ATTACHMENT #5
SPGP IV

Key for Construction Conditions for Docks or Other Minor Structures Constructed in or Over Johnson's Seagrass (*Halophila johnsonii*)

National Marine Fisheries Service/U.S. Army Corps of Engineers

October 2002

Key[1] for Construction Conditions for Docks or Other Minor Structures Constructed in or Over Johnson's Seagrass (*Halophila johnsonii*)
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1a. The construction site is within the known range of Johnson's seagrass occurrence (Sebastian Inlet to central Biscayne Bay in the lagoonal systems on the east coast of Florida). *Go to 2.*

1b. The construction site is not within the known range of Johnson's seagrass occurrence but submerged aquatic vegetation (SAV) is present at the site. Use *"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.*

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. Seagrass survey for Johnson's seagrass is performed at the proposed site during the April 1 – August 31 growing season. *Go to 3.*

2b. No survey for Johnson's seagrass is performed at the proposed site during the growing season, or a survey is performed at the proposed site but is outside of the growing 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 construction is in an area designated by the National Marine Fisheries Service - Protected Resources Division (NMFS-PRD) as **critical habitat**[2] for Johnson's seagrass. Use *"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,* ***except that light-transmitting materials[2] (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. Use *"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,* ***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. Use *"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,* ***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. Use *"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,* ***except that all pedestrian surfaces directly over Johnson's seagrass areas shall be constructed of LTMs and a minimum***

This key was modified in October 2002 to change the percent light transmittance requirement of the grids from 46 to 43 as stipulated in Note #3 .

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. *Use "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,* ***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 as critical habitat for Johnson's seagrass. *Go to 7*

7a. SAV other than Johnson's seagrass is present at the site. *Use "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.*

7b. No SAV present. *No construction conditions for SAV are necessary.*

Notes:

[1] This key is meant to complement 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 shall have a minimum of forty-three (43) percent open space.**

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