



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
Kevin Stoneburner
Bayfront, Inc.

Published: March 12, 2025
Expires: April 2, 2025

**Jacksonville District
Permit Application No. SAJ-2005-04187**

TO WHOM IT MAY CONCERN: The Jacksonville District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403). The purpose of this public notice is to solicit comments from the public regarding the work described below:

If you are interested in receiving additional project drawings associated with this public notice, please send an e-mail to the project manager by electronic mail at steven.j.rabney@usace.army.mil

APPLICANT: Kevin Stoneburner
Bayfront, Inc.
465 Bayfront Place
Naples, Florida 34102

AGENT: Jeff Rogers
Turrell, Hall & Associates, Inc.
3584 Exchange Avenue
Naples, Florida 34104

WATERWAY AND LOCATION: The project would affect waters of the United States and navigable waters of the United States associated with the Gordon River and Naples Bay. The project/review area is located at 465 Bayfront Place in Section 03, Township 50 S, Range 25 E, at Latitude 26.14308 and Longitude -81.78906; in Naples, Collier County, Florida.

EXISTING CONDITIONS: The subject property consists of a mixed use commercial and residential upland property with an over-water chickee restaurant/bar totaling 809 SF of the total authorized 10,251 SF docking facility. The docks accommodate 41 slips and the existing docks and chickee have all previously been authorized by permit #SAJ-2005-04187.

PROJECT PURPOSE:

Basic: Marina reconfiguration

Overall: Reconfigure/expand an existing commercial docking facility in Naples, Collier County, Florida.

PROPOSED WORK: The applicant requests authorization to install 88 wood pilings to support a 4,649 square foot addition to the existing 809 square foot chickee for a total of 5,458 SF. The slip size would be reduced by 4 slips for a total of 37 slips and the total over-water structure is proposed to be 10,672 square feet.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: Turbidity curtains will be utilized onsite, surrounding all in-water work until completion. Monitoring of turbidity will occur during construction to ensure water quality standards are maintained. Construction signage and Best Management Practices will be utilized by marine contractors while operating machinery in or over water. Utilizing the recommended PDCs for pile installation.

COMPENSATORY MITIGATION: The applicant has provided the following explanation why compensatory mitigation should not be required: There are no special aquatic sites proposed to be impacted by this activity and no fill is proposed for this project.

CULTURAL RESOURCES: The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes and other interested parties.

ENDANGERED SPECIES: The Corps has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), National Marine Fisheries Service (NMFS) Section 7 Mapper, and the NMFS Critical Habitat Mapper to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur in the vicinity of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project may affect species and critical habitat listed below. No other ESA-listed species or critical habitat will be affected by the proposed action.

Table 1: ESA-listed species and/or critical habitat potentially present in the action area.

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
Green Sea Turtle	<i>Chelonia mydas</i>	Threatened
Kemp's Ridley Sea Turtle	<i>Lepidochelys kempii</i>	Endangered

Loggerhead Sea Turtle	<i>Caretta caretta</i>	Threatened
Smalltooth Sawfish	<i>Pristis pectinata</i>	Endangered
West Indian Manatee	<i>Trichechus manatus</i>	Threatened
Giant Manta Ray	<i>Mobula birostris</i>	Threatened

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402. The Corps is the lead Federal agency for ESA consultation for the proposed action. Any required consultation will be completed by the Corps.

This notice serves as request to the U.S. Fish and Wildlife Service and National Marine Fisheries Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

ESSENTIAL FISH HABITAT: Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act 1996, the Corps reviewed the project area, examined information provided by the applicant, and consulted available species information.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action would not adversely affect EFH and/or fisheries managed by Fishery Management Councils and the National Marine Fisheries Service (NMFS). Implementation of the proposed project would directly impact approximately 88 square feet of sand/silt unconsolidated bottom. The effects of the project are determined to be minimal and permanent. These habitat(s) are utilized by the following species and their various life stages:

<i>Species</i>	<i>Life Stage</i>
Sandbar Shark	Adult

Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

NAVIGATION: The proposed structure or activity is not located in the vicinity of a federal navigation channel.

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

COASTAL ZONE MANAGEMENT CONSISTENCY: Coastal Zone Consistency Concurrence is required from the Florida Department of Environmental Protection (FDEP). In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has been verified by Corps personnel.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. A permit will be granted unless its issuance is found to be contrary to the public interest.

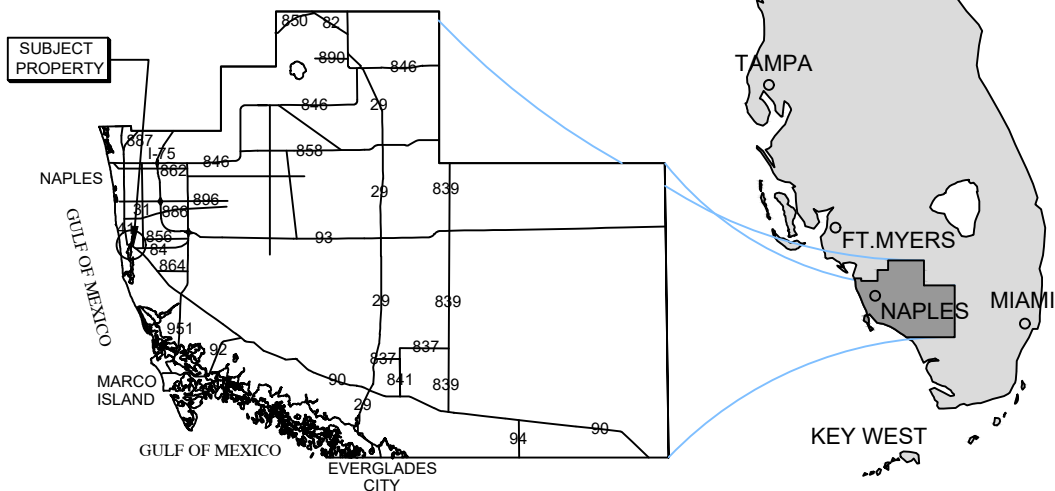
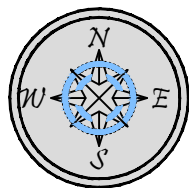
COMMENTS: The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Jacksonville District will receive written comments on the proposed work, as outlined above, until April 2, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Steven Rabney at steven.j.rabney@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Jacksonville District, Attention:

Steven Rabney, 1520 Royal Palm Square Boulevard, Suite 310 Fort Myers, Florida 33919. Please refer to the permit application number in your comments.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

STATE OF FLORIDA



COLLIER COUNTY

SITE ADDRESS:

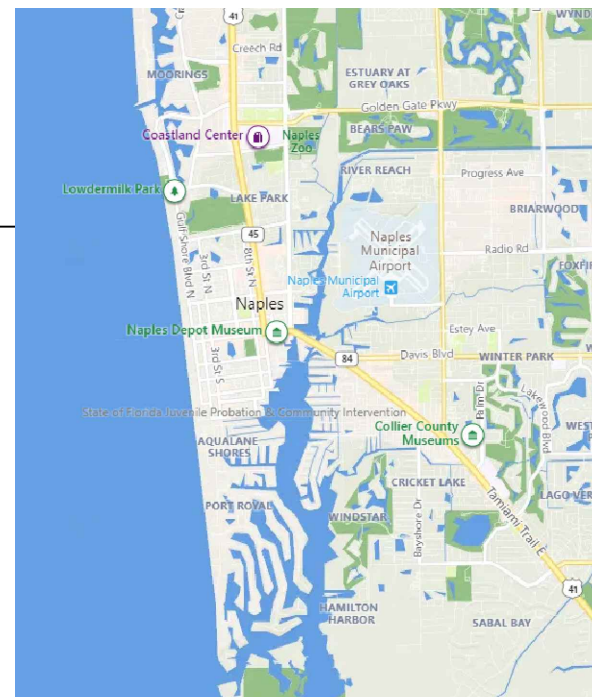
<> 465 BAYFRONT PLACE
NAPLES, FL 34102

<> LATITUDE: N 26.143080
<> LONGITUDE: W -81.789064

NOTES:

<> THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY
AND ARE NOT INTENDED FOR CONSTRUCTION USE.

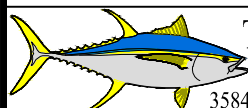
SUBJECT
PROPERTY



VICINITY MAP



COUNTY AERIAL



Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732

Email: tuna@thanaples.com Phone: (239) 643-0166 Fax: (239) 643-6632

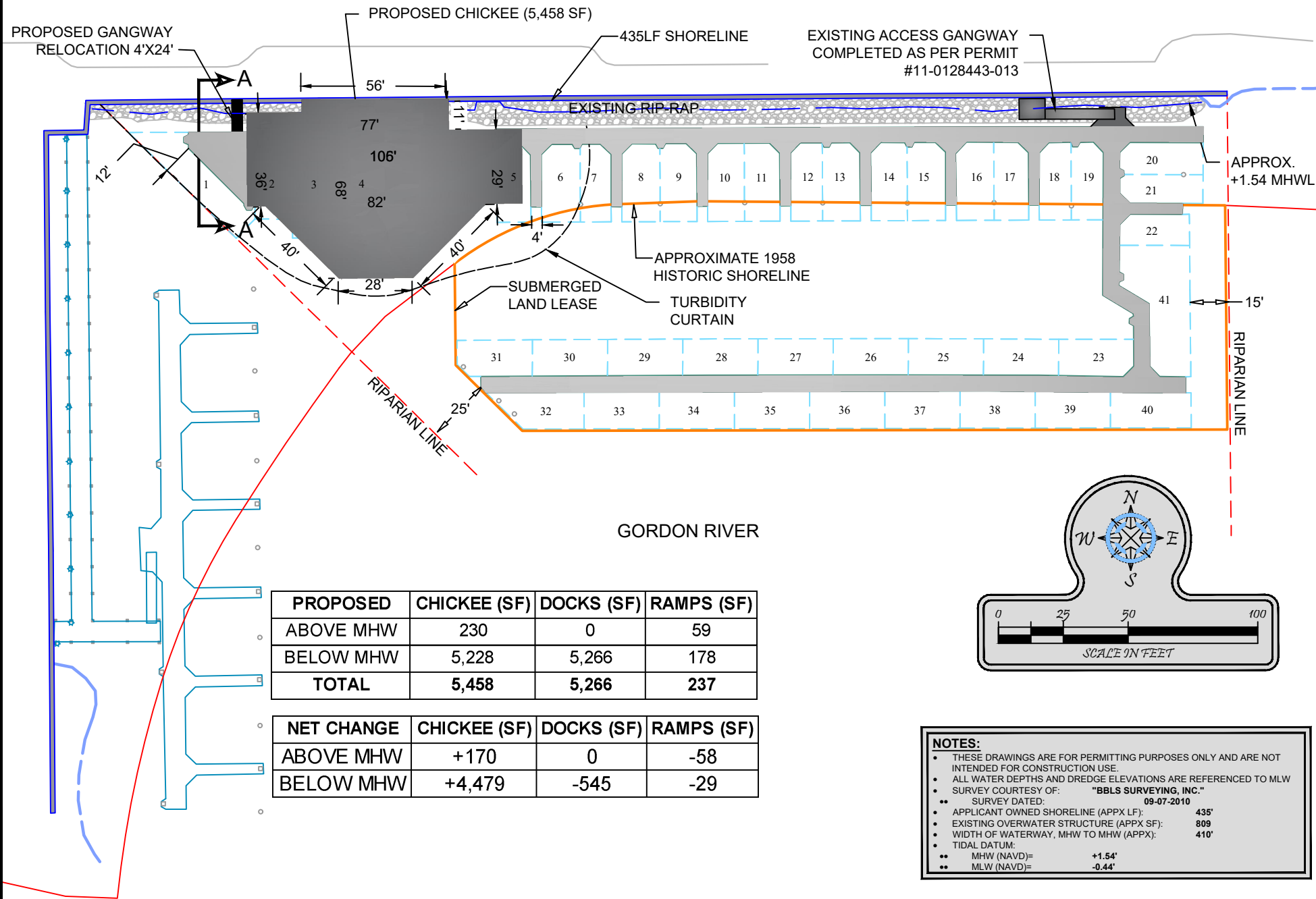
BAYFRONT CHICKEE LOCATION MAP

RY NO. 5875

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

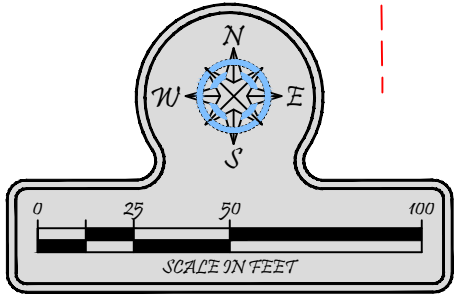
DESIGNED:	JR	REVISED BY:	DATE:	CHK BY:	CHANGED:
DRAWN BY:	RMJ	1.	-	-	-
CREATED:	09-01-23	2.	-	-	-
JOB NO.:	9830.9	3.	-	-	-
SHEET NO.:	01 OF 08	4.	-	-	-
		5.	-	-	-
SECTION-03		TOWNSHIP- 50S		RANGE- 25E	

p:\9830.09 bayfront chickee re-subs\initial\CAD\PERMIT-FEDERAL\9830.9 - FEDERAL.dwg PROPOSED CHICKEE EXPANSION & GANGWAY RELOCATION 9/12/2023



PROPOSED	CHICKEE (SF)	DOCKS (SF)	RAMPS (SF)
ABOVE MHW	230	0	59
BELOW MHW	5,228	5,266	178
TOTAL	5,458	5,266	237

NET CHANGE	CHICKEE (SF)	DOCKS (SF)	RAMPS (SF)
ABOVE MHW	+170	0	-58
BELOW MHW	+4,479	-545	-29



- NOTES:**
- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
 - ALL WATER DEPTHS AND DREDGE ELEVATIONS ARE REFERENCED TO MLW
 - SURVEY COURTESY OF: "BBL SURVEYING, INC."
 - SURVEY DATED: 09-07-2010
 - APPLICANT OWNED SHORELINE (APPX LF): 435'
 - EXISTING OVERWATER STRUCTURE (APPX SF): 809
 - WIDTH OF WATERWAY, MHW TO MHW (APPX): 410'
 - TIDAL DATUM:
 - MHW (NAVD)= +1.54'
 - MLW (NAVD)= -0.44'



Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@thanaples.com Phone: (239) 643-0166 Fax: (239) 643-6632

BAYFRONT CHICKEE

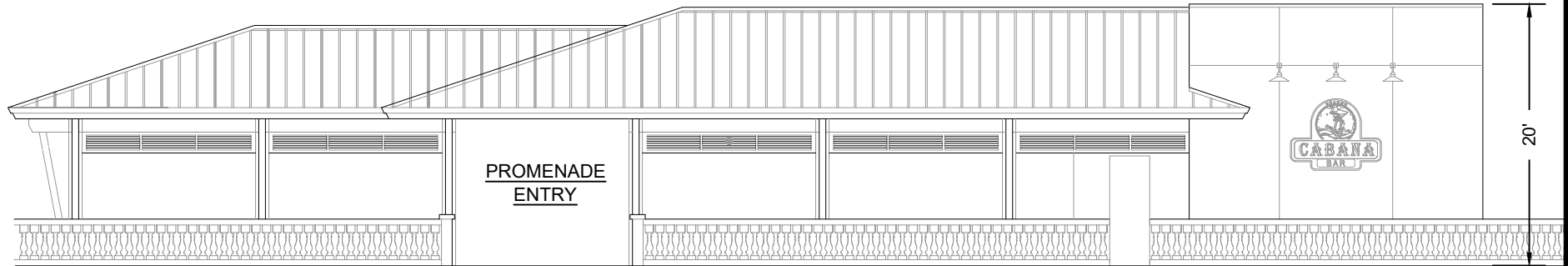
PROPOSED CHICKEE EXPANSION & GANGWAY RELOCATION

RY NO. 5875

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

DESIGNED BY:	JR	REV#	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	09-01-23	2.	-	-	-	-
JOB NO.:	9830.9	3.	-	-	-	-
SHEET NO.:	03 OF 08	4.	-	-	-	-
		5.	-	-	-	-

SECTION-03 TOWNSHIP- 50S RANGE- 25E



1 FRONT ELEVATION: LOOKING SOUTH
SCALE: 1" = 12'



Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732

Email: tuna@thanaples.com Phone: (239) 643-0166 Fax: (239) 643-6632

BAYFRONT CHICKEE

FRONT ELEVATION

RY NO. 5875

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

DESIGNED:	JR	REV#	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	09-01-23	2.	-	-	-	-
JOB NO.:	9830.9	3.	-	-	-	-
SHEET NO.:	08 OF 08	4.	-	-	-	-
		5.	-	-	-	-
SECTION-03		TOWNSHIP- 50S		RANGE- 25E		