

DEPARTMENT OF THE ARMY PERMIT

Permittee: City of Key West
c/o Greg Veliz
1100 White Street
Key West, FL 33040

Permit No: SAJ-2020-1959-(SP-GGM).

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

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

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

Project Description: The authorized work is for the installation of a 495-linear feet floating weed barrier system consisting of a semi-rigid PVC-coated polystyrene curtain extending 12-inches below the water's surface and utilizing thirty (30) 6-inches galvanized steel helical embedment anchors placed every 20-feet interval along the sandy seafloor. Metal anchors will be installed from a barge using an auger. No more than 10 anchors will be installed per day. After the anchors are installed, the weed barrier will be installed manually by workers wading through the water. The downline for the barrier will be ¼-inch stainless steel chain encased in 1-inch Goodyear pliovic hose. The downline will also have a surface float installed for the purpose of keeping the downline from tangling around the anchor head or dragging on the seafloor. The curtain will be held vertically in the water column by PVC-coated belting with polyurethane foam-filled floatation shells at the top edge and a chain weight at the bottom edge. The looped end of the downline (at the anchor head) will be covered with a 3.5-in by 12-inches canvas fire hose secured in place with heavy duty cable ties. The structure shall maintain a distance between the bay-bottom and the chain-weight bottom of the weed barrier curtain of 6-inches on the shallow shore sides at mean low water tide. All anchors will be placed at locations devoid of submerged aquatic resources. All accumulated debris (i.e. seagrass detritus) shall be removed, periodically, by hand, not

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mechanically, and disposed on an approved upland site (i.e landfill). The work shall be conducted in accordance with the approved work plans and best management plan (4 pages) date stamped on August 20th, 2022, by the Corps. Temporary turbidity curtains will be deployed and will remain in place until the work is completed and erodible materials have stabilized.

Project Location:

The project is located within open waters of the Atlantic Ocean. The project site is located within two properties adjacent to each other. One property is located at 1405-Duval Street; legally described as, KW Filer Boyle Subdivision N-476, Lot 4 and 6 SQR 5, G73-63 (South Beach Less the Eatery Restaurant Lease) (RE#00072082-001501). The second parcel is located at 1406 Duval Street; legally described as, KW 0.95 AC, N-476, Bay BTM SE of PT Lot 03, SQR 6, TR 16 (RE# 00036370-000000); in Section 06, Township 68 South, Range 25 East; Key West, Monroe County, Florida 33040 (MM± 0.5-Ocean). Exhibits/drawings are included, which illustrate the proposed action area and geographic coordinates.

APPROXIMATE CENTRAL COORDINATES: Latitude 24.546249° North
Longitude 81.795461° West

Permit Conditions

General Conditions:

1. The time limit for completing the work authorized ends on **August 30th, 2027.** If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination

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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 and the mailing address of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. REPORTING ADDRESS/ES: 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 Corps addresses and to the following agencies:

- **U.S. Army Corps of Engineers**

Regulatory Division

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

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

- **Fish and Wildlife Services**

Florida Ecological Services, Field Office

verobeach@fws.gov

***Identifying consultation code: 04EF2000-2020-I-1048**

The Permittee shall reference this permit number, SAJ-2020-01959-(SP-GGM), on all submittals to the Corps. The Permittee shall reference identifying consultation code: 04EF2000-2020-I-1048 on all submittal to the FWS.

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2. 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 (Attached).

3. SELF-CERTIFICATION: Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the attached "Self-Certification Statement of Compliance" form (Attached) 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.

4. 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.

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

6. PROTECTED SPECIES CONSTRUCTION CONDITIONS: The Permittee shall comply with National Marine Fisheries Service's "Protected Species Construction Conditions, NOAA Fisheries Southeast Regional Office" dated May 2021 (Attached).

7. 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 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.

8. DAYLIGHT HOURS: All work shall be performed during daylight hours.

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9. POSTING OF PERMIT: The Permittee shall have available and maintain for review a copy of this permit with approved plans and best management plan at the construction site.

10. CULTURAL RESOURCES/HISTORIC PROPERTIES:

- a. No structure or work shall adversely affect, impact, or disturb properties listed in the *National Register of Historic Places* (NRHP), or those eligible for inclusion in the NRHP.
- b. If, during 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.
- c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition and, if deemed necessary by the SHPO or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.
- d. In the unlikely event that unmarked human remains are identified on non-federal lands; they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State 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.

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11. INSTALLATION METHODOLOGY: Installation of the structures shall take place from floating equipment (e.g., barge) with the assistance of divers; prop or wheel-washing is prohibited.

12. CLEAN MATERIAL: All construction material must be non-toxic and free of contaminants and non-indigenous flora and/or fauna.

13. OWNERSHIP AND LIABILITY: By signing this permit, the Permittee certifies and acknowledges ownership of the authorized structure and accepts responsibility for maintenance of the structure and ability to assume liability for all damages that may arise with respect to the structure. The Permittee is responsible for all inspections and for the maintenance of the approved structure and all its associated materials. The Permittee will place the approved structure and associated anchors only within the current delineated authorized location boundaries, as depicted on the approved work plans and management plan (4 pages) date stamped on August 20, 2022, by the Corps. Structures dislodged or displaced by natural events such as storms may be relocated to the same location; however, prior notification to the Corps will be required. The position of the displaced structures and any environmental damage must be reported to Corps of Engineers, Jacksonville District at the address specified in Special Condition 1, with the following minimum information:

- Coordinates (DGPS) of location to which structures were displaced,
- Status and integrity of all displaced structures,
- Impacts (observed or estimated) to sensitive resources (e.g., seagrasses, hardbottom, or corals or coral reef) resulting from structure displacement.

14. MAINTENANCE: In-water structures authorized by this permit, which have fallen into disrepair, are no longer in use, or determined to be ineffective at preventing decaying vegetation from accumulating within the permitted area shall be removed within 30 days.

15. INSPECTING STRUCTURES: The complete structure, including any related anchors, shall be inspected in accordance with the submitted and approved best management plan (Sheet 4 of 4) date stamped on August 20, 2022, by the Corps.

16. MARINE DEBRIS REMOVAL METHODS: Marine debris shall be lifted straight up and not be dragged through the. Trawling also cannot be used as a means of marine debris removal. All debris shall be properly disposed of in appropriate upland facilities (i.e. landfill) in accordance with applicable federal and state requirements.

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17. FLORIDA KEYS NATIONAL MARINE SANCTUARY: This Corps permit does not authorize you to damage, diminish, degrade, impair, destroy, or otherwise harm any Florida Keys National Marine Sanctuary (FKNMS) trust resource. In order to legally conduct your work, you are provided with a copy of the FKNMS Permit letters #FKNMS-2020-113. You must understand and agree to comply with the provisions of these documents. The FKNMS letter contains mandatory terms and conditions. Your authorization under this Corps permit is conditional upon your compliance with all of the mandatory terms and conditions associated with the FKNMS requirements. Failure to comply with the FKNMS terms and conditions would constitute noncompliance with your Corps permit. The FKNMS is the appropriate authority to determine compliance with the terms and conditions of its requirements and with the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1432). All construction-related material and shall be removed from U.S. Waters within 15 days of completion of the authorized work and disposed of at an upland disposal site. Post-construction photographs documenting removal of the material and debris shall be submitted to the USACE at SAJ-RD-Enforcement@usace.army.mil and to the FKNMS at Stephen.Werndli@noaa.gov concurrent with the "Self-Certification Statement of Compliance" form.

18. 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

19. REPORTING OF INTERACTIONS WITH PROTECTED SPECIES: Any collision(s) with and/or injuries to any sea turtles, sawfish, whales, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (727-824-5312) or by email at:

takereport.nmfsser@noaa.gov and SAJ-RD-Enforcement@usace.army.mil

Sea turtle and marine mammal stranding/rescue organizations' contact information is available by region at <http://www.nmfs.noaa.gov/pr/health/networks.htm>.

Smalltooth sawfish encounters shall be reported to

<http://www.flmnh.ufl.edu/fish/sharks/sawfish/sawfishencounters.html>

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20. FLORIDA FISH AND WILDLIFE SERVICE (FWS): The Permittee is responsible for regularly surveying interior and exterior of the barrier and report wildlife. Any federally listed species entangled in or trapped behind the barrier shall be immediately reported to the FWS and the FWCC. verobeach@fws.gov

***Identifying consultation code: 04EF2000-2020-I-1048**

21. MARINE LIFE ENTRAPMENT: All in-water equipment must be properly secured with materials that reduce the risk of entanglement of marine species. Neither structure nor material or the method of construction shall pose more than minimal risk of entrapping fish, marine turtles, or marine mammals. In-water lines must be industrial grade metal or heavy cables that do not readily loop and tangle. All in-water lines (rope and cable) must be rigid and cannot have excess line in the water. Lines may be enclosed in a plastic or rubber sleeve/tube to add rigidity.

22. SIGNAGE: The Permittee shall install permanent "caution" signs along the shoreline in a manner visible to any watercraft activity within 30 days from the date of initiating the authorized work. The Permittee shall maintain signs in good condition for the life of the weed barrier.

23. PERMIT CONDITIONS PREVAIL: If information in the permit attachments conflict with the special conditions of the DA permit, the requirements of the permit special conditions shall prevail.

24. PROJECT DRAWINGS: The project must be completed in accordance with the enclosed submitted construction drawings (4 pages), date-stamped by the U.S. Army Corps of Engineers (Corps) on August 20, 2022, and the general and special conditions which are incorporated in, and made a part of, the permit.

Further Information:

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

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

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

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

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2. Limits of this authorization.

- a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

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

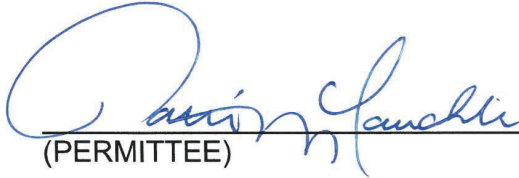
Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

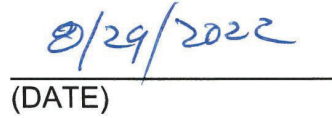
6. Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable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

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


(PERMITTEE)


(DATE)

Patti McLaughlin, City Manager of the City of Key West
(PERMITTEE NAME-PRINTED)

Type text here

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



(DISTRICT ENGINEER)
for James L. Booth
Colonel, U.S. Army
District Commander

8-30-2022
(DATE)

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

(TRANSFEREE-SIGNATURE)

(DATE)

(NAME-PRINTED)

(ADDRESS)

(CITY, STATE, AND ZIP CODE)

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***Attachments to Department of the Army
Permit Number SAJ-2020-01959-(SP-GGM)***

1. PERMIT DRAWINGS: 4 pages, dated August 20nd, 2022.
2. Commencement Notification
3. General Conditions.
4. Self-Certification Statement of Compliance Form (1 page).
5. DA Permit Transfer Request Form.
6. NOAA Protected Species Conditions
7. Manatee standard construction conditions
8. FKNMS Permit Letters #FKNMS-2021-113
9. FDEP Individual Permit No. 0388535-001 EI
10. ADDITIONAL DOCUMENTS: As required.

PROJECT LOCATION

PARCEL ID 00036370-000000 (RAMOS)
PARCEL ID 00072082-001501 (CITY OF KEY WEST)
BAY BTM SE OF PT LOT 3 SQR 6 TR 16;
LOT 4 & 6 SQR 5 (SOUTH BEACH LESS THE EATERY
RESTAURANT LEASE);
KW FILER BOYLE SUB N-476
SEC/TWP/RNG 06/68/25
KEY WEST
LATITUDE: 24.546760°N LONGITUDE: 81.795885°W

DIRECTIONS:

US HIGHWAY NO 1 SOUTH TO KEY WEST. LEFT ONTO
ROOSEVELT BLVD. RIGHT ONTO BERTHA ST. LEFT ONTO
ATLANTIC BLVD. RIGHT ONTO WHITE ST. LEFT ONTO
SOUTH ST. LEFT ONTO DUVAL ST. PROPERTY ADDRESS
1400, 1405, 1406 DUVAL ST

ADJOINING OWNERS

SUNSET CITY LLC
C/O LASALLE HOTEL PROPERTIES
7500 WISCONSIN AVE 10TH FL
BETHESDA, MD 20814

HUGH J MORGAN
404 SOUTH ST
KEY WEST, FL 33040



REVISIONS:

LOCATION & VICINITY MAP
SCALE: AS SHOWN

WEED BARRIER FOR CITY OF KEY WEST
& MATILDE GENEROSA RAMOS REV TRUST 5/25/2007
KEY WEST, MONROE COUNTY, FL

GLEN BOE AND ASSOCIATES, INC. # 4061
5800 OVERSEAS HIGHWAY, SUITE 4, MARATHON, FL 33050
Telephone (305) 743-9121 Fax (305) 743-9197
Email: glenboe@bellsouth.net

DATE: 03/30/20

1

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2		DATE: 03/30/20		GLEN BOE AND ASSOCIATES, INC. # 4061 5800 OVERSEAS HIGHWAY, SUITE 4, MARATHON, FL 33050 Telephone (305) 743-9121 Fax (305) 743-9197 Email: glenboe@bellsouth.net		WEED BARRIER FOR CITY OF KEY WEST & MATILDE GENEROSA RAMOS REV TRUST 5/25/2007 KEY WEST, MONROE COUNTY, FL		REVISIONS:	

PRE-FABRICATED WEED BARRIER
FOR HIGH FLOW/ROUGH WATER

1/2" STAINLESS STEEL SHACKLE

A JIM BUOY MODEL 1100 (OR PREAPPROVED EQUIVALENT) SURFACE FLOAT BUOY (9 1/4" LONG X 7" DIAMETER) SHALL BE INSTALLED ON THE DOWN-LINE FOR THE PURPOSE OF KEEPING THE DOWN-LINE FROM TANGLING AROUND THE ANCHOR HEAD OR DRAGGING ON THE SEAFLOOR. THE SUB-SURFACE BUOY WILL BE SECURED ON THE DOWN-LINE WITH A 3/8" STAINLESS STEEL BOLT, TWO (2) FLAT WASHERS (ONE EACH SIDE), AND NYLOCK NUT ABOVE THE SUB-SURFACE BUOY.

PVC COATED BELTING W/
POLYURETHANE FOAM FILLED
FLOATATION SHELLS

+1.6' MHW

0.0' MLW

SEMI-RIGID PVC-COATED POLYESTER NE
NETTING (1"X1" MAX OPENINGS) W/ CHAIN
WEIGHT AT BOTTOM

VARIES -1.5' TO -3'

TYPICAL SECTION

SCALE: 3/16" = 1'-0"

PROVIDE A 5/8" GALVANIZED STEEL SHACKLE SHALL SECURE THE DOWN-LINE TO THE GALVANIZED ANCHOR HEAD. THE DOWN-LINE WILL BE LOOPED AT THE ANCHOR END, CONNECTED TO ITSELF WITH A 3/8" STAINLESS STEEL BOLT, TWO (2) FLAT WASHERS (ONE EACH SIDE), AND A NYLOCK NUT. THE LOOPED END OF THE DOWN-LINE WILL BE COVERED WITH 3 1/2" X 12" LONG CANVAS FIRE HOSE, AND HELD IN PLACE WITH AT LEAST TWO HEAVY DUTY CABLE TIES.

DISTANCE BETWEEN THE BAYBOTTOM & BOTTOM OF WEED BARRIER SHALL BE 6" ON THE SHALLOW SHORE SIDES AT MEAN LOW TIDE

1/4" STAINLESS STEEL CHAIN ENCASED IN 1" GOODYEAR (OR PRE-APPROVED EQUIVALENT) BLUE PLOVIC HOSE. THE LENGTH OF THE COMPLETE, RIGGED DOWN-LINE SHALL BE APPROPRIATE FOR THE WATER DEPTH.

PROPOSED ANCHOR @ 20'± INTERVALS (SEE ANCHOR DESCRIPTIONS FOR INSTALLATION) TOP OF ANCHOR SHALL BE 6" MIN. ABOVE SEAFLOOR.

NOTE: IN-WATER ROPE, CABLE OR CHAIN SHALL BE INDUSTRIAL GRADE METAL CHAINS OR HEAVY CABLES THAT DO NOT READILY LOOP AND TANGLE AND SHALL BE INSTALLED SO LINE IS TAUT AND WITHOUT EXCESS LINE IN THE WATER. LINES SHALL BE ENCLOSED IN A PLASTIC OR RUBBER SLEEVE/TUBE TO ADD RIGIDITY.

CONSTRUCTION NOTES:

1. CONTRACTOR SHALL OBTAIN ALL APPLICABLE PERMITS PRIOR TO COMMENCING WORK. THE REQUIREMENTS OF THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, THE ARMY CORPS OF ENGINEERS & LOCAL REGULATIONS SHALL GOVERN ALL WORK.
2. WORK SHOWN ON DRAWINGS IS DESIGNED IN ACCORDANCE WITH THE FLORIDA BUILDING CODE 2017. FOLLOW ALL APPLICABLE PROVISIONS FOR ALL PHASES OF CONSTRUCTION. THE PROPOSED STRUCTURE(S) IS DESIGNED FOR A MINIMUM LIVE LOAD OF 40 PSF/DEAD LOAD 10 PSF, 180 MPH (3 SECOND GUST), EXPOSURE D, ASCE 7-10.
3. CONTRACTOR SHALL ADHERE TO THE STANDARD MANATEE CONSTRUCTION CONDITIONS (LATEST EDITION). IF NEEDED, THE CONTRACTOR CAN CONTACT THE ARMY CORPS OF ENGINEERS OR THIS OFFICE TO OBTAIN A COPY OF THE STANDARD MANATEE CONSTRUCTION CONDITIONS.
4. BEST MANAGEMENT PRACTICES, INCLUDING THE USE OF TURBIDITY SCREENS, ARE REQUIRED TO ISOLATE THE CONSTRUCTION AREA FROM THE ADJACENT WATERS. CONTRACTOR SHALL INSTALL TURBIDITY SCREENS AROUND THE IMMEDIATE PROJECT AREA PRIOR TO CONSTRUCTION. THE TURBIDITY SCREENS REMAIN IN PLACE UNTIL WATER QUALITY CONDITIONS RETURN TO PRECONSTRUCTION CONDITIONS. WATER QUALITY MONITORING SHALL ADHERE TO STATE REGULATIONS.
5. CONTRACTOR SHALL FIELD VERIFY DIMENSIONS & WATER DEPTHS PRIOR TO CONSTRUCTION. ANY DISCREPANCIES ON THE DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER BEFORE COMMENCING WORK.
6. THE STRUCTURAL INTEGRITY OF THE COMPLETED STRUCTURE DEPENDS ON INTERACTION OF VARIOUS CONNECTED COMPONENTS. PROVIDE ADEQUATE BRACING, SHORING, AND OTHER TEMPORARY SUPPORTS AS REQUIRED TO SAFELY COMPLETE THE WORK.
7. EXERCISE EXTREME CARE AND CAUTION WHEN EXCAVATING AND FILLING ADJACENT TO EXISTING STRUCTURES. UNDER NO CIRCUMSTANCES SHALL THE STRUCTURAL INTEGRITY OF THE EXISTING STRUCTURES BE IMPAIRED IN ANY WAY BY CONSTRUCTION OPERATIONS AND PROCEDURES. DO NOT EXCAVATE OR DISTURB SOIL ADJACENT TO OR BENEATH EXISTING FOOTINGS.

ANCHOR DETAIL BASED ON SUBSTRATE:

FOR SUBSTRATE OF UP TO 5' OF SAND/MUD OVERBURDEN ABOVE A HARD ROCK SUBSTRATE THE ANCHOR SHALL BE A ROCK PENETRATING HELICAL EMBEDMENT ANCHOR. THE ANCHOR SHALL BE A MINIMUM OF 6' LONG, WITH A MINIMUM HELICAL DISK SIZE OF 6", WITH A MINIMUM SHAFT DIAMETER OF 1 1/4". THE ANCHOR SHALL BE GALVANIZED STEEL. THE ANCHOR SHALL BE SECURELY EMBEDDED A MINIMUM OF 5 1/2' INTO THE SEAFLOOR WITH THE HEAD EXPOSED APPROXIMATELY 6" TO ALLOW FOR ATTACHMENT OF THE DOWNLINE. THE ANCHOR SHALL BE INSTALLED IN A MANNER WHICH PROVIDES FOR REMOVAL, VIA HEAVY EQUIPMENT, IF AND WHEN NECESSARY.

FOR SUBSTRATE GREATER THAN 5' OF SAND/MUD THE ANCHOR SHALL BE A SOFT BOTTOM HELICAL EMBEDMENT ANCHOR. THE ANCHOR SHALL BE A MINIMUM OF 6' LONG, WITH A MINIMUM HELICAL DISK SIZE OF 8", WITH A MINIMUM SHAFT DIAMETER OF 1 1/4". THE ANCHOR SHALL BE GALVANIZED STEEL. THE ANCHOR SHALL BE SECURELY EMBEDDED A MINIMUM OF 5 1/2' INTO THE SEAFLOOR WITH THE HEAD EXPOSED APPROXIMATELY 6" TO ALLOW FOR ATTACHMENT OF THE DOWNLINE. THE ANCHOR SHALL BE INSTALLED IN A MANNER WHICH PROVIDES FOR REMOVAL, VIA HEAVY EQUIPMENT, IF AND WHEN NECESSARY.

FOR EXPOSED ROCK SUBSTRATE THE ANCHOR SHALL BE THE HALAS PIN SYSTEM (OR PRE-APPROVED EQUIVALENT) WITH A MINIMUM EMBEDMENT DEPTH OF 18", MINIMUM PIN SIZE OF 5/8" DIAMETER BY 18" LENGTH, 316 STAINLESS STEEL; INSTALLED IN A 2" DIAMETER BY 18" DEEP DRILLED HOLE AND GROUTED WITH CONCRETE. CAST IN PLACE CONCRETE SHALL BE TYPE II CONCRETE WITH A COMPRESSIVE STRENGTH OF 5,000 PSI AT 28 DAYS. MAXIMUM WATER-CEMENTIOUS MATERIALS RATIO BY WEIGHT RATIO SHALL BE 0.40. SLUMP SHALL NOT EXCEED 5" (1"±).

REVISIONS:

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CERTIFIED BY:
SEAN KIRWAN, P.E. #57506

WEED BARRIER FOR CITY OF KEY WEST
& MATILDE GENEROSA RAMOS REV TRUST 5/25/2007
KEY WEST, MONROE COUNTY, FL

GLEN BOE AND ASSOCIATES, INC. # 4061
5800 OVERSEAS HIGHWAY, SUITE 4, MARATHON, FL 33050
Telephone (305) 743-9121 Fax (305) 743-9197
Email: glenboe@bellsouth.net

DATE: 03/30/20

Weed Barrier Management Plan

1400, 1405, 1406 DUVAL ST,
508 SOUTH STREET
Key West

The seagrass-detritus barrier will be visually inspected by the applicant to assure that the barrier is intact and operating properly on a daily basis. An in-water inspection, to verify the integrity of the connections and barrier will be performed on a quarterly basis. An interim in-water inspection will be performed if the daily visual inspection results in observations of maintenance being required to the barrier. Any maintenance or repairs that are required will be performed in a timely manner.

Floating debris and seagrass/detritus removed from the barrier will be transported to a landfill for disposal. The barrier will be accessed from shore or with a small vessel for debris removal.

All entrapments or entanglements of manatees, crocodile, or marine turtles shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922 (or #FWC).

COMMENCEMENT NOTIFICATION

*Within ten (10) days of initiating the authorized work, submit this form 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- - (-)

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

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

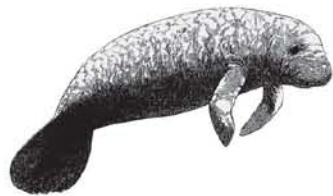
All project vessels

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

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: SAJ- - (-)

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 ____
PLEASE CONTACT _____ AT _____
TO SCHEDULE AN INSPECTION

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 REQUEST

PERMIT NUMBER: SAJ- - (-)

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)

(SUBDIVISION)

(DATE)

(LOT)

(BLOCK)

(NAME-PRINTED)

(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE

Florida Keys National Marine Sanctuary
33 East Quay Road
Key West, FL 33040

September 17, 2020

Ms. Gletys Guardia-Montoya
Department of the Army Jacksonville District Corps of Engineers
Miami Regulatory Office
9900 Southwest 107th Avenue, Suite 203
Miami, FL 33176

Dear Ms. Guardia-Montoya:

NOAA Florida Keys National Marine Sanctuary (FKNMS or sanctuary) has reviewed Department of the Army Corps of Engineers (DA Corps) application no. 2020-01959 (GP-GGM). The applicant, City of Key West c/o Greg Veliz, is requesting a permit to install a 495' floating weed barrier with anchors at 20' intervals adjacent to 1405 Duval Street, Key West, Monroe County, FL. The proposed activity is prohibited by FKNMS regulations at 15 CFR §922.163(a)(3).

NOAA has reviewed the project described in the DA Corps application and determined that the proposed project will have a negligible impact on sanctuary resources. Therefore, pursuant to 15 CFR § 922.49, NOAA does not object to the issuance of a DA Corps permit for the project as proposed, and a separate FKNMS permit will not be required.

This determination is only applicable to DA Corps application no. 2020-01959 (GP-GGM), including all project plans and methods detailed in that application and any additional information submitted or follow-up correspondence between the applicant and NOAA FKNMS. If any changes are made to the project description or methods deviate from those provided to NOAA FKNMS, in the application, the applicant shall notify NOAA and this letter of authorization will be rescinded. Upon such notification, NOAA shall re-review the project and special conditions and provide a supplementary determination. Further information on sanctuary permit review and authorization is set forth at 15 CFR § 922.49.

This project has been assigned authorization #FKNMS-2020-113. Please contact FKNMS Enforcement Coordinator Steve Werndli at Stephen.Werndli@noaa.gov if you have questions about NOAA's determination on this project. Thank you for your continued cooperation with the Florida Keys National Marine Sanctuary.

Sincerely,

Sarah Fangman
Superintendent

cc: Sean Kirwan, Glen Boe & Associates, Inc.



PROTECTED SPECIES CONSTRUCTION CONDITIONS, NOAA FISHERIES SOUTHEAST REGIONAL OFFICE

The action agency and any permittee shall comply with the following construction conditions for protected species under the jurisdiction of NOAA Fisheries Southeast Regional Office (SERO) Protected Resources Division (PRD):¹

Protected Species Sightings—The action agency and any permittee shall ensure that all personnel associated with the project are instructed about the potential presence of species protected under the Endangered Species Act (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 listed species and all marine mammals. To determine which protected species and critical habitat may be found in the transit area, please review the relevant [marine mammal](https://www.fisheries.noaa.gov/find-species) and [ESA-listed species](https://www.fisheries.noaa.gov/find-species) at Find A Species (<https://www.fisheries.noaa.gov/find-species>) and the consultation documents that have been completed for the project.

1. **Equipment**—Turbidity curtains, if used, shall be made of material in which protected species cannot become entangled and be regularly monitored to avoid protected species entrapment. All turbidity curtains and other in-water equipment shall be properly secured with materials that reduce the risk of protected species entanglement and entrapment.
 - a. In-water lines (rope, chain, and cable, including the lines to secure turbidity curtains) shall 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, shall 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 shall be allowed in the water. All anchoring shall be in areas free from hardbottom and seagrass.
 - b. Turbidity curtains and other in-water equipment shall be placed in a manner that does not entrap protected species within the project area and minimizes the extent and duration of their exclusion from the project area.
 - c. Turbidity barriers shall be positioned in a way that minimizes the extent and duration of protected species exclusion from important habitat (e.g. critical habitat, hardbottom, seagrass) in the project area.
2. **Operations**—For construction work that is generally stationary (e.g., barge-mounted equipment dredging a berth or section of river, or shore-based equipment extending into the water):
 - a. Operations of moving equipment shall cease if a protected species is observed within 150 feet of operations.

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

- b. Activities shall not resume until the protected species has departed the project area of its own volition (e.g., species was observed departing or 20 minutes have passed since the animal was last seen in the area).
3. **Vessels**—For projects requiring vessels, the action agency, and any permittee shall ensure conditions in the [Vessel Strike Avoidance Measures](#) are implemented as part of the project/permit issuance (<https://www.fisheries.noaa.gov/southeast/consultations/regulations-policies-and-guidance>).
4. **Consultation Reporting Requirements**—Any interaction with a protected species shall be reported immediately to NOAA Fisheries SERO PRD and the local authorized stranding/rescue organization.

To report to NOAA Fisheries SERO PRD, send an email to takereport.nmfsser@noaa.gov. Please include the species involved, the circumstances of the interaction, the fate and disposition of the species involved, photos (if available), and contact information for the person who can provide additional details if requested. Please include the project's Environmental Consultation Organizer (ECO) number and project title in the subject line of email reports.

To report the interaction to the local stranding/rescue organization, please see the following website for the most up to date information for reporting sick, injured, or dead protected species:

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

NOAA Fisheries Enforcement Hotline (800) 853-1964

5. **Additional Conditions**—Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the project consultation and must also be complied with.

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

NOAA Fisheries Service
Southeast Regional Office
263 13th Avenue South
St. Petersburg, Florida 33701
Tel: (727) 824-5312

Visit us on the web at [Protected Marine Life in the Southeast](#)
(<https://www.fisheries.noaa.gov/region/southeast#protected-marine-life>)

Revised: May 2021



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

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

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

Revised: March 23, 2006

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





FLORIDA DEPARTMENT OF Environmental Protection

South District Branch Office
2796 Overseas Highway, Suite 221
Marathon, FL 33050
SouthDistrict@FloridaDEP.gov

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

Permittee/Authorized Entity:

City of Key West
1100 White St
Key West, FL 33040
gveliz@cityofkeywest-fl.gov

Seaweed Barrier

Authorized Agent:

Sean Kirwan
5800 Overseas Hwy Ste 4
Marathon, FL 33050
glenboe@bellsouth.net

**Environmental Resource Permit
State-owned Submerged Lands Authorization – Granted Pending Document
Execution**

**U.S. Army Corps of Engineers Authorization – Separate Corps Authorization
Required**

Permit No.: 0388535-001 EI
Lease No.:

**Permit Issuance Date: May 12, 2022
Permit Construction Phase Expiration Date: May 12, 2027**

Consolidated Environmental Resource Permit and Sovereignty Submerged Lands Authorization

Permittee: City of Key West

Permit No: 0388535-001 EI

PROJECT LOCATION

The activities authorized by this permit and sovereignty submerged lands authorization are located adjacent to 508 South Street, involving Parcel IDs 00036280000000, 00072082001501, and 00036360000000, Key West, FL, 33040, in Section 06, Township 68, Range 25, in Monroe County.

PROJECT DESCRIPTION

The permittee is authorized to install a 495 linear-foot floating seaweed barrier with 30 anchors, in the Atlantic Ocean, Class III Outstanding Florida Waters. Those activities include the preemption of 61,791 square feet of state-owned sovereignty submerged lands. Authorized activities are depicted on the attached exhibits.

AUTHORIZATIONS

Seaweed Barrier

Environmental Resource Permit

The Department has determined that the activity qualifies for an Environmental Resource Permit. Therefore, the Environmental Resource Permit is hereby granted, pursuant to Part IV of Chapter 373, Florida Statutes (F.S.), and Chapter 62-330, Florida Administrative Code (F.A.C.).

Sovereignty Submerged Lands Authorization

As staff to the Board of Trustees under Sections 253.002, F.S., the Department has determined that the activity within the Atlantic Ocean (**Page 2 of 3 in attached drawings**) qualifies for and requires a lease, as long as the work performed is located within the boundaries as described and is consistent with the terms and conditions herein.

The final documents required to execute the lease will be sent to the lessee by the Department's Division of State Lands for execution. The Department intends to issue the public easement, upon satisfactory execution of those documents, including payment of required fees and compliance with the conditions in this permit. **You may not begin construction of the activities described until you receive a copy of the executed public easement from the Department.**

Federal Authorization

Your proposed activity as outlined on your application and attached drawings does not qualify for Federal authorization pursuant to the State Programmatic General Permit and a SEPARATE permit or authorization shall be required from the Corps. You must apply separately to the Corps using their *APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT*, ENG FORM 4345, or alternative as allowed by their regulations. More information on Corps permitting may be found online in the Jacksonville District Regulatory Division Source Book 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 the Florida Department of Environmental Protection, or Duly Authorized Designee, State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Coastal Zone Management

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

Water Quality Certification

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

Other Authorizations

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

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

PERMIT SOVEREIGNTY SUBMERGED LANDS CONDITIONS

The activities described must be conducted in accordance with:

- **The Specific Conditions**
- **The General Conditions**
- **The limits, conditions and locations of work shown in the attached drawings**
- **The term limits of this authorization**

You are advised to read and understand these conditions and drawings prior to beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings herein. If you are using a contractor, the contractor also should read and understand these conditions and drawings prior to beginning any activity. Failure to comply

with these conditions, including any mitigation requirements, shall be grounds for the Department to revoke the permit and authorization and to take appropriate enforcement action.

Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit and sovereignty submerged lands authorization, as described.

SPECIFIC CONDITIONS – ADMINISTRATIVE

1. All required submittals, such as certifications, monitoring reports, notifications, etc., shall be submitted to the Florida Department of Environmental Protection, South District Office, Submerged Lands and Environmental Resource Permitting, P.O. Box 2549, Fort Myers, FL 33902-2549 or via e-mail to FTMERP_Compliance@dep.state.fl.us . All submittals shall include the project name and indicated permit number when referring to this project.

Note: In the event of an emergency, the Permittee should contact the Department by calling (800)320-0519. During normal business hours, the permittee should call (239)344-5600.

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

2. The project shall comply with applicable State Water Quality Standards, namely:
Rule 62-302.500, F.A.C. – Surface Waters: Minimum Criteria, General Criteria;
Rule 62-302.530, F.A.C. – Table: Surface Water Quality Criteria, Class III Waters
3. Best management practices for erosion control shall be implemented and maintained at all times during construction of the permitted activity to prevent siltation and turbid discharges in excess of State water standards pursuant to Rule 62-302, F.A.C. The Permittee shall be responsible for ensuring that erosion and turbidity control devices and procedures are inspected and maintained daily during all phases of construction authorized by this permit until all areas that were disturbed during construction are sufficiently stabilized to prevent erosion, siltation, and turbid discharges.
4. Storage or stockpiling of tools and materials (i.e., lumber, pilings, debris,) within wetlands, along the shoreline, within the littoral zone, or elsewhere within wetlands or other surface waters is prohibited. This includes floating of pilings in surface waters. All vegetative material and debris shall be removed to a self-contained upland disposal area with no stockpiling of debris within wetland areas.

SPECIFIC CONDITIONS LISTED SPECIES

7. This permit does not authorize the permittee to cause any adverse impact to or “take” of state listed species and other regulated species of fish and wildlife. Compliance with state laws regulating the take of fish and wildlife is the responsibility of the owner or applicant associated with this project. Please refer to Chapter 68A-27 of the Florida Administrative Code for definitions of “take” and a list of fish and wildlife species. If listed species are observed onsite, FWC staff are available to provide decision support information or assist in obtaining the appropriate FWC permits. Most marine endangered and threatened species are

statutorily protected and a “take” permit cannot be issued. Requests for further information or review can be sent to FWCConservationPlanningServices@MyFWC.com.

SPECIFIC MANATEE PROTECTION CONDITIONS

8. If a manatee appears to be in distress after coming in contact with drilling mud, work vessels or equipment, it shall be reported immediately by calling the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Any collision with or injury to a manatee shall also be reported immediately. A follow-up written report shall be sent to FWC as soon as practicable at ImperiledSpecies@myfwc.com, including the permit number, dates, details and status of the event.
9. During in-water construction activities, the following manatee conditions shall be followed:
 - 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" while in the project 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 and follow any posted speed zones.
 - c. If used, siltation, turbidity barriers, booms or curtains 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 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.
 - e. Temporary signs concerning manatees shall be posted on all vessels associated with the project. This sign shall measure at least 8 ½" by 11" and explain the requirements for "Idle Speed/No Wake" and the shutdown of in-water operations. Information on this sign is available at:
<https://myfwc.com/wildlifehabitats/wildlife/manatee/education-for-marinas/>.

SPECIFIC CONDITIONS – MONITORING/REPORTING REQUIREMENTS

10. The City of Key West shall be operated and maintained under the current Management Plan. The barrier shall be inspecting on a daily basis to insure there are no marine entanglements and all repairs that are required will be performed in a timely manner.

SPECIAL CONSENT CONDITIONS

1. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.
2. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.
3. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.
4. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.
5. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

GENERAL CONDITIONS FOR INDIVIDUAL PERMITS

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

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

- b. For all other activities “As-Built Certification and Request for Conversion to Operational Phase” [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
7. If the final operation and maintenance entity is a third party:
- a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as- built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
 - b. Within 30 days of submittal of the as- built certification, the permittee shall submit “Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity” [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
- a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the Agency in writing:
- a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer

of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

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

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

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

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

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

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

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 hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to 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 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. 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 14 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 this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to 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.

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Jon M. Iglehart
District Director
South District Office

Attachments:

3 project drawing(s)

Weed Barrier Management Plan

'Post Issuance' forms: <https://floridadep.gov/water/submerged-lands-environmental-resources-coordination/content/forms-environmental-resource>

CERTIFICATE OF SERVICE

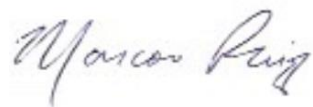
The undersigned duly designated deputy clerk hereby certifies that this document and all attachments, including all copies, were sent to the addressee and to the following listed persons:

U.S. Army Corps of Engineers, Miami Office, SEAppls@usace.army.mil

Matilde Gererosa Ramos Rev Trust 05/25/2007, mhpa@bellsouth.net

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52(7), F.S., with the designated Department clerk, receipt of which is hereby acknowledged.



Clerk

May 12, 2022
Date

PROJECT LOCATION

PARCEL ID 00036370-000000 (RAMOS)
PARCEL ID 00072082-001501 (CITY OF KEY WEST)
PARCEL ID 00036280-000000 (SUNSET CITY LLC)
BAY BTM SE OF PT LOT 3 SQR 6 TR 16;
LOT 4 & 6 SQR 5 (SOUTH BEACH LESS THE EATERY
RESTAURANT LEASE);
KW FILER BOYLE SUB N-476
KW FILER BOYLE SUB N-476 PT LOTS-1-2-3-5-7
SQR-5 TR-16 ALSO FILLED BAY BTM G45-426/27
OR18-42(II DEED 20749)
SEC/TWP/RNG 06/68/25
KEY WEST
LATITUDE: 24.546760°N LONGITUDE: 81.795885°W

DIRECTIONS:

US HIGHWAY NO 1 SOUTH TO KEY WEST. LEFT ONTO
ROOSEVELT BLVD. RIGHT ONTO BERTHA ST. LEFT ONTO
ATLANTIC BLVD. RIGHT ONTO WHITE ST. LEFT ONTO
SOUTH ST. LEFT ONTO DUVAL ST.
PROPERTY ADDRESS: 1400, 1405, 1406 DUVAL ST,
508 SOUTH STREET

ADJOINING OWNERS

KEY WEST REACH OWNER LLC
PO BOX 396
BOCA RATON FL 33429

HUGH J MORGAN
404 SOUTH ST
KEY WEST, FL 33040



REVISIONS:	
1	09/09/20

LOCATION & VICINITY MAP
SCALE: AS SHOWN

WEED BARRIER FOR CITY OF KEY WEST, SUNSET CITY LLC
& MATILDE GENEROSA RAMOS REV TRUST 5/25/2007
KEY WEST, MONROE COUNTY, FL

GLEN BOE AND ASSOCIATES, INC. # 4061
5800 OVERSEAS HIGHWAY, SUITE 4, MARATHON, FL 33050
Telephone (305) 743-9121 Fax (305) 743-9197
Email: glenboe@bellsouth.net

DATE: 03/30/20



SITE PLAN

SCALE: 1" = 100'



REVISIONS:

1	09/09/20

CERTIFIED BY:
SEAN KIRWAN, P.E. #57506

WEED BARRIER FOR CITY OF KEY WEST, SUNSET CITY LLC
& MATILDE GENEROSA RAMOS REV TRUST 5/25/2007
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DATE: 03/30/20

PRE-FABRICATED WEED BARRIER
FOR HIGH FLOW/ROUGH WATER

1/2" STAINLESS STEEL SHACKLE

A JIM BUOY MODEL 1100 (OR PREAPPROVED EQUIVALENT) SURFACE FLOAT BUOY (9 1/4" LONG X 7" DIAMETER) SHALL BE INSTALLED ON THE DOWN-LINE FOR THE PURPOSE OF KEEPING THE DOWN-LINE FROM TANGLING AROUND THE ANCHOR HEAD OR DRAGGING ON THE SEAFLOOR. THE SUB-SURFACE BUOY WILL BE SECURED ON THE DOWN-LINE WITH A 3/8" STAINLESS STEEL BOLT, TWO (2) FLAT WASHERS (ONE EACH SIDE), AND NYLOCK NUT ABOVE THE SUB-SURFACE BUOY.

PVC COATED BELTING W/
POLYURETHANE FOAM FILLED
FLOATION SHELLS
(12"± FREEBOARD)

+1.3' MHW

0.0' MLW

SEMI-RIGID PVC-COATED POLYESTERNE
CURTAIN (NO NETTING)(12"± SUBMERGED)
W/ CHAIN WEIGHT AT BOTTOM

VARIES -1.3' TO -3'

TYPICAL SECTION

SCALE: 3/16" = 1'-0"

DISTANCE BETWEEN THE BAYBOTTOM & BOTTOM
OF WEED BARRIER SHALL BE 6" ON THE
SHALLOW SHORE SIDES AT MEAN LOW TIDE

PROVIDE A 5/8" GALVANIZED STEEL SHACKLE SHALL SECURE THE DOWN-LINE TO THE GALVANIZED ANCHOR HEAD. THE DOWN-LINE WILL BE LOOPED AT THE ANCHOR END, CONNECTED TO ITSELF WITH A 3/8" STAINLESS STEEL BOLT, TWO (2) FLAT WASHERS (ONE EACH SIDE), AND A NYLOCK NUT. THE LOOPED END OF THE DOWN-LINE WILL BE COVERED WITH 3 1/2" X 12" LONG CANVAS FIRE HOSE, AND HELD IN PLACE WITH AT LEAST TWO HEAVY DUTY CABLE TIES.

1/4" STAINLESS STEEL CHAIN ENCASED IN 1" GOODYEAR
(OR PRE-APPROVED EQUIVALENT) BLUE PLOVIC HOSE. THE
LENGTH OF THE COMPLETE, RIGGED DOWN-LINE SHALL BE
APPROPRIATE FOR THE WATER DEPTH.

PROPOSED ANCHOR @ 20'± INTERVALS (SEE ANCHOR
DESCRIPTIONS FOR INSTALLATION) TOP OF ANCHOR
SHALL BE 6" MIN. ABOVE SEAFLOOR.

NOTE: IN-WATER ROPE, CABLE OR CHAIN SHALL BE INDUSTRIAL GRADE METAL CHAINS OR HEAVY CABLES THAT DO NOT READILY LOOP AND TANGLE AND SHALL BE INSTALLED SO LINE IS TAUT AND WITHOUT EXCESS LINE IN THE WATER. LINES SHALL BE ENCLOSED IN A PLASTIC OR RUBBER SLEEVE/TUBE TO ADD RIGIDITY.

CONSTRUCTION NOTES:

1. CONTRACTOR SHALL OBTAIN ALL APPLICABLE PERMITS PRIOR TO COMMENCING WORK. THE REQUIREMENTS OF THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, THE ARMY CORPS OF ENGINEERS & LOCAL REGULATIONS SHALL GOVERN ALL WORK.
2. WORK SHOWN ON DRAWINGS IS DESIGNED IN ACCORDANCE WITH THE FLORIDA BUILDING CODE 2017. FOLLOW ALL APPLICABLE PROVISIONS FOR ALL PHASES OF CONSTRUCTION. THE PROPOSED STRUCTURE(S) IS DESIGNED FOR A MINIMUM LIVE LOAD OF 40 PSF/DEAD LOAD 10 PSF, 180 MPH (3 SECOND GUST), EXPOSURE D, ASCE 7-10.
3. CONTRACTOR SHALL ADHERE TO THE STANDARD MANATEE CONSTRUCTION CONDITIONS (LATEST EDITION). IF NEEDED, THE CONTRACTOR CAN CONTACT THE ARMY CORPS OF ENGINEERS OR THIS OFFICE TO OBTAIN A COPY OF THE STANDARD MANATEE CONSTRUCTION CONDITIONS.
4. BEST MANAGEMENT PRACTICES, INCLUDING THE USE OF TURBIDITY SCREENS, ARE REQUIRED TO ISOLATE THE CONSTRUCTION AREA FROM THE ADJACENT WATERS. CONTRACTOR SHALL INSTALL TURBIDITY SCREENS AROUND THE IMMEDIATE PROJECT AREA PRIOR TO CONSTRUCTION. THE TURBIDITY SCREENS REMAIN IN PLACE UNTIL WATER QUALITY CONDITIONS RETURN TO PRECONSTRUCTION CONDITIONS. WATER QUALITY MONITORING SHALL ADHERE TO STATE REGULATIONS.
5. CONTRACTOR SHALL FIELD VERIFY DIMENSIONS & WATER DEPTHS PRIOR TO CONSTRUCTION. ANY DISCREPANCIES ON THE DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER BEFORE COMMENCING WORK.
6. THE STRUCTURAL INTEGRITY OF THE COMPLETED STRUCTURE DEPENDS ON INTERACTION OF VARIOUS CONNECTED COMPONENTS. PROVIDE ADEQUATE BRACING, SHORING, AND OTHER TEMPORARY SUPPORTS AS REQUIRED TO SAFELY COMPLETE THE WORK.
7. EXERCISE EXTREME CARE AND CAUTION WHEN EXCAVATING AND FILLING ADJACENT TO EXISTING STRUCTURES. UNDER NO CIRCUMSTANCES SHALL THE STRUCTURAL INTEGRITY OF THE EXISTING STRUCTURES BE IMPAIRED IN ANY WAY BY CONSTRUCTION OPERATIONS AND PROCEDURES. DO NOT EXCAVATE OR DISTURB SOIL ADJACENT TO OR BENEATH EXISTING FOOTINGS.

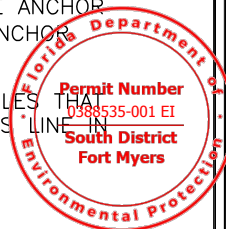
ANCHOR DETAIL BASED ON SUBSTRATE:

FOR SUBSTRATE OF UP TO 5' OF SAND/MUD OVERBURDEN ABOVE A HARD ROCK SUBSTRATE THE ANCHOR SHALL BE A ROCK PENETRATING HELICAL EMBEDMENT ANCHOR. THE ANCHOR SHALL BE A MINIMUM OF 6' LONG, WITH A MINIMUM HELICAL DISK SIZE OF 6", WITH A MINIMUM SHAFT DIAMETER OF 1 1/4". THE ANCHOR SHALL BE GALVANIZED STEEL. THE ANCHOR SHALL BE SECURELY EMBEDDED A MINIMUM OF 5 1/2' INTO THE SEAFLOOR WITH THE HEAD EXPOSED APPROXIMATELY 6" TO ALLOW FOR ATTACHMENT OF THE DOWNLINE. THE ANCHOR SHALL BE INSTALLED IN A MANNER WHICH PROVIDES FOR REMOVAL, VIA HEAVY EQUIPMENT, IF AND WHEN NECESSARY.

FOR SUBSTRATE GREATER THAN 5' OF SAND/MUD THE ANCHOR SHALL BE A SOFT BOTTOM HELICAL EMBEDMENT ANCHOR. THE ANCHOR SHALL BE A MINIMUM OF 6' LONG, WITH A MINIMUM HELICAL DISK SIZE OF 8", WITH A MINIMUM SHAFT DIAMETER OF 1 1/4". THE ANCHOR SHALL BE GALVANIZED STEEL. THE ANCHOR SHALL BE SECURELY EMBEDDED A MINIMUM OF 5 1/2' INTO THE SEAFLOOR WITH THE HEAD EXPOSED APPROXIMATELY 6" TO ALLOW FOR ATTACHMENT OF THE DOWNLINE. THE ANCHOR SHALL BE INSTALLED IN A MANNER WHICH PROVIDES FOR REMOVAL, VIA HEAVY EQUIPMENT, IF AND WHEN NECESSARY.

FOR EXPOSED ROCK SUBSTRATE THE ANCHOR SHALL BE THE HALAS PIN SYSTEM (OR PRE-APPROVED EQUIVALENT) WITH A MINIMUM EMBEDMENT DEPTH OF 18", MINIMUM PIN SIZE OF 5/8" DIAMETER BY 18" LENGTH, 316 STAINLESS STEEL; INSTALLED IN A 2" DIAMETER BY 18" DEEP DRILLED HOLE, AND GROUTED WITH CONCRETE. CAST IN PLACE CONCRETE SHALL BE TYPE II CONCRETE WITH A COMPRESSIVE STRENGTH OF 5,000 PSI AT 28 DAYS. MAXIMUM WATER-CEMENTIOUS MATERIALS RATIO BY WEIGHT RATIO SHALL BE 0.40. SLUMP SHALL NOT EXCEED 5" (1"±).

Received
Electronically
September 9, 2021
South District



WEED BARRIER FOR CITY OF KEY WEST, SUNSET CITY LLC
& MATILDE GENEROSA RAMOS REV TRUST 5/25/2007
KEY WEST, MONROE COUNTY, FL

GLEN BOE AND ASSOCIATES, INC. # 4061
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Telephone (305) 743-9121 Fax (305) 743-9197
Email: glenboe@bellsouth.net

DATE: 03/30/20



Weed Barrier Management Plan

The seagrass barrier will be visually inspected by the applicant to assure that the barrier is intact and operating properly on a daily basis. An in-water inspection, to verify the integrity of the connections and barrier will be performed on a quarterly basis. An interim in-water inspection will be performed if the daily visual inspection results in observations of maintenance being required to the barrier. Any maintenance or repairs that are required will be performed in a timely manner.

All entrapments or entanglements of manatees or marine turtles shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922 (or #FWC).