



US Army Corps
of Engineers®

DEPARTMENT OF THE ARMY PERMIT

Permittee:

Town of Palm Beach
Attn: Peter B. Elwell
360 South County Road
Palm Beach, FL 33480

Permit No: SAJ-1995-03779(SP-LCK)

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

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

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

Project Description: The applicant proposes to place beach quality sand within the footprint of previously authorized beach nourishment by conducting the following activities:

(1) Placement of 875,586 cubic yards of compatible beach quality sand between FDEP monuments 89-102. The beach template has been slightly expanded to the North from R-89 to 90.5 and to the South from R101.4 to 102. A 1V:10H beach construction slope is being maintained seaward of the berm crest. The seaward limits of fill are maintained within the previously permitted project limits with constructed berm width average of 143 feet.

(2) The project requires dredging 1,355,500 cubic yards of beach quality sand from a 250.5 acre offshore borrow area between R-65 and R-70. Of the total, approximately 159,938 cubic yards of excess dredged material is proposed to be used for beach restoration at Phipps Ocean Park (Reach 7) and dune restoration at Reach 8. The Phipps segment is currently being reviewed under Corps permit application number SAJ-2000-00380 and requires approximately 112,554 cy of sand and the dunes at Reach 8 will require the use of 47,384 cy of the sand. The proposed work in Reach 8 would occur above the mean high water line. Mechanized machinery and trucks will be staged in the dune area at Midtown to transport the sand to the other locations on an ongoing basis from the Mid-Town stockpile area during project construction. The sediment within the borrow area typically has a carbonate fraction of less than 0.5% and fines/silt of less than 1%. Mean grain sizes for composited core samples in the borrow

area range from 0.27 mm to 0.29 mm which exceed the minimum design grain size of 0.25 mm. The dredged material will be transported and discharged (pump) to the site via hopper dredge from a pre-determined offshore connection point. As the water/sand slurry is pumped onshore, mechanized construction equipment will be used to construct containment dikes and grade the material to the proposed design fill profile. Construction will be performed outside of peak turtle season (May 1 to October 31) to reduce potential for nest burial or excavation.

(3) Installation of one 256-square foot groin comprised of limestone boulders at R-99.3, with an elevation of +5 ft NAVD, crest width of 12-feet, and slope of 1:2. The dredged material will be transported and discharged (pump) to the site via hopper dredge from a pre-determined offshore connection point. As the water/sand slurry is pumped onshore, heavy construction equipment will be used to construct containment dikes and grade the material to the proposed design fill profile. Construction will be performed outside of peak turtle season (May 1 to October 31) to reduce potential for nest burial or excavation.

The work described above is to be completed in accordance with the 19 pages of drawings and 11 attachments affixed at the end of this permit instrument.

Project Location: The project would affect waters of the United States associated with the discharge of fill material within the Atlantic Ocean. The project site is located along approximately 2.75 miles of shoreline between Florida Department of Environmental Protection (FDEP) monuments R-89 and R-102, and in the Atlantic Ocean. The current project is located entirely within the Town of Palm Beach with the northern limit located three properties north of Casa Bendita and the southern limit at Banyan Road (Sections 20, 23 and 26, Township 43 South, Range 43 East), in Palm Beach County, Florida.

Directions to site: In Palm Beach County, exit I-95 at the Okeechobee Blvd. Exit (Exit 70) and continue east. Turn north on Flagler Dr. and east on Lakeview Ave. Lakeview Ave. turns into Royal Palm Way. Continue east on Royal Palm Way to South County Rd. turn north on South County Road and Barton Avenue is on the right; turn south on South County Road and Via Marina Road is on the left.

Approximate Central Coordinates:

Fill Locations

	Latitude	Longitude
North	26.73105°	-80.03497°
South	26.69049°	-80.03377°

Borrow Site:

	Latitude	Longitude		Latitude	Longitude
Point 1	26.8023°	-80.0246°	Point 12	26.7895°	-80.0241°
Point 2	26.8023°	-80.0233°	Point 13	26.7907°	-80.0242°
Point 3	26.8023°	-80.0220°	Point 14	26.7917°	-80.0242°
Point 4	26.7991°	-80.0203°	Point 15	26.7939°	-80.0242°
Point 5	26.7981°	-80.0209°	Point 16	26.7948°	-80.0242°
Point 6	26.7874°	-80.0210°	Point 17	26.7963°	-80.0234°
Point 7	26.7874°	-80.0222°	Point 18	26.7966°	-80.0232°
Point 8	26.7874°	-80.0234°	Point 19	26.7974°	-80.0233°
Point 9	26.7874°	-80.0236°	Point 20	26.7997°	-80.0243°
Point 10	26.7879°	-80.0241°	Point 21	26.8003°	-80.0243°
Point 11	26.7885°	-80.0241°			

Permit Conditions

General Conditions:

1. The time limit for completing the work authorized ends on **December 11, 2019.** If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

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

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

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

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5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

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

Special Conditions:

1. Reporting Addresses: The Permittee shall reference this permit number, SAJ-1995-03779 (SP-LCK), on all correspondence. Unless specifically notified to the contrary, the Permittee shall use the following addresses for transmitting correspondence to the referenced agencies:

a) Jacksonville District Corps of Engineers (Corps), Regulatory Division, Enforcement Section, Jose Rivera, 4400 PGA Boulevard, Suite 500, Palm Beach Gardens, Florida 33410. phone: 561-472-3536, email: Jose.J.Rivera@usace.army.mil

b) Regulatory Division, Palm Beach Gardens Section
4400 PGA Blvd, Ste 500 Palm Beach Gardens, FL 33410 phone: 561-472-3508
email: Linda.C.Knoeck@usace.army.mil

When submitting any monitoring information to the Corps, please include a transmittal cover letter clearly labeled with the following at the top of each page: "This monitoring information is submitted in accordance with Specific Condition Number 11 for Permit No. SAJ-1995-03779 (SP-LCK).

2. The Permittee shall use only beach compatible sand for beach placement that meets the standards in the attached QA/QC plan (Attachment B).

3. Biological Opinion: This permit does not authorize the Permittee to take an endangered species, in particular the nesting sea turtles (*Chelonia mydas*, *Eretmochelys imbricata*, *Lepidochelys kempii*, *Dermochelys coriacea*, *Caretta caretta*). In order to legally take a listed species, the Permittee must have separate authorization under the Endangered Species Act (ESA) (e.g., an ESA Section 10 permit, or a BO under ESA Section 7, with "incidental take" provisions with which you must comply).

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The enclosed United States Fish and Wildlife Service Biological Opinion dated December 10, 2014 (BO) (Attachment C) and the FWS State Programmatic (SP) BO dated April 19, 2011 (Attachment D), contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with “incidental take” that is also specified in the BO. Authorization under this permit is conditional upon compliance with all of the mandatory terms and conditions associated with incidental take of the enclosed BO, which terms and conditions are incorporated by reference in this permit. Failure to comply with the terms and conditions associated with incidental take of the BO, where a take of the listed species occurs, would constitute an unauthorized take, and it would also constitute noncompliance with this permit. The United States Fish and Wildlife Service is the appropriate authority to determine compliance with the terms and conditions of its BO, and with the ESA.

4. All Terms and Conditions in the FWS Programmatic Piping Plover Biological Opinion, dated May 22, 2013 (Attachment E), shall be met as required in that document.

5. Turtle Nesting Season: Pursuant to the attached FWS Biological Opinion from the U.S. FWS dated April 19, 2011 (Attachment D), beach nourishment activities will take place outside of the peak of sea turtle nesting season (May 1 through October 31).

6. Manatee Conditions: The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011” provided in Attachment F of this permit.

7. Sea Turtle/Small-tooth Sawfish Guidelines: The Permittee shall comply with the National Marine Fisheries Service’s “Sea Turtle and Smalltooth Sawfish Construction Conditions” provided in Attachment G of this permit.

8. Regulatory Agency Changes: Should any other regulatory agency require changes to the work authorized or obligated by this permit, the Permittee is advised that a modification to this permit instrument is required prior to initiation of those changes. It is the Permittee’s responsibility to request a modification of this permit from the Corps Palm Beach Gardens Regulatory Office.

CONSTRUCTION CONDITIONS

9. No impacts to hardbottom or biological resources are authorized for the project as a result of the placement of beach compatible material. Any unauthorized impacts to resources will require mitigation.

10. As-Builts: Within 60 days of completion of the authorized work or at the expiration of the construction window of this permit, whichever occurs first, the Permittee shall submit as-built drawings of the authorized work and a completed

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As-Built Certification Form (Attachment H) to the Corps. The drawings shall be signed and sealed by a registered professional engineer and include the following:

- a) A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached permit drawings (8½-inch by 11-inch). The drawing should show all fill areas.
- b) List any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work, describe on the As-Built Certification Form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note that the depiction and/or description of any deviations on the drawings and/or As-Built Certification Form does not constitute approval of any deviations by the U.S. Army Corps of Engineers.
- c) The Department of the Army Permit number.
- d) Include pre- and post-construction aerial photographs of the project site, if available.

PROJECT MONITORING CONDITIONS

11. Physical Monitoring Plan: The applicant will adhere to the approved physical monitoring plan (Attachment I). The report will detail the performance of the beach fill project, identifying erosion and accretion patterns within the monitored area. In addition, the report shall include a comparative review of project performance to expectations and identify any adverse impacts attributable to the project. Monitoring reports and data associated with the physical monitoring plan shall be submitted to the Corps at the address listed in Special Condition #1 within 90 days of completion of the review.

12. Sediment Quality: Sediment quality shall be assessed as outlined in the Sediment QA/QC plan (Attachment B). Any occurrences of unacceptable material shall be handled according to the protocols set forth in the Sediment QA/QC plan. The sediment testing result will be submitted to the Corps within 90 days following the completion of beach construction.

13. Monitoring Report Timeframes: All pre-construction monitoring reports shall be provided to the District within 60 days of completion of the survey or

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monitoring event. Post-construction and annual monitoring reports shall be provided within 90 days of completion of the survey.

14. The Corps may require additional surveys beyond the post-construction monitoring events if impacts attributable to the project are evident prior to or at the conclusion of the monitoring.

HOPPER DREDGING CONDITIONS

15. Reporting: The Permittee shall ensure all reports, notifications, documentation and correspondence required by the general or special conditions of this permit are submitted to the Corps at the following email address:

sajdredgenotice@usace.army.mil.

Requests for documents, forms or information should also be submitted to the Corps at this email address. The Permittee shall reference this permit number, SAJ-1995-03779(SP-LCK), SARBO, and include the topic in the subject line of the email and on all submittals.

16. Deflector Device Submittal: No dredging shall be performed by a hopper dredge without the inclusion of an approved rigid sea turtle deflector device. The Permittee shall ensure drawings of the proposed sea turtle deflector device and the Hopper Dredge Deflector Device Checklist form (Attachment J) are complete and all required documentation submitted to the Corps at least 30 days prior to initiating the authorized work. The Permittee shall not commence hopper dredging until approval of the sea turtle deflector device has been granted by the Corps. A copy of the approved drawings, calculations and signed Hopper Dredge Deflector Device Checklist form shall be available on the vessel during dredging operations.

17. Pre-Dredging Inspection Submittal: The Permittee shall submit the completed Hopper Dredge Pre-Dredge Inspection Checklist form (Attachment K) to the Corps, at least 5 days prior to initiating the authorized work.

18. Dredging Quality Management: Dredging and dredged material disposal and monitoring of dredging projects using the Dredging Quality Management (DQM) system shall be implemented for this permit. The Permittee shall ensure that each hopper dredge assigned to the work authorized by this permit is equipped with DQM, previously known as 'Silent Inspector', for hopper dredge monitoring. The Permittee's DQM system must have been certified by the DQM Support Team within one calendar year prior to the initiation of the dredging/disposal. Questions regarding certification should be addressed to the DQM Support Center at 251-690-3011. Additional information

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about the DQM System can be found at <http://dqm.usace.army.mil>. The Permittee is responsible for insuring that the DQM system is operational throughout the dredging and disposal project and that project data are submitted to the DQM National Support Center in accordance with the specifications provided at the aforementioned website. The data collected by the DQM system shall, upon request, be made available to the Regulatory Division of the U.S. Army Corps of Engineers - Jacksonville District.

19. Commencement Notification: Within 3 days from the date of initiating the authorized work, the Permittee shall provide to the Corps, the completed Hopper Dredge Startup Inspection Checklist form (Attachment L) with a written notification of the date of commencement of work authorized by this permit. An inspection of the hopper dredge will be scheduled and performed by the Corps after receipt of the notification of commencement.

20. Regional Biological Opinion: Hopper dredging is approved under the current National Marine Fisheries Service (NMFS) South Atlantic Regional Biological Opinion (SARBO) and its references which can be viewed on the following website:

<http://el.erdc.usace.army.mil/seaturtles/refs-bo.cfm>.

The Permittee is responsible for obtaining and complying with the SARBO. If the Permittee is unable to view the SARBO at this website, the Permittee shall contact the Corps to receive a copy of the SARBO. The Permittee shall implement all reasonable and prudent measures identified in the SARBO. NMFS has issued the SARBO to the Corps for hopper dredge projects that limit the take of listed turtles, whales, sturgeon, sawfish, and any other species listed in the SARBO. Authorization under this permit is conditional upon compliance with all of the mandatory terms and conditions associated with the SARBO, which terms and conditions are incorporated by reference in this permit. Failure to comply with the terms and conditions associated with the SARBO, where a take of the listed species occurs, would constitute noncompliance with this permit. Failure to comply with this permit will be the basis for suspension and revocation of this permit and may be the basis for other enforcement action. NMFS has directed that this SARBO issued to the Corps serve as the formal consultation for all hopper dredge projects in the area covered by the SARBO; however, where the terms and conditions of the SARBO differ from the special conditions of this permit, the special conditions of this permit will take precedence as the more stringent condition.

Incidental Take Statement: This permit does not authorize the Permittee to take an endangered species, in particular sea turtles, sturgeon, whales or any other endangered species listed in the SARBO. The SARBO includes an Incidental Take Statement (ITS) issued to the Corps. The Permittee understands and agrees that, even where it is in full compliance with the terms and conditions of the SARBO and this permit, incidental take

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by the Permittee or other hopper dredging operations within the area covered by the SARBO may result in suspension or modification of this permit by the Corps. The amount of incidental take that will trigger suspension, and the need for any such suspension, shall be determined at the discretion of the Corps. The Permittee understands and agrees on behalf of itself, its agents, contractors, and other representatives, no claim, legal action in equity or for damages, adjustment, or other entitlement against the Corps shall arise as a result of such suspension or related action.

21. Endangered Species Observers: During dredging operations, NMFS approved endangered species observers (Observer) shall be aboard each hopper dredge to monitor for the presence of endangered species including sea turtles, sturgeon, whales and manatees. Observers shall perform their observations 24hr/day and every day during dredging operation.

a. During transit to and from the disposal area, the Observer shall monitor from the bridge during daylight hours for the presence of endangered species, especially the Northern right whale, during the period December through March.

b. During dredging operations, while dragheads are submerged, the Observer shall continuously monitor the inflow and/or overflow screening for turtles and/or turtle parts and sturgeon and/or sturgeon parts.

c. Upon completion of each load cycle, dragheads should be monitored as the draghead is lifted from the sea surface and is placed on the saddle in order to assure sea turtles that may be impinged within the draghead are counted and recorded. The Observer shall physically inspect dragheads and inflow and overflow screening/boxes for threatened and endangered species take. The Observer shall identify, count, and record sea turtle or sturgeon parts during the inspection of the inflow and overflow screening/boxes. All debris shall be removed from the screening/boxes after the inspection is complete so as not to impede the functioning of the screens during the next load cycle.

d. The Observer shall maintain a log detailing all incidents, including sightings, collisions with, injuries to, or killing of endangered species during dredging operations. The data shall be recorded daily on the Observer forms which are located at the following web site under the heading "Turtle Information:"

<http://el.erdc.usace.army.mil/seaturtle>.

If the Permittee is unable to view the Observer forms at this website the Permittee shall contact the Corps to receive a copy of the Observer forms. Completed Observer forms shall be submitted to the Corps at the end of each day as identified in the reporting

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special condition. A summary report of the above incidents and sightings shall be submitted to the Corps within 15 days of project completion.

22. Observer Equipment: The Permittee shall provide a digital camera, with an image resolution capability of at least 300 dpi, in order to photographically report all incidental takes, without regard to species, during dredging operations. Immediately following the incidental take of any threatened or endangered species, images shall be submitted to the Corps in a .JPG or .TIF format and shall accompany incidental take forms. The nature of findings shall be fully described in the incidental take forms including references to photographs.

23. Incidental Take: The Permittee shall immediately cease all hopper dredging operations and notify the Corps upon discovery of an incidental take of a sea turtle or sturgeon. The Permittee shall not resume hopper dredging until notified by the District Engineer, or his designee. The Sea Turtle Incidental Take Data form which is located at the following web site under the heading "Turtle Information Observer Forms," <http://el.erdc.usace.army.mil/seaturtles>, will be filled out by the Observer and shall be submitted to the Corps with photographic documentation within 6 hours of the take event.

24. Sea Turtle Trawling: Sea turtle trawling shall be conducted following the take of two sea turtles, without regard to species, and continue until the end of dredging or as directed by the Corps. Trawling shall be conducted in accordance with the Sea Turtle Trawling requirements (Attachment M). Hopper dredging shall not resume until trawling has been initiated and until notified by the District Engineer, or his designee. The results of each trawl shall be recorded on the Sea Turtle Trawling Report which is located at the following website under the heading "Turtle Information:"

<http://el.erdc.usace.army.mil/seaturtle>.

If you are unable to view the Trawling Report forms at this website you must contact the Corps to receive a copy of the forms. Interim trawling reports shall be submitted to the Corps by the end of each day. A final trawling report shall be prepared and submitted to the Corps after the completion of all trawling efforts. The final trawling report shall summarize the results of the trawling including total trawling times, number of trawls and number of captures. Any turtles captured during trawling shall be immediately release

Dredge Protocol: The Permittee will adhere to the South Atlantic Division Corps of Engineers Hopper Dredging Protocol for Atlantic coast.

25. Cultural Resources/Historic Properties:

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a. No structure or work shall adversely affect impact or disturb properties listed in the National Register of Historic Places (NRHP) or those eligible for inclusion in the NRHP.

b. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work in the vicinity and notify the Corps. The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

c. A cultural resources assessment may be required of the permit area, if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO and the Corps.

d. In the unlikely event that unmarked human remains are identified on non-federal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work in the vicinity shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archeologist. The Corps shall then notify the appropriate SHPO and THPO(s). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the State Archeologist, SHPO and the Corps.

Further Information:

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

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

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

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

2. Limits of this authorization.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

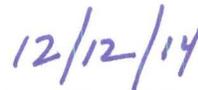
6. Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable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

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



(PERMITTEE) PETER B. ELWELL
TOWN MANAGER

(PERMITTEE NAME-PRINTED)



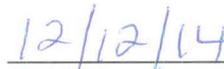
(DATE)

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



(DISTRICT ENGINEER)

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



(DATE)

for

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

(TRANSFEREE-SIGNATURE)

(DATE)

(NAME-PRINTED)

(ADDRESS)

(CITY, STATE, AND ZIP CODE)

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***Attachments to Department of the Army
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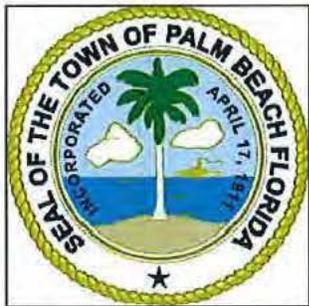
2. Attachment A- WATER QUALITY CERTIFICATION: Specific Conditions of the water quality permit/certification in accordance with General Condition number 5 on page 5 of this DA permit. (CD)
3. Attachment B: Sediment Quality Control/Quality Assurance Plan, six pages. Dated February 2014 (CD).
3. Attachment C: FWS Biological Opinion. Dated December 10, 2014 (CD)
4. Attachment D: FWS SPBO. Dated April 19, 2011 (CD)
4. Attachment E: FWS Programmatic Piping Plover Biological Opinion, dated May 22, 2013 (CD)
4. Attachment F: Standard Manatee Conditions for In-Water Work (CD)
5. Attachment G: Sea Turtle and Smalltooth Sawfish Construction Conditions for in-water work, 2011. (CD)
6. Attachment H: As-Built Certification Form. (CD)
7. Attachment I: Physical Monitoring Plan dated February 2014 (CD)
8. Attachment J: Hopper Dredge Deflector Device Checklist Form (CD)
9. Attachment K: Hopper Dredge Pre-Dredge Inspection Checklist (CD)
10. Attachment L: Hopper Dredge Startup Inspection Checklist (CD)
11. Attachment M: Sea Turtle Trawling requirements (CD)

FY 2014 Mid-Town Nourishment Project

Town of Palm Beach, Florida



NOTE: AERIAL DATED MARCH 2012



*For regulatory review
only. Not for
Construction*

LOCATION: G:\WORK\PALMBEACH_SHARES\DRAWINGS\PROJECTS\12-5465_T0PB_2012_MID-TOWN DESIGN AND ENGINEERING\VA_PERMIT\LOC_MAP.DWG

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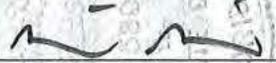
Location Map

FY 2014 Mid-Town Nourishment Project

FIGURE 1

JOB NUMBER: 13-2533

ISSUE DATE: 07-26-13



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LEGEND

-  PREVIOUS PROJECT CONSTRUCTION FOOTPRINT
-  2012 DESIGN LANDWARD LIMIT OF FILL
-  2012 DESIGN BERM CREST
-  2012 DESIGN CONSTRUCTION TOE OF FILL
-  2012 DESIGN EQ. TOE OF FILL
-  EROSION CONTROL LINE



0 400

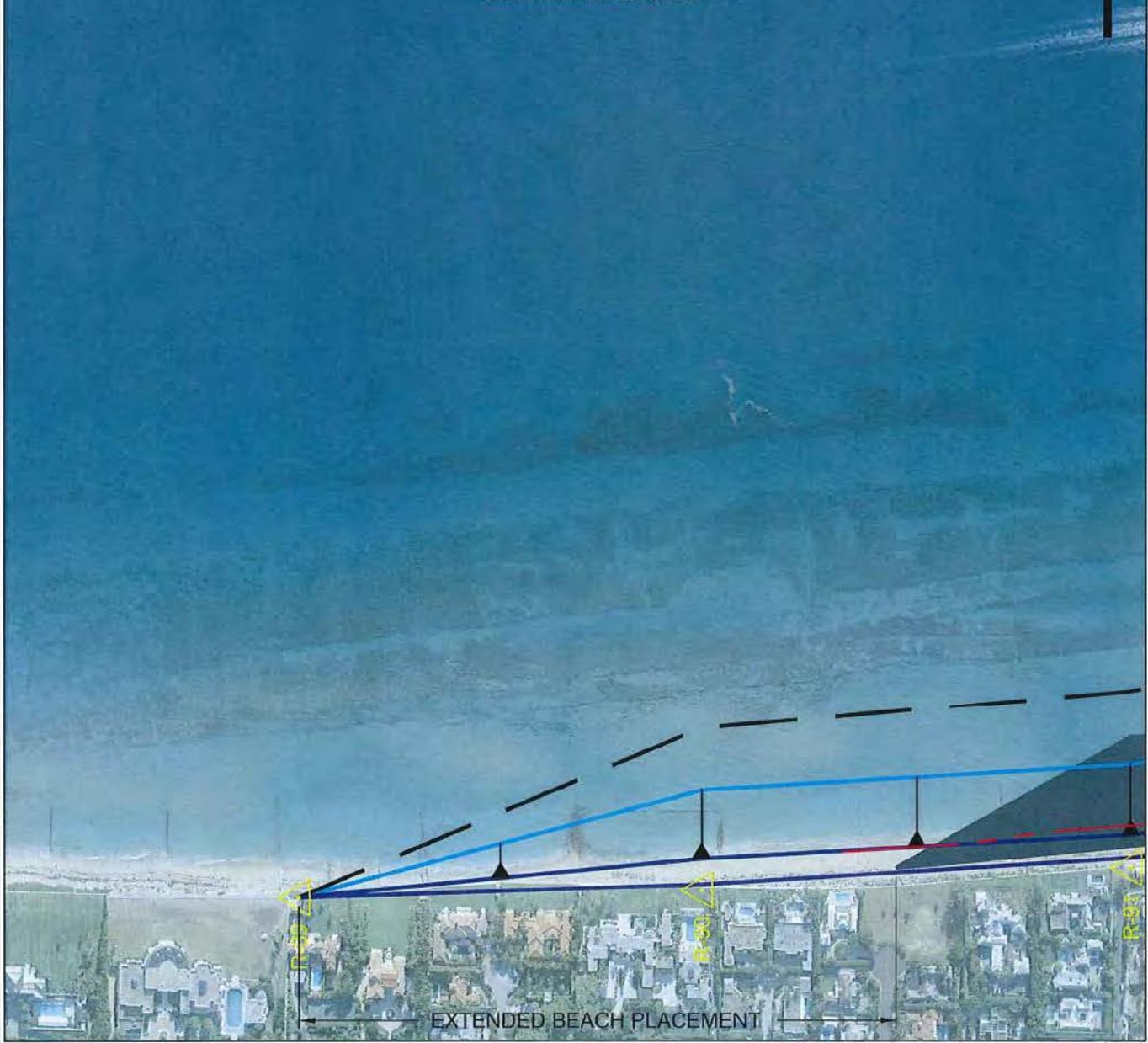


Scale in Feet

NOTE: AERIAL DATED MARCH 2012

MATCHLINE A

R-63 Z



LOCATION: G:\WESTPALMBEACH\SHARES\DRAWINGS\PROJECTS\12-2405\TOPB\2012 MID-TOWN DESIGN AND ENGINEERING\1\PERMIT\BEACH_FILLING

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Mid-Town Design Plan View

FY 2014 Mid-Town Nourishment Project

Figure 4

JOB NUMBER: 13-2533

ISSUE DATE: 07-26-13



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MATCHLINE A

MATCHLINE B

LEGEND

-  PREVIOUS PROJECT CONSTRUCTION FOOTPRINT
-  2012 DESIGN LANDWARD LIMIT OF FILL
-  2012 DESIGN BERM CREST
-  2012 DESIGN CONSTRUCTION TOE OF FILL
-  2012 DESIGN EQ. TOE OF FILL
-  EROSION CONTROL LINE



Scale in Feet

NOTE: AERIAL DATED MARCH 2012



LOCATION: G:\WESTPALMBEACH_SHORES\DRAWINGS\PROJECTS\12-2405_T09B_2012_MID-TOWN_DESIGN_AND_ENGINEERING\1\PERMIT\BEACH_FLL090

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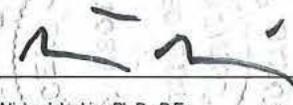
Mid-Town Design Plan View

FY 2014 Mid-Town Nourishment Project

Figure 5

JOB NUMBER: 13-2533

ISSUE DATE: 07-26-13



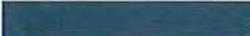
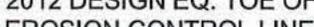
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MATCHLINE B

MATCHLINE C

LEGEND

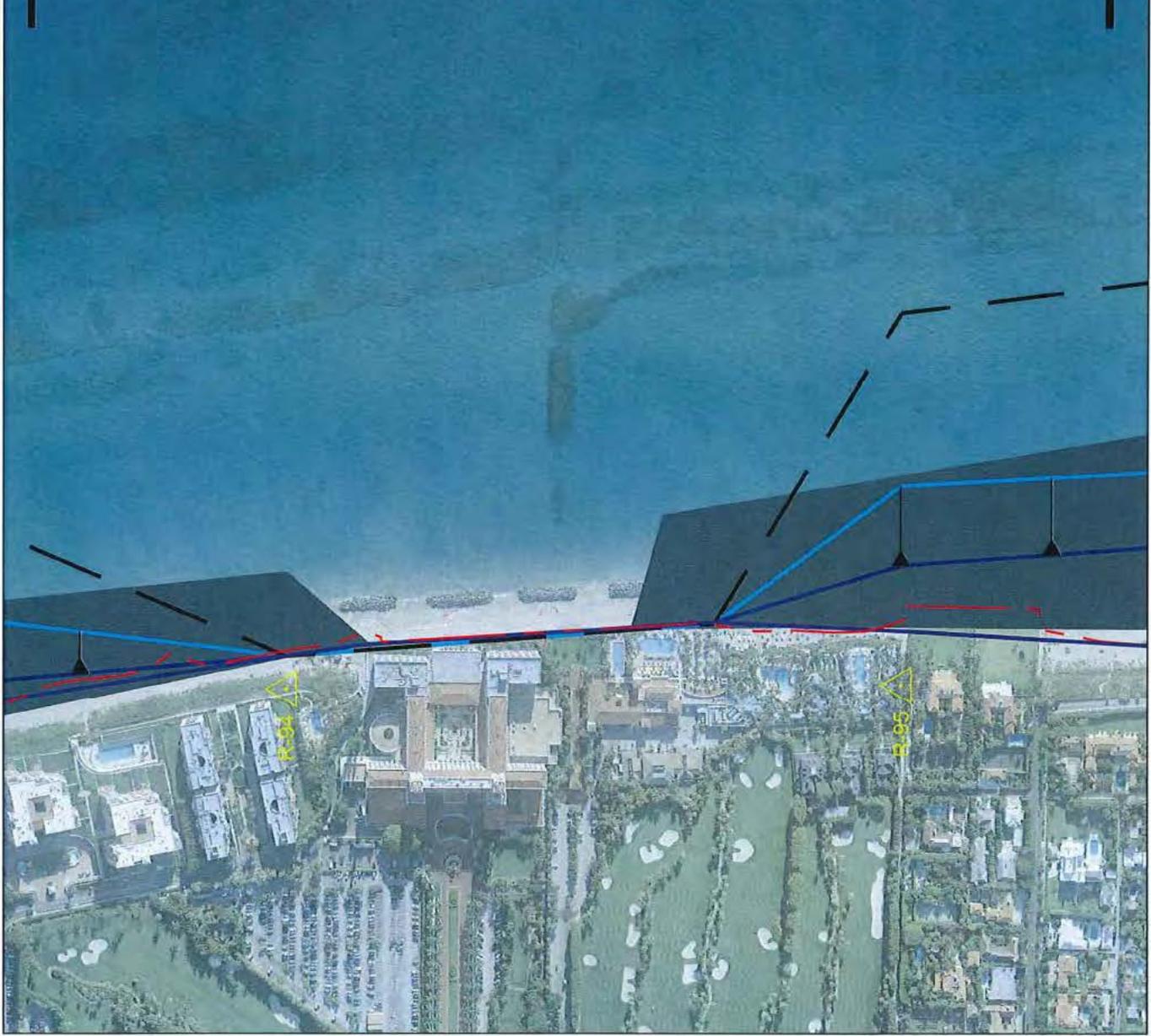
-  PREVIOUS PROJECT CONSTRUCTION FOOTPRINT
-  2012 DESIGN LANDWARD LIMIT OF FILL
-  2012 DESIGN BERM CREST
-  2012 DESIGN CONSTRUCTION TOE OF FILL
-  2012 DESIGN EQ. TOE OF FILL
-  EROSION CONTROL LINE



0 400

Scale in Feet

NOTE: AERIAL DATED MARCH 2012



LOCATION: G:\WESTPALMBEACH_SHARPS\DRAWINGS\PROJECTS\12-2405_TOWB\2012_MID-TOWN_DESIGN_AND_ENGINEERING\A\PERMIT\BEACH_FILL.DWG

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Mid-Town Design Plan View

FY 2014 Mid-Town Nourishment Project

Figure 6

JOB NUMBER: 13-2533

ISSUE DATE: 07-26-13



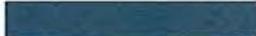
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MATCHLINE C

MATCHLINE D

LEGEND

-  PREVIOUS PROJECT CONSTRUCTION FOOTPRINT
-  2012 DESIGN LANDWARD LIMIT OF FILL
-  2012 DESIGN BERM CREST
-  2012 DESIGN CONSTRUCTION TOE OF FILL
-  2012 DESIGN EQ. TOE OF FILL
-  EROSION CONTROL LINE



NOTE: AERIAL DATED MARCH 2012



LOCATION: C:\WORK\PROJECTS\13-2533\13-2533_1009_2012_MID-TOWN_CD001.ARC EXTERNALS\13-2533\13-2533_P11.DWG

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Mid-Town Design Plan View

FY 2014 Mid-Town Nourishment Project

Figure 7

JOB NUMBER: 13-2533

ISSUE DATE: 07-26-13



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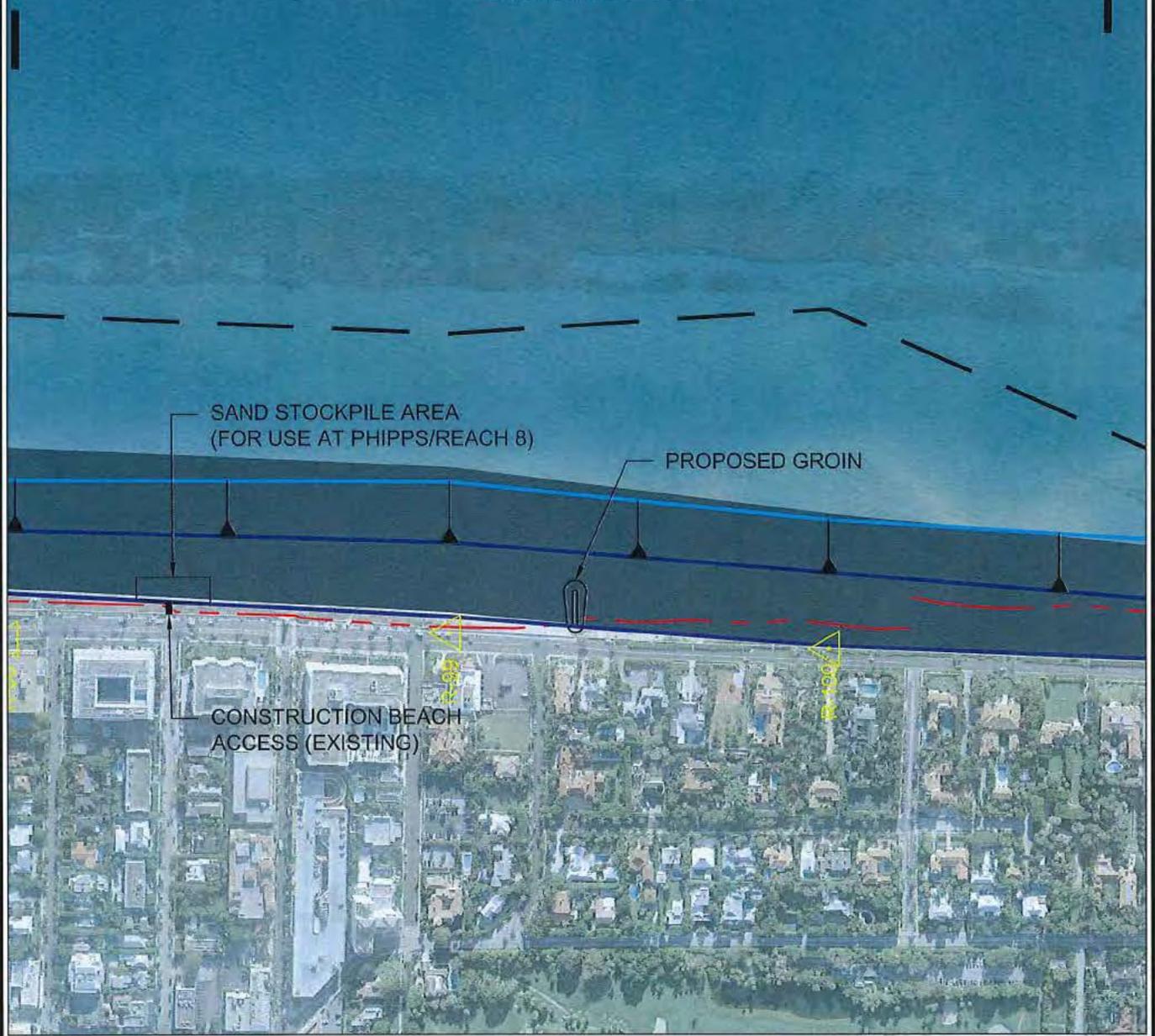
MATCHLINE D

MATCHLINE E

LEGEND	
	PREVIOUS PROJECT CONSTRUCTION FOOTPRINT
	2012 DESIGN LANDWARD LIMIT OF FILL
	2012 DESIGN BERM CREST
	2012 DESIGN CONSTRUCTION TOE OF FILL
	2012 DESIGN EQ. TOE OF FILL
	EROSION CONTROL LINE



NOTE: AERIAL DATED MARCH 2012.



SAND STOCKPILE AREA
(FOR USE AT PHIPPS/REACH 8)

PROPOSED GROIN

CONSTRUCTION BEACH
ACCESS (EXISTING)

LOCATION: G:\WESTPALMBEACH_SHORES\DRAWINGS\PROJECTS\12-405 TOPB 2012 MID-TOWN DESIGN AND ENGINEERING\A\PHIPPS BEACH FOLLOW

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Mid-Town Design Plan View

FY 2014 Mid-Town Nourishment Project

Figure 8

JOB NUMBER: 13-2533

ISSUE DATE: 07-26-13

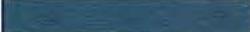


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7124113

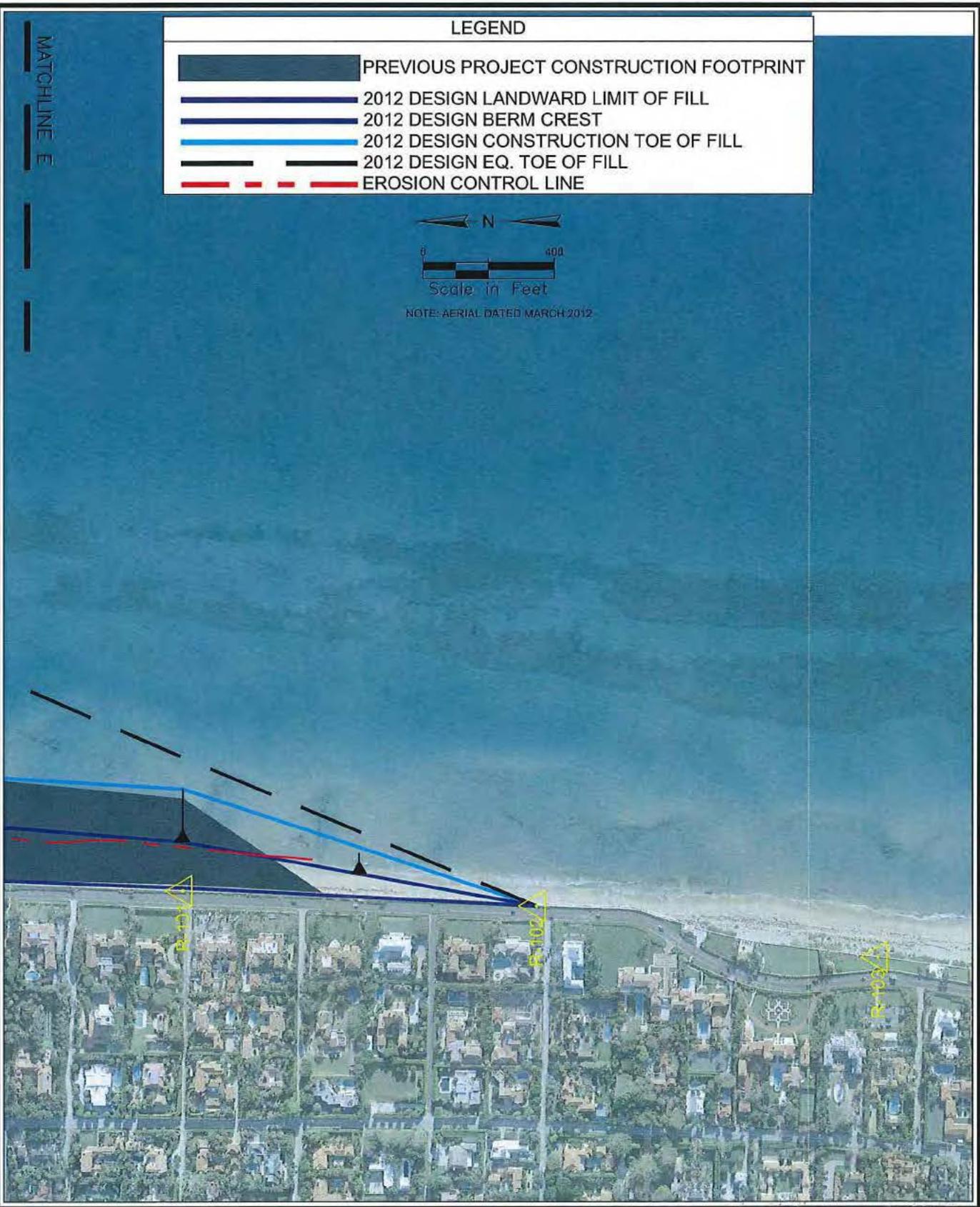
MATCHLINE E

LEGEND

-  PREVIOUS PROJECT CONSTRUCTION FOOTPRINT
-  2012 DESIGN LANDWARD LIMIT OF FILL
-  2012 DESIGN BERM CREST
-  2012 DESIGN CONSTRUCTION TOE OF FILL
-  2012 DESIGN EQ. TOE OF FILL
-  EROSION CONTROL LINE



Scale in Feet
NOTE: AERIAL DATED MARCH 2012



LOCATION: G. WESTPALM BEACH SHAPES DRAWINGS PROJECTS 12-2005 TOPP 2012 MID-TOWN DESIGN AND ENGINEERING A PERMITS BEACH FLOWG

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Mid-Town Design Plan View

FY 2014 Mid-Town Nourishment Project

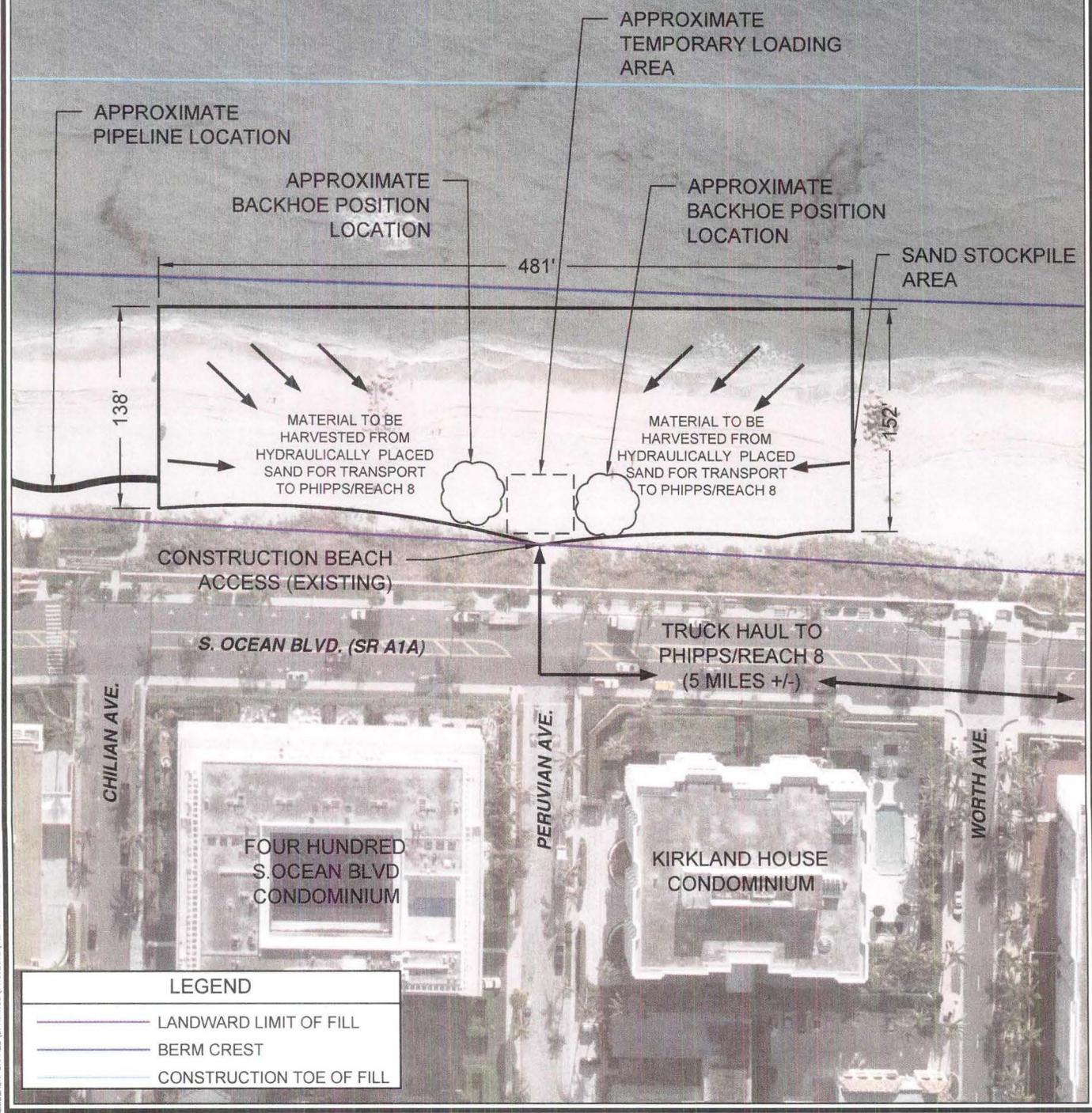
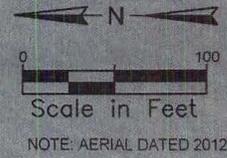
Figure 9

JOB NUMBER: 13-2533

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LEGEND	
	LANDWARD LIMIT OF FILL
	BERM CREST
	CONSTRUCTION TOE OF FILL

LOCATION: C:\WESTPALMBEACH\SHARES\DRAWINGS\PROJECTS\12-2405 TOPB 2012 MID-TOWN DESIGN AND ENGINEERING\PERMIT\STAGING AREA.DWG

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Sand Stockpile and Staging / Access

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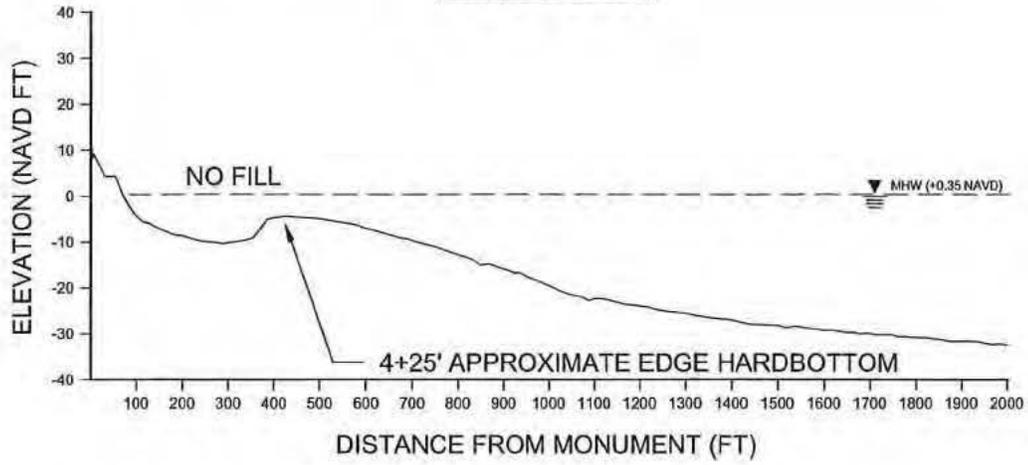
Figure 22

JOB NUMBER: 13-2533

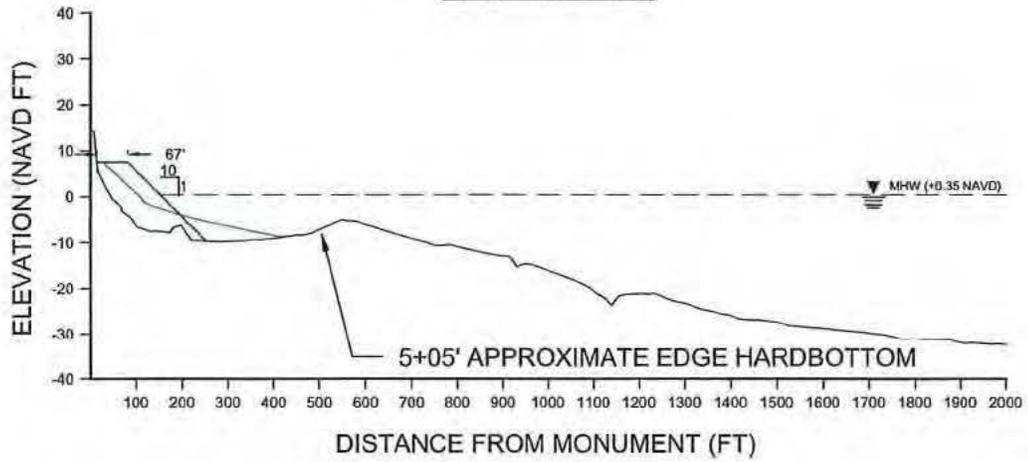
ISSUE DATE: 07-26-13

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R-89 PROFILE



R-90 PROFILE



LEGEND	
	*2012 SURVEY PROFILE
	SUB-BOTTOM SURVEY (HARDBOTTOM)
	PREVIOUS TEMPLATE
	CONSTRUCTION TEMPLATE
	EQUILIBRIUM TOE OF FILL

* PROFILES TAKEN FROM SURVEY PERFORMED BY APPLIED TECHNOLOGY AND MANAGEMENT IN DECEMBER OF 2012.

LOCATION: CA\PROJECTS\ALBUQUERQUE\DRAWINGS\PROJECTS\13-2533\TOPB\3D12 MID-TOWN DESIGN AND ENGINEERING\PERMITS\PROFILES 2.DWG

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Mid-Town Design Profile View

FY 2014 Mid-Town Nourishment Project

Figure 10

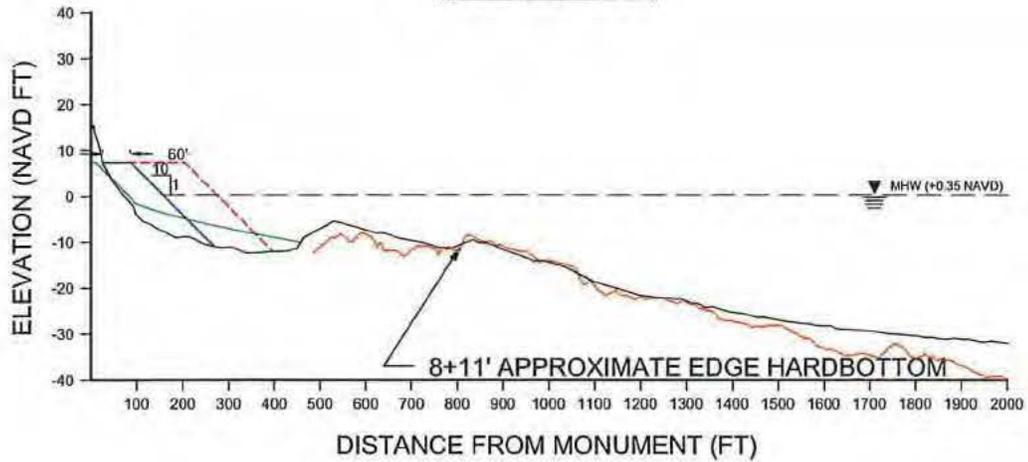
JOB NUMBER: 13-2533

ISSUE DATE: 07-26-13

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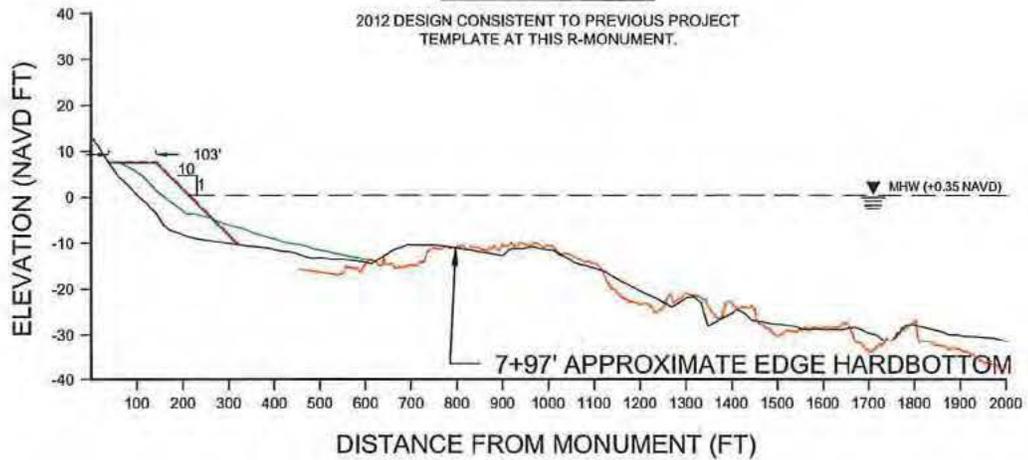
7/29/13

R-91 PROFILE



R-92 PROFILE

2012 DESIGN CONSISTENT TO PREVIOUS PROJECT TEMPLATE AT THIS R-MONUMENT.



LEGEND	
	*2012 SURVEY PROFILE
	SUB-BOTTOM SURVEY (HARDBOTTOM)
	PREVIOUS TEMPLATE
	CONSTRUCTION TEMPLATE
	EQUILIBRIUM TOE OF FILL

* PROFILES TAKEN FROM SURVEY PERFORMED BY APPLIED TECHNOLOGY AND MANAGEMENT IN DECEMBER OF 2012.

LOCATION: G:\WESTPALM\SACH - SWPES\DRAWINGS\PROJECTS\13-2533-TDWB 2012 MID-TOWN DESIGN AND ENGINEERING\A\FINAL\PROFILES 2.DWG

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Mid-Town Design Profile View

FY 2014 Mid-Town Nourishment Project

Figure 11

JOB NUMBER: 13-2533

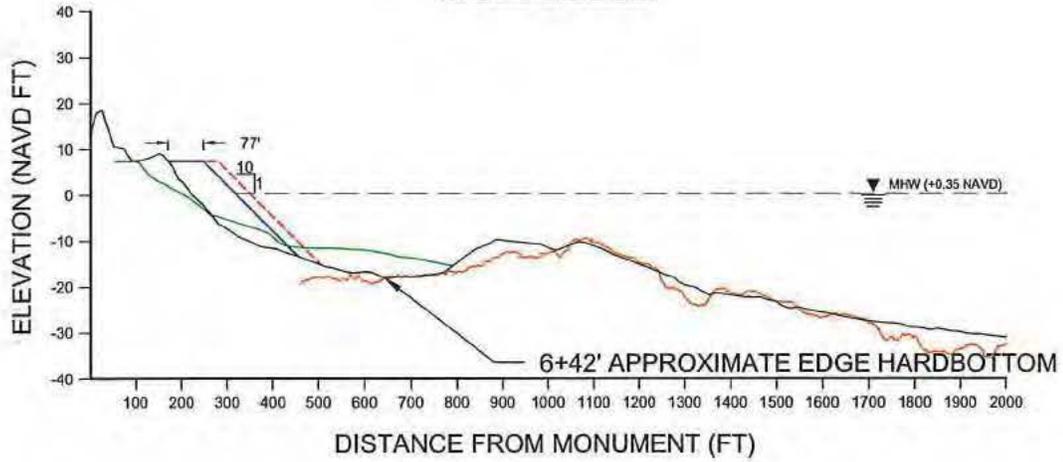
ISSUE DATE: 07-26-13



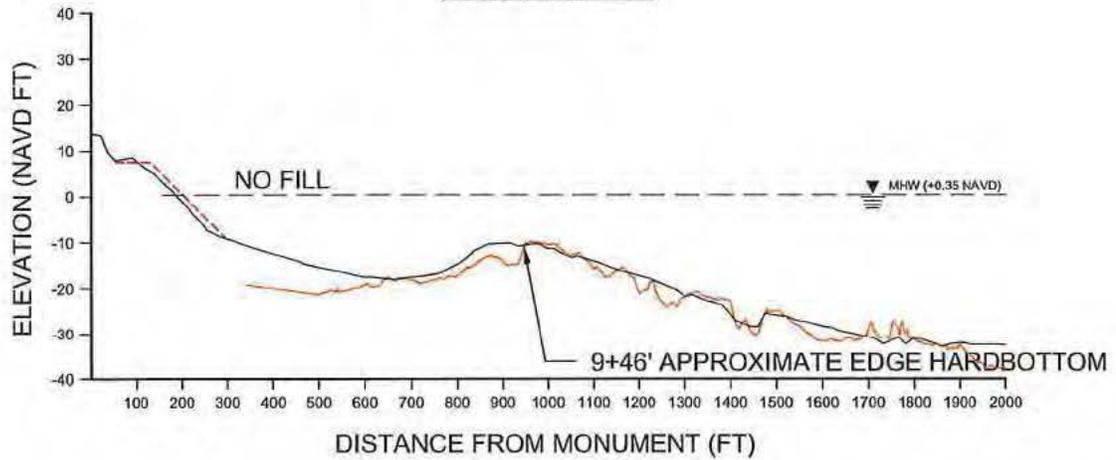
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7/29/13

R-93 PROFILE



R-94 PROFILE



LEGEND	
	*2012 SURVEY PROFILE
	SUB-BOTTOM SURVEY (HARDBOTTOM)
	PREVIOUS TEMPLATE
	CONSTRUCTION TEMPLATE
	EQUILIBRIUM TOE OF FILL

* PROFILES TAKEN FROM SURVEY PERFORMED BY APPLIED TECHNOLOGY AND MANAGEMENT IN DECEMBER OF 2012.

LOCATION: WEST PALM BEACH, SHAWES, DRAWINGS PRODUCTS 12-440 TOPS 2012, MID-TOWN DESIGN AND ENGINEERING, VIRTUAL PROFILES, I.C.W.G.

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Mid-Town Design Profile View

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Figure 12

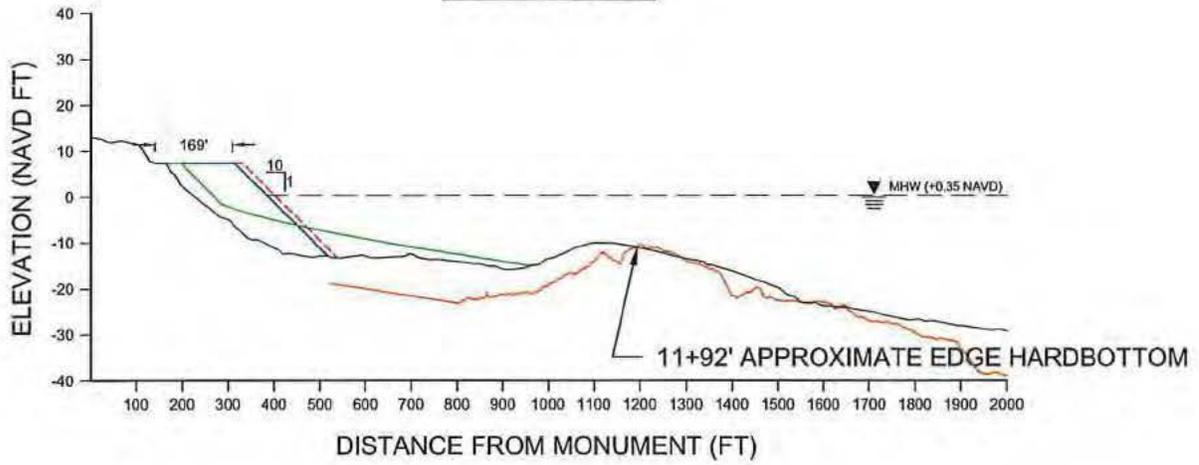
JOB NUMBER: 13-2533

ISSUE DATE: 07-26-13

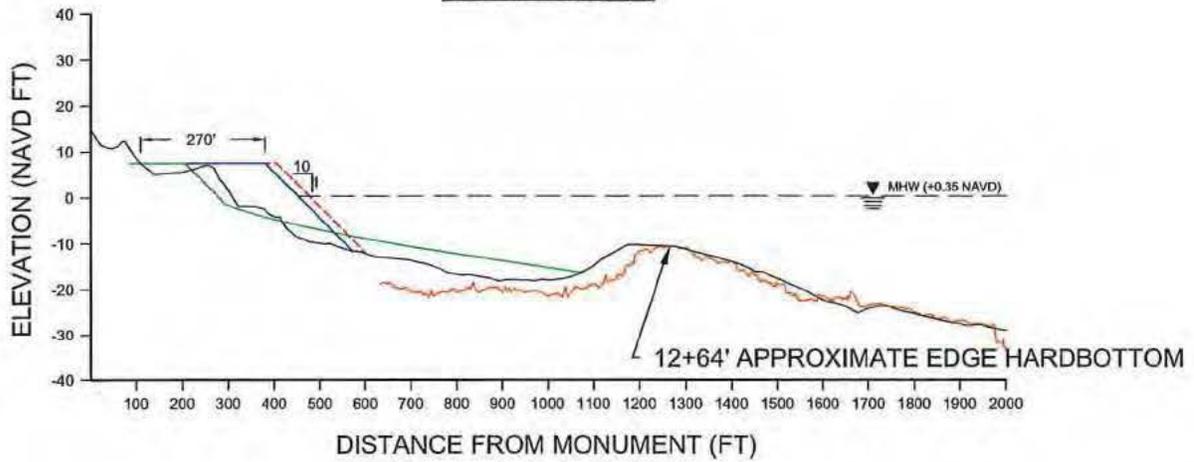
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 Florida License Number 58072

7/24/13

R-95 PROFILE



R-96 PROFILE



LEGEND	
	*2012 SURVEY PROFILE
	SUB-BOTTOM SURVEY (HARDBOTTOM)
	PREVIOUS TEMPLATE
	CONSTRUCTION TEMPLATE
	EQUILIBRIUM TOE OF FILL

* PROFILES TAKEN FROM SURVEY PERFORMED BY APPLIED TECHNOLOGY AND MANAGEMENT IN DECEMBER OF 2012.

LOCATION: G:\WESTPALMBEACH_SHARES\DRAWINGS\PROJECTS\13-2533\TOPB_2013_MID-TOWN DESIGN AND ENGINEERING\XREF\PROFILE_2.DWG



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Mid-Town Design Profile View

FY 2014 Mid-Town Nourishment Project

Figure 13

JOB NUMBER: 13-2533

ISSUE DATE: 07-26-13

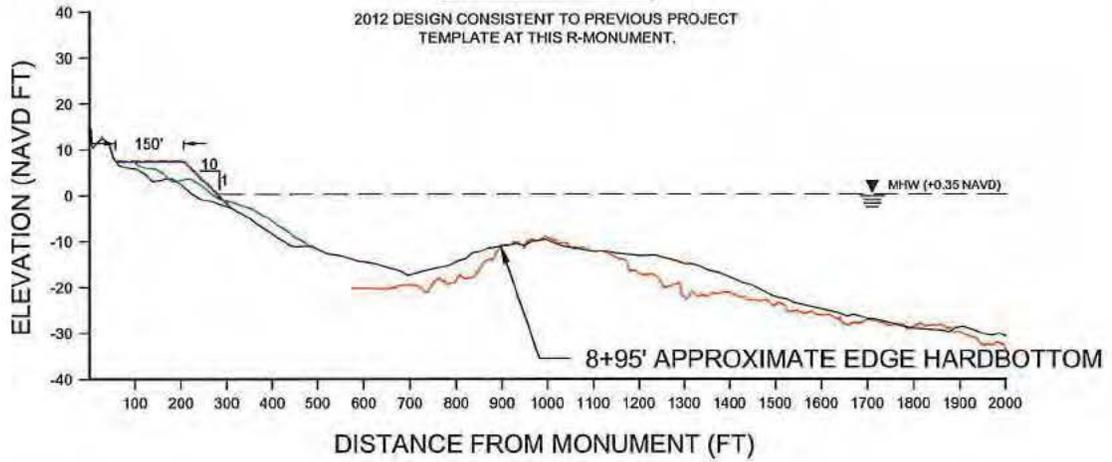


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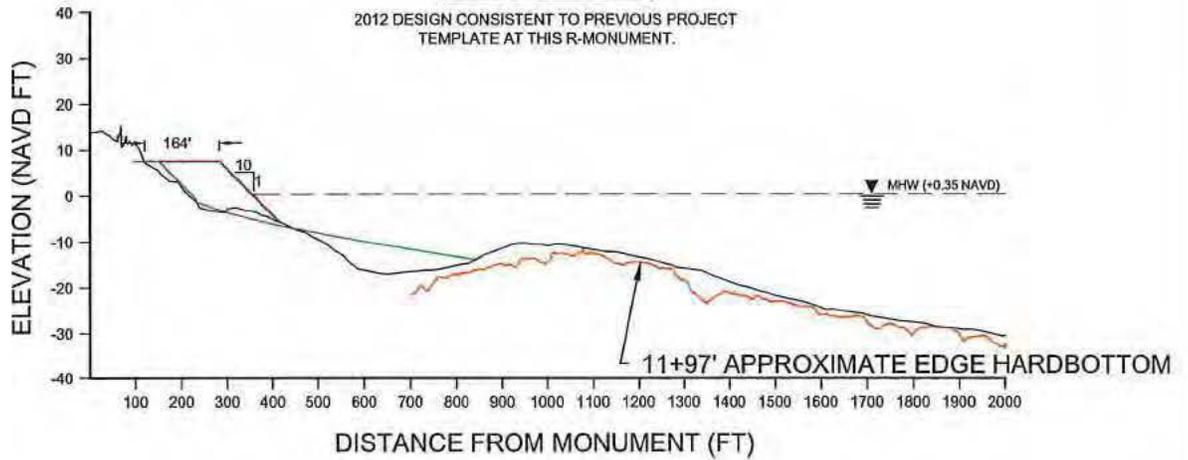
R-97 PROFILE

2012 DESIGN CONSISTENT TO PREVIOUS PROJECT
TEMPLATE AT THIS R-MONUMENT.



R-98 PROFILE

2012 DESIGN CONSISTENT TO PREVIOUS PROJECT
TEMPLATE AT THIS R-MONUMENT.



LEGEND	
	*2012 SURVEY PROFILE
	SUB-BOTTOM SURVEY (HARDBOTTOM)
	PREVIOUS TEMPLATE
	CONSTRUCTION TEMPLATE
	EQUILIBRIUM TOE OF FILL

* PROFILES TAKEN FROM SURVEY PERFORMED BY APPLIED TECHNOLOGY AND MANAGEMENT IN DECEMBER OF 2012.

LOCATION: D:\PROJECTS\ATM\ATM\SERVICES\PROJECTS\PROJECTS\12-24-05-1000-2012-MID-TOWN-DESIGN-AND-CONSTRUCTION\PROJECT\PROFILES-2.DWG
 DATE: 07/26/13 10:58 AM
 USER: mjenkins

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Mid-Town Design Profile View

FY 2014 Mid-Town Nourishment Project

Figure 14

JOB NUMBER: 13-2533

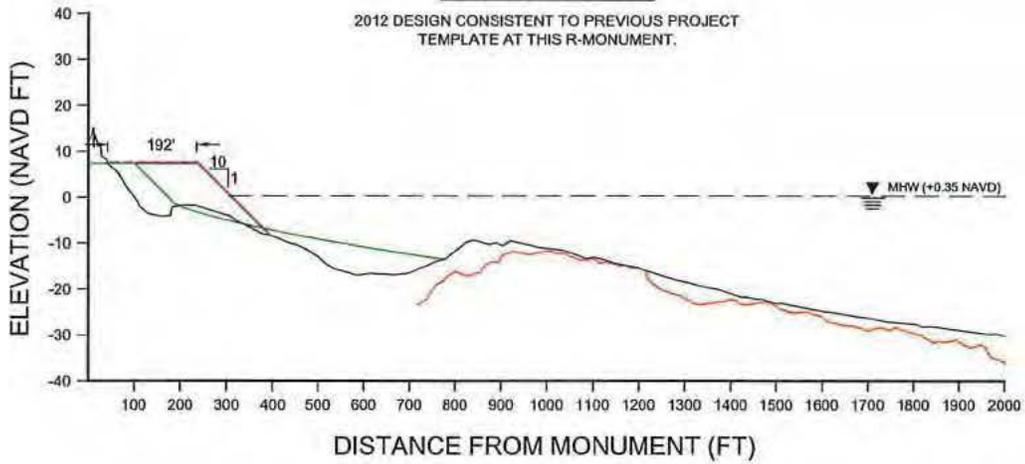
ISSUE DATE: 07-26-13

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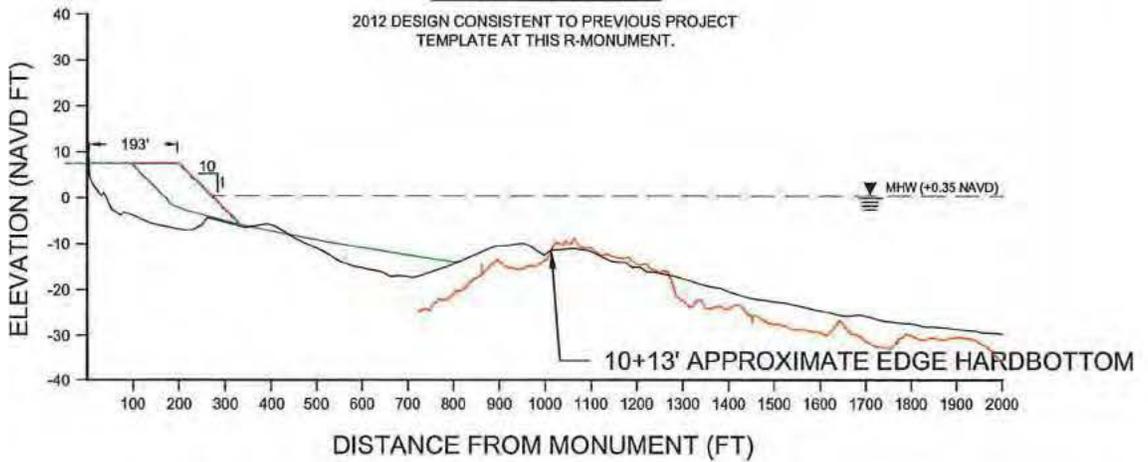
R-99 PROFILE

2012 DESIGN CONSISTENT TO PREVIOUS PROJECT TEMPLATE AT THIS R-MONUMENT.



R-100 PROFILE

2012 DESIGN CONSISTENT TO PREVIOUS PROJECT TEMPLATE AT THIS R-MONUMENT.



LEGEND	
	*2012 SURVEY PROFILE
	SUB-BOTTOM SURVEY (HARDBOTTOM)
	PREVIOUS TEMPLATE
	CONSTRUCTION TEMPLATE
	EQUILIBRIUM TOE OF FILL

* PROFILES TAKEN FROM SURVEY PERFORMED BY APPLIED TECHNOLOGY AND MANAGEMENT IN DECEMBER OF 2012.

L:\030741_01_VICTORY\SUBMIT\REVISED DRAWINGS\PROJECTS\12-8105_TOWP 2012_MID-TOWN DESIGN AND DEVELOPMENT\A\FIGURES\FIGURE 15.DWG

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Mid-Town Design Profile View

FY 2014 Mid-Town Nourishment Project

Figure 15

JOB NUMBER: 13-2533

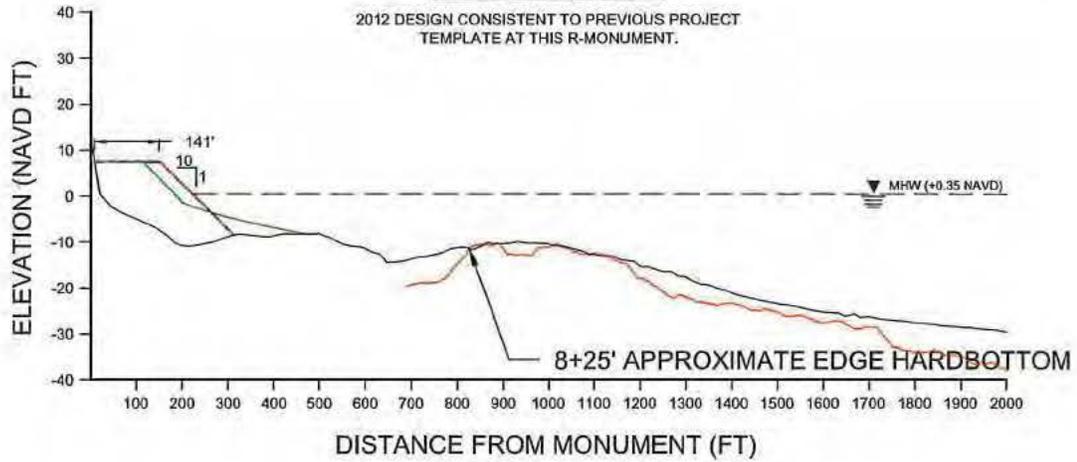
ISSUE DATE: 07-26-13

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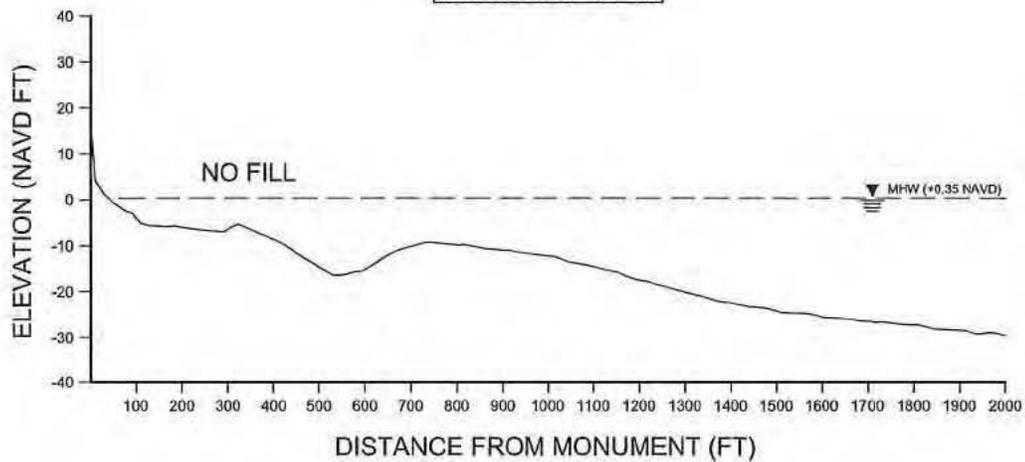
7/29/13

R-101 PROFILE

2012 DESIGN CONSISTENT TO PREVIOUS PROJECT
TEMPLATE AT THIS R-MONUMENT.



R-102 PROFILE



LEGEND	
	*2012 SURVEY PROFILE
	SUB-BOTTOM SURVEY (HARDBOTTOM)
	PREVIOUS TEMPLATE
	CONSTRUCTION TEMPLATE
	EQUILIBRIUM TOE OF FILL

* PROFILES TAKEN FROM SURVEY PERFORMED BY APPLIED TECHNOLOGY AND MANAGEMENT IN DECEMBER OF 2012.

LOCATION: CA VICTOR/BEACH SHORES DRAWINGS/PRODUCTS/11-2406 TOPR 2012 MID-TOWN DESIGN AND ENGINEERING/APPENIX/PROFILES 2.DWG

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Mid-Town Design Profile View

FY 2014 Mid-Town Nourishment Project

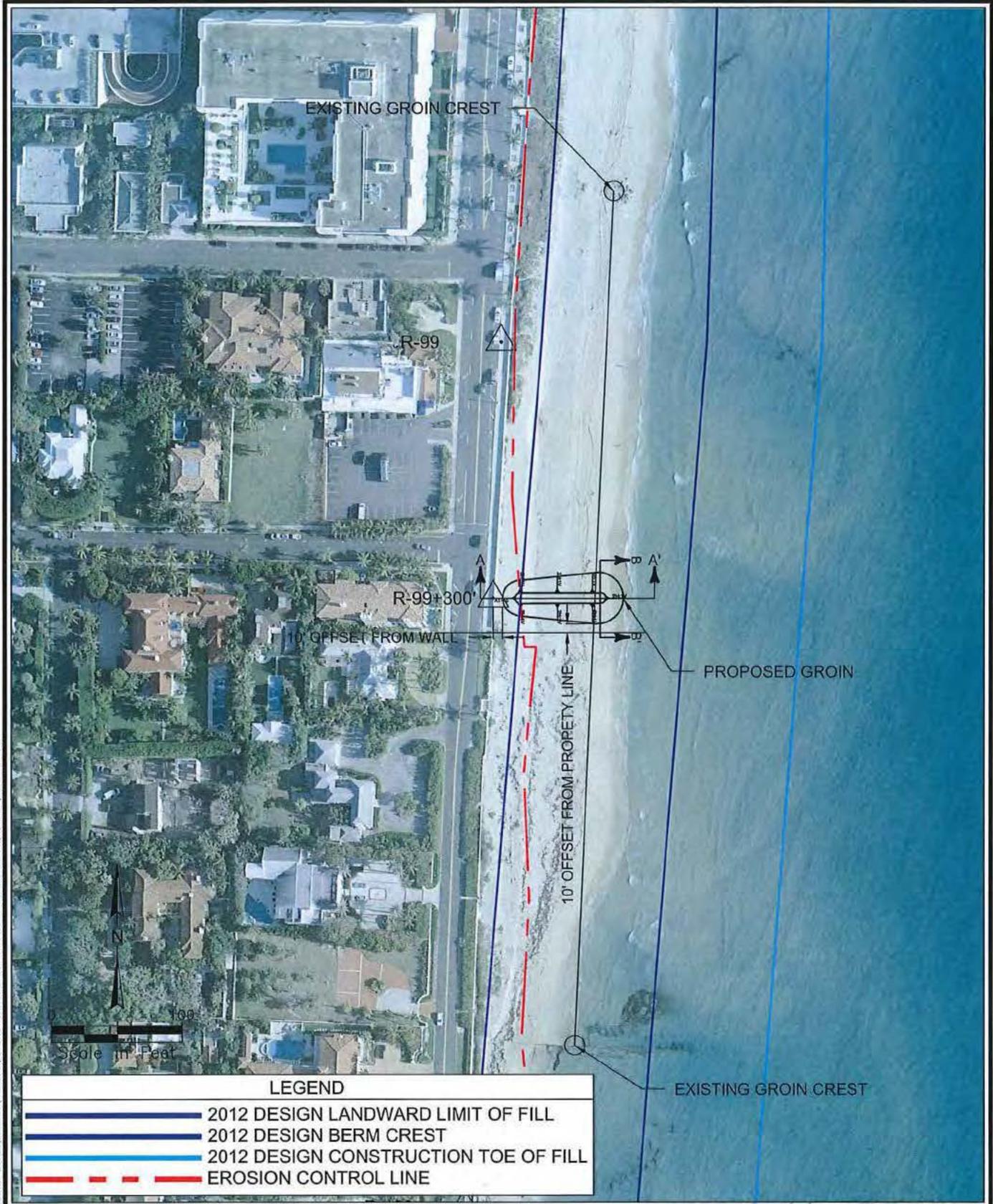
Figure 16

JOB NUMBER: 13-2533

ISSUE DATE: 07-26-13

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LOCATION: G:\WESTPALM\BEACH_SHARES\DRAWINGS\PROJECTS\12-2405 TOPB 2012 MID-TOWN DESIGN AND ENGINEERING\A\FEBRUARY\GROIN PLAN.DWG

LEGEND	
	2012 DESIGN LANDWARD LIMIT OF FILL
	2012 DESIGN BERM CREST
	2012 DESIGN CONSTRUCTION TOE OF FILL
	EROSION CONTROL LINE

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Proposed Groin Plan View

FY 2014 Mid-Town Nourishment Project

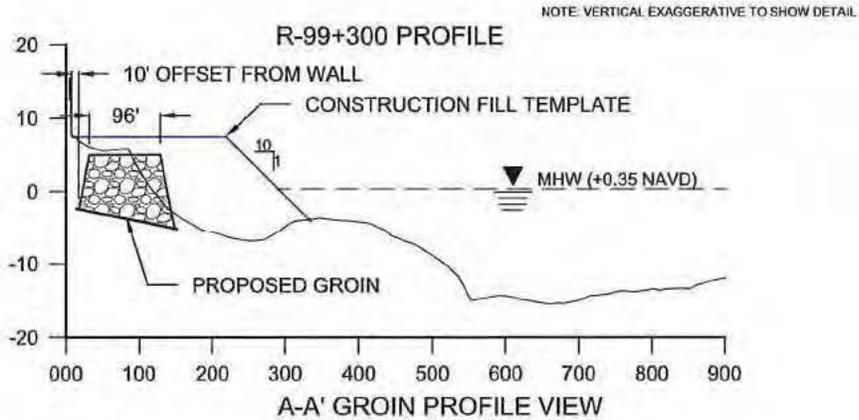
Figure 17

JOB NUMBER: 13-2533

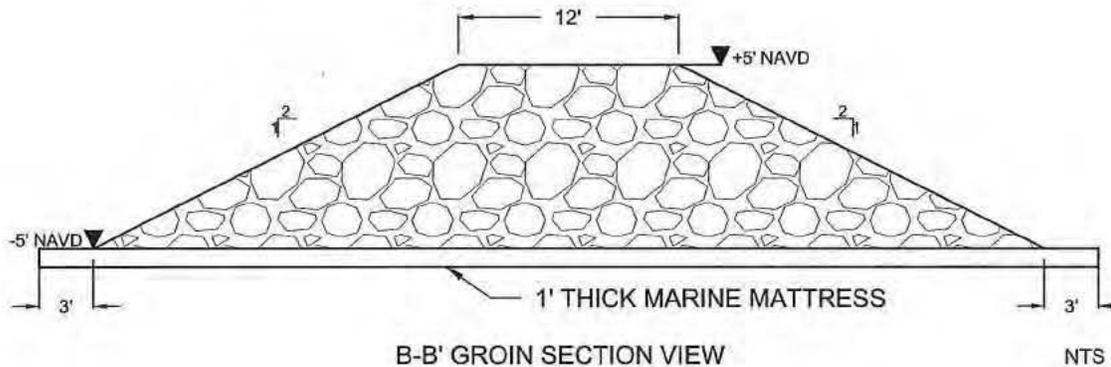
ISSUE DATE: 07-26-13

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NTS



NTS

LOCATION: WEST PALM BEACH, SHORES, DRAWINGS PROJECTS: 12-2405 TO 12-2407, 2012 MID-TOWN DESIGN AND ENGINEERING A PERMITTING EVALUATION

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Proposed Groin Profile/Section View

FY 2014 Mid-Town Nourishment Project

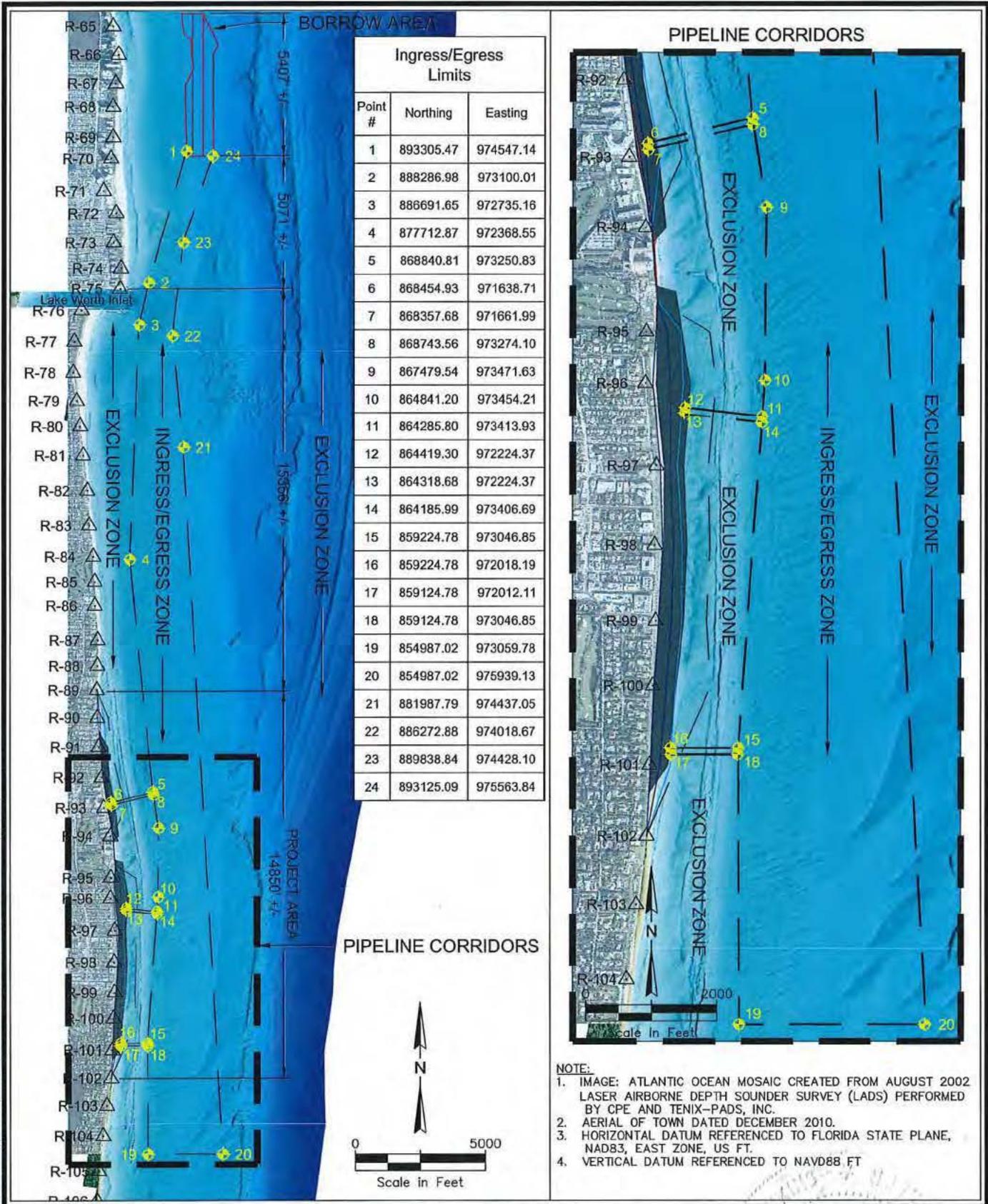
Figure 18

JOB NUMBER: 13-2533

ISSUE DATE: 07-26-13

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NOTE:

1. IMAGE: ATLANTIC OCEAN MOSAIC CREATED FROM AUGUST 2002 LASER AIRBORNE DEPTH SOUNDER SURVEY (LADS) PERFORMED BY CPE AND TENIX-PADS, INC.
2. AERIAL OF TOWN DATED DECEMBER 2010.
3. HORIZONTAL DATUM REFERENCED TO FLORIDA STATE PLANE, NAD83, EAST ZONE, US FT.
4. VERTICAL DATUM REFERENCED TO NAVD88 FT

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Ingress / Egress Limits

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Figure 19

JOB NUMBER: 13-2533

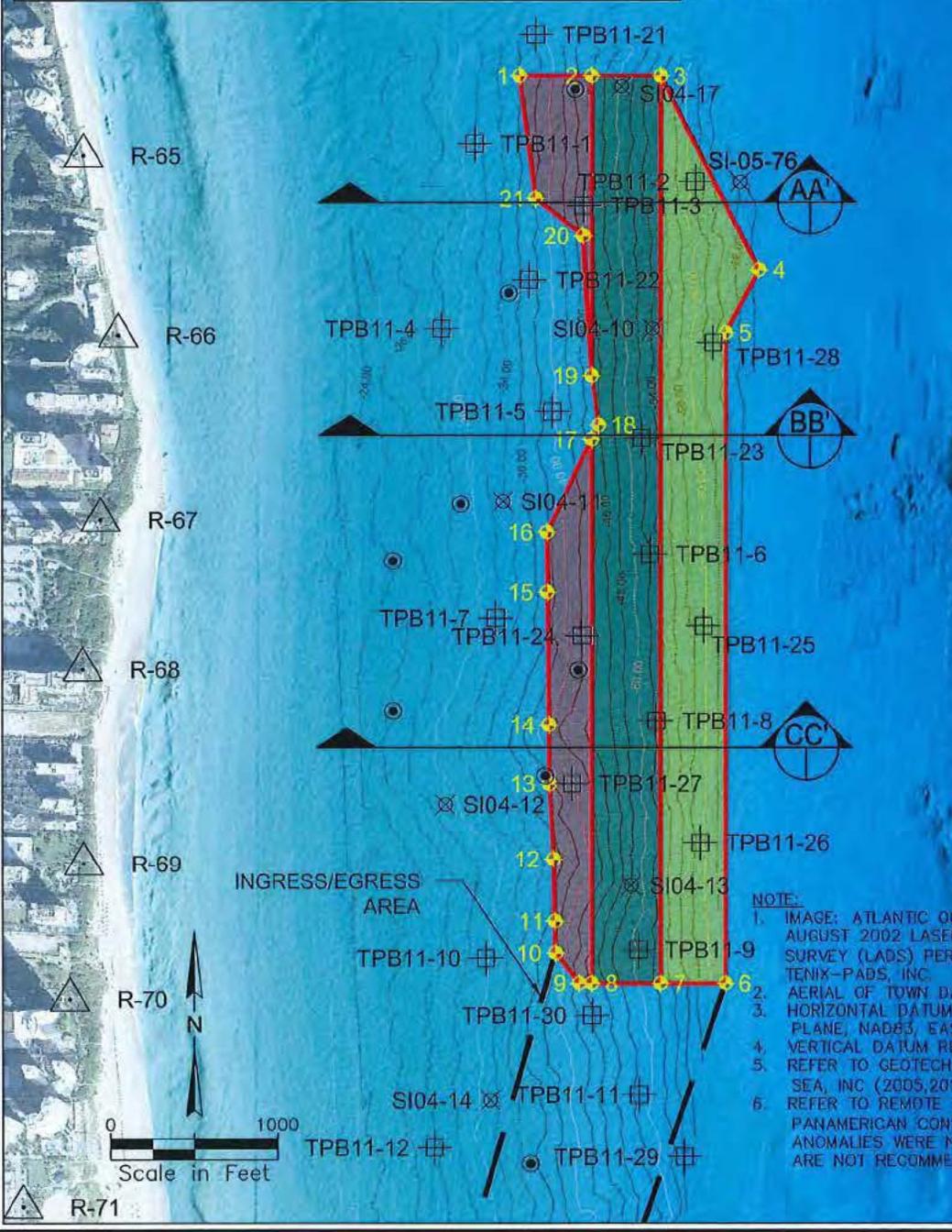
ISSUE DATE: 07-26-13

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LEGEND	
	BORROW AREA CUT LIMITS
	2011 SURVEY CONTOURS (NAVD FT)
	DREDGE CUT -50 NAVD FT
	DREDGE CUT -59 NAVD FT
	DREDGE CUT -65 NAVD FT
	CORE BORINGS (2004/2005)
	MAGNETIC ANOMALIES
	CORE BORINGS (2011)

Borrow Area Limits		
Point #	Northing	Easting
1	898531.89	974334.99
2	898531.89	974762.62
3	898531.89	975171.55
4	897372.53	975763.21
5	896999.28	975565.09
6	893125.09	975563.84
7	893125.56	975171.55
8	893126.05	974762.62
9	893126.14	974691.07
10	893305.47	974547.14
11	893496.10	974543.39
12	893869.09	974536.04
13	894319.17	974511.85
14	894668.62	974508.55
15	895459.11	974501.07
16	895815.61	974497.70
17	896366.27	974762.62
18	896451.22	974803.48
19	896743.14	974762.62
20	897573.81	974712.96
21	897803.91	974430.97



- NOTE:**
1. IMAGE: ATLANTIC OCEAN MOSAIC CREATED FROM AUGUST 2002 LASER AIRBORNE DEPTH SOUNDER SURVEY (LADS) PERFORMED BY CPE AND TENIX-PADS, INC.
 2. AERIAL OF TOWN DATED DECEMBER 2010.
 3. HORIZONTAL DATUM REFERENCED TO FLORIDA STATE PLANE, NAD83, EAST ZONE, US FT.
 4. VERTICAL DATUM REFERENCED TO NAVD83 FT.
 5. REFER TO GEOTECHNICAL SUMMARY REPORTS BY SEA, INC (2005,2011).
 6. REFER TO REMOTE SENSING SURVEY REPORT BY PANAMERICAN CONSULTANTS, INC. (2011). ALL ANOMALIES WERE NOT CONSIDERED SIGNIFICANT AND ARE NOT RECOMMENDED FOR AVOIDANCE.

LOCATION: COAST GUARDIAN'S PROJECTS, 13-2533, TOWN 2012, MID-TOWN DESIGN AND ENGINEERING, WEST PALM BEACH, FLORIDA
 DRAWN BY: JENKINS, PH.D., P.E.

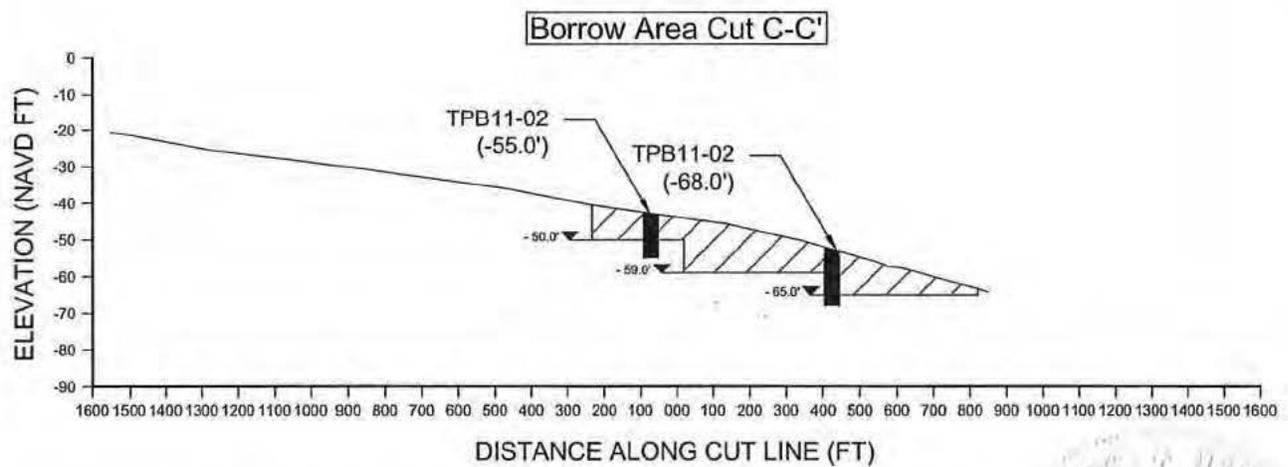
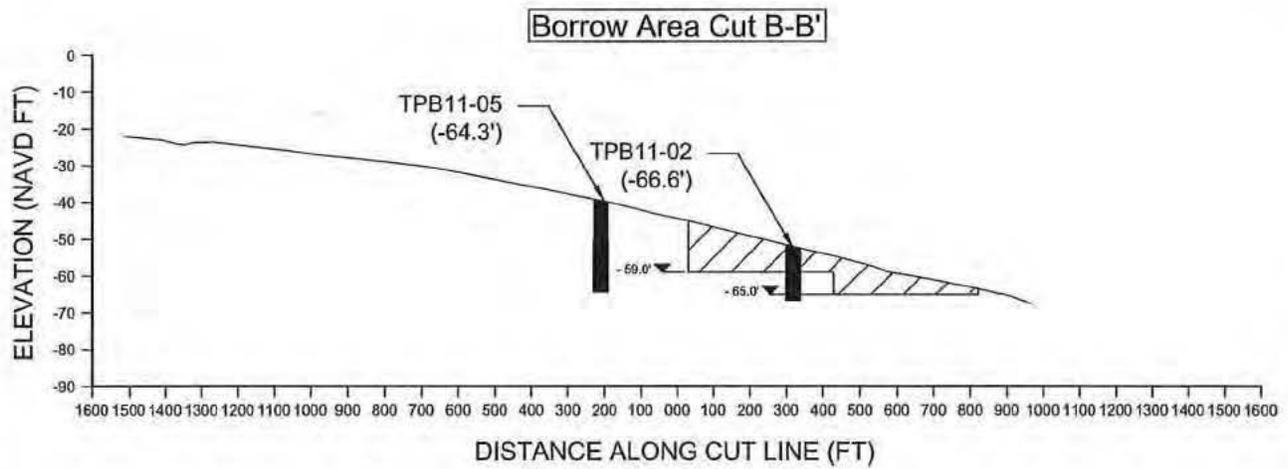
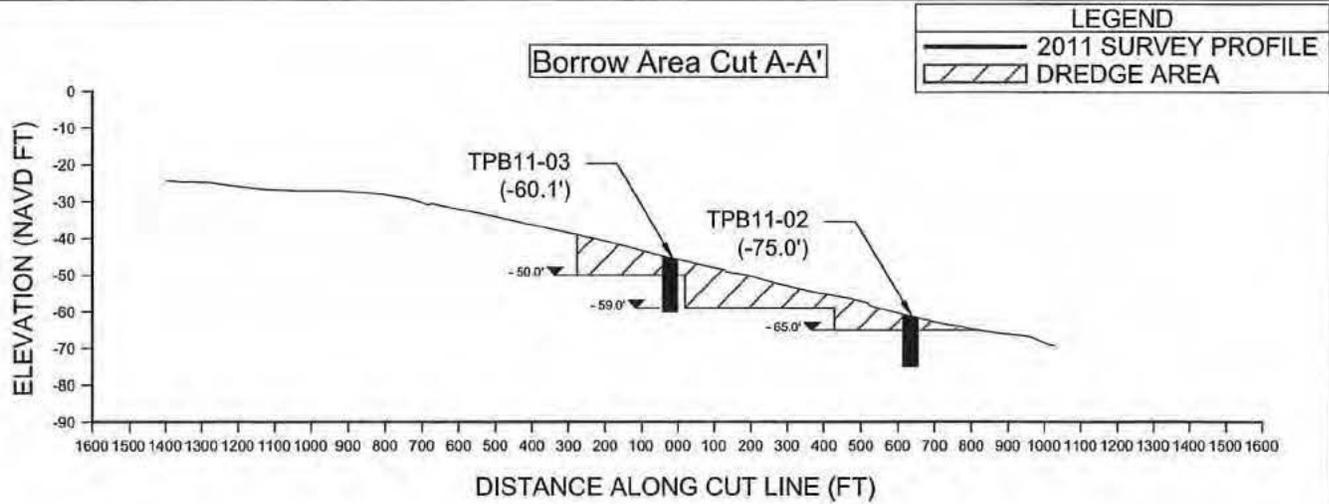
2047 Vista Parkway, Suite 201
 West Palm Beach, FL 33411
 (561) 659-0041
 Certificate of Authorization #4669

Borrow Area - Plan View
 FY 2014 Mid-Town Nourishment Project

Figure 20
 JOB NUMBER: 13-2533
 ISSUE DATE: 07-26-13

Michael Jenkins Ph.D., P.E.
 Florida License Number 58072

7/29/13



7/29/13