



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

June 28, 2024

Regulatory Division
West Permits Branch
Fort Myers Permits Section
SAJ-2021-00311 (NWP-SMW)

Winton, Peter
Lee County Board of County Commissioners
2120 Main Street
Fort Myers, Florida 33901
Via Email: jmalo@leegov.com

To whom it may concern:

This letter is in response to the Pre-Construction Notification (PCN) you submitted to the Jacksonville District, Technical Regional Execution Center on May 1, 2024 for a Department of the Army Nationwide permit (NWP) verification. This project has been assigned the file number SAJ-2021-00311 and is known as Whiskey Creek maintenance dredging project. 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 maintenance dredging the entrance channel to Whiskey Creek in order to provide sufficient and safe navigational access to several residential subdivisions located between the Caloosahatchee River and McGregor Avenue. More specifically, the work would consist of mechanically and/or hydrological dredging and removing 4,650 cubic yards of material from an 88,176 square foot (2.02-acre) area to an original depth of -5 foot mean low water (MLW). The proposed dredge footprint is approximately 50 foot wide by 1,763 foot long and extends between the existing channel markers. The dredged material would be either dewatered at a nearby upland site or in a dewatering container; then transported for final disposition at an approved upland disposal site that will be determined by the contractor prior to the start of work. Appropriate sediment and erosion control measures will be implemented. All work would take place within an 88,176 square foot area (2.02-acre) of waters of the United States and within 1-acre of uplands for dredged material handling.

The project area is located at the confluence of Whiskey Creek and the Caloosahatchee River, within the Caloosahatchee Watershed, within Section 10, Township 045S, Range 024E; at Latitude 26.577590 and Longitude -81.898900; in Fort Myers, Lee County, Florida.

We have determined that the aspect of your proposed work involving maintenance dredging is authorized by Nationwide Permit (NWP) 16 (Return Water from Upland Contained Disposal Area) pursuant to authorities under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403). **This verification is valid until March 14, 2026.** In order for this NWP authorization to be valid, you must ensure that the work is performed in accordance with the Nationwide Permit General Conditions, the Jacksonville District Regional Conditions, and the General and Project-Specific Special Conditions listed below. Furthermore, 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.

We have determined that the aspect of your proposed work involving discharging return water is authorized by Nationwide Permit (NWP) 16 (Return Water from Upland Contained Disposal Area) pursuant to authorities under Section 404 of the Clean Water Act (33 U.S.C. § 1344). **This verification is valid until March 14, 2026.** In order for this NWP authorization to be valid, you must ensure that the work is performed in accordance with the Nationwide Permit General Conditions, the Jacksonville District Regional Conditions, and the General and Project-Specific Special Conditions listed below. Furthermore, 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 web page 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.

General Conditions:

1. The time limit for completing the work authorized by NWP 35 and NWP 16 ending 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 attached transfer form (attached) 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.

Project Specific Special Conditions:

The following project specific special conditions are included with this verification:

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-2021-00311 (NWP-SMW), on all submittals.

2. **Commencement Notification:** Within 10 days from the date of initiating the work authorized by this verification; 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. 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.

9. 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.

10. Dredged Material Disposal: The Permittee shall place all dredged material in a self-contained, upland disposal site as detailed in plans dated 01 May 2024. The Permittee shall maintain the upland disposal site to prevent the discharge of dredged material and associated effluent into waters of the United States.

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.

Thank you for your cooperation with our permit program. The Corps' Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to complete our automated Customer Service Survey at <https://regulatory.ops.usace.army.mil/customer-service-survey/>. Please be aware this Internet address is case sensitive and you will need to enter it exactly as it appears above. Your input is appreciated – favorable or otherwise.

Should you have any questions related to this verification letter or have issues accessing the documents referenced in this letter, please contact Sarah Whorton at the SAD, Technical Regional Execution Center, on behalf of Fort Myers Permits Section, by telephone 205-767-4912 or by email at Sarah.M.Whorton@usace.army.mil.

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

Cc: Johanna Shifflette, Hans Wilson & Associates, johanna@hanswilson.com

Enclosures:

Standard Manatee Conditions for In-Water Work

Commencement Notification

Self-Certification Statement of Compliance

Permit Transfer Request

Site Plans dated by Corps May 01, 2024

Commencement Notification Form

File Number: SAJ-2021-00311

County: Lee

Permittee: Lee County Board of County Commissioners, Winston, Peter

Project Name: Whiskey Creek maintenance dredging project

Date Verification Issued: 6/28/2024

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-2021-00311

County: Lee

Permittee: Lee County Board of County Commissioners, Winston, Peter

Project Name: Whiskey Creek maintenance dredging project

Date Verification Issued: 6/28/2024

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

DA PERMIT NUMBER: SAJ-2024-00311 (NWP/RGP-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 Section, Post Office Box 4970, Jacksonville, FL 32232-0019 or submit via electronic mail to:

SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).

(TRANSFEREE-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT)

(BLOCK)

(NAME-PRINTED)

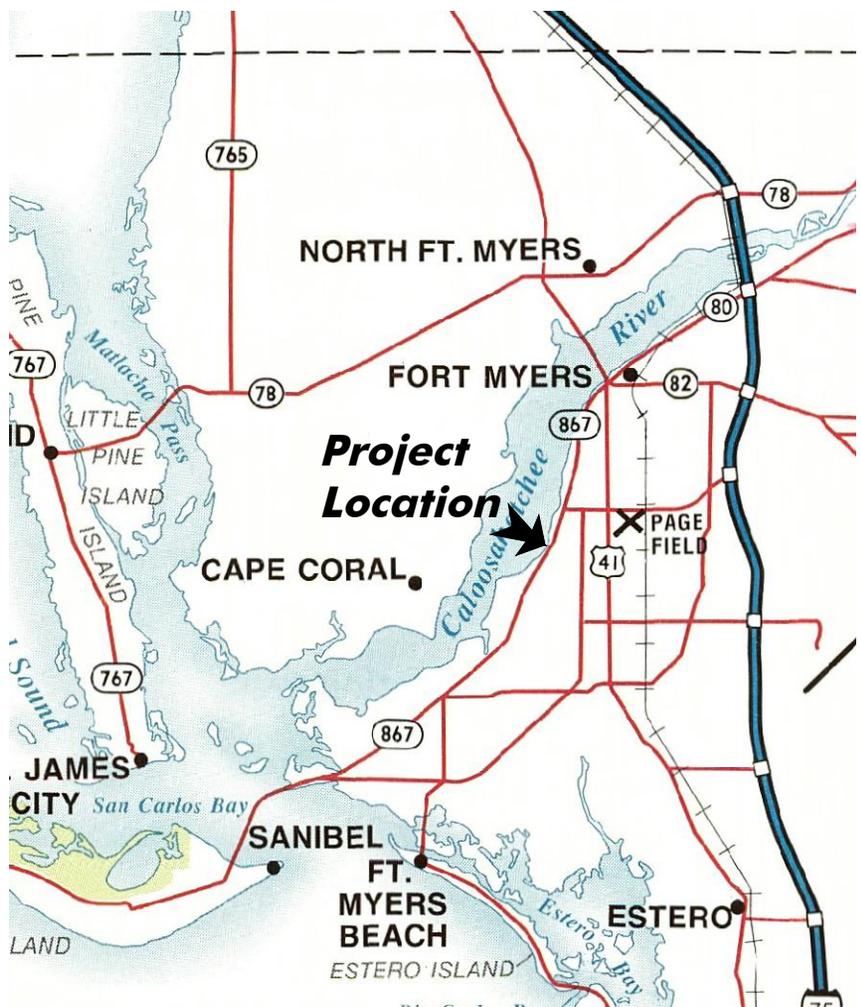
(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

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TOWNSHIP: 45 South
RANGE: 24 East

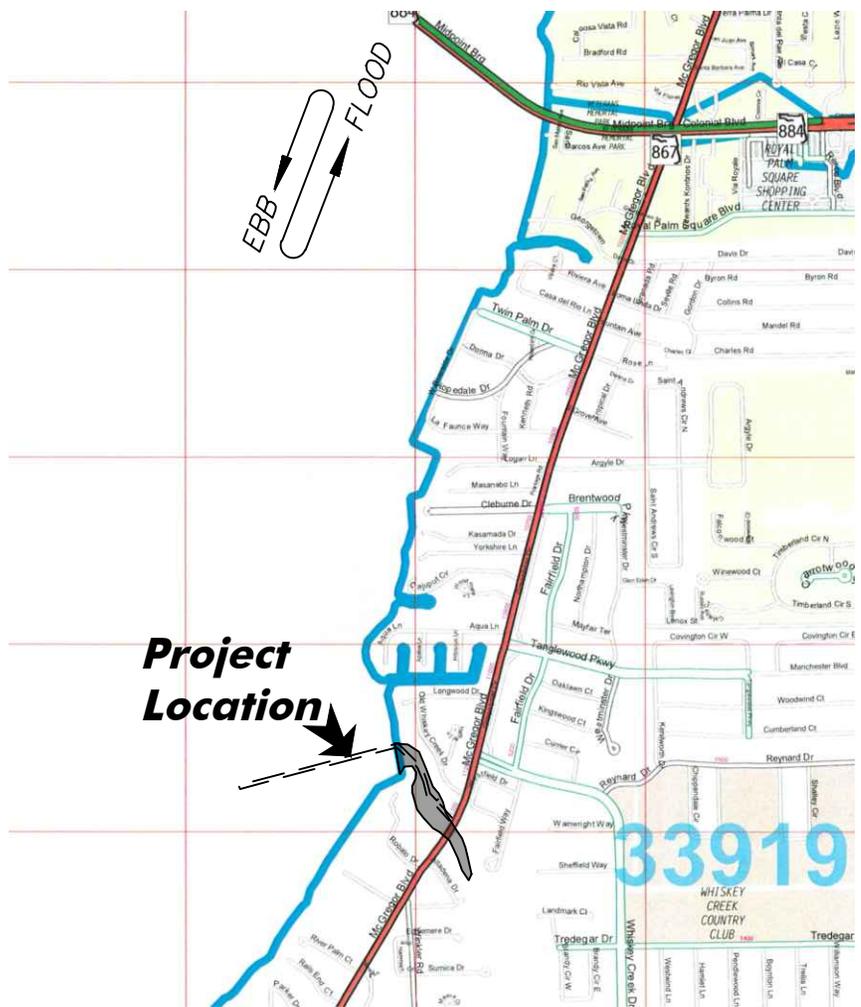
0 2.5mi 5mi
SCALE FEET



Vicinity Map

SCALE: 1" = 5mi

0 1000 2000
SCALE FEET



Location Map

SCALE: 1" = 2000'

BID PLANS, NOT FOR CONSTRUCTION

April 30, 2024 11:43:51 a.m.
Drawing: LEE29MASTER.DWG



1938 Hill Avenue, Fort Myers, Florida 33901
Office: 239-334-6870 Fax: 239-334-7810
MARINE and ENVIRONMENTAL CONSULTANTS

4-30-24

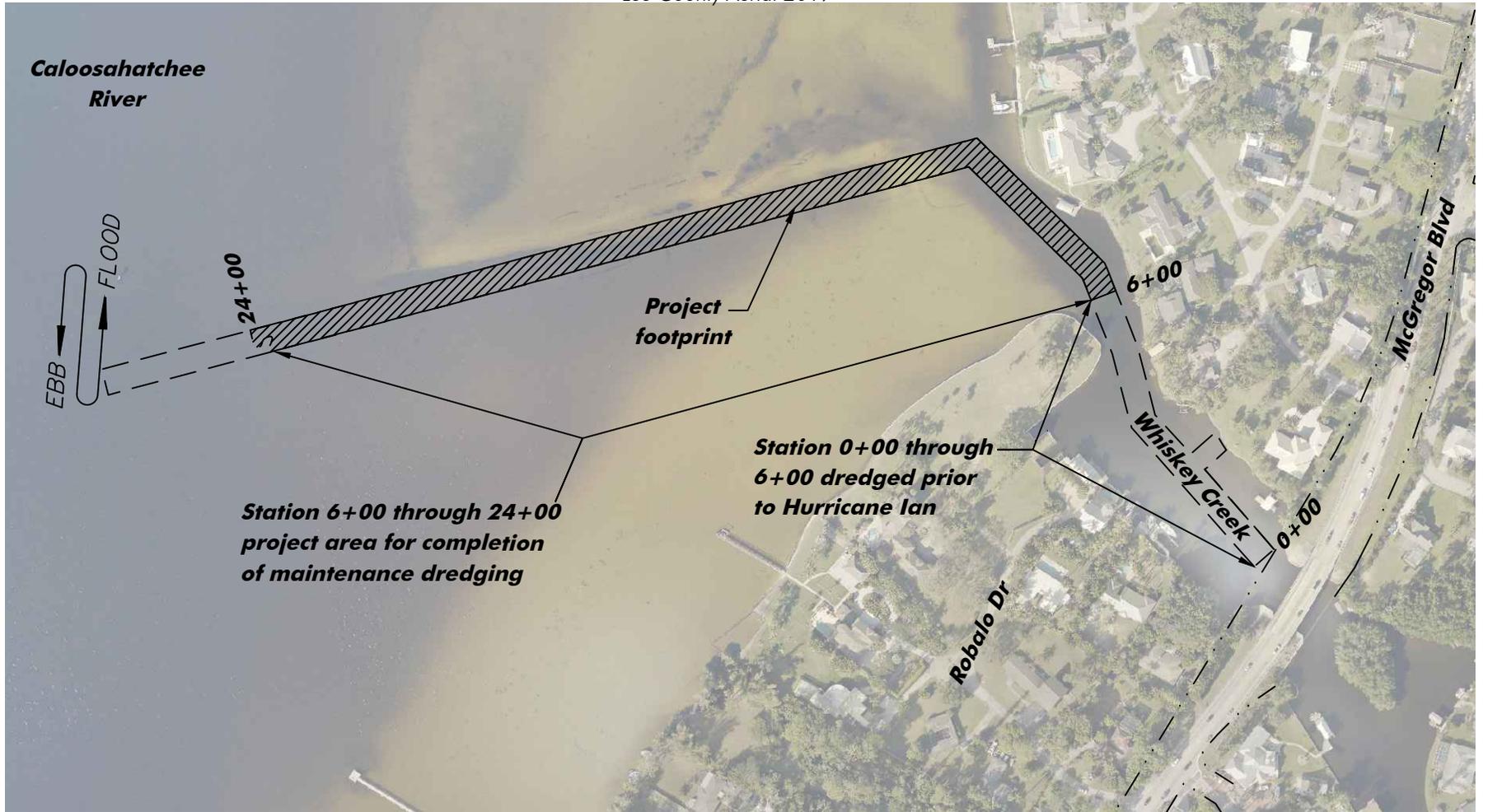
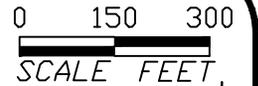
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Whiskey Creek

SHEET
1/13

SECTION: 10
TOWNSHIP: 45 South
RANGE: 24 East

Lee County Aerial 2019



Notes: Property line per Lee County Property Appraiser. Bathymetric Survey completed by HWA, Inc on 11-8-22. Depths reference MLW per DEP MHW Request, MLW = -0.71' NAVD88.

Overall Site Layout

SCALE: 1" = 300'

April 30, 2024 11:43:51 a.m.
Drawing: LEE29MASTER.DWG



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MARINE and ENVIRONMENTAL CONSULTANTS

4-30-24

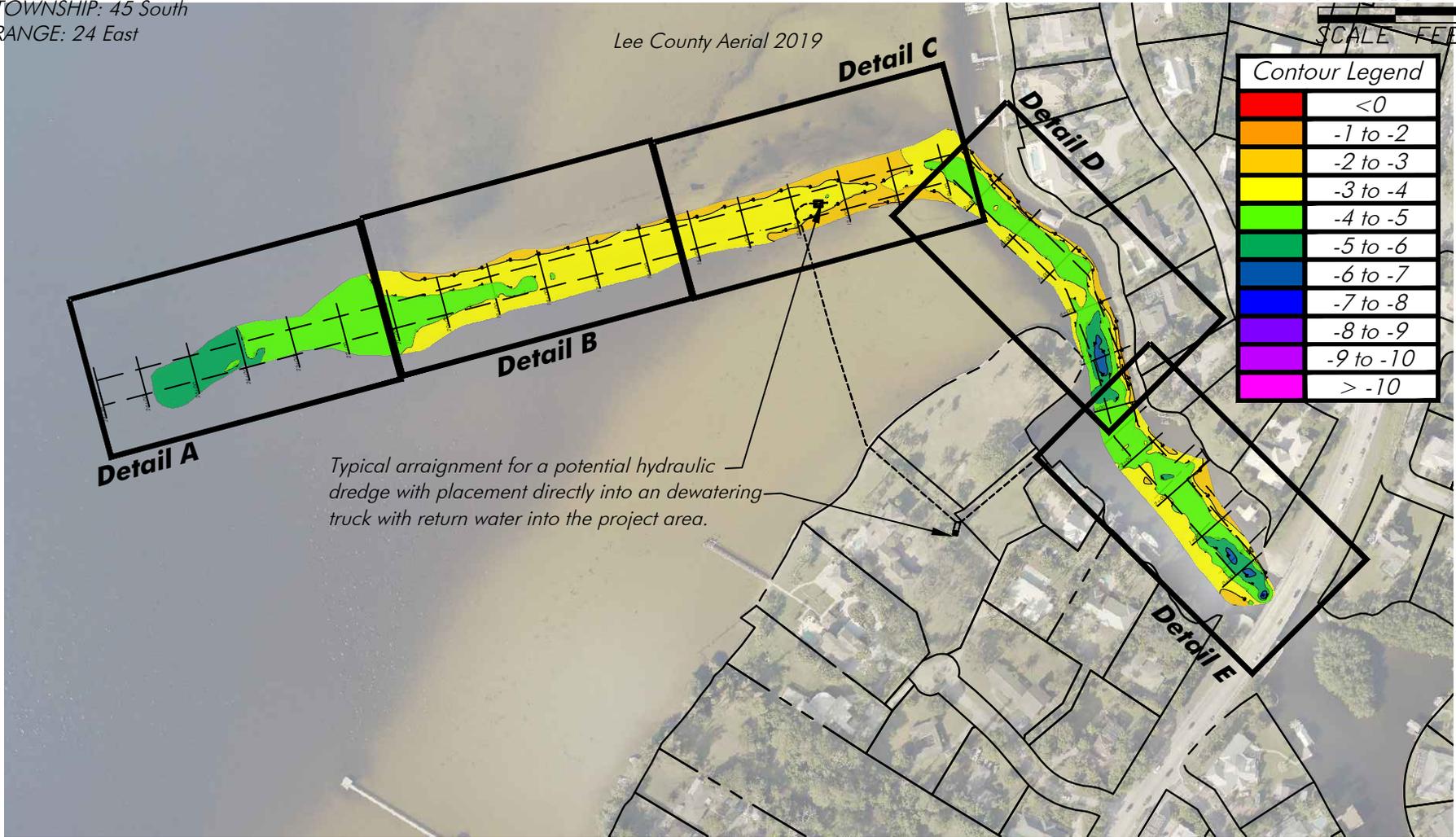
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Whiskey Creek

SHEET
2/13

SECTION: 10
TOWNSHIP: 45 South
RANGE: 24 East

Lee County Aerial 2019



Contour Legend	
Red	<0
Orange	-1 to -2
Yellow	-2 to -3
Light Green	-3 to -4
Green	-4 to -5
Dark Green	-5 to -6
Blue	-6 to -7
Dark Blue	-7 to -8
Purple	-8 to -9
Light Purple	-9 to -10
Pink	> -10

Typical arraignment for a potential hydraulic dredge with placement directly into an dewatering truck with return water into the project area.

Notes: Property line per Lee County Property Appraiser. Bathymetric Survey completed by HWA, Inc on 11-8-22. Depths reference MLW per DEP MHW Request, MLW = -0.71' NAVD88.

Bathymetric Survey

SCALE: 1" = 300'

April 30, 2024 11:43:51 a.m.
Drawing: LEE29MASTER.DWG



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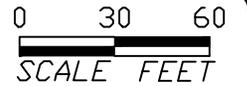
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Whiskey Creek

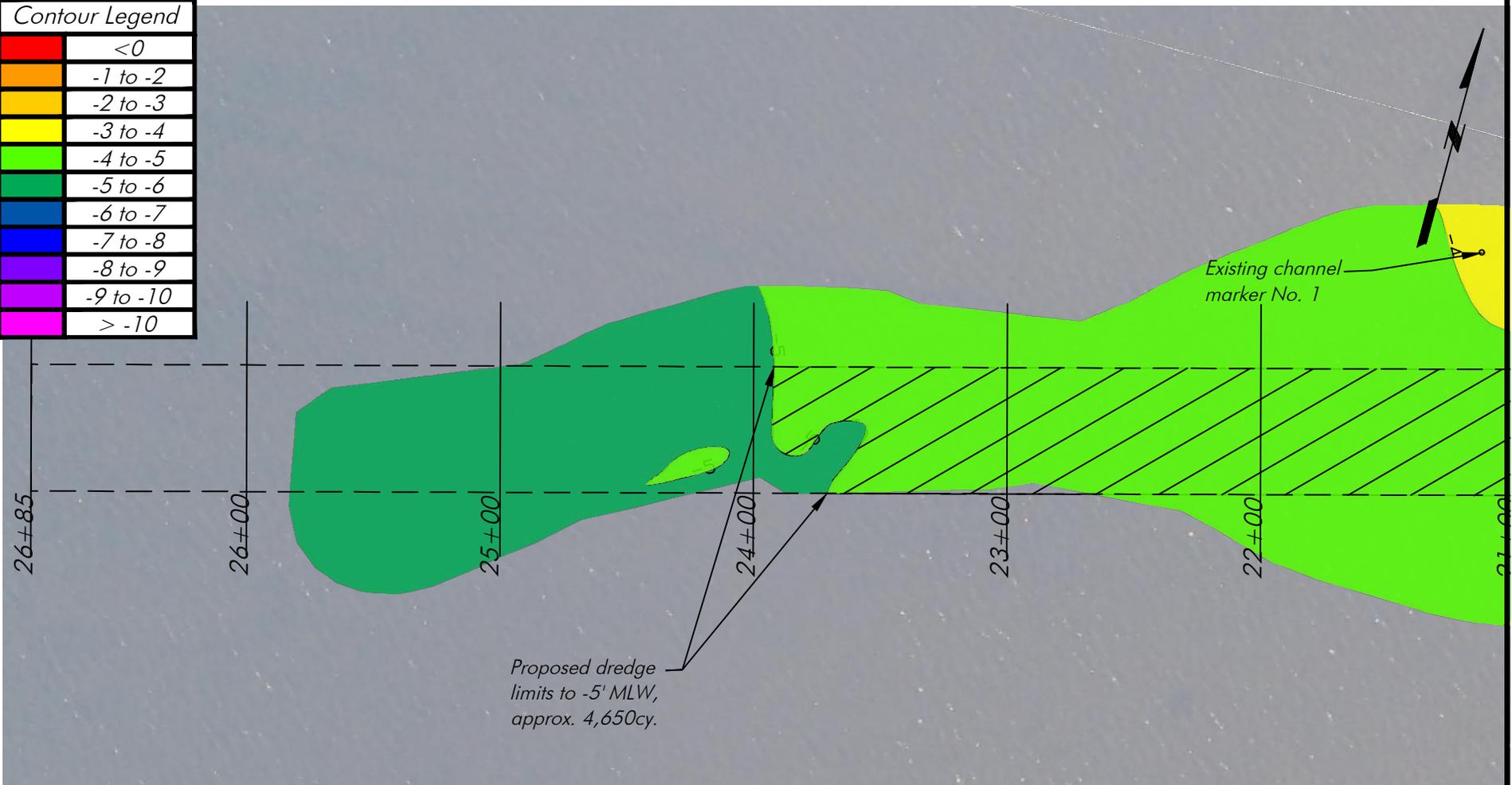
SHEET
3/13

SECTION: 10
 TOWNSHIP: 45 South
 RANGE: 24 East

Lee County Aerial 2019



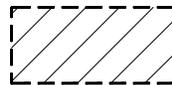
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	-6 to -7
	-7 to -8
	-8 to -9
	-9 to -10
	> -10



Notes: Property line per Lee County Property Appraiser. Bathymetric Survey completed by HWA, Inc on 11-8-22. Depths reference MLW per DEP MHW Request, MLW = -0.71' NAVD88.

Detail A

SCALE: 1" = 60'



Dredge limits @ 4,650 cy
 (Cut depth @ -5' MLW)

April 30, 2024 11:43:51 a.m.
 Drawing: LEE29MASTER.DWG



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4-30-24

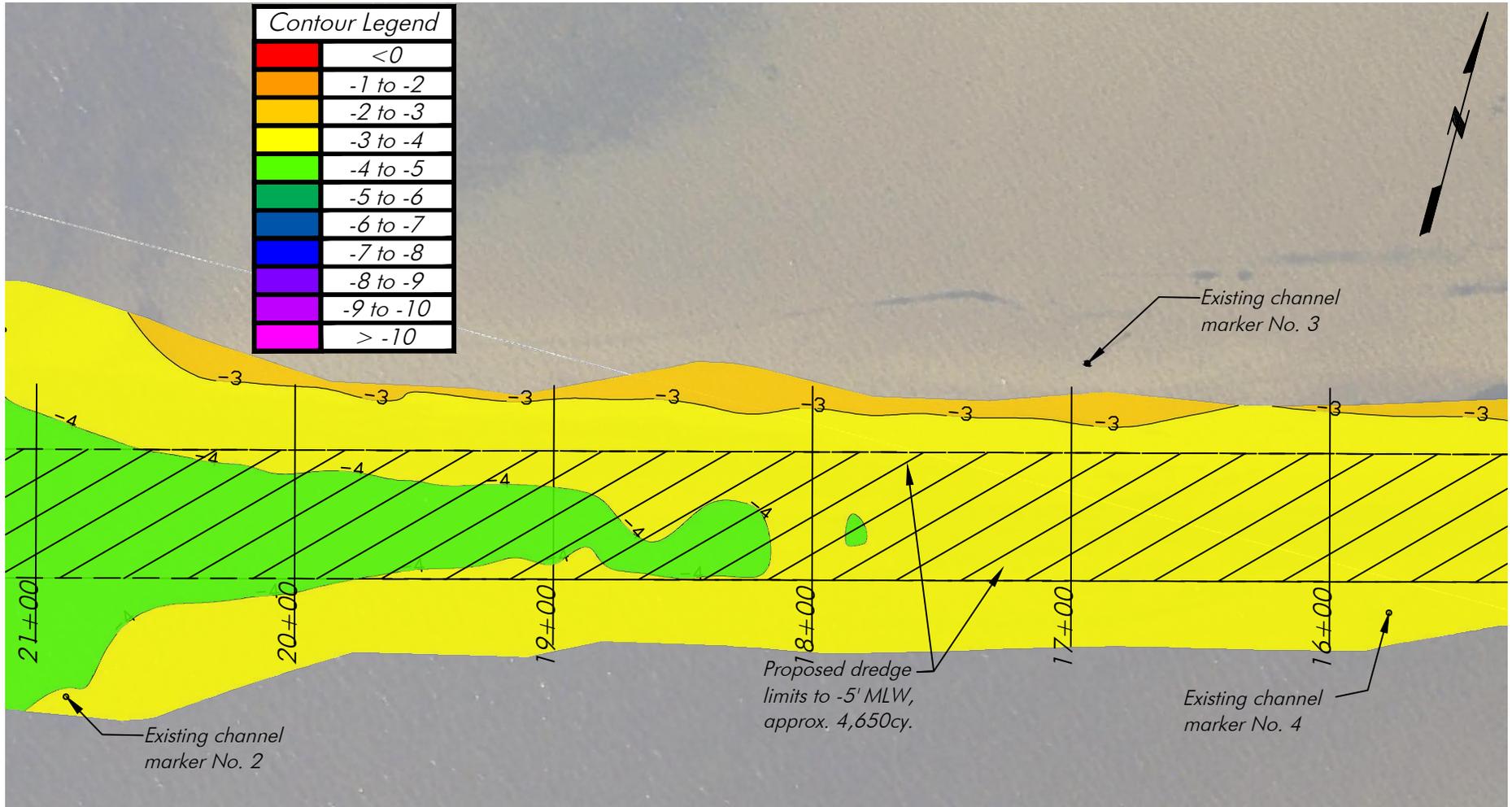
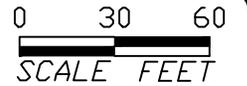
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Whiskey Creek

SHEET
4/13

SECTION: 10
 TOWNSHIP: 45 South
 RANGE: 24 East

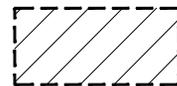
Lee County Aerial 2019



Notes: Property line per Lee County Property Appraiser. Bathymetric Survey completed by HWA, Inc on 11-8-22. Depths reference MLW per DEP MHW Request, MLW = -0.71' NAVD88.

Detail B

SCALE: 1" = 60'



Dredge limits @ 4,650 cy
 (Cut depth @ -5' MLW)

April 30, 2024 11:43:51 a.m.
 Drawing: LEE29MASTER.DWG



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CRY

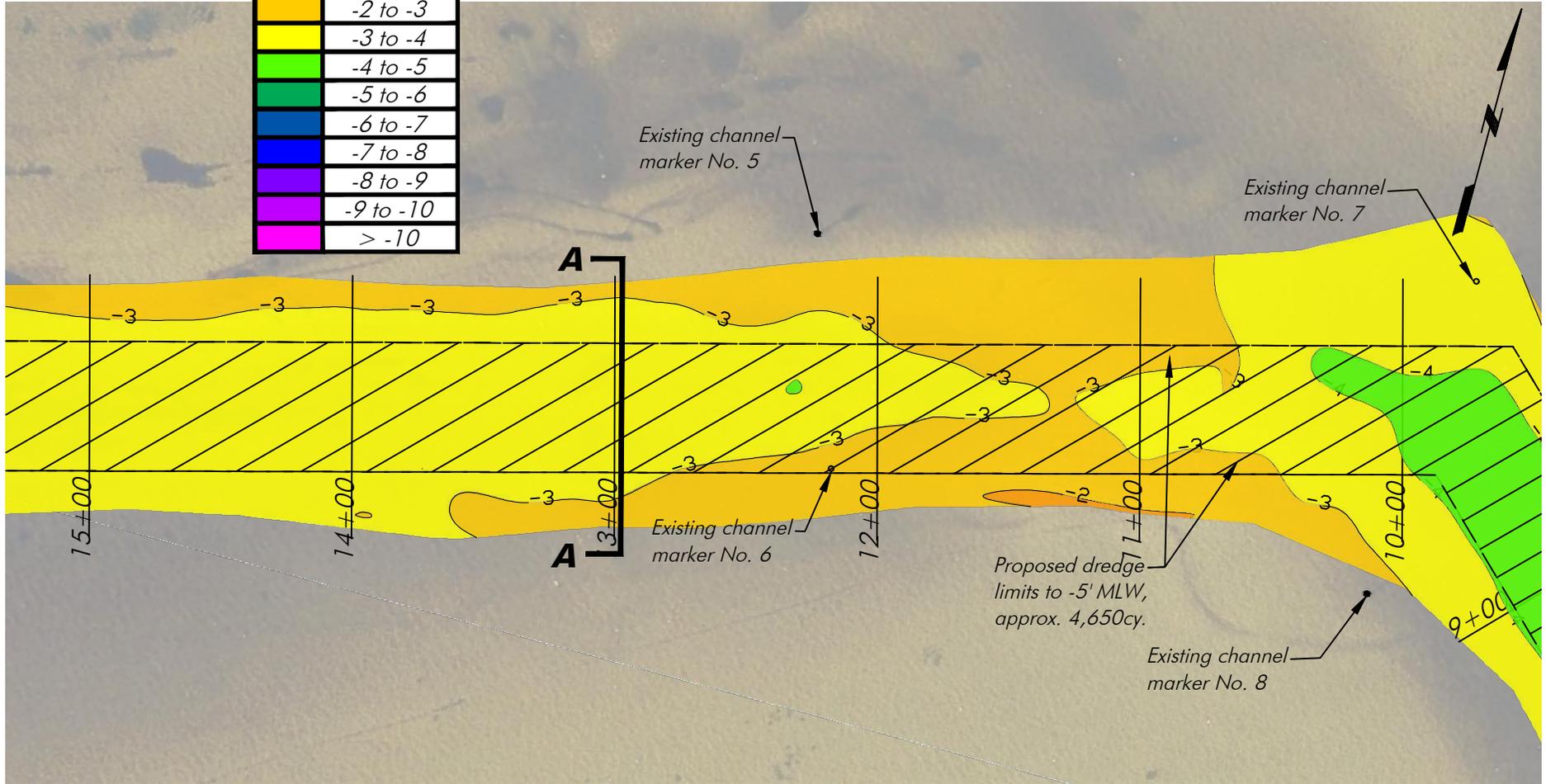
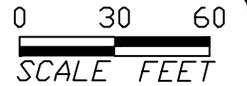
Whiskey Creek

SHEET
5/13

SECTION: 10
TOWNSHIP: 45 South
RANGE: 24 East

Contour Legend	
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	-1 to -2
	-2 to -3
	-3 to -4
	-4 to -5
	-5 to -6
	-6 to -7
	-7 to -8
	-8 to -9
	-9 to -10
	> -10

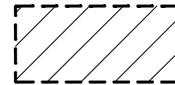
Lee County Aerial 2019



Notes: Property line per Lee County Property Appraiser. Bathymetric Survey completed by HWA, Inc on 11-8-22. Depths reference MLW per DEP MHW Request, MLW = -0.71' NAVD88.

Detail C

SCALE: 1" = 60'



Dredge limits @ 4,650 cy
(Cut depth @ -5' MLW)

April 30, 2024 11:43:51 a.m.
Drawing: LEE29MASTER.DWG



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MARINE and ENVIRONMENTAL CONSULTANTS

4-30-24

CRY

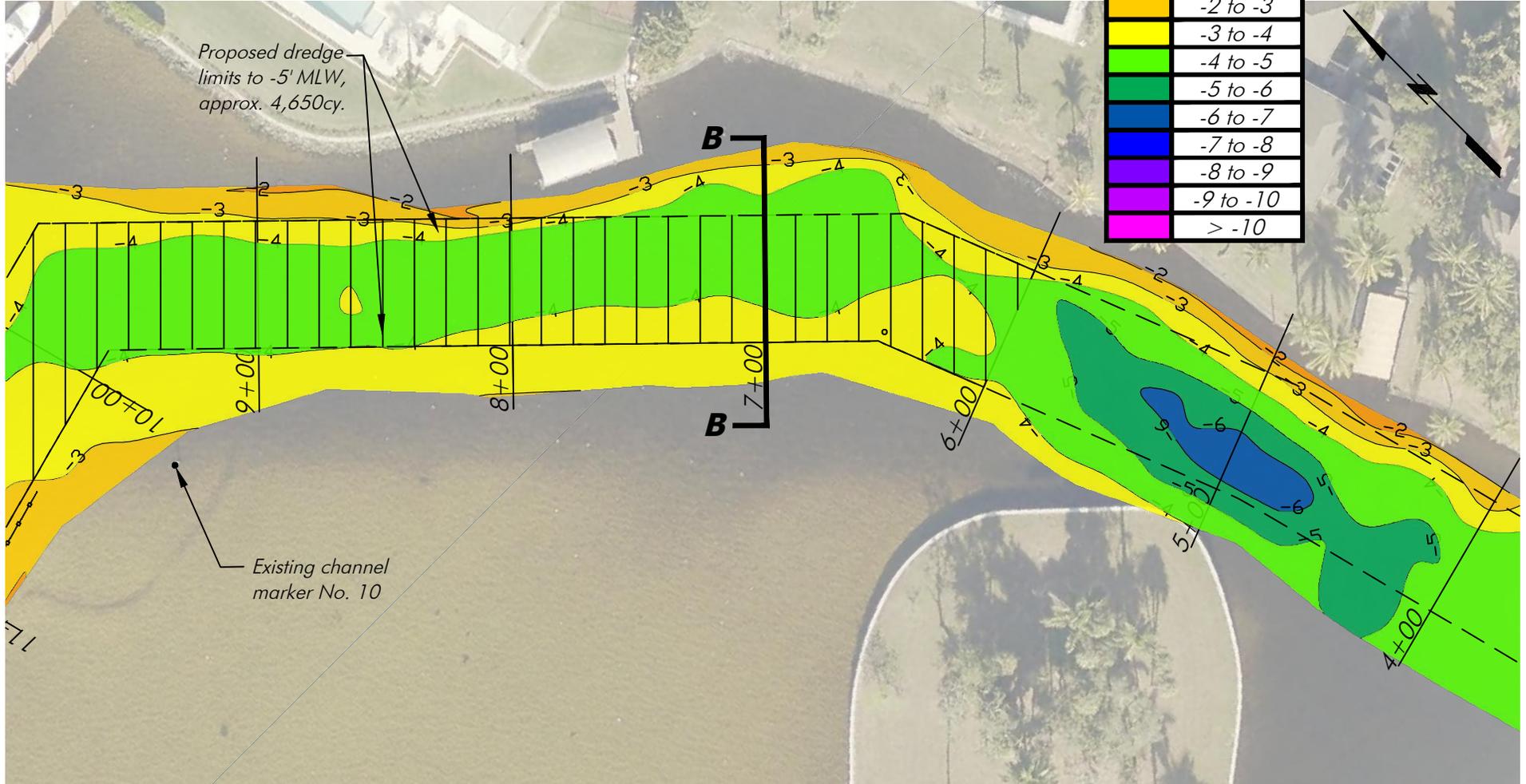
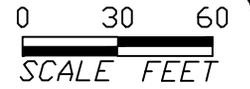
Whiskey Creek

SHEET
6/13

SECTION: 10
 TOWNSHIP: 45 South
 RANGE: 24 East

Lee County Aerial 2019

Contour Legend	
	< 0
	-1 to -2
	-2 to -3
	-3 to -4
	-4 to -5
	-5 to -6
	-6 to -7
	-7 to -8
	-8 to -9
	-9 to -10
	> -10



Proposed dredge limits to -5' MLW, approx. 4,650cy.

Existing channel marker No. 10

Notes: Property line per Lee County Property Appraiser. Bathymetric Survey completed by HWA, Inc on 11-8-22. Depths reference MLW per DEP MHW Request, MLW = -0.71' NAVD88.

Detail D

SCALE: 1" = 60'



Dredge limits @ 4,650 cy (Cut depth @ -5' MLW)

April 30, 2024 11:43:51 a.m.
 Drawing: LEE29MASTER.DWG



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4-30-24

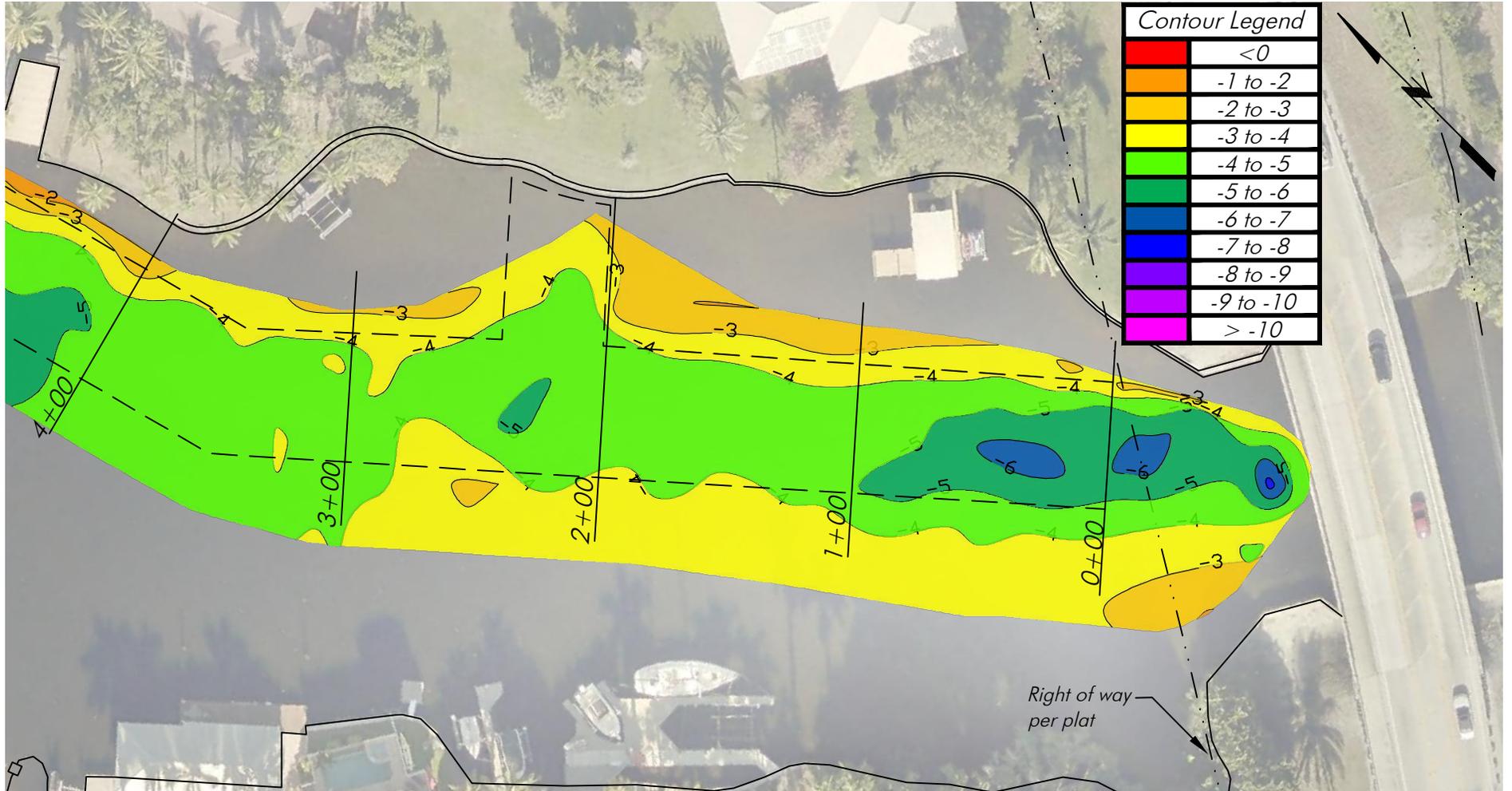
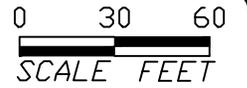
CRY

Whiskey Creek

SHEET
7/13

SECTION: 10
TOWNSHIP: 45 South
RANGE: 24 East

Lee County Aerial 2019



Contour Legend	
Red	<0
Orange	-1 to -2
Yellow	-2 to -3
Light Green	-3 to -4
Green	-4 to -5
Dark Green	-5 to -6
Blue-Green	-6 to -7
Blue	-7 to -8
Dark Blue	-8 to -9
Purple	-9 to -10
Magenta	> -10

Notes: Property line per Lee County Property Appraiser. Bathymetric Survey completed by HWA, Inc on 11-8-22. Depths reference MLW per DEP MHW Request, MLW = -0.71' NAVD88.

Detail E

SCALE: 1" = 60'

This area dredged during initial dredge work prior to Hurricane Ian

April 30, 2024 11:43:51 a.m.
Drawing: LEE29MASTER.DWG



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MARINE and ENVIRONMENTAL CONSULTANTS

4-30-24

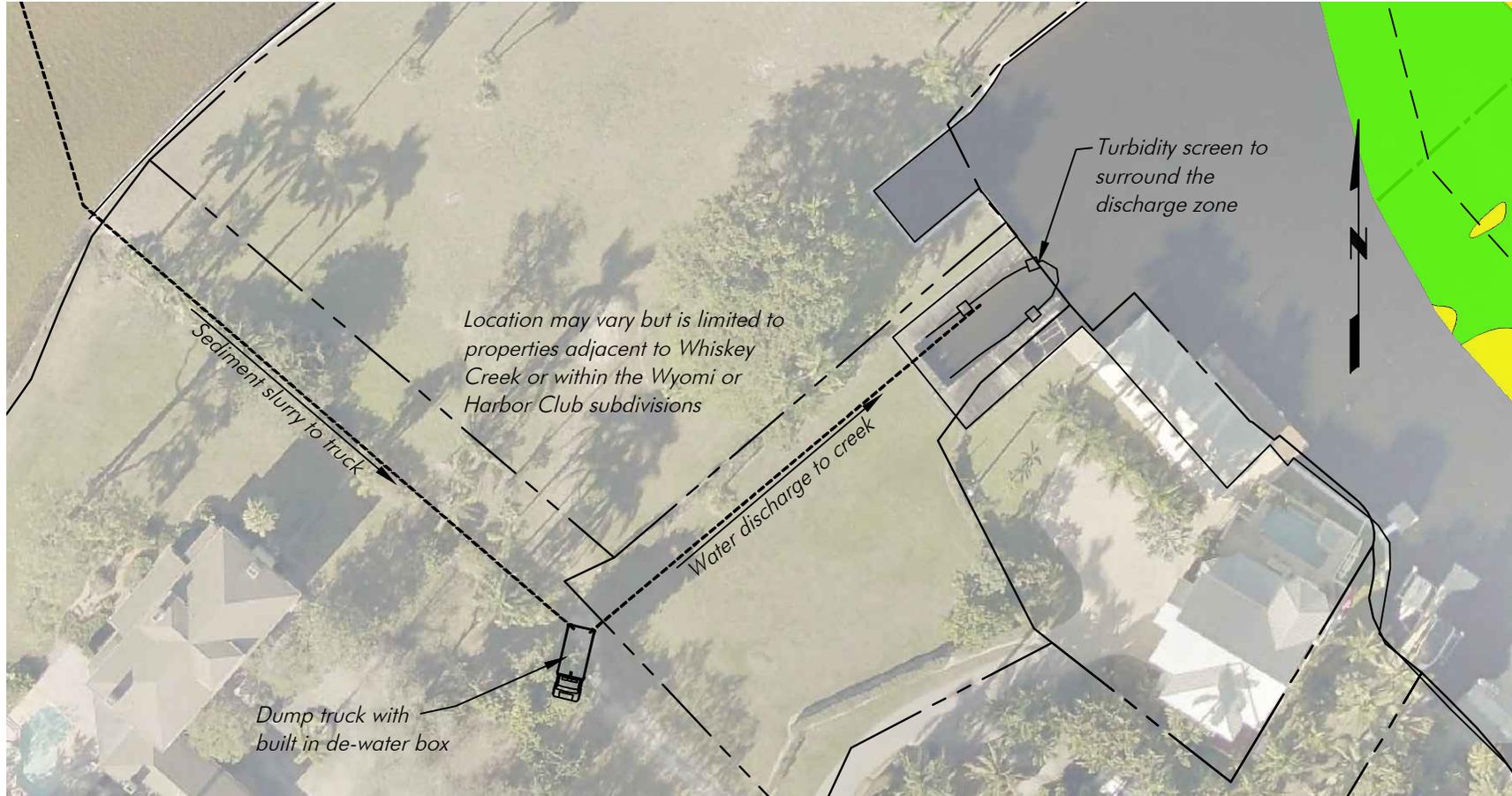
CRY

Whiskey Creek

SHEET
8/13

SECTION: 10
TOWNSHIP: 45 South
RANGE: 24 East

Lee County Aerial 2019



Detail F **Material Transfer Location**

SCALE: 1" = 60'

Notes: Property line per Lee County Property Appraiser. Bathymetric Survey completed by HWA, Inc on 11-8-22. Depths reference MLW per DEP MHW Request, MLW = -0.71' NAVD88.

April 30, 2024 11:43:51 a.m.
Drawing: LEE29MASTER.DWG



1938 Hill Avenue, Fort Myers, Florida 33901
Office: 239-334-6870 Fax: 239-334-7810
MARINE and ENVIRONMENTAL CONSULTANTS

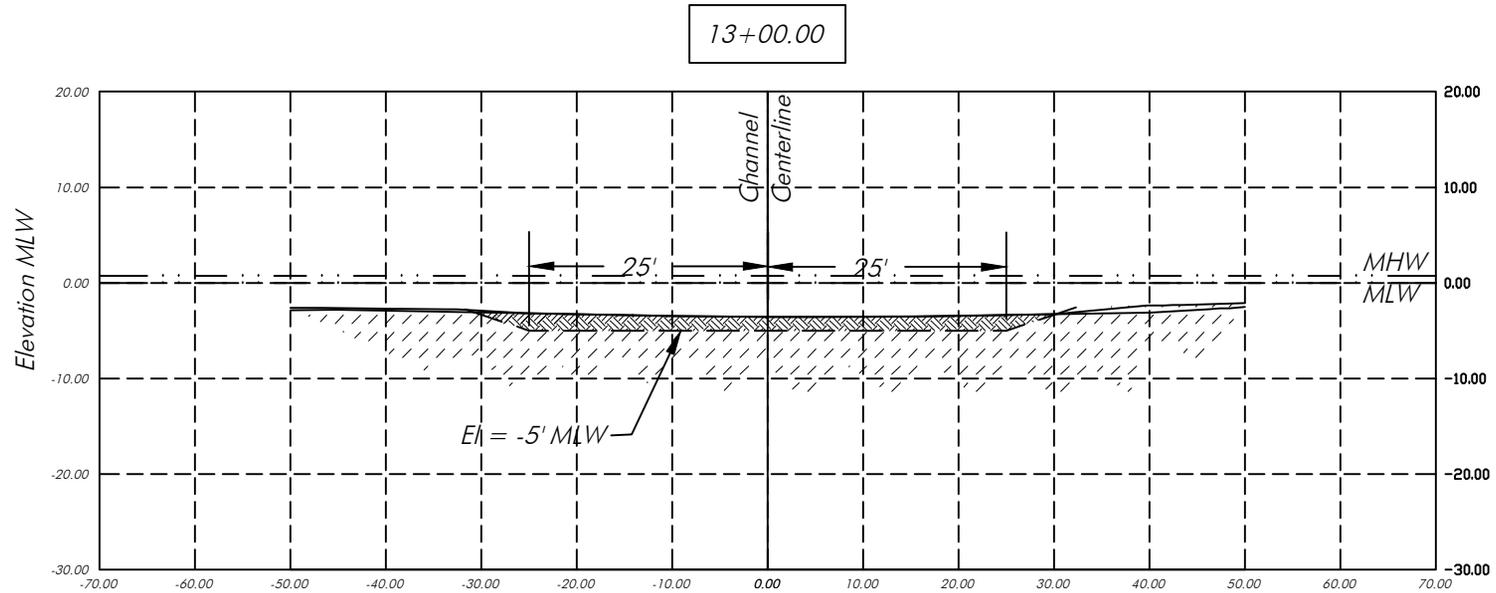
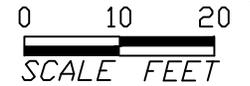
4-30-24

CRY

Whiskey Creek

SHEET
9/13

SECTION: 10
TOWNSHIP: 45 South
RANGE: 24 East



Total Cut Volume: 4,650cy.

Cross Section A-A

SCALE: 1" = 20'

Notes: Bathymetric Survey completed by HWA, Inc on 11-8-22. Depths reference MLW per DEP MHW Request, MHW = 0.13' NAVD88 MLW = -0.71' NAVD88.

April 30, 2024 11:43:51 a.m.
Drawing: LEE29MASTER.DWG



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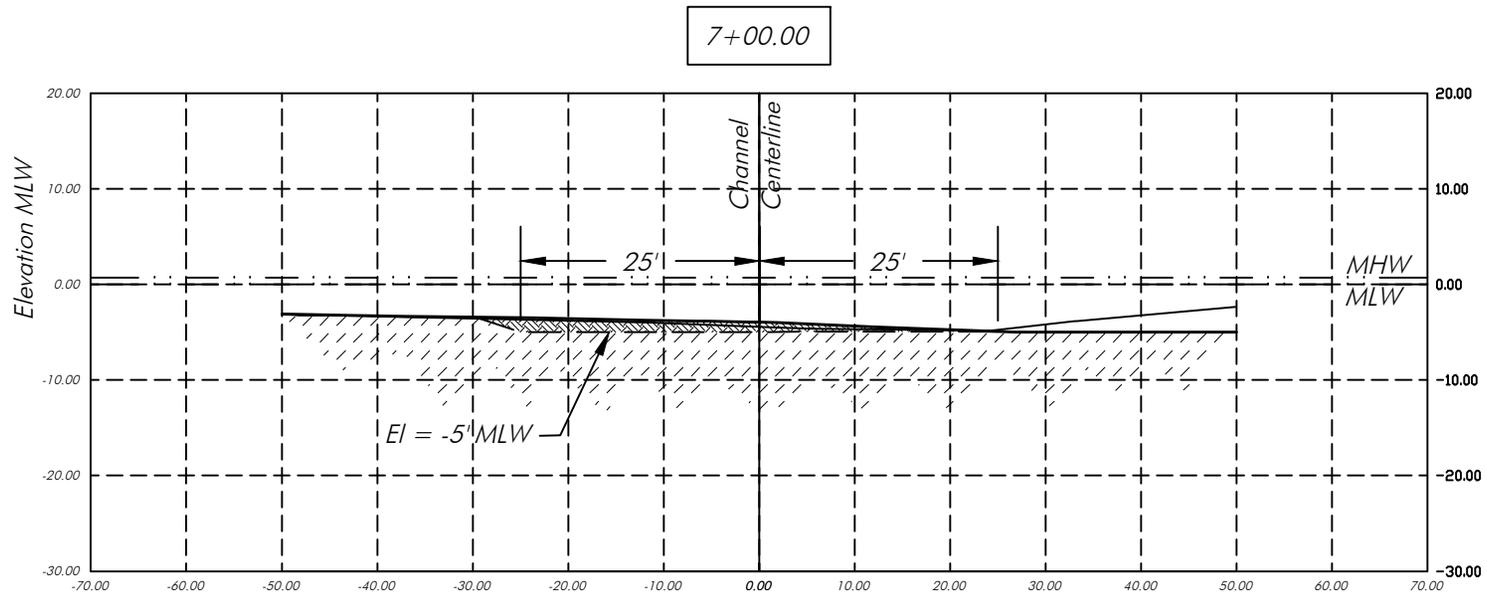
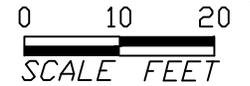
CRY

Whiskey Creek

SHEET
10/13

Received 01 May 2024

SECTION: 10
TOWNSHIP: 45 South
RANGE: 24 East



Total Cut Volume: 4,650cy.

Cross Section B-B

SCALE: 1" = 20'

Notes: Bathymetric Survey completed by HWA, Inc on 11-8-22. Depths reference MLW per DEP MHW Request, MHW = 0.13' NAVD88 MLW = -0.71' NAVD88.

April 30, 2024 11:43:51 a.m.
Drawing: LEE29MASTER.DWG



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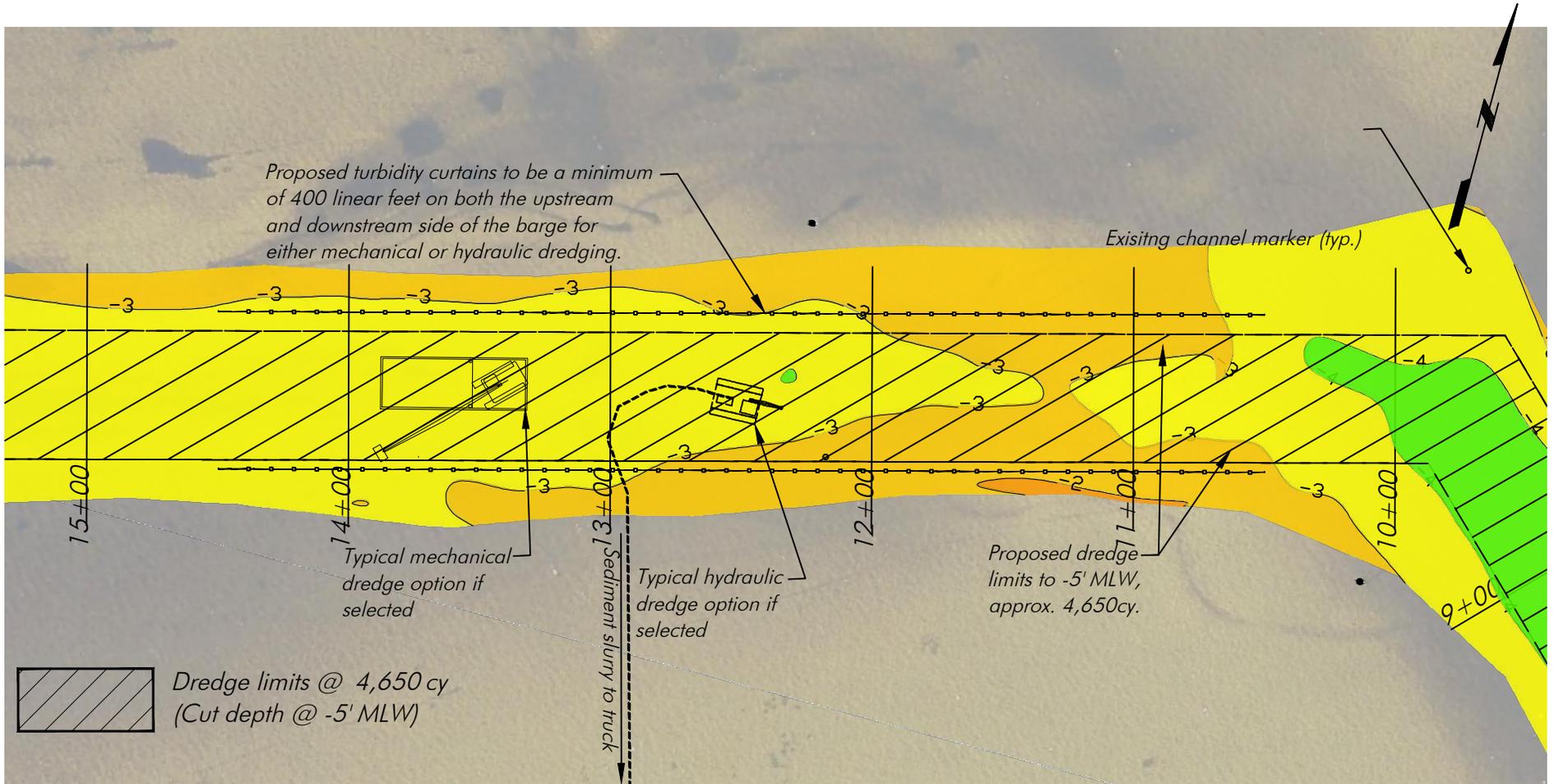
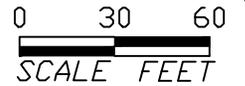
Whiskey Creek

SHEET
11/13

U S Army Corps of Engineers//SAJ-202100311

SECTION: 10
TOWNSHIP: 45 South
RANGE: 24 East

Lee County Aerial 2019



Notes: Property line per Lee County Property Appraiser. Bathymetric Survey completed by HWA, Inc on 11-8-22. Depths reference MLW per DEP MHW Request, MLW = -0.71' NAVD88.

Turbidity Controls

SCALE: 1" = 60'

April 30, 2024 11:43:51 a.m.
Drawing: LEE29MASTER.DWG



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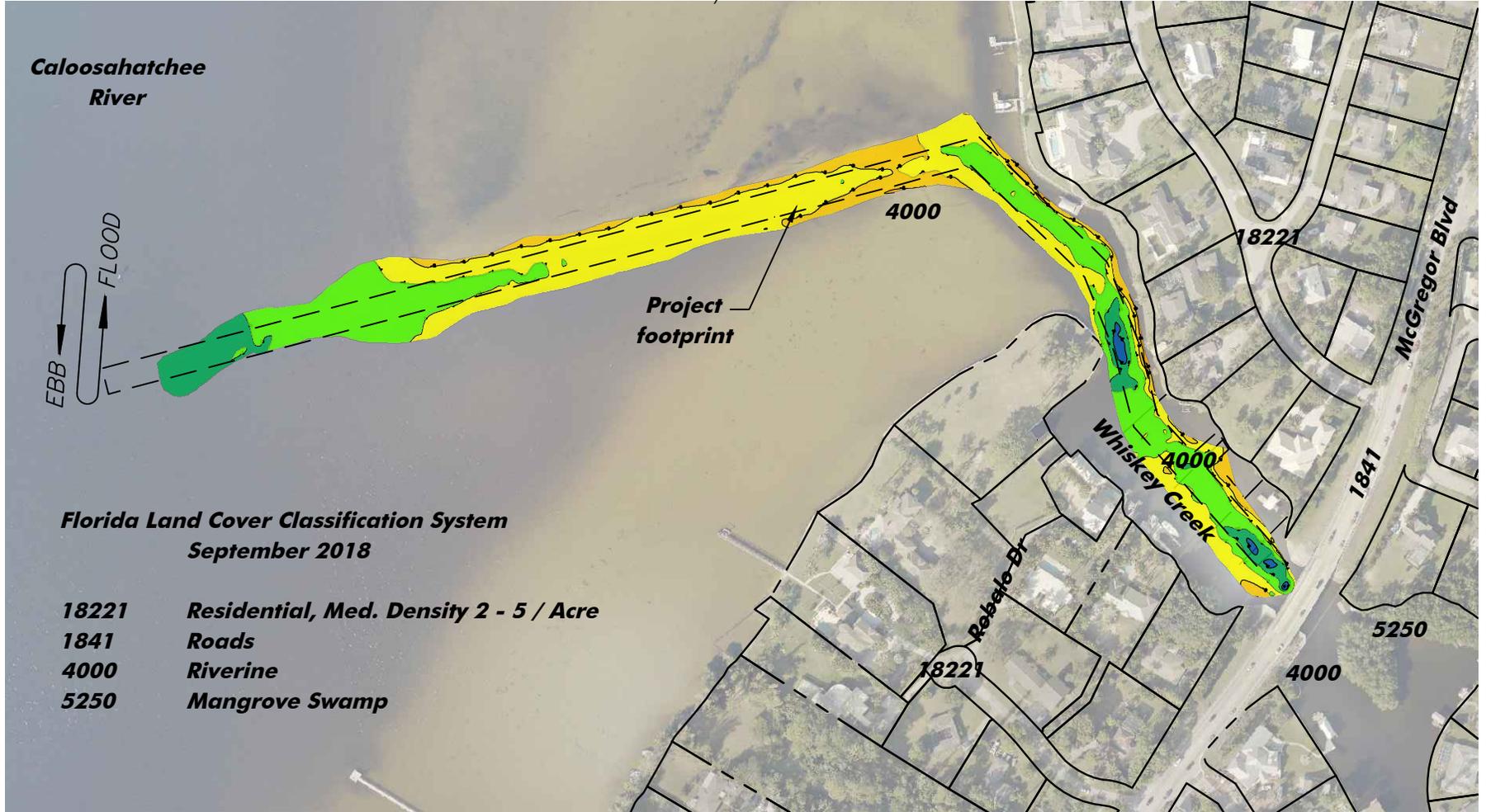
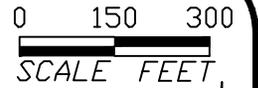
CRY

Whiskey Creek

SHEET
12/13

SECTION: 10
TOWNSHIP: 45 South
RANGE: 24 East

Lee County Aerial 2019



Florida Land Cover Classification System
September 2018

- 18221 Residential, Med. Density 2 - 5 / Acre
- 1841 Roads
- 4000 Riverine
- 5250 Mangrove Swamp

Notes: Property line per Lee County Property Appraiser. Bathymetric Survey completed by HWA, Inc on 11-8-22. Depths reference MLW per DEP MHW Request, MLW = -0.71' NAVD88.

FLUCCS

SCALE: 1" = 300'

April 30, 2024 11:43:51 a.m.
Drawing: LEE29MASTER.DWG



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4-30-24

CRY

Whiskey Creek

SHEET

13/13

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 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.
- 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