



# FLORIDA DEPARTMENT OF Environmental Protection

South District  
PO Box 2549  
Fort Myers FL 33902-2549  
[SouthDistrict@FloridaDEP.gov](mailto:SouthDistrict@FloridaDEP.gov)

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

October 12, 2022

Daniel Stickley  
c/o Arielle Poulos  
Turrell, Hall & Associates, Inc.  
3584 Exchange Ave  
Naples, FL 34104  
[arielle@thanaples.com](mailto:arielle@thanaples.com)

File No.: 0402908-001/003/004/005 EE, Charlotte County

Dear Daniel Stickley:

On April 26, 2021, we received your application for an individual permit to perform the following activities:

**Project -001:** To maintenance dredge a manmade basin, Class II Waters, prohibited for shellfish harvesting, to a depth of 2.5 feet Mean Low Water, removing approximately 170 cubic yards of material adjacent to 9427 Downing St, Englewood, FL 34224, Section 20, Township 41 South, Range 20 East, Charlotte County. The spoil shall be removed and deposited in uplands with the final spoil disposal location at 9427 Downing St, Englewood, FL 34224: and,

**Project -003:** to install 365 linear feet of seawall upland of the mean high-water line; and,

**Project -004:** to install a dock with three uncovered boat lifts for a total over water structure of under 1,000 square feet; and,

**Project -005:** To install a 14-foot wide boat ramp at 9427 Downing St, Englewood, FL 34224, Section 20, Township 41 South, Range 20 East, Charlotte County.

Your application for an individual permit was processed as a request for verification of exemption pursuant to Rule 62-330.051(5), Florida Administrative Code (F.A.C.).

Your request has been reviewed to determine whether it qualifies for (1) regulatory exemptions, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

Your project did not qualify for the **federal review portion** of this verification request. Specifically, the Department did not receive the Project Design Criteria Checklists and the activity under project 001 is not covered by the State Programmatic General Permit. **Additional authorization must be obtained prior to commencement of the proposed activity.** This letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity. Please refer to the specific section(s) dealing with that portion of the review below for advice on how to proceed.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

If you have any questions regarding this matter, please contact Michael Baker by telephone at (239) 344-5602 or by e-mail at [Michael.A.Baker@floridadep.gov](mailto:Michael.A.Baker@floridadep.gov).

## **1. Regulatory Review – VERIFIED**

Based on the information submitted, the Department has verified that the activity as proposed in Project 001 is exempt under Chapter 62-330.051(7)(a), Florida Administrative Code, and Section 403.813(1)(f) of the Florida Statutes from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes.

Based on the information submitted, the Department has verified that the activity as proposed in Project 001 is exempt under Chapter 62-330.051(13)(a), Florida Administrative Code from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes.

Based on the information submitted, the Department has verified that the activity as proposed in Project 001 is exempt under Chapter 62-330.051(5)(c), Florida Administrative Code, and Section 403.813(1)(i) of the Florida Statutes from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes.

Based on the information submitted, the Department has verified that the activity as proposed in Project 001 is exempt under Chapter 62-330.051(5)(e), Florida Administrative Code, and Section 403.813(1)(c) of the Florida Statutes from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification may not be valid if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. In the event you need to re-verify the exempt status for the activity, a new request and verification fee will be required. Any substantial modifications

to the project design should be submitted to the Department for review, as changes may result in a permit being required.

### **General Conditions for Exemptions**

The following apply when specified in an exemption in Rule 62-330.051, F.A.C.:

1. Activities shall not exceed a permitting threshold in section 1.2 of the applicable Volume II;
2. Construction, alteration, and operation shall not:
  - a. Adversely impound or obstruct existing water flow, cause adverse impacts to existing surface water storage and conveyance capabilities, or otherwise cause adverse water quantity or flooding impacts to receiving water and adjacent lands;
  - b. Cause an adverse impact to the minimum flows and levels established pursuant to Section 373.042, F.S.
  - c. Cause adverse impacts to a Work of the District established pursuant to Section 373.086, F.S.;
  - d. Adversely impede navigation or create a navigational hazard;
  - e. Cause or contribute to a violation of state water quality standards. Turbidity, sedimentation, and erosion shall be controlled during and after construction to prevent violations of state water quality standards, including any antidegradation provisions of paragraphs 62-4.242(1)(a) and (b), subsections 62-4.242(2) and (3) and Rule 62-302.300, F.A.C., and any special standards for Outstanding Florida Waters and Outstanding National Resource Waters due to construction-related activities. Erosion and sediment control best management practices shall be installed and maintained in accordance with the guidelines and specifications described in the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual* (Florida Department of Environmental Protection and Florida Department of Transportation, June 2007), incorporated by reference herein (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02530>), and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual* (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), incorporated by reference herein (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02531>).
  - f. Allow excavated or dredged material to be placed in a location other than a self-contained upland disposal site, except as expressly allowed in an exemption in rule 62-330.051, F.A.C.
3. When performed in waters accessible to federally- or state-listed aquatic species, such as manatees, marine turtles, smalltooth sawfish, and Gulf sturgeon, all in-water work shall comply with the following.
  - a. All vessels associated with the project shall operate at "Idle Speed/No Wake" at all times while in the work area and where the draft of the vessels provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
  - b. All deployed siltation or turbidity barriers shall be properly secured, monitored, and maintained to prevent entanglement or entrapment of listed species.

- c. All in-water activities, including vessel operation, must be shut down if a listed species comes within 50 feet of the work area. Activities shall not resume until the animal(s) has moved beyond a 50-foot radius of the in-water work, or until 30 minutes elapses since the last sighting within 50 feet. Animals must not be herded away or harassed into leaving. All on-site project personnel are responsible for observing water-related activities for the presence of listed species.
- d. Any listed species that is killed or injured by work associated with activities performed shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1(888)404-3922 and [ImperiledSpecies@myFWC.com](mailto:ImperiledSpecies@myFWC.com). Copies of incorporated materials identified above may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C.

## **2. Proprietary Review - NOT REQUIRED**

The activities do not appear to be located on sovereign submerged lands and does not require further authorization under Chapter 253 of the Florida Statutes, or Chapters 18-20 or 18-21 of the Florida Administrative Code.

## **3. Federal Review - SPGP NOT APPROVED**

Your proposed activity as outlined on your application and attached drawings does not qualify for Federal authorization pursuant to the State Programmatic General Permit and a SEPARATE permit or authorization shall be required from the Corps. You must apply separately to the Corps using their *APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT*, ENG FORM 4345, or alternative as allowed by their regulations. More information on Corps permitting may be found online in the Jacksonville District Regulatory Division Source Book at: <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book/>.

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

## **Additional Information**

Please retain this letter. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S., and Chapter 18-14, F.A.C.

## **NOTICE OF RIGHTS**

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the

administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

#### Petition for Administrative Hearing

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. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing 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;
  - (f) 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.
- The petition 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, or via electronic correspondence at [Agency\\_Clerk@dep.state.fl.us](mailto:Agency_Clerk@dep.state.fl.us). Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

#### Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of receipt of this 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 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While

you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).

The failure to file a petition 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., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do not publish notice of this action, this waiver will not apply to persons who have not received written notice of this action.

#### Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time 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, or via electronic correspondence at [Agency\\_Clerk@dep.state.fl.us](mailto:Agency_Clerk@dep.state.fl.us), before the deadline for filing a petition for an administrative hearing. 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.

#### Mediation

Mediation is not available in this proceeding.

#### FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

#### Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, 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 must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Executed in Orlando, Florida

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Daniel Sensi  
Environmental Administrator  
South District

**Enclosures:**

11 Project drawings  
62-330.051(7)(a), F.A.C./403.813(1)(f), F.S.  
62-330.051(13)(a), F.A.C.  
62-330.051(5)(c), F.A.C./403.813(1)(i), F.S.  
62-330.051(5)(e), F.A.C./403.813(1)(c), F.S.

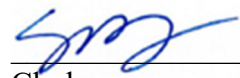
**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments, including all copies, were sent to the addressee and to the following listed persons:

U.S. Army Corps of Engineers, Fort Myers Office, [fdep.other@usace.army.mil](mailto:fdep.other@usace.army.mil)  
Office of Resiliency and Coastal Protection, [Mary.McMurray@dep.state.fl.us](mailto:Mary.McMurray@dep.state.fl.us)

**FILING AND ACKNOWLEDGMENT**

FILED, on this date, pursuant to Section 120.52(7), F.S., with the designated Department clerk, receipt of which is hereby acknowledged.



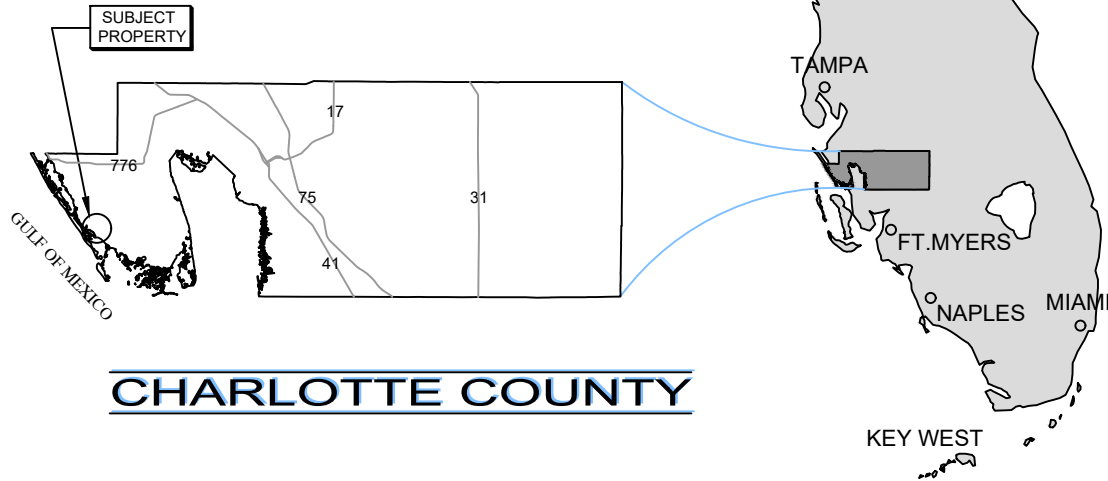
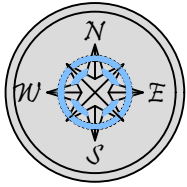
Clerk

October 12, 2022

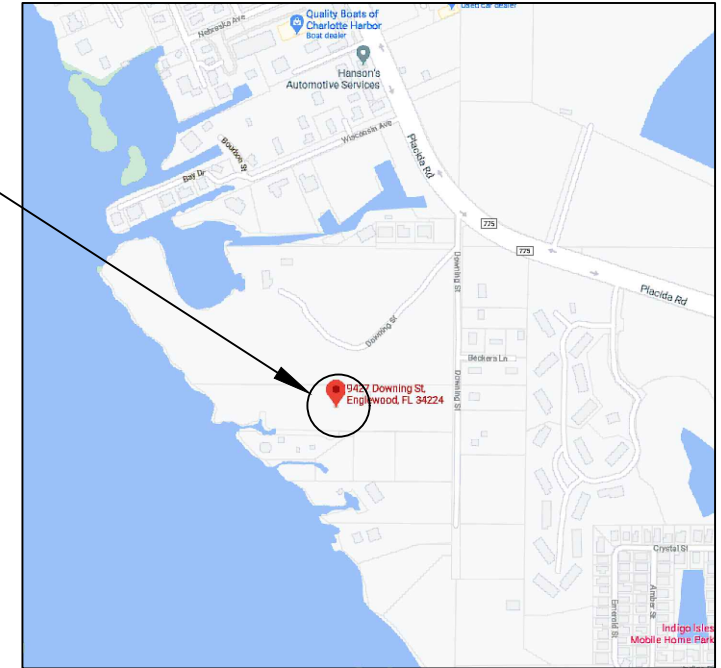
Date



# STATE OF FLORIDA



## CHARLOTTE COUNTY



## VICINITY MAP

### SITE ADDRESS:

<> 9427 DOWNING ST <> LATITUDE: N 26.8993342  
ENGLEWOOD, FL 34224 <> LONGITUDE: W -82.3230746

### NOTES:

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



## COUNTY AERIAL



# EXEMPT

File Number:  
0402908-001/003/004/005



**Turrell, Hall & Associates, Inc.**  
Marine & Environmental Consulting

3584 Exchange Ave. Naples, FL 34104-3732

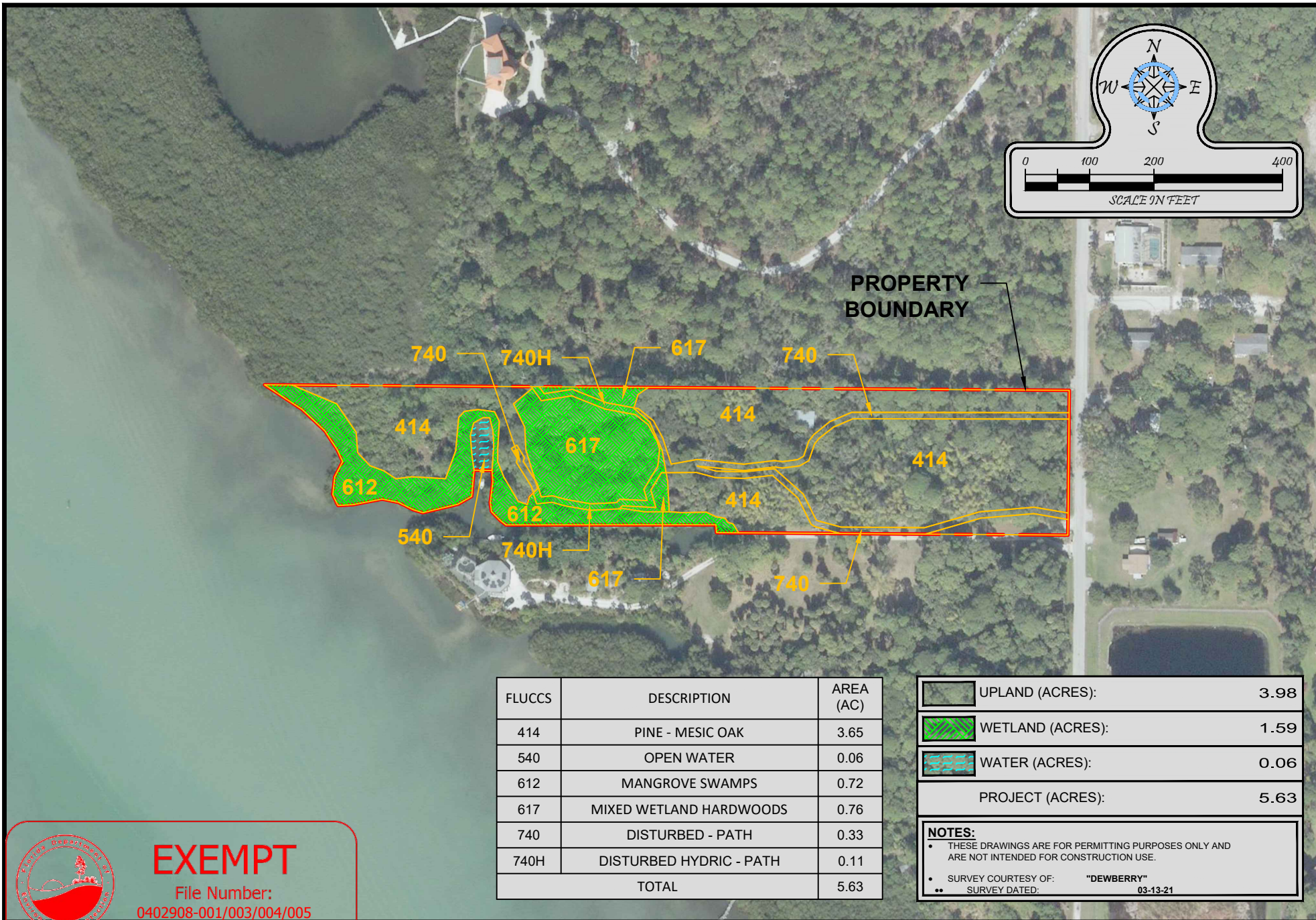
Email: tuna@thanaples.com Phone: (239) 643-0166 Fax: (239) 643-6632

## 9427 DOWNING ST LOCATION MAP

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

DESIGNED:	AP	REV:	REV BY:	DATE:	CHK BY:	CHANGED:
DRAWN BY:	RMJ	1.	RMJ	11-16-21	JR	REV SHEETS 04-05
CREATED:	08-06-21	2.	RMJ	10-10-22	AP	REV SHEET 08
JOB NO.:	20144.00	3.	-	-	-	-
SHEET NO.:	01 OF 11	4.	-	-	-	-
		5.	-	-	-	-
SECTION-20		TOWNSHIP- 41 S		RANGE- 20 E		





FLUCCS	DESCRIPTION	AREA (AC)
414	PINE - MESIC OAK	3.65
540	OPEN WATER	0.06
612	MANGROVE SWAMPS	0.72
617	MIXED WETLAND HARDWOODS	0.76
740	DISTURBED - PATH	0.33
740H	DISTURBED HYDRIC - PATH	0.11
TOTAL		5.63

	UPLAND (ACRES):	3.98
	WETLAND (ACRES):	1.59
	WATER (ACRES):	0.06
PROJECT (ACRES):		5.63

**NOTES:**

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- SURVEY COURTESY OF: "DEWBERRY"
- SURVEY DATED: 03-13-21

## EXEMPT

File Number:  
0402908-001/003/004/005

**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

# 9427 DOWNING ST

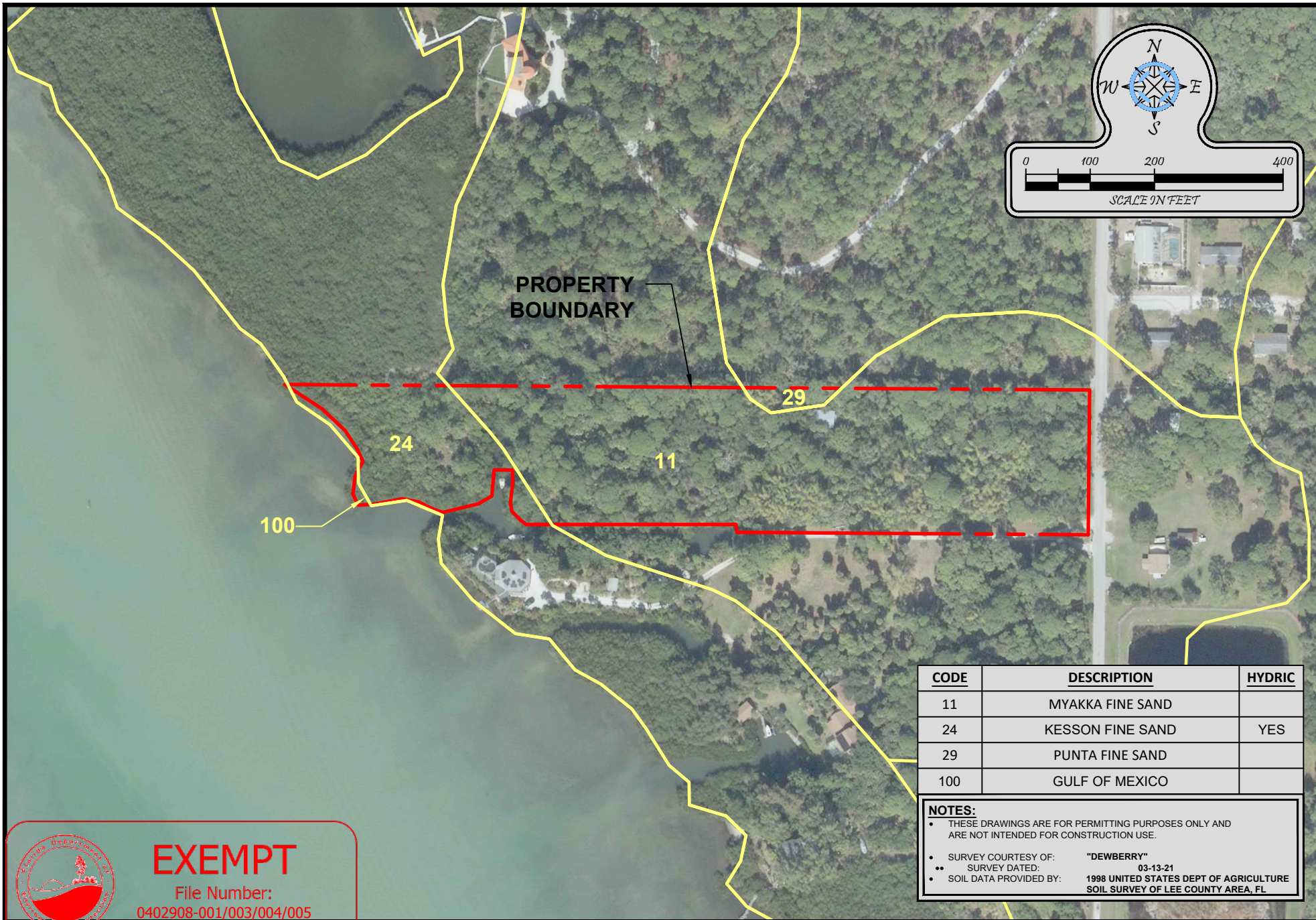
## FLUCCS MAP

DESIGNED:	AP	REV#	REV BY	DATE	CHK BY	CHANGES
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	08-06-21	2.	-	-	-	-
JOB NO.:	20144.00	3.	-	-	-	-
SHEET NO.:	02 OF 11	4.	-	-	-	-
		5.	-	-	-	-

SECTION- 20
TOWNSHIP- 41 S
RANGE- 20 E

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PROPERTY  
BOUNDARY

24 11 29 100

CODE	DESCRIPTION	HYDRIC
11	MYAKKA FINE SAND	
24	KESSON FINE SAND	YES
29	PUNTA FINE SAND	
100	GULF OF MEXICO	

**NOTES:**

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- SURVEY COURTESY OF: "DEWBERRY"
- SURVEY DATED: 03-13-21
- SOIL DATA PROVIDED BY: 1998 UNITED STATES DEPT OF AGRICULTURE SOIL SURVEY OF LEE COUNTY AREA, FL



**EXEMPT**

File Number:  
0402908-001/003/004/005



**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

# 9427 DOWNING ST

## SOILS MAP

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DESIGNED:	AP	REV	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	08-06-21	2.	-	-	-	-
JOB NO.:	20144.00	3.	-	-	-	-
SHEET NO.:	03 OF 11	4.	-	-	-	-
		5.	-	-	-	-

SECTION-20 TOWNSHIP- 41S RANGE- 20E





NOTE: ALL IMPACTS TO MANGROVES ARE FOR ACCESS OR CONSTRUCTION OF THE PROPOSED DOCK

FLUCCS	DESCRIPTION	MANGROVE REMOVAL (SF)	TRIMMING IMPACTS (SF)
612	MANGROVE SWAMPS	1,385	9217
617	MIXED WETLAND HARDWOODS		
740H	DISTURBED HYDRIC - PATH		
TOTAL		1385	9217

	MANGROVE REMOVAL (SQ FT)	1,385
	MANGROVE TRIM IMPACT (SQ FT)	9,217
<b>NOTES:</b> <ul style="list-style-type: none"> <li>THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.</li> <li>SURVEY COURTESY OF: "DEWBERRY"</li> <li>SURVEY DATED: 03-13-21</li> </ul>		



**EXEMPT**

File Number:  
0402908-001/003/004/005



**Turrell, Hall & Associates, Inc.**  
Marine & Environmental Consulting

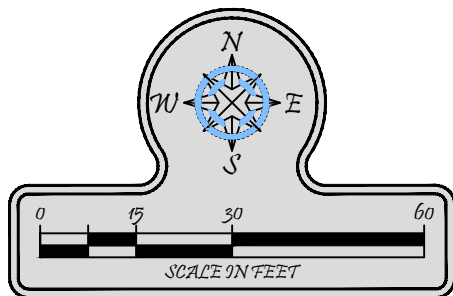
3584 Exchange Ave. Naples, FL 34104-3732

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

# 9427 DOWNING ST IMPACTS MAP

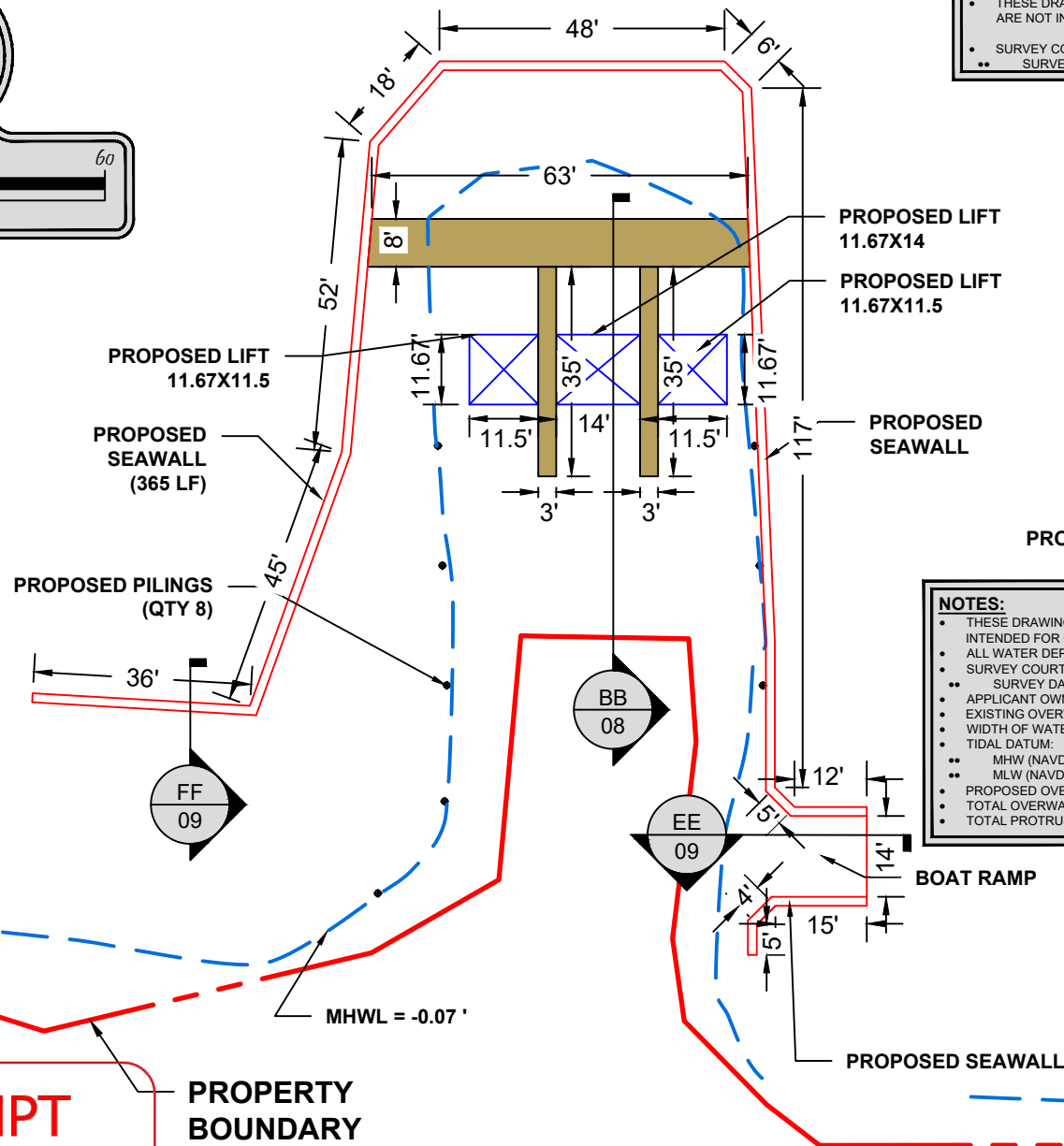
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

DESIGNED:	AP	REV	REV BY	DATE	CHK BY	CHANGED
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CREATED:	08-06-21	2.	-	-	-	-
JOB NO.:	20144.00	3.	-	-	-	-
SHEET NO.:	04 OF 11	4.	-	-	-	-
		5.	-	-	-	-
SECTION- 20		TOWNSHIP- 41 S		RANGE- 20 E		



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- SURVEY COURTESY OF: "DEWBERRY"
- SURVEY DATED: 03-13-21



**EXEMPT**

File Number:  
0402908-001/003/004/005



**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

**9427 DOWNING ST**  
**DOCK AND SEAWALL PLAN**

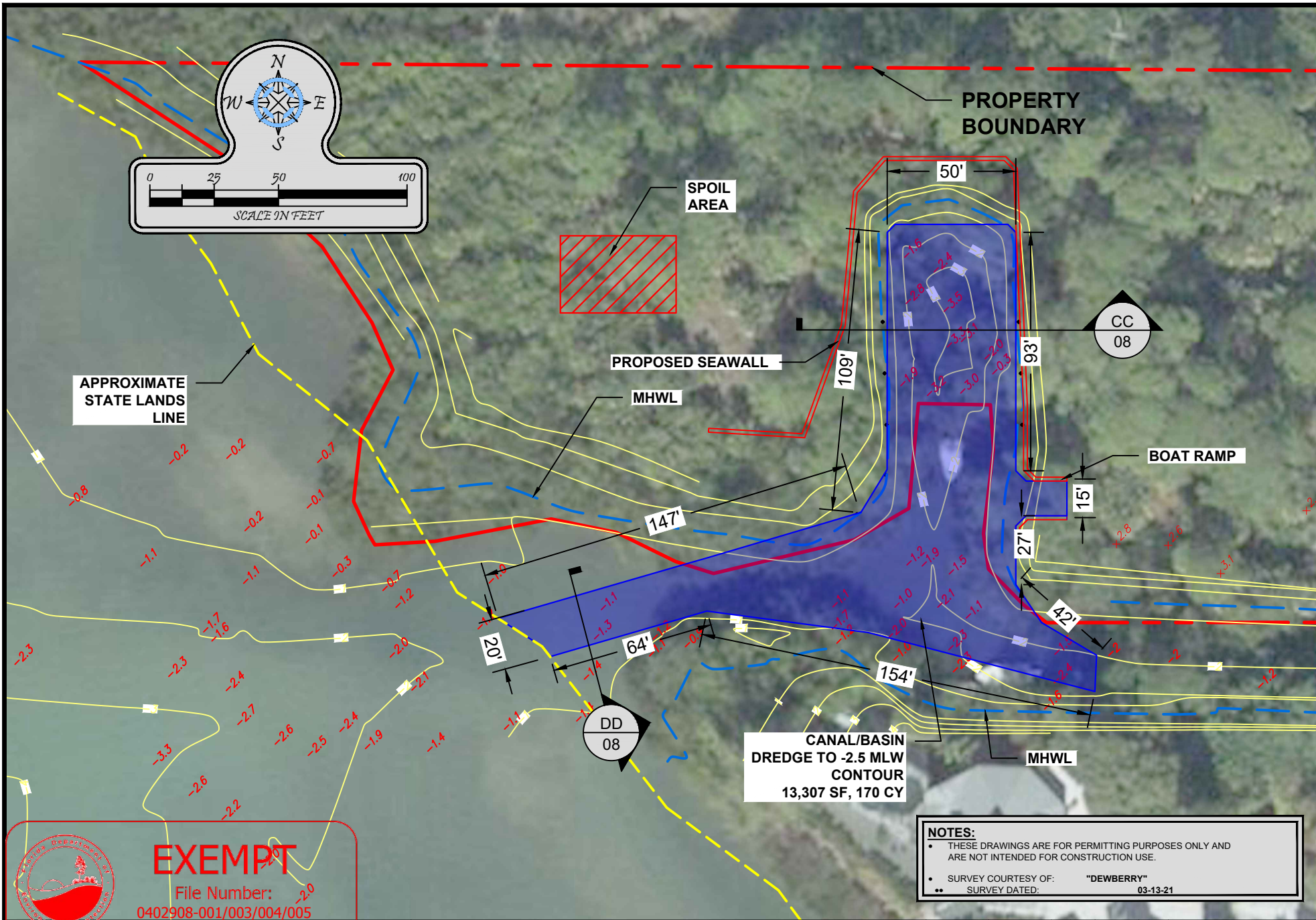
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

DESIGNED:	AP	REV	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	08-06-21	2.	-	-	-	-
JOB NO.:	20144.00	3.	-	-	-	-
SHEET NO.:	05 OF 11	4.	-	-	-	-
		5.	-	-	-	-

SECTION- 20 TOWNSHIP- 41 S RANGE- 20 E



P:\2014\00 9427 DOWNING ST\DWG DREDGE PLAN 10/10/2022



**EXEMPT**

File Number:  
0402908-001/003/004/005



**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

# 9427 DOWNING ST DREDGE PLAN

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

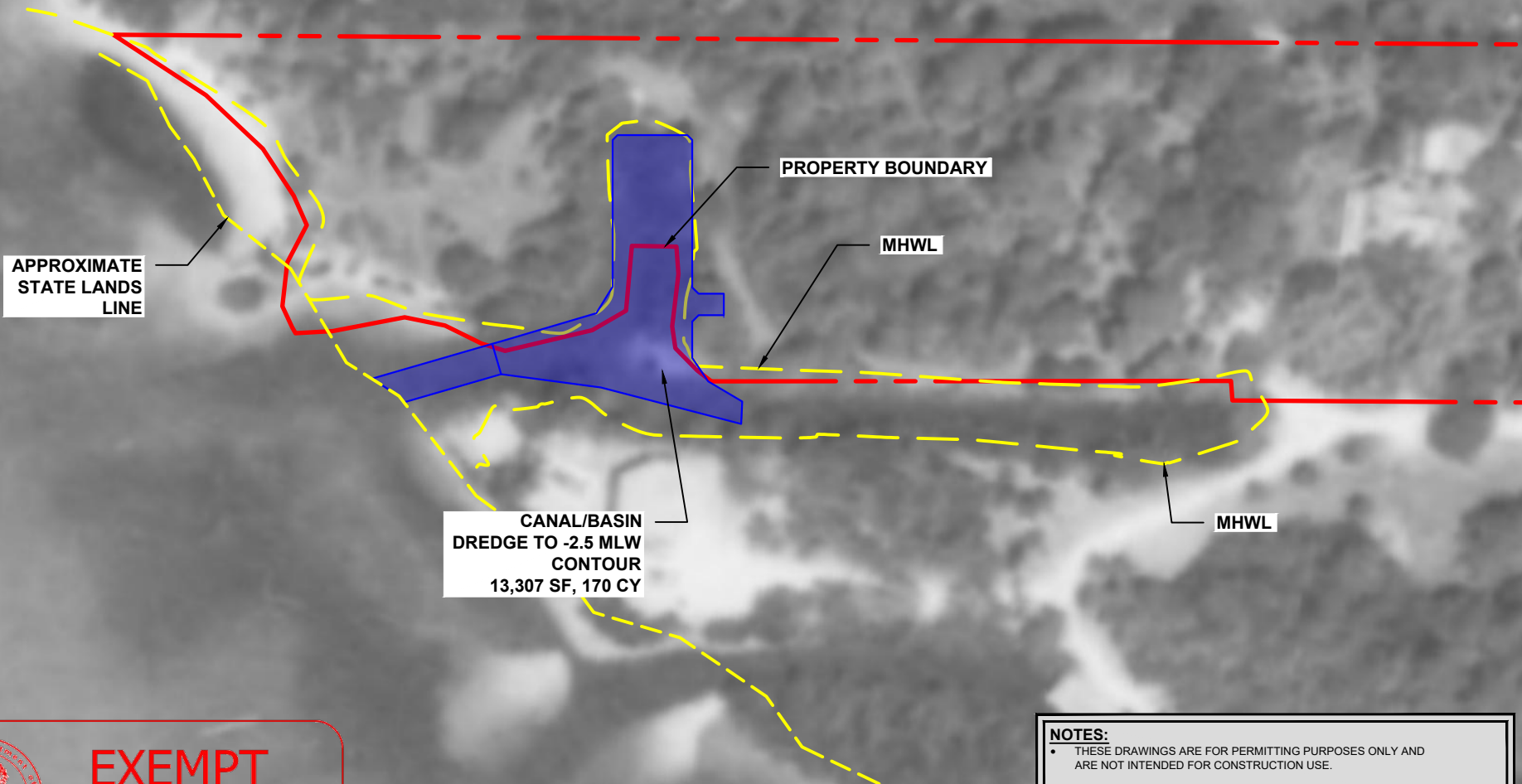
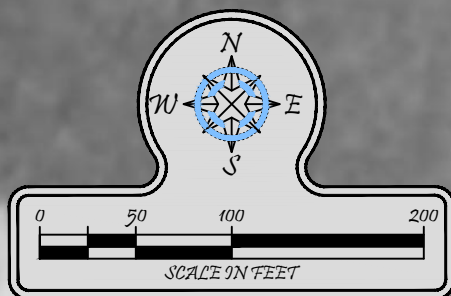
## NOTES:

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- SURVEY COURTESY OF: "DEWBERRY"
- SURVEY DATED: 03-13-21

DESIGNED:	AP	REV	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	RMJ	08-31-22	AP	UPDATED DREDGE FOOTPRINT
CREATED:	05-02-22	2.	-	-	-	-
JOB NO.:	20144.00	3.	-	-	-	-
SHEET NO.:	06 OF 11	4.	-	-	-	-
		5.	-	-	-	-

SECTION- 20      TOWNSHIP- 41 S      RANGE- 20 E

P:\2014\4.00 Stickley-9427 Downing St\CADEX\HBIT\2014\4.HIST-AER.dwg 1974-1975 AERIAL 10/10/2022



**EXEMPT**

File Number:  
0402908-001/003/004/005



**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

**9427 DOWNING ST**  
**1974-1975 AERIAL**

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

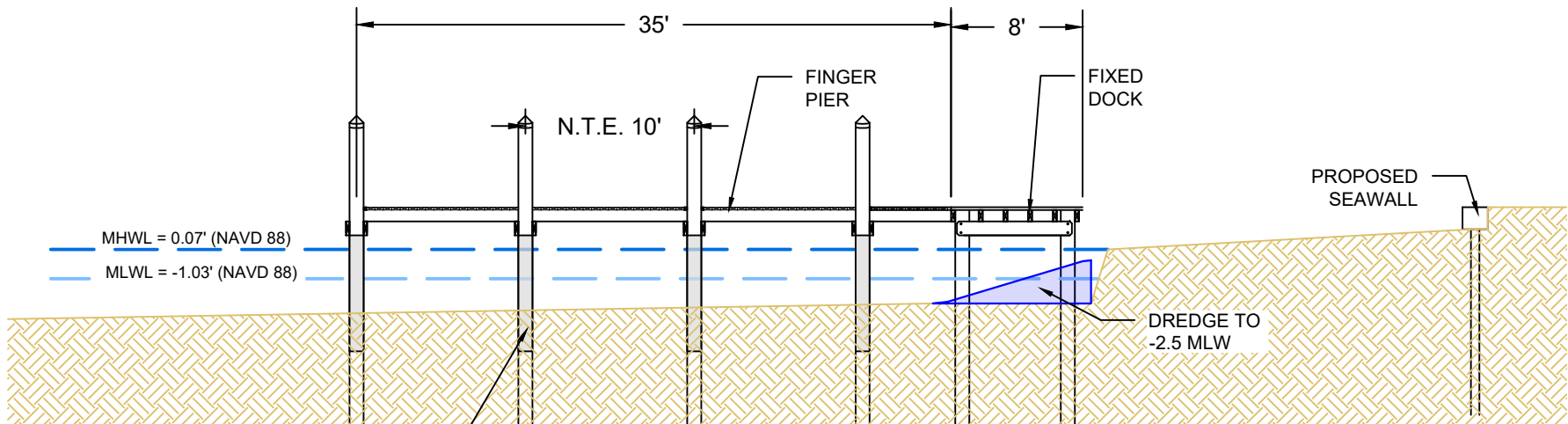
**NOTES:**

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- SURVEY COURTESY OF: "DEWBERRY"
- SURVEY DATED: 03-13-21

DESIGNED:	AP	REV	REV BY	DATE	CHK BY	CHANGES
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	03-24-21	2.	-	-	-	-
JOB NO.:	20144.00	3.	-	-	-	-
SHEET NO.:	07 OF 06	4.	-	-	-	-
		5.	-	-	-	-

SECTION- 20 TOWNSHIP- 41 S RANGE- 20 E

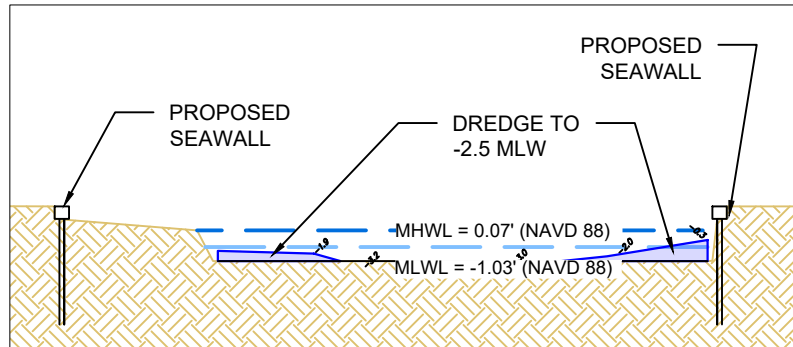
P:\2014\4.00 9427 DOWNING ST\CAD\PERMIT-STATE\2014-4-STATE.DWG CROSS SECTIONS 01 10/10/2022



ALL PILES TO BE WRAPPED FROM 12" ABOVE MHWL TO 6" BELOW SUBSTRATE

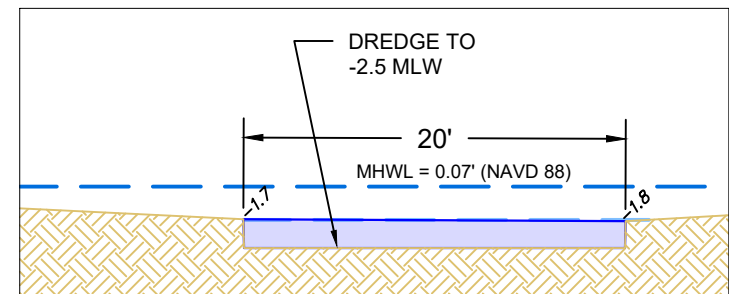
### SECTION BB

SCALE: 1" = 10'



### SECTION CC

SCALE: 1" = 20'



### SECTION DD

SCALE: 1" = 10'



**EXEMPT**

File Number:  
0402908-001/003/004/005



**Turrell, Hall & Associates, Inc.**  
Marine & Environmental Consulting

3584 Exchange Ave. Naples, FL 34104-3732

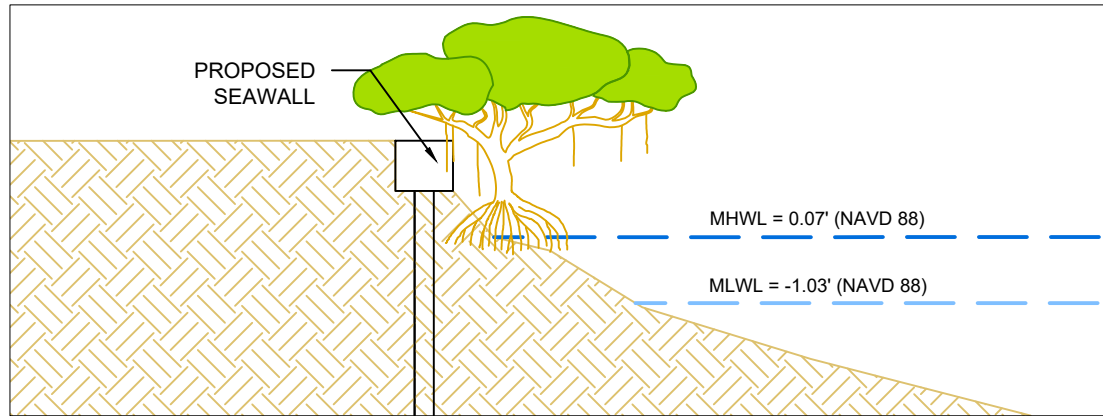
Email: tuna@thanaples.com Phone: (239) 643-0166 Fax: (239) 643-6632

**9427 DOWNING ST**  
**CROSS SECTIONS 01**

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

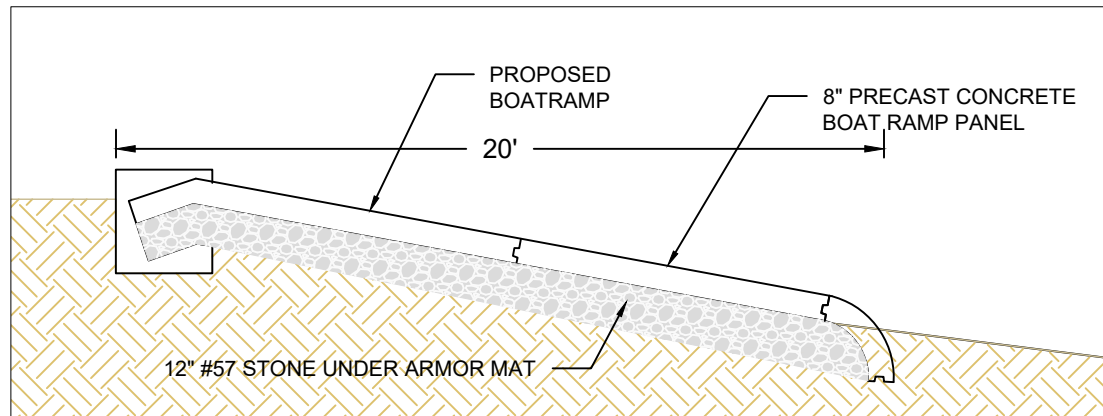
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CREATED:	12-14-21	2.	-	-	-	-
JOB NO.:	20144.00	3.	-	-	-	-
SHEET NO.:	08 OF 11	4.	-	-	-	-
		5.	-	-	-	-
SECTION- 20		TOWNSHIP- 41 S		RANGE- 20 E		





**SECTION FF**

SCALE: 1" = 5'



**SECTION EE**

SCALE: 1" = 5'



**EXEMPT**

File Number:  
0402908-001/003/004/005



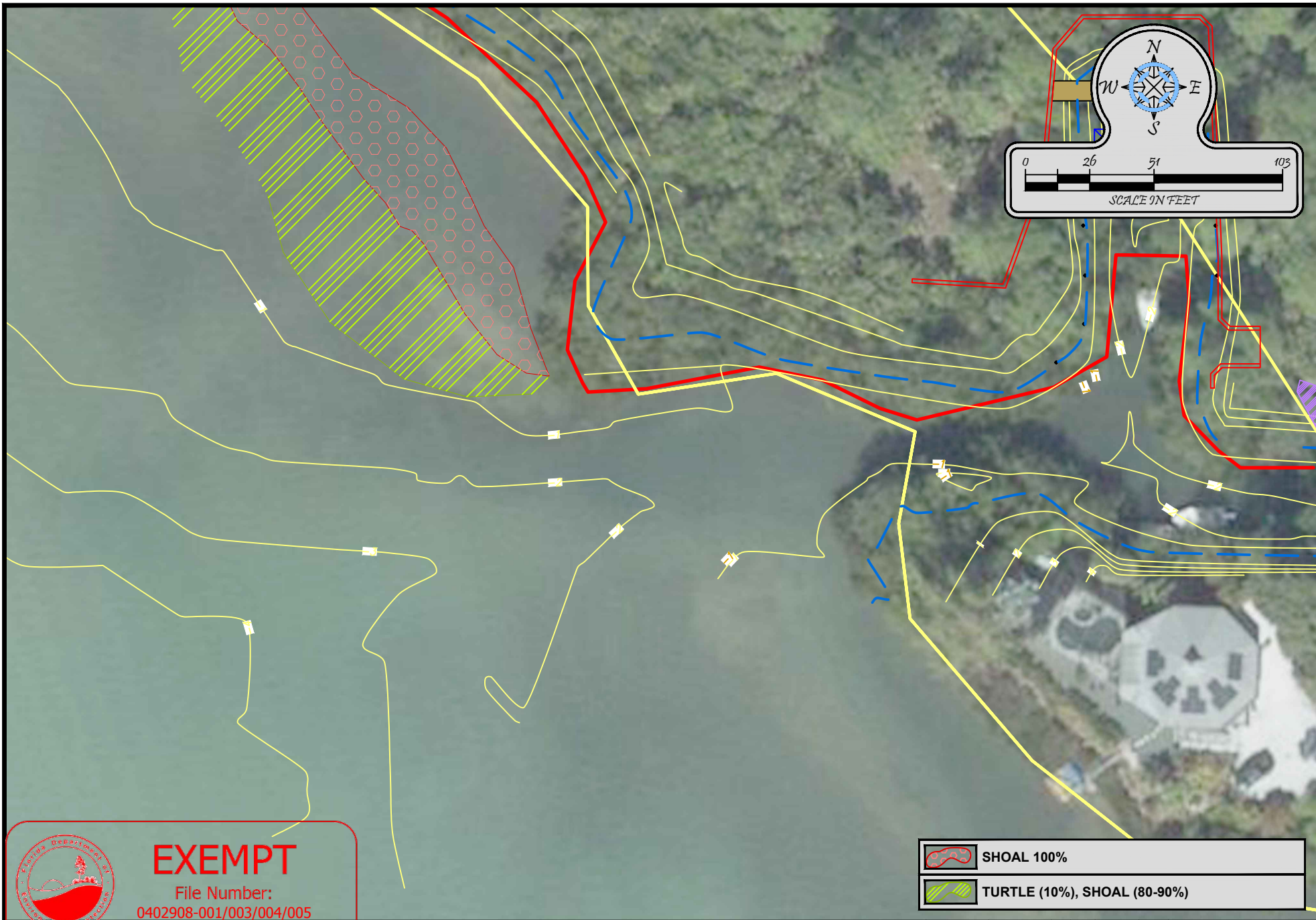
**Turrell, Hall & Associates, Inc.**  
Marine & Environmental Consulting  
3584 Exchange Ave. Naples, FL 34104-3732

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

**9427 DOWNING ST**  
**CROSS SECTIONS 02**

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

DESIGNED:	AP	REV#	REV BY	DATE	CHK BY	CHANGED
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CREATED:	08-06-21	2.	-	-	-	-
JOB NO.:	20144.00	3.	-	-	-	-
SHEET NO.:	09 OF 11	4.	-	-	-	-
		5.	-	-	-	-
SECTION- 20		TOWNSHIP- 41 S		RANGE- 20 E		



**EXEMPT**

File Number:  
0402908-001/003/004/005



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# 9427 DOWNING ST SUBMERGED RESOURCE SURVEY

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

	SHOAL 100%
	TURTLE (10%), SHOAL (80-90%)

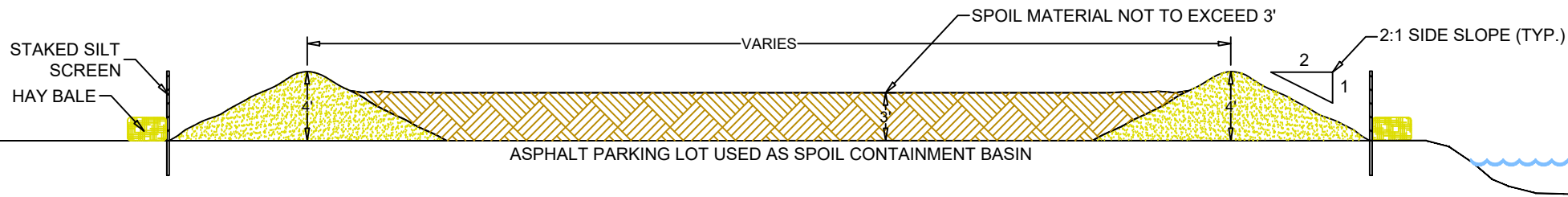
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JOB NO.:	20144.00	3.	-	-	-	-
SHEET NO.:	10 OF 11	4.	-	-	-	-
		5.	-	-	-	-

SECTION- 20 TOWNSHIP- 41 S RANGE- 20 E

P:\2014\4.00 sticker\9427 DOWNING ST\A1E20144-TYP-SPOIL-CONTAINMENT.dwg TYPICAL SPOIL CONTAINMENT AREA 10/10/2022 RANDI

# CROSS SECTION A-A'

N.T.S.



## NOTES:

NO SPOIL RUNOFF INTO STATE WATERS

BOTH ENDS OF THE TURBIDITY CURTAIN SHOULD EXTEND FROM THE SHORELINE O COLUMN. PLACE THE APPROPRIATE # OF ANCHORS TO HOLD THE CURTAIN IN PLACE BASED ON THE VELOCITY OF THE WATERBODY AT THE TIME OF CONSTRUCTION AND ALLOW ENOUGH SLACK FOR BOTH FLOOD AND EBB CONDITIONS.

THE BARGE WILL BE WITHIN THE CONSTRUCTION AREA SURROUNDED BY THE TURBIDITY CURTAIN. TURBIDITY (NTU) WILL BE MONITORED TWICE DAILY, AT LEAST 4 HRS APART DURING ANY IN WATER WORK AT THE SITE. TURBIDITY STATIONS WILL BE LOCATED AT THE WATER'S SURFACE AND 1' ABOVE THE BOTTOM WITHIN THE CONSTRUCTION AREA, WITHIN ANY VISIBL TURBIDITY PLUMES AND AT LEAST 150' DOWN CURRENT FROM THE WORK AREA. A BACKGROUND STATION WILL BE LOCATED AT LEAST 100 YARDS UP-CURRENT OR AGAINST THE TIDE FROM THE SAMPLES WITHIN THE CONSTRUCTION AREA AT THE WATER'S SURFACE AND 1' FROM THE BOTTOM.

ALL TURBIDITY DATA SHALL BE DOCUMENTED AND SUBMITTED TO DEP.

IF TURBIDITY LEVELS IN THE CONSTRUCTION AREA ARE 29 NTU'S GREATER THAN THOSE OF THE BACKGROUND STATION, ALL WORK MUST BE STOPPED AND DEP NOTIFIED.

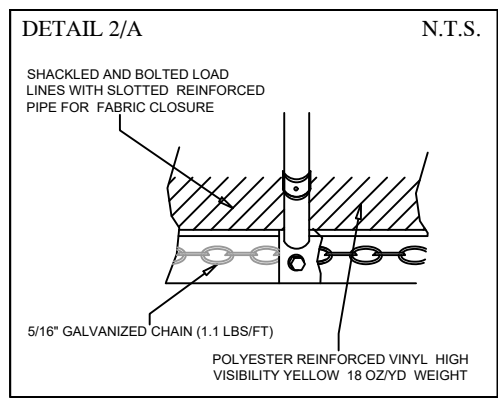
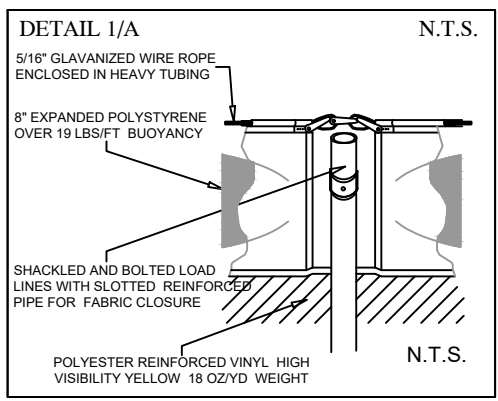
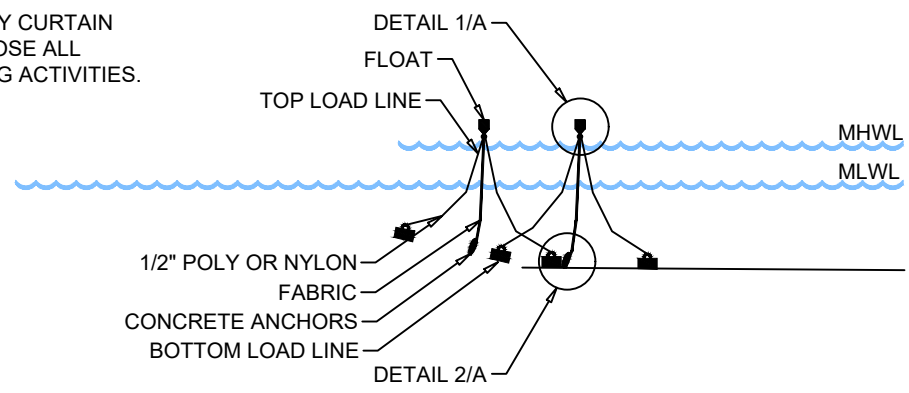
DEP STAFF WILL NOTIFY WHEN WORK MAY CONTINUE.


CURTAIN WILL REMAIN IN PLACE UNTIL TURBIDITY LEVELS ARE NORMAL. SPOIL TO BE OFFLOADED FROM BARGE TO TEMPORARY HOLDING AREA VIA BARGE MOUNTED BACKHOE. SPOIL WILL BE MOVED TO PERMANENT SPOIL FIELD VIA UT TO THE WORK AREA FROM THE TOP TO THE BOTTOM OF THE WATERFRONT END LOADER.

## TYPICAL TURBIDITY CURTAIN DETAIL

N.T.S.


TURBIDITY CURTAIN TO ENCLOSE ALL DREDGING ACTIVITIES.





## EXEMPT

File Number:  
0402908-001/003/004/005



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**9427 DOWNING ST**  
**TYPICAL SPOIL CONTAINMENT AREA**

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

DESIGNED:	AP	REV#	REV BY	DATE	CHK BY	CHANGED
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	08-06-21	2.	-	-	-	-
JOB NO.:	20144.00	3.	-	-	-	-
SHEET NO.:	11 OF 11	4.	-	-	-	-
		5.	-	-	-	-
SECTION- 20		TOWNSHIP- 20S		RANGE- 41E		

**62-330.051 Exempt Activities.**

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under chapters 253 and 258, F.S., as applicable.

(5) Dock, Pier, Boat Ramp and Other Boating-related Work –

(c) Construction of private docks or piers of 1,000 square feet or less of over-water surface area in artificial waters in accordance with section 403.813(1)(i), F.S., and within residential canal systems legally in existence under chapter 403 or part IV of chapter 373, F.S. This includes associated structures such as roofs and boat lifts, provided the cumulative square footage of the dock or pier and all associated structures located over wetlands and other surface waters does not exceed 1,000 square feet.

**Section 403.813, Florida Statutes** Permits issued at district centers; exceptions.—

(1) A permit is not required under this chapter, chapter 373, chapter 61-691, Laws of Florida, or chapter 25214 or chapter 25270, 1949, Laws of Florida, for activities associated with the following types of projects; however, except as otherwise provided in this subsection, this subsection does not relieve an applicant from any requirement to obtain permission to use or occupy lands owned by the Board of Trustees of the Internal Improvement Trust Fund or a water management district in its governmental or proprietary capacity or from complying with applicable local pollution control programs authorized under this chapter or other requirements of county and municipal governments:

(i) The construction of private docks of 1,000 square feet or less of over-water surface area and seawalls in artificially created waterways where such construction will not violate existing water quality standards, impede navigation, or affect flood control. This exemption does not apply to the construction of vertical seawalls in estuaries or lagoons unless the proposed construction is within an existing manmade canal where the shoreline is currently occupied in whole or part by vertical seawalls.

**62-330.051 Exempt Activities.**

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under chapters 253 and 258, F.S., as applicable.

(5) Dock, Pier, Boat Ramp and Other Boating-related Work –

(e) The construction and maintenance to design specifications of boat ramps in accordance with section 403.813(1)(c), F.S., where navigational access to the proposed ramp currently exists:

1. In artificial waters and residential canal systems; or
2. In any wetland or other surface waters when the ramps are open to the public; and
3. The installation of docks associated with and adjoining boat ramps constructed as part of the above ramps is limited to an area of 500 square feet or less over wetlands and other surface waters.

**Section 403.813, Florida Statutes** Permits issued at district centers; exceptions.—

(1) A permit is not required under this chapter, chapter 373, chapter 61-691, Laws of Florida, or chapter 25214 or chapter 25270, 1949, Laws of Florida, for activities associated with the following types of projects; however, except as otherwise provided in this subsection, this subsection does not relieve an applicant from any requirement to obtain permission to use or occupy lands owned by the Board of Trustees of the Internal Improvement Trust Fund or a water management district in its governmental or proprietary capacity or from complying with applicable local pollution control programs authorized under this chapter or other requirements of county and municipal governments:

(c) The installation and maintenance to design specifications of boat ramps on artificial bodies of water where navigational access to the proposed ramp exists or the installation of boat ramps open to the public in any waters of the state where navigational access to the proposed ramp exists and where the construction of the proposed ramp will be less than 30 feet wide and will involve the removal of less than 25 cubic yards of material from the waters of the state, and the maintenance to design specifications of such ramps; however, the material to be removed shall be placed upon a self-contained upland site so as to prevent the escape of the spoil material into the waters of the state.

### **62-330.051 Exempt Activities.**

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under chapters 253 and 258, F.S., as applicable.

(7) Maintenance and Restoration –

(a) Maintenance dredging under section 403.813(1)(f), F.S.

*Rulemaking Authority 373.026(7), 373.043, 373.4131, 373.4145, 403.805(1) FS. Law Implemented 373.406, 373.4131, 373.4145, 373.415, 403.813(1) FS. History—New 10-1-13, Amended 6-1-18.*

### **403.813 Permits issued at district centers; exceptions.—**

(1) A permit is not required under this chapter, chapter 373, chapter 61-691, Laws of Florida, or chapter 25214 or chapter 25270, 1949, Laws of Florida, for activities associated with the following types of projects; however, except as otherwise provided in this subsection, this subsection does not relieve an applicant from any requirement to obtain permission to use or occupy lands owned by the Board of Trustees of the Internal Improvement Trust Fund or a water management district in its governmental or proprietary capacity or from complying with applicable local pollution control programs authorized under this chapter or other requirements of county and municipal governments:

(f) The performance of maintenance dredging of existing manmade canals, channels, intake and discharge structures, and previously dredged portions of natural water bodies within drainage rights-of-way or drainage easements which have been recorded in the public records of the county, where the spoil material is to be removed and deposited on a self-contained, upland spoil site which will prevent the escape of the spoil material into the waters of the state, provided that no more dredging is to be performed than is necessary to restore the canals, channels, and intake and discharge structures, and previously dredged portions of natural water bodies, to original design specifications or configurations, provided that the work is conducted in compliance with s. [379.2431](#)(2)(d), provided that no significant impacts occur to previously undisturbed natural areas, and provided that control devices for return flow and best management practices for erosion and sediment control are utilized to prevent bank erosion and scouring and to prevent turbidity, dredged material, and toxic or deleterious substances from discharging into adjacent waters during maintenance dredging. Further, for maintenance dredging of previously dredged portions of natural water bodies within recorded drainage rights-of-way or drainage easements, an entity that seeks an exemption must notify the department or water management district, as applicable, at least 30 days prior to dredging and provide documentation of original design specifications or configurations where such exist. This exemption applies to all canals and previously dredged portions of natural water bodies within recorded drainage rights-of-way or drainage easements constructed prior to April 3, 1970, and to those canals and previously dredged portions of natural water bodies constructed on or after April 3, 1970, pursuant to all necessary state permits. This exemption does not apply to the removal of a natural or manmade barrier separating a canal or canal system from adjacent waters. When no previous permit has been issued by the Board of Trustees of the Internal Improvement Trust Fund or the United States Army Corps of Engineers for construction or maintenance dredging of the existing manmade canal or intake or discharge structure, such maintenance dredging shall be limited to a depth of no more than 5 feet below mean low water. The Board of Trustees of the Internal Improvement Trust Fund may fix and recover from the permittee an amount equal to the difference between the fair market value and the actual cost of the maintenance dredging for material removed during such maintenance dredging. However, no charge shall be exacted by the state for material removed during such maintenance dredging by a public port authority. The removing party may subsequently sell such material; however, proceeds from such sale that exceed the costs of maintenance dredging shall be remitted to the state and deposited in the Internal Improvement Trust Fund.

## **62-330.051 Exempt Activities**

### **(13) Single-Family Residences and Associated Residential Improvements –**

(a) The construction, alteration, maintenance, removal, and abandonment of one, individual single-family dwelling unit, duplex, triplex, or quadruplex, and associated residential improvements, that:

1. Do not involve any work in wetlands or other surface waters;
2. Are not part of a larger common plan of development or sale requiring a permit or modification of a permit under Part IV of Chapter 373, F.S.;
3. Comply with the limitations and restrictions in paragraph 62-330.050(9)(a), F.A.C.