



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
Anthony Solo
Asolo Acquisitions & Development

Published: May 1, 2025
Expires: May 22, 2025

**Jacksonville District
Permit Application No. SAJ-2025-00400 (CPC)**

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 carissa.p.curlee@usace.army.mil.

APPLICANT: Anthony Solo
Asolo Acquisitions & Development
110 Front Street
Suite 300
Jupiter, FL 33477

AGENT: Hans Wilson
Hans Wilson & Associates, Inc.
1938 Hill Avenue
Fort Myers, FL 33901

WATERWAY AND LOCATION: The project would affect waters of the United States associated with Middle Tampa Bay at Bahia Beach. The project/review area is located on the North side of Bahia Beach Blvd, 218 feet north of the roadway in 02 Section, 32 South Township, 18 East Range; at Latitude 27.729784 and Longitude -82.473422; in Ruskin, Hillsborough County, Florida.

EXISTING CONDITIONS: The proposed project location is a vacant corner lot on a canal connected to Tampa Bay in the Bahia Beach area. The lot has plans to develop eight (8) multi-family buildings for a total of forty (40) townhomes. The property currently has 838 linear feet (LF) of shoreline armored by a seawall. On the southeast end of the property there is 140 LF of mangrove fringe in front of the existing seawall that will be avoided. Water depths range for 2 to 8 feet (ft) in depth. The bottom consists of shell fragments and mud/silty soils. During a benthic survey, barnacles, oysters, and sessile organisms attached to the seawall were observed and will remain unaffected by the

proposed work. No submerged aquatic vegetation (SAV) or hardbottom was observed during the survey.

PROJECT PURPOSE:

Basic: Multi-family housing water access project.

Overall: To provide the residents of a multi-family development water access to Tampa Bay.

PROPOSED WORK: The applicant requests authorization to construct a thirty (30) slip multi-family docking facility. The facility will consist of:

- Five (5) 50-ft by 4-ft fixed finger piers for ten (10) slips
- Four (4) 40-ft by 4-ft fixed finger piers for eight (8) slips
- One (1) 35-ft by 4-ft fixed finger piers for two (2) slips
- Four (4) 30-ft by 4-ft fixed finger piers for eight (8) slips
- Installation of twenty-eight (28) four (4) post boatlifts, with two (2) lifts per finger pier
- A 5-ft by 20-ft walkway to a 5-ft by 68-ft dock parallel to the seawall, creating two (2) slips
- All structures will be fixed docks with 1/2 -in deck spacing, 10-ft piling spacing, and 10-in diameter wood pilings
- A total of 267 10-in wood pilings will be installed via impact hammer

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The applicant agrees to comply with the November 2017 National Marine Fisheries Service's (NMFS) Jacksonville biological opinion (JAXBO), the 2011 standard manatee and marine turtle construction conditions, smalltooth sawfish construction conditions of March 2006 for in-water work and dock construction guidelines in Florida for minor piling- supported structures constructed in or over SAV, marsh or mangrove habitat U.S. Army Corps of Engineers (Corps)/NMFS of November 2017.

All applicable work condition information for protected species will be provided to the selected contractor(s). The design utilizes the vertical concrete seawall for access to the finger piers. No marginal wharf was proposed reducing overwater coverage. The access to slips 24 and 25 extends off of the existing vertical seawall and avoids any direct impacts to the mangroves. This design both avoids and minimizes impacts to the aquatic environment, including the request for boat lifts to remove the vessels from the water.

COMPENSATORY MITIGATION: The applicant has provided the following explanation why compensatory mitigation should not be required: There are no resources on site that will be impacted by the proposed construction therefore there is nothing to mitigate.

CULTURAL RESOURCES: The Corps evaluated the undertaking pursuant to Section 106 of the National Historic Preservation Act (NHPA) utilizing its existing program-specific regulations and procedures along with 36 CFR Part 800. The Corps' program-specific procedures include 33 CFR 325, Appendix C, and revised interim guidance issued in 2005 and 2007, respectively. The District Engineer consulted district files and records and the latest published version of the National Register of Historic Places and initially determines that:

No historic properties (i.e., properties listed in or eligible for inclusion in the National Register of Historic Places) are present within the Corps' permit area; therefore, there will be no historic properties affected. The Corps subsequently requests concurrence from the SHPO and/or THPO.

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

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) Southeast Regional Office (SERO) Protected Resources Division (PRD) 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 will not affect any listed species or critical habitat.

Table 1: IPAC Species that have potential to be in the project location.

Table 1. IPAC Species	
<i>Species Name (common (scientific))</i>	<i>Federal Status</i>
American crocodile (<i>Crocodylus acutus</i>)	Threatened
Crested caracara (Audubon's) [FL DPS] (<i>Caracara plancus audubonii</i>)	Threatened
Eastern Black rail (<i>Laterallus jamaicensis</i> ssp. <i>jamaicensis</i>)	Threatened
Eastern indigo snake (<i>Drymarchon couperi</i>)	Threatened
Everglade snail kite (<i>Rostrhamus sociabilis plumbeus</i>)	Endangered
Hawksbill sea turtle (<i>Eretmochelys imbricata</i>)	Endangered
Monarch butterfly (<i>Danaus plexippus</i>)	Proposed Threatened
Pygmy fringe-tree (<i>Chionanthus pygmaeus</i>)	Endangered
rufa red knot (<i>Calidris canutus rufa</i>)	Threatened
Whooping crane (<i>Grus americana</i>)	Experimental Population, Non-Essential

Potential ESA Species (No Effect): The species listed in table 1 have been identified to potentially be within the project area. The project is primarily in the water and below the MHWL and does not support suitable habitat for the listed ESA species. Based on the lack of suitable habitat for and the unlikely occurrence of the species listed in table 1 of

the IPAC species listed, the Corps has determined that the project will have no effect on those species.

JAXBO species (**MANLAA**): The Corps has determined the proposed project may affect but is not likely to adversely affect swimming sea turtles: green sea turtle (*Chelonia mydas*), Kemp's Ridley Sea turtle (*Lepidochelys kempii*), Loggerhead Sea turtle (*Caretta caretta*); smalltooth sawfish (*Pristis pectinata*); and the Giant Manta Ray (*Mobula birostris*). The Corps will request National Marine Fisheries Service concurrence with this determination pursuant to Section 7 of the Endangered Species Act by separate letter.

West Indian Manatee proposed critical habitat (**May affect**): The proposed project area lies within what has been proposed as critical habitat. No essential features have been defined for such habitat. Use of the 2013 Manatee Key resulted in a determination resulted in the following determination (A>B>C>G>H>I>J>L>M = May affect). Therefore, the Corps has determined the project may affect the West Indian manatee and further consultation with USFWS will be required.

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 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.

The Corps has determined the proposal would have no effect on any Essential Fish Habitat (EFH). There are no aquatic resources such as grasses, hard bottom or emergent vegetation in the project footprint. Mangroves are in the project footprint but the project has been designed to avoid all impacts. There are also oysters attached to the existing seawall but will not be impacted by the proposed work. Therefore, no consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996 is required.

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.

WATER QUALITY CERTIFICATION: Water Quality Certification may be required from the Southwest Florida Water Management District (SWFWMD). The project is being reviewed under SWFWMD application no. 899000.

COASTAL ZONE MANAGEMENT CONSISTENCY: Coastal Zone Consistency Concurrence is required from SWFWMD. 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 not 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 May 22, 2025. Comments should be submitted electronically via

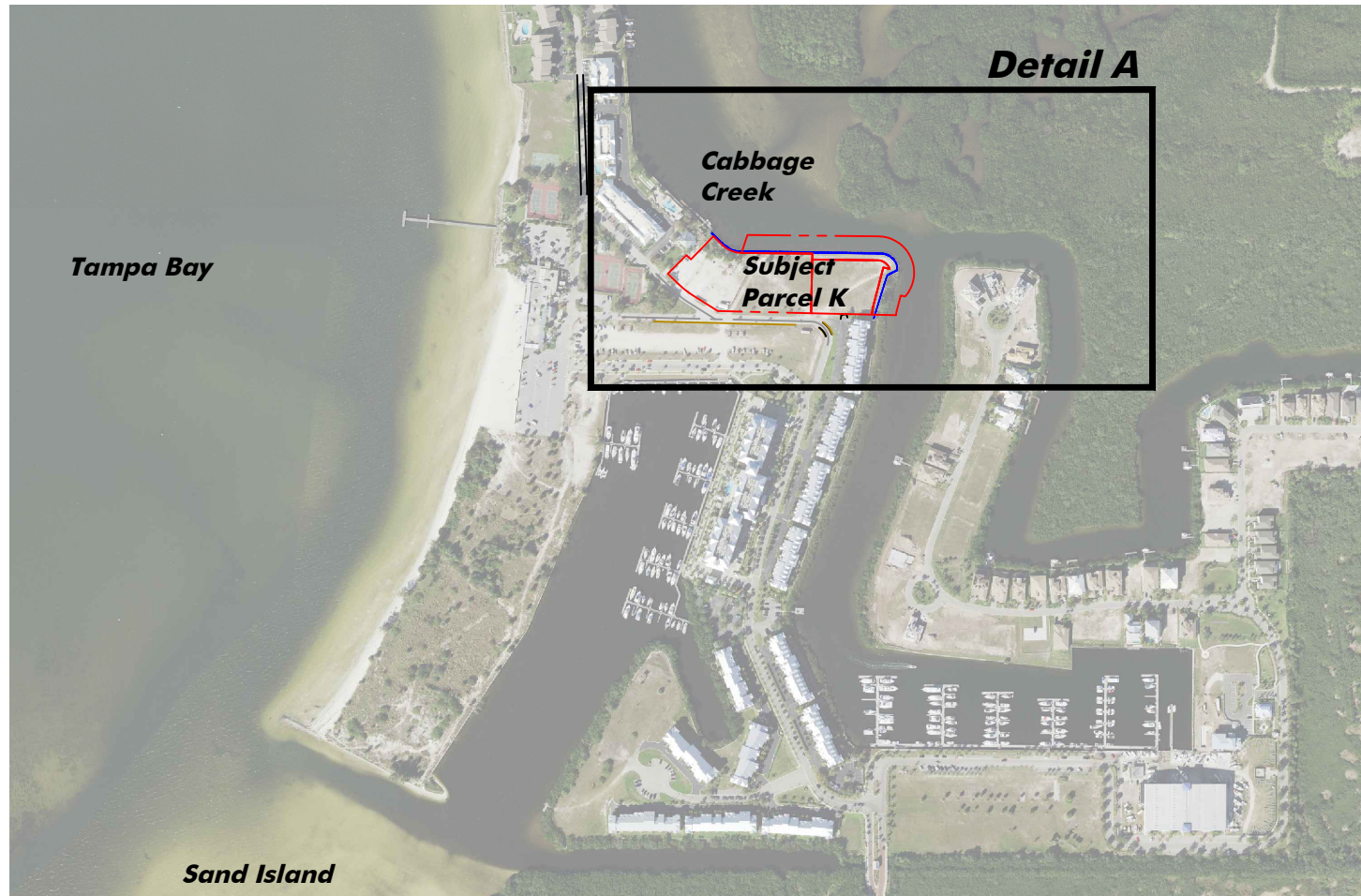
the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Carissa Curlee at carissa.p.curlee@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Jacksonville District, Attention: Carissa Curlee, 10117 Princess Palm Ave., Suite 120, Tampa, FL 33610. 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.

SECTION: 02
TOWNSHIP: 32 S
RANGE: 18 E

Hillsborough County Aerial 2020

0 300 600
SCALE FEET



Note: Field work completed 6-9-2023 by Hans Wilson and Associates, Inc. All topographic elevations reference NAVD88. Bathymetric survey references Tide Station 872-6384. MHW @ 0.32' NAVD and MLW @ -1.23' NAVD.

Overall Aerial

SCALE: 1" = 600'

This item has been digitally signed and sealed by Hans J.M. Wilson on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

DATE: January 09, 2025 4:49:21 p.m.
Drawing: SOLOT1MASTER.DWG

PERMIT PLANS, NOT FOR CONSTRUCTION



1938 Hill Avenue, Fort Myers, Florida 33901
Office: 239-334-6870 Fax: 239-334-7810
MARINE and ENVIRONMENTAL CONSULTANTS

12-24-24

HJMW

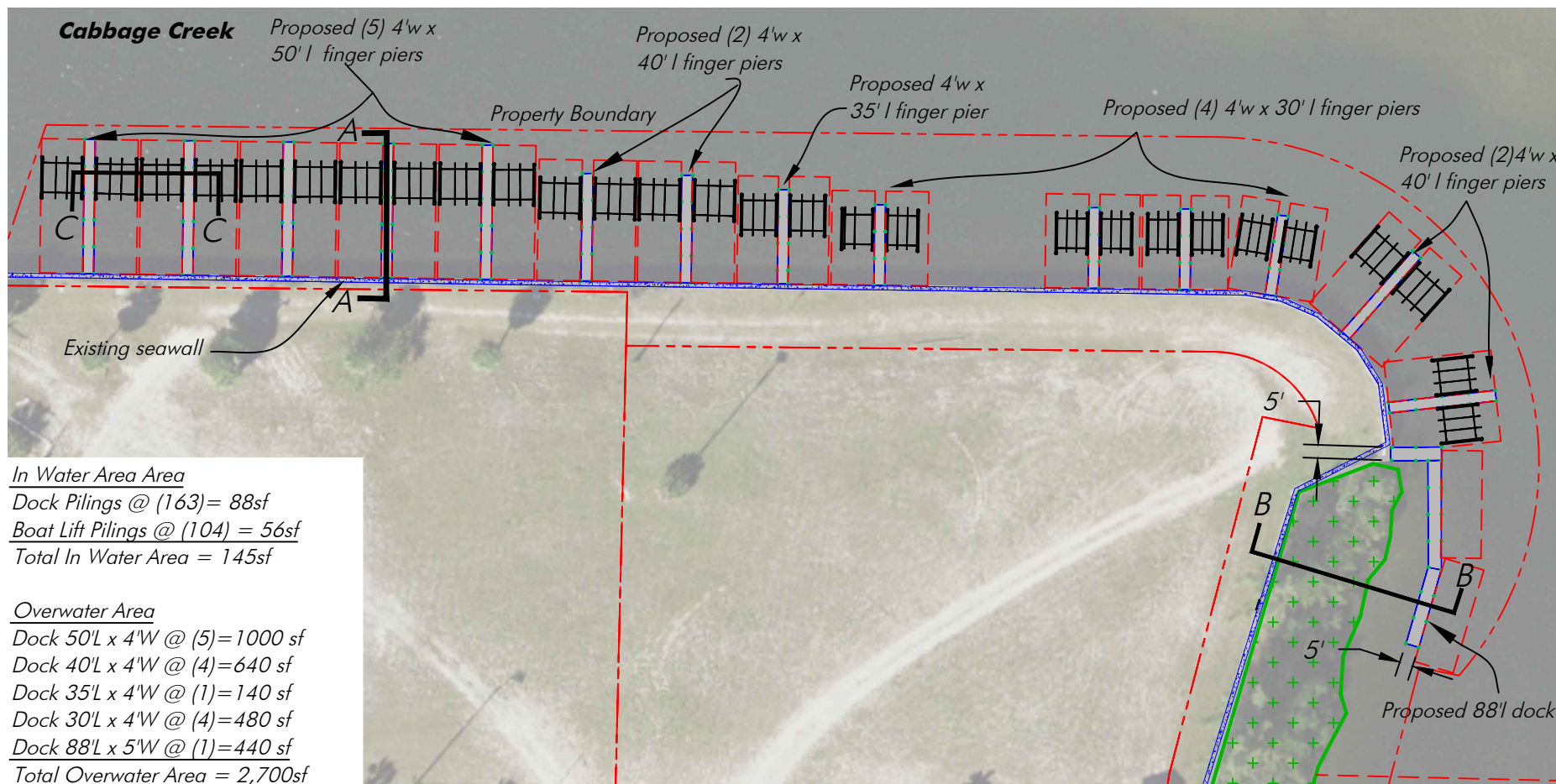
South Bay CDD Holdings Inc.

SHEET
2/9

SECTION: 02
TOWNSHIP: 32 S
RANGE: 18 E

Hillsborough County Aerial 2020

0 30 60
SCALE FEET



In Water Area Area

Dock Pilings @ (163) = 88sf

Boat Lift Pilings @ (104) = 56sf

Total In Water Area = 145sf

Overwater Area

Dock 50'L x 4'W @ (5) = 1000 sf

Dock 40'L x 4'W @ (4) = 640 sf

Dock 35'L x 4'W @ (1) = 140 sf

Dock 30'L x 4'W @ (4) = 480 sf

Dock 88'L x 5'W @ (1) = 440 sf

Total Overwater Area = 2,700sf

Detail C - Proposed Dock Dims

SCALE: 1" = 60'

Note: Field work completed 6-9-23 by Hans Wilson and Associates, Inc. All topographic elevations reference NAVD88. Bathymetric survey references MLW @ -1.23' NAVD per DEP Tide Station 872-6384. MHW @ 0.32' NAVD.

Upland survey information provided by GeoPoint Surveying, Inc. dated 7-19-23

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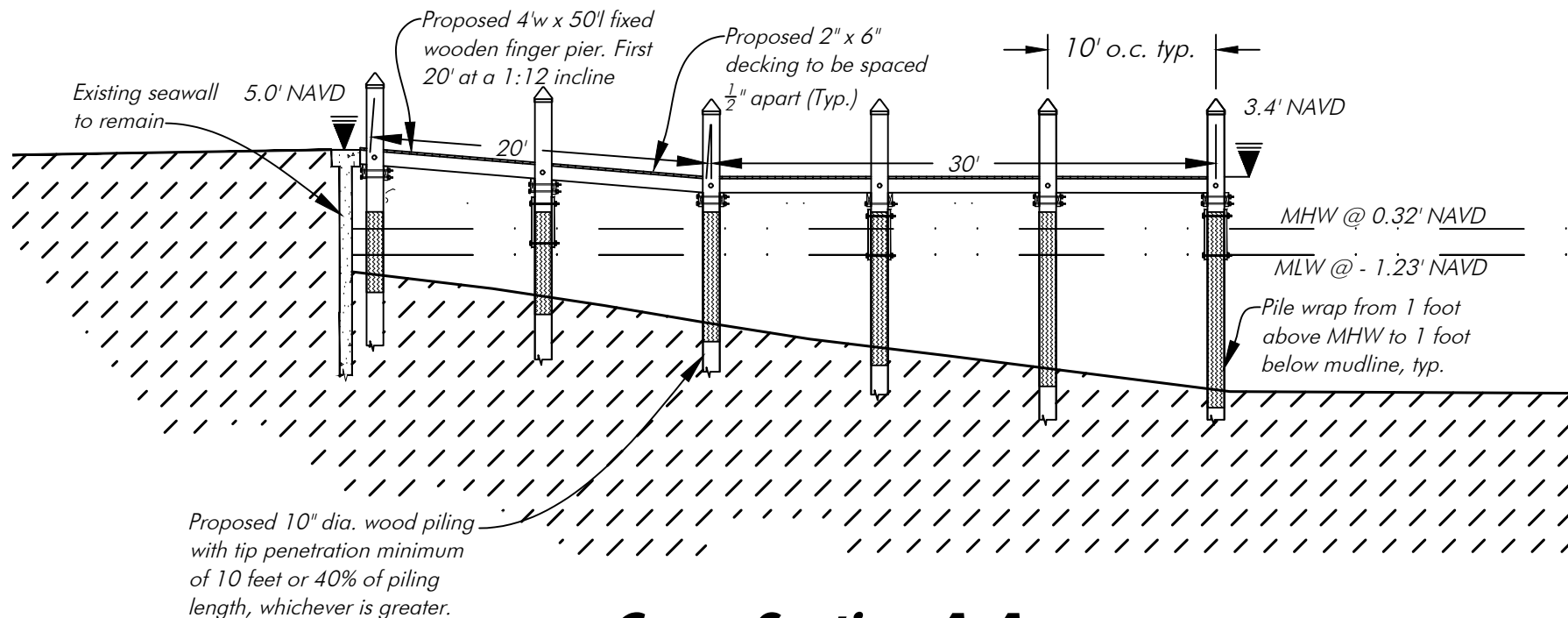
CAM

South Bay CDD Holdings Inc.

SHEET
6/9

SECTION: 02
TOWNSHIP: 32 S
RANGE: 18 E

0 5 10
SCALE FEET



Cross Section A-A

SCALE: 1" = 10'

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