



FLORIDA DEPARTMENT OF Environmental Protection

South District
2295 Victoria Ave, Suite 364
Fort Myers FL 33901-3875
SouthDistrict@FloridaDEP.gov

Ron DeSantis
Governor

Jay Collins
Lt. Governor

Alexis A. Lambert
Secretary

August 27, 2025

Lee County BOCC - Steve Boutelle
c/o Grady Timmins
Coastal Engineering Consultants, Inc.
3106 South Horseshoe Drive
Naples, FL 34104
gtimmins@cecifl.com

File No.:0151125-011 EE, Lee County
[Bot File No.: 360220855](#)

Dear Lee County BOCC - Steve Boutelle:

On August 19, 2025, we received your Request for verification of exemption to perform the following activities:

To replace approximately 2,400 square feet of existing scour protection mat at the toe of the existing authorized public boat ramp at 18700 McGregor Rd Fort Myers FL 33908, Parcel ID No. 09-46-23-00-00002.0060, in a(n) San Carlos Bay, Class II Waters, Prohibited for shellfish harvesting, Section 09, Township 46 South, Range 23 East, Lee County.

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.

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 us by telephone at (239) 344-5600 or by e-mail at SouthDistrict@floridadep.gov.

1. Regulatory Review – VERIFIED

Based on the information submitted, the Department has determined that the activity as proposed is exempt, under Section 373.406(6) of the Florida Statutes, from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes. This determination is made because the activity, in consideration of its type, size, nature, location, use and operation, is expected to have only minimal or insignificant individual or cumulative adverse impacts on the water resources.

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 - NOT REQUIRED

The activity does not appear to be located on sovereign submerged lands and does not require further authorization under Chapter 253 of the Florida Statutes, or Chapters 18-20 or 18-21 of the Florida Administrative Code.

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 Lee County, Florida

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Toby Schwetje
Environmental Administrator
South District

Enclosures:

6 Project drawings
373.406(6) F.S

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, Fort Myers Office, fdep.other@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

August 27, 2025
Date



EXEMPT

File Number:
151125-011 EE

PUNTA RASSA BOAT RAMP SCOUR PROTECTION REPLACEMENT

PREPARED FOR:
LEE COUNTY

INDEX:

1. COVER SHEET
2. EXISTING CONDITIONS PLAN
3. PROPOSED SCOUR PROTECTION PLANS
4. PROPOSED SCOUR PROTECTION DETAILS
5. PROPOSED SECTION A-A'

LEGEND:

- ▲ = EXISTING CHANNEL MARKERS
-6- = ELEVATION IN FEET BELOW NAVD

NOTES:

1. BATHYMETRIC DATA COLLECTED BY COASTAL ENGINEERING CONSULTANTS, INC., ON MAY 15, 2025.
2. PLANE COORDINATES ARE BASED ON THE TRANSVERSE MERCATOR PROJECTION FOR THE WEST ZONE OF FLORIDA AND REFERENCED TO THE NORTH AMERICAN DATUM OF 1983 (NAD 83).
3. ELEVATIONS SHOWN HEREON ARE IN FEET AND REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988). REFERENCED BENCHMARK: 872 5391 J TIDAL PID# DR7006 (+2.73 FT).
4. TIDAL REDUCTIONS WERE OBTAINED UTILIZING REAL-TIME KINEMATIC GPS AND REFERENCED TO NAVD88.
5. SURVEY ACCURACY STANDARDS, QUALITY CONTROL, AND QUALITY ASSURANCE REQUIREMENTS WERE FOLLOWED DURING THIS SURVEY IN ACCORDANCE WITH USACE EM 1110-2-1003, HYDROGRAPHIC SURVEYING MANUAL, 1 JAN 02.
6. INFORMATION SHOWN HEREON REFLECTS CONDITIONS AS THEY EXISTED ON THE SURVEY DATE SHOWN AND CAN ONLY BE CONSIDERED INDICATIVE OF CONDITIONS AT THAT TIME.
7. AERIAL PHOTOGRAPHY PROVIDED BY LEE COUNTY, DATED 2025.



LOCATION MAP

N.T.S.

N

FOR PERMITTING
PURPOSES ONLY.
NOT TO BE USED FOR
CONSTRUCTION.

PUBLISHED TIDAL INFORMATION

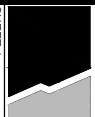
TIDAL DATUMS AT PUNTA RASSA, SAN CARLOS BAY, LEE COUNTY, FL
ARE BASED ON FLORIDA 872 5391

TIME PERIOD	= JUNE 1977 - MAY 1978
TIDAL EPOCH	= 1983 - 2001
CONTROL TIDE STATION	= NAPLES, GULF OF MEXICO (872 5110)

ELEVATIONS OF TIDAL DATUMS ARE REFERENCED IN
NAVD 1988.

MEAN HIGHER HIGH WATER (MHHW)	= +0.38 FT NAVD
MEAN HIGH WATER (MHW)	= +0.14 FT NAVD
MEAN LOW WATER (MLW)	= -1.40 FT NAVD
MEAN LOWER LOW WATER (MLLW)	= -1.88 FT NAVD

SHEET 1
FILE NO.: 25005-P-1



**COASTAL
ENGINEERING
CONSULTANTS
INC.**

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28421 BONITA CROSSINGS BLVD
BONITA SPRINGS, FLORIDA 34135

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SURVEY & MAPPING
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ENVIRONMENTAL
PLANNING SERVICES

PHONE: (239)643-2324
FAX: (239)643-1143
www.coastalengineering.com
E-Mail: info@cecifi.com

CLIENT:

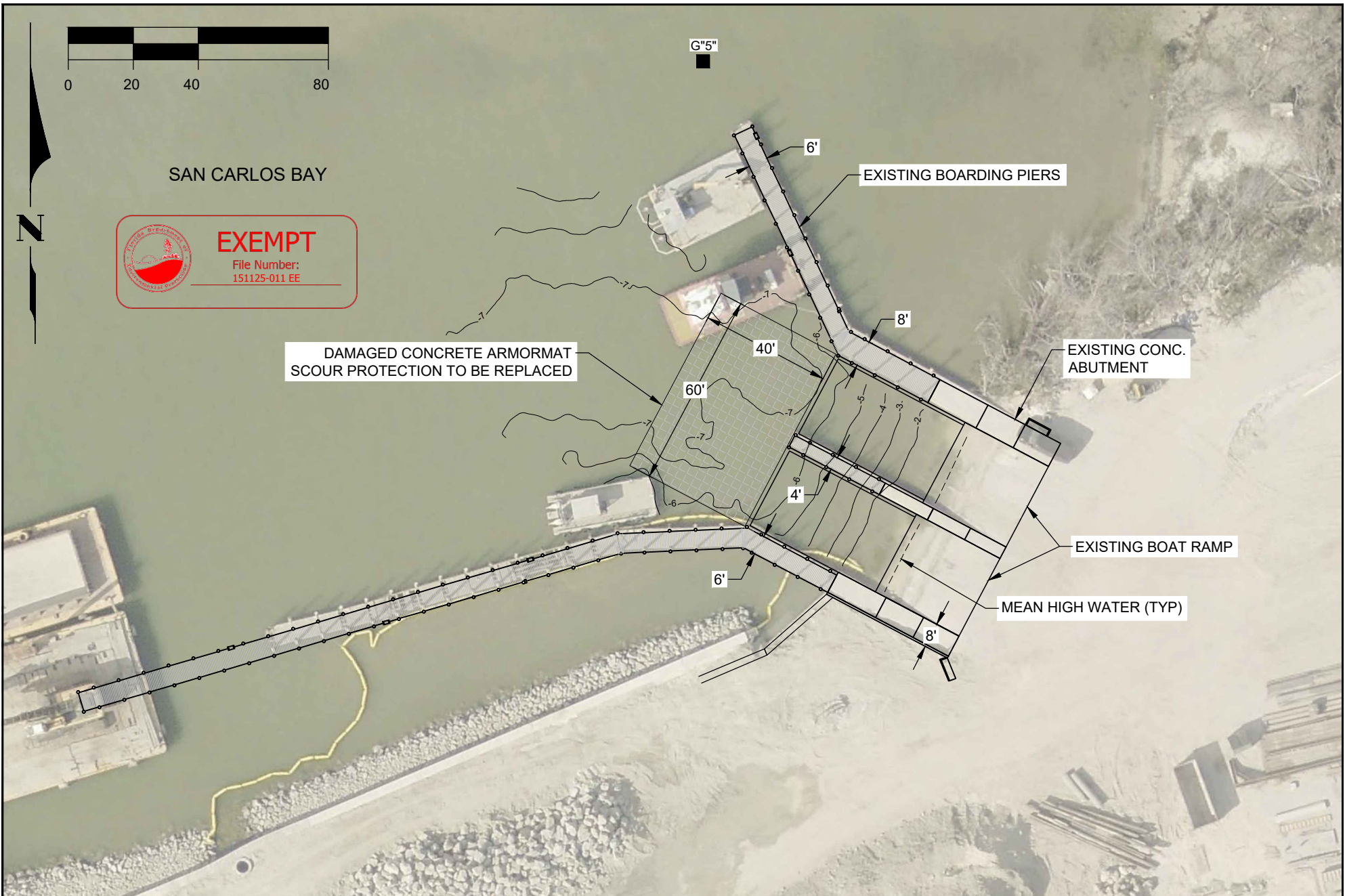
LEE COUNTY


TITLE:

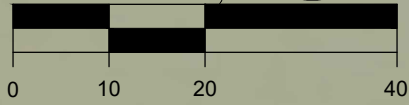
**PUNTA RASSA BOAT RAMP
SCOUR PROTECTION REPLACEMENT
COVER SHEET**

DATE:	8/19/2025	SCALE:	AS NOTED
DRAWN:	SDB	F.B.	
CHECKED:	MAK	PG.	
SEC.	TWP.	RNG.	
ACAD NO.	25005-Scour Protection-P.dwg		
REF. NO.	25.005		

NO.	DATE	BY	REVISION DESCRIPTION



SHEET 2 FILE NO. 25005-P-2	 COASTAL ENGINEERING CONSULTANTS INC. Serving Florida Since 1977 28421 BONITA CROSSINGS BLVD BONITA SPRINGS, FLORIDA 34135	CIVIL ENGINEERING SURVEY & MAPPING COASTAL ENGINEERING ENVIRONMENTAL PLANNING SERVICES PHONE: (239)643-2324 FAX: (239)643-1143 www.coastalengineering.com E-Mail: info@cecifl.com	CLIENT: LEE COUNTY		DATE: 8/19/2025	SCALE: AS NOTED				
			TITLE: PUNTA RASSA BOAT RAMP SCOUR PROTECTION REPLACEMENT EXISTING CONDITIONS PLAN		DRAWN: SDB	F.B.				
					CHECKED: MAK	PG.				
					SEC.	TWP.	RNG.			
					ACAD NO.	25005-Scour Protection-P.dwg				
					REF. NO.	25.005				
								NO.	DATE	BY



NOTE: EXISTING DAMAGED SCOUR PROTECTION MAT TO BE REMOVED AND DISPOSED OF. NEW CONCRETE MATS TO BE REPLACED IN SAME FOOTPRINT.



PROPOSED ARMORMAT

CONCRETE ABUTMENT

BOAT RAMP

MEAN HIGH WATER (TYP)

CONCRETE ABUTMENT

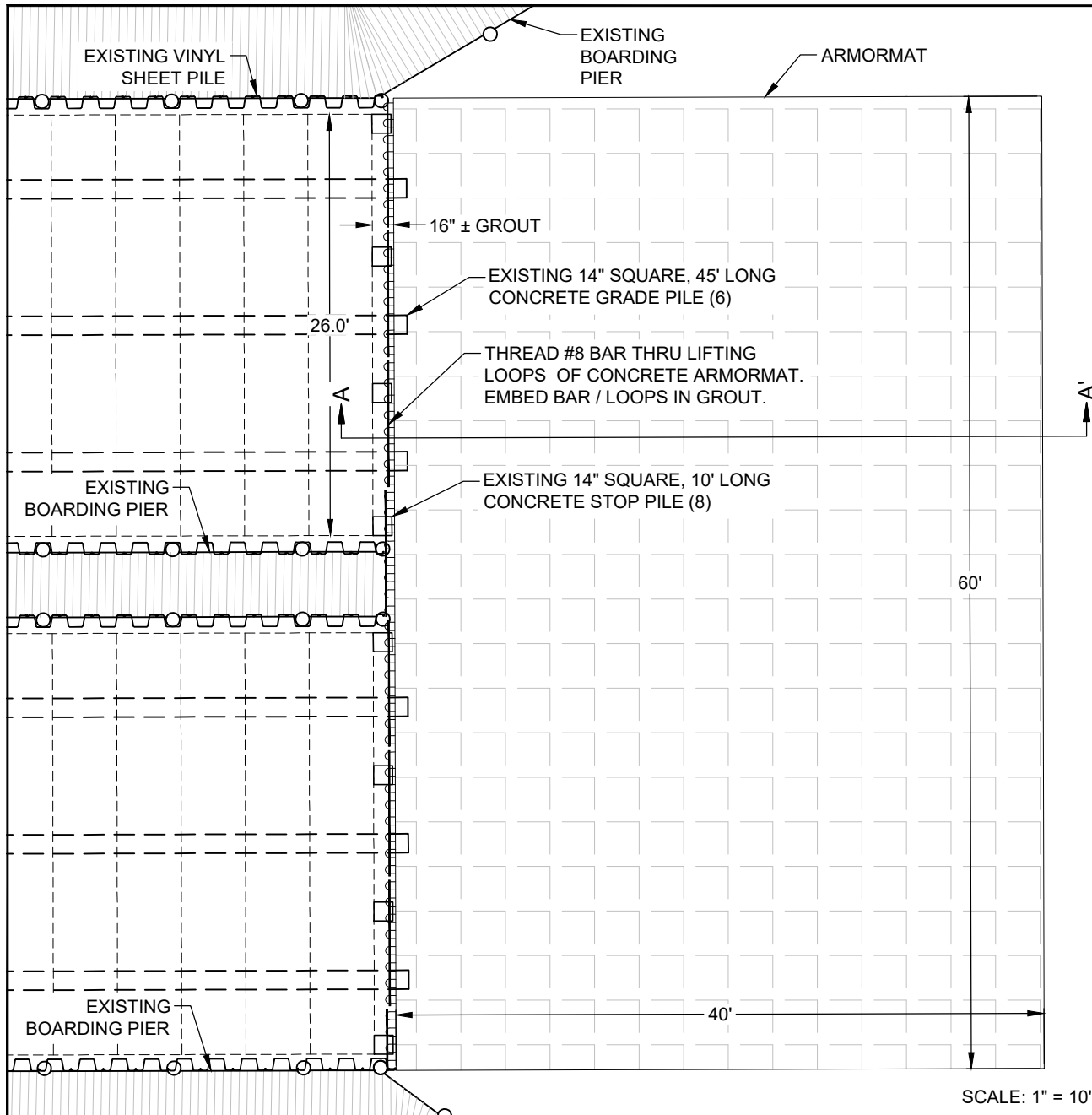
SHEET 3
FILE NO. 25005-P-3

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FAX: (239)643-1143
www.coastalengineering.com
E-Mail: info@cecifl.com

CLIENT: **LEE COUNTY**
TITLE: **PUNTA RASSA BOAT RAMP
SCOUR PROTECTION REPLACEMENT
PROPOSED SCOUR PROTECTION PLAN**

DATE:	8/19/2025	SCALE:	AS NOTED
DRAWN:	SDB	F.B.	
CHECKED:	MAK	PG.	
SEC.	TWP.	RNG.	
ACAD NO.	25005-Scour Protection-P.dwg		
REF. NO.	25.005	NO.	DATE BY REVISION DESCRIPTION



SCALE: 1" = 10'

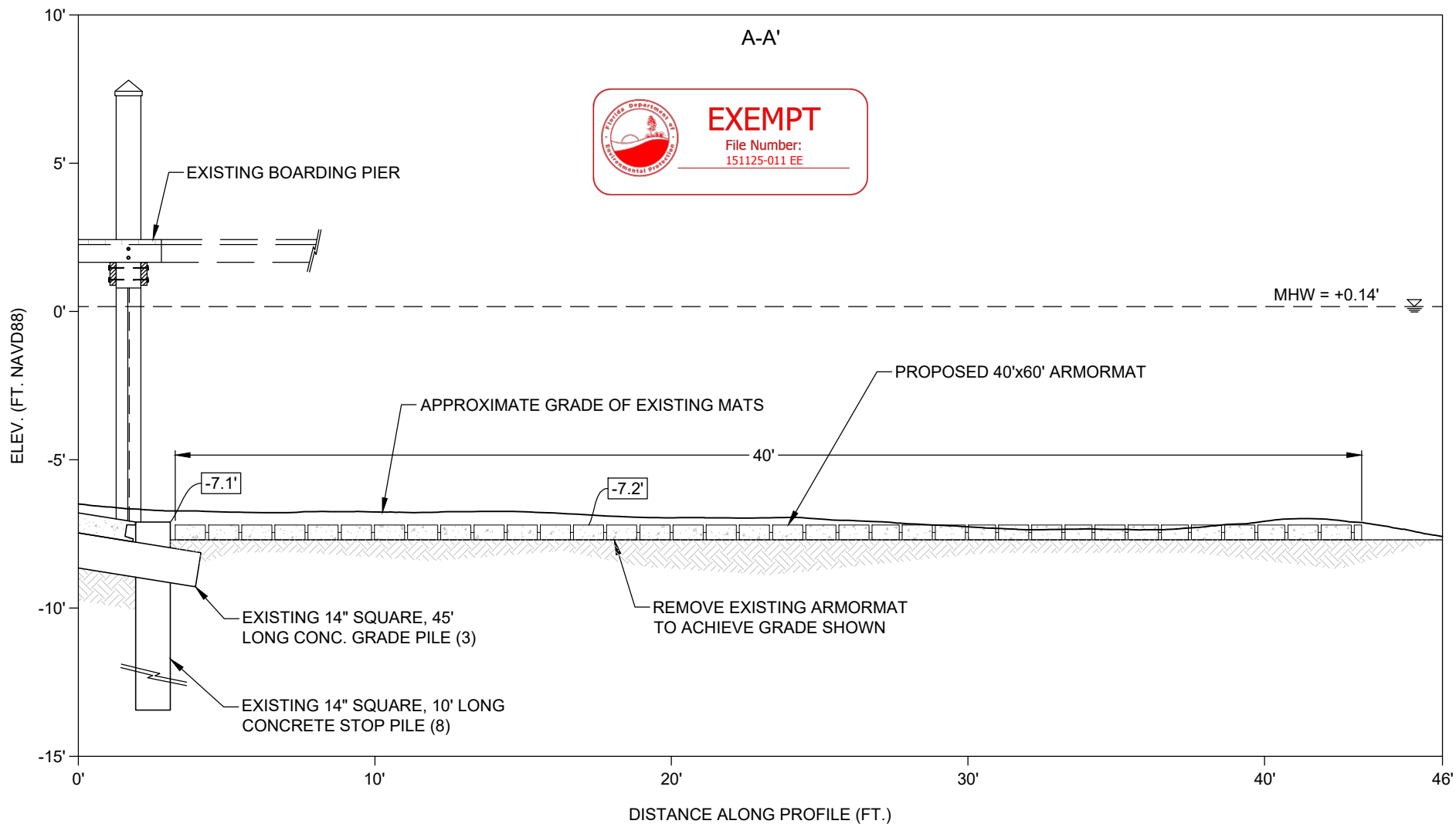
SHEET 4
FILE NO.: 25005-P-4

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FAX: (239)643-1143
www.coastalengineering.com
E-Mail: info@cecifl.com

CLIENT: **LEE COUNTY**
TITLE: **PUNTA RASSA BOAT RAMP
SCOUR PROTECTION REPLACEMENT
PROPOSED SCOUR PROTECTION DETAILS**

DATE:	8/19/2025	SCALE:	AS NOTED				
DRAWN:	SDB	F.B.					
CHECKED:	MAK	PG.					
SEC.	TWP.	RNG.					
ACAD NO.	25005-Scour Protection-P.dwg						
REF. NO.	25.005	NO.	DATE	BY	REVISION DESCRIPTION		



SCALE:
 H: 1" = 5'
 V: 1" = 5'
 NOTE: PERMITTED DREDGE
 DEPTH IS -7.2' NAVD88.

SHEET 5
FILE NO.: 25005-P-5

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CLIENT: **LEE COUNTY**
 TITLE: **PUNTA RASSA BOAT RAMP
SCOUR PROTECTION REPLACEMENT
PROPOSED SCOUR PROTECTION
SECTION A-A'**

DATE:	8/19/2025	SCALE:	AS NOTED				
DRAWN:	SDB	F.B.					
CHECKED:	MAK	PG.					
SEC.	TWP.	RNG.					
ACAD NO.	25005-Scour Protection-P.dwg						
REF. NO.	25.005			NO.	DATE	BY	REVISION DESCRIPTION

Punta Rassa Boat Ramp

Scour Protection Replacement

Attachment 1

Project Description



Lee County (County) owns and operates the Punta Rassa Boat Ramp located at 18700 McGregor Boulevard, in Section 9, Township 46 and Range 23E, Fort Myers, Florida 33902. The public boat ramp facility is the largest in Lee County and provides water access to many southwest Florida residents. Hurricane Ian caused significant damage to the facility in September 2022. Following the storm, emergency dredging was conducted to remove over-washed sediment and restore the access channel. The facility served as a staging area for county-wide debris removal and repair of the Sanibel Causeway. The County is currently finalizing restoration of the uplands and hopes to partially open the facility to the public at the end of August 2025.

In support of the County's facility restoration effort, the West Coast Inland Navigation District (WCIND) seeks to remove and replace approximately 2,400 square feet of existing scour protection mat at the toe of the boat ramps. Through the hurricane recovery process, marine contractors have damaged and displaced sections of the scour protection mat. Replacing the mat will restore safe operating conditions to the boat ramp. The channel bottom will be regraded and the proposed scour protection mat installed at an elevation of -7.2 feet NAVD. Project will not impact submerged aquatic vegetation.

Existing scour protection mat and debris will be deposited into self-contained bins at the boat ramp and hauled to the landfill for disposal. Work will adhere to current Standard Manatee, Marine Turtle, and Smalltooth sawfish construction conditions for in-water work.

Available Historic Permits

FDEP File No.: 36-0151125-005/006/007

Title XXVIII
NATURAL RESOURCES;
CONSERVATION, RECLAMATION,
AND USE

Chapter 373
WATER RESOURCES

373.406 Exemptions. — The following exemptions shall apply:

(6) Any district or the department may exempt from regulation under this part those activities that the district or department determines will have only minimal or insignificant individual or cumulative adverse impacts on the water resources of the district. The district and the department are authorized to determine, on a case-by-case basis, whether a specific activity comes within this exemption. Requests to qualify for this exemption shall be submitted in writing to the district or department, and such activities shall not be commenced without a written determination from the district or department confirming that the activity qualifies for the exemption.