

**Board of  
Commissioners Meeting  
April 13, 2013**

# **PRELIMINARY AGENDA**

## **FLORIDA INLAND NAVIGATION DISTRICT Board of Commissioners Board Meeting**

**9:00 a.m., Saturday, April 13, 2013**

**The Hilton Garden Inn  
55 Town Center Boulevard  
Palm Coast, Flagler County, Florida.**

### **Item 1.      Call to Order.**

Vice-Chair Kavanagh will call the meeting to order.

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### **Item 2.      Pledge of Allegiance.**

Commissioner Netts will lead the pledge of allegiance to the United States of America.

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### **Item 3.      Roll Call.**

Secretary Blow will call the roll.

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### **Item 4.      Consent Agenda.**

The consent agenda items are presented for approval. Commissioners may remove any items from this agenda that they have questions on or would like the Committee to discuss in depth. Any items removed would then be included in the regular agenda in an order assigned by the Chair.

(agenda follows colored page)

RECOMMEND      Approval of the Consent Agenda.

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### **Item 5.      Additions or Deletions.**

Any additions or deletions to the meeting agenda will be announced. Additionally, Commissioners can request that Committee items, that would not normally be reviewed and approved by the full Board, be added to the agenda.

RECOMMEND      Approval of a final agenda.

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**Item 6.      Board Meeting Minutes.**

The Minutes of the following meetings are presented for approval:

- March 15, 2013 Finance and Budget Committee Mtg. (see back up pages 5 - 6)
- March 15, 2013 Board Meeting (see back up pages 7 - 26)
- March 15, 2013 Land Acq. & Mgmt. Committee Mtg. (see back up pages 27 - 33)

RECOMMEND      Approval of the minutes as presented.

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**Item 7.      Public Comments.**

The public is invited to provide comments on issues that are not on today's agenda.

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**Item 8.      Comments from the U.S. Army Corps of Engineers.**

A representative of the Corps will address the Board on waterway projects.

(see back up pages 34 - 37)

Additionally Work Order No. 37-2013-01 for the Development of Plans and Specifications for Indian River Dredging Reaches 1 and 2 is presented for approval.

(see back up pages 38 - 39)

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**Item 9.      Staff Report on Flagler County Area Projects.**

Staff will present a report on Flagler County area projects by the District.

(see back up pages 40 - 51)

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**Item 10.**      **Change Orders No. 7 and 8 to the Dania Cut Off Canal Deepening Project, Broward County.**

Change Orders No. 7 and 8 to the Dania Cut Off Canal Deepening Project are submitted for approval.

Change Order No. 7 is for the deepening of the Dania Canal at G&G Marine. The Board previously approved an agreement with G&G for this project and they have accepted the contractors cost estimate. Additionally, the District Engineer has submitted his costs to administer this dredging which, if approved, will be an amendment to our Work Order with Taylor Engineering. There is no cost to the District for this work.

Change Order No. 8 is to restore and leave the dredged material management facility in place for our next project. Our original contract called for the deconstruction of the facility in accordance with our License Agreement with the Port. The Port has agreed to extend our License for the Intracoastal Waterway Deepening Project. There is no cost for the Change Order.

Finally, staff would like to discuss the expenditure of funds for legal counsel to assist staff and the contractor in working with Broward County to lower the fine for a turbidity violation.

(see back up pages 52 - 80)

RECOMMEND      Approval of Change Orders No. 7 and 8 to the Dania Cut Off Canal Deepening Contract and an amendment to our Work Order with the District Engineer for Construction Administration services.

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**Item 11.**      **Interlocal Agreement with Palm Beach County for the Maintenance Dredging of Cut P-31.**

Staff has obtained permits for the maintenance dredging of a small shoal in the Intracoastal Waterway in North Palm Beach County. Palm Beach County is building the second phase of the Snook Islands Restoration Project and needs additional sand for the deep hole filling. They indicated that they would like to have the dredged material and would have their contractor provide us with a quote for the dredging. Staff has drafted an Interlocal Agreement for this mutually beneficial project.

(see back up pages 81 - 97)

RECOMMEND      Approval of an Interlocal Agreement with Palm Beach County for the maintenance dredging of Cut P-31.

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**Item 12. Dredge Material Management Plan Updates for Nassau and Duval Counties.**

At the last Land Acquisition and Management Committee meeting, staff discussed the need to update our Dredge Material Management Plans and the Committee concurred. Staff solicited a scope of services and cost proposal from the District Engineer for updates to the Nassau and Duval plans which were the first ones prepared in 1987.

(see back up pages 98 - 102)

RECOMMEND      Approval of the scope of services and fee quote in the amount of \$108,568.00 from Taylor Engineering for an update to the Dredge Material Management Plans for Nassau and Duval Counties.

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**Item 13. Brevard County Seagrass Mitigation Area Identification Study.**

At the last meeting, the Board approved the Seagrass Mitigation Area Identification Study for Martin County. Staff solicited a scope of services and cost quote for a similar study in Brevard County.

(see back up pages 103 - 105)

RECOMMEND      Approval of the scope of services and fee quote in the amount of \$26,563.00 from Taylor Engineering for the Brevard County Seagrass Mitigation Area Identification Study.

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**Item 14. FY 2013-14 Assistance Program Applications.**

The FY 2013-14 Assistance Applications were received on April 1st. The application listings for each program are in the back up materials. Staff is currently reviewing the applications for technical sufficiency in preparation for the June presentations.

(see back up pages 106 - 109)

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**Item 15. Washington DC Status Report.**

The District's federal governmental affairs firm has submitted a status report on our issues before Congress and the Administration.

(see back up pages 110 - 116)

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**Item 16.      Tallahassee Report.**

The District's Tallahassee governmental affairs firm has provided a report on the State Legislative session.

(see back up pages 117 - 126)

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**Item 17.      Finance and Budget Committee Report.**

The District's Finance and Budget Committee met prior to the Board meeting and will provide their recommendations concerning items on their agenda.

(see Finance and Budget Committee Agenda Package)

RECOMMEND      Approval of the recommendations of the District's Finance and Budget Committee.

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**Item 18.      Additional Staff Comments and Additional Agenda Items.**

**A.      Election of Officers.**

The annual election of officers will be held at the May meeting. Commissioners who are interested in serving as an officer next year should contact staff who will pass along your name to the Nomination Committee.

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**Item 19.      Additional Commissioners Comments.**

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**Item 20.      Adjournment.**

**MINUTES OF THE  
FLORIDA INLAND NAVIGATION DISTRICT**

**Finance and Budget Committee Meeting**

**8:45 a.m., Friday, March 15, 2013**

**City of Stuart Commission Chambers**

**121 SW Flagler Avenue,**

**Stuart, Martin County, Florida**

**ITEM 1.      Call to Order.**

Chair Chappell called the meeting to order at 8:51 a.m.

**ITEM 2.      Roll Call.**

Assistant Executive Director Mark Crosley called the roll and Chair Chappell, Commissioner Bowman, Commissioner Freeman, Commissioner Kavanagh, and Commissioner Sansom were present. Mr. Crosley stated that a quorum was present.

**ITEM 3.      Financial Statements for January of 2013.**

Chair Chappell presented the District's financial statements for January of 2013 and asked if there were any questions.

Commissioner Freeman stated that she is pleased that the District continues to exceed the benchmark, even if it is a small number.

Mr. Roach noted that the District's SBA Fund B is now \$4,500.00 on the plus side.

Commissioner Bowman made a motion to approve a recommendation to the full Board of the financial statements for January of 2013. The motion was seconded by

Commissioner Freeman. Chair Chappell asked for any additional discussion. Hearing none, a vote was taken and the motion passed.

**ITEM 4.      January 2013 Expenditure and Project Status Report.**

Chair Chappell presented the Expenditure and Project Status Report for January 2013 and asked if there were any questions. There were none.

**ITEM 5.      Delegation of Authority Report.**

Chair Chappell referred to the Executive Director's Delegation of Authority actions and stated that six actions were taken from February 6, 2013 through February 29, 2013 and he asked for questions. There were none.

**ITEM 6.      Additional Agenda Items or Staff Comments.**

Chair Chappell asked if there were any agenda items or staff comments. There were none.

**ITEM 7.      Additional Commissioners Comments.**

Chair Chappell asked if there were any additional Commissioner comments. There were none.

**ITEM 8.      Adjournment.**

Chair Chappell stated that hearing no further business the meeting was adjourned at 8:54 a.m.



**FLORIDA INLAND NAVIGATION DISTRICT**

**Board of Commissioners Board Meeting**

**9:00 a.m., Friday, March 15, 2013**

**City of Stuart Commission Chambers**

**121 SW Flagler Avenue,**

**Stuart, Martin County, Florida**

**ITEM 1. Call to Order.**

Chair Colee called the meeting to order at 9:03 a.m.

**ITEM 2. Pledge of Allegiance.**

Commissioner Cuozzo led the pledge of allegiance to the flag of the United States of America.

**ITEM 3. Roll Call.**

Secretary Blow called the roll and Chair Colee, Vice-Chair Kavanagh, Treasurer Chappell, Commissioner Barkett, Commissioner Bowman, Commissioner Cuozzo, Commissioner Freeman, and Commissioner Sansom were present. Secretary Blow stated that a quorum was present. Commissioner Bray, Commissioner Crowley, and Commissioner Netts did not attend.

Chair Colee introduced Martin County Commissioner Ed Fielding.

Commissioner Fielding welcomed the Board to Martin County and thanked the Board for the work they do to maintain the waterways in the District.

**ITEM 4. Consent Agenda.**

Chair Colee asked if there were any comments or questions regarding the Consent Agenda. There were none.

Commissioner Cuzzo made a motion to approve the Consent Agenda as presented. The motion was seconded by Secretary Blow. Chair Colee asked for discussion. Hearing none, a vote was taken and the motion passed.

**ITEM 5.      Additions or Deletions.**

Chair Colee asked if there were any additions or deletions to the meeting agenda. There were none.

Commissioner Freeman made a motion to approve the final agenda as presented. The motion was seconded by Commissioner Sansom. Chair Colee asked for discussion. Hearing none, a vote was taken and the motion passed.

**ITEM 6.      Board Meeting Minutes.**

Chair Colee asked if there were any comments or questions regarding the Board Meeting Minutes. There were none.

Commissioner Bowman made a motion to approve the minutes as presented. The motion was seconded by Vice-Chair Kavanagh. Chair Colee asked for discussion. Hearing none, a vote was taken and the motion passed.

**ITEM 7.      Public Comments.**

Chair Colee asked if there were any public comments on issues that are not on today's agenda. There were none.

**ITEM 8.      Comments from the U.S. Army Corps of Engineers.**

Mrs. Shelley Trulock, the Intracoastal Waterway (IWW) Project Manager with the U.S. Army Corps of Engineers, stated that negotiations with the contractor for outstanding project items on DMMA IR-2 have been completed. She stated that we have completed reviewing the as-built drawings and have provided comments to the

contractor. She stated that once the as-built drawings are approved by the contractor, we expect him to bill us for the remaining contract funds. She stated that the Corps will hold retainage until we are certain that all items that the contractor is required to provide at close out, including final as-built drawings, have been received by the Corps.

Mr. Crosley stated that once we have received the final approved as-built drawings, we will convert the permit from a construction permit to an operation permit.

Mrs. Trulock stated that the IWW Sawpit Dredging project plans and specifications have been approved by the Corps and the project was advertised for contract on March 8<sup>th</sup>. She stated that we will start to receive bids on April 1<sup>st</sup> and the award is scheduled for June 10<sup>th</sup>. She stated that this project will be used to refresh the MATOC contractor list. She stated that the Corps will look at all the proposals and check the contractor's equipment, past work and performance.

Secretary Blow asked the number of contractors currently on the MATOC list. Mrs. Trulock answered eleven.

**ITEM 9.      Martin County Status Report.**

Mr. Crosley stated that Phase I of the Dredged Material Management Plan for the 21 miles of Intracoastal Waterway in Martin County was completed in 1993. He stated that Phase II of the DMMP was also completed in 1993 and all major land acquisition was completed in 2001.

Mr. Crosley stated that the 50 year dredging projection for the IWW is 1.4 million cubic yards and the storage projection is 2.7 million cubic yards. He stated that Maintenance Dredging in Reach II in the Crossroads area is 85% of the dredging volume and occurs approximately every three years, including this year.

Mr. Crosley stated that the District is also the local sponsor for navigation of the 97 miles of Okeechobee Waterway in Martin County. He stated that Phase I of the Dredged Material Management Plan for the Okeechobee Waterway from the Crossroads to the St. Lucie Lock was completed in 1998 and from the St. Lucie Lock to the western Martin County line was completed in 2007. He stated that Phase II of the DMMP from the Crossroads to the St. Lucie Lock was completed in 2001 and the Phase II Plan, from the Lock to the Western County line, was completed in 2009.

Mr. Crosley stated that acquisition of four Dredged Material Management Areas to serve the section of the OWW from the Crossroads to the St. Lucie Lock was completed in 2006. He stated that acquisition of two sites to serve the section of the OWW from the St. Lucie Lock to the western Martin County line is ongoing; LT-4A is purchased and appraisals have been completed for LT-13.

Mr. Crosley stated that, to date, one of the District's seven upland Dredged Material Management Areas in the county has been fully constructed. He stated that Sites MSA 524B and MSA 504 were cleared in 2010. He stated that Site O-7 has been permitted for construction and a final design was completed by Taylor Engineering. He stated that development of the site in 2013 will likely be undertaken with the assistance of the USACE. He stated that the other sites are in various phases of pre-construction, environmental permitting, engineering, or design.

Mr. Crosley stated that dredging of a portion of Routes 1 & 2 of the Okeechobee Waterway within the lake was recently completed, removing some small but critical shoals totaling about 6,700 cubic yards. He stated that dredging of the Crossroads Area of the ICW and OWW was completed in 2010 and is currently undergoing plans and

specifications for a 2013 dredging event and will be advertised next week. He stated that Reach IV of the OWW will be dredged in 2014 following the construction of DMMA 0-7.

Mr. Crosley stated that the Martin County Waterways Economic Study was completed in 2000 and updated in 2011. He stated that the update found that since the recession the economic output of waterway related businesses in the county has decreased by \$443.1 million, employment decreased by 2,601 jobs, and \$18.8 million in waterway related tax revenue was lost. He stated that the current economic output of waterway related businesses is \$639.9 million, with 3,750 jobs, wages of \$156.5 million and \$28 million in tax revenues. He stated that property values were determined to be increased by \$588 by the presence of the ICW channel. He stated that the study shows that these economic benefits would be reduced by over half if maintenance dredging of the waterways in the county ceased.

Mr. Crosley stated that since 1986, the District has provided \$6.9 million in Waterways Assistance Program funding for 66 projects in the county having a total constructed value of \$53.3 million.

Mr. Crosley stated that notable projects funded include: Manatee Pocket Dredging, Sandsprit Park, Twin Rivers Park, the Stuart Riverwalk, the Southpoint Anchorage, MC-2 Bird Island Restoration, and the South County Boat Ramp.

Mr. Crosley stated that the District's Cooperative Assistance Program has provided funding assistance for 26 state and regional agency projects with elements in Martin County: the Indian River Lagoon Spoil Island Management Program; Florida Clean Marina Program; Florida Clean Vessel Act Program; Florida Marine Patrol Officer

Funding; Manatee Pocket Dredging and Jonathan Dickinson Park Boardwalk and Canoe Launch Improvements. He stated that the District's funding assistance for the Martin County portion of these projects was approximately \$4 million.

Mr. Crosley stated that the District's Interlocal Agreement Program has provided funding assistance to four projects in Martin County.

Mr. Crosley stated that the District has partnered with both Keep Martin Beautiful and the Marine Industries Association of the Treasure Coast for several years to assist them with their programs to remove trash and debris from Martin County's waterways.

Mr. Crosley stated that the District currently prints and distributes brochures with specific information about Martin County Waterways.

Mr. Crosley stated that Martin County has participated in the District's Small Scale Derelict Vessel Removal Program with the removal of a vessel.

Mr. Crosley stated that a successful stabilization project was completed on MC-2, also known as Bird Island under the District's Spoil Island Enhancement Program.

**ITEM 10.     Dania Cutoff Canal Deepening Project Update, Broward County.**

Mr. Roach stated that the contractor has completed 90% of the Dania Cutoff Canal Deepening Project, with 400 feet of dredging left to complete. He stated that the project is moving east to west. He stated that the last 300 feet of the canal will be dredged by a sub-contractor with smaller equipment because of the narrowness of the canal. He stated that the sub-contractor is starting work today. He stated that out of the projected 102,000 cubic yards available to be dredged only about 90,000 cubic yards will actually be dredged. He stated that some areas of the channel were not dredged all the way to 17 feet.

Mr. Roach stated that maintenance of boat traffic was challenging during the project. He stated that during the later stages of the project in the narrow section of the canal, the canal was completely blocked to boaters.

Mr. Roach stated that a thin layer of harder limerock was encountered that the contractor could not dredge with the required environmental bucket. He stated that the proposed change order was based on how much longer it would take the contractor to dredge the area because of the limerock. He stated that permits were modified so that he could use a conventional bucket and he then had his best production days. He stated that because of the use of the conventional bucket, the contractor created more turbidity than he should have. He stated that the Board denied his proposed change order which will be negotiated at the end of the project.

Mr. Roach stated that Broward County has issued a Notice of Violation because of this additional turbidity during a two day period. He stated that staff has met with the county to review and negotiate this issue. He noted that the maximum fine for this two day violation is \$30,000.00 and the county was willing to settle for \$14,700.00. He stated that the District's contract documents provide that any permit violation is the responsibility of the contractor. He stated that staff has attempted to negotiate this fine down further, but that offer was rejected twice by the county. He stated that staff has asked the contractor what he would like to do and he feels that the turbidity happened because of the hard rock. He stated that the contractor is indicating the violation occurred because of the changed condition which required the open conventional bucket to be used. He stated that if we cannot settle this issue before May 28<sup>th</sup>, we will have to go

before a Hearing Officer and he will render the final verdict. He stated that the District may have to pay this fine and then negotiate with the contractor at the end of the project.

Mr. Roach stated that additional third party dredging was approved by the Board at G&G Shipping, Playboy Marine and the Palm Beach Polo Marina. He stated that the contractor provided fee quotes for this work for G&G and Playboy which were extremely high, \$102.00 per cubic yard and the District is paying \$70.00 per cubic yard. He noted that the District's cost includes building the DMMA and demobilization. He stated that G&G agreed to the price and his work will be completed at the end of the project if he obtains his county permit. He stated that the Playboy and Palm Beach Polo projects can be addressed during the IWW Deepening Project if they don't proceed themselves.

Mr. Roach stated that we are hopeful that dredging will be completed by the first of April and offloading of the material will be completed by May. He stated that this has been a challenging project and he feels that Taylor Engineering did a good job overseeing the project. He stated that the District has learned a lot by completing this project and that knowledge will be applied to future projects.

Commissioner Barkett asked if at the end of the project if it would be a good idea to do a press release and highlight the difference this project has made in the water depth. Mr. Roach agreed and stated that staff will do a press release with the Sun Sentinel.

Treasurer Chappell stated that this project has received a lot of good press from the South Florida Business Journal and the Sun Sentinel. He stated that there have been great articles written about the project every two months.



Chair Colee referred to the third party projects and asked if turbidity problems were to arise from those projects, would that come back to the District. Mr. Roach stated that the violation is issued to the project permit holder. He stated that the county is really trying to make sure that the project maintains compliance with their regulations.

**ITEM 11. Additional Permitting Assistance for the Broward Intracoastal Waterway Deepening Project.**

Mr. Roach stated that, based upon our dredging experience in the Dania Cutoff Canal, our Florida Department of Environmental Protection (FDEP) permit and possibly our pending Corps and county permits for the Broward Intracoastal Waterway Deepening Project will need to be modified.

Secretary Blow made a motion to approve the scope of services and fee proposal from Taylor Engineering for additional permitting assistance for the Broward Intracoastal Waterway Deepening Project. The motion was seconded by Commissioner Freeman. Chair Colee asked for discussion.

Treasurer Chappell asked about the permit modifications. Mr. Adams stated that at this time, we will be requesting a modification to the FDEP permit for the environmental clamshell bucket requirement. He stated that we will also review project conditions for the Corps and county permits and make sure that all three permits are compatible with each other. He stated that we also will make sure that the requirements are items that can be physically accomplished for this project.

Chair Colee asked for discussion. Hearing none, a vote was taken and the motion passed.

**ITEM 12. Centerline Survey of the Intracoastal Waterway.**

Mr. Roach stated that the District and the Corps have performed three previous centerline surveys of the Intracoastal Waterway channel in 1996, 2000 and 2004. He stated that the survey actually makes a triple sweep of the waterway along the centerline and then along two lines offset 40 feet from the channel centerline on each side. He stated that we use this data to update our shoaling projections in every dredging reach of the waterway and the surveys also provide the District with a great planning tool during budget development.

Mr. Roach stated that staff and the District Engineer believe that it is time to perform another centerline survey of the channel utilizing our two contracted surveyors. He stated that the information will also be utilized in staff's proposed Dredged Material Management Plan update that is scheduled for discussion with the Land Acquisition and Management Committee today.

Chair Colee asked how long a project like this would take. Mr. Roach stated that it will take approximately 60 days to complete the survey and the data reductions may take another 60 days.

Commissioner Barkett stated that this project is another example of this agency being pro-active, which is a characteristic that sets us apart from other governmental agencies.

**ITEM 13. Statement of Agency Organization and Operation.**

Mr. Roach stated that recent changes to state law require the District to publish a Statement of Agency Organization and Operation. He presented a prepared statement for the Board's review and approval.

Chair Colee questioned Mr. Crosley's name and the title of Clerk in the documents. Attorney Breton stated that could be changed from an employee name to a title position such as, Assistant Executive Director.

Commissioner Freeman stated that staff has done an excellent job of bringing together in this document, who and what FIND is today.

Chair Colee asked if this should be added to the District's web site. Mr. Crosley answered yes.

Commissioner Sansom suggested expanding Chapter 85-200 to list the District's Assistance Program because according to the Legislature that is just as important as the dredging.

Commissioner Barkett stated that he agrees with Commissioner Sansom and noted that we should also amend Section II and expand the responsibilities to our mission to include the assistance program and other responsibilities.

Commissioner Barkett made a motion to approve the District's Statement of Agency Organization and Operation as amended. The motion was seconded by Commissioner Freeman. Chair Colee asked for discussion. Hearing none, a vote was taken and the motion passed.

**ITEM 14. District Meeting Schedule Review.**

Chair Colee stated that the Board asked staff to review our monthly meeting schedule to determine if it is efficient for commissioners and provides the ability to conduct the District's business.

Mr. Roach stated that there are several benefits to meeting every month and that during this time of staff transition, he believes that it is important for Mark to take this

time to learn how to prepare the agendas and present them. He stated that he also believes that with the upcoming Board transition, monthly meetings will be required to educate the new Commissioners.

Commissioner Cuozzo stated that he agrees that we should meet monthly, he was hopeful that we could consider meeting on Fridays and not Saturday. He noted that the general public is not interested in coming to a government outreach event on a Friday night.

Commissioner Sansom stated that he feels alternating meetings between Friday and Saturday is what works best for all.

Commissioner Barkett stated that he agrees that Friday meetings are preferable for most commissioners.

Secretary Blow stated that he feels alternating the meetings between Friday and Saturday is better for the public and would make it easier for them to attend at least one meeting.

Commissioner Bowman stated that holding the meetings only on Friday is a lot to ask his employer. He stated that he had to get off work at noon on Thursday to allow for travel time to attend a Friday morning meeting. He stated that to do that every month would be a little extreme. He stated that while his employer supports the District, it would be difficult to take an additional 7-8 days a year off work.

Chair Colee noted that because our commissioners work in various fields which are not all waterway related, some employers may not support the employee taking that much time off work to attend these meetings.

Treasurer Chappell stated that he does agree that, as far as the Community Outreach Event, we do have better attendance on a Thursday evening than Friday.

Treasurer Chappell stated that when a person is considering becoming a commissioner they review the District's meeting schedule. He stated that when he made the decision to apply for this position he was very aware of his Friday and Saturday commitments. He stated that he supports alternating monthly meeting between Friday and Saturday.

Commissioner Freeman referred to the Board Meeting Required Issues listing and noted that it pretty well spells out why this Board needs a monthly meeting. She stated that additionally, she has never had a problem getting officials to attend a Friday outreach event in Volusia County.

Commissioner Sansom made a motion to not change the meeting schedule at this time. The motion was seconded by Commissioner Cuzzo. Chair Colee asked for discussion. Hearing none, a vote was taken and the motion passed.

**ITEM 15.     Conflict of Interest Procedures.**

Attorney Breton stated that public officials must understand the process and procedures when they have a voting conflict on an agenda item and he is going to focus on the procedure that the commissioner must follow.

Attorney Breton stated that if a commissioner has a voting conflict with no participation, immediately upon introduction of the agenda item the commissioner must disclose that he or she has a voting conflict and the nature of the conflict. He stated that this disclosure must include that the commissioner may not vote on the matter or attempt to influence the outcome of the vote. He stated that this influence cannot be done before,

during, or after the meeting. He stated that this influence includes trying to persuade outside groups or District staff. He stated that within 15 days after the vote on the matter, the commissioner must file Form 8B with the Executive Director. He stated that a copy of the Form 8B must be attached to the minutes of the meeting where the vote was taken. He stated that Form 8B should be included with the draft minutes in the agenda book.

Attorney Breton stated that if a commissioner has as a voting conflict with participation, such as he or she has participated in the matter prior to the meeting, by discussing it with staff or by sending emails or correspondence to other commissioners, or plans to participate in the debate on the matter during the meeting, then the Form 8B must be submitted to the Executive Director prior to the meeting. He stated that the Executive Director shall incorporate it into the minutes of the meeting and immediately provide copies to all of the other commissioners. He stated that the Form 8B must be publicly read to the Board when the agenda item comes up.

Attorney Breton stated that if the conflict is unknown prior to the meeting or if the disclosure has not been made prior to the meeting, the commissioner shall orally make the disclosure of the voting conflict and its nature as soon as the conflict becomes known. He stated that the commissioner must file Form 8B with the Executive Director within 15 days of the oral disclosure and the Executive Director will immediately provide copies to the other commissioners. He stated that if the form is submitted during the meeting and copying facilities are not available, the Executive Director will provide the copies within a reasonable time after the meeting. He stated that the Executive Director will incorporate the Form 8B into the minutes of the meeting when the oral disclosure was made. He

stated that the Executive Director will publicly read the Form 8B at the next meeting subsequent to the filing of the form.

Commissioner Sansom stated that there are various forms of Conflicts of Interest Legislation currently being voted through and may become law by July 1<sup>st</sup>. He stated that we may want an update of the changes presented at the May meeting.

Treasurer Chappell asked if the local commissioner has reviewed a project prior to an assistance application and initialed their project so that it may move forward within their county, is that a conflict of interest. Attorney Breton stated that is not an attempt to influence the outcome and is not a conflict of interest.

Chair Colee stated that any commissioner that has a question about a conflict of interest, should contact staff or Attorney Breton. Mr. Roach stated that we do want to err on the side of being conservative.

Commissioner Barkett noted that the law does require a commissioner to vote unless there is an actual conflict of interest. He noted that a conflict is if the item would "inure to the special private gain or loss of any principal."

Attorney Breton stated that the statute does require members of this body to vote unless there is or appears to be the appearance of a possible conflict of interest as defined under Chapter 12. He stated that it all centers around having a special private gain or loss to you, your relative, or a business associate.

Commissioner Sansom stated that because there is a perceived possibility of a conflict during our June assistance project presentations, he would like the meaning of a conflict of interest clearly defined when the new legislation is presented.

Chair Colee stated that all commissioners will have a listing of the grant projects prior to the June meeting. He stated that if any commissioner sees any project that may be of a concern he or she should contact Attorney Breton to discuss the issue.

Mr. Roach stated that in the past when a commissioner has a question about a conflict, we have had the commissioner contact Attorney Breton to discuss the potential of a conflict. He stated that at that time, Attorney Breton has written a memo documenting whether the issue is a conflict or not. He stated that if Attorney Breton writes a memo stating that the issue is not a conflict, then the commissioner does not have to file Form 8B.

**ITEM 16. Washington D. C. Status Report.**

Mr. Crosley stated that Commissioner Sansom, Secretary Blow, and Treasurer Chappell, and himself traveled to Washington on February 26<sup>th</sup> and 27<sup>th</sup> to discuss the maintenance dredging needs of the Intracoastal, Atlantic Intracoastal, and Okeechobee Waterways. He stated that this was an ambitious trip and we met with many representatives.

Mr. Crosley stated that currently there is no consideration given by the U. S. Army Corps of Engineers to support or fund maintenance for recreational waterways. He stated that a likely legislative vehicle for this support and change may be the Water Resources Development Act (WRDA).

Mr. Crosley stated that discussions indicated that there will be three more years of no earmarks and additionally, the sequestration took effect on March 1<sup>st</sup>. He stated that we do not know how this will fully affect the Corps or the District at this time.



Mr. Crosley stated that the majority of our elected representatives know who we are and support our mission. He stated that an additional benefit of the trip is that we visited our newly elected officials to introduce ourselves and tell them about the District.

Commissioner Sansom stated that we spoke to our representatives about adding economic value as the way to measure waterway funding by use and priority. He noted that the Ports are looking at ways to obtain their funding from the Corps faster. He stated that the Ports are putting together a Ports and Waterways caucus. He stated that they feel that soon, there will be a WRDA Bill and that is where there will be some changes in the way the Corps funds projects. He noted that waterway issues will also be included in the WRDA Bill and suggested that the District work with the Ports and Waterways group.

Secretary Blow stated that he was impressed with Mr. Davenport, his firm, and their work on behalf of the District. He stated that Mr. Davenport is on top of the issues that relate to the District and he knows what we want to accomplish. He stated that it is interesting that the representatives that we spoke to were of both parties and they all liked the District and the work we do.

Secretary Blow stated that the District is not the only agency and Florida is not the only state that is working towards changes to the way the Corps funds projects.

Treasurer Chappell stated that it was an informative trip and he agrees that Mr. Davenport and his firm are doing an excellent job representing the District. He stated that Mr. Davenport was able to schedule many meetings with our representatives during a busy time for them. He noted that if a member did not know who FIND was, we made them aware of the District and about our funding requirements.

Mr. Crosley stated that he stayed in Washington to join up with the Atlantic Intracoastal Waterway Association (AIWA) delegates. He stated that the AIWA has a representative from each state and that was significant when meeting with their representatives.

Mr. Crosley stated that we met with Senator Graham of South Carolina and discussed a waterway and ports bill that would provide \$5 billion in funding to bring all waterways and ports up to a maintenance level and then they would be maintained by an operations bill.

Secretary Blow noted that Boat U.S. also had a delegate in Washington D. C. to speak to representatives about waterway issues. He noted that they also had an article in their magazine about the visit.

**ITEM 17. Tallahassee Report.**

Mr. Roach stated that our Tallahassee representative, Mr. Moyle spoke to Senator Ring about his proposed bill that could require public facilities projects of independent special districts with taxing authority to be approved by the appropriate local general-purpose government representative. He noted that this bill does not look like it will expand to affect the District.

Commissioner Sansom stated that multi-county, port, and airport districts were eliminated from the bill. He noted that Representative Ray who sponsored the House Bill was following Senator Ring's lead.

Secretary Blow asked about HB 999 by Representative Patronis and asked if the District could be affected in the future by some of the seagrass regulations. Mr. Roach stated that currently this does not affect the District, but anything could happen. He

stated that there is a Florida Department of Environmental Protection memorandum that has been widely circulated that explains that maintenance dredging is exempt.

Secretary Blow noted that another issue that could be included in this proposed bill is the turbidity regulation. He asked if this would be an opportunity for clarification. Mr. Roach stated that the current law states that turbidity must be zero in certain waters. He noted that the District has the ability to justify and request a variance.

Commissioner Sansom stated that there has been no movement on HB 999 and the probability of the bill making it through the process is slim but, it would not hurt to have prepared amendment language ready.

Treasurer Chappell stated that Broward County has been working with the Marine Industries to develop bill language to reduce the exposure or completely remove the exposure of seagrass impacts in navigable waterways of the state. He stated that it would be good if we could give them some language that could be used next year when they are working on their Fort Lauderdale project permits to piggyback onto the District's dredging project.

**ITEM 18. Finance and Budget Committee Report.**

Treasurer Chappell stated that the Finance and Budget Committee met earlier today and the committee reviewed and recommends approval of the January 2013 financial statements, delegation of authority, and expenditure and project status report.

Treasurer Chappell made a motion to approve the recommendations from the Finance and Budget Committee. The motion was seconded by Commissioner Sansom. Chair Colee asked for discussion. Hearing none, a vote was taken and the motion passed.

**ITEM 19.**     **Additional Staff Comments and Additional Agenda Items.**

Chair Colee asked if there were any additional staff comments or agenda items.

There were none.

**ITEM 20.**     **Additional Commissioners Comments.**

Chair Colee asked if there were any additional commissioner comments.

Secretary Blow noted that there is shoaling at Marker 18 at the Ponce Inlet. Mr. Roach stated that we will be receiving bids for that area in May.

Commissioner Cuozzo stated that behind this meeting building is a beautiful public boardwalk and viewing area that was completed with assistance from the District. He stated that the city is planning to add to this boardwalk soon.

Treasurer Chappell asked when the Key West waterway survey will be completed. Mr. Roach stated that the survey has been completed and we are waiting on the mean low water information.

**ITEM 21.**     **Adjournment.**

Chair Colee stated that hearing no further business the meeting was adjourned at 11:08 a.m.

**MINUTES OF THE**  
**FLORIDA INLAND NAVIGATION DISTRICT**  
**Land Acquisition & Management Committee Meeting**  
**11:16 a.m., Friday, March 15, 2013**  
**City of Stuart Commission Chambers**  
**121 SW Flagler Avenue**  
**Stuart, Martin County, Florida**

**ITEM 1.**      **Call to Order.**

Acting-Chair Bowman called the meeting to order at 11:16 a.m.

**ITEM 2.**      **Roll Call.**

Assistant Executive Director Mark Crosley called the roll with Acting-Chair Bowman, Commissioner Barkett, Commissioner Blow, and Commissioner Kavanagh were present. Mr. Crosley stated that a quorum was present. Chair Crowley was not present.

**ITEM 3.**      **Additions or Deletions.**

Acting-Chair Bowman asked if there were any additions or deletions to the meeting agenda. There were none.

Commissioner Blow made a motion to approve the final agenda as presented. Commissioner Barkett seconded the motion. Acting-Chair Bowman asked for any additional discussion. Hearing none, a vote was taken and the motion passed.

**ITEM 4.**      **DMMA LT-13 Acquisition, Palm Beach County.**

Mr. Roach stated that this is the last parcel that the District needs to purchase for the Okeechobee Waterway. He stated that we have an unwilling seller who has obtained

a condemnation attorney. He stated that staff has completed our due diligence and has received two appraisals on this parcel. He stated that one appraisal came in at \$480,000.00 and the other came in at \$756,941.00, which is a large difference. He stated that staff contacted the appraiser that reported the highest value and asked him why all of his comparable sugar cane land sales were in Palm Beach County and that the other appraiser did comparable sugar cane land sales from various nearby counties. He stated the appraiser indicated that he has appraised a lot of sugar cane property and that he compares sugar cane property by the quality of the muck for sugar cane growing. He stated that property in Hendry and Glades County do not have the same muck levels to support crop yields and therefore are not similar to the property appraised. He stated that the appraiser indicated that he is extremely comfortable with his appraisal and he noted that the property seller is in the sugar cane business and he knows what he has and that it is not a property comparable to those in Hendry or Glades County.

Mr. Roach stated that he would like to recommend that the District offer this land owner the full appraised value of \$756,941.00 for his property. He noted that this will probably end up being a condemnation action. He stated that staff has discussed this with our condemnation attorney and he recommends that the District offer the full appraised value for this property.

Commissioner Blow asked if this will be a quick-take. Mr. Roach stated that the decision has not been made yet. He stated that staff would like to start out with a voluntary acquisition purchase offer by letter.

Commissioner Barkett made a motion to approve staff recommendation of a purchase offer for DMMA LT-13. Commissioner Blow seconded the motion. Acting-

Chair Bowman asked for any additional discussion. Hearing none, a vote was taken and the motion passed.

**ITEM 5.      DMMA BV-24A Exchange, Brevard County.**

Mr. Roach stated that District site DMMA BV-24A is located in one of the largest scrub jay population areas in the state of Florida. He stated that Brevard County would like to exchange property they own that is not scrub jay habitat for the District's property which is scrub jay habitat. He stated that the District needs to perform some due diligence investigations on the exchange parcel which are typical for all of our acquisitions of dredged material management areas. He stated that the Committee last approved this work in 2009 and staff re-coordinated the pricing with the District Engineer and the cost went up \$40,000. He noted that these costs will be reimbursed by Brevard County.

Commissioner Blow questioned if the agreement includes a payment deadline for Brevard County to reimburse the District's due diligence investigation costs. Commissioner Barkett stated that payment would probably be made during the exchange of deeds at closing.

Commissioner Barkett made a motion to approve the scope of services and fee quote from Taylor Engineering for the Phase II documentation of DMMA BV-24A. Commissioner Blow seconded the motion. Acting-Chair Bowman asked for any additional discussion. Hearing none, a vote was taken and the motion passed.

**ITEM 6.      Duval and St. Johns County Well Monitoring Project.**

Mr. Roach stated that staff advertised a bid for a new three-year contract to perform quarterly monitoring of 30 wells on four DMMA's in Duval County and one

DMMA in St. Johns County. He stated that the low qualified bid was from Bonn Environmental Services Technology. He noted that Bonn Environmental currently does most of the District's well monitoring.

Commissioner Blow asked how often these wells are monitored. Mr. Roach stated that the wells are monitored quarterly.

Commissioner Barkett asked how long is the District required to monitor these wells. Mr. Crosley stated that this is a three year contract and we do not know beyond that.

Acting-Chair Bowman asked if there is any reason this well monitoring requirement could go away anytime during the next three years. Mr. Roach suggested that the contract be written that if a site is no longer required to be monitored, that part of the agreement would be cancelled.

Mr. Crosley stated that he would prefer that the District continue monitoring these wells at least yearly to document site conditions.

Commissioner Barkett made a motion to approve the low qualified bid for the Duval and St. Johns County Well Monitoring Project. Commissioner Kavanagh seconded the motion. Acting-Chair Bowman asked for any additional discussion. Hearing none, a vote was taken and the motion passed.

**ITEM 7.      Seagrass Mitigation Site Evaluation, Martin County.**

Mr. John Adams, for Taylor Engineering stated that they have completed the preliminary evaluation of FIND properties and easements in Martin County to identify potential opportunities for seagrass mitigation. He stated that future operations in the Intracoastal Waterway (ICW) may require mitigation for unanticipated disturbance of



seagrass beds. He stated that FIND may elect to formally designate these sites as required for the future maintenance of the ICW to ensure that these properties are not sold or released without a full understanding of their value to the waterway.

Mr. Adams stated that Florida Fish and Wildlife Conservation Commission, Google Earth, National Wetland Inventory maps and Florida Land Use information was used to evaluate the properties for seagrass mitigation. He stated that aerial photography was reviewed for vegetation disturbances to areas close to the water to provide opportunities for seagrass planting and would have the potential for migration of the seagrass.

Mr. Adams stated that the specific seagrass mitigation area estimates developed from the above information include a relatively large degree of uncertainty that only site visits could resolve. He stated that verification of the mitigation area estimates would require a field investigation of each candidate site. He stated that approximately 74 acres of potential seagrass mitigation areas at 15 different locations were identified. He stated that only a site visit would provide the information necessary to make a decision concerning the construction of seagrass habitat at any particular site.

Mr. Roach noted that the identified easements are state of Florida owned easements that are FIND controlled. He stated that these are not privately owned easements because those would not be available for this mitigation. He stated that the purpose of this report is to identify these sites, make sure that we understand that we may need these sites for mitigation, and to make sure that we do not sell or give them away.

Commissioner Barkett asked if a project was completed in Indian River County could a site in Martin County be used for mitigation. Mr. Roach stated that typically, the

mitigation must be performed within the same county. Mr. Roach stated that if this is approved, staff would like to perform the same study in each of the District's counties that have seagrass, which would be from Brevard County south to Miami-Dade County.

Commissioner Blow made a motion to approve the report on Seagrass Mitigation Site Evaluation in Martin County. Commissioner Kavanagh seconded the motion. Acting-Chair Bowman asked for any additional discussion. Hearing none, a vote was taken and the motion passed.

**ITEM 8. Dredged Material Management Plan Update.**

Mr. Roach stated that in 1986 the District initiated a Dredged Material Management Plan for the Intracoastal Waterway. He stated that the plan was conducted on a county by county basis and was completed in 2008. He stated that the Phase I Plan for each county is several hundred pages long and recommends which sites to purchase. He stated that there are hundreds of pages in the plans on sites we did not purchase and sometimes we didn't purchase the site initially recommended or in the configuration recommended. He stated that the Phase II Plans are specific to each site and also amount to a hundred plus pages.

Mr. Roach stated that we often get requests for the Phase I Plans from agencies, engineers and the public. He stated that they are often confused as to what they are looking at because of all the extraneous information. He stated that staff would like to update the Phase I Plans to document the sites that were actually acquired plus changes to the projected dredging and management quantities as a result of the channel condition surveys made in 1996, 2000, 2004 and a channel condition survey we are planning for

this year. He stated that the new DMMP's would be less than one hundred pages for each county and therefore a more consumable document for everyone including ourselves.

Mr. Roach stated that staff is seeking concurrence from the Committee before we have the District engineer provide us a scope of services and fee quote to perform the first updated plan document for one county.

Commissioner Kavanagh stated that it is important that all of this information be updated before Mr. Roach retires. She stated that is good business thinking.

**ITEM 9.**      **Additional Staff Comments and Additional Agenda Items.**

Acting-Chair Bowman asked if there were any additional staff comments or agenda items. There were none.

**ITEM 10.**      **Commissioners Comments.**

Acting-Chair Bowman asked if there were any additional Commissioner comments. There were none.

**ITEM 11.**      **Adjournment.**

Acting-Chair Bowman stated that hearing no further business the meeting was adjourned at 12:00 p.m.



**US Army Corps  
of Engineers**  
Jacksonville District

**IWW STATUS UPDATE  
FIND Board of Commissioners Meeting  
April 13, 2013**

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**WORK ACTIVITIES IN FY 13:**

1. DMMA: IR-2 (Indian River County)
2. IWW: Sawpit (Nassau County)
3. IWW: Indian River Reach 1 (Indian River County)
4. IWW: Miscellaneous

AIWW = Atlantic Intracoastal Waterway Norfolk to St. Johns

IWW = Intracoastal Waterway Jacksonville to Miami (12' and 10' projects)

DMMA = Dredge Material Management Area



US Army Corps  
of Engineers  
Jacksonville District

**IWW STATUS UPDATE**  
**FIND Board of Commissioners Meeting**  
**April 13, 2013**



**1. WORK ACTIVITY: DMMA IR-2 (Indian River County)**

**CONTRACT AMOUNT: \$2,806,601.00**

**DESCRIPTION OF WORK:** IR-2 is located in Indian River County 1.6 miles north of Wabasso between U.S. Highway 1 and Indian River Lagoon. IR-2 is a 180 acre site. IR-2 services Reach 1 of the IWW. Reach 1 extends from a point 0.45 north of the Brevard/Indian River County line southward 8.09 miles to the Wabasso Bridge. IR-2 will have a capacity of 428,000 cyds. IR-2 will be used for the Sebastian area (Indian River Reach 1) dredging.

**SCHEDULE:**

Receipt of ERP/Surface Water Mgmt Permit:	21 July 2010A
Contract Advertisement Initiated:	21 Sept 2010A
Bids Received:	28 Oct 2010A
Contract Award:	30 Dec 2010A
NTP Issued:	17 Feb 2011 A
Construction:	18 Feb 2011A – 31 Nov 2012A

**FIND WORK ORDER:** Work Order was approved by the FIND Board in June 2010.

**NAME OF CONTRACTOR:** Contract was awarded to BC Peabody Construction Services on 30 Dec 2010.

**STATUS:** The deductive modification for incomplete mulching in the sea oxeye daisy mitigation area and incomplete mowing of the site was negotiated and BC Peabody signed and returned to the Corps on 21 Feb 2013. As-built review was completed on 15 March 2013. More detailed information to be provided at the 13 April Board meeting.



**Dredged Material Management**  
**Area IR-2 Construction**

Print #120821143  
Date: 08/21/12  
Lat/Lon: 27.779263 -80.444266

Aerial Photography, Inc. 954-568-0484



**US Army Corps  
of Engineers®**  
Jacksonville District

## IWW STATUS UPDATE FIND Board of Commissioners Meeting April 13, 2013



### 2. WORK ACTIVITY: AIWW Sawpit Reach 3(Nassau County)

CONTRACT AMOUNT: TBD

**DESCRIPTION OF WORK:** The AIWW Sawpit Reach 3 project consists of maintenance dredging of approximately 591,000 cubic yards (cy) of material from the AIWW channel and settling basins in Cuts 24-26A, 27, 27A, 27C; and adjoining advance maintenance areas in the waters of Sawpit Creek, the Amelia River, and Nassau Sound. The majority of the excavated material, 578,000 cy, will be placed in the Amelia Island State Park beach disposal site. The pumping distance between dredging areas and beach placement ranges from 4.0 miles to 1.5 miles. The material from Cut-27, totaling 13,000 cy is not beach compatible and will be placed upland in DMMA DU-2. DMMA DU-2 lies adjacent to Cut-26A and Cut-27.

#### SCHEDULE:

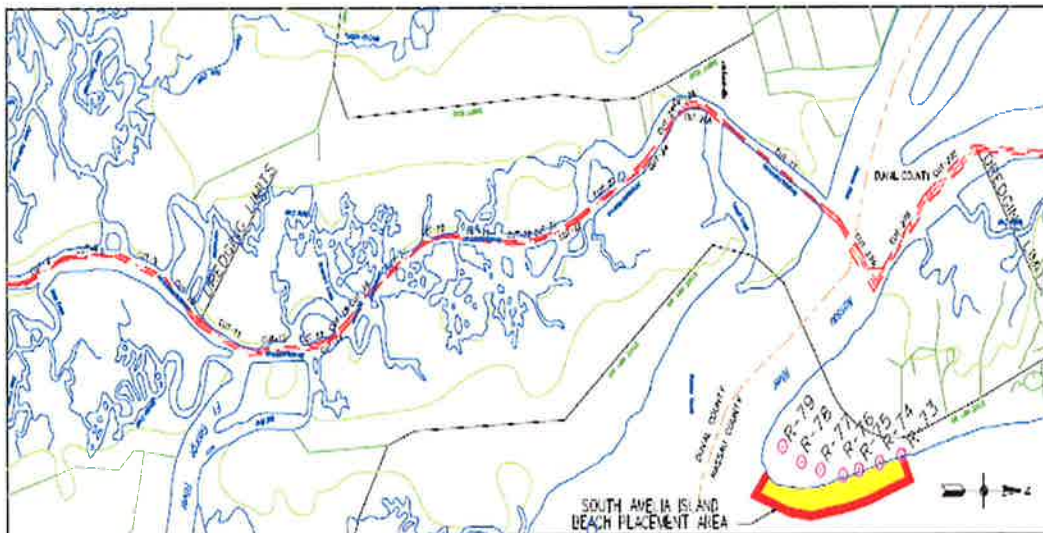
Submit WQC permit application to DEP:	29 June 2011A
Pre Application Meeting	2 Aug 2011A
Date we expect DEP permit:	20 July 2012A
Contract Advertisement Initiated:	8 March 2013A
Bid Opening:	8 April 2013
Contract Award:	4 June 2013*
NTP Issued:	2 July 2013
Mobilization Complete:	2 Aug 2013
Begin Dredging:	3 Aug 2013
Dredging Complete:	10 Dec 2013

*\*timeline between bid opening and award is 60 days due to this project being used to refresh the small business dredging MATOC pool.*

**FIND WORK ORDER:** Work order for dredging of AIWW Sawpit Reach 3 was approved by the FIND Board in December 2012.

NAME OF CONTRACTOR: TBD

**STATUS:** On 21 March 2013 a pre-proposal teleconference was held with interested bidders. 9 companies participated in the conference call. An amendment will be issued by 3 April 2013 which will clarify questions received at the teleconference. FIND and Corps staff coordinated with DEP Parks Department staff on the bird and turtle monitoring, to include identification of the individual who will perform monitoring and relocation. Prior to NTP of the contract, monitoring and relocation is the responsibility of FIND. At NTP, the winning contractor picks up this responsibility, per the Corps plans and specifications. It should also be noted that this monitoring and relocation is only required beginning 65 days from the estimated physical start of the contract.







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Jacksonville District

**IWW STATUS UPDATE  
FIND Board of Commissioners Meeting  
April 13, 2013**

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**3. WORK ACTIVITY: IWW Indian River Reach 1 & 2 (Indian River County)**

**CONTRACT AMOUNT: TBD**

**DESCRIPTION OF WORK:**

**SCHEDULE: TBD**

**FIND WORK ORDER: TBD**

**NAME OF CONTRACTOR: TBD**

**STATUS:** At the 13 April 2013 FIND Board Meeting Corps and FIND staff will present the cost estimate for the Corps to complete coordination with resource agencies and complete plans and specifications for dredging of Indian River Reaches 1 & 2. Material within these reaches of the IWW will be placed in the newly constructed DMMA IR2.

**4. IWW: WORK ACTIVITY: Miscellaneous**

**O&M Supplemental funding:** On 21 March 2013 \$200,000 in funding was received by the Corps to develop plans and specifications for 2 IWW dredging projects that were impacted by Hurricane Sandy. In putting together the packages to request this funding, the Corps' Project Manager anticipated that Bakers Haulover and Crossroads could be 2 potential projects that could benefit by the development of plans and specifications and follow on O&M dredging funding.

On 3 April 2013 a conference call is being held between Corps and FIND staff to determine the path forward. More information will be available at the time of the Board Meeting on 13 April 2013.



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Jacksonville District

## FLORIDA INLAND NAVIGATION DISTRICT INTRACOASTAL WATERWAY WORK ORDER No. 37-2013-01



In accordance with the Memorandum of Agreement (MOA) between the Department of the Army and the Florida Inland Navigation District for acceptance of Contributed funds for the Atlantic Intracoastal Waterway, entered into on the 3<sup>rd</sup> of September 1997, as amended on October 22, 2001, by amendment number 1, work order number 37-2013-01 is described per the following requirements:

1. Project Name: Development of Plans and Specifications for Indian River Reaches 1 & 2.
2. Detailed Scope of Work: Plans and Specifications (P&S) will be developed for the IWW Indian River Reaches 1 & 2. Material from these reaches in non beach quality and will be placed in the newly completed DMMA IR2.
3. Tentative Schedule: Kick off of P&S by 1 May 2013 with an anticipated advertisement date of 1 November 2013.
4. Funding arrangements providing for funding of obligation: Contributed funds must be received and placed in escrow in accordance with the MOA as amended.
5. The amount of funds required and available to accomplish the scope of work: The amount requested from FIND for this effort is \$206,800. This funding will complete both P&S and associated coordination with resource agencies. A detailed breakout is attached that shows the cost per discipline. After P&S are complete, if FIND wishes for the Corps to proceed with procurement of the project, a separate work order will be developed to support that effort.
6. Identification of individual project managers: The Contributor's project manager is Mark Crosley, 561-627-3386. The Government's project manager is Shelley Trulock, 904-232-3292.
7. Identification of types of contracts to be used: N/A
8. Types and frequency of reports: Monthly progress reports will be provided by the Government's project manager to the Contributor's project manager. The Government will also provide quarterly accounting in accordance with the MOA.
9. Identification of which party is responsible for contract administration, records maintenance, and contract audits: N/A
10. Procedures for amending or modifying the work order: This work order can be amended or modified in writing with mutual consent of both parties.



11. Such other particulars as are necessary to describe clearly the obligations of the parties with respect to the requested goods and services for this work order: None

THE DEPARTMENT OF THE ARMY

FLORIDA INLAND NAVIGATION  
DISTRICT

BY: \_\_\_\_\_

BY: \_\_\_\_\_

Alan M. Dodd  
Colonel, U.S. Army  
District Engineer

Gail Kavanagh  
Vice-Chair, FIND

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_



## FLAGLER COUNTY PROJECT STATUS UPDATE

April 2013

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### **Dredged Material Management Plan.**

Phase I of the Dredged Material Management Plan for the Intracoastal Waterway in Flagler County was completed in 1993. Phase II of the DMMP was completed in 1994 and all major land acquisition was completed in 1996. Please see attached maps.

The 50-year dredging projection for the 20 miles of channel in Flagler County is 926,905 cu/yds and the storage projection is 1,992,846 cu/yds.

Phase I construction has been completed for all three upland sites in Flagler County, DMMA FL-3, DMMA FL-8 and DMMA FL-12. All the sites have been fenced and the buffer of DMMA FL-12 was landscaped several years ago. Stabilization of the shoreline of DMMA FL-8 has been completed along with the installation of a pedestrian pathway along the shoreline that connects an existing waterfront walkway to the City of Palm Coast's Waterfront Park. Plans and specifications are now being prepared for the eventual construction of FL-3 in the coming year.

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### **Waterway Dredging**

Routine maintenance dredging of the Intracoastal Waterway in the vicinity of the Matanzas Inlet and in Cut F-2 was completed in September of 2011. The material was placed on the beach in Summerhaven. This project is likely to be undertaken again in 2014 or 2015.

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### **Waterways Economic Study**

The Flagler County Waterways Economic Study was completed in 2002 and updated in 2011. The updated study found that the waterway related businesses in the county employ 1,226 people, with salaries of \$47.8 million and a total economic impact of \$216 million. Property values were determined to be increased by \$163 to \$185 million by the presence of the ICW channel. There are approximately 3,737 registered vessels in the county. See attached map.

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**FIND**



## FLAGLER COUNTY PROJECT STATUS UPDATE

April 2013

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### **Waterways Assistance Program**

Since 1986, the District has provided \$1.9 million in Waterways Assistance Program funding to 21 projects in the County having a total constructed value of \$3.3 million. The County, the City of Flagler Beach, Marineland and the City of Palm Coast have all participated in the program. Please see the attached listing.

Notable projects funded include: Bings Landing, Moody, Grand Haven South and North Park boat ramps, Marineland Marina and Flagship Harbor Preserve.

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### **Cooperative Assistance Program**

The District's Cooperative Assistance Program has providing funding assistance to 23 projects with elements in Flagler County. Notable projects include: Florida Marine Patrol Officer Funding; Manatee Acoustic Warming System; FWC Officer Equipment Funding and, Environmental Education Exhibits at Gamble Rogers State Park. The District's funding assistance for the Flagler County portion of these projects was approximately \$492,100.

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### **Interlocal Agreement Program**

The District's Interlocal Agreement Program (which is a sub-set of the WAP and CAP programs) has provided funding assistance to two projects. The District's funding assistance for the Flagler County portion of these projects was approximately \$25,000.

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### **Public Information Program**

The District currently prints and distributes the following brochures with specific information about Flagler County Waterways: the Economic Impact of Flagler County Waterways.

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### **Waterway Clean Up Program**

**FIND**



## FLAGLER COUNTY PROJECT STATUS UPDATE

April 2013

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The District has consistently partnered with the City of Palm Coast on waterway cleanup projects in Flagler County, in the amount of \$5,000 per year in District assistance for the past 5 years.

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### **Small Scale Derelict Vessel Removal Program**

Flagler County has previously participated in the Small-Scale Derelict Vessel Removal Program with \$6,503 contributed in FIND funding.

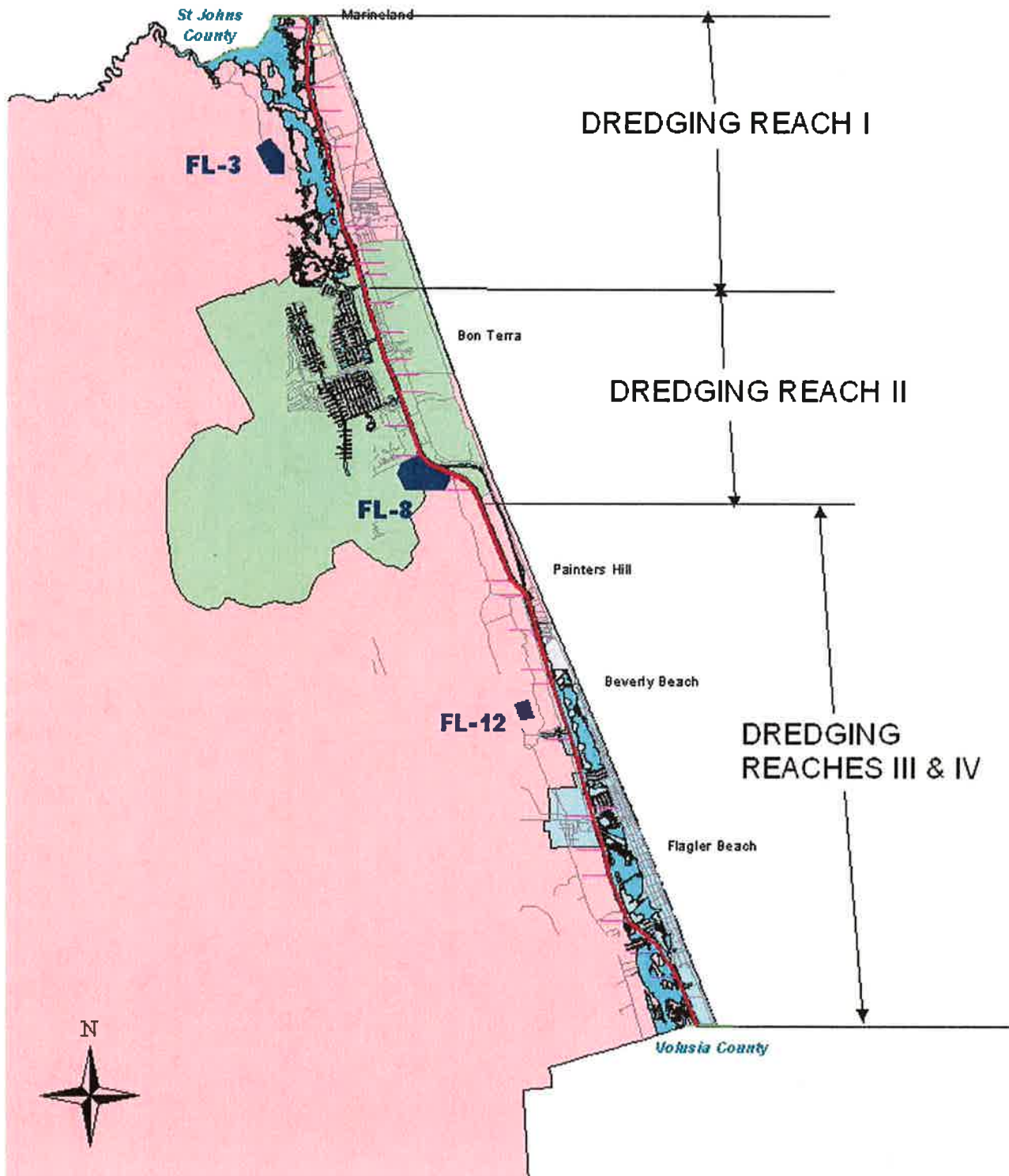
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### **Small Scale Spoil Island Enhancement and Restoration Program**

To date, no spoil island enhancement or restoration projects have been funded in Flagler County.





**FIND**

# INTRACOASTAL WATERWAY DREDGING REACHED AND DREDGED MATERIAL MANAGEMENT AREAS IN FLAGLER COUNTY











-  Channel
-  ICW Right-of-Way
-  FIND Owned
-  FIND Easement

# DREDGED MATERIAL MANAGEMENT AREA FL-3











-  Channel
-  ICW Right-of-Way
-  FIND Owned
-  FIND Easement

# DREDGED MATERIAL MANAGEMENT AREA FL-8







-  Channel
-  ICW Right-of-Way
-  FIND Owned
-  FIND Easement

**DREDGED MATERIAL  
MANAGEMENT AREA  
FL-12**





# ECONOMIC BENEFITS OF THE DISTRICT'S WATERWAYS

Page 47



## Purpose

To update economic benefits in Flagler County of marine-related activities on the District Waterways, as previously estimated in *An Economic Analysis of the District's Waterways in Flagler County*, February 2003, and to provide the general public and Federal, State, and local officials with a clear understanding of the importance of maintaining the waterways.

## Scenarios Evaluated

1. Current Existing Conditions
2. Cessation of Waterways Maintenance
3. Increase in Waterways Maintenance



## ECONOMIC IMPACTS

### Current Existing Impacts

- \$215.9 million in business volume
- \$47.8 million in personal income
- 1,226 jobs
- \$6.1 million in tax revenue

### Impacts of Cessation of Waterways Maintenance

- Decrease of \$25.6 million in business volume
- Decrease of \$5.9 million in personal income
- Decrease of 204 jobs
- Decrease of \$1.4 million in tax revenue

### Impacts of an Increase in Waterways Maintenance

- Increase of \$12.4 million in business volume
- Increase of \$3 million in personal income
- Increase of 122 jobs
- Increase of \$0.8 million in tax revenue

Due to anomalies in Florida Department of Revenue reported gross sales data, the impact of the 2007-2009 U.S. Economic Recession on the Flagler County economy could not be estimated.

## Economic Benefits as of April 2011

FLAGLER COUNTY



# ECONOMIC BENEFITS OF THE DISTRICT'S WATERWAYS

## FLAGLER COUNTY

### The Intracoastal Waterway

The Atlantic Intracoastal Waterway (AICW) is a 1,391-mile channel between Trenton, New Jersey, and Miami, Florida. The Waterway along Florida's eastern seaboard is 406 miles long and follows coastal rivers and lagoons past numerous tourism-oriented communities. The channel is authorized to a depth of 12 feet from Nassau County to Fort Pierce, and a 10 foot depth south through Miami-Dade County. Boating activities on the waterways contribute to the existence of numerous marine-related businesses such as marinas and boatyards and have stimulated development of residential properties on the Waterways.

### The Navigation District

The Florida Inland Navigation District, created in 1927, is the local sponsor for the AICW in Florida. In cooperation with the Jacksonville District of the U.S. Army Corps of Engineers, the Navigation District is responsible for maintenance of the AICW in Florida. To maintain navigation, the waterways need to be periodically dredged due to shoaling from currents, upland soil erosion, and the movement of offshore sands through the ocean inlets. Maintenance dredging is projected to cost approximately \$12 to \$16 million annually during the next 50 years, of which 50 percent of the costs are expected to be borne by property owners within the Navigation District's jurisdiction.

The Navigation District also partners with other governments to provide waterway access and improvement facilities for our mutual constituents. These projects include public boat ramps, marinas, side channels, parks, fishing piers, boardwalks, navigation aids, derelict vessel removal, shoreline stabilization, and waterway cleanups.

### Source of Data Used in This Analysis

The economic benefits of the Waterways were estimated in February 2003 in *An Economic Analysis of the District's Waterways in Flagler County*.

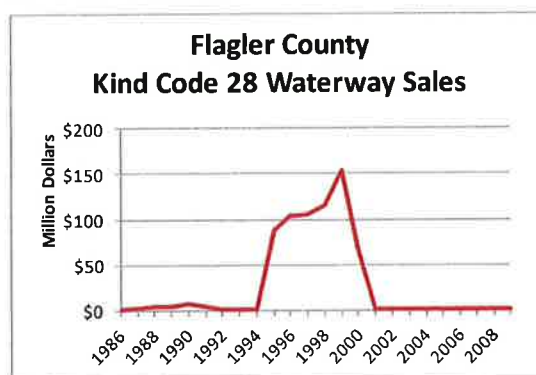
### Updating of Previously Estimated Benefits

The benefits presented in this analysis were estimated by updating the direct marine-business

impacts in the original analysis to current values using the change in gross sales reported by boat dealers to the Florida Department of Revenue (FDOR). The updated direct impacts were used in conjunction with an IMPLAN input/output model to estimate total economic benefits.

### Estimating the Impact of the Recession

The methodology for estimating the impact of the recession was based on the trend in gross sales of boat dealers established over the 20-year period prior to the onset of the recession. This trend was used to estimate the theoretical gross sales if sales had continued to increase at the rates previously experienced. However, anomalies in the FDOR reported gross sales data for Flagler County prevented the development of an estimate of the recession. As illustrate in the graph below, Flagler County FDOR reported gross sales data for boat dealers fluctuated widely from \$0.75 million in 1986 to \$154.4 million in 1999 to \$0.6 million in 2001, with values fluctuating between \$0.6 million to \$1.5 million since 2001. As a result, the impact of the recession on the Flagler County economy could not be estimated.



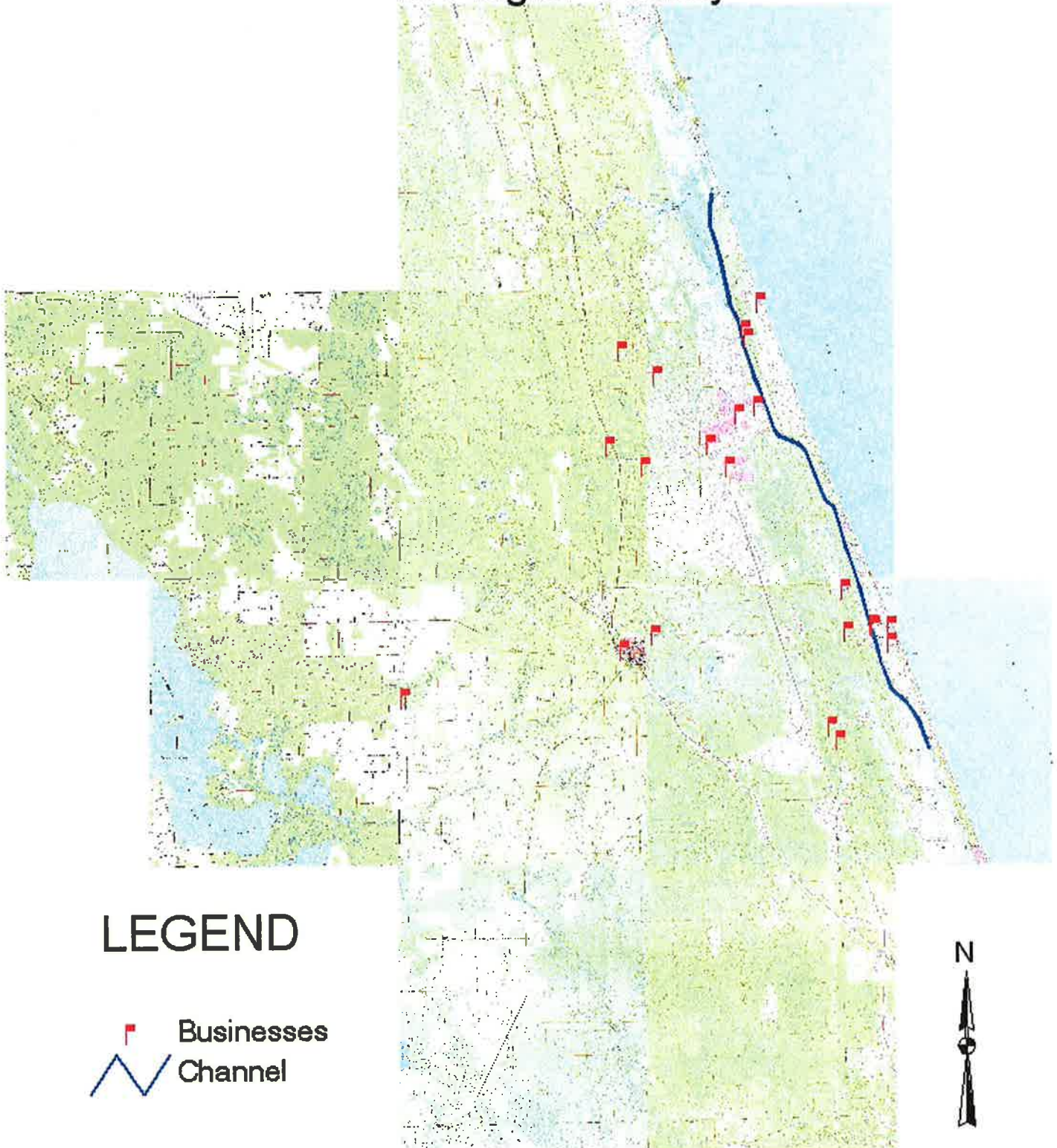
### Annual Boater Spending on Gas, Food, and Drinks at Non-Marine-Related Establishments

- Current existing conditions: \$4.9 million
- Cessation of maintenance: \$3.9 million
- Increased maintenance: \$4.9 million

### Vessel Draft Restrictions Assumed for Each Scenario

- Current existing conditions: 6.5 feet MLW
- Cessation of maintenance: 3 feet MLW
- Increased maintenance: 12 feet MLW

Location Map  
**Waterway Related Businesses  
in Flagler County**





FLORIDA INLAND NAVIGATION DISTRICT  
WATERWAYS ASSISTANCE PROGRAM PROJECTS  
IN FLAGLER COUNTY  
1986-2013

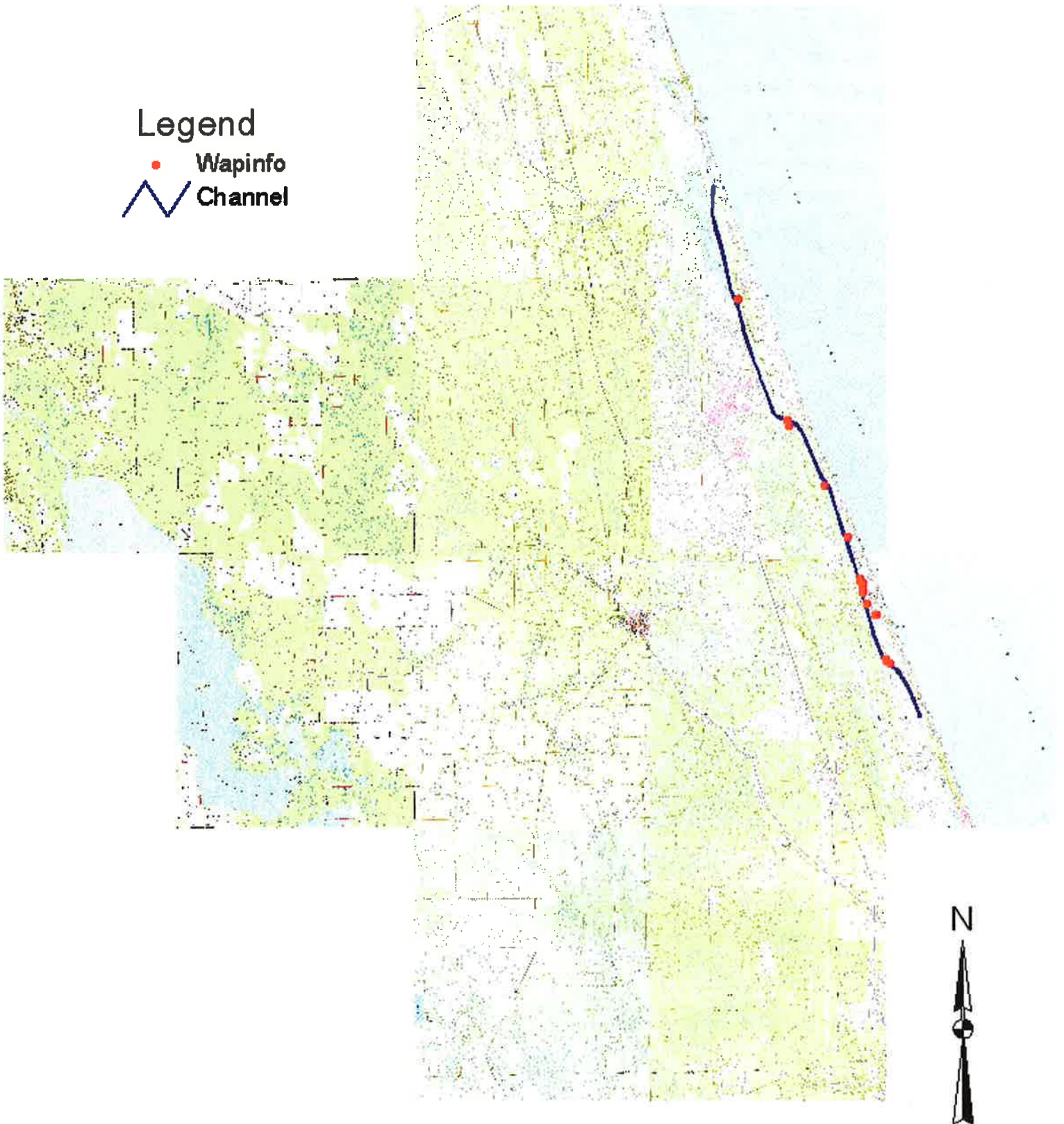
Project Name	Project Number	Project Sponsor	Grant Amount	Total Cost
Bing's Landing Park Addition Improvements - Phase I	FL-07-13	Flagler County	\$25,000	\$105,000
Bing's Landing Addition County Park	FL-09-15	Flagler County	\$80,310	\$160,620
Bing's Landing Dredging	FL-09-16	Flagler County	\$93,750	\$187,500
Moody Boat Ramp	FL-1	Flagler County	\$40,000	\$80,000
East Bridge Park Dev. (Transferred to Moody Boat Ramp)	FL-88-2	Flagler County	\$38,000	\$160,000
Bings Landing Park Development	FL-90-3	Flagler County	\$66,000	\$132,000
Flagship Harbor Preserve - Phase I	FL-93-4	Flagler County	\$71,996	\$135,479
Flagship Harbor Preserve - Phase II	FL-96-5	Flagler County	\$52,468	\$104,936
Grand Haven South Park - Phase I	FL-98-7	Flagler County	\$72,744	\$235,075
Flagler County Sheriff's Office Marine Unit	FL-99-8	Flagler County	\$55,500	\$74,000
Public Navigation Channel Dredging - Phase II	FL-FB-00-9	City Of Flagler Beach	\$75,000	\$150,000
Public Navigation Dredging - II	FL-FB-01-10	City Of Flagler Beach	\$90,000	\$109,500
Smith's Creek Shoreline Stabilization	FL-FB-02-11	City Of Flagler Beach	\$17,200	\$30,000
Public Navigation Channel Dredging - Phase I (Expired)	FL-FB-97-6	City Of Flagler Beach	\$8,910	\$9,900
Marineland Marina	FL-ML-10-19	Town Of Marineland	\$202,160	\$404,320
North Park	FL-PC-05-12	City Of Palm Coast	\$130,810	\$261,620
Waterfront Park - Phase II	FL-PC-08-14	City Of Palm Coast	\$296,750	\$653,500
Long's Landing Estuary - Phase I	FL-PC-09-17	City Of Palm Coast	\$75,000	\$150,000
Accessibility Improvements at Bing's Landing	FL-12-13	Flagler County	175,000	64,040
Bing's Landing Restroom & Basin Dock	FL-12-19	Flagler County	231,800	76,900
Eyes On Navigation	FL-12-20	Flagler County	64,420	22,210
			<b>\$1,962,818</b>	<b>\$3,306,600</b>

## Waterways Assistance Program Projects in Flagler County

Legend

• Wapinfo

Channel







## DANIA CUTOFF CANAL DEEPENING PROJECT

**SECTION 00 94 63**

**CHANGE ORDER**

**Change Order No. 7**

**Date:** \_\_\_\_\_

**Agreement Date:** \_\_\_\_\_

**Project Name:** Dania Cutoff Canal Deepening

**Owner:** Florida Inland Navigation District

**Contractor:** Lucas Marine Acquisition Company, LLC

**The following changes are hereby made to the Contract Documents:**

- Modification of Bid Item No. 0004 – Turbidity, Water Quality, and Erosion Control
- Modification of Bid Item No. 0011 – Dredging
- Modification of Bid Item No. 0012 – Dewatered Dredged Material Off-Site Transport

**Justification:**

Under contract to the Florida Inland Navigation District and through regulatory authorizations obtained by G&G Shipping (G&G), Lucas Marine Acquisition, LLC (LMAC) will dredge approximately 800 CY of material, to an elevation of -15 ft Mean Low Water (MLW), plus an allowable 2-ft overdredge, along G&G's newly constructed ±235-ft vessel berth. LMAC will install the required turbidity curtains, dredge the material with an environmental clamshell bucket, dewater the material in the DCC dredged material management area, and transport and permanently dispose of the material in an approved landfill owned by Waste Management.

***Regulatory authorizations include:***

- Department of the Army Permit No. SAJ-2011-03102 (LP-SLR), dated March 26, 2012
- South Florida Water Management District Right of Way Standard Permit No. 13961, dated January 12, 2012, extension granted March 26, 2013
- Florida Department of Environmental Protection Environmental Resources Permit No. 06-0312740-002 (included as part of the Broward County License)
- Broward County Environmental Resources License No. DF11-1155 Modification No. 1, dated March 20, 2013

***LMAC submittals, as part of this Change Order authorization, include:***

- Pre- and Post-dredge bathymetric survey signed and sealed by a Florida-registered licensed surveyor
- Daily observation reports that include: Daily Dredge, Manatee, and Turbidity Monitoring
- Waste Management landfill receipts/truck tickets

Commensurate with LMAC's proposal dated April 2, 2013 (Attachment A), the allowable lump sum and unit cost breakdown follows below:

	<u>QUANTITY</u>	<u>UNIT</u>	<u>UNIT PRICE</u>	<u>SCHEDULE OF VALUES</u>
• Bid Item No. 0004:	1	LS	\$22,000.00	\$22,000.00
• Bid Item No. 0011:	800 CY	EA	\$102/CY	\$81,600.00
• Bid Item No. 0012:	1,200 Tons	EA	\$38.00/Ton	\$39,600.00
			<b>TOTAL:</b>	<b>\$143,200.00</b>

Due to the potential of equipment down time — either because of the expected arrival of the required turbidity curtains or G&G Shipping traffic — LMAC is authorized to bill, in hourly increments (maximum of 12 hours/day), the following daily cost, for a maximum of 7 days (or 84 hours), of down time:

	<u>DAILY RATE</u>	<u>MAX. 7 DAYS</u>
• Dredge Equipment including tugs & material barges	\$2,500.00	\$17,500.00
<b>TOTAL:</b>		<b>\$2,500.00</b>
		<b>\$17,500.00</b>

**TOTAL NOT TO EXCEED: \$160,700.00**

#### Change in Contract Price:

<b>Original Contract Price:</b>	\$ <u>6,306,690.00</u>
Current Contract Price adjusted by previous Change Order	\$ <u>7,404,738.43</u>
The Contract Price due to this Change Order will be (Increased) (Decreased) by:	\$ <u>\$160,700.00</u>
The new Contract Price including this Change Order will be:	\$ <u>7,565,438.43</u>

#### Change in Contract Time:

Original Contract Completion Date:	<u>270 days from NTP</u>
Current Contract completion date adjusted by previous Change Order:	<u>328 days from NTP</u>
The Contract time due to this Change Order will be (Increased) (Decreased) by the indicated number of calendar days:	<u>10 days</u>
The new Original Contract Time including this Change Order will be:	<u>338 days from NTP</u>
Original Alternative Bid Item Completion Date:	<u>Additional 90 days from NTP</u>
Current Alternative Bid Item completion date adjusted by previous Change Order:	<u>0 days from NTP</u>
The Contract time due to this Change Order will be (Increased) (Decreased) by the indicated number of calendar days:	<u>0 days</u>
The new Total Contract Time including this Change Order will be:	<b><u>428 days from NTP</u></b>



Recommended By: LORI S. BROWNELL, P.E.

Authorized Signature: 

Date: 4/2/2013

Title: PROJECT MANAGER, TAYLOR ENGINEERING

Ordered By: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Accepted By: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

--End of Section--



March 25, 2013

David Roach  
Executive Director  
Florida Inland Navigation District (FIND)  
1314 Marcinski Road  
Jupiter, FL

RE: Scope of Construction Administration and Certification Services  
G&G Shipping (G&G) Facility adjacent to the Dania Cutoff Canal; Broward County, Florida

Mr. Roach:

Per your request, Taylor Engineering has prepared the attached Scope of Services (Attachment A) and Cost Proposal (Attachment B) for the following services related to the above-referenced G&G dredging project:

Task 1 – Construction Administration  
Task 2 – Project Closeout and Certification

Taylor Engineering will complete the work described herein for a cost-plus-maximum fee of \$9,114.10.

We appreciate this opportunity to serve the FIND. Please contact me if you have questions or comments.

Sincerely,

John Adams, P.E.  
Senior Advisor, Waterfront Engineering

Attachments (2)

**SCOPE OF CONSTRUCTION ADMINISTRATION AND CERTIFICATION SERVICES  
G&G SHIPPING FACILITY ADJACENT TO THE DANIA CUTOFF CANAL  
BROWARD COUNTY, FLORIDA**

**INTRODUCTION**

This scope of construction administration and certification services proposal describes Taylor Engineering's effort to support the dredging of the G&G Shipping Facility, LLC (G&G) in accordance with the following authorizations:

- Department of the Army Permit No. SAJ-2011-03102 (LP-SLR), dated March 26, 2012
- South Florida Water Management District Right of Way Standard Permit, copy to be provided by FIND or G&G
- Florida Department of Environmental Protection Environmental Resources Permit No. 06-0312740-001 (included as part of the Broward County License)
- Broward County Environmental Resources License No. DF11-1155, dated July 17, 2012, *modification pending*

Other supporting documents related to this construction effort include:

- Coastal Eco-Group Submerged Aquatic Vegetation Survey Field Observation Report, dated September 6, 2011
- Palm Beach Environmental Laboratories, Inc. Sediment Chemistry Report, dated September 30, 2011
- Lucas Marine Acquisition Company, LLC (LMAC) Proposal, dated February 20, 2013

Successful completion of this project will result in the excavation of approximately 800 cubic yards (CY) of material, to an elevation of -15 ft Mean Low Water (MLW), plus an allowable 2-ft overdredge tolerance, along G&G's newly constructed  $\pm 235$ -ft vessel berth. Taylor Engineering understands that after completion of the DCC project, LMAC will dredge the G&G material with an environmental clamshell bucket, from an approximate 7,000 square foot (SF) area, and transport to the DCC dredged material management area (DMMA) located on the Port Everglades property. Due to the results of the above-identified sediment chemistry report, LMAC will transport and permanently dispose of the material in an approved landfill facility owned by Waste Management. Taylor Engineering has developed this scope of services based on the following assumptions:

- The total construction time will not exceed five (5) working days.
- LMAC, through its designated third-surveyor (Oceanside Solutions), will provide the pre- and post- construction bathymetric survey of the project area.
- Project construction will not result in any substantial deviations from the project drawings and specifications, violate permit conditions, or damage the G&G steel sheet-pile seawall.
- LMAC will conduct all contractor-responsible environmental monitoring.

If any of these assumptions prove incorrect, Taylor Engineering will work with the FIND to develop an updated scope of work and cost proposal.



## **TASK 1 CONSTRUCTION ADMINISTRATION**

### **1.1 Pre-Construction Meeting**

Over teleconference, Taylor Engineering and its representatives will conduct a pre-construction meeting. We will discuss the project, answer LMAC's questions concerning any technical and regulatory aspects of the work, and achieve a mutual understanding with the contractor of required quality control and environmental monitoring.

### **1.2 Site Visits**

We will provide on-site observation services each day of project construction, with an observer located on site approximately six hours each observation day for a maximum of five working days. Taylor Engineering's observers will ascertain whether work is progressing in general conformance with permit conditions, project drawings, and specifications. Our visits will include observing the work and monitoring the contractor's means, methods, and sequence. Taylor Engineering will observe project progress to verify conformance with or note discrepancies from the project contract, drawings, specifications, and environmental permits. Taylor Engineering will not direct the contractor's means and methods of construction. Taylor Engineering is not responsible for jobsite safety. Following each site visit, Taylor Engineering will complete a construction observation report, which will become part of the project record. The report will include the name of the observer, weather conditions, date, personnel/visitors on site, the contractor's personnel and equipment, and daily summary of events.

### **1.3 Review and Approve Contract-Related Items**

We will help the FIND administer the construction contract from our Jacksonville offices as well as from the project site. In-office duties will include:

- Issue the commencement notice to the regulatory agencies
- Review the contractor's submittals
- Review progress pay application
- Coordinate with G&G staff
- Provide oversight of the work progress
- Monitor compliance with environmental permits and conditions

## **TASK 2 PROJECT CLOSOUT AND CERTIFICATION**

This task includes the following sub-tasks:

- Conduct final review/acceptance of field data
- Certify final completion of the project

On receipt of the post-construction bathymetric survey, we will make our determination of the degree of project completion. We will help coordinate permit-related submittals and receive approval from G&G before submitting to the regulatory agencies. Following completion of the project, we will prepare a statement of completion and a certification in accordance with the permit requirements.



**TAYLOR ENGINEERING, INC.  
COST SUMMARY BY TASK**

**ADMINISTRATION AND CERTIFICATION SERVICES; G&G SHIPPING FACILITY  
ADJACENT TO THE DANIA CUTOFF CANAL; BROWARD COUNTY, FLORIDA**

**TASK 1: CONSTRUCTION ADMINISTRATION**

<i>Labor</i>	Hours	Cost	Task Totals
Senior Advisor	1.0	177.00	
Director	20.0	3,080.00	
Staff Professional	44.0	3,784.00	
Administrative	2.0	112.00	
Total Man-Hours	67.0		
Labor Cost			7,153.00
<i>Non-Labor</i>	Units	Cost	
Site Visits_Mileage	5.0	171.00	
Site Visits_Per Diem	5.0	50.00	
Non-Labor Cost		221.00	
Fee @ 10.0%		22.10	
Total Non-Labor Cost			243.10
<b>Total Task 1</b>			<b>7,396.10</b>

**TASK 2: PROJECT CLOSEOUT AND CERTIFICATION**

<i>Labor</i>	Hours	Cost	Task Totals
Senior Professional	6.0	774.00	
Senior Technician	8.0	720.00	
Administrative	4.0	224.00	
Total Man-Hours	18.0		
Labor Cost			1,718.00
<b>Total Task 2</b>			<b>1,718.00</b>

**Project Total \$ 9,114.10**

**SECTION 00 94 63**

**CHANGE ORDER**

**Change Order No. 8**

**Date:** \_\_\_\_\_

**Agreement Date:** \_\_\_\_\_

**Project Name:** Dania Cutoff Canal Deepening

**Owner:** Florida Inland Navigation District

**Contractor:** Lucas Marine Acquisition Company, LLC

**The following changes are hereby made to the Contract Documents:**

- Modification of Bid Item No. 0006 – Dredged Material Management Area Construction, Operation, and Restoration
  - Removal of Bid Item No. 6 “Remove Berm” Lump Sum (LS) line item for \$40,000.00
  - Removal of Bid Item No. 6 “Restoration” LS line item for \$21,750.00
- Addition of Change Order No. 8 LS item for \$61,750.00 for “Re-establishment of DMMA”

**Justification:**

Per an agreement between the Florida Inland Navigation District and Port Everglades, the dredged material management area will remain in place — as opposed to that originally specified in SECTION 31 23 00 Excavation, Grading, and Dike Construction, Paragraphs 1.1.E, and 3.11 — and be restored to the layout and pre-dredge condition as submitted in Paragraphs 1.4B and 1.4E. No change in Contract Price on Contract Time, due to a commensurate level of effort expected by the Contractor, will result from this Change Order.

**Attachment A** provides the Specification with tracked changes and are hereby modified with execution of this Change Order. **Attachments B and C** provide copies of the Engineer-Approved submittals referenced in Paragraphs 1.4B and 1.4E.

**Change in Contract Price:**

Original Contract Price:	\$ <u>6,306,690.00</u>
Current Contract Price adjusted by previous Change Order	\$ <u>7,565,438.43</u>
The Contract Price due to this Change Order will be (Increased) (Decreased) by:	\$ <u>\$0.00</u>
The new Contract Price including this Change Order will be:	\$ <u>7,565,438.43</u>

**Change in Contract Time:**

Original Contract Completion Date:	<u>270 days from NTP</u>
Current Contract completion date adjusted by previous Change Order:	<u>338 days from NTP</u>
The Contract time due to this Change Order will be (Increased) (Decreased) by the indicated number of calendar days:	<u>0 days</u>
The new Original Contract Time including this Change Order will be:	<u>338 days from NTP</u>
Original Alternative Bid Item Completion Date:	<u>Additional 90 days from NTP</u>
Current Alternative Bid Item completion date adjusted by previous Change Order:	<u>0 days from NTP</u>
The Contract time due to this Change Order will be (Increased) (Decreased) by the indicated number of calendar days:	<u>0 days</u>
The new Total Contract Time including this Change Order will be:	<u>428 days from NTP</u>

**Recommended By:** \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

**Ordered By:** \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

**Accepted By:** \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

**--End of Section--**

## SECTION 31 23 00

## EXCAVATION, GRADING, AND DIKE CONSTRUCTION

## PART 1 - GENERAL

## 1.1 SUMMARY

- A. The Work covered by this section includes furnishing all labor, equipment, and materials required to perform all necessary excavation and grading to construct the temporary Dredged Material Management Area (DMMA) basin, dike embankment, access ramp, emergency control overflow, and optional access road and perimeter ditch as described herein and in the Project Drawings. Additional work activities covered under this section also include the burial of an overhead power line (located on the south side of the DMMA) and partial restoration of the site to pre-construction conditions.
- B. The DMMA design shown in the Project Drawings represents the permitted DMMA facility. In order to facilitate different Contractor's methods for dewatering and offloading of material, the Contractor must submit a Shop Drawing indicating any proposed revisions to the plan for approval by the Engineer. The Engineer, with Port approval, will allow some flexibility for the placement of access ramps and perimeter access road and DMMA basin within the 6.0-acre area. The berm material will originate from the interior of the ±6.0-acre site (see Appendix F for geotechnical borings obtained by the Port in vicinity of the DMMA). Once the dewatered dredged material (inclusive of in-channel debris) has been offloaded (to either an on-site Port Everglades location or off-site location [as provided by the Contractor and approved by the regulatory agencies], the berm material must be kept on-site to restore the area to pre-dredging conditions.
- C. Per the Florida Department of Environmental Protection (FDEP) permit, the Contractor must supply an emergency overflow structure that is to be designed, maintained, and operated by the Contractor. Once the project is complete, the Contractor must restore the area to pre-construction conditions. Note that the FIND will handle the pre-dredging and post-removal certification (as required in Appendix E) that no hazardous substances are on the premises.
- D. An overhead utility line exists along the southern boundary of the DMMA facility. As part of the dike construction effort, the Contractor shall field verify and coordinate with FPL to bury the line a minimum of 3 ft before below grade before dredging activities commence.
- E. Once project construction (and all related dredging activities are complete), the Contractor shall (1) restore the dredged material management area to its pre-dredge condition (as provided in paragraph 1.4B); (2) leave the emergency control structure and associated dredge pipe, as applicable, in place (as provided in paragraph 1.4E); and (3) regrade the dike interior such that the area does not pond water and drains appropriately toward the emergency control structure. The dike crest, dike slopes, and the flat area located between the dike and the Dania Cutoff Canal shall be grassed and stabilized in accordance with SECTION 32 92 19 GRASSING ESTABLISHMENT. Under no circumstance shall the Contractor use dewatered dredged material for on-site fill.

~~Deleted:~~ leave the south and west dike walls in place

~~Deleted:~~ restore the

~~Deleted:~~ remaining site to grade (using material from the north and east dike walls)

~~Deleted:~~ , does not pond water, and is graded to match adjacent land

## 1.2 REFERENCES

The publications listed below form a part of this specification to the extent referenced. The publications are referred to within the text by the basic designation only. All publications are "Latest Edition" unless specified otherwise.

- A. American Society of Testing Materials (ASTM)  
ASTM D698 Standard Test Methods for Laboratory Compaction Characteristics of Soil Using Standard Effort.

## EXCAVATION, GRADING, AND DIKE CONSTRUCTION



ASTM D1140	Standard Test Methods for Amount of Material in Soils Finer than the No. 200 (75-um) Sieve
ASTM D1556	Standard Test Method for Density and Unit Weight of Soil in Place by the Sand-Cone Method
ASTM D2216	Standard Test Method for Laboratory Determination of Water (Moisture) Content of Soil and Rock by Mass
ASTM D2487	Standard Practice for Classification of Soils for Engineering Purposes.
ASTM D2922	Standard Test Methods for Density of Soil and Soil-Aggregate in Place by Nuclear Methods (Shallow Depth)
ASTM D3740	Standard Practice for Minimum Requirements for Agencies Engaged in the Testing and/or Inspection of Soil and Rock as used in Engineering Design and Construction

### 1.3 DEFINITIONS

- A. Backfill - Soil materials used to fill an excavation.
- B. Maximum Density - Maximum density shall be defined as the maximum density obtained from compaction curves as determined during pre-construction testing and approved by the Engineer.
- C. Fine Material - Fine material shall be defined as the amount of material by dry weight passing the U.S. standard No. 200 sieve (ASTM D1140)
- D. DMMA Basin - The soil placed and compacted within the interior toe of the dike embankment to achieve the graded basin elevations as shown in the Project Drawings.
- E. Embankment - The term "embankment" as used in these specifications is defined as the earth fill portions of the dike and includes all types of earth fill for the dike and all other specified or directed earth fill within the limits of the dike.
- F. Dike Embankment Template - The bottom vertical limit of the template shall be the existing site grade. The top vertical limit of the template shall be the finished elevation of the top of dike as defined on the Project Drawings. The horizontal limits of the template shall be from the outside toe of the dike to the interior toe of the dike.
- G. Perimeter Access Road - The perimeter access road shall be defined as the access road around the temporary DMMA for Contractor access for loading and offload.
- H. Perimeter Ditch - The perimeter ditch shall be defined as the finished ditch assembly to the outside of the perimeter road, including rip-rap splash pad, graded stone, and filter fabric. The Contractor shall grade the perimeter ditch as shown in the Project Drawings and tie into the existing grade on the backside of the ditch.

### 1.4 SUBMITTALS

The following shall be submitted in accordance with SECTION 01 33 00 SUBMITTAL PROCEDURES.

- A. Pre-Dredge Topographical and Utility Survey
  - 1. Within 10 days of the Notice to Proceed, the Contractor shall perform a pre-dredging topographic survey of the entire 6.0-acre Dredged Material Management Area by a surveyor licensed in the state of Florida. The survey must be of sufficient detail (at no less than a 25-ft spacing) to adequately characterize the entire site.

2. The Contractor shall include the location of all on-site utilities with his topographic survey. The Contractor is strictly responsible for repair of any and all damages related to utilities as a result of this project construction.
- B. DMMA Layout Shop Drawing and Facility Operation Plan
1. Within 10 days of the Notice to Proceed, the Contractor shall submit plans to the Engineer for approval of the DMMA facility layout as shown in the Project Drawings. The shop drawing shall include all of the provisions for the emergency overflow device, ramp placement, and location, methods for dewatering and offloading material, and perimeter access roads.
  2. Accompanying the DMMA Layout Shop Drawing, the Contractor shall provide a narrative describing the general plan for operation of the facility. The narrative shall include a detailed plan for loading and unloading the facility, dewatering and segregation of dredged materials, stormwater release, and emergency flow structure.
- C. Dewatered Dredged Material Tabulation Record
1. The Contractor shall submit a tabulation record form for recording the number of trucks offloading the dewatered material (both off- and on-site) for the DMMA dewatered dredged material. At a minimum, parameters must include date, truck volume (by cubic yards), % of truck filled, mileage, delivery date, location, and material acceptance ticket (if applicable). The total volume of trucks calculated shall be no more than 5% of the volume difference as calculated by the Engineer-approved pre- and post-bathymetric surveys.
- D. In-Channel Subaqueous Debris Removal and Disposal Landfill Weigh Tickets
1. Subaqueous debris removed and disposed of from the project as measured by truck weigh tickets from a certified landfill's weigh scale which will substantiate the truck license number, time, date, net weight of the debris, weight of empty truck and shall be signed by the disposal site operator. To qualify for payment, each invoice shall be accompanied by the truck weigh tickets and a copy of the truck inspection review ticket (signed by the FIND field inspector before leaving the DMMA). The truck inspection review tickets shall also list the vehicle license, time, date and inspector's comments on size, type of load, and destination for each truck load of subaqueous debris disposed of.
- E. Emergency Overflow Control Structure Shop Drawing
1. Per the FDEP permit, the temporary DMMA must include an emergency overflow structure on the southwest corner of the containment area to manage the release of stormwater, if required. The Contractor shall not use the emergency overflow structure for normal dewatering, but only as a means to control water from large storms. The contractor will only discharge stormwater in compliance with all local, state, and federal laws. The use of the port's temporary dewatering site, as described above, shall not cause impacts to mangroves along the existing riprap shoreline or any other natural resource. The Emergency Overflow Control Structure shop drawing submittal must be signed and sealed by a Florida Licensed Professional Engineer.
- F. Infiltration Design Plan and Calculations
1. The regulatory permits for this project require that all effluent waters be contained and infiltrated within the  $\pm 6.0$ -acre dredged material management area. No surface water, unless during extreme storm events shall not be discharged into any water body during transport or unloading activities.
  2. The Contractor shall provide, signed and sealed by a licensed Florida Professional Engineer, infiltration design calculations to show that the dredged material management area can meet

the design criteria as stated in the permitted conditions within 30 days after NTP. Associated on-site geotechnical field tests must be included with the project submittal.

3. Per the submitted infiltration design calculations, the Contractor shall also provide a shop drawing and narrative of the infiltration method/design necessary to accomplish the stated permit conditions.

#### G. Dredged Material Removal Plan

1. The Contractors shall develop a Dredged Material removal plan for Engineer's approval within 30 days after the Notice to Proceed (NTP). The plan shall include provisions for a post-removal topographic survey of the area. The survey along with the pre-dredging topography survey (collected at no less than a 25-ft spacing) required in the dredging plan will provide the basis for the final determination of the completion of dredged material removal. The Contractor shall overlay the pre-dredging and post-dredging surveys. With exception of the south and west berms that shall remain in place, a vertical tolerance of no greater than 0.5-ft is allowed. Berm material (originating from the interior of the basin and north and east berms) shall be used to restore the site to approximate pre-construction grade conditions.
2. All dredged material must be removed from the Port property within 90 days of dredging.
3. Plan shall include what actions the Contractor will take to insure spoils (inclusive of in-channel debris) will be properly handled and disposed of in accordance with all permits. The final disposal area for the dredged material must be an agency approved commercial/industrial zoned site, or a Class I landfill.
4. No additional compensation will be made for a change in final disposal location after the contract award. If the proposed disposal site is not available, it is the Contractor's responsibility to secure another agency approved location with no additional cost to the FIND.

#### H. Geotechnical Engineer's Credentials

1. The Contractor shall submit the name and credentials of the geotechnical company who will be performing the quality control tests for Engineer's approval at the Preconstruction Meeting. The company must show experience in this type of work and testing must be overseen by a registered professional engineer.

#### I. Quality Control Tests

1. The Contractor shall submit quality control tests to the engineer for approval within 2 calendar days of final test results.

#### J. Maintenance of Traffic/Marine Traffic Plan

1. The Contractor shall develop a Maintenance of Traffic plan to the Engineer for approval within 15 days of Notice to Proceed (NTP). The plan shall include provisions for haul roads, description of transportation method to remove the material and dispose in the approved final disposal location. The plan must demonstrate how the Contractor will avoid disruption of ongoing operations within the Port (to be discussed at the pre-construction meeting) and include a restoration plan to maintain, clean, and/or repair any damage to the Port road caused by the Contractor.
2. As part of this submittal, the Contractor shall also supply a Maintenance of Marine Traffic Plan to address ongoing boat traffic with the Dania Cutoff Canal and the Alternative Bid Item (if awarded). The plan must clearly demonstrate how the Contractor will avoid disruption of ongoing traffic to the maximum extent possible.

K. Post Dredge Topographical Survey of the DMMA

1. The Contractor shall perform a topographical survey of the DMMA location and any other area of the Port property that was used as for storage within thirty (30) day of completion of the project.
2. With exception of the south and west berms, the topographical survey should indicate the Contractor has restored elevations within the DMMA area to within 0.5 feet of the pre-construction topographic survey. The topographic survey should also capture the location of any utilities and the, location of any pre- or post-construction fencing (SECTION 32 31 13 CHAIN LINK FENCE).

**1.5 QUALITY ASSURANCE**

- A. Testing and Inspection Services: Contractor shall employ and pay for a qualified independent geotechnical testing laboratory to perform soil testing and provide inspection services during earthwork operations.
- B. Testing Laboratory Qualifications: To qualify for acceptance, the geotechnical testing laboratory must demonstrate to the Engineers satisfaction, based on evaluation of laboratory-submitted criteria conforming to ASTM D3740, that it has the experience and capability to conduct required field and laboratory geotechnical testing without delaying the progress of the work.

**1.6 GENERAL PROVISIONS**

A. Lines and Grades

1. The embankment shall be constructed to the lines, grades, and cross-sections indicated unless otherwise directed. The Engineer reserves the right to increase or decrease the foundation widths or the embankment slopes or make such other changes in the embankment sections as may be deemed necessary to produce a safe structure. Increase in height of section, made to compensate for shrinkage or consolidation of the embankment material subsequent to the completion of the embankment shall not exceed five (5) percent of the height above the foundation height indicated.

B. Conduct of Work

1. The Contractor shall maintain and protect the embankment is a satisfactory condition at all times until the final completion and acceptance of the post-dredging survey of the Dania Cutoff Canal. If in the opinion of the Engineer, the hauling equipment cause horizontal shears or slick sides, rutting, quaking, heaving, cracking, or excessive deformation of the embankment, perimeter road and ditch, the Contractor shall limit the type, load or travel speed of the hauling equipment on the specified area. Any approved material which is lost in transit or rendered unsuitable after being placed in the embankment and before final accepted of the work, shall be replaced by the Contractor in a satisfactory manner at no additional cost to the District. The Contractor shall excavate and remove from the embankment any material which the Engineer considers objectionable and shall also dispose of such material and refill the excavated areas as directed (at no cost to the FIND). The Contractor may be required to remove, at his own expense, any embankment material placed outside of the prescribed slope lines.

## PART 2 - PRODUCTS

### 2.1 MATERIALS

#### A. Source of soil materials

1. The Contractor shall obtain the soils required for the construction of the DMMA basin, and the dike embankment from the DMMA interior. Material to be wasted will be specifically designated at the time the material is excavated. Materials containing brush, roots, sod, or other perishable materials, and stones larger than three (3) inches will not be considered suitable. The suitability of the materials shall be subject to quality control tests. Soils required for the constructions of the embankment will be obtained from anywhere inside the based as shown on the Project Drawings. The Owner will not be responsible for any shortage of materials required for dike construction due to misplacement of materials. Mixing of materials during the excavating process at the borrow area may be required. The finished interior basin elevations shown on the plans are approximate, and the Contractor shall adjust the finished grade as necessary to complete the embankment.
2. Final grades and elevations shall be defined in the Project Drawings and specifications.

#### B. Suitable DMMA basin and dike embankment

1. Material considered suitable for, the DMMA basin, and the dike embankment construction shall consist of generally sandy soil containing less than 10% fine material with no more than 2% organic matter by dry weight. Suitable soils shall be classified by the Unified Soil Classification System as SP, SP-SM, and SP-SC.

#### C. Unsuitable Material

Materials unsuitable for use as DMMA basin and dike embankment fill are defined as follows:

1. Material containing more than 10% fine material.
2. Material containing more than 5% organic matter (by dry weight)
3. Materials classified by the Unified Soil Classification System as PT, OH, OL, CH, MH, GM, GC, SC, SM, GW and GP.
4. Materials containing roots greater than one inch in diameter, logs, scrap lumber, metal objects, plastic and fiberglass objects, concrete construction refuse, and other objectionable debris.
5. Materials containing brush, sod, organic, hardpan, and other perishable materials.
6. Material containing rocks classified by the Unified Soil Classification System as boulder-sized and larger.
7. Dispose of unsuitable material in areas within the construction boundary where no construction activities take place. Disposal of unsuitable material within the dike footprint and other constructed features is expressly forbidden. Dress all areas where unsuitable materials are placed smoothly and evenly. Slope the areas to drain freely without trenches or depressions. Do not block or impair drainage of unsuitable material storage areas or adjacent areas. Upon completion and approval of the post-bathymetric survey for the Dania Cutoff Canal, the north and east berm material shall be replaced to match (within a 0.5-ft tolerance) the borrow area within the basin interior. The south and west berms shall remain in place post-construction. At no such time, without approval from the Engineer, shall material derived from the Dania Cutoff Canal be left on-site or used to restore the area to pre-dredging conditions.

**PART 3 - EXECUTION****3.1 EXCAVATION FOR DMMA BASIN AND DIKE EMBANKMENT CONSTRUCTION**

- A. Excavate within the DMMA basin and dike embankment template to an elevation required to remove all topsoil or any soil not meeting the above mentioned suitable materials categories.

**3.2 PREPARATION OF FOUNDATION**

- A. Following site clearing and grubbing (SECTION 31 10 00 SITE CLEARING AND GRUBBING), the foundation should be compacted by surface rolling with a self-propelled vibratory compactor. During compaction efforts, groundwater levels should be maintained a minimum of two (2) ft below the stripped (cleared) ground surface. The compactor should impart a dynamic drum force of not less than 44,000 pounds. Each section of the subgrade should be subjected to multiple, overlapping (20% overlap) coverages of the compactor as it operates at its full vibrational frequency and at a travel speed of not more than 1.5 miles per hour. Compaction should continue until no further settlement is visibly discernible at the subgrade surface. In no case, however, should any section of the subgrade receive less than ten (10) coverages with the compactor. Soil in the top twelve (12) inches shall be compacted to 100% maximum density as determined in accordance with ASTM D 698.
- B. If during compaction efforts, the soil displays any signs of instability such as pumping, weaving, or shoving, the Contractor shall notify the Engineer. Should weak or instable soil conditions exist the Contractor shall, under direction of the Engineer, excavate the weak soils and store the material onsite. Upon completion of the dike, this material shall be spread evenly in the interior basin unless otherwise directed by the Engineer. After compaction, thoroughly scarify the ground surface within the entire dike base footprint to a depth of six (6) inches. Run scarifying parallel to the centerline of the dike. All earthwork operations, including excavation, handling, hauling, drying, and compacting of material shall account for variable groundwater conditions and surface ponding from recent heavy rains.

**3.3 TEMPORARY STORAGE OF MATERIALS**

- A. Temporarily store, if necessary, like material in areas within the defined staging area of the project.
- B. Once the temporary DMMA has reached capacity and is dewatered, the Contractor is required to offload all of the material to an approved final disposal site within 90 days of dredging activity.
- C. In accordance with the License Agreement between FIND and Port Everglades, Port Everglades retains first right of refusal for all construction grade dredge spoils. The Contractor is to coordinate with Port officials before removing material from the property.

**3.4 PLACEMENT**

- A. No fill shall be placed on any part of the embankment foundation until such areas have been inspected and approved. The gradation and distribution of material throughout the compacted earth fill section of the dike shall be such that the embankment will be free from lenses, pockets, streaks, and layers of material differing substantially in texture or gradation from surrounding material of the same class. Successive loads of material shall be dumped at locations on the fill as directed or approved.

**B. Dike Embankment**

1. Prior to placement of the fill material, thoroughly scarify the surface of the previously compacted lift to a depth of two (2) inches and moisten as required for bonding to overlying material. After dumping, the materials shall be spread by approved means in approximately horizontal layers over the entire fill areas. Thoroughly mix embankment materials by disking or harrowing. When succeeding lifts display differences in color or fines content material should be uniformly mixed to a depth of two (2) ft. Fill shall be placed in one (1) ft loose lifts and compacted using a vibratory compactor similar to the one used to prepare the foundation to 100% of the Standard Proctor Test (ASTM D698). If the overlapping tracks of a bulldozer or lightweight vibratory compaction equipment are utilized, then the fill loose lift thickness must be reduced to six (6) inches. Construct the dike embankment to the lines, grades, and cross sections indicated on the Project Drawings.

**3.5 TEMPORARY DIKE EMBANKMENT CONSTRUCTION**

- A. Construct the dike embankment to the lines, grades, and cross sections indicated on the Project Drawings. Prior to placement of the fill material, thoroughly scarify the exposed surface to a depth of two (2) inches and moisten as required for bonding to overlying material. Thoroughly mix embankment materials by disking or harrowing. Fill shall be placed in 6-inch loose lifts and compacted to 100% of the Standard Proctor Test (ASTM D698). When succeeding lifts display differences in color or fines content, material should be uniformly mixed to a depth of 2 ft.
- B. Contractor shall design and install an emergency overflow device in accordance with the permits. The Contractor shall submit all plans and details to the Engineer for approval prior to ordering materials and equipment to install proposed device. Only once an agreed upon design has been approved shall the Contractor order materials and equipment.

**3.6 TEMPORARY PERIMETER ACCESS ROAD CONSTRUCTION**

- A. Construct the perimeter access road within the specified area as depicted in the drawings. The Contractor shall stabilize the road with gravel or other Engineer approved material. Throughout the duration of the project, when necessary, the Contractor shall keep the perimeter access road in working condition, free of pot holes, sand pits, and potentially dangerous conditions.

**3.7 QUALITY CONTROL**

- A. The Contractor shall hire an independent geotechnical engineering company acceptable to the Engineer to perform quality-control testing for, DMMA basin construction, and dike embankment construction. To achieve the required in-place density the Contractor shall follow the Compaction method described below.
- B. The independent geotechnical engineering company shall perform a minimum of one in-place field density test (ASTM D1556 or ASTM D2922) and one soil moisture content test (ASTM D2216) per 500 linear feet of compacted fill (per loose lift). The company will perform a quantity of fine material (ASTM D1140), soil classification (ASTM D2487), and testing for total organic material measured as percent dry weight of sample once each day. Obtain test results in a timely manner and take corrective action to repair any part of the project not meeting the requirements of the Specifications.

C. Determination of Maximum Density

1. The maximum density of the dike fill material shall be based on the maximum density based on compaction cures performed by the Contractor's geotechnical or construction material testing company.

D. Moisture Content

1. The materials in each layer of the fill shall contain the amount of moisture necessary to obtain the specified compaction. The moisture content of the embankment fill shall be within the range of minus 2% to plus 1% of the optimum moisture content as determined by the standard proctor test (ASTM D698). It is the responsibility of the Contractor to provide an adequate supply of fresh water for these operations.

### 3.8 COMPACTION REQUIREMENTS

- A. During compaction efforts, groundwater levels shall be maintained a minimum of two (2) feet below the stripped ground surface. The Contractor shall place material in loose lifts not to exceed 12 inches. The Contractor shall compact each lift to 100% maximum density as determined using the Standard Proctor (ASTM D698) test. The compactor should impart a dynamic drum force of not less than 44,000 pounds. Each section of the subgrade should be subjected to multiple, overlapping (20% overlap) coverage of the compactor as it operates at its full vibrational frequency and at a travel speed of not more than 1.5 miles per hour. Compaction should continue until no further settlement is visibly discernible at the subgrade surface. In no case, however, should any section of the subgrade receive less than ten (10) passes with the compactor. Soil in the top twelve (12) inches shall be compacted to 100% maximum density as determined using the Standard Proctor (ASTM D698) test.
- B. If during compaction efforts, the soil displays any signs of instability such as pumping, weaving, or shoving, the Contractor shall notify the Engineer. Should weak or instable soil conditions exist, the Contractor shall, under direction of the Engineer, excavate the weak soil and store the material onsite. Upon completion of the dike, this material shall be spread evenly in the interior basin unless otherwise directed by the Engineer. After compacting, through scarify the ground surface within the entire dike base footprint to a depth of 6 inches. Run scarifying parallel to the dike centerline.

### 3.9 DIKE GRADE TOLERANCES

- A. At all points along the dike crest a six (6) inch tolerance above indicated grade will be permitted in the final dressing, provided that any excess material is so distributed that the crown drains freely and that there are no abrupt humps or depressions in surfaces or bulges in the width of the crown. No points along the dike shall be below the indicated grade.

### 3.10 PROTECTION AND MAINTENANCE

- A. Repair and reestablish grades to the specified tolerances where completed or partially completed surfaces become eroded, rutted, settled, or where they lose compaction due to subsequent construction operations or weather conditions. Scarify or remove and replace soil material to depth as directed by Engineer; reshape and re-compact.
- B. After completion of the temporary dike, maintain and repair the dike crest as necessary to eliminate any ruts or depressions caused by settlement or by the operation of vehicles or equipment for the remainder of the contract period. Leave the dike crest surfaces in such condition that they drain freely at all points.



- C. The Contractor shall take special care to protect the completed dike and adjoining areas affected by his operations from erosion with the use of erosion fencing, hay bales, temporary swales, or whatever other means necessary. If erosion occurs, make the necessary repairs immediately.
- D. The Contractor shall take care to protect and keep all Port facilities used in a good state of repair. Any damage to roads within the Port caused by the Contractor shall be repaired in coordination with Port officials at no extra cost to the FIND.

### 3.11 POST-DREDGING SURVEY OF THE TEMPORARY DMMA SITE

- A. Once project construction (and all related dredging activities are complete), the Contractor shall (1) restore the dredged material management area to its pre-dredge condition (as provided in paragraph 1.4B); (2) leave the emergency control structure and associated dredge pipe, as applicable, in place (as provided in paragraph 1.4E); and (3) regrade the dike interior such that the area does not pond water and drains appropriately toward the emergency control structure. The dike crest, dike slopes, and the flat area located between the dike and the Dania Cutoff Canal shall be grassed and stabilized in accordance with SECTION 32 92 19 GRASSING ESTABLISHMENT. Under no circumstance shall the Contractor use dewatered dredged material for on-site fill. In addition, the Contractor shall:
  - 1. Remove (1) the spill plate; (2) any pilings installed below the Mean High Water line; and (3) the installed sheetpile and timbers supporting the crane.
  - 2. Leave (1) the fence, as is, in a locked/secured condition and (2) the installed sheetpile and block wall along the southeastern portion of the dike.
- B. The Contractor shall provide an As-Built of the restored dredged material management area. As-Built details, at a minimum, shall include the location and spot elevations of the dike crest, dike interior (e.g., stockpile area, decanter area, material settling pond), emergency control structure, block wall, and site fence and gate access areas. The Contractor will not receive additional payment for subsequent earthwork or survey collection. The Contractor shall repair damage to any structure or utility with no additional expense to the FIND.

**Deleted:** <del>Once project construction (and all related dredging activities are complete), the Contractor shall (1) leave the south and west dike walls in place; (2) leave the emergency control structure and associated dredge pipe, as applicable, in place; and (3) restore the remaining site to grade (using material from the north and east dike walls) such that the area drains, does not pond water, and is graded to match adjacent land. Under no circumstance shall the Contractor use dewatered dredged material for on-site fill.¶  
The contractor shall compare the pre- and post-topographic surveys. With exception of the south and west berms, the final grades between pre-and post-topographic surveys must not exceed 0.5 feet in any portion of the ±6.0-acre site.

**Deleted:** c

### 3.12 DISPOSAL OF SURPLUS AND WASTE MATERIALS

- A. Place and grade surplus satisfactory soil and unsatisfactory soil in a Port authorized location on the DMMA site following construction of the DMMA facility and associates site features. Remove unsatisfactory soil, trash and debris, and legally dispose of it off Port property.

-- End of Section --

Attachment **B**

SUBMITTAL REVIEW	
<input checked="" type="checkbox"/>	Approved
<input type="checkbox"/>	Rejected
<input type="checkbox"/>	Revise and Resubmit
<input type="checkbox"/>	Approved as Corrected
<input type="checkbox"/>	Submittal not Required-Returned without review
<input type="checkbox"/>	Submittal received, for information only
<input type="checkbox"/>	Submit Specified Item
<p>Taylor Engineering has reviewed this submittal only for general conformance with the design concept of the project and general compliance with the information supplied in the contract documents. Corrections or comments made on the submittals during this review do not relieve the Contractor from compliance with any requirements of the contract documents. Approval of a specific item shall not include approval of an assembly of which the item is a component. The Contractor is responsible for confirming and correlating all quantities and dimensions, selecting fabrication processes and techniques of construction, coordinating all work with that of other trades, and performing the work in a safe and satisfactory manner.</p>	
<p><b>TAYLOR ENGINEERING, INC.</b></p>	
Date Received:	<u>3/2/2012</u>
Date Returned:	<u>3/7/2012</u>
Reviewed By:	<u>T. Lang Zehn, PE</u>
Project No.	<u>Q2005-016-05</u>
Submittal No.:	<u>35</u>

**31 23 00 DMMA LAYOUT SHOP DRAWING**  
**SUBMITTAL DATE: MARCH 2, 2012**

**REVIEW COMMENTS**

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**REVIEW DATE:** March 7, 2012

**COMMENTS:**

1. Submittal duplicate to Submittal No. 28.1 (Layout Sketch of Temporary Site Facilities)
- 

**ACTION TAKEN:**

☒ **Approved**

☐ **Rejected**

☐ **Revise and Resubmit**

☐ **Approved as Corrected**

☐ **Submittal not Required – Returned without Review**

☐ **Submittal Received, For Information Only**

☐ **Submit Specified Item**

**LUCAS MARINE CONSTRUCTION, LLC**

3130 SE SLATER ST.

STUART, FL 34997

PHONE: (772) 286-5094

FAX: (772) 286-1139

**LETTER OF TRANSMITTAL****DATE:** 3/1/2012**ATTN:** Lori S. Brownell, P.E.**RE:** Dania Cutoff Canal

Deepening Project

**SUBMITTAL #35****TO:** TAYLOR ENGINEERING, INC.

10151 Deerwood Park Blvd.

Bldg. 300, Suite 300

Jacksonville, FL 32256

**(904) 256-1367**

WE ARE SENDING YOU \_\_\_\_\_ ATTACHED \_\_\_\_\_ UNDER SEPARATE COVER THE FOLLOWING ITEMS:

\_\_\_\_\_ SHOP DRAWINGS

\_\_\_\_\_ PRINTS

\_\_\_\_\_ PLANS

\_\_\_\_\_ SAMPLES

\_\_\_\_\_ COPY OF LETTER

\_\_\_\_\_ CHANGE ORDER

\_\_\_\_\_ OTHER

\_\_\_\_\_ SPECIFICATIONS

COPIES	DATE	DESCRIPTIONS
		31 23 00 DMMA Layout Shop Drawing

THESE ARE TRANSMITTED AS CHECKED BELOW:

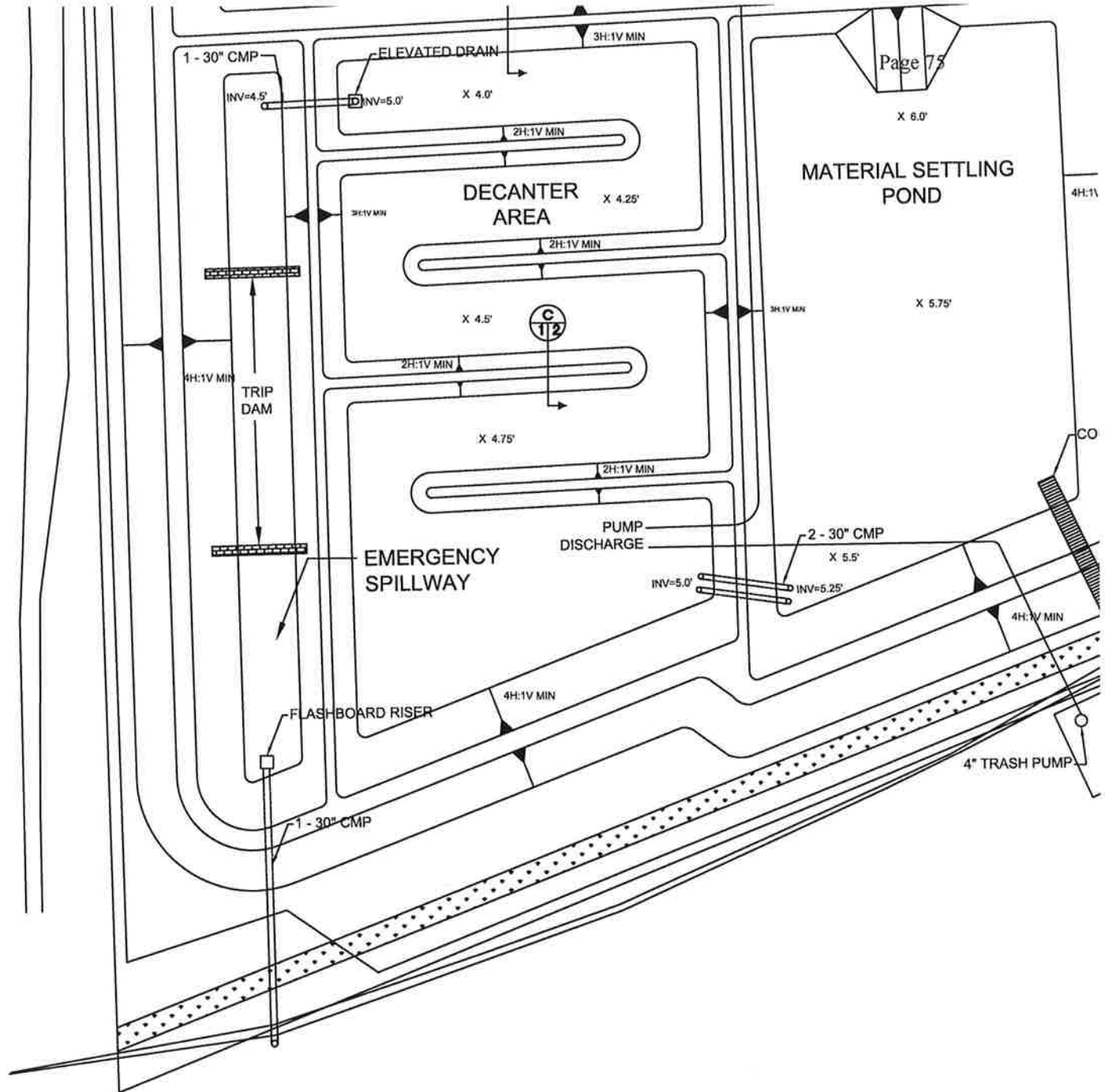
☒ FOR APPROVAL☐ FOR YOUR USE☐ AS REQUESTED☐ FOR REVIEW AND COMMENT☐ FOR BIDS DUE \_\_\_\_\_

REMARKS

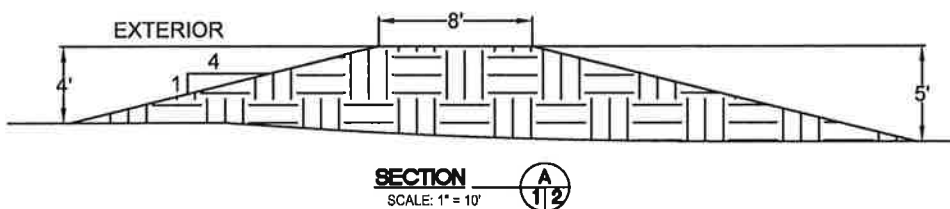

COPY TO: FILE 11-1400

SIGNED:

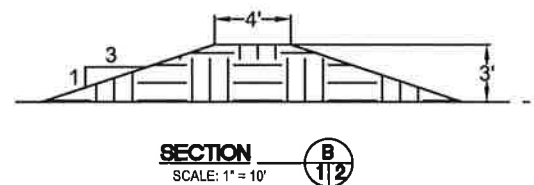
*Elyzzah R. Heffernan*



TYPICAL PERIMETER BERM



TYPICAL INTERIOR BERM



Ardaman & Associates, Inc.  
2200 N. Florida Mango Rd., Suite 101  
West Palm Beach, FL 33409  
Florida Engineering Certificate No. 5950

DREDGE MATERIAL HANDLING AREA  
DANIA CUT-OFF CANAL DEEPENING PROJECT  
DANIA BEACH, FLORIDA

File No.: 11-172  
Prepared By: AI  
Approved By: R  
Date: 02/14/11

SUBMITTAL REVIEW	
<input checked="" type="checkbox"/> Approved	
<input type="checkbox"/> Rejected	
<input type="checkbox"/> Revise and Resubmit	
<input type="checkbox"/> Approved as Corrected	
<input type="checkbox"/> Submittal not Required-Returned without review	
<input type="checkbox"/> Submittal received, for information only	
<input type="checkbox"/> Submit Specified Item	
<p>Taylor Engineering has reviewed this submittal only for general conformance with the design concept of the project and general compliance with the information supplied in the contract documents. Corrections or comments made on the submittals during this review do not relieve the Contractor from compliance with any requirements of the contract documents. Approval of a specific item shall not include approval of an assembly of which the item is a component. The Contractor is responsible for confirming and correlating all quantities and dimensions, selecting fabrication processes and techniques of construction, coordinating all work with that of other trades, and performing the work in a safe and satisfactory manner.</p>	
<b>TAYLOR ENGINEERING, INC.</b>	
Date Received:	<u>4/6/2012</u>
Date Returned:	<u>4/10/2012</u>
Reviewed By:	<u>Nancy Lehn, PE</u>
Project No. <u>12005-016-05</u>	Submittal No.: <u>37</u>

**LUCAS MARINE CONSTRUCTION, LLC**

3130 SE SLATER ST.

STUART, FL 34997

PHONE: (772) 286-5094

FAX: (772) 286-1139

**LETTER OF TRANSMITTAL**

DATE: 4/6/2012

ATTN: Lori S. Brownell, P.E.

RE: Dania Cutoff Canal

Deepening Project

SUBMITTAL #37

TO: TAYLOR ENGINEERING, INC.

10151 Deerwood Park Blvd.

Bldg. 300, Suite 300

Jacksonville, FL 32256

(904) 256-1367

WE ARE SENDING YOU \_\_\_\_\_ ATTACHED \_\_\_\_\_ UNDER SEPARATE COVER THE FOLLOWING ITEMS:

\_\_\_\_ SHOP DRAWINGS

\_\_\_\_ PRINTS

\_\_\_\_ PLANS

\_\_\_\_ SAMPLES

\_\_\_\_ COPY OF LETTER

\_\_\_\_ CHANGE ORDER

\_\_\_\_ OTHER

\_\_\_\_ SPECIFICATIONS

COPIES	DATE	DESCRIPTIONS
		31 23 00 Emergency Overflow Control Structure Shop Drawing

THESE ARE TRANSMITTED AS CHECKED BELOW:

☒ FOR APPROVAL☐ FOR YOUR USE☐ AS REQUESTED☐ FOR REVIEW AND COMMENT☐ FOR BIDS DUE \_\_\_\_\_

REMARKS


COPY TO: FILE 11-1400

SIGNED:

*Elyzzah R. Heffernan*

Elyzzah R. Heffernan

## DANIA CUT-OFF CANAL DEEPENING PROJECT DREDGE MATERIAL HANDLING AREA

### SHOP DRAWING REVIEW

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**Review Date:** April 4, 2012

**Comments:** The submittal consists of two drawings as follows:

Exhibit A: Culvert between Decanter Area and Emergency Spillway.  
5-foot tall, 30-inch diameter CMP riser with 30-foot long stub.

Exhibit B: Culvert between Emergency Spillway and Dania Cut-Off Canal.  
5-foot tall, 30-inch diameter CMP riser with 40-foot long stub, to be  
extended with 30-inch CMP pipe as needed to reach the outfall location.

30-inch diameter, 14 gage corrugated metal pipe also shown on the Exhibits will  
be used to extend the stub of the culvert between the Emergency Spillway and  
Dania Cut-Off Canal, and for the 2 culverts connecting the Material Settling Pond  
with the Decanter Area.

---

**Action Taken:**

- ☒ Approved
- ☐ Rejected
- ☐ Review & resubmit
- ☐ Approved as corrected

ARDAMAN & ASSOCIATES, INC.

Reviewed By: Roberto Fernandez



No. 60000

Apr 4, 2012



# EXHIBIT A

PIPE SIZE	PIPE GAGE	RISER COVER		
		FACE WTH.	G.A.	SHEET LENGTH
12	16	12	16	20
15	16	15	16	25
18	16	18	16	30
21	16	21	16	35
24	16	24	16	40
30	14	30	14	49
36	16	36	14	58
42	12	42	12	68
48	12	48	12	78
54	12	54	12	80
17x13	16	17	16	28
21x15	16	21	16	35
24x18	16	24	16	40
28x20	16	28	16	46
35x24	14	35	14	56
42x49	14	42	14	68
49x33	12	49	12	78
57x38	12	57	12	89

## CHANNEL

### STEEL

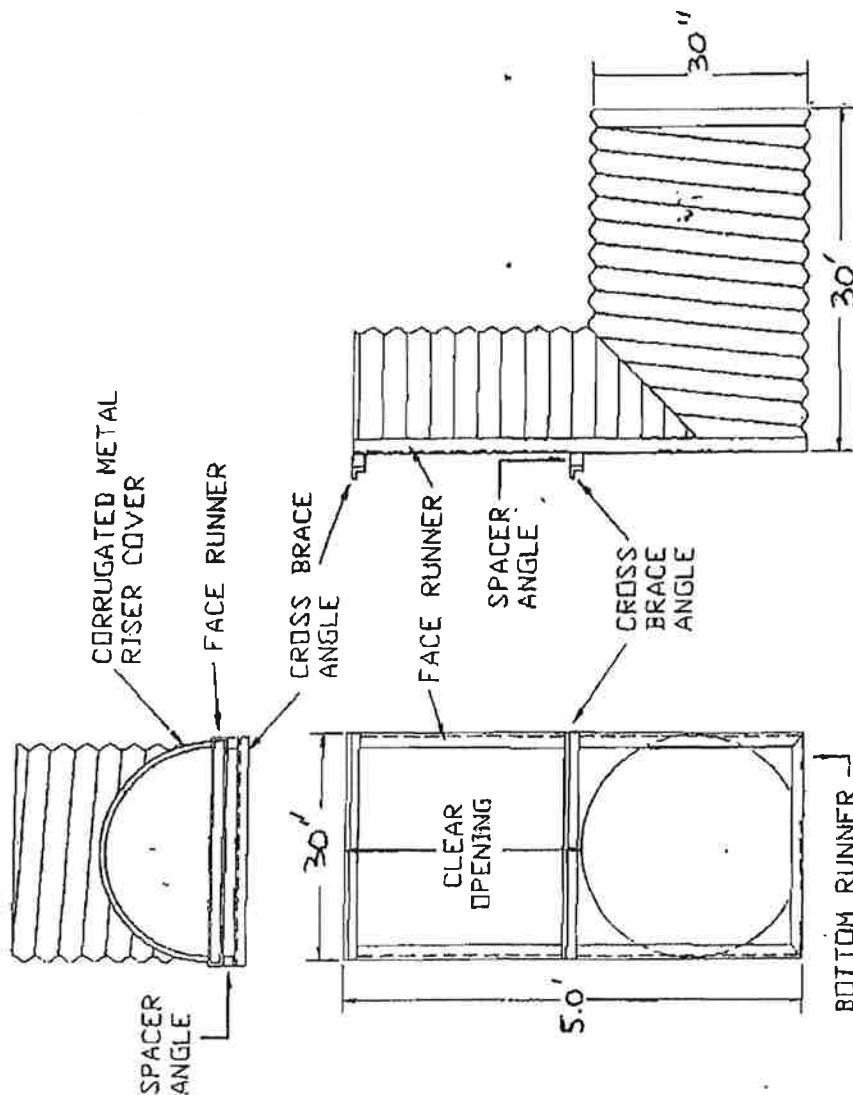
1 7/8"x3"x1 7/8"x3/16"

### ALUMINUM

24" FACE AND LESS:  
 2 1/4"x3"x2 1/4"x3/16"  
 GREATER THAN 24" FACE:  
 2 1/4"x3"x2 1/4"x1/4"

## ANGLE (ALL)

2"x2"x1/4"



## NOTE

- 1) RISERS GREATER THAN 5' HIGH HAVE CROSS BRACE ANGLE IN CENTER OF RISER FACE.
- 2) RISERS WITH LESS THAN 1' OF CLEAR OPENING HAVE ONLY ONE BRACE AT TOP OF RISER.

EXHIBIT B

PIPE SIZE	PIPE GAGE	RISER COVER			FRAME WIDTH
		FACE WTH.	G.A.	SHEET LENGTH	
12	16	12	16	20	14
15	16	15	16	25	17
18	16	18	16	30	20
21	16	21	16	35	23
24	16	24	16	40	26
30	14	30	14	49	32
36	16	36	14	58	38
42	12	42	12	68	44
48	12	48	12	78	50
54	12	54	12	80	56
17x13	16	17	16	28	19
21x15	16	21	16	35	23
24x18	16	24	16	40	26
28x20	16	28	16	46	30
35x24	14	35	14	56	37
42x49	14	42	14	68	44
45x33	12	49	12	78	51
57x38	12	57	12	89	59

CHANNEL

STEEL

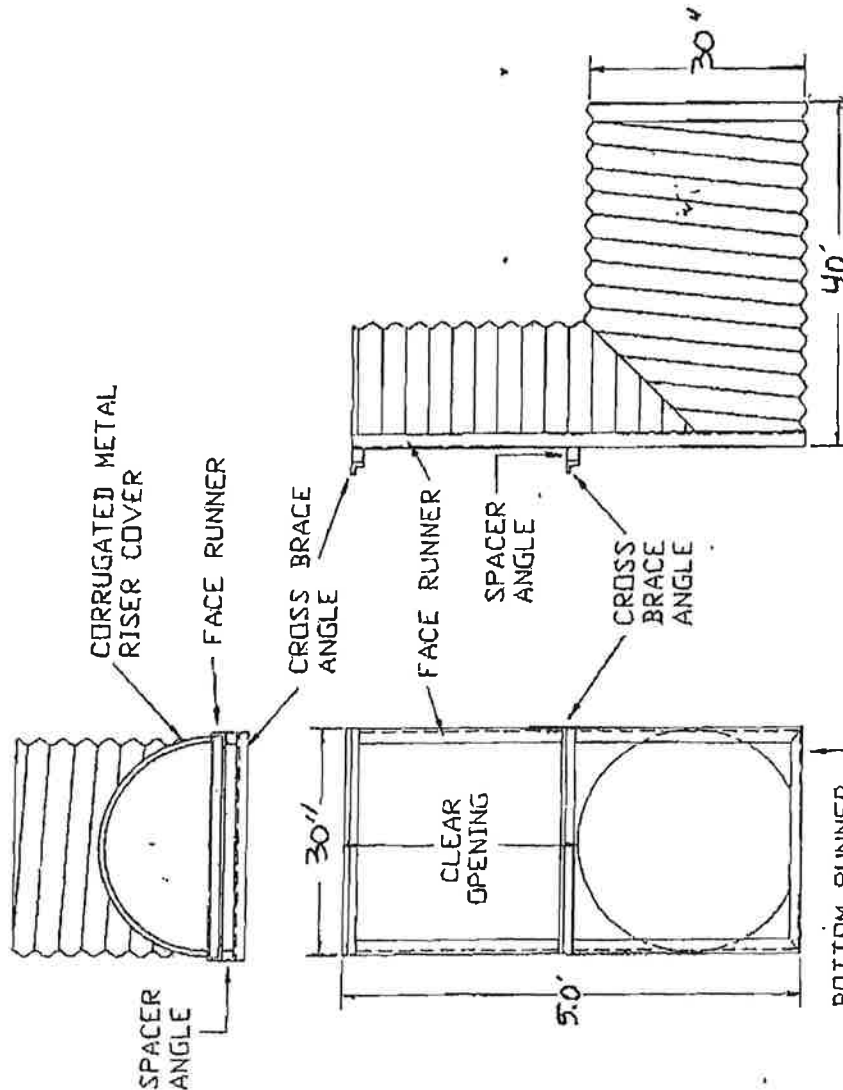
1 7/8"x3"x1 7/8"x3/16"

ALUMINUM

24" FACE AND LESS,  
2 1/4"x3"x2 1/4"x3/16"  
GREATER THAN 24" FACE,  
2 1/4"x3"x2 1/4"x1/4"

ANGLE (ALL)

2"x2"x1/4"



NOTE

- 1) RISERS GREATER THAN 5' HIGH HAVE CROSS BRACE ANGLE IN CENTER OF RISER FACE.
- 2) RISERS WITH LESS THAN 1' OF CLEAR OPENING HAVE ONLY ONE BRACE AT TOP OF RISER.

8250 62nd Street North  
Pinellas Park, Fl. 33781  
1-800-881-1100  
727-544-8811  
727-541-2371 Fax

**CONTECH**  
CONSTRUCTION PRODUCTS, INC.

**INTERLOCAL AGREEMENT  
BETWEEN  
PALM BEACH COUNTY  
AND THE  
FLORIDA INLAND NAVIGATION DISTRICT**

PROJECT # \_\_\_\_\_

This INTERLOCAL AGREEMENT made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2013 by and between the Florida Inland Navigation District, an independent special taxing District of the State of Florida (hereinafter the "District"), and Palm Beach County, a political sub-division of the State of Florida (hereinafter the "County") hereinafter referred to collectively as the "parties".

**WITNESSETH**

**WHEREAS**, the County is completing the Snook Islands Addition Project which requires the use of clean sand fill; and

**WHEREAS**, the District has clean sand in Cut P-31 of the Intracoastal Waterway Channel that the District is in need of removing to restore safe navigation conditions; and

**WHEREAS**, the District is willing to pay the County's contractor for the Project to remove the sand from Cut P-31 of the Intracoastal Waterway Channel (the "Project") if the cost is acceptable; and

**WHEREAS**, the District is willing to participate in the Project because of the benefit to the District, its constituents, and the Atlantic Intracoastal Waterway, subject to the terms and provisions of this Interlocal Agreement; and

**WHEREAS**, the County is willing to participate in the Project because of the benefit to the County, its constituents and the Lake Worth Lagoon, subject to the terms and provisions of this Interlocal Agreement; and

**WHEREAS**, pursuant to Chapter 374, Florida Statutes, the District is empowered and authorized to enter into agreements and contribute towards the cost of dredging performed on the Intracoastal Waterway to produce economies in maintain its navigability; and

**WHEREAS**, pursuant to Section 125.01, Florida Statutes, the Board of County Commissioners is empowered to establish and administer programs of beach erosion control and to enter into agreements with other governmental entities within or outside the boundaries of the COUNTY for joint performance, or performance of one unit on behalf of the other, of any of either governmental entity's authorized functions; and

**WHEREAS**, Part 1 of Section 163, Florida Statutes, permits public agencies as defines therein to make the most efficient use of their powers by enabling them to enter into interlocal agreements with each other to jointly exercise any power, privilege, or authority that such agencies share in common and that each might exercise separately.

**NOW, THEREFORE**, in consideration of the mutual covenants, promises and representations herein contained, and for other good and valuable consideration, the receipt and sufficiency of which the parties expressly acknowledge, the parties agree as follows:

**Section 1. Purpose.** The purpose of this Interlocal Agreement (the "Agreement") is to set forth the parties' roles and obligations with regard to a maintenance dredging project in Cut P-31 of the Intracoastal Waterway within Palm Beach County. The parties agree that the County shall design, manage, and complete the Project, and the District shall provide the funds necessary to complete the Project.

**Section 2. Funding Responsibilities.**

**a. Responsibilities of the District.** The District agrees to provide the necessary permits and funding for the completion of the Project which is more specifically described in the Exhibit A. The actual cost of the Project will be determined by a cost quote provided by the County's contractor which the District can accept, reject or negotiate to an acceptable amount.

The District will have no further responsibilities to the County if the cost quote is rejected. Any modifications to the Project shall require advance notice to, and the prior written approval of, the District. Payment of funds by the District to the County will be on a

reimbursement basis only, and only for those authorized project costs shown in the accepted cost quote from the County's contractor. The parties agree that there shall be no reimbursement by the District for any obligation and expenditure of the County made prior to the execution of this Agreement.

**b. Responsibilities of the County.** The County agrees to solicit a cost quote from their contractor to perform the Project. If the District accepts the cost quote, the County will provide project contracting and construction management and observation for the completion of the Project. County shall complete, or cause to be completed, the Project and submit all required payment reimbursement information.

**c. Reimbursement Procedures.** Project Costs shall be reported to the District and summarized on the Payment Reimbursement Request Form attached as Exhibit B, along with supporting documentation including an after dredge hydrographic survey of the Project area, bills and canceled payment vouchers for expenditures. Upon completion of the Project, the County shall submit to the District a request for final reimbursement of the District's funding. This final payment shall be paid upon (i) receipt of the Final Audit report, if requested by the District, of expenses incurred on the Project by the County, (ii) full completion of the Project to the reasonable satisfaction of the District, (iii) submission of an after dredge hydrographic survey of the Project area, and (iv) submission of Project Completion Certification Form (attached hereto as Exhibit C).

**d. Noncompliance.** The District shall have the right to reimbursement, either in whole or part as it may determine, of the funds provided hereunder for noncompliance by the County with any of the terms of this Agreement. Upon notification from the District, the County shall reimburse such funds directly to the District. The provisions of Section 2.d. shall survive completion of the Project.

**Section 3. Effective Date and Term.** This Agreement shall take effect upon execution and shall terminate upon the rejection of the cost quote or the completion of the Project.

**Section 4. Compliance with Codes and Laws.** Each party agrees to abide by all applicable laws, orders, rules, and regulations, with County being responsible for obtaining and

abiding federal, state and local permits necessary for the development and completion of the Project.

**Section 5. Access and Audits.** The County shall maintain adequate records to justify all charges, expenses, and costs incurred in paying for the Project for at least three (3) years after completion of the Project. The District shall have access to all books, records, and documents as required in this section for the purpose of inspection or audit during normal business hours.

**Section 6. Independent Contractor.** The parties agree that the District is an independent contractor and not an agent or servant of the County. No person employed by any party to this Agreement, shall in connection with the performance of this Agreement or any services or functions contemplated hereunder, at any time, be considered the employee of the other party, nor shall an employee claim any right in or entitlement to any pension, worker's compensation benefit, unemployment compensation, civil service, or other employee rights or privileges granted by operation of law or otherwise, except through and against the entity by whom they are employed.

**Section 7. Liability.** The parties to this Agreement shall not be deemed to assume any liability for the negligence or wrongful acts, or omissions of the other party. Nothing contained herein shall be construed as a waiver, by either party, of the liability limits established in Section 768.28, Florida Statutes. County acknowledges that the District, its employees, commissioners and agents are solely providing funding assistance for the Project and are not involved in the design, construction, operation or maintenance of the Project.

**Section 8. Breach and Opportunity to Cure.** The parties expressly covenant and agree that in the event either party is in default of its obligations under this Agreement, the party not in default shall provide to the defaulting party thirty (30) days written notice before exercising any of its rights.

**Section 9. Litigation Costs/Venue.** In the event that the District or the County institutes any action or suit to enforce the provisions of this Agreement, the prevailing party in such litigation shall be entitled to reasonable costs and attorney's fees at the trial, appellate and post-

judgment levels. The venue of any such litigation shall be had only in Palm Beach County, Florida.

**Section 10. Notice.** Any notices required to be given under this Agreement shall be in writing and deemed sufficient to each party when sent by United States Mail, postage prepaid, to the following:

As to the District:  
Florida Inland Navigation District  
1314 Marcinski Road  
Jupiter, Florida 33477-9498

As to County:  
Palm Beach County  
Department of Environmental Resources Management  
2300 N. Jog Road - 4th Floor  
West Palm Beach, FL 33411-2743

**Section 11. Modification and Amendment.** Except as expressly permitted herein to the contrary, no modification, amendment, or alteration in the terms or conditions contained herein shall be effective unless contained in a written document executed with the same formality and equality of dignity herewith.

**Section 12. Remedies.** This Agreement shall be construed by and governed by the laws of the State of Florida. No remedy herein conferred upon any party is intended to be exclusive of any other remedy, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity or by statute or otherwise. No single or partial exercise by any party of any right, power, or remedy hereunder shall preclude any other or further exercise thereof.

**Section 13. Joint Preparation.** The preparation of this Agreement has been a joint effort of the parties, and the resulting document shall not, solely as a matter of judicial construction, be constructed more severely against one of the parties than the other.

**Section 14. Captions.** The captions and section designations herein set forth are for convenience only and shall have no substantive meaning.

**Section 15. Severability.** In the event that any section, paragraph, sentence, clause, or provision hereof is held invalid by a court of competent jurisdiction, such holding shall not affect the remaining portions of this agreement and the same shall remain in full force and effect.

**Section 16. Rights and Duties/Assignment.** Rights and duties arising under this Agreement shall inure to the benefit of, and be binding upon, the parties hereto, and their respective successors and permitted assigns and shall, unless the context clearly requires otherwise, survive the completion of the Project. The County may not assign this Agreement or any interest hereunder without the express prior written consent of the District. In the event the County transfers ownership or management of the Project to a party or parties not now a part of this document, other than another governmental entity that agrees to assume, in writing, County's obligation hereunder, the District retains the right to full reimbursement from the County to the full extent of the funding assistance provided by the District, including but not limited to any costs and reasonable attorney's fees (regardless of whether litigation ensues) incurred by the District in collecting said reimbursement.

**Section 17. Entirety of Agreement.** This Agreement represents the entire understanding between the parties, and supersedes all other negotiations, representations, or agreements, either written or oral, relating to this Agreement.

**IN WITNESS WHEREOF,** the parties hereto have caused these presents to be executed the day, month and year aforesaid.

WITNESSES:

\_\_\_\_\_  
 \_\_\_\_\_

FLORIDA INLAND NAVIGATION DISTRICT

By: \_\_\_\_\_  
 Executive Director

DATE: \_\_\_\_\_

WITNESSES:

\_\_\_\_\_

PALM BEACH COUNTY

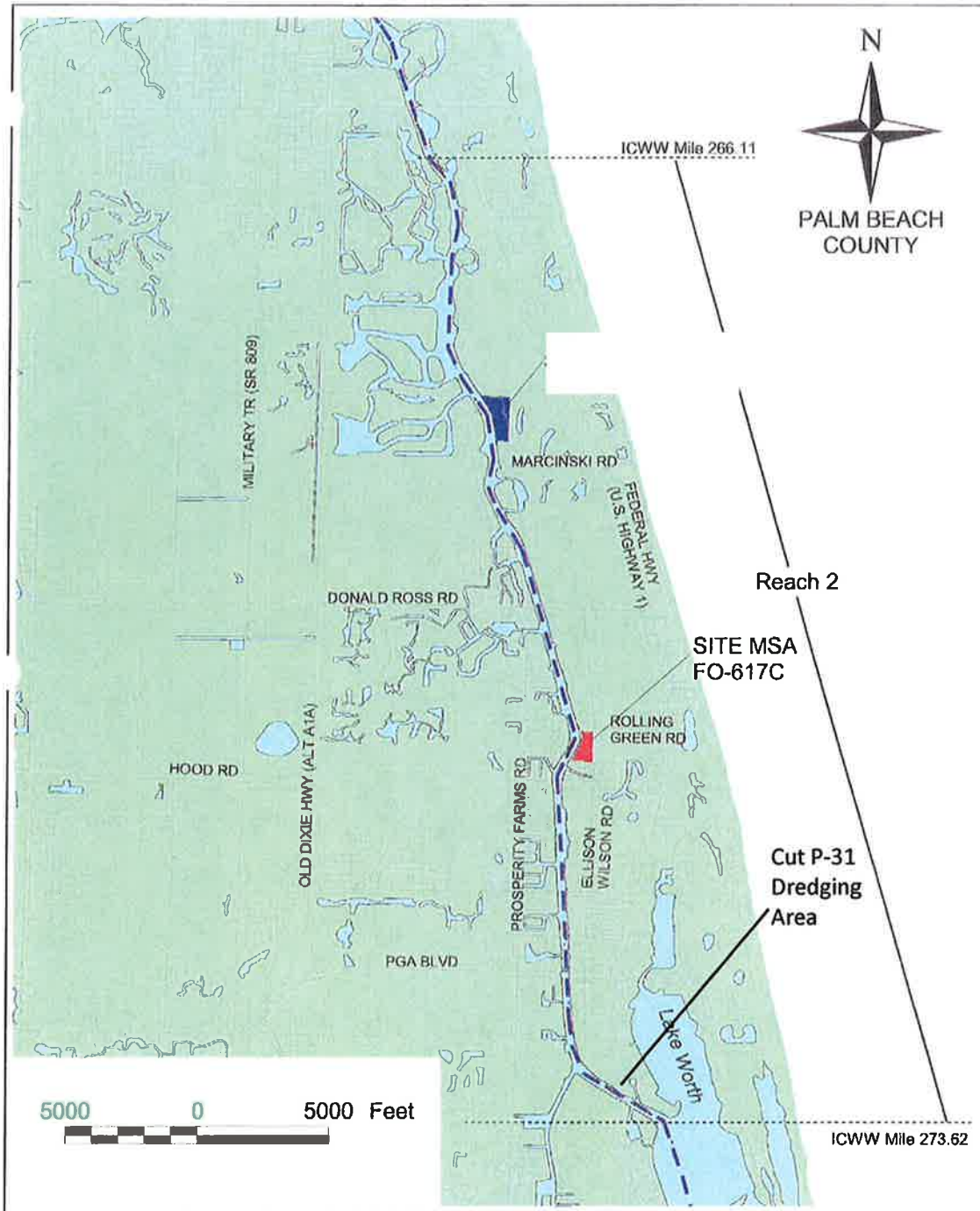
By: \_\_\_\_\_



Title: \_\_\_\_\_

DATE: \_\_\_\_\_

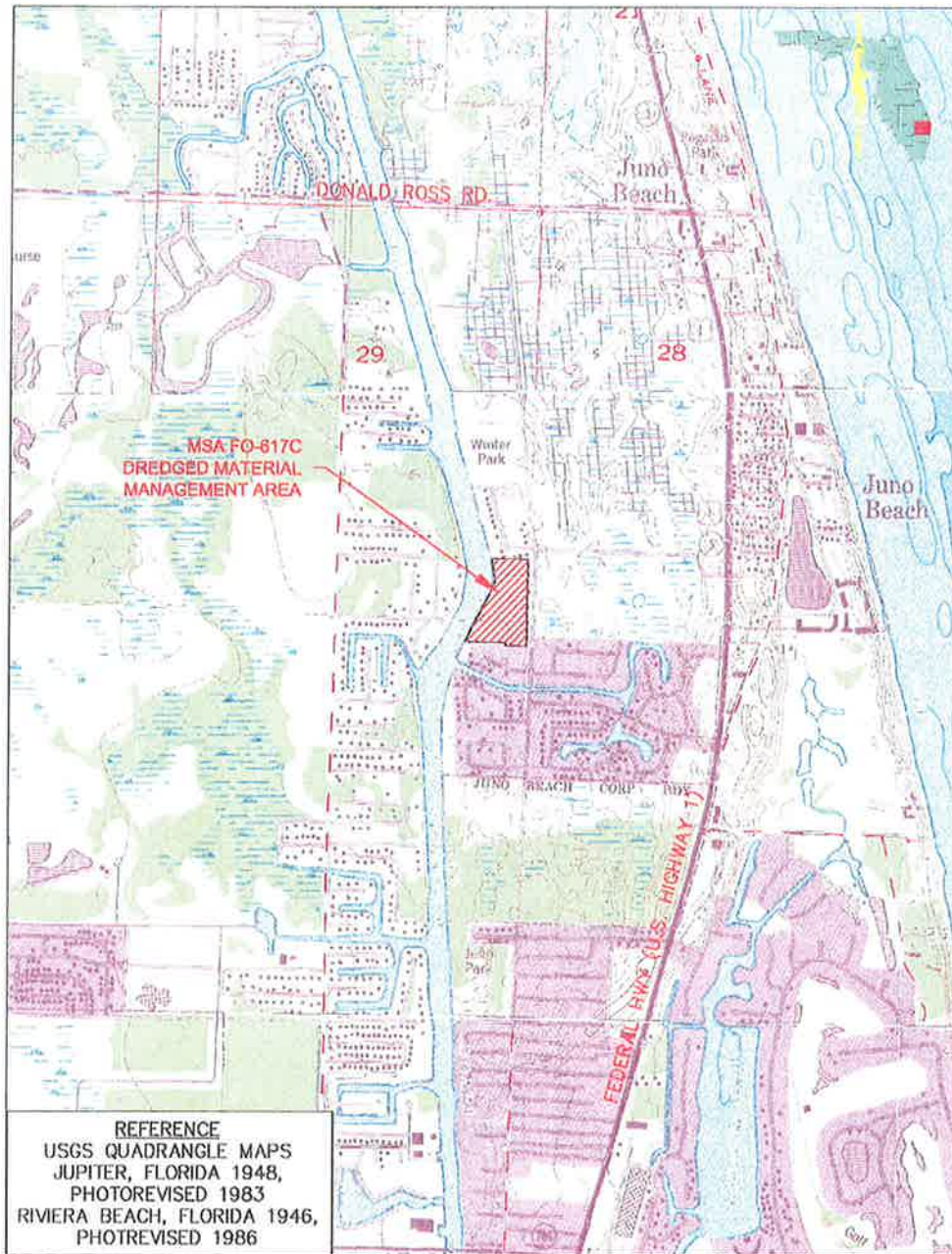
\_\_\_\_\_



FIND  
1314 Maricinski Road  
Jupiter, Fl. 33477

Location Map  
CUT P-31 DREDGING PROJECT  
AND DREDGED MATERIAL MANAGEMENT  
AREA

Page 1 of 7



SCALE: 1" = 2000'

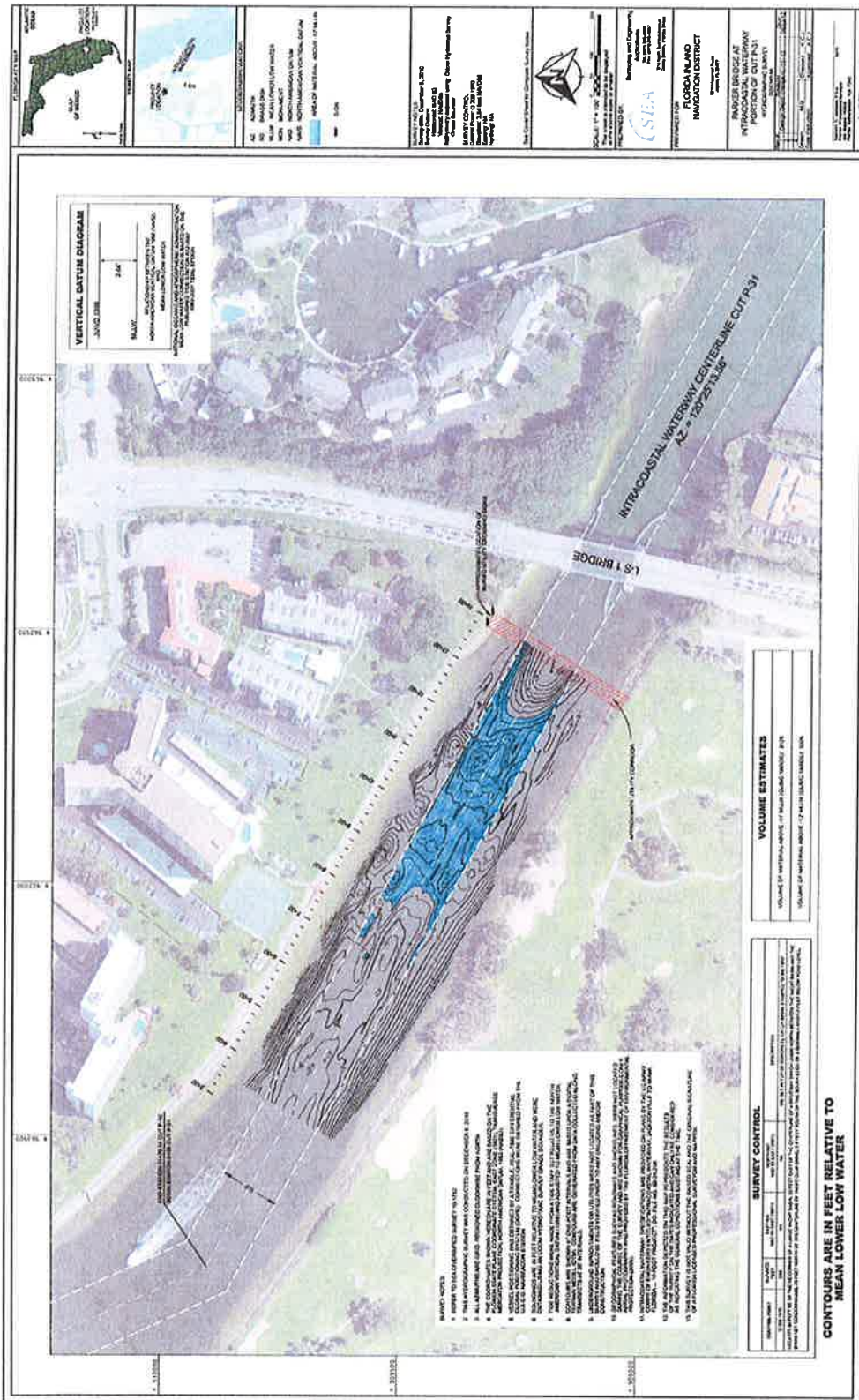


**TAYLOR ENGINEERING INC.**  
9000 CYPRESS GREEN DRIVE  
JACKSONVILLE, FLORIDA 32256

**LOCATION OF MSA FO-617C  
DREDGED MATERIAL MANAGEMENT AREA  
PALM BEACH COUNTY, FLORIDA**

Page 2 of 7

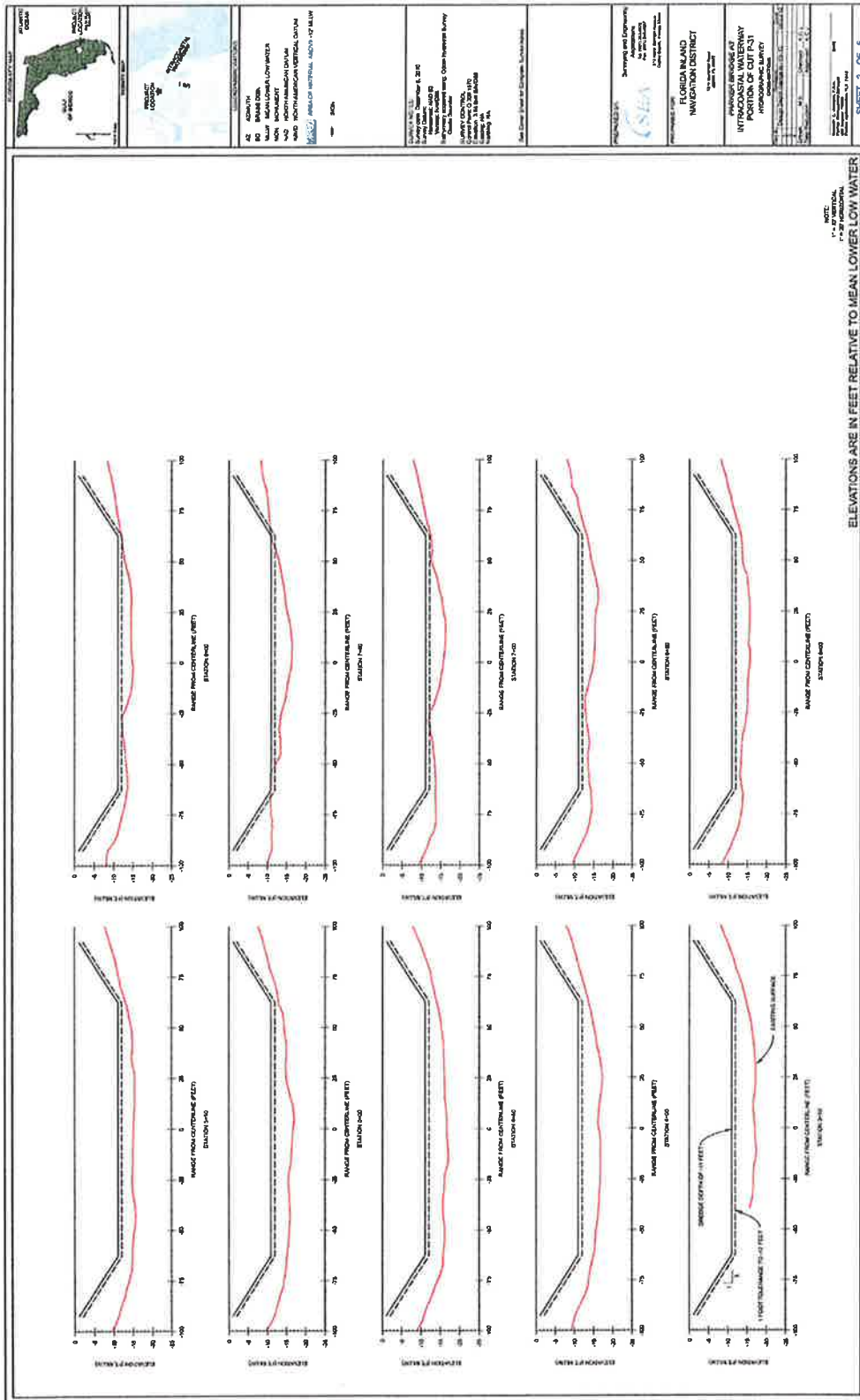


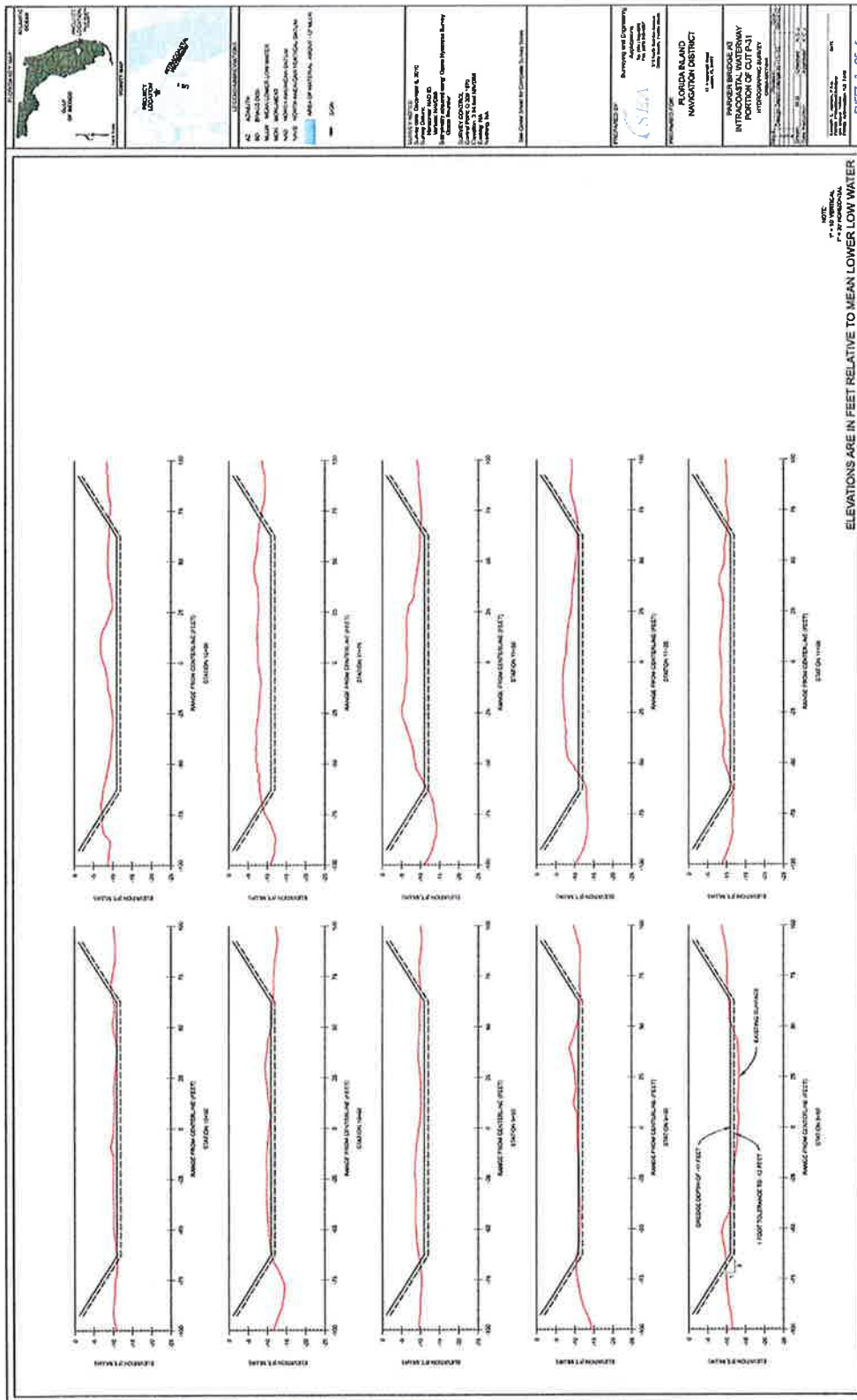
**Project details:**

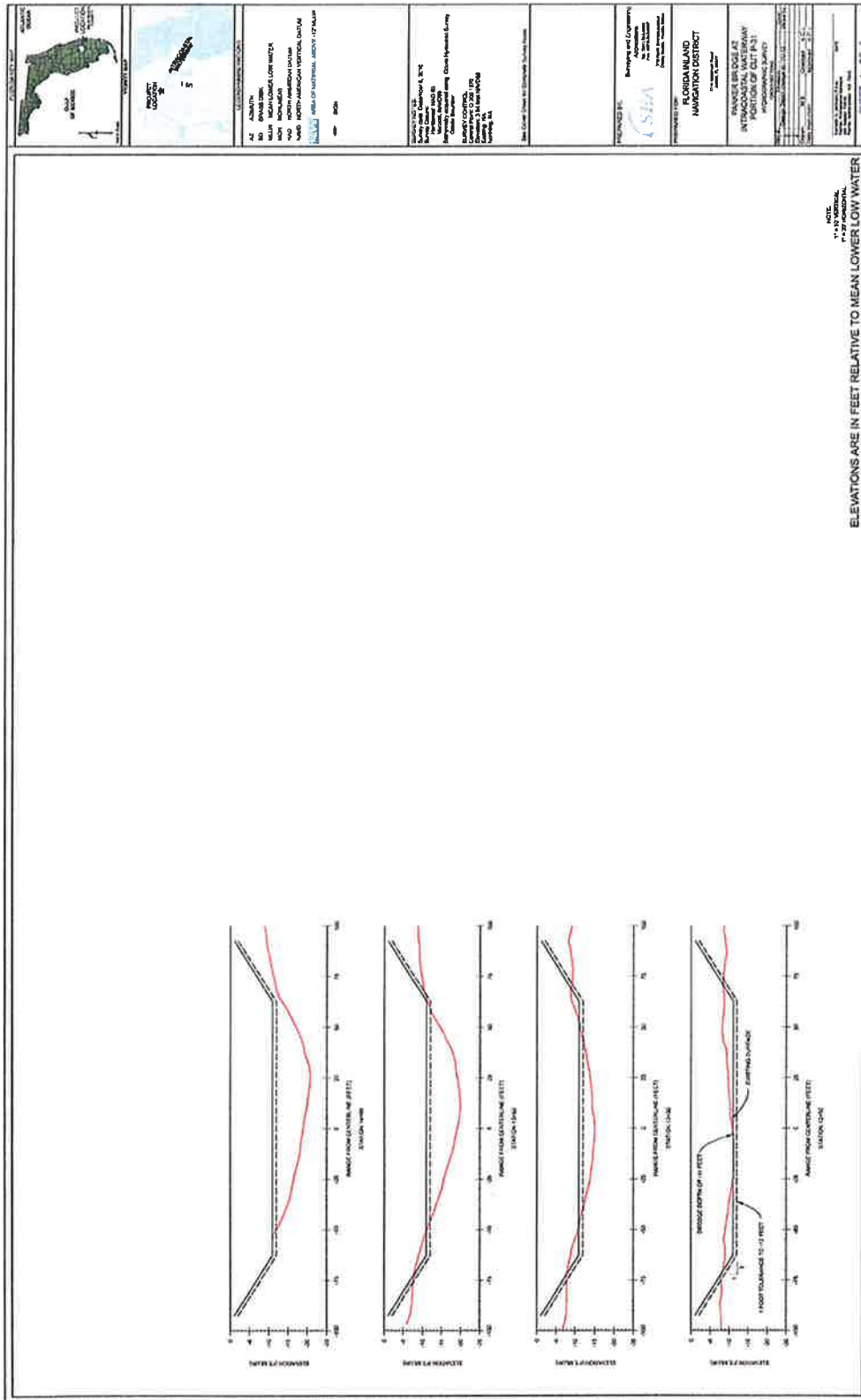
**Submerged lands to be excavated: 62,500 sq.ft.**

**Cubic yards to be excavated: 5,326**

**Length of dredge area: 500 ft.**

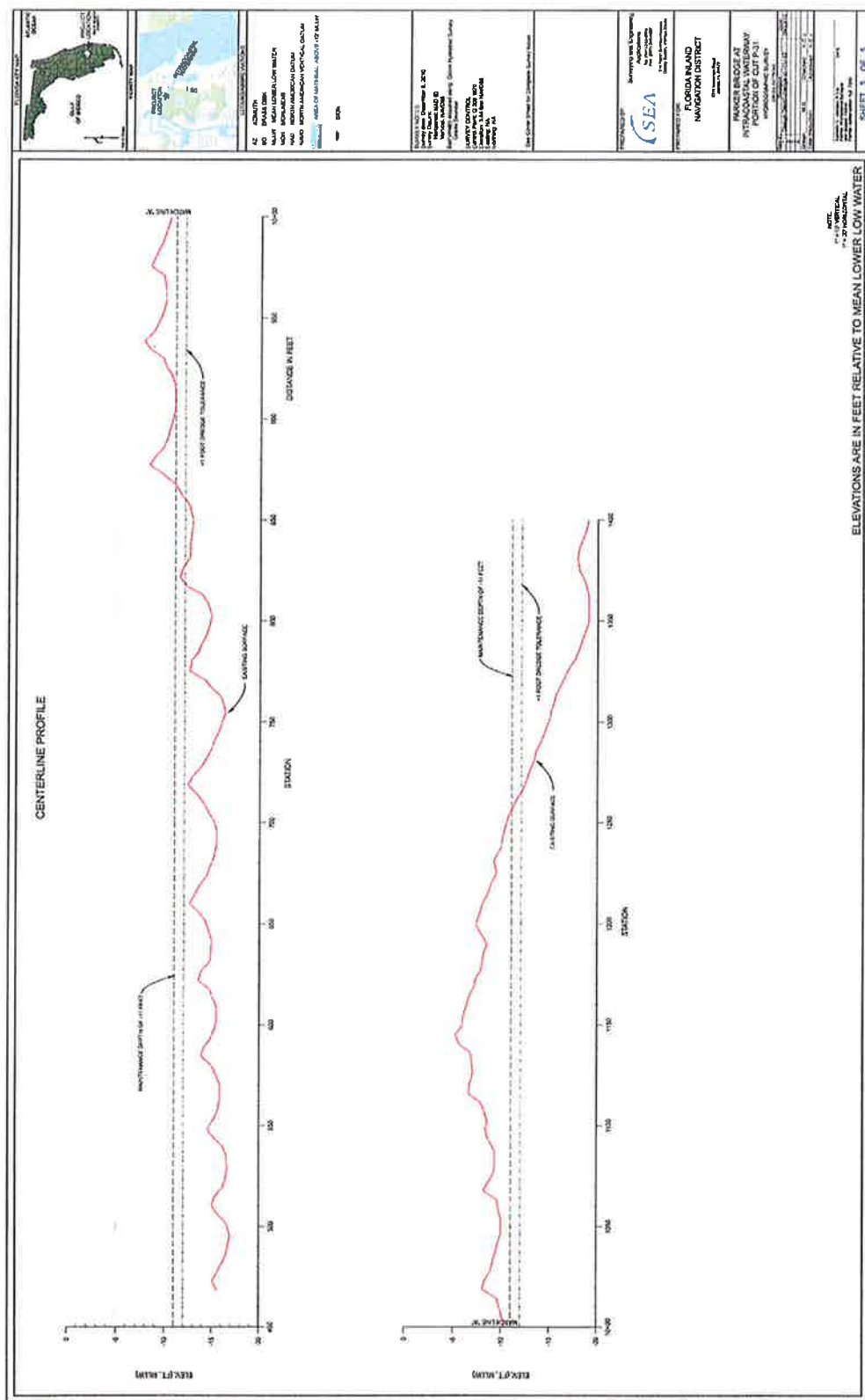






### Cut P-31 Dredging Area





**FLORIDA INLAND NAVIGATION DISTRICT  
INTERLOCAL AGREEMENT  
PAYMENT REIMBURSEMENT REQUEST FORM**

PROJECT NAME: \_\_\_\_\_ PROJECT NO.: \_\_\_\_\_

PROJECT PARTNER: \_\_\_\_\_ BILLING NO.: \_\_\_\_\_

Amount of Contribution		_____
All Funds Previously Requested	$\times$	_____
Balance Available	=	_____
Funds Requested		_____
Balance Available		_____
Less Check Amount	$\times$	_____
Balance Remaining	=	_____

**SCHEDULE OF EXPENDITURES**

Expense Description (Should correspond to Cost Quote)	Check No. Vendor Name and Date	Total Cost	Applicant Cost	FIND Cost
<hr/>				

(NOTE: Signature Required on Page 2)

**EXHIBIT B (CONTINUED)****SCHEDULE OF EXPENDITURES**

Expense Description (Should correspond to Cost Quote)	Check No. Vendor Name and Date	Total Cost	Applicant Cost	FIND Cost
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Certification for Reimbursement: I certify that the above expenses were necessary and reasonable for the accomplishment of the approved project and that these expenses are in accordance with the Interlocal Agreement and approved Cost Quote. \*

---

Project Liaison

---

Date

\*S. 837.06 Florida Statutes, False official statements. - Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083 F.S.

**EXHIBIT C**  
**FLORIDA INLAND NAVIGATION DISTRICT**  
**INTERLOCAL AGREEMENT**

**Project Completion Certification**

Project  
Partner: \_\_\_\_\_

Project Title: \_\_\_\_\_ Project #: \_\_\_\_\_

I hereby certify that the above referenced project was completed in accordance with the Interlocal Agreement between the Florida Inland Navigation District and \_\_\_\_\_, dated \_\_\_\_\_, 2013, and that all funds were expended in accordance with the Interlocal Agreement and the approved Cost Quote. \*

Project Liaison Name: \_\_\_\_\_

Project Liaison Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\*S. 837.06 Florida Statutes, False official statements. - Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083 F.S.



April 2, 2013

Mr. David Roach  
Executive Director  
Florida Inland Navigation District (FIND)  
1314 Marcinski Road  
Jupiter, FL 33477

RE: Scope of Professional Engineering Services for the Update of the Nassau and Duval Dredged Material Management Plans

Mr. Roach:

Per your request, Taylor Engineering has prepared the attached Scope of Services (Attachment A) and Cost Proposal (Attachment B) for the following services related to the above-referenced dredged material management plan update:

- Task 1 – Documentation
- Task 2 – Dredging History and Projections
- Task 3 – Dredged Material Management Plan Update

Taylor Engineering will complete the work described herein for a fixed-fee of \$108,568.00.

We greatly appreciate this opportunity to serve the FIND. Please contact me if you have any questions or comments.

Sincerely,

John Adams, P.E.  
Senior Advisor, Waterfront Engineering

Attachments (2)

## SCOPE OF PROFESSIONAL ENGINEERING SERVICES FOR THE UPDATE OF THE NASSAU AND DUVAL DREDGED MATERIAL MANAGEMENT PLANS

### INTRODUCTION

Taylor Engineering, Inc. originally completed the *Long-Range Dredged Material Management Plan for the Intracoastal Waterway in Northeast Florida* — inclusive of both Nassau and Duval Counties — in September 1986. In October 2006, Taylor Engineering completed a *Reevaluation of Reach I Dredged Material Management Alternatives for the Atlantic Intracoastal Waterway (AIWW) in Nassau County*. These Phase I reports subsequently resulted in the development of an overall site bank and associated Phase II reports (i.e., Environmental Site Documentation, Management Plan, Engineering Narrative, and Cost Report) for the selected dredged material management areas (DMMA). Table 1 summarizes the existing sites, by reach and Waterway designation, for both Nassau and Duval Counties.

**Table 1. Nassau and Duval County Site Bank by Reach Designation**

COUNTY	REACH	WATERWAY	DMMA
NASSAU	I	AIWW	NA-1
	II		Amelia Island State Park Beach
DUVAL	III	ICWW	DU-2
			DU-20
			DU-3&4
	IV		DU-6
	V		DU-7
	VI		DU-8
	VII		DU-9

The collective Phase I and II documents — created and updated over a 27-year period (i.e., between 1986 and 2013) — comprise the dredged material management plan (DMMP) for the two counties. The resulting and voluminous documentation, comprising the original set of reports, will be consolidated into one up-to-date and succinct document for each county. The resulting DMMPs will allow FIND to use the document for reference purposes and immediate and future planning efforts. The following Scope of Services details the steps necessary to achieve this effort.

### TASK 1 DOCUMENTATION

Taylor Engineering will collect, review, and consolidate the original Phase I and II DMMP documents (including dredging history and previously collected topographic and bathymetric surveys, geotechnical investigations, sediment chemistry data, etc.) for both Nassau and Duval Counties into two separate working documents (i.e., one per county). This task includes sufficient time (5 days) for a staff engineer to spend at the U.S. Army Corps of Engineers (USACE) and Florida Inland Navigation District (FIND) offices to review and acquire records. As part of this effort, Taylor Engineering will submit both

an electronic copy and hard copy of the collected documents for FIND's records. Completion of this task will serve as the foundation for the updated DMMPs.

## **TASK 2 DREDGING HISTORY AND PROJECTIONS**

A detailed review of USACE and FIND property records, historical maintenance dredging records and bathymetric survey data, as well as on the ground documentation of site characteristics were used to develop 50-year maintenance dredging projections, dredging frequencies, and defined dredging reaches for each county. In this task, the historical data will be combined with currently available data to update and project future dredging quantities, dredging frequencies, and dredged material characteristics for reference and use in the two updated DMMPs.

### **2.1 Future Dredge Quantities Projection**

Taylor Engineering will review and incorporate all data from AIWW and ICWW post-1986 maintenance dredging events with the data used in the original DMMPs to create consolidated and comprehensive dredging tables for both Nassau and Duval counties. We understand that the FIND will perform a new three-line detailed survey of the ICWW as part of this overall DMMP update. Taylor Engineering will take the resulting dredge quantities (provided by the selected FIND surveyor) from the 2013 bathymetric survey, along with the dredge quantities from the previous centerline surveys performed in 1996, 2000, and 2004, and incorporate the existing shoaling conditions into the overall evaluation of each reach. Baseline shoal volumes will incorporate: 1) the estimated volume of material removed from the channel during maintenance dredging operations, 2) the expected frequencies of dredging, by reach, based upon the updated database, and 3) the estimated shoal volume presently contained within the authorized channel.

### **2.2 Dredged Material Quality Profile**

This task, based on available pre-existing data, will profile the physical and chemical sediment characteristics of material targeted for dredging. Taylor Engineering will compile, review, and summarize all USACE and FIND provided geotechnical and sediment chemistry data into a tabular format. Tabular information will contain the year of collection, identification of boring (in addition to the reach and cut location) and a soil description by depth, if available.

## **TASK 3 DREDGED MATERIAL MANAGEMENT PLAN UPDATE**

### **3.1 Draft Report**

Using the results of Tasks 1 and 2, Taylor Engineering will prepare one updated draft Summary DMMP report for each county (Nassau and Duval). These reports will then be submitted to FIND for review and comment. We anticipate each report will include the following sections: (1) Introduction; (2) 50-Year Maintenance Requirements and Material Characteristics by Reach; (3) DMMA Status and Updated Site Characteristics; and (4) Conclusions and Recommendations.

The introduction will summarize the background of the DMMP and succinctly summarize the criteria behind the DMMA selection. The maintenance requirements and material characteristics section of the report will summarize our Task 2 efforts. The DMMA chapter will provide a detailed narrative for each site that will incorporate the critical details from the previously published Management Plan and Engineering Narrative. For each constructed DMMA, we will determine or verify actual capacities from as-built surveys through the generation of 3-D CAD models. For non-constructed DMMA's, we will verify the previously reported design capacities. Each DMMA will have a maximum 2-page summary sheet that will detail all relevant site characteristics (i.e., location, As-Built or preliminary design storage



capacity, dike height, excavation depth, maximum pumping distance, distance from Waterway, comprehensive plan designation, adjacent land use, pipeline easement, etc.), available site photographs, and an aerial-based plan-view map that will incorporate either the As-Built or preliminary design of the DMMA. Finally, to assist FIND with both immediate and future planning, the conclusions and recommendations section of the report will summarize key findings and provide a long-range dredging and DMMA construction schedule.

We will submit the completed draft report to FIND in electronic format.

### **3.2 Final Report**

Within three weeks of receipt of FIND's comments on the draft reports Taylor Engineering will submit the revised final reports to FIND for Nassau and Duval counties. This submittal will include two electronic and two hard copies of each final report, as well as an electronic file, neatly and succinctly organized for each county, of all documents collected and used in the preparation of the two updated DMMPs.

**TAYLOR ENGINEERING, INC.**  
**COST SUMMARY BY TASK**  
**P2013-044: SCOPE OF PROFESSIONAL ENGINEERING SERVICES FOR THE**  
**UPDATE OF THE NASSAU AND DUVAL DREDGED MATERIAL MANAGEMENT**  
**PLANS**

**TASK 1: DOCUMENTATION**

<i>Labor</i>	<i>Hours</i>	<i>Cost</i>	<i>Task Totals</i>
R. Bruce Taylor, Ph.D.	2.0	612.00	
Senior Advisor	22.0	3,894.00	
Director	46.0	7,084.00	
Senior Professional	8.0	1,032.00	
Staff Professional	84.0	7,224.00	
Administrative	40.0	2,240.00	
Total Man-Hours	202.0		
Labor Cost			22,086.00
<i>Total Task 1</i>			22,086.00

**TASK 2: DREDGING HISTORY AND PROJECTIONS**

<i>Labor</i>	<i>Hours</i>	<i>Cost</i>	<i>Task Totals</i>
R. Bruce Taylor, Ph.D.	2.0	612.00	
Vice President	8.0	1,480.00	
Senior Advisor	10.0	1,770.00	
Director	40.0	6,160.00	
Staff Professional	108.0	9,288.00	
Total Man-Hours	168.0		
Labor Cost			19,310.00
<i>Total Task 2</i>			19,310.00

**TASK 3: DREDGED MATERIAL MANAGEMENT PLAN UPDATE**

<i>Labor</i>	<i>Hours</i>	<i>Cost</i>	<i>Task Totals</i>
R. Bruce Taylor, Ph.D.	4.0	1,224.00	
Senior Advisor	44.0	7,788.00	
Director	128.0	19,712.00	
Senior Professional	16.0	2,064.00	
Staff Professional	228.0	19,608.00	
Technical Editor	24.0	2,376.00	
Senior Technician	160.0	14,400.00	
Total Man-Hours	604.0		
Labor Cost			67,172.00
<i>Total Task 3</i>			\$ 67,172.00

**Project Total \$ 108,568.00**



April 2, 2013

David K. Roach  
Executive Director  
Florida Inland Navigation District  
1314 Marcinski Road  
Jupiter, FL 33477

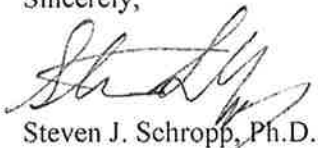
Re: Proposal for Seagrass Mitigation Area Identification, ICWW in Brevard County

Dear Mr. Roach:

Per your request, we have prepared the attached scope of services and cost proposal for identification and evaluation of FIND owned or managed properties potentially available for seagrass mitigation in Brevard County. Attachment A provides details of the proposed scope of services. We propose to provide these services for a fixed fee amount of \$26,563.00. Attachment B details our costs by task.

If you have any questions concerning this proposal, please contact me at (904) 233-9614, or at [sschropp@taylorengeering.com](mailto:sschropp@taylorengeering.com).

Sincerely,



Steven J. Schropp, Ph.D.  
Vice President

Attachments

## **FIND Seagrass Mitigation Site Evaluation – Brevard County**

### **Scope of Work**

#### **Introduction**

Maintenance dredging of Florida's Intracoastal Waterway (ICWW) requires compliance with state and federal environmental planning and regulatory programs. Mitigation for dredging operations' adverse impacts to environmental resources is part of such compliance. One of the most difficult environmental impacts to mitigate is damage to seagrass. Seagrass occurs in the vicinity of the ICWW from Brevard County south through Dade County. Impacts to seagrass may result from dredging site operations and pipeline placement and operation. Mitigation for seagrass impacts may be quite costly for individual dredging projects and may cause substantial delays in acquisition of environmental permits and implementation of maintenance dredging. Anticipating need for seagrass mitigation, the Florida Inland Navigation District (FIND) wants to identify areas under its control that may serve as seagrass mitigation sites. The scope of work below describes the effort to identify such properties for the Brevard County segment of the ICWW.

#### **Task 1. Inventory Properties and Easements**

Taylor Engineering will identify parcels owned by or under easement to FIND which may contain suitable seagrass mitigation areas. We will examine FIND-provided GIS information, digitized USACE real estate maps, and aerial photographs to identify FIND-managed parcels or parcels under easement to the USACE. We assume that the majority of the parcels potentially useful for seagrass mitigation occur as spoil islands lying in the long easements paralleling the ICWW throughout Brevard County. Most of these easements were granted to the federal government by the state of Florida. We will review the Indian River Lagoon Spoil Island Management Plan to identify and eliminate from consideration spoil islands that may have been committed to uses rendering them unsuitable as seagrass mitigation sites. We will submit the list of identified properties that may be suitable for seagrass mitigation to FIND for review and verification of ownership and property identifier designations.

#### **Task 2. Characterize Properties w/ Mitigation Potential**

For those properties identified as potentially suitable for mitigation in Task 1, we will map aquatic and terrestrial habitats based on examination of the aerial photographs. For each property we will, to the extent possible, identify land and aquatic cover by FLUCCS code and determine the area apparently suitable for seagrass mitigation. Suitable seagrass mitigation areas could include 1) uplands that can be excavated or 2) excavated areas that can be filled to create subtidal sediment elevations for seagrass colonization. We will create a GIS coverage showing the mapped habitats, locations of potential seagrass mitigation areas, and estimated seagrass mitigation acreage. All mapping will derive from evaluation of the aerial photographs; this scope of work does not include field verification of the photographic signatures. Based on initial review of aerial photos and the Indian River Spoil Island Management Plan, we anticipate evaluating 40 – 50 properties.

#### **Task 3. Report and Deliverables**

Taylor Engineering will describe the results of this work in a written report. The report will include a tabular listings of all properties considered and will briefly discuss the characteristics of properties identified as containing potentially suitable seagrass mitigation areas. Digital files of the GIS coverages will accompany the report.

## TASK 1: Inventory Properties and Easements

Page 105

<i>Labor</i>	Hours	Cost	Task Totals
R. Bruce Taylor, Ph.D.	0.5	153.00	
Vice President	4.0	740.00	
Senior Advisor	1.5	265.50	
Senior Professional	30.0	3,870.00	
Senior GIS Technician	18.0	1,728.00	
Administrative	1.0	56.00	
Total Man-Hours	55.0		
Labor Cost			6,812.50
<i>Non-Labor</i>	Units	Cost	
Digitize USACE Real Estate Maps	1.0	75.00	
Fee @ 10.0%		7.50	
Total Non-Labor Cost			82.50
<i>Total Task 1</i>			6,895.00

## TASK 2: Characterize Properties

<i>Labor</i>	Hours	Cost	Task Totals
R. Bruce Taylor, Ph.D.	0.5	153.00	
Vice President	7.0	1,295.00	
Senior Advisor	1.0	177.00	
Senior Professional	64.0	8,256.00	
Senior GIS Technician	28.0	2,688.00	
Total Man-Hours	100.5		
Labor Cost			12,569.00
<i>Total Task 2</i>			12,569.00

## TASK 3: Report

<i>Labor</i>	Hours	Cost	Task Totals
R. Bruce Taylor, Ph.D.	1.5	459.00	
Vice President	5.0	925.00	
Senior Advisor	2.5	442.50	
Senior Professional	28.0	3,612.00	
Technical Editor	1.5	148.50	
Senior GIS Technician	14.0	1,344.00	
Administrative	3.0	168.00	
Total Man-Hours	55.5		
Labor Cost			7,099.00
<i>Total Task 3</i>			\$ 7,099.00

Project Total \$ 26,563.00

**2013-2014 WATERWAYS ASSISTANCE PROGRAM APPLICATIONS**

COUNTY	SPONSOR	PROJECT TITLE	TOTAL COST	ASSIST. REQUESTED	Potential Assist.	Available
<b>NASSAU</b>						
	City of Fernandina Beach	Breakwater Dock Improvements	\$163,000	\$81,000		\$81,000
		<b>COUNTY TOTAL</b>	<b>\$163,000</b>	<b>\$81,000</b>		<b>\$162,215</b>
<b>DUVAL</b>						
	City of Jacksonville	Arlington Lions Club Boardwalk Ph I	\$80,840	\$40,420		\$40,420
	City of Jacksonville	Charles Reese Fishing Pier Ph I	\$88,500	\$44,250		\$44,250
	City of Jacksonville	County Dock Boat Ramp Ph I	\$92,520	\$46,260		\$46,260
	City of Jacksonville	Exchange Island Ph I	\$115,760	\$57,880		\$57,880
	City of Jacksonville	Fishing Creek Dredge Ph II	\$450,000	\$225,000		\$225,000
	City of Jacksonville	Half Moon Boat Ramp Ph I	\$50,200	\$25,100		\$25,100
	City of Jacksonville	Half Moon Kayak Launch Ph I	\$90,200	\$45,100		\$45,100
	City of Jacksonville	Northbank Riverwalk Ph I	\$80,000	\$40,000		\$40,000
	City of Jacksonville	Lighting at 2 Boat Ramps	\$287,860	\$143,930		\$143,930
	City of Jacksonville	Sisters Creek Dock Redesign Ph I	\$70,760	\$35,380		\$35,380
	City of Jacksonville	Ortega Channel Markers Ph II	\$33,600	\$16,800		\$16,800
	City of Jacksonville	Northshore Kayak Launch Ph I	\$58,700	\$29,350		\$29,350
	City of Atlantic Beach	Marsh Preserves Launch, Fishing & Public Access Ph II	\$250,000	\$125,000		\$125,000
	City of Atlantic Beach	Marsh Preserves Multipurpose Trail Ph I	\$150,000	\$75,000		\$75,000
		<b>COUNTY TOTAL</b>	<b>\$1,898,940</b>	<b>\$949,470</b>		<b>\$1,261,780</b>
<b>ST. JOHNS</b>						
	City of St. Augustine	Dredging of Salt Run Channel Phase 4 multi year	\$280,000	\$210,000		\$210,000
	City of St. Augustine	Dredging of Sebastian River Channel Ph B multi year	\$420,000	\$210,000		\$210,000
	St. Johns County	Vilano Beach Fishing Pier Renovation	\$90,000	\$45,000		\$45,000
	St. Augustine-St. Johns County	Barge Navigation Channel Maintenance Dredging Ph IV	\$200,000	\$100,000		\$100,000
	St. Augustine-St. Johns County	Barge Navigation Channel Ramp Repair	\$50,000	\$25,000		\$25,000
		<b>COUNTY TOTAL</b>	<b>\$1,040,000</b>	<b>\$590,000</b>		<b>\$441,870</b>
<b>FLAGLER</b>						
	City of Palm Coast	Long's Landing Estuary Ph II	\$1,250,000	\$625,000		\$625,000
		<b>COUNTY TOTAL</b>	<b>\$1,250,000</b>	<b>\$625,000</b>		<b>\$163,150</b>
<b>VOLUSIA</b>						
	City of Sebastian	Sebastian Working Waterfront	\$333,200	\$166,600		\$166,600
	City of Port Orange	Riverwalk launch and boardwalk Ph I	\$80,000	\$40,000		\$40,000
	Volusia County	Highbridge Park Expansion Ph I	\$30,000	\$15,000		\$15,000
	City of New Smyrna Beach	North Causeway Boat Launch Facility Improvements	\$815,000	\$407,400		\$407,400
	City of New Smyrna Beach	Swoop Site boat ramp parking & restroom Ph IIB	\$342,005	\$171,003		\$171,003
	City of Daytona Beach	Halifax River Trail & Pedestrian Underpass	\$390,404	\$175,000		\$175,000
		<b>COUNTY TOTAL</b>	<b>\$1,990,609</b>	<b>\$975,003</b>		<b>\$626,335</b>

## 2013-2014 WATERWAYS ASSISTANCE PROGRAM APPLICATIONS

COUNTY	SPONSOR	PROJECT TITLE	TOTAL COST	ASSIST. REQUESTED	Potential Assiast. Available
<b>BREVARD</b>					
	City of Melbourne	Melbourne Harbor Channel Dredging Ph II	\$548,000	\$274,000	
	City of Melbourne	Horse Creek Non-Motorized Boat Launch & Dredge Ph II	\$450,000	\$225,000	
	Brevard County	POW MIA Park Channel Dredging Ph I	\$70,000	\$35,000	
	Brevard County	Griffis Landing at Blue Cove Phase B	\$867,376	\$433,688	
	Brevard County	John Jorgensen's Landing Dock Replacement	\$18,800	\$9,400	
	City of Satellite Beach	Samsons Island Pontoon Boat	\$15,000	\$7,500	
	City of Cocoa Community Redevel	Lee Wenner Fishing Pier Renovation	\$50,000	\$25,000	
	City of Cocoa Community Redevel	Riverfront Park T-Dock Expansion Ph I	\$50,000	\$25,000	
	City of Cocoa Community Redevel	Cocoa Village Riverfront Connector Ph I	\$144,000	\$25,000	
	City of Coco Beach	Public Spoil Site Phase II	\$400,000	\$200,000	
		<b>COUNTY TOTAL</b>	<b>\$2,613,176</b>	<b>\$1,259,588</b>	<b>\$646,985</b>
<b>INDIAN RIVER</b>					
	Indian River County	Oslo Boat Ramp Parking & Dredging	\$900,000	\$437,500	
	Indian River County	Jones's Pier Waterfront Improvements	\$30,000	\$15,000	
		<b>COUNTY TOTAL</b>	<b>\$930,000</b>	<b>\$452,500</b>	<b>\$331,870</b>
<b>ST. LUCIE</b>					
	City of Fort Pierce	Fishing pier and cleaning station on Melody Lane	\$517,880	\$258,940	
	City of Port St. Lucie	C-24 Canal Park Boat Ramp	\$2,005,805	\$376,000	
		<b>COUNTY TOTAL</b>	<b>\$2,523,685</b>	<b>\$634,940</b>	<b>\$376,130</b>
<b>MARTIN</b>					
	Town of Jupiter Island	Jupiter Island Marine Patrol Waterway Safety	\$60,000	\$30,000	
	City of Stuart	City of Stuart Riverwalk Expansion Ph I	\$80,000	\$40,000	
	Martin County	St. Lucie Inlet Maintenance	\$6,500,000	\$500,000	
		<b>COUNTY TOTAL</b>	<b>\$6,640,000</b>	<b>\$570,000</b>	<b>\$439,695</b>
<b>PALM BEACH</b>					
	Town of Lake Park	Lake Park Harbor Marina Breakwater Ph II	\$498,230	\$249,115	
	Palm Beach County	Bert Winters Park Acquisition	\$1,000,000	\$250,000	
	Palm Beach County	Ocean Inlet Design and Permitting	\$150,000	\$75,000	
	Palm Beach County	Waterway Park Development	\$3,722,336	\$1,861,168	
	City of Belle Glade	North Marina Basin Project	\$956,013	\$379,500	
	Village of North Palm Beach	Anchorage Park Ph II	\$400,000	\$200,000	
	City of Boca Raton	Hillsboro Canal Maintenance Dredge Project Ph I	\$100,000	\$75,000	
	City of Riviera Beach	Marina Replacement Ph B	\$5,231,000	\$1,000,000	
	Town of Lantana	North Lake Park	\$250,000	\$125,000	
	Town of Palm Beach	Town of Palm Beach Waterway Ph II	\$1,500,000	\$500,000	
	Palm Beach County	Grassy Flats Estuarine Habitat Restoration	\$2,311,183	\$600,000	
	Palm Beach County	Juno Dunes Shoreline Restoration	\$561,450	\$280,725	



## 2013-2014 WATERWAYS ASSISTANCE PROGRAM APPLICATIONS

COUNTY	SPONSOR	PROJECT TITLE	COUNTY TOTAL	TOTAL COST	ASSIST. REQUESTED	Potential Assiast. Available
	Palm Beach County	Highland Beach Mangroves Shoreline Restoration		\$516,075	\$258,037	\$3,272,020
<b>BROWARD</b>						
	City of Fort Lauderdale	FLPD Marine Motors Replacement Project		\$65,700	\$30,000	
	Broward County	South Fork New River Channel Markers Ph II		\$120,000	\$60,000	
	City of Fort Lauderdale	Las Olas Marina and Aquatics Complex Dredging Ph IA		\$466,689	\$258,898	
	City of Fort Lauderdale	Bahia Mar Marina Dredging Ph IA		\$297,004	\$206,543	
	City of Dania Beach	Dania Beach Municipal Marina Renovation Ph II		\$7,500,000	\$1,000,000	
	Broward County	Anne Kolb Nature Center Exhibit Renovations		\$500,000	\$250,000	
	Broward County	Deerfield Island Shelter Replacement & Interpretive Exhibits		\$150,000	\$75,000	
	Broward County	Deerfield Island Boardwalk Replacement Ph I		\$100,000	\$50,000	
		<b>COUNTY TOTAL</b>	<b>\$9,199,393</b>		<b>\$1,930,441</b>	<b>\$3,326,335</b>
<b>MIAMI DADE</b>						
	Miami-Dade County	Miami River Greenway sites 4&5		\$1,024,025	\$524,025	
	City of Miami	Dinner Key Marina Dinghy Dock Ph II		\$150,000	\$75,000	
	City of Miami	Virginia Key Nature Center Seawall & Kayak Launce Ph I		\$75,000	\$37,500	
	City of Miami	Manatee Bend Park Seawall & Floating Dock Ph II		\$650,000	\$325,000	
	City of Miami	Miami Woman's Club Baywalk Ph II		\$300,000	\$150,000	
	City of Miami	Seybold Canal & Wagner Creek Dredging & Environmental Cleanup P		\$2,000,000	\$1,000,000	
	City of Miami	Curtis Park Boat Ramp reconstruction		\$380,100	\$190,050	
	City of Miami	Miami Marine Stadium Inwater Structural Assessment Ph I		\$315,800	\$157,900	
	City of Miami	Lummus Landing Riverwalk and Dock		\$1,140,000	\$570,000	
	City of Miami Beach	Normandy Shores Park Seawall Ph II		\$560,000	\$280,000	
	City of Miami Beach	Indian Creek Park Seawall Ph 1		\$320,000	\$160,000	
	City of Miami Beach	Parks Blueways Master Plan		\$80,000	\$40,000	
	Miami-Dade County	Matheson Hammock Marina Boat Ramps Ph I		\$177,000	\$74,000	
	Miami-Dade County	Crandon Marina Boat Ramps Ph I		\$169,500	\$70,000	
	Town of Surfside	Surfside Seawall Replacement		\$1,061,600	\$53,800	
	City of North Miami	North Bayshore William Lehman Park Fishing and Viewing Pier		\$630,000	\$300,000	
		<b>COUNTY TOTAL</b>	<b>\$9,033,025</b>		<b>\$4,007,275</b>	<b>\$4,983,690</b>
<b>81</b>	<b># of projects</b>	<b>Totals</b>	<b>\$54,478,115</b>		<b>\$17,928,762</b>	<b>\$16,032,075</b>

## 2013-2014 COOPERATIVE ASSISTANCE PROGRAM APPLICATIONS

SPONSOR	PROJECT TITLE	TOTAL COST	ASSIST. REQUESTED
Florida DEP - Division of Recreation and Parks	Hugh Taylor Birch State Park Boat Dock Ph I	\$150,000	\$75,000
	CAP TOTAL	\$150,000	\$75,000

March 29, 2013

**MEMORANDUM**

**TO:** David Roach, Executive Director  
Mark Crosley, Assistant Executive Director

**FROM:** Jim Davenport

**SUBJECT: Federal Legislative Report**

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This morning, Congresswoman Lois Frankel is circulating a letter that we drafted to members of FIND's congressional delegation, seeking fiscal year (FY) 2013 funding from the U.S. Army Corps of Engineers (USACE) to dredge the Atlantic and Intracoastal Waterways. A copy of the draft is attached and we will send you the signed letter once it is complete.

The following nine members of Congress have agreed to sign the letter: Representatives Lois Frankel, Bill Posey, Alcee Hastings, Debbie Wasserman Schultz, Corrine Brown, Ted Deutch, Frederica Wilson, Joe Garcia, and Patrick Murphy. We are still working with Representatives John Mica, Ander Crenshaw, Ileana Ros-Lehtinen, and Ron DeSantis to determine whether they will send another joint letter or individual letters to the USACE. At the time of this memo, none of those offices had committed to signing the Frankel letter and we strongly feel that a congressional letter should be sent to the USACE as soon as possible since the President signed the Consolidated and Further Continuing Appropriations Act of 2013 (H.R. 933) into law on March 26<sup>th</sup>. From what we understand, the Frankel letter will be sent to the USACE today.

Since H.R. 933 continues FY 2012 spending for the USACE, and does not specifically allocate funding for inland waterways and navigation maintenance, the USACE will be given complete discretion as to whether they want to spend money on inland waterway maintenance. Thus, we are hopeful that a strong show of support from FIND's congressional delegation, and the Jacksonville District Office (which we have also contacted), will help us achieve some level of funding for the AIWW/IWW despite cuts to USACE funding in 2013.

We will report back to you on our efforts. Please contact me with any questions.

**Congress of the United States**  
**Washington, DC 20515**

Page 111

March 28, 2013

The Honorable Jo-Ellen Darcy  
Assistant Secretary of the Army for Civil Works  
Headquarters, US Army Corps of Engineers  
441 G. Street, NW  
Washington, DC 20314-1000

Dear Secretary Darcy:

We are writing on behalf of the Florida Inland Navigation District, the State sponsor of the Intracoastal Waterway (IWW) and Atlantic Intracoastal Waterway (AIWW) in Florida, to request that funding be included in the Corps of Engineers FY 2013 Work Plan for maintenance dredging of the IWW and AIWW, which are vital to the State's economy.

The IWW annually transports over 500,000 recreational vessels; provides \$11.9 billion in economic output, which includes \$3 billion in personal wages and 66,631 jobs; generates \$540 million in tax revenues; and increases property values by \$19.4 billion. Studies have shown that these benefits would be reduced by 45% if the waterway is not properly maintained.

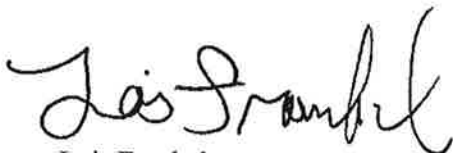
In Florida, the AIWW annually transports over 184,000 tons of commercial cargo; provides \$1.3 billion in economic output, which includes \$300 million in personal wages and 6,504 jobs; generates \$48.6 million in taxes; and increases property values by \$250 million. Studies have shown that the economic output would be reduced by \$147 million and 935 jobs would be lost if the waterway is not properly maintained.

Details on the specific maintenance dredging needs for the IWW and AIWW are attached.

As the Army Corps of Engineers reviews projects that are ready to be executed in FY 2013, we ask that you give strong consideration to funding Florida's IWW and AIWW maintenance dredging projects.

Thank you for careful consideration of our request.

Sincerely,



Lois Frankel  
Member of Congress



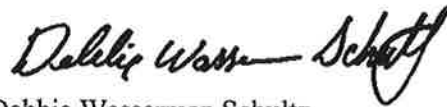
Bill Posey  
Member of Congress



Alcee L. Hastings  
Member of Congress



Corrine Brown  
Member of Congress



Debbie Wasserman Schultz  
Member of Congress



Ted Deutch  
Member of Congress



Frederica Wilson  
Member of Congress



Patrick Murphy  
Member of Congress



Joe Garcia  
Member of Congress

## **MAINTENANCE DREDGING OF THE INTRACOASTAL WATERWAY (IWW) PROJECT IN FLORIDA**

**ISSUE:** In 2014, maintenance dredging of two areas of the Intracoastal Waterway in Florida is required to maintain its safe navigability. Indian River County Dredging Reach 1, near Sebastian Inlet, has not been dredged in over 30 years (see map page 2). Shoaling has been documented by hydrographic surveys, and areas of the waterway are as shallow as 7 feet within the federal 12-foot channel. The local sponsor (FIND) recently completed construction of the necessary Dredge Material Management Area (IR-2) for this reach, at a 100% local cost of \$3.3 million. This project is estimated to cost \$2.9 million. **Congress is requested to provide 50% cost-share funding of \$1.45 million for this important navigation project.**

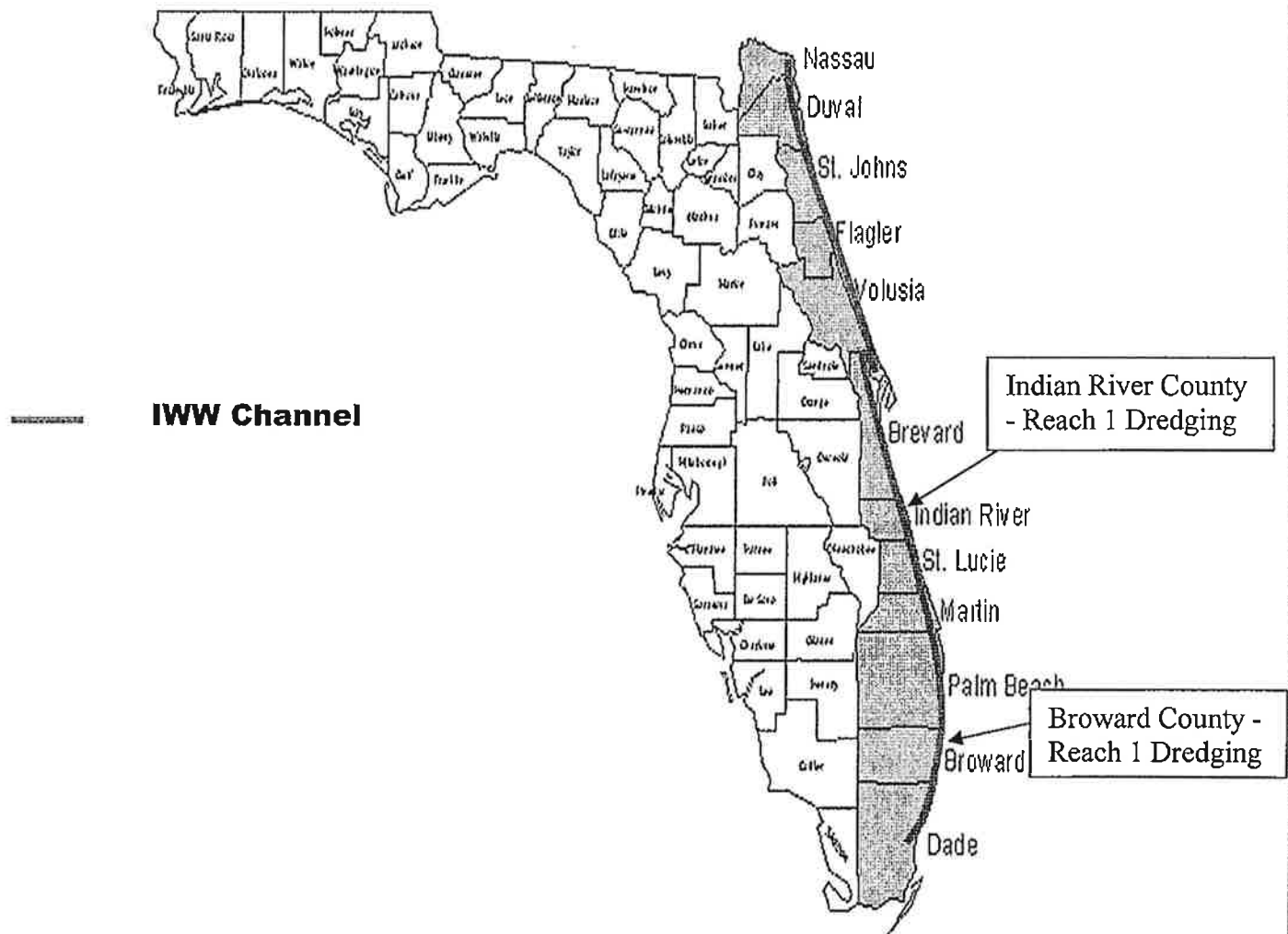
Dredging is necessary to maintain safe navigation in Broward Dredging Reach 1, located near Hillsboro Inlet. Shoaling has been documented by hydrographic surveys, and areas of the waterway are as shallow as 7 feet within the federal 10-foot channel. The FIND has secured the necessary lands to complete this project. The expertise of the USACE is necessary to successfully complete this project. The project cost estimate is \$2.5 million. **Congress is requested to provide 50% cost-share funding of \$1.25 million for this important navigation project.**

**BACKGROUND:** Operation and maintenance of the Intracoastal Waterway in Florida is a Federal (U.S. Army Corps of Engineers) responsibility. The FIND is required to provide the lands for dredged material management. Inadequate federal funding creates a maintenance back log, decreasing the reliability and safety of the waterway for use by commercial and recreational vessels.

**OTHER ISSUES:** The local sponsor has provided the lands necessary for project completion.

**BENEFITS:** The Intracoastal Waterway in Florida annually transports tons of commercial cargo and over 500,000 recreational vessels; provides \$11.9 billion in economic output, which includes \$3 billion in personal wages and 66,631 jobs; generates \$540 million in tax revenues and increases property values by \$19.4 billion. Studies have shown that these benefits would be reduced by 45% if the waterway is not properly maintained.

**PROJECT MAP:** See next page.



Page 115

**MAINTENANCE DREDGING OF THE  
ATLANTIC INTRACOASTAL WATERWAY (AIWW) PROJECT,  
DREDGING REACHS 1 OF NASSAU COUNTY, FLORIDA**

**ISSUE:** In 2014, maintenance dredging of Dredging Reach 1 of the Atlantic Intracoastal Waterway in Nassau County is required and is anticipated to cost \$2.2 million. Current shoaling as shallow as 5.5 feet in the federal 12-foot channel is causing navigation problems for commercial and larger recreational vessels. Specifically, the fuel barge that transports jet fuel from Jacksonville, Florida to the Navy Air Station in Beaufort, South Carolina on a weekly basis is having transit problems in this waterway area because of shoaling, turning a 1-day trip into a 3-day trip. The local sponsor of the project, the Florida Inland Navigation District (FIND), is willing to provide 50% of the funding for maintenance dredging along with the lands required for the project. **Congress is requested to provide the other 50% funding share, \$1.1 million, for this necessary project.**

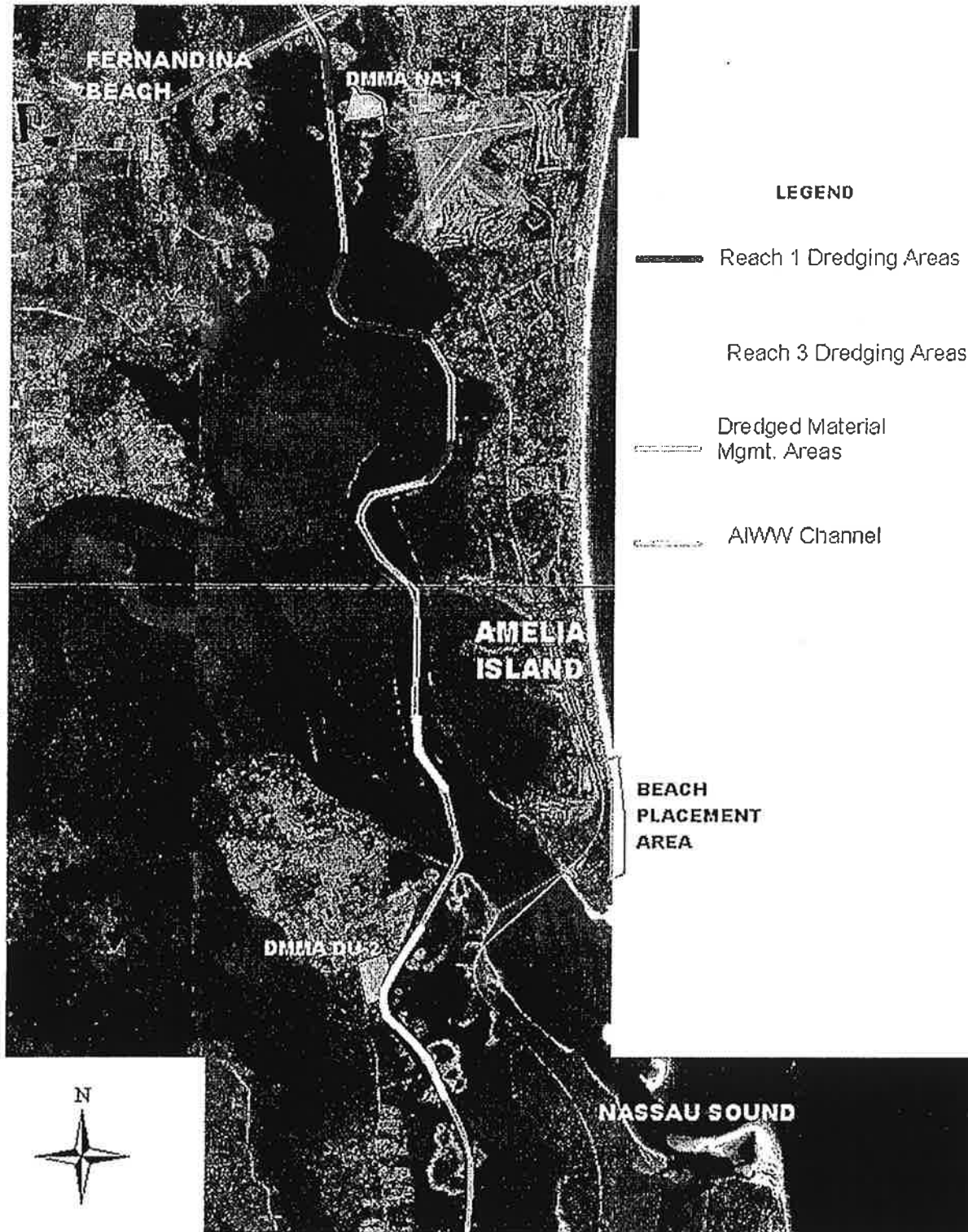
**BACKGROUND:** Operation and maintenance of the Atlantic Intracoastal Waterway in Florida is a Federal responsibility. The local sponsor is required to provide the lands for dredged material management. Inadequate funding creates a maintenance back log decreasing the reliability and safety of the waterway for use by commercial and recreational vessels.

**OTHER ISSUES:** The local sponsor has provided the lands for the project. FIND is constructing Dredge Material Management Area (DMMA) NA-1 at a 100% local cost of \$4.2 million.

**BENEFITS:** The Atlantic Intracoastal Waterway in Florida annually: transports over 184,000 tons of commercial cargo; provides \$1.3 billion in economic output which includes \$300 million in personal wages and 6,504 jobs, generates \$48.6 million in taxes and increases property values by \$250 million. Studies have shown that the economic output would be reduced by \$147 million and 935 jobs would be lost if the waterway is not properly maintained.

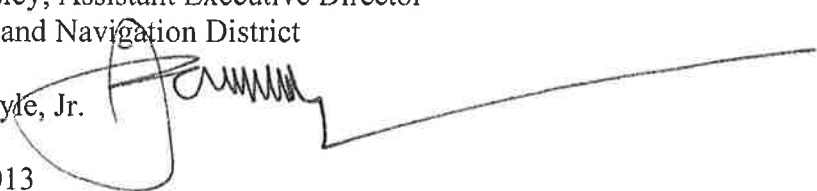
**PROJECT MAP:** See next page.





**MEMORANDUM**

TO: Dave Roach, Executive Director  
Mark Crosley, Assistant Executive Director  
Florida Inland Navigation District

FROM: Jon C. Moyle, Jr. 

DATE: April 1, 2013

RE: April Report of Florida Legislative Activity and Bills of Interest

---

As requested, here is the April legislative report addressing issues and legislation that the firm is tracking for the Florida Inland Navigation District ("FIND"). I have attached a list of bills that are currently being monitored for FIND to the end of this report.

**Session Nears Half Way Point**

The 2013 legislative session will reach its half way mark later this week. Last week, with Passover and Good Friday falling during the same week, had limited legislative activity. Committee meetings were held only on Wednesday and Thursday.

The budget is beginning to take shape, with both the House and Senate positioning themselves to present their budgets to appropriations committees and their respective bodies. After both the House and Senate pass their respective budgets, the presiding officers of each body will appoint conferees and the budget will be negotiated through a conference process. The budget is the only bill that the Legislature must pass, and the Florida constitution requires that it

be provided to each member at least 72 hours before a scheduled vote on final passage. Much of April will be taken up with legislative budget discussions.

### **March legislative activity of note**

Numerous bills were heard in committee meetings during the month of March, which is to be expected when one considers that more than 1700 bills and resolutions have been filed to date. During the next couple of weeks, legislative committees will be concluding, and the full House and Senate will be considering bills (and amendments to those bills) that have moved through the committee process. A number of key issues remain to be addressed, including state and local pension reform, a key priority for House of Representatives Speaker of the House Will Weatherford (R-Wesley Chapel), whether to accept federal dollars to expand health care in Florida consistent with the federal health reform bill that was upheld last year by the U.S. Supreme Court, whether to enact a ban on internet cafes, whether to enact key changes to the state's property insurance laws, including changes to the insurer of last resort, Citizens Property Insurance, and whether to enact a ban on texting while driving. All of these issues have been the focus of considerable legislative discussion to date and will continue to receive legislative attention.

### **Bills and Issues of Interest to FIND**

I did want to provide some additional information about two special district bills of interest, Senate bill 538 by Senator Ring (D-Margate) and the House companion bill, House bill 881 by Representative Lake Ray (R-Jacksonville). Senator Ring's bill was heard in the Senate

Ethics and Elections committee on Thursday, March 18, 2013. Senator Ring was subjected to a lot of detailed questioning from his fellow senators from both sides of the aisle. It was clear that there was little support for his bill from members of the committee. The Committee Chairman, Senator Jack Latvala (R-Clearwater), suggested, given the obvious lack of support for the bill, that Senator Ring postpone or “temporarily pass” the bill, which Senator Ring did. Neither the Senate bill nor the House bill has been placed on any committee agenda since Senator Ring’s bill was temporarily passed. At this point, it appears that the prospects of the bill becoming law do not look favorable. However, the firm will continue to monitor this issue closely.

Representative Jimmy Patronis (R-Panama City) continues to work on, and has passed his comprehensive environmental permitting bill, House bill 999, out of its first committee of reference. This bill addresses a host of environmental issues, and is an attractive vehicle for amendments. It will be watched closely as it continues to move through the process.

If you have any questions or need further information about information contained in this report or legislation contained within the bill tracking list, please let me know.

Attachment: 2013 FIND Bill Tracking List Updated as of 3/1/13

## **2013 Senate Bills**

### **SB 50 by Negrón**

**Public Meetings;** Requiring that a member of the public be given a reasonable opportunity to be heard before a board or commission takes official action on a proposition before a board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision; providing that the opportunity to be heard is subject to rules or policies adopted by the board or commission; providing that compliance with the requirements of the act is presumed under certain circumstances; authorizing a court to assess reasonable attorney fees in actions filed against a board or commission; providing that any action taken by a board or commission which is found in violation of the act is not void; providing that circuit courts have jurisdiction to issue injunctions for purposes of the act, etc.

- **In House Messages**

### **SB 90 by Smith**

**State Contracts;** Requiring all state contracts of more than a certain amount to require call-center services to be staffed by persons located within the United States, etc.

- **01/15/13 Favorable by Commerce and Tourism; YEAS 10 NAYS 0**
- **Now in Governmental Oversight and Accountability**

### **SB 244 by Dean**

**Water Management Districts;** Providing for the adoption of certain reservations and minimum flows and levels by the Department of Environmental Protection; Requiring water management districts to apply, without adopting by Rule, the reservations, minimum flows and levels, and recovery and prevention strategies adopted by the department; requiring a regional water supply authority and the applicable water management district to jointly develop water supply component of the regional water supply plan, etc.

- **Read 2<sup>nd</sup> time – SJ 262; Placed on 3<sup>rd</sup> Reading**

**SB 326 by Hays**

**Powers and Duties of the Department of Environmental Protection;** Removing an obsolete reference for purposes of calculating the reimbursement for transportation and utility crossings of greenways lands in Marion County; repealing a specified provision relating to additional powers and duties of the Department of Environmental Protection to dispose of surplus lands that were for the construction, operation or promotion of a canal across the peninsula of the state and refund payments to counties, etc.

- **Read 2<sup>nd</sup> time – SJ 266; Placed on 3<sup>rd</sup> Reading**

**SB 466 by Altman**

**State Lands;** Authorizing individuals and corporations to submit requests to the Board of Trustees of the Internal Improvement Trust Fund to exchange state-owned land for conservation easements over privately held land; providing criteria for consideration of such requests; encouraging certain operations on such lands, etc.

- **02/04/2013 Referred to Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; Appropriations**

**SB 538 by Ring**

**Special Districts;** Requiring public facilities projects of independent special districts with taxing authority to be approved by the appropriate local general-purpose government; requiring a local government representative to serve as an ex officio, nonvoting member of the district, etc.

- **02/06/2013 Referred to Community Affairs; Appropriations Subcommittee on Finance and Tax; Appropriations**
- **On Committee agenda-- Ethics and Elections, 03/18/13, 1:00 pm, 412 Knott Building --Temporarily Postponed**

**SB 578 by Clemens**

**Public Construction Projects;** Requiring state agencies to specify certain products associated with public works projects; prohibiting state agencies from excluding the use of certain building rating systems, building codes, or published supplements for certain construction and renovation projects, etc.

- **02/07/2013 Referred to Community Affairs; Governmental Oversight and Accountability; Appropriations Subcommittee on General Government; Appropriations**

**SB 584 by Hays**

**Purchase of Land by a Governmental Entity;** Limiting the state, a county, or a municipality's ability to purchase land for conservation purposes, etc.

- **02/07/2013 Referred to Environmental Preservation and Conservation; Community Affairs; Judiciary; Appropriations**
- **On Committee agenda-- Environmental Preservation and Conservation, 04/02/13, 4:00 pm, 110 Senate Office Building**

**SB 588 by Brandes**

**Lease of Sovereignty Submerged Lands for Private Docks; Providing** exemptions from lease fees for certain lessees, etc.

- **02/07/2013 Referred to Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; Appropriations**

**SB 684 by Hays**

**Preference in Award of State Contracts;** Expanding provisions that require an agency, university, college, school district, or other political subdivision of the state to provide preferential consideration to a Florida business in awarding competitively bid contracts to purchase personal property to include the purchase of construction services; requiring counties and municipalities to provide such preferential consideration; providing that for specified competitive solicitations the authority to grant preference supersedes any local ordinance or regulation that restricts specified contractors from competing for an award based upon certain conditions, etc.

- **02/13/2013 Referred to Governmental Oversight and Accountability; Community Affairs; Appropriations; Rules**
- **On Committee agenda-- Governmental Oversight and Accountability, 04/02/13, 4:00 pm, 412 Knott Building**

**SB 754 by Grimsley**

**Water Quality Credit Trading;** Authorizing the Department of Environmental Protection to implement water quality credit trading in adopted basin management action plans on an ongoing basis; deleting a requirement that voluntary trading of water credits be limited to the Lower St. Johns River Basin; authorizing additional water quality protection programs to participate in water quality credit trading, etc.

- **02/14/2013 Referred to Environmental Preservation and Conservation; Community Affairs; Appropriations**



- **On Committee agenda-- Community Affairs, 04/02/13, 12:30 pm, 301 Senate Office Building**

**SB 830 by Latvala**

**Vessels;** Prohibiting a person under a certain age from operating a vessel towing a person, etc.

- **02/19/2013 Referred to Transportation; Commerce and Tourism; Judiciary**

**SB 1104 by Brandes**

**Environment;** Revising the responsibilities of the Department of Transportation, a county, or a municipality to improve or maintain a road that provides access to property within the state park system; revising the process and criteria for the payment by the department or participating transportation authorities of mitigation implemented by water management districts or the Department of Environmental Protection; revising the outdoor advertisement exemption criteria for a public information system, etc.

- **02/28/2013 Referred to Transportation; Environmental Preservation and Conservation; Appropriations**
- **Now in Environmental Preservation and Conservation -SJ 273  
CS by Transportation read 1st time -SJ 274**

**SB 1150 by Benacquisto**

**State Contracting;** Requiring agreements funded with state or federal financial assistance to include additional provisions; revising provisions relating to the Chief Financial Officer's intergovernmental contract tracking system under the Transparency Florida Act; repealing provisions relating to a requirement that state agencies report certain contract information to the Department of Financial Services and transferring that requirement to s. 215.985, F.S., etc.

- **02/25/2013 Filed**
- **Original reference(s) removed: Banking and Insurance -SJ 237  
Remaining references corrected to Appropriations -SJ 237  
Now in Appropriations**

## **2013 House Bills**

### **HB 181 by Van Zant**

**Public Works Projects;** Prohibits state & political subdivisions that contract for construction, maintenance, repair, or improvement of public works from imposing certain conditions on certain contractors, subcontractors, material suppliers, or carriers; provides exception; prohibits state & political subdivisions from restricting qualified bidders from submitting bids, being awarded any bid or contract, or performing work on public works project; revises filing requirements for written protests to contract solicitations or awards.

- **Introduced -HJ 32**

### **HB 227 by Peters (Compare HB 254, SB 64)**

**Vessels;** Creates Deviny's Law; prohibits person under certain age from operating vessel towing person; prohibits operating vessel towing person within certain distance from stationary structure; provides for exceptions.

- **Introduced -HJ 36**

### **HB 307 by Tobia**

**Preference in Award of State Contracts:** Expands provisions that require agency, university, college, school district, or other political subdivision to provide preferential consideration to Florida business in awarding competitively bid contracts to purchase personal property to include purchase of construction services; requires counties & municipalities to provide such preferential consideration; provides that for specified competitive solicitations authority to grant preference supersedes local ordinances & regulations that restrict specified contractors from competing for an award based upon certain conditions; requires university, college, county, municipality, school district, or other political subdivision to make specified disclosures in competitive solicitation documents.

- **Passed Government Operations Subcommittee 11-2 on 3/6**
- **Now in Local and Federal Affairs Committee -HJ 226**

### **HB 713 by Rep. Pigman**

**Water Quality Credit Trading:** Authorizes DEP to implement water quality credit trading in adopted basin management action plans; deletes requirement that voluntary trading of water credits be limited to the Lower St. Johns River Basin; revises provisions relating to rulemaking for water quality credit trading programs.

- **Placed on House calendar**

**HB 881 by Ray**

**Special Districts:** Requires public facilities projects of independent special districts with taxing authority to be approved by appropriate local general-purpose government; requires local government representative to serve ex officio as nonvoting member of district; provides exemptions.

- **Now in Local & Federal Affairs Committee**

**HB 901by Stone**

**Purchase of Land by Governmental Entity:** Limits ability of state, counties, & municipalities to purchase land for conservation purposes.

- **Now in Agriculture & Natural Resources Subcommittee**

**HB 999 by Patronis**

**Environmental Regulation:** Creates, amends, & revises numerous provisions relating to: development permit applications; marinas, boatyards, & marine retailers; general permits for special events; well permits; exemptions from permits, fees & related environmental requirements & regulation; regional water supply planning; agricultural water supply demand projections; major sources of air pollution; water quality testing, sampling, collection, & analysis; & restoration of seawalls.

- **CS by Agriculture and Natural Resources Subcommittee; YEAS 10 NAYS 1**
- **Now in Agriculture and Natural Resources Appropriations Subcommittee**

**HB 1017 by Fresen**

**State Procurement:** Provides preference for local businesses in state contracting for goods & contractual services, including construction services.

- **Now in Appropriations Committee**

**HB 4007 by Nelson (Compare SB 326)**

**Department of Environmental Protection;** Repeals provisions relating to power & duties of DEP to dispose of certain surplus lands acquired for construction, operation, or promotion of canal across peninsula of the state & refund payments to counties.

- **Favorable by- State Affairs Committee; YEAS 15 NAYS 0 -HJ 374  
Placed on House Calendar -HJ 374**