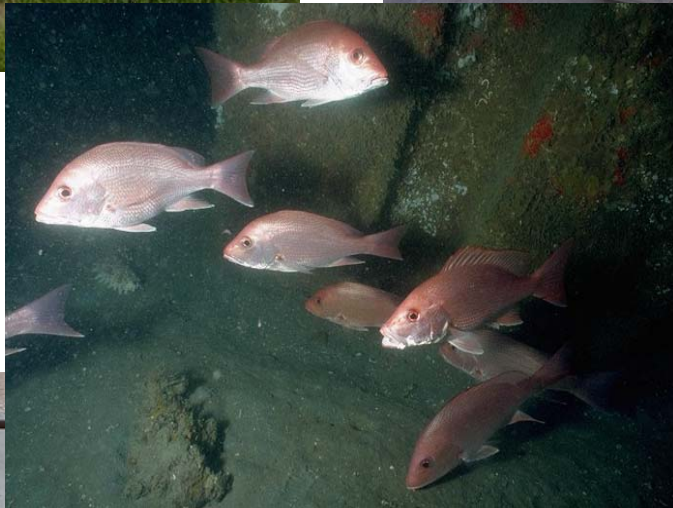


# The Texas Public Reef Building Program

## Standard Operating Protocol and Guidelines



**REVISED JANUARY 2012**



## Table of Contents

<b>Introduction</b> .....	1
<b>1.0 Overview of the Texas Public Reef Building Program</b> .....	1
<b>2.0 Summary of Public Reef Building Program Process</b> .....	1
<b>3.0 General Guidelines</b> .....	2
3.1. Applicable Laws .....	2
3.2. Definitions.....	2
3.3. Reef Construction Plan .....	2
3.4. Artificial Reef Materials.....	2
3.5. Characteristics of Acceptable Materials .....	3
3.6. Acceptable Materials – Examples .....	3
3.7. Unacceptable Materials – Examples .....	3
3.8. Small boats and vessels.....	3
<b>4.0 Reef Construction Authorization Process</b> .....	3
4.1. Application .....	3
4.2. How to Complete the Application .....	3
4.3. Application Evaluation .....	4
4.4. Reef Unit Inspection .....	5
4.5. Issuance of Public Reefing Agreement .....	5
<b>5.0 Reef Unit Deployment</b> .....	6
5.1 Pre-Deployment Procedures .....	6
5.2 Deployment Procedures.....	6
5.3 Post-Deployment Procedures .....	7
5.4 Deployment Verification .....	7
<b>6.0 Contact Information</b> .....	8
<b>7.0 Form and Document Sources</b> .....	8
7.1. Public Reef Building Program – Standard Operating Protocol and Guidelines .....	8
7.2. Application and Required Forms .....	8
7.3. “Guidelines for Marine Artificial Reef Materials –2nd Edition” .....	8
<b>8.0 Downloadable Forms</b> (located on pages 9-17).....	8

## **Introduction**

This publication covers the general rules and guidelines for artificial reef development as conducted by the public under auspices of the Texas Parks and Wildlife Department's (TPWD) Artificial Reef Program.

It will help you with the process of developing your reef construction plan, what types of materials will be accepted by TPWD, how to apply for authorization to deploy your material, and what your responsibilities are in deployment of the approved materials at specific sites in the Gulf of Mexico.

### **1.0 Overview of the Texas Public Reef Building Program**

The Texas Public Reef Building Program (PRBP) is an artificial reef construction initiative administered by TPWD's Artificial Reef Program to provide greater opportunities to enhance the artificial reef potential off Texas through direct participation of the general public in development of offshore artificial reefs along the Texas coast. The PRBP is designed to allow private citizens, organizations or corporations to deploy their own artificial reef materials creating new and expanded artificial reefs off Texas, under the direction and guidance of TPWD.

Reefs created under the authority of PRBP will be placed on sites permitted to TPWD by the U.S. Army Corps of Engineers (USACE). TPWD currently holds USACE reef building permits for 54 sites, and is authorized by these permits to conduct reef development activities by placing inspected and approved artificial reef materials within designated artificial reef sites offshore Texas. TPWD will establish additional sites to facilitate reefing under the PRBP.

The TPWD Artificial Reef Program's goal is to provide artificial substrate that supports marine habitat which will develop into a complex reef community. Materials to be used in the construction of artificial reef units must be chosen with safety to the marine environment, durability, and stability in mind.

Any person, organization, firm, or corporation wishing to participate in the PRBP and deploy materials to be used as artificial reefs must adhere to the rules and guidelines set forth in this document and bear all costs incurred in the acquisition, building, inspection, testing, and deployment of the materials. All materials deployed under authority of PRBP become the property of the State of Texas.

The Public Reef Building Program does not replace the Rigs-to-Reef Program and is not designed to circumvent the Rigs-to-Reef Program. As such the PRBP will not accept offshore oil and gas related structures under the guidelines set forth. Nor does it replace any other Artificial Reef Program segments operated by TPWD.

### **2.0 Summary of Public Reef Building Program Process**

2.1. Applicant submits a completed Public Reefing Application to TPWD Artificial Reef Program Coordinator. Applicants are encouraged to contact staff prior to submittal.

2.2. TPWD reviews and evaluates application.

2.3. Applicant will be notified in writing whether the application is accepted or rejected.

2.4. Applicant will arrange with TPWD staff an appropriate time to inspect the reef units designated in the application.

2.4. TPWD staff will inspect the reef units. Reef units not associated with the application will not be inspected. Applicant must be present at the time of inspection.

2.5. Reef units approved for deployment will be affixed with a placard or other identifying mark that must remain with each reef unit.

2.6. A Public Reefing Agreement (PRA), and associated forms, will be issued to Applicant for approved reef units.

- 2.7. Applicant deploys approved reef units per requirements of the PRA.
- 2.8. The PRA is declared completed when Applicant fulfills the requirements of the PRA or the expiration date of the PRA is reached, whichever comes first.

### **3.0 General Guidelines**

Follow these guidelines carefully. They will help you with the process of developing your reef construction plan, what types of materials will be accepted by TPWD, how to apply for authorization to deploy your material, and what your responsibilities are in deployment of the approved materials at specific sites in the Gulf of Mexico. If you have questions or need further information, please contact the Artificial Reef Coordinator or other Artificial Reef Program staff (Refer to Section 6.0 Contact Information).

#### **3.1. Applicable Laws**

1. The PRBP is authorized by Chapter 89 of the Parks and Wildlife Code.
2. Non-compliance with the provisions contained within this document or the PRA may constitute a violation of federal law.

#### **3.2. Definitions**

The following words and terms, when used in this document, shall have the following meanings, unless the context clearly indicates otherwise.

- (1) Agent—A person authorized by an applicant to act on behalf of the applicant. For the purposes of this chapter, the use of the term "applicant" also includes the applicant's agent.
- (2) Applicant—Any person applying for a PRA.
- (3) Approved Reef Unit—A reef unit which meets all standards, criteria and requirements established in this document and Parks and Wildlife Code, Chapter 89.
- (4) Coastal Waters—The navigable salt water of Texas and water of the federal Exclusive Economic Zone adjacent to Texas waters.
- (5) Deployment—The act of placing approved materials and reef units onto an approved artificial reef site.
- (6) Person—Any person, firm, partnership, association, corporation, or entity.
- (7) Reef Unit—Those materials to be deployed as an artificial reef that constitute a single approved item or multiple items that are permanently linked together.
- (8) Staging Area—A physical location where all reef units are stored for inspection.
- (9) Vessel—Any watercraft or barge used to transport materials for the construction of artificial reefs.

#### **3.3. Reef Construction Plan**

You are encouraged to develop a reef construction plan BEFORE purchasing and/or constructing reef units and BEFORE applying to the TPWD Artificial Reef Program for a PRA. Your plan should help you determine the following:

1. Which TPWD approved reef site onto which you are interested in deploying reef materials.
2. What types of materials and/or reef unit designs you are interested in deploying.
3. The appropriate reef units that will meet the approval criteria established by TPWD for your desired reef site.
4. Your timeline for deployment and methods that will be used for deploying the materials.

#### **3.4. Artificial Reef Materials**

Information in this section is provided to allow you an opportunity to evaluate the materials and/or reef units you are anticipating using BEFORE you purchase and/or construct such units.

1. Material Types Will Always Be Evaluated on a Case-By-Case Basis.

2. It is advisable that you obtain a copy of “Guidelines for Marine Artificial Reef Materials –Second Edition—January 2004” for additional information about suitability of various artificial reef materials. See Section 7.0. Form and Document Sources for information on how to obtain copies of this document from the Gulf States Marine Fisheries Commission. This reference is a guide and does not constitute a list of approved materials.

3. If you need further assistance, you may contact TPWD Artificial Reef Program staff. Refer to Section 6.0 Contact Information.

### 3.5. Characteristics of Acceptable Materials

All materials and reef units MUST meet ALL of the following criteria:

1. Reef units must be of such construction and material type so as not to break apart or disassociate.
2. Individual reef units must have sufficient density and weight to ensure that each reef unit remains at its final deployment location.
3. Reef units shall be free of pollutants and toxins in accordance with U.S. Coast Guard (USCG), U.S. Environmental Protection Agency (EPA), and Texas Commission for Environmental Quality (TCEQ), or other legally binding standards.
4. No reef units shall be allowed to entrap marine life, and must be configured, cut or shaped, so as not to function as a trap.

### 3.6. Acceptable Materials – Examples

The majority of materials that will be accepted for use in the PRBP will be:

- Natural rock;
- Concrete; and/or
- Steel or most metals (provided the metals are no less than 1/8 inches thick).

### 3.7. Unacceptable Materials – Examples

The majority of materials that will NOT be accepted in the PRBP under any circumstances are:

- All materials that can float (e.g. wood, foam, plastic, etc);
- Automobiles, buses, automotive and/or truck bodies or parts;
- Tires;
- Plastic drums, metal drums or cylindrical tanks;
- Garbage dumpsters or large roll-off dumpsters;
- White goods (appliances);
- Shopping carts;
- Plastics, PVC pipe, fiberglass; or
- Other materials, after inspection by TPWD, that are determined to be potentially unstable or lack acceptable habitat and substrate qualities.

### 3.8. Small boats and vessels

All small boats and vessels will be evaluated by TPWD on a case-by-case basis. Applicants are encouraged to consult with TPWD PRIOR to submitting an application under the PRBP.

## 4.0 Reef Construction Authorization Process

### 4.1. Application

Any person, organization, firm, or corporation wishing to participate in this program must submit a completed Public Reefing Application (PWD 1131—V3400) to the TPWD Artificial Reef Program Coordinator. Refer to Section 6.0 Contact Information for the mailing address.

### 4.2. How to Complete the Application

The following provides line-by-line instructions on how to complete an application for a Public Reefing Agreement.

### **Instructions For Completing The Public Reefing Application**

#### **Section I: Applicant Information (line numbers 1-12)**

1. Provide Applicant's full legal name.
2. Provide the Applicant's mailing address.
3. Provide the Applicant's business telephone numbers, including any applicable cellular and telefax numbers.
4. Provide the Applicant's e-mail address, if available.
- 5-8. If an agent is acting on behalf of an Applicant, provide his or her name, address, e-mail address, telephone and fax number. The Texas Parks and Wildlife Department will contact the agent before contacting the Applicant.
- 9-12. Provide the physical address of the reef unit staging area, and if applicable, the name, address, e-mail address, telephone and fax number of the point-of-contact for the staging area.

#### **Section II: Proposed Reef Site and Reef Unit Descriptions (line numbers 13-14)**

13. Provide the name and reef site number where the proposed deployment will take place.
14. Enter the following information for each type of reef unit proposed to be deployed (USE ADDITIONAL SHEETS IF NECESSARY).

*It is important to include digital photographs of each reef unit type when submitting the application.*

- a. Material Types – Enter the type of material(s) each reef unit is constructed of (e.g. concrete and steel).
- b. Dimensions – Enter the length, width and height (in feet and inches) of each reef unit type.
- c. Weight – Enter the estimated weight (in pounds) of each reef unit type.
- d. Number of Units – Enter the total number of reef units of each type.
- e. Other – Provide any other information pertinent to describing the reef units (e.g. reef ball, tetrahedron, culvert, etc.).

#### **Section III: Applicant Statement and Signature (line numbers 15-18)**

15. Applicant Statement. By signing the application, Applicant certifies he or she has read, understands and agrees to comply with the terms and conditions of the Public Reefing Agreement.
16. Applicant must sign and date application.
17. If an agent is acting on behalf of an Applicant, agent must sign and date application.
18. Mail application to the address listed on the application form.

#### **Section IV: Application Approval and Authorization Signature (line number 19)**

19. An authorized representative of the Texas Parks and Wildlife Department signs on this line once the application has been reviewed, evaluated, and provisionally approved by the department.

#### 4.3. Application Evaluation

1. Upon receipt of the application, TPWD will evaluate the application for completeness, clarity, and suitability of the reef material and reef unit types for the PRBP.
2. If necessary, TPWD will contact Applicant directly to clarify any information contained in the application.
3. Once TPWD is satisfied the information contained in the application is complete and the reef material appears to be suitable for the PRBP, TPWD will notify Applicant in writing that TPWD has provisionally approved the application.
4. Applicant will contact TPWD by phone to confirm his/her agreement to pay the amount established by TPWD, unless the amount is waived by TPWD.

5. Applicant and TPWD will establish a date and time for TPWD to inspect reef units described within the application. Inspections can be scheduled ONLY during the period 8:00 AM-4:30 PM, Monday – Friday.

#### 4.4. Reef Unit Inspection

1. TPWD Inspectors will travel to the physical location where the potential reef units are stored, and will perform a physical inspection of the reef units to determine compliance with the PRBP.

2. TPWD Inspectors will visually confirm that each reef unit matches the descriptions on the Public Reefing Application.

3. Reef units NOT listed on the application will NOT be considered for inspection.

4. TPWD Inspectors will permanently affix a uniquely numbered placard, or other identifying mark to each inspected reef unit that is approved, and will record an identification number in the Reef Unit Inspection Information column on the Reef Unit Information form (PWD 1132A—V3400) adjacent to each reef unit description.

5. A reef unit will NOT be considered approved unless it is affixed with an official TPWD Reef Construction Placard, or other identifying mark.

6. Applicant should make every effort to ensure all placards or other identifying marks remain affixed to each reef unit throughout deployment operations.

7. Reef Units that do not meet requirements at the time of inspection will not be affixed with the placard or other identifying mark.

8. If a reef unit is not approved, TPWD inspectors will confer with Applicant and explain the rationale for the rejection, and will discuss what must be done, if anything, to modify a reef unit to become an Approved reef unit.

9. If Applicant chooses to modify those previously unapproved reef units for approval, per TPWD recommendations, and include them in the deployment plan, Applicant MUST:

a) Modify the reef units according to directions provided by the Inspector AND

b) Make arrangements to reschedule inspection of the modified reef units.

10. TPWD Inspector will re-inspect modified reef units and if they meet the requirements of the modifications, inspector will affix a placard or other identifying mark signifying the reef units are Approved.

#### 4.5. Issuance of Public Reefing Agreement

1. The Inspector will issue a copy of the Public Reefing Agreement (PWD 1132—V3400) and associated forms following reef unit inspection ONLY IF:

a) Those reef units listed on the Reef Unit Information form are designated Approved for deployment and affixed with a placard or other identifying mark; and

b) Applicant agrees to NOT include reef units into the deployment plan that were not approved for deployment.

2. If ALL conditions in Subsection 4.5 –1. above are met, the Inspector will issue the following documents to Applicant:

a) A Public Reefing Agreement which is to be signed by both parties;

b) A copy of the Reef Unit Information form containing the list of all reef units Approved for deployment, and spaces adjacent to each reef unit where GPS coordinates of each reef unit deployment will be logged;

c) A map depicting the layout of the Reef Construction Deployment Site;

d) A copy of the PRA Pre-Deployment Notification form (PWD 1132B—V3400);

and

e) A copy of the PRA Contribution Verification form (PWD 1132C—V3400)

3. The PRA will contain the following information:

a) Application (control) number of current PRA;

- b) General Terms and Conditions of the PRA;
- c) The dollar amount of consideration the Applicant should pay to TPWD unless the amount is waived by TPWD;
- d) Coordinates (center point and corners) of the Reef Construction Deployment Site;
- e) Comments or special provisions established by TPWD regarding the deployment plan;
- f) Signature of Applicant;
- g) Signature of Agent (if applicable);
- h) Signature of authorized TPWD representative.

**5.0 Reef Unit Deployment**

Once the reef units are marked with approval placards, or other identifying marks, AND Applicant has received official copies of all required documentation (see Section 4.5 above) Applicant may deploy the reef units per the terms and conditions of the PRA terms and conditions.

**5.1 Pre-Deployment Procedures**

For every deployment, no less than 72 hours PRIOR to departure from the dock, Applicant must:

1. Notify TPWD of intent to deploy material by sending a completed copy of the Pre-Deployment Notification form via facsimile to 512-389-8878 or via e-mail to the Artificial Reef Coordinator; AND
2. Telephone the TPWD Artificial Reef Coordinator and provide Applicant's name, TPWD Control Number, departure dock, departure time and vessel name.
3. Pre-Deployment Notification form shall be completed as follows:

<b><u>Instructions For Completing The Pre-Deployment Notification Form</u></b>	
<b>Section I:</b>	<b>Transport Vessel Information: (line number 1)</b> 1. Provide the registration number of each transport vessel. If extra space is needed for additional vessels, enter registration numbers on line 1b.
<b>Section II:</b>	<b>Proposed Date and Time of Departure from Dock &amp; Estimated Date and Time of Arrival at Deployment Site(line numbers 2-5)</b> 2. Enter proposed date of departure from dock. 3. Enter proposed time of departure from dock. 4. Enter estimated date of arrival at deployment site. 5. Enter proposed time of arrival at deployment site.
<b>Section III:</b>	<b>Applicant Signature (line numbers 6-7)</b> 6. Applicant signs and dates pre-deployment form. 7. Applicant's agent (if necessary) signs and dates pre-deployment form.
<b>Section IV:</b>	<b>Notification Instructions (line number 8)</b> 8. <b><u>No Less than 72 Hours Prior to Departure from Dock:</u></b> <ul style="list-style-type: none"> <li>• Submit this completed form to the Artificial Reef Program Coordinator via facsimile to 512-389-8878; AND</li> <li>• Contact the Artificial Reef Program Coordinator by telephone (Monday-Friday 8:00 am to 4:00 pm) at 512-389-4686.</li> </ul>

**5.2 Deployment Procedures**

Applicant and Vessel operator shall comply with the following requirements:

1. Reef units MUST be deployed during daylight hours only.
2. Applicant must keep a copy of the entire TPWD PRA (including Reef Unit Information form) onboard the deployment vessel at all times until all the reef units have been deployed.



3. As the reef units are deployed, Applicant must record an accurate Global Positioning System (GPS) position (coordinates) for each reef unit deployed.

4. Deployment coordinates will be recorded in the Deployment Information column on the Reef Unit Information form adjacent to each reef unit as it is deployed.

5. In compliance with the USACE Permits issued to TPWD, the exact location of the reef unit deployment(s) shall be listed in latitude and longitude, recorded from a GPS receiver in the following format: \_\_° \_\_. \_\_'N; \_\_° \_\_. \_\_'W

6. LORAN coordinates or LORAN conversions to latitude and longitude are NOT acceptable.

7. If the reef units are not deployed by the expiration date, the PRA will terminate and your authority to deploy reef units will be voided.

8. Applicant may request in writing to TPWD, a one-time 90-day extension.

9. If the extension is denied, or the extension period has expired, the Applicant must submit a new application and the PRBP process starts over.

### 5.3 Post-Deployment Procedures

1. Within five (5) business days after the reef units have been deployed, Applicant must submit the completed PRA Reef Unit Information form via facsimile to the Artificial Reef Coordinator (Refer to Section 6.0 Contact Information).

2. In order to receive full credit for your contribution to the PRBP, a copy of the PRA Contribution Verification form must also be submitted to the Artificial Reef Coordinator.

#### **Important Contribution Information**

- Per the General Terms and Conditions stated in the Public Reefing Agreement, the materials deployed under this agreement are now the property of the Texas Parks and Wildlife Department. As such, the materials and in kind services may be considered as a donation to TPWD.
- Internal Revenue Code 26 U.S.C. §170(a) defines "charitable contribution" to include "a contribution or gift to or for the use of a State, a possession of the United States, or any political subdivision of any of the foregoing, or the United States or the District of Columbia, but only if the contribution or gift is made for exclusively public purposes." Therefore, your donation is deductible as a charitable contribution to the extent allowed by law. Please consult with your tax advisor for additional information about your contribution. Texas Parks and Wildlife Department's Tax ID # is 74-1680372.

### 5.4 Deployment Verification

TPWD reserves the right to conduct on-site deployment verification.

1. On-site verification will be accomplished by TPWD Inspector or authorized TPWD agent as the reef units are deployed.

2. Reef units must be as listed on the PRA; the deployment location must be within the coordinates listed on the PRA.

3. TPWD will:

a) Meet the deployment vessel on-site; OR

b) Meet the deployment vessel at the dock (or other location) and follow the deployment vessel to the deployment location; OR

c) Arrange to be transported to the deployment site via the deployment vessel.

4. If "on-site verification" is not possible, TPWD will confirm the location of the reef units deployed by a presence-absence inspection of the deployment location utilizing technologies including but not limited to scanning sonar, side-scan, remotely operated vehicles, hull-mounted fathometer and/or diver verification.

5. The coordinates provided will be used to verify the location of reef units and compliance with the PRA.

6. Deployment vessel MUST monitor VHF radio channel 16 throughout deployment operations.

## 6.0 Contact Information

The following lists names, addresses, phone numbers and e-mail addresses of TPWD contacts available to assist Applicants.

### 6.1 TPWD Contacts

#### 1. Artificial Reef Program Leader

Dale Shively

Texas Parks and Wildlife Department

4200 Smith School Road

Austin, TX 78744

E-mail: [dale.shively@tpwd.state.tx.us](mailto:dale.shively@tpwd.state.tx.us)

Office: (512) 389-4686

FAX: (512) 389-8878

#### 2. Artificial Reef Program Field Office

Artificial Reef Program

Texas Parks and Wildlife Department

1502 FM 517 East

Dickinson, TX 77539

Chris Ledford

E-mail: [chris.ledford@tpwd.state.tx.us](mailto:chris.ledford@tpwd.state.tx.us)

Office: (281) 534-0113

FAX: (281) 534-0120

Dr. Brooke Shipley

E-mail: [brooke.shipley@tpwd.state.tx.us](mailto:brooke.shipley@tpwd.state.tx.us)

Office: (281) 534-0112

FAX: (281) 534-0120

## 7.0 Form and Document Sources

The following documents and forms may be downloaded from the Artificial Reef Program page on the TPWD web site ([www.tpwd.state.tx.us](http://www.tpwd.state.tx.us)) or by request in writing or by e-mail to the Artificial Reef Coordinator (Refer to Section 6.0 Contact Information)

### 7.1. Public Reef Building Program – Standard Operating Protocol and Guidelines

### 7.2. Application and Required Forms

1. Public Reefing Application.....PWD 1131 V3400 (07/06)
2. Public Reefing Agreement (as follows):
  - PRA—General Terms and Conditions.....PWD 1132 V3400 (07/06)
  - PRA—Reef Unit Information.....PWD 1132A V3400 (07/06)
  - PRA—Pre-Deployment Information.....PWD 1132B V3400 (07/06)
  - PRA—Contribution Verification .....PWD 1132C V3400 (07/06)

### 7.3. “Guidelines for Marine Artificial Reef Materials –2nd Edition”

\*\*\*Copies may be downloaded from the Gulf States Marine Fisheries Commission web site at:  
[http://gsmfc.org/pubs/SFRP/Guidelines\\_for\\_Marine\\_Artificial\\_Reef\\_Material\\_January\\_2004.pdf](http://gsmfc.org/pubs/SFRP/Guidelines_for_Marine_Artificial_Reef_Material_January_2004.pdf)

## 8.0 Downloadable Forms (located on pages 9-17)

*All forms below may be downloaded for use as hard copies*



# PUBLIC REEF BUILDING PROGRAM

Coastal Fisheries Division  
Public Reefing Application

Control No.
<i>TPWD Use Only</i>

\_\_\_/\_\_\_/\_\_\_  
 Date Received by TPWD

**--PLEASE PRINT or TYPE--**

## Section I. Applicant Information

1. Name:	3. Home Phone Number: ( ) -
2. Mailing Address:	3a. Work Phone Number: ( ) -
4. E-mail Address:	3b. Alternate Phone Number: ( ) -

## Authorized Agent Information (If Applicable)

5. Name:	7. Home Phone Number: ( ) -
6. Mailing Address:	7a. Work Phone Number: ( ) -
8. E-mail Address:	7b. Alternate Phone Number: ( ) -

## Reef Unit Staging Area Information

9. Name of Point of Contact:	11. Home Phone Number: ( ) -
10. Physical Address:	11a. Work Phone Number: ( ) -
12. E-mail Address:	11b. Alternate Phone Number: ( ) -

## Section II. Proposed Reef Site and Reef Unit Descriptions

13. Site Name:

14. Description of Reef Units: *(Provide digital photographs with the following descriptions)*

14a. <u>Material Types</u> (e.g. concrete and steel)	14b. <u>Dimensions</u> (L x W x H)	14c. <u>Weight/Unit</u> (lbs)	14d. <u>Number of</u> <u>Units</u>	14e. <u>Other</u>
	' " x ' " x ' "			
	' " x ' " x ' "			
	' " x ' " x ' "			
	' " x ' " x ' "			
	' " x ' " x ' "			
	' " x ' " x ' "			
	' " x ' " x ' "			
	' " x ' " x ' "			
	' " x ' " x ' "			
	' " x ' " x ' "			
	' " x ' " x ' "			
	' " x ' " x ' "			

(continued)





# PUBLIC REEF BUILDING PROGRAM

## Coastal Fisheries Division Public Reefing Application

Control No.
<i>TPWD Use Only</i>

### Section III. Applicant Statement

15. I have received and read the information provided with the Artificial Reef Construction Application. I understand that required inspections of the reef units will be conducted by the Texas Parks and Wildlife Department and I consent to allow inspections of the reef units to verify the information provided on this application.

In applying for this authorization, I understand and acknowledge that the reef area is public and my activity does not give me any rights or private use over those of the general public and the existence of this reef does not exclude any other authorized use of the area.

I understand I may be subject to criminal prosecution if I place materials in any area outside the permitted area.

I understand that consideration may be required to be paid to the department at the time of signing.

**This application will not be considered unless fully completed.**

**Information contained in an approved application will be incorporated into the Public Reefing Agreement.**

_____ / / _____ 16. Applicant's Signature                      Date		_____ / / _____ 17. Agent's Signature                      Date
--	--	--

**Privacy Statement:** Texas Parks and Wildlife maintains the information collected through this form. With few exceptions

- You are entitled to be informed about the information we collect.
- Under Sections 552.021 and 552.023 of the Texas Government Code you are also entitled to receive and review the information.
- Under Section 559.004 you are also entitled to have this information corrected.

**WARNING:** Falsifying information on documents is a punishable offense – Texas Penal Code Chapter 37, Section 37.10. Any person who knowingly makes a false entry in or false alteration of a governmental record is guilty of a felony of the third degree, punishable by confinement in jail for any term of not more than 10 years or less than 2 years and punishable by a fine not to exceed \$10,000. **I hereby certify that all statements in this document are true and correct to the best of my knowledge and belief.**

18. **Return To:** Artificial Reef Program  
Coastal Fisheries Division  
Texas Parks & Wildlife Department  
4200 Smith School Rd.  
Austin, TX 78744

### Section IV. Approval

The signature below confirms your application has been provisionally approved by the Texas Parks and Wildlife Department. It is incumbent upon you to contact the artificial reef coordinator to set an appointment for an authorized agency employee to visit your reef unit staging area in order to inspect the reef units described in this application.

_____ 19. Signature of Authorized Representative	_____ / / _____ Date
Printed Name	Title



# PUBLIC REEF BUILDING PROGRAM

## Coastal Fisheries Division Public Reefing Application

Control No.

TPWD Use Only

### Instructions For Completing The Public Reefing Application

#### **Section I: Applicant Information (line numbers 1-12)**

5. Provide Applicant's full legal name.
6. Provide the Applicant's mailing address.
7. Provide the Applicant's business telephone numbers, including any applicable cellular and telefax numbers.
8. Provide the Applicant's e-mail address, if available.
- 5-8. If an agent is acting on behalf of an Applicant, provide his or her name, address, e-mail address, telephone and fax number. The Texas Parks and Wildlife Department will contact the agent before contacting the Applicant.
- 9-12. Provide the physical address of the reef unit staging area, and if applicable, the name, address, e-mail address, telephone and fax number of the point-of-contact for the staging area.

#### **Section II: Proposed Reef Site and Reef Unit Descriptions (line numbers 13-14)**

13. Provide the name and reef site number where the proposed deployment will take place.
14. Enter the following information for each type of reef unit proposed to be deployed (USE ADDITIONAL SHEETS IF NECESSARY).

It is important to include digital photographs of each reef unit type when submitting the application.

- a. Material Types – Enter the type of material(s) each reef unit is constructed of (e.g. concrete and steel).
- b. Dimensions – Enter the length, width and height (in feet and inches) of each reef unit type.
- c. Weight – Enter the estimated weight (in pounds) of each reef unit type.
- d. Number of Units – Enter the total number of reef units of each type.
- e. Other – Provide any other information pertinent to describing the reef units (e.g. reef ball, tetrahedron, culvert, etc.).

#### **Section III: Applicant Statement and Signature (line numbers 15-18)**

15. Applicant Statement. By signing the application, Applicant certifies he or she has read, understands and agrees to comply with the terms and conditions of the Public Reefing Agreement.
16. Applicant must sign and date application.
17. If an agent is acting on behalf of an Applicant, agent must sign and date application.
18. Mail application to the address listed on the application form.

#### **Section IV: Application Approval and Authorization Signature (line number 19)**

19. An authorized representative of the Texas Parks and Wildlife Department signs on this line once the application has been reviewed, evaluated, and provisionally approved by the department.



# PUBLIC REEF BUILDING PROGRAM

Coastal Fisheries Division

## Public Reefing Agreement

Control No.

TPWD Use Only

### General Terms and Conditions

**Applicant agrees to the following:**

- A copy of this agreement must be on board the listed vessel while conducting deployment activities under provisions of this agreement.
- Only reef units inspected and approved may be deployed.
- Applicant hereby grants permission to TPWD to board or accompany the deployment vessel in order to monitor deployment operations.
- Reef units deployed under the Public Reefing Agreement become property of TPWD.
- The reef area is public activities conducted under this agreement do not give Applicant any rights or private use over those of the general public and the existence of this reef does not exclude any other authorized use of the area.
- To pay non-refundable financial consideration to the department in the amount specified herein, unless waived by TPWD.
- To comply with all provisions of this Public Reefing Agreement including, but not limited to the following:
  - deploy reef units during daylight hours only;
  - document GPS coordinates of each reef unit deployment site;
  - notify TPWD at least 72 hours prior to deployment operations;
  - return GPS coordinates to TPWD within 5 working days of the deployment;
  - any other special provisions documented in the Public Reefing Agreement.

**Information contained in this agreement incorporate information from the following documents:**

Public Reefing Application (PWD 1131-V3400); Reef Unit Information (PWD 1132A-V3400); Pre-Deployment Notification (PWD 1132B-V3400) and Contribution Verification (PWD 1132C-V3400).

**Consideration to be Paid:** *Unless waived by an authorized TPWD representative, Applicant must submit the amount listed below payable to the Artificial Reef Fund in the form of a personal check, cashier's check or money order.*

\$ _____ Amount Due:	\$ _____ Amount Paid:	<input type="checkbox"/> Consideration Waived:	----- Initials of Authorized TPWD Representative
----------------------	-----------------------	--	---

**Authorized Deployment Site:** *Reef material may be deployed only within the area defined by the following coordinates:*

	Latitude	Longitude
Center Point:	___ ° ___ ' N	___ ° ___ ' W
Northeast Corner:	___ ° ___ ' N	___ ° ___ ' W
Southeast Corner:	___ ° ___ ' N	___ ° ___ ' W
Southwest Corner:	___ ° ___ ' N	___ ° ___ ' W
Northwest Corner:	___ ° ___ ' N	___ ° ___ ' W

**Comments and Special Conditions :** *Applicant must comply with the special conditions listed below (if any)*

By signing below I certify that I have read and understand the general terms and conditions stated in this Public Reefing Agreement and agree to abide by its terms and any Special Conditions contained herein. I also attest I have read and understand the provisions of 31 TAC §§57.950-57.955 and the contents of the department publication entitled "Texas Public Reef Building Program; Standard Operating Protocol and Guidelines." I further understand non-compliance with the terms and conditions of the Public Reefing Agreement may constitute a violation of federal law.

<u>Applicant</u>	<u>Texas Parks and Wildlife</u>
_____ Applicant Signature	_____ Authorized Representative Signature
____/____/____ Date	____/____/____ Date
_____ Agent Signature	_____ Printed Name
____/____/____ Date	____/____/____ Title

**This agreement is valid until 1159 PM on** \_\_\_\_/\_\_\_\_/\_\_\_\_ *Applicant may request in writing from TPWD an extension of up to 90 days.*







# PUBLIC REEF BUILDING PROGRAM

## Coastal Fisheries Division Public Reefing Agreement

Control No.
<i>TPWD Use Only</i>

### Reef Unit Information (continued)

Page  of

#### Reef Unit Inspection Information

(This Section to be Completed by TPWD Only)

- Only reef units inspected and approved may be deployed.
- Only reef units affixed with an official TPWD approval placard may be deployed.
- The signature below authorizes the reef units listed below to be deployed under the Public Reefing Agreement.

#### Deployment Information

(This Section to be Completed by Applicant)

**This form MUST be sent by facsimile to the Texas Parks and Wildlife Department Coastal Fisheries Division (512) 389-8878 within 5 days following deployment.**

**Enter GPS Coordinates for each Reef Unit at the Time of Deployment**

No.	Description of Each Reef Unit	Approval Number	Latitude	Longitude
			__ ° __.____ ' N	__ ° __.____ ' W
			__ ° __.____ ' N	__ ° __.____ ' W
			__ ° __.____ ' N	__ ° __.____ ' W
			__ ° __.____ ' N	__ ° __.____ ' W
			__ ° __.____ ' N	__ ° __.____ ' W
			__ ° __.____ ' N	__ ° __.____ ' W
			__ ° __.____ ' N	__ ° __.____ ' W
			__ ° __.____ ' N	__ ° __.____ ' W
			__ ° __.____ ' N	__ ° __.____ ' W
			__ ° __.____ ' N	__ ° __.____ ' W
			__ ° __.____ ' N	__ ° __.____ ' W

**Duplicate as necessary for additional sheets**



# PUBLIC REEF BUILDING PROGRAM

## Coastal Fisheries Division Public Reefing Agreement

Control No.

TPWD Use Only

### Pre-Deployment Notification

**No Less than 72 Hours Prior to Departure from Dock Applicant MUST:**

1. Submit this completed form to the Artificial Reef Program Coordinator via facsimile to 512-389-8878; AND
2. Contact the Artificial Reef Program Coordinator by telephone (Monday-Friday 8:00 am to 4:00 pm) at 512-389-4686.

\_\_\_\_/\_\_\_\_/\_\_\_\_  
Date Received by  
TPWD

**Section I. Transport Vessel Registration Number(s):**

1. Vessel # 1	Vessel # 2	Vessel # 3	Vessel # 4	Vessel # 5
1b.				

**Section II. Proposed Date and Time of Departure from Dock & Estimated Date and Time of Arrival at Deployment Site:**

DEPARTURE		ARRIVAL	
2. ____/____/____ Date	3. ____ : ____ Time <input type="checkbox"/> AM or <input type="checkbox"/> PM	4. ____/____/____ Date	5. ____ : ____ Time <input type="checkbox"/> AM or <input type="checkbox"/> PM

**Section III. Applicant Signature:**

6. _____ Applicant's Signature	____/____/____ Date	7. _____ Agent's Signature	____/____/____ Date
-----------------------------------	------------------------	-------------------------------	------------------------

**Instructions for Completing the Pre-Deployment Notification Form**

**Section I: Transport Vessel Information: (line number 1)**

1. Provide the registration number of each transport vessel. If extra space is needed for additional vessels, enter registration numbers on line 1b.

**Section II: Proposed Date and Time of Departure from Dock & Estimated Date and Time of Arrival at Deployment Site(line numbers 2-5)**

2. Enter proposed date of departure from dock.
3. Enter proposed time of departure from dock.
4. Enter estimated date of arrival at deployment site.
5. Enter proposed time of arrival at deployment site.

**Section III: Applicant Signature (line numbers 6-7)**

6. Applicant signs and dates pre-deployment form.
7. Applicant's agent (if necessary) signs and dates pre-deployment form.



# PUBLIC REEF BUILDING PROGRAM

## Coastal Fisheries Division Public Reefing Agreement

Control No.
TPWD Use Only

### Contribution Verification

#### Important Contribution Information

- Per the General Terms and Conditions stated in the Public Reefing Agreement, the materials deployed under this agreement are now the property of the Texas Parks and Wildlife Department. As such, the materials and in kind services may be considered as a donation to TPWD.
- Internal Revenue Code 26 U.S.C. §170(a) defines "charitable contribution" to include "a contribution or gift to or for the use of a State, a possession of the United States, or any political subdivision of any of the foregoing, or the United States or the District of Columbia, but only if the contribution or gift is made for exclusively public purposes." Therefore, your donation is deductible as a charitable contribution to the extent allowed by law. Please consult with your tax advisor for additional information about your contribution. Texas Parks and Wildlife Department's Tax ID # is 74-1680372.

***This form supersedes any prior report on your contribution.***

#### Instructions for Completing the Contribution Verification Form

##### **Section I Donor Information:**

- 1 Enter date of the deployment of the artificial reef materials.
- 2 Enter the name of Public Reefing Applicant.
- 3 Enter a contact name for the Applicant (if applicable).
- 4 Enter the Applicant's mailing address.
- 5 Enter the Applicant's main phone number, facsimile number and e-mail address.

##### **Section II Gift Type:**

- 6 Enter amount of any cash donation.
- 7 Enter total estimated value of the goods and materials donated.
- 8 Enter total estimated value of in kind services donated.
- 9 Enter total estimated value of cash, goods and materials, and in kind services.
- 10 TPWD will provide purpose of donation

**A copy of this sheet MUST be submitted along with the Public Reefing Agreement: Reef Unit Information form (PWD 1132B-V3400) to receive full credit for your contribution.**

##### **Section I Donor Information:**

1. Date of Deployment (mm/dd/yyyy): \_\_\_\_\_
2. Name of Donor / Organization: \_\_\_\_\_
3. Contact Name at Donor / Organization: \_\_\_\_\_
4. Donor Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_
5. Phone: ( ) \_\_\_\_\_ FAX: ( ) \_\_\_\_\_ E-mail: \_\_\_\_\_

##### **Section II Gift Type:**

	<b>Amount</b>
6. Cash	\$
7. Goods and Materials (Estimated Dollar Value of materials described in this agreement)	\$
8. In Kind Services (Dollar Value and Specific Descriptions)	\$
<b>9. Total Donation (Cash + Goods + In Kind Services)</b>	<b>\$</b>

10. **Purpose of Donation:** To create marine reef habitat in the Gulf of Mexico.