

PROJECT DESCRIPTION

1. Location: 28°59'53.44"N Lat/ 81°21'3.60"W Long
Aquatic Preserve: Wekiva River Aquatic Preserve, Resource Protection Area 3.
Waterbody Name and Classification: Outstanding Florida Waters/Class III, Not Approved for Shellfish Harvesting.
Designated Manatee County: Yes, with an approved Manatee Protection Plan
Manatee Aggregation Area: No
Manatee Protection Speed Zone: Slow Speed Zone (all year)
2. Preempted area (square feet): 2,034,293 total proposed
Structure dimensions: N/A
Number of slips: N/A
Vessels: N/A
3. Liveboards: are prohibited in the Stetson University Aquatic Center permit and lease.
4. Sewage pump out facility: is not authorized in the Stetson University Aquatic Center permit and lease.
5. Fueling facility: is not authorized in the Stetson University Aquatic Center permit and lease.
6. Maintenance/New dredging: N/A

REQUIREMENTS/ASSESSMENTS/COMMENTS

1. DEP environmental resource permit: See attached "Consolidated Notice of Intent to Issue."
2. U.S. Army Corps of Engineers permit: Issued 10/7/2020 under File No.: SAJ-2020-04023
3. Fish and Wildlife Conservation Commission (FWC), Division of Habitat and Species Conservation, Imperiled Species Management Section, Manatees: Recommended on October 1, 2020, that the applicant: (1) Comply with the standard manatee protection construction conditions; (2) Install and maintain manatee awareness signs and informational displays; (3) Inform all staff, support teams, and participants of the event about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees; and (4) The permittee shall provide a copy of any Notice to Local Mariners (NLM) to the USCG, FDEP, and FWC, if required by the United States Coast Guard, at the time the notice is submitted to the federal agency. Additionally, the applicant shall provide a copy of the USCG No Permit Required (NPR) letter to FWC and FDEP, once received. Should the USCG choose to issue a Marine Event Permit in lieu of a NPR letter, a copy of the Marine Event Permit shall be provided in lieu of the NPR letter. The permittee shall maintain records of all annual NLM notices for FWC inspection if desired. The NPR letter or Marine Event Permit shall be provided to FDEP within 12 months of permit issuance or prior

to authorization of in-water activities. Items 1-4 are included as specific conditions in the DEP environmental resource permit [Rule 18-21.004(2)(a), (b) and (i), F.A.C., 18-20.004(2)(b)8, F.A.C.]

4. Department of Agriculture and Consumer Services, Division of Aquaculture, Shellfish: N/A
5. Department of State, Division of Historical Resources (DHR): The standard permit condition has been included in the permit stating that the permittee shall cease activities and contact DHR if there are any unexpected historic artifacts discovered.
6. Standards and criteria for private residential multi-slip docks located in an aquatic preserve: N/A
7. Riparian rights line setback: In compliance
8. Noticing: On January 19, 2021, the lease modification request was noticed to 21 property owners, within a 500-foot radius of the project, pursuant to Rule 18-21.004(1)(m), F.A.C. No objections were received by February 9, 2021, the end of the comment period.
9. Survey waiver: N/A
10. Coastal island: N/A
11. US Coast Guard: Stated a recommendation to comply with “Local Notice to Mariners” article in lieu of a “Public Aid to Navigation (PAToN).” The permit has been conditioned to require submittal of the No Permit Required (NPR) letter or Marine Event Permit prior to authorization of in-water activities.

PUBLIC INTEREST ASSESSMENT

Public interest is determined by a balancing test, used to establish whether the social, economic, and/or environmental benefits clearly exceed the costs. (Rule 18-20.004(2), F.A.C., and section 258.42(1), F.S.)

Management Plan: The proposed project is consistent with the provisions of the Wekiva River Aquatic Preserve Management Plan adopted by the Board of Trustees on October 27, 2015.

Upon analysis of the proposed project, staff is of the opinion that it is in the public interest.

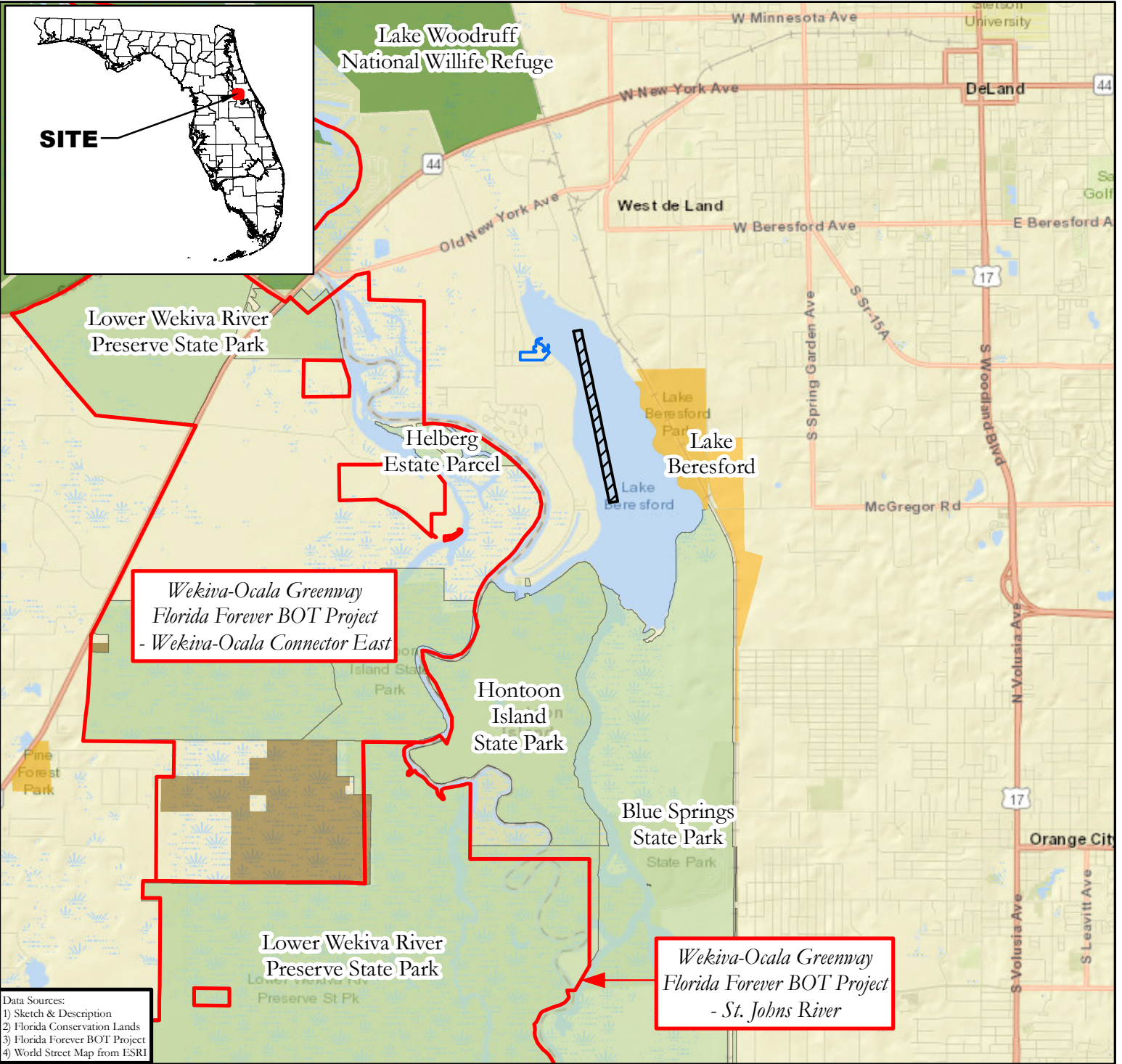
(c) COSTS:	(b) BENEFIT CATEGORIES:
<ol style="list-style-type: none"> 1. Preemption of public use during practices and special events 2. Increasing navigational hazards and congestion during practices and rowing events 	<p>Supports the Public Use Management Program within the aquatic preserve by providing public recreational opportunities which are compatible with resource management objectives.</p>

SPECIAL APPROVAL CONDITION(S)


1. The Grantee shall submit its financial contribution, in the amount of \$5,000, to the Aquatic Preserve Society for their public interest project. The contribution will be used to fund management activities outlined in the Wekiva River Aquatic Preserve Management Plan.

SPECIAL LEASE CONDITION(S)

1. During the term of this lease and all subsequent renewal terms, the Lessee shall maintain the manatee informational display and manatee awareness signs as required by the State of Florida Department of Environmental Protection Intent to Issue an ERP No. 0351145-002-EI, dated_____.
2. Stetson shall provide the Division of Recreation and Parks' District 3 office (phone 407-553-4355); the Hontoon Island State Park Manager (phone 386-736-5309) and the Blue Springs State Park Manager (phone 386-775-1599) their schedule of events prior to commencement of any activities.
3. Stetson shall ensure that their activities will not interfere with normal navigation on Lake Beresford.
4. No permanent buoys or signage will be installed, with the exception of the manatee signs required by specific condition #7 in DEP's Consolidated ERP Permit No. 0351145-002-EI, that states, in part, "The Permittee shall install permanent manatee educational signs at access points for on-water spectators and chase boats associated with the regatta events."



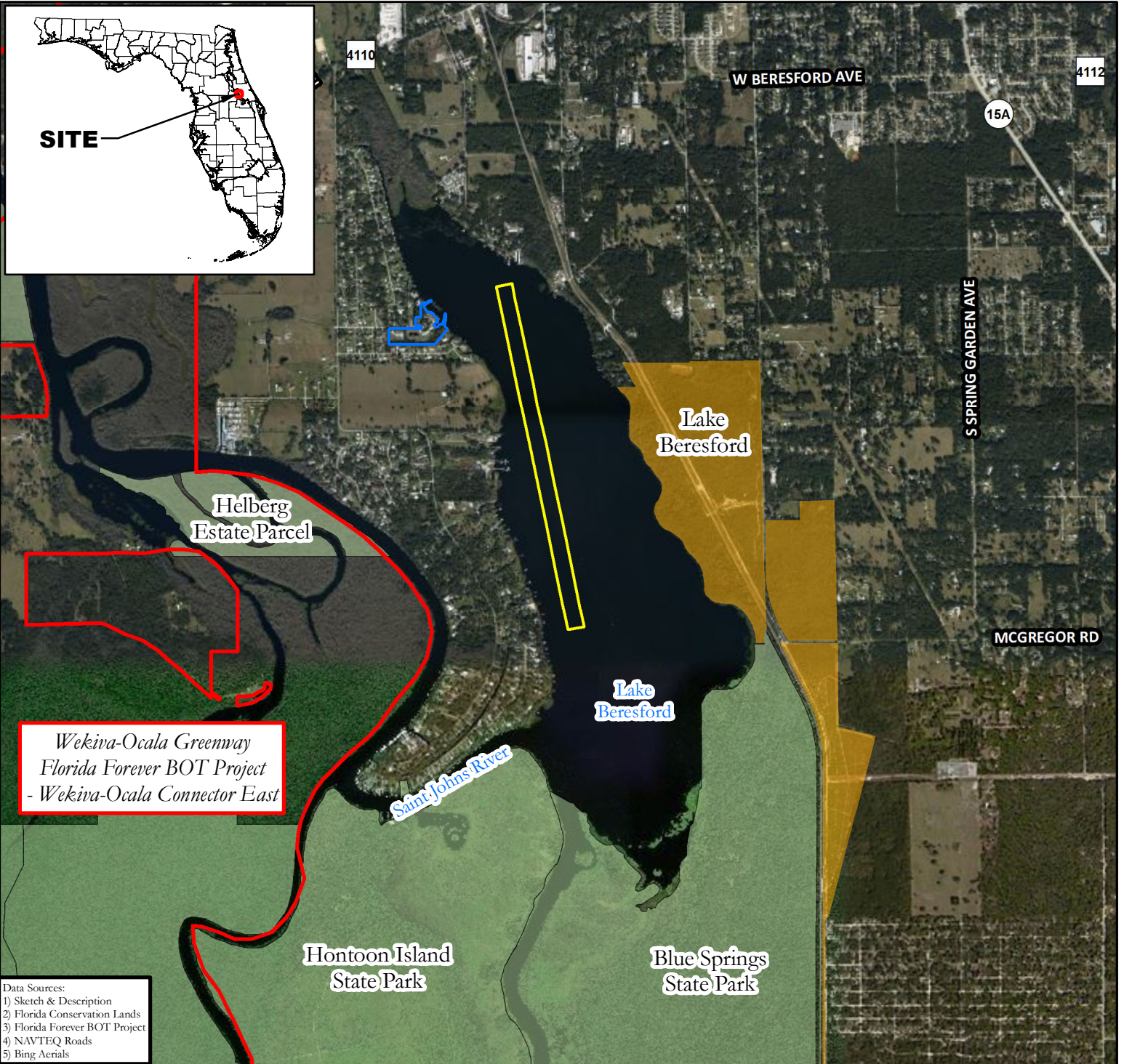
Data Sources:
 1) Sketch & Description
 2) Florida Conservation Lands
 3) Florida Forever BOT Project
 4) World Street Map from ESRI

-  Subject Parcel
-  Stetson University Aquatic Center
-  Florida Forever Project Boundaries
-  State Managed Conservation Lands
-  Federal Managed Conservation Lands
-  City/County Managed Conservation Lands
-  Private Managed Conservation Lands



Stetson University – Rowing Course

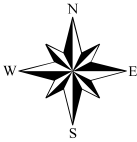
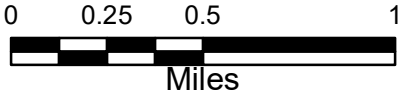
Volusia County, Florida



*Wekiva-Ocala Greenway
Florida Forever BOT Project
- Wekiva-Ocala Connector East*

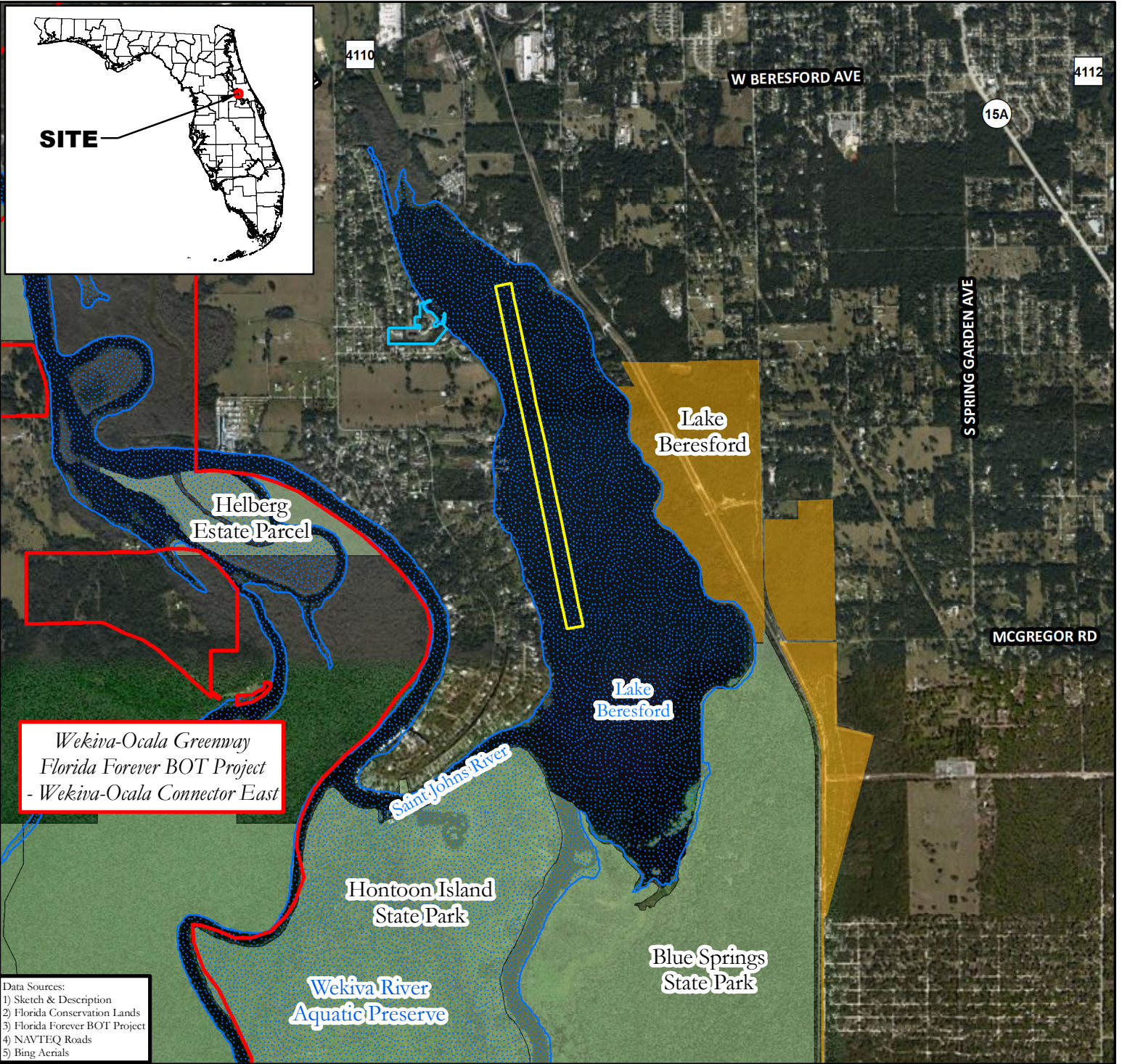
- Data Sources:
 1) Sketch & Description
 2) Florida Conservation Lands
 3) Florida Forever BOT Project
 4) NAVTEQ Roads
 5) Bing Aerials

- Subject Parcel
- Stetson University Aquatic Center
- Florida Forever Project Boundaries
- State Managed Conservation Lands
- City/County Managed Conservation Lands









Stetson University – Rowing Course

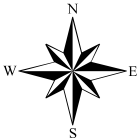
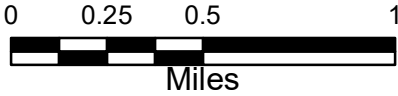
Volusia County, Florida



*Wekiva-Ocala Greenway
Florida Forever BOT Project
- Wekiva-Ocala Connector East*

- Data Sources:
 1) Sketch & Description
 2) Florida Conservation Lands
 3) Florida Forever BOT Project
 4) NAVTEQ Roads
 5) Bing Aerials

-  Subject Parcel
-  Stetson University Aquatic Center
-  Florida Forever Project Boundaries
-  Aquatic Preserves
-  State Managed Conservation Lands
-  City/County Managed Conservation Lands



Stetson University – Rowing Course

Volusia County, Florida



FLORIDA DEPARTMENT OF Environmental Protection

CENTRAL DISTRICT OFFICE
3319 MAGUIRE BLVD., SUITE 232
ORLANDO, FLORIDA 32803

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

In the matter of an Application for a Permit/Water Quality Certification and Authorization to Use Sovereign Submerged Lands by:

APPLICANT:

Stetson University, Inc.
421 North Woodland Blvd, Unit 8359
Deland, Florida 32723

FILE No.: 0351145-002-EI

LEASE No.: 640358844

COUNTY: Volusia

PROJECT NAME: Stetson University – Short Rowing Course

CONSOLIDATED NOTICE OF INTENT TO ISSUE ENVIRONMENTAL RESOURCE PERMIT LEASE TO USE SOVEREIGN SUBMERGED LANDS

The Department of Environmental Protection (Department) gives notice of its intent to issue an Environmental Resource Permit (ERP) in accordance with Part IV of Chapter 373, Florida Statutes (F.S.), and Chapter 62-330, Florida Administrative Code (F.A.C.) (draft copy of permit attached). Issuance of the ERP constitutes certification of compliance with state water quality standards pursuant to section 401 of the Clean Water Act U.S.C. § 1341 and a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Zone Management Act, 16 U.S.C. § 1456, unless expressly waived by the final permit.

The Department of Environmental Protection (Department) also gives notice of its intent to grant a lease to use sovereign submerged lands for the proposed activity, under Article X, Section 11 of the Florida Constitution, Chapter(s) 253, and 258, F.S., Title 18, F.A.C., and the policies of the Board of Trustees, as described, below. The actual terms of lease will be formally executed at a later date and shall include provisions for rents and such other provisions as normally are included in such lease.

I. DESCRIPTION OF THE PROPOSED ACTIVITY

The applicant, Stetson University, applied on May 13, 2019 to the Department of Environmental Protection for a permit, water quality certification and authorization to use sovereign submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) to seek authorization for a nine-month 2,000-meter rowing training course ("Short Course").

The activity is located within Lake Beresford of the Wekiva River Aquatic Preserve, a Class III, Outstanding Florida Waterbody and associated with the upland Stetson University Aquatic Center located at 2636 Alhambra Avenue (Parcel 792304000030), Deland, Florida 32720, in Section 24, Township 17 S, Range 29 E in Volusia County.

The activity includes consideration of an application for a 5-year sovereignty, submerged land lease containing 2,034,293 square feet, more or less for a rowing course for practices and special events.

II. AUTHORITY FOR REVIEW

The Department is authorized to grant this permit pursuant to Part IV of Chapter 373, F.S., and Chapter 62-330, F.A.C. The activity is not exempt from the requirement to obtain an Environmental Resource Permit. Pursuant to Operating Agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C., the Department is responsible for reviewing and taking final agency action on this activity.

The activity also requires a proprietary authorization, as it is located on sovereign submerged lands owned by the Board of Trustees. The activity is not exempt from the need to obtain a proprietary authorization. Pursuant to Article X, Section 11 of the Florida Constitution, Sections 253.002 and 253.77, F.S., Sections 18-21.0040, 18-21.0051, 18-20, 62-330.075, F.A.C., the policies of the Board of Trustees, and the Operating Agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C., the Department is responsible for reviewing and taking final agency action on this request for proprietary authorization.

III. BACKGROUND/BASIS FOR ISSUANCE

A. General

Background

The applicant has one existing permit associated with the site (ERP 0351145-001-EI, issued October 4, 2017) which authorized the construction of the aquatic center, associated upland development including the stormwater management system, a boardwalk pier, public kayak/canoe launch, and a ramp for the loading/unloading of rowing vessels.

On May 13, 2019, Stetson University applied for ERP 0351145-002-EI to seek authorization for the installation and use of buoys associated with their proposed Short Course.

The Short Course is located within Lake Beresford of the Wekiva River Aquatic Preserve, a Class III, Outstanding Florida Waterbody.

Regulatory Basis of Issuance

The applicant has provided reasonable assurance that the construction, operation, maintenance, and/or removal of the projects proposed to be authorized will be capable, based on generally accepted engineering and scientific principles, of performing and functioning as proposed.

Based on the nature of the activities, it is not anticipated that these activities will cause adverse flooding to on-site or off-site property nor adversely impact the maintenance of surface or ground water levels or surface water flows. Additionally, there are no modification to the surface water management system associated with the uplands from the previous authorization and therefore there is no reasonable expectation the proposed project could cause adverse impacts to existing surface water storage and conveyance capabilities nor cause adverse water quantity impacts to receiving waters and adjacent lands.

Environmental Conditions for Issuance

Elimination or Reduction of Impacts – This proposed project does not authorize any impacts to jurisdictional wetlands nor submerged aquatic resources. The applicant has reduced the number of buoys to the maximum extent practicable by spacing the buoys to every 100-meters and eliminating exterior lane buoys. The length of the course is an industry standard, however the proposed use of the course is limited and has been reduced to operation of the Short Course nine-months of the year.

Fish, Wildlife, Listed Species and their Habitat – The application was reviewed by the Florida Fish and Wildlife Conservation Commission (FWC). Questions from FWC were included in both Requests for Additional Information (RAIs), and were determined to be adequately addressed by FWC on October 1, 2020. The permit has been conditioned to include four comments regarding the protection of manatees.

The project is limited to surface waters and does not propose any impacts to jurisdictional wetlands, littoral zones, nor areas otherwise reasonably expected to be breeding habitat for listed species. The waterbody is otherwise frequently used for recreational watercraft and passage through the St Johns River, therefore the use of rowing vessels and their associated “chase boats” nor the installation of the buoys (which are limited to 36” per buoy), are not expected to have an adverse impact on the habitat or abundance or diversity of fish within Lake Beresford or surrounding waters.

Public Interest Test – The activity is not within the riparian rights of any upland parcels and therefore are reasonably expected to not affect the public health, safety, welfare, or property of others. Further, the activity has been evaluated by the Florida Fish and Wildlife Conservation Commission in conjunction with the FDEP Department review and there is no expectation that the conservation of fish and wildlife and their habitats, the fishing and recreational values of the area, nor marine productivity will be affected by the rowing course. Potential navigational concerns were addressed by coordination with the United States Coast Guard (USCG). It is anticipated that in accordance with Chapter 68D-23,

F.A.C., no Boating and Waterways permit will be required, however the application is still pending and the permit has been conditioned to ensure compliance with the USCG determination. The activity is approved to occur annually on an indefinite basis contingent upon compliance with the Environmental Resource Permit and sovereign submerged state lands lease.

In order to ensure that the project is clearly in the public interest, the applicant is proposing enhancement of public lands through funding of projects listed within the current (ARC approved) Wekiva River Aquatic Preserve Management Plan. The applicant proposes to provide a donation of \$5,000 to the Aquatic Preserve Society. Funds will provide financial support for projects to improve and enhance natural habitats that support multiple listed and otherwise protected species.

Water Quality – Short term water quality considerations include potential turbidity concerns during the initial installation and removal of the buoys. The permit has been conditioned to require the lowering by hand of each anchor.

Long term water quality considerations included the demonstration by the applicant that the buoy anchors will be comprised of concrete manufactured for boating/recreational use and will not result in leaching of unauthorized chemicals. In regards to long term erosion issues, the chase boats associated with the rowing events will not exceed an average maximum speed of 14 MPH. This is less than the posted manatee slow zone speed limitation, and due to the infrequent nature of their use it is not expected that use of the vessels will contribute to shoreline erosion.

Secondary Impacts – There are no authorized direct impacts nor anticipated secondary impacts which are reasonably expected to contribute to violations of water quality standards or adverse impacts to the functions of wetlands, the ecological value of uplands for listed animal species, nor cause impacts to significant historical or archeological resources associated with this proposed authorization.

Proprietary Basis of Issuance

The proposed activity is associated with an educational entity, is revenue generating, and requires a lease as the appropriate form of state lands authorization in accordance with the forms of authorization per Chapter 18-21.005, F.A.C. The project meets the management policies, standards, and criteria outlined in Chapter 18-21.004, F.A.C. The applicant has demonstrated general compliance with Chapter 18-21, Florida Administrative Code and the project has been reviewed by the Board of Trustees on [Date] and determined.

B. Specific Regulatory Basis for Issuance

The Department has determined, based on the information currently on file and the general and specific conditions included within the attached draft permit, the applicant has provided reasonable assurance that the construction, including the direct, secondary and cumulative impacts, will comply with the provisions of Part IV of Chapter 373, F.S., and the rules adopted thereunder, including the Conditions for Issuance of an environmental resource permit, as provided in Chapter 62-330, F.A.C., and Applicant's Handbook, Volumes I and II (as applicable). The construction and operations of the activity will not result in violations of the water quality standards set forth in Chapters 62-4, 62-302, 62-520, 62-522, and 62-550, F.A.C. and will not degrade ambient water quality in Outstanding Florida Waters pursuant to Rule 62- 4.242, F.A.C.. The applicant has also demonstrated that the construction of the activity, including a consideration of the direct, secondary and cumulative impacts, is clearly in the public interest, pursuant to Section 373.414(1)(a), F.S.

C. Specific Proprietary Basis for Issuance

Through the above and based on the general and/or specific conditions to the lease, the applicant has met all applicable requirements for proprietary authorizations to use sovereign submerged lands, pursuant to Article X, Section 11 of the Florida Constitution, chapter(s) 253 and 258, F.S., associated Rule(s) 18-21, and 18-20, F.A.C., and the policies of the Board of Trustees. The applicant has provided reasonable assurance that the activity:

- (1) will clearly be "in the public interest";
- (2) will maintain essentially natural conditions;
- (3) will not cause adverse impacts to fish and wildlife resources or public recreation or navigation; and
- (4) will not interfere with the riparian rights of adjacent property owners.

IV. PUBLICATION OF NOTICE

The Department has determined that the proposed activity, because of its size, potential effect on the environment or the public, controversial nature, or location, is likely to have a heightened public concern or likelihood of request for administrative proceedings. Therefore, pursuant to Subsection 373.413(4), F.S. and section 5.5.5.3 of Applicant's Handbook, Volume I, you (the applicant) are required to publish at your own expense this Notice of Intent to Issue. The notice is required to be published one time, in the legal ad section in a newspaper or newspapers of general circulation in the areas affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. The applicant shall provide proof of publication to:

Florida Department of Environmental Protection
3319 Maguire Blvd, Suite 232
Orlando, FL 32803

The proof of publication shall be provided to the above address within 30 days of issuance of intended agency action, or within 21 days of the date of publication, whichever occurs sooner. Failure to publish the notice and provide proof of publication within the allotted time shall be grounds for denial of the permit and lease to use sovereign submerged lands.

V. RIGHTS OF AFFECTED PARTIES

The Department will issue the environmental resource permit (draft permit attached) and lease to use sovereign submerged lands, unless a timely petition for an administrative proceeding (hearing) is filed under sections 120.569 and 120.57, Florida Statutes, 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 subsequent order may modify or take a different position than this action.

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, Florida Statutes. Pursuant to Rule 28-106.201, Florida Administrative Code, 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, any email address, any facsimile number, 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 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. 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.

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.

EXECUTION AND CLERKING

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Reggie Phillips
Interim Program Administrator
Permitting and Waste Cleanup Program

Attachment(s):

1. Draft Permit No. 0351145-002-EI

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

Rey Malave, Dewberry Engineers, RMalave@Dewberry.com
Hannah Hart, Dewberry Engineers, hart@Dewberry.com
Nicole Gough, Dewberry Engineers, NGough@Dewberry.com
David Cooke, Dewberry Engineers, dcooke@Dewberry.com
Michelle Pasawicz, FWC, Michelle.Pasawicz@MyFWC.com
FFWCC/Main Email, FWCCConservationPlanningServices@myfwc.com
DOS, CompliancePermits@dos.state.fl.us
DEO, dcppermits@deo.myflorida.com
Volusia County, enviropemrit@co.volusia.fl.us
Barbara Howell, Wekiva River Aquatic Preserve Mngr, Barbara.Howell@FloridaDEP.gov
Megan Warr, FDEP, Megan.Warr@FloridaDEP.gov
Helen Benson, FDEP, Helen.Benson@FloridaDEP.gov
Teayann Duclos, FDEP, Teayann.Duclos@FloridaDEP.gov
Diane Martin, FDEP, Diane.Martin@dep.state.fl.us

FILING AND ACKNOWLEDGMENT

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

Clerk

Date



FLORIDA DEPARTMENT OF Environmental Protection

CENTRAL DISTRICT OFFICE
3319 MAGUIRE BLVD., SUITE 232
ORLANDO, FLORIDA 32803

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

Permittee/Authorized Entity:

Stetson University, Inc.
c/o Jeff Altier, Director of Athletics
421 North Woodland Blvd, Unit 8359
Deland, Florida 32723
JAltier@Stetson.edu

Stetson University – Short Rowing Course

Authorized Agent:

Dewberry Engineers
c/o Hannah Hart
800 North Magnolia Ave, Suite 1000
Orlando, FL 32803
hhart@Dewberry.com

Environmental Resource Permit

**State-owned Submerged Lands Authorization – Granted Pending Document
Execution**

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

Volusia County
Permit No.: 0351145-002-EI
Lease File No.: 640358844

Permit Issuance Date:
Permit Construction Phase Expiration Date:



FLORIDA DEPARTMENT OF Environmental Protection

CENTRAL DISTRICT OFFICE
3319 MAGUIRE BLVD., SUITE 232
ORLANDO, FLORIDA 32803

Ron DeSantis
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Noah Valenstein
Secretary

Consolidated Environmental Resource Permit and Recommended Intent to Grant Sovereignty Submerged Lands Authorization

Permittee: Stetson University, Inc.
Permit No: 0351145-002-EI

PROJECT LOCATION

The activities authorized by this permit are associated with the Stetson University Aquatic Center located at 2636 Alhambra Avenue (Parcel 792304000030), Deland, Florida 32720, in Section 24, Township 17 S, Range 29 E in Volusia County.

PROJECT DESCRIPTION

The permittee is authorized to install 5-rows of buoys from September- May annually over a 2,000-meter "Short-Course", within Lake Beresford of the Wekiva River Aquatic Preserve, a Class III, Outstanding Florida Waterbody. Those activities comprise a total of approximately 46.7 acres of preemption of state-owned sovereignty submerged lands. Authorized activities are depicted on the attached exhibits.

In order to satisfy public interest requirements, the permittee is required to enhance public lands through funding of projects listed within the current (ARC approved) Wekiva River Aquatic Preserve Management Plan. The applicant shall provide a donation of \$5,000 to the Aquatic Preserve Society. Funds will provide financial support for projects to improve and enhance natural habitats that support multiple listed and otherwise protected species.

AUTHORIZATIONS

Stetson University – Short Rowing Course

Environmental Resource Permit

The Department has determined that the activity qualifies for an Environmental Resource Permit. Therefore, the Environmental Resource Permit is hereby granted, pursuant to Part IV of Chapter 373, Florida Statutes (F.S.), and Chapter 62-330, Florida Administrative Code (F.A.C.).

Sovereignty Submerged Lands Authorization

The activity is located on sovereignty submerged lands owned by the State of Florida. It therefore also requires authorization from the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees), pursuant to Article X, Section 11 of the Florida Constitution, and Section 253.77, F.S., and Chapter 258, F.S.

On [Date], the Board of Trustees granted authority for the Department, acting as staff to the Board in accordance with Sections 253.002, F.S., to proceed with issuance of a lease for the use for the activity described.

The final documents required to execute the lease will be sent to the permittee/lessee by the Department's Division of State Lands for execution. The Department intends to issue the lease, upon satisfactory execution of those documents, including payment of required fees and compliance with the conditions in the previously issued Recommended Consolidated Intent to Issue lease. **You may not begin construction of the activities described until you receive a copy of the executed lease from the Department.**

Federal Authorization

Projects within waters of the United States may also require federal authorization from the US Army Corps of Engineers (USACE). Staff have reviewed your application and determined that your project is not within jurisdiction of the State 404 program and does not qualify for federal authorization under Florida's State Programmatic General Permit (SPGP). If your project is not within the State 404 program area and does not qualify for SPGP, you are responsible for separately applying to the USACE for any required federal authorization using the appropriate federal application form. More information about federal permitting can be found online in the Jacksonville District Regulatory Division Sourcebook. The Department will not send a copy of your application to the USACE.

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.

Coastal Zone Management

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

Water Quality Certification

This permit also constitutes a water quality certification under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

Other Authorizations

You are advised that authorizations or permits for this activity may be required by other federal, state, regional, or local entities including but not limited to local governments or municipalities. This permit does not relieve you from the requirements to obtain all other required permits or authorizations.

The activity described may be conducted only in accordance with the terms, conditions and attachments contained in this document. Issuance and granting of the permit and authorizations herein do not infer, nor guarantee, nor imply that future permits, authorizations, or modifications will be granted by the Department.

PERMIT CONDITIONS

The activities described must be conducted in accordance with:

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

You are advised to read and understand these conditions and drawings prior to beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings herein. If you are using a contractor, the contractor also should read and understand these conditions and drawings prior to beginning any activity. Failure to comply with these conditions, including any mitigation requirements, shall be grounds for the Department to revoke the permit and authorization and to take appropriate enforcement action. Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit, as described.

SPECIFIC CONDITIONS - PRIOR TO ANY CONSTRUCTION

1. The terms, conditions, and provisions of the required lease shall be met. Construction of this activity shall not commence on sovereign submerged lands, title to which is held by the Board of Trustees of the Internal Improvement Trust Fund, until all required lease documents (BOT No: 640358844) have been executed to the satisfaction of the Department.
2. Within 60 days of issuance of the permit and prior to commencing any activities authorized by this permit, the public interest project (\$5,000 donation to the Aquatic Preserve Society) shall be completed. Confirmation shall be submitted to the Central District office by email to DEP_CD@dep.state.fl.us or by mail to 3319 Maguire Blvd, Suite 232, Orlando, FL 32803.

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

3. Storage or stockpiling of tools and materials (i.e., lumber, pilings, debris,) within wetlands, along the shoreline, within the littoral zone, or elsewhere within wetlands or other surface waters is prohibited.
4. Unauthorized impacts to wetlands or the littoral zone as a result of the buoy installation or use shall be reported immediately to the Department.
5. All watercraft associated with the construction of the permitted activities shall only operate within waters of sufficient depth (one-foot clearance from the deepest draft of the vessel (barge) to the submerged bottom) so as to preclude bottom scouring or prop dredging.

SPECIFIC CONDITIONS – MANATEE

6. The [Standard Manatee Construction Conditions for In-water Work](#) (2011) shall be followed for all in-water activity, including the installation of temporary buoys or other course markers.
7. The Permittee shall install permanent manatee educational signs at access points for on-water spectators and chase boats associated with the regatta events. Signs shall be replaced in accordance with FWC guidance by the Permittee if outdated, damaged or faded. Please

visit <http://www.myfwc.com/wildlifehabitats/managed/manatee/education-for-marinas/> for more information on the installation of manatee educational signs.

8. All staff, support teams, and participants associated with the events shall be informed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. No variance or waiver from the posted regulatory Manatee Protection Zones is authorized for the events.
9. The permittee shall provide a copy of any Notice to Local Mariners (NLM) to the USCG, FDEP, and FWC, if required by the United States Coast Guard, at the time the notice is submitted to the federal agency. Additionally, the applicant shall provide a copy of the USCG No Permit Required (NPR) letter to FWC and FDEP, once received. Should the USCG choose to issue a Marine Event Permit in lieu of a NPR letter, a copy of the Marine Event Permit shall be provided in lieu of the NPR letter. The permittee shall maintain records of all annual NLM notices for FWC inspection if desired. The NPR letter or Marine Event Permit shall be provided to FDEP within 12 months of permit issuance or prior to authorization of in-water activities.

SPECIFIC CONDITIONS - OTHER LISTED SPECIES

10. This permit does not authorize the permittee to cause any adverse impact to or “take” of state listed species and other regulated species of fish and wildlife. Compliance with state laws regulating the take of fish and wildlife is the responsibility of the owner or applicant associated with this project. Please refer to Chapter 68A-27, F.A.C. for definitions of “take” and a list of fish and wildlife species. If listed species are observed onsite, FWC staff are available to provide decision support information or assist in obtaining the appropriate FWC permits. Most marine endangered and threatened species are statutorily protected and a “take” permit cannot be issued. Requests for further information or review can be sent to FWCConservationPlanningServices@MyFWC.com.

SPECIFIC CONDITIONS – OPERATION AND MAINTENANCE ACTIVITIES

11. There shall be a minimum 12-inch clearance between the deepest draft of the vessels (including “chase boats”) associated with the use of the rowing course (with the motor in the down position) and the top of submerged resources or substrate at ordinary low water.
12. The Short-Course buoys may only remain in place from September 1 – May 31 of each year.
13. Stetson shall provide the Division of Recreation and Parks’ District 3 office (phone 407-553-4355); the Hontoon Island State Park Manager (phone 386-736-5309) and the Blue Springs State Park Manager (phone 386-775-1599) their schedule of events prior to commencement of any activities.
14. Stetson shall ensure that their activities will not interfere with normal navigation on Lake Beresford.
15. No permanent buoys or signage will be installed, with the exception of the manatee signs required by specific condition #7 in DEP’s Consolidated ERP Permit No. 0351145-002-EI, that states, in part, “The Permittee shall install permanent manatee educational signs at access points for on-water spectators and chase boats associated with the regatta events.”

SPECIFIC CONDITIONS – MONITORING/REPORTING REQUIREMENTS

16. Notification shall be made to the FDEP Central District at DEP_CD@dep.state.fl.us or by mail at 3319 Maguire Blvd, Suite 232, Orlando, FL 32803, at least 30-days prior to any regatta events.

GENERAL CONDITIONS FOR INDIVIDUAL PERMITS

The following general conditions are binding on all individual permits issued under this chapter, except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate project-specific conditions.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation, June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," (October 1, 2013), (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), incorporated by reference herein, indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C., and shall be submitted electronically or by mail to the Agency. However, for activities involving more than one acre of construction that also require a NPDES stormwater construction general permit, submittal of the Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Form 62-621.300(4)(b), shall also serve as notice of commencement of construction under this chapter and, in such a case, submittal of Form 62-330.350(1) is not required.
5. Unless the permit is transferred under rule 62-330.340, F.A.C., or transferred to an operating entity under rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms, and conditions of the permit for the life of the project or activity.

6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex – “Construction Completion and Inspection Certification for Activities Associated with a Private Single-Family Dwelling Unit” [Form 62-330.310(3)]; or
 - b. For all other activities – “As-Built Certification and Request for Conversion to Operation Phase” [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.

7. If the final operation and maintenance entity is a third party:
 - a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.4 of Volume I) as filed with the Florida Department of State, Division of Corporations, and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
 - b. Within 30 days of submittal of the as-built certification, the permittee shall submit “Request for Transfer of Environmental Resource Permit to the Perpetual Operation and Maintenance Entity” [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.

8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.

9. This permit does not:
 - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.

10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.

11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.

12. The permittee shall notify the Agency in writing:
 - a. Immediately if any previously submitted information is discovered to be inaccurate; and

b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

14. If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, stone tools, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section (DHR), at (850)245-6333, as well as the appropriate permitting agency office. Project activities shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, F.S. For project activities subject to prior consultation with the DHR and as an alternative to the above requirements, the permittee may follow procedures for unanticipated discoveries as set forth within a cultural resources assessment survey determined complete and sufficient by DHR and included as a specific permit condition herein.

15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under rule 62-330.201, F.A.C., provides otherwise.

16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under chapter 62-330, F.A.C., or cause violations of state water quality standards.

17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.

18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with subsection 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

19. In addition to those general conditions in subsection (1), above, the Agency shall impose any additional project-specific special conditions necessary to assure the permitted activities will not be harmful to the water resources, as set forth in rules 62-330.301 and 62-330.302, F.A.C., Volumes I and II, as applicable, and the rules incorporated by reference in this chapter.

NOTICE OF RIGHTS

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.

DRAFT

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.

EXECUTION AND CLERKING

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Reggie Phillips
Interim Program Administrator
Permitting and Waste Cleanup Program

Attachment(s):

1. Exhibit 1, Project Area, 2 pages
2. Exhibit 2, Buoy Cross Section
3. Exhibit 3, Survey of Project Boundary
4. Standard Manatee Construction Conditions 2011
5. Construction Commencement Notice/Form 62-330.350(1)
6. Request to Transfer Permit/Form 62-330.340(1)

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

Rey Malave, Dewberry Engineers, RMalave@Dewberry.com
Hannah Hart, Dewberry Engineers, hhart@Dewberry.com
Nicole Gough, Dewberry Engineers, NGough@Dewberry.com
David Cooke, Dewberry Engineers, dcooke@Dewberry.com
Michelle Pasawicz, FWC, Michelle.Pasawicz@MyFWC.com
FFWCC/Main Email, FWCConservationPlanningServices@myfwc.com
DOS, CompliancePermits@dos.state.fl.us
DEO, dcppermits@deo.myflorida.com
Volusia County, envirop permit@co.volusia.fl.us
Barbara Howell, FDEP Wekiva River Aquatic Preserve Mngr, Barbara.Howell@FloridaDEP.gov
Megan Warr, FDEP, Megan.Warr@FloridaDEP.gov
Helen Benson, FDEP, Helen.Benson@FloridaDEP.gov
Teayann Duclos, FDEP, Teayann.Duclos@FloridaDEP.gov
Diane Martin, FDEP, Diane.Martin@dep.state.fl.us

FILING AND ACKNOWLEDGMENT

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

Clerk

Date

DRAFT

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 when 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, shall 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) Helpline at 1-800-40-4000. 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 to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for south Florida, and to FWC at ImperiledSpecies@fwc.com
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. Signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this project by the FWC must be used. One sign which reads *Caution: Manatees* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at <http://www.fwc.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

DRAFT



FLORIDA DEPARTMENT OF Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, FL 32399

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

February 1, 2021

Ms. Emily Bohnstengel
Department of Environmental Protection
Office of Cabinet Affairs
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

RE: Stetson agenda item – March 9, 2021 BOT Agenda

Dear Emily:

This letter is to offer the Division of Recreation and Parks' (DRP) support for Stetson University, Inc.'s (University) request for a five-year sovereignty submerged land lease, containing approximately 46.7 acres, for a rowing course on Lake Beresford within the Wekiva River Aquatic Preserve. The course is within close proximity to both Hontoon Island State Park and Blue Springs State Park.

DRP requests that the University utilize best management practices, which includes but is not limited to, complying with the following special lease conditions:

- (1) Stetson shall provide the Division of Recreation and Parks' District 3 office (phone 407-553-4355); the Hontoon Island State Park Manager (phone 386-736-5309) and the Blue Springs State Park Manager (phone 386-775-1599) their schedule of events prior to commencement of any activities.
- (2) Stetson shall ensure that their activities will not interfere with normal navigation on Lake Beresford.
- (3) No permanent buoys or signage will be installed, with the exception of the manatee signs required by specific condition #7 in DEP's Consolidated ERP Permit No. 0351145-002-EI, that states, in part, "The Permittee shall install permanent manatee educational signs at access points for on-water spectators and chase boats associated with the regatta events."

Ms. Emily Bohnstengel
Page Two
February 1, 2021

Thank you for the opportunity to comment on this project.

Sincerely,



Diane Martin
Land Administration Manager
Office of Park Planning

DM/d

cc: Steve Cutshaw
Parks Small
Larry Fooks
Robert Yero
Rene Acuna
Michael Watkins
Helen Benson
Emily Bohnstengel
Melanie Orozco

From: [Pasawicz, Michelle](#)
To: [Warr, Megan](#)
Cc: [ImperiledSpecies](#)
Subject: FWC Final Comments; Stetson University Crew Regatta 2019, File No. 0351145-002
Date: Thursday, October 1, 2020 12:57:18 PM

Project Name: Stetson University Crew Regatta 2019
File No. 0351145-002

Dear Ms. Warr,

The Florida Fish and Wildlife Conservation Commission (FWC) has reviewed the special event proposal to be hosted by Stetson University up to two times per year. Two courses are proposed (2,000 meters and 5,000 meters) and will be marked with 36" temporary buoys anchored with steel braided cord. The semi-annual crew regatta events are proposed to take place in Lake Beresford and portions of the St. Johns River, Volusia County.

Florida manatee (*Trichechus manatus latirostris*) use of this area is documented by aerial survey, mortality and satellite telemetry data. It is our recommendation that the following measures, if they are made conditions to the permit, will satisfy the requirements of 379.2431(2) and 373.414(1)(a)2 Florida Statutes:

1. The [Standard Manatee Construction Conditions for In-water Work](#) (2011) shall be followed for all in-water activity, including the installation of temporary buoys or other course markers.
2. The Permittee shall install permanent manatee educational signs at access points for on-water spectators and chase boats associated with the regatta events. Signs shall be replaced in accordance with FWC guidance by the Permittee if outdated, damaged or faded. Please visit <http://www.myfwc.com/wildlifehabitats/managed/manatee/education-for-marinas/> for more information on the installation of manatee educational signs.
3. All staff, support teams, and participants associated with the events shall be informed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. No variance or waiver from the posted regulatory Manatee Protection Zones is authorized for the events.
4. The permittee shall provide a copy of any Notice to Local Mariners (NLM) to the USCG, FDEP, and FWC, if required by the United States Coast Guard, at the time the notice is submitted to the federal agency. Additionally, the applicant shall provide a copy of the USCG No Permit Required (NPR) letter to FWC and FDEP, once received. Should the USCG choose to issue a Marine Event Permit in lieu of a NPR letter, a copy of the Marine Event Permit shall be provided in lieu of the NPR letter. The permittee shall maintain records of all annual NLM notices for FWC inspection if desired. The NPR letter or Marine Event Permit shall be provided to FDEP within 12 months of permit issuance or prior to authorization of in-water activities.

Thank you for the opportunity to review this project. Please contact me at (850) 922-4330 or

via email if you have any questions or require additional information.

Sincerely,

Michelle.Pasawicz@MyFWC.com

Michelle R. Pasawicz

Biological Administrator

Imperiled Species Management Section

Florida Fish and Wildlife Conservation Commission

620 South Meridian Street – 6A

Tallahassee, FL 32399-1600

~~(850) 922-4330~~ *(I am working remotely at this time and email is preferred.)*

(850) 922-4338, fax