



Escambia County LAARS Policy and Procedures

Large Area Artificial Reef Site (LAARS): Overview and Description

The Gulf of Mexico seafloor off the coast of Escambia County is comprised mostly of sand, with less than 5% natural “hard bottom” reef habitat. This regional limitation of reef habitat restricts the potential for local fishery harvest (recreational and commercial). Artificial reefs are a widely-used and accepted solution to this dilemma. Federal (e.g., Clean Water Act) and state (chapters 403 and 370 Florida Statutes) laws and regulations govern the allowable materials and placement of artificial reefs. Generally, materials must be: free of pollutants; durable enough to provide long-term habitat; placed within permitted areas; and stable enough to remain within permitted sites in the event of hurricanes.

Escambia County has been building public artificial reefs (e.g., *Avocet*, *Antares*, *Oriskany*) for over three decades. Additionally, charter fishing/diving captains have been building “private” or “personal” artificial reefs for at least forty years. (The term “private” does not confer exclusive usage rights to an artificial reef; once the reef is built, anyone that finds it may utilize it. Therefore, the term “personal reef” will be used to describe these reefs.) The “Large Area Artificial Reef Site” (LAARS) concept was initiated to manage the deployment of personal artificial reefs.

The original LAARS Permit (No. 199402365 IP-SS) for the two sites off Pensacola (see Diagram 1) was issued by the US Army Corps of Engineers (USACE) to Florida Department of Environmental Protection (DEP) in 1994. These two sites, “Escambia East” and “Escambia West”, encompass a total seafloor area of 118 nautical miles². When Florida established the Fish and Wildlife Conservation Commission (FWC), the LAARS Permit was transferred to FWC, then subsequently to Escambia County on 25 January 2007. The LAARS Permit was renewed (after a lengthy public input and review process) by the Corps on July 25, 2001 with modifications, notably:

- reduction of steel materials thickness from ¼ inch to 1/8 inch
- minimum weight of 150 lbs for individual artificial reef units
- mandatory reporting of precise final artificial reef deployment locations (using GPS only)
- mandatory compliance monitoring of 20-25% of all personal artificial reef deployments

Only the following materials will be allowed for reef deployment (from Army Corps Permit):

Materials "shall be 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.

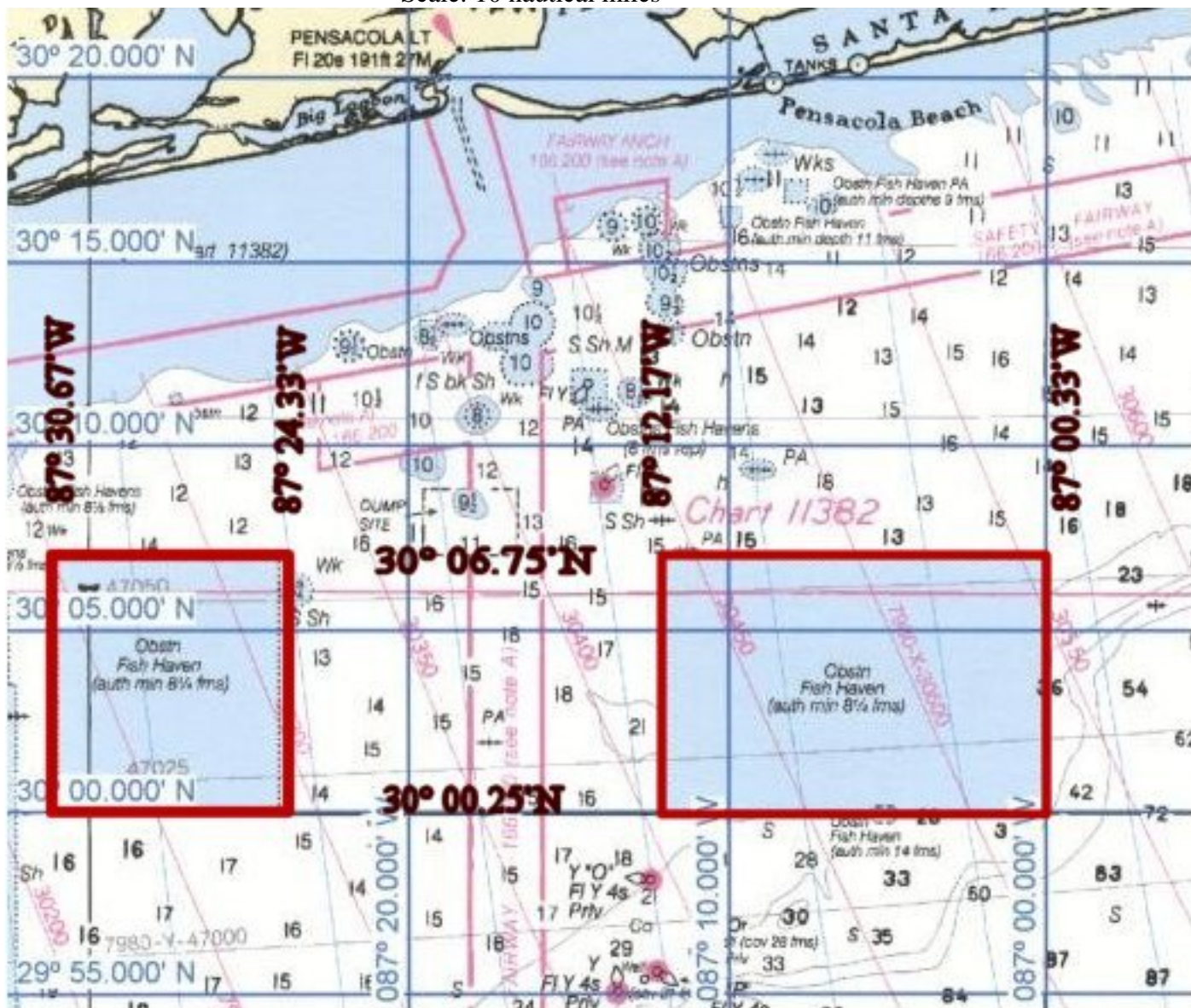
No reef materials shall be allowed to trap marine life, and must be configured, cut or shaped, so as not to function as a fish trap. All materials/structures must be configured and constructed to be stable, durable, and provide habitat. No material whatsoever may be deployed within one-quarter mile of the boundaries of the Large Area Artificial Reef Sites (LAARS). No other materials are authorized. 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". *From Permit No.199402365 (IP-CP)*

DIAGRAM 1

Escambia County “Large Area Artificial Reef Sites” (LAARS) in the Gulf of Mexico off Pensacola, Florida. These two LAARS locations, highlighted (in pink) below, encompass a total seafloor area of 118 nautical miles².

(From NOAA Chart No. 11360, 38th Ed., Jan 1998).

Scale: 10 nautical miles



(Soundings in fathoms (6 feet))

I. LAARS Policy and Procedures

LAARS permit is issued by U.S. Army Corps of Engineers (USACE) Permit # 199402365 (IP-CP) authorizes the placement of inspected and approved artificial reef materials in two large area artificial reef sites (LAARS), known as Escambia East and Escambia West located in federal waters south of Pensacola, Florida. The USACE has included a number of special conditions in the permit that any entity authorized to utilize the LAARS is required to comply with. Any person utilizing the Escambia County Artificial Reef Permitting Program must abide by all Escambia County Policies and Procedures as well as all LAARS permit conditions. Applicant must submit all Forms included in LAARS Permit as required by Army Corps of Engineers and Escambia County. Failure to comply with LAARS permit conditions and Escambia County Artificial Reef Permitting Program Policies and Procedures will prohibit Applicant from obtaining future LAARS Authorizations and may subject Applicant to enforcement actions by Escambia County and/or US Army Corps of Engineers.

II. Steps To Construct 'Personal' Artificial Reefs

- 1) Applicant must submit a completed LAARS Application Form (see Page 8) to Escambia County Environmental Permitting (ECEP). Submittal can be made by Fax: 850-595-3481, hand delivery or by mail: 1190 West Leonard Street, Pensacola, FL 32501) to schedule an inspection (8:00 AM to 4:30 PM, Monday – Friday) of the materials proposed for deployment as an artificial reef. The LAARS Application Form is intended to allow ECEP to schedule the inspection, and to give the Applicant the opportunity to ensure that the proposed materials meet the LAARS Permit conditions. This should reduce the number of materials "rejections".
- 2) Upon receipt of a completed LAARS Application Form, ECEP will schedule an inspection of the proposed materials. Every effort will be made to schedule the inspection (8:00 AM to 4:30 PM, Monday – Friday) within 2 business days of receipt of the LAARS Application Form. The ***Applicant must be present at the time of the inspection.*** ECEP will meet applicant at reef materials staging location (within Escambia County or Santa Rosa County only) and will inspect the physical artificial reef materials to determine compliance with the LAARS permit (see Permit No. 199402365 (IP-CP)). The artificial reef materials will be photographed. Permit paperwork will be completed by ECEP and individual artificial reef builder must have determined latitude/longitude of proposed reefs and the "name of Captain and name and registration # of transport vessel" at the time of inspection to complete the authorization. Individual, numbered tamper-proof tags will be attached to each separate reef material by ECEP. These metal tags shall not be removed, and shall remain attached to the reef materials at all times throughout loading, transport, and deployment onto the seafloor. Applicant will sign a written "*Release and Assumption of Risk*" form (if not accomplished on previous authorizations) acknowledging financial liability and responsibility for any LAARS permit noncompliance. Applicant will be required to list Escambia County as an additional insured on a relevant insurance policy or posting a surety sufficient to address possible deployment errors. Escambia County Board of County Commissioners established an Artificial Reef Fee of \$25.00. **The \$25.00 Fee is due at the time of the inspection, and is assessed on each vessel load of artificial reef materials per deployment voyage.** (Each vessel load will require a separate authorization.)

- 3) ECEP will inspect the proposed artificial reef materials to ensure compliance with LAARS permit compliance. Only concrete and steel (1/8th inch or greater in thickness) materials are allowed. Each reef unit must be rigidly constructed and weigh at least 150 pounds. Reef materials may not entangle marine life. Exposed rebar or other metal components must not have unconnected 'free ends' longer than 12 inches. ECEP will advise Applicant regarding preliminary determination of reef materials, however, final determination will be made after Army Corps of Engineers and other agencies have concurred (see Step 3).

- 4) ECEP will plot the proposed artificial reef deployment locations to ensure that the location is within the LAARS permitted area. The Army Corps of Engineers established a ¼-mile "buffer zone" around the inside perimeter of each LAARS to prevent artificial reef materials from being moved outside the permitted area during hurricanes. ECEP will notify US Army Corps of Engineers, US Coast Guard, and FWC of the proposed artificial reef by sending the LAARS Application Form, photographs, and other pertinent information. Notification of the above-listed agencies initiates a 5-(business) day waiting/review period for those agencies to inspect the materials, request additional information, or register an objection to the proposed artificial reef.

- 5) After the 5-day waiting period has expired, ECEP will notify the applicant of the status of the Application. The status of the Application will be categorized into one of the following:
 - A. "Approved" - Artificial reef materials meet all LAARS Permit conditions; materials deemed to be stable and durable at the proposed location(s). For "Approved" artificial reef Applications, the "LAARS Authorization Form" will be mailed to the applicant. At the request of the applicant, the Authorization Form may be picked up (8:00 am to 4:30 pm; Monday - Friday) at 1190 West Leonard St., Pensacola.

 - B. "Conditionally Approved"- Artificial reef materials, configuration, location, and/or deployment depth may be modified to meet LAARS permit conditions for habitat, stability, durability, or other concerns. (For example, LAARS Permit Condition 1 prohibits the use of storage or fuel tanks; cylindrical tanks and other similarly-shaped objects may be required to be altered to prevent "rolling" on the seafloor during storm events.) Additionally, artificial reef materials may be required to be placed in deeper water. For "Conditionally Approved" artificial reef applications, the applicant must schedule an appointment with ECEP to discuss and agree in writing to the additional conditions attached to the LAARS Authorization Form.

 - C. "Denied"- Grounds for denial may include: non-compliance with LAARS Permit conditions.

- 6) At the close of the 5-day agency inspection period, if no objections are pending, the LAARS Authorization Form will be issued and the applicant will have **30 calendar days**

to deploy the artificial reef. **Artificial reef materials may be loaded, transported, and deployed during daylight hours only.** Once reef materials are inspected and photographed, they must remain in that configuration during loading/transport over the water, and deployment. If the artificial reef materials are not deployed by the end of the 30-day deployment period, the LAARS Authorization expires. After the expiration date, ECEP will notify the applicant in writing. The applicant may make a written request for a one-time 30-day administrative extension (extension period begins immediately after original LAARS authorization expiration date). With approval from Army Corps of Engineers, ECEP may issue a written extension approval that becomes part of the LAARS Authorization. If applicant fails to deploy the artificial reef materials before expiration of the LAARS Authorization or extension, Applicant must return all metal tamper-proof tags and LAARS permit (with last page "Deployment Cancellation Report Form" filled out and signed) to ECEP. If an applicant has failed to deploy authorized reef materials within the authorization period, and subsequently applies for an authorization to deploy the previously authorized materials, then the Artificial Reef Fee to reauthorize those materials will be \$200 to help offset necessary staff time. Applicant must abide by the terms and conditions of the LAARS Permit and Authorization Form. **No less than 24 hours prior to deploying the artificial reef materials, applicant must provide the "24-Hour Pre-Deployment Notification" via fax to Escambia County offices at the following two numbers: (850) 595-3481 AND (850) 595-3495. Applicant shall follow up by calling (850) 554-5869 and (850) 595-4572 to verify the fax was received. Applicant should leave a message containing the information required on the "24-Hour Pre-Deployment Notification" if call is unanswered. Applicant must also fax the "24-Hour Pre-Deployment Notification" to the agencies listed on the form. Applicant must keep a copy of the Permit No. 199402365 (IP-CP) onboard the deployment vessel at all times until the artificial reef materials have been deployed.**

- 7) As required by the Army Corps of Engineers LAARS Permit, **20-25% of all LAARS artificial reefs must be monitored for permit compliance** via: A) on-site verification by Escambia County; and, B) post-deployment verification by Escambia County.
- A. On site verification may be accomplished by the Escambia County Marine Resources Division (ECMRD) as the artificial reef materials are deployed. Materials must be as listed on the LAARS Authorization Form; the deployment location must be within the LAARS boundary, and as listed on the authorization Form. ECMRD will:
- 1) Meet the deployment vessel on-site
 - 2) Meet the deployment vessel at the dock (or other location) and follow the deployment vessel to the deployment location; or
 - 3) Arrange to be transported to the deployment site via the deployment vessel.

Therefore, **for every artificial reef deployment, no less than 24 hours prior to departure from the dock, the applicant must provide the "24-Hour Pre-Deployment Notification" to ECMRD and ECEP by fax (850-595-3481 and 850-595-3495) and call 850-554-5869 and (850) 595-4572 to verify fax was received. If leaving a message, state the applicant's name, permit number, departure dock/location, and departure time. Deployment vessel must monitor VHF channel 16.**

B. If “on-site verification” is not possible, the county will conduct a post-deployment verification to confirm the location of the artificial reef deployment via visual inspection of the artificial reef materials. A presence-or-absence visual inspection of the artificial reef materials will be performed by hull-mounted fathometer and/or submersible camera based on a randomly selected sample of at least 20-25% of all private reefs deployed in the Escambia LAARS.

7. **Within 48 hours after the artificial reef has been deployed, the applicant must submit the “Post-Deployment Notification” form to: Escambia County Environmental Permitting, 1190 West Leonard St., Pensacola 32501.** In compliance with the U.S. Army Corps of Engineers LAARS Permit issued to Escambia County, the exact location of the artificial reef deployment(s) shall be listed in latitude and longitude, recorded from a Global Positioning System (GPS) receiver as follows: __° __. __'N; __° __. __'W. LORAN C coordinates or LORAN conversions to latitude and longitude are NOT acceptable. These coordinates will be used **ONLY** to verify the location of artificial reef materials. Escambia County will neither utilize these personal reef coordinates for any non-work-related or fishing or diving uses nor include them in any public artificial reef databases. Applicant may schedule an appointment with ECEP to sign the Post Deployment Notification with the minimum coordinate precision required to ensure the reef materials were deployed within the permit area. After ECEP signs the Post Deployment Notification applicant will then complete the Post Deployment Notification as required by the Army Corps of Engineers. The Post Deployment Notification will be sealed in a mailing envelope (addressed to Army Corps of Engineers) marked “CONFIDENTIAL” and deposited into the US Mail by ECEP. A copy of the Post-Deployment form will not be kept in Escambia County files.
8. Applicant is responsible for reading, understanding and compliance with all LAARS permit conditions, policies and procedures. Failure to comply with any LAARS permit condition, policy or procedure will void the LAARS authorization. Applicant is responsible for LAARS permit noncompliance, including accidental or intentional deployment of artificial reef materials outside the LAARS area. Applicant may not obtain additional LAARS authorization until the non-compliance is resolved, unless it can be demonstrated that the inability to come into compliance is due to circumstances beyond the applicant’s control.

Escambia County Environmental Permitting
1190 West Leonard Street, Pensacola, FL 32501
(850) 595-3623; Fax 595-3481

Application for Inspection of Materials for use as Artificial Reefs within Large Area Artificial Reef Sites (LAARS) Permit No. 199402365 (IP-CP)

Instructions: **Fill out this LAARS Application form and mail, fax or deliver:** Escambia County Environmental Permitting, 1190 West Leonard St., Pensacola, FL 32501 (FAX 850-595-3481). **Pease read the materials criteria at the bottom of this page.**

Upon receipt of this Application, Escambia County Environmental Permitting (ECEP) will contact the Applicant to schedule an appointment for inspection of the proposed artificial reef materials. **Applicant must be present at the inspection.** A **\$25.00 Artificial Reef Fee (for the quantity of reef materials to be deployed on a single reef deployment voyage)** is due at the time of the inspection. Once the inspection has been performed, ECEP will notify regulatory agencies and initiate a **5-DAY (BUSINESS DAYS) WAITING PERIOD** to allow those agencies the opportunity to inspect the proposed artificial reef materials. After the **5-DAY WAITING PERIOD**, ECEP will issue authorization for the deployment of the artificial reef materials by regular mail, OR, Applicant may pick up authorization during regular business hours (8:00 AM to 4:30 PM; Mon-Fri) at 1190 W. Leonard St., Pensacola.

(PLEASE FILL OUT THIS LAARS APPLICATION FORM **COMPLETELY**)

Applicant Name: _____ Date: _____

Mailing Address: (Street)_____ (City)_____ (State)_____ (Zip)_____

Daytime telephone: (____)_____ Fax Number: (____)_____

Address of Proposed Artificial Reef Materials: _____

Detailed description of Proposed Artificial Reef Materials ***: _____

Note: Per Army Corps Permit page 1 of 5, "Proposed Deployment Site(s)" (GPS coordinates) and the "Name of Captain and name and registration # of Transport Vessel" information will be required. Please have this information ready at the reef inspection to complete the authorization forms.

*** Materials "shall be 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 materials shall be allowed to trap marine life, and must be configured, cut or shaped, so as not to function as a fish trap [no exposed rebar >6-12inches]. 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. **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**".

From Permit No. 199402365 (IP-CP)