



REPLY TO  
ATTENTION OF

Regulatory Division  
West Permits Branch  
Fort Myers Permits Section

**DEPARTMENT OF THE ARMY**  
**JACKSONVILLE DISTRICT CORPS OF ENGINEERS**  
**1520 ROYAL PALM SQUARE BLVD., SUITE 310**  
**FORT MYERS, FLORIDA 33919**  
**January 13, 2020**

## ***PUBLIC NOTICE***

Permit Application Number SAJ-2002-08535(SP-RWR)

**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:** Marco Island Yacht Club, Inc.  
1400 North Collier BLVD.  
Marco Island, FL 34145

**WATERWAY AND LOCATION:** The project would affect waters of the United States associated with the Big Marco River. The project site is located at 1400 N. Collier Boulevard, Marco Island, Florida 34145.

Directions to the site are as follows: Head south on I-75. Take exit 101 for C.R. 951/Collier Blvd and head south. The facility is on the right immediately after crossing the Judge Jolley Bridge.

**APPROXIMATE CENTRAL COORDINATES:** Latitude 25.961962  
Longitude -81.712324

**PROJECT PURPOSE:**

Basic: To construct a previously permitted marina.

Overall: Construct a previously permitted marina associated with an upland Yacht Club consisting of the replacement of a seawall, dredging and installation of docking facilities in Marco Island, Collier County, Florida.

**EXISTING CONDITIONS:** The wetland system consists of a saltwater system. There is no onsite vegetation. The existing area surrounding the project area consists of a developed yacht club in the uplands and open water.

**PROPOSED WORK:** The applicant seeks authorization to replace 326 linear feet of seawall, the construction of 20,449 square feet of overwater structure to accommodate the mooring of 27 vessels, and the dredging of 2,008 cubic yards of material to a depth of -7 feet Mean Low Water (MLW) in some places and -6 feet MLW in others.

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 avoided and minimized impacts to the aquatic environment to the greatest degree practicable. The docking facility was previously permitted (Permit SAJ-2002-08535). A portion of the facility will be constructed as a floating dock. All pilings will be wrapped one foot above Mean High Water (MHW) and one foot below the substrate to protect water quality and prevent leaching of heavy metals into the waterbody. The remainder of the facility will be floating and will be constructed from concrete to not introduce heavy metals to the waterbody. Dredging was minimized to match the surrounding contours. Larger boats were originally proposed; however, this would have required additional dredging, therefore they were removed from the project.

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

There are no impacts to wetland vegetation or submerged aquatic vegetation, therefore no mitigation is required.

#### 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, but is not likely to adversely affect the smalltooth sawfish or its designated critical habitat. The Corps will request National Marine Fisheries Service concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

The Corps has determined the proposed project “may affect, not likely to adversely affect” (MANLAA) for the West Indian manatee and its designated critical habitat given the applicant obtained Collier County Manatee Protection Plan consistence. The Corps has concurrence with this determination pursuant to The Corps of Engineers, Jacksonville District, and the State of Florida Effect Determination Key for the Manatee in Florida dated April 2013 (Manatee Key) and addendum dated May 13, 2019. Use of the Manatee Key resulted in the following sequential determination:

A>B>C>D>G>H>I>J>K>N>O>P>3 MANLAA, with further consultation necessary. This determination is based on the applicant following the Standard Manatee Conditions for In-Water Work, 2011 for the proposed activity.

**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 impact approximately 2.35 acres of sandy-silt and mud habitat. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in the Gulf of Mexico. 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, at the letterhead address 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, Russell Rouan, in writing at the Fort Myers Permits Section, 1520 Royal Palm Square Boulevard, Suite 310, Fort Myers, Florida; 33919; by electronic mail at [Russell.W.Rouan@usace.army.mil](mailto:Russell.W.Rouan@usace.army.mil); or, by telephone at (239) 344-1975 x 0011.

**[OPTIONAL FOR ATF APPLICATIONS] ADDITIONAL INFORMATION:** After reviewing all available information pertaining to the completed work, the Department of the Army has not recommended legal action at this time. Final determination regarding legal action will be made after review of the project through the permit procedure.

**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

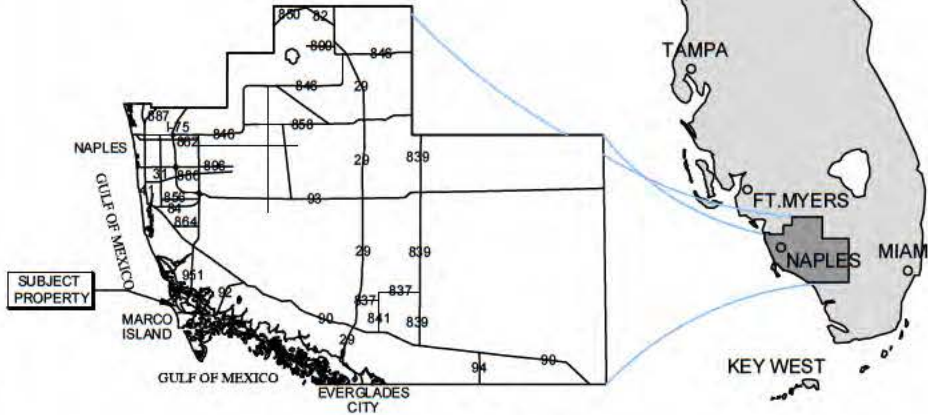
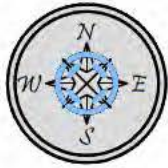
interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal 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:

1400 N COLLIER BLVD  
MARCO ISLAND, FL 34145

LATITUDE: N 25.961962  
LONGITUDE: W 81.712324

### NOTES:

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

**JOSHUA W. MAXWELL**  
REGISTERED PROFESSIONAL ENGINEER  
CERTIFICATE OF AUTHORIZATION NO. 5875  
LICENSE NO. 81247  
DATE: Nov 05, 2019 9:11:07

SUBJECT  
PROPERTY

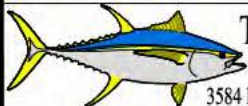


## VICINITY MAP

SUBJECT  
PROPERTY



## COUNTY AERIAL



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

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

## MARCO ISLAND YACHT CLUB LOCATION MAP

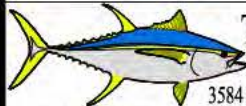
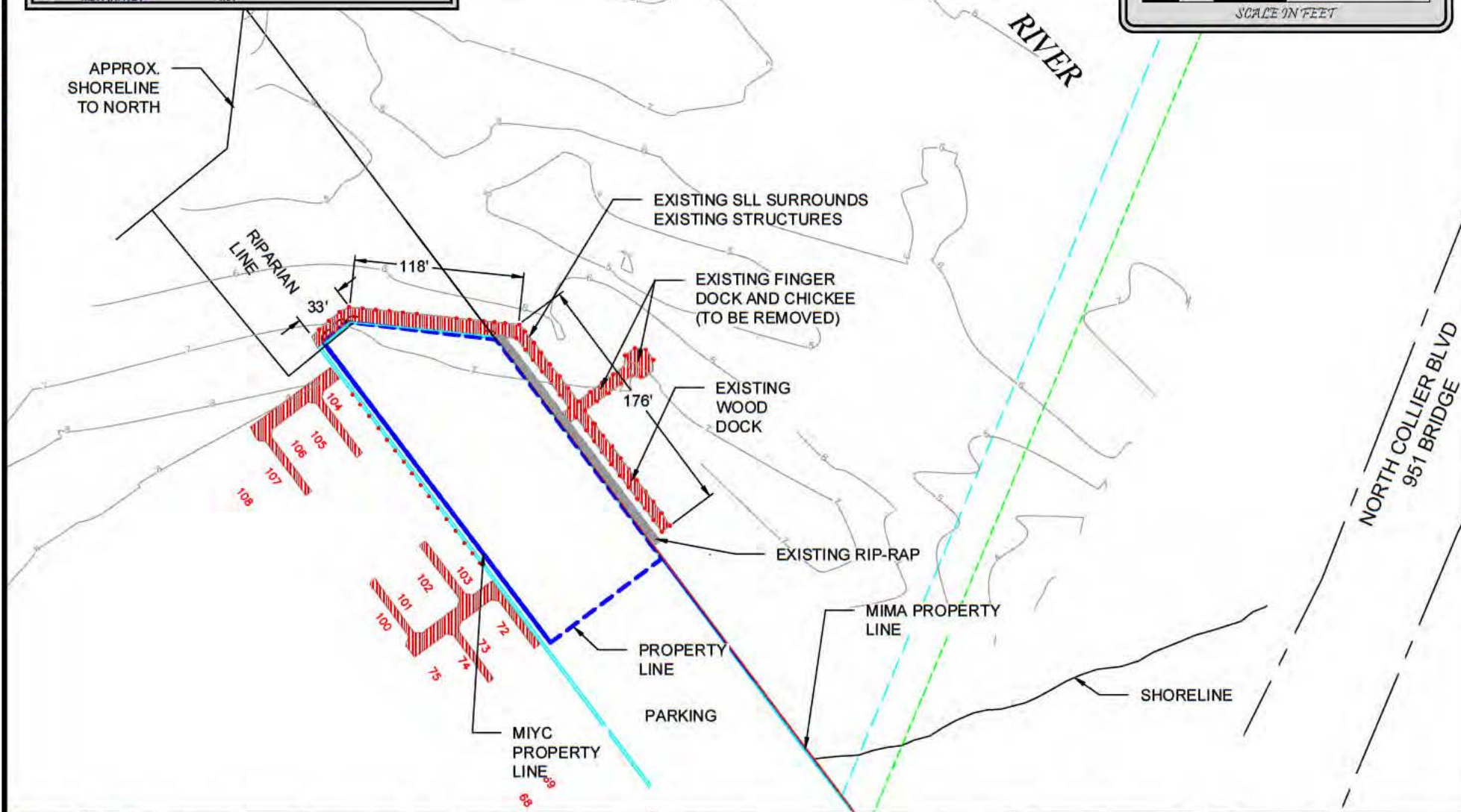
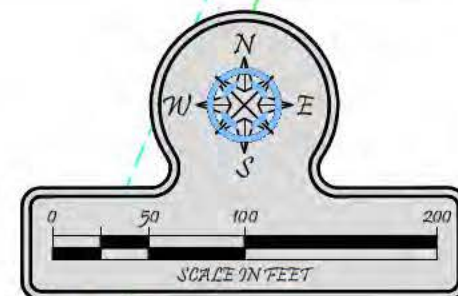
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DESIGNED:	JWM	REV#	REV BY	DATE	CHK BY	CHANGES
DRAWN BY:	RMJ	1.	-	-	-	-
CREATED:	11-05-19	2.	-	-	-	-
JOB NO.:	8934.02	3.	-	-	-	-
SHEET NO.:	01 OF 07	4.	-	-	-	-
		5.	-	-	-	-
SECTION-04		TOWNSHIP-52 S		RANGE-26 E		



**NOTES:**

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- ALL WATER DEPTHS AND DREDGE ELEVATIONS ARE REFERENCED TO MLW
- SURVEY COURTESY OF: "BBL'S, INC." JANUARY 2006
- WATER DEPTHS COURTESY OF: "TURRELL, HALL & ASSOCIATES" AUGUST 2019
- COLLECTION DATE:
- APPLICANT OWNED SHORELINE (APPX LF): 500
- EXISTING OVERWATER STRUCTURE (APPX SF): 3,419
- WIDTH OF WATERWAY, MHW TO MHW (APPX): 1700'
- TIDAL DATUM:
- MHW (NAVD)= +0.33'
- MLW (NAVD)= -1.67'



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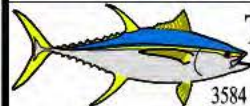
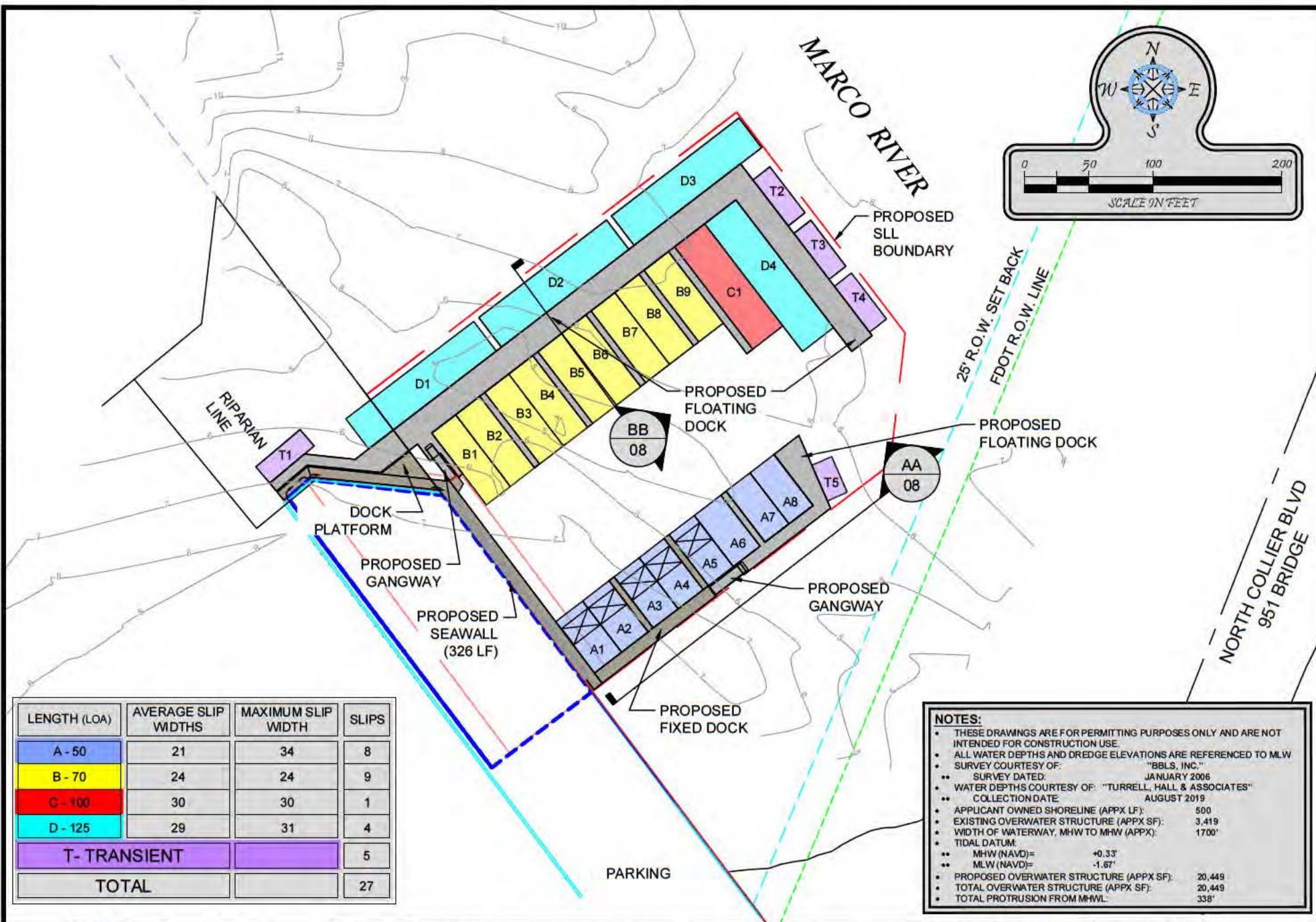
# MARCO ISLAND YACHT CLUB

## EXISTING CONDITIONS

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DESIGNED:	JWM	REVIEWED:	DATE:	CHK BY:	CHANGED:
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JOB NO.:	6934.02	4.	-	-	-
SHEET NO.:	02 OF 07	5.	-	-	-
<b>SECTION-04</b>		<b>TOWNSHIP- 52 S</b>		<b>RANGE- 26 E</b>	





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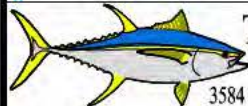
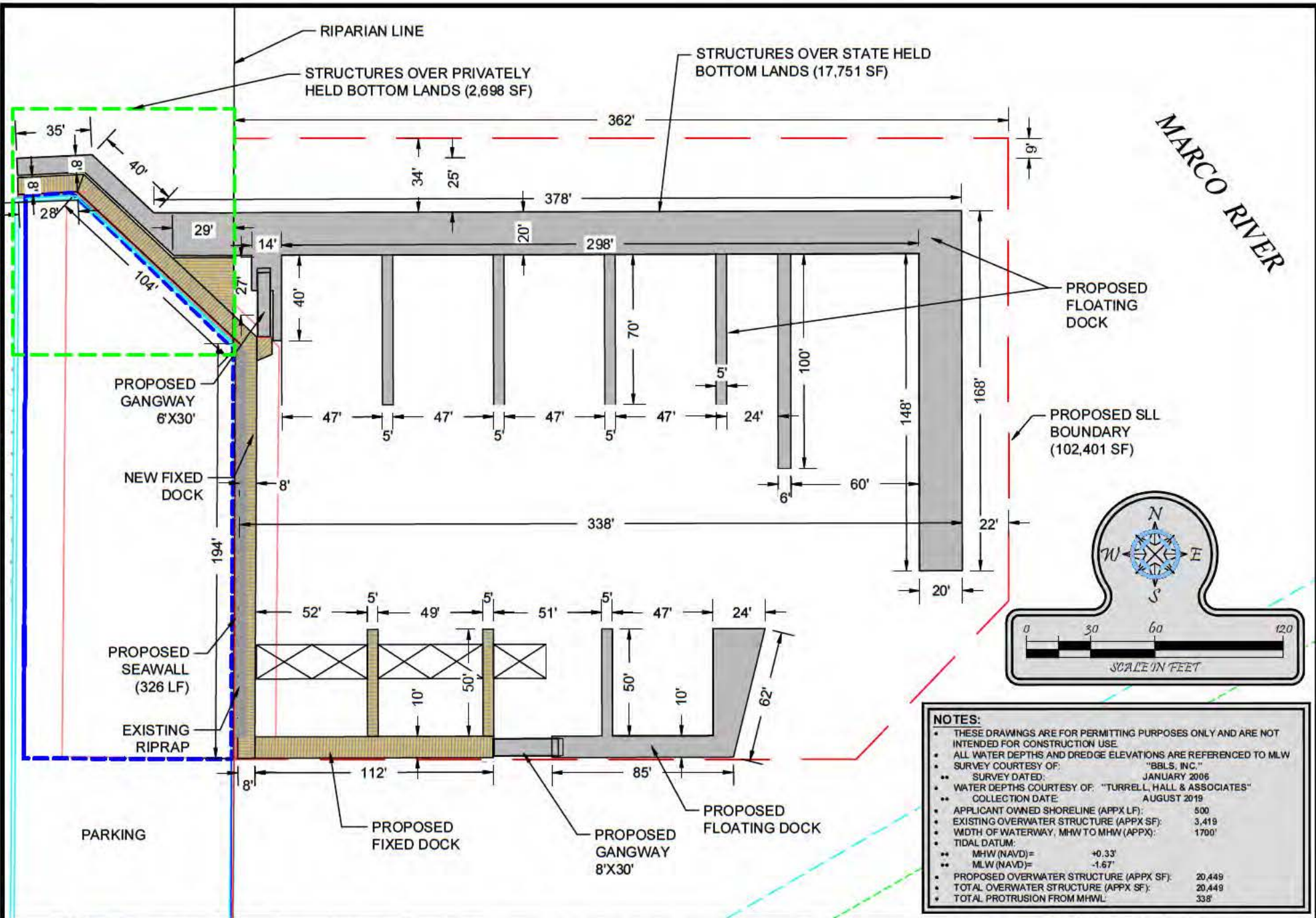
## MARCO ISLAND YACHT CLUB PROPOSED SITE PLAN

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DRAWN BY:	RMJ	REVIEW BY:	2.	-	-	-	-
CREATED:	11-05-19	REVIEW BY:	3.	-	-	-	-
JOB NO.:	8934.02	REVIEW BY:	4.	-	-	-	-
SHEET NO.:	03 OF 07	REVIEW BY:	5.	-	-	-	-

SECTION-04 TOWNSHIP- 52S RANGE-26E





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## MARCO ISLAND YACHT CLUB

### PROPOSED SITE WITH DIMENSIONS

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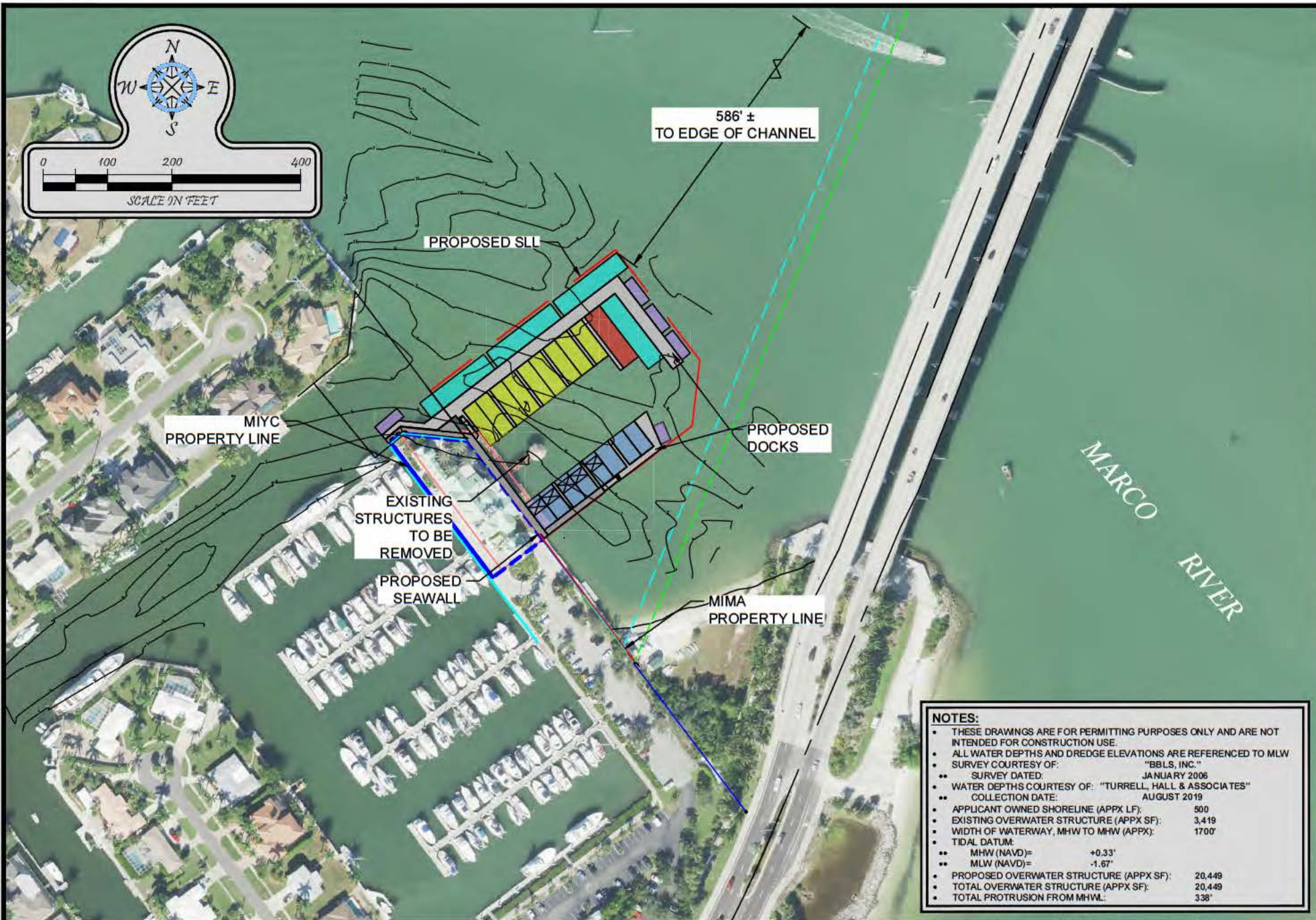
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DRAWN BY:	RMJ	REVIEWED BY:	2.	DATE:	-	DATE BY:	-	CHANGES:	-
CREATED:	11-05-19	REVIEWED BY:	3.	DATE:	-	DATE BY:	-	CHANGES:	-
JOB NO.:	8934.02	REVIEWED BY:	4.	DATE:	-	DATE BY:	-	CHANGES:	-
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SECTION-04

TOWNSHIP- 52 S

RANGE- 26 E





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- EXISTING OVERWATER STRUCTURE (APPX SF): 3,419
- WIDTH OF WATERWAY, MHW TO MHW (APPX): 1700'
- TIDAL DATUM:
  - MHW (NAVD)= +0.33'
  - MLW (NAVD)= -1.67'
- PROPOSED OVERWATER STRUCTURE (APPX SF): 20,449
- TOTAL OVERWATER STRUCTURE (APPX SF): 20,449
- TOTAL PROTRUSION FROM MHWL: 338'



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## MARCO ISLAND YACHT CLUB PROPOSED SITE WITH AERIAL

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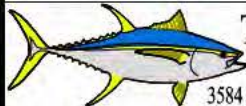
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JOB NO.:	8934.02	3.	-	-	-	-
SHEET NO.:	05 OF 07	4.	-	-	-	-
		5.	-	-	-	-

SECTION-04

TOWNSHIP- 52 S

RANGE- 26 E





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# MARCO ISLAND YACHT CLUB

## PROPOSED DREDGE PLAN

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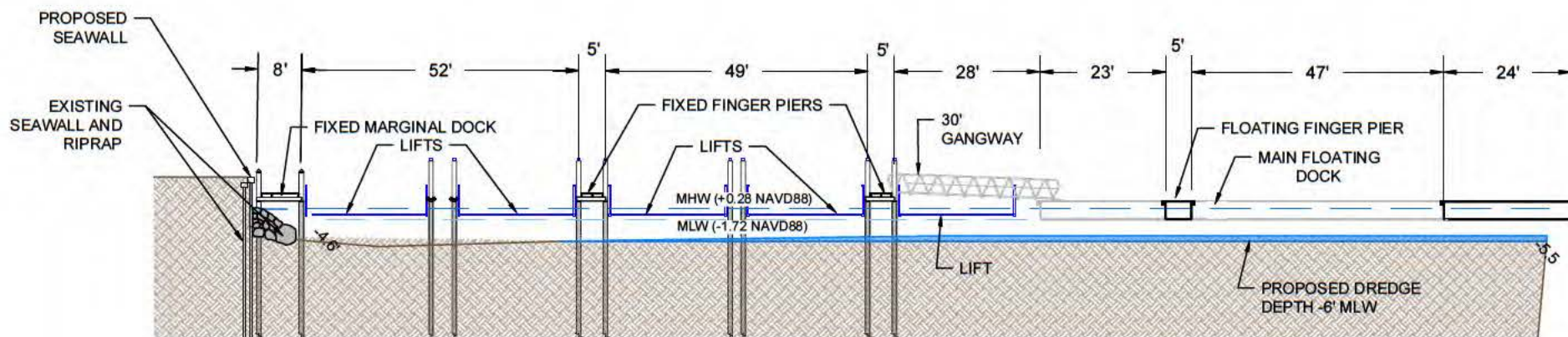
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DRAWN BY:	RMJ	2.	-	-	-
CREATED:	11-05-19	3.	-	-	-
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SECTION-04

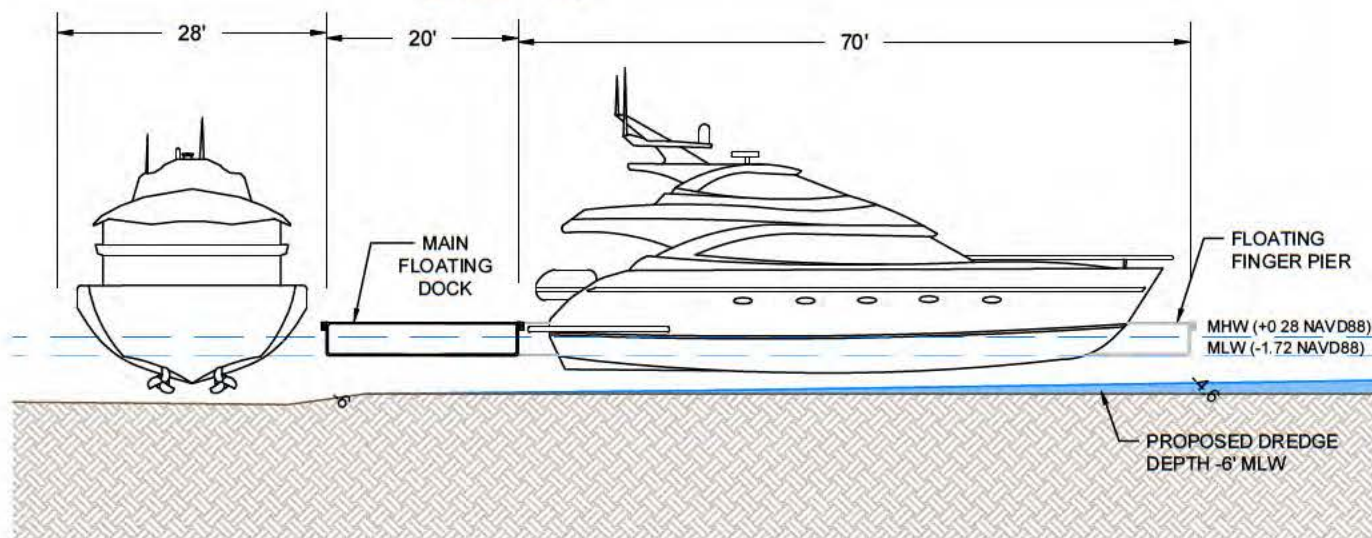
TOWNSHIP- 52S

RANGE-26E



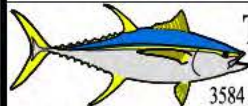


**SECTION A-A**  
TYPICAL FIXED & FLOATING DOCK SECTION  
SCALE: 1" = 30'



**SECTION B-B**  
TYPICAL FLOATING DOCK SECTION  
SCALE: 1" = 20'

**JOSHUA W. MAXWELL**  
REGISTERED PROFESSIONAL ENGINEER  
CERTIFICATE OF AUTHORIZATION NO. 5875  
LICENSE NO. 81247  
DATE: Nov 05, 2019 9:11:33



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Marine & Environmental Consulting

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

## MARCO ISLAND YACHT CLUB CROSS SECTIONS

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DESIGNED:	JWM	REVIEW:	DATE:	DATE:	DATE:
DRAWN BY:	RMJ	1.	-	-	-
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SHEET NO.:	07 OF 07	4.	-	-	-
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SECTION-04 TOWNSHIP-52S RANGE-26E					