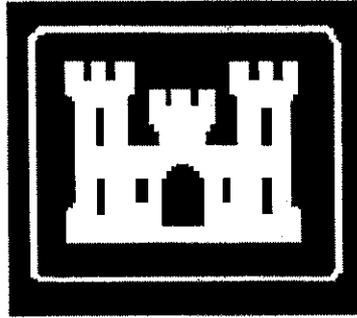


Please send application to:

Regulatory Division  
P.O. Box 4970  
Jacksonville, FL 32232



## **U.S. ARMY CORPS OF ENGINEERS**

**APPLICATION PACKAGE FOR DOCKS LOCATED IN THE  
MAINTENANCE DREDGE PROJECT AREA, FROM THE ST.  
JOHNS COUNTY LINE TO 2-MILES SOUTH OF THE  
PALM VALLEY BRIDGE.**

**THIS PACKAGE INCLUDES A TOLLING AGREEMENT AND  
SECTION A OF THE STATE/FEDERAL JOINT APPLICATION**

**Items required to process the attached application to obtain Federal authorization for currently unpermitted docking structures located in the maintenance dredge area.**

### **TOLLING AGREEMENT DOCUMENT**

**The Tolling Agreement is required by regulation before the U.S. Army Corps of Engineers can proceed with the evaluation of any after-the-fact application for works located in waters of the United States. Please fill out the document as noted below.**

- 1. Fill in the blanks on page one of the Tolling Agreement with the requested information. This includes your full name and full address of the property where the dock is located.**
- 2. Sign and date page three of the Tolling Agreement**

### **SECTION A OF THE STATE/FEDERAL JOINT APPLICATION**

**This portion of the Joint Application package will provide the basic information required to evaluate the potential impacts associated with your dock structure.**

- 1. On page two, fill out box A of PART 3 (located in the upper left hand corner of the page). If you choose to use an agent to assist you in this process, they will need to fill out the information required in box C.**
- 2. On page three in PART 5, at a minimum, provide the street address to include the city and zip code information. Additional information would be appreciated.**
- 3. On page three in PART 6, please provide information to describe the structure under review.**
- 4. On page 5 in PART 8, it is very important that you completely fill out and sign items A and C.**
- 5. Additionally, you must provide drawings of your dock structure on 8½ X 11 paper. These may be done by you or by an agent of your choice. It is important that the drawings are legible and accurately reflect the structure. They should include dimensions for the length and width of the access pier, any platforms, boatslips (both covered and uncovered) and should note the number of boats using the structure and their size.**
- 6. Checklists for drawings, and horizontal and hydrographic survey information.**

Checklist for Permit Application Information  
For Structures Within the Intracoastal Waterway:

The following is a checklist for basic information expected on Permit Applications closer than 100' to the bottom edge of the federal channel:

1. Are X & Y Coordinates provided to the proper accuracy (+/- 1 foot)? [*Refer to the appropriate additional page concerning horizontal survey parameters*]
2. Are dimensions of vessel provided? Length, width and draft?
3. For structures further than 62.5' from the near bottom edge of the federal channel:
  - a. Is a plan sketch shown?
  - b. Is a sketch showing water depths shown?
4. For 5'-wide marginal wharves:
  - a. Is a plan sketch shown?
  - b. Is a sketch showing water depths shown?
5. For the Palm Valley Area:
  - a. Is a plan sketch shown?
  - b. If less than 62.5 feet from the near bottom edge of the federal channel, is a hydrographic survey provided?
6. For all other structures closer than 62.5' from the near bottom edge of the channel:
  - a. Is a hydrographic survey provided with enough detail to identify water depths near the proposed structure?
  - b. Is an official statement denying permission to dredge provided or has other justification been provided?

### Horizontal Survey Parameters:

Survey Parameters for X&Y Coordinates (needed when a structure is less than 150' from the near bottom edge of the federal channel)

According to the Setback Criterion:

In order to determine the distance from the channel, all applications for projects in the vicinity of the channel will be required to supply X & Y State Plane Coordination Points (X&Ys) for the most waterward points of the proposed structure. The X&Ys must be determined utilizing the 1927 Datum. Additionally all approved projects will be required to submit as-built X&Ys upon completion of the work for review and approval by the Corps' Regulatory Division prior to the structure being utilized.

Because the degree of accuracy can vary depending on the method and carefulness of a survey, the following information shall be required when considering X & Y coordinates:

1. All surveys must be conducted under the direction of a registered land surveyor.
2. Any point less than 150 feet from the bottom edge of the federal channel shall be located with a minimum accuracy of +/- 1-foot horizontal.
3. A signed statement from the surveyor or survey firm, which includes a statement of the degree of accuracy, shall be included with any application for a permitted structure.

### Hydrographic Survey Parameters:

Survey Parameters for a hydrographic survey that is required when a structure or moored vessel will be located within 62.5 feet of the near bottom edge of the federal channel:

1. All hydrographic surveys must be conducted under the direction of a registered land surveyor.
2. The survey should be of sufficient detail to determine the landward most area where water depth would be adequate to moor a vessel.
3. Soundings shall be provided in MLW datum and have an accuracy of +/- 0.5 feet vertical. Horizontal accuracy shall be +/- 6 feet horizontal.
4. Surveys should be conducted perpendicular to the near bottom edge of the federal channel and should cover the distance between the high-water mark and the near bottom edge of the federal channel.
5. Surveys lines should be a minimum of 50' apart and soundings should be taken 10' apart along these survey lines. This survey should cover all areas that will be affected by new or rehabilitated structures.
6. Acoustic (fathometer) or mechanical (lead line/sounding pole) soundings will be acceptable.
7. Surveyed points should be plotted in plan view.

**DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST**

PERMIT NUMBER: \_\_\_\_\_

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 Branch, Post Office Box 4970, Jacksonville, FL 32232-0019.

\_\_\_\_\_  
(TRANSFEEE-SIGNATURE)

\_\_\_\_\_  
(SUBDIVISION)

\_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(LOT)

\_\_\_\_\_  
(BLOCK)

\_\_\_\_\_  
(NAME-PRINTED)

\_\_\_\_\_

\_\_\_\_\_  
(MAILING ADDRESS)

\_\_\_\_\_  
(CITY, STATE, ZIP CODE)



THEREFORE, the United States and potential defendant(s) stipulate and agree as follows:

1. The United States and potential defendant(s) agree that the time between the acceptance by the Corps of the appeal of the Corps' decision on the permit application and the final Corps decision (as defined at 33 CFR 331.10), plus one year thereafter, will not be included in calculating any statute of limitations that might be applicable to the alleged statutory violation(s) described above. Potential defendants agree not to assert, plead, or raise in any fashion on behalf of any party, whether by answer, motion, or otherwise, any defense or avoidance based on the running of any statute of limitations that may apply during that period or any defense or avoidance based on laches or other principle concerning the timeliness of commencing a civil action, based on the failure of the United States to file its complaint during that period.

2. Potential defendants further agree not to transfer the property in question during the pendency of this tolling agreement nor during the pendency of any civil action brought as described above, without first notifying the United States and giving the United States a reasonable opportunity to oppose such transfer.

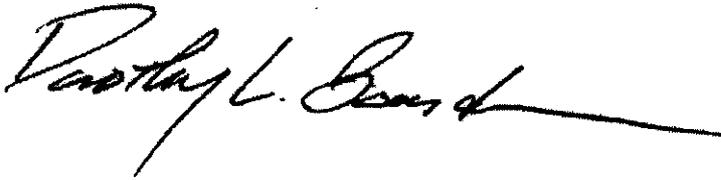
3. Nothing in this tolling agreement shall restrict or otherwise prevent the United States from filing a complaint regarding any alleged statutory violation(s) not described above, at any time.

4. This tolling agreement does not constitute any admission of liability on the part of potential defendants; nor does it constitute any admission or acknowledgment on the part of the

United States that any statute of limitations has run or that any statute of limitations is applicable to the statutory claims described above.

5. This tolling agreement contains the entire agreement between the parties, and no statement, promise or inducement made by any party to this agreement, or any agent of such parties, that is not set forth in this agreement shall be valid or binding. This tolling agreement may not be enlarged, modified or altered except in writing, signed by the parties. This tolling agreement may be executed in counterparts.

FOR the United States of America:



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District Counsel

February 13, 2004

Jacksonville District, U.S. Army Corps of Engineers

DATE

FOR ("potential defendant(s)")

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*Print name*

DATE

SECTION A

FOR AGENCY USE ONLY

ACOE Application # _____	DEP/WMD Application # _____
Date Application Received _____	Date Application Received _____
Proposed Project Lat. _____	Fee Received \$ _____
Proposed Project Long. _____	Fee Receipt # _____

**PART 1:**

Are any of the activities described in this application proposed to occur in, on, or over wetlands or other surface waters?  Yes  No

Is this application being filed by or on behalf of a government entity or drainage district?  Yes  No

**PART 2:**

A. Type of Environmental Resource Permit Requested (check at least one). See Attachment 2 for thresholds and descriptions.

- Noticed General - include information requested in Section B.
- Standard General (Single Family Dwelling) - include information requested in Sections C and D.
- Standard General (all other Standard General projects) - include information requested in Sections C and E.
- Individual (Single Family Dwelling) - include information requested in Sections C and D.
- Individual (all other Individual projects) - include information requested in Sections C and E.
- Conceptual - include information requested in Sections C and E.
- Mitigation Bank Permit (construction) - include information requested in Section C and F.  
(If the proposed mitigation bank involves the construction of a surface water management system requiring another permit defined above, check the appropriate box and submit the information requested by the applicable section.)
- Mitigation Bank (conceptual) - include information requested in Section C and F.

B. Type of activity for which you are applying (check at least one)

- Construction or operation of a new system, other than a solid waste facility, including dredging or filling in, on or over wetlands and other surface waters.
- Construction, expansion or modification of a solid waste facility.
- Alteration or operation of an existing system which was not previously permitted by a WMD or DEP.
- Modification of a system previously permitted by a WMD or DEP. Provide previous permit numbers. \_\_\_\_\_
  - Alteration of a system
  - Extension of permit duration
  - Abandonment of a system
  - Construction of additional phases of a system
  - Removal of a system

C. Are you requesting authorization to use Sovereign Submerged Lands.  Yes  No  
(See Section G and Attachment 5 for more information before answering this question.)

D. For activities in, on or over wetlands or other surface waters, check type of federal dredge and fill permit requested:  
 Individual  Programmatic General  General  Nationwide  Not Applicable

E. Are you claiming to qualify for an exemption?  Yes  No  
If yes, provide rule number if known. \_\_\_\_\_

<b>PART 3:</b>	
<b>A. OWNER(S) OF LAND</b>	<b>B. ENTITY TO RECEIVE PERMIT (IF OTHER THAN OWNER)</b>
NAME	NAME
TITLE AND COMPANY	TITLE AND COMPANY
ADDRESS	ADDRESS
CITY, STATE, ZIP	CITY, STATE, ZIP
TELEPHONE AND FAX	TELEPHONE AND FAX
<b>C. AGENT AUTHORIZED TO SECURE PERMIT</b>	<b>D. CONSULTANT (IF DIFFERENT FROM AGENT)</b>
NAME	NAME
TITLE AND COMPANY	TITLE AND COMPANY
ADDRESS	ADDRESS
CITY, STATE, ZIP	CITY, STATE, ZIP
TELEPHONE AND FAX	TELEPHONE AND FAX

**PART 4 (Please provide metric equivalent for federally funded projects):**

- A. Name of project, including phase if applicable: \_\_\_\_\_
- B. Is this application for part of a multi-phase project?  Yes  No
- C. Total applicant-owned area contiguous to the project: \_\_\_\_\_ ac.; \_\_\_\_\_ ha.
- D. Total area served by the system: \_\_\_\_\_ ac.; \_\_\_\_\_ ha.
- E. Impervious area for which a permit is sought: \_\_\_\_\_ ac.; \_\_\_\_\_ ha.
- F. Volume of water that the system is capable of impounding: \_\_\_\_\_ ac. ft.; \_\_\_\_\_ m<sup>3</sup>
- G. What is the total area of work in, on, or over wetlands or other surface waters?  
 \_\_\_\_\_ ac.; \_\_\_\_\_ ha. \_\_\_\_\_ sq. ft.; \_\_\_\_\_ sq. m.
- H. Total volume of material to be dredged: \_\_\_\_\_ yd<sup>3</sup>; \_\_\_\_\_ m<sup>3</sup>
- I. Number of new boat slips proposed: \_\_\_\_\_ wet slips; \_\_\_\_\_ dry slips



**PART 7:**

**A. If there have been any pre-application meetings, including on-site meetings, with regulatory staff, please list the date(s), location(s), and names of key staff and project representatives.**

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**B. Please identify by number any MSSW/Wetland resource/ERP/ACOE Permits pending, issued or denied for projects at the location, and any related enforcement actions.**

Agency	Date	No./Type of Application	Action Taken
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**C. Note: The following information is required for projects proposed to occur in, on or over wetlands that need a federal dredge and fill permit or an authorization to use state owned submerged lands. Please provide the names, addresses and zip codes of property owners whose property directly adjoins the project (excluding applicant) and/or (for proprietary authorizations) is located within a 500 ft. radius of the applicant's land. Please attach a plan view showing the owner's names and adjoining property lines. Attach additional sheets if necessary.**

1. _____	2. _____
_____	_____
_____	_____
3. _____	4. _____
_____	_____
_____	_____
5. _____	6. _____
_____	_____
_____	_____
7. _____	8. _____
_____	_____
_____	_____

**PART 8:**

A. By signing this application form, I am applying, or I am applying on behalf of the applicant, for the permit and any proprietary authorizations identified above, according to the supporting data and other incidental information filed with this application. I am familiar with the information contained in this application and represent that such information is true, complete and accurate. I understand this is an application and not a permit, and that work prior to approval is a violation. I understand that this application and any permit issued or proprietary authorization issued pursuant thereto, does not relieve me of any obligation for obtaining any other required federal, state, water management district or local permit prior to commencement of construction. I agree, or I agree on behalf of the applicant, to operate and maintain the permitted system unless the permitting agency authorizes transfer of the permit to a responsible operation entity. I understand that knowingly making any false statement or representation in this application is a violation of Section 373.430, F.S. and 18 U.S.C. Section 1001.

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Typed/Printed Name of Applicant (If no Agent is used) or Agent (If one is so authorized below)

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Signature of Applicant/Agent	Date
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(Corporate Title if applicable)

**AN AGENT MAY SIGN ABOVE ONLY IF THE APPLICANT COMPLETES THE FOLLOWING:**

B. I hereby designate and authorize the agent listed above to act on my behalf, or on behalf of my corporation, as the agent in the processing of this application for the permit and/or proprietary authorization indicated above; and to furnish, on request, supplemental information in support of the application. In addition, I authorize the above-listed agent to bind me, or my corporation, to perform any requirement which may be necessary to procure the permit or authorization indicated above. I understand that knowingly making any false statement or representation in this application is a violation of Section 373.430, F.S. and 18 U.S.C. Section 1001.

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Typed/Printed Name of Applicant	Signature of Applicant	Date
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(Corporate Title if applicable)

Please note: The applicant's original signature (not a copy) is required above.

**PERSON AUTHORIZING ACCESS TO THE PROPERTY MUST COMPLETE THE FOLLOWING:**

C. I either own the property described in this application or I have legal authority to allow access to the property, and I consent, after receiving prior notification, to any site visit on the property by agents or personnel from the Department of Environmental Protection, the Water Management District and the U.S. Army Corps of Engineers necessary for the review and inspection of the proposed project specified in this application. I authorize these agents or personnel to enter the property as many times as may be necessary to make such review and inspection. Further, I agree to provide entry to the project site for such agents or personnel to monitor permitted work if a permit is granted.

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Typed/Printed Name	Signature	Date
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(Corporate Title if applicable)