



Florida Department of Environmental Protection

Northeast District Office
7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256-7590

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Governor

Jeff Kottkamp
Lt. Governor

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Voice 904-807-3300 FAX 904-448-4366

SUBMERGED LANDS AND ENVIRONMENTAL RESOURCES PROGRAM

July 18, 2008

John J. Hunter
Progress Energy Florida
P.O. Box 14042, PEF-903
St. Petersburg, Florida 33733

RECEIVED
JUL 23 2008
Environmental Services

DEP File No.: 38-272432-002-ES

Dear Mr. Hunter:

This is to acknowledge receipt of your application on June 20, 2008 for an Environmental Resource Program (ERP) permit to construct a bridged vehicular accessway. This type of activity requires authorization for construction and operation of the project (regulatory authorization), in accordance with Part IV, Chapter 373, Florida Statutes (FS), unless otherwise exempt by statute or rule, authorization to use state-owned submerged lands (proprietary authorization) in accordance with Chapters 253 and 258, FS, if applicable, and federal authorization for works in waters of the United States, if applicable. Your application is being reviewed for all three authorizations.

In order to review your application for the required regulatory and/or proprietary authorizations, we need the items listed in the enclosed request for additional information (RAI). These items must be received in our office by October 16, 2008. If necessary, you may submit a written request explaining your need for an extension of this timeframe. If neither the information nor a request for an extension is received within the allotted 90 calendar days, your application will be denied without prejudice in accordance with Section 62-343.090(2)(f), F.A.C. If you believe that the requested information is not necessary for the processing of your application, you may request a hearing under 62-110.106, F.A.C, pursuant to Section 62-343.090(2)(f), F.A.C. (see attached Notice of Rights).

If you have any questions, please contact me at (904) 807-3350 or via my Internet E-mail address at aaron.sarchet@dep.state.fl.us. When referring to your project please use the DEP File number listed above.

Sincerely,

Aaron Sarchet
Environmental Specialist

/ab

Notice of Rights
Request For Additional Information
Section 373.4141 Florida Statutes

If you believe this request for additional information is not authorized by law or rule, you may petition for an administrative proceeding (hearing) under sections 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000 within fourteen days of receipt of this written notice..

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name, address, and telephone number of each petitioner; the Department permit identification number and the county in which the subject matter or activity is located;
- (b) A statement of how and when each petitioner received notice of the Department action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department action;
- (d) A statement of the material facts disputed by the petitioner, if any;
- (e) A statement of facts that the petitioner contends warrant reversal or modification of the Department action;
- (f) A statement of which rules or statutes the petitioner contends require reversal or modification of the Department action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301.

Mediation is not available for this action by the Department.

REQUEST FOR ADDITIONAL INFORMATION

Applicant: John J. Hunter
Progress Energy Florida
PO Box 14042, PEF-903
St. Petersburg, FL 33733

DEP File No.: 38-272432-002-ES

Date of Request: July 18, 2008

Pursuant to 62-343.075(1) and (2) and 62-343.090(2)(d), (e) and (f), Florida Administrative Code (F.A.C.) the following requested information is required to continue the review of your application.

Bridged Accessway

(Chapters 62-312, 62-330, or 62-343, Florida Administrative Code)

- ☐ 1. The proposed project will require a public easement to cross state-owned submerged lands. Please submit the attached Public Easement package with all of the required information.
- ☐ 2. Please review the attached Request for Additional Information from The Florida Fish and Wildlife Conservation Commission and provide answers to their questions to The Department of Environmental Protection.
- ☐ 3. Please provide a copy of the executed upland easement that is required for this project.

**STATE-OWNED
SUBMERGED LANDS
AUTHORIZATION PACKAGE
NUMBER : 3**

**PUBLIC EASEMENT
CABLE, PIPELINE, CONDUIT OR
UTILITY CROSSING PROJECTS**

**SOVEREIGNTY SUBMERGED LAND PUBLIC EASEMENT
APPLICATION PACKAGE FOR
CABLE, PIPELINE, CONDUIT OR UTILITY CROSSINGS**
(Chapters 18-18, 18-20 or 18-21, Florida Administrative Code)

Note: The following questions are only applicable if your activity will affect state-owned sovereign submerged lands. If you can document that your proposed project does not affect state-owned sovereign submerged lands, please contact our office and provide copies of the documentation. Otherwise, please proceed to answer the following questions.

- [] 1. Provide a \$540 processing fee payable to the Department of Environmental Protection.
- [] 2. Provide satisfactory evidence of sufficient upland interest in the subject riparian upland property. Satisfactory evidence of sufficient upland interest shall be demonstrated by documentation, such as a warranty deed; a certificate of title issued by a clerk of the court; a lease; an easement; or other documents that clearly demonstrate that the holder has control and interest in the riparian uplands adjacent to the project area and the riparian rights necessary to conduct the proposed activity. Public utilities and state and other government agencies must obtain satisfactory evidence of sufficient upland interest prior to construction, but need not provide such evidence as part of any required application.
- [] 3. Provide a scaled and fully dimensioned drawing showing:
 - ___ all proposed and existing structures/activities.
 - ___ cross-sectional views of all proposed structures.
- [] 4. A sketch and description of the easement area will be required for all public easements. Refer to the enclosed package (SLER 0960) for specific requirements and information.
- [] 5. Complete and return the enclosed Certification of Authorized Entity (SLER 0915B). Refer to the enclosed information sheet (SLER 0915A) detailing who is considered to be the individual authorized to execute easements.
- [] 6. Provide either a copy of your local government permit, a copy of an intent to issue a permit from your local government, or a statement from local government which explicitly indicates that the proposed project is consistent with the local government's comprehensive plan.

SECONDARY EASEMENT REQUIREMENTS
(easements within existing easements or within rights-of-way)

- [] 7. Your project appears to be located within a public/private transportation/utility right-of-way or easement area. Provide evidence of authorization from the holder of the right-of-way/easement.
- [] 8. Provide a detailed statement describing the existing and proposed activities located on or over the sovereign submerged lands at the project site. This statement must include a description of all utility crossings, proposed method of installation, and justification for the installation method chosen (e.g. aerial vs. subaqueous crossing).

The signature of the upland owner will depend on how the associated upland riparian property is titled (deed). Refer to the list below to determine the authorized signature that will be required to complete the lease process.

<u>Lessee (Upland Riparian Property Owner)</u>	<u>Executing Authority</u>
1. Individual(s)	As shown on the deed (if more than one individual, all must sign)
2. Corporation	President or Vice President
3. Partnership	General Partner
4. General Partnership	General Partner
5. Limited Partnership	General Partner (can be corporation, general partnership, individual)
6. County	Chairman or Vice Chairman of the County Commission
7. City	Chairman or Vice Chairman of the City Council or City Commission
8. Yacht Club	This particular entity usually consists of a Commodore or Vice Commodore. If so, a copy of the By-Laws or particular provision of the By-Laws which authorizes the particular office (Commodore, Vice Commodore) to enter into the lease on behalf of the Yacht Club must be provided.

If an entity, other than those listed above, states that they are authorized to execute, a copy of the document which authorizes or empowers them to execute must be provided. That document will be required to be included as part of the sovereignty submerged land lease which will then be recorded in the official records of the county in which the leased area is located.

CERTIFICATION

Complete this certification if Lessee/Grantee (Upland Owner) is a **CORPORATION, JOINT VENTURE, TRUST, ESTATE, ASSOCIATION, CLUB**, or combination.

I hereby certify under penalty of perjury that the information contained herein is true and correct and that I, _____, as _____,

(Full Name)

(Title: President, Trustees, Etc.)

am authorized to sign for the entity below, that I have personal knowledge of all the requirements associated with use of subject state lands, and that the address below shall be used for conducting official business with subject state lands account.

Lessee/Grantee is a/an: _____

Name of Entity: _____

Street Address: _____

(Required even though
a P.O. Box is used.)

Post Office Box: _____

City: _____

State: _____ Zip Code _____

Phone Number: _____

Area Code

Signed _____

(Original signature required)

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 19____, by _____ of _____. He/she is personally known to me or who has produced _____, as identification.

Notary Public

(SEAL)

My Commission Expires: _____

Lease/Easement/Use Agreement No. _____

DEP 62-033A(16)

CERTIFICATION

Complete this certification is Lessee/Grantee (Upland Owner) is a **PARTNERSHIP OR LIMITED PARTNERSHIP**:

I hereby certify under penalty of perjury that the information contained herein is true and correct and that I, _____, as _____,

(Full Name)

(Title: General Partner, Partner)

am authorized to sign for the entity below, that I have personal knowledge of all the requirements associated with use of subject state lands, and that the address below shall be used for conducting official business with subject state lands account.

Lessee/Grantee is a : _____

Name of Entity: _____

The following individuals:

_____ (Full Name)

_____ (Full Name)

_____ (Full Name) (add others as necessary)

comprise that PARTNERSHIP/LIMITED PARTNERSHIP d/b/a _____.
(Name of Business)

Street Address: _____

(required even though
a P.O. Box is used.)

Post Office Box: _____

City: _____

State: _____

Phone Number: _____

Area Code

Signed _____

(Original signature required)

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____,

19____, by _____ of _____. He/She is
personally known to me or who has produced _____, as identification.

Notary Public

(SEAL)

My Commission Expires: _____

Lease/Easement/Use Agreement No. _____

DEP 62-033C(16)

CERTIFICATION

Complete this certification if Lessee/Grantee (Upland Owner) is an **INDIVIDUAL**:

I hereby certify under penalty of perjury that the information contained herein is true and correct and that I, _____, have personal knowledge of all the

(Full Name)

requirements associated with use of subject state-owned lands, and that the address below shall be used for conducting official business with subject state lands account.

Lessee/Grantee is a: _____

(Full Name)

Street Address: _____

(Required even

though

a P.O. Box is used)

Post Office Box: _____

City: _____

State: _____ Zip Code _____

Phone Number: _____

Area Code

Signed _____

(Original signature required)

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 19__, by _____ of _____. He/she is personally known to me or who has produced _____, as identification.

Notary Public

(SEAL)

My Commission Expires: _____

.....
Lease/Easement/Use Agreement No. _____

DEP 62-033B(16)

PROFESSIONAL SKETCH REQUIREMENTS
**For Leases and Private Easements (≤3,000 Square Feet Preempted Area Over
Sovereignty Submerged Lands) and All Public Easements**

INSTRUCTIONS TO STAFF:

1. Provide the applicant/agent the Professional Sketch Requirements when the project will require a sovereign submerged lands lease or private easement that will preempt **less than or equal to 3,000 square feet** or a public easement. If the applicant/agent chooses to submit a boundary survey, provide them with SLER 0955 and use the survey checklist provided in that section.
2. After you receive the sketch and easement/lease area description, use the attached lease or easement checklist as a guideline for review. The completed checklist must be included in the file sent to the Division of State Lands

BACKGROUND:

Chapter 18-21, Florida Administrative Code, requires that a land survey be provided for sovereignty submerged land leases. However, on May 14, 1991, the Board of Trustees of the Internal Improvement Trust Fund authorized a waiver of the survey requirement in the following situations:

- When registered grandfathered structures or unregistered grandfathered structures are brought under lease (regardless of the total square footage of sovereignty submerged lands preempted); and
- When existing or proposed facilities are brought under lease that preempt less than or equal to 3,000 square feet.

The above guidance for a “survey waiver” was originally provided in SLER 0955, but was rescinded in February 2005. The former procedures allowed for the lease area to be depicted in association with the upland property description as a hand-drawn sketch.

However, in order to reflect accurate preemption areas and to provide the Division of State Lands and the State Lands Mapping Section with accurate data, it was decided that the Department would no longer allow for the description of the upland property to be submitted with a hand-drawn sketch. The majority of the grandfathered structures should have already come under lease and if they have not, they should not be allowed the benefit of provided a hand drawn sketch. In addition, as riparian areas get more crowded and waterfront property becomes more limited, it is to the benefit of the Department to have a professional sketch submitted for these smaller leases.

The following procedures require submittal of a professional sketch of description, prepared by a surveyor.

PROFESSIONAL SKETCH REQUIREMENTS

**For Leases and Private Easements ($\leq 3,000$ Square Feet Preempted Area Over
Sovereignty Submerged Lands) and All Public Easements**

INSTRUCTIONS TO APPLICANT

IMPORTANT:

THIS PACKAGE PROVIDES THE SUBMERGED LANDS AND ENVIRONMENTAL
RESOURCES PROGRAM REQUIREMENTS THAT MUST BE MET IF YOUR PROJECT
QUALIFIES FOR A LEASE OR EASEMENT AS DESCRIBED ABOVE

IF YOU CONTRACT WITH A DESIGNATED AGENT/ENTITY TO PROCESS YOUR
SUBMERGED LANDS PUBLIC EASEMENT OR LEASE APPLICATION, YOU MUST
PROVIDE THEM THIS PROFESSIONAL SKETCH OF DESCRIPTION REQUIREMENTS
PACKAGE

PROFESSIONAL SKETCH REQUIREMENTS
For Leases and Private Easements (<3,000 Square Feet Preempted Area Over
Sovereignty Submerged Lands) and All Public Easements

When a project involves an activity on sovereignty submerged lands that requires an easement or lease, an application for a Board of Trustees (BOT) easement or lease must be filed and processed by the appropriate DEP District Office. The information identified below must be submitted to the DEP District Office in order for your application for easement or lease to be processed. The following procedures are specific to sovereign submerged lands leases or private easements that will preempt **less than or equal to 3,000 square feet** and all public easements.

The information must be prepared from the most recent records (i.e., existing rights-of-way maps, existing surveys, deeds). At the minimum, the following will be required:

SKETCH OF DESCRIPTION (OF THE EASEMENT/LEASE AREA ON SOVEREIGNTY SUBMERGED LANDS)

1. Three (3) 8 1/2" x 11" prints of the sketch of description. If the prints are reduced from a larger drawing, a copy of the original drawing must also be submitted for clarity purposes.
2. The sketch of description must be clearly labeled "NOT A FIELD SURVEY."
3. All copies must be dated, signed (original signatures), and sealed by a surveyor registered with the Florida State Board of Professional Land Surveyors and Mappers stating that the sketch of description (sketch of the easement/lease area) is in compliance with the Minimum Technical Standards pursuant to Chapter 61G17-6, Florida Administrative Code.
4. The size and dimensions of all proposed and existing structures within the right-of-way must be shown on the sketch; or engineering drawings (8 1/2" x 11" prints) including this information must be provided.
5. An *approximate* mean high water line (MHWL) in tidally influenced waters or an *approximate* ordinary high water line (OHWL) in non-tidally influenced waters must be **shown** on the sketch with a note clearly stating that the *approximate* line is not intended to be the legal boundary between private and state ownership. (Note: the **description** must refer to the *actual* mean or ordinary high water line-- see below.)
6. Scaled or surveyed NAD 1927 or 1983 coordinates of the point of beginning (POB) of the easement/lease area must be shown on the sketch. The coordinates may be scaled from a USGS quad sheet or other suitable maps. The method used to determine the coordinates must be noted on the drawing.

LEASE AREA DESCRIPTION

A metes and bounds description of the perimeter of the lease sought must be provided on a separate 8 1/2" x 11" sheet and must include the county, section, township and range, the name of the affected waterbody and the approximate square footage of the lease. The lease description must call for the MHWL or OHWL even though the water boundary may be represented on the sketch by an approximate line or safe upland line.

EASEMENT AREA DESCRIPTION

A metes and bounds description of the perimeter of the easement sought must be provided on a separate 8 1/2" x 11" sheet and must include the county, section, township and range, the name of the affected waterbody and the approximate acreage of the easement. The easement description must call (bearing and distance) for an actual MHWL or OHWL. (A call for the approximate line of MHWL or OHWL will not be accepted in the description (the line must be known), but is acceptable on the sketch.) A centerline description will not be accepted.

LOCATION SKETCH / VICINITY MAP

A location sketch (vicinity map) must be provided. For clarity purposes, the location sketch must be provided on a separate 8 1/2" x 11" sheet.

BOUNDARY LINES OF SOVEREIGNTY SUBMERGED LANDS

There are two types of waterbodies that define sovereignty submerged lands: tidally influenced waterbodies and non-tidally influenced waterbodies. The boundary line between sovereignty lands and privately-owned riparian lands along tidally influenced waterbodies is the mean high water line (MHWL), and along non-tidally influenced waterbodies is the ordinary high water line (OHWL).

The MHWL is usually expressed as an elevation that is available for many areas of the state on the website www.labins.org. If an elevation is not listed for a site, the surveyor will contact the Bureau of Survey and Mapping for acceptable procedures to establish the elevation.

The surveyor will contact the Bureau of Survey and Mapping for acceptable procedures to determine the OHWL.

For both types of waterbodies a safe upland line may be used in lieu of the true ownership boundary (MHWL or OHWL) to determine acceptable easement area. Generally, a safe upland line is sufficient if it runs along the edge of mature upland vegetation. If a safe upland line is used for identification of the easement area the legal description of the parcel bounded by this line must be preceded by a leader containing: "That part of the sovereign lands of the State of Florida that lie within the following described area:"

In all cases, contact the Bureau of Survey and Mapping if there are any questions.

Definitions:

Preempted area (18-21.003 and 18-20.003, F.A.C., as applicable) means the area of sovereignty lands from which the traditional public uses have been or would be excluded to any extent by an activity. The area may include, but is not limited to, the sovereignty lands occupied by the docks and other structures, the area between the docks and the shoreline and the area between the docks and out to any mooring pilings (the preempted area would also be extended to include the area for the largest [length and width] vessel(s) to be moored at the site). In Aquatic Preserves the area will also include the docking facility turning basin. If the activity is required to be moved waterward to avoid dredging or disturbance of nearshore habitat, a reasonable portion of the nearshore area that is not impacted by the dredging or structures shall not be included in the preempted area.

Sketch of Description: A sketch of a parcel or parcels of land pursuant to Chapter 61G17-6 and prepared by a Florida professional surveyor and mapper that can be derived from direct observation and measurements, and/or from existing available information sufficient to adequately represent the perimeters of a parcel or parcels of land. The sketch shall be in

complete accord with the property description shown on, or attached and referred to, the survey map.

Property Description or Legal Description: The description of a parcel or real property, in technical terms, that is sufficient to accurately locate the parcel. The property or legal description is incorporated as a part of the survey or sketch of description.

Boundary Survey: A process pursuant to Chapter 61G17-6, which is performed and prepared by a Florida professional surveyor and mapper from direct observation and measurements and presented in map form, the primary purpose of which is to define and document the perimeters of a parcel or parcels of land. The surveyor and mapper shall make a determination of the position of the boundary of real property in complete accord with the property description shown on, or attached and referred to, the survey map.

Metes and Bounds: A method of describing land by boundary lines (bounds) and measures of length and direction (metes). The most common method is to recite the directions and lengths as one would walk around the perimeter of the parcel.

CHECKLIST FOR REVIEW OF "SKETCH" AND EASEMENT AREA DESCRIPTION

Use for reviews of sketches for all public easements
and for private easements that preempt < 3,000 square feet.

Word Version

Applicant: _____ File No.: _____

Reviewed by: _____ Date: _____

[] ACCEPTABLE

[] UNACCEPTABLE

SketchRemarks

Three prints of sketch provided on 8½ x 11 sheets

Sketch clearly labeled "NOT A FIELD SURVEY"

Original signature

Sketch is dated

Sketch is drawn to scale

Location, size and dimensions of existing and
proposed structure(s) are shown on the sketch

Approximate MHWL shown on sketch -OR-

Approximate OHWL shown on sketch -OR-

Approximate SUL/Apparent shoreline shown

Easement boundary abuts MHWL/OHWL/SUL

North arrow shown on the sketch

Description matches drawing (must call for an
actual M/OHWL, vs. "approx." line as shown on
sketch) [see note below]

Separate location sketch (vicinity map)-8½ x11"

Description

Approximate square footage/acreage of easement

Description of easement area that includes:

Section, Township, Range _____

County _____

Waterbody _____

COMMENTS:

[Note: The *description* must use actual M/OHWL, not "approximate" line, as shown on sketch. If SUL is used, the description begins with, "That part of the sovereign lands of the State of Florida that lie within the following described area:..."]

CHECKLIST FOR REVIEW OF SKETCH AND LEASE AREA DESCRIPTION**Word Version**

This checklist is to be used for review of sketches for lease areas that preempt $\leq 3,000$ square feet.

Applicant: _____ File No.: _____

Reviewed by: _____ Date: _____

☐ ACCEPTABLE

☐ UNACCEPTABLE

<u>Sketch</u>	<u>Remarks</u>
Three prints of sketch provided on 8½ x 11 sheets	_____
Original signature is on certification	_____
Sketch is clearly labeled "NOT A FIELD SURVEY"	_____
Sketch is dated	_____
Sketch is drawn to scale	_____
North arrow shown on the sketch	_____
Riparian lines are shown on sketch	_____
Preempted area calculations of entire lease area with total square footage are shown on sketch	_____
Location, size and dimensions of existing and proposed overwater structure(s) are shown on sketch	_____
Distance from structures to riparian lines shown on sketch	_____
Linear footage of shoreline shown on sketch	_____
Approximate MHWL shown on sketch -OR-	_____
Approximate OHWL shown on sketch -OR-	_____
Approximate SUL/Apparent shoreline shown on sketch	_____
Lease boundary abuts MHWL/OHWL/SUL	_____
Condition of shoreline shown for lease area and 1,000 feet on each side of the lease area, if in an AP:	
_____ % Natural	_____
_____ % Seawalled/bulkheaded	_____
Upland property lines shown on the sketch	_____
Description matches drawing ("approx." call for a MHWL/OHWL/SUL shown on sketch)	_____
All structures and preempted area are included within the lease boundary	_____
Separate location sketch (vicinity map)-8½ x 11	_____
<u>Description</u>	
_____ Total square footage of lease area is included in the lease boundary	_____
_____ Description of lease area includes:	
Section, Township, Range _____	
County _____ Waterbody _____	
_____ Legal description of the upland riparian property is shown (check against copy of recorded deed)	_____

COMMENTS:



**Florida Fish
and Wildlife
Conservation
Commission**

Commissioners

Rodney Barreto
Chair
Miami

Brian S. Yablonski
Vice-Chair
Tallahassee

Kathy Barco
Jacksonville

Ronald M. Bergeron
Fort Lauderdale

Richard A. Corbett
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Dwight Stephenson
Delray Beach

Kenneth W. Wright
Winter Park

Executive Staff

Kenneth D. Haddad
Executive Director

Victor J. Heller
Assistant Executive
Director

Karen Ventimiglia
Deputy Chief of Staff

**Imperiled Species
Management Section**

Kipp Frohlich
Section Leader
(850) 922-4330
(850) 922-4338 FAX

*Managing fish and wildlife
resources for their long-
term well-being and the
benefit of people.*

620 South Meridian Street
Tallahassee, Florida
32399-1600
Voice: (850) 488-4676

Hearing/speech impaired:
(800) 955-8771 (T)
(800) 955-8770 (V)

MyFWC.com

June 26, 2008

Ms. Connie Webel
Department of Environmental Protection
7825 Baymeadows Way, Suite B-200
Jacksonville, FL 32256-7590

Subject: Request for Additional Information for Review of Manatee Impacts, File No. 38-272432-002-ES, Progress Energy Cross Florida Greenway Recreational Improvement Area, Cross Florida Barge Canal, Levy County.

Dear Ms. Webel,

The Florida Fish and Wildlife Conservation Commission (FWC) has received the above-referenced application. We appreciate the opportunity to review this project to determine if it is likely to have any adverse impacts on manatees or manatee habitat. However, we need additional information in order to complete our review of the proposed project. The following information is needed in order for us to complete our review:

1. No site plan drawings were provided with the application materials. Please provide a site plan that depicts the exact location and gives measurements for all elements of the proposed construction: the bridge, the excavation area, the boat ramp and the barge slip.
2. No description of in water work was provided. Please describe in depth the in-water work that would be associated with all elements of the proposed construction: the bridge, the excavation area, the boat ramp and the barge slip. Please include a description of any vessels that would be utilized during construction.
3. Please provide additional information concerning the proposed public boat ramp. How many lanes will the ramp have? How many boat trailer parking spaces are proposed at the ramp location?
4. Please provide additional information about the proposed barge slip. What is the proposed use of this slip? How is it associated with the proposed ramp?
5. Please provide additional information about the proposed excavation and dredging mentioned in the application materials. What is the purpose of the excavation and dredging? What method of dredging is proposed?
6. Are there pipes and/or culverts (existing or proposed) that are submerged or partially submerged, accessible to manatees during any tidal phase, and larger than 8 inches in diameter but smaller than 8 feet in diameter at the site?

Ms. Connie Webel
Page 2
June 26, 2008

When available, please forward all field reports, completeness summaries and the applicant's responses, as they become available. Once we have received the information listed above, we will expedite our review and provide you with our final assessment of the project. If the file is already complete, or if there is another designated deadline that must be met that would preclude our request for additional time, please contact me at (850) 528-1309 or anne.richards@myfwc.com if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Anne Richards".

Anne Richards, Environmental Specialist
Imperiled Species Management Section

/ar

C:\DATA\DOC\Levy\Progress Energy Cross Florida Greenway Recreational Improvement Area Levy RAI 06.26.2008.doc

cc: Ms. Linda Smith, USFWS, St. Petersburg
Mr. John Hunter, Progress Energy