



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

REPLY TO

May 5, 2020

Regulatory Division
West Permits Branch
Fort Myers Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2001-00881 (SP-MMB)

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: Town of Fort Myers Beach
C/o Chelsea O'Riley
2525 Estero Boulevard
Fort Myers Beach, Florida 33931

WATERWAY AND LOCATION: The project would affect waters of the United States associated with Matanzas Pass, located west of the San Carlos Boulevard Sky Bridge, in Section 13, Township 46 South, Range 23 East, Fort Myers Beach, Lee County, Florida.

Directions to the site are as follows: From Interstate 75, take exit 131 towards Cape Coral/SW Florida International Airport. Travel west on Daniels Parkway for approximately 2.5 miles. Turn left onto 6 Mile Cypress Parkway and travel approximately 3 miles. Continue onto Gladiolus Drive and merge onto County Road 869/Summerlin Road via the ramp to Ft Myers Beach/Sanibel/Captiva and travel approximately 4 miles. Turn left onto Pine Ridge Road. Turn left on FL-865/San Carlos Boulevard and travel for approximately 3 miles until FL-865 becomes Estero Boulevard. Turn left onto Crescent Street and travel approximately 0.3 miles. The project will be on your right under the FL-865 bridge.

APPROXIMATE CENTRAL COORDINATES: Latitude: 26.460447°
Longitude: -81.960792°

PROJECT PURPOSE:

Basic: Mooring field expansion

Overall: Expansion of the existing Matanzas Harbor Mooring Field along Matanzas Pass, Fort Myers Beach, Florida.

EXISTING CONDITIONS: The existing Matanzas Pass Mooring Field is a 70-slip commercial facility managed by the Town of Fort Myers Beach for recreational vessels up to 58 feet in length. The expansion would include nineteen (19) additional moorings along Matanzas Pass, at least 100 feet from the near bottom edge of the federal channel (Fort Myers Beach Harbor Channel).

PROJECT HISTORY: The Matanzas Harbor Mooring Field is a 70-slip public facility managed by the Town of Fort Myers Beach (Town) for recreational vessels up to 58 feet in length. The existing facility is located within Matanzas Pass, east of the San Carlos Boulevard Sky Bridge (SR-865). The project was permitted by the U.S. Army Corps of Engineers, Permit No. SAJ-2001-00881 on July 15, 2003.

PROPOSED WORK: The Town seeks to expand their mooring field capacity with the addition of the Matanzas Pass Mooring Field, located west of the San Carlos Boulevard Sky Bridge. Nineteen (19) moorings would be added to accommodate vessels up to 80 feet in length. Currently, this area is used as an unregulated mooring field. Four (4) Shallow Shoal markers and two (2) Matanzas Pass Mooring Area markers will be installed in accordance with Florida Fish and Wildlife Conservation Commission requirements. The Town will operate and maintain the Matanzas Pass Mooring Field in accordance with the existing Town of Fort Myers Beach Municipal Anchorage Matanzas Harbor Management Plan dated May 24, 2017.

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. See Attachment 3 Best Management Practices.”

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

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 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 evaluated the proposed work utilizing the National Marine Fisheries Service (NMFS's) Jacksonville District's Programmatic Biological Opinion (JAXBO) dated November 20, 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 March 23, 2006. No further consultation is required.

The Corps has determined that the proposed work may affect the West Indian manatee and its designated critical habitat. The Corps made this determination based on the Corps of Engineers, Jacksonville District, and the State of Florida Effect Determination Key for the Manatee in Florida, April 2013 with May 2019 addendum (Manatee Key). Use of the Manatee Key resulted in the following sequential determination: B>C>D>G>H>I>J>K2. The Corps will formally consult with the United States Fish and Wildlife Service (USFWS) under separate letter, 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 project site does not contain EFH; therefore, the Corps has determined that the proposed project would have no effect to EFH.

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 Blvd. Suite 310, Fort Myers, FL 33919 within 30 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 L. Bartley, in writing at the Fort Myers Permits Section, 1520 Royal Palm Square Boulevard, Suite 310, Fort Myers, Florida 33919; 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 USFWS, 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, aesthetics, 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

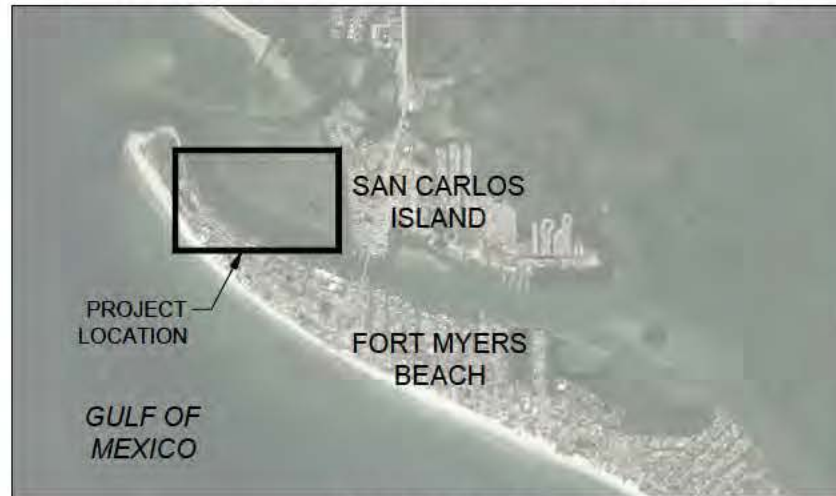
Natural Resources permit constitutes compliance with the Coastal Zone Management Plan.

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.

MATANZAS PASS MOORING FIELD

PREPARED FOR:

TOWN OF FORT MYERS BEACH



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

INDEX

1. COVER SHEET
2. EXISTING CONDITIONS
3. PROPOSED MOORING FIELD PLAN
4. BUOY DETAIL
5. SIGNAGE DETAILS
6. MATANZAS PASS DINGHY DOCK
EXISTING CONDITIONS

LOCATION MAP

N.T.S.

NOTES

1. BATHYMETRIC SURVEY AND SEAGRASS SURVEY COMPLETED BY COASTAL ENGINEERING CONSULTANTS, INC., ON APRIL 8, 2020.
2. CHANNEL MARKERS LOCATED BY COASTAL ENGINEERING CONSULTANTS, INC. ON APRIL 8, 2020.
3. PLANE COORDINATES ARE BASED ON THE TRANSVERSE MERCATOR PROJECTION FOR THE WEST ZONE OF FLORIDA AND REFERENCED TO THE NORTH AMERICAN DATUM OF 1983 (NAD 83).
4. ELEVATIONS SHOWN HEREON ARE IN FEET AND TENTHS AND REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988).
5. INFORMATION SHOWN HEREON REFLECTS CONDITIONS AS THEY EXISTED ON THE SURVEY DATE SHOWN AND CAN ONLY BE CONSIDERED INDICATIVE OF CONDITIONS AT THAT TIME.
6. AERIAL PHOTOGRAPHY OBTAINED FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION, DATED 2018.

PUBLISHED TIDAL INFORMATION


TIDAL DATUMS AT MATANZAS PASS, ESTERO ISLAND
ARE BASED ON FLORIDA 872 5366

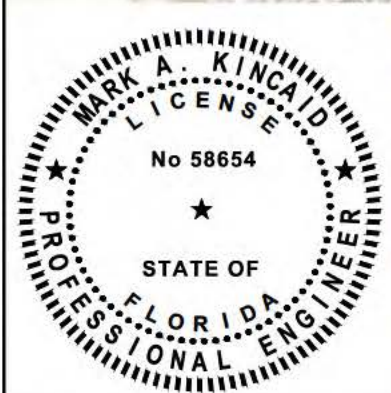
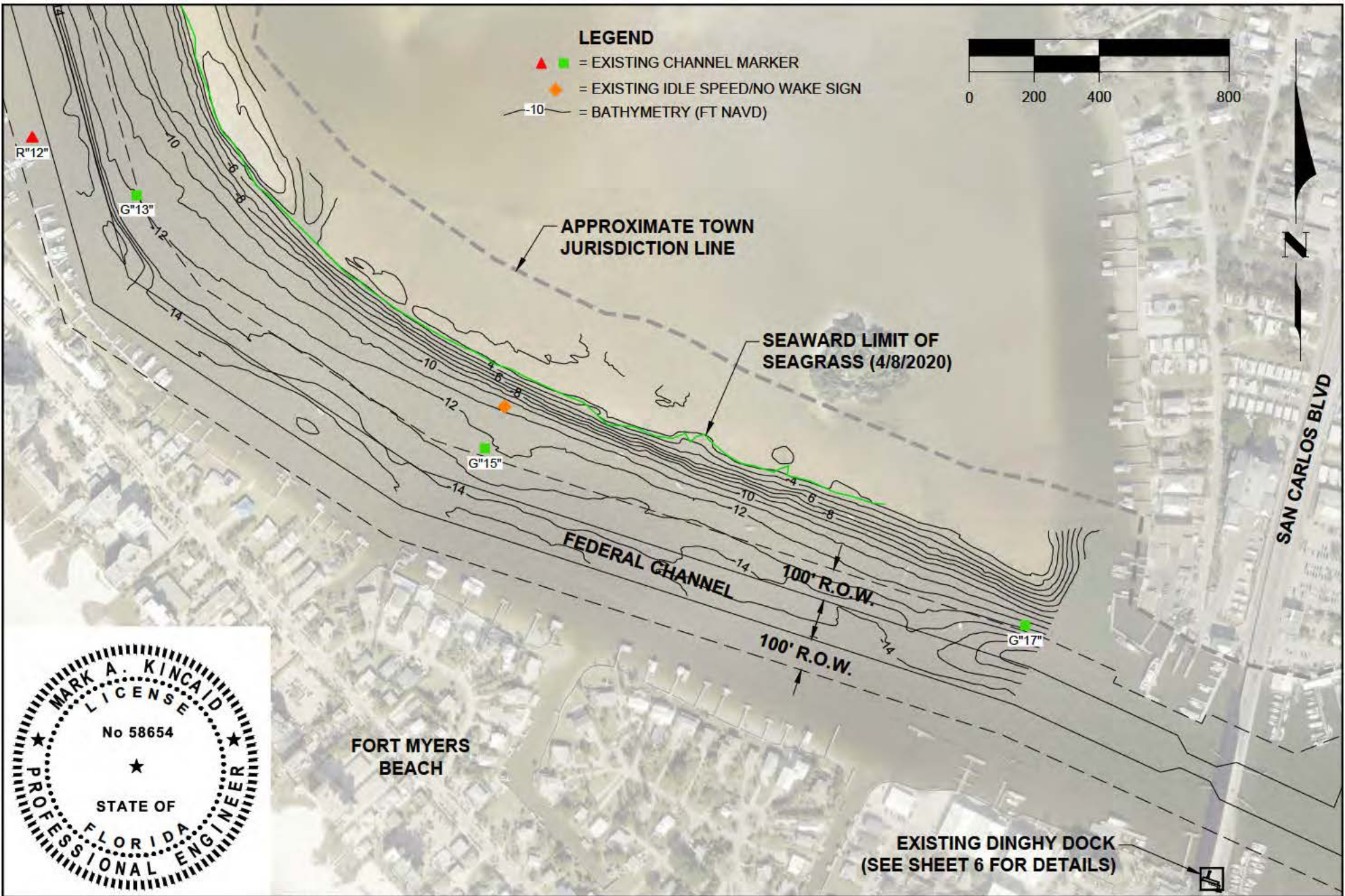
TIME PERIOD = JUNE 1973 - JUNE 1973
TIDAL EPOCH = 1983 - 2001
CONTROL TIDE STATION = NAPLES, GULF OF MEXICO (872 5110)

ELEVATIONS OF TIDAL DATUMS ARE REFERENCED IN NAVD 1988.

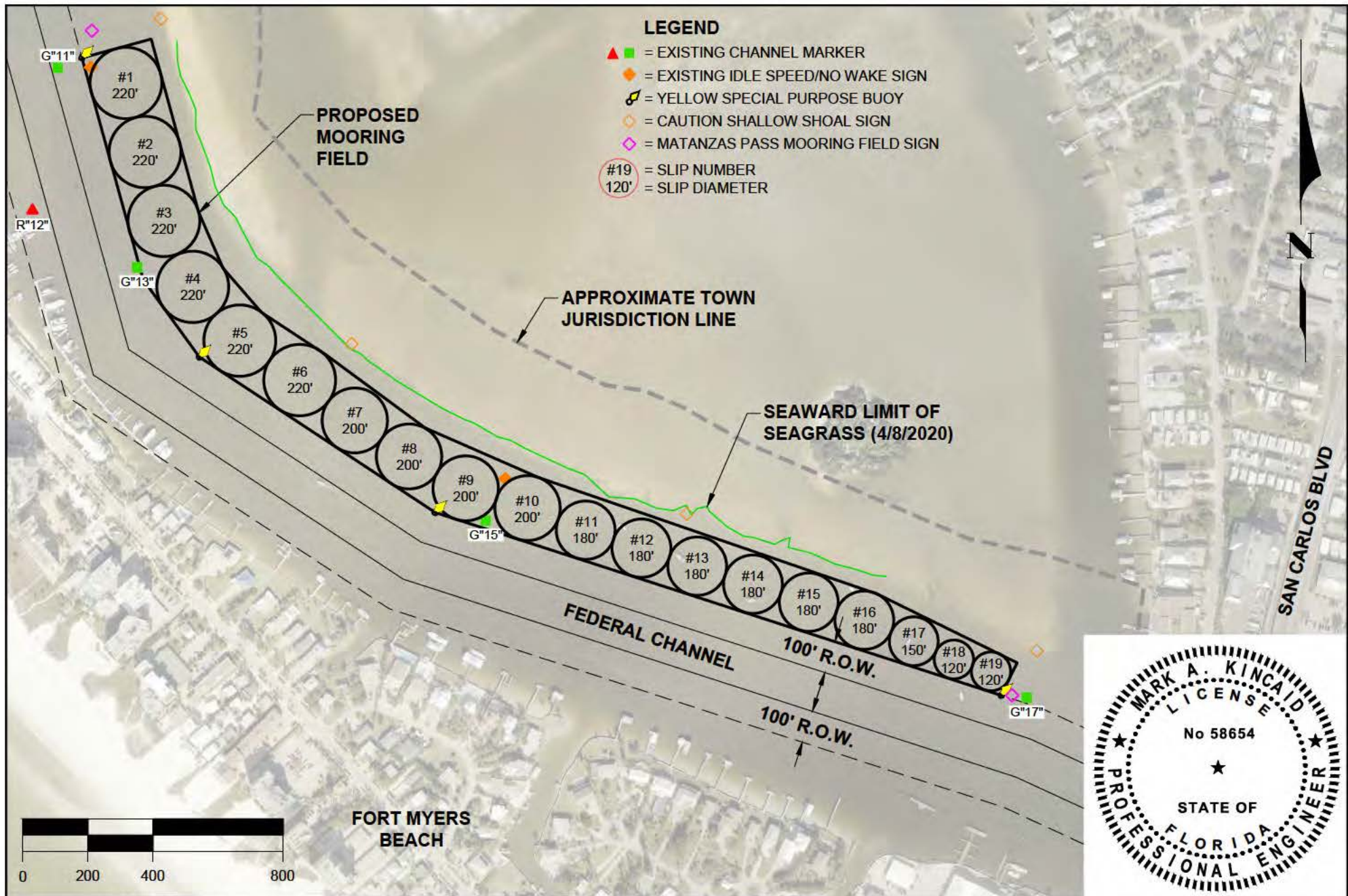
MEAN HIGHER HIGH WATER (MHHW)	= +0.42 FT NAVD
MEAN HIGH WATER (MHW)	= +0.16 FT NAVD
MEAN LOW WATER (MLW)	= -1.64 FT NAVD
MEAN LOWER LOW WATER (MLLW)	= -2.18 FT NAVD




 <p>COASTAL ENGINEERING CONSULTANTS INC. A CECI GROUP COMPANY Serving Florida Since 1977</p> <p>3106 SOUTH HORSESHOE DRIVE NAPLES, FLOR DA 34104</p>	COASTAL & MAR NE ENGINEER NG ENVIRONMENTAL & GEOLOGICAL SERVICES SURVEY AND MAPP NG ENG NEERING: CA 2464 SURVEYING: LB 2464	CLIENT:	TOWN OF FORT MYERS BEACH	DATE: 12/18/2019	SCALE: AS NOTED				
		TITLE:	MATANZAS PASS COVER SHEET	DRAWN: SDB	F.B.				
				CHECKED: MAK	P.G.				
				SEC. TWP. RNG.					
				ACAD NO. 19052-P.dwg					
				REF. NO. 19.052					
	PHONE: (239)643-2324 FAX: (239)643-1143 www.coastalengineering.com E-Mail: info@ceciif.com					NO.	DATE	BY	REVISION DESCRIPTION
						1	4/10/2020	GVT	ADDED BATHYMETRIC AND BENTHIC DATA



<div><div><div>SHEET 2</div><div>FILE NO.: 19052-P-2</div></div><div><div><div>COASTAL ENGINEERING CONSULTANTS INC.</div><div>A CECI GROUP COMPANY Serving Florida Since 1977</div></div><div><div>3106 SOUTH HORSESHOE DRIVE NAPLES, FLOR DA 34104</div></div></div></div>	<div><div>COASTAL & MAR NE ENGINEER NG ENVIRONMENTAL & GEOLOGICAL SERVICES SURVEY AND MAPP NG ENG NEERING: CA 2464 SURVEYING: LB 2464</div><div><div>PHONE: (239)643-2324 FAX: (239)643-1143 www.coastalengineering.com E-Mail: info@cecilf.com</div></div></div>	<div><div>CLIENT:</div><div>TOWN OF FORT MYERS BEACH</div></div> <div><div>TITLE:</div><div>MATANZAS PASS EXISTING CONDITIONS PLAN</div></div>	<div><div>DATE:</div><div>12/18/2019</div></div> <div><div>SCALE:</div><div>AS NOTED</div></div> <div><div>DRAWN:</div><div>SDB</div></div> <div><div>F.B.</div></div> <div><div>CHECKED:</div><div>MAK</div></div> <div><div>PG.</div></div> <div><div>SEC.</div><div>TWP.</div><div>RNG.</div></div> <div><div>ACAD NO.</div><div>19052-P.dwg</div></div> <div><div>REF. NO.</div><div>19.052</div></div>	<div><div>NO.</div><div>DATE</div><div>BY</div><div>REVISION DESCRIPTION</div></div> <div><div>1</div><div>4/10/2020</div><div>GVT</div><div>ADDED BATHYMETRIC AND BENTHIC DATA</div></div>
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SHEET 3
FILE NO.: 19052-P-3



COASTAL ENGINEERING CONSULTANTS INC.

A CECI GROUP COMPANY
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3106 SOUTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104

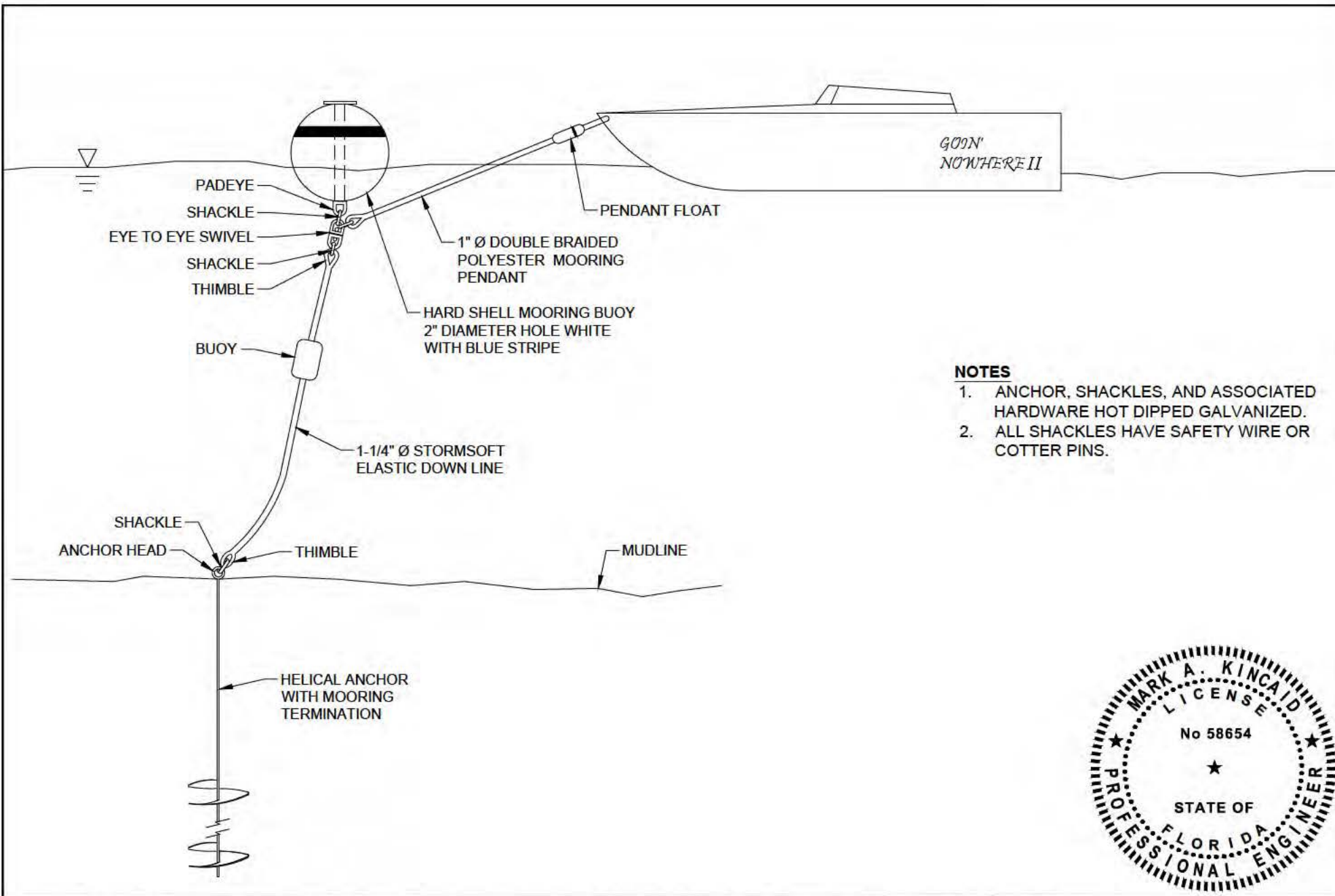
COASTAL & MARINE ENGINEERING NG
ENVIRONMENTAL & GEOLOGICAL SERVICES
SURVEY AND MAPPING NG
ENGINEERING: CA 2464
SURVEYING: LB 2464

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

CLIENT: TOWN OF FORT MYERS BEACH

TITLE: MATANZAS PASS
PROPOSED MOORING FIELD PLAN


DATE:	12/18/2019	SCALE:	AS NOTED						
DRAWN:	SDB	F.B.							
CHECKED:	MAK	PG.							
SEC.	TWP.	RNG.							
ACAD NO.	19052-P.dwg			1	4/10/2020	GVT	ADDED BATHYMETRIC AND BENTHIC DATA		
REF. NO.	19.052			NO.	DATE	BY	REVISION DESCRIPTION		



NOTES

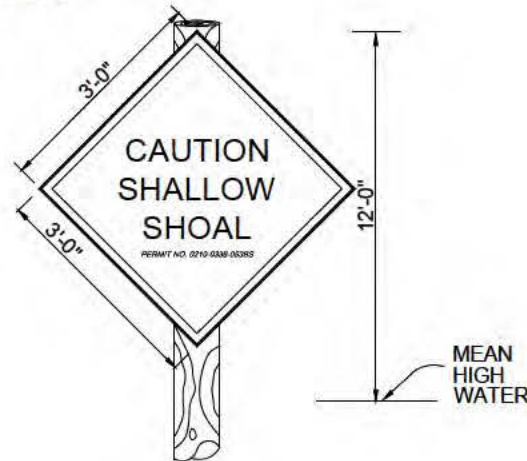
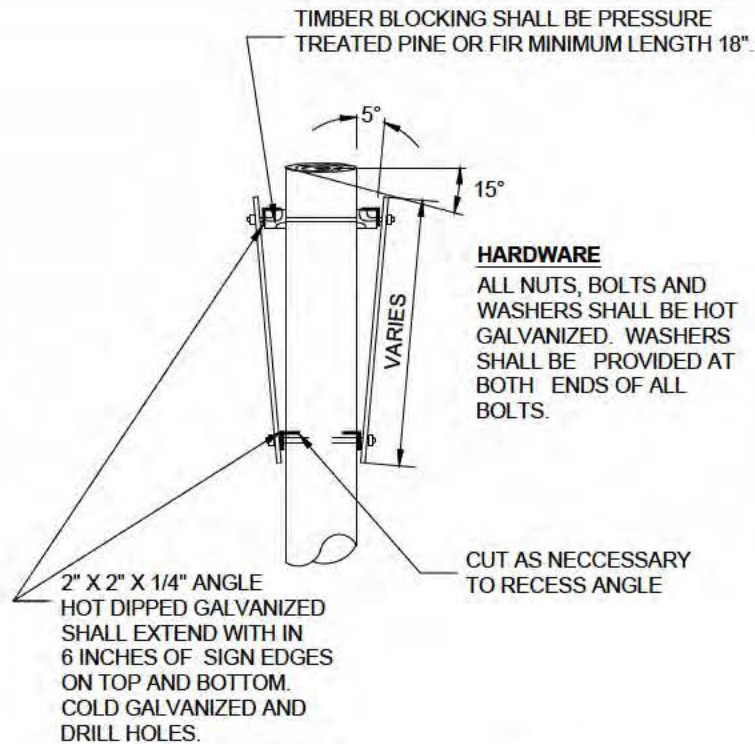
1. ANCHOR, SHACKLES, AND ASSOCIATED HARDWARE HOT DIPPED GALVANIZED.
2. ALL SHACKLES HAVE SAFETY WIRE OR COTTER PINS.



<div><div>SHEET 4</div><div>FILE NO. 19052-P-4</div></div> <div><div>COASTAL ENGINEERING CONSULTANTS INC.</div><div>A CECI GROUP COMPANY Serving Florida Since 1977</div><div>3106 SOUTH HORSESHOE DRIVE NAPLES, FLORIDA 34104</div></div> <div><div>COASTAL & MAR NE ENGINEER NG ENVIRONMENTAL & GEOLOGICAL SERVICES SURVEY AND MAPP NG ENG NEERING: CA 2464 SURVEYING: LB 2464</div><div>PHONE: (239)643-2324 FAX: (239)643-1143 www.coastalengineering.com E-Mail: info@cecilf.com</div></div>	CLIENT:	TOWN OF FORT MYERS BEACH	DATE:	12/18/2019	SCALE:	AS NOTED				
	TITLE:	MATANZAS PASS BUOY DETAIL	DRAWN:	SDB	F.B.					
			CHECKED:	MAK	PG.					
			SEC.	TWP.	RNG.					
			ACAD NO.	19052-P.dwg			1	4/10/2020	GVT	ADDED BATHYMETRIC AND BENTHIC DATA
			REF. NO.	19.052			NO.	DATE	BY	REVISION DESCRIPTION



INFORMATIONAL SIGN



SHOAL SIGN

NOTES

1. THE PERMANENT SIGNS SHALL HAVE DIMENSIONS AND MESSAGES AS SHOWN.
2. THE SIGNS WILL BE CONSTRUCTED WITH 125 GAUGE 61TS ALUMINUM, COVERED WITH WHITE, ENGINEER GRADE, REFLECTING SHEETING; BLACK SCREENED LETTERING AND DESIGN; AND ORANGE, ENGINEER GRADE REFLECTIVE BORDER.
3. THESE SIGNS SHALL CONFORM TO THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION AND U.S. COAST GUARD STANDARDS.



SHEET 6
FILE NO. 19052-P-5

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

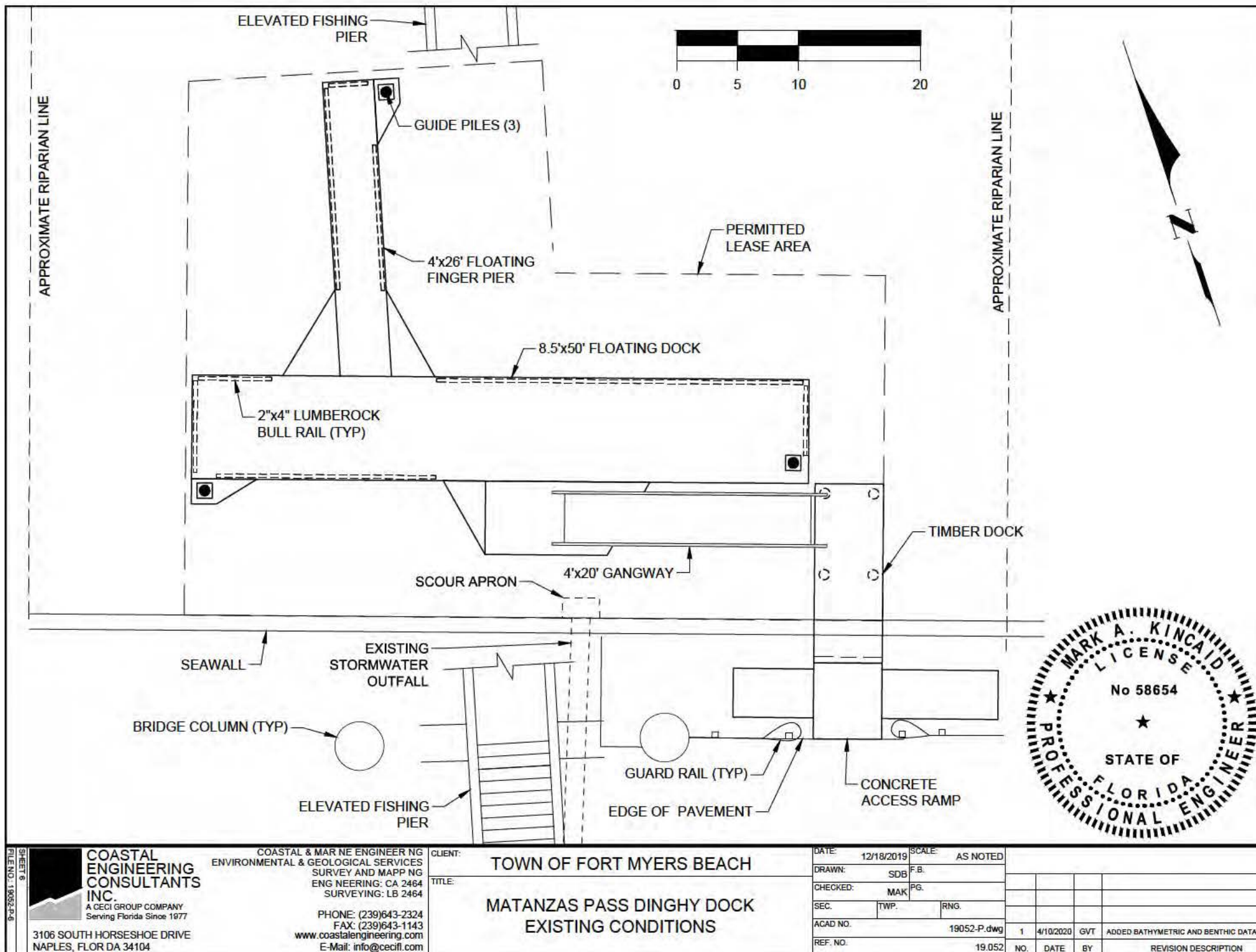
COASTAL & MARINE ENGINEERING
ENVIRONMENTAL & GEOLOGICAL SERVICES
SURVEY AND MAPPING
ENGINEERING: CA 2464
SURVEYING: LB 2464
PHONE: (239)643-2324
FAX: (239)643-1143
www.coastalengineering.com
E-Mail: info@cecifl.com

CLIENT: TOWN OF FORT MYERS BEACH

TITLE: MATANZAS PASS
SIGNAGE DETAILS

DATE:	12/18/2019	SCALE:	AS NOTED
DRAWN:	SDB	F.B.	
CHECKED:	MAK	PG.	
SEC.	TWP.	RNG.	
ACAD NO.	19052-P.dwg		
REF. NO.	19.052		

NO.	DATE	BY	REVISION DESCRIPTION
1	4/10/2020	GVT	ADDED BATHYMETRIC AND BENTHIC DATA



SHEET 6
FILE NO. 19052-P-6

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

COASTAL & MARINE ENGINEERING
ENVIRONMENTAL & GEOLOGICAL SERVICES
SURVEY AND MAPPING
ENGINEERING: CA 2464
SURVEYING: LB 2464

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

CLIENT: **TOWN OF FORT MYERS BEACH**
TITLE: **MATANZAS PASS DINGHY DOCK
EXISTING CONDITIONS**

DATE:	12/18/2019	SCALE:	AS NOTED				
DRAWN:	SDB	F.B.					
CHECKED:	MAK	PG.					
SEC.	TWP.	RNG.					
ACAD NO.	19052-P.dwg						
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