



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
JACKSONVILLE DISTRICT OFFICE
701 SAN MARCO BOULEVARD
JACKSONVILLE FLORIDA 32207-8137

August 7, 2024

Regulatory Division
West Permits Branch
Fort Myers Permits Section
SAJ-2024-02106 (NWP-SMW)

Ashley Koza
Lee County
1500 Monroe Street
Fort Myers, Florida 33901
Via Email: Akoza@leegov.com

Dear Ms. Koza:

This letter is in response to the Pre-Construction Notification (PCN) you submitted to the Jacksonville District, Technical Regional Execution Center on July 3, 2024 for a Department of the Army Nationwide permit (NWP) verification. This project has been assigned the file number SAJ-2024-02106 and is known as Royal Palms Park pier rebuild. This file number should be referenced in all correspondence concerning this project.

A review of the information provided indicates that the proposed work would include the replacement of a 709.5 square foot public pier, in the same footprint, as was destroyed by Hurricane Ian in 2022. The public pier includes a 5.5-foot-wide by 93-foot-long access pier, a 12-foot by 16-foot terminal pier, and a 2-foot by 3-foot fish cleaning station. The entire structure reaches 90 foot waterward of the Mean High-Water Line (MHWL). The project area for this determination includes a 0.02-acre area which is illustrated on the enclosed site plans/maps. The project area is located at 300 Royal Palms Park Road, within Section 04, Township 044S, Range 025E; at Latitude 26.681550 and Longitude -81.817100; in Fort Myers, Lee County, Florida.

We have determined that the proposed work is authorized by Nationwide 3 - Maintenance pursuant to authorities under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403). The proposed work must be accomplished in strict accordance with the general permit conditions, any regional conditions, the special conditions listed in this letter, the application materials, and the enclosed plans. If the extent of the project area and/or nature of the authorized impacts to waters are modified, a revised PCN must be submitted to this office for written approval before work is initiated. Any violation of permit conditions or deviation from your submitted plans may subject the permittee to enforcement action.

This verification is valid until **March 14, 2026**, unless prior to this date the subject NWP(s) is suspended, revoked, or is modified such that the activity no longer complies with the terms and conditions of this NWP. If you commence or are under contract to commence this activity before the date that the relevant NWP is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this NWP. You can access the U.S. Army Corps of Engineers' (Corps) Jacksonville District's Regulatory Source Book webpage for links to view NWP information at:

<https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book/>.

Please be aware this Internet address is case sensitive and should be entered as it appears above. Once there, you will need to select "Nationwide Permits." Among other things, this part of the Source Book contains links to the federal register containing the text of the pertinent NWP authorization and the associated NWP general conditions, as well as separate links to the regional conditions applicable to the pertinent NWP verification.

Project Specific Special Conditions:

1. **Reporting Address:** The Permittee shall submit all reports, notifications, documentation, and correspondence required by the general and special conditions of this permit to either (not both) of the following addresses:

a. For electronic mail (preferred): SAJ-RD-Enforcement@usace.army.mil
(not to exceed 15 MB).

b. For standard mail: U.S. Army Corps of Engineers, Regulatory Division,
Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.

The Permittee shall reference this permit number, SAJ-2024-02106 (NWP-SMW), on all submittals.

2. **Commencement Notification:** Within 10 days from the date of initiating the work authorized by this permit, the Permittee shall submit a completed "Commencement Notification" form.

3. **Posting of the Permit:** The Permittee shall have available and maintain for review a copy of the permit and approved plans at the construction site.

4. **Self-Certification:** Within 60 days of completion of the work authorized by this permit, the permittee shall complete the attached "Self-Certification Statement of Compliance" form and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations

on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.

5. Assurance of Navigation and Maintenance: The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

6. Cultural Resources/Historic Properties:

- a. No structure or work shall adversely affect impact or disturb properties listed in the National Register of Historic Places (NRHP) or those eligible for inclusion in the NRHP.
- b. If, during permitted activities, items that may have historic or archaeological origin are observed the Permittee shall immediately cease all activities adjacent to the discovery that may result in the destruction of these resources and shall prevent his/her employees from further removing, or otherwise damaging, such resources. The applicant shall notify both the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850)-245-6333 and the Corps, of the observations within the same business day (8 hours). Examples of submerged historical, archaeological or cultural resources include shipwrecks, shipwreck debris fields (such as steam engine parts, or wood planks and beams), anchors, ballast rock, concreted iron objects, concentrations of coal, prehistoric watercraft (such as log "dugouts"), and other evidence of human activity. The materials may be deeply buried in sediment, resting in shallow sediments or above them, or protruding into water. The Corps shall coordinate with the Florida State Historic Preservation Officer (SHPO) to assess the significance of the discovery and devise appropriate actions. Project activities shall not resume without verbal and/or written authorization from the Corps.
- c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition; and if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non- federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

- d. In the unlikely event that unmarked human remains are identified on non-federal lands; they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archaeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the SHPO and from the Corps.

7. **Manatee Conditions:** The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011”.

8. **Eastern Indigo Snake Conditions:** The Permittee shall comply with “Standard Protection Measures for the Eastern Indigo Snake, revised August 2013”.

9. **Turbidity Barriers:** Prior to the initiation of any of the work authorized by this permit, the Permittee shall install floating turbidity barriers with weighted skirts that extend to within 1 foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained until the authorized work has been completed and all suspended and erodible materials have been stabilized. Turbidity barriers shall be removed upon stabilization of the work area.

10. **Jacksonville District Programmatic Biological Opinion (JAXBO):** Structures and activities authorized under this permit will be constructed and operated in accordance with all applicable PDCs contained in the JAXBO, based on the permitted activity. Failure to comply with applicable PDCs will constitute noncompliance with this permit. In addition, failure to comply with the applicable PDCs, where a take of listed species occurs, would constitute an unauthorized take. The NMFS is the appropriate authority to determine compliance with the Endangered Species Act. The most current version of JAXBO can be accessed at the Jacksonville District Regulatory Division website in the Endangered Species section of the Sourcebook located at: <http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx> JAXBO may be subject to revision at any time. The most recent version of these JAXBO must be utilized during the design and construction of the permitted work.

This letter of authorization does not include conditions that would prevent the ‘take’ of a state-listed fish or wildlife species. These species are protected under sec. 379.411, Florida Statutes, and listed under Rule 68A-27, Florida Administrative Code. With regard to fish and wildlife species designated as species of special concern or threatened by the State of Florida, you are responsible for coordinating directly with the Florida Fish and Wildlife Conservation Commission (FWC). You can visit the FWC license and permitting webpage (<http://www.myfwc.com/license/wildlife/>) for more

information, including a list of those fish and wildlife species designated as species of special concern or threatened. The Florida Natural Areas Inventory (<http://www.fnai.org/>) also maintains updated lists, by county, of documented occurrences of those species.

This letter of authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

This NWP verification does not preclude the necessity to obtain any other Federal, State, or local permits, licenses, and/or certifications, which may be required.

If you have any questions related to this verification or have issues accessing documents referenced in this letter, please contact Sarah Whorton, Regulatory Biologist of the Technical Regional Execution Center at (205)767-4912, by mail at the above address, or by email at sarah.m.whorton@usace.army.mil. Please take a moment to complete our customer satisfaction survey located at <https://regulatory.ops.usace.army.mil/customer-service-survey/>.

Sincerely,

A handwritten signature in cursive script that reads "Danielle D'Amato". The signature is written in black ink and includes a long horizontal flourish extending to the right.

Danielle D'Amato
SAJ Team Lead
SAD, Technical Regional Execution Center

Enclosures

Cc (w/enclosures)

Jordan Varble, Johnson Engineering, Inc (via jlv@johnsoneng.com)

General Conditions (33 CFR PART 320-330):

1. The time limit for completing the work authorized ends on **March 14, 2026.**

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit you must obtain the signature of the new owner on the transfer form attached to this letter and forward a copy to this office to validate the transfer of this authorization.

5. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Commencement Notification Form

File Number: SAJ-2024-02106

County: Lee

Permittee: Lee County, Ashley Koza

Project Name: Royal Palms Park pier rebuild

Date Verification Issued: 8/7/2024

Project Manager: Sarah Whorton

Within 10 days of commencing the activity authorized by this permit, sign this certification and return it to the following address:

**US ARMY CORPS OF ENGINEERS
Jacksonville District
Enforcement Section
P.O. Box 4970
Jacksonville, FL 32232-0019**

or

saj-rd-enforcement@usace.army.mil (preferred)

Please note that your permitted activity is subject to a compliance inspection by a U. S. Army Corps of Engineers representative. Failure to comply with any terms or conditions of this authorization may result in the Corps suspending, modifying or revoking the authorization and/or issuing a Class I administrative penalty, or initiating other appropriate legal action.

Construction Start Date: _____

Signature of Permittee

Date

Compliance Certification Form

File Number: SAJ-2024-02106

County: Lee

Permittee: Lee County, Ashley Koza

Project Name: Royal Palms Park pier rebuild

Date Verification Issued: 8/7/2024

Project Manager: Sarah Whorton

Within 60 days of completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

**US ARMY CORPS OF ENGINEERS
Jacksonville District
Enforcement Section
P.O. Box 4970
Jacksonville, FL 32232-0019
or**

saj-rd-enforcement@usace.army.mil (preferred)

Please note that your permitted activity is subject to a compliance inspection by a U. S. Army Corps of Engineers representative. Failure to comply with any terms or conditions of this authorization may result in the Corps suspending, modifying or revoking the authorization and/or issuing a Class I administrative penalty, or initiating other appropriate legal action.

I hereby certify that the work, and mitigation (if applicable), authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit including any general or specific conditions.

Date Authorized Work Started: _____ **Completed:** _____

Describe any deviations from permit (attach drawing(s) depicting the deviations):

***Note: The description of any deviations on this form does not constitute approval by the Corps.**

Signature of Permittee

Date

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: SAJ-2024-02106 (NWP-SMW)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Branch, P. O. Box 4970, Jacksonville, FL 32232-0019 or electronic mail at saj-rd-enforcement@usace.army.mil.

(TRANSFEREE-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT)

(BLOCK)

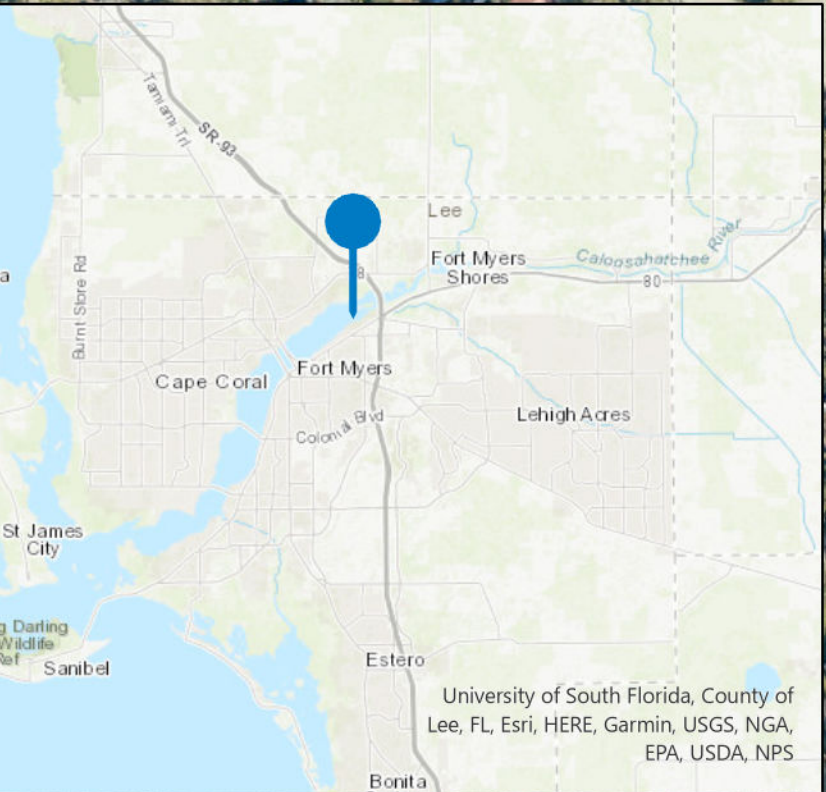
(NAME-PRINTED)

(STREET ADDRESS)

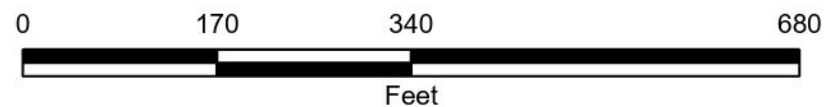
(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

Caloosahatchee River



SAJ-2024-02106 Pier rebuild
Royal Palms Park, Fort Myers, Lee County, FL



Map created by Sarah Whorton
on 8/7/2024 at 1:15 PM

USACE PERMIT DRAWINGS



FOR ROYAL PALM PARK VARIOUS BOARDWALK REPAIRS

FEMA DI : 1291154

FEMA PRODUCT # : 713919
SECTION 04, TOWNSHIP 44 S., RANGE 25 E.
LATITUDE 26.681745°, LONGITUDE -81.817196°
LEE COUNTY, FLORIDA

OWNER

LEE COUNTY
 2115 SECOND ST
 FORT MYERS, FL 33901
 PHONE: (239) 533-2221
 FAX: (239) 485-2262

SITE ADDRESS

300 ROYAL PALM PARK RD,
 FORT MYERS, FL 33908

STRAP NUMBERS

04-44-25-08-0000A.0000

SIZE OF PARCEL

0.86 ACRES

ZONING

RS-1

BOARD OF COUNTY COMMISSIONERS

KEVIN RUANE	DISTRICT 1
CECIL PENDERGRASS	DISTRICT 2
RAY SANDELLI	DISTRICT 3
BRIAN HAMMAN	DISTRICT 4
FRANK MANN	DISTRICT 5

COUNTY MANAGER

DAVE HARNER

ASSISTANT COUNTY MANAGER

PETER WINTON
 CHRISTINE BRADY
 GLEN SALYER
 MARC MORA
 ROBERT CODIE

FACILITIES CONSTRUCTION & MANAGEMENT

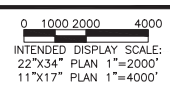
EHAB GUIRGUIS, P.E.

INDEX OF PLANS

SHEET NO.	DESCRIPTION
C01	COVER
C02	GENERAL NOTES & ABBREVIATIONS
C03	FLUCFCS & SOILS MAP
C04	EXISTING CONDITIONS WITH 2021 AERIAL
C05	SITE PLAN
C06	EROSION CONTROL PLAN
C07	PLAN & PROFILE

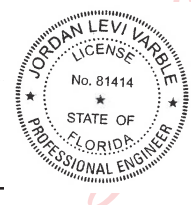


LOCATION MAP



JUNE 2024

This item has been digitally signed and sealed by Jordan L. Varble, P.E., on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.



c=US, o=JOHNSON ENGINEERING INC, dnQualifier=A01410 C0000017D9506ED F600003491, cn=Jordan Varble 2024.06.26 15:56:45 -04'00'



WEILER ENGINEERING CORP.
 201 WEST MARION AVENUE SUITE
 1306 PUNTA GORDA, FLORIDA 33950
 PHONE: (941) 505-1700
 FAX: (941) 505-1702



JOHNSON ENGINEERING, INC.
 2122 JOHNSON STREET
 FORT MYERS, FLORIDA 33901
 PHONE: (239) 334-0046
 E.B. #642 & L.B. #642

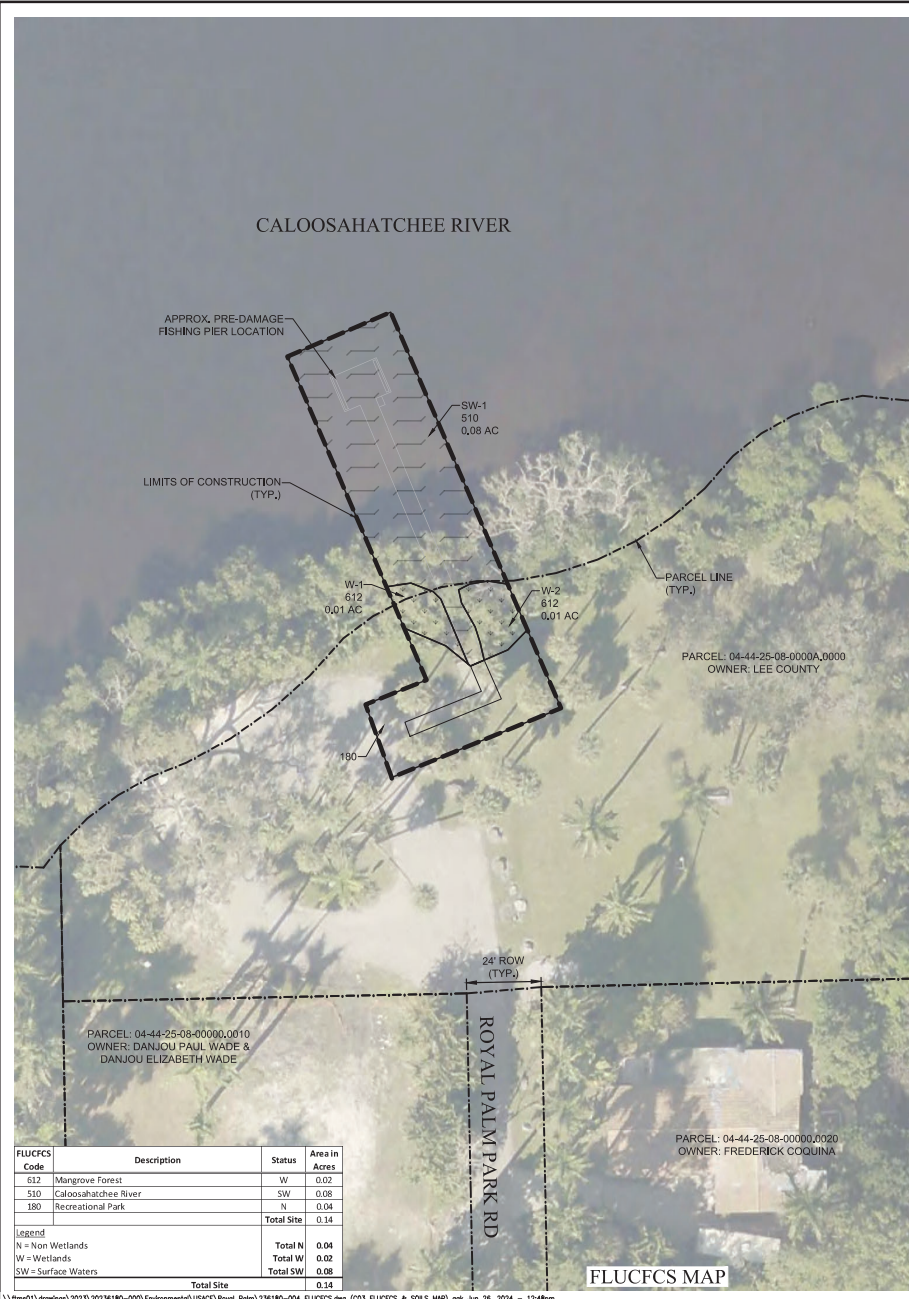
REGISTERED PROFESSIONAL ENGINEER
 FLORIDA LICENSE NO. 81414

JORDAN LEVI VARBLE, PE

DATE

PERMIT SET
NOT FOR CONSTRUCTION

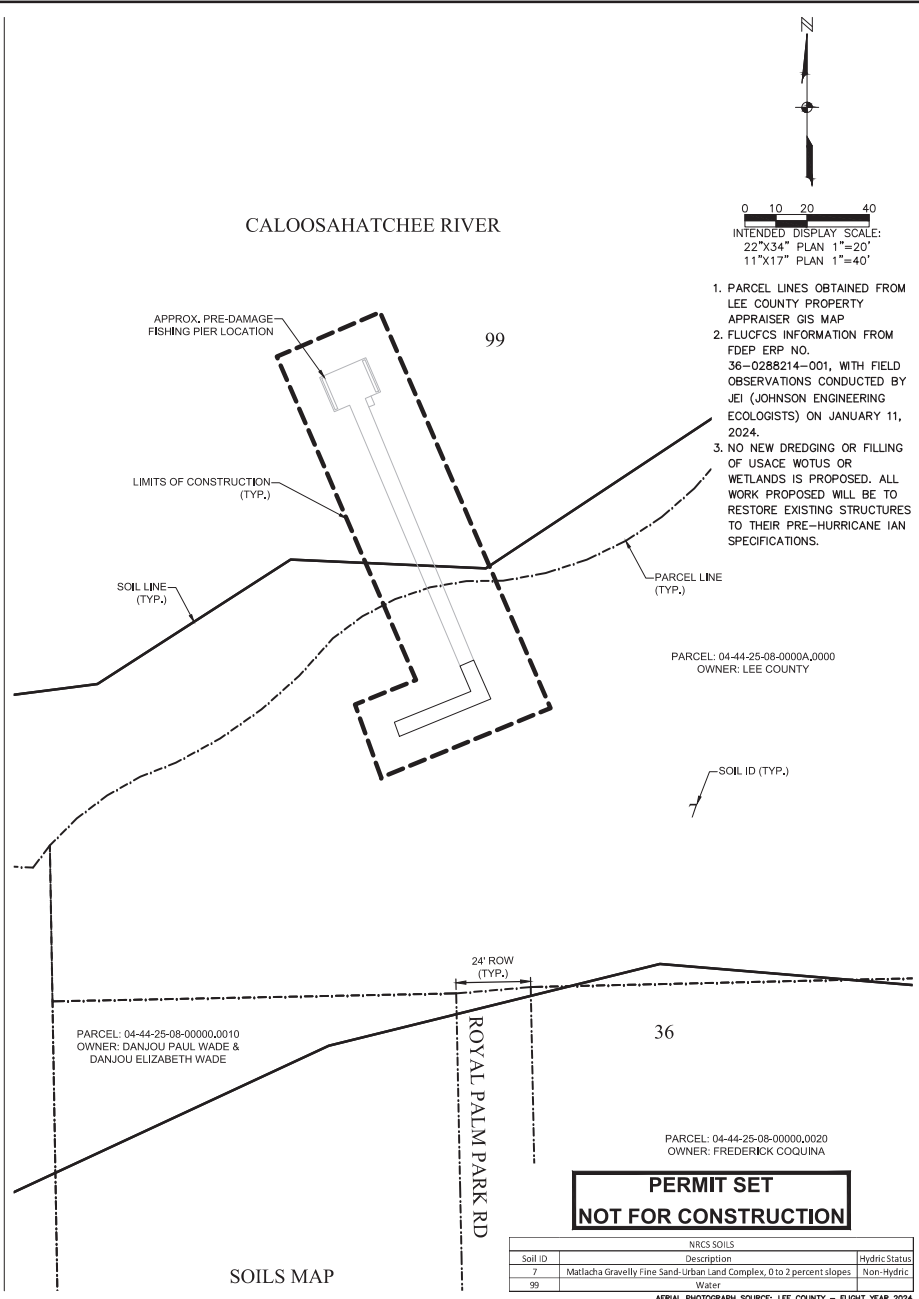
SHEET NUMBER
C01



FLUCFCS Code	Description	Status	Area In Acres
612	Mangrove Forest	W	0.02
510	Caloosahatchee River	SW	0.08
180	Recreational Park	N	0.04
Total Site			0.14
Legend			
N = Non Wetlands			Total N 0.04
W = Wetlands			Total W 0.02
SW = Surface Waters			Total SW 0.08
Total Site			0.14

FLUCFCS MAP

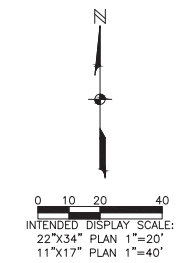
\\fms01\drawings\2023\20236180-000\Environmental\USACE\Royal Palm\236180-004 FLUCFCS.dwg (C03 FLUCFCS & SOILS MAP) ask Jun 26, 2024 - 12:48pm



Soil ID	Description	Hydric Status
7	Maitlacha Gravelly Fine Sand-Urban Land Complex, 0 to 2 percent slopes	Non-Hydric
99	Water	

**PERMIT SET
NOT FOR CONSTRUCTION**

SOILS MAP



1. PARCEL LINES OBTAINED FROM LEE COUNTY PROPERTY APPRAISER GIS MAP
2. FLUCFCS INFORMATION FROM FDEP ERP NO. 36-0288214-001, WITH FIELD OBSERVATIONS CONDUCTED BY JEI (JOHNSON ENGINEERING ECOLOGISTS) ON JANUARY 11, 2024.
3. NO NEW DREDGING OR FILLING OF USAGE WOTUS OR WETLANDS IS PROPOSED. ALL WORK PROPOSED WILL BE TO RESTORE EXISTING STRUCTURES TO THEIR PRE-HURRICANE IAN SPECIFICATIONS.

JOHNSON ENGINEERING

JOHNSON ENGINEERING, INC.
2122 JOHNSON STREET
FORT WYERS, FLORIDA 33901
PHONE: (239) 336-0345
E.O. 11912 & L.B. 8642



WELER ENGINEERING CORP.
201 WEST MARION AVENUE, SUITE 1306
PLANTA GORDA, FLORIDA 33950
PHONE: (841) 505-1702
FAX: (841) 505-1702

PROFESSIONAL SEAL OF
FLORIDA REGISTERED PROFESSIONAL ENGINEER



ROYAL PALM PARK
VARIOUS BOARDWALK
REPAIRS
LEE COUNTY, FLORIDA

NO.	DATE	DESCRIPTION

DATE: JUNE 2024
PROJECT NO. 20236180-000
FILE NO. 04-44-25
SCALE: AS SHOWN

FLUCFCS & SOILS MAP

SHEET NUMBER
C03

AERIAL PHOTOGRAPH SOURCE: LEE COUNTY - FLIGHT YEAR 2024



CALOOSA HATCHEE RIVER

AREA OF SUBMERGED DEBRIS

LIMITS OF CONSTRUCTION (TYP.)

PARCEL LINES (TYP.)

PILING (TYP.)
(TO BE INSTALLED IN ORIGINAL LOCATIONS)

EXISTING CONCRETE WALK

ROYAL PALM PARK RD

PARCEL: 04-44-25-08-0000A.0000
OWNER: LEE COUNTY

BENCHMARK = 25' BELL AND DISK, 'LUMPKET'
(ELEV. = +2.84 (NAVD83))

0 5 10 20

INTENDED DISPLAY SCALE:
22"X34" PLAN 1"=10'
11"X17" PLAN 1"=20'

1. ELEVATIONS REFERENCE TO NAVD 1988, CONVERSION TO NGVD 1929 IS: NAVD 1988 + 1.14 = NGVD 1929.

2. PARCEL LINES OBTAINED FROM LEE COUNTY PROPERTY APPRAISER GIS MAP.

3. NO NEW DREDGING OR FILLING OF USAGE WOTUS OR WETLANDS IS PROPOSED. ALL WORK PROPOSED WILL BE TO RESTORE EXISTING STRUCTURES TO THEIR PRE-HURRICANE IAN SPECIFICATIONS.

LEGEND

—+2.5— EXISTING GRADE

—3.00— PROPOSED GRADE

JOHNSON ENGINEERING

JOHNSON ENGINEERING, INC.
2122 JOHNSON STREET
FORT WYERS, FLORIDA 33901
PHONE: (239) 334-0345
E.O. 11915 & L.B. 4962

WEC
WETLANDS ENGINEERING CONSULTANTS
INCORPORATED

WELER ENGINEERING CORP.
201 WEST MADISON AVENUE, SUITE 1306
PLANTA GORDA, FLORIDA 33969
PHONE: (813) 506-1700
FAX: (813) 506-1702

PROFESSIONAL SEAL OF REGISTERED PROFESSIONAL ENGINEER

Lee County
Confidence in Florida

ROYAL PALM PARK
VARIOUS BOARDWALK
REPAIRS
LEE COUNTY, FLORIDA

NO.	DATE	DESCRIPTION

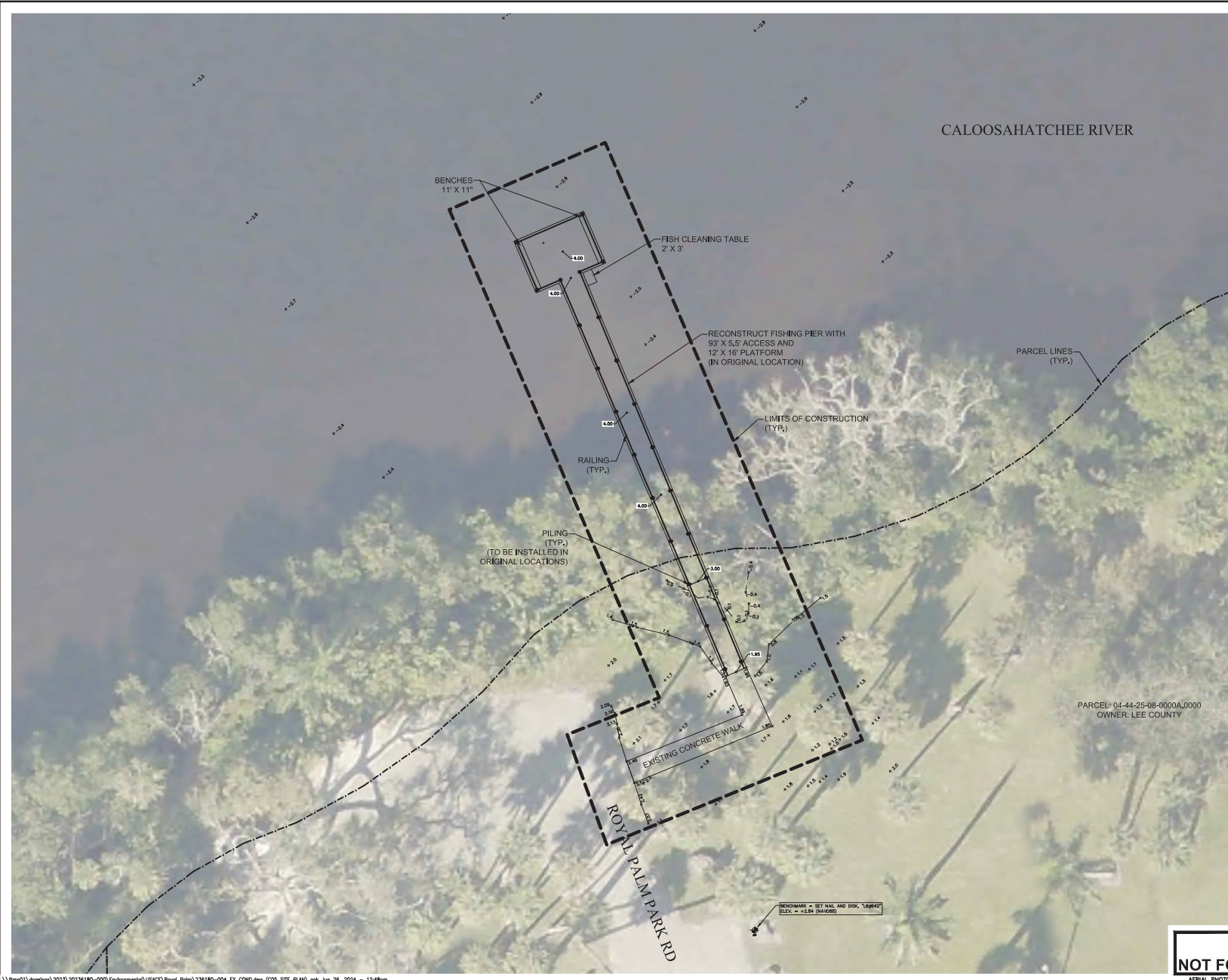
DATE: JUNE 2024
PROJECT NO. 20236180-000
FILE NO. 04-44-25
SCALE: AS SHOWN

EXISTING CONDITIONS WITH 2021 AERIAL


SHEET NUMBER
C04

PERMIT SET
NOT FOR CONSTRUCTION

AERIAL PHOTOGRAPH SOURCE: LEE COUNTY - FLIGHT YEAR 2021



CALOOSAHATCHEE RIVER



0 5 10 20

INTENDED DISPLAY SCALE:
22"X34" PLAN 1"=10'
11"X17" PLAN 1"=20'

1. ELEVATIONS REFERENCE TO NAVD 1988, CONVERSION TO NGVD 1929 IS: NAVD 1988 + 1.14 = NGVD 1929.
2. PARCEL LINES OBTAINED FROM LEE COUNTY PROPERTY APPRAISER GIS MAP.
3. NO NEW DREDGING OR FILLING OF USAGE WOTUS OR WETLANDS IS PROPOSED. ALL WORK PROPOSED WILL BE TO RESTORE EXISTING STRUCTURES TO THEIR PRE-HURRICANE IAN SPECIFICATIONS.

LEGEND

+1.50 EXISTING GRADE

-3.00 PROPOSED GRADE

JOHNSON ENGINEERING

JOHNSON ENGINEERING, INC.
2122 JOHNSON STREET
FORT MYERS, FLORIDA 33901
PHONE: (239) 336-0345
E.O. 11948 & L.B. 4962

WEC
WETLANDS ENGINEERING CONSULTANTS
INCORPORATED

WELER ENGINEERING CORP.
201 WEST MARION AVENUE, SUITE
1306 PLANTA GORDA, FLORIDA 33969
PHONE: (841) 505-1700
FAX: (841) 505-1702

SCALE: SEE NOTES FOR
FLIGHT YEAR: 2024

Lee County
Restoring Florida



**ROYAL PALM PARK
VARIOUS BOARDWALK
REPAIRS
LEE COUNTY, FLORIDA**

NO.	REVISIONS	DATE

DATE: JUNE 2024
PROJECT NO. 20236180-000
FILE NO. 04-44-25
SCALE: AS SHOWN

SITE PLAN

SHEET NUMBER
C05

**PERMIT SET
NOT FOR CONSTRUCTION**

AERIAL PHOTOGRAPH SOURCE: LEE COUNTY - FLIGHT YEAR 2024

CALOOSAHATCHEE RIVER



0 5 10 20
 INTENDED DISPLAY SCALE:
 22"x34" PLAN 1"=10'
 11"x17" PLAN 1"=20'

1. PARCEL LINES OBTAINED FROM LEE COUNTY PROPERTY APPRAISER GIS MAP

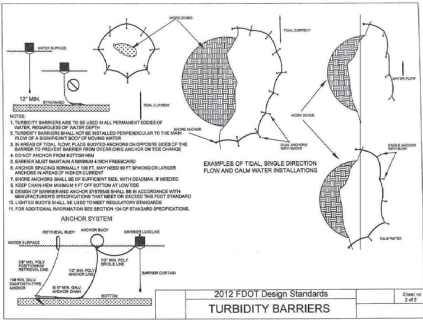


Figure 1-16: Illustration of Installing a Floating Turbidity Barrier



JOHNSON ENGINEERING, INC.
 2122 JOHNSON STREET
 FORT MYERS, FLORIDA 33901
 PHONE: (239) 336-0345
 E.O. 11912 & L.B. 8642



WELER ENGINEERING CORP.
 201 WEST MARION AVENUE, SUITE
 1306 PLANTA GORDA, FLORIDA 33959
 PHONE: (841) 506-1700
 FAX: (841) 506-1702

1. PARCEL LINES OBTAINED FROM LEE COUNTY PROPERTY APPRAISER GIS MAP



ROYAL PALM PARK
 VARIOUS BOARDWALK
 REPAIRS
 LEE COUNTY, FLORIDA

NO.	DATE	DESCRIPTION

DATE: JUNE 2024
 PROJECT NO. 20236180-000
 FILE NO. 04-44-25
 SCALE: AS SHOWN

EROSION CONTROL PLAN

SHEET NUMBER
 C06

PERMIT SET
NOT FOR CONSTRUCTION

AERIAL PHOTOGRAPH SOURCE: LEE COUNTY - FLIGHT YEAR 2024



0 3 5 10
 INTENDED DISPLAY SCALE:
 22"X34" PLAN 1"=5'
 11"X17" PLAN 1"=10'

1. ELEVATIONS REFERENCE TO NAVD 1988, CONVERSION TO NGVD 1929 IS: NAVD 1988 + 1.14 = NGVD 1929.
2. PARCEL LINES OBTAINED FROM LEE COUNTY PROPERTY APPRAISER GIS MAP

LEGEND
 ▽ 1.5' EXISTING GRADE
 ▽ -3.00' PROPOSED GRADE

JOHNSON ENGINEERING

JOHNSON ENGINEERING, INC.
 2122 JOHNSON STREET
 FORT MYERS, FLORIDA 33901
 PHONE: (239) 336-0345
 E.O. 11915 & L.B. 4962

WEC
 WELER ENGINEERING CORPORATION
 1306 PLANTA GORDA, FLORIDA 33969
 PHONE: (841) 506-1700
 FAX: (841) 506-1702

WELER ENGINEERING CORP.
 201 WEST MARION AVENUE, SUITE
 1306 PLANTA GORDA, FLORIDA 33969
 PHONE: (841) 506-1700
 FAX: (841) 506-1702

SPECIAL USE MAPS
 FL. LICENSE NO. 201114



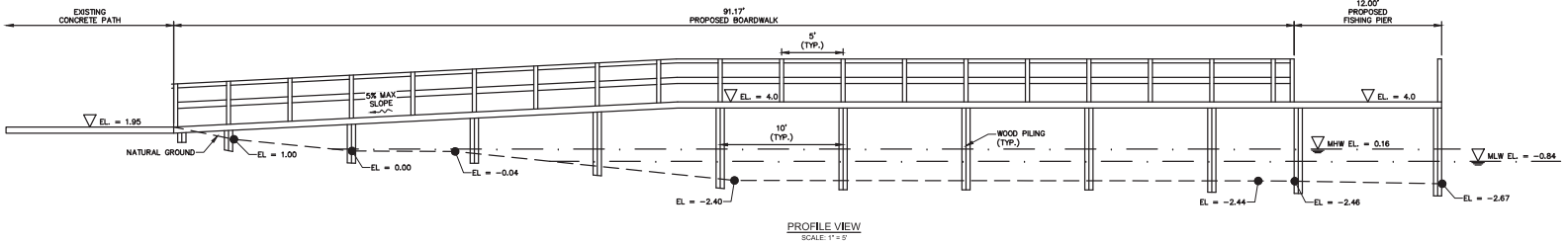
ROYAL PALM PARK
 VARIOUS BOARDWALK
 REPAIRS
 LEE COUNTY, FLORIDA

NO.	DATE	DESCRIPTION

DATE: JUNE 2024
 PROJECT NO. 20236180-000
 FILE NO. 04-44-25
 SCALE: AS SHOWN

PLAN & PROFILE

SHEET NUMBER
C07



3. TIDAL DATA PER TIDE
 INTERPOLATION POINT NO. 1223.
 ACCESSED FROM LABINS MAY 28, 2024

PERMIT SET
NOT FOR CONSTRUCTION

AERIAL PHOTOGRAPH SOURCE: LEE COUNTY - FLIGHT YEAR 2024

STANDARD PROTECTION MEASURES FOR THE EASTERN INDIGO SNAKE
U.S. Fish and Wildlife Service
August 12, 2013

The eastern indigo snake protection/education plan (Plan) below has been developed by the U.S. Fish and Wildlife Service (USFWS) in Florida for use by applicants and their construction personnel. At least **30 days prior** to any clearing/land alteration activities, the applicant shall notify the appropriate USFWS Field Office via e-mail that the Plan will be implemented as described below (North Florida Field Office: jaxregs@fws.gov; South Florida Field Office: verobeach@fws.gov; Panama City Field Office: panamacity@fws.gov). As long as the signatory of the e-mail certifies compliance with the below Plan (including use of the attached poster and brochure), no further written confirmation or “approval” from the USFWS is needed and the applicant may move forward with the project.

If the applicant decides to use an eastern indigo snake protection/education plan other than the approved Plan below, written confirmation or “approval” from the USFWS that the plan is adequate must be obtained. At least 30 days prior to any clearing/land alteration activities, the applicant shall submit their unique plan for review and approval. The USFWS will respond via e-mail, typically within 30 days of receiving the plan, either concurring that the plan is adequate or requesting additional information. A concurrence e-mail from the appropriate USFWS Field Office will fulfill approval requirements.

The Plan materials should consist of: 1) a combination of posters and pamphlets (see **Poster Information** section below); and 2) verbal educational instructions to construction personnel by supervisory or management personnel before any clearing/land alteration activities are initiated (see **Pre-Construction Activities** and **During Construction Activities** sections below).

POSTER INFORMATION

Posters with the following information shall be placed at strategic locations on the construction site and along any proposed access roads (a final poster for Plan compliance, to be printed on 11” x 17” or larger paper and laminated, is attached):

DESCRIPTION: The eastern indigo snake is one of the largest non-venomous snakes in North America, with individuals often reaching up to 8 feet in length. They derive their name from the glossy, blue-black color of their scales above and uniformly slate blue below. Frequently, they have orange to coral reddish coloration in the throat area, yet some specimens have been reported to only have cream coloration on the throat. These snakes are not typically aggressive and will attempt to crawl away when disturbed. Though indigo snakes rarely bite, they should NOT be handled.

SIMILAR SNAKES: The black racer is the only other solid black snake resembling the eastern indigo snake. However, black racers have a white or cream chin, thinner bodies, and WILL BITE if handled.

LIFE HISTORY: The eastern indigo snake occurs in a wide variety of terrestrial habitat types throughout Florida. Although they have a preference for uplands, they also utilize some wetlands

and agricultural areas. Eastern indigo snakes will often seek shelter inside gopher tortoise burrows and other below- and above-ground refugia, such as other animal burrows, stumps, roots, and debris piles. Females may lay from 4 - 12 white eggs as early as April through June, with young hatching in late July through October.

PROTECTION UNDER FEDERAL AND STATE LAW: The eastern indigo snake is classified as a Threatened species by both the USFWS and the Florida Fish and Wildlife Conservation Commission. “Taking” of eastern indigo snakes is prohibited by the Endangered Species Act without a permit. “Take” is defined by the USFWS as an attempt to kill, harm, harass, pursue, hunt, shoot, wound, trap, capture, collect, or engage in any such conduct. Penalties include a maximum fine of \$25,000 for civil violations and up to \$50,000 and/or imprisonment for criminal offenses, if convicted.

Only individuals currently authorized through an issued Incidental Take Statement in association with a USFWS Biological Opinion, or by a Section 10(a)(1)(A) permit issued by the USFWS, to handle an eastern indigo snake are allowed to do so.

IF YOU SEE A LIVE EASTERN INDIGO SNAKE ON THE SITE:

- Cease clearing activities and allow the live eastern indigo snake sufficient time to move away from the site without interference;
- Personnel must NOT attempt to touch or handle snake due to protected status.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Immediately notify supervisor or the applicant’s designated agent, **and** the appropriate USFWS office, with the location information and condition of the snake.
- If the snake is located in a vicinity where continuation of the clearing or construction activities will cause harm to the snake, the activities must halt until such time that a representative of the USFWS returns the call (within one day) with further guidance as to when activities may resume.

IF YOU SEE A DEAD EASTERN INDIGO SNAKE ON THE SITE:

- Cease clearing activities and immediately notify supervisor or the applicant’s designated agent, **and** the appropriate USFWS office, with the location information and condition of the snake.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Thoroughly soak the dead snake in water and then freeze the specimen. The appropriate wildlife agency will retrieve the dead snake.

Telephone numbers of USFWS Florida Field Offices to be contacted if a live or dead eastern indigo snake is encountered:

North Florida Field Office – (904) 731-3336
Panama City Field Office – (850) 769-0552
South Florida Field Office – (772) 562-3909

PRE-CONSTRUCTION ACTIVITIES

1. The applicant or designated agent will post educational posters in the construction office and throughout the construction site, including any access roads. The posters must be clearly visible to all construction staff. A sample poster is attached.
2. Prior to the onset of construction activities, the applicant/designated agent will conduct a meeting with all construction staff (annually for multi-year projects) to discuss identification of the snake, its protected status, what to do if a snake is observed within the project area, and applicable penalties that may be imposed if state and/or federal regulations are violated. An educational brochure including color photographs of the snake will be given to each staff member in attendance and additional copies will be provided to the construction superintendent to make available in the onsite construction office (a final brochure for Plan compliance, to be printed double-sided on 8.5" x 11" paper and then properly folded, is attached). Photos of eastern indigo snakes may be accessed on USFWS and/or FWC websites.
3. Construction staff will be informed that in the event that an eastern indigo snake (live or dead) is observed on the project site during construction activities, all such activities are to cease until the established procedures are implemented according to the Plan, which includes notification of the appropriate USFWS Field Office. The contact information for the USFWS is provided on the referenced posters and brochures.

DURING CONSTRUCTION ACTIVITIES

1. During initial site clearing activities, an onsite observer may be utilized to determine whether habitat conditions suggest a reasonable probability of an eastern indigo snake sighting (example: discovery of snake sheds, tracks, lots of refugia and cavities present in the area of clearing activities, and presence of gopher tortoises and burrows).
2. If an eastern indigo snake is discovered during gopher tortoise relocation activities (i.e. burrow excavation), the USFWS shall be contacted within one business day to obtain further guidance which may result in further project consultation.
3. Periodically during construction activities, the applicant's designated agent should visit the project area to observe the condition of the posters and Plan materials, and replace them as needed. Construction personnel should be reminded of the instructions (above) as to what is expected if any eastern indigo snakes are seen.

POST CONSTRUCTION ACTIVITIES

Whether or not eastern indigo snakes are observed during construction activities, a monitoring report should be submitted to the appropriate USFWS Field Office within 60 days of project completion. The report can be sent electronically to the appropriate USFWS e-mail address listed on page one of this Plan.

Regional General Permit SAJ-20

Attachment 5.

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK 2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatees. All in-water operations, including vessels, must be shutdown if a manatee comes within 50 feet of the operation. Activities will not resume until the manatee has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission FWC Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at ImperiledSpecies@myFWC.com
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:



Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC