

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	\$2,636,306	_____	_____	_____	_____
External Revenues	(450,000)	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	\$2,186,306	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____
Is Item Included in Current Budget?	Yes <u>X</u>		No _____		
Budget Account No.:	Fund <u>var</u>	Department <u>var</u>	Unit <u>var</u>		
	Object <u>var</u>				

B. Recommended Sources of Funds/Summary of Fiscal Impact:

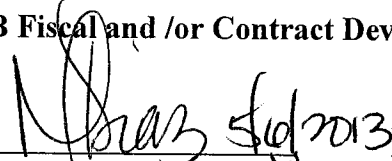
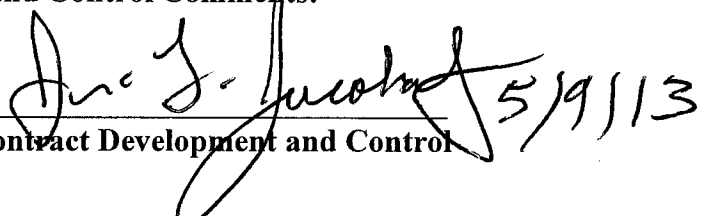
3054-6459	FDOT – APJ-29 Snook Island Mitigation	\$450,000
3038-3079	Parks Waterfront Access Bond	400,000
1225-3079	Vessel Registration Trust Fund	500,000
1220-3079	Sweep From South Cove Project – Manatee Protection	398,132
1220-3079	Sweep from Jupiter Ridge Shoreline Project – Manatee	491,393
1220-3079	Fullerton Island Project – Manatee Protection	396,781

C. Department Fiscal Review:

JP


III. REVIEW COMMENTS

A. OFMB Fiscal and /or Contract Dev. and Control Comments:

 5/6/2013
  5/9/13

OFMB *AK* 5/6/13 cc 5/6/13 *AK* 5/6
 Contract Development and Control

B. Legal Sufficiency:


 Assistant County Attorney

C. Other Department Review:

 Department Director

Continued from page 1

Background and Justification: On May 19, 2009, the Board of County Commissioners approved APJ-29 (R2009-0864) with the Florida Department of Transportation to create a wetland project in the Lake Worth Lagoon to mitigate for resource impacts associated with the planned replacement of bridges within Palm Beach County.

On June 19, 2012, the Board of County Commissioners approved Project #2012ERM02 (R2012-0907) with ATL for the construction of the Project, which included the placement of fill within the Snook Islands Phase II and Bryant Park locations. The Project is designed to provide mitigation credit for resource impacts associated with bridge replacement by both FDOT and the County as well as impacts associated with dredging at the South Lake Worth Inlet. The amount of fill necessary to complete the project is greater than originally estimated due to the compaction and displacement of muck sediments within the dredge holes.

Fullerton Island Restoration Project is being constructed by Palm Beach County in cooperation with the Town of Jupiter (R2011-1634) and The South Florida Water Management District (R2012-0728). A major component of that project is to remove stockpiled spoil material to an elevation that will allow for recruitment of mangrove and seagrass habitat. Initially, and until the fill need was realized at Snook Islands, the Fullerton Project scrape-down material was planned to be barged and trucked to an upland spoil disposal site. Barging the material directly to the now available Snook Islands site will result in a net reduction of material acquisition and handling costs by an estimated \$724,300.

It would be possible to bid the Fullerton Project site with an expectation that the newly selected contractor would take the material to Snook Islands. However, the County would incur significant unavoidable costs to do so. The Snook Islands site would have to be stabilized with rock to ensure that material remained in place during the transistion. This rock may have to be moved and stored, on the water, when construction resumes. Also, new mobilization costs would be incurred with a new contract at Fullerton. Lastly, we would be unable to complete the work in time to satisfy the DOT Funding Agreement.

CHANGE ORDER NO.: 2

(Mark applicable category:)

- | | |
|---|--|
| <input type="checkbox"/> Owner Initiated | <input type="checkbox"/> Quantity Overruns/Underruns |
| <input checked="" type="checkbox"/> Differing Site Conditions | <input type="checkbox"/> Request By Another Agency/Outside Party |
| <input type="checkbox"/> Zoning/Code/Ordinance Changes | <input checked="" type="checkbox"/> A. Reimbursable |
| <input type="checkbox"/> Errors/Omissions/In Design | <input type="checkbox"/> B. Non-Reimbursable |
| | <input type="checkbox"/> Other |

PROJECT: FDOT & County Wetland Mitigation
PROJECT NO.: 2012ERM02

(Contractor): Contractor's Name
 Arbor Tree and Land, Inc.

CONTRACT RESOL. NO.	<u>R2012-0907</u>
COMMISSIONER DISTRICT NO.:	<u>1,3</u>
CONTRACT DATE:	<u>Jun 19, 2012</u>
NOTICE TO PROCEED DATE:	<u>Jul 13, 2012</u>
COMMENCEMENT DATE:	<u>Jul 26, 2012</u>
BUDGET LINE ITEM:	<u>3654-381-E459-3401</u>
	<u>1226-380-3079-3401</u>
	<u>1225-380-3079-3401</u>
	<u>3038-381-E459-3401</u>

You are directed to make the following Contract change(s):

Additional work to meet the fill requirements of the project include the excavation and hauling of 60,000 CY of fill from Fullerton Island and placement at Bryant Park Wetlands Mitigation Site. Work on Fullerton Island includes clearing, surveying, excavating, final grading and placement of armor stone to stabilize the project area. The excavation of Fullerton Island will create an intertidal and seagrass basin and provide 60,000 CY of fill to complete the Bryant Park portion of the FDOT & County Wetland Mitigation work.

The above work shall be performed in accordance with the attached Proposal from ATL dated 4-24-2013, Construction Plans dated 4-30-2013 and FDEP Permit No. 50-0308809-001.

Net Authorized Amount of Change Order No. 2 **\$ 2,636,306.00**

NOT VALID UNTIL SIGNED BY COUNTY. SIGNATURE OF THE CONTRACTOR INDICATES HIS AGREEMENT HEREWITH INCLUDING ANY ADJUSTMENT IN THE CONTRACT SUM OR CONTRACT TIME, AND NO ADDITIONAL COST OR TIME INDICATED HEREIN WILL BE RELATED TO THIS CHANGE

The Original Contract Sum was	<u>\$ 4,431,641.00</u>
Net Change by previous Change Orders	<u>\$ 36,346.43</u>
The Contract Sum prior to this Change Order was	<u>\$ 4,467,987.43</u>
The Contract Sum will be increased by this Change Order	<u>\$ 2,636,306.00</u>
The New Contract Sum including this Change Order will be	<u>\$ 7,104,293.43</u>
The Contract Time will be increased/decreased by	<u>310 days</u>
The Date of Substantial Completion including this Change Order	<u>June 01, 2014</u>
The Date of Final Completion including this Change Order	<u>July 01, 2014</u>


Execution of this Change Order acknowledges final settlement of, and releases, all claims for costs and time associated, directly or indirectly, with the above stated modification(s), including all claims for cumulative delays or disruptions resulting from, caused by, or incident to such modification(s), and including any claim that the above stated modification(s) constitutes, in whole or part, a cardinal change to the contract.

CONTRACTOR

Arbor Tree & Land, Inc.
5796 Western Way
Lake Worth, FL 33463

OWNER

Palm Beach County, Florida
A Political Subdivision of the State of Florida
Board of County Commissioners

BY 
William Hodges, President

BY _____
Steven L. Abrams, Mayor

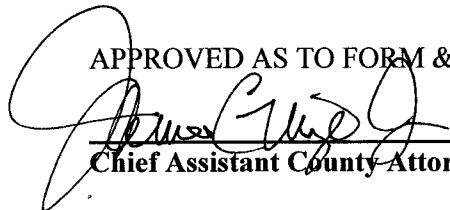
DATE 5-2-13

(Corporate Seal)

ATTEST:
Sharon R. Bock, Clerk & Comptroller

Deputy Clerk

APPROVED AS TO FORM & LEGAL SUFFICIENCY:



Chief Assistant County Attorney

APPROVED AS TO TERMS & CONDITIONS:



Daniel Bates, Deputy Director
Dept. of Environmental Resources Management



DISASTER RESPONSE & RECOVERY | DEBRIS MANAGEMENT & HANDLING | GENERAL CONTRACTING SERVICES | CGC #1520515

May 08, 2013

Mr. Carman Vare
Environmental Program Supervisor
Department of Environmental Resources Management
Palm Beach County
2300 North Jog Road
West Palm Beach, FL 33411

Dear Mr. Vare

**Subject : Request for Proposal
Snook Island Project receiving fill for Fullerton Island (Approximately 60,000 CY)**

Please let this letter serve as an Arbor, Tree & Land formal proposal for the above Request for Proposal.

Set up clearing operation to excavate fill from Fullerton Island, work from designated channel at Fullerton Island to load barge by conveyor onto barge and move this fill half way to Snook Island. Arbor Tree & Land expects to have 7 feet of water in the channel at low tide to move this fill at this price. This part of the project money is extra to Snook Island Project money and we will call this Fullerton Island (FI).

Items at Fullerton Island	UNIT	QUANTITY	UNIT PRICE	AMOUNT
Mobilization/Restoration	LS	1.00	\$50,000.00	\$50,000.00
Erosion/Turbidity control (include 6 pilings and 300 LF of turbidity curtain, silt fence between construction area and mangroves, 30 days of turbidity monitoring)	LS	1.00	\$35,000.00	\$35,000.00
Clearing/grubbing/burning all vegetation debris with air curtain or burn box system (includes burning permit and coordination)	LS	1.00	\$150,000.00	\$150,000.00
Excavation to grade, move to barge, load and haul partial way to Snook Island	CY	60,000.00	\$16.65	\$999,000.00



DISASTER RESPONSE & RECOVERY | DEBRIS MANAGEMENT & HANDLING | GENERAL CONTRACTING SERVICES | CGC #1520515

Placement 1565 Tons of 1-3

Armor stone at Fullerton Island	TON	1565.00	\$112.00	\$175,280.00
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Placement 435 Tons of bedding

stone at Fullerton Island (Filter fabric included)	TON	435.00	\$72.00	\$31,320.00
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Survey/Asbuilts	LS	1.00	\$34,706.00	\$34,706.00
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Items at Snook Island

Snook Island Contract Price

Haul second partial way to Snook Island, placement and final grading at Snook Island	CY	60,000.00	\$19.35	1,161,000.00
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Total \$2,636,306

Fullerton Island

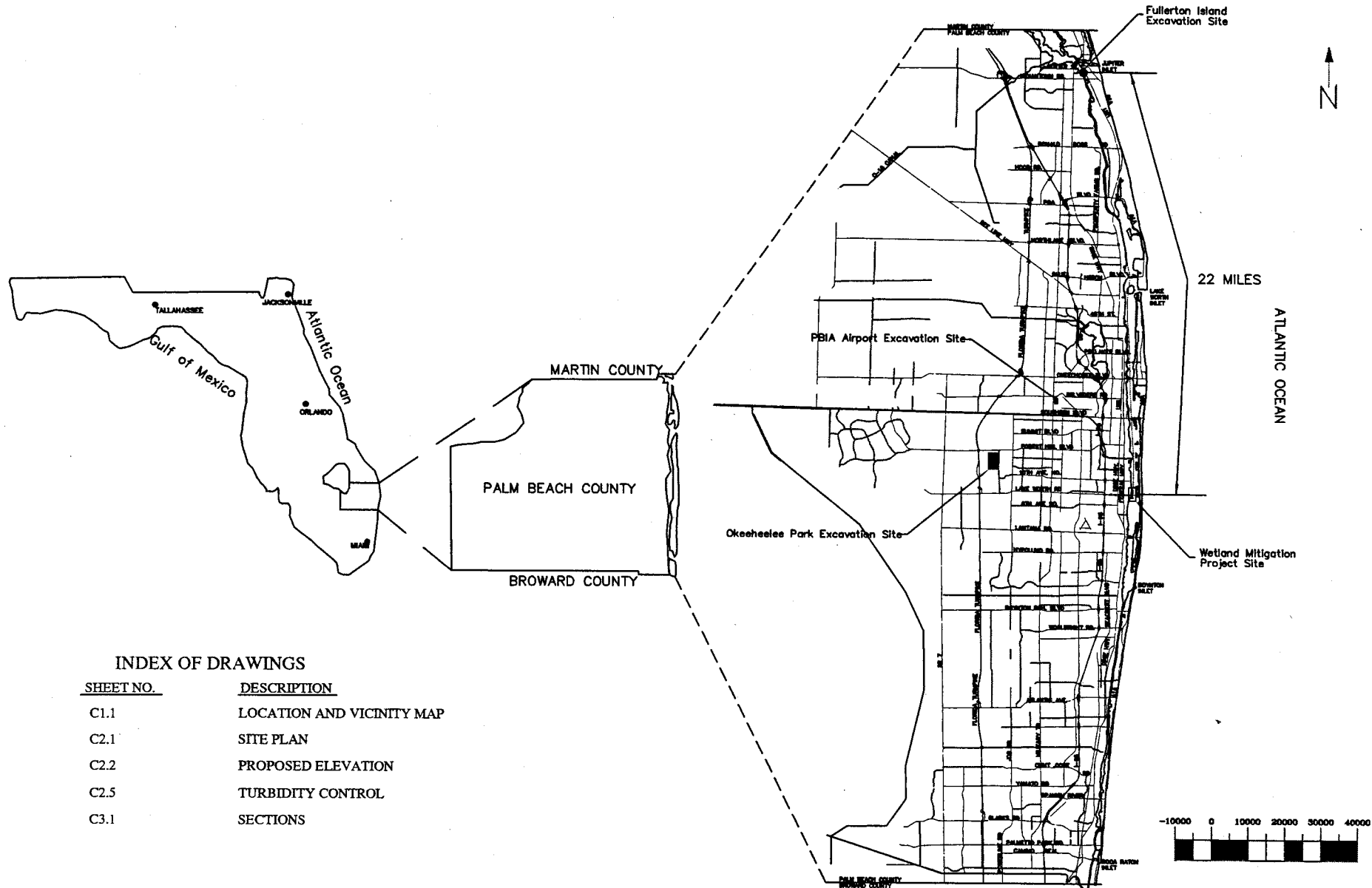
We will mobilize land clearing equipment, we are only charging for this. No mobilization charge for the fill placement operation because Snook Island project is already operating.

After all the clearing and burning is done, a barge with a hopper and a conveyor will be located at the NE part of the island where the future riprap is proposed. The excavation will begin at the south of the island and the material will be move to the north side of the island, then the conveyor will take the material to the barge that will take this material to Snook Island.

This project will be completed by June 1st 2014.

Sincerely,


William D. Hodges,
President



INDEX OF DRAWINGS

<u>SHEET NO.</u>	<u>DESCRIPTION</u>
C1.1	LOCATION AND VICINITY MAP
C2.1	SITE PLAN
C2.2	PROPOSED ELEVATION
C2.5	TURBIDITY CONTROL
C3.1	SECTIONS

PALM BEACH COUNTY
 DEPARTMENT OF
ENVIRONMENTAL RESOURCES MANAGEMENT
 2300 N. Jay Road, 4th Floor
 WEST PALM BEACH, FLORIDA
 (561) 833-2400

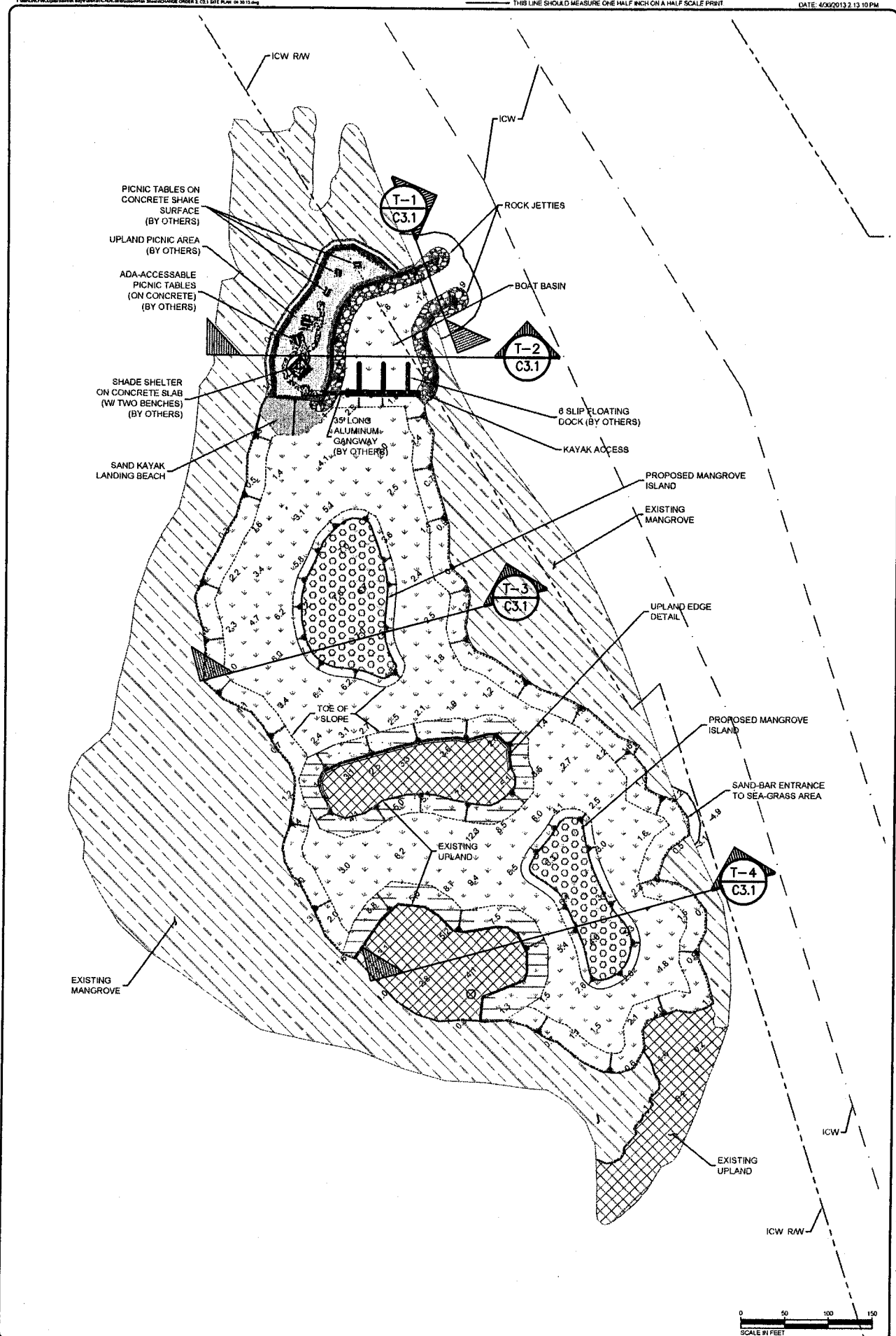


Scale:	AS NOTED
Approved:	CHV
Drawn:	DDC/78
Checked:	CHV
Date:	04/75

SEAL

Project:
 FDOT And Palm Beach County
 Wetland Mitigation
 Change Order 2
 Location and Vicinity Map

Sheet:
C1.1



C2.1

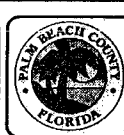
PROJECT
FULLERTON ISLAND
 ENVIRONMENTAL RESTORATION
 & PUBLIC USE FACILITIES

SITE PLAN

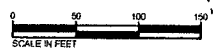
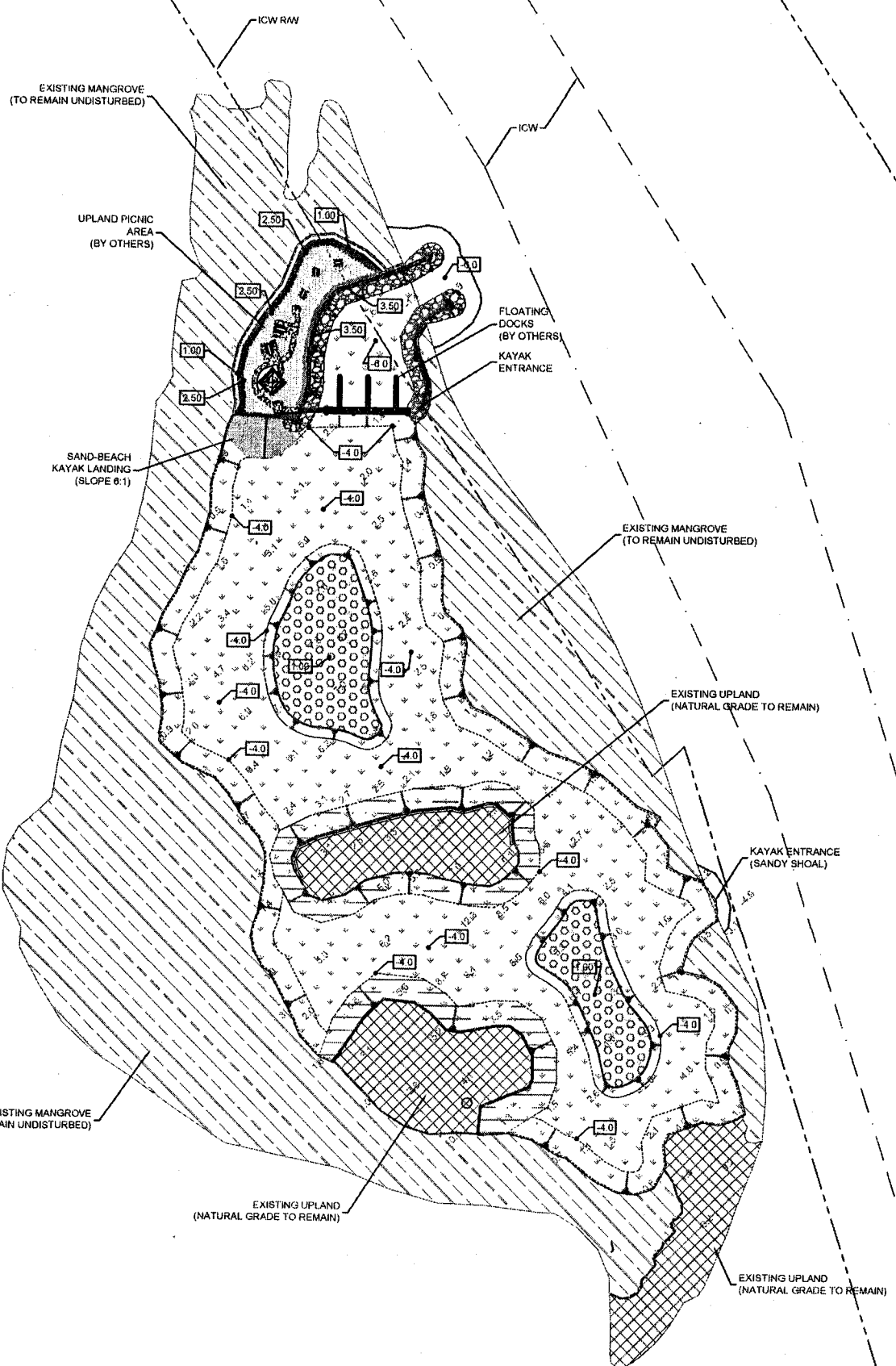


SCALE AS SHOWN
 APPROVED MLE
 DRAWN HME
 CHECKED MLE
 DATE 4/30/13

SEAL
 4/30/13
 MICHAEL EVANS
 F.L.P.E. No. 54753



PALM BEACH COUNTY
 DEPARTMENT OF
 ENVIRONMENTAL RESOURCES MANAGEMENT
 2300 NORTH JOG ROAD, 4th FLOOR
 WEST PALM BEACH, FLORIDA 33411
 (561) 233-2400



SHEET
C2.2

PROJECT
FULLERTON ISLAND
ENVIRONMENTAL RESTORATION
& PUBLIC USE FACILITIES
PROPOSED ELEVATION

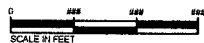
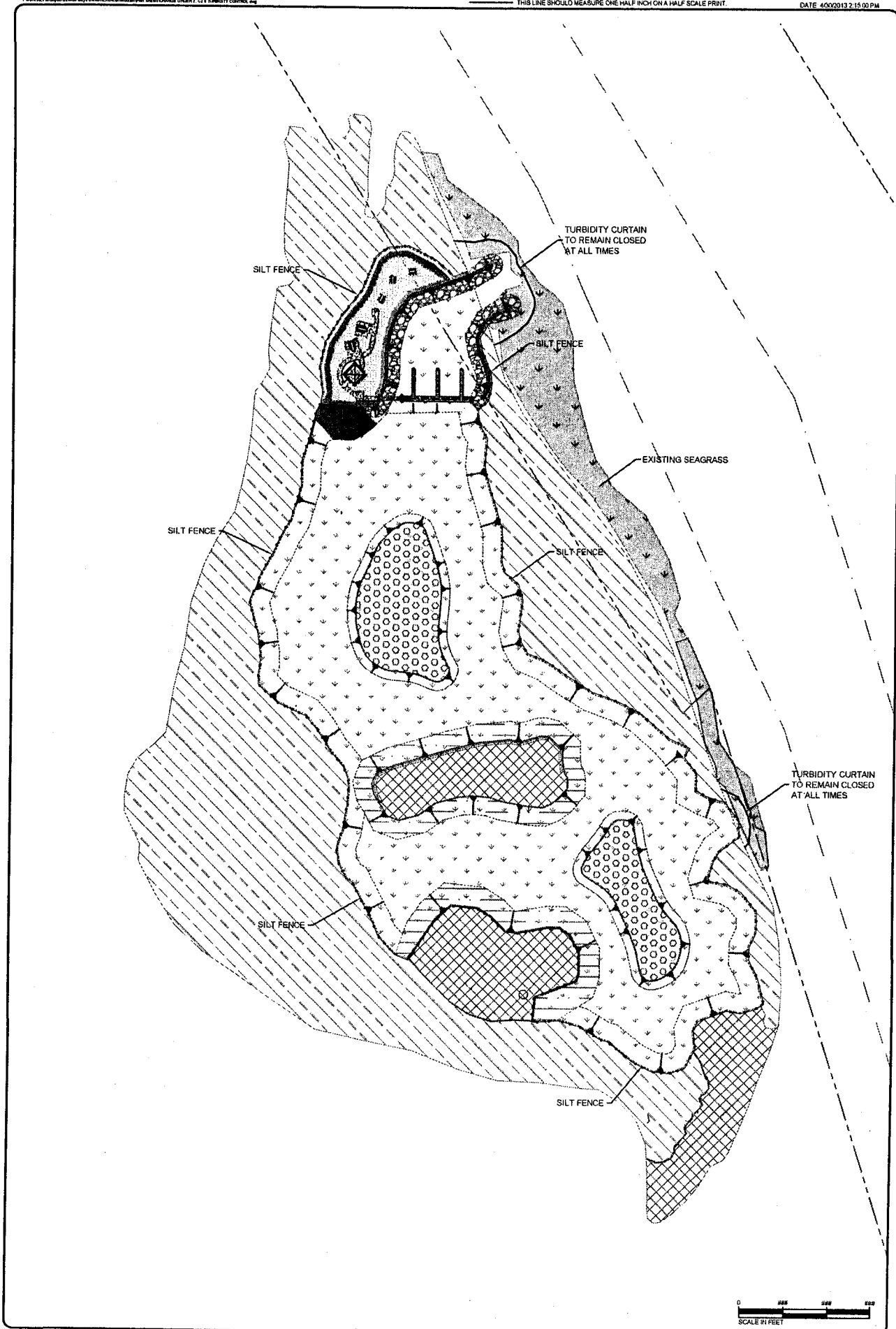


SCALE AS NOTED
APPROVED: MLE
DRAWN: HME
CHECKED: MLE
DATE: 4/30/13

SEAL
4/30/13
MICHAEL L. EVANS
FL P.E. No 24793



**PALM BEACH COUNTY
DEPARTMENT OF
ENVIRONMENTAL RESOURCES MANAGEMENT**
2300 NORTH JOG ROAD, 4th FLOOR
WEST PALM BEACH, FLORIDA 33411
(561) 233-2400



ASSET
C2.5

PROJECT
FULLERTON ISLAND
ENVIRONMENTAL RESTORATION
& PUBLIC USE FACILITIES
TURBIDITY CONTROL



SCALE AS NOTED
APPROVED: AILE
DRAWN: HME
CHECKED: MLE
DATE 4/30/13

SEAL
4/30/13
MICHAEL L. EVANS
FL.P.E. NO. 54763

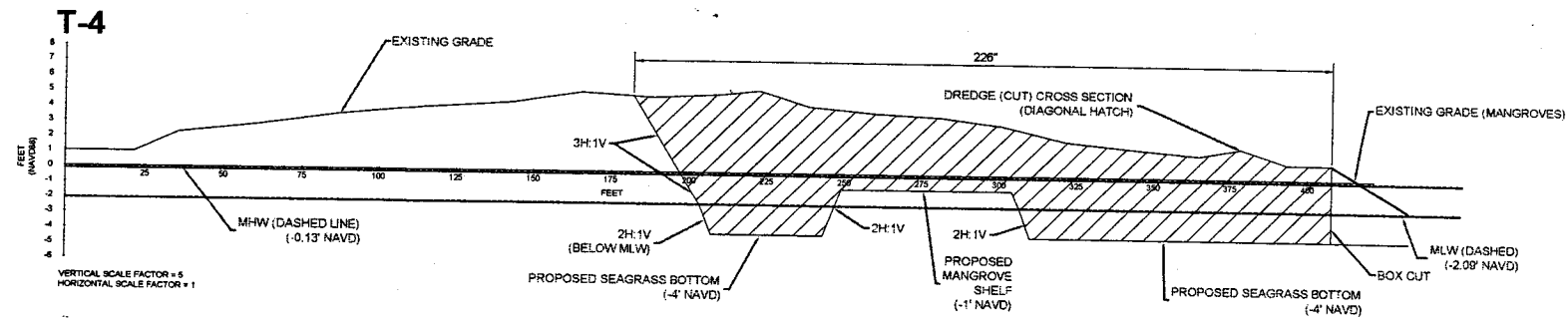
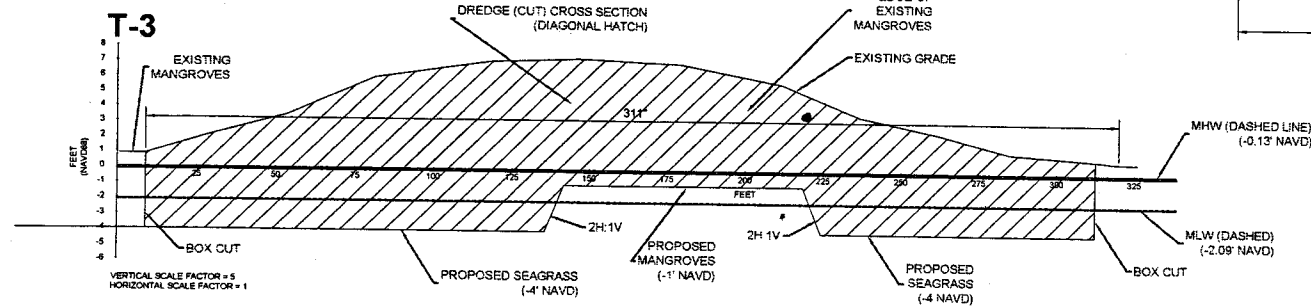
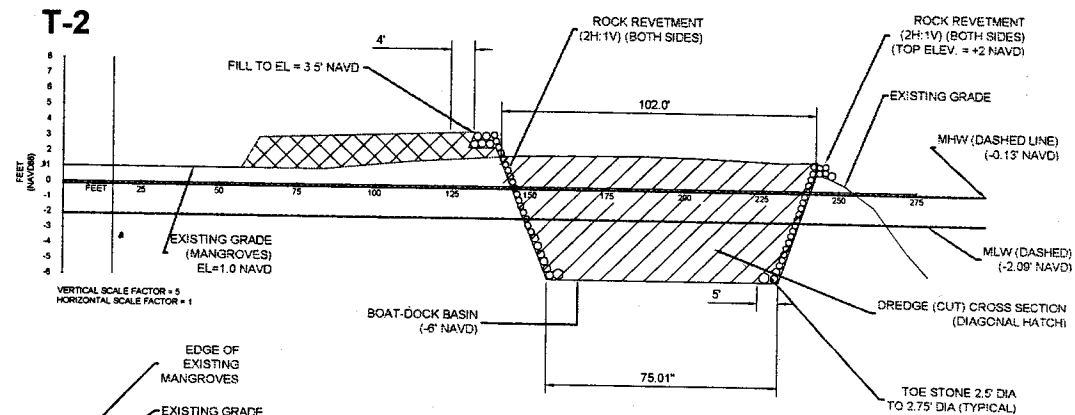
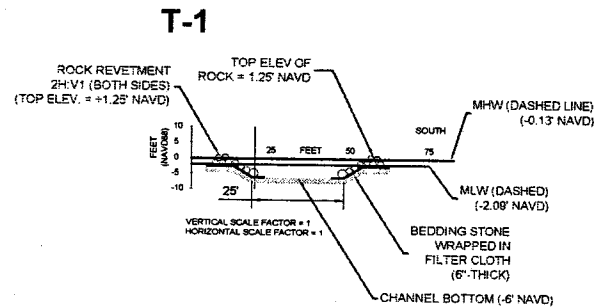


PALM BEACH COUNTY
DEPARTMENT OF
ENVIRONMENTAL RESOURCES MANAGEMENT
2300 NORTH JOG ROAD, 4th FLOOR
WEST PALM BEACH, FLORIDA 33411
(561) 233-2400

DATE: 05/03/11 11:48 AM

THIS LINE SHOULD MEASURE ONE HALF INCH ON A HALF SCALE PRINT

1. FULLERTON ISLAND



NOTE:
TRANSECT LOCATIONS
SHOWN ON SHEET C2.1



Florida Department of Environmental Protection

Southeast District Office
400 N. Congress Avenue, Suite 200
West Palm Beach, FL 33401
561-681-6600

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

JUL 5 2012

Palm Beach County Department of Environmental Resources Management
c/o Robert Robbins, Director
2300 North Jog Road, 4th Floor
West Palm Beach, FL 33411-2743

Dear Mr. Robbins:

Enclosed is Environmental Resource Permit No. 50-0308809-001 issued pursuant to Part IV of Chapter 373, Florida Statutes (F.S.), and Title 62, Florida Administrative Code (F.A.C.).

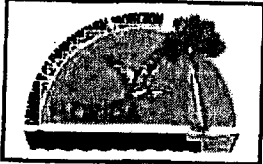
Appeal rights for you as the permittee and for any affected third party are described in the text of the permit along with conditions which must be met when permitted activities are undertaken. Please review this document carefully to ensure compliance with both the general and specific conditions contained herein. As the permittee, you are responsible for compliance with these conditions. Please ensure all construction personnel associated with your activity review and understand the attached drawings and conditions. Failure to comply with this permit may result in liability for damages and restoration, and the imposition of civil penalties up to \$10,000.00 per violation per day pursuant to Sections 403.141 and 403.161, F.S.

In addition, please ensure the construction commencement notice and all other reporting conditions are forwarded to the appropriate office as indicated in the specific conditions.

If you have any questions about this document, please contact me at 561/681-6638 or by email at Jill.M.King@dep.state.fl.us.

Sincerely,

Jill M. King
Environmental Manager
Submerged Lands & Environmental Resources Program



Permit Review Checklist

(a summary of the required monitoring and reporting activities for your project)

Pre-Construction Requirements

Activity	Date Due	Date Completed
<input type="checkbox"/> Contact DEP to schedule pre-construction meeting	Prior to construction	_____
<input type="checkbox"/> Submit Pre-Construction Notice Form to DEP	48 Hrs. Before Construction	_____
<input type="checkbox"/> Temporary Turbidity Screens/ Silt Fences/Barriers in place	Prior to construction	_____

Construction Requirements

Activity	Date Due	Date Completed
<input type="checkbox"/> Permit with all attachments kept at the work site	Permit shall be available on-site for DEP inspector at all times	_____
<input type="checkbox"/> Permanent Turbidity Screens/ Silt Fence Barriers/Structures in place	Structures should be inspected daily	_____
<input type="checkbox"/> Turbidity monitoring reports	Submitted as necessary	_____
<input type="checkbox"/> Annual Status Report submitted	Following June of each year until complete	_____
<input type="checkbox"/> Report changes to permitted drawings / plans / activities any changes	Contact DEP before	_____

Post-Construction Requirements

Activity	Date Due	Date Completed
<input type="checkbox"/> Completion and Certification (As-Built) Form signed & sealed by P.E. and sent to DEP	30 Days after Construction	_____
<input type="checkbox"/> Mitigation: Monitoring Schedule for Mangrove Creation area and Seagrass Creation area	Please see the attached monitoring schedule for your project	_____
<input type="checkbox"/> Mitigation: Success	Please see the attached monitoring schedule for your project	_____

<input type="checkbox"/> Permit Transfer Form submitted to DEP	Within 30 Days Sale of property (if property sold)	_____
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For the above criteria that require you to contact DEP – you should contact the Southeast District Branch Office, Environmental Resources Permitting Section, Compliance and Enforcement, 400 N Congress Avenue, Suite 200, West Palm Beach, FL 33401, Attention: Katie Collins. Phone: 561-681-6645, Fax: 561-681-6780.

PLEASE NOTE:

As the property owner/permittee, you are ultimately responsible for ensuring that the required conditions of your permit are complied with and timely reported to the Department. Please ensure that any designated contractors or agents acting on your behalf are familiar with these requirements.

Seagrass Creation Area Monitoring Schedule

As part of your permit requirements, 0.05 acres (immediate offset of seagrass impacts) and 4.59 acres (to be utilized for future mitigation projects specified in attached permit) of seagrass habitat shall be created within the Fullerton Island Restoration Project and monitored for a period of five years:

Activity	Date Due - Report Submitted	Date Completed
<input type="checkbox"/> 1 st Year - Baseline Report	30 Days after excavation has been completed	_____
<input type="checkbox"/> 1 st Year - 1 st Quarterly Report	90 Days later	_____
<input type="checkbox"/> 1 st Year - 2 nd Quarterly Report	90 Days later	_____
<input type="checkbox"/> 1 st Year - 3 rd Quarterly Report	90 Days later	_____
<input type="checkbox"/> 2 nd Year - Annual Report	1 Year from Baseline Report	_____
<input type="checkbox"/> 3 rd Year - Annual Report	1 Year from 2 nd Annual Report	_____
<input type="checkbox"/> 4 th Year - Annual Report	1 Year from 3 rd Annual Report	_____
<input type="checkbox"/> 5 th Year - Annual Report	1 Year from 4 th Annual Report	_____
<input type="checkbox"/> Mitigation Success Notice	Area must achieve a cover-abundance value of 1.0 for two out of three consecutive years	_____

Mangrove Creation Monitoring Schedule

As part of your permit requirements, a 0.54 acre mangrove creation area (to be utilized for future mitigation projects specified in attached permit) shall be created within the Fullerton Island Restoration Project and monitored for a period of five years:

Activity	Date Due - Report Submitted	Date Completed
<input type="checkbox"/> 1 st Year - Baseline Report	30 Days after seedling planting completed	_____
<input type="checkbox"/> 1 st Year - 1 st Quarterly Report	90 Days later	_____
<input type="checkbox"/> 1 st Year - 2 nd Quarterly Report	90 Days later	_____
<input type="checkbox"/> 1 st Year - 3 rd Quarterly Report	90 Days later	_____
<input type="checkbox"/> 2 nd Year - Annual Report	1 Year from Baseline Report	_____
<input type="checkbox"/> 3 rd Year - Annual Report	1 Year from 2 nd Annual Report	_____
<input type="checkbox"/> 4 th Year - Annual Report	1 Year from 3 rd Annual Report	_____
<input type="checkbox"/> 5 th Year - Annual Report	1 Year from 4 th Annual Report	_____
<input type="checkbox"/> Mitigation Success Notice	After 80% Coverage of mangroves has been achieved, less than 5 % coverage of exotics	_____



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561-681-6600

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Secretary

Permittee/Authorized Entity

Palm Beach County Department of Environmental Resources Management
c/o Robert Robbins, Director
2300 North Jog Road, 4th Floor
West Palm Beach, FL 33411-2743

Project Name or Phase:

Palm Beach County-Fullerton Island Restoration

Authorized Agent:

Palm Beach County Department of Environmental Resources Management
c/o Carolyn Beisner
2300 North Jog Road, 4th Floor
West Palm Beach, FL 33411-2743

ERP Processor:

Jill M. King
Phone: 561-681-6638
Email: jill.M.King@dep.state.fl.us

**Environmental Resource Permit
State-owned Submerged Lands Authorization -Granted**

**U.S. Army Corps of Engineers Authorization -Separate Corps Authorization
Required**

Permit No.: 50-0308809-001

**Permit Issuance Date: July 05, 2012
Permit Construction Phase Expiration Date: July 05, 2017**

**Consolidated Environmental Resource Permit and State-owned Submerged Lands
Authorization Environmental Resource Permit**

Permittee:

**Palm Beach County Department of Environmental Resources Management
c/o Robert Robbins, Director
2300 North Jog Road, 4th Floor
West Palm Beach, FL 33411-2743**

Permit No:

50-0308809-001

Project Name or Phase:

Fullerton Island Restoration Project

AUTHORIZATIONS

Project Description

The permittee is authorized to create 4.64 acres of seagrass habitat, create 0.54 acres of mangrove habitat, restore and enhance 0.29 acres of upland hardwood hammock, construct two rock jetties at the northern entrance to the island, and preserve 5.12 acres of existing mangroves by conducting the following activities listed below all within the Fullerton Island and within the Lake Worth Creek. The projects are located along the Lake Worth Creek, Loxahatchee River-Lake Worth Creek Aquatic Preserve, Class III Waters, Outstanding Florida Waters. Authorized activities are depicted on the attached exhibits.

The applicant shall conduct the following activities as part of the restoration and enhancement work:

Fullerton Island

- a) Create 4.64 acres of seagrass habitat by scraping down an existing spoil area that currently consists of spoil material and mostly exotic vegetation. This area shall be cleared of exotic vegetation and scraped down to an elevation of approximately - 4 ft. NAVD (of which, 0.05 acres of seagrass habitat shall be created to offset seagrass impacts that shall result from the construction of the rock jetties and dredging to create access to the inside of the island and dock),
- b) Create 0.54 acres of mangrove habitat that shall be created in two sections on the inside of the island by scraping down an existing spoil area that currently consists of spoil material and mostly exotic vegetation. This area shall be cleared of exotic vegetation and scraped down to an elevation of approximately - 1 ft. NAVD,

- c) Conduct dredging of a 1,125.29-sq. ft. area as shown on the attached drawings at the north east end of the island to allow for access into the newly created seagrass lagoon within the island and dock area down to a depth of approximately - 6.0 ft. NAVD,
- d) Construct a 948.4-sq. ft. public dock at the north end of the island that shall consist of the following: a 4-ft. by 19.6-ft. ramp that shall connect to a 6-ft. by 85-ft. access walkway with three (3) 4-ft by 30-ft. finger piers that shall allow the mooring of up to 6 slips total at any one time for temporary day docking,
- e) Construct an observation tower that shall be approximately 16-ft. by 19-ft. (304-sq. ft.) that shall include an 8-ft. by 22-ft. (176-sq. ft.) section for stairs,
- f) Restore and enhance 0.29 acres of existing upland hardwood hammock by clearing exotic vegetation and scraping down the area to appropriate elevations, and
- g) Install two rock jetties/groin systems that shall be installed at a 2:1 slope that shall cover approximately 1,777.3 sq. ft. total located in two sections on the north and south side of the proposed ingress/egress channel to the inside of the island and dock.

The submerged bottom at the project site consists of a variety of habitats consisting of barren sand bottom and varying patches of seagrass of mixed *Halodule wrightii* and *Halophila johnsonii* species. The permittee has selected the area of least impact with respect to the proposed rock jetties and dredge area. The proposed dock shall be located in an area that is currently an upland spoil area containing primarily exotics.

The project shall result in impacts to (0.02 acres) of seagrass resources through the dredging for the ingress/egress to the island and rock jetties/groin system. These impacts shall be mitigated for through the creation of 0.05 acres of seagrass habitat as a result of the scrapedown of upland areas within the Fullerton Island just south of the proposed dock area as shown on the attached drawings (Figure 7). The construction, methodologies, and monitoring information for this mitigation area is depicted in the specific conditions below and attached Fullerton Island Restoration Mitigation Plan. No other impacts to submerged or emergent resources are authorized through any other portion of this project.

All construction equipment/tools and materials shall be transported to and from the site via barge and upland roadways and all equipment/tools and materials shall be stored on the barge and uplands. The staging areas are depicted on the attached drawings. During construction on the upland areas and habitat restoration areas, silt fences shall be installed where necessary to protect adjacent wetlands and surface waters.

During construction of the seagrass restoration areas and all other projects proposed on the inside of the island, two earthen plugs shall be left in place and will be removed upon completion of the final grading. With respect to the dredging, rock jetties, and all projects proposed on the inside of the island, turbidity curtains and/or silt fences with weighted

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skirts shall be installed prior to the commencement of any work. The curtains shall extend to within one foot of the bottom and shall be installed in a manner that does not affect or interfere with navigation. Turbidity shall be monitored throughout all portions of the project.

Any construction vessels shall operate within waters of sufficient depth to preclude bottom scouring and prop dredging of resources. Material removed for the ingress/egress area shall be mechanically dredged using clamshell bucket from a shallow draft barge. Dredge material removed by mechanical operations shall be placed directly in a self-contained barge with containment rails to hold the spoil and prevent return water from entering surface waters. All dredged/excavated material shall then be transported to the permittee's Jupiter Venture/Hatcher Restoration Project to construct a berm.

Return water shall not be discharged into any waterbody during transport, or unloading activities. The temporary spoil containment area shall be constructed to contain all off loaded spoil material and prevent the escape of dredged material and associated effluent into surface waters. The severed material shall be utilized for public purposes and therefore no severance fees were collected for the material.

Palm Beach County and the Town of Jupiter have requested upfront mitigation for the portions of this project that shall create 4.59 acres of seagrass habitat and 0.54 acres of mangrove habitat. They have requested that this seagrass and mangrove restoration area be considered mitigation for future Palm Beach County and Town of Jupiter projects that have been specified in Attachment 3 Palm Beach County and Town of Jupiter Future Projects associated with Fullerton Island Restoration. Palm Beach County and the Town of Jupiter must apply to the Department and other appropriate agencies to obtain the proper permits for these future projects. The success of this restoration/mitigation area shall be evaluated and determined throughout the course of the monitoring and at the time any application is filed by Palm Beach County and/or the Town of Jupiter for these future potential impact related projects.

The standard manatee conditions will be adhered to during all in water work.

The project described above may be conducted only in accordance with the terms, conditions and attachments contained in this permit. The issuance of this permit does not infer, nor guarantee, nor imply that future permits or modifications will be granted by the Department.

State-owned Submerged Lands Authorization

The activity is located on submerged lands owned by the State of Florida. It therefore also requires authorization, from the Board of Trustees of the Internal Improvement Trust Fund, pursuant to Article X, Section 11 of the Florida Constitution, and Section 253.002 Florida Statutes (F.S.) 253.77, Florida Statutes (F.S.)

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As staff to the Board of Trustees, the Department has determined that the activity qualifies for a Letter of Consent, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein.

Federal Authorization

A copy of this permit has been sent to the U.S. Army Corps of Engineers (USACE). The USACE may require a separate permit. Failure to obtain any required federal permits prior to construction could subject you to enforcement action by that agency.

Coastal Zone Management

This permit also constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Management Act.

Water Quality Certification

This permit constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

Other Authorizations

You are advised that authorizations or permits for this project may be required by other federal, state or local entities including but not limited to local governments and homeowner's associations. This permit does not relieve you from the requirements to obtain all other required permits or authorizations.

In addition, you are advised that your project may require additional authorizations or permits from the municipality/county in which the project is located. Please be sure to contact the local county building and environmental department to obtain these required authorizations.

PROJECT LOCATION

The activities authorized by this Permit are located in the Lake Worth Creek, within and adjacent to Fullerton Island, Loxahatchee River-Lake Worth Creek Aquatic Preserve, Class III Waters, Outstanding Florida Waters, Jupiter (Sections 6 and 31, Townships 40 and 41 South, Range 43 East), in Palm Beach County (Approximate Center of Island Latitude N 26° 56' 24.21", Longitude W 80° 5' 15.73").

PERMIT /STATE-OWNED SUBMERGED LANDS CONDITIONS

The activities described herein must be conducted in accordance with:

- The Specific Conditions
- The General Conditions
- The General Consent Conditions
- The limits, conditions and locations of work shown in the attached drawings
- The term limits of this authorization

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You are advised to read and understand these conditions and drawings prior to commencing the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings. If you are utilizing a contractor, the contractor also should read and understand these conditions and drawings prior to commencing the authorized activities. Failure to comply with these conditions, including any mitigation requirements, shall constitute grounds for revocation of the Permit and appropriate enforcement action by the Department.

Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit/certification/authorization and state-owned submerged lands authorization, as specifically described above.

SPECIFIC CONDITIONS

PROJECT DRAWINGS & FORMS

(1) The project drawings, sheets 1 through 13; the 3-page Attachment 2 Fullerton Island Restoration Mitigation Plan; the 6-page Attachment 3 Palm Beach County and Town of Jupiter Future Projects associated with Fullerton Island Restoration; the attached 2-page permit checklist; DEP forms: 62-343.900(3), (4), (5), and (7) F.A.C., which can be downloaded at <http://www.dep.state.fl.us/water/wetlands/erp/forms.htm>, and the 2-page "Standard Manatee Conditions for In-Water Work, 2011", become part of this permit. If the applicant does not have access to the Internet, please contact the Department at (561) 681-6656 to request the aforementioned forms and/or document(s).

(2) If the attached permit drawings conflict with the specific conditions, then the specific conditions shall prevail.

PRE-CONSTRUCTION MEETING

(3) After selection of the contractor to perform the authorized activities and prior to the initiation of any work authorized by this permit, the permittee (or authorized agent) and the contractor shall attend a pre-construction conference with a representative of the Department. The permittee shall contact the Department in writing to schedule the conference. Department of Environmental Protection, Southeast District, Submerged Lands & Environmental Resources Program, Compliance/Enforcement Section, Attention: Katie Collins, 400 N. Congress Ave., Suite 200, West Palm Beach, Florida 33401 (phone: 561/681-6645).

CONSTRUCTION PERSONNEL

(4) The permittee shall be responsible for ensuring that the permit conditions are explained to all construction personnel working on the project, and for providing each contractor and subcontractor with a copy of this permit before construction begins.

PROJECT LIMITS

(5) The work authorized by this permit shall not be conducted on any property, other than that owned by the permittee, without the prior written approval of that property owner.

RESOURCE IMPACTS-SEAGRASSES

(6) The project shall result in impacts to (0.02 acres) of seagrass resources as a result of the rock jetties/groin system and dredging for ingress/egress to the island and dock. These impacts shall be mitigated for through the creation of 0.05 acres seagrass habitat as a result of the scrapedown of upland areas inside the island of the project as shown on the attached drawings. The construction, methodologies, and monitoring information for this mitigation area are depicted in the attached Fullerton Island Restoration Mitigation Plan. No other impacts to submerged seagrass resources are authorized through any other portion of this project.

CONSTRUCTION METHODOLOGIES-DREDGING

(7) All watercraft associated with the dredging shall only operate within waters of sufficient depth so as to preclude bottom scouring, prop dredging, or damage to the submerged bottom or submerged resources. During all construction activities, there shall be a minimum of 1-foot clearance between the draft of the construction vessel to the submerged lands and/or to the top of any submerged resource.

(8) There shall be no storage or stockpiling of tools and materials (i.e., lumber, pilings, debris), along the shoreline adjacent to waters of the state. All cleared vegetation, excess lumber, scrap wood, trash, garbage, and any other type of debris shall be removed from wetlands/waters of the state within 14 days of completion of the work authorized in this permit.

(9) All areas to be dredged shall be in accordance with the attached permit drawings and shall not exceed the areas and depths indicated on those drawings.

(10) Prior to the initiation of any work authorized by this permit, floating turbidity curtains with weighted skirts that extend to within one foot of the bottom shall be placed around the project site. The curtains shall be maintained and shall remain in place for the duration of the project construction to ensure that turbid discharges do not occur outside the boundaries of the floating turbidity screens. The permittee shall be responsible for ensuring that turbidity control devices are inspected daily and maintained in good working order during all phases of construction authorized by this permit until all areas that were disturbed during construction are sufficiently stabilized to prevent turbid discharges.

(11) Turbidity levels outside the construction area shall not exceed 0 NTU's above ambient levels. The following measures shall be taken immediately by the permittee whenever turbidity levels within waters of the State surrounding the project site exceed ambient turbidity levels of the surrounding Outstanding Florida Waters:

- a. Notify the Department at 561-681-6645 at the time the violation is first detected.
- b. Immediately cease all work contributing to the water quality violation.
- c. Stabilize all exposed soils contributing to the violation. Modify the work procedures that were responsible for the violation, install more turbidity containment devices, and repair any non-functional turbidity containment devices.
- d. Perform turbidity monitoring.
- e. Resume construction activities once turbidity levels outside turbidity curtains fall below background levels.

(12) Turbidity Monitoring. Water turbidity levels shall be monitored and recorded at least every 4 hours during construction activities or upon the occurrence of other circumstances that might create water quality violations on site. Samples shall be taken one foot above the bottom, mid-depth, and one-foot below the surface at monitoring stations located as follows:

- a. Approximately 100 feet up-current of the work sites and clearly outside the influence of construction activities. (This shall serve as the natural background sample against which other turbidity readings shall be compared.)
- b. Directly outside the turbidity curtains surrounding the work sites and within the densest portion of any visible turbidity plume. (This sample shall serve as the compliance sample.)

(13) Turbidity Monitoring Reports. During construction, the permittee or permittee's contractor shall submit daily monitoring reports on a weekly basis containing the turbidity data gathered to the Department of Environmental Protection, Southeast District Office, Submerged Lands & Environmental Resources Program, Compliance/Enforcement Section, Attention: Katie Collins 400 N. Congress Ave., Suite 200, West Palm Beach, Florida 33401 (phone: 561/681-6645). The reports shall contain the following information:

- a. permit number
- b. project name
- c. dates of sampling and analysis
- d. turbidity sampling results
- e. description of data collection methods

- f. a map indicating the sampling locations
- g. time of day profile was taken
- h. depth of water body
- i. weather conditions at times of sampling
- j. tidal stage and direction of flow
- k. wind direction and velocity
- l. water temperature

Furthermore, each monitoring report shall include a statement by the individual responsible for implementation of the sampling program attesting to the authenticity, precision, limits of detection, and accuracy of the data.

Monitoring reports shall be submitted to the Department of Environmental Protection, Southeast District Office, Submerged Lands & Environmental Resources Program, Compliance/Enforcement Section, Attention: Katie Collins, 400 N. Congress Ave., Suite 200, West Palm Beach, Florida 33401 (phone: 561/681-6645). Failure to submit reports in a timely manner constitutes grounds for revocation of the permit. When submitting this information to the DEP, the following wording shall be included at the top of each page or as a cover page to the submittal: "This information being provided in partial fulfillment of the monitoring requirements in Permit No. 50-0308809-001."

(14) Dredging shall be conducted from a shallow draft barge with a fully loaded draft of no more than 4 feet. The material shall be mechanically dredged by a clamshell dredge bucket and deposited directly into a fully-lined barge with containment rails to hold the spoil and prevent return water from entering surface waters. Return water shall not be discharged into the Lake Worth Creek and all spoil materials shall be temporarily stored on the barge or within upland areas, in accordance with the attached permit drawings. The spoil containment areas shall be constructed to contain all off loaded spoil material and prevent the escape of dredged material and associated effluent into surface waters.

(15) The material shall be permanently stored and utilized at the permittee's Jupiter Venture/Hatcher Restoration Project to construct a berm. If the material is utilized for any other purpose, please contact the Department prior to disposal at any other location.

DOCK

(16) This permit authorizes the construction of a 948.4-sq. ft. public dock at the north end of the island that shall consist of the following: a 4-ft. by 19.6-ft. ramp that shall connect to a 6-ft. by 85-ft. access walkway with three (3) 4-ft by 30-ft. finger piers that shall allow the mooring of up to 6 slips total at any one time for temporary day docking, in accordance with the attached permit drawings.

(17) Vessels utilizing this structure shall maintain a minimum of one foot clearance between the deepest draft of the vessel with the engine in the down position and the top of submerged resources or submerged bottom so as to preclude bottom scouring or prop dredging.

(18) The slips shall not be occupied by liveaboards. A liveboard vessel shall be defined as a vessel docked at a facility that is inhabited by a person or persons for any 5 consecutive days or a total of 10 days within a 30-day period.

(19) All new pilings used in the construction of the dock shall be either concrete or wood. Wooden pilings shall be wrapped with an impervious membrane one-foot above the mean high water line to one-foot below the substrate.

(20) There shall be no fish cleaning stations authorized by this permit. No overboard discharges of trash, human or animal waste, or fuel shall occur at this facility.

(21) The following activities are prohibited at the facility: (a) boat maintenance or repair activities requiring removal of a vessel from the water or removal of any major portions of the vessel, including the engine, for purposes of routine repair or maintenance on site; (b) hull cleaning involving the scraping or jet washing of fouling organisms; (c) hull painting; (d) any discharges or release of oils or greases associated with engine and hydraulic repairs; or (e) any discharges or release of metal based bottom paints associated with hull scraping, cleaning, and painting. The following activities are authorized at the facility: (a) removal of a vessel that is necessitated by emergency conditions which have resulted in or can result in the sinking of a vessel or (b) minor repairs and boat maintenance that will not cause or contribute to the release of water pollutants (these activities must be performed by the vessels owner or qualified marine mechanics).

RESTORATION/MITIGATION AREAS

(22) All wetland areas and water bodies outside the specific limits of construction authorized by this permit shall be protected from erosion, siltation, scouring and/or dewatering. Methods for controlling erosion and turbidity shall include, but are not limited to the use of staked hay bales; staked filter cloth; sodding, seeding, and mulching; staged construction; and the development of silt fences around the immediate project site. Staked filter cloth shall be positioned at the edge of the permitted fill slopes where they are adjacent to wetlands in order to prevent turbid run-off and erosion. Erosion barriers shall be installed prior to any excavation or placement of fill material and shall be maintained in effective condition at all locations until construction is completed and disturbed areas are stabilized. Thereafter, the permittee must remove the barriers. The permittee shall be responsible for ensuring that erosion control devices and procedures are inspected and maintained daily during all phases of construction authorized by this permit. Once these conditions are met, the erosion control devices shall be removed within 14 days.

MITIGATION MONITORING AND SUCCESS CRITERIA-SEAGRASS

(23) The permanent impacts to seagrass resources (0.02 acres) that shall result from installation of the rock jetties and dredging for ingress/egress to the island and dock shall be mitigated for through the creation of 0.05 acres of seagrass habitat in the northern inner portion of the island, just south of the proposed dock as shown on the attached drawings.

(24) The mitigation shall be conducted in strict accordance with the attached Attachment 2 Fullerton Island Restoration Mitigation Plan and shall consist of the creation of seagrass habitat through the selective clearing of exotic vegetation, followed by excavation to -6-ft. NAVD to match the existing elevation of the areas outside of the island, and finally natural recruitment of seagrass species from the adjacent Lake Worth Creek seagrass beds.

(25) Within 30 days after completing the excavation, the permittee shall submit to the Department a baseline ("time zero") report. The report shall include the details of the clearing and excavation. The report shall contain photographs, taken from referenced locations, to represent the entire site. Additionally, a drawing shall be included to show the location and direction of the camera. Subsequent monitoring reports shall be submitted quarterly for the first year, and annually for a period of 4 additional years after the first year (five years total), the first report being due 3 months after the baseline report. Annual monitoring shall coincide with the National Marine Fisheries Service's recommended seagrass survey window (June 1-September 30). The annual reports shall include any natural recruitment of seagrasses, a list of all species observed, the percent-coverage of the different species observed, and explanations if survivorship is trending toward failure. The reports shall include photographs from the locations referenced in the baseline report. The reports shall be sent to the Department of Environmental Protection, Southeast District, Submerged Lands and Environmental Resources Program, Compliance/Enforcement Section, Attention: Katie Collins, 400 North Congress Avenue, Suite 200, West Palm Beach, Florida 33401 (phone: 561/681-6645).

(26) In order for the mitigation to be deemed successful, the mitigation area must achieve a cover-abundance value of 1.0 (based on the current cover-abundance of the impact area using the Braun-Blanquet Technique) for two out of three consecutive years.

(27) The responsibility to determine if the mitigation is meeting the permit-specified success criteria shall not fall solely on the Department. Within the first 2 years after excavation, if the permittee becomes aware that the project is not meeting the success criteria and probably will not meet the criteria based on site observations, then the permittee shall notify the Department at the address in Specific Condition Number 25. The permittee shall then submit an alternative mitigation plan to the Department for review and approval.

(28) The mitigation shall be determined to be successful when the requirements of Specific Conditions Numbers 24, 25 and 26 of the permit have been met.

(29) Mitigation activities shall be commenced by the permittee within 2 years from the date of issue of this permit.

(30) Palm Beach County and the Town of Jupiter have requested upfront mitigation for the portion of the project that shall create 4.59 acres of seagrass habitat and the creation of 0.54 acres of mangrove habitat. They have requested that this seagrass creation area and mangrove creation area be considered mitigation for future Palm Beach County and the Town of Jupiter projects that have been specified in Attachment 3 Palm Beach County and Town of Jupiter Future Projects associated with Fullerton Island Restoration. Palm Beach County and/or the Town of Jupiter. These entities shall apply to the Department and other appropriate agencies to obtain the proper permits for these future projects. The success of this restoration/mitigation area shall be evaluated and determined throughout the course of the monitoring and at the time any application is filed by Palm Beach County and/or the Town of Jupiter for these future impact related projects. The permittee shall be put on notice that this mitigation may not be utilized for any other project that has not already been identified in this permit and that this up front mitigation may not be sufficient and additional mitigation may be required once the future project and impacts have been determined.

(31) The upfront mitigation for creation of 4.59 acres of seagrass habitat and the creation of 0.54 acres of mangrove habitat shall be monitored in accordance with the conditions listed 24, 25, and 26 and in accordance with the attached Fullerton Island Restoration Mitigation Plan for the mangrove creation portion of the project. The monitoring for this creation/restoration shall be the responsibility of Palm Beach County as it is their mitigation to be utilized at a future date.

FISH & WILDLIFE

(32) Within 30 days prior to slip occupancy, the permittee shall install permanent educational manatee signs in accordance with Florida Fish and Wildlife Conservation Commission (FWC) guidelines, including FWC approval for the number, type, and location of signs. Permittee agrees to replace the signs in the event the signs fade, become damaged or outdated, and maintain these signs for the life of the facility. The guidelines for installation can be found at <http://www.myfwc.com>, or can be obtained by contacting the Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section at: 620 South Meridian Street, 6A, Tallahassee, Florida 32399-1600 (telephone 850/922-4330).

(33) During all in-water work, the permittee shall comply with the standard manatee protection construction conditions listed in the attached 2-page "Standard Manatee Conditions for In-Water Work, 2011".

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DIVISION OF HISTORICAL RESOURCES

(34) If prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee, or other designee, should contact the Florida Department of State, Division of Historical Resources, Review and Compliance Section at 850/245-6333 or 800/847-7278, as well as the appropriate permitting agency office. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes.

AS-BUILT SURVEY

(35) Within 60 days after completion of construction, the permittee shall submit record drawings (as-builts) to the office listed in specific condition number 3. The drawings shall be in a format that will facilitate a direct comparison of the permitted activities and the work actually constructed.

GENERAL CONDITIONS

(36) All activities authorized by this permit shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit and Part IV, Chapter 373, F.S.

(37) This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by the Department staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.

(38) Activities approved by this permit shall be conducted in a manner which does not cause violations of state water quality standards. The permittee shall implement best management practices for erosion and pollution control to prevent violation of state water quality standards. Temporary erosion control shall be implemented prior to and during construction and permanent control measures shall be completed within 7 days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into the receiving waterbody exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. All practices shall be in accordance with the guidelines and specifications

described in Chapter 6 of the Florida Land Development Manual; A Guide to Sound Land and Water Management (Department of Environmental Regulation, 1988), unless a project-specific erosion and sediment control plan is approved as part of the permit. Thereafter the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.

(39) The permittee shall notify the Department of the anticipated construction start date within 30 days of the date that this permit is issued. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the Department an "Environmental Resource Permit Construction Commencement" notice (Form No. 62-343.900(3), F.A.C.) indicating the actual start date and the expected completion date.

(40) When the duration of construction will exceed one year, the permittee shall submit construction status reports to the Department on an annual basis utilizing an "Annual Status Report Form" (Form No. 62-343.900(4), F.A.C.). Status Report Forms shall be submitted the following June of each year.

(41) Within 30 days after completion of construction of the permitted activity, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the supplied "Environmental Resource Permit As-Built Certification by a Registered Professional" (Form No. 62-343.900(5), F.A.C.). The statement of completion and certification shall be based on on-site observation of construction or review of as-built drawings for the purpose of determining if the work was completed in compliance with permitted plans and specifications. This submittal shall serve to notify the Department that the system is ready for inspection. Additionally, if deviation from the attached drawings is discovered during the certification process, the certification must be accompanied by a copy of the attached permit drawings with deviations noted. Both the original and revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor.

(42) The operation phase of this permit shall not become effective: until the permittee has complied with the requirements of condition (16) above, has submitted a "Request for Transfer of Environmental Resource Permit Construction Phase to Operation Phase" (Form No. 62-343.900(7), F.A.C.); the Department determines the system to be in compliance with the permitted plans and specifications; and the entity approved by the Department in accordance with Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District - August 1995, accepts responsibility for operation and maintenance of the system. The permit shall not be transferred to such approved operation and maintenance entity until the operation phase of the permit becomes effective. Following

inspection and approval of the permitted system by the Department, the permittee shall initiate transfer of the permit to the approved responsible operating entity if different from the permittee. Until the permit is transferred pursuant to Section 62-343.110(1)(d), F.A.C., the permittee shall be liable for compliance with the terms of the permit.

(43) Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of the phase or portion of the system to a local government or other responsible entity.

(44) For those systems that will be operated or maintained by an entity that will require an easement or deed restriction in order to enable that entity to operate or maintain the system in conformance with this permit, such easement or deed restriction must be recorded in the public records and submitted to the Department along with any other final operation and maintenance documents required by sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District - August 1995, prior to lot or unit sales or prior to the completion of the system, whichever occurs first. Other documents concerning the establishment and authority of the operating entity must be filed with the Secretary of State where appropriate. For those systems which are proposed to be maintained by the county or municipal entities, final operation and maintenance documents must be received by the Department when maintenance and operation of the system is accepted by the local government entity. Failure to submit the appropriate final documents will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system and any other permit conditions.

(45) Should any other regulatory agency require changes to the permitted system, the permittee shall notify the Department in writing of the changes prior to implementation so that a determination can be made whether a permit modification is required.

(46) This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This 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 permit and Chapter 40E-4 or Chapter 40E-40, F.A.C.

(47) The permittee is hereby advised that Section 253.77, F.S. states that a person may not commence any excavation, construction, or other activity involving the use of sovereign 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 lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.

(48) The permittee is advised that the rules of the South Florida Water Management District require the permittee to obtain a water use permit from the South Florida Water Management District prior to construction dewatering, unless the work qualifies for a general permit pursuant to subsection 40E-20.302(4), F.A.C., also known as the "No Notice" rule.

(49) The permittee shall hold and save the Department 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 system authorized by the permit.

(50) Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under section 373.421(2), F.S., provides otherwise.

(51) The permittee shall notify the Department in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of a permitted system or the real property on which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of section 62-343.130, F.A.C. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations prior to the sale, conveyance or other transfer of the system.

(52) Upon reasonable notice to the permittee, Department authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.

(53) If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the appropriate Department office.

(54) The permittee shall immediately notify the Department in writing of any previously submitted information that is later discovered to be inaccurate.

NOTICE OF RIGHTS

This Permit is hereby final unless a sufficient petition for an administrative hearing is timely filed under Sections 120.569 and 120.57 of the Florida Statutes (F.S.) as provided below. The procedures for petitioning for a hearing are set forth below.

Mediation is not available.

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. The petition must contain the information set forth below and 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.

Because the administrative hearing process is designed to re-determine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the permit or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this permit automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities under this permit until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under Rule 62-110.106(4), Florida Administrative Code (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, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any

intervention 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.

In accordance with Rule 62-110.106(3) F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 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) of the Florida Statutes must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under section 120.60(3) of the Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing 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 of the Florida Statutes.

A petition that disputes the material facts on which the Department's action is based 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, and telephone number of the petitioner; 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 are or 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; and

(f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action;

(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.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections

Permittee: Palm Beach County Fullerton Island Restoration

Permit No: 50-0308809-001

Page 17 of 19

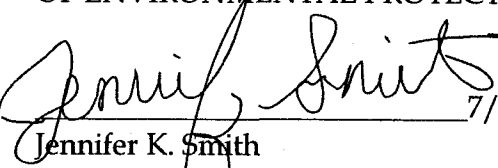
120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This permit constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, F.S., by the filing of a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, 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 of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department. The applicant, or any party within the meaning of Section 373.114(1)(a), F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1), 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 the final order is filed with the Clerk of the Department.

Executed in Palm Beach County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


7/5/12
Jennifer K. Smith
Program Administrator
Submerged Lands & Environmental
Resource Program

Permit Review Checklist, 2 pages

Exhibit 1, Project Drawings and Design Specs., 13 pages

Exhibit 2, Attachment 2 Fullerton Island Restoration Mitigation Plan, 3 pages

Exhibit 3, Attachment 3 Palm Beach County and Town of Jupiter Future Projects
associated with Fullerton Island Restoration, 6 pages

Exhibit 4, "Standard Manatee Conditions for In-Water Work, 2011", 2 pages

Exhibit 5, "Florida Exotic Pest Plant Council's 2009 List of Invasive Plant Species", 4 pages

Commencement notice /62-343.900(3)*

Annual status report/62-343.900(4)*

As-built certification/62-343.900(5)*

Permittee: Palm Beach County Fullerton Island Restoration

Permit No: 50-0308809-001

Page 18 of 19

Transfer construction to operation phase/ 62-343.900(7)*

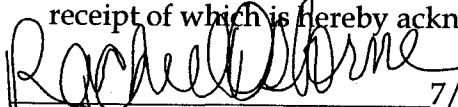
*Can be downloaded at: <http://www.dep.state.fl.us/water/wetlands/erp/forms.htm>

Copies furnished to:

Town of Jupiter, Andrew Lukasik, 210 Military Trail, Jupiter, FL 33458-5786
FDEP Compliance and Enforcement, Katie Collins, Katie.Collins@dep.state.fl.us
USACOE, Eric Reusch, Eric.G.Reusch@usace.army.mil
NOAA-Jocelyn Karazsia, Jocelyn.Karazsia@noaa.gov
FFWCC, Bureau of Imperiled Species Management, Kristen Sella,
Kristen.Sella@MyFWC.com
FFWCC, Bureau of Imperiled Species Management, Erin McDevitt,
erin.mcdevitt@myfwc.com
Palm Beach County ERM, Carolyn Beisner, CBeisner@pbcgov.org
Palm Beach County ERM, Julie Bishop, JBishop@pbcgov.org

FILING AND ACKNOWLEDGMENT

FILED, on this date, under 120.52(7) of the
Florida Statutes, with the designated Department Clerk,
receipt of which is hereby acknowledged.


7/5/12
Clerk Date

**Exhibit 1 Project Drawings and Design
Specifications 13 pages**

Fullerton Island Restoration Project

Permit Drawings

- Figure 1: Project boundary on USGS Quadrangle map
- Figure 2: Location Map
- Figure 3: Existing FLUCCS map
- Figure 4: Proposed FLUCCS map
- Figure 5: USDA soil types
- Figure 6: Site Plan

- Figure 7: Turbidity control, Silt fence, Dirt Plug & IWW

- Figure 8: Transect Locations

- Figure 9: Excavation Cross-sections
 - T-1: North-south transect through opening to boat basin (25' wide at bottom, 53' wide from top of rock to top of rock with 2:1 slope)
 - T-2: East-west transect through hammock, stabilization (rip rap), boat basin and shoreline
 - T-3: East-west transect through existing mangroves, created seagrass and created mangrove areas
 - T-4: East-west transect through existing mangroves, existing oak hammock, created seagrass area, and created mangrove area

- Figure 10: Dock Basin, Bathymetry & Seagrass Impacts

- Figure 11: Observation Tower

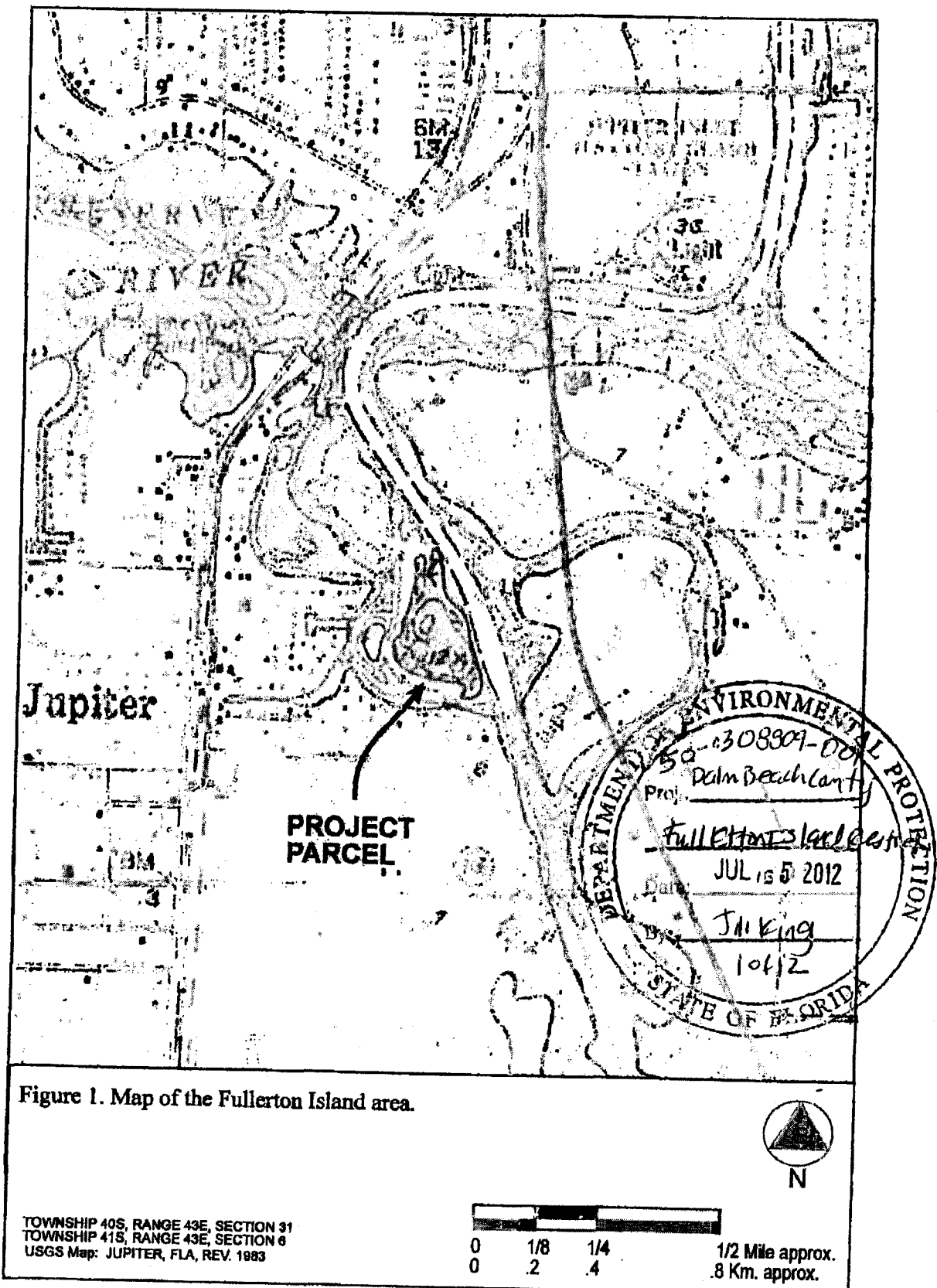
- Attachment 1: Legal Description and Warranty Deed

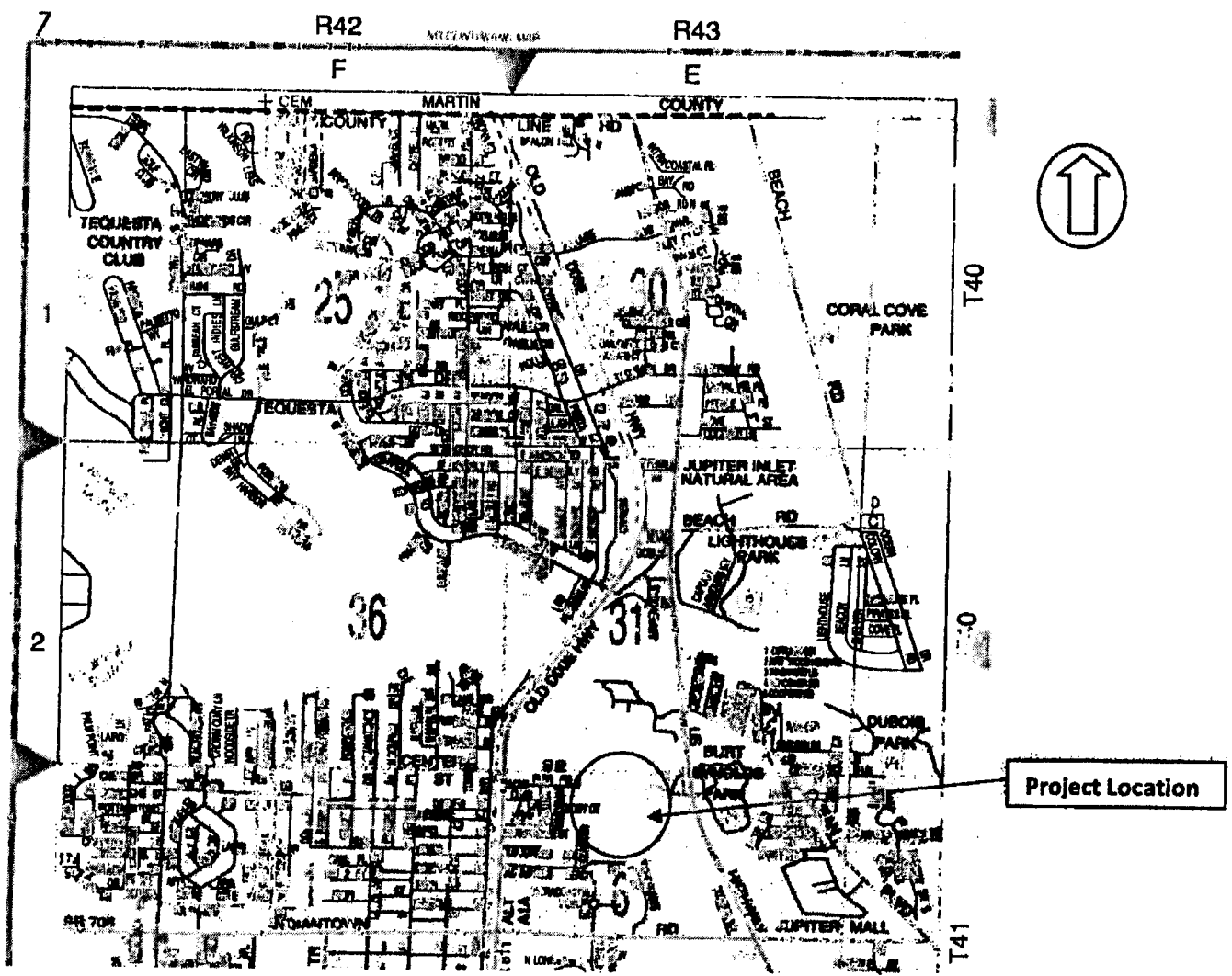
Calculations

- Upland excavated material: 65,000 CY
- Impacts to wetlands (existing seagrass and mangrove areas): 0.02 acre
- Rock : 2,500 tons

Elevations:

- MHW = -0.13' NAVD
- MLW = -2.09' NAVD
- Design
 - Mangroves = -1' NAVD
 - Seagrass = -4' NAVD
 - Boat basin = -6' NAVD
 - Rock jetties = +2' NAVD
 - Dredging for ingress/egress = -6' NAVD (box cut)
 - Temperate hammock = +4.5' NAVD

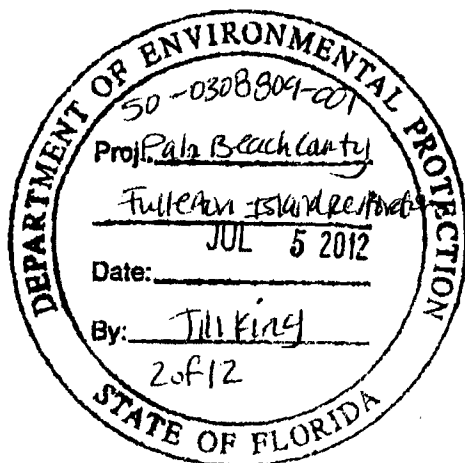




SECTION: 6 TOWNSHIP: 40/41 RANGE: 43

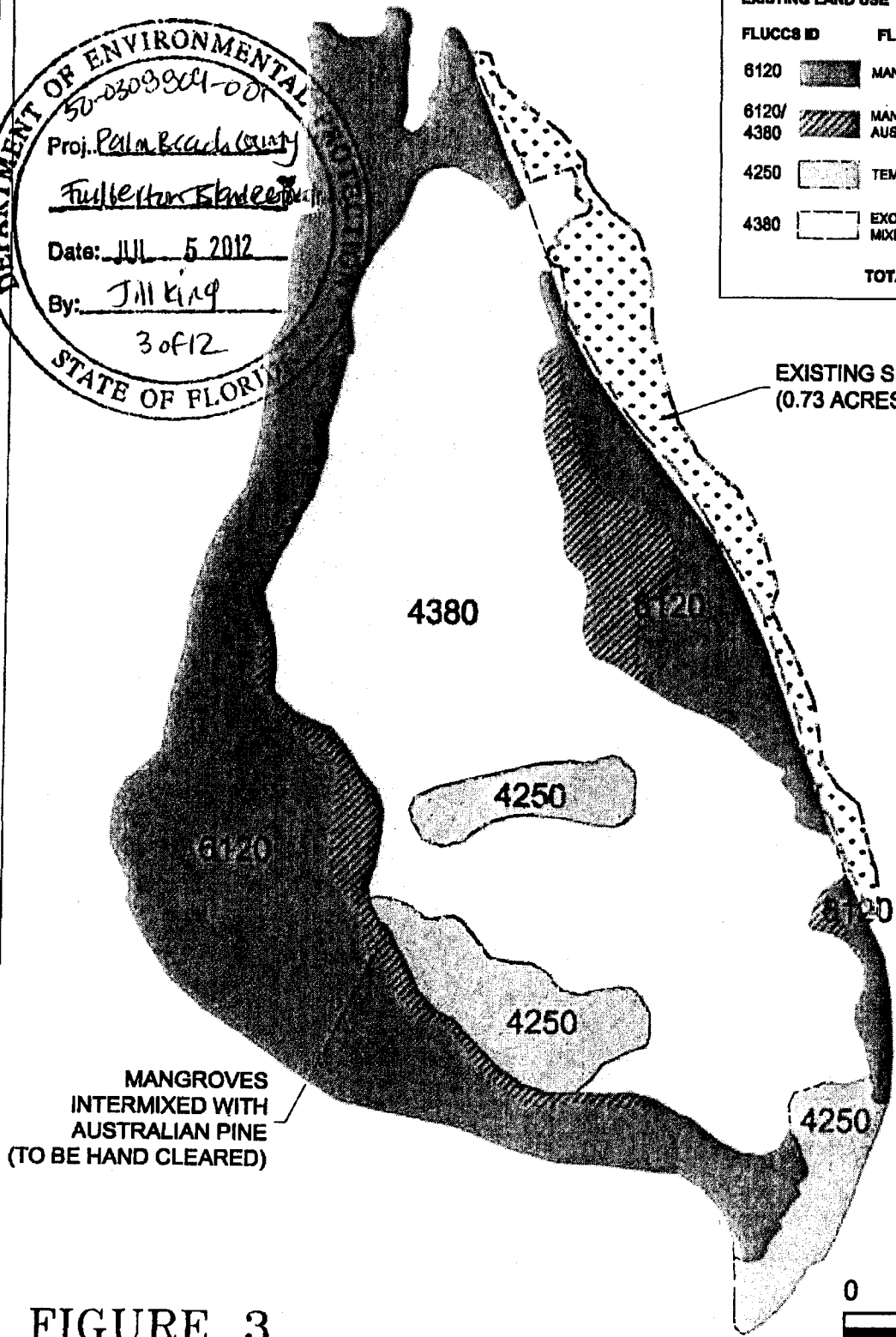
LOCATION MAP N.T.S.

Figure 2



DEPARTMENT OF ENVIRONMENTAL
 50-0309804-001
 Proj. Palm Beach County
 Fullerton Island
 Date: JUL 5 2012
 By: Jill King
 3 of 12
 STATE OF FLORIDA

EXISTING LAND USE			
FLUCCS ID	FLUCCS (LEVEL III)	ACREAGE	%
6120	MANGROVE SWAMP	4.40 AC	37.81%
6120/ 4380	MANGROVE SWAMP/ AUSTRALIAN PINES	0.72 AC	6.13%
4250	TEMPERATE HARDWOODS	1.13 AC	9.64%
4380	EXOTICS WITH MIXED HARDWOODS	5.48 AC	46.72%
TOTAL ACREAGE		11.73 AC	100%



Christina W. Thomas
 #32070 11/2/11

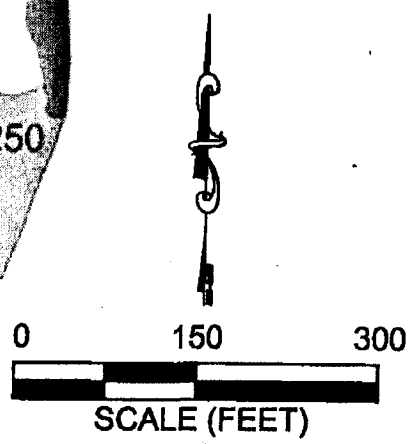
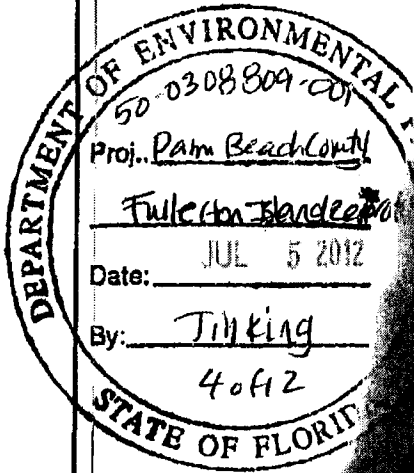


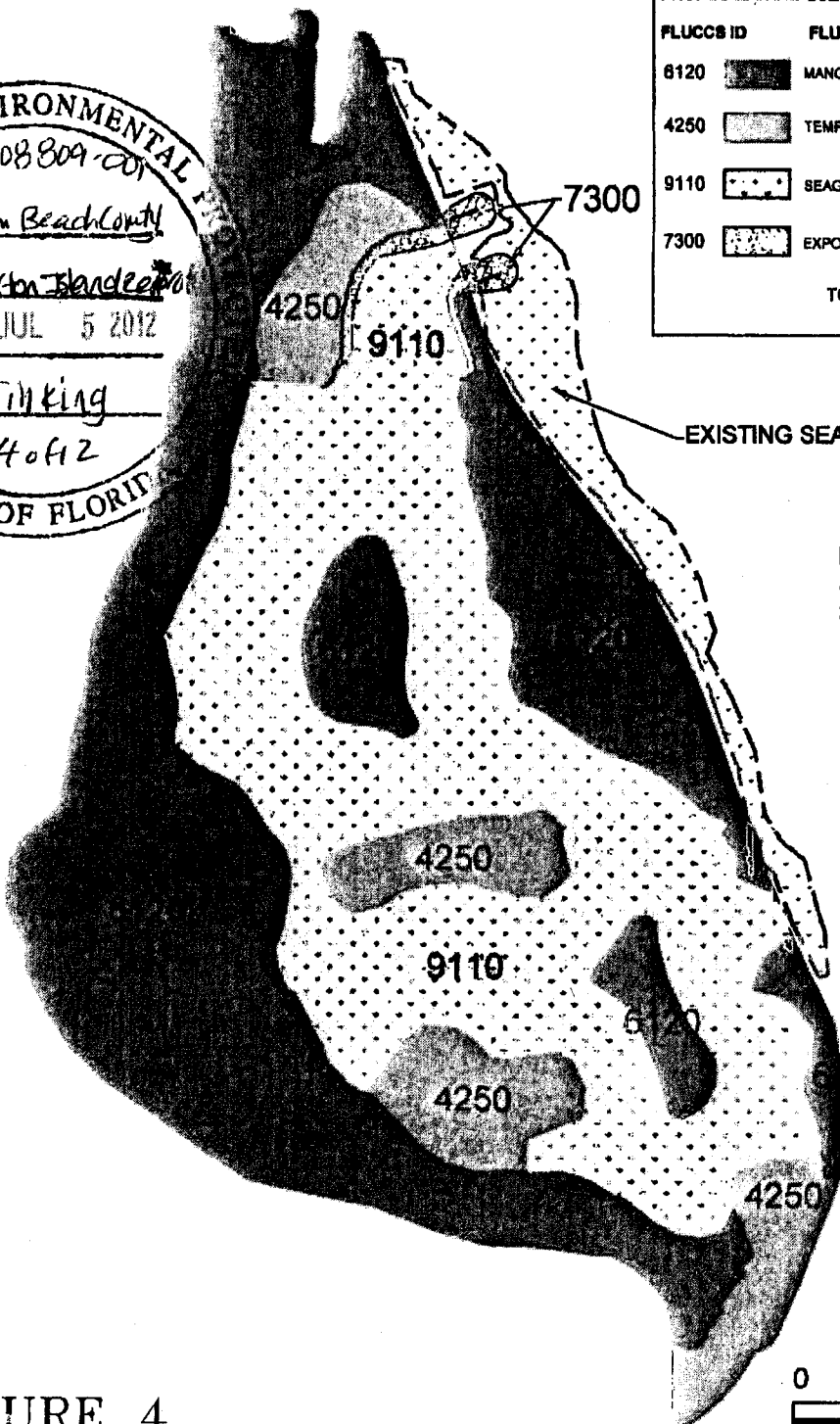
FIGURE 3

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FULLERTON ISLAND ENVIRONMENTAL RESTORATION & PUBLIC USE FACILITIES EXISTING LAND USE	7/5/12	No. _____ Reviser _____ Date _____	No. _____ Reviser _____ Date _____	No. _____ Reviser _____ Date _____
		PALM BEACH COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT 2300 NORTH JOG ROAD, 4th FLOOR WEST PALM BEACH, FLORIDA 33411 (561) 233-2400		



PROPOSED LAND USE			
FLUCCS ID	FLUCCS (LEVEL III)	ACREAGE	%
6120	MANGROVE SWAMP	5.66 AC	48.25%
4250	TEMPERATE HARDWOODS	1.36 AC	11.59%
9110	SEAGRASS	4.84 AC	39.56%
7300	EXPOSED ROCK	0.07 AC	0.60%
TOTAL ACREAGE		11.73 AC	100%



NOTE:
SEE FIGURE 10 FOR
SEAGRASS IMPACTS

Wilton W. Thomas
32070 11/2/11

FIGURE 4

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	Fullerton Island ENVIRONMENTAL RESTORATION & PUBLIC USE FACILITIES PROPOSED LAND USE	T:\ee\engser\natural\FULLERTON ISLAND-SAWFISH\FULRTN PROP 9-14-11.dwg	<table border="1"> <tr> <th>DATE</th> <th>BY</th> <th>REVISION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	DATE	BY	REVISION					PALM BEACH COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT 2300 NORTH JOG ROAD, 4th FLOOR WEST PALM BEACH, FLORIDA 33411 (561) 233-2400
	DATE			BY	REVISION						

USDA Soil Inventory – Palm Beach County Florida

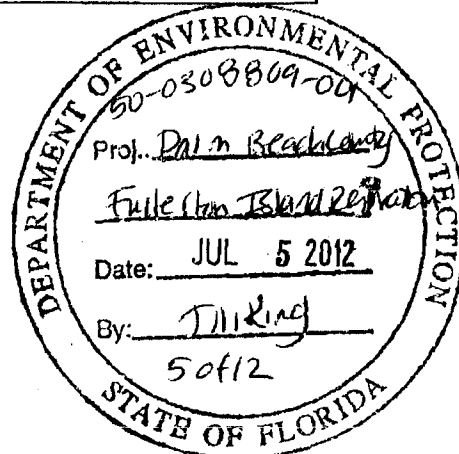


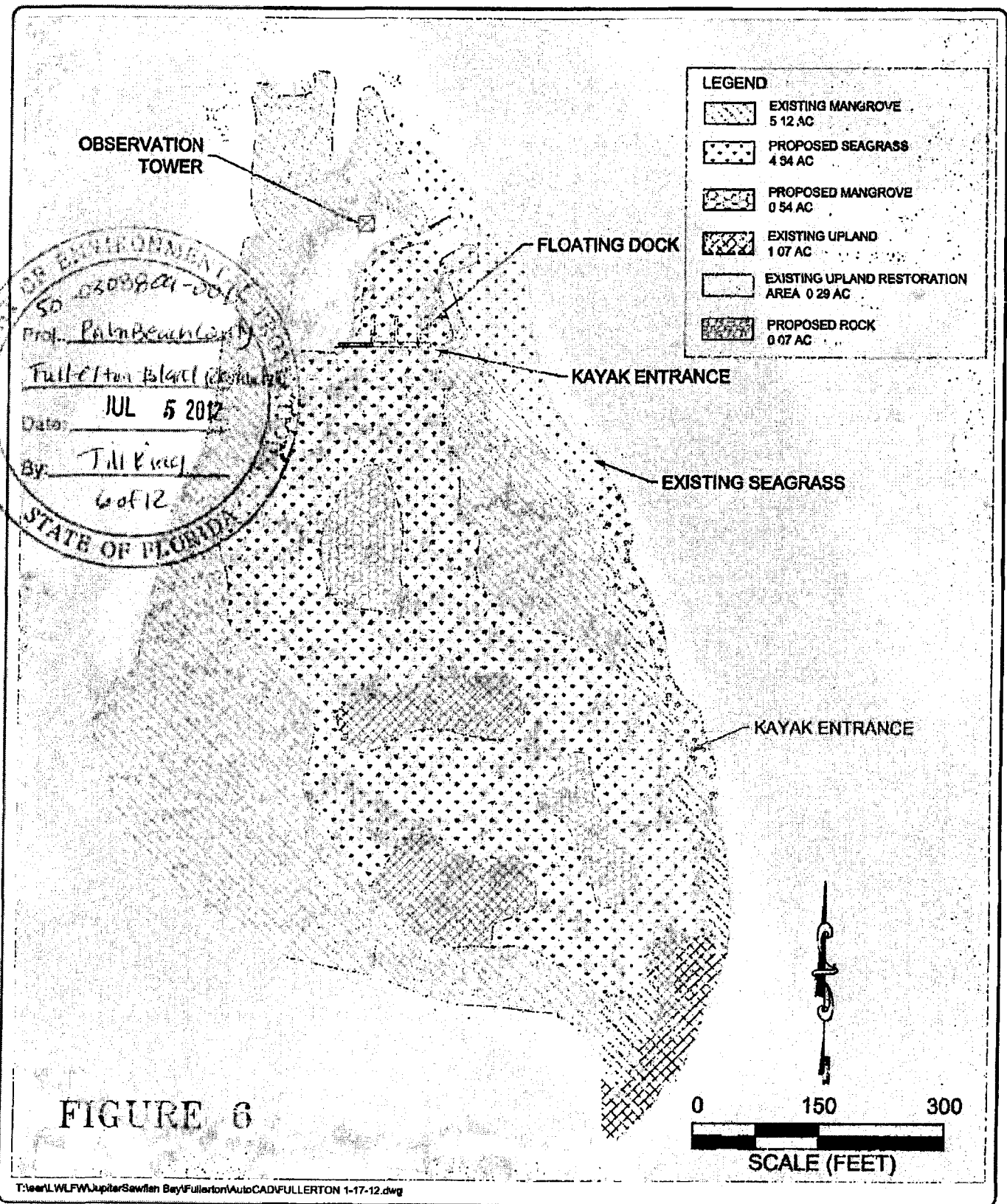
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MAP UNIT LEGEND


Fullerton Island: Palm Beach County, FL (FL611)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
4	Arents-Urban land complex, 0 to 5 percent slopes	6.61	51.12%
44	Kesson mucky sand, tidal	5.12	39.60%
99	Water	1.20	9.28%
Total for Area of Interest		12.93	100.00%

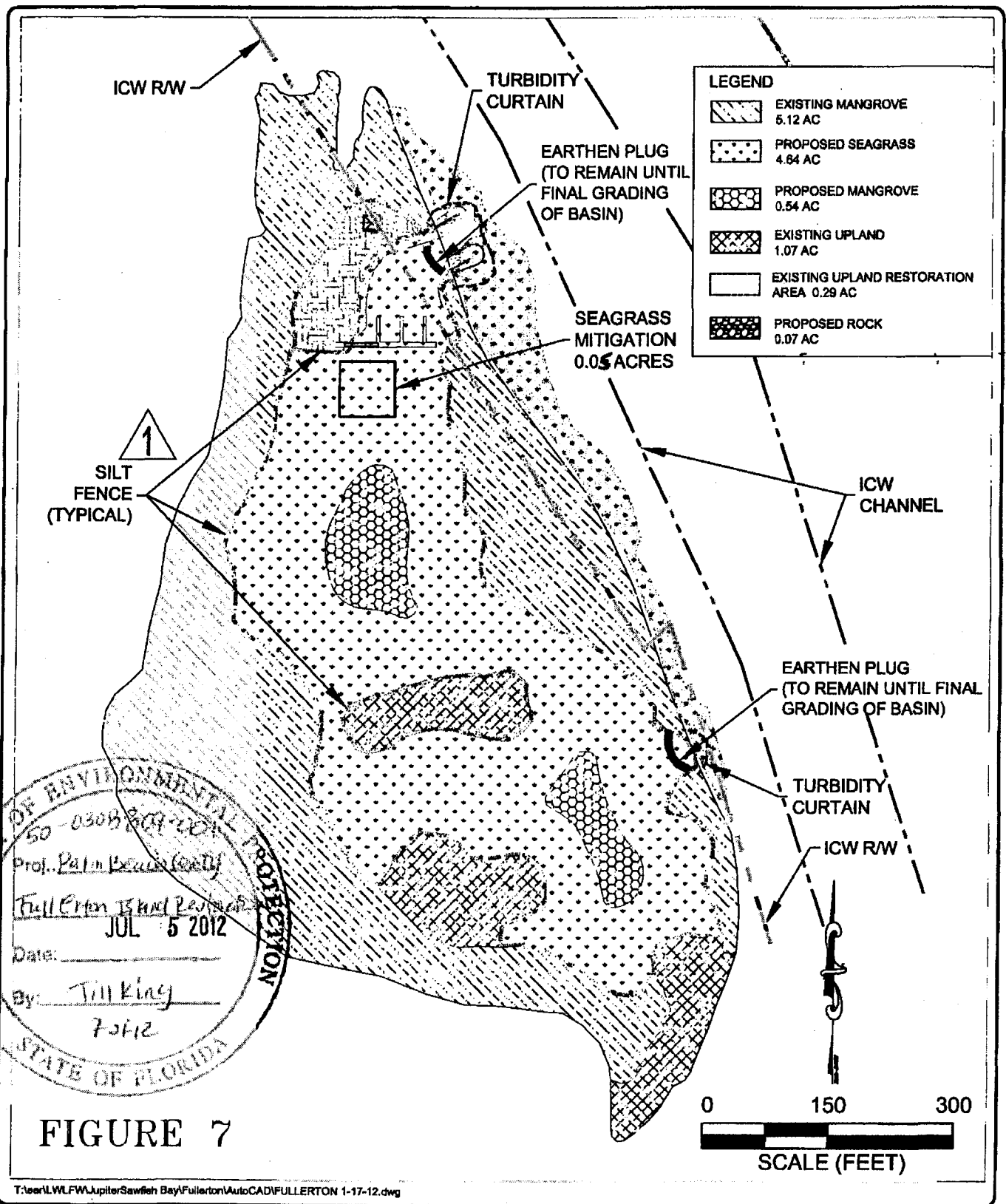
Figure 5: USDA/SCS Soil Types



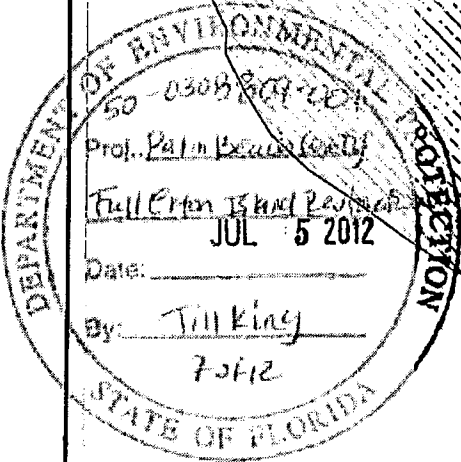


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4 12	Project FULLERTON ISLAND ENVIRONMENTAL RESTORATION & PUBLIC USE FACILITIES	SEAL	No. Revis. Dtg. Date		PALM BEACH COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT 2300 NORTH JOG ROAD, 4th FLOOR WEST PALM BEACH, FLORIDA 33411 (561) 233-2400
	SITE PLAN				

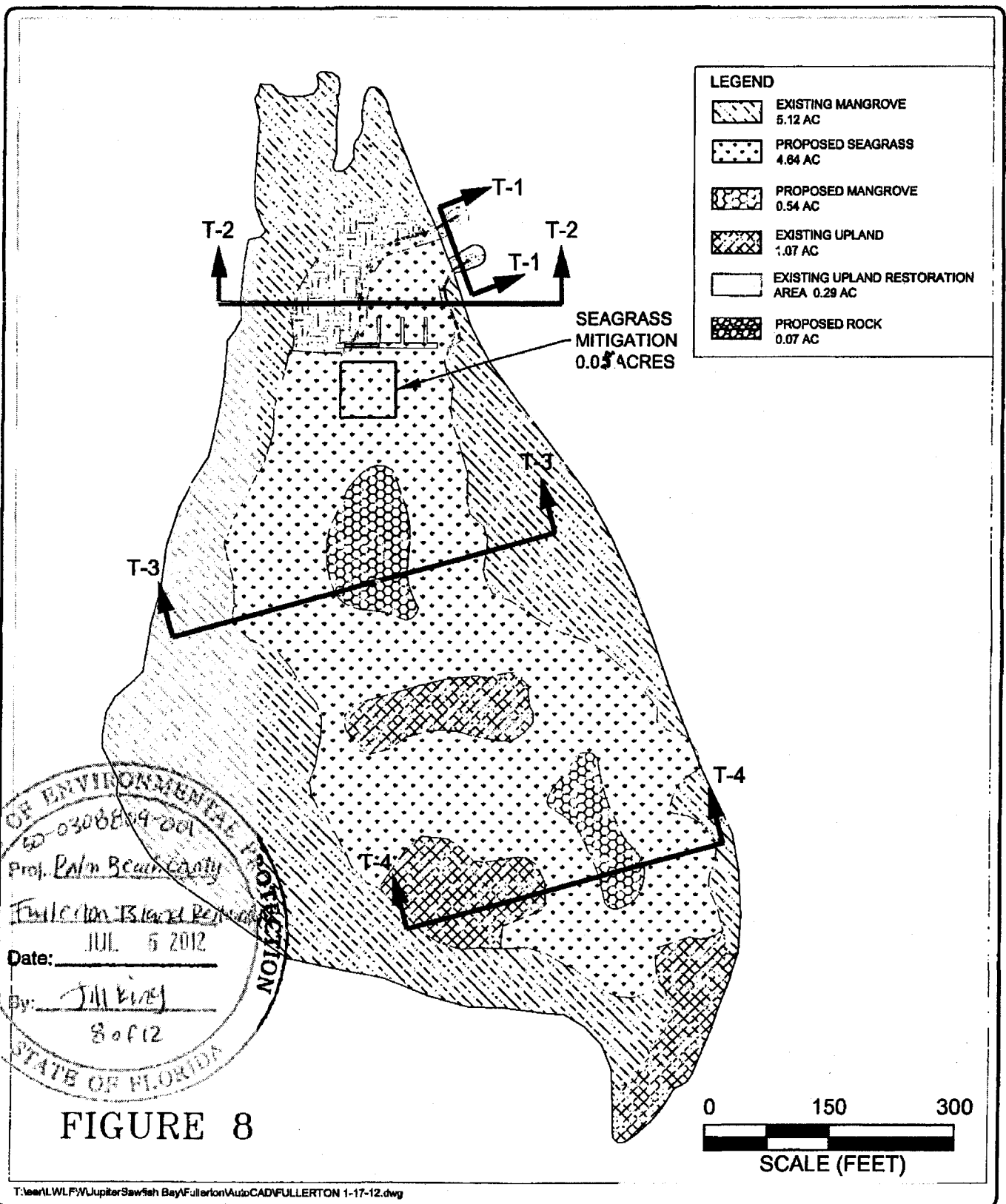


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<p>FULLERTON ISLAND ENVIRONMENTAL RESTORATION & PUBLIC USE FACILITIES</p> <p>TURBIDITY CONTROL & ICW R/W</p>	<p>SIZE</p>	<p>NO. OF SHEETS</p>	<p>SHEET NO.</p>	<p>DATE</p>	<p>BY</p>	<p>CHECKED BY</p>	<p>APPROVED BY</p>	<p>DATE</p>	<p>PROJECT</p>
		<p>DATE</p>	<p>BY</p>	<p>CHECKED BY</p>	<p>APPROVED BY</p>	<p>DATE</p>	<p>PROJECT</p>		


PALM BEACH COUNTY
 DEPARTMENT OF
 ENVIRONMENTAL RESOURCES MANAGEMENT
 2300 NORTH JOG ROAD, 4th FLOOR
 WEST PALM BEACH, FLORIDA 33411
 (561) 233-2400



Project FULLERTON ISLAND ENVIRONMENTAL RESTORATION & PUBLIC USE FACILITIES TRANSECT LOCATIONS	SIZE DATE TIME BY CHECKED BY FILED FILED IN	No. Revision Date By Check	Scale Date By Check	Project No. Date By Check		PALM BEACH COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT 2500 NORTH JOG ROAD, 4th FLOOR WEST PALM BEACH, FLORIDA 33411 (561) 233-2400

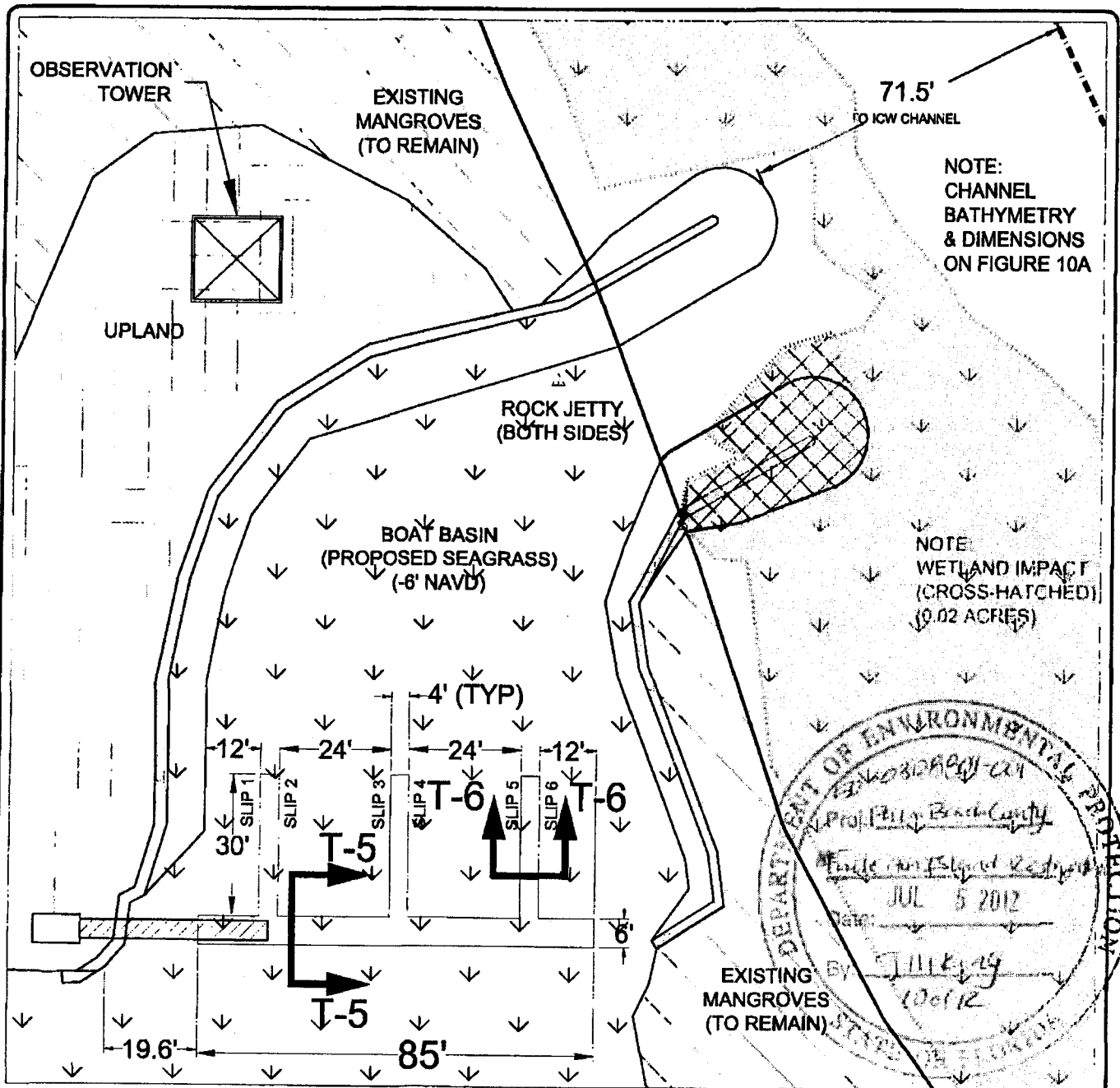
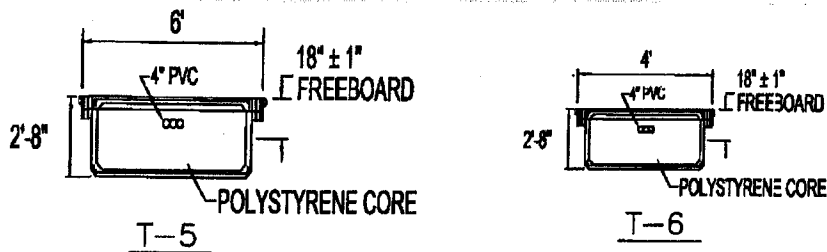


FIGURE 10

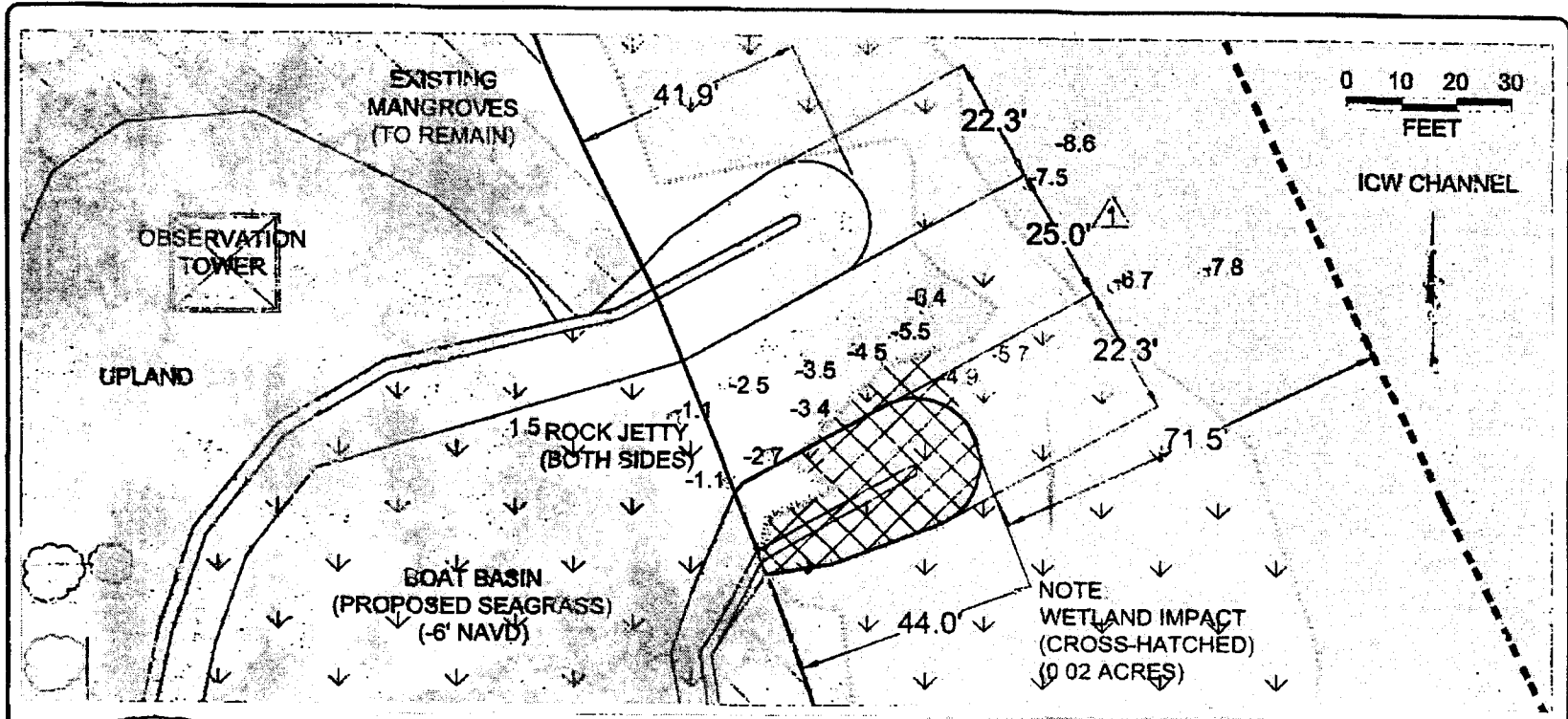


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Project: **FULLERTON ISLAND**
 ENVIRONMENTAL RESTORATION & PUBLIC USE FACILITIES
 FLOATING DOCK BASIN W/ DIMENSIONS

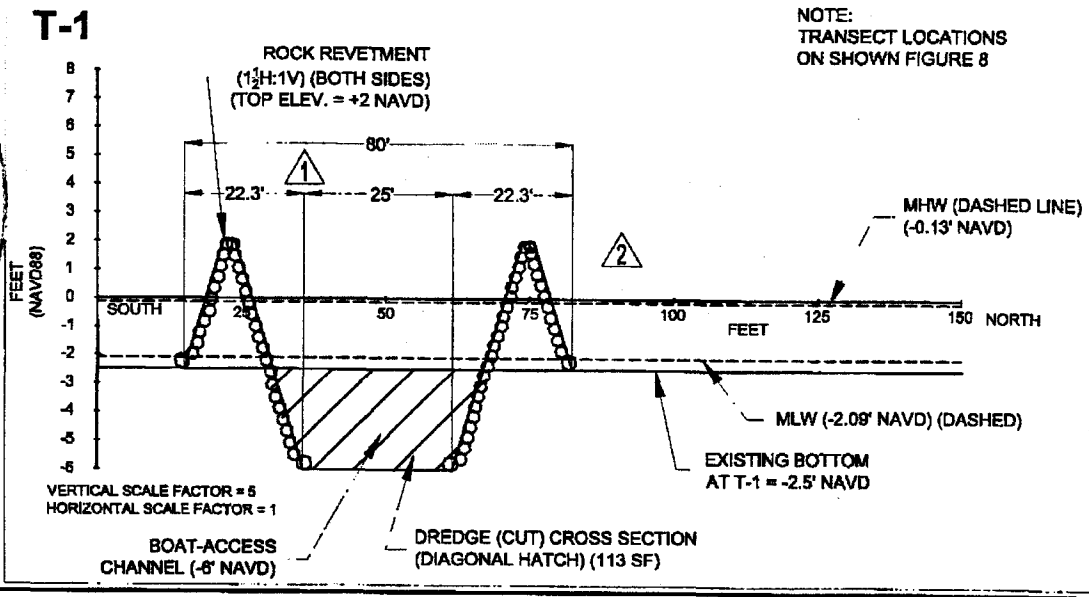
NO.	DATE	BY	CHKD	APP'D	REVISION

PALM BEACH COUNTY
 DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT
 2300 NORTH JOG ROAD, 4th FLOOR
 WEST PALM BEACH, FLORIDA 33411
 (561) 233-2400



DEPARTMENT OF ENVIRONMENTAL PROTECTION
 STATE OF FLORIDA
 Project: Fullerton Island
 Date: JUL 5 2012
 By: T. King
 11/01/12

FIGURE 10A

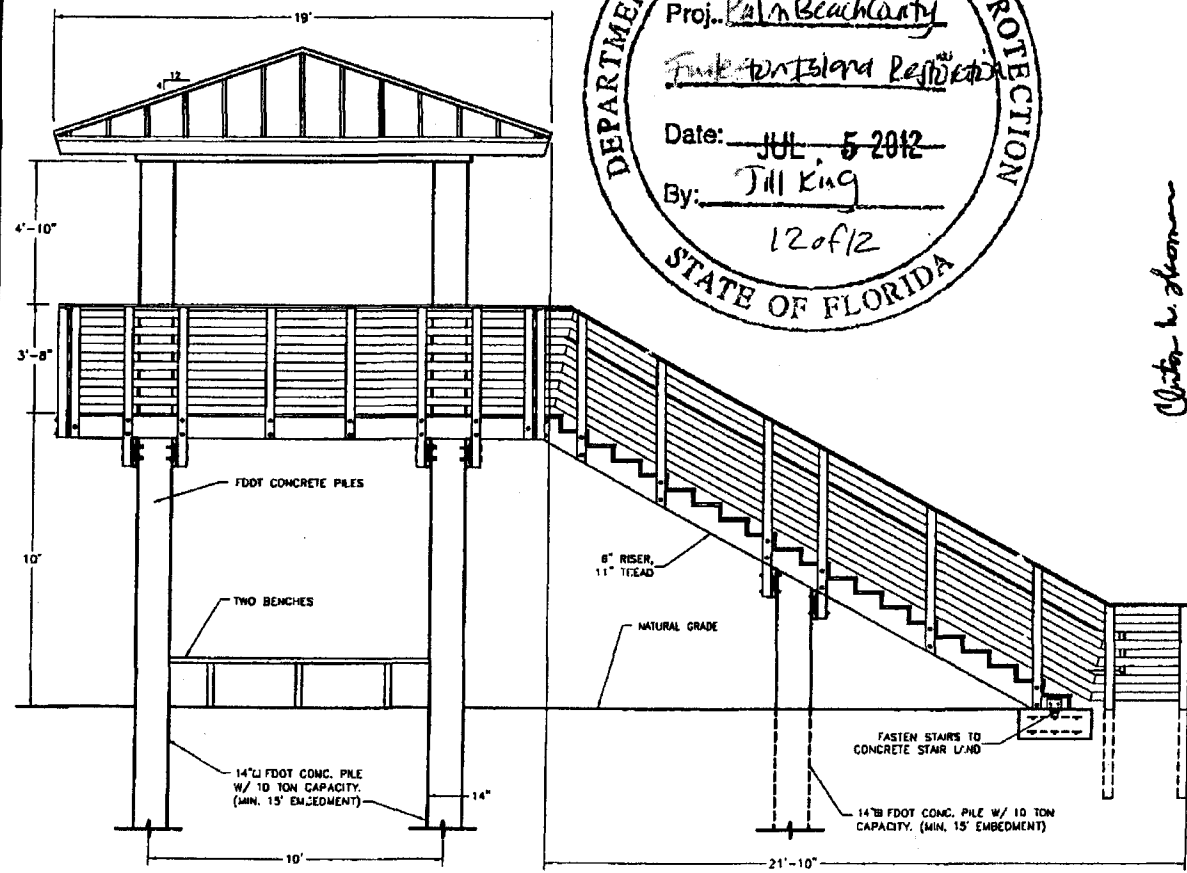
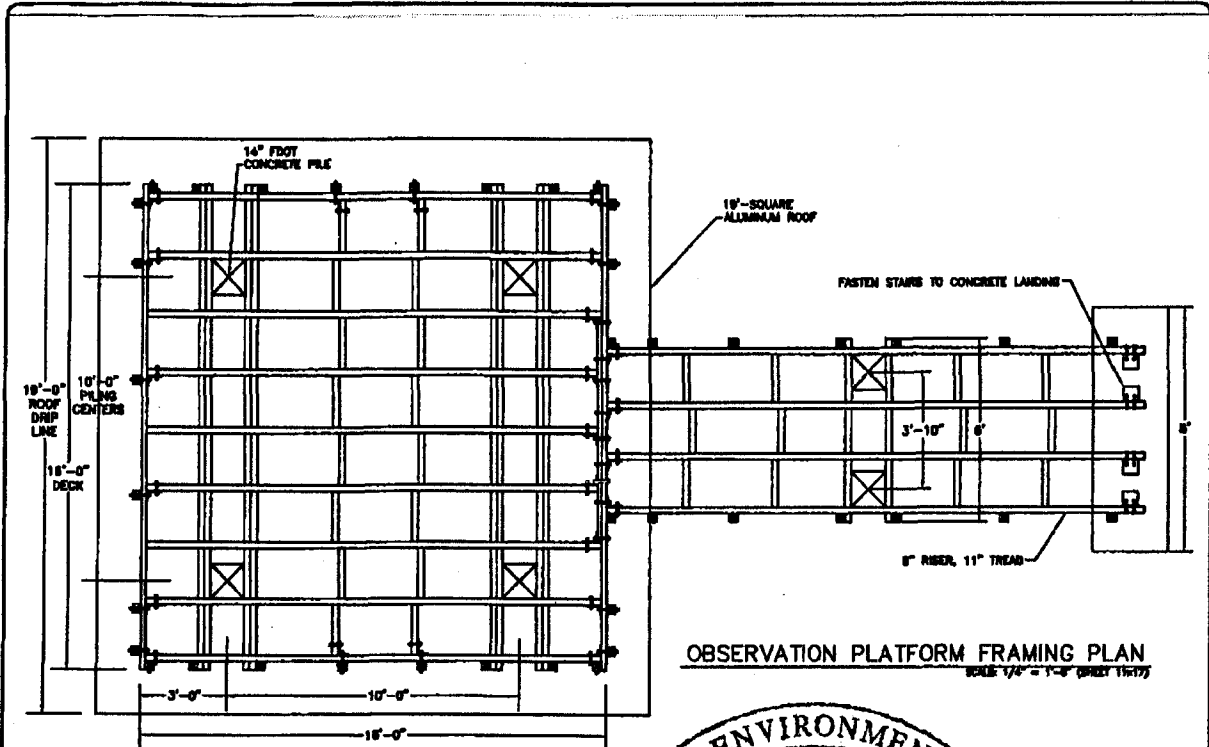


PALM BEACH COUNTY
 DEPARTMENT OF
 ENVIRONMENTAL RESOURCES MANAGEMENT
 2500 NORTH JOG ROAD, 4TH FLOOR
 WEST PALM BEACH, FLORIDA 33411
 (561) 238-2400

NO.	DATE	BY
TITLE	PROJECT	DRAWN BY

SEAL

FULLERTON ISLAND
 ENVIRONMENTAL RESTORATION &
 PUBLIC USE FACILITIES
 BASIN BATHYMETRY &
 SEAGRASS IMPACTS



DEPARTMENT OF ENVIRONMENTAL PROTECTION
 STATE OF FLORIDA
 Proj. Palm Beach County
 Fullerton Island Restoration
 Date: JUL 5 2012
 By: Jill King
 12 of 12

Water to stream
 #32070 11/2/11

FIGURE 11

ELEVATION VIEW

T:\esr\engser\natural\FULLERTON ISLAND-SAWFISH\SHEET-TOWER 8-25-11.dwg

<p>FULLERTON ISLAND ENVIRONMENTAL ENHANCEMENT & PUBLIC USE FACILITIES PALM BEACH COUNTY</p>	<p>DATE: 11/2/11 DRAWN BY: [Signature] CHECKED BY: [Signature]</p>		<p>PALM BEACH COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT 2300 NORTH JOE ROAD, 4TH FLOOR WEST PALM BEACH, FLORIDA 33411-2745 (561) 233-2400</p>
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Fullerton Island Restoration Mitigation Plan

Project Overview

Seagrass

The location of the proposed basin and ingress/egress channel was selected primarily because of its close proximity to the ICW and relatively sparse coverage and low density of seagrass (patchy, 1-5%), when compared with other areas along Fullerton Island (continuous, average of 15% for *Halodule wrightii* and 20% for *Halophila johnsonii*). Dredging of the ingress/egress channel and placement of limerock to delineate and stabilize the channel will result in 0.02 acre (871 square feet) of seagrass impacts (see figure 10A of project drawings). Given that dense seagrass is currently found in the proposed depth of -6 feet NAVD, recruitment of seagrass within the channel and boat basin is anticipated.

There are no mangrove impacts associated with this project.

Mitigation Details

UMAM was used to determine the amount of mitigation needed to offset adverse impacts to existing seagrass. Mitigation for the 0.02 acre of seagrass impacts will be in the form of 0.07 acre of seagrass creation at the north end of the seagrass creation area (see figure 7 of project drawings). Given the ephemeral nature of seagrass, success will be attained when the area has achieved a cover-abundance value of 1.0 (based on the current cover-abundance of the impact area using the Braun-Blanquet Technique) for two out of three consecutive years.

In addition to the seagrass mitigation, the project will create a total of a total of 4.59 acres of seagrass, 0.54 acres of mangroves and 0.29 acres of temperate hammock and enhance 0.72 acres of mangroves, 1.07 acres of temperate hammock, and preserve 5.12 acres of existing mangroves. The portions of the project that shall result in the creation of 4.59 acres of seagrass habitat, the 0.29 acres of temperate hammock that shall be restored, the enhancement of 0.72 acres of mangrove habitat, and the creation of 0.54 acres of mangrove habitat shall be utilized as upfront, offsite mitigation for future Town of Jupiter and Palm Beach County projects. Success of the future mitigation areas and the amount of functional units generated by those components of the project will be evaluated and determined when an application is made by the Town or County for project-related impacts.

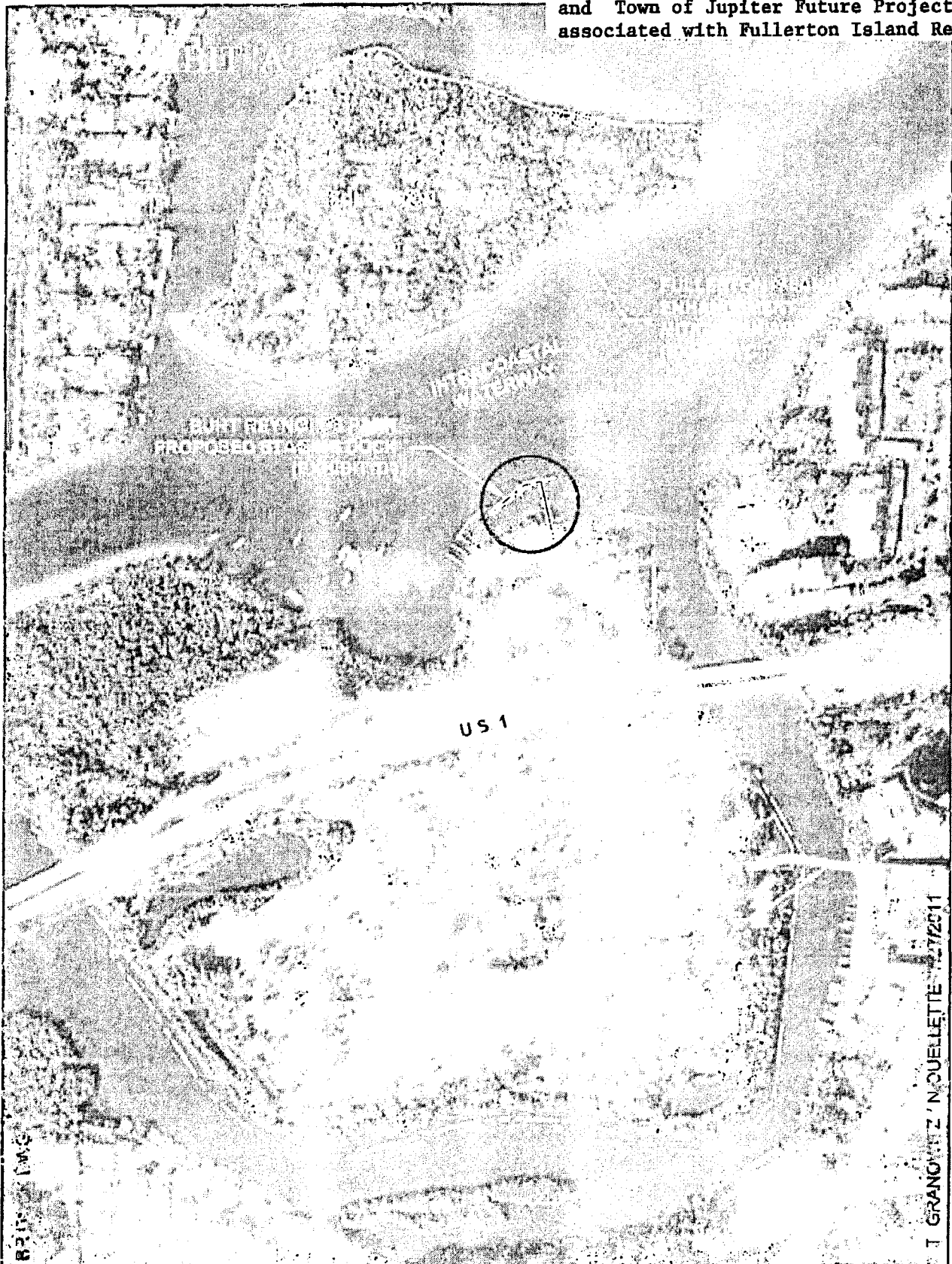
Monitoring

Monitoring of the project will be conducted for five years following completion of construction. Upon completion of the planting, a time zero report will be completed to determine if the appropriate acreage and quantities of plant material have been established. The Time Zero report will be submitted within 30 days of completion and will include an as-built survey and list of planted species. Photos of the mitigation area, documenting location and orientation of each, will also be included as part of the report. Following FDEP acceptance of the time-zero report, quarterly monitoring will occur for the first year and annual monitoring will occur the remaining

Attachment 1: Planting Plan for Fullerton Island Restoration Project						
FDEP Application no. 50-0308809-001						
Zone	Common Name	Scientific Name	Size	Spacing	Number	
Wetland	Red Mangrove	<i>Rhizophora mangle</i>	propagule	3'	10,000	
	Subtotal				10,000	
Transitional Slope						
	Green Buttonwood	<i>Conocarpus erectus</i>	3 G	5'	150	
	Bay cedar	<i>Suriana maritima</i>	3 G	5'	50	
	Saltmeadow cordgrass	<i>Spartina patens</i>	liner	18"	1,500	
	Seashore paspalum	<i>Paspalum vaginatum</i>	liner	18"	1,000	
	Gulf cordgrass	<i>Spartina spartinae</i>	liner	18"	1,800	
	Sea oats	<i>Uniola paniculata</i>	liner	18"	200	
	Subtotal				4,700	
Hammock	Cabbage Palm	<i>Sabal palmetto</i>	FG 8' - 12' CT	7'	35	
	Gumbo Limbo	<i>Bursea simaruba</i>	25 G	10'	20	
	Sea Grape	<i>Coccoloba uvifera</i>	15 G	7'	20	
	Strangler Fig	<i>Ficus aurea</i>	15 G	7'	7	
	Black ironwood	<i>Krugiodendron ferreum</i>	15 G	7'	15	
	Blolly	<i>Guapira discolor</i>	7 G	7'	25	
	Black Bead	<i>Pithecellobium keyense</i>	7 G	5'	11	
	Saw Palmetto	<i>Serenoa repens</i>	3 G	5'	25	
	Subtotal				158	
Total Plants					14,858	

**Exhibit 3, Attachment 3 Palm Beach County
and Town of Jupiter Future Projects
associated with Fullerton Island Restora**

*Spqs
total*



PALM BEACH COUNTY
PARKS & RECREATION DEPARTMENT
PLANNING & DEVELOPMENT DIVISION

FULLERTON ISLAND /
BURT REYNOLDS PARK
ENHANCEMENT
LOCATION MAP





**BURT REYNOLDS
PARK
(WEST SIDE)**

U.S. 1

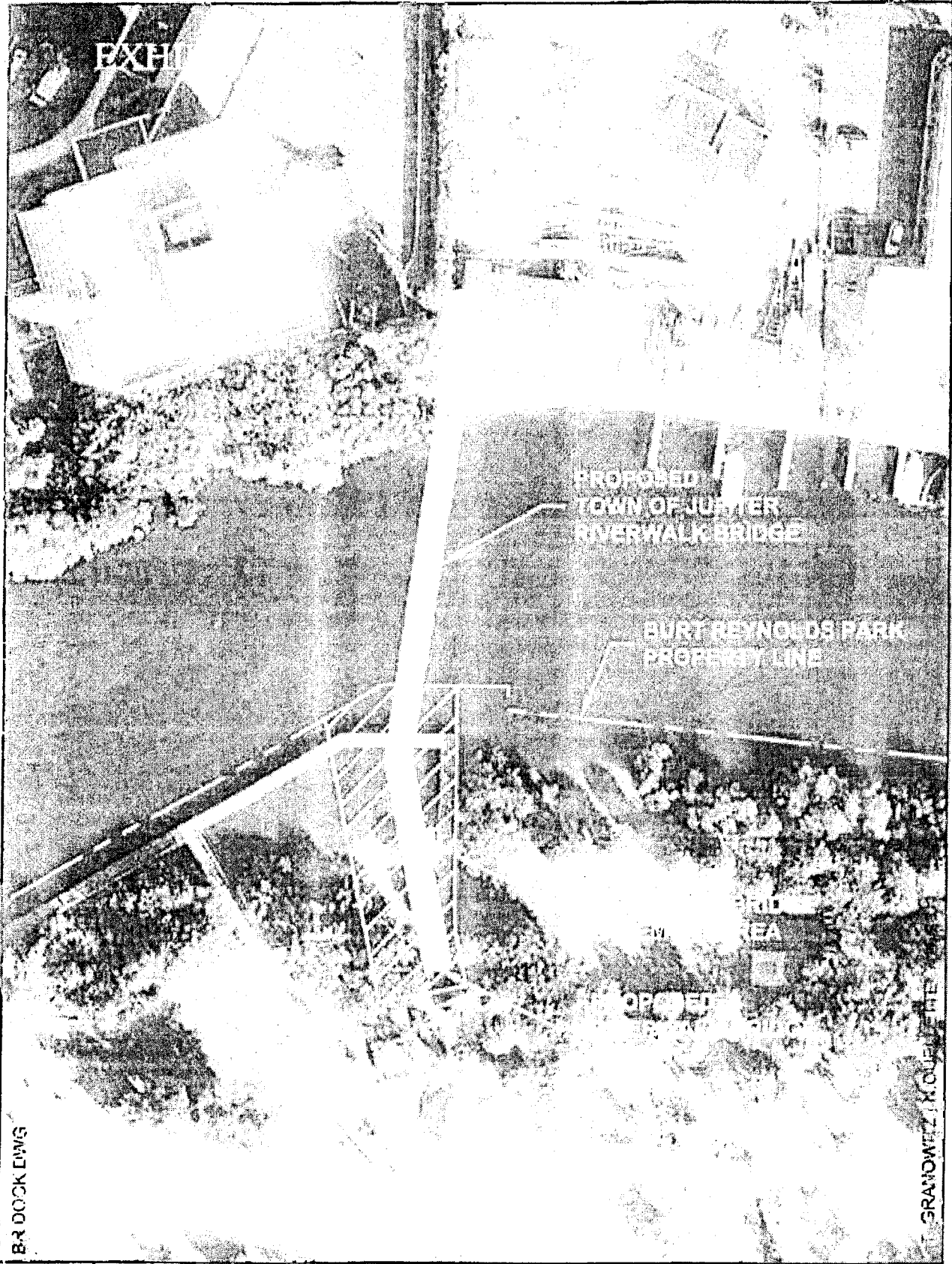
T GRANOWITZ N OUELLETTE 2/23/2011



**PALM BEACH COUNTY
PARKS & RECREATION
DEPARTMENT**

**BURT REYNOLDS PARK
PROPOSED STAGING DOCK
EASEMENT AREA**

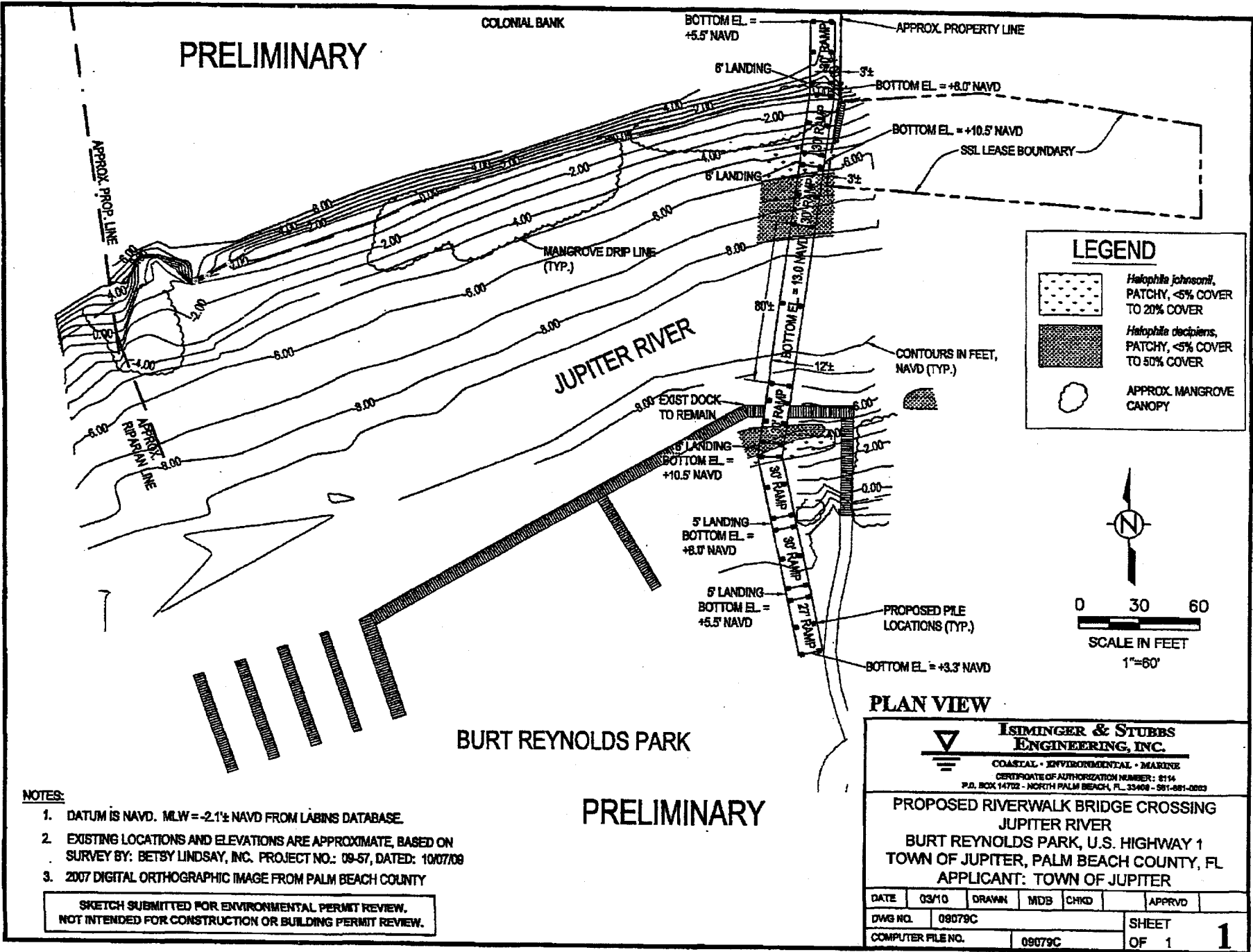




PALM BEACH COUNTY
 PARKS & RECREATION DEPARTMENT
 PLANNING & DEVELOPMENT DIVISION

BURT REYNOLDS PARK
 PROPOSED TOWN OF JUPITER
 RIVERWALK BRIDGE





PRELIMINARY

COLONIAL BANK

BOTTOM EL. = +5.5' NAVD

APPROX. PROPERTY LINE

6' LANDING

BOTTOM EL. = +8.0' NAVD

BOTTOM EL. = +10.5' NAVD




SSL LEASE BOUNDARY

APPROX. PROP. LINE

JUPITER RIVER

MANGROVE DRIP LINE (TYP.)

LEGEND

-  *Halophila johnsonii*, PATCHY, <5% COVER TO 20% COVER
-  *Halophila decipiens*, PATCHY, <5% COVER TO 50% COVER
-  APPROX. MANGROVE CANOPY

CONTOURS IN FEET, NAVD (TYP.)

8.00' EXIST DOCK TO REMAIN


5' LANDING BOTTOM EL. = +10.5' NAVD

5' LANDING BOTTOM EL. = +8.0' NAVD

5' LANDING BOTTOM EL. = +5.5' NAVD

PROPOSED PILE LOCATIONS (TYP.)

BOTTOM EL. = +3.3' NAVD



0 30 60
SCALE IN FEET
1"=60'

BURT REYNOLDS PARK

PRELIMINARY

PLAN VIEW

ISMINGER & STUBBS ENGINEERING, INC.
COASTAL • ENVIRONMENTAL • MARINE
 CERTIFICATE OF AUTHORIZATION NUMBER: 0114
 P.O. BOX 14702 - NORTH PALM BEACH, FL 33408 - 981-681-0803

PROPOSED RIVERWALK BRIDGE CROSSING JUPITER RIVER
BURT REYNOLDS PARK, U.S. HIGHWAY 1
TOWN OF JUPITER, PALM BEACH COUNTY, FL
APPLICANT: TOWN OF JUPITER

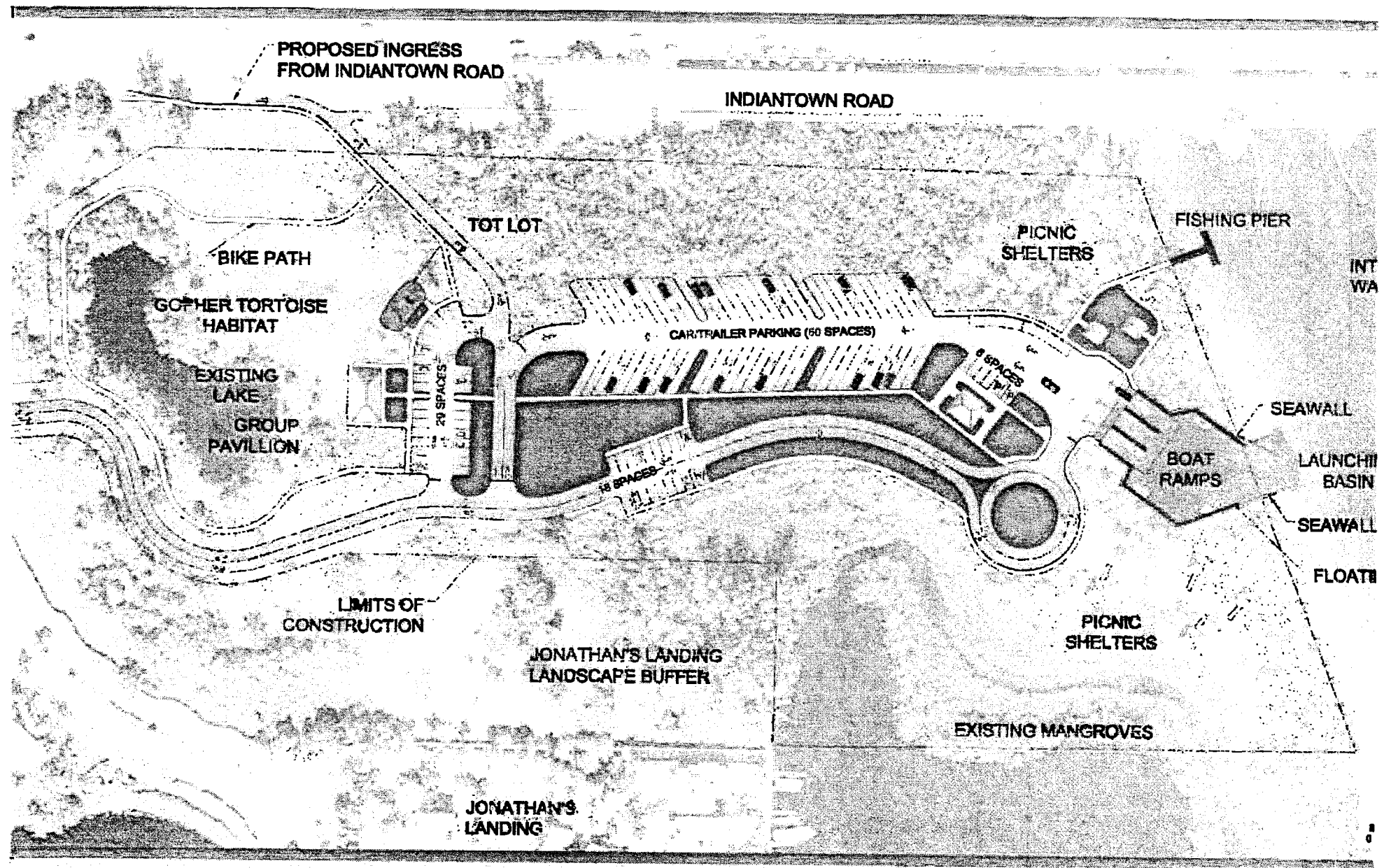
DATE	03/10	DRAWN	MDB	CHKD	APPRVD
DWG NO.	09079C				SHEET
COMPUTER FILE NO.	09079C				OF 1

1

NOTES:

- DATUM IS NAVD. MLW = -2.1± NAVD FROM LABINS DATABASE.
- EXISTING LOCATIONS AND ELEVATIONS ARE APPROXIMATE, BASED ON SURVEY BY: BETSY LINDSAY, INC. PROJECT NO.: 09-57, DATED: 10/07/09
- 2007 DIGITAL ORTHOGRAPHIC IMAGE FROM PALM BEACH COUNTY

SKETCH SUBMITTED FOR ENVIRONMENTAL PERMIT REVIEW.
 NOT INTENDED FOR CONSTRUCTION OR BUILDING PERMIT REVIEW.



WATERWAY PARK

A conceptual plan for the proposed Waterway Park includes three boat ramp lanes, 60 car/trailer parking spaces, 8 picnic shelters, floating docks, and a fishing pier.



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

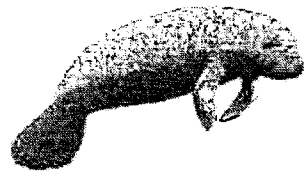
All project vessels

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

Florida Exotic Pest Plant Council's 2009 List of Invasive Plant Species

Purpose of the List: To focus attention on —

- ▶ the adverse effects exotic pest plants have on Florida's biodiversity and plant communities,
- ▶ the habitat losses from exotic pest plant infestations,
- ▶ the impacts on endangered species via habitat loss and alteration,
- ▶ the need to prevent habitat losses through pest-plant management,
- ▶ the socio-economic impacts of these plants (e.g., increased wildfires in certain areas),
- ▶ changes in the seriousness of different pest plants over time,
- ▶ the need to provide information that helps managers set priorities for control programs

CATEGORY I

Invasive exotics that are altering native plant communities by displacing native species, changing community structures or ecological functions, or hybridizing with natives. This definition does not rely on the economic severity or geographic range of the problem, but on the documented ecological damage caused.

Scientific Name	Common Name	FLEPPC Cat	Gov List	Reg Dist
<i>Adiantum procumbens</i>	rosary pea	I	N	C, S
<i>Acacia auriculiformis</i>	earleaf acacia	I		C, S
<i>Albizia julibrissin</i>	silky tree	I		N, C
<i>Albizia lebbekii</i>	woman's tongue	I		C, S
<i>Ardisia crenata</i> (A. crenata misapplied)	coral ardisia	I		N, C, S
<i>Ardisia elliptica</i> (A. humilis misapplied)	shoebuon ardisia	I	N	C, S
<i>Asparagus aethiopicus</i> (A. sprengeri, A. densiflorus misapplied)	asparagus fern	I		N, C, S
<i>Bauhinia variegata</i>	orchid tree	I		C, S
<i>Bischofia javanica</i>	bishopwood	I		C, S
<i>Calophyllum antillarum</i> (C. calabaria and C. inophyllum misapplied)	santa maria (names "masti wood," "Alexandrian laurel" used in cultivation)	I		S
<i>Casuarina equisetifolia</i>	Australian pine, beach sheoak	I	P, N	N, C, S
<i>Casuarina glauca</i>	suckering Australian pine, gray sheoak	I	P, N	C, S
<i>Cinnamomum camphora</i>	camphor tree	I		N, C, S
<i>Colocasia esculenta</i>	wild taro	I		N, C, S
<i>Colubrina asiatica</i>	lather leaf	I	N	S
<i>Cupressopsis anacardioides</i>	carrotwood	I	N	C, S
<i>Dioscorea alata</i>	winged yam	I	N	N, C, S
<i>Dioscorea bulbifera</i>	air potato	I	N	N, C, S
<i>Eichhornia crassipes</i>	water hyacinth	I	P	N, C, S
<i>Eugenia uniflora</i>	Sour cherry	I		C, S
<i>Ficus microcarpa</i> (F. retusa and F. retusa var. munda misapplied)	laurel fig	I		C, S
<i>Hydrilla verticillata</i>	hydrilla	I	P, U	N, C, S
<i>Hygrophila polysperma</i>	green hygro	I	P, U	N, C, S
<i>Hymerachne amplexicaulis</i>	West Indian marsh grass	I		C, S
<i>Imperata cylindrica</i> (I. inasberns misapplied)	cogon grass	I	N, U	N, C, S
<i>Ipomoea aquatica</i>	water spinach	I	P, U	C
<i>Jasminum duchoiomum</i>	Gold Coast jasmine	I		C, S
<i>Jasminum fluminense</i>	Brazilian jasmine	I		C, S
<i>Lantana camara</i> (= L. strigocamarata)	lantana, shrub verbena	I		N, C, S
<i>Ligustrum lucidum</i>	glossy privet	I		N, C
<i>Ligustrum sinense</i>	Chinese privet, hedge privet	I		N, C, S
<i>Lonicera japonica</i>	Japanese honeysuckle	I		N, C, S
<i>Leptochloa peruviana</i>	Peruvian primrosewillow	I		N, C, S
<i>Luziola subintegra</i>	Tropical American water grass	I		S
<i>Lygodium japonicum</i>	Japanese climbing fern	I	N	N, C, S
<i>Lygodium microphyllum</i>	Old World climbing fern	I	N	C, S

Does not include *Ficus microcarpa* subsp. *flayvensis*, which is sold as "Green Island Ficus"

FLEPPC List Definitions:

Exotic – a species introduced to Florida, purposefully or accidentally, from a natural range outside of Florida.

Native – a species whose natural range includes Florida.

Naturalized exotic – an exotic that sustains itself outside cultivation (it is still exotic; it has not "become" native).

Invasive exotic – an exotic that not only has naturalized, but is expanding on its own in Florida native plant communities.

Abbreviations:

Government List (Gov. List):

P = Prohibited aquatic plant by the Florida Department of Agriculture and Consumer Services;

N = Noxious weed listed by Florida Department of Agriculture & Consumer Services;

U = Noxious weed listed by U.S. Department of Agriculture.

Regional Distribution (Reg. Dist.):

N = north, C = central,

S = south, referring to each species' current distribution in general regions of Florida (not its potential range in the state). Please refer to the map below.



Changes to the 2009 List:

Luziola subintegra, added to list as Category I

Luziola subintegra (rice grass) was first discovered in Lake Okechobee by M&E Bogle in 2007. This aquatic grass is spreading in the lake. It grows in water 2-3 m deep, spreads vegetatively and by seed, and aggressively outcompetes other native and exotic species. To date, 2,000 acres have been treated.

Nymphoides cristata, moved from Category II to Category I

Snowflake (*Nymphoides cristata*) is an Asian aquatic that became problematic in southwest Florida in the 1950s. It is now an abundant weed in canals and ponds in southwest Florida, and has spread throughout the peninsula where it has been documented in seven counties, from Collier to St. Johns. It has colonized the Big Cypress National Preserve where it is invading several strand swamps along Tamiami Trail, presumably introduced by fishermen using cast nets infested from waters outside of the preserve.

Salvinia minima, added to list as Category I

Water spangles (*Salvinia minima*), first found in Florida in 1928, remained a cryptic species during a period when opinions differed on its status as native or introduced in Florida. In 2001, a study of early herbarium voucher data revealed the introduction points and systematic spread of this free-floating fern into and throughout Florida. *S. minima* outcompetes more native aquatic duckweeds by overlapping their rhizome fronds, which float flat upon the water surface.

Scleria lacustris, moved from Category II to Category I

Wright's nutrush (*Scleria lacustris*) is an annual tropical sedge that was first collected in Florida in 1988. In Florida, its distribution extends to more than 20 distinct natural areas in eight counties within four major drainage regions of the central and southern peninsula. Its unique growth habit obscures open water and drastically alters the naturally sparse and upright structure of preexisting native vegetation. Such domination may even displace native prey for the endangered Florida snail kite, a sight feeder inhabiting many locations where invasive colonization occurs.

Scientific Name	Common Name	FLEPPC Cat.	Gov. List	Reg. Dist.
<i>Macfadyena unguis-cati</i>	cat's claw vine	I		N, C, S
<i>Manihara zapota</i>	sapodilla	I		S
<i>Melaleuca quinquenervia</i>	melaleuca, paper bark	I	R, N, U	C, S
<i>Melinis repens</i> (= <i>Rhynchosyris repens</i>)	Natal grass	I		N, C, S
<i>Mimosa pigra</i>	catclaw mimosa	I	R, N, U	C, S
<i>Nandina domestica</i>	nandina, heavenly bamboo	I		N, C
<i>Nephrolepis cordifolia</i>	sword fern	I		N, C, S
<i>Nephrolepis brownei</i> (= <i>N. multiflora</i>)	Asian sword fern	I		C, S
<i>Neyraudia reynaudiana</i>	Burma reed, cane grass	I	N	S
<i>Nymphoides cristata</i>	snowflake	I		C, S
<i>Paederia cruddasiana</i>	sewer vine, onion vine	I	N	S
<i>Paederia foetida</i>	skunk vine	I	N	N, C, S
<i>Panicum repens</i>	torpedo grass	I		N, C, S
<i>Pennisetum purpureum</i>	Napier grass	I		N, C, S
<i>Pistia stratiotes</i>	water-lettuce	I	P	N, C, S
<i>Psidium cattleianum</i> (= <i>P. littorale</i>)	strawberry guava	I		C, S
<i>Psidium guajava</i>	guava	I		C, S
<i>Pueraria montana</i> var. <i>lobata</i> (= <i>P. lobata</i>)	kudzu	I	N	N, C, S
<i>Rhodomystus tomentosa</i>	downy rose-myrtle	I	N	C, S
<i>Rhynchosyris repens</i> (See <i>Melinis repens</i>)				
<i>Ruellia brittoniana</i> ² (<i>R. tweediana</i> misapplied)	Mexican petunia	I		N, C, S
<i>Salvinia minima</i>	water spangles	I		N, C, S
<i>Sapium sebiferum</i> (= <i>Triadua sebifera</i>)	popcorn tree, Chinese tallow tree	I	N	N, C, S
<i>Scaevola taccada</i> (= <i>Scaevola sericea</i> , <i>S. frutescens</i>)	scaevola, half-flower, beach naupaka	I	N	C, S
<i>Schefflera actinophylla</i> (= <i>Brassia acuminophylla</i>)	schefflera, Queensland ambarella tree	I		C, S
<i>Schinus molle</i>	Brazilian pepper	I	R, N	N, C, S
<i>Scleria lacustris</i>	Wright's nutrush	I		C, S
<i>Senna pendula</i> var. <i>glabra</i> (= <i>Cassia coluteoides</i>)	climbing cassia, Christmas cassia, Christmas senna	I		C, S
<i>Solanum elaeagnifolium</i> (= <i>S. houstonii</i>)	wetland nightshade, aquatic soda apple	I	N, U	C, S
<i>Solanum viarum</i>	tropical soda apple	I	N, U	N, C, S
<i>Syngonium podophyllum</i>	arrowhead vine	I		N, C, S
<i>Syzygium cumu</i>	jambolan plum, Java plum	I		C, S
<i>Tecaria incisa</i>	incised halberd fern	I		S
<i>Thespesia populnea</i>	seaside mahoe	I		C, S
<i>Tridax dactyloides</i>	small-leaf spiderwort	I		N, C
<i>Urochloa mutica</i> (= <i>Brachiaria mutica</i>)	Para grass	I		C, S

CATEGORY II

Invasive exotics that have increased in abundance or frequency but have not yet altered Florida plant communities to the extent shown by Category I species. These species may become ranked Category I, if ecological damage is demonstrated.

Scientific Name	Common Name	FLEPPC Cat.	Gov. List	Reg. Dist.
<i>Adenanthera pavonina</i>	red sandalwood	II		S
<i>Agave sisalana</i>	sisal hemp	II		C, S
<i>Aleurites fordii</i> (= <i>Vernicia fordii</i>)	tung oil tree	II		N, C
<i>Alstonia macrophylla</i>	sevil tree	II		S
<i>Alternanthera philaxeroides</i>	alligator weed	II	P	N, C, S
<i>Antigonon leptopus</i>	coral vine	II		N, C, S
<i>Aristolochia littoralis</i>	calico flower	II		N, C, S
<i>Asystasia gangetica</i>	Ganges primrose	II		C, S

²The Plant List Committee is uncertain as to the correct name for this species. Plants cultivated in Florida, all representing the same invasive species, have in the past been referred to as *Ruellia brittoniana*, *R. tweediana*, *R. caerulea*, and *R. simplex*.

Scientific Name	Common Name	FLEPPC Cat.	Gov. List	Reg. Dist.
<i>Begonia cucullata</i>	wax begonia	II		N, C, S
<i>Blechnum pyramidatum</i>	green shrimp plant, Brown's blechnum	II		N, C, S
<i>Broussonetia papyrifera</i>	paper mulberry	II		N, C, S
<i>Callisia fragrans</i>	inch plant, sparganium	II		C, S
<i>Callistemon viminalis</i>	bottlebrush, weeping bottlebrush	II		S
<i>Casuarina cunninghamiana</i>	river sheoak, Australian-pine	II	P	C, S
<i>Cecropia palmata</i>	trumpet tree	II		S
<i>Cesrum diurnum</i>	day jessamine	II		C, S
<i>Chamaedorea seifridii</i>	bamboo palm	II		S
<i>Clematis ternstroemii</i>	Japanese clematis	II		N, C
<i>Cryptostegia madagascariensis</i>	rubber vine	II		C, S
<i>Cyperus involucratus</i> (<i>C. alternifolius</i> misapplied)	umbrella plant	II		C, S
<i>Cyperus prostratus</i>	dwarf papyrus	II		C, S
<i>Dactyloctenium aegyptium</i>	Urban crowfootgrass	II		N, C, S
<i>Dalbergia sissoo</i>	Indian rosewood, sissoo	II		C, S
<i>Elaeagnus umbellata</i>	silverberry, autumn olive	II		N
<i>Elaeagnus pungens</i>	silverthorn, thorny olive	II		N, C
<i>Epipremnum pinnatum</i> cv. <i>Aureum</i>	pothos	II		C, S
<i>Ficus altissima</i>	false banyan, council tree	II		S
<i>Flacouria indica</i>	governor's plum	II		S
<i>Fimbristylis altissima</i>	limpo grass	II		C, S
<i>Hibiscus abacur</i> (See <i>Talipariti abacurum</i>)				
<i>Hyparrhenia rufa</i>	jaragua	II		N, C, S
<i>Ipomoea carnea</i> ssp. <i>fruticosa</i> (= <i>I. fruticosa</i>)	shrub morning-glory	II	P	C, S
<i>Jasminum sambac</i>	Arabian jasmine	II		S
<i>Kalanchoe pinnatifida</i>	hite plant	II		C, S
<i>Koeleria elegans</i> ssp. <i>formosana</i> (= <i>K. formosana</i> , <i>K. paniculata</i> misapplied)	flamegold tree	II		C, S
<i>Leucaena leucocephala</i>	lead tree	II	N	N, C, S
<i>Landoltia punctata</i> (= <i>Synedrella punctata</i>)	Spotted duckweed	II		N, C, S
<i>Lumnophila sessiliflora</i>	Asian marshweed	II	P, U	N, C, S
<i>Livistona chinensis</i>	Chinese fan palm	II		C, S
<i>Melia azedarach</i>	Chinaberry	II		N, C, S
<i>Melinis minutiflora</i>	Molassesgrass	II		C, S
<i>Merrillia tuberosa</i>	wood-rose	II		S
<i>Mussaenda paniculata</i>	orange-jessamine	II		S
<i>Myriophyllum spicatum</i>	Eurasian water-milfoil	II	P	N, C, S
<i>Panicum maximum</i> (= <i>Urochloa maxima</i> , <i>Megathyris maximum</i>)	Gumea grass	II		N, C, S
<i>Passiflora biflora</i>	two-flowered passion vine	II		S
<i>Pennisetum setaceum</i>	green fountain grass	II		S
<i>Phoenix reclinata</i>	Senegal date palm	II		C, S
<i>Phyllostachys aurea</i>	golden bamboo	II		N, C
<i>Pitroporum pentandrum</i>	Philippine pitroporum, Luanese cheese-wood	II		S
<i>Pteris vittata</i>	Chinese brake fern	II		N, C, S
<i>Ptychosperma elegant</i>	solitaire palm	II		S
<i>Rhoeo spathacea</i> (see <i>Tradescantia spathacea</i>)				
<i>Ricinus communis</i>	castor bean	II		N, C, S
<i>Rotula rotundifolia</i>	roundleaf toothcup, dwarf Rotala	II		S
<i>Sansevieria nyanthoides</i>	bowstring hemp	II		C, S
<i>Sesbania punicea</i>	purple sesban, rattlebox	II		N, C, S
<i>Solanum elaeagnifolium</i>	two-leaf nightshade	II		N, C, S
<i>Solanum jamaicense</i>	Jamaica nightshade	II		C
<i>Solanum torvum</i>	susumber, turkey berry	II	N, U	N, C, S

Callistemon viminalis, added to list as Category II

Bottlebrush (*Callistemon viminalis*), a popular landscape tree, is now invading undisturbed short hydroperiod wetland communities in Miami Dade, Collier, and Marion Counties, including those in Big Cypress National Preserve and Everglades National Park.

Dactyloctenium aegyptium, added to list as Category II

Urban crowfootgrass (*Dactyloctenium aegyptium*) is an annual grass that is a widely distributed weed throughout the southeastern US. In Florida, this species has been documented in 14 counties. While it is primarily a weed of disturbed areas, it also invades beach dune communities in southern Florida, including those located within Everglades and Dry Tortugas National Parks. Dense growth of this species interferes with ground nesting birds in Dry Tortugas and competes with state and federally listed plant species on the mainland.

Elaeagnus umbellata, added to list as Category II

Autumn olive (*Elaeagnus umbellata*) is an aggressive shrub capable of replacing entire native ecosystems, which it has done in numerous locations in other states. There are three known native locations in the eastern Florida panhandle; two are local escapes from cultivation. The third is a mixture of mature upland sand hill and pine communities where a wildlife planting has escaped. The entire 2,031 acre site is infested. The infestation ranges from 100% (12.5 acres) to 50% (19.9 acres) to 25% (38.9 acres) to 10% or less (1,583.1 acres).

Hyparrhenia rufa, added to list as Category II

Jaragua (*Hyparrhenia rufa*) is an annual grass that is known from 14 Florida counties. In Miami Dade County, it has been found in intact habitat in at least 12 pine rockland fragments, outcompeting native plant species.

Landoltia punctata, added to list as Category II

Spotted duckweed (*Landoltia punctata*) is a small floating aquatic plant that is native to Australia and Southeast Asia. Since it was first found in Missouri in the 1930s, it has spread to 22 states and been documented in 38 Florida counties. It invades a wide range of undisturbed aquatic habitats and outcompetes native species.

Syzygium jambos, formerly Category II, removed from list

The Committee has not been able to locate data showing this species behaves as a Category II invader.

Use of the FLEPPC List

FLEPPC encourages use of the Invasive Species List for prioritizing and implementing management efforts in natural areas, for educating lay audiences about environmental issues, and for supporting voluntary invasive plant removal programs. When a non-native plant species is to be restricted in some way by law, FLEPPC encourages use of the List as a first step in identifying species worth considering for particular types of restriction. For more information on using the FLEPPC List of Invasive Plant Species, see *Wildland Weeds* Summer 2002 issue (Vol. 5, No. 3), pp. 16-17, or <http://www.fleppc.org/list/list.htm>

NOTE: Not all exotic plants brought into Florida become pest plants in natural areas. The FLEPPC List of Invasive Plant Species represents only about 10% of the nearly 1,400 exotic species that have been introduced into Florida and have subsequently established outside of cultivation. Most escaped exotics usually present only minor problems in highly disturbed areas (such as roadsides). And there are other exotics cultivated in Florida that are "well-behaved" — that is, they don't escape cultivation at all.



www.fleppc.org

Scientific Name	Common Name	FLEPPC Cat.	Gov. List	Reg. Dist.
<i>Sphagneticola trilobata</i> (= <i>Wedelia trilobata</i>)	wedelia	II		N, C, S
<i>Stachytarpheta cayennensis</i> (= <i>S. urticifolia</i>)	nettle-leaf porterweed	II		S
<i>Syagrus romanzoffiana</i> (= <i>Arecastrum romanzoffianum</i>)	queen palm	II		C, S
<i>Talipartia tiliaceum</i> (= <i>Hibiscus tiliaceus</i>)	mohoe, sea hibiscus	II		C, S
<i>Terminalia catappa</i>	tropical-almond	II		C, S
<i>Terminalia muelleri</i>	Australian-almond	II		C, S
<i>Tradescantia spathacea</i> (= <i>Rhoeo spathacea</i> , <i>Rhoeo discolor</i>)	oyster plant	II		S
<i>Tribulus cistoides</i>	puncture vine, burr-nut	II		N, C, S
<i>Urena lobata</i>	Caesar's weed	II		N, C, S
<i>Vitex trifolia</i>	simple-leaf chaste tree	II		C, S
<i>Washingtonia robusta</i>	Washington fan palm	II		C, S
<i>Wedelia</i> (see <i>Sphagneticola</i> above)				
<i>Wisteria sinensis</i>	Chinese wisteria	II		N, C
<i>Xanthosoma sagittifolium</i>	malanga, elephant ear	II		N, C, S

Citation example:

FLEPPC. 2009. List of Invasive Plant Species. Florida Exotic Pest Plant Council. Internet: <http://www.fleppc.org/list/list.htm> or *Wildland Weeds* Vol. 12(4), 13-16. Fall 2009.

The 2009 list was prepared by the FLEPPC Plant List Committee.

Keith A. Bradley — Chair (2006-present), The Institute for Regional Conservation, 22601 SW 152nd Ave., Miami, FL 33170, (305) 247-6547, bradley@regionalconservation.org

Janice A. Duquesnel, Florida Park Service, Florida Department of Environmental Protection, P.O. Box 1052, Islamorada, FL 33036, (305) 664-8455, Janice.Duquesnel@dep.state.fl.us

David W. Hall, Private Consulting Botanist, 3666 NW 13th Place, Gainesville, FL 32605, (352) 375-1370

Roger I. Hammer, Miami-Dade Parks Department, Castellow Hammock Nature Center, 22301 S.W. 162nd Ave., Miami, FL 33030, kaskaz14@comcast.net

Patricia L. Howell, Broward County Parks, Environmental Section, 950 NW 38th St., Oakland Park, FL 33309, (954) 357-8137, phowell@broward.org

Colette C. Jacono, Department of Agronomy, Center for Aquatic & Invasive Plants, IFAS, University of Florida, 7922 NW 71st St., Gainesville, FL 32653, (352) 392-5894, colettej@ufl.edu

Kenneth A. Langeland, Center for Aquatic and Invasive Plants, IFAS, University of Florida, 7922 NW 71st St., Gainesville, FL 32606, (352) 392-9614, gaus@ufl.edu

Chris Lockhart, Florida Natural Areas Inventory, c/o RTI, Box 243116, Boynton Beach, FL 33427-3116, (850) 509-6482, clockhart@fnaa.org

Gil Nelson, Gil Nelson Associates, 157 Leonard's Dr., Thomasville, GA 31792, gil@gilnelson.com

Robert W. Pemberton, Invasive Plants Research Lab, U.S. Dept. of Agriculture, 3225 College Ave., Ft. Lauderdale, FL 33312, Robert.Pemberton@ars.usda.gov

Jim I. Saddle, Everglades National Park, 46001 State Road 9336, Homestead, FL 33034, (305) 242-7806, Jim_Saddle@nps.gov

Robert W. Simons, 1122 SW 11th Ave., Gainesville, FL 32601-7816

Sandra M. Yardaman, Alachua County Forever Land Conservation Program, Alachua County Environmental Protection Dept., 201 SE 2nd Ave., Suite 201, Gainesville, Florida 32601, (352) 264-6803, smyardaman@alachuacountyfl.us

Daniel B. Ward, Department of Botany, University of Florida, 220 Burrum Hall, Gainesville, FL 32611

Richard P. Wunderlin, Institute for Systematic Botany, Dept. of Biological Sciences, University of South Florida, Tampa, FL 33620, (813) 974-2339, r.wunder@cas.usf.edu

FLEPPC Database — The Florida Exotic Pest Plant Database contains over 75,000 sight records of infestations of FLEPPC Category I and Category II species in Florida public lands and waters. 211 species are recorded. Nearly all of the records are from local, state, and federal parks and preserves; a few records document infestations in regularly disturbed public lands such as highways or utility rights-of-way. Natural area managers and other veteran observers of Florida's natural landscapes submit these records, with many supported further by voucher specimens housed in local or regional herbaria for future reference and verification. New and updated observations can be submitted online at www.eddmaps.org/florida/. This database, along with other plant-data resources such as the University of South Florida Atlas of Florida Vascular Plants at www.plantatlas.usf.edu, the Florida Natural Areas Inventory database at www.fnaa.org, and The Institute for Regional Conservation Florida Inventory of South Florida database at www.regionalconservation.org, provides important basic supporting information for the FLEPPC List of Invasive Plant Species.

Images and/or distributional data of FLEPPC-listed species may be found at one or more of the following websites: University of South Florida Atlas of Florida Vascular Plants, www.plantatlas.usf.edu; the University of Florida Herbarium collection catalog, <http://www.iln.ufl.edu/herbarium/cat/>, and image gallery, <http://www.iln.ufl.edu/herbarium/cat/imagesearch.asp>, at Fairchild Tropical Botanic Garden's Virtual Herbarium, www.virtualherbarium.org/~hportal.html, The Robert K. Godfrey Herbarium at Florida State University, <http://herbarium.bio.fsu.edu/index.php>, the University of Florida's IFAS Center for Aquatic and Invasive Plants, <http://plants.ifas.ufl.edu>, and the USDA PLANTS database, <http://plants.usda.gov/>. Please note that greater success and accuracy in searching for plant images is likely if you search by scientific name rather than a common name. Common names often vary in cultivation and across regions. For additional information on plants included in this list, see related links and pages at www.fleppc.org.

**SCHEDULE 1 FOR CONSTRUCTION CONTRACT NO. R2012-0907
LIST OF PROPOSED SBE-M/WBE PRIME AND/OR SUBCONTRACTOR PARTICIPATION**

PROJECT NAME OR BID NAME: FDOT & County Wetland Mitigation PROJECT NO. OR BID NO: 2012ERM02
 NAME OF PRIME BIDDER: Arbor Tree & Land, Inc. ADDRESS: 5796 Western Way, Lake Worth, Fl 33463

CONTACT PERSON: Kim Morrison PHONE NO.: 561-965-2198 FAX NO.: 561-965-9777

USER DEPARTMENT: Environmental Resources Management

THIS DOCUMENT IS TO BE COMPLETED BY THE PRIME CONTRACTOR AND SUBMITTED WITH BID PACKET. PLEASE LIST THE NAME, CONTACT INFORMATION AND DOLLAR AMOUNT OR PERCENTAGE OF WORK TO BE COMPLETED BY ALL SBE -M/WBE SUBCONTRACTORS ON THIS PROJECT. IF THE PRIME IS AN SBE-M/WBE, PLEASE ALSO LIST THE NAME, CONTACT INFORMATION AND DOLLAR AMOUNT OR PERCENTAGE OF WORK TO BE COMPLETED BY THE PRIME ON THIS PROJECT. THE PRIME AFFIRMS THAT IT WILL MONITOR THE SBES LISTED TO ENSURE THE SBES PERFORM THE WORK WITH ITS OWN FORCES.

Name, Address and Phone Number	(Check one or both Categories)		DOLLAR AMOUNT OR PERCENTAGE OF WORK				
	M/WBE Minority Business	SBE Small Business	Black	Hispanic	Women	Caucasian	Other (Please Specify)
Avirom & Associates, Inc. 50 SW 2 nd Ave. #102 Boca Raton, Fl 33432 1. Phone 561-392-2594 Fax 561-394-7125	<input type="checkbox"/>	<input checked="" type="checkbox"/>					1.00%
O.C. Unlimited PO Box 10635 Riviera Beach, FL 33419 2. Phone 561-842-1335 Fax 561-842-7998	<input type="checkbox"/>	<input checked="" type="checkbox"/>					4.17%
Sirdar Trucking 13332 71st PL N, West Palm Bch, FL 33412 3. Phone 561-723-6820 Fax 561-791-3964	<input type="checkbox"/>	<input checked="" type="checkbox"/>					12.00%
****Change order***** Avirom & Associates, Inc. 50 SW 2 nd Ave. #102 Boca Raton, Fl 33432 4. Phone 561-392-2594 Fax 561-394-7125	<input type="checkbox"/>	<input checked="" type="checkbox"/>					.078%
Sirdar Trucking 13332 71st PL N, West Palm Bch, FL 33432 5. Phone 561-723-6820 Fax 561-791-3964	<input type="checkbox"/>	<input checked="" type="checkbox"/>					0.75%

(Please use additional sheets if necessary)

Total

Total Bid Price \$ 4,431,630.00

Total SBE-M/WBE Participation Dollar Amount or Percentage of Work

I hereby certify that the above information accurate to the best of my knowledge:

[Signature]
Signature

President
Title

Note: 1. The amount listed on this form for a subcontractor must be supported by price or percentage listed on the signed Schedule 2 or signed proposal in order to be counted toward goal attainment.
 2. Firms may be certified by Palm Beach County as an SBE and/or M/WBE. If firms are certified as both an SBE and M/WBE, please indicate the dollar amount or percentage under the appropriate category.

3. M/WBE information is being collected for tracking purposes only.

Revised 9/7/2011

OSBA SCHEDULE 2 FOR WORK ORDER NO. _____
LETTER OF INTENT TO PERFORM AS AN SBE-M/WBE SUBCONTRACTOR

This document must be completed by the SBE-M/WBE Subcontractor and submitted with bid packet. Specify in detail, the particular work items to be performed and the dollar amount and/or percentage for each work item. SBE credit will only be given for items which the SBE-M/WBE Subcontractor is SBE certified to perform. Failure to properly complete Schedule 2 may result in your SBE participation not being counted.

PROJECT NUMBER: 2012ERM02 PROJECT NAME: FDOT & County Wetland Mitigation Project

TO: Arbor Tree & Land Inc.
(Name of Prime Bidder)

The undersigned is certified by Palm Beach County as a - (check one or more, as applicable):

Small Business Enterprise Minority Business Enterprise _____
Black _____ Hispanic _____ Women _____ Caucasian _____ Other (Please Specify) _____

Date of Palm Beach County Certification: 5/8/2012

The undersigned is prepared to perform the following described work in connection with the above project. Additional Sheets May Be Used As Necessary

Line Item/ Lot No. Item Description	Qty/Units	Unit Price	Total Price/ Percentage
<u>Transport and Hauling</u>	<u>435</u>	<u>\$11.00</u>	<u>.018%</u>
	<u>1565</u>	<u>\$ 9.65</u>	<u>.57%</u>

at the following price or percentage

(Subcontractor's quote)

and will enter into a formal agreement for work with you conditioned upon your execution of a contract with Palm Beach County.

If undersigned intends to subcontract any portion of this job to a certified SBE or a non-SBE subcontractor, please list the name of the subcontractor and the amount below.

Price and/or Percentage .75% Sirdar Trucking
(Name of Subcontractor)

The undersigned affirms that it has the resources necessary to perform the work listed without subcontracting to non-certified SBE or any other certified SBE subcontractors except as noted above.

The undersigned subcontractor understands that the provision of this form to Prime Bidder does not prevent Subcontractor from providing quotations to other bidders.

Sirdar Trucking INC
(Print name of SBE-M/WBE Subcontractor)
By: Phadmattie Sirdar
(Signature)
Phadmattie Sirdar (OWNER)
(Print name/title of person executing on behalf of SBE-M/WBE Subcontractor)

Revised 9/7/2011

Date: 5-2-13

May 2 2013 2:14 PM

No. 7729 P. 1 # 2 / 2

OSBA SCHEDULE 2 FOR WORK ORDER NO. _____
LETTER OF INTENT TO PERFORM AS AN SBE-M/WBE SUBCONTRACTOR

This document must be completed by the SBE-M/WBE Subcontractor and submitted with bid packet. Specify in detail, the particular work items to be performed and the dollar amount and/or percentage for each work item. SBE credit will only be given for items which the SBE-M/WBE Subcontractor is SBE certified to perform. Failure to properly complete Schedule 2 may result in your SBE participation not being counted.

PROJECT NUMBER: 2012ERM02 PROJECT NAME: FDOT & County Wetland Mitigation Project

TO: Arbor Tree & Land Inc.
(Name of Prime Bidder)

The undersigned is certified by Palm Beach County as a - (check one or more, as applicable):

Small Business Enterprise Minority Business Enterprise _____

Black _____ Hispanic _____ Women _____ Caucasian _____ Other (Please Specify) _____

Date of Palm Beach County Certification: 7/29/2010

The undersigned is prepared to perform the following described work in connection with the above project. Additional Sheets May Be Used As Necessary

Line Item/ Lot No. Item Description	Qty/Units	Unit Price	Total Price/ Percentage
<u>Survey/Asbults</u>	<u>1</u>	<u>\$20,800</u>	<u>.78%</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

at the following price or percentage

(Subcontractor's quote)

and will enter into a formal agreement for work with you conditioned upon your execution of a contract with Palm Beach County.

If undersigned intends to subcontract any portion of this job to a certified SBE or a non-SBE subcontractor, please list the name of the subcontractor and the amount below.

Price and/or Percentage .78% Avirom & Associates, Inc.
(Name of Subcontractor)

The undersigned affirms that it has the resources necessary to perform the work listed without subcontracting to non-certified SBE or any other certified SBE subcontractors except as noted above.

The undersigned subcontractor understands that the provision of this form to Prime Bidder does not prevent Subcontractor from providing quotations to other bidders.

AVIROM + ASSOCIATES, INC.
(Print name of SBE-M/WBE Subcontractor)
By: Michael D. Avirom
(Signature)
MICHAEL D. AVIROM, PRESIDENT
(Print name/title of person executing on behalf of SBE-M/WBE Subcontractor)

Revised 9/7/2011

Date: 5/02/13



INSCO INSURANCE SERVICES, INC.
 Underwriting Manager for:
 Developers Surety and Indemnity Company
 Indemnity Company of California
 17780 Fitch, Suite 200 • Irvine, California 92614 • (949) 263-3300

BOND RIDER

ATTACHED TO AND FORMING A PART OF:

Bond No.: 479211P

Principal: Arbor Tree & Land, Inc.

Obligee: Palm Beach County BOCC

Surety: Developers Surety and Indemnity Company

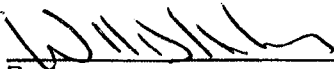
Effective April 29, 20¹³, it is agreed that:

Bond amount has been increased from \$4,431,461 to \$7,104,587.43.

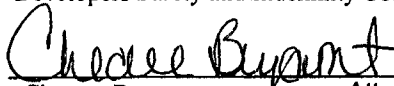
Nothing herein contained shall be held to vary, waive, alter, or extend any of the terms, conditions, agreements or warranties of the above mentioned bond, other than stated as above. Provided, however, that the liability of the company under the attached bond as changed by this order shall not be cumulative.

Signed, sealed this 2nd day of May, 2013

Principal:
Arbor Tree & Land, Inc.

By: 

Surety:
Developers Surety and Indemnity Company


Checree Bryant Attorney-In-Fact

Accepted _____
Obligee Acknowledgment

**POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY
PO Box 19725, IRVINE, CA 92623 (949) 263-3300**

KNOW ALL MEN BY THESE PRESENTS, that as except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY, do each, hereby make, constitute and appoint:

*****Curtis A. Weaver, Jr., Malcolm G. McCampbell, Sam L. Ellington, Checree Bryant, jointly or severally*****

as their true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations, as sureties, bonds, undertakings and contracts of suretyship giving and granting unto said Attorney(s)-in-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporations could do, but reserving to each of said corporations full power of substitution and revocation, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolutions adopted by the respective Board of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY, effective as of January 1st, 2008.

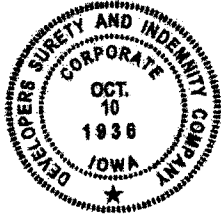
RESOLVED, that the chairman of the Board, the President and any Vice President of the corporation be, and that each of them hereby is, authorized to execute Powers of Attorney, qualifying the attorney(s) named in the Powers of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of the corporations be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporations when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, DEVELOPERS SURETY AND INDEMNITY COMPANY have severally caused these presents to be signed by their respective Vice President and attested by their respective Assistant Secretary this January 1st, 2008.

By: *Stephen T. Pate*
Stephen T. Pate, Senior Vice President

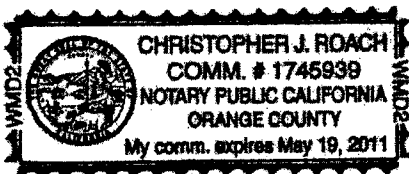
By: *Charles L. Day*
Charles L. Day, Assistant Secretary



State of California
County of Orange

On January 1st, 2008 before me, Christopher J. Roach, Notary Public
Date Here insert Name and Title of the Officer

personally appeared Stephen T. Pate and Charles L. Day
Name(s) of Signer(s)



Place Notary Seal Above

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.
Signature *Christopher J. Roach*
Christopher J. Roach

CERTIFICATE

The undersigned, as Assistant Secretary, of DEVELOPERS SURETY AND INDEMNITY COMPANY, does hereby certify that the foregoing Power of Attorney remains in full force and has not been revoked, and furthermore, that the provisions of the resolutions of the respective Boards of Directors of said corporations set forth in the Power of Attorney, are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, the 2nd day of May, 2013

By: *Albert Hillebrand*
Albert Hillebrand, Assistant Secretary

**CONTRACT HISTORY FOR
Arbor Tree and Land, Inc.
FDOT & County Wetland Mitigation
Project # 2012ERM02**

Contract Resol. No. R2012-0907

Contract Date: June 19, 2012

Original SBE \$: \$760,912.75

Original SBE %: 17%

Original Contract: \$4,431,641.00

AMENDMENT/ CHANGE ORDER NUMBER	TOTAL AMOUNT	AMENDMENT & CHANGE ORDER DESCRIPTION	CHANGE ORDER TIME EXTENSION (CALENDAR DAYS)	APPROVED BY/DATE
Change Order 1	\$36,346.43 \$0.00	Additional excavation of 10,707 CY at Okecheelee Park.	0	ERM 3/19/2013
Change Order 2	\$2,636,600.00 \$0.00	Clearing, surveying, excavation, final grading and placement of armor stone at Fullerton Island and hauling of 60,000 CY of sand from Fullerton Island and placment at Bryant Park Wetlands Mitigation Site.	310	BCC
Quantity Adjustment	\$0.00 \$0.00		N/A	

Total \$ Changes: \$2,672,946.43
Revised K \$: \$7,104,587.43
SBE \$ Changes: \$40,687.25
Revised SBE K \$: \$801,600.00
Revised SBE K %: 11.28%
Report File Date: May 8, 2013

Commencement Date: 7/26/2012
Original Contract Time: 365 Days
Additional Calendar Days Authorized by Change Orders: 310 Days
Revised Contract Time: 365 Days
Revised Date of Substantial Completion: 6/1/2014
Date Contract Substantially Complete:
Date of Final Completion Specified in Punch List:
Date of Final Completion:



INSCO INSURANCE SERVICES, INC.

Underwriting Manager for:
Developers Surety and Indemnity Company
Indemnity Company of California
17780 Fitch, Suite 200 • Irvine, California 92614 • (949) 263-3300

CO-SURETY RIDER

To be attached to and form part of Bond No. 479211P, issued by _____
Developers Surety and Indemnity Company, (hereinafter called the Lead Company), in favor of
Palm Beach County BOCC

It is agreed that:

- 1) The term "Surety" as used in the attached Bond shall be construed to mean all the Sureties executing this Rider.
- 2) Where the Sureties are Corporations acting as Co-Sureties, we, the Sureties, bind ourselves in such sum "jointly and severally" as well as "severally" only for the purpose of allowing a joint action or actions against any or all of us. For all other purposes, each Surety binds itself, jointly or severally with the Principal, for the payment of the sum shown opposite the name of the surety. If no limit of liability is indicated, the limit of liability is the full amount of the penal sum. In no event, however, shall the aggregate liability of the Co-Sureties exceed the penal sum of the attached bond.

Signed, sealed and dated this 7th day of May, 2013
YEAR

Underwritten for the sum of \$ 7,104,587.43 Developers Surety and Indemnity Company
(Lead Company)

By: Gregg N. Okura
Gregg N. Okura (Attorney-in-Fact)

Underwritten for the sum of \$ 7,104,587.43 Munich Reinsurance America, Inc.

By: Gregg N. Okura
Gregg N. Okura (Attorney-in-Fact)

**POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY
INDEMNITY COMPANY OF CALIFORNIA
PO Box 19725, IRVINE, CA 92623 (949) 263-3300**

KNOW ALL BY THESE PRESENTS that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, do each hereby make, constitute and appoint:

Gregg N. Okura, Yvonne M. Dean, Pauline M. McLean, Mark J. Lansdon, James E. Mary, Daniel Young, Cassie J. Berrisford, Gina L. Garner, Antonio Alvarado, jointly or severally

as their true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations, as sureties, bonds, undertakings and contracts of suretyship giving and granting unto said Attorney(s)-in-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporations could do, but reserving to each of said corporations full power of substitution and revocation, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolutions adopted by the respective Boards of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, effective as of January 1st, 2008.

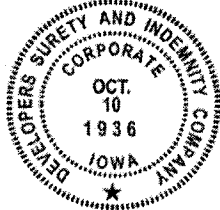
RESOLVED, that a combination of any two of the Chairman of the Board, the President, Executive Vice-President, Senior Vice-President or any Vice President of the corporations be, and that each of them hereby is, authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of either of the corporations be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporations when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA have severally caused these presents to be signed by their respective officers and attested by their respective Secretary or Assistant Secretary this October 4th, 2011.

By: Daniel Young
Daniel Young, Senior Vice-President

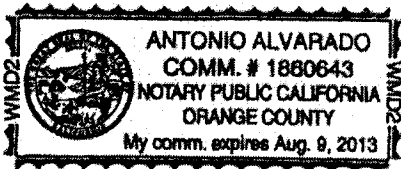
By: Steve A. Tvedt
Steve A. Tvedt, Vice-President



State of California
County of Orange

On October 4, 2011 before me, Antonio Alvarado, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Daniel Young and Steve A. Tvedt
Name(s) of Signer(s)



Place Notary Seal Above

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Antonio Alvarado
Antonio Alvarado, Notary Public

CERTIFICATE

The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY or INDEMNITY COMPANY OF CALIFORNIA, does hereby certify that the foregoing Power of Attorney remains in full force and has not been revoked and, furthermore, that the provisions of the resolutions of the respective Boards of Directors of said corporations set forth in the Power of Attorney are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this 7th day of May, 2013

By: Gregg N. Okura
Gregg Okura, Assistant Secretary

CERTIFIED COPY UNAUTHORIZED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Munich Reinsurance America, Inc. (formerly American Re-Insurance Company), a corporation of the State of Delaware, with offices at 555 College Road East, Princeton, N.J. 08543, has made, constituted and appointed, and by these presents, does make, constitute and appoint

Gregg N. Okura, Daniel Young, Mark Lansdon, Cassie J. Berrisford

its true and lawful Attorneys-in-Fact, at Irvine in the State of California each of them alone to have full power to act without the other or others, to make, execute and deliver on its behalf, as Surety or Co-surety, bonds and undertakings given for any and all purposes, also to execute and deliver on its behalf as aforesaid renewals, extensions, agreements, waivers, consents or stipulations relating to such bonds or undertakings provided, however, that no single bond or undertaking so made, executed and delivered shall obligate said Company for any portion of the penal sum thereof in excess of the sum of

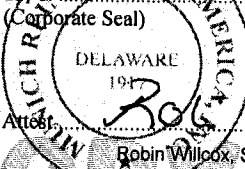
fifteen million Dollars (\$ 15,000,000.00)

Such bonds and undertakings for said purposes, when duly executed by said Attorney(s)-in-Fact, shall be binding upon said Company as fully and to the same extent as if signed by the President of said Company under its corporate seal attested by its Secretary

This appointment is made under and by authority of a certain Resolution adopted at a meeting of the Board of Directors of said Company duly held on the 27th day of August, 1975, a copy of which appears below.

This power of Attorney shall expire and all authority hereunder shall terminate without notice at midnight (Standard Time where said Attorney(s)-in Fact is authorized to act of June 30, 2014

In Witness Whereof, Munich Reinsurance America, Inc. (formerly American Re-Insurance Company) has caused these presents to be signed by its President or one of its Vice Presidents hereunto duly authorized, and its corporate seal to be hereunto affixed and attested by its Secretary or one of its Assistant Secretaries, this seventh day of May, 2012 at Princeton, N.J.

Attest:  Robin Willcox
Robin Willcox, Secretary

Munich Reinsurance America, Inc.
By: Jill Beggs
Jill Beggs, Senior Vice President

STATE OF NEW JERSEY
COUNTY OF MIDDLESEX
ss.:

On the seventh day of May, 2012 before me personally came Jill Beggs to me known, who being by me duly sworn did depose and say that he resides in East Windsor, New Jersey

that he is a Vice-President of Munich Reinsurance America, Inc. (formerly American Re-Insurance Company), the corporation described in and which executed the above instrument; that he knows the seal of said Corporation, that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation, and that he signed his name thereto by like order.

 Jillian S. Hague
Notary Public of New Jersey

CERTIFICATE

The undersigned Robin Willcox hereby certifies:

1. That the undersigned is Secretary or Assistant Secretary of Munich Reinsurance America, Inc. (formerly American Re-Insurance Company), a corporation of the State of Delaware;
2. That the original power of attorney of which the foregoing is a copy was duly executed on behalf of said Corporation on the day of its date, and has not since been revoked, amended or modified; that the undersigned has compared the foregoing copy thereof with said original power of attorney, and that the same is a true and correct copy of said original power of attorney and of the whole thereof;
3. That the original resolution of which the following is a copy was duly adopted at, and recorded in the minutes of, a regular meeting of the Board of Directors of said Corporation duly held on August 27, 1975, and has not since been revoked, amended or modified.
"RESOLVED that each of the following officers of this Company, namely, the President, the Executive Vice President, the Senior Vice Presidents, and the Vice Presidents, be and he hereby is, authorized, from time to time in his discretion, to appoint such agent or agents or attorney or attorneys-in-fact as deemed by him necessary or desirable for the purpose of carrying on this Company's business, and to empower such agent or agents or attorney or attorneys-in-fact to execute and deliver, in this Company's name and on its behalf, and under its seal or otherwise, bonds, obligations and recognizances, whether made by this Company as surety thereon or otherwise, indemnity contracts, reinsurance treaties, contracts and certificates, and any and all other contracts and undertakings made in the course of this Company's insurance and reinsurance business, and renewals, extensions, agreements, waivers, consents or stipulations renewing, extending, amending, supplementing, reinstating, or cancelling contracts or undertakings so made, or approving or consenting to the modification, alteration or assignment of agreements or specifications referred to in contracts or undertakings so made."

4. That the original resolution of which the following is a copy was duly adopted at, and recorded in the minutes of, a regular meeting of the Executive Committee of the Board of Directors of said Corporation duly held the first day of October, 1970, and has not since been revoked, amended or modified:
"Resolved, that the signature of any authorized officer of the Company and the Company seal may be affixed by facsimile to any power of attorney and revocation of any power of attorney or certificate of either given for the execution of any surety bond, surety undertaking, or surety contract, such signature and seal, when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed."

The undersigned has compared the foregoing copies of said original resolutions as so recorded, and they are the same true and correct copies of said original resolutions as so recorded and of the whole thereof.

Witness the hand of the undersigned and the seal of said Corporation this 7th day of

DELAWARE
1917
May, 2013

Robin Willcox
Robin Willcox, Secretary

**ATTACHMENT 2
IS OVER 1000 PAGES
AND CAN BE VIEWED IN
COUNTY ADMINISTRATION**

2013 -

0886

BGEX -021913*1075

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA

BUDGET TRANSFER
FUND 1226 Natural Areas Fund

ACCOUNT NAME AND NUMBER	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	ENC/EXP 4/25/2013	REMAINING BALANCE
<u>Appropriations</u>							
<u>Fund 1226 Natural Areas</u>							
380-3073 South Cove 3401 Other Contractual Services	500,000	398,217	0	398,132	85	85	0
380-3077 Jupiter Ridge 3401 Other Contractual Services	479,612	539,760	0	491,393	48,367	48,367	0
<u>Fund 1226 Natural Areas</u>							
380-3079 Fullerton Island 3401 Other Contractual Services	527,500	527,500	889,525	0	1,417,025	0	1,417,025
			889,525	889,525			

Environmental Resources
Management

INITIATING DEPARTMENT/DIVISION
Administration/Budget Department Approval
OFMB Department - Posted

Signatures & Dates

[Signature]
[Signature] 5/10/2013

5/16/13
cc

BY BOARD OF COUNTY COMMISSIONERS
AT MEETING OF

May 21, 2013

Deputy Clerk to the
Board of County Commissioners

RESOLUTION NO. R-2013-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA TO UTILIZE A PORTION OF THE COUNTY VESSEL REGISTRATION FEES FOR THE CONSTRUCTION OF THE FULLERTON ISLAND ENVIRONMENTAL RESTORATION PROJECT.

WHEREAS, Palm Beach County enacted the Vessel Registration Fee Ordinance, No. 88-40 which began collecting fees June 1, 1989; and

WHEREAS, the Vessel Registration Fee Ordinance provides that monies collected from vessel registration fees be utilized to protect coastal marine and estuarine habitats, maintain and enhance fisheries and other salt and freshwater habitats, and construct artificial reefs; and

WHEREAS, the Fullerton Island Environmental Restoration Project is located within the Little Lake Worth Creek, just south of the Loxahatchee River; and

WHEREAS, seagrasses, mangroves and other native vegetation were lost on the island as a result of the placement of dredge material from the construction of the Intracoastal Waterway; and

WHEREAS, a project has been designed to eliminate the exotic vegetation and the dredge materials from the island in order to create approximately 5 acres of seagrasses and mangroves in addition to restoring and creating and additional 1.5 acres of hardwood hammock ; and

WHEREAS, the dredged material generated from project will be utilized as fill at Bryant Park to create approximately 5 acres of seagrasses, mangroves and oyster reefs; and

WHEREAS, a majority of the funding to build these projects will come from outside sources but it is necessary to utilize \$500,000 from the County's Vessel Registration Fees to cover a portion of the work; and

WHEREAS, the Director of Environmental Resources Management recommends that the Board of County Commissioners authorize the Clerk of the Court to disburse Vessel Registration Fee monies in the amount of \$500,000 to provide funding for this project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY FLORIDA, THAT:

Section 1: The foregoing recitals are hereby adopted and ratified.

Section 2: The Board hereby authorizes the Clerk to disburse funds of \$500,000 for the purpose of constructing the Fullerton Island Restoration Project.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

- District 4: Steven L. Abrams, Mayor _____
- District 7: Priscilla A. Taylor, Vice Mayor _____
- District 1: Hal. R. Valeche _____
- District 2: Paulette Burdick _____
- District 3: Shelley Vana _____
- District 5: Mary Lou Berger _____
- District 6: Jess R. Santamaria _____

The Chair thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2013.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

Sharon R. Bock
Clerk and Comptroller

By 
Assistant County Attorney

By _____
Deputy Clerk

13-

0887

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET TRANSFER

FUND 3038 - \$50M GO 06, Waterfront Access

ACCT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED 5/3/2013	REMAINING BALANCE
Fullerton Island								
3038-581-P761-6520	Park Improvements	400,000	400,000		400,000	0	0	0
Fullerton Island Restoration								
3038-381-3079-3401	Other Contractual Services *	0	0	400,000		400,000	0	400,000
TOTAL				400,000	400,000			


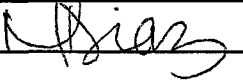
Parks and Recreation Department
INITIATING DEPARTMENT/DIVISION

Administration/Budget Department Approval

OFMB Department - Posted

Signatures

Date

 05/03/13
 5/6/2013

5/6/13
cc

By Board of County Commissioners
At Meeting of
May 21, 2013
Deputy Clerk to the Court

**PALM BEACH COUNTY
PARKS & RECREATION DEPARTMENT
BUDGET AVAILABILITY STATEMENT**

REQUEST DATE: 04/25/13 REQUESTED BY: Carolyn Beisner PHONE#: 233-2435
FAX #: 233-2414

PROJECT TITLE: Fullerton Island WORK ORDER #:
SUPPLEMENT #:

CONTRACT AMOUNT: \$400,000.00 BCC RESOLUTION#:
BCC RESOLUTION DATE:

CONSULTANT/ CONTRACTOR: PBC ERM

PROVIDE A BRIEF STATEMENT OF THE SCOPE OF SERVICES TO BE PROVIDED BY THE CONSULTANT/CONTRACTOR:

This capital contribution to the Fullerton Island project will entitle the Parks and Recreation Department to future seagrass and mangrove mitigation credits needed for estuarine park projects. The project will also create water access recreational facilities including boat docks and picnic tables to be maintained by the Parks and Recreation Department upon completion of the project.

AMOUNT REQUESTED ON THIS BAS:

CONSTRUCTION	
ARCHITECTURE/ENGINEER	
*STAFF COSTS	
OTHER	\$400,000.00
TOTAL	\$400,000.00

BUDGET ACCOUNT NUMBER (IF KNOWN)

FUND: 3038 DEPT: 581 UNIT: P761 OBJECT: 6520

BAS APPROVED BY: *Geri Cole* DATE: 04/25/13

ENCUMBRANCE : _____

FUNDING SOURCE(S)	
<input checked="" type="checkbox"/>	Bond
<input type="checkbox"/>	Impact Fees
<input type="checkbox"/>	Park Improvement Fund
<input type="checkbox"/>	Ad Valorem
<input type="checkbox"/>	Other

BAS APPROVAL	
<input checked="" type="checkbox"/>	FULLY FUNDED WITHIN CURRENT BUDGET <u><i>jk</i></u>
<input type="checkbox"/>	FULLY FUNDED PENDING BUDGET TRANSFER _____