



Resilient Environment Department

ENVIRONMENTAL PERMITTING DIVISION

1 North University Drive, Mailbox 201, Plantation, Florida 33324 • 954-519-1483 • FAX 954-519-1412

January 13, 2025

City of Hollywood
c/o Jose Cortes
P.O. Box 229045
Hollywood, FL 33022
E-mail: jcortes@hollywoodfl.org

Re: FDEP Permit No.: 06-0456587-001
RED License No.: GL-HWD2412-032
Expiration Date of FDEP Permit: 01/13/30
Expiration Date of RED License: 01/13/27

Dear Mr. Cortes:

This is to notify you of the Resilient Environment Department's (RED) action concerning your applications received November 22, 2024. The applications have been reviewed for an Environmental Resource General License and Exemption Verification.

This exemption verification and license is issued under the authority of Part IV of Chapter 373, F.S., and Title 62, Florida Administrative Code (F.A.C.). The activity is not exempt to operating agreements executed among the Department of Environmental Protection, Broward County, and the South Florida Water Management District, as outlined in a document entitled "Delegation Agreement Among the Florida Department of Environmental Protection, the South Florida Water Management District, and Broward County," the Resilient Environment Department is responsible for reviewing and taking final agency action on this activity.

This project has also been reviewed in accordance with the provisions of Chapter 27, Article XI Sec. 27-331 through 27-341 of the Broward County Code. This license is issued under the provision of Chapter 27 of the Broward County Code of Ordinances also cited as Broward County Natural Resource Protection Code hereinafter called the Code. The above-named application hereinafter called the licensee, is hereby authorized to perform the work or operate the facility shown on the approved drawing(s), plans, documents, and specifications as submitted by applicant, and made a part hereof and specifically described as follows.

DESCRIPTION OF WORK

For Site 1: the proposed Project includes the installation of 293.57 linear feet (LF) of concrete stem wall upland of the existing seawall and (2) 261 sq ft of ramps and landing areas. Site 18 is proposing the installation of (1) 175 cubic feet (CF) of concrete volume of the proposed cap extension. Demo quantities in cover letter and all proposed work is upland. ***This license does not authorize dredging or any impacts to natural resources.***

LOCATION OF WORK

This project is located at N. Ocean Drive & Johnson Street (Site 1) and 804 S Ocean Drive (Site 18), in the City of Hollywood, Florida. Folio Number: 514213010010 & 514213010642.

Broward County Board of County Commissioners

Mark D. Bogen • Lamar P. Fisher • Beam Furr • Steve Geller • Robert McKinzie • Nan H. Rich • Hazelle P. Rogers • Tim Ryan • Michael Udine
www.broward.org

Construction shall be in accordance with the Environmental Resource General License application (GL) received on November 22, 2024, the ERP application received on November 22, 2024, all additional information submitted, plans stamped by the Department (attached) and with all General and Specific Conditions of this license.

Your request has been reviewed to determine whether it qualifies for (1) regulatory exemption, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

Your project did not qualify for the federal review portion of this verification request. **Additional authorization must be obtained prior to commencement of the proposed activity.** This letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity. Please refer to the specific section(s) dealing with that portion of the review below for advice on how to proceed. State water quality certification is waived for activities that are exempt under rule 62-330.051, F.A.C.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

1. Regulatory Review – Verified

Based on the information submitted, the Department has verified that the activity as proposed is exempt under Chapter 62-330.051(12)(d), Florida Administrative Code, from the need to obtain a regulatory permit under part IV of Chapter 373 of the Florida Statutes.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification may not be valid if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. In the event you need to re-verify the exempt status for the activity, a new request and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required.

2. Proprietary Review – Not required

The activity does not appear to be located on sovereign submerged lands and does not require further authorization under Chapter 253 of the Florida Statutes, or Chapters 18-20 or 18-21 of the Florida Administrative Code.

3. Federal Review – Not approved

Your proposed activity as outlined on your application and attached drawings does not qualify for Federal authorization pursuant to the State Programmatic General Permit V-R1 and a SEPARATE permit or authorization shall be required from the Corps. You must apply separately to the Corps using their APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT, ENG FORM 4345, or alternative as allowed by their regulations. More information on Corps permitting may be found online in the Jacksonville District Regulatory Division Source Book at: <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book>.

Authority for review - an agreement with the USACOE entitled "Coordination Agreement Between the U.S. Army Corps of Engineers (Jacksonville District) and Broward County Environmental Protection and Growth Management Department, State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

GENERAL CONSENT CONDITIONS:

- (1) Authorizations are valid only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.
- (2) Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.
- (3) Authorizations may be modified, suspended or revoked in accordance with their terms or the remedies provided in Sections 253.04 and 258.46, F.S., or Chapter 18-14, F.A.C.
- (4) Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.
- (5) Construction, use, or operation of the structure or activity shall not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.
- (6) Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.
- (7) Structures or activities shall not create a navigational hazard.
- (8) Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of Rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.
- (9) Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under paragraph 18-21.004(1)(f), F.A.C., or any other applicable law.

RED/EPGMD GENERAL CONDITIONS:

- (1) The terms, conditions, requirements, limitations and restrictions set forth herein are accepted by the licensee and enforceable by EPGMD pursuant to this chapter. EPGMD will review this license periodically and may revoke the license, initiate administrative and/or judicial action for any violation of the conditions by the licensee, its agents, employees, servants or representatives or principals.
- (2) This license is valid only for the specific uses set forth in the license application, and any deviation from the approved uses may constitute grounds for revocation and enforcement action by EPGMD.
- (3) In the event the licensee is temporarily unable to comply with any of the conditions of the license, the licensee shall notify EPGMD within twelve (12) hours. Within five (5) working days of the event, the licensee shall submit a written report to EPGMD that describes the incident, its cause, the measures being taken to correct the problem and prevent its reoccurrence, the owner's intention toward repair, replacement, and reconstruction of destroyed facilities, and a schedule of action leading toward operation within the license conditions.

(4) The issuance of this license does not convey any vested rights or exclusive privileges, nor does it authorize any injury to public or private property or any invasion of personal rights, or any violations of federal, state or local laws or regulations.

(5) This license must be available for inspection on the licensee's premises during the entire life of the license.

(6) By accepting this license, the licensee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source, that are submitted to EPGMD, may be used by EPGMD as evidence in any enforcement proceeding arising under Chapter 27, except where such use is prohibited by § 403.111, F.S.

(7) The licensee agrees to comply with Chapter 27, as amended.

(8) Any new owner of a licensed facility shall apply by letter for a transfer of license within thirty days after sale or legal transfer. The transferor shall remain liable for performance in accordance with the license until the transferee applies for, and is granted the transfer of license. The transferee shall also be liable for performance in accordance with the license.

(9) The licensee, by acceptance of this license, specifically agrees to allow access to the licensed source at reasonable times by EPGMD personnel for the purposes of inspection and testing to determine compliance with this license and this Chapter 27.

(10) This license does not constitute a waiver or approval of any other license that may be required for other aspects of the total project.

(11) If the licensee wishes to renew a license or extend its term, the licensee shall make application sixty (60) days prior to its expiration. Expired licenses are not renewable.

(12) In addition to the general conditions set forth above, each license issued by EPGMD shall contain specific conditions determined by site conditions and requirements pursuant to the regulations as determined by the director of EPGMD. The licensee agrees that specific conditions are enforceable by EPGMD for any violation thereof.

(13) Enforcement of the terms and provisions of this license shall be at the reasonable discretion of EPGMD, and any forbearance on behalf of EPGMD to exercise its rights hereunder in the event of any breach by the licensee, shall not be deemed or construed to be a waiver of EPGMD's rights hereunder.

RED SPECIFIC CONDITIONS:

A. STANDARD CONDITIONS

(1) **Notify the Department in writing a minimum of 48 hours prior to project commencement and a maximum of 48 hours after project completion.** Commencement notification should include such information as the intended start date, estimated duration of construction, and the name and contact information of the firm contracted to do the work. **Failure to comply with this condition will result in enforcement action.**

(2) Any project caused environmental problem(s) shall be reported immediately to the Department's Environmental Response Line at 954-519-1499.

(3) All project generated solid waste and/or spoil material must be disposed of in a suitable approved

manner at an upland location.

(4) Turbidity screens, silt fences, or equivalent shall be properly employed and maintained as necessary to effectively contain suspended sediments and/or runoff during construction activities. **Dredging, filling, excavation, seawall removal, seawall construction, and other projects which result in similar degrees of disturbance to wet sediments shall in all cases employ turbidity control measures designed to effectively enclose the entire work area.**

(5) Only clean fill shall be placed in the water bodies being filled. Any fill material used shall be free of garbage, rubbish, refuse, asphalt, hazardous materials, organic matter such [as] wood, lumber, tree or tree trimmings, or other contaminants. The disposal of any putrescible or deleterious debris in any water body is prohibited.

(6) This license does not eliminate the necessity to obtain any required federal, state, local or special district authorizations prior to the start of any activity approved by this license.

B. PROJECT SPECIFIC CONDITIONS

(1) All watercraft associated with the construction and use of the permitted structure shall only operate within waters of sufficient depth so as to preclude bottom scouring or prop dredging. Specifically, there shall be a minimum 12-inch clearance between the deepest draft of the vessel (with the motor in the down position) and the top of any submerged resources or canal bottom at mean low water.

(2) Backfill material shall be clean fill as defined by Section 27-332 of the Broward County Code of Ordinances.

(3) Construction shall be in accordance with the attached plans and drawings. Any deviation may require a new license and may cause enforcement actions to be initiated.

(4) No dredging other than that required for proper installation of the proposed seawall as authorized by this license.

(5) The seawall wetface shall be located within 1' of the existing seawall wetface and shall be constructed as shown on the attached drawings. The seawall returns shall not conflict with any existing setbacks or drainage or other utility easements.

(6) Turbidity levels shall be monitored and recorded if a visible turbidity plume is observed leaving the site during construction activities. If monitoring reveals that turbidity levels exceed 29 NTU's above natural background 50 feet downstream of the point of discharge, project activities shall immediately cease, and work shall not resume until turbidity levels drop to within these limits (62-302.530(69) Florida Administrative Code [FAC]).

(7) Turbidity screens, silt fences, or equivalent shall be properly employed and maintained as necessary to effectively contain suspended sediments and/or runoff during construction activities. Dredging, filling, excavation, seawall removal, seawall construction, and other projects which result in similar degrees of disturbance to wet sediments shall in all cases employ turbidity control measures designed to effectively enclose the entire work area. Connected turbidity curtain segments shall be overlapped and tied at the top and bottom so as to prevent turbidity from escaping through gaps between segments.

C. A COPY OF THIS LICENSE SHALL BE KEPT ON SITE DURING ALL PHASES OF LICENSED CONSTRUCTION.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rule 28-106.201, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any email address, any facsimile number, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

If you revise your project after submitting the initial joint application, please contact us as soon as possible. Also, if you have any questions, please contact Francisco Alvaro at (954) 519-1467 or via e-mail at FAlvaro@Broward.org. When referring to this project, please use the County file number listed above.

Executed in Plantation, Florida.

BROWARD COUNTY RESILIENT ENVIRONMENT DEPARTMENT as delegated by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Francisco Alvaro **August 23, 2023**

Natural Resource Specialist

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this determination, including all copies were sent on the filing date below to the listed persons.

Cummins Cederberg (via e-mail)

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to 120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Francisco Alvaro January 13, 2025
Clerk Date

Enclosures:

1. Attachment A - Specific Exemption Rule
2. One copy of stamped drawings (5 pages)
3. Broward County RED/EPGMD Variance and Administrative Review Procedures
4. Standard Manatee Conditions for In-Water Work, 2011, 2 pages

Attachment A

Chapter 62-330.051 Exempt Activities.

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under Chapters 253 and 258, F.S., and Chapters 18-18, 18-20, and 18-21, F.A.C., as applicable.

(12) Construction, Replacement, Restoration, Enhancement, and Repair of Seawall, Riprap, and Other Shoreline Stabilization –

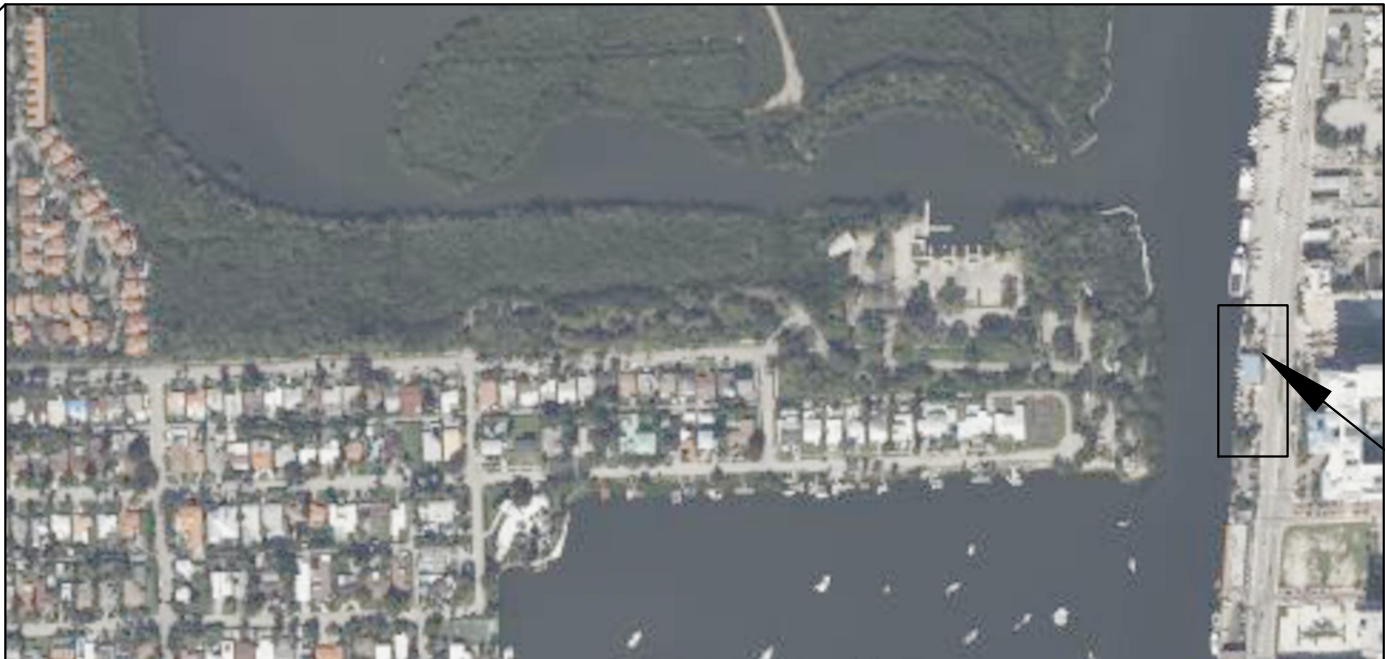
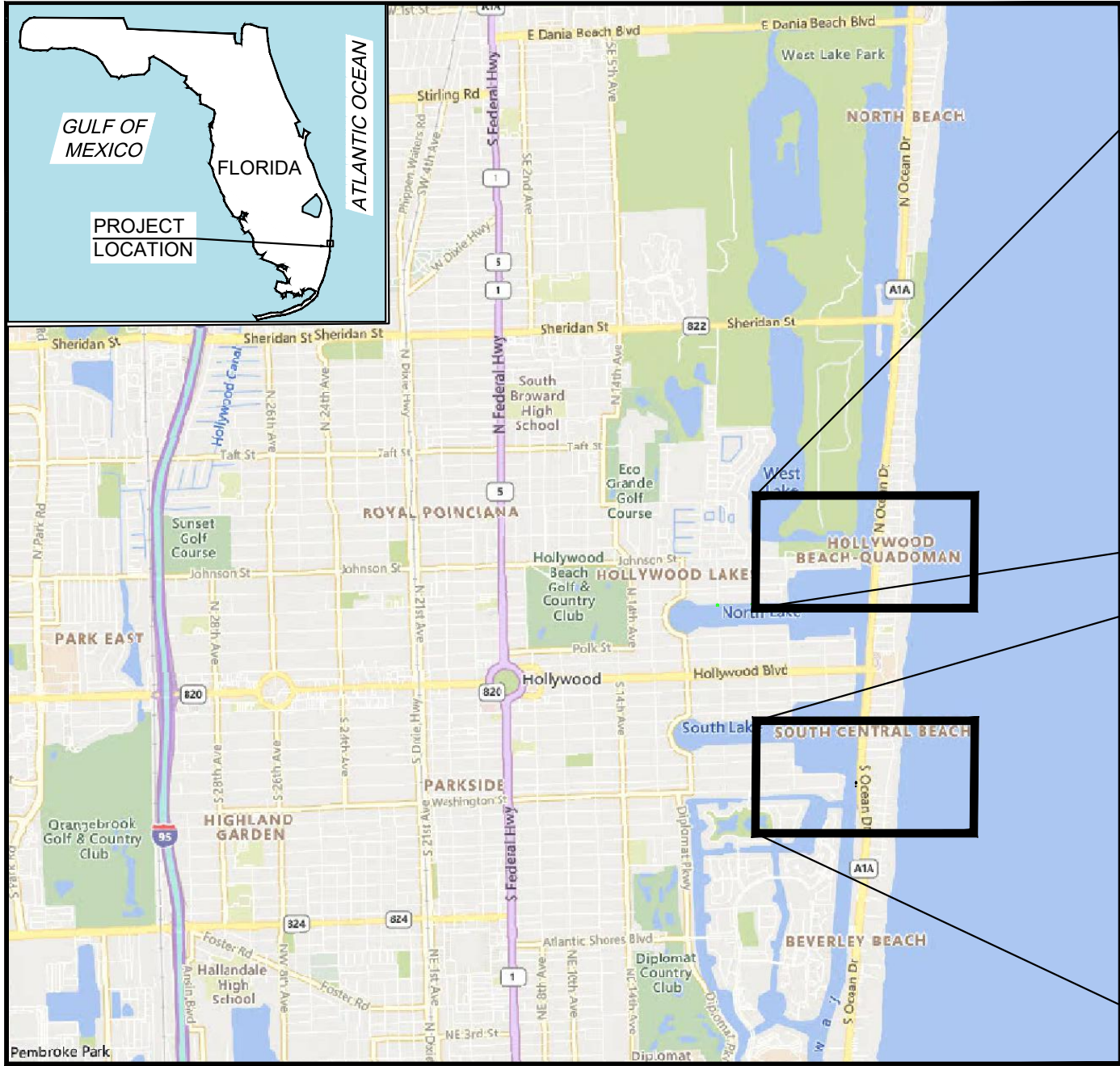
(d) Installation of batter piles, king piles, or a seawall cap, used exclusively to stabilize and repair seawalls, provided they do not impede navigation.

CITY OF HOLLYWOOD

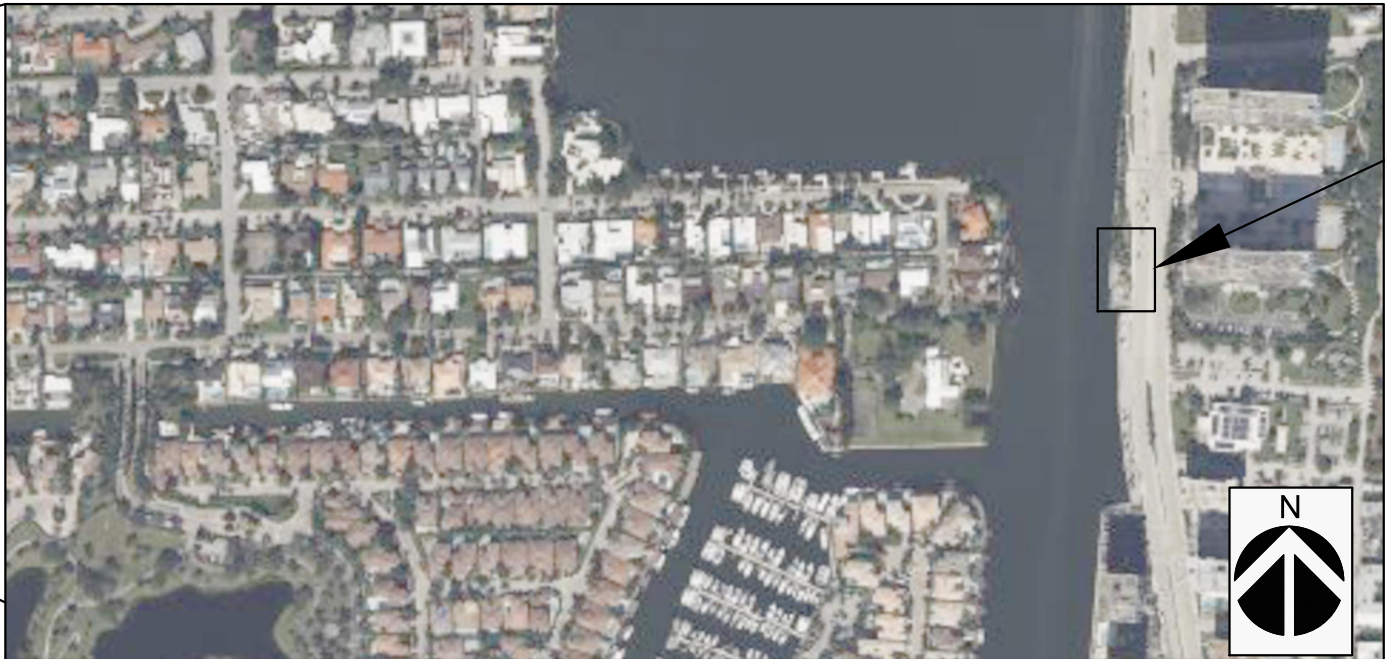
TIDAL FLOODING MITIGATION AND SHORELINE PROTECTION

SITES 1 & 18

CITY OF HOLLYWOOD PROJECT NO. DCM-001187



SITE 1
N OCEAN DR. &
JOHNSON STREET



SITE 18
804 S. OCEAN DR.

CLIENT:



CITY OF HOLLYWOOD
DEPARTMENT OF DESIGN AND
CONSTRUCTION MANAGEMENT
2600 HOLLYWOOD BLVD.
HOLLYWOOD, FL 33020

PRIME CONSULTANT:



COASTAL, MARINE & ENVIRONMENTAL
888 S. ANDREWS AVE. STE. 206
FORT LAUDERDALE, FL 33304
TEL: 954-880-1646

SUBCONSULTANTS:



CURTIS + ROGERS
LANDSCAPE ARCHITECTURE
3440 HOLLYWOOD BLVD. STE. 415
HOLLYWOOD, FL 33021
TEL: 954-610-4412



CHEN MOORE AND ASSOCIATES
CIVIL ENGINEER
500 W. CYPRESS CREEK RD. STE. 600
FORT LAUDERDALE, FL 33309
TEL: 954-730-0707



NIV5
GEOTECHNICAL ENGINEER
200 SOUTH PARK RD. STE. 350
HOLLYWOOD, FL 33021
TEL: 954-495-2112



BRIZAGA
PUBLIC OUTREACH
2101 W. COMMERCIAL BLVD. STE. 4600
FORT LAUDERDALE, FL 33309
TEL: 954-834-3533



KEITH & ASSOCIATES SURVEYOR
301 E. ATLANTIC BLVD.
POMPAÑO BEACH, FL 33060
TEL: 954-788-3400

NOT FOR CONSTRUCTION

PERMIT DRAWINGS
FOR REGULATORY REVIEW
11/21/2024



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ALWAYS CALL 811
BEFORE YOU DIG

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PRINTED COPIES OF THIS DOCUMENT ARE NOT
CONSIDERED SIGNED AND SEALED AND THE SIGNATURE
MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

A circular professional engineer seal for the State of Florida. The outer ring contains the text "JORDON P. CHEIFET" at the top and "PROFESSIONAL ENGINEER" at the bottom, separated by two stars. Inside the ring, the word "LICENSE" is at the top, "No. 72876" is in the center, and "STATE OF FLORIDA" is at the bottom, with a single star positioned between the license number and the state name.

CUMMINS CEDERBERG	
COASTAL, MARINE & ENVIRONMENTAL	
SHEET	DESCRIPTION
CM-1.0	SIGNATURE SHEET
CM-1.1	GENERAL NOTES
CM-1.2	GEOTECHNICAL BORINGS - SITE 1
CM-1.3	GEOTECHNICAL BORINGS - SITE 18
CM-1.4	SITE 1 SURVEY
CM-2.0	SITE 1 - EXISTING CONDITIONS & DEMOLITION PLAN
CM-2.1	SITE 1 - PROPOSED SITE PLAN & SECTIONS
CM-2.2	SITE 1 - PROPOSED SECTIONS & DETAILS
CM-3.0	SITE 18 - EXISTING CONDITIONS & DEMO PLAN
CM-3.1	SITE 18 - PROPOSED SITE PLAN & DETAILS

PROJECT NO. DCM-001187

2600 HOLLYWOOD BLVD
HOLLYWOOD FL. 33020



COASTAL, MARINE & ENVIRONMENTAL
888 S. ANDREWS AVE. STE. 206
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CIVIL ENGINEER
500 W. CYPRESS CREEK RD. STE. 60
FORT LAUDERDALE, FL 33309
TEL: 954-730-0707

PUBLIC OUTREACH
2101 W. COMMERCIAL BLVD. STE. 460
FORT LAUDERDALE, FL 33309
TEL: 954-834-3533

[illegible]

CC PROJECT NO:	84300
DRAWN	SV
CHECKED	SO
SCALE	SCALES PERTAIN TO 22"x34" SHEET SIZE

SIGNATURE SHEET

CM-1.0

<div><div>1. GENERAL</div><div><div><div>1.1. THE WORK CONSISTS OF PROVIDING ALL CONSTRUCTION, LABOR, EQUIPMENT, MATERIAL AND OPERATIONS IN CONNECTION WITH THE MARINE WORKS AND RELATED IMPROVEMENTS AS SHOWN ON THESE DRAWINGS.</div><div>1.2. ANY DISCREPANCIES IN THE PLANS WITH THE FIELD CONDITIONS SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE ENGINEER. CONSTRUCTION SHALL NOT CONTINUE UNTIL THE ENGINEER HAS ADDRESSED THE DISCREPANCIES.</div><div>1.3. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT EXISTING STRUCTURES IN THE PROJECT VICINITY. ANY DAMAGE TO PRIVATE OR PUBLIC PROPERTY WITHIN THE PROJECT VICINITY, INCLUDING STAGING SITES, WORK AND ACCESS AREAS SHALL BE REPAIRED PROMPTLY BY THE CONTRACTOR. ANY DAMAGE AS A RESULT OF THE CONTRACTOR'S OPERATIONS SHALL BE REPAIRED AT NO COST TO THE OWNER. ALL ACCESS AND STAGING AREAS SHALL BE KEPT NEAT, ORDERLY AND IN A SAFE MANNER. ALL ACCESS AND STAGING AREAS SHALL BE RESTORED TO THE PRE-CONSTRUCTION CONDITION UPON PROJECT COMPLETION AT THE COST OF THE CONTRACTOR. THE SITE SHALL BE RESTORED BY REMOVING AND FINISHING ALL EVIDENCE FOR CONSTRUCTION. IN THE EVENT INFRASTRUCTURE (SUCH AS WALKWAYS, SIDEWALKS, FENCES, VEGETATION, ETC.) IS TEMPORARILY REMOVED OR RELOCATED OR THERE IS UNAUTHORIZED DAMAGE TO VEGETATION AND/OR FACILITIES BY THE CONTRACTOR, THE CONTRACTOR SHALL RESTORE ALL DAMAGE TO STRUCTURES AND NATURAL FEATURES TO PRE-CONSTRUCTION CONDITIONS OR BETTER.</div><div>1.4. UTILITIES ARE NOT SHOWN IN THE PLANS. CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL PRESENT UTILITIES PRIOR TO CONSTRUCTION.</div><div>1.5. CONTRACTOR IS RESPONSIBLE FOR PROVIDING PROPER CLEARANCE AND PROTECTION TO ALL OVERHEAD WIRES AND OBSTRUCTIONS. THE CONTRACTOR SHALL EXCLUDE THE PUBLIC FROM THE WORK AREAS IN THE IMMEDIATE VICINITY OF OPERATIONS. CONTRACTOR SHALL PROVIDE APPROPRIATE SAFETY MEASURES TO PROTECT THE PUBLIC.</div><div>1.7. ALL NEW STRUCTURAL WORK SHALL BE ACCURATELY FIELD MEASURED AND DIMENSIONS VERIFIED BY THE CONTRACTOR PRIOR TO ORDERING MATERIALS. CONTRACTOR SHALL BE PREPARED TO MAKE FIELD ADJUSTMENTS TO ACCURATELY FIT THE NEW WORK TO EXISTING CONDITIONS.</div><div>1.8. NO CONSTRUCTION SHALL COMMENCE UNTIL ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN SECURED AND THE CONTRACTOR HAS BEEN ISSUED NOTICE TO PROCEED.</div><div>1.9. ATTENTION IS DIRECTED TO THE FACT THAT THESE PLANS MAY HAVE BEEN CHANGED IN SIZE BY REPRODUCTION. THIS SHOULD BE CONSIDERED WHEN OBTAINING SCALED DATA.</div><div>1.10. CONSTRUCTION WORK SHALL BE EXECUTED IN ACCORDANCE WITH ALL LOCAL, STATE, CITY AND NATIONAL BUILDING CODES AND GOVERNING REGULATIONS INCLUDING FDEP, USACE, AND BROWARD COUNTY. CONTRACTOR SHALL ADHERE TO ALL CONDITIONS OF THE PERMITS AND EXEMPTIONS.</div></div></div><div><div>2. DESIGN CRITERIA</div><div><div>2.1. FLORIDA BUILDING CONSTRUCTION 2023, ASCE 7-22, ACI 318-19</div></div></div><div><div>3. SURVEY</div><div><div>3.1. SURVEY PERFORMED BY KEITH AND ASSOCIATES. DATED MAY 11, 2023.</div><div>3.2. ELEVATIONS ARE IN FEET AND REFERENCED TO NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).</div></div></div><div><div>4. GEOTECHNICAL DATA</div><div><div>4.1. GEOTECHNICAL REPORT PROVIDED BY NV5, DATED MAY 18, 2022.</div></div></div><div><div>5. TIDAL DATA</div><div><div>5.1. CONTRACTOR MAY NEED TO ADJUST HIS WORK PLAN TO ACCOUNT FOR ACTUAL WATER LEVELS AND CHANGING WATER LEVELS. THE SITE MAY BE SUBJECT TO VARIABLE WAVE AND SURGE CONDITIONS AND IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE TEMPORARY SUPPORT FOR MARINE STRUCTURES AND SHORELINE DURING CONSTRUCTION.</div><div>5.2. SEE VERTICAL DATUM DIAGRAM THIS SHEET.</div><div>5.3. HIGHEST ASTRONOMICAL TIE (HAT) OF +1.77' NAVD88 WAS OBTAINED FROM NOAA STA. 8722956, SOUTH PORT EVERGLADES, FL.</div></div></div><div><div>6. LAYOUT AND TESTING</div><div><div>6.1. ALL CONSTRUCTION STAKEOUT SHALL BE PERFORMED BY AND PAID FOR BY THE CONTRACTOR UNDER THE SUPERVISION OF A SURVEYOR REGISTERED IN THE STATE OF FLORIDA.</div><div>6.2. CONTRACTOR SHALL PROVIDE THE ENGINEER WITH A SET OF AS-BUILT DRAWINGS IN SUFFICIENT DETAIL TO ILLUSTRATE THE HORIZONTAL AND VERTICAL COMPONENTS OF ABOVE AND BELOW-GROUND STRUCTURES RELATIVE TO THE CONSTRUCTION BASELINE. DRAWINGS SHALL BE SIGNED AND SEALED BY A FLORIDA-REGISTERED SURVEYOR.</div></div></div><div><div>7. DEMOLITION</div><div><div>7.1. CONTRACTOR SHALL VERIFY THE EXTENTS, LOCATION AND QUANTITIES OF EXISTING ELEMENTS TO BE REMOVED.</div><div>7.2. ALL DEBRIS WITHIN THE LIMITS OF THE PROJECT SHALL BE HAULED OFF SITE BY THE CONTRACTOR, AS DIRECTED BY THE OWNER, AND DISPOSED OF AT AN APPROPRIATE FACILITY.</div><div>7.3. CONTRACTOR SHALL NOT DAMAGE ANY STRUCTURAL COMPONENTS BEYOND THE DEMOLITION REQUIREMENTS DEPICTED IN THESE DRAWINGS. ANY DAMAGE SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.</div></div></div><div><div>8. TIMBER</div><div><div>8.1. DESIGN IS IN ACCORDANCE WITH 2023 FLORIDA BUILDING CODE, ASCE 7-22 AND AWC-ND5 2018.</div><div>8.2. ALL DIMENSIONAL LUMBER SHALL BE PRESSURE TREATED, NO.1 DENSE GRADE SYP OR BETTER AND COMPLY WITH A.I.T.C. 109-69 SPECIFICATIONS UNLESS OTHERWISE NOTED.</div><div>8.3. COAT FIELD CUTS WITH WOOD SEALANT.</div><div>8.4. ALL FRAMING CONNECTIONS TO BE INSTALLED WITHIN 1/4" TOLERANCE OF DIMENSIONS, SPACING, AND EDGE DISTANCES AS SPECIFIED IN THESE PLANS.</div><div>8.5. DECKING SHALL BE SYP 5/4" X 6" BOARDS, DECKING SHALL HAVE 1/2" GAPPING BETWEEN BOARDS AND TO CONCRETE.</div><div>8.6. SYP DECKING SHALL BE DRIED FOR EXTERIOR USE.</div><div>8.7. SYP DECKING SHALL MEET ASTM C 1028 TESTING STANDARDS FOR</div></div></div><div><div>9. ENVIRONMENTAL NOTES</div><div><div>9.1. CONTRACTOR SHALL SUBMIT A TURBIDITY CONTROL AND MONITORING PLAN FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION IN ACCORDANCE WITH APPROVED PERMITS.</div><div>9.2. TURBIDITY CURTAINS SHALL BE DEPLOYED FOR THE DREDGING PROJECT PER THE PLANS AND THE APPROVED PERMITS.</div><div>9.3. TURBIDITY CURTAINS SHALL NOT BE RELOCATED/REMOVED FROM DREDGING AREA UNTIL LEVELS WITHIN ENCLOSED AREA RETURN TO BACKGROUND LEVELS OUTSIDE THE CURTAINS.</div><div>9.4. TURBIDITY CURTAINS SHALL EXTEND TO WITHIN 1 FOOT OF THE MUDLINE.</div><div>9.5. TURBIDITY CURTAINS SHALL BE SECURED WITH TEMPORARY STEEL OR TIMBER PILINGS AT SUFFICIENT SPACING TO MAINTAIN CONTROL FUNCTIONS. ALL LINES SHALL BE TAUT AND NON-LOOPING TO PREVENT WILDLIFE ENTANGLEMENT.</div><div>9.6. CONSTRUCTION PERSONNEL SHALL OBSERVE ANY ESA-LISTED SPECIES OR MARINE MAMMALS. IF ANY INTERACTION OCCURS, THE INCIDENT WILL BE IMMEDIATELY REPORTED TO THE APPROPRIATE AGENCY. VESSEL OPERATORS SHALL OPERATE AT "IDLE SPEED/ NO WAKE" AT ALL TIMES WHILE OPERATING IN WATER DEPTHS WITH LESS THAN 4-FOOT CLEARANCE, OR IF A PROTECTED SPECIES HAS BEEN OBSERVED. ALL VESSELS SHALL FOLLOW MARKED CHANNEL ROUTES. OPERATION OF MECHANICAL EQUIPMENT SHALL CEASE IF A PROTECTED SPECIES IS OBSERVED WITHIN A 50-FOOT RADIUS OF CONSTRUCTION EQUIPMENT AND SHALL RESUME ONLY WHEN THE SPECIES HAS LEFT THE AREA OF ITS OWN VOLITION.</div><div>9.7. THE CONTRACTOR SHALL NOT ANCHOR, PLACE PIPELINE, OR STAGE EQUIPMENT IN A MANNER THAT WILL CAUSE ANY DAMAGE TO MARINE RESOURCES. ANCHORING, OR STAGING EQUIPMENT SHALL AVOID THESE SENSITIVE AREAS. IF SUCH ACTIVITIES CANNOT BE DONE WITHOUT AFFECTING THESE SENSITIVE AREAS, THE ACTIVITIES SHALL CEASE AND THE ENGINEER SHALL BE NOTIFIED IMMEDIATELY (NO LATER THAN THE MORNING FOLLOWING THE NEXT WORKING DAY IF THE INCIDENT OCCURS AFTER NORMAL WORKING HOURS). ANY ACTUAL OR POTENTIAL INCIDENT INVOLVING DAMAGE TO, OR DISTURBANCE OF, SEAGRASSES SHALL BE REPORTED.</div></div></div><div><div>10. SUBMITTALS</div><div><div>10.1. ALL SHOP DRAWINGS MUST BEAR EVIDENCE OF THE CONTRACTOR'S APPROVAL PRIOR TO SUBMITTING TO THE ENGINEER.</div><div>10.2. THE FOLLOWING MINIMUM SUBMITTALS SHALL BE PREPARED BY THE CONTRACTOR AND SUBMITTED TO THE ENGINEER FOR REVIEW AND APPROVAL PRIOR TO RELATED CONSTRUCTION ACTIVITY:</div><div>10.2.1. SCHEDULE FOR COMPLETION OF WORK WITH TASKS AND DURATIONS DEFINED</div><div>11. DEMOLITION METHODS AND DISPOSAL PLAN</div><div>12. ROCK WEIGHT TICKETS</div><div>13. HARDWARE</div><div>14. EPOXY</div><div>15. GEOTEXTILE FABRIC</div><div>16. EARTH PLUG INSTALLATION AND METHODOLOGY</div><div>17. INCLEMENT WEATHER</div><div>18. BACKFILL</div></div></div><div><div>20. EARTH WORKS (EXCAVATION AND BACKFILL)</div><div><div>20.1. EXCAVATED MATERIAL MAY BE TEMPORARILY STOCKPILED IN THE STAGING AREA FOR OFF-SITE DISPOSAL AT AN APPROVED UPLAND FACILITY.</div><div>20.2. BACKFILL SHALL BE CLEAN GRAVEL (#57 STONE).</div><div>20.3. BACKFILL SHALL BE TOPPED WITH 6" OF CLEAN TOPSOIL AND SODDED TO MEET THE GRADE'S SPECIFIED HEREIN.</div><div>20.4. DAMAGED OR REMOVED VEGETATION SHALL BE RESTORED IN-KIND TO PRE-PROJECT CONDITION.</div></div></div><div><div>21. CONCRETE</div><div><div>21.1. FORMS FOR THIS WORK SHALL BE MADE OF EITHER WOOD OR METAL. THEY SHALL BE STRAIGHT AND FREE OF WARP OR BENDS. THEY SHALL HAVE SUFFICIENT STRENGTH AND RIGIDITY. WHEN STAKED, TO RESIST THE PRESSURE OF THE CONCRETE WITHOUT SPRINGING. IF WOODEN FORMS ARE USED, THEY SHALL BE OF ADEQUATE SECTION AND SHALL HAVE A FLAT SURFACE ON TOP. FORMS SHALL HAVE A DEPTH AT LEAST EQUAL TO THE VERTICAL DIMENSIONS FOR THE DEPTH OF THE CONCRETE BEING DEPOSITED AGAINST THEM. WHEN READY FOR THE CONCRETE TO BE DEPOSITED, THEY SHALL NOT VARY FROM THE APPROVED LINE AND GRADE, AND SHALL BE KEPT SO UNTIL THE CONCRETE HAS SET.</div><div>21.2. JUST PRIOR TO PLACING THE CONCRETE ANY WOODEN FORMS SHALL BE MOISTENED AND ALL STEEL REINFORCING SHALL BE RINSED WITH FRESH WATER. THE CONCRETE SHALL BE PLACED IN THE FORMS AND TAMPED IN PLACE SO THAT ALL HONEYCOMBS WILL BE ELIMINATED AND SUFFICIENT MORTAR BROUGHT TO A SMOOTH EVEN FINISH BY MEANS OF A FLOAT.</div><div>21.3. CONTRACTOR SHALL BE PREPARED TO PLACE CONCRETE OF LOWER MEMBERS OF THE MARINE STRUCTURES IN SUBMERGED CONDITIONS UTILIZING TREMIE METHODS AT NO ADDITIONAL COST.</div><div>21.4. NO CONCRETE SHALL BE POURED DURING UNFAVORABLE WEATHER OR SEA CONDITIONS.</div><div>21.5. ALL STEEL SHALL HAVE A MINIMUM OF 3 INCHES CONCRETE COVER, UNLESS OTHERWISE NOTED. NO CHAIRS OR OTHER METAL SHALL PROTRUDE FROM SURFACE OF CONCRETE.</div><div>21.6. CAST-IN-PLACE CONCRETE SHALL BE A MINIMUM OF 5,000 PSI COMPRESSIVE STRENGTH AT 28 DAYS. WATER CEMENT RATIO (W/C) SHALL BE LESS THAN OR EQUAL TO 0.4. PROVIDE MIX DESIGN FOR A CLASS IV CONCRETE FOR AN EXTREMELY AGGRESSIVE (MARINE) ENVIRONMENT IN ACCORDANCE WITH FDOT SPECIFICATIONS. PROVIDE SUFFICIENT AMOUNT OF FLY ASH AND SILICA FUME TO THE CEMENT CONTENT. CONTRACTOR SHALL PROVIDE MIX DESIGN TO ENGINEER FOR APPROVAL 10 DAYS PRIOR TO CONCRETE PLACEMENT.</div><div>21.7. NO WATER SHALL BE ADDED TO CONCRETE AT THE JOB SITE UNLESS AUTHORIZED BY THE ENGINEER OR SPECIAL INSPECTOR.</div><div>21.8. WHEN SURFACE FINISHING IS COMPLETED, THE STRUCTURE SHALL BE PROTECTED AGAINST WAVE SPLASH FOR TWO DAYS AND CURED PER APPLICABLE PARAGRAPHS OF SECTION 400-16 OF THE FDOT STANDARD SPECIFICATIONS. CURING SHALL OCCUR FOR AT LEAST 7 DAYS.</div><div>21.9. A SURFACE PENETRANT SEALER OF ALKYL-ALKOXY SILANE CLASSIFICATION, SUCH AS BASF ENVIROSEAL, OR APPROVED EQUAL SHALL BE APPLIED ALL EXPOSED CONCRETE.</div><div>21.10. APPLY SIKA ARMATEC 110 BONDING AGENT, OR APPROVED EQUAL, AT CONSTRUCTION JOINTS PRIOR TO PLACEMENT OF NEW CONCRETE.</div><div>21.11. COMPONENTS NOT CONSTRUCTED ACCORDING TO THESE SPECIFICATIONS SHALL BE REMOVED AND REPLACED PROPERLY AT</div></div></div><div><div>22. REINFORCEMENT STEEL</div><div><div>22.1. ALL REINFORCING STEEL SHALL CONFORM TO ASTM A615, GRADE 60, DEFORMED BARS FREE FROM LOOSE RUST AND SCALE.</div><div>22.2. STEEL SHALL BE PLACED AS SHOWN IN THE PLANS. ALL ACCESSORIES SHALL BE PLASTIC ONLY TO SUPPORT REINFORCING EXPOSED TO WEATHER. ALL REINFORCING STEEL SHALL BE ACCURATELY LOCATED AND FIRMLY HELD IN PLACE BEFORE AND DURING THE PLACEMENT OF CONCRETE.</div><div>22.3. CONTRACTOR SHALL ADVISE ENGINEER OF THE REQUIRED REINFORCING STEEL SITE REVIEW AT LEAST 24 HOURS PRIOR TO PLACING OF CONCRETE.</div><div>22.4. CONTRACTOR TO ALLOW FOR 5% ADDITIONAL REINFORCING FOR ENGINEER TO USE AT HIS DISCRETION DURING CONSTRUCTION. ANY UNUSED PORTION SHALL BE CREDITED BACK TO OWNER UPON COMPLETION OF PROJECT.</div><div>22.5. LAP SPLICES ARE TO BE A MINIMUM 29 INCHES FOR #5 REINFORCEMENT BARS.</div></div></div><div><div>23. STRUCTURAL STEEL</div><div><div>23.1. WELD ELECTRODES SHALL BE E70.</div><div>23.2. STAINLESS STEEL DOWELS SHALL CONFORM TO ASTM 316.</div><div>23.3. HARDWARE SHALL BE SHOP-COATED W/ 2 COATS TNEMIC COAL TAR EPOXY, 16 MILS DRY FILM THICKNESS. ANY DAMAGE TO COATING SHALL BE REPAIRED IN FIELD W/COAL TAR BITUMEN MASTIC.</div><div>23.4. STRUCTURAL STL. SHALL CONFORM TO FOLLOWING ASTM STANDARDS, UNO:</div><div>23.5. H PILE SHALL CONFORM TO A572 GR. 50. W BEAMS SHALL CONFORM TO A992 GR. 50.</div><div>23.6. BOLTS SHALL BE HOT DIPPED GALVANIZED AND FIELD-COATED W/ COAL TAR BIT</div></div></div></div>

PAGE A-22PAGE A-23PAGE B-9

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CC PROJECT NO:	84300
DRAWN	SV
CHECKED	SO
SCALE	SCALES PERTAIN TO 22"x34" SHEET SIZE

CM-1.2



CM-1.4

\\10.10.02\c\Projects\84300 Hollywood Tidal Flooding & Shoreline\03 - Drawings\SITES\84300 - SITES 1 &18\WORKING\2024-11-21\p 84300 HOLLYWOOD SITES 1 & 18.dwg



EXISTING SITE 1
SCALE: 1" = 20'



DEMOLITION QUANTITIES - SITE 1		
ITEM	UNIT	QTY.
PLANTER DEMO	SQ. FT.	88.8
STAIRWELL	SQ. FT.	23.5

PROJECT:
CITY OF HOLLYWOOD TIDAL
FLOODING MITIGATION AND
SHORELINE PROTECTION
PROJECT - SITES 1 & 18

PROJECT NO. DCM-001187

CLIENT:
CITY OF HOLLYWOOD, FL
DEPARTMENT OF DESIGN
AND CONSTRUCTION
MANAGEMENT

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HOLLYWOOD FL. 33020



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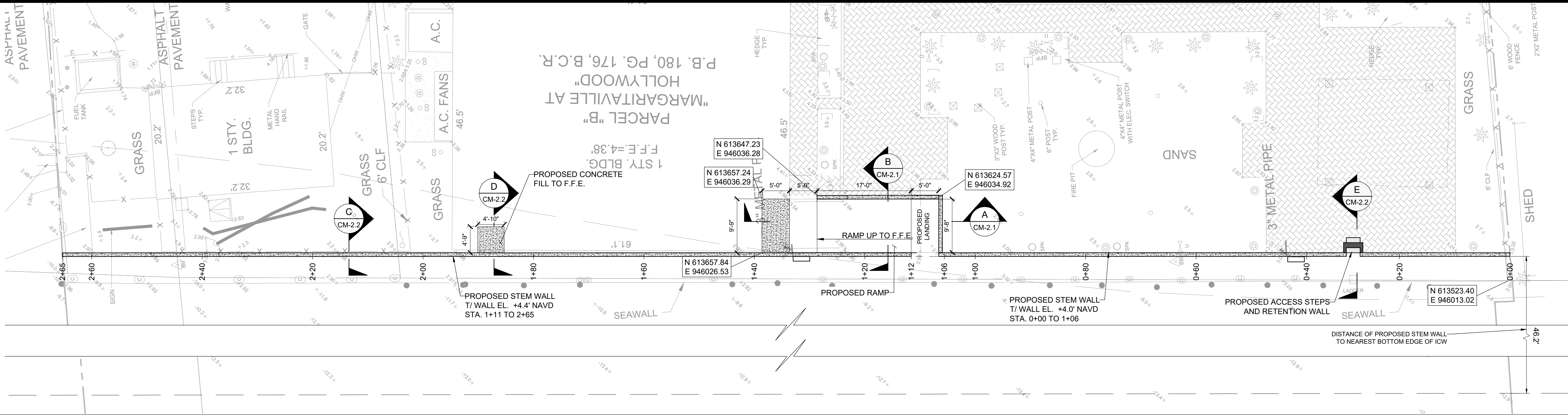
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DATE	ISSUE	DATE	ISSUE	DATE	ISSUE	DATE	ISSUE	DATE	ISSUE	
11/21/2024										

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DRAWN	SV
CHECKED	SO
SCALE	SCALES PERTAIN TO 22"x34" SHEET SIZE

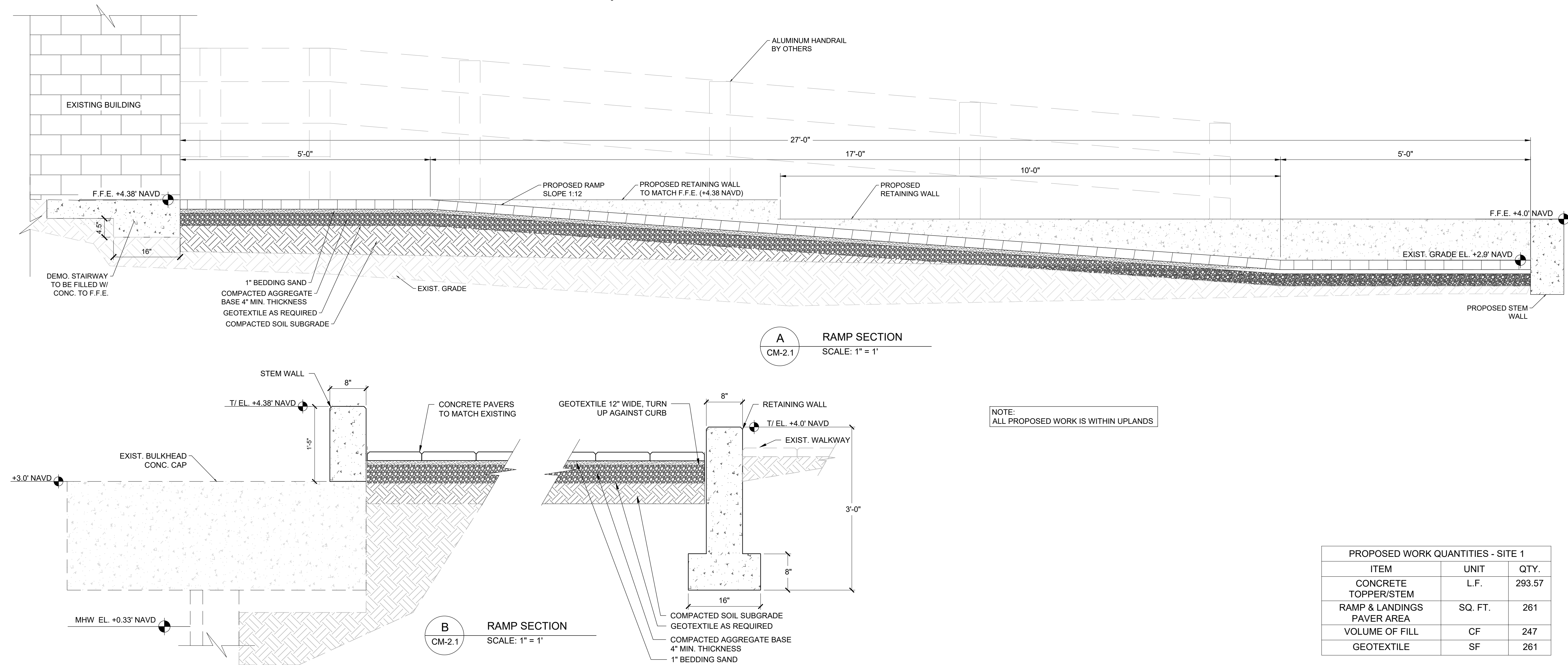
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SITE 1 - EXIST.
CONDITIONS &
DEMO PLANS

CM-2.0

\\10.10.02\c\Projects\84300 Hollywood Tidal Flooding & Stormline\03 - Drawings\SITES\84300 - SITES 1 & 18.dwg



1 SITE 1 - PROPOSED WORK
CM-2.1 SCALE: 22x34: 1" = 20'



PROJECT:
CITY OF HOLLYWOOD TIDAL
FLOODING MITIGATION AND
SHORELINE PROTECTION
PROJECT - SITES 1 & 18

PROJECT NO. DCM-001187

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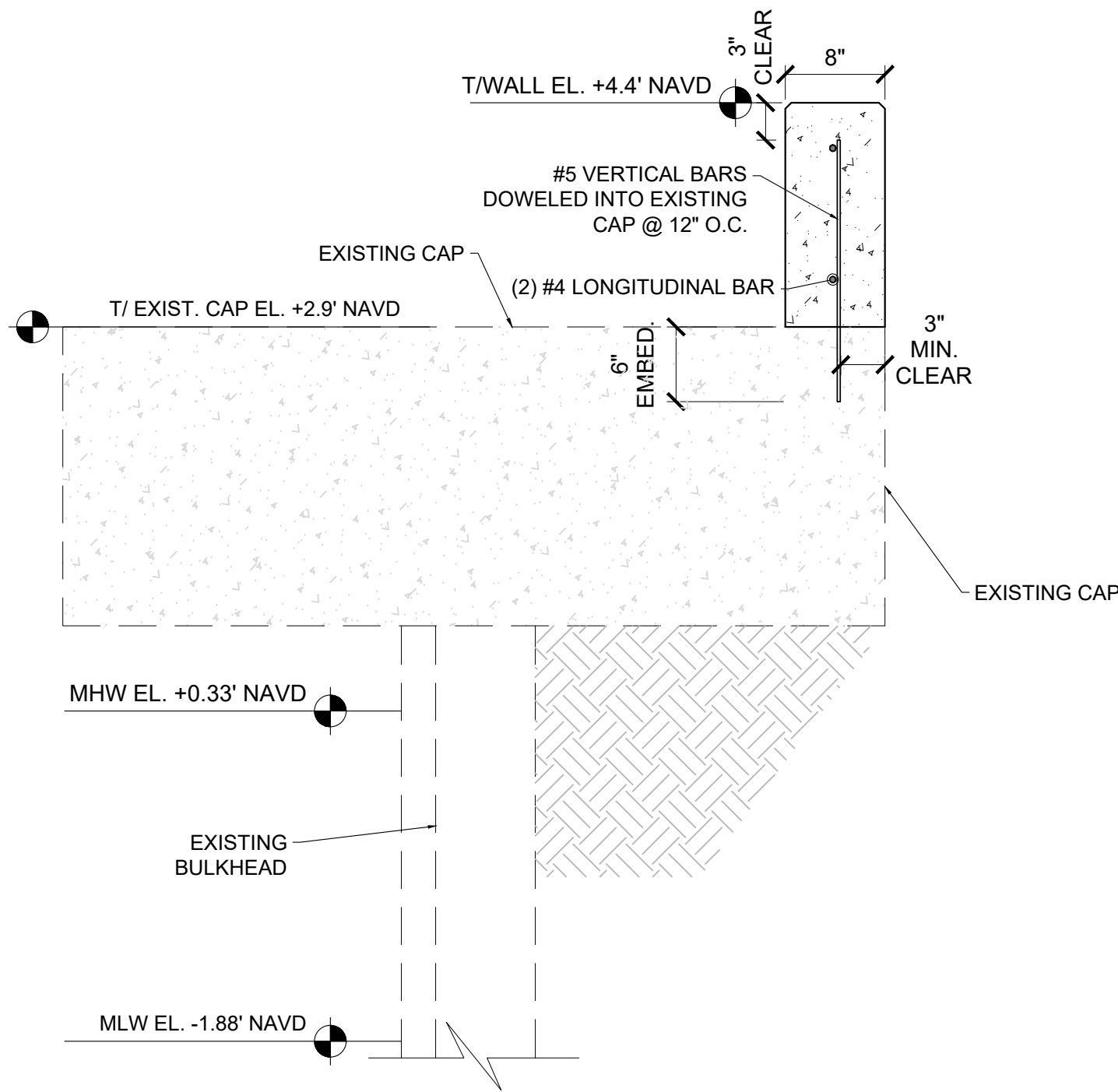
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SUBMISSION / REVISION											
DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE
11/21/2024											

CC PROJECT NO: 84300
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CHECKED: SO
SCALE: SCALES PERTAIN TO 22"x34" SHEET SIZE

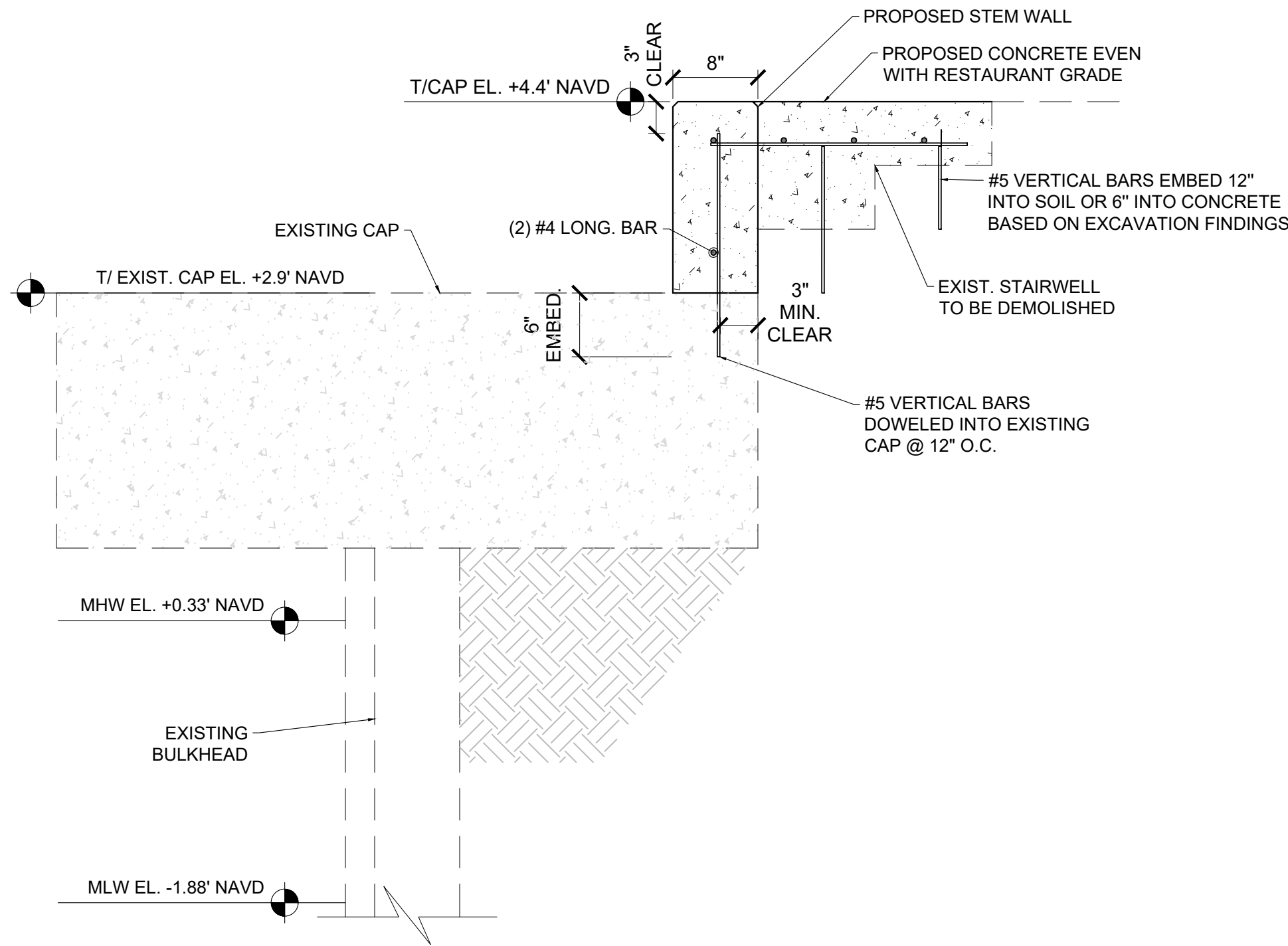
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SITE 1 - PROPOSED
SITE PLAN &
SECTIONS

CM-2.1

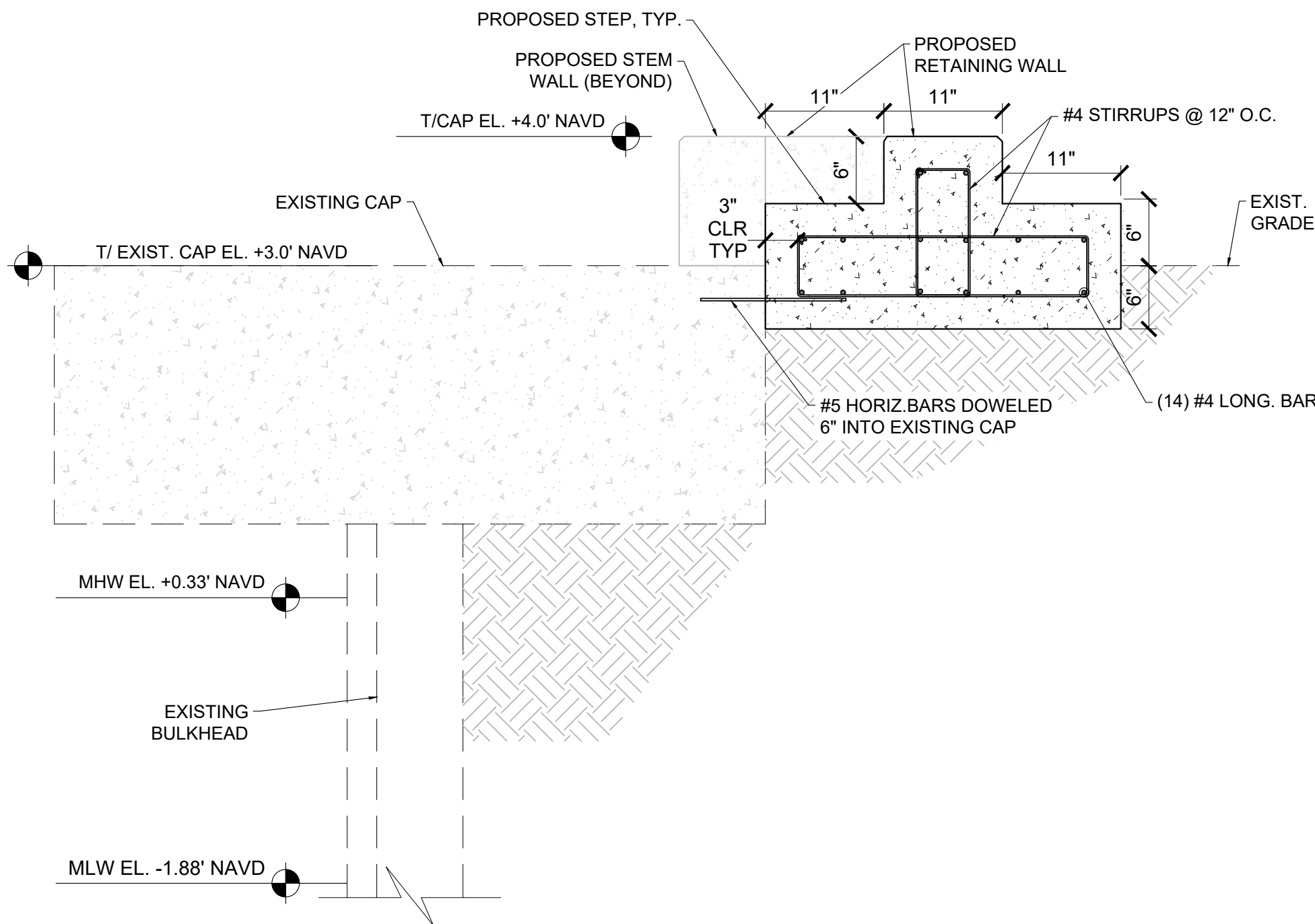
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C BULKHEAD SECTION
CM-2.1 SCALE: 22x34: 1" = 1'



D BULKHEAD SECTION
CM-2.1 SCALE: 22x34: 1" = 1'



E BULKHEAD SECTION
CM-2.1 SCALE: 22x34: 1" = 1'

PROJECT:
CITY OF HOLLYWOOD TIDAL
FLOODING MITIGATION AND
SHORELINE PROTECTION
PROJECT - SITES 1 & 18

PROJECT NO. DCM-001187

CLIENT:
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DEPARTMENT OF DESIGN
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DATE	REVISION	PERMIT DRAWINGS
11/21/2024		
ISSUE		

CC PROJECT NO:	84300
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SCALE	SCALES PERTAIN TO 22"x34" SHEET SIZE

SHEET TITLE
**PROPOSED
SECTIONS &
DETAILS**

CM-2.2

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EXISTING SITE 18
SCALE: 1" = 10'



PROJECT:
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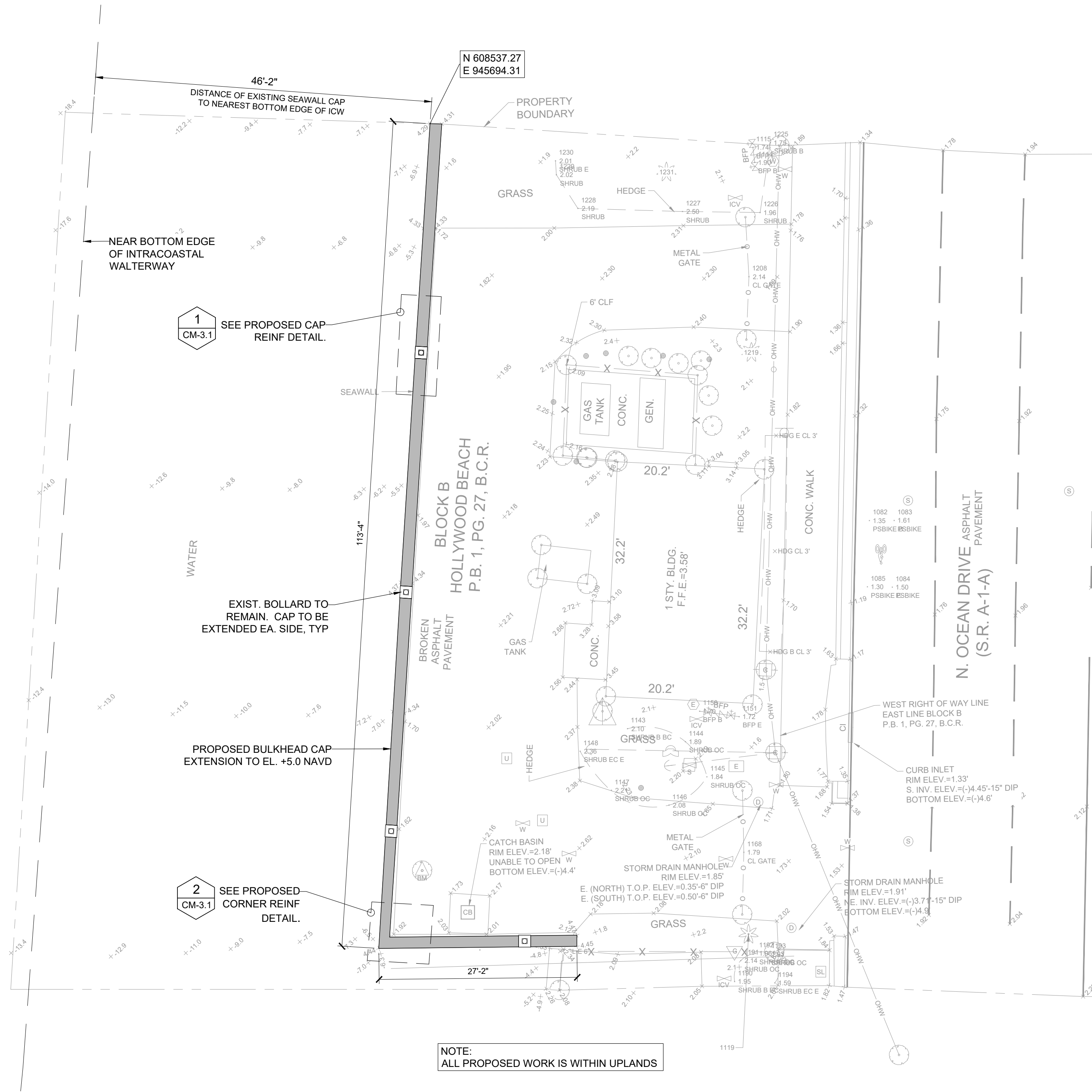
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CC PROJECT NO:	84300
DRAWN	SV
CHECKED	SO
SCALE	SCALES PERTAIN TO 22"x34" SHEET SIZE

SHEET TITLE
SITE 18 - EXIST.
CONDITIONS &
DEMO PLAN

CM-3.0

\\10.10.02\c\Projects\84300 Hollywood Tidal Flooding & Shoreline\03 - Drawings\SITES\84300 - SITES 1 & 18.dwg



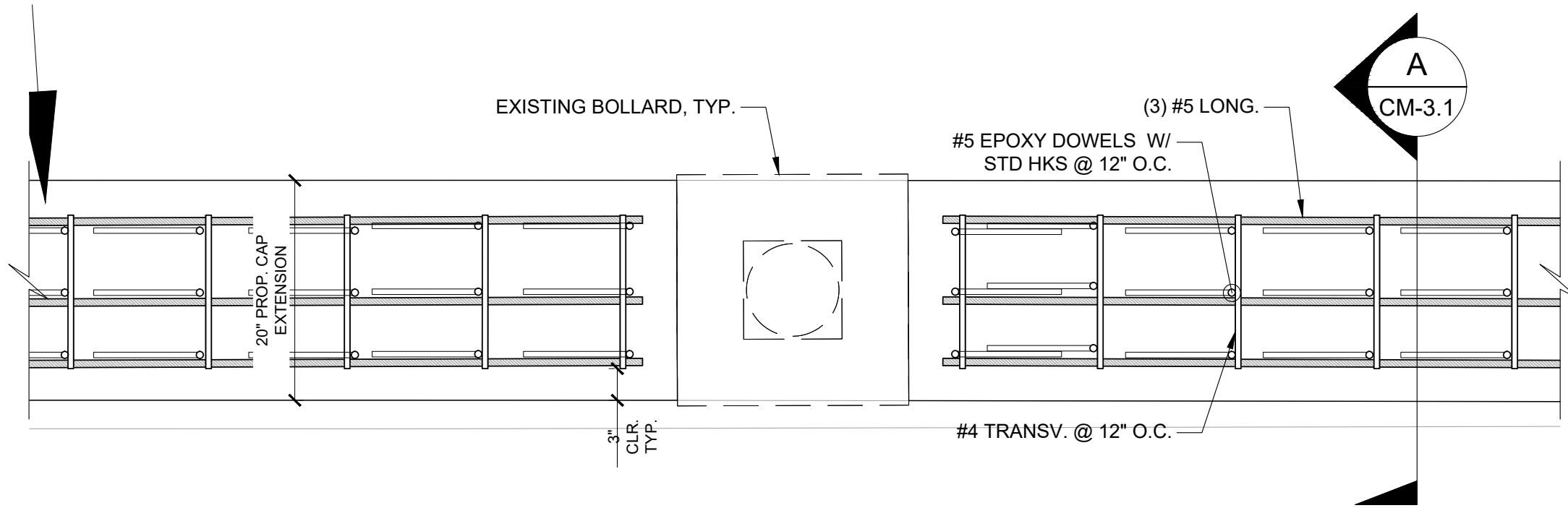
SITE 18 - PROPOSED WORK

SCALE: 1" = 10'



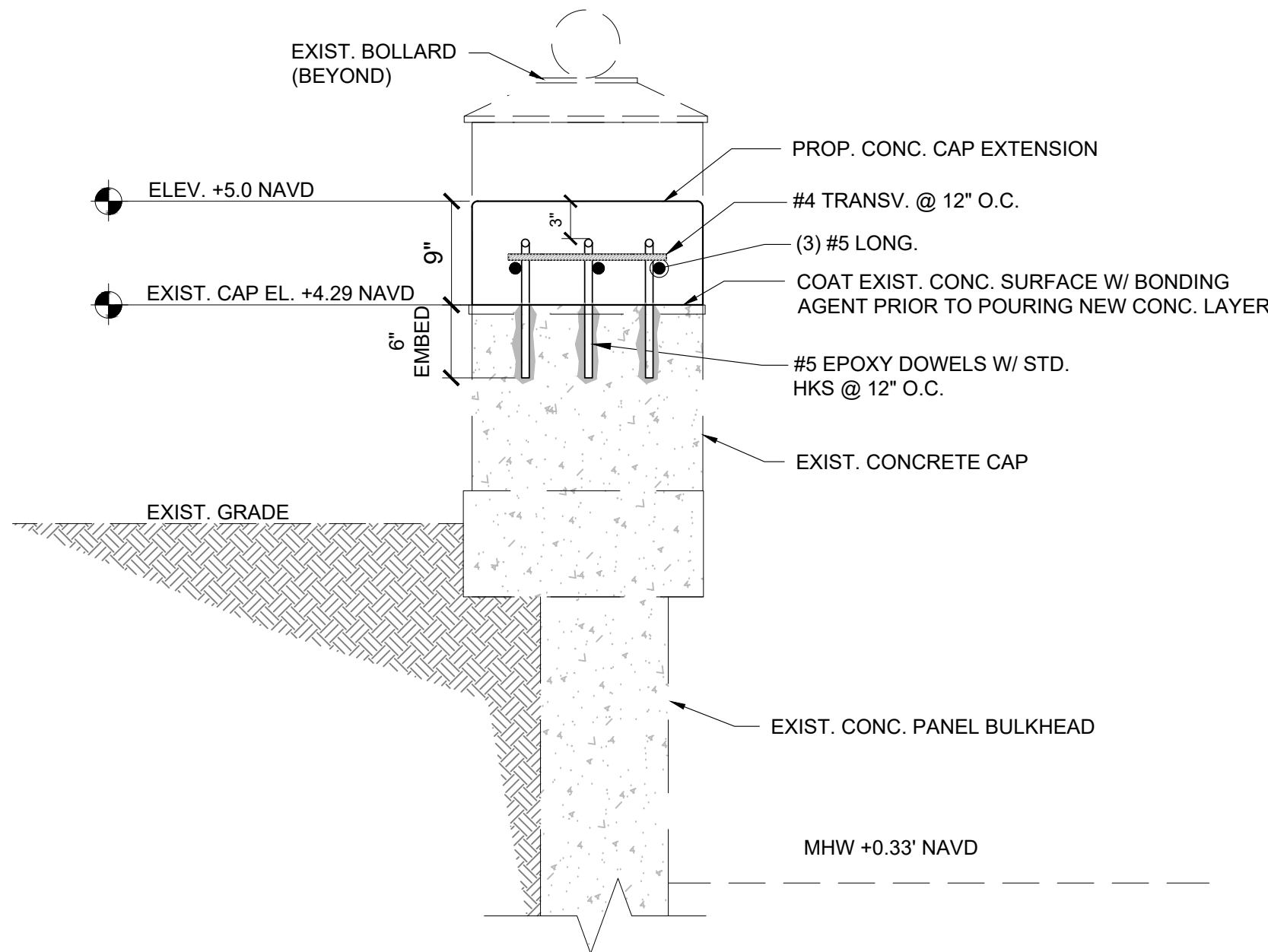
PROPOSED WORK QUANTITIES - SITE 18

LENGTH OF EXIST. CAP	140.5 L.F.
CONC. VOLUME OF PROP. CAP EXTENSION	175.0 C.F.



1 PROPOSED CAP EXTENSION REINF. DETAIL

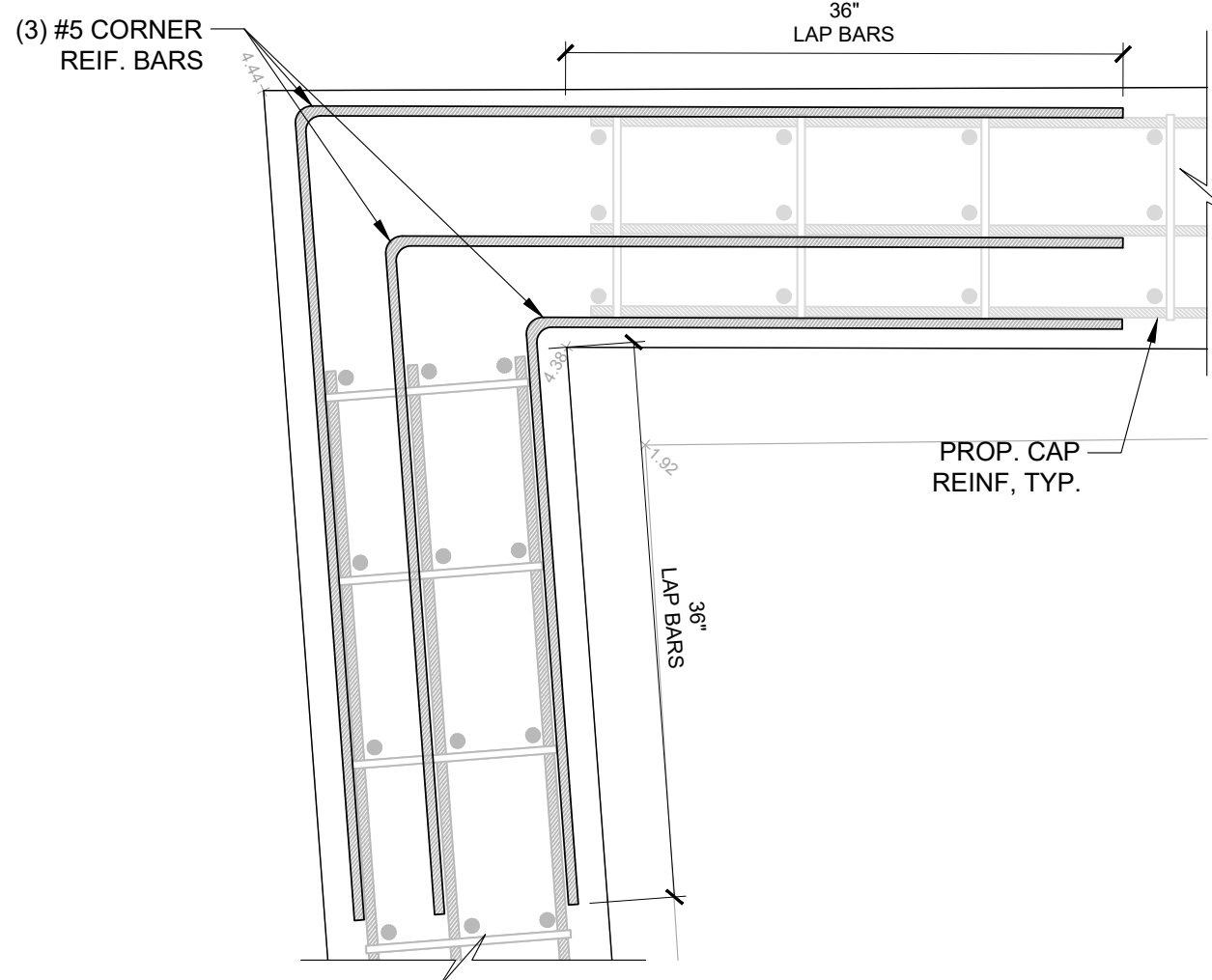
SCALE: 1" = 1'



PROPOSED CAP EXTENSION REINF. SECTION A

SCALE: 1" = 1'

CM-3.1



2 PROPOSED CORNER REINF. DETAIL

SCALE: 1" = 1'

CM-3.1

PROJECT:
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DATE	ISSUE	PERMIT DRAWINGS	SUBMISSION / REVISION
11/21/2024			

CC PROJECT NO:	84300
DRAWN	SV
CHECKED	SO
SCALE	SCALES PERTAIN TO 22"x34" SHEET SIZE

SHEET TITLE
SITE 18 - PROPOSED
SITE PLAN &
DETAILS

CM-3.1

Sec. 27-14. Administrative review of EPGMD determinations.

- (a) A person with a substantial interest may file a petition to request review of or to intervene in a review of a final administrative determination made pursuant to this chapter concerning:
- (1) The requirement that a facility or activity obtain a license or environmental review approval.
 - (2) Interpretations of license or environmental review approval conditions.
 - (3) Interpretations of variance conditions.
 - (4) The decision to suspend or revoke a license or environmental review approval.
 - (5) The requirement of certain license conditions.
 - (6) The issuance of a license or environmental review approval.
 - (7) The denial of a license or environmental review approval.
 - (8) The scope of a license or environmental review approval, geographic or otherwise.
 - (9) The scope of a variance, geographic or otherwise.
 - (10) The issuance of a stop work order.
 - (11) Similar final administrative determinations.

This administrative review procedure shall be the only means of review available for the above final administrative determinations by either the petitioner or the intervenor (the parties).

- (b) person may not obtain review by this procedure of:
- (1) The issuance or adjudication of or other matters involving a notice of violation or a citation.
 - (2) Internal policy decisions
- (c) A person desiring a review of a staff determination made pursuant to this Chapter shall first bring the determination to the attention of the appropriate section supervisor to attempt to resolve the matter. If a resolution cannot be reached, then the decision shall be reviewed by successive supervisory levels until the issue is resolved or reaches the level of the director or his or her designee for the final determination.
- (d) A person desiring administrative review of a final determination made by the director or the designee shall file a petition with the director for review by the hearing examiner. The petition shall be filed within ten (10) days from the rendition of the action taken or of the decision made by the director. An entity whose license or approval is being challenged shall be a party to the action.
- (e) The review shall not be heard until the provisions of subsection (f) are met. Upon motion to the hearing examiner, an insufficient petition shall be dismissed with or without leave to refile. If a petition is determined to be insufficient by the hearing examiner and the petitioner has been given leave to refile by the hearing examiner, unless otherwise ordered by the hearing examiner, the petitioner must refile within ten (10) days of the rendition of the order of dismissal or the petition will be dismissed with prejudice.

- (f) A sufficient petition for review or petition for intervention in the review shall, at a minimum, contain the following information:
- (1) The nature of the determination sought to be reviewed.
 - (2) A short, plain statement of the facts which form the subject matter upon which the determination was made as asserted by all parties of record at the time that the petition is filed; a statement of the material facts in dispute, if any. If any party is unable to state the matters in sufficient detail at the time initial petition is filed, the petition may be limited to a statement of the issues involved; and thereafter, upon timely written motion, a more definite and detailed statement shall be furnished not less than seven (7) days prior to the date set for the hearing.
 - (3) The specific determination for which the review is sought.
 - (4) The specific legal grounds upon which the parties seek review of the determination.
 - (5) A short statement of the petitioner's or the intervenor's substantial interest in the matter to be reviewed.
 - (6) The specific section of this chapter on which the decision is based, if known, and the specific section that the parties allege should control the decision, if known.
 - (7) A copy of the director's or the designee's written final determination.
 - (8) A statement of the relief requested stating precisely the action that the petitioner wants EPGMD to take with respect to the final determination.
- (g) All pleadings or other documents filed in the proceeding must be signed by a party, the party's attorney, or the party's qualified representative. The signature of a party, the party's attorney or a party's qualified representative constitutes a certificate that he or she has read the pleading or other document and that to the best of his or her knowledge, information, and belief formed after reasonable inquiry, it is not brought for any improper purposes, such as to harass or to cause unnecessary delay or for frivolous purpose or needless increase in the cost of litigation. If a pleading or other document is signed in violation of these requirements, the hearing examiner, upon motion or his or her own initiative, shall dismiss the matter.
- (h) A petitioner or intervenor may request an emergency hearing to stay all activities or work conducted pursuant to the challenged license or approval. Such petitioner or intervenor has the burden of proof to show by a preponderance of the evidence that the continued activities would cause substantial pollution or degradation to the environment. An emergency hearing shall be scheduled by EPGMD and be held within five (5) days of said request or as soon thereafter as possible subject to the availability of the hearing examiner. The petitioner or intervenor shall comply with the notice provisions of section 27-14(j)(2)a. and c. and section 27-14(j)(3) and (4) of this chapter.
- (i) The petition for review will not stay environmental protection activities required for the remediation or mitigation of a site or facility, the protection of the environment or the health, safety and welfare of the citizens of Broward County, or the prevention of further environmental degradation. The person responsible for these activities must take all necessary steps to prevent environmental degradation and must conduct the remediation or mitigation activities required by this chapter. The director may allow these activities to be delayed until after the hearing examiner's decision by certifying to

the hearing examiner that, by reason of facts stated in the certificate, a delay in the initiation or completion of these activities would not cause substantial environmental degradation or peril to life or property. The delay for conducting these activities may be subject to appropriate terms to ensure protection of the environment. The person responsible for these activities shall be responsible for any environmental damage or any violation of this chapter caused by the delay.

(j) Notice and Scheduling Requirements:

- (1) The hearing on the review shall be scheduled within a reasonable time. It shall be the responsibility of the petitioner to request through EPGMD that the hearing date be scheduled. It shall also be the responsibility of the petitioner to give notice in accordance with this section at least ten (10) days prior to the hearing.
 - (2) The petitioner shall give notice of the hearing by:
 - a. Giving personal notice to all proper parties; and
 - b. Publishing notice on two (2) days in a newspaper of general circulation in the county; and
 - c. Posting notice at a location determined by the Broward County Administrator's Office.
 - (3) The petitioner shall bear the cost of giving notice.
 - (4) The notice shall contain, at a minimum:
 - a. A description and location of the facility or the activity to be conducted by the petitioner; and
 - b. The time and place of the hearing.
- (k) The petitioner shall bear the cost of accurately and completely preserving all testimony and providing full or partial transcripts to all parties.
- (l) The hearing shall be a quasi-judicial hearing.
- (1) The applicant/petitioner requesting the administrative review, any intervenor/petitioner and EPGMD shall have an opportunity to respond to and to present witnesses, other evidence and argument on all issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of facts and orders, and to be represented by counsel. Members of the general public who are not intervenors as set forth in Section 27-14 of this chapter are not parties to the proceeding.
 - (2) When appropriate, the general public may be given an opportunity to present oral or written communications. If the hearing examiner proposes to consider such material, then all parties shall be given an opportunity to cross-examine, challenge or rebut it.
- (m) Denial, protest of, revocation, or suspension of a license, environmental review approval, or any other approval:
- (1) In regard to denial or protest of approval of a license and any other review of an administrative decision, notwithstanding (2) below, the petitioner shall have the burden of showing, by a preponderance of the evidence, that the determination of the director was an arbitrary and/or capricious abuse of discretion, not supported by competent, substantial evidence or not in conformance with the

essential requirements of this chapter. The hearing examiner shall not substitute his or her judgment for that of EPGMD on an issue of discretion even though the hearing examiner may have reached a different conclusion based on the same facts.

- (2) In an action to revoke or suspend a valid license or approval, the burden shall be upon EPGMD to prove, by a preponderance of the evidence in an administrative hearing, the grounds for revocation or suspension. The license holder or approval recipient shall be provided notice of the hearing and a copy of the petition stating the grounds for revocation or suspension as provided in section 27-63 of this chapter. The petition shall state with specificity the acts complained of in order to allow the license holder or approval recipient an opportunity to prepare a defense. The hearing shall be conducted in accordance with the provisions of Section 27-37 of this chapter.
- (n) Findings of fact shall be based exclusively on the evidence of record and on matters officially recognized.
- (o) If the hearing examiner finds that the director or his or her designee has erroneously interpreted a provision and that a correct interpretation compels a particular action, he or she shall remand the case to the director or his or her designee for further action under a correct interpretation of the provision.
- (p) The hearing examiner shall complete and submit to the director and all parties a final order consisting of his or her findings of fact and conclusions of law.
- (q) A party to the hearing may obtain appellate review of the final order as provided by section 27-42 of this chapter.
- (r) A petitioner or intervenor shall pay a filing fee at the time the application for review is filed. The amount of the filing fee shall be set by resolution of the Board.

(Ord. No. 2003-34, § 1, 9-23-03; Ord. No. 2005-08, § 2.03, 4-26-05)
Secs. 27-15--27-19. Reserved.

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 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 Vero Beach (1-772-562-3909) for south Florida, and 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 Florida Fish and Wildlife Conservation Commission (FWC) must be used (see MyFWC.com/manatee). One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 1/2" 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. Questions concerning these signs can be sent 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