



Florida Department of Environmental Protection

Southwest District Office
13051 N. Telecom Parkway
Temple Terrace, Florida 33637-0926

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Hershel T. Vinyard Jr.
Secretary

FEB - 1 2012

Sarasota County
c/o: Laird Wreford
1001 Sarasota Center Boulevard
Sarasota, FL 34240-7850

Dear Mr. Wreford:

Enclosed is the Environmental Resource Permit, DEP Project No. 58-0197009-002, issued pursuant to Part IV of Chapter 373, Florida Statutes, and Title 62, Florida Administrative Code.

Appeal rights for you and for any affected third party are described in the text of the permit along with conditions that must be met when authorized activities are undertaken.

You, as the applicant, are responsible for all aspects of permit compliance. You should therefore review this permit document carefully to ensure compliance with the general conditions, general consent conditions, and specific conditions contained herein.

Please be aware of permit general condition number 11 which states: "At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the Department a written notification of commencement using an "Environmental Resource Permit Construction Commencement" notice (Form No. 62-343.900(3), F.A.C.) indicating the actual start date and the expected completion date."

If you have any questions about this document, please contact me at (813) 632-7600, ext. 331.

Thank you for your participation in the permit process and in managing the natural resources of the State of Florida.

Sincerely yours,

Sara Gonzalez
Environmental Specialist II
Environmental Resource Management



Enc: Environmental Resource Permit with attachments (24 pages)



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Permittee/Authorized Entity:

Sarasota County
c/o: Laird Wreford, Natural Resource Manager
1001 Sarasota Center Boulevard
Sarasota, FL 34240-7850

Sarasota County Artificial Reef Expansion

Authorized Agent:

Scheda Ecological Associates, Inc.
c/o: Dianne Rosenweig
6151 Lake Osprey Drive, Suite 313
Sarasota, FL 34240

Standard General Environmental Resource Permit

State-owned Submerged Lands Authorization –Granted

U.S. Army Corps of Engineers Authorization –Separate Corps Authorization Required

Permit No.: 58-0197009-002

Permit Issuance Date: FEB - 1 2012

Permit Construction Phase Expiration Date: FEB - 1 2017





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Consolidated Environmental Resource Permit and State-owned Submerged Lands Authorization

Permittee: Sarasota County

Permit No: 58-0197009-002

Permit Issuance Date: FEB - 1 2012

Permit Construction Phase Expiration Date:

FEB - 1 2017

AUTHORIZATIONS

Project Description

The permittee is authorized to install prefabricated reef structures within a 441,563-square-foot area of Hart's Family Reef and a 277,389-square-foot area of Sportfishing Angler's Club Reef to expand the existing artificial reefs within Sarasota Bay, a Class II Outstanding Florida Waterbody. Authorized activities are depicted on the attached exhibits.

The project described above may only be conducted accordance with the terms, conditions and attachments contained in this permit. The issuance of this permit does not infer, nor guarantee, nor imply that future permits or modifications will be granted by the Department.

State-owned Submerged Lands Authorization

As staff to the Board of Trustees, the Department has determined that the activity qualifies for a Letter of Consent pursuant to rule 18-21.005(1)(c), Florida Administrative Code (F.A.C.), as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein.

Federal Authorization

A copy of this permit has been sent to the U.S. Army Corps of Engineers (USACE). The USACE may require a separate permit. Failure to obtain any required federal permits prior to construction could subject you to enforcement action by that agency.

Coastal Zone Management

This permit also constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Management Act.

CONSTRUCTION CONDITIONS

2. The pre-fabricated artificial reef modules (i.e., bay balls and pallet balls) shall be comprised of concrete, free of attached sediments and protrusions such as reinforcing rods.
3. The typical artificial reef module, or reef ball shall consist of the following: (1) "Bay-style" reef balls that are no greater than three feet in width and two feet in height or (2) "Pallet-style" reef balls that are no greater than four feet in width and four feet in height.
4. Hart's Family Reef shall consist of four 2,500-square-foot areas that contain both Bay-style and Pallet-style reef balls, as shown on Figure 2 (Sheet 2 of 3), of the attached project drawings. The number of Bay-style reef balls and Pallet-style reef balls shall not exceed 277 and 156, respectively, in each of the four areas.
5. Sportfishing Angler's Club Reef shall consist of four 2,500-square-foot areas that contain only Bay-style reef balls, as shown on Figure 3 (Sheet 1 of 3), of the attached project drawings. The number of Bay-style reef ball shall not exceed 277 in each of the four areas. Pallet-style reef balls are not authorized within Sportfishing Anglers Club Reef.
6. A minimum vertical clearance of eight feet at mean low water shall be maintained at all times for the artificial reefs located within Hart's Family Reef and Sportfishing Angler's Club Reef.
7. If the permittee proposes to deploy structures other than the Bay-style reef balls and Pallet-style reef balls, the permittee shall contact the Department for a modification of this permit or other Departmental authorization prior to any installation activities.

MANATEE CONDITIONS

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

8. 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.
9. 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.

Water Quality Certification

This permit constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

Other Authorizations

You are advised that authorizations or permits for this project may be required by other federal, state or local entities, including the municipality/county in which the project is located. Please be sure to contact the local county building and environmental department to obtain these required authorizations. This permit does not relieve you from the requirements to obtain all other required permits or authorizations.

PROJECT LOCATION

The activities authorized by this permit and authorization to use state-owned submerged lands are located at Hart's Family Reef (Latitude 27°22'00" N, Longitude -82°34'56" W) and Sportfishing Angler's Club Reef (Latitude 27°20'11" N and -82°35'88" W), in Sarasota County.

PERMIT /STATE-OWNED SUBMERGED LANDS CONDITIONS

The activities described herein must be conducted in accordance with:

- **The Specific Conditions**
- **The General Conditions**
- **The General State Lands Consent Conditions**
- **The limits, conditions and locations of work shown in the attached drawings**
- **The term limits of this authorization**

You are advised to read and understand these conditions and drawings prior to commencing the authorized activities, and to ensure that the work is conducted in conformance with all the terms, conditions, and drawings. If you are utilizing a contractor, the contractor should also read and understand these conditions and drawings prior to commencing the authorized activities. Failure to comply with these conditions shall constitute grounds for revocation of the permit and appropriate enforcement action by the Department.

Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit and state-owned submerged lands authorization.

SPECIFIC CONDITIONS

1. Submittals required herein (e.g., progress reports, as-built drawings, etc.) shall include the permittee's name and permit number (58-0197009-002) and shall be directed to:

Department of Environmental Protection
Southwest District, Submerged Lands and Environmental Resource Program
13051 North Telecom Parkway
Temple Terrace, FL 33637-0926

Permittee: Sarasota County
Permit No.: 58-0197009-002
Page 2 of 13

Within 30 days following construction, the completed form shall be submitted to the FWC, Division of Marine Fisheries, Artificial Reef Program, 620 S. Meridian Street, Tallahassee, FL 32399 and a copy emailed to the Southwest District Office, to SW_ERP@dep.state.fl.us, Subject line: Compliance, Permit # 58-0197009-002, attention: Sara Gonzalez. In addition to attaching the completed form, please indicate on the email that the information is being submitted for Sarasota County, Permit No. 58-0197009-002, as required by Specific Condition No. 15.

GENERAL CONDITIONS

1. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.
2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by Department staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. Activities approved by this permit shall be conducted in a manner that does not cause violations of state water quality standards. The permittee shall implement best management practices for erosion and pollution control to prevent violation of state water quality standards. Temporary erosion control shall be implemented prior to and during construction and permanent control measures shall be completed within seven days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into the receiving waterbody exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. Thereafter the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
4. Water quality data for the water discharged from the permittee's property or into the surface waters of the state shall be submitted to the Department as required by the permit. Analyses shall be performed according to procedures outlined in the current edition of Standard Methods for the Examination of Water and Wastewater by the American Public Health Association or Methods for Chemical Analyses of Water and Wastes by the U.S. Environmental Protection Agency. If water quality data are required, the permittee shall provide data as required on volumes of water discharged, including total volume discharged during the days of sampling and total monthly volume discharged from the property or into surface waters of the state.
5. Department staff must be notified in advance of any proposed construction dewatering. If the dewatering activity is likely to result in offsite discharge or sediment transport into

10. 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.
11. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
12. Any collision with or injury to a manatee shall be reported immediately to the 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
13. 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 Florida Fish and Wildlife Conservation Commission (FWC) must be used (see MyFWC.com/manatee). One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 1/2" 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. Questions concerning these signs can be sent to the email address listed above.

CONSTRUCTION COMPLETION CONDITIONS

14. The permittee shall submit two copies of a construction completion report to the Department for review and approval within 30 days of each reef deployment event. The report shall be sent prior to the next reef deployment event. Reports may be emailed to SW_ERP@dep.state.fl.us, Subject line: Compliance, Permit # 58-0197009-002. This report shall, at a minimum, contain the following:
 - a. Permittee's name, address, and file number: 58-0197009-002;
 - b. Date the installation was completed; and
 - c. Revised permit drawings (i.e., Figure 2 and Figure 3) which shall include the location, number and type of reef balls installed at each reef during deployment.
15. Following construction of the artificial reef, the permittee shall complete the Florida Fish & Wildlife Conservation Commission's ***Florida Artificial Reef Materials Placement Report and Post-Deployment Notification*** using the form provided on their web page: <http://myfwc.com/media/131597/FWCArtificialReefMaterialPlacementReport.pdf>.

wetlands or surface waters, a written dewatering plan must either have been submitted and approved with the permit application or submitted to the Department as a permit prior to the dewatering event as a permit modification. The permittee is advised that the rules of the Southwest Florida Water Management District state that a water use permit may be required prior to any use exceeding the thresholds in Chapter 40D-2, F.A.C.

6. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than seven days after the construction activity in that portion of the site has temporarily or permanently ceased.
7. Off site discharges during construction and development shall be made only through the facilities authorized by this permit. Water discharged from the project shall be through structures having a mechanism suitable for regulating upstream stages. Stages may be subject to operation schedules satisfactory to the Department.
8. The permittee shall complete construction of all aspects of the surface water management system, including wetland compensation (grading mulching, planting), water quality treatment features, and discharge control facilities prior to beneficial occupancy or use of the development being served by this system.
9. The following shall be properly abandoned and/or removed in accordance with the applicable regulations:
 - a. Any existing wells in the path of construction shall be properly plugged and abandoned by a licensed well contractor.
 - b. Any existing septic tanks on site shall be abandoned at the beginning of construction.
 - c. Any existing fuel storage tanks and fuel pumps shall be removed at the beginning of construction.
10. All surface water management systems shall be operated to conserve water in order to maintain environmental quality and resource protection; to increase the efficiency of transport, application and use; to decrease waste; to minimize unnatural runoff from the property and to minimize dewatering of offsite property.
11. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the Department a written notification of commencement using an "Environmental Resource Permit Construction Commencement" notice (Form No. 62-343.900(3), F.A.C.) indicating the actual start date and the expected completion date.
12. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the occupation of the site or operation of site infrastructure located within the area served by that portion or

phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to a local government or other responsible entity.

13. Within 30 days after completion of construction of the permitted activity, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the required "Environmental Resource Permit As-Built Certification by a Registered Professional" (Form No. 62-343.900(5), F.A.C.), and "Request for Transfer of Environmental Resource Permit Construction Phase to Operation Phase" (Form 62-343-900(7), F.A.C.). Additionally, if deviations from the approved drawings are discovered during the certification process, the certification must be accompanied by a copy of the approved permit drawings with deviations noted.
14. This permit is valid only for the specific processes, operations and designs indicated on the approved drawings or exhibits submitted in support of the permit application. Any substantial deviation from the approved drawings, exhibits, specifications or permit conditions, including construction within the total land area but outside the approved project area(s), may constitute grounds for revocation or enforcement action by the Department, unless a modification has been applied for and approved. Examples of substantial deviations include excavation of ponds, ditches or sump areas deeper than shown on the approved plans.
15. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of the conditions herein, the Department determines the system to be in compliance with the permitted plans, and the entity approved by the Department accepts responsibility for operation and maintenance of the system. The permit may not be transferred to the operation and maintenance entity approved by the Department until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the Department, the permittee shall request transfer of the permit to the responsible operation and maintenance entity approved by the Department, if different from the permittee. Until a transfer is approved by the Department pursuant to Section 62-343.110(1)(d), F.A.C., the permittee shall be liable for compliance with the terms of the permit.
16. Should any other regulatory agency require changes to the permitted system, the Department shall be notified of the changes prior to implementation so that a determination can be made whether a permit modification is required.
17. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations including a determination of the proposed activities' compliance with the applicable comprehensive plan prior to the start of any activity approved by this permit.

18. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 40D-4 or Chapter 40D-40, F.A.C.
19. The permittee is hereby advised that Section 253.77, F.S., states that a person may not commence any excavation, construction, other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.
20. The permittee shall hold and save the Department harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.
21. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under section 373.421(2), F.S., provides otherwise.
22. The permittee shall notify the Department in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of section 62-343.130, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.
23. Upon reasonable notice to the permittee, Department authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with Department rules, regulations and conditions of the permits.
24. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the Department and the Florida Department of State, Division of Historical Resources.
25. The permittee shall immediately notify the Department in writing of any previously submitted information that is later discovered to be inaccurate.

AUTHORIZATION TO USE STATE OWNED LANDS

You are hereby granted authorization from the Submerged Lands and Environmental Resources Program, as staff to the Board of Trustees of the Internal Improvement Trust Fund, for the construction and operation of the proposed artificial reef and associated activities, as shown and

described herein, pursuant to Section 253.77, F.S., and Chapter 18-21, F.A.C. This authorization is subject to the following general proprietary conditions. Your rights pursuant to Chapter 120, F.S., are described in the enclosed notice.

GENERAL PROPRIETARY CONSENT CONDITIONS

(Chapter 18-21.004(7), F.A.C.)

1. Authorizations are valid only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.
2. Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.
3. Authorizations may be modified, suspended or revoked in accordance with their terms or the remedies provided in Sections 253.04 and 258.46, F.S., or Chapter 18-14, F.A.C.
4. Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.
5. Construction, use, or operation of the structure or activity shall not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.
6. Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.
7. Structures or activities shall not create a navigational hazard.
8. Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of Rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.
9. Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under paragraph 18-21.004(1)(g), F.A.C., or any other applicable law.

This letter of consent to use state-owned lands in no way waives the authority and/or jurisdiction of any government entity, nor does it disclaim any title interest the state may have in the project site. Please check with your local government for specific requirements.

NOTICE OF RIGHTS

This permit is hereby final unless a sufficient petition for an administrative hearing is timely filed under Sections 120.569 and 120.57 of the Florida Statutes as provided below. The procedures for petitioning for a hearing are set forth below.

Mediation is not available.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. 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.

Because the administrative hearing process is designed to re-determine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the permit or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this permit automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities under this permit until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with Rule 62-110.106(3) F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under section

120.60(3) of the Florida Statutes must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under section 120.60(3) of the Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes.

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

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

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, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

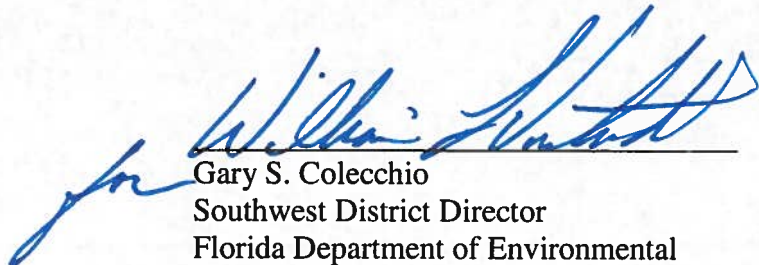
This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This permit constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, F.S., by the filing of a notice of appeal under Rule

9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department. The applicant, or any party within the meaning of Section 373.114(1)(a), F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1), F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when the final order is filed with the Clerk of the Department.

Executed in Hillsborough County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Gary S. Colecchio
Southwest District Director
Florida Department of Environmental
Protection

GSC/sg

Attachments:

Location Map (3 pages)
Plan Map with Bathymetry (2 pages)
Typical Cross Section (1 page)
Commencement notice /62-343.900(3) (1 page)
Annual status report/62-343.900(4) (1 page)
As-built certification/62-343.900(5) (1 page)
Application for transfer of an ERP /62-343.900(8) (1 page)

Copies furnished to:

DEP, Office of General Counsel
U.S. Army Corps of Engineers
FWC, Imperiled Species Management Section
Keith Mille, Florida Fish and Wildlife Conservation Commission, Division of Marine Fisheries
Management-Artificial Reef Program, Keith.Mille@myfwc.com
Sarasota County
Dianne Rosenweig, Sarasota Branch Manager, Scheda Ecological Associates, Inc., 6151
Lake Osprey Drive, Suite 313, Sarasota, FL 34240

File

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this permit and authorization to use sovereignty submerged lands, including all copies, were mailed before the close of business on 2/1/12, to the above listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date, under 120.52(7) of the Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

E. Robinson 2/1/12
Clerk Date

ENVIRONMENTAL RESOURCE PERMIT Construction Commencement Notice

Project:

Phase:

I hereby notify the Department of Environmental Protection that the construction of the surface water management system authorized by Environmental Resource Permit Number _____ has commenced / is expected to commence on _____ and will require a duration of approximately _____ months _____ weeks _____ days to complete. It is understood that should the construction term extend beyond one year, I am obligated to submit the Annual Status Report for surface Water Management System Construction.

PLEASE NOTE: If the actual construction commencement date is not known, Department staff should be so notified in writing in order to satisfy permit conditions.

Permittee or Authorized Agent

Title and Company

Date

Phone

Address

Environmental Resource Permit Annual Status Report

Florida Department of Environmental Protection

PERMIT NUMBER:

COUNTY:

PROJECT NAME:

PHASE:

The following activity has occurred at the above referenced poroject during the past year, between June 1, and May 30, .

<u>Permit Condition/Activity</u>	<u>% of Completion</u>	<u>Date of Anticipated Completion</u>	<u>Date of Completion</u>

(Use Additional Sheets As Necessary)

Benchmark Description (one per major control structure): _____

Print Name

Phone

Permittee's or Authorized Agent's Signature

Title and Company

Date

This form shall be submitted to the above referenced Department Office during June of each year for activities whose duration of construction exceeds one year.

ENVIRONMENTAL RESOURCE PERMIT
AS-BUILT CERTIFICATION BY A REGISTERED PROFESSIONAL

Permit Number:

Project Name:

I hereby certify that all components of this surface water management system have been built substantially in accordance with the approved plans and specifications and are ready for inspection. Any substantial deviations (noted below) from the approved plans and specifications will not prevent the system from functioning as designed when properly maintained and operated. These determinations are based upon on-site observation of the system conducted by me or by my designee under my direct supervision and/or my review of as-built plans certified by a registered professional or Land Surveyor licensed in the State of Florida.

Name (please print)

Signature of Professional

Company Name

Florida Registration Number

Company Address

Date

City, State, Zip Code

Telephone Number

(Affix Seal)

Substantial deviations from the approved plans and specifications:

(Note: attach two copies of as-built plans when there are substantial deviations)

Within 30 days of completion of the system, submit two copies of the form to:

APPLICATION FOR TRANSFER OF ENVIRONMENTAL RESOURCE PERMIT AND NOTIFICATION
OF SALE OF A FACILITY OR SURFACE WATER MANAGEMENT SYSTEM

Permit No. Date Issued Date Expires

FROM (Name of Current Permit Holder)

Mailing Address

City State Zip Code

Telephone:

Identification or Name of Facility/Surface Water Management System:

Phase of Facility/Surface Water Management System (if applicable):

The undersigned hereby notifies the Department of the sale or legal transfer of this facility, or surface-water management system, and further agrees to assign all rights and obligations as permittee to the applicant in the event the Department agrees to the transfer of permit.

Signature of the current permittee: _____

Title (if any): Date:

TO (Name of Proposed Permit Transferee):

Mailing Address:

City: State: Zip Code:

Telephone:

The undersigned hereby notifies the Department of having acquired the title to this facility, or surface-water management system. The undersigned also states he or she has examined the application and documents submitted by the current permittee, the basis of which the permit was issued by the Department, and states they accurately and completely describe the permitted activity or project. The undersigned further attests to being familiar with the permit, agrees to comply with its terms and with its conditions, and agrees to assume the rights and liabilities contained in the permit. The undersigned also agrees to promptly notify the Department of any future changes in ownership of, or responsibility for, the permitted activity or project.

Signature of the applicant (Transferee):

Title (if any): Date:

Project Engineer Name (if applicable)

Mailing Address:

Telephone:

LEGEND

Artificial Reef Boundaries

Landmarks

0 200 400 800 Feet

Data Source: Sarasota County tidal depths
Image Source: NOAA Chart 11425 (Edition 33, July 2010)



Seawall Corner, base of jetty
Harts reef center is:
Heading: 220 degrees
Distance: 3780 ft
from this point

Latitude: 27 Degrees 22.16 Decimal Minutes
Longitude: -82 Degrees 34.46 Decimal Minutes
Depth 13.0 ft

Latitude: 27 Degrees 22.09 Decimal Minutes
Longitude: -82 Degrees 34.46 Decimal Minutes
Depth 13.0 ft

Latitude: 27 Degrees 22.10 Decimal Minutes
Longitude: -82 Degrees 34.39 Decimal Minutes
Depth 13.0 ft

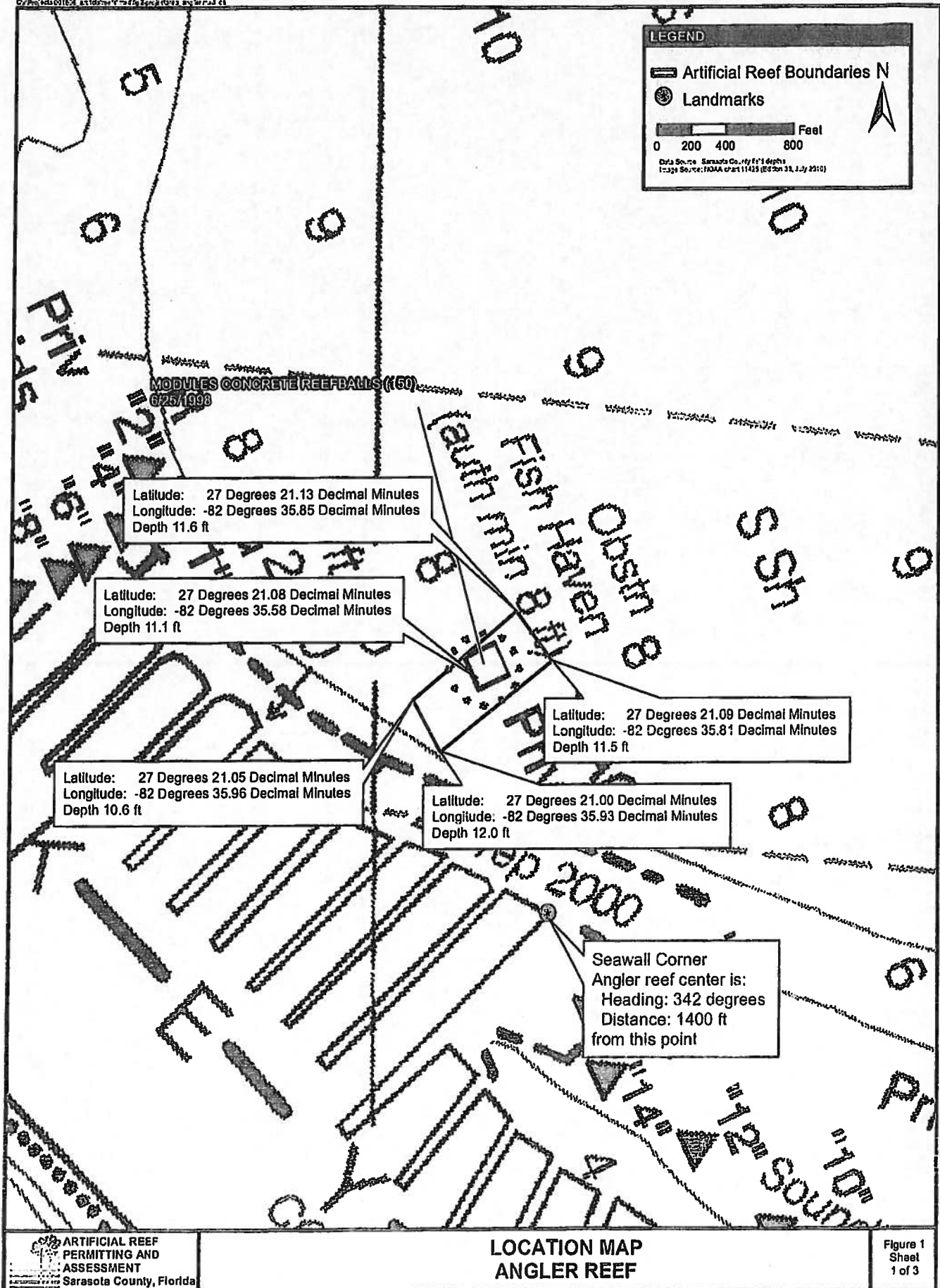
Latitude: 27 Degrees 22.08 Decimal Minutes
Longitude: -82 Degrees 34.52 Decimal Minutes
Depth 13.0 ft

Latitude: 27 Degrees 22.04 Decimal Minutes
Longitude: -82 Degrees 34.45 Decimal Minutes
Depth 13.0 ft

INTRACOASTAL WATERWAY
(see notes)
8 fms (200)

LOCATION MAP HARTS REEF

Figure 1
Sheet
2 of 3



LEGEND

- Artificial Reef Boundaries
- Proposed Deployments
- Past Deployments

0 200 400 800 Feet

Data Source: Schotschneider and Sarasota County bathymetry
Image Source: FDOT 2010 true color aerial



Latitude: 27 Degrees 22.16 Decimal Minutes
Longitude: -82 Degrees 34.46 Decimal Minutes
Depth 13.0 ft

Latitude: 27 Degrees 22.09 Decimal Minutes
Longitude: -82 Degrees 34.46 Decimal Minutes
Depth 13.0 ft

Latitude: 27 Degrees 22.08 Decimal Minutes
Longitude: -82 Degrees 34.52 Decimal Minutes
Depth 13.0 ft

H1 - 50' x 50'
Latitude: 27 22.09
Longitude: -82 34.52
Depth: 12.8 ft
Bay Balls: 277 max
PalletBalls: 156 max

H2 - 50' x 50'
Latitude: 27 22.13
Longitude: -82 34.52
Depth: 13.1 ft
Bay Balls: 277 max
PalletBalls: 156 max

H3 - 50' x 50'
Latitude: 27 22.10
Longitude: -82 34.41
Depth: 13.0
Bay Balls: 277 max
PalletBalls: 156 max

Latitude: 27 Degrees 22.10 Decimal Minutes
Longitude: -82 Degrees 34.39 Decimal Minutes
Depth 13.0 ft

H4 - 50' x 50'
Latitude: 27 22.10
Longitude: -82 34.418
Depth: 12.9 ft
Bay Balls: 277 max
PalletBalls: 156 max

Latitude: 27 Degrees 22.04 Decimal Minutes
Longitude: -82 Degrees 34.45 Decimal Minutes
Depth 13.0 ft



ARTIFICIAL REEF
PERMITTING AND
ASSESSMENT
Sarasota County, Florida

PLAN MAP WITH BATHYMETRY HARTS REEF

Figure 2
Sheet
2 of 3

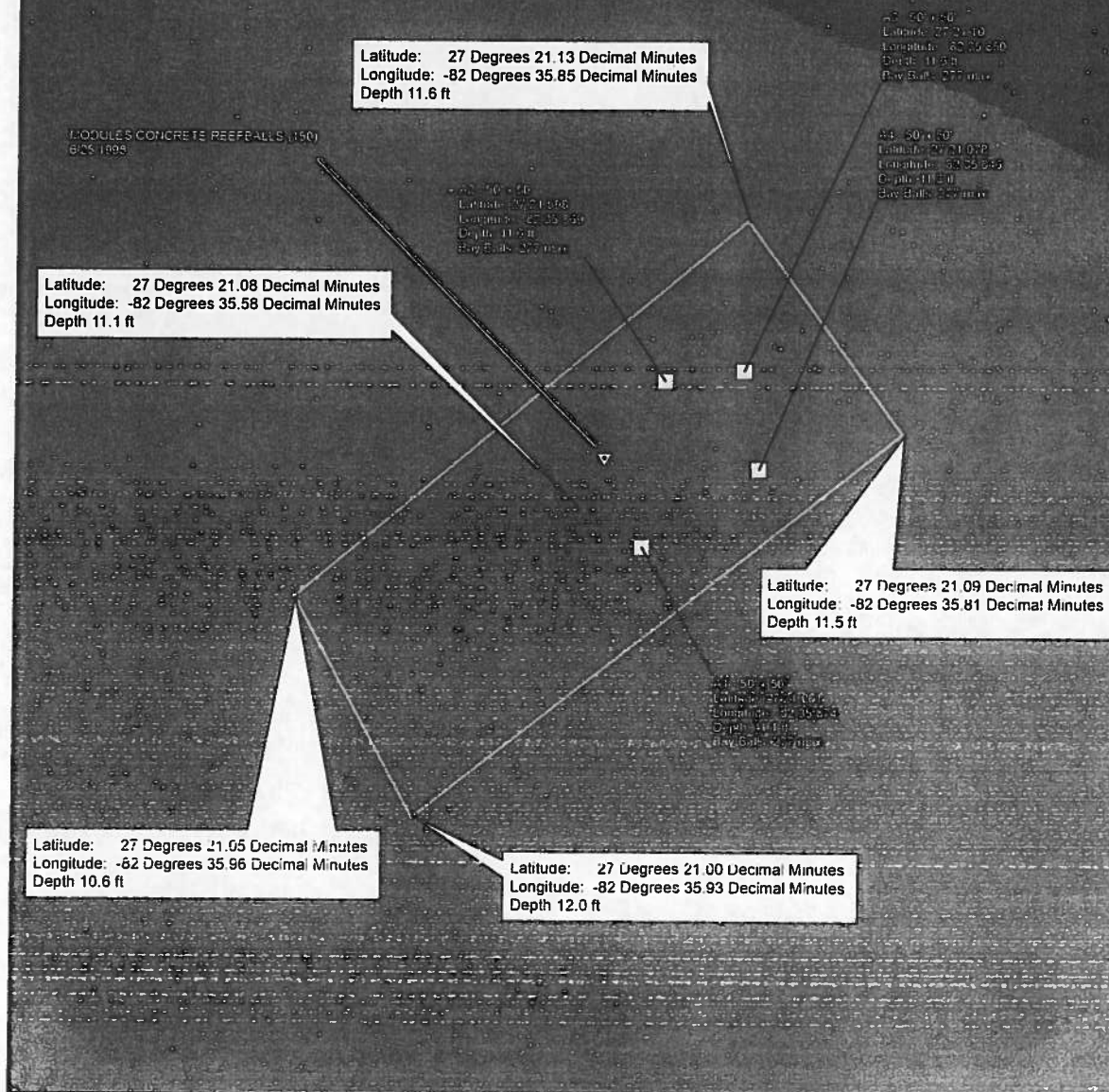
LEGEND

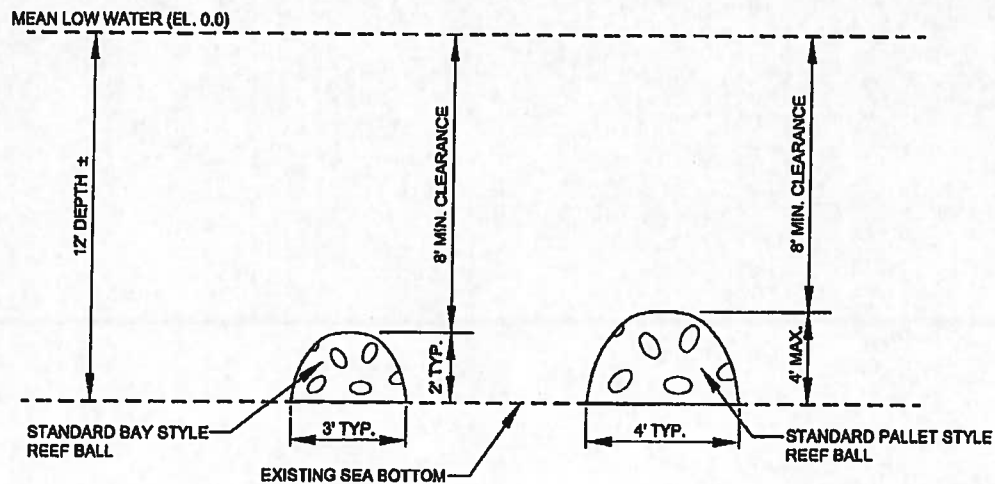
-  Artificial Reef Boundaries
-  Proposed Deployments
-  Past Deployments



0 100 200 400 Feet

Data Source: Scheda depthfinder and Sarasota County field depths
Image Source: FDOT 2010 true color aerial 1ft





TYPICAL CROSS SECTION
NOT TO SCALE

SCHEDA ECOLOGICAL ASSOCIATES, INC.

6802 EAST FOWLER AVENUE
TAMPA, FLORIDA 33617
(813) 889-9600

ARTIFICIAL REEF
PERMITTING AND
ASSESSMENT
SARASOTA COUNTY, FLORIDA

TYPICAL
CROSS
SECTION

FIGURE
3