



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
701 SAN MARCO BOULEVARD
JACKSONVILLE, FLORIDA 32207-8175

September 1, 2022

Regulatory Division
South Branch
Miami Antilles Section
SAJ-2022-01569 (GP-AMG)

Marlon Lobban
1666 Kennedy Causeway, Suite 300
North Bay Village, FL 33141
Sent via email: Mlobban@nbvillage.com

Dear Mr. Lobban:

The U.S. Army Corps of Engineers (Corps) has completed the review of your application for a Department of the Army permit, which the Corps received on April 10, 2022. Your application was assigned file number SAJ-2022-01569. A review of the information and drawings provided indicates that the proposed work would result in the construction of a 296 SF L-shaped dock with grated decking, installation of an associated boatlift, and the attachment of a publicly accessible kayak lift to the access walkway of the dock. Access walkway is 4-feet wide and 34-feet long. Terminal platform area is 6-feet wide by approximately 27-feet long (160 SF total). The project contractor will install and maintain a turbidity curtain around the project area during any in-water work with the potential to create turbidity. Turbidity will be monitored in accordance with standard water quality compliance criteria/permit conditions. The activities subject to this permit are authorized pursuant to authorities under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403). The project is located in Biscayne Bay at 7920 West Dr., in Section 9, Township 53 South, Range 42 East, North Bay Village, Miami-Dade County, Florida.

This letter verifies your project, as described above and depicted on the enclosed drawings, is authorized by Regional General Permit (RGP) SAJ-33 and any subsequent modifications, if applicable. **This RGP authorization is valid until July 24, 2023.** Please access the Corps' Jacksonville District Regulatory Division Source Book web page to view the special and general conditions for SAJ-33, which apply specifically to this authorization. The Internet URL address is: <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book/>. Please be aware this Internet address is case sensitive and you will need to enter it exactly as it appears above. Once there, select "General Permits." Then you will need to select the specific SAJ permit noted above.

You must comply with all of the general and special conditions of the RGP, including any project-specific conditions included in this letter and all conditions incorporated by reference as described above.

General Conditions (33 CFR PART 320-330):

1. The time limit for completing the work authorized ends on **July 24, 2023.**
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 transfer form attached to this letter and forward a copy 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 a representative 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.

Project Specific Special Conditions:

1. **Reporting Address:** The Permittee shall submit all reports, notifications, documentation, and correspondence required by the general and special conditions of this permit to either (not both) of the following addresses:

For electronic mail (preferred): SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).

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

The Permittee shall reference this permit number, SAJ-2022-01569 (GP-AMG), on all submittals.

2. Cultural Resources/Historic Properties:

No structure or work shall adversely affect, impact, or disturb properties listed in the National Register of Historic Places (NRHP), or those eligible for inclusion in the NRHP.

If, during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with native cultures or early colonial settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps at the addresses listed in the Reporting Address Special Condition within the same business day (8 hours). The Corps shall coordinate with the Florida State Historic Preservation Officer (SHPO) to assess the significance of the discovery and devise appropriate actions.

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

In the unlikely event that unmarked human remains are identified on non-federal lands; they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archaeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke

the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the SHPO and from the Corps.

3. **Assurance of Navigation and Maintenance:** The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the 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 or alteration.

4. **Jacksonville District Programmatic Biological Opinion (JAXBO):** Structures and activities authorized under this permit will be constructed and operated in accordance with all applicable PDCs contained in the JAXBO, based on the permitted activity. Johnson's seagrass and its critical habitat were delisted from the Endangered Species Act on May 16, 2022. Therefore, JAXBO PDCs required to minimize adverse effects to Johnson's seagrass and its critical habitat are no longer applicable to any project. Failure to comply with applicable PDCs will constitute noncompliance with this permit. In addition, failure to comply with the applicable PDCs, where a take of listed species occurs, would constitute an unauthorized take. The NMFS is the appropriate authority to determine compliance with the Endangered Species Act. The most current version of JAXBO can be accessed at the Jacksonville District Regulatory Division website in the Endangered Species section of the Sourcebook located at: <http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>

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

5. **Manatee Conditions:** The Permittee shall comply with the "Standard Manatee Conditions for In-Water Work – 2011" (Attachment 6). The most recent version of the Manatee Conditions must be utilized.

6. **Turbidity Barriers:** Prior to the initiation of any of the work authorized by this permit, the Permittee shall install floating turbidity barriers with weighted skirts that extend within define distance desired or use 1 foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained daily until the authorized work has been completed and turbidity within the construction area has returned to ambient levels. Turbidity barriers shall be removed upon stabilization of the work area.

7. All work must occur during daylight hours only (PDC AP.6).
8. All construction personnel are responsible for observing water-related activities to detect the presence of these species and avoid them (PDC AP.7).
9. Must limit the maximum number of piles installed per day to no more than 10 piles per day.

This letter of authorization does not include conditions that would prevent the 'take' of a state-listed fish or wildlife species. These species are protected under sec. 379.411, Florida Statutes, and listed under Rule 68A-27, Florida Administrative Code. With regard to fish and wildlife species designated as species special concern or threatened by the State of Florida, you are responsible for coordinating directly with the Florida Fish and Wildlife Conservation Commission (FWC). You can visit the FWC license and permitting webpage (<http://www.myfwc.com/license/wildlife/>) for more information, including a list of those fish and wildlife species designated as species of special concern or threatened. The Florida Natural Areas Inventory (<http://www.fnai.org/>) also maintains updated lists, by county, of documented occurrences of those species.

This letter of authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

This letter of authorization does not preclude the necessity to obtain any other Federal, State, or local permits, which may be required.

Thank you for your cooperation with our permit program. The Corps' Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to complete our automated Customer Service Survey at <https://regulatory.ops.usace.army.mil/customer-service-survey/>. Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Your input is appreciated – favorable or otherwise.

Should you have any questions related to this RGP verification or have issues accessing the documents referenced in this letter, please contact Ashley Gonzalez at the letterhead address above, via telephone at 904-232-2017, or via e-mail at Ashley.m.gonzalez@usace.army.mil.

Sincerely,

Ashley Gonzalez

Ashley Gonzalez
Project Manager

Enclosures

Permit Transfer Form

Commence Notification Form

Self-Certification Statement of Compliance Form

PDCs for In-Water Activities

North Atlantic Right Whale Information Form

Standard Manatee Conditions for In-Water Work

Vessel Strike Avoidance Measures and Reporting for Mariners

Permit Drawings

Cc:

Christy Brush, Moffatt & Nichol, cbrush@moffattnichol.com

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

DA PERMIT NUMBER: SAJ-2022-01569 (GP-AMG)

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 Section, Post Office Box 4970, Jacksonville, FL 32232-0019 or submit via electronic mail to: SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).

(TRANSFEREE-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT)

(BLOCK)

(NAME-PRINTED)

(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

COMMENCEMENT NOTIFICATION

*Within ten (10) days of initiating the authorized work, submit this form to via electronic mail to saj-rd-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-2022-01569 (GP-AMG)

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

Permit Number: SAJ-2022-01569

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

U.S. Army Corps of Engineers Jacksonville District's Programmatic Biological Opinion (JaxBO) Project Design Criteria (PDCs) for In-Water Activities

November 20, 2017

- 1) **(AP.7.) Education and Observation:** The permittee must ensure that all personnel associated with the project are instructed about the potential presence of species protected under the ESA and the Marine Mammal Protection Act (MMPA). All on-site project personnel are responsible for observing water-related activities for the presence of protected species. All personnel shall be advised that there are civil and criminal penalties for harming, harassing, or killing ESA-listed species or marine mammals. To determine which species may be found in the project area, please review the relevant Protected Species List at:
http://sero.nmfs.noaa.gov/protected_resources/section_7/threatened_endangered/index.html
- 2) **(AP.8.) Reporting** of interactions with protected species:
 - a) Any collision(s) with and/or injury to any sea turtle, sawfish, whale, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (1-727-824-5312) or by email to takereport.nmfs@noaa.gov and SAJ-RD-Enforcement@usace.army.mil.
 - b) Smalltooth sawfish: Report sightings to 1-844-SAWFISH or email Sawfish@MyFWC.com
 - c) Sturgeon: Report dead sturgeon to 1-844-STURG 911 (1-844-788-7491) or email nmfs.ser.sturgeonnetwork@noaa.gov
 - d) Sea turtles and marine mammals: Report stranded, injured, or dead animals to 1-877-WHALE HELP (1-877-942-5343).
 - e) North Atlantic right whale: Report injured, dead, or entangled right whales to the USCG via VHF Channel 16.
- 3) **(AP.9.) Vessel Traffic and Construction Equipment:** All vessel operators must watch for and avoid collision with species protected under the ESA and MMPA. Vessel operators must avoid potential interactions with protected species and operate in accordance with the following protective measures:
 - a) *Construction Equipment:*
 - i) All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while operating in water depths where the draft of the vessel provides less than a 4-foot (ft) clearance from the bottom, and in all depths after a protected species has been observed in and has departed the area.
 - ii) All vessels will follow marked channels and/or routes using the maximum water depth whenever possible.
 - iii) Operation of any mechanical construction equipment, including vessels, shall cease immediately if a listed species is observed within a 50-ft radius of

construction equipment and shall not resume until the species has departed the area of its own volition.

- iv) If the detection of species is not possible during certain weather conditions (e.g., fog, rain, wind), then in-water operations will cease until weather conditions improve and detection is again feasible.

b) *All Vessels:*

- i) Sea turtles: Maintain a minimum distance of 150 ft.
- ii) North Atlantic right whale: Maintain a minimum 1,500-ft distance (500 yards).
- iii) Vessels 65 ft in length or longer must comply with the Right Whale Ship Strike Reduction Rule (50 CFR 224.105) which includes reducing speeds to 10 knots or less in Seasonal Management Areas (<http://www.fisheries.noaa.gov/pr/shipstrike/>).
- iv) Mariners shall check various communication media for general information regarding avoiding ship strikes and specific information regarding right whale sightings in the area. These include NOAA weather radio, USCG NAVTEX broadcasts, and Notices to Mariners.
- v) Marine mammals (i.e., dolphins, whales [other than North Atlantic right whales], and porpoises): Maintain a minimum distance of 300 ft.
- vi) When these animals are sighted while the vessel is underway (e.g., bow-riding), attempt to remain parallel to the animal's course. Avoid excessive speed or abrupt changes in direction until they have left the area.
- vii) Reduce speed to 10 knots or less when mother/calf pairs or groups of marine mammals are observed, when safety permits.

- 4) **(AP.10.) Turbidity Control Measures during Construction:** Turbidity must be monitored and controlled. Prior to initiating any of the work covered under this Opinion, the Permittee shall install turbidity curtains as described below. In some instances, the use of turbidity curtains may be waived by the USACE project manager if the project is deemed too minimal to generate turbidity (e.g., certain ATON installation, scientific survey device placement, marine debris removal) or if the current is too strong for the curtains to stay in place. Turbidity curtains specifications:

- a) Install floating turbidity barriers with weighted skirts that extend to within 1 ft of the bottom around all work areas that are in, or adjacent to, surface waters.
- b) Use these turbidity barriers throughout construction to control erosion and siltation and ensure that turbidity levels within the project area do not exceed background conditions.
- c) Position turbidity barriers in a way that does not block species' entry to or exit from designated critical habitat.
- d) Monitor and maintain turbidity barriers in place until the authorized work has been completed and the water quality in the project area has returned to background conditions.
- e) In the range of ESA-listed corals (St. Lucie Inlet, Martin County south to the Dry Tortugas and the U.S. Caribbean) and Johnson's seagrass (Turkey Creek/Palm

Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida):

- i) Projects that include upland earth moving (e.g., grading to install a building or parking lot associated with a dock and seawall project), must install sediment control barriers to prevent any upland sediments from reaching estuarine or marine waters.
 - ii) The turbidity curtain requirement cannot be waived for any project that moves or removes sediment (e.g., dredging, auger to create a pile, trenching to install a cableline). If turbidity curtains are not feasible in an area based on site conditions such as water current, high wave action, or stormy conditions, the project must undergo individual Section 7 consultation and is not covered under this Programmatic Opinion.
- 5) **(AP.11.) Entanglement:** All turbidity curtains and other in-water equipment must be properly secured with materials that reduce the risk of entanglement of marine species (described below). Turbidity curtains likewise must be made of materials that reduce the risk of entanglement of marine species.
- a) In-water lines (rope, chain, and cable, including the lines to secure turbidity curtains) must be stiff, taut, and non-looping. Examples of such lines are heavy metal chains or heavy cables that do not readily loop and tangle. Flexible in-water lines, such as nylon rope or any lines that could loop or tangle, must be enclosed in a plastic or rubber sleeve/tube to add rigidity and prevent the line from looping and tangling. In all instances, no excess line is allowed in the water.
 - b) Turbidity curtains and other in-water equipment must be placed in a manner that does not entrap species within the construction area or block access for them to navigate around the construction area.

North Atlantic Right Whale Information Form

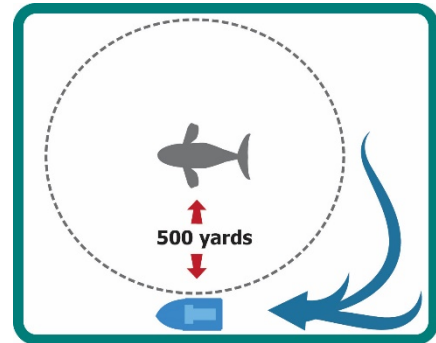
Federal Regulations Governing the Approach to North Atlantic Right Whales



1. Federal regulations governing the approach to North Atlantic right whales can be found at 50 CFR 224.103(c). It is illegal to approach and remain within 500 yards of right whales; 500 yards is equal to the distance of 5 football fields.

Prohibitions on approaching right whales are as follows (Excerpts from 50 CFR 224.103(c), available at www.ecfr.gov): Unless otherwise lawfully allowed or unless doing so would create an imminent and serious threat to a person or vessel, it is unlawful to:

- (i) Approach (including by interception) within 500 yards (460 m) of a right whale by vessel
- (ii) Fail to undertake required right whale avoidance measures. If underway, a vessel must steer a course away from the right whale and immediately leave the area at a slow safe speed.



2. Updates can be downloaded from:
 - a. http://www.nmfs.noaa.gov/pr/species/mammals/cetaceans/rightwhale_northatlantic.htm,
or
 - b. www.ecfr.gov

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
- 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. Questions concerning these signs can be sent to the email address listed above.

CAUTION: MANATEE HABITAT

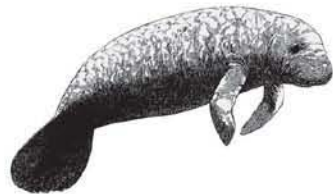
All project vessels

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



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

Background

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

Protected Species Identification Training

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

Vessel Strike Avoidance

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

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

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

Additional Requirements for the North Atlantic Right Whale

1. If a sighted whale is believed to be a North Atlantic right whale, federal regulation requires a minimum distance of 500 yards be maintained from the animal (50 CFR 224.103 (c)).
2. Vessels entering North Atlantic right whale critical habitat are required to report into the Mandatory Ship Reporting System.
3. Mariners shall check with various communication media for general information regarding avoiding ship strikes and specific information regarding North Atlantic right whale sighting locations. These include NOAA weather radio, U.S. Coast Guard NAVTEX broadcasts, and Notices to Mariners. Commercial mariners calling on United States ports should view the most recent version of the NOAA/USCG produced training CD entitled "A Prudent Mariner's Guide to Right Whale Protection" (contact the NMFS Southeast Region, Protected Resources Division for more information regarding the CD).
4. Injured, dead, or entangled right whales should be immediately reported to the U.S. Coast Guard via VHF Channel 16.

Injured or Dead Protected Species Reporting

Vessel crews shall report sightings of any injured or dead protected species immediately, regardless of whether the injury or death is caused by your vessel.

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

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

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

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

NOAA Fisheries Service
Southeast Regional Office

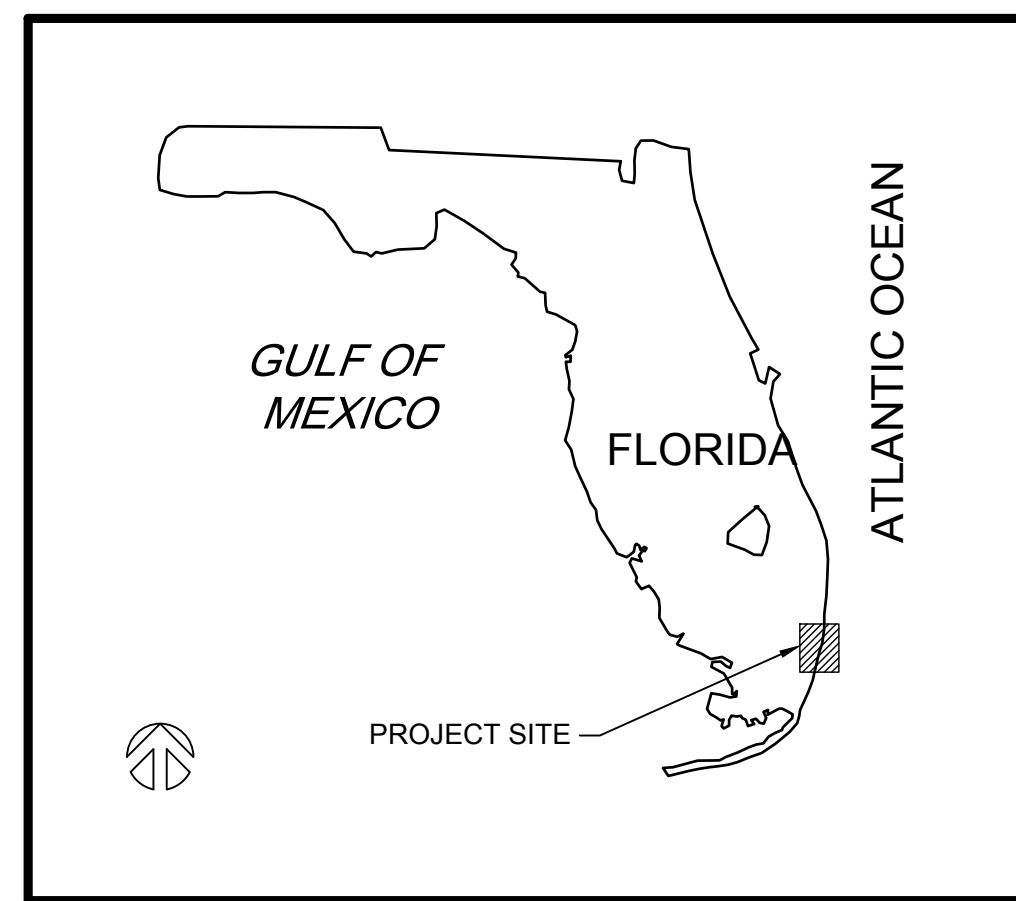
263 13th Avenue South
St. Petersburg, FL 33701

Tel: (727) 824-5312

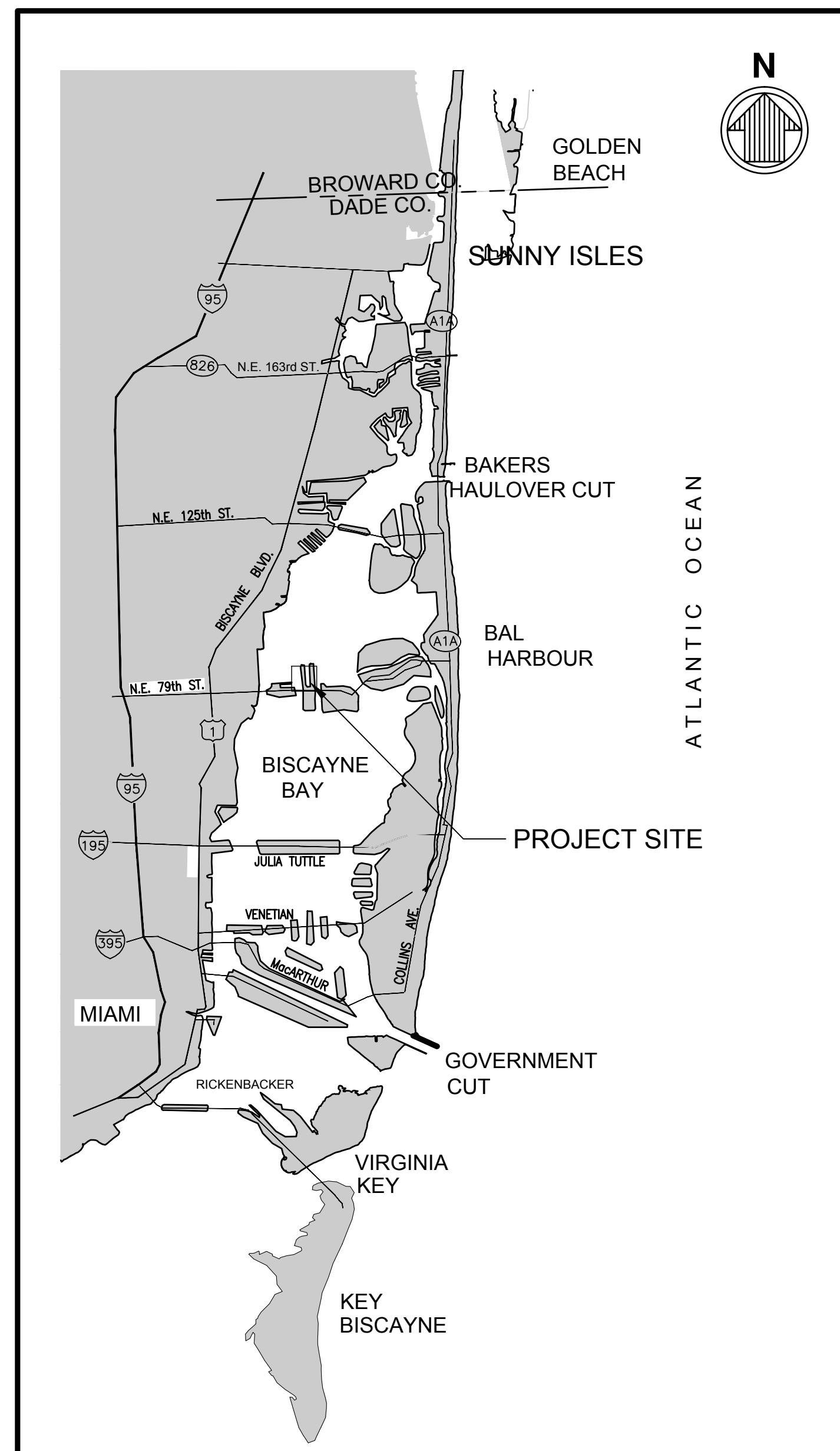
Visit us on the web at <http://sero.nmfs.noaa.gov>

VOGEL PARK DOCK DESIGN

NORTH BAY VILLAGE, FLORIDA SECTION 09, TOWNSHIP 53S, RANGE 42E



VICINITY MAP
SCALE: NTS



LOCATION MAP
SCALE: NTS

INDEX OF DRAWINGS	
SHEET NO.	SHEET TITLE
G-001	COVER SHEET & INDEX OF DRAWINGS
S-001	WATERSIDE GENERAL NOTES
V-101	WATERSIDE EXISTING CONDITIONS
S-101	SITE PLAN
S-501	DOCK DETAILS (1 OF 2)
S-502	DOCK DETAILS (2 OF 2)



PAUL VOGEL PARK
NORTH BAY VILLAGE
7920 WEST DRIVE
NORTH BAY VILLAGE, FL 33141

CONSULTANT:



EAC Consulting, Inc.
5959 BLUE LAGOON DRIVE, SUITE 410
MIAMI, FL 33126
PH: 305-265-5400
EAC PROJECT No. 19075.LD01-09

SUB-CONSULTANT:



moffatt & nichol
2937 SW 27th AVE., STE 101A
MIAMI, FL 33133
305-230-1924
(FL EB 4877)

PROJECT:

VOGEL PARK
MARINE FACILITY
PHASE 2

KEY MAP:

REVISIONS:

NO.	DESCRIPTION	DATE	BY

DATE ISSUED: April 22, 2022

DESIGNED BY: VB

DRAWN BY: CC

REVIEWED BY: KT

SEAL:

TIM BLANKENSHIP
FL LICENSE No. 0055910

SHEET TITLE:

COVER SHEET &
INDEX OF DRAWINGS

SHEET NO.

G-001

PERMIT SUBMITTAL

PLAN SCALE CORRESPONDS TO PLOT SIZE 24"x36". IF PLOTTED ON OTHER SIZE, EOR DOES NOT WARRANT THE ACCURACY OF THE PLAN. SCALE: O:\MIA\19075-04-20-GADD_ACTIVE\VOGEL_PARK_DOCK\10007046-001.DWG, July 5, 2022 9:42 PM MARTINEZ, MIGUEL



PAUL VOGEL PARK
NORTH BAY VILLAGE
7920 WEST DRIVE
NORTH BAY VILLAGE, FL 33141

CONSULTANT:



5959 BLUE LAGOON DRIVE, SUITE 410
MIAMI, FL 33126
PH: 305-265-5400
EAC PROJECT No. 19075.LD01-09

SUB-CONSULTANT:



2937 SW 27th AVE., STE 101A
MIAMI, FL 33133
305-230-1924
(FL EB 4877)

PROJECT:

**VOGEL PARK
MARINE FACILITY
PHASE 2**

KEY MAP:

REVISIONS:

NO.	DESCRIPTION	DATE	BY

DATE ISSUED: April 22, 2022

DESIGNED BY: VB

DRAWN BY: CC

REVIEWED BY: KT

SEAL:

TIM BLANKENSHIP
FL LICENSE No. 0055910

SHEET TITLE:

**WATERSIDE
GENERAL NOTES**

SHEET NO.

S-001

PERMIT SUBMITTAL

GENERAL WATERSIDE NOTES

- METHODS OF CONSTRUCTION AND ERECTION OF STRUCTURAL MATERIAL ARE THE RESPONSIBILITY OF THE CONTRACTOR.
- THE CONTRACTOR SHALL, ON A DAILY BASIS, REMOVE FROM THE SITE ANY EXCAVATED MATERIAL OR DEBRIS. DISPOSAL OF THE MATERIALS IS THE RESPONSIBILITY OF THE CONTRACTOR. ALL DEBRIS SHALL BE DISPOSED OF IN A PERMITTED SANITARY LANDFILL.
- THE CONTRACTOR SHALL PLACE CONSTRUCTION DEBRIS CONTROL DEVICES, BOOMS, TARPAULINS, FLOATS, STAGING, AND OTHER DEVICES AS NECESSARY TO PREVENT CONSTRUCTION DEBRIS FROM ENTERING THE WATER AND AIR BORNE MATERIALS FROM LEAVING THE IMMEDIATE VICINITY OF THE SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CLEAN-UP OF ANY MATERIALS DEPOSITED OUTSIDE THE WORK AREA OR IN THE WATER. SEE PERMIT CONDITIONS.
- THE CONTRACTOR IS TO PROVIDE EROSION CONTROL/ SEDIMENTATION BARRIERS (HAY BALES, SILTATION CURTAINS AND FLOATING TURBIDITY SCREENS) TO PREVENT SILTATION OF ADJACENT PROPERTY, STREETS, STORM SEWERS, AND WATERWAYS. IF, IN THE OPINION OF THE OWNER AND/OR LOCAL AUTHORITIES, EXCESSIVE QUANTITIES OF EARTH ARE BEING TRANSPORTED OFF-SITE EITHER BY NATURAL DRAINAGE OR VEHICULAR TRAFFIC, THE CONTRACTOR IS TO REMOVE AND CLEAN SAID EARTH FROM TRAVEL WAYS TO THE SATISFACTION OF THE CITY AND/OR LOCAL AUTHORITIES.
- THE CONTRACTOR SHALL CONSIDER AND PLAN FOR, ON A DAILY BASIS, THE EFFECT OF TIDAL FLUCTUATION IN THE EXECUTION OF THE WORK.
- IF CONSTRUCTION IS EXPECTED TO BE PERFORMED FROM A BARGE, THE CONTRACTOR SHALL CONDUCT OPERATIONS SO AS TO NOT INTERFERE WITH OR BE DETRIMENTAL TO VESSEL AND VEHICULAR TRAFFIC DURING THE COURSE OF THE WORK AND SHALL PLAN FOR EFFECTS OF PASSING VESSELS.
- SCALE BARS ARE INTENDED FOR REFERENCE ONLY. ALL DIMENSIONS NECESSARY FOR CONSTRUCTION SHALL BE TAKEN FROM DIMENSION ANNOTATION AND NOT SCALED DIRECTLY FROM DRAWINGS.

SURVEY NOTES

- TOPOGRAPHIC SURVEY PERFORMED BY SEA DIVERSIFIED, INC. SURVEY CONDUCTED ON MARCH 9-10, 2021.
- HYDROGRAPHIC ELEVATIONS SHOWN HEREIN PROVIDED BY SEA DIVERSIFIED, INC. SURVEY CONDUCTED ON MARCH 9-10, 2021.
- ELEVATIONS ARE IN FEET AND REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
- HORIZONTAL DATA SHOWN HEREON ARE REFERENCED TO GRID BEARINGS BASED UPON THE FLORIDA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, WEST ZONE, NORTH AMERICAN DATUM OF 1983 (ADJUSTMENT OF 1999).
- UNDERGROUND UTILITIES, FOUNDATIONS AND/OR OTHER IMPROVEMENTS HAVE NOT BEEN LOCATED EXCEPT THOSE SHOWN ON THESE DRAWINGS.
- THE TIDAL DATUM RELATIONSHIP BASED ON NOS (NOAA) STATION AT MIAMI, BISCAYNE BAY, FL (STATION 8723165).

DATUM	ELEV
MHHW	+ 0.26 FEET
MHW	+ 0.22 FEET
MSL	-0.89 FEET
NAVD	- 0.00 FEET
MLW	-1.97 FEET
MLLW	-2.11 FEET

DEMOLITION NOTES

- CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO STRICTLY CONTAIN THE DEMOLITION WITHIN THE LIMITS OF THE REQUIRED CONSTRUCTION AND AVOID ANY DAMAGE TO THE EXISTING STRUCTURE. PLAN SHALL INCLUDED DETAILED MEANS AND METHOD OF DEMOLITION WORK.
- ALL DEMOLISHED MATERIAL, EXCEPT AS NOTED OTHERWISE, BECOMES THE PROPERTY OF, AND SHALL BE COMPLETELY REMOVED AND DISPOSED OF BY THE CONTRACTOR. THE REMOVAL, HANDLING, AND DISPOSAL OF ALL DEMOLITION MATERIALS SHALL BE IN STRICT ACCORDANCE WITH ALL LOCAL, STATE, AND FEDERAL REQUIREMENTS.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO BECOME FAMILIAR WITH THE MATERIALS TO BE DISPOSED OF AND ALL GOVERNING AGENCY REQUIREMENTS.

LAYOUT AND TESTING:

- ALL CONSTRUCTION STAKEOUT SHALL BE PERFORMED BY AND PAID FOR BY THE CONTRACTOR.
- ALL TESTING, INSPECTION AND BACKFILL SHALL BE IN ACCORDANCE WITH FDOT SPECIFICATIONS, AND SHALL BE PERFORMED BY AN INDEPENDENT TESTING LABORATORY RETAINED BY THE OWNER.

SCHEDULE FOR COMPLETION OF WORK TO CONSTRUCTION BASELINE SCHEDULE

THE CONTRACTOR SHALL PROVIDE PRODUCT SUBMITTALS, AND/OR CATALOG CUT SHEETS FOR THE FOLLOWING ITEMS TO THE ENGINEER FOR REVIEW PRIOR TO CONSTRUCTION:

- PRELIMINARY SUBMITTALS:
 - SCHEDULE FOR COMPLETION OF WORK (TO BE UPDATED WEEKLY)
 - LIST OF SUBMITTALS
 - CONTRACTOR WORK PLAN
 - CONTACT LIST FOR GC'S STAFF
 - QUALITY ASSURANCE PLAN
- PRE-CAST CONCRETE
- TIMBER PILE
- HARDWARE.
- BITUMEN MEMBRANE.
- SPECIALTY ENGINEER SUBMITTALS (TO BE SIGNED/SEALED BY FLORIDA REGISTERED PROFESSIONAL ENGINEER.
 - GRATED DECK SHOP DRAWINGS
 - DOCK CALCULATIONS
 - KAYAK LAUNCH SHOP DRAWINGS

ENVIRONMENTAL NOTES

- TURBIDITY BARRIERS SHALL BE MANUFACTURED IN ACCORDANCE WITH FDOT ROADWAY AND TRAFFIC DESIGN STANDARDS INDEX NO. 103.
- DURING WATERSIDE CONSTRUCTION, THE CONTRACTOR SHALL MONITOR THE TURBIDITY LEVELS TO ENSURE THAT STATE WATER QUALITY STANDARDS ARE MAINTAINED AND CONSTRUCTION METHODS ARE IN ACCORDANCE WITH THE PERMITS.
- DURING CONSTRUCTION THE CONTRACTOR SHALL PLACE EROSION CONTROL DEVICES AND MEASURES AROUND THE PROJECT AREA AND OTHER AREA(S) NEEDED TO PREVENT EROSION AND THE MIGRATION OF SEDIMENT TO POINTS OUTSIDE THE DEMOLITION/CONSTRUCTION AREA(S).
- ALL EROSION CONTROL DEVICES SHALL BE IN ACCORDANCE WITH FDOT STANDARD SPECIFICATION 104 AND STANDARD INDEX NO. 102 OF THE FDOT ROADWAY AND TRAFFIC DESIGN STANDARDS.

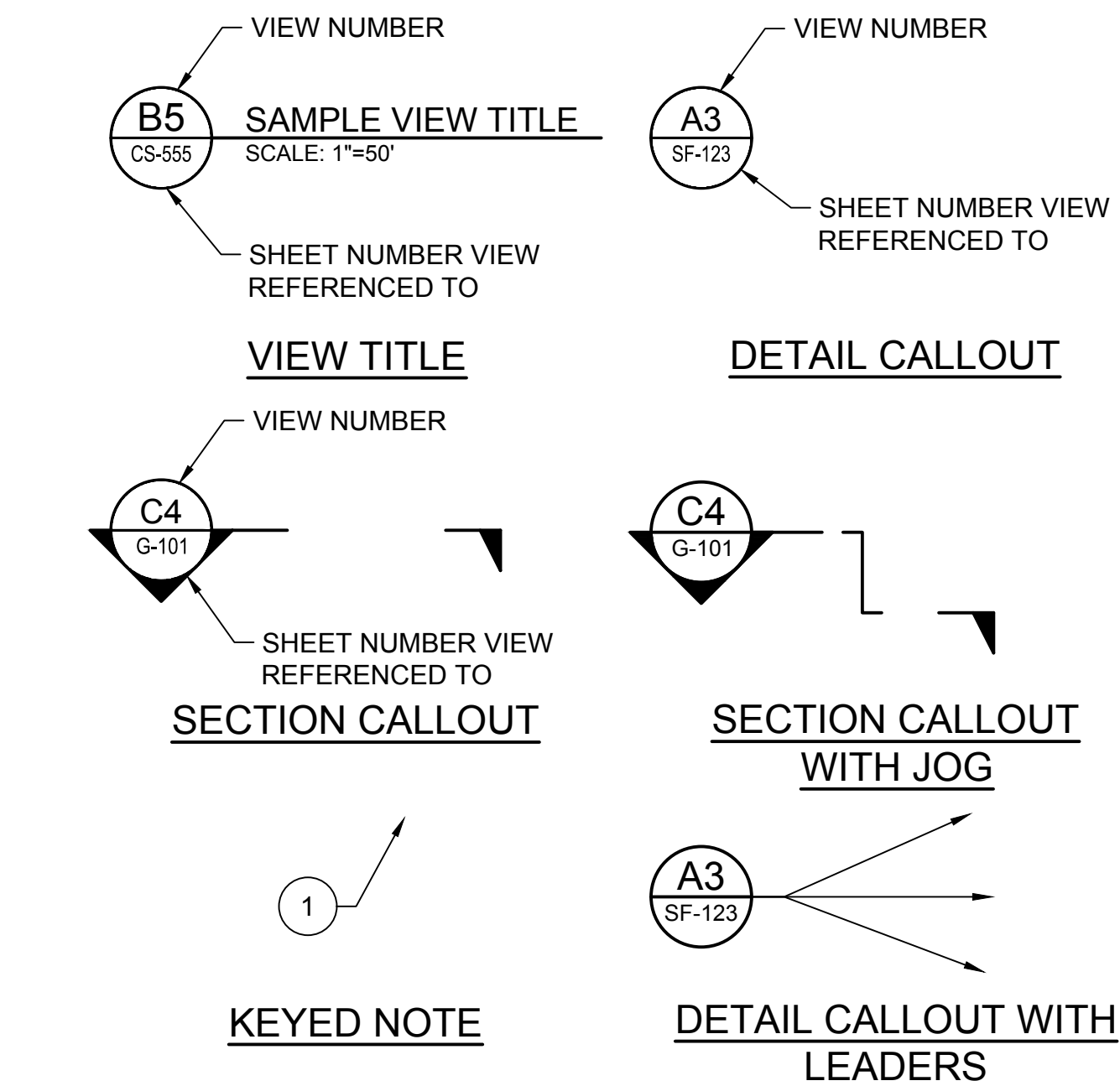
TURBIDITY BARRIER NOTES

- THE CONTRACTOR SHALL FURNISH, INSTALL AND MAINTAIN TURBIDITY CONTROL CURTAIN AROUND WORK AREA. THE PURPOSE OF THE CURTAIN IS TO AVOID ANY DEBRIS FROM GOING INTO THE MAIN WATERS. THE CONTRACTOR HAS THE OPTION TO ENCLOSE THE ENTIRE WATERSIDE OF THE SITE, WITHIN THE LIMITS OF DISTURBANCE, OR TO INSTALL AND MOVE THE CURTAIN IN STAGES. THE CONTRACTOR SHALL MAINTAIN SUCH CURTAINS AT ALL TIMES IN THE AREAS WHERE WORK IS IN PROGRESS.
- CONTRACTOR SHALL SUBMIT TURBIDITY CONTROL PLAN FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION IN ACCORDANCE WITH REGULATORY PERMITS.
- TURBIDITY SHALL BE MONITORED AS OUTLINED IN THE REGULATORY PERMIT.
- IF THE COMPLIANCE SAMPLE MEASURES ABOVE THE BACKGROUND SAMPLE, ALL OPERATIONS THAT ARE CAUSING THE WATER QUALITY VIOLATION WILL CEASE, AND THE ENVIRONMENTAL AGENCIES SHALL BE NOTIFIED OF THE VIOLATION (AS REQUIRED IN THE ENVIRONMENTAL PERMITS ISSUED FOR THE PROJECT). WORK THAT IS CAUSING THE WATER QUALITY VIOLATION WILL NOT RECOMMENCE UNTIL SUCH TIME AS THE WATER QUALITY READINGS THE APPROVAL OF THE AGENCIES.
- CONTRACTOR SHALL COMPILER AND SUBMIT MONITORING REPORTS TO OWNER AND TO THE AGENCIES, AS REQUIRED IN THE ENVIRONMENTAL PERMITS.
- CONTRACTOR SHALL UTILIZE DOUBLE TURBIDITY CURTAIN.

ABBREVIATIONS

- DBL = DOUBLE
- DN = DOWN
- EMBED = EMBEDMENT
- EQ = EQUAL
- GALV = GALVANIZED
- LG = LONG
- MHW = MEAN HIGH WATER
- MHHW = MEAN HIGHER HIGH WATER
- MLW = MEAN LOW WATER
- MLLW = MEAN LOWER LOW WATER
- MSL = MEAN SEA LEVEL
- NAD = NORTH AMERICAN DATUM
- NAVD = NORTH AMERICAN VERTICAL DATUM 88
- NIC = NOT IN CONTRACT
- NMFS = NATIONAL MARINE FISHERIES SERVICE
- SPA = SPACES
- SS = STAINLESS STEEL
- SQ = SQUARE
- UON = UNLESS OTHERWISE NOTED
- BL = BASELINE
- CL = CENTERLINE
- ' = MINUTES OR FEET
- " = INCHES
- & = AND
- ° = DEGREE
- ± = PLUS OR MINUS
- ∅ = DIAMETER
- PL = PLATE

LEGEND



* VIEW NUMBER IS BASED ON THE (DACS) LOCATION OF THE LOWER-LEFT EXTENTS OF THE VIEW ON THE REFERENCED SHEET. WHEN REFERENCING DRAWING INFORMATION BETWEEN SHEETS, BOTH THE VIEW AND SHEET NUMBERS MUST BE QUOTED TOGETHER - EITHER IN A CALLOUT FORMAT AS SHOWN ABOVE OR IN THE FORM: "VIEW NO./SHEET NO." (EG A1/CS-5001)

PLAN SCALE CORRESPONDS TO PLOT SIZE 24"x36". IF PLOTTED ON OTHER SIZE, EOR DOES NOT WARRANT THE ACCURACY OF THE PLAN SCALE. O:\MAN\19075-04-20.DWG, 5/2022 9:43 PM MARTINEZ, MIGUEL



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moffatt & nichol
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PROJECT:

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MARINE FACILITY
PHASE 2

KEY MAP:

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DATE ISSUED: April 22, 2022

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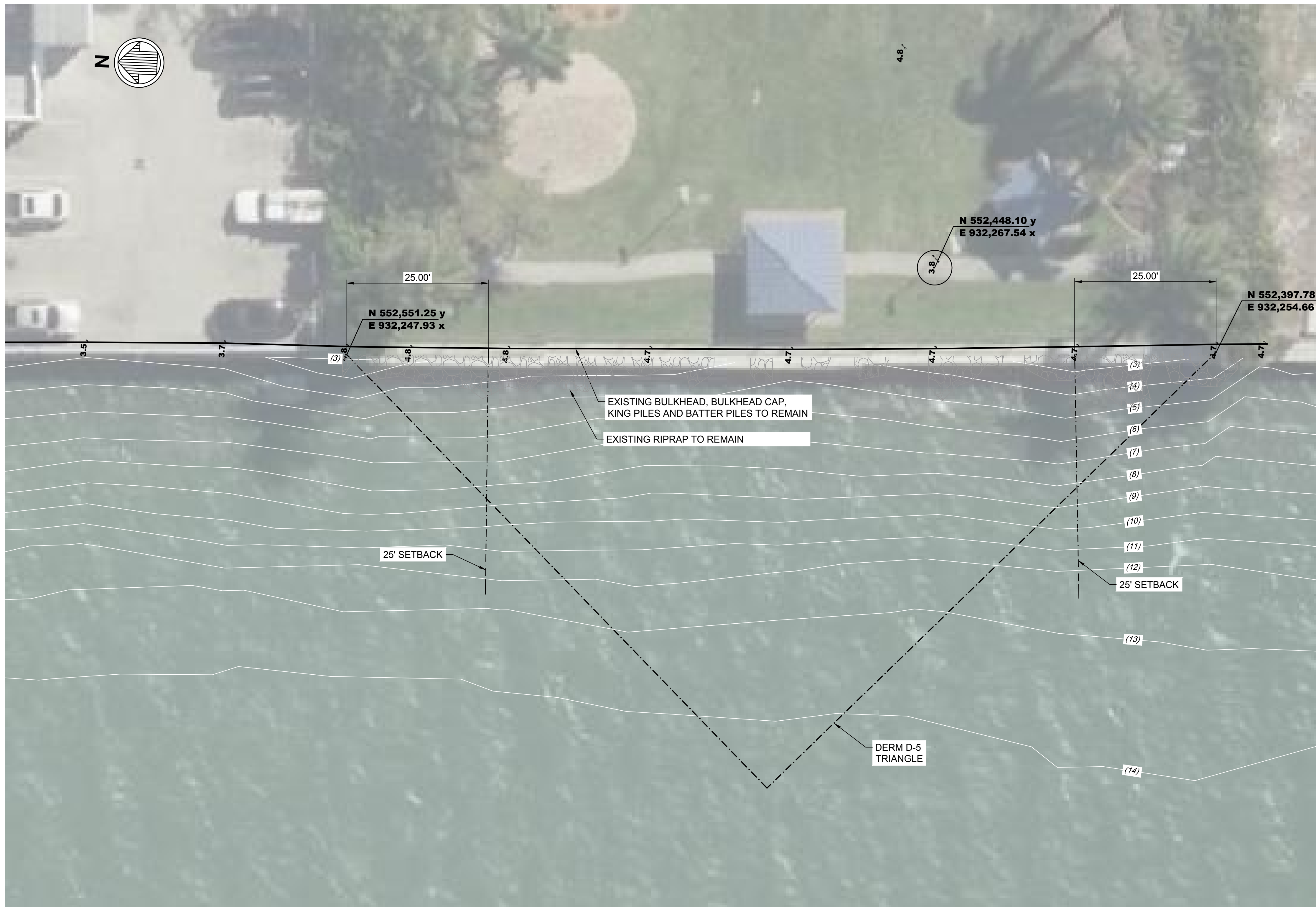
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WATERSIDE
EXISTING
CONDITIONS

SHEET NO.

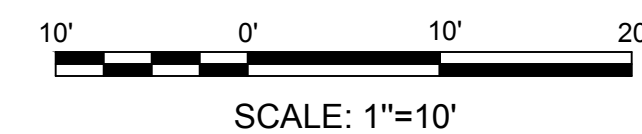
V-101

PERMIT SUBMITTAL



NOTE:

- REFER TO SURVEY NOTES ON SHEET G-002.



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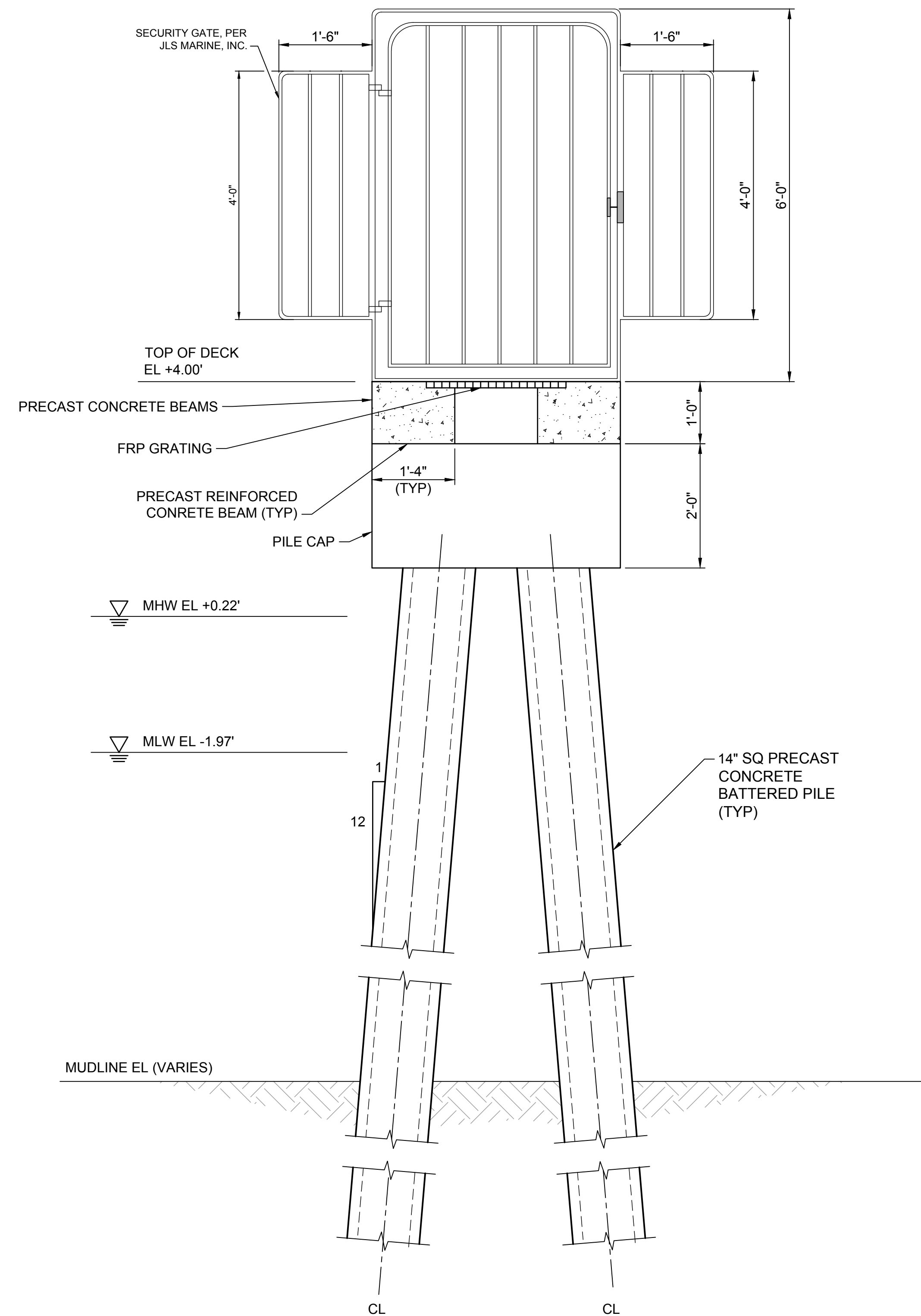
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DOCK DETAILS
(2 OF 2)

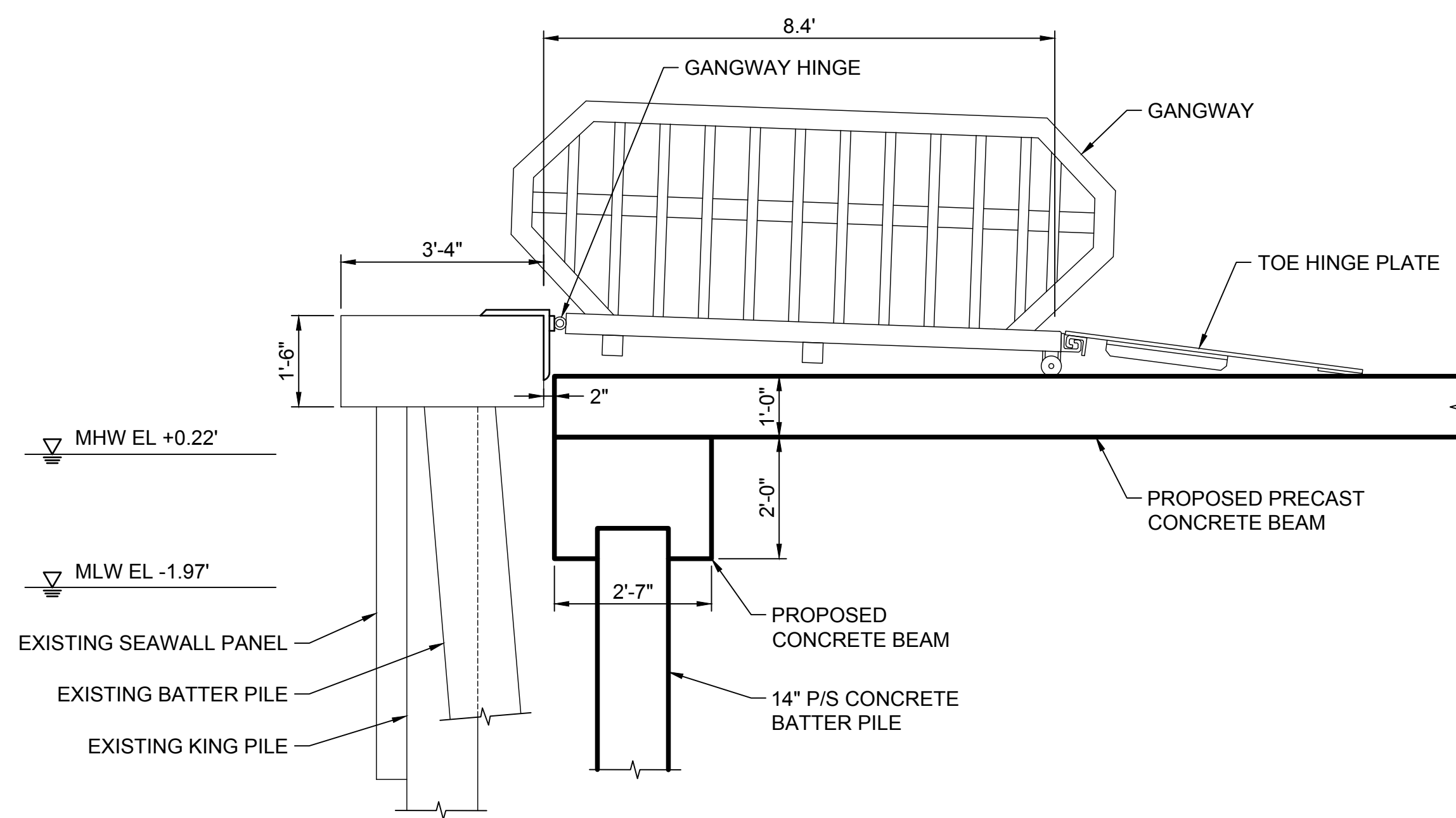
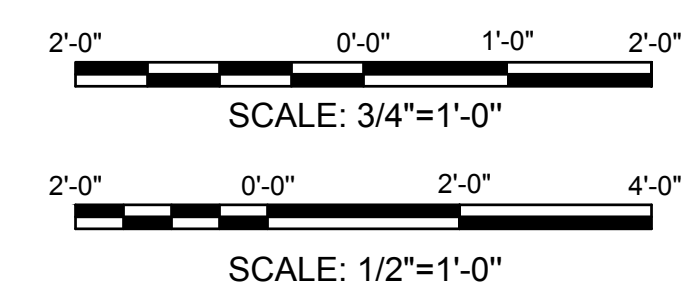
SHEET NO.

S-502

PERMIT SUBMITTAL



A2 SECURITY GATE
S-101 SCALE: 3/4"=1'-0"



A1 SECTION - GANGWAY
S-101 SCALE: 1/2"=1'-0"

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