



REPLY TO
ATTENTION OF

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

October 10, 2019

Regulatory Division
West Permits Branch
Fort Myers Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2005-07241(SP-EPL)

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: Michael Wisotsky
Progressive Investments, Inc.
15001 Gasparilla Road
Placida, FL 33946

WATERWAY AND LOCATION: The project would affect waters of the United States associated with Gasparilla Sound. The project site is located within Section 12, Township 42 South, Range 20 East at 15001 Gasparilla Road, Placida, Charlotte County, Florida.

Directions to the site are as follows: Take Exit 170 on I-75, travel south on Toledo Blade Blvd for 6.4 miles. Turn Right on to FL-776. After 7.1 miles, turn left on Gasparilla Road. Project location is on the left after 7.3 miles.

APPROXIMATE CENTRAL COORDINATES: Latitude 26.834431° N
Longitude -82.259716° W

PROJECT PURPOSE:

Basic: Improve watercraft access.

Overall: To improve and repair an existing commercial marina to increase safety and accessibility for its customers in western Charlotte County.

EXISTING CONDITIONS: The project area consists of an existing 166-slip marina with a non-vegetated bottom. The project area is surrounded to the east by undeveloped mangrove forest, to the west by a golf course and undeveloped land, and to the north and south by residential properties.

BACKGROUND: A Department of the Army permit was issued for the replacement of an existing seawall on 13 February 2009 with an expiration date of 23 March 2014. On 31 March 2010, the Corps authorized additional seawall replacements and an expansion to the marina with the expiration date of 31 March 2015. Additional seawall work was authorized later on 16 September 2016 with an expiration date of 18 March 2017. A reconfiguration of the marina and installation of additional concrete seawall was authorized on 17 April 2017 with an expiration of 18 March 2022. Finally, the Corps received the current request for additional repair and reconfiguration of the marina on 21 May 2019.

PROPOSED WORK: The applicant seeks authorization to reconfigure and repair an existing 166 slip marina. The reconfiguration will reduce overall slip amount to 159 and will include the installation of 12 boatlifts in existing slips, replacement of 58 boat covers, and the expansion of existing docks to meet ADA handicap compliance. The proposed project will result in the installation of one hundred and twenty 10" wood pilings and the addition of 1,850 additional square feet of over water structure.

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:

Applicant has agreed to adhere to all manatee conditions for in-water work, NMFS PDC conditions, as well as all sea turtle and smalltooth sawfish construction conditions. A turbidity curtain will be deployed during all in-water work to avoid secondary impacts.

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

There are no resource impacts associated with the project and therefore no mitigation is proposed.

CULTURAL RESOURCES: The activity is of such limited scope there is little likelihood of impact upon a historic property; therefore, the proposed project would have "No Potential to Cause Effect".

ENDANGERED SPECIES: The Corps has determined the proposed project may affect, but is not likely to adversely affect the green sea turtle (*Chelonia mydas*), Loggerhead sea turtle (*Caretta caretta*), Leatherback sea turtle (*Dermochelys coriacea*), Hawksbill sea turtle (*Eretmochelys imbricata*), Kemp's ridley sea turtle (*Lepidochelys kempii*), smalltooth sawfish (*Pristis pectinata*), and West Indian Manatee (*Trichechus manatus*). The Corps has requested concurrence from the National Marine Fisheries Service and US Fish and Wildlife Service with these determinations 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. The proposal would only impact approximately 1,850 square feet of sand/mud bottom utilized by various life stages of shrimp, red drum, reel fish, spiny lobster, snappers, and groupers. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries within Gasparilla Sound. 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.

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 Fort Myers Permits Section, 1520 Royal Palm Square Boulevard Suite 310, Fort Myers, FL within 15 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, Eric Larrat, in writing at the Fort Myers Permits Section, 1520 Royal Palm Square Boulevard Suite 310, Fort Myers, FL 33919; by electronic mail at eric.p.larrat@usace.army.mil; by facsimile transmission at (239)334-0797; or, by telephone at (239)334-1975.

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.

ATTACHMENT I



CHUCK NEWMAN ARCHITECT
FL 00000000

5407 Overseas Blvd.
St. Johns City, Florida 32058

(305) 980-0001 or (305) 980-0011
E-MAIL: chuck@chucknewman.com

This drawing is the property of Chuck Newman and has been prepared specifically for the project at this site, and is not to be used for any other purpose without the written consent of Chuck Newman.

GASPARILLA MARINA DOCK MODIFICATIONS

STATE ROAD 771
SECTION 12, TOWNSHIP 42, RANGE 20
CHARLOTTE COUNTY, FLORIDA

Project No. 072115

Date: 7-20-15

Scale: 1"=100'-0"

Rev'd:

Date: 11-06-15

Date: 11-13-15

NOTE: GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD AND SHALL IMMEDIATELY NOTIFY THE ARCHITECT OF ANY AND ALL DISCREPANCIES.

A-10

- Install 4 piling boat lifts - 4 at each end section (12 Total Lifts)
- Replace fixed docks - 5'x20'

(3 Total)

REPLACE FLOATING DOCKS WITH NEW FLOATING DOCKS - SAME FOOTPRINT.

6" DOCKS
Repair wood fixed docks + Piling replacement same footprint

REPLACE FIXED WOOD FUEL DOCK WITH A FLOATING DOCK AND/OR fixed wood dock

Replace 5'x310' fixed wood dock to 8'x310' concrete floating dock from "H" dock

Replace fixed dock to floating "G" dock

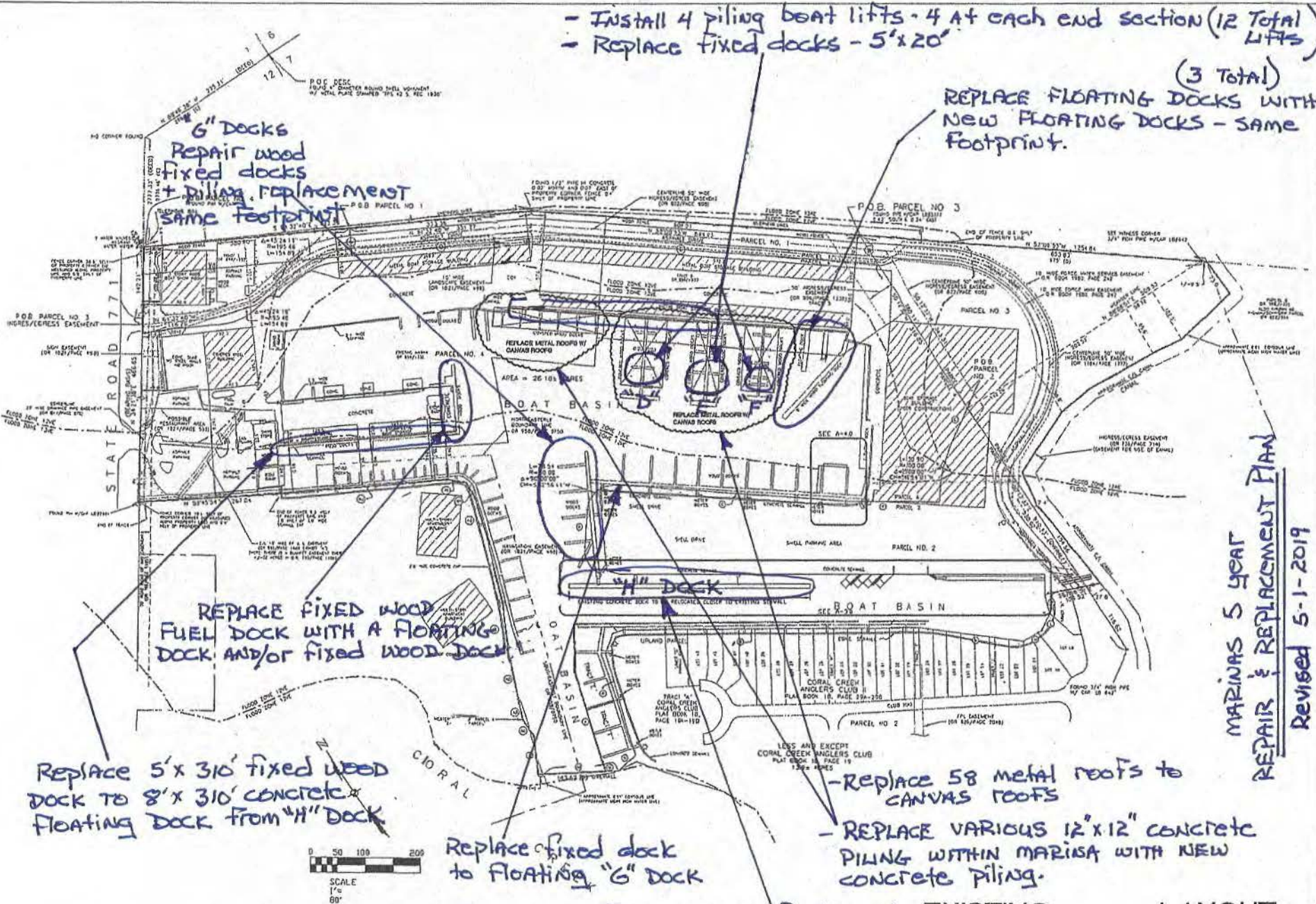
- Replace 58 metal roofs to CANVAS ROOFS

- REPLACE VARIOUS 12'x12" concrete PILING WITHIN MARINA WITH NEW concrete piling.

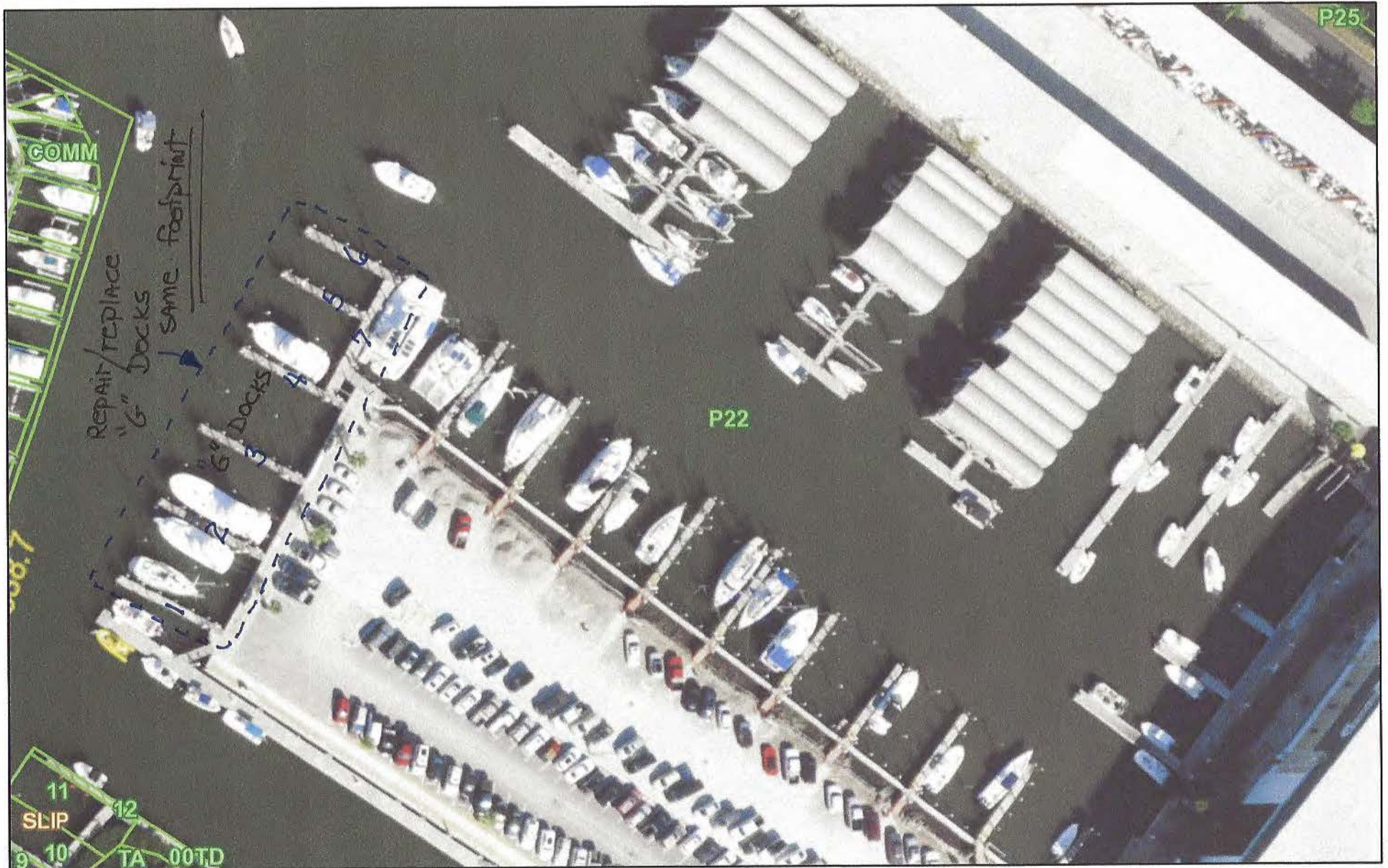
Replace conc. floating dock with plastic floating marginal dock with 11 finger docks.

EXISTING LAYOUT

MARINAS 5 YEAR
REPAIR & REPLACEMENT PLAN
Revised 5-1-2019

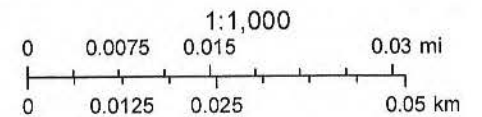


Map Layout



June 2, 2019

- | | | | |
|---|---|--|----------------|
| Property Ownership | Road Centerlines | Highway | Minor Arterial |
| Lots | Collector | Local | |
| Block Number | Freeway | Major Arterial | |



Charlotte County
Charlotte County GIS

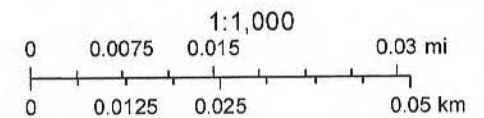
Charlotte County GIS

Map Layout



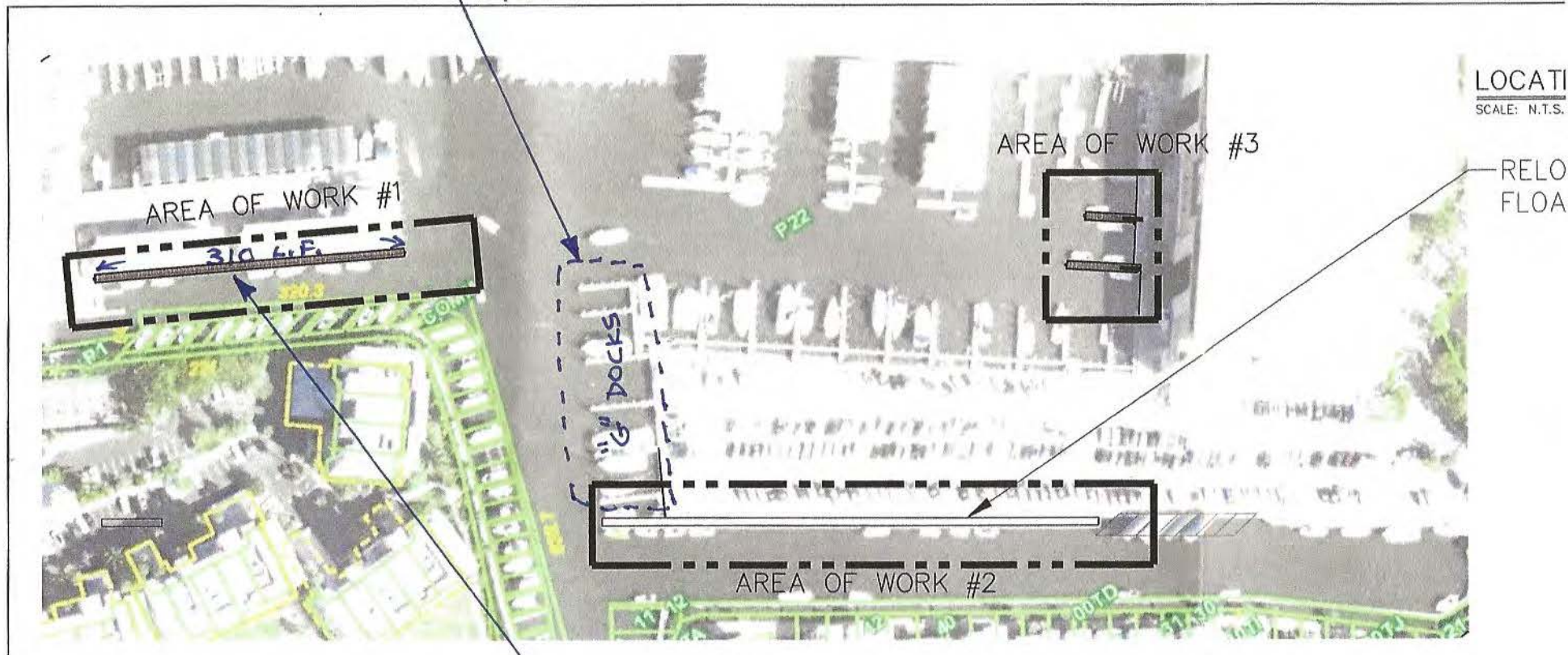
June 2, 2019

- | | | | |
|---|--|---|---|
| Property Ownership | Road Centerlines | Highway | Minor Arterial |
| Lots | Collector | Local | |
| Block Number | Freeway | Major Arterial | |



Charlotte County
Charlotte County GIS

Charlotte County GIS



LOCATI
SCALE: N.T.S.

RELO
FLOA

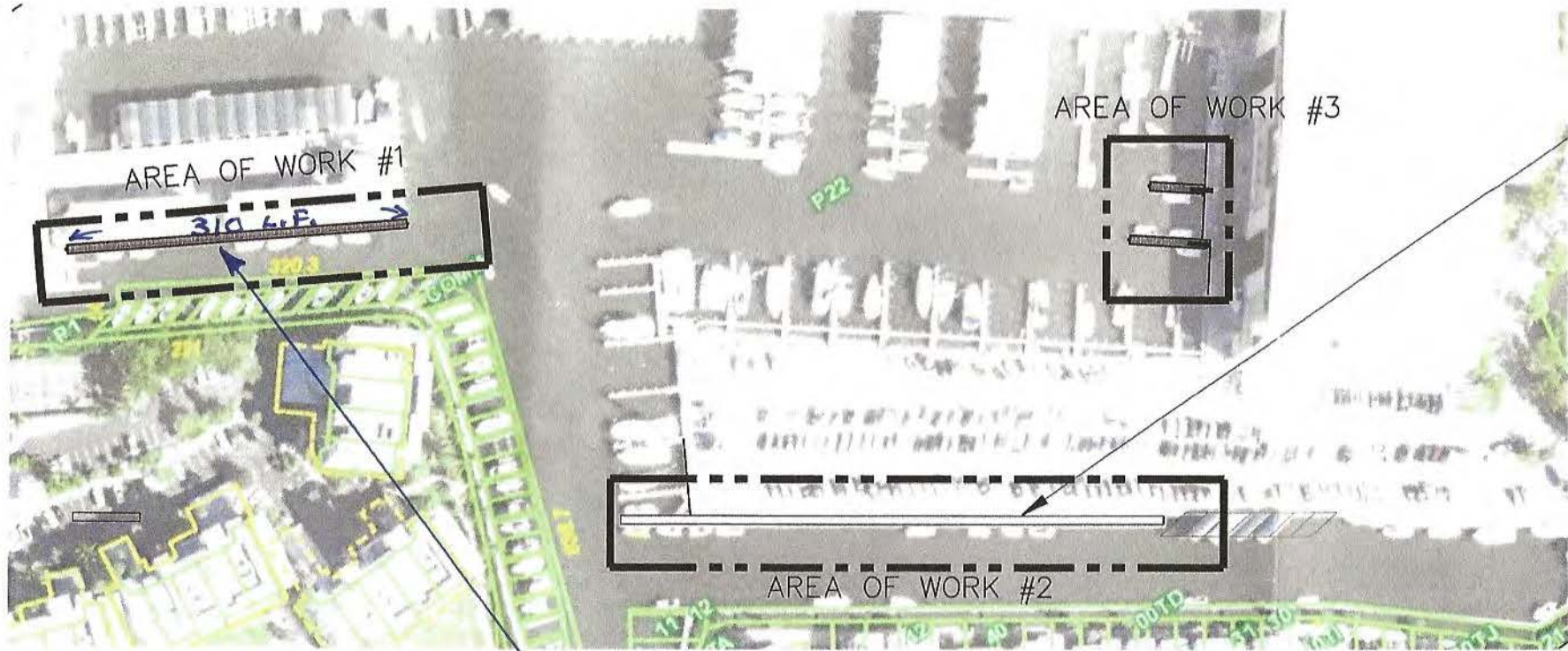
Repair/replace
wood fixed
docks - same
footprint

Remove exist. wood
dock & relocate the
conc. floating docks
along seawall.

310 L.F. x 8' width

- Remove 5' x 310' Fixed
wood dock

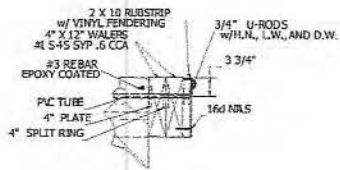
LOCATI
SCALE: N.T.S.



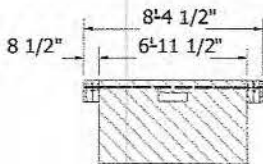
Remove exst. wood
deck & relocate the
conc. floating docks
along seawall.

310 L.F. x 8' width

- Remove 5' x 310' Fixed
Wood Dock

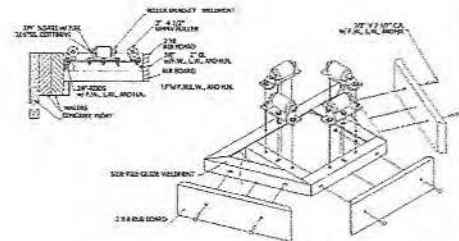


EDGE DETAIL

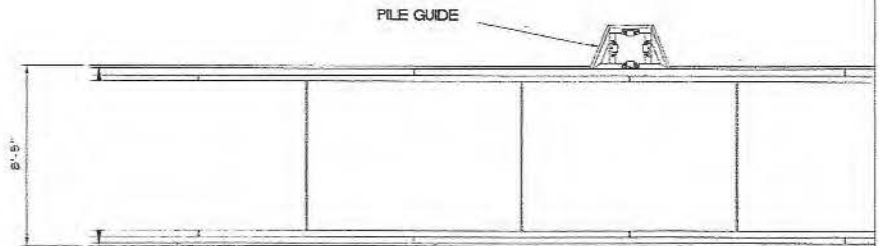


EXISTING CONCRETE FLOAT DETAIL

RECEIVED November 18, 2015
South District DEP



PILE GUIDE



EXISTING CONCRETE FLOATING DOCKS



GASPARILLA MARINA DOCK MODIFICATIONS
STATE ROAD 771
SECTION 12, TOWNSHIP 42, RANGE 20
CHARLOTTE COUNTY, FLORIDA

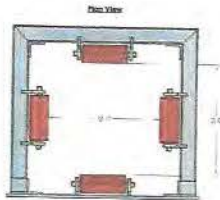
Project No. 07005
Date: 12/10/15
Scale: 1/8\"/>

A-5.0

Concrete Floating Docks
(WORK AREA #1)

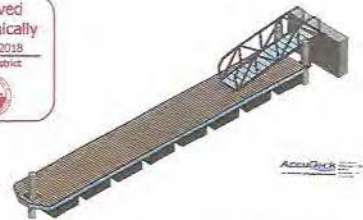
Florida Department of
Transportation
Permit Number
015193D-024 FM
South District
Fort Pierce
All drawings shall be submitted to the South District Office for review and approval. All drawings shall be submitted to the South District Office for review and approval. All drawings shall be submitted to the South District Office for review and approval.

AccuDock
Floating Docks by AccuDock



GASPARILLA MARINA FLOATING DOCKS BY ACCUDOCK

Received
Electronically
Sept 4, 2018
South District



AccuDock
Floating Docks by AccuDock

INDEX OF DRAWINGS

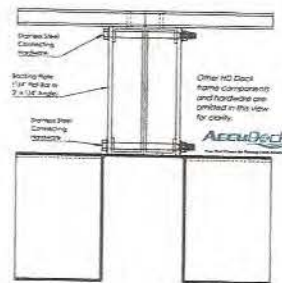
- 1 COVER SHEET & GENERAL NOTES
- 2 WORK AREA #1
- 3 WORK AREA #2
- 4 WORK AREA #3

GENERAL

1. See the notes to the drawings for the Engineer's notes and for the responsibility of the Engineer.
2. The structure has been designed to be self-supporting and shall show the bracing & structural components in detail. All components shall be shown in detail.
3. All steel shall be A36 steel unless otherwise noted.
4. All steel shall be painted according to SSPC 12.

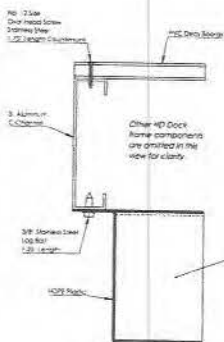
DESIGN CRITERIA:

1. Design Wind Speed: 100 mph (157 ft/sec)
2. Design Wave: 10 ft
3. Design Current: 1.0 ft/sec
4. Design Tide: 1.0 ft



Other HD Dock
Frame components
and bracing are
omitted in this view
for clarity.

AccuDock
Floating Docks by AccuDock

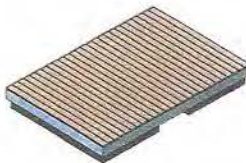


HD Dock
Other HD Dock
Frame components
are omitted in this
view for clarity.

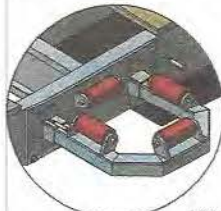
3" Aluminum
Channel

3" HD Dock
100 ft
100 ft

HD Dock



AccuDock
Floating Docks by AccuDock



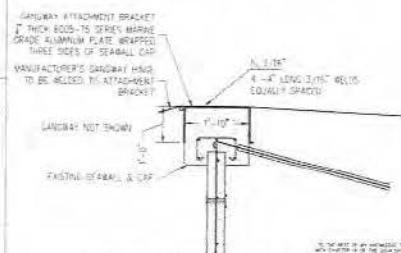
DETAIL B

Insert the 3/8" hex bolts and for
4 corners of the hoop bracket.
HOOP OR SQUARE
BRACKET BOLTING
TO FLOATING DOCK

AccuDock
Floating Docks by AccuDock



GASPARILLA MARINA



GANGWAY ATTACHMENT

SCALE: 3/8" = 1'-0"

NOTE: ALL DIMENSIONS ARE GIVEN UNLESS OTHERWISE NOTED. THE ACCURACY OF
THESE DIMENSIONS IS THE RESPONSIBILITY OF THE ENGINEER. THE ENGINEER
HAS CONDUCTED A VISUAL INSPECTION OF THE STRUCTURE AND FOUND IT TO
BE CONFORMANT WITH THE REQUIREMENTS OF THE SPECIFICATIONS.

DESIGNED BY: GWE
CHECKED BY: JC

GWE
GIFFELS-WEBSTER
ENGINEERS, INC.

900 Pine Street, Suite 225
Englewood, Florida 34423
Phone: (847)423-7381
Fax: (847)474-4285

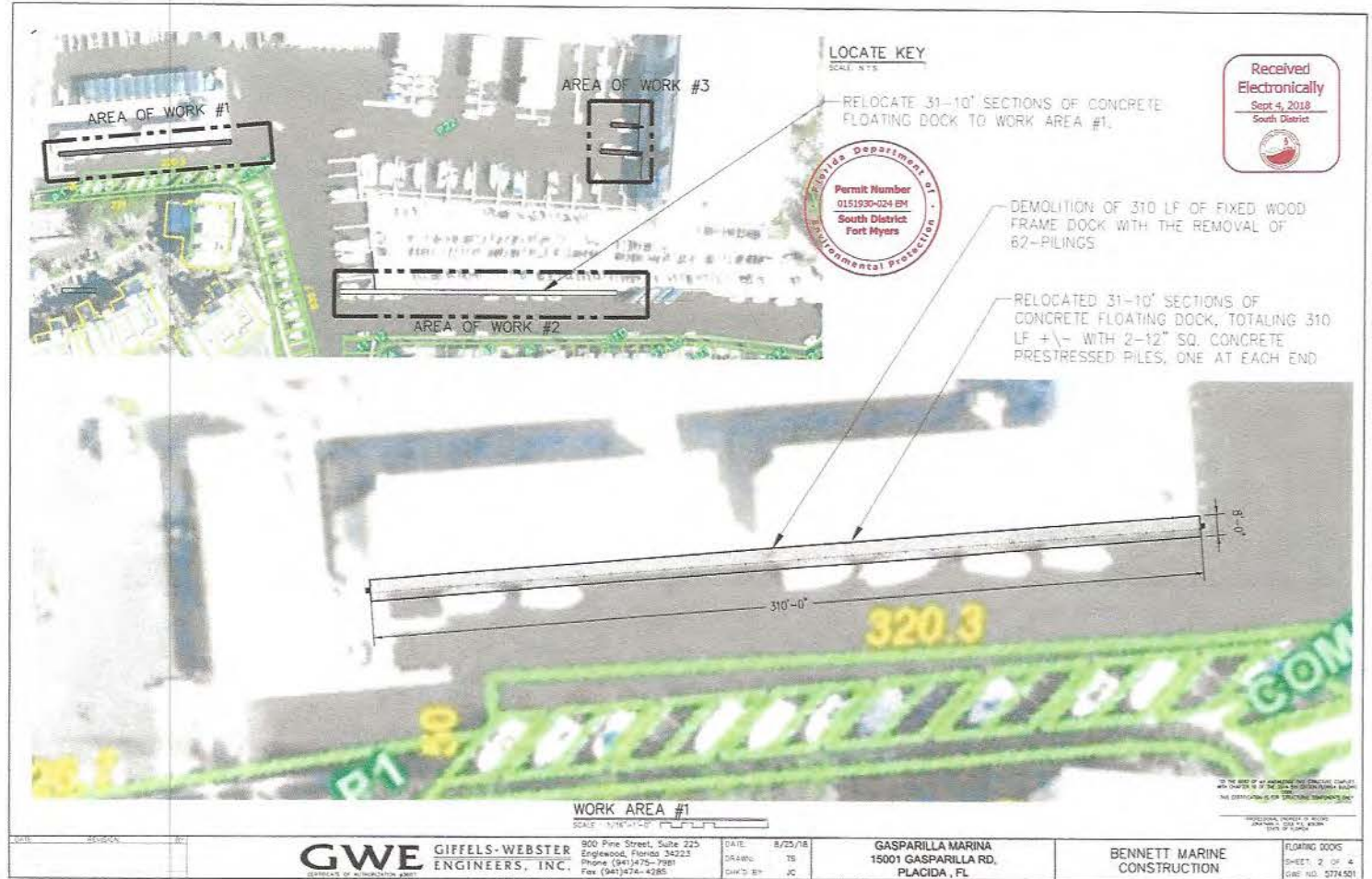
DATE: 8/25/18
DRAWN: JTS
CHECKED: JC

GASPARILLA MARINA
15001 GASPARILLA RD.
PLACIDA, FL

NOTE: ALL DIMENSIONS ARE GIVEN UNLESS OTHERWISE NOTED. THE ACCURACY OF
THESE DIMENSIONS IS THE RESPONSIBILITY OF THE ENGINEER. THE ENGINEER
HAS CONDUCTED A VISUAL INSPECTION OF THE STRUCTURE AND FOUND IT TO
BE CONFORMANT WITH THE REQUIREMENTS OF THE SPECIFICATIONS.

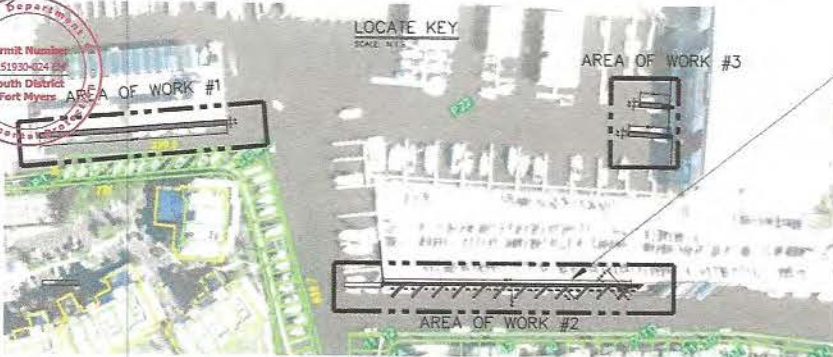
FLOATING DOCKS
SHEET: 1 OF 4
GWE NO. 0714 561

FOR AREA #2 + AREA #3



Florida Department of Transportation
 Permit Number: 0151930-024
 South District
 Fort Myers

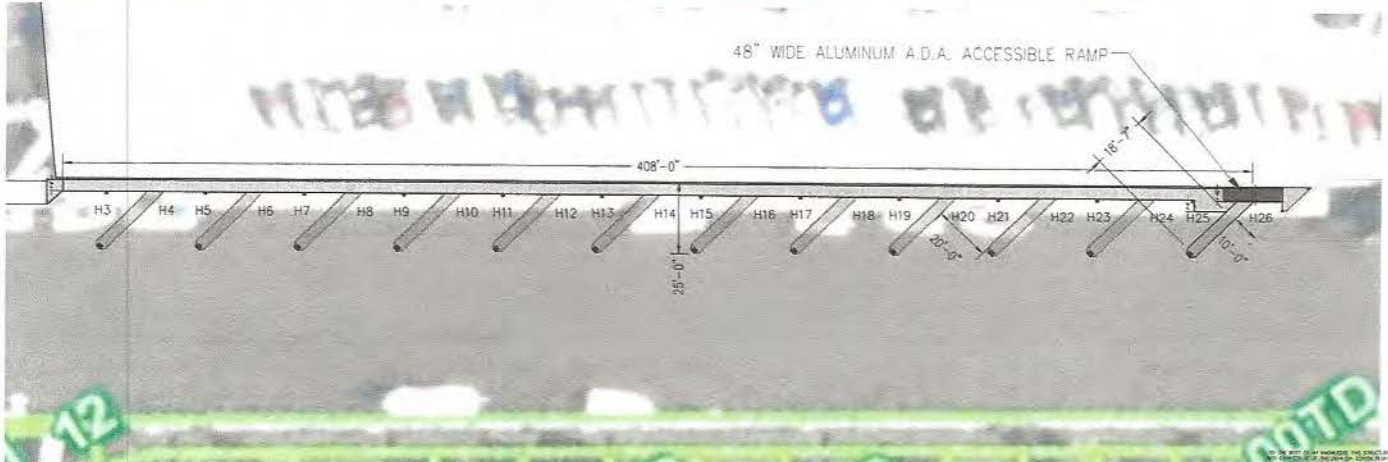
LOCATE KEY
 SCALE: 1" = 10'



PROVIDE NEW 4' WIDE ACCUDOCK FLOATING DOCKS SYSTEM TO REPLACE RELOCATED CONCRETE FLOATING DOCKS. ADD MANUFACTURED ALUMINUM A.D.A. ACCESSIBLE RAMP



Received Electronically
 Sept 4, 2018
 South District



WORK AREA #2
 SCALE: 1" = 10'

GWE GIFFELS-WEBSTER ENGINEERS, INC.
 900 Pine Street, Suite 225
 Englewood, Florida 34225
 Phone (841)475-7081
 Fax (841)474-4285

DATE: 8/25/18
 DRAWN: TS
 CHECKED: JC

GASPARILLA MARINA
 15001 GASPARILLA RD.
 PLACIDA, FL

BENNETT MARINE CONSTRUCTION

FLOATING DOCKS
 SHEET 3 OF 4
 DATE NO. 5174301

Received
Electronically
Sept 4, 2018
South District



LOCATE KEY

SCALE: N.T.S.

RELOCATE 12'-10" SECTIONS OF CONCRETE FLOATING DOCK TO WORK AREA #3

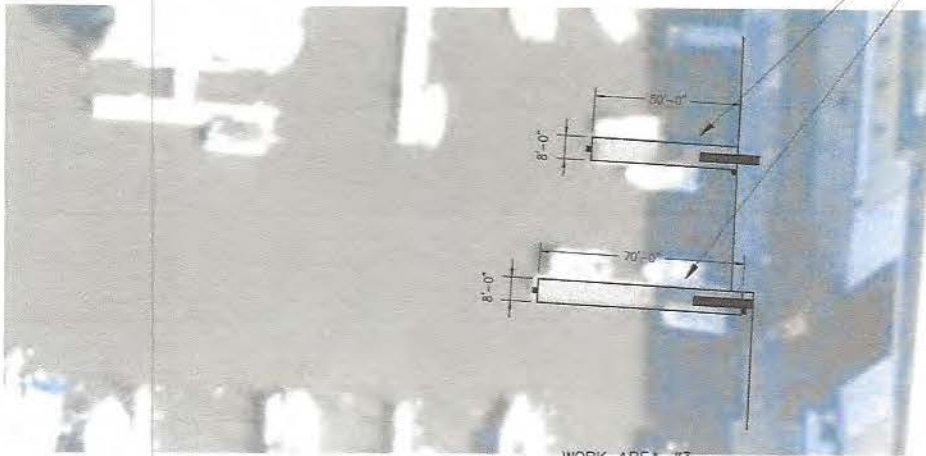
REPLACE 6' WIDE POLY-FLOAT DOCKS WITH RELOCATED 12'-10" SECTIONS OF CONCRETE FLOATING DOCK TO WORK AREA #3; ONE DOCK LENGTH AT 50' AND ONE AT 70'.

NOTE: BOAT LAUNCH AREA FROM BOAT STORAGE BUILDING, EMPLOYEE USE ONLY, WITH 3' WIDE ALUMINUM ACCESS RAMPS.



ALL THE WORK IS BY THE PERMITTEE AND CONTRACTOR COMPANY, WHO ASSUMES ALL RESPONSIBILITY FOR THE DESIGN, CONSTRUCTION, MAINTENANCE AND OPERATION OF THE STRUCTURAL COMPONENTS SHOWN.

PERMIT NUMBER
0151030-024 EPI
South District
Fort Myers



WORK AREA #3

SCALE: 1" = 16'



GIFFELS-WEBSTER
ENGINEERS, INC.

900 Pine Street, Suite 205
Englewood, Florida 34223
Phone (841)476-7981
Fax (841)474-4285

DATE: 8/25/18
DRAWN: TS
CHECKED BY: JC

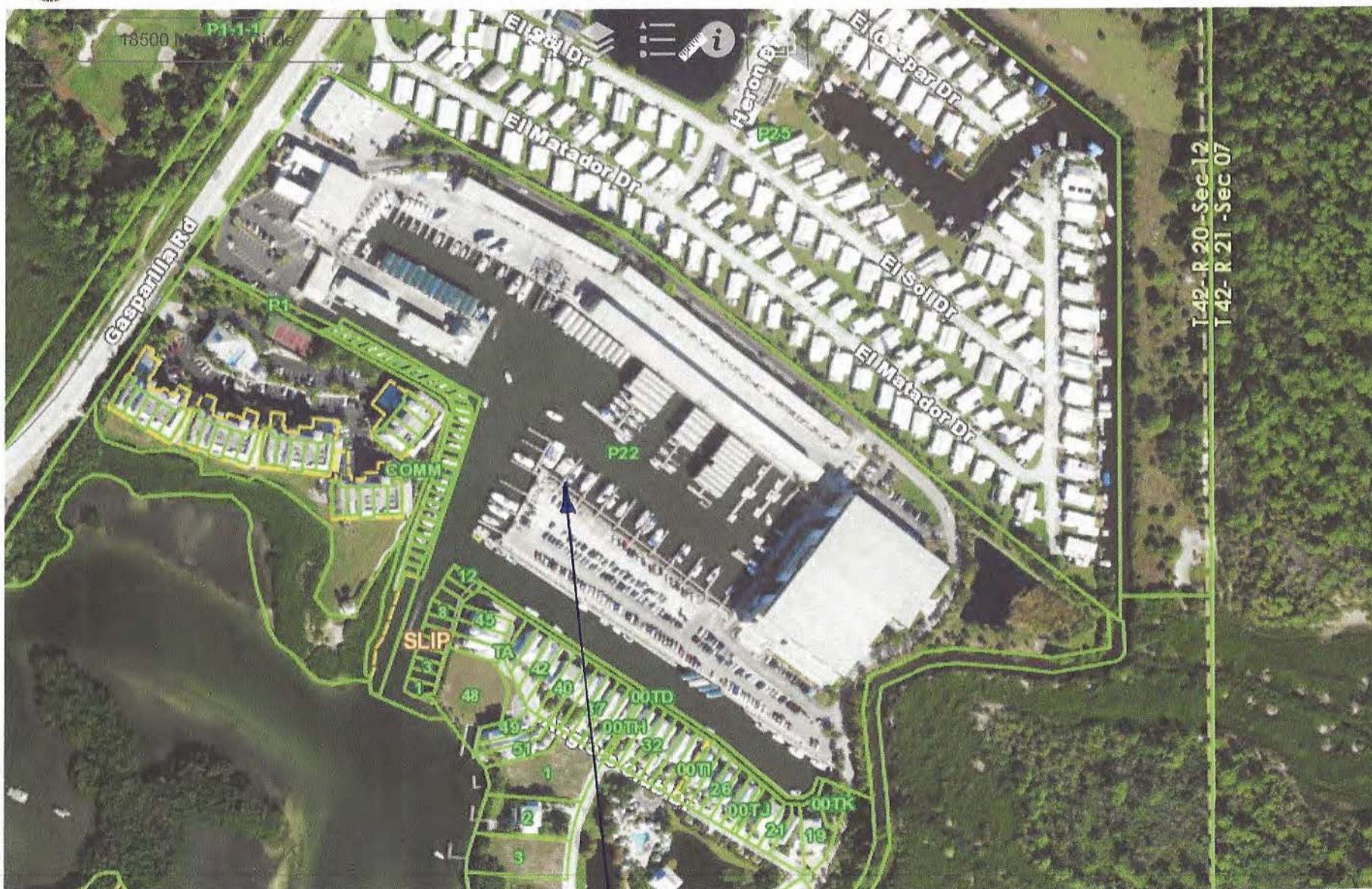
GASPARILLA MARINA
15001 GASPARILLA RD.
PLACIDA, FL

BENNETT MARINE
CONSTRUCTION

FLOATING DOCKS
SHEET 4 OF 4
DWG NO. 5774301



Charlotte County Government Geographic Information System



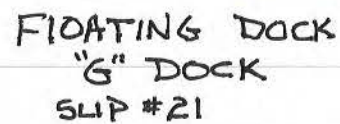
0 150 300

26° 50' 11" N 82° 15' 15" W

SLIP #21
DOCK

SITE LOCATION - SLIP #21 DOCK REPLACEMENT

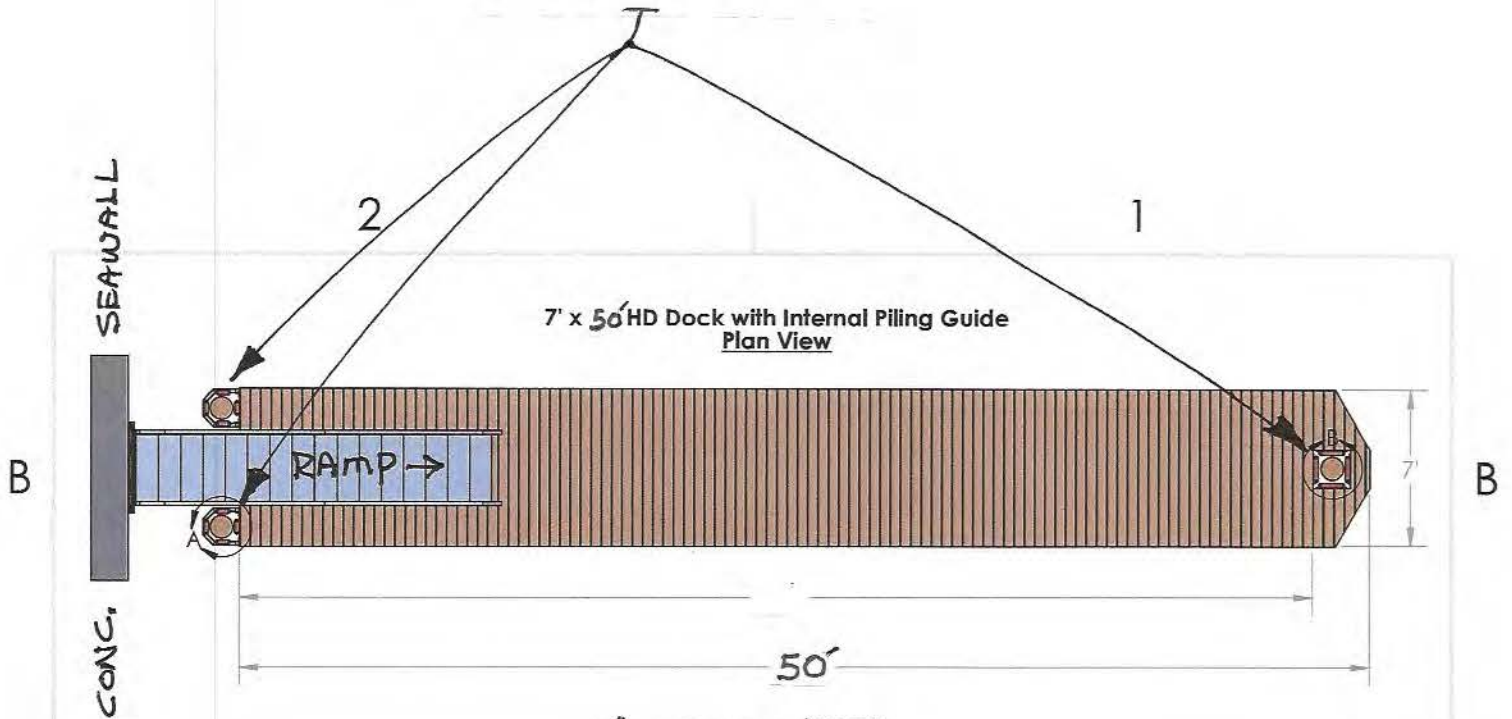
SCALE : 1/16"=1'-0"



SCALE : $1/8" = 1'-0"$

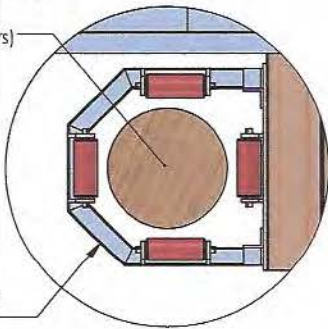
DATE:	06/05/2017
DRAWN:	TS
CHK'D BY:	JC

LOCATION OF PILES

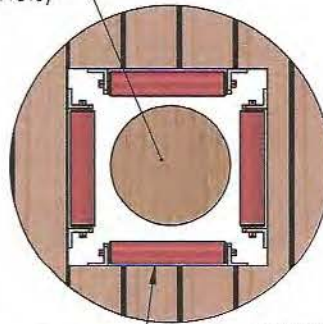


12" CONCRETE PILES

concrete
12" Piling
(By Others)



12" Piling
(By Others)

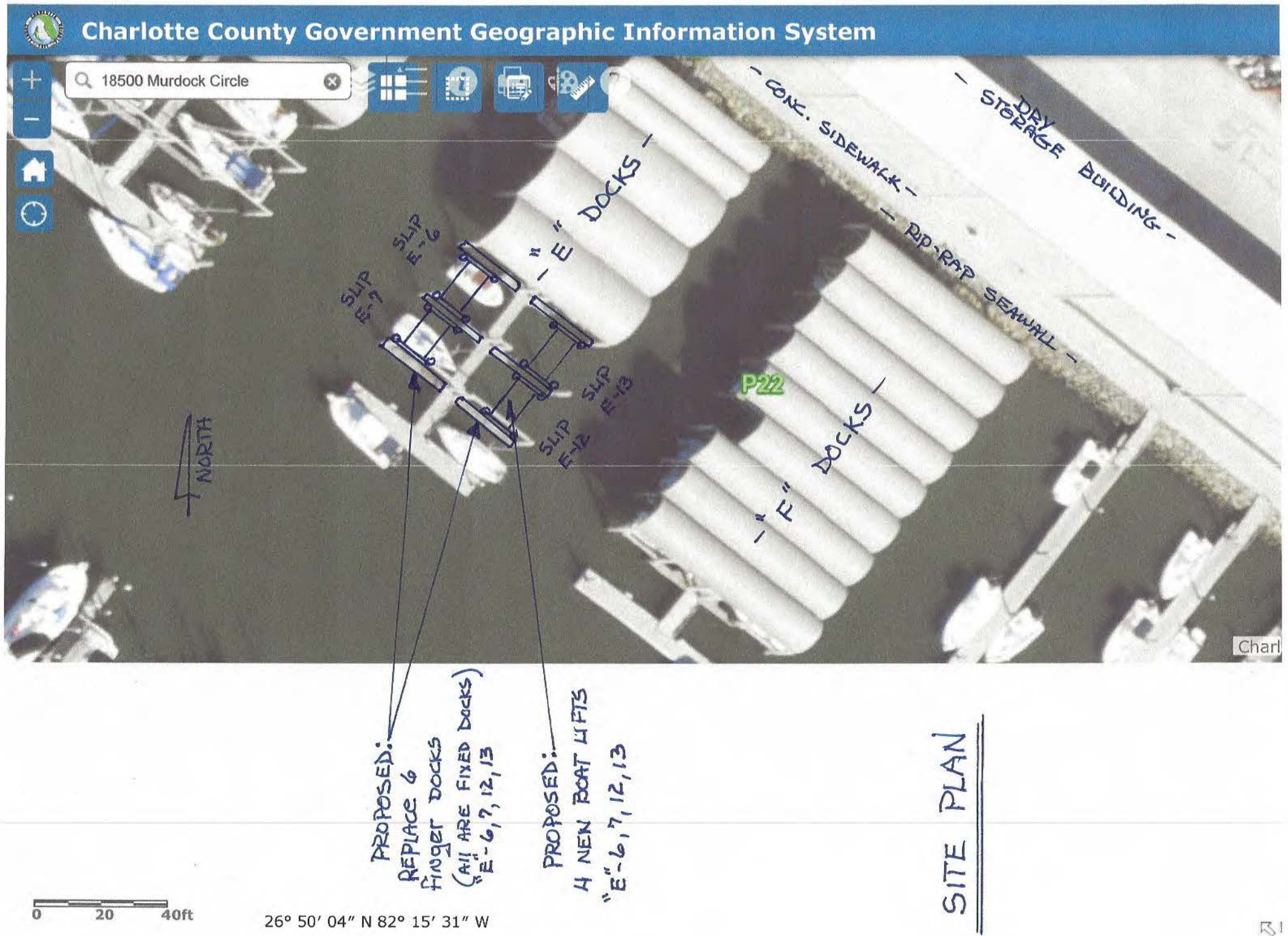


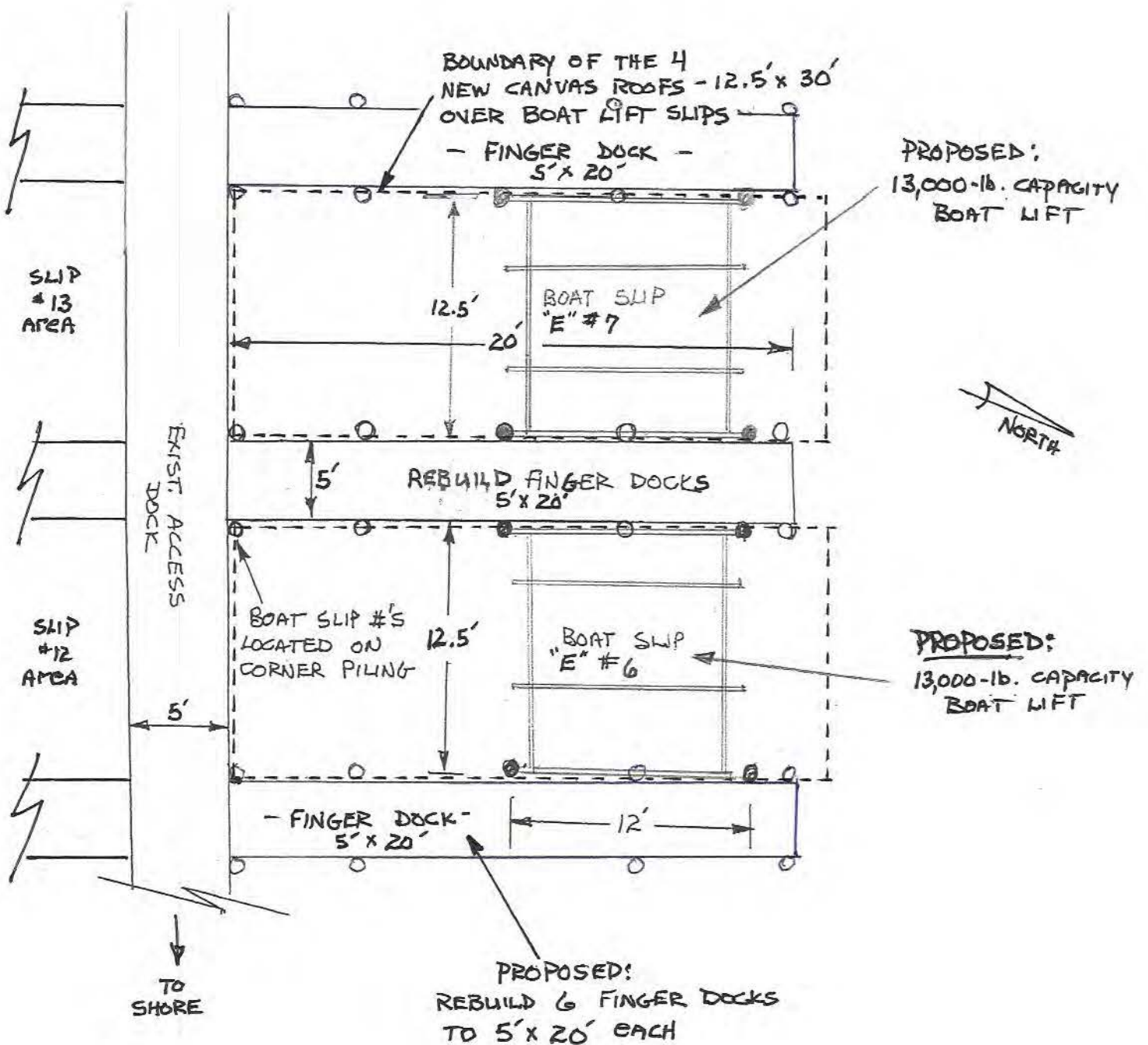
PROJECT:
CUSTOMER:

DRAWN: C. DiLiscio CHECKED: J. Hamilton DATE: 08/08/16
REV 1 SCALE: 1:60 SHEET 2 OF 2

AccuDock
Your First Choice for Floating Dock Solutions
1790 SW 13th Court
Pompano Beach, FL 33067
754-783-1567
sales@accudock.com
CA Lic. # 31202





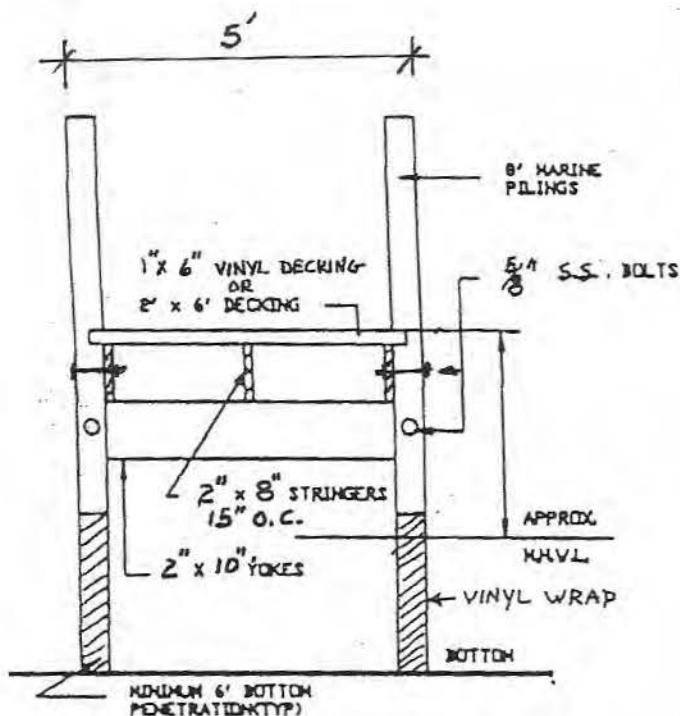


SITE PLAN

SLIPS #7 & #6

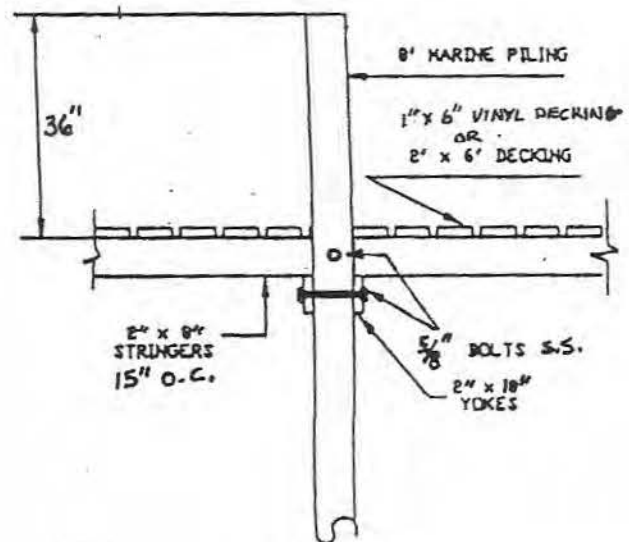
"E" DOCK

* SAME DESIGN FOR SLIPS "E" 12 + 13



SPECIFICATIONS:

8" TIP MARINE PILINGS
 2" x 8" STRINGERS PT. #2 PINE - 15" O.C.
 2" x 10" STRINGERS YOKES PT. #2 PINE
 VINYL-1" x 6" DECKING & S.S. DECK SCREWS - 3"
 5/8" S.S. BOLTS/NUTS/WASHERS
 #16 - S.S. NAILS

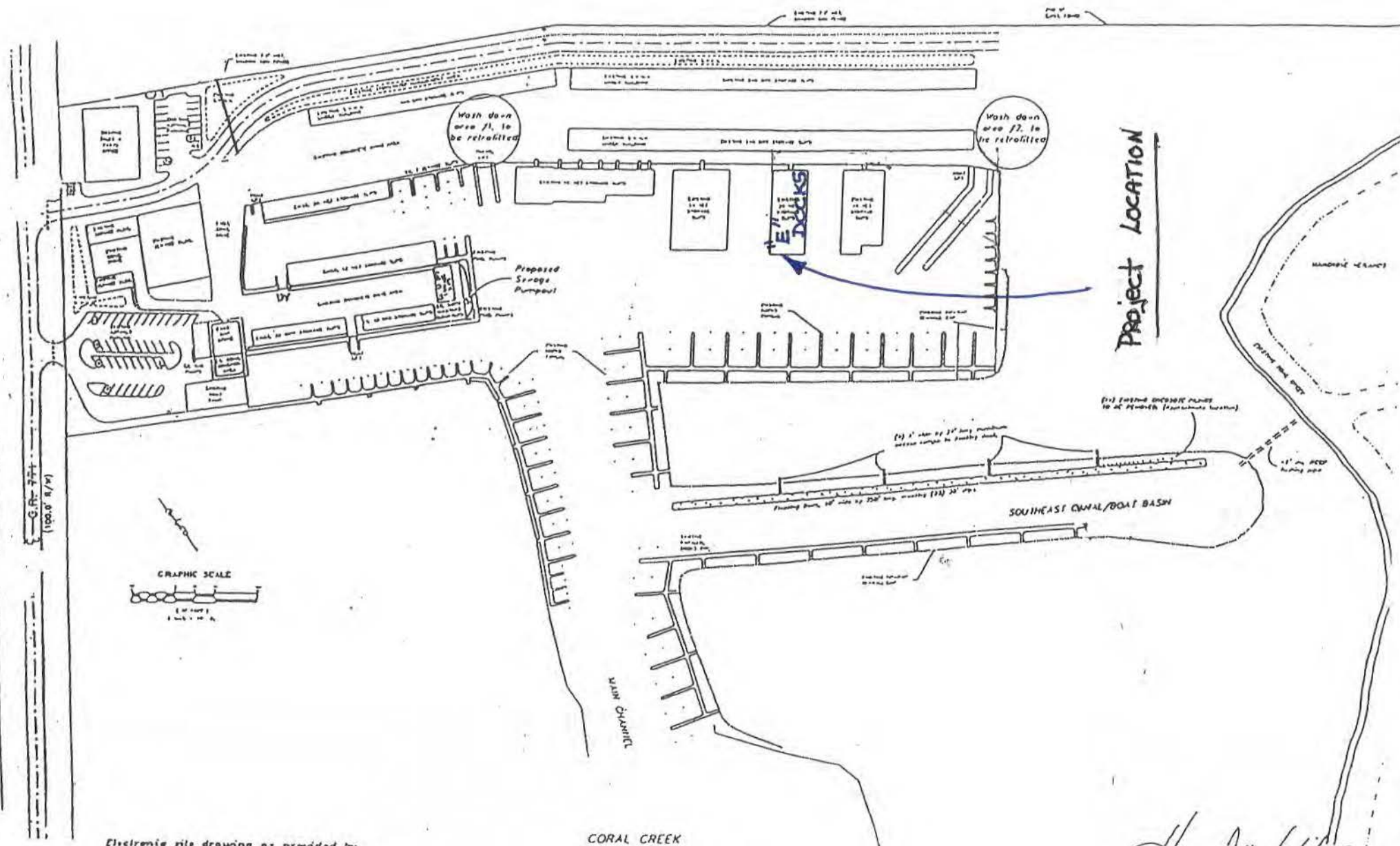


CONSTRUCTION:

YOKES-BOLTED TO PILINGS AT EACH POINT
 DECKING-DOUBLE SCREWS TO EACH STRINGER
 WALKWAY BOLTED TO STRINGER AND HANDRAIL
 PILINGS SET MINIMUM OF 6' BOTTOM PENETRATION
 PILING VINYL WRAPPED

CONSTRUCTION PLANS FOR DOCK

SURVEY OF ENTIRE MARINA



Electronic file drawing as provided by
CHARLOTTE ENGINEERING & SURVEYING, INC.
Project No. 9688-2, 4/27/96.

Site modifications limited to changes associated with design and permitting of roadway improvements.

9/5/96

Stuart J. W. Wilson

STUART J. WILSON
1000 1/2 ST. N. W. WASHINGTON, D.C. 20004
202-462-1000