



## Florida Fish and Wildlife Conservation Commission

Commissioners  
**Robert A. Spottswood**  
Chairman  
Key West

**Michael W. Sole**  
Vice Chairman  
Tequesta

**Joshua Kellam**  
Palm Beach Gardens

**Gary Lester**  
Oxford

**Gary Nicklaus**  
Jupiter

**Sonya Rood**  
St. Augustine

Office of the  
Executive Director  
**Eric Sutton**  
Executive Director

**Thomas H. Eason, Ph.D.**  
Assistant Executive Director

**Jennifer Fitzwater**  
Chief of Staff

850-487-3796  
850-921-5786 FAX

*Managing fish and wildlife resources for their long-term well-being and the benefit of people.*

---

620 South Meridian Street  
Tallahassee, Florida  
32399-1600  
Voice: 850-488-4676

Hearing/speech-impaired:  
800-955-8771 (T)  
800 955-8770 (V)

MyFWC.com

January 6, 2021

Brian Donovan  
100 West Atlantic Ave  
Pompano Beach, FL 33060  
[Brian.Donovan@copbfl.com](mailto:Brian.Donovan@copbfl.com)

Dear Mr. Donovan,

The purpose of this Letter of Agreement (LOA) is to outline the scope of the agreement entered into and by and between the Florida Fish and Wildlife Conservation Commission (FWC) and the City of Pompano Beach (CITY). This LOA will provide support to the project known as the Wahoo Bay Project in Broward County, FL. This project provides a nature-based alternative for stabilizing a seawall and is designed to mitigate the impacts of climate change while simultaneously restoring ecosystem services to the marine system where it will be installed.

### RESPONSIBILITIES OF THE FWC

As funding allows, the FWC will provide oversight and up to \$50,000 for the purchase and delivery of seventy-two (72) novel shoreline stabilization units, referred to as "SEAHIVES (Attachment 1), in support of the Wahoo Bay living shoreline project at 2700 North Ocean Blvd, Pompano Beach, FL. These 72 units will comprise two complete SEAHIVE modules of the six to be installed at Wahoo Bay. FWC will ensure delivery contractors follow agreed upon routes, timelines, and material placement requirements. Delivery will be complete by June 1, 2022. The SEAHIVE units, designed by the University of Miami (UM), and manufactured by a Contractor chosen by the City in consultation with UM, are intended to stabilize the Wahoo Bay seawall, act as a mangrove planter, and provide structural complexity for fish and benthic organisms. The SEAHIVES will be delivered to a location near the project site. This location will depend on the status of construction at the time of the purchase. The delivery location will be mutually agreed upon, by the FWC and the CITY, in writing, prior to delivery. The SEAHIVE units will ultimately be placed by CITY procured contractors, as specified in the project plans (Attachment 2), and in adherence with the project permits. Additionally, the CITY will take ownership of the SEAHIVES upon delivery and is providing assurance that the units purchased by the FWC will only be used as specified in the final permitted project drawings for the Wahoo Bay Project, unless otherwise specified, in writing, by the FWC project manager.

### RESPONSIBILITIES OF THE CITY OF POMPANO BEACH

The CITY will provide technical guidance regarding storage locations and will ensure that the FWC and its delivery contractors have access, as needed, to the storage area. Additionally, the CITY will ensure that all required state and federal permits are secured, maintained and adhered to for the duration of the project.

The CITY will take ownership and full responsibility of the SEAHIVE units upon delivery and will ensure that SEAHIVE units purchased by the FWC will only be used as specified in the project as designed by the CITY (Attachment 2) at Shipwreck Park, unless otherwise agreed upon, in writing, by the FWC and CITY project managers. If the SEAHIVE units are not installed, as specified, by June 30, 2023, the FWC will resume ownership and will use the SEAHIVE units as needed for this and/or other projects,

unless agreed upon by all parties, in writing, to extend the period of performance of this agreement.

#### INDEMNIFICATION

Each party hereto agrees that it shall be solely responsible for the negligent or wrongful acts of its employees and agents. However, nothing herein shall constitute a waiver by the FWC of its sovereign immunity or the provisions of Section 768.28, Florida Statutes, or a waiver by the Service of the protections afforded under the Federal Tort Claims Act.

It is understood and agreed that this agreement shall be effective upon signature by all parties and shall remain in effect until June 30, 2023. Any party may terminate this agreement by giving written notice to the other parties specifying the termination date at least 30 days prior to termination. Any and all notices shall be delivered to the parties at the following address.

FOR THE FLORIDA FISH AND  
AND WILDLIFE CONSERVATION  
COMMISSION:

Erin McDevitt  
Biological Scientist IV  
19100 SE Federal Hwy  
Tequesta, FL 33469  
(772) 774-9490  
[Erin.McDevitt@MyFWC.com](mailto:Erin.McDevitt@MyFWC.com)

FOR THE CITY OF POMPANO BEACH:

Brian Donovan  
Pompano Beach Assistant City Manager  
100 W Atlantic Ave  
Pompano Beach, FL 33060  
(954) 786-4601  
[Brian.Donovan@copbfl.com](mailto:Brian.Donovan@copbfl.com)

The FWC appreciates the CITY's contributions to and assistance with completing this important project.

Please sign the enclosed two copies and retain one for your records.

Sincerely,

David Johnson  
Florida Fish and Wildlife Conservation Commission  
Division of Habitat and Species Conservation  
Deputy Division Director

Attachments (2)

Accepted and agreed to:

\_\_\_\_\_  
Brian Donovan  
City of Pompano Beach, Assistant City Manager

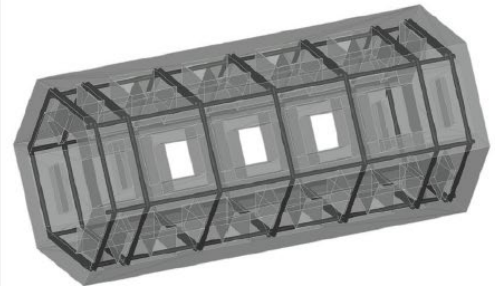
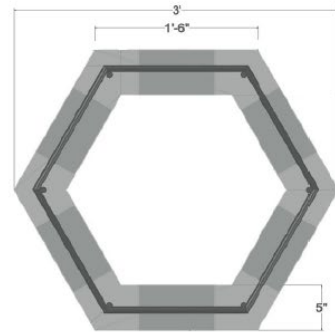
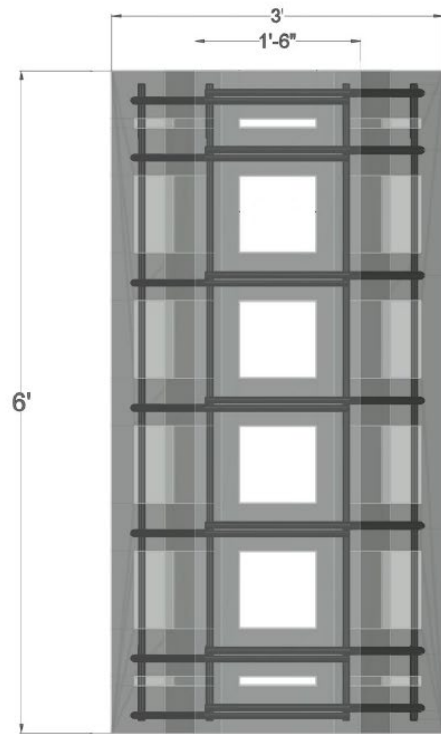
\_\_\_\_\_  
Date

APPROVED as to form and legality:

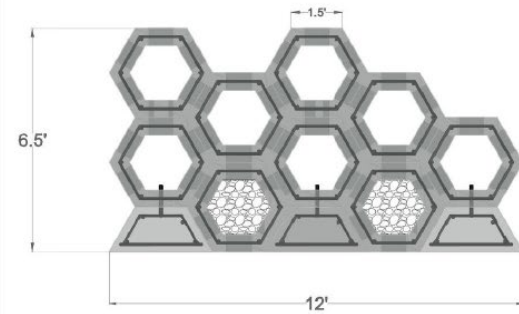
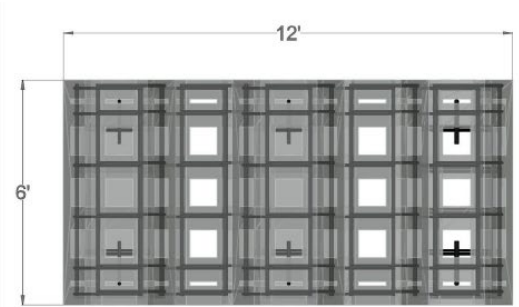
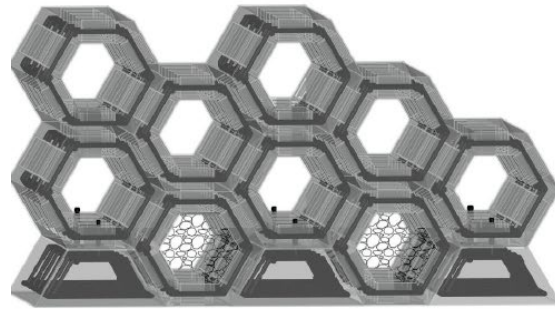
/s/ Anthony Pinzino

\_\_\_\_\_  
FWC Attorney

**Attachment 1**  
**SEAHIVE Specifications**

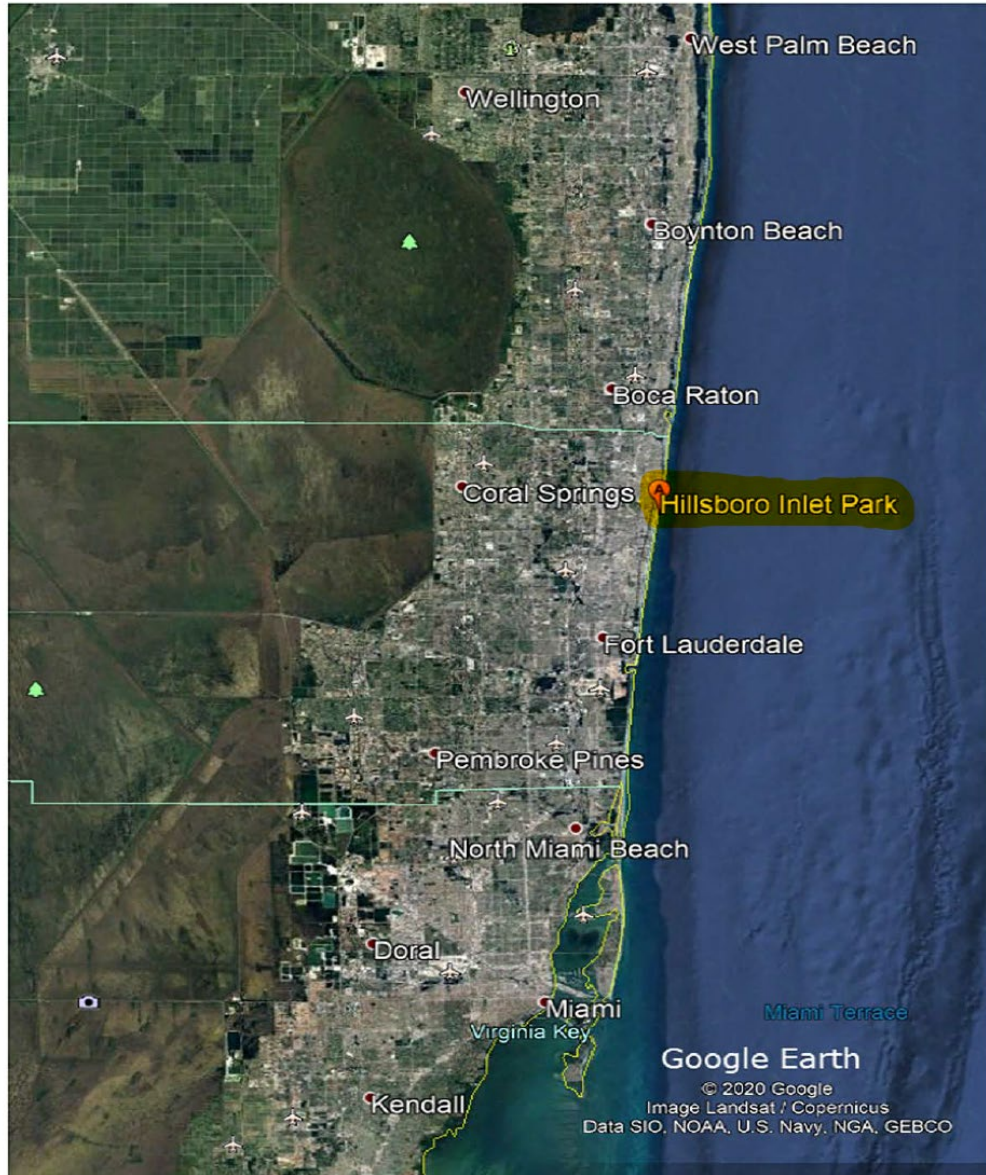


**Figure 1:** Illustration of a perforated hollow SEAHIVE™ unit. The Wahoo Bay SEAHIVE™ units are six-foot long concrete hexagonal prisms with an outer diameter of three feet. All units will be made of concrete with non-corrosive reinforcement.



**Figure 2:** The Wahoo Bay project design is based on a composition of twelve SEAHIVE™ units where perforations on the side faces of the units will provide passage for water flow under surging or breaking waves dissipating the wave energy within the units while also adding structural complexity to the system. Moreover, the top three units will be modified to accommodate mangrove propagules.

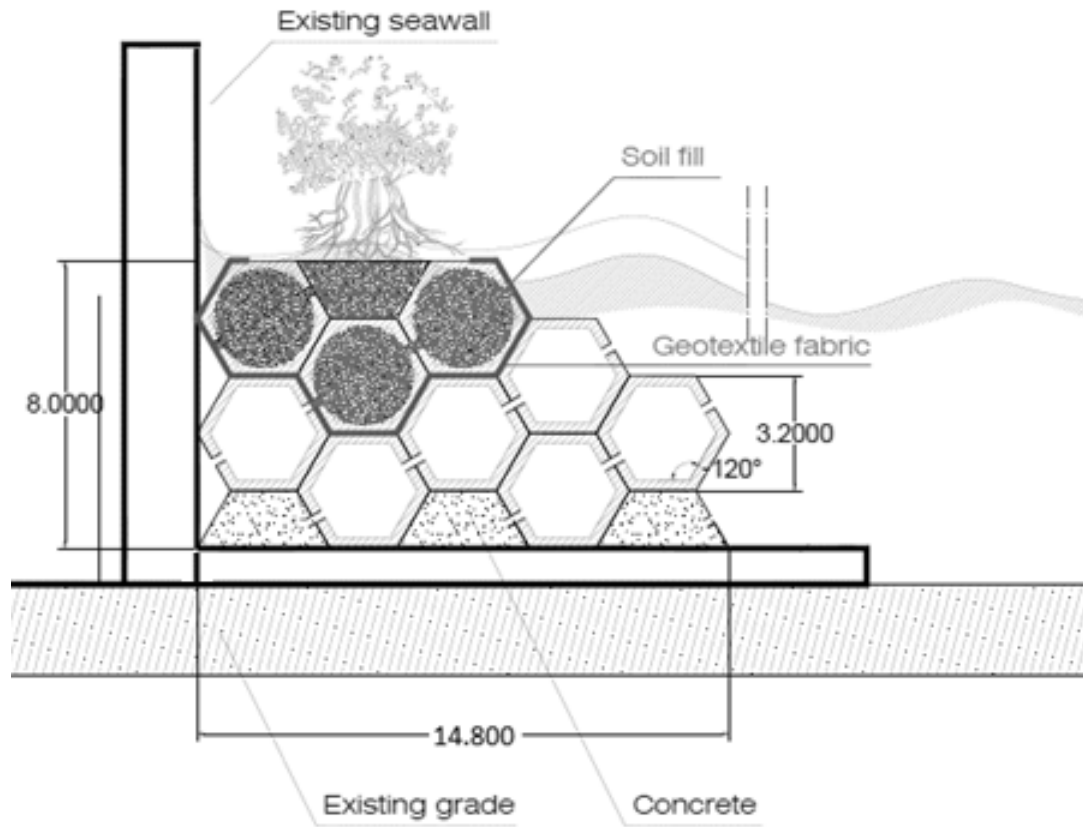
**Attachment 2**  
**Wahoo Bay Project Design**



Wahoo Bay is adjacent to the Hillsboro Inlet Park, inside Hillsboro Inlet  
Pompano Beach, Broward County, FL



Wahoo Bay project design showing locations of SEAHIVE units.



Cross-section of Wahoo Bay project design