



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
PENSACOLA REGULATORY OFFICE  
41 NORTH JEFFERSON STREET, SUITE 301  
PENSACOLA, FLORIDA 32502

REPLY TO  
ATTENTION OF

September 7, 2016

Pensacola Permits Section  
SAJ-1996-03565 (SP-SWA)

Okaloosa County Board of County Commissioners  
1804 Lewis Turner Boulevard, Suite 100  
Ft. Walton Beach, Florida 32547

Ladies and Gentlemen:

The U.S. Army Corps of Engineers (Corps) is pleased to enclose the Department of the Army permit, which should be available at the construction site. Work may begin immediately but the Corps must be notified of:

- a. The date of commencement of the work,
- b. The dates of work suspensions and resumptions of work, if suspended over a week, and
- c. The date of final completion.

This information should be mailed to the Special Projects and Enforcement Branch of the Regulatory Division of the Jacksonville District at 41 North Jefferson Street, Suite 301, Pensacola, Florida 32502. The Special Projects and Enforcement Branch is also responsible for inspections to determine whether Permittees have strictly adhered to permit conditions.

IT IS NOT LAWFUL TO DEVIATE FROM  
THE APPROVED PLANS ENCLOSED.

Sincerely,

*for*   
Donald W. Kinard  
Chief, Regulatory Division

Enclosures

# DEPARTMENT OF THE ARMY PERMIT

**Permittee:** Okaloosa County Board of County Commissioners  
1804 Lewis Turner Boulevard, Suite 100  
Ft. Walton Beach, Florida 32547

**Permit No:** SAJ-1996-03565 (SP-SWA)

**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:** The project is to reauthorize the previously established Large Area Artificial Reef Sites (LAARS) A, B and C. LAARS Site A is 75.1 square miles in size with water depths that range from -100 feet to -166 feet at mean lower low water (MLLW). LAARS Site B is 108 square miles in size with water depths that range from -180 feet to -300 feet at MLLW. LAARS Site C is 57 square miles in size with water depths that range from -90 feet to -160 feet at MLLW. Each LAARS site will have a deployment buffer of  $\frac{1}{4}$  mile on each side. Material to be deployed will consist clean concrete or rock, heavy gauge steel products ( $\frac{1}{4}$ -inch thickness or greater), oil rig jackets, military surplus items, prefabricated structures that are a mixture of clean concrete and heavy gauge steel and chicken transport devices. The maximum profile of any reef material will be 40 feet in all three LAARS sites and will result in a minimum authorized depth after deployment of -60 feet at MLLW within LAARS A, -140 feet at MLLW within LAARS B and -50 feet at MLLW with LAARS C. The work described above is to be completed in accordance with the 4 pages of drawings affixed at the end of this permit instrument.

**Project Location:** The project sites are located in the Gulf of Mexico, south of Okaloosa County, Florida. The LAARS Site A is approximately 15 miles southeast of Destin Pass, LAARS Site B is 23 miles south of Destin Pass and LAARS Site C is 15 miles southwest of Destin Pass.

**Approximate Coordinates:**

LAARS Site A:  
Corner

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Northeast – Latitude: 30.166666° North / Longitude: 86.283333° West  
Northwest – Latitude: 30.166666° North / Longitude: 86.146666° West  
Southeast – Latitude: 30.033333° North / Longitude: 86.283333° West  
Southwest – Latitude: 30.033333° North / Longitude: 86.416666° West

LAARS Site B:

Corner

Northeast – Latitude: 29.982833° North / Longitude: 86.3775° West  
Northwest – Latitude: 29.983333° North / Longitude: 86.527666° West  
Southeast – Latitude: 29.8085° North / Longitude: 86.378666° West  
Southwest – Latitude: 29.809166° North / Longitude: 86.528333° West

LAARS Site C:

Corner

Northeast – Latitude: 30.157666° North / Longitude: 86.526833° West  
Northwest – Latitude: 30.1585° North / Longitude: 86.827666° West  
Southeast – Latitude: 30.114166° North / Longitude: 86.527° West  
Southwest – Latitude: 30.114833° North / Longitude: 86.827666° West

**Permit Conditions**

**General Conditions:**

1. The time limit for completing the work authorized ends on **March 10, 2026**. 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.

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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-1996-03565, 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  
41 North Jefferson Street, Suite 301  
Pensacola, FL 32502

or by email at [CESAJ-ComplyDocs@usace.army.mil](mailto:CESAJ-ComplyDocs@usace.army.mil)

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

or email at [ocs.ndb@noaa.gov](mailto:ocs.ndb@noaa.gov)

- c. Commander, U.S. Coast Guard (USCG)  
8<sup>th</sup> Coast Guard District  
Hale Boggs Federal Building  
500 Poydras Street  
New Orleans, LA 70130

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d. Florida Fish and Wildlife Conservation Commission  
Artificial Reef Program  
620 S. Meridian Street, Box 4B2  
Tallahassee, Florida 32399

Or email at [artificialreefdeployments@MyFWC.com](mailto: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. 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: clean concrete or rock, heavy gauge steel products, oil rig jackets, military surplus items, prefabricated structures that are a mixture of clean concrete and heavy gauge steel and chicken transport devices.

**4. Reef Parameters:** The Permittee shall deploy all reef materials within the ¼ mile buffer boundary as defined on attached permit drawings. A minimum clearance of -60 feet at MLLW within LAARS A, -140 feet at MLLW within LAARS B and -50 feet at MLLW with LAARS C shall be maintained.

**5. Violation of 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. At a minimum the written notification shall explain how the deployed material exceeds the authorized reef parameters, 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 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.

**6. 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 sea grasses, 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 these resources. Upon request from the Corps, the Permittee shall provide the information obtained from the assessment.

**7. 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-Deployment Notification" form (Attached), 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.

**8. Post-Deployment Placement Report:** No more than 30 days after deployment at the reef site, 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 (Attached). Please note, the Corps requires the latitude and longitude to be accurate within 5 meters horizontal distance on the post-deployment report. Upon request from the Corps, the Permittee shall provide a sketch 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.

**9. 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.

**10. 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.

**11. Sea Turtle/Sawfish/Sturgeon Guidelines:** The Permittee shall comply with the attached National Marine Fisheries Service's "*Sea Turtle and Smalltooth Sawfish Construction Conditions*", which also applies to sturgeon.

**12. Manatee Conditions:** The Permittee shall comply with the attached "*Standard Manatee Conditions for In-Water Work – 2011.*"

**13. 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 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 850-433-8860 and the National Marine Fisheries Service by telephone at 727-824-5301.

**14. Protected Species Guidance:** The Permittee shall comply with the attached "Vessel Strike Avoidance Measures and Injured or Dead Protected Species Reporting", for marine turtles and marine mammals.

**15. Monitoring:** As part of the yearly monitoring program the Permittee will conduct a fathometer scan once per year of a minimum of 10 percent of the artificial reef

deployments made during the previous year. The monitoring shall verify material location and condition and compare to such information from previous monitoring events to distinguish changes in either. The monitoring report shall be submitted to the Corps annually and include a spreadsheet representation of the site inspected and data gained with a written narrative and submitted in accordance with Special Condition 1. The Permittee is responsible for maintenance associated with the site, including the removal of entanglement hazards and other such assessments to ensure safe operation.

**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)

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.



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.

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PERMITTEE: Okaloosa Board of County Commissioners  
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Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

Charles K. Windes, Jr.  
(PERMITTEE)



8/3/16  
(DATE)



Charles K. Windes, Jr.  
Chairman, Board of County Commissioners  
(PERMITTEE NAME-PRINTED)

ATTEST:  
F.D. Peacock II  
Clerk of Circuit Court

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

Jason A. Kirk  
(DISTRICT ENGINEER)  
Jason A. Kirk, P.E.  
Colonel, U.S. Army  
District Commander

7 Sept 2016  
(DATE)

*[Handwritten initials]*

PERMIT NUMBER: SAJ-1996-03565 (SP-SWA)  
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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)

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PERMITTEE: Okaloosa Board of County Commissioners  
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***Attachments to Department of the Army  
Permit Number SAJ-1996-03565***

1. PERMIT DRAWINGS: Four (4) pages, dated March 2, 2016.
2. SEA TURTLE, SAWFISH AND STURGEON CONDITIONS: One (1) page.
3. MANATEE CONDITIONS: One (1) page.
4. VESSEL STRIKE AVOIDANCE MEASURES: Two (2) pages.
5. FLORIDA ARTIFICIAL REEF MATERIALS CARGO MANIFEST AND PRE-DEPLOYMENT NOTIFICATION FORM: Two (2) pages.
6. FLORIDA ARTIFICIAL REEF MATERIALS PLACEMENT REPORT AND POST-DEPLOYMENT NOTIFICATION FORM: One (1) page.
7. SELF-CERTIFICATION FORM: One (1) page.

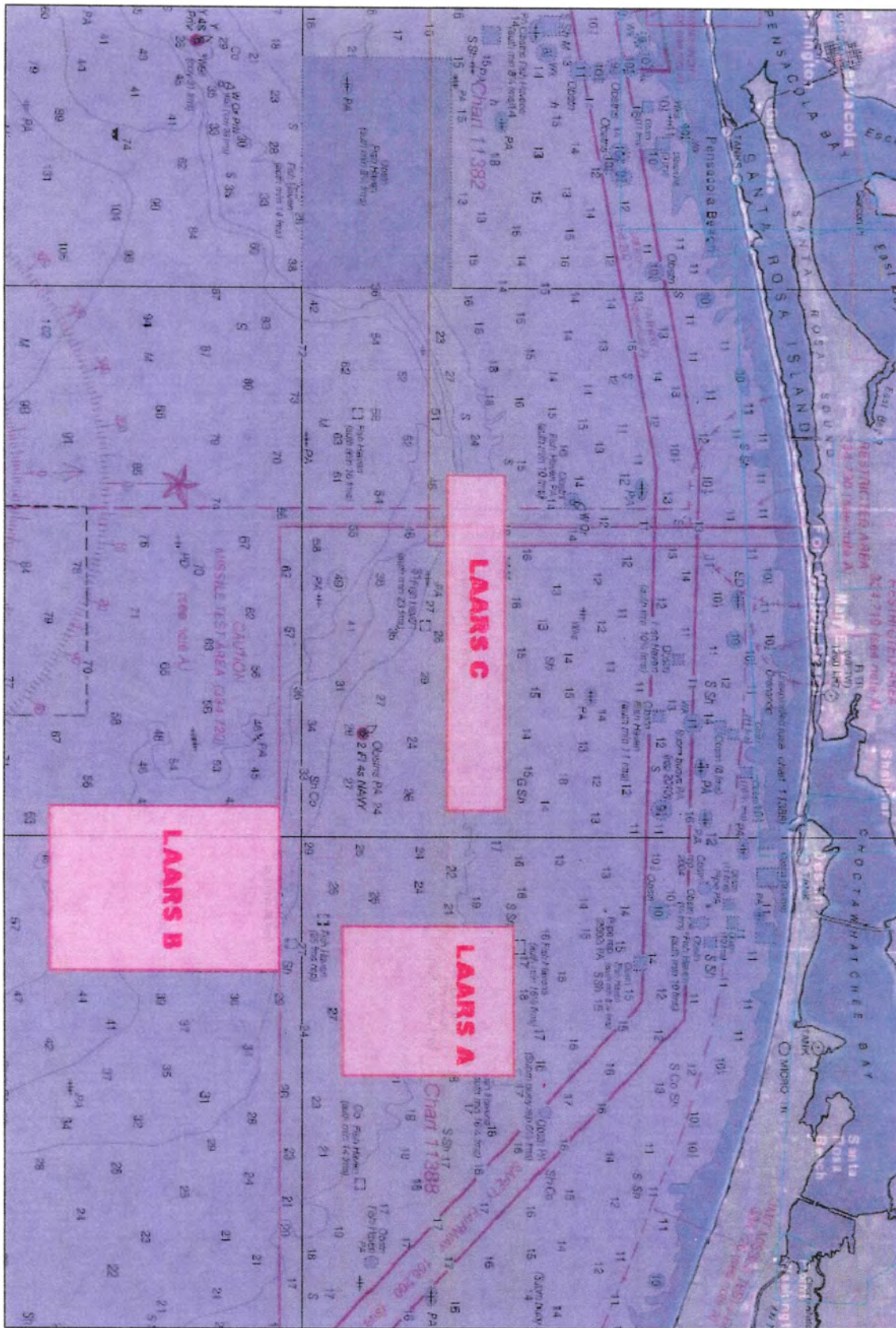
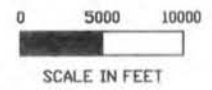
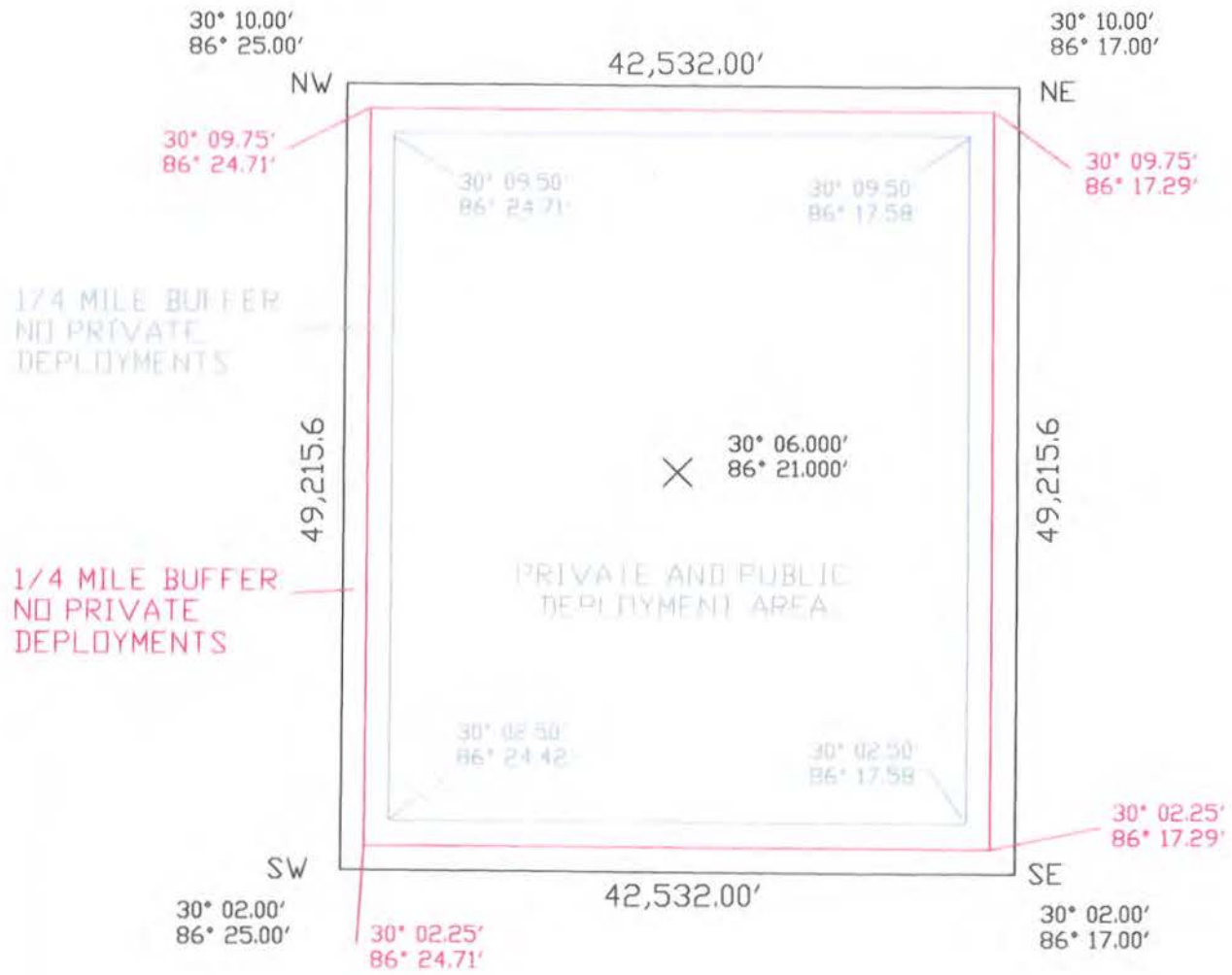


FIGURE 4 - LAARS Locations  
OKALOOSA COUNTY ARTIFICIAL REEF PROGRAM

LARGE AREA ARTIFICIAL SITE A  
OKALOOSA COUNTY FLORIDA



WATER DEPTH  
100' - 166'

AREA = 75.1 SQ. N. MILES  
OR 47,711.2 SQ. AC.

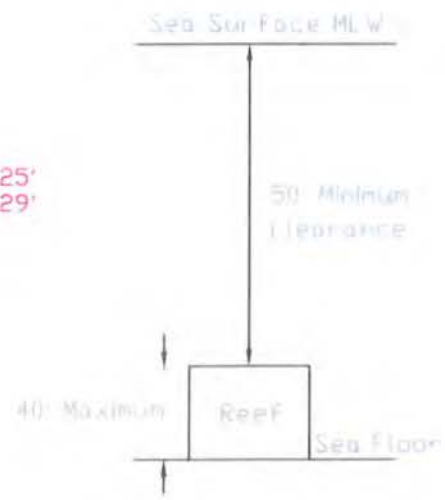
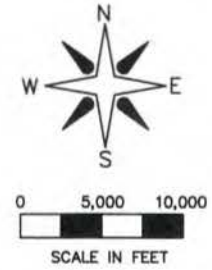


FIGURE 1 - LAARS A  
OKALOOSA COUNTY ARTIFICIAL REEF PROGRAM



LARGE AREA ARTIFICIAL REEF SITE B  
OKALOOSA COUNTY, FLORIDA



AREA = 108 SQ. N. MILES  
OR 69,117 SQ. AC.

N.W. CORNER  
29° 59.00'  
86° 31.66'  
DEPTH 246'

N.E. CORNER  
29° 58.97'  
86° 22.65'  
DEPTH 180'

29° 58.75'  
86° 31.37'

29° 58.72'  
86° 22.94'

29° 58.50'  
86° 31.08'

29° 58.47'  
86° 23.23'

QUARTER MILE BUFFER  
NO PRIVATE DEPLOYMENTS

CENTER POINT  
29° 53.760'  
86° 27.190'  
DEPTH 234'

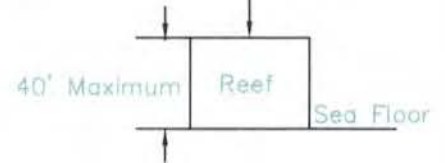
PRIVATE AND PUBLIC DEPLOYMENT AREA

63,483.75'

63,344.50'

QUARTER MILE BUFFER  
NO DEPLOYMENTS

29° 48.80'  
86° 31.41'



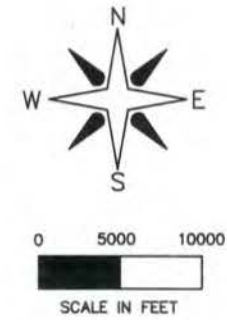
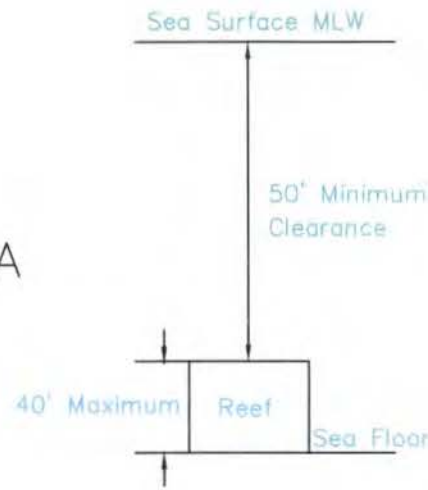
S.W. CORNER  
29° 48.55'  
86° 31.70'  
DEPTH 300'

S.E. CORNER  
29° 48.51'  
86° 22.72'  
DEPTH 228'

50,175.75'

FIGURE 2 - LAARS B  
OKALOOSA COUNTY ARTIFICIAL REEF PROGRAM

LARGE AREA ARTIFICIAL  
REEF SITE C  
OKALOOSA COUNTY, FLORIDA



AREA = 57 SQ. N. MILES  
OR 36,771 SQ. AC.



FIGURE 3 - LAARS C  
OKALOOSA COUNTY ARTIFICIAL REEF PROGRAM





**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.

Revised: March 23, 2006

O:\forms\Sea Turtle and Smalltooth Sawfish Construction Conditions.doc



**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 Vero Beach (1-772-562-3909) for south Florida, and to FWC at [ImperiledSpecies@myFWC.com](mailto:ImperiledSpecies@myFWC.com)



## **Vessel Strike Avoidance Measures and Reporting for Mariners NOAA Fisheries Service, Southeast Region**

### **Background**

The National Marine Fisheries Service (NMFS) has determined that collisions with vessels can injure or kill protected species (e.g., endangered and threatened species, and marine mammals). The following standard measures should be implemented to reduce the risk associated with vessel strikes or disturbance of these protected species to discountable levels. NMFS should be contacted to identify any additional conservation and recovery issues of concern, and to assist in the development of measures that may be necessary.

### **Protected Species Identification Training**

Vessel crews should use an Atlantic and Gulf of Mexico reference guide that helps identify protected species that might be encountered in U.S. waters of the Atlantic Ocean, including the Caribbean Sea, and Gulf of Mexico. Additional training should be provided regarding information and resources available regarding federal laws and regulations for protected species, ship strike information, critical habitat, migratory routes and seasonal abundance, and recent sightings of protected species.

### **Vessel Strike Avoidance**

In order to avoid causing injury or death to marine mammals and sea turtles the following measures should be taken when consistent with safe navigation:

1. Vessel operators and crews should maintain a vigilant watch for marine mammals and sea turtles to avoid striking sighted protected species.
2. When whales are sighted, maintain a distance of 100 yards or greater between the whale and the vessel.
3. When sea turtles or small cetaceans are sighted, attempt to maintain a distance of 50 yards or greater between the animal and the vessel whenever possible.
4. When small cetaceans are sighted while a vessel is underway (e.g., bow-riding), attempt to remain parallel to the animal's course. Avoid excessive speed or abrupt changes in direction until the cetacean has left the area.
5. Reduce vessel speed to 10 knots or less when mother/calf pairs, groups, or large assemblages of cetaceans are observed near an underway vessel, when safety permits. A single cetacean at the surface may indicate the presence of submerged animals in the vicinity; therefore, prudent precautionary measures should always be exercised. The vessel should attempt to route around the animals, maintaining a minimum distance of 100 yards whenever possible.

6. Whales may surface in unpredictable locations or approach slowly moving vessels. When an animal is sighted in the vessel's path or in close proximity to a moving vessel and when safety permits, reduce speed and shift the engine to neutral. Do not engage the engines until the animals are clear of the area.

### **Additional Requirements for the North Atlantic Right Whale**

1. If a sighted whale is believed to be a North Atlantic right whale, federal regulation requires a minimum distance of 500 yards be maintained from the animal (50 CFR 224.103 (c)).
2. Vessels entering North Atlantic right whale critical habitat are required to report into the Mandatory Ship Reporting System.
3. Mariners should check with various communication media for general information regarding avoiding ship strikes and specific information regarding North Atlantic right whale sighting locations. These include NOAA weather radio, U.S. Coast Guard NAVTEX broadcasts, and Notices to Mariners. 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 NMFS Southeast Region, Protected Resources Division for more information regarding the CD).
4. Injured, dead, or entangled right whales should be immediately reported to the U.S. Coast Guard via VHF Channel 16.

### **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.

Report marine mammals to the Southeast U.S. Stranding Hotline: 877-433-8299

Report sea turtles to the NMFS Southeast Regional Office: 727-824-5312

If the injury or death of a marine mammal was caused by a collision with your vessel, responsible parties should remain available to assist the respective salvage and stranding network as needed. NMFS' Southeast Regional Office should be immediately notified of the strike by email ([takereport.nmfsser@noaa.gov](mailto:takereport.nmfsser@noaa.gov)) using the attached vessel strike reporting form.

### **For additional information, please contact the Protected Resources Division at:**

NOAA Fisheries Service  
Southeast Regional Office

263 13<sup>th</sup> Avenue South  
St. Petersburg, FL 33701  
Tel: (727) 824-5312

Visit us on the web at <http://sero.nmfs.noaa.gov>



**FLORIDA ARTIFICIAL REEF MATERIALS  
CARGO MANIFEST AND PRE-DEPLOYMENT NOTIFICATION  
(Issued pursuant to Ch. 379.249(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 379.249(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 379.249 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 379.249 (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. 379.249 F.S.



# FLORIDA ARTIFICIAL REEF MATERIALS PLACEMENT REPORT AND POST-DEPLOYMENT NOTIFICATION



US Army Corps  
of Engineers

## 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

Longitude: \_\_\_\_\_ ° \_\_\_\_\_ ' West  
Degrees minutes decimal minutes

GPS Brand: \_\_\_\_\_ GPS Model number: \_\_\_\_\_

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

Water Depth: \_\_\_\_\_ feet (minus) Max. Material Height: \_\_\_\_\_ feet (equals) Actual 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: \_\_\_\_\_

How was tonnage calculated?(Check all that apply, attach additional sheets if necessary):  Before & after barge draft calculation

Known weight of individual pieces

Trucking receipts

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: \_\_\_\_\_  
(PLEASE PRINT)

Title: \_\_\_\_\_  
(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: \_\_\_\_\_  
(PLEASE PRINT)

Title: \_\_\_\_\_  
(PLEASE PRINT)

Permittee's Staff Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Local Tracking number \_\_\_\_\_ FWC Tracking number \_\_\_\_\_ Entered by \_\_\_\_\_ on \_\_\_\_\_ date

**SELF-CERTIFICATION STATEMENT OF COMPLIANCE**

**Permit Number: SAJ-1996-03565 (SP-SWA)**

Permittee's Name & Address (please print or type): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Telephone Number: \_\_\_\_\_

Location of the Work: \_\_\_\_\_

\_\_\_\_\_

Date Work Started: \_\_\_\_\_ Date Work Completed: \_\_\_\_\_

Description of the Work (e.g. bank stabilization, residential or commercial filling, docks, dredging, etc.):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Acreage or Square Feet of Impacts to Waters of the United States: \_\_\_\_\_

Describe Mitigation completed (if applicable): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Describe any Deviations from the Permit (attach drawing(s) depicting the deviations):

\_\_\_\_\_  
\_\_\_\_\_

I certify that all work, and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date