

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

BLUE SHEET NO: 20020389-DNR

1. REQUESTED MOTION:
ACTION REQUESTED:

Approve Resolution to the Florida Department of Environmental Protection (FDEP) formally requesting submerged lands easements to complete the Matlacha Isles Dredging Project.

WHY ACTION IS NECESSARY:

Lee County Natural Resources staff has submitted a Joint Dredge and Fill Permit Application to the FDEP for completion of the project. The State of Florida has designated one of the proposed dredge areas as state-owned sovereign, submerged lands. Per F.A.C. 18-21.009(1)(d), applicants who are local governing bodies that propose a project over state-owned sovereign, submerged lands shall request easement over this land by official Resolution.

WHAT ACTION ACCOMPLISHES:

The Resolution addresses one point of a request for additional information submitted to the County by the FDEP. Response to the request for additional information will allow the project to move forward.

2. DEPARTMENTAL CATEGORY: 8 - NAT. RESOURCES
COMMISSION DISTRICT #: 1

C8B

3. MEETING DATE:

04-30-2002

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED: _____

5. REQUIREMENT/PURPOSE:

(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE FAC 18-21.009 (1)(d)
- OTHER Res.

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER: _____
- B. DEPARTMENT: Lee County-Public Works
- C. DIVISION/SECTION: Natural Resources Division
- BY: Roland Ottolini, Nat. Resources Dir.

[Signature]

DATE: 4/15/02

7. BACKGROUND:

Lee County Natural Resources staff has identified portions of the waterway leading into the Matlacha Isles Subdivision and the City of Cape Coral has areas that currently do not provide adequate navigable depth in marked and recognized channels. County staff members have designed a project that will remove approximately 1,655 cubic yards of material from three areas in the waterway. The primary purpose of the project is to restore safe navigable depth to the one and only waterway access to the Matlacha Isles Subdivision and a portion of the City of Cape Coral, including a public boat ramp. The Lee County Board of County Commissioners approved an interlocal agreement with the City of Cape Coral for services to complete the project on January 8, 2002 (Blue Sheet 20011371-DNR, C-8-A).

(CONT'D.)

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL

(A) DEPARTMENT DIRECTOR	(B) PURCH. OR CONTRACTS	(C) HUMAN RESOURCES	(D) OTHER	(E) COUNTY ATTORNEY	(F) BUDGET SERVICES				(G) COUNTY MANAGER
					OA	OM	Risk	GC	
<i>[Signature]</i> S. Lavender Date: 4/16/02	N/A Date: _____	N/A Date: _____	N/A Date: _____	<i>[Signature]</i> Date: 4/17/02	<i>[Signature]</i> 4/17/02	<i>[Signature]</i> 4/18/02	<i>[Signature]</i> 4/18	<i>[Signature]</i> 4/18/02	<i>[Signature]</i> S. Lavender Date: 4/16-02

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

REC'D.
by CO. ATTY.
4/17/02
1006 AM
CO. ATTY.
FORWARDED TO:
APPLY 11/5 AM
4/17/02 MW

RECEIVED BY
COUNTY ADMIN.
4-17-02
2:05
COUNTY ADMIN.
FORWARDED TO:
4/18
230

Lee County Natural Resources staff has also submitted a Joint Dredge and Fill Permit Application to the FDEP for completion of the project. The State of Florida has designated one of the proposed dredge areas as state-owned sovereign, submerged lands. Per F.A.C. 18-21.009(1)(d), applicants who are local governing bodies that propose a project over state-owned sovereign, submerged lands shall request easement over this land by official Resolution. The state has formally made a request for this information in a "request for additional information" dated March 12, 2002.

Attachments: Resolution (3)

A RESOLUTION BY THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS REQUESTING AN EASEMENT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE LEE COUNTY, FLORIDA MATLACHA ISLES DREDGING PROJECT

WHEREAS, Lee County, a political subdivision of the State of Florida, is responsible for channel maintenance efforts in appropriate County waters, and

WHEREAS, Lee County Natural Resources staff have identified portions of the waterway leading into the Matlacha Isles subdivision and the City of Cape Coral as areas that currently do not provide adequate navigable depth in marked and recognized channels, and County staff members have designed a project which will remove approximately 1655 cubic yards of material from three areas in the waterway, and

WHEREAS, the primary purpose of the Project is to restore safe navigable depth to the one and only waterway access to the Matlacha Isles subdivision and a portion of the City of Cape Coral, and

WHEREAS, property owners in the project area as well as the public at large will receive a direct benefit from the completion of the project, and

WHEREAS, Lee County Board of County Commissioners approved an inter-local agreement with the City of Cape Coral for services to complete the project, on 8 January, 2002, and

WHEREAS, Lee County has submitted a Joint Dredge and Fill permit application to the Florida Department of Environmental Protection for completion of the Project, and

WHEREAS, The State of Florida has designated one of the proposed dredge areas as state-owned sovereign, submerged lands,

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, Lee County, Florida, that

1. The Lee County Matlacha Isles dredging project will directly benefit citizens of Lee County and should be undertaken as soon as possible.
2. After securing the necessary permits, Lee County Natural Resources Staff shall work with the City of Cape Coral to complete the Project in a timely fashion.
3. The executed copy of this resolution shall serve as Lee County's formal request for easements necessary to complete the Matlacha Isles Dredging Project as proposed in Application No. 36-0173121-002, originally submitted to the Florida Department of Environmental Protection on the 25th day of February, 2002, and as amended by subsequent requests for information by the State of Florida.

COPY

PASSED AND DULY ADOPTED by the Board of County Commissioners of Lee County, Florida this ____ day of _____, 2002 by a vote of ____ to ____; the motion was made by _____, seconded by _____ and upon being put to a vote, the vote was as follows:

Bob Janes _____
 Douglas R. St. Cerny _____
 Ray Judah _____
 Andrew W. Coy _____
 John E. Albion _____

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

Bob Janes
Chairman

ATTEST:

CHARLIE GREEN
CLERK OF THE CIRCUIT COURT

APPROVED AS TO FORM:

BY: _____

BY: _____