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

DEPARTMENT OF THE ARMY PERMIT

Permittee: BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS
218 SW. 1ST AVENUE
FORT LAUDERDALE, FLORIDA 33301

Permit No. SAJ-1999-5545(IP-SLN)

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

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

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

Project Description: The permittee is authorized to commence beach nourishment activities for Segment III, only.

Segment III involves dredging (using a hopper dredge) approximately 1.54 million cubic yards of sand, from Borrow Areas I, II, III, IV, and VI, which will be used as fill to nourish a 6.82-mile (36,000 feet) stretch of beach. This authorization also requires the installation of a spur connected to the south jetty of Port Everglades Inlet, installation of two T-head groins, and transplantation of approximately 1000 to 2000 scleractinian corals from the impact area to a designated 2.92-acre mitigation reef area #VII, in Segment III (transplanting efforts target an initial 3% density coverage of mitigation reef boulders).

Additional construction details for the project are provided, in the following table:

	Segment II	Segment III
Length of beach		36,000 feet (6.82 miles)
Cubic yards of sand		1.54 million cubic yards
berm height		+9 feet NGVD
foreshore slope		1V:10H
nearshore slope		1V:30H @ John U. Lloyd Park & 1V:45H @ Hollywood & Hallendale
total impacts to seagrass		NONE
total impacts to nearshore hardbottoms		7.6 acres
Location of hardbottoms		John U. Lloyd State Park Hollywood/Hallendale
number of groins		2
other structures		1 spur connected to south jetty of Port Everglades Inlet.

The five offshore borrow areas are located between DNR reference monuments R-1 to R-50. Dredging, by use of hopper dredge, is proposed due to the presence of rock rubble in the borrow areas. Rock and shell greater than 1 inch in diameter would be separated and placed at two previously permitted deep artificial reef areas as reef base material (i.e., John U. Lloyd artificial reef site and the Deerfield rock artificial reef sites). The John U. Lloyd artificial reef site is located approximately 10,370 feet offshore from Hollywood Beach and the Deerfield artificial reef site is located approximately 11,150 feet offshore from Deerfield Beach. The following table identifies location (latitude and longitude values and distance offshore), the mean grain size, and silt/clay percentage for five of the borrow areas to be utilized (use of two borrow areas (BA) have been removed from the project):

Site	Northern Limit	Southern Limit	Distance offshore	Location	Mean Grain Size	Silt/Clay Content
BA I	26°19'18.2" 80°4'10.5"	26°18'32.9" 80°4'19.3	1,200′		0.36mm	1.69%
BA II	26°17'39.4 80°4'21.2"	26°15'46.2" 80°4'29.6"	1,290′	North of Hillsboro Inlet	0.31mm	1.66%
BA III	26°16'57.7 80°4'3.1"	26°16'21.4" 80°4'4.4"	3,328′	North of Hillsboro Inlet	0.41mm	4.59%
BA IV	26°14'45.6" 80°4'36.4"	26°14'20.1" 80°4'36.5"	3,100′	4,000′ south of Hillsboro Inlet	0.32mm	2.36%
BA V	Removed from project					
BA VI	26°11'57.5" 80°4'55.1"	26°11'36.7" 80°4'55.4"	3,800′	Near Lauderdale by the Sea	0.41mm	2.62%
BA VII	Removed from project					

In addition to the above activities, the project will provide (partial) mitigation for impacts through the transplanting of approximately 1000 to 2000 stony corals of a size 15cm or greater from the impact area, to a designated artificial reef relocation site at Mitigation Area #7, between DEP monuments R-101 and R-102, in accordance with the Broward County Segment III Coral Transplantation Work Plan. The remaining mitigation has been permitted under Corps permit #SAJ-2002-2344(IP-SLN), in January 2003, which authorized the placement of 4′ to 6′ diameter limestone boulders in a single layer over sandy bottom in approximately 15′ of water covering approximately a 13.5-acre area.

The project is as shown and described on attached plans SAJ-1999-5545(IP-SLN).

Project Location: The project (Segment III) is located along a 6.82-mile stretch of beach on the Atlantic Ocean. Segment III ranges from R-86 to R-92 and from R-98 to R-128. Segment III is located within John U. Lloyd Beach State Recreation Area, Dania, Hollywood, and Hallandale, Broward County, Florida.

Geographic Location (of beach fill):

Northern Limit: Latitude 26°5'32.76"North
Longitude 80°6'28.19"West

Southern Limit: Latitude 25°58'30.6"North
Longitude 80°7'6.8"West

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on July 16, 2009. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

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

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature and mailing address of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your

convenience, a copy of the certification is attached if it contains such conditions.

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

Special Conditions:

The attached Special Conditions are applicable only to the above referenced Permit Number:

1. Fill material used for this project shall be limited to suitable, clean fill material, which excludes items such as trash, debris, car bodies, asphalt, construction materials, concrete block with exposed reinforcement bars, and soils contaminated with any toxic substance, in toxic amounts (see Section 307 of the Clean Water Act). The fill material shall be similar (grain size) to that already existing at the beach site in both coloration and grain size.

BIOLOGICAL OPINION (conditions 2-4)

2. Beach nourishment (i.e., fill) activities must be performed after October 31 and before May 1, of the year of construction. Construction activities (i.e., fill) authorized outside of this window, are limited to those allowed ONLY between DEP Monuments R98 to R128, and groin construction as authorized in the attached U.S. Fish and Wildlife Service Biological Opinion, dated March 11, 2002, and the (attached) special conditions of the Florida Department of Environmental Protection (FDEP) permit #0163435-001-JC, issued May 12, 2003.

3. The permittee shall comply with the attached Standard Manatee Construction Conditions, during construction. This Corps (South Permits Branch) permit does not authorize you to take an endangered species, in particular the Manatee (Trichechus manatus Latirostris). In order to legally take a listed species, you must have separate authorization under the Endangered Species Act (ESA) (e.g., an ESA section 10 permit, or a BO under ESA section 7, with "incidental take" provisions with which you must comply). The enclosed United States Fish and Wildlife Service (FWS) BO contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with "incidental take" that is also specified in the BO. Your authorization under this Corps (South Permits Branch), permit is

conditional upon your compliance with all of the mandatory terms and conditions associated with incidental take or the attached BO, which terms and conditions are incorporated by reference in this permit. Failure to comply with the terms and conditions associated with incidental take of the BO, where a take of the listed species occurs, would constitute an unauthorized take, and it would also constitute non-compliance with your Corps (South Permits Branch), permit. However, the FWS is the appropriate authority to determine compliance with the terms and conditions of its BO, and with the ESA. For further clarification on this point, you should contact the FWS. Should the FWS determine he conditions of the BO have been violated, normally the FWS will enforce the violation of the ESA, or refer the matter to the Department of Justice.

4. The permittee shall comply with all Reasonable and Prudent Measures, Terms and Conditions, & Conservation Recommendations of the (enclosed) U.S. Fish and Wildlife Service Biological Opinion, dated March 11, 2002, for the protection of Threatened and Endangered sea turtles.

5. The permittee shall abide by the special conditions of the attached FDEP permit #0163435-001-JC, issued May 12, 2003.

6. The permitttee shall conduct a pre-construction meeting a minimum of 30 days prior to commencement of construction. The permittee shall provide a minimum of a 30-day advance written notification of the pre-construction meeting, to the Corps (South Permits Branch) and other federal agency staff so that the agencies can participate. The permittee shall develop training modules relating to coral resource sensitivity, nature, configuration and mapping of coral communities, value, and resource protection measures. The permittee shall submit the training modules to the Corps(South Permits Branch), within 30-days prior to the pre-construction meeting, for review and approval for use during the pre-construction meeting. The Corps (South Permits Branch), will review and comment on the draft training modules within 15-days of submittal. The permittee will be required to utilize these training modules to instruct all staff involved with this construction project.

7. The permittee shall implement a strict Quality Assurance and quality control program during all dredging operations, including borrow area dredging, vessel transit, material transfer, and offshore rock/rubble placement activities. Bridge staff shift changes shall occur on the bridge of vessels and shift periods will be designed so that staff exhaustion and complacency during

oversight are avoided. The permittee shall ensure that the contractor schedules personnel to receive a minimum of 6 hours of rest in any 24-hour period. Rest periods may be interrupted in case of emergency, drill, or other overriding operational necessity.

8. The permittee shall prevent scouring and/or dredging of benthic resources, corals, and other hardbottom resources, by any construction activities associated with this project.

CORAL TRANSPLANTATION (conditions 9-11)

9. The permittee will implement the transplanting of approximately 1000 to 2000 scleractinian corals from the nearshore hardbottom to be impacted by the beach fill and will transplant them to a designated 2.92-acre mitigation reef area #VII, in Segment III, between DEP monuments R-101 and R-102, in accordance with the attached Broward County Segment III Coral Transplantation Work Plan. Within 60-days after transplantation is complete, the permittee will assess the total number of corals transplanted. If transplantation achieves less than 1,000 corals, the permittee and the Corps (South Permits Branch), will re-assess the mitigation accordingly if needed.

10. The permittee shall implement a QA/QC plan to ensure and oversea that coral transplantation efforts are successful. The permittee shall ensure that all participants conducting project activities are held to the standards and methods set forth in the Broward County Segment III Coral Transplantation Work Plan.

11. The permittee or his contractor shall notify the attached list of permitted/approved scientific experts or aquaculture organizations for the rescue, removal and collection (not for commercial sale) of all corals that are not proposed to be transplanted and are a diameter of < 15 cm of living tissue and any benthic organisms projected to be impacted by the equilibrium toe of fill (ETOF) as specified by the project designs. These resources will be used to further scientific research on resource management or to support future reef restoration projects in South Florida. Email notification of the list of members must include a minimum of 45-days advance notice (prior to beach fill start date) for planning and logistics purposes (including permitting). The permittee shall allow a 30-day collection window to commence and complete additional collections. The permittee agrees to provide electronic maps that will ensure and assist that these scientific experts are collecting within the project design.

TRANSPLANTED CORAL SUCCESS CRITERIA

12. At a minimum, the relocated corals shall maintain an 80% survival rate after 6 months from the initial relocation date. Thereafter, the relocated corals shall maintain that 80% survival throughout the life of the monitoring program. Should the Corps (South Permits Branch), determine that the relocated corals are not achieving this survival criteria, additional mitigation may be required as deemed appropriate by the Corps (South Permits Branch), through a modification. The permittee agrees to prepare a report that clearly describes in detail, possible reasons for not reaching an 80% survival rate. The permittee agrees to monitor the mitigation reef and corals at 6 months from the initiation of coral transplantation, 1 year, 2 years, 5 years, and 7 years post transplantation. The permittee agrees to submit a mitigation reef monitoring report within 90 days after each monitoring event to document the status of the relocated corals. Broward County will not be held to any failures caused by natural events that may hinder coral transplantation success rates.

ROCK/RUBBLE ARTIFICIAL REEF SITE (conditions 13-18)

13. The permittee agrees to conduct at a minimum, towed video surveys, of the proposed deep-water rock/rubble artificial reef site to identify the presence of biological and/or sensitive resources, and sand bottom areas. A map shall be provided to the Corps (South Permits Branch), from the previous surveys that were conducted in October 2001, indicating the entire proposed artificial reef site. From the surveys conducted, sand bottom areas (i.e., areas devoid of hardbottom or natural coral resources) shall be selected as suitable areas for rock placement, which are large enough to accept rock/rubble deposits without impacting natural resources in the vicinity. A second map shall be provided indicating areas of sand bottom selected as potentially safe artificial reef placement areas. GPS/State Plane coordinates for each selected sandy artificial reef placement area shall be recorded to mark the perimeter boundaries and shall be indicated as polygons on a map. The contractor shall consider current speed and direction and other physical parameters to ensure that the material is placed within the polygon. The surveys shall be conducted, at a minimum, 90 days prior to commencement of construction. The maps shall be provided to the Corps (South Permits Branch), at a minimum of 60 days prior to construction for review and evaluation and approval. The Corps (South Permits Branch), will coordinate this plan with NOAA, FWS and EPA, and will submit comments to the permittee within 30-days of the permittees' submittal.

14. The permittee shall provide the dredge contractor a map identifying the plotted perimeter boundaries of the selected artificial reef placement sites as a polygon target. The map shall be in electronic GPS form or e-map form, and shall be adequate enough (within 1 meter or less accuracy) to allow for electronic positioning, and to be used in conjunction with the continuous tracking system required in special conditions 15 and 16. The site within the polygon must be confirmed for accuracy of material placement and shall ensure that no natural resources will be taken.

15. The permittee shall use an electronic positioning system to navigate to and from the deep artificial reef placement sites. For this section of the permit, the electronic positioning system is defined as: a differential global positioning system or a microwave line of sight system. Use of LORAN-C alone is not an acceptable electronic positioning system for disposal operations at the deep artificial reef placement sites.

a. The permittee shall certify the accuracy of the electronic positioning system proposed for use during all construction operations. The certification shall be accomplished by direct comparison of the electronic positioning system's accuracy with a known fixed point.

b. If the electronic positioning system fails or navigation problems are detected, all artificial reef placement operations shall cease until the failure or navigation problems are corrected. If the permittee is using the same vessel to dredge borrow areas, place sand on the beach, and transport rock/rubble for artificial reef placement; and the electronic positioning system fails or navigation problems are detected, all operations shall cease until the failure or navigation problems are corrected.

16. The permittee agrees to implement GPS tracking/mapping technology and an automated placement verification system on the proposed dredge vessel. This technology is to be used for tracking of the dredge vessel routes while traveling out to the rock/rubble artificial reef site for material placement.

a. The vessel positioning technology shall track the vessel transit paths from the borrow areas out to the approved offshore placement sites at a minimum of 1-minute intervals. At all times while the hopper

dredge is outside of Port Everglades, offshore of Broward County, in the Atlantic Ocean, the location of the vessel shall be tracked according to the requirements above.

b. The permittee shall demonstrate accurate rock placement in the approved areas by submitting to the Corps (South Permits Branch), the mapped vessel tracks and material deposit logs, once a week during construction activities. The permittee shall identify if any "short-dumps" and/or missed targets have occurred.

c. If any impacts("short-dumps" and/or missed targets) have occurred, the permittee shall immediately; within a maximum of 24-hours; notify by telephone, the Corps (South Permits Branch at 561/472-3519), and all other action agencies including FDEP, NOAA, FWS, and EPA. The permittee shall immediately, within a maximum of 24- hours, ground-truth the deviated paths (provided that they are within safe diving limits and weather permitting) and document any impacts. The Corps (South Permits Branch) will determine appropriate recovery actions and mitigation efforts, which will include time lag and risk assessments (see condition #33). The Corps (South Permits Branch), will determine final mitigation upon the applicants' submittal of a mitigation plan within 60 days of the impact incidence. The Corps (South Permits Branch), will coordinate this plan with NOAA, FWS, and EPA, and will submit comments to the permittee within 30-days from submittal.

17. The required digitally recorded data mentioned above in special condition 16 shall include: date, time, vessel name, artificial reef placement number, location at points of initiation and completion of artificial reef placement, description of material disposed (rock rubble, sand, clay or silt), and volume of load, to ensure that no natural resources will be taken. This information shall be provided to the Corps (South Permits Branch), in conjunction with the mapped vessel tracks once a week during construction activities.

18. The permittee agrees that if a contractor is selected, who will use vessels other than the hopper dredge to transport and place rock/rubble material at the deep artificial reef site, precautions must be taken to ensure that damage does not occur to the existing reefs as a result of cable drag, scour wash, or other construction activities. The permittee shall prevent

scouring of benthic resources during all deep artificial reef placement operations.

a. Any towed vessels used for placement of artificial reef material, such as barges, scows and the like, will be either lashed directly to the dredge or the tow vessel, with no cable in the water (e.g., by a "bridle" tow or "on the hip" of a tug), or connected to the tow vessel by floating line.

b. All cables must be floated in all water depths to avoid impact to submerged resources.

c. All other operations will be conducted in a manner that eliminates the possibility of dragging cable or other equipment along the bottom and damaging aquatic resources.

MONITORING OF ARTIFICIAL REEF SITE

19. The rock/rubble artificial reef placement area shall be monitored 90 days after construction is complete. The permittee shall develop a rock/rubble artificial reef monitoring plan prior to construction. The monitoring plan shall identify scope of work, monitoring methods to be used, document if coral, fish, or algae recruitment is occurring, and analysis of data. Monitoring shall be conducted using towed video survey (the same survey methodology used for the baseline survey), for comparative purposes. The offshore artificial reef placement area shall be monitored at years 1 and 3 and after any hurricane storm event designated at a Category IV or higher. The monitoring report at years 1 and 3 shall compare results of the baseline surveys and with archival reports or assessment data of similar offshore reef sites as available or where appropriate, and the final contract report shall discuss success/failures of recruitment of natural resources to the rock/rubble deposited at the site.

HOPPER DREDGE (conditions 20-27)

20. The permittee shall comply with the attached Jacksonville District, Regulatory Division, Standard Hopper Dredge Conditions for Sea Turtles, dated 15 October 2002.

21. The permittee shall prevent scouring and/or dredging of benthic resources, corals, and other hardbottom resources, by any hopper dredge activities associated with this project.

22. Prior to construction, the permittee shall provide to the Corps (South Permits Branch), and the dredge contractor, a map identifying approved vessel transit corridors plotted as polygon targets to be used during transit from the borrow areas to the sand pump out facility locations. A hard copy of the map shall be submitted to the Corps (South Permits Branch), and an electronic map in electronic GPS form shall be submitted to the contractor. The electronic GPS form shall have 1-meter accuracy or less to allow for electronic positioning, and shall be incorporated into the continuous tracking system on the hopper dredge vessel. The permittee shall ensure that the selected vessel transit corridors avoid and minimize transit over hardbottom as much as possible. The permittee shall ensure that adequate vessel operating depths will be achieved, and to ensure no natural resources will be taken.

23. The permittee shall use an electronic positioning system to navigate during all aspects of the construction project. For this section of the permit, the electronic positioning system is defined as: a differential global positioning system or a microwave line of site system. Use of LORAN-C alone is not an acceptable electronic positioning system for this construction project. If the electronic positioning system fails or navigation problems are detected, all operations shall cease until the failure or navigation problems are corrected.

24. The permittee agrees to implement GPS tracking/mapping technology on the proposed dredge vessel. This technology is to be used for tracking the dredge vessel routes throughout the project.

a. The vessel positioning technology shall track the vessel transit paths at a minimum of 1-minute intervals and shall ensure that the contractor does not deviate outside of the approved vessel transit corridors. At all times while the hopper dredge is outside of Port Everglades, offshore of Broward County, in the Atlantic Ocean, the location of the vessel shall be tracked according to the requirements above.

b. The permittee shall require that the vessel corridors are identified in electronic GPS form, and shall be incorporated into the electronic positioning system with automatic alarms if the vessel deviates into the 400’ buffer zone or other restricted areas.

c. The permittee shall demonstrate that the vessel was

accurately navigated through the approved vessel transit corridors, by submitting to the Corps (South Permits Branch), the mapped vessel tracks, once a week during construction activities. The permittee shall identify if any vessel transit paths have deviated outside of the approved corridors.

d. If vessel transit deviation has occurred, the permittee shall immediately; within a maximum of 24-hours; notify by telephone, the Corps (South Permits Branch), and all other action agencies. The permittee shall immediately identify the extent of deviation, depth, draft, drag-arm position, and reef character, within a maximum of 24-hours. After consultation with the Corps (South Permits Branch) the permittee shall ground-truth significant vessel deviation paths and document any impacts (see condition #33). The Corps (South Permits Branch), will determine appropriate recovery actions and mitigation efforts, which will include time lag and risk assessments. The Corps (South Permits Branch), will determine final mitigation upon the applicants' submittal of a mitigation plan within 60 days of the impact incidence.

25. The permittee shall ensure that the contractor inspects the hopper dredge daily for any leaks or failures. The permittee will ensure that the contractor uses signal devices or alarm devices on all vessels associated with this project to ensure that leaks from the split hull mechanism, or other sediment handling systems, do not occur. The permittee must ensure that the contractor is operating the hopper dredge in a manner such that the split hull mechanism is closed completely at all times before leaving the borrow sites. There shall be no random deposits of dredge material over natural resources and outside of the authorized areas.

26. All operations including the arm of the hopper dredge, etc., shall be conducted in a manner to eliminate the possibility of equipment dragging on the bottom and damaging natural resources. Before the dredge leaves any/all borrow areas, to transfer material to the transfer station, or exiting the boundaries of the site to travel to the rock disposal site, the drag-arms (hopper arm) must be completely raised out of the water at all times during transit. The permittee agrees that during turns, while working in borrow areas III, IV, and VI, the drag-arms shall be raised to a maximum of 20' below the surface of the water. The permittee agrees that during turns, while working in

borrow areas I and II, the drag-arms shall be raised to a maximum of 10' below the surface of the water. After the hopper has made each turn the permittee may proceed to lower the drag-arms upon approaching the borrow site to maximize full use of the borrow material at the edges of the borrow areas however, the permittee shall minimize the amount of the time that the drag-arms are deeper that the "drag-arm depths" described above for the specific borrow areas. The permittee must provide, within 30 days prior to construction, a plan that will address what methods or precautions will be taken to avoid operational failures. If operational failures of the drag-arm occur, work shall immediately cease until the cause of failure has been corrected.

27. The permittee shall ensure that the dredge contractor will prevent unnecessary runoff into the marine environment and that the contractor complies with Florida Department of Environmental Protection water quality requirements. The permittee agrees and understands that additional safeguards may be required and any impacts to resources from dredge disposal management areas will require recovery or mitigation actions.

BUFFERS

28. During construction activities and in an effort to avoid and minimize impacts to aquatic resources, the permittee will maintain absolute minimum buffer distances of no less than 400-feet between all inshore or offshore reef communities and the borrow area boundaries (boundaries on the west side of the borrow areas may be moved to the west, as provided in project plans, should Segment II be authorized for fill). Specifically, the minimum buffer distances are provided in the table, below:

Borrow Area Number	Minimum buffer distance between western boundary of borrow area and adjacent reefs	Minimum buffer distance between eastern boundary of borrow area and adjacent reefs
1	400'	400'
2	400'	400'
3	400'	400'
4	400'	400'
6	400'	400'

The permittee shall provide the dredge contractor with an electronic map, in electronic GPS form, identifying the borrow areas plotted as polygon targets to be used during dredging of

the borrow areas. The map in electronic GPS form shall have 1-meter accuracy or less to allow for electronic positioning and shall be incorporated into the continuous tracking system on the dredge vessel, as required in special condition #'s 22, 23, 24. If vessel deviation occurs resulting in coral and/or hardbottom impacts then conditions #33 and 34 will apply. Prior to commencement of construction, the permittee shall submit updated drawings of the borrow area indicating the above mentioned buffer distances.

SAND PUMP OUT FACILITY (conditions 29-31)

29. The permittee agrees that any tow vessels used for the sand pump out facility shall be either lashed directly to the sand pump out facility with no cable in the water (e.g., by a "bridle" tow or "on the hip" of a tug), or connected to the sand pump out facility by floating line. All cables must be floated in all water depths to avoid impact to submerged resources. All other operations will be conducted in a manner that eliminates the possibility of dragging cable or other equipment along the bottom and damaging aquatic resources.

30. The permittee agrees to use a spud anchoring system to support equipment for the sand pump out facility. Prior to construction the permittee shall identify what methods will be used to secure the hopper dredge to the sand pump out facility for sand unloading.

31. The sand pump out facility (where the hopper dredge will connect to deposit sand for the beach) shall be installed using diver-assisted placement to prevent impacts from the spuds of the jack-up structure or spud barge. The permittee shall record, via GPS coordinates, all of the locations of the jack-up structure or spud barge, and provide the data to the Corps (South Permits Branch), once the sand pump out facility is secured. At all times during project construction, the sand pump out facility shall be adequately secured using appropriate measures, to ensure that any movement of the sand pump out facility or the pipeline, by natural conditions, does not scour or destroy submerged aquatic habitat.

RELOCATION OF THE SAND PUMP OUT FACILITY

32. The permittee agrees that in the event that the sand pump out facility is relocated, activities will be carried out so as to avoid impacts to all submerged aquatic habitat. All cables, lines, buoys, etc., shall be adequately secured on the sand pump

out facility to avoid dragging, scouring, or inadvertent impacts to any submerged aquatic habitat.

NOTIFICATION OF INJURY TO NATURAL RESOURCES

33. The permittee shall immediately notify the Corps (South Permits Branch at 561/472-3519), NOAA, FWS, and EPA, by telephone, within a maximum of 24-hours and submit a preliminary written report, within one week of investigation of the incident, in the event of damage to natural resources. The permittee shall document any impacts or accidents that have occurred to seagrass, coral and/or hardbottom resources. The permittee shall initiate within 24 hours of any incident (weathering permitting), the immediate triage, recovery, stabilization, and restoration of any injury to natural resources in the event of unforeseen accidents from any construction activities, such as anchor damage, anchor cable scouring, material transfer, pipeline failure, hopper drag-arms, artificial reef material, vessel grounding, etc. A preliminary injury assessment shall be submitted to the Corps (South Permits Branch), within one week of the incident. The Corps (South Permits Branch), will determine appropriate recovery actions. A total injury assessment shall be submitted within the post-construction report of Segment III, which shall be submitted 90 days post-construction.

MITIGATION OF INADVERTENT IMPACTS

34. The permittee shall avoid injury to all submerged aquatic habitats by any and all construction activities. Unavoidable impacts shall require in-kind restoration and mitigation. Mitigation ratios shall be determined based on a Habitat Equivalency Analysis. In the case of inadvertent or unauthorized impacts, the permittee shall submit a mitigation plan to the Corps (south Permits Branch), which will include compensatory mitigation that will account for time lag and risk assessments. The Corps (South Permits Branch), will coordinate this plan with NOAA, FWS, and EPA, and will submit comments to the permittee within 30-days from submittal by the permittee.

IN-WATER PIPELINE (conditions 35-36)

35. The permittee agrees that Broward County staff will assist with identification of the exact routing of the sand pump out pipeline below mean high water, and within the natural reef corridors, to minimize the impacts of the pipeline in a manner that causes the least amount of impacts to submerged aquatic habitats.

36. The permittee shall use appropriate type anchoring methods including methods to avoid impacts to natural resources (e.g., pipe collars). The entire length of the pipeline will be visually inspected twice a week, during continued use, in order to check for potential leaks, which may emanate from the pipeline couplings or other failures. All dredge and fill activities will cease at any time, that any substantial (violation of State water quality standards) leaks are found. Resource recovery shall be initiated immediately pursuant to special condition #33 above. Operations may resume upon appropriate repair of affected couplings or other equipment, or upon completion of resource recovery activities. After pipeline removal, a detailed survey will be conducted in order to document any impacts that may have occurred as a result of the pipeline placement.

TURBIDITY MONITORING

37. The permittee will implement a compliance construction-monitoring program. Monitoring of turbidity will occur during all dredging operations at the borrow sites. Turbidity samples shall be collected according to sampling protocols at all times during construction. Background turbidity samples shall be collected daily, 180-meters up current of construction. Turbidity samples shall be collected 150 meters down current, or at the nearest edge of resource, from the operating dredge, every 4 hours, at mid-depth in the densest part of the turbidity plume. Dredging at the borrow sites will cease if measured turbidity exceeds 29 Nephelometric Turbidity Units (NTUs) above background. The permittee shall not violate turbidity requirements imposed by the Florida Department of Environmental Protection in its permit, dated May 12, 2003; number 0163435-001-JC. In the event FDEP water quality standards are exceeded work shall stop immediately until the cause is corrected.

BEACH CONSTRUCTION

38. The permittee will utilize parallel-berm construction along the beach in order to facilitate proper dispersion of fine particles contained within the fill material. The permittee shall ensure that the parallel-berm shall be constructed in a manner that does not leak or cave.

ONSHORE PIPELINE

39. During the construction activities, the permittee will monitor the pipeline above mean high water, and will visually inspect the pipe daily in order to check for potential leaks, which may emanate from the pipeline couplings or other failures. All dredge and fill activities will cease if substantial (if

State water quality standards are violated) leaks are found. Operations may resume upon appropriate repair of affected couplings, or other equipment.

BEACH SURVEYS

40. The applicant will perform topographic and bathymetric profile surveys of the beach area for a period of three years following the below schedule (in accordance with the FDEP permit special conditions):

a. Baseline: no less than ninety (90) days prior to sand placement,

b. Post-Construction: within sixty (60) days following completion of sand placement, and

c. annually, thereafter.

MONITORING (conditions 41-44)

Construction/Post-Construction Nearshore Biological Monitoring Tasks

41. The permittee will establish nearshore monitoring stations/cross-shore permanent transects, extending 300' seaward of the projected equilibrium toe of fill (ETOF), to monitor and identify potential effects from sediment and turbidity movement, and stress indicators, on scleractinian (stony) and soft coral species, on adjacent, deeper, and stable nearshore hardbottom communities. The permittee will conduct surveys of nearshore hard-bottom resources, fish populations and epibenthos monitoring sites, and depth of sediment, immediately prior to construction (this will be compared to baseline data to get information on natural variability), within 90 days of completion of construction, and annually for the first three (3) years after construction, and again at the end of the fifth year, in accordance with the FDEP permit special conditions, and the attached Proposal for Construction/Post-Construction Nearshore Biological Monitoring Tasks.

The County agrees to monitor sites BA3SM1 and BA3SM2, for biological and sedimentation monitoring, one additional time per week (in addition to the required weekly monitoring, resulting in twice a week)for the first 28 days of construction, using County resources (compliance monitoring above will be done by Nova Southeastern University, NSU). These two sites are located northwest and north, respectively, of Borrow Area #III.

The additional monitoring events would encompass the same protocols as those employed by NSU for the regular weekly visits.

The permittee agrees to implement Best Management Practices to avoid exceedence of turbidity standards by dredging material from the borrow areas on a rotating basis, so that any borrow area is visited on as infrequent a basis as possible, reducing impacts to adjacent marine resources.

42. The permittee will complete three (3) hardbottom edge surveys of the areas just offshore of the projected equilibrium toe of fill (ETOF), using divers assisted with DGPS antennae, at a minimum of 14-days prior to construction, at 1.5 years post-construction, and at the end of three (3) years post construction.

43. The permittee shall monitor the offshore hardbottom habitat, located adjacent to the borrow sites for sedimentation generated by the hopper dredging operations. Amount and duration of sedimentation will be monitored, as well as stress indicators of stony corals affected by the dredge operations, at designated monitoring stations located adjacent to each borrow area. The stations shall be monitored once per week, eight (8) weeks prior to construction, during construction, and eight (8) weeks following construction, with the exception of borrow area VI, which will be monitored daily for the first 28 days of construction. Construction activities shall cease if sediment exceeds defined standards (more than an average of 1.5 mm per day). Furthermore, if *insitu* coral stress indicators exceed defined values and show 2 out of 3 observable stress indicators and the sediment monitoring sites for any borrow area has accumulated daily average sediment values below 1.5 mm, then histological tissue analysis of affected corals will be conducted. Prior to construction, laboratory calibration experiments testing sedimentation rates on corals in aquaria shall determine threshold values of stress indicators, called index values. The coral stress index values shall be established to represent the health of the coral. A scale of 0 (zero) to 3 (three) shall be used where, 0 represents no observed bleaching, to mucus production, to poly extension, to a value of 3 representing the maximum observed changes in the coral species. Prior to construction the permittee shall submit the laboratory developed index values to the Corps (South Permits Branch) to be used as guidance for assessing coral health after the construction is complete. It is understood that the laboratory results will require ongoing calibration in the field during

construction. Sedimentation and stress monitoring at the stations defined in the Nearshore Biological Monitoring Plan for the Broward County Beach Nourishment Project shall continue six (6) months and (1) one year, following construction in accordance with the FDEP permit special conditions respectively, and the attached Proposal for Construction/Post-Construction Nearshore Biological Monitoring Tasks.

44. The permittee will meet with the Corps (South Permits Branch), and Federal resource agencies, within 7-days of completion of the 28-day daily monitoring work at borrow area IV, to review daily sedimentation and biological response trends. The permittee and the Corps (South Permits Branch), agree to make changes to the ongoing weekly monitoring, if the results of the daily monitoring indicate a need for such adaptive management. The Corps (South Permits Branch), will coordinate this plan with NOAA, FWS, and EPA, and will immediately submit comments to the permittee.

MONITORING OF MITIGATION REEF (condition 45)

45. The permittee shall monitor colonization of the mitigation reefs by epibenthos, semi-annually (twice per year) for two (2) years following construction, and annually for the third and fourth year following construction. The permittee will establish 30 meter monitoring transects at designated monitoring locations, which will be used to record density of epifauna and percent bottom cover. Fish counts shall be performed along transects at both the mitigation reefs and nearby natural hardbottom for comparison of species diversity and recruitment. A direct comparison of epibenthos and fish communities shall be made between the mitigation reefs and nearby hardbottom. Mitigation reef colonization shall be implemented in accordance with the attached Proposal for Construction/Post-Construction Nearshore Biological Monitoring Tasks.

46. In the event that inadvertent or unanticipated impacts occur, additional mitigation and/or monitoring may be required. The applicant will provide a draft supplemental mitigation and monitoring plan to the Corps (South Permits Branch). The Corps (South Permits Branch) will coordinate the plan with the NMFS, FWS, and EPA. This supplemental mitigation and monitoring plan shall be submitted for review within 30-days of such request (hard-copy or electronic version), and the Corps (South Permits Branch), will determine the appropriate mitigation, which will include compensatory mitigation that will account for time lag and risk assessments.

47. Copies of the baseline and annual monitoring reports (hardcopy or electronic form) as well as any other submittal required, should be provided to the following addresses:

U.S. Army Corps of Engineers
South Permits Branch
4400 PGA Boulevard, Suite 500
Palm Beach Gardens, Florida 33410
Re: Project No: SAJ-1999-5545(IP-SLN)

U.S. Army Corps of Engineers
Enforcement Branch (CESAJ-RD-PE)
P.O. Box 4970
Jacksonville, Florida 32232-0019
Re: Project No: SAJ-1999-5545(IP-SLN)

National Marine Fisheries Service (2 COPIES)
Habitat Conservation Division
Miami Field Office
11420 North Kendall Drive, Suite 103
Miami, Florida 33176
Attn: Jocelyn Karazsia
Attn: Kay Davy

U.S. Environmental Protection Agency
South Florida Wetlands Office
400 North Congress Avenue, Ste.120
West Palm Beach, Florida 33401
Attn: Ron Miedema

U.S. Fish and Wildlife Service
1339 20th Street
Vero Beach, Florida 32960-3559
Attn: Trish Adams

48. Within 60 days of the completion of authorized work and mitigation, the attached Self-Certification Statement of Compliance must be completed and submitted to the U.S. Army Corps of Engineers. Mail the completed form to the Regulatory Division, Enforcement Branch, Post Office Box 4970, Jacksonville, Florida 32232-0019.

49. The permittee agrees to act as a point of contact to coordinate with the contracting officer and arrange, upon adequate request, for Corps (South Permits Branch), staff to be

aboard the permittee's vessel(s) during any activities authorized by this permit.

STORM CONTINGENCY PLAN

50. The permittee shall develop an operational storm contingency plan that describes their response in the event of storms (e.g. hurricanes, high-seas conditions) and operational failures (e.g. breaks in the dredge pipes, movement of sand pump out facility/dredge pipes).

a. A description of severe weather hazards that may potentially occur and steps that will be taken to guard against the hazards.

b. The time frame of implementing the plan (using as a reference the number of hours remaining for the storm to reach the work site if it continues at the predicted speed and direction), including the estimated time to move the construction vessels and equipment to safe harbor.

c. This plan shall be submitted to the Corps (South Permits Branch), for coordination with NOAA, FWS, and EPA, and approved by the Corps within 1-week after submittal.

51. The permittee will adhere to all conditions of the nearshore artificial reef permit, DA permit #SAJ-2002-2344(IP-SLN), concerning the mitigation of proposed impacts to nearshore hardbottom resources associated with the beach nourishment activities.

a. The permittee shall abide by the special conditions of the attached FDEP permit #0163435-001-JC, issued May 12, 2003.

b. The permittee will not proceed with Segment II of the proposed project until such time that the Corps (South Permits Branch), and FDEP issue final permits for that segment.

SEGMENT II

52. Segment II will be evaluated for authorization by the Corps (South Permits Branch), in coordination with the federal resource agencies, based on review of a report consisting of 18-months of monitoring data that will be derived from the construction and post nourishment of Segment III. Specifically, comments and

recommendations from NOAA, U.S. Fish and Wildlife Service, and the U.S. Environmental Protection Agency will be considered in the evaluation process that precedes the permit decision for Segment II. The monitoring shall be conducted in accordance with the Construction/Post-Construction Nearshore Biological Monitoring Plan and conditions of this permit. The data collected for this report will be expected to determine that specific conditions in this permit will be suitable for the nourishment of Segment II and that no additional adverse impacts to reefs offshore of the estimated toe of fill and/or adjacent to borrow areas, will not occur as a result of sedimentation, turbidity, and/or mechanical damage. The Corps (South Permits Branch), will consider reducing the buffer zones around the borrow areas for Segment II provided that the data from Segment III construction demonstrates that no impacts to adjacent hardbottom communities from sedimentation, vessel damages, etc have occurred. The monitoring data will be expected to demonstrate that the equilibrium toe of fill proposed by the original modeling for Segment III, behaved in a manner that did not substantially deviate from the original proposal, including model predictions. Analysis of the 18 months of monitoring data must also demonstrate that unanticipated impacts to the nearshore/offshore reefs, would not likely occur. The Corps (South Permits Branch), will review the 18 months of monitoring data in concert with the aforementioned federal resource agencies and determine whether or not to issue authorization for Segment II and if so, identify any additional permit limitations that may be necessary for avoidance, minimization, and mitigation of living marine resources, however, the Corps (South Permits Branch), working with the County, will make the final permit decision regarding the nourishment of Segment II. The Corps (South Permits Branch), and the FDEP will decide if the Segment II project may proceed as proposed, may proceed with revisions, shall be postponed pending the results of further monitoring, or may not proceed.

SEGMENT II PROJECT DESCRIPTION:

Segment II of the Broward County Beach Nourishment Project consists of the construction of: the beach at Pompano Beach (R-36 to R-43); the beach at Lauderdale-by-the-Sea and restoration of the beach at northern Fort Lauderdale from 300 feet south of R-51 to R-72; the construction of 3.0 acres of artificial reef as mitigation for impacts to 2.5 acres of nearshore hardbottom; transplantation of scleractinian corals from the impacted areas within Segment II to the mitigation reef located between R-45 and R-46 (in Lauderdale-by-the-Sea; and the removal of derelict

structures. The total sand volume of the project is approximately 935,000 cubic yards of material, to be placed along 4.9 miles of Broward County coastline called Segment II. Beach compatible sand sources will be supplied from Borrow Areas I, II, III, IV, and VI.

The project activities are located within Pompano Beach from S.E. 6th Street to 1620 S. Ocean Boulevard (R-36-R-43) and within Lauderdale-by-the-Sea and northern Fort Lauderdale from 300 feet south of Commercial Boulevard (R-51) to Auramar Street (R-72). Borrow Areas I, II, and III are located north of Hillsboro Inlet, Borrow Area IV is located approximately 4,000 feet south of Hillsboro Inlet, Borrow Area VI is located offshore of Lauderdale-by-the-Sea. Segment II is located within Broward County, in the Atlantic Ocean.

Further Information:

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

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

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

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

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal projects.

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

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

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

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

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

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

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any

corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

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

7. If the work authorized is not completed on or before July 16, 2009, authorization, if not previously revoked or specifically extended, shall cease, and be null and void. Please refer to the attached form, Notification of Administrative Appeal Options and Process, concerning your options on acceptance of this permit.

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

_____ _____
(APPLICANT NAME and TITLE) (DATE)

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

_____ _____
(DISTRICT ENGINEER) (DATE)
Robert M. Carpenter
Colonel, U.S. Army

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

_____ _____
(TRANSFEREE-SIGNATURE) (DATE)

_____
(NAME-PRINTED)

_____
(ADDRESS)

_____
(CITY, STATE, AND ZIP CODE)

DEPARTMENT OF THE ARMY PERMIT

Attachments to Department of the Army
Permit Number SAJ-1999-5545(IP-SLN)

1. PERMIT DRAWINGS: Included as Attachments #1 through 49.

2. WATER QUALITY CERTIFICATION: In accordance with General Condition number 5 on page 2 of this DA permit, the Florida Department of Environmental Protection Water Quality Certificate #0163435-001-JC (dated May 12, 2003) specific conditions are enclosed as Attachments.

3. BIOLOGICAL OPINION: The U.S. Fish and Wildlife Service Biological Opinion (dated March 11, 2002), and Amendment (dated February 27, 2004) for the Broward County Shore Protection Project is attached as Attachments.

4. MONITORING PROCEDURES: All provisions of the Broward County Shore Protection Project Construction/Post-Construction Nearshore Biological Monitoring Tasks are incorporated into, and made part of, this permit, as Attachments.

5. MITIGATION PROCEDURES: All provisions of the Broward County segment III Coral Transplantation Work Plan are incorporated into, and made part of, this permit, as Attachments.

6. STANDARD MANATEE CONTSRUCTION CONDITIONS: Attachments.

7. STANDARD HOPOPER DREDGE CONDITIONS, JACKSONVILLE DISTRICT, REGULATORY DIVISION: Attachments.

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL		
Applicant:	File Number:	Date:
Attached is:		See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://usace.army.mil/inet/functions/cw/cecwo/reg or Corps regulations at 33 CFR Part 331.

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

ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

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

ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

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

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

ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.

APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

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

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

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:	If you only have questions regarding the appeal process you may also contact:	
RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.		
_____ Signature of appellant or agent.	Date:	Telephone number:

This notice of authorization must be conspicuously displayed at the site of work!

United States Army Corps of Engineers EXPIRES: (July 16, 2009)

A permit to construct Segment III requiring dredging (using a hopper dredge) of approximately 1.54 million cubic yards of sand, from Borrow Areas I, II, III, IV, and VI, which will be used as fill to nourish a 6.82-mile stretch of beach. This Segment also requires:
- the installation of a spur connected to the south jetty of Port Everglades Inlet,
- installation of two T-head groins,
- transplantation of approximately 1000 to 2000 scleractinian corals from the impact area to a designated 2.92-acre mitigation reef area #VII.
located on the Atlantic Ocean, from Florida Department of Natural Resources (DNR) reference monuments R-86 to R-128.

The project (Segment III) is located along a 6.82-mile stretch of beach on the Atlantic Ocean. Segment III ranges from R-86 to R-92 and from R-98 to R-128. Segment III is located within John U. Lloyd Beach State Recreation Area, Dania, Hollywood, and Hallandale, Broward County, Florida.

has been issued to: Broward County Board of County Commissioners
218 SW. 1st Avenue
Fort Lauderdale, Florida 33301

on July 16, 2004

SAJ-1999-5545 (IP-SLN)

Robert M. Carpenter
Colonel, U.S. Army
District Engineer