



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

OCTOBER 8, 2019

Regulatory Division
West Permits Branch
Fort Myers Permits Section

PUBLIC NOTICE

Permit Application Number SAJ-2009-03587 (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 404 of the Clean Water Act (33 U.S.C. §1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) as described below:

APPLICANT: Collier County Facilities Management Director
C/o Damon Grant
3335 Tamiami Trail East
Naples, FL 34112

WATERWAY AND LOCATION: The project would affect waters of the United States associated with the Faka Union Canal. The project site is located at 525 Newport Drive in Section 9, Township 52, Range 28, Naples, Collier County, Florida.

Directions to the site are as follows: From I-75 take Exit 101 south for County Road 951/Collier Blvd; continue on 951/Collier Blvd for 7 miles; make a left onto US-41 and head south for about 13 miles; make a right onto Newport Drive; continue on for 0.2 mile and the marina will be on the left.

APPROXIMATE CENTRAL COORDINATES: Latitude: 25.956778°N
Longitude -81.511614°W

PROJECT PURPOSE:

Basic: Marina renovation

Overall: Improve the function and safety of the Port of the Islands Marina Facility.

EXISTING CONDITIONS: The wetland system consists of a man-made developed Estuarine system semi-enclosed by land with access to the Gulf of Mexico via the Faka Union Canal. The existing area surrounding the site consists of private residential condominiums to the east, parking area to the west, Tamiami Trail (41) and North Port Bay to the North and the Faka Union Canal and the Gulf of Mexico to the south.

HISTORICAL: Historic aerials show the finger pier, boat ramp, and seawall were constructed as part of the original 1960's development of Port of the Islands. Below are the authorizations that the Corps has issued to this site:

- 1) On June 13, 2000, the Corps issued a Standard Permit (SP) to Port of the Islands for the replacement of 40 existing docks and the addition of 35 more docks, or 37 wet slips due to damage from Hurricane Andrew.
- 2) On April 22, 2002, the Corps issued a Nationwide Permit (NWP) to the Port of the Islands for the installation of a sanitary service line with appurtenances to three (3) of the docks.
- 3) On January 6, 2010 the Corps issued an SP to Port of the Islands for the repair and/or replacement of the 75 docks (77 slips).
- 4) On June 1, 2010, the Corps issued a NWP to Port of the Islands for the replacement of the boat ramp.
- 5) On February 7, 2011, the Corps issued a NWP to Port of the Islands for the installation of 9 mooring pilings at two (2) of the existing docks.
- 6) On June 21, 2012, the Corps issued a NWP to Port of the Islands for the maintenance on the boat ramp.

PROPOSED WORK: The applicant seeks authorization to 1) increase the width of the existing 30' long by 5' wide (150 square foot) finger pier, located adjacent to the existing boat ramp. The width would be increased by 5 inches resulting in a 30' long by to 5.5' wide (165 square foot) finger pier, ensuring compliance with the Department of Justice, Americans with Disabilities Act (ADA); 2) repair or replace the existing 428' concrete seawall and its abutting sidewalk (250' west of the boat ramp, 178' east of the boat ramp); and 3) place a 24' by 25' (600 square foot) concrete mat within the basin, at the toe of the boat ramp, to prevent future scouring in this area. The project would take place within and/or over approximately 1,130 square feet of waters of the U.S. The remaining 1,040 square feet of work (sidewalk and staging area) would take place within the uplands.

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:

Work will be conducted in a manner that does not cause violations of state water quality standards. Best Management Practices will be implemented for erosion and pollution control to prevent violations of state water quality standards. The applicant will adhere

to current Standard Manatee, Marine Turtle, and Smalltooth sawfish construction conditions for in-water work.

COMPENSATORY MITIGATION: The applicant has provided the following explanation why compensatory mitigation should not be required:

No mitigation is proposed. Work will be conducted in a manner that does not cause violations of state water quality standards. Best management practices will be implemented for erosion and pollution control.

CULTURAL RESOURCES:

The Corps has determined the permit area has been extensively modified by previous work and there is little likelihood a historic property may be affected.

ENDANGERED SPECIES:

The Corps has determined the proposed project may affect, but is not likely to adversely affect the West Indian manatee (*Trichechus manatus*) or its designated critical habitat. The Corps will request U.S. Fish and Wildlife concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

The Corps evaluated the proposed work utilizing the National Marine Fisheries Service (NMFS's) Jacksonville District's Programmatic Biological Opinion (JAXBO) dated 20 November 2017. The Corps has determined the proposed project "may affect, not likely to adversely affect" the Green sea turtle (*Chelonia mydas*), Loggerhead sea turtle (*Caretta caretta*), Kemp's Ridley sea turtle (*Lepidochelys kempi*), or the Smalltooth Sawfish (*Pristis pectinata*). The applicant agrees to comply with the "Sea Turtle and Smalltooth Sawfish Conditions" dated 23 March 2006.

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. The project would impact approximately 1,130 square feet of un-vegetated channel bottom utilized by various life stages of juvenile fish and invertebrates commonly observed in the Canal and the Gulf of Mexico. Our initial determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

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 not 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 Ft. Myers Permits Section, 1520 Royal Palm Square Boulevard, Suite 310, Ft. Myers, Florida 33919 within 30 days from the date of this notice. Please reference this permit number, SAJ- 2009-03587 (SP-MLB), on all submittals.

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, Ms. Michelle Bartley, in writing at the Ft. Myers Permits Section, 1520 Royal Palm Square Boulevard, Suite 310, Ft. Myers, Florida 33919, by electronic mail at michelle.l.bartley@usace.army.mil, by telephone at (239)334-1975, ext. 0006.

IMPACT ON NATURAL RESOURCES: Preliminary review of this application indicates that an Environmental Impact Statement will not be required. 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. By means of this notice, we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat

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 of 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 decision, comments are used to assess impacts on 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 and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act 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.

PORT OF THE ISLANDS FINGER PIER REPLACEMENT & SEAWALL / BOAT RAMP REPAIR

PREPARED FOR:
COLLIER COUNTY

INDEX

1. COVER SHEET
2. EXISTING CONDITIONS PLAN
3. PROPOSED PLAN
4. PROPOSED PIER SECTIONS
5. PROPOSED BOAT RAMP REPAIR SECTION

NOTES

1. BATHYMETRIC SURVEY AND INSPECTION COMPLETED BY COASTAL ENGINEERING CONSULTANTS, INC., ON 8/14/2018.
2. PLANE COORDINATES ARE BASED ON THE TRANSVERSE MERCATOR PROJECTION FOR THE EAST ZONE OF FLORIDA AND REFERENCED TO THE NORTH AMERICAN DATUM OF 1983 (NAD 83).
3. ELEVATIONS SHOWN HEREON ARE IN FEET AND TENTHS AND REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988). REFERENCE BENCHMARKS: Y407, ELEV. = 7.70' NAVD AND USGS SS, N: 590254.736', E: 488086.473', ELEV. = 3.39' NAVD.
4. TIDAL REDUCTIONS WERE OBTAINED UTILIZING REAL-TIME KINEMATIC GPS AND REFERENCED TO NAVD88.
5. SURVEY ACCURACY STANDARDS, QUALITY CONTROL, AND QUALITY ASSURANCE REQUIREMENTS WERE FOLLOWED DURING THIS SURVEY IN ACCORDANCE WITH USACE EM 1110-2-1003, HYDROGRAPHIC SURVEYING MANUAL, 11/30/2013.
6. INFORMATION SHOWN HEREON REFLECTS CONDITIONS AS THEY EXISTED ON THE SURVEY DATE SHOWN AND CAN ONLY BE CONSIDERED INDICATIVE OF CONDITIONS AT THAT TIME.
7. AERIAL PHOTOGRAPHY OBTAINED FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION, DATED 2018.



LOCATION MAP
N.T.S.



FOR PERMITTING
PURPOSES ONLY.
NOT TO BE USED FOR
CONSTRUCTION.

PUBLISHED TIDAL INFORMATION

TIDAL DATUMS AT BIG MARCO RIVER, U.S. 92
ARE BASED ON FLORIDA 872 4979

| | |
|----------------------|---|
| TIME PERIOD | = MARCH 1978 - JULY 1978 |
| TIDAL EPOCH | = 1983 - 2001 |
| CONTROL TIDE STATION | = MARCO ISLAND, CAXAMBAS PASS (872 4967) |

ELEVATIONS OF TIDAL DATUMS ARE REFERENCED IN
NAVD 1988.

| | |
|-------------------------------|-----------------|
| MEAN HIGHER HIGH WATER (MHHW) | = +0.93 FT NAVD |
| MEAN HIGH WATER (MHW) | = +0.67 FT NAVD |
| MEAN LOW WATER (MLW) | = -1.88 FT NAVD |
| MEAN LOWER LOW WATER (MLLW) | = -1.88 FT NAVD |



SHEET 1
FILE NO. 18311-P-1

**COASTAL
ENGINEERING
CONSULTANTS
INC.**
A CECI GROUP COMPANY
Serving Florida Since 1977
3106 SOUTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104

COASTAL AND MARINE ENGINEERING
ENVIRONMENTAL SERVICES
GEOLOGICAL SERVICES
SURVEY AND MAPPING

PHONE: (239)643-2324
FAX: (239)643-1143
www.coastalengineering.com
E-Mail: info@ceci.com

CLIENT:

COLLIER COUNTY

TITLE:

**PORT OF THE ISLANDS
COVER SHEET**

| | | | |
|----------|-------------|--------|----------|
| DATE: | 10/11/2018 | SCALE: | AS NOTED |
| DRAWN: | SDB | F.B. | |
| CHECKED: | MAK | PG. | |
| SEC. | TWP. | RNG. | |
| ACAD NO. | 18311-P.dwg | | |
| REF. NO. | 18.311 | | |

| NO. | DATE | BY | REVISION DESCRIPTION |
|-----|------|----|----------------------|
|-----|------|----|----------------------|



LEGEND

 $+^{20}$ = ELEVATION (FT NAVD)

EXISTING SEAWALL
CAP/SIDEWALK

—EXISTING
FINGER PIER

— EXISTING SEAWALL
CAP/SIDEWALK

EXISTING BOAT RAMP

COLLIER COUNTY
PARCEL NO. 01067080606



FILE NO.: 18311-P-2

**COASTAL
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www.coastalengineering.com
E-Mail: info@cecifl.com

CLIENT:

COLLIER COUNTY

TITLE:

PORT OF THE ISLANDS EXISTING CONDITIONS PLAN

| | | | |
|------------------|------|-----------------|--|
| DATE: 10/11/2018 | | SCALE: AS NOTED | |
| DRAWN: SDB | | F.B. | |
| CHECKED: MAK | | PG. | |
| SEC. | TWP. | RNG. | |
| ACAD NO. | | 18311-P.dwg | |
| REF. NO. | | 18 311 | |

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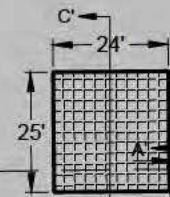
PORT OF THE ISLANDS MARINA
A CONDOMINIUM
PARCEL NO. 68270000021

PROPERTY BOUNDARY

220'

PROPOSED SEAWALL

EXISTING BOAT RAMP



PROPOSED ARMORMAT

PROPOSED FINGER PIER

148'

PROPOSED SEAWALL

COLLIER COUNTY
PARCEL NO. 01067080606



SHEET 3
FILE NO. 18311-P-3

COASTAL ENGINEERING CONSULTANTS INC.
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NAPLES, FLORIDA 34104

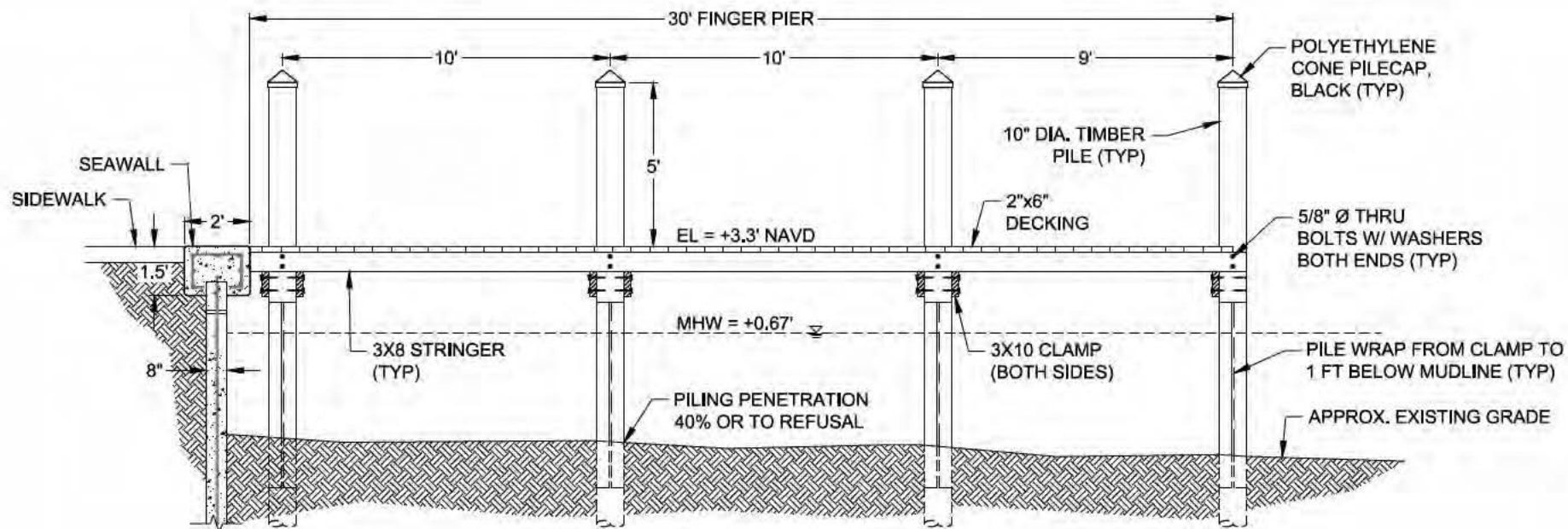
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www.coastalengineering.com
E-Mail: info@cecill.com

CLIENT:
TITLE:

COLLIER COUNTY
PORT OF THE ISLANDS
PROPOSED PLAN

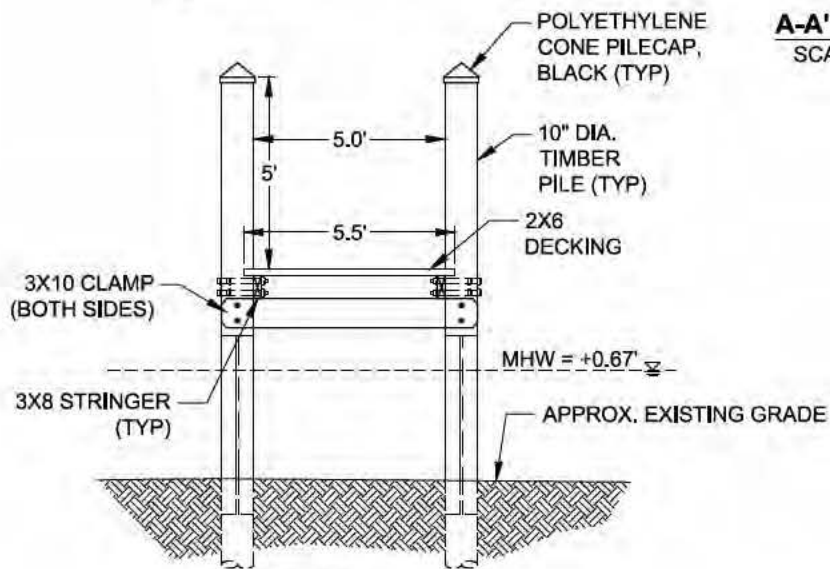
DATE: 10/11/2018 SCALE: AS NOTED
DRAWN: SDB F.B.
CHECKED: MAK PG.
SEC. TWP. RNG.
ACAD NO. 18311-P.dwg
REF. NO. 18.311

| NO. | DATE | BY | REVISION DESCRIPTION |
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| | | | |



A-A' SECTION

SCALE: 1" = 5'



B-B' SECTION

SCALE: 1" = 5'



SHEET 4
FILE NO. 18311-P-4

COASTAL ENGINEERING CONSULTANTS INC.
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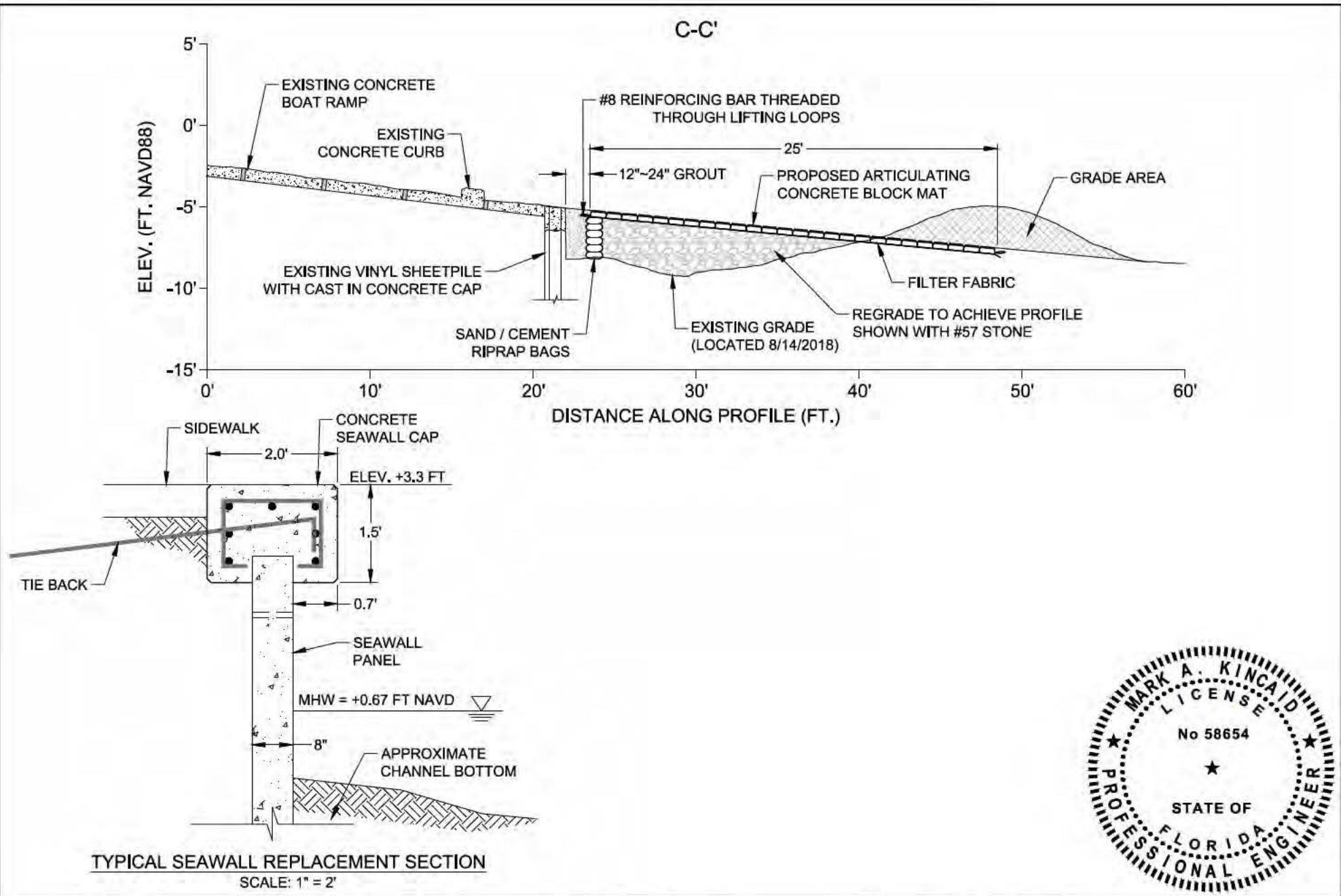
CLIENT:


COLLIER COUNTY

TITLE:

PORT OF THE ISLANDS
PROPOSED PIER SECTIONS

| | | | |
|-----------|-------------|--------|------------------------------|
| DATE: | 10/11/2018 | SCALE: | AS NOTED |
| DRAWN: | SDB | F.B. | |
| CHECKED: | MAK | PG. | |
| SEC. | TWP. | RNG. | |
| ACAD. NO. | 18311-P.dwg | | |
| REF. NO. | 18.311 | NO. | DATE BY REVISION DESCRIPTION |



| | | | | | | | | | | | | | |
|---|---|---------|----------------|----------|-------------|------------|--------|----------|-----|------|----|----------------------|--|
| <div>SHEET 6</div> <div><div>COASTAL ENGINEERING CONSULTANTS INC. A CECI GROUP COMPANY Serving Florida Since 1977</div><div>3106 SOUTH HORSESHOE DRIVE NAPLES, FLORIDA 34104</div></div> | <div>COASTAL AND MARINE ENGINEERING NG ENVIRONMENTAL SERVICES GEOLOGICAL SERVICES SURVEY AND MAPPING NG</div> <div>PHONE: (239)643-2324 FAX: (239)643-1143 www.coastalengineering.com E-Mail: info@cecilt.com</div> | CLIENT: | COLLIER COUNTY | | DATE: | 10/11/2018 | SCALE: | AS NOTED | | | | | |
| | | TITLE: | | | DRAWN: | SDB | F.B. | | | | | | |
| | | | | CHECKED: | MAK | PG. | | | | | | | |
| | | | | SEC. | | TWP. | | RNG. | | | | | |
| | | | | ACAD NO. | 18311-P.dwg | | | | | | | | |
| | | | | REF. NO. | 18.311 | | | | NO. | DATE | BY | REVISION DESCRIPTION | |