

APPENDIX F: Key for construction conditions for docks or other minor structures constructed in or over Johnson's seagrass (*Halophila johnsonii*), October 2002

Note: These conditions may be subject to revision at any time. It is our intention that the most recent version of these conditions will be utilized during the evaluation of the permit application.

- 1a.** The construction site is within the known range of Johnson's seagrass (from Sebastian Inlet to central Biscayne Bay in the lagoon systems of Florida's east coast). Go to 2.
- 1b.** The construction site is not within the known range of Johnson's seagrass, but submerged aquatic vegetation (SAV) is present at the site. Dock construction will conform to "Dock Construction Guidelines in Florida for Docks or Other Minor Structures Constructed in or over Submerged Aquatic Vegetation, Marsh or Mangrove Habitat."
- 1c.** The construction site is not within the range of Johnson's seagrass and SAV is not present at the site: No construction conditions for SAV are necessary.

- 2a.** Perform a survey for Johnson's seagrass on-site during the April 1 - August 31 growing season. Go to 3.
- 2b.** If no survey is conducted or if a survey for Johnson's seagrass is conducted outside of the season, go to 4.

- 3a.** Johnson's seagrass is present at the proposed construction site. Go to 5.
- 3b.** Johnson's seagrass is not present at the proposed construction site. Go to 6.

- 4a.** The project is in an area designated by the National Marine Fisheries Service - Protected Resources Division (NMFS-PRD) as critical habitat² for Johnson's seagrass. Dock construction will conform to "Dock Construction Guidelines in Florida for Docks or Other Minor Structures Constructed in or over Submerged Aquatic Vegetation, Marsh or Mangrove Habitat" **except that light-transmitting materials (LTMs) shall comprise 100% of all pedestrian surfaces waterward of the mean low water (MLW) line.**
- 4b.** The construction is not in an area designated by NMFS-PRD as critical habitat for Johnson's seagrass. Dock construction will conform to "Dock Construction Guidelines in Florida for Docks or Other Minor Structures Constructed in or over Submerged Aquatic Vegetation, Marsh or Mangrove Habitat" **except that LTMs shall comprise at least 75% of all pedestrian surfaces waterward of the MLW line and a minimum 1-inch spacing shall be maintained between all wooden deckboards used waterward of the MLW line.**

- 5a.** The construction is in an area designated by NMFS-PRD as critical habitat for Johnson's seagrass. Dock construction will conform to "Dock Construction Guidelines in Florida for Docks or Other Minor Structures Constructed in or over Submerged Aquatic Vegetation, Marsh or Mangrove Habitat" **except that LTMs shall comprise at least 75% of all pedestrian surfaces waterward of the MLW line and a minimum 1-inch spacing shall be maintained between all wooden deckboards used waterward of the MLW line.**
- 5b.** The construction is not in an area designated by NMFS-PRD as critical habitat for Johnson's seagrass. Dock construction will conform to "Dock Construction Guidelines

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in Florida for Docks or Other Minor Structures Constructed in or over Submerged Aquatic Vegetation, Marsh or Mangrove Habitat **except that all pedestrian surfaces directly over Johnson's seagrass areas shall be constructed of LTMs and a minimum 1-inch spacing shall be maintained between all wooden deckboards used waterward of the MLW line.**

- 6a.** The construction is in an area designated by NMFS-PRD as critical habitat for Johnson's seagrass. Dock construction will conform to "Dock Construction Guidelines in Florida for Docks or Other Minor Structures Constructed in or over Submerged Aquatic Vegetation, Marsh or Mangrove Habitat", **except that a minimum 1-inch spacing shall be maintained between all wooden deckboards used waterward of the MLW line.**
- 6b.** The construction is not in an area designated by NMFS-PRD as critical habitat for Johnson's seagrass. Go to 7.
- 7a.** SAV other than Johnson's seagrass is present at the site. Dock construction will conform to "Dock Construction Guidelines in Florida for Docks or Other Minor Structures Constructed in or over Submerged Aquatic Vegetation, Marsh or Mangrove Habitat."
- 7b.** No SAV present. No construction conditions for SAV are necessary.

Notes:

¹ This key is meant to compliment, but not supersede the "Dock Construction Guidelines in Florida for Docks or Other Minor Structures Constructed in or over Submerged Aquatic Vegetation, Marsh or Mangrove Habitat - U.S. Army Corps of Engineers/National Marine Fisheries Service, August 2001. **Docks incorporating light-transmitting materials shall not exceed the dimensions recommended in the Guidelines.**

² Federal Register 65 FR 17786, April 5, 2000, Designation of critical habitat for Johnson's seagrass.

³ Light-transmitting materials are made of various materials shaped in the form of grids, grates, lattices, etc., to allow the passage of light through the open spaces. All light-transmitting materials used for dock construction in the known range of Johnson's seagrass must have a minimum forty-three (43) percent open space.