



Environmental Protection and Growth Management Department  
**ENVIRONMENTAL LICENSING and BUILDING PERMITTING DIVISION**  
1 North University Drive, Suite 201-A • Plantation, FL 33324  
PHONE • 954-519-1483 Fax • 954-519-1412

June 15, 2016

The Oceanage  
Attention: Ms. Eileen Kearns, Manager  
1650 South Ocean Lane  
Fort Lauderdale, FL 33316

RE: The Oceanage - Seawall  
City of Fort Lauderdale, S/T/R (13-50-42)

This is to notify you of the Environmental Protection and Growth Management Department's (EPGMD) action concerning your application received 08/06/2015. The application has been reviewed for compliance with the following requirements:

**ERP Review - GRANTED**

EPGMD has the authority to review the project for compliance with the provisions of Chapter 373, Part IV, Florida Statutes pursuant to an agreement between EPGMD, DEP and the SFWMD. The agreement is outlined in a document entitled "DELEGATION AGREEMENT AMONG THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT, AND BROWARD COUNTY."

Based on the information submitted, Environmental Resource Permit No. 06-06692-P was issued on 06/14/2016.

Should you object to the conditions of the Environmental Resource Permit, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance with the attached "Notice of Rights", we will assume you concur with the action taken by EPGMD.

**Broward County Environmental Resource License Review - GRANTED**

EPGMD has reviewed the project, and the construction shall be in accordance with Application DEP form 62-343.900 (1) , the EPGMD Addendum, and and all associated information received on 11/20/2014. Based on the information submitted, the plans have been approved and stamped with Broward County Environmental Resource License (ERL) No. DF15-1067.

The above referenced approvals will remain in effect subject to the following:

1. Not receiving a filed request for a Chapter 120, Florida Statutes administrative hearing;
2. the attached SFWMD General Conditions;
3. the attached SFWMD Special Conditions;
4. the attached Broward County General Conditions;
5. the attached Broward County Specific Conditions;
6. the attached \_24\_ exhibits.

Issuance of the above referenced Broward County license(s) constitutes a final agency determination. A person with a substantial interest may file a petition to request review of or to intervene in a review of a final administrative determination, subject to the provisions of Section 27-14, Broward County Code of Ordinance.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a "Notice of Rights" has been mailed to the Permittee (and the persons listed in the attached distribution list) no later than 5:00 p.m. on 06/15/2016, in accordance with Section 120.60 (3), Florida Statutes.

By:   
Ashley Resta, P.E.  
Surface Water Management Program

Enclosed are the following:

- executed staff report;
- set(s) of stamped and approved plans;
- Notice of Rights; and
- Inspection Guidelines Brochure.

## **NOTICE OF RIGHTS**

As required by Sections 120.569(1), and 120.60(3), Fla. Stat., following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all the legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

### **RIGHT TO REQUEST ADMINISTRATIVE HEARING**

A person whose substantial interests are or may be affected by the Broward County Environmental Protection and Growth Management Department's (EPGMD, formerly known as Department of Planning and Environmental Protection or DPEP) action under the "Delegation Agreement Among the Florida Department of Environmental Protection, The South Florida Water Management District and Broward County" has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Fla. Stat. Persons seeking a hearing on an EPGMD decision which does or may determine their substantial interests shall file a petition for hearing with the EPGMD Environmental Compliance Administrator, within 21 days of receipt of written notice of the decision, unless the following shorter time period applies: within 14 days of service of an Administrative Order pursuant to Subsection 373.119(1), Fla. Stat. "Receipt of written notice of agency decision" means receipt of either written notice through mail, or electronic mail, or posting that the EPGMD has or intends to take final agency action, or publication of notice that the EPGMD has or intends to take final agency action. Any person who receives written notice of an EPGMD decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

### **Filing Instructions**

The Petition must be filed with the EPGMD Enforcement Administration Section's Environmental Compliance Administrator. Filings with the Environmental Compliance Administrator may be made by mail, hand-delivery or facsimile. **Filings by facsimile will not be accepted after October 1, 2014.** A petition for administrative hearing is deemed filed upon receipt during normal business hours by the Environmental Compliance Administrator, at the Broward County government offices in Plantation, Florida. Any document received by the EPGMD Enforcement Administration after 5:00 p.m. shall be filed as of 8:00 a.m. on the next regular business day. Additional filing instructions are as follows:

- Filings by mail must be addressed to the Environmental Compliance Administrator, Enforcement Administration Section, 1 N University Drive, Suite 307, Plantation, FL 33324.
- Filings by hand-delivery must be delivered to the EPGMD Enforcement Administration Section. **Delivery of a petition to the Broward County security desk does not constitute filing. To ensure proper filing, it will be necessary to request the Broward County security officer to contact the Environmental Compliance Administrator's office.** An employee of the Environmental Compliance Administrator's office will receive and file the petition.
- Filings by e-mail must be transmitted to the EPGMD Enforcement Administration Section at **[epdhotline@broward.org](mailto:epdhotline@broward.org)**. The filing date for a document transmitted by electronic mail shall be the date the EPGMD Enforcement Administration Section receives the complete document. A party who files a document by e-mail shall (1) represent that the original physically signed document will be retained by that party for the duration of the proceeding and of any subsequent appeal or subsequent proceeding in that cause and that the party shall produce it upon the request of other parties; and (2) be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed.

### **Initiation of an Administrative Hearing**

Pursuant to Rules 28-106.201 and 28-106.301, Fla. Admin. Code, initiation of an administrative hearing shall be made by written petition to the EPGMD in legible form and on 8 and 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, EPGMD file number or any other EPGMD identification number, if known.
2. The name, address and telephone number of the petitioner and petitioner's representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the EPGMD's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the EPGMD's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the EPGMD's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the EPGMD to take with respect to the EPGMD's proposed action.

A person may file a request for an extension of time for filing a petition. The EPGMD may, for good cause, grant the request. Requests for extension of time must be filed with the EPGMD prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and that the EPGMD and any other parties agree to or oppose the extension. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

If the EPGMD takes action with substantially different impacts on water resources from the notice of intended agency decision, the persons who may be substantially affected shall have an additional point of entry pursuant to Rule 28-106.111, Fla. Admin. Code, unless otherwise provided by law.

### **Mediation**

The procedures for pursuing mediation are set forth in Section 120.573, Fla. Stat., and Rules 28-106.111 and 28-106.401-.405, Fla. Admin. Code. The EPGMD is not proposing mediation for this agency action under Section 120.573, Fla. Stat., at this time.

### **RIGHT TO SEEK JUDICIAL REVIEW**

Pursuant to Sections 120.60(3) and 120.68, Fla. Stat., a party who is adversely affected by final EPGMD action may seek judicial review of the EPGMD's final decision by filing a notice of appeal pursuant to Florida Rule of Appellate Procedure 9.110 in the Fourth District Court of Appeal or in the appellate district where a party resides and filing a second copy of the notice with the Environmental Compliance Administrator within 30 days of rendering of the final EPGMD action.

### SFWMD General Conditions

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5, F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), 'Construction Commencement Notice,' indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.
5. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
  - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex - 'Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit' [Form 62-330.310(3)]; or
  - b. For all other activities - 'As-Built Certification and Request for Conversion to Operational Phase' [Form 62-330.310(1)].
  - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
7. If the final operation and maintenance entity is a third party:
  - a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as- built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
  - b. Within 30 days of submittal of the as- built certification, the permittee shall submit 'Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity' [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.

9. This permit does not:
  - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
  - b. Convey to the permittee or create in the permittee any interest in real property;
  - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
  - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the Agency in writing:
  - a. Immediately if any previously submitted information is discovered to be inaccurate; and
  - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.
13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.
14. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.
15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.
16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.
17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.
18. 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.

### SFWMD Special Conditions

1. The permittee shall be responsible for the correction of any erosion, shoaling or water quality problems that result from the construction or operation of the surface water management system.
2. Measures shall be taken during construction to insure that sedimentation and/or turbidity problems are not created in the receiving water.
3. The District reserves the right to require that additional water quality treatment methods be incorporated into the drainage system if such measures are shown to be necessary.
4. Facilities other than those stated herein shall not be constructed without an approved modification of this permit.
5. The conditions outlined in the Broward County Specific Conditions section, except where language specifically relates to Broward County Code, are incorporated into these SFWMD Special Conditions.
6. A stable, permanent and accessible elevation reference shall be established on or within one hundred (100) feet of all permitted discharge structures no later than the submission of the certification report. The location of the elevation reference must be noted on or with the certification report.
7. The wetland conservation areas and upland buffer zones and/or upland preservation areas shown on Exhibit(s) 13-15 may in no way be altered from their natural or permitted state. Activities prohibited within the conservation areas include, but are not limited to:
  - (a) construction or placing of buildings, roads, signs, billboards or other advertising, utilities or other structures on or above the ground;
  - (b) dumping or placing soil or material as landfill or dumping or placing of trash, waste, or unsightly or offensive materials;
  - (c) removal or destruction of trees, shrubs, or other vegetation - with the exception of exotic and nuisance vegetation removal;
  - (d) excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substances in such manner as to affect the surface;
  - (e) surface use except for purposes that permit the land or water area to remain predominantly in its natural condition;
  - (f) activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation, including but not limited to ditching, diking or fencing;
  - (g) acts or uses detrimental to such retention of land or water areas; and
  - (h) acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archaeological, or cultural significance.
8. The permittee shall implement the work authorized in a manner so as to minimize any adverse impact of the works on fish, wildlife, natural environmental values, and water quality. The permittee shall institute necessary measures during the construction period, including full compaction of any fill material placed around newly installed structures, to reduce erosion, turbidity, nutrient loading and sedimentation in the receiving waters.
9. The permittee shall be responsible for the successful completion of the mitigation work, including the monitoring and maintenance of the mitigation areas for the duration of the plan. The mitigation area shall not be turned over to the operation entity until the mitigation work is accomplished as permitted and Environmental Resource Compliance staff has concurred.
10. A monitoring program shall be implemented in accordance with Exhibit No. 17-18. The monitoring program shall extend for a period of 5 years with annual reports submitted to Broward County staff. At the end of the first monitoring period the mitigation area shall contain an 80% survival of planted vegetation. The 80% survival rate shall be maintained throughout the remainder of the monitoring program, with replanting as necessary. If native wetland, transitional, and upland species do not achieve an 80% coverage within the initial two years of the monitoring program, native species shall be planted in accordance with the maintenance program. At the end of the 5 year monitoring program the entire mitigation area shall contain an 80% survival of planted vegetation and an 80% coverage of desirable obligate and facultative wetland species.
11. A time zero monitoring report for The Oceanage shall be conducted in accordance with Exhibit No. 17-18 for all created/restored wetlands. The plan shall include a survey of the areal extent, acreage and cross-sectional elevations of the created/restored areas and panoramic photographs for each habitat type. The report shall also include a description of planted species, sizes, total number and densities of each plant species within each habitat type as well as mulching methodology.

## Broward County General Conditions

1. The terms, conditions, requirements, limitations and restrictions set forth herein are accepted by the licensee and must be completed by the licensee and are enforceable by the Environmental Protection and Growth Management Department (EPGMD) pursuant to Chapter 27 of the Broward County Code of Ordinances. The EPGMD will review this license periodically and may revoke or suspend the license, and initiate administrative and/or judicial action for any violation of the conditions by the licensee, its agents, employees, servants or representatives.
2. This license is valid only for the specific uses set forth in the license application and any deviation from the approved uses may constitute grounds for revocation, suspension, and/or enforcement action by the EPGMD.
3. In the event the licensee is temporarily unable to comply with any of the conditions of the license or with this chapter, the licensee shall notify the EPGMD within eight (8) hours or as stated in the specific section of this chapter. Within three (3) working days of the event, the licensee shall submit a written report to EPGMD that describes the incident, its cause, the measures being taken to correct the problem and prevent its reoccurrence, the owner's intention regarding the repair, replacement and reconstruction of destroyed facilities and a schedule of events leading toward operation with the license condition.
4. The issuance of this license does not convey any vested rights or exclusive privileges, nor does it authorize any injury to public or private property or any invasion of personal rights, or any violations of federal, state or local laws or regulations.
5. This license must be available for inspection on licensee's premises during the entire life of the license.
6. By accepting this license, the licensee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this licensed facility or activity, that are submitted to the EPGMD, may be used by the EPGMD as evidence in any enforcement proceeding arising under Chapter 27 of the Broward County Code of Ordinances, except where such use is prohibited by Section 403.111, Florida Statutes.
7. The licensee agrees to comply with Chapter 27 of the Broward County Code of Ordinances, and shall comply with all provisions of the most current version of this chapter, as amended.
8. Any new owner or operator of a licensed facility shall apply by letter for a transfer of license within thirty (30) days after sale or legal transfer. The transferor shall remain liable for performance in accordance with the license until the transferee applies for and is granted a transfer of license. The transferee shall be liable for any violation of Chapter 27 that results from the transferee's activities. The transferee shall comply with the transferor's original license conditions when the transferee has failed to obtain its own license.
9. The licensee, by acceptance of this license, specifically agrees to allow access and shall allow access to the licensed source, activity or facility at times by EPGMD personnel for the purposes of inspection and testing to determine compliance with this license and Chapter 27 of the Broward County Code of Ordinances.
10. This license does not constitute a waiver or approval of any other license, approval, or regulatory requirement by this or any other governmental agency that may be required.
11. Enforcement of the terms and provisions of this license shall be at the reasonable discretion of EPGMD, and any forbearance on behalf of EPGMD to exercise its rights hereunder in the event of any breach by the licensee, shall not be deemed or construed to be a waiver of EPGMD's rights hereunder.
12. Permanent physical markers designating the preserve status of the wetland preservation areas and buffer zones shall be placed at the intersection of the buffer and each lot line. These markers shall be maintained in perpetuity.
13. If the licensee wishes to renew a license or extend its term, the licensee shall make application sixty (60) days prior to its expiration. Expired licenses are not renewable.
14. In addition to the general conditions set forth above, each license issued by EPGMD shall contain specific conditions, determined by site conditions and requirements pursuant to the regulations as determined by the director of EPGMD. The licensee agrees that specific conditions are enforceable by EPGMD for any violation thereof.

## **Broward County Specific Conditions**

1. The licensee shall allow authorized personnel of the Environmental Licensing and Building Permitting Division (ELBPD), municipality or local water control district to conduct such inspections at reasonable hours, as are necessary to determine compliance with the requirements of the license and the approved plans and specifications.
2. The responsible entity shall agree to maintain the operating efficiency of the water management works. Except in cases where the responsible entity is a governmental agency, the agreement shall further require that if the water management works is not adequately maintained, the County may undertake the required work and bill all associated costs to the responsible entity. If the payment for such obligations is not satisfied within 30 days, said obligation shall become a lien against the property associated with the water management works. Where ownership of the water management works is separate from property ownership, the ELBPD shall require these agreements to be recorded.
3. The licensee shall prosecute the work authorized in a manner so as to minimize any adverse impact of the works on fish, wildlife, natural environmental values, and water quality. The licensee shall institute necessary measures during the construction period, including fill compaction of any fill material placed around newly installed structures, to reduce erosion, turbidity, nutrient loading and sedimentation in the receiving waters. Any erosion, shoaling or deleterious discharges due to permitted actions will be corrected promptly at no expense to the County.
4. The licensee shall comply with all applicable local land use and subdivision regulations and other local requirements. In addition, the licensee shall obtain all necessary Federal, State, local and special district authorizations prior to the start of any construction alteration of works authorized by this license.
5. Offsite discharges during construction and development shall be made only through the facilities authorized by this license. Water discharged from the project shall be through structures having a mechanism for regulating upstream water stages. Stages may be subject to operating schedules satisfactory to the appropriate regulatory agency.
6. The licensee shall hold and save the County harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, operation, maintenance or use of any facility authorized by the license.
7. The license does not convey property rights nor any rights or privileges other than those specified therein.
8. No construction authorized by the license shall commence until a responsible entity acceptable to the ELBPD has been established and has agreed to operate and maintain the efficiency of the system. The entity must be provided with sufficient ownership so that it has control over all water management facilities authorized therein. Upon receipt of written evidence of the satisfaction of this condition, the ELBPD will issue authorization to commence the construction.
9. No beautification, or erection of any structure that will prohibit or limit access of maintenance equipment or vehicles in the right-of-way or easements will be allowed.
10. Any license which grants any entity the permission to place a structure on property which is owned by Broward County or upon which Broward County has an easement shall be construed to create a revocable license for that structure to remain on the property. Broward County may require removal of such a structure at no cost to the County.
11. The area under license will be maintained in a safe and operating condition at all times. Equipment will be promptly removed from the right-of-way or easement and the right-of-way or easement will be restored to its original or better condition within a reasonable time on termination of the authorized use.

12. The ELBPD will be notified, as required in the license or as indicated on the approved plans, to coordinate and schedule inspections.

13. The operation or construction will be in accordance with the approved details and plans submitted with the application. Any modification must be submitted to the ELBPD in writing and receive prior approval.

14. Monitoring may be required for sites with high pollutant generating potential, such as industrial sites, Class I and II solid waste disposal sites, and projects discharging to areas identified in Section 27-200 (b) (1) (o). Such monitoring will be under the cognizance of the ELBPD.

15. Upon completion of the construction of a surface water management system or phase thereof licensed by the ELBPD, it is a requirement of the issuance of the license, and hence transfer of operation and maintenance responsibility, that a Florida Registered Professional Engineer certify that the surface water management system was indeed constructed as licensed. Certified record drawings shall accompany the certification. Suggested wording for this is as follows:

I HEREBY CERTIFY TO THE CONSTRUCTION COMPLETION OF ALL THE COMPONENTS OF THE SURFACE WATER MANAGEMENT FACILITIES FOR THE ABOVE REFERENCES PROJECT AND THAT THEY HAVE BEEN CONSTRUCTED IN SUBSTANTIAL CONFORMANCE WITH THE PLANS AND SPECIFICATIONS APPROVED BY THE BROWARD COUNTY ELBPD, AND HEREBY AFFIX MY SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(SEAL)

16. Water management areas shall be legally reserved to the operation entity and for that purpose by dedication on the plat, deed restrictions, easements, etc., so that subsequent owners or others may not remove such areas from their intended use. Management areas, including maintenance easements, shall be connected to a public road or other location from which operation and maintenance access is legally and physically available.

17. The licensee shall notify the ELBPD in writing within twenty-four (24) hours of the start, finish, suspension, and/or abandonment of any construction or alteration of works authorized by this license.

18. A prorated share of surface water management retention/detention areas, sufficient to provide the required flood protection and water quality treatment, must be provided prior to occupancy of any building or residence.

19. The operation license shall be valid for a specific period of time not to exceed five (5) years from the date the license is transferred to the operation phase. The operation license shall be renewed in accordance with Section 27 - 198 (d) (2) of the Article.

20. The ELBPD reserves the right to require additional water quality treatment methods be incorporated into the drainage system if such measures are shown to be necessary.

21. This permit does not constitute the approval required by Section 27-353(i), Broward County Code, to conduct dewatering operations at or within one-quarter mile radius of a contaminated site. Please contact the Pollution Prevention Division at (954) 519-1260 for further information.

22. Notify the Department in writing a minimum of 48 hours prior to project commencement and a maximum of 48 hours after project completion. Commencement notification should include such information as the intended start date, estimated duration of construction, and the name and contact information of the firm contracted to do the work. Failure to comply with this condition will result in enforcement action.
23. Any project caused environmental problem(s) shall be reported immediately to the Department's Environmental Response Line at 954-519-1499.
24. All project generated solid waste and/or spoil material must be disposed of in a suitable approved manner at an upland location.
25. All watercraft associated with the construction and use of the permitted structure shall only operate within waters of sufficient depth so as to preclude bottom scouring or prop dredging. Specifically, there shall be a minimum 12-inch clearance between the deepest draft of the vessel (with the motor in the down position) and the top of any submerged resources or canal bottom at mean low water.
26. Turbidity screens, silt fences, or equivalent shall be properly employed and maintained as necessary to effectively contain suspended sediments and/or runoff during construction activities. Dredging, filling, excavation, seawall removal, seawall construction, and other projects which result in similar degrees of disturbance to wet sediments shall in all cases employ turbidity control measures designed to effectively enclose the entire work area.
27. Turbidity levels shall be monitored and recorded if a visible turbidity plume is observed leaving the site during construction activities. If monitoring reveals that turbidity levels exceed 29 NTU's above natural background 50 feet downstream of the point of discharge, project activities shall immediately cease, and work shall not resume until turbidity levels drop to within these limits [62-302.530(69) FAC].
28. No dredging is authorized by this license.
29. If a visible turbidity plume is observed leaving the site at any time, the licensee shall:
  - (a) Immediately cease all work contributing to the water quality violation. Operations may not resume until the Department gives authorization to do so.
  - (b) Notify the Department's Development and Environmental Regulation Division immediately at (954) 519-1499, referencing the license number and project name.
  - (c) Stabilize all exposed material contributing to the water quality violation. Modify the work procedures that were responsible for the violation, and install more turbidity containment devices and/or repair any non-functioning turbidity containment devices.
30. As-built drawings by a Professional Engineer registered in the State of Florida and/or the final inspection from the City of Fort Lauderdale demonstrating that the project is in substantial compliance with the licensed plans shall be submitted to the Department within thirty (30) days from completion of the project. Failure to construct the project as authorized may result in enforcement action.
31. If the approved license drawings and/or license attachments/plans conflict with the specific conditions, then the specific conditions shall prevail.
32. Demolition and construction related debris must be disposed of at an approved upland location and may not be left in the waterway
33. This license does not eliminate the necessity to obtain any required federal, state, local or special district authorizations prior to the start of any activity approved by this license.

34. 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 licensee 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.
35. 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.
36. 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.
37. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shut down if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
38. 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](mailto:ImperiledSpecies@myFWC.com)
39. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the licensee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads Caution: Boaters must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut-down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at [MyFWC.com/manatee](http://MyFWC.com/manatee). Questions concerning these signs can be sent to the email address listed above.
40. To reduce the risk of entrapment and drowning of manatees, manatee exclusion devices (such as grating or valves) shall be installed and maintained over any existing or proposed pipes or culverts greater than 8 inches, but smaller than 8 feet in diameter that are submerged or partially submerged and reasonably accessible to manatees. If horizontal or vertical bars are used, no more than 8 inch gaps on center shall be allowed. Grates or valves shall be in place at the accessible end(s) during all phases of the construction process and as a final design element to restrict manatee access.
41. Backfill material shall be clean fill as defined by Section 27-332 of Broward County's Code.
42. A fully executed Conservation Easement and a copy of the issued license must be recorded within one year of license issuance or prior to any COs being issued for the project. The Licensee shall pay all associated recording costs.
43. The conservation area shall be the perpetual responsibility of the underlying landowner and may in no way be altered from their natural or licensed state as documented in this license, with the exception of restoration activities. Activities prohibited within the conservation area(s) include, but are not limited to: construction or placement of soil or other substances such as trash; removal or destruction of trees, shrubs or other vegetation (with the exception of exotic/nuisance vegetation) removal; excavation, dredging, or removal of soil material; diking or fencing; and any other activities detrimental to drainage, flood control, water conservation, erosion control or fish and wildlife habitat conservation or preservation.
44. The licensee has provided a Joint Letter of Credit to BCEPGMD and SFWMD as financial assurance for this project. The Financial Assurance(s) include(s) construction, monitoring and maintenance costs with a 10% contingency for the total sum of \$17,050. After the time zero event and upon EPGMD review and approval of all information required in Specific Condition 45, the licensee may request release of 35% of the total financial

assurance. After two years of monitoring and maintenance and upon EPGMD review and approval, the licensee may request an additional 15% of the financial assurance. At the end of the five year maintenance and monitoring period and upon demonstration that the licensee has met the intent and all information requested in Specific Condition 46 and 47, and if necessary 48, the licensee may request the release of the remaining financial assurance. All requests shall be made in writing to the Aquatic and Wetland Resources Section of the Environmental Protection and Growth Management Department. The Licensee is advised that no portion of the Financial Assurance will be released by the Department until the Conservation Easement has been recorded.

45. Construction and installation of the Areas shall be in accordance with the attached plans by the Department (attached) and associated information.

46. Upon completion of the mitigation earthwork, the Licensee shall submit the following items: 1) an as-built survey providing a Florida registered surveyor's certification of elevations in relation to design, 2) surveyor verification of actual acreage for all licensed mitigation habitats, and 3) a Time-Zero monitoring report. The Time Zero report is required within 30 days of completion of earthwork and prior to any Certificate of Occupancy being issued for any structure on the site. Plant installation shall not begin until after the Department has approved the as-built survey.

47. A viable wetland system shall be established that replicates a natural reference wetland in basic structure and function. In order to assure that the Area(s) become self-sustaining, the following criteria shall be met:

- a. A minimum of 80% coverage by desirable wetland species after a two (2) year period and demonstration of persistence for three (3) additional years.
- b. Less than 2% coverage by invasive exotic and undesirable species is allowable if plants are dispersed and not concentrated in any particular area. Exotic and undesirable species include, but are not limited to, Melaleuca, Australian pine, Brazilian pepper, Bischofia, torpedo grass, primrose willow, cattail, air potato, and Syngonium. Treatment efforts should be tailored to prevent these species from becoming reproductively mature.
- c. A minimum of 80% survival of each planted species shall be maintained each quarter. An exception to this condition may be allowed where species composition, density of planted and recruitment species, the overall wetland condition, as characterized by the growth rates and viability of the Areas are of higher quality, as determined by the Department.
- d. Hydrologic conditions and soil characteristics are in general conformity to those specified in plans.
- e. Any preserved or planted species shall be maintained as to exhibit new growth and/or propagation, viability, and overall health.

48. The Area(s) shall be monitored and reports submitted annually for five (5) years describing in detail the condition of the Areas relative to the reference wetland and the criteria listed above.

49. Should the Department determine that the Areas are not achieving the listed criteria during some portion of the monitoring period, the licensee shall determine the reasons for failure and prepare plans that demonstrate clearly how the problem(s) will be corrected and submit such plans immediately to the Department for approval. Those plans shall be implemented within 30 days from the Departments written approval.

50. Permanent physical markers designating the preserve status of the wetland conservation area and buffer zones shall be placed around the entire perimeter of the mitigation area a maximum 100 feet apart. The markers shall be maintained in perpetuity.

51. The licensee shall be responsible for the successful completion of the mitigation work, including the monitoring and maintenance of the mitigation areas for the duration of the plan. The mitigation area shall not be turned over to another entity until at a minimum the mitigation work is accomplished as licensed and staff has approved the Time Zero mitigation report.

52. Spoil generated from the excavation authorized by this license must be used on-site or placed in off-site uplands and contained in such a manner as to prevent erosion into wetlands or other surface waters.

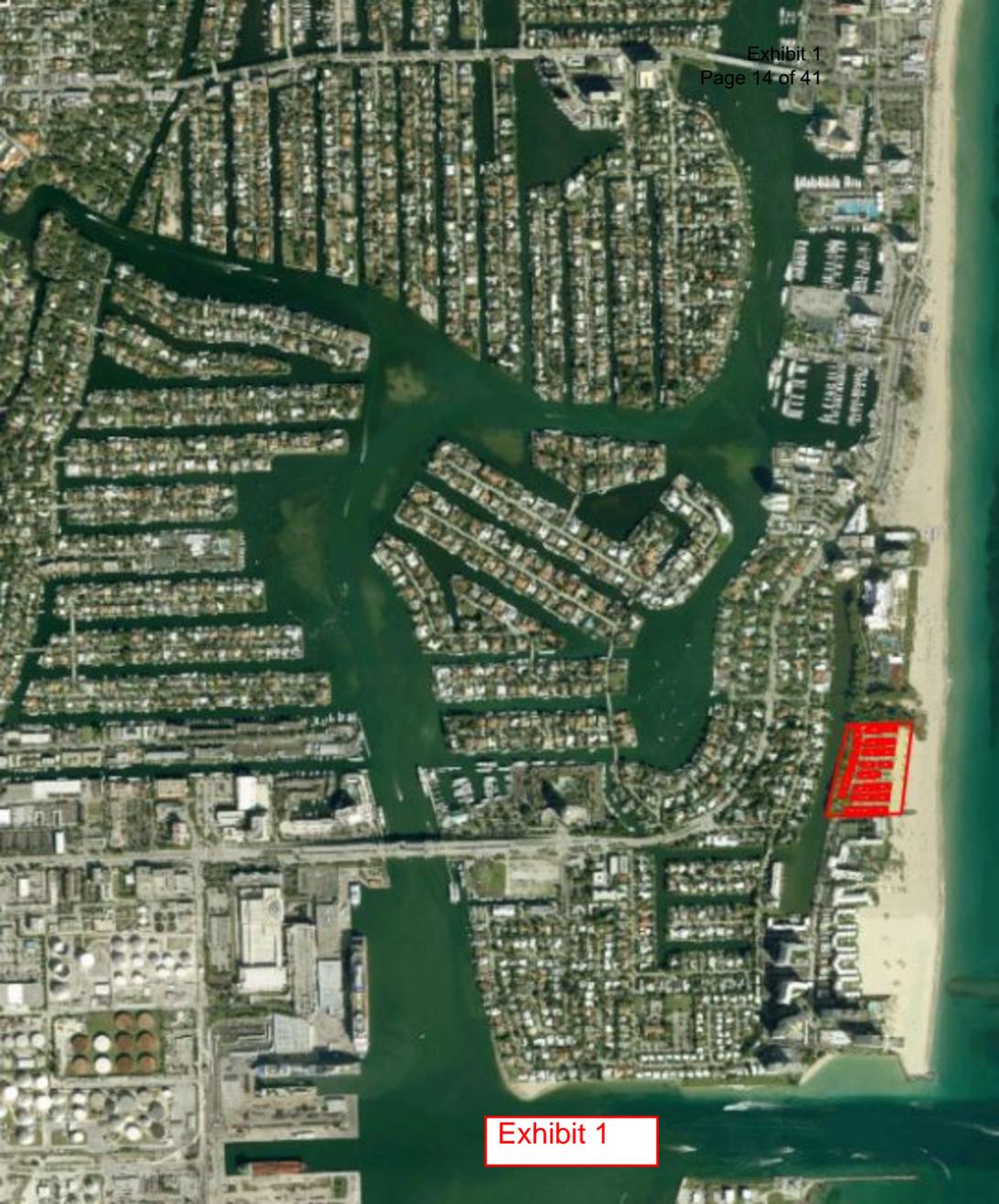
53. The source for the plants and muck (a minimum of 12-inches of muck required) for the wetland area shall be submitted to the Department prior to commencement of work.

54. Plant substitutions or planting plan alterations must be approved by the Department prior to installation.

55. The licensee shall provide any future purchaser(s) of this site with a copy of this license.

56. The Department must be notified of any change of consultant/contractor during the construction and mitigation monitoring phases of this project.

57. A COPY OF THIS LICENSE SHALL BE KEPT ON SITE DURING ALL PHASES OF LICENSED CONSTRUCTION.



**STAFF REPORT**

**Project Name:** The Oceanage - Seawall  
**Permit Number:** 06-06692-P                      **License Number:** DF15-1067  
**Application Number:** 150806-22                      **Concurrent Application:** L2016-129  
**Application Type:** New Environmental Resource  
**Location:** Broward County                      **Section-Township-Range:** 13-50-42  
**Permittee's Name:** The Oceanage

---

**Project Area:** 0.1 acres                      **Drainage Area:** 0.1 acres  
**Project Land Use:** Residential  
**Drainage Basin:** Coastal  
**Receiving Body:** Tidal Canal

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**Purpose:**

This project involves the construction of a new 598-linear foot seawall in place of a dilapidated concrete bag seawall, currently populated by white and red mangrove trees. The following activities are proposed during the construction: (1) removal of all mangroves and exotic trees along the existing seawall; (2) installation of a 598-linear foot seawall which will require ~139 cubic yards of excavation and ~210 cubic yards of clean fill to linearize the proposed seawall. This license does not authorize dredging, nor does it authorize impacts to seagrasses.

Unavoidable impacts to 3,300 square feet of mangrove canopy will be offset through on-site mitigation with the construction of a 10' by 123.6' mangrove planter with 48 red mangroves spaced 5' on center which will be encumbered by a Joint Deed of Conservation Easement to Broward County and the South Florida Water Management District

**Project Evaluation:**

**Project Site Description:**

This project is located at 1650 South Ocean Lane along the eastern bank of the Mayan Lake, Section 13, Township 50 South, Range 42 East, in the City of Fort Lauderdale, Florida. Folio Number 504213AG0010.

**Environmental Summary:**

The proposed activities have been evaluated for potential secondary and cumulative impacts and to determine if the project is contrary to the public interest. Based upon the proposed project design, EPGMD has determined that the project will not cause adverse secondary or cumulative impacts to the water resources and is not contrary to the public interest.

**STAFF RECOMMENDATION:**

South Florida Water Management District and Broward County rules have been adhered to and an Individual Permit should be granted.

**06-06692-P; DF15-1067; STAFF REVIEW:**

**Surface Water Management Program:**

  
\_\_\_\_\_  
Michelle Decker

  
\_\_\_\_\_  
Ashley Resta, P.E.

**Aquatic and Wetland Resources Program:**

  
\_\_\_\_\_  
Michelle Decker

  
\_\_\_\_\_  
Linda Sunderland, Manager

**Special Concerns:**

**Operating Entity:** The Oceanage  
Attention: Ms. Eileen Kearns, Manager  
1650 South Ocean Lane  
Fort Lauderdale, FL 33316

**Waste Water System/Supplier:** G.T. Lohmeyer

**STAFF REPORT DISTRIBUTION LIST  
ADDRESSES**

**Owner:**

The Oceanage  
Attention: Ms. Eileen Kearns, Manager  
1650 South Ocean Lane  
Fort Lauderdale, FL 33316

**Applicant:**

The Oceanage  
Attention: Ms. Eileen Kearns, Manager  
1650 South Ocean Lane  
Fort Lauderdale, FL 33316

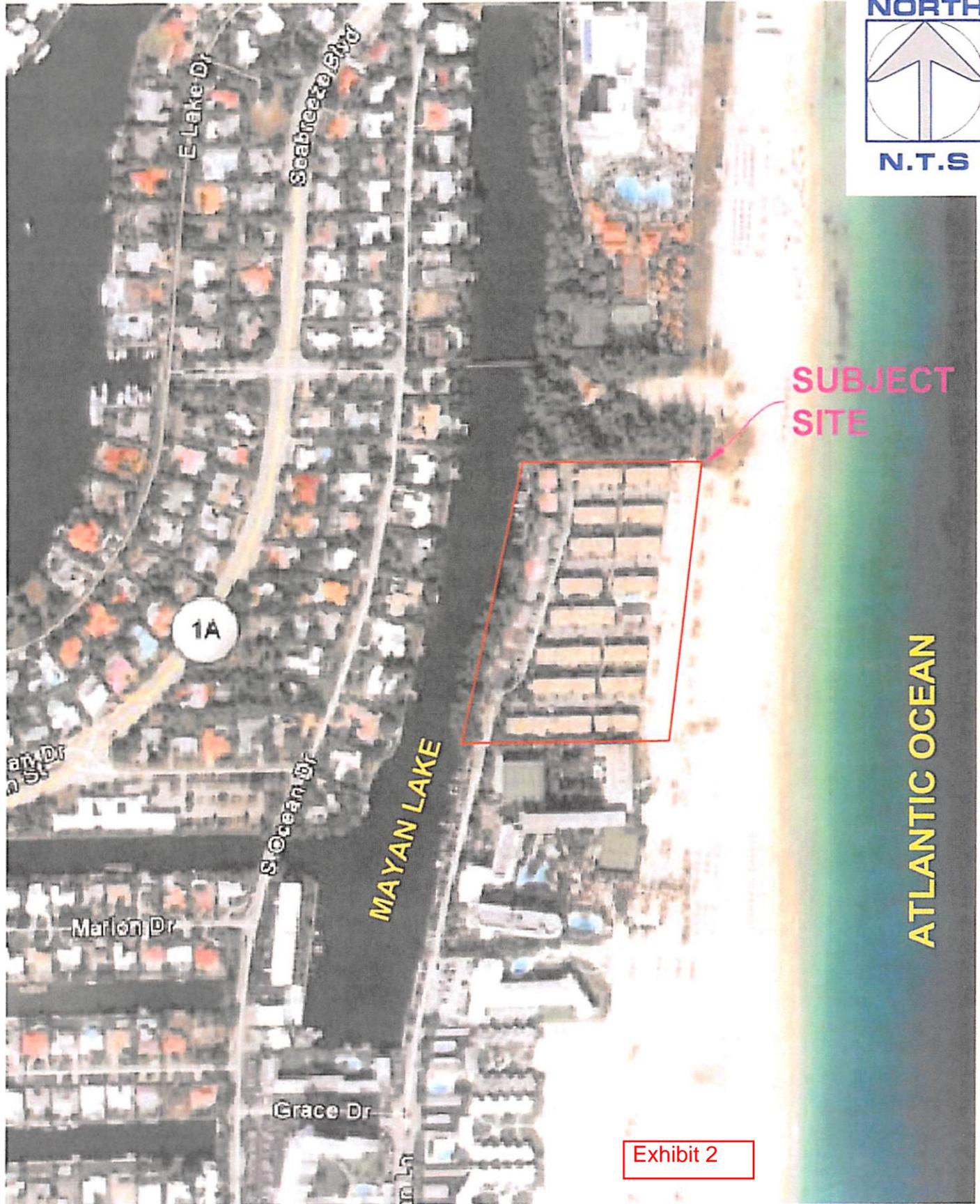
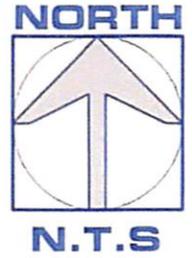
**Engineering**

**Consultant:**

The Chappell Group, Inc.  
Attention: Mr. Patrick Murphy, Project Biologist  
714 E McNab Rd.  
Pompano Beach, FL 33060

**Other:**

City of Fort Lauderdale Building Official  
Army Corps of Engineers



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714 East McNab Road  
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tel: 954 782 1900  
fax: 954 782 1100  
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- TSE Species Surveys
- Phase I ESAs

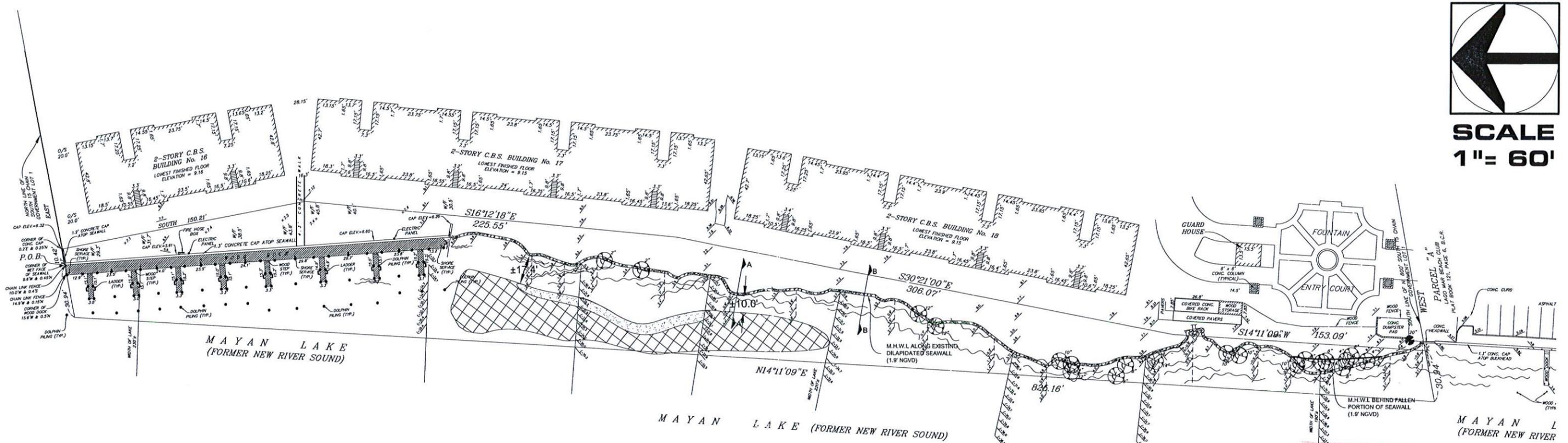
**THE OCEANAGE**  
PREPARED FOR:  
THE OCEANAGE CONDOMINIUM

FIGURE 1 - LOCATION MAP

Date: 2/12/14	Sheet: 1	of: 1
Proj No.: 00-0031 001		

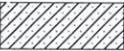


SCALE  
1" = 60'



BROWARD COUNTY  
PLANNING & ENVIRONMENTAL  
REGULATION DIVISION  
ENVIRONMENTAL RESOURCE LICENSE  
BROWARD COUNTY CODE 27-331 TO 27-341  
EXHIBIT 3/24  
ATTACHED TO LICENSE NO. DF15-1067  
ERP 06-0692-P

**LEGEND**

-  EXISTING WOOD DOCKS (±1,728 SQ.FT.)
-  EXISTING DILAPIDATED CONCRETE BAG SEAWALL (±644 LN.FT.)
-  OBSERVED PADDLE GRASS (*Halophila decipiens*)
-  OBSERVED JOHNSON'S SEAGRASS (*Halophila johnsonii*)

NOTE:  
1. EXISTING SURVEY INFORMATION PROVIDED BY MCLAUGHLIN ENGINEERING CO.  
2. EXISTING DEPTHS INDICATE NGVD (1929) DATUM AND ARE REFERENCE AT MLW.

Exhibit 3

PROJECT ENGINEER:  
**DYNAMIC ENGINEERING SOLUTIONS, INC.**  
950 N. Federal Highway, Suite 212  
Pompano Beach, FL 33062  
Tel: (954) 545-1740  
Fax: (954) 545-1721

SEAL / SIGNATURE / DATE

John Omslaer  
PE 52733, EB 26829

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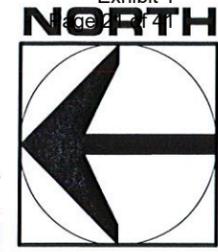
**THE Chappell GROUP INC.**  
714 East McNab Road  
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tel. 954.782.1908  
fax. 954.782.1108  
www.thechappellgroup.com

- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys
- Phase I ESAs

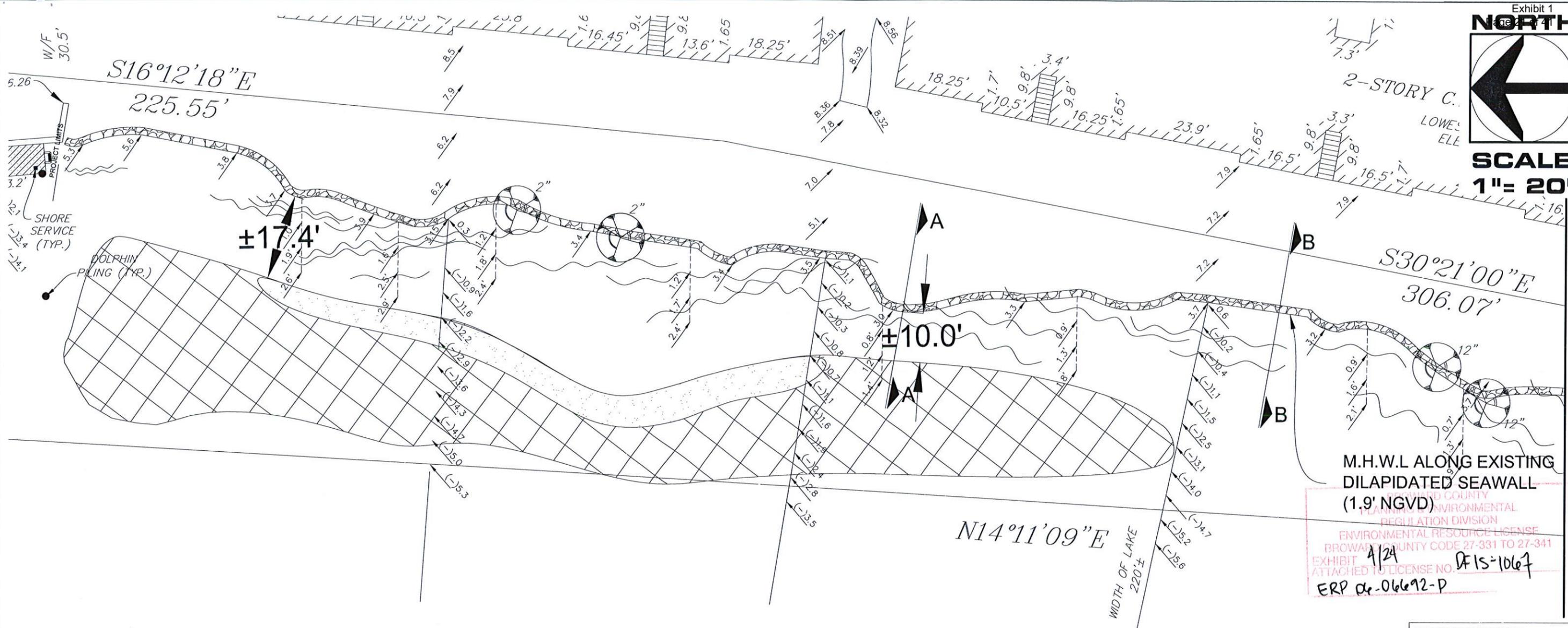
**THE OCEANAGE**

PREPARED FOR:  
The Oceanage

Existing Conditions		
Date: 1/5/16	Sheet: 1	of: 10
Proj No.: 09-0031.002		

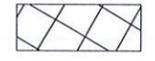


SCALE 1" = 20'



# MAYAN LAKE (FORMER NEW RIVER)

### LEGEND

-  EXISTING DILAPIDATED CONCRETE BAG SEAWALL (±644 LN.FT.)
-  OBSERVED PADDLE GRASS (*Halophila decipiens*)
-  OBSERVED JOHNSON'S SEAGRASS (*Halophila johnsonii*)

M.H.W.L ALONG EXISTING DILAPIDATED SEAWALL (1.9' NGVD)

FLORIDA COUNTY PLANNING AND ENVIRONMENTAL REGULATION DIVISION  
 ENVIRONMENTAL RESOURCE LICENSE  
 BROWARD COUNTY CODE 27-331 TO 27-341  
 EXHIBIT 4/24  
 ATTACHED TO LICENSE NO. DF 15-1067  
 ERP de-06692-P

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 Fax: (954) 545-1721

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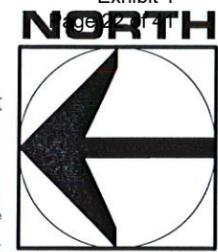
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- T&E Species Surveys
- Phase I ESAs

## THE OCEANAGE

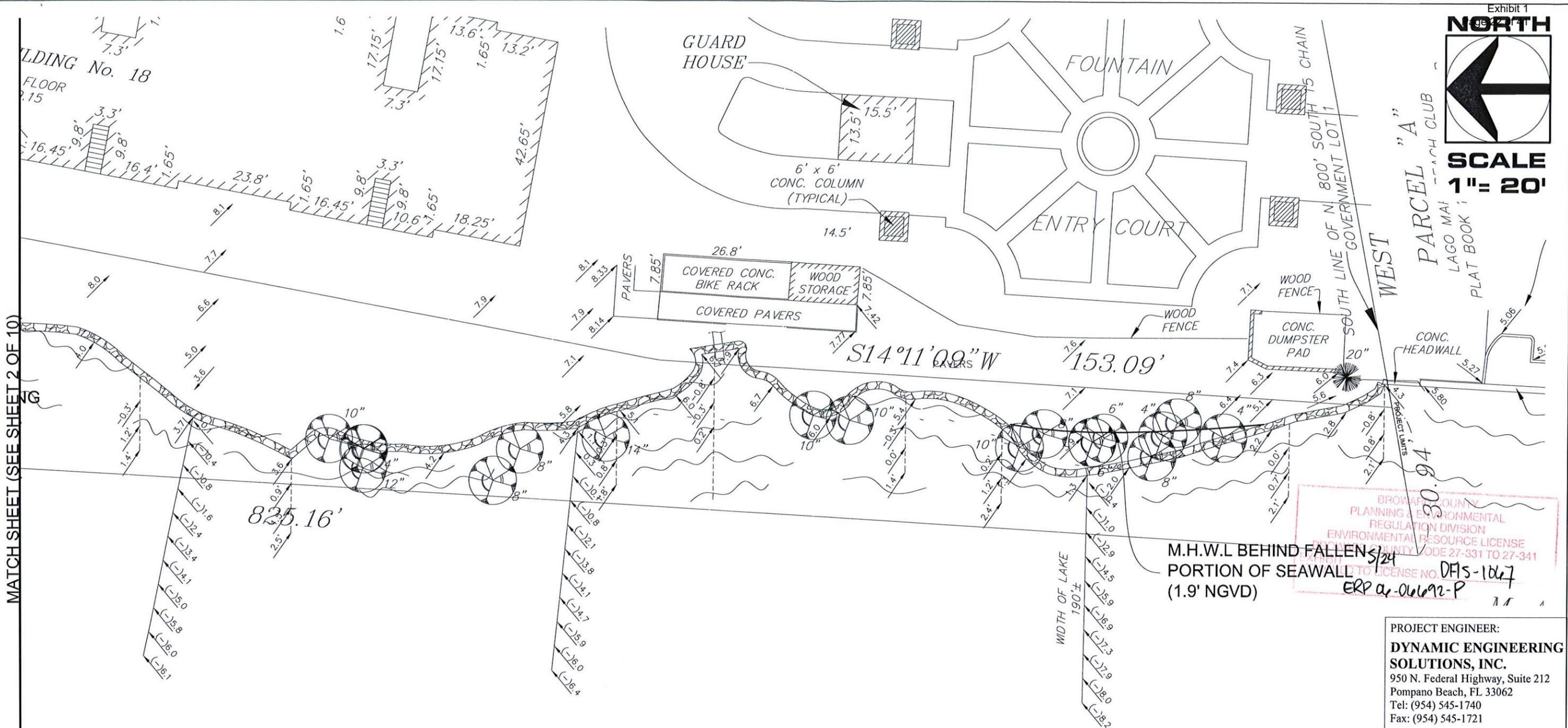
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The Oceanage

Existing Conditions		
Date: 1/5/16	Sheet : <b>2</b>	of : <b>10</b>
Proj No.: 09-0031.002		

MATCH SHEET (SEE SHEET 3 OF 10)



SCALE 1" = 20'



MATCH SHEET (SEE SHEET 2 OF 10)

BROWARD COUNTY PLANNING & ENVIRONMENTAL REGULATION DIVISION ENVIRONMENTAL RESOURCE LICENSE EXHIBIT 1 ENVIRONMENTAL RESOURCE LICENSE NO. DF15-1027 ERP 09-06692-P

M.H.W.L BEHIND FALLEN 5/24 PORTION OF SEAWALL (1.9' NGVD)

LEGEND

- EXISTING DILAPIDATED CONCRETE BAG SEAWALL (±644 LN.FT.)
- OBSERVED PADDLE GRASS (*Halophila decipiens*)
- OBSERVED JOHNSON'S SEAGRASS (*Halophila johnsonii*)

PROJECT ENGINEER: DYNAMIC ENGINEERING SOLUTIONS, INC. 950 N. Federal Highway, Suite 212 Pompano Beach, FL 33062 Tel: (954) 545-1740 Fax: (954) 545-1721

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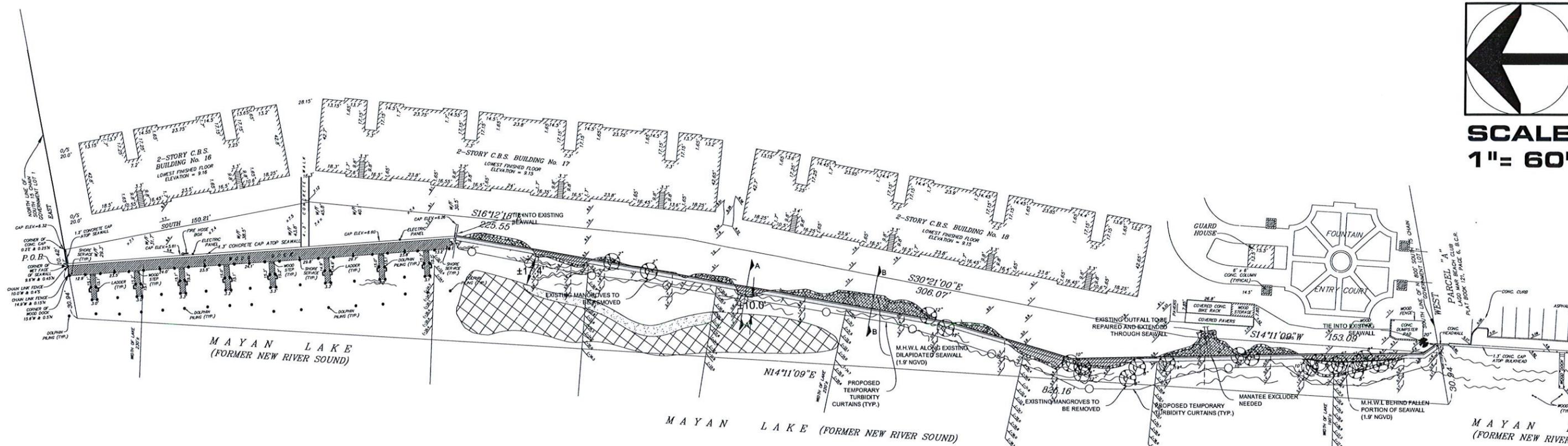
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BROWARD COUNTY  
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 ENVIRONMENTAL RESOURCE LICENSE  
 BROWARD COUNTY CODE 27-331 TO 27-341  
 EXHIBIT 6/24  
 ATTACHED TO LICENSE NO. DE15-1067  
 MD ERP 06-06492-P

MANGROVES TO BE REMOVED		
COMMON NAME	SPECIES	DIAMETER
RED	<i>Rhizophora mangle</i>	2"
RED	<i>Rhizophora mangle</i>	2"
WHITE	<i>Laguncularia racemosa</i>	12"
WHITE	<i>Laguncularia racemosa</i>	12"
WHITE	<i>Laguncularia racemosa</i>	10"
RED	<i>Rhizophora mangle</i>	10"
WHITE	<i>Laguncularia racemosa</i>	4"
WHITE	<i>Laguncularia racemosa</i>	8"
WHITE	<i>Laguncularia racemosa</i>	14"

WHITE	<i>Laguncularia racemosa</i>	10"
WHITE	<i>Laguncularia racemosa</i>	10"
WHITE	<i>Laguncularia racemosa</i>	10"
WHITE	<i>Laguncularia racemosa</i>	8"
WHITE	<i>Laguncularia racemosa</i>	6"
WHITE	<i>Laguncularia racemosa</i>	6"
WHITE	<i>Laguncularia racemosa</i>	8"
WHITE	<i>Laguncularia racemosa</i>	4"
WHITE	<i>Laguncularia racemosa</i>	8"
WHITE	<i>Laguncularia racemosa</i>	4"

**LEGEND**

- PROPOSED NEW CONCRETE PANEL SEAWALL W/ 3.0' CAP (±598 LN.FT.)
- PROPOSED UPLANDS TO BE REMOVED (±677 SQ.FT.- ±139 CU.YDS.)
- PROPOSED AREA TO BE FILLED (±940 SQ.FT.- ±210 CU.YDS.)
- OBSERVED PADDLE GRASS (*Halophila decipiens*)
- OBSERVED JOHNSON'S SEAGRASS (*Halophila johnsonii*)
- EXISTING MANGROVES TO BE REMOVED (±3,300 SQ.FT. OF CANOPY)

PROJECT ENGINEER:  
**DYNAMIC ENGINEERING SOLUTIONS, INC.**  
 950 N. Federal Highway, Suite 212  
 Pompano Beach, FL 33062  
 Tel: (954) 545-1740  
 Fax: (954) 545-1721

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 John Omslaer  
 PE 52733, EB 26829

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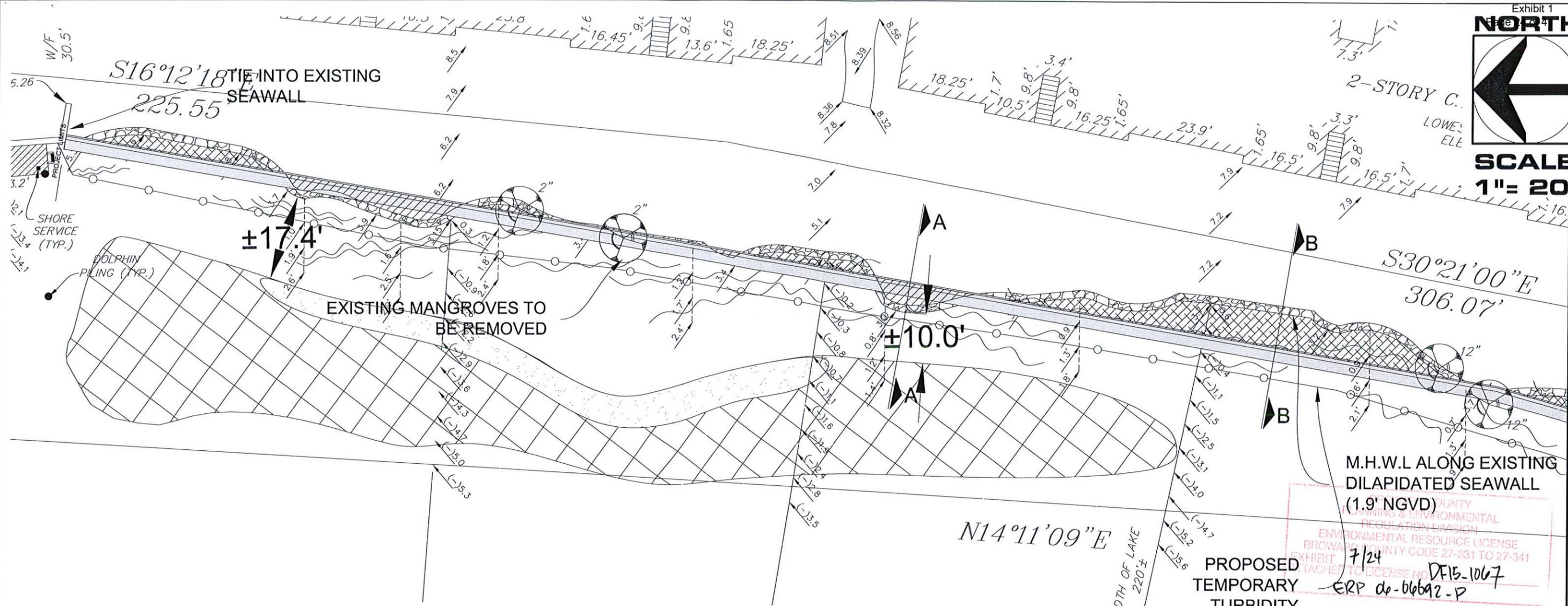
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- Phase I ESAs

**THE OCEANAGE**  
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 The Oceanage

Proposed Conditions		
Date:	Sheet:	of:
1/5/16	4	10
Proj No.: 09-0031.002		



SCALE  
1" = 20'



MATCH SHEET (SEE SHEET 6 OF 10)

M.H.W.L ALONG EXISTING DILAPIDATED SEAWALL (1.9' NGVD)

ENVIRONMENTAL RESOURCE LICENSE  
BROWARD COUNTY CODE 27-331 TO 27-341  
7/24  
ERP de-06692-P

# MAYAN

MANGROVES TO BE REMOVED		
COMMON NAME	SPECIES	DIAMETER
RED	<i>Rhizophora mangle</i>	2"
RED	<i>Rhizophora mangle</i>	2"
WHITE	<i>Laguncularia racemosa</i>	12"
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WHITE	<i>Laguncularia racemosa</i>	8"
WHITE	<i>Laguncularia racemosa</i>	4"
WHITE	<i>Laguncularia racemosa</i>	8"
WHITE	<i>Laguncularia racemosa</i>	4"

## LEGEND

- PROPOSED NEW CONCRETE PANEL SEAWALL W/ 3.0' CAP (±598 LN.FT.)
- PROPOSED UPLANDS TO BE REMOVED (±677 SQ.FT.- ±139 CU.YDS.)
- PROPOSED AREA TO BE FILLED (±940 SQ.FT.- ±210 CU.YDS.)
- OBSERVED PADDLE GRASS (*Halophila decipiens*)
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- EXISTING MANGROVES TO BE REMOVED (±3,300 SQ.FT. OF CANOPY)

PROJECT ENGINEER:  
**DYNAMIC ENGINEERING SOLUTIONS, INC.**  
950 N. Federal Highway, Suite 212  
Pompano Beach, FL 33062  
Tel: (954) 545-1740  
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SEAL / SIGNATURE / DATE

Exhibit 7

John Omslaer  
PE 52733, EB 26829

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fax. 954.782.1108  
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## THE OCEANAGE

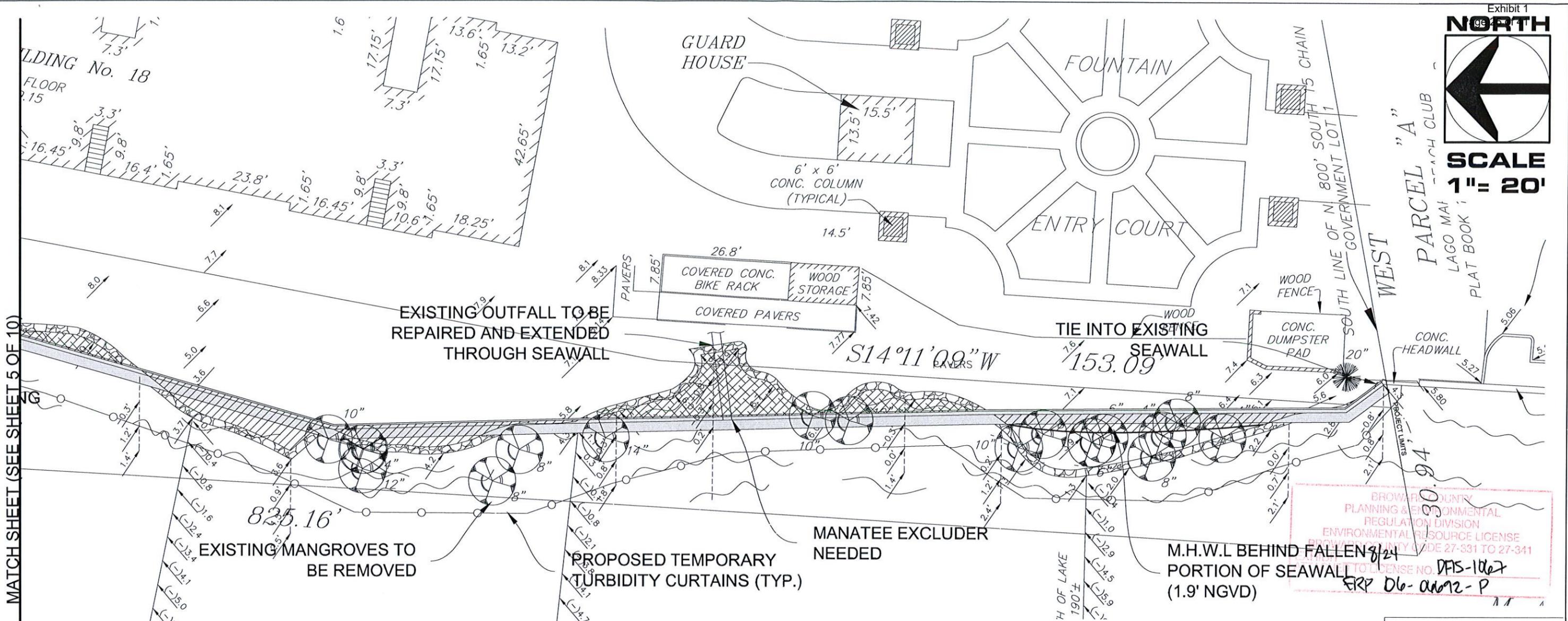
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The Oceanage

Proposed Conditions		
Date: 1/5/16	Sheet: <b>5</b>	of: <b>10</b>
Proj No.: 09-0031.002		



SCALE  
1" = 20'

MATCH SHEET (SEE SHEET 5 OF 10)



**MANGROVES TO BE REMOVED**

COMMON NAME	SPECIES	DIAMETER
RED	<i>Rhizophora mangle</i>	2"
RED	<i>Rhizophora mangle</i>	2"
WHITE	<i>Laguncularia racemosa</i>	12"
WHITE	<i>Laguncularia racemosa</i>	12"
WHITE	<i>Laguncularia racemosa</i>	10"
RED	<i>Rhizophora mangle</i>	10"
WHITE	<i>Laguncularia racemosa</i>	4"
WHITE	<i>Laguncularia racemosa</i>	8"
WHITE	<i>Laguncularia racemosa</i>	14"

WHITE	<i>Laguncularia racemosa</i>	10"
WHITE	<i>Laguncularia racemosa</i>	10"
WHITE	<i>Laguncularia racemosa</i>	10"
WHITE	<i>Laguncularia racemosa</i>	8"
WHITE	<i>Laguncularia racemosa</i>	6"
WHITE	<i>Laguncularia racemosa</i>	6"
WHITE	<i>Laguncularia racemosa</i>	8"
WHITE	<i>Laguncularia racemosa</i>	4"
WHITE	<i>Laguncularia racemosa</i>	8"
WHITE	<i>Laguncularia racemosa</i>	4"

**LEGEND**

- PROPOSED NEW CONCRETE PANEL SEAWALL W/ 3.0' CAP (±598 LN.FT.)
- PROPOSED UPLANDS TO BE REMOVED (±677 SQ.FT.- ±139 CU.YDS.)
- PROPOSED AREA TO BE FILLED (±940 SQ.FT.- ±210 CU.YDS.)
- OBSERVED PADDLE GRASS (*Halophila decipiens*)
- OBSERVED JOHNSON'S SEAGRASS (*Halophila johnsonii*)
- EXISTING MANGROVES TO BE REMOVED (±3,300 SQ.FT. OF CANOPY)

PROJECT ENGINEER:  
**DYNAMIC ENGINEERING SOLUTIONS, INC.**  
950 N. Federal Highway, Suite 212  
Pompano Beach, FL 33062  
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Exhibit 8

*[Signature]*  
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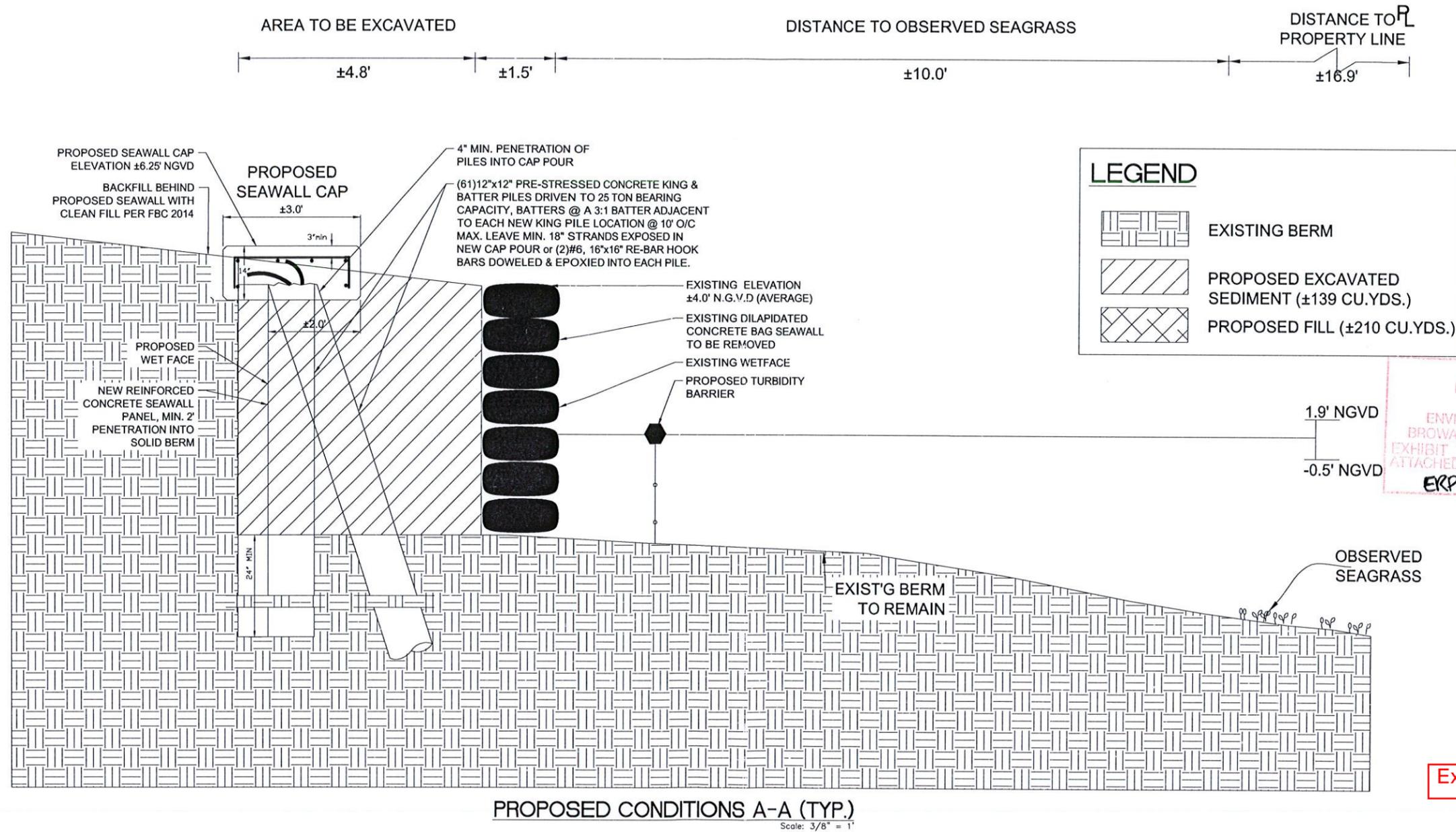
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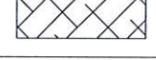
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Proposed Conditions

Date: 1/5/16	Sheet: <b>6</b>	of: <b>10</b>
Proj No.: 09-0031.002		



**LEGEND**

-  EXISTING BERM
-  PROPOSED EXCAVATED SEDIMENT (±139 CU.YDS.)
-  PROPOSED FILL (±210 CU.YDS.)

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EXHIBIT 9/24  
ATTACHED TO LICENSE NO. **DFIS-1067**  
ERP 06-06092-P

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Exhibit 9



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PROPOSED CONDITIONS A-A (TYP.)  
Scale: 3/8" = 1'

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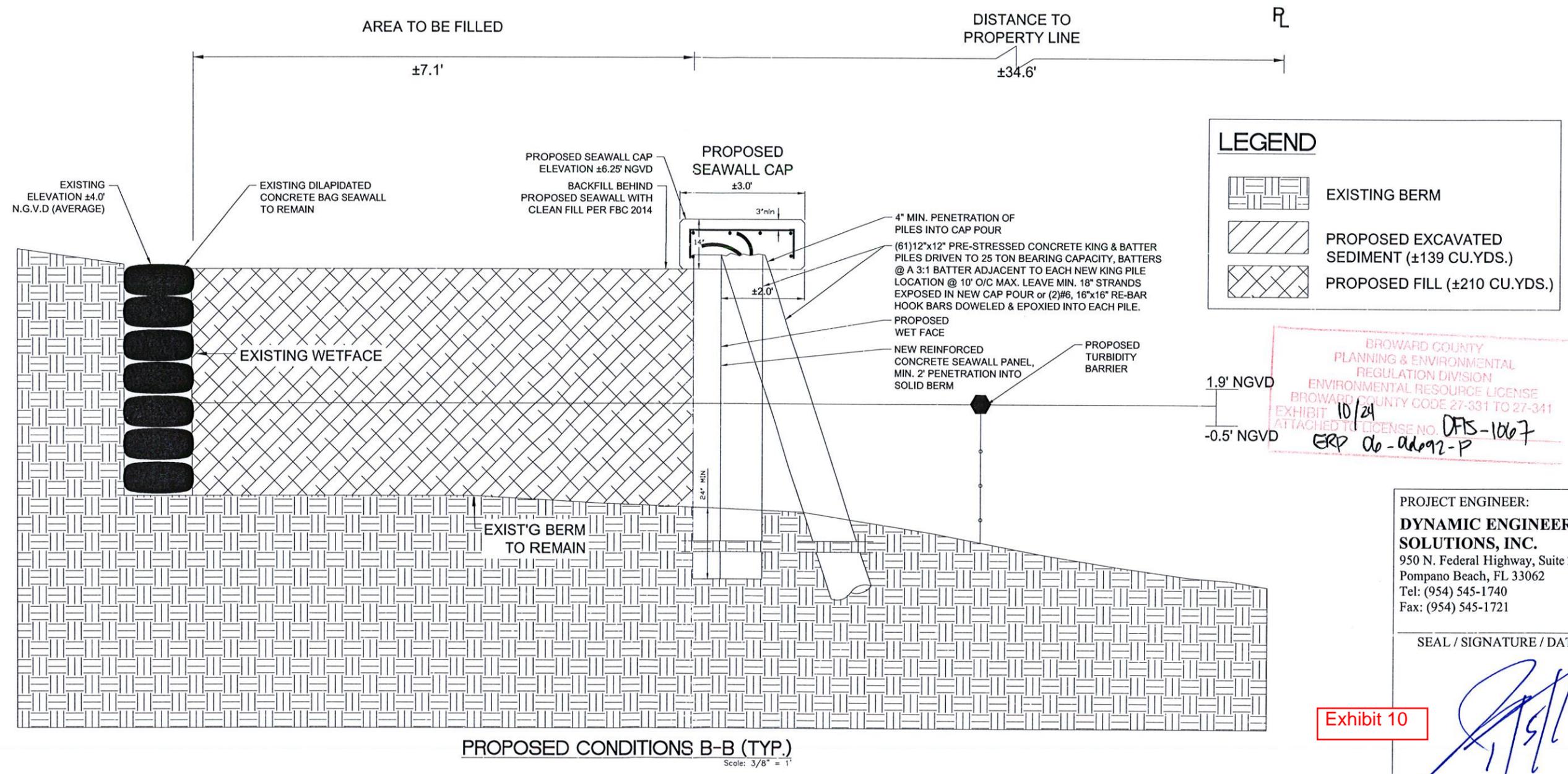
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PROPOSED CONDITIONS		
Date: 12/10/15	Sheet: <b>7</b>	of: <b>10</b>
Proj No.: 09-0031.002		



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Pompano Beach, FL 33062  
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*[Signature]*

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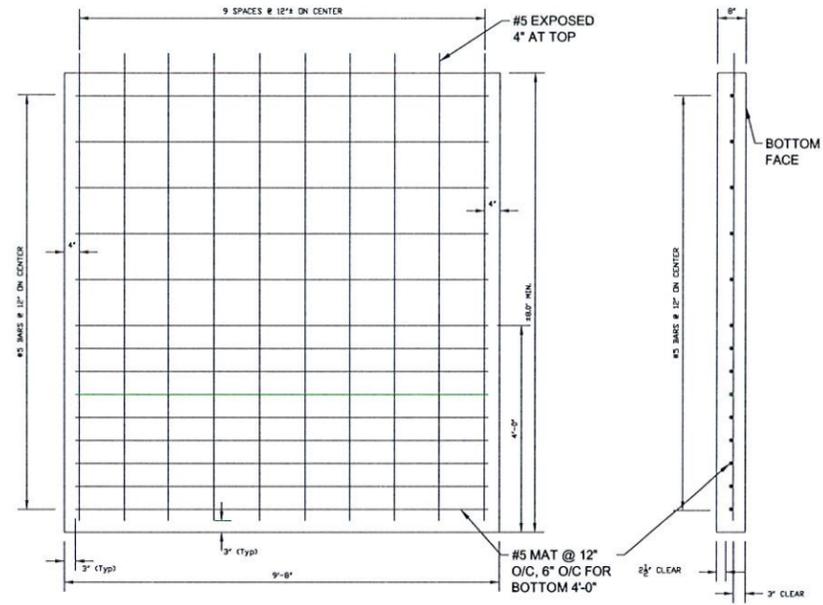
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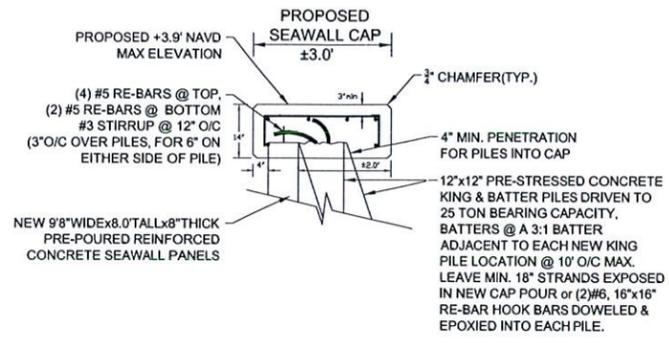
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PROPOSED CONDITIONS

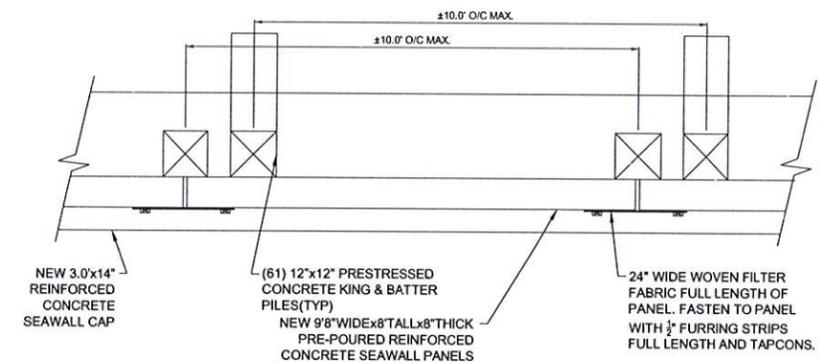
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Proj No.: 09-0031.002		



**PANEL DETAIL**  
Scale: 1/4" = 1'

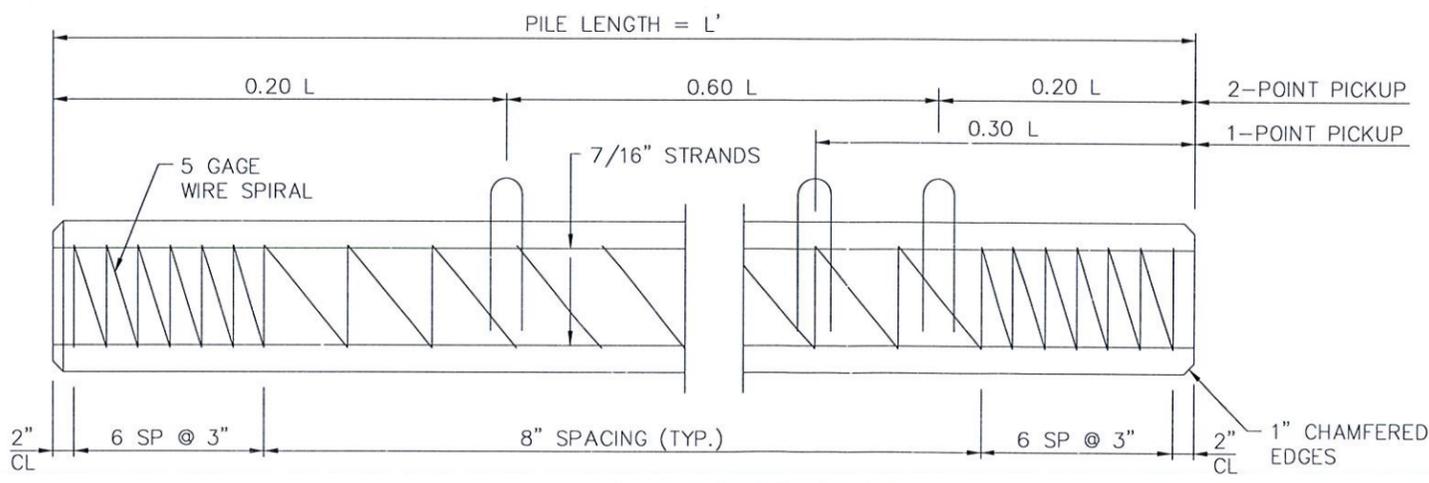
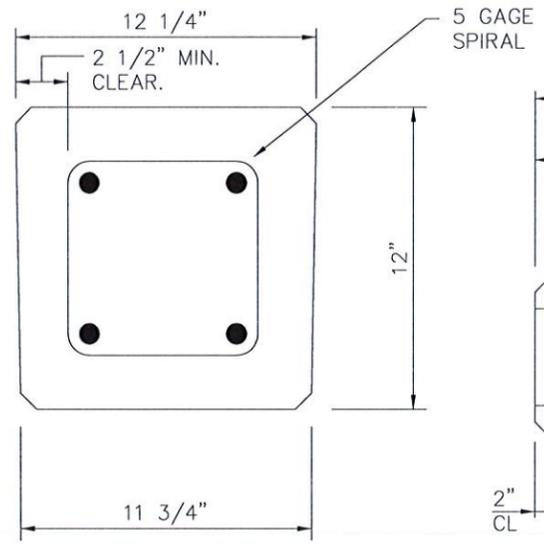


**PROPOSED SEAWALL CAP SECTION**  
Scale: 1/4" = 1'



**PROPOSED SEAWALL CAP**  
Scale: 1/4" = 1'

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EXHIBIT 11/24  
ATTACHED TO LICENSE NO. DTS-1007  
ERP 00-0002-P



**Concrete Pile Detail**  
N.T.S.

**PILE NOTE:**  
CONCRETE COMPRESSIVE STRENGTH:  
3000 PSI @ RELEASE  
5000 PSI @ DRIVING  
SPIRAL TO BE ASTM A-82 TIGHT HARD-DRAWN WIRE  
STRANDS - USE FOUR 7/16" (270K) LOW RELAXATION ASTM 416-87 UNCOATED 7-WIRE STRANDS TENSIONED TO 2.33 KIPS EACH  
1-POINT PICKUP-MAXIMUM L = 50'  
2-POINT PICKUP-MAXIMUM L = 62'

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Pompano Beach, FL 33062  
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11/5/16

Exhibit 11

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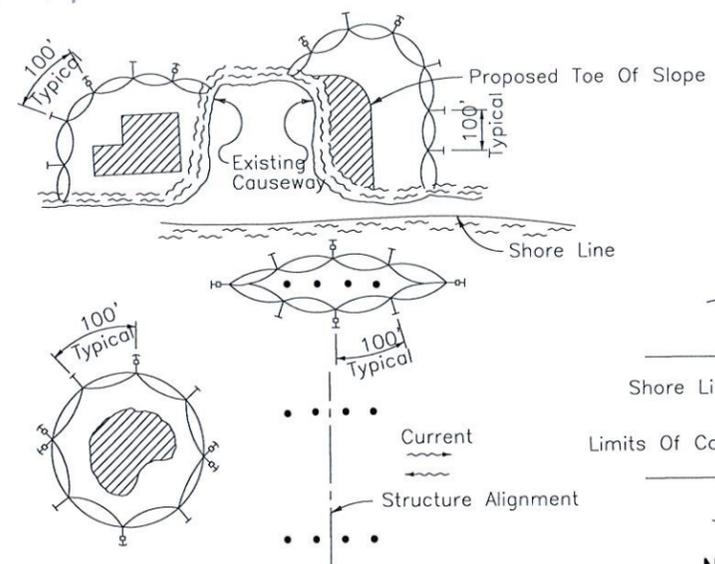
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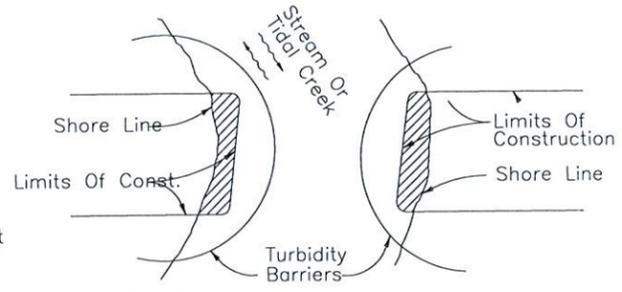
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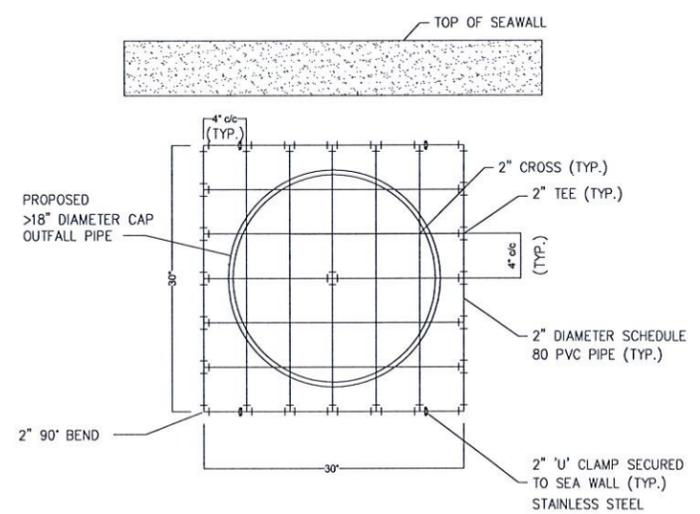
- LEGEND**
- Pile Locations
  - ▨ Dredge Or Fill Area
  - Mooring Buoy w/Anchor
  - |— Anchor
  - Barrier Movement Due To Current Action



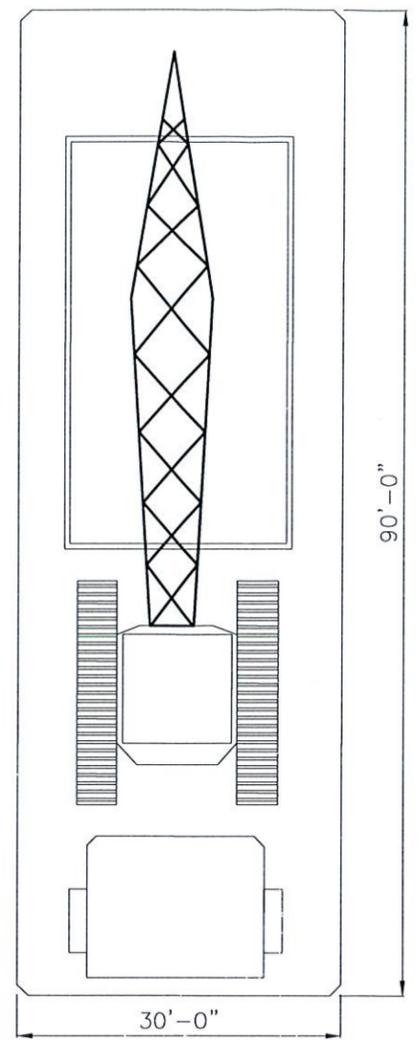
**NOTE:**  
Turbidity barriers for flowing streams and tidal creeks may be either floating, or staked types, or any combinations of types that will suit site conditions and meet erosion control and water quality requirements. The barrier type(s) will be at the Contractor's option unless otherwise specified in the plans. However, payment will be under the pay item(s) established in the plans for Floating Turbidity Barrier and /or Staked Turbidity Barrier. Posts in staked turbidity barriers to be installed in vertical position unless otherwise directed by the Engineer.

- NOTES:**
1. Turbidity barriers are to be used in all permanent bodies of water regardless of water depth.
  2. Number and spacing of anchors dependant on current velocities.
  3. Deployment of barrier around pile location may vary to accommodate construction operations.
  4. Navigation may require segmenting barrier during construction operations.
  5. For additional information see Section 104 of the Standard Specifications.

**Turbidity Barrier**  
N.T.S.



**Manatee Excluder Detail**  
N.T.S.



**Construction Barge (typ)**  
N.T.S.

**CONCRETE NOTES**

1. Concrete shall conform to ACI 318 (latest edition) and shall be regular weight, sulfate resistant, with a design strength of 5000 psi at 28 days with a maximum water-cementitious materials ratio, by weight, normal aggregate concrete of 0.40.
2. Owner shall employ and pay for testing services from an independent testing laboratory for concrete sampling and testing in accordance with ASTM.
3. Licensed contractor is responsible for the adequacy of forms and shoring and for safe practice in their use and removal.
4. Concrete cover shall be 3" unless otherwise noted on approved drawings.
5. Reinforcing steel shall be in conformance with the latest version of ASTM A615 Grade 60 specifications. All reinforcement shall be placed in accordance with ACI 315 and ACI Manual of Standard Practice.
6. Splices in reinforcing bars shall not be less than 48 bar diameters and reinforcing shall be continuous around all corners and changes in direction. Continuity shall be provided at corners and changes in direction by bending the longitudinal steel around the corner 48 bar diameters.
7. For repair of defective, cracked, or loose concrete, the areas must be cut out and the rebar must be cleaned by sandblasting, coated with zinc, and repaired with at least three inches of epoxy/concrete mix of gunnite concrete with sulfate-resistant cement cover.
8. A 1" deep control joint shall be sawcut in seawall cap at every other pile location, or maximum 20' O/C spacing.
9. Per section 2003.8.4.4 of the 2010 Florida Building Code, all aluminum in contact with concrete shall be protected with alkali-resistant coatings, such as heavy bodied bituminous paint or water-white methacrylate lacquer.

**PILE DRIVING NOTES**

1. Pile driving operations shall be observed by a special inspector, including test piles sufficient to determine the approximate length required to meet design capacity.
2. Piles shall be driven using an approved cushion block consisting of material so arranged so as to provide the transmission of the hammer energy.
3. Piles shall be driven to required capacity a minimum of 6 feet into rock or a minimum of 10 feet into yielding material.
4. Piles shall be driven with a drop hammer or gravity hammer provided the weight of the hammer is no less than 3000 pounds, and the fall of the hammer shall not exceed 6 feet.
5. Piles shall be driven with a variation of not more than 1/4" per foot from the vertical, or from the batter line indicated, with a maximum variation of the head of the pile from the position shown on the plans of not more than 3 inches.
6. Where piling must penetrate strata offering high resistance to driving, the structural engineer of record or special inspector may require that the piles be set in pre-drilled or punched holes. The piles shall reach their final penetration by driving.

**CONCRETE PILE NOTES**

1. Concrete pile concrete shall attain 6000 psi compressive strength in 28 days.
2. Concrete piles shall be reinforced with (4) 7/8" lo-lax strands, 270 kips, and #5 spiral ties.
3. Concrete piles shall be 12"x12" square, 20 feet minimum length.
4. Concrete piles shall be driven to a minimum bearing capacity of 25 tons.

**GENERAL NOTES**

1. Construction to follow 2014 Florida Building Code, 5th Edition and amendments as applicable and all local, state, and federal laws.
2. Contractor shall verify the existing conditions prior to commencement of the work. Any conflicts or omissions between existing conditions or the various elements of the working drawings shall be brought to the attention of the Engineer prior to the commencement of the work. Contractor and all subcontractors are responsible for all lines, elevations, and measurements in connection with their work.
3. Do not scale drawings for dimensions.
4. Contractor or customer to pay for all permit fees, inspections, and testing required.
5. Contractor to verify location of existing utilities prior to commencing work.
6. Contractor is responsible for all means, methods, and procedures of work.
7. Contractor to obtain all permits as necessary from all local, state, and federal agencies.
8. Contractor to properly fence and secure area with barricades.
9. Any deviation and/or substitution from the information provided herein shall be submitted to the Engineer for approval prior to commencement of work.
10. All unanticipated or unforeseen demolition and/or new construction conditions which require deviation from the plans and notes herein shall be reported to the Engineer prior to commencement of work.
11. All new materials and/or patchwork shall be provided to match existing materials and/or adjoining work where practical except as specifically noted herein.
12. Licensed contractor shall use all possible care to protect all existing materials, surfaces, and furnishings from damage during all phases of construction.
13. The licensed contractor to install and remove all shoring and bracing as required for the proper execution of the work.
14. All new work and/or materials shall conform to all requirements of each administrative body having jurisdiction in each pertaining circumstance.
15. Licensed contractor to verify location of existing utilities prior to commencing work.
16. All elevations shown refer to national geodetic vertical datum (NGVD) of 1929 or the North American vertical datum (NAVD) of 1988, whichever is specifically specified.
17. Turbidity Barriers are to surround all in water construction areas during all construction activities.

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ATTACHED TO LICENSE NO. DHS-1007  
ERP 06-00692-P

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Pompano Beach, FL 33062  
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Exhibit 12

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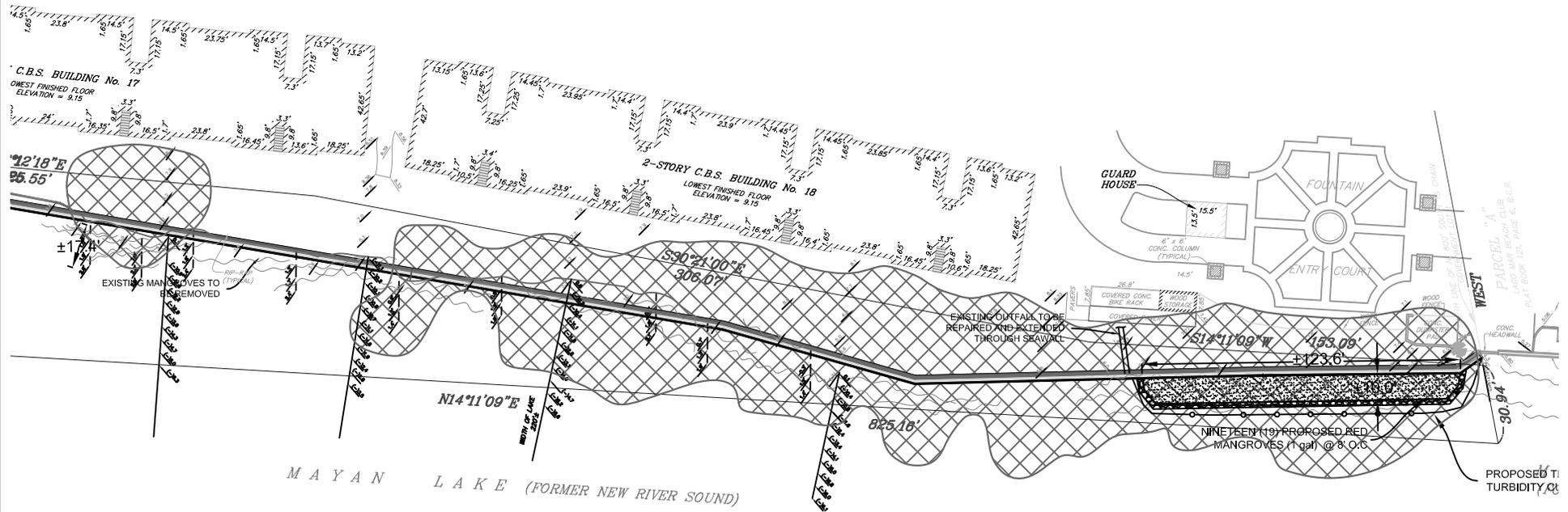
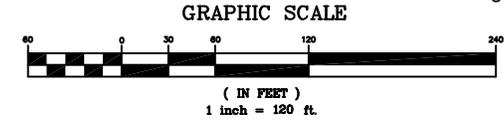


Exhibit 13

LEGEND

-  PROPOSED NEW CONCRETE PANEL SEAWALL W/ 3.0' CAP (±598 LN.FT.)
-  PROPOSED RIP-RAP FOR MANGROVE PLANTER (± 275 CU.YDS.)
-  PROPOSED FILL FOR MANGROVE PLANTER (±1,200 SQ.FT. - ±127 CU.YDS.)
-  PROPOSED NUISANCE EXOTIC REMOVAL (±24,875 SQ.FT.)

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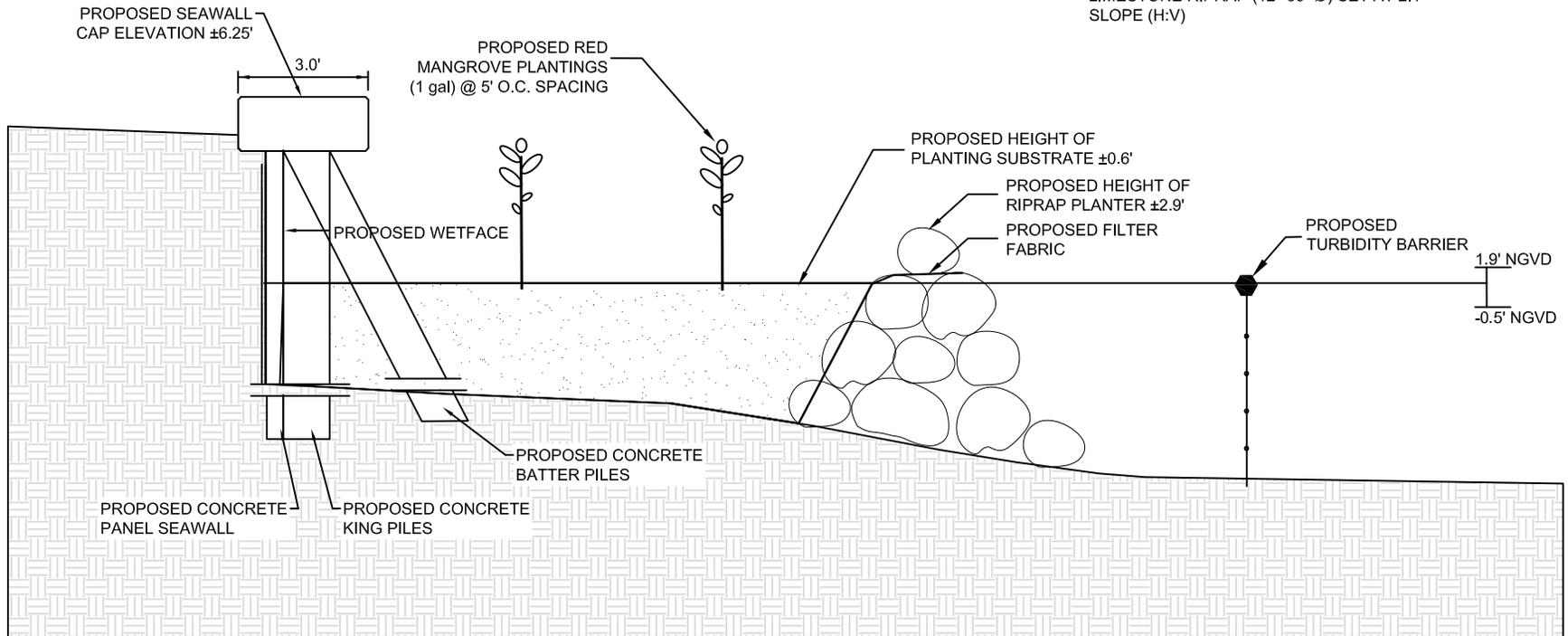
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PROPOSED NUISANCE EXOTIC REMOVAL EXHIBIT		
Date: 8/4/15	Sheet : 1	of : 3
Proj No.: 09-0031.002		





**NOTES:**  
LIMESTONE RIPRAP (12"-36" Ø) SET AT 2:1 SLOPE (H:V)



**PROPOSED CONDITIONS MANGROVE PLANTER (TYP.)**

N.T.S.

Exhibit 15

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PROPOSED MANGROVE PLANTER SECTION EXHIBIT

Date: 8/4/15	Sheet : 3	of : 3
Proj No: 09-0031.002		

THE CONSERVATION AREAS ARE HEREBY DEDICATED AS COMMON AREAS, THEY SHALL BE THE PERPETUAL RESPONSIBILITY OF THE ASSOCIATION AND MAY IN NO WAY BE ALTERED FROM THEIR NATURAL OR PERMITTED STATE. ACTIVITIES PROHIBITED WITHIN THE CONSERVATION AREAS INCLUDE, BUT ARE NOT LIMITED TO, CONSTRUCTION OR PLACING OF BUILDINGS ON OR ABOVE THE GROUND; DUMPING OR PLACING SOIL OR OTHER SUBSTANCES SUCH AS TRASH; REMOVAL OR DESTRUCTION OF TREES, SHRUBS, OR OTHER VEGETATION - WITH THE EXCEPTION OF EXOTIC/NUISANCE VEGETATION REMOVAL; EXCAVATION, DREDGING OR REMOVAL OF SOIL MATERIAL; DIKING OR FENCING; ANY OTHER ACTIVITIES DETRIMENTAL TO DRAINAGE; FLOOD CONTROL, WATER CONSERVATION, EROSION CONTROL, OR FISH AND WILDLIFE HABITAT CONSERVATION OR PRESERVATION.

Exhibit 16



Exhibit 17

**THE OCEANAGE**  
**Mangrove Planter Monitoring and Maintenance Plan**  
**TCG Project No. 09-0031.002**

As a result of the proposed removal of sixteen (16) white mangroves (*Laguncularia racemosa*) and three (3) red mangroves (*Rhizophora mangle*) a mangrove planter has been proposed along the southern extents of the project area. The proposed planter consists of the installation approximately 54 cu.yds. of riprap in waters of the United States to contain approximately 127 cu.yds. of planting substrate and support approximately 1,200 sq.ft. of red mangrove planting area. The proposed mangrove planter will be planted with forty-eight (48) 1 gallon red mangroves at 5' on-center spacing. In addition to the proposed mangrove planter, the removal of approximately 24,875 sq.ft. of nuisance exotic canopy (primarily Australian pine) is proposed to be removed as additional compensatory mitigation. Upon completion of the proposed seawall, filter fabric and limestone riprap (12-36" diameter) will be installed to create the planter. Once complete, the planter will be backfilled with organic planting substrate to suitable planting elevations. All work will be conducted from a construction barge and turbidity curtains will be utilized during in-water work.

1. During construction of the mitigation area, and upon the final grading, the site will be reviewed by an appropriate environmental professional to determine if the mangrove planter has been established correctly based on the design criteria. This assessment will also review potential water quality problems such as high levels of turbidity during construction, and make recommendations for corrective action.
2. During the planting process, an appropriate environmental professional will be available to assist, direct, and facilitate the planting process in order to make sure that the appropriate design criteria are met. Upon completion of the planting, a time zero report will be completed to determine if the appropriate quantities of plant material have been established. The Time Zero report will be submitted within 30 days of completion.
3. Due to the linear nature of the proposed planter, the quantitative monitoring of the area will include three (3) meter quadrat samples along one (1) transect to determine the percent aerial coverage and survival rate of the installed mangroves.
4. Panoramic photograph stations will be established and provided in the monitoring reports.
5. Observations of fish and wildlife will be recorded on each monitoring event.



Exhibit 18

6. Upon completion of the time zero monitoring inspection, quantitative monitoring will be completed at a minimum of two years (maximum of 5 years), or until EPMGD deems the restoration area a success. The monitoring reports will be submitted to EPGMD annually for 5 year period. As such a total of six (6) reports will be submitted.
  
8. For the restoration area to be deemed successful by EPGMD, a minimum of 80% of survivorship is required at all times and the areas must achieve 80% coverage within five years or supplemental plantings may be required. Additional material will be planted within the mitigation using the same species type, spacing, and sizes as permitted. Exotics must be maintained within the mitigation area and cannot exceed 2% coverage within the mitigation area. Maintenance will be performed as needed to insure that this requirement is achieved.
  
9. Maintenance will be conducted on an as-needed basis depending on the needs of the mangrove planter, and can be determined through the monitoring effort or EPGMD inspections. Species to be eradicated include cattail, primrose willow, melaleuca, Brazilian pepper, torpedo grass, Australian pine, seaside mahoe, earleaf acacia, schefflera and any other exotic/nuisance species as listed by Florida Exotic Pest Plant Council (EPPC). Trash and unnatural debris will be removed as needed.

**The Oceanage  
Avoidance & Minimization Summary  
12-3-15  
TCG Project No. 09-0031.002**

The proposed project consists of the replacement of an existing, dilapidated concrete bag seawall along an existing developed shoreline adjacent to a condominium. The existing seawall will be replaced with a linear concrete seawall and cap to stabilize the shoreline. In order to install the seawall in a linear fashion with sufficient distance from the existing buildings, existing fringe white mangroves (*Laguncularia racemosa*) and red mangroves (*Rhizophora mangle*) will be impacted. A total of nineteen (19) mangroves exist onsite with an estimated canopy of 3,300ft<sup>2</sup>, consisting of sixteen (16) white mangroves growing behind and through the existing seawall, with the canopy extending primarily waterward of the existing wall. Due to the location of the white mangroves growing through and at the base of the wall, avoidance is not feasible. The three (3) red mangroves are typically smaller and include seedlings and small trees (3-5' vertical height) growing at the base of the existing wall.

In order to offset the unavoidable loss of mangrove canopy to support the project purpose, a mangrove planter is proposed immediately waterward of the proposed seawall within the existing footprint of the most-dense canopy of mangroves onsite. Per the available survey data, the proposed planter is primarily within the canopy/dripline of the largest white mangroves onsite, with a total of 10 individual trees within the planter footprint. The proposed mangrove planter encompasses 45% of existing mangrove canopy onsite, and is within the footprint of 10 existing mangroves, which represents a total of 52% of total mangroves onsite.

The proposed planter is 1,481 ft<sup>2</sup> in total size, and will be constructed using limestone riprap and suitable planting substrate to accommodate red mangrove seedlings. A total of forty eight (48) 1 gallon red mangroves will be installed in the planter at suitable planting elevations. In addition, any existing red mangrove seedlings onsite of suitable size will be relocated to the planter as an additional measure of impact avoidance. The riprap will allow for natural tidal flow and will protect the plantings from wind and wave action within Mayan Lake, while also providing benthic habitat for fish and invertebrates.

As the scope of the environmental review is based on the mangroves themselves for Broward County as the resource, in addition to jurisdictional wetlands per state guidelines, it is anticipated that the proposed planter can be utilized as mitigation. For comparison, the estimated mangrove canopy is 3,300ft<sup>2</sup>, whereas a jurisdictional determination of the site by Broward County on November 4, 2015 staff resulted in 0.02 acres of jurisdictional wetlands identified at the base of the existing seawall. As such, the proposed planter will provide a much higher ecological function than the existing mangroves onsite. Red mangroves are typically considered to be higher quality and more desirable than white mangroves, and the planter will

Exhibit 20

provide additional and more diverse benthic habitat than exists onsite. Approximately 45% of canopy area will be replaced by the planter at the time of planting and relocation, and the red mangroves will be able to expand in spread, thus offsetting all canopy loss over time. Post-project conditions will result in a high quality red mangrove planter at suitable elevations to replace lower quality white mangroves that currently exist with altered growth habits. Remaining impacts will be mitigated through a proposed purchase of 0.0166 saltwater credits at the Everglades Mitigation Bank. Once subtracting the proposed planter acreage from the impact acreage to quantify remaining canopy impacts, the credit purchase will exceed the amount of credits needed.

**UNIFORM WETLAND MITIGATION ASSESSMENT WORKSHEET - PART I - IMPACT**  
Form 62-345.900(2), F.A.C. (See Sections 62-345.400 F.A.C.)

**Exhibit 21**

Site/Project Name <b>The Oceanage</b>		Application Number <b>SAJ-2012-03462(MOD-CF) / DF15-1097</b>	Assessment Area Name or Number <b>MW-1</b>
FLUCCs code <b>6120</b>	Further classification (optional) <b>Fringe Mangroves</b>	Impact or Mitigation Site? <b>Impact</b>	Assessment Area Size <b>0.0200 Acres</b>
Basin/Watershed Name/Number <b>Mayan Lake</b>	Affected Waterbody (Class)	Special Classification (i.e.OFW, AP, other local/state/federal designation of importance)	
Geographic relationship to and hydrologic connection with wetlands, other surface water, uplands			
<b>Adjacent to and hydrologically connected to Mayan Lake.</b>			
Assessment area description <b>Sixteen (16) white mangroves (<i>Laguncularia racemosa</i>) and three (3) red mangroves (<i>Rhizophora mangle</i>) in close proximity or growing out of the existing, dilapidated concrete bag seawall (at or below the MHW line). Jurisdictional wetland acreage is 0.02ac per BCEPGMD site inspection 11-4-15.</b>			
Significant nearby features <b>N/A</b>		Uniqueness (considering the relative rarity in relation to the regional landscape.) <b>not unique</b>	
Functions <b>N/A -minimal habitat and foraging support</b>		Mitigation for previous permit/other historic use <b>N/A</b>	
Anticipated Wildlife Utilization Based on Literature Review (List of species that are representative of the assessment area and reasonably expected to be found ) <b>N/A -minimal habitat and foraging support</b>		Anticipated Utilization by Listed Species (List species, their legal classification (E, T, SSC), type of use, and intensity of use of the assessment area) <b>N/A -minimal habitat and foraging support</b>	
Observed Evidence of Wildlife Utilization (List species directly observed, or other signs such as tracks, droppings, casings, nests, etc.): <b>Little blue heron (<i>Egretta caerulea</i>), Iguana (<i>Iguana iguana</i>), land crab (<i>Cardisoma guanhum</i>)</b>			
Additional relevant factors: <b>All mangroves are growing in close proximity or growing out of the existing, dilapidated concrete bag seawall. The majority of the mangroves are also in close proximity to nuisance exotic vegetation (specifically Australian pine).</b>			
Assessment conducted by: <b>P. Murphy, K. Bongarzone</b>		Assessment date(s): <b>08/04/15</b>	

Form 62-345.900(1), F.A.C. [ effective date ]

Exhibit 22

**UNIFORM WETLAND MITIGATION ASSESSMENT WORKSHEET - PART II - IMPACT**  
Form 62-345.900(2), F.A.C. (See Sections 62-345.500 and .600, F.A.C.)

Site/Project Name: <b>The Oceanage</b>	Application Number: <b>SAJ-2012-03462(MOD-CF) / DF15-1067</b>	Assessment Area Name or Number: <b>MW-1</b>
Impact or Mitigation: <b>Impact</b>	Assessment Conducted by: <b>P. Murphy, K. Bongarzone</b>	Assessment Date: <b>08/04/15</b>

Scoring Guidance	Optimal (10)	Moderate(7)	Minimal (4)	Not Present (0)	
The scoring of each indicator is based on what would be suitable for the type of wetland or surface water assessed	Condition is optimal and fully supports wetland/surface water functions	Condition is less than optimal, but sufficient to maintain most wetland/surface waterfunctions	Minimal level of support of wetland/surface water functions	Condition is insufficient to provide wetland/surface water functions	
				Current	With Impact

<b>.500(6)(a) Location and Landscape Support</b>		a. Quality and quantity of habitat support outside of AA.		
		b. Invasive plant species.	X	
		c. Wildlife access to and from AA (proximity and barriers).		
		d. Downstream benefits provided to fish and wildlife.		
		e. Adverse impacts to wildlife in AA from land uses outside of AA.		
		f. Hydrologic connectivity (impediments and flow restrictions).	X	
		g. Dependency of downstream habitats on quantity or quality of discharges.		
		h. Protection of wetland functions provided by uplands (upland AAs only).		

4		Notes: Existing white mangrove dominant fringe mangrove wetland system .Mangroves growing in close proximity or growing out of the existing, dilapidated concrete bag seawall. The majority of the mangroves are also in close proximity to nuisance exotic vegetation (specifically Australian pine)..		Place an "X" in the box above next to the two (2) most important criteria used in scoring this section
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<b>.500(6)(b) Water Environment (n/a for uplands)</b>		a. Appropriateness of water levels and flows.	X	
		b. Reliability of water level indicators.		
		c. Appropriateness of soil moisture.	X	
		d. Flow rates/points of discharge.		
		e. Fire frequency/severity.		
		f. Type of vegetation.		
		g. Hydrologic stress on vegetation.		
		h. Use by animals with hydrologic requirements.		
		i. Plant community composition associated with water quality (i.e., plants tolerant of poor WQ).		
		j. Water quality of standing water by observation (i.e., discoloration, turbidity).		

6		Notes: Existing polygon is hydrologically connected by Mayan Lake		Place an "X" in the box above next to the two (2) most important criteria used in scoring this section
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<b>.500(6)(c) Community Structure</b>		I. Appropriate/desirable species		
		II. Invasive/exotic plant species	X	
		III. Regeneration/recruitment		
		IV. Age, size distribution.		
		V. Snags, dens, cavity, etc.		
		VI. Plants' condition.		
		VII. Land management practices.	X	
		VIII. Topographic features (refugia, channels, hummocks).		
		IX. Submerged vegetation (only score if present).		
		X. Upland assessment area		

4		Notes: Mangrove canopy is sparse and beneath thick nuisance exotic canopy. Adjacent uplands are landscaped and regularly maintained.		Place an "X" in the box above next to the two (2) most important criteria used in scoring this section
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Raw Score = Sum of above scores/30 (if uplands, divide by 20)	
Current	With Impact
0.47	0.00

Impact Acres =	0.02
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Functional Loss (FL) (For Impact Assessment Areas):	
FL = ID x Impact Acres =	0.009

Impact Delta (ID)	
Current - w/impact	0.47

NOTE: If impact is proposed to be mitigated at a mitigation bank that was assessed using UMAM, then the credits required for mitigation is equal to Functional Loss (FL). If impact mitigation is proposed at a mitigation bank that was not assessed using UMAM, then UMAM cannot be used to assess impacts; use the assessment method of the mitigation bank.

Exhibit 23

**UNIFORM WETLAND MITIGATION ASSESSMENT WORKSHEET - PART I - MIT/PRES**  
**Form 62-345.900(2), F.A.C. (See Sections 62-345.400 F.A.C.)**

Site/Project Name <b>The Oceanage</b>		Application Number <b>SAJ-2012-03462(MOD-CF) / DF15-1067</b>		Assessment Area Name or Number <b>Mitigation Area-1</b>	
FLUCCs code <b>6120</b>		Further classification (optional) <b>Mangrove Planter</b>		Mitigation or Preservation? <b>Mitigation</b>	Assessment Area Size <b>0.0340 Acres</b>
Basin/Watershed Name/Number <b>Mayan Lake</b>		Affected Waterbody (Class)		Special Classification (i.e.OFW, AP, other local/state/federal designation of importance)	
Geographic relationship to and hydrologic connection with wetlands, other surface water, uplands					
<b>Adjacent to and hydrologically connected to Mayan Lake.</b>					
Assessment area description					
<b>Area adjacent to a proposed new concrete seawall.</b>					
Significant nearby features <b>N/A</b>			Uniqueness (considering the relative rarity in relation to the regional landscape.) <b>not unique</b>		
Functions <b>N/A -minimal habitat and foraging support</b>			Mitigation for previous permit/other historic use <b>N/A</b>		
Anticipated Wildlife Utilization Based on Literature Review (List of species that are representative of the assessment area and reasonably expected to be found ) <b>N/A -minimal habitat and foraging support</b>			Anticipated Utilization by Listed Species (List species, their legal classification (E, T, SSC), type of use, and intensity of use of the assessment area) <b>N/A -minimal habitat and foraging support</b>		
Observed Evidence of Wildlife Utilization (List species directly observed, or other signs such as tracks, droppings, casings, nests, etc.):					
<b>Little blue heron (Egretta caerulea), Iguana (Iguana iguana), land crab (Cardisoma guanhumu)</b>					
Additional relevant factors:					
<b>Existing, dilapidated concrete bag seawall to be replaced with new concrete panel seawall. Nuisance exotic canopy to be removed.</b>					
Assessment conducted by: <b>P. Murphy</b>			Assessment date(s): <b>8/4/2015</b>		

Form 62-345.900(1), F.A.C. [ effective date ]

**UNIFORM WETLAND MITIGATION ASSESSMENT WORKSHEET - PART II - MITIGATION/PRESERVATION**  
Form 62-345.900(2), F.A.C. (See Sections 62-345.500 and .600, F.A.C.)

Site/Project Name: <b>The Oceanage</b>		Application Number: <b>SAJ-2012-03462(MOD-CF) / DF15-1067</b>		Assessment Area Name or Number: <b>Mitigation Area-1</b>	
Impact or Mitigation: <b>Mitigation</b>		Assessment Conducted by: <b>P. Murphy</b>		Assessment Date: <b>8/4/15</b>	
<b>Scoring Guidance</b>		<b>Optimal (10)</b>	<b>Moderate(7)</b>	<b>Minimal (4)</b>	<b>Not Present (0)</b>
The scoring of each indicator is based on what would be suitable for the type of wetland or surface water assessed		Condition is optimal and fully supports wetland/surface water functions	Condition is less than optimal, but sufficient to maintain most wetland/surface water functions	Minimal level of support of wetland/surface water functions	Condition is insufficient to provide wetland/surface water functions
				Current	With Mitigation
<b>.500(6)(a) Location and Landscape Support</b>		a. Quality and quantity of habitat support outside of AA.			x
		b. Invasive plant species.		x	
		c. Wildlife access to and from AA (proximity and barriers).			
		d. Downstream benefits provided to fish and wildlife.			
		e. Adverse impacts to wildlife in AA from land uses outside of AA.			
		f. Hydrologic connectivity (impediments and flow restrictions).		x	x
		g. Dependency of downstream habitats on quantity or quality of discharges.			
		h. Protection of wetland functions provided by uplands (upland AAs only).			x
Current	With Mitigation	Notes: Proposed mangrove planter will be within footprint of existing jurisdictional wetlands and associated mangrove canopy.		Place an "X" in the box above next to the two (2) most important criteria used in scoring this section	
0	4				
<b>.500(6)(b) Water Environment (n/a for uplands)</b>		a. Appropriateness of water levels and flows.		x	x
		b. Reliability of water level indicators.			
		c. Appropriateness of soil moisture.		x	
		d. Flow rates/points of discharge.			
		e. Fire frequency/severity.			
		f. Type of vegetation.			x
		g. Hydrologic stress on vegetation.			
		h. Use by animals with hydrologic requirements.			
		i. Plant community composition associated with water quality (i.e., plants tolerant of poor WQ).			
		j. Water quality of standing water by observation (i.e., discoloration, turbidity).			
Current	With Mitigation	Notes: Proposed mangrove planter is designed to allow sufficient tidal exchange for a red mangrove system, whereas existing mangroves are either growing through the existing seawall or at elevations more desirable for white mangroves.		Place an "X" in the box above next to the two (2) most important criteria used in scoring this section	
0	6				
<b>.500(6)(c) Community structure</b>  x Vegetation Benthic Both		I. Appropriate/desirable species			x
		II. Invasive/exotic plant species		x	
		III. Regeneration/recruitment			x
		IV. Age, size distribution.			
		V. Snags, dens, cavity, etc.			
		VI. Plants' condition.			x
		VII. Land management practices.		x	
		VIII. Topographic features (refugia, channels, hummocks).			
		IX. Submerged vegetation (only score if present).			
		X. Upland assessment area			
Current	With Mitigation	Notes: Proposed mangrove planter will be surrounded by limestone riprap, with filter fabric to contain the proposed muck planting substrate. The planter will be planted with red mangrove seedlings, along with the transplantation of any suitable red mangrove seedlings from elsewhere onsite.		Place an "X" in the box above next to the two (2) most important criteria used in scoring this section	
0	8				

Raw Score = Sum of above scores/30 (if uplands, divide by 20)	
Current	With Mitigation
0.00	0.60

TEMPORAL LAG TABLE					
YEAR	T-factor	YEAR	T-factor	YEAR	T-factor
< or = 1	1	11-15	1.46	41-45	3.03
2	1.03	16-20	1.68	46-50	3.34
3	1.07	21-25	1.92	51-55	3.65
4	1.10	26-30	2.18	>55	3.91
5	1.14	31-35	2.45		
6-10	1.25	36-40	2.73		

Relative Functional Gain (RFG) = MD/(TLF x RF) =	0.384
Mitigation Area Required (acres) = FL/RFG =	0.02

Temporal Lag Factor (TLF) = (see Temporal Lag Table above)	1.25
Risk Factor (RF) = [1=no risk, 2=mod risk, 3=hi risk, on 0.25 increments]	1.25

Mitigation Area Size (acres)	0.03
Functional Gain (FG) (RFG x MIT AREA) (should balance with Functional Loss)	0.012

Mitigation Delta (MD)	
w/Mitigation - Current	0.60

FOR PRESERVATION ONLY:


Excess Mitigation (acres)	0.01
Acres of Impact Offset by this Mitigation Area	0.03