



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
1520 ROYAL PALM SQUARE BLVD., SUITE 310
FORT MYERS, FLORIDA 33919

April 2, 2019

Regulatory Division
West Permits Branch
Fort Myers Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2001-06440 (SP-MLB)

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) as described below:

APPLICANT: Villages at Stella Maris
C/o Ricardo Oliva
1031 NW 185th Ave
Pembroke Pines, FL 33029

WATERWAY AND LOCATION: The project would affect waters of the United States associated with the Faka Union Canal located within the Big Cypress Swamp watershed. The project site is located in Port of the Islands at 275 Cays Dr., in Section 9, Township 52 South, Range 28 East, Naples, Collier County, Florida.

Directions to the site are as follows: From I-75, take Exit 101 and head south onto Collier Boulevard for 6.8 miles; turn left onto US-41 and continue for 14 miles; turn right onto Cays Drive; in 400 feet turn right onto Stellas Maris Drive North.

APPROXIMATE CENTRAL COORDINATES: Latitude 25.95768°
Longitude -81.50698°

PROJECT PURPOSE:

Basic: The basic project purpose is marina expansion.

Overall: The overall project purpose is to increase the number of mooring spaces and provide waterway access for a private multi-family residential community.

BACKGROUND: The Corps issued a Letter of Permission to Port of the Island Development on April 3, 2008, for the construction and installation of a boat ramp at the Villages of Stella Maris. The work approved in the issued permit included the excavation of 93 cubic yards of material from above the mean high water line (MHWL) and for the placement of 37.8 cubic yards of fill material below the MHWL, within Waters

of the United States (WoUS). All of the work was completed by the expiration date of April 3, 2013.

EXISTING CONDITIONS: The private multi-family marina consists of an 85 square foot single marginal dock, a 20' by 66' boat ramp, and a 1,485' concrete seawall.

PROPOSED WORK: The applicant seeks authorization to remove an existing 85 square foot marginal dock consisting of 2 wet slips and adding 34 finger piers consisting of 68 wet slips, over a 6,427 square foot area (0.15 acre). The finger piers would be identical and would extend out 30 feet from the existing seawall. Each finger pier would be 30' long by 6' wide (180 square feet) and contain a 3' by 3' flare on each side where it would join with the seawall. Each finger pier would consist of twelve (12) -10 inch CCA treated and PVC wrapped wood pilings with a 5" spaced plank decking. The floor of the decking would be placed 30" above the MHWL.

AVOIDANCE AND MINIMIZATION INFORMATION – The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment:

The applicant has selected a site that does not contain submerged aquatic vegetation, hard bottom formations, or any special aquatic resource. The applicant proposes to use turbidity barriers and best management practices (BMP's) during all phases of the work.

COMPENSATORY MITIGATION – The applicant has offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment:

Compensatory mitigation is not proposed since the project would not impact special aquatic resources.

CULTURAL RESOURCES: The Corps is not aware of any known historic properties within the permit area. By copy of this public notice, the Corps is providing information for review. Our final determination relative to historic resource impacts is subject to review by and coordination with the State Historic Preservation Officer and those federally recognized tribes with concerns in Florida and the Permit Area.

ENDANGERED SPECIES:

The Corps has determined the proposed project may affect the West Indian manatee (*Trichechus manatus*). The project is located in a Warm Water Aggregation Area (WWAA) and has not been reviewed by the Florida Fish and Wildlife Commission (FWC) or the United States Fish and Wildlife Service (USFWS). The Corps will request USFWS concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

ESSENTIAL FISH HABITAT (EFH): This notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery

Conservation and Management Act 1996. Our determination is that the proposed project would have no adverse impact on EFH as the project site.

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 jurisdictional line has been verified by Corps personnel.

AUTHORIZATION FROM OTHER AGENCIES: Water Quality Certification may be required from the Florida Department of Environmental Protection and/or one of the state Water Management Districts.

COMMENTS regarding the potential authorization of the work proposed should be submitted in writing to the attention of the District Engineer through the Fort Myers Permits Section, 1520 Royal Palm Square Blvd., Suite 310, Fort Myers, Florida 33919 within 21 days from the date of this notice.

The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to the associated wetlands. This is based on an analysis of the applicant's avoidance and minimization efforts for the project, as well as the compensatory mitigation proposed.

QUESTIONS concerning this application should be directed to the project manager, Michelle Bartley, in writing at the Fort Myers Permits Section, 1520 Royal Palm Square Blvd., Suite 310, Fort Myers, Florida 33919 or by electronic mail at michelle.l.bartley@usace.army.mil; or by telephone at (239) 334-1975 ext. 0006.

IMPACT ON NATURAL RESOURCES: Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area.

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. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the

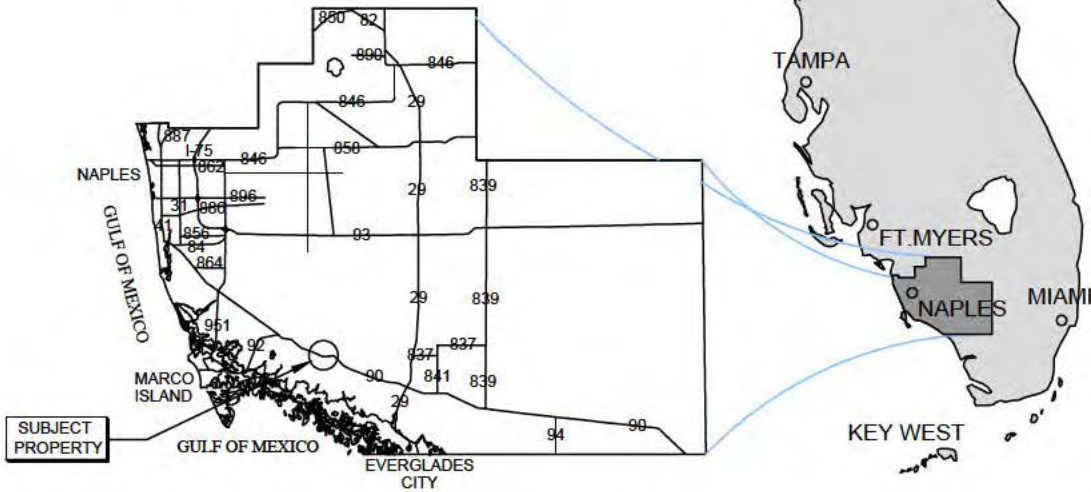
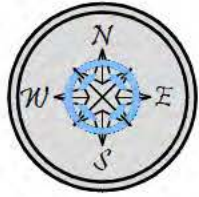
Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

The US Army Corps of Engineers (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 also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with the Coastal Zone Management Plan.

REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.

STATE OF FLORIDA



COLLIER COUNTY

SITE ADDRESS:

◇ STELLA MARIS NORTH
NAPLES, FL 34114

NOTES:

- ◇ THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- ◇ LATITUDE: N 25° 57' 27.05"
- ◇ LONGITUDE: W 81° 30' 30.802"

SUBJECT PROPERTY

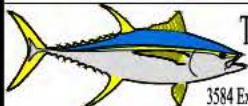


VICINITY MAP

SUBJECT PROPERTY



COUNTY AERIAL



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

Email: tuna@turrell-associates.com

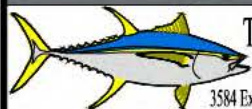
Phone: (239) 643-0166

Fax: (239) 643-6632

VILLAGES AT STELLA MARIS LOCATION MAP

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.	-	-	-	-
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JOB NO.:	1502	3.	-	-	-	-
SHEET NO.:	01 OF 07	4.	-	-	-	-
		5.	-	-	-	-
SECTION-09		TOWNSHIP- 52 S		RANGE- 28 E		



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VILLAGES AT STELLA MARIS EXISTING AERIAL

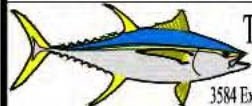
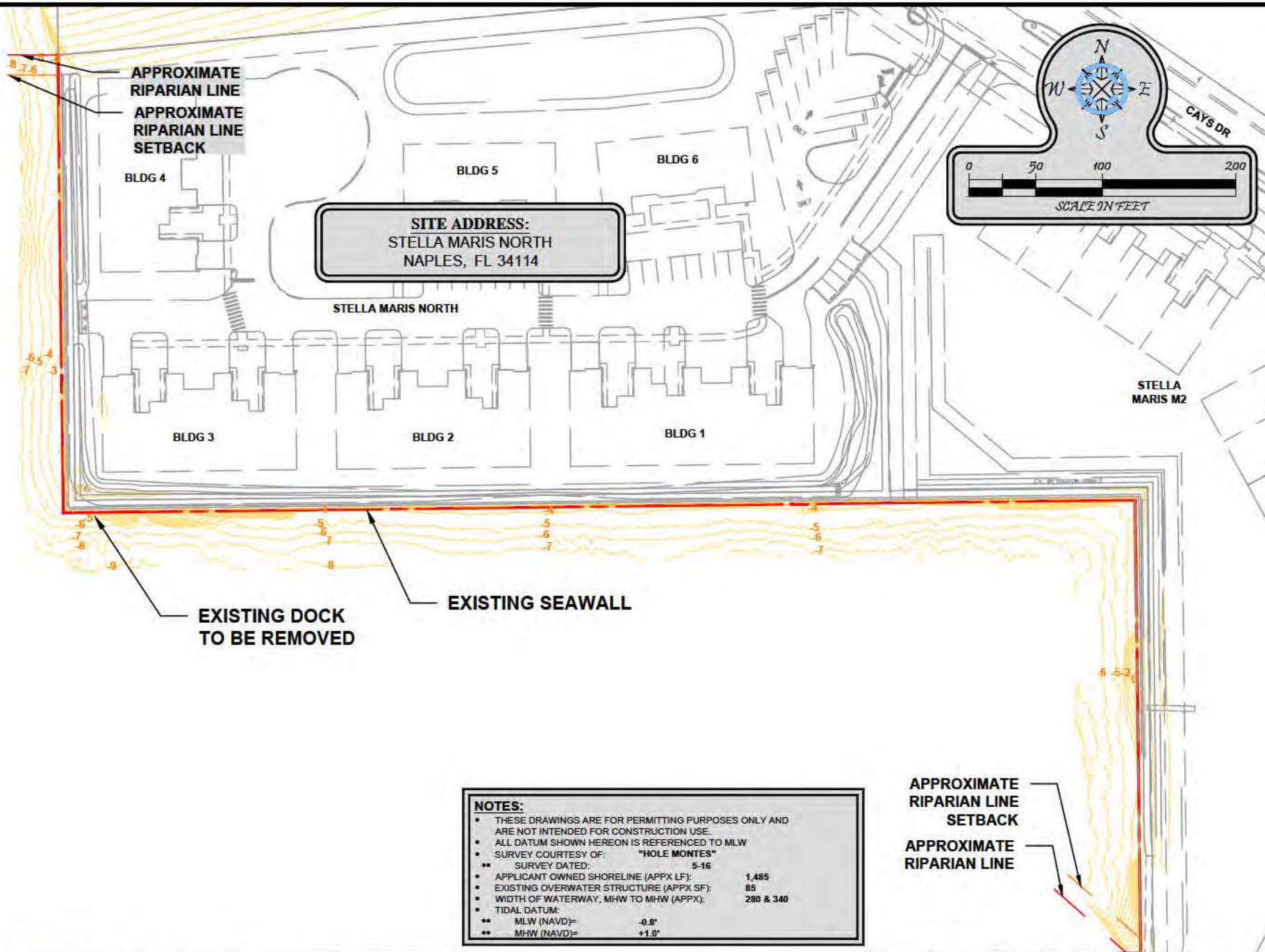
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VILLAGES AT STELLA MARIS EXISTING SITE

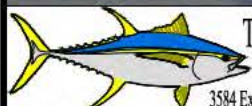
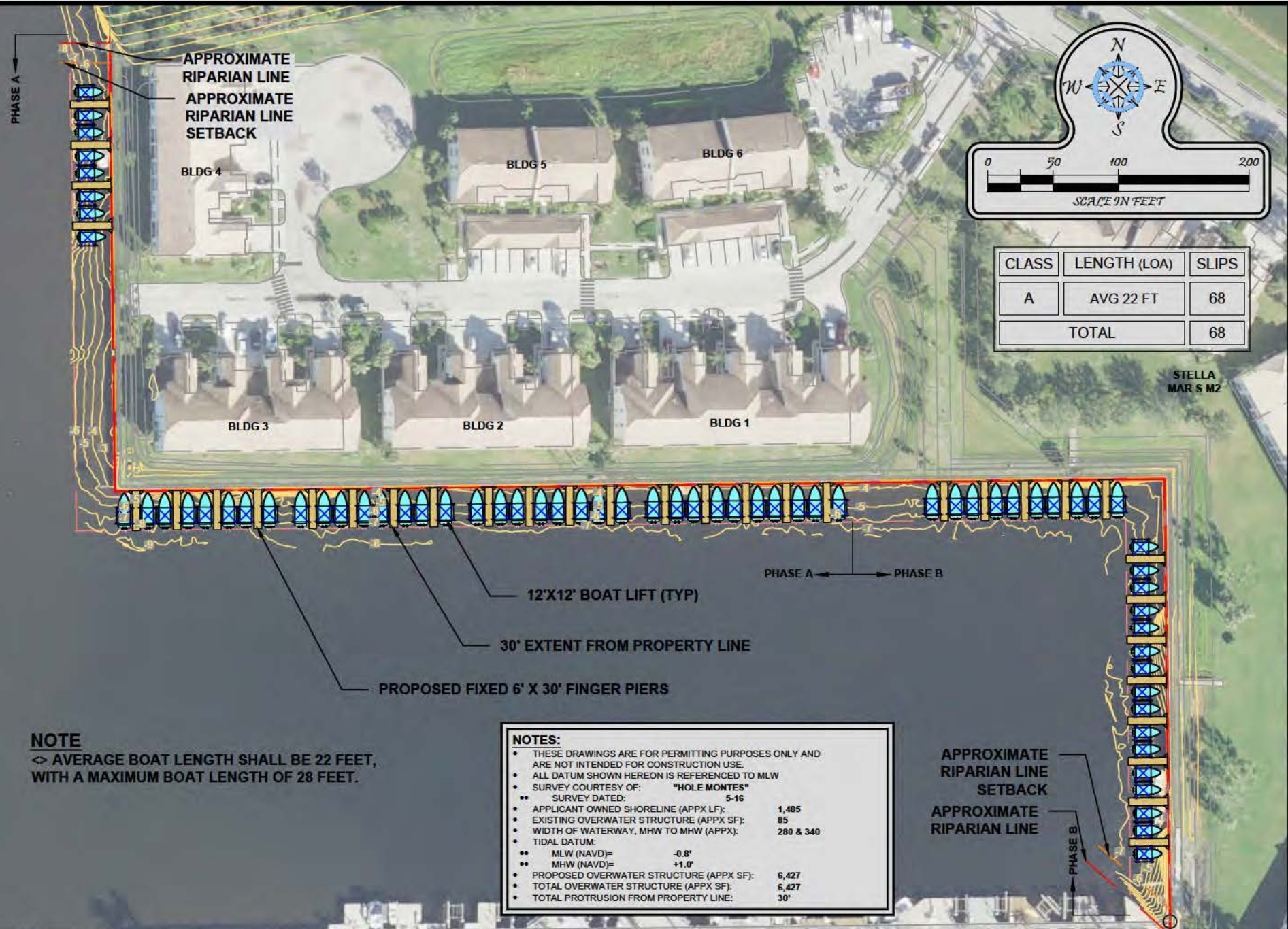
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VILLAGES AT STELLA MARIS **PROPOSED AERIAL**

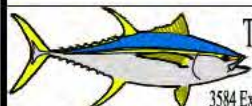
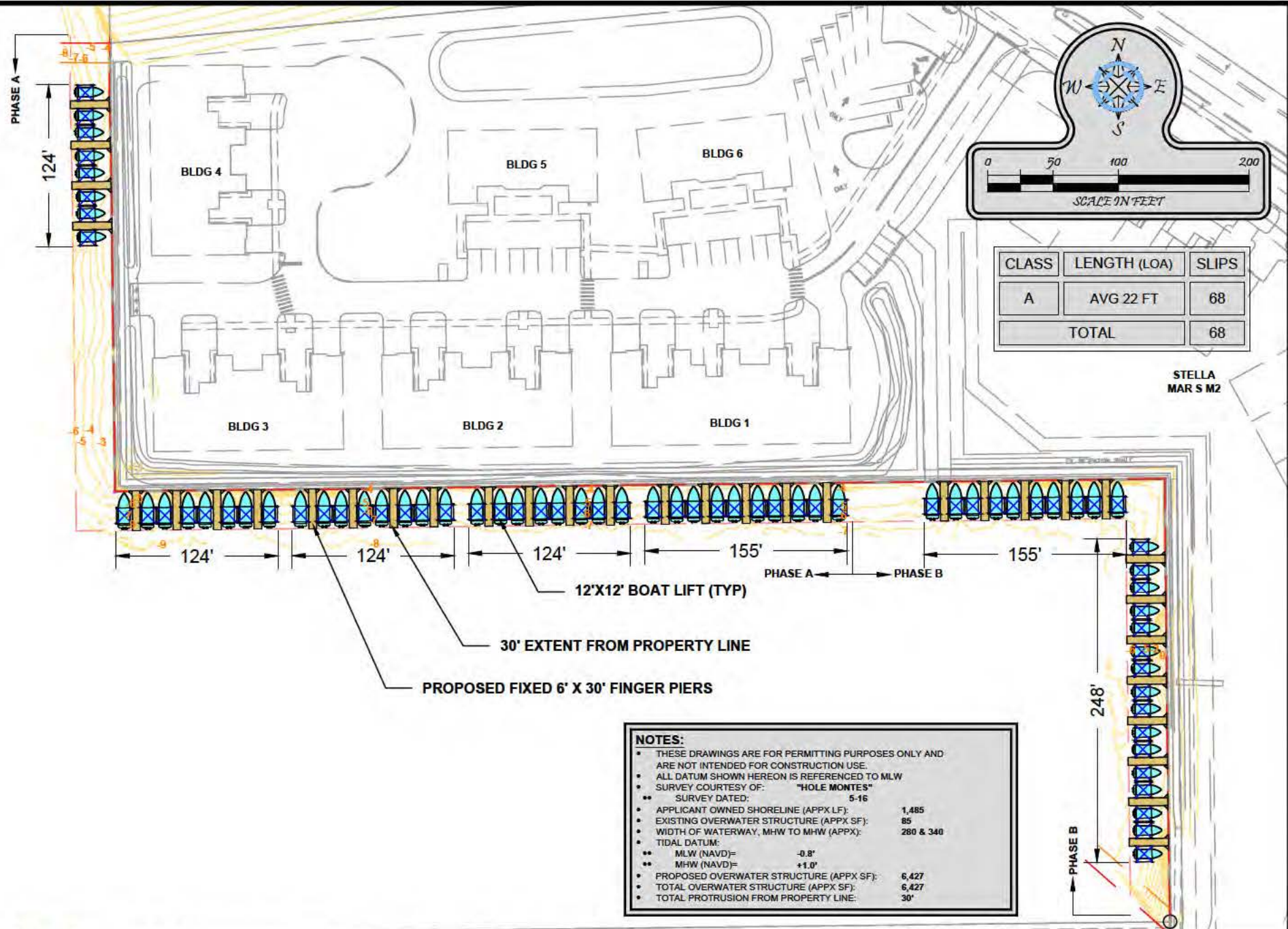
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VILLAGES AT STELLA MARIS PROPOSED SITE

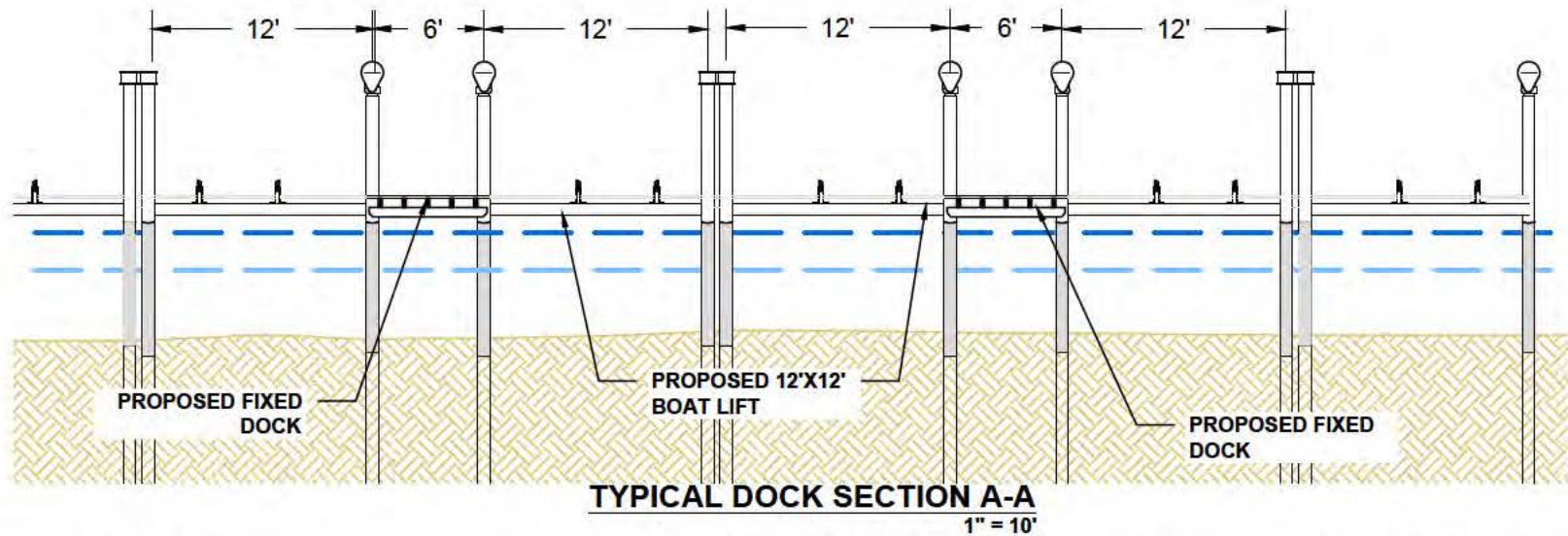
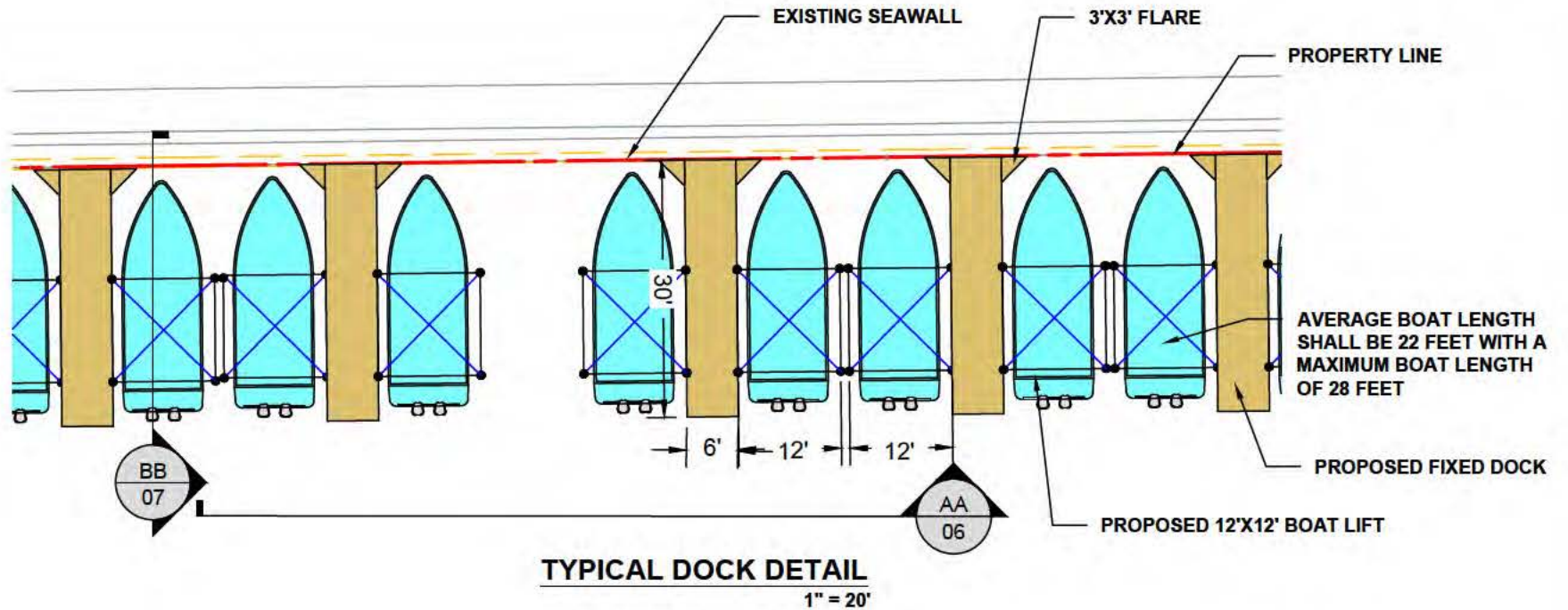
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VILLAGES AT STELLA MARIS

TYPICAL DETAIL & SECTION AA

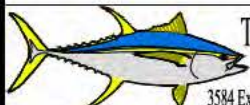
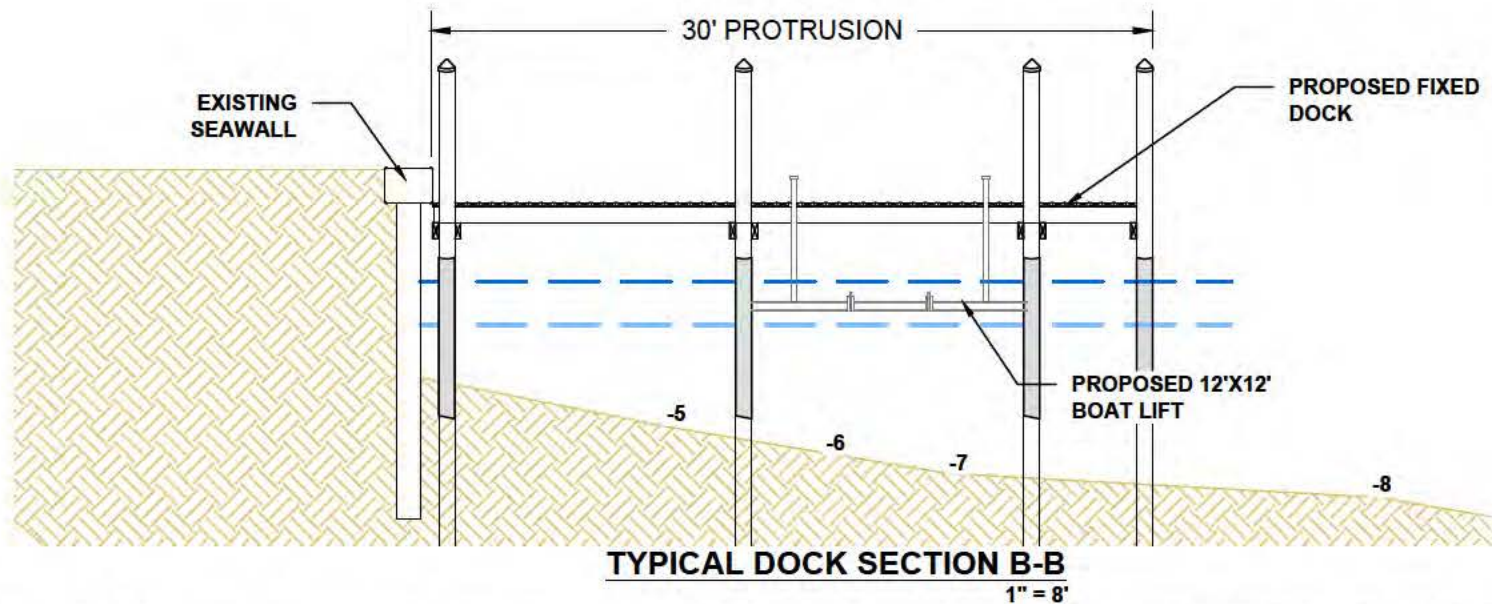
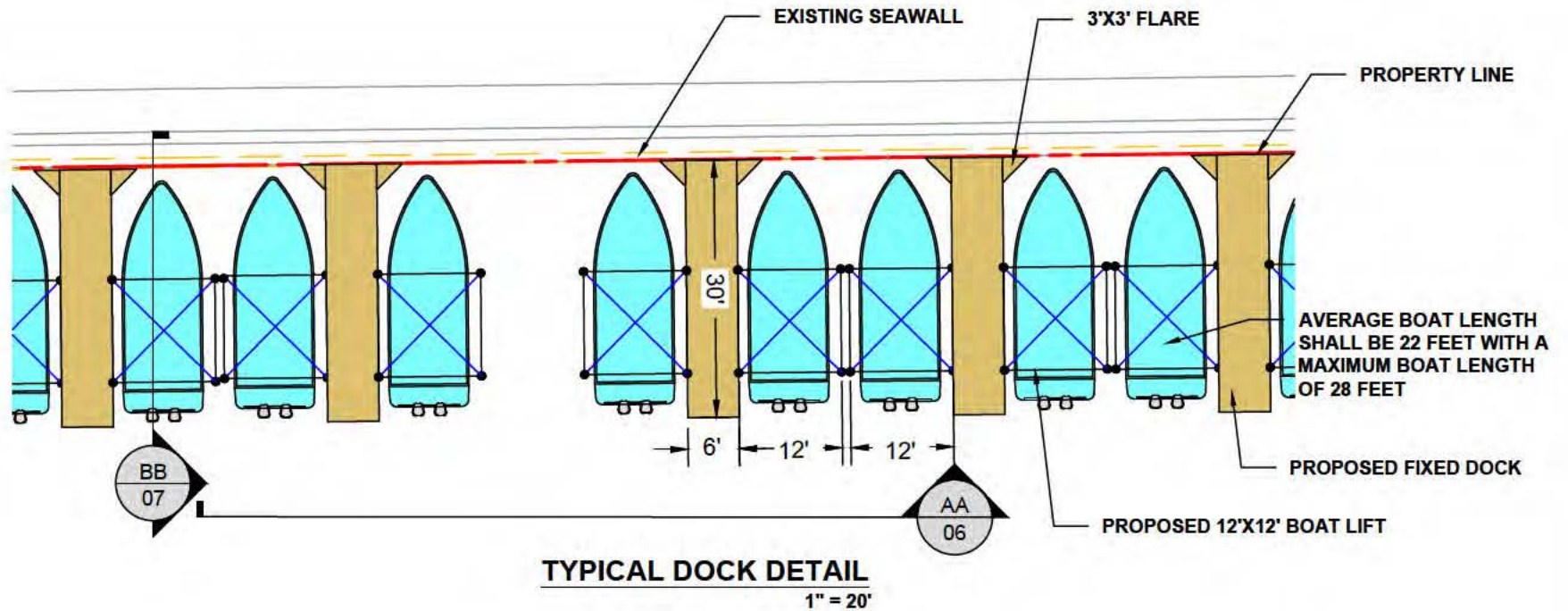
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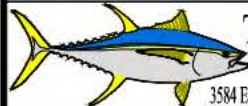
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VILLAGES AT STELLA MARIS

TYPICAL DETAIL & SECTION BB

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VILLAGES AT STELLA MARIS STAGING MAP

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