

MEMORANDUM MF NO. 26-03

DATE: April 13, 2026

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Marine Facilities & Parks Manager

RE: May 7, 2026 MAB –Application - Dock Waiver of Distance Limitations –
Property address 1614 Brickell Drive, 1622 Brickell Drive, Inc. David Pain,
President

Attached for your review is a revised application from 1622 Brickell Drive, Inc. David Pain, President, for property address 1614 Brickell Drive (see **Exhibit 1**).

APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for installation of one (1) boat lift, requiring a Dock Waiver of Distance Limitations. The proposed boat lift extends a maximum distance of 27'8" +/- from the property line as shown in the survey in **Exhibit 1** and summarized in Table 1:

TABLE 1

PROPOSED STRUCTURES	STRUCTURE DISTANCE FROM PROPERTY LINE	PERMITTED DISTANCE WITHOUT WAIVER	DISTANCE REQUIRING A WAIVER
Boat Lift	27'8"	2'8"	2'8"

The City's Unified Land and Development Regulations (UDLR), Section 47-19.3(c.) limits the maximum distance of mooring structures to 25' or 25% of the width of the waterway, whichever is less, as measured from the property line. Section 47.19.3.(e.) authorizes the City Commission to waive that limitation based on a finding of extraordinary circumstances.

The applicant's Summary Description indicates that the boat lift is necessary to safely moor the resident's vessel, especially during severe weather. The boat lift would also reduce shading and allow for greater light penetration, supporting aquatic vegetation.

PROPERTY LOCATION AND ZONING

The property is located within the Colee Hammock RS-8 Residential Single Family / Low Medium Density Zoning District. It is situated on the northern shore of the New River.

DOCK PLAN AND BOATING SAFETY

Marine Facilities' records reflect that there have been four (4) waivers of docking distance limitations, within close proximity, approved by the City Commission since 2009. A comparison of these follows:

DATE	ADDRESS	MAXIMUM DISTANCE
2009	1725 SE 12 th Street	63'
2009	540 Lido Drive	45.5'
2011	1801 SE 7 th Street	52'
2013	1627 SE 7 th Street	47.2'

RECOMMENDATION

Should the Marine Advisory Board consider approval of the application, the resolution under consideration for approval by the City Commission should include at least the following as prescribed in the ULDR and City Code of Ordinances:

1. The applicant is required to comply with all applicable building and zoning regulations as well as any other Federal and State laws and permitting requirements including the Broward County Environmental Protection and Growth Management Department and the U.S. Army Corps of Engineers.

AC
Attachment

cc: Enrique Sanchez, Deputy Director of Parks and Recreation
Luis Villanueva, Marine Facilities Supervisor



APPLICATION FOR WATERWAY WAIVER OF LIMITATIONS

Applicant:
1622 Brickell Drive, Inc.
2901 Leisure Island Way
Knoxville, TN 37914

Site Address:
1614 Brickell Dr
Fort Lauderdale, FL 33301

Type of Agreement:
Waiver of Limitations



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1) APPLICATION FORM



2) SUMMARY DESCRIPTION



SUMMARY DESCRIPTION

1614 Brickell Dr

The subject property located at 1614 Brickell Drive consists of a single-family residence along the New River with an existing 206 ln. ft. concrete seawall and a 100.5' long by 8' wide wood dock.

The proposed improvements consist of the installation of an 18'-5" wide by 58'-11" long no profile boat lift with an associated decked platform totaling approximately 1,085 square feet. The proposed configuration is further illustrated in the Distance Exhibit (Section 6) and Plan Set (Section 8).

Pursuant to Section 47-19.3(c) of the City of Fort Lauderdale Unified Land Development Regulations, mooring structures, not including mooring or dolphin piles, may extend into the waterway no more than twenty-five (25) percent of the waterway width or twenty-five (25) feet, whichever is less, as measured from the property line. The proposed boat lift extends beyond this limit; therefore, a Waiver of Limitations is being requested.

As summarized in Table 2.1, the proposed boat lift extends approximately 27'-8" waterward of the seawall, where 25' is permitted, resulting in a requested waiver of 2'-8". As such, this application is being submitted to request a Waiver of Limitations to allow the proposed docking configuration.

The City of Fort Lauderdale regulates structures and vessels under separate but related provisions. Section 47-19.3(c) limits the extent of mooring structures, while Sec. 8-91(e) of the City Code allows vessels moored to such structures to extend up to thirty (30) percent of the width of the waterway, as measured from the property line. This framework recognizes that vessels may occupy a greater portion of the waterway than fixed infrastructure.

The waterway at this location is approximately 215-235' wide. The vessel to be accommodated by the proposed lift will remain well within the 30 percent allowable width (approximately 64.5-70.5') and will not adversely impact navigation.

The project has received authorization from the Broward County Resilient Environment Department under Environmental Resource License No. DF25-1359 and Florida Department of Environmental Protection and the U.S. Army Corps of Engineers under General Permit No. 06-0378187-004-EG, confirming consistency with applicable environmental and regulatory criteria.

Extraordinary Circumstances for the Waiver Request

The requested waiver is supported by site-specific conditions and the operational characteristics of a boat lift system, which differ from traditional in-water mooring configurations. The following factors justify the requested deviation:



- **Safe & Secure Mooring**

The proposed boat lift maintains the vessel in a fixed and consistent position, eliminating vessel swing associated with in-water mooring. This controlled configuration enhances safety, particularly during severe weather, by reducing the risk of uncontrolled movement and ensuring the vessel remains within its intended footprint.

- **Reduced Navigational Impact Compared to Wet Slip**

Unlike a traditional docking configuration where a vessel remains in the water and is subject to movement from tides, wind, and vessel traffic, the proposed lift reduces variability in vessel positioning. This results in a more predictable condition and minimizes the potential for interference with adjacent properties or the navigation corridor. Additionally, the vessel to be accommodated by the lift has been moored at this location for at least two (2) years without creating a navigational hazard, demonstrating compatibility with existing conditions.

- **Waterway Width and Navigation Capacity**

The waterway at this location is approximately 215-235' wide and is capable of accommodating the proposed configuration without creating a navigational constraint. The placement of the lift does not impede vessel passage or restrict maneuverability within the channel.

- **Improved Light Penetration and Reduced Shading Impacts to SAV**

The proposed boat lift elevates the vessel above the water when not in use, reducing shading and allowing for greater light penetration to the benthic substrate, which supports submerged aquatic vegetation (SAV) and minimizes potential impacts.

Collectively, these factors demonstrate that the requested waiver supports a safe and controlled mooring condition and does not contribute to navigation constraints within the New River.

Table 2.1

Proposed Structure	Structure Distance from Property Line	Permitted Distance without Waiver	Amount of Distance Requiring Waiver
Boat Lift (1)	27'-8"	25'	2'-8"



3) OWNERSHIP DOCUMENTS

3

This Instrument Prepared by:

Berger Singerman LLP
Iryna Ivashchuk
1450 Brickell Ave., Ste 1900
Miami, FL 33131

Property Appraiser's Folio No.: 504211-01-2030.

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made and executed this 11th day of April, 2018 by **JAMIE TAYLOR STILES**, f/k/a Jamie Taylor, a single woman, having an address of 1776 SE 10th Street, Fort Lauderdale, Florida 33316 (the "**Grantor**"), to **1622 BRICKELL DRIVE, INC.**, a Nevada corporation, having an address of 2901 Leisure Island Way, Knoxville, Tennessee 37914 ("**Grantee**").

WITNESSETH:

THAT Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), and other good and valuable consideration paid to Grantor by Grantee, the receipt of which is hereby acknowledged, by these presents does grant, bargain, sell and convey to Grantee, and his personal representatives, successors and assigns forever, that certain real property located in Broward County, Florida and more particularly described as follows (the "**Property**"):

Lots 5 and 6, Block 36, of COLEE HAMMOCK, according to the map or plat thereof, as recorded in Plat Book 1, Page 17, of the Public Records of Broward County, Florida.

TOGETHER WITH all improvements, tenements, hereditaments and appurtenances thereto belonging or in any way appertaining to the Property.

TO HAVE AND TO HOLD the foregoing in fee simple forever.

SUBJECT TO: (1) taxes for the year 2018 and all subsequent years thereafter, (2) all applicable building, zoning, land use and environmental ordinances and regulations, and (3) all covenants, conditions, easements, restrictions and other matters of record, without hereby reimposing same.

The Property is not the homestead of the Grantor, nor is it contiguous thereto.

GRANTOR hereby specially warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through, or under Grantor, but none other.

2

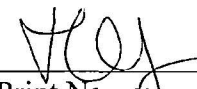
IN WITNESS WHEREOF, Grantor has executed and delivered this Special Warranty Deed as of the day and year first above written.

WITNESSES:

GRANTOR:


Print Name: Philip Keagy

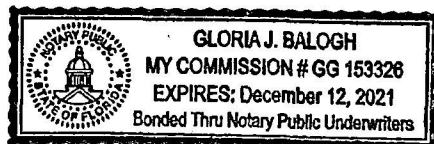

JAMIE TAYLOR STILES
f/k/a Jamie Taylor


Print Name: Taylor Keagy

STATE OF FLORIDA)
)
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 11 day of April, 2018 by Jamie Taylor Stiles, f/k/a Jamie Taylor. She is personally known to me or has produced _____ as identification.

My commission expires:
NOTARY PUBLIC, State of Florida
Print Name: Gloria J Balogh



This Instrument Prepared by:

Berger Singerman LLP
Iryna Ivashchuk
1450 Brickell Ave., Ste 1900
Miami, FL 33131

Property Appraiser's Folio No.: 504211-01-2040.

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made and executed this 16th day of April, 2018 by **TWS INVESTMENTS, LTD.**, a Florida limited partnership, having an address of 301 E Las Olas Blvd., Suite 210, Fort Lauderdale, FL 33301 ("**Grantor**"), to **1622 BRICKELL DRIVE, INC.**, a Nevada corporation, having an address of 2901 Leisure Island Way, Knoxville, Tennessee 37914 ("**Grantee**").

WITNESSETH:

THAT Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), and other good and valuable consideration paid to Grantor by Grantee, the receipt of which is hereby acknowledged, by these presents does grant, bargain, sell and convey to Grantee, and his personal representatives, successors and assigns forever, that certain real property located in Broward County, Florida and more particularly described as follows (the "**Property**"):

Lots 7 and 8, Block 36, of COLEE HAMMOCK, according to the map or plat thereof, as recorded in Plat Book 1, Page 17, of the Public Records of Broward County, Florida.

TOGETHER WITH all improvements, tenements, hereditaments and appurtenances thereto belonging or in any way appertaining to the Property.

TO HAVE AND TO HOLD the foregoing in fee simple forever.

SUBJECT TO: (1) taxes for the year 2018 and all subsequent years thereafter, (2) all applicable building, zoning, land use and environmental ordinances and regulations, and (3) all covenants, conditions, easements, restrictions and other matters of record, without hereby reimposing same.

GRANTOR hereby specially warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through, or under Grantor, but none other.

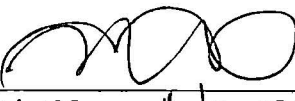
IN WITNESS WHEREOF, Grantor has executed and delivered this Special Warranty Deed as of the day and year first above written.

WITNESSES:

GRANTOR:


Print Name: DEANNE SATAY

TWS Investments, Ltd.,
a Florida limited partnership


Print Name: Maria Hernandez

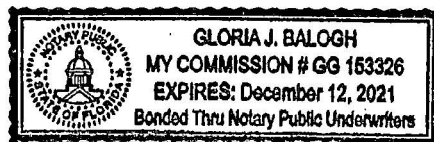
By: TWS Investments, Inc.,
a Florida corporation,
its General Partner

By: 
Name: Thomas Bluth
Title: Secretary and Treasurer

STATE OF FLORIDA)
)
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 11 day of April, 2018 by Thomas Bluth, as Secretary and Treasurer of TWS Investments, Inc., a Florida corporation, as the General Partner of TWS Investments, Ltd., a Florida limited partnership, on behalf of such limited partnership. He is personally known to me or has produced _____ as identification.

My commission expires:
NOTARY PUBLIC, State of Florida
Print Name: Gloria J Balogh





[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Foreign Profit Corporation

1622 BRICKELL DRIVE, INC.

Filing Information

Document Number F18000002707

FEI/EIN Number 82-5088367

Date Filed 05/29/2018

State NV

Status ACTIVE

Principal Address

2901 LEISURE ISLAND WAY
KNOXVILLE, TN 37914

Mailing Address

2901 LEISURE ISLAND WAY
KNOXVILLE, TN 37914

Registered Agent Name & Address

COGENCY GLOBAL INC.
115 N. CALHOUN ST., STE 4
TALLAHASSEE, FL 32301

Officer/Director Detail

Name & Address

Title President, Secretary, Tres. CEO, Director

PAIN, DAVID
2901 LEISURE ISLAND WAY
KNOXVILLE, TN 37914

Title CFO

Evans, Tammy
2901 Leisure Island Way
Knoxville, TN 37914

Annual Reports

Report Year	Filed Date
2023	04/07/2023

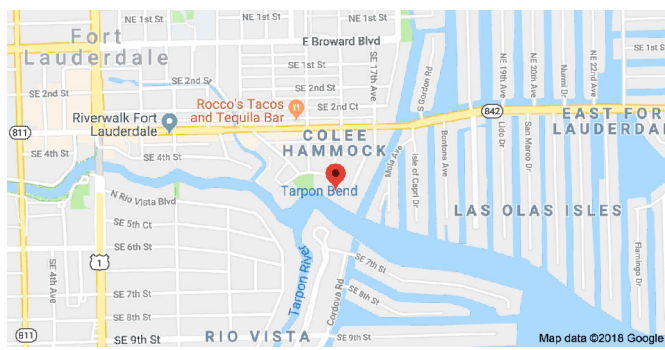
CAM #26-0535



4) PROPERTY SURVEY

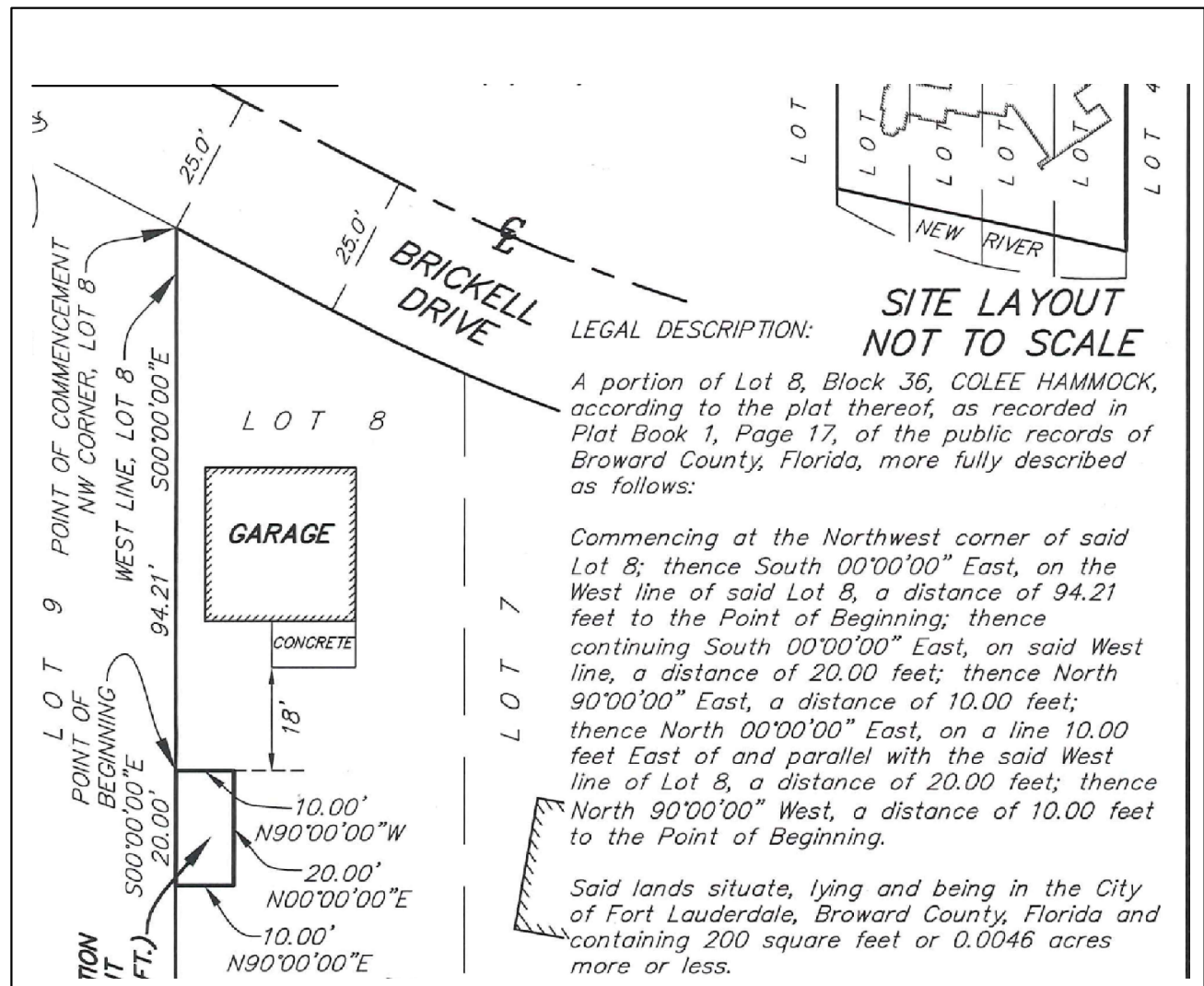
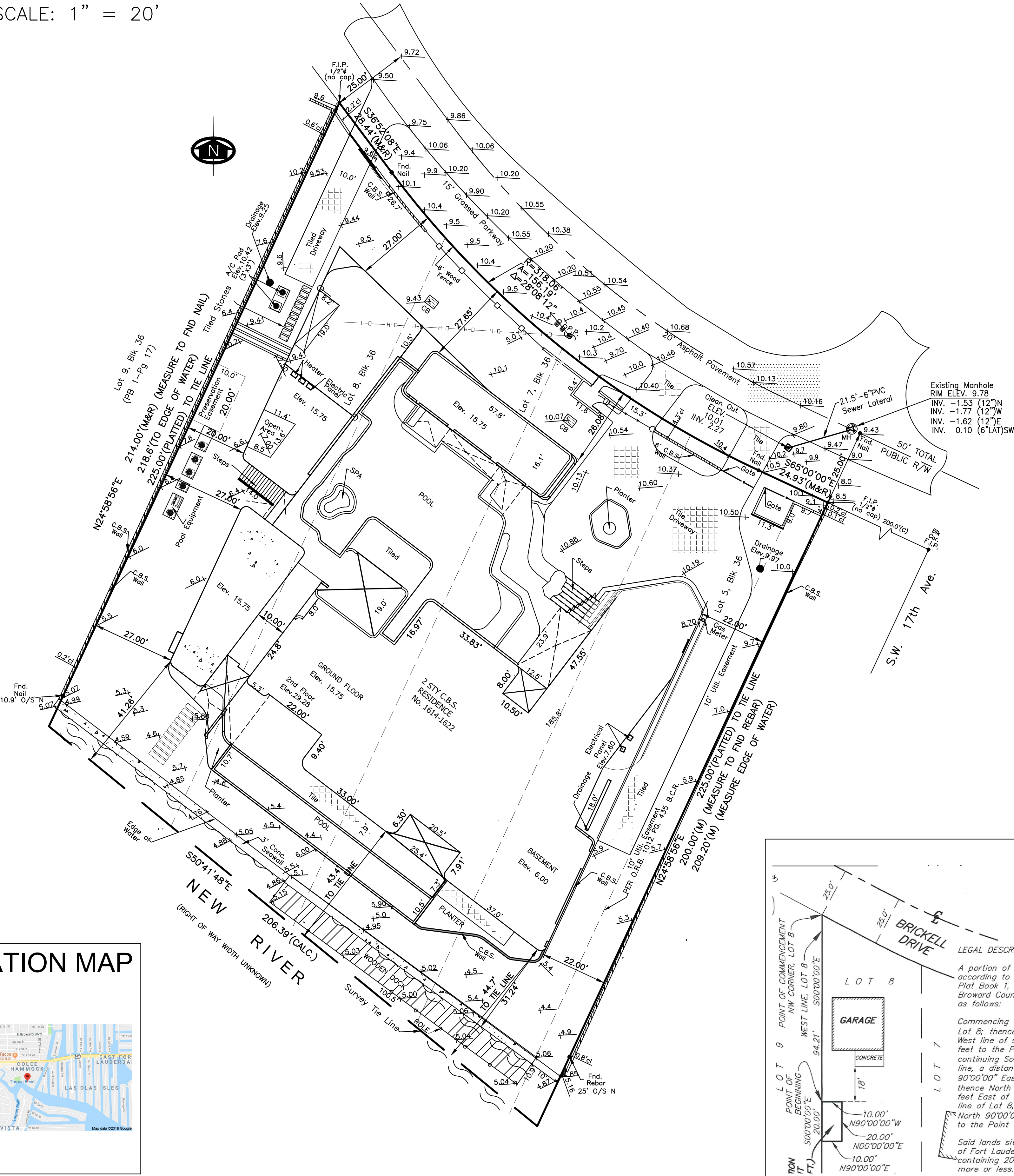
SCALE: 1" = 20'

LOCATION MAP



CERTIFIED TO:
1622 BRICKELL DRIVE INC

SITE ADDRESS: 1614-1622 BRICKELL DRIVE, FORT LAUDERDALE, FL 33301
JOB NUMBER: 18-888
DATE OF SURVEY: SEPTEMBER 10, 2017/ JANUARY 22, 2019 (UPDATE)/ NOVEMBER 4, 2019 (PINS ADDED)/ FEBRUARY 10, 2020 (UPDATE)/ MAY 15, 2020 (FORM)/ JUNE 30, 2020 (UPDATE)
AUGUST 8, 2020 (UPDATE)/ AUGUST 17, 2020 (UPDATE)/ SEPTEMBER 5, 2020 (UPDATE)/ OCT 19, 2020 (UPDATE)/ FEBRUARY 4, 2021 (SPOT)/ APRIL 26, 2022 (UPDATE)
OCTOBER 10, 2022 (FINAL) / JANUARY 19, 2023 (UPDATE) / FEBRUARY 8, 2023 (ELEV.)
FOLIO NUMBER: 5042-11-01- 2030 /5042-11-01- 2040



B.M. = BENCH MARK
B/C = BLOCK CORNER
C.B.S. = CONCRETE BLOCK STRUCTURE
CL = CLEAR
D.M.E. = DRAINAGE MAINT. EASEMENT
Ø = DIAMETER
EASMT. = EASEMENT
ELEV. = ELEVATION
ENC. = ENCROACHMENT
F.D.H. = FOUND DRILL HOLE
F.H. = FIRE HYDRANT
F.N.D. = FOUND NAIL AND DISC
F.I.P. = FOUND IRON PIPE
F.S. = FOUND SPIKE
L.P. = LIGHT POLE
M = MANHOLE
M = MONUMENT
NTS = NOT TO SCALE

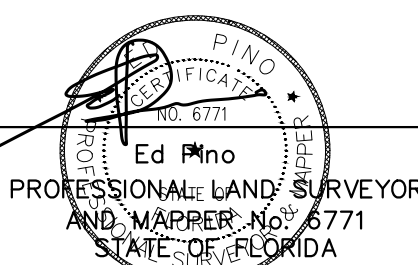
P.O.C. = POINT OF COMMENCEMENT
P.C. = POINT OF CURVATURE
P.I. = POINT OF INTERSECTION
P.L. = PROPERTY LINE
P.P. = POWER POLE
P.R.M. = PERMANENT REFERENCE MONUMENT
P.T. = POINT OF TANGENCY
REC. (D) = RECORDED
RAD. = RADIAL
RES. = RESIDENCE
R/W = RIGHT OF WAY
SEC. = SECTION
S.D.H. = SET DRILL HOLE
S.D.V. = SET NAIL AND DISC
S.I.P. = SET IRON PIPE
S.R. = SET REBAR
STY = STORY
SWK = SINKHOLE
T.O.P. = TOP OF BANK
U.E. = UTIL. EASEMENT
W.P. = WOODEN POLE
S = SECTION LINE

AMERICAN SERVICES OF MIAMI, CORP.

This drawing is the property of American Services of Miami, Corp. and shall not be used or reproduced, in whole or in part, without permission of American Services of Miami, Corp.

FOR: TODD GLASER
SCALE: 1"=20'
DATE: 1/25/23
DESIGNED BY: E.P.
APPROVED BY: E.P.
DRAWN BY: D.A.
FIELD BOOK NO.
CHECKED BY: E.P.
PAGE No. 1

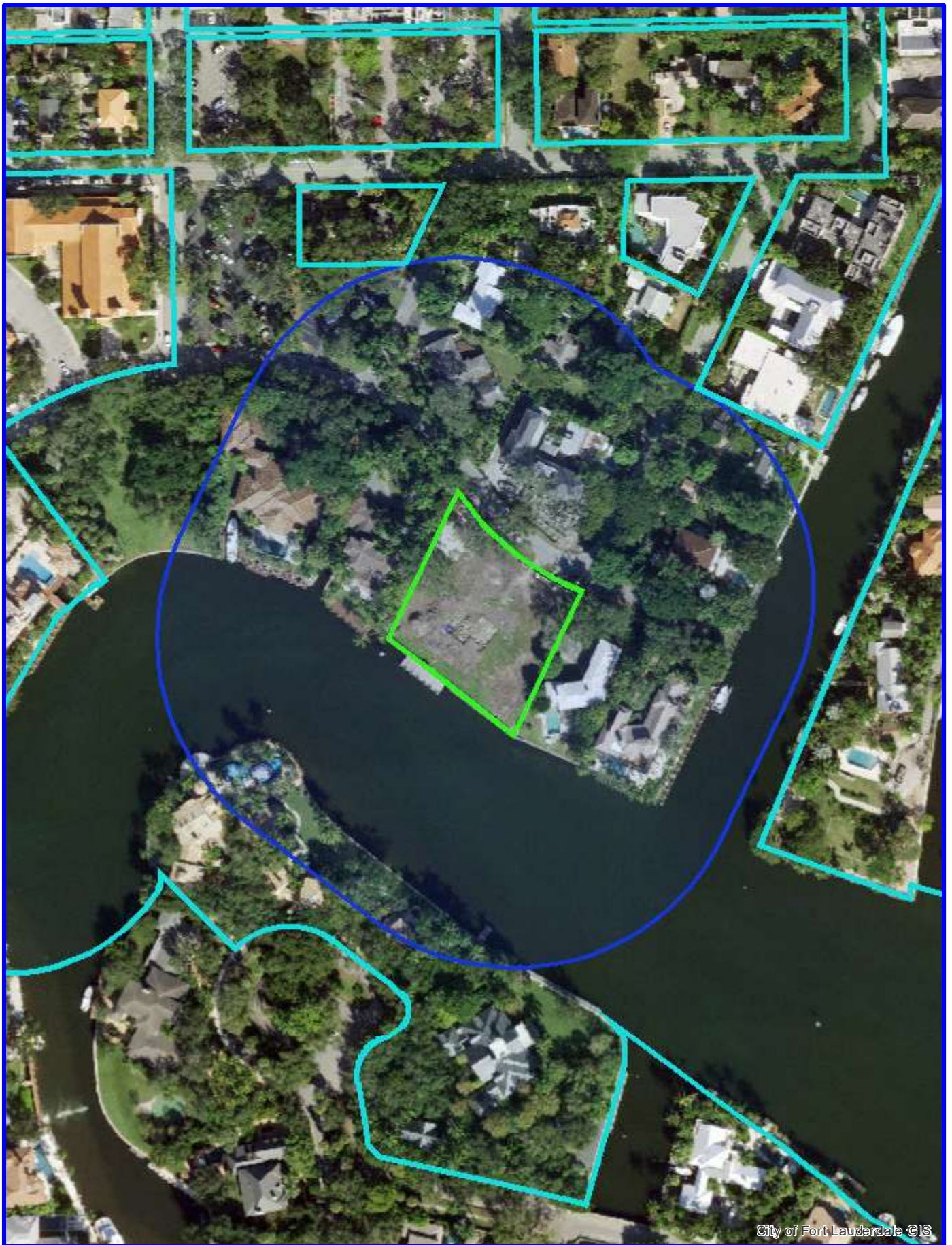
ORDER No.
18-888
SHEET No.
1



THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY
ED PINO, PLSM ON THE DATE ADJACENT TO THE SEAL.
PRINTED COPIES OF THIS DOCUMENT ARE NOT
CONSIDERED SIGNED AND SEALED AND THE SIGNATURE
MUST BE VERIFIED ON ANY ELECTRONIC COPIES.



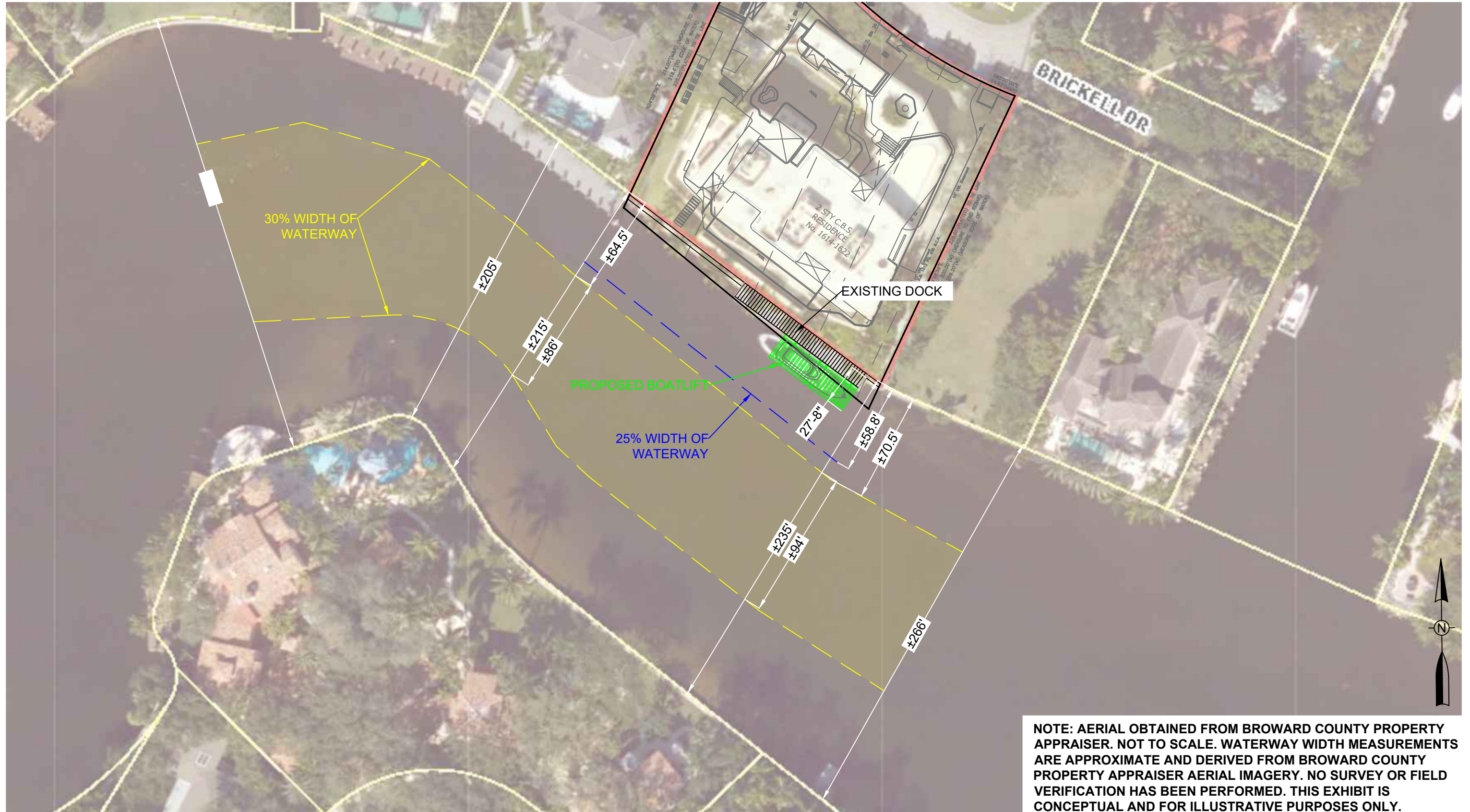
5) ZONING AERIAL



City of Fort Lauderdale GIS



6) DISTANCE EXHIBIT



PROJECT:

1614 BRICKELL DRIVE

CLIENT:

UNLIMITED PERMIT
SERVICES

DATE/REVISIONS:

DISTANCE EXHIBIT 4/7/2026

SHEET TITLE/NUMBER:

DISTANCE EXHIBIT

SHEET 1 OF 1



7) SITE PHOTOS

SITE PHOTOS



1. West portion of property, facing east. Note minimum wake sign.



2. West portion of property, facing east. Note boat traversing along channel.



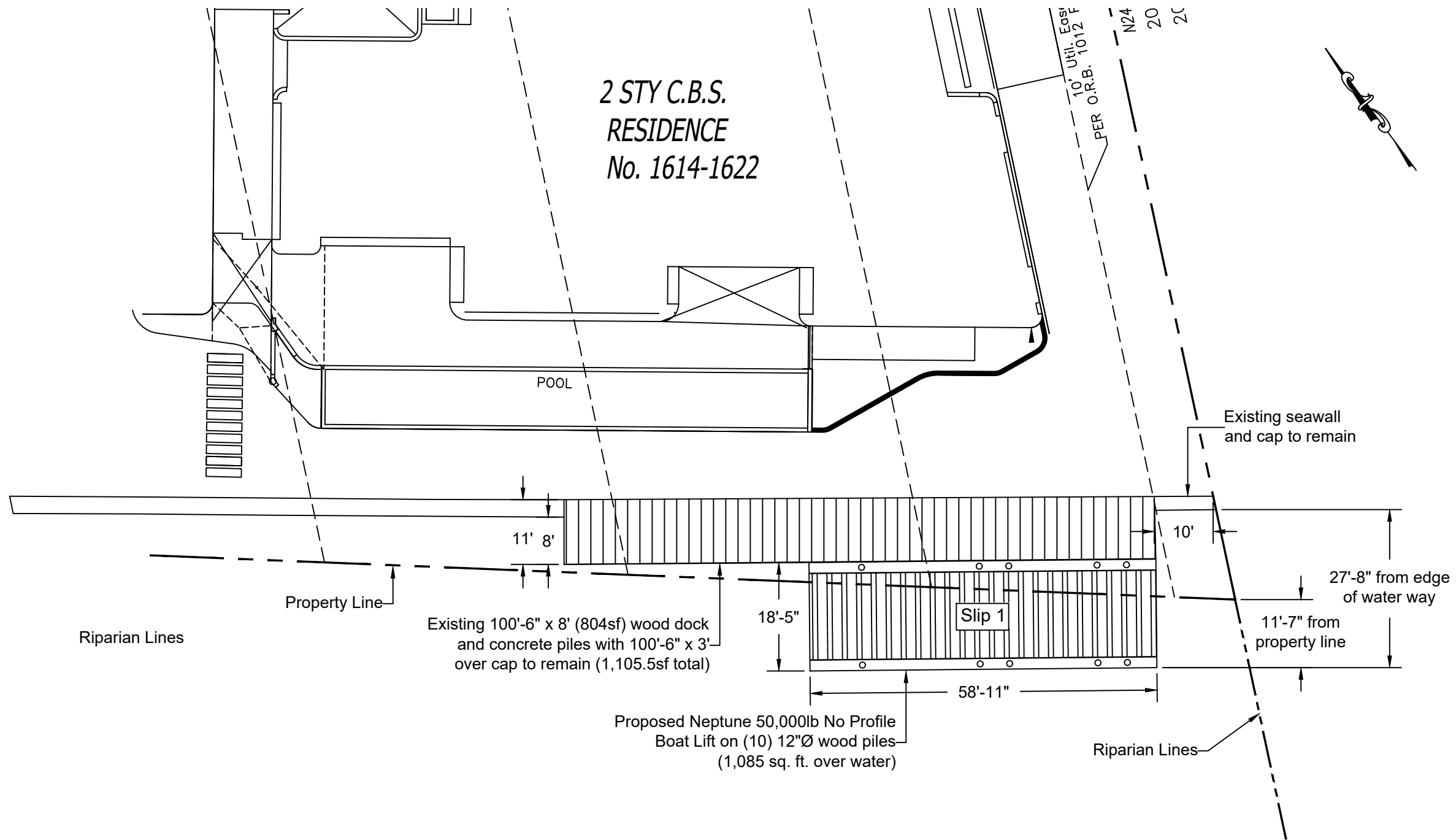
3. East portion of property, facing west.



4. Central portion of property, facing west.



8) PLAN SET



NEW RIVER
(RIGHT OF WAY WIDTH APPROX. 230' ~ VARIES ~)

Proposed Site Plan
Scale: 1" = 20'

maintain a minimum 5' side yard set back

Consultant
UNLIMITED PERMIT SERVICES, INC
Marine Design & Consulting
902 NE 1st Street #2
Pompano Beach, FL 33060
(954) 532-0129
Office@unlimiteddps.net

Project Engineer
MW ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, FL 33060
Ofc: 954-532-0129
WWW.MwEngineering.net

Contractor
SOUTHEAST MARINE CONSTRUCTION, INC
1121 NW 51 Court
Fort Lauderdale, FL 33309
(954) 630-2300

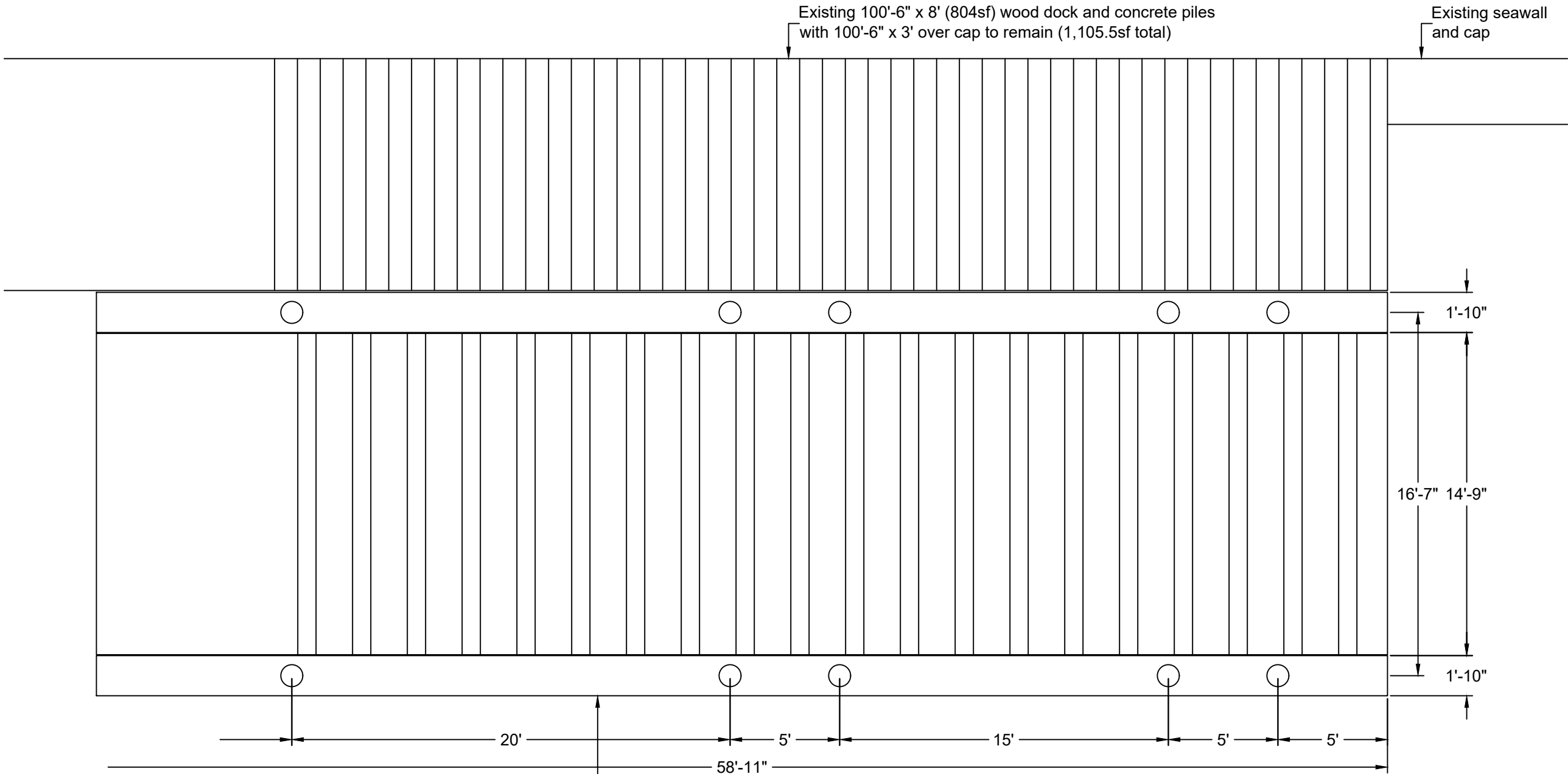
Project Information
New Boat Lift Platform
1622 Brickell Drive Inc
1614 Brickell Drive
Fort Lauderdale, FL 33301

DATE		
10-17-25	12-3-25	
10-20-25		
10-21-25		
10-22-25		

This item has been digitally signed and sealed by Mark E. Weber, P.E. on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies." (F.S., Chapters 471.025 and F.A.C. Rule 61G15-23.004)."

MARK E. WEBER, P.E.
LICENSE #53895 | CA 30702
MW ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, Florida 33060
Ofc: 954-532-0129
WWW.MwEngineering.net

Sheet 2 of 6
CAM #26-0535



No Profile Boat Lift Plan View
Scale: 3/16" = 1'-0"

Proposed Neptune 50,000lb No Profile
Boat Lift on (10) 12"Ø wood piles
(1,085 sq. ft. over water)

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(954) 630-2300

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New Boat Lift Platform
1622 Brickell Drive Inc
1614 Brickell Drive
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DATE		
10-17-25	12-3-25	
10-20-25		
10-21-25		
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MARK E. WEBER, P.E.
LICENSE #53895 | CA 30702

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Pompano Beach, Florida 33060
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WWW.MwEngineering.net

Scale 1/4"= 1'-0"

Consultant

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SERVICES, INC**
Marine Design & Consulting
902 NE 1st Street #2
Pompano Beach, FL 33060
(954) 532-0129
Office@unlimiteddps.net

Project Engineer

MW ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, FL 33060
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WWW.MwEngineering.net

Contractor

**SOUTHEAST MARINE
CONSTRUCTION, INC**
1121 NW 51 Court
Fort Lauderdale, FL 33309
(954) 630-2300

Project Information

New Boat Lift Platform
1622 Brickell Drive Inc
1614 *Brickell Drive*
Fort Lauderdale, FL 33301

DATE		
10-17-25	12-3-25	
10-20-25		
10-21-25		
10-22-25		

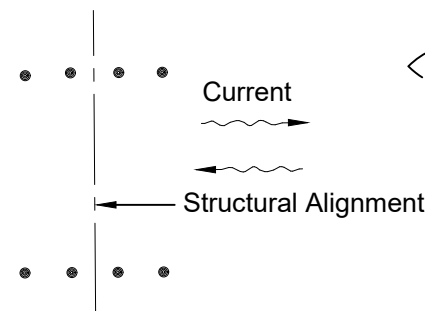
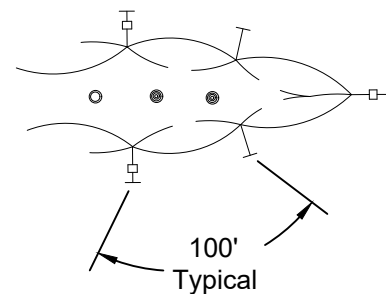
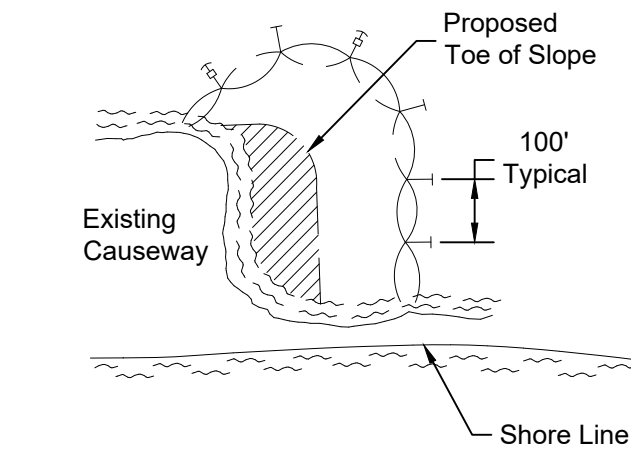
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MARK E. WEBER, P.E.
LICENSE #53895 | CA 30702

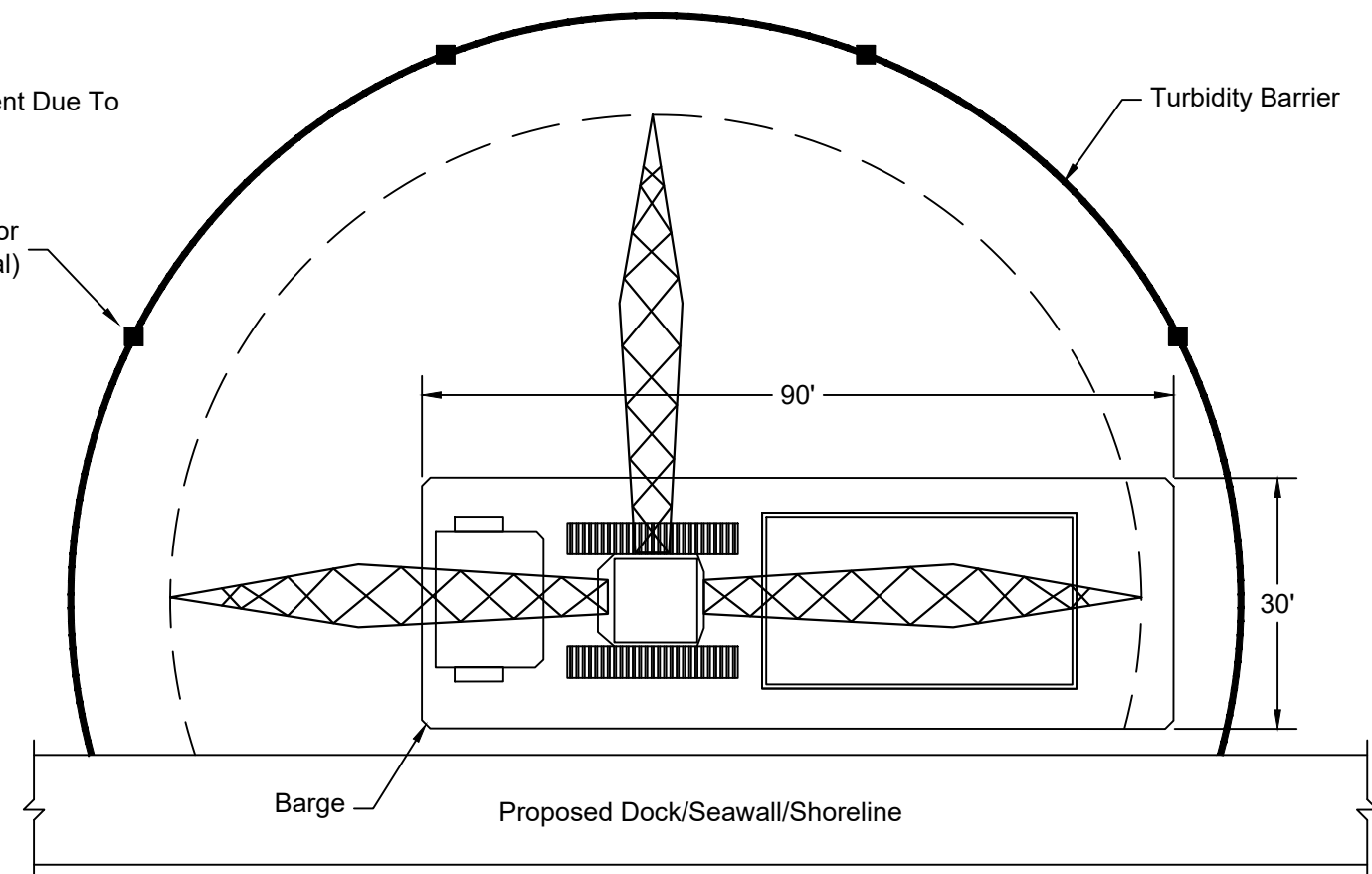
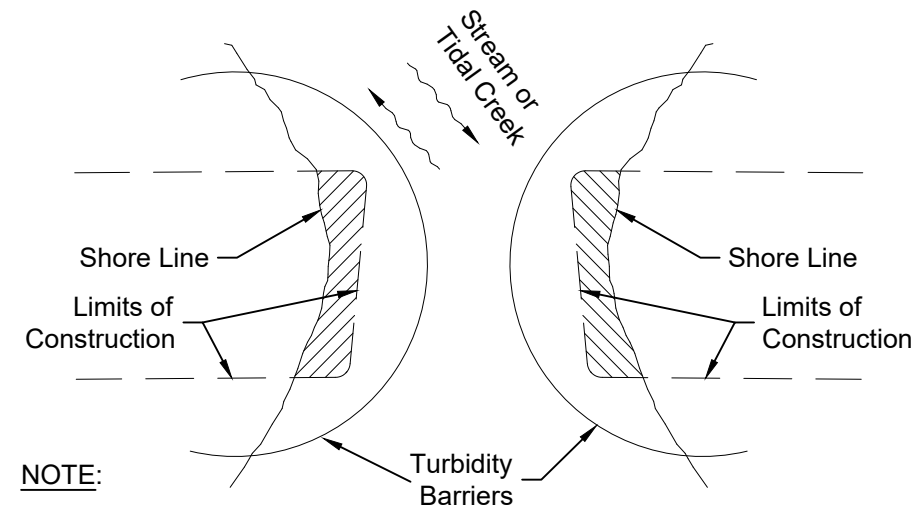
MW ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, Florida 33060
Ofc: 954-532-0129
WWW.MwEngineering.net

Sheet 4 of 6

CAM #26 0535



- LEGEND**
- Pile Locations
 - Dredge or Fill Area
 - Mooring Buoy with Anchor
 - Anchor
 - Barrier Movement Due To Current Action
 - Stake or Anchor every 100' (typical)



TURBIDITY BARRIER APPLICATIONS

Turbidity barriers are to be used in all permanent bodies of water

Number and spacing of anchors dependent on current velocities.

Deployment of barrier around pile locations may vary to accommodate construction operations.

Navigation may require segmenting barrier during construction

For additional information see Section 104 of the Standard

Consultant

UNLIMITED PERMIT SERVICES, INC
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(954) 532-0129
Office@unlimiteddps.net

Project Engineer

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Pompano Beach, FL 33060
Ofc: 954-532-0129
WWW.MwEngineering.net

Contractor

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Fort Lauderdale, FL 33309
(954) 630-2300

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1622 Brickell Drive Inc
1614 Brickell Drive
Fort Lauderdale, FL 33301

DATE		
10-17-25	12-3-25	
10-20-25		
10-21-25		
10-22-25		

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

MW ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, Florida 33060
Ofc: 954-532-0129
WWW.MwEngineering.net

Sheet 5 of 6



9) PREVIOUSLY APPROVED WAIVERS IN THE AREA

PREVIOUSLY APPROVED WAIVERS IN THE AREA

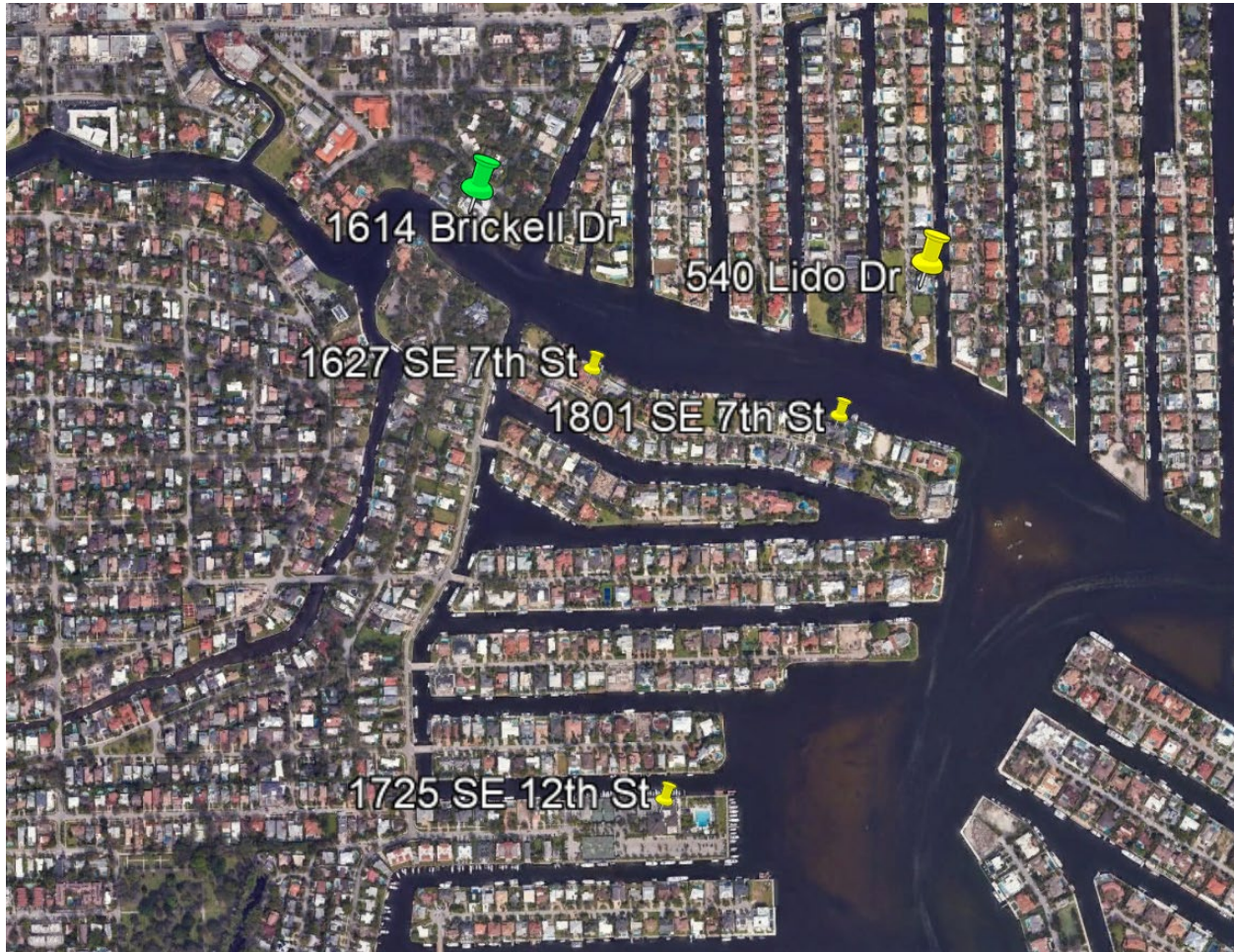


Table 9.1

Address	Distance
1801 SE 7 th St	52.0'
1627 SE 7 th St	47.2'
540 Lido Dr	45.5'
1725 SE 12 th St	73.0'



10) LETTERS OF SUPPORT

LETTERS OF SUPPORT

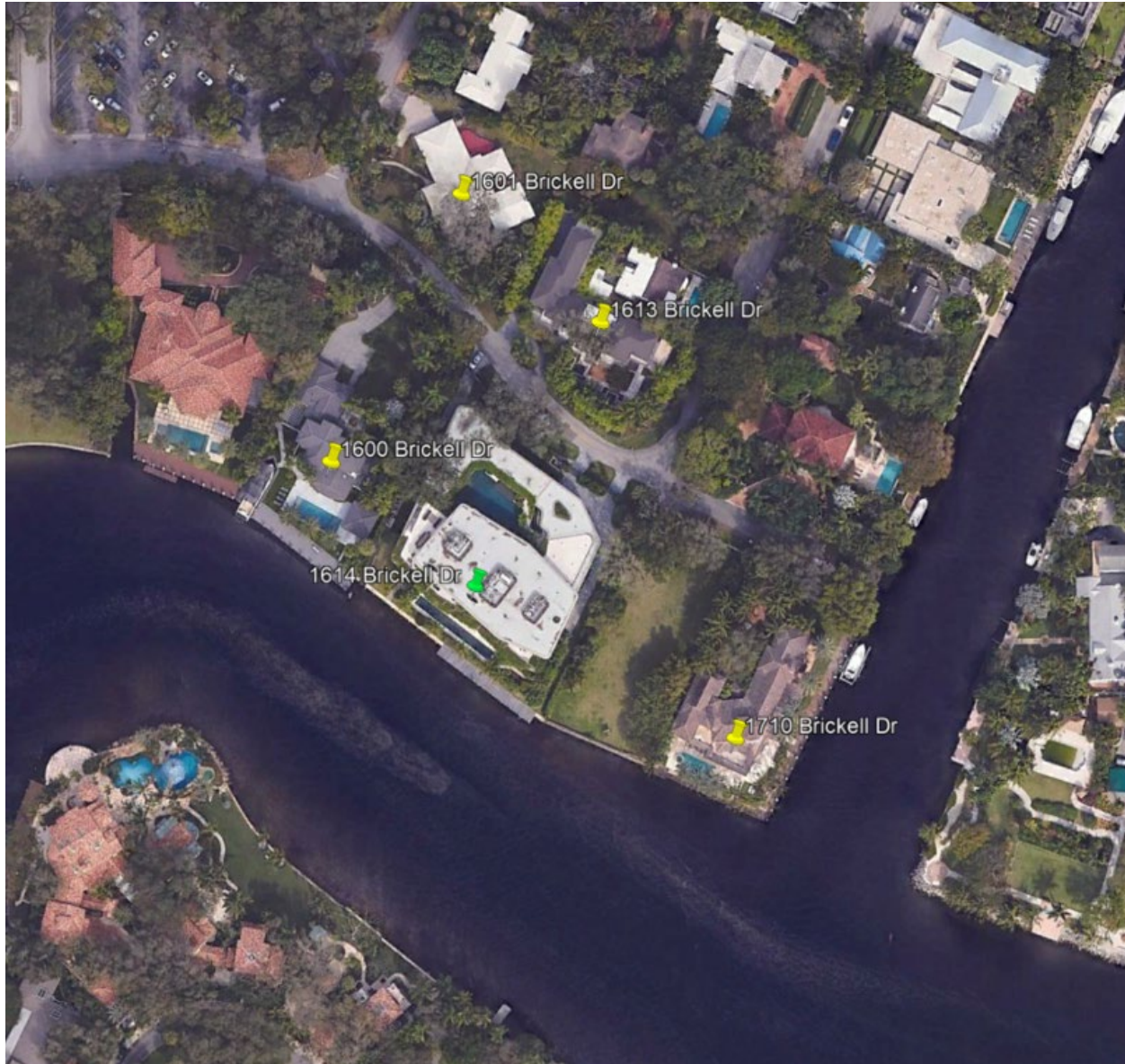


Table 10.1

Address
1600 Brickell Dr
1601 Brickell Dr
1613 Brickell Dr
1710 Brickell Dr

Date: April 1, 2026

Property Owner of Proposed Project:

1622 Brickell Drive, Inc.

1614 Brickell Dr

Fort Lauderdale, FL 33301

Subject: Marine Structures Requiring Waiver of Distance Limitations
Neighbor Letter of Consent

To Whom It May Concern:

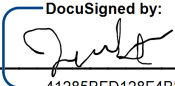
I have reviewed the plans for the proposed installation of a no-profile boat lift extending beyond the standard 25-foot limitation from the property line into the New River at 1614 Brickell Drive.

I understand that this project requires approval of a waiver from the City of Fort Lauderdale, in addition to permitting through the applicable regulatory agencies.

Pursuant to ULDR Section 47-19.3(C), mooring structures are limited to a maximum projection of 25 feet or 25% of the width of the waterway, whichever is less. The subject waterway, the New River, is approximately 230 feet in width, and the proposed boat lift represents a minor extension beyond the standard limitation. Based on the plans provided, the proposed structure is not anticipated to create adverse impacts to navigation.

I further understand that the project has undergone environmental review and has received approvals from Broward County (BCRED), the Florida Department of Environmental Protection (FDEP), and the U.S. Army Corps of Engineers (ACOE).

I, Jorge Gil (Name), am the legal owner of the property located at 1600 Brickell Drive, Fort Lauderdale, FL 33301 (Address). I am aware of the proposed scope of work at the subject property and have no objection to the project. I hereby provide my support for the requested waiver and consent to the project proceeding, subject to approval by the City Commission.

Neighbor Signature:  41285BFD128F4BB...

Print Name: JORGE GIL

Date: April 1, 2026

Property Owner of Proposed Project:

1622 Brickell Drive, Inc.

1614 Brickell Dr

Fort Lauderdale, FL 33301

Subject: Marine Structures Requiring Waiver of Distance Limitations
Neighbor Letter of Consent

To Whom It May Concern:

I have reviewed the plans for the proposed installation of a no-profile boat lift extending beyond the standard 25-foot limitation from the property line into the New River at 1614 Brickell Drive.

I understand that this project requires approval of a waiver from the City of Fort Lauderdale, in addition to permitting through the applicable regulatory agencies.

Pursuant to ULDR Section 47-19.3(C), mooring structures are limited to a maximum projection of 25 feet or 25% of the width of the waterway, whichever is less. The subject waterway, the New River, is approximately 230 feet in width, and the proposed boat lift represents a minor extension beyond the standard limitation. Based on the plans provided, the proposed structure is not anticipated to create adverse impacts to navigation.

I further understand that the project has undergone environmental review and has received approvals from Broward County (BCRED), the Florida Department of Environmental Protection (FDEP), and the U.S. Army Corps of Engineers (ACOE).

I, Richard Berkowitz (Name), am the legal owner of the property located at 1601 Brickell Drive, Fort Lauderdale, FL 33301 (Address). I am aware of the proposed scope of work at the subject property and have no objection to the project. I hereby provide my support for the requested waiver and consent to the project proceeding, subject to approval by the City Commission.

Neighbor Signature:  Signed by:
9BF3FE1C534F4E3...

Print Name: RICHARD BERKOWITZ

Date: April 2, 2026

Property Owner of Proposed Project:

1622 Brickell Drive, Inc.

1614 Brickell Dr

Fort Lauderdale, FL 33301

Subject: Marine Structures Requiring Waiver of Distance Limitations
Neighbor Letter of Consent

To Whom It May Concern:

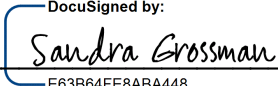
I have reviewed the plans for the proposed installation of a no-profile boat lift extending beyond the standard 25-foot limitation from the property line into the New River at 1614 Brickell Drive.

I understand that this project requires approval of a waiver from the City of Fort Lauderdale, in addition to permitting through the applicable regulatory agencies.

Pursuant to ULDR Section 47-19.3(C), mooring structures are limited to a maximum projection of 25 feet or 25% of the width of the waterway, whichever is less. The subject waterway, the New River, is approximately 230 feet in width, and the proposed boat lift represents a minor extension beyond the standard limitation. Based on the plans provided, the proposed structure is not anticipated to create adverse impacts to navigation.

I further understand that the project has undergone environmental review and has received approvals from Broward County (BCRED), the Florida Department of Environmental Protection (FDEP), and the U.S. Army Corps of Engineers (ACOE).

I, Sandra Grossman (Name), am the legal owner of the property located at 1613 Brickell Drive, Fort Lauderdale, FL 33301 (Address). I am aware of the proposed scope of work at the subject property and have no objection to the project. I hereby provide my support for the requested waiver and consent to the project proceeding, subject to approval by the City Commission.

Neighbor Signature:  Sandra Grossman
DocuSigned by:
E63B64FE8ABA448...

Print Name: Sandra Grossman



11) ENVIRONMENTAL APPROVALS



FLORIDA DEPARTMENT OF Environmental Protection

Southeast District
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
561-681-6600

Ron DeSantis
Governor

Jay Collins
Lt. Governor

Alexis A. Lambert
Secretary

December 5, 2025

1622 Brickell Drive, INC.
c/o David Pain
401 E Las Olas Boulevard #130-310
Fort Lauderdale, FL 33301
Sent via e-mail: David.Pain@1622brickelldrive.com

Re: File No.: 06-0378187-004-EG
File Name: 1622 Brickell Drive Inc

Dear Mr. Pain:

On November 7, 2025, we received your notice of intent to use a General Permit (GP), pursuant to Rule 62-330.427, Florida Administrative Code (F.A.C.) to install a 1,085 sq. ft. decked boat lift alongside an existing 804 sq. ft. dock, for a total of 1,889 sq. ft. over-water structure, within Cordova River, a Class III Waters Florida waterbody. The project is located at 1622 Brickell Drive, Fort Lauderdale (Section 11, Township 50 South, Range 42 East), in Broward County (Latitude N 26°6'59.9461", Longitude W 80°7'39.3190").

Your intent to use a general permit has been reviewed by Department staff for three types of authorizations: (1) regulatory authorization, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal authorization. The authority for review and the outcomes of the reviews are listed below. Please read each section carefully.

Your project qualifies for all three authorizations. However, this letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

If you have any questions regarding this matter, please contact Julia Meuser at the letterhead address or at (561) 681-6649, Julia.Meuser@Floridadep.gov.

1. Regulatory Review – APPROVED

Based on the forms, drawings, and documents revised with your notice, it appears that the project meets the requirements for the General Permit under Rule 62-330.427, F.A.C. Any activities performed under a general permit are subject to general conditions required in Rule 62-330.405,

www.floridadep.gov

F.A.C. (attached), and the specific conditions of Rule 62-330.427, F.A.C. (attached). Any deviations from these conditions may subject the permittee to enforcement action and possible penalties.

Please be advised that the construction phase of the GP must be completed within five years from the date the notice to use the GP was received by the Department. If you wish to continue this GP beyond the expiration date, you must notify the Department at least 30 days before its expiration.

Authority for review- Part IV of Chapter 373, F.S., Title 62, F.A.C. and in accordance with the operating agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C.

2. Proprietary Review – GRANTED

The Department acts as staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) and issues certain authorizations for the use of sovereign submerged lands. The Department has the authority to review activities on sovereign submerged lands under Chapter 253 of the Florida Statutes (F.S.) and 258, F.S. if located within an aquatic preserve, and Chapters 18-20 and 18-21 of the Florida Administrative Code.

The activity appears to be located on sovereign submerged lands owned by the Board of Trustees. The activity is not exempt from the need to obtain the applicable proprietary authorization. As staff to the Board of Trustees, the Department has reviewed the activity described above, and has determined that the activity qualifies for a letter of consent under Section 253.77, Florida Statutes, to construct and use the activity on the specified sovereign submerged lands, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein.

During the term of this Letter of Consent you shall maintain satisfactory evidence of sufficient upland interest as required by paragraph 18-21.004(3)(b), Florida Administrative Code. If such interest is terminated or the Board of Trustees determines that such interest did not exist on the date of issuance of this Letter of Consent, this Letter of Consent may be terminated by the Board of Trustees at its sole option. If the Board of Trustees terminates this Letter of Consent, you agree not to assert a claim or defense against the Board of Trustees arising out of this Letter of Consent.

Please be advised that any use of sovereign submerged lands without specific prior authorization from the Board of Trustees will be considered a violation of Chapter 253, Florida Statutes and may subject the affected upland riparian property owners to legal action as well as potential fines for the prior unauthorized use of sovereign land.

Authority for review - Chapter 253 F.S., and Chapter 18-21, F.A.C. and Section 62-330.075, F.A.C. as required.

3. Federal Review- APPROVED

Your proposed activity as outlined in your application and attached drawings qualifies for Federal authorization pursuant to the State Programmatic General Permit VI, and a **SEPARATE permit** or authorization **will not be required** from the Corps. Please note that the Federal authorization

expires on July 27, 2026. However, your authorization may remain in effect for up to 1 additional year, if provisions of Special Condition 15 of the SPGP VI-R1 permit instrument are met. You, as permittee, are required to adhere to all General Conditions and Special Conditions that may apply to your project. Special conditions required for your project are attached. A copy of the SPGP VI-R1 with all terms and conditions and the General Conditions may be found online in the Jacksonville District Regulatory Division Sourcebook: (<https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book/>).

Authority for review - an agreement with the USACOE entitled "Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection (or Duly Authorized Designee), State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Additional Information

Please retain this general permit. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S., and Chapter 18-14, F.A.C.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until a subsequent order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;

- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us . Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do not publish notice of this action, this waiver may not apply to persons who have not received written notice of this action.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us , before the deadline for filing a petition for an administrative hearing. 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.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission

under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

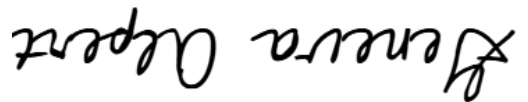
Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

EXECUTION AND CLERKING

Executed in Palm Beach County, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Geneva Alpert
Environmental Consultant
Southeast District
Enclosures:

General Conditions for All General Permits, Ch. 62-330.405, F.A.C.
Specific General Permit Rule, Ch. 62-330.427, F.A.C.
Special Consent Conditions
General Conditions for Authorizations for Activities on State-Owned Submerged Lands
Special Conditions for Federal Authorization for SPGP V-R1
General Conditions for Federal Authorization for SPGP V-R1
Project drawings, 6 pages

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

Project No.: 06-0378187-004-EG
Project Name: 1622 Brickell Drive Inc
Page 6 of 6

FDEP – Geneva Alpert, Julia Meuser
Kathy Cartier, Unlimited Permit Services, Inc., Kathyc@unlimitedps.net
Linda Sunderland, Broward County EPD, LSunderland@broward.org

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk,
receipt of which is hereby acknowledged.

Kameil Akbar
Clerk

December 5, 2025
Date

62-330.427 General Permit for Docks, Piers and Associated Structures.

(1) A general permit is granted to any person to construct, extend, or remove a dock or pier and associated structures as described below:

(a) A private, single-family pier or dock with up to two boat lifts that, together with all existing structures on the shoreline of the property, does not exceed a total area of 2,000 square feet over surface waters. Such a structure:

1. Shall not accommodate the mooring of more than two vessels, either in the water or on a boat lift. Solely for purposes of this general permit, up to two personal watercraft as defined in section 327.02(33), F.S., may be moored in lieu of either or both allowable vessels of another type. These limits shall not apply to the mooring, storage or other use of the dock or pier by:

a. Non-motor-powered vessels less than 16 feet in length that are stored on or under the dock or pier, or within an authorized mooring area; or

b. Personal watercraft, dinghies or similar small vessels that are stowed out of the water, upon a larger parent vessel that is moored at the dock in compliance with this general permit.

2. Shall be located such that all areas used for vessel mooring and navigational access already provide a minimum depth of two feet below the mean low water level for tidal waters, or two feet below the expected average low water depth for non-tidal waters as determined based on best available information for the water body at the project location; and

3. May include a roof over the vessel mooring areas, boat lifts, and terminal platform, or any portions thereof, subject to the applicable provisions of chapters 253 and 258, F.S., and the rules adopted thereunder. Portions of such roofs that overhang beyond the edge of decked portions of the pier or dock shall be included in the calculation of the total square footage of over-water structure allowed under paragraph (1)(a), above.

(b) A public fishing pier that does not exceed a total area of 2,000 square feet provided the structure is designed and built to discourage boat mooring by elevating the fishing pier to a minimum height of five feet above mean high water or ordinary high water, surrounding the pier with handrails, and installing and maintaining signs that state "No Boat Mooring Allowed."

(2) This general permit shall be subject to the following specific conditions:

(a) Construction or extension of the boat lift, boat mooring locations, or terminal platform, shall not occur over submerged grassbeds, coral communities or wetlands. However, the access walkway portion of the pier may traverse these resources provided it is elevated a minimum of five feet above mean high water or ordinary high water, contains handrails that are maintained in such a manner as to prevent use of the access walkways for boat mooring or access, and does not exceed a width of six feet, or a width of four feet in Aquatic Preserves;

(b) There shall be no structures enclosed by walls, screens, or doors on any side;

(c) The dock or pier will not facilitate vessel rentals, charters, or serve any other commercial purpose;

(d) There shall be no fish cleaning facilities, boat repair facilities or equipment, or fueling facilities on the structures authorized by this general permit. In addition, no overboard discharges of trash, human or animal waste, or fuel shall occur from any structures authorized by this general permit;

(e) This general permit shall not authorize the construction or extension of more than one dock or pier per parcel of land or individual lot. For the purposes of this general permit, multi-family living complexes shall be treated as one parcel of property regardless of the legal division of ownership or control of the associated property; and

(f) Notwithstanding any other provisions of this general permit, the design, construction and operation of the dock or pier and associated vessels shall not conflict with any manatee protection plan approved and adopted under section 379.2431(2)(t), F.S.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.416, 373.418, 373.426, 403.814(1) FS. History—New 10-3-95, Formerly 62-341.427, Amended 10-1-13, 6-1-18.

62-330.405 General Conditions for All General Permits

The following general permit conditions are binding upon the permittee and are enforceable under Chapter 373, F.S. These conditions do not apply to the general permit in Section 403.814(12), F.S.

(1) The general permit is valid only for the specific activity indicated. Any deviation from the specified activity and the conditions for undertaking that activity shall constitute a violation of the permit and may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.

(2) This general permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any construction, alteration, operation, maintenance, removal or abandonment authorized by this permit.

(3) This general permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the general permit.

(4) The general permit does not relieve the permittee from liability and penalties when the permitted activity causes harm or injury to: human health or welfare; animal, plant or aquatic life; or property. It does not allow the permittee to cause pollution that violates state water quality standards.

(5) Section 253.77, F.S., provides that a person may not commence any excavation, construction, or other activity involving the use of state-owned or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required consent, lease, easement, or other form of authorization authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on state-owned lands.

(6) The authorization to conduct activities under a general permit may be modified, suspended or revoked in accordance with Chapter 120, F.S., and Section 373.429, F.S.

(7) This permit shall not be transferred to a third party except pursuant to Rule 62-330.340, F.A.C. The permittee transferring the general permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to sale, conveyance, or other transfer of ownership or control of the permitted project, activity, or the real property at which the permitted project or activity is located.

(8) Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the permitted system to ensure conformity with the plans and specifications approved by the permit.

(9) The permittee shall maintain any permitted project or activity in accordance with the plans submitted to the Agency and authorized in this general permit.

(10) A permittee's right to conduct a specific activity under this general permit is authorized for a duration of five years.

(11) 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 implemented and maintained immediately prior to, during, and after construction as needed to stabilize all disturbed areas, including other measures specified in the permit to prevent adverse impacts to the water resources and adjacent lands. Erosion and sediment control measures shall be installed and maintained 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)*, available at www.dep.state.fl.us/water/wetlands/docs/erp/FLERosionSedimentManual_6_07.pdf, and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008)*, available at www.dep.state.fl.us/water/nonpoint/docs/erosion/erosion-inspectors-manual.pdf.

(12) Unless otherwise specified in the general permit, temporary vehicular access within wetlands during construction shall be performed using vehicles generating minimum ground pressure to minimize rutting and other environmental impacts. Within forested wetlands, the permittee shall choose alignments that minimize the destruction of mature wetland trees to the greatest extent practicable. When needed to prevent rutting or soil compaction, access vehicles shall be operated on wooden, composite, metal, or other non-earthen construction mats. In all cases, access in wetlands shall comply with the following:

(a) Access within forested wetlands shall not include the cutting or clearing of any native wetland tree having a diameter 4 inches or greater at breast height;

(b) The maximum width of the construction access area shall be limited to 15 feet;

(c) All mats shall be removed within 72 hours after the work commences; and

(d) Areas disturbed for access shall be restored to natural grades immediately after the maintenance or repair is completed.

(13) Barges or other work vessels used to conduct in-water activities shall be operated in a manner that prevents unauthorized dredging, water quality violations, and damage to submerged aquatic communities.

(14) The construction, alteration, or use of the authorized project shall not adversely impede navigation or create a navigational hazard in the water body.

(15) Except where specifically authorized in a general permit, activities must not:

(a) Impound or obstruct existing water flow, cause adverse impacts to existing surface water storage and conveyance capabilities, or otherwise cause adverse water quantity or flooding impacts to receiving water and adjacent lands;

(b) Cause an adverse impact to the maintenance of surface or ground water levels or surface water flows established pursuant to Section 373.042, F.S., or a Works of the District established pursuant to Section 373.086, F.S.; or

(16) 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.

(17) The activity must be capable, based on generally accepted engineering and scientific principles, of being performed and of functioning as proposed, and must comply with any applicable District special basin and geographic area criteria.

(18) The permittee shall comply with the following when performing work within waters accessible to federally- or state-listed aquatic species, such as manatees, marine turtles, smalltooth sawfish, and Gulf sturgeon:

(a) All vessels associated with the project shall operate at "Idle Speed/No Wake" at all times while in the work area and where the draft of the vessels provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.

(b) All deployed siltation or turbidity barriers shall be properly secured, monitored, and maintained to prevent entanglement or entrapment of listed species.

(c) All in-water activities, including vessel operation, must be shutdown if a listed species comes within 50 feet of the work area. Activities shall not resume until the animal(s) has moved beyond a 50-foot radius of the in-water work, or until 30 minutes elapses since the last sighting within 50 feet. Animals must not be herded away or harassed into leaving. All on-site project personnel are responsible for observing water-related activities for the presence of listed species.

(d) Any listed species that is killed or injured by work associated with activities performed shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1(888)404-3922 and ImperiledSpecies@myFWC.com.

(e) Whenever there is a spill or frac-out of drilling fluid into waters accessible to the above species during a directional drilling operation, the FWC shall be notified at imperiledspecies@myfwc.com with details of the event within 24 hours following detection of the spill or frac-out.

(19) The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any activity authorized by the general permit.

(20) The permittee shall immediately notify the Agency in writing of any submitted information that is discovered to be inaccurate.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.4145, 373.418,

403.805(1) FS. Law Implemented 373.044, 373.118(1), 373.129, 373.136, 373.406(5), 373.413, 373.4131, 373.414(9), 373.4145, 373.416, 373.422, 373.423, 373.429, 403.814(1) FS. History—New 10-3-95, Amended 10-1-07, Formerly 62-341.215, Amended 10-1-13.

Special Consent Conditions

1. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.
2. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.
3. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.
4. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.
5. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

General Conditions for Authorizations for Activities on State-Owned Submerged Lands:

All authorizations granted by rule or in writing under Rule 18-21.005, F.A.C., except those for geophysical testing, shall be subject to the general conditions as set forth in paragraphs (a) through (i) below. The general conditions shall be part of all authorizations under this chapter, shall be binding upon the grantee, and shall be enforceable under Chapter 253 or 258, Part II, F.S.

(a) Authorizations are valid only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use shall

constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.

(b) Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.

(c) Authorizations may be modified, suspended or revoked in accordance with their terms or the remedies provided in Sections 253.04 and 258.46, F.S. or Chapter 18-14, F.A.C.

(d) Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.

(e) Construction, use, or operation of the structure or activity shall not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004 and 68A-27.005, F.A.C.

(f) Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.

(g) Structures or activities shall not create a navigational hazard.

(h) Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of Rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.

(i) Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under paragraph 18-21.004(1)(g), F.A.C., or any other applicable law.

(8) Pursuant to Section 253.77(4), F.S., federal, state, or local agencies or political subdivisions, including ports and inland navigation districts, proposing to conduct an activity which qualifies for an exemption under Part IV of Chapter 373, F.S. or Section 403.813(1), F.S., shall be granted a letter of consent or public easement upon receipt of a request and a legal description of the affected land. However, such grant does not release the entity from compliance with other applicable provisions of Chapter 18-18, 18-20 or 18-21, F.A.C.

Rulemaking Authority 253.03(7), 253.73 FS. Law Implemented 253.001, 253.03, 253.141, 253.68, 253.72, 253.74, 253.75, 253.77 FS. History—New 3-27-82, Amended 8-1-83, Formerly 16Q-21.04, 16Q-21.004, Amended 12-25-86, 1-25-87, 3-15-90, 8-18-92, 10-15-98, 12-11-01, 10-29-03, 12-16-03, 3-8-04, 10-27-05, 4-14-08, 9-1-09.

Special Conditions for Federal Authorizations for SPGP VI-R1

1. Authorization, design and construction must adhere to the terms of the SPGP VI instrument including the General Conditions for All Projects, Special Conditions for All Projects, Applicable activity-specific special conditions, Procedure and Work Authorized sections.
2. Design and construction must adhere to the PDCs for In-Water Activities (Attachment 28, from PDCs AP.7 through AP11, inclusive, of JAXBO) (Reference: JAXBO PDC AP.1.).
3. All activities must be performed during daylight hours (Reference: JAXBO PDC AP.6.).
4. For all projects involving the installation of piles, sheet piles, concrete slab walls or boatlift I-beams (Reference Categories A, B and C of JAXBO *PDCs for In-Water Noise from Pile and Sheet Pile Installation*, page 86):
 - a. Construction methods limited to trench and fill, pilot hole (auger or drop punch), jetting, vibratory, and impact hammer (however, impact hammer limited to installing no more than 5 per day).
 - b. Material limited to wood piles with a 14-inch diameter or less, concrete piles with a 24-inch diameter/width or less, metal pipe piles with a 36-inch diameter or less, metal boatlift I-beams, concrete slab walls, vinyl sheet piles, and metal sheet piles.
 - c. Any installation of metal pipe or metal sheet pile by impact hammer is not authorized (Reference: Categories D and E of JAXBO *PDCs for In-Water Noise from Pile and Sheet Pile Installation*, page 86.).
 - d. Projects within the boundary of the NOAA Florida Keys National Marine Sanctuary require prior approval from the Sanctuary (Reference: JAXBO PDCs AP.14 and A1.6).
5. The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011” (Attachment 29).
6. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Applicant/Permittee or other party on the Applicant’s/Permittee’s behalf, shall conduct a search of known historical properties by contracting a professional archaeologist, and contacting the Florida Master Site File at 850-245-6440 or SiteFile@dos.state.fl.us. The Applicant/Permittee can also research sites in the National Register Information System (NRIS). Information can be found at

- a. If, during the initial ground disturbing activities and construction work, there are archaeological/cultural materials unearthed (which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, 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), the Permittee shall immediately stop all work in the vicinity and notify the Compliance and Review staff of the State Historic Preservation Office at 850-245- 6333 and the Corps Regulatory Archeologist at 904-232-3270 to assess the significance of the discovery and devise appropriate actions, including salvage operations. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 C.F.R. § 325.7.
 - b. In the unlikely event that human remains are identified, the remains will be treated in accordance with Section 872.05, Florida Statutes; all work in the vicinity shall immediately cease and the local law authority, and the State Archaeologist (850-245-6444) and the Corps Regulatory Archeologist at 904-232-3270 shall immediately be notified. Such activity shall not resume unless specifically authorized by the State Archaeologist and the Corps.
7. The Permittee is responsible for obtaining any “take” permits required under the U.S. Fish and Wildlife Service’s regulations governing compliance with these laws. The Permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such “take” permits are required for a particular activity.
 8. Mangroves. The design and construction of a Project must comply with the following (Reference: JAXBO PDCs AP.3 and AP.12.):
 - a. All projects must be sited and designed to avoid or minimize impacts to mangroves.
 - b. Mangrove removal must be conducted in a manner that avoids any unnecessary removal and is limited to the following instances:
 - (1) Removal to install up to a 4-ft-wide walkway for a dock.
 - (2) Removal of mangroves above the mean high water line (MHWL) provided that the tree does not have any prop roots that extend into the water below the MHWL.
 - (3) Mangrove trimming. Mangrove trimming refers to the removal (using hand equipment such as chain saws and/or machetes) of lateral branches (i.e., no alteration of the trunk of the tree) in a manner that ensures survival of the tree.

(a) Projects with associated mangrove trimming waterward of the MHWL are authorized if the trimming: (a) occurs within the area where the authorized structures are placed or will be placed (i.e., removal of branches that overhang a dock or lift), (b) is necessary to provide temporary construction access, and (c) is conducted in a manner that avoids any unnecessary trimming.

(b) Projects proposing to remove red mangrove prop roots waterward of the MHWL are not authorized, except for removal to install the dock walkways as described above.

9. For Projects authorized under this SPGP VI in navigable waters of the U.S., the Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
10. Notifications to the Corps. For all authorizations under this SPGP VI, including Self-Certifications, the Permittee shall provide the following notifications to the Corps:
 - a. Commencement Notification. Within 10 days from the date of initiating the work authorized by this permit the Permittee shall submit a completed "Commencement Notification" form (Attachment 8).
 - b. Corps *Self-Certification Statement of Compliance* form. Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the "Self-Certification Statement of Compliance" form (Attachment 9) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.
 - c. Permit Transfer. 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 the enclosed form (Attachment 10).
 - d. Reporting Address. The Permittee shall submit all reports, notifications, documentation, and correspondence required by the general and special conditions of this

permit to the following address.

(1) For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL, 32232-0019.

(2) For electronic mail: SAJ-RD-Enforcement@usace.army.mil (not to exceed 10 MB). The Permittee shall reference this permit number, SAJ-2015-2575 on all submittals.

11. The District Engineer reserves the right to require that any request for authorization under this SPGP VI be evaluated as an Individual Permit. Conformance with the terms and conditions of the SPGP VI does not automatically guarantee Federal authorization.
12. On a case-by-case basis, the Corps may impose additional Special Conditions which are deemed necessary to minimize adverse environmental impacts.
13. Failure to comply with all conditions of the SPGP VI constitutes a violation of the Federal authorization.
14. The SPGP VI will be valid through the expiration date unless suspended or revoked by issuance of a public notice by the District Engineer. The Corps, in conjunction with the Federal resource agencies, will conduct periodic reviews to ensure that continuation of the permit during the period ending expiration date, is not contrary to the public interest. The SPGP VI will not be extended beyond the expiration date but may be replaced by a new SPGP. If revocation occurs, all future applications for activities covered by the SPGP VI will be evaluated by the Corps.
15. If the SPGP VI expires, is revoked, or is terminated prior to completion of the authorized work, authorization of activities which have commenced or are under contract to commence in reliance upon the SPGP VI will remain in effect provided the activity is completed within 12 months of the date the SPGP VI expired or was revoked.

Special Conditions for Docks, Piers, Associated Facilities, and other Minor Piling-Supported Structures.

16. Chickees must be less than 500 ft² and support no more than 2 slips (Reference: JAXBO PDC A2.1.6.).
17. The design and construction of a Project over marsh (emergent vegetation) must comply with the following:
 - a. The piling-supported structure shall be aligned so as to have the smallest over- marsh footprint as practicable.

- b. The over-marsh portion of the piling-supported structure (decking) shall be elevated to at least 4 feet above the marsh floor.
 - c. The width of the piling-supported is limited to a maximum of 4 feet. Any exceptions to the width must be accompanied by an equal increase in height requirement.
18. Mangroves. For pile-supported structures, the following additional requirements for mangroves found in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) shall apply:
- a. The width of the piling-supported structure is limited to a maximum of 4 feet.
 - b. Mangrove clearing is restricted to the width of the piling-supported structure.
 - c. The location and alignment of the piling-supported structure should be through the narrowest area of the mangrove fringe.
19. Regarding SAV, the design and construction of a Project must comply with the following:
- a. A pile supported structure
 - (1) that is located on a natural waterbody (i.e. outside an artificial waterway that was excavated for boating access and is bordered by residential properties); and
 - (2) that is within the range of seagrass (estuarine waters within all coastal counties except for Nassau, Duval, St Johns, Flagler and Volusia north of Ponce Inlet), but outside of the range of Johnson's seagrass (the range of Johnson's seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida) will be constructed to the following standards:
 - (a) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then SAV is presumed present and the pile-supported structure must comply with, or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling- Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of SPGP, two uncovered boatlifts are allowed.

(i) If the pile supported structure is currently serviceable, repair and replacement may occur in the same footprint without completion of a benthic survey.

(ii) Boatlifts and minor structures in Monroe County may be installed within existing boat slips without completion of a SAV survey. Boatlift accessory structures, like catwalks, shall adhere to “*Construction Guidelines in Florida for Minor Piling- Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat*” U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) if a SAV survey has not been completed.

(iii) A marginal dock may be constructed a maximum of 5 feet overwater, as measured from the waterward face (wet face) of the seawall).

(b) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), then the pile-supported structure must comply with, or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers’/National Marine Fisheries Service’s “*Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat*” U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

(i) If the pile supported structure is currently serviceable, repair and replacement may occur in the same footprint without completion of a benthic survey.

(ii) Boatlifts may be installed within existing boat slips without completion of a SAV survey.

(iii) A marginal dock may be constructed a maximum of 5 feet overwater, as measured from the waterward face (wet face) of the seawall).

(c) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is absent (including seagrass, tidal freshwater SAV and emergent vegetation), then no design restrictions are required and boatlifts may include a cover.

(d) A pile supported structure

(i) that is located on a natural waterbody (i.e. outside an artificial waterway that was excavated for boating access and is bordered by residential properties); and

(ii) that is within the range of Johnson’s seagrass (the range of Johnson’s seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida) but not within Johnson’s seagrass critical habitat will be constructed to the following standards:

(iii) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then seagrass is presumed present and the pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) with the sole exception of the number of allowable boat lifts. For the purposes of this permit, two uncovered boatlifts are allowed.

(e) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), THEN pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

(f) If a survey is performed in accordance with the methods described in the procedure section of this document, section I.3, and SAV is absent (including seagrass, tidal freshwater SAV and emergent vegetation), THEN no design restrictions are required and boatlifts may include a cover.

(g) A pile supported structure located within Johnson's seagrass critical habitat will be constructed to the following standards:

(i) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then seagrass is presumed present and the pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) with the sole exception of the number of allowable boat lifts. For the purposes of this permit, two uncovered boatlifts are allowed.

(ii) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is absent and the project is

1. A dock replacement in the same footprint, no design restrictions are required.

2. A new dock or dock expansion THEN pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

(iii) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), then pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

20. North Atlantic Right Whale. The attached North Atlantic Right Whale Information Form (Attachment 30) describes the presence of North Atlantic right whales in the area and the Federal regulations governing the approach to North Atlantic right whales. The FDEP or Designee will attach the North Atlantic Right Whale Information Form to their authorizations for any dock project (new construction, repair, or replacement) at a private residence located within 11 nautical miles of an inlet that leads to areas within the known range of North Atlantic right whale. These zones, with an 11 nm radius, are described by the North Atlantic Right Whale Educational Sign Zones, Attachment 7 (from Section 2.1.1.4 of JAXBO, pages 31 and 32, inclusive). (Reference JAXBO PDC A2.4).
21. Educational Signs. For commercial, multi-family, or public facilities, and marine events, signs must be posted as described below (Reference: These replicate JAXBO PDCs A.2.2 and A.2.2.1 to A.2.2.3., inclusive, within the table PDCs Specific to Activity 2 - Pile Supported Structures and Anchored Buoys, starting on page 112.):
 - a. For commercial, multi-family, or public facilities, and marine events, signs must be posted in a visible location(s), alerting users of listed species in the area susceptible to vessel strikes and hook-and-line captures. The most current version of the signs that must be downloaded and sign installation guidance are available at:
(<https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>). The signs required to be posted by area are stated below:
<https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>

- (1) All projects in Florida shall use the Save Sea Turtle, Sawfish, and Dolphin sign.

These signs shall include contact information to the sea turtle and marine mammal stranding networks and smalltooth sawfish encounter database.

(2) Projects within the North Atlantic right whale educational sign zone shall post the Help Protect North Atlantic Right Whales sign.

(3) On the east coast of Florida, projects located within the St. Johns River and those occurring north of the St. Johns River to the Florida-Georgia line shall post the Report Sturgeon sign. On the west coast of Florida, projects occurring from the Cedar Key, Florida north to the Florida-Alabama line.

22. Monofilament Recycling Bins. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided as described below (Reference: The below replicates PDC A.2.3 within the table PDCs Specific to Activity 2 – Pile Supported Structures and Anchored Buoys, the PDC itself on page 113 of the JAXBO.):

a. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided at the docking facility to reduce the risk of turtle or sawfish entanglement in, or ingestion of, marine debris. Monofilament recycling bins must:

(1) Be constructed and labeled according to the instructions provided at <http://mrrp.myfwc.com>.

(2) Be maintained in working order and emptied frequently (according to <http://mrrp.myfwc.com> standards) so that they do not overflow.

23. Lighting for docks installed within visible distance of ocean beaches. If lighting is necessary, then turtle-friendly lighting shall be installed. Turtle-friendly lighting is explained and examples are provided on the Florida Fish and Wildlife Conservation Commission website: <http://myfwc.com/wildlifehabitats/managed/sea-turtles/lighting/> (Reference: JAXBO PDC A2.8.).

24. Construction Location. Project construction shall take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited (Reference: JAXBO PDC A2.9.).

25. Aids to Navigation (ATONs). ATONs must be approved by and installed in accordance with the requirements of the U.S. Coast Guard (i.e., 33 C.F.R., chapter I, subchapter C, part 66, Section 10 of the Rivers and Harbors Act, and any other pertinent requirements) (Reference: JAXBO PDC A2.5.).

26. Aids to Navigation (ATONs) in Acropora critical habitat. The distance from ATONs to

ESA-listed corals and Acropora critical habitat (Attachment 20) shall ensure there are no impacts to the corals or the essential feature of Acropora critical habitat from the movement of buoys and tackle. The appropriate distance shall be based on the size of the anchor chain or other tackle to be installed to secure the buoy to its anchor, particularly when the design of the ATON does not prohibit the contact of tackle with the marine bottom. In all cases, buoy tackle will include flotation to ensure there is no contact between the anchor chain or line and the marine bottom (Reference: JAXBO PDC A2.10.).

27. Within Loggerhead sea turtle critical habitat (Reference: JAXBO PDC A2.15.):

(1) ATONs (pile-supported and anchored buoys) are allowed in nearshore reproductive habitat of the Northwest Atlantic Distinct Population Segment (NWA DPS) of loggerhead sea turtle critical habitat.

(2) No other pile-supported structures are allowed in nearshore reproductive habitat.

General Conditions for All Projects:

1. The time limit for completing the work authorized ends on July 27, 2026.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner on the enclosed form (Attachment 10) and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Further Information:

1. 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.
2. 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.
3. 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.
4. 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 3 above).

- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.
5. 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 CER 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.
 6. 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 the enclosed form.
 7. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal, relocation or alteration.

Department of the Army Permit Transfer for SPGP VI-R1

PERMITEE: _____

PERMIT NUMBER: _____ DATE: _____

ADDRESS/LOCATION OF PROJECT:

(Subdivision)

(Lot)

(Block)

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. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Branch, Post Office Box 4970, Jacksonville, FL 32232-0019.

(Transferee Signature)

(Date)

(Name Printed)

(Street address)

(Mailing address)

(City, State, Zip Code)

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK 2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at ImperiledSpecies@myFWC.com
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used (see MyFWC.com/manatee). One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. Questions concerning these signs can be sent to the email address listed above.

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:



Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC



**UNITED STATES DEPARTMENT OF
COMMERCE**

**National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE**

Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

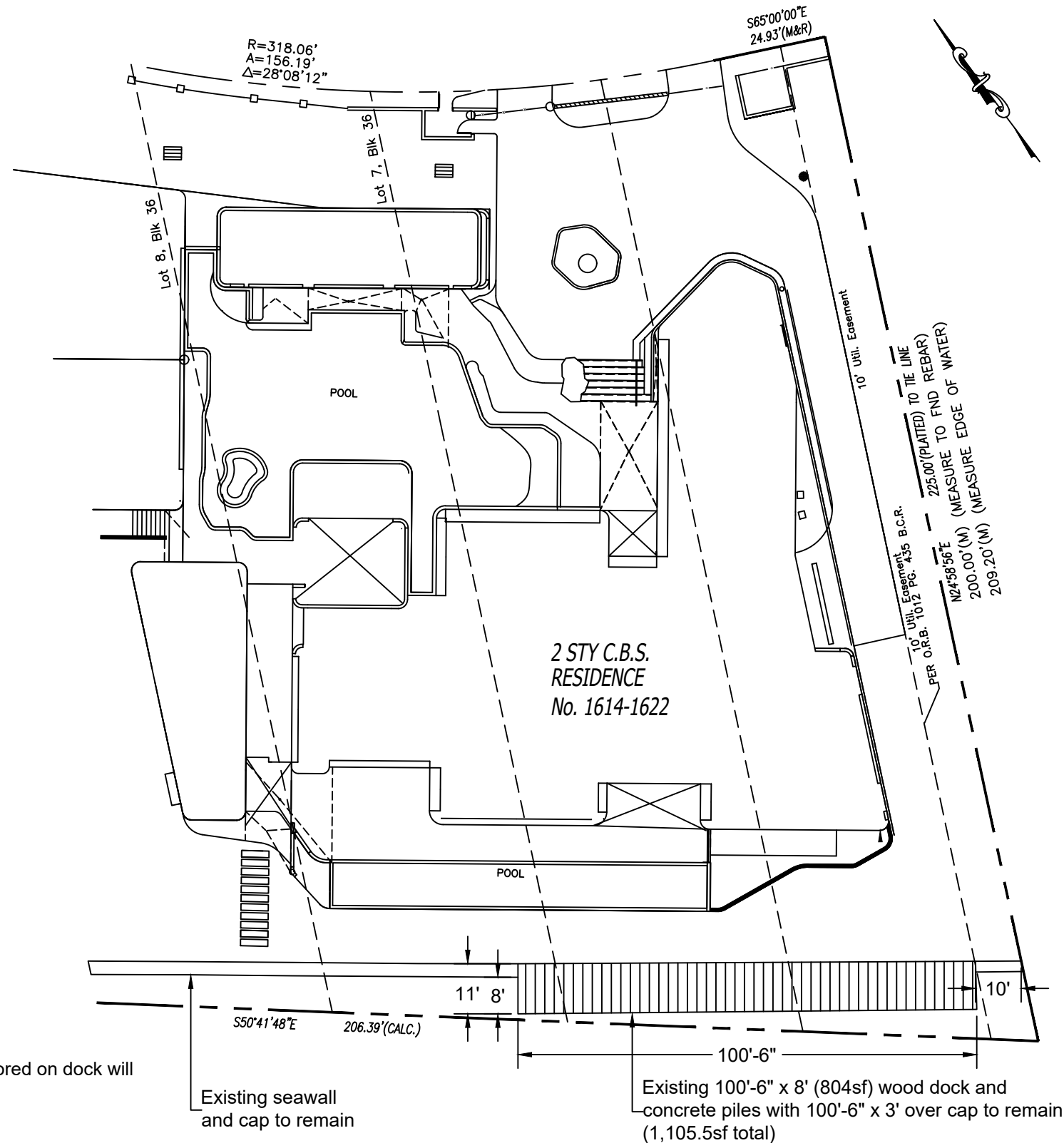
SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

The permittee shall comply with the following protected species construction conditions:

- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.

- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.
- h. Any collision(s) with and/or injuries to any whale, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (727-824-5312).
- i. Reports to NMFS's Protected Resources Division (PRD) may be made by email to takereport.nmfs@noaa.gov.
- j. Sea turtle and marine stranding/rescue organizations' contact information is available by region at <http://www.nmfs.noaa.gov/pr/health/networks.htm>.
- k. Smalltooth sawfish encounters shall be reported to <http://www.flmnh.ufl.edu/fish/sharks/sawfish/sawfishencounters.html>.
- l. All work must occur during daylight hours.





See attached survey supplied by owner for exact property information.
No tree will be removed or replanted as part of this permit

Parcel Information

Parcel Id: [504211012040](#)

Owner: 1622 BRICKELL DRIVE INC

Situs Address: 1614 BRICKELL DR FORT LAUDERDALE FL 33301

Legal: COLEE HAMMOCK 1-17 B LOTS 5,6,7,8 BLK 36

Consultant

UNLIMITED PERMIT SERVICES, INC
Marine Design & Consulting
902 NE 1st Street #2
Pompano Beach, FL 33060
(954) 532-0129
Office@unlimiteddps.net

Project Engineer

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Ofc: 954-532-0129
WWW.MwEngineering.net

Contractor

SOUTHEAST MARINE CONSTRUCTION, INC
1121 NW 51 Court
Fort Lauderdale, FL 33309
(954) 630-2300

Project Information

New Boat Lift Platform
1622 Brickell Drive Inc
1614 Brickell Drive
Fort Lauderdale, FL 33301

DATE

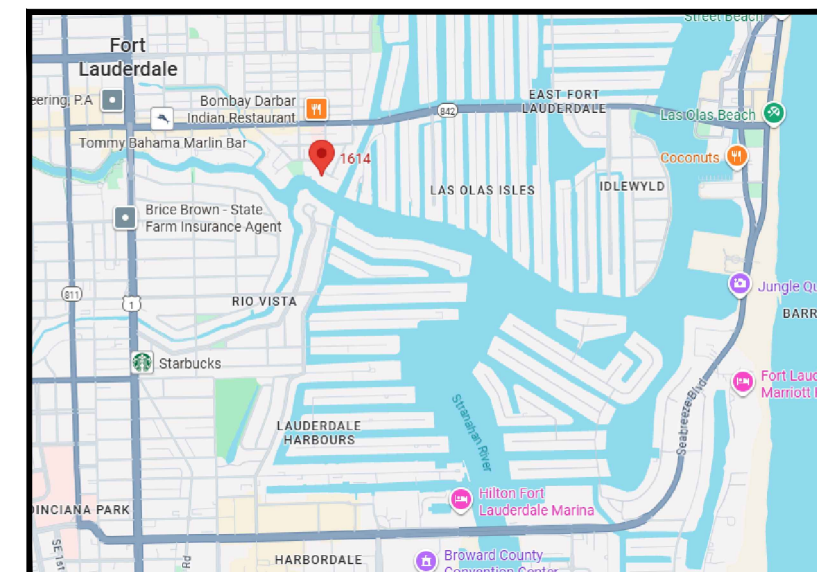
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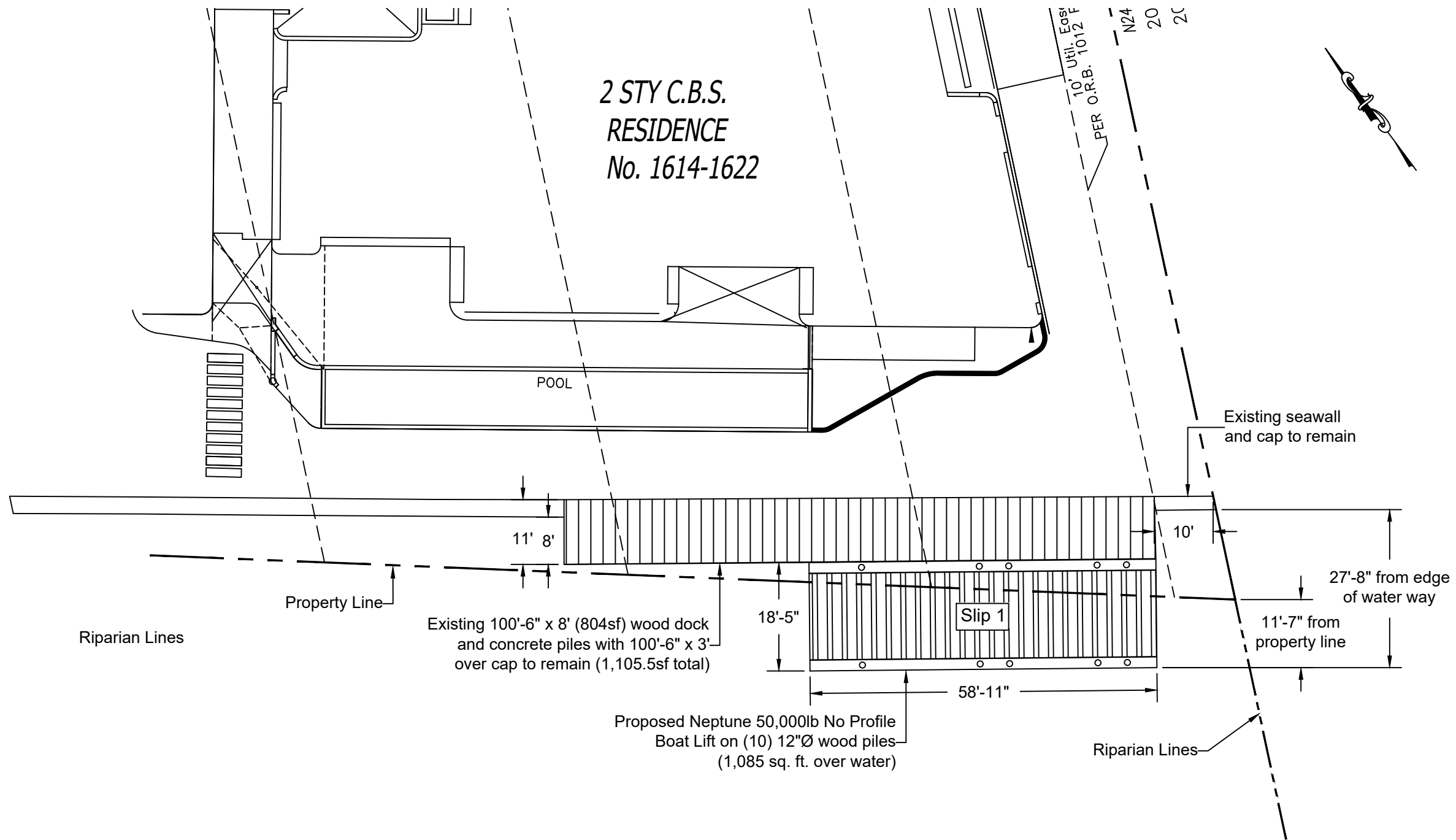
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Sheet 1 of 6
CAM #26-0535

Location Map





NEW RIVER
(RIGHT OF WAY WIDTH APPROX. 230' ~ VARIES ~)

Proposed Site Plan
Scale: 1" = 20'

maintain a minimum 5' side yard set back

Consultant

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New Boat Lift Platform
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1614 Brickell Drive
Fort Lauderdale, FL 33301

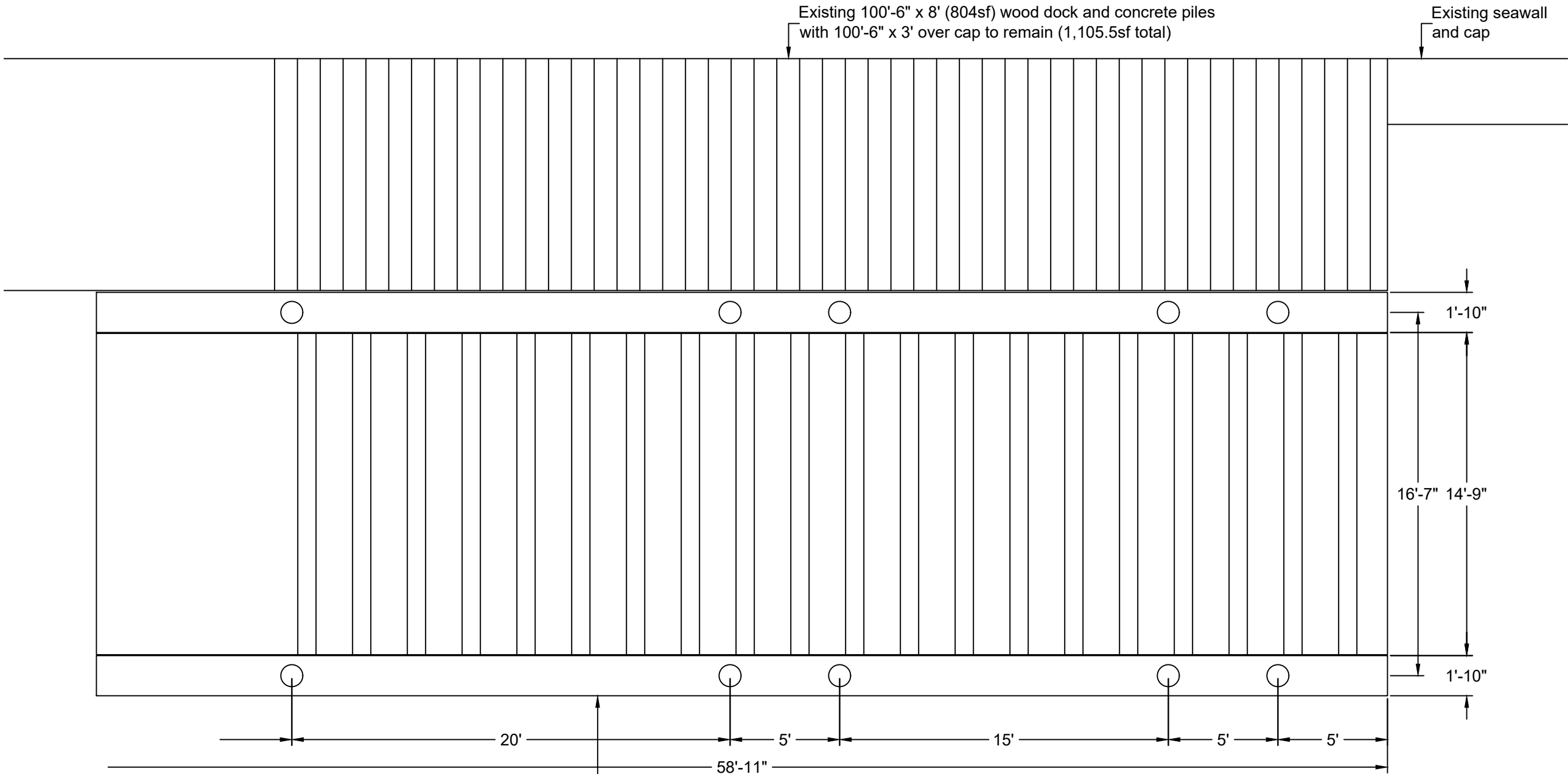
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Sheet 2 of 6
CAM #26-0535



No Profile Boat Lift Plan View
Scale: 3/16" = 1'-0"

Proposed Neptune 50,000lb No Profile
Boat Lift on (10) 12"Ø wood piles
(1,085 sq. ft. over water)

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Scale 1/4"= 1'-0"

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WWW.MwEngineering.net

Contractor

**SOUTHEAST MARINE
CONSTRUCTION, INC**

1121 NW 51 Court
Fort Lauderdale, FL 33309
(954) 630-2300

Project Information

New Boat Lift Platform

1622 Brickell Drive Inc
1614 *Brickell Drive*
Fort Lauderdale, FL 33301

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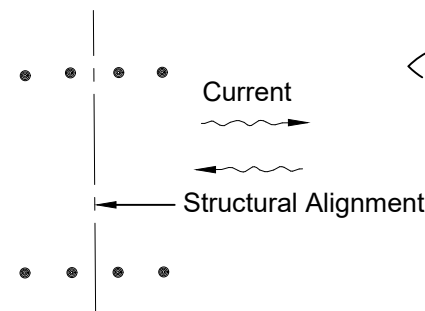
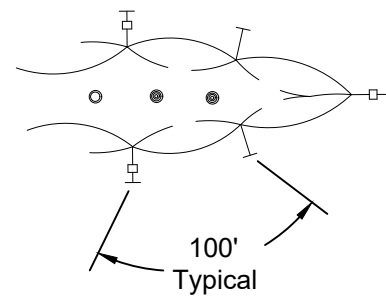
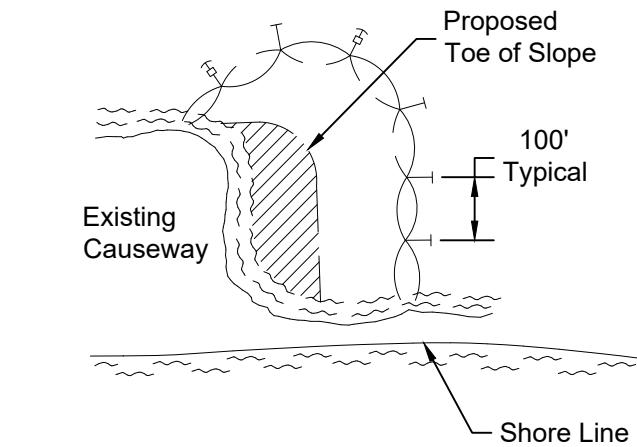
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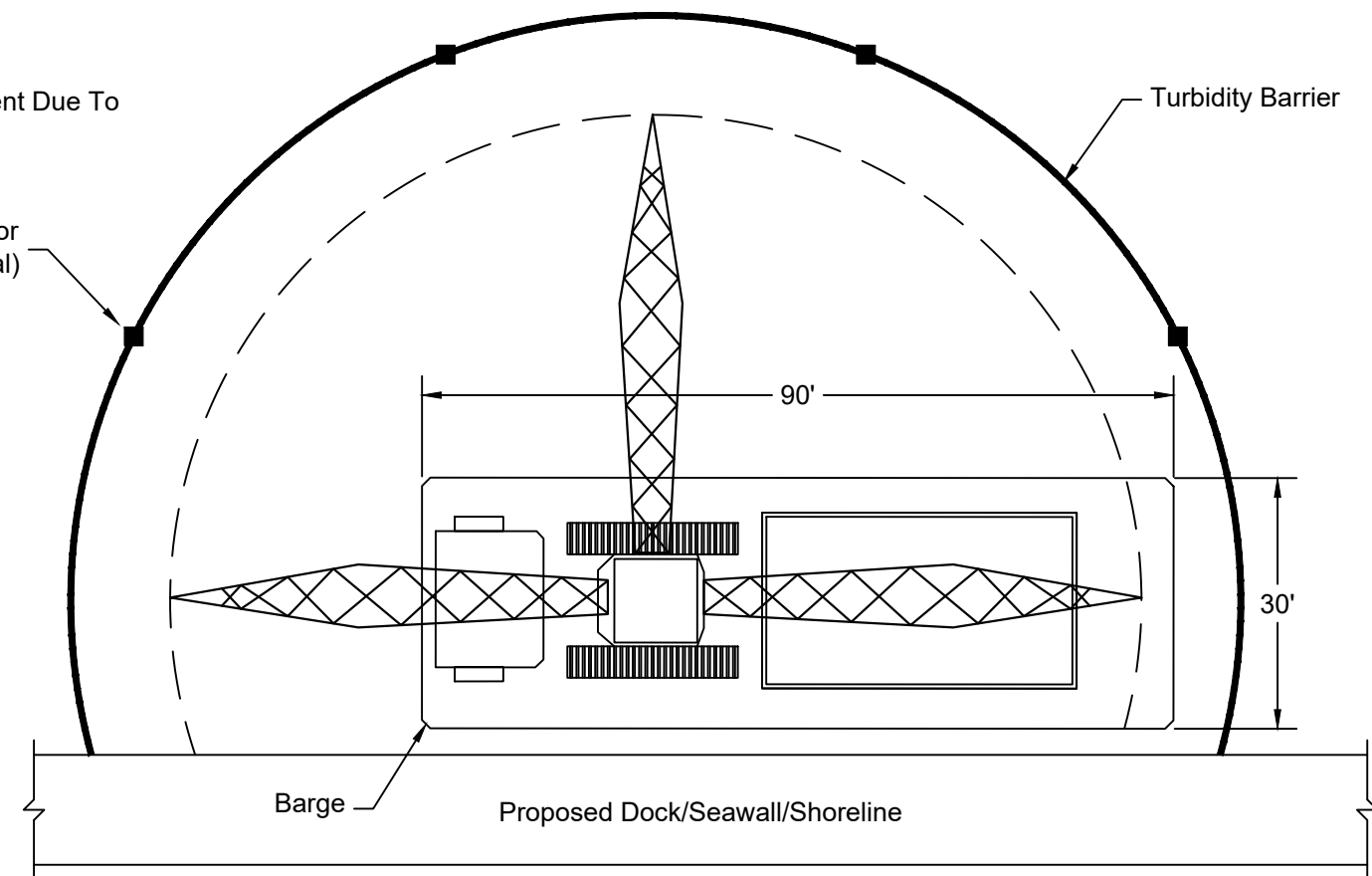
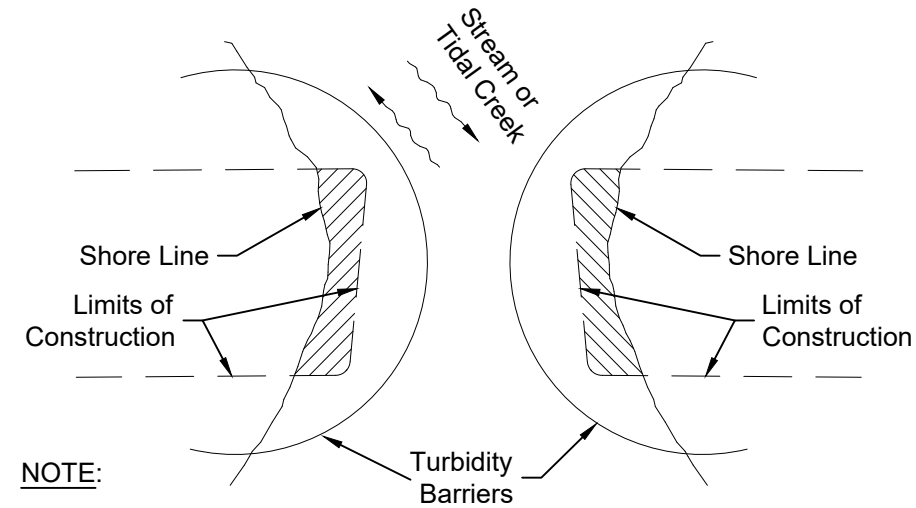
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Ofc: 954-532-0129
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Sheet 4 of 6

CAM #26-0535



- LEGEND**
- Pile Locations
 - Dredge or Fill Area
 - Mooring Buoy with Anchor
 - Anchor
 - Barrier Movement Due To Current Action
 - Stake or Anchor every 100' (typical)



TURBIDITY BARRIER APPLICATIONS

Turbidity barriers are to be used in all permanent bodies of water

Number and spacing of anchors dependent on current velocities.

Deployment of barrier around pile locations may vary to accommodate construction operations.

Navigation may require segmenting barrier during construction

For additional information see Section 104 of the Standard

Consultant

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Project Engineer

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Contractor

SOUTHEAST MARINE CONSTRUCTION, INC
1121 NW 51 Court
Fort Lauderdale, FL 33309
(954) 630-2300

Project Information

New Boat Lift Platform
1622 Brickell Drive Inc
1614 Brickell Drive
Fort Lauderdale, FL 33301

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Sheet 5 of 6

Licensed 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. The Licensed Contractor and all subcontractors are responsible for all lines, elevations, and measurements

Do not scale drawings for dimensions

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

Licensed Contractor to verify location of existing utilities prior to commencing work

The Licensed contractor to install and remove all shoring and bracing as required for the proper execution of the work

Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies

Wood piling to be 10"Ø minimum 2.5 lb. ACQ treated in accordance with the Florida Building Code.

Piles shall be driven to a minimum allowable bearing capacity of 10 tons for wood, 25 tons for concrete, and 5 tons for pin piles, a minimum of 8' into berm or refusal.

Piles to be driven with a drop hammer or gravity hammer. The hammer weight shall not be less than 3,000 lbs and the fall shall not exceed 6 feet

All hardware to be galvanized or stainless steel unless otherwise noted

Design in accordance with Florida Building Code 8th Edition (2023)

Consultant

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LICENSE #53895 | CA 30702

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Pompano Beach, Florida 33060
Ofc: 954-532-0129
WWW.MwEngineering.net



Public Works and Environment Services Department

ENVIRONMENTAL PERMITTING DIVISION

1 North University Drive, Mailbox 201, Plantation, Florida 33324 • 954-519-1483 • FAX 954-519-1412

December 22, 2025

1622 Brickell Drive INC
c/o: David Pain
401 E Las Olas Blvd #130-310,
Fort Lauderdale, FL 33301
via E-mail: David.Pain@1622brickelldrive.com

Dear Mr. Pain:

This is to notify you of the Public Works and Environment Services Department's action concerning your application received November 7, 2025, for authorization to install a new platform boat lift at your property located at 1614 Brickell Dr, Fort Lauderdale, FL 33301. The application has been reviewed for an Environmental Resource License.

Broward County - Environmental Resource License (ERL) Review – Granted

The Department has reviewed the project for compliance with Aquatic and Wetland Resource Protection Ordinance Sec. 27-331 through 27-341 of the Broward County Code. Based on the information submitted, Environmental Resource License No. **DF25-1359** is hereby issued. The above-named licensee is hereby authorized to perform the work per the approved drawings(s), plans, documents and specifications as submitted by the licensee, and made a part hereof. The above-mentioned approvals will remain in effect subject to the attached Broward County General Conditions, Broward County Specific Conditions, and stamped exhibits.

The issuance of this license is 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 Ordinances (excerpt attached).

Sincerely,

Michelle Decker for
Linda Sunderland, PWS
Environmental Program Supervisor

December 17, 2025
Date

ENC:

1. Environmental Resource License
2. Sec. 27-14 Administrative Review Procedures (4 pages)
3. One copy of stamped drawings (6 pages)

cc:

1. Blake Thomas (Unlimited Permit Services) (via e-mail)

ENVIRONMENTAL RESOURCE LICENSE

LICENSEE:

**1622 Brickell Drive INC
c/o: David Pain
401 E Las Olas Blvd #130-310,
Fort Lauderdale, FL 33301**

LICENSE NO: DF25-1359

PROJECT:

**Single Family Residence –
Platform Boat Lift Construction**

This license is issued under the provision of Chapter 27 of the Broward County Code of Ordinances also cited as Broward County Natural Resource Protection Code hereinafter called the Code. The above-named applicant, hereinafter called licensee, is hereby authorized to perform the work or operate the facility shown on the approved drawing(s), plans, documents, and specifications as submitted by applicant, and made a part hereof and specifically described as follows:

Description of Work: This project involves: (1) existing 206.39' long seawall, 3' wide cap, (with 1' 4" of cap overhang), 100.5' x 8' dock, (9' 4" wide over water), piles, and rip rap to remain; (2) installation of a 58' 11" x 18' 5" 50,000 lb platform boatlift on 10 wood piles. The total area of all over water structures, including 275.2 sq ft of cap overhang, 804 sq ft of dock, and 1,085 sq ft platform boat lift, will be 2,164.2 sq ft.. This license does not authorize dredging, nor does it authorize impacts to mangroves, seagrasses or any other natural resources.

Location of Work: This project is located at 1614 Brickell Dr, Fort Lauderdale, FL 33301. Folio Number 504211012040.

Construction shall be in accordance with submitted ERL Application Form received on 11/7/2025, and all additional information submitted; plans stamped by the Department (attached); and with all general and Specific Conditions of this license.

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations and restrictions set forth herein are accepted by the licensee and enforceable by Public Works and Environmental Services Department (PWESD) pursuant to Chapter 27 of the Broward County Code of Ordinances. PWESD will review this license periodically and may revoke the license, initiate administrative and/or judicial action for any violation of the conditions by the licensee, its agents, employees, servants or representatives or principals.
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 and enforcement action by PWESD.
3. In the event the licensee is temporarily unable to comply with any of the conditions of the license, the licensee shall notify PWESD within twelve (12) hours. Within five (5) working days of the event, the licensee shall submit a written report to PWESD that describes the incident, its cause, the measures being taken to correct the problem and prevent its reoccurrence, the owner's intention toward repair, replacement, and reconstruction of destroyed facilities, and a schedule of action leading toward operation within the license conditions.
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 the 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 permitted source, that are submitted to PWESD, may be used by PWESD as evidence in any enforcement proceeding arising under Chapter 27 of the Broward County Code of Ordinances, except where such use is prohibited by § 403.111, F.S.
7. The licensee agrees to comply with Chapter 27 of the Broward County Code of Ordinances, as amended.
8. Any new owner 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 the transfer of license. The transferee shall also be liable for performance in accordance with the license.
9. The licensee, by acceptance of this license, specifically agrees to allow access to the licensed source at reasonable times by PWESD 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 that may be required for other aspects of the total project.
11. 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.
12. In addition to the general conditions set forth above, each license issued by PWESD shall contain specific conditions determined by site conditions and requirements pursuant to the regulations as determined by the director of PWESD. The licensee agrees that specific conditions are enforceable by PWESD for any violation thereof.
13. Enforcement of the terms and provisions of this license shall be at the reasonable discretion of PWESD, and any forbearance on behalf of PWESD 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 PWESD's rights hereunder.

SPECIFIC CONDITIONS:

A. STANDARD CONDITIONS

1. **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 may result in enforcement action.
2. Any project causing environmental problem(s) shall be reported immediately to the Department's Environmental Response Line at 954-519-1499.
3. All project generated solid waste and/or spoil material must be disposed of in a suitable approved manner in accordance with current regulations at an upland location (not including surface waters and wetlands).
4. 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.**
5. 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.**
6. 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].

B. CONSTRUCTION CONDITIONS

1. The platform boatlift shall have a maximum over water width of 18' 5" with an over-water area of 1,085 square feet, and shall otherwise be constructed as shown on the attached drawings.
2. No dredging is authorized by this license. No mangrove impacts are authorized by this license.
3. If the approved license drawings and/or license attachments/plans conflict with the specific conditions, then the specific conditions shall prevail.
4. Demolition and construction related debris must be disposed of at an approved upland location and may not be left in the waterway.
5. 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.

C. TURBIDITY CONDITIONS

1. All watercraft associated with the proposed work and/or use of the permitted structure shall only operate within waters of sufficient depth to preclude bottom scouring or prop dredging.
2. The contractor shall be responsible for having functional turbidity monitoring equipment on site during all construction activities and shall be responsible for training construction personnel in its calibration, operation, and related license requirements.

3. 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 call in number immediately at (954) 519-1499, referencing the license number and project name.
 - (c) Stabilize all exposed material contributing to the water quality violation. Identify and remedy the work procedures that were responsible for the violation (i.e. dredging too rapidly, excessive tidal flow, etc.) and install more turbidity containment devices and/or repair any non-functioning turbidity containment devices.
4. Single turbidity screens, booms, curtains, or equivalent shall be affixed, anchored, or weighted to the existing seawall (not attached to the barge), shall span from water's surface to the substrate and shall be maintained as necessary during construction activities to minimize migration of turbidity into the adjacent waterway.
5. Connected turbidity curtain segments shall be overlapped and tied at the top and bottom to prevent turbidity from escaping through gaps between segments.
6. Turbidity curtains shall be deployed to effectively encapsulate the work area without impeding navigation in public waterways.

D. STANDARD SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

1. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
2. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
3. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
4. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
5. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
6. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824- 5312) and the local authorized sea turtle stranding/rescue organization.
7. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.

E. STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.
6. 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 <https://myfwc.com/wildlifehabitats/wildlife/manatee/education-for-marinas/>. Questions concerning these signs can be sent to the email address listed above.

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

Recommended for approval by:

Teagan Kuckkahn
License Processor

Issued this 22nd day of December 2025

Expiration Date: December 22nd, 2027

BROWARD COUNTY RESILIENT ENVIRONMENT DEPARTMENT

Michelle Decker for
LINDA SUNDERLAND, PWS
ENVIRONMENTAL PROGRAM SUPERVISOR
ENVIRONMENTAL PERMITTING DIVISION

Sec. 27-14. Administrative review of PWESD determinations.

- (a) 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 made pursuant to this chapter concerning:
 - (1) The requirement that a facility or activity obtain a license or environmental review approval.
 - (2) Interpretations of license or environmental review approval conditions.
 - (3) Interpretations of variance conditions.
 - (4) The decision to suspend or revoke a license or environmental review approval.
 - (5) The requirement of certain license conditions.
 - (6) The issuance of a license or environmental review approval.
 - (7) The denial of a license or environmental review approval.
 - (8) The scope of a license or environmental review approval, geographic or otherwise.
 - (9) The scope of a variance, geographic or otherwise.
 - (10) The issuance of a stop work order.
 - (11) Similar final administrative determinations.

This administrative review procedure shall be the only means of review available for the above final administrative determinations by either the petitioner or the intervenor (the parties).

- (b) person may not obtain review by this procedure of:
 - (1) The issuance or adjudication of or other matters involving a notice of violation or a citation.
 - (2) Internal policy decisions
- (c) A person desiring a review of a staff determination made pursuant to this Chapter shall first bring the determination to the attention of the appropriate section supervisor to attempt to resolve the matter. If a resolution cannot be reached, then the decision shall be reviewed by successive supervisory levels until the issue is resolved or reaches the level of the director or his or her designee for the final determination.
- (d) A person desiring administrative review of a final determination made by the director or the designee shall file a petition with the director for review by the hearing examiner. The petition shall be filed within ten (10) days from the rendition of the action taken or of the decision made by the director. An entity whose license or approval is being challenged shall be a party to the action.
- (e) The review shall not be heard until the provisions of subsection (f) are met. Upon motion to the hearing examiner, an insufficient petition shall be dismissed with or without leave to refile. If a petition is determined to be insufficient by the hearing examiner and the petitioner has been given leave to refile by the hearing examiner, unless otherwise ordered by the hearing examiner, the petitioner must refile within ten (10) days of the rendition of the order of dismissal or the petition will be dismissed with prejudice.

- (f) A sufficient petition for review or petition for intervention in the review shall, at a minimum, contain the following information:
- (1) The nature of the determination sought to be reviewed.
 - (2) A short, plain statement of the facts which form the subject matter upon which the determination was made as asserted by all parties of record at the time that the petition is filed; a statement of the material facts in dispute, if any. If any party is unable to state the matters in sufficient detail at the time initial petition is filed, the petition may be limited to a statement of the issues involved; and thereafter, upon timely written motion, a more definite and detailed statement shall be furnished not less than seven (7) days prior to the date set for the hearing.
 - (3) The specific determination for which the review is sought.
 - (4) The specific legal grounds upon which the parties seek review of the determination.
 - (5) A short statement of the petitioner's or the intervenor's substantial interest in the matter to be reviewed.
 - (6) The specific section of this chapter on which the decision is based, if known, and the specific section that the parties allege should control the decision, if known.
 - (7) A copy of the director's or the designee's written final determination.
 - (8) A statement of the relief requested stating precisely the action that the petitioner wants PWESD to take with respect to the final determination.
- (g) All pleadings or other documents filed in the proceeding must be signed by a party, the party's attorney, or the party's qualified representative. The signature of a party, the party's attorney or a party's qualified representative constitutes a certificate that he or she has read the pleading or other document and that to the best of his or her knowledge, information, and belief formed after reasonable inquiry, it is not brought for any improper purposes, such as to harass or to cause unnecessary delay or for frivolous purpose or needless increase in the cost of litigation. If a pleading or other document is signed in violation of these requirements, the hearing examiner, upon motion or his or her own initiative, shall dismiss the matter.
- (h) A petitioner or intervenor may request an emergency hearing to stay all activities or work conducted pursuant to the challenged license or approval. Such petitioner or intervenor has the burden of proof to show by a preponderance of the evidence that the continued activities would cause substantial pollution or degradation to the environment. An emergency hearing shall be scheduled by PWESD and be held within five (5) days of said request or as soon thereafter as possible subject to the availability of the hearing examiner. The petitioner or intervenor shall comply with the notice provisions of section 27-14(j)(2)a. and c. and section 27-14(j)(3) and (4) of this chapter.
- (i) The petition for review will not stay environmental protection activities required for the remediation or mitigation of a site or facility, the protection of the environment or the health, safety and welfare of the citizens of Broward County, or the prevention of further environmental degradation. The person responsible for these activities must take all necessary steps to prevent environmental degradation and must conduct the remediation or mitigation activities required by this chapter. The director may allow these activities to be delayed until after the hearing examiner's decision by certifying to

the hearing examiner that, by reason of facts stated in the certificate, a delay in the initiation or completion of these activities would not cause substantial environmental degradation or peril to life or property. The delay for conducting these activities may be subject to appropriate terms to ensure protection of the environment. The person responsible for these activities shall be responsible for any environmental damage or any violation of this chapter caused by the delay.

(j) Notice and Scheduling Requirements:

- (1) The hearing on the review shall be scheduled within a reasonable time. It shall be the responsibility of the petitioner to request through PWESD that the hearing date be scheduled. It shall also be the responsibility of the petitioner to give notice in accordance with this section at least ten (10) days prior to the hearing.
 - (2) The petitioner shall give notice of the hearing by:
 - a. Giving personal notice to all proper parties; and
 - b. Publishing notice on two (2) days in a newspaper of general circulation in the county; and
 - c. Posting notice at a location determined by the Broward County Administrator's Office.
 - (3) The petitioner shall bear the cost of giving notice.
 - (4) The notice shall contain, at a minimum:
 - a. A description and location of the facility or the activity to be conducted by the petitioner; and
 - b. The time and place of the hearing.
- (k) The petitioner shall bear the cost of accurately and completely preserving all testimony and providing full or partial transcripts to all parties.
- (l) The hearing shall be a quasi-judicial hearing.
- (1) The applicant/petitioner requesting the administrative review, any intervenor/petitioner and PWESD shall have an opportunity to respond to and to present witnesses, other evidence and argument on all issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of facts and orders, and to be represented by counsel. Members of the general public who are not intervenors as set forth in Section 27-14 of this chapter are not parties to the proceeding.
 - (2) When appropriate, the general public may be given an opportunity to present oral or written communications. If the hearing examiner proposes to consider such material, then all parties shall be given an opportunity to cross-examine, challenge or rebut it.
- (m) Denial, protest of, revocation, or suspension of a license, environmental review approval, or any other approval:
- (1) In regard to denial or protest of approval of a license and any other review of an administrative decision, notwithstanding (2) below, the petitioner shall have the burden of showing, by a preponderance of the evidence, that the determination of the director was an arbitrary and/or capricious abuse of discretion, not supported by competent, substantial evidence or not in conformance with the

essential requirements of this chapter. The hearing examiner shall not substitute his or her judgment for that of PWESD on an issue of discretion even though the hearing examiner may have reached a different conclusion based on the same facts.

- (2) In an action to revoke or suspend a valid license or approval, the burden shall be upon PWESD to prove, by a preponderance of the evidence in an administrative hearing, the grounds for revocation or suspension. The license holder or approval recipient shall be provided notice of the hearing and a copy of the petition stating the grounds for revocation or suspension as provided in section 27-63 of this chapter. The petition shall state with specificity the acts complained of in order to allow the license holder or approval recipient an opportunity to prepare a defense. The hearing shall be conducted in accordance with the provisions of Section 27-37 of this chapter.
- (n) Findings of fact shall be based exclusively on the evidence of record and on matters officially recognized.
- (o) If the hearing examiner finds that the director or his or her designee has erroneously interpreted a provision and that a correct interpretation compels a particular action, he or she shall remand the case to the director or his or her designee for further action under a correct interpretation of the provision.
- (p) The hearing examiner shall complete and submit to the director and all parties a final order consisting of his or her findings of fact and conclusions of law.
- (q) A party to the hearing may obtain appellate review of the final order as provided by section 27-42 of this chapter.
- (r) A petitioner or intervenor shall pay a filing fee at the time the application for review is filed. The amount of the filing fee shall be set by resolution of the Board.

(Ord. No. 2003-34, § 1, 9-23-03; Ord. No. 2005-08, § 2.03, 4-26-05)
Secs. 27-15--27-19. Reserved.

See attached survey supplied by owner for exact property information.
No tree will be removed or replanted as part of this permit

Parcel Information

Parcel Id: **504211012040**

Owner: **1622 BRICKELL DRIVE INC**

Situs Address: **1614 BRICKELL DR FORT LAUDERDALE FL 33301**

Legal: **COLEE HAMMOCK 1-17 B LOTS 5,6,7,8 BLK 36**

Consultant

UNLIMITED PERMIT SERVICES, INC
Marine Design & Consulting
902 NE 1st Street #2
Pompano Beach, FL 33060
(954) 532-0129
Office@unlimitedps.net

Project Engineer

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Ofc: 954-532-0129
WWW.MwEngineering.net

Contractor

SOUTHEAST MARINE CONSTRUCTION, INC
1121 NW 51 Court
Fort Lauderdale, FL 33309
(954) 630-2300

Project Information

New Boat Lift Platform
1622 Brickell Drive Inc
1614 Brickell Drive
Fort Lauderdale, FL 33301

DATE

10-17-25	12-3-25	
10-20-25		
10-21-25		
10-22-25		

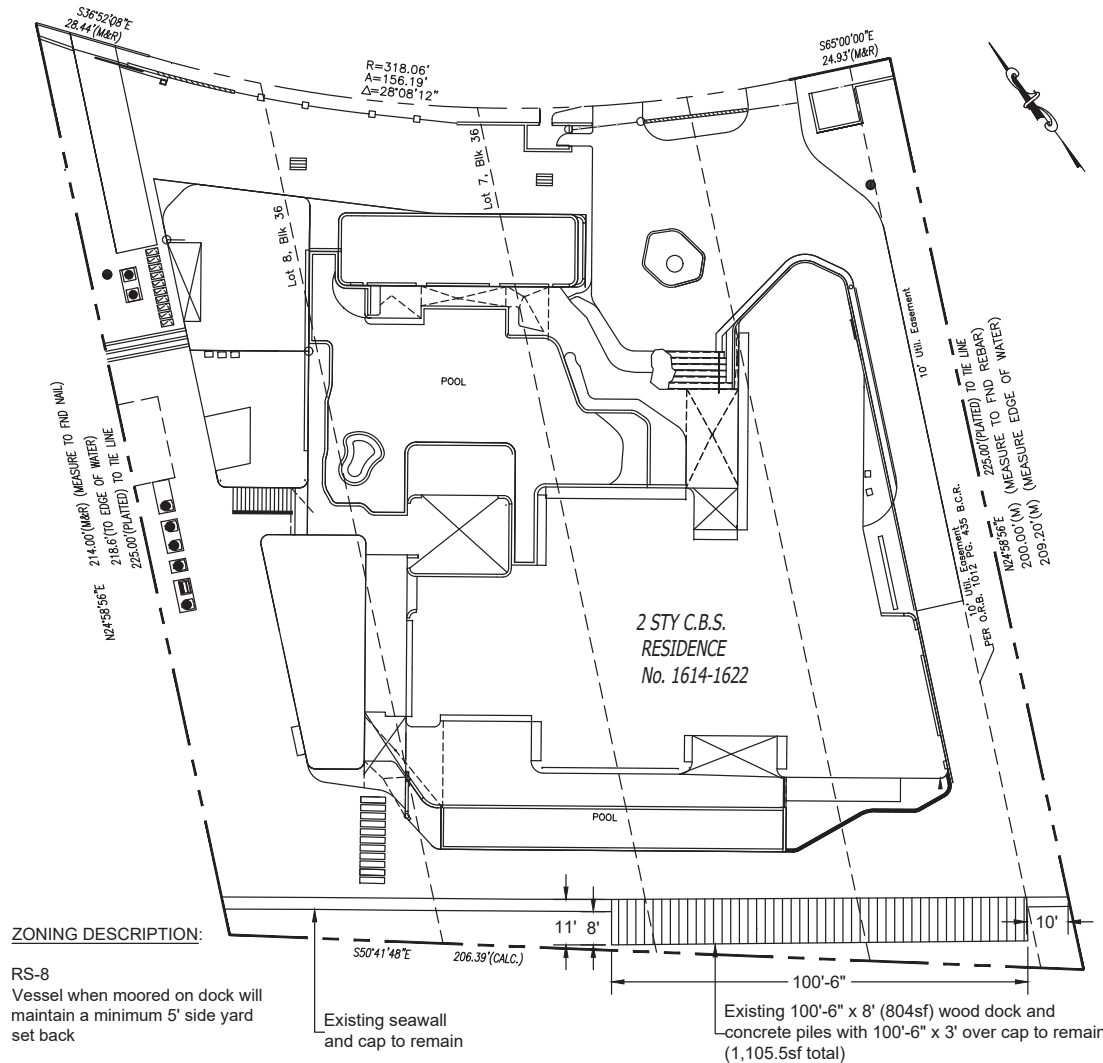
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by Mark E Weber
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MARK E. WEBER, P.E.
LICENSE #53895 | CA 30702

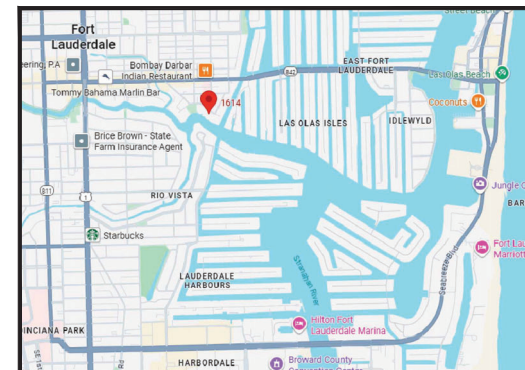
MW ENGINEERING, INC
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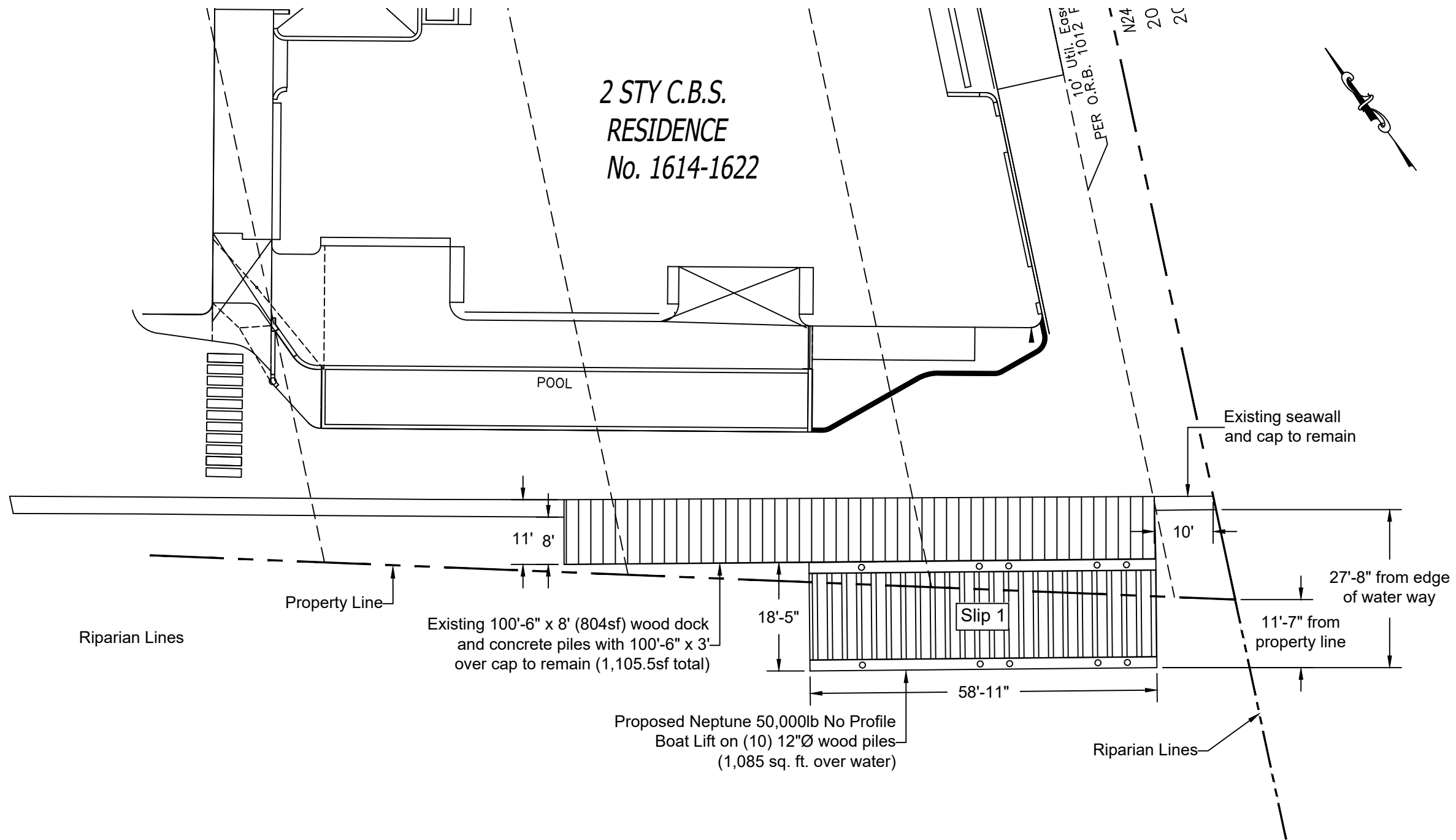
Sheet 1 of 6



NEW RIVER
(RIGHT OF WAY WIDTH UNKNOWN)

Location Map





maintain a minimum 5' side yard set back

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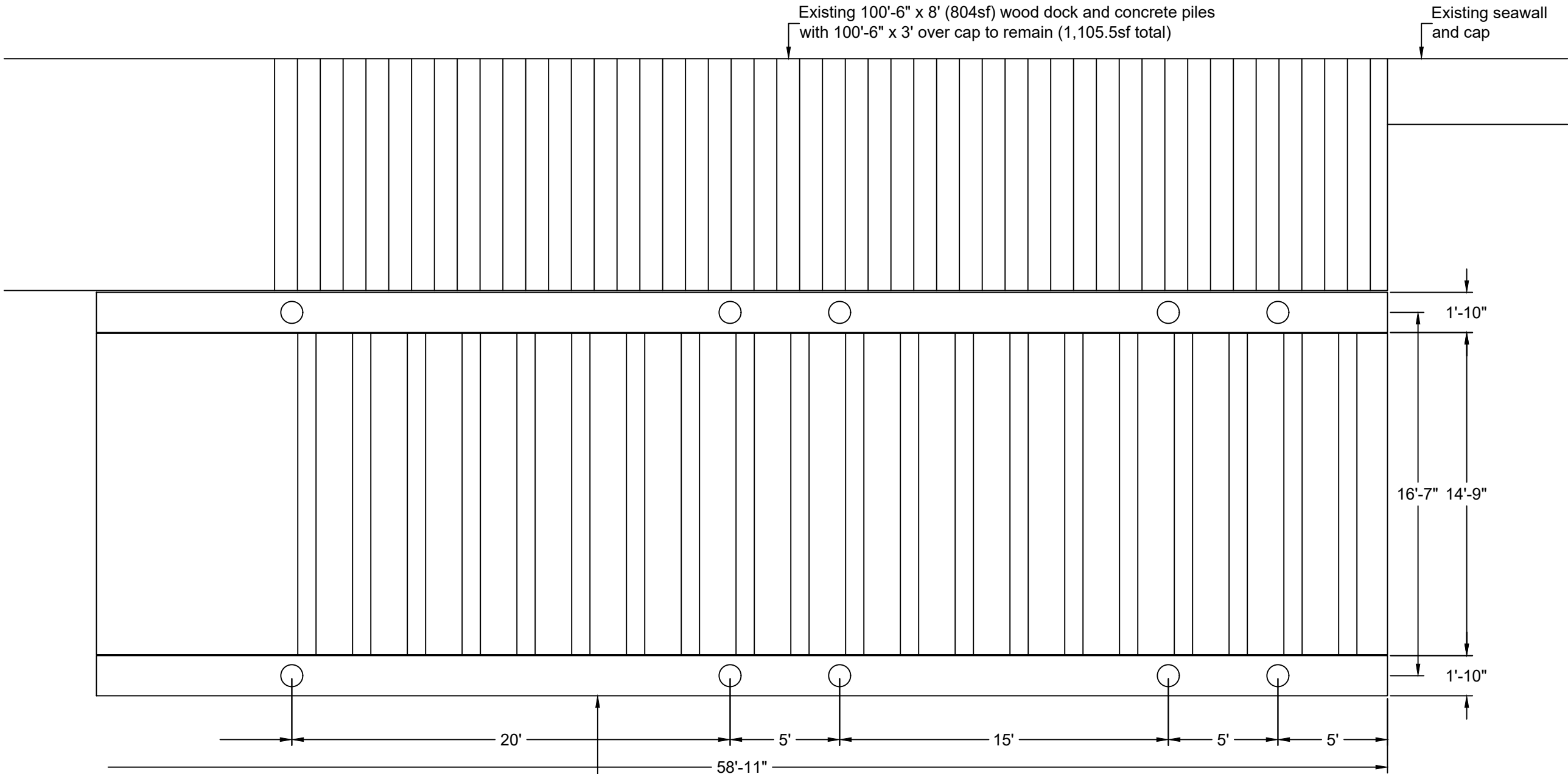
Project Information
New Boat Lift Platform
1622 Brickell Drive Inc
1614 Brickell Drive
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Sheet 2 of 6
CAM #26-0535



No Profile Boat Lift Plan View
Scale: 3/16" = 1'-0"

Proposed Neptune 50,000lb No Profile
Boat Lift on (10) 12"Ø wood piles
(1,085 sq. ft. over water)

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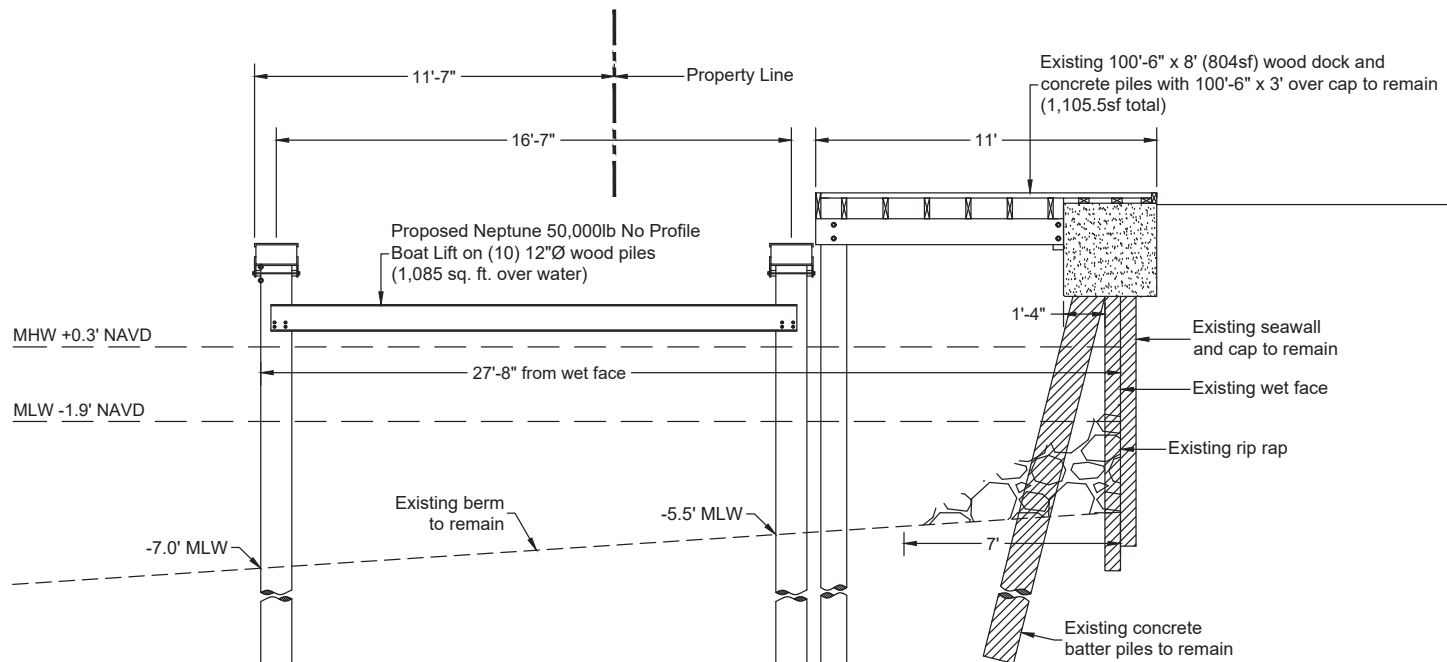
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No Profile Boat Lift Section

Scale 1/4" = 1'-0"

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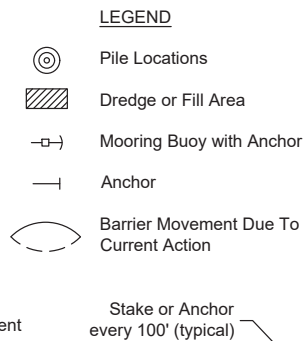
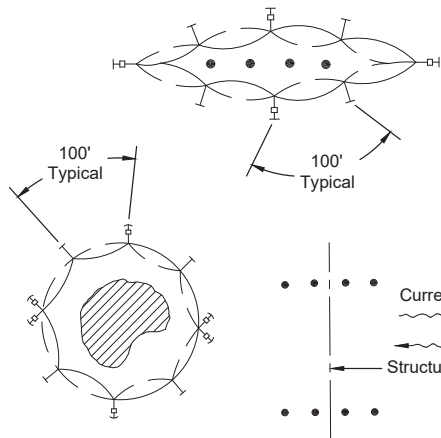
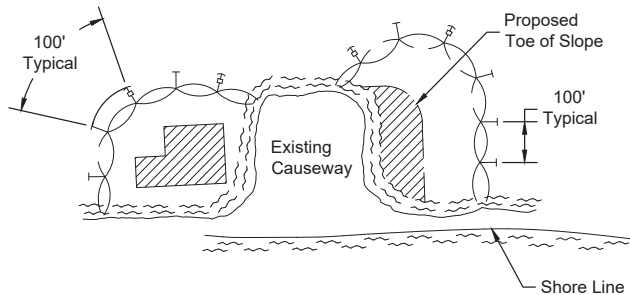
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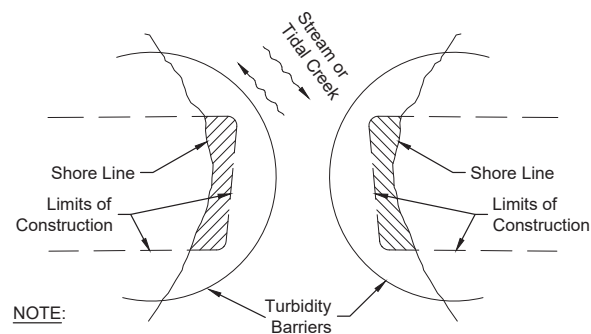
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Sheet 4 of 6

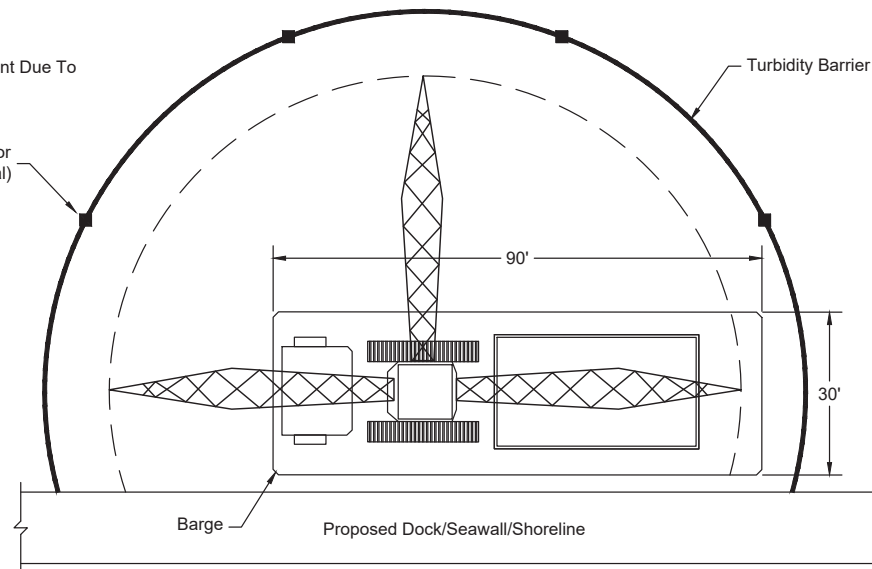


NOTES:

1. Turbidity barriers are to be used in all permanent bodies of water regardless of water depth.
2. Number and spacing of anchors dependent on current velocities.
3. Deployment of barrier around pile locations 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 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 Contractors 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 of Record.



TURBIDITY BARRIER APPLICATIONS

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Ofc: 954-532-0129
WWW.MwEngineering.net

Sheet 5 of 6

General Notes:

1. Licensed 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. The Licensed Contractor and all subcontractors are responsible for all lines, elevations, and measurements
2. Do not scale drawings for dimensions
3. 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
4. Licensed Contractor to verify location of existing utilities prior to commencing work
5. The Licensed contractor to install and remove all shoring and bracing as required for the proper execution of the work
6. Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies
7. Wood piling to be 10"Ø minimum 2.5 lb. ACQ treated in accordance with the Florida Building Code.
8. Piles shall be driven to a minimum allowable bearing capacity of 10 tons for wood, 25 tons for concrete, and 5 tons for pin piles, a minimum of 8' into berm or refusal.
9. Piles to be driven with a drop hammer or gravity hammer. The hammer weight shall not be less than 3,000 lbs and the fall shall not exceed 6 feet
10. All hardware to be galvanized or stainless steel unless otherwise noted
11. Design in accordance with Florida Building Code 8th Edition (2023)

Consultant

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1622 Brickell Drive Inc
1614 Brickell Drive
Fort Lauderdale, FL 33301

DATE

10-17-25	12-3-25	
10-20-25		
10-21-25		
10-22-25		

This item has been digitally signed and sealed by Mark E. Weber, P.E. on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies." (F.S., Chapters 471.025 and F.A.C., Rule 61G15-23.004)."



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LICENSE #53895 | CA 30702

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