

**MEMORANDUM MF NO. 25-14**

DATE: September 11, 2025  
TO: Marine Advisory Board  
FROM: Andrew Cuba, Marine Facilities & Parks Manager  
RE: November 6, 2025 MAB - Dock Waiver of Distance Limitations  
-Rhiannon Holcombe & Vincent Congine / 1409 SW 17 Street

---

Attached for your review is an application from Rhiannon Holcombe & Vincent Congine / 1409 SW 17 Street.

**APPLICATION AND BACKGROUND INFORMATION**

The applicant is requesting approval for the installation of two (2) finger piers. The distances these mooring structures extend from the seawall wet face / upland plat line into the adjacent waterway is shown in the survey and summarized in **Table 1** below:

**TABLE 1**

<b>PROPOSED STRUCTURES</b>	<b>STRUCTURE DISTANCE FROM UPLAND PLAT LINE</b>	<b>PERMITTED DISTANCE WITHOUT WAIVER</b>	<b>DISTANCE REQUIRING A WAIVER</b>
<b>West Finger Pier</b>	<b>56'6" +/-</b>	<b>25'</b>	<b>31'6" +/-</b>
<b>East Finger Pier</b>	<b>36'6" +/-</b>	<b>25'</b>	<b>11'6" +/-</b>

ULDR Section 47-19.3 C limits the maximum distance of mooring structures, including finger piers, to 25' or 25% of the width of the waterway, whichever is less. Section 47.19.3.E authorizes the City Commission to waive this limitation based upon a finding of extraordinary circumstances. The applicant has ownership of the submerged land, extending approximately 71.8'+/- into the adjacent waterway. Although this ownership does extend to ownership of the watercolumn above the submerged lands, the applicant represents that there is no violation of the 30% rule, as the waterway's width should be measured from the outside edge of the submerged lands. City Legal counters that waterway width is measured from the upland platted property line – not the submerged property line when determining the waterways' width. The City has never measured the adjacent waterway from the outward boundary of the privately owned submerged lands. The applicant has specified that the extra distance for the finger piers to provide protection for the owner's vessels, especially during extreme weather events. In addition, the piers will provide safe access to the vessels for getting on and off the boats.

**PROPERTY LOCATION AND ZONING**

The property is located within the RS-8 Residential Single-Family Low/Medium Density Zoning District. It is situated on the adjacent waterway where the distance from wet face to wet face ranges between 134'+/- to 139'+/-, according to the Summary.

**DOCK PLAN AND BOATING SAFETY**

Marine Facilities records reflect that there have been at least five (5) waivers of distance limitations approved by the City Commission within relative proximity. A comparison of these as shown in **Table 2**:

**TABLE 2**

<b>YEAR</b>	<b>ADDRESS</b>	<b>MAXIMUM DISTANCE</b>
1991	777 SW 6 <sup>th</sup> Street	38'
2012	2341 SW 26 <sup>th</sup> Avenue	31'
2015	2401 SW 26 <sup>th</sup> Avenue	27.5'
2015	811 SW 6 <sup>th</sup> Street	47.1'
2017	716 Bryan Place	62'

**RECOMMENDATIONS**

Should the Marine Advisory Board consider approval of the application, the Resolution under consideration by the City Commission should include at least the following as prescribed in the ULDR and City Code of Ordinances:

1. The applicant is required to comply with all applicable building and zoning regulations as well as any other Federal and State laws and permitting requirements including the Broward County Environmental Protection and Growth Management Department, the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers.
2. As a general condition of approval and in order to review for final consistency with construction of facilities in accord with this application and City building permits the applicant is required to provide City Staff with copies of "As Built" drawings from a certified and licensed contractor.

AC  
Attachment

cc: Enrique Sanchez, Deputy Director of Parks and Recreation  
Luis Villanueva, Marine Facilities Supervisor



UNLIMITED PERMIT SERVICES, INC.

City of Fort Lauderdale  
Marine Facilities

Application for Waiver of Dock Distance Limitations

Subject Address:

1409 SW 17 Street Fort Lauderdale FL 33315

Prepared by:

Lisa McConnell

954-532-0129 ext 1

[lisam@unlimitedps.net](mailto:lisam@unlimitedps.net)



Table of Contents

<u>Document</u>	<u>Page</u>
Application for Waiver	3
Summary	4-6
Property Ownership Related Documents	7-10
Property Survey	11
Aerial View of Parcel and Adjacent Canal	12
Project Construction Plans	13-20
Environmental Agency Approvals	21-59

**CITY OF FORT LAUDERDALE  
MARINE FACILITIES  
APPLICATION FOR WATERWAY PERMITS, WAIVERS AND LICENSES**

Any agreement with the City of Fort Lauderdale and other parties, such as, but not limited to, licenses, permits and approvals involving municipal docking facilities or private uses in the waterways as regulated by Section 8 of the City Code of Ordinances or Section 47-19.3 of the City's Urban Land Development Regulations, shall be preceded by the execution and filing of the following application form available at the Office of the Supervisor of Marine Facilities. The completed application must be presented with the applicable processing fee paid before the agreement is prepared or the application processed for formal consideration (see City of Fort Lauderdale Code Section 2-157). If legal publication is necessary, the applicant agrees to pay the cost of such publication in addition to the application fee.

**APPLICATION FORM  
(Must be in Typewritten Form Only)**

1. LEGAL NAME OF APPLICANT - (If corporation, name and titles of officers as well as exact name of corporation. If individuals doing business under a fictitious name, correct names of individuals, not fictitious names, must be used. If individuals owning the property as a private residence, the name of each individual as listed on the recorded warranty deed):

NAME: Rhiannon Holcombe & Vincent Congine

TELEPHONE NO: 312-493-0678 EMAIL: vcongine@yahoo.com  
(home/cellular) (business)

2. APPLICANT'S ADDRESS (if different than the site address): same

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST:

Waiver of distance limitations for dock/piers exceeding 25' from the seawall wet face/upland portion of parcel/water's edge by 36'-6"; within boat slip basin.

4. SITE ADDRESS: 1409 SW 17 ST ZONING: RS-8 Single Family Residential

**LEGAL DESCRIPTION AND FOLIO NUMBER:**

REV PLAT YELLOWSTONE PARK 23-33 B LOT 3 W 40 & TH PT BOAT SLIPLYING N OF LOT,4 E 20 & TH PT BOAT SLIP LYING N OF LOT BLK 5 - Folio: 504216140140

5. EXHIBITS (In addition to proof of ownership, list all exhibits provided in support of the applications).

Table of Contents, Summary, Aerial view of applicant basin and city canal, permit drawings, and other agency approvals.

\_\_\_\_\_  
Applicant's Signature

3/20/2025  
Date

\_\_\_\_\_  
Applicant's Signature

3/20/2025  
Date

=====

The sum of \$ \_\_\_\_\_ was paid by the above-named applicant on the \_\_\_\_\_ of \_\_\_\_\_, 20\_\_ Received by: \_\_\_\_\_

City of Fort Lauderdale

=====For Official City Use Only=====

**Marine Advisory Board Action**  
Formal Action taken on \_\_\_\_\_

**Commission Action**  
Formal Action taken on \_\_\_\_\_

Recommendation \_\_\_\_\_  
Action \_\_\_\_\_



Summary of Dock Distance Waiver Request

The applicant is the owner of 1409 SW 17th Street, Fort Lauderdale. The Folio Number: 504216140140; Legal Description: The West 40 feet of Lot 3, and the East 20 feet of Lot 4, Block 5, REVISED PLAT OF YELLOWSTONE PARK, recorded in Plat Book 23, Page 33, Public Records of Broward County, Florida; together with that strip of land North of the West 40 feet of Lot 3 and North of the East 20 feet of Lot 4, Block 5, REVISED PLAT OF YELLOWSTONE PARK, recorded in Plat Book 23, Page 33, Public Records of Broward County, Florida, bounded as follows:

One the South by the North lines of said Lots 3 and 4, on the East by a line 40 feet East of and parallel to the West line of Lot 3 extended North, on the West by a line 20 feet West of and parallel to the East line of Lot 4 extended North, on the North by the East and West Quarter Section line of Section 16, including all submerged lands within said boundaries.

The property boundary line inclusive of the submerged lands extends approximately 71.8' into the water. To the north is the Crevalle Canal, which varies from 62' to 67' in width running along this parcel's submerged lands property line. While the ownership of the submerged lands conveys certain property interests in the soil beneath the waterbody, it seemingly does not extend to riparian ownership of the overlying water column.

The following supportive documents are hereby requesting authorization from the City of Fort Lauderdale's Commission to grant the necessary approval of a Resolution to this dock waiver application as it pertains to ULDR Section 47-19.3.

The proposed improvements include raising the seawall cap elevation to current shoreline standards of 5.0' NAVD, a new 5' wide concrete marginal dock, and two finger piers for the berthing of vessels dimensioned at 4x50' and 4x30'. The Boat Slip on a Plat Map with records dating back to 1925 are measured at 71.8' x 60' wide waterfront of the uplands. The remaining navigable waterway beyond the piers includes 15' of remaining boat slip basin plus the 62' to 67' of the manmade navigable Crevalle Canal. Any proposed vessels to be berthed for recreational use by the property owner applicant are also to be moored well within the boat slip area.

The primary extraordinary circumstance for the required waiver is the measurement reference line from which the City has interpreted the ULDR Section 47-19.3 code in determining the width of waterway from a point other than the property line. To include this privately owned platted boat slip having riparian rights, and combining it together with the manmade Crevalle Canal dredged for navigation, makes the area for code compliant improvements most unreasonable.

Please consider the intended and longstanding use of this Boat Slip area. The upland plat line as a point of beginning and combined with the adjacent navigable canal creates waterway widths that vary from 134' to 139'. The code section 47-19.3 subsection (e) states in no event shall the extension exceed 30% of the width of the waterway. Calculation of thirty percent (30%) of these combined water bodies at 134' is just 40.2'. This would be disallowing the berthing of vessels and mooring structures to more than 30' of an intended boat slip area, or 44% of the boat slip deemed unusable.

Safety considerations are applicable as additional extreme circumstances. The proposed piers are needed to provide necessary protection of the owners' vessels to be berthed within the boat slip, especially during extreme weather events. The piers will also provide safe access to the vessels for getting on and off the boats.

This proposed layout does not impede any navigation within the Crevalle Canal waterway. The design is an improvement that is entirely within the boat slip area, to include the berthing of vessels within the slips.

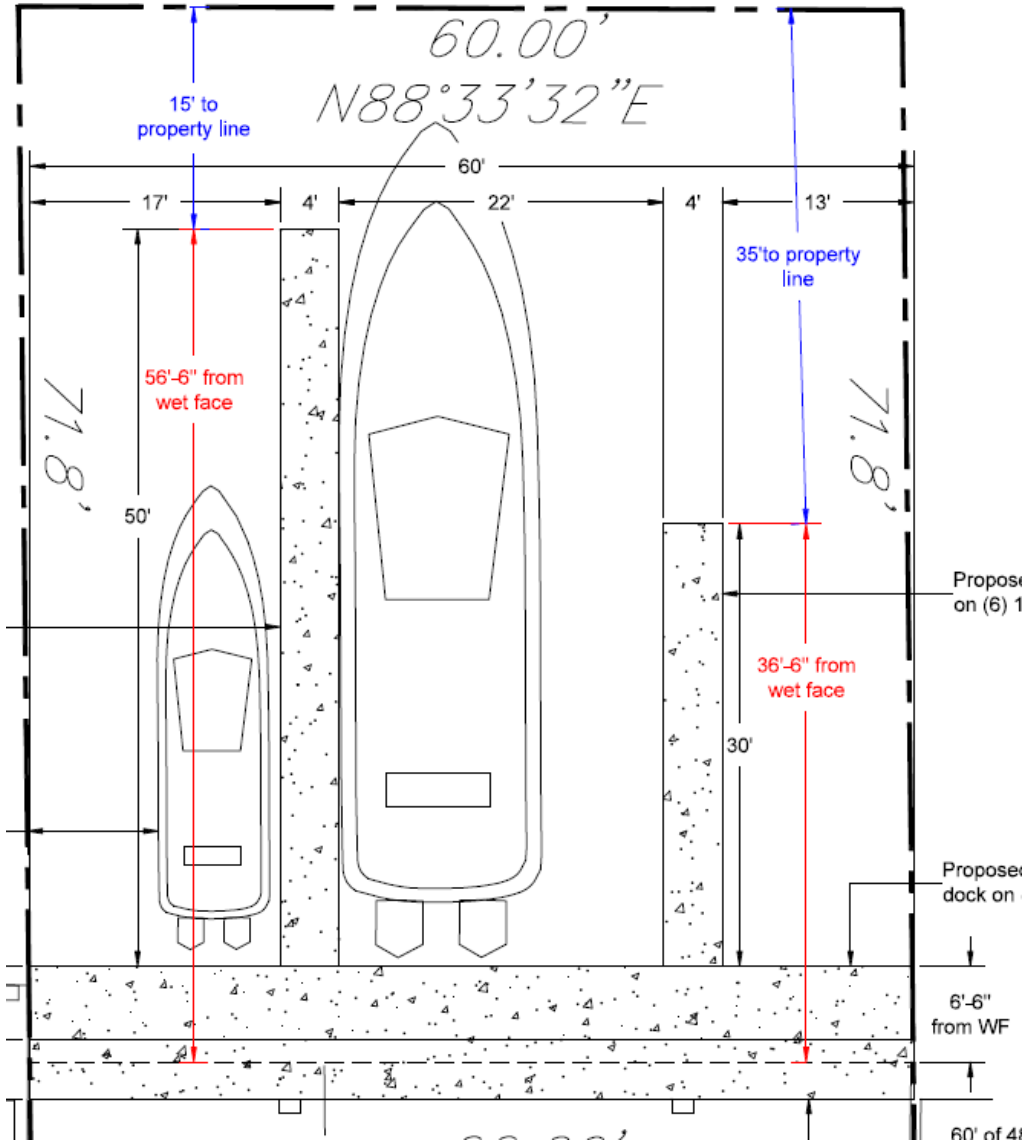
The same proposed site plan improvements were fully approved with Issued permit BLD-BDSP-21440058 from the City of Fort Lauderdale's Building Department. Subsequently, the City decided to require a Resolution from the Commission with a dock waiver application to the Marine Advisory Board for approval.

Approval has already been granted by the Broward County Resilient Environmental Department as per Environmental Resource License DF24-1232, the Florida Department of Environmental Protection FDEP Permit No.: 06-0454351-001, and the Army Corps of Engineers approval pursuant to the State Programmatic General Permit VI-R1 (SPGP).

#### Waiver Distances

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM SEAWALL WET FACE = UPLAND PLAT LINE	PERMITTED DISTANCE WITHOUT A WAIVER	DISTANCE REQUIRING A WAIVER
West Finger Pier	+/- 56'-6"	25'	+/- 31'-6"
East Finger Pier	+/- 36'-6"	25'	+/- 11'-6"

Below is the property boundary boatslip basin captured from the engineered construction plan set Sheet 2 of 7 which corresponds to the distances in the chart above.



Thank you for your consideration of this project for the necessary approvals to obtain permit issuance from the Building Department.

**PROPERTY SUMMARY**

<b>Tax Year:</b> 2024	<b>Property Use:</b> 01-01 Single Family	<b>Deputy Appraiser:</b> Residential Department
<b>Property ID:</b> 504216140140	<b>Millage Code:</b> 0312	<b>Appraisers Number:</b> 954-357-6831
<b>Property Owner(s):</b> HOLCOMBE, RHIANNON M CONGINE, VINCENT J	<b>Adj. Bldg. S.F.:</b> 1738	<b>Email:</b> <a href="mailto:realprop@bcpa.net">realprop@bcpa.net</a>
<b>Mailing Address:</b> 1409 SW 17 ST FORT LAUDERDALE, FL 33315-1945	<b>Bldg Under Air S.F.:</b> 1620	<b>Zoning :</b> RS-8 - RESIDENTIAL SINGLE FAMILY/LOW MEDIUM DENSITY
<b>Physical Address:</b> 1409 SW 17 STREET FORT LAUDERDALE, 33315-1945	<b>Effective Year:</b> 1959	<b>Abbr. Legal Des.:</b> REV PLAT YELLOWSTONE PARK 23-33 B LOT 3 W 40 & TH PT BOAT SLIPLYING N OF LOT, 4 E 20 & TH PT BOAT SLIP LYING N OF LOT BLK 5
	<b>Year Built:</b> 1958	
	<b>Units/Beds/Baths:</b> 1 / 4 / 2	

**PROPERTY ASSESSMENT**

Year	Land	Building / Improvement	Agricultural Saving	Just / Market Value	Assessed / SOH Value	Tax
2024	\$208,870	\$1,261,180	0	\$1,470,050	\$940,340	
2023	\$208,870	\$1,189,780	0	\$1,398,650	\$854,860	\$20,305.67
2022	\$208,870	\$862,310	0	\$1,071,180	\$777,150	\$16,780.73

**EXEMPTIONS AND TAXING AUTHORITY INFORMATION**

	County	School Board	Municipal	Independent
Just Value	\$1,470,050	\$1,470,050	\$1,470,050	\$1,470,050
Portability	0	0	0	0
Assessed / SOH	\$940,340	\$940,340	\$940,340	\$940,340
Granny Flat				
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exemption Type	0	0	0	0
Affordable Housing	0	0	0	0
Taxable	\$940,340	\$1,470,050	\$940,340	\$940,340

SALES HISTORY FOR THIS PARCEL				LAND CALCULATIONS		
Date	Type	Price	Book/Page or Cin	Unit Price	Units	Type
08/05/2020	Warranty Deed Qualified Sale	\$785,000	116672245	\$20.00	10,292 SqFt	Square Foot
05/14/2018	Warranty Deed Qualified Sale	\$480,000	115074776	\$1.01	3,000 SqFt	Square Foot
10/13/2017	Deed Non-Sale Title Change	\$100	114661450			
06/01/1987	Warranty Deed	\$157,000	14603 / 595			
04/01/1982	Warranty Deed	\$85,000				

**RECENT SALES IN THIS SUBDIVISION**

Property ID	Date	Type	Qualified/ Disqualified	Price	CIN	Property Address
504216140580	07/03/2024	Warranty Deed	Qualified Sale	\$643,300	119686603	1401 SW 19 ST FORT LAUDERDALE, FL 33315
504216140610	06/26/2024	Warranty Deed	Qualified Sale	\$595,000	119655991	1412 SW 19 ST FORT LAUDERDALE, FL 33315
504216140660	03/29/2024	Warranty Deed	Qualified Sale	\$561,500	119501389	1421 SW 20 ST FORT LAUDERDALE, FL 33315
504216140040	02/27/2024	Warranty Deed	Qualified Sale	\$974,000	119432217	1217 SW 17 ST FORT LAUDERDALE, FL 33315
504216140330	12/07/2023	Warranty Deed	Qualified Sale	\$530,000	119281266	1311 SW 18 ST FORT LAUDERDALE, FL 33315

SPECIAL ASSESSMENTS										SCHOOL
Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc		
Ft Lauderdale Fire-rescue (03) Residential (R) 1						(F1) 1.00				<b>Croissant Park Elementary:</b> B <b>New River Middle:</b> C <b>Stranahan High:</b> C

**ELECTED OFFICIALS**

<b>Property Appraiser</b> Marty Kiar	<b>County Comm. District</b> 8	<b>County Comm. Name</b> Robert McKinzie	<b>US House Rep. District</b> 23	<b>US House Rep. Name</b> Jared Moskowitz
---	-----------------------------------	---	-------------------------------------	--

<b>Florida House Rep. District</b> 99	<b>Florida House Rep. Name</b> Daryl Campbell	<b>Florida Senator District</b> 37	<b>Florida Senator Name</b> Jason W. B. Pizzo	<b>CAM #26-0312</b> <b>Exhibit Number</b> <b>Page 9 of 61</b>
--	--	---------------------------------------	--	---

Prepared by and return to:  
Thomas T. Coon, Jr., Esq.  
Capstone Title Partners, LLC  
888 S. Andrews Avenue, Suite 204  
Fort Lauderdale, FL 33316  
954-467-9899

File Number: 20-239  
Will Call No.:

[Space Above This Line For Recording Data]

## Warranty Deed

This Warranty Deed made this 5<sup>th</sup> day of August, 2020 between Klaus Thalinger, a married man, joined by his wife, Elena Mamonova, joined by Elena Mamonova whose post office address is 1316 SW 31st Street, Fort Lauderdale, FL 33315, grantor, and Rhiannon M. Holcombe, a single woman and Vincent J. Congine, a single man, as Joint Tenants with Rights of Survivorship, whose post office address is 1409 SW 17th Street, Fort Lauderdale, FL 33315, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

**Witnesseth**, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Broward County, Florida to-wit:

The West 40 feet of Lot 3, and the East 20 feet of Lot 4, Block 5, REVISED PLAT OF YELLOWSTONE PARK, recorded in Plat Book 23, Page 33, Public Records of Broward County, Florida; together with that strip of land North of the West 40 feet of Lot 3 and North of the East 20 feet of Lot 4, Block 5, REVISED PLAT OF YELLOWSTONE PARK, recorded in Plat Book 23, Page 33, Public Records of Broward County, Florida, bounded as follows:

On the South by the North lines of said Lots 3 and 4, on the East by a line 40 feet East of and parallel to the West line of Lot 3 extended North, on the West by a line 20 feet West of and parallel to the East line of Lot 4 extended North, on the North by the East and West Quarter Section line of Section 16, including all submerged lands within said boundaries.

Parcel Identification Number: 504216-14-0140

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold**, the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2019**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature]  
Witness Name: GERHARD NOTHEGGER

[Signature] (Seal)  
Klaus Thalinger

[Signature]  
Witness Name: Christian Huber

[Signature]  
Witness Name: GERHARD NOTHEGGER

[Signature] (Seal)  
Elena Mamonova

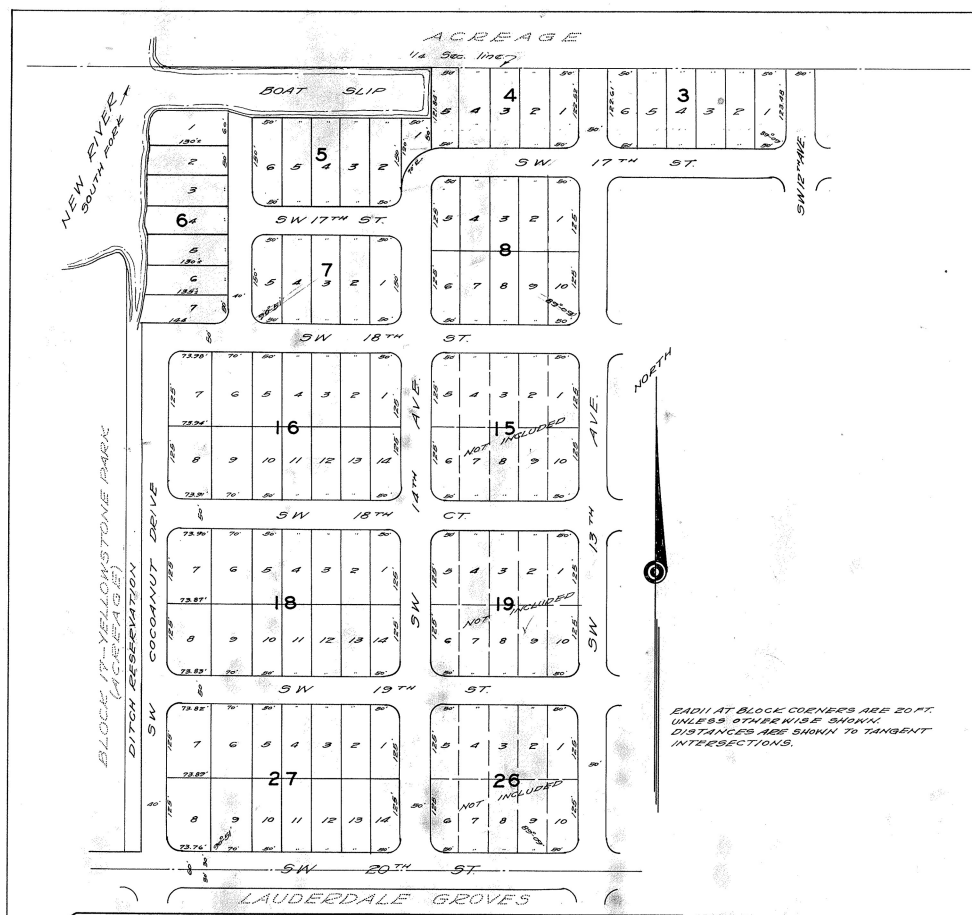
[Signature]  
Witness Name: Christian Huber

Country of Austria  
State of UPPER AUSTRIA

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 5<sup>th</sup> day of August, 2020 by Klaus Thalinger and Elena Mamonova, who  are personally known or  has produced their drivers license as identification.



[Signature]  
Notary Public  
Printed Name: GERHARD NOTHEGGER  
My Commission Expires: n/a



ACREAGE  
1/4 Sec. 16e27

DESCRIPTION  
ALL OF BLOCKS THREE(3), FOUR(4), FIVE(5), SIX(6), SEVEN(7), EIGHT(8), SIXTEEN(16), FIFTEEN(15) AND TWENTY-SEVEN(27) OF YELLOWSTONE PARK, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 10, PAGE 39 AND THE AMENDED PLAT THEREOF RECORDED IN PLAT BOOK 15, PAGE 3, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

STATE OF FLORIDA }  
COUNTY OF BROWARD }  
KNOW ALL MEN BY THESE PRESENTS That W.E. HUGHES and EULA M. HUGHES, his wife and FRANK J. WOOD and ANNA L. WOOD, his wife, owners of the herein described land, have caused to be made this plat and of Yellowstone Park for the purpose of subdividing the land to the number shown herein. All streets and avenues are dedicated to the respective use of the public in the single blocks.

IN WITNESS WHEREOF They have executed these presents and affixed their seals hereto in the City of Fort Lauderdale, Broward County, Florida, this 18th day of March, 1947.

W.E. Hughes (Seal)  
Eula M. Hughes (Seal)  
Frank J. Wood (Seal)  
Anna L. Wood (Seal)

STATE OF FLORIDA }  
COUNTY OF BROWARD }  
I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, W.E. HUGHES and EULA M. HUGHES his wife and FRANK J. WOOD and ANNA L. WOOD, his wife, to me well known to be the individuals described to and who executed the foregoing declaration and they openly acknowledged before me that they executed the same freely and voluntarily for the uses and purposes therein expressed.

My Commission Expires  
March 15th, 1948

This is to certify that the CITY PLANNING BOARD of Fort Lauderdale, Florida, approved and accepted this plat by resolution adopted this 18th day of March, 1947.

J. Johnson  
Secretary

STATE OF FLORIDA }  
COUNTY OF BROWARD }  
This is to certify that this REVISED PLAT of YELLOWSTONE PARK has been approved and accepted for record by the City Commission of the City of Fort Lauderdale, Florida, in and by Ordinance No. 1232, adopted by said City Commission on the 28th day of APRIL, 1947.

IN WITNESS WHEREOF the said City Commission has caused these presents to be attested by its Auditor and Clerk and the corporate seal of said city to be hereunto affixed this 28th day of APRIL, 1947.

A. Marshall  
CITY AUDITOR AND CLERK

STATE OF FLORIDA }  
COUNTY OF BROWARD }  
I here by certify that this plat complies with the provisions of an Act to Regulate the Making of Surveys and Plats for Record of Maps and Plats in the State of Florida approved by the Governor June 11, 1925.

Beauregard H. Hester  
Clerk of the County

This instrument filed for record this 1st day of July 1947 and recorded in Book 23 of Plats of Page 33, Broward Vol. 23.

Beauregard H. Hester  
Clerk of the County

STATE OF FLORIDA }  
COUNTY OF BROWARD }  
I hereby certify that this REVISED PLAT OF YELLOWSTONE PARK is a true and correct representation of a survey made by me and that permanent reference monuments have been set as indicated.

Dated at Fort Lauderdale, Florida, this 18th day of March, 1947.

S. W. M. Loughlin  
Surveyor No. 147  
STATE OF FLORIDA

Approved for record  
County Engineer

Approved and signed  
City Engineer

LAUDERDALE GROVES

REVISED PLAT OF  
**YELLOWSTONE PARK**  
SEC. 16 — TWP 50S. — RGE. 42 E.  
FORT LAUDERDALE  
BROWARD COUNTY — FLA  
J.W. M<sup>r</sup> LAUGHLIN — ENGINEER  
SCALE: 1" = 100' MARCH 1947.

# ERNEST W. DUNCAN P.S.M. 5182

521 SE 5TH COURT  
POMPANO BEACH, FL. 33060

BOUNDARY SURVEY

PHONE: (754) 264-2166  
FAX: (954) 827-0535

JOB NO.  
JOB NO.

PROPERTY ADDRESS: 1409 SW 17TH STREET  
FORT LAUDERDALE, FLORIDA 33315

Scale: 1" = 20'

## LEGAL DESCRIPTION:

THE WEST 40 FEET OF LOT 3, AND THE EAST 20 FEET OF LOT 4, BLOCK 5, REVISED PLAT OF YELLOWSTONE PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 33, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. TOGETHER WITH THAT STRIP OF LAND NORTH OF THE WEST 40 FEET OF LOT 3 AND NORTH OF THE EAST 20 FEET OF LOT 4, BLOCK 5, REVISED PLAT OF YELLOWSTONE PARK, RECORDED IN PLAT BOOK 23, PAGE 33, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BOUNDED AS FOLLOWS:  
ON THE SOUTH BY THE NORTH LINES OF SAID LOTS 3 AND 4, ON THE EAST BY A LINE 40 FEET EAST OF AND PARALLEL TO THE WEST LINE OF LOT 3 EXTENDED NORTH, ON THE WEST BY A LINE 20 FEET WEST OF AND PARALLEL TO THE EAST LINE OF LOT 4 EXTENDED NORTH, ON THE NORTH BY THE EAST AND WEST QUARTER SECTION LINE OF SECTION 16, INCLUDING ALL SUBMERGED LANDS WITHIN SAID BOUNDARIES.

## SYMBOL

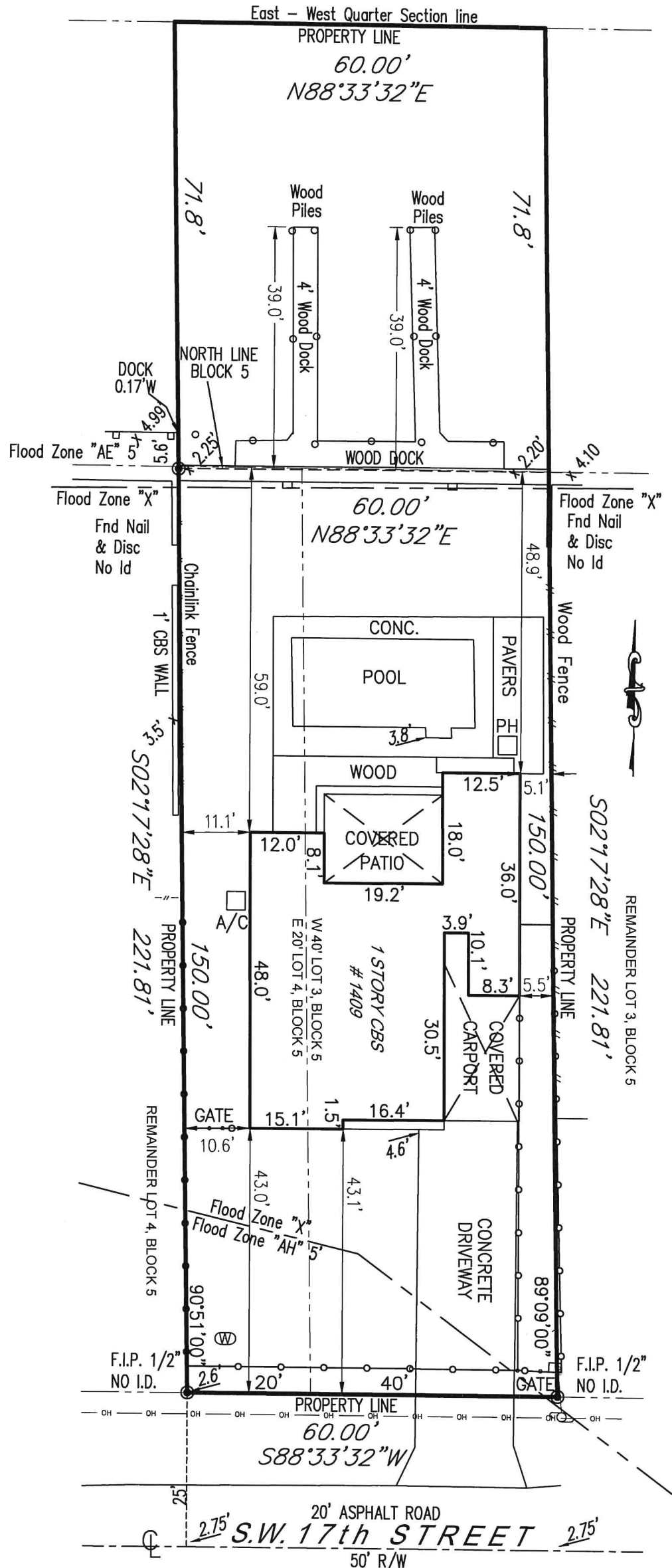
- OH — OH — OVERHEAD LINE (OH)
- x — x — CHAIN LINK FENCE (C.L.F)
- // — // — WOOD FENCE (W.F)
- o — o — PLASTIC FENCE (P.F)
- □ — □ — METAL FENCE (M.F)
- — — — WIRE FENCE (W.F)
- x 0.00' EXISTING ELEVATION
- ⊙ LIGHT POLE
- ⊕ FIRE HYDRANT
- ⊕ WATER METER
- ⊕ CABLE BOX
- ⊕ CATCH BASIN
- ⊕ ELECTRIC BOX
- ⊕ TELEPHONE BOX
- ⊕ WATER VALVE
- ⊕ UTILITY POLE

- P.E. DENOTES POOL EQUIPMENT
- F.I.R. DENOTES FOUND IRON ROD
- NO ID. DENOTES NO IDENTIFICATION
- CONC. DENOTES CONCRETE
- U.E. DENOTES UTILITY EASEMENT
- R/W DENOTES RIGHT OF WAY
- C.B.S. DENOTES CONCRETE BLOCK STRUCTURE
- LS DENOTES LICENSED LAND SURVEYOR
- P.S.M. DENOTES PROFESSIONAL LAND SURVEYOR
- N/A DENOTES NOT APPLICABLE
- A/C DENOTES AIR CONDITIONER
- NAVD88 DENOTES NORTH AMERICAN VERTICAL DATUM OF 1988
- NGVD29 DENOTES NATIONAL GEODETIC VERTICAL DATUM OF 1929
- O.E. DENOTES OVERHANG EASEMENT

## SURVEYORS NOTES:

- BEARINGS SHOWN HEREON ARE REFERENCED ASSUMED BEARING AND THE NORTH RIGHT OF WAY LINE. (S88°33'32"W)
- BENCHMARK REFERENCE: BROWARD COUNTY BENCHMARK NO. 2081 ELEVATION=7.029 NGVD29. ELEVATIONS SHOWN HEREON ARE REFERENCED TO NAVD88.
- MINIMUM LINEAR ACCURACY OBTAINED:  
1 FOOT IN 7,500 FEET AS REQUIRED FOR A SUBURBAN SURVEY
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMMITMENT FOR TITLE INSURANCE
- NO ATTEMPT WAS MADE TO LOCATE ANY UNDERGROUND IMPROVEMENTS, OVERHEAD UTILITIES, (POWERLINES, ETC) FOUNDATIONS OR WETLANDS.
- EASEMENTS SHOWN HEREON ARE PER THE PLAT.
- SURVEYOR HAS MADE NO ADDITIONAL RESEARCH OF THE PUBLIC RECORDS. THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN HEREON THAT MAY BE FOUND IN THE PUBLIC RECORDS

FLOOD ZONE: AH / X  
BASE FLOOD ELEV.= 5.0'  
FEMA MAP # 12011C 0556 H  
DATE OF FIRM: 08/18/2014



Ernest W  
Duncan

Digitally signed by Ernest W  
Duncan  
Date: 2025.10.20 12:06:18  
-04'00'

DATE OF SURVEY 7/16/24

ERNEST W. DUNCAN, P.S.M. STATE OF FLORIDA  
PROFESSIONAL SURVEYOR AND MAPPER No. LS 5182  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL  
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



Aerial Image of Adjacent Canal – No navigational Concerns

The image below is to address navigation pertaining to the 30% rule applied to the width of the canal. As depicted, the approximate 30% lines are beyond the property line. As shown to scale in the construction drawings, the vessels to be moored do not extend beyond the owner's boat slip basin and vessels will not encroach the 5-ft adjacent property setbacks.



Projection Site Plan  
Scale: 1" = 40'



Approximate Edge of Crevale Canal

Approximate limit of proposed boat slip area improvements

**CANAL**  
(R/W VARIES)

No tree will be removed or replanted as part of this permit

See attached survey supplied by owner for exact property information.

<b>Site Address</b>	1409 SW 17 STREET, FORT LAUDERDALE FL 33315-1945	<b>ID #</b>	5042 16 14 0140
<b>Property Owner</b>	HOLCOMBE, RHIANNON M CONGINE, VINCENT J	<b>Millage</b>	0312
<b>Mailing Address</b>	1409 SW 17 ST FORT LAUDERDALE FL 33315-1945	<b>Use</b>	01-01
<b>Abbreviated Legal Description</b>	REV PLAT YELLOWSTONE PARK 23-33 B LOT 3 W 40 & TH PT BOAT SLIP LYING N OF LOT,4 E 20 & TH PT BOAT SLIP LYING N OF LOT BLK 5		

Consultant  
**UNLIMITED PERMIT SERVICES, INC**  
Marine Design & Consulting  
902 NE 1st Street #2  
Pompano Beach, FL 33060  
(954) 532-0129  
Office@unlimitedps.net

Project Engineer  
**MW ENGINEERING, INC**  
902 NE 1 Street Suite #2  
Pompano Beach, FL 33060  
Ofc: 954-532-0129  
WWW.MwEngineering.net

Contractor  
**MORRISON CONTRACTORS, INC**  
3000 SW 26 Terrace  
Dania Beach, FL 33312  
(954) 583-8500

Project Information  
**Seawall Repair / New Dock**  
Vincent Congine  
1409 SW 17 Street  
Fort Lauderdale, FL 33315

DATE

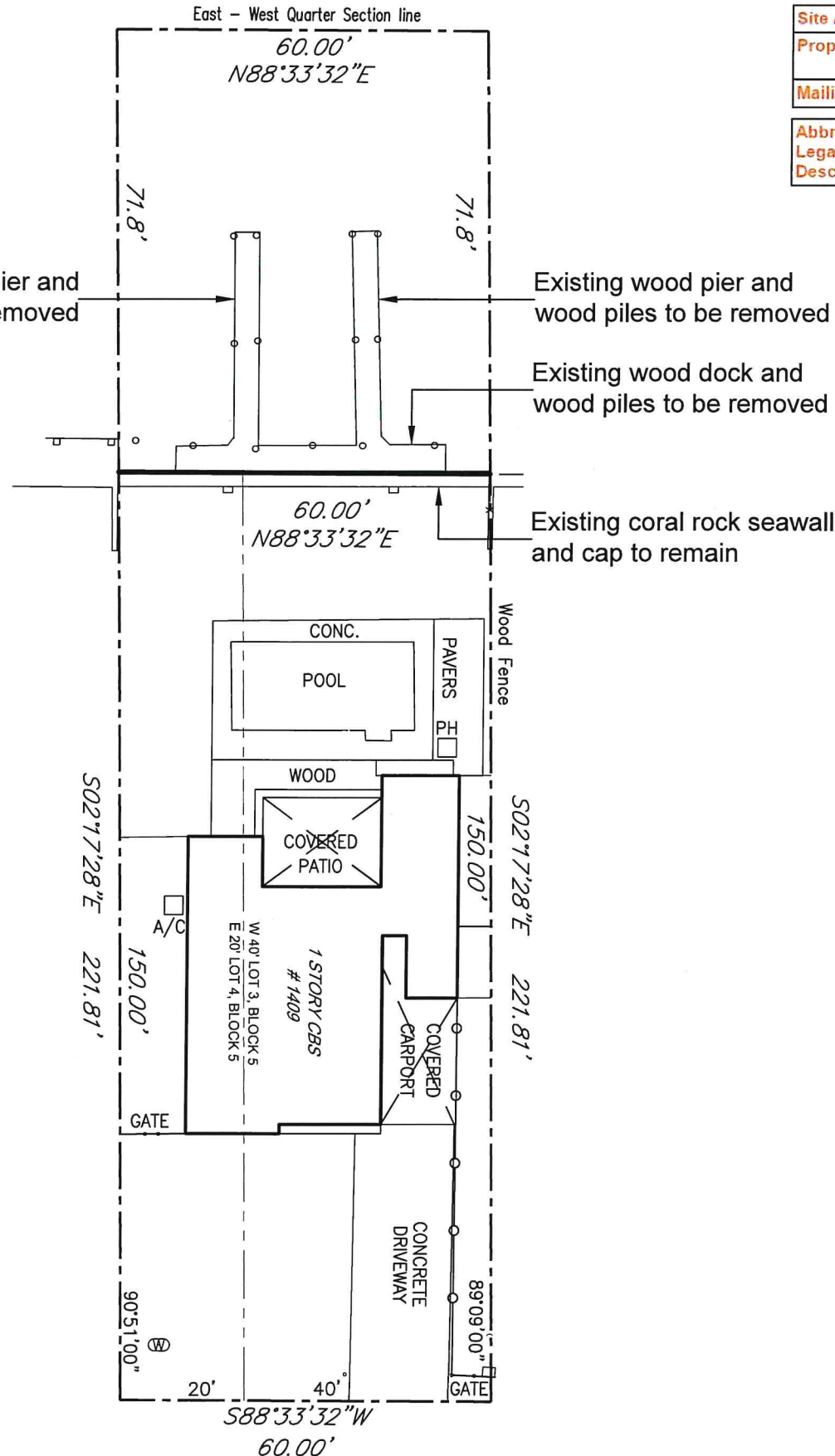
7-30-24

8-18-25

Digitally signed by Mark E Weber  
Date: 2025.09.08 14:26:14 -04'00'

MARK E. WEBER, P.E.  
LICENSE #53895 | CA 30702  
MW ENGINEERING, INC  
902 NE 1 Street Suite #2  
Pompano Beach, Florida 33060  
Ofc: 954-532-0129  
WWW.MwEngineering.net

Sheet 1 of 7



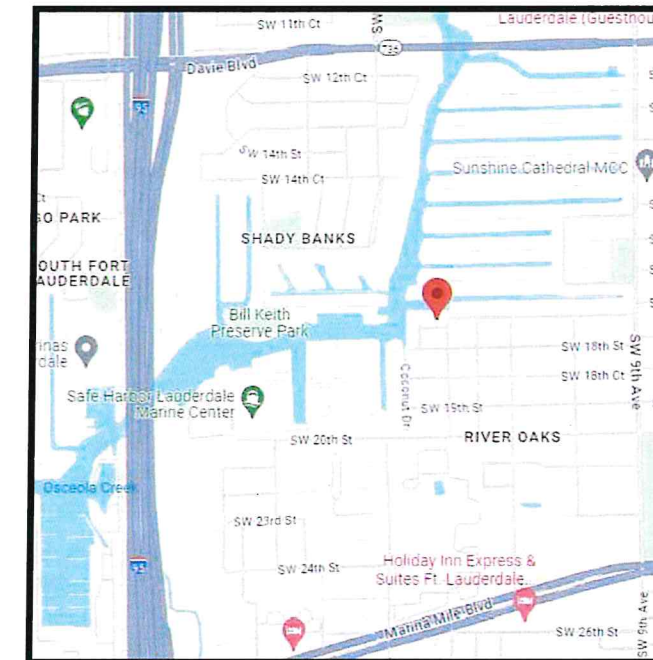
ZONING DESCRIPTION:

RS-8  
Vessel when moored on dock will maintain a minimum 5' side yard set back

**Existing Site Plan**

Scale: 1" = 25'

Location Map



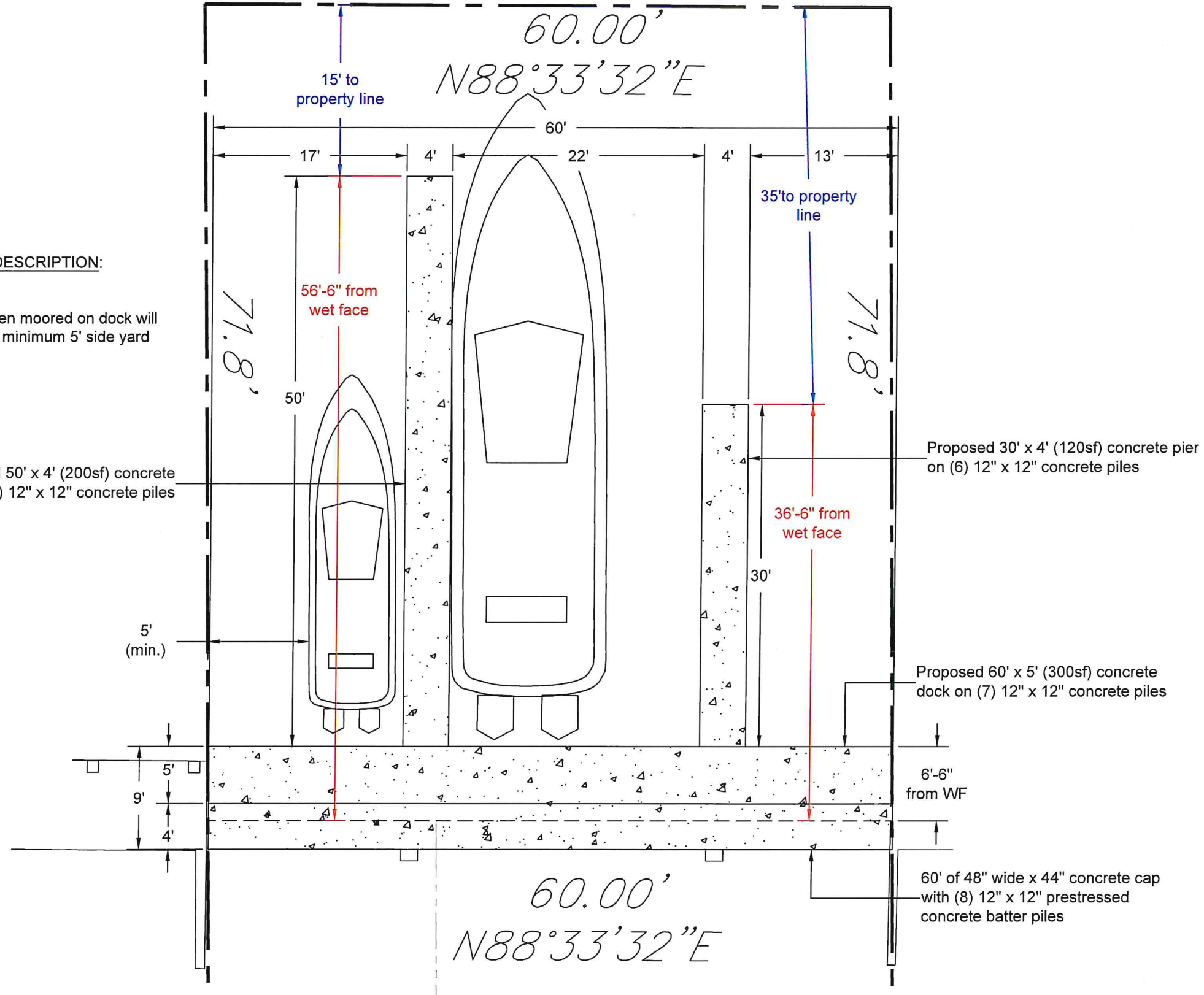
**CANAL**  
(R/W VARIES)

East - West Quarter Section line

ZONING DESCRIPTION:

RS-8  
Vessel when moored on dock will maintain a minimum 5' side yard set back

Proposed 50' x 4' (200sf) concrete pier on (10) 12" x 12" concrete piles



**Proposed Site Plan**

Scale: 1" = 10'

Consultant

**UNLIMITED PERMIT SERVICES, INC**  
Marine Design & Consulting  
902 NE 1st Street #2  
Pompano Beach, FL 33060  
(954) 532-0129  
Office@unlimitedps.net

Project Engineer

**MW ENGINEERING, INC**  
902 NE 1 Street Suite #2  
Pompano Beach, FL 33060  
Ofc: 954-532-0129  
WWW.MwEngineering.net

Contractor

**MORRISON CONTRACTORS, INC**  
3000 SW 26 Terrace  
Dania Beach, FL 33312  
(954) 583-8500

Project Information

**Seawall Repair / New Dock**  
Vincent Congine  
1409 SW 17 Street  
Fort Lauderdale, FL 33315

DATE

7-30-24

8-18-25

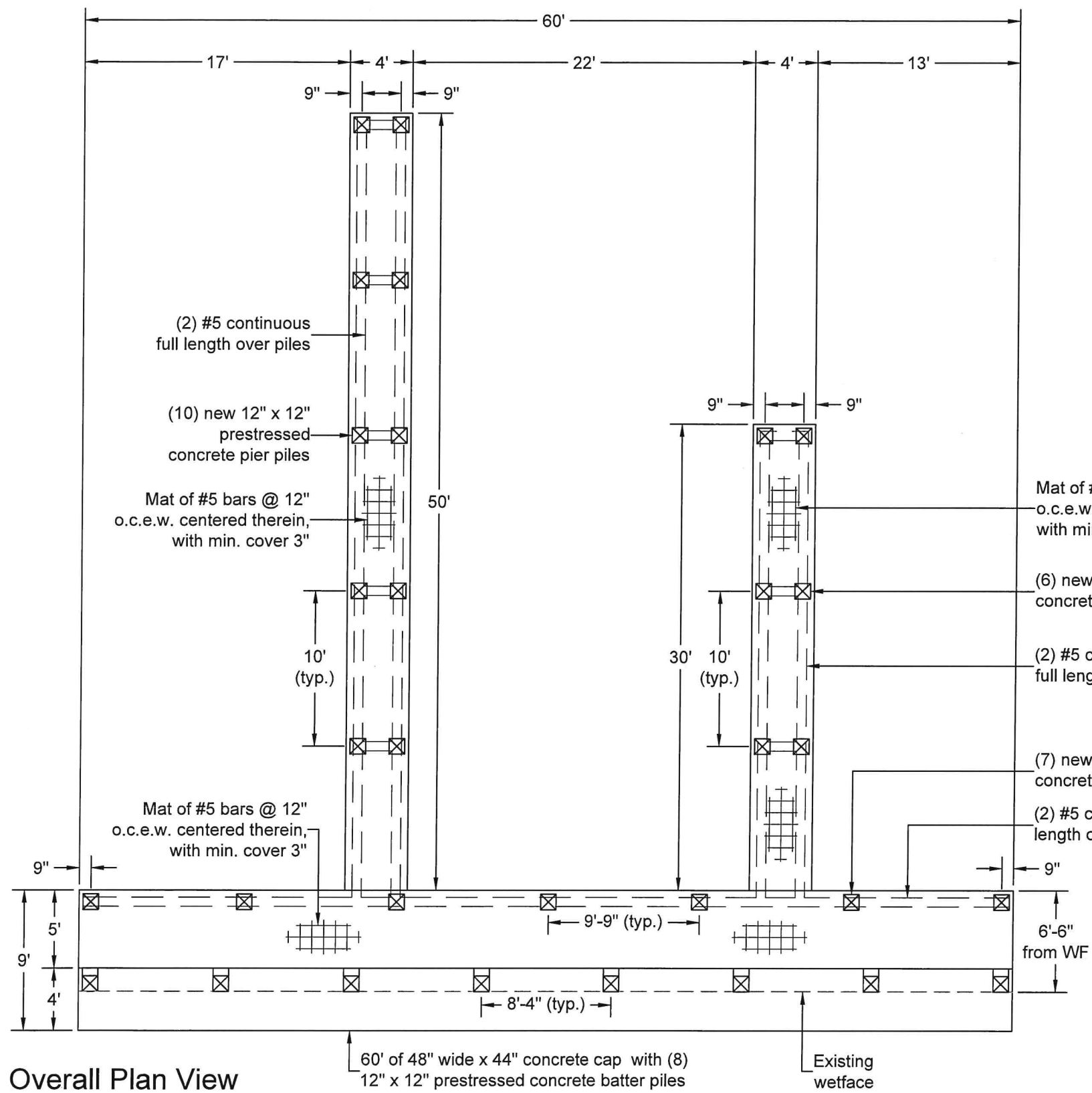


Digitally signed by Mark E Weber  
Date: 2025.09.08 14:26:38 -04'00'

MARK E. WEBER, P.E.  
LICENSE #53895 | CA 30702

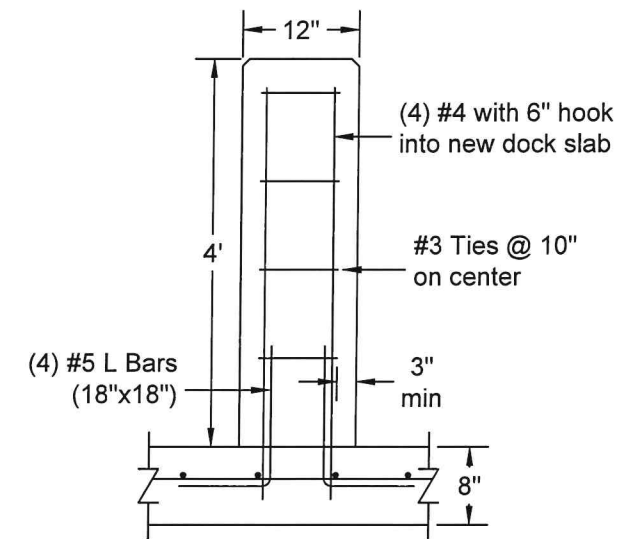
MW ENGINEERING, INC  
902 NE 1 Street Suite #2  
Pompano Beach, Florida 33060  
Ofc: 954-532-0129  
WWW.MwEngineering.net

**Sheet 2 of 7**



**Overall Plan View**  
Scale: 1/8" = 1'-0"

- Mat of #5 bars @ 12" o.c.e.w. centered therein, with min. cover 3"
- (6) new 12" x 12" prestressed concrete pier piles
- (2) #5 continuous full length over piles
- (7) new 12" x 12" prestressed concrete dock piles
- (2) #5 continuous full length over piles



**Column Detail**  
Scale: 1/4" = 1'-0"

Consultant  
**UNLIMITED PERMIT SERVICES, INC**  
Marine Design & Consulting  
902 NE 1st Street #2  
Pompano Beach, FL 33060  
(954) 532-0129  
Office@unlimitedps.net

Project Engineer  
**MW ENGINEERING, INC**  
902 NE 1 Street Suite #2  
Pompano Beach, FL 33060  
Ofc: 954-532-0129  
WWW.MwEngineering.net

Contractor  
**MORRISON CONTRACTORS, INC**  
3000 SW 26 Terrace  
Dania Beach, FL 33312  
(954) 583-8500

Project Information  
**Seawall Repair / New Dock**  
Vincent Congine  
1409 SW 17 Street  
Fort Lauderdale, FL 33315

DATE

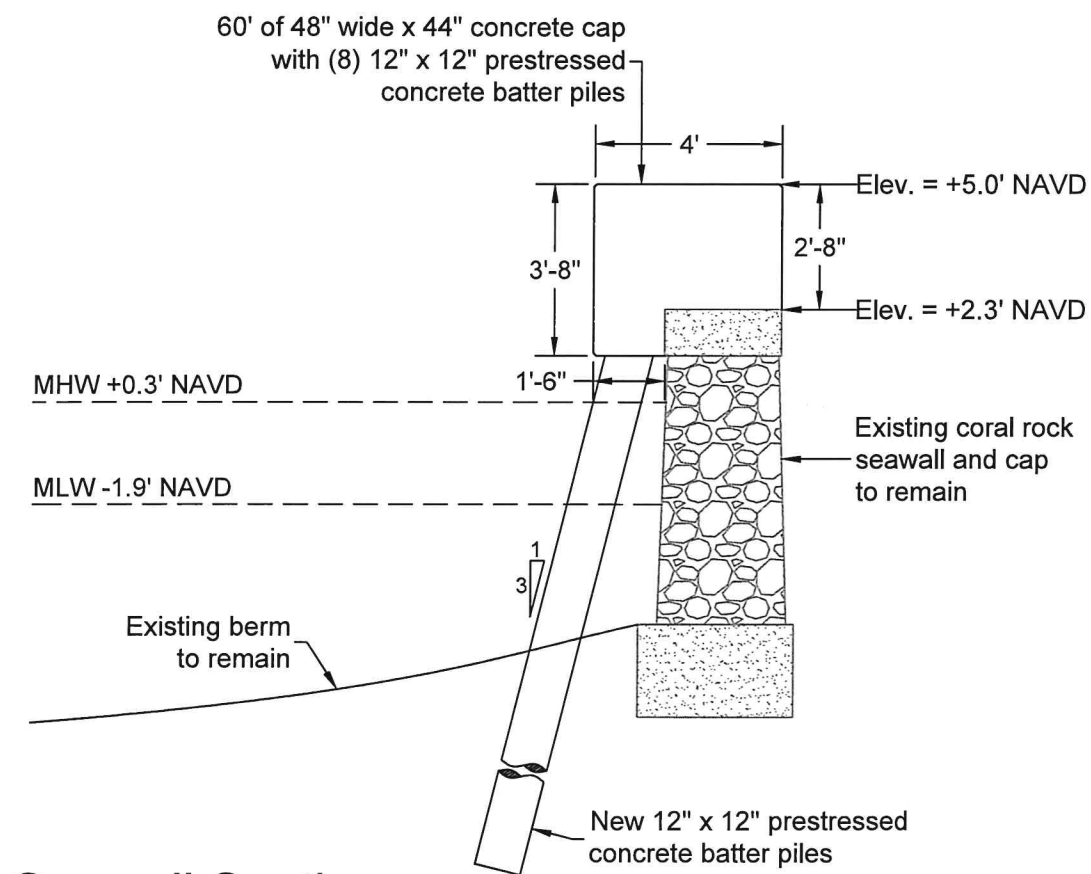
7-30-24

8-18-25

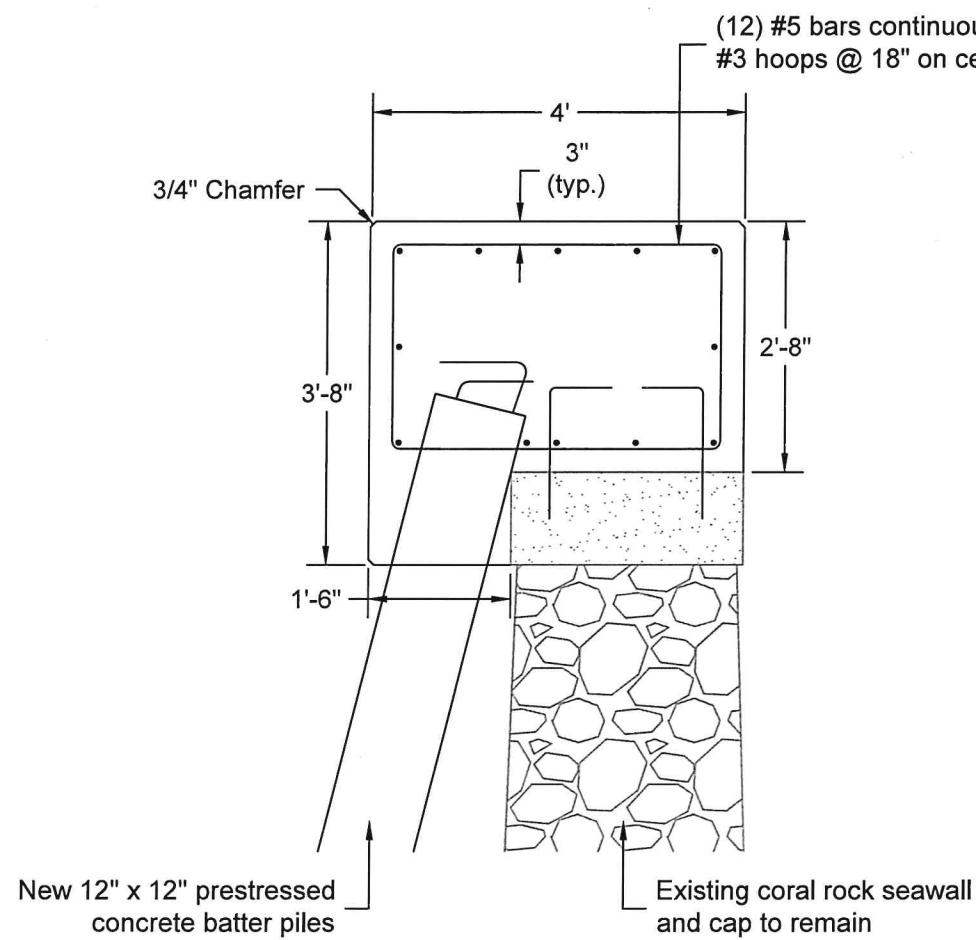
Digitally signed by Mark E Weber  
Date: 2025.09.08 14:40:53 -0400

MARK E. WEBER, P.E.  
LICENSE #53895 | CA 30702  
MW ENGINEERING, INC  
902 NE 1 Street Suite #2  
Pompano Beach, Florida 33060  
Ofc: 954-532-0129  
WWW.MwEngineering.net

Sheet 3 of 7



**Seawall Section**  
Scale 1/4" = 1'-0"



**Cap Steel Detail**  
Scale: 1/2" = 1'-0"

Consultant  
**UNLIMITED PERMIT SERVICES, INC**  
Marine Design & Consulting  
902 NE 1st Street #2  
Pompano Beach, FL 33060  
(954) 532-0129  
Office@unlimitedps.net

Project Engineer  
**MW ENGINEERING, INC**  
902 NE 1 Street Suite #2  
Pompano Beach, FL 33060  
Ofc: 954-532-0129  
WWW.MwEngineering.net

Contractor  
**MORRISON CONTRACTORS, INC**  
3000 SW 26 Terrace  
Dania Beach, FL 33312  
(954) 583-8500

Project Information  
**Seawall Repair / New Dock**  
Vincent Congine  
1409 SW 17 Street  
Fort Lauderdale, FL 33315

DATE

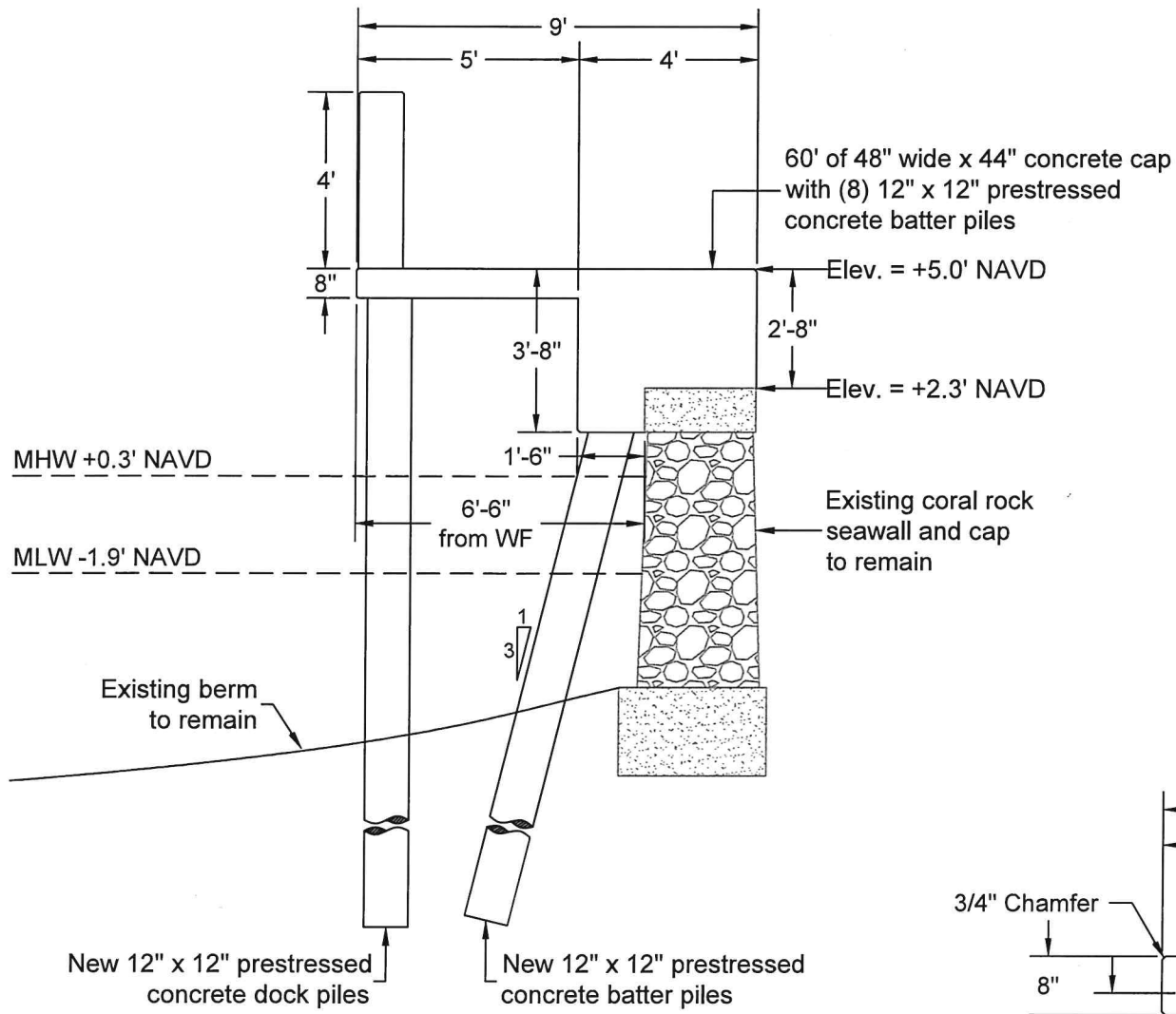
7-30-24

8-18-25

Digitally signed by  
Mark E Weber  
Date:  
2025.09.08  
14:41:14  
-04'00'

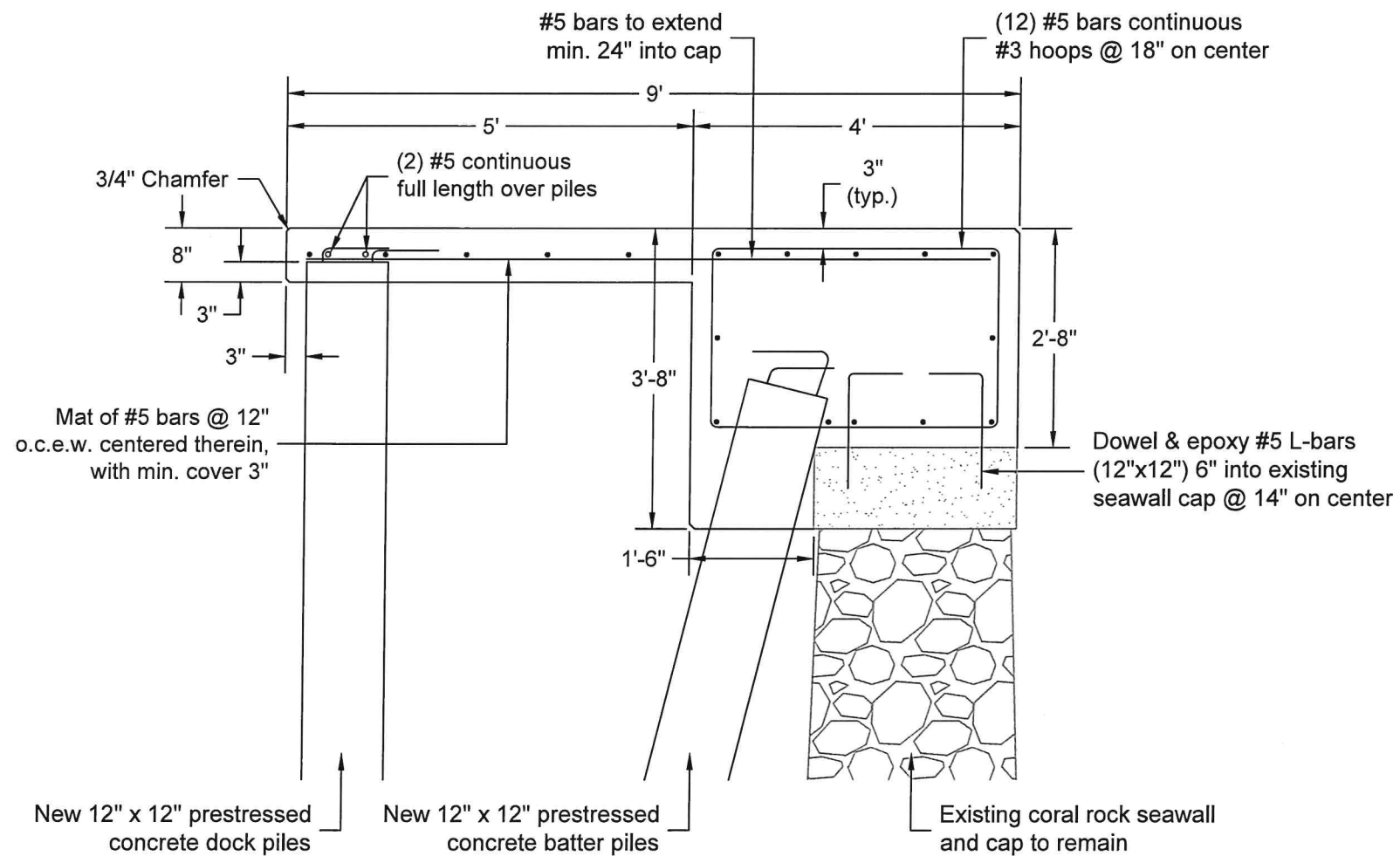
MARK E. WEBER, P.E.  
LICENSE #53895 | CA 30702  
MW ENGINEERING, INC  
902 NE 1 Street Suite #2  
Pompano Beach, Florida 33060  
Ofc: 954-532-0129  
WWW.MwEngineering.net

Sheet 4 of 7



### Dock Section

Scale 1/4" = 1'-0"



### Dock Steel Detail

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

**Consultant**  
**UNLIMITED PERMIT SERVICES, INC**  
 Marine Design & Consulting  
 902 NE 1st Street #2  
 Pompano Beach, FL 33060  
 (954) 532-0129  
 Office@unlimitedps.net

**Project Engineer**  
**MW ENGINEERING, INC**  
 902 NE 1 Street Suite #2  
 Pompano Beach, FL 33060  
 Ofc: 954-532-0129  
 WWW.MwEngineering.net

**Contractor**  
**MORRISON CONTRACTORS, INC**  
 3000 SW 26 Terrace  
 Dania Beach, FL 33312  
 (954) 583-8500

**Project Information**  
**Seawall Repair / New Dock**  
 Vincent Congine  
 1409 SW 17 Street  
 Fort Lauderdale, FL 33315

DATE

7-30-24

8-18-25

Digitally signed by Mark E Weber  
 Date: 2025.09.08 14:41:32 -04'00'

MARK E. WEBER, P.E.  
 LICENSE #53895 | CA 30702  
 MW ENGINEERING, INC  
 902 NE 1 Street Suite #2  
 Pompano Beach, Florida 33060  
 Ofc: 954-532-0129  
 WWW.MwEngineering.net

Sheet 5 of 7



**GENERAL NOTES:**

1. Construction to follow the Florida Building Code 8th Edition (2023) and amendments as applicable and all Local, State and Federal Laws.
2. Licensed contractor shall verify the existing conditions prior to the commencement of the work. Any conflicts or omissions between existing conditions or the various elements of the working drawing shall be brought to the attention of the Engineer prior to the commencement of the work. The Licensed Contractor and all subcontractors are responsible for all lines, elevations, and measurements in connection with their work.
3. Do not scale drawings for dimensions.
4. Any deviation and/or substitution from the information provided herein shall be submitted to the Engineer for approval prior to commencement of work.
5. All unanticipated or unforeseen demolition and/or new construction conditions which require deviation from the plans and notes herein shall be reported to the Engineer prior to commencement of work.
6. All new work and/or materials shall conform to all requirements of each administrative body having jurisdiction in each appertaining circumstance.
7. All new materials and/or patchwork shall be provided to match existing materials and/or adjoining work where practical except as specifically noted herein.
8. Licensed Contractor to shall use all possible care to protect all existing materials, surfaces, and furnishings from damage during all phases of construction.
9. Licensed Contractor to verify location of existing utilities prior to commencing work.
10. The Licensed contractor to install and remove all shoring and bracing as required for the proper execution of the work.
11. Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
12. Turbidity barriers to be marked with site contractor's company name using permanent markings no smaller than 3 inches in height on the top of the barrier.

**PILE DRIVING:**

1. Piles shall be driven using an approved cushion block consisting of material so arranged so as to provide the transmission of hammer energy.
2. Piles shall be driven to a minimum allowable bearing capacity of 10 tons for wood, 25 tons for concrete, and 5 tons for pin piles, a minimum of 8' into berm or refusal.
3. Piles shall be driven with a drop hammer or gravity hammer provided the hammer shall weight no less than 3,000 pounds, and the fall of the hammer shall not exceed 6'.
4. Piles shall be driven with a variation of not more than 1/4 inch per foot from the vertical, or from the batter line indicated, with a maximum variation of the head of the pile from the position shown on the plans of not more than three inches.
5. Where piling must penetrate strata offering high resistance to driving, the structural engineer of record or special inspector may require that the piles be set in pre-drilled or punched holes. The piles shall reach their final penetration by driving.

**CONCRETE NOTES:**

1. Concrete shall conform to ACI 318-14 and shall be regular weight, sulfate resistant, with a design strength of 5000 psi at 28 days with a maximum water-cementitious materials ratio, by weight aggregate concrete of 0.40.
2. Owner shall employ and pay for testing services from an independent testing laboratory for concrete sampling and testing in accordance with ASTM.
3. Licensed contractor is responsible for the adequacy of forms and shoring and for safe practice in their use and removal.
4. Concrete cover shall be 3" unless otherwise noted on the approved drawings.
5. Reinforcing steel shall be in conformance with the latest version of ASTM A615 Grade 60 specifications. All reinforcement shall be placed in accordance with ACI 315 and ACI Manual of Standard Practice.
6. Fiber Reinforced Polymer (FRP) Reinforcing Bars may be used in lieu of reinforcing steel. FRP shall meet FDOT specification 932-3.1 - Use only solid, round, thermoset basalt fiber reinforced polymer (BFRP), glass fiber reinforced polymer (GFRP) or carbon fiber reinforced polymer (CFRP) reinforcing bars from producers currently on the FDOT's Production Facility Listing.
7. Splices in reinforcing bars shall be not be less than 48 bar diameters and reinforcing shall be continuous around all corners and changes in direction. Continuity shall be provided at corners or changes in direction by bending the longitudinal steel around the corner 48 bar diameters.
8. Defective, cracked or loose concrete areas must be cut out, the rebar must be cleaned, coated with zinc and repaired with at least 3" of expoxy-concrete mix or gunnite concrete with sulfate-resistant cement.

**PILE NOTES:**

1. Concrete piles shall attain 6000 psi compressive strength in 28 days.
2. Concrete piles shall be reinforced with four - 7/16"Ø lo-lax strands, 270 kips, and 5 ga. spiral ties.
3. Concrete piles shall be 12"x12" square, minimum length of 20'.
4. Concrete piles shall be cut to leave strands exposed a min. of 18" and tied to dock or cap steel or drill and epoxy (2) #5 12"x18" hook bars 6" into pile.

**Consultant**

**UNLIMITED PERMIT SERVICES, INC**  
 Marine Design & Consulting  
 902 NE 1st Street #2  
 Pompano Beach, FL 33060  
 (954) 532-0129  
 Office@unlimitedps.net

**Project Engineer**

**MW ENGINEERING, INC**  
 902 NE 1 Street Suite #2  
 Pompano Beach, FL 33060  
 Ofc: 954-532-0129  
 WWW.MwEngineering.net

**Contractor**

**MORRISON CONTRACTORS, INC**  
 3000 SW 26 Terrace  
 Dania Beach, FL 33312  
 (954) 583-8500

**Project Information**

**Seawall Repair / New Dock**  
 Vincent Congine  
 1409 SW 17 Street  
 Fort Lauderdale, FL 33315

**DATE**

7-30-24

8-18-25



Digitally signed by  
 Mark E Weber  
 Date: 2025.09.08  
 14:42:12 -04'00'

MARK E. WEBER, P.E.  
 LICENSE #53895 | CA 30702  
 MW ENGINEERING, INC  
 902 NE 1 Street Suite #2  
 Pompano Beach, Florida 33060  
 Ofc: 954-532-0129  
 WWW.MwEngineering.net



Resilient Environment Department

**ENVIRONMENTAL PERMITTING DIVISION**

1 North University Drive, Mailbox 201, Plantation, Florida 33324 • 954-519-1483 • FAX 954-519-1412

October 28, 2024

Vincent Congine  
1409 SW 17<sup>th</sup> Street  
Fort Lauderdale, Florida 33315  
E-mail: [vcongine@yahoo.com](mailto:vcongine@yahoo.com)

Dear Mr. Congine:

This is to notify you of the Resilient Environment Department's (RED) action concerning your applications received August 14, 2024. The applications have been reviewed for a ACOE State Programmatic General Permit VI-R1, a FDEP Exemption Verification and Broward County Environmental Resource License.

**U.S. Army Corps of Engineers (ACOE) State Programmatic General Permit VI-R1 (SPGP) – Granted**

RED has the authority to review the application for compliance with the requirements to receive an ACOE SPGP VI-R1 pursuant to an agreement entitled "Coordination Agreement between the U.S. Army Corps of Engineers (Jacksonville District) and Broward County Environmental Protection and Growth Management Department – State Programmatic Permit" Based on the information submitted, a SPGP VI-R1 is hereby issued for this project.

**Florida Department of Environmental Protection (DEP) Exemption Verification – Granted**

RED has the authority to review the project for compliance with Rule 62-330 and Chapter 373 of the Florida Administrative Code pursuant to an agreement between RED, DEP, and the South Florida Water Management District. The agreement is outlined in a document entitled "Delegation Agreement among the Florida Department of Environmental Protection, the South Florida Water Management District, and Broward County". Based on the information submitted, Exemption Verification No. **06-0454351-001** is hereby issued.

**Broward County Environmental Resource License Review – Granted**

RED has reviewed the project for compliance with Aquatic and Wetland Resource Protection Ordinance Sec. 27-331 through 27-341 of the Broward County Code. Based on the information submitted, Environmental Resource License No. **DF24-1232** is hereby issued.

The above named permittee/licensee is hereby authorized to perform the work per the approved drawings(s), plans, documents and specifications as submitted by the licensee, and made a part hereof. The above referenced approvals will remain in effect subject to the attached FDEP General Conditions, Broward County General Conditions, combined FDEP and Broward County Specific Conditions, and attached exhibits.

Should you wish to object to the Agency action or file a petition, please provide written objections, petitions and/or waivers within ten (10) days from the rendition of the action (refer to the attached “Variance and Administrative Review Procedures”, Chapter 27 -10 through 27-14) to Director, EPD, 1 North University Drive Plantation, FL 33324. The “Notice of Rights” addresses the procedures to be followed if you desire a public hearing or review of the Agency’s action.

Sincerely,

*Linda Sunderland*

*October 25, 2024*

Linda Sunderland, PWS  
Environmental Program Supervisor  
Environmental Permitting Division

Date

Enclosures:

County Environmental Resource License/State EE  
Attachment A - Specific Exemption Rule  
One copy of stamped drawings (8 pages)  
Broward County RED Variance and Administrative Review Procedures  
SPGP Special Conditions  
SPGP General Conditions  
Standard Manatee Conditions for In-Water Work, 2011, 2 pages  
SPGP Commencement, Statement of Compliance and Transfer forms



Resilient Environment Department

**ENVIRONMENTAL PERMITTING DIVISION**

1 North University Drive, Mailbox 201, Plantation, Florida 33324 • 954-519-1483 • FAX 954-519-1412

**ARMY CORPS OF ENGINEERS – SPGP VI-R1  
FLORIDA STATE ENVIRONMENTAL RESOURCE PROGRAM  
EXEMPTION VERIFICATION and  
BROWARD COUNTY ENVIRONMENTAL RESOURCE LICENSE**

**PERMITTEE/LICENSEE:**

Vincent Congine  
1409 SW 17th Street  
Fort Lauderdale, Florida 33315

FDEP Permit No.: 06-0454351-001  
RED License No.: DF24-1232  
Date of Issue: 10/28/24  
Expiration Date of ERP: 10/28/29  
Expiration Date of ERL: 10/28/26  
Project: Dock Installation

This exemption verification and license is issued under the authority of Part IV of Chapter 373, F.S., and Title 62, Florida Administrative Code (F.A.C.). The activity is not exempt to operating agreements executed among the Department of Environmental Protection, Broward County, and the South Florida Water Management District, as outlined in a document entitled “Delegation Agreement Among the Florida Department of Environmental Protection, the South Florida Water Management District, and Broward County,” the Resilient Environment Department is responsible for reviewing and taking final agency action on this activity.

This project has also been reviewed in accordance with the provisions of Chapter 27, Article XI Sec. 27-331 through 27-341 of the Broward County Code. This license is issued under the provision of Chapter 27 of the Broward County Code of Ordinances also cited as Broward County Natural Resource Protection Code hereinafter called the Code. The above-named application hereinafter called the licensee, is hereby authorized to perform the work or operate the facility shown on the approved drawing(s), plans, documents, and specifications as submitted by applicant, and made a part hereof and specifically described as follows.

**DESCRIPTION OF WORK**

This project involves: (1) installation of a new 4’ wide seawall cap; (2) removal of a 4’ by 44’ marginal wooden dock and two 4’ by 34’ wooden finger piers; (3) associated construction of a new 60’ long by 5’ wide marginal concrete dock; and (4) installation of a 4’ by 50’ and 4’ by 30’ concrete finger piers. Total width of the proposed dock over water will be 6.5’ as measured from the waterward face of the seawall panel to the waterward edge of the proposed 12-inch dock pilings, and the total area of all over water structures shall not exceed 620 square feet. This license does not authorize dredging, nor does it authorize impacts to seagrasses or any other natural resources.

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

**LOCATION OF WORK**

This project is located at 1409 SW 17th Street, Fort Lauderdale. Folio Number: 504216140140.

Construction shall be in accordance with the ERL application received on 08/14/24, the ERP application received on 08/14/24, all additional information submitted, plans stamped by the Department (attached) and with all General and Specific Conditions of this license.

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

Your project qualifies for all three. However, this letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity. State water quality certification is waived for activities that are exempt under rule 62-330.051, F.A.C.

### **1. Regulatory Review – Verified**

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

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

### **2. Proprietary Review – Not required**

The activity does not appear to be located on sovereign submerged lands, and does not require further authorization under chapter 253 of the Florida Statutes, or chapters 18-20 or 18-21 of the Florida Administrative Code.

### **3. Federal Review – Approved**

Your proposed activity as outlined in your application and attached drawings qualifies for Federal authorization pursuant to the State Programmatic General Permit VI-R1, and a SEPARATE permit or authorization will not be required from the Corps. Please note that the Federal authorization expires on July 27, 2026. However, your authorization may remain in effect for up to one additional year, if provisions of Special Condition 19 of the SPGP VI-R1 permit instrument are met. You, as permittee, are required to adhere to all General Conditions and Special Conditions that may apply to your project. Special conditions required for your project are attached. A copy of the SPGP VI-R1 with all terms and conditions and the General Conditions may be found at <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book>.

Authority for review - an agreement with the USACOE entitled “Coordination Agreement Between the U.S. Army Corps of Engineers (Jacksonville District) and Broward County Environmental Protection and Growth Management Department, State Programmatic General Permit”, Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

### **Additional Information**

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

### **RED GENERAL CONDITIONS:**

- (1) The terms, conditions, requirements, limitations and restrictions set forth herein are accepted by the licensee and enforceable by RED pursuant to this chapter. RED will review this license periodically and may revoke the license, initiate administrative and/or judicial action for any violation of the conditions by the licensee, its agents, employees, servants or representatives or principals.
- (2) This license is valid only for the specific uses set forth in the license application, and any deviation from the approved uses may constitute grounds for revocation and enforcement action by RED.
- (3) In the event the licensee is temporarily unable to comply with any of the conditions of the license, the licensee shall notify RED within twelve (12) hours. Within five (5) working days of the event, the licensee shall submit a written report to RED that describes the incident, its cause, the measures being taken to correct the problem and prevent its reoccurrence, the owner's intention toward repair, replacement, and reconstruction of destroyed facilities, and a schedule of action leading toward operation within the license conditions.
- (4) The issuance of this license does not convey any vested rights or exclusive privileges, nor does it authorize any injury to public or private property or any invasion of personal rights, or any violations of federal, state or local laws or regulations.
- (5) This license must be available for inspection on the licensee's premises during the entire life of the license.
- (6) By accepting this license, the licensee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source, that are submitted to RED, may be used by RED as evidence in any enforcement proceeding arising under Chapter 27, except where such use is prohibited by § 403.111, F.S.
- (7) The licensee agrees to comply with Chapter 27, as amended.
- (8) Any new owner of a licensed facility shall apply by letter for a transfer of license within thirty days after sale or legal transfer. The transferor shall remain liable for performance in accordance with the license until the transferee applies for, and is granted the transfer of license. The transferee shall also be liable for performance in accordance with the license.
- (9) The licensee, by acceptance of this license, specifically agrees to allow access to the licensed source at reasonable times by RED personnel for the purposes of inspection and testing to determine compliance with this license and this Chapter 27.
- (10) This license does not constitute a waiver or approval of any other license that may be required for other aspects of the total project.
- (11) If the licensee wishes to renew a license or extend its term, the licensee shall make application sixty (60) days prior to its expiration. Expired licenses are not renewable.
- (12) In addition to the general conditions set forth above, each license issued by RED shall contain specific conditions determined by site conditions and requirements pursuant to the regulations as determined by the director of RED. The licensee agrees that specific conditions are enforceable by RED for any violation thereof.

(13) Enforcement of the terms and provisions of this license shall be at the reasonable discretion of RED, and any forbearance on behalf of RED to exercise its rights hereunder in the event of any breach by the licensee, shall not be deemed or construed to be a waiver of RED's rights hereunder.

### RED SPECIFIC CONDITIONS:

#### A. STANDARD CONDITIONS

(1) **Notify the Department in writing a minimum of 48 hours prior to project commencement and a maximum of 48 hours after project completion.** Commencement notification should include such information as the intended start date, estimated duration of construction, and the name and contact information of the firm contracted to do the work. **Failure to comply with this condition will result in enforcement action.**

(2) Any project caused environmental problem(s) shall be reported immediately to the Department's Environmental Response Line at 954-519-1499.

(3) All project generated solid waste and/or spoil material must be disposed of in a suitable approved manner at an upland location.

(4) All watercraft associated with the construction and use of the permitted structure shall only operate within waters of sufficient depth so as to preclude bottom scouring or prop dredging. **Specifically, there shall be a minimum 12-inch clearance between the deepest draft of the vessel (with the motor in the down position) and the top of any submerged resources or canal bottom at mean low water.**

(5) Turbidity screens, silt fences, or equivalent shall be properly employed and maintained as necessary to effectively contain suspended sediments and/or runoff during construction activities. **Dredging, filling, excavation, seawall removal, seawall construction, and other projects which result in similar degrees of disturbance to wet sediments shall in all cases employ turbidity control measures designed to effectively enclose the entire work area.**

(6) Turbidity levels shall be monitored and recorded if a visible turbidity plume is observed leaving the site during construction activities. If monitoring reveals that turbidity levels exceed 29 NTU's above natural background 50 feet downstream of the point of discharge, project activities shall immediately cease, and work shall not resume until turbidity levels drop to within these limits [62-302.530(69) FAC].

#### B. CONSTRUCTION CONDITIONS

(1) The replacement dock and finger piers shall have a maximum over-water width of 56.5 feet for a total over-water area of 620 square feet, as measured from the wet face of the existing seawall panel to the waterward edge of the proposed decking, and shall otherwise be constructed as shown on the attached drawings.

(2) No dredging is authorized by this license.

(3) As-built drawings by a Professional Engineer registered in the State of Florida and/or the final inspection from the City of Fort Lauderdale demonstrating that the project is in substantial compliance with the licensed plans shall be submitted to the Department within thirty (30) days from completion of the project. **Failure to construct the project as authorized may result in enforcement action.**

(4) If the approved license drawings and/or license attachments/plans conflict with the specific conditions, then the specific conditions shall prevail.

(5) Demolition and construction related debris must be disposed of at an approved upland location and may not be left in the waterway.

OR

Demolition and construction related debris must be disposed of at an approved upland location and may not be left in the wetlands or any surface waters.

(6) This license does not eliminate the necessity to obtain any required federal, state, local or special district authorizations prior to the start of any activity approved by this license.

### C. TURBIDITY CONDITIONS

(1) All watercraft associated with the proposed work and/or use of the permitted structure shall only operate within waters of sufficient depth so as to preclude bottom scouring or prop dredging.

(2) The contractor shall be responsible to have functional turbidity monitoring equipment on site during all construction activities and shall be responsible for training construction personnel in its calibration, operation, and related license requirements.

(3) If a visible turbidity plume is observed leaving the site at any time, the licensee shall:

- (a) Immediately cease all work contributing to the water quality violation. Operations may not resume until the Department gives authorization to do so.
- (b) Notify the Department's Development and Environmental Regulation Division immediately at (954) 519-1499, referencing the license number and project name.
- (c) Stabilize all exposed material contributing to the water quality violation. Modify the work procedures that were responsible for the violation, and install more turbidity containment devices and/or repair any non-functioning turbidity containment devices.

(4) Single/Twin turbidity screens, booms, curtains, or equivalent shall be affixed, anchored, or weighted to the existing seawall as depicted on the approved plans and shall span from water's surface to the substrate and shall be maintained as necessary during construction activities to minimize migration of turbidity into the adjacent waterway.

(5) Connected turbidity curtain segments shall be overlapped and tied at the top and bottom so as to prevent turbidity from escaping through gaps between segments.

(6) Turbidity curtains shall be deployed to effectively encapsulate the work area without impeding navigation in public waterways.

### D. STANDARD SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

(1) 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.

(2) 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.

(3) 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.

(4) 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.

(5) 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.

(6) 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.

(7) Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.

#### E. PROTECTED MARINE SPECIES CONDITIONS

(1) 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 licensee 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.

(2) 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.

(3) 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.

(4) 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 shut down 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.

(5) 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)

(6) Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the licensee 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 8 ½" 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 <https://myfwc.com/wildlifehabitats/wildlife/manatee/education-for-marinas/>. Questions concerning these signs can be sent to the email address listed above.

(7) Please be advised if five (5) or more vessels are observed at this project location, a Marine Facility Operating License (MFOL) shall be required. A MFOL may only be issued through the issuance of an Environmental Resource License (ERL) and only if slips are available for allocation from the MPP pool of slips. Application fees include \$450.00 for the ERL and \$666.00 for each proposed slip. If slips are not available in the pool, a complete application may be placed on a time clock waiver until such time as slips become available. Until the license is issued, the vessel count must be maintained below five slips.

A MFOL when issued is valid for one (1) year and must be renewed annually prior to expiration. Renewal of a MFOL requires payment of an annual manatee conservation fee as established in Subsection 27-334 (c) 2 of the Broward County Code. The fee is currently \$32.00 per slip per year.

**F. A COPY OF THIS LICENSE SHALL BE KEPT ON SITE DURING ALL PHASES OF LICENSED CONSTRUCTION.**

### **NOTICE OF RIGHTS**

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice.

#### Petition for Administrative Hearing

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

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any email address, any facsimile number, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and

- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

#### Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

#### Extension of Time

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

#### Mediation

Mediation is not available in this proceeding.

#### FLAWAC Review

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

#### Judicial Review

Any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

If you revise your project after submitting the initial joint application, please contact us as soon as possible. Also, if you have any questions, please contact Francisco Alvaro at (954) 519-1467 or via e-mail at [FAlvaro@Broward.org](mailto:FAlvaro@Broward.org). When referring to this project, please use the County file number listed above.

Executed in Plantation, Florida.

BROWARD COUNTY RESILIENT ENVIRONMENT DEPARTMENT as delegated by the STATE OF  
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

*Linda Sunderland*

Linda Sunderland, PWS  
Environmental Program Supervisor  
Environmental Permitting Division

*October 25, 2024*

Date

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy clerk hereby certifies that this determination, including all copies were sent on the filing date below to the listed persons:

Kathy Cartier, Unlimited Permit Services Inc. (via e-mail)

**FILING AND ACKNOWLEDGMENT**

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

Francisco Alvaro                      October 28, 2024  
Clerk    Date

## Attachment A

### Chapter 62-330.051 Exempt Activities.

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

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

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

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

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

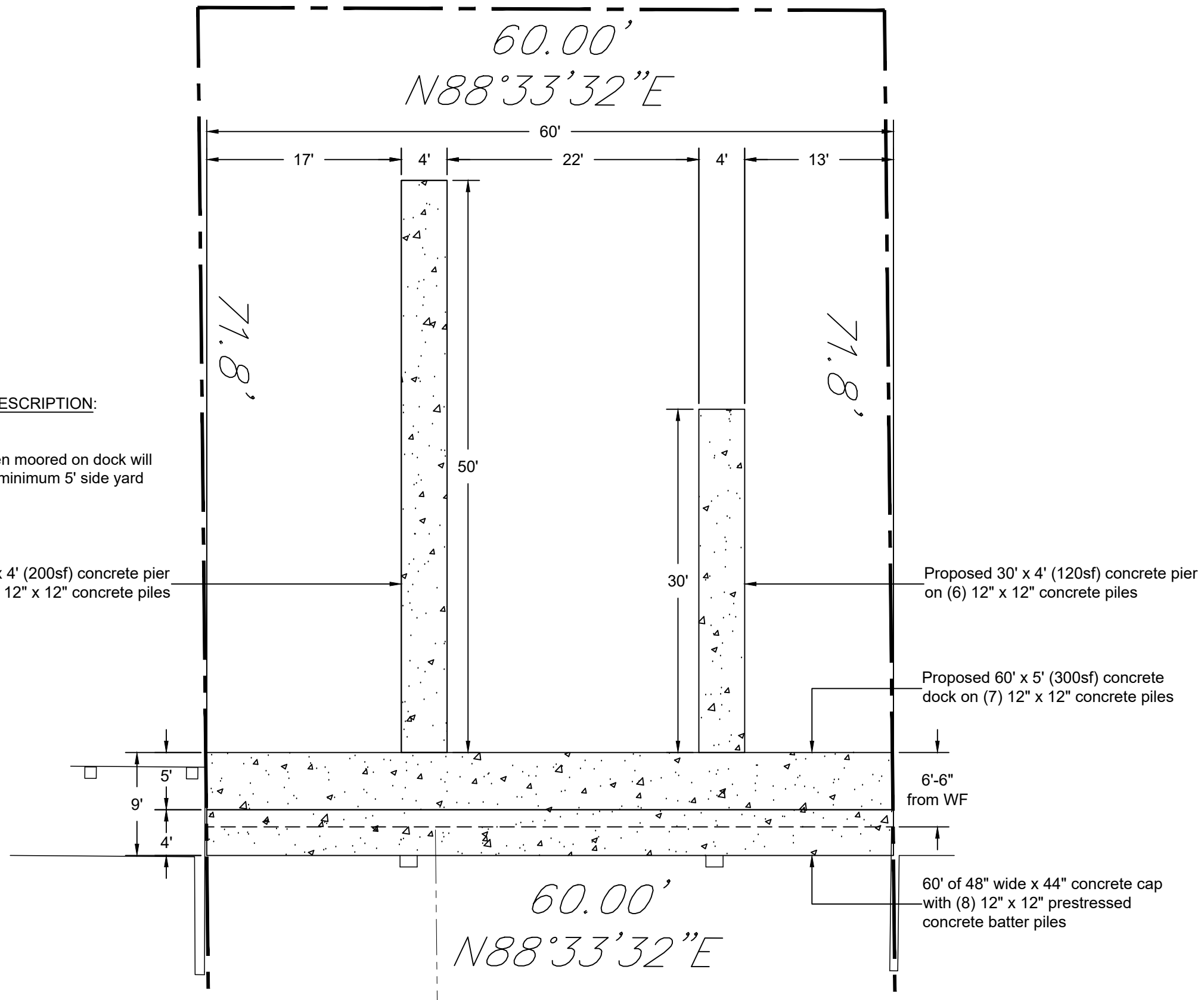
(b) The restoration of a seawall or riprap under section 403.813(1)(e), F.S., where:

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



**CANAL**  
(R/W VARIES)

East - West Quarter Section line



ZONING DESCRIPTION:

RS-8  
Vessel when moored on dock will maintain a minimum 5' side yard set back

Proposed 50' x 4' (200sf) concrete pier on (10) 12" x 12" concrete piles

Proposed 30' x 4' (120sf) concrete pier on (6) 12" x 12" concrete piles

Proposed 60' x 5' (300sf) concrete dock on (7) 12" x 12" concrete piles

6'-6" from WF

60' of 48" wide x 44" concrete cap with (8) 12" x 12" prestressed concrete batter piles

Proposed Site Plan

Scale: 1" = 10'

Consultant

**UNLIMITED PERMIT SERVICES, INC**  
Marine Design & Consulting  
902 NE 1st Street #2  
Pompano Beach, FL 33060  
(954) 532-0129  
Office@unlimitedps.net

Project Engineer

**MW ENGINEERING, INC**  
902 NE 1 Street Suite #2  
Pompano Beach, FL 33060  
Ofc: 954-532-0129  
WWW.MwEngineering.net

Contractor

**MORRISON CONTRACTORS, INC**  
3000 SW 26 Terrace  
Dania Beach, FL 33312  
(954) 583-8500

Project Information

**Seawall Repair / New Dock**  
Vincent Congine  
1409 SW 17 Street  
Fort Lauderdale, FL 33315

DATE

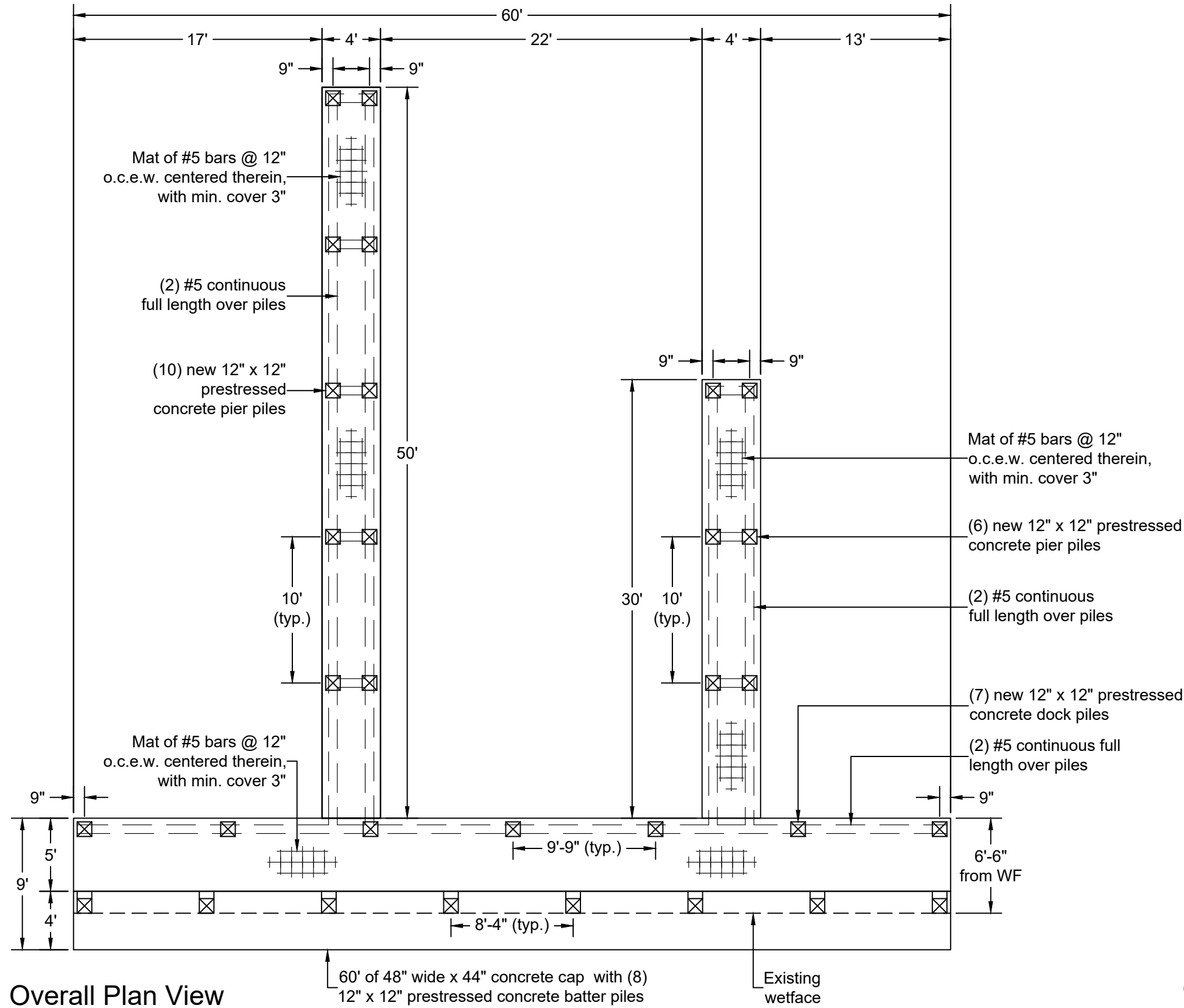
7-30-24

MARK E. WEBER, P.E.  
LICENSE #53895 | CA 30702  
MW ENGINEERING, INC  
902 NE 1 Street Suite #2  
Pompano Beach, Florida 33060  
Ofc: 954-532-0129  
WWW.MwEngineering.net

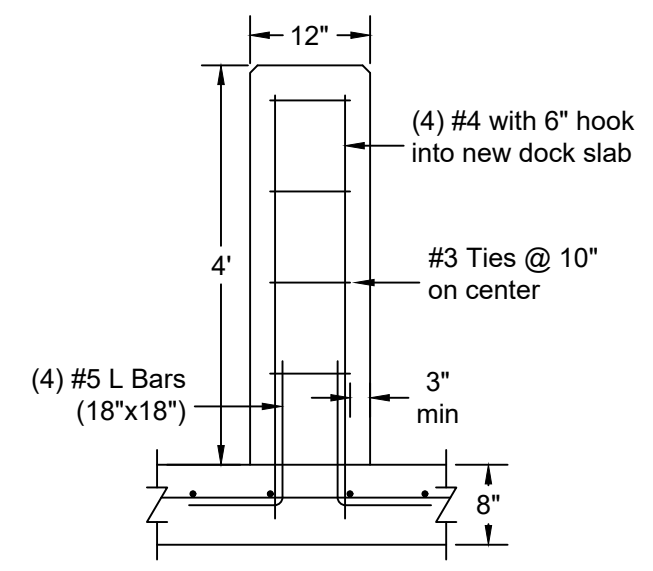
**Sheet 2 of 8**

CAM #26-0312

Exhibit 1  
Page 35 of 61



**Overall Plan View**  
Scale: 1/8" = 1'-0"



**Column Detail**  
Scale: 1/4" = 1'-0"

Consultant  
**UNLIMITED PERMIT SERVICES, INC**  
 Marine Design & Consulting  
 902 NE 1st Street #2  
 Pompano Beach, FL 33060  
 (954) 532-0129  
 Office@unlimiteddps.net

Project Engineer  
**MW ENGINEERING, INC**  
 902 NE 1 Street Suite #2  
 Pompano Beach, FL 33060  
 Ofc: 954-532-0129  
 WWW.MwEngineering.net

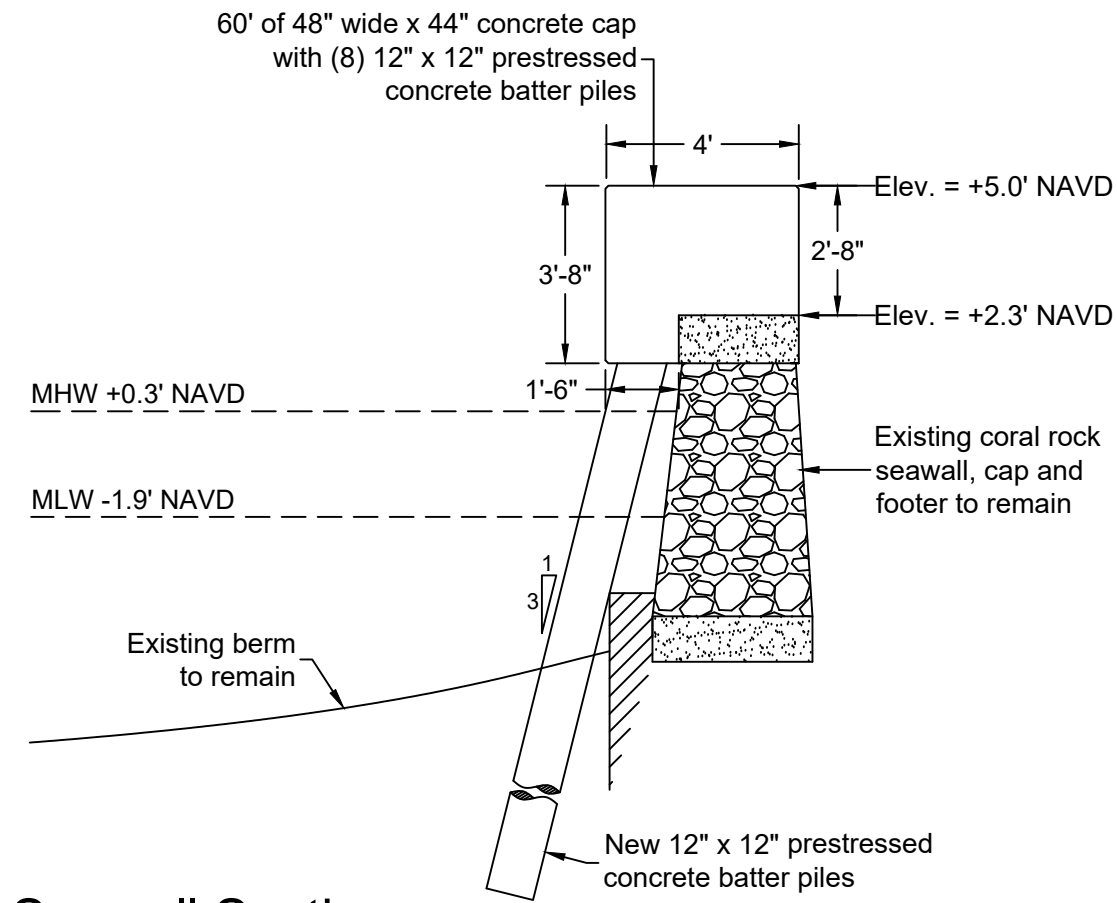
Contractor  
**MORRISON CONTRACTORS, INC**  
 3000 SW 26 Terrace  
 Dania Beach, FL 33312  
 (954) 583-8500

Project Information  
**Seawall Repair / New Dock**  
 Vincent Congine  
 1409 SW 17 Street  
 Fort Lauderdale, FL 33315

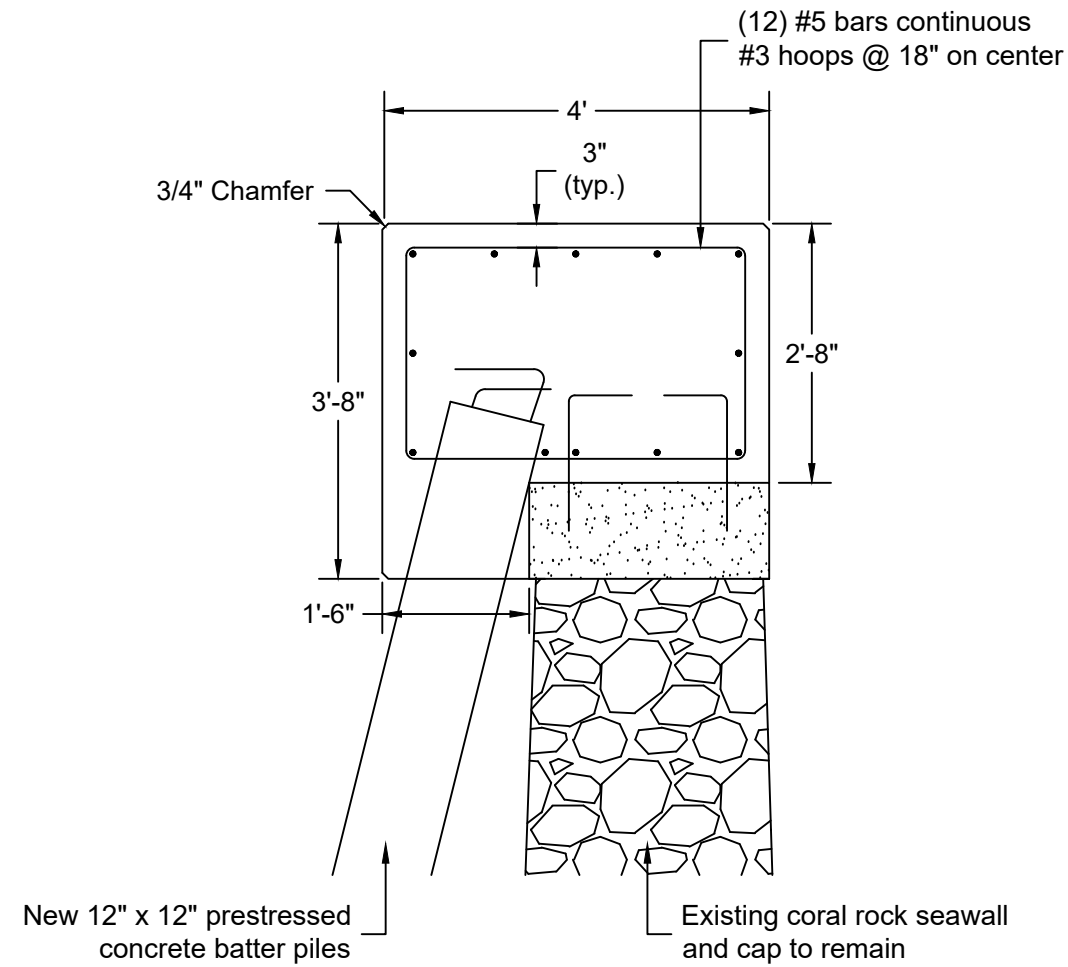
DATE
7-30-24

MARK E. WEBER, P.E.  
 LICENSE #53895 | CA 30702  
 MW ENGINEERING, INC  
 902 NE 1 Street Suite #2  
 Pompano Beach, Florida 33060  
 Ofc: 954-532-0129  
 WWW.MwEngineering.net

**Sheet 3 of 8**  
CAM #26-0312



**Seawall Section**  
Scale 1/4" = 1'-0"



**Cap Steel Detail**  
Scale: 1/2" = 1'-0"

Consultant  
**UNLIMITED PERMIT SERVICES, INC**  
 Marine Design & Consulting  
 902 NE 1st Street #2  
 Pompano Beach, FL 33060  
 (954) 532-0129  
 Office@unlimitedps.net

Project Engineer  
**MW ENGINEERING, INC**  
 902 NE 1 Street Suite #2  
 Pompano Beach, FL 33060  
 Ofc: 954-532-0129  
 WWW.MwEngineering.net

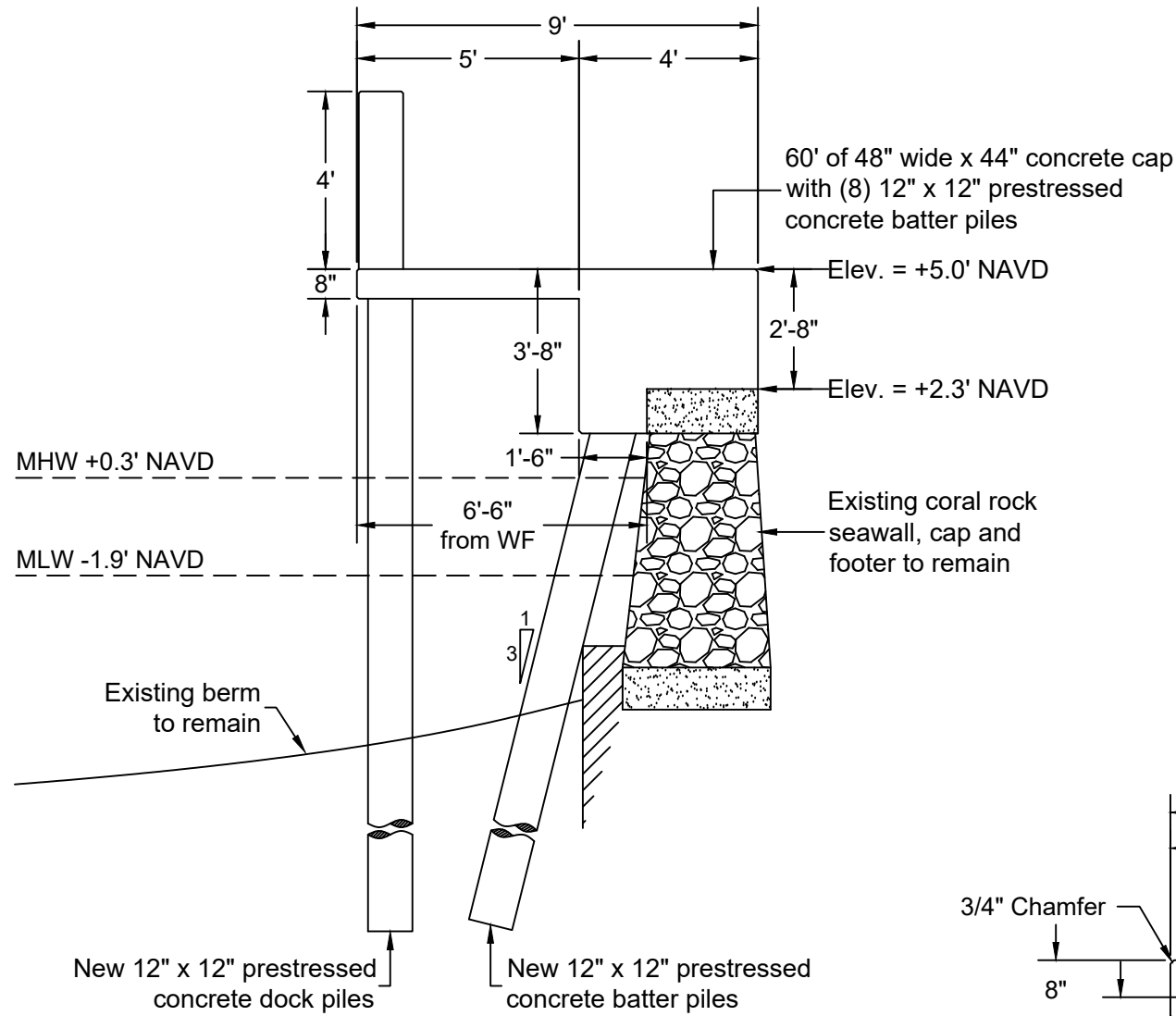
Contractor  
**MORRISON CONTRACTORS, INC**  
 3000 SW 26 Terrace  
 Dania Beach, FL 33312  
 (954) 583-8500

Project Information  
**Seawall Repair / New Dock**  
 Vincent Congine  
 1409 SW 17 Street  
 Fort Lauderdale, FL 33315

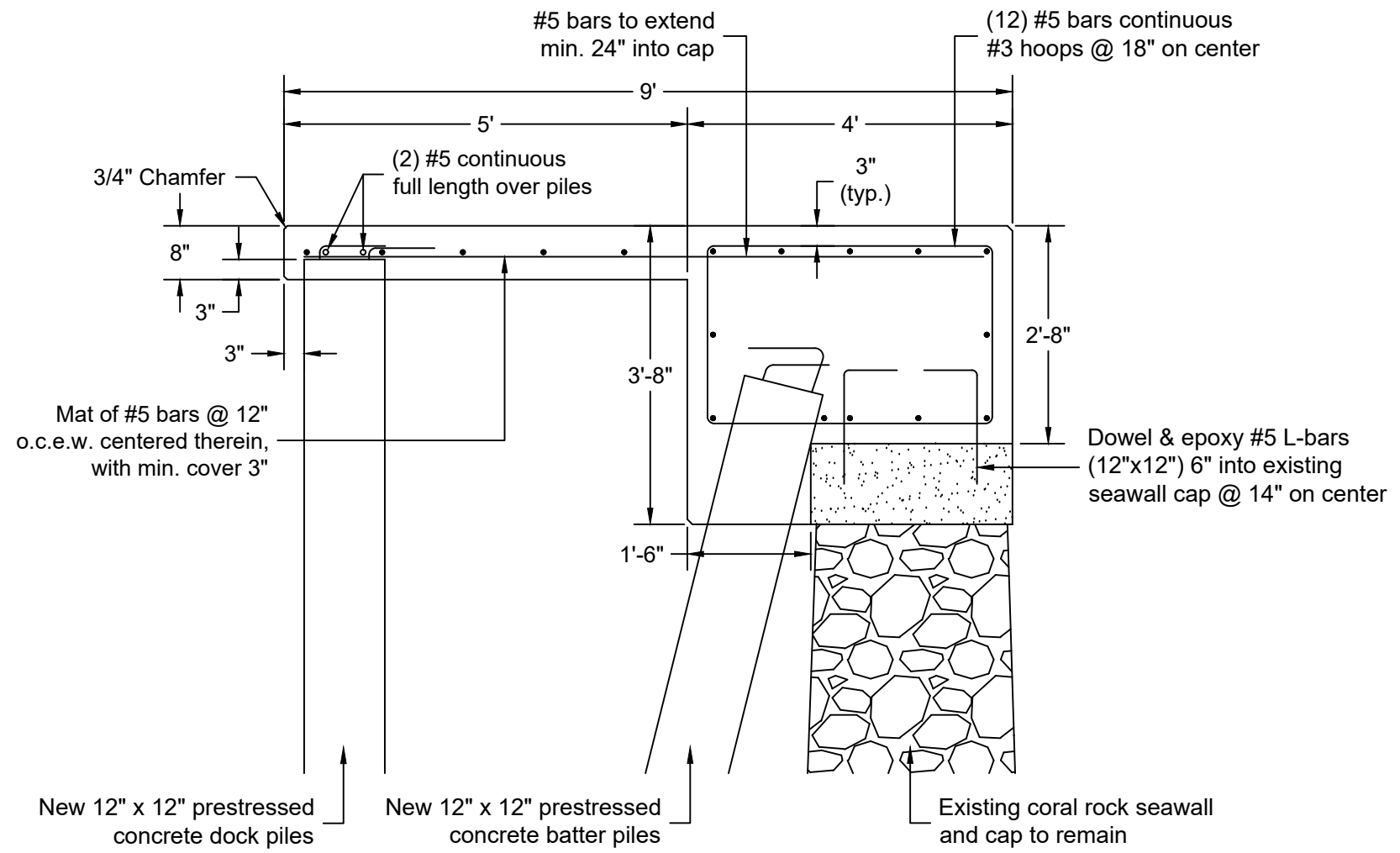
DATE
7-30-24

MARK E. WEBER, P.E.  
 LICENSE #53895 | CA 30702  
 MW ENGINEERING, INC  
 902 NE 1 Street Suite #2  
 Pompano Beach, Florida 33060  
 Ofc: 954-532-0129  
 WWW.MwEngineering.net

**Sheet 4 of 8**  
 CAM #26-0312



**Dock Section**  
Scale 1/4" = 1'-0"



**Dock Steel Detail**  
Scale: 1/2" = 1'-0"

Consultant  
**UNLIMITED PERMIT SERVICES, INC**  
 Marine Design & Consulting  
 902 NE 1st Street #2  
 Pompano Beach, FL 33060  
 (954) 532-0129  
 Office@unlimiteddps.net

Project Engineer  
**MW ENGINEERING, INC**  
 902 NE 1 Street Suite #2  
 Pompano Beach, FL 33060  
 Ofc: 954-532-0129  
 WWW.MwEngineering.net

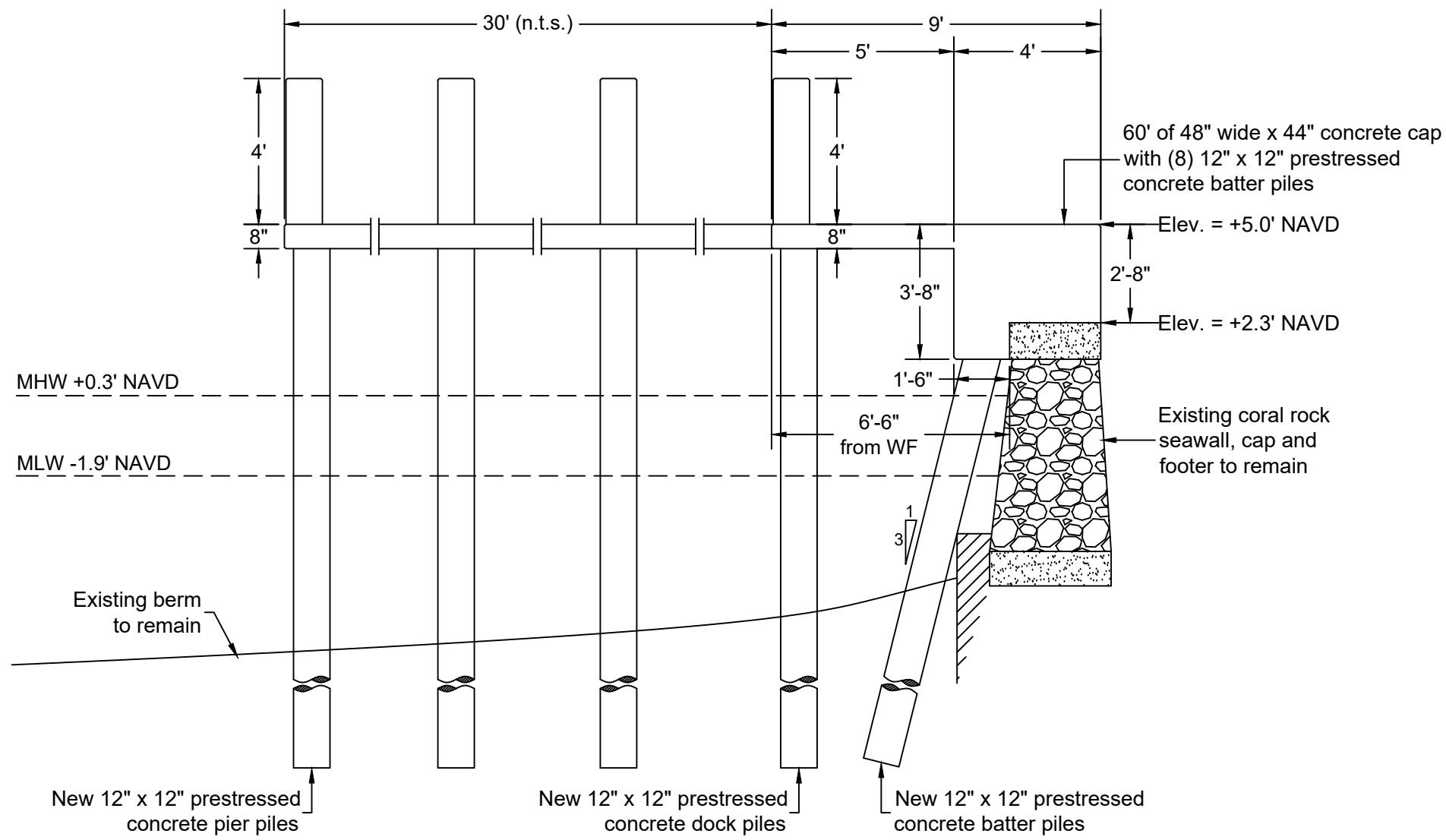
Contractor  
**MORRISON CONTRACTORS, INC**  
 3000 SW 26 Terrace  
 Dania Beach, FL 33312  
 (954) 583-8500

Project Information  
**Seawall Repair / New Dock**  
 Vincent Congine  
 1409 SW 17 Street  
 Fort Lauderdale, FL 33315

DATE
7-30-24

MARK E. WEBER, P.E.  
 LICENSE #53895 | CA 30702  
 MW ENGINEERING, INC  
 902 NE 1 Street Suite #2  
 Pompano Beach, Florida 33060  
 Ofc: 954-532-0129  
 WWW.MwEngineering.net



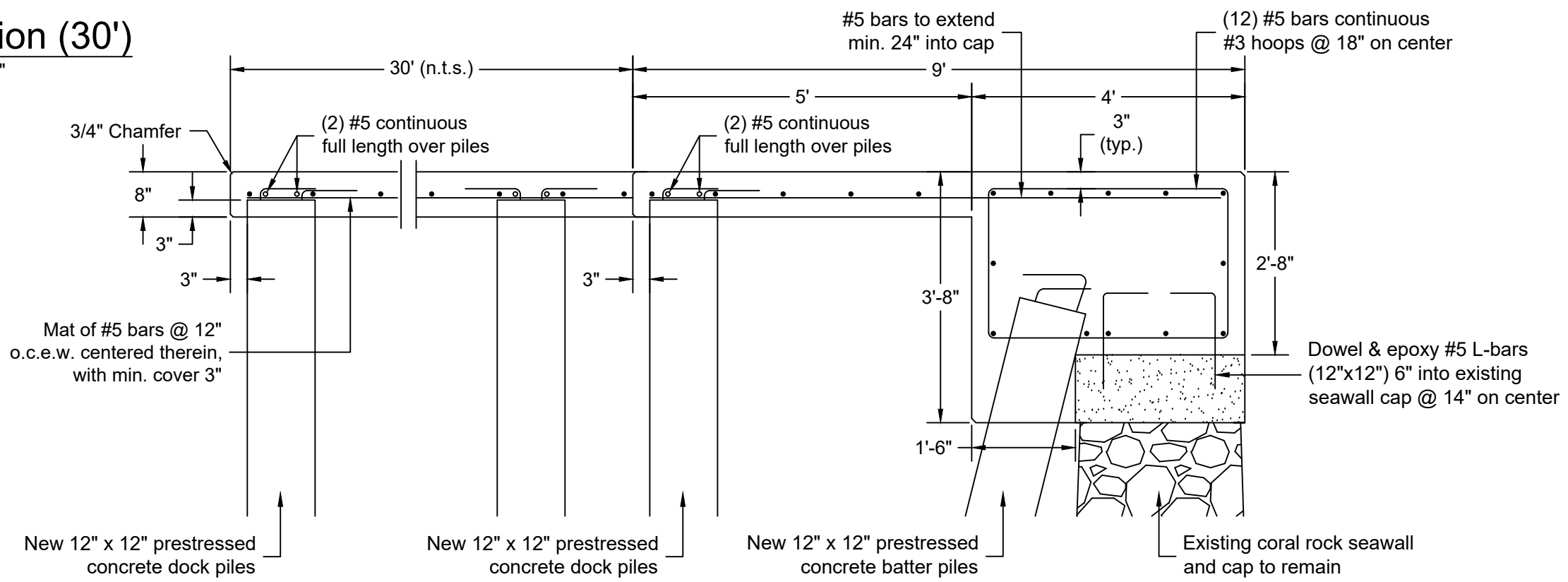


### Dock / Pier Steel Detail (30')

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

### Dock / Pier Section (30')

Scale 1/4" = 1'-0"



**Note:** All piles not shown for clarity

Consultant  
**UNLIMITED PERMIT SERVICES, INC**  
 Marine Design & Consulting  
 902 NE 1st Street #2  
 Pompano Beach, FL 33060  
 (954) 532-0129  
 Office@unlimiteddps.net

Project Engineer  
**MW ENGINEERING, INC**  
 902 NE 1 Street Suite #2  
 Pompano Beach, FL 33060  
 Ofc: 954-532-0129  
 WWW.MwEngineering.net

Contractor  
**MORRISON CONTRACTORS, INC**  
 3000 SW 26 Terrace  
 Dania Beach, FL 33312  
 (954) 583-8500

Project Information  
**Seawall Repair / New Dock**  
 Vincent Congine  
 1409 SW 17 Street  
 Fort Lauderdale, FL 33315

DATE
7-30-24

MARK E. WEBER, P.E.  
 LICENSE #53895 | CA 30702  
 MW ENGINEERING, INC  
 902 NE 1 Street Suite #2  
 Pompano Beach, Florida 33060  
 Ofc: 954-532-0129  
 WWW.MwEngineering.net

## Sheet 7 of 8

GENERAL NOTES:

1. Construction to follow the Florida Building Code 8th Edition (2023) and amendments as applicable and all Local, State and Federal Laws.
2. Licensed contractor shall verify the existing conditions prior to the commencement of the work. Any conflicts or omissions between existing conditions or the various elements of the working drawing shall be brought to the attention of the Engineer prior to the commencement of the work. The Licensed Contractor and all subcontractors are responsible for all lines, elevations, and measurements in connection with their work.
3. Do not scale drawings for dimensions.
4. Any deviation and/or substitution from the information provided herein shall be submitted to the Engineer for approval prior to commencement of work.
5. All unanticipated or unforeseen demolition and/or new construction conditions which require deviation from the plans and notes herein shall be reported to the Engineer prior to commencement of work.
6. All new work and/or materials shall conform to all requirements of each administrative body having jurisdiction in each appertaining circumstance.
7. All new materials and/or patchwork shall be provided to match existing materials and/or adjoining work where practical except as specifically noted herein.
8. Licensed Contractor to shall use all possible care to protect all existing materials, surfaces, and furnishings from damage during all phases of construction.
9. Licensed Contractor to verify location of existing utilities prior to commencing work.
10. The Licensed contractor to install and remove all shoring and bracing as required for the proper execution of the work.
11. Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
12. Turbidity barriers to be marked with site contractor's company name using permanent markings no smaller than 3 inches in height on the top of the barrier.

PILE DRIVING:

1. Piles shall be driven using an approved cushion block consisting of material so arranged so as to provide the transmission of hammer energy.
2. Piles shall be driven to a minimum allowable bearing capacity of 10 tons for wood, 25 tons for concrete, and 5 tons for pin piles, a minimum of 8' into berm or refusal.
3. Piles shall be driven with a drop hammer or gravity hammer provided the hammer shall weight no less than 3,000 pounds, and the fall of the hammer shall not exceed 6'.
4. Piles shall be driven with a variation of not more than 1/4 inch per foot from the vertical, or from the batter line indicated, with a maximum variation of the head of the pile from the position shown on the plans of not more than three inches.
5. Where piling must penetrate strata offering high resistance to driving, the structural engineer of record or special inspector may require that the piles be set in pre-drilled or punched holes. The piles shall reach their final penetration by driving.

CONCRETE NOTES:

1. Concrete shall conform to ACI 318-14 and shall be regular weight, sulfate resistant, with a design strength of 5000 psi at 28 days with a maximum water-cementitious materials ratio, by weight aggregate concrete of 0.40.
2. Owner shall employ and pay for testing services from an independent testing laboratory for concrete sampling and testing in accordance with ASTM.
3. Licensed contractor is responsible for the adequacy of forms and shoring and for safe practice in their use and removal.
4. Concrete cover shall be 3" unless otherwise noted on the approved drawings.
5. Reinforcing steel shall be in conformance with the latest version of ASTM A615 Grade 60 specifications. All reinforcement shall be placed in accordance with ACI 315 and ACI Manual of Standard Practice.
6. Fiber Reinforced Polymer (FRP) Reinforcing Bars may be used in lieu of reinforcing steel. FRP shall meet FDOT specification 932-3.1 - Use only solid, round, thermoset basalt fiber reinforced polymer (BFRP), glass fiber reinforced polymer (GFRP) or carbon fiber reinforced polymer (CFRP) reinforcing bars from producers currently on the FDOT's Production Facility Listing.
7. Splices in reinforcing bars shall be not be less than 48 bar diameters and reinforcing shall be continuous around all corners and changes in direction. Continuity shall be provided at corners or changes in direction by bending the longitudinal steel around the corner 48 bar diameters.
8. Defective, cracked or loose concrete areas must be cut out, the rebar must be cleaned, coated with zinc and repaired with at least 3" of epoxy-concrete mix or gunnite concrete with sulfate-resistant cement.

PILE NOTES:

1. Concrete piles shall attain 6000 psi compressive strength in 28 days.
2. Concrete piles shall be reinforced with four - 7/16"Ø lo-lax strands, 270 kips, and 5 ga. spiral ties.
3. Concrete piles shall be 12"x12" square, minimum length of 20'.
4. Concrete piles shall be cut to leave strands exposed a min. of 18" and tied to dock or cap steel or drill and epoxy (2) #5 12"x18" hook bars 6" into pile.

Consultant

**UNLIMITED PERMIT SERVICES, INC**  
 Marine Design & Consulting  
 902 NE 1st Street #2  
 Pompano Beach, FL 33060  
 (954) 532-0129  
 Office@unlimiteddps.net

Project Engineer

**MW ENGINEERING, INC**  
 902 NE 1 Street Suite #2  
 Pompano Beach, FL 33060  
 Ofc: 954-532-0129  
 WWW.MwEngineering.net

Contractor

**MORRISON CONTRACTORS, INC**  
 3000 SW 26 Terrace  
 Dania Beach, FL 33312  
 (954) 583-8500

Project Information

**Seawall Repair / New Dock**  
 Vincent Congine  
 1409 SW 17 Street  
 Fort Lauderdale, FL 33315

DATE

7-30-24

MARK E. WEBER, P.E.  
 LICENSE #53895 | CA 30702  
 MW ENGINEERING, INC  
 902 NE 1 Street Suite #2  
 Pompano Beach, Florida 33060  
 Ofc: 954-532-0129  
 WWW.MwEngineering.net

Sheet 8 of 8

CAM #26-0312

Exhibit 1

Page 41 of 61

Sec. 27-14. Administrative review of EPGMD determinations.

- (a) A person with a substantial interest may file a petition to request review of or to intervene in a review of a final administrative determination made pursuant to this chapter concerning:
- (1) The requirement that a facility or activity obtain a license or environmental review approval.
  - (2) Interpretations of license or environmental review approval conditions.
  - (3) Interpretations of variance conditions.
  - (4) The decision to suspend or revoke a license or environmental review approval.
  - (5) The requirement of certain license conditions.
  - (6) The issuance of a license or environmental review approval.
  - (7) The denial of a license or environmental review approval.
  - (8) The scope of a license or environmental review approval, geographic or otherwise.
  - (9) The scope of a variance, geographic or otherwise.
  - (10) The issuance of a stop work order.
  - (11) Similar final administrative determinations.

This administrative review procedure shall be the only means of review available for the above final administrative determinations by either the petitioner or the intervenor (the parties).

- (b) person may not obtain review by this procedure of:
- (1) The issuance or adjudication of or other matters involving a notice of violation or a citation.
  - (2) Internal policy decisions
- (c) A person desiring a review of a staff determination made pursuant to this Chapter shall first bring the determination to the attention of the appropriate section supervisor to attempt to resolve the matter. If a resolution cannot be reached, then the decision shall be reviewed by successive supervisory levels until the issue is resolved or reaches the level of the director or his or her designee for the final determination.
- (d) A person desiring administrative review of a final determination made by the director or the designee shall file a petition with the director for review by the hearing examiner. The petition shall be filed within ten (10) days from the rendition of the action taken or of the decision made by the director. An entity whose license or approval is being challenged shall be a party to the action.
- (e) The review shall not be heard until the provisions of subsection (f) are met. Upon motion to the hearing examiner, an insufficient petition shall be dismissed with or without leave to refile. If a petition is determined to be insufficient by the hearing examiner and the petitioner has been given leave to refile by the hearing examiner, unless otherwise ordered by the hearing examiner, the petitioner must refile within ten (10) days of the rendition of the order of dismissal or the petition will be dismissed with prejudice.

- (f) A sufficient petition for review or petition for intervention in the review shall, at a minimum, contain the following information:
- (1) The nature of the determination sought to be reviewed.
  - (2) A short, plain statement of the facts which form the subject matter upon which the determination was made as asserted by all parties of record at the time that the petition is filed; a statement of the material facts in dispute, if any. If any party is unable to state the matters in sufficient detail at the time initial petition is filed, the petition may be limited to a statement of the issues involved; and thereafter, upon timely written motion, a more definite and detailed statement shall be furnished not less than seven (7) days prior to the date set for the hearing.
  - (3) The specific determination for which the review is sought.
  - (4) The specific legal grounds upon which the parties seek review of the determination.
  - (5) A short statement of the petitioner's or the intervenor's substantial interest in the matter to be reviewed.
  - (6) The specific section of this chapter on which the decision is based, if known, and the specific section that the parties allege should control the decision, if known.
  - (7) A copy of the director's or the designee's written final determination.
  - (8) A statement of the relief requested stating precisely the action that the petitioner wants EPGMD to take with respect to the final determination.
- (g) All pleadings or other documents filed in the proceeding must be signed by a party, the party's attorney, or the party's qualified representative. The signature of a party, the party's attorney or a party's qualified representative constitutes a certificate that he or she has read the pleading or other document and that to the best of his or her knowledge, information, and belief formed after reasonable inquiry, it is not brought for any improper purposes, such as to harass or to cause unnecessary delay or for frivolous purpose or needless increase in the cost of litigation. If a pleading or other document is signed in violation of these requirements, the hearing examiner, upon motion or his or her own initiative, shall dismiss the matter.
- (h) A petitioner or intervenor may request an emergency hearing to stay all activities or work conducted pursuant to the challenged license or approval. Such petitioner or intervenor has the burden of proof to show by a preponderance of the evidence that the continued activities would cause substantial pollution or degradation to the environment. An emergency hearing shall be scheduled by EPGMD and be held within five (5) days of said request or as soon thereafter as possible subject to the availability of the hearing examiner. The petitioner or intervenor shall comply with the notice provisions of section 27-14(j)(2)a. and c. and section 27-14(j)(3) and (4) of this chapter.
- (i) The petition for review will not stay environmental protection activities required for the remediation or mitigation of a site or facility, the protection of the environment or the health, safety and welfare of the citizens of Broward County, or the prevention of further environmental degradation. The person responsible for these activities must take all necessary steps to prevent environmental degradation and must conduct the remediation or mitigation activities required by this chapter. The director may allow these activities to be delayed until after the hearing examiner's decision by certifying to

the hearing examiner that, by reason of facts stated in the certificate, a delay in the initiation or completion of these activities would not cause substantial environmental degradation or peril to life or property. The delay for conducting these activities may be subject to appropriate terms to ensure protection of the environment. The person responsible for these activities shall be responsible for any environmental damage or any violation of this chapter caused by the delay.

(j) Notice and Scheduling Requirements:

- (1) The hearing on the review shall be scheduled within a reasonable time. It shall be the responsibility of the petitioner to request through EPGMD that the hearing date be scheduled. It shall also be the responsibility of the petitioner to give notice in accordance with this section at least ten (10) days prior to the hearing.
  - (2) The petitioner shall give notice of the hearing by:
    - a. Giving personal notice to all proper parties; and
    - b. Publishing notice on two (2) days in a newspaper of general circulation in the county; and
    - c. Posting notice at a location determined by the Broward County Administrator's Office.
  - (3) The petitioner shall bear the cost of giving notice.
  - (4) The notice shall contain, at a minimum:
    - a. A description and location of the facility or the activity to be conducted by the petitioner; and
    - b. The time and place of the hearing.
- (k) The petitioner shall bear the cost of accurately and completely preserving all testimony and providing full or partial transcripts to all parties.
- (l) The hearing shall be a quasi-judicial hearing.
- (1) The applicant/petitioner requesting the administrative review, any intervenor/petitioner and EPGMD shall have an opportunity to respond to and to present witnesses, other evidence and argument on all issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of facts and orders, and to be represented by counsel. Members of the general public who are not intervenors as set forth in Section 27-14 of this chapter are not parties to the proceeding.
  - (2) When appropriate, the general public may be given an opportunity to present oral or written communications. If the hearing examiner proposes to consider such material, then all parties shall be given an opportunity to cross-examine, challenge or rebut it.
- (m) Denial, protest of, revocation, or suspension of a license, environmental review approval, or any other approval:
- (1) In regard to denial or protest of approval of a license and any other review of an administrative decision, notwithstanding (2) below, the petitioner shall have the burden of showing, by a preponderance of the evidence, that the determination of the director was an arbitrary and/or capricious abuse of discretion, not supported by competent, substantial evidence or not in conformance with the

essential requirements of this chapter. The hearing examiner shall not substitute his or her judgment for that of EPGMD on an issue of discretion even though the hearing examiner may have reached a different conclusion based on the same facts.

- (2) In an action to revoke or suspend a valid license or approval, the burden shall be upon EPGMD to prove, by a preponderance of the evidence in an administrative hearing, the grounds for revocation or suspension. The license holder or approval recipient shall be provided notice of the hearing and a copy of the petition stating the grounds for revocation or suspension as provided in section 27-63 of this chapter. The petition shall state with specificity the acts complained of in order to allow the license holder or approval recipient an opportunity to prepare a defense. The hearing shall be conducted in accordance with the provisions of Section 27-37 of this chapter.
- (n) Findings of fact shall be based exclusively on the evidence of record and on matters officially recognized.
- (o) If the hearing examiner finds that the director or his or her designee has erroneously interpreted a provision and that a correct interpretation compels a particular action, he or she shall remand the case to the director or his or her designee for further action under a correct interpretation of the provision.
- (p) The hearing examiner shall complete and submit to the director and all parties a final order consisting of his or her findings of fact and conclusions of law.
- (q) A party to the hearing may obtain appellate review of the final order as provided by section 27-42 of this chapter.
- (r) A petitioner or intervenor shall pay a filing fee at the time the application for review is filed. The amount of the filing fee shall be set by resolution of the Board.

(Ord. No. 2003-34, § 1, 9-23-03; Ord. No. 2005-08, § 2.03, 4-26-05)  
Secs. 27-15--27-19. Reserved.

### **Special Conditions for all Projects:**

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

a. If, during the initial ground disturbing activities and construction work, there are archaeological/cultural materials unearthed (which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work in the vicinity and notify the Compliance and Review staff of the State Historic Preservation Office at 850-245-6333 and the Corps Regulatory Archeologist at 904-232-3270 to assess the significance of the discovery and devise appropriate actions, including salvage operations. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 C.F.R. § 325.7.

b. In the unlikely event that human remains are identified, the remains will be treated in accordance with Section 872.05, Florida Statutes; all work in the vicinity shall immediately cease and the local law authority, and the State Archaeologist (850-245-6444) and the Corps Regulatory Archeologist at 904-232-3270 shall immediately be notified. Such activity shall not resume unless specifically authorized by the State Archaeologist and the Corps.

7. The Permittee is responsible for obtaining any “take” permits required under the U.S. Fish and Wildlife Service’s regulations governing compliance with these laws. The Permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such “take” permits are required for a particular activity.

8. Mangroves. The design and construction of a Project must comply with the following (Reference: JAXBO PDCs AP.3 and AP.12.):

a. All projects must be sited and designed to avoid or minimize impacts to mangroves.

b. Mangrove removal must be conducted in a manner that avoids any unnecessary removal and is limited to the following instances:

(1) Removal to install up to a 4-ft-wide walkway for a dock.

(2) Removal of mangroves above the mean high water line (MHWL) provided that the tree does not have any prop roots that extend into the water below the MHWL.

(3) Mangrove trimming. Mangrove trimming refers to the removal (using hand equipment such as chain saws and/or machetes) of lateral branches (i.e., no alteration of the trunk of the tree) in a manner that ensures survival of the tree.

(a) Projects with associated mangrove trimming waterward of the MHWL are authorized if the trimming: (a) occurs within the area where the

authorized structures are placed or will be placed (i.e., removal of branches that overhang a dock or lift), (b) is necessary to provide temporary construction access, and (c) is conducted in a manner that avoids any unnecessary trimming.

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

9. For Projects authorized under this SPGP VI in navigable waters of the U.S., the Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
10. Notifications to the Corps. For all authorizations under this SPGP VI, including Self-Certifications, the Permittee shall provide the following notifications to the Corps:
  - a. Commencement Notification. Within 10 days from the date of initiating the work authorized by this permit the Permittee shall submit a completed "Commencement Notification" form (Attachment 8).
  - b. Corps *Self-Certification Statement of Compliance* form. Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the "Self-Certification Statement of Compliance" form (Attachment 9) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.
  - c. Permit Transfer. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form (Attachment 10).

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

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

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

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

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

1. Shoreline stabilization structures other than vertical seawalls shall be no steeper than a 2 horizontal:1 vertical slope (Reference: JAXBO PDC A1.1.4.).
2. Placement of backfill is limited to those situations where it is necessary to level the land behind seawalls or riprap.
3. Living shoreline structures and permanent wave attenuation structures can only be constructed out of the following materials: oyster breakwaters, clean limestone boulders or stone (sometimes contained in metal baskets or cages to contain the material), small mangrove islands, biologs, coir, rock sills, and pre-fabricated structures made of concrete and rebar that are designed in a manner so that they do not trap sea turtles, smalltooth sawfish, or sturgeon (Reference: JAXBO PDC A7.5.).
  - a. Reef balls or similar structures are authorized if they are not open on the bottom, are open-bottom structures with a top opening of at least 4 ft, or are pre-fabricated structures, such as reef discs stacked on a pile, and are designed in a manner that would not entrap sea turtles.
  - b. Oyster reef materials shall be placed and constructed in a manner that ensures that materials will remain stable and that prevents movement of materials to surrounding areas (e.g., oysters will be contained in bags or attached to mats and loose cultch must be surrounded by contained or bagged oysters or another stabilizing feature) (Reference: JAXBO PDC A7.2.).
  - c. Oyster reef materials shall be placed in designated locations only (i.e., the materials shall not be indiscriminately dumped or allowed to spread outside of the reef structure) (Reference: JAXBO PDC A7.3.).
  - d. Wave attenuation structures must have 5 ft gaps at least every 75 ft in length as measured parallel to the shoreline and at the sea floor, to allow for tidal flushing and species movement (Reference: JAXBO PDC A7.6.).
  - e. Other materials are not authorized by this SPGP VI (Reference: JAXBO PDC A7.5.).

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

1. Chickees must be less than 500 ft<sup>2</sup> and support no more than 2 slips (Reference: JAXBO PDC A2.1.6.).
2. The design and construction of a Project over marsh (emergent vegetation) must comply with the following:
  - a. The piling-supported structure shall be aligned so as to have the smallest over-marsh footprint as practicable.
  - b. The over-marsh portion of the piling-supported structure (decking) shall be elevated to at least 4 feet above the marsh floor.
  - c. The width of the piling-supported is limited to a maximum of 4 feet. Any exceptions to the width must be accompanied by an equal increase in height requirement.
3. Mangroves. For pile-supported structures, the following additional requirements for mangroves found in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) shall apply:
  - a. The width of the piling-supported structure is limited to a maximum of 4 feet.
  - b. Mangrove clearing is restricted to the width of the piling-supported structure.
  - c. The location and alignment of the piling-supported structure should be through the narrowest area of the mangrove fringe.
4. Educational Signs. For commercial, multi-family, or public facilities, and marine events, signs must be posted as described below (Reference: These replicate JAXBO PDCs A.2.2 and A.2.2.1 to A.2.2.3., inclusive, within the table PDCs Specific to Activity 2 - Pile Supported Structures and Anchored Buoys, starting on page 112.):
  - a. For commercial, multi-family, or public facilities, and marine events, signs must be posted in a visible location(s), alerting users of listed species in the area susceptible to vessel strikes and hook-and-line captures. The most current version of the signs that must be downloaded and sign installation guidance are available at: (<https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>). The signs required to be posted by area are stated below: <https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>.

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

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

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

(1) Be constructed and labeled according to the instructions provided at <http://mrrp.myfwc.com>.

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

6. Lighting for docks installed within visible distance of ocean beaches. If lighting is necessary, then turtle-friendly lighting shall be installed. Turtle-friendly lighting is explained, and examples are provided on the Florida Fish and Wildlife Conservation Commission website: <http://myfwc.com/wildlifehabitats/managed/sea-turtles/lighting/> (Reference: JAXBO PDC A2.8.).

7. Construction Location. Project construction shall take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited (Reference: JAXBO PDC A2.9.).

8. Aids to Navigation (ATONs). ATONs must be approved by and installed in accordance with the requirements of the U.S. Coast Guard (i.e., 33 C.F.R., chapter I, subchapter C, part 66, Section 10 of the Rivers and Harbors Act, and any other pertinent requirements) (Reference: JAXBO PDC A2.5.).

9. Aids to Navigation (ATONs) in Acropora critical habitat. The distance from ATONs to ESA-listed corals and Acropora critical habitat (Attachment 20) shall ensure there are no impacts to the corals or the essential feature of Acropora critical habitat from the movement of buoys and tackle. The appropriate distance shall be based on the size of the anchor chain or other tackle to be installed to secure the buoy to its anchor, particularly when the design of the ATON does not prohibit the contact of tackle with the marine bottom. In all cases, buoy tackle will include flotation to ensure there is no contact between the anchor chain or line and the marine bottom (Reference: JAXBO PDC A2.10.).

10. Within Loggerhead sea turtle critical habitat (Reference: JAXBO PDC A2.15.):

(1) ATONs (pile-supported and anchored buoys) are allowed in nearshore reproductive habitat of the Northwest Atlantic Distinct Population Segment (NWA DPS) of loggerhead sea turtle critical habitat.

(2) No other pile-supported structures are allowed in nearshore reproductive habitat.

### **General Conditions for All SPGP Projects:**

1. The time limit for completing the work authorized ends on July 27, 2026.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity, or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner on the enclosed form (Attachment 10) and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

### **Further Information:**

1. Limits of this authorization.
  - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
  - b. This permit does not grant any property rights or exclusive privileges.
  - c. This permit does not authorize any injury to the property or rights of others.
  - d. This permit does not authorize interference with any existing or proposed Federal projects.
2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
  - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
  - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
  - d. Design or Construction deficiencies associated with the permitted work.
  - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
  4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
    - a. You fail to comply with the terms and conditions of this permit.
    - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 3 above).
    - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.
  5. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CER 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.
  6. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this

permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form.

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

## 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)
- 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 8 ½" 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 [MyFWC.com/manatee](http://MyFWC.com/manatee). Questions concerning these signs can be sent to the email address listed above.

# CAUTION: MANATEE HABITAT

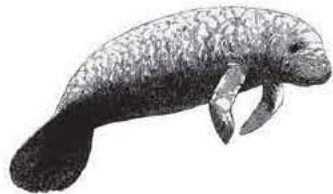
All project vessels

**IDLE SPEED / NO WAKE**

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

**SHUT DOWN**

Report any collision with or injury to a manatee:



**Wildlife Alert:**

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

cell \*FWC or #FWC

**COMMENCEMENT NOTIFICATION**

*Within 10 days of initiating the authorized work, submit this form via electronic mail to [sajrd-enforcement@usace.army.mil](mailto:sajrd-enforcement@usace.army.mil) (preferred, not to exceed 15 MB) **or** by standard mail to U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.*

1. **Department of the Army Permit Number:** SAJ-2015-2575, SPGP VI

**FDEP or Designee Permit Number:** \_\_\_\_\_

2. **Permittee Information:**

Name: \_\_\_\_\_

Email: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

3. **Construction Start Date:** \_\_\_\_\_

4. **Contact to Schedule Inspection:**

Name: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

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

\_\_\_\_\_  
Printed Name of Permittee

\_\_\_\_\_  
Date

**SELF-CERTIFICATION STATEMENT OF COMPLIANCE**  
**SPGP V-R1**

**Permit Number:** \_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

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

\_\_\_\_\_

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

\_\_\_\_\_

**PROPERTY IS INACCESSIBLE WITHOUT PRIOR NOTIFICATION: YES \_\_\_\_\_ NO \_\_\_\_\_**

**TO SCHEDULE AN INSPECTION PLEASE CONTACT \_\_\_\_\_**  
**AT \_\_\_\_\_**

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 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

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

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

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

ADDRESS/LOCATION OF PROJECT:

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

(Subdivision)

(Lot)

(Block)

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

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

\_\_\_\_\_

(Transferee Signature)

\_\_\_\_\_

(Date)

\_\_\_\_\_

(Name Printed)

\_\_\_\_\_

(Street address)

\_\_\_\_\_

(Mailing address)

\_\_\_\_\_