



FLORIDA DEPARTMENT OF Environmental Protection

South District
PO Box 2549
Fort Myers FL 33902-2549
SouthDistrict@FloridaDEP.gov

Ron DeSantis
Governor

Alexis A. Lambert
Secretary

CORRECTED

October 22, 2025

West Coast Inland Navigation District (WCIND) ~ Justin McBride
c/o Alexander Pacelko
Cummins Cederberg INC.
111 2nd Ave NE Suite 1100
St. Petersburg, FL 33701
apacelko@CumminsCederberg.com
justin@wcind.net

File No.:Corrected 0151152-006 EE, Sarasota County

Dear Justin McBride:

On April 28, 2025, we received your request for verification of exemption to perform the following activities:

To maintenance dredge approximately 19,700 linear feet with an area of 557,850 square feet, removing approximately 19,141 cubic yards of material within the navigation channel of Phillippi Creek to a previously authorized depth of -4.0 feet mean low water (MLW) by either hydraulic or mechanical dredging, within Phillippi Creek, Class III Waters, Section 22, Township 52 South, Range 26 East, Collier County. Spoil material will be removed, and contained in uplands located at Phillippi Estate Park, 5500 S Tamiami Trail, Sarasota, FL 34231 before being hauled and deposited at a County landfill.

Your request has been reviewed to determine whether it qualifies for (1) a regulatory exemption, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

Your project did not qualify for the federal review portion of this verification request. Specifically, the activity is not covered by the State Programmatic General Permit. Additional authorization must be obtained prior to commencement of the proposed activity. This letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity. Please refer to the specific section(s) dealing with that portion of the review below for advice on how to proceed.

www.floridadep.gov

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

If you have any questions regarding this matter, please contact Andrew Hemmelgarn by telephone at (239) 344-5609 or by e-mail at Andrew.Hemmelgarn@floridadep.gov.

1. Regulatory Review – VERIFIED

Based on the information submitted, the Department has verified that the activity as proposed is exempt under Chapter 62-330.051(7)(a), Florida Administrative Code and Chapter 403.813(1)(f) of the Florida Statutes from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification may not be valid if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. In the event you need to re-verify the exempt status for the activity, a new request and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required.

2. Proprietary Review - GRANTED

The Department acts as staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) and issues certain authorizations for the use of sovereign submerged lands. The Department has the authority to review activities on sovereign submerged lands under Chapters 253 and 258 of the Florida Statutes, and Chapters 18-18, 18-20, and 18-21, Florida Administrative Code, as applicable.

The activity appears to be located on sovereign submerged lands owned by the Board of Trustees. The activity is not exempt from the need to obtain the applicable proprietary authorization. As staff to the Board of Trustees, the Department has reviewed the activity described above, and has determined that the activity qualifies for a letter of consent under Rule 18-21.005(1)(c), Florida Administrative Code, and Section 253.77 of the Florida Statutes to construct and use the activity on the specified sovereign submerged lands and as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein.

During this term of this Letter of consent you shall maintain satisfactory evidence of sufficient upland interest as required by paragraph 18-21.004(3)(b), Florida Administrative Code. If such interest is terminated or the Board of Trustees determines that such interest did not exist on the date of issuance of this Letter of Consent, this Letter of Consent may be terminated by the Board of Trustees at its sole option. If the Board of Trustees terminates this Letter of Consent, you agree not to assert a claim or defense against the Board of Trustees arising out of this Letter of Consent.

Special Consent Conditions

1. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.
2. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.
3. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.
4. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.
5. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.
6. The applicant has proposed to dredge by either hydraulic or mechanical means. The applicant shall notify the department of the selected dredge method prior to commencement of any construction activities. Please notify the department via email at FTMERP_Compliance@dep.state.fl.us.

General Conditions for Authorizations for Activities

All authorizations granted by rule or in writing under Rule 18-21.005, F.A.C., except those for geophysical testing, shall be subject to the general conditions as set forth in paragraphs (a) through (i) below. The general conditions shall be part of all authorizations under this chapter, shall be binding upon the grantee, and shall be enforceable under Chapter 253 or 258, Part II, F.S.

- (a) 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.
- (b) 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.
- (c) 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.
- (d) Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.
- (e) 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.
- (f) 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.
- (g) Structures or activities shall not create a navigational hazard.
- (h) 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.

Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities.

3. Federal Review - SPGP NOT APPROVED

Your proposed activity as outlined on your application and attached drawings does not qualify for Federal authorization pursuant to the State Programmatic General Permit and a SEPARATE permit or authorization shall be required from the Corps. You must apply separately to the Corps using their APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT, ENG FORM 4345, or alternative as allowed by their regulations. More information on Corps permitting may be found online in the Jacksonville District Regulatory Division Source Book at: <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book/>.

Authority for review an agreement with the USACOE entitled “Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection, or Duly Authorized Designee, State Programmatic General Permit”, Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Additional Information

Please retain this letter. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S., and Chapter 18-14, F.A.C.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

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. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing 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, including an explanation of how the alleged facts relate to the specific rules or statutes; 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.
- The petition 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, or via electronic correspondence at Agency_Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 21 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), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).

The failure to file a petition 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, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) 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. If you do not publish notice of this action, this waiver will not apply to persons who have not received written notice of this action.

Extension of Time

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, or via electronic correspondence at Agency_Clerk@dep.state.fl.us, before the deadline for filing a petition for an administrative hearing. 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.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, 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 this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, 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 must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Executed in Fort Myers, Florida

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Toby Schwetje
Environmental Administrator
South District

Enclosures:

25 Project drawings
4 Pages Dredge Method and Material Management
62-330.051(7)(A), F.A.C./ 403.813(1)(f)

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments, including all copies, were sent to the addressee and to the following listed persons:

U.S. Army Corps of Engineers, Tampa Office, tampareg@usace.army.mil

FILING AND ACKNOWLEDGMENT

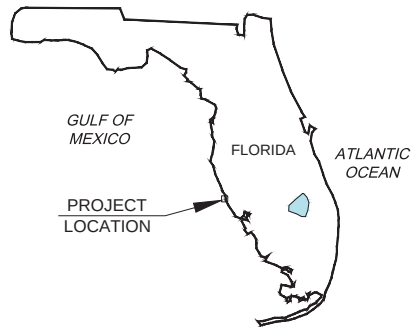
FILED, on this date, pursuant to Section 120.52(7), F.S., with the designated Department clerk, receipt of which is hereby acknowledged.


Clerk

October 22, 2025
Date

PHILLIPPI CREEK MAINTENANCE DREDGING PROJECT

SARASOTA COUNTY, FLORIDA



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CM-1.2	EXISTING BATHYMETRY JANUARY 2025 (2 OF 4)
CM-1.3	EXISTING BATHYMETRY JANUARY 2025 (3 OF 4)
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CM-2.0	PROJECT PLAN VIEW
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OWNER:



SARASOTA COUNTY
PLANNING AND DEVELOPMENT SERVICES,
ENVIRONMENTAL PROTECTION DIVISION
1001 SARASOTA CENTER BLVD
SARASOTA, FL 34240

ENGINEER:

CUMMINS | CEDERBERG
Coastal & Marine Engineering

MIAMI | FORT LAUDERDALE | JUPITER
SARASOTA | ST. PETERSBURG | TALLAHASSEE
201 ALHAMBRA CIRCLE SUITE 601
CORAL GABLES, FL 33134
TEL: +1 305-741-6155 FAX: 305-974-1969
WWW.CUMMINSCEDERBERG.COM
COA #29062

PROJECT SPONSOR:



WEST COAST INLAND NAVIGATION
DISTRICT (WCIND)
200 E. MIAMI AVENUE
VENICE, FL 34285



NOT FOR CONSTRUCTION

PERMIT DRAWINGS
FOR REGULATORY REVIEW ONLY
04/23/2025



THE WORK CONSISTS OF FURNISHING ALL CONSTRUCTION, LABOR, EQUIPMENT AND MATERIALS AND PERFORMING ALL THE DREDGING, DEWATERING, TRANSPORT, AND DISPOSAL OF MATERIAL FROM PHILLIPS CREEK, THE CONTRACT DOCUMENTS, INCLUDING TECHNICAL SPECIFICATIONS.

NO CONSTRUCTION SHALL COMMENCE UNTIL ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN SECURED AND THE CONTRACTOR HAS BEEN ADVISED.

ATTENTION IS DIRECTED TO THE FACT THAT THESE PLANS MAY HAVE CHANGED IN SIZE BY REPRODUCTION. THIS SHOULD BE CHECKED BY THE CONTRACTOR.

IT IS THE INTENT OF THESE PLANS TO BE IN ACCORDANCE WITH APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION.

ANY DISCREPANCIES IN THE PLANS WITH FIELD CONDITIONS SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE CONTRACTOR.

THE WORK INCLUDES THE DREDGING, DEWATERING, TRANSPORT, AND DISPOSAL OF MATERIAL FROM PHILLIPS CREEK. THE CONTRACTOR SHALL BE AWARE THAT THERE ARE MULTIPLE DREDGE AND DISPOSAL AREAS AS IDENTIFIED IN THE CONTRACT DOCUMENTS.

1. BATHYMETRIC SURVEY BY SURVTECH SOLUTIONS, DATED JANUARY 2025
2. HORIZONTAL DATUM UTILIZED FOR THIS PROJECT IS NAD 1983 FLORIDA WEST ZONE, 2011 ADJUSTMENT, U.S. SURVEY FEET.
3. VERTICAL DATUM UTILIZED FOR THIS PROJECT IS NAVD 1988, GEOID CONUS 18.

1. PUBLISHED TIDAL ELEVATIONS ARE SHOWN IN THE CONSTRUCTION PLANS. CONTRACTOR MAY NEED TO ADJUST HIS WORK PLAN TO ACCOUNT FOR ACTUAL WATER LEVELS AND CHANGING WATER LEVELS. THE SITE MAY BE SUBJECT TO VARIABLE WAVE AND SURGE CONDITIONS AND IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE TEMPORARY SUPPORT FOR MARINE STRUCTURES AND SHORELINE DURING CONSTRUCTION. TIDAL DATA OBTAINED FROM NOAA STATION 8726384 PORT MANATEE, FLORIDA

1. POTENTIAL DEBRIS OR DISPLACED ROCKS IN THE DREDGING FOOTPRINT SHALL BE REMOVED.

2. DEBRIS AND ROCKS REMOVED FROM THE DREDGED AREA SHALL BE REMOVED FROM THE WATER. DISPOSAL SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND USER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE FOLLOWING:

3. CONTRACTOR TO CONDUCT PRE-CONSTRUCTION HYDROGRAPHIC SURVEY OF DREDGING AND PLACEMENT AREAS AS WELL AS CONTRACT PAYMENT SURVEYS.

4. A TOWING OPERATOR SHALL BE CONDUCTED "ON THE HIP" OR WITH FLOATING LINES TO PREVENT TOW CABLE DRAGS AND IMPACTS TO MARINE RESOURCES.

5. THE REMOVAL OF HARD MATERIAL IS NOT ALLOWED.

6. MATERIAL TO BE DREDGED OR PUMPED FROM DREDGED AREA TO DESIGNATED AND APPROVED DISPOSAL SITE AS DIRECTED BY APPROVED PERMITS.

7. THE PROSECUTION OF WORK SHALL ENSURE THE STABILITY OF PIERS, BULKHEADS, AND OTHER STRUCTURES LYING ON OR ADJACENT TO THE SITE OF THE WORK, INsofar AS STRUCTURES MAY BE JEOPARDIZED BY DREDGING OPERATIONS. REPAIR OR REPLACING OF SUCH STRUCTURES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL DETERMINE THE LOCATION AND DEPTH OF DREDGING, OR BOTH, FROM THAT INDICATED OR PERMITTED UNDER THE CONTRACT.

8. THE MATERIAL REMOVED WILL BE MEASURED BY CUBIC YARD IN PLACE, BY MEANS OF SOUNDINGS TAKEN BEFORE AND AFTER THE DREDGING. THE DREDGING CONTRACTOR SHALL EXISTING CONDITIONS BASED ON THE DATA AVAILABLE. VARIATIONS MUST BE VERIFIED AND CORRECTED, IF NECESSARY, BY SOUNDINGS TAKEN BEFORE DREDGING IN EACH LOCATION. SOUNDINGS WILL BE TAKEN BY 200 KH SURVEY FATHOMETER, AS DETERMINED BY THE ENGINEER. RESULTS OF SOUNDINGS WILL BE USED TO CONFIRM DREDGING TO THE REQUIRED DEPTH.

9. PILES AND NAVIGATIONAL MARKERS TO BE TEMPORARILY REMOVED AND REINSTALLED AS REQUIRED.

1. SPOIL MATERIAL WILL BE DE-WATERED ON SITE WHILE SURROUNDED BY EROSION CONTROL DEVICES (SUCH AS BERMS OR HAY BALES). THE HANDLING AND STORAGE OF THE SPOIL MATERIAL WILL BE COMPLETED IN A MANNER THAT PREVENTS POLLUTION, EROSION, OR OTHER ADVERSE EFFECTS TO THE ENVIRONMENT.
2. THE CONTRACTOR SHALL SUBMIT A TURBIDITY CONTROL PLAN FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION IN ACCORDANCE WITH TECHNICAL SPECIFICATIONS AND REGULATORY PERMITS.
3. TURBIDITY CURTAINS SHALL BE INSTALLED TO MINIMIZE TURBIDITY AS APPLICABLE TO THE PROJECT AND THE PROJECT'S ENVIRONMENT. TURBIDITY CURTAINS SHALL BE DEPLOYED AT THE SPOIL MATERIAL DISPOSAL LOCATIONS IN ACCORDANCE WITH THE APPROVED ENVIRONMENTAL PERMITS.
4. TURBIDITY CURTAINS SHALL BE INSTALLED TO TURBIDITY CURTAINS AS APPLICABLE AS SHOWN WITHIN THE PROJECT TURBIDITY CONTROL LIMITS WITH A FLOATING CURTAIN LENGTH FOR EFFICIENT PRODUCTION WITH HYS DREDGE PLANT AND ASSOCIATED FLOATING EQUIPMENT. THESE PHASED TURBIDITY CURTAIN MEASURES WILL BE RELOCATED AS THE PROJECT PROGRESSES THROUGHOUT THE PROJECT. THE CONTRACTOR SHALL MAINTAIN THE TURBIDITY CURTAINS AT ALL TIMES TO THE FULL LENGTH. TURBIDITY CURTAINS ON THIS PLAN IS PROVIDED FOR ORIENTATION ONLY AND THE CONTRACTOR SHALL SPECIFY HIS PREFERRED LENGTH OF TURBIDITY CURTAIN, CURTAIN AND PHASING PLAN IN ACCORDANCE WITH REGULATORY PERMITS.
5. TURBIDITY CURTAINS SHALL NOT BE RELOCATED TO THE DISCHARGE SITE UNTIL LEVELS WITHIN SPACING ARE ENCLOSED AREA RETURN TO BACKGROUND LEVELS OUTSIDE THE CURTAINS.
6. TURBIDITY CURTAINS SHALL BE FLOATING WITH WEIGHTED STRIPS THAT EXTEND TO WITHIN 1 FOOT OF THE SEA BOTTOM.
7. TURBIDITY CURTAINS SHALL BE SECURED WITH TEMPORARY STEEL OR ALUMINUM PILING AT SUFFICIENT SPACING TO MAINTAIN CURTAIN FUNCTION. CURTAINS SHALL BE MAINTAINED AND NON-ANCHORED TO PREVENT CURTAIN ELEMENTS.
8. CONTRACTOR TO PROVIDE TURBIDITY MONITORING IN ACCORDANCE WITH REGULATORY PERMITS.
9. PROTECTION PERSONNEL SHALL OBSERVE ANY ESA-SPECIES OF SPECIES OR MARINE MAMMALS. IF ANY INTERACTION OCCURS, THE ACTIVITY WILL BE OBSERVED AND DOCUMENTED. ANY INTERACTION WILL BE OBSERVED AND WILL OPERATE AT "LOW SPEEDING WAKE" AT ALL TIMES WHILE OPERATING IN WATER DEPTHS WITH LESS THAN 4-FOOT CLEARANCE, OR IF A PROTECTED SPECIES HAS BEEN OBSERVED. ALL VESSELS WILL FOLLOW MARKED CHANNEL ROUTES. OPERATION OF MECHANICAL EQUIPMENT SHALL BE LIMITED TO THE NEAREST 100 FEET OF THE CURTAIN. ANY USE OF CONSTRUCTION EQUIPMENT SHALL BE LIMITED TO THE NEAREST 100 FEET OF THE CURTAIN. ANY USE OF CONSTRUCTION EQUIPMENT SHALL BE LIMITED TO THE NEAREST 100 FEET OF THE CURTAIN AND SHALL REMAIN ONLY WHEN THE SPECIES HAS LEFT THE AREA OF ITS OWN VOLITION.
10. THE CONTRACTOR SHALL NOT ANCHOR, PLACE PIPELINE, OR STAGE EQUIPMENT IN A MANNER THAT WILL CAUSE ANY DAMAGE TO SENSITIVE AREAS. ANY DAMAGE TO SENSITIVE AREAS WILL BE REPORTED IMMEDIATELY TO THE AGENCY. ANY DAMAGE DONE WITHOUT AFFECTING THESE SENSITIVE AREAS, THE ACTIVITIES SHALL CEASE AND THE ENGINEER SHALL BE IMMEDIATELY NOTIFIED NO LATER THAN THE MORNING FOLLOWING THE NEXT WORKING DAY IF THE INCIDENT OCCURS AFTER NORMAL WORKING HOURS. ANY ACTUAL OR POTENTIAL INCIDENT INVOLVING DAMAGE TO, OR DISTURBANCE OF, SEAGRASSES SHALL BE REPORTED.
11. REMOVAL OF MARINE DEBRIS SHALL REQUIRE VISUAL CONFIRMATION (E.G., DIVERS, SWIMMERS, AND CAMERA) THAT THE ITEM IS REMOVED FROM THE HABITAT.
12. MARINE DEBRIS SHALL BE LIFTED STRAIGHT UP AND NOT BE DRAGGED THROUGH SEAGRASS BEDS, CORAL REEFS, CORAL OR HARD BOTTOM HABITATS. TRAWLING ALSO CANNOT BE USED AS A MEANS OF MARINE DEBRIS REMOVAL. DEBRIS SHALL BE IMMEDIATELY DISPOSED OF IN AN APPROPRIATE MANNER IN ACCORDANCE WITH THE APPLICABLE FEDERAL AND STATE REQUIREMENTS. ANY EQUIPMENT USED TO REMOVE DEBRIS SHALL NOT DISTURB THE SEAFLOOR.

1. FDEP, USACE, AND LOCAL PERMITS COVER THE PROJECT. ALL CONDITIONS OF THE PERMITS, AND EXEMPTIONS SHALL BE ADHERED TO.

ASTM	AMERICAN SOCIETY FOR TESTING AND MATERIALS
CONT	CONTINUOUS
CONTD	CONTINUED
FDEP	FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
FDOT	FLORIDA DEPARTMENT OF TRANSPORTATION
KSI	KIPS PER SQUARE INCH
MHW	MEAN HIGH WATER
MHHW	MEAN HIGHER HIGH WATER
MIN	MINIMUM
MLW	MEAN LOW WATER
MLLW	MEAN LOWER LOW WATER
MSL	MEAN SEA LEVEL
NAVD	NORTH AMERICAN VERTICAL DATUM
NGVD	NATIONAL GEODETIC VERTICAL DATUM
PERA	PERMITTING, ENVIRONMENT, AND REGULATORY AFFAIRS
PSI	POUNDS PER SQUARE INCH
TYP	TYPICAL
USACE	UNITED STATES ARMY CORPS OF ENGINEERS

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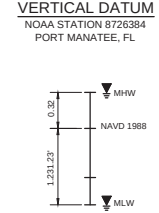
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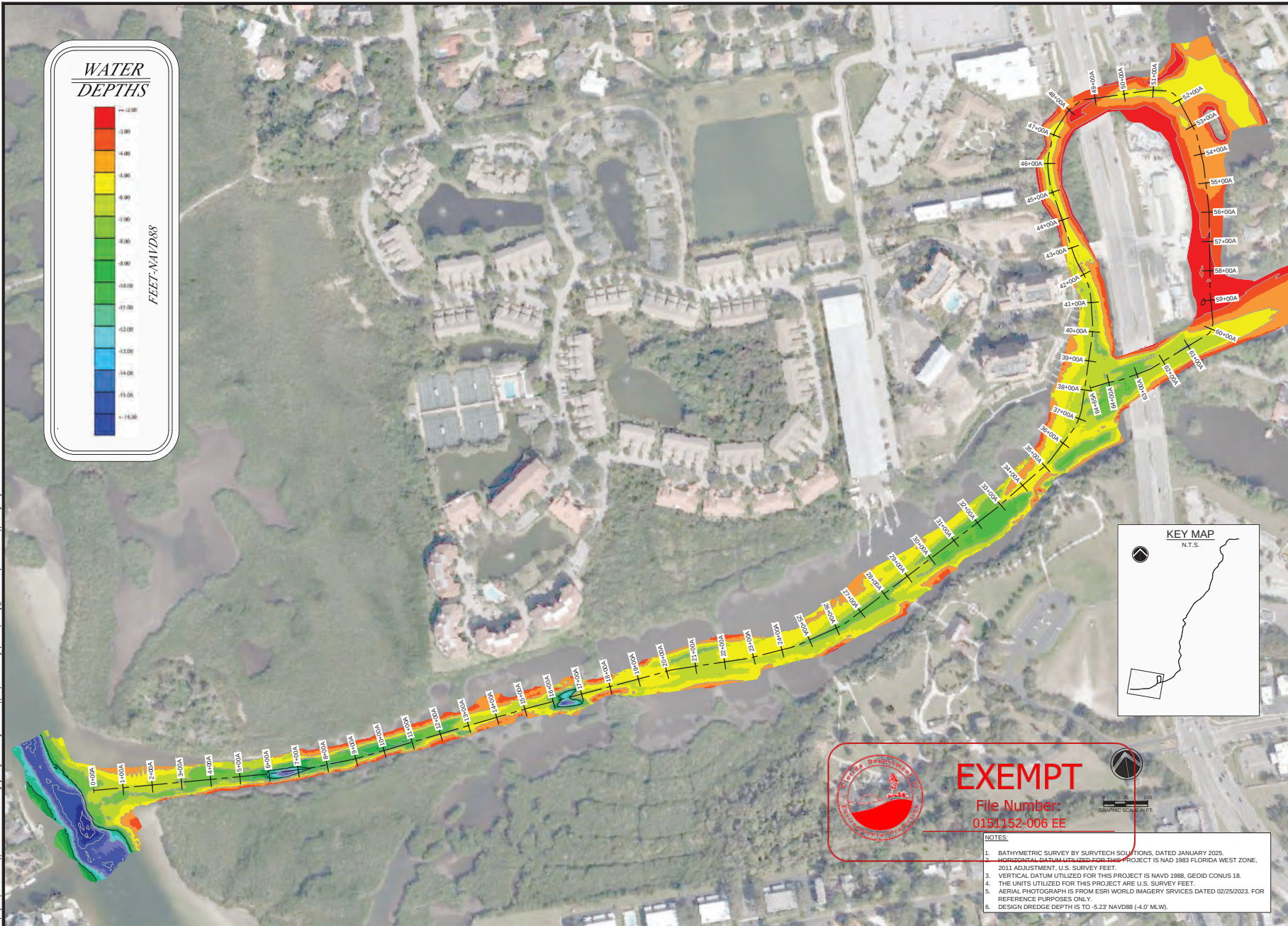
GENERAL NOTES

CM-1.0



EXEMPT
File Number:
0151152-006 EE



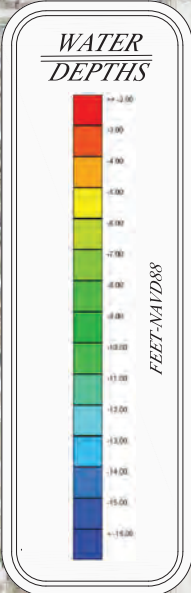
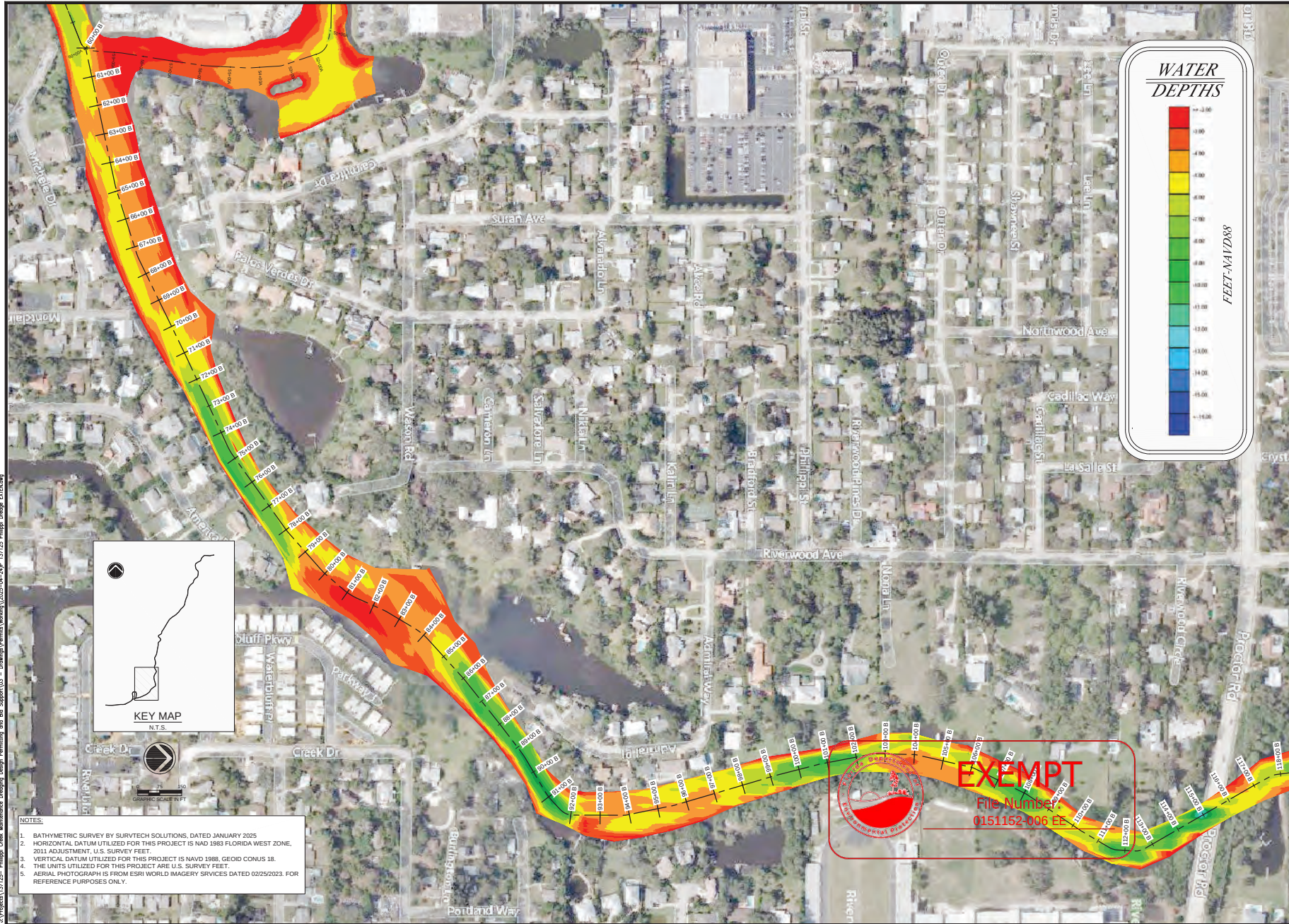


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WWW.CUMMINSCEDERBERG.COM
COA # 29062

CM-1.1

File Number:
0151152-006 EE

- NOTES**
1. BATHYMETRIC SURVEY BY SURVTECH SOLUTIONS, DATED JANUARY 2025.
 2. HORIZONTAL DATUM UTILIZED FOR THIS PROJECT IS NAD 1983 FLORIDA WEST ZONE, 2011 ADJUSTMENT, U.S. SURVEY FEET.
 3. VERTICAL DATUM UTILIZED FOR THIS PROJECT IS NAVD 1988, GEOID CONUS 18.
 4. THE UNITS UTILIZED FOR THIS PROJECT ARE U.S. SURVEY FEET.
 5. AERIAL PHOTOGRAPH IS FROM ESRI WORLD IMAGERY SERVICES DATED 02/25/2023. FOR REFERENCE PURPOSES ONLY.
 6. DESIGN DREDGE DEPTH IS TO -5.23' NAVD88 (-4.0' MLW).



PROJECT:
PHILLIPPI CREEK
MAINTENANCE
DREDGING PROJECT

ADDRESS:
SARASOTA, FL

CLIENT:
WEST COAST INLAND
NAVIGATION DISTRICT

ADDRESS:
200 E. MIAMI AVE.
VENICE, FL 34285

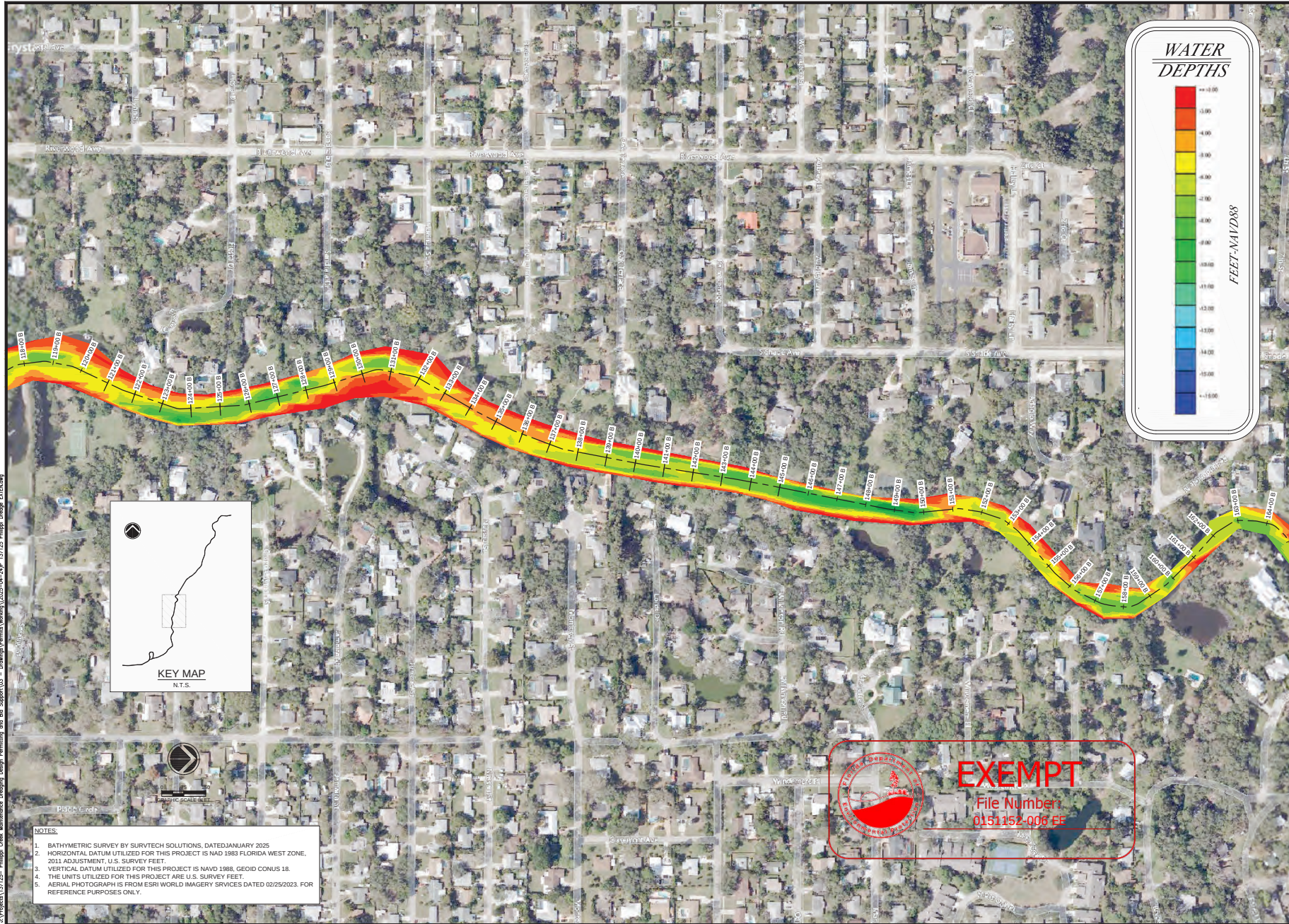
ENGINEER:
CUMMINS CEDERBERG
COASTAL & MARINE ENGINEERING

201 ALHAMBRA CIR # 603
CORAL GABLES, FLORIDA 33134
TEL: +1 305 741-6155 FAX: +1 305-974-1969
WWW.CUMMINSCEDERBERG.COM
COA # 29062

SEAL:

ISSUE	DATE	PERMIT DRAWINGS	SUBMISSION	REVISION
1.	04/07/2025			

CC PROJECT NO: 137125
DRAWN: GK
CHECKED: KJFB
SCALE: REFERS TO 22X34 SHEET
SHEET TITLE: EXISTING BATHYMETRY JANUARY 2025
CM-1.2



PROJECT:
PHILLIPPI CREEK
MAINTENANCE
DREDGING PROJECT

ADDRESS:
SARASOTA, FL

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NAVIGATION DISTRICT

ADDRESS:
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ENGINEER:
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COA # 29062

SEAL:

ISSUE	DATE	PERMIT DRAWINGS	SUBMISSION
1	04/07/2025		

CC PROJECT NO: 137125

DRAWN: GK

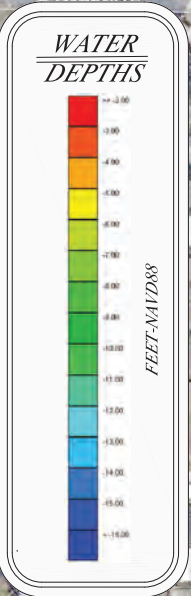
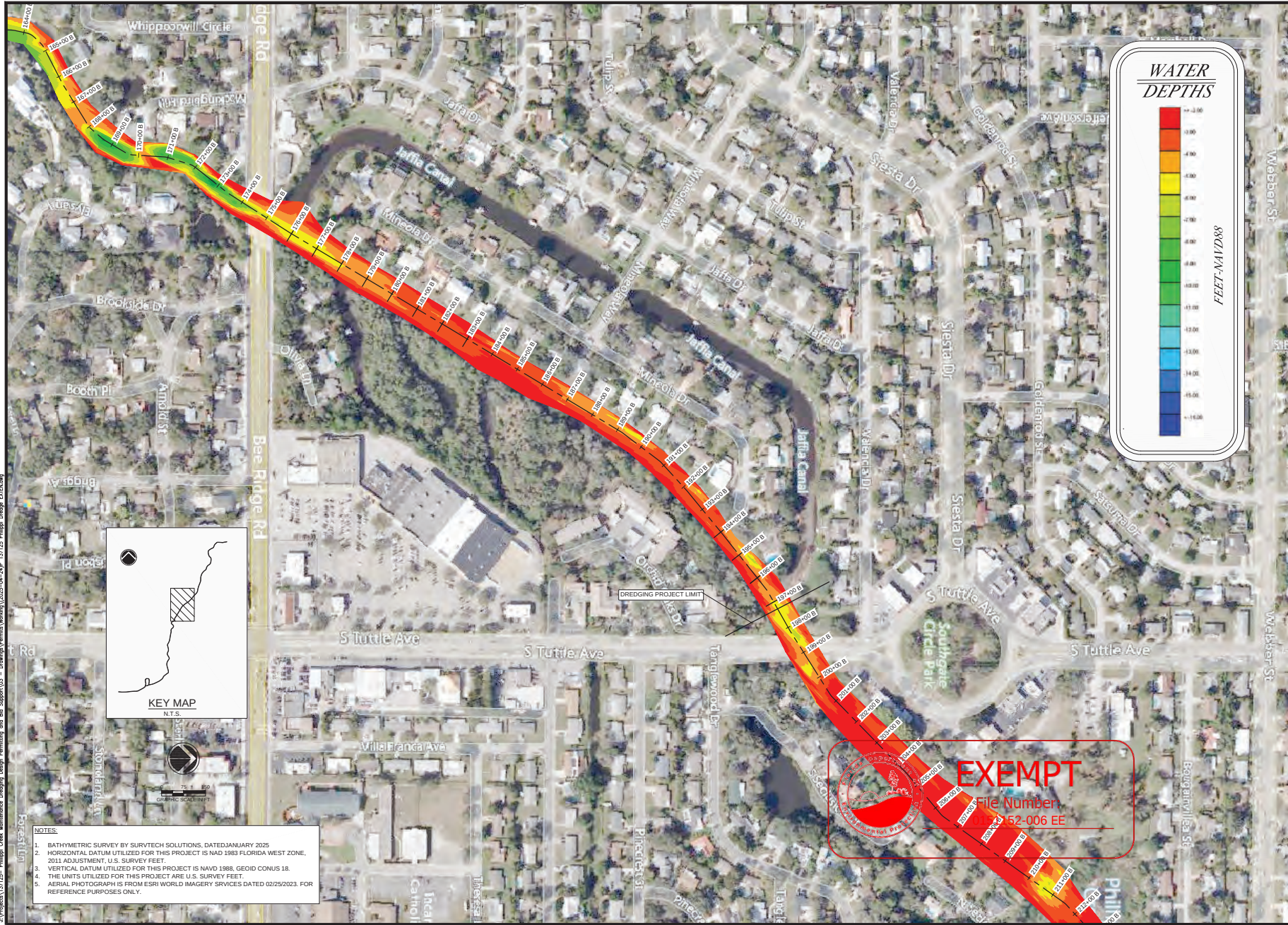
CHECKED: KJJB

SCALE: REFERS TO 22X34 SHEET

SHEET TITLE:
EXISTING
BATHYMETRY
JANUARY 2025

CM-1.3

J:\Projects\137125- Phillip Creek Maintenance Design Permitting and BE Support\03 - Drawings\Permitting\Working\2025-04-24\137125 Phillip Creek Design DTD.dwg



PROJECT:
PHILLIPPI CREEK
MAINTENANCE
DREDGING PROJECT

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SARASOTA, FL

CLIENT:
WEST COAST INLAND
NAVIGATION DISTRICT

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WWW.CUMMINSCEDERBERG.COM
COA # 29062

SEAL:

ISSUE	DATE	PERMIT DRAWINGS	SUBMISSION
1	04/07/2025		

CC PROJECT NO: 137125
DRAWN: GK
CHECKED: KJJB
SCALE: REFERS TO 22X34 SHEET

SHEET TITLE
EXISTING
BATHYMETRY
JANUARY 2025

CM-1.4

J:\Projects\137125 - Phillippi Creek Maintenance Design\Design Permitting and BE Support\03 - Drawings\Permitting\0205-04-24P 137125 Phillippi Design 137125.dwg

GEOTECHNICAL BORINGS				
BORING ID	BOTTOM OF BORING ELEV. (FT. MLW)	LAT	LONG	NOTES
PC-24-01	-7.8	27.2713712	-082.26364077	
PC-24-02	-7.1	27.2714540	-082.5347875	
PC-24-03	-5.2	27.2726423	-082.5319393	ENCOUNTERED REFUSAL IN SHELLS WITH CLAY
PC-24-04	-6.6	27.2740996	-082.5310028	
PC-24-05	-4.2	27.2753163	-082.5312348	MADE TWO ATTEMPTS, ENCOUNTERED REFUSAL ON ROCK FRAGMENTS/LIMESTONE
PC-24-06	-4.7	27.2757735	-082.5297122	
PC-24-07	-4.2	27.2748293	-082.5297080	ENCOUNTERED REFUSAL
PC-24-08	-5.0	27.2740147	-082.8297819	

EXEMPT

File Number:
0151152-006 EE

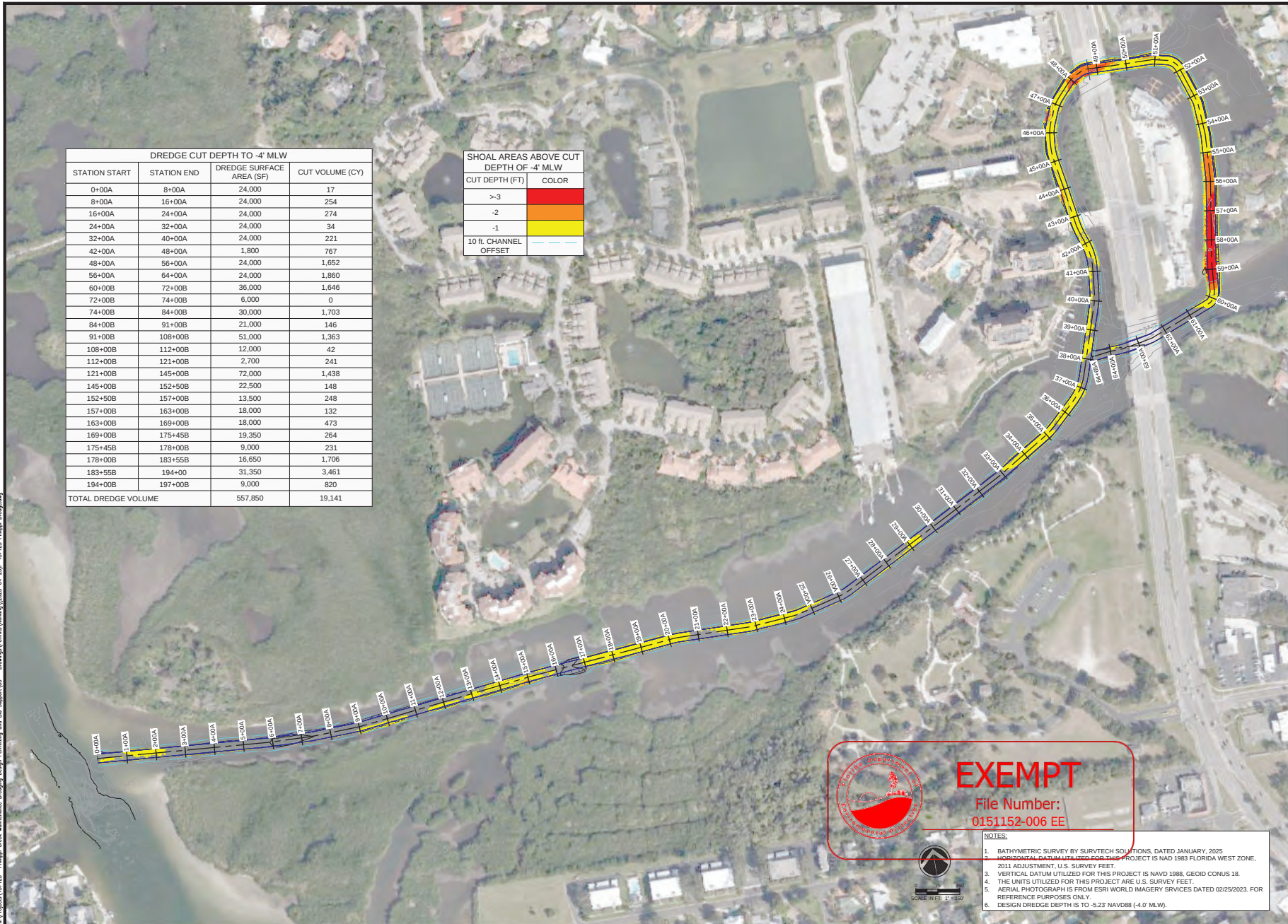
NOTES:

1. BATHYMETRIC SURVEY BY SURVTECH SOLUTIONS, DATED JANUARY, 2025.
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6. DESIGN DREDGE DEPTH IS TO -5.23' NAVD88 (-4.9' MLW).

CM-1.5

\\Projects\137125- Phillippi Creek Maintenance Dredging Design Permitting and Bid Support\03 - Drawings\Permits\Working\2025-04-23\p 137125 Phillippi Dredging.dwg

SHOAL AREAS ABOVE CUT DEPTH OF -4' MLW	
CUT DEPTH (FT)	COLOR
>-3	Red
-2	Orange
-1	Yellow
10 ft. CHANNEL OFFSET	Blue



PROJECT:
PHILLIPPI CREEK
MAINTENANCE
DREDGING PROJECT

ADDRESS:
SARASOTA, FL

CLIENT:
WEST COAST INLAND
NAVIGATION DISTRICT

ADDRESS:
200 E. MIAMI AVE.
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ENGINEER:
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CANAL & MARINE ENGINEERING

201 ALHAMBRA CIR # 601
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TEL. +1 305 741-6155 FAX +1 305-974-1969
WWW.CUMMINS-CEDERBERG.COM
COA # 29062

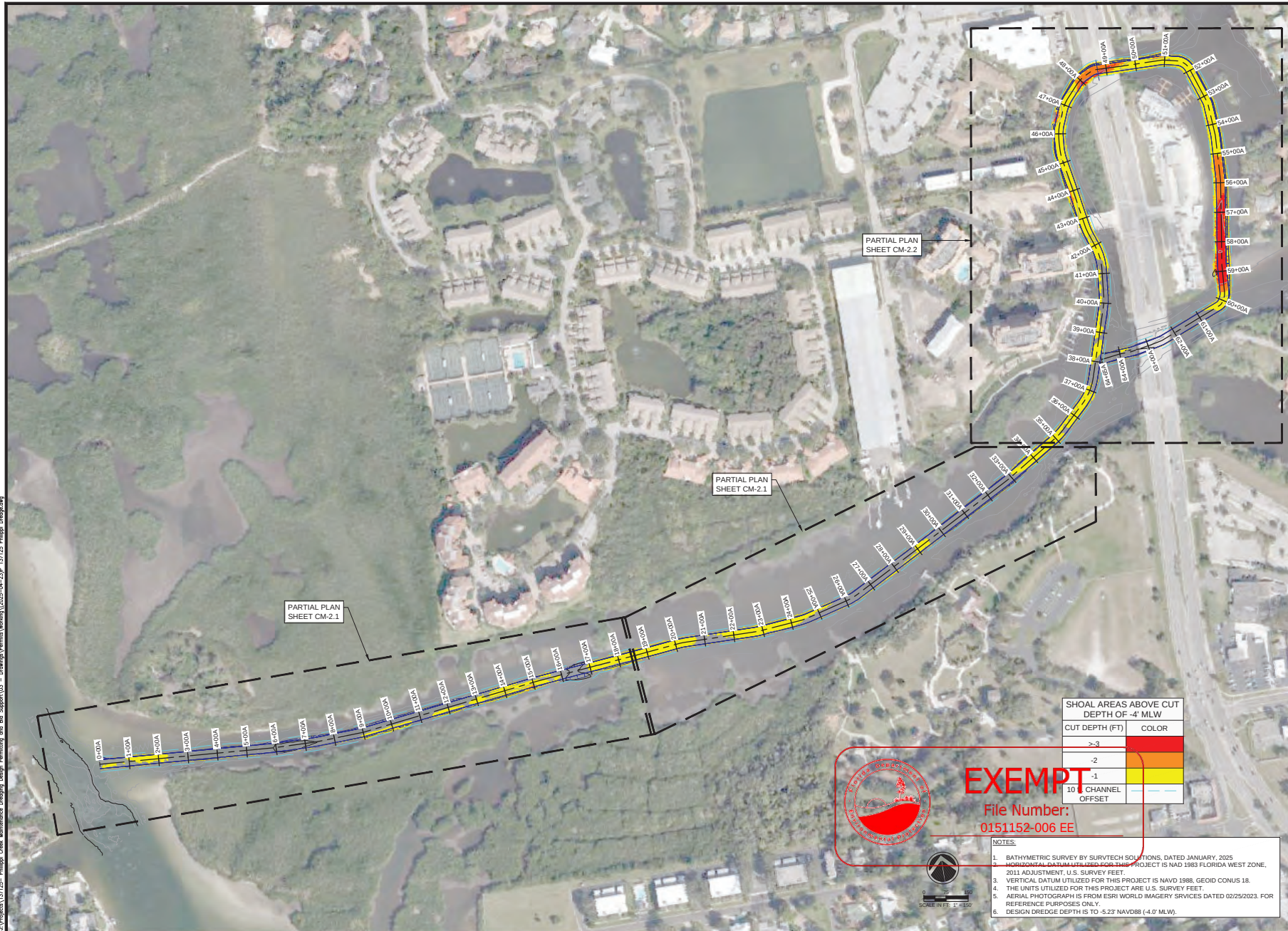
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CC PROJECT NO:	137125
DRAWN	GK
CHECKED	KF/JB
SCALE	REFERS TO 22X34 SHEET
SHEET TITLE	

PROPOSED CHANNEL CUT DEPTHS

CM-2.1

J:\Projects\17125 - Phillip Creek Maintenance Dredging Design Permitting and BE Support\03 - Drawings\Permitting\Working\2025-04-23P 17125 Phillip Dredging.dwg



PROJECT:
PHILLIPPI CREEK
MAINTENANCE
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COASTAL & MARINE ENGINEERING

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COA # 29062

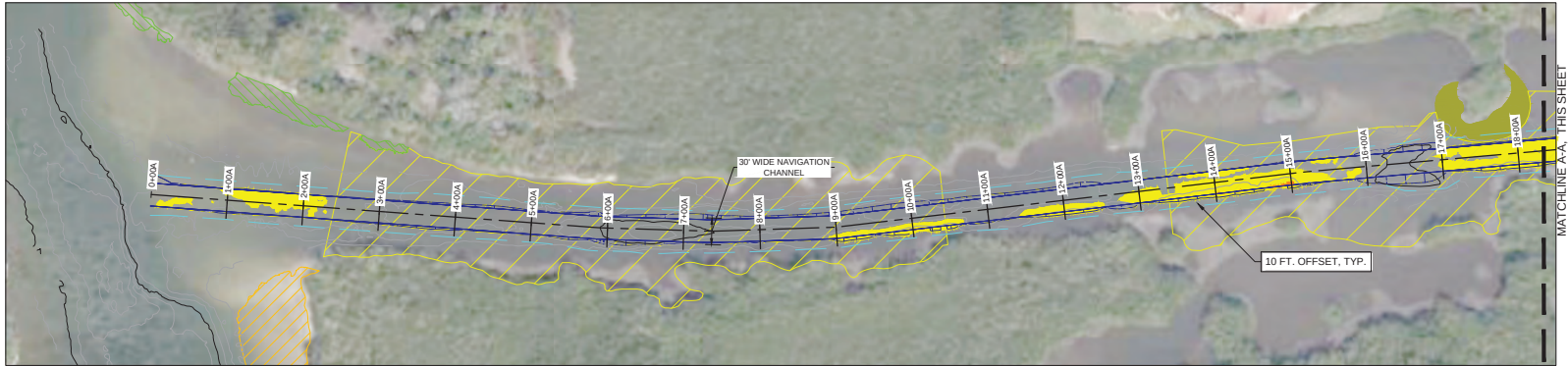
SEAL:

DATE	ISSUE	REVISION
10/07/2025	1	PERMIT DRAWINGS

CC PROJECT NO: 137125
DRAWN: GK
CHECKED: KFUJ
SCALE: REFERS TO 22X34 SHEET
SHEET TITLE: MARINE RESOURCES PLAN VIEW

CM-2.5

J:\Projects\137125 - Phillip Creek Maintenance Dredging Design Permitting and BE Support\03 - Drawings\Permitting\Working\0202-04-23P - 137125 Phillip Dredging



SEAGRASSES LEGEND	
	Oyster Bed
	Oyster/Shell Hash Area
	Oyster Patch, Size (ft²)
	5-10
	20-50
	Oyster Patch Species, Size (ft²)
	Halophila decipiens, 0-1
	Halophila decipiens, 1-5
	Halophila decipiens, 10-20
	Halodule wrightii, 0-1
	Halodule wrightii, 1-5
	Halodule wrightii, 5-10
	Seagrass Bed Species Coverage
	Halodule wrightii, ~30%
	Halodule wrightii and Halophila engelmannii, ~10-30%
Resources Impacted by Prop. Dredging	
Oyster Bed = 362 ft²	
Oyster/Shell Hash = 29,663 ft²	
Oyster Patch = 69 ft²	
Seagrasses = 25 ft²	

SHOAL AREAS ABOVE CUT DEPTH OF -4' MLW	
CUT DEPTH (FT)	COLOR
>-3	Red
-2	Orange
-1	Yellow
10 ft. CHANNEL OFFSET	Blue



EXEMPT

File Number:
0151152-006 EE



NOTES:

1. BATHYMETRIC SURVEY BY SURVEY SOLUTIONS, DATED JANUARY, 2025.
2. HORIZONTAL DATUM: NAD 83 FLORIDA WEST ZONE, 2011 ADJUSTMENT, U.S. SURVEY FEET.
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COA # 29062

SEAL:

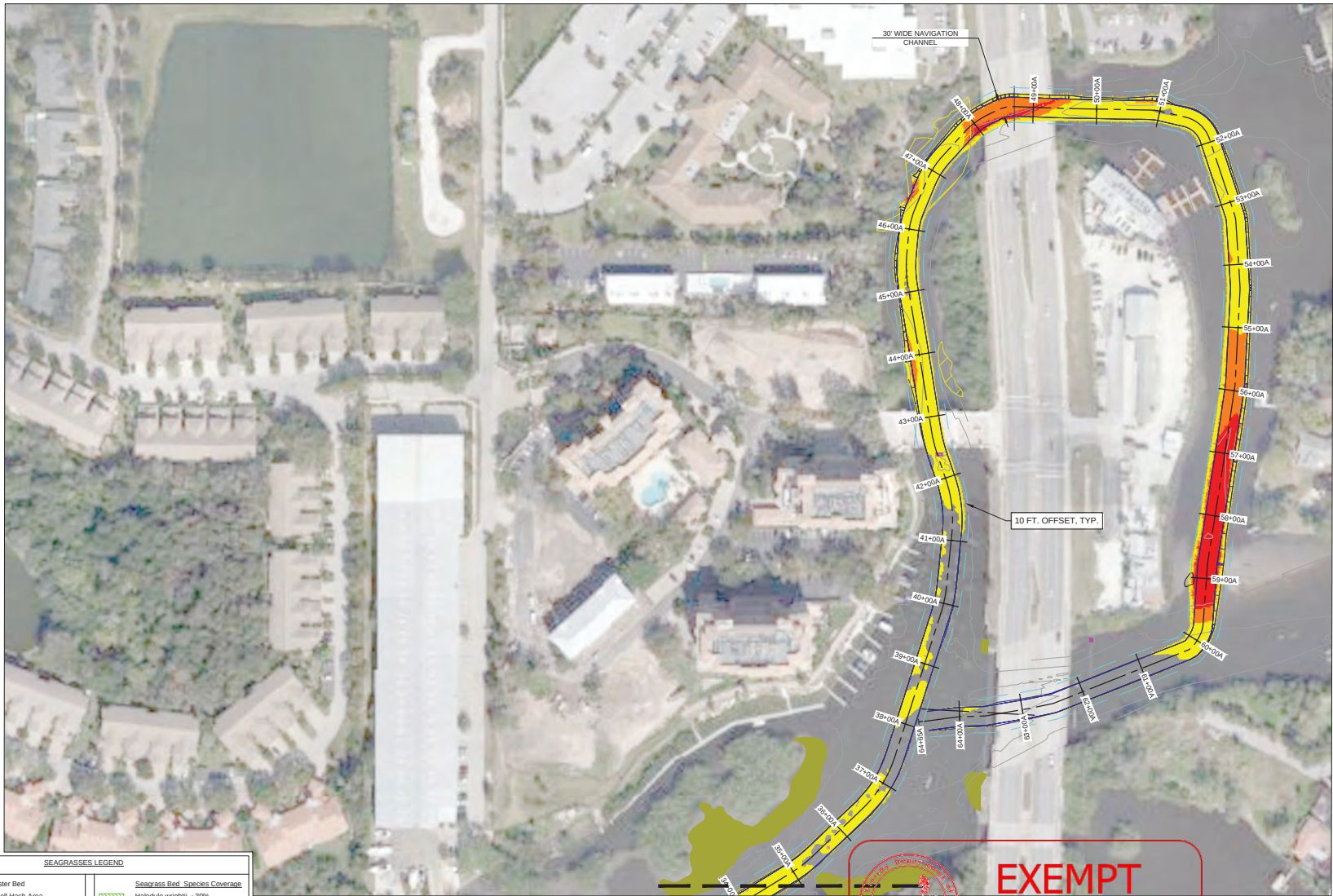
ISSUE	DATE	PERMIT DRAWINGS	SUBMISSION / REVISION
1	04/07/2025		

CC PROJECT NO:	137125
DRAWN	GK
CHECKED	KFJB
SCALE	REFERS TO 22X34 SHEET

SHEET TITLE
PROPOSED CHANNEL CUT
DEPTHS & MARINE
RESOURCES PARTIAL
PLANS

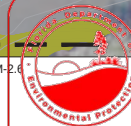
CM-2.6

J:\Projects\137125 - Phillip Creek Maintenance Design\Design Permitting and BE Support\03 - Drawings\Permitting\Working\0202-04-23P-137125-Phillip Dredging.dwg



SEAGRASSES LEGEND	
 Oyster Bed	 Seagrass Bed Species Coverage
 Oyster/Shell Hash Area	
 Oyster Patch Size (ft²)	 Halodule wrightii and Halophila engelmannii, ~10-30%
 5-10	 Resources Impacted by Prop. Dredging
 20-50	
 Seagrass Patch Species Size (ft²)	Oyster Bed = 362 ft²
 Halophila decipiens, 0-1	Oyster/Shell Hash = 29,663 ft²
 Halophila decipiens, 1-5	Oyster Patch = 69 ft²
 Halophila decipiens, 10-20	Seagrasses = 25 ft²
 Halodule wrightii, 0-1	
 Halodule wrightii, 1-5	
 Halodule wrightii, 5-10	

SHOAL AREAS ABOVE CUT DEPTH OF -4' MLW	
CUT DEPTH (FT)	COLOR
>-3	Red
-2	Orange
-1	Yellow
10 ft. CHANNEL OFFSET	Blue



EXEMPT

File Number:
0151152-006 EE



NOTES:

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ENGINEER:
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TEL: +1 305 741-6155 FAX: +1 305-974-1969
WWW.CUMMINSCEDERBERG.COM
COA # 29062

SEAL:

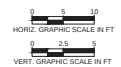
DATE	REVISION
1. 04/07/2025	PERMIT DRAWINGS
	SUBMISSION

CC PROJECT NO:	137125
DRAWN	GK
CHECKED	KFJB
SCALE	REFERS TO 22X34 SHEET

SHEET TITLE
PROPOSED CHANNEL CUT
DEPTHS & MARINE
RESOURCES PARTIAL
PLANS

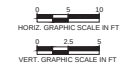
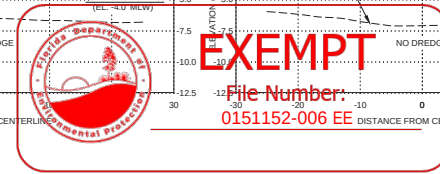
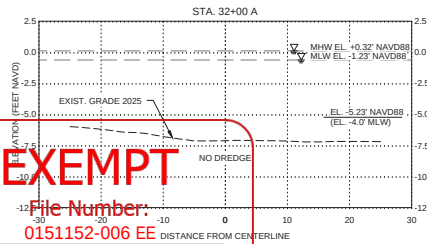
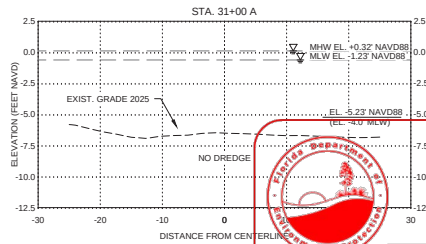
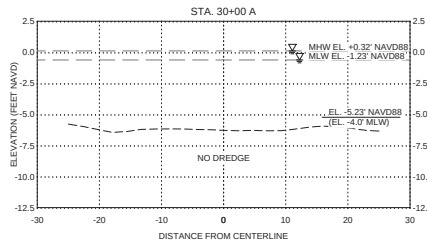
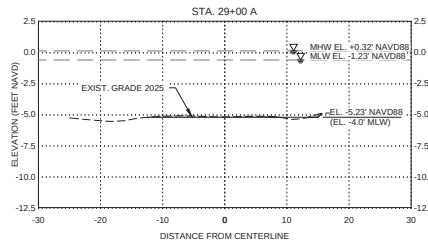
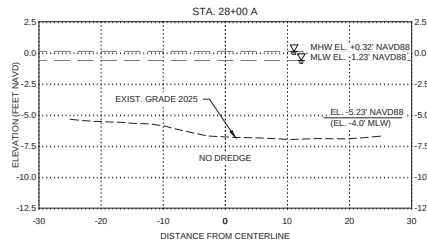
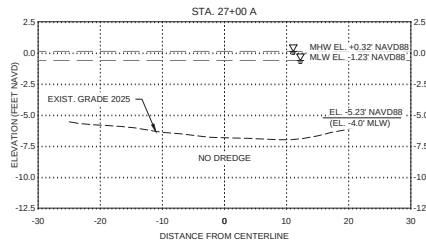
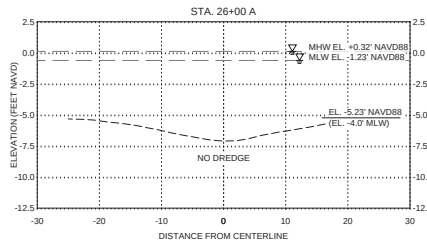
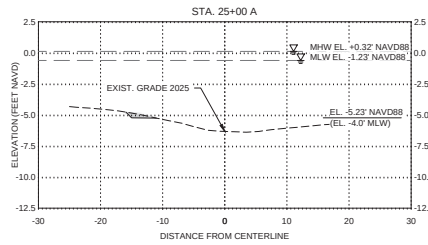
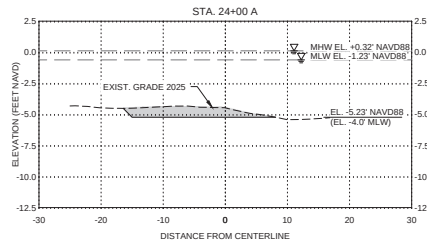
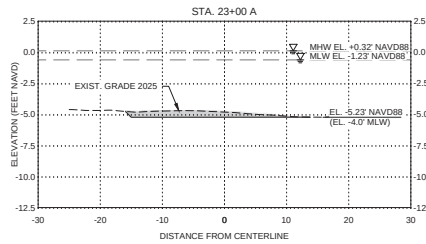
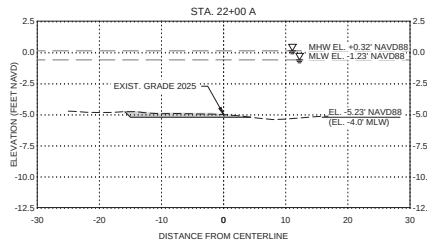
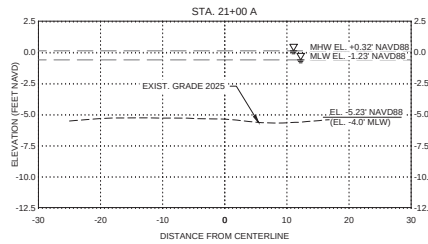
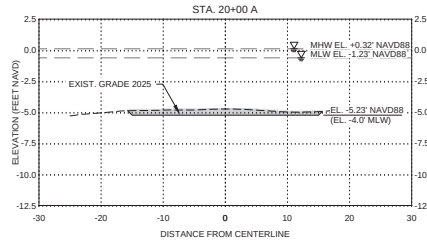
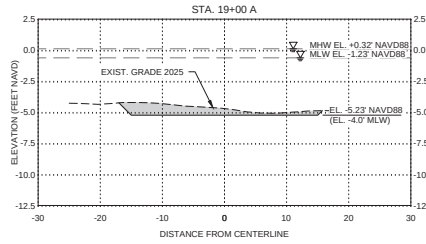
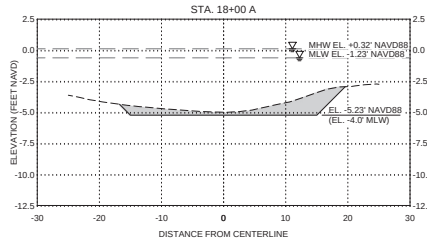
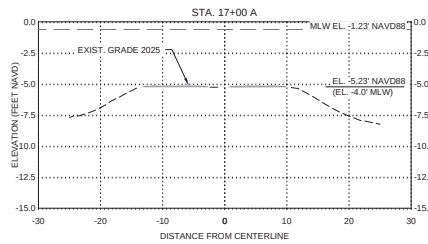
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201 ALHAMBRA CIR # 601
CORAL CABLES, FLORIDA 33134
TEL: +1 305 741-6155 FAX: +1 305-974-1969
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COA # 29062



CM-2.8

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PROJECT:
PHILLIPPI CREEK
MAINTENANCE
DREDGING PROJECT

ADDRESS:
SARASOTA, FL

CLIENT:
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ENGINEER:
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COA # 29062

SEAL:

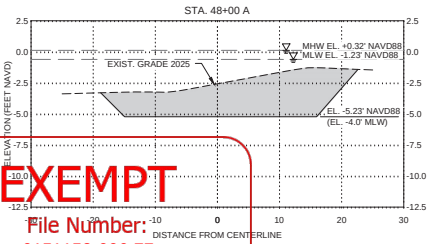
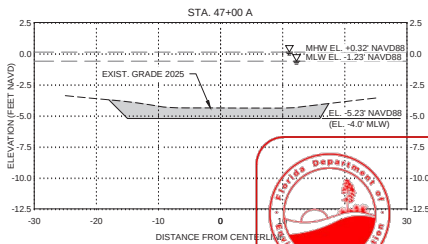
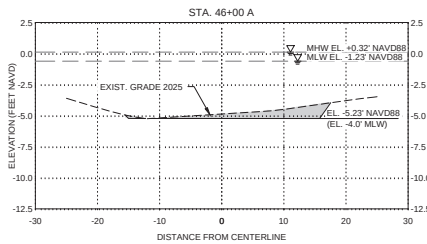
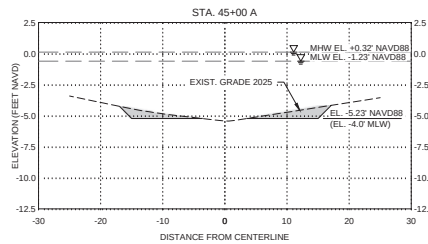
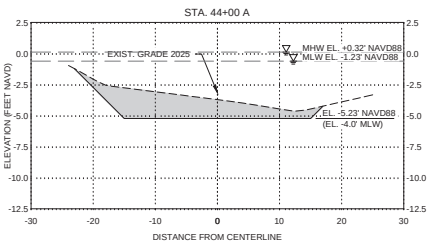
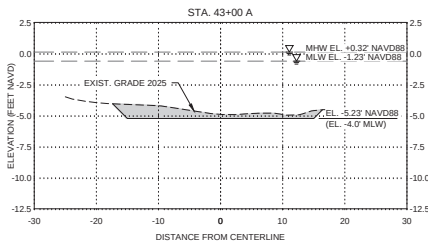
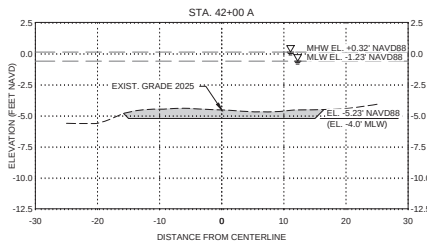
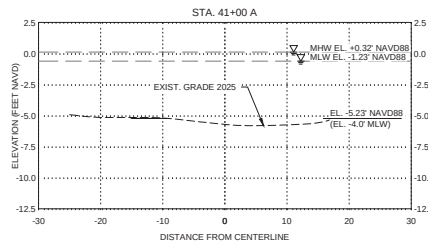
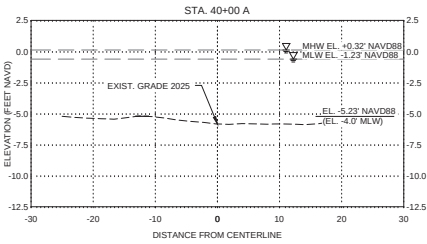
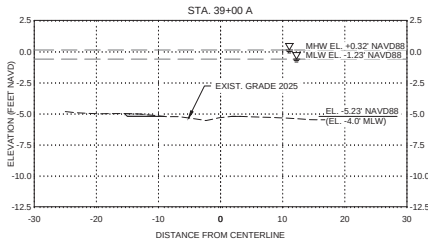
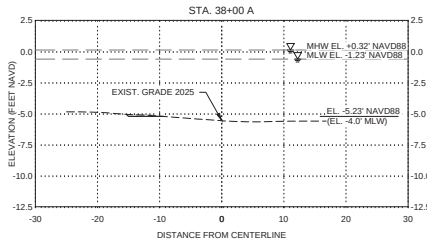
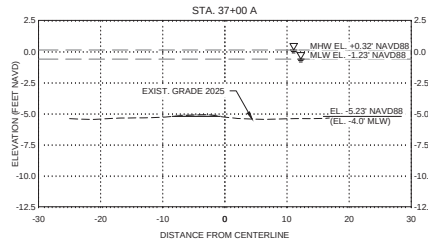
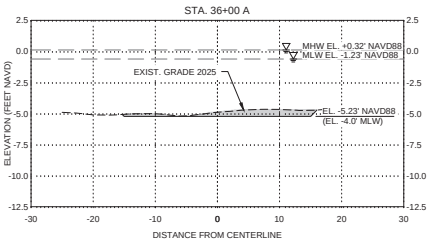
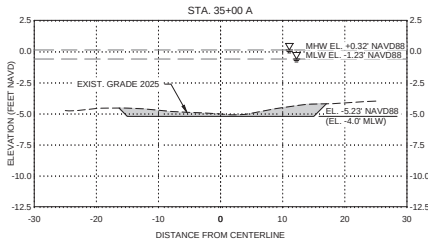
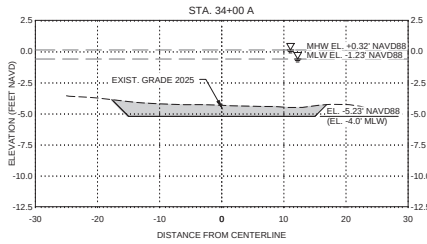
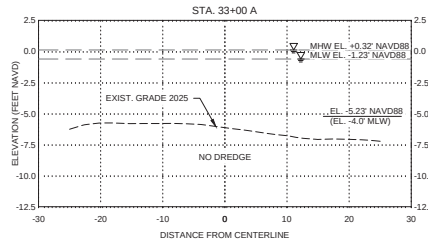
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11/07/2025	1	PERMIT DRAWINGS

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DRAWN: GK
CHECKED: KFJB
SCALE: REFERS TO 22X34 SHEET
SHEET TITLE

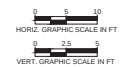
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CM-2.9

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EXEMPT
File Number:
0151152-006 EE



PROJECT:
PHILLIPPI CREEK
MAINTENANCE
DREDGING PROJECT

ADDRESS:
SARASOTA, FL

CLIENT:
WEST COAST INLAND
NAVIGATION DISTRICT

ADDRESS:
200 E. MIAMI AVE.
VENICE, FL 34285

ENGINEER:
CUMMINS CEDERBERG
COASTAL & MARINE ENGINEERING

201 ALHAMBRA CIR # 603
CORAL GABLES, FLORIDA 33134
TEL: +1 305 741-6155 FAX: +1 305-974-1969
WWW.CUMMINSCEDERBERG.COM
COA # 23062

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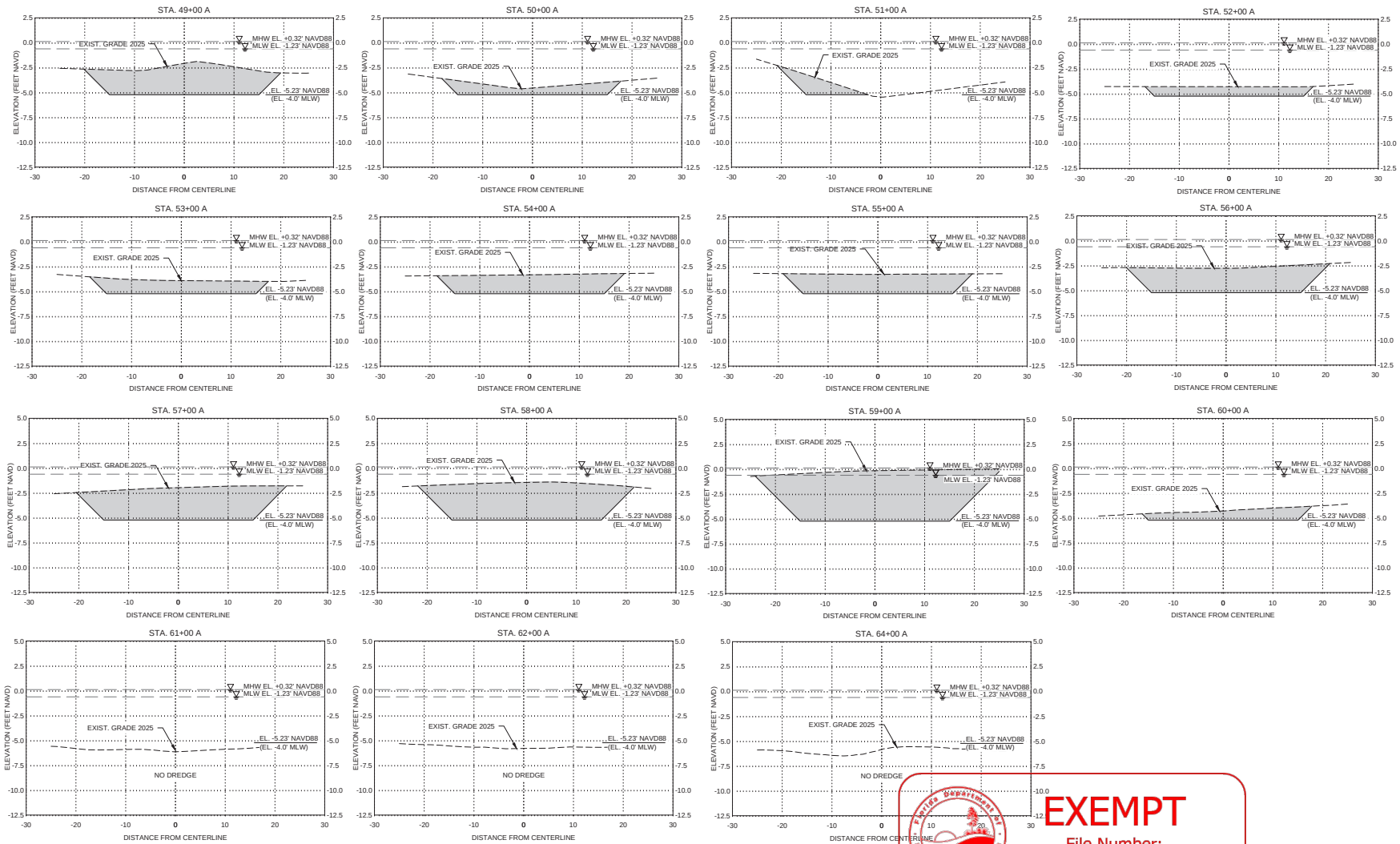
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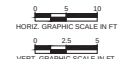
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CM-2.10

J:\Projects\137125 - Phillip Creek Maintenance Design\Drawings\137125-006-001-001.dwg (2025-04-23) 137125 Phillip Dredging



EXEMPT
File Number:
0151152-006 EE



PROJECT:
PHILLIPPI CREEK
MAINTENANCE
DREDGING PROJECT

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SARASOTA, FL

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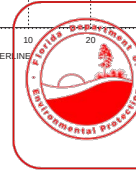
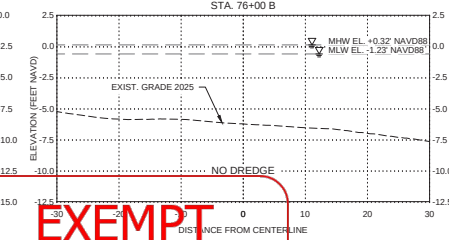
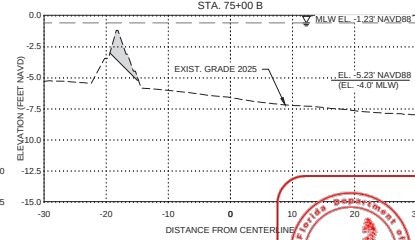
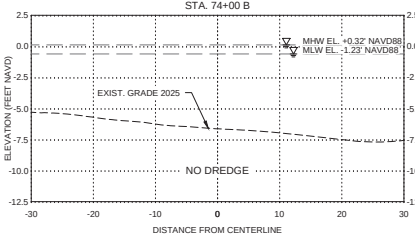
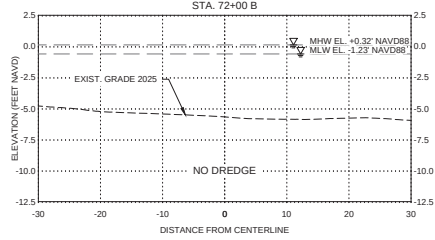
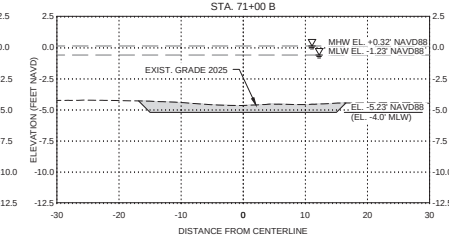
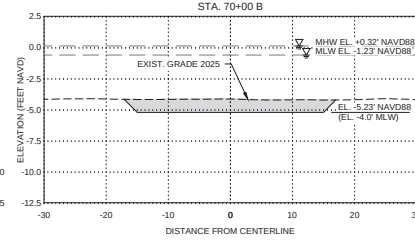
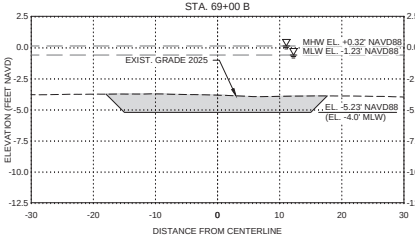
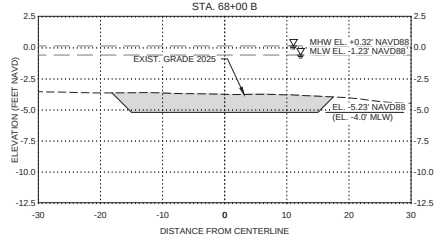
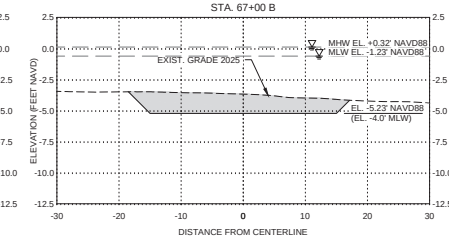
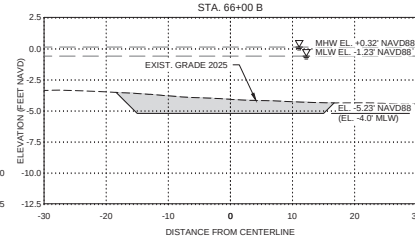
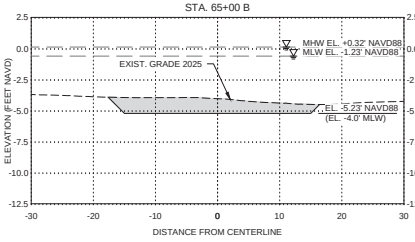
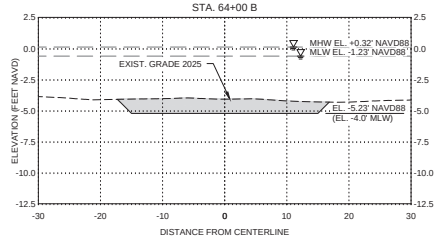
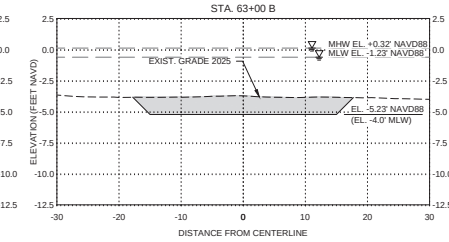
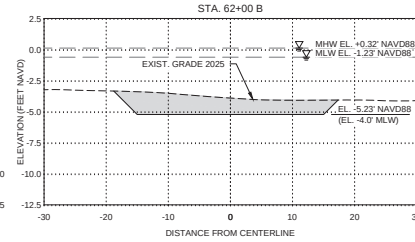
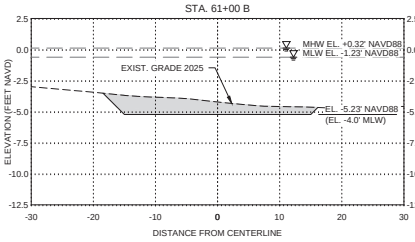
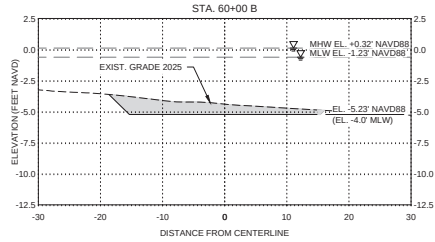
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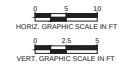
CROSS SECTIONS

CM-2.11

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EXEMPT
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0151152-006 EE



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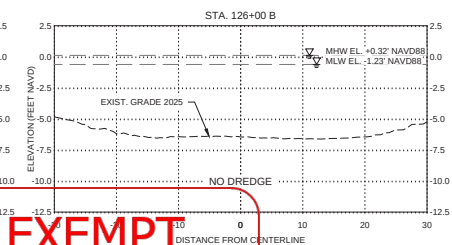
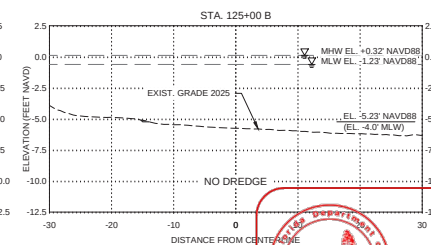
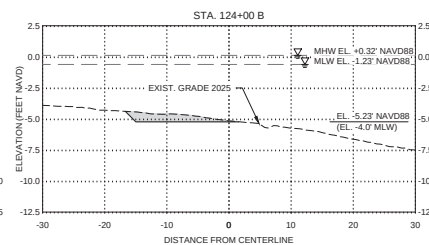
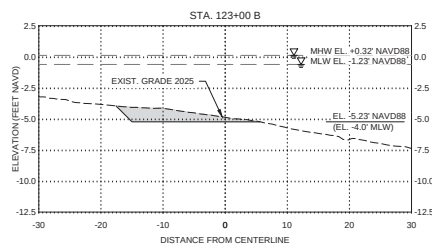
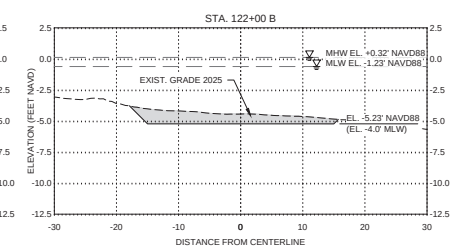
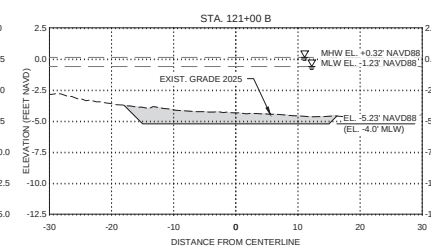
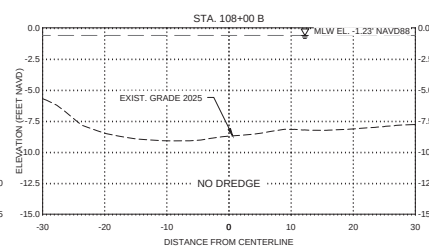
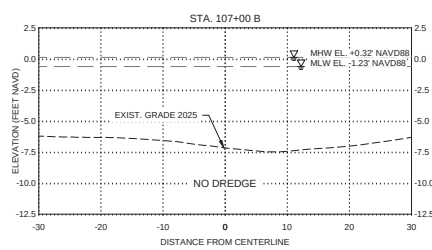
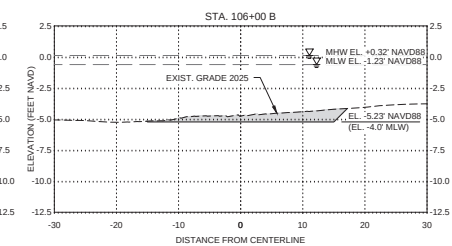
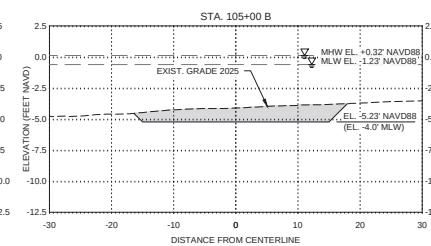
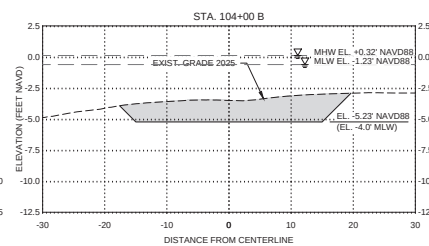
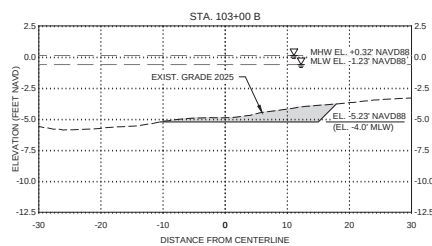
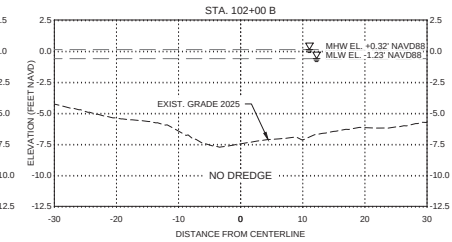
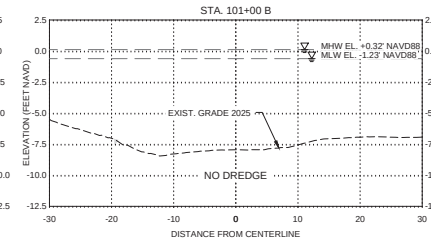
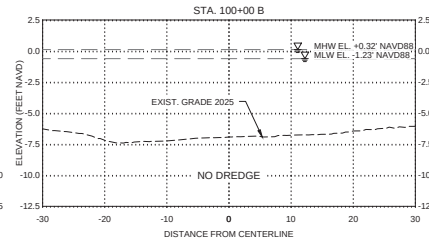
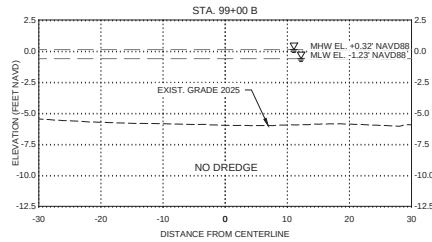
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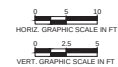
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SHEET TITLE

CROSS SECTIONS

CM-2.12



EXEMPT
File Number:
0151152-006 EE



PROJECT:
PHILLIPPI CREEK
MAINTENANCE
DREDGING PROJECT

ADDRESS:
SARASOTA, FL

CLIENT:
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NAVIGATION DISTRICT

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ENGINEER:
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COASTAL & MARINE ENGINEERING

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CORAL CABLES, FLORIDA 33134
TEL: +1 305 741-6155 FAX: +1 305-974-1969
WWW.CUMMINS CEDERBERG.COM
COA # 29062

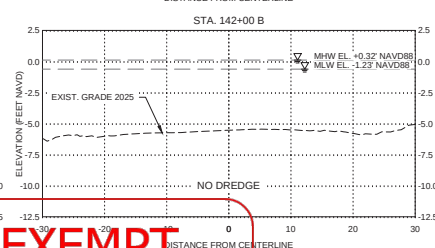
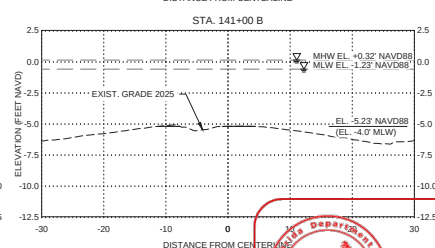
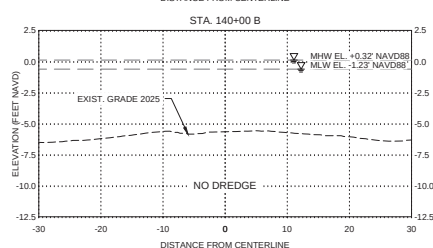
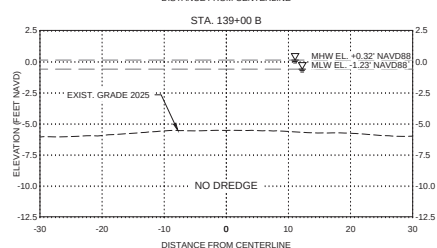
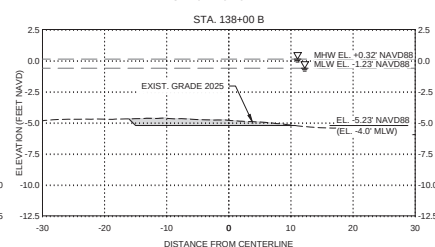
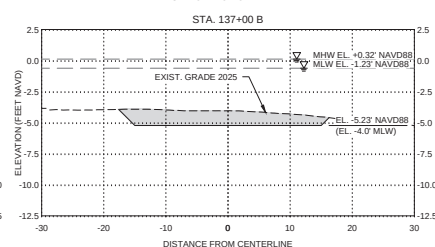
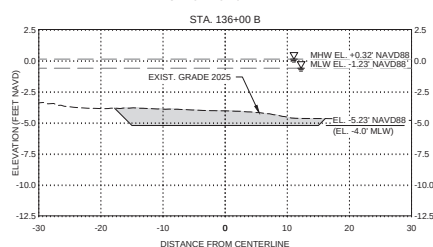
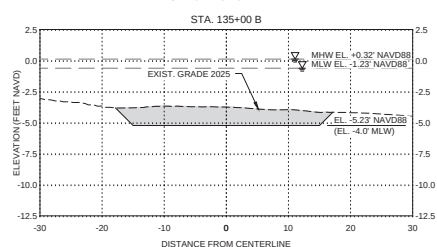
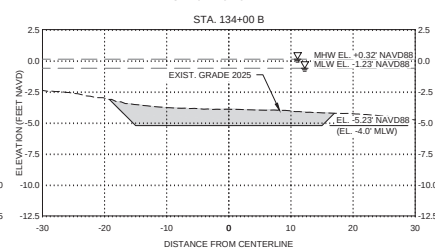
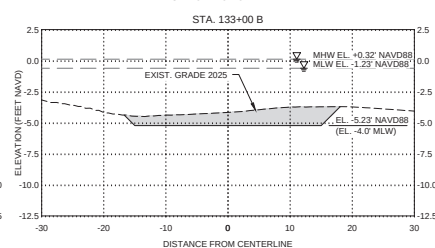
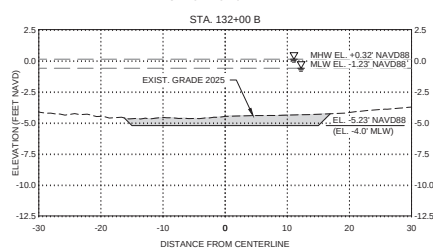
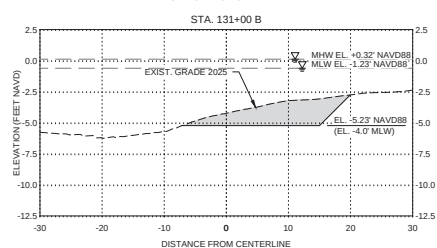
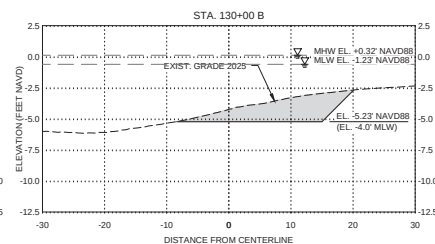
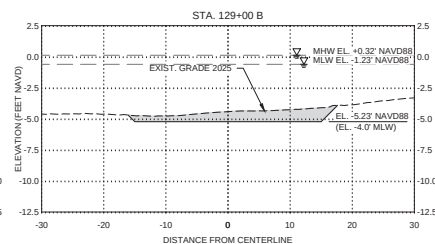
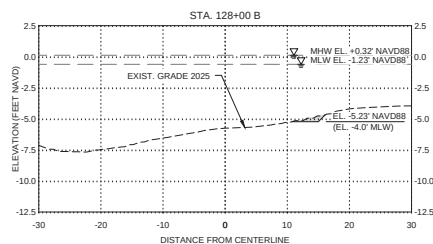
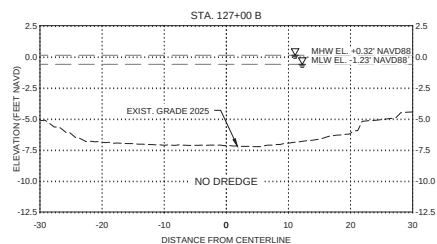
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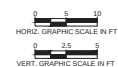
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CROSS SECTIONS

CM-2.14



EXEMPT
File Number:
0151152-006 EE



PROJECT:
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MAINTENANCE
DREDGING PROJECT

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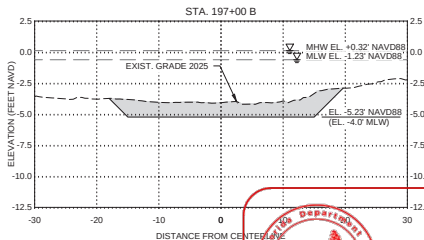
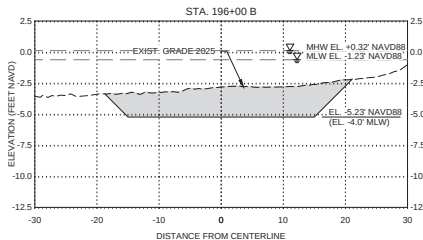
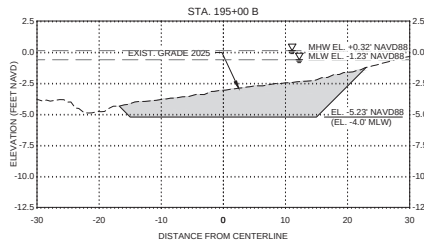
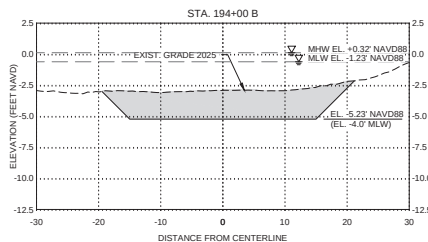
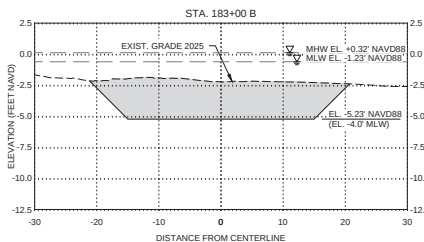
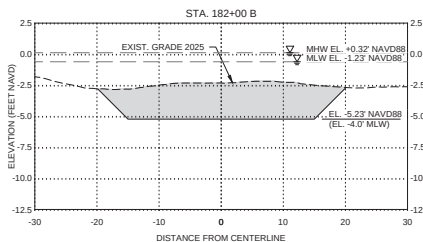
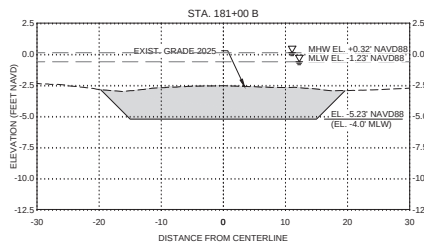
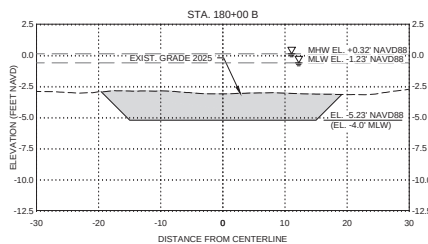
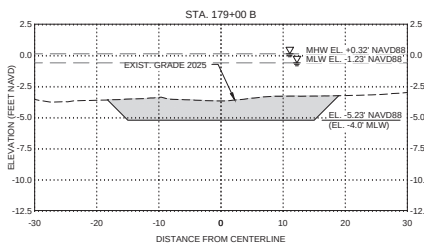
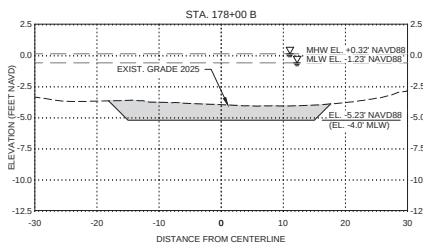
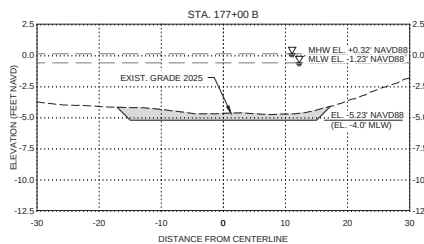
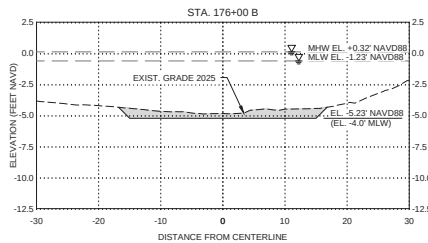
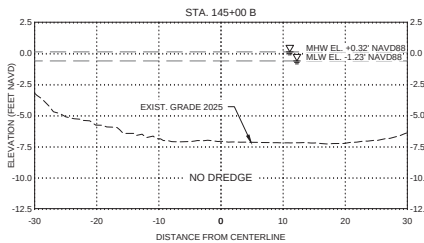
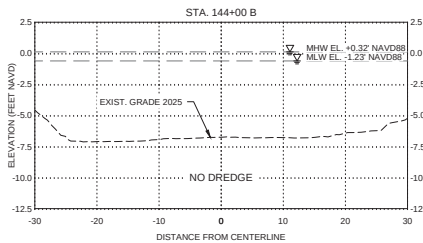
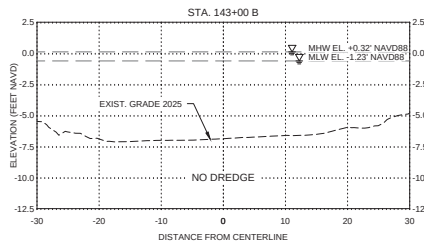
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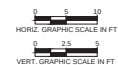
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CROSS SECTIONS

CM-2.15



EXEMPT
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0151152-006 EE



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SEAL

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CROSS SECTIONS

CM-2.16



TURBIDITY CURTAINS WILL BE INSTALLED AROUND ALL ACTIVE CONSTRUCTION WORK.



CM-2.17

Dredge Methodology and Material Management Plan

Phillippi Creek Maintenance Dredge Project

June 2025

1 PROJECT LOCATION

The Project site is located within portions of Phillippi Creek, a natural creek within Sarasota County. The proposed dredge material management area (DMMA) is located within the Sarasota County owned Phillippi Estate Park, 5500 S Tamiami Trail, Sarasota, FL 34231 (Folio No. 0084090002). **Figure 1** depicts the approximate proposed area available for temporary storage and management of dredged material.



Figure 1. Phillippi Estate Park DMMA.

2 PROJECT DESCRIPTION

The proposed Project includes maintenance dredging portions of Phillippi Creek to a depth of -4.0' Mean Low Water (MLW) (**Figure 2**). Residents along Phillippi Creek have experienced excessive flooding during recent storm events that can be attributed to the sedimentation in the Creek, reducing the capacity for stormwater conveyance associated with upstream portions of the creek. Bathymetric surveys and geotechnical borings were conducted throughout portions of the proposed project area to determine the grain size data and sediment chemical composition for disposal.

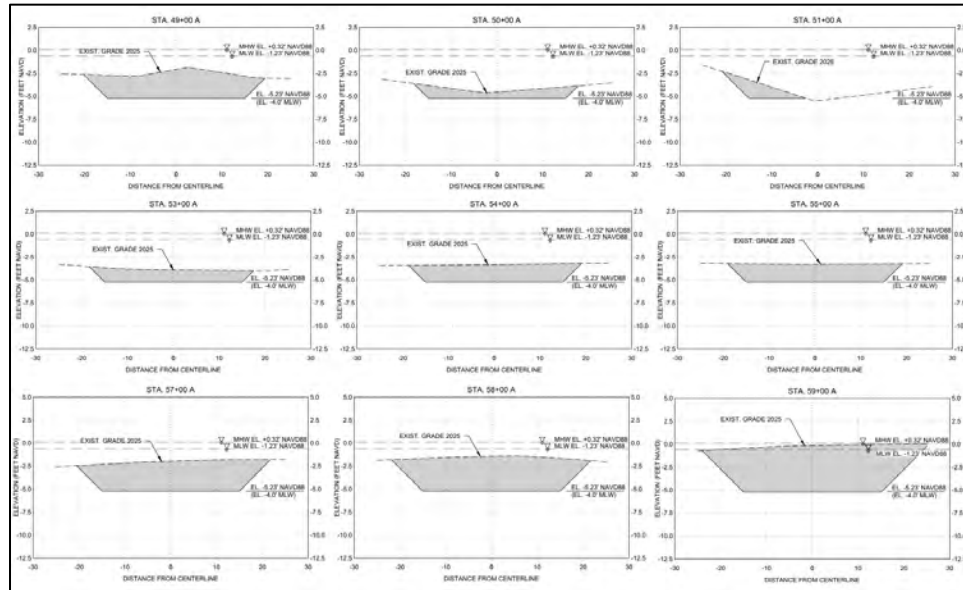


Figure 2. Project calculations for dredge cuts to -4.0' MLW.

3 CONSTRUCTION AND DREDGE METHODOLOGY

Dredging activities will be performed using either mechanical or hydraulic dredging methods. Mechanical dredging may involve the use of a shallow draft barge-mounted clamshell or bucket or upland-based excavator, maintaining a minimum 1-foot clearance from the natural creek bottom. If hydraulic dredging is employed, cutterhead dredges with associated pipeline, and similar equipment may be utilized. The selected dredging method and equipment will be subject to regulatory compliance and approved prior to mobilization.

Contaminated sediments will be removed using mechanical or hydraulic dredging methods, depending on site-specific conditions, contractor selection, and accessibility. If mechanical dredging is used, a clamshell bucket, mounted on a shallow draft barge or land-based excavator will be employed to carefully remove sediments with minimal resuspension. Contaminated dredged material will be carefully placed into sealed, lined containers or watertight barges for temporary storage and transport. These containers will be staged in the designated upland area for dewatering if necessary, and disposal at an approved facility in accordance with all applicable

environmental regulations. All handling, storage, and transport of contaminated material will follow best management practices (BMPs) to avoid spills and cross-contamination.

Non-contaminated sediments will be hydraulically dredged wherein flocculants may be introduced to promote the aggregation of fine particles. The slurry will then be pumped to a dewatering area within Phillippi Estate Park where solids will settle or be filtered out. The resulting effluent will be sampled and analyzed to confirm the absence of contaminants before any discharge into tidal waters.

If hydraulic dredging is used for contaminated sediments, the material will be pumped to an upland containment area, where it will be placed in either geotextile dewatering tubes or within a lined dewatering basin (e.g., HDPE-lined cell). The containment system will be designed to facilitate drying and prevent discharge of untreated return water.

All return water (decant water) from dewatering operations will be collected and

- Treated onsite as necessary, and
- Tested for compliance with applicable discharge standards (e.g., Florida Surface Water Quality Criteria) before being discharged into tidal waters or municipal stormwater systems, if permitted.

All handling, dewatering, and disposal of contaminated material will follow BMPs and be conducted in accordance with applicable FDEP and local regulations. Final disposal of dewatered sediments will occur at a permitted upland disposal facility approved for contaminated or special waste, depending on analytical results.

The selected contractor will determine the dredged material management methodology based on site-specific conditions, regulatory requirements, and operational logistics. The selected method will be pre-approved by the project engineer and comply with permit conditions. All material will be transported for final disposal at an approved upland landfill.



4 TURBIDITY CONTROL AND MONITORING

Standard floating turbidity curtains with weighted skirts extending to within one foot of the bottom will be installed around the dredge area (**Figure 3**). These curtains will be continuously maintained and will remain in place for the duration of in-water work to ensure turbidity remains contained within the project footprint. Turbidity will be monitored according to the approved environmental permits. Best management practices for turbidity and erosion control will be utilized during all dredging activities to prevent turbidity more than 29 Nephelometric Turbidity Units (NTUs) above background levels beyond the turbidity curtain. Turbidity will be monitored as directed by approved environmental permits.

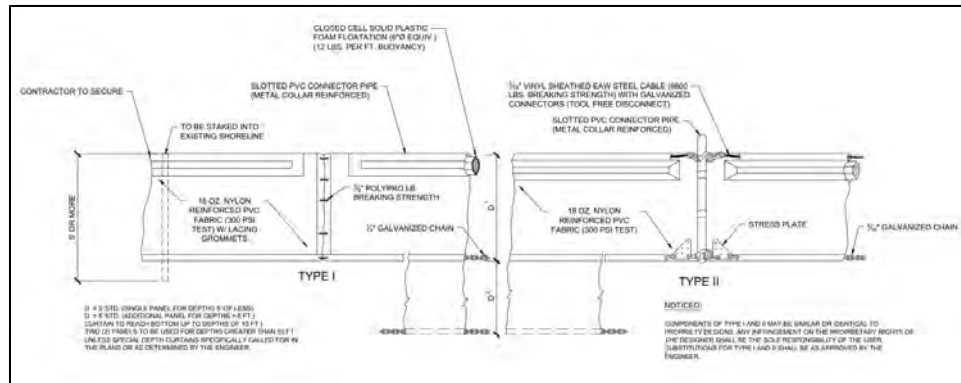
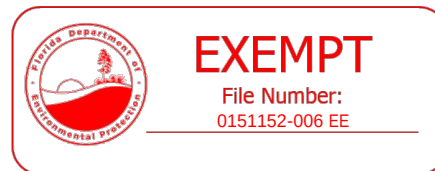


Figure 3. Turbidity curtain typical detail



62-330.051 Exempt Activities.

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under chapters 253 and 258, F.S., as applicable.

(7) Maintenance and Restoration –

(a) Maintenance dredging under section 403.813(1)(f), F.S.

Rulemaking Authority 373.026(7), 373.043, 373.4131, 373.4145, 403.805(1) FS. Law Implemented 373.406, 373.4131, 373.4145, 373.415, 403.813(1) FS. History—New 10-1-13, Amended 6-1-18.

403.813 Permits issued at district centers; exceptions.—

(1) A permit is not required under this chapter, chapter 373, chapter 61-691, Laws of Florida, or chapter 25214 or chapter 25270, 1949, Laws of Florida, for activities associated with the following types of projects; however, except as otherwise provided in this subsection, this subsection does not relieve an applicant from any requirement to obtain permission to use or occupy lands owned by the Board of Trustees of the Internal Improvement Trust Fund or a water management district in its governmental or proprietary capacity or from complying with applicable local pollution control programs authorized under this chapter or other requirements of county and municipal governments:

(f) The performance of maintenance dredging of existing manmade canals, channels, intake and discharge structures, and previously dredged portions of natural water bodies within drainage rights-of-way or drainage easements which have been recorded in the public records of the county, where the spoil material is to be removed and deposited on a self-contained, upland spoil site which will prevent the escape of the spoil material into the waters of the state, provided that no more dredging is to be performed than is necessary to restore the canals, channels, and intake and discharge structures, and previously dredged portions of natural water bodies, to original design specifications or configurations, provided that the work is conducted in compliance with s. [379.2431](#)(2)(d), provided that no significant impacts occur to previously undisturbed natural areas, and provided that control devices for return flow and best management practices for erosion and sediment control are utilized to prevent bank erosion and scouring and to prevent turbidity, dredged material, and toxic or deleterious substances from discharging into adjacent waters during maintenance dredging. Further, for maintenance dredging of previously dredged portions of natural water bodies within recorded drainage rights-of-way or drainage easements, an entity that seeks an exemption must notify the department or water management district, as applicable, at least 30 days prior to dredging and provide documentation of original design specifications or configurations where such exist. This exemption applies to all canals and previously dredged portions of natural water bodies within recorded drainage rights-of-way or drainage easements constructed prior to April 3, 1970, and to those canals and previously dredged portions of natural water bodies constructed on or after April 3, 1970, pursuant to all necessary state permits. This exemption does not apply to the removal of a natural or manmade barrier separating a canal or canal system from adjacent waters. When no previous permit has been issued by the Board of Trustees of the Internal Improvement Trust Fund or the United States Army Corps of Engineers for construction or maintenance dredging of the existing manmade canal or intake or discharge structure, such maintenance dredging shall be limited to a depth of no more than 5 feet below mean low water. The Board of Trustees of the Internal Improvement Trust Fund may fix and recover from the permittee an amount equal to the difference between the fair market value and the actual cost of the maintenance dredging for material removed during such maintenance dredging. However, no charge shall be exacted by the state for material removed during such maintenance dredging by a public port authority. The removing party may subsequently sell such material; however, proceeds from such sale that exceed the costs of maintenance dredging shall be remitted to the state and deposited in the Internal Improvement Trust Fund.