



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
4400 PGA BOULEVARD, SUITE 500
PALM BEACH GARDENS, FLORIDA 33410

March 14, 2025

Regulatory Division
South Permits Branch
Palm Beach Gardens Section
SAJ-2021-03211 (LP-JFB)

Mikhail Vesselov
2564 S Ocean Blvd
Highland Beach, FL 33487
Sent via email: jeff@uconstructionpartners.com

Dear Mikhail Vesselov:

This is in reference to your request for a Department of the Army (DA) permit to perform work in or affecting waters of the United States. If you determine the permit provided is acceptable in its entirety and you have chosen to proceed with the authorized activity, then upon recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403) and Section 404 of the Clean Water Act (33 U.S.C. § 1344), you are authorized under a Letter of Permission to remove existing riprap and dock, and install a new seawall and a dock with a boatlift for a single-family residential property. The proposed work would result in impacts to 12.6 square feet of tidal wetlands and 15 square feet of white mangroves and 206 feet of red mangroves. Specifically, you are authorized to conduct the following activities in the Intracoastal Waterway at 2564 S Ocean Boulevard, Section 28, Township 46 South, Range 43 East, Highland Beach, Palm Beach County, Florida:

1. Removal of 105 linear feet of existing riprap and the remnants of the existing dock.
2. Installation of a 105 linear foot seawall at the mean high-water line, resulting in the filling of 52.5 square feet of tidal wetlands.
3. Installation of an 8 foot by 55 foot (440 square foot) marginal dock and boatlift.

Geographic Position: Latitude: 26.427619 North
Longitude: -80.064325 West

The project must be completed in accordance with the enclosed construction drawings, and the general and special conditions which are incorporated in, and made a part of, the permit.

Should any other agency require and/or approve changes to the work authorized or obligated by this permit, it is the responsibility of the Permittee to submit a modification request to the Palm Beach Gardens Permits Section. The Corps will evaluate the request and determine whether it is appropriate to modify the terms and conditions of the permit. The Permittee must obtain written approval of the requested modifications from the Corps prior to initiation of those changes.

General Conditions:

1. The time limit for completing the work authorized ends on **March 14, 2030**. If the work authorized is not completed on or before that date, authorization, if not previously revoked or specifically extended, shall cease and be null and void. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature 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 (Attachment).
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 (Attachment).
6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

- 1. Reporting Address:** The Permittee shall submit all reports, notifications, documentation and correspondence required by the general and special conditions of this permit to either (not both) of the following addresses:
 - 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, Florida 32232-0019.

The Permittee shall reference this permit number, SAJ-2021-03211, on all submittals.

- 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 (Attachment).
- 3. As-Built Certification with X-Y Coordinates:** Within 60 days of completion of the authorized work or at the expiration of the construction window of this permit, whichever occurs first, the Permittee shall submit as-built drawings of the authorized work and complete the enclosed "As-Built Certification by Professional Engineer or Surveyor" form, (Attachment) to the Corps. The drawings shall be signed and sealed by a registered professional engineer or a professional land surveyor confirming the actual location of all authorized work/structures with respect to the Federal channel and/or within the Federal easement and include the following:
 - a. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached permit drawings (8½-inch by 11-inch). The drawings shall include the X & Y State Plane coordination points of the most waterward point of the structure. The drawings shall include the dimensions of the structure, location of mean high water line (MHWL), depth of water (at mean low water) at the waterward end of the structure, and the distance from the waterward end of the structure to the near design edge of the Federal channel.
 - b. List of any deviations between the work authorized by this permit and the work as constructed. In the event the completed work deviates, in any manner, from the authorized work, describe on the As-Built Certification Form the deviations between the work authorized by this

permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note the depiction and/or description of any deviations on the drawings and/or As-Built Certification Form does not constitute approval of any deviations by the Corps.

- c. The Department of the Army Permit number.
 - d. Within 60 days of completion of the work authorized by this permit, the Permittee shall provide a courtesy copy of the signed and sealed As-Built drawings to the Corps, Engineering Division. Submittals shall be sent either electronically by email at ENPermits.CESAJ@usace.army.mil or by standard mail at Post Office Box 4970, Jacksonville Florida 32232-0019.
- 4. Notice of Permit:** The Permittee shall complete and record the "Notice of Department of the Army Permit" form (Attachment) with the Clerk of the County Court, Registrar of Deeds or other appropriate official charged with the responsibility of maintaining records of title to or interest in real property within the county of the authorized activity. No later than 90 days after the effective date of this permit, the Permittee shall provide a copy of the recorded Notice of Permit form to the Corps, clearly showing a stamp from the appropriate official indicating the book and page at which the Notice of Permit is recorded in the official records and the date of recording.
- 5. Federal Channel Setback:** The most waterward edge of the authorized project shall be constructed no closer than 63.2 feet from the near design edge of the federal channel as shown in the attached drawings.
- 6. 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.
- 7. Manatee Conditions:** The Permittee shall comply with the "Standard Manatee Conditions for In-Water Work – 2011" (Attachment 4). The most recent version of the Manatee Conditions must be utilized.

- 8. Piling Installation:** No more than 10 piles can be installed per day.
- 9. 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.

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 permitted activities, items that may have historic or archaeological origin are observed the Permittee shall immediately cease all activities adjacent to the discovery that may result in the destruction of these resources and shall prevent his/her employees from further removing, or otherwise damaging, such resources. The applicant shall notify both the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850)-245-6333 and the Corps, of the observations within the same business day (8 hours). Examples of submerged historical, archaeological or cultural resources include shipwrecks, shipwreck debris fields (such as steam engine parts, or wood planks and beams), anchors, ballast rock, concreted iron objects, concentrations of coal, prehistoric watercraft (such as log "dugouts"), and other evidence of human activity. The materials may be deeply buried in sediment, resting in shallow sediments or above them, or protruding into water. The Corps shall coordinate with the Florida State Historic Preservation Officer (SHPO) to assess the significance of the discovery and devise appropriate actions. Project activities shall not resume without verbal and/or written authorization from the Corps.
- 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.

11. Inadvertent Discoveries: If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The applicant shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850)-245-6333. Project activities shall not resume without verbal and/or written authorization. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes.

12. Consent to Easement: A portion of the authorized work may be located within the Federal right-of-way and therefore, may require a Department of the Army Consent to Easement. The Permittee shall complete the "Application for Consent to Cross U.S. Government Easement" (Attachment) and submit to the Corps Real Estate Division SAJ-RE-Consent@usace.army.mil or Post Office Box 4970, Jacksonville, Florida 32232-0019 or by telephone at 904-570-4514. The application should include a boundary survey map along with the authorized construction plans and specifications for the project. Prior to commencement of construction, the Permittee shall provide a copy of the Corps approved Consent to Easement, or correspondence from the Real Estate Division indicating that a Consent to Easement is not required, to the address identified in the **Reporting Address Special Condition**.

- 13. Fill Material:** The Permittee shall use only clean fill material for this project. The fill material shall be free from items such as trash, debris, automotive parts, asphalt, construction materials, concrete block with exposed reinforcement bars, and soils contaminated with any toxic substance in toxic amounts, in accordance with Section 307 of the Clean Water Act.
- 14. 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.
- 15. Vessel Strike Avoidance Measures:** The Permittee shall comply with the "Vessel Strike Avoidance Measures and Reporting for Mariners," revised May 2021, for marine turtles and marine mammals.
- 16. Daylight Hours:** All work will occur during daylight hours.
- 17. Supporting Equipment BMPs:** All supporting equipment (barges and tow boats) will be shallow draft and will maintain a minimum of 1-foot (ft) of clearance above the existing bottom. Barges will be secured by spudding or mooring only.
- 18. Mitigation Bank Credit Purchase:** Prior to commencement of work, the Permittee shall provide verification to the Corps that 0.01 saltwater forested federal mitigation bank credits have been purchased from the FPL Everglades Phase II Mitigation Bank. The required verification shall reference this project's permit number SAJ-2021-03211 (LOP-JFB).

Instructions for Objecting to Permit Terms and Conditions: This letter is an initial proffered permit for your proposed project/permit application. 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 of the RFA form and submit the completed form to the Palm Beach Gardens Permits Section at the address listed at the bottom of this letter. For an RFA to be accepted by the Corps, the Corps must determine that it is complete and that it has been received within 60 days of the date of the RFA. Should you decide to submit an RFA form, it must be received by the Palm Beach Gardens Permits Section by May 13, 2025.

Should you have any questions regarding this letter, please contact the project manager, Jessica Bedsworth, in writing at the Palm Beach Gardens Permits Section at 4400 PGA Boulevard Suite 500, Palm Beach Gardens, Florida 33410, by telephone at 561-545-3713, or by email at Jessica.F.Bedsworth@usace.army.mil.

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 <https://regulatory.ops.usace.army.mil/customer-service-survey/> and complete our automated Customer Service Survey. Your input is appreciated – favorable or otherwise.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

Alisa Zarbo

for: Brandon L. Bowman
Colonel, U.S. Army
District Commander

Enclosures
DA Permit Enclosures

cc:
Kathy Cartier, Unlimited Permits Services, Inc. kathyc@unlimitedps.net

CESAJ-RE-M (Requires a Consent-to-Easement memo)
CESAJ-RD-PE (w/ enclosures)

REQUEST PERMIT TRANSFER: PERMIT NUMBER: SAJ-2021-03211 (LP-JFB)

When the structures or work verified 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, the present permittee and the transferee should sign and date below. This document must then be provided to the U.S. Army Corps of Engineers, Regulatory Division, Post Office Box 4970, Jacksonville, Florida 32232-0019.

(TRANSFEREE SIGNATURE)

(DATE)

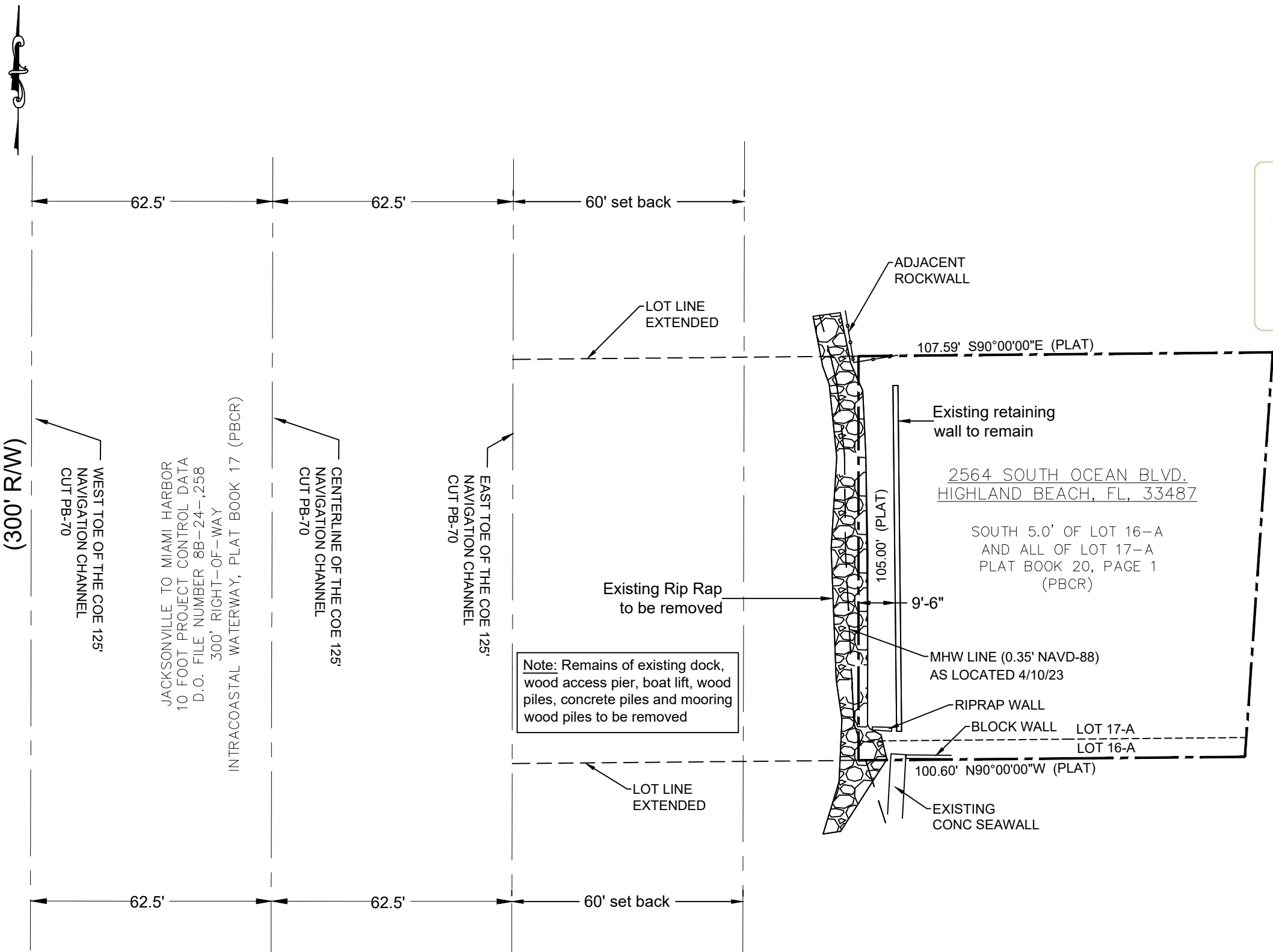
(Name - Printed)

Lot/Block of site

(Street Address)

(City, State, and Zip Code)

INTRACOASTAL WATERWAY
(300' R/W)



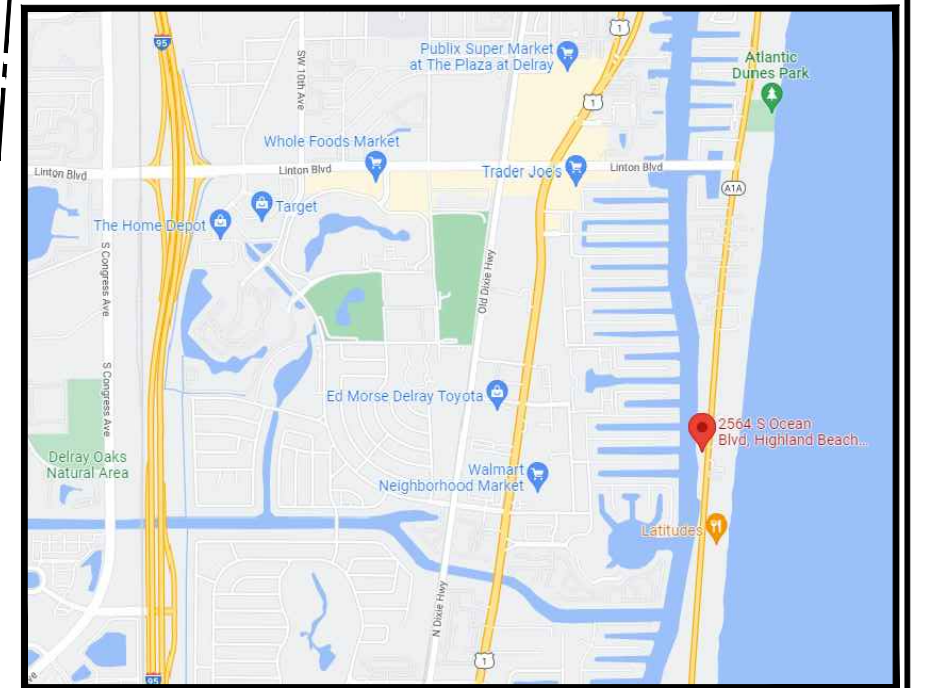
Existing Site Plan

Scale: 1" = 30'

See attached survey supplied by owner for exact property information.

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

Location Address 2564 S OCEAN BLVD
Municipality HIGHLAND BEACH
Parcel Control Number 24-43-46-28-09-000-0161
Subdivision BYRD BEACH SUB IN
Official Records Book 28513 Page 220
Sale Date AUG-2016
Legal Description BYRD BEACH S 5 FT OF LT 16-A & LT 17-A



Location Map

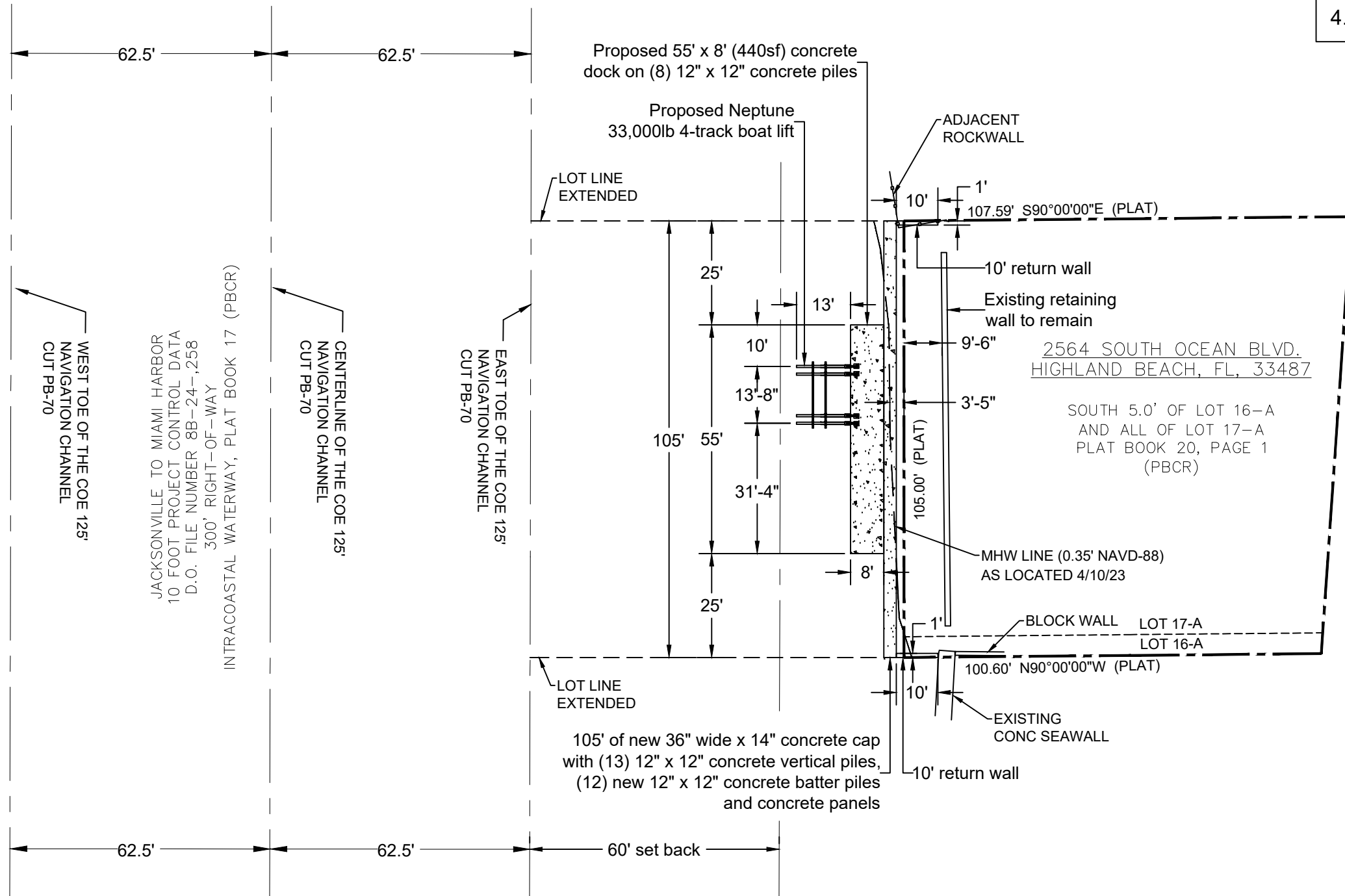
Sheet 1 of 7

PREPARED FOR:
B&M MARINE CONSTRUCTION INC
1211 South Military Trail, Suite 200
Deerfield Beach, Florida 33442
(954) 421-1700

Project:
Proposed Dock / Seawall Repair
Mikhail Vesselov
2564 South Ocean Blvd.
Highland Beach, Florida 33487

MARK E. WEBER, P.E.
LICENSE #53895 | CA 30702
MW ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, Florida 33060
Ofc: 754-333-0877
WWW.MwEngineering.net

INTRACOASTAL WATERWAY
(300' R/W)



Scope of Work:

1. Existing rip rap removed
2. Construct 105' of 36" x 14" of new seawall, cap, batter piles, vertical piles and panels
3. Install 55' x 8' (440sf) concrete dock on (8) concrete piles
4. Install 33,000lb 4-track boat lift

Proposed Site Plan

Scale: 1" = 30'

Sheet 2 of 7

PREPARED FOR:

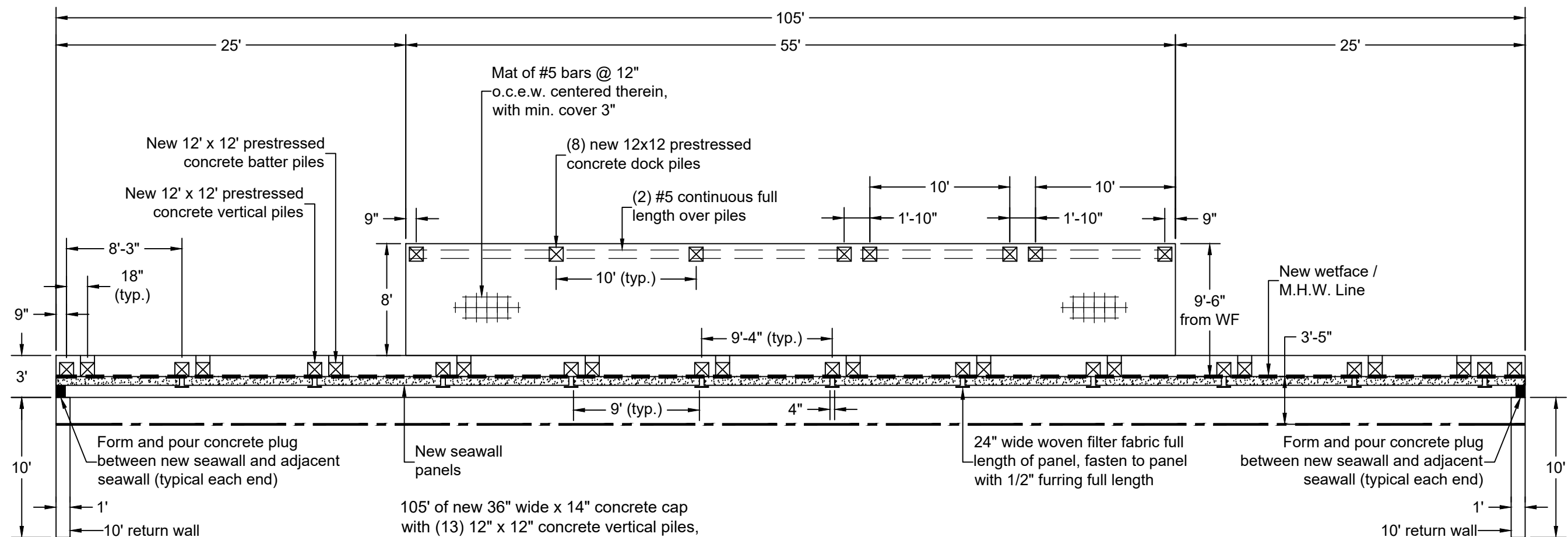
B&M MARINE CONSTRUCTION INC
1211 South Military Trail, Suite 200
Deerfield Beach, Florida 33442
(954) 421-1700

Project:

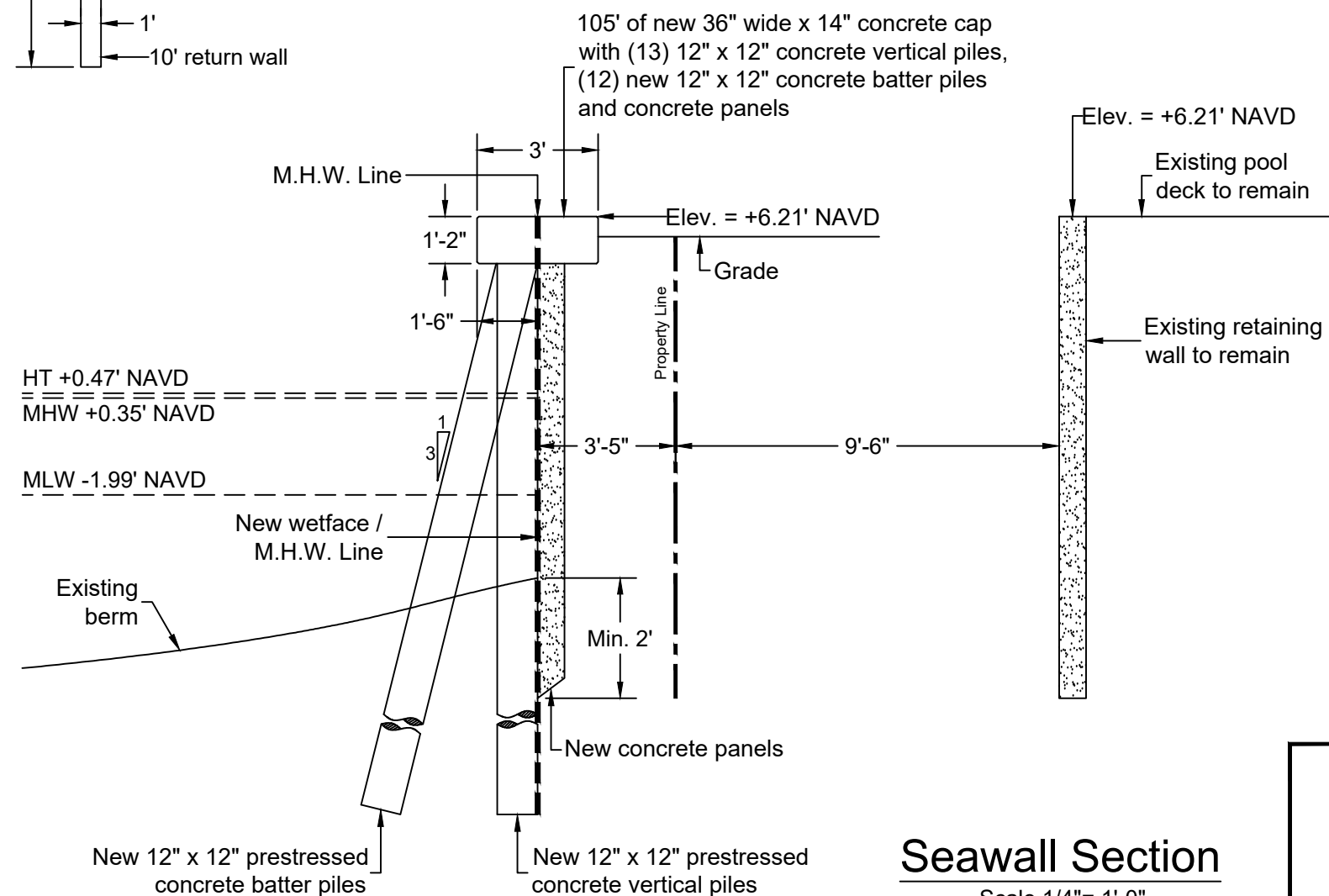
Proposed Dock / Seawall Repair
Mikhail Vesselov
2564 South Ocean Blvd.
Highland Beach, Florida 33487

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

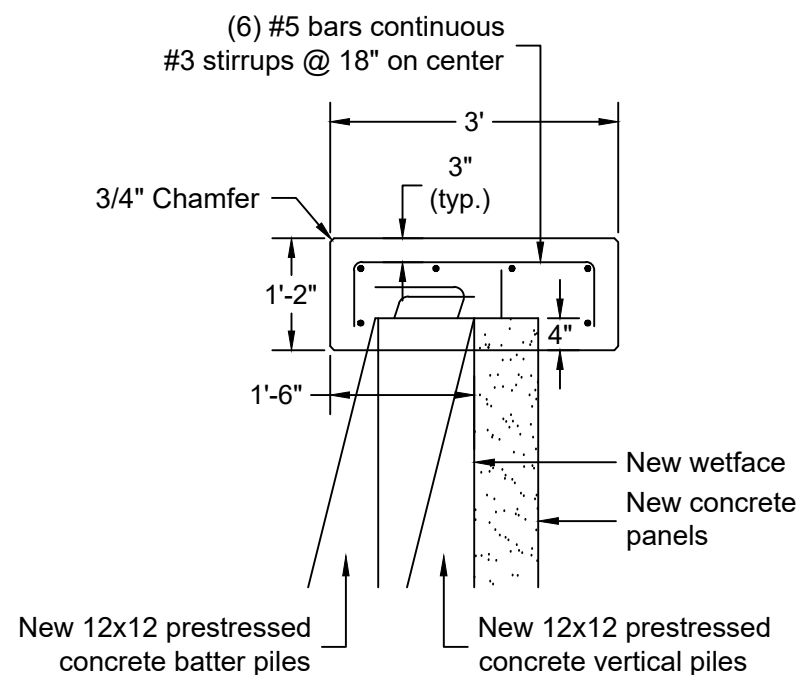
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Pompano Beach, Florida 33060
Ofc: 754-333-0877
WWW.MwEngineering.net



Seawall Plan View
SCALE: 1/8" = 1'-0"



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



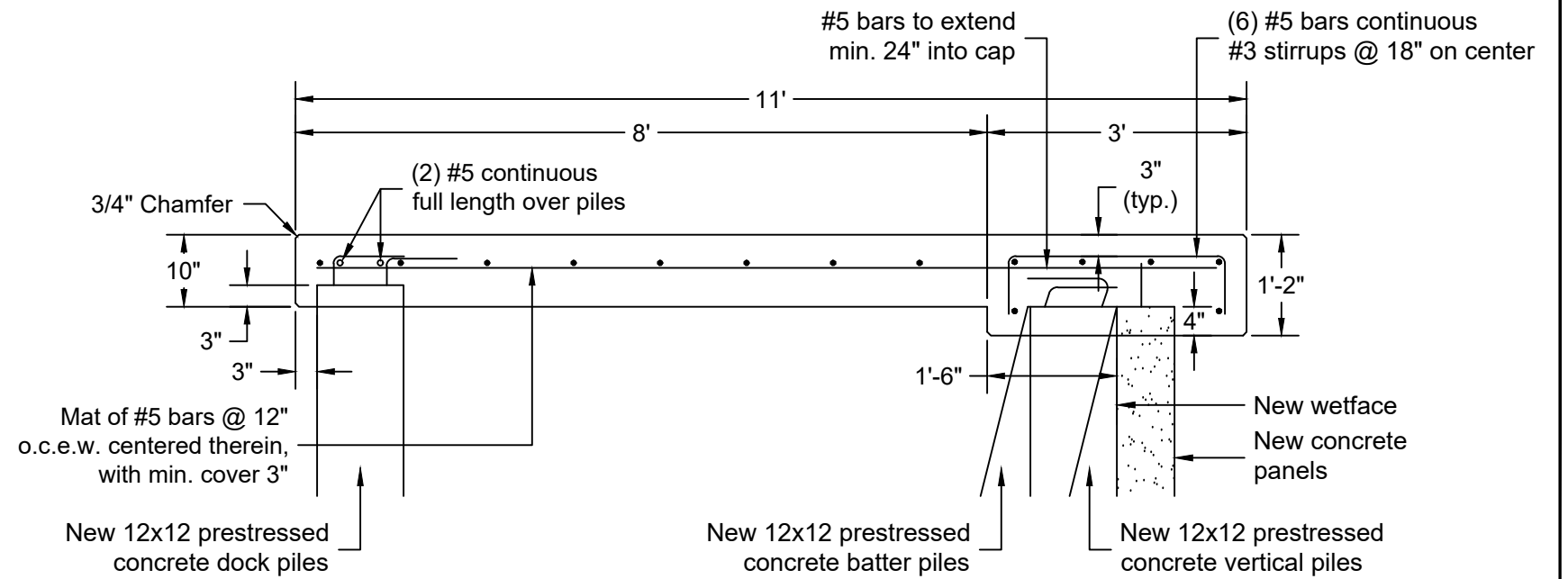
Cap Steel Detail
Scale: 1/2" = 1'-0"

Sheet 3 of 7

PREPARED FOR:
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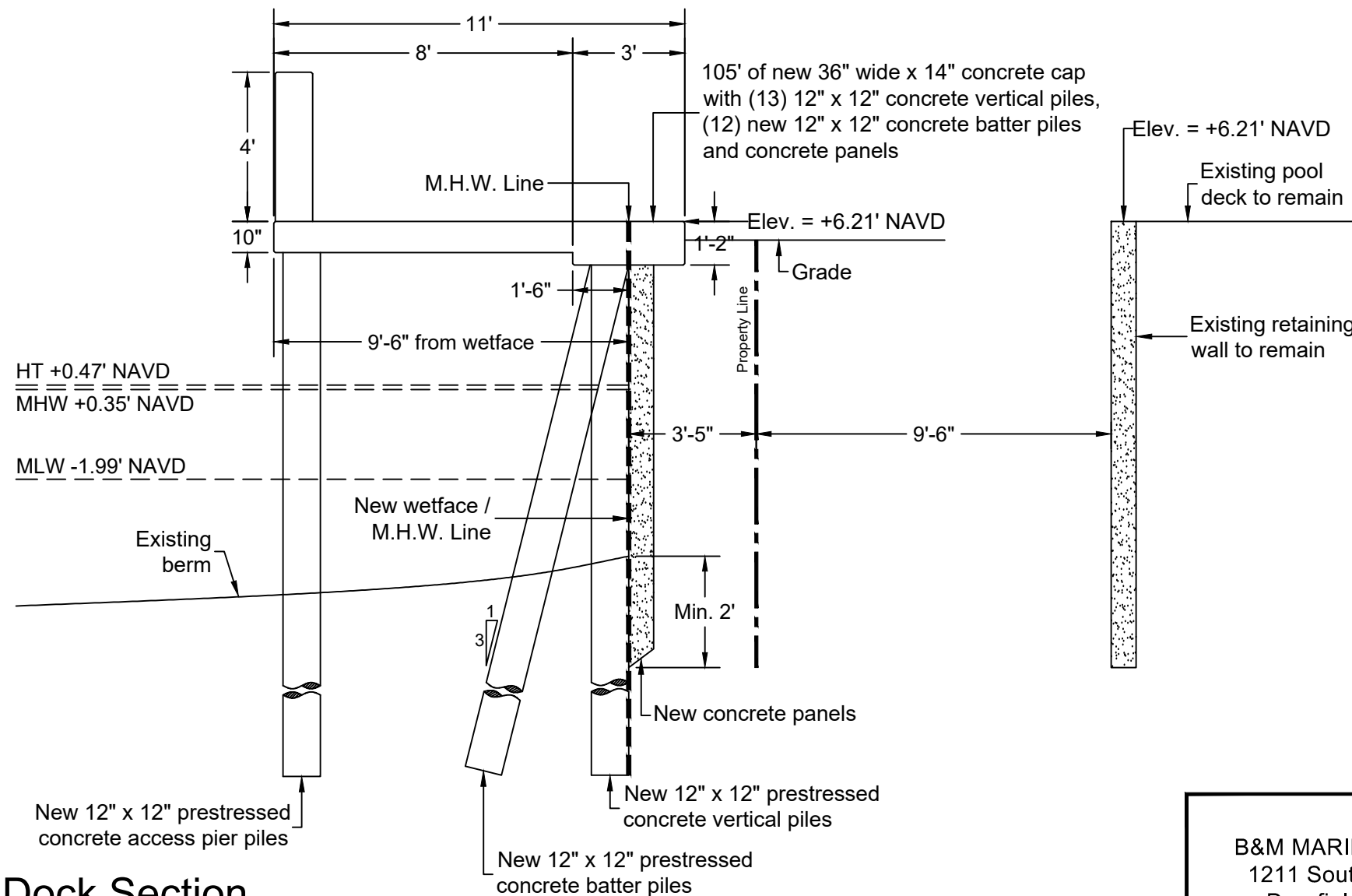
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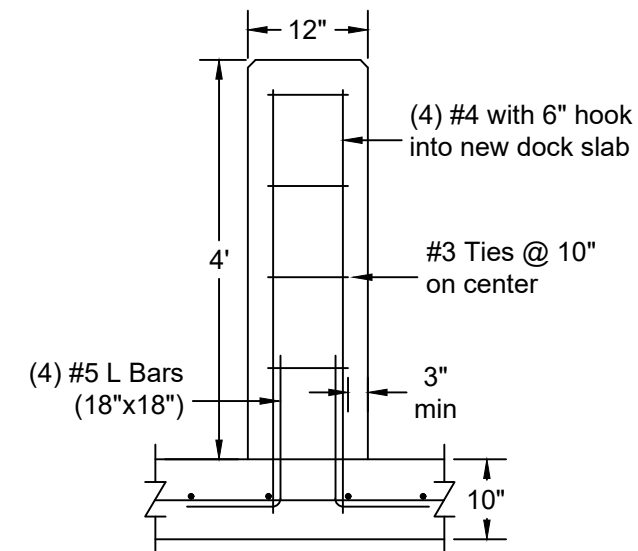
Dock Steel Detail

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



Dock Section

Scale 1/4" = 1'-0"



Column Detail

Scale: 1/4" = 1'-0"

Sheet 4 of 7

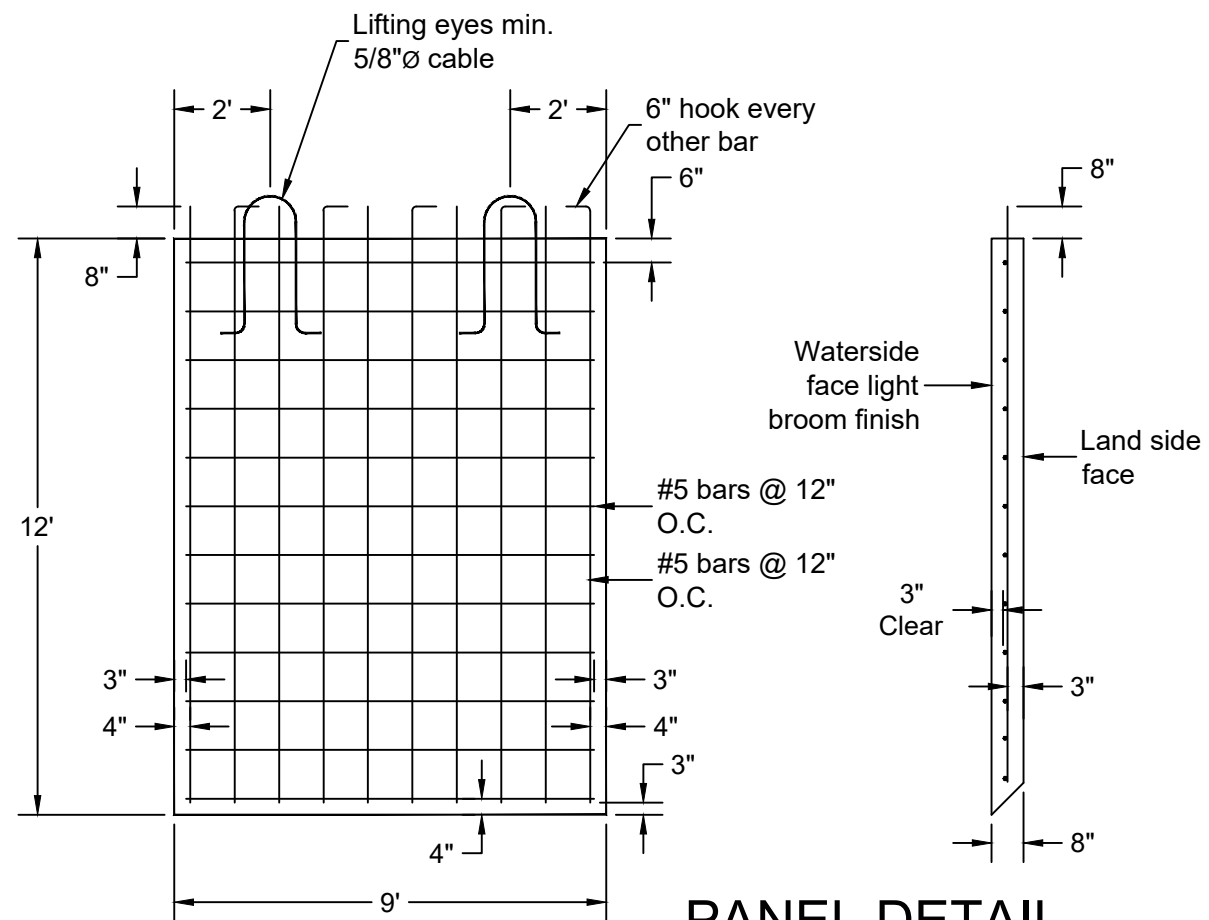
PREPARED FOR:

B&M MARINE CONSTRUCTION INC
1211 South Military Trail, Suite 200
Deerfield Beach, Florida 33442
(954) 421-1700

Project:

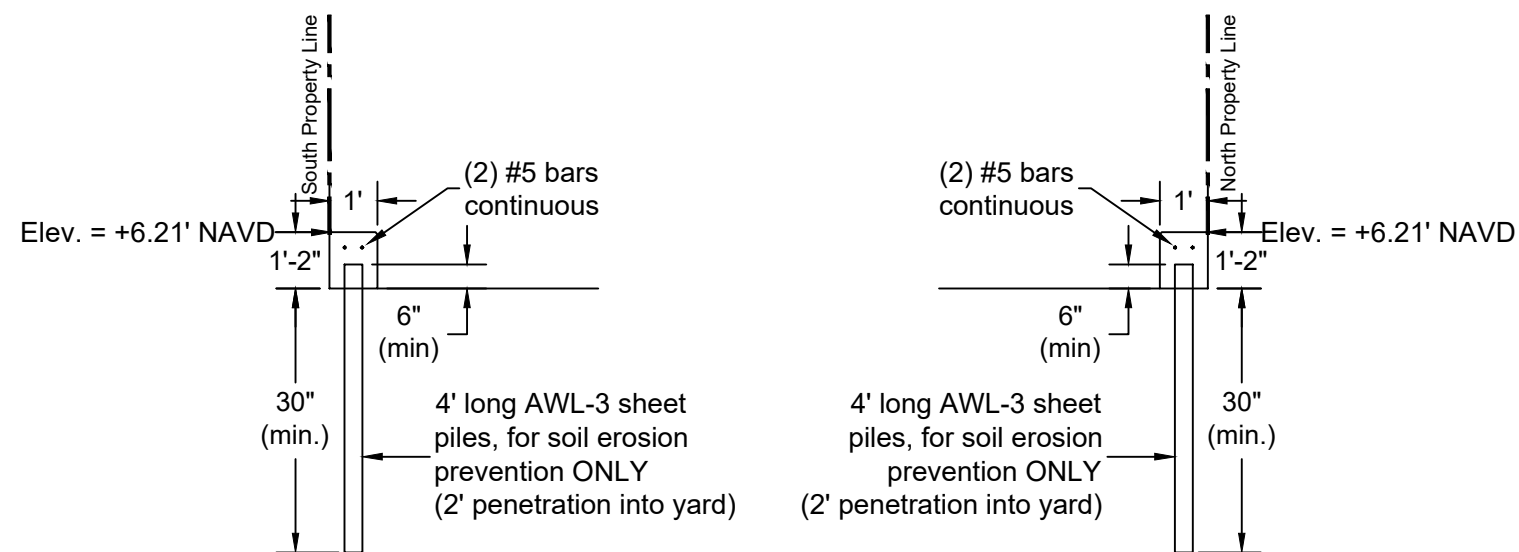
Proposed Dock / Seawall Repair
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Ofc: 754-333-0877
WWW.MwEngineering.net



NOTE:
 PANEL HEIGHT TO BE VERIFIED ON SITE BY
 CONTRACTOR BEFORE CONSTRUCTION, TO
 PROVIDE A MINIMUM OF 2' EMBEDMENT
 INTO EXISTING GRADE.

PANEL DETAIL
 Scale 1/4" = 1'-0"



Return Wall Detail
 Scale 1/4" = 1'-0"

GENERAL NOTES:

- Construction to follow the Florida Building Code 7th Edition (2020) and amendments as applicable and all Local, State and Federal Laws.
- Licensed contractor shall verify the existing conditions prior to the commencement of the work. Any conflicts or omissions between existing conditions or the various elements of the working drawing shall be brought to the attention of the Engineer prior to the commencement of the work. The Licensed Contractor and all subcontractors are responsible for all lines, elevations, and measurements in connection with their work.
- Do not scale drawings for dimensions.
- Any deviation and/or substitution from the information provided herein shall be submitted to the Engineer for approval prior to commencement of work.
- All unanticipated or unforeseen demolition and/or new construction conditions which require deviation from the plans and notes herein shall be reported to the Engineer prior to commencement of work.
- All new work and/or materials shall conform to all requirements of each administrative body having jurisdiction in each appertaining circumstance.
- All new materials and/or patchwork shall be provided to match existing materials and/or adjoining work where practical except as specifically noted herein.
- Licensed Contractor to shall use all possible care to protect all existing materials, surfaces, and furnishings from damage during all phases of construction.
- Licensed Contractor to verify location of existing utilities prior to commencing work.
- The Licensed contractor to install and remove all shoring and bracing as required for the proper execution of the work.
- Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
- Turbidity barriers to be marked with site contractor's company name using permanent markings no smaller than 3 inches in height on the top of the barrier.

PILE DRIVING:

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

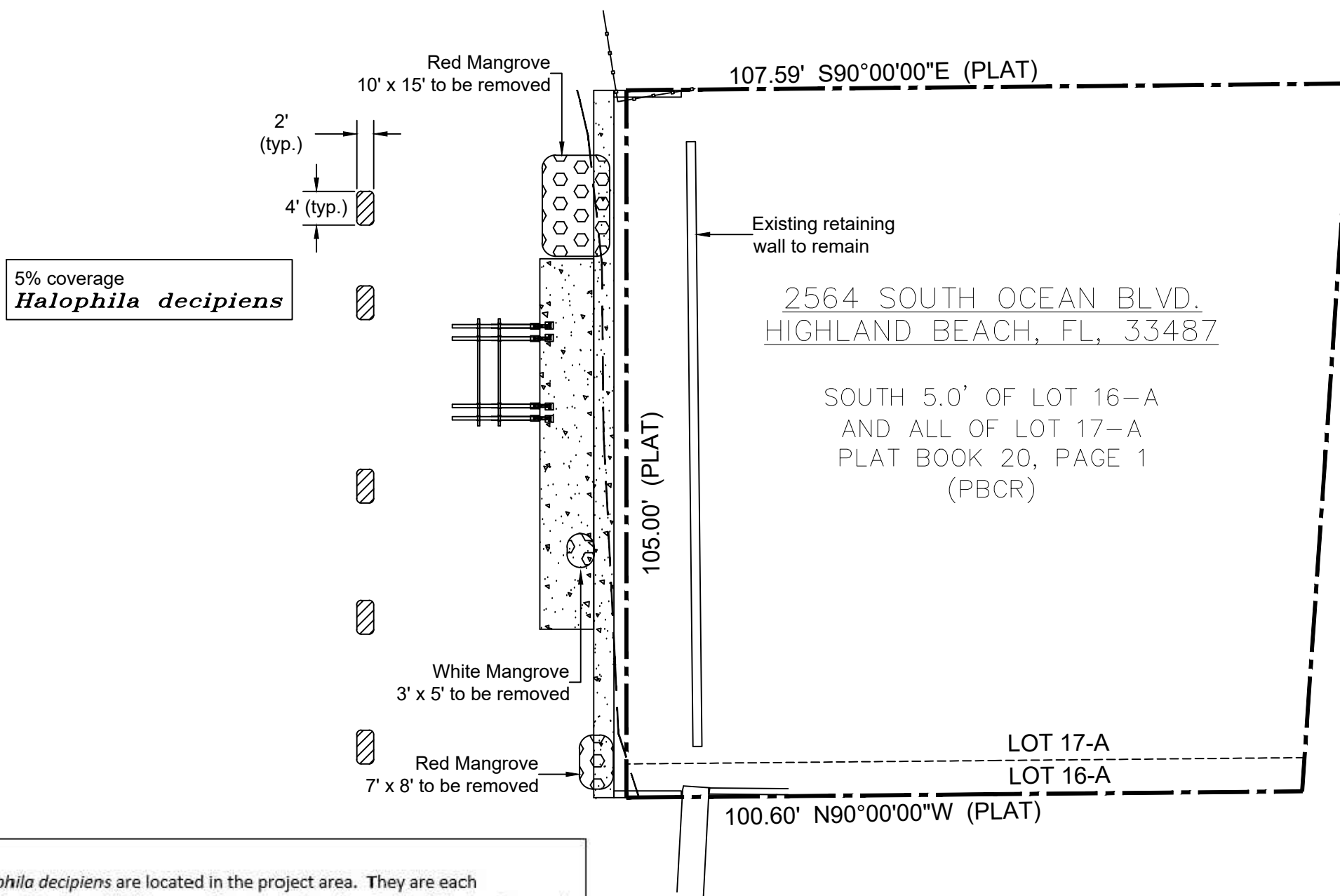
CONCRETE NOTES:

- Concrete shall conform to ACI 318-14 and shall be regular weight, sulfate resistant, with a design strength of 5000 psi at 28 days with a maximum water-cementitious materials ratio, by weight aggregate concrete of 0.40.
- Owner shall employ and pay for testing services from an independent testing laboratory for concrete sampling and testing in accordance with ASTM.
- Licensed contractor is responsible for the adequacy of forms and shoring and for safe practice in their use and removal.
- Concrete cover shall be 3" unless otherwise noted on the approved drawings.
- Reinforcing steel shall be in conformance with the latest version of ASTM A615 Grade 60 specifications. All reinforcement shall be placed in accordance with ACI 315 and ACI Manual of Standard Practice.
- Splices in reinforcing bars shall be not be less than 48 bar diameters and reinforcing shall be continuous around all corners and changes in direction. Continuity shall be provided at corners or changes in direction by bending the longitudinal steel around the corner 48 bar diameters.
- Defective, cracked or loose concrete areas must be cut out, the rebar must be cleaned, coated with zinc and repaired with at least 3" of expoxy-concrete mix or gunnite concrete with sulfate-resistant cement.

PILE NOTES:

- Concrete piles shall attain 6000 psi compressive strength in 28 days.
- Concrete piles shall be reinforced with four - $\frac{7}{16}$ "Ø lo-lax strands, 270 kips, and 5 ga. spiral ties.
- Concrete piles shall be 12"x12" square, minimum length of 20'.
- Concrete piles shall be cut to leave strands exposed a min. of 18" and tied to dock or cap steel or drill and epoxy (2) #5 8"x12" hook bars 6" into pile.

INTRACOASTAL WATERWAY
(300' R/W)



Seagrass notes:

Five small spots of *Halophila decipiens* are located in the project area. They are each approximately 8 square feet in size with 5% cover. They occur in a line about 40 feet waterward of the existing rip rap, from 20 feet south of the north end to 5 feet north of the south end. Seagrass spots were in depths of approximately 5 feet at MLW. No construction will occur over seagrasses. During pile installation, the barge will be positioned in water depths of 5 feet MLW or greater and will be anchored to avoid damage to seagrass areas.

Seagrass Plan

Scale: 1" = 20'

Seagrass Plan

PREPARED FOR:

B&M MARINE CONSTRUCTION INC
1211 South Military Trail, Suite 200
Deerfield Beach, Florida 33442
(954) 421-1700

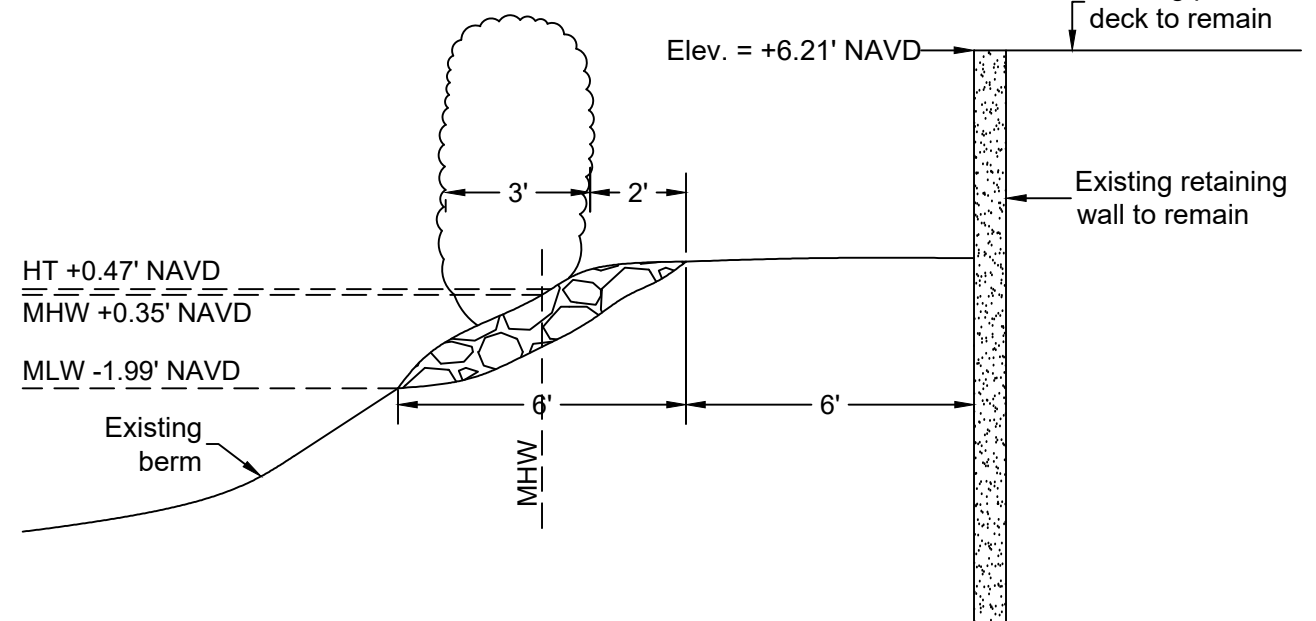
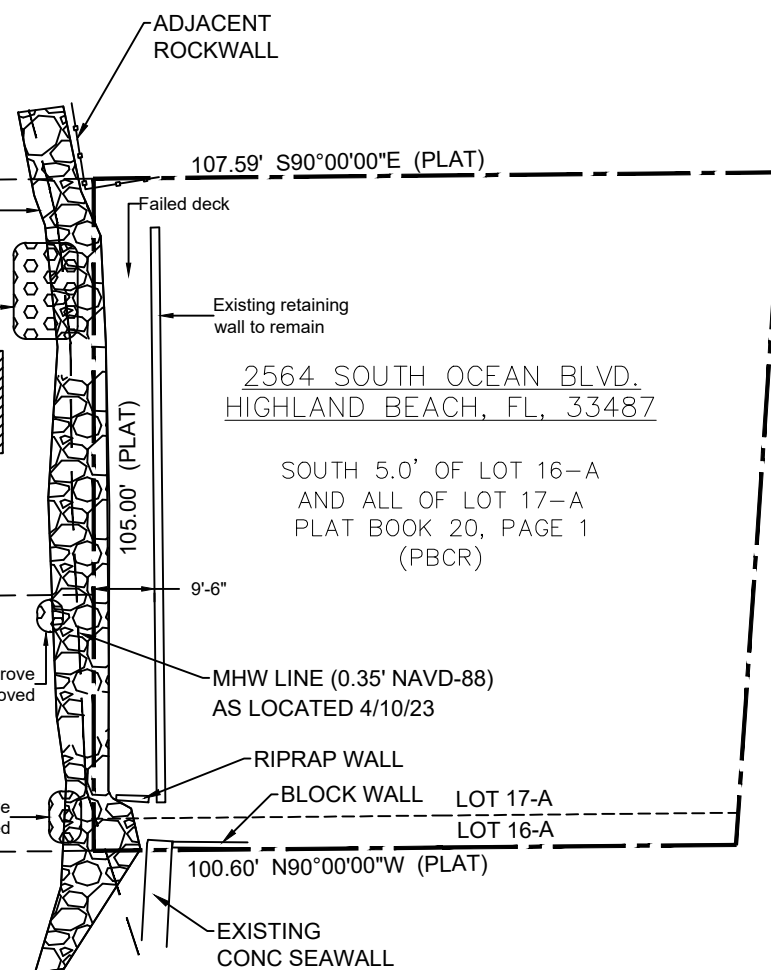
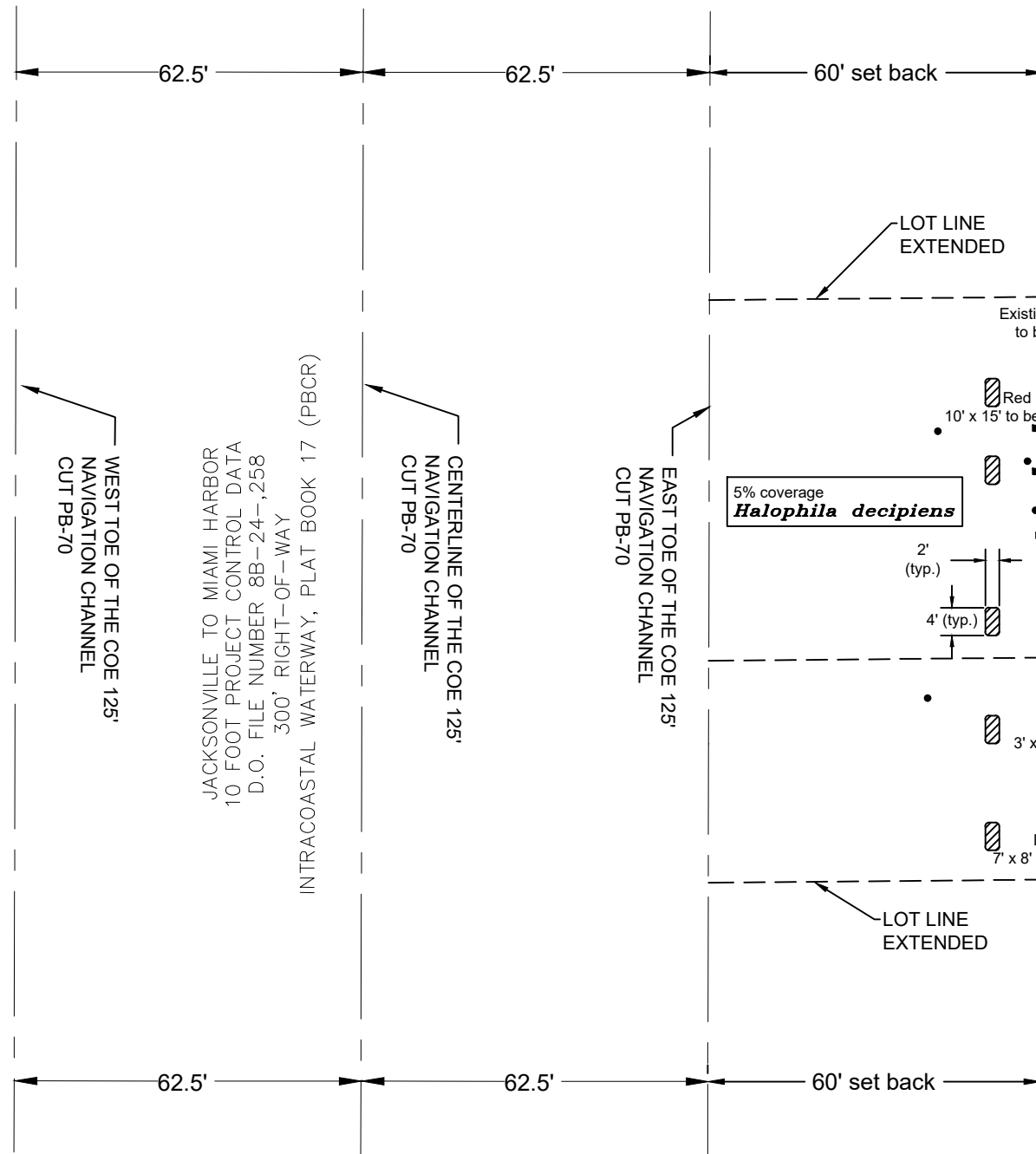
Project:

Proposed Dock / Seawall Repair
Mikhail Vesselov
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INTRACOASTAL WATERWAY (300' RW)

Existing Resource Plan

Scale: 1" = 30'



White Mangrove Section

Scale 1/4" = 1'-0"

Resource Map

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Project:

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AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER

Submit this form and one set of as-built engineering drawings to the U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019. For electronic mail saj-rd-enforcement@usace.army.mil (not to exceed 15 MB).

1. Department of the Army Permit Number: SAJ- - (-)

2. Permittee Information:

Name: _____

Address: _____

3. Project Site Identification (physical location/address):

4. As-Built Certification: I hereby certify that the authorized work, including any mitigation required by Special Conditions to the permit, has been accomplished in accordance with the Department of the Army permit with any deviations noted below. This determination is based upon on-site observation, scheduled, and conducted by me or by a project representative under my direct supervision. I have enclosed one set of as-built engineering drawings.

Signature of Engineer

Name (*Please type*)

(FL, PR, or VI) Reg. Number

Company Name

City

State

ZIP

(Affix Seal)

Date

Telephone Number

Date Work Started:_____ Date Work Completed:_____

Identify any deviations from the approved permit drawings and/or special conditions (attach additional pages if necessary):

Prepared by:

Permittee: _____

Address: _____

Phone: _____

NOTICE OF DEPARTMENT OF THE ARMY PERMIT

TAKE NOTICE the United States Army Corps of Engineers (Corps) has issued a permit or verification SAJ- - to (Permittee) on , , authorizing work in navigable waters of the United States in accordance with Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) on a parcel of land known as Folio/Parcel ID: _____ located at address, in Section , Township south or north, Range east or west, City, county name County, Florida.

Within 30 days of any transfer of interest or control of said property, the Permittee must notify the Corps in writing of the property transfer by submitting the completed permit transfer page included with the issued permit or verification. Notification of the transfer does not by itself constitute a permit transfer. Therefore, purchasers of that portion of the premises containing the area authorized to be filled (or any portion thereof) are notified that it is unlawful for any person to construct, alter, operate, maintain, remove or abandon any works, including dredging or filling, or any other work within, over, or under waters of the United States (including wetlands) without first having obtained a permit from the Corps in the purchaser's name.

Conditions of the Permit/Verification: The permit or verification is subject to General Conditions and Special Conditions which may affect the use of the work authorized in name of waterbody. Accordingly, interested parties should closely examine the entire permit or verification, all associated applications, and any subsequent modifications.

To obtain a copy of the authorization in its entirety submit a written request to:
U.S. Army Corps of Engineers
Regulatory Division - Special Projects & Enforcement Branch
Post Office Box 4970
Jacksonville, Florida 32232-0019

Questions regarding compliance with these conditions should be directed to:
U.S. Army Corps of Engineers
Enforcement Section
Post Office Box 4970
Jacksonville, Florida 32232-0019

Conflict Between Notice and Permit

This Notice of Authorization is not a complete summary of the issued permit or verification. Provisions in this Notice of Permit shall not be used in interpreting the permit or verification provisions. In the event of conflict between this Notice of Permit and the permit or verification, the permit or verification shall control.

This Notice is Not an Encumbrance

This Notice is for informational purposes only. It is not intended to be a lien, encumbrance, or cloud on the title of the premises.

Release

This Notice may not be released or removed from the public records without the prior written consent of the Corps.

This Notice of Authorization is executed on this _____ day of _____, _____. This document is being submitted for recordation in the Public Records of _____ County, Florida as part of the requirement imposed by the authorization SAJ- _____ - _____ issued by Corps.

Permittee:

Address:

Phone: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____, who is personally known to me or has produced _____ as identification.

Notary Public

(seal)

Print

My Commission Expires _____

APPLICATION FOR CONSENT TO CROSS U.S. GOVERNMENT EASEMENT

APPLICATION IS MADE for a Department of the Army Consent to Easement to construct, maintain, control, operate and repair a (state type of structure) _____

_____ over, under, across, in, or upon the Easement vested in the United States of America as shown on the attached [include boundary survey map with legal description/construction plans and specifications of project], and situated in Section____, Township____ South, Range____ East, County of_____, Florida.

Names and Mailing Addresses of Record Owners: _____

Physical Address (location of project work): _____

Email Address_____

Applicant understands that permanent structures affixed to the land or otherwise constructed or situated in a manner lasting or meant to last indefinitely and not expected to change in status, condition, or place are not permitted within the U.S. Easement. Unauthorized structures include, but are not limited to, residential and commercial buildings, swimming pools, patios, outbuildings, fences, gazebos, satellite dishes, oil and gas wells, boat ramps and seawall enclosures of docking areas or other structures as defined in CFR Title 36, Section 327.20. Noncompliance may subject the Applicant to possible removal and enforcement action.

The undersigned agrees that construction of the facility or structure involved in this application shall not begin until the Consent to Cross U.S. Government Easement, herein applied for, shall have been granted and appropriate rights shall have been acquired from the record owners and encumbrances of the underlying fee in the land involved.

Property Owner(s) Name (Print)

Property Owner(s) Name (Print)

(Signature)

(Signature)

DATE: _____

RETURN TO: US Army Corps of Engineers, Jacksonville District
ATTN: Real Estate Division
P.O. Box 4970
Jacksonville, FL 32232-0019

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

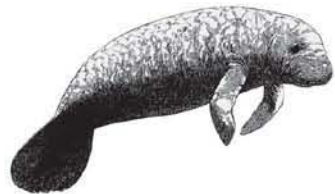
All project vessels

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



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