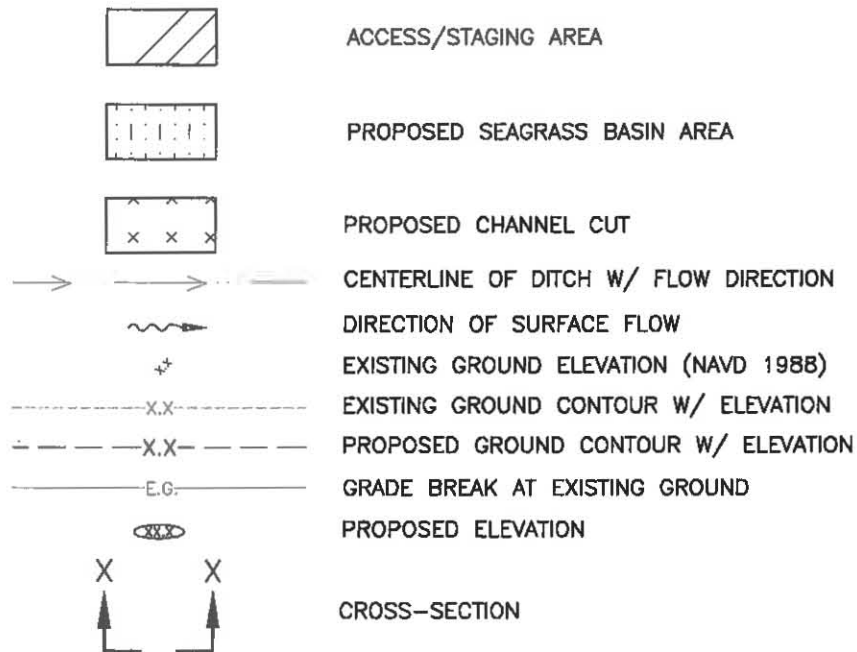


SAJ-2013-00590(SP-MEP)
DEPT. OF THE ARMY PERMIT
12-NOVEMBER-2014

LEGEND



NOTES:

TOTAL PROPERTY AREA: 175.8± AC
TOTAL PROJECT AREA: 28.9± AC

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS

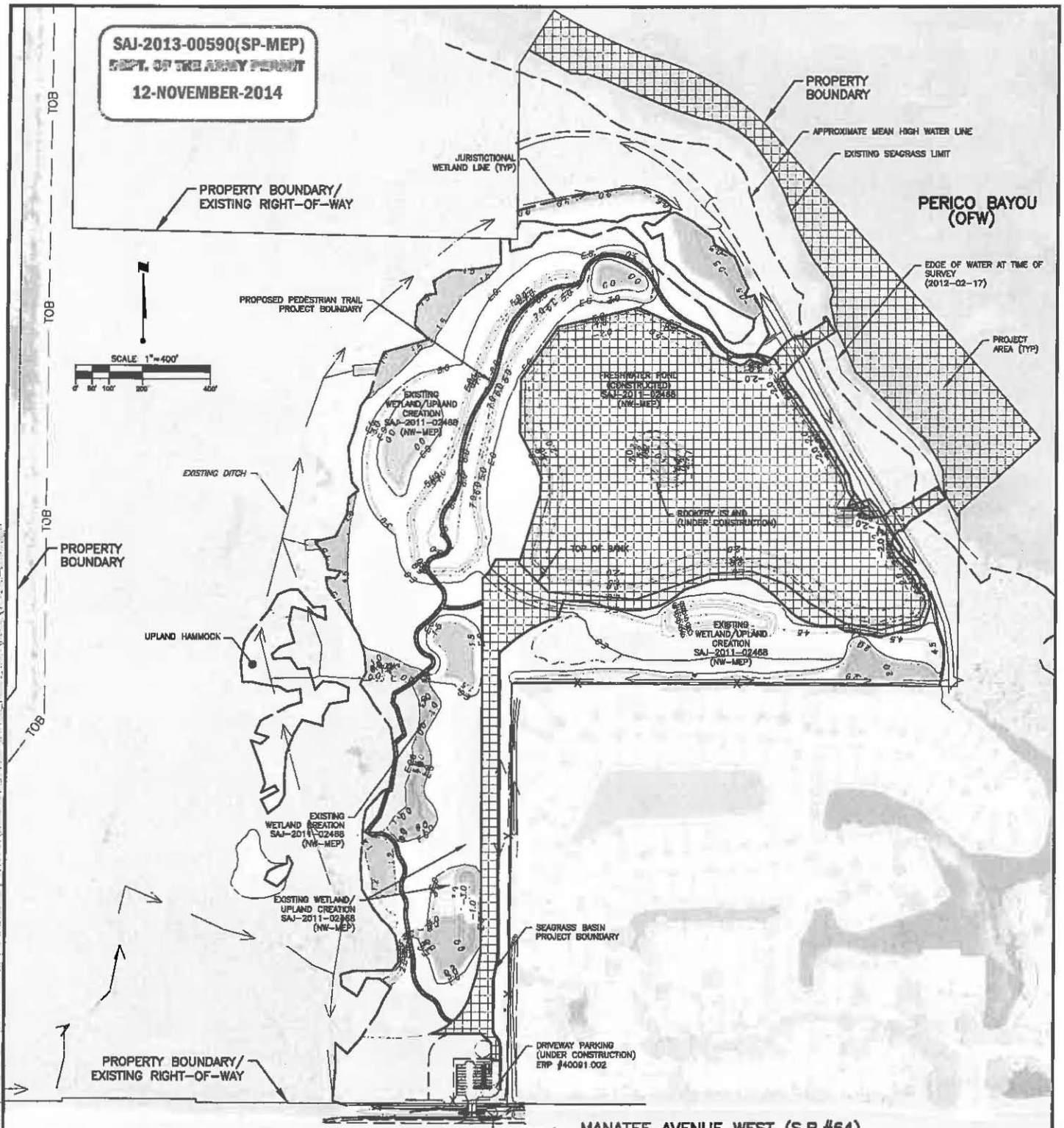


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FLORIDA LICENSE NO. 49374

SCALE:	AS SHOWN	DATE:	2/3/14
SEC:	TWP:	RGE:	REV NO:
22,26,27	34S	16E	
PROJECT NO.	215510428	INDEX NO:	A-215510428-000003
DRWN BY/EMP NO.	ATO/89520	SHEET NO:	3 of 35



MANATEE AVENUE WEST (S.R.#64)
EXISTING CONDITIONS PLAN

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



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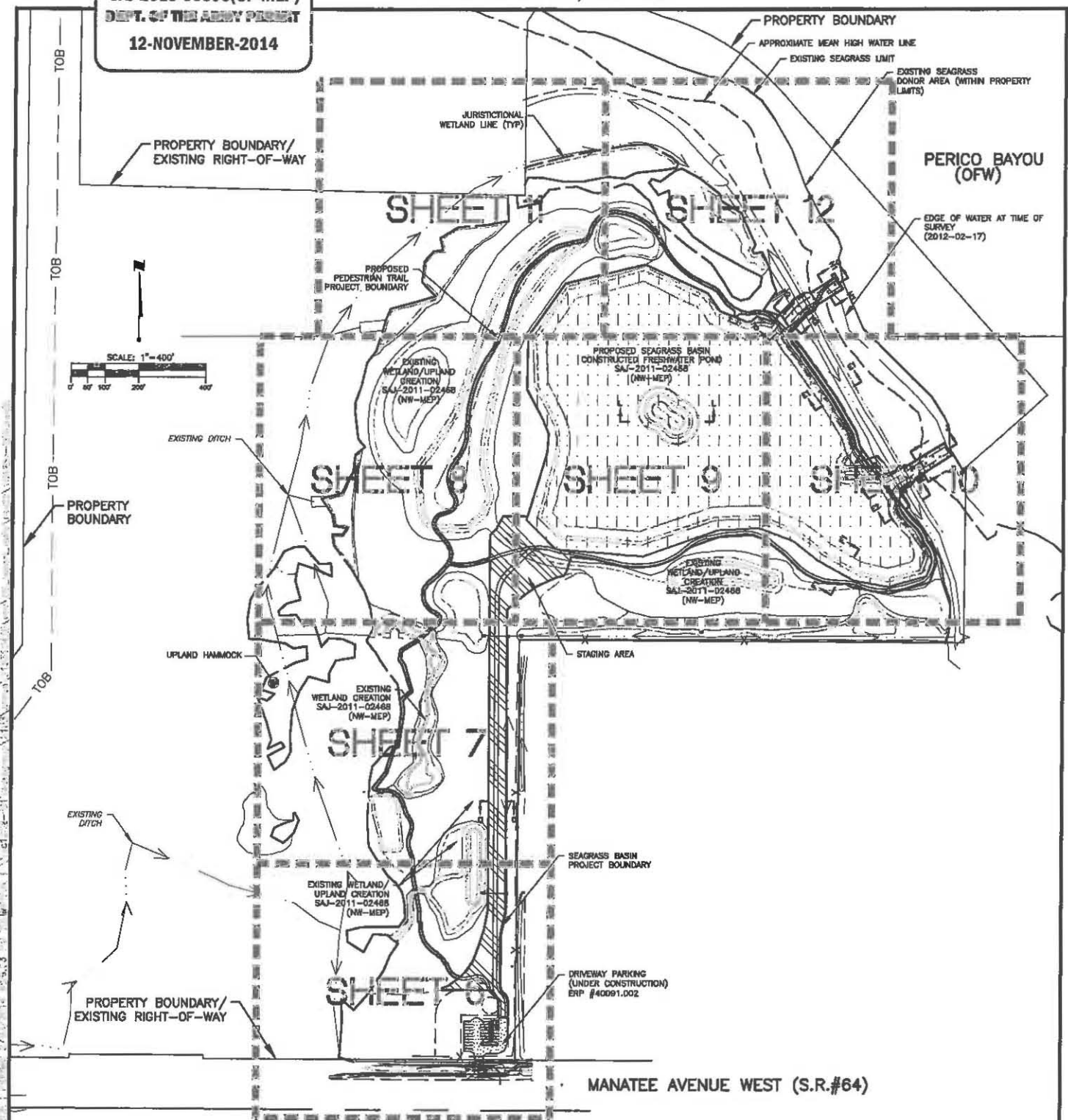
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FLORIDA LICENSE NO. 49374

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SEC:	TWP:	RGE:	REV NO:
22,26,27	34S	16E	
PROJECT NO.	215510428	INDEX NO:	A-215510428-000004
DRWN BY/EMP NO.	ATO/89520	SHEET NO:	4 OF 35

12-NOVEMBER-2014



MASTER SITE PLAN AND KEY SHEET

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



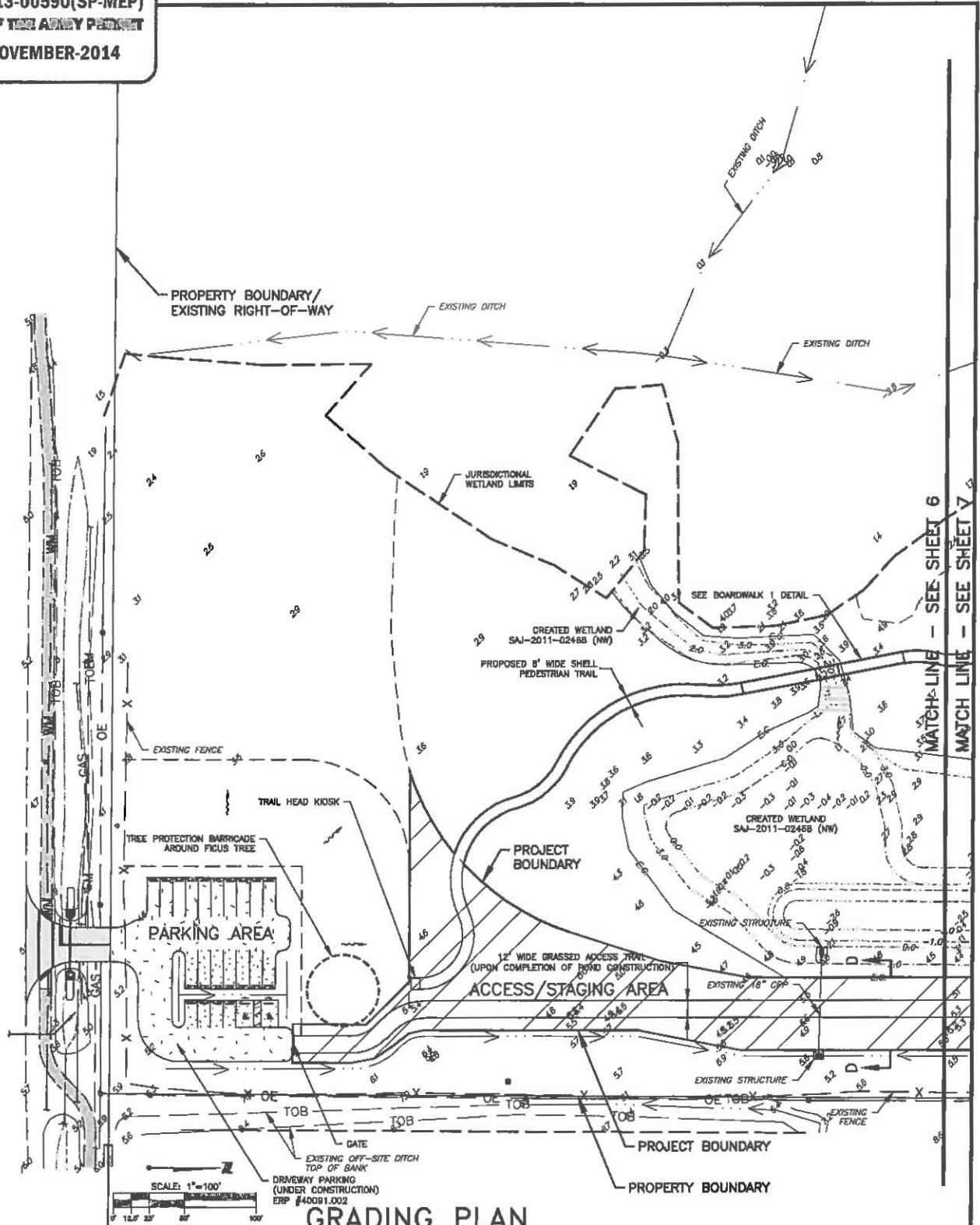
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FLORIDA LICENSE NO. 49374

SCALE:	AS SHOWN	DATE:	2/3/14
SEC:	22,26,27	TWP:	34S
RGE:	16E	REV NO:	
PROJECT NO.	215510428	INDEX NO:	A-215510428-000005
DRWN BY/EMP NO.	ATO/89520	SHEET NO:	5 OF 35



GRADING PLAN

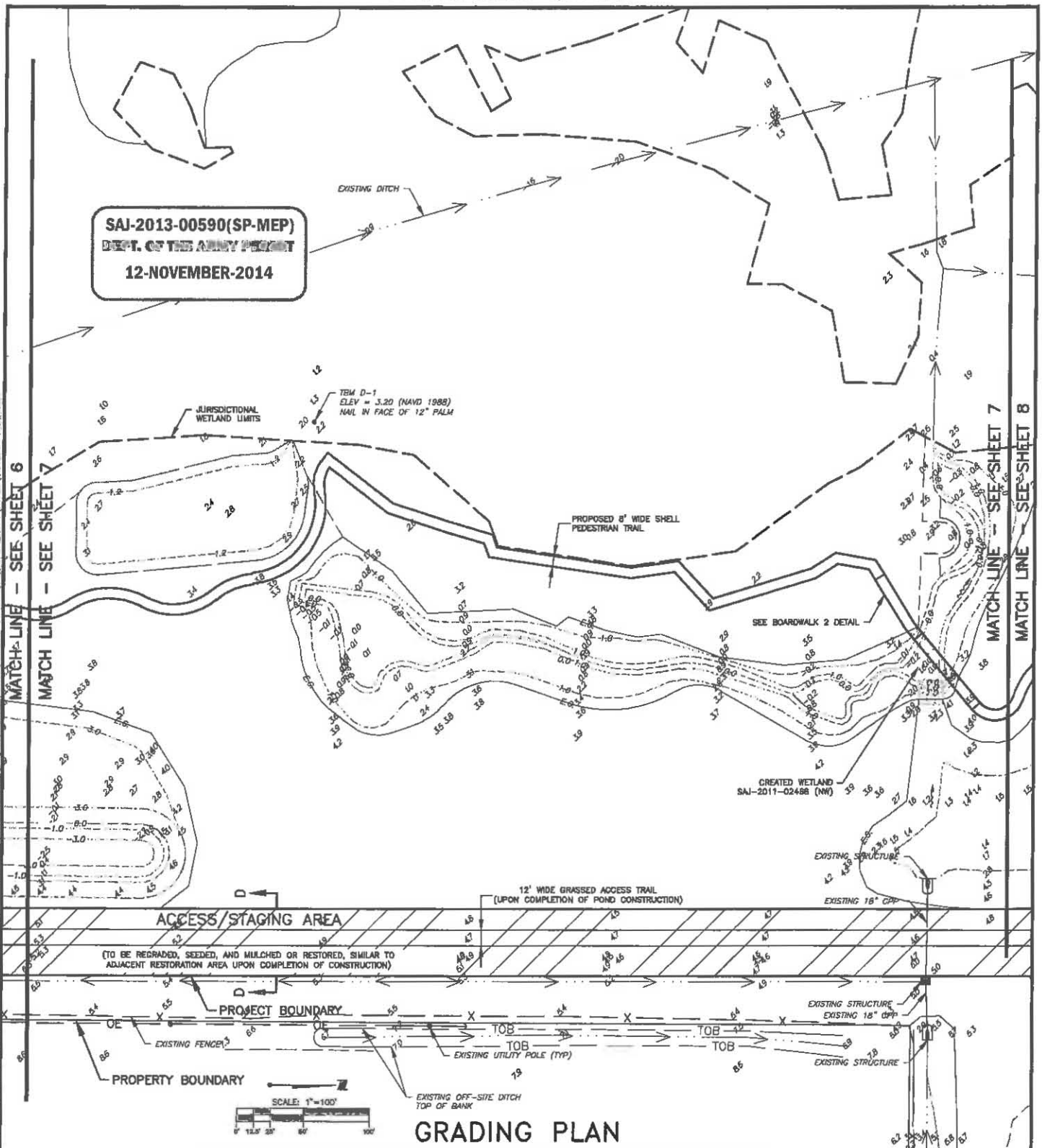
CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



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SHEET NO:
6 OF 35



PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS

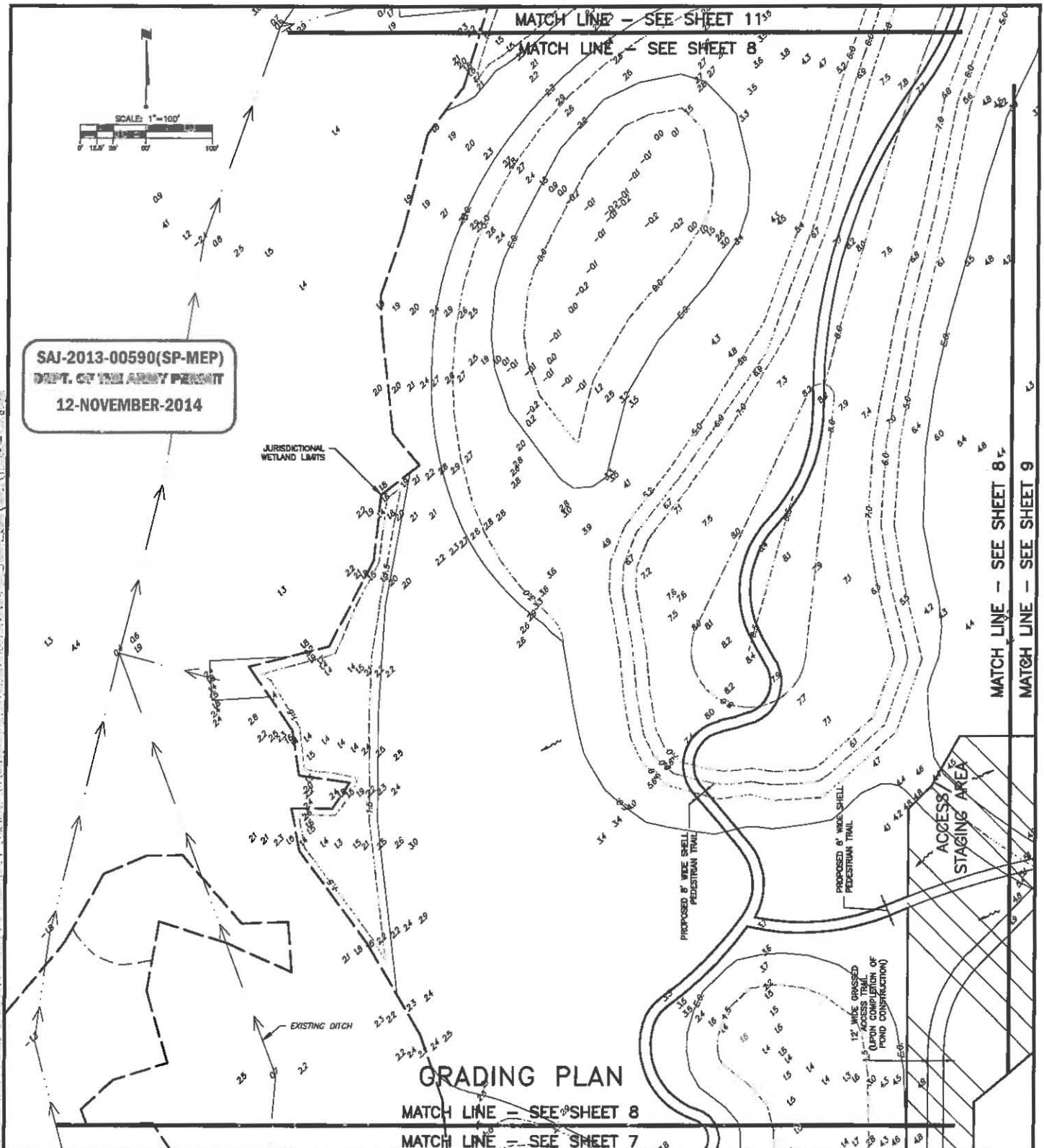


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SCALE:	AS SHOWN	DATE:	2/3/14
SEC:	22,26,27	TWP:	34S
PROJECT NO.	215510428	RGE:	16E
DRWN BY/EMP NO.	ATO/89520	INDEX NO:	A-215510428-000007
		SHEET NO:	7 OF 35



PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



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FLORIDA LICENSE NO. 49374

SCALE: AS SHOWN

DATE: 2/3/14

SEC: 22,26,27 TWP: 34S RGE: 16E

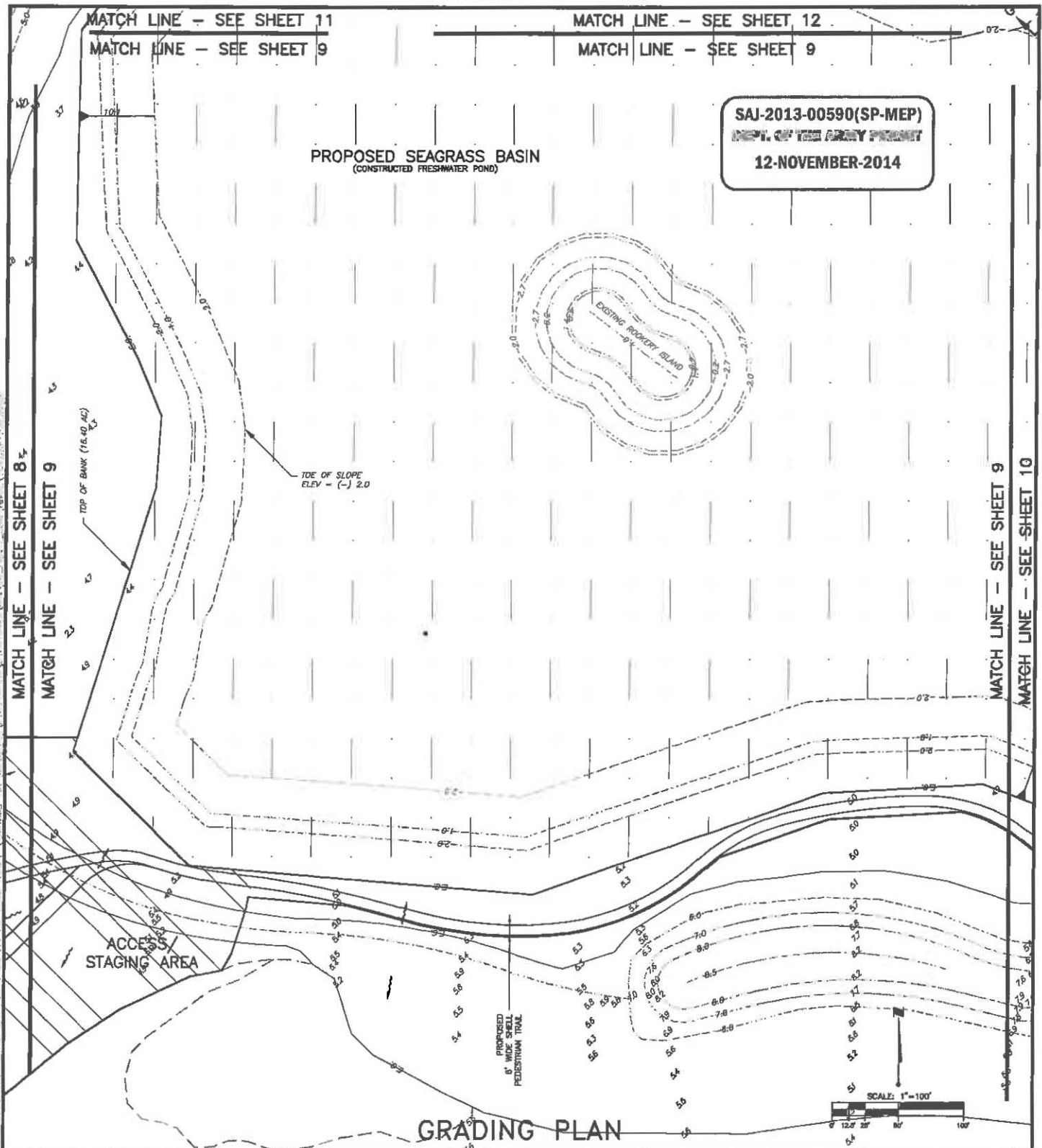
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PROJECT NO. 215510428

INDEX NO. A-215510428-000008

DRWN BY/EMP NO. ATO/89520

SHEET NO. 8 OF 35



PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



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SCALE: AS SHOWN

DATE: 2/3/14

SEC: 22,26,27 TWP: 34S RGE: 16E

REV NO:

PROJECT NO. 215510428

INDEX NO: A-215510428-000009

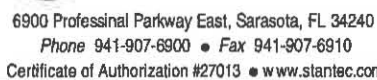
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SHEET NO:

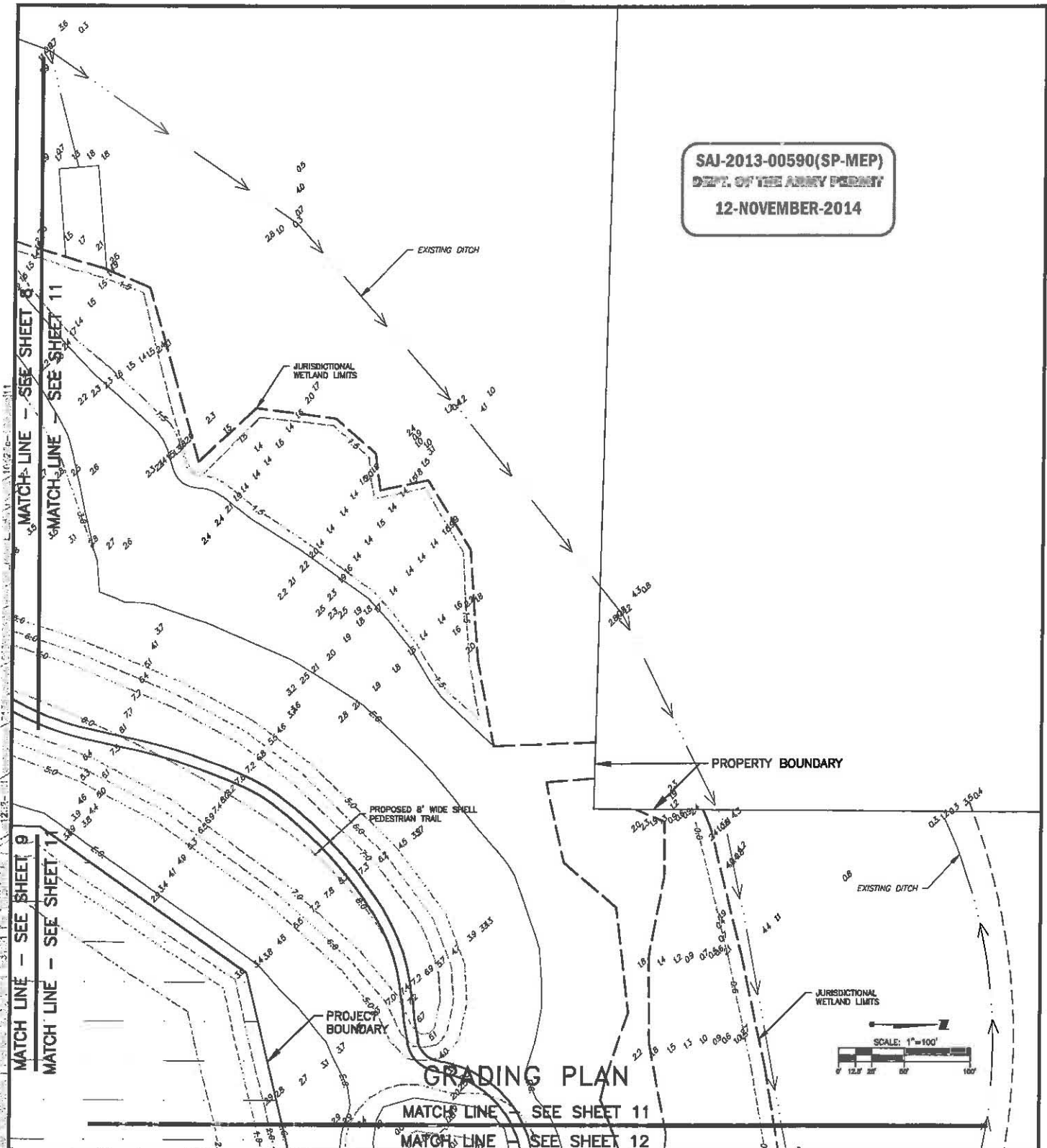
9 OF 35



CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



SCALE: AS SHOWN		DATE: 2/3/14	
SEC: 22.26,27	TWP: 34S	RGE: 16E	REV NO:
PROJECT NO. 215510428		INDEX NO: A-215510428-000010	
DRWN BY/EMP NO. ATO/89520		SHEET NO: 10 OF 35	



PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

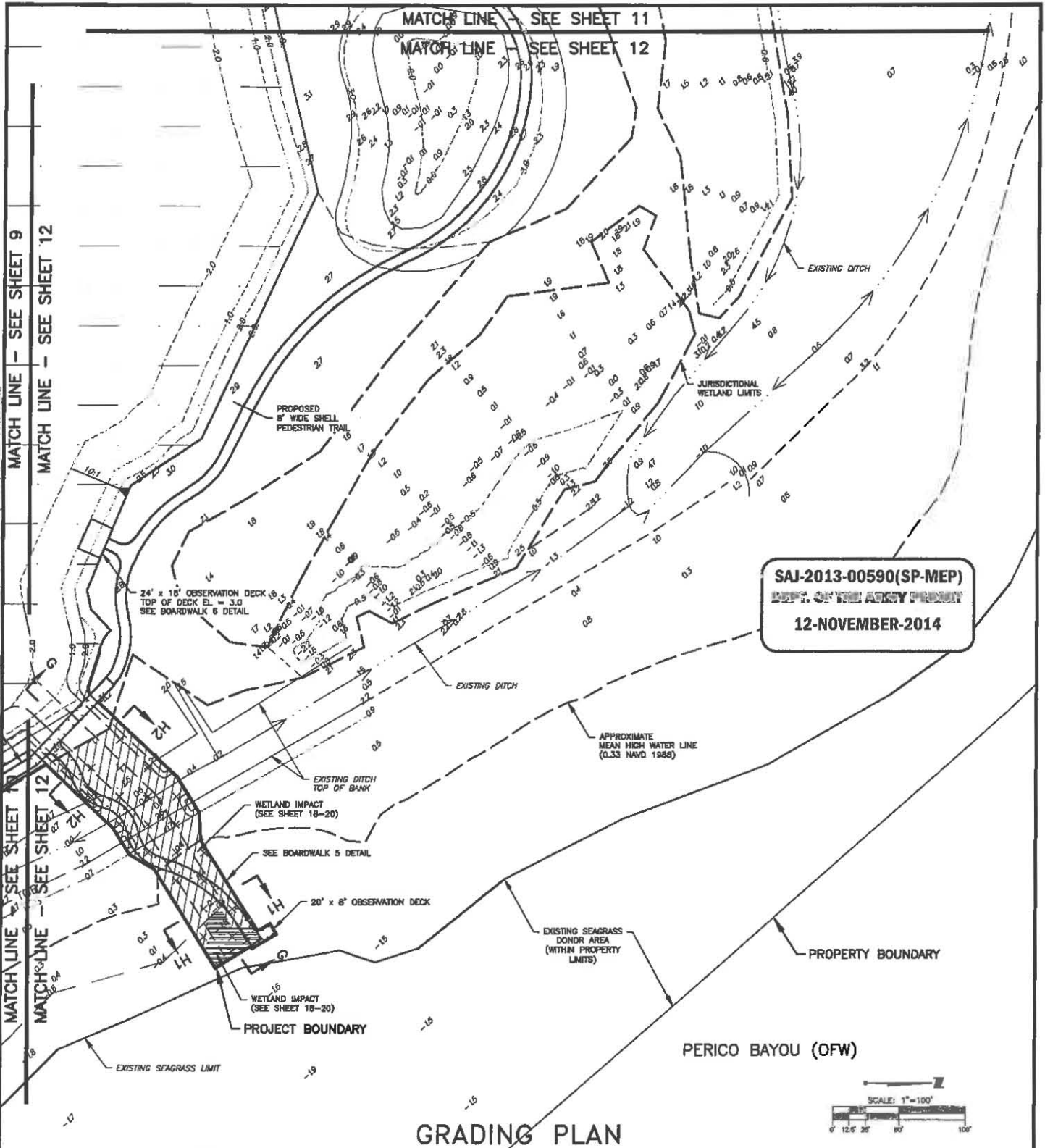
CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



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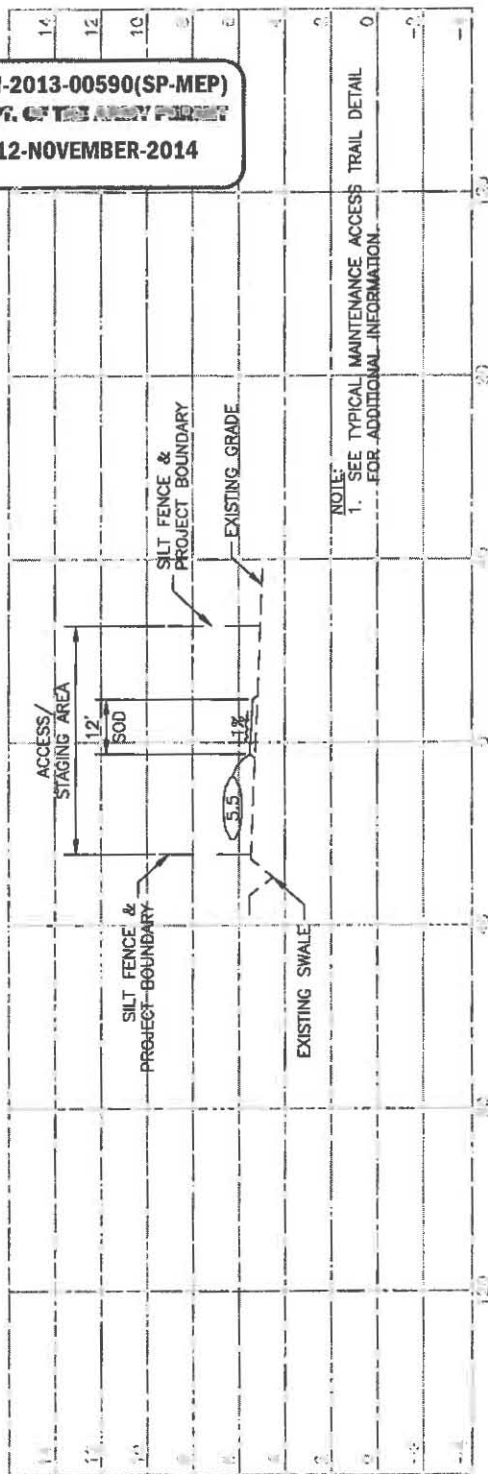
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DRWN BY/EMP NO.	ATO/89520	SHEET NO:	11 OF 35



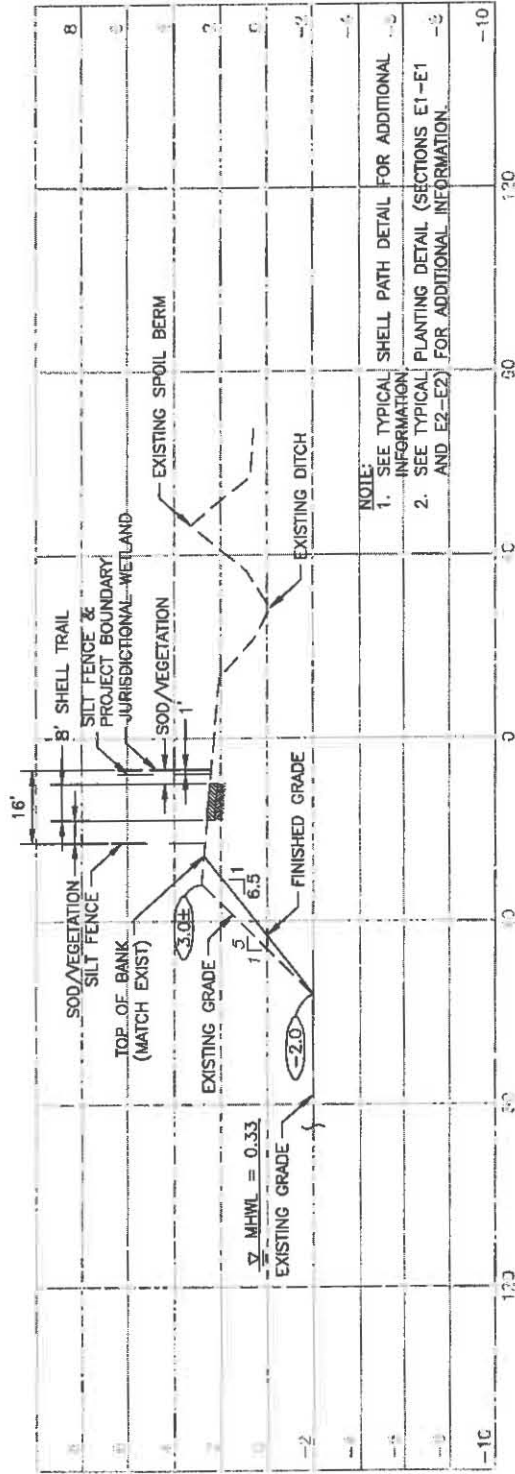
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SCALE:	AS SHOWN	DATE: 2/3/14
SEC: 22,26,27	TWP: 34S	RGE: 16E
PROJECT NO.	215510428	INDEX NO: A-215510428-000012
DRWN BY/EMP NO.	ATO/89520	SHEET NO: 12 OF 35

SAI-2013-00590(SP-MEP)
DEPT. OF THE ARMY PERMIT
12-NOVEMBER-2014



SECTION D-D
1"=40' (HORIZ.)
1"=8' (VERT.)



SECTION E1-E1
1"=40' (HORIZ.)
1"=8' (VERT.)

GRADING CROSS-SECTIONS

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION
CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS

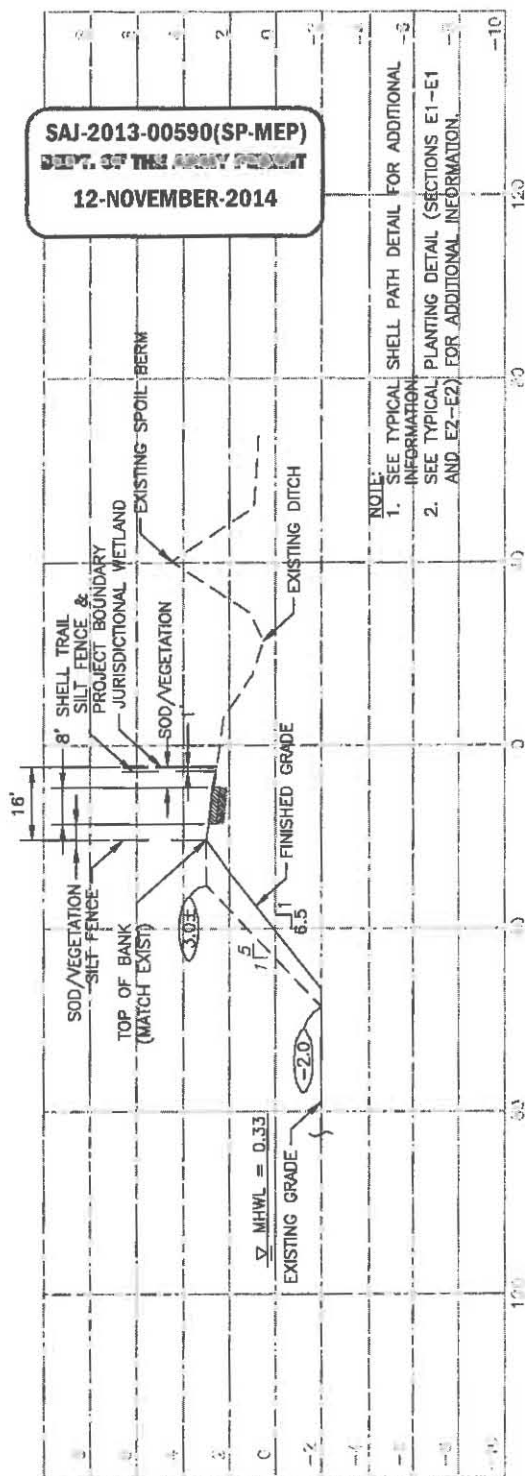


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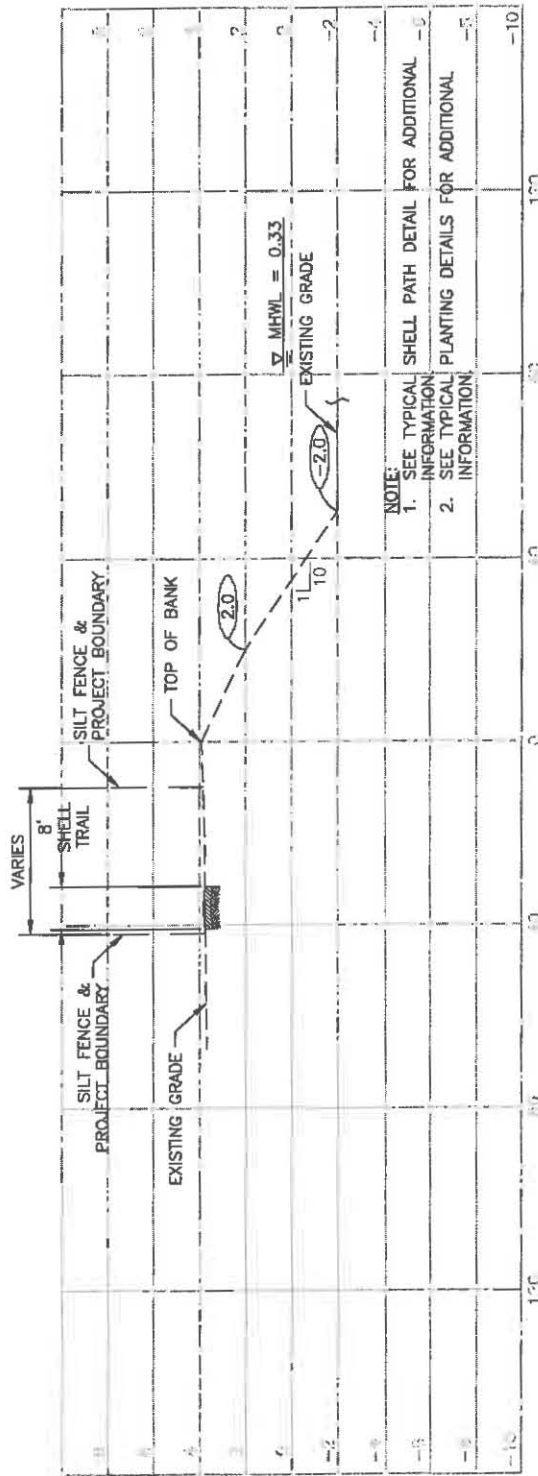
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FLORIDA LICENSE NO. 49374

SCALE:	AS SHOWN	DATE:	2/3/14
SEC:	22,26,27	TWP:	34S
PROJECT NO.	215510428	REV NO:	16E
DRWN BY/EMP NO.	ATO/89520	INDEX NO:	A-215510428-000013
		SHEET NO:	13 OF 35

SAJ-2013-00590(SP-MEP)
DEPT. OF THE ARMY PERMIT
12-NOVEMBER-2014



SECTION E2-E2
1"=40' (HORIZ.)
1"=8' (VERT.)



SECTION F1-F1
1"=40' (HORIZ.)
1"=8' (VERT.)

GRADING CROSS-SECTIONS

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION
CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



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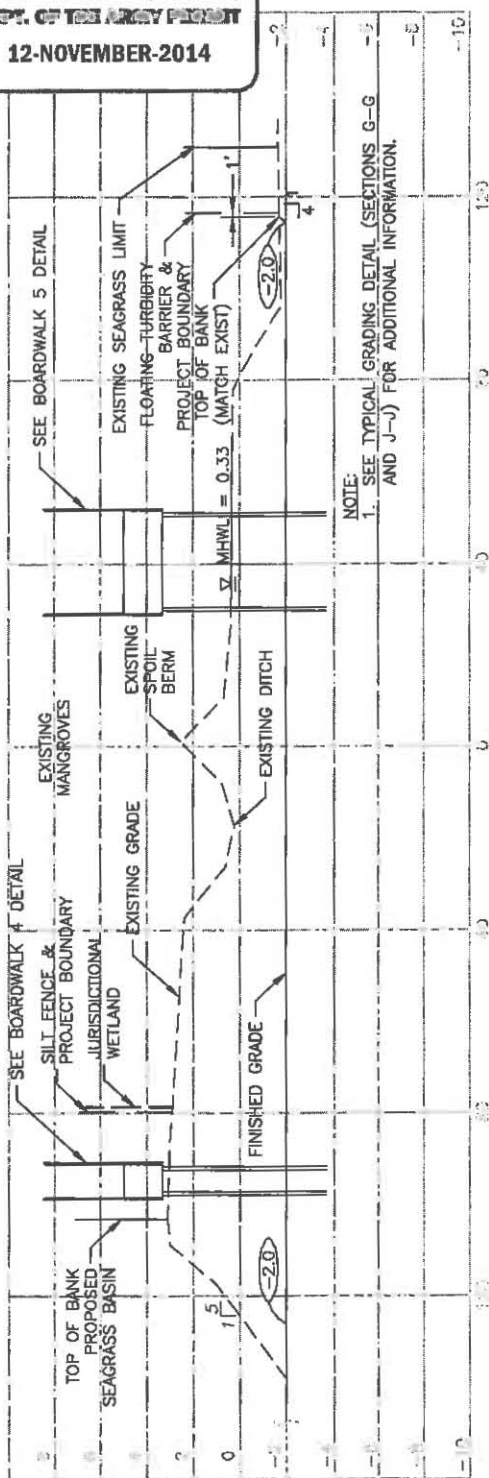
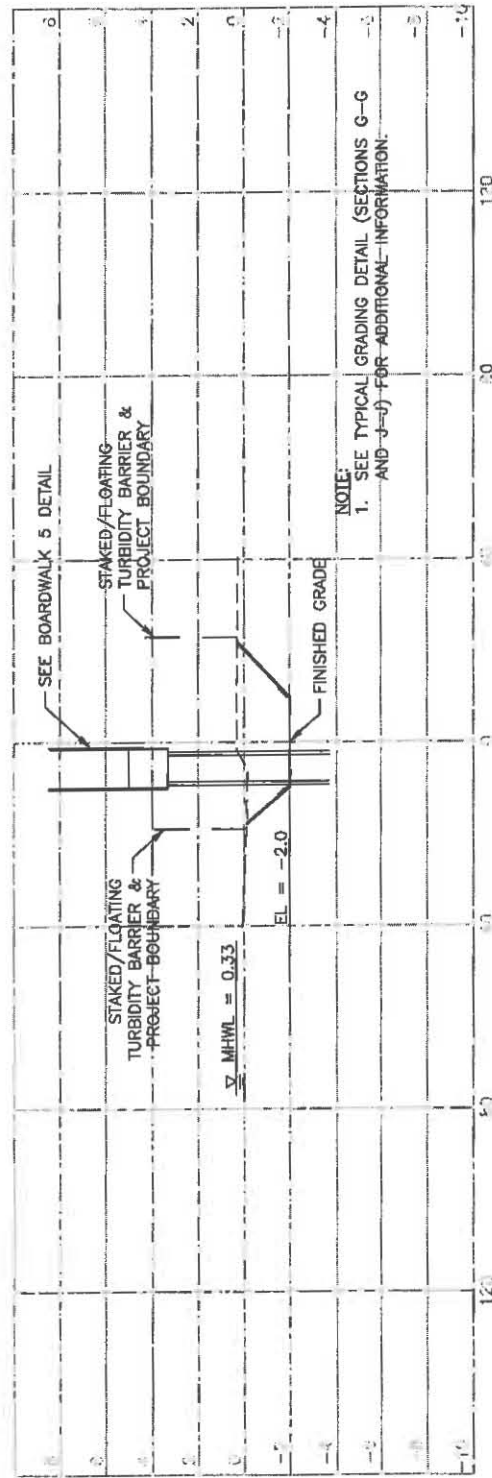
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FLORIDA LICENSE NO. 49374

SCALE:	AS SHOWN	DATE:	2/3/14
SEC:	TWP: 34S RGE: 16E	REV NO:	
PROJECT NO.	215510428	INDEX NO:	A-215510428-000014
DRWN BY/EMP NO.	ATO/89520	SHEET NO:	14 OF 35

SAJ-2013-00590(SP-MEP)

DEPT. OF THE ARMY PROJECT

12-NOVEMBER-2014

SECTION G-G
1"=40' (HORIZ.)
1"=8' (VERT.)SECTION H1-H1
1"=40' (HORIZ.)
1"=8' (VERT.)

GRADING CROSS-SECTIONS

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



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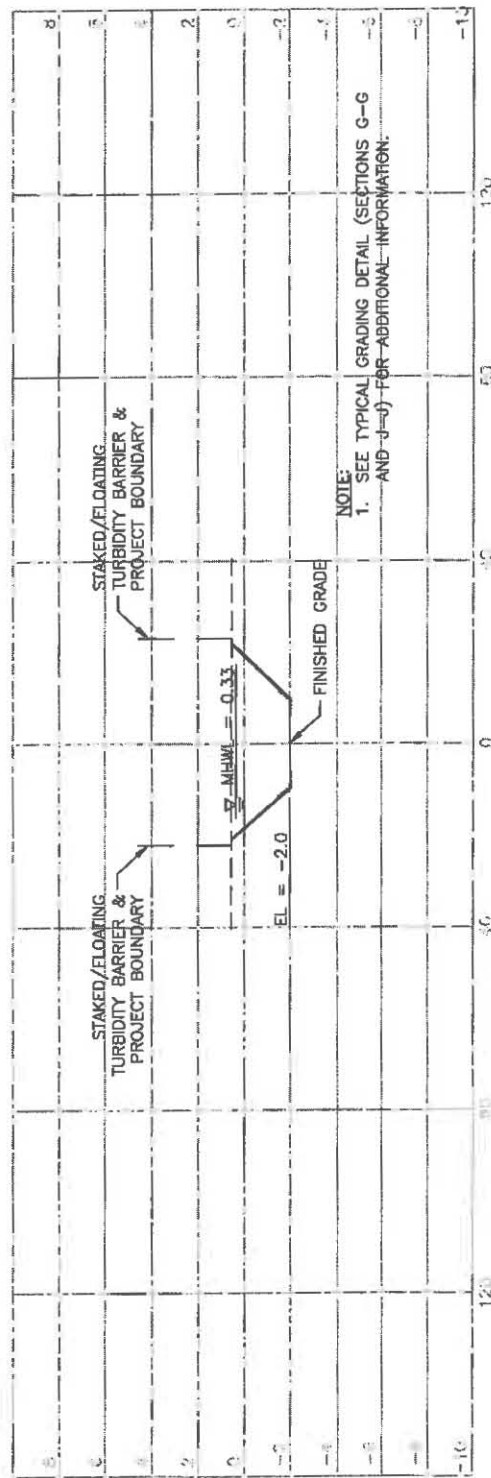
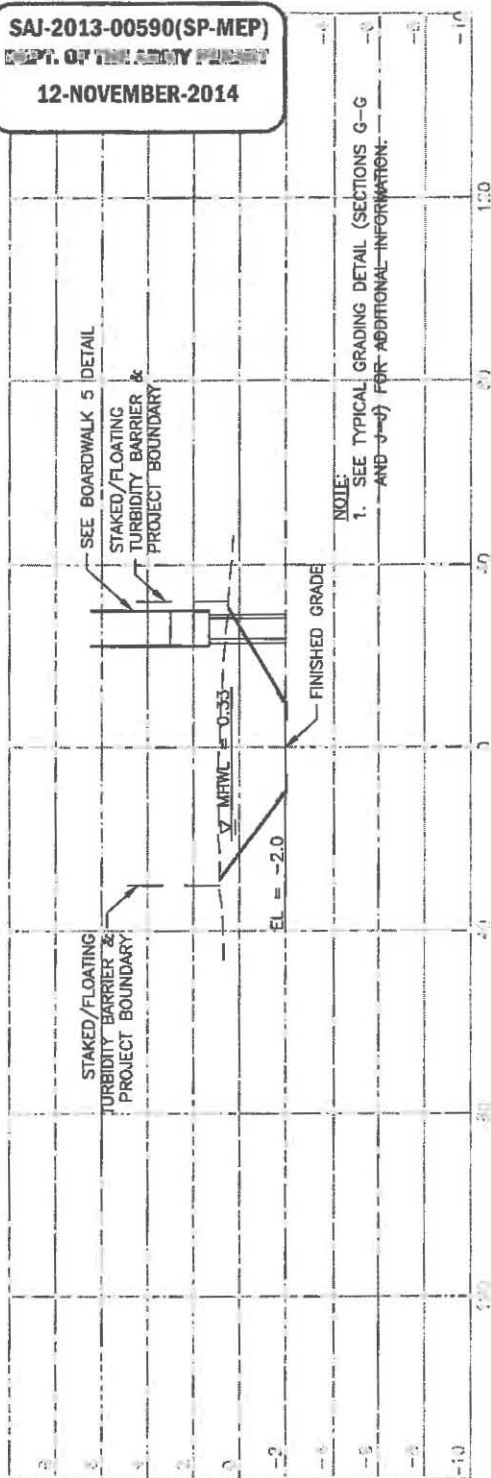
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SCALE:	AS SHOWN	DATE:	2/3/14
SEC:	TWP: 34S RGE: 16E	REV NO:	
PROJECT NO:	215510428	INDEX NO:	A-215510428-000015
DRWN BY/EMP NO:	ATO/89520	SHEET NO:	15 OF 35

SAJ-2013-00590(SP-MEP)
DEPT. OF THE ARMY PERMIT
12-NOVEMBER-2014



GRADING CROSS-SECTIONS

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



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FLORIDA LICENSE NO. 49374

SCALE: AS SHOWN DATE: 2/3/14

SEC: 22, 26, 27 TWP: 34S RGE: 16E

PROJECT NO. 215510428

DRWN BY/EMP NO. ATO/89520

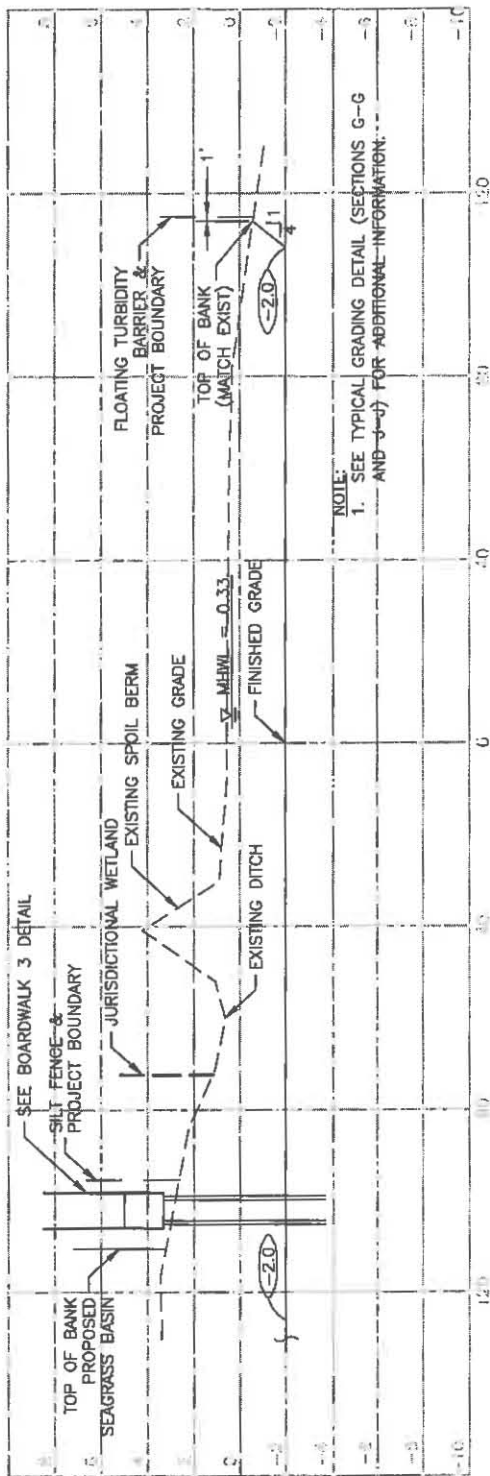
REV NO:

INDEX NO: A-215510428-000016

SHEET NO:

16 OF 35

SAJ-2013-00590(SP-MEP)
DEPT. OF THE ARMY PERMIT
12-NOVEMBER-2014



SECTION J-J
1"=40' (HORIZ.)
1"=8' (VERT.)

GRADING CROSS-SECTIONS

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION
CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



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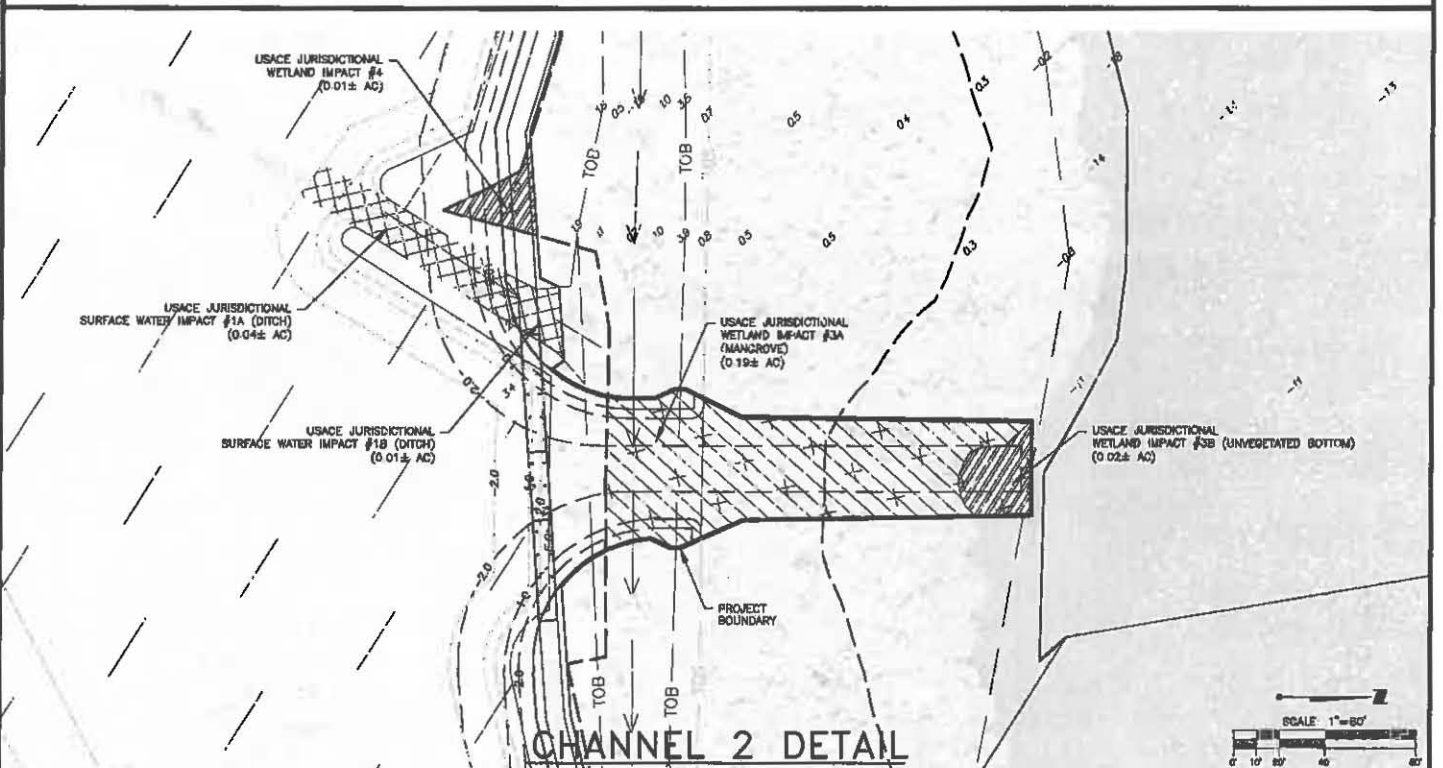
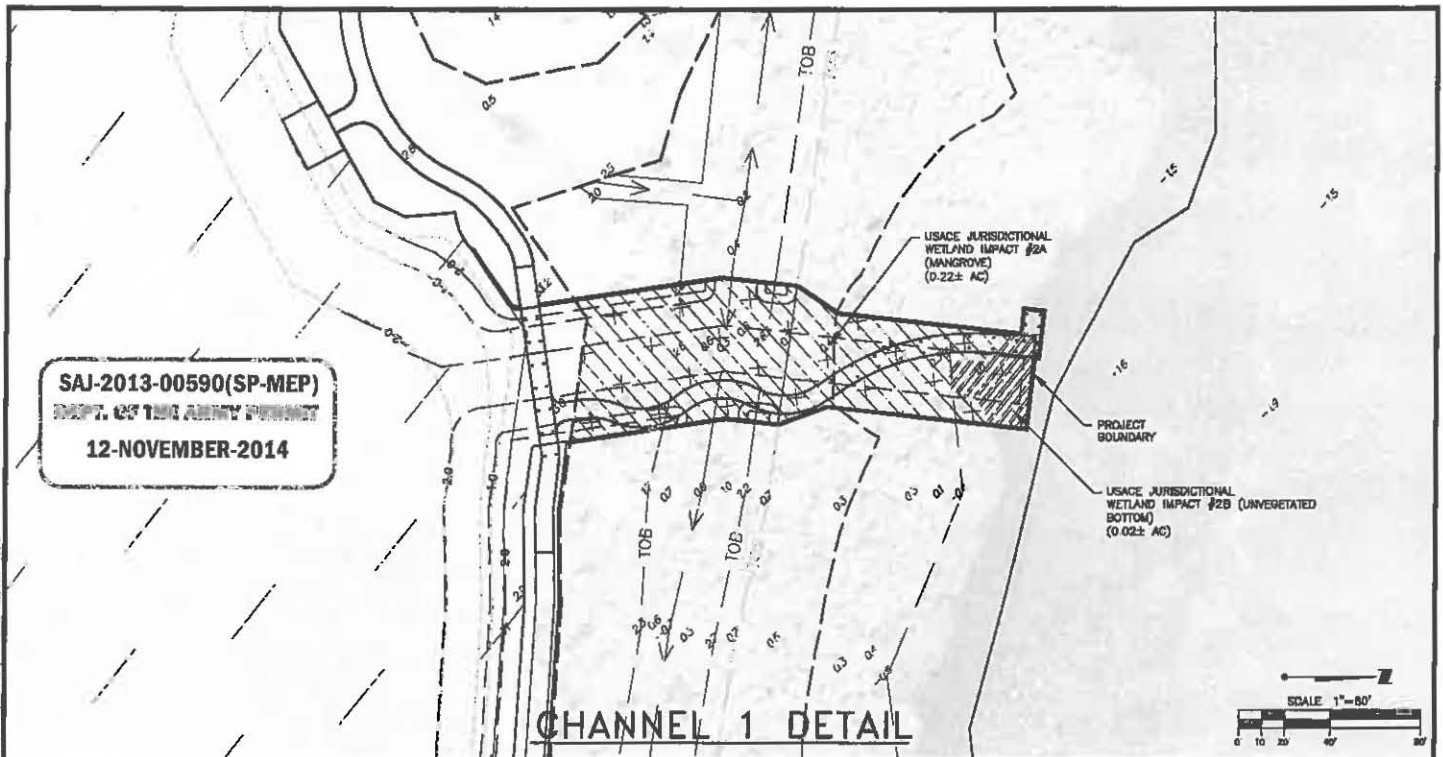
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PROJECT NO.	215510428	INDEX NO:	A-215510428-000017
DRWN BY/EMP NO.	ATO/89520	SHEET NO:	17 of 35



CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



SHEET NO:



USACE WATERS OF THE U.S. IMPACTS

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



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FLORIDA LICENSE NO. 49374

SCALE:	AS SHOWN	DATE:	2/3/14
SEC:	22,26,27	TWP:	34S
		RGE:	16E
PROJECT NO.	215510428	INDEX NO:	A-215510428-000019
DRWN BY/EMP NO.	ATO/89520	SHEET NO:	19 OF 35

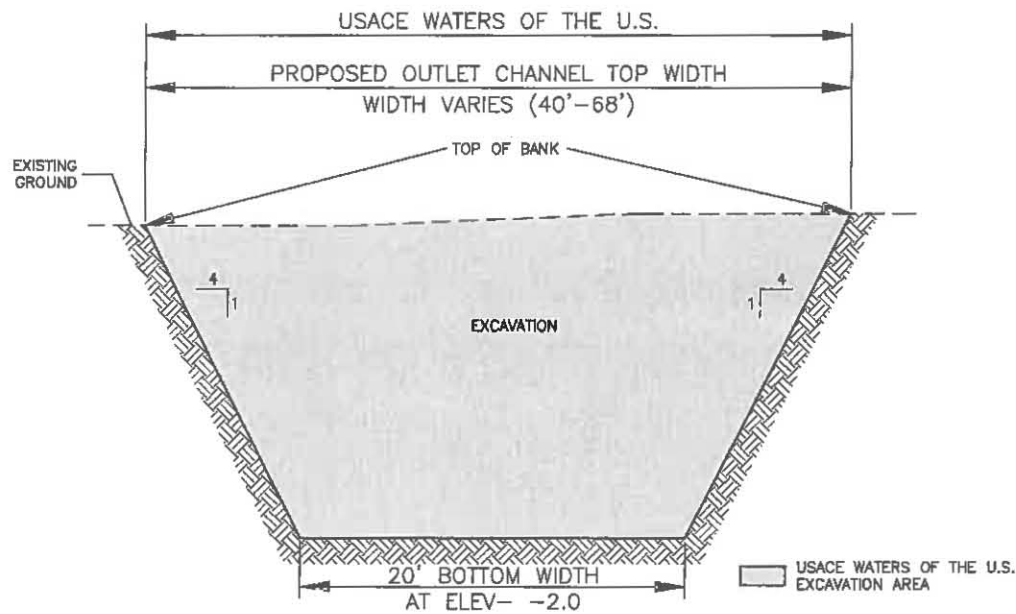
SAJ-2013-00590(SP-MEP)

DEPT. OF THE ARMY PERMIT

12-NOVEMBER-2014

USACE WATERS OF THE U.S. IMPACTS TABLE

	EXCAVATION/ FILL AREA	EXCAVATION VOLUME	FILL VOLUME
SURFACE WATER IMPACT #1A	0.04 AC	335 CY	0 CY
SURFACE WATER IMPACT #1B	0.01 AC	0 CY	35 CY
WETLAND IMPACT #2A	0.22 AC	590 CY	0 CY
WETLAND IMPACT #2B	0.02 AC	75 CY	0 CY
WETLAND IMPACT #3A	0.19 AC	570 CY	0 CY
WETLAND IMPACT #3B	0.02 AC	75 CY	0 CY
WETLAND IMPACT #4	0.01 AC	0 CY	40 CY
TOTAL PROJECT	0.51 AC	1,645 CY	75 CY



TYPICAL OUTLET CHANNEL EXCAVATION SECTION

N.T.S.

USACE WATERS OF THE U.S. IMPACTS

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



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SCALE: AS SHOWN

DATE: 2/3/14

SEC: 22,26,27 TWP: 34S RGE: 16E

REV NO:

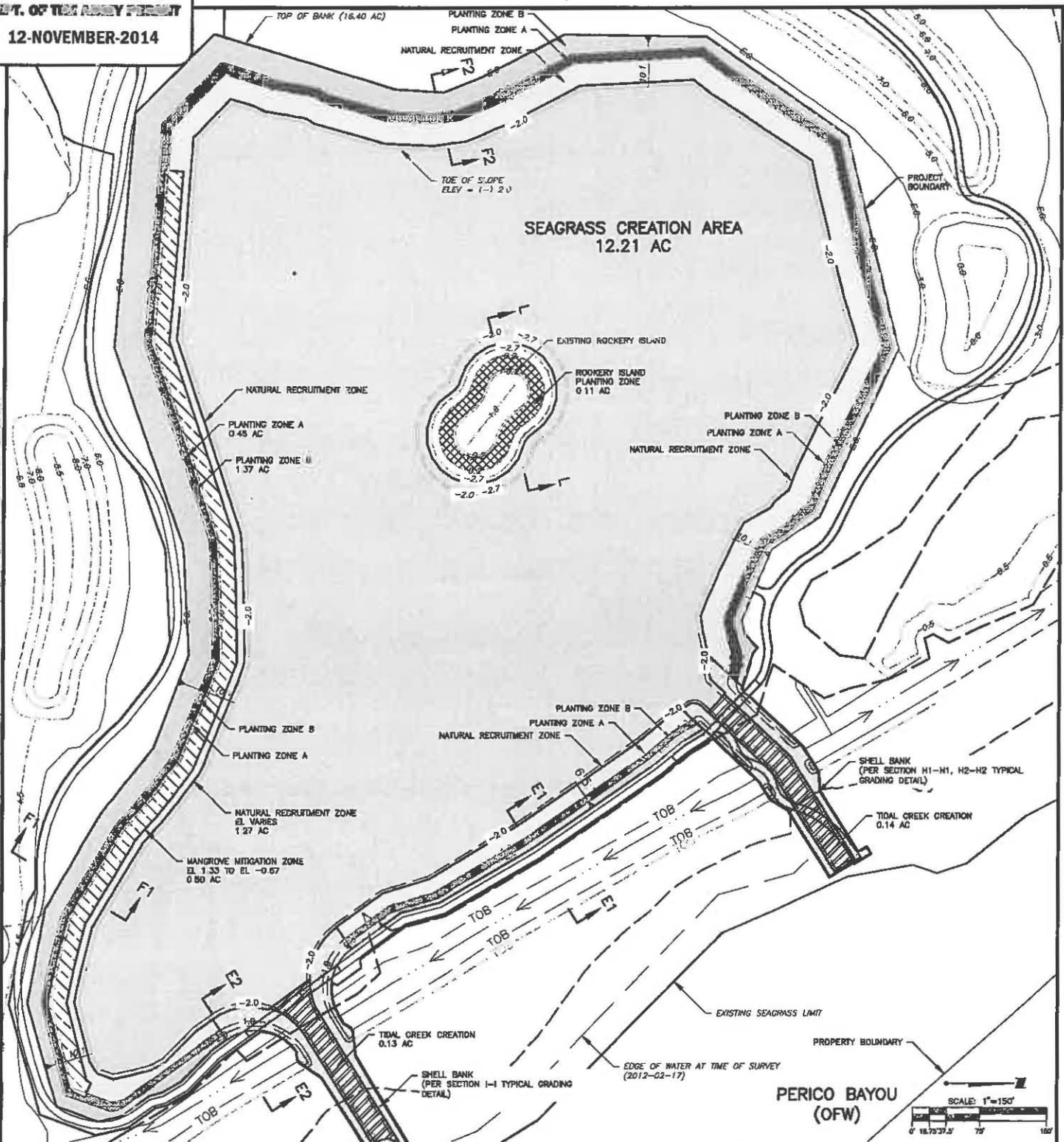
PROJECT NO. 215510428

INDEX NO: A-215510428-000020

DRWN BY/EMP NO. ATO/89520

SHEET NO:

20 OF 35



MITIGATION AND PLANTING PLAN

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



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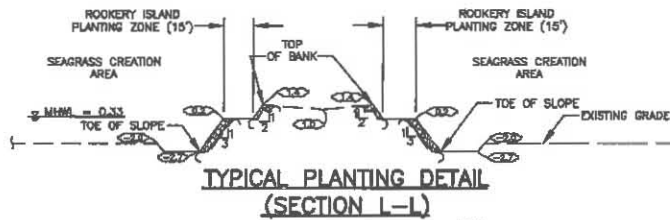
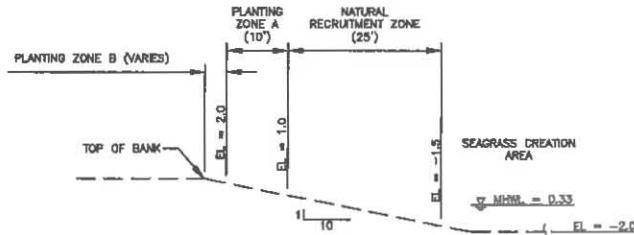
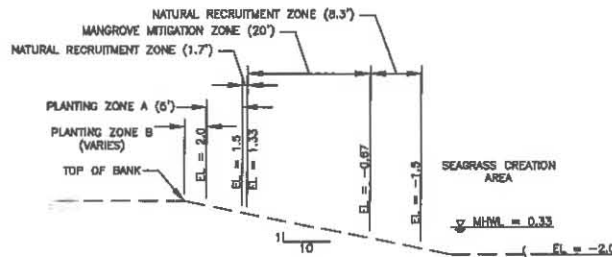
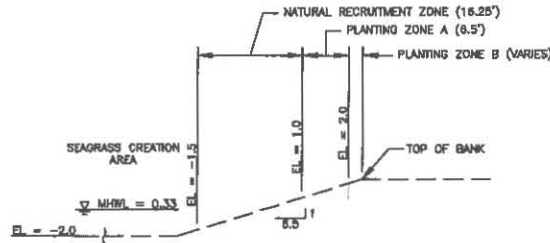
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 FLORIDA LICENSE NO. 49374

SCALE:	AS SHOWN	DATE:	2/3/14
SEC:	22,26,27	TWP:	34S
PROJECT NO.	215510428	RGE:	16E
DRWN BY/EMP NO.	ATO/89520	REV NO:	
		INDEX NO:	A-215510428-000021
		SHEET NO:	21 OF 35

SAJ-2013-00590(SP-MEP)

DEPT. OF THE ARMY PERMIT

12-NOVEMBER-2014



MITIGATION AND PLANTING DETAILS

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



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SCALE:	AS SHOWN	DATE:	2/3/14
SEC:	22,26,27	TWP:	34S
		RGE:	16E
PROJECT NO.	215510428	INDEX NO:	A-215510428-000022
DRWN BY/EMP NO.	ATO/89520	SHEET NO:	22 OF 35

12-NOVEMBER-2014

Seagrass Basin Slope Planting Specifications

Stratum	Common Name	Scientific Name	Elevation Range (feet NAVD)	Percentage of Total Area Per Species by Elevation Range	Area (sq. ft.) within Elevation Range	Average Spacing (O.C.)	Quantity	Size (minimum)
ZONE A								
Ground Cover	Seashore paspalum	<i>Paspalum vaginatum</i>	1.25 - 1.50	40	4,869	2	487	LN-4"
			1.50 - 1.75	30	7,668	2	575	LN-4"
	Seapurslane	<i>Sesuvium portulacastrum</i>	1.25 - 1.50	30	4,869	2	365	LN-4"
			1.50 - 1.75	15	7,668	2	268	LN-4"
	Seacoast marshelder	<i>Iva imbricata</i>	1.25 - 1.50	25	4,869	2	304	LN-4"
			1.50 - 1.75	15	7,668	2	288	LN-4"
	Saltmeadow cordgrass	<i>Spartina patens</i>	1.50 - 1.75	30	7,668	2	575	LN-4"
	Sand Cordgrass	<i>Spartina bakeri</i>	1.75 - 2.00	60	7,712	2	1157	LN-4"
	Sea oxeye	<i>Borrichia frutescens</i>	1.25 - 1.50	5	4,869	2	61	LN-4"
			1.50 - 1.75	10	7,668	2	192	LN-4"
			1.75 - 2.00	40	7,712	2	771	LN-4"
Stratum	Common Name	Scientific Name	Elevation Range (feet NAVD)	Percentage of Total Area Per Species by Stratum	Area (sq. ft.) within Elevation Range	Average Spacing (O.C.)	Quantity	Size (minimum)
ZONE B								
Ground Cover	Bahia grass	<i>Paspalum notatum</i>	2.0+	100	59,802	NA	59,802	Sod
Shrubs	Jamaica Caper	<i>Capparis jamaicensis</i>	2.0+	10	59,802	10	60	7-gal
	White Stopper	<i>Eugenia axillaris</i>	2.0+	15	59,802	10	90	7-gal
	Spanish Stopper	<i>Eugenia foetida</i>	2.0+	10	59,802	10	60	7-gal
	Florida Privet	<i>Forestiera segregata</i>	2.0+	15	59,802	10	90	3-gal
	Necklace Pod	<i>Sophora tomentosa</i> var. <i>truncata</i>	2.0+	5	59,802	10	30	3-gal
	Spanish Bayonet	<i>Yucca eliofolia</i>	2.0+	15	59,802	10	90	7-gal
	Vamishleaf	<i>Dodonaea viscosa</i>	2.0+	15	59,802	10	90	3-gal
Trees	White Indigo berry	<i>Randia aculeata</i>	2.0+	15	59,802	10	90	3-gal
	Gumbo Limbo	<i>Bursera simaruba</i>	2.0+	10	59,802	20	15	15-gal
	Cabbage palm	<i>Sabal palmetto</i>	2.0+	5	59,802	2 clusters	7	10-ft (min) CT
	Green buttonwood	<i>Conocarpus erectus</i>	2.0+	20	59,802	20	30	7-gal
	Green buttonwood	<i>Conocarpus erectus</i>	2.0+	15	59,802	20	22	15-gal
	Strangler fig	<i>Ficus aurea</i>	2.0+	10	59,802	20	15	15-gal
	Jamaica Caper	<i>Capparis jamaicensis</i>	2.0+	10	59,802	20	15	15-gal
	Seagrape	<i>Coccoloba uvifera</i>	2.0+	30	59,802	20	45	15-gal

Mangrove Mitigation Zone Planting Specifications

Stratum	Common Name	Scientific Name	Elevation Range (feet NAVD)	Percentage of Total Area Per Species	Area (sq. ft.) within Elevation Range	Average Spacing (O.C.)	Quantity	Size (minimum)
Ground Cover	Saltmarsh cordgrass	<i>Spartina alterniflora</i>	-0.67 - 1.33	100	21,780	3	2,420	BR
Trees	Red mangrove	<i>Rhizophora mangle</i>	-0.67 - 0.33	100	10,973	10	110	3-gal
	Red mangrove	<i>Rhizophora mangle</i>	-0.67 - 0.33	100	10,973	5	439	propagule
	Black mangrove	<i>Avicennia germinans</i>	0.33 - 1.33	100	10,807	10	108	LN-2"

Rookery Island Planting Zone Specifications

Stratum	Common Name	Scientific Name	Elevation Range (feet NAVD)	Percentage of Total Area Per Species	Area (sq. ft.) within Elevation Range	Average Spacing (O.C.)	Quantity	Size (minimum)
Trees	Red mangrove	<i>Rhizophora mangle</i>	0.20	100	4,869	5	45	3-gal

MITIGATION AND PLANTING DETAILS

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



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FLORIDA LICENSE NO. 49374

SCALE: AS SHOWN

DATE: 2/3/14

SEC: 22,26,27

TWP: 34S

RGE: 16E

REV NO:

PROJECT NO.

215510428

INDEX NO:

A-215510428-000023

DRAWN BY/EMP NO.

ATO/89520

SHEET NO:

23 OF 35

N.T.S.

N.T.S.

PROJECT:	ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION
CLIENT:	MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



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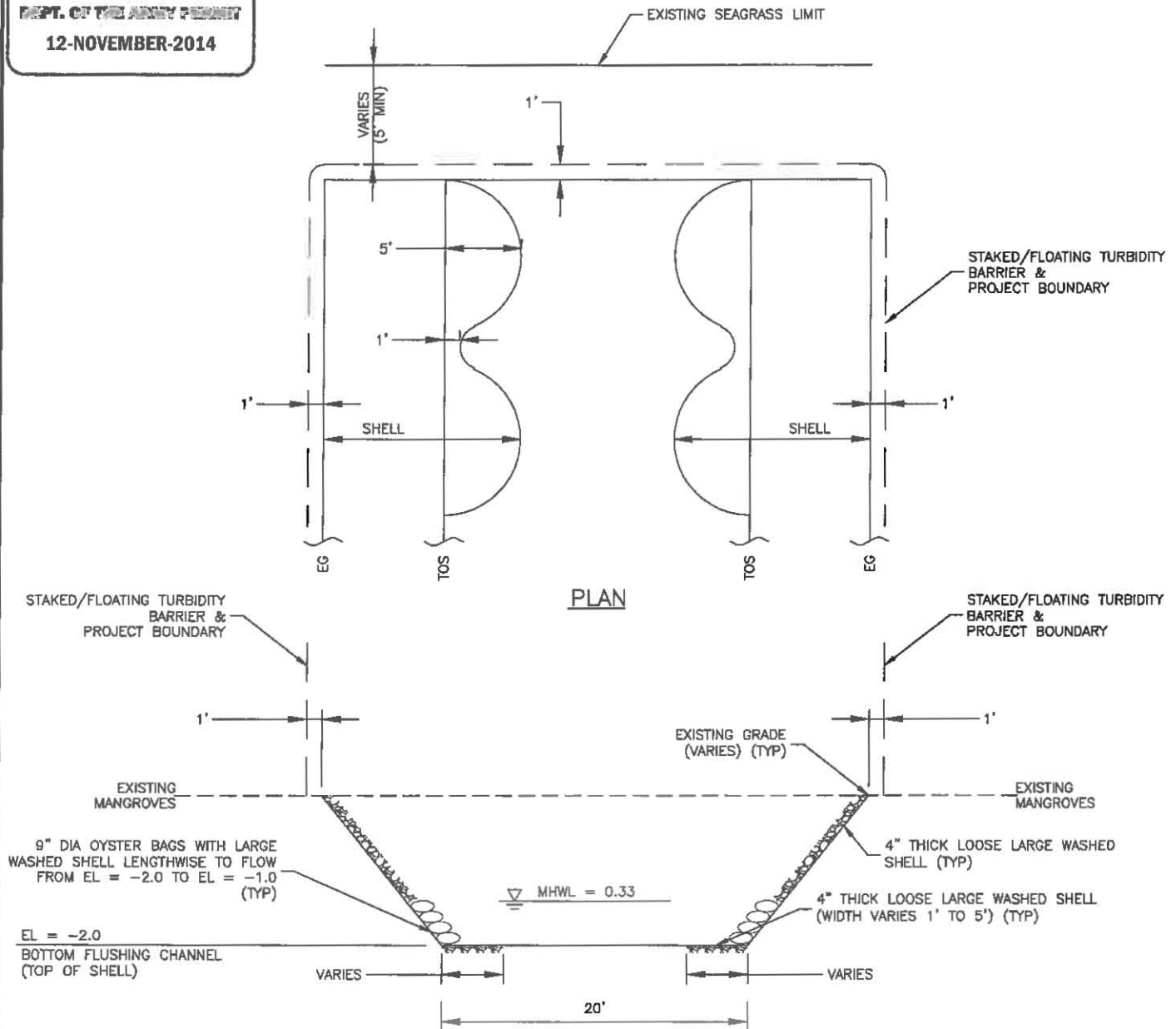
R. QUINCE SELLERS, P.E.
 FLORIDA LICENSE NO. 49374

SCALE: AS SHOWN	DATE: 2/3/14
SEC: 22,26,27 TWP: 34S RGE: 16E	REV NO:
PROJECT NO. 215510428	INDEX NO: A-215510428-000024
DRWN BY/EMP NO. ATO/89520	SHEET NO: 24 of 35

SAJ-2013-00590(SP-MEP)

DEPT. OF THE ARMY PERMIT

12-NOVEMBER-2014



MISCELLANEOUS DETAILS

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS

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FLORIDA LICENSE NO. 49374

SCALE: AS SHOWN

DATE: 2/3/14

SEC: 22,26,27 TWP: 34S RGE: 16E

REV NO:

PROJECT NO. 215510428

INDEX NO: A-215510428-000025

DRWN BY/EMP NO.

SHEET NO:

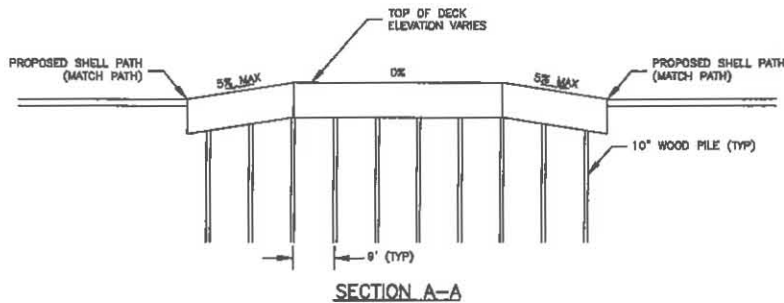
ATO/89520

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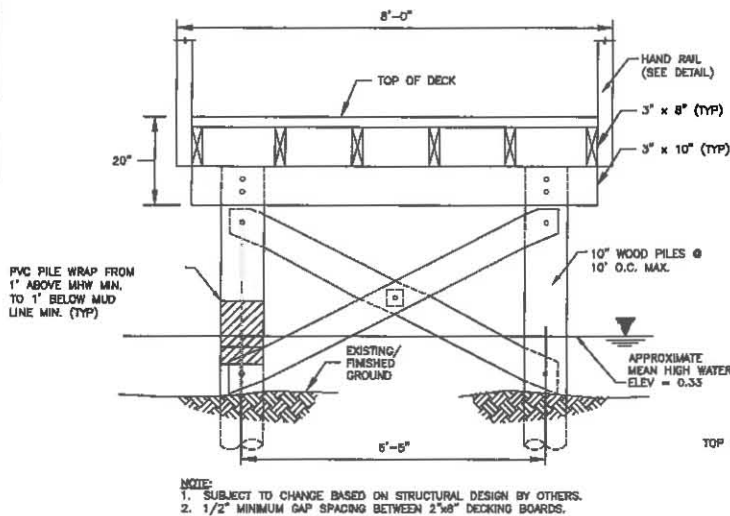
SAJ-2013-00590(SP-MEP)

DEPT. OF THE ARMY PERICO

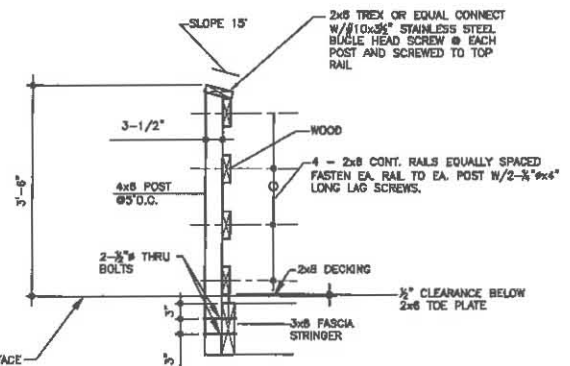
12-NOVEMBER-2014



- NOTE:
1. SLOPES SHALL BE ADA COMPLIANT. RUNNING SLOPES SHALL BE LESS THAN 5% AND CROSS SLOPES LESS THAN 2%.
 2. SUBJECT TO CHANGE BASED ON STRUCTURAL DESIGN BY OTHERS.
 3. SEE TYPICAL BOARDWALK 1, 2, 3, 4, 5, OR 6 DETAIL FOR ADDITIONAL INFORMATION.
 4. 1/2" MINIMUM GAP SPACING BETWEEN 2"x8" DECKING BOARDS.



- NOTE:
1. SUBJECT TO CHANGE BASED ON STRUCTURAL DESIGN BY OTHERS.
 2. 1/2" MINIMUM GAP SPACING BETWEEN 2"x8" DECKING BOARDS.



- NOTE:
1. SUBJECT TO CHANGE BASED ON STRUCTURAL DESIGN BY OTHERS.
 2. 1/2" MINIMUM GAP SPACING BETWEEN 2"x8" DECKING BOARDS.

TYPICAL BOARDWALK DETAIL

N.T.S.

MISCELLANEOUS DETAILS

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



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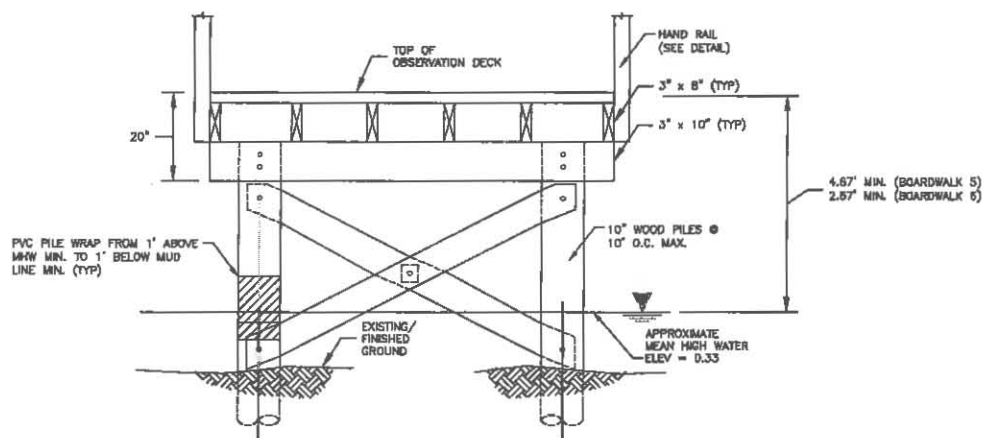
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FLORIDA LICENSE NO. 49374

SCALE:	AS SHOWN	DATE:	2/3/14
SEC:	22,26,27	TWP:	34S
RGE:	16E	REV NO:	
PROJECT NO.	215510428	INDEX NO:	A-215510428-000026
DRWN BY/EMP NO.	ATO/89520	SHEET NO:	26 OF 35

SAJ-2013-00590(SP-MEP)

DEPT. OF THE ARMY PERMIT

12-NOVEMBER-2014



- NOTE:
1. SUBJECT TO CHANGE BASED ON STRUCTURAL DESIGN BY OTHERS.
 2. 1/2" MINIMUM GAP SPACING BETWEEN 2"x8" DECKING BOARDS.

TYPICAL OBSERVATION DECK DETAIL

N.T.S.

MISCELLANEOUS DETAILS

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



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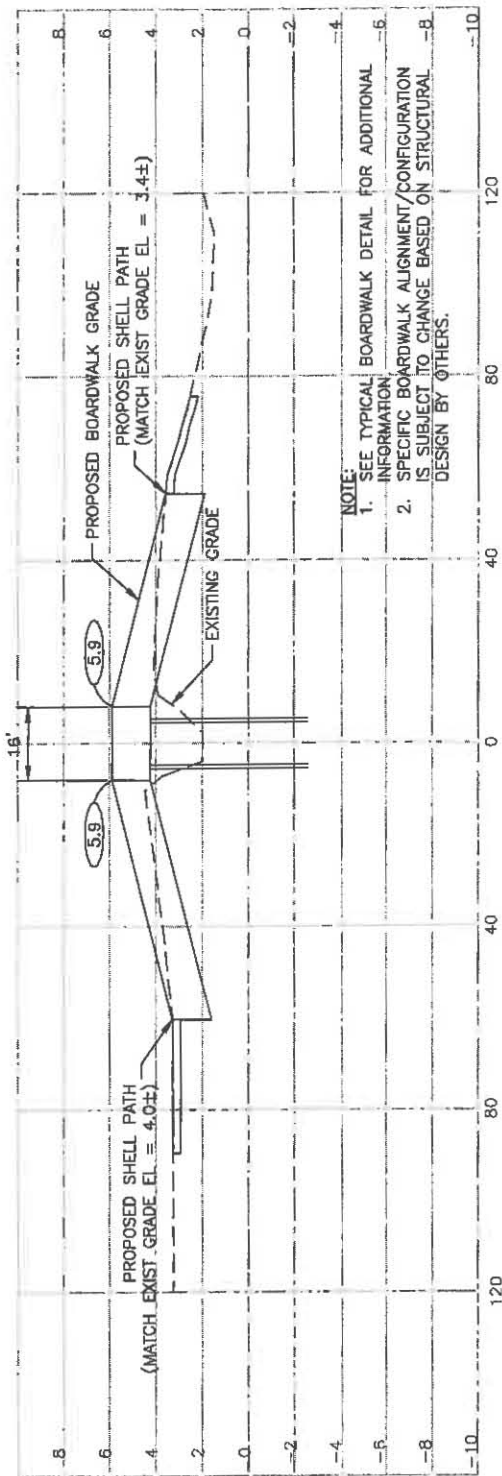
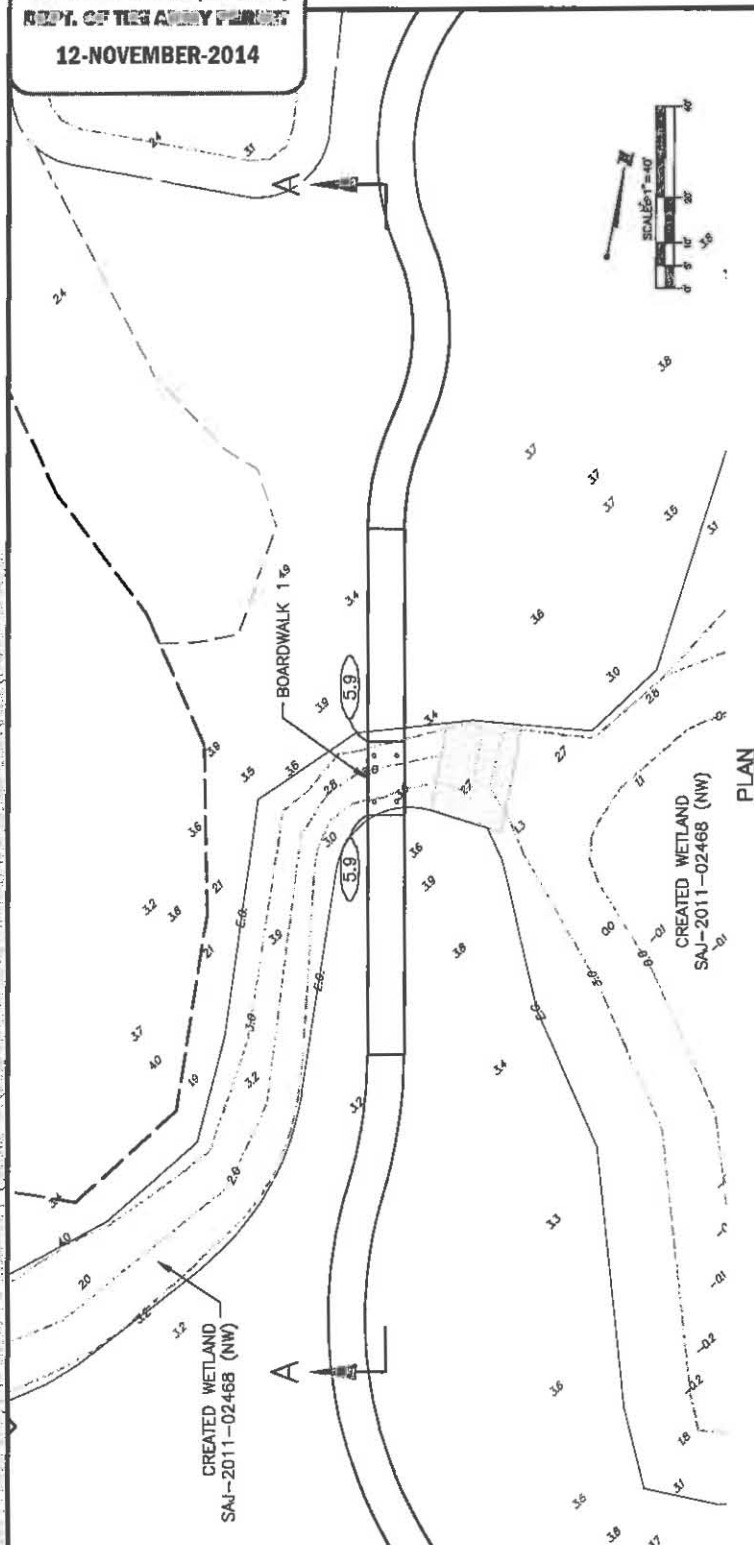
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SCALE:	AS SHOWN	DATE:	2/3/14
SEC:	TWP:	RGE:	REV NO:
22,26,27	34S	16E	
PROJECT NO.	215510428	INDEX NO:	A-215510428-000027
DRWN BY/EMP NO.	ATO/89520	SHEET NO:	27 OF 35

12-NOVEMBER-2014



SECTION A-A

TYPICAL BOARDWALK 1 DETAIL

1"=40' (HORIZ.)
1"=8' (VERT.)

MISCELLANEOUS DETAILS

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION
 CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



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SCALE: AS SHOWN

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SEC: 22,26,27 TWP: 34S RGE: 16E

REV NO:

PROJECT NO. 215510428

INDEX NO: A-215510428-000028

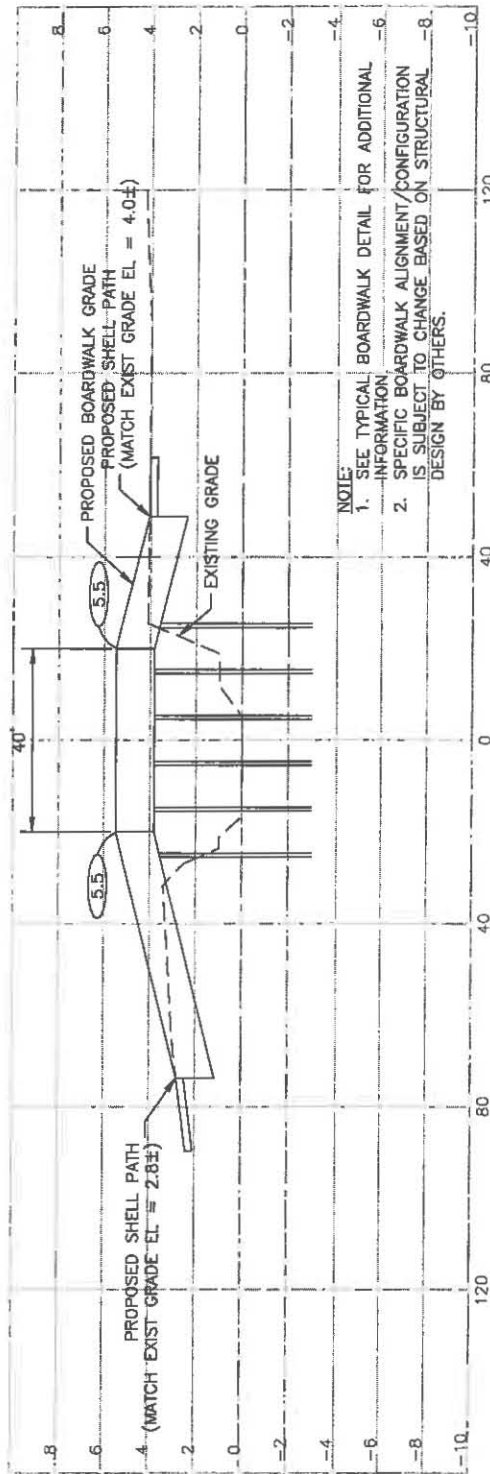
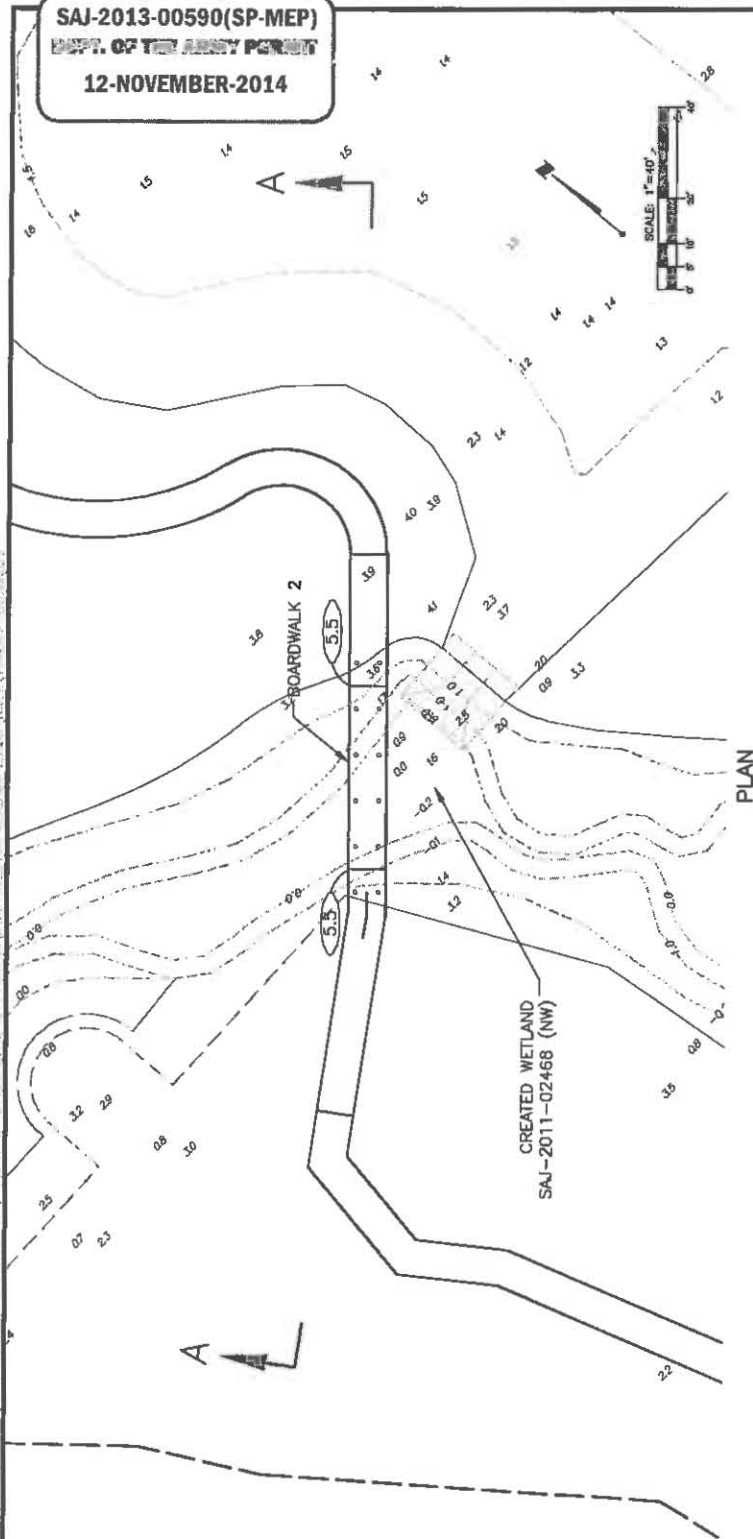
DRWN BY/EMP NO. ATO/89520

SHEET NO: 28 OF 35

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DEPT. OF THE ARMY PERMIT

12-NOVEMBER-2014



MISCELLANEOUS DETAILS

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



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SEC: 22,26,27 TWP: 34S RGE: 16E

REV NO:

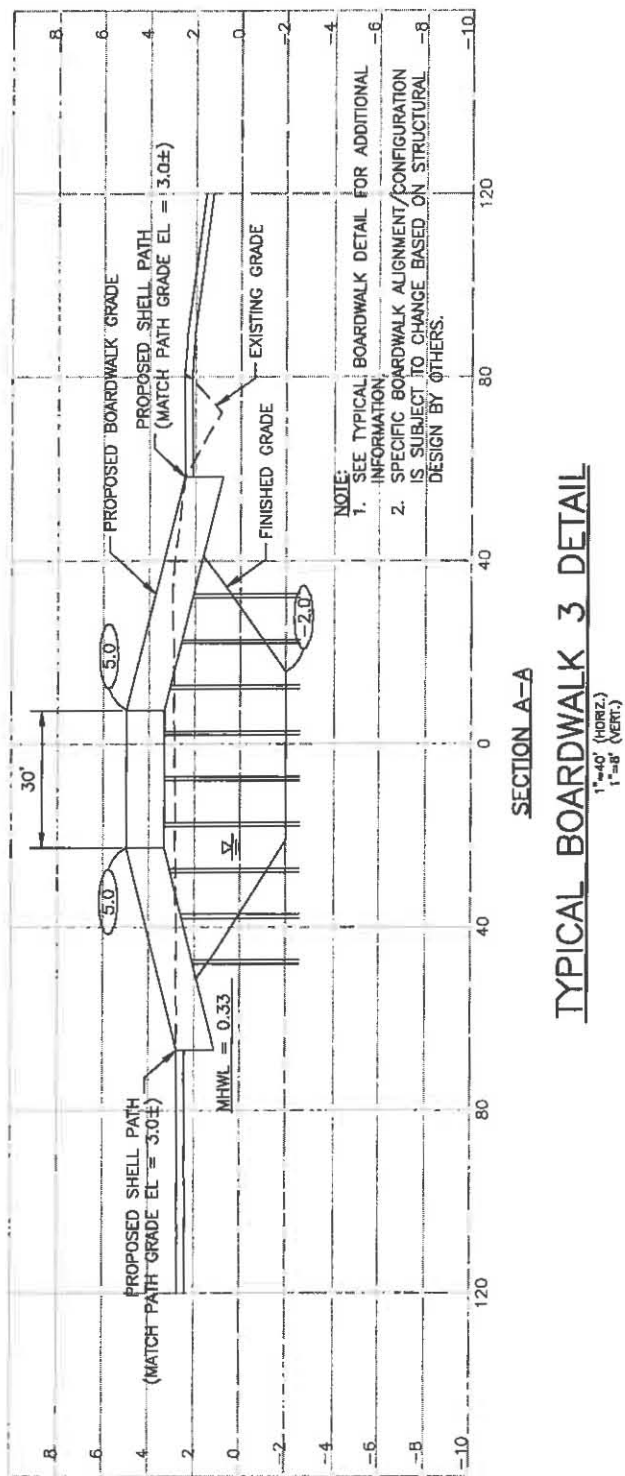
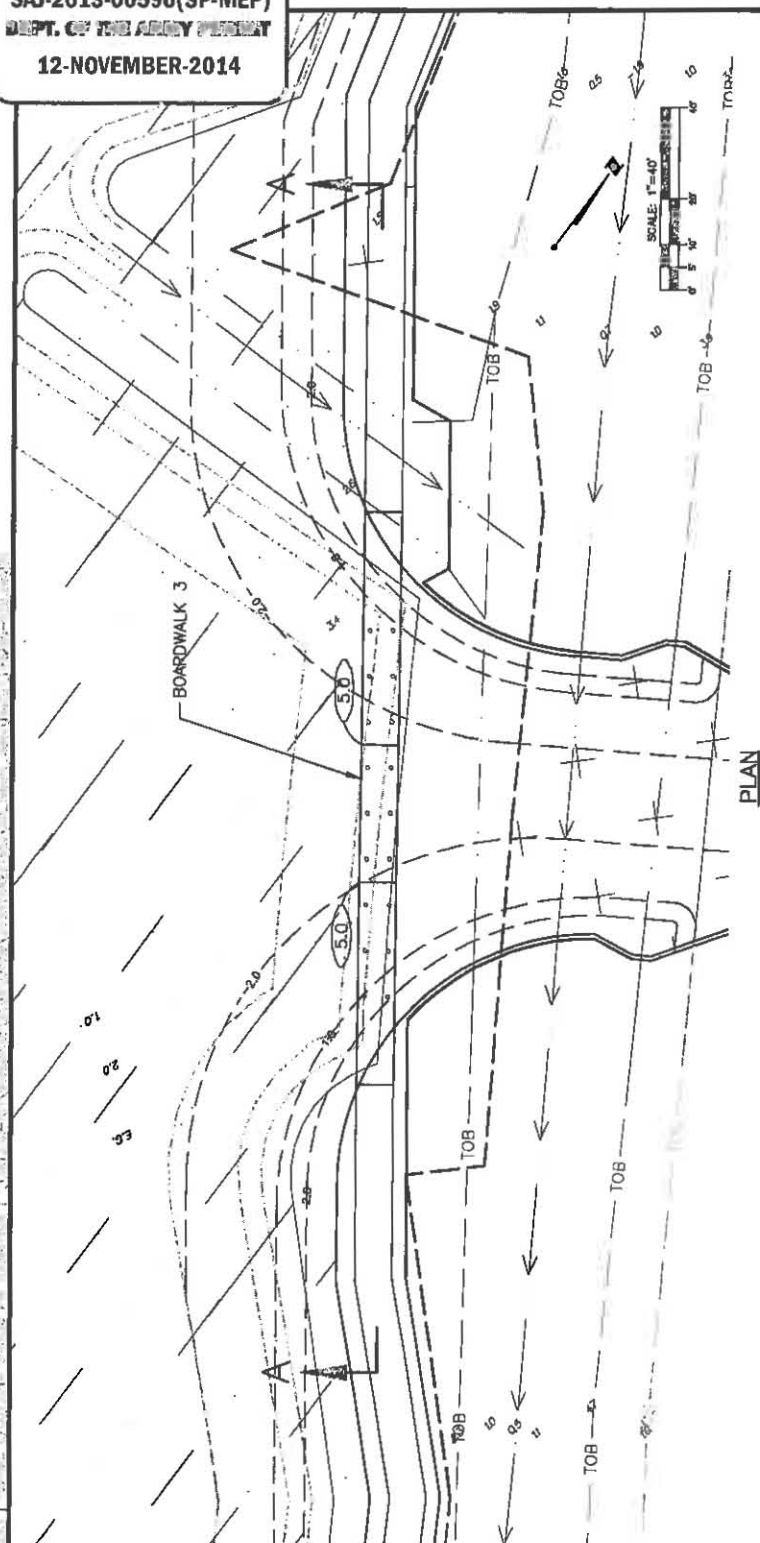
PROJECT NO. 215510428

INDEX NO: A-215510428-000029

DRWN BY/EMP NO. ATO/89520

SHEET NO:

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SECTION A-A
TYPICAL BOARDWALK 3 DETAIL

MISCELLANEOUS DETAILS

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



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FLORIDA LICENSE NO. 49374

SCALE: AS SHOWN

DATE: 2/3/14

SEC: _____ TWP: _____ RGE: _____

REV NO:

22,26,27 34S

INDEX NO:
A 845518480 000030

PROJECT NO. 215510428

SHEET NO:

DRWN BY/EMP NO.

SHEET NO:

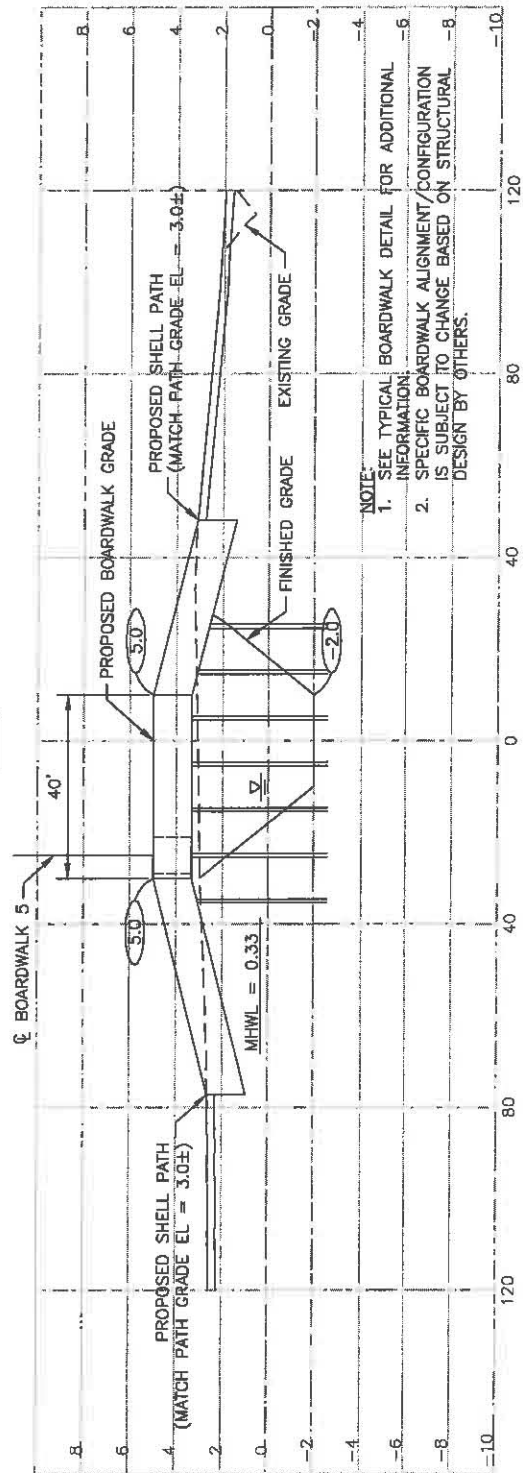
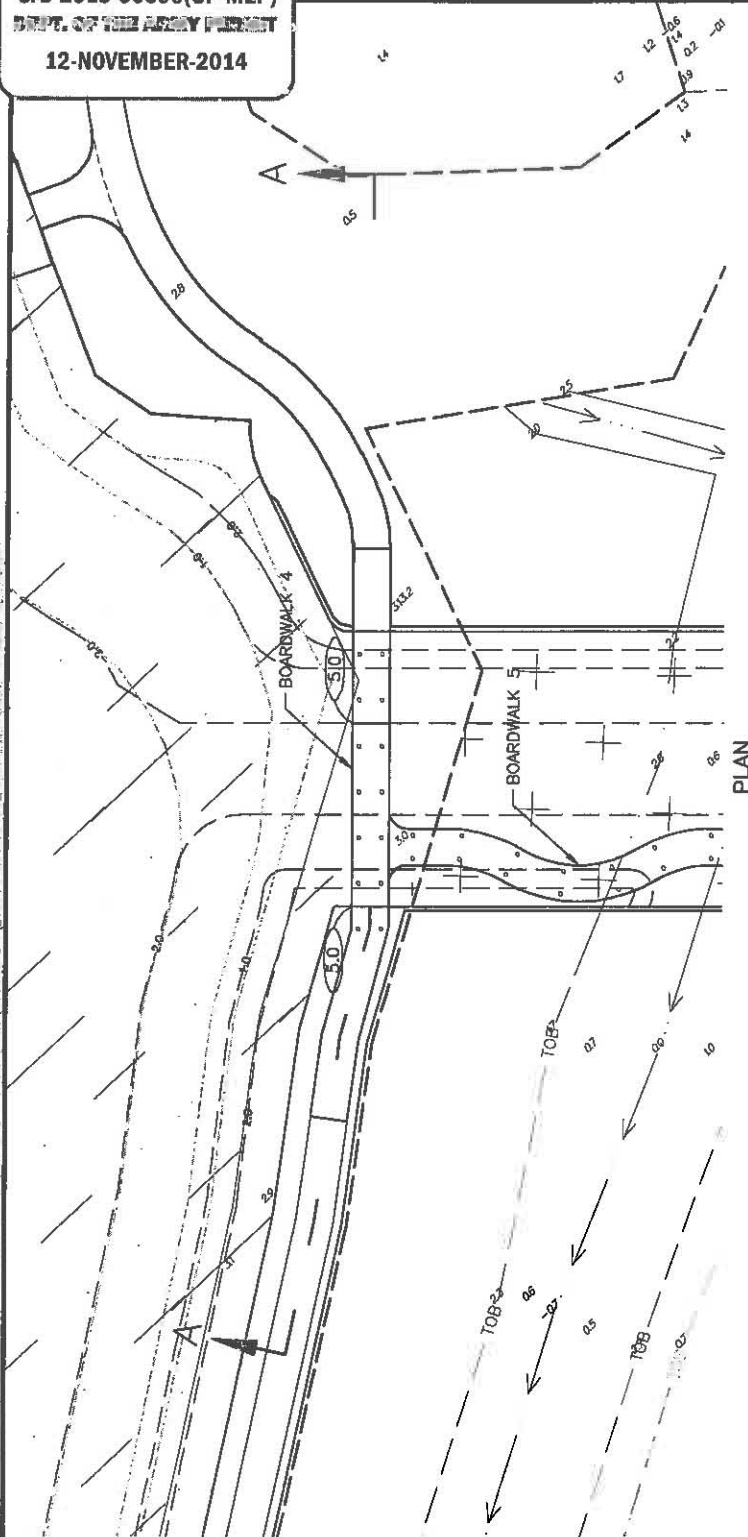
ATO/89520

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SAJ-2013-00590(SP-MEP)

DEPT. OF THE ARMY PERMIT

12-NOVEMBER-2014



TYPICAL BOARDWALK 4 DETAIL

1"=40' (HORIZ.)
1"=8' (VERT.)

MISCELLANEOUS DETAILS

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



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SCALE: AS SHOWN DATE: 2/3/14

SEC: 22,26,27 TWP: 34S RGE: 16E

PROJECT NO. 215510428

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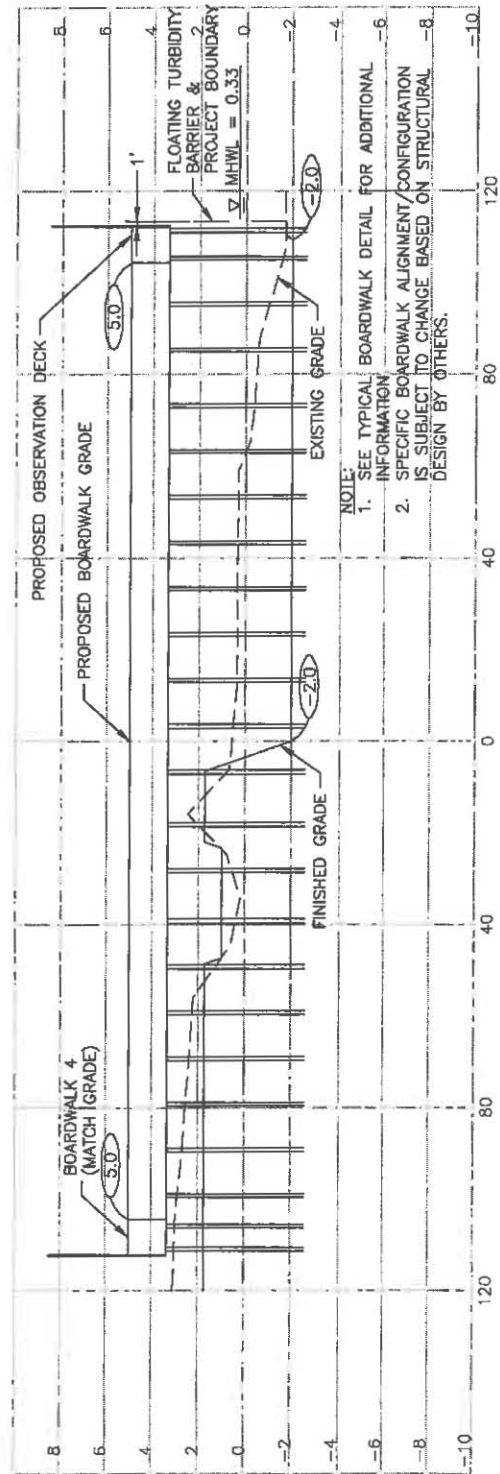
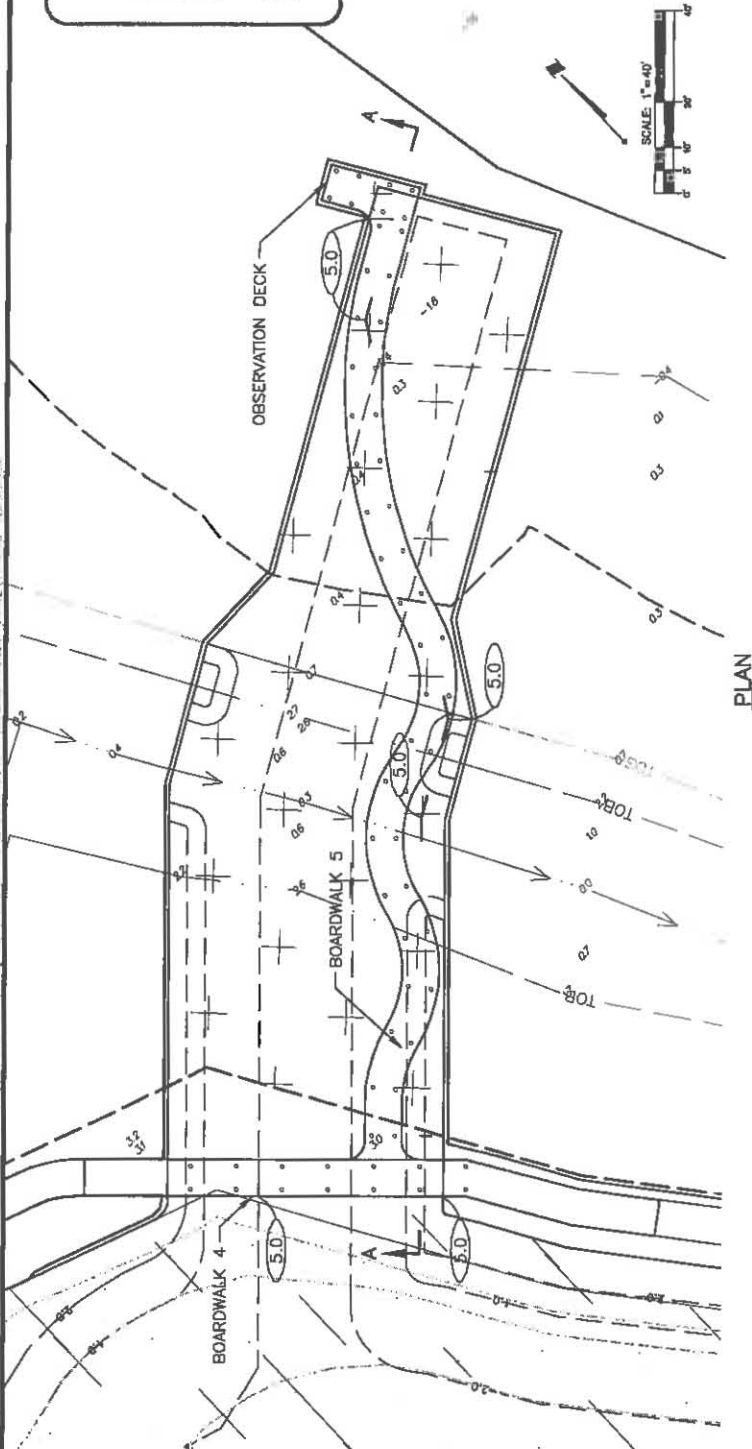
INDEX NO: A-215510428-000031

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SAJ-2013-00590(SP-MEP)

DEPT. OF THE ARMY PERMIT

12-NOVEMBER-2014



SECTION A-A

TYPICAL BOARDWALK 5 DETAIL

1"=40' (HORIZ.)
1"=8' (VERT.)

MISCELLANEOUS DETAILS

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS

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SCALE: AS SHOWN

DATE: 2/3/14

SEC: 22,26,27 TWP: 34S RGE: 16E

REV NO:

PROJECT NO.

215510428

INDEX NO:

A-215510428-D00032

DRWN BY/EMP NO.

ATO/89520

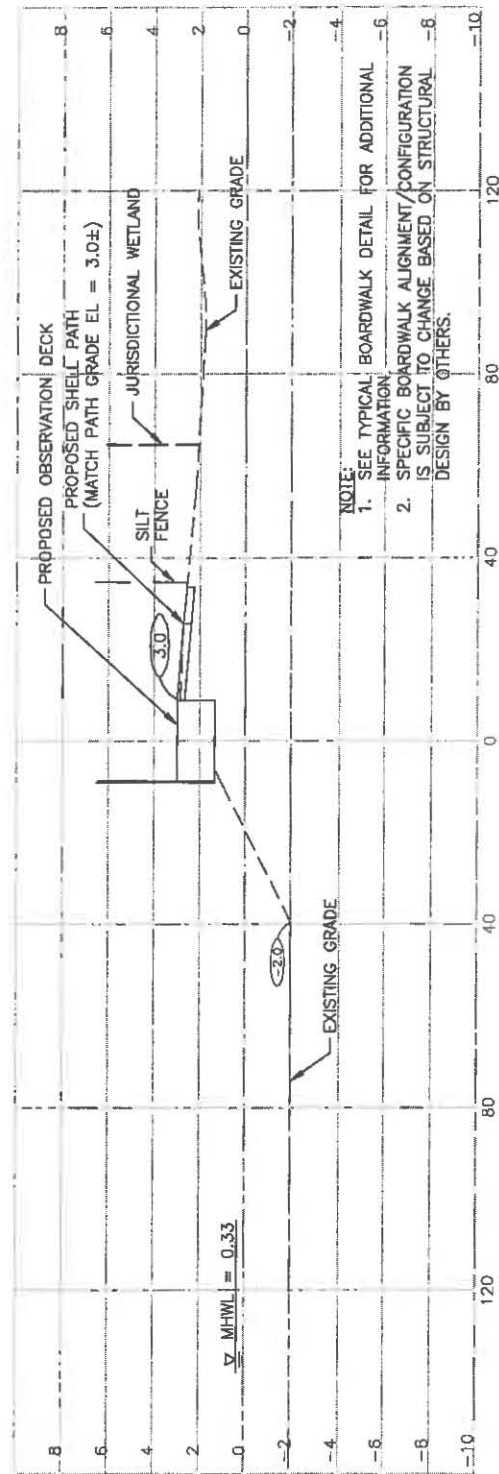
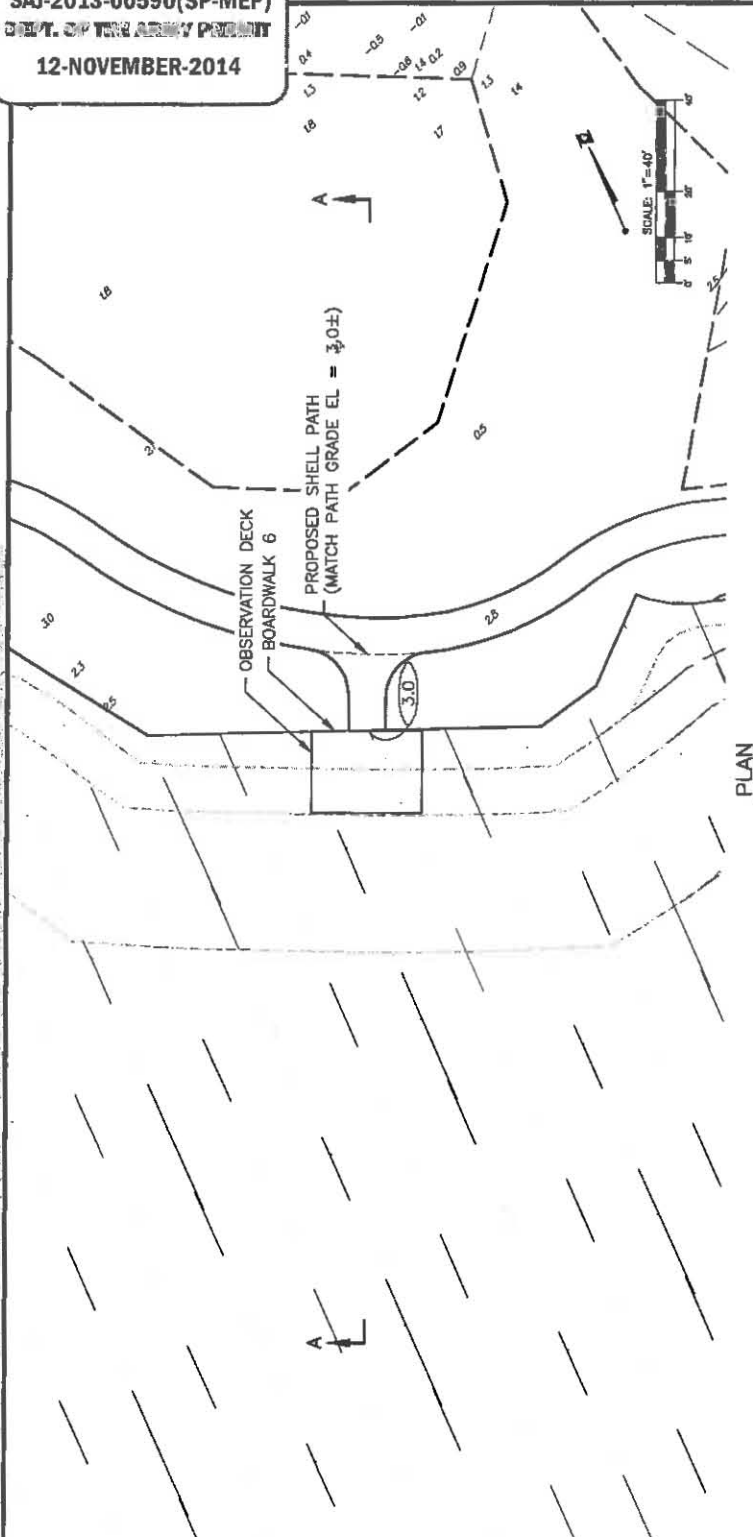
SHEET NO:

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SAJ-2013-00590(SP-MEP)

SHEET OF THE PROJECT

12-NOVEMBER-2014



SECTION A-A

TYPICAL BOARDWALK 6 DETAIL

1"=40' (HORIZ)
1"=8' (VERT)

MISCELLANEOUS DETAILS

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



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SCALE: AS SHOWN

DATE: 2/3/14

SEC: 22,26,27 TWP: 34S RCE: 16E

REV NO:

PROJECT NO. 215510428

INDEX NO: A-215510428-000033

DRWN BY/EMP NO. ATO/89520

SHEET NO:

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12-NOVEMBER-2014

MANATEE AVENUE WEST (S.R.#64)

LEGEND

- SILT FENCE
- STAKED/FLOATING TURBIDITY BARRIER
- TREE PROTECTION BARRICADE
- MZI-3 △ MIXING ZONE INSIDE SAMPLE STATION (TYP)
- MZO-3 □ MIXING ZONE OUTSIDE SAMPLE STATION (TYP)
- BS-1 ○ BACKGROUND SAMPLE STATION

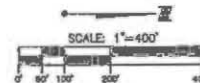
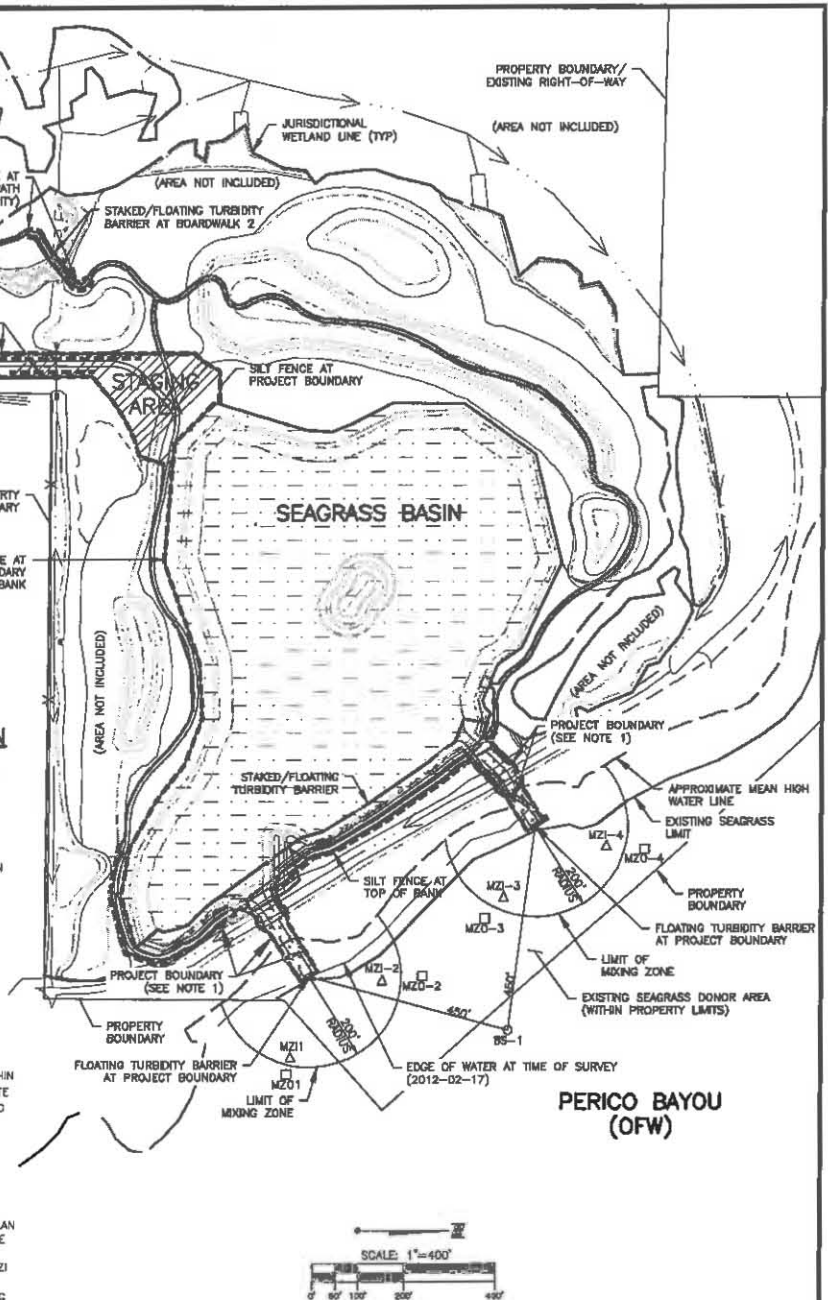
CONSTRUCTION TURBIDITY MONITORING PLAN

CONSTRUCTION OF THE PERICO SEAGRASS BASIN REQUIRES THE EXCAVATION OF TWO TIDAL CHANNEL CUTS TO CONNECT THE BASIN WITH PERICO BAYOU. THE FOLLOWING TURBIDITY MONITORING PLAN WILL BE IMPLEMENTED DURING CONSTRUCTION OF THE TWO CHANNEL CUTS.

ONE BACKGROUND SAMPLE STATION (BS-1) WILL BE ESTABLISHED AT THE CONVERGENCE OF A 450 FEET RADIUS FROM THE END CENTER-POINT OF EACH CHANNEL (SEE SHEET 14 OF 14; BEST MANAGEMENT PRACTICES). ON ANY GIVEN DAY WHEN CONSTRUCTION ACTIVITIES ARE SCHEDULED, A TURBIDITY READING WILL BE TAKEN AT MID-DEPTH AT THE BACKGROUND SAMPLE STATION PRIOR TO COMMENCEMENT OF THE DAY'S WORK. MID-DEPTH TURBIDITY READINGS WILL BE TAKEN WITHIN (MZI-1, MZI-2, MZI-3, AND MZI-4) AND IMMEDIATELY OUTSIDE (MZO-1, MZO-2, MZO-3, AND MZO-4) THE 200 FEET RADIUS MIXING ZONE AT THE APPROXIMATE SAMPLE STATION LOCATIONS SHOWN ON SHEET 14 AT FOUR-HOUR INTERVALS FOR THE DURATION OF THE WORK DAY.

TURBIDITY READINGS (IN NEPHELOMETRIC TURBIDITY UNITS - NTUS) WILL BE TAKEN WITH A PORTABLE TURBIDITY METER THAT HAS BEEN CALIBRATED WITH STANDARD CALIBRATION SOLUTIONS PURSUANT TO THE METER MANUFACTURER'S INSTRUCTIONS. READINGS SHALL BE ENTERED INTO A LOGBOOK AT THE TIME OF RECORDING ALONG WITH THE DATE, TIME OF DAY, AND BRIEF NOTES DESCRIBING GENERAL CLIMATE AND TIDE CONDITIONS (E.G., WINDY, EBB TIDE, HEAVY RAIN WITHIN LAST 24 HOURS, ETC.). A SUMMARY OF THE DAILY LOGS LISTING THE APPROPRIATE ENVIRONMENTAL RESOURCE PERMIT (ERP) NUMBER WILL BE SUBMITTED WEEKLY TO THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD), SARASOTA SERVICE CENTER, ENVIRONMENTAL COMPLIANCE SECTION, 8750 FRUITVILLE ROAD, SARASOTA, FL 34240-9711 AND MANATEE COUNTY NATURAL RESOURCES DEPARTMENT.

3. PERICO BAYOU IS AN OUTSTANDING FLORIDA WATERBODY (OFW) AND STATE WATER QUALITY STANDARDS DO NOT ALLOW TURBIDITY TO BE INCREASED OVER DAILY AMBIENT BACKGROUND LEVELS OTHER THAN IN APPROVED MIXING ZONES. THIS PLAN PROVIDES MIXING ZONES WHERE TURBIDITY LEVELS WILL BE ALLOWED TO INCREASE A MAXIMUM OF 41 NTUS OVER THE DAILY AMBIENT BACKGROUND LEVEL AS MEASURED AT STATION BS-1. IN THE EVENT THAT ANY TURBIDITY READING AT MZI STATIONS EXCEEDS 41 NTUS ABOVE THE BACKGROUND LEVEL WITHIN A MIXING ZONE OR EXCEEDS THE BACKGROUND LEVEL BY ANY AMOUNT OUTSIDE THE MIXING ZONE, AT MZO STATIONS, THE CONTRACTOR WILL IMMEDIATELY STOP ALL IN-WATER WORK AND NOTIFY THE MANATEE COUNTY PROJECT MANAGER (OR DESIGNEE). ALL TURBIDITY CONTROL DEVICES WILL BE INSPECTED IMMEDIATELY AND REPAIRED OR REPLACED AS NECESSARY TO CONTROL TURBID DISCHARGES FROM THE IMMEDIATE WORK AREA. AT THIS POINT, THE SAMPLING FREQUENCY WILL BE INCREASED TO TWO-HOUR INTERVALS IN ORDER TO DETERMINE WHEN THE TURBIDITY HAS SETTLED TO AN ACCEPTABLE LEVEL. IN-WATER WORK AND THE FOUR-HOUR SAMPLING INTERVALS WILL NOT RESUME UNTIL METER READINGS SHOW ACCEPTABLE TURBIDITY LEVELS HAVE BEEN RESTORED OR AS OTHERWISE DIRECTED BY MANATEE COUNTY.

**NOTE:**

1. DOUBLE ROW SILT FENCE AT PROJECT BOUNDARY.

BEST MANAGEMENT PRACTICES PLAN

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



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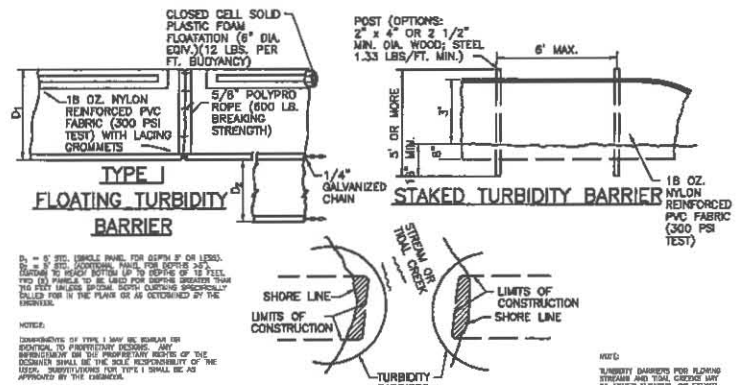
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FLORIDA LICENSE NO. 49374

SCALE:	AS SHOWN	DATE:	2/3/14
SEC:	22,26,27	TWP:	34S
		RGE:	16E
PROJECT NO.	215510428	INDEX NO.	A-215510428-000034
DRWN BY/EMP NO.	ATO/B9520	SHEET NO.	34 OF 35

NOTES:

1. THE CONTRACTOR SHALL ABIDE ALL APPLICABLE CONDITIONS OF THE REGULATORY AGENCY PERMITS AND HAVE COPIES OF THE PERMITS ON SITE. IF IT IS NECESSARY FOR GROUNDWATER DOWATERING TO DISCHARGE OFFSITE, THEN THE CONTRACTOR SHALL OBTAIN ALL APPLICABLE PERMITTING FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP). THE CONTRACTOR SHALL BEAR ALL RESPONSIBILITY AND COSTS FOR OBTAINING AND/OR MODIFYING ALL APPLICABLE PERMITTING FOR THE DISCHARGE OF GROUNDWATER DOWATERING AND FOR COMPLYING WITH ALL SWFWMD AND FDEP PERMITTING CONDITIONS.
2. THE CONTRACTOR SHALL STAGE CONSTRUCTION IN PHASES WHENEVER POSSIBLE TO MINIMIZE SOIL LOSS AND CONTROL EROSION.
3. THE CONTRACTOR SHALL PROVIDE A STABILIZED CONSTRUCTION ENTRANCE TO HELP REDUCE VEHICLE TRACKING OF SEDIMENTS. THE PAVED STREET ADJACENT TO THE SITE ENTRANCE WILL BE SWEEP AS REQUIRED TO REMOVE ANY EXCESS MUD, DIRT OR ROCK TRACKED FROM THE SITE. DUMP TRUCKS HAULING MATERIAL FROM THE CONSTRUCTION SHALL BE COVERED WITH A TARPULIN.
4. THE CONTRACTOR SHALL CONTROL ALL FUGITIVE DUST ORIGINATING ON THIS PROJECT AND SHALL USE WATER, STRAW MULCH, OR OTHER SUITABLE MATERIAL AS REQUIRED.
5. AT A MINIMUM, SILT FENCES, OR EQUIVALENT SEDIMENT CONTROLS ARE REQUIRED FOR ALL SIDESLOPE AND DOWNSLOPE BOUNDARIES OF THE CONSTRUCTION AREA.
6. ALL CONSTRUCTION DOWATERING (IF NECESSARY) SHALL BE CONTAINED ONSITE AND ALLOWED TO INFILTRATE THE SOIL UNLESS FDEP PERMITTING IS OBTAINED FOR OFFSITE DISCHARGE. ALL DOWATERING GROUNDWATER DISCHARGE SHALL BE ROUTED THROUGH A TEMPORARY SEDIMENT SUMP PRIOR TO DISCHARGE TO WETLANDS, OTHER SURFACE WATER, OR OFFSITE. THE GENERAL PROCESS OF THE DOWATERING SYSTEM, AS DEPICTED HEREIN, SHALL BE ADHERED TO DURING CONSTRUCTION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN ALL APPLICABLE APPROVALS FOR ANY MODIFICATIONS HE PROPOSES.
7. THE DOWATERING SYSTEM SHALL USE A PUMP AND PIPING THAT IS LESS THAN 8 INCHES IN DIAMETER AND OPERATE LESS THAN A TOTAL OF SIX MONTHS. ANY DEVIATION FROM THIS REQUIREMENT SHALL REQUIRE A WATER USE PERMIT. THE COST OF A WATER USE PERMIT AND ASSOCIATED MATERIALS SHALL BE BORNE BY THE CONTRACTOR.
8. THE CONTRACTOR SHALL ERECT SILT FENCE, STAKED HAY BALES, STAKED TURBIDITY BARRIERS, AND FLOATING TURBIDITY BARRIERS PRIOR TO COMMENCEMENT OF EXCAVATION/GRADING ACTIVITY.
9. REQUIRED EROSION AND SEDIMENT CONTROL MEASURES MUST BE INSTALLED AND MAINTAINED AS REQUIRED THROUGHOUT THE DURATION OF THE CONSTRUCTION PROJECT.
10. ALL EROSION PROTECTION SHALL BE MAINTAINED BY THE CONTRACTOR IN COMPLIANCE WITH SWFWMD, MANATEE COUNTY, AND NPDES PERMIT REQUIREMENTS THROUGHOUT THE DURATION OF THE PROJECT. THE CONTRACTOR SHALL INSPECT THE EROSION CONTROL DEVICES WEEKLY AND WITHIN 4 HOURS AFTER EACH RAINFALL EVENT OF 0.5 INCHES OR MORE. ALL MAINTENANCE SHALL BE PERFORMED WITHIN 24 HOURS OF INSPECTION.
11. ALL PRACTICABLE AND NECESSARY EFFORTS SHALL BE TAKEN DURING CONSTRUCTION TO CONTROL AND PREVENT EROSION AND TRANSPORT OF SEDIMENT MATERIAL TO INLETS, WETLANDS, AND OFFSITE AREAS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RESTORATION EFFORTS THAT MAY BE REQUIRED.
12. EROSION AND SEDIMENT CONTROL DEVICES (SILT FENCE, TURBIDITY BARRIERS, ETC.) ARE DEPICTED IN APPROXIMATE LOCATIONS AND SHALL BE ADJUSTED AS NECESSARY WITH THE DIRECTION OF THE PROJECT EROSION.
13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL AND PROPER DISPOSAL OF ALL EROSION AND SEDIMENT CONTROL DEVICES AT THE COMPLETION OF THE PROJECT.
14. ALL EXCAVATION, AND ACCESS TO AND FROM CONSTRUCTION AREAS SHALL BE WITHIN THE LIMITS OF THE PROJECT AREA (I.E., NO ACCESS FROM PERICO BAYOU, ETC.).



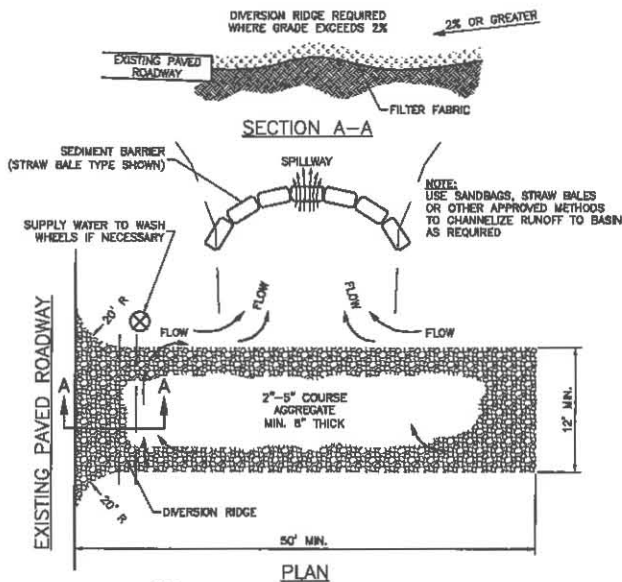
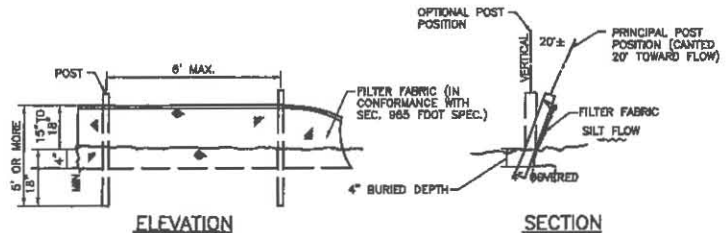
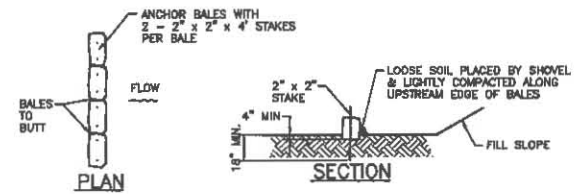
NOTES:

1. TURBIDITY BARRIERS ARE TO BE USED IN ALL PERMANENT BODIES OF WATER REQUIRING PROTECTION OF WATER RESOURCES.
2. NUMBER AND SPACING OF ANCHORS DEPENDS ON WATER DEPTHS.
3. DEPLOYMENT OF BARRIER SHOULD BE DONE IN A WAY TO AVOID EXCESSIVE CONSTRUCTION OPERATIONS.
4. MAINTENANCE AND REPAIRS SHOULD BE DONE DURING CONSTRUCTION OPERATIONS.

TURBIDITY BARRIER APPLICATIONS

TURBIDITY BARRIERS

N.T.S.



- NOTE:
1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OF FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAY. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.
 2. WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY.
 3. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.

TEMPORARY CONSTRUCTION ENTRANCE DETAIL

N.T.S.

BEST MANAGEMENT PRACTICES DETAILS

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



6900 Professional Parkway East, Sarasota, FL 34240

Phone 941-907-6900 • Fax 941-907-6910

Certificate of Authorization #27013 • www.stantec.com

R. QUINCE SELLERS, P.E.
FLORIDA LICENSE NO. 49374

SCALE: AS SHOWN

DATE: 2/3/14

SEC: 22, 26, 27

TWP: 34S

RGE: 16E

REV NO:

PROJECT NO. 215510428

INDEX NO: A-215510428-000035

DRWN BY/EMP NO. ATO/89520

SHEET NO: 35 OF 35

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SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
ENVIRONMENTAL RESOURCE
INDIVIDUAL CONSTRUCTION MAJOR MODIFICATION
PERMIT NO. 43040091.003

EXPIRATION DATE: November 04, 2018

PERMIT ISSUE DATE: November 04, 2013

This permit is issued under the provisions of Chapter 373, Florida Statutes, (F.S.), and the Rules contained in Chapter 62-330, Florida Administrative Code, (F.A.C.). The permit authorizes the Permittee to proceed with the construction of a surface water management system in accordance with the information outlined herein and shown by the application, approved drawings, plans, specifications, and other documents, attached hereto and kept on file at the Southwest Florida Water Management District (District). Unless otherwise stated by permit specific condition, permit issuance constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341. All construction, operation and maintenance of the surface water management system authorized by this permit shall occur in compliance with Florida Statutes and Administrative Code and the conditions of this permit.

PROJECT NAME: Manatee County - Rookery at Perico Seagrass Advance Mitigation

GRANTED TO: Manatee County Board of County Commissioners
Attn: Charlie Hunsicker
Natural Resources Department, 415 10th Street West
Bradenton, FL 34205

OTHER PERMITTEES: N/A

ABSTRACT: This permit authorizes modifications to Environmental Resource Permit (ERP) No. 44040091.002 entitled Manatee County - The Rookery at Perico Preserve that was issued on June 22, 2012. The intent of the proposed activities is to facilitate creation of a seagrass mitigation basin to be used to offset future seagrass impacts. The construction modifications approved in this permit are as follows:

1. Construction of two (2) tidal connections between the previously permitted freshwater pond and Perico Bayou.
2. Enlargement of the previously permitted pond from 16.27 acres to 16.40 acres.
3. Planting of the proposed tidal basin as shown on the planting specifications of the construction plans.
4. Placement of shell at locations as shown on the plans for stabilization and to encourage the establishment of oyster reef/bar habitat.
5. Construction of recreational trails, boardwalks, and associated passive recreation features.

Information regarding the surface water management system, 100-year floodplain, wetlands and/or surface waters is stated below and on the permitted construction drawings for the project.

OP. & MAIN. ENTITY: Manatee County Board of County Commissioners

OTHER OP. & MAIN. ENTITY: N/A

COUNTY: MANATEE

SEC/TWP/RGE: S26/T34S/R16E, S27/T34S/R16E

ATTACHMENT 2, PAGE 2

TOTAL ACRES OWNED OR UNDER CONTROL:	175.84
PROJECT SIZE:	21.21 Acres
LAND USE:	Government
DATE APPLICATION FILED:	May 23, 2013
AMENDED DATE:	N/A

ATTACHMENT 2, PAGE 3

I. Water Quantity/Quality

POND No.	Area Acres @ Top of Bank	Treatment Type
1	16.40	NO TREATMENT SPECIFIED
	Total: 16.40	

Water Quantity/Quality Comments:

Pond 1 was previously permitted under ERP 44040091.002 as a freshwater pond with a rookery island. This ERP 43040091.003 will create two (2) tidal connections between the pond and Perico Bayou in order to convert the freshwater pond to a saltwater/tidal basin supporting seagrass habitat, mangrove, and complementary habitats. Perico Bayou is part of the Sarasota Bay Estuarine System (an OFW - Outstanding Florida Waters).

The project discharges to a waterbody that is verified as impaired for mercury (Sarasota Bay/WBID 1868); water quality certification is therefore waived as a condition of this permit.

A mixing zone is required.

A variance is not required.

II. 100-Year Floodplain

Encroachment (Acre-Feet of fill)	Compensation (Acre-Feet of excavation)	Compensation Type	Encroachment Result* (feet)
0.00	0.00	No Encroachment	N/A

Floodplain Comments:

The FEMA floodplain is due to a tidal surge.

*Depth of change in flood stage (level) over existing receiving water stage resulting from floodplain encroachment caused by a project that claims Minimal Impact type of compensation.

III. Environmental Considerations

Wetland/Other Surface Water Information

Wetland/Other Surface Water Name	Total Acres	Not Impacted Acres	Permanent Impacts		Temporary Impacts	
			Acres	Functional Loss*	Acres	Functional Loss*
Surface Water #2	0.05	0.00	0.01	0.00	0.04	0.00
Perico Bayou	0.42	0.00	0.42	0.12	0.00	0.00
Perico Bayou (Estuary)	0.04	0.00	0.00	0.00	0.04	0.00
Created WL (40580.000)	1.21	1.20	0.01	0.00	0.00	0.00
Created WL (40091.001)	0.97	0.96	0.01	0.00	0.00	0.00
Seagrass Basin	16.40	16.32	0.08	0.00	0.00	0.00
Total:	19.09	18.48	0.53	0.12	0.08	0.00

* For impacts that do not require mitigation, their functional loss is not included.

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Wetland/Other Surface Water Comments:

There are 19.09 acres of wetlands (FLUCCS 612 "Mangroves" and 641 "Freshwater Marsh") and surface waters (FLUCCS 510 "Streams and Waterways" and 540 "Bays and Estuaries") located within the project area for this ERP Modification. Permanent filling impacts to 0.53 acre of project wetlands and surface waters (FLUCCS 612, 641, 510 and 540) will occur for construction of a seagrass creation basin intended for future mitigation use and a pedestrian trail. Permanent filling impacts to 0.41 acre of qualifying wetlands were evaluated using the Uniform Mitigation Assessment Method (UMAM) as required pursuant to Chapter 62-345, F.A.C. The results of the UMAM analysis indicate a functional loss of 0.12 units due to the permanent impacts proposed. Temporary dredging impacts to 0.08 acre of the project wetlands and surface waters will occur for construction of the tidal connection channels. Restoration of the temporarily impacted surface water areas (FLUCCS 540 "Bays and Estuaries") is to occur in accordance with the specific conditions of this permit.

Mitigation Information

Name	Creation		Enhancement		Preservation		Restoration		Enhancement + Preservation		Other	
	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain
Mangrove Mitigation Zone	0.50	0.13	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total:	0.50	0.13	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Mitigation Comments:

Wetland mitigation for permanent filling impacts associated with the initial construction of the project will be provided by the onsite creation of 0.50 acre of wetlands (FLUCCS 612 "Mangroves"). The results of the UMAM analysis indicate a functional gain of 0.13 units which offsets the 0.12 units of functional loss proposed to wetland habitat.

Wetland mitigation will not be required for permanent filling/dredging impacts to 0.12 acre of the project wetlands and the upland-cut ditch pursuant to Section 10.2.2 and Subsection 10.2.2.2, respectively, of Applicant Handbook Volume 1. Under this Section and Subsection, wetland mitigation is not required for impacts that have been determined to be de minimis to fish, wildlife and listed species or to drainage ditches that were constructed in uplands and do not provide significant habitat for threatened or endangered species and were not constructed to divert natural stream flow.

The future seagrass mitigation credits anticipated to be generated by this project will be administered in accordance with the specific conditions of this permit and subsequent permit modifications.

Specific Conditions

1. If the ownership of the project area covered by the subject permit is divided, with someone other than the Permittee becoming the owner of part of the project area, this permit shall terminate, pursuant to Rule 40D-1.6105, F.A.C. In such situations, each land owner shall obtain a permit (which may be a modification of this permit) for the land owned by that person. This condition shall not apply to the division and sale of lots or units in residential subdivisions or condominiums.
2. The Permittee shall retain the design engineer, or other professional engineer registered in Florida, to conduct on-site observations of construction and assist with the as-built certification requirements of this project. The Permittee shall inform the District in writing of the name, address and phone number of the professional engineer so employed. This information shall be submitted prior to construction.
3. **WETLAND MITIGATION SUCCESS CRITERIA MITIGATION AREA (Mangrove Mitigation Zone) (0.50 acre)**

Mitigation is expected to offset adverse impacts to wetlands and other surface waters caused by regulated activities and to achieve viable, sustainable ecological and hydrological wetland functions. Wetlands constructed for mitigation purposes will be considered successful and will be released from monitoring and reporting requirements when the following criteria are met continuously for a period of at least one year without intervention in the form of irrigation or the addition or removal of vegetation.

a. The mitigation area can reasonably be expected to develop into a Mangrove Swamp (FLUCCS 612) as determined by the Florida Land Use and Cover and Forms Classification System (third edition; January 1999).

b. Topography, water depth and water level fluctuation in the mitigation area are characteristic of the wetlands/surface water type specified in criterion "a."

c. Planted or recruited herbaceous or shrub species (or plant species providing the same function) shall meet the criteria specified:

Zone: Throughout (elevation -0.67 to +1.33 NAVD)

Percent Cover: 85%

Species: *Spartina alterniflora*

d. Planted or recruited tree species that are greater than or equal to 12 feet in height and established for more than 5 years shall meet the criteria specified:

Zone: Middle (elevation +0.33 to +1.33 NAVD)

Percent Cover: 85%

Species: *Avicennia germinans*

Zone: Deep (elevation -0.67 to +0.33 NAVD)

Percent Cover: 85%

Species: *Rhizophora mangle*

e. Species composition of recruiting wetland vegetation is indicative of the wetland type specified in criterion "a."

f. Coverage by nuisance or exotic species does not exceed 5 percent at any area within the mitigation site and 10 percent for the entire mitigation site.

ATTACHMENT 2, PAGE 6

g. The wetland mitigation area can be determined to be a wetland or other surface water according to Chapter 62-340, F.A.C.

The mitigation area may be released from monitoring and reporting requirements and be deemed successful at any time during the monitoring period if the Permittee demonstrates that the conditions in the mitigation area have adequately replaced the wetland and surface water functions affected by the regulated activity and that the site conditions are sustainable.

4. The Permittee shall monitor and maintain the wetland mitigation area(s) until the criteria set forth in the Wetland Mitigation Success Criteria Conditions(s) above are met. The Permittee shall perform corrective actions identified by the District if the District identifies a wetland mitigation deficiency.
5. The Permittee shall undertake required maintenance activities within the wetland mitigation area(s) as needed at any time between mitigation area construction and termination of monitoring, with the exception of the final year. Maintenance shall include the manual removal of all nuisance and exotic species, with sufficient frequency that their combined coverage at no time exceeds the Wetland Mitigation Success Criteria Condition(s) above. Herbicides shall not be used without the prior written approval of the District.
6. The permittee, prior to beneficial use of the site must submit an as-built survey of the wetland mitigation areas certified by a registered surveyor or professional engineer showing dimensions, grades, ground elevations, water surface elevations, and species composition, numbers and densities. Upon District inspection and approval of the mitigation area, the monitoring program shall be initiated with the date of the District field inspection being the construction completion date of the mitigation area. Monitoring events shall occur between March 1 and November 30 of each year.

An Annual Wetland Monitoring Report shall be submitted upon the anniversary date of District approval to initiate monitoring. Annual reports shall provide documentation that a sufficient number of maintenance inspection/activities were conducted to maintain the mitigation area in compliance according to the Wetland Mitigation Success Criteria Conditions) above. Note that the performance of maintenance inspections and maintenance activities will normally need to be conducted more frequently than the collection of other monitoring data to maintain the mitigation area in compliance with the Wetland Mitigation Success Criteria Conditions above.

Monitoring Data shall be collected semi-annually.

7. Termination of monitoring for the wetland mitigation area shall be coordinated with the District by:
 - a. notifying the District in writing when the criteria set forth in the Wetland Mitigation Success Criteria Conditions have been achieved;
 - b. submitting documentation, including the date, that all maintenance activities in the wetland mitigation area have been suspended including, but not limited to, irrigation and addition or removal of vegetation; and
 - c. submitting a monitoring report to the District one year following the written notification and suspension of maintenance activities.

ATTACHMENT 2, PAGE 7

Upon receipt of the monitoring report, the District will evaluate the wetland mitigation site to determine if the Mitigation Success Criteria Conditions have been met and maintained. The District will notify the Permittee in writing of the evaluation results. The Permittee shall perform corrective actions for any portions of the wetland mitigation area that fail to maintain the criteria set forth in the Wetland Mitigation Success Criteria Conditions.

8. Following the District's determination that the wetland mitigation has been successfully completed, the Permittee shall operate and maintain the wetland mitigation area such that it remains in its current or intended condition for the life of the surface water management facility. The Permittee must perform corrective actions for any portions of the wetland mitigation area where conditions no longer meet the criteria set forth in the Wetland Mitigation Success Criteria Conditions.
9. The Permittee shall commence construction of the mitigation area within 30 days of wetland impacts, if wetland impacts occur between February 1 and August 31. If wetland impacts occur between September 1 and January 31, construction of the mitigation area shall commence by March 1. In either case, construction of the mitigation area shall be completed within 120 days of the commencement date unless a time extension is approved in writing by the District.
10. Wetland buffers shall remain in an undisturbed condition except for approved drainage facility construction/maintenance. No owner of property may perform any work, construction, maintenance, clearing, filling or any other type of activities within the wetlands, wetland mitigation areas, wetland buffers, described in the approved permit and recorded plat of the subdivision, unless prior approval is received from the Southwest Florida Water Management District.
11. The following boundaries, as shown on the approved construction drawings, shall be clearly delineated on the site prior to initial clearing or grading activities:
 - wetland and surface water areas
 - wetland buffers
 - limits of approved wetland impacts

The delineation shall endure throughout the construction period and be readily discernible to construction and District personnel.
12. All wetland and surface water boundaries shown on the approved construction drawings shall be binding upon the Permittee and the District for the term of this permit. If this permit is extended, the wetland and surface water boundaries shall only remain binding for the term of such extension provided that physical conditions on the property, as solely determined by District staff, do not change so as to alter the boundaries of the delineated wetlands or other surface waters during the permit term, unless such change has been authorized by a permit issued under Part IV, Chapter 373, F.S.
13. All construction is prohibited within the permitted project area until the Permittee acquires legal ownership or legal control of the project area as delineated in the permitted construction drawings.
14. 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

ATTACHMENT 2, PAGE 8

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 4-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 shall 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 1/2 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.

15. This modification, Construction Permit No. 43040091.003, amends the previously issued Construction Permit No. 44040091.002 and adds conditions. All other original permit conditions remain in effect.
16. Certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341 is waived.
17. Water quality monitoring for turbidity shall be conducted within Perico Bayou, an Outstanding Florida Water, for the duration of project construction in accordance with the site specific turbidity monitoring plan received by the District on September 5, 2013 and as shown on Sheet 14 of the permitted construction plans.
18. A total of two (2) temporary mixing zones for turbidity are granted as shown on Sheet 14 of the permitted drawings. The mixing zones are granted exclusively for the duration of construction for

ATTACHMENT 2, PAGE 9

the tidal connection channel activities, not to exceed 30 days.

19. A permit modification will be required prior to any anticipated seagrass harvesting from the donor site. The modification shall document specific harvesting locations, characteristics of the donor areas and a post harvesting monitoring plan.
20. The future seagrass mitigation credits anticipated to be generated by this project will be assessed and quantified under a subsequent permit modification. This permit establishes a Uniform Mitigation Assessment Method (UMAM) baseline mitigation condition for Location/Landscape, Water Environment and Community Structure as "zero" for the created seagrass basin, pursuant to 62-345, F.A.C.. The subsequent modification shall document seagrass bed conditions at the time of the mitigation credit request via a functional assessment analysis of the seagrass beds. The subsequent modification will also contain specific conditions detailing total credits awarded, a credit release schedule, a credit ledger, conservation easement requirements and a perpetual monitoring and maintenance plan.
21. As part of the Transfer to Operations phase, the District shall inspect and evaluate the temporarily impacted surface water areas (FLUCCS 540 "Bays and Estuaries). The temporarily impacted estuarine surface water will be restored through stabilization via bagged and loose shell to encourage the establishment of oyster reef/bar habitat and mangrove recruitment.
22. If prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, early colonial contact, or American settlement are encountered at any time within the project site area, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee, or other designee, should contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section at 850.245.6333, as well as the appropriate permitting agency office(s). Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources and permit agencies.
23. In the event that unmarked human remains are encountered during permitting activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, F.S.
24. Suitable habitat exists within the project area for multiple listed wading bird species. Prior to the start of construction, the applicant should complete nesting-season surveys for active wading bird colonies. If any listed wading bird nesting colonies are identified within the project area, the FWC recommends maintaining a minimum disturbance buffer of 100 meters between the edge of the colony and any type of disturbance during the breeding season (January-August).
25. The District recognizes the inherent variability in natural systems. At the time of the mitigation credit request for the created seagrass basin area, the applicant may elect to request, or the District may require, credit for the different wetland habitat type(s) that have become established within the limits of the basin area, in addition to any seagrass bed establishment.

GENERAL CONDITIONS

1. The general conditions attached hereto as Exhibit "A" are hereby incorporated into this permit by reference and the Permittee shall comply with them.

Michelle K. Hopkins, P.E.

Authorized Signature

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 1/2" 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





**Florida Fish
and Wildlife
Conservation
Commission**

*Managing fish and wildlife
resources for their long-term
well-being and the benefit
of people.*

620 South Meridian Street
Tallahassee, Florida
32399-1600

MyFWC.com

Manatee Educational Signs

Required by Permit or Submerged Lands Lease
March 2011

In order to obtain FWC approval for the manatee educational signs required by state permit or submerged lands lease, requests should be sent to:

ImperiledSpecies@myfwc.com

or:

Florida Fish and Wildlife Conservation Commission
Imperiled Species Management Section 6-A
620 South Meridian Street Tallahassee, FL 32399-1600.

The FWC requests that the permittee propose and submit a plan for installing signs based on the guidelines discussed below. FWC will review the sign placement proposal and notify the permittee within 60 days of receiving the plan if the signs and locations are unacceptable. Modifications to the type, location and number of proposed signs may be required. All sign proposals should follow the general guidelines in this document. The following information should be included in this plan and forwarded to FWC for review:

- A detailed upland project site plan with proposed sign locations, types, and proposed numbers of manatee signs. Include which way the signs are proposed to face.
- The project address or a location map of the facility in relation to waterways.
- The project permit or submerged lands lease number.
- Your name, email address, mailing address and a phone number.

Guidelines for the installation of signs

- Signs must be placed in a prominent location for maximum visibility. Areas that are recommended include: dock walkways, dock master offices, near restrooms or other high patron foot traffic areas.
- Signs must be replaced when faded, damaged or outdated.
- If the facility is large or has multiple docks with separate walkways that are a considerable distance apart, multiple signs should be installed.
- These signs must not face the water, must never be attached to pilings or navigational markers in the water. One exception to signs facing the water exists for the temporary sign, "Caution Boaters" during in-water work.

FWC Approved Signs and Sign Specifications

The FWC designs manatee educational signs, which can be produced by most sign companies. Signs other than depicted may be considered, but must be pre-approved by FWC's Imperiled Species Management Section. There is a list of known sign vendors who produce FWC signs on our [Manatee Sign Vendor webpage](#) as well as downloadable files for sign companies not on this list who may want to produce these signs.

Manatee Educational Signs

February 2011

For durability, all signs should be fiberglass or metal with rounded corners (hand-sanded to remove all sharp edges and burrs), constructed of 0.08 Gauge 5052-H38 Aluminum with an Alodine 1200 conversion coating and Engineer Grade Type I reflective sheeting. Signs constructed to other specifications may not provide durability acceptable to the consumer.

The approved signs must meet the following specifications:

Florida Friendly Boating (2009)

Minimum size should be 30" tall x 36" wide with rounded corners



This sign is considered the manatee educational sign. In 2009, it replaced the older manatee educational sign called "Manatee Basics for Boaters".

Caution: Boaters (2009)

Minimum size should be 30" tall x 24" wide with rounded corners



This sign is sometimes referred to as an awareness sign. In 2009, it replaced the "Caution: Manatee Area" sign.

These signs are also frequently used as temporary signs for construction purposes.

Entanglement (2010)

Minimum size should be 15" tall X 12" wide with rounded corners



This entanglement sign is typically placed near recycling bins or trash containers.

Caution: Shut Down (2009)

Minimum size should be 8½" tall by 11" wide metal with rounded corners



This temporary sign is required as part of the standard manatee construction conditions and is intended to be placed near dredge, tugboat and work boat operators.

The size and type of signs required by permit or lease may vary from those depicted in this guide. If you have any questions, please contact FWC's Imperiled Species Management Section.



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



STANDARD PROTECTION MEASURES FOR THE EASTERN INDIGO SNAKE
U.S. Fish and Wildlife Service
August 12, 2013

The eastern indigo snake protection/education plan (Plan) below has been developed by the U.S. Fish and Wildlife Service (USFWS) in Florida for use by applicants and their construction personnel. At least **30 days prior** to any clearing/land alteration activities, the applicant shall notify the appropriate USFWS Field Office via e-mail that the Plan will be implemented as described below (North Florida Field Office: jaxregs@fws.gov; South Florida Field Office: verobeach@fws.gov; Panama City Field Office: panamacity@fws.gov). As long as the signatory of the e-mail certifies compliance with the below Plan (including use of the attached poster and brochure), no further written confirmation or “approval” from the USFWS is needed and the applicant may move forward with the project.

If the applicant decides to use an eastern indigo snake protection/education plan other than the approved Plan below, written confirmation or “approval” from the USFWS that the plan is adequate must be obtained. At least 30 days prior to any clearing/land alteration activities, the applicant shall submit their unique plan for review and approval. The USFWS will respond via e-mail, typically within 30 days of receiving the plan, either concurring that the plan is adequate or requesting additional information. A concurrence e-mail from the appropriate USFWS Field Office will fulfill approval requirements.

The Plan materials should consist of: 1) a combination of posters and pamphlets (see **Poster Information** section below); and 2) verbal educational instructions to construction personnel by supervisory or management personnel before any clearing/land alteration activities are initiated (see **Pre-Construction Activities** and **During Construction Activities** sections below).

POSTER INFORMATION

Posters with the following information shall be placed at strategic locations on the construction site and along any proposed access roads (a final poster for Plan compliance, to be printed on 11” x 17” or larger paper and laminated, is attached):

DESCRIPTION: The eastern indigo snake is one of the largest non-venomous snakes in North America, with individuals often reaching up to 8 feet in length. They derive their name from the glossy, blue-black color of their scales above and uniformly slate blue below. Frequently, they have orange to coral reddish coloration in the throat area, yet some specimens have been reported to only have cream coloration on the throat. These snakes are not typically aggressive and will attempt to crawl away when disturbed. Though indigo snakes rarely bite, they should NOT be handled.

SIMILAR SNAKES: The black racer is the only other solid black snake resembling the eastern indigo snake. However, black racers have a white or cream chin, thinner bodies, and WILL BITE if handled.

LIFE HISTORY: The eastern indigo snake occurs in a wide variety of terrestrial habitat types throughout Florida. Although they have a preference for uplands, they also utilize some wetlands

and agricultural areas. Eastern indigo snakes will often seek shelter inside gopher tortoise burrows and other below- and above-ground refugia, such as other animal burrows, stumps, roots, and debris piles. Females may lay from 4 - 12 white eggs as early as April through June, with young hatching in late July through October.

PROTECTION UNDER FEDERAL AND STATE LAW: The eastern indigo snake is classified as a Threatened species by both the USFWS and the Florida Fish and Wildlife Conservation Commission. "Taking" of eastern indigo snakes is prohibited by the Endangered Species Act without a permit. "Take" is defined by the USFWS as an attempt to kill, harm, harass, pursue, hunt, shoot, wound, trap, capture, collect, or engage in any such conduct. Penalties include a maximum fine of \$25,000 for civil violations and up to \$50,000 and/or imprisonment for criminal offenses, if convicted.

Only individuals currently authorized through an issued Incidental Take Statement in association with a USFWS Biological Opinion, or by a Section 10(a)(1)(A) permit issued by the USFWS, to handle an eastern indigo snake are allowed to do so.

IF YOU SEE A LIVE EASTERN INDIGO SNAKE ON THE SITE:

- Cease clearing activities and allow the live eastern indigo snake sufficient time to move away from the site without interference;
- Personnel must NOT attempt to touch or handle snake due to protected status.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Immediately notify supervisor or the applicant's designated agent, **and** the appropriate USFWS office, with the location information and condition of the snake.
- If the snake is located in a vicinity where continuation of the clearing or construction activities will cause harm to the snake, the activities must halt until such time that a representative of the USFWS returns the call (within one day) with further guidance as to when activities may resume.

IF YOU SEE A DEAD EASTERN INDIGO SNAKE ON THE SITE:

- Cease clearing activities and immediately notify supervisor or the applicant's designated agent, **and** the appropriate USFWS office, with the location information and condition of the snake.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Thoroughly soak the dead snake in water and then freeze the specimen. The appropriate wildlife agency will retrieve the dead snake.

Telephone numbers of USFWS Florida Field Offices to be contacted if a live or dead eastern indigo snake is encountered:

North Florida Field Office – (904) 731-3336
Panama City Field Office – (850) 769-0552
South Florida Field Office – (772) 562-3909

PRE-CONSTRUCTION ACTIVITIES

1. The applicant or designated agent will post educational posters in the construction office and throughout the construction site, including any access roads. The posters must be clearly visible to all construction staff. A sample poster is attached.
2. Prior to the onset of construction activities, the applicant/designated agent will conduct a meeting with all construction staff (annually for multi-year projects) to discuss identification of the snake, its protected status, what to do if a snake is observed within the project area, and applicable penalties that may be imposed if state and/or federal regulations are violated. An educational brochure including color photographs of the snake will be given to each staff member in attendance and additional copies will be provided to the construction superintendent to make available in the onsite construction office (a final brochure for Plan compliance, to be printed double-sided on 8.5" x 11" paper and then properly folded, is attached). Photos of eastern indigo snakes may be accessed on USFWS and/or FWC websites.
3. Construction staff will be informed that in the event that an eastern indigo snake (live or dead) is observed on the project site during construction activities, all such activities are to cease until the established procedures are implemented according to the Plan, which includes notification of the appropriate USFWS Field Office. The contact information for the USFWS is provided on the referenced posters and brochures.

DURING CONSTRUCTION ACTIVITIES

1. During initial site clearing activities, an onsite observer may be utilized to determine whether habitat conditions suggest a reasonable probability of an eastern indigo snake sighting (example: discovery of snake sheds, tracks, lots of refugia and cavities present in the area of clearing activities, and presence of gopher tortoises and burrows).
2. If an eastern indigo snake is discovered during gopher tortoise relocation activities (i.e. burrow excavation), the USFWS shall be contacted within one business day to obtain further guidance which may result in further project consultation.
3. Periodically during construction activities, the applicant's designated agent should visit the project area to observe the condition of the posters and Plan materials, and replace them as needed. Construction personnel should be reminded of the instructions (above) as to what is expected if any eastern indigo snakes are seen.

POST CONSTRUCTION ACTIVITIES

Whether or not eastern indigo snakes are observed during construction activities, a monitoring report should be submitted to the appropriate USFWS Field Office within 60 days of project completion. The report can be sent electronically to the appropriate USFWS e-mail address listed on page one of this Plan.



ATTENTION: THREATENED EASTERN INDIGO SNAKES MAY BE PRESENT ON THIS SITE!!!

IF YOU SEE A LIVE EASTERN INDIGO SNAKE ON THE SITE:

- Cease clearing activities and allow the eastern indigo snake sufficient time to move away from the site without interference.
- Personnel must NOT attempt to touch or handle snake due to protected status.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Immediately notify supervisor or the applicant's designated agent, **and** the appropriate U.S. Fish and Wildlife Service (USFWS) office, with the location information and condition of the snake.
- If the snake is located in a vicinity where continuation of the clearing or construction activities will cause harm to the snake, the activities must halt until such time that a representative of the USFWS returns the call (within one day) with further guidance as to when activities may resume.

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USFWS Florida Field Offices to be contacted if a live or dead eastern indigo snake is encountered:

North Florida Field Office – (904) 731-3336

Panama City Field Office – (850) 769-0552

South Florida Field Office – (772) 562-3909

Killing, harming, or harassing indigo snakes is strictly prohibited and punishable under State and Federal Law.

- DESCRIPTION:** The eastern indigo snake is one of the largest non-venomous snakes in North America, with individuals often reaching up to 8 feet in length. They derive their name from the glossy, blue-black color of their scales above and uniformly slate blue below. Frequently, they have orange to coral reddish coloration in the throat area, yet some specimens have been reported to only have cream coloration on the throat. These snakes are not typically aggressive and will attempt to crawl away when disturbed. Though indigo snakes rarely bite, they should NOT be handled.
- SIMILAR SNAKES:** The black racer is the only other solid black snake resembling the eastern indigo snake. However, black racers have a white or cream chin, thinner bodies, and WILL BITE if handled.
- LIFE HISTORY:** The eastern indigo snake occurs in a wide variety of terrestrial habitat types throughout Florida. Although they have a preference for uplands, they also utilize some wetlands and agricultural areas. Eastern indigo snakes will often seek shelter inside gopher tortoise burrows and other below- and above-ground refugia, such as other animal burrows, stumps, roots, and debris piles. Females may lay from 4 - 12 white eggs as early as April through June, with young hatching in late July through October.
- PROTECTION:** The eastern indigo snake is classified as a Threatened species by both the USFWS and the Florida Fish and Wildlife Conservation Commission. "Taking" of eastern indigo snakes is prohibited by the Endangered Species Act without a permit. "Take" is defined by the USFWS as an attempt to kill, harm, harass, pursue, hunt, shoot, wound, trap, capture, collect, or engage in any such conduct. Penalties include a maximum fine of \$25,000 for civil violations and up to \$50,000 and/or imprisonment for criminal offenses, if convicted.

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**USFWS Florida Field Offices to be
contacted if a live or dead eastern indigo
snake is encountered:**

North Florida ES Office – (904) 731-3336
Panama City ES Office – (850) 769-0552
South Florida ES Office – (772) 562-3909

DESCRIPTION: The eastern indigo snake is one of the largest non-venomous snakes in North America, with individuals often reaching up to 8 feet in length. They derive their name from the glossy, blue-black color of their scales above and uniformly slate blue below. Frequently, they have orange to coral reddish coloration in the throat area, yet some specimens have been reported to only have cream coloration on the throat. These snakes are not typically aggressive and will attempt to crawl away when disturbed. Though indigo snakes rarely bite, they should NOT be handled.

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August 12, 2013

ATTENTION:
THREATENED EASTERN INDIGO
SNAKES MAY BE PRESENT ON
THIS SITE!!!



Please read the following information provided by the U.S. Fish and Wildlife Service to become familiar with standard protection measures for the eastern indigo snake.

2.0 COMPENSATORY MITIGATION

The proposed project requires 0.41 acre of impact to the mangrove forest adjacent to Perico Bayou for two flushing channel cuts, as show on Project Plans (Revised 2/3/2014). The calculated Uniform Mitigation Assessment Method (UMAM) functional loss associated with the impacts is 0.12. The Applicant proposes to mitigate for this impact through onsite mangrove forest creation.

2.1 MANGROVE FOREST DESIGN AND IMPLEMENTATION

The Applicant proposes to provide compensatory mitigation for the mangrove impacts through the establishment of a "Mangrove Mitigation Zone" along the fringe of the "Seagrass Creation Area" as shown on the Construction Plans. The 0.5 acre mangrove creation area will be constructed as a 20-foot wide and 1,089-foot long linear fringe ranging from one (1) foot below mean high water (0.33' NAVD) to one (1) foot above mean high water. It is anticipated that the portion above mean high water will develop into a black mangrove dominated forest and a red mangrove forest will develop below mean high water. It is likely that a transition area containing both species will develop near mean high water.

Following the finish grading activities for the basin, vegetation will be installed along the upper elevations to minimize the potential for erosion within and into the Mangrove Mitigation Zone. As shown on the planting specifications in the Construction Plans, 439 red mangrove propagules will be planted on five foot centers and 110 3-gallon red mangroves will be planted on ten-foot centers below mean high water and 108 two-inch (minimum) liner black mangroves will be planted on ten-foot centers. Two thousand four hundred-twenty (2,420) bare-root saltmarsh cordgrass (*Spartina alterniflora*) plants will be installed on 3-foot centers throughout the Mangrove Mitigation Zone to minimize the risk of erosion.

2.2 MONITORING METHODOLOGY

The following monitoring methodology has been designed to sufficiently monitor the Mangrove Mitigation Zone to determine whether the mitigation activities are progressing towards and eventually meeting the success criteria required by the regulatory permits.

A mitigation construction completion/baseline report will be prepared and submitted to USACE for approval within 30 days of the completion of planting activities. Once approval is received from USACE, the monitoring and maintenance period for the Mangrove Mitigation Zone will commence.

Monitoring events will be conducted for the Mangrove Mitigation Zone. The following monitoring events are proposed; time zero, time zero + 1 year, time zero + 2 years, time zero + 3 years, time zero + 4 years, and time zero + 5 years. However, once the Mangrove Mitigation Zone achieves the success criteria and is approved, the Applicant may choose to discontinue future monitoring events. The monitoring will be conducted

by a qualified professional. The mangrove monitoring will consist of a qualitative assessment and quantitative assessment, as detailed below. A report summarizing the conditions observed during the monitoring event(s), the maintenance activities completed during the previous year, maintenance activities recommended during the next year, and a discussion relating observed conditions to the success criteria will be prepared. The monitoring report will be prepared and submitted to SWFWMD/USACE within 30 days following the completion of the annual monitoring events (up to 5 annual reports).

The qualitative assessment will include a visual inspection of the entire mitigation area to note general observations of reduced/exceptional mangrove growth, estimated nuisance/invasive species cover, areas of erosion, and fauna utilization.

The quantitative assessment will provide data suitable for estimating areal percent cover by mangroves, areal percent cover by nuisance/exotic species, and annual growth rate. Quantitative monitoring will be conducted using line intercept transects in randomly selected locations within the Mangrove Mitigation Zone. Detailed monitoring procedures are as follows:

1. The MHW line will be utilized as a linear baseline through the area and will be stationed in 10-foot sections starting at zero at the southeast terminus.
2. Using GIS, a minimum of 15 transects will be generated at random 10-foot stations oriented perpendicular to the baseline.
3. Each monitoring transect will be located in the field and the start and end points will be marked at the edge of mangrove canopy cover.
4. A measuring tape will be extended between the markers with the zero (0) point on the waterward end of the transect.
5. Starting at zero, the species and height of the nearest mangrove individual to the line will be collected every 0.5 meter. This data will be used to calculate annual growth rate.
6. Starting at zero, continue along the entire transect line noting where any canopy or basal portion of plants cross or touch the line. Record the measurements and species. Where two species cross or touch at the same location, record both species. This data will be used to calculate percent cover for mangroves and nuisance/exotic species.

Representative photographs will be taken from a minimum of five (5) fixed photography stations established at the time of planting completion. In addition, a photograph of each monitoring transect line will be taken.

2.3 SUCCESS CRITERIA (PERFORMANCE STANDARDS)

The Mangrove Mitigation Zone will be considered successful at the time the success criteria are met. The mitigation will be considered successful once the area is documented as meeting the criteria below during an annual monitoring event and is subsequently inspected and approved by USACE. The success criteria must be met within 5 years or the Applicant shall propose a remediation plan detailing activities to be implemented to meet the success criteria. The success criteria shall include the following:

- a) The mitigation area meets the definition of a mangrove swamp (FLUCCS: 612) through dominance of mangrove species;
- b) The mitigation area meets the definition of a wetland in accordance with the 1987 Wetland Delineation Manual and the Final Regional Supplement to the Corps Wetland Delineation Manual: Atlantic and Gulf Coastal Plan Region (Version 2.0, November 2010);
- c) Estimated areal percent cover by mangrove species for the entire mitigation area is 50 percent or greater;
- d) A positive annual growth rate is documented; and
- e) Cover by nuisance and invasive species is less than 10 percent throughout the entire mitigation area.

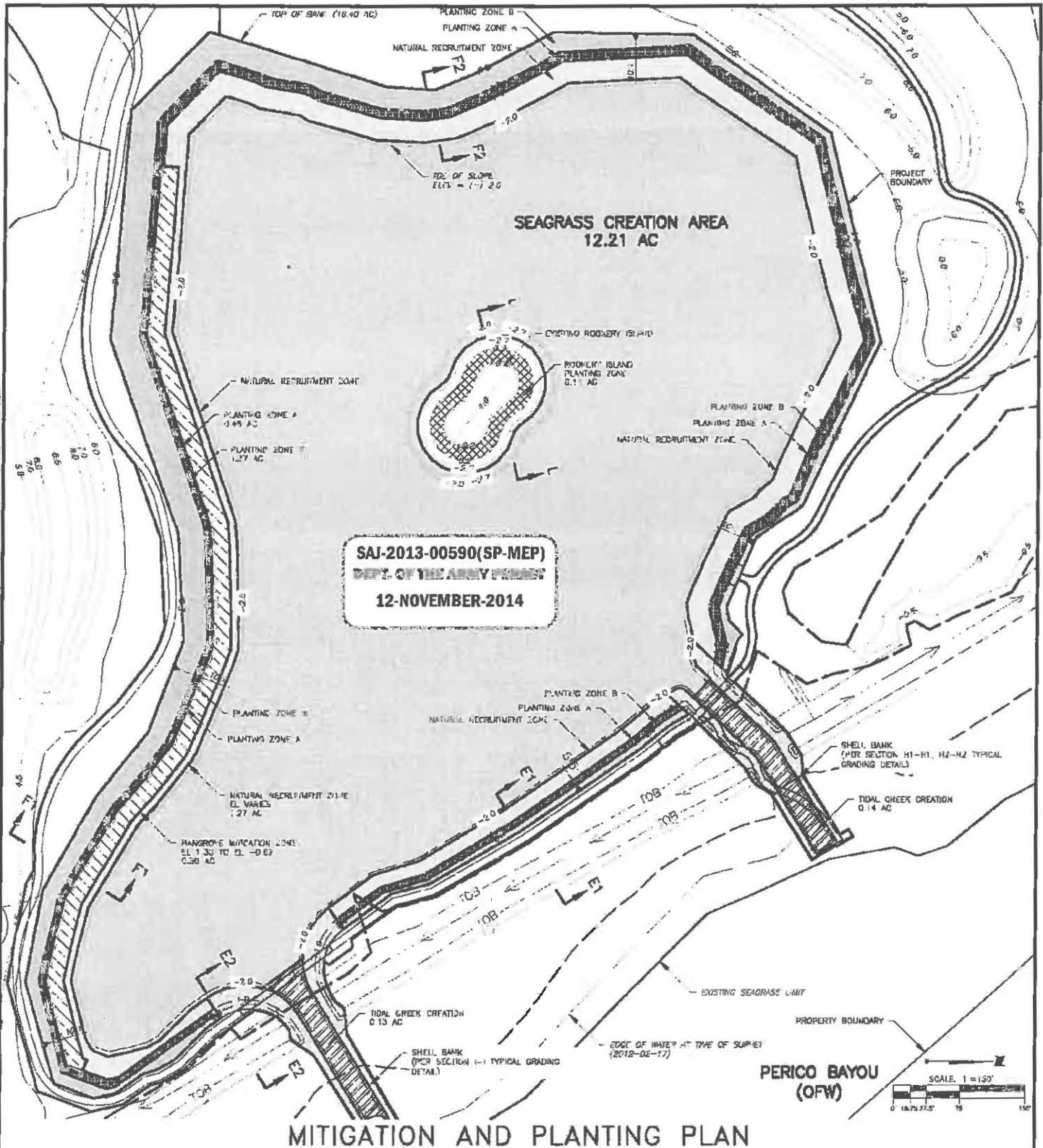
A specified height of mangroves within the mitigation area is not a success criteria parameter. It is understood that the mangroves will likely not reach their full height potential within the 5-year monitoring period. However, the time lag used to calculate the required compensatory mitigation assumes an 11 – 15 year time lag to provide adequate time for the mangrove canopy to develop. It is unreasonable to monitor the mitigation area for 11+ years to document mangrove height if the mitigation area is demonstrating sufficient growth and habitat development based on the areal cover estimate and annual growth rate calculation and trending toward a climax mangrove forest.

The Mangrove Mitigation Zone is designed to occur within a 20-foot wide area centered along the mean high water (0.33 ft. NAVD); however, the Mangrove Mitigation Zone boundary shall be flexible allowing the mitigation area to include areas above and below the 20-foot zone to be included in the Mangrove Mitigation Zone if necessary to meet the 0.5 acre mitigation requirement. At the time the Mangrove Mitigation Zone is deemed successful, a sub-meter DGPS shall be utilized to collect points denoting the limits of the Mangrove Mitigation Zone. Points collected shall be spaced a maximum of 30 feet apart and shall adequately capture the limits of the zone. The points will be utilized to generate a boundary of the total successful mangrove mitigation area.

2.4 LONG-TERM MAINTENANCE

The Mangrove Mitigation Zone will be maintained in perpetuity following the initial installation of plants. An appropriate maintenance schedule will be developed to minimize the presence of nuisance/invasive species through the application of approved, systemic herbicides and/or hand removal. The maintenance schedule will minimize the application of herbicides through active monitoring, allowing maintenance events to be completed when necessary. In addition to the control of nuisance/invasive species, the Applicant will implement practices to keep the Mangrove Mitigation Zone free from human disturbance or destruction.

The mitigation area **will** be maintained at the success criteria by the Applicant in perpetuity.



PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



6900 Professional Parkway East, Sarasota, FL 34240

Phone 941-907-6900 • Fax 941-907-6910

Certificate of Authorization #27013 • www.stantec.com

R. QUINCE SELLERS, P.E.
FLORIDA LICENSE NO. 49374

SCALE: AS SHOWN

DATE: 2/3/14

SEC: 22, 26, 27 TWP: 34S PGE: 16E

REV: RD

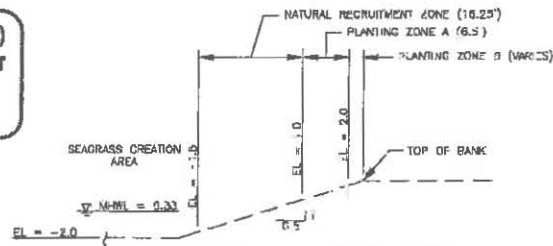
PROJECT NO: 215510428

INDEX NO: A-215510428-000021

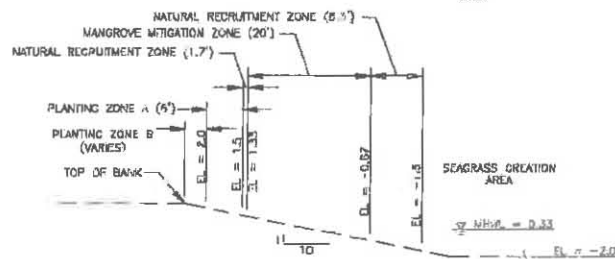
DRAWN BY: EMP. NO. ATO/89520

SHEET NO: 21 of 35

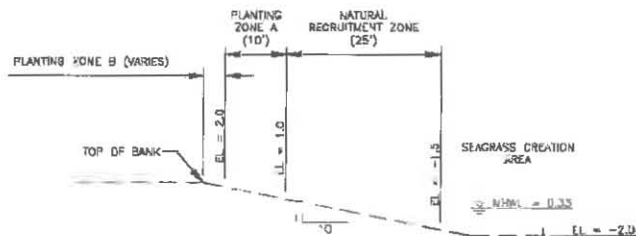
SAI-2013-00590(SP-MEP)
DEPT. OF THE ARMY PERMIT
12-NOVEMBER-2014



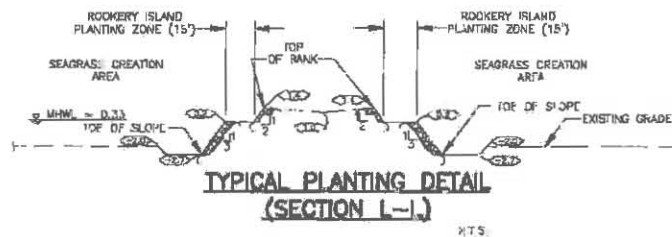
TYPICAL PLANTING DETAIL
(SECTIONS E1-E1 AND E2-E2)
N.T.S.



TYPICAL PLANTING DETAIL
(SECTION F1-F1)
N.T.S.



TYPICAL PLANTING DETAIL
(SECTION F2-F2)
N.T.S.



TYPICAL PLANTING DETAIL
(SECTION L-L)
N.T.S.

MITIGATION AND PLANTING DETAILS

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS



Stantec

6900 Professional Parkway East, Sarasota, FL 34240
Phone 941-907-6900 • Fax 941-907-6910
Certificate of Authorization #27013 • www.stantec.com

R QUINCE SELLERS, P.E.
FLORIDA LICENSE NO. 49374

SCALE: AS SHOWN	DATE: 2/3/14
SEC. 22, 26, 27	W.P. 34S RGE 16E
PROJECT NO. 21551042B	INDEX NO. A-21551042B-000022
DRW. BY: EMP NO. 410/B9520	SHEET NO. 22 OF 35

Seagrass Basin Slope Planting Specifications

Stratum	Common Name	Scientific Name	Elevation Range (feet NAVD)	Percentage of Total Area Per Species by Elevation Range	Area (sq. ft.) within Elevation Range	Average Spacing (O.C.)	Quantity	Size (minimum)
ZONE A								
Ground Cover	Seashore paspalum	<i>Paspalum vaginatum</i>	1.25 - 1.50	40	4,869	2	487	LN-4"
			1.50 - 1.75	30	7,668	2	575	LN-4"
	Seapurslane	<i>Sesuvium portulacastrum</i>	1.25 - 1.50	30	4,869	2	365	LN-4"
			1.50 - 1.75	15	7,668	2	258	LN-4"
	Seacoast marshelder	<i>Iva imbricata</i>	1.25 - 1.50	25	4,869	2	304	LN-4"
			1.50 - 1.75	15	7,668	2	268	LN-4"
	Saltmeadow cordgrass	<i>Spartina patens</i>	1.50 - 1.75	30	7,668	2	575	LN-4"
	Sand Cordgrass	<i>Spartina bakeri</i>	1.75 - 2.00	60	7,712	2	1157	LN-4"
	Sea oxeye	<i>Bomachia frutescens</i>	1.25 - 1.50	5	4,869	2	61	LN-4"
			1.50 - 1.75	10	7,668	2	192	LN-4"
			1.75 - 2.00	40	7,712	2	771	LN-4"
Stratum	Common Name	Scientific Name	Elevation Range (feet NAVD)	Percentage of Total Area Per Species by Stratum	Area (sq. ft.) within Elevation Range	Average Spacing (O.C.)	Quantity	Size (minimum)
ZONE B								
Ground Cover	Bahiagrass	<i>Paspalum notatum</i>	2.0+	100	59,802	NA	59,802	Sod
Shrubs	Jamaica Caper	<i>Capparis jamaicensis</i>	2.0+	10	59,802	10	60	7-gal
	White Stopper	<i>Eugenia exillaris</i>	2.0+	15	59,802	10	90	7-gal
	Spanish Stopper	<i>Eugenia foetida</i>	2.0+	10	59,802	10	60	7-gal
	Florida Privet	<i>Forestiera segregata</i>	2.0+	15	59,802	10	90	3-gal
	Necklace Pod	<i>Sophora tomentosa</i> var. <i>truncata</i>	2.0+	5	59,802	10	30	3-gal
	Spanish Bayonet	<i>Yucca eliofilia</i>	2.0+	15	59,802	10	90	7-gal
	Marrishleaf	<i>Dodonaea viscosa</i>	2.0+	15	59,802	10	90	3-gal
	White indigoberry	<i>Randia aculeata</i>	2.0+	15	59,802	10	90	3-gal
Trees	Gumbo Limbo	<i>Bursera simaruba</i>	2.0+	10	59,802	20	15	15-gal
	Cabbage palm	<i>Sabal palmetto</i>	2.0+	5	59,802	2 clusters	7	10-ft (min) CT
	Green buttonwood	<i>Conocarpus erectus</i>	2.0+	20	59,802	20	30	7-gal
	Green buttonwood	<i>Conocarpus erectus</i>	2.0+	15	59,802	20	22	15-gal
	Strangler fig	<i>Ficus aurea</i>	2.0+	10	59,802	20	15	15-gal
	Jamaica Caper	<i>Capparis jamaicensis</i>	2.0+	10	59,802	20	15	15-gal
	Seagrape	<i>Coccoloba uvifera</i>	2.0+	30	59,802	20	45	15-gal

Mangrove Mitigation Zone Planting Specifications

Stratum	Common Name	Scientific Name	Elevation Range (feet NAVD)	Percentage of Total Area Per Species	Area (sq. ft.) within Elevation Range	Average Spacing (O.C.)	Quantity	Size (minimum)
Ground Cover	Saltmarsh cordgrass	<i>Spartina alterniflora</i>	-0.67 - 1.33	100	21,780	3	2,420	BR
Trees	Red mangrove	<i>Rhizophora mangle</i>	-0.67 - 0.33	100	10,973	10	110	3-gal
	Red mangrove	<i>Rhizophora mangle</i>	-0.67 - 0.33	100	10,973	5	439	propagule
	Black mangrove	<i>Avicennia germinans</i>	0.33 - 1.33	100	10,807	10	108	LN-2"

Rookery Island Planting Zone Specifications

Stratum	Common Name	Scientific Name	Elevation Range (feet NAVD)	Percentage of Total Area Per Species	Area (sq. ft.) within Elevation Range	Average Spacing (O.C.)	Quantity	Size (minimum)
Trees	Red mangrove	<i>Rhizophora mangle</i>	0.20	100	4,889	5	45	3-gal

MITIGATION AND PLANTING DETAILS

PROJECT: ROOKERY AT PERICO SEAGRASS ADVANCE MITIGATION

CLIENT: MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS


Stantec

 6900 Professional Parkway East, Sarasota, FL 34240
 Phone 941-907-6900 • Fax 941-907-6910
 Certificate of Authorization #27013 • www.stantec.com

SAJ-2013-00590(SP-MEP)

DEPT. OF THE ARMY PERMIT

12-NOVEMBER-2014

R. QUINCE SELLERS, P.E.
FLORIDA LICENSE NO. 49374

SCALE: AS SHOWN

DATE: 2/3/14

SEC: 22,26,27 TWP: 34S RGE: 16E

REV NO:

PROJECT NO

21551042B

INDEX NO: A-21551042B-000023

DRWN BY/ENP NO

ATO/8952D

SHEET NO:

23 OF 35

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, 10117 Princess Palm Avenue, Suite 120, Tampa, FL, 33610. If you have questions regarding this requirement, please contact the Enforcement Branch at 904-232-3131.

1. Department of the Army Permit Number: SAJ-2013-00590(SP-MEP)

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

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 that the United States Army Corps of Engineers has issued Department of the Army Permit SAJ- - - to (Permittee) on , 200 , authorizing impacts to waters of the United States (including wetlands) in accordance with Section 404 of the Clean Water Act on a parcel of land known as Folio/Parcel ID: _____ encompassing _____ acres located within a portion of Section _____, Township _____ South, Range _____ East, _____, _____ County, Florida.

Within thirty (30) days of any transfer of interest or control of that portion of the premises containing the area authorized to be filled (or any portion thereof), the Permittee must notify the U.S. Army Corps of Engineers in writing of the property transfer by submitting the completed permit transfer page of the permit. 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, without first having obtained a permit from the Corps of Engineers in the purchaser's name.

The subject Permit concerns only that portion of the property determined to fall within the jurisdiction of the U.S. Army Corps of Engineers and this notice is applicable only to those portions of the subject property containing areas authorized to be filled and wetland mitigation/conservation areas subject to the Permit.

Conditions of the Permit: The Permit is subject to General Conditions and Special Conditions which may affect the use of the subject property. Accordingly, interested parties should closely examine the entire Permit, all associated applications, and any subsequent modifications.

To obtain a copy of the permit 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 Permit is not a complete summary of the Permit. Provisions in this Notice of Permit shall not be used in interpreting the Permit provisions. In the event of conflict between this Notice of Permit and the Permit, the Permit 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 U.S. Army Corps of Engineers.

This Notice of Permit is executed on this _____ day of _____, 20____. This document is being submitted for recordation in the Public Records of _____ County, Florida as part of the requirement imposed by Department of the Army Permit No SAJ- _____ issued by the United States Army Corps of Engineers.

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.

(seal)

Notary Public

Print

My Commission Expires _____



Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899

(352) 796-7211 or 1-800-423-1476 (FL only)

SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)

On the Internet at: WaterMatters.org

An Equal
Opportunity
Employer

Bartow Service Office
170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Service Office
6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Service Office
7601 Highway 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

November 04, 2013

Manatee County Board of County Commissioners
Attn: Charlie Hunsicker
Natural Resources Department, 415 10th Street West
Bradenton, FL 34205

Subject: **Notice of Intended Agency Action**
ERP Individual Construction Major Modification

Project Name: Manatee County - Rookery at Perico Seagrass Advance Mitigation
App ID/Permit No: 678237 / 43040091.003
County: MANATEE
Sec/Twp/Rge: S26/T34S/R16E, S27/T34S/R16E

Dear Permittee(s):

Your Environmental Resource Permit modification has been approved contingent upon no objection to the District's action being received by the District within the time frames described in the enclosed Notice of

If approved construction plans are part of the permit, construction must be in accordance with these plans. These drawings are available for viewing or downloading through the District's Application and Permit Search Tools located at www.WaterMatters.org/permits.

The District's action in this matter only becomes closed to future legal challenges from members of the public if such persons have been properly notified of the District's action and no person objects to the District's action within the prescribed period of time following the notification. The District does not publish notices of intended agency action. If you wish to limit the time within which a person who does not receive actual written notice from the District may request an administrative hearing regarding this action, you are strongly encouraged to publish, at your own expense, a notice of intended agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Publishing notice of intended agency action will close the window for filing a petition for hearing. Legal requirements and instructions for publishing notice of intended agency action, as well as a noticing form that can be used is available from the District's website at www.WaterMatters.org/permits/noticing. If you publish notice of intended agency action, a copy of the affidavit of publishing provided by the newspaper should be sent to the District's Tampa Service Office, for retention in the File of Record for this agency action.

If you have questions, please contact Steven Lopes, at the Tampa Service Office, extension 6506. For assistance with environmental concerns, please contact Tasha Bowers, extension 6538.

Sincerely,

Michelle K. Hopkins, P.E.
Bureau Chief
Environmental Resource Permit Bureau
Regulation Division

Enclosures: Approved Permit w/Conditions Attached
 [Statement of Completion](#)
 Notice of Authorization to Commence Construction
 Notice of Rights
cc: U. S. Army Corps of Engineers
 Ryan Horstman
 Mike Burton
 R. Quince Sellers, P.E., Stantec Consulting Services, Inc.

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
ENVIRONMENTAL RESOURCE
INDIVIDUAL CONSTRUCTION MAJOR MODIFICATION
PERMIT NO. 43040091.003**

EXPIRATION DATE: **November 04, 2018**

PERMIT ISSUE DATE: **November 04, 2013**

This permit is issued under the provisions of Chapter 373, Florida Statutes, (F.S.), and the Rules contained in Chapter 62-330, Florida Administrative Code, (F.A.C.). The permit authorizes the Permittee to proceed with the construction of a surface water management system in accordance with the information outlined herein and shown by the application, approved drawings, plans, specifications, and other documents, attached hereto and kept on file at the Southwest Florida Water Management District (District). Unless otherwise stated by permit specific condition, permit issuance constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341. All construction, operation and maintenance of the surface water management system authorized by this permit shall occur in compliance with Florida Statutes and Administrative Code and the conditions of this permit.

PROJECT NAME: Manatee County - Rookery at Perico Seagrass Advance Mitigation

GRANTED TO: Manatee County Board of County Commissioners
Attn: Charlie Hunsicker
Natural Resources Department, 415 10th Street West
Bradenton, FL 34205

OTHER PERMITTEES: N/A

ABSTRACT: This permit authorizes modifications to Environmental Resource Permit (ERP) No. 44040091.002 entitled Manatee County - The Rookery at Perico Preserve that was issued on June 22, 2012. The intent of the proposed activities is to facilitate creation of a seagrass mitigation basin to be used to offset future seagrass impacts. The construction modifications approved in this permit are as follows:

1. Construction of two (2) tidal connections between the previously permitted freshwater pond and Perico Bayou.
2. Enlargement of the previously permitted pond from 16.27 acres to 16.40 acres.
3. Planting of the proposed tidal basin as shown on the planting specifications of the construction plans.
4. Placement of shell at locations as shown on the plans for stabilization and to encourage the establishment of oyster reef/bar habitat.
5. Construction of recreational trails, boardwalks, and associated passive recreation features.

Information regarding the surface water management system, 100-year floodplain, wetlands and/or surface waters is stated below and on the permitted construction drawings for the project.

OP. & MAIN. ENTITY: Manatee County Board of County Commissioners

OTHER OP. & MAIN. ENTITY: N/A

COUNTY: MANATEE

SEC/TWP/RGE: S26/T34S/R16E, S27/T34S/R16E

TOTAL ACRES OWNED OR UNDER CONTROL:	175.84
PROJECT SIZE:	21.21 Acres
LAND USE:	Government
DATE APPLICATION FILED:	May 23, 2013
AMENDED DATE:	N/A

I. Water Quantity/Quality

POND No.	Area Acres @ Top of Bank	Treatment Type
1	16.40	NO TREATMENT SPECIFIED
	Total: 16.40	

Water Quantity/Quality Comments:

Pond 1 was previously permitted under ERP 44040091.002 as a freshwater pond with a rookery island. This ERP 43040091.003 will create two (2) tidal connections between the pond and Perico Bayou in order to convert the freshwater pond to a saltwater/tidal basin supporting seagrass habitat, mangrove, and complementary habitats. Perico Bayou is part of the Sarasota Bay Estuarine System (an OFW - Outstanding Florida Waters).

The project discharges to a waterbody that is verified as impaired for mercury (Sarasota Bay/WBID 1868); water quality certification is therefore waived as a condition of this permit.

A mixing zone is required.

A variance is not required.

II. 100-Year Floodplain

Encroachment (Acre-Feet of fill)	Compensation (Acre-Feet of excavation)	Compensation Type	Encroachment Result* (feet)
0.00	0.00	No Encroachment	N/A

Floodplain Comments:

The FEMA floodplain is due to a tidal surge.

*Depth of change in flood stage (level) over existing receiving water stage resulting from floodplain encroachment caused by a project that claims Minimal Impact type of compensation.

III. Environmental Considerations

Wetland/Other Surface Water Information

Wetland/Other Surface Water Name	Total Acres	Not Impacted Acres	Permanent Impacts		Temporary Impacts	
			Acres	Functional Loss*	Acres	Functional Loss*
Surface Water #2	0.05	0.00	0.01	0.00	0.04	0.00
Perico Bayou	0.42	0.00	0.42	0.12	0.00	0.00
Perico Bayou (Estuary)	0.04	0.00	0.00	0.00	0.04	0.00
Created WL (40580.000)	1.21	1.20	0.01	0.00	0.00	0.00
Created WL (40091.001)	0.97	0.96	0.01	0.00	0.00	0.00
Seagrass Basin	16.40	16.32	0.08	0.00	0.00	0.00
Total:	19.09	18.48	0.53	0.12	0.08	0.00

* For impacts that do not require mitigation, their functional loss is not included.

Wetland/Other Surface Water Comments:

There are 19.09 acres of wetlands (FLUCCS 612 "Mangroves" and 641 "Freshwater Marsh") and surface waters (FLUCCS 510 "Streams and Waterways" and 540 "Bays and Estuaries") located within the project area for this ERP Modification. Permanent filling impacts to 0.53 acre of project wetlands and surface waters (FLUCCS 612, 641, 510 and 540) will occur for construction of a seagrass creation basin intended for future mitigation use and a pedestrian trail. Permanent filling impacts to 0.41 acre of qualifying wetlands were evaluated using the Uniform Mitigation Assessment Method (UMAM) as required pursuant to Chapter 62-345, F.A.C. The results of the UMAM analysis indicate a functional loss of 0.12 units due to the permanent impacts proposed. Temporary dredging impacts to 0.08 acre of the project wetlands and surface waters will occur for construction of the tidal connection channels. Restoration of the temporarily impacted surface water areas (FLUCCS 540 "Bays and Estuaries") is to occur in accordance with the specific conditions of this permit.

Mitigation Information

Name	Creation		Enhancement		Preservation		Restoration		Enhancement +Preservation		Other	
	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain
Mangrove Mitigation Zone	0.50	0.13	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total:	0.50	0.13	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Mitigation Comments:

Wetland mitigation for permanent filling impacts associated with the initial construction of the project will be provided by the onsite creation of 0.50 acre of wetlands (FLUCCS 612 "Mangroves"). The results of the UMAM analysis indicate a functional gain of 0.13 units which offsets the 0.12 units of functional loss proposed to wetland habitat.

Wetland mitigation will not be required for permanent filling/dredging impacts to 0.12 acre of the project wetlands and the upland-cut ditch pursuant to Section 10.2.2 and Subsection 10.2.2.2, respectively, of Applicant Handbook Volume 1. Under this Section and Subsection, wetland mitigation is not required for impacts that have been determined to be de minimis to fish, wildlife and listed species or to drainage ditches that were constructed in uplands and do not provide significant habitat for threatened or endangered species and were not constructed to divert natural stream flow.

The future seagrass mitigation credits anticipated to be generated by this project will be administered in accordance with the specific conditions of this permit and subsequent permit modifications.

Specific Conditions

1. If the ownership of the project area covered by the subject permit is divided, with someone other than the Permittee becoming the owner of part of the project area, this permit shall terminate, pursuant to Rule 40D-1.6105, F.A.C. In such situations, each land owner shall obtain a permit (which may be a modification of this permit) for the land owned by that person. This condition shall not apply to the division and sale of lots or units in residential subdivisions or condominiums.
2. The Permittee shall retain the design engineer, or other professional engineer registered in Florida, to conduct on-site observations of construction and assist with the as-built certification requirements of this project. The Permittee shall inform the District in writing of the name, address and phone number of the professional engineer so employed. This information shall be submitted prior to construction.

3. **WETLAND MITIGATION SUCCESS CRITERIA MITIGATION AREA (Mangrove Mitigation Zone)
(0.50 acre)**

Mitigation is expected to offset adverse impacts to wetlands and other surface waters caused by regulated activities and to achieve viable, sustainable ecological and hydrological wetland functions. Wetlands constructed for mitigation purposes will be considered successful and will be released from monitoring and reporting requirements when the following criteria are met continuously for a period of at least one year without intervention in the form of irrigation or the addition or removal of vegetation.

a. The mitigation area can reasonably be expected to develop into a Mangrove Swamp (FLUCCS 612) as determined by the Florida Land Use and Cover and Forms Classification System (third edition; January 1999).

b. Topography, water depth and water level fluctuation in the mitigation area are characteristic of the wetlands/surface water type specified in criterion "a."

c. Planted or recruited herbaceous or shrub species (or plant species providing the same function) shall meet the criteria specified:

Zone: Throughout (elevation -0.67 to +1.33 NAVD)

Percent Cover: 85%

Species: *Spartina alterniflora*

d. Planted or recruited tree species that are greater than or equal to 12 feet in height and established for more than 5 years shall meet the criteria specified:

Zone: Middle (elevation +0.33 to +1.33 NAVD)

Percent Cover: 85%

Species: *Avicennia germinans*

Zone: Deep (elevation -0.67 to +0.33 NAVD)

Percent Cover: 85%

Species: *Rhizophora mangle*

e. Species composition of recruiting wetland vegetation is indicative of the wetland type specified in criterion "a."

f. Coverage by nuisance or exotic species does not exceed 5 percent at any area within the mitigation site and 10 percent for the entire mitigation site.

g. The wetland mitigation area can be determined to be a wetland or other surface water according to Chapter 62-340, F.A.C.

The mitigation area may be released from monitoring and reporting requirements and be deemed successful at any time during the monitoring period if the Permittee demonstrates that the conditions in the mitigation area have adequately replaced the wetland and surface water functions affected by the regulated activity and that the site conditions are sustainable.

4. The Permittee shall monitor and maintain the wetland mitigation area(s) until the criteria set forth in the Wetland Mitigation Success Criteria Conditions(s) above are met. The Permittee shall perform corrective actions identified by the District if the District identifies a wetland mitigation deficiency.
5. The Permittee shall undertake required maintenance activities within the wetland mitigation area(s) as needed at any time between mitigation area construction and termination of monitoring, with the exception of the final year. Maintenance shall include the manual removal of all nuisance and exotic species, with sufficient frequency that their combined coverage at no time exceeds the Wetland Mitigation Success Criteria Condition(s) above. Herbicides shall not be used without the prior written approval of the District.
6. The permittee, prior to beneficial use of the site must submit an as-built survey of the wetland mitigation areas certified by a registered surveyor or professional engineer showing dimensions, grades, ground elevations, water surface elevations, and species composition, numbers and densities. Upon District inspection and approval of the mitigation area, the monitoring program shall be initiated with the date of the District field inspection being the construction completion date of the mitigation area. Monitoring events shall occur between March 1 and November 30 of each year.

An Annual Wetland Monitoring Report shall be submitted upon the anniversary date of District approval to initiate monitoring. Annual reports shall provide documentation that a sufficient number of maintenance inspection/activities were conducted to maintain the mitigation area in compliance according to the Wetland Mitigation Success Criteria Conditions) above. Note that the performance of maintenance inspections and maintenance activities will normally need to be conducted more frequently than the collection of other monitoring data to maintain the mitigation area in compliance with the Wetland Mitigation Success Criteria Conditions above.

Monitoring Data shall be collected semi-annually.

7. Termination of monitoring for the wetland mitigation area shall be coordinated with the District by:
 - a. notifying the District in writing when the criteria set forth in the Wetland Mitigation Success Criteria Conditions have been achieved;
 - b. submitting documentation, including the date, that all maintenance activities in the wetland mitigation area have been suspended including, but not limited to, irrigation and addition or removal of vegetation; and
 - c. submitting a monitoring report to the District one year following the written notification and suspension of maintenance activities.

Upon receipt of the monitoring report, the District will evaluate the wetland mitigation site to determine if the Mitigation Success Criteria Conditions have been met and maintained. The District will notify the Permittee in writing of the evaluation results. The Permittee shall perform corrective actions for any portions of the wetland mitigation area that fail to maintain the criteria set forth in the Wetland Mitigation Success Criteria Conditions.

8. Following the District's determination that the wetland mitigation has been successfully completed, the Permittee shall operate and maintain the wetland mitigation area such that it remains in its current or intended condition for the life of the surface water management facility. The Permittee must perform corrective actions for any portions of the wetland mitigation area where conditions no longer meet the criteria set forth in the Wetland Mitigation Success Criteria Conditions.
9. The Permittee shall commence construction of the mitigation area within 30 days of wetland impacts, if wetland impacts occur between February 1 and August 31. If wetland impacts occur between September 1 and January 31, construction of the mitigation area shall commence by March 1. In either case, construction of the mitigation area shall be completed within 120 days of the commencement date unless a time extension is approved in writing by the District.
10. Wetland buffers shall remain in an undisturbed condition except for approved drainage facility construction/maintenance. No owner of property may perform any work, construction, maintenance, clearing, filling or any other type of activities within the wetlands, wetland mitigation areas, wetland buffers, described in the approved permit and recorded plat of the subdivision, unless prior approval is received from the Southwest Florida Water Management District.
11. The following boundaries, as shown on the approved construction drawings, shall be clearly delineated on the site prior to initial clearing or grading activities:
 - wetland and surface water areas
 - wetland buffers
 - limits of approved wetland impactsThe delineation shall endure throughout the construction period and be readily discernible to construction and District personnel.
12. All wetland and surface water boundaries shown on the approved construction drawings shall be binding upon the Permittee and the District for the term of this permit. If this permit is extended, the wetland and surface water boundaries shall only remain binding for the term of such extension provided that physical conditions on the property, as solely determined by District staff, do not change so as to alter the boundaries of the delineated wetlands or other surface waters during the permit term, unless such change has been authorized by a permit issued under Part IV, Chapter 373, F.S.
13. All construction is prohibited within the permitted project area until the Permittee acquires legal ownership or legal control of the project area as delineated in the permitted construction drawings.
14. 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 4-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 shall 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 1/2 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.

15. This modification, Construction Permit No. 43040091.003, amends the previously issued Construction Permit No. 44040091.002 and adds conditions. All other original permit conditions remain in effect.
16. Certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341 is waived.
17. Water quality monitoring for turbidity shall be conducted within Perico Bayou, an Outstanding Florida Water, for the duration of project construction in accordance with the site specific turbidity monitoring plan received by the District on September 5, 2013 and as shown on Sheet 14 of the permitted construction plans.
18. A total of two (2) temporary mixing zones for turbidity are granted as shown on Sheet 14 of the permitted drawings. The mixing zones are granted exclusively for the duration of construction for

the tidal connection channel activities, not to exceed 30 days.

19. A permit modification will be required prior to any anticipated seagrass harvesting from the donor site. The modification shall document specific harvesting locations, characteristics of the donor areas and a post harvesting monitoring plan.
20. The future seagrass mitigation credits anticipated to be generated by this project will be assessed and quantified under a subsequent permit modification. This permit establishes a Uniform Mitigation Assessment Method (UMAM) baseline mitigation condition for Location/Landscape, Water Environment and Community Structure as "zero" for the created seagrass basin, pursuant to 62-345, F.A.C.. The subsequent modification shall document seagrass bed conditions at the time of the mitigation credit request via a functional assessment analysis of the seagrass beds. The subsequent modification will also contain specific conditions detailing total credits awarded, a credit release schedule, a credit ledger, conservation easement requirements and a perpetual monitoring and maintenance plan.
21. As part of the Transfer to Operations phase, the District shall inspect and evaluate the temporarily impacted surface water areas (FLUCCS 540 "Bays and Estuaries). The temporarily impacted estuarine surface water will be restored through stabilization via bagged and loose shell to encourage the establishment of oyster reef/bar habitat and mangrove recruitment.
22. If prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, early colonial contact, or American settlement are encountered at any time within the project site area, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee, or other designee, should contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section at 850.245.6333, as well as the appropriate permitting agency office(s). Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources and permit agencies.
23. In the event that unmarked human remains are encountered during permitting activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, F.S.
24. Suitable habitat exists within the project area for multiple listed wading bird species. Prior to the start of construction, the applicant should complete nesting-season surveys for active wading bird colonies. If any listed wading bird nesting colonies are identified within the project area, the FWC recommends maintaining a minimum disturbance buffer of 100 meters between the edge of the colony and any type of disturbance during the breeding season (January-August).
25. The District recognizes the inherent variability in natural systems. At the time of the mitigation credit request for the created seagrass basin area, the applicant may elect to request, or the District may require, credit for the different wetland habitat type(s) that have become established within the limits of the basin area, in addition to any seagrass bed establishment.

GENERAL CONDITIONS

1. The general conditions attached hereto as Exhibit "A" are hereby incorporated into this permit by reference and the Permittee shall comply with them.

Michelle K. Hopkins, P.E.

Authorized Signature

EXHIBIT A

GENERAL CONDITIONS:

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

- a. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C., or the permit may be revoked and the permittee may be subject to enforcement action.
- b. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
- c. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007)*, and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008)*, which are both incorporated by reference in subparagraph 62-330.050(8)(b)5, F.A.C., unless a projectspecific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
- d. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice,"[effective date], incorporated by reference herein (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.
- e. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.
- f. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 1. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex - "Construction Completion and Inspection Certification for Activities Associated with a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or
 2. For all other activities - "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
 3. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
- g. If the final operation and maintenance entity is a third party:
 1. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as- built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction

needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.

2. Within 30 days of submittal of the as-built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
- h. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
- i. This permit does not:
 1. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 2. Convey to the permittee or create in the permittee any interest in real property;
 3. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 4. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
- j. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
- k. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
- l. The permittee shall notify the Agency in writing:
 1. Immediately if any previously submitted information is discovered to be inaccurate; and
 2. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.
- m. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.
- n. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification

shall be provided in accordance with Section 872.05, F.S. (2012).

- o. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.
 - p. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.
 - q. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.
 - r. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.
2. In addition to those general conditions in subsection (1) above, the Agency shall impose any additional project-specific special conditions necessary to assure the permitted activities will not be harmful to the water resources, as set forth in Rules 62-330.301 and 62-330.302, F.A.C., Volumes I and II, as applicable, and the rules incorporated by reference in this chapter.

SOUTHWEST FLORIDA
WATER MANAGEMENT DISTRICT

NOTICE OF
AUTHORIZATION
TO COMMENCE CONSTRUCTION

Manatee County - Rookery at Perico Seagrass Advance Mitigation

PROJECT NAME

Government

PROJECT TYPE

MANATEE

COUNTY

S26/T34S/R16E, S27/T34S/R16E

SEC(S)/TWP(S)/RGE(S)

Manatee County Board of County Commissioners

PERMITTEE

APPLICATION ID/PERMIT NO: 678237 / 43040091.003

DATE ISSUED: November 04, 2013



Michelle K. Hopkins, P.E.

Issuing Authority

THIS NOTICE SHOULD BE CONSPICUOUSLY
DISPLAYED AT THE SITE OF THE WORK

Notice of Rights

ADMINISTRATIVE HEARING

1. You or any person whose substantial interests are or may be affected by the District's intended or proposed action may request an administrative hearing on that action by filing a written petition in accordance with Sections 120.569 and 120.57, Florida Statutes (F.S.), Uniform Rules of Procedure Chapter 28-106, Florida Administrative Code (F.A.C.) and District Rule 40D-1.1010, F.A.C. Unless otherwise provided by law, a petition for administrative hearing must be filed with (received by) the District within 21 days of receipt of written notice of agency action. "Written notice" means either actual written notice, or newspaper publication of notice, that the District has taken or intends to take agency action. "Receipt of written notice" is deemed to be the fifth day after the date on which actual notice is deposited in the United States mail, if notice is mailed to you, or the date that actual notice is issued, if sent to you by electronic mail or delivered to you, or the date that notice is published in a newspaper, for those persons to whom the District does not provide actual notice.
2. Pursuant to Subsection 373.427(2)(c), F.S., for notices of intended or proposed agency action on a consolidated application for an environmental resource permit and use of state-owned submerged lands concurrently reviewed by the District, a petition for administrative hearing must be filed with (received by) the District within 14 days of receipt of written notice.
3. Pursuant to Rule 62-532.430, F.A.C., for notices of intent to deny a well construction permit, a petition for administrative hearing must be filed with (received by) the District within 30 days of receipt of written notice of intent to deny.
4. Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days of receipt or other period as required by law waives the right to request a hearing on such matters.
5. Mediation pursuant to Section 120.573, F.S., to settle an administrative dispute regarding District intended or proposed action is not available prior to the filing of a petition for hearing.
6. A request or petition for administrative hearing must comply with the requirements set forth in Chapter 28-106, F.A.C. A request or petition for a hearing must: (1) explain how the substantial interests of each person requesting the hearing will be affected by the District's intended action or proposed action, (2) state all material facts disputed by the person requesting the hearing or state that there are no material facts in dispute, and (3) otherwise comply with Rules 28-106.201 and 28-106.301, F.A.C. Chapter 28-106, F.A.C. can be viewed at www.flrules.org or at the District's website at www.WaterMatters.org/permits/rules.
7. A petition for administrative hearing is deemed filed upon receipt of the complete petition by the District Agency Clerk at the District's Tampa Service Office during normal business hours, which are 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding District holidays. Filings with the District Agency Clerk may be made by mail, hand-delivery or facsimile transfer (fax). The District does not accept petitions for administrative hearing by electronic mail. Mailed filings must be addressed to, and hand-delivered filings must be delivered to, the Agency Clerk, Southwest Florida Water Management District, 7601 Highway 301 North, Tampa, FL 33637-6759. Faxed filings must be transmitted to the District Agency Clerk at (813) 987-6746. Any petition not received during normal business hours shall be filed as of 8:00 a.m. on the next business day. The District's acceptance of faxed petitions for filing is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation, available for viewing at www.WaterMatters.org/about.

JUDICIAL REVIEW

1. Pursuant to Sections 120.60(3) and 120.68, F.S., a party who is adversely affected by District action may seek judicial review of the District's action. Judicial review shall be sought in the Fifth District Court of Appeal or in the appellate district where a party resides or as otherwise provided by law.
2. All proceedings shall be instituted by filing an original notice of appeal with the District Agency Clerk within 30 days after the rendition of the order being appealed, and a copy of the notice of appeal, accompanied by any filing fees prescribed by law, with the clerk of the court, in accordance with Rules 9.110 and 9.190 of the Florida Rules of Appellate Procedure (Fla. R. App. P.). Pursuant to Fla. R. App. P. 9.020(h), an order is rendered when a signed written order is filed with the clerk of the lower tribunal.

