**Department of**

**Environmental Protection**

Jeb Bush

Governor

Marjory Stoneman Douglas Building

3900 Commonwealth Boulevard

Tallahassee, Fl orida 32399-3000

Colleen M. Castille

Secretary

**CERTIFIED - RETURN RECEIPT REQUESTED**

June 6, 2006

Robert Neal

Lee County Division ofNatural Resources

P.O, Box 398

Ft. Myers, FL 33902-0398

Permit Modification No. 0174403-004-EM Permit No. 0174403-001-JC, Lee County Gasparilla Island Beach Restoration

Dear Mr. Neal:

Your request to modify Permit No. 0174403-001-EM has been received and reviewed by Department staff. The proposed permit modification is to add a dune feature, remove approximately 45 derelict structures, move the site for the mitigation reef, and delete a portion of the contingency plan which refers to the south side of Gasparilla Island.

**PERMIT HISTORY**

Permit No. 0174403-001-JC was issued on March 15, 2002 to construct a beach fill project at

Gasparilla Island, between DNR Reference monuments R-10 and R-26, using approximately

920,000 cubic yards of sand from one offshore borrow area. A 550 foot rubble mound segmented breakwater will be constructed approximately 325 feet offshore from R-25, and two

200 foot sheet pile T-head groins will be constructed in the vicinity ofR-26 and approximately halfway between R-25 and R-26, on State Park Property. The activity includes a 10-year sovereign submerged lands public easement for the erosion control structures and the proposed borrow area. As mitigation for 0.85 acres of surf zone rock habitat that will be buried by this project, 0.9 acres ofhardbottom substrate (limestone boulders) will be placed near DEP Reference Monument R-11, directly offshore from the existing natural surf zone hardbottom, in

8.0 to 10.0 feet (NGVD) depth, with a 1.5-foot hardbottoril relief.

On March 18, 2002, the Department issued a variance from the provisions of Rule 62-

4.244(5)(c), F.A.C., for an expanded mixing zone extending 300 meters offshore and up to 2,400

"More *Protection,* Less *Process"*

*Printed on recyded paper.*

meters down current from the point of discharge, not to extend into the Gasparilla Sound - Charlotte Harbor Aquatic Preserve (Variance Number 0174403-002-EV).

On June 19, 2003, the Department issued Modification No. 0174403-002-JC to allow excavation of the borrow site to the depth of dredging originally requested in the permit application in order to ensure that a sufficient amount of sand is available for placement in the approved beach construction template, and increase the operational efficiency of the hydraulic dredge. The primary borrow site for this project covers approximately 90 acres within the boundaries of the originally approved borrow site and contains approximately 2.2 million cubic yards of sand, rather than 1.1 million cubic yards of sand as approved in the original permit.

On August 11, 2003, the Department issued Modification No. 0174403-003-JC to correct a discrepancy between the project description and the authorized excavation plan. The error in the dredge depths of the project description was corrected to reflect the authorized excavation plan depicted in the permit drawing.

JUSTIFICATION FOR MODIFICATION

The dune feature was added to account for erosional loss after the hurricane seasons of 2004. A continuous seawall fronts most of this area, and a dune feature will add protection and aid in stabilizing the beach. In addition, the removal of the derelict structures, including dog bone groins, debris, and wooden pilings, is necessary as these structures are no longer functioning, and their removal should supersede any nourishment activity. The mitigation reef site is being relocated in order to avoid a small hardbottom area that was recently discovered within the original mitigation reef placement area. The portion of the contingency plan that required remediation of any project-related impacts at the south end of Gasparilla Island is being deleted. The reason for this change is that the south end ofGasparilla Island is soon to be classified by the Department as critically eroded, and this erosion has occurred prior to the construction

authorized by this permit. Therefore, the permittee will not be held responsible for repairing pre­

existing damage.

STAFF ASSESSMENT

The Department recommends and may mandate the removal of any derelict structures, especially those that are located seaward of the ECL, prior to nourishment efforts.

In finding suitable locations for mitigation reefs, the Department requires the avoidance of existing hardbottom resources. The updated permit drawings included in this permit modification show the mitigation reeflocation.

The deletion of a portion of the required contingency plan, which required mitigation for any project-related impacts at the south end of Gasparilla Island, was requested because that area is already significantly eroded. This erosion is threatening the upland property, even before construction of the permitted structures. The Gasparilla Island shoreline adjacent to Boca Grande Pass is downdrift of the permitted erosion control structures. Specific Permit Condition #5 requires a contingency plan to mitigate any significant erosion to the downdrift Gasparilla Island shoreline attributable to the erosion control structures. However, since the structures did not cause the existing erosion problem, the permittee will not be held responsible for mitigating this loss of sand.

The Department recommends that Lee County should develop a beach management

strategy to address this significantly eroded area. Furthermore, the Department recommends that the permittee should evaluate alternatives to address the erosion conditions along the inlet shoreline. The contingency plan requirement for Cayo Costa will not be deleted from the permit.

Neither the Department nor the Florida Fish and Wildlife Conservation Commission (FWC) object to the dune addition. The FWC stated that it is important that the dune be constructed such that there are no low areas, or swales on the landward side of the dune that would be accessible to nesting turtles, as it is possible that they might be able to climb over the dune feature. The dune must be constructed so that it does not inadvertently create a "path" for turtles to move farther landward than the nesting beach. Some dune reconstruction conditions have

been added to the permit in this modification.

During their review of this application to modify the permit, the FWC restated their concern over the steep beach profile because of the potential to cause scarping. The applicant should be prepared to implement appropriate shorebird monitoring and protection measures if this project is constructed during the shorebird nesting season, from February through September. As the updated Incidental Take Authorization and Biological Opinion did not include any additional preconstruction monitoring conditions, no additional terms are needed to be included within this permit modification (Sp. Condition 22).

The project description shall be revised as follows (strikethrol:lghs are deletions, underlines are additions):

**PROJECT DESCRIPTION:**

Beach fill will be placed between DNR Reference monuments R-10 and R-26. The primary borrow area for this project covers approximately 90 acres within the boundaries of the originally approved borrow site and contains approximately 2.2 million cubic yards of sand. The project will use approximate 920,000 cubic yards of this material. The approved depth of dredging within each sub-area of the borrow site is

shown in the attached permit drawing. The depth of dredging for sub-area cuts 1 through

4 is -24.0 feet (NGVD) and for cut 5 is -20.0 feet (NGVD). The beach construction profiles will have a seaward slope of 1/10 and a berm width varying between 145 to 215

feet at elevations between 5 feet (NGVD) at the landward end of the berm and 4.2 feet at the seaward end of the berm. A two foot dune feature will be added in the northern project area, from R-17 north to approximately R10.5. A segmented breakwater will be located approximately 325 feet offshore from R-25, and two T-head groins will be constructed in the vicinity ofR-26 and approximately halfway between R-25 and R-26, on State Park Property. The breakwater, will consists of2 segments with a small gap, and it will be a rubble mound type structure. The total length of the combined breakwater segments is 550 feet with a crest elevation of3 feet (NGVD). The T-groins are to be constructed of sheet piles with a rock apron in the seaward side of the T-head

segments. The length of each T-head is 200 ft having a crest elevation of 2 feet (NGVD). The average size of the rock for the breakwater armor and T-groin aprons is 5 tons and 2 tons respectively. The rock will have a minimum density of 160 lb/ft3 for the breakwater armor and 155 lb/ft3 for the T-groin aprons.

The specific conditions shall be revised as follows:

SPECIFIC CONDITIONS:

5. Prior to issuance of a notice to proceed, the permittee shall submit a contingency plan to mitigate any significant erosion to the Eio:wndrift Gasparilla Islane shoreline attribatable to the erosion control strlietlifes or to the Cayo Costa shoreline attributable to the excavation of the ebb shoal borrow area as identified in the monitoring reports. The contingency plan shall identify the specific

shoreline changes and conditions by which the permitted activities will be deemed to have caused adverse impacts that trigger mitigation by the permittee. Corrective actions shall include the placement ofbeach fill material sufficient to restore and maintain the impacted shoreline through the next monitoring period and/or adjustment of the erosion control structures to alleviate the impacts to the

impacted shoreline.

22. Prior to initiating construction of either the nearshore breakwater or the t-head groins, the permittee shall receive authorization from the U.S. Fish & Wildlife Service for incidental take due to these structures. All terms ana coneitions inclaeee in the FWS's revises lfleidental TaJ(e Aathorization ana Biological Opinion shall be incorporates ieto this permit tflroagh a minor moeification. Any monitoring plans or experimental Eiesigns for marine tartles developee as part of the Ineieental Take aHthorization shall also be incorporates into this permit through a minor moeification.

23. Fill material shall be compatible with native sand both in grain size distribution and color. Sand sources shall be free from clay, marl, cobble or construction debris and shall not contain more than 5 percent fines by weight.

24. Planting of dune vegetation is authorized to occur during the marine turtle nesting season (May 1 through October 31) under the following conditions:

a. It is the responsibility of the permittee to ensure that the project area and access sites are surveyed for marine turtle nesting activity. All nest surveys, nest relocations.screening or caging activities, etc., shall be conducted only by persons with prior experience and training in these activities and is duly authorized to conduct such activities through a valid permit issued by FWC pursuant to Florida Administrative Code 68E-l. For information regarding whether the project beach is surveyed by qualified personnel, contact the Imperiled Species Management Section at (561) 575-5455.

b. Marine turtle nest surveys shall be initiated at the beginning of the nesting season or 65 days prior to installation of plants (whichever is later). Surveys shall continue until completion of the project or through September 15 (whichever is earliest). Surveys shall be conducted throughout the project area and all beach access sites.

c. Any nests deposited in an area not requiring relocation for conservation purposes (as determined by the marine turtle permit holder) or for the authorized beach nourishment project shall be left in situ. The marine turtle permit holder shall install an on-beach marker at any nest site and a secondary marker located at a point as far landward as possible to ensure that future location of the nest will be possible should the on-beach marker be lost. A series of stakes and survey ribbon or string shall be installed to establish an area of 3 feet radius surrounding the

nest. No planting or other activity shall occur within this area nor shall any

activity occur that might cause indirect impacts within this area. Nest sites shall be inspected daily to ensure nest markers have not been removed.

d. The use of heavy equipment (including trucks) is not authorized seaward of the dune crest or armoring structure except during the beach nourishment project. A lightweight (ATV style) vehicle, with tire pressures of 10 p.s.i. or less may operate on the beach.

e. Any vegetation planting or placement of irrigation materials that occur during marine turtle nesting season shall be installed by hand labor/tools.

f. Irrigation (if proposed) shall be entrenched 1 to 3 inches below grade so as not to pose a barrier to hatchlings and to all for easy removal. Irrigation piping shall avoid all marked nests by a minimum of ten (10) feet. The irrigation system shall be designed and maintained so that watering of the unplanted sandy beach does not occur. In the event a marine turtle nest is deposited within the newly established dune planting area, the permittee shall modify the irrigation system so that watering within 10 feet of the nest does not occur. Daily inspection of the irrigation system shall be accomplished by the permittee to ensure compliance

with this condition.

g. All activity shall be confined to daylight hours and shall not occur prior to the completion of all necessary marine turtle surveys and conservation activities within the project area during marine turtle nesting season. Nighttime storage of equipment or materials shall be off the beach (landward of the dune crest, existing seawalls or bulkheads).

h. In the event a nest is disturbed or uncovered during planting activity, the permittee shall cease all work and immediately contact the person(s) responsible for marine turtle conservation measures within e project area. If a nest(s) cannot

be safely avoided during construction, all activities within the affected project area

shall be delayed until complete hatching and emergence of the nest.

1. Existing native dune vegetation shall be disturbed only to the minimum extent necessary. Only native salt tolerant plant species are authorized to be installed.

Derelict structure Removal

25. Derelict structures on the beach shall be removed to a minimum depth of two (2) feet below the natural bottom contour, as shown on the drawings. When no contour is shown, elevations for the nearest profile at corresponding perpendicular ranges shall be used.

26. The Contractor shall be required to excavate a minimum often (10) feet surrounding the horizontal limits of the derelict structures, as defined by the County, to a minimum of two feet below the elevation of the natural bottom contour, as shown on the drawings. All derelict structures within the ten (10) foot radius shall be removed in accordance with this specification. The Contractor shall excavate an additional ten (10) feet beyond any derelict structure found, in accordance with this specification. Excavations shall be made in accordance with all applicable federal. state and local requirements.

27. The excavated structures shall be disposed of at an upland site, landward of the coastal construction control line. The beach shall be restored to its final grade condition upon completion of structure removal.

28. At no time shall the excavated area be unattended. Personnel shall be present to direct pedestrian traffic around excavated areas. Signage and warning systems shall also be used to inform beach users of potential hazards in the work area.

The following conditions are required to minimize impacts to shorebirds.

29. Shorebird Surveys. Shorebird surveys shall be conducted by trained, dedicated individuals (Shorebird Monitor) with proven shorebird identification skills and avian survey experience. Credentials of the Shorebird Monitor will be submitted to the FWC Regional Biologist for review and approval. Shorebird Monitors will use the following survey protocols:

a. Nesting Season Surveys. Shorebird Monitors should review and become familiar with the general information and data collection protocols outlined on the FWC's Beach-Nesting Bird Website ([http://myfwc.com/shorebirds/).](http://myfwc.com/shorebirds/%29) An outline of what data should be collected, including downloadable field data sheets, is available on the website.

1. The nesting season is generally 1 April - 1 September, but some nesting may occur through September. In addition, the imperiled snowy plover *(Charadrius alexandrinus)* may nest as early as February along the west coast and panhandle of Florida. Nesting season surveys shall begin on April 1 (or February 15 in snowy plover habitat) or 10 days prior to project commencement (including surveying activities

and other pre-construction presence on the beach), whichever is later, and be conducted daily throughout the construction period or through August if no shorebird nesting activity is observed.

n. Nesting season surveys shall be conducted in all potential beach­ nesting bird habitats within the project boundaries that may be impacted by construction or pre-construction activities during the nesting season. Portions of the project in which there is no potential for project-related activity during the nesting season may be excluded.

iii. Surveys for detecting new nesting activity shall be completed on a daily basis prior to movement of equipment, operation of vehicles, or other activities that could potentially disrupt nesting behavior or cause harm to the birds or their eggs or young.

IV. Surveys should be conducted by walking the length of the project area and visually inspecting, using binoculars or spotting scope, for the presence of shorebirds exhibiting breeding behavior.

v. If an ATV or other vehicle is needed to cover large project areas, the vehicle must be operated at a speed <6 mph, shall be run at or below the high-tide line, and the Shorebird Monitor shall stop at no greater than 200 meter intervals to visually inspect for nesting activity.

VI. Once breeding is confirmed by the presence of a scrape, eggs or young, the Bird Monitor shall notify the Regional Nongame Biologist of the FWC within 24 hours. All breeding activity shall be reported to the Beach-Nesting Bird website within one week of data collection.

vii. Observations of non-breeding shorebirds shall be reported to the

Shorebird-Seabird Occurrence Database, as described below.

b. Non-Breeding Shorebird Surveys. Data collected on non-breeding shorebirds should be compatible with, and reported to, the Shorebird-Seabird Occurrence Database ([http://myfwc.corn/shorebirdsD.](http://myfwc.corn/shorebirdsD)

1. Surveys for non-breeding shorebirds shall begin 14 days prior to construction commencement and be conducted once every 2 weeks for at least one year post-construction. Data collected during these

surveys shall provide valuable information on the use of nourished beaches to shorebirds.

n. Survey for non-breeding shorebirds shall include all potential shorebird habitat within the project boundary.

iii. Data shall be entered into the database within one month of collection.

30. Buffer Zones and Travel Corridors. Within the project area, the permittee shall establish a 300 ft-wide buffer zone around any location where shorebirds have been engaged in nesting behavior, including territory defense. Any and all

construction activities, including movement of vehicles, shall be prohibited in the buffer zone.

a. The width of the buffer zone shall be increased ifbirds appear agitated or disturbed by construction or other activities in adjacent areas.

b. Site-specific buffers may be implemented upon approval by FWC as needed. Reasonable and traditional pedestrian access should not be blocked

where nesting birds will tolerate pedestrian traffic. This is generally the case with lateral movement ofbeach-goers walking parallel to the beach at or below the highest tide line. Pedestrian traffic may also be tolerated when nesting was initiated within 300 feet of an established beach access pathway. The permittee shall work with FWC staffto determine if pedestrian access can be accommodated without compromising nesting success.

iii. Designated buffer zones shall be posted with clearly marked signs around the perimeter. If pedestrian pathways are approved within the

300-foot buffer zone, these should be clearly marked. These markings shall be maintained until nesting is completed or terminated. In the case of solitary nesters, nesting is not considered to be completed until all chicks have fledged.

tv. No construction activities, movement of vehicles, or stockpiling of equipment shall be allowed within the buffer area.

v. FWC-approved travel corridors shall be designated and marked outside the buffer areas. Heavv equipment, other vehicles, or pedestrians may transit past nesting areas in these corridors. However, other activities such as stopping or turning, shall be prohibited within the designated travel corridors adjacent to the nesting site.

vt. Where such a travel corridor must be established within the project area it should avoid critical areas for shorebirds (known nesting sites, wintering grounds, FWC-designated Critical Wildlife Areas, and USFWS-designated critical piping plover habitat) as much as possible, and be marked with signs clearly delineating the travel corridor from the shorebird buffer areas described above.

vii.To the degree possible, the permittee should maintain some activity within these corridors on a daily basis, without directly disturbing any shorebirds documented on site or interfering with sea turtle nesting,

especially when those corridors are established prior to commencement of construction. Passive methods to modify nesting site suitability must be approved by FWC Regional Nongame Biologist for that region.

c. **Notification.** If shorebird nesting occurs within the project area, a bulletin board shall be placed and maintained in the construction area with the location map of the construction site showing the bird nesting areas and a warning, clearly visible, stating that "BIRD NESTING AREAS ARE PROTECTED BY THE FLORIDA THREATENED AND ENDANGERED SPECIES ACT AND THE STATE and FEDERAL MIGRATORY BIRD ACTS".

d. **Beach Contours.** All tilling and scarp removal should be done outside the shorebird nesting season. It is the responsibility of the contractors to avoid tilling or scarp removal in areas where nesting birds are present.

1. A relatively even surface, with no deep ruts or furrows, shall be created during tilling. To do this, chain-linked fencing or other material shall be dragged over those areas as necessary after tilling.

11. The slope between the mean high water line and the mean low water line shall be maintained in such a manner as to approximate natural slopes.

e. **Placement of Equipment and Sand.** If it will be necessary to extend construction pipes past a known shorebird nesting site or over-wintering area for piping plovers, then whenever possible those pipes should be placed landward of the site before birds are active in that area. No pipe or sand shall be placed seaward of a known shorebird nesting site during the shorebird nesting season.

After thorough review of your application, staff finds that the proposed modification is not expected to adversely affect water quality or be contrary to the public interest. Staff has also determined that the proposed alteration does not increase the potential for adverse impact on the coastal system, public beach access seaward of the mean high water line or nesting sea turtles and hatchlings and their habitat, and that the proposed alteration does not reduce the design adequacy of the project. Since the proposed modification is not expected to result in any adverse environmental impact or water quality degradation, the **permit is hereby modified** as stated above. By copy of this letter and the attached drawings, we are notifying all necessary parties of the modifications.

This letter of approval does not alter the **March 15, 2012** expiration date, other Specific or General Conditions, or monitoring requirements ofthe permit. This letter and the accompanying drawings must be attached to the original permit. All permit drawings are to be replaced with

this modification. The 18 revised drawings shall be labeled "Modification 0174403-004-EM".

This permit is hereby modified unless a sufficient petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, Florida Statutes, as provided below. The procedures for petitioning for a hearing are set forth below. Mediation under Section 120.573, F.S., is not available for this proceeding.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in further modification of the permit or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this permit modification automatically becomes only proposed agency action on the application subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities under this permit modification until the deadlines noted below for filing a petition for an administrative hearing or request for an extension of time has expired.

Under Rule 62-110.106(4), Florida Administrative Code, a person whose substantial interests are affected by the Department's action may also request an extension oftime to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension oftime before the deadline was the result of

excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the

discretion of the presiding judge upon the filing of a motion in compliance with Rule 28-

106.205, F.A.C.

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt ofthis written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section

120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of

receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

In accordance with Rule 28-106.201, F.A.C., a petition that disputes the material facts on which the Department's action is based must contain the following information:

(a) The name and address of each agency affected and each agency's file or identification number, if known;

(b) The name, address, and telephone number of the petitioner; the name, address,

and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;

(c) A statement of when and how the petitioner received notice of the agency decision;

(d) A statement of all disputed issues of material fact. If there are none, the petition

must so indicate;

(e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;

(t) A statement of the specific rules or statutes that the petitioner contends require

reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and

(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This permit modification constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, F.S., by the filing of a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department

in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within

30 days from the date when the final order is filed with the Clerk of the Department.

When there has been no publication of notice of agency action or notice of proposed agency action as prescribed in Rule 62-110.106, F.A.C., a person may request a copy of the agency action. The Department shall upon receipt of such a request, if agency action has occurred, promptly provide the person with notice. The Department does not require notice of this agency action to be published. However, the applicant may elect to publish notice as prescribed in Rule

62-110.106, F.A.C., which constitutes notice to the public and establishes a time period for

submittal of any petition.

If you have any questions regarding this matter, please contact Lainie Edwards at the letterhead address (add Mail Station 300) or by telephone at (850) 414-7796.

Martin K. Seeling

Environmental Administrator

Bureau ofBeaches & Coastal Systems

MKS/le

Attachments: 18 permit drawings

cc: Ken Humiston, Humiston and Moore Engineers

Steve Boutelle, Lee County

Lucy Blair, DEP, South District

Jennie Cowart (Field Eng.), DEP, BBCS

Robbin Trindell, FWC, Imperiled Species Management Section

Keith Mille, FWC, Div. of Marine Fisheries, Artificial Reef Program

Mike Nowicki, USACE Jacksonville

Harry Bergmann, USACE Rebecca Roland, BBCS Robert Brantly, BBCS

Jim LaGrone, BBCS

BBCS Permit File

**FILING AND ACKNOWLEDGMENT**

FILED, on this date, pursuant to Section 120.52, Florida Statutes, with the designated

Department Clerk, receipt of which is hereby acknowledged.

Deputy Clerk Date