



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
10117 PRINCESS PALM AVE, SUITE 120
TAMPA, FLORIDA 33610-8302

October 2, 2015

REPLY TO
ATTENTION OF

Regulatory Division
West Branch
Tampa Permits Section
SAJ-2014-02745 (GP-CSH)

City of Bradenton Downtown Developmental Authority
c/o David Gustafson, Executive Director
101 Main Street
Bradenton, Florida 34205
dgustafson@ddabradenton.com

Dear Mr. Gustafson:

Your application for a Department of the Army permit received on September 4, 2015, has been assigned number SAJ-2014-02745. A review of the information and drawings provided shows the proposed work is to install temporary recreational structures for use during the Bradenton Area RiverFest Regatta. The City of Bradenton DDA as the event organizer will have two temporary 10' x 200' floating docks, one on the southeast side of the Green Bridge and one northwest, to be used as a starting line for the boat races. Buoys will be installed to mark the race courses, define slow speed zones and provide an ingress/egress route for the F2 boats and HydroCross to access the main race course. The type and locations of the buoys are shown on the attached drawings. The buoys, each 4' x 4', will be anchored with cement blocks on the floor of the Manatee River. Two sets of two non-motorized firework platforms, each 8' x 26', will be towed in by a pontoon boat to locations immediately north of the Formula 2 race course and temporarily anchored. All temporary structures, barges and buoys will be removed immediately after completion of the race and fireworks. The project is located on the Manatee River, adjacent to the Green Bridge, U.S. 41, in the City of Bradenton, Manatee County, Florida.

Your project, as depicted on the enclosed drawings, is authorized by Regional General Permit (GP) SAJ-17. This authorization is valid until **April 8, 2018**. Please access the Corps' Regulatory webpage to view the special and general conditions for SAJ-17, which apply specifically to this authorization. The website address is as follows:

<http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>

Please be aware this web address is case sensitive and should be entered as it appears above. Once there you will need to click on "General Permits." Then you can click on the specific SAJ permit. You must comply with all of the special and general conditions and any project-specific conditions of this authorization or you may be subject to enforcement action. The following project-specific conditions are included with this authorization:

1. **Reporting Address:** The Permittee shall submit all reports, documentation and correspondence required by the conditions of this permit to the following address: CESAJ-ComplyDocs@usace.army.mil. The Permittee shall reference this permit number, SAJ-2014-02745 (GP-CSH), on all submittals.

2. **Commencement Notification:** Within 10 days from the date of initiating the authorized work, the Permittee shall provide to the Corps a written notification of the date of commencement of work authorized by this permit.
3. **Self-Certification:** Within 60 days of completion of the authorized work or at the expiration of the construction authorization of this permit, whichever occurs first, the Permittee shall complete the attached "Self-Certification Statement of Compliance" form and submit to the Corps. In the event that the completed work deviates, in any manner, from the authorized work, the Permittee shall describe, on the Self-Certification Form, the deviations between the work authorized by the permit and the work as constructed. Please note that the description of any deviations on the Self-Certification Form does not constitute approval of any deviations by the Corps.
4. **Manatee Conditions:** The Permittee shall comply with the "Standard Manatee Conditions for In-Water Work – 2011" provided as an attachment to this permit.
5. **Sea Turtle and Smalltooth Sawfish Conditions:** The Permittee shall comply with National Marine Fisheries Service's "Sea Turtle and Smalltooth Sawfish Construction Conditions" dated March 23, 2006 and provided as an attachment to this permit.
6. **Marine Life Entrapment:** In-water rope or chain must be comprised of materials such as industrial grade metal chains or heavy cables that do not readily loop and tangle. All in-water lines (rope and cable) must be thick and taut and cannot have excess line in water. Lines can be enclosed in a plastic or rubber sleeve/tube to add rigidity.
7. **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 Tampa Regulatory Office.
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.

This authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. Prior to the initiation of any construction, projects qualifying for this Regional General permit must qualify for an exemption under section 403.813(1), F.S. or 373.406, F.S., or otherwise be authorized by the applicable permit required under Part IV of Chapter 373, F.S., by the Department of Environmental Protection, a water management district under section 373.069, F.S., or a local government with delegated authority under section

373.441, F.S., and receive Water Quality Certification (WQC) and applicable Coastal Zone Consistency Concurrence (CZCC) or waiver thereto, as well as any authorizations required for the use of state-owned submerged lands under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. You should check State-permitting requirements with the Florida Department of Environmental Protection or the appropriate water management district.

This 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). Permittees 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.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced GP, please contact Caitlin Hoch by telephone at 813-769-7074 or electronic mail at Caitlin.S.Hoch@usace.army.mil.

Thank you for your cooperation with our permit program. The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to visit http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey and complete our automated Customer Service Survey. Your input is appreciated – favorable or otherwise. Again, please be aware this Internet address is case sensitive and should be entered as it appears above.

Sincerely,

OKANE.KEVIN

N.D.1231181

438

Kevin D. O'Kane
Chief, Tampa Section

Digitally signed by
OKANE.KEVIN.D.1231181438
DN: c=US, o=U.S. Government,
ou=DoD, ou=PKI, ou=USA,
cn=OKANE.KEVIN.D.1231181438
Date: 2015.10.05 16:38:56 -04'00'

Enclosures

Copy/ies Furnished:
Brett Solomon, E Co Consultants, Inc.
CESAJ-RD-PE

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: SAJ-2014-02745 (GP-CSH)

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

Telephone Number: _____

Location of the Work: _____

Date Work Started: _____ Date Work Completed: _____

PROPERTY IS INACCESSIBLE WITHOUT PRIOR NOTIFICATION: YES _____ NO _____
PLEASE CONTACT _____ AT _____
TO SCHEDULE AN INSPECTION

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

Acreage 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

Full Name of Permittee (printed or typed)

Date

GENERAL CONDITIONS FOR DEPARTMENT OF THE ARMY GENERAL PERMITS

General Conditions

1. The time limit for completing the work authorized ends on April 08, 2018.
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 mailing address of the new owner in the space provided below and forward a copy of the permit to this office to validate the transfer of this authorization.
5. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Further Information:

1. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal projects.
2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
 - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or construction deficiencies associated with the permitted work.
 - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

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

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 3 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

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

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

(TRANSFEREE-SIGNATURE)

(DATE)

(NAME-PRINTED)

(ADDRESS)

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





UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

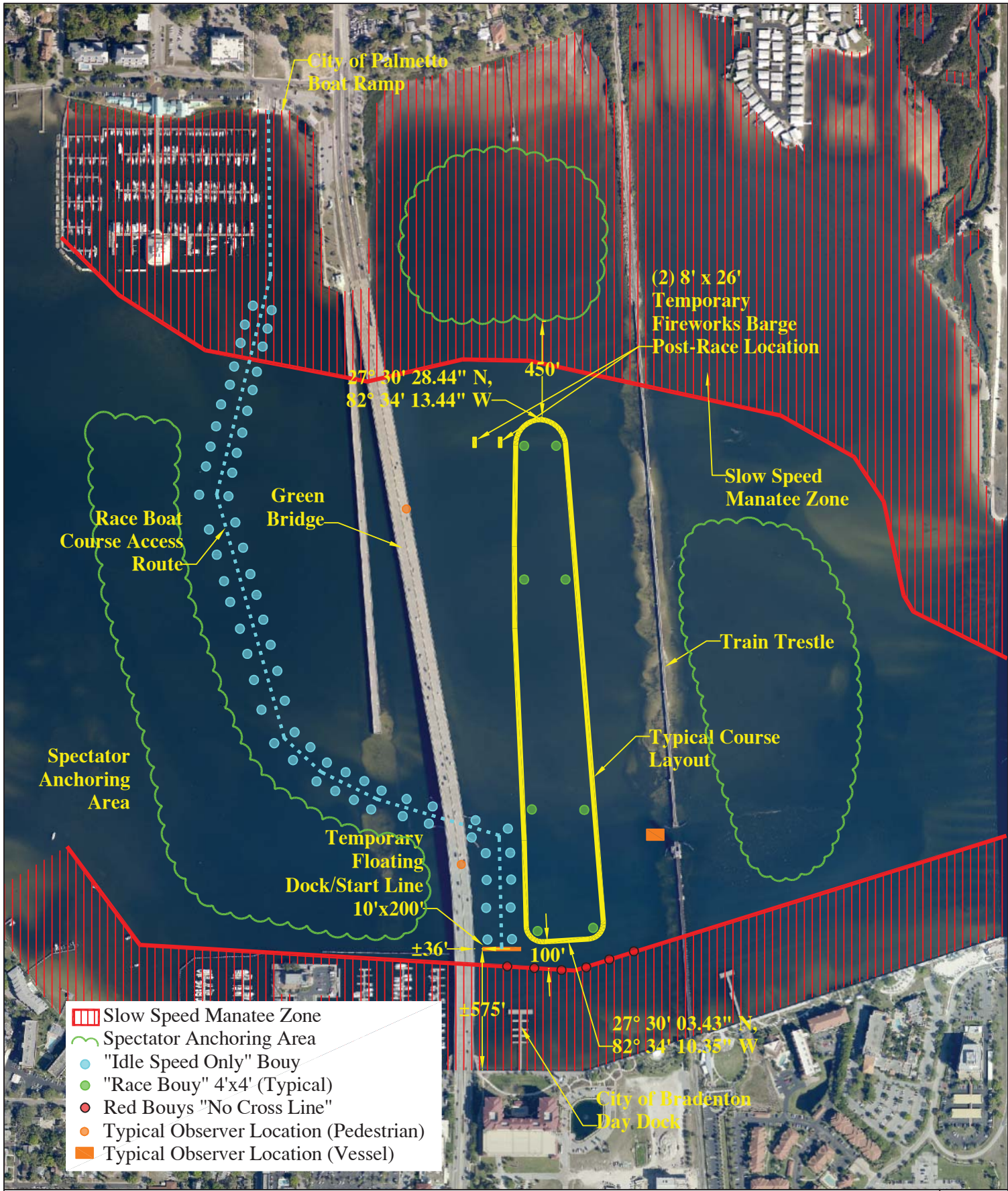
The permittee shall comply with the following protected species construction conditions:

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

Revised: March 23, 2006

O:\forms\Sea Turtle and Smalltooth Sawfish Construction Conditions.doc





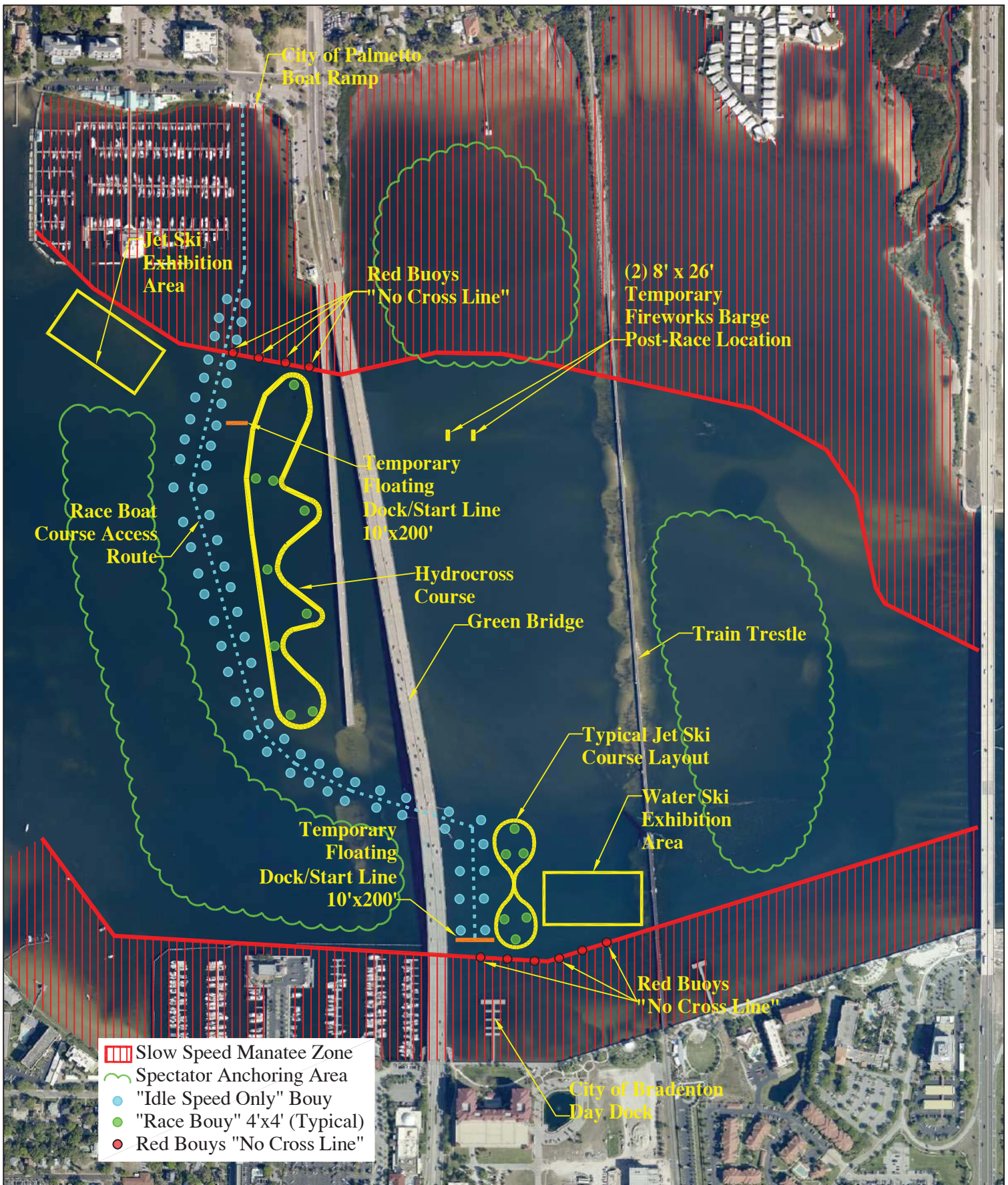
- Slow Speed Manatee Zone
- Spectator Anchoring Area
- "Idle Speed Only" Bouy
- "Race Bouy" 4'x4' (Typical)
- Red Bouys "No Cross Line"
- Typical Observer Location (Pedestrian)
- Typical Observer Location (Vessel)

Client: City of Bradenton DDA
Project: Bradenton Area Riverfest Regatta
Title: Formula 2 Race Course Location Map
Date: July 13, 2015
 File: E:\Palmetto\City of Bradenton\Boat Race\Course 071315.dwg


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 Telephone 941.722.0901, Fax 941.722.4931
 P.O. Box 53106, Sarasota, FL 34234
 Telephone 941.388.0505, Fax 941.870.3245
 213 East Park Avenue, Lake Wales, FL 33853

Scale: 1" = 600'
Date Drawn: 07/13/15
Drawn by: CW


Sheet:
 1 of 1



- Slow Speed Manatee Zone
- Spectator Anchoring Area
- "Idle Speed Only" Buoy
- "Race Buoy" 4'x4' (Typical)
- Red Buoys "No Cross Line"

Client: City of Bradenton
Project: Bradenton Area Riverfest Regatta
Title: Hydrocross Course Location Map
Date: June 24, 2015

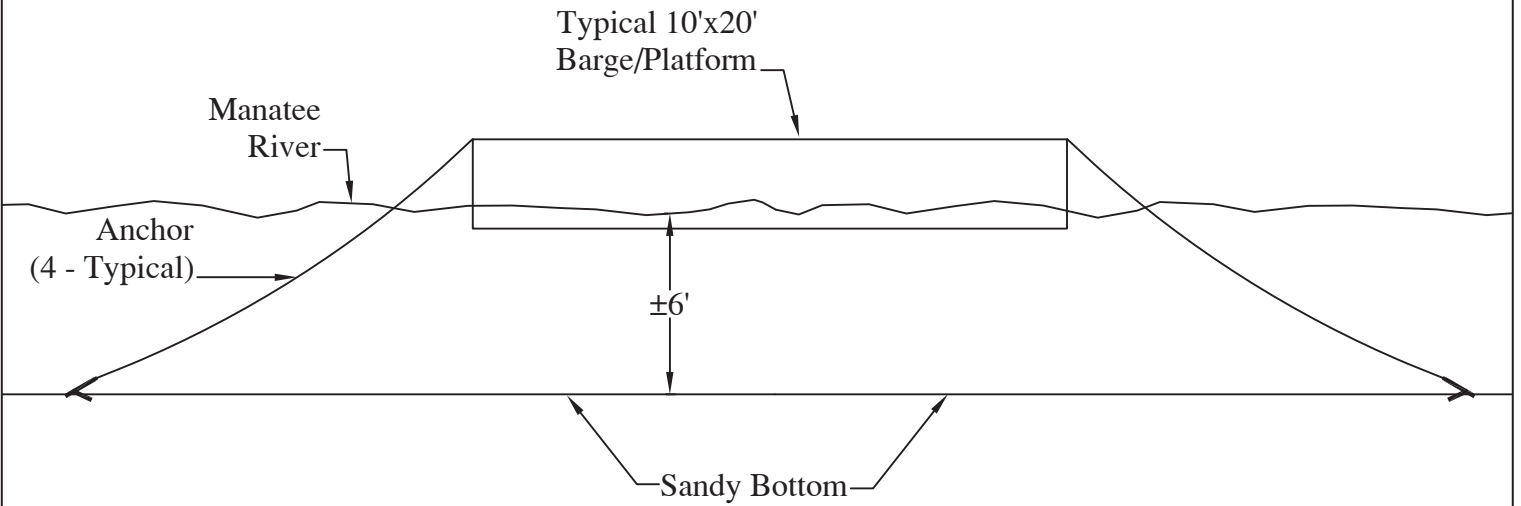
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Scale: 1" = 600'
Date Drawn: 06/24/15
Drawn by: CW

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1 of 1



Client: City of Bradenton DDA

Project: The Bradenton Area Riverfest Regatta

Title: Typical Barge/Platform, Cross Section

Date: October 15, 2014

File: E:\Palmetto\City of Bradenton\Boat Race\Barge 101514.dwg



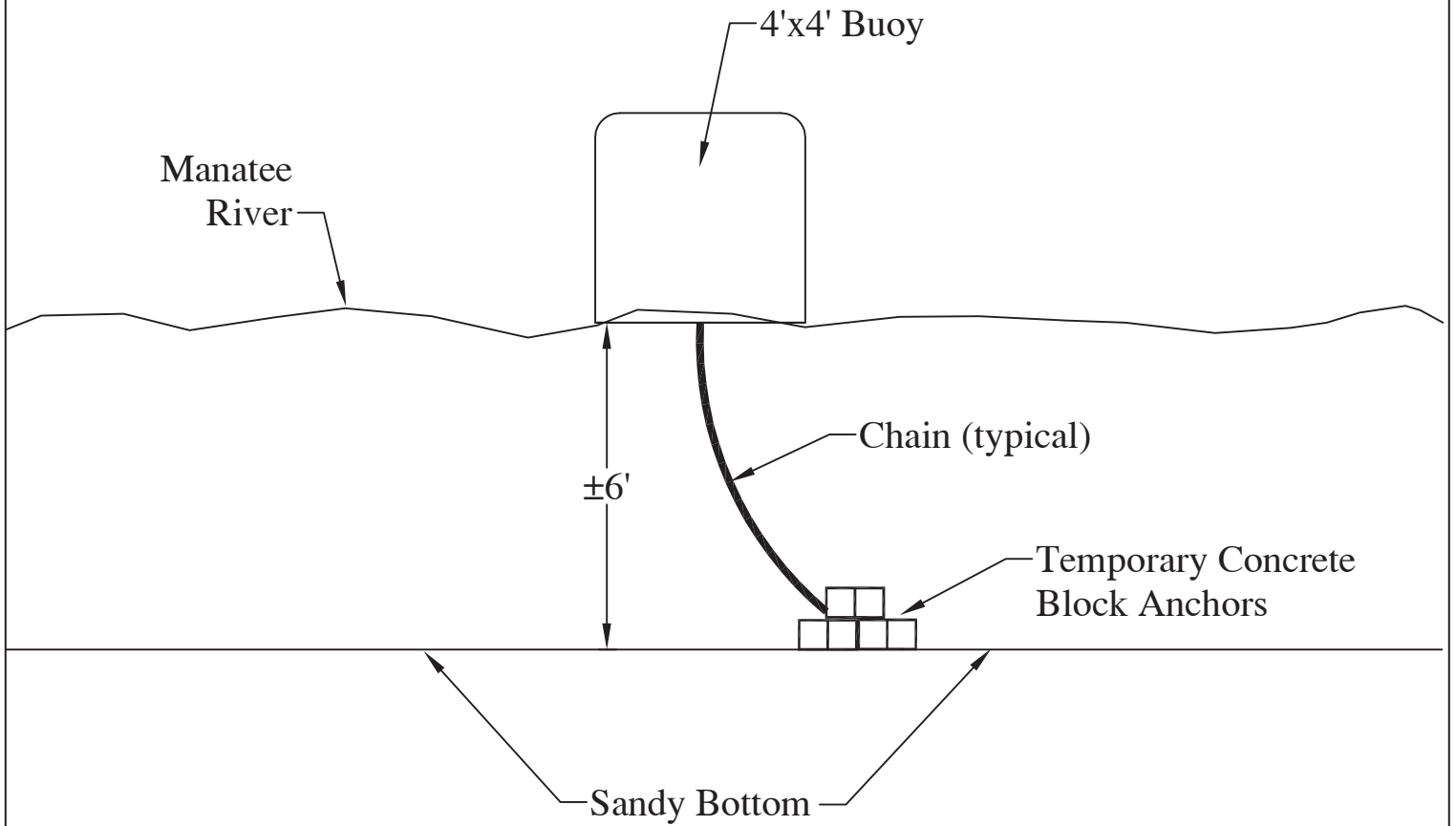
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 213 East Park Avenue, Lake Wales, FL 33853
 Telephone 863.676.8996

Scale: Not to Scale

Date Drawn: 10/15/14

Drawn by: CW

Sheet:
1 of 1



Client: City of Bradenton DDA
Project: The Bradenton Area Riverfest Regatta
Title: Typical Buoy Cross Section
Date: October 15, 2014
 File: E:\Palmetto\City of Bradenton\Boat Race\Buoy 101514.dwg

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Scale: Not to Scale
Date Drawn: 10/15/14
Drawn by: CW

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