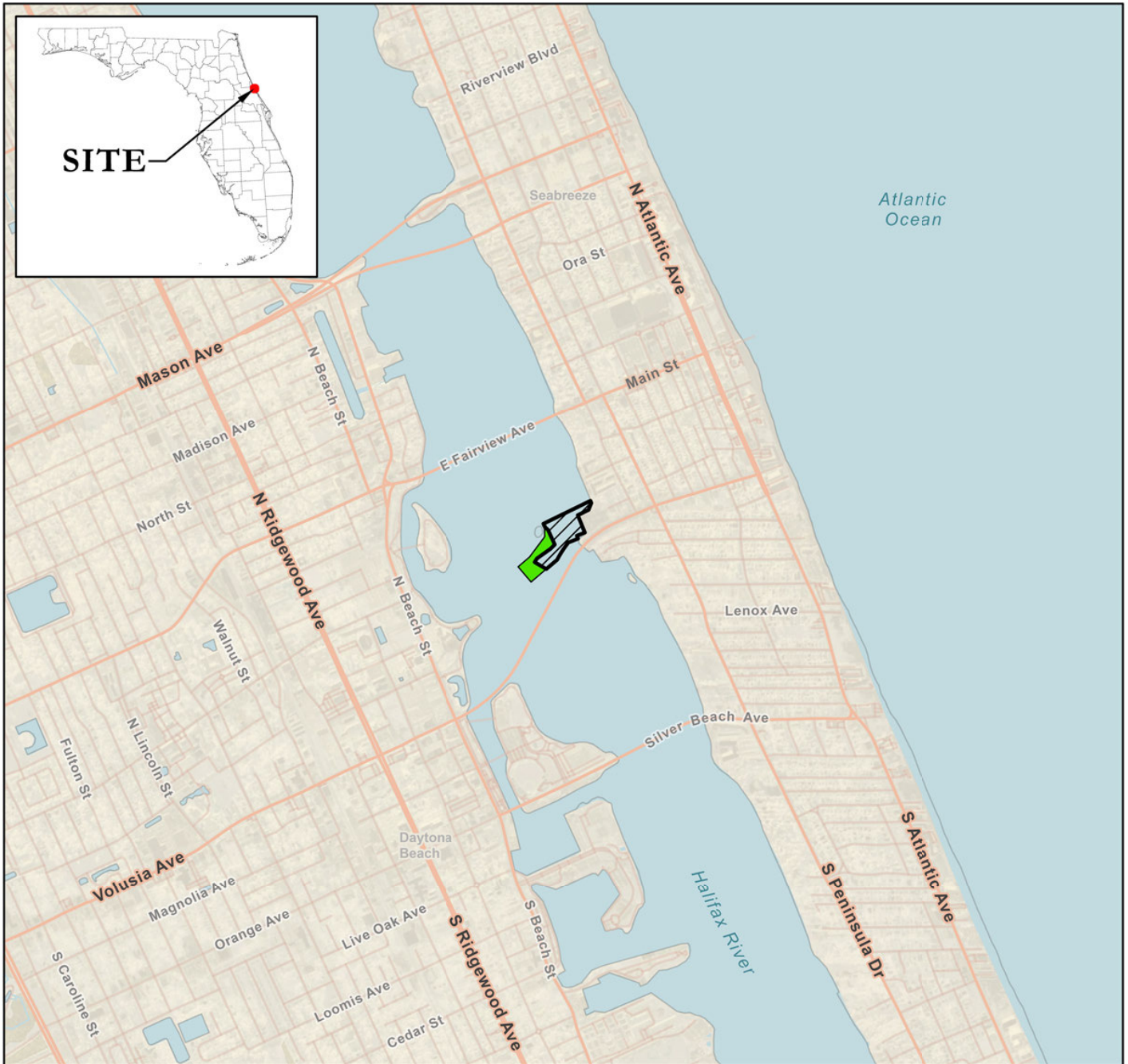
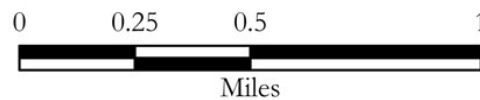




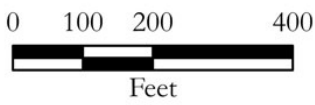
-  Proposed Lease Area
-  Proposed Dredging Easement



LV Daytona Gateway LLC
 Lease No. 644003732 | Easement No. 43319
 Volusia County, Florida



-  Proposed Lease Area
-  Proposed Dredging Easement



LV Daytona Gateway LLC
Lease No. 644003732 | Easement No. 43319
Volusia County, Florida

PROJECT DESCRIPTION

1. Location: Latitude 29°13'11.41"N, Longitude -81° 0'49.44"W
Aquatic Preserve: No
Waterbody Name and Classification: Halifax River, Class III, Unclassified for Shellfish Harvesting.
Designated Manatee County: Yes, with an approved Manatee Protection Plan
Manatee Aggregation Area: No
Manatee Protection Speed Zone: Yes. Slow speed zone all year

2. Preempted area:

- Total Lease Area: 281,085 square feet total
- Proposed Private Easement Area: 134,860 square feet

Structure dimensions: Dimensions of docks, staging areas, gangways, and access piers total approximately 49,813 square feet.

- Dock A: 19,520 square feet with 47 slips accommodating vessels from 30 feet to 120 feet.
- Dock B: 15,700 square feet with 39 slips accommodating vessels from 45 feet to 60 feet. Dock B is the fuel dock.
- Dock C: 1,260 square feet with 5 slips accommodating vessels up to 30 feet.
- Dock D: 560 square feet with 7 slips accommodating vessels up to 30 feet.
 - Floating Dock D: 3,240 square feet with 8 slips accommodating vessels up to 30 feet.
 - Fixed Dock D: 6,680 square feet with 23 slips accommodating vessels up to 40 feet.
- AB Connector is 1,653 square feet.
- Access Platforms are 1,200 square feet.

Number of slips: 129 wet slips proposed

Vessels: Private vessels ranging from 30 to 120 feet in length with a 2-foot to 8-foot draft.

3. Liveaboards: Are not authorized by the Environmental Resource Permit (ERP).
4. Sewage pumpout facility: Is authorized by the ERP and is required to be fixed and connected to a central sewage system.
5. Fueling facility: Is authorized by the ERP.
6. New dredging: Dredging will be allowed in authorized areas of the proposed lease and easement areas to provide sufficient depth of -10 feet mean low water within the commercial marina basin and -10 feet mean low water for ingress and egress from the channel to the commercial marina facility.

Approximately 25,700 cubic yards of sovereignty material will be both mechanically and hydraulically dredged and placed in an onsite dredge material management area. The materials

will be used onsite to grade the uplands and any excess material will be transported to an approved offsite upland location.

The dredging for the commercial marina basin accounts for 8,200 cubic yards of sovereignty material and the dredging for navigation to the commercial marina facility from the channel will account for 17,500 cubic yards of sovereignty material.

REQUIREMENTS/ASSESSMENTS/COMMENTS

1. The St. Johns River Water Management District's ERP: See attached "Consolidated Notice of Intent to Issue."
2. United States Army Corps of Engineers permit: A standard lease condition references the need to obtain approval, if required.
3. Fish and Wildlife Conservation Commission's (FWC) Division of Habitat and Species Conservation, Imperiled Species Management Section, Manatees: Recommended on March 9, 2026, that the Applicant: (1) comply with the standard manatee protection construction conditions; (2) install and maintain manatee awareness signs and informational displays; (3) avoid nighttime mechanical dredging; (4) piledriving activity requirements including having an observer on site and limiting pile driving to daylight hours; and (5) limit the number of boat slips to 138. Items 1 through 4 are included as specific conditions in the ERP, and items 2 and 5 are included as special lease conditions.
4. Florida Department of State's Division of Historical Resources (DHR): Comments were received on November 21, 2025. DHR stated that based on the proposed project information provided, their staff is of the opinion that the proposed project is unlikely to affect historic properties; however, the permit should include special conditions regarding unexpected discoveries during ground disturbing activities on the property. The permit contains the following condition: 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 DHR's Compliance Review Section, at 850-245-6333, as well as the appropriate permitting agency office. Project activities shall not resume without verbal or written authorization from DHR. If unmarked human remains are encountered, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, F.S.
5. Riparian rights line setback: The proposed lease boundary meets the setback criteria.
6. Noticing: The sovereignty submerged lands lease and private easement request was noticed to 18 property owners within a 500-foot radius of the project, and other interested parties, pursuant to Rule 18-21.004(1)(m), F.A.C., and one objection was received by April 6, 2026, the end of the comment period.

The objection raised concerns about potential environmental impacts associated with piledriving, the construction of boat slips, and the facility's long-term Best Management Practices. These issues have been addressed through permit conditions, special lease conditions, and the implementation of a Marina Operating and Management Plan.

PUBLIC INTEREST STATEMENT

The subject property is not located within an aquatic preserve and will not result in the sale of sovereignty submerged lands. Therefore, to receive approval, the proposal is not specifically required by rule or statute to demonstrate that it is "in the public interest," only that it be "not contrary to the public interest," pursuant to Rule 18-21.004(1) (a), F.A.C.

Based on the merits of the proposal, the Applicant has given reasonable assurance that the proposal will maintain essentially natural conditions; will not significantly impact fish and wildlife and other natural resources, including public recreation and navigation; and will not interfere with the riparian rights of adjacent property owners.

Therefore, the Department's opinion is that the proposal is not "contrary to the public interest" and otherwise meets all applicable requirements for a proprietary authorization to use sovereignty submerged lands.

SPECIAL LEASE CONDITION(S)

1. The total number of boat slips at the marina facility, inclusive of all shoreline and upland areas, shall be limited to 129 slips serving no more than 129 vessels.
2. The Lessee shall develop and implement a FWC approved marina educational program (which includes, at a minimum, permanent manatee educational signs, speed zone booklets, and manatee educational brochures) at the wet slip marina facility no later than 60 days after construction commencement, of the docking facility. The Lessee must maintain this educational program during the term of this lease and all subsequent renewal terms. The Lessee will be responsible for the cost of the educational materials. The Lessee shall develop this educational program with the assistance of FWC. FWC shall approve this educational plan prior to its implementation. Marina educational program guidelines can be found at [Manatee Educational Plans and Signs | FWC](#) or can be obtained from FWC. Contact the Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section at ImperiledSpecies@MyFWC.com or by Telephone: 850-922-4330.
3. Vessels using the docking facility for temporary or permanent mooring shall be limited to those with a maximum draft dependent on slip length as outlined on page T-1 of the Drawing attachment. Vessels using the fueling station at the end of Dock B for temporary mooring shall be limited to those with a maximum draft of 5 feet. Maximum draft is measured from the water's surface to either the bottom of the vessel's propulsion unit fully trimmed down or to the deepest part of the vessel, whichever is deeper.

4. A minimum of ninety percent of the wet slips at the docking facility shall be made available for rent to the general public on a “first come, first served” basis, as defined in Rule 18-21.003, Florida Administrative Code, with no longer than one-year rental terms and with no automatic renewal rights or conditions. To help ensure compliance with and to assist in providing public awareness of this requirement, the Lessee shall erect permanent signs at the waterward entrance to the docking facility that are clearly visible to passing boaters and at the upland entrance to the docking facility that are clearly visible to the general public. The signs shall contain language clearly indicating that a minimum of ninety percent of the wet slips at the docking facility are available for rent to the general public. Any dockage rate sheet publications and dockage advertising for the docking facility shall clearly state that a minimum of ninety percent of the wet slips at the docking facility are open to the general public on a “first come, first served” basis.
5. The Lessee shall inform all wet slip occupants in writing of the availability and requirement to use the sewage pumpout facilities provided at each slip. The Lessee shall also advise all wet slip occupants that no overboard discharges of trash, human or animal waste, including fish carcasses, shall occur at the leased premises at any time. Discharge from any holding tank or marine sanitation device, including those approved by the United States Coast Guard is strictly prohibited within the leased premises.
6. Any vessel moored at the docking facility, on either a temporary or permanent basis, shall be wholly located within its designated wet slip as depicted on Attachment A and no portion of a vessel may extend beyond the leased premises. Vessel length shall be measured as overall length including all parts and accessories such as outboard motors, bow pulpits, and swim platforms.
7. The Lessee shall install and maintain, during the term of this lease and all subsequent renewal terms, reflective markers and lighted aids to navigation at the ends of each pier. The lighted aides are required to be on at night and during limited visibility conditions.
8. All vessels that moor, dock, or otherwise use the leased premises shall be maintained in a fully operational condition.

FEE CALCULATION

CONSIDERATION DUE: \$169,824.54

(1)	Lease Fee 281,085 sq. ft. x \$0.2259 =	\$ 63,497.10
	Less 30% Discount \$63,497.10 x .30 =	- \$19,049.13
	Less 10% Discount \$63,497.10 x .10 =	-\$6,349.71
(2)	Plus 25% Surcharge on the new lease area 281,085 sq. ft. x \$0.2259 = \$63,497.10 x .25 =	\$15,874.28
(3)	Private Easement Fee for 10-year term	\$83,727.00
(4)	Severance of sovereignty material 25,700 cubic yards x \$1.25 =	<u>\$32,125.00</u>
	SUBTOTAL:	\$169,824.54



St. Johns River

Water Management District

Michael A. Register, P.E., Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • 386-329-4500 • www.sjrwmd.com

April 06, 2026

Camilo Nino
LV Daytona Gateway LLC
175 SW 7th St
Ste 2101
Miami, FL 33130-2962

SUBJECT: 107217-9
Daytona Bluetide Marina

Dear Sir/Madam:

Enclosed is your consolidated Environmental Resource Permit (ERP) and written authorization to Use State Owned Sovereign Submerged Lands (SSL) issued by the St. Johns River Water Management District on . This permit is a legal document and should be kept with your other important documents. Permit issuance does not relieve you from the responsibility of obtaining any necessary permits from any federal, state, or local agencies for your project.

The proposed activity as outlined on your exemption determination **does not** qualify for federal authorization pursuant to the State Programmatic General Permit VI-R1 (SPGP VI-R1) Coordination Agreement, therefore a SEPARATE permit or authorization may be required from the U.S. Army Corps of Engineers (Corps). You may need to apply separately to the Corps using the appropriate federal application form. More information about the Corps permitting may be found online in the [Jacksonville District](#). Failure to obtain Corps authorization prior to construction could subject you to federal enforcement action by that agency.

Technical Staff Report:

If you wish to receive a copy of a Technical Staff Report (TSR) that provides the District staff's analysis of the permit application, go to our ePermit portal on the District's website at <https://permitting.sjrwmd.com/ep/#/ep>, and then click on "Regulatory Search" from the Search option on the blue bar. From the search page, enter the Application/Permit #, and the Sequence # in the appropriate boxes and then click on Search. Click on the application/permit number hyperlink, to take you to a listing of all documents, including the TSR, for this permit.

Noticing Your Permit:

For noticing instructions, please refer to the noticing materials in this package regarding closing the point of entry for someone to challenge the issuance of your permit. Please note that if a timely petition for administrative hearing is filed, your permit will become nonfinal and any activities that you choose to undertake pursuant to your permit will be at your own risk. Please refer to the attached Notice of Rights to determine any legal rights you may have concerning the District's agency action.

GOVERNING BOARD

Rob Bradley, CHAIR
FLEMING ISLAND

Ryan Atwood
MOUNT DORA

Maryam H. Ghyabi-White, VICE CHAIR
ORMOND BEACH

Doug Bournique
VERO BEACH

J. Chris Peterson, SECRETARY
WINTER PARK

Douglas Burnett
ST. AUGUSTINE

Cole Oliver
MERRITT ISLAND

Ron Howse, TREASURER
COCOA

Janet Price
FERNANDINA BEACH

Compliance with Permit Conditions:

To submit your required permit compliance information, go to our ePermit portal on the District's website at <https://permitting.sjrwmd.com/ep/#/ep>. Once you have logged in to your account go to the "Processed Applications" panel and click on the hyperlink in the "Items Due" column. If you don't see your permit on this panel, you can add it as a "Favorite" by clicking on the "Favorite" icon at the top of the dashboard. This hyperlink will take you to a list of pending submittals due, and choose the appropriate submittal and click on the "Edit" icon to add necessary documents or information, and then submit. You can also submit this compliance data from the "Services" menu after logging in to your account. You will find the link under "Miscellaneous" services menu. The associated compliance forms to comply with your permit conditions are available at <https://www.sjrwmd.com/documents/permitting/>.

Transferring Your Permit:

Your permit requires you to notify the District within 30 days of any change in ownership or control of the project or activity covered by the permit, or within 30 days of any change in ownership or control of the real property on which the permitted project or activity is located or occurs. You will need to provide the District with the information specified in rule 62-330.340, Florida Administrative Code (F.A.C.). Generally, this will require you to complete and submit Form 62-330.340(1), "Request to Transfer Permit," available at <https://www.sjrwmd.com/documents/permitting/>. You can apply for a permit transfer on our the District's ePermit portal at <https://permitting.sjrwmd.com/ep/#/ep>. Once you have logged in, click on "Transfer Request" from the "SWERP/ERP Applications" Services menu.

Thank you and please let us know if you have additional questions. For general questions contact e-permit@sjrwmd.com or (386) 329-4570.

Sincerely,



Jeff Prather, Division Director
Division of Regulatory Services
St. Johns River Water Management District
2501 S. Binion Rd
Apopka, FL 32703
321-676-6609

Enclosures: Permit
Notice of Rights
List of Newspapers for Publication

cc: District Permit File

Consultant: William Sadler
Sea Diversified, Inc.
160 Congress Park Dr
Ste 114
Delray Beach, FL 33445-4724

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
Post Office Box 1429
Palatka, Florida 32178-1429

PERMIT NO: 107217-9 **DATE ISSUED:**
PROJECT NAME: Daytona Bluetide Marina

AN ENVIRONMENTAL RESOURCE PERMIT (ERP) AUTHORIZING:

Construction and operation of a 6.453 acre 129-slip commercial docking facility and the dredging of a 3.096 acre ingress/egress basin, known as Daytona Bluetide Marina as per plans received by the District on March 9, 2026.

AUTHORIZATION TO USE SOVEREIGN SUBMERGED LANDS (SSL):

Authorization to use Sovereign Submerged Lands in the form of a Sovereignty Submerged Lands Lease for a 6.453 acre 129-slip commercial docking facility, and in the form of a Sovereignty Submerged Lands Private Easement for a 3.096 acre dredged ingress/egress basin, for a project known as Daytona Bluetide Marina, in accordance with the lease and easement surveys approved by the District on January 13, 2026.

LOCATION:

Section(s): 8 Township(s): 15S Range(s): 33E

Volusia County

ISSUED TO:

LV Daytona Gateway LLC
175 SW 7th St
Ste 2101
Miami, FL 33130-2962

The proposed activity as outlined on your exemption determination **does not** qualify for federal authorization pursuant to the State Programmatic General Permit VI-R1 (SPGP VI-R1) Coordination Agreement, therefore a SEPARATE permit or authorization may be required from the U.S. Army Corps of Engineers (Corps). You may need to apply separately to the Corps using the appropriate federal application form. More information about the Corps permitting may be found online in the [Jacksonville District](#). Failure to obtain Corps authorization prior to construction could subject you to federal enforcement action by that agency.

Permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.

This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes:

**ENVIRONMENTAL RESOURCE PERMIT AND SOVEREIGN SUBMERGED LANDS
AUTHORIZATION IS CONDITIONED UPON:**

See conditions on attached "Exhibit A", dated

AUTHORIZED BY: St. Johns River Water Management District

By: [[[EMPLOYEE_SIGNATURE.]]]

[[[EMPLOYEE_NAME.]]]

[[[EMPLOYEE_TITLE.]]]

DRAFT

"EXHIBIT A"
CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 107217-9
Daytona Bluetide Marina
DATED [[[PERMIT_ISSUE_DATE]]]

REGULATORY CONDITIONS – ENVIRONMENTAL RESOURCE PERMIT (ERP):

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 District 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 District 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 District, 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 District in writing of changes required by any other regulatory District 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 District 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 District 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, District 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 District 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 Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.
19. This permit for construction will expire five years from the date of issuance.

20. At a minimum, all retention and detention storage areas must be excavated to rough grade prior to building construction or placement of impervious surface within the area to be served by those facilities. To prevent reduction in storage volume and percolation rates, all accumulated sediment must be removed from the storage area prior to final grading and stabilization.
21. All wetland areas or water bodies that are outside the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring or excess turbidity, and dewatering.
22. In the event of a change in ownership or control of the property to which the permit pertains, the permittee shall maintain the financial responsibility mechanism until the District has approved a substitute financial responsibility mechanism and approved the transfer of the permit to the new owner or person with legal control.
23. The operation and maintenance entity shall inspect the stormwater or surface water management system once within two years after the completion of construction and every two years thereafter to determine if the system is functioning as designed and permitted. The operation and maintenance entity must maintain a record of each required inspection, including the date of the inspection, the name and contact information of the inspector, and whether the system was functioning as designed and permitted, and make such record available for inspection upon request by the District during normal business hours. If at any time the system is not functioning as designed and permitted, then within 30 days the entity shall submit a report electronically or in writing to the District using Form 62-330.311(1), "Operation and Maintenance Inspection Certification," describing the remedial actions taken to resolve the failure or deviation.
24. 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 of the Florida Administrative Code 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.
34. For activities on sovereign submerged lands that require letter of consent, lease, easement, management agreement, or use agreement, construction shall not commence until the sovereign submerged lands instrument has been fully executed. Within 30 days of executing a requisite lease or easement, the permittee must provide the District with a copy of the document.

35.

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.

- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
 - c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
 - d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
 - e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at ImperiledSpecies@myFWC.com
 - f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.
36. The proposed project must be constructed and operated as per plans and calculations received by the District on **March 09, 2026**.
37. No later than 60 days after construction commencement, a manatee educational program must be implemented by the permittee. The program outlined in the modification package on Sheet P-4 is appropriate for this location. If the permittee has additional questions regarding educational signage or monofilament recycling bins, they should contact FWC staff at ImperiledSpecies@MyFWC.com. At a minimum, the program shall include permanent manatee educational signs and brochures, which must be available to patrons at all times within a centralized location. If brochures are unavailable from the FWC, the permittee will be responsible for the cost of printing the brochures. All educational materials must be maintained for the life of the facility in a manner acceptable to FWC, and signs must be replaced if damage occurs, becomes faded or outdated. Information on signs and brochures recommended by FWC can be found at: <http://www.myfwc.com/wildlifehabitats/managed/manatee/signs/>.
38. For all pile-driving activity related to this project:

At least one dedicated observer shall be present during pile driving activities and shall perform no other duties that may interfere,

a. with their ability to observe for protected marine species. Observer(s) must have prior on-the-job experience observing manatees during dredging projects or in-water work where the activities were similar in nature to this project. Observer(s) shall have the authority to cease project operations 1) upon sighting a manatee within 50 feet of the pile driving or vessel activity; and 2) if detection of manatees is not possible due to weather or other conditions.

b. All pile driving activities shall be limited to daylight hours in order to maximize visibility for protected species observers. Monitoring shall occur for 30 minutes prior to, during, and for 30 minutes after pile driving ends.

c. During pile driving, the project will utilize a ramp-up measure. At the start of pile driving activity, pile driving hammers would initially be operated at low levels, then gradually increase to minimum necessary power required for pile installation.

d. If the activities appear to harass or injure a protected marine species, then work shall cease immediately and not resume until after consultation with the Florida Fish and Wildlife Conservation Commission (ImperiledSpecies@MyFWC.com or 850-922-4330). Any additional conservation measures deemed necessary by FWC must be implemented to minimize the risks to protected species.

39. The total number of boat slips, inclusive of all shoreline and upland storage, shall be limited to 138.

40. Turbidity levels outside the construction area shall not exceed 29 NTU's above background levels. The following measures shall be taken immediately by the permittee whenever turbidity levels within waters of the State surrounding the project site exceed 29 NTUs above background:

a. Notify the District Compliance Program at 386-329-4500 and at compliancesupport@sjrwmd.com at the time the violation is first detected.

b. Immediately cease all work contributing to the water quality violation.

c. Stabilize all exposed soils contributing to the violation. Modify the work procedures that were responsible for the violation, install more turbidity containment devices, and repair any non-functional turbidity containment devices.

d. As required, perform turbidity monitoring per Specific Conditions.

e. Resume construction activities once turbidity levels outside turbidity curtains fall below 29 NTUs.

41. Turbidity Monitoring. Water turbidity levels shall be monitored if a turbidity plume is observed outside the limits of the required turbidity control devices. Samples shall be taken every four hours, one foot above the bottom, mid-depth, and one-foot below the surface at monitoring stations located as follows:

a. Approximately 100 feet up-current of the work sites and clearly outside the influence of construction activities. (This shall serve as the natural background sample against which other turbidity readings shall be compared.)

b. Directly outside the turbidity curtains surrounding the work sites and within the densest portion of any visible turbidity plume. (This sample shall serve as the compliance sample.)

42. Turbidity Monitoring Reports. During dredging activities, the permittee or permittee's contractor shall collect the following turbidity monitoring data at the frequency and water depths directed by Specific Condition 41:

- a. Date and time of sampling event
- b. Turbidity sampling results (background NTUs, compliance NTUs, and the difference between them)
- c. Description of data collection methods
- d. An aerial map indicating the sampling locations
- e. Depth of sample(s)
- f. Weather conditions at times of sampling
- g. Tidal stage and direction of flow

Data shall be collected in a turbidity log and shall include a statement by the individual responsible for implementation of the sampling program attesting to the authenticity, precision, limits of detection, and accuracy of the data. The turbidity log shall be scanned and sent on a weekly basis to the District's Compliance Staff by email at compliancesupport@sjrwmd.com. The subject line of the email shall include the project name, permit number, and the title "Turbidity Monitoring Reports."

43. Construction equipment shall not be repaired or refueled in wetlands or elsewhere within waters of the state.

44. Watercraft associated with the construction of the permitted structure shall operate within waters of sufficient depth to preclude bottom scouring, prop dredging or damage to submerged bottom or submerged resources. During all construction activities, there shall be a minimum of 1-foot clearance between the draft of the construction vessel/barge and the top of any submerged resources or submerged bottom.

45. Erosion control measures will be implemented in and around the dredge site and at the temporary landside transfer point. These will include in-water turbidity barriers and landside silt fencing. Floating turbidity curtains with weighted skirts that extend to within 1 ft. of the bottom shall be placed around the dredge site and at the temporary landside transfer point prior to the initiation of work authorized by this permit. The screens shall be maintained and remain in place for the duration of the construction to ensure turbidity levels outside the construction area do not exceed 29 NTU's above background levels. The permittee shall be responsible for inspecting and maintaining turbidity control devices so no violations of state water quality standards outside of the turbidity screens occurs.

46. Dredging shall be limited to day light; no dredging (or dewatering) activities are authorized to be conducted at night.

47. No portion of the dredge pipeline, nor any related equipment, shall be stored, anchored on, or laid on or over seagrass beds without prior District approval. Anchoring done to secure the dredge or equipment shall be done within the navigation channel or in areas where seagrass beds are not present during dredging and related activities.

48. Areas to be dredged shall be dredged in accordance with the attached permit drawings and shall not exceed the areas and depths indicated on those drawings. The dredged

material shall be placed in an upland disposal site, as depicted on Sheets D1 through D6 and Sheet XS dated March 09, 2026. The dewatering/disposal area shall be constructed in a manner which shall prevent the escape of dredged material into wetlands and surface waters. Discharge associated with dewatering into Waters of the State shall be conducted in a manner to ensure no water quality violations will occur.

49. All pilings used in the construction of the marina shall be non-leaching pilings. Nonleaching pilings may include, but are not limited to: wrapped, untreated, composite, or concrete pilings. If wrapped pilings are used, the wrapping shall extend to at least 1 foot above the mean high water line, and 6 inches below the bottom of the waterbody.
50. Overboard or through hull discharges of trash, human or animal waste, gray water, or fuel shall not occur at the docking facility.
51. There shall be no boat repair facilities on any structure that is over the water.
52. A sewage pump-out facility shall be installed at the location shown on the attached plans prior to or simultaneously with completion of construction activities. The permittee shall ensure marina personnel, who have been trained to operate the sewage pump-out facilities, are available to assist boaters in operating the facilities during standard business hours (at a minimum) for the life of the facility. The sewage pump-out facility shall be in working order prior to any slip occupancy and be maintained in accordance with the requirements of this condition for the life of the facility.
53. The attached Marina Operating and Management Plan, which includes a Petroleum Discharge Containment and Contingency Plan, shall be readily available to marina personnel at all times. The dockmaster shall be responsible for ensuring all marina personnel are trained and know how to quickly access and use the Petroleum Discharge Containment and Contingency Plan.
54. There shall be a minimum 12-inch clearance between the deepest draft of the vessel (with the motor in the down position) and the bottom of submerged lands at mean low water so as to preclude bottom scouring or prop dredging.

PROPRIETARY CONDITIONS - SOVEREIGN SUBMERGED LANDS (SSL):

25. 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.
26. 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.
27. 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.
28. Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.

29. 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.
30. 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.
31. Structures or activities shall not create a navigational hazard.
32. 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.
33. Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under paragraph 18-21.004(1)(g), F.A.C., or any other applicable law.

DRAFT

Notice Of Rights

1. A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within fourteen (14) days of the District depositing the notice of District decision in the mail (for those persons to whom the District mails actual notice), within fourteen (14) days of the District emailing the notice of District decision (for those persons to whom the District emails actual notice), or within fourteen (14) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. The District will not accept a petition sent by facsimile (fax), as explained in paragraph no. 4 below.
2. Please be advised that if you wish to dispute this District decision, mediation may be available and that choosing mediation does not affect your right to an administrative hearing. If you wish to request mediation, you must do so in a timely-filed petition. If all parties, including the District, agree to the details of the mediation procedure, in writing, within 10 days after the time period stated in the announcement for election of an administrative remedy under Sections [120.569](#) and [120.57](#), Florida Statutes, the time limitations imposed by Sections [120.569](#) and [120.57](#), Florida Statutes, shall be tolled to allow mediation of the disputed District decision. The mediation must be concluded within 60 days of the date of the parties' written agreement, or such other timeframe agreed to by the parties in writing. Any mediation agreement must include provisions for selecting a mediator, a statement that each party shall be responsible for paying its pro-rata share of the costs and fees associated with mediation, and the mediating parties' understanding regarding the confidentiality of discussions and documents introduced during mediation. If mediation results in settlement of the administrative dispute, the District will enter a final order consistent with the settlement agreement. If mediation terminates without settlement of the dispute, the District will notify all the parties in writing that the administrative hearing process under Sections [120.569](#) and [120.57](#), Florida Statutes, is resumed. Even if a party chooses not to engage in formal mediation, or if formal mediation does not result in a settlement agreement, the District will remain willing to engage in informal settlement discussions.
3. A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
4. A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8:00 a.m. on the District's next regular business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative

Code), which is available for viewing at sjrwmd.com. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.

5. Failure to file a petition for an administrative hearing within the requisite timeframe shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, Florida Administrative Code).
6. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. A person whose substantial interests are or may be affected by the District's final action has the right to become a party to the proceeding, in accordance with the requirements set forth above.
7. Pursuant to Section 120.68, Florida Statutes, a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
8. A District action is considered rendered, as referred to in paragraph no. 7 above, after it is signed on behalf of the District and filed by the District Clerk.
9. Failure to observe the relevant timeframes for filing a petition for judicial review as described in paragraph no. 7 above will result in waiver of that right to review.

NOR.Decision.DOC.001
Revised 6.18.18

NOTICING INFORMATION

Please be advised that the St. Johns River Water Management District has not published a notice in the newspaper advising the public that it has issued a permit for this project.

Newspaper publication, using the District's form, notifies members of the public of their right to challenge the issuance of the permit. If proper notice is given by newspaper publication, then there is a 14-day time limit to file a petition challenging the issuance of the permit.

To close the point of entry for filing a petition, you may publish (at your own expense) a one-time notice of the District's decision in a newspaper of general circulation within the affected area as defined in Section 50.011 of the Florida Statutes. If you do not publish a newspaper notice, the time to challenge the issuance of your permit will not expire.

A copy of the notice and a partial list of newspapers of general circulation are attached for your convenience. However, you are not limited to those listed newspapers. If you choose to close the point of entry and the notice is published, the newspaper will return to you an affidavit as proof of publication. Please submit a scanned copy of the affidavit by emailing compliancesupport@sjrwmd.com (preferred method) or send the original affidavit of publication to:

Office of Records and Regulatory Support
4049 Reid Street
Palatka, FL 32177

If you have any questions, please contact the Office of Records and Regulatory Support at (386) 329-4570.

NOTICE OF AGENCY ACTION TAKEN BY THE
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

Notice is given that the following permit was issued on _____:

(Name and address of applicant) _____
permit# _____. The project is located in _____ County, Section
_____, Township _____ South, Range _____ East. The permit authorizes a surface
water management system on _____ acres for
_____ known as
_____. The receiving water body is _____.

A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code (F.A.C.), the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P.O. Box 1429, Palatka FL 32178-1429 (4049 Reid St, Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within fourteen (14) days of the District depositing the notice of intended District decision in the mail (for those persons to whom the District mails actual notice), within fourteen (14) days of the District emailing notice of intended District decision (for those persons to whom the District emails actual notice), or within fourteen (14) days of newspaper publication of the notice of intended District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes (F.S.), and Chapter 28-106, F.A.C. The District will not accept a petition sent by facsimile (fax). Mediation pursuant to Section 120.573, F.S., is not available.

A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8 a.m. – 5 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8 a.m. on the next regular District business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at www.sjrwmd.com. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile (fax) is prohibited and shall not constitute filing.

The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. **Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, F.A.C.).**

If you wish to do so, please visit <http://www.sjrwmd.com/noticeofrights/> to read the complete Notice of Rights to determine any legal rights you may have concerning the District's intended decision(s) on the permit application(s) described above. You can also request the Notice of Rights by contacting the Director of Office of Records and Regulatory Support, 4049 Reid St., Palatka, FL 32177-2529, tele. no. (386) 329-4570.

NEWSPAPER ADVERTISING

ALACHUA

The Alachua County Record, Legal Advertising
P. O. Box 806
Gainesville, FL 32602
352-377-2444/ fax 352-338-1986

BRAFORD

Bradford County Telegraph, Legal Advertising
P. O. Drawer A
Starke, FL 32901
904-964-6305/ fax 904-964-8628

CLAY

Clay Today, Legal Advertising
1560 Kinsley Ave., Suite 1
Orange Park, FL 32073
904-264-3200/ fax 904-264-3285

FLAGLER

Flagler Tribune, c/o News Journal
P. O. Box 2831
Daytona Beach, FL 32120-2831
386- 681-2322

LAKE

Daily Commercial, Legal Advertising
P. O. Drawer 490007
Leesburg, FL 34749
352-365-8235/fax 352-365-1951

NASSAU

News-Leader, Legal Advertising
P. O. Box 766
Fernandina Beach, FL 32035
904-261-3696/fax 904-261-3698

ORANGE

Sentinel Communications, Legal Advertising
633 N. Orange Avenue
Orlando, FL 32801
407-420-5160/ fax 407-420-5011

PUTNAM

Palatka Daily News, Legal Advertising
P. O. Box 777
Palatka, FL 32178
386-312-5200/ fax 386-312-5209

SEMINOLE

Sanford Herald, Legal Advertising
300 North French Avenue
Sanford, FL 32771
407-323-9408

BAKER

Baker County Press, Legal Advertising
P. O. Box 598
Macclenny, FL 32063
904-259-2400/ fax 904-259-6502

BREVARD

Florida Today, Legal Advertising
P. O. Box 419000
Melbourne, FL 32941-9000
321-242-3832/ fax 321-242-6618

DUVAL

Daily Record, Legal Advertising
P. O. Box 1769
Jacksonville, FL 32201
904-356-2466 / fax 904-353-2628

INDIAN RIVER

Treasure Coast News
760 NW Enterprise Dr.
Port St. Lucie, FL 34986
772-283-5252

MARION

Ocala Star Banner, Legal Advertising
2121 SW 19th Avenue Road
Ocala, FL 34474
352-867-4010/fax 352-867-4126

OKEECHOBEE

Okeechobee News, Legal Advertising
P. O. Box 639
Okeechobee, FL 34973-0639
863-763-3134/fax 863-763-5901

OSCEOLA

Little Sentinel, Legal Advertising
633 N. Orange Avenue
Orlando, FL 32801
407-420-5160/ fax 407-420-5011

ST. JOHNS

St. Augustine Record, Legal Advertising
P. O. Box 1630
St. Augustine, FL 32085
904-819-3436

VOLUSIA

News Journal Corporation, Legal Advertising
P. O. Box 2831
Daytona Beach, FL 32120-2831
(386) 681-2322

INDIVIDUAL ENVIRONMENTAL RESOURCE PERMIT
WITH SOVEREIGN SUBMERGED LANDS AUTHORIZATION TECHNICAL STAFF
REPORT

04-May-2026

Application # 107217-9

Applicant: Camilo Nino
LV Daytona Gateway LLC
175 SW 7th St
Ste 2101
Miami, FL 33130-2962
(305) 523-6576

Owner: Camilo Nino
LV Daytona Gateway LLC
175 SW 7th St
Ste 2101
Miami, FL 33130-2962
(305) 523-6576

Agent: Neil Wood
Sea Diversified, Inc.
160 Congress Park Dr
Ste 114
Delray Beach, FL 33445-4724
(561) 243-4920

Consultant: William Sadler
Sea Diversified, Inc.
160 Congress Park Dr
Ste 114
Delray Beach, FL 33445-4724
(561) 243-4920

Project Name: Daytona Bluetide Marina

Project Acreage: 9.549

County: Volusia

STR:

Section(s):	Township(s):	Range(s):
8	15S	33E

Receiving Water Body:

Name	Class
Halifax River	III Marine

Authority: 62-330.020 (2)(c) , 18-21.005(1)(e), 62-330.020 (2)(a), 18-21.005(1)(d),

62-330.020 (2)(b), 62-330.020 (2)(d)
Existing Land Use: Open Land(1900), Streams and Waterways(5100), Urban and build-up(1000)
Mitigation Drainage Basin: Halifax River
Special Regulatory Basin: Not Applicable
Final O&M Entity: LV Daytona Gateway LLC
ERP Conservation Easements/Restrictions: No
Interested Parties: Yes
Objectors: No

Authorization Statement:

Construction and operation of a 6.453 acre 129-slip commercial docking facility and the dredging of a 3.096 acre ingress/egress basin, known as Daytona Bluetide Marina as per plans received by the District on March 9, 2026 as amended by Sheet T-1 received by the District on April 15, 2026.

State Lands Authorization Statement:

Authorization to use Sovereign Submerged Lands in the form of a Sovereignty Submerged Lands Lease for a 6.453 acre 129-slip commercial docking facility, and in the form of a Sovereignty Submerged Lands Private Easement for a 3.096 acre dredged ingress/egress basin, for a project known as Daytona Bluetide Marina, in accordance with the lease and easement surveys approved by the District on January 13, 2026.

Recommendation: Pending

Reviewers: Scott A Bray; Tanya Alvarez

Staff Comments

Background

See permitting history below for the permitting history. The original sovereignty submerged lands lease was issued on December 01, 1987, and was for a fishing pier. The fishing pier was authorized by the Department of Environmental Regulation on July 23, 1985, through an after-the-fact permit, Permit No. 640722464. The Department of Environmental Regulation issued Permit No. 64-072246-4 on April 1, 1986, granting a permit extension and a minor reconfiguration. The Department of Environmental Regulation issued Permit No. 64-072246-4 on September 16, 1987, granting a permit extension and a minor reconfiguration. The fishing pier is no longer present. On February 22, 2011, the Board of Trustees approved a lease modification to change the use from a fishing pier to a commercial docking facility and to increase the lease boundary to 242,766 square feet. The docking facility was never constructed.

Project Detail

The applicant is proposing to construct a 129-slip commercial docking facility for use in conjunction with the upland commercial marina facility. The applicant is proposing to dredge 40,400 cubic yards of sovereignty material,(25,700 cubic yards plus 13,500 cubic yards for a 2-foot over-dredge allowance) from the existing lease area and

proposed ingress/egress turning basin. The existing sovereignty submerged land lease, approved by the Board of Trustees on February 22, 2011, authorizes the preemption of 242,766 square feet of sovereignty lands. The proposed addition is 38,319 square feet, for a new total of 281,085 square feet. The marina will accommodate vessels ranging from 30 feet to 120 feet in length with boat drafts ranging from 2-3 feet up to 7-8 feet.

The marina was minimized to provide 129 total wet slips for average sized vessels for the area as prescribed in the Volusia County Manatee Protection Plan. The docks were minimized to the extent practical to best fit the site geometry, depths, upland access, and anticipated vessels. The floating docks were kept as close to the upland as possible, to avoid effects to navigation, while still allowing adequate water depth. The floating dock and vessels all have more than 1 foot of clearance over the riverbed at mean low water, to minimize chance of groundout during periods of low water.

The applicant has proposed that ninety percent of all of the slips will be maintained on an open to the public, first-come, first-served basis, which has been included as a special lease condition. The proposed project will not be within the applicant's 25-foot riparian rights line setback area, and a letter of concurrence is not required under rule 18-21.004(3)(d), Florida Administrative Code (F.A.C.).

Project Applicant and Sufficient Real Property Interest:

Under rules 62-330.060 and 62-330.301, F.A.C., and subsection 4.2.3(d), Environmental Resource Permit Applicant's Handbook Volume I (ERP A.H. Volume I), a permit applicant must certify that it has sufficient real property interest over the land upon which the activities subject to the application will be conducted.

The permit applicant is the record title holder over the property on which the proposed activities will be conducted. The permit applicant has fee simple ownership of a portion of the project area adjacent to the marina pursuant to the Certificate of Title Deed recorded in Official Records Book 8712, Page 3741, in the Public Records of Volusia County.

Project Location and Brief Description:

The project is located on the northwestern intersection of U.S. Highway 92 (East International Speedway Boulevard) and South Halifax Avenue, where the International Speedway Boulevard Bridge (Carlton Blank Bridge) reaches the eastern shore of the Halifax River, in the City of Daytona Beach. The project is located within the Halifax River Hydrologic Basin. The project includes the construction of a 129-slip marina and dredging of 40,400 cubic yards of river bottom to accommodate larger vessels. 27,250 cubic yards are allowed to elevation -10 feet NAVD1988 with an additional allowance of 13,150 cubic yards to be dredged to elevation -12.0 feet NAVD1988 to ensure assurance of vessel clearance to the river bottom.

Permitting History:

On March 2011, the District issued ERP 4-127-107217-1 authorizing the construction of an 11.00-acre commercial development consisting of a 300-unit hotel, 16 townhomes, restaurant, and retail shops; the reconstruction of a vertical seawall landward of its present location; the construction of a 156-slip marina; and the dredging of 18,494 cubic yards of river bottom.

Sequence -2, construction of a surface water management system for a dockmaster's office, associated parking and driveways.

Sequence -3, modification to reduce the number of slips from 156 to 138 slips, dredging of 18,494 cubic yards of river bottom, and reconstruction of a vertical seawall.

Sequence -4, permitted for a 2-year extension for construction of a 138-slip marina with vertical walls. This permit supersedes sequences -1-2 &-3.

Sequence -5, transfer of permit ownership.

Sequence -6, minor modification to have a 5-year extension to sequence -5. expires November 27, 2029

Sequence -7, withdrawn application.

Sequence -8, withdrawn application.

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.

Engineering

Description of Project (Surface Water Management System):

The applicant proposes a marina that was previously permitted but expired. The project is to construct a 129-slip marina, expand the previously permitted sovereign lease and easement area while reducing the number of slips. This application will authorize the construction of a 129-slip marina and dredging of 40,400 cubic yards of river bottom to accommodate larger vessels in the marina. No changes are proposed to the upland development authorized by Permits 4-127-107217-1 and 4-127-107217-2, and no new impervious area in uplands is proposed. Thus, no changes are needed to the previously approved stormwater management system.

Flood Protection:

The previously permitted surface water management systems are designed to provide attenuation for the 25-year 24-hour storm event. The proposed project does not increase impervious surface in uplands and does not alter the previously permitted drainage and conveyance system, or reduce floodplain storage. Thus, no flooding is anticipated to occur.

Water Quality:

The ultimate receiving waterbody, Halifax River, is not designated as an Outstanding Florida Waters (OFW), but is impaired for Nutrients (Total Nitrogen). There is an adopted TMDL that requires a reduction of nutrients. To avoid increased copper loading to the Halifax River (from copper leaching pilings), the applicant will use either fiberglass mooring pilings or pressure-treated timber pilings that will be wrapped in plastic from 24 inches above the MHWL down to 6 inches below the mud line. Additionally, the main and finger pilings will be epoxy-coated steel or concrete pilings. Because the project is not expected to be a significant source of copper, District presumptive criteria provides for adequate treatment of the stormwater runoff. The applicant also performed a hydrographic analysis of the flushing time of the water at the docking facility and demonstrated that the expansion of the marina will not result in an accumulation of pollutants that could cause water quality violations to occur.

Conditions for Issuance (Engineering):

Rule 62-330.301(1), F.A.C., states that an applicant must provide reasonable assurance that the construction, alteration, operation, maintenance, removal, or abandonment of the projects regulated under this chapter:

- (a) Will not cause adverse water quantity impacts to receiving water and adjacent lands***
- (b) Will not cause adverse flooding to on-site or off-site property***
- (c) Will not cause adverse impacts to existing surface water storage and conveyance capabilities***

Pursuant to section 3.1, A.H., Vol. II, it is presumed that the conditions for issuance in (a) through (c) above are met if the systems are designed to meet the standards in subsections 3.2.1, 3.3.1, 3.3.2, 3.4.1, 3.5.1, and 3.5.2, A.H., Vol. II .

The applicant has met the presumptive criteria and designed the system to meet the applicable standards, as follows:

The previously permitted surface water management systems are designed to provide attenuation for the 25-year 24-hour storm event. Since there will be no increase in impervious surface in uplands, the post-development peak rates of discharges will not exceed the pre-development peak rate of discharges for the 25-year 24-hour storm event in accordance with the presumptive criteria in section 3.2.1, A.H., Vol. II.

The project does not propose to alter an existing conveyance system, therefore the presumptive criteria specified in subsection 3.3.1, A.H., Vol. II, is not applicable.

The project does not propose to reduce the 10-year floodplain storage, therefore the presumptive criteria specified in subsection 3.3.2, A.H., Vol. II, is not applicable.

The project does not propose to construct or alter the elevations of any streets, roadways, or the first floors of any buildings as a part of this project, and will not increase the amount of stormwater runoff or resulting peak stormwater stages. Therefore, the modifications are in accordance with section 3.3.3, A.H., Vol. II.

This project does not propose any dams, therefore the presumptive criteria specified in subsection 3.4.1, A.H., Vol. II, is not applicable.

This project does not propose to alter the flow of any streams or water course, therefore the presumptive criteria specified in subsection 3.5.1, A.H., Vol. II, is not applicable.

This project does not propose to significantly lower the groundwater table. Therefore, subsection 3.5.2, A.H., Vol. II, is not applicable.

(d) Will not adversely impact the value of functions provided to fish and wildlife and listed species by wetlands and other surface waters.

As explained in the Environmental section below, this project will not adversely impact the value of functions provided to fish and wildlife and listed species by wetlands and other surface waters.

Rule 62-330.301(1)(e), F.A.C.: Will not adversely affect the quality of receiving waters such that the state water quality standards set forth in Chapters 62-4, 62-302, 62-520, and 62-550, F.A.C., including the antidegradation provisions of paragraphs 62-4.242(1)(a) and (b), F.A.C., subsections 62-4.242(2) and (3), F.A.C., and Rule 62-302.300, F.A.C., and any special standards for Outstanding Florida Waters and Outstanding National Resource Waters set forth in subsections 62-4.242(2) and (3), F.A.C., will be violated.

Pursuant to subsection 4.1.3, A.H. Vol. II, a system that complies with the applicable rule provisions found in Parts II, IV, V, subsection 13.3.1, and subsections 13.6 through 13.7 of A.H., Vol. II and Part IV of the Environmental Resource Applicant's Handbook, Vol. I ("A.H., Vol. I"), creates a rebuttable presumption that the applicant has provided reasonable assurance that the proposed project meets the requirements of 62-330.301(1)(e), F.A.C., above. As explained above, the proposed project does not increase impervious surface in uplands. Thus, no increase in pollutant loadings in the upland portion of the project is anticipated to occur.

Under its current permit, the applicant met the presumptive criteria and designed the system to meet the applicable standards contained within Part IV of A.H., Vol. I, and Parts II, IV, and V of A.H., Vol. II. Subsections 13.3.1 and 13.6 through 13.7 of A.H., Vol. II, are not applicable to this project because the project is not located in the Wekiva Recharge Protection Basin, the Sensitive Karst Areas Basin, or the Lake Apopka Hydrologic Basin. Therefore, pursuant to the presumptive criteria in subsection 4.1.3, A.H., Vol. II, the project is presumed to meet the requirements of subsection 2.0(e), A.H., Vol. II (2018), and rule 62-330.301(1)(e), F.A.C.

Under section 10.2.4.3, A.H. Vol. I, an applicant proposing to expand a docking facility is required to perform a hydrographic analysis of the flushing time (the time required to reduce the concentration of a conservative pollutant to ten percent of its original concentration) of the water at the docking facility to demonstrate that the expansion of the marina will not result in an accumulation of pollutants that could cause water quality violations to occur. The applicant performed a hydrographic analysis of the flushing time of the water at the docking facility and demonstrated that the expansion of the marina will not result in an accumulation of pollutants that could cause water quality violations to occur, which met the requirements of section 10.2.4.3(a)-(e), and (i).

To address the requirements of section 10.2.4.3(f)-(i), the facility will prohibit liveaboards, will prohibit fish cleaning stations on structures over the water, will have fixed sewage pumpout connections within each slip, and will not have fuel tanks over the water. A Marina Operating and Management Plan has been attached to the permit. The Marina Operating and Management Plan has a Petroleum Discharge Containment and Contingency Plan section which summarizes the procedure to manage a spill and provides an inventory and location of the fuel spill and oil kit. The Marina Operating and Management Plan also addresses Water Quality Management / Pollution Prevention Strategies, boater education, vessel engine repair and maintenance guidelines and boat cleaning guidelines. A permit condition has been added prohibiting fish cleaning stations, boat repair facilities, and fuel tanks on structures over the water. A permit condition has been added stating overboard or through hull discharges of trash, human or animal waste, gray water, or fuel shall not occur at the docking facility.

Water Quality Certification:

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

Flood Protection:

The previously permitted surface water management systems are designed to provide attenuation for the 25-year 24-hour storm event. The proposed project does not increase impervious surface in uplands and does not alter the previously permitted drainage and conveyance system, or reduce floodplain storage. Thus, no flooding is anticipated to occur.

Special Basin Criteria:

The project site is not located within a Special Basin as defined by the District.

Operation and Maintenance:

The applicant proposes to operate and maintain the surface water management system, which meets the requirements of Section 12.3.1, A.H. Vol I.

Environmental

Site Description:

The project site is located off E International Speedway Blvd, Daytona Beach, Volusia County. The project site consists of commercial and services. The riparian parcel is currently open lands (190). To the north and east of the riparian parcel is residential high density. The Halifax River (510) is to the west of the riparian parcel and E. International Speedway Blvd. is to the south of the riparian parcel. The shoreline is hardened with a vertical seawall. There are no submerged resources within the project boundary. The Halifax River, in this location, is Sovereignty Submerged State Lands.

Conditions for Issuance (Environmental):

Rule 62-330.301(1) states that to obtain an individual permit, an applicant must provide reasonable assurance that the construction, alteration, operation, maintenance, removal, or abandonment of the projects regulated under this chapter:

- (a) This application does not propose any new impervious area on the uplands, therefore; there will be no adverse water quantity impacts to the receiving water body.
- (b) This project will not cause adverse flooding to any on-site or off-site properties because this application does not propose any new impervious area.
- (c) This project does not propose any new impervious area within the uplands; therefore, it will not cause adverse impacts to existing surface water storage and conveyance capabilities of the Halifax River.
- (e) The Halifax River is considered an impaired waterbody for copper. The applicant is providing fiberglass mooring pilings or pressure treated timber pilings to be wrapped 24 inches above the MHWL to 6 inches below the mud line. Additionally, the main and finger pilings will be epoxy coated steel or concrete pilings. Furthermore, the applicant has provided a flushing study to demonstrate the project will not affect the water quality of the receiving waterbody.
- (d) Will not adversely impact the value of functions provided to fish and wildlife and listed species by wetlands and other surface waters;**

Functions to Fish and Wildlife and Listed Species

In evaluating this criterion, District staff considered subsection 10.2.2, A.H. Vol. I, which states that an applicant must provide reasonable assurances that a regulated activity will not impact the values of wetland and other surface water functions so as to cause adverse impacts to:

(a) the abundance and diversity of fish, wildlife, listed species and the bald eagle (*Haliaeetus leucocephalus*); and

(b) the habitat of fish, wildlife, and listed species.

Staff reviewed the project site and the applicant's submittals. As explained in the impacts and mitigation sections below, staff has determined the project will not result in adverse impacts to the value of functions provided to fish and wildlife by wetlands and other surface waters.

As part of the assessment of impacts on fish and wildlife, the District made a copy of the application available to the Florida Fish and Wildlife Commission, Imperiled Species Section, (FWC) for review and comment. FWC recommended on March 09, 2026, that the applicant: (1) comply with the standard manatee protection construction conditions; (2) install and maintain manatee awareness signs and informational displays; (3) avoid nighttime mechanical dredging; (4) have an observer on site and limit pile-driving activity to daylight hours; and (5) limit the number of boat slips to 129 boat slips. Items 1-4 are included as specific conditions in the SJRWMD environmental resource permit; items 2 and 5 are included as special lease conditions or by dock design.

The Florida Fish and Wildlife Conservation Commission, Division of Conservation Planning Services, (FWC) reviewed the application and provided comments dated 12/04/2025 stating they have no objection to this application.

(f) Will not cause adverse secondary impacts to the water resources. The secondary impact criterion consists of the following four parts:

Secondary impacts:

In evaluating this criterion, District staff considered subsection 10.2.7, A.H., Vol. I, which states that an applicant must provide reasonable assurances that a regulated activity will not cause adverse secondary impacts to the water resource. This section contains a four-part criterion which considers:

(a) adverse impacts to wetland (and other surface water) functions and water quality violations that may result from the intended or reasonably expected uses for a proposed activity;

(b) adverse impacts to the upland nesting habitat of bald eagles and aquatic or wetland dependent listed animal species;

(c) impacts to significant historical and archeological resources that are very closely linked and causally related to any proposed dredging or filling of wetlands or other surface waters;

(d) adverse wetland (and other surface waters) impacts and water quality violations that may be caused by future phases of the project or by activities that are very closely linked and causally related to the project.

The project meets the secondary impact criteria of subsection 10.2.7, A.H., Vol. I, as:

This authorization reduces the total number of slips at the marina. The Halifax River, in this location, currently supports heavy vessel use;

No evidence was observed that the upland portions of the site are being utilized by bald eagles, or by aquatic and or wetland dependent listed species for nesting and denning;

No adverse impacts to cultural resources are anticipated. Based on prior comments from the Florida Department of State Division of Historical Resources in the area, staff does not anticipate the project will result in impacts to significant historical and archaeological resources. Staff recommends General Condition 14 to ensure that any unforeseen findings will be coordinated with Division of Historical Resources; and

There are no known future phases or expansion, or very closely linked and causally related on-site or off-site activities that would result in adverse impacts. The adjacent properties are already developed with their own docking facilities.

Additional Conditions for Issuance:

Rule 62-330.302(1) states that in addition to the conditions in Rule 62-330.301, F.A.C., to obtain an individual permit, an applicant must provide reasonable assurance that the construction, alteration, operation, maintenance, repair, removal, and abandonment of a project:

(a) Located in, on, or over wetlands or other surface waters will not be contrary to the public interest, or if such activities significantly degrade or are within an Outstanding Florida Water (OFW), are clearly in the public interest, as determined by balancing the following criteria as set forth in sections 10.2.3 through 10.2.3.7, A.H. Vol. I:

Public Interest:

The project is not located within an OFW. In determining whether the proposed improvements are not contrary to the public interest, the District shall consider and balance the following criteria:

1. Whether the activities will adversely affect the public health, safety, or welfare or the property of others (Section 10.2.3.1, A.H, Vol. I);

In reviewing and balancing this criterion, the District will evaluate whether the activity located in, on, or over wetlands or other surface waters will cause:

- (a) An environmental hazard to public health, safety, or improvement to public safety with respect to environmental conditions;
- (b) Impacts to areas classified by the Department of Agriculture and Consumer Services as approved, conditionally approved, restricted or conditionally restricted for shellfish harvesting;
- (c) Flooding or alleviate existing flooding on the property of others; and
- (d) Environmental impacts to property of others.

The applicant was not required to test for Enterococci because they will have fixed sewage pumpout connections within the slips. The applicant will utilize non-leaching pilings in the construction of the new docking facility to ensure the permitted activities will not contribute to exceedances to Marine Surface Water Standards for copper.

The proposed improvements are not anticipated to impede navigability. The applicant is required to comply with erosion control best management practices and the permit includes a condition that requires the applicant to utilize appropriate erosion control practices during construction activities. A hydrographic study was provided for the proposed work that demonstrates the project will have adequate flushing time and will not result in an accumulation of pollutants that could cause a water quality violation. It was determined that the proposed marina and dredging activities will not have a measurable water quality impact on the Halifax River. The previously permitted surface water management systems are designed to provide attenuation for the 25-year 24-hour storm event. The proposed project does not increase impervious surface in uplands and does not alter the previously permitted drainage and conveyance system, or reduce floodplain storage. Thus, no flooding is anticipated to occur.

A Marina Operating and Management Plan has been attached to the permit. The Marina Operating and Management Plan has a Petroleum Discharge Containment and Contingency Plan section which summarized the procedure to handle a spill and provides an inventory and location of the fuel spill and oil kit. The Marina Operating and Management Plan also addresses Water Quality Management / Pollution Prevention Strategies, boater education, vessel engine repair and maintenance guidelines and boat cleaning guidelines.

A permit condition has been added prohibiting fish cleaning stations, boat repair facilities and fuel tanks on structures over the water. A permit condition has been added stating overboard or through hull discharges of trash, human or animal waste, gray water, or fuel shall not occur at the docking facility.

The project will not cause an environmental hazard to public health or safety, is not located in a designated shellfish harvesting area, has been designed to ensure the proposed work will not create flooding and will not cause environmental impacts to the property of others.

2. Whether the activities will adversely affect the conservation of fish and wildlife, including endangered or threatened species, or their habitats (Section 10.2.3.2, A.H., Vol. I);

As part of the assessment of impacts on fish and wildlife, the District made a copy of the application available to the Florida Fish and Wildlife Commission, Imperiled Species Section, (FWC) for review and comment. FWC recommended on March 09, 2026, that the applicant: (1) comply with the standard manatee protection construction conditions; (2) install and maintain manatee awareness signs and informational displays; (3) avoid nighttime mechanical dredging; (4) have an observer on site and limit pile-driving to daylight hours; and (5) limit the number of boat slips to 138. Items 1-4 are included as specific conditions in the SJRWMD environmental resource permit; items 2 and 5 are included as special lease conditions or by dock design.

The Florida Fish and Wildlife Conservation Commission, Division of Conservation Planning Services, (FWC) reviewed the application and provided comments dated 12/04/2025 stating they have no objection to this application. The project is consistent with the Volusia County Manatee Protection Plan and will not adversely impact manatees.

The District's review of this criterion is encompassed within the review of section 10.2.2, ERP A.H. Vol. I, described above.

3. Whether the activities will adversely affect navigation or the flow of water or cause harmful erosion or shoaling (Section 10.2.3.3, A.H., Vol. I);

In reviewing and balancing this criterion, the District will evaluate whether the activity located in, on, or over wetlands or other surface waters will:

(a) Significantly impede navigability or enhance navigability. The District will consider the current navigational use of surface waters and will not speculate on uses that may occur in the future.

(b) Cause or alleviate harmful erosion or shoaling.

(c) Significantly impact or enhance water flow.

The proposed improvements are not anticipated to impede navigability. The docking facility is designed in a manner to not impede the navigation channel of the Halifax River in this location. There is adequate space for boat ingress and egress. The docking facility and associated activities meet the required setback of 25-feet from the riparian lines. The applicant is required to comply with erosion control best management practices and the permit includes a condition that requires the applicant to utilize appropriate erosion control practices during construction activities. A hydrographic study was provided for the proposed work demonstrating adequate flushing. It was determined that the proposed marina and dredging activities will not have a measurable water quality impact on the Halifax River.

4. Whether the activities will adversely affect the fishing or recreational values or marine productivity in the vicinity of the activity (Section 10.2.3.4, A.H., Vol. I);

In reviewing and balancing this criterion, the District will evaluate whether the activity located in, on, or over wetlands or other surface waters will cause:

(a) Adverse effects to sport or commercial fisheries or marine productivity.

(b) Adverse effects or improvements to existing recreational uses of a wetland or other surface waters, which may provide boating, fishing, swimming, waterskiing, hunting and bird watching.

There are no sport or commercial fisheries on or directly adjacent to the project. There are no anticipated adverse effects on existing recreational uses of the Halifax River due to the proposed project. No adverse impacts to wetlands or other surface waters that are used for boating, fishing, swimming, or water skiing are proposed.

5. Whether the activities will be of a temporary or permanent nature (Section 10.2.3.5, A.H., Vol. I);

The docking portion of this project will result in 1.15 acres of permanent impacts to other surface waters associated with the construction of the 4 docking structures the Halifax River. The total Sovereignty Submerged Lands lease area is for 6.453 acres. The dredge portion of this project will result in the removal of approximately 25,700 cubic yards of sovereignty material (40,400 cubic yards with a 2-foot over-dredge allowance). The marina boat dredge accounts for a total of 13,150 cubic yards of sovereignty material. The associated ingress/egress area accounts for a total of 27,250 cubic yards of sovereignty material. The total Sovereignty Submerged Lands private easement area is for a total of 3.096 acres. There are not any resources within the proposed project area. Impacts to the other surface waters associated with the proposed project were not considered adverse and mitigation was not required, per 62-345, F.A.C. The project will not generate functional loss to wetlands or surface waters.

6. Whether the activities will adversely affect or will enhance significant historical and archaeological resources under the provisions of Section 267.061, F.S. (Section 10.2.3.6, A.H., Vol. I); and

As a part of the assessment for impacts to significant historical and archeological resources, the District made a copy of the application available for the Division of Historical Resources. No adverse impacts to cultural resources are anticipated. As explained above, no adverse impacts to cultural resources are anticipated and the permit includes the recommended condition to cease activities and contact the Division of Historical Resources should unexpected artifacts be encountered during groundbreaking activities.

7. The current condition and relative value of functions being performed by areas affected by the proposed activities (Section 10.2.3.7, A.H., Vol. I).

Staff determined in balancing the above criteria, that the proposed project was neutral, and the applicant had provided sufficient reasonable assurance that the project is not contrary to the public interest.

There are no sport or commercial fisheries on or directly adjacent to the project. There are no anticipated adverse effects on existing recreational uses of the Halifax River due to the proposed project.

Based on the balance of the seven public interest factors, the proposed improvements are not contrary to the public interest.

(b) Will not cause unacceptable cumulative impacts upon wetlands and other surface waters as set forth in sections 10.2.8 through 10.2.8.2 of Volume I.

Cumulative Impacts: *Subsection 10.2.8, ERP A.H. Volume I, requires applicants to provide reasonable assurances that their projects will not cause unacceptable cumulative impacts upon wetlands and other surface waters within the same drainage basin as the project for which a permit is sought. This analysis considers past, present, and likely future similar impacts and assumes that reasonably expected future applications with like impacts will be sought, thus necessitating equitable distribution of acceptable impacts among future applications. Under section 10.2.8, ERP A.H. Volume I, when an applicant proposes mitigation that offsets a project's adverse impacts within the same basin as the impacts, the project does not cause unacceptable cumulative impacts.*

The impacts proposed to the Halifax River will not require mitigation as there were no significant resources noted during the site inspection. The activity will not adversely affect the quality of receiving waters and does not cause any significant adverse impacts to functions of wetlands or other surface waters. Therefore, no unacceptable cumulative impacts upon wetlands or other surface waters will occur, pursuant to Section 10.2.8, ERP A.H. Volume I.

(c) Located in, adjacent to or in close proximity to Class II waters or located in Class II waters or Class III waters classified by the Department of Agriculture and Consumer Services as approved, restricted, conditionally approved, or conditionally restricted for shellfish harvesting will comply with the additional criteria in section 10.2.5 of Volume I, as described in subsection 62-330.010(5), F.A.C.

The proposed activities do not occur in, adjacent to or in close proximity to Class II or Class III waters as described above.

(d) Involving vertical seawalls in estuaries or lagoons will comply with the additional criteria provided in section 10.2.6 of Volume I.

The proposed activities comply with section 10.2.6 of A.H. Volume I because the proposed construction is necessary for the creation of a marina and the vertical seawalls are necessary to provide access to watercraft (Section 10.2.6(a)2., A.H., Vol. I).

Impacts:

The applicant proposes to construct four docks which contain a total of a 129-slips for a commercial docking facility for the use in conjunction with the upland commercial marina facility. The docking portion of this project will result in 1.15 acres (49,813 square feet) of permanent impacts to other surface waters associated with the construction of the 4 docking structures in the Halifax River. The total Sovereignty Submerged Lands lease area is for 6.453 acres.

The applicant proposes to dredge a total of 25,700 cubic yards of sovereignty material (40,400 cubic yards with a 2-foot over-dredge allowance) for the marina boat basin and associated ingress/egress area from the channel to the boat basin. The marina boat dredge accounts for a total of 13,150 cubic yards of sovereignty material. The associated ingress/egress area accounts for a total of 27,250 cubic yards of sovereignty material. The spoil will be disposed of in an upland spoil site. The total Sovereignty Submerged Lands private easement area is for a total of 3.096 acres.

The four docking structures and are described as follows:

Dock A has a 12-foot-wide access pier and is 19,520 square feet. Dock A has 47 slips accommodating vessels from 30 feet to 120 feet.

Dock B has a 12-foot-wide access pier and is 15,700 square feet. Dock B has 39 slips accommodating vessels from 45 feet to 60 feet. Dock B is the fuel dock.

Dock C has an 8-foot wide by 210-foot-long floating marginal dock and is 1,260 square feet. Dock C has 5 slips accommodating vessels up to 30 feet.

Dock D staging has an 8-foot-wide access pier and is 560 square feet. Dock D staging has 7 slips accommodating vessels up to 30 feet.

Dock D floating has a 10-foot-wide access pier and is 3,240 square feet. Dock D floating has 8 slips accommodating vessels up to 30 feet.

Dock D fixed has a 10-foot-wide fixed access pier and is 6,680 square feet. Dock D has 23 slips accommodating vessels up to 40 feet.

AB Connector is 1,653 square feet.

Access Platforms are 1,200 square feet.

Elimination/Reduction of Impacts:

The applicant has reduced impacts to onsite surface waters from their initial submittal by reducing the number of requested wet slips from 138 to 129 and by eliminating all structures and mooring within their 25-foot riparian rights setback lines and from within the adjacent FDOT easement boundary.

The marina was minimized to provide 129 total wet slips for average sized vessels for the area as prescribed in the Volusia County Manatee Protection Plan. The docks were minimized to the extent practical to best fit the site geometry, depths, upland access, and anticipated vessels. The docks were kept as close to the upland as possible, to avoid effects to navigation, while still allowing adequate water depth. The vessels all have more than 1 ft of clearance over the riverbed at mean low water, to minimize the chance of prop-dredging during periods of low water.

The applicant has demonstrated that the impacts cannot be further reduced or eliminated, pursuant to Section 10.2.1, A.H. Vol. The proposed impacts are necessary and have been reduced through practicable design modifications.

Mitigation:

It was determined that the proposed impacts associated with the marina and dredge project would not require mitigation as the proposed project does not impact wetlands and the project is located within a section of the Halifax River which does not have submerged aquatic vegetation. Water depths are greater than any of the proposed drafts of the vessels which will be utilizing the marina; therefore, prop dredging will not occur. Based on Chapter 62-345, F.A.C., the project will not generate functional loss to wetlands or surface waters therefore mitigation was not required.

Financial Assurance Mechanism:

None.

Off-Site Mitigation:

None.

Cumulative Impacts:

The proposed project will not impact any wetlands or submerged aquatic vegetation. Impacts to other surface waters (the Halifax River) have been evaluated and it has been determined that the proposed project will not generate any functions loss as identified in Chapter 62-345, F.A.C. The spill/contaminate contingency management plan, which is incorporated into this permit as Specific Condition 53, provides additional assurances that cumulative impacts associated with the proposed project will not occur.

The District is unaware of any violation of a rules adopted pursuant to sections 403.91 through 403.929, F.S. (1984 Supp.), as amended, or part IV, chapter 373, F.S. currently associated with this applicant.

Wetland Summary Table**Daytona Bluetide Marina**

	Acres
Total Surface Water, Upland RHPZ and Wetlands in Project	
Wetlands	0.000
OSW - Halifax River	9.549
Upland RHPZ	0.000
Total	9.549
Impacts that Require Mitigation	
Total	0.000
Impacts that Require No Mitigation	
	9.549
Total	9.549

Conclusion:

The applicant has provided reasonable assurance that the proposed project meets the conditions for issuance of permits specified in rules 62-330.301 and 62-330.302, F.A.C.

II. State Lands Authorization

STAFF COMMENTS

The original Sovereignty Submerged Lands lease was issued on December 01, 1987, and was for a fishing pier. On February 22, 2011, the Board of Trustees approved a lease modification to change the use from a fishing pier to a commercial docking facility and to increase the lease boundary to 242,766 square feet. The docking facility was never constructed.

The applicant is proposing to construct a 129-slip commercial docking facility for the use in conjunction with the upland commercial marina facility. The existing sovereignty submerged land lease, approved by the Board of Trustees on February 22, 2011, authorizes the preemption of 242,766 square feet of sovereignty lands. The proposed addition is 38,319 square feet, for a new total of 281,085 square feet. The marina will accommodate vessels ranging from 30 feet to 120 feet in length with boat drafts ranging from 2-3 feet up to 7-8 feet.

The applicant proposes to dredge a total of 25,700 cubic yards of sovereignty material (40,400 cubic yards with a 2-foot over-dredge allowance) for the marina boat basin and associated ingress/egress area from the channel to the boat basin. The marina boat dredge accounts for a total of 13,150 cubic yards of sovereignty material. The associated ingress/egress area accounts for a total of 27,250 cubic yards of sovereignty material. The spoil will be disposed of in an upland spoil site. The total Sovereignty Submerged Lands private easement area is for a total of 3.096 acres.

The facility will prohibit liveaboards, will have fixed sewage pumpout connections within each slip, and will have fueling facilities on structures over water, but the fuel tanks are on uplands. A minimum of 90% of the slips will be open to the public on a first come first serve basis.

Dock A has a 12-foot-wide access pier and is 19,520 square feet. Dock A has 47 slips accommodating vessels from 30 feet to 120 feet.

Dock B has a 12-foot-wide access pier and is 15,700 square feet. Dock B has 39 slips accommodating vessels from 45 feet to 60 feet. Dock B is the fuel dock.

Dock C has an 8-foot wide by 210-foot-long floating marginal dock and is 1,260 square feet. Dock C has 5 slips accommodating vessels up to 30 feet.

Dock D staging has an 8-foot-wide access pier and is 560 square feet. Dock D staging has 7 slips accommodating vessels up to 30 feet.

Dock D floating has a 10-foot-wide access pier and is 3,240 square feet. Dock D floating has 8 slips accommodating vessels up to 30 feet.

Dock D fixed has a 10-foot-wide fixed access pier and is 6,680 square feet. Dock D has 23 slips accommodating vessels up to 40 feet.

AB Connector is 1,653 square feet.

Access Platforms are 1,200 square feet.

The project area is not within an aquatic preserve, and there is no submerged aquatic vegetation location at the terminus of the proposed boat slips. The Halifax River, in this location, is State-Owned Sovereignty Submerged Lands (SSL) waterward of the mean high water line. The linear shoreline of the upland parcel is 581 feet. Pursuant to 18-21.005(1)(d), F.A.C., the proposed marina and associated docking structures dock qualify for an SSL Lease. Pursuant to 18-21.005(1)(e), the proposed dredge area qualifies for a SSL Private Easement.

Pursuant to 18-21.0051(2)(a), F.A.C, this project was not delegated to the District. It was approved by the BOT on _____ and is submitted to the Bureau of Public Land Administration (BPLA) for final processing.

Turbidity barrier material, installation and monitoring is proposed to avoid manatee entanglement and entrapment, and standard manatee construction conditions for in-water work are proposed to be followed during dock construction. The standard manatee conditions are included as part of the permit in an effort to assure manatee protection during the dock construction. As conditioned and proposed, no adverse impacts to manatees or wildlife are anticipated as a result of construction of the proposed docking facility.

The applicant provided evidence of sufficient upland interest through a warranty deed. LV Daytona Gateway LLC has fee simple ownership of the riparian parcel adjacent to the proposed marina and dredge area.

The proposed project is not located within an aquatic preserve and it will not result in the sale of sovereignty submerged lands. Therefore, pursuant to rule 18-21.004(1)(a), F.A.C., the proposed project has to demonstrate that it is "not contrary to the public interest" in order to receive approval.

Based on the merits of the proposal, the applicant has given reasonable assurance that the proposal will maintain essentially natural conditions; will not significantly impact fish and wildlife and other natural resources, including public recreation and navigation; is consistent with the goals and objectives of the "Conceptual State Lands Management Plan" adopted by the BOT on March 17, 1981 and amended March 3, 1983; is consistent with the local government's comprehensive plan; and will not interfere with the riparian rights of adjacent property owners.

Therefore, it is staff's opinion that the proposal is not "contrary to the public interest" and otherwise meets all applicable requirements for a proprietary authorization to use sovereignty submerged lands, pursuant to Article X, Section 11 of the Florida

Constitution, chapter 253, F.S., associated rule 18-21, F.A.C., and the direction of the Board of Trustees.

The District, acting as staff to the Board of Trustees, has determined that the application for SSL authorization meets the requirements of Chapter 18-21, F.A.C., and recommends approval of the authorization to utilize Sovereign Submerged State Lands in the form of a private lease for the construction and use of a 125 slip commercial public marina facility.

Special Lease Conditions:

1. The total number of boat slips at the marina facility, inclusive of all shoreline and upland areas, shall be limited to 129 slips serving no more than 129 vessels.
2. The Lessee shall develop and implement a Florida Fish and Wildlife Conservation Commission (FWC) approved marina educational program (which includes, at a minimum, permanent manatee educational signs, speed zone booklets, and manatee educational brochures) at the wet slip marina facility no later than 60 days after construction commencement, of the docking facility./ The Lessee must maintain this educational program during the term of this lease and all subsequent renewal terms./ The Lessee will be responsible for the cost of the educational materials./ The Lessee shall develop this educational program with the assistance of FWC. FWC shall approve this educational plan prior to its implementation./ Marina educational program guidelines can be found at Manatee Educational Plans and Signs | FWC or can be obtained from FWC./ Contact the Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section at ImperiledSpecies@MyFWC.com -Telephone 850-922-4330./
3. Vessels using the docking facility for temporary or permanent mooring shall be limited to those with a maximum draft dependent on slip length as outlined on page T-1 of the Drawing attachment. Vessels using the fueling station at the end of Dock B for temporary mooring shall be limited to those with a maximum draft of 5 feet. Maximum draft is measured from the water's surface to either the bottom of the vessel's propulsion unit fully trimmed down or to the deepest part of the vessel, whichever is deeper.
4. A minimum of ninety percent (90%) of the wet slips at the docking facility shall be made available for rent to the general public on a "first come, first served" basis, as defined in Rule 18-21.003, Florida Administrative Code, with no longer than one-year rental terms and with no automatic renewal rights or conditions. To help ensure compliance with and to assist in providing public awareness of this requirement, the Lessee shall erect permanent signs at the waterward entrance to the docking facility that are clearly visible to passing boaters and at the upland entrance to the docking facility that are clearly visible to the general public. The signs shall contain language clearly indicating that a minimum of ninety percent (90%) of the wet slips at the docking facility are available for rent to the general public. Any dockage rate sheet publications

and dockage advertising for the docking facility shall clearly state that a minimum of ninety percent (90%) of the wet slips at the docking facility are open to the general public on a "first come, first served" basis.

5. The Lessee shall inform all wet slip occupants in writing of the availability and requirement to use the sewage pumpout facilities provided at each slip. The Lessee shall also advise all wet slip occupants that no overboard discharges of trash, human or animal waste, including fish carcasses, shall occur at the leased premises at any time. Discharge from any holding tank or marine sanitation device, including those approved by the United States Coast Guard is strictly prohibited within the leased premises.

6. Any vessel moored at the docking facility, on either a temporary or permanent basis, shall be wholly located within its designated wet slip as depicted on Attachment A and no portion of a vessel may extend beyond the leased premises. Vessel length shall be measured as overall length including all parts and accessories such as outboard motors, bow pulpits, and swim platforms.

7. The Lessee shall install and maintain, during the term of this lease and all subsequent renewal terms, reflective markers and lighted aids to navigation at the ends of each pier. The lighted aides are required to be on at night and during limited visibility conditions.

8. All vessels that moor, dock, or otherwise use the leased premises shall be maintained in a fully operational condition.

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 District 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 District 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 District, 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 District in writing of changes required by any other regulatory District 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 District 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 District 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, District 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 District 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 Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.
19. This permit for construction will expire five years from the date of issuance.
20. At a minimum, all retention and detention storage areas must be excavated to rough grade prior to building construction or placement of impervious surface within the area to be served by those facilities. To prevent reduction in storage volume and percolation rates, all accumulated sediment must be removed from the storage area prior to final grading and stabilization.
21. All wetland areas or water bodies that are outside the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring or excess turbidity, and dewatering.
22. In the event of a change in ownership or control of the property to which the permit pertains, the permittee shall maintain the financial responsibility mechanism until the District has approved a substitute financial responsibility mechanism and approved the transfer of the permit to the new owner or person with legal control.
23. The operation and maintenance entity shall inspect the stormwater or surface water management system once within two years after the completion of construction and every two years thereafter to determine if the system is functioning as designed and permitted. The operation and maintenance entity must maintain a record of each required inspection, including the date of the inspection, the name and contact information of the inspector, and whether the system was functioning as designed and permitted, and make such record available for inspection upon request by the District during normal business hours. If at any time the system is not functioning as designed and permitted, then within 30 days the entity shall submit a report electronically or in writing to the District using Form 62-330.311(1), "Operation and Maintenance Inspection Certification," describing the remedial actions taken to resolve the failure or deviation.
24. 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 of the Florida Administrative Code 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.

25. 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.
26. 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.
27. 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.
28. Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.
29. 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.
30. 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.
31. Structures or activities shall not create a navigational hazard.
32. 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.
33. Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under paragraph 18-21.004(1)(g), F.A.C., or any other applicable law.

34. For activities on sovereign submerged lands that require letter of consent, lease, easement, management agreement, or use agreement, construction shall not commence until the sovereign submerged lands instrument has been fully executed. Within 30 days of executing a requisite lease or easement, the permittee must provide the District with a copy of the document.

35.

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

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The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at ImperiledSpecies@myFWC.com

- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.
36. The proposed project must be constructed and operated as per plans and calculations received by the District on March 09, 2026, as amended by Sheet T-1 received by the District on April 15, 2026.
37. No later than 60 days after construction commencement, a manatee educational program must be implemented by the permittee. The program outlined in the modification package on Sheet P-4 is appropriate for this location. If the permittee has additional questions regarding educational signage or monofilament recycling bins, they should contact FWC staff at ImperiledSpecies@MyFWC.com. At a minimum, the program shall include permanent manatee educational signs and brochures, which must be available to patrons at all times within a centralized location. If brochures are unavailable from the FWC, the permittee will be responsible for the cost of printing the brochures. All educational materials must be maintained for the life of the facility in a manner acceptable to FWC, and signs must be replaced if damage occurs, becomes faded or outdated. Information on signs and brochures recommended by FWC can be found at: <http://www.myfwc.com/wildlifehabitats/managed/manatee/signs/>.
38. For all pile-driving activity related to this project:
- At least one dedicated observer shall be present during pile driving activities and shall perform no other duties that may interfere,
- a. with their ability to observe for protected marine species. Observer(s) must have prior on-the-job experience observing manatees during dredging projects or in-water work where the activities were similar in nature to this project. Observer(s) shall have the authority to cease project operations 1) upon sighting a manatee within 50 feet of the pile driving or vessel activity; and 2) if detection of manatees is not possible due to weather or other conditions.
- b. All pile driving activities shall be limited to daylight hours in order to maximize visibility for protected species observers. Monitoring shall occur for 30 minutes prior to, during, and for 30 minutes after pile driving ends.

c. During pile driving, the project will utilize a ramp-up measure. At the start of pile driving activity, pile driving hammers would initially be operated at low levels, then gradually increase to minimum necessary power required for pile installation.

d. If the activities appear to harass or injure a protected marine species, then work shall cease immediately and not resume until after consultation with the Florida Fish and Wildlife Conservation Commission (ImperiledSpecies@MyFWC.com or 850-922-4330). Any additional conservation measures deemed necessary by FWC must be implemented to minimize the risks to protected species.

39. The total number of boat slips, inclusive of all shoreline and upland storage, shall be limited to 129.

40. Turbidity levels outside the construction area shall not exceed 29 NTU's above background levels. The following measures shall be taken immediately by the permittee whenever turbidity levels within waters of the State surrounding the project site exceed 29 NTUs above background:

a. Notify the District Compliance Program at 386-329-4500 and at compliancesupport@sjrwmd.com at the time the violation is first detected.

b. Immediately cease all work contributing to the water quality violation.

c. Stabilize all exposed soils contributing to the violation. Modify the work procedures that were responsible for the violation, install more turbidity containment devices, and repair any non-functional turbidity containment devices.

d. As required, perform turbidity monitoring per Specific Conditions.

e. Resume construction activities once turbidity levels outside turbidity curtains fall below 29 NTUs.

41. Turbidity Monitoring. Water turbidity levels shall be monitored if a turbidity plume is observed outside the limits of the required turbidity control devices. Samples shall be taken every four hours, one foot above the bottom, mid-depth, and one-foot below the surface at monitoring stations located as follows:

a. Approximately 100 feet up-current of the work sites and clearly outside the influence of construction activities. (This shall serve as the natural background sample against which other turbidity readings shall be compared.)

b. Directly outside the turbidity curtains surrounding the work sites and within the

densest portion of any visible turbidity plume. (This sample shall serve as the compliance sample.)

42. Turbidity Monitoring Reports. During dredging activities, the permittee or permittee's contractor shall collect the following turbidity monitoring data at the frequency and water depths directed by Specific Condition 41:

- a. Date and time of sampling event
- b. Turbidity sampling results (background NTUs, compliance NTUs, and the difference between them)
- c. Description of data collection methods
- d. An aerial map indicating the sampling locations
- e. Depth of sample(s)
- f. Weather conditions at times of sampling
- g. Tidal stage and direction of flow

Data shall be collected in a turbidity log and shall include a statement by the individual responsible for implementation of the sampling program attesting to the authenticity, precision, limits of detection, and accuracy of the data. The turbidity log shall be scanned and sent on a weekly basis to the District's Compliance Staff by email at compliancesupport@sjrwmd.com. The subject line of the email shall include the project name, permit number, and the title "Turbidity Monitoring Reports."

43. Construction equipment shall not be repaired or refueled in wetlands or elsewhere within waters of the state.
44. Watercraft associated with the construction of the permitted structure shall operate within waters of sufficient depth to preclude bottom scouring, prop dredging or damage to submerged bottom or submerged resources. During all construction activities, there shall be a minimum of 1-foot clearance between the draft of the construction vessel/barge and the top of any submerged resources or submerged bottom.
45. Erosion control measures will be implemented in and around the dredge site and at the temporary landside transfer point. These will include in-water turbidity barriers and landside silt fencing. Floating turbidity curtains with weighted skirts that extend to within 1 ft. of the bottom shall be placed around the dredge site and at the temporary landside transfer point prior to the initiation of work authorized by this permit. The screens shall be maintained and remain in place for the duration of the construction to ensure turbidity levels outside the construction area do not exceed 29 NTU's above background levels. The permittee shall be responsible for inspecting and maintaining turbidity control devices so no violations of state water quality standards outside of the turbidity screens occurs.

46. Dredging shall be limited to day light; no dredging (or dewatering) activities are authorized to be conducted at night.
47. No portion of the dredge pipeline, nor any related equipment, shall be stored, anchored on, or laid on or over seagrass beds without prior District approval. Anchoring done to secure the dredge or equipment shall be done within the navigation channel or in areas where seagrass beds are not present during dredging and related activities.
48. Areas to be dredged shall be dredged in accordance with the attached permit drawings and shall not exceed the areas and depths indicated on those drawings. The dredged material shall be placed in an upland disposal site, as depicted on Sheets D1 through D6 and Sheet XS dated March 09, 2026. The dewatering/disposal area shall be constructed in a manner which shall prevent the escape of dredged material into wetlands and surface waters. Discharge associated with dewatering into Waters of the State shall be conducted in a manner to ensure no water quality violations will occur.
49. All pilings used in the construction of the marina shall be non-leaching pilings. Nonleaching pilings may include, but are not limited to: wrapped, untreated, composite, or concrete pilings. If wrapped pilings are used, the wrapping shall extend to at least 1 foot above the mean high water line, and 6 inches below the bottom of the waterbody.
50. Overboard or through hull discharges of trash, human or animal waste, gray water, or fuel shall not occur at the docking facility.
51. There shall be no boat repair facilities on any structure that is over the water.
52. A sewage pump-out facility shall be installed at the location shown on the attached plans prior to or simultaneously with completion of construction activities. The permittee shall ensure marina personnel, who have been trained to operate the sewage pump-out facilities, are available to assist boaters in operating the facilities during standard business hours (at a minimum) for the life of the facility. The sewage pump-out facility shall be in working order prior to any slip occupancy and be maintained in accordance with the requirements of this condition for the life of the facility.
53. The attached Marina Operating and Management Plan, which includes a Petroleum Discharge Containment and Contingency Plan, shall be readily available to marina personnel at all times. The dockmaster shall be responsible for ensuring all marina personnel are trained and know how to quickly access and use the Petroleum Discharge Containment and Contingency Plan.

54. There shall be a minimum 12-inch clearance between the deepest draft of the vessel (with the motor in the down position) and the bottom of submerged lands at mean low water so as to preclude bottom scouring or prop dredging.

DRAFT



SLIGER & ASSOCIATES, INC.

PROFESSIONAL LAND SURVEYORS

LICENSED BUSINESS CERTIFICATION NO. 3019

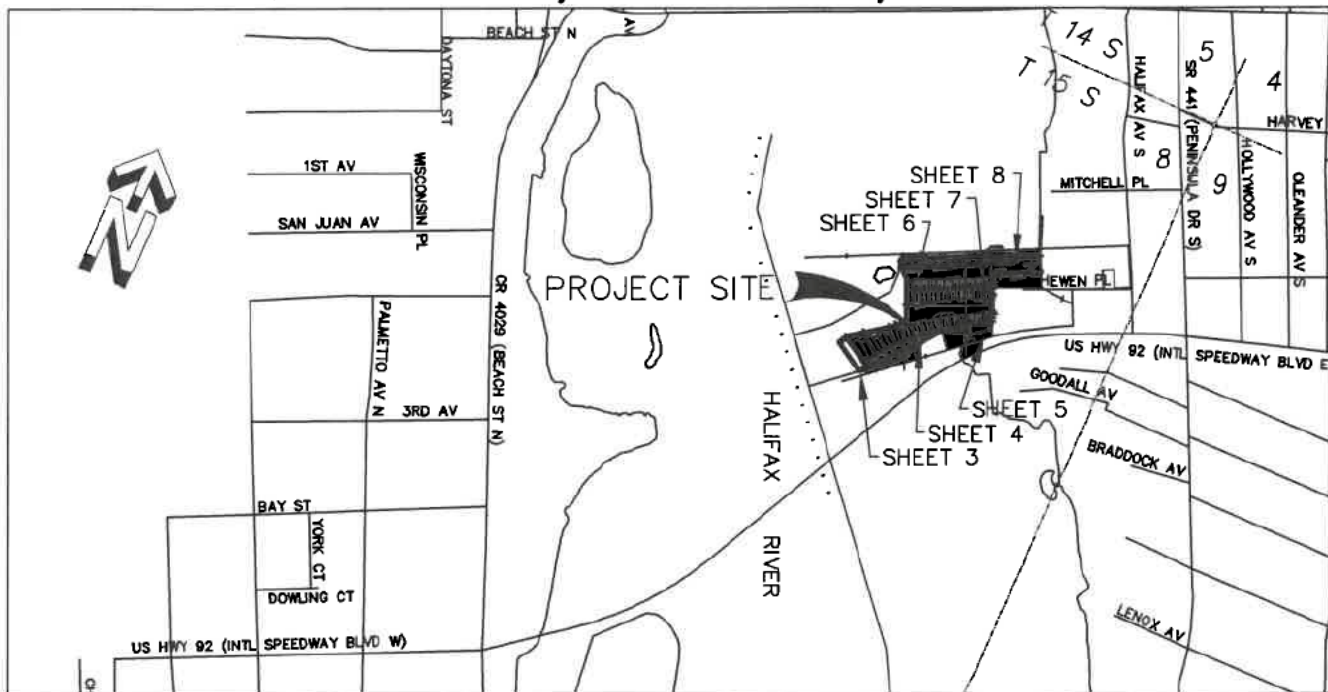
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FLORIDA DEP
BSM APPROVED

BY Charles E. Bolt
DATE 01/13/2026

SPECIFIC PURPOSE SURVEY OF A PORTION OF SUBMERGED LANDS LYING IN THE HALIFAX RIVER SECTION 8, TOWNSHIP 15 SOUTH, RANGE 33 EAST DAYTONA BEACH, VOLUSIA COUNTY, FLORIDA



VICINITY MAP

(1"=1000')

DESCRIPTION:

A PORTION OF SOVEREIGN SUBMERGED LANDS WITHIN THE HALIFAX RIVER, ADJACENT TO SECTION 8, TOWNSHIP 15 SOUTH, RANGE 33 EAST, VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 27, BLOCK 3, ASSESSORS SUBDIVISION OF THE TOWN OF DAYTONA BEACH, AS RECORDED IN MAP BOOK 3, PAGE 132 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, SAID CORNER LYING ON THE MEAN HIGH WATER LINE OF THE HALIFAX RIVER; THENCE ALONG SAID MEAN HIGH WATER LINE S21°08'04"E, 25.09 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID MEAN HIGH WATER LINE S21°08'04"E, 35.03 FEET; THENCE ALONG SAID MEAN HIGH WATER LINE S22°34'02"W, 106.67 FEET; THENCE ALONG SAID MEAN HIGH WATER LINE S63°44'58"W, 170.82 FEET; THENCE ALONG SAID MEAN HIGH WATER LINE S22°00'45"E, 268.63 FEET TO THE NORTHERLY RIGHT OF WAY LINE STATE ROAD NO. 600 (US 92) SECTION 79080-2544; THENCE DEPART SAID MEAN HIGH WATER LINE S68°19'35"W ALONG SAID RIGHT OF WAY LINE, 123.24 FEET; THENCE S21°36'32"E, ALONG SAID RIGHT OF WAY LINE, 45.00 FEET; THENCE S68°20'19"W, ALONG SAID RIGHT OF WAY LINE, 149.35 FEET TO THE BEGINNING OF A NON TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1591.20 FEET, A CENTRAL ANGLE OF 10°37'31" AND A CHORD BEARING S32°55'12"W; THENCE WESTERLY ALONG SAID RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE, 295.08 FEET; THENCE DEPART SAID RIGHT OF WAY LINE S49°30'21"W, 204.87 FEET; THENCE N59°04'42"W, 192.66 FEET; THENCE N30°55'18"E, 60.05 FEET; THENCE N54°25'15"E, 239.54 FEET; THENCE N44°47'47"E, 86.76 FEET; THENCE N24°32'42"W, 229.63 FEET; THENCE N46°53'06"W, 58.11 FEET; THENCE N26°01'23"W, 55.12 FEET; THENCE N63°58'37"E, 750.02 FEET BACK TO THE MEAN HIGH WATER LINE AND THE POINT OF BEGINNING. CONTAINING 281,085 SQUARE FEET OR 6.453 ACRES, MORE OR LESS.

NOTE:

- SHEET 1 VICINITY MAP, DESCRIPTION AND KEY SHEET.
- SHEET 2 SKETCH OF SUBMERGED LAND LEASE FIELD SURVEY.
- SHEET 3-8 PROPOSED DOCKS.
- SHEET 9 BOAT SLIP AND DOCK SUMMARY TABLE
- SHEET 10 SURVEYORS NOTES AND CERTIFICATIONS.

JOB #23-0591

SHEET 1 OF 10

ATTACHMENT 1C

PAGE 58



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PROFESSIONAL LAND SURVEYORS

LICENSED BUSINESS CERTIFICATION NO. 3019

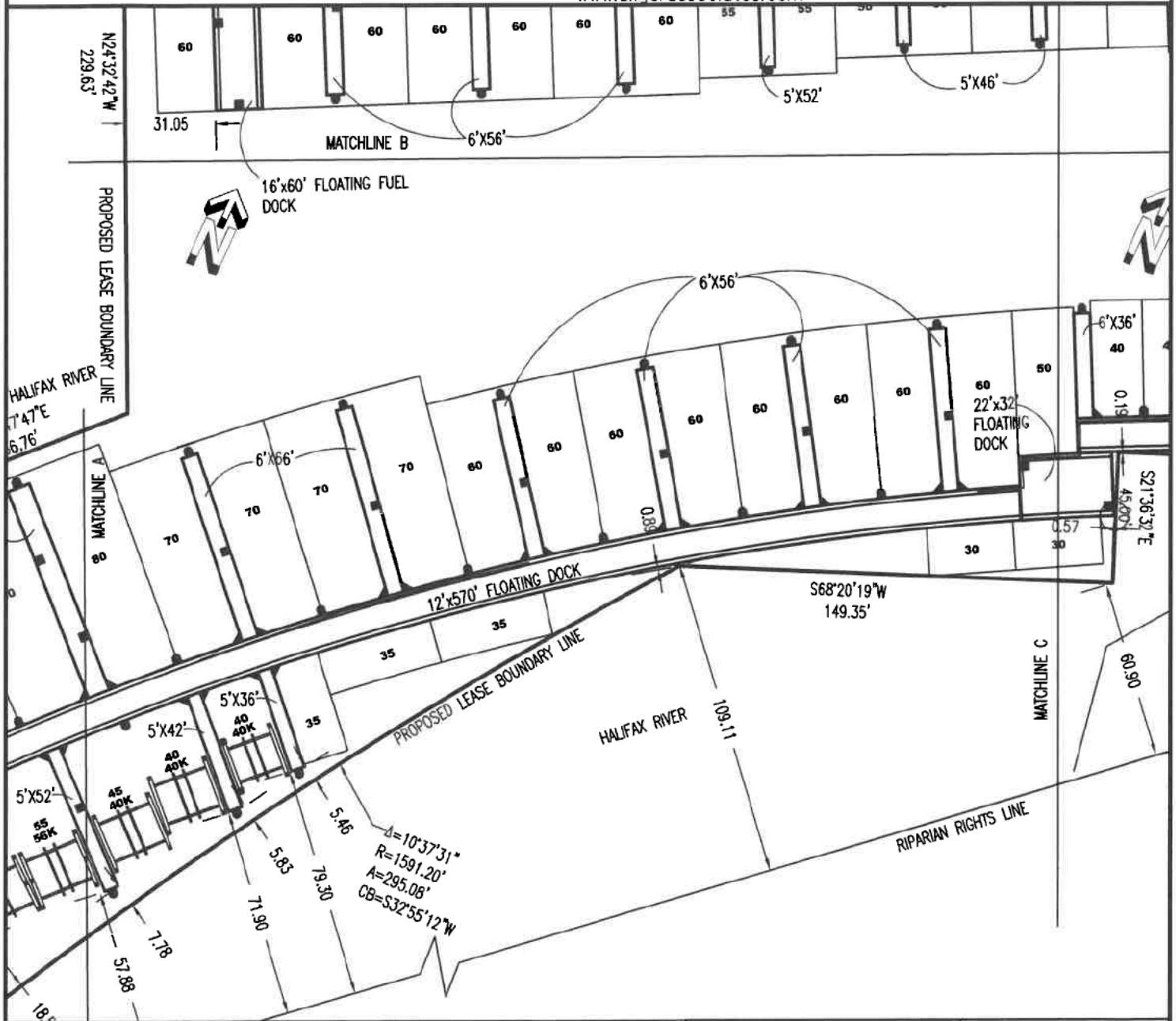
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SUBMERGED LAND LEASE FIELD SURVEY

JOB #23-0591

SCALE: 1"=50'

FIELD BOOK:

PAGE:

ABBREVIATIONS

(P)	PLATTED DIMENSION
(D)	DEEDED DIMENSION
(M)	MEASURED DIMENSION
(C)	CALCULATED DIMENSION
ID	IDENTIFICATION
R/W	RIGHT OF WAY
GND	GROUND
TOW	TOP OF WALL
C	CENTERLINE
D	CENTRAL ANGLE
R	RADIUS
L	ARC LENGTH
FP&L CO.	FLORIDA POWER & LIGHT COMPANY
N.G.V.D.	NATIONAL GEODETIC VERTICAL DATUM
APPROX.	APPROXIMATE

SHEET 4 OF 10

LEGEND

●	IRON ROD WITH CAP
○	IRON PIPE
□	CONCRETE MONUMENT
■	PERMANENT REFERENCE MONUMENT
△	PERMANENT CONTROL POINT
(R)	RADIAL LINE
(NR)	NON-RADIAL LINE
○	EXISTING ELEVATION
□	PROPOSED ELEVATION

ATTACHMENT 1C

PAGE 61



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LICENSED BUSINESS CERTIFICATION NO. 3019

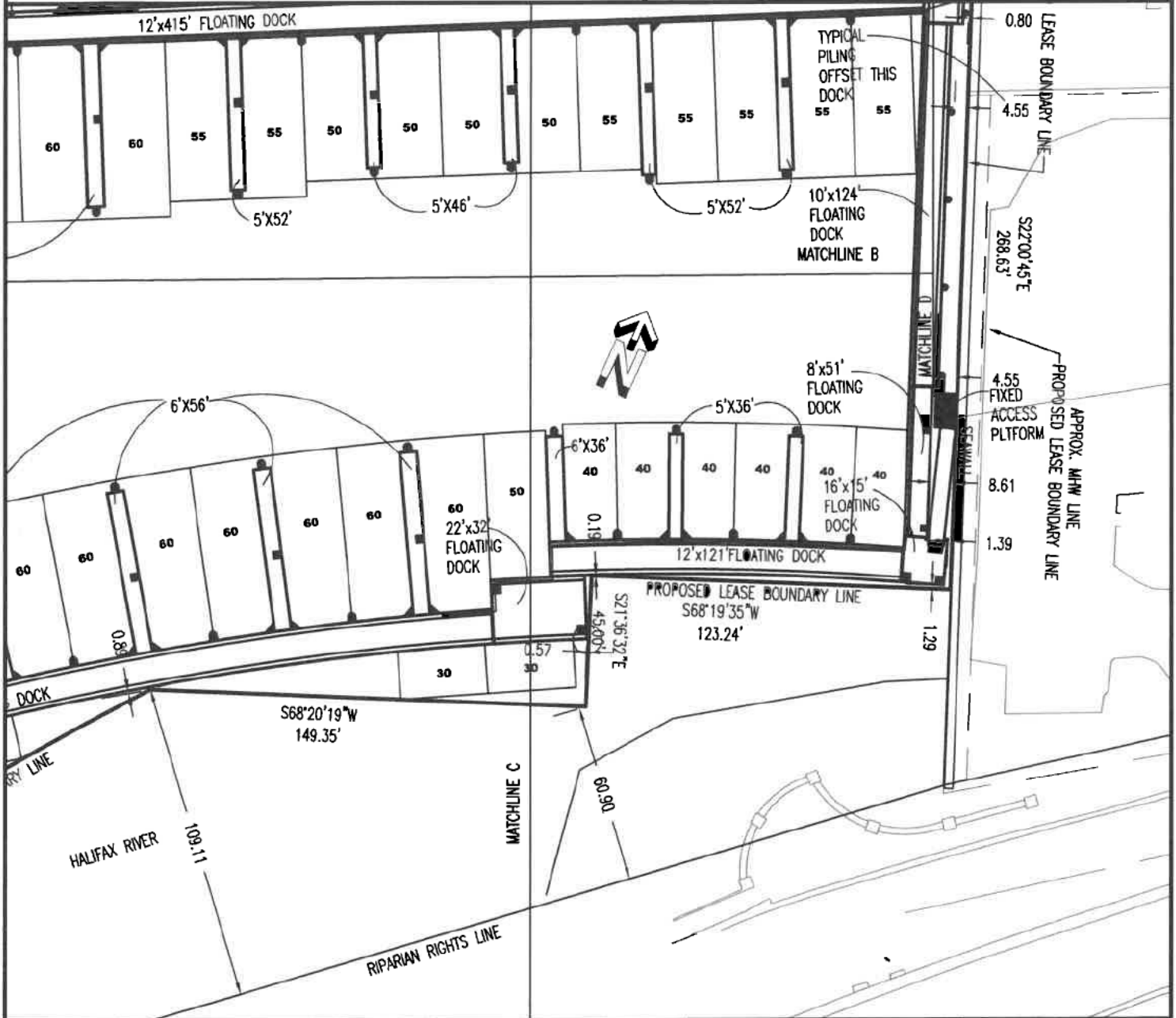
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SUBMERGED LAND LEASE FIELD SURVEY

JOB #23-0591

SCALE: 1"=50'

FIELD BOOK:

PAGE:

ABBREVIATIONS

(P)	PLATTED DIMENSION
(D)	DEEDED DIMENSION
(M)	MEASURED DIMENSION
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GND	GROUND
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D	CENTRAL ANGLE
R	RADIUS
L	ARC LENGTH
FP&L CO.	FLORIDA POWER & LIGHT COMPANY
N.G.V.D.	NATIONAL GEODETIC VERTICAL DATUM
APPROX.	APPROXIMATE

SHEET 5 OF 10

LEGEND

●	IRON ROD WITH CAP
○	IRON PIPE
□	CONCRETE MONUMENT
■	PERMANENT REFERENCE MONUMENT
△	PERMANENT CONTROL POINT
(R)	RADIAL LINE
(NR)	NON-RADIAL LINE
○	EXISTING ELEVATION
□	PROPOSED ELEVATION



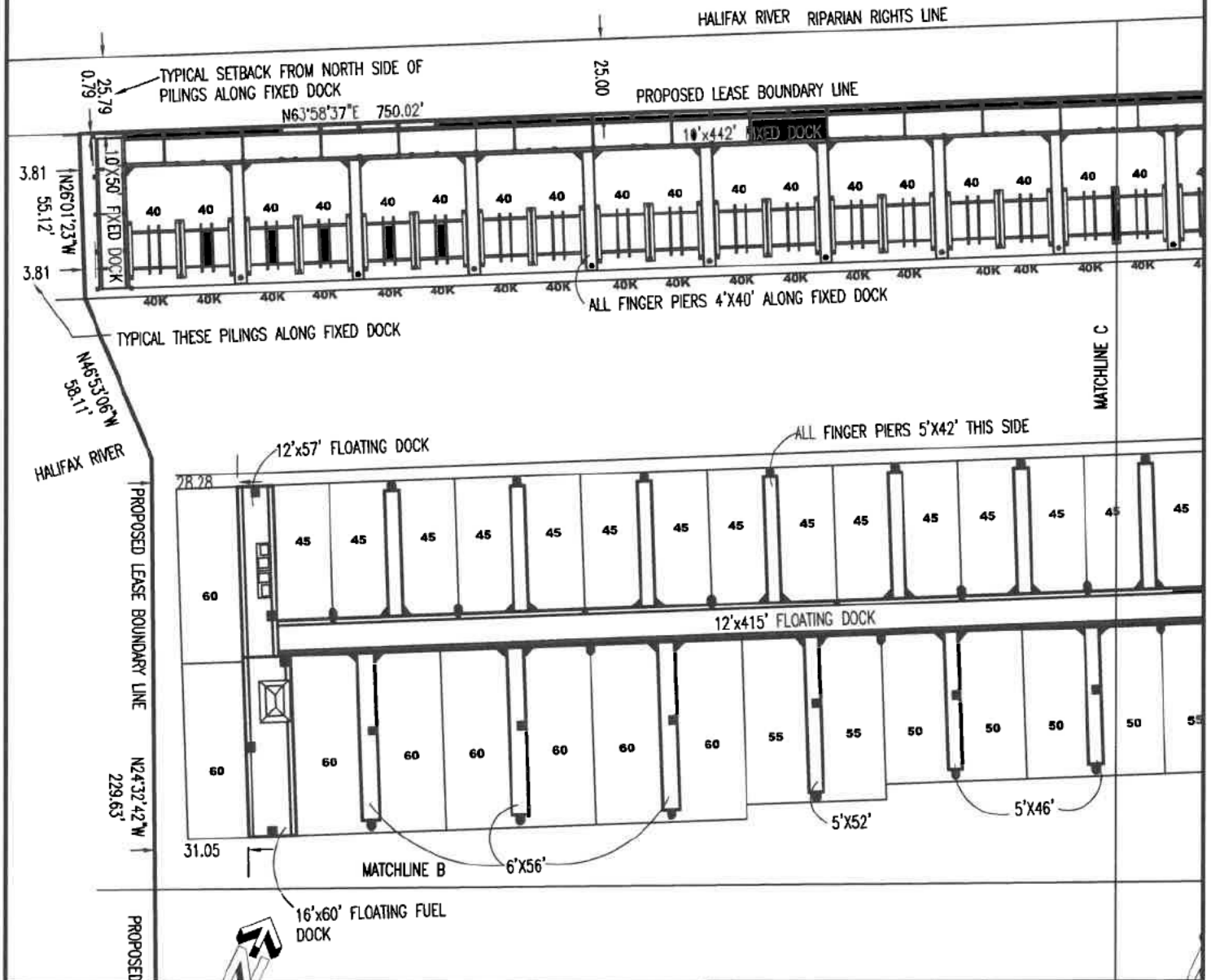
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SUBMERGED LAND LEASE FIELD SURVEY

JOB #23-0591

SCALE: 1"=50'

FIELD BOOK:

PAGE:

ABBREVIATIONS

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L	ARC LENGTH
FP&L CO.	FLORIDA POWER & LIGHT COMPANY
N.G.V.D.	NATIONAL GEODETIC VERTICAL DATUM
APPROX.	APPROXIMATE

SHEET 6 OF 10

LEGEND

●	IRON ROD WITH CAP
○	IRON PIPE
□	CONCRETE MONUMENT
■	PERMANENT REFERENCE MONUMENT
△	PERMANENT CONTROL POINT
(R)	RADIAL LINE
(NR)	NON-RADIAL LINE
○	EXISTING ELEVATION
□	PROPOSED ELEVATION



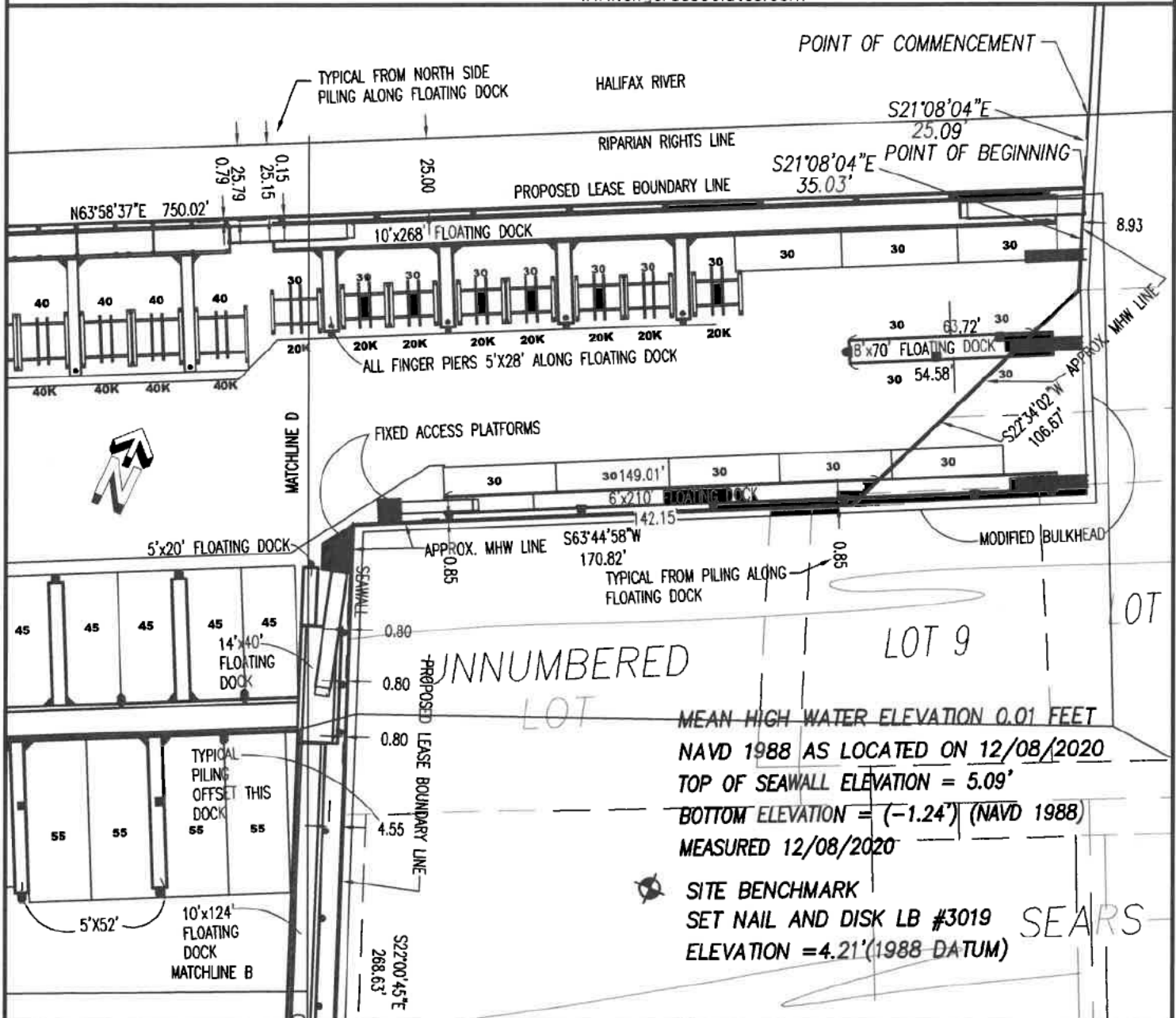
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SUBMERGED LAND LEASE FIELD SURVEY

JOB #23-0591

SCALE: 1"=50'

FIELD BOOK:

PAGE:

ABBREVIATIONS

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D	CENTRAL ANGLE
R	RADIUS
L	ARC LENGTH
FP&L CO.	FLORIDA POWER & LIGHT COMPANY
N.G.V.D.	NATIONAL GEODETIC VERTICAL DATUM
APPROX.	APPROXIMATE

SHEET 8 OF 10

LEGEND

●	IRON ROD WITH CAP
○	IRON PIPE
□	CONCRETE MONUMENT
■	PERMANENT REFERENCE MONUMENT
△	PERMANENT CONTROL POINT
(R)	RADIAL LINE
(NR)	NON-RADIAL LINE
○	EXISTING ELEVATION
□	PROPOSED ELEVATION



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SURVEYOR'S NOTES:

1. NOTICE: THERE MAY BE ADDITIONAL RESTRICTIONS AND/OR OTHER MATTERS THAT ARE NOT SHOWN ON THIS RECERTIFICATION SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. THIS SURVEY/ SKETCH OF DESCRIPTION PREPARED WITHOUT BENEFIT OF AN ABSTRACT.
2. DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
3. FIELD WORK FOR WATER DEPTH MEASUREMENTS MADE ON DEC. 8, 2020. APPROXIMATE MEAN HIGH WATER ELEVATION = 0.01 FEET, N.A.V.D. 1988. PER MEAN HIGH WATER PROCEDURE APPROVAL FORM, DATED JULY 1, 2020.
4. ELEVATIONS REFER TO N.A.V.D. OF 1988, PER CITY OF DAYTONA BEACH BENCHMARK RMR-8 HAVING A PUBLISHED ELEVATION OF 13.437'
4. UNDERGROUND FOUNDATIONS, IF ANY, NOT LOCATED.
5. STATE PLANE COORDINATES AND LATITUDE AND LONGITUDE SHOWN ARE BASED UPON DIRECT RTK GPS MEASUREMENT AND ARE NAD 1983 (FLORIDA EAST ZONE - U.S. SURVEY FOOT. THE COORDINATES HAVE AN ACCURACY OF +/- 1 FOOT.
6. THE SUBJECT PROPERTY INCLUDES ±581 LINEAR FEET OF SHORELINE ADJACENT TO STATE-OWNED SUBMERGED LANDS.
7. THE RIPARIAN RIGHTS LINES SHOWN PER GENERALLY ACCEPTED METHODOLOGIES. A BINDING DETERMINATION OF RIPARIAN BOUNDARIES CAN ONLY BE MADE BY AGREEMENTS OF THE AFFECTED PARTIES OR BY A FINAL ADJUDICATION OF A COURT OF COMPETENT JURISDICTION.
8. THIS IS A FIELD SURVEY.
9. FIELD DATE OF SURVEY 1-21-2022.
10. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR VALID ELECTRONIC SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
11. BEARING STRUCTURE ASSUMED NORTH WITH BEARING ON THE NORTH LINE OF LOT 27, BLOCK 3, ASSESSORS SUBDIVISION OF THE TOWN OF DAYTONA BEACH, AS RECORDED IN MAP BOOK 3, PAGE 132 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING N63°58'37"E.
12. MEAN HIGH WATER ELEVATION PER MEAN HIGH WATER PROCEDURE APPROVAL LETTER DATED JULY 1, 2020 EXTENDING ELEVATION SHOWN AT MEAN HIGH WATER INTERPOLATION POINT NO. 3928
13. THERE IS APPROXIMATELY 45 FEET OF SEAGRASS ALONG EAST SIDE OF SEAWALL AS SHOWN.

REFERENCE: GATEWAY MARINA

PLAT PREPARED FOR THE FOLLOWING: (ONLY THE LAST DATE IS CERTIFIED ON SEALED COPY)

THIS PLAT OF SURVEY IS CERTIFIED TO AND PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES AND/OR INDIVIDUALS LISTED BELOW, ON THE MOST CURRENT DATE, AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER.

TYPE OF SURVEY	CERTIFIED TO	SURVEY DATE	JOB NUMBER
SPECIFIC PURPOSE SURVEY	BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND	JAN. 21, 2022	23-0591
	OF THE STATE OF FLORIDA		
	DAYTONA BLUETIDE GROUP LP		
NOT CERTIFIED	TO ANY ENTITIES AND/OR INDIVIDUALS OTHER THAN THOSE LISTED ABOVE.		

SHEET 10 OF 10

VALID WITH SIGNATURE & EMBOSSED SEAL ONLY

FOR: DAYTONA BLUETIDE GROUP LP

	DATE	JOB NO.	P.C.	DRW.	CHECKED BY
SPECIFIC PURPOSE SURVEY	JANUARY 21, 2022	23-0591	SKS	JM/JZ	JZ
BOUNDARY SURVEY					
TOPOGRAPHIC SURVEY					
FOUNDATION LOCATED					
FINAL IMPROVEMENTS					
RECERTIFICATION					
PROPOSED HOUSE LOCATION					

I HEREBY CERTIFY THAT THIS PLAT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.05, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Joseph
E
Zapert
Digitally signed
by Joseph E
Zapert
Date: 2023.08.15
10:59:02 -0400

J.E. ZAPERT, P.L.S. NO. 4046



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PROFESSIONAL LAND SURVEYORS

LICENSED BUSINESS CERTIFICATION NO. 3019

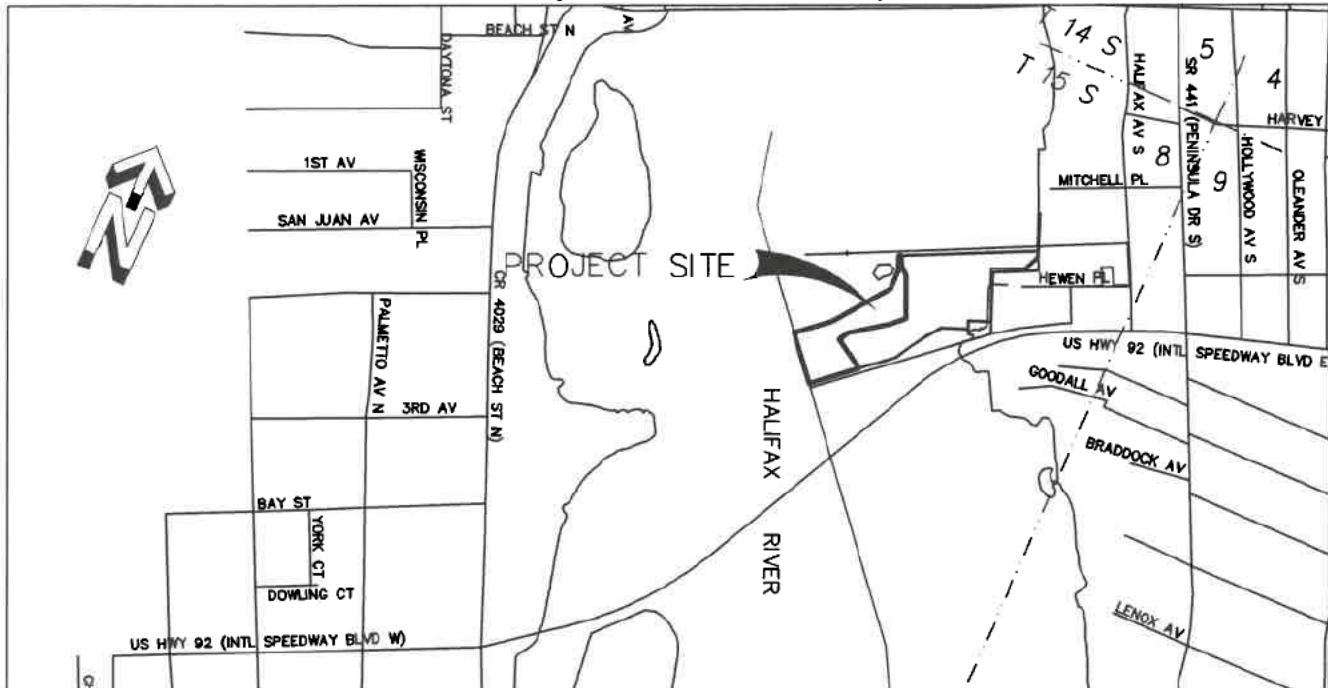
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FLORIDA DEP
BSM APPROVED

BY Charles A. Bette
DATE 01/13/2020

SKETCH AND DESCRIPTION OF A PORTION OF SUBMERGED LANDS LYING IN THE HALIFAX RIVER SECTION 8, TOWNSHIP 15 SOUTH, RANGE 33 EAST DAYTONA BEACH, VOLUSIA COUNTY, FLORIDA



DESCRIPTION:

VICINITY MAP

(1"=1000')

A PORTION OF SOVEREIGN SUBMERGED LANDS WITHIN THE HALIFAX RIVER, ADJACENT TO SECTION 8, TOWNSHIP 15 SOUTH, RANGE 33 EAST, VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 27, BLOCK 3, ASSESSORS SUBDIVISION OF THE TOWN OF DAYTONA BEACH, AS RECORDED IN MAP BOOK 3, PAGE 132 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, SAID CORNER LYING ON THE MEAN HIGH WATER LINE OF THE HALIFAX RIVER; THENCE ALONG SAID MEAN HIGH WATER LINE S21°08'04"E, 60.12 FEET; THENCE ALONG SAID MEAN HIGH WATER LINE S22°34'02"W, 106.67 FEET; THENCE ALONG SAID MEAN HIGH WATER LINE S63°44'58"W, 170.82 FEET; THENCE ALONG SAID MEAN HIGH WATER LINE S22°00'45"E, 268.63 FEET TO THE NORTHERLY RIGHT OF WAY LINE STATE ROAD NO. 600 (US 92) SECTION 79080-2544; THENCE DEPART SAID MEAN HIGH WATER LINE S68°19'35"W ALONG SAID RIGHT OF WAY LINE, 123.24 FEET; THENCE S21°36'32"E, ALONG SAID RIGHT OF WAY LINE, 45.00 FEET; THENCE S68°20'19"W, ALONG SAID RIGHT OF WAY LINE, 149.35 FEET TO THE BEGINNING OF A NON TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1591.20 FEET, A CENTRAL ANGLE OF 10°37'31" AND A CHORD BEARING S32°55'12"W; THENCE WESTERLY ALONG SAID RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE, 295.08 FEET TO A POINT THAT IS 25.00 FEET NORTHERLY OF, WHEN MEASURED PERPENDICULAR TO, THE SOUTHERLY RIPARIAN RIGHTS LINE OF THAT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 7252, PAGE 1034, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE DEPART SAID RIGHT OF WAY LINE, S49°30'21"W ALONG A LINE THAT IS 25.00 FEET NORTHERLY OF AND PARALLEL WITH SAID RIPARIAN RIGHTS LINE, 204.87 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S49°30'21"W, 285.34 FEET; THENCE N40°29'59"W, 286.81 FEET; THENCE N49°30'21"E, 215.84 FEET; THENCE N36°45'21"E, 361.97 FEET; THENCE N01°03'42"W, 108.72 FEET; THENCE N21°29'31"W, 77.25 FEET TO A POINT THAT IS 25.00 FEET SOUTHERLY OF, WHEN MEASURED PERPENDICULAR TO, THE NORTHERLY RIPARIAN RIGHTS OF THAT PROPERTY DESCRIBED IN SAID OFFICIAL RECORDS BOOK 7252, PAGE 1034; THENCE N63°58'37"E ALONG A LINE THAT IS 25.00 FEET SOUTHERLY OF AND PARALLEL WITH SAID RIPARIAN RIGHTS LINE, 13.76 FEET; THENCE S26°01'23"E, 55.12 FEET; THENCE S46°53'06"E, 58.11 FEET; THENCE S24°32'42"E, 229.63 FEET; THENCE S44°47'47"W, 86.76 FEET; THENCE S54°25'15"W, 239.54 FEET; THENCE S30°55'18"W, 60.05 FEET; THENCE S59°04'42"E, 192.66 FEET TO THE POINT OF BEGINNING. CONTAINING 134,860 SQUARE FEET OR 3.096 ACRES, MORE OR LESS.

JOB #23-0591

SHEET 1 OF 3



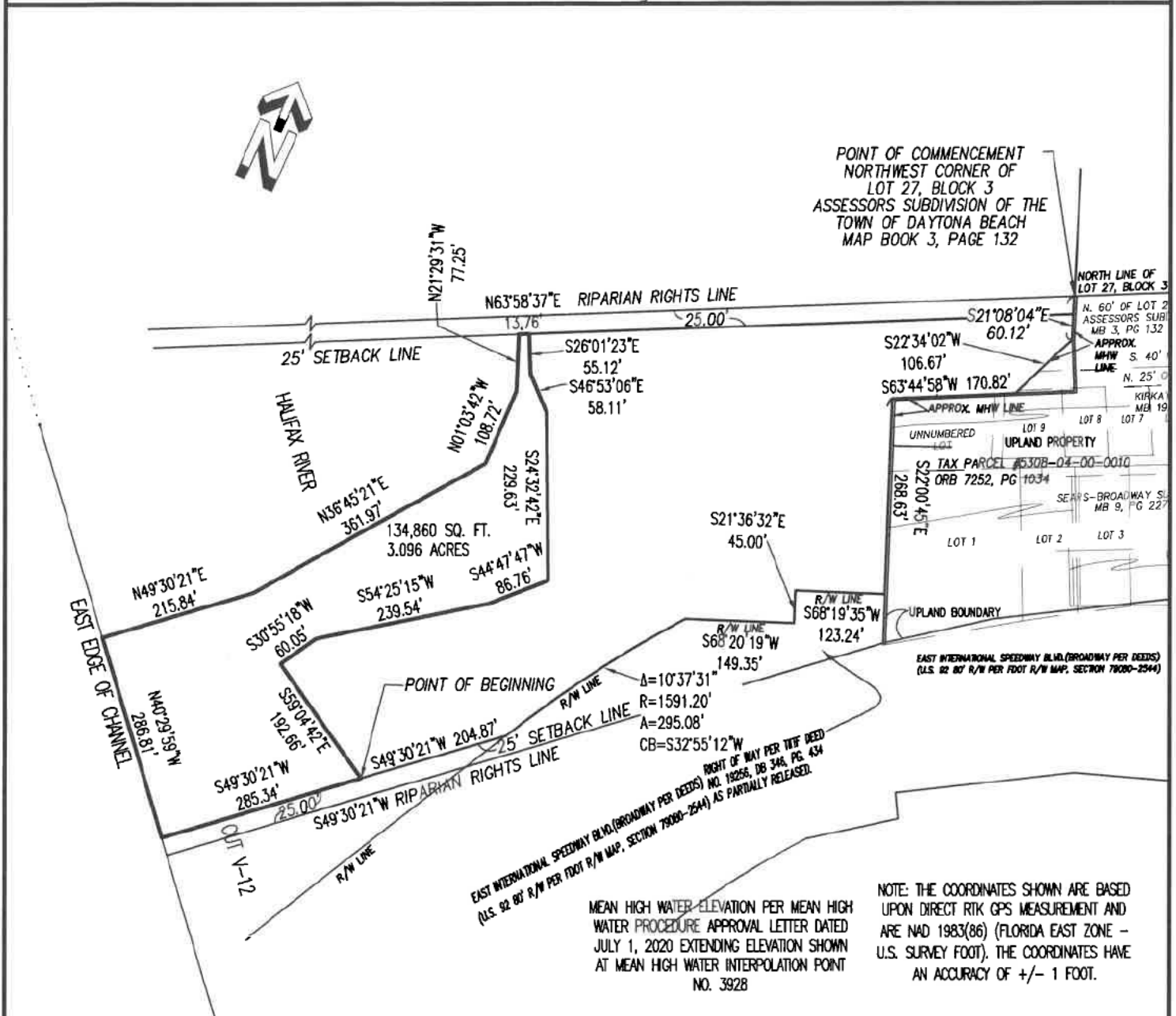
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**SKETCH OF DECEIPTION
NOT A BOUNDARY SURVEY**

JOB #23-0591

SCALE: 1"=200'

FIELD BOOK:

PAGE:

ABBREVIATIONS

(P)	PLATTED DIMENSION
(D)	DEEDED DIMENSION
(M)	MEASURED DIMENSION
(C)	CALCULATED DIMENSION
ID	IDENTIFICATION
R/W	RIGHT OF WAY
TOW	TOP OF WALL
CL	CENTERLINE
Δ	CENTRAL ANGLE
R	RADIUS
A	ARC LENGTH
CB	CHORD BEARING
ORB	OFFICIAL RECORDS BOOK
PG	PAGE
APPROX.	APPROXIMATE
MHW	MEAN HIGH WATER

SHEET 2 OF 3

LEGEND

●	IRON ROD WITH CAP
○	IRON PIPE
□	CONCRETE MONUMENT
■	PERMANENT REFERENCE MONUMENT
△	PERMANENT CONTROL POINT
(R)	RADIAL LINE
(NR)	NON-RADIAL LINE
○	EXISTING ELEVATION
□	PROPOSED ELEVATION



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SURVEYOR'S NOTES:

1. NOTICE: THERE MAY BE ADDITIONAL RESTRICTIONS AND/OR OTHER MATTERS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. THIS SURVEY/ SKETCH OF DESCRIPTION PREPARED WITHOUT BENEFIT OF AN ABSTRACT.
2. DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
3. ELEVATIONS REFER TO N.A.V.D. OF 1988, PER CITY OF DAYTONA BEACH BENCHMARK RMR-8 HAVING A PUBLISHED ELEVATION OF 13.437'
4. UNDERGROUND FOUNDATIONS, IF ANY, NOT LOCATED.
5. STATE PLANE COORDINATES AND LATITUDE AND LONGITUDE SHOWN ARE BASED UPON DIRECT RTK GPS MEASUREMENT AND ARE NAD 1983 (FLORIDA EAST ZONE - U.S. SURVEY FOOT. THE COORDINATES HAVE AN ACCURACY OF +/- 1 FOOT.
6. THE RIPARIAN RIGHTS LINES SHOWN PER GENERALLY ACCEPTED METHODOLOGIES. A BINDING DETERMINATION OF RIPARIAN BOUNDARIES CAN ONLY BE MADE BY AGREEMENTS OF THE AFFECTED PARTIES OR BY A FINAL ADJUDICATION OF A COURT OF COMPETENT JURISDICTION.
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REFERENCE: GATEWAY MARINA

PLAT PREPARED FOR THE FOLLOWING: (ONLY THE LAST DATE IS CERTIFIED ON SEALED COPY)

THIS PLAT OF SURVEY IS CERTIFIED TO AND PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES AND/OR INDIVIDUALS LISTED BELOW, ON THE MOST CURRENT DATE, AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER.

TYPE OF SURVEY	CERTIFIED TO	SURVEY DATE	JOB NUMBER
SKETCH OF DESCRIPTION	BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA DAYTONA BLUETIDE GROUP LP	AUGUST 14, 2023	23-0591
NOT CERTIFIED	TO ANY ENTITIES AND/OR INDIVIDUALS OTHER THAN THOSE LISTED ABOVE.		

SHEET 3 OF 3

VALID WITH SIGNATURE & EMBOSSED SEAL ONLY

FOR: DAYTONA BLUETIDE GROUP LP

	DATE	JOB NO.	P.C.	DRW.	CHECKED BY
SKETCH OF DESCRIPTION	AUGUST 14, 2023	23-0591		JZ	JZ
BOUNDARY SURVEY					
TOPOGRAPHIC SURVEY					
FOUNDATION LOCATED					
FINAL IMPROVEMENTS					
RECERTIFICATION					
PROPOSED HOUSE LOCATION					

I HEREBY CERTIFY THAT THIS PLAT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.05, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Joseph
E Zapert

Digitally signed
by Joseph E
Zapert
Date: 2023.08.15
11:43:56 -0400

J.E. ZAPERT, P.L.S. NO. 4046

ATTACHMENT 1C

PAGE 70



FLORIDA DEPARTMENT OF Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, FL 32399

Ron DeSantis
Governor

Jay Collins
Lt. Governor

Alexis A. Lambert
Secretary

Memorandum

TO: Tanya Alvarez, Supervising Regulatory Scientist, St. Johns River Water Management District
FROM: Jon Mitchell Penot, Senior Appraiser, Bureau of Appraisal
SUBJECT: Revision of Appraisal Approval Checklist Easement Value March 3, 2026
DATE: March 24, 2026

You requested a revision in the Appraised Value and Approved Value of the referenced Appraisal Approval Checklist dated March 3, 2026. The specific revision is to supply the values for a ten (10) year easement rather than the five (5) year term originally requested.

Within the body of the approved appraisal report, produced by Matthew Jehs, MAI, with a report date of March 2, 2026, is a discounted cash flow chart showing the cumulative, present value of a sovereignty submerged land easement with terms expiring after one (1) through 25-years. A summary chart, like the one in the Appraisal Approval Checklist for the initial term of five years and the revised term of ten years follows:

Parcel ID	Owner	Land Size	Appraised Value	Approved Value
Bluetide 5 Year	TIITF	134,860 sq ft (3.096 acres)	\$50,060	\$50,060
Bluetide 10 Year	TIITF	134,860 sq ft (3.096 acres)	\$83,727	\$83,727

Other information pertinent to the values presented above can be found within the narrative of the approved appraisal report.

This memorandum should be considered as an attachment to the original Appraisal Approval Checklist. It is specifically not a re-valuation of the initial work performed by Mr. Jehs, MAI.

Jon Mitchell Penot
Senior Appraiser
Division of State Lands
Florida Department of Environmental Protection