

APPENDIX E-CORRESPONDENCE

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION



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ALLAN L. EGBERT, Ph.D., Executive Director
VICTOR J. HELLER, Assistant Executive Director

DIVISION OF LAW ENFORCEMENT
COLONEL ROBERT L. EDWARDS, DIRECTOR
LT. COLONEL JIM MCCALLISTER, DEPUTY DIRECTOR
LT. COLONEL DON HOLWAY, DEPUTY DIRECTOR
(850)488-6251 TDD (850)488-9542

January 21, 2002

Mr. James C. Duck, Chief
Planning Division
United States Army Corps of Engineers
Post Office Box 4970
Jacksonville, Florida 32232

TRANSMITTED VIA ELECTRONIC MAIL
PAGE 1 OF 2

ATTENTION: Ms. Tracy Leeser

RE: Hernando Beach Channel

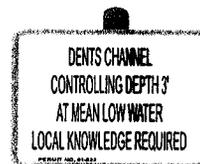
Dear Mr. Duck:

Thank you for your letter dated October 24, 2001. I apologize for the untimely response as it appears that your correspondence was inadvertently placed with other correspondence.

I have reviewed your request and offer the following information. The Boating Safety & Waterway Management Section does not keep information on the privately maintained channel referenced in your letter. That information is kept by the respective county, in this case Hernando County, specifically, the Hernando County Parks & Recreation Department. My contact is: Ms. Pamela Harris, Administrative Secretary; 20 North Main Street - Room 260; Brooksville, Florida 34601, (352-754-4027)

I would also suggest that you contact Mr. Joe Embres, United States Coast Guard, 909 S. E. 1st Avenue, Miami, Florida 33131 (305-415-6730). Mr. Embres' shop handles all requests for the placement of private aids to navigation and might be able to provide you with the type information you are requesting.

In answer to your questions concerning the placement of uniform waterway markers, I have included a copy of our waterway marker application. This application is quite straight forward and should be completed and returned to me as well as the USCG (address above), and Mr. Harry Michaels, Florida Department of Environmental Protection, 3804 Coconut Palm Drive, Tampa, Florida 33619. Informational type markers (immediate right) do not require an ordinance. Regulatory markers (i.e., speed, exclusion, no entry, etc.) (far right) do require an ordinance.



Mr. James C. Duck, Chief
January 21, 2002
Page Two

ATTENTION: Ms. Tracy Leeser

It would also be suggested that any signage regarding Seagrass be kept to a minimum as it has been noted that many vessels will stray into an area, just to "see what the sign(s) say". I concur with your thoughts on a kiosk at boat ramp(s) in the area and the restriction of vessels within the actual area of concern.

I hope this may answer some questions and again, I apologize for the mistake regarding your request. Should you have any questions, do not hesitate to contact me at 850-410-0656, extension 169.

Sincerely,



Ms. Tara Alford, Planner
Boating Safety & Waterway
Management Section
Division of Law Enforcement

/tra

cc: Ms. Pam Harris, Hernando Co.
TARA2000\ATNHERNANDO1.WPD

Mr. Joe Embres, USCG

FWCC File No. _____	FLORIDA UNIFORM WATERWAY MARKER APPLICATION <i>Office of Boating Safety & Waterway Management</i>	FWCC Status: _____
1. Date: _____	2. Action Requested: A. <input type="checkbox"/> Establish Boating Restricted Area B. <input type="checkbox"/> Permit to Place & Maintain Uniform Waterway Marker(s) C. <input type="checkbox"/> Change/Amend FUWM Permit # D. <input type="checkbox"/> Discontinue Request or Repeal Existing Permit # E. <input type="checkbox"/> Transfer of Ownership	
3. Name of Affected Waterway(s): _____	4. Locality: City _____ County _____	5. Intracoastal Waterway: <input type="checkbox"/> Yes <input type="checkbox"/> No
6. Type of Regulatory, Special Purpose, or Other Buoy UMW(s) Requested (check all that apply) :		
<input type="checkbox"/> Slow Speed Minimum Wake <input type="checkbox"/> Resume Normal Safe Operation <input type="checkbox"/> Danger <input type="checkbox"/> Mooring Buoy <input type="checkbox"/> Idle Speed No Wake <input type="checkbox"/> Vessel Exclusion <input type="checkbox"/> Information <input type="checkbox"/> Other (specify) _____ <input type="checkbox"/> Speed Zone _____ MPH <input type="checkbox"/> Special Marine Event <input type="checkbox"/> Aid to Navigation _____		
7. Applicant: _____	8. Person Responsible For Placement & Maintenance of UMW (s)	
Applicant Name: _____	Name: _____	
Contact Person: _____	Title: _____	
County: _____	Address w/zip code: _____	
Address w/zip code: _____	Phone: () - ext. SunCom: - Fax #: () - E-MAIL ADDRESS: _____	
E-MAIL ADDRESS: _____	10. Local Governmental Action Establishing Boating Restricted Area: Ordinance # _____ Date / / Rule # _____ Date / /	
9. Hold Harmless Agreement (<i>Nongovernmental applicants only</i>) The applicant, to the extent authorized by law, agrees and promises to hold harmless the State of Florida, its employees, agents or successors, from fault with respect to any claim or claims arising from alleged negligence in the placement, maintenance, operation, and removal any and all marker signs placed by the applicant pursuant to this permit. Applicant further agrees to indemnify the State of Florida for any and all legal fees and costs incurred in defense of any suit brought against the State as a result of alleged negligence by the applicant in the placement, maintenance, operation, or removal of the marker signs. Authorized Signature: _____ Print Name: _____ Title: _____	Other Agency Permits/Approval: <input type="checkbox"/> Florida Fish & Wildlife Conservation Commission _____ / ____ / ____ <input type="checkbox"/> United States Coast Guard (USCG) _____ / ____ / ____ <input type="checkbox"/> Army Corps of Engineers (USCOE) _____ / ____ / ____ <input type="checkbox"/> Florida Department of Environmental Protection (DEP) _____ / ____ / ____	<i>If you have any questions concerning this application, please contact:</i> Waterway Marker Planner Office of Boating Safety & Waterway Management Section 620 South Meridian Street Tallahassee, Florida 32399 850-488-5600 facsimile 850-488-9284 or via e-mail to: alfordt@gfc.state.fl.us <i>All completed applications should be forward to same address.</i> <i>All permits must be received by the applicant prior to installation of any marker(s), unless otherwise directed by the Boating Safety & Waterway Management Section. Failure to obtain a permit prior to posting markers is a 2nd degree misdemeanor, which could result in 60 days in jail, a \$500 fine or both.</i>
Your application package for placement of regulatory markers must include: 1. A certified copy of the city/county ordinance, (only required for regulatory markers), 2. A map of the body of water with the approximate location of each marker(s), 3. The latitude/longitude coordinates (degrees, minutes, seconds) of each marker(s), 4. The name and telephone number of the individual(s) responsible for placement and maintenance of marker(s).		

U.S. Department
of Transportation

United States
Coast Guard



Commanding Officer
U. S. Coast Guard
Marine Safety Office Tampa

155 Columbia Drive
Tampa, FL, 33606
Staff Symbol:
Phone: (813) 228-2194 x111
FAX: (813) 228-2445

16722
December 13, 2001

Department of the Army,
Jacksonville District Corp of Engineers
Planning Division,
Plan Formulation Branch, Navigation Section
P.O. BOX 4970
Jacksonville, FL 32232-0019

Dear Mrs. Leaser:

This is in reply to our telephone conversation of December 11, 2001, and your letter dated October 24, 2001 in which you requested information concerning our views on navigation safety, ship maneuverability, traffic management and operation restrictions for Hernando Beach Channel, Hernando Beach, FL. In our telephone conversation you indicated that some sixty-five (65) Commercial Vessels (Fishing Trawlers) utilize the northeast most portion of Minnow Creek Channel for access to a parallel stretch of road that provides unloading access. These same Fishing Vessels share access with numerous recreational boaters that also use the Hernando Beach Channel. These vessels must coordinate one-way traffic due to the narrow width and shallow depth restrictions of 4 feet MLW of the Hernando Channel; thus, making it a difficult channel to transit. To date, this office is not aware of any commercial vessel groundings, collisions, allisions, or fatalities in this area.

I would recommend contact the Florida Fish, Wildlife Conservation Commission (formerly Florida Marine Patrol and Florida Fish and Game) to see if their recreational casualty records show any problems in this area. Please feel free to contact me if you have any further questions, or if I can be of any assistance.

Sincerely,

A handwritten signature in cursive script that reads "M.H. Haynie".

M.H. HAYNIE

LTJG, U. S. Coast Guard

Investigating Officer

By direction of the Commanding Officer



Manny Iglesias, Flotilla Commander
Flotilla 15-8
14115 Scrub Oak Lane
Brooksville, FL 34613

7 November 2001

Mr. James C. Duck
Planning Division, Plan Formulation Branch
Navigation Section, Department of the Army
Jacksonville District Corps of Engineers
P.O. Box 4970
Jacksonville, FL 32232-0019

SUBJECT: Channel Safety, Hernando Beach Channel

Dear Mr. Duck,

In response to your letter dated 24 October 2001.

I am not aware of any collisions or accidents that have taken place in the Hernando Beach Channel in recent history. I do know of two instances where vessels were forced out of the channel due to strong winds and grounded. Both vessels were more than 30 feet long.

I am aware that portions of the channel present hazards to boaters. One hazard is the narrowness of the channel, which becomes very prominent when the commercial fishing vessels are traversing the channel. We have received many complaints from boaters, who state, that they were forced out of the channel due to its narrowness when encountering a commercial fishing vessel. Another hazard is the blind bends in the channel. The third hazard is a rock within the channel at Marker #52. A vessel traversing the channel with a draft of 30 inches or more will strike this rock if the water level is one foot above MLLW.

I hope this information is helpful.

Sincerely


Manny Iglesias
Auxiliary Flotilla Commander
U.S. Coast Guard Auxiliary

TO: William Sloan
Chairman
Hernando County Port Authority

3 November 2001

FR: Hernando County
Marine Industry Council

RE: H.B. Channel Project

Sir;

As per our telephone conversation. For the channel project to benefit the fishermen and commercial interest in Hernando Beach, the width and depth of the new channel cannot be less than 75' width and a depth of 6' at mean low tide.

At first the project was to be 100' by 8'. A year later a compromise was reached that reduced the project to 75'X6' at low mean tide. It was to be dredged to 8' and allow for 2' of silt for a depth of 6'.

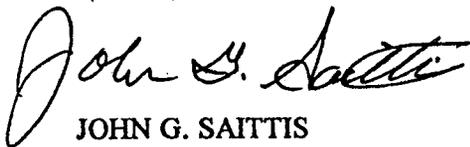
We have informed Army Corps in several conversations and meetings that, anything less would not benefit the commercial fishermen as many of our vessels have a draft of five feet. Many sail boats in the County exceed that draft.

The Hernando County marine Industry Council feels that anything less would compromise what was to be a deeper, more direct and safer channel. Any further reduction in the project would adversely affect commercial fishing in the County and would be detrimental to the growth of property values.

We strongly urge the Port Authority to inform County Government and the Army Corps of Engineers against such a reduction in the size and scope of this project. It would hurt our industry and anger property owners as well. We pioneered this project in 1994 and have been instrumental in bringing the Army Corps here. Our cooperation with Federal and State agencies has brought us to this point. We are confident that Port Authority and County Government will realize that Hernando Beach will not reach its potential without it. We must plan for the future, not expedience or political correctness.

We are daily engaged in this Nation's most dangerous occupation. We are committed to improving marine safety in Hernando County and safeguarding our crews and their families. We will work with Port Authority and continue to work with the Army Corps to achieve that end. We will not however, participate in attempts to dilute this landmark project and compromise the safety of our fleet.

BEST REGARDS



JOHN G. SAITTIS
CHAIRMAN

cc: Jacksonville District, Army Corps of Engineers.

Hernando County Marine Industry Council brief Summary

The HCMIC was founded on March 10 1999, in response to efforts by then County Commissioner Paul Sullivan, his wife and a small but hard corps group of followers to disrupt and eventually eradicate commercial fishing and other marine enterprises, in favor of their ideas of an upscale waterfront community with only the right people.

While the so called alliance did succeed in driving commercial fishing vessels from docking in residential areas, the Council succeeded in driving Paul Sullivan from office through their Political Action Committee.

Since its conception the Council has assisted US Coast Guard in implementing its inspection program for commercial fishing vessels. The inspection program hosted by the Council has been termed "A show case example of cooperation and implementation". By the Commercial Fishing Vessel Examiners office, MSO Tampa. Our vessels are used to train vessel examiners in Gulf Central Florida.

Prior to its conception, Council members worked in coordination with the Port Authority in inviting and hosting Army Corps to Hernando County and the Beach area. This took place in 1994 and since then Hernando County Fishermen and the Council have worked with Army Corps and State and County agencies to expedite The H.B. Dredge project.

In 1999 the Council became a Florida non profit corporation. It held several charity drives for the benefit of commercial fishermen and their families with health and financial problems. In October 2000 the Chairman of the Council was a guest speaker at the National work Boat and Fishing EXPO in Providence Rhode Island and has affiliated with other Fishing and Marine organizations in the US. The Council leads the Country in protecting fishing ports from developers and other interests with an eye to taking over our commercial waterfront real estate holdings and relocating our fleets to other areas.

The founding Members : John G. Saittis Chairman, James R. Bradley Vice Chairman, Chuck Brookins Treasurer and William Walker Secretary.

Present membership; 78. Address: 4389 4th Isle Drive, Hernando Beach Florida. 34607

352 596 4206 Voice. 352 596 3776 FAX



Jeb Bush
Governor

Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

David B. Struhs
Secretary

Please respond to:
Division of State Lands
Bureau of Survey and Mapping
Mail Station 108
(850) 488-8123

June 27, 2001

01 JUL -9 11 01:35
COMMISSIONER OF ENVIRONMENTAL PROTECTION

Mr. Charles "Pat" Fagan
Parks and Recreation Director
Board of County Commissioners
20 North Main Street, Room 260
Brooksville, Florida 34601-2849

Dear Mr. Fagan:

This is in response to your letter of June 5, 2001, requesting a determination of ownership interest the State of Florida may have in Spoil Islands off the Hernando Beach Channel in Section 11, Township 23 South, Range 16 East, Hernando County.

Examination of records on file in the Title and Land Records Section of the Bureau of Survey and Mapping indicates the State of Florida would assert ownership to the submerged lands below the mean high water line, including spoil islands, by virtue of sovereignty. The spoil islands and channel are subject to Board of Trustees of the Internal Improvement Trust Fund Easement No. 26416(3306-27) to the Hernando County Port Authority. A copy of the easement is attached for your information.

Since the accuracy and completeness of the title information reviewed may vary and rely only on records we currently have in our central repository, the conclusions and determinations set forth herein do not constitute a legal opinion of title and should not be relied upon as such.

Should you have questions regarding this determination, please contact Sandra Harris, Planning Manager at the letterhead address or phone number indicated above.

Sincerely,

Terry E. Wilkinson, Chief
Bureau of Survey and Mapping
Division of State Lands

TEW/sh
Attachment
F:\TITLE\SANDRA\2ndqtr2001\hernandobeachchannel.doc

"More Protection, Less Process"

Printed on recycled paper.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

EASEMENT

NO. 26416 (3306-27)

WHEREAS, pursuant to application made by Hernando County Port Authority for a submerged land easement on and across sovereignty lands held by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, acting pursuant to its authority set forth in Section 253.03, Florida Statutes, and said Board did on this 13th day of October, A.D. 1983, agree to the granting of same:

THEREFORE, WITNESS THIS INDENTURE, made and entered into by and between the BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND, as GRANTOR, and HERNANDO COUNTY PORT AUTHORITY as GRANTEE. The Grantor hereby grants unto said Grantee, its successors, and assigns, subject to the conditions hereinafter set forth, a submerged land easement for channel extension as shown on the attached plan and Department of Environmental Regulation permit application number 27-61315-3E dated October 12, 1982 attached hereto as Exhibit "A" and made a part hereof, on, under and across the following described sovereignty land in Hernando County, Florida to-wit:

(SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "B" AND MADE A PART HEREOF)

THIS EASEMENT IS FOR A TERM OF 30 YEARS FROM THE EFFECTIVE DATE HEREOF. THE TERMS AND CONDITIONS UNDER WHICH THIS EASEMENT IS GRANTED ARE AS FOLLOWS:

1. The rights hereby conferred shall be subject to (a) any and all prior rights of the United States; and (b) any and all prior grants by the Board of Trustees of the Internal Improvement Trust Fund in and to submerged lands situated within the limits of the right-of-way hereinabove described.

2. The Easement granted to the named Grantee shall not be transferred without prior consent of the Board.

3. The Grantee agrees that upon expiration of this easement, all permission granted for a channel extension upon the hereinabove described lands shall cease and terminate, the Grantee shall remove all structures and equipment occupying said lands and erected thereon at the Grantee's expense.

4. That no title to said land is conferred by this instrument.

5. That the above described parcel of land shall be used solely for construction and maintenance of a channel extension. In the event the land herein described shall cease to be used for said purposes, then the easement hereby granted covering said land shall terminate without notice from the Board of Trustees of the Internal Improvement Trust Fund.

6. That the Grantee herein will not damage said lands or unduly interfere with public or private rights therein.

7. That the Grantee herein shall save, protect, and hold harmless the State of Florida and the Board of Trustees of the Internal Improvement Trust Fund from all damages and claims arising out of the use of said easement by the Grantee or any of its agents, servants, employees, or contractors.

8. The Grantee hereby agrees that the above-described parcel of land shall be subject to inspection by the Grantor or its designated agent at any reasonable time.

9. That the Grantee, by acceptance of this easement, binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth, and said provisions and conditions shall be deemed covenants of the Grantee, its successors and assigns, running with the land. In the event the Grantee fails or refuses to comply with the provisions and conditions herein set forth, or in the event the Grantee violates any of the provisions and conditions herein, this easement may be terminated by the Grantor after notice in writing to the Grantee. Upon receipt of such notice the Grantee shall undertake to correct such

noncompliance(s) or violation(s) for which the Grantor has given notice within thirty (30) days of receipt of the notice or the Grantor, at its option, shall be entitled to terminate this easement and, if terminated, all of the above-described parcel of land shall revert to the Grantor.

10. The Administrator of the Submerged Lands Section of the Bureau of State Lands Management is designated Contract Manager for this contract and shall be responsible for ensuring performance of contract terms and conditions.

TO HAVE AND TO HOLD said easement unto said Grantee, its successors and assigns, for the purposes herein set forth.

IN TESTIMONY WHEREOF, the lawfully designated agent of the Board of Trustees of the Internal Improvement Trust Fund has hereunto subscribed his name and has caused the official seal of the Board of Trustees of the Internal Improvement Trust Fund to be hereunto affixed, in the City of Tallahassee, Florida, on this 13th day of October A.D. 1983, the effective date hereof.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND



BY [Signature]
DIRECTOR, DIVISION OF STATE LANDS
AGENT FOR THE BOARD OF TRUSTEES
OF THE INTERNAL IMPROVEMENT TRUST
FUND

APPROVED AS TO FORM AND LEGALITY

[Signature]
Attorney

[Signature]
Contract Manager

Contract Administrator

This instrument was prepared by:
Gloria C. Watson
Department of Natural Resources
3900 Commonwealth Blvd.
Tallahassee, Florida 32303

EXHIBIT "B"

LEGAL DESCRIPTION

A parcel of land to be used as an easement for the construction of a 60 foot wide channel and spoil bank, said easement lying 30 feet to the South and 270 feet to the North of the following described centerline, said centerline being the centerline of Tarpon Canal and the 60 foot channel to the West.

COMMENCING at the Northeast corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of SECTION 12, TOWNSHIP 23 South, RANGE 16 East, HERNANDO County, Florida, run thence S $00^{\circ}34'30''$ E along the East line of said SECTION 12 a distance of 2170.05 feet; thence run West a distance of 325.00 feet; thence run N $00^{\circ}34'30''$ W a distance of 1115.00 feet; thence run West a distance of 4211.42 feet to the end of Tarpon Canal; thence run the following courses:

West	-	438.29 feet
S $42^{\circ}33'33''$ W	-	425.47 feet
S $56^{\circ}49'38''$ W	-	274.64 feet
N $76^{\circ}13'46''$ W	-	251.89 feet
N $56^{\circ}34'31''$ W	-	439.91 feet
N $41^{\circ}43'02''$ W	-	491.64 feet
N $60^{\circ}07'58''$ W	-	507.67 feet
S $79^{\circ}44'17''$ W	-	752.05 feet
S $67^{\circ}30'17''$ W	-	591.53 feet
S $59^{\circ}56'24''$ W	-	164.12 feet
N $73^{\circ}14'58''$ W	-	3576.50 feet
N $38^{\circ}07'30''$ W	-	1281.33 feet
N $38^{\circ}28'50''$ W	-	801.56 feet
N $48^{\circ}03'05''$ W	-	2869.80 feet

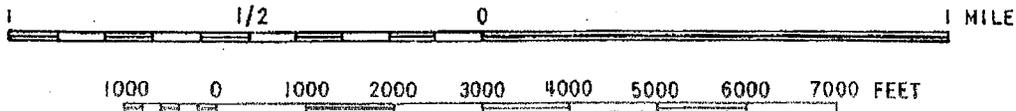
to the POINT OF BEGINNING; thence run N $52^{\circ}06'00''$ W a distance of 2452.24 feet; thence run N $61^{\circ}31'40''$ W a distance of 833.35 feet to the POINT OF TERMINUS of said easement.

Containing 17.722 acres, more or less.





SCALE 1:24,000



DATE OF PHOTOGRAPHY: 1972 - 73

From: Gary Burcaw <gburcaw@tampabay.rr.com> on 06/25/2001 02:01 AM
To: Tracy T Leeser/CESAJ/SAJ02@CESAJ
cc:
Subject: Hernando beach channel

Dear Tracy

I was unable to attend the meeting last week but I did watch it on cable Saturday morning. I was shocked to find out the army has abandoned the tax payers of hernando county.

I have a bad feeling the county commissioners have also.

Please don't build the beach you propose, because how will anybody get to it.

Build up our spoil islands. They are man made, and have created a habitat for many marine animals that would not have been their without us.

My son camps on one of those Islands and raccoons steel there food, so don't let that stop you from building more habitat. Birds can fly.

Give us 10% more.

The True ecologists and home owners of hernando beach.

Thank you

Gary Burcaw



An Equal Opportunity Employer

Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)
On the Internet at: WaterMatters.org

Tampa Service Office
7601 Highway 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)
SUNCOM 578-2070

Bartow Service Office
170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)
SUNCOM 572-6200

Venice Service Office
115 Corporation Way
Venice, Florida 34292-3524
(941) 486-1212 or
1-800-320-3503 (FL only)
SUNCOM 526-6900

Lecanto Service Office
3600 West Sovereign Path
Suite 226
Lecanto, Florida 34461-8070
(352) 527-8131
SUNCOM 667-3271

Ronnie E. Duncan
Chair, Pinellas

Thomas G. Dabney, II
Vice Chair, Sarasota

Janet D. Kovach
Secretary, Hillsborough

Watson L. Haynes, II
Treasurer, Pinellas

Edward W. Chance
Manatee

Monroe "Al" Coogler
Citrus

Maggie N. Dominguez
Hillsborough

Pamela L. Fentress
Highlands

Ronald C. Johnson
Polk

Heidi B. McCree
Hillsborough

John K. Renke, III
Pasco

E. D. "Sonny" Vergara
Executive Director

Gene A. Heath
Assistant Executive Director

William S. Bilenky
General Counsel

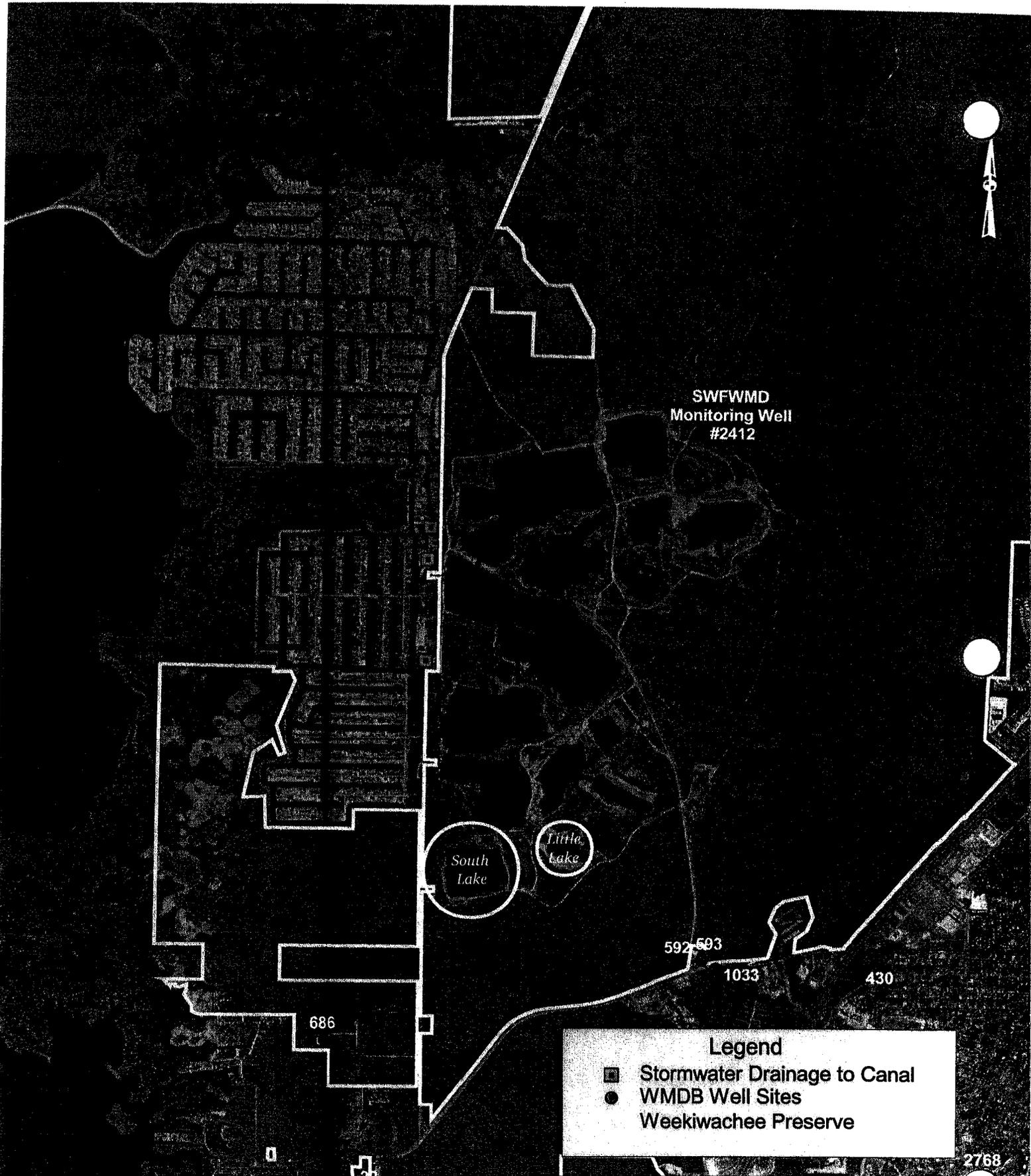
May 22, 2001

Tracy Leaser, Technical Planning
Department of the Army
Jacksonville District Corps of Engineers
Post Office Box 4970
Jacksonville, Florida 32232-0019

Dear Tracy:

Attached is the depth profile for Little Lake, which is approximately 38 feet in depth, except for the narrow littoral shelf. This lake is approximately four acres in surface area. Based on work that was done a few years ago, the South Lake is approximately 40 feet deep, and is approximately 20 acres in size. Also shown on the map are monitoring wells, which were installed by the District to monitor water quality and/or aquifer levels. Finally, the location of drainage channels which evidently funnel stormwater from Shoal Line Road and local businesses into the north-south canal along the Weekiwachee Preserve boundary are shown. You may remember that on your visit to the District several months ago we discussed the option of putting the sediment into this canal. However, due to its use as a stormwater system and also as "waterfront" for local restaurants, this may not be a viable option.

In the absence of important data that still needs to be obtained, it is my recommendation that we focus our evaluation on Little Lake to determine if it will be suitable for dredge disposal. As we have discussed during the study group meetings, data needs include: affects of salinity on lake ecology, potential groundwater connections to potable water sources, impacts to the Floridan aquifer, etc. However, at present, it certainly seems that using the dredge material to alter the water depth in Little Lake from 38 feet to six feet would provide long-term benefits to fish and other aquatic species which may utilize the lake, including alligators, river otters, aquatic insects and invertebrates, and aquatic vegetation. As you can see by looking at the Little Lake map, there is a small lobe on the east side of the lake (about .33 acres) which appears shallower than the remainder of the lake (approximately 10-15 feet). This may present an excellent opportunity to create and plant a substantial littoral shelf that could be used by wading birds.



*Weekiwachee Preserve
Hernando County, Florida*

Little Lake - 4 Acres - 38 Feet Deep
South Lake - 20 Acres - 40 Feet Deep

N

A - Start

End - A
B - End
C - End
D - End
E - End

Start - B

Start - C

Start - D

Start - E

Weekiwachee Preserve, Hernando County
Little Lake - 4 Acres
Section 19 Township 23S Range 16E

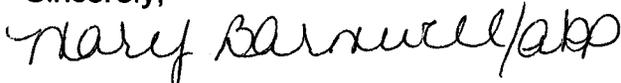
Tracy Leaser
May 22, 2001
Page 2

Also, please understand that this recommendation does not constitute permission from the District to use the lake as a recipient for the dredge material. When the proposal is complete, the Corps and Hernando County will still need to obtain a license agreement from the District's Land Resources Land Use Section. The Land Resources Department will then review the proposal and possibly seek internal review by appropriate experts. In addition, if applicable, the District's Regulatory Department will be responsible for issuing any Water Management District permits required for the project.

Finally, I have also included a map which shows confirmed occurrence records for rare, threatened and endangered species that occur on the Weekiwachee Preserve. These records are based primarily on incidental observations from 1998-2001. Data collection is ongoing, and these data records should not be considered complete.

Please call or e-mail me should you have any questions regarding the information provided.

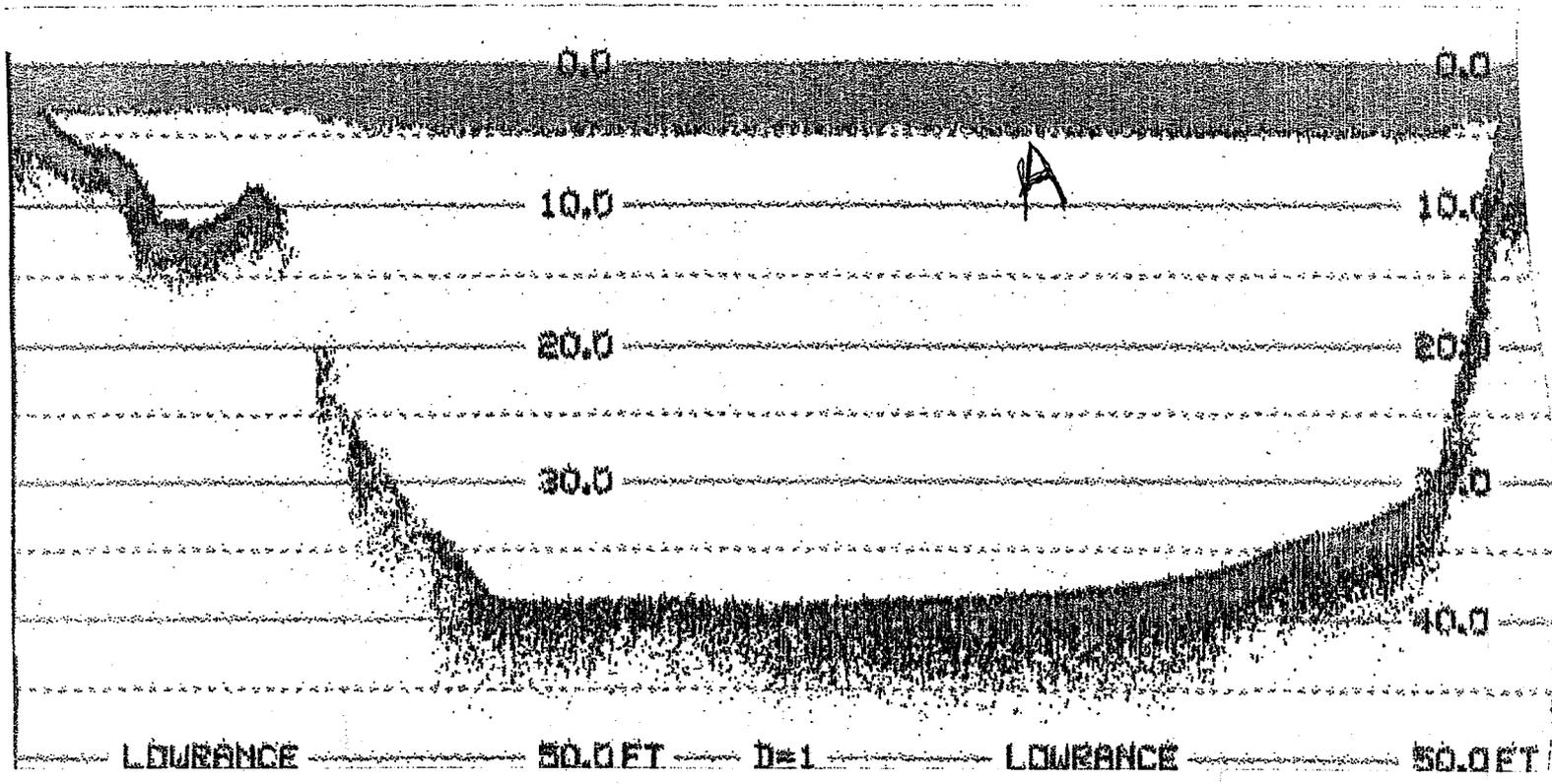
Sincerely,



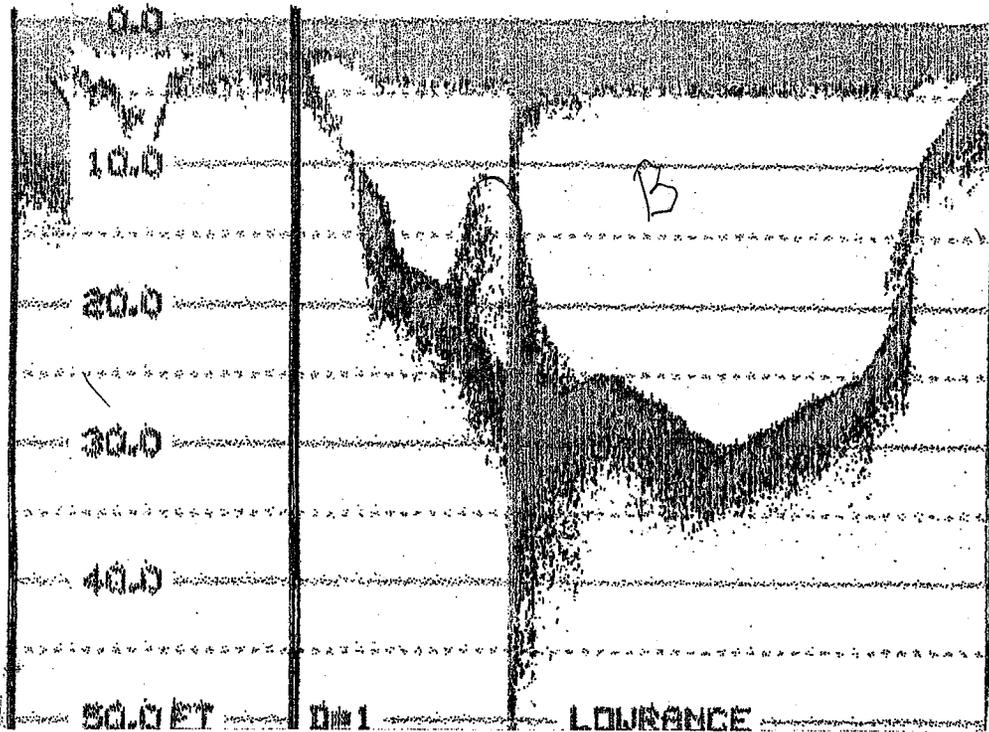
Mary Barnwell
Sr. Land Management Specialist
Land Resources Department

MEB:abp
Enclosures

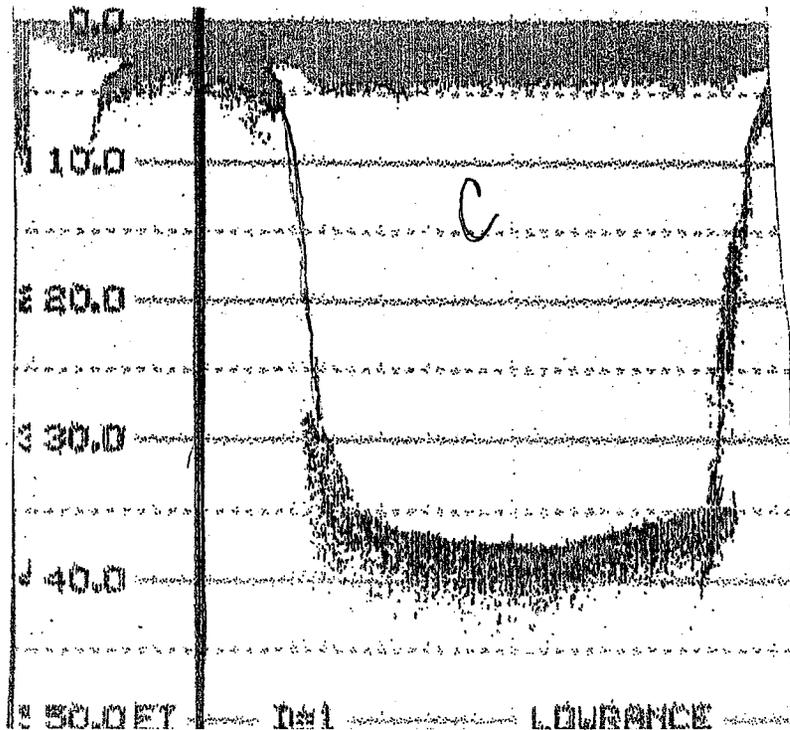
c: Fritz Musselmann
Kevin Love
Colleen Kruk
John Parker



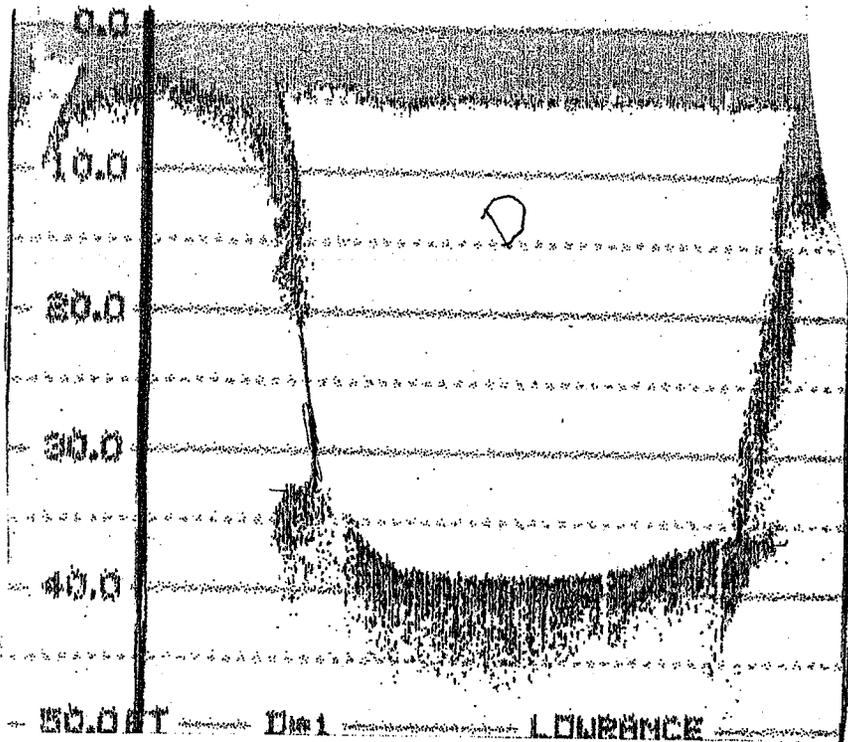
Little Lake
Transect A
May 18, 2001



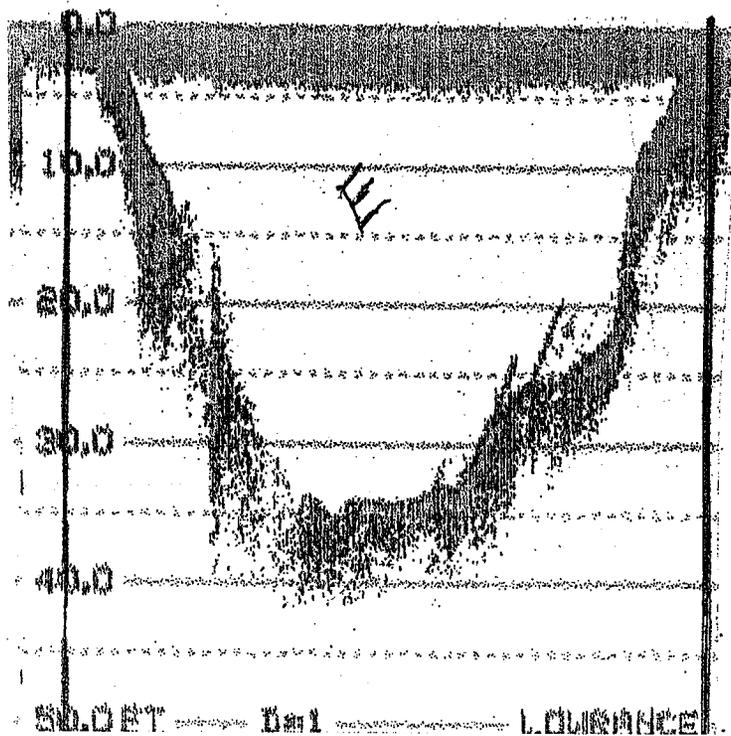
Little Lake
Transect B
May 18, 2001



Little Lake
Transect C
May 18, 2001



Little Lake
Transect D
May 18, 2001



Little Lake
Transect E
May 18, 2001





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Southwest Florida Water Management District

Tampa Service Office
7601 Highway 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-838-0797 (FL only)
SUNCOM 578-2070

Bartow Service Office
170 Century Boulevard
Bartow, Florida 33830-7700
(883) 534-1448 or
1-800-492-7862 (FL only)
SUNCOM 572-6200

2379 Broad Street, Brooksville, Florida 34609-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)
World Wide Web: <http://www.swfwmd.state.fl.us>

Venice Service Office
115 Corporation Way
Venice, Florida 34292-3524
(941) 486-2212 or
1-800-320-3503 (FL only)
SUNCOM 526-6800

Lebanon Service Office
3600 West Sovereign Path
Suite 228
Lebanon, Florida 34461-8070
(352) 527-8131
SUNCOM 667-8271

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Assistant Executive Director
- William G. Blenky**
General Counsel

July 28, 2000

Mr. James C. Duck, Chief, Planning Division
Department of the Army
Jacksonville District Corps of Engineers
Post Office Box 4970
Jacksonville, Florida 32232-0019

Subject: Hernando Beach Canal Proposed Dredge Material Options

Dear Mr. Duck:

As the entity responsible for stewardship of the Weekiwachee Preserve, the Southwest Florida Water Management District is providing the following comments regarding the Hernando Beach Canal proposed dredging project.

Generally, the District discourages the use of District-owned lands for disposal of dredge material. However, if it can be demonstrated that the disposal of the dredge material will result in favorable recreational and environmental benefits for the property, the District may consider this use acceptable on the Weekiwachee Preserve.

The District executed a lease agreement with Hernando County in January 2000 giving the County authority to utilize a portion of the Weekiwachee Preserve mine surface for recreational activities. It is anticipated that picnic, parking and restroom facilities will be installed on this site, and eventually boat launches and a swimming beach will be developed. Any arrangement to use the mine lakes for sediment disposal must be approved by both Hernando County and the District, and should not in any way interfere with planned uses of the park site. Additionally, the Corps must demonstrate that there will not be any unacceptable impacts to water quality, wildlife, and natural systems due to the use of the site for the purposes specified.

Techniques that may result in net benefits for the Weekiwachee Preserve may include creation of shallow-water habitat, enhancement and/or development of proposed public beach site, and improvement of altered uplands for shore-nesting birds.

Mr. James C. Duck
July 28, 2000
Page 2

As discussed during the field visit, most of the mine lakes are relatively deep and have been interconnected, and at this time, it appears doubtful that the quantity of dredge material will be sufficient to create shallow water habitat without modification of the lake(s). Efforts to create littoral zones following mine closure were only partially successful, and portions of these created shelves sloughed off due to excessive lake depths and inadequate stabilization methods. Construction of a containment berm in the corner of the northwest mine lake, and then subsequent disposal of the material at that point to create a small shallow-water habitat zone, may be an acceptable technique for disposal of dredge material. The south lake, though a greater distance from the project site, is much smaller and relatively shallow, and may present greater potential for creation of shallow-water habitat and wetland marshes. Finally, the Corps and the District may consider a joint permit application that will entail disposing of both the Hernando Beach Channel dredge material and on-site spoil mounds into the lake for the beneficial purposes described above.

Alternatively, depending on the time frame of the project, a small containment berm could be constructed on the park site in the proposed beach area and minimal re-contouring could be conducted after the material has dried to create a sandy beach. This arrangement may enhance landscaping opportunities on the park site. This technique would be feasible only if the timing corresponded with planned park development.

Finally, the dredge material may be utilized on the east side of the mine surface to enhance habitat for shore-nesting birds using the same techniques described for potential beach creation.

At this time, it appears that a very limited amount of data is available from which to analyze the project. The quality of the dredge material will certainly determine its suitability for use on the Weekiwachee Preserve. In order to determine best use for the dredge material, and potential impacts to the Preserve and to off-site resources, additional data sets would need to be developed, including, but not limited to, the following:

1. Determination of the composition and properties of the dredge material needs.
2. Evaluation of the effect of dredge material and slurry on the salinity and pH of the lake ecology.
3. Determination of the potential for groundwater contamination and water quality impacts both on-site and off-site.
4. Evaluation of impacts to fish and wildlife populations.
5. Determination of impacts to proposed and existing recreational uses on the site.

Mr. James Duck
July 28, 2000
Page 3

It appears that the most environmentally sound, economical, and feasible disposal site is either adjacent to the existing channel or at Coon Key Point. This may create additional habitat for least terns and Wilson's plovers, both observed nesting at the Weekiwachee Preserve. However, if there is suitable habitat for black rails at the Coon Key Point site, surveys for black rails should be conducted prior to designating disposal areas. Please continue to coordinate with the District's Land Resources Department as this project proceeds, particularly if a dredge disposal at the Weekiwachee Preserve remains an option.

Thank you for allowing the District to provide comments on this project. Should you have any questions regarding the information in this letter, please contact me at 800-423-1476, extension 4475.

Sincerely,

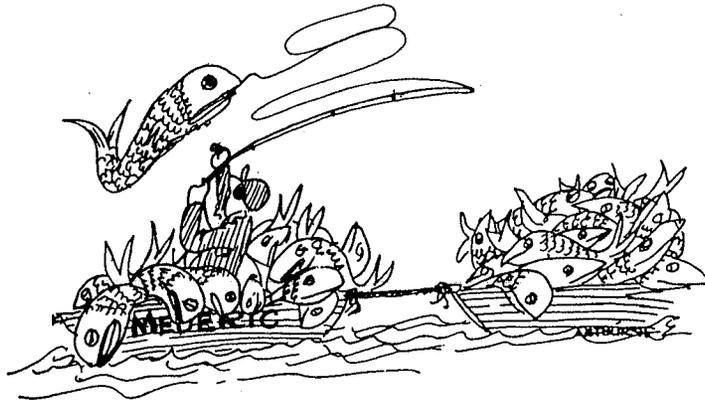
Mary Barnwell/abp

Mary Barnwell
Sr. Land Management Specialist
Land Resources Department

MEB:abp

cc: Fritz Musselmann
Kevin Love
Colleen Kruk
Larry Jennings, Hernando County

5/12/2000



To whom it may concern
on the 5/8/2000 I attended the work shop agenda
subject navigation study Hernando Beach. according
to Hernando news paper editorial section page A-A
5/10/2000 my plan that I submitted at the meeting
seems to have some merit. at this point in history
of Bay port project. and also the Hernando Beach
launching ramp project that was condemn and
to be done all over again. and the lost of privilege
launching our boats. during the whole project.
with that in mind I propose that you the army
corp of engineers should do this project. because you
have the experience and equipment and in a better
position in dealing with our local politics which
seemly dont have the public best interest at heart

Respectfully,

Mederic J. Breau

8957 Jena Rd.

Springhill FL 34608

Shore

(352) 686.4731

NOTE; THIS IS A SNAIL MAIL FOLLOW UP OF AN E-MAIL
RESPONSE, TO; MAILING DATED JUN 28, 2000

file:///Unfil

BOOTHBY
Dear Mr. Haubner, Please send me the e-mail address for James C. Duck. He did not include it with his communication to me. Please forward to Mr. Duck my following comments.

Dear Mr. Duck, In viewing your options for spoil disposal I have the following thoughts.

- 1- If the spoil is placed in location No. 1, it would be usefull for backing a breakwater placed on the south side of the new proposed channel which attaches to the straight section of the existing channel. This would also be the most expediant and least costly method for disposing of the spoil. If placed correctly, this spoil could become the base for an additional beach.
 - 2- If the spoil is placed in location No. 2, It would be usefull for the development of a larger beach, which would be protected from storms by the same NW-SE running breakwater which also protects the newly dredged channel.
 - 3- Location No.3 would be beneficial only if Hernando County envisions an elevation grading of their roadways. This is a greater expense for disbursal than options 1 or 2.
 - 4- Location No.4 (site undetermined) is not desirable for reasons of expense and uncertainty.
 - 5- Location No.5--This is an area currently administered by Ginny Brown Waite. I wouldn't doubt that Ginny is working on comprehesive plans for this region, which is her SWIFTMUD jurisdiction. I would consult further with her to assure that this is not or is the best use for this spoil. I personally worry about fresh water beaches in Florida since the water is relatively stagnant, supporting many parasites.
- Thanks for asking my opinion. Please send me the proposed exact location of the breakwater. I'll stay in touch. Charles G. Rosbeck, 5024 Cedarbrook Ln., Hernando Beach, FL., 34607-2913 (352) 597-3768 carcgrusa@netscape.net

30 March 1999

MEMORANDUM FOR Chief, Plan Formulation Branch

SUBJECT: Hernando Beach Channel, Hernando Beach, Florida.

1. Reference memorandum from Plan Formulation Branch (CESAJ-PD-PN) dated 17 February requesting general dimension specifications for an applied design vessel as required for waterway feature or system design.

2. Available information for commercial vessels projected to use the subject waterway system with proposed improvements indicates that general size dimensions for an applicable commercial design vessel should allow for the following dimensions:

- a.) A vessel Loaded Draft of 4.25 feet (in the still or non-moving/non-transit condition with consideration of exposed shaft and propeller units for assessment of reasonable clearance);
- b.) An extreme vessel hull breadth of 14.25 feet; and
- c.) A Vessel length (LOW) of approximately 41.0 feet with an approximate LOA of 45.0 to 46.0 feet.

3. The preceding dimensions are for commercial vessel designs which largely use the existing subject waterway for commercial bait shrimp operations. Currently available information indicates the aggregate or composite design dimensions as described would change little or insignificantly under with-project versus without-project conditions.

4. Information gathered to-date does not include requirements for recreational craft as such vessels were not the emphasis of preliminary and/or reconnaissance studies (given limited funding of analyses and budgetary/policy priorities). In addition, given the nature of residential waterway access, it is currently believed recreational craft generally would not significantly exceed specified commercial design vessel dimensions, with the notable or possible exception of draft(s) for wind-driven or sailing vessels. Such vessel requirements marginally or exclusively would not constitute a priority for Federal Interest governing waterway design or sponsorship unless it can be substantiated related vessels are appropriately employed for recreationally-oriented commercial activities (i.e., for hire or charter, etc.). Accordingly, such vessels can be further investigated as required during detailed studies and refinement of the plan formulation process.

5. Regarding suspense for completion of benefit analyses as requested, the specified date of 1 June 1999 is not feasible.

The PD-D office budget for the current fiscal year includes funds for investigation and analysis of base data and probable future conditions. Funds for benefit analyses are scheduled for the following fiscal year. Recent imposition of unscheduled work for San Juan Harbor (i.e., cursory investigations of container transshipment facilities at the request of the Puerto Rico Port Authority [PRPA]) and the probable level of work remaining for Hernando Beach waterway improvements along with other, previously scheduled (and unscheduled) assignments leave little capacity to undertake additional unscheduled navigation work in the near future. In addition, total budget allowances for economic studies may need to be reviewed\revised if other than minimal effort is applied for recreational benefit analyses (i.e., basic assessment of unit-day values, etc.).

6. Any questions or comments concerning the information provided should be forwarded to Ian Mathis at extension 1105 or Eric Raasch at extension 3680.



ERIC P. RAASCH
Chief, Socio-Economics Branch

2 February 1999

Pat:

Sorry for the delay in answering your request. I have been out of town providing assistance to an ill parent.

Unfortunately this past month has not been one of the best in acquiring information.

Questions that have been brought to my attention concerning the US ARMY Corps dredge project are as follows:

What remains to be completed and approved before dredging the HB channel?

If the channel must be closed for studies, when? why? how long? hours channel will be open for navigation? navigation restrictions? etc.

What does the public need to do to assist the project?

Will notices be placed for public information concerning this project?

Where will notices be placed about tests and/or closures?

I'm sure that there are other questions, since I have not been available to have meetings with our public.

If possible, the next time we want to get questions from the public, we need to hold a meeting—a town meeting.

How do we stand with getting the copies of the permits for our aids and marks in the Gulf of Mexico? The board would like to work on this project at the meeting tomorrow night.

Please fax any questions or comments you have? I will be in town for Wednesdays meeting.

FAX # 352-564-8462

Thanks,



Capt. Susan Harman
HCPA Chairman

cc file

Stephen W. Tymoczko
4151 CV Drive
Hernando Beach, Florida 34607

JAN 28 11:50

January 28, 1999

Board of County Commissioners
Department of Community Services
20 North Main Street Room 364
Brooksville, Florida 34601-2849

Dear Mr. Fagan:

In response to your letter of January 20th, please be aware of the following information.

Assume that the dredging is complete (including Tarpon and Marlin canals all the way to Shoal Line). What assurance is there that the United State Coast Guard will promptly take over installation and maintenance of aids to navigation in channel. (From channel entrance light (Bill Watts) to Shoal Line Blvd.?)

What if the United States Coast Guard delays assumption of responsibility by stating that project is not budgeted. Are the Coast Guard budget makers aware of the Hemando Beach channel dredge?

Is the county aware that it must continue to budget and maintain all other Aids to Navigation. For example, Bayport, Aripeka and South and North Racks?

Another concern is the spoils. What will be done with them and where will they go? Is it possible to create a new "commercial boat" channel connected to the main channel with the spoils? This would help to alleviate the problem of commercial boats being tied to private docks. Regulation and inspection will be simplified.

I hope that these questions from the public can be of assistance,

Sincerely,


Stephen W. Tymoczko

Hernando County Port Authority

JAMES E. TOMLINSON
4066 AMBERJACK DR.
SPRING HILL, FL 34607
(352) 688 5531 PHONE
(352) 686 0407 FAX
fancyalc@siservices.net (email)

1/22/99

Charles "Pat" Fagan
Assistant Public Works Director/Facilities
Government Center/Administration Bldg.
20 North Main St.
Room 364
Brooksville, FL 34601-2849

RE: Questions from the Public on Hernando Beach Channel Dredge Project.

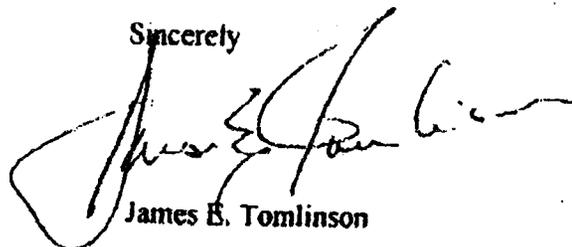
Dear Mr. Fagan:

While talking with many of our local fisherman, shrimpers, and bait suppliers, I was ask if it would be possible to build a small commercial port for these boaters on land out of the way of residential property, on the Hernando Beach dredge project.

Also many people from Hernando and other counties ask me many times is it possible to build a beach from the dredge material on the land used in the Hernando Beach Channel Dredge Project. The complaint seems to be that all of Hernando's other beaches are full, especially during the summer months.

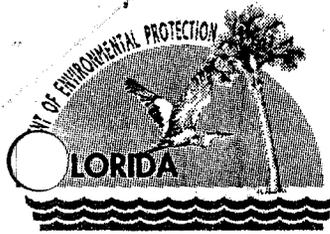
Your consideration of these matters are greatly appreciated.

Sincerely



James E. Tomlinson

Hernando County Port Authority



Department of Environmental Protection

Jeb Bush
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

MAR 28 2003

Joan Lentini
3399 Eagle Nest Drive
Hernando Beach, Florida 34607

Dear Ms. Lentini,

I have been asked by the Governor to address the issues identified in your letter received March 18, 2003. The Department of Environmental Protection is presently coordinating with the Corps of Engineers and Hernando County in their development of a design for dredging the Hernando Beach channel. Thus far, the Department has responded to a number of issues related to the design in order to not only achieve the navigational design appropriate for the user group at Hernando Beach, but also to develop a design that will meet the permitting requirements of this agency under Chapter 373 F.S. The Corps of Engineers is very close to issuing a final report on the design. After giving such agencies as the National Marine Fisheries, US Fish and Wildlife, Florida Fish and Wildlife Conservation Commission and others an opportunity to review the design, I expect the Corps to apply for the appropriate permits.

Your concerns related to the proposed depths and alignment of the channel and the related safety issues are very important criteria the Corps is addressing in the pending report. The Department has asked the Corps to balance the design to address safety, navigation and maintenance in a manner that achieves the safest possible channel while protecting marine resources to the greatest extent possible. Specifically, the Corps will correlate the needs of the existing commercial and recreational fleet at Hernando Beach and justify the minimum depth, channel width and best alignment for a safe channel design. Alignment of the channel may incorporate some of the previous spoil areas, thus avoiding or minimizing impacts to adjacent grass beds. Another challenging issue is the placement of spoil generated from the channel dredging. The Department has stated its concern for side casting the spoil onto existing seagrass beds adjacent to the current channel. The Corps' original design of hydraulically exporting the sand to the inland mining pits and transporting rock to an offshore, existing and permitted artificial reef would appear to be a viable disposal option. Representatives of the Corps and DEP have identified feasible routing of hydraulic pipelines to accomplish that alternative.

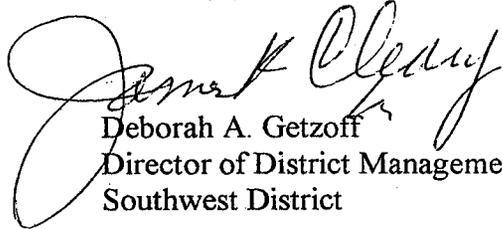
"More Protection, Less Process"

Printed on recycled paper.

Joan Lentini
Page 2 of 2

Should you have additional concerns or comments I would encourage you to comment directly to the Corp of Engineer, Tracy Lessor at Tracey.T.Lessor@sajo2.usace.army.mil.

Sincerely yours,



Deborah A. Getzoff
Director of District Management
Southwest District

cc: Tracy Lessor
Hernando County Commission