



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
PENSACOLA REGULATORY OFFICE
41 North Jefferson Street, Suite 111
PENSACOLA, FLORIDA 32502-5794

September 15, 2006

Regulatory Division
North Permits Branch
199402365 IP-CP
MODIFICATION #9

Roy Williams
Fish and Wildlife Conservation Commission
620 Meridian Street Box 4-B
Tallahassee, Florida 32399-1600

Dear Mr. Williams:

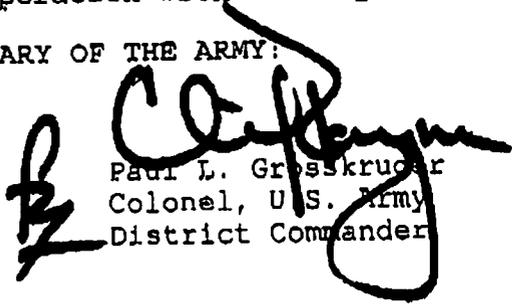
Reference is made to my recent verbal communication with Jon Dodrill of your agency regarding the Commission's desire to extend the expiration date of Department of the Army Individual Permit 199402365 IP-CP which expires on September 22, 2006. The permit authorizes the deployment of artificial reef material on two Large Area Artificial Reef Sites (LAARS) in the Gulf of Mexico south of Pensacola in Escambia County, Florida.

During my conversation with Mr. Dodrill I acknowledged receipt of a request dated August 7, 2006 by Escambia County to transfer the LAARS permit from the Fish and Wildlife Conservation Commission to Escambia County. The correspondence from Escambia County also requested certain modifications to the permit involving permit conditions and duration.

In accordance with my conversation with Mr. Dodrill, the Corps hereby request a brief correspondence clarifying if the Commission desires or does not desire to transfer responsibility for the above referenced Individual Permit to Escambia County. To allow sufficient time for evaluation of the requested permit modification, the Corps will grant a 1 year administrative permit expiration date extension.

The permit is hereby extended until September 22, 2007. You should attach this letter to the permit. All of the other conditions, limitations, and stipulations of permit number 199402365 not specifically changed by this modification remain in effect.

Thank you for your cooperation with our regulatory program.
BY AUTHORITY OF THE SECRETARY OF THE ARMY:



Paul L. Grosskrueger
Colonel, U.S. Army
District Commander

Enclosure

Copy Furnished:

Robert Turpin, Escambia County Marine Resources

DEP, SLERP, Pensacola



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
PENSACOLA REGULATORY OFFICE
41 North Jefferson Street, Suite 104
PENSACOLA, FLORIDA 32501-5794

Regulatory Division
North Permits Branch
199402365 IP-CP
MODIFICATION #8

May 20, 2003

Roy Williams
Fish and Wildlife Conservation Commission
620 Meridian Street Box MF-MFM
Tallahassee, Florida 32399-1600

Dear Mr. Williams:

Reference is made to the Fish and Wildlife Conservation Commission (FWCC) correspondence dated May 19, 2003 in regards to the Escambia Large Area Artificial Reef Sites (LAARS). In the correspondence FWCC requested the Corps of Engineers (Corps) modify Special Condition 6 of Department of the Army (DA) Permit 199402365. The requested modification would allow transport of reef materials during the period between sunset and sunrise by contractors under hire, employment, or sponsorship of FWCC or Escambia County if FWCC staff or Escambia County Chief of Marine Resources is aboard the transport vessel or companion vessel to monitor the transport and deployment activity. The requested permit modification would not apply to private reef material deployments.

The impacts of the requested permit modification on navigation and the environment have been evaluated and found to be insignificant. The permit is hereby modified in accordance with the following special conditions which replace special conditions 1-12 of the 9 May 2003 permit modification:

1. The materials to be deployed on the Large Area Artificial Reef Sites (LAARS) shall be cleaned and free of pollutants and toxins and composed of: non-productive oil platforms thoroughly clean in accordance with US Coast Guard and US Environmental Protection Agency (EPA) standards, surplus military equipment (1/4 inch or greater in thickness thoroughly clean in accordance with US Coast Guard and US Environmental Protection Agency (EPA) standards, steel hull vessels ballasted and thoroughly clean in accordance with US Coast Guard and US Environmental Protection Agency (EPA) standards,

natural limestone boulders weighing a minimum of 150 pounds each, clean concrete rubble weighing a minimum of 150 pounds each, clean concrete prefabricated reef materials or modules weighing a minimum of 150 pounds each, clean and structurally stabilized steel/aluminum/metal alloy boxes or structures (1/8 inch or greater in thickness) weighing 150 pounds or more.

No reef material shall be allowed to trap marine life, and must be configured, cut or shaped, so as to not function as a fish trap. All materials/structures must be configured and constructed to be stable, durable, and provide habitat. No material whatsoever may be deployed within one-quarter mile of the boundaries of the Large Area Artificial Reef Sites (LAARS). No other materials are authorized by this permit. Materials expressly prohibited include cars and trucks and any parts thereof, white goods (i.e. appliances), shopping carts, bread trays, 55 gal drums, storage or fuel tanks, loose metal materials, plastics, fiberglass, materials that upon inspection by FWCC staff or designated agent are found to be potentially unstable or lack acceptable habitat qualities

2. Any steel hull vessel which will be utilized, as reef material should be prepared for deployment by the removal of all flotation from the vessel and it should be properly cleaned to remove any petroleum product or residue. For vessels with built in petroleum tanks, the closest U.S. Coast Guard (USCG) Marine Safety Office (MSO) should be contacted to allow inspection of the vessel prior to deployment. The vessel should not be deployed until cleared by the USCG.

3. The permittee shall use the attached form (Pages 1 through 6 of 6) entitled Application To Use Florida Fish and Wildlife Conservation Commission (FWCC) Large Area Artificial Reef Sites (LAARS) and implement the procedures specified on the form. This form will be referred to as the "FWCC-LAARS FORM". All coordinates referenced on the form will be provided in degrees and decimal minutes.

4. FWCC staff or designated agent (Escambia County Chief of Marine Resources) shall inspect all artificial fishing reef materials proposed for deployment pursuant to this permit and assure that all materials conform to the materials list, as stated in Special Condition 1. All proposed reef material will be described on sheet 1 of 6 of the FWCC-LAARS FORM. All material to be privately deployed (ie. not deployed or directly funded by FWCC for FWCC sponsored projects or deployed or funded by county government where FWCC and/or county employees are present on the deployment vessel during deployment) will be tagged with numbered tamper proof tags. The tag number and associated materials will be listed on sheet 1 of 6 of the FWCC-LAARS FORM.

5. FWCC staff or designated agent will accomplish Pre-deployment notification by providing completed and signed sheets 1-3 of the FWCC-LAARS FORM by facsimile to the U.S. Army Corps of Engineers Pensacola Regulatory Office (Corps), U.S. Coast Guard (USCG), and Fish and Wildlife Conservation Commission (FWCC) to the following numbers:

Corps (Pensacola)	850-433-8160		
USCG (Pensacola)	850-458-5653	ATTN: OFFICER IN CHARGE	
(Destin)	850-244-0845	"	"
(Mobile)	334-441-6169	"	"
FWCC (Pensacola)	850-595-8981	ATTN: Captain Dist. 5C	
FWCC (Tallahassee)	850-922-0463	ATTN: Jon Dodrill	

This procedure will be accomplished no later than 5 days prior to departure of vessel from the staging site to allow inspection of materials by the noted agencies. The reef deployment must occur within 30 days of the close of the 5-day inspection period. The notification to the Corps shall be accompanied by either digital or 35mm photographs that clearly show the reef material that is proposed for deployment. At least 24-hours prior to initiating the deployment voyage, the applicant listed on sheet 1 of 6 of the FWCC-LAARS FORM will transmit sheet 4 of 6 of the FWCC-LAARS FORM to the FWCC and Corps and verbally transmit the information on sheet 4 of 6 to Escambia County Marine Resources in accordance with the instructions on sheet 4 of 6.

6. All loading of reef material on to the transport vessel will occur at the staging site referenced on sheet 1 of 6 of the FWCC-LAARS FORM. Loading, transport, and deployment of the reef material will occur between sunrise and sunset, Monday through Sunday of a given week for private reef material deployments. Transport only of reef materials by contractors under hire, employment, or sponsorship by FWCC or Escambia County would be allowed during the period sunset to sunrise if FWCC staff or Escambia County, Chief of Marine Resources is aboard the transport vessel or a companion vessel to monitor the transport and deployment. Loading and deployment of reef materials for FWCC or Escambia County sponsored projects must still occur during the period sunrise to sunset.

7. The transport vessel will carry sheets 1-4 (completed and signed) of the FWCC-LAARS FORM and a full copy of Department of the Army permit number 199402365 (IP-CP). These documents will be provided to any county, state or federal officials upon their request and will serve as a cargo manifest. The forms will provide an itemized listing of the materials being transported for deployment as reef material.

8. This permit expressly prohibits the deployment of reef material on submerged seagrass beds, macroalgae, coral reef, rock outcroppings, rock ledges, rock bottoms, or areas supporting sea fans, sponges, soft coral, and other macroinvertebrates. To ensure that damage to existing resources does not occur, deployments for private reefs will involve a seafloor survey using a vessel mounted fathometer. For deployments on public and sanctuary reefs the seafloor survey will be accomplished by fathometer and/or submersible video equipment whichever is most appropriate for site conditions.

9. Within 48 hours of the transmittal of sheet 4 of 6 of the FWCC-LAARS FORM to the Corps, the applicant listed on page 1 of 6 of the FWCC-LAARS FORM will provide sheet 5 of 6 of the FWCC-LAARS FORM completed and signed to the FWCC and the FWCC designated agent. Within 120 hours of the transmittal of sheet 4 of 6 of the FWCC-LAARS FORM to the Corps, the FWCC will provide copies of the completed and signed FWCC-LAARS FORM sheets 1-5 to the Corps, Minerals Management Service (MMS), and National Oceanic and Atmospheric Administration (NOAA) at the addresses listed on sheet 6 of the FWCC-LAARS FORM..

10. FWCC staff or the Chief of the Escambia County Division of Marine Resources will accompany charter captains and/or private individual fishers offshore to observe deployments on unpublicized private reefs within the LAARS. Such monitoring will be implemented on 20-25% of the unpublicized private reefs deployed within the LAARS.

11. Prior to deployment of private reefs within the "single study area" referenced on page 7 of 8 of the permit drawings, the FWCC will provide the Pensacola Regulatory Office the coordinates for the study area and exhibit the location of the area on pages 3 or 4 of 8 of the permit drawings.

12. The FWCC will accomplish monitoring activities for the LAARS in accordance with pages 7 and 8 of 8 of the permit drawings. Information gained from the monitoring and management will be compiled for review by appropriate agencies upon expiration of this permit or request for extension of this permit.

The time limit for completing the work authorized will expire on September 22, 2006. You should attach this letter and the FWCC-LAARS FORM sheet 1-6 dated 5 May 2003 to the permit. All of the other conditions, limitations, and stipulations of permit number 199402365 not specifically changed by this modification remain in effect.

If you have questions regarding this letter please contact Clif Payne at the letterhead address or at telephone number 850-433-8732.

Thank you for your cooperation with our regulatory program.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

A handwritten signature in black ink, appearing to read "Clif Payne". The signature is written in a cursive, somewhat stylized font.

James G. May