



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
400 HIGH POINT DRIVE, SUITE 600
COCOA, FLORIDA 32926-6630

September 12, 2022

REPLY TO
ATTENTION OF

South Atlantic Division
Jacksonville District
North Permits Branch
Cocoa Section
SAJ-2022-02019 (GP-JAZ)

Mr. Richard Pribell
1803 Port Malabar Blvd NE
Palm Bay, FL 32905
Sent via email: rickpribell@gmail.com

Dear Mr. Pribell,

The U.S. Army Corps of Engineers (Corps) has completed the review of your application for a Department of the Army permit. Your application was assigned file number SAJ-2022-02019. A review of the information and drawings provided indicates that the proposed work is to install a dock and a covered boat lift. The proposed construction includes:

- 1) Install a 340 sq. ft. dock
 - a. Install a 330 sq. ft. covered boat lift
 - b. Install seventeen (17) eight-inch piles and eight (8) nine-inch piles by jetting

The activities subject to this permit are authorized pursuant to authorities under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403). The project is located on Turkey Creek, a tributary of the Indian River Lagoon, at 1803 Port Malabar Blvd NE, in Section 26, Township 28 South, Range 37 East, Palm Bay, Brevard County, Florida. Latitude 28.017419° Longitude: -80.595678°.

This letter verifies your project, as described above and depicted on the enclosed drawings, is authorized by Regional General Permit (RGP) SAJ-20 and any subsequent modifications, if applicable. **This RGP authorization is valid until March 27, 2023.** Please access the Corps' Jacksonville District Regulatory Division Source Book webpage to view the special and general conditions for SAJ-20, which apply specifically to this authorization. The Internet URL address is: <http://www.saj.usace.army.mil/Missions/Regulatory.aspx>. Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above.

Once there select “Source Book”; and, then select “General Permits.” Then you will need to select the specific SAJ permit noted above.

General Conditions (33 CFR PART 320-330):

1. The time limit for completing the authorized work ends of **March 27, 2023**.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity, or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature of the new owner on the transfer form attached to this letter and forward a copy to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow a representative 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.

Project Specific Special Conditions:

1. **Reporting Address:** The Permittee shall submit all reports, notifications, documentation, and correspondence required by the general and special conditions of this permit to either (not both) of the following addresses:
 - a. For electronic mail (preferred): SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).
 - b. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.

The Permittee shall reference this permit number, SAJ-2022-02019 (GP-JAZ), on all submittals.

2. **Commencement Notification:** Within 10 days from the date of initiating the work authorized by this permit, the Permittee shall submit a completed "Commencement Notification" form, provided as an attachment to this permit.

3. **Self-Certification:** Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the attached "Self-Certification Statement of Compliance" form and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps. The Self-Certification form is provided as an attachment to this permit.

4. **Cultural Resources/Historic Properties:**

- 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 permitted activities, items that may have historic or archaeological origin are observed the Permittee shall immediately cease all activities adjacent to the discovery that may result in the destruction of these resources and shall prevent his/her employees from further removing, or otherwise damaging, such resources. The applicant shall notify both the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850)-245-6333 and the Corps, of the observations within the same business day (8 hours). Examples of submerged historical, archaeological or cultural resources include shipwrecks, shipwreck debris fields (such as steam engine parts, or wood planks and beams), anchors, ballast rock, concreted iron objects, concentrations of coal, prehistoric watercraft (such as log "dugouts"), and other evidence of human activity. The materials may be deeply buried in sediment, resting in shallow sediments or above them, or protruding into water. The Corps shall coordinate with the Florida State Historic Preservation Officer (SHPO) to assess the significance of the discovery and devise appropriate actions. Project activities shall not resume without verbal and/or written authorization from the Corps.
- c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition and, if deemed necessary by the SHPO 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 for finds under his or her jurisdiction, and from 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 and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archaeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO. 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 SHPO and from the Corps.

5. **Turbidity Barriers:** Prior to the initiation of any of the work authorized by this permit, the Permittee shall install floating turbidity barriers with weighted skirts that extend to within 1 foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained daily until the authorized work has been completed and turbidity within the construction area has returned to ambient levels. Turbidity barriers shall be removed upon stabilization of the work area.

6. **Jacksonville District Programmatic Biological Opinion (JAXBO):** Structures and activities authorized under this permit will be constructed and operated in accordance with all applicable PDCs contained in the JAXBO, based on the permitted activity. Johnson's seagrass and its critical habitat were delisted from the Endangered Species Act on May 16, 2022. Therefore, JAXBO PDCs required to minimize adverse effects to Johnson's seagrass and its critical habitat are no longer applicable to any project. Failure to comply with applicable PDCs will constitute noncompliance with this permit. In addition, failure to comply with the applicable PDCs, where a take of listed species occurs, would constitute an unauthorized take. The NMFS is the appropriate authority to determine compliance with the Endangered Species Act. The most current version of JAXBO can be accessed at the Jacksonville District Regulatory Division website in the Endangered Species section of the Sourcebook located at: <http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>

JAXBO may be subject to revision at any time. The most recent version of the JAXBO must be utilized during the design and construction of the permitted work.

7. **Protected Species – West Indian Manatee:** The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011”. The most recent version of the Manatee Conditions must be utilized. The conditions are provided as an attachment to this permit.

8. **Assurance of Navigation and Maintenance:** The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the

Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

9. 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 Cocoa Regulatory Office.

This letter of authorization does not include conditions that would prevent the 'take' of a state-listed fish or wildlife species. These species are protected under sec. 379.411, Florida Statutes, and listed under Rule 68A-27, Florida Administrative Code. With regard to fish and wildlife species designated as species of special concern or threatened by the State of Florida, you are responsible for coordinating directly with the Florida Fish and Wildlife Conservation Commission (FWC). You can visit the FWC license and permitting webpage (<http://www.myfwc.com/license/wildlife/>) for more information, including a list of those fish and wildlife species designated as species of special concern or threatened. The Florida Natural Areas Inventory (<http://www.fnai.org/>) also maintains updated lists, by county, of documented occurrences of those species.

This letter of authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program. This letter of authorization does not preclude the necessity to obtain any other Federal, State, or local permits, which may be required.

Thank you for your cooperation with our permit program. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. Should you have any questions related to this RGP verification or have issues accessing the documents reference in this letter, please contact Jacob Zehnder at the letterhead address, by telephone at 321-504-3771 ext.0017, or by email at jacob.a.zehnder@usace.army.mil.

Sincerely,

ZEHNDER.JACOB.ALEX
ANDER.1607791640

Digitally signed by
ZEHNDER.JACOB.ALEXANDER.1607791640
Date: 2022.09.12 09:10:02 -04'00'

Jacob Zehnder, Project Manager
Cocoa Permits Section

CC: Douglas Loseke (Continental Associates, Inc.)

COMMENCEMENT
NOTIFICATION

*Within 10 days of initiating the authorized work, submit this form via electronic mail to: saj-rd-enforcement@usace.army.mil (preferred, not to exceed 15 MB) **or** by standard mail to U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL32232-0019.*

1. **Department of the Army Permit Number:** SAJ-2022-02019 (GP-JAZ)

2. **Permittee Information:**

Name: _____

Email: _____

Address: _____

Phone: _____

3. **Construction Start Date:** _____

4. **Contact to Schedule Inspection:**

Name: _____

Email: _____

Phone: _____

Signature of Permittee

Printed Name of Permittee

Date

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: GP-20
Application Number: SAJ-2022-02019

Permittee's Name & Address (please print or type): _____

Telephone Number: _____

Location of the Work: _____

Date Work Started: _____ Date Work Completed: _____

Description of the Work (e.g., bank stabilization, residential or commercial filling, docks, dredging, etc.): _____

Acreeage or Square Feet of Impacts to Waters of the United States:

Describe Mitigation completed (if applicable): _____

Describe any Deviations from Permit (attach drawing(s) depicting the deviations):

I certify that all work, and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

Signature of Permittee

Date

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: SAJ-2022-02019 (GP-JAZ)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Section, Post Office Box 4970, Jacksonville, FL 32232-0019 or by electronic mail at saj-rd-enforcement@usace.army.mil.

(TRANSFEREE-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT)

(BLOCK)

(NAME-PRINTED)

(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

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

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or in Vero Beach (1-772-562-3909) for south Florida, and emailed to FWC at ImperiledSpecies@myFWC.com.
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at http://www.myfwc.com/WILDLIFEHABITATS/manatee_sign_vendors.htm. Questions concerning these signs can be forwarded to the email address listed above.

CAUTION: MANATEE HABITAT

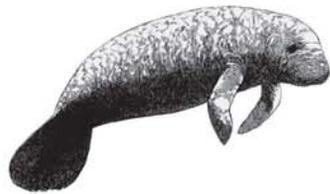
All project vessels

IDLE SPEED / NO WAKE

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

SHUT DOWN

Report any collision with or injury to a manatee:

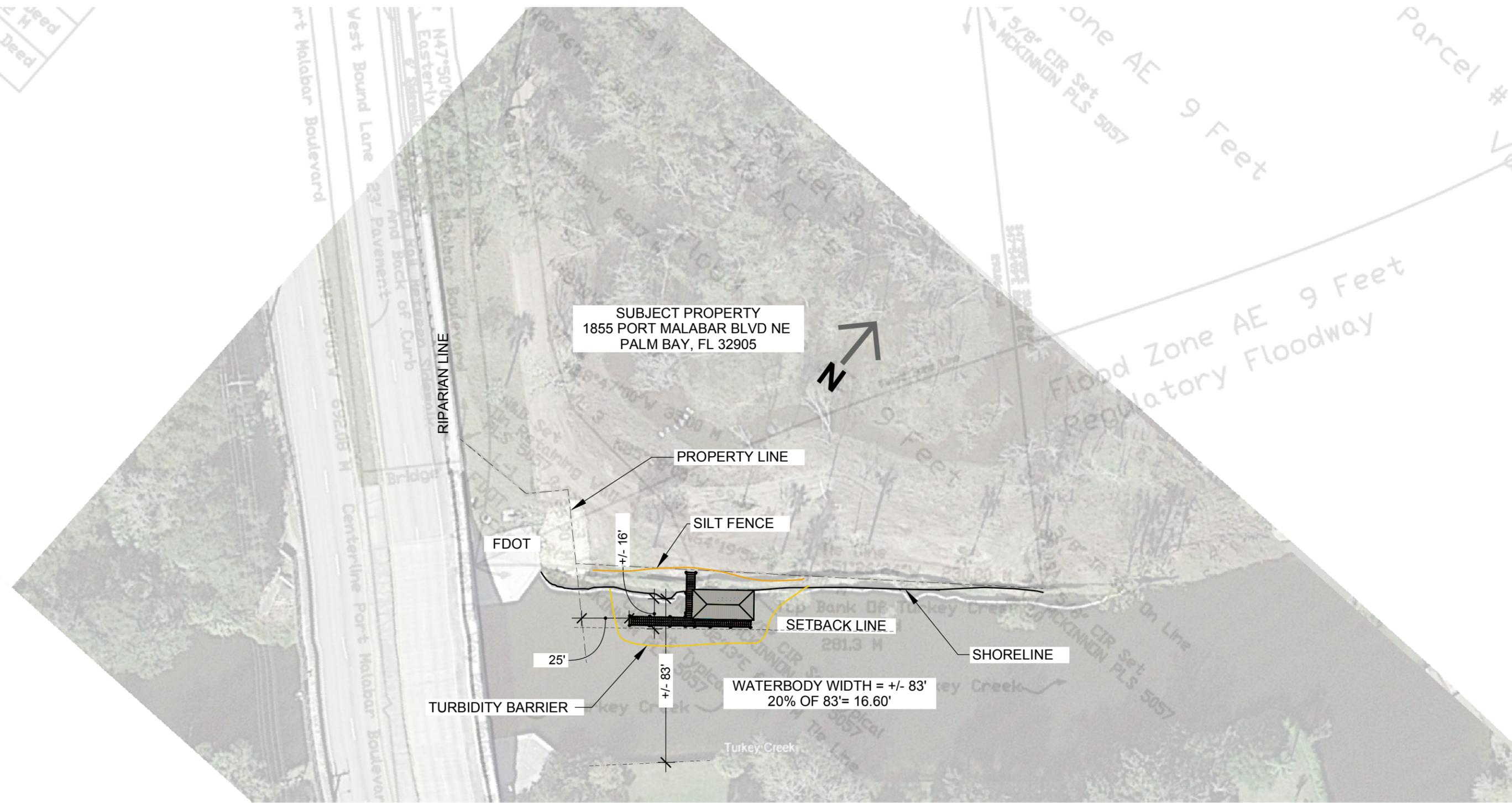


Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC

Deed
M
39' M
39' M

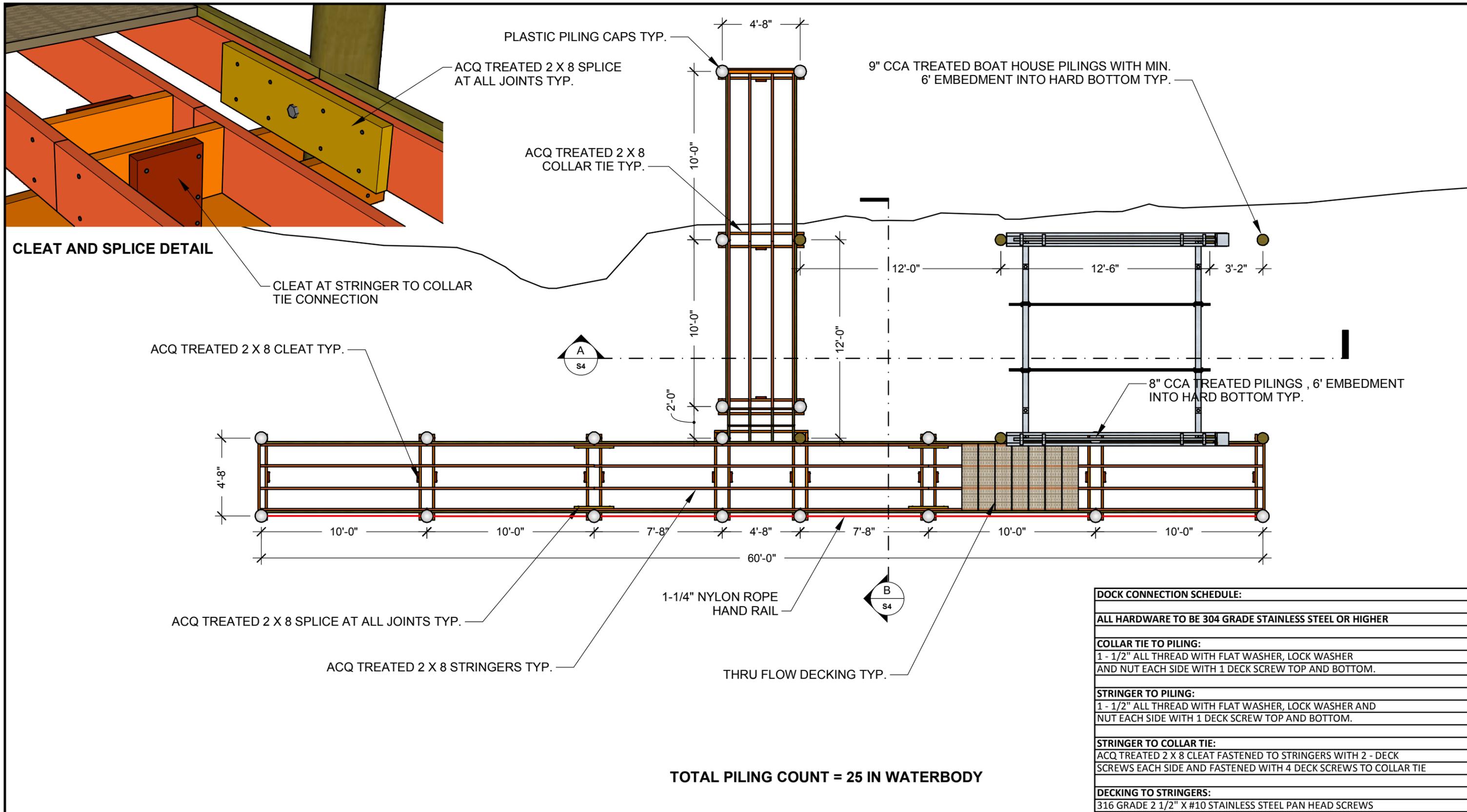


Continental Associates, Inc.
 Authorized dealer for
Docks Neptune Boat Lifts Seawalls
 772-913-2520
 doug@continentalassoc.com
 State License No. CBC014130
 P.O. BOX 731953
 Ormond Beach, FL 32173

CUSTOM DOCK FOR
RICHARD PRIBELL
 1855 PORT MALABAR BLVD NE
 PALM BAY FL 32905
 MAILING ADDRESS:
 1803 PORT MALABAR BLVD NE
 PALM BAY FL 32905

NOTES:
 PROPOSED DOCK = 340 SQ.FT.
 PROPOSED COVERED BOAT LIFT = 330 SQ.FT.
 TOTAL AREA OVER WATER = 670 SQ.FT.
 TOTAL PILING COUNT = 25 IN WATERBODY
 PILING INSTALLATION METHOD - JETTING

DATE	05/13/2022	SHEET TITLE
DRAWN BY	DRL	
SCALE	1"=50'	JOB 22-110-PRIBELL
REVISION		SHEET S-1



DOCK CONNECTION SCHEDULE:	
ALL HARDWARE TO BE 304 GRADE STAINLESS STEEL OR HIGHER	
COLLAR TIE TO PILING:	
1 - 1/2" ALL THREAD WITH FLAT WASHER, LOCK WASHER AND NUT EACH SIDE WITH 1 DECK SCREW TOP AND BOTTOM.	
STRINGER TO PILING:	
1 - 1/2" ALL THREAD WITH FLAT WASHER, LOCK WASHER AND NUT EACH SIDE WITH 1 DECK SCREW TOP AND BOTTOM.	
STRINGER TO COLLAR TIE:	
ACQ TREATED 2 X 8 CLEAT FASTENED TO STRINGERS WITH 2 - DECK SCREWS EACH SIDE AND FASTENED WITH 4 DECK SCREWS TO COLLAR TIE	
DECKING TO STRINGERS:	
316 GRADE 2 1/2" X #10 STAINLESS STEEL PAN HEAD SCREWS	

TOTAL PILING COUNT = 25 IN WATERBODY

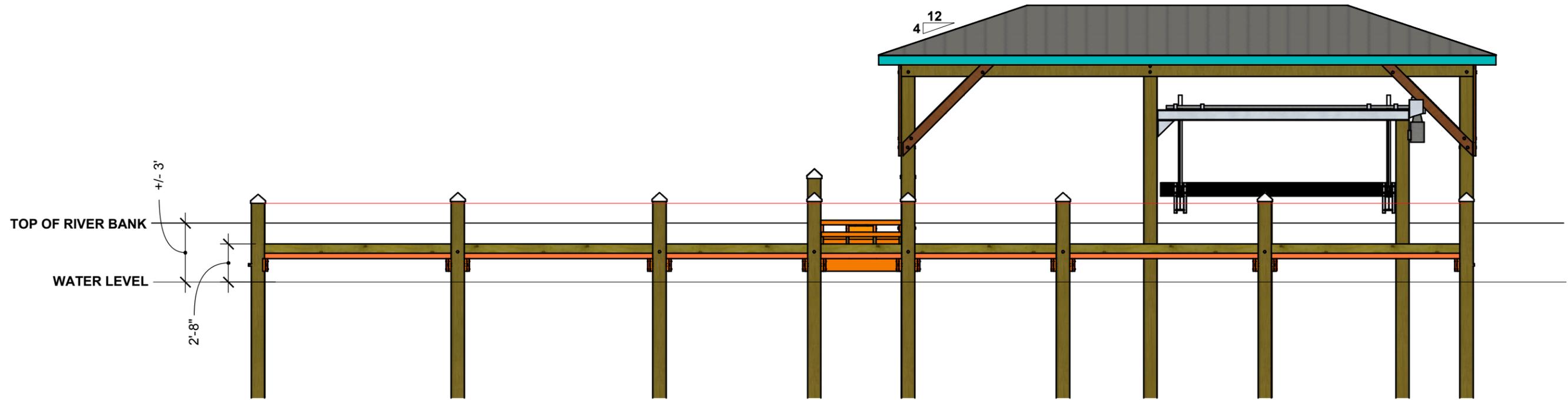
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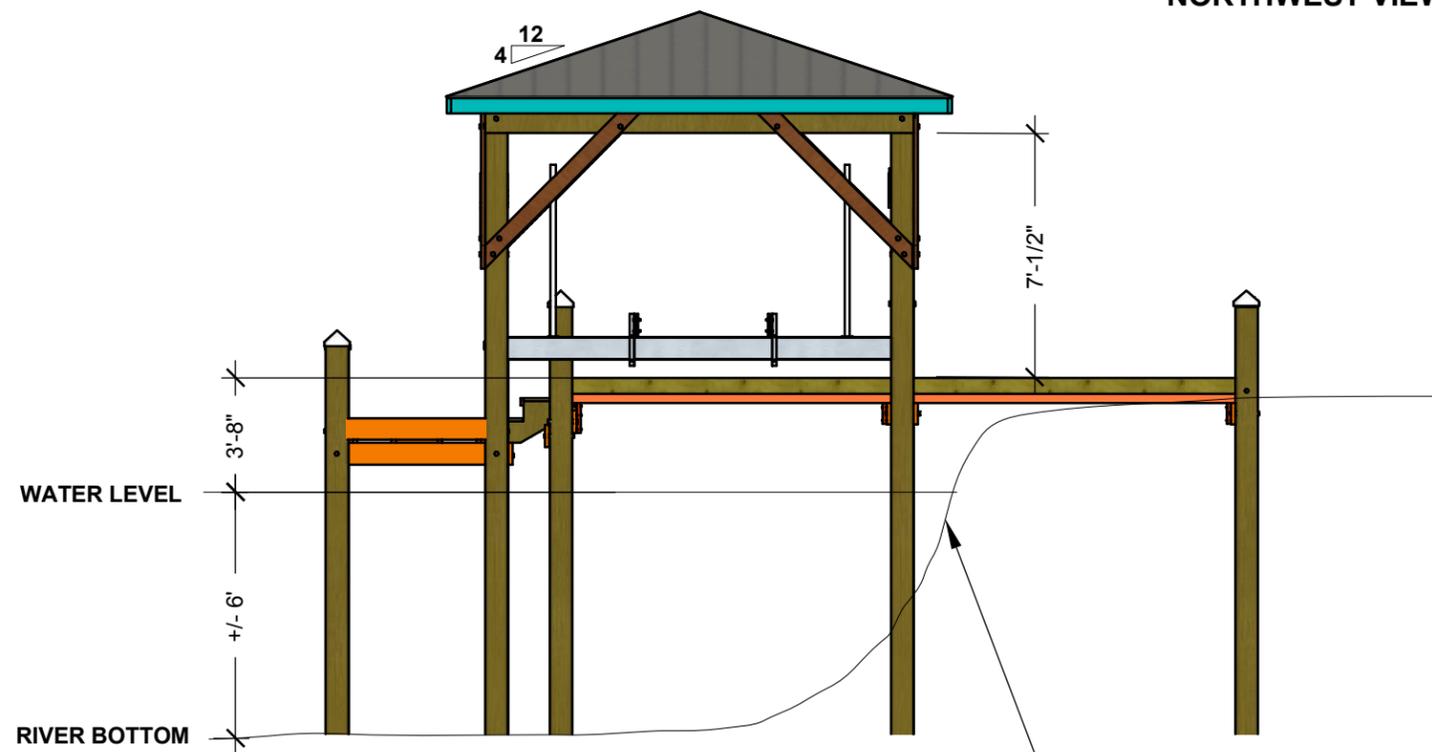
NOTES:
 1. MINIMUM PILING EMBEDMENT INTO HARD BOTTOM TO BE 6'
 2. BOAT HOUSE PILINGS TO BE 9" MINIMUM DIA. WITH 8' MINIMUM EMBEDMENT INTO HARD BOTTOM
 3. ALL HARDWARE TO BE 304 GRADE STAINLESS STEEL OR GREATER
 4. ALL FRAMING LUMBER TO BE .40 ACQ TREATED
 5. ALL PILINGS TO BE 2.5 CCA TREATED

DATE **05/13/2022**
 DRAWN BY **DRL**
 SCALE **3/16"=1'-0"**
 REVISION

SHEET TITLE
FRAMING PLAN
 JOB **22-110-PRIBELL**
 SHEET **S-2**



NORTHWEST VIEW



SOUTHWEST VIEW

Continental Associates, Inc.

Authorized dealer for

Docks Neptune Boat Lifts Seawalls

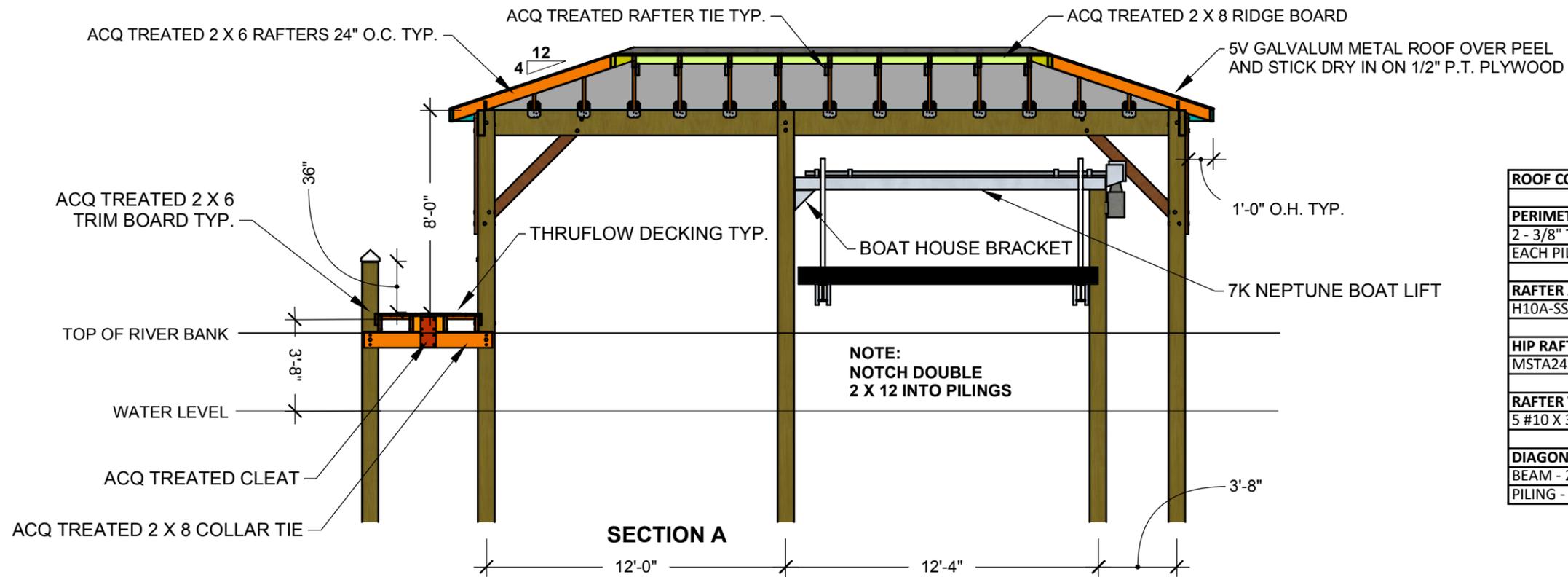
772-913-2520
doug@continentalassoc.com
State License No. CBC014130

P.O. BOX 731953
Ormond Beach, FL 32173

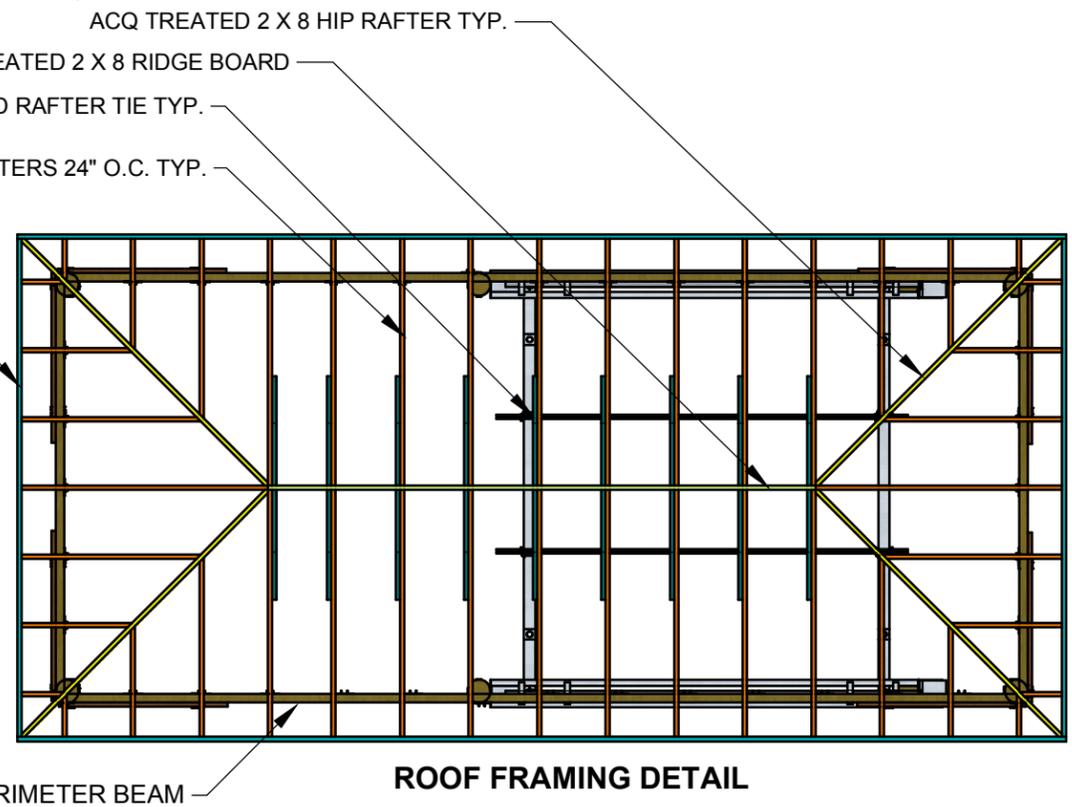
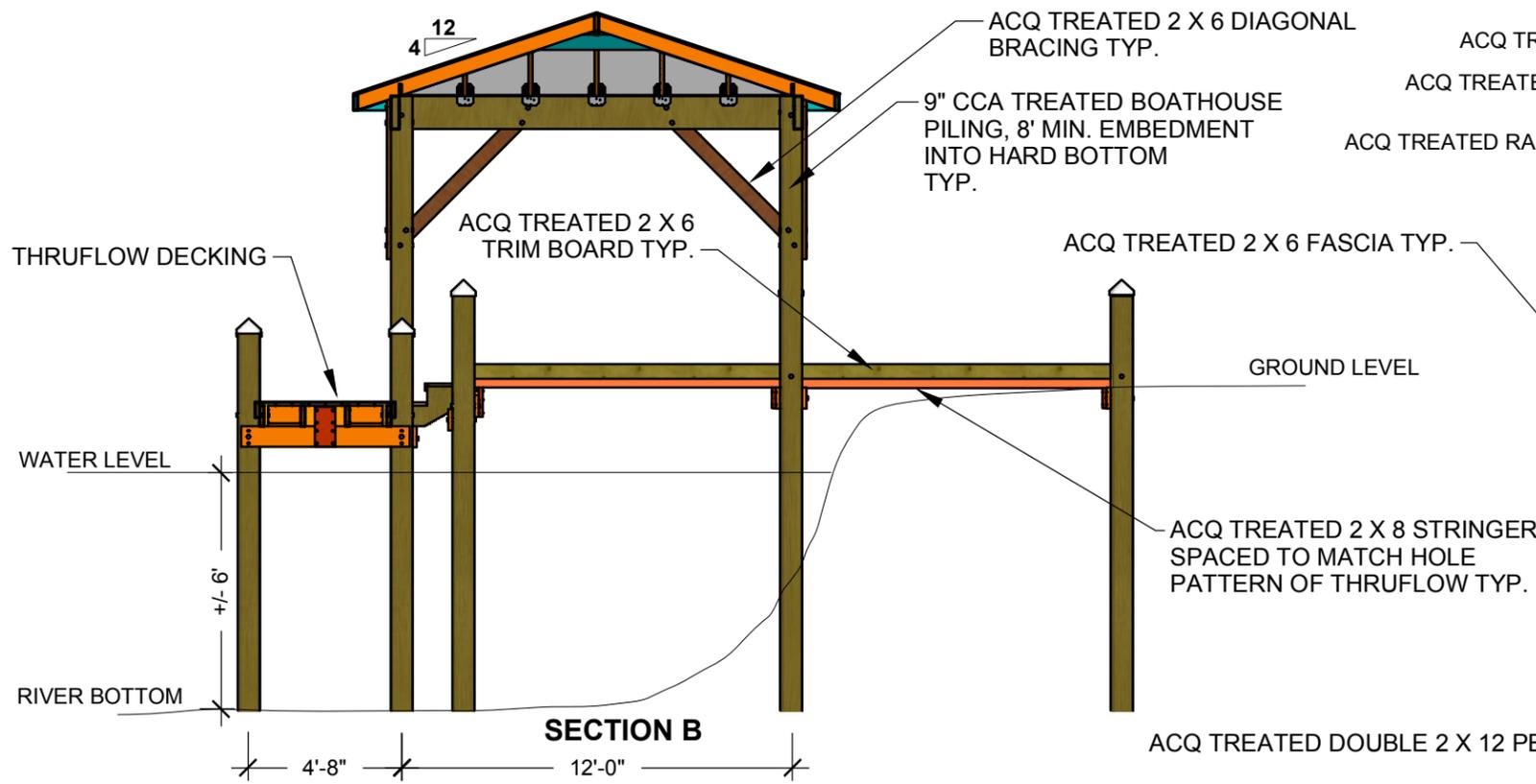
CUSTOM DOCK FOR
RICHARD PRIBELL
1855 PORT MALABAR BLVD NE
PALM BAY FL 32905
MAILING ADDRESS:
1803 PORT MALABAR BLVD NE
PALM BAY FL 32905

DATE	05/13/2022
DRAWN BY	DRL
SCALE	3/16" = 1'-0"
REVISION	

SHEET TITLE	ELEVATIONS
	JOB 22-110-PRIBELL
SHEET	S-3



ROOF CONNECTION SCHEDULE	
PERIMETER BEAM TO PILING:	2 - 3/8" THRU BOLTS WITH FLAT WASHER, LOCK WASHER AND NUT, EACH PILING
RAFTER AND HIP JACK TO BEAM:	H10A-SS OR EQUAL
HIP RAFTER TO BEAM:	MSTA24SS OR EQUAL
RAFTER TIE:	5 #10 X 3" S.S. DECK SCREWS AT EACH RAFTER
DIAGONAL BRACE TO BEAM AND PILING :	BEAM - 2 - 3/8" S.S. THRU BOLTS PILING - 2 - 3/8" S.S. THRU BOLTS



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NOTES:
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 5. ALL PILINGS TO BE 2.5 CCA TREATED

DATE **05/13/2022**
 DRAWN BY **DRL**
 SCALE **AS SHOWN**
 REVISION

SHEET TITLE
SECTIONS
 JOB 22-110-PRIBELL
 SHEET **S-4**