



REPLY TO
ATTENTION OF

North Permits Branch
Panama City Section
SAJ-2001-00310 (SP-JML)

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
1002 WEST 23RD STREET, SUITE 350
PANAMA CITY, FLORIDA 32405

November 18, 2013

City of Carrabelle
C/o Ms. Courtney Millender Dempsey
1001 Gray Avenue
Carrabelle, Florida 32322

Dear Ms. Dempsey:

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

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Donald W. Kinard", is written over the typed name.

for Donald W. Kinard
Chief, Regulatory Division



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
1002 WEST 23RD STREET, SUITE 350
PANAMA CITY, FLORIDA 32405

REPLY TO
ATTENTION OF

North Permits Branch
Panama City Section
SAJ-2001-00310 (IP-JML)

October 24, 2013

City of Carrabelle
C/o Ms. Courtney Millender Dempsey
1001 Gray Avenue
Carrabelle, Florida 32322

Dear Ms. Dempsey:

The U.S. Army Corps of Engineers (Corps) has completed the review and evaluation of your Department of the Army permit application, number SAJ-2001-00310 (IP-JML). Our regulations require that you have an opportunity to review the terms and conditions prior to final signature by the Department of the Army. Enclosed is an unsigned Department of the Army permit instrument (permit). Please read carefully the Special Conditions beginning on page 3 of the permit. These were developed to apply specifically to your project.

Instructions for Objecting to Permit Terms and Conditions: This letter contains an initial proffered permit for your proposed project. If you object to certain terms and conditions contained within the permit, you may request that the permit be modified. Enclosed you will find a Notification of Administrative Appeal Options and Process fact sheet and Request for Appeal (RFA) form. If you choose to object to certain terms and conditions of the permit, you must follow the directions provided in Section 1, Part A and submit the completed RFA form to the letterhead address.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria under 33 CFR Part 331.5, and that it has been received by the District office within 60 days of the date of the RFA. Should you decide to submit an RFA form, it must be received at the letterhead address by **December 23, 2013**.

Instructions for Accepting Terms and Conditions and Finalizing Your Permit: It is not necessary to submit an RFA form to the District office, if you do not object to the decision in this letter. In this case, the permit must be signed by the applicant in the space provided on the signature page of the permit. In the case of corporations, acceptance must be by an officer of that corporation authorized to sign on behalf of the corporation. The party responsible for assuring the work is done in accordance with the permit terms and conditions must sign the permit. Please type or print the name and title of the person signing below the signature and the date signed.

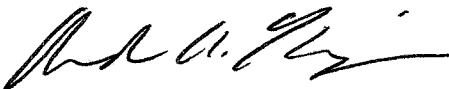
SIGN AND RETURN THE PERMIT, IN ITS ENTIRETY, TO THE LETTERHEAD ADDRESS.

The permit will be signed by the District Engineer and returned to you. It is important to note that the permit is not valid until the District Engineer signs it.

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 take a few minutes to visit <http://per2.nwp.usace.army.mil/survey.html> and complete our automated Customer Service Survey. Your input is appreciated – favorable or otherwise. Please be aware this web address is case sensitive and should be entered as it appears above.

If you have any questions concerning this application, you may contact Jason Lockwood in writing at the letterhead address, by electronic mail at jason.m.lockwood@usace.army.mil, or by telephone at 850-763-0717 x-21.

Sincerely,


for Donald W. Kinard
Chief, Regulatory Division

Enclosures

Copy Furnished (w/o encls):

The Organization for Artificial Reefs
C/o Mr. Alan Richardson
2545 Blairstone Pines Drive
Tallahassee, Florida 32301

Applicant: Carrabelle, City of		File Number: SAJ-2001-00310 (IP-JML)	Date: 10/24/2013
Attached is:		See Section below	
<input checked="" type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
<input type="checkbox"/>	PERMIT DENIAL	C	
<input type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	D	
<input type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

If you have questions regarding this decision and/or the appeal process you may contact:

Project Manager as noted in letter

If you only have questions regarding the appeal process you may also contact:

for process:

Stuart Santos 904-232-2018

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date:

Telephone number:

DEPARTMENT OF THE ARMY PERMIT

Permittee:

City of Carrabelle
C/o Ms. Courtney Millender Dempsey
1001 Gray Avenue
Carrabelle, Florida 32322

Permit No: SAJ-2001-00310 (SP-JML)

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 project entails a 10-year reauthorization to continue the deployment of materials for the creation of artificial reefs within a site known as the Carrabelle 10 Mile Reef aka Rose City Reef. The reef was initially authorized by Individual Permit, on April 9, 2002 and expired on April 9, 2007. The reef was reauthorized on March 26, 2007 and was valid until April 9, 2012. Carrabelle 10 Mile Reef totals 84.7 acres and measures one nautical mile in a north-south direction by 0.10 nautical mile in an East-West direction. The proposed project will include deploying prefabricated materials, vessels of opportunity or other common and clean reef materials lasting 50 years or more. In all cases materials will be placed in such a manner, that the 27 ft navigation clearance will not be exceeded. Materials will be transported by barge and deployed using a crane and placed in 'patch reefs', at 0.1 to 0.2 nautical mile intervals throughout a North-South direction within the permitted area. Pre- and post-deployment surveys will be conducted to ensure proper deployment and provide periodic monitoring. Temporary buoys/markers will be deployed immediately prior to the placement of any artificial reef. These structures will guide the contractor to the exact location of all proposed reefs and will be removed immediately upon completion of that specific deployment. Due to the ephemeral nature of some isolated exposed hardbottom, pre-deployment surveys will confirm sandy bottom habitat and any areas of exposed livebottom habitat will be buoyed and avoided during construction. If any live bottom is encountered, a minimum 200 ft buffer will be maintained from construction activities and no new reefs will be placed within this buffer. The relatively shallow depth of this site will allow for precision deployments to ensure construction will be limited to designated areas as determined by pre-deployment surveys. This permit provides a 10-year authorization for the project. The work described above is to be completed in accordance with the five pages of drawings [and six attachments] affixed at the end of this permit instrument.

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PERMITTEE: Carrabelle, City of

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Project Location: The proposed project is located in the Gulf of Mexico, south of Franklin County, with the center of the reef being located approximately 13.7 nautical miles from Lanark Village Marina at a bearing of 151 degrees and approximately 10.5 nautical miles from the east end of Dog Island.

Depth, Profile & Clearance: The approximate depth of water within the site varies from a depth of -40-feet to -52-feet relative to Mean Lower Low Water (MLLW) depending on the location. The existing authorized reef site is 84.7 acres. Structures selected for deployment shall maintain a minimum navigational clearance depth of at least 27 feet relative to MLLW. The datum used to determine coordinates was WGS 84/ NAD 83. Depth of water to the existing bottom was determined using a diver's depth gauge (acc +/- 1%).

Boundary Coordinates:

Reef Boundaries: Corner Coordinates	Latitude (DD) (North)	Longitude (DD) (West)
Northwest Corner:	29.667817°	84.500950°
Southwest Corner:	29.651150°	84.500950°
Northeast Corner:	29.667817°	84.499050°
Southeast Corner:	29.651150°	84.499050°

Permit Conditions

General Conditions:

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

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine

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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.

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

Special Conditions:

1. Reporting Addresses: The Permittee shall reference this permit number, SAJ-2001-00310 (SP-JML), on all correspondence. Unless specifically notified to the contrary, the Permittee shall use the following addresses for transmitting correspondence to the referenced agencies:

(a) U.S. Army Corps of Engineers, Regulatory Division
Enforcement Section
41 North Jefferson St., Suite 301
Pensacola, Florida 32502
Or email at: CESAJ-ComplyDocs@usace.army.mil

(b) National Oceanic and Atmospheric Administration (NOAA)
Marine Chart Division
Office of Coast Survey, N/CS26, Sta. 7317
1315 East-West Highway
Silver Springs, MD, 20910-3282
Or email at: ocs.ndb@noaa.gov.

(c) Commander, U.S. Coast Guard (USCG), 8th District
Hale Boggs Federal Building
Aids to Navigation
500 Poydras Street
New Orleans, LA 70130
Or email at: D8OANPaton@D8.uscg.mil

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(d) Florida Fish and Wildlife Conservation Commission
(FWC), Artificial Reef Program,
620 S. Meridian Street, Box 4B2
Tallahassee, FL 32399
Or email at: artificialreefdeployments@MyFWC.com

2. Initial Agency Notification: The Permittee shall provide to the Corps, NOAA and USCG written notification of the planned deployment start date at least two weeks prior to the initial deployment on the authorized artificial reef site.

3. Protection of Existing Resources: The Permittee shall not deploy artificial reef materials until an assessment of the bottom conditions has been accomplished by diver, submersible video camera, fathometer, depth/bottom sounder (e.g. "fish finder"), or side-scan sonar. The inspection of the deployment area may occur at the time of deployment, but no more than one year prior to deployment. The Permittee shall maintain a deployment buffer of at least 200 feet from any submerged beds of sea grasses, coral reefs, live bottom, areas supporting growth of sponges, sea fans, soft corals, and other sessile macroinvertebrates generally associated with rock outcrops, oyster reefs, scallop beds, clam beds, or areas where there are unique or unusual concentrations of bottom-dwelling marine organisms. If, during the inspection, evidence is observed of cultural/archaeological resources, such as sunken vessels, ballast, historic refuse piles, or careenage areas the Corps will be notified by the Permittee and the above referenced deployment buffer will be implemented around the resources. The Permittee shall maintain a record of the information gained during the inspection such that it can be provided upon request to the Corps.

4. Pre-Deployment Notification: No less than 14 days prior to each deployment of material on the artificial reef, the Permittee shall transmit by electronic mail ("email") a complete and signed "*Florida Artificial Reef Materials Cargo Manifest and Pre-Deployment Notification*" form, provided in Attachment 2 of this permit, to the Corps and FWC to allow inspection of the proposed reef materials as deemed necessary by the agencies. Inspection is allowable at the staging area. By signing the Pre-Deployment Notification the Permittee certifies that all materials are free from asphalt, petroleum, other hydrocarbons and toxic residues. The Permittee shall not deploy material if notified by the Corps or FWC that the material is unacceptable. The material needs to be evaluated before it is released for deployment. Any material that is deemed unacceptable for reef material will be disposed in an approved upland disposal site.

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

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If vessels are proposed for deployment, the Permittee must submit a project-specific vessel deployment plan to the Corps and the FWC in conjunction with the completed and signed "*Florida Artificial Reef Materials Cargo Manifest and Pre-Deployment Notification*" form. The Permittee shall not deploy the vessel if notified by the Corps or the FWC that the vessel or any portion of the plan is deemed unacceptable. The vessel deployment plan must include the following information:

- a) Detailed description of the proposed deployment including material type, deployment depth, intended orientation of the material (e.g., upright, on its side, upside down), navigational clearance with the material in all orientations, and the weight and dimensions of the selected material;
- b) Stability analysis of the proposed material at the depth and location proposed for deployment;
- c) A pre-deployment preparation plan describing how compliance with the EPA and MARAD "National Guidance: Best Management Practices for Preparing Vessels Intended to Create Artificial Reefs" has been followed. This document is available at:
http://water.epa.gov/type/oceb/artificialreefs_index.cfm;
- d) Tow and anchoring plan describing how the materials will be towed to and anchored at the deployment site;
- e) Sink Plan describing the methods used to deploy the materials;
- f) A monitoring plan describing on-water and pre-deployment monitoring, immediate post-deployment monitoring, and annual monitoring activities to document that the material is deployed/located within the permitted area including coordinates, orientation of material (e.g., upright, side, upside down), structural integrity status (i.e., is the material in one piece, are pieces being disassociated from the structure), and documentation that the material meets USCG navigational requirements.
- g) A copy of the proposed project budget, and documentation that the permittee has approved funding adequate to procure, clean, deploy, and conduct monitoring of the selected vessel.

5. Post-Deployment Placement Report/As-Built Drawing: No less than 30 days after each deployment at the reef site, the Permittee shall transmit by email to the Corps, FWC, and NOAA a complete and signed "*Florida Artificial Reef Materials Placement Report and Post-Deployment Notification*" form provided in Attachment 3 of this permit. Please note, the Corps requires the latitude and longitude to be accurate within 5 meters horizontal distance on the post-deployment report. Attach to the report, an as-built drawing that contains the approximate deployment configurations and the height of the material after placement. Depth shall be

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verified utilizing fathometer, depth sounder, or similar device accurate to within 1 meter. Also, include information on the condition of the material at the time of deployment. The report and drawing shall be limited to a few pages per deployment. Representative photographs and/or video, if available, are encouraged to be submitted.

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

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

8. Sea Turtle/Sawfish/Sturgeon Guidelines: The Permittee shall comply with the National Marine Fisheries Service's "*Sea Turtle and Smalltooth Sawfish Construction Conditions*", which also applies to Gulf sturgeon, provided in Attachment 4 of this permit.

9. Manatee Protection: The Permittee shall ensure that wharf fenders are installed on deployment vessels to reduce the risk of a vessel crushing a manatee. The wharf fenders shall be installed with appropriate materials to provide sufficient standoff space of at least 3 feet under compression. Fenders or buoys providing a minimum standoff space of at least 3 feet under compression shall be utilized between two vessels that are moored together.

10. Manatee Condition: The Permittee shall abide by the "*Standard Manatee Conditions for In-Water Work*", dated 2011 (Attachment 5).

11. Protected Species Guidance: The Permittee shall comply with the "Vessel Strike Avoidance Measures and Injured or Dead Protected Species Reporting" guidance for marine turtles and marine mammals, provided in Attachment 6 of this permit.

12. Regulatory Agency Changes: Should any other regulatory agency require changes to the work authorized or obligated by this permit, the Permittee is advised that a modification to this permit instrument is required prior to initiation of those changes. It is the Permittee's responsibility to request a modification of this permit from the Panama City Regulatory Office.

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13. Navigational Clearance: The Permittee shall maintain a minimum navigational clearance of at least 27 feet relative to MLLW.

14. Reef Materials: The Permittee agrees to follow State and Federal guidance on suitable artificial reef materials. Materials used for artificial reefs must be durable and stable in a 20-year return interval storm event at the requested depth. The material should not move off the proposed reef site or substantially break up with resultant loss of habitat value. The deployment of material from the following list has been proven to be durable and stable:

- a. Prefabricated artificial reef modules (Examples of possible modules may include such modules as the ecosystem reef (<http://www.reefmaker-ecosystems.com/>); Reef Balls, Reef Cubes, Juvenile Habitats, Layer Cakes (http://reefinnovations.com/?page_id=71); or Poseidon Reefs (<http://www.poseidongarden.com/about.html>)) that are composed of ferrous and/or aluminum-alloy metals ¼ inch or more in thickness, concrete, rock or a combination of these materials.
- b. Natural rock boulders and other pre-cast concrete material, such as, culverts, stormwater junction boxes, power poles, railroad ties, jersey barriers, or other similar concrete material.
- c. Large concrete building demolition materials, such as bridges, with all steel reinforcement rods severed to ensure the rods will not create a fishing tackle or diver ensnaring hazard.
- d. Heavy gauge ferrous and aluminum alloy metal material components or structures, ¼ inch or more in thickness, such as utility poles and antenna towers.
- e. The above material shall weigh at least 500 pounds and be clean and free from asphalt, creosote, petroleum, other hydrocarbons and toxic residues, loose free floating material or other deleterious substances. Materials/structures will be configured and constructed to be stable in a 20-year return interval storm event at the depth of placement. Materials shall be designed, selected and deployed in such a manner as to avoid entrapping marine life.
- f. Any exposed rebar will be cut flush to the maximum extent possible, and not extend any greater than 6 inches from the concrete.

15. 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,

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modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) 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, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

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

16. Explosives: The use of explosive devices to sink any proposed artificial reef material which includes vessels, is prohibited from use by this permit. In order to use explosives, this permit must be modified and reCOORDINATED with the appropriate agencies.

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.

Courtney Dempsey
(PERMITTEE)

10-30-13
(DATE)

Courtney Dempsey
(PERMITTEE NAME-PRINTED)

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

Alan M. Dodd
(DISTRICT ENGINEER)

19 November 2013
(DATE)

for
Alan M. Dodd,
Colonel, U.S. Army
District Commander

PERMIT NUMBER: SAJ-2001-00310 (SP-JML)
PERMITTEE: Carrabelle, City of
PAGE 12 of 12

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

(TRANSFEREE-SIGNATURE)

(DATE)

(NAME-PRINTED)

(ADDRESS)

(CITY, STATE, AND ZIP CODE)

PERMIT NUMBER: SAJ-2001-00310 (SP-JML)
PERMITTEE: Carrabelle, City of
PAGE 13 of 12

***Attachments to Department of the Army
Permit Number SAJ-2001-00310 (SP-JML)***

1. PERMIT DRAWINGS: 5 pages, dated September 19, 2013
2. PRE-DEPLOYMENT NOTIFICATION: 2 pages, *Florida Artificial Reef Materials Cargo Manifest and Pre-Deployment Notification*
3. POST-DEPLOYMENT PLACEMENT REPORT: 2 pages, *Florida Artificial Reef Materials Placement Report and Post-Deployment Notification*
4. SEA TURTLE – SAWFISH CONDITIONS: 1 page, *Sea Turtle and Smalltooth Sawfish Construction Conditions, revised March 23, 2006*
5. MANATEE CONDITIONS: 2 pages, *Standard Manatee Conditions for In-Water Work – 2011*
6. VESSEL STRIKE AVOIDANCE MEASURES AND INJURED OR DEAD PROTECTED SPECIES REPORTING: 2 Pages

ATTACHMENT 1

Applicant: City of Carrabelle
1001 Gray Avenue
Carrabelle, FL 32322
ATTN: Courtney Millender Dempsey, City Administrator

Project Name: The Carrabelle 10 Mile Artificial Reef Site (reauthorization of permit SAJ-2001-310-IP-TLZ). The project name references the distance to the nearest shoreline located on Dog Island approximately 10 nautical miles from the northern permit boundary. The first deployment under the original permit was constructed in 2003 and was named the Rose City Reef. See Table 2 for a list of artificial patch reefs constructed within the Carrabelle 10 Mile Artificial Reef Site. Construction of these reefs was coordinated through the Organization for Artificial Reefs, Inc. (OAR).

Waterway and Location: The project is located in the Gulf of Mexico, off Franklin County, FL (**Figure #1 and Figure #2**). The center of the site is located approximately 13.7 nautical miles from Lanark Village Marina at a bearing of 151 degrees and approximately 10.5 nautical miles from the east end of Dog Island.

Figure 1. Area location map of Carrabelle 10 Mile Artificial Reef Site

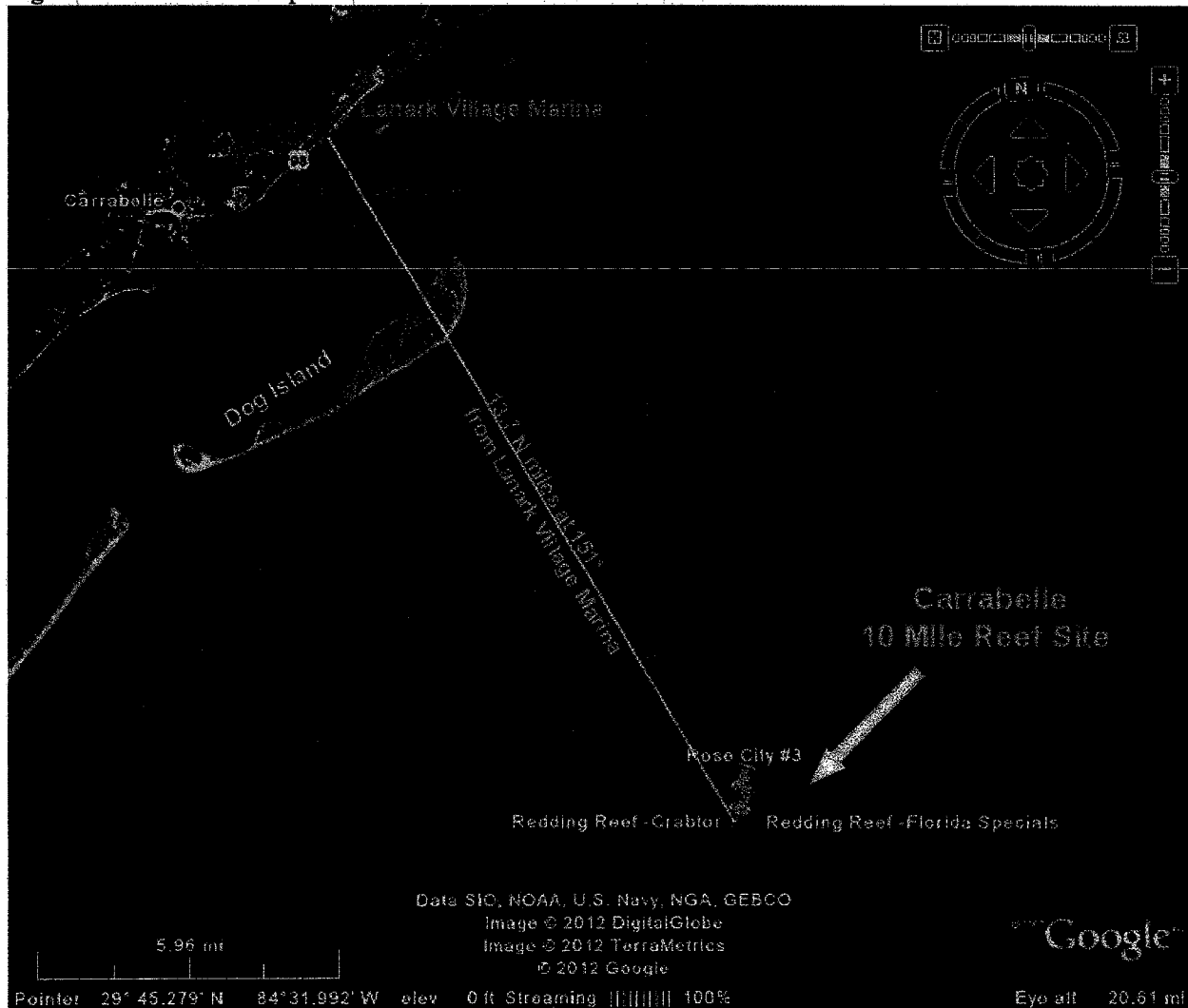


Figure 2- Carrabelle 10 Mile Reef Site on NOAA Nautical chart #11405

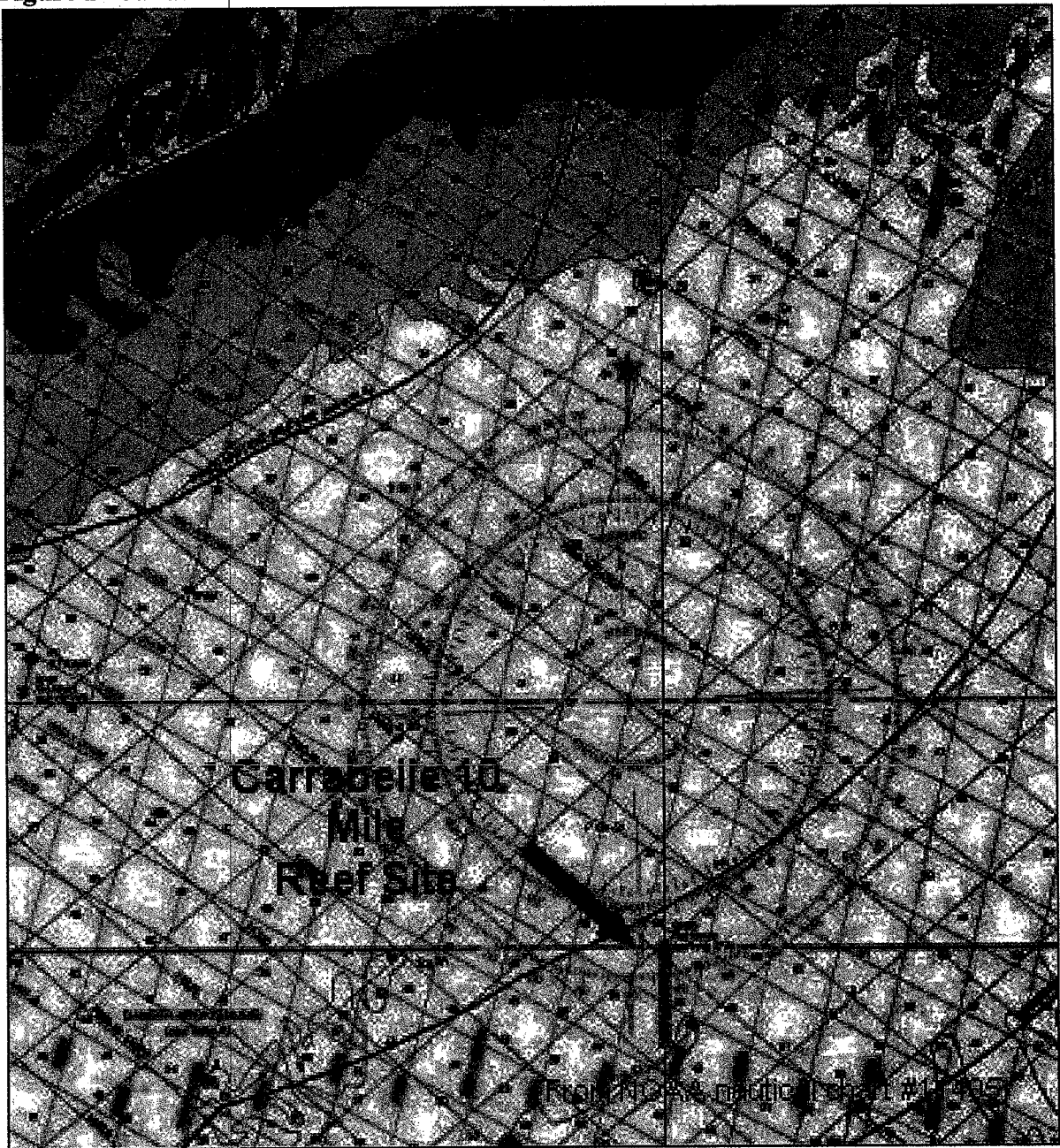


Figure 3- Locations of previous patch reef materials deployed on the Carrabelle 10 Mile Reef.

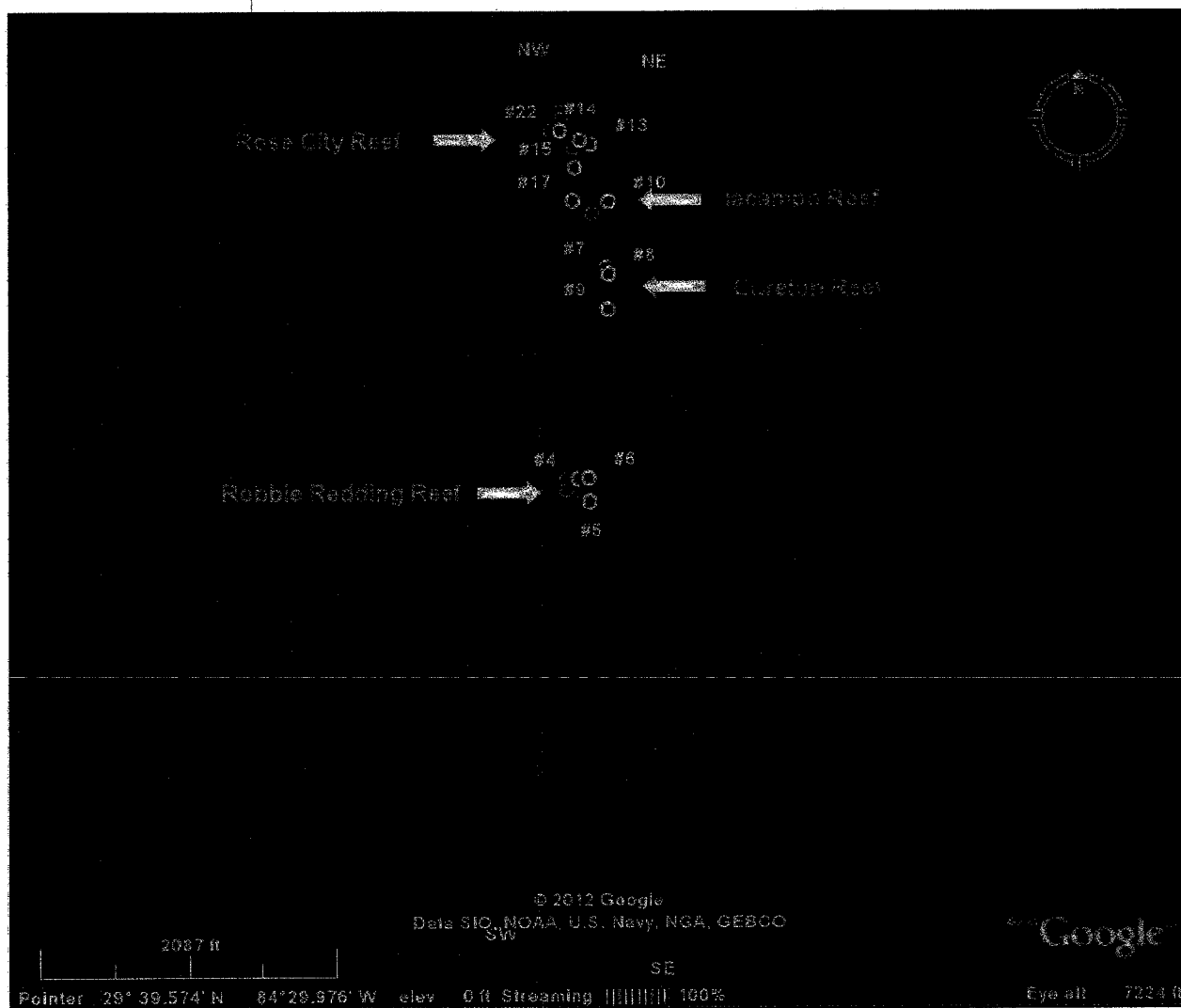


Figure 4- Carrabelle 10 Mile Reef Site as a charted Fish Haven on NOAA Nautical chart #11405

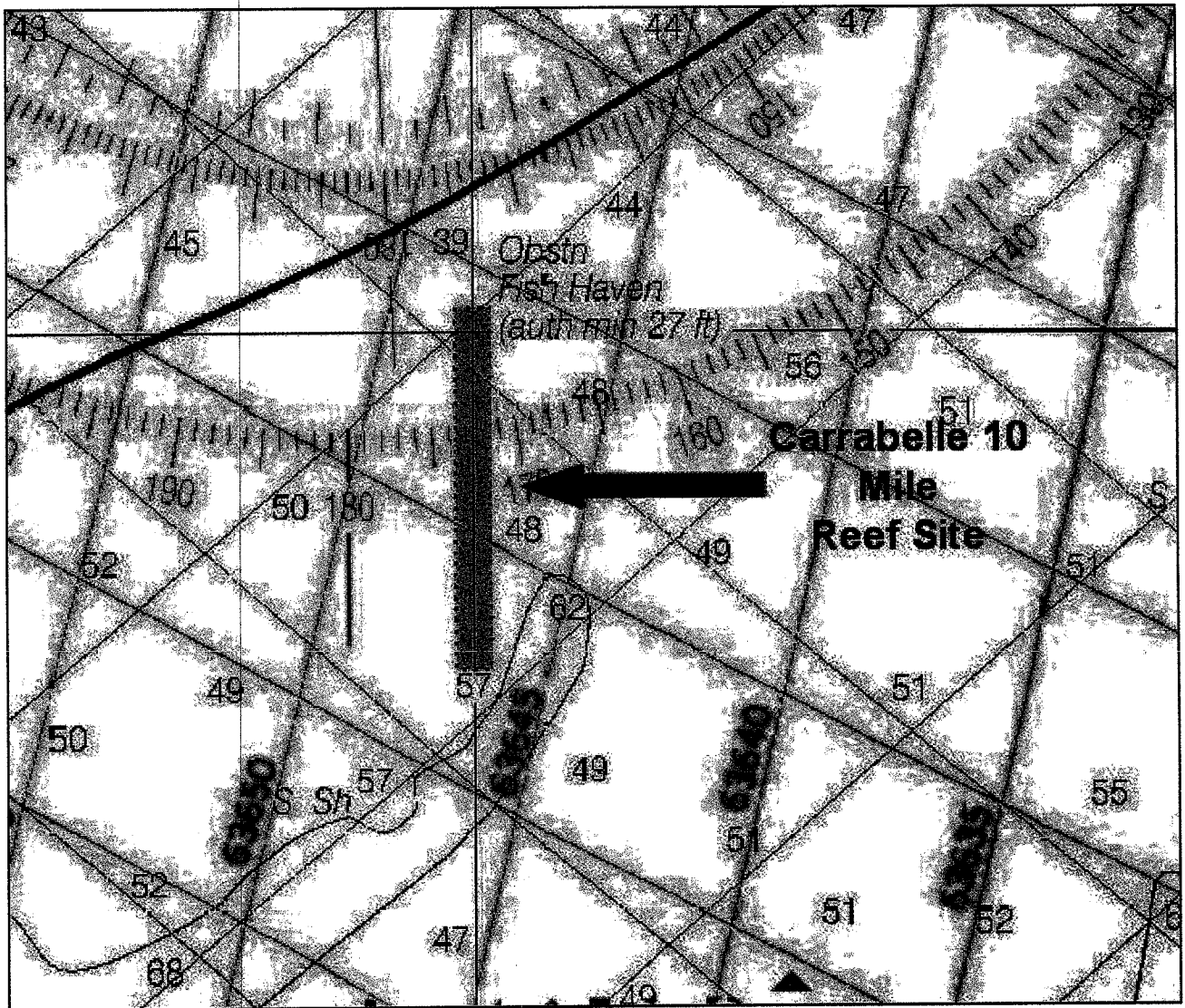
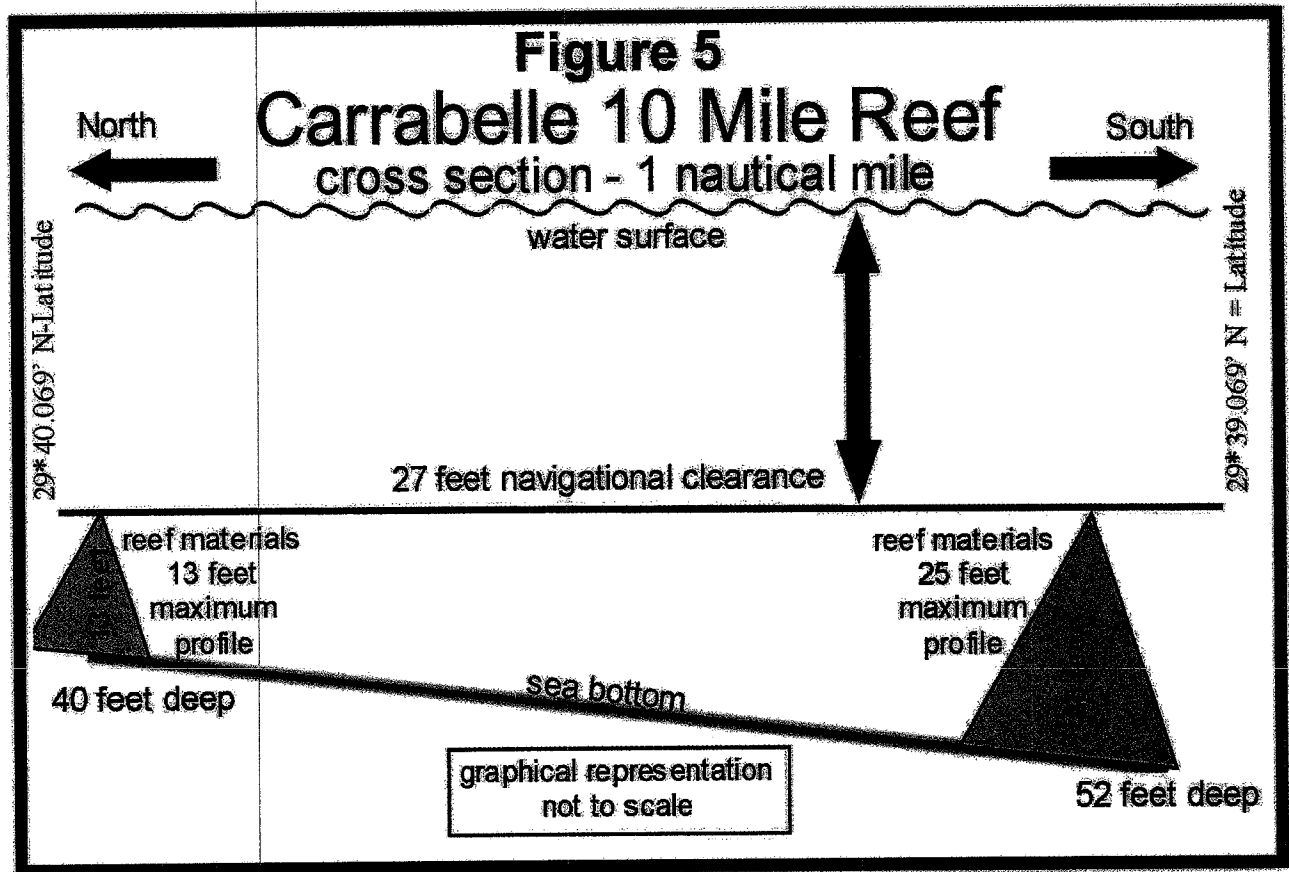
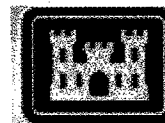


Figure 5- Cross section drawing of Carrabelle 10 Mile Reef Site showing navigational clearance and projected maximum profiles of reef materials.





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



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

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

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

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

Transporting Vessel Registration Number: _____

Vessel Owner: _____ Vessel Operator: _____

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

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

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

— OFFICIAL USE ONLY —

(TO BE COMPLETED BY PERMIT HOLDER, OR AUTHORIZED ARTIFICIAL REEF INSPECTOR)

Permit Holder: _____

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

ACOE permit number _____, permitted site name _____

issued on _____ and has an expiration date of _____

Local tracking number (if applicable): _____

(Name of FWC authorized Artificial Reef Inspector, printed)

(Signature)

(Date)



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arrabelle, City of - 10 Mile Reef
age # 1 of 2 September 19, 2013
RE-DEPLOYMENT NOTIFICATION
attachment # 2

EXPLANATION SHEET FOR THE ARTIFICIAL REEF MATERIALS CARGO MANIFEST FORM

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

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

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

INSTRUCTIONS

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

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

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

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

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

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



US Army Corps
of Engineers

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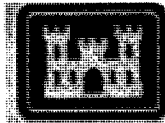
Carrabelle, City of - 10 Mile Reef

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PRE-DEPLOYMENT NOTIFICATION



FLORIDA ARTIFICIAL REEF MATERIALS PLACEMENT REPORT AND POST-DEPLOYMENT NOTIFICATION



To Be Completed For Each Deployment Location or Date of Deployment

County or Municipality: _____

Date of Placement: _____

Grant No. FWC - _____
(if applicable)

U.S. Army Corps
Permit No.: _____

Total project cost: \$ _____

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

Name of Permitted Reef Site: _____

Location Name
for This Deployment: _____

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

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

GPS Brand and Model Number: _____

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

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

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

Primary Type of Material: _____ Number of Pieces: _____

Dimensions: _____

Secondary Type of Material: _____ Number of Pieces: _____

Dimensions: _____

TOTAL TONNAGE FOR THIS DEPLOYMENT: _____



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Carrabelle, City of - 10 Mile Reef

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POST-DEPLOYMENT PLACEMENT REPORT

Attachment # 3

Second page to contain instructions....

FOR CRACKS UNDECKED REELS, the initial 4 inch width recorded at the sagging area prior to and after the deployment. This number may not be
average value taken before and may not be used in the exacting of materials placed.
USNA THIS FORMULATED DAILY INLET TRANSPORTATION COSTS SHOULD BE AGREED UPON BY MATMANOR WITH A CONTRACTOR.

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

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

SUBTRACT

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

TOTAL TONNAGE FOR THIS DEPLOYMENT = _____





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



US Army Corps
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Page # 1 of 1 September 19, 2013
Sea Turtle - Sawfish Conditions



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



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Carrabelle, City of - 10 Mile Reef

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Manatee Conditions

Attachment #5



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

Background

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

Protected Species Identification Training

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

Vessel Strike Avoidance

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

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

NMFS Southeast Region Vessel Strike Avoidance Measures and Reporting for Mariners; revised February 2008.



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

Additional Requirements for the North Atlantic Right Whale

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

Injured or Dead Protected Species Reporting

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

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

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

If the injury or death of a marine mammal was caused by a collision with your vessel, responsible parties should remain available to assist the respective salvage and stranding network as needed. NMFS' Southeast Regional Office should be immediately notified of the strike by email (takereport.nmfs@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>

NMFS Southeast Region Vessel Strike Avoidance Measures and Reporting for Mariners; revised February 2008.



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Carrabelle, City of - 10 Mile Reef

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VESSEL STRIKE AVOIDANCE MEASURES AND INJURED
OR DEAD PROTECTED SPECIES REPORTING