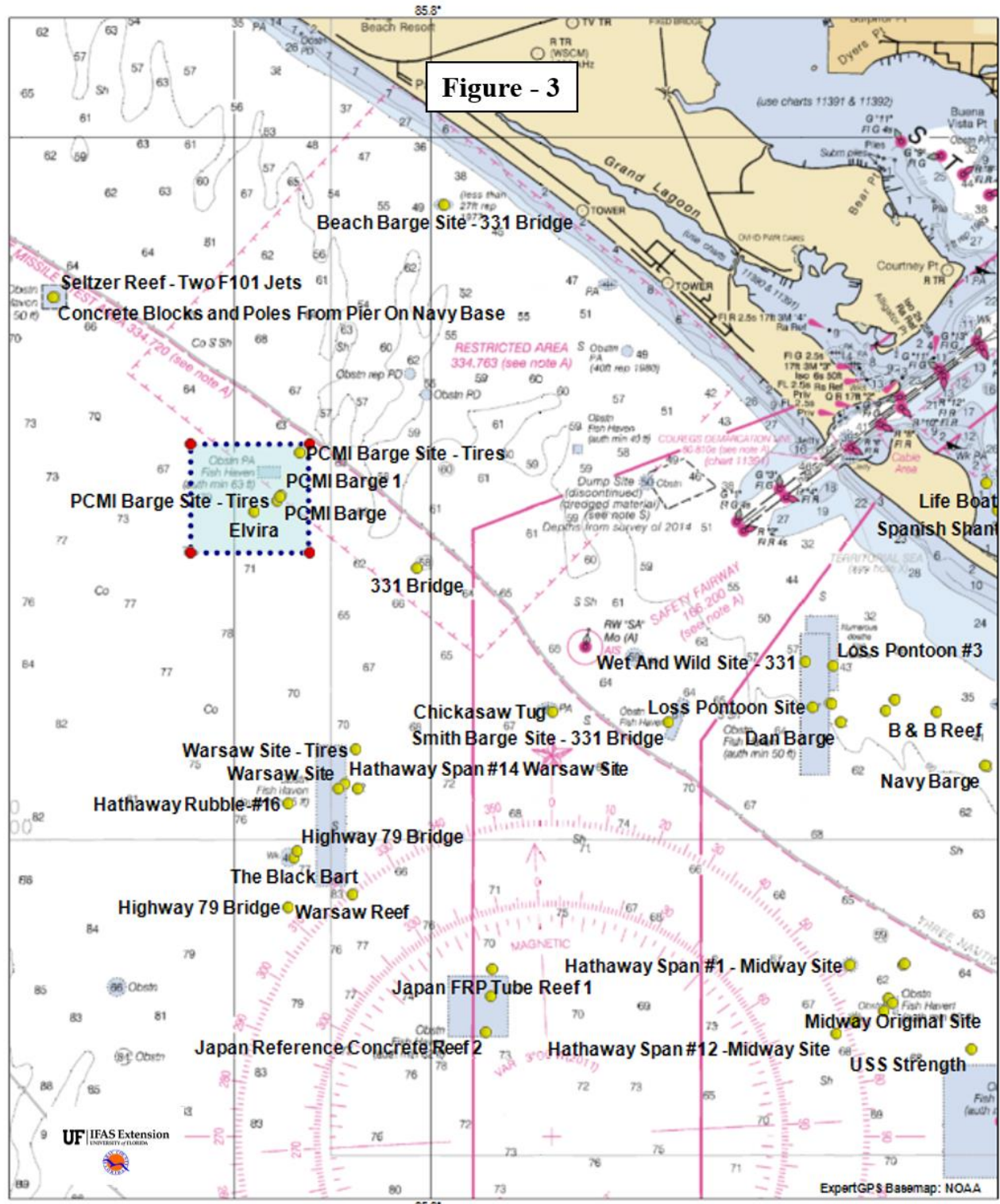


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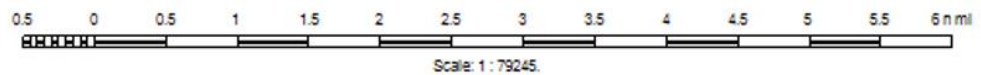


Bearings are True

Figure - 3



Proposed New Bay SAARS Site -Nearest Existing Reefs



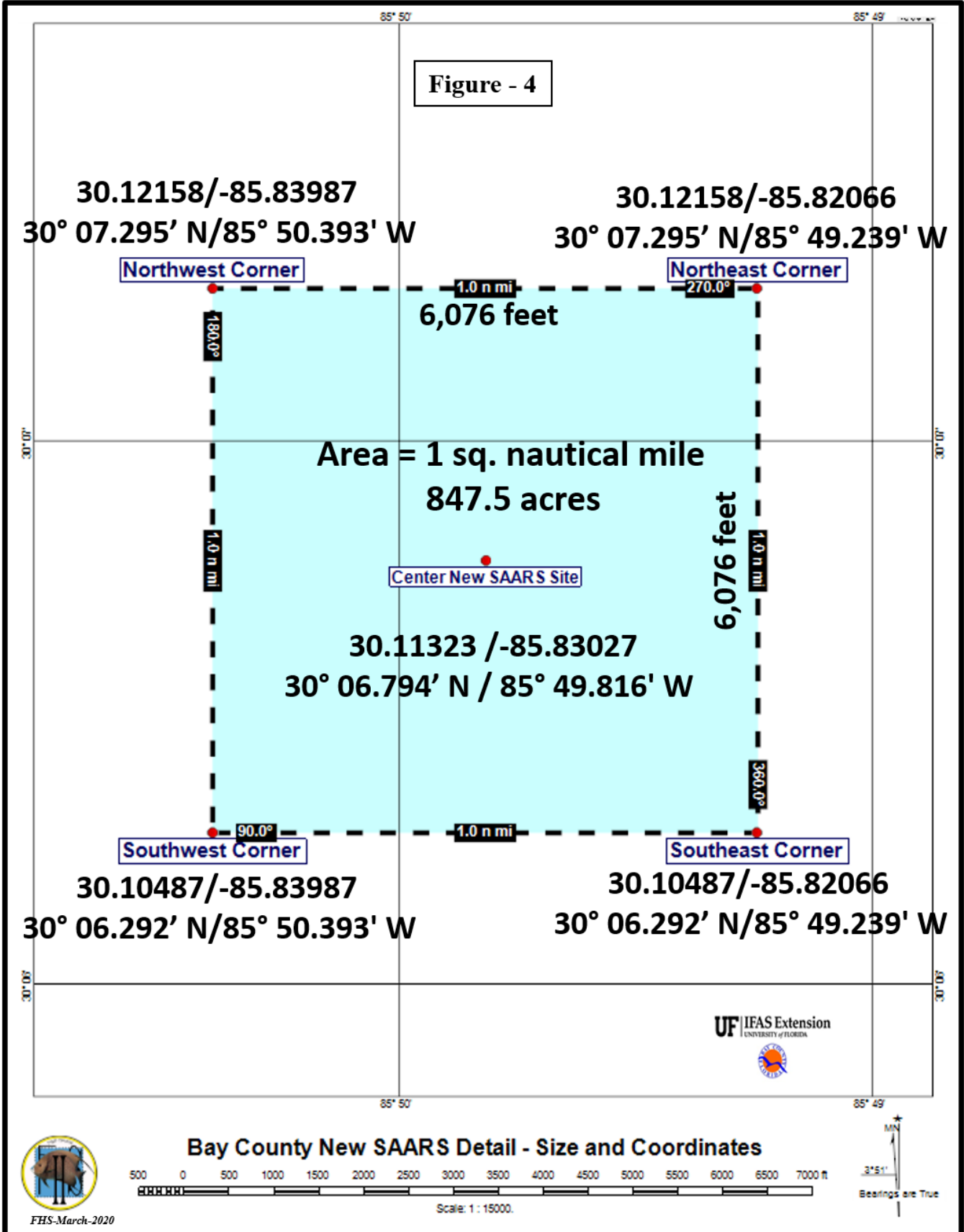
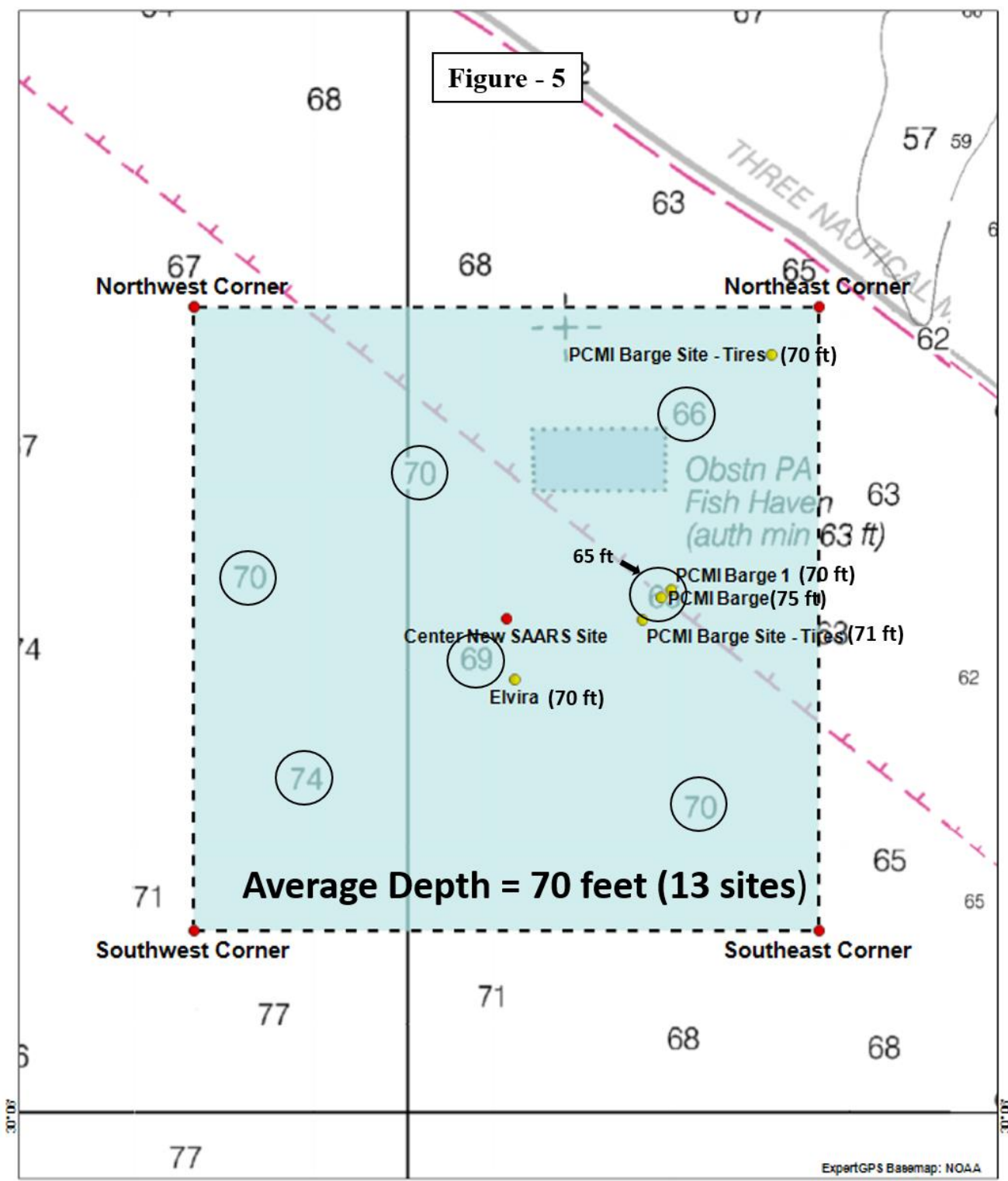
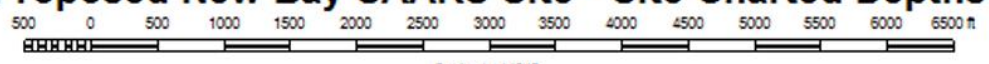


Figure - 5



Proposed New Bay SAARS Site - Site Charted Depths

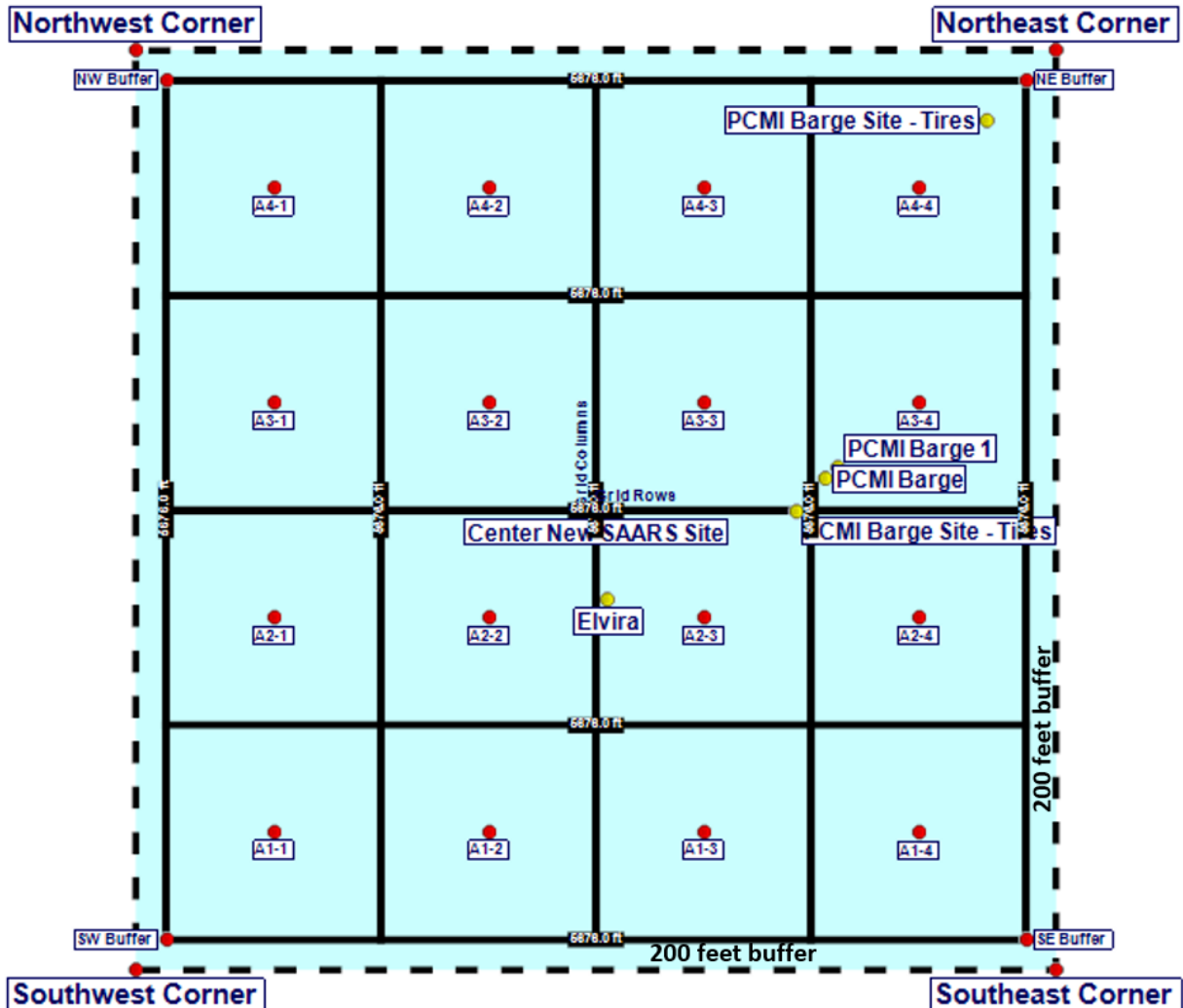


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FHS-March-2020

Figure - 6



Patch Reef	LAT_DD	LON_DD	Patch Reef	LAT_DD	LON_DD
A4-4	30.11908	-85.82353	A2-4	30.11128	-85.82354
A4-3	30.11908	-85.82802	A2-3	30.11128	-85.82802
A4-2	30.11908	-85.83251	A2-2	30.11128	-85.83251
A4-1	30.11908	-85.83700	A2-1	30.11128	-85.83700
A3-4	30.11518	-85.82353	A1-4	30.10737	-85.82354
A3-3	30.11518	-85.82802	A1-3	30.10738	-85.82802
A3-2	30.11518	-85.83251	A1-2	30.10738	-85.83251
A3-1	30.11518	-85.83700	A1-1	30.10738	-85.83700



Proposed New Bay SAARS Patch Reef Sites

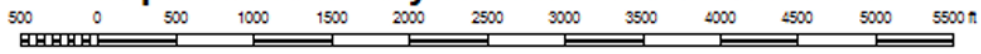
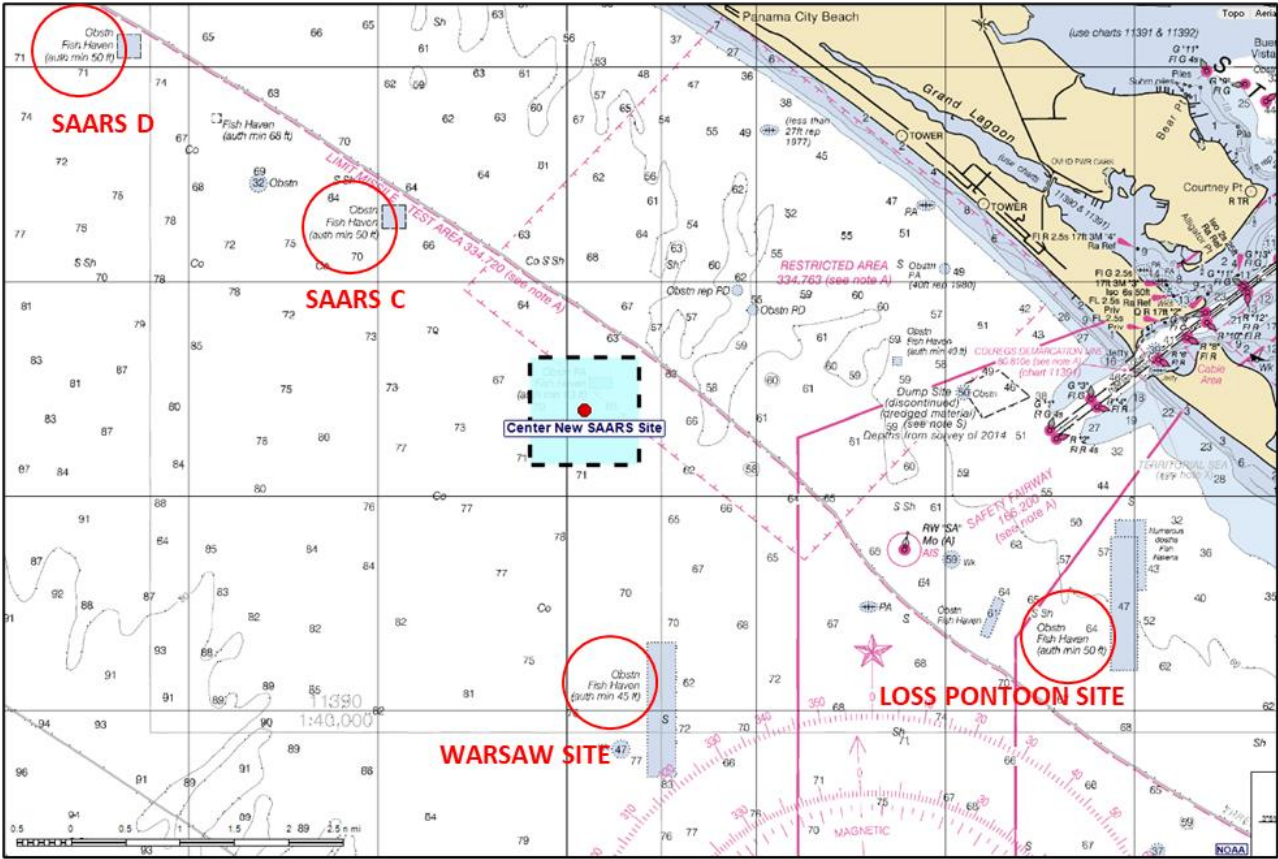


Figure - 7

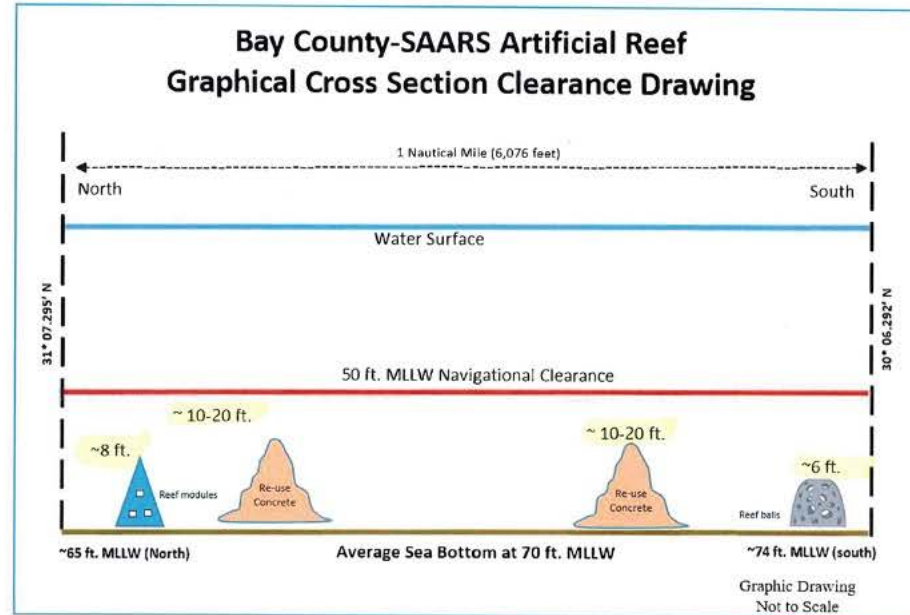
The four nearby existing reefs in similar depths ranges to the proposed reef site with NOAA charted clearances. The average charted clearance is 48.5 feet for these 4 reef sites



Reefname	Depth (ft)	Charted Clearance (ft)	Distance (NM)	Bearing
Warsaw	75	45	1.7	170
Loss Ponton	65	50	4.5	104
SAARS C	72	50	2.5	331
SAARS D	77	50	5.2	308
Average Clearance		48.75		



Figure - 8



Bay County -SAARS Reef Site Cross Section Drawing



Figure produced for Bay County
By Fish Haven Services March 2020

During the term of this Letter of Consent you shall maintain satisfactory evidence of sufficient upland interest as required by paragraph 18-21.004(3)(b), F.A.C. If such interest is terminated or the Board of Trustees determines that such interest did not exist on the date of issuance of this Letter of Consent, this Letter of Consent may be terminated by the Board of Trustees at its sole option. If the Board of Trustees terminates this Letter of Consent, you agree not to assert a claim or defense against the Board of Trustees arising out of this Letter of Consent.

Federal Authorization

Your proposed activity as outlined in your application and attached drawings **does not qualify** for Federal authorization pursuant to the State Programmatic General Permit VI-R1.

SEPARATE permit(s) or authorization will be required from the U.S. Army Corps of Engineers.

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.

Coastal Zone Management

Issuance of this authorization also constitutes a finding of consistency with Florida’s Coastal Zone Management Program, as required by Section 307 of the Coastal Zone Management Act.

Water Quality Certification

This permit also constitutes a water quality certification under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

Other Authorizations

You are advised that authorizations or permits for this activity may be required by other federal, state, regional, or local entities including but not limited to local governments or municipalities. This permit does not relieve you from the requirements to obtain all other required permits or authorizations.

The activity described may be conducted only in accordance with the terms, conditions and attachments contained in this document. Issuance and granting of the permit and authorizations herein do not infer, nor guarantee, nor imply that future permits, authorizations, or modifications will be granted by the Department.

PERMIT / SOVEREIGNTY SUBMERGED LANDS CONDITIONS

The activities described must be conducted in accordance with:

- **The Specific Conditions**
- **The General Conditions**
- **The Special Consent Conditions**
- **The General Conditions for Sovereignty Submerged Lands Authorization**
- **The limits, conditions and locations of work shown in the attached drawings**
- **The term limits of this authorization**

You are advised to read and understand these conditions and drawings prior to beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings herein. If you are using a contractor, the contractor also should read and understand these conditions and drawings prior to beginning any activity. Failure to comply with these conditions, including any mitigation requirements, shall be grounds for the Department to revoke the permit and authorization and to take appropriate enforcement action. Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit and sovereignty submerged lands authorization, as described.

SPECIFIC CONDITIONS – ADMINISTRATIVE/EMERGENCIES

1. The construction phase expires at 11:59 p.m. on the date indicated on the cover page of this permit.
2. For emergencies involving a serious threat to the public health, safety, welfare, or environment, the emergency telephone contact number is (800) 320-0519 (State Warning Point). The Department telephone number for reporting nonthreatening problems or system malfunctions is (850) 595-0663, day or night.
3. The mailing address for submittal of forms for the “Construction Commencement Notice”, “As-Built Certification ...”, “Request for Conversion of Stormwater Management Permit Construction Phase to Operation and Maintenance Phase”, or other correspondence is FDEP, SLERP, 160 W Government Street, Suite 308, Pensacola, Florida 32502.

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

4. This permit does not authorize any activities or the construction of any additional structures not illustrated on the permit drawings.
5. The sixteen (16) patch reefs are to be in the center of 16 grids identified in the project drawings with center points shown in Table 2, below.

Patch Reef	LAT DD	LON DD	Patch Reef	LAT DD	LON DD
A4-4	30.11908	-85.82353	A2-4	30.11128	-85.82353
A4-3	30.11908	-85.82802	A2-3	30.11128	-85.82802
A4-2	30.11908	-85.83251	A2-2	30.11128	-85.83251
A4-1	30.11908	-85.83700	A2-1	30.11128	-85.83700
A3-4	30.11518	-85.82353	A1-4	30.10737	-85.82353
A3-3	30.11518	-85.82802	A1-3	30.10737	-85.82802
A3-2	30.11518	-85.83251	A1-2	30.10737	-85.83251
A3-1	30.11518	-85.83700	A1-1	30.10737	-85.83700

Table 2 - center coordinates for sixteen (16) patch reef sites.

6. The material to be used shall be clean concrete or rock, clean ferrous or steel alloy boat hulls, other clean, heavy gauge steel products with a thickness of 1/4 inch or greater, and prefabricated structures that are a mixture of clean concrete and heavy gauge steel. All reef materials shall have sufficient weight of at least 500 pounds per piece to assure stability.
7. The material shall be free of soils, oils and greases, debris, litter, putrescible substances or other pollutants.

8. There shall be no “white goods” (inoperative and discarded refrigerators, freezers, ranges, water heaters, washers, and other similar domestic and commercial appliances), asphalt material, tires, or other polluting materials used in construction of the reef.
9. The material shall be firmly anchored to the bottom and shall not be indiscriminately dumped.
10. The artificial reef site shall not be established within any shipping lanes or navigation safety fairways.
11. The site shall be marked with perimeter buoys during construction to ensure that no material is deposited outside of the site.
12. The substrate on which the activities occur shall not consist of submerged grassbed communities, shellfish or other hardbottom communities, or corals.
13. Bay County shall conduct pre- and post-deployment dive surveys to avoid hardbottom area, ensure proper deployment spacing, and provide periodic reef site monitoring (physical and biological).
14. Any discovered live bottom habitat will be buoyed and a minimum 200 foot buffer shall be maintained from construction activities.
15. Construction equipment shall not be repaired or refueled in wetlands or elsewhere within waters of the state.
16. Deployment of any vessel as artificial reef material is prohibited unless written authorization has first been obtained from Bay County and/or the Panama City U.S. Coast Guard (USCG) Marine Safety Office (MSO) or one of their detachments. The Permittee must first submit a project-specific “Deployment Plan” to Bay County and/or the USCG to request such authorization to deploy vessels, and the plan shall comply with the “National Guidance: Best Management Practices for Preparing Vessels Intended to Create Artificial Reefs” (EPA 2006).
17. Staff from Bay County, IFAS-Sea Grant Extension or their consultant shall observe and document construction activities during deployments to verify compliance with this permit.
18. There shall be a minimum of 200-foot buffer between the deployment site and the outer boundary of the permitted reef site.
19. A minimum navigational clearance of 50 feet at Mean Low Low Water (MLLW) shall be maintained at all times.
20. Reef structures shall not have a profile greater than 16 feet tall.

SPECIFIC CONDITIONS – OTHER LISTED SPECIES

21. This permit does not authorize the permittee to cause any adverse impact to or “take” of state listed species and other regulated species of fish and wildlife. Compliance with state laws

regulating the take of fish and wildlife is the responsibility of the owner or applicant associated with this project. Please refer to Chapter 68A-27 of the Florida Administrative Code for definitions of “take” and a list of fish and wildlife species. If listed species are observed onsite, FWC staff are available to provide decision support information or assist in obtaining the appropriate FWC permits. Most marine endangered and threatened species are statutorily protected and a “take” permit cannot be issued. Requests for further information or review can be sent to FWCConservationPlanningServices@MyFWC.com.

SPECIFIC CONDITIONS – CONSTRUCTION COMPLETION

22. Following deployment of reef materials, please provide the depth to the top of the reef (i.e. using a depth finder) to ensure the minimum clearance requirements are met.

SPECIFIC CONDITIONS – OPERATION AND MAINTENANCE ACTIVITIES

23. An annual reef status report shall be submitted within one year of the effective date of the permit and every year thereafter for the duration of the permit to the FWC, Corps, and FDEP listing all material deployments on the reef site in the previous 12 months.

24. Bay County shall conduct a visual inspection, fathometer scan, or conduct underwater videography regularly for the life of the site to verify material location and condition.

SPECIFIC CONDITIONS – CARGO MANIFEST

25. Pursuant to Section 379.249, F.S., the transport and deployment of all artificial reef materials off Florida require a cargo manifest. The Permittee shall fill out a “Florida Artificial Reef Materials Cargo Manifest and Pre-Deployment Notification” form and maintain the cargo manifest onboard the vessel listing the materials onboard, during the transport and deployment of artificial reef materials. The completed form shall be submitted to the FWC Artificial Reef Program at least 7 days prior to the anticipated deployment via email at artificialreefdeployments@myfwc.com. The form is available online at: <http://myfwc.com/media/131594/FWCArtificialReefCargoManifest.pdf>.

SPECIFIC CONDITIONS – PLACEMENT AND POST-DEPLOYMENT

26. The permittee shall notify the National Ocean Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, Rockville, Maryland, and the Florida Fish and Wildlife Conservation Commission (FWC), Division of Marine Fisheries Management, via e-mail at artificialreefdeployments@myfwc.com of the precise location of the reef within 30 days of placement of the reef material.

27. The permittee shall fill out a “Florida Artificial Reef Materials Placement Report and Post-Deployment notification form and submit it to the FWC within 30 days of completion for each date of deployment or separate deployment location. The completed form shall be submitted to the FWC Artificial Reef Program via email at artificialreefdeployments@myfwc.com. The form is available online at: <http://myfwc.com/media/131597/FWCArtificialReefMaterialPlacementReport.pdf>.

GENERAL CONDITIONS FOR INDIVIDUAL PERMITS

The following general conditions are binding on all individual permits issued under chapter 62-330, F.A.C., except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate project-specific conditions.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual* (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual* (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," [October 1, 2013], which is incorporated by reference in paragraph 62-330.350(1)(d), F.A.C., indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.
5. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex – "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or
 - b. For all other activities – "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].

- c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
7. If the final operation and maintenance entity is a third party:
 - a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
 - b. Within 30 days of submittal of the as-built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
 - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the Agency in writing:
 - a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

14. If any prehistoric or historic artifacts, such as pottery or 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 are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.

15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.

16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.

17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.

18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with subsection 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

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 SOVEREIGNTY SUBMERGED LANDS AUTHORIZATION

Any use of sovereignty submerged lands is subject to the following general conditions, which are binding upon the applicant and are enforceable under Chapter 253, F.S.

1. Sovereignty submerged lands may be used 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 will constitute a violation. Violation of the authorization will result in suspension or revocation of the applicant's use of the sovereignty submerged lands unless cured to the satisfaction of the Board of Trustees.

2. Authorization under Rule 18-21.005, F.A.C., conveys no title to sovereignty submerged lands or water column, nor does it constitute recognition or acknowledgment of any other person's title to such land or water.

3. Authorizations under Rule 18-21.005, F.A.C., may be modified, suspended or revoked in accordance with its terms or the remedies provided in Sections 253.04, F.S. and Chapter 18-14, F.A.C.

4. Structures or activities will be constructed and used to avoid or minimize adverse impacts to resources.

5. Construction, use, or operation of the structure or activity will 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.

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

7. Structures or activities will not create a navigational hazard.

8. Structures will be maintained in a functional condition and will be repaired or removed if they become dilapidated to such an extent that they are no longer functional.

9. Structures or activities will be constructed, operated, and maintained solely for water dependent purposes.

10. 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.

11. 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.

12. 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.

13. 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.

14. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

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



**FLORIDA ARTIFICIAL REEF MATERIALS
CARGO MANIFEST AND PRE-DEPLOYMENT NOTIFICATION
(Issued pursuant to Ch. 370.25(6)(b), Florida Statutes)**



I, _____
Name of individual managing reef deployment (print) Signature Date

whose address is _____, (____) _____ - _____
Street City State Zip Code Phone

declare that I am staging and transporting the following artificial reef construction materials allowable pursuant to the U.S. Army Corps of Engineers Artificial Reef Permit referenced below and agree to comply with all permit conditions in the permit listed below and attached to this manifest. I understand this artificial reef site is open to public access and this authorization does not provide any rights or exclusive private use over those rights or uses to the general public.

The address of the land based reef materials staging area is: _____

Transporting Vessel Registration Number: _____

Vessel Owner: _____ Vessel Operator: _____

The following items are to be deployed as reef material (attach additional sheets when more than four locations):

MATERIAL TAG ID NUMBER(S), if applicable	Descriptions of material (number of pieces, type, dimension, weight)	GPS Coordinates degrees, minutes, decimal minutes (DD°MM.mmm')
		Lat: _____ ° _____ . _____ ' Lon: _____ ° _____ . _____ '
		Lat: _____ ° _____ . _____ ' Lon: _____ ° _____ . _____ '
		Lat: _____ ° _____ . _____ ' Lon: _____ ° _____ . _____ '
		Lat: _____ ° _____ . _____ ' Lon: _____ ° _____ . _____ '

A copy of the below referenced permit(s) and all associated conditions is attached to this manifest and shall be carried on board the vessel during loading, storing, or transporting artificial reef material.

-- OFFICIAL USE ONLY --
(TO BE COMPLETED BY PERMIT HOLDER, OR AUTHORIZED ARTIFICIAL REEF INSPECTOR)

Permit Holder: _____
Name of U.S. Department of the Army, Corps of Engineers (ACOE) Permit Holder

ACOE permit number _____, permitted site name _____
issued on _____ and has an expiration date of _____.

Local tracking number (if applicable): _____

(Name of FWC authorized Artificial Reef Inspector, printed)

(Signature) _____ (Date)

EXPLANATION SHEET FOR THE ARTIFICIAL REEF MATERIALS CARGO MANIFEST FORM

The attached artificial reef cargo manifest has been developed in compliance with subsection 370.25 (6)(b), Florida Statutes, which states that:

“It is unlawful for any person to: store, possess or transport on or across state waters any materials reasonably suited for artificial reef construction and stored in such a manner providing ready access for use and placement as an artificial reef, unless a valid cargo manifest issued by the commission or a commission-certified inspector is onboard the transporting vessel. The manifest will serve as authorization to use a valid permitted site or land-based staging area, which will validate that the type of artificial reef construction material being transported is permissible for use at the permitted site, and will describe and quantify the artificial reef material being transported. The manifest will also include the latitude and longitude coordinates of the proposed deployment location, the valid permit number, and the copy off the permit conditions for the permitted site. The manifest must be available for inspection by any authorized law enforcement officer or commission employee.”

This requirement for a cargo manifest became part of the statutory revision of the artificial reef program statute Section 370.25 Florida Statutes (F.S.), modified during the 2000 State of Florida Legislature. The statutory language allows a “commission certified inspector” to complete and approve the artificial reef materials cargo manifest. Therefore, we are providing the attached cargo manifest form to all local coastal government artificial reef coordinators and eligible non-profit corporations who may physically construct artificial reefs with the approval of the permit holders.

INSTRUCTIONS

A separate cargo manifest form is to be completed for each load to be transported offshore (i.e., one manifest per voyage). The manifest is to list all, and only, the reef materials onboard.

The top of the form is to be filled out by the reef builder with his/her contact information and the information about the proposed reef materials to be deployed written into the boxes. If several materials are identical but have different tag numbers, please write “SAME” in the box for the other materials. Also put “SAME” under additional coordinates if all materials are going to the same deployment site.

The shaded portion of the form at the bottom is to be filled out by the materials inspector. The cargo manifest must be completed by an entity representing the holder of the applicable artificial reef permit to assure that all materials meet the requirements of the permit.

Completion of the artificial reef materials cargo manifest is required for all construction activities.

The requirement to complete this document is not intended to be an undue burden on entities wishing to legally construct artificial reefs within permitted sites, but is a tool to assist law enforcement personnel in preventing the illegal construction of artificial reefs without the knowledge of the permit holder or in areas outside of legally permitted sites. It is intended to allow law enforcement staff to determine whether or not a load of materials is legal under the permit conditions. Without a properly completed Cargo Manifest Form on board, reef builders will be returned to port pursuant to Chapter 370.25 (6) (b). It is not necessary to send a copy of the Cargo Manifest Form to the FWC artificial reef section in Tallahassee. Documentation of the reef building activity should be maintained by the entity issuing the manifest in the event of any FWC inquiries.

Reminder: the placement of all public artificial reefs in state or adjacent federal waters requires the submittal of a Materials Placement Report to the FWC artificial reef program within 30 days of public reef deployment in accordance with s. 370.25 F.S.



FLORIDA ARTIFICIAL REEF MATERIALS PLACEMENT REPORT AND POST-DEPLOYMENT NOTIFICATION



To Be Completed For Each Deployment Location or Date of Deployment

County or Municipality: _____

Date of Placement: _____

Grant No. FWC - _____
(if applicable)

U.S. Army Corps Permit No.: _____

Total project cost: \$ _____

Funding Source(s) and Amount(s): FWC \$ _____ Local \$ _____ Other \$ _____

Name of Permitted Reef Site: _____

Location Name for This Deployment: _____

Latitude: _____ ° _____ ' North
(degrees, minutes, decimal minutes (DD°MM.mmm'))

Longitude: _____ ° _____ ' West
(degrees, minutes, decimal minutes (DD°MM.mmm'))

GPS Brand and Model Number: _____

Geographical Location: _____ at _____ degrees from _____
(nautical miles) (bearing) (reference inlet)

Water Depth: _____ feet - Maximum Material Height: _____ feet = Minimum Vertical Clearance: _____ feet

TYPE AND AMOUNT OF MATERIAL DEPLOYED AT THE LOCATION DESCRIBED ABOVE:
(ATTACH A PHOTOGRAPH OF THE MATERIAL ON THE BARGE IMMEDIATELY PRIOR TO DEPLOYMENT)

Primary Type of Material: _____ Number of Pieces: _____

Dimensions: _____

Secondary Type of Material: _____ Number of Pieces: _____

Dimensions: _____

TOTAL TONNAGE FOR THIS DEPLOYMENT: _____

I DO HEREBY CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE

Observer's Name: _____ Title: _____
(PLEASE PRINT) (PLEASE PRINT)

Observer's Signature: _____ Date: _____

Observer's Remarks: _____

I DO HEREBY CERTIFY THAT THE ABOVE INFORMATION COMPLIES WITH THE ABOVE REFERENCED PERMIT CONDITIONS

Permittee's Staff Name: _____ Title: _____
(PLEASE PRINT) (PLEASE PRINT)

Permittee's Staff Signature: _____ Date: _____

Local Tracking number _____ FWC Tracking number _____ Entered by _____ on _____ date
Rev. 4/23/2007 FWC initials Att. B

Second page to contain instructions....

FOR GRANT-FUNDED REEFS, the following data will be recorded at the staging area prior to and after the deployment. This formula represents an average, single rake barge and may not represent the exact tonnage of materials placed.

USING THIS FORMULA FOR PAYMENT OF TRANSPORTATION COSTS SHOULD BE AGREED UPON IN ADVANCE WITH A CONTRACTOR.

Barge Length:_____ feet Barge Width:_____ feet Loaded Draft:_____ feet Unloaded Draft:_____ feet

**(Length X Width X Loaded Draft X 0.93 X 65) = 2,000 = _____ (Loaded barge weight in tons)
SUBTRACT**

(Length X Width X Unloaded Draft X 0.93 X 65) = 2,000 = _____ (Unloaded barge weight in tons)

TOTAL TONNAGE FOR THIS DEPLOYMENT = _____

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 Florida Fish and Wildlife Conservation Commission (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 in Vero Beach (1-772-562-3909) for south Florida, and emailed to FWC at 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 FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8½" 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. These signs can be viewed at http://www.myfwc.com/WILDLIFEHABITATS/manatee_sign_vendors.htm. Questions concerning these signs can be forwarded to the email address listed above.



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.

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VESSEL STRIKE AVOIDANCE MEASURES, NOAA FISHERIES SOUTHEAST REGIONAL OFFICE

Background

Vessel strikes can injure or kill species protected under the Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA). NOAA Fisheries Southeast Regional Office (SERO) Protected Resources Division (PRD) recommends implementing the following identification and avoidance measures to reduce the risk of vessel strikes and disturbance from vessels to protected species under our jurisdiction.¹

Protected Species Sightings

All vessel operators and crews should be informed about the potential presence of species protected under the ESA and the MMPA and any critical habitat in a vessel transit area. All vessels should have personnel onboard responsible for observing for the presence of protected species. All personnel should be advised that there are civil and criminal penalties for harming, harassing, or killing listed species and all marine mammals. To determine which protected species and critical habitat may be found in the transit area, please review the relevant [marine mammal](#) and [ESA-listed species](#) at Find A Species (<https://www.fisheries.noaa.gov/find-species>) and any ESA Section 7 consultation documents if applicable.

Vessel Strike Avoidance

The following measures should be taken when they are consistent with safe navigation to avoid causing injury or death of a protected species:

1. Operate at the minimum safe speed when transiting and maintain a vigilant watch for protected species to avoid striking them. Even with a vigilant watch, most marine protected species are extremely difficult to see from a boat or ship, and you cannot rely on detecting them visually and then taking evasive action. The most effective way to avoid vessel strikes is to travel at a slow, safe speed. Whenever possible, assign a designated individual to observe for protected species and limit vessel operation to only daylight hours.
2. Follow deep-water routes (e.g., marked channels) whenever possible.
3. Operate at “Idle/No Wake” speeds in the following circumstances:
 - a. while in any project construction areas
 - b. while in water depths where the draft of the vessel provides less than four feet of clearance from the bottom, or
 - c. in all depths after a protected species has been observed in and has recently departed the area.

¹ Manatees are managed under the jurisdiction of the U.S. Fish and Wildlife Service.

4. When a protected species is sighted, attempt to maintain a distance of 150 feet or greater between the animal and the vessel. Reduce speed and avoid abrupt changes in direction until the animal(s) has left the area.
5. When dolphins are bow- or wake-riding, maintain course and speed as long as it is safe to do so or until the animal(s) leave the vicinity of the vessel.
6. If a whale is sighted in the vessel's path or within 300 feet from the vessel, reduce speed and shift the engine to neutral. Do not engage the engines until the animals are clear of the area. *Please see below for additional requirements for North Atlantic right whales.*
7. If a whale is sighted farther than 300 feet from the vessel, maintain a distance of 300 feet or greater between the whale and the vessel and reduce speed to 10 knots or less. *Please see below for additional requirements for North Atlantic right whales.*

Injured or Dead Protected Species Reporting

Vessel crews should report sightings of any injured or dead protected species immediately regardless of whether the injury or death is caused by your vessel. Please see [How to Report a Stranded or Injured Marine Animal](https://www.fisheries.noaa.gov/report) (<https://www.fisheries.noaa.gov/report>) for the most up to date information for reporting injured or dead protected species.

If the injury or death is caused by your vessel, also report the interaction to NOAA Fisheries SERO PRD at takereport.nmfsser@noaa.gov. Please include the species involved, the circumstances of the interaction, the fate and disposition of the animal involved, photos (if available), and contact information for the person who can provide additional details if requested. Please include the project's Environmental Consultation Organizer (ECO) number and project title in the subject line of email reports if a consultation has been completed.

Reporting Violations

To report any suspected ESA or MMPA violation, call the NOAA Fisheries Enforcement Hotline. This hotline is available 24 hours a day, 7 days week for anyone in the United States.

NOAA Fisheries Enforcement Hotline: (800) 853-1964

Additional Transit and Reporting Requirements for North Atlantic Right Whales

1. Federal regulation prohibits approaching or remaining within 500 yards of a North Atlantic right whale (50 CFR 224.103 (c)). All whales sighted within North Atlantic right whale critical habitat should be assumed to be right whales. Please be aware and follow restrictions for all Seasonal Management Areas along the U.S. east coast. These areas have vessel speed restrictions to reduce vessel strikes risks to migrating or feeding whales. More information can be found at [Reducing Vessel Strikes to North Atlantic Right Whales](https://www.fisheries.noaa.gov/national/endangered-species-conservation/reducing-vessel-strikes-north-atlantic-right-whales) (<https://www.fisheries.noaa.gov/national/endangered-species-conservation/reducing-vessel-strikes-north-atlantic-right-whales>).
2. Ships greater than 300 gross tons entering the WHALESOUTH reporting area are required to report to a shore-based station. For more information on reporting procedures consult 33 CFR Part 169, the Coast Pilot, or at [Reducing Vessel Strikes to North Atlantic](https://www.fisheries.noaa.gov/national/endangered-species-conservation/reducing-vessel-strikes-north-atlantic-right-whales)

[Right Whales](https://www.fisheries.noaa.gov/national/endangered-species-conservation/reducing-vessel-strikes-north-atlantic-right-whales) (<https://www.fisheries.noaa.gov/national/endangered-species-conservation/reducing-vessel-strikes-north-atlantic-right-whales>).

3. From November through April, vessels approaching/departing Florida ports of Jacksonville and Fernandina Beach as well as Brunswick Harbor, Georgia are **STRONGLY RECOMMENDED** to use Two-Way Routes displayed on nautical charts. More information on [Compliance with the Right Whale Ship Strike Reduction Rule](#) can be found at (https://media.fisheries.noaa.gov/2021-06/compliance_guide_for_right_whale_ship_strike_reduction.pdf)
4. Mariners shall check with various communication media for general information regarding avoiding vessel strikes and specific information regarding North Atlantic right whale sighting locations. These include NOAA weather radio, U.S. Coast Guard Broadcast to Mariners, Local Notice to Mariners, and NAVTEX. Commercial mariners calling on United States ports should view the most recent version of the NOAA/USCG produced training CD entitled “A Prudent Mariner’s Guide to Right Whale Protection” (contact the NOAA Fisheries SERO, Protected Resources Division for more information regarding the CD).
5. Injured, dead, or entangled right whales should be immediately reported to the U.S. Coast Guard via VHF Channel 16 and the NOAA Fisheries Southeast Marine Mammal Stranding Hotline at (877) WHALE HELP (877-942-5343).

For additional information, please contact NOAA Fisheries SERO PRD at:

NOAA Fisheries Service

Southeast Regional Office

263 13th Avenue South

St. Petersburg, Florida 33701

Visit us on the web at [Protected Marine Life in the Southeast](#)

(<https://www.fisheries.noaa.gov/region/southeast#protected-marine-life>)

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