



Jeb Bush
Governor

Department of Environmental Protection

CC: BSD
LBO
Tewitt

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

ENVIRONMENTAL RESOURCE PERMIT CONSOLIDATED RESOURCE PERMIT AND SOVEREIGN SUBMERGED LANDS AUTHORIZATION

PERMITTEE/AUTHORIZED ENTITY:
Town of Longboat Key

Permit/Authorization Number:
58-01637883-002

AGENT:
Douglas Mann
Coastal Planning & Engineering, Inc.
2481 N.W. Boca Raton Blvd.
Boca Raton, FL 33431

Date of Issue: AUG - 8 2002

Expiration Date: AUG - 8 2007

Counties: Sarasota & Manatee
Project: Canal and bay access dredging

FINAL PERMIT

This permit is issued under the authority of Part IV of Chapter 373, F.S., and Title 62, Florida Administrative Code (F.A.C.). The activity is not exempt from the requirement to obtain an environmental resource permit. Pursuant to Operating Agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C., the Department is responsible for reviewing and taking final agency action on this activity.

This permit also constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Management Act.

This permit also constitutes certification compliance with water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

This activity also requires a proprietary authorization, as the activity is located on sovereign submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund, pursuant to Article X, Section 11 of the Florida Constitution, and Sections 253.002 and 253.77, F.S. The activity is not exempt from the need to obtain a proprietary authorization. The Department has the responsibility to review and take final action on this request for proprietary authorization in accordance with Section 18-21.0051, and the Operating Agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C. In addition to the above, this proprietary authorization has been reviewed in accordance with Chapter 253, F.S., Chapter 18-21, F.A.C., Section 62-343.075, F.A.C., and the policies of the Board of Trustees.

As staff to the Board of Trustees, the Department has reviewed the activity described below, and has determined the activity qualifies for a consent to use sovereign, submerged lands, as long as the work performed is located within the boundaries as described herein and is

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consistent with the terms and conditions herein. Therefore, consent is hereby granted, pursuant to Chapter 253.77, Florida Statutes to perform the activity on the specified sovereign submerged lands.

Your project has been reviewed for compliance with a State Programmatic General Permit (SPGP). Your proposed activity, as outlined on the attached drawings, is in compliance with the SPGP program. U.S. Army Corps of Engineers (Corps) Specific conditions apply to your project, if attached. No further permitting for this activity is required by the Corps. The authority granted under this SPGP expires December 17, 2003. Your project must be completed prior to this expiration date.

Authority for review - an agreement with the U.S. Army Corps of Engineers entitled "Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection State Programmatic General Permit, Section 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act.

You are hereby advised that authorizations also may be required by other federal, state, and local entities. This authorization does not relieve you from the requirements to obtain all other required permits and authorizations.

The above named permittee is hereby authorized to construct the work shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof. This permit and authorization to use sovereign submerged lands is subject to the limits, conditions, and locations of work shown in the attached drawings, and is also subject to the attached one through twenty-five General Conditions and one through forty five Specific Conditions, which are a binding part of this permit and authorization. You are advised to read and understand these drawings and conditions prior to commencing the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings. If you are utilizing a contractor, the contractor also should read and understand these drawings and conditions prior to commencing the authorized activities. Failure to comply with all drawings and conditions shall constitute grounds for revocation of the permit and appropriate enforcement action.

Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and with the general and specific conditions of this permit/certification/authorization, as specifically described below.

ACTIVITY DESCRIPTION:

The project involves the dredging of 2,800 cubic yards of material from the following canals and bay accesses, with associated direct and indirect seagrass impacts (see Project Drawings pages 30-34):

CANAL/BAY ACCESS	PREVIOUSLY EXEMPT	SEAGRASS IMPACTS (ft²)	DREDGE DEPTH (MLW)
Canal 2 - Bishop Bayou	NO	YES - 1,428	-5.0
Canal 2 - West End	NO	YES - 4,190	-5.0
Access 2	YES (to -3.5 MLW)	YES - 609	-5.0
Canal 3	YES (to -4.0 MLW)	NO	-5.0
Canal 4	YES (to -4.0 MLW)	NO	-5.0
Access 11	YES (to -4.0 MLW)	YES - 7,976	-5.0
Access 27	NO	YES - 2,655	-3.0
Canal 29	YES (to -4.0 MLW)	NO	-5.0
Access 30	NO	NO	-5.0
Canal 50	NO	NO	-5.0

As demonstrated above, some of the dredge areas were previously exempted to depths of less than -5.0 MLW (exemption 58-01637883-001, issued February 13, 2001).

ACTIVITY LOCATION:

The project is located within the above described canals and bay accesses of the Town of Longboat Key, in Sections 6, 7, 16, 21, 22, and 31, Township 36 South, Range 17 East, Sarasota and Manatee Counties, within Sarasota Bay, a Class III Outstanding Florida Waterbody (a Class III Waterbody within the canals).

GENERAL CONDITIONS:

1. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.
2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by Department staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. Activities approved by this permit shall be conducted in a manner, which does not cause violations of state water quality standards. The permittee shall implement best management practices for erosion and a pollution control to prevent violation of state water quality standards. Temporary erosion control shall be implemented prior to and during construction and permanent control measures shall be completed within 7 days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring

suspended solids into the receiving waterbody exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. Thereafter the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.

4. Water quality data for the water discharged from the permittee's property or into the surface waters of the state shall be submitted to the Department as required by the permit. Analyses shall be performed according to procedures outlined in the current edition of Standard Methods for the Examination of Water and Wastewater by the American Public Health Association or Methods for Chemical Analyses of Water and Wastes by the U.S. Environmental Protection Agency. If water quality data are required, the permittee shall provide data as required on volumes of water discharged, including total volume discharged during the days of sampling and total monthly volume discharged from the property or into surface waters of the state.

5. Department staff must be notified in advance of any proposed construction dewatering. If the dewatering activity is likely to result in offsite discharge or sediment transport into wetlands or surface waters, a written dewatering plan must either have been submitted and approved with the permit application or submitted to the Department as a permit prior to the dewatering event as a permit modification. The permittee is advised that the rules of the Southwest Florida Water Management District state that a water use permit may be required prior to any use exceeding the thresholds in Chapter 40D-2, F.A.C.

6. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 7 days after the construction activity in that portion of the site has temporarily or permanently ceased.

7. Off site discharges during construction and development shall be made only through the facilities authorized by this permit. Water discharged from the project shall be through structures having a mechanism suitable for regulating upstream stages. Stages may be subject to operation schedules satisfactory to the Department.

8. The permittee shall complete construction of all aspects of the surface water management system, including wetland compensation (grading mulching, planting), water quality treatment features, and discharge control facilities prior to beneficial occupancy or use of the development being served by this system.

9. The following shall be properly abandoned and/or removed in accordance with the applicable regulations:

- a. Any existing wells in the path of construction shall be properly plugged and abandoned by a licensed well contractor.
- b. Any existing septic tanks on site shall be abandoned at the beginning of construction.
- c. Any existing fuel storage tanks and fuel pumps shall be removed at the beginning of construction.

10. All surface water management systems shall be operated to conserve water in order to maintain environmental quality and resource protection; to increase the efficiency of transport, application and use; to decrease waste; to minimize unnatural runoff from the property and to minimize dewatering of offsite property.

11. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the Department a written notification of commencement using an "Environmental Resource Permit Construction Commencement" notice (Form No. 62-343.900(3), F.A.C.) indicating the actual start date and the expected completion date.

12. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the occupation of the site or operation of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to a local government or other responsible entity.

13. Within 30 days after completion of construction of the permitted activity, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the required "Environmental Resource Permit As-Built Certification by a Registered Professional" (Form No. 62-343.900(5), F.A.C.), and "Request for Transfer of Environmental Resource Permit Construction Phase to Operation Phase" (Form 62-343-900(7), F.A.C.). Additionally, if deviation from the approved drawings are discovered during the certification process the certification must be accompanied by a copy of the approved permit drawings with deviations noted.

14. This permit is valid only for the specific processes, operations and designs indicated on the approved drawings or exhibits submitted in support of the permit application. Any substantial deviation from the approved drawings, exhibits, specifications or permit conditions, including construction within the total land area but outside the approved project area(s), may constitute grounds for revocation or enforcement action by the Department, unless a

modification has been applied for and approved. Examples of substantial deviations include excavation of ponds, ditches or sump areas deeper than shown on the approved plans.

15. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of the conditions herein, the Department determines the system to be in compliance with the permitted plans, and the entity approved by the Department accepts responsibility for operation and maintenance of the system. The permit may not be transferred to the operation and maintenance entity approved by the Department until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the Department, the permittee shall request transfer of the permit to the responsible operation and maintenance entity approved by the Department, if different from the permittee. Until a transfer is approved by the Department pursuant to Section 62-343.110(1)(d), F.A.C., the permittee shall be liable for compliance with the terms of the permit.

16. Should any other regulatory agency require changes to the permitted system, the Department shall be notified of the changes prior to implementation so that a determination can be made whether a permit modification is required.

17. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations including a determination of the proposed activities' compliance with the applicable comprehensive plan prior to the start of any activity approved by this permit.

18. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 40D-4 or Chapter 40D-40, F.A.C.

19. The permittee is hereby advised that Section 253.77, F.S., states that a person may not commence any excavation, construction, other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.

20. The permittee shall hold and save the Department harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.

21. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered

binding unless a specific condition of this permit or a formal determination under section 373.421(2), F.S., provides otherwise.

22. The permittee shall notify the Department in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of section 62-343.130, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.

23. Upon reasonable notice to the permittee, Department authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with Department rules, regulations and conditions of the permits.

24. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the Department and the Florida Department of State, Division of Historical Resources.

25. The permittee shall immediately notify the Department in writing of any previously submitted information that is later discovered to be inaccurate.

GENERAL CONSENT CONDITIONS

1. No activities other than those set forth in the permit are authorized. Any additional activities on state-owned sovereignty, submerged lands must receive further consent from the Governor and Cabinet, sitting as the Board of Trustees of the Internal Improvement Trust Fund (hereinafter the "Board") or their properly designated agent.

2. Grantee agrees that all title and interest to all lands lying below the historical mean high water line or ordinary high water line are vested in the Board, and shall make no claim of title or interest in said lands by reason of the occupancy or use thereof.

3. Grantee agrees to use or occupy the subject premises for those purposes specified herein, and Grantee shall not permit the premises or any part thereof to be used or occupied for any other purpose or knowingly permit or suffer any nuisances of illegal operations of any kind on the premises.

4. Grantee agrees to maintain the premises in good condition in the interest of public health, safety and welfare. The premises are subject to an inspection by the Board or its designated agent at any reasonable time.

5. Grantee agrees to indemnify, defend and hold harmless the Board and the State of Florida from all claims, actions, lawsuits and demands arising out of this consent.

6. No failure, or successive failures, on the part of the Board to enforce any provision, waiver or successive waivers on the part of the Board of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Board to enforce the same in the event of subsequent breach.

7. Grantee binds itself and its successors and assigns, to abide by the provisions and conditions set forth herein. In the event Grantee fails or refuses to comply with the provisions and conditions of this consent, the consent of use may be terminated by the Board after written notice to the Grantee. Upon receipt of such notice, the Grantee shall have thirty (30) days in which to correct the violation. Failure to correct the violations within this period shall result in the automatic revocation of this Letter of Consent.

8. All costs, including attorneys' fees, incurred by the Board in enforcing the terms and conditions of this consent shall be paid by the Grantee. Grantee agrees to accept service by certified mail of any notice required by Chapter 18-14, Florida Administrative Code, at the address shown on page one of this Agreement and further agrees to notify the Board in writing of any change of address at least ten days before the change becomes effective.

9. Grantee agrees to assume responsibility for all liabilities that accrue to the sovereignty submerged land or to the improvements thereon, including any and all drainage or special assessments or taxes of every kind and description which are now or may be hereafter lawfully assessed and levied against the property during the effective period of this consent.

10. Grantee agrees that any dispute arising from matters relating to this consent shall be governed by the laws of Florida and initiated only in Leon County, Florida.

11. The Letter of Consent associated with these General Consent Conditions as well as these conditions themselves are subject to modification after 5 years in order to reflect any applicable changes in statutes, rule or policies of the Board or its designated agent.

12. In the event that any part of the structure(s) consented to herein is determined by final adjudication issued by a court of competent jurisdiction to encroach on or interfere with adjacent riparian rights, Grantee agrees to either obtain written consent for the offending structure from the affected riparian owner or to remove the interference or encroachment within 60 days from the date of the adjudication. Failure to comply shall constitute a material breach of this consent and shall be grounds for its immediate termination.

SPECIFIC CONDITIONS:

1. The permittee shall notify the Department in writing at least 48 hours prior to commencing the work authorized in this permit (see General Condition #11).

2. Submittals required herein shall be directed to:

Department of Environmental Protection
Environmental Administrator
Environmental Resource Management Program
Southwest District
3804 Coconut Palm Dr.
Tampa, FL 33619

hereafter referred to as "the Department". Submittals include, but are not limited to, record drawings, progress reports, mitigation monitoring reports and water quality monitoring reports.

Submittals shall include the permittee's name and permit number.

3. The permittee shall be aware of and operate under #1 through #25 of the attached "General/Limiting Conditions for Environmental Standard General and Individual Permits". General/Limiting Permit Conditions are binding upon the permittee and enforceable pursuant to Chapter 403 of the Florida Statutes.

4. The permittee is hereby advised that Florida law states: "No person shall commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund or the Department of Environmental Protection under Chapter 253, until such person has received from the Board of Trustees of the Internal Improvement Trust Fund the required lease, license, easement, or other form of consent authorizing the proposed use." Pursuant to Rule 18-14.002(1), Florida Administrative Code, if such work is done without consent, or if a person otherwise damages state land or products of state land, the Board of Trustees may levy administrative fines of up to \$10,000 per offense.

5. The work authorized by this permit shall not be conducted on any property, other than that owned by the permittee, without the prior written approval of that property owner.

6. Subsequent to the selection of the contractor to perform the authorized activity and prior to the initiation of work authorized by this permit, the permittee, (or authorized agent) and the contractor, shall attend a pre-construction conference with a representative of the Department's Submerged Lands and Environmental Resources staff. The permittee shall notify the Department in writing subsequent to contractor selection to request scheduling of the subject conference.

7. The permittee shall notify the Department in writing within 14 days of change in agents designated in the approved permit application.

8. If the approved permit, drawings and the Specific Conditions contradict each other, then the Specific Conditions shall prevail.
9. Progress reports for the project shall be submitted to the Department beginning October 1, 2002, and shall continue to be submitted on a semi-annual basis until permitted construction of the permitted project and mitigation creation is completed. The cover page shall indicate the permit number, project name and the permittee name. Progress reports must be submitted to the Department if there is no ongoing construction. Reports shall include the current project status and the construction schedule for the following six months. The report shall include the following information:
- a. Date permitted activity was begun; if work has not begun on-site, please indicate.
 - b. Brief description and extent of the work (i.e., dredging, monitoring, mitigation, management, maintenance) completed since the previous report or since the permit was issued. Show on copies of the permit drawings those areas where work has been completed.
 - c. Brief description and extent of the work (i.e. dredging, monitoring, mitigation, management, maintenance) anticipated in the next six months. Indicate on copies of the permit drawings those areas where it is anticipated that work will be conducted.
 - d. This report shall include on the first page, just below the title, the certification of the following statement by the individual who supervised preparation of the report: "This report represents a true and accurate description of the activities conducted during the six month period covered by this report."
10. The permittee is responsible for retaining a professional engineer registered in the State of Florida to certify the construction of the project is in compliance with the approved permit plans.
11. The permittee shall submit two copies of signed, dated and sealed as-built drawings to the Department within 30 days of completion of construction. The as-built drawings shall be based on the Department permitted construction drawings, which should be revised to reflect changes made during construction. Both the original design and constructed elevation must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawings. Surveyed dimensions and elevations required shall be verified and signed, dated and sealed by a Florida registered surveyor or engineer.

The following information shall be verified on the as-built drawings:

<u>Plan View/Cross-Section</u>	<u>Project Drawing Page Number</u>
Canal and Bay Access 2	Pages 1-4
Canals 3 & 4	Pages 5-7
Access 11	Pages 8 & 10
Access 27	Pages 11-13
Canal 29	Page 14
Access 30	Pages 16 & 17
Canal 53	Pages 19-21

12. Storage or stockpiling of tools, materials (i.e., lumber, pilings, debris.) within wetlands, along the shoreline within the littoral zone or elsewhere within waters of the state unless specifically approved in the permit is not allowed. Cleared vegetation, excess lumber, scrap wood, trash, garbage and any other type of debris shall be removed from wetlands/waters of the state within 14 days of completion of the work authorized in this permit.

13. A mixing zone for turbidity is granted with the following size and configuration constraint(s) for the dredging to occur within the canals:

- a. The mixing zone shall be limited by a distance of 150 meters from the cutterhead, return flow discharge, or other points of turbidity generation. Turbidity must not exceed 29 Nephelometric Turbidity Units (NTU's) above natural background at the mixing zone boundary in areas located within the canals.
- b. In Outstanding Florida Waters, NTU levels cannot exceed **background** at the mixing zone boundary. If the 150-meter mixing zone extends outside the limits of the canal, the compliance point shall be at the boundary of the canal and the Bay; at which point the NTU levels cannot exceed **background**. If this is not possible turbidity barrier(s) shall be installed across the canal entrance.

14. An mixing zone for turbidity is granted with the following size and configuration constraint(s) for the dredging of the bay accesses located outside of the canals. **If the dredging will be conducted via clam shell or other non hydraulic means, the mixing zone will be established within the limits of turbidity barriers that shall be deployed at all times during dredging activities:**

- a. The mixing zone shall extend no further than a **circle** with a radius of 150 meters from the cutterhead, return flow discharge, or other points of turbidity generation [F.A.C. 62-4.244(5)(c)].

The restricted mixing zone approved by the Department is located within "Outstanding Florida Waters" and existing ambient water quality may be degraded for a period not to exceed 30 days, and natural background for turbidity must be at the mixing zone boundary [F.A.C. 62-4.242(2)(a) and 62-4.242(2)(b)].

15. The mixing zone is granted exclusively for the duration of the dredging. When dredging is conducted via clamshell or other non-hydraulic dredge means, floating turbidity barriers shall be deployed completely around the dredge area.

16. When dredging will occur through existing seagrass beds (regardless of the dredge method) turbidity barriers shall be installed immediately adjacent to the edge of the seagrass that is to remain.

17. Monitoring for turbidity shall be conducted for the duration of the project. Sampling will commence 4 hours before initiation of dredging or filling activities and continue at four-hour intervals, during the dredging activities, until the project is completed.

A minimum of two moving sampling sites shall be established for the duration of the project at the following locations:

- a. Mixing zone boundary; to be collected 150 meters from the point of turbidity generation or at the canal entrances (see mixing zone limitations listed above in Specific Conditions 16 & 17).
- b. Background - to be collected 500 meters up current of the mixing zone boundary (depending the tidal stage) and outside the influence of project generated turbidity.

Samples shall be collected from surface, mid-depth and one foot above bottom. Mid-depth samples are sufficient in water, which is less than three feet deep. Sampling will be restricted to the axis of the visible plume. Samples will be collected at the intersection of the mixing zone boundary and a line parallel with the water current and extending from the source of turbidity if a plume is not visible.

Samples shall be collected with a Kemmerer, Van Dorn or similar sampler, which is designed to collect in-situ water samples. Samples must be maintained at 4°C and allowed to warm to ambient temperatures before analyses. Samples must be analyzed within 24 hours of collection time.

18. The permittee shall comply with the following QA/QC requirements for each sample collected:

- a. Turbidity analysis shall be performed on instruments that produce results in Nephelometric measurements.
- b. The instrument must be calibrated each morning and each time the instrument is turned on, and recalibrated every four hours thereafter.
- c. Calibrations must be performed against a blank, and at least one formazin or gel-type standard. The standard value should be in the same range as the sample readings.
- d. Calibration procedures must be recorded in a permanent logbook, and copies must be submitted with the data.
- e. Date and time of collection, date and time of analyses, warm-up time, and the name of the analyst must be included in the log.

19. Turbidity monitoring reports shall be submitted to the Department within seven days of sample collection. Correspondence shall include the permittee name and permit number. When submitting this information to the Department, please include, at the top of each page or as a cover page to the submittal: "This information being provided in partial fulfillment of the monitoring requirements in Permit No. 58-01637883-001." Failure to submit reports in a timely manner constitutes a violation of the permit and may be grounds for revocation.

20. Monitoring data shall contain the following information:

- a. Permit number;
- b. Dates of sampling and analysis;
- c. A statement describing the methods used in collection, preservation, handling, storage and analysis of the samples;
- d. A map indicating the sampling locations;
- e. Copies of the Quality Assurance/Quality Control log;
- f. A statement by the individual responsible for implementation of the sampling program concerning the authenticity, precision, limits of detection and accuracy of the data; and
- g. Documentation the laboratory performing the sampling and analyses has an approved quality control and assurance plan on file with the DEP.

Monitoring reports shall also include the following information for each sample that is taken:

- h. Time of day samples taken;
- i. Depth of water body;
- j. Depth of sample;
- k. Tidal stage and direction of flow; and
- l. Antecedent weather conditions, including wind direction and velocity.

The compliance locations given above shall be considered the limits of the temporary mixing zone for turbidity allowed during construction. Construction activities shall cease immediately and not resume until corrective measures have been taken and turbidity has returned to acceptable levels if monitoring reveals turbidity levels at the compliance site **greater than or equal to 29 NTU's of background turbidity levels within the canals, and/or in excess of the turbidity level at the corresponding background site outside of the canals.** Any such occurrence shall also be immediately reported to the Department.

21. Dredging activities shall cease immediately if violation(s) of state water quality standards for turbidity occur. The violation(s) shall be immediately reported to the Department. The report shall include the description of the corrective actions being taken or proposed to be taken. The report shall be made to the Department as soon as normal business hours resume if violation(s) are noted after normal business hours, on holidays, or on weekends. A copy of the monitoring data sheets, which indicate violation(s), shall be forwarded immediately to the Department.

Operations may not resume until a compliance inspection performed by Department personnel has been conducted and a set of samples have been collected and analyzed which reports the water quality standard for turbidity has not been exceeded. Interim samples collected following the violation (s) shall be collected in the same manner as the routine monitoring and at the same locations. Sampling shall continue at two-hour intervals until the laboratory analysis reports the turbidity standard has not been exceeded.

Failure to report violation(s) or to follow correct procedures before resuming work will constitute grounds for revocation of the permit and may also render the permittee subject to enforcement action.

22. Areas to be dredged shall be in accordance with the attached permit drawings and shall not exceed the areas and depths indicated on those drawings.

23. The dredged material shall be transported to a self-contained upland disposal site (see Project Drawings pages 26-29). Discharge of water or dredged material to waters of the state shall not be allowed during transport. Following drying, the material shall be transported to the Manatee County Landfill for final disposal.

24. The impacted areas shall be restored to their original contours and elevations if dredged material escapes from the disposal site and encroaches into wetland/waters of the state.

25. The limited trimming of mangroves for navigational purposes is authorized for the west end of Canal 2 and the north and west sides of Canal 3. The trimming is limited to those portions of branches or trunks which extend into the navigational channel beyond a vertical plane of the most waterward prop root or root system. No herbicide or other chemical will be used for the purpose of removing leaves of mangrove. A typical drawing of the authorized trimming is depicted in Attachment "A", page 1 of 1.

The permittee shall comply with the following manatee protection construction conditions:

26. The permittee shall instruct all personnel associated with the project of the potential presence of manatees and the need to avoid collisions with manatees. All construction personnel are responsible for observing water-related activities for the presence of manatee(s).

27. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees, which are protected under the Marine Mammal Protection Act of 1972, the Endangered Species Act of 1973, and the Florida Manatee Sanctuary Act of 1978.

28. Siltation barriers shall be installed and shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be monitored regularly to avoid manatee entrapment. Barriers shall not block manatee entry to or exit from essential habitat.

29. All vessels associated with the project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water where the draft of the vessel provides less than four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.

30. If a manatee(s) are seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure protection of the manatee. These precautions shall include the operation of all moving equipment no closer than 50 feet of a manatee. Operation of any equipment closer than 50 feet to a manatee shall necessitate immediate shutdown of that equipment. Activities will not resume until the manatee(s) has departed the project area of its own volition.

31. Any collision with and/or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-FWCC. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-232-2580) for north Florida or Vero Beach (1-561-562-3909) in south Florida.

32. Temporary signs concerning manatees shall be posted prior to and during all construction/dredging activities. All signs are to be removed by the permittee upon completion of the project. A sign measuring at least 3 feet by 4 feet which reads *Caution: Manatee Area* will be posted in a location prominently visible to water related construction crews. A second sign should be posted if vessels are associated with the construction, and should be placed visible to the vessel operator. The second sign should be at least 8 1/2 inches by 11 inches which reads: *Caution: Manatee Habitat. Idle speed is required if operating a vessel in the construction area. All equipment must be shutdown if a manatee comes within 50 feet of the operation. A collision with and/or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-FWCC. The U.S. Fish and Wildlife Service should also be contacted in Jacksonville (1-904-232-2580) for north Florida or (1-561-562-3909) for South Florida*

MITIGATION

33. The permittee is responsible for retaining a biological consultant to ensure construction of the wetland mitigation and the subsequent monitoring is carried out in compliance with the approved permit plans.

34. The purpose of mitigation is to harvest existing seagrass from the areas to be dredged and transplant them to appropriate receiver sites. This mitigation shall be conducted as described below for the purpose of this permit.

The seagrass mitigation plan, described in pages 1-15 of Attachment "B", shall be implemented and shall consist of:

- a. The transplanting of 0.39 acres of existing seagrass, from the areas to be dredged as well as from other areas that were previously exempted (58-01637883-001, issued February 13, 2001), to a 1.16 acre area. The following three receiver sites, in combination, comprise the 1.16 acre transplant area: Leffis Key dredge hole, Durante Park dredge hole, and in prop scars located adjacent to the Coquina Boat Ramp/Durante Park. If the receiver sites are determined to be insufficient, or not longer available, alternate site locations must be submitted to and approved by the Department prior to the commencement of the dredging activities.

35. The permittee shall submit to the Department the following information 14 days prior to planting:

- a. The exact location from where the seagrass shall be harvested, shown on a vicinity map.

36. The transplanting of the seagrass shall be completed prior to the dredging activities authorized by this permit.

37. The Department's approval of the mitigation plan pursuant to this permit does not constitute a finding by the Department the mitigation will meet the required success criteria. The permittee acknowledges its obligation to meet the intent of the permit regarding the mitigation objective until the mitigation is determined by the Department to be successful.

38. A "Time Zero" Monitoring Report shall be submitted within 30 days of completion of transplanting and shall include the following:

- a. Date the transplanting was completed;
- b. Color still and video photography of each transplant area. The photographing shall be taken from fixed reference points, to be established using Differential Global Positioning System (DPGS), and directions which are shown on a scaled plan view, and
- c. A table depicting numbers, spacing, and sizes of each species planted.

39. The permittee shall establish permanent benchmarks using DPGS in each mitigation area upon completion of the transplanting.

40. Subsequent mitigation monitoring reports shall be submitted to the District office quarterly for the first year, biannually for the second and third years, and annually for the fourth year.

41. Subsequent Mitigation Monitoring Reports shall include the following for each transplant area: (Data shall be submitted in tabular form; sub sample number and size shall be determined by a statistically valid method referenced in the Bibliography section of this permit).

- a. Color photographic prints taken from the reference points established in the Time Zero Monitoring Report.
- b. Detailed description of statistical methods used which must include the following:
 - i. Subsample method and map of sampling locations.
 - ii. Method used to determine percent cover and growth.
 - iii. Statistical analyses used.
- c. Total percent cover.

- d. Plant species composition with estimates of the contribution of each species to percent cover.
- d. Description of the pertinent climatological conditions preceding the monitoring event.
- e. Photocopy of the field notes depicting the raw data collected.

42. Permittee shall meet the mitigation success criteria, as defined in permit specific condition # 44, if the permit has expired or if the Department fails to require the permittee to develop an alternative mitigation program as provided below.

43. The responsibility to assess if the mitigation is meeting the permit-specified success criteria shall not fall solely on the Department. Contrary to the contingency plan (outlined on page 7 of Attachment "B"), if in the event the permittee becomes aware mitigation is not meeting the success criteria (based on either site observations or review of monitoring reports), the permittee, no later than 6 months before the permit construction phase expiration date, shall be responsible to:

- a. Submit an alternative mitigation plan to the Department for review and approval;
- b. Submit \$500 fee.

The respondent shall implement the alternative restoration plan no later than 60 days after receiving Department approval.

Failure of the Department to notify the permittee of mitigation failure does not prevent the Department from requiring the permittee to meet mitigation success criteria as defined in permit specific condition #44.

44. The mitigation shall be deemed successful when the following criteria has been continuously met for a period of at least one (1) year, without intervention in the form of replanting:

- a. Planted seagrass has achieved a minimum establishment of 85% as defined by coverage, sediment stabilization, and coalescence.
- b. The mitigation area has been inspected by Department personnel and has been determined to be successful.

45. If signs are to be installed to mark the transplant areas, the applicant will forward a project site sign plan, a chart indicating the location of the signs in relation to waterways, and county location, and the Permit number associated with the project to:

Department of Environmental Protection
Office of Waterways Management
3900 Commonwealth Blvd., Mail Station 630
Tallahassee, FL 32399

BIBLIOGRAPHY

Approved references for methodology are listed below, other methodologies must be approved in advance by the Department.

Daubenmire, R. 1968, *Plant Communities: A Textbook of Synecology*, Harper and Row, New York, 300 pp.

Green, R.H. 1979. *Sampling Design and Statistical Methods for Environmental Biologists*. John Wiley & Sons, New York. 257 pp.

Grieg-Smith, P. 1983, 3rd Ed. *Quantitative Plant Ecology*. University of California Press, Berkley.

Mueller-Dombois, D. and H. Ellenberg, 1974, *Aims and Methods of Vegetation Ecology*, John Wiley, New York, 547 pp.

Oosting, H. J. 1956. *The study of Plant Communities: An Introduction to Plant Ecology*. W.H. Freeman, San Francisco.

Poole, R.W. 1974. *An Introduction to Quantitative Ecology*. McGraw-Hill, New York.

Ryan, J.D., Calder, F.D., and Burney, L.C. December, 1984. *Deepwater Ports Maintenance Dredging and Disposal Manual, A Guide to Planning, Estuarine Chemical Data Collection, Analysis, and Interpretation*. State of Florida, Department of Environmental Regulation. Fourth Revision.

Southwood, T.R.E. 1978. *Ecological Methods*. Chapman & Hall, London.

END OF SPECIFIC CONDITIONS

Town of Longboat Key
Permit No.: 58-01637883-002
Page 20 of 21

Executed in Tampa, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Bob Stetler
Program Administrator
Environmental Resource Management
Southwest District

Copies furnished to:

DEP, Office of General Counsel
U.S. Army Corps of Engineers
DEP, Bureau of Beaches & Coastal Systems
FWC, Bureau of Protected Species Management
File

Town of Longboat Key
Permit No.: 58-01637883-002
Page 21 of 21

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit and authorization to use sovereign submerged lands, including all copies, were mailed before the close of business on 8/8/02, to the above listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date, under 120.52(7) of the Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Clerk Date

Crubinson 8/8/02

Attachments:

Joint ERP Application, 5 pages
Project Drawings, 34 pages
Attachment A, 1 page
Attachment B, 15 pages
General Conditions for Federal Authorization for SPGP III-R1
Standard Manatee Construction Conditions Construction commencement notice/ 62-343.900(3)
Annual status report/62-343.900(4)
As-built certification/62-343.900(5)
Inspection certification/62-343.900(6)
Application for transfer of an erp permit/62-343.900(8)

SECTION A

FOR AGENCY USE ONLY	
ACOE Application #	DEP/WMD Application #
Date Application Received	Date Application Received
Proposed Project Lat.	Fee Received \$
Proposed Project Long.	Fee Receipt #

PART 1:
 Are any of the activities described in this application proposed to occur in, on, or over wetlands or other surface waters? yes no
 Is this application being filed by or on behalf of a government entity or drainage district? yes no

A. Type of Environmental Resource Permit Requested (check at least one). See Attachment 2 for thresholds and descriptions.

- Noticed General - include information requested in Section B.
- Standard General (Single Family Dwelling) - include information requested in Sections C and D.
- Standard General (all other Standard General projects) - include information requested in Sections C and E.
- Individual (Single Family Dwelling) - include information requested in Sections C and D.
- Individual (all other Individual projects) - include information requested in Sections C and E.
- Conceptual - include information requested in Sections C and E.
- Mitigation Bank Permit (construction) - include information requested in Sections C and F. (If the proposed mitigation bank involves the construction of a surface water management system requiring another permit defined above, check the appropriate box and submit the information requested by the applicable section.)
- Mitigation Bank (conceptual) - include information requested in Sections C and F.

B. Type of activity for which you are applying (check at least one)

- Construction or operation of a new system, other than a solid waste facility, including dredging or filling in, on or over wetlands and other surface waters.
- Construction, expansion or modification of a solid waste facility.
- Alteration or operation of an existing system which was not previously permitted by a WMD or DEP.
- Modification of a system previously permitted by a WMD or DEP.
 Provide previous permit numbers: _____

<input type="checkbox"/> Alteration of a system	<input type="checkbox"/> Extension of permit duration
<input type="checkbox"/> Abandonment of a system	<input type="checkbox"/> Construction of additional phases of system
<input type="checkbox"/> Removal of a system	

C. Are you requesting authorization to use Sovereign Submerged Lands?
 yes no
 (See Section G and Attachment 5 for more information before answering this question.)

D. For activities in, on, or over wetlands or other surface waters, check type of federal dredge and fill permit requested:

<input checked="" type="checkbox"/> Individual	<input type="checkbox"/> Programmatic General	<input type="checkbox"/> General
<input type="checkbox"/> Nationwide	<input type="checkbox"/> Not Applicable	

E. Are you claiming to qualify for an exemption? yes no
 If yes, provide rule number if known. _____

APPROVED
STATE OF FLORIDA

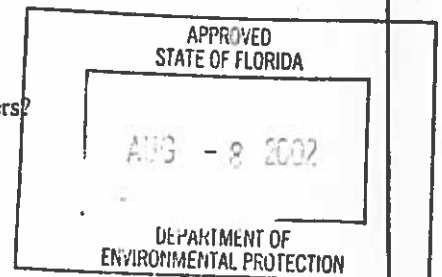
AUG - 8 2002

DEPARTMENT OF
ENVIRONMENTAL PROTECTION

PART 3: A. OWNER(S) OF LAND	B. ENTITY TO RECEIVE PERMIT (IF OTHER THAN OWNER)
Name	Name Juan Florensa
Title and Company Town of Longboat Key	Title and Company Town of Longboat Key
Address	Address 501 Bay Isles Road
City, State, Zip	City, State, Zip Longboat Key, FL 34228-3196
Telephone and Fax	Telephone and Fax (941) 316-1999 Fax: (941) 316-1656
C. AGENT AUTHORIZED TO SECURE PERMIT	D. CONSULTANT (IF DIFFERENT FROM AGENT)
Name Douglas W. Mann, P.E., Sr. Coastal Engineer	Name Same
Title and Company Coastal Planning & Engineering, Inc.	Title and Company
Address 2481 N.W. Boca Raton Blvd.	Address
City, State, Zip Boca Raton, FL 33431	City, State, Zip
Telephone and Fax (561) 391-8102 Fax: (561) 319-9116	Telephone and Fax

PART 4: (Please provide metric equivalent for federally funded projects):

- A. Name of Project, including phase if applicable: Longboat Key Canal Dredging Project
- B. Is this application for part of a multi-phase project?
 yes no
- C. Total applicant-owned area contiguous to the project?
N/A ac.; _____ ha.
- D. Total area served by the system: 0 ac.; 0 ha.
- E. Impervious area for which a permit is sought: 0 ac.; 0 ha.
- F. Volume of water that the system is capable of impounding:
0 ac. ft.; 0 m
- G. What is the total area of work in, on, or over wetlands or other surface waters?
1.4 ac.; 0.6 ha. 61,500 sq. ft.; 5,714 sq. m.
- H. Total volume of material to be dredged: 2,800 yd; 2,140 m
- I. Number of new boat slips proposed: 0 wet slips; 0 dry slips



PART 5:

Project location (use additional sheets if needed):

County(ies) Manatee/Sarasota

Section(s) 15,22,23,24

Section(s) 6,22

Section(s)

Township 35S

Township 36S

Township

Range 16E

Range 17E

Range

Land Grant name, if applicable: None

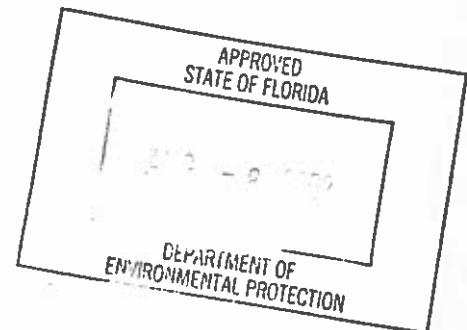
Tax Parcel Identification Number: N/A

Street Address Road or other location: N/A

City, Zip Code, if applicable: N/A

PART 6: Describe in general terms the proposed project, system, or activity.

Approximately 2,800 cubic yards of sand and silt is to be dredged from the canals and bay access channels on Longboat Key in Manatee County and Sarasota County, Florida. The cut depth for each canal is -5.0 feet MLW. Channel widths will vary throughout the project and are sized with respect to each canal. The dredge spoil is to be placed in three upland disposal sites: Durante Park parking lot, Bayfront Park and Overlook Park, where it can be dewatered with no direct return of water to the adjacent water bodies. Dewatered spoil will be trucked offsite.



PART 7:

A. If there have been any pre-application meetings, including on-site meetings, with regulatory staff, please list the date(s), location(s), and names of key staff and project representatives.

November 19, 1998, Longboat Key

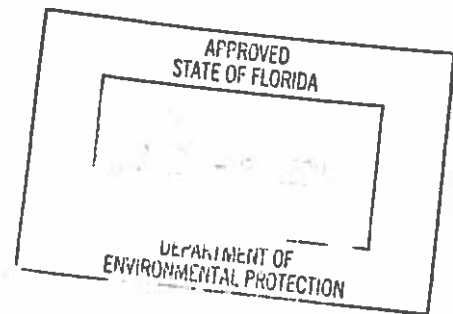
FDEP representatives: Rose H. Poyner & Melanie G. Strauss

B. Please identify by number any MSSW/Wetland Resource/ERP/ACOE Permits pending, issued or denied for projects at the location, and any related enforcement actions.

Agency	Date	No.\Type of Application	Action Taken
<u>USACE</u>	<u>Jan 12, 2000</u>	<u>200000050(IP-MN)</u>	<u>Pending</u>
_____	_____	_____	_____
_____	_____	_____	_____

C. Note: The following information is required for projects proposed to occur in, on or over wetlands that need a federal dredge and fill permit or an authorization to use state owned submerged lands. Please provide the names, addresses and zip codes of property owners whose property directly adjoins the project (excluding application) and/or (for proprietary authorizations) is located within a 500 ft. radius of the applicant's land. Please attach a plan view showing the owner's names and adjoining property lines. Attach additional sheets if necessary.

- | | |
|-----------------------|----|
| 1. | 2. |
| Previously submitted. | |
| 3. | 4. |
| 5. | 6. |
| 7. | 8. |



PART 8:

A. By signing this application form, I am applying, or I am applying on behalf of the applicant, for the permit and any proprietary authorizations identified above, according to the supporting data and other incidental information filed with this application. I am familiar with the information contained in this application and represent that such information is true, complete and accurate. I understand this is an application and not a permit, and that work prior to approval is a violation. I understand that this application and any permit issued or proprietary authorization issued pursuant thereto, does not relive me of any obligation for obtaining any other required federal, state, water management district or local permit prior to commencement of construction. I agree, or I agree on behalf of the applicant, to operate and maintain the permitted system unless the permitting agency authorizes transfer of the permit to a responsible operation entity. I understand that knowingly making any false statement or representation in this application is a violation of Section 373.430, F.S. and 18 U.S.C. Section 1001.

Douglas W. Mann P.E.

Typed/Printed Name of Applicant (If no Agent is used) or Agent (If one is so authorized below)

Douglas W. Mann November 9, 2001
Signature of Applicant/Agent Date

Senior Coastal Engineer, Coastal Planning & Engineering, Inc.
(Corporate Title if applicable)

AN AGENT MAY SIGN ABOVE ONLY IF THE APPLICANT COMPLETES THE FOLLOWING:

B. I hereby designate and authorize the agent listed above to act on my behalf, or on behalf of my corporation, as the agent in the processing of this application for the permit and/or proprietary authorization indicated above; and to furnish, on request, supplemental information in support of the application. In addition, I authorize the above-listed agent to bind me, or my corporation, to perform any requirements which may be necessary to procure the permit or authorization indicated above. I understand that knowingly making any false statement or representation in this application is a violation of Section 373.430, F.S. and 18 U.S.C. Section 1001.

Juan J. Florensa
Typed/Printed Name of Applicant

J. Florensa
Signature of Applicant

11-26-01
Date

Town of Longboat Key
(Corporate Title if applicable)

Please note: The applicant's original signature (not a copy) is required above.

PERSON AUTHORIZING ACCESS TO THE PROPERTY MUST COMPLETE THE FOLLOWING:

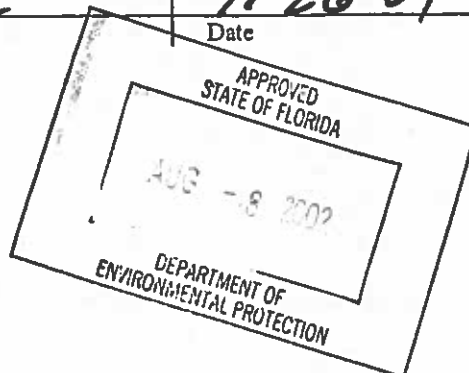
C. I either own the property described in this application or I have legal authority to allow access to the property, and I consent, after receiving prior notification, to any site visit on the property by agents or personnel from the Department of Environmental Protection, the Water Management District and the U.S. Army Corps of Engineers necessary for the review and inspection of the proposed project specified in this application. I authorize these agents or personnel to enter the property as many times as may be necessary to make such review and inspection. Further, I agree to provide entry to the project site for such agents or personnel to monitor permitted work if a permit is granted.

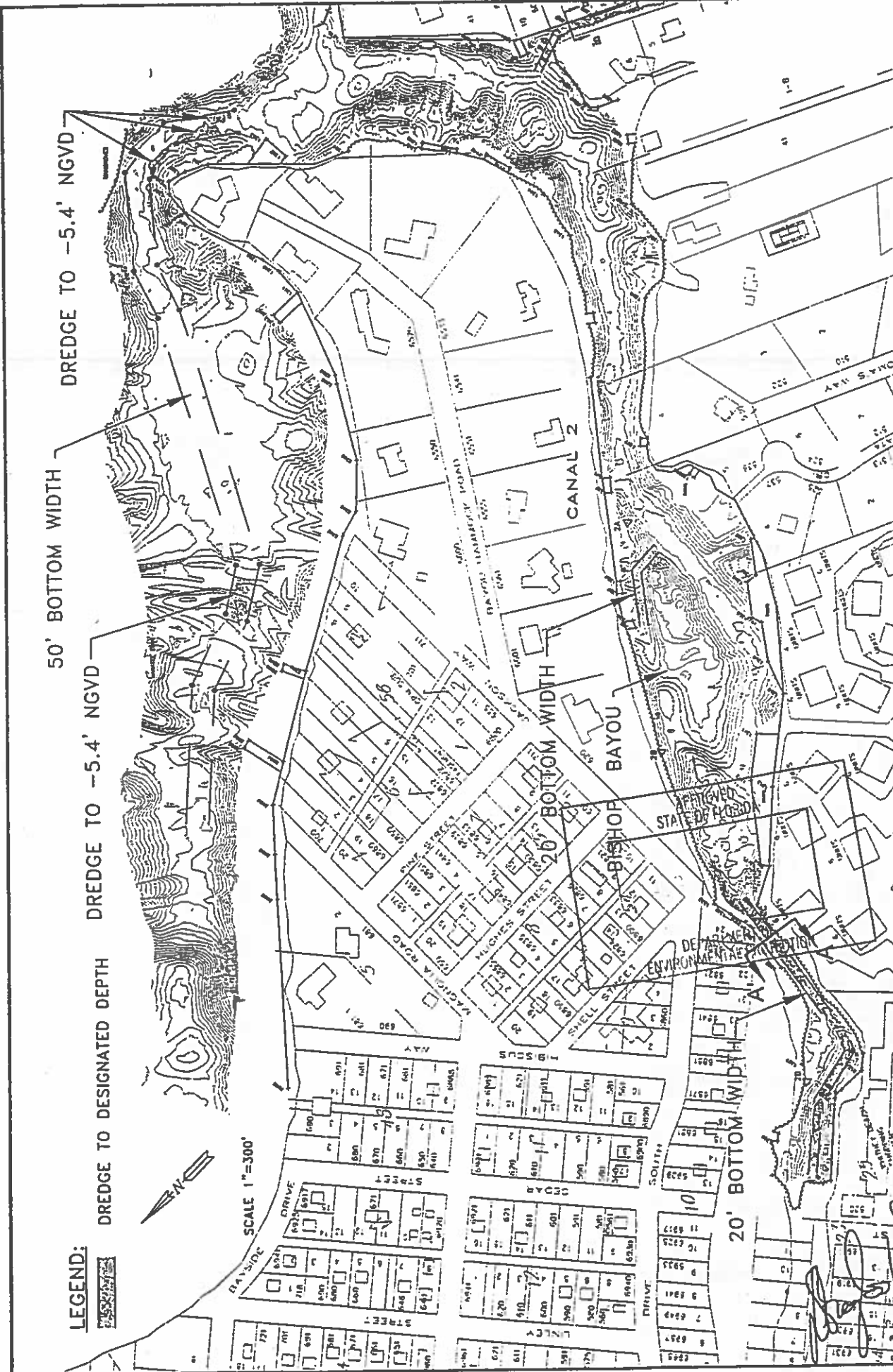
Juan J. Florensa
Typed/Printed Name of Applicant

J. Florensa
Signature of Applicant

11-26-01
Date

Town of Longboat Key
(Corporate Title if applicable)





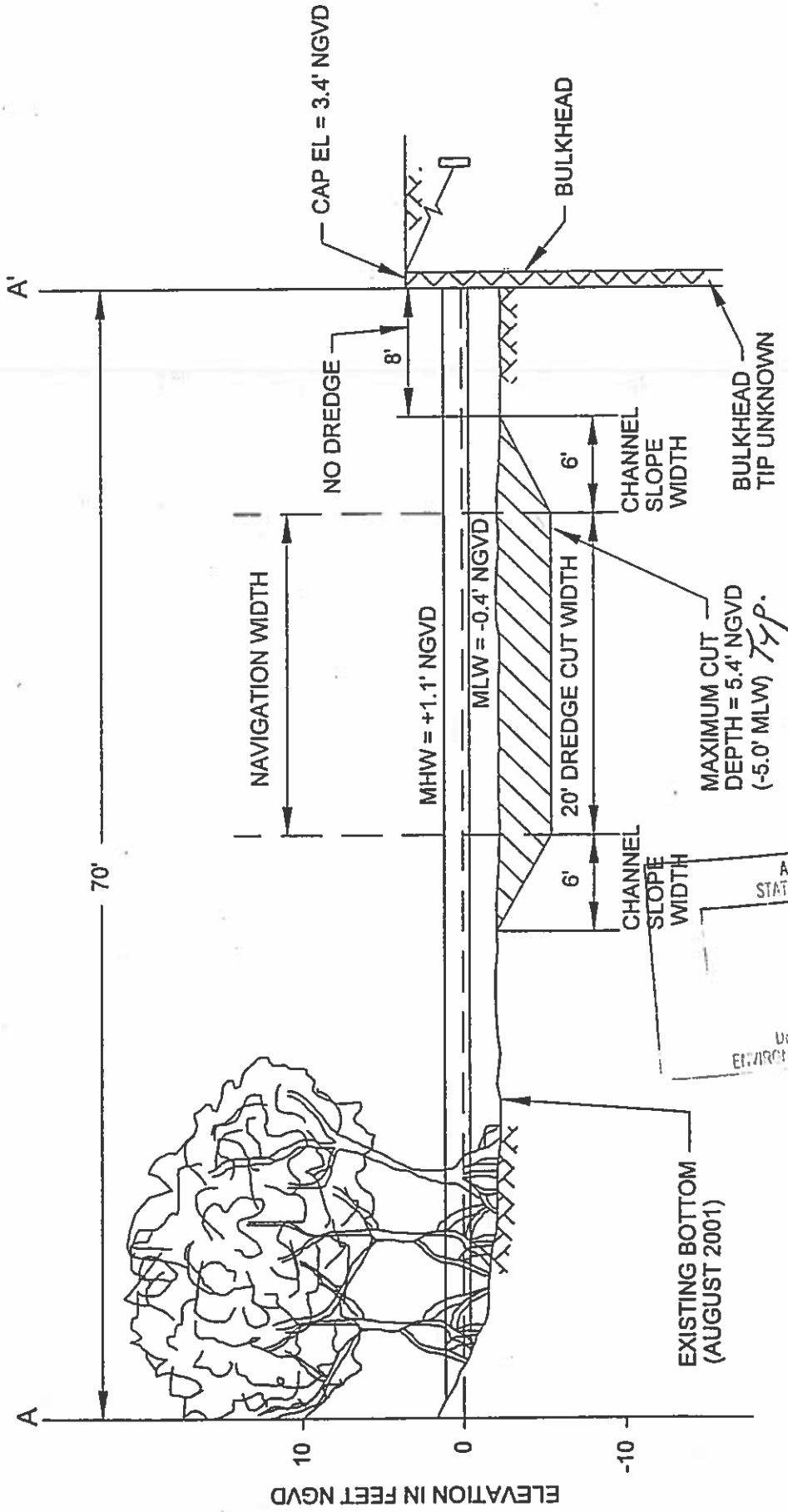
TOWN OF LONGBOAT KEY
 CANAL DREDGING PROJECT
 CANAL 2 AND ACCESS 2 PLAN VIEW

11 NW 1/4, BOCA RATON BLVD.
 BOCA RATON, FL. 33431

COASTAL PLANNING & ENGINEERING, INC.

DATE: _____
 DRAWN BY: _____
 CHECKED BY: _____
 SHEET: 2 of 17

Project drawings
 58-01637883-002
 Page 1 of 34



SCALE 1"=10'

TOWN OF LONGBOAT KEY
 CANAL DREDGING PROJECT
 CANAL 2 CROSS SECTION A-A'

TITLE:

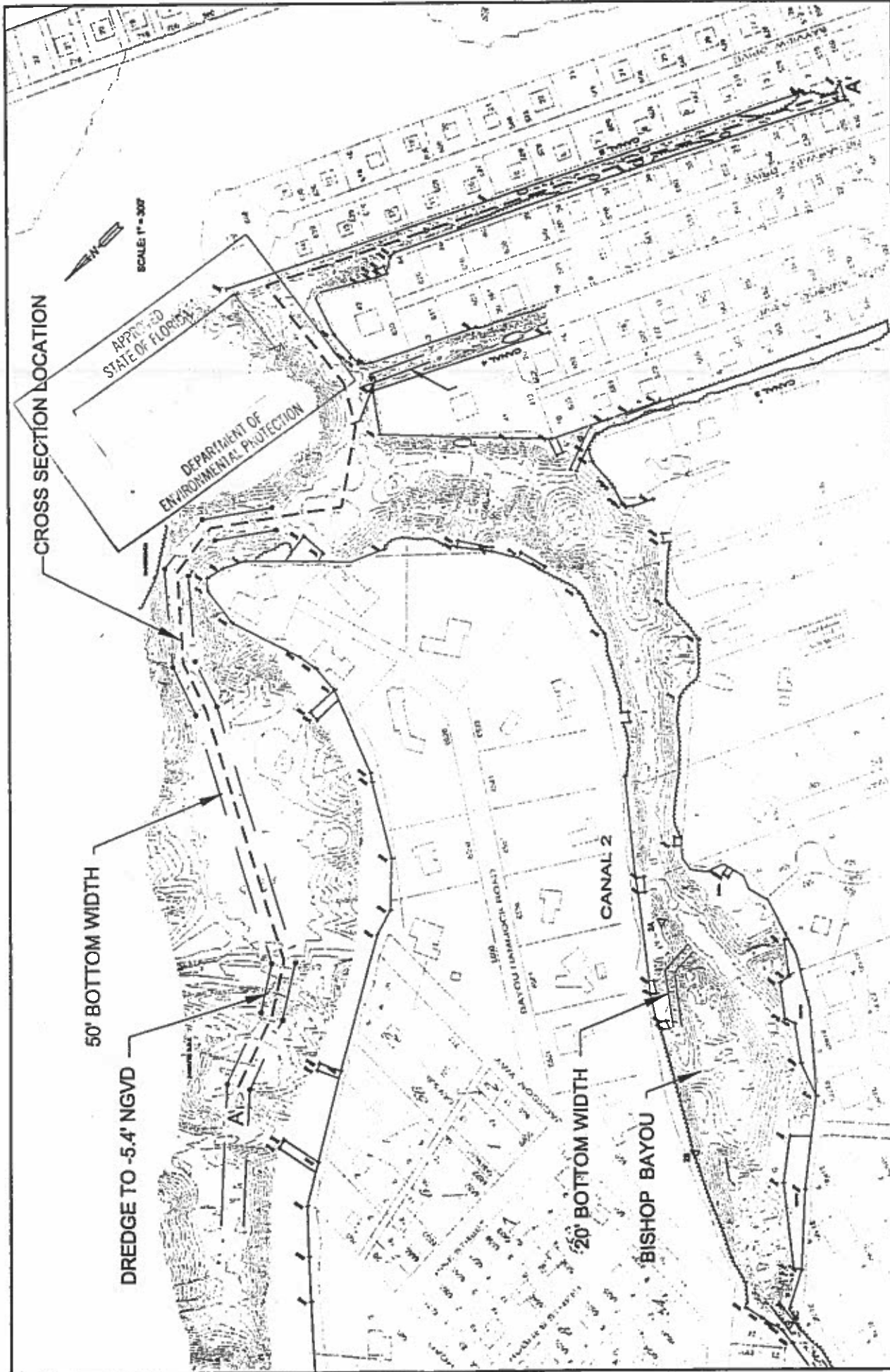
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 BOCA RATON, FL 33431

COASTAL PLANNING & ENGINEERING, INC.

DATE: 08/20/01
 DESIGNED BY: [Signature]
 CHECKED BY: [Signature]
 SHEET: 0422.41
 12 of 17

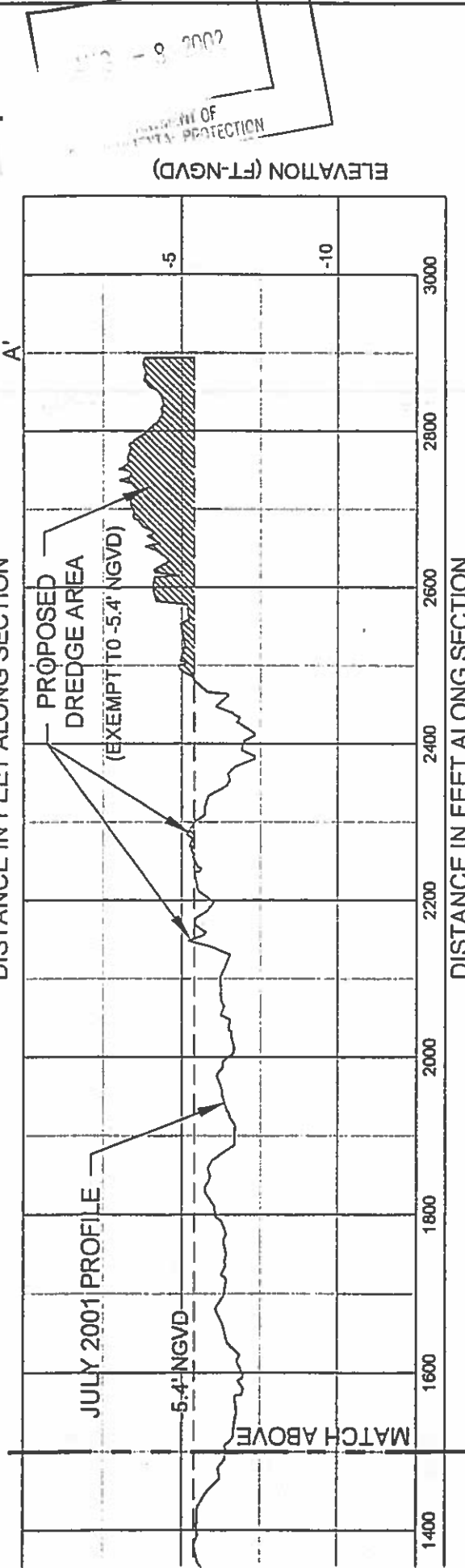
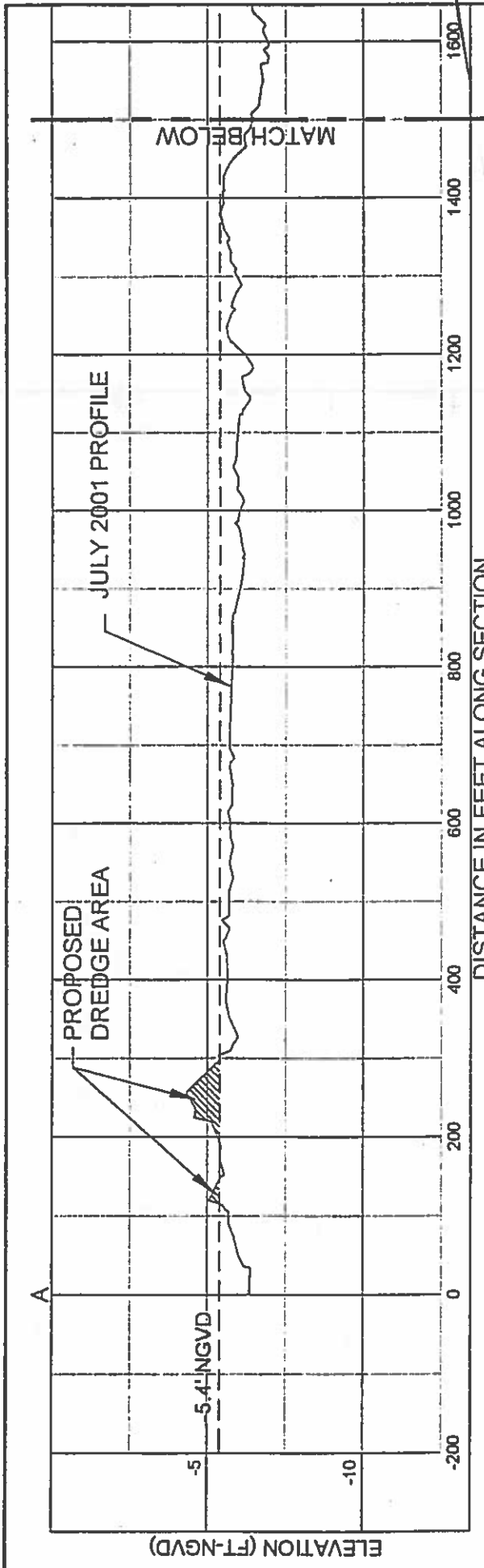
Project drawings
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 Page 2 of 34

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 20/01



<p>TITLE:</p> <p>TOWN OF LONGBOAT KEY CANAL DREDGING PROJECT CANAL ACCESS #2 TO CANAL 5 CROSS SECTION LOCATION</p>	<p>2481 N.W. BOCA RATON BLVD. BOCA RATON, FL 33431</p>	<p>COASTAL PLANNING & ENGINEERING, INC.</p>	<p>DATE: 1/21/02</p> <p>BY: AMB</p> <p>COMM. NO. 8488.44</p> <p>SHEET: 18</p>
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Project drawings
58-01637883-002
Page 3 of 34



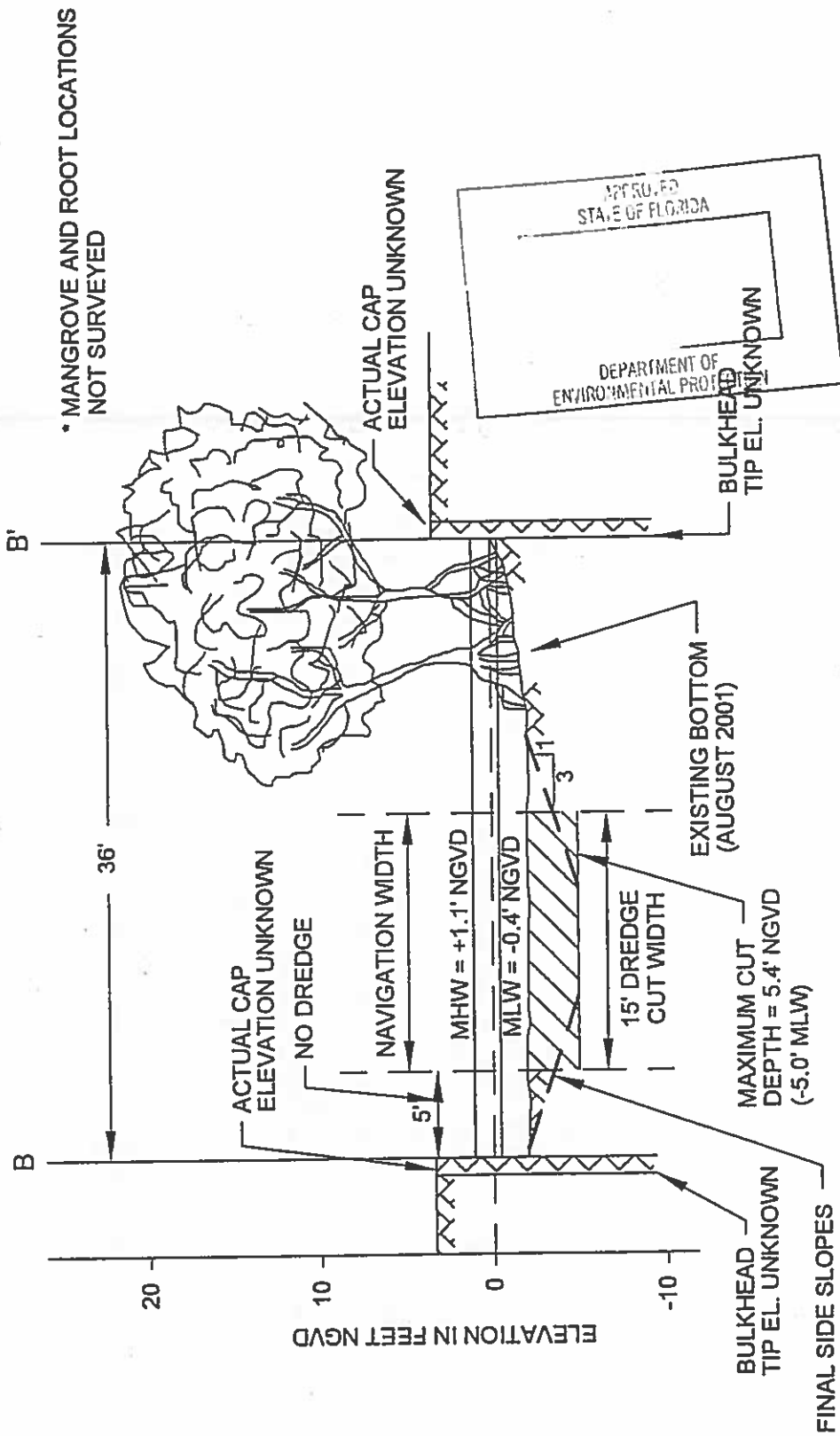
APPROVED
STATE OF FLORIDA
2002 - 8 - 2002
DEPARTMENT OF
ENVIRONMENTAL PROTECTION

TITLE: TOWN OF LONGBOAT KEY
CANAL DREDGING PROJECT
CANAL ACCESS #2 - CANAL 5 CROSS SECTION

Project drawings
58-01637883-002
Page 4 of 34

COASTAL PLANNING & ENGINEERING, INC.

DATE:	1/21/02
BY:	AMB
COMM. NO.:	8488.44
SHEET:	19



SCALE 1"=10'

TOWN OF LONGBOAT KEY
CANAL DREDGING PROJECT
CANAL 3 CROSS SECTION B-B'

TITLE:

2481 N.W. SOCRATON BLVD.
CORAL GATERS FL 33431

Project drawings

58-01637883-002

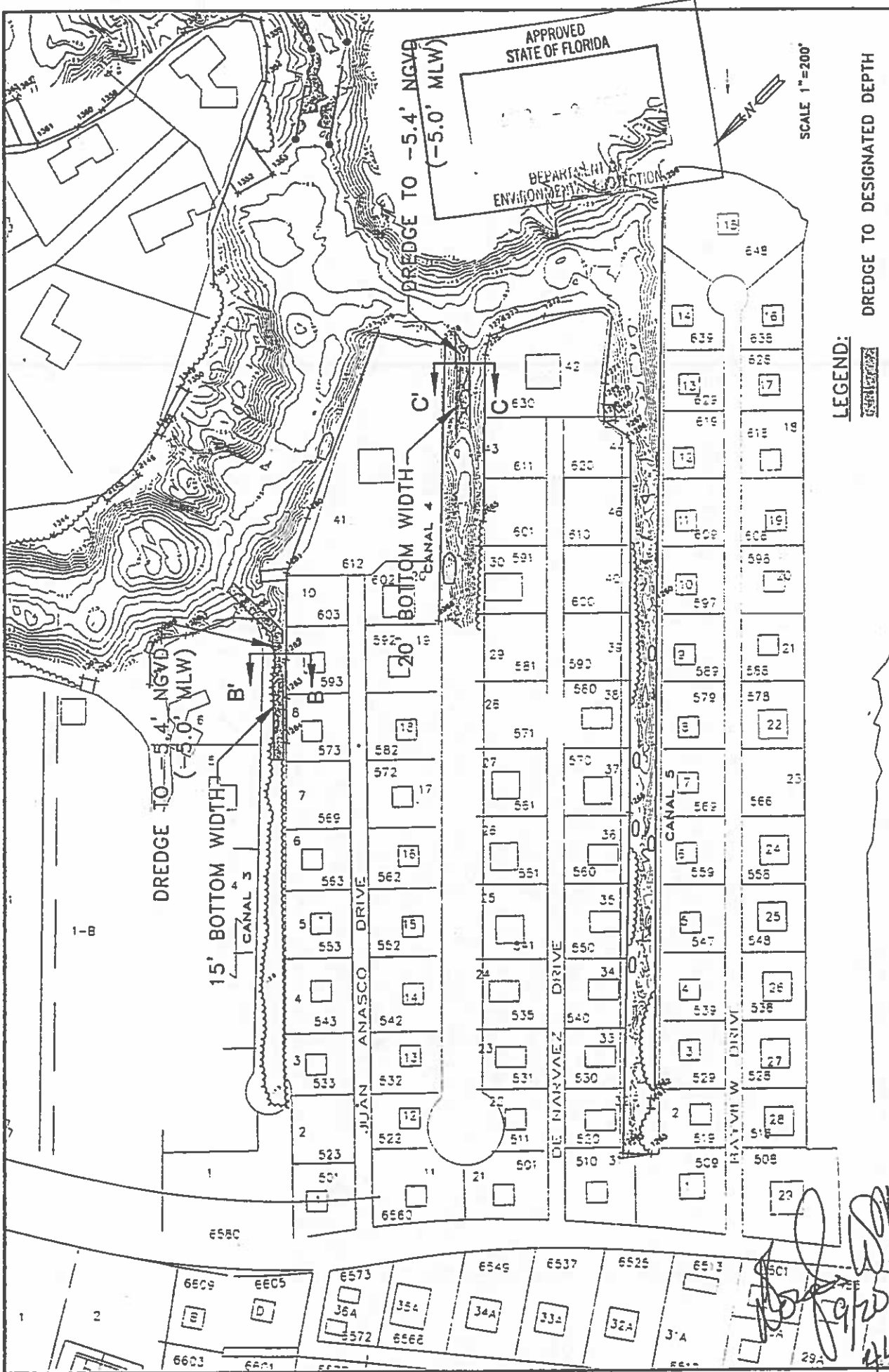
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COASTAL PLANNING & ENGINEERING, INC.

DATE:	08/15/01
BY:	[Signature]
REV:	
FORM NO.	0466.44
SHEET:	13 of 17

For Regulatory Review Only

4402
11/16/01



APPROVED
STATE OF FLORIDA

DEPARTMENT OF
ENVIRONMENTAL PROTECTION

SCALE 1"=200'

DREDGE TO DESIGNATED DEPTH

LEGEND:
 BARGE

TOWN OF LONGBOAT KEY
 CANAL DREDGING PROJECT
 CANAL 3 AND 4 PLAN VIEW

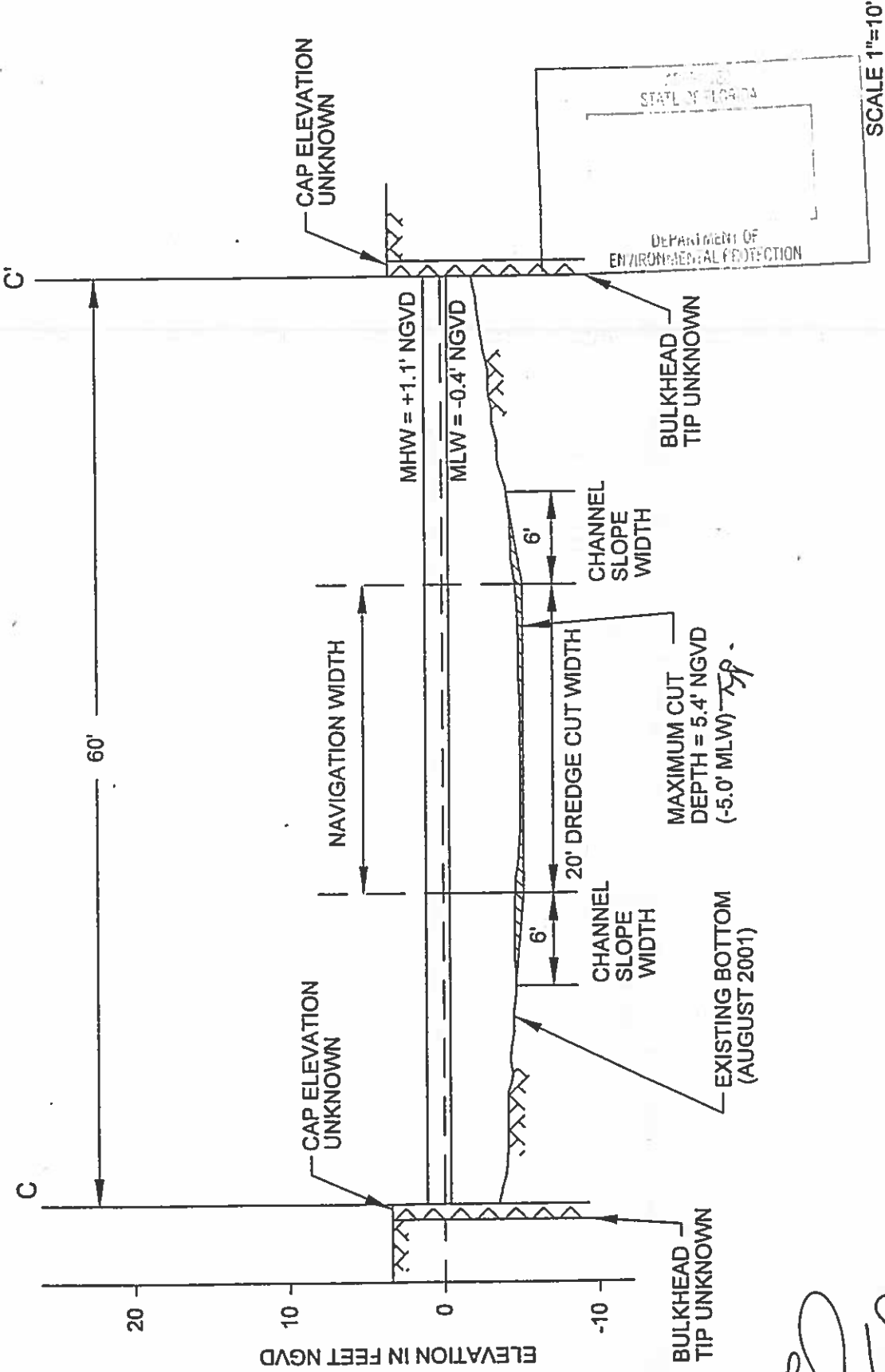
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 BOCA RATON, FL. 33431

Project drawings
 58-01637883-002
 Page 6 of 34

COASTAL PLANNING &
 ENGINEERING, INC.

DATE: 05/18/01
 BY: [Signature]
 FOR: [Signature]
 COMM. NO. 048844
 SHEET 3 of 17



TOWN OF LONGBOAT KEY
 CANAL DREDGING PROJECT
 CANAL 4 CROSS SECTION C-C'

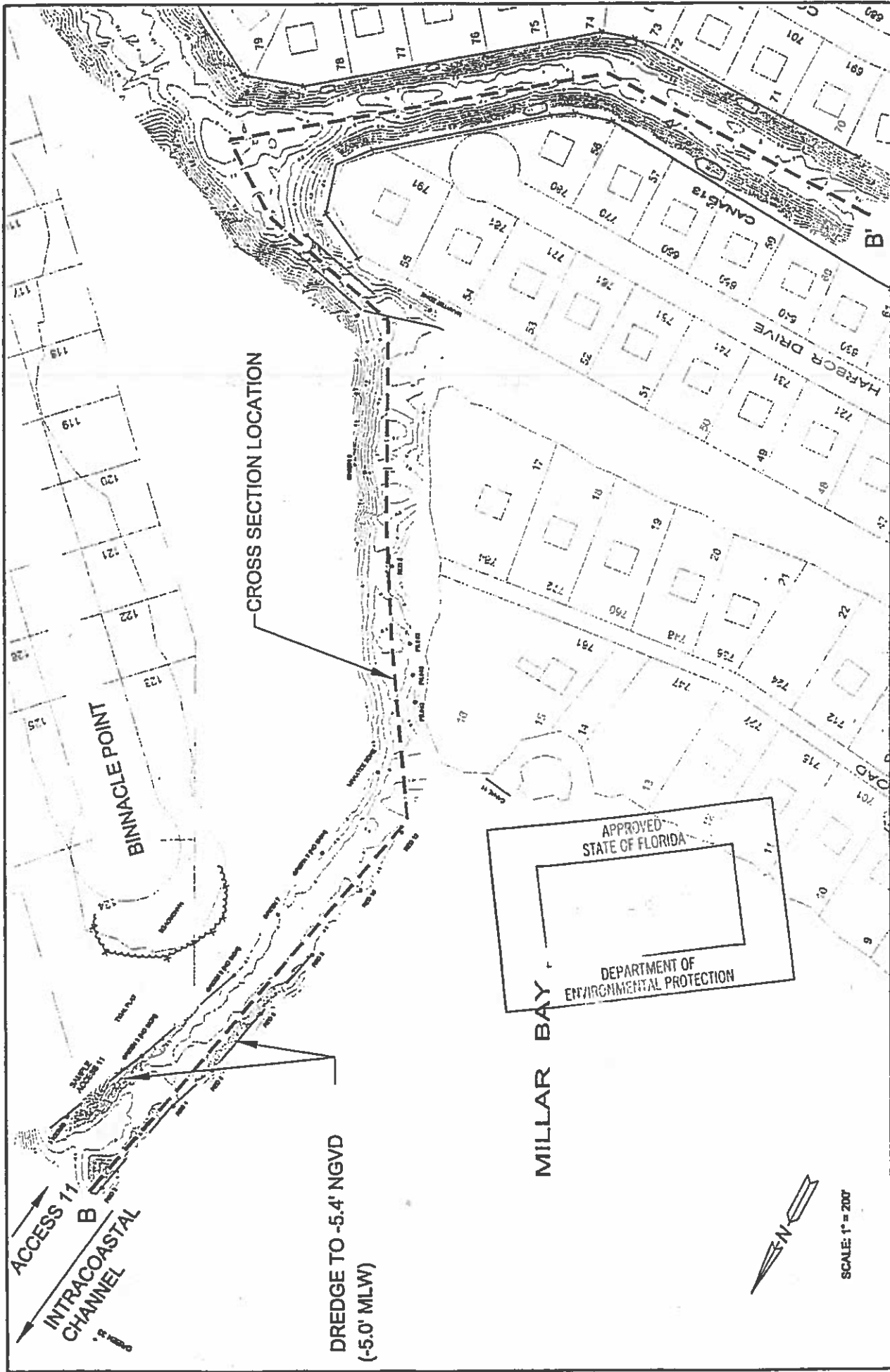
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 BOCA RATON, FL. 33431

C COASTAL PLANNING &
E ENGINEERING, INC.

DATE: 08/18/01
 BY: [Signature]
 COMM. NO. 440
 SHEET: 8488.44
 14 of 17

Project drawings
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TOWN OF LONGBOAT KEY
 CANAL DREDGING PROJECT
 CANAL ACCESS #11 TO CANAL 13
 CROSS SECTION LOCATION

TITLE:
 2481 N.W. BOCA RATON BLVD.
 BOCA RATON, FL 33494

Project drawings
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 Page 8 of 34

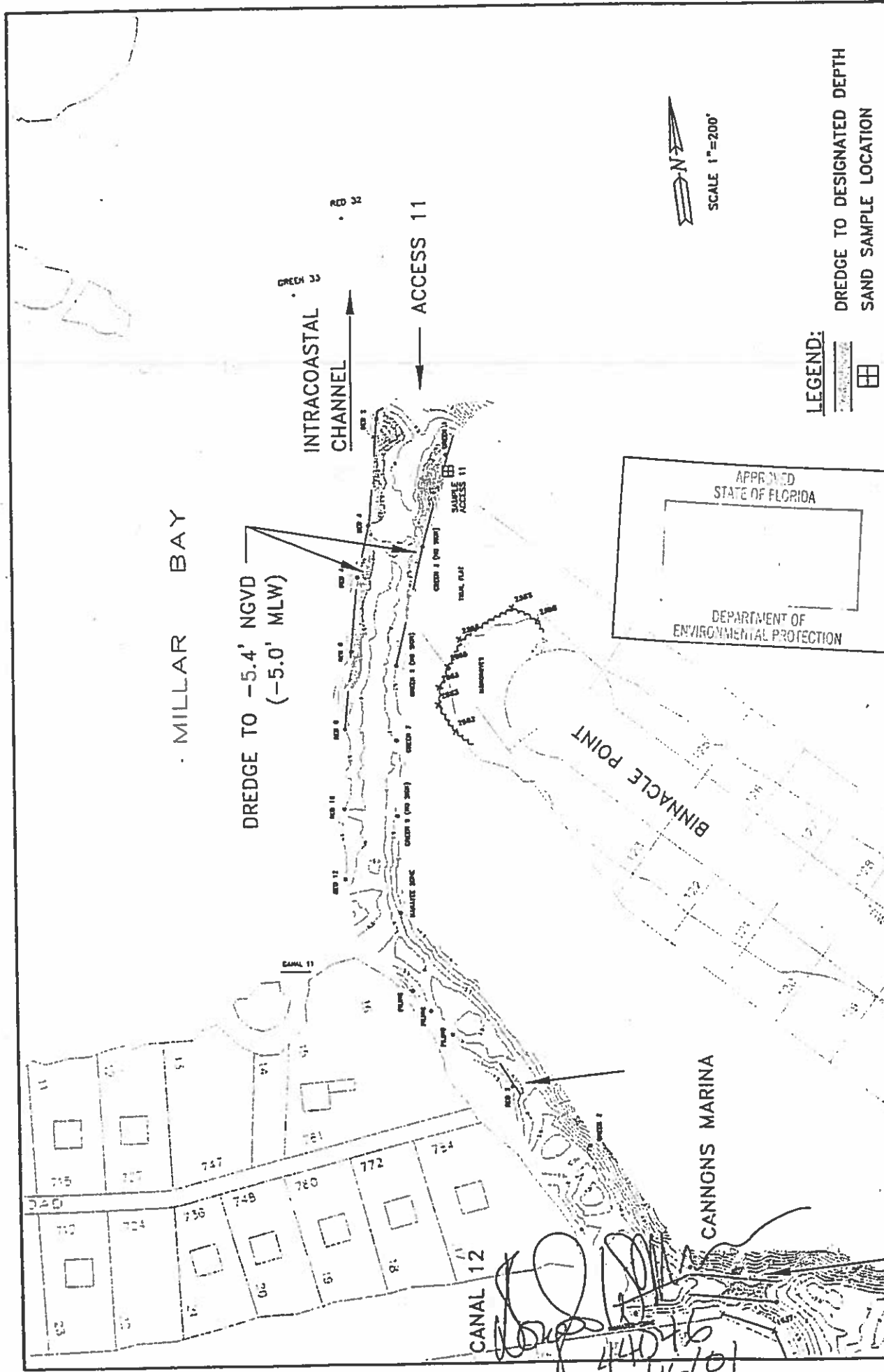
APPROVED
 STATE OF FLORIDA
 DEPARTMENT OF
 ENVIRONMENTAL PROTECTION

COASTAL PLANNING &
 ENGINEERING, INC.

DATE	1/21/02
BY:	AMB
COMM. NO.	8488.44
SHEET:	28



SCALE: 1" = 200'



N
SCALE 1"=200'

LEGEND:
 [Symbol] DREDGE TO DESIGNATED DEPTH
 [Symbol] SAND SAMPLE LOCATION

TOWN OF LONGBOAT KEY
 CANAL DREDGING PROJECT
 ACCESS 11 PLAN VIEW

APPROVED
 STATE OF FLORIDA
 DEPARTMENT OF
 ENVIRONMENTAL PROTECTION

MILLAR BAY

DREDGE TO -5.4' NGVD
 (-5.0' MLW)

INTRACOASTAL
 CHANNEL

ACCESS 11

BINNACLE POINT

CANNONS MARINA

CANAL 12

TITLE

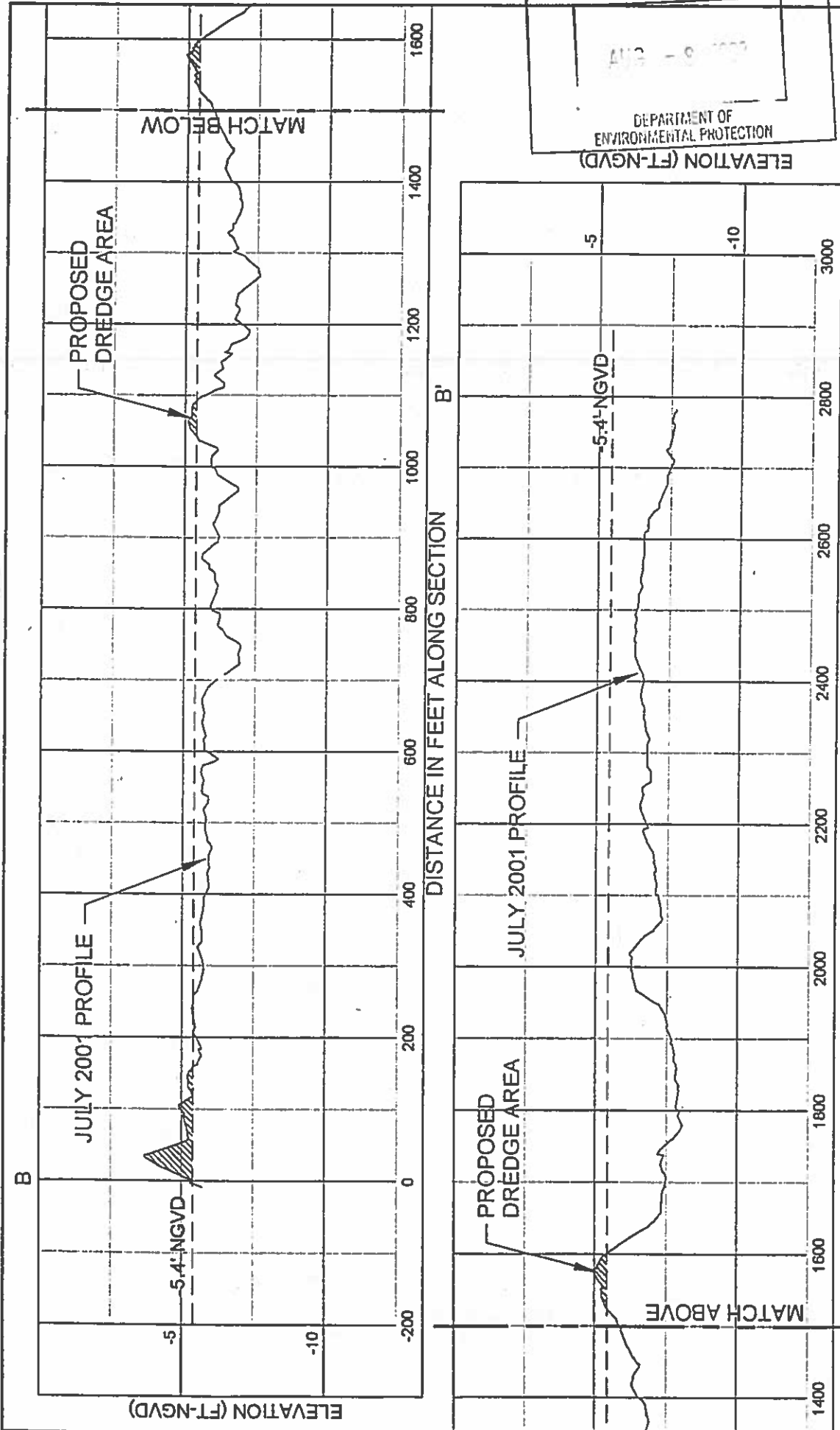
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 BOCA RATON, FL. 33431
 Project drawings
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 Page 9 of 34

COASTAL PLANNING & ENGINEERING, INC.

DATE: 09/18/01
 BY: RCI
 COMM. NO. 8488.44
 SHEET: 5 of 17

Rev. 11/16/01

Handwritten signatures and notes:
 [Signature]
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 11/16/01



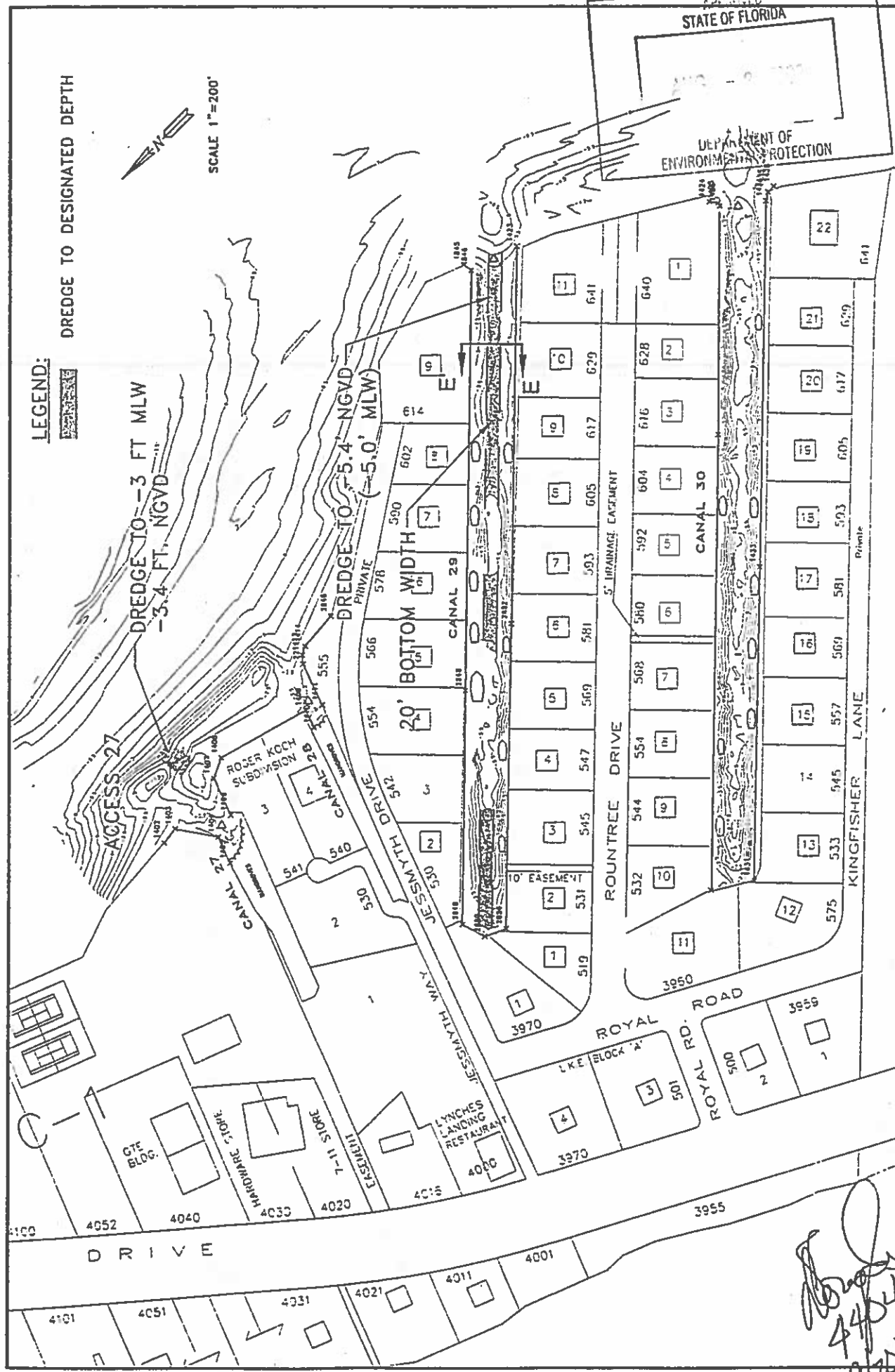
STATE OF FLORIDA
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
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Project drawings
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FILE:
 TOWN OF LONGBOAT KEY
 CANAL DREDGING PROJECT
 CANAL ACCESS #11 - CANAL 13 CROSS SECTION

COASTAL PLANNING & ENGINEERING, INC.

DATE: 1/21/02
 BY: AMB
 COMM. NO. 848844
 SHEET: 21



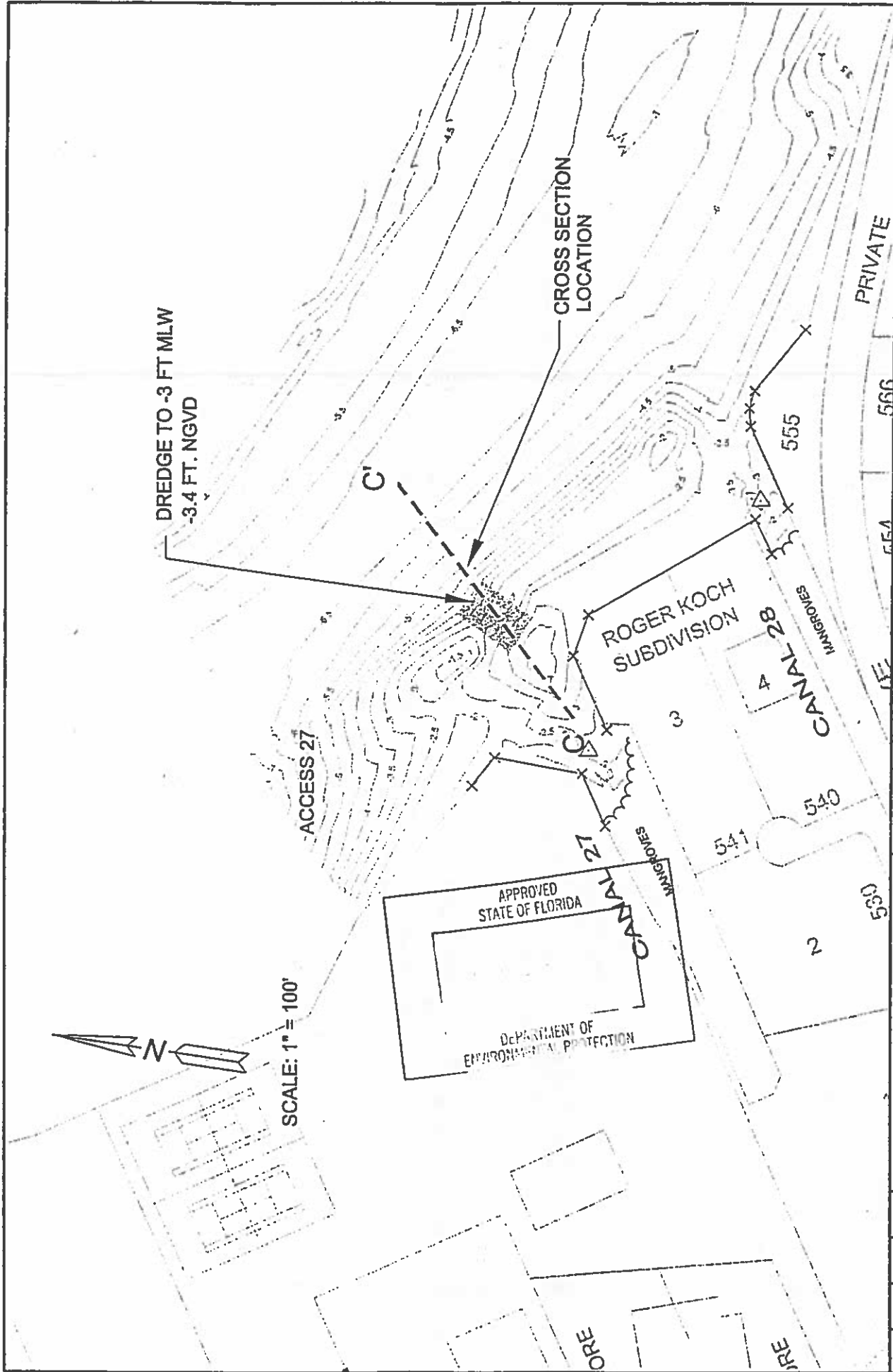
COASTAL PLANNING & ENGINEERING, INC.

2481 N.W. BOCA RATON BLVD.
 BOCA RATON, FL 33431

Project drawings
 58-01637883-002

TOWN OF LONGBOAT KEY
 CANAL DREDGING PROJECT
 ACCESS 27 AND CANAL 29 PLAN VIEW

DATE: 02/18/07
 BY: [Signature]
 RCJ
 DRAWING NO. 8488.44
 SHEET: 9 of 17



DREDGE TO -3 FT MLW
-3.4 FT. NGVD

CROSS SECTION
LOCATION

ROGER KOCH
SUBDIVISION

PRIVATE

SCALE: 1" = 100'

APPROVED
STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL PROTECTION

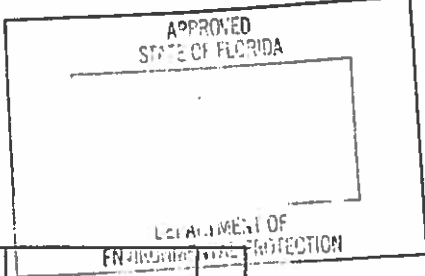
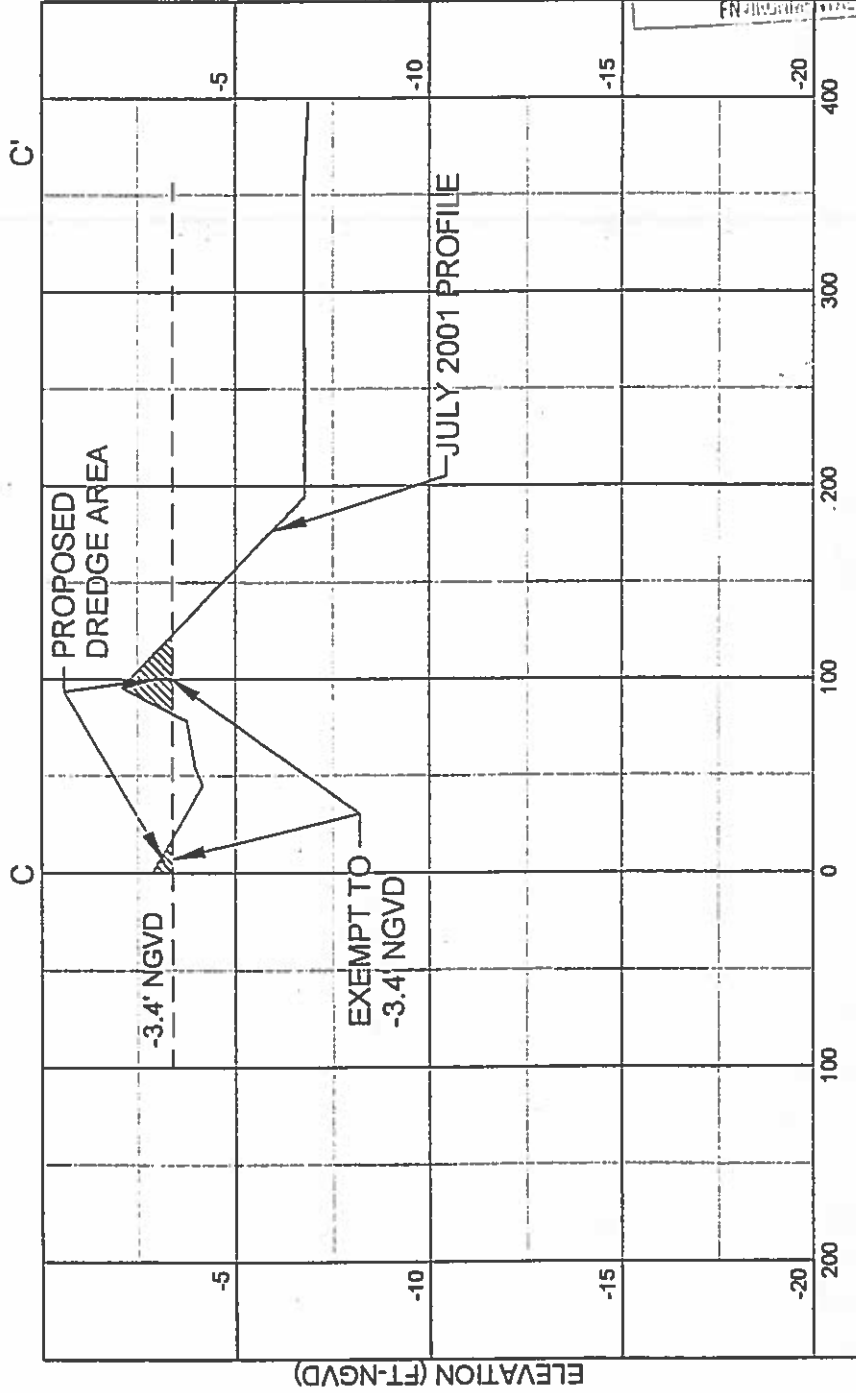
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CANAL DREDGING PROJECT
CANAL 27
CROSS SECTION LOCATION

2481 NW BOCA RATON BLVD.
BOCA RATON FL 33431

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Page 12 of 34

COASTAL PLANNING & ENGINEERING, INC.

DATE:	1/21/02
BY:	AMB
COMM. NO.	8488.44
SHEET:	22



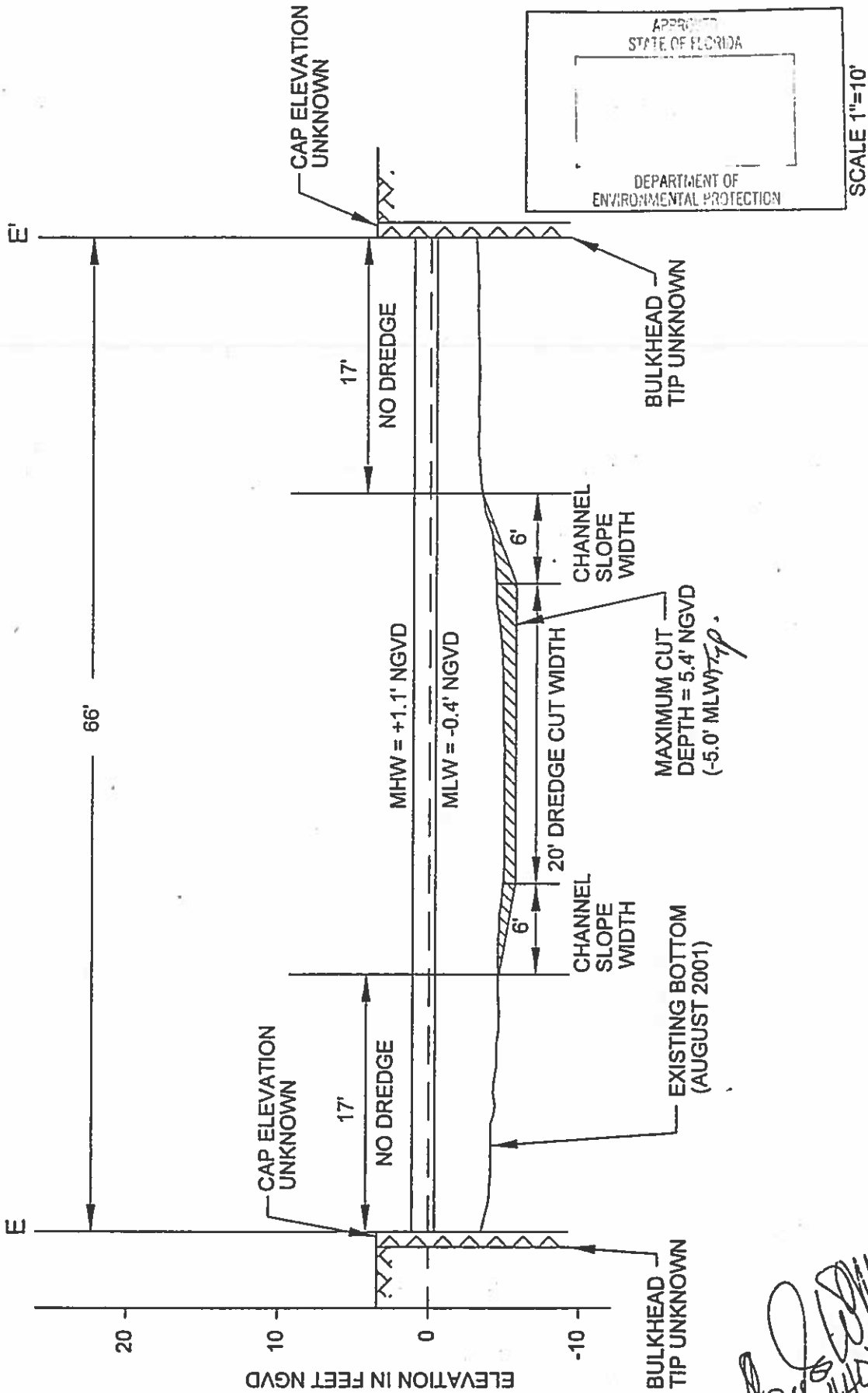
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TOWN OF LONGBOAT KEY
CANAL DREDGING PROJECT
CANAL 27 - CANAL 28

2481 N.W. BOCA RATON BLVD.
BOCA RATON, FL 33431

COASTAL PLANNING &
ENGINEERING, INC.

DATE: 1/21/02
BY: AMB
COMPL. NO. 548644
SHEET: 23



SCALE 1"=10'

TOWN OF LONGBOAT KEY
CANAL DREDGING PROJECT
CANAL 29 CROSS SECTION E-E'

TITLE:

2481 N.W. BOCA RATON BLVD.
BOCA RATON, FL. 33431

COASTAL PLANNING &
ENGINEERING, INC.

DATE: 09/18/01
BY: [Signature]
RGI
COMM. NO. 6488.44
SHEET: 16 of 17

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Page 14 of 34

E 293000

E 295000

N 1112500

N 1112500

SARASOTA BAY

RED 6 (NO SIGN)

GREEN 5

ACCESS 30

RED 8

GREEN 7

CANAL 27

CANAL 28

N 1110500

CANAL 29

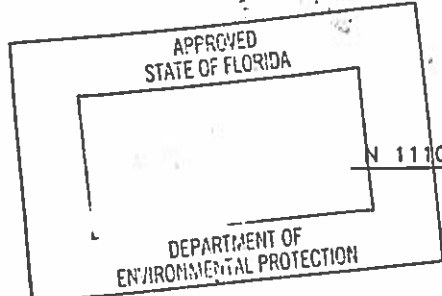
N 1110500

CANAL 30

LONGBOAT KEY

E 293000

E 295000



SCALE : 1" = 400'

[Handwritten signature]
 11/16/07
 44046

TOWN OF LONGBOAT KEY
 CANAL DREDGING PROJECT
 ACCESS 30 LOCATION MAP

TITLE :

Project drawings
 58-01637883-002
 Page 15 of 34

C COASTAL PLANNING &
E ENGINEERING, INC.

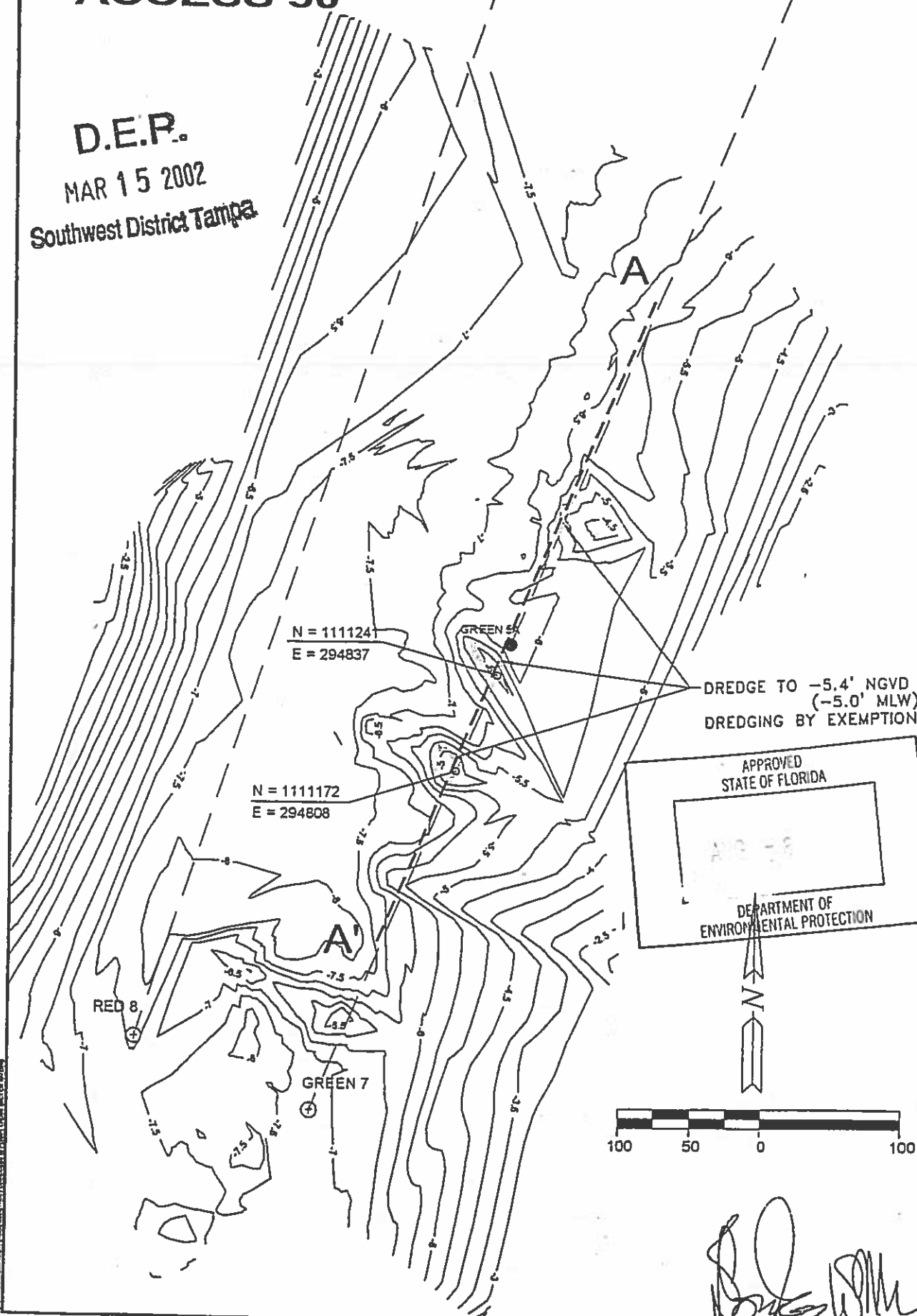
DATE:	09/18/01
BY:	AMB
COMM. NO.	8488.44
SHEET:	10A of 17

ACCESS 30

RED 6 (NO SIGN)

GREEN 5

D.E.P.
 MAR 15 2002
 Southwest District Tampa



TITLE:
 TOWN OF LONGBOAT KEY
 CANAL DREDGING PROJECT
 ACCESS 30 CROSS SECTION LOCATION

2481 N.W. BOCA RATON BLVD.
 BOCA RATON, FL. 33431
 Project drawings
 58-01637883-002
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C COASTAL PLANNING &
E ENGINEERING, INC.

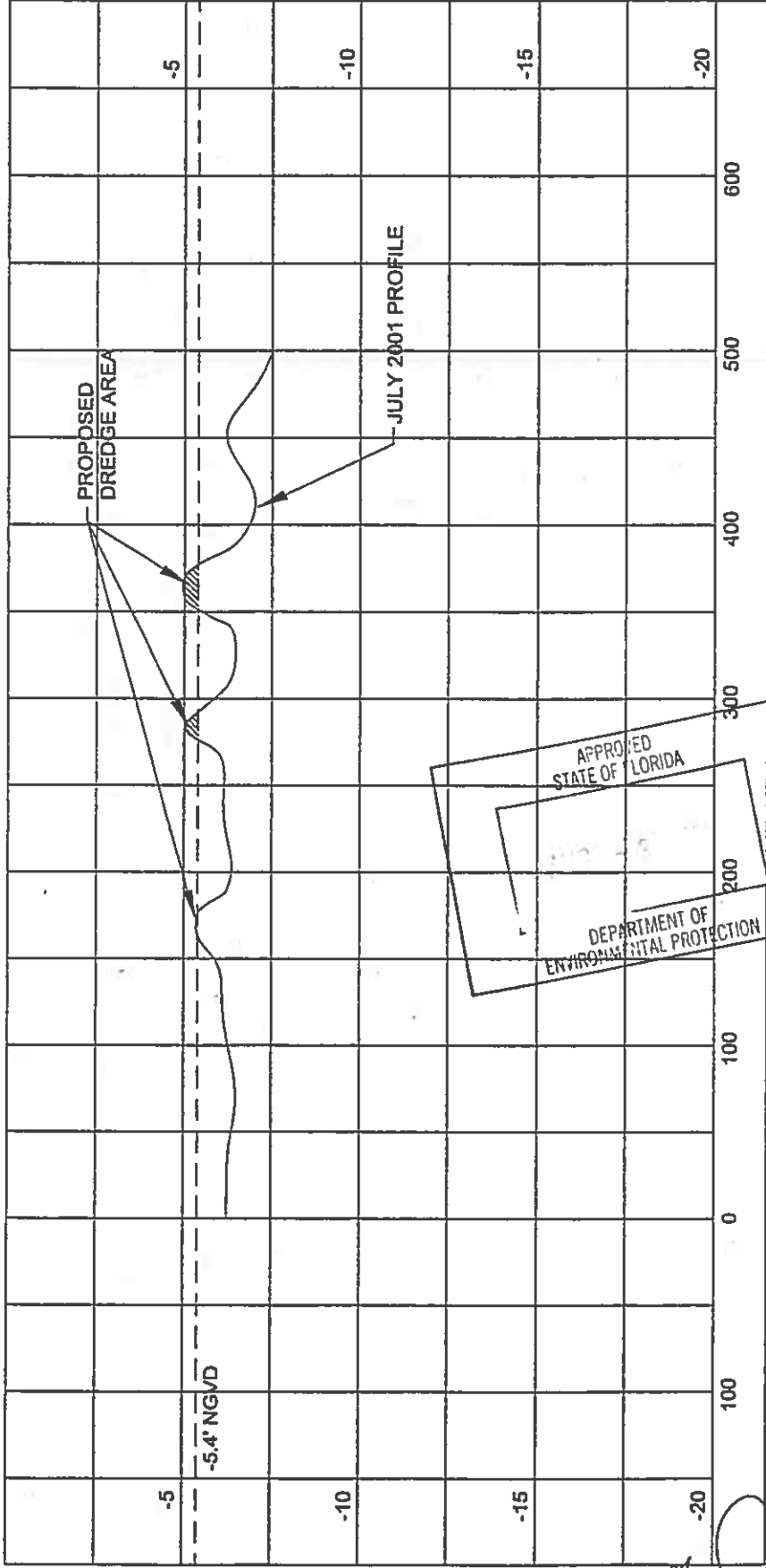
DATE:	3/13/02
BY:	JRC
COMPL. NO.	8485-44
SHEET.	10F2

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 3/14/02
 AHT/ALS

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A

A'



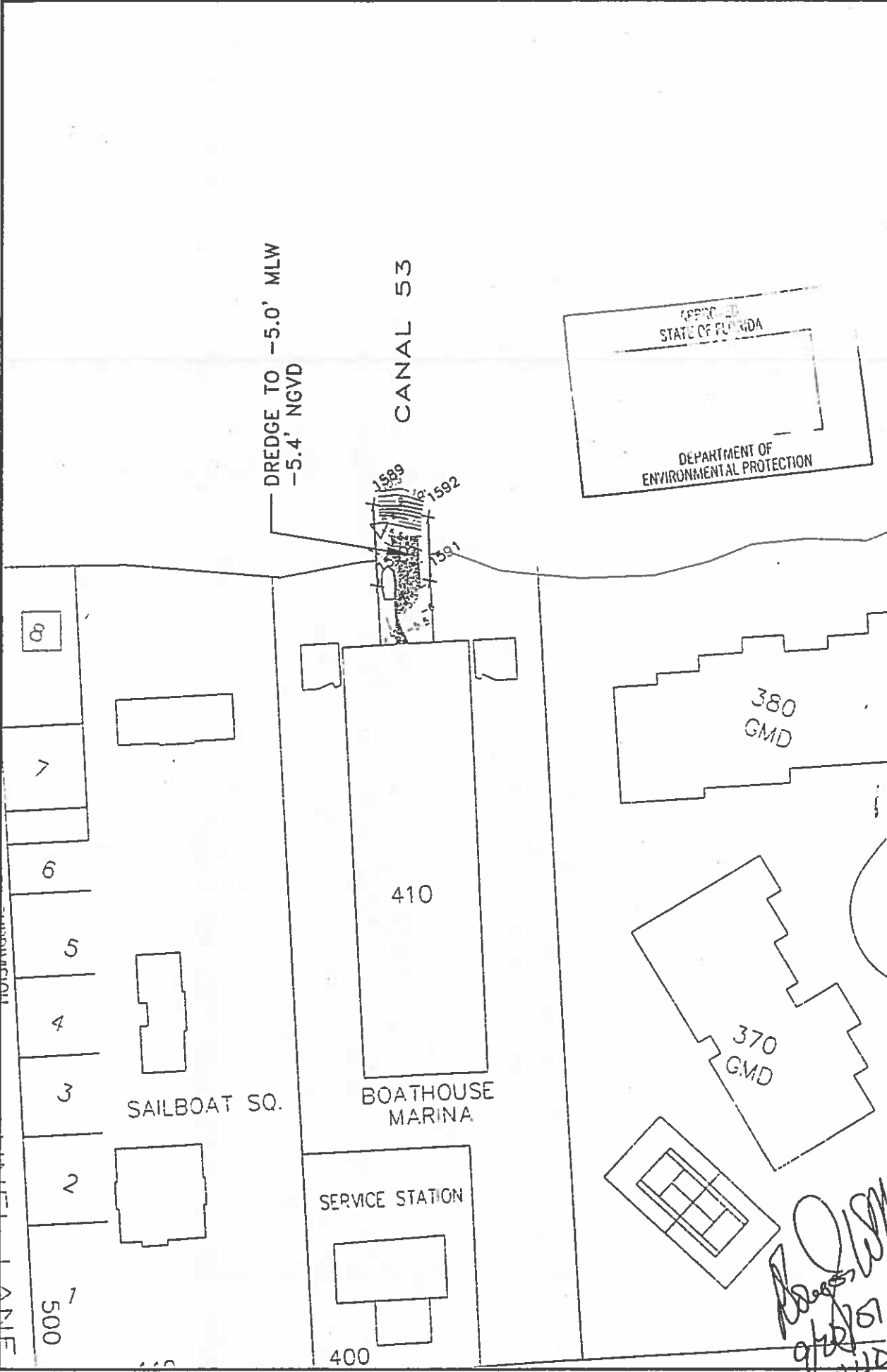
DISTANCE IN FEET ALONG SECTION

TOWN OF LONGBOAT KEY
CANAL DREDGING PROJECT
ACCESS 30 CROSS SECTION A-A'

2481 N.W. BOCA RATON BLVD.
Project drawings
58-01637883-002
Page 17 of 34

C COASTAL **P** PLANNING & **E** ENGINEERING, INC.

DATE: 5/13/02
 BY: JRC
 COMM. NO. 8488.44
 SHEET: 17 of 34



TITLE :
 TOWN OF LONGBOAT KEY
 CANAL DREDGING PROJECT
 CANAL 53 PLAN VIEW

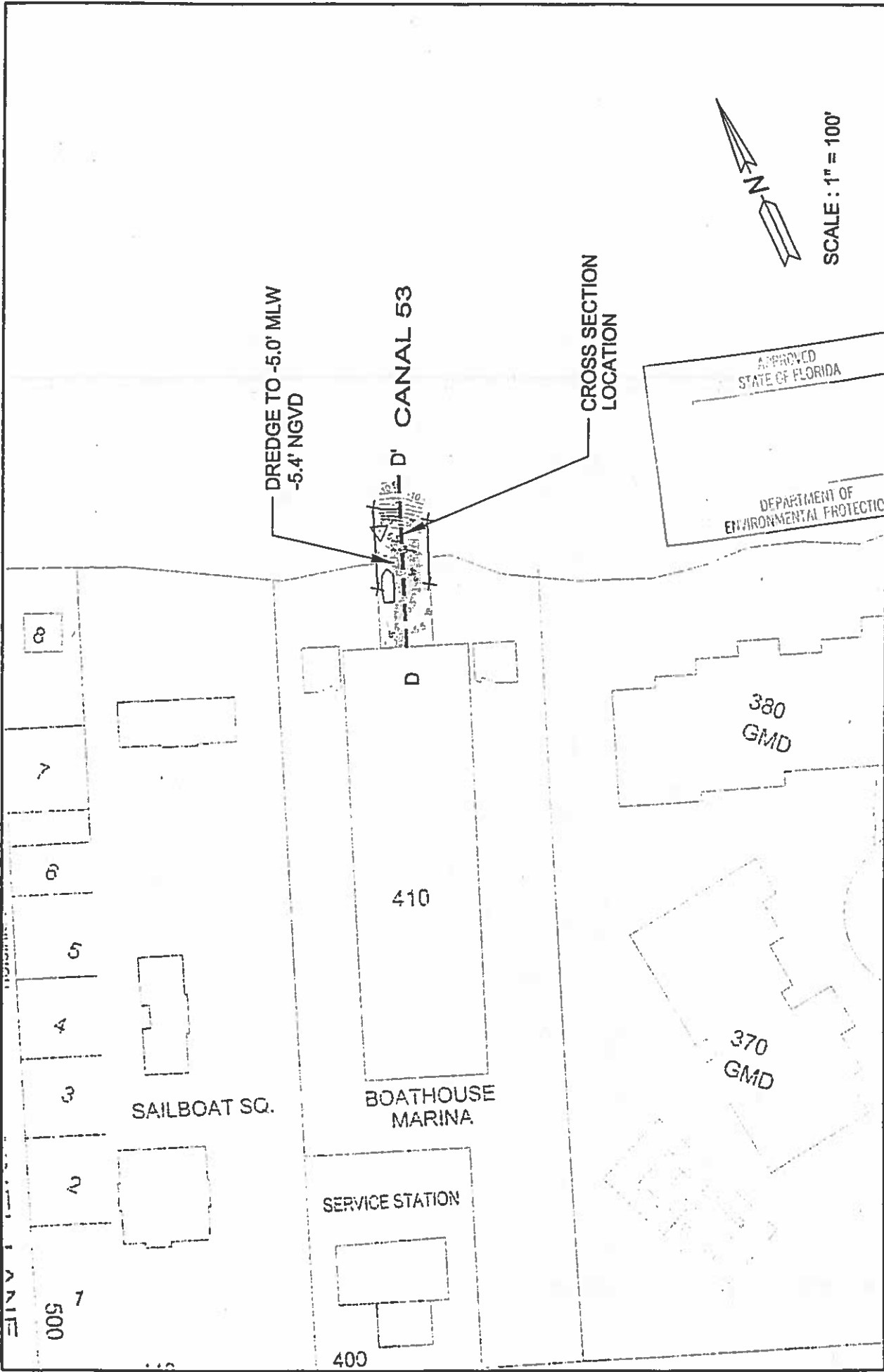
2481 N.W. BOCA RATON BLVD.
 BOCA RATON, FL 33431

C COASTAL PLANNING &
E ENGINEERING, INC.

DATE: 09/18/01
 BY: [Signature]
 PGI
 CCAM. NO. 8488.44
 SHEET 11 of 17

Project drawings
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 Page 18 of 34

[Handwritten notes and signatures]
 9/20/01
 440



TOWN OF LONGBOAT KEY
CANAL DREDGING PROJECT
CANAL-53 CROSS SECTION LOCATION

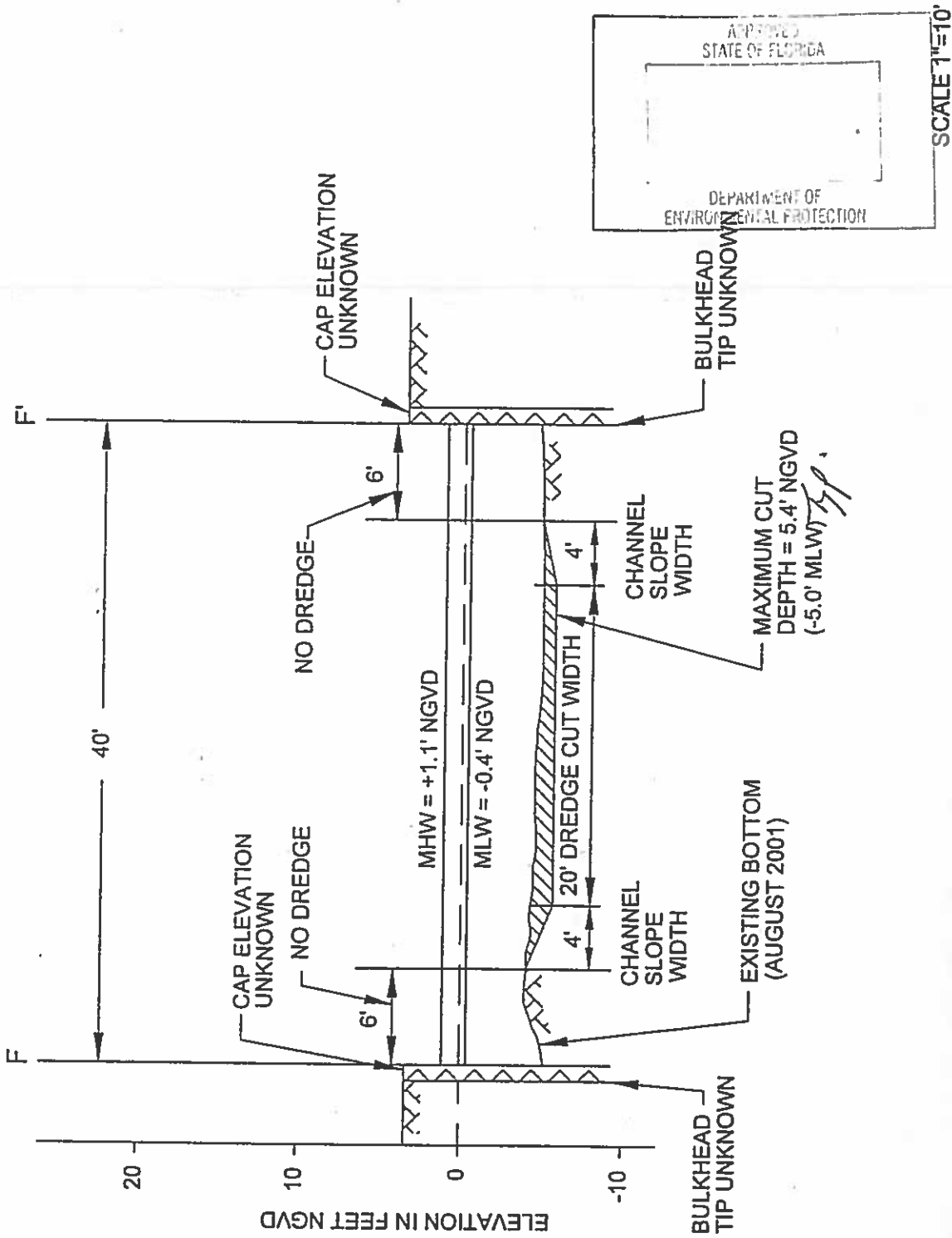
TITLE:

2481 N.W. BOCA RATON BLVD.
BOCA RATON, FL 33431

Project drawings
58-01637883-002
Page 19 of 34

C COASTAL PLANNING &
E ENGINEERING, INC.

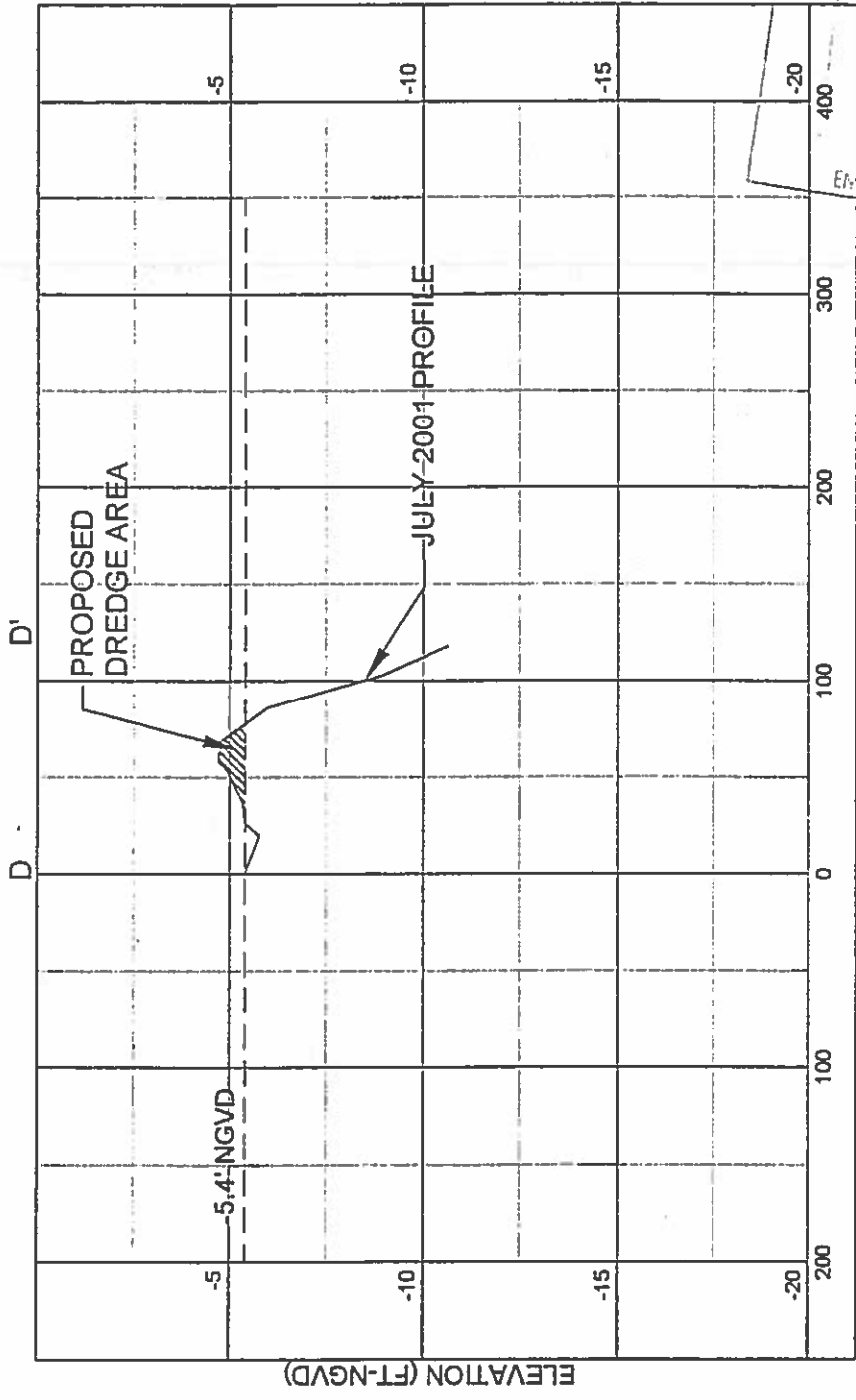
DATE:	1/21/02
BY:	AMB
COMM. NO.	845844
SHEET:	24



Handwritten signature and date:
 9/20/07
 440

SHEET: 0150-00 0150-00 09/18/07	C COASTAL P PLANNING & E ENGINEERING, INC.	2481 N.W. BOCA RATON BLVD. BOCA RATON, FL. 33431	TITLE: TOWN OF LONGBOAT KEY CANAL DREDGING PROJECT CANAL 53 CROSS SECTION F--F'
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Project drawings
 58-01637883-002
 Page 20 of 34



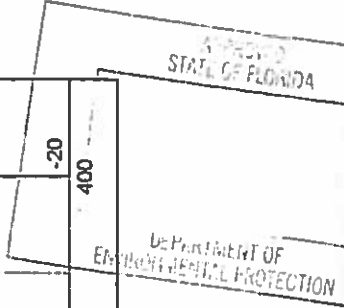
Project drawings
 58-01637883-002
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COASTAL PLANNING & ENGINEERING, INC.

DATE: 1/21/02
 BY: AMB
 CORR. NO. 8488.44
 SHEET: 25

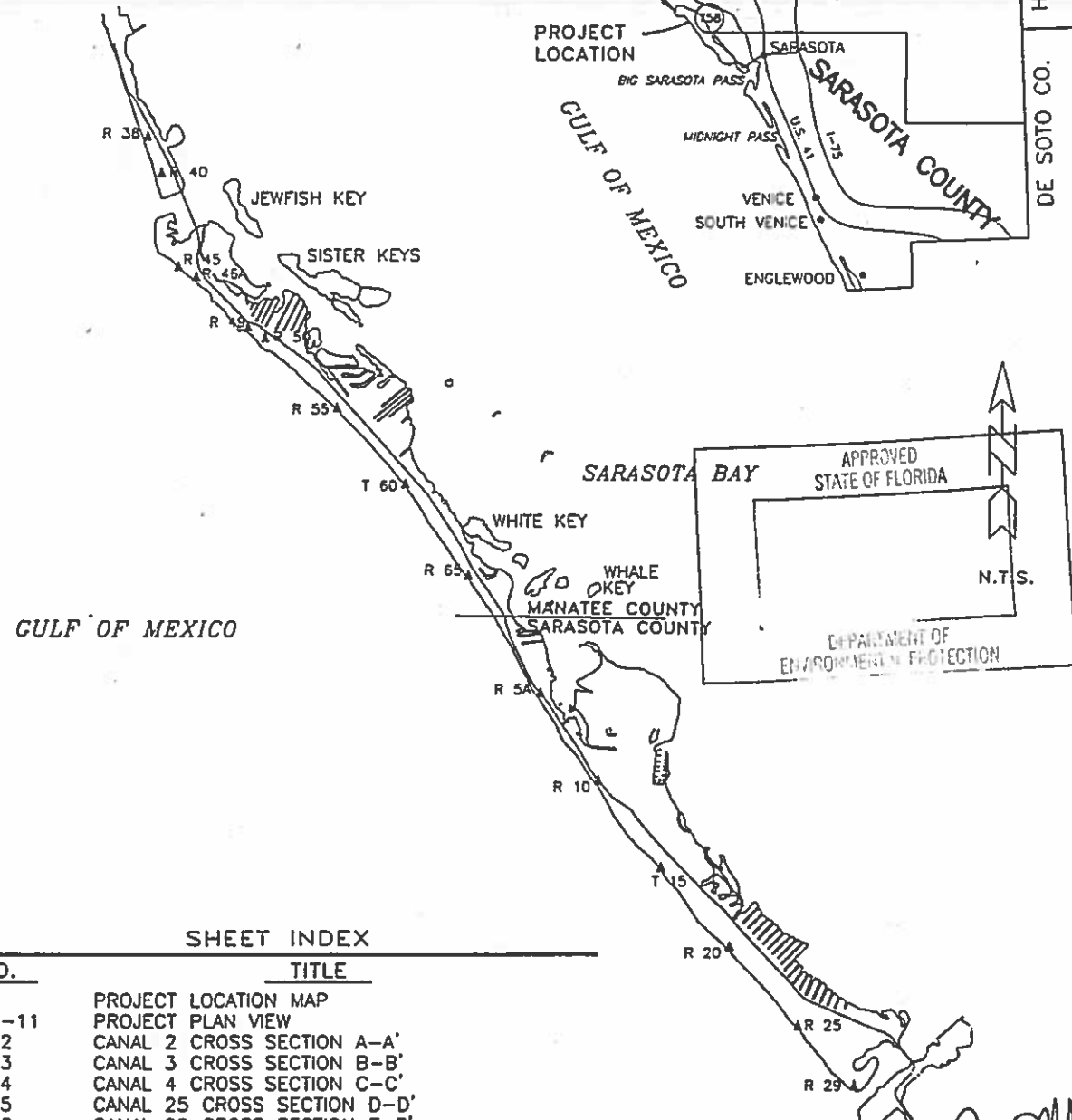
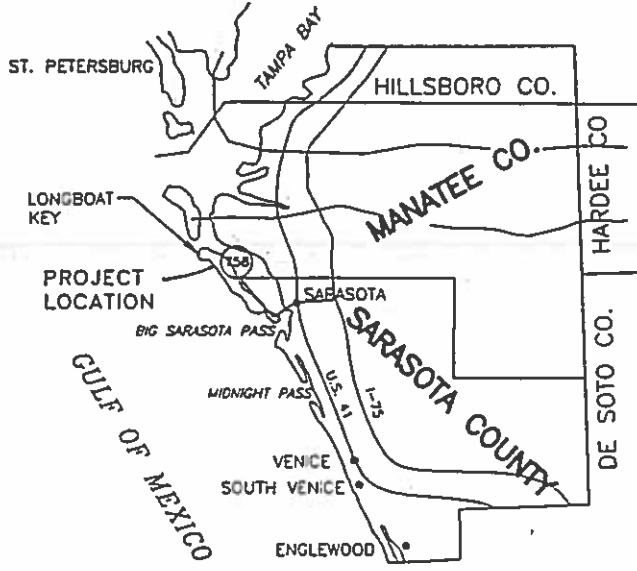
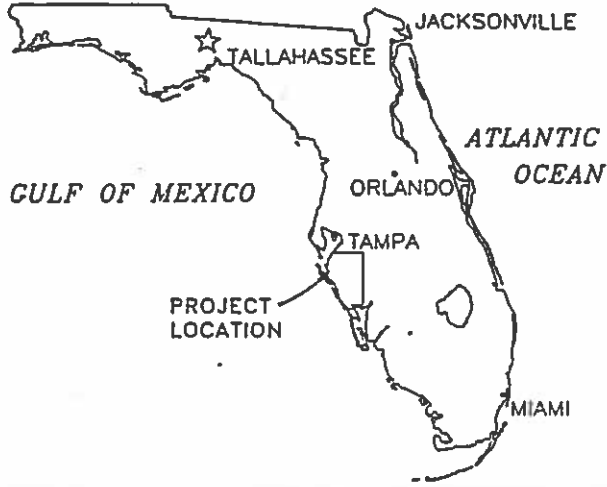
2481 N.W. BOCA RATON BLVD.
 BOCA RATON, FL 33431

TITLE: TOWN OF LONGBOAT KEY
 CANAL DREDGING PROJECT
 CANAL 53



TOWN OF LONGBOAT KEY CANAL DREDGING PROJECT

SARASOTA COUNTY, FLORIDA



TOWN OF LONGBOAT KEY
CANAL DREDGING PROJECT
LOCATION MAP

TITLE :

2481 N.W. BOCA RATON BLVD.
BOCA RATON, FL 33431

C COASTAL P LANNING &
E ENGINEERING, INC.

DATE:	09/19/01
BY:	RCI
FORM NO:	8488.44
SHEET:	1 OF 17

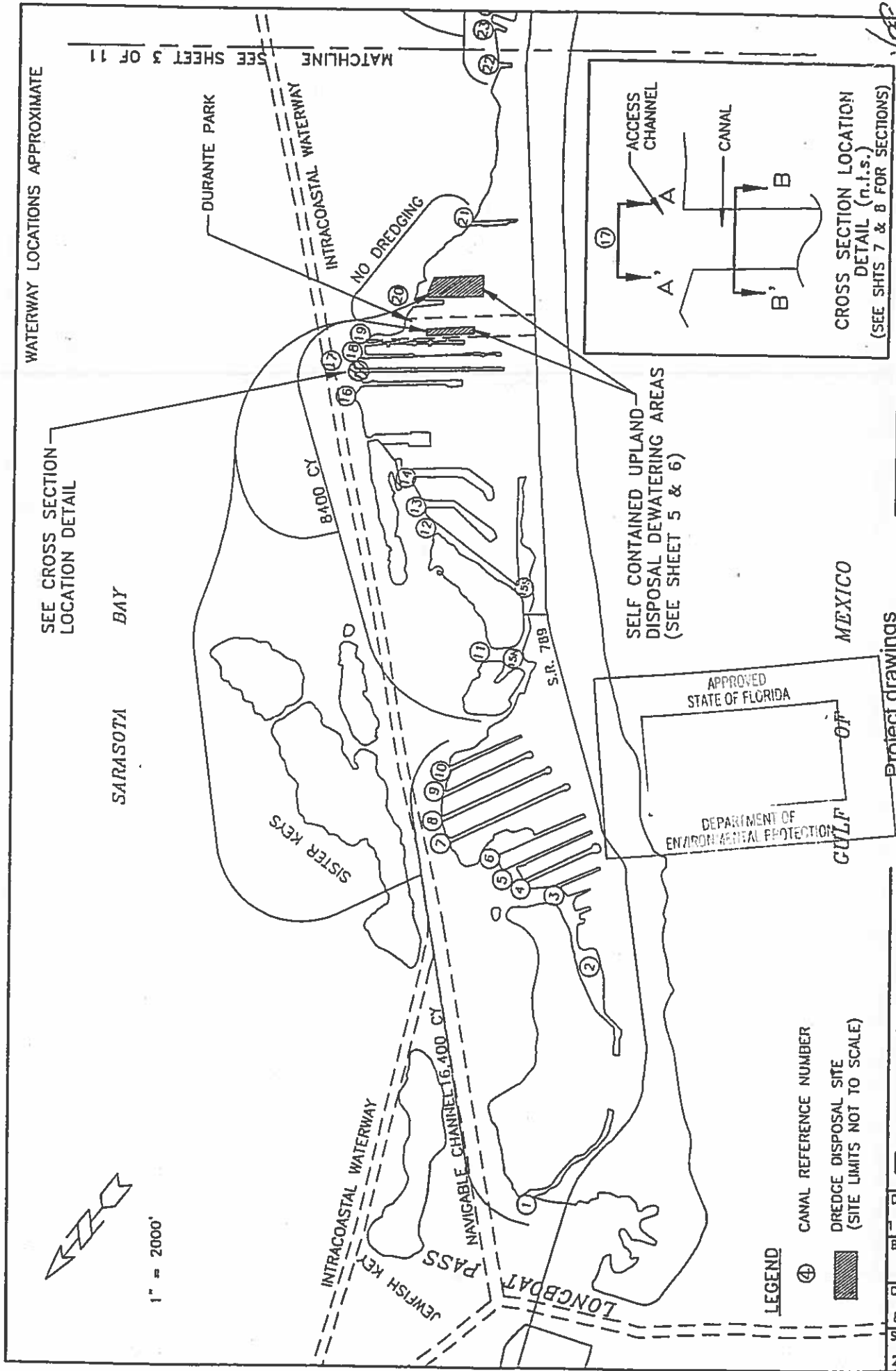
Project drawings
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22 of 29

SHEET INDEX

NO.	TITLE
1	PROJECT LOCATION MAP
2-11	PROJECT PLAN VIEW
12	CANAL 2 CROSS SECTION A-A'
13	CANAL 3 CROSS SECTION B-B'
14	CANAL 4 CROSS SECTION C-C'
15	CANAL 25 CROSS SECTION D-D'
16	CANAL 29 CROSS SECTION E-E'
17	CANAL 53 CHANNEL CROSS SECTION F-F'

*For Regulatory Review Only
Not for Construction*

33
[Signature]
9/20/01
44046



WATERWAY LOCATIONS APPROXIMATE

SEE CROSS SECTION LOCATION DETAIL

SEE SHEET 3 OF 11 MATCHLINE

SARASOTA BAY

1" = 2000'

SISTER KEYS

JEWFISH KEY PASS

NAVIGABLE CHANNEL 16,400 CY

8400 CY

NO DREDGING

DURANTE PARK

INTRACOASTAL WATERWAY

LONGBOAT PASS

S.R. 709

SELF CONTAINED UPLAND DISPOSAL DEWATERING AREAS (SEE SHEET 5 & 6)

DEPARTMENT OF ENVIRONMENTAL PROTECTION

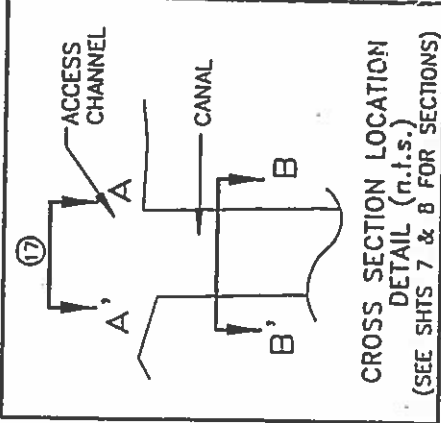
APPROVED STATE OF FLORIDA

MEXICO

GULF

LEGEND

- ④ CANAL REFERENCE NUMBER
- ▨ DREDGE DISPOSAL SITE (SITE LIMITS NOT TO SCALE)



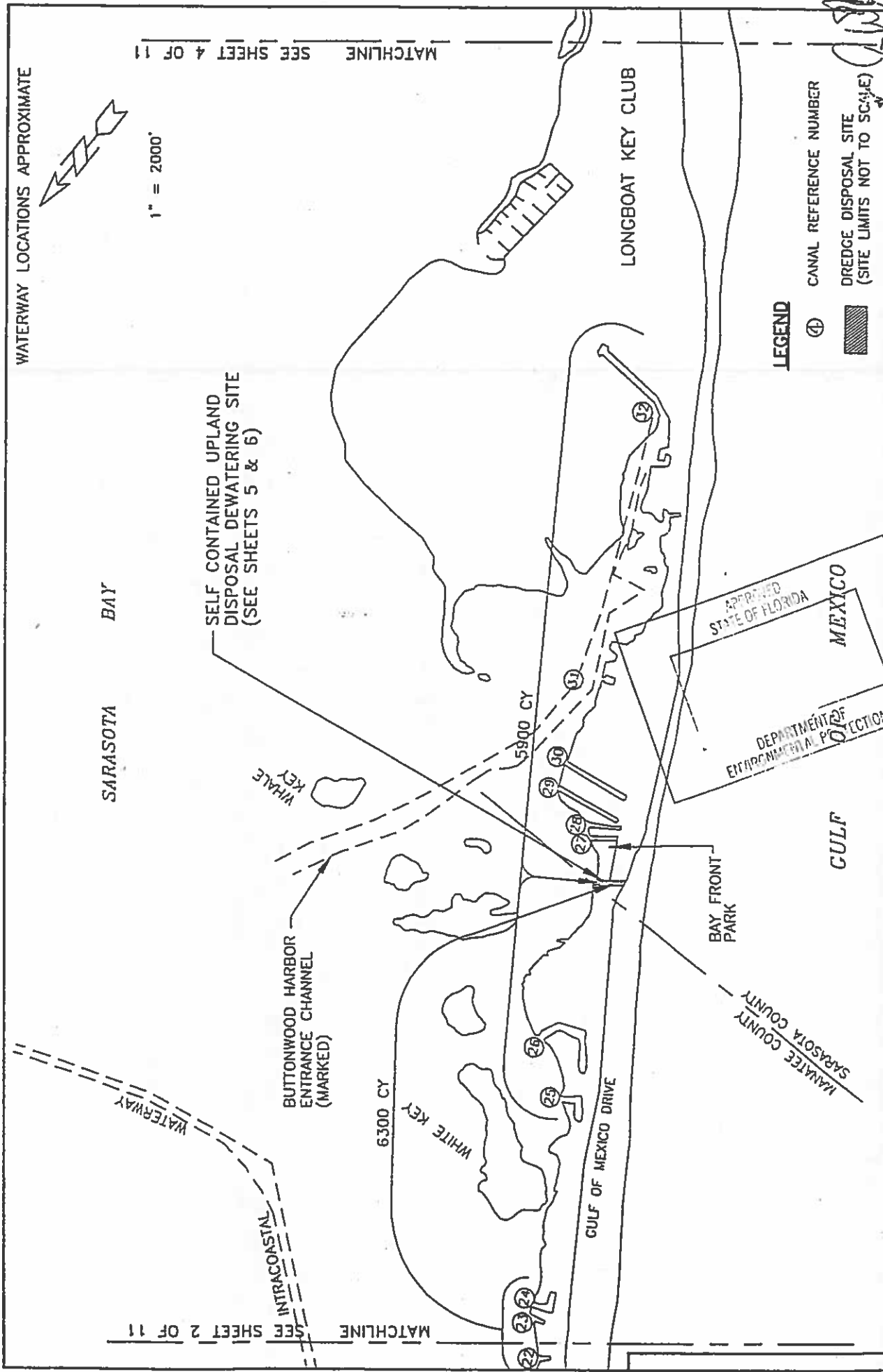
CROSS SECTION LOCATION DETAIL (n.t.s.) (SEE SHTS 7 & 8 FOR SECTIONS)

Project drawings
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COASTAL PLANNING & ENGINEERING, INC.

DATE:	11/22/99
BY:	AMB
COMM. NO.	8488.37
SHEET:	2 OF 11

TOWN OF LONGBOAT KEY 3/27/99
CANAL DREDGING PROJECT
PLAN VIEW
JEF
11/22/99



LEGEND

- ① CANAL REFERENCE NUMBER
- ▨ DREDGE DISPOSAL SITE (SITE LIMITS NOT TO SCALE)

TOWN OF LONGBOAT KEY
CANAL DREDGING PROJECT
PLAN VIEW

Project drawings
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COASTAL PLANNING & ENGINEERING, INC.	
DATE:	11/22/99
BY:	AMB
COMM. NO.:	8488.37
SHEET:	3 OF 11

Handwritten signatures and initials:
M...
J...
11/16/99

WATERWAY LOCATIONS APPROXIMATE

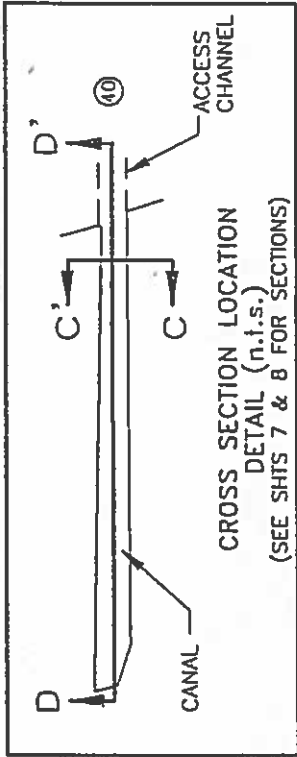
MATCHLINE SEE SHEET 4 OF 11

MATCHLINE SEE SHEET 2 OF 11

1" = 2000'

WATERWAY LOCATIONS APPROXIMATE

1" = 2000'



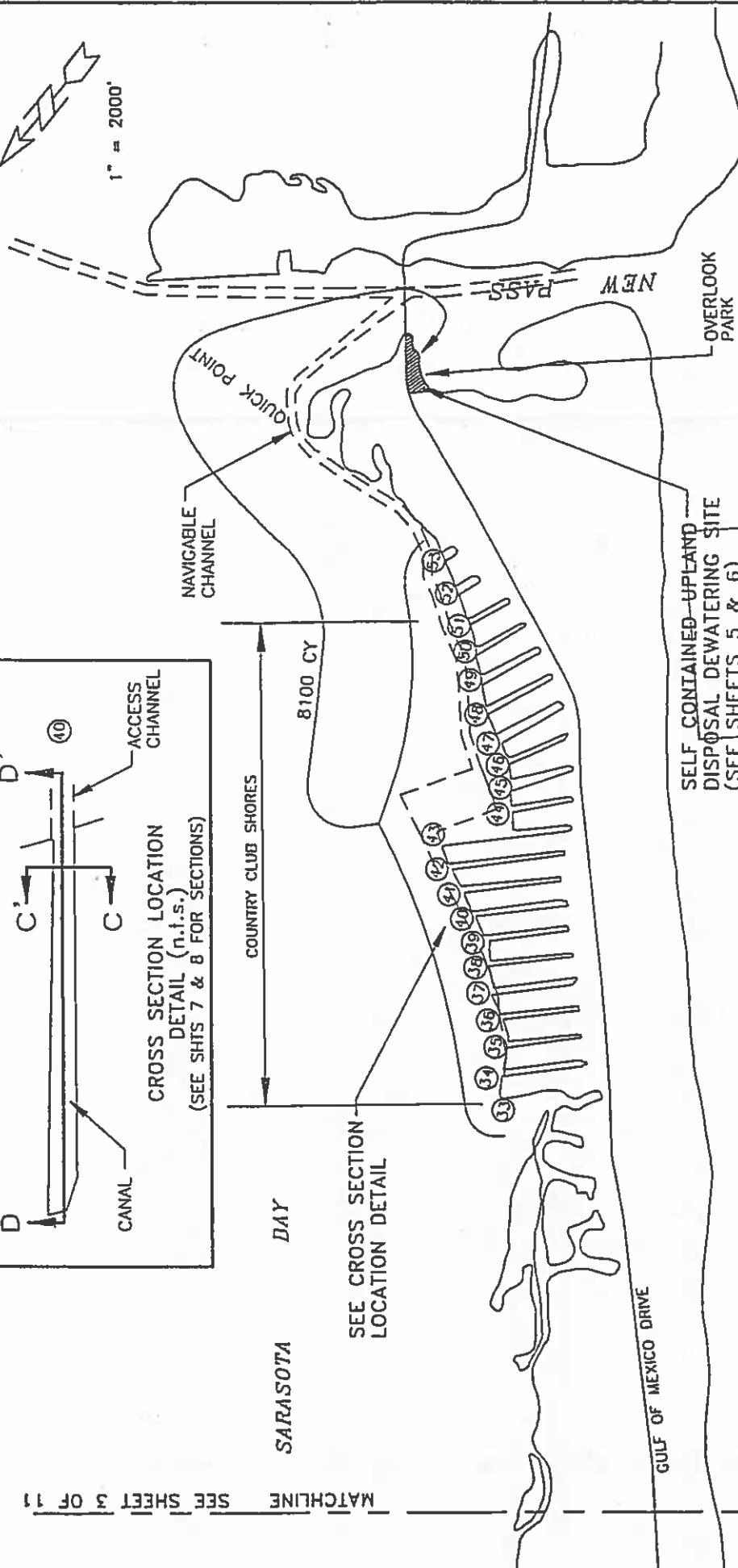
8100 CY

COUNTRY CLUB SHORES

SARASOTA DAY

SEE CROSS SECTION
LOCATION DETAIL

MATCHLINE SEE SHEET 3 OF 11



LEGEND

④ CANAL REFERENCE NUMBER

▨ DREDGE DISPOSAL SITE (SITE LIMITS NOT TO SCALE)

APPROVED STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL PROTECTION

GULF OF MEXICO

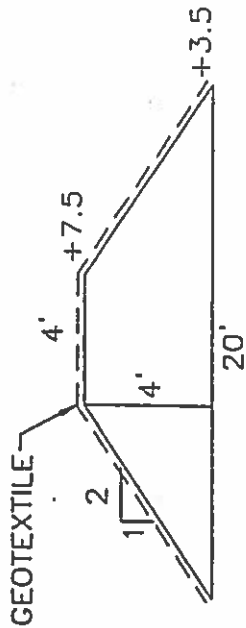
Project drawings
58-01637883-002
Page 25 of 34

DATE:	11/22/99
BY:	AMB
COMM. NO.	8488.37
SHEET:	4 OF 11

COASTAL PLANNING & ENGINEERING, INC.

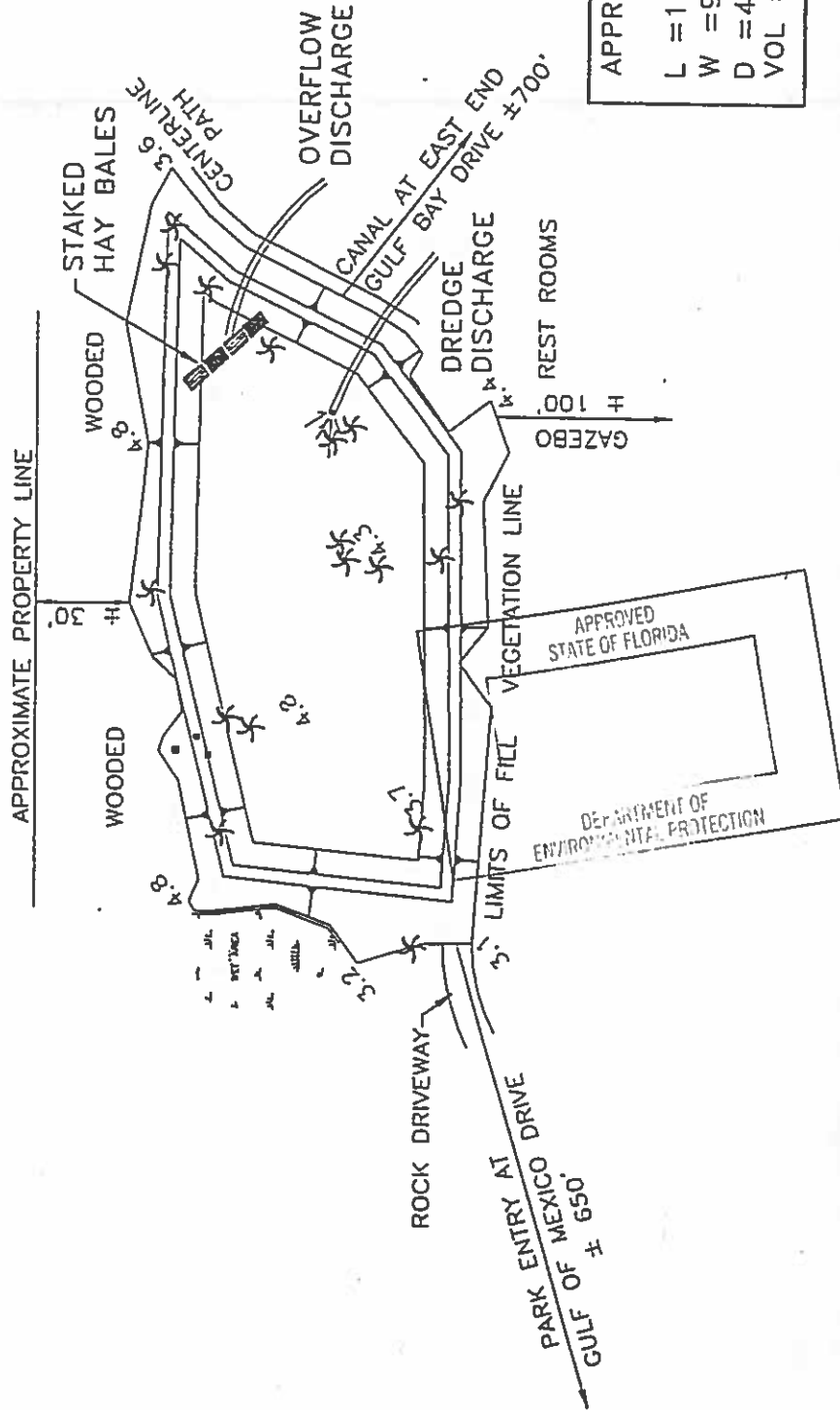
TOWN OF LONGBOAT KEY
CANAL DREDGING PROJECT
PLAN VIEW

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TYPICAL DIKE CROSS SECTION

Scale: 1" = 60'



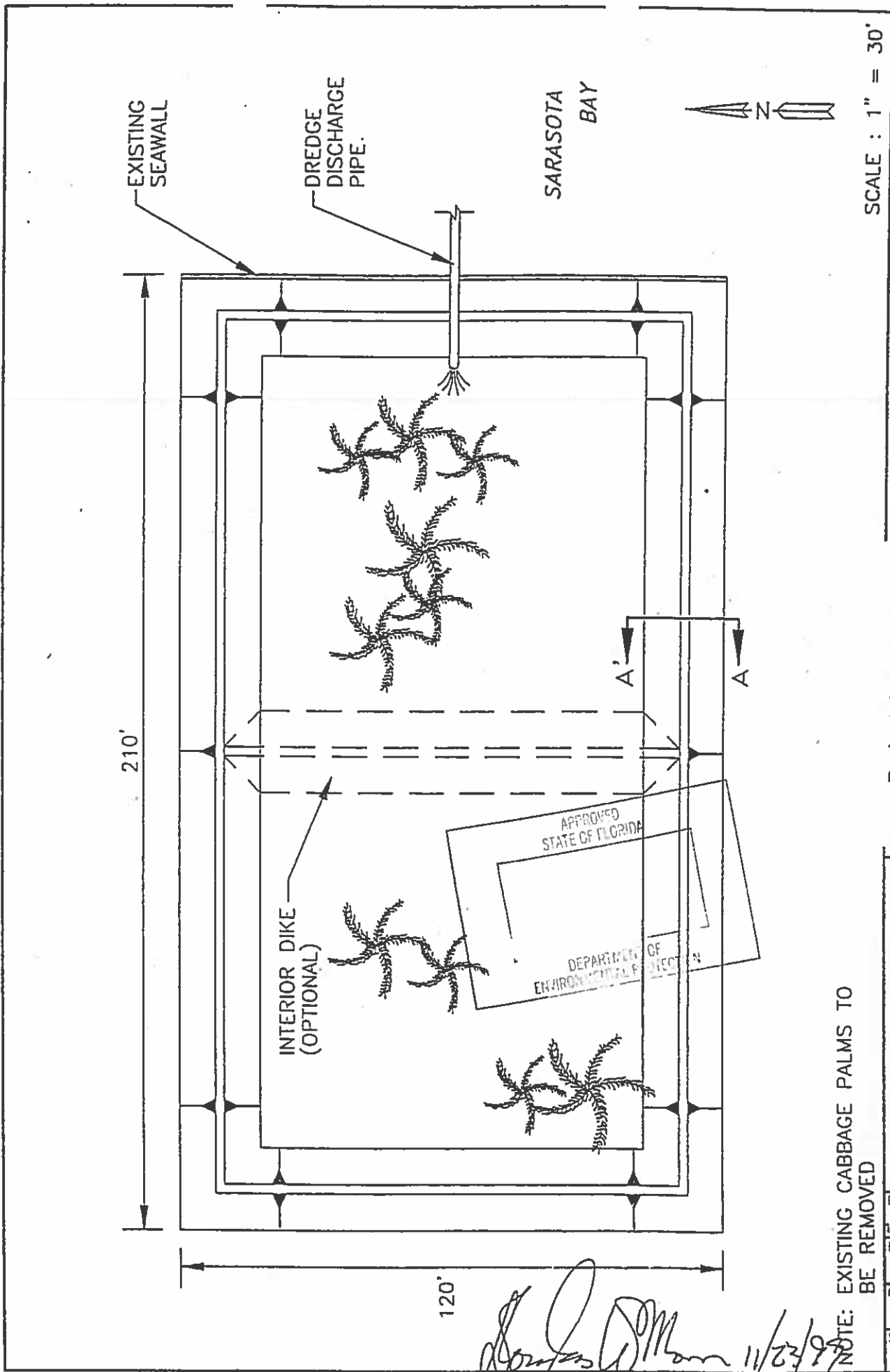
APPROXIMATE DIMENSIONS
 L = 170'
 W = 90'
 D = 4'
 VOL = 2250CY

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 [Signature]
 [Signature]
 03/24/00
 [Signature]

TITLE : SPOIL DEWATERING SITE PLAN VIEW
 DURANTE PARK

Project drawings
 58-01637883-002
 Page 26 of 34

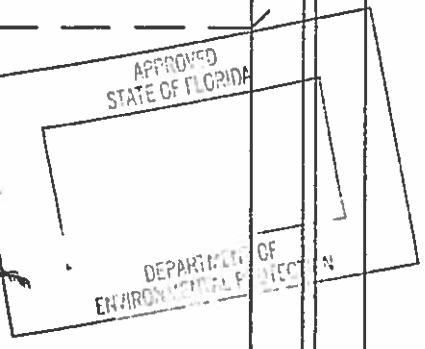
COASTAL PLANNING & ENGINEERING, INC.
 DATE: 03/16/00
 BY: RI
 COMM. NO. 8488.37
 SHEET: 13



SCALE : 1" = 30'

BAYFRONT PARK
DEWATERING SYSTEM PLAN VIEW
(TYPICAL)

Project drawings
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Page 27 of 34



NOTE: EXISTING CABBAGE PALMS TO BE REMOVED

[Handwritten signature]
11/22/99

C COASTAL P LANNING & E ENGINEERING, INC.	DATE:
	11/22/99
	BY:
	AMB
	COMM. NO.
8488.37	
SHEET:	
5 OF 11	

A'

A

EROSION CONTROL
GEOTEXTILE MATERIAL

ADJACENT
PROPERTY

DREDGE
SLURRY

2'

1

2

2

4' MIN.

8'

8'

2'

2'

18'

APPROVED
STATE OF FLORIDA

DEPARTMENT OF
ENVIRONMENTAL PROTECTION

NOTE: DIKES TO BE CONSTRUCTED OF EXISTING
ON-SITE MATERIAL, OR MATERIAL TRUCKED IN
FROM OFF-SITE, AND COVERED WITH GEOTEXTILE
MATERIAL FOR EROSION CONTROL AND WATER
RETENTION.

4/23/99

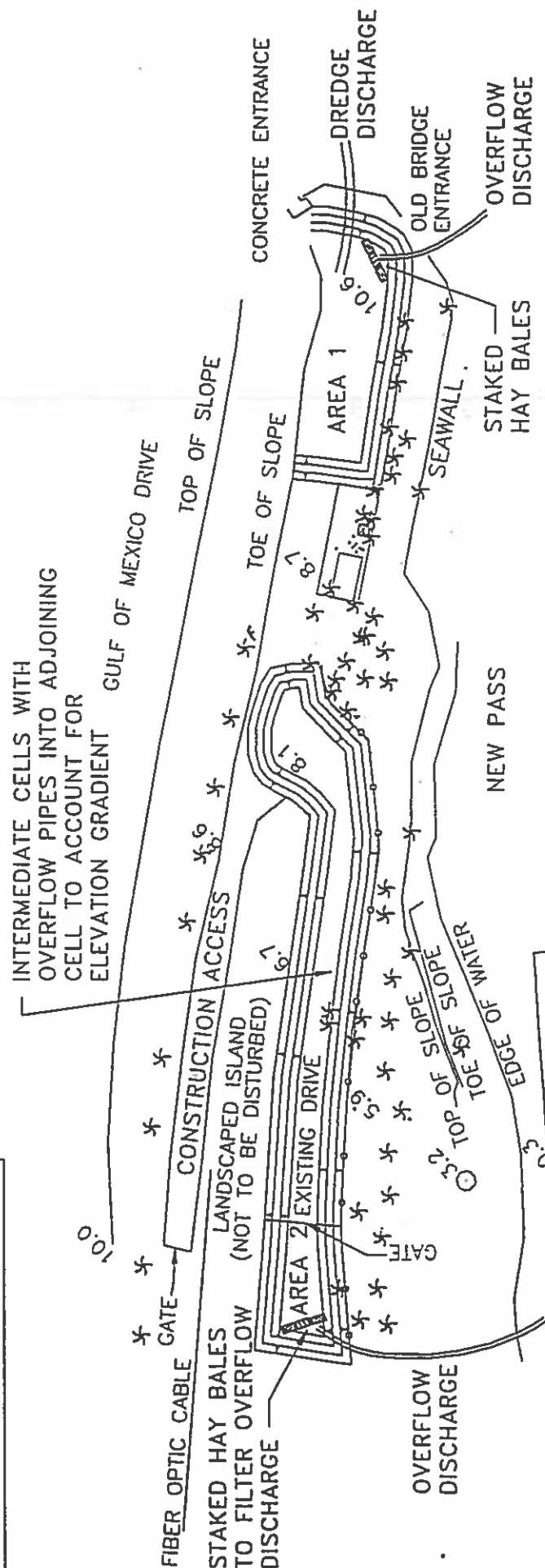
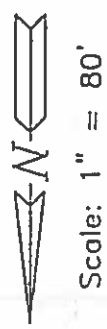
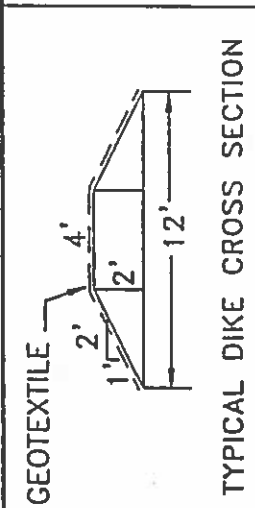
SCALE : 1" = 4'

COASTAL PLANNING &
ENGINEERING, INC.

DATE:	11/22/98
BY:	AMB
COMM. NO.	8488.37
SHEET:	6 OF 11

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58-01637883-002
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BAYFRONT PARK
DEWATERING SYSTEM
CROSS SECTION A-A' (TYP.)



AREA 1

APPROXIMATE DIMENSION

L = 110'

W = 40'

D = 3.5

VOL = 570CY

AREA 2

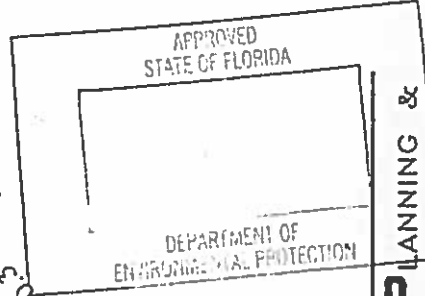
APPROXIMATE DIMENSION

L = 32'

W = 25'

D = 2

VOL = 600CY



Project drawings
58-01637883-002
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COASTAL PLANNING & ENGINEERING, INC.

DATE:	03/16/00
BY:	
COMM. NO.	8488.37
SHEET:	16

SPoil DEWATERING SITE PLAN VIEW
OVERLOOK PARK AREA

[Signature]
03/24/00
41816

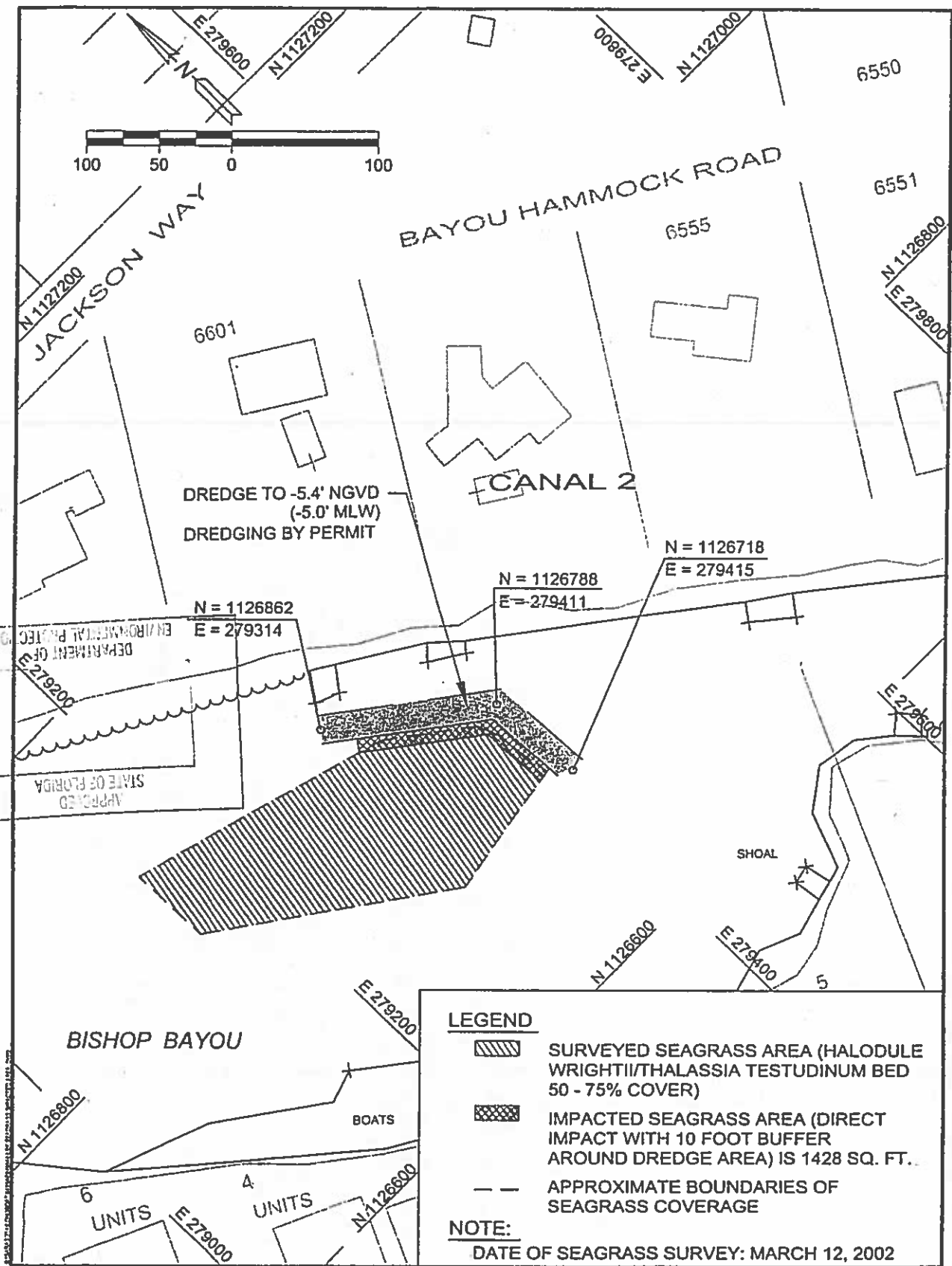


FIGURE 1

SEAGRASS IMPACT AREA 1
CANAL 2 - BISHOP BAYOU

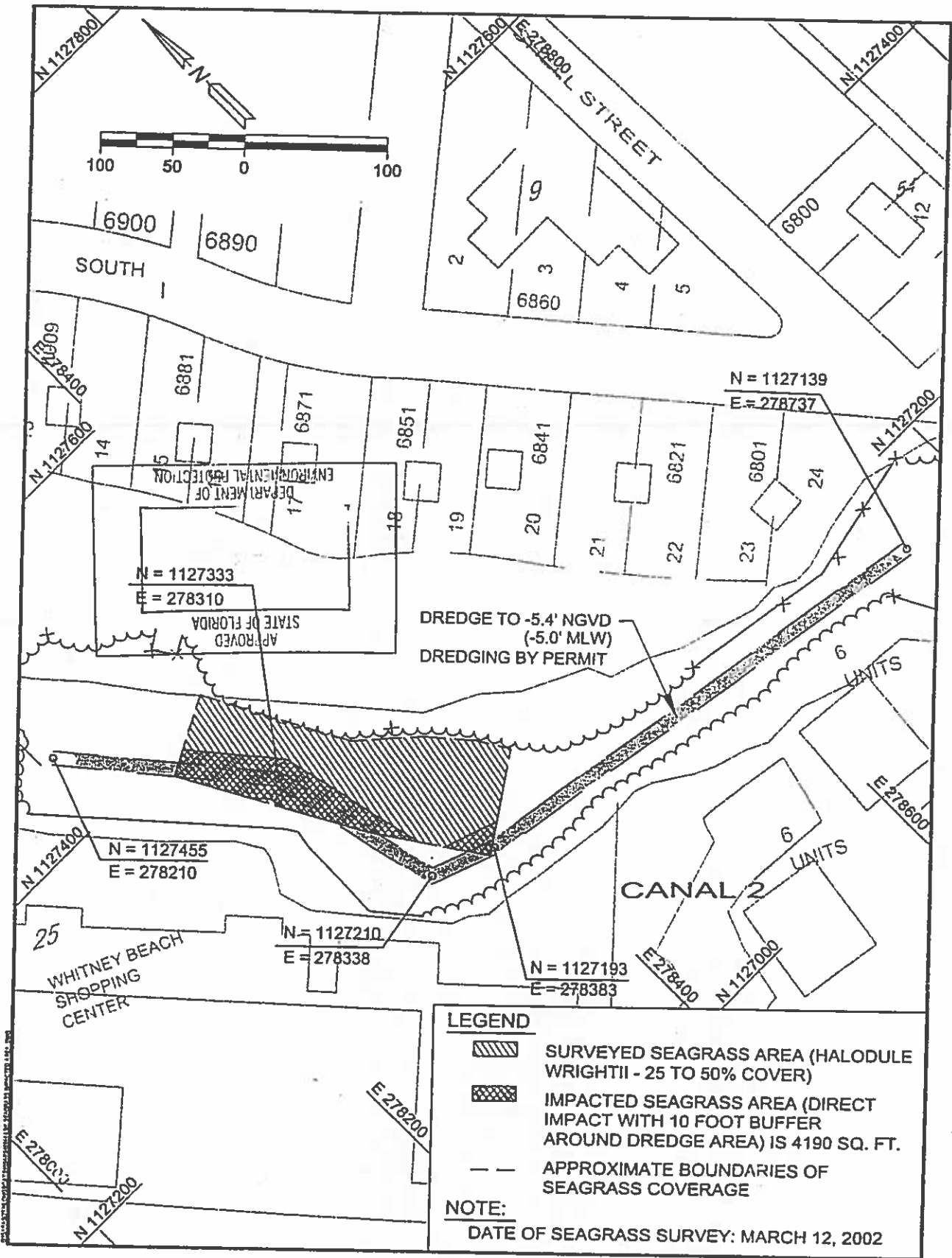
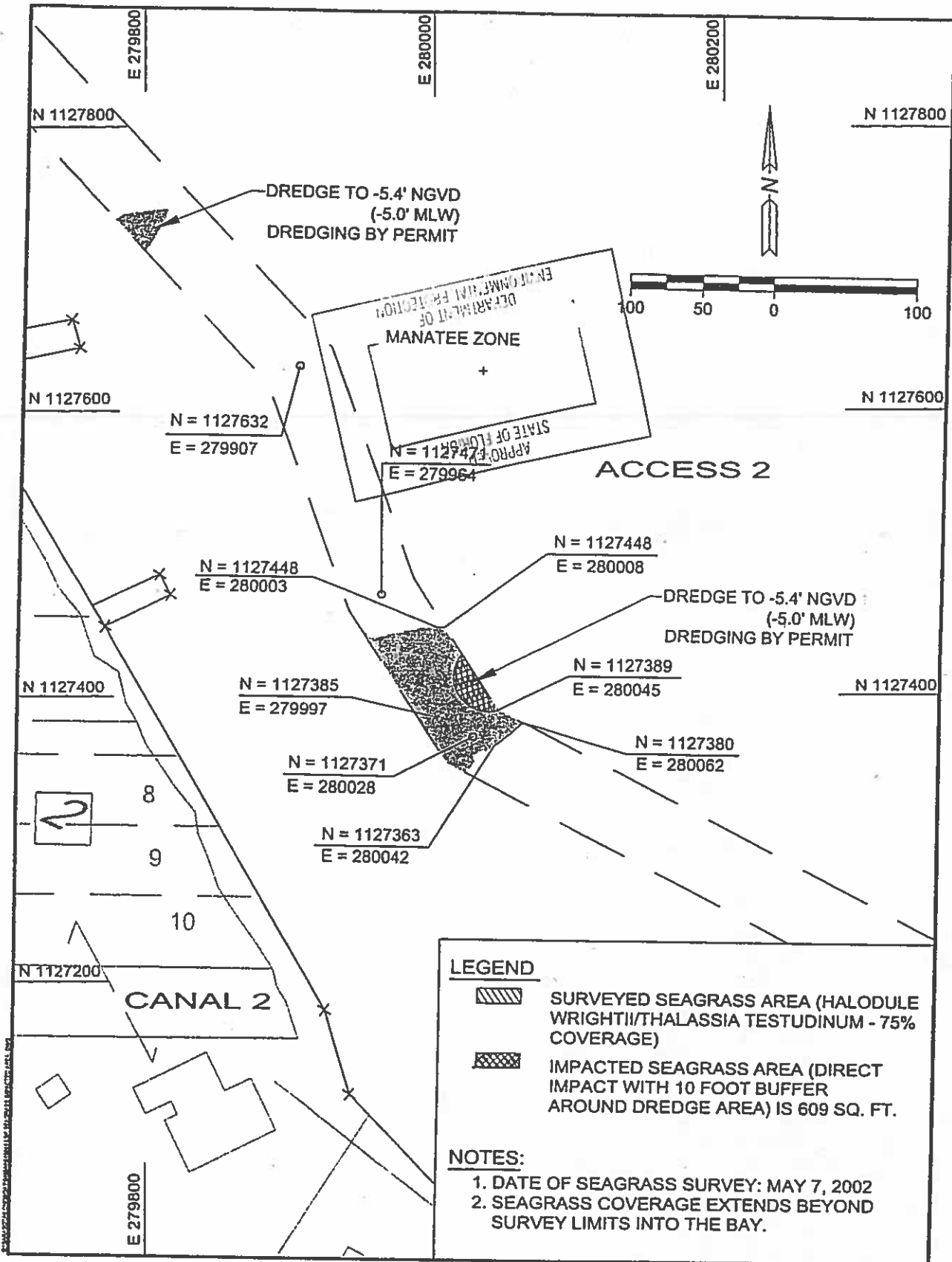


FIGURE 2

SEAGRASS IMPACT AREA 2
 CANAL 2 - WEST END

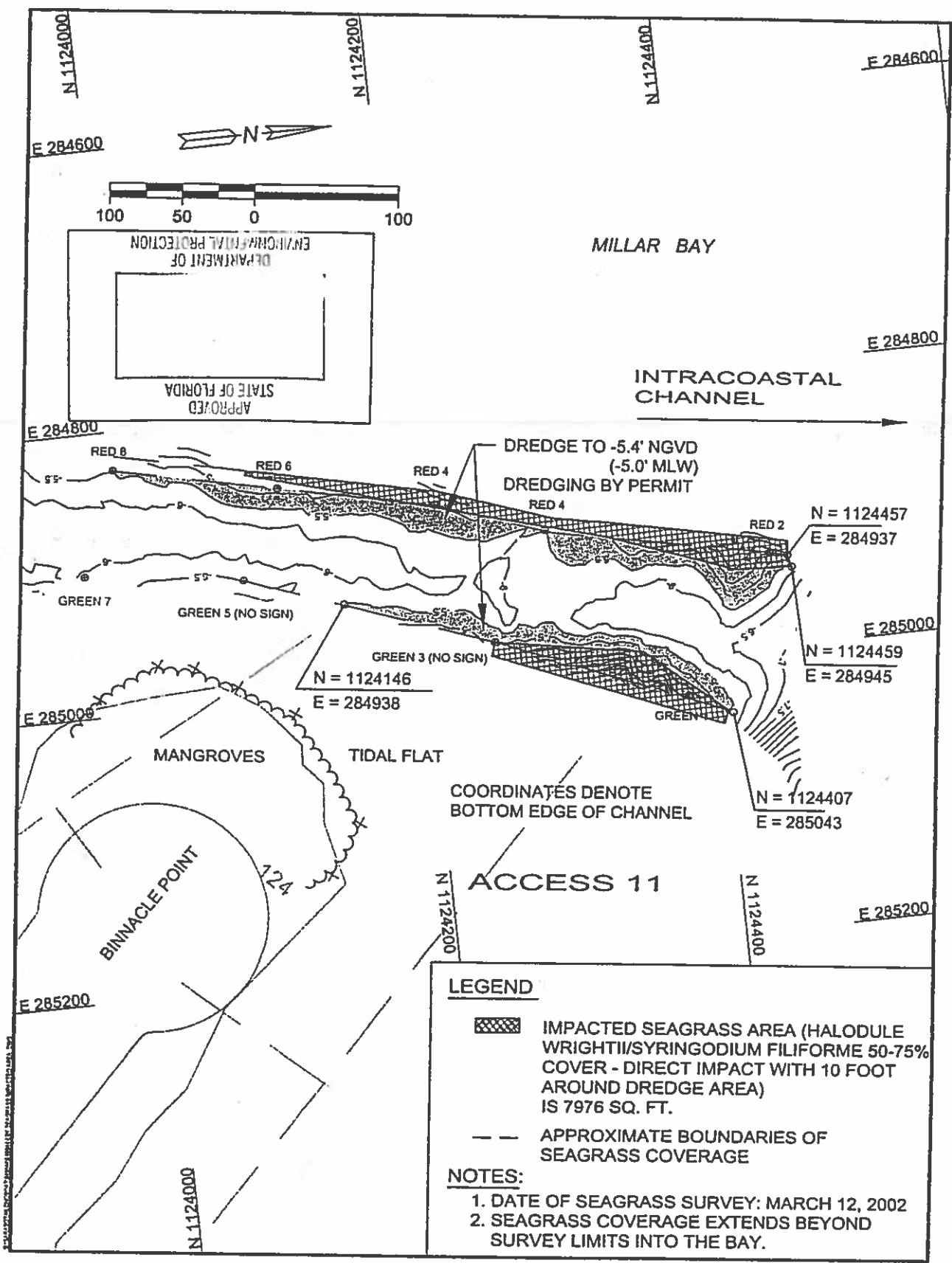


Project drawings
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SEAGRASS IMPACT AREA 5
ACCESS TO CANAL 2

FIGURE 5

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SEAGRASS IMPACT AREA 3
 ACCESS 11

FIGURE 3

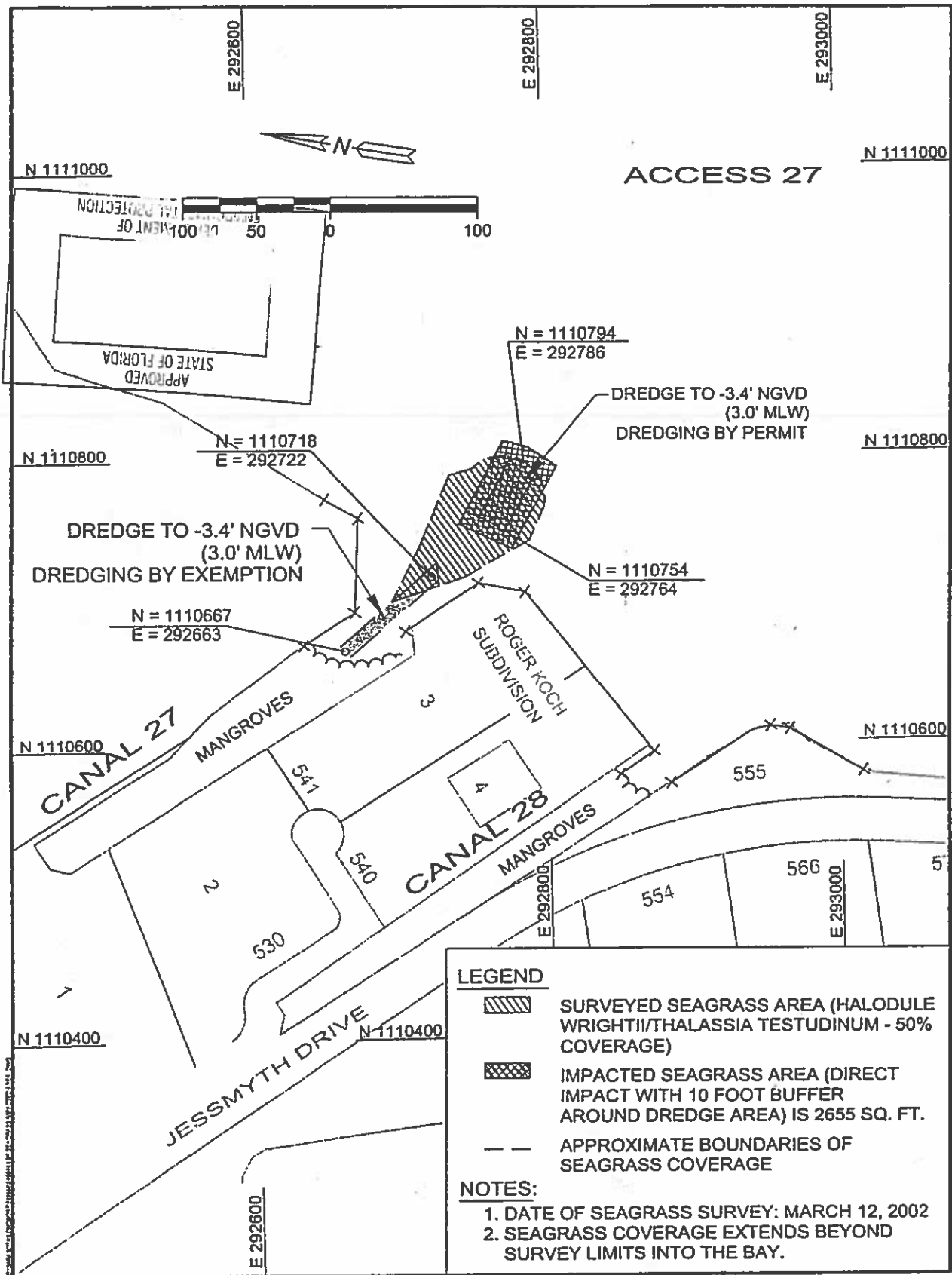
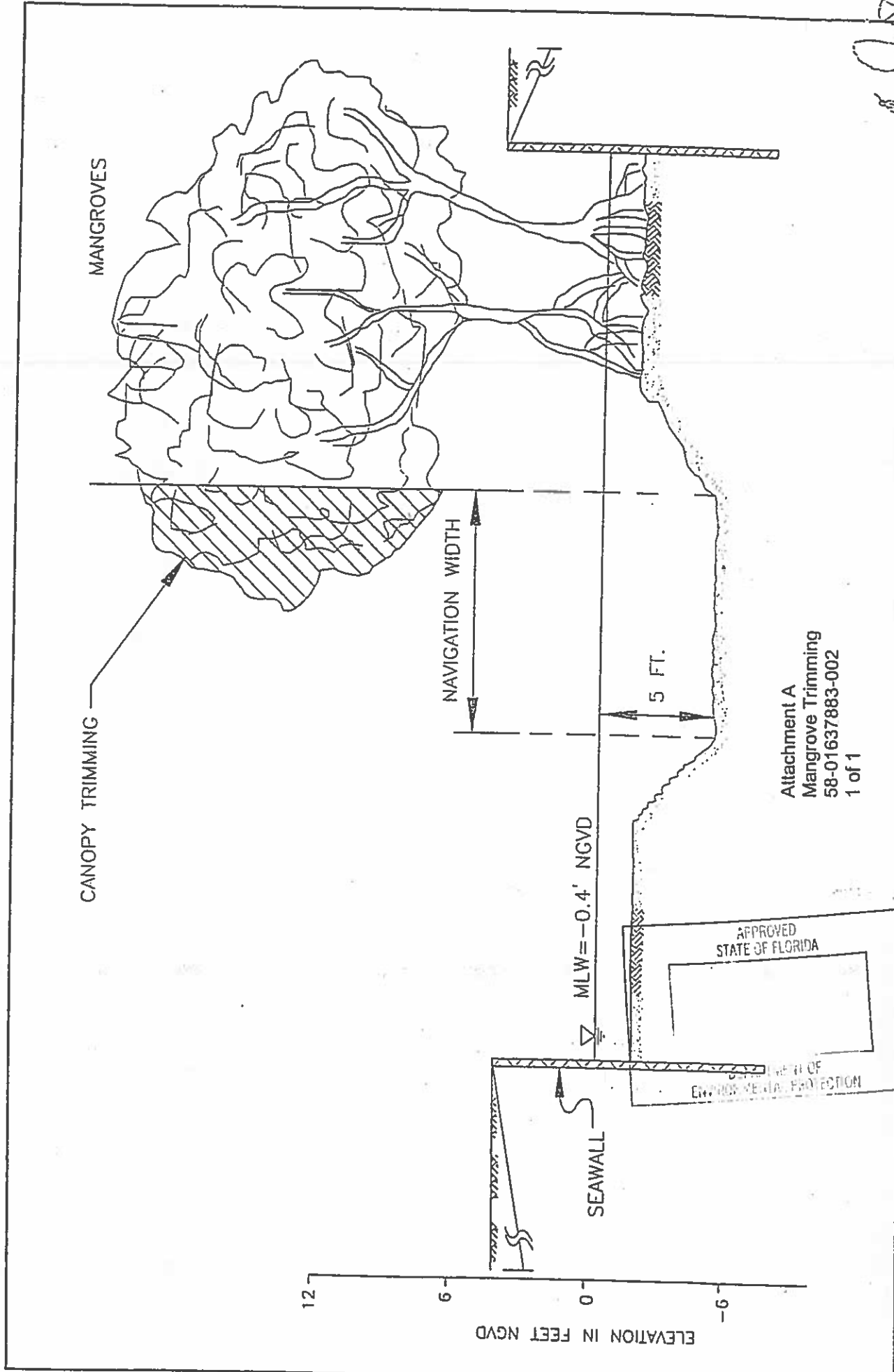


FIGURE 4

SEAGRASS IMPACT AREA 4
 ACCESS TO CANAL 27



MANGROVES

CANOPY TRIMMING

NAVIGATION WIDTH

5 FT.

MLW = -0.4' NGVD

SEAWALL

Attachment A
Mangrove Trimming
58-01637883-002
1 of 1

APPROVED
STATE OF FLORIDA

ENVIRONMENTAL PROTECTION

[Handwritten signature]
DATE: 3/15/00

FILE: LONGBOAT KEY CANAL DREDGING PROJECT
MANGROVE TRIMMING TYPICAL

2481 N.W. BOCA RATON BLVD.
BOCA RATON, FL. 33431

COASTAL PLANNING &
ENGINEERING, INC.

DATE: 3/15/00
BY: AMB
COMM. NO. 8488.37
SHEET:

DRAFT SEAGRASS MITIGATION PLAN – JUNE 6, 2002
LONGBOAT KEY CANAL DREDGING PROJECT

RECEIVED
JUN 10 2002
Department of Environmental Protection
BY SOUTHWEST DISTRICT

The proposed Longboat Key canal and bay access dredging activities were considered under both maintenance dredging permit exemption criteria and activities requiring permit authorization by the Florida Department of Environmental Protection. Impacts to seagrass communities located within the canals and accesses that are authorized under the exemption criteria do not require compensatory mitigation. The Florida Department of Environmental Protection (FDEP) has requested a 3:1 compensatory mitigation ratio for seagrass impacts associated with permit-required dredging activities. The proposed mitigation involves harvesting the seagrasses from the impact sites and transplanting them to appropriate receiver sites. Two types of receiver sites are contemplated: 1) two restored (i.e. filled), previously-dredged sites in Sarasota Bay that were supportive of seagrass growth prior to dredging; and 2) prop scarred seagrass beds within Sarasota Bay. The two restored dredge sites (referred to herein as Leffis Key receiver site and Durante Park receiver site) were recommended by Department of Environmental Protection staff as transplantation receiver sites and were investigated for suitability during a joint visit by FDEP staff and the Town's consultant, Coastal Planning & Engineering, Inc., on May 7, 2002.

Seagrass Impact Areas Requiring Compensatory Mitigation

There are five areas of seagrass impact within the canals and accesses that are not authorized under the permit exemption determination. The five impact areas are 1) Canal 2- Bishop Bayou (Figure 1); 2) Canal 2- west end (Figure 2); 3) Access 11 (Figure 3); 4) Access to Canal 27 (Figure 4); and Access to Canal 2 (Figure 5). The seagrass impact areas were investigated and mapped by a qualified biologist with the assistance of a Florida Licensed Professional Surveyor & Mapper on March 12, 2002. The area of impact in Canal 2- Access (Figure 5) was verified on May 7, 2002. DGPS positioning was obtained using a Trimble AgGPS with ProBeacon. No seagrass coverage was observed within the remaining, permit-required dredging areas on March 12, 2002.

A total of approximately 16,858 square feet (0.39 acres) of seagrass habitat is located within the five areas. A breakdown of the impact areas is presented in Table 1. The impact areas include the area of direct impact with an additional 10 foot buffer to adjacent seagrass communities to account for the side slope. Applying the required 3:1 compensatory mitigation ratio to the area of impact, 50,574 square feet (approximately 1.16 acres) must be planted. The majority of impacted seagrass is shoal grass (*Halodule wrightii*) intermixed with a small amounts of turtle grass (*Thalassia testudinum*) and manatee grass (*Syringodium filiforme*) (See Figures 1-5 and Table 1 for a breakdown of bed composition).

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DEPARTMENT OF ENVIRONMENTAL PROTECTION

During the March 2002 field surveys, a dense layer of drift epiphytic algae was observed over many of the seagrass beds within the canal/access dredging areas (both permit-exempt and permit-required). The seagrass beds within Impact Area 2 (Canal 2- Bishop

Bayou) and Impact Area 4 (Canal 27 Access) were covered by 1 to 2 foot thick layer of drift algae consisting of *Gracilaria* sp., *Ulva* sp., and *Hypnea* sp. Large accumulations of drift algae up to two feet thick have been reported over seagrass beds within Sarasota Bay for several decades, particularly during the spring months and after periods of warm frontal passages (Sauers 1980, Culter and Leverone 1993).

Dense accumulations of drift algae may create difficulty during harvesting activities. However, several seagrass impact areas with low epiphytic cover were identified. These areas will be recommended to the seagrass transplantation contractor as preferred donor material. The seagrass beds within the accesses in the bay (i.e. Access 11) were identified as excellent donor material, as well as some of the seagrass areas located in the mouths of the permit-exempt canals (Canal 16, Canal 19, Canal 34 to 51). Also, it was noted during the subsequent May 7, 2002 investigation, that the drift algae over the seagrass bed in Impact Area 2 had been cleared, and the seagrass appeared much healthier (i.e. less stressed from the light limitation and algal decomposition).

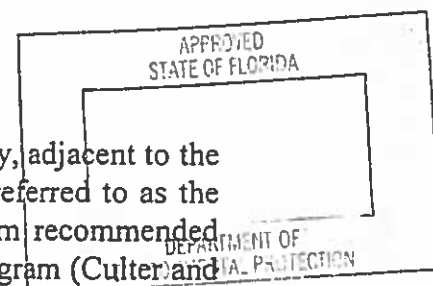
TABLE 1- SEAGRASS IMPACT AREAS

Impact Location	Impact Area (sq. ft.)	Bed Composition	Average % Cover
Canal 2- Bishop Bayou	1,428	<i>H. wrightii</i> / <i>T. testudinum</i>	50-75%
Canal 2- West End	4,190	<i>H. wrightii</i>	25-50%
Access 11	7,976	<i>H. wrightii</i> / <i>S. filiforme</i>	50-75%
Access 27	2,655	<i>H. wrightii</i> / <i>T. testudinum</i>	50%
Access 2	609	<i>H. wrightii</i> / <i>T. testudinum</i>	75%

Seagrass Transplantation Receiver Sites

Leffis Key Receiver Site

A large tri-lobed dredged hole is located in the north end of Sarasota Bay, adjacent to the Bradenton Beach Coquina boat ramp and north of Leffis Key (hereto referred to as the Leffis Key dredge hole). The Sarasota Bay National Estuary Program recommended restoration of this dredged hole in 1993 under its early action project program (Culter and Truitt, 1997). The site was recommended for seagrass planting by both the Department of Environmental Protection and Sarasota Bay National Estuary Program. The hole was dredged from the middle of a mixed species seagrass bed (primarily *Halodule wrightii* and *Thalassia testudinum*) which remain in the shallows surrounding the hole (Culter and Truitt, 1997). A detailed bathymetric survey of the entire dredge hole documented depths of 12 to 14 feet in 1995 (Culter and Truitt, 1997). Figure 7 shows the Leffis Key dredge hole prior to fill placement in 1997. Between 1997 and 1999, the southernmost portion of the hole was filled as individual sand "hills" separated by deeper water. Figure 8 is an aerial photograph of the dredge hole after fill placement (8/16/99). The exact date of fill placement could not be determined.



The Leffis Key site was investigated on May 6-7, 2002, and the boundaries of two of the fill areas were mapped using DGPS. The edge of the adjacent seagrass bed was also identified during the survey. Figure 9 provides the results of the mapping overlaid on the 2001 aerial photograph. The boundaries of the remaining fill areas, which were confirmed as shallow, fill areas during field investigations, were digitized from the 2001 aerial photograph. A breakdown of the individual fill areas is presented in Figure 9. The total overall area available for seagrass planting is approximately 12,656 square feet. Water depths over the sand fill areas range from approximately two feet to five feet. Water depths in the unfilled portions of the dredge hole surrounding the sand hills are greater than 6 feet. It was noted during ground-truthing investigations that the substrate within the fill areas varies from mostly sand with minor amounts of shell and rock (qualitative visual assessment) to areas containing higher amounts of larger size material such as shell, rock and coral fragments.

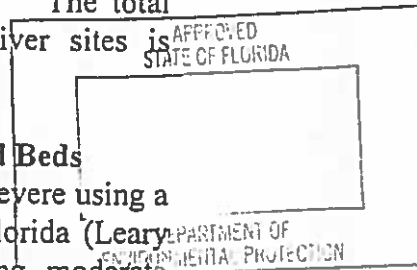
Durante Park Receiver Site

The Durante Park receiver site is a filled portion of a dredged trench that extends offshore of Durante Park near Canal 20 (Figure 6). The location of this site, as well as the location of the Leffis Key dredge hole site, were provided by the Department of Environmental Protection to Coastal Planning & Engineering (CPE) for investigation as seagrass mitigation receiver sites. The inshore portion of the filled trench was investigated for planting suitability during a joint visit with FDEP staff on May 7, 2002. CPE was advised that the Durante Park area contained experimental seagrass transplantation plots that would have to be avoided by the proposed Longboat Key seagrass mitigation. CPE requested DGPS coordinates of the seagrass planting sites from FDEP so as to avoid them during site planning. However, CPE was informed that no DGPS positioning exists for the seagrass planting sites at Durante Park.

During the May 7th investigation, the barren (unvegetated) sand area was demarcated using DGPS. The edge of the adjacent seagrass bed was also delineated using DGPS, and the locations of *Halodule wrightii* patches marked with PVC point were noted (see Figure 6). The total area of bare sand with appropriate water depths and substrate suitability for seagrass planting is approximately 17,613 square feet. The insert of Figure 6 shows that an appropriate buffer distance is provided to the adjacent seagrass beds. The total combined area available from the Leffis Key and Durante Park receiver sites is approximately 30,269 square feet.

Prop Scar Restoration- Coquina Boat Ramp/Durante Park Prop Scarred Beds

Scarring intensity in seagrass beds has been classified as light, moderate or severe using a GIS Methodology for statewide assessment of propeller scar damage in Florida (Leary and Sargent 1995). Light scarring was categorized as less than 5% scarring, moderate contained 5-20% scarring, and severely scarred beds contained greater than 20% scarring. Applying this definition, the seagrass bed just offshore of the Bradenton Beach Coquina Boat Ramp (south of the Leffis Key filled dredge hole- see Figure 10) is moderately scarred and indicates potential for prop scar restoration and protective management of the restored area. Ground-truthing investigations of the site confirmed that the adjacent



seagrass bed is dominated by *Thalassia testudinum* and *Halodule wrightii* with minor amounts of *Syringodium filiforme*. Comparison of aerial photography from August 1997 and August 1999 demonstrates an increase in propeller scar damage to this seagrass bed. The August 2001 aerial photograph shows a sustained level of prop scar damage with the creation of several new larger scars. Ground-truthing activities in May 2002 confirmed the presence of relatively large scars (approximately 50 cm in width), as well as dozens of smaller scars (average of 20 cm in width). Figure 10 shows the locations of two representative scars that were mapped in the field with DGPS on May 7, 2002 with FDEP staff. Scars that were easily identifiable from the 1:6000 aerial photograph taken on 8/24/01 were digitized to demonstrate the level of scarring within the bed and are displayed on an enlargement of the 2001 aerial (Figure 10a).

Most of the scars observed within the Coquina Boat Ramp bed appeared to be created by smaller vessels and are not significantly deeper than the adjacent seagrass habitat. This suggests that many of the scars in this bed will not need to be filled prior to planting. Sediment probes were conducted along the scars and a minimum thickness of 10 cm was found during all probes, indicating acceptable levels of unconsolidated sediments. However, if larger, deeper scars are located in the field during transplantation activities, these scars may need to be filled prior to planting. If necessary, the deeper scars will be filled with substrate from the seagrass impact areas prior to planting. Additionally, prior to planting, the selected contractor will determine if the scars are undergoing extensive natural recolonization by seagrasses; and if so, the scar will not be planted.

During planting, the location of each scar will be established using DGPS, the ends will be permanently marked for positioning, and the total area of the scar will be recorded (length x average width). To fulfill the 3:1 compensatory mitigation ratio, 20,305 square feet (1,886 square meters) of prop scars must be restored. Assuming an average prop scar width of 50 cm, approximately 12,375 linear feet (3,772 linear meters) of prop scars must be planted. Approximately 500 square feet was confirmed at the Coquina Boat ramp site on May 7, 2002. Figure 10a demonstrates the amount of potential for prop scar restoration in the area of the boat ramp. The prop damage extends east into the Bay, outside of the limits of the aerial photograph. The prop damaged bed south of the Durante Park receiver site (Figures 11 and 11a) also contains a relatively high frequency of larger prop scars. There should be sufficient area between the two sites to achieve the remaining 20,305 square feet needed to fulfill the 3:1 compensatory mitigation ratio.

PROPOSED MITIGATION PLAN

Extensive research into seagrass transplantation has shown numerous methods to successfully establish seagrass. The most appropriate and cost-efficient harvesting method is a plug method which involves the removal of individual turfs from the sediment. The planting units are removed by excavating to a depth that extends below the rhizome mat. At the planting site, a hole is excavated and the plug is placed in the sediment. Based upon the ground-truthing dives performed in March 2002, the majority of the impacted seagrass is shoal grass, *Halodule wrightii* with a smaller amount of turtle grass, *Thalassia testudinum*, and even smaller percentage of manatee grass, *Syringodium*

APPROVED
STATE OF FLORIDA
DEPARTMENT OF
NATURAL RESOURCES

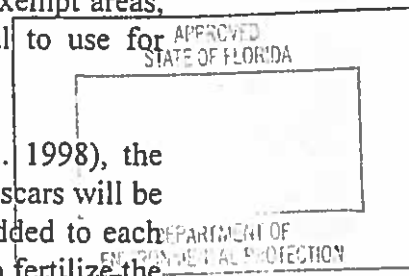
filiforme. Shoal grass is considered a pioneering species and is used in seagrass transplantation projects to establish coverage quickly and stabilize the sediment. Known as compressed succession, the faster-growing *Halodule wrightii* is planted first, often followed by seeding or sprigging of the slower growing *Thalassia testudinum* during remedial planting in Year 2 (See below description of the proposed monitoring program). *S. filiforme* has been successfully transplanted intermixed with *H. wrightii* sod units.

Coalescence is the point where planting units grow together and obscure the origin of the individual shoots. The rate of coalescence decreases in proportion to the spacing of planting units. However, the rate of coalescence is offset by the substantially higher costs associated with small spacing intervals (i.e. increased number of planting units). In practice, planting unit spacing ranges from 0.5 meter to 2 meters on center. Plantings of shoal grass (*Halodule wrightii*) on 1 meter centers may coalesce within nine months in the Florida Keys. In Gulf waters, *H. wrightii* plantings may coalesce in three to four years. Fonseca et al. (1996 a, b) found that *H. wrightii* and *S. filiforme* beds planted on 0.5 meter centers in Tampa Bay developed fish, shrimp, and crab density and composition statistically indistinguishable from nearby natural sites within three years. Bioturbation (rays, crabs, sea urchins, sand dollars, and ghost shrimp) and storms impede final coalescence, and 50% losses of planting units are common where bioturbation levels are relatively high. Bioturbation by rays has caused a considerable number of seagrass planting failures (Merkel 1988a, Mote Marine Laboratory and Mangrove Systems, 1989, Fonseca et al. 1994).

Planting units

It is likely that a variation of the plug methodology with containment in peat pots or other biodegradable containers will be utilized for transplantation. A total of approximately 16,858 square feet (0.39 acres) of seagrass habitat is located within the five permit-required impact areas. The standard plug area is 0.0625 square feet. Therefore, 269,728 planting units are available from the impact areas assuming 100% efficiency of removal. A more realistic assumption is 50% efficiency of removal, reducing the number of available planting units to 134,864. To plant the required 50,574 square feet (4698.5 square meters) at 0.5 meter intervals, approximately 19,044 planting units are needed. This translates into an excess of 115,820 planting units within the permit-exempt areas, allowing for discretion when deciding upon the healthiest donor material to use for transplantation.

Following the guidelines for the restoration of prop scars (Fonseca et al. 1998), the planting units will be installed at 1 meter intervals along the scars. The prop scars will be planted using plugs of *Halodule wrightii*. Phosphorous fertilizer will be added to each plug prior to planting or bird roosting stakes will be placed along the scars to fertilize the plantings and accelerate the growth rate of *H. wrightii* (Powell et al. 1989, Fonseca et al. 1998). Protective management of these areas is proposed by marking the restored seagrass beds with signs to allow for the reestablishment of the scars and prevent future scarring in these areas of high boating activity.



Given the potential for bioturbation and the amount of potential donor material available for transplantation, 0.5 meter spacing is recommended at the Leffis Key and Durante Park receiver sites to increase the rate of coalescence. These two larger sites will be planted using plugs/turfs of mixtures of *H. wrightii*, *S. filiforme*, and *T. testudinum*.

The contractor selected for seagrass transplantation may propose alternative methods and protocols to the plug method. Alternative protocols should be supported with documented experience, success, and guarantee statements. The timeline for the proposed planting is the summer of 2002, which coincides with optimal environmental planting conditions in the Sarasota Bay area.

Monitoring plan specifications

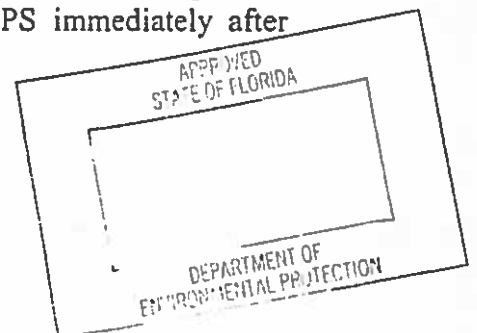
Monitoring frequency

The entire monitoring program will extend for 4 (four) years post-construction. During the first year (Year 1), monitoring will be performed quarterly. During the second (Year 2) and third (Year 3) years, monitoring will occur biannually. A final monitoring event will occur at the end of the fourth year (Year 4).

Monitoring parameters

The recommended monitoring protocol of leading seagrass scientists (Fonseca, Kenworthy, & Thayer, Guidelines for the Conservation and Restoration of Seagrasses in the United States and Adjacent Waters, 1998) will be adopted for the project to assess the persistence of the planting. Survival rate (number of planting units surviving at the time of the monitoring), number of shoots per planting unit, and areal coverage (random sample of area covered per planting unit until coalescence) will be recorded during each monitoring event. The area covered at the planting site is then determined by multiplying the number of surviving planting units by the average area per planting unit. After coalescence, percent coverage of the planting site will be surveyed using randomized 1 m² grid samples. Representative still and video photography will be obtained during each monitoring event.

Low-level vertical aerial photography (minimum of 200 scale) will be collected immediately after planting is completed, biannually during Years 1 and 2, and annually during Years 3 and 4 to monitor the restoration of the scarred beds and planted sites at Leffis Key and Durante Park. Additionally, DGPS integrated digital video transects will be performed along representative, randomly selected, prop scars at each site immediately after planting. These transects will be repeated during each monitoring survey to document the progression of areal coverage through time. The boundaries of the planted sites at Durante Park and Leffis Key will be located with DGPS immediately after planting and overlaid onto aerial photography.



Remedial planting plan

In the event that less than 75% of the original planting units have not established at the end of Year 1, the original planting will be augmented by remedial plantings using turtle grass (*Thalassia testudinum*) sprigs or seedlings. Remedial planting will occur during the next available planting period (late spring-summer months). Donor material can be obtained from nursery stock or established donor beds. Augmentation using turtle grass will assist in accelerating the successional sequence from the pioneering seagrass, *Halodule wrightii*, to the climax species, *Thalassia testudinum*. The number of *Thalassia* planting units used for the remedial planting will be determined by the percentage of original planting units surviving at the end of Year 1 in order to achieve the goal of achieving 75% coverage. If significant planting unit losses are observed again during the second year of monitoring (Year 2), a second remedial planting using turtle grass (*Thalassia testudinum*) will be performed.

Contingency Plan

The Town proposes up-front mitigation to serve as the contingency plan in case of failure to fulfill the 3:1 compensatory mitigation ratio at the end of the four year post-construction monitoring period. The permit-exempt dredge areas that contained seagrass coverage during the 1999 reconnaissance survey were digitized and the total area of impact to seagrass habitat was computed. Approximately 2.85 acres (124,282 square feet) of seagrass habitat occurs within these permit-exempt areas. The Town is actively seeking the assistance of local, state, and federal resource protection agency programs to find potential restoration sites and prop damaged seagrass beds in need of donor material. These agencies include the Sarasota Bay NEP, Tampa Bay NEP, Sarasota County, and the Florida Keys National Marine Sanctuary/NOAA, as well as the Manatee County Port Authority. Prior to dredging activities, if donor material is requested by any of the above entities for seagrass restoration, the Town proposes to provide assistance in harvesting donor material from the permit-exempt areas.



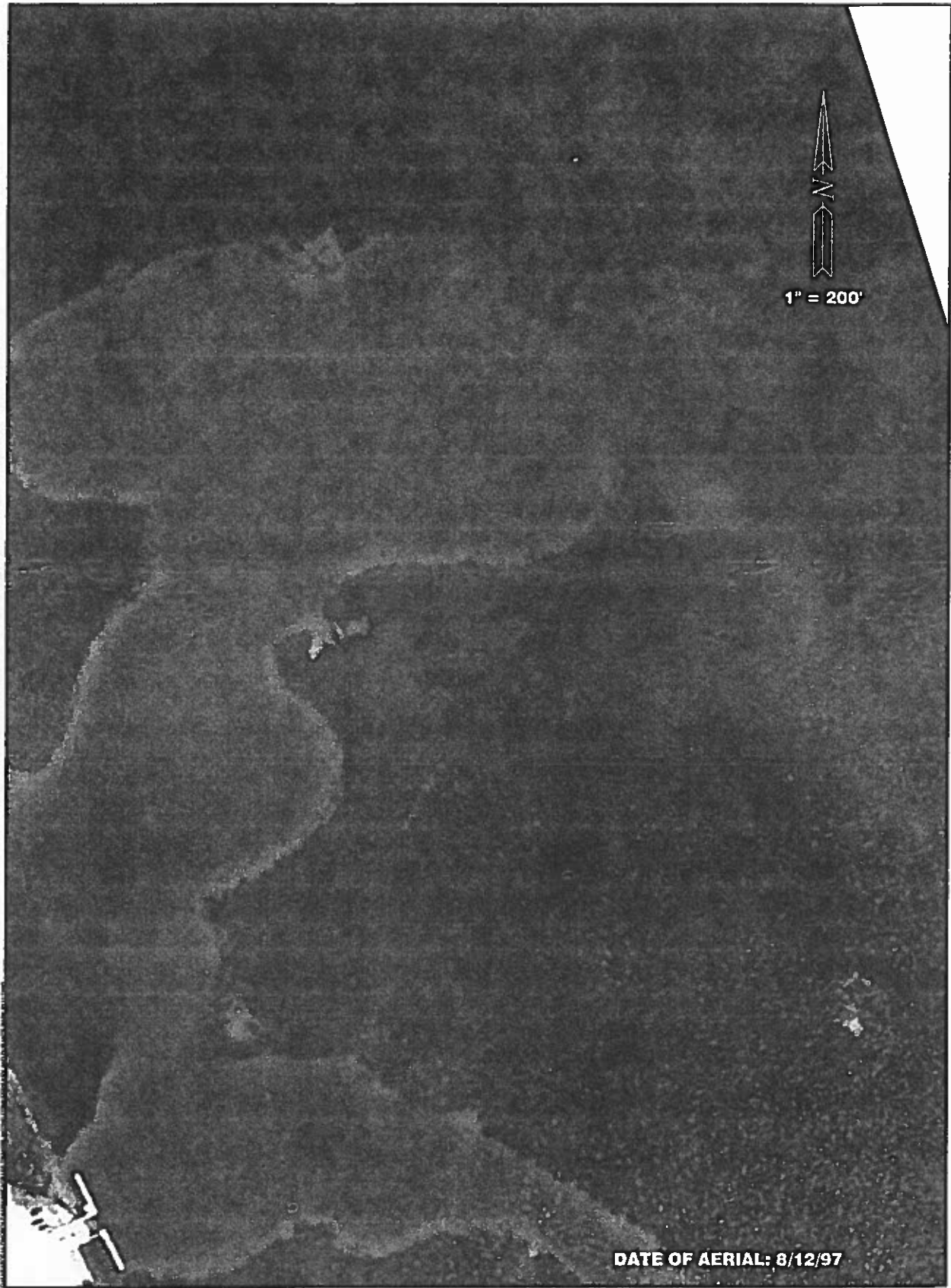


RECEIVED
 JUN 10 2002
 Department of Environmental Protection
 SOUTH WEST DISTRICT

**DURANTE PARK
 SEAGRASS TRANSPLANTATION RECEIVER SITE**

COASTAL PLANNING & ENGINEERING, INC

FIGURE 6
 APPROVED
 SIG: E. J. L. C. 02-0A
 DEPARTMENT OF
 ENVIRONMENTAL PROTECTION

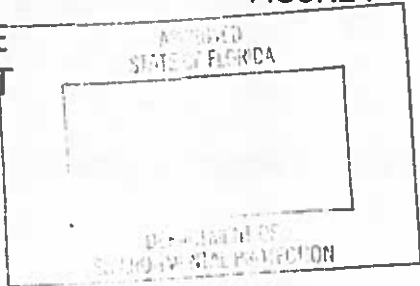


DATE OF AERIAL: 8/12/97

FIGURE 7

LEFFIS KEY DREDGE HOLE
PRIOR TO FILL PLACEMENT

COASTAL PLANNING & ENGINEERING, INC.



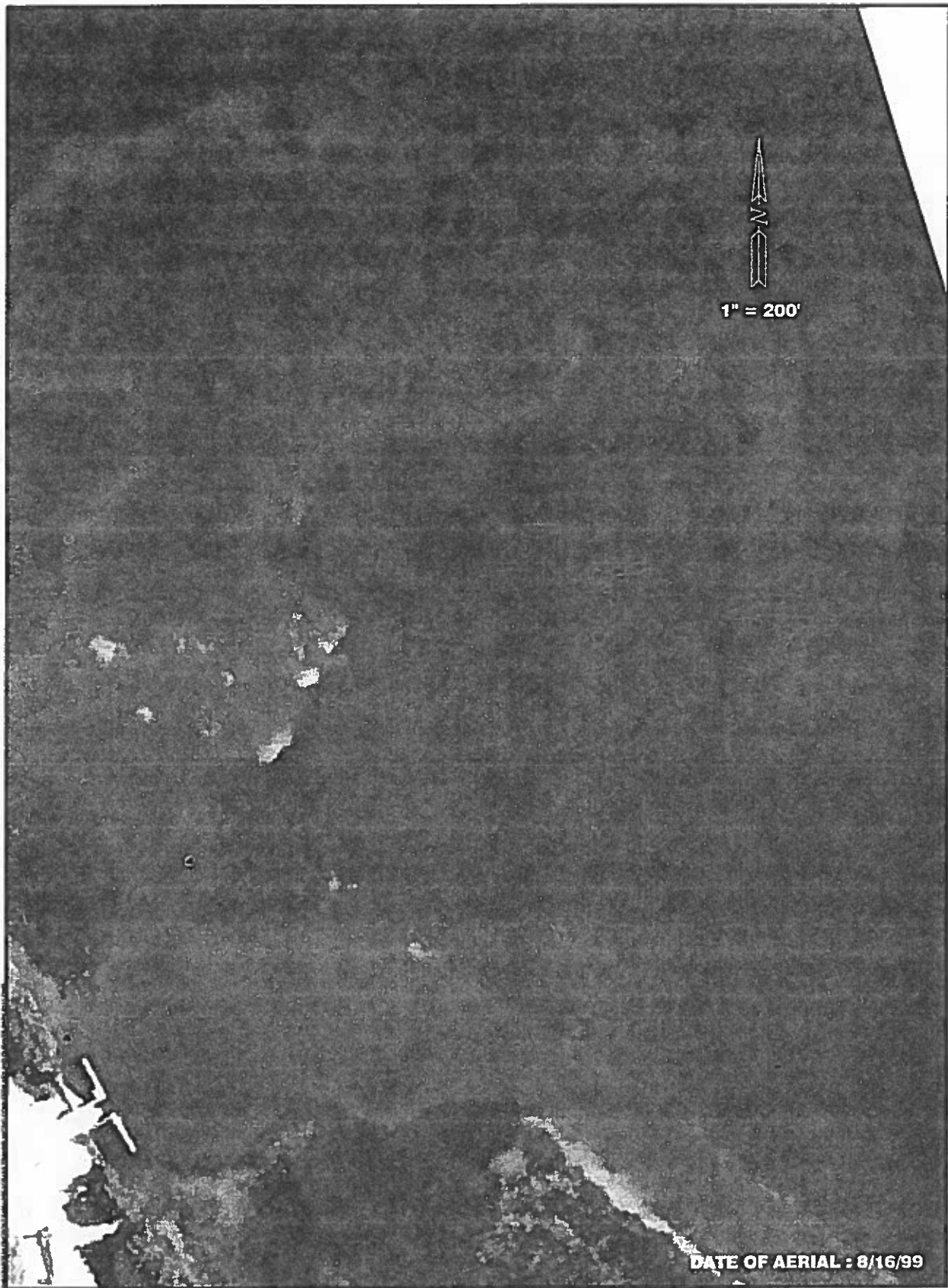
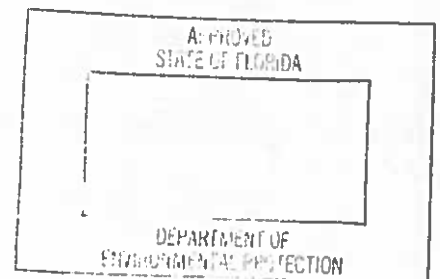


FIGURE 8

LEFFIS KEY DREDGE HOLE
POST FILL PLACEMENT

COASTAL PLANNING & ENGINEERING, INC.



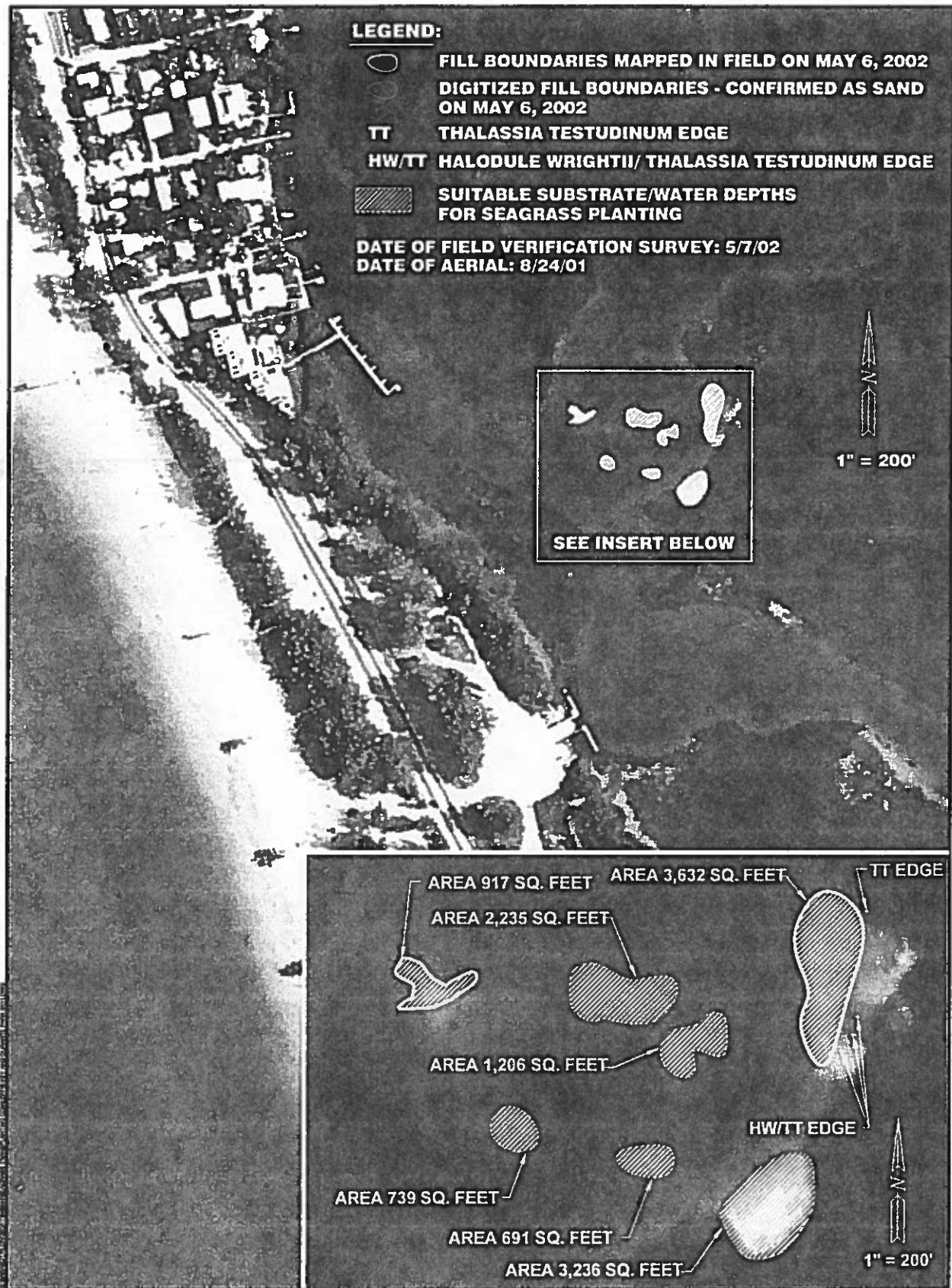
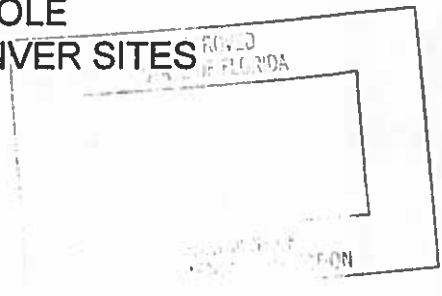


FIGURE 9

LEFFIS KEY FILLED DREDGE HOLE
SEAGRASS TRANSPLANTATION RECEIVER SITES

COASTAL PLANNING & ENGINEERING, INC.



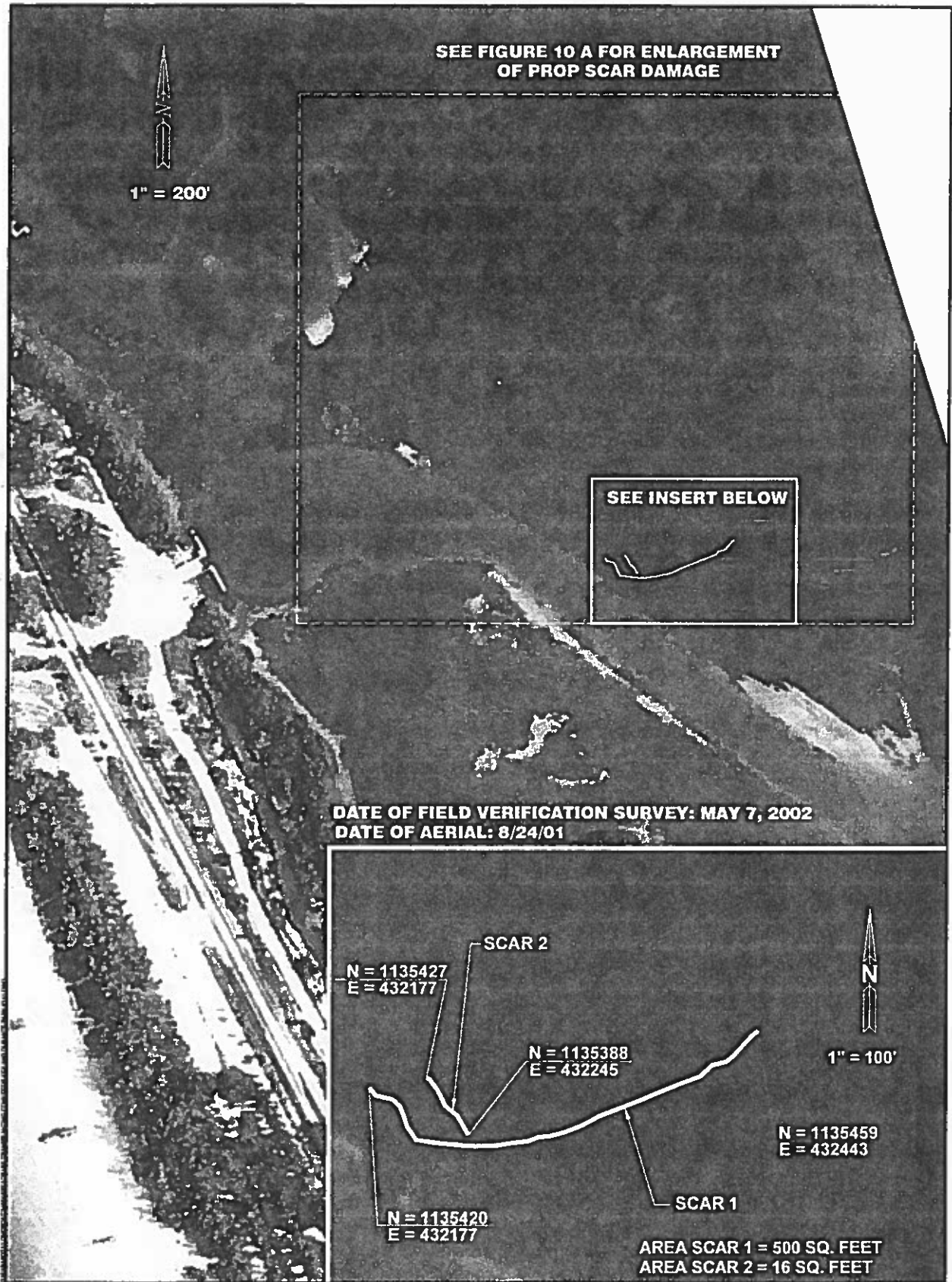
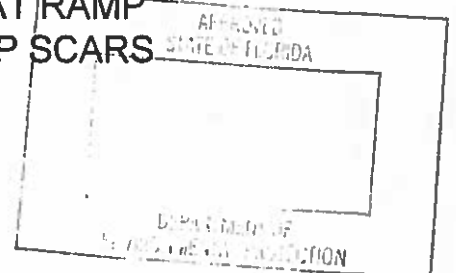


FIGURE 10

**BRADENTON BEACH COQUINA BOAT RAMP
REPRESENTATIVE SEAGRASS PROP SCARS**

COASTAL PLANNING & ENGINEERING, INC.



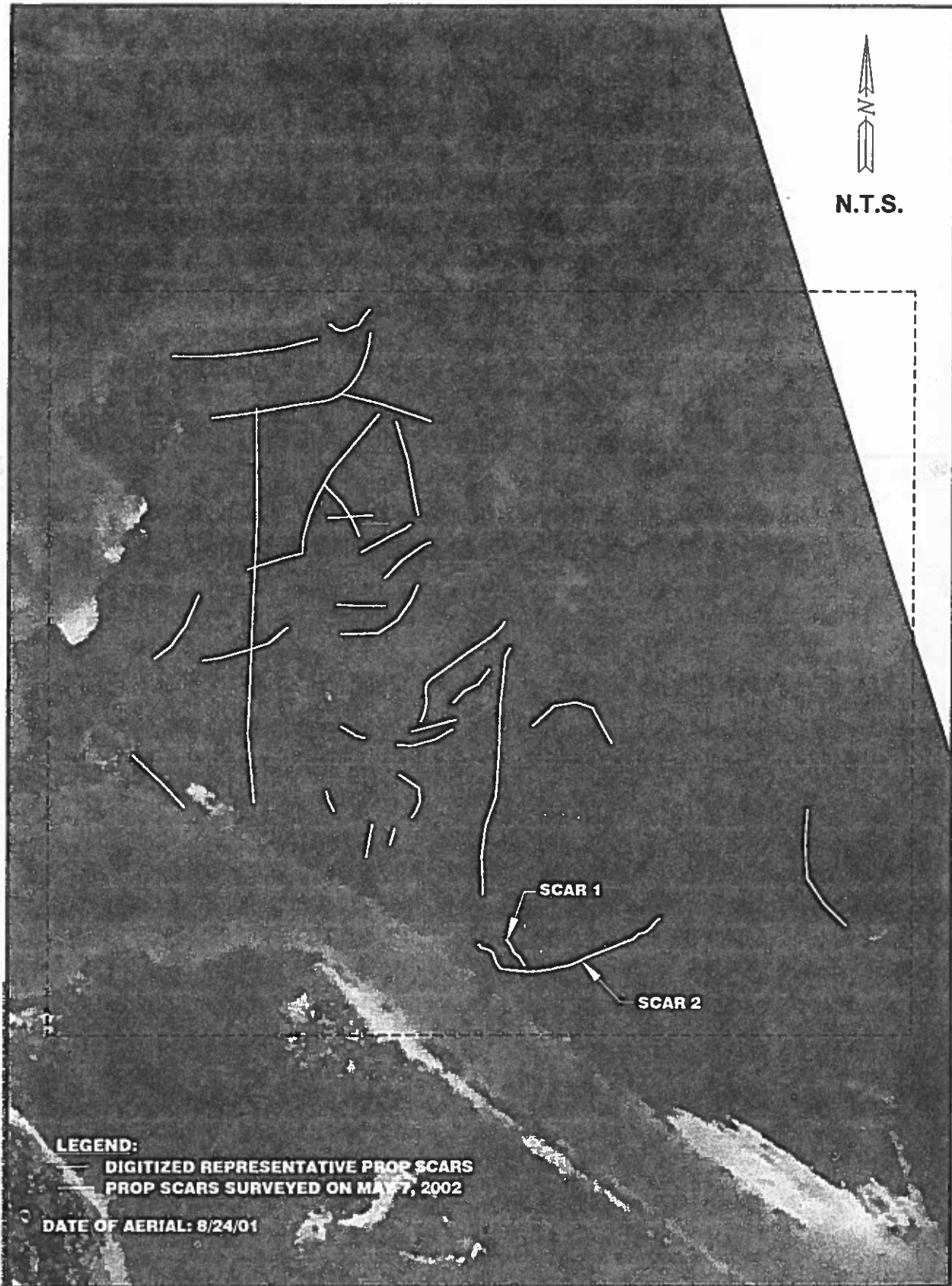
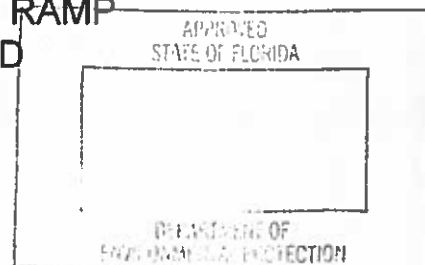


FIGURE 10A

**BRADENTON BEACH COQUINA BOAT RAMP
 PROP SCARRED SEAGRASS BED**

COASTAL PLANNING & ENGINEERING, INC.



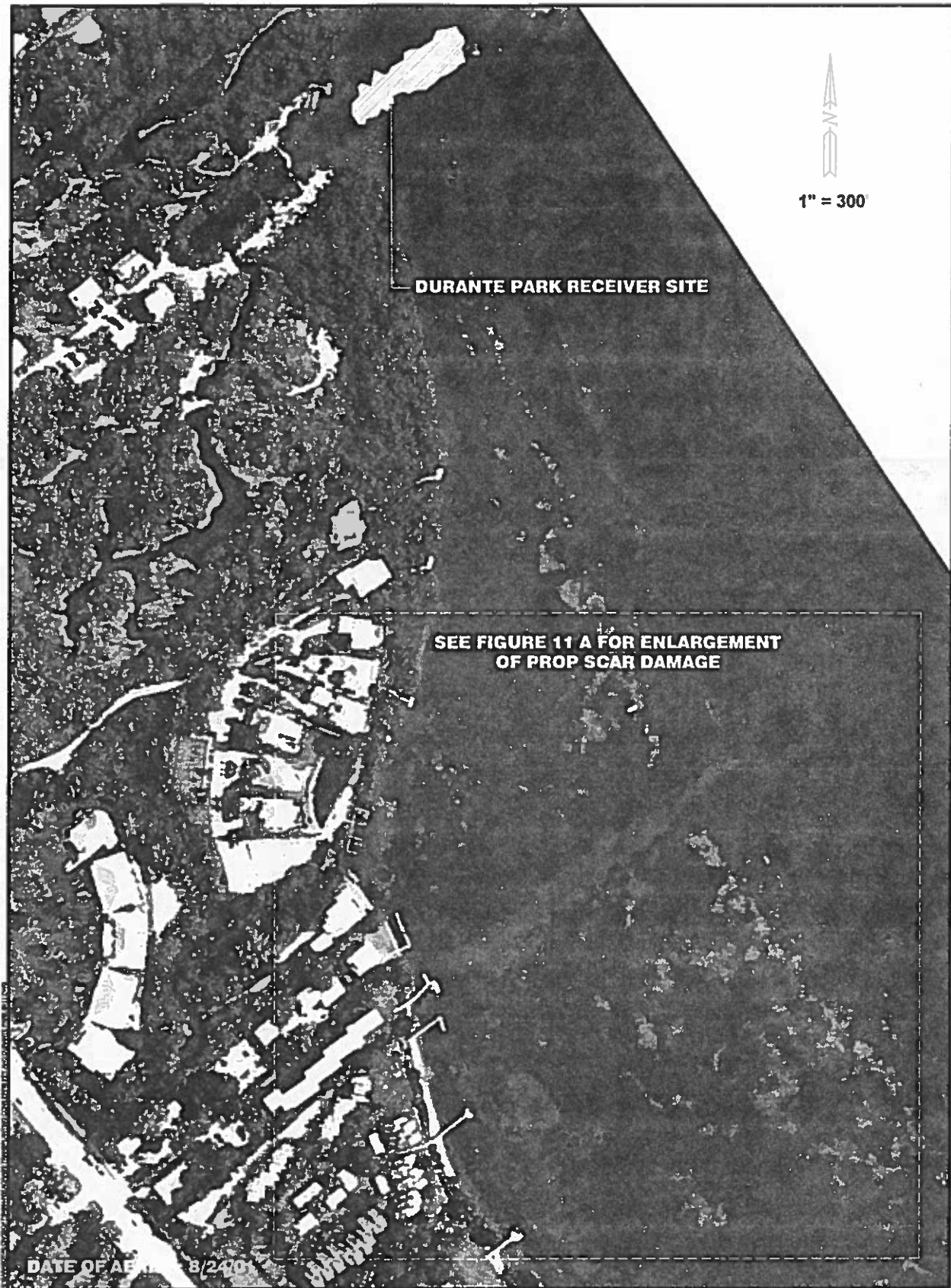
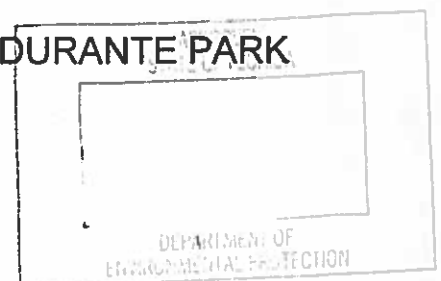


FIGURE 11

LOCATION MAP
PROP SCARRED SEAGRASS BED SOUTH OF DURANTE PARK

COASTAL PLANNING & ENGINEERING, INC.



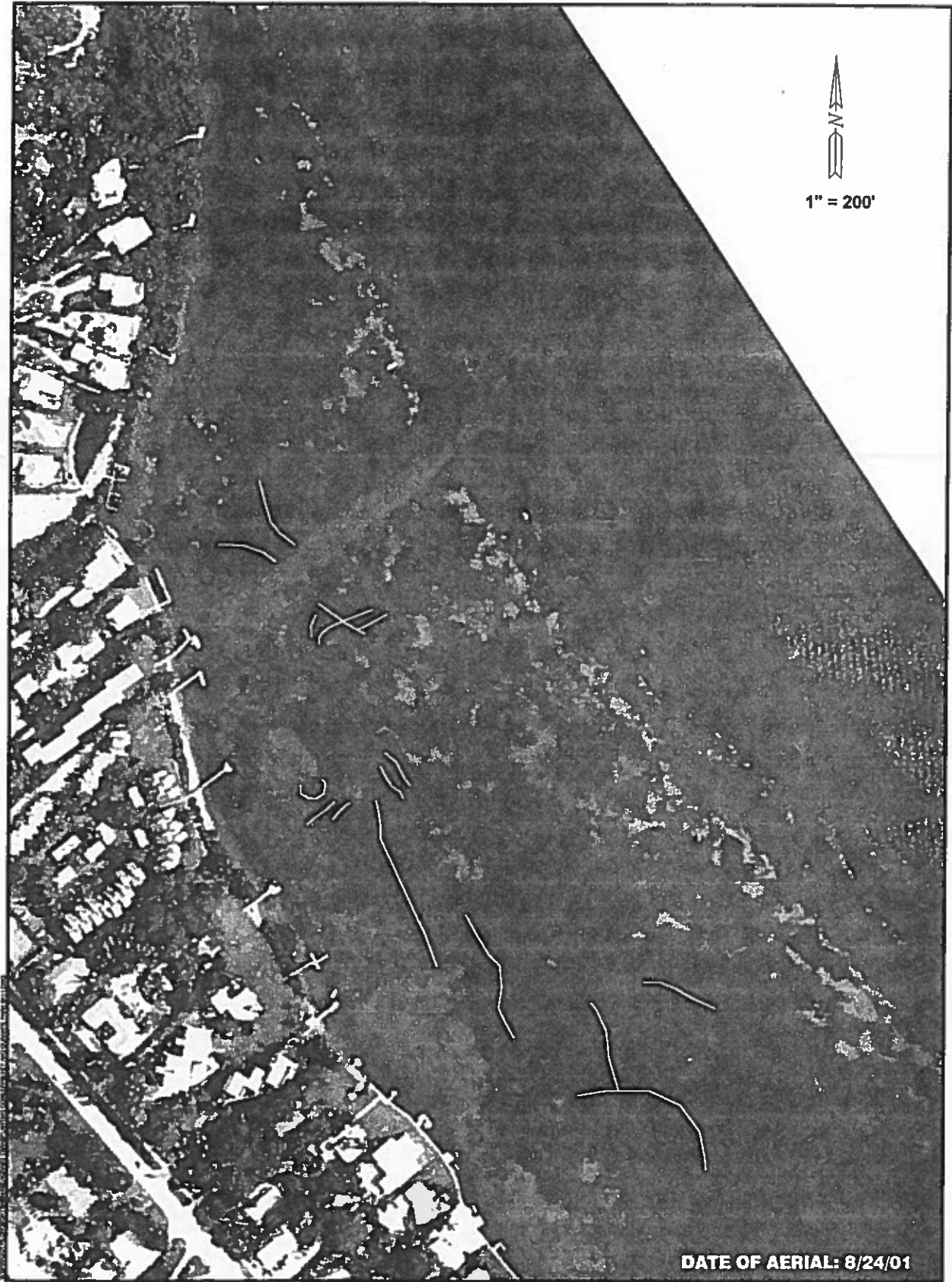
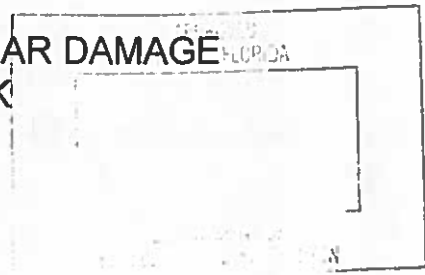


FIGURE 11 A

REPRESENTATIVE DIGITIZED PROP SCAR DAMAGE
SOUTH OF DURANTE PARK

COASTAL PLANNING & ENGINEERING, INC.



GENERAL CONDITIONS FOR FEDERAL AUTHORIZATION FOR SPGP III-R1

1. The time limit for completing the work authorized ends on December 17, 2003.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature and mailing address of the new owner in the space provided below and forward a copy of the permit to this office to validate the transfer of this authorization.
5. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Further Information:

1. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal projects.
2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
 - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or Construction deficiencies associated with the permitted work.
 - e. Damage claims associated with any future modification, suspension, or revocation of this permit.

3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 3 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CER 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFEEE-SIGNATURE)

(DATE)

(NAME-PRINTED)

(ADDRESS)

STANDARD MANATEE CONSTRUCTION CONDITIONS

1. The permittee shall instruct all personnel associated with the project of the potential presence of manatees and the need to avoid collisions with manatees. All construction personnel are responsible for observing water-related activities for the presence of manatee(s).

2. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act of 1972, the Endangered Species Act of 1973, and the Florida Manatee Sanctuary Act of 1978. The permittee and/or contractor may be held responsible for any manatee harmed, harassed, or killed as a result of construction activities.

3. Siltation barriers shall be installed and shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be monitored regularly to avoid manatee entrapment. Barriers shall not block manatee entry to or exit from essential habitat.

4. All vessels associated with the project shall operate at "no wake/idle" speeds at all times while in water where the draft of the vessel provides less than four feet clearance from the bottom and that vessels shall follow routes of deep water whenever possible.

5. If a manatee is sighted within 100 yards of the project area, all appropriate precautions shall be implemented by the permittee/contractor to ensure protection of the manatee. These precautions shall include the operation of all moving equipment no closer than 50 feet of a manatee. Operation of any equipment closer than 50 feet to a manatee shall necessitate immediate shutdown of that equipment. Activities will not resume until the manatee(s) has departed the project area of its own volition.

6. Any collision with and/or injury to a manatee shall be reported immediately to the "Manatee Hotline" at 1-800-DIAL-FMP (1-800-342-5367). Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-232-2580) for north Florida or Vero Beach (1-561-562-3909) in south Florida.

7. Temporary signs concerning manatees shall be posted prior to and during construction/dredging activities. All signs are to be removed by the lessee/grantee upon completion of the project. A sign measuring at least 3 feet by 4 feet which reads Caution: Manatee Area will be posted in a location prominently visible to water related construction crews. A second sign should be posted if vessels are associated with the construction, and should be placed visible to the vessel operator. The second sign should be at least 8 1/2 inches by 11 inches which reads:

Caution: Manatee Habitat. Idle speed is required if operating a vessel in the construction area. All equipment must be shutdown if a manatee comes within 50 feet of the operation. A collision with and/or injury to a manatee shall be reported immediately to the Florida Marine Patrol an 1-800-DIAL-FMP (1-800-342-5367) and the U.S. Fish and Wildlife Service at (1-904-232-2580) for north Florida or (1-561-562-3909) for South Florida.

8. ____ permanent manatee awareness sign(s) shall be installed and maintained at the docking facility. The sign shall be three feet by four feet, 125 gauge 61TS aluminum, covered with white, engineer grade, reflective sheeting; black, painted lettering; black screened design; and orange, engineer grade, reflective tape border. The 3 feet wide by 4 feet long sign shall conform to the Florida Uniform Waterway Marking System in accordance with F.S. 327.40-1. The installation of the sign shall be made in accordance with DEP specification for such signs.

9. Verification (photos) that signs have been installed at designated locations shall be provided to the FWS and the Corps before the docking facility begins operations. Signs and pilings remain the responsibility of the owner(s) and are to be maintained for the life of the docking facility in a manner acceptable to the Corps of Engineers.

**ENVIRONMENTAL RESOURCE PERMIT
 ANNUAL STATUS REPORT FORM**

Florida Department of Environmental Protection

Permit No. _____

County: _____

Project Name: _____

Phase: _____

The following activity has occurred at the above referenced project during the past year, between June 1, 19__ and May 30, 19__.

Permit Condition / Activity	% of Completion	Date of anticipated Completion	Date of Completion
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(Use Additional Sheets As Necessary)

Benchmark Description (one per major control structure):

 Print Name

 Phone

 Permittee's or Authorized Agent's Signature

 Title and Company

 Date

This form shall be submitted to the above referenced Department Office during June of each year for activities whose duration of construction exceeds one year.

**ENVIRONMENTAL RESOURCE PERMIT
AS-BUILT CERTIFICATION BY A REGISTERED PROFESSIONAL**

Permit Number: _____

Project Name: _____

I hereby certify that all components of this surface water management system have been built substantially in accordance with the approved plans and specifications and are ready for inspection. Any substantial deviations (noted below) from the approved plans and specifications will not prevent the system from functioning as designed when properly maintained and operated. These determinations are based upon on-site observation of the system conducted by me or by my designee under my direct supervision and/or my review of as-built plans certified by a registered professional or other appropriate individual as authorized by law.

Name (please print)

Signature of Professional

Company Name

Florida Registration Number

Company Address

Date

City, State, Zip Code

Telephone Number

(Affix Seal)

Substantial deviations from the approved plans and specifications:

(Note: attach two copies of as-built plans when there are substantial deviations)

Within 30 days of completion of the system, submit two copies of the form to:

ENVIRONMENTAL RESOURCE PERMIT INSPECTION CERTIFICATION

Permit Number: _____

Project Name: _____

Inspection Date(s): _____

Inspection Results: (check one)

____ I hereby certify that I or my designee under my direct supervision have inspected the system at the above referenced project and that the system appears to be functioning in accordance with the requirements of the permit and Chapter 373 F.S. (as applicable).

____ The following necessary maintenance was conducted:

____ I hereby certify that I or my designee under my direct supervision has inspected the system at the above referenced project and that the system does not appear to be functioning in accordance with the requirements of the permit and Chapter 373 F.S. (as applicable). I have informed the operation and maintenance entity of the following: (a) that the system does not appear to be functioning properly, (b) that maintenance is required to bring the system into compliance, and (c) if maintenance measures are not adequate to bring the system into compliance, the system may have to be replaced or an alternative design constructed subsequent to Department approval.

Name (please print)

Signature of Professional Engineer

Company Name

Florida Registration Number

Company Address

Date

City, State, Zip Code

Telephone Number

(Affix Seal)

Within 30 days of completion of the inspection, submit two copies of this form to the following Department Office:

Department of Environmental Protection

APPLICATION FOR TRANSFER OF ENVIRONMENTAL RESOURCE PERMIT AND NOTIFICATION
OF SALE OF A FACILITY OR SURFACE WATER MANAGEMENT SYSTEM

Permit No. _____ Date Issued _____ Date Expires _____

FROM (Name of Current Permit Holder): _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: (_____) _____

Identification or Name of Facility/Surface Water Management System: _____

Phase of Facility/Surface Water Management System (if applicable): _____

The undersigned hereby notifies the Department of the sale or legal transfer of this facility, or surface-water management system, and further agrees to assign all rights and obligations as permittee to the applicant in the event the Department agrees to the transfer of permit.

Signature of the current permittee: _____

Title (if any): _____ Date: _____

TO (Name of Proposed Permit Transferee): _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: (_____) _____

The undersigned hereby notifies the Department of having acquired the title to this facility, or surface-water management system. The undersigned also states he or she has examined the application and documents submitted by the current permittee, the basis of which the permit was issued by the Department, and states they accurately and completely describe the permitted activity or project. The undersigned further attests to being familiar with the permit, agrees to comply with its terms and with its conditions, and agrees to assume the rights and liabilities contained in the permit. The undersigned also agrees to promptly notify the Department of any future changes in ownership of, or responsibility for, the permitted activity or project.

Signature of the applicant (Transferee): _____

Title (if any): _____ Date: _____

Project Engineer Name (if applicable) _____

Mailing Address: _____

Telephone: (_____) _____