
 Subject Parcel


0 1 2 4
Miles



M-LPI Resort Owner, LLC
Monroe County, Florida



 Subject Parcel

0 1,000 2,000 4,000

Feet



M-LPI Resort Owner, LLC
Monroe County, Florida

PROJECT DESCRIPTION

1. Location: Latitude N 24° 38' 8.3240", Longitude W -81° 22' .1323"
Aquatic Preserve: Yes, Coupon Bight, Resource Protection Area 1
Waterbody and Classification: Class III, Not Approved for Shellfish Harvesting
Designated Manatee County: Yes, with approved Manatee Protection Plan
Manatee Aggregation Area: No
Manatee Protection Speed Zone: No
2. Preempted area: 721,201.3 square feet (16.56 acres), more or less
3. Location: Coupon Bight
4. Structure Dimensions: 57 wooden utility poles that are one foot in diameter.
 - a. Five of the 57 existing utility poles are proposed for relocation and replacement.
5. Installation of Replacement Utility Poles: To install the replacement utility poles, the Applicant will utilize a shallow-draft, 30-foot long and 28-foot wide floating travellift. This vessel has a light draft of five inches and a loaded draft (with a 20,000-pound sling load) of 12 inches. A 30-foot long, 12-foot-wide companion barge with a six-inch light draft will also be used to reduce the payload's draft when traversing shallow seagrass areas. The Applicant will implement Best Management Practices and comply with the "Standard Manatee Conditions for In-Water Work" (2011) during construction.
6. Length of Utility Line: approximately 14,424.026 linear feet within Coupon Bight
7. Easement Width: 50 feet
8. Resources – Sparse seagrasses exist within the project area, and the installation of the five new utility poles is projected to impact five square feet of seagrass (one square foot per pole), which the Department does not consider adverse, thus requiring no mitigation. The proposed pole reconfiguration was designed to allow for a gentle curve to eliminate the need for guy wires, thereby reducing additional seagrass impacts. Furthermore, the proposed relocation aims to reduce and eliminate impacts on mangroves currently along the utility line's path. By removing and/or abandoning the existing poles on Mangrove Island, the project will result in fewer impacts compared to maintaining those poles, as it will avoid the need for trimming or clearing the healthy mangrove fringe for utility line maintenance

REQUIREMENTS / ASSESSMENTS / COMMENTS

1. DEP Exemption: See the included exemption that was issued on January 9, 2024.
2. U.S. Army Corps of Engineers Permit: The Environmental Resource Permit references the need to obtain approval, if required.

3. Florida Fish and Wildlife Conservation Commission, Office of Environmental Services, Bureau of Protected Species Management Manatees: The Applicant will adhere to the "Standard Manatee Conditions for In-Water Work" (2011).
4. Florida Department of Agriculture and Consumer Services, Division of Aquaculture, Shellfish: Not Applicable
5. Riparian rights line setback: Not applicable pursuant to Rule 18-21.004(3), F.A.C.
6. Noticing: 14 property owners within a 500-foot radius of the project, and all interested parties, were noticed pursuant to Rule 18-21.004(1), F.A.C., and no objections were received by December 11, 2024, the end of the comment period.
7. Term of Easement: The Applicant is requesting an easement term of 25 years pursuant to Rule 18-21.010(5), F.A.C., which is consistent with the design service life of the proposed utility line.

PUBLIC INTEREST ASSESSMENT

The subject property is located within the Coupon Bight Aquatic Preserve though will not result in the sale of sovereign submerged lands. Therefore, to receive approval, the proposal is specifically required to demonstrate that it is "clearly in the public interest" pursuant to Rule 18-20.004(2), F.A.C.

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

Management Plan: The proposed project is consistent with the provisions of the Coupon Bight Aquatic Preserve Management plan adopted by the Board of Trustees on February 9, 2024.

Aquatic Preserve Report: Aquatic preserve staff confirmed that there is sparse seagrass within the project area. However, the installation of the five new utility poles is projected to impact only five square feet of seagrass (one square foot per pole), and the proposed relocation aims to reduce and eliminate impacts on mangroves currently along the utility line's path. By removing and/or abandoning the existing poles on Mangrove Island, the project will result in fewer impacts compared to maintaining the existing poles, as it will avoid the need for trimming or clearing the healthy mangrove fringe for utility line maintenance.

The Applicant shall contribute \$15,000 to the Aquatic Preserve Society for their public interest project. The contribution will be used to fund management activities that are outlined in the Coupon Bight Aquatic Preserve Management Plan. The donation will be earmarked for a planned seagrass restoration project within the preserve.

| Costs: | Benefits: |
|---|---|
| 1. Adverse impacts to five square feet of existing seagrass vegetation resulting from the installation of five replacement utility poles. | 1. Enhancement of resources through the donation of \$15,000 to the Aquatic Preserve Society, which will assist in funding planned seagrass restoration projects within the vicinity of the proposed private easement. 2. Protection of mangroves through the rerouting of the utility line around Mangrove Island. 3. Improvement of health, safety, and welfare through the provision of electric utilities to Little Pine Island and the reparation of line tension. |

Based on the merits of the proposal, the Applicant has given reasonable assurance that the proposal will maintain essentially natural conditions and will not significantly impact fish and wildlife or other natural resources, including public recreation and navigation. The impacts from the proposed project were not deemed adverse and therefore no mitigation is required.

Therefore, the District's opinion is that the proposal is "clearly in the public interest" and otherwise meets all applicable requirements for a proprietary authorization to use sovereignty submerged lands.

SPECIAL EASEMENT CONDITIONS

1. Utility services provided through the lines authorized in this easement will be limited to those services that were in place as of December 18, 1990. The use of sovereignty submerged land authorized in this easement will not result in an upgrade in capacity of electric service and will not service additional customers on Little Palm Island or the surrounding area.

FEE CALCULATION

CONSIDERATION DUE: \$901,139.88

- | | |
|---|-----------|
| 1. Processing Fee: | \$739.88 |
| Pursuant to Rule 18-21.010(1)(h) F.A.C. | |
| 2. Easement Fee: | \$884,000 |
| Enhanced Value | \$16,400 |
| Pursuant to Rule 18-21.011(2)(b) F.A.C. | |

TOTAL CONSIDERATION: \$901,139.88



FLORIDA DEPARTMENT OF Environmental Protection

Southeast District Branch Office
2796 Overseas Highway, Suite 211
Marathon, FL 33050
305-289-7070

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

January 9, 2024

Little Palm Island Associates
c/o Jamie Colee
600 6th St. South
Kirkland, WA 98033
Sent via e-mail: Jamie.colee@noblehousehotels.com

Re: File No.: 44-0427433-002-EE
File Name: Little Palm Power Pole Replace

Dear Jamie Colee:

On December 19, 2023, we received your request for verification of exemption to perform the following activities: to remove 4 utility poles, and to abandon 1 utility pole, and to install 5 new utility poles. The project is located in the Coupon Bight Aquatic Preserve, Outstanding Florida Waters, Class III Waters, adjacent to Newfound Harbor Keys, Big Pine Key (Section 03, Township 67 South, Range 29 East), in Monroe County (Latitude N 24° 38' 8.3240", Longitude W -81° 22' .1323").

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

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

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

If you have any questions regarding this matter, please contact Haley Kilgour at the letterhead address or at 305-289-7079, Haley.Kilgour@FloridaDEP.gov.

1. Regulatory Review – VERIFIED

Based on the information submitted, the Department has verified that the activity as proposed is exempt, under Chapter 62-330.051(14)(e), Florida Administrative Code, from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes.

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

General Conditions for Exemptions

The following apply when specified in an exemption in Rule 62-330.051, F.A.C.:

1. Activities shall not exceed a permitting threshold in section 1.2 of the applicable Volume II;
2. Construction, alteration, and operation shall not:
 - a. Adversely impound or obstruct existing water flow, cause adverse impacts to existing surface water storage and conveyance capabilities, or otherwise cause adverse water quantity or flooding impacts to receive water and adjacent lands;
 - b. Cause an adverse impact to the minimum flows and levels established pursuant to Section 373.042, F.S.
 - c. Cause adverse impacts to a Work of the District established pursuant to Section 373.086, F.S.;
 - d. Adversely impede navigation or create a navigational hazard;
 - e. Cause or contribute to a violation of state water quality standards. Turbidity, sedimentation, and erosion shall be controlled during and after construction to prevent violations of state water quality standards, including any antidegradation provisions of paragraphs 62-4.242(1)(a) and (b), subsections 62-4.242(2) and (3) and Rule 62-302.300, F.A.C., and any special standards for Outstanding Florida Waters and Outstanding National Resource Waters due to construction-related activities. Erosion and sediment control best management practices shall be installed and maintained in accordance with the guidelines and specifications described in the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual* (Florida Department of Environmental Protection and Florida Department of Transportation, June 2007), incorporated by reference herein (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02530>), and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual* (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), incorporated by reference herein (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02531>).
 - f. Allow excavated or dredged material to be placed in a location other than a self-contained upland disposal site, except as expressly allowed in an exemption in rule 62-330.051, F.A.C.

3. When performed in waters accessible to federally- or state-listed aquatic species, such as manatees, marine turtles, smalltooth sawfish, and Gulf sturgeon, all in-water work shall comply with the following.

- a. All vessels associated with the project shall operate at “Idle Speed/No Wake” at all times while in the work area and where the draft of the vessels provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- b. All deployed siltation or turbidity barriers shall be properly secured, monitored, and maintained to prevent entanglement or entrapment of listed species.
- c. All in-water activities, including vessel operation, must be shut down if a listed species comes within 50 feet of the work area. Activities shall not resume until the animal(s) has moved beyond a 50-foot radius of the in-water work, or until 30 minutes elapses since the last sighting within 50 feet. Animals must not be herded away or harassed into leaving. All on-site project personnel are responsible for observing water-related activities for the presence of listed species.
- d. Any listed species that is killed or injured by work associated with activities performed shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1(888)404-3922 and ImperiledSpecies@myFWC.com. Copies of incorporated materials identified above may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C.

2. Proprietary Review- PENDING

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

The activity appears to be located on sovereign submerged lands owned by the Board of Trustees. The activity is not exempt from the need to obtain the applicable proprietary authorization. As staff to the Board of Trustees, the Department has reviewed the activity described above, and has determined that the activity requires a public easement modification; you must make application to the Department for such authorization.

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

The activity appears to be located on sovereign submerged lands owned by the Board of Trustees. The activity is not exempt from the need to obtain the applicable proprietary authorization. In order to review your application, we need, within 60 calendar days, **the documents necessary to modify**

your easement #23023. If the information is not received within 60 calendar days, your application may be denied without prejudice. **You may not begin construction of the proposed projects on sovereignty submerged land until the appropriate state lands authorization has been issued by the Department.**

3. Federal Review - NOT APPROVED

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

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

Additional Information

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

NOTICE OF RIGHTS

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

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of

- the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
 - (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
 - (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
 - (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
 - (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do not publish notice of this action, this waiver will not apply to persons who have not received written notice of this action.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us, before the deadline for

filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

EXECUTION AND CLERKING

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



William Lange
Environmental Manager
Southeast District

Enclosures:

Attachment A- Specific Exemption Rule
Project drawings, 4 pages

CERTIFICATE OF SERVICE

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

FDEP – William Lange, Haley Kilgour
Division of State Lands
Jennifer Savaro, RES, jsavaro@res.us

FILING AND ACKNOWLEDGMENT

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

Clerk

Date

Attachment A

Chapter 62-330.051 Exempt Activities.

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under Chapters 253 and 258, F.S., and Chapters 18-18, 18-20, and 18-21, F.A.C., as applicable.

(14) Utilities –

(e) Installation, removal, and replacement of utility poles that support telecommunication lines or cables, or electric distribution lines of 35kV or less, together with the bases and anchoring devices to support those poles. “Anchoring device” shall mean steel guy wires fastened to the ground, without the need for dredging, and “base” shall mean a concrete or steel foundation not exceeding four feet in radius, used to support a utility pole. Work must comply with the following:

1. No more than 15 utility poles shall be installed, removed, or replaced in wetlands;
2. There shall be no permanent placement of fill other than utility poles and anchoring devices;
3. Work shall not occur in forested wetlands located within 550 feet from the mean or ordinary high water line of an Aquatic Preserve or a named waterbody designated as an Outstanding Florida Water or an Outstanding National Resource Water;
4. Vehicle usage in wetlands shall be conducted so as to minimize tire rutting and erosion impacts;
5. There shall be no dredging or filling to create fill pads or access roads, except to place temporary mats for access within the utility right-of-way in wetlands. All temporary mats shall be removed as soon as practicable, but in no case longer than seven days after equipment has completed passage through, or work has been completed, at any location along the alignment of the project;
6. Temporary disturbance to wetlands shall be limited to a length of 0.5 mile, a width of 30 feet, and a total area of 0.5 acre;
7. Maintenance of the utility right-of-way in wetlands shall be limited to a cleared corridor of up to 15 feet wide and a total area of 0.25 acre;
8. Except for the authorized permanent structures, pre-work ground elevations and contours shall be restored within 30 days of completion of the work;
9. Water jets shall not be used unless they are a pre-engineered part of the pole and the water for the jets is either recirculated on site or is discharged in a self-contained upland disposal site;
10. The installation of the utility poles and associated bases and anchoring devices shall not interfere with navigation or impede water flow in wetlands; and
11. Work is conducted in compliance with subsection 62-330.050(9), F.A.C.

SECTIONS 2,3,8,9 & 10, TOWNSHIP 67 SOUTH, RANGE 29 EAST
MONROE COUNTY, FLORIDA

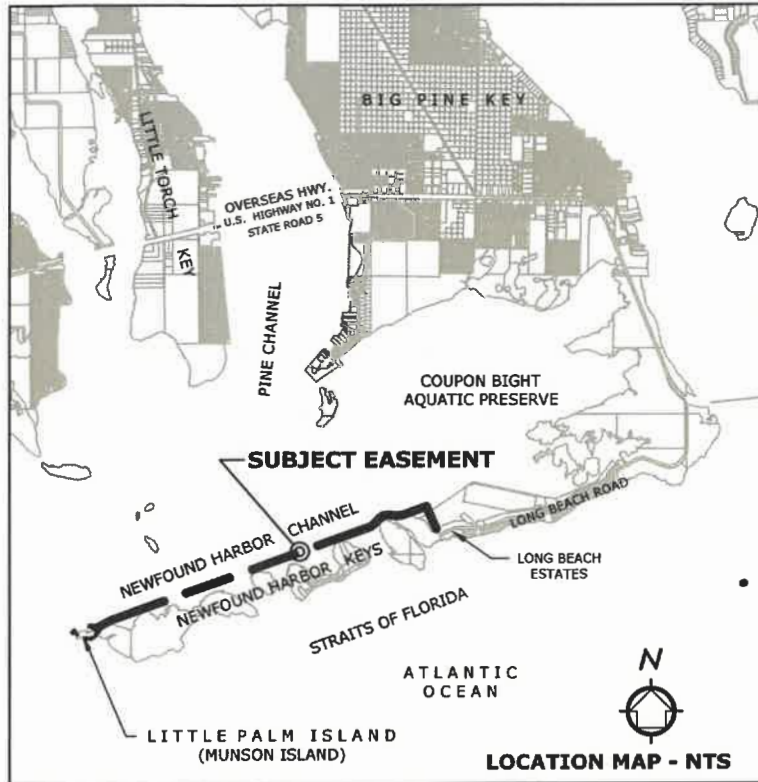
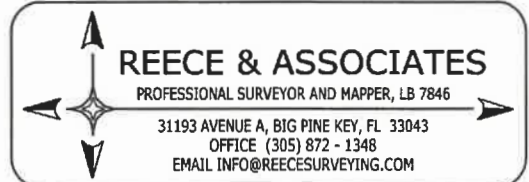
SPECIFIC PURPOSE SURVEY
PRIVATE EASEMENT
NEWFOUND HARBOR CHANNEL

SURVEYOR'S REPORT:

1. THIS IS A **SPECIFIC PURPOSE SURVEY**, TO ESTABLISH A PRIVATE EASEMENT.
2. THIS SPECIFIC PURPOSE SURVEY IS CERTIFIED TO: BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA.
3. THIS **FIELD SURVEY** WAS COMPLETED ON 07-29-2024 FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE PARTIES LISTED HEREIN AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER. LIKEWISE, ANY REUSE OF THIS SURVEY FOR ANY PURPOSE OTHER THAN WHICH WAS ORIGINALLY INTENDED, WITHOUT THE WRITTEN PERMISSION OF THE UNDERSIGNED SURVEYOR & MAPPER, WILL BE DONE SO AT THE RISK OF THE REUSING PARTY AND WITHOUT ANY LIABILITY TO THE UNDERSIGNED SURVEYOR & MAPPER.
4. ADDITIONS OR DELETIONS TO THIS SURVEY MAP BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
5. THE ACCURACY STANDARD FOR THIS SURVEY IS FROM THE STANDARDS AND SPECIFICATIONS FOR GEODETIC CONTROL NETWORKS PUBLISHED BY THE FEDERAL GEODETIC CONTROL COMMITTEE DATED SEPTEMBER 1984 THIRD-ORDER, CLASS I WITH A MINIMUM OF 1:10,000. THE ACCURACY FOR THIS SURVEY EXCEEDS THIS STANDARD.
6. STATE PLANE COORDINATE CONTROL SHOWN WAS ESTABLISHED BY AVERAGING MULTIPLE GLOBAL POSITIONING SYSTEM (GPS) OBSERVATIONS USING SPECTRA PRECISION SP80 ROVER/RECEIVER AND TRIMBLE VRS NETWORK. HORIZONTAL MEASUREMENTS WERE THEN OBTAINED USING REAL-TIME KINEMATIC GLOBAL POSITIONING SYSTEM (RTK GPS) SPECTRA PRECISION BASE AND ROVER SURVEY METHODS AND / OR CONVENTIONAL SURVEY METHODS USING TRIMBLE S5 ROBOTIC TOTAL STATION, BOTH RUN WITH SPECTRA PRECISION RANGER3 AND SURVEY PRO.
7. THE MEAN HIGH WATER LINE (MHWL) AS SHOWN ON THIS SURVEY IS PER THE DEED DESCRIPTION. THE DESCRIBED MHWL WAS RETRACED IN THE FIELD. THE MHWL WAS FOUND TO BE SUFFICIENTLY ACCURATE AS DESCRIBED.
8. THE UPLAND PARCEL LINEAR SHORELINE AS MEASURED ON THE MEAN HIGH WATER LINE (AS NOTED ABOVE) EQUALS 2313.12 FEET MORE OR LESS,
9. SYMBOLS SHOWN HEREON MAY HAVE BEEN ENLARGED FOR CLARITY. THESE SYMBOLS HAVE BEEN PLOTTED AT THE CENTER OF THE FIELD LOCATION AND MAY NOT REPRESENT THE ACTUAL SHAPE OR SIZE OF THE FEATURE.
10. UNITS OF MEASUREMENT ARE IN U.S. SURVEY FEET AND DECIMAL PARTS THEREOF.
11. AERIAL IMAGERY SHOWN HEREON WAS OBTAINED FROM MONROE COUNTY PROPERTY APPRAISER. AERIAL DATED 2023.

SHEET INDEX:

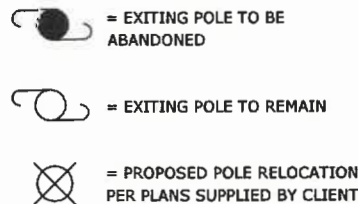
SHEET 1 - SURVEYOR'S REPORT AND CERTIFICATION,
LOCATION MAP, LEGEND
SHEET 2 - VICINITY MAPS OF QUADRANGLES
SHEET 3 - LEGAL DESCRIPTION
SHEETS 4-13 - SKETCH OF EASEMENT SURVEY



ABBREVIATIONS:

C/L = CENTERLINE
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
PG = PAGE
MHWL = MEAN HIGH WATER LINE
ORB = OFFICIAL RECORDS BOOK
R/W = RIGHT OF WAY
SQ FT = SQUARE FEET
LF = LINEAR FEET
(TYP) = TYPICAL
(C) = CALCULATED DIMENSION
TIIF = TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE
STATE OF FLORIDA

SYMBOLS:



CERTIFICATION:

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.



Robert
Reece

Digitally signed by
Robert Reece
Date: 2024.11.12
11:14:32 -05'00'

ROBERT E. REECE
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA LICENSE NO. 5632

| | | |
|--------------------|-------------------------------------|---|
| SCALE: N/A | PROJECT NO: 24071806 | SHEET NO: 1 OF 13 |
| DATE: 8/12/2024 | OFFICE: CAD: KMB CHECKED: JRW | NOT WHOLE OR COMPLETE WITHOUT ALL SHEETS ATTACHED |

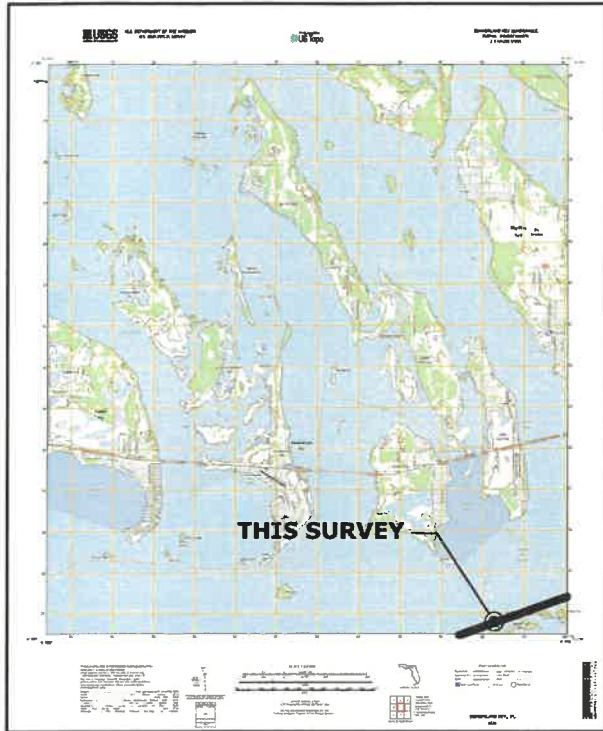
| |
|---|
| NO. 1: FDEP COMMENTS 11/12/2024 |
| REVISIONS: |
| SPECIFIC PURPOSE SURVEY PRIVATE EASEMENT NEWFOUND HARBOR CHANNEL |

SECTIONS 2,3,8,9 & 10, TOWNSHIP 67 SOUTH, RANGE 29 EAST
MONROE COUNTY, FLORIDA

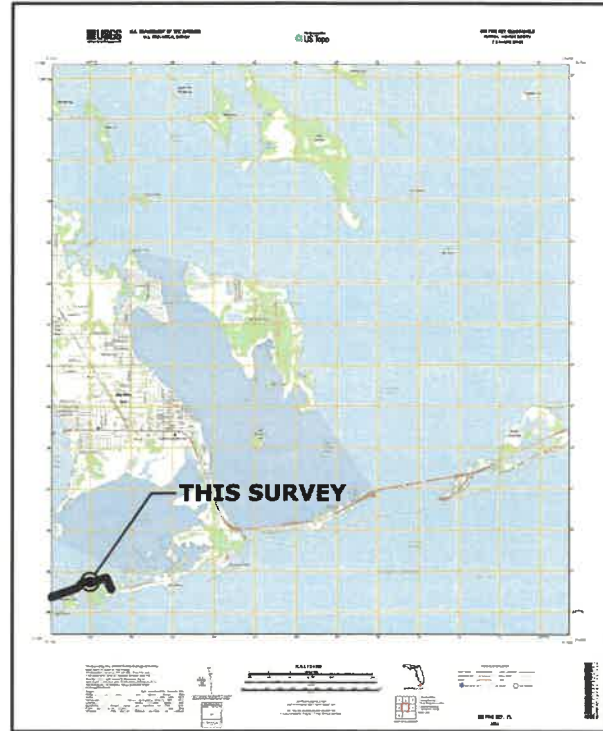
VICINITY MAPS
USGS 2024 QUADRANGLES
FLORIDA - MONROE COUNTY
7.5 - MINUTE SERIES
NOT TO SCALE



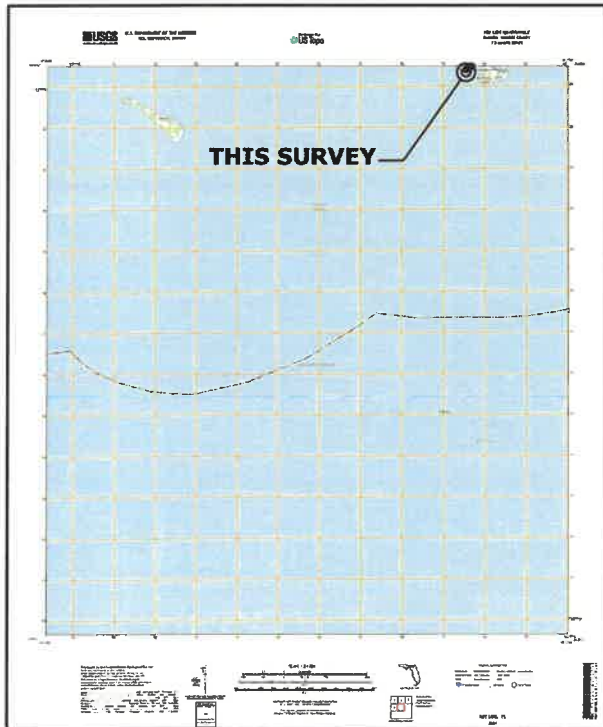
SUMMERLAND KEY



BIG PINE KEY



KEY LOIS



| | | | |
|--------------------|-------------------------------------|---|---|
| SCALE: N/A | PROJECT NO: 24071806 | SHEET NO: 2 OF 13 | SPECIFIC PURPOSE SURVEY PRIVATE EASEMENT NEWFOUND HARBOR CHANNEL |
| DATE: 8/12/2024 | OFFICE: CAD: KMB CHECKED: JRW | NOT WHOLE OR COMPLETE WITHOUT ALL SHEETS ATTACHED | |



REECE & ASSOCIATES
PROFESSIONAL SURVEYOR AND MAPPER, LB 7846
31193 AVENUE A, BIG PINE KEY, FL 33043
OFFICE (305) 872 - 1348
EMAIL INFO@REECESURVEYING.COM

EASEMENT LEGAL DESCRIPTION -

(AS NEWLY WRITTEN BY THE UNDERSIGNED)

A 50 FOOT WIDE PRIVATE EASEMENT ON THOSE PORTIONS OF SOVEREIGN SUBMERGED LANDS OF THE STATE OF FLORIDA LYING WITHIN SECTIONS 2, 3, 8, 9 AND 10, TOWNSHIP 67 SOUTH, RANGE 29 EAST, MONROE COUNTY, IN NEWFOUND HARBOR CHANNEL, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE CENTERLINE OF U.S. HIGHWAY NO. 1 (STATE ROAD NO. 5, ALSO KNOWN AS OVERSEAS HIGHWAY) AND THE WEST ABUTMENT OF PINE CHANNEL VIADUCT, BEING THE FLORIDA DEPARTMENT OF TRANSPORTATION (F.D.O.T.) STATION 1039+31.89 AS SHOWN ON THE F.D.O.T. RIGHT-OF-WAY MAP FOR SECTION 90020, SHEET 97 OF 138, DATED JUNE 25, 2001; THENCE S 77°09'28" W ALONG THE CENTERLINE OF U.S. HIGHWAY NO. 1 A DISTANCE OF 4652.29 FEET; THENCE SOUTH, 14,253.27 FEET TO THE MEAN HIGH WATER LINE OF MUNSON ISLAND, SAID MEAN HIGH WATER LINE HAVING A HEIGHT OF (-)5.2 FEET (ELEVATION OF (-)0.31 FEET NAVD88) RELATIVE TO TIDAL BENCHMARK 872 4238, TIDAL 5 AS SHOWN ON THE MEAN HIGH WATER LINE SURVEY WITHIN THE REPOSITORY OF THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AS FILE NUMBER 1268, DATED JUNE 16, 1995, THENCE BEAR S 82°40'12" E, ALONG SAID MEAN HIGH WATER LINE FOR A DISTANCE OF 17.22 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED EASEMENT:

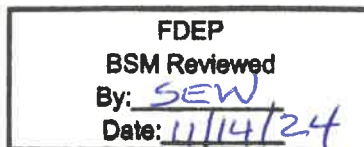
THENCE LEAVING SAID LINE AND INTO NEWFOUND HARBOR CHANNEL THE FOLLOWING TWENTY-THREE (23) COURSES AND DISTANCES:

- 1) THENCE N 30°24'57" E, 117.92 FEET;
- 2) THENCE N 62°25'05" E, 534.08 FEET;
- 3) THENCE N 70°15'19" E, 10493.08 FEET;
- 4) THENCE N 47°43'32" E, 267.60 FEET;
- 5) THENCE N 35°01'29" E, 134.17 FEET;
- 6) THENCE N 55°50'34" E, 232.22 FEET;
- 7) THENCE N 84°30'21" E, 238.07 FEET;
- 8) THENCE S 83°07'44" E, 236.51 FEET;
- 9) THENCE N 86°30'35" E, 258.60 FEET;
- 10) THENCE N 70°15'19" E, 996.61 FEET;
- 11) THENCE S 24°12'43" E, 976.35 FEET;
- 12) THENCE S 65°47'17" W, 50.00 FEET;
- 13) THENCE N 24°12'43" W, 930.10 FEET;
- 14) THENCE S 70°15'19" W, 957.50 FEET;
- 15) THENCE S 86°30'35" W, 270.28 FEET;
- 16) THENCE N 83°07'44" W, 235.63 FEET;
- 17) THENCE S 84°30'21" W, 219.87 FEET;
- 18) THENCE S 55°50'34" W, 210.26 FEET;
- 19) THENCE S 35°01'29" W, 130.55 FEET;
- 20) THENCE S 47°43'32" W, 283.12 FEET;
- 21) THENCE S 70°15'19" W, 10499.62 FEET;
- 22) THENCE S 62°25'05" W, 516.32 FEET;
- 23) THENCE S 30°24'57" W, 124.11 FEET, TO A POINT ON THE MEAN HIGH WATER LINE AS AFORESAID;

THENCE ALONG SAID MEAN HIGH WATER LINE THE FOLLOWING COURSES AND DISTANCES:

THENCE N 14°48'23" W, 21.96 FEET; THENCE N 26°58'42" W, 15.94 FEET; THENCE N 58°04'30" W, 12.08 FEET; THENCE N 82°40'12" W, 9.69 FEET BACK TO THE POINT OF BEGINNING.

CONTAINING 721,201.30 SQ. FT. OR 16.56 ACRES, MORE OR LESS.



| | | | |
|--------------------|-------------------------------------|---|---|
| SCALE: N/A | PROJECT NO: 24071806 | SHEET NO: 3 OF 13 | SPECIFIC PURPOSE SURVEY PRIVATE EASEMENT NEWFOUND HARBOR CHANNEL |
| DATE: 8/12/2024 | OFFICE: CAD: KMB CHECKED: JRW | NOT WHOLE OR COMPLETE WITHOUT ALL SHEETS ATTACHED | |



SECTIONS 2,3,8,9 & 10, TOWNSHIP 67 SOUTH, RANGE 29 EAST
MONROE COUNTY, FLORIDA

SKETCH OF SURVEY

PRIVATE EASEMENT
NEWFOUND HARBOR CHANNEL



POC - EASEMENT
INTERSECTION OF THE CENTERLINE
U.S. HIGHWAY No. 1 AND THE WEST
ABUTMENT OF PINE CHANNEL VIADUCT
STA. 1039+31.89 (F.D.O.T.)

C/U.S. HIGHWAY No. 1
(S.R. 5 - OVERSEAS HIGHWAY)
(F.D.O.T. R/W MAP FOR SECTION 90020, SHEET 97 OF 138, DATED 06-25-01)

NEWFOUND HARBOR CHANNEL

L1 = S82°40'12"E 17.22'
L2 = N30°24'57"E 117.92'
L3 = S30°24'57"W 124.11'
L4 = N14°48'23"W 21.96'
L5 = N26°58'42"W 15.94'
L6 = N58°04'30"W 12.08'
L7 = N82°40'12"W 9.69'

POB - EASEMENT
N: 105966.29'
E: 523431.99'
(C)

APPROXIMATE
TERMINUS OF
EASEMENT #23023

PARCEL 2 - TRACT A
ORB 3206 PG 865
MODIFIED SUBMERGED
LAND LEASE NO. 441230285

PARCEL 2 - TRACT B
ORB 3206 PG 865
MODIFIED SUBMERGED
LAND LEASE NO. 441230285

N:105631.97
E:522698.61
CONTROL POINT
SET 1/4" IRON
ROD, LB7846

PARCEL ID: 00107880-000000
M LPI RESORT OWNER LLC

UPLAND
PARCEL 1
ORB 3206 PG 865
2313.12' LF MHWL

"LITTLE PALM ISLAND"
MUNSON ISLAND

PARCEL 2 - TRACT C
ORB 3206 PG 865
MODIFIED SUBMERGED
LAND LEASE NO. 441230285

**SUBJECT 50' WIDE
EASEMENT**

EASEMENT #23023
WITH DROP
#1

N62°25'05"E 534.08'
S62°25'05"W 516.32'

CONDUIT ON
OCEAN FLOOR

BIG MUNSON ISLAND

PARCEL LINES PER
MONROE COUNTY GIS
(PARCEL NOT MAPPED)

**STRAITS OF FLORIDA
ATLANTIC OCEAN**

MEAN HIGH WATER LINE SURVEY WITHIN THE
REPOSITORY OF THE FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION AS FILE NUMBER 1268,
DATED JUNE 16, 1995 (SEE NOTE 7)

MATCH LINE - SEE SHEET 5

SCALE:
1"=200'

PROJECT NO:
24071806


SHEET NO:
4 OF 13

**SPECIFIC PURPOSE SURVEY
PRIVATE EASEMENT
NEWFOUND HARBOR CHANNEL**

DATE:
8/12/2024

OFFICE:
CAD: KMB
CHECKED: JRW

NOT WHOLE OR
COMPLETE WITHOUT
ALL SHEETS ATTACHED

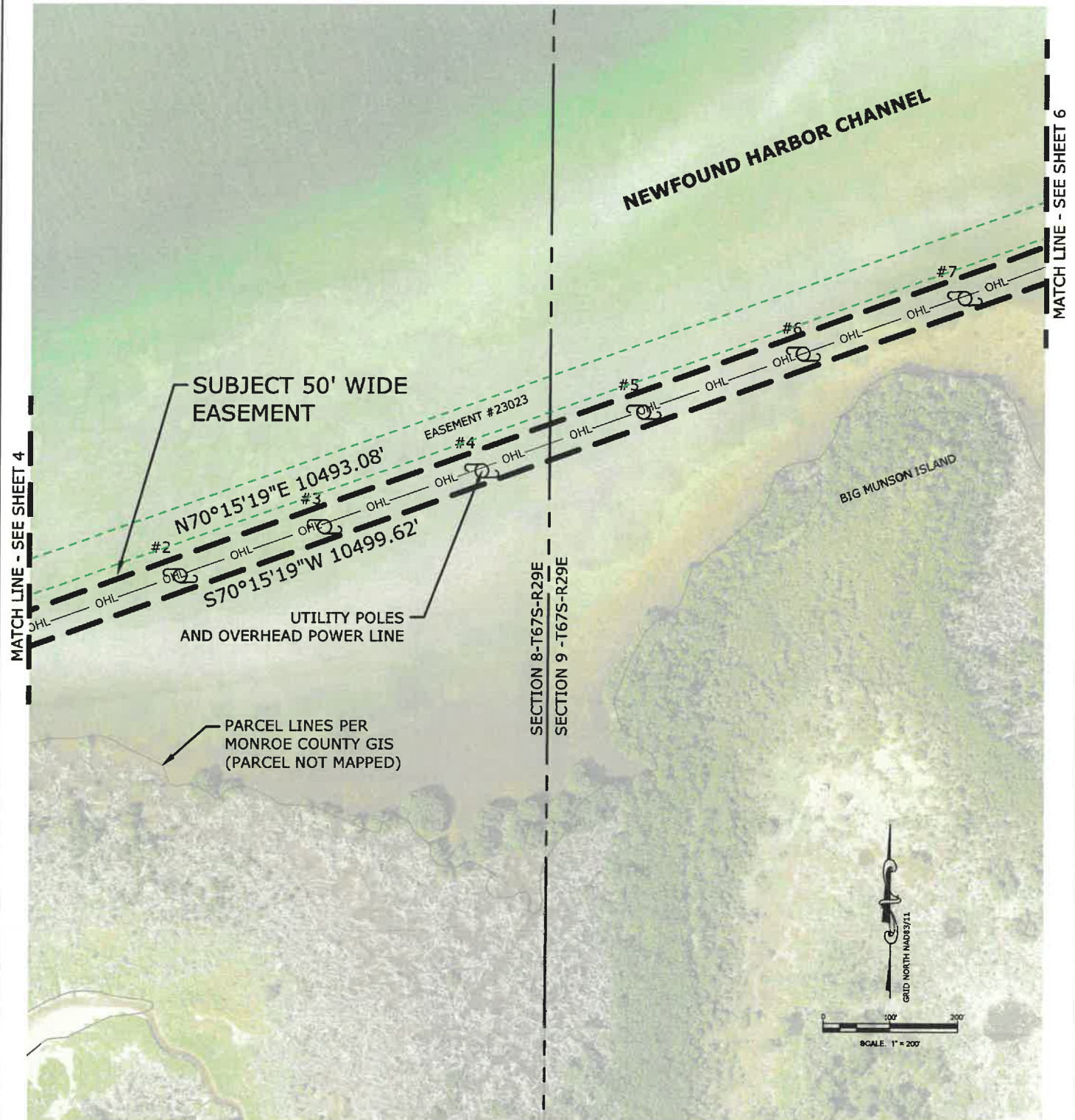


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SKETCH OF SURVEY

PRIVATE EASEMENT
NEWFOUND HARBOR CHANNEL



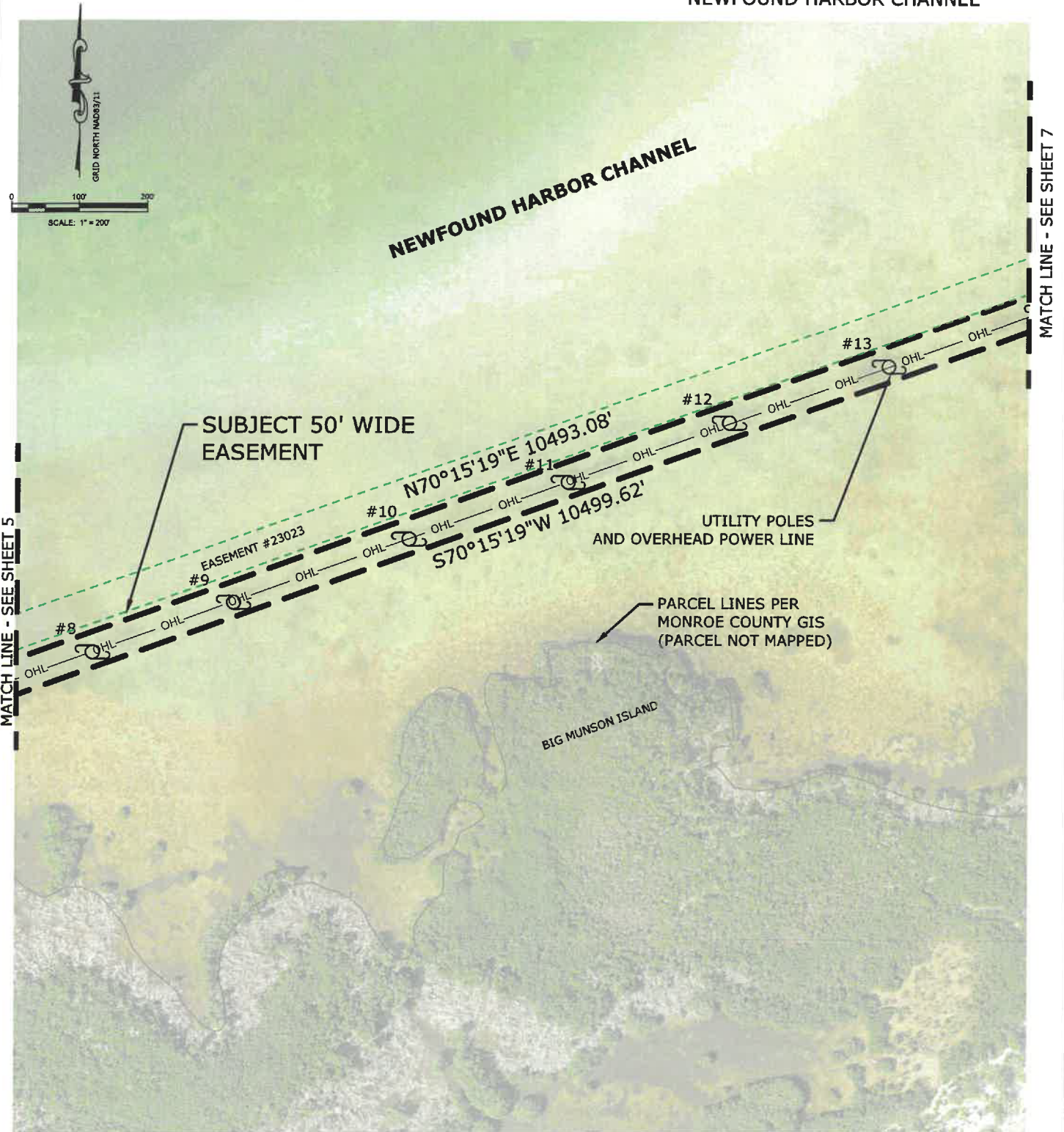
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|--------------------|-------------------------------------|---|---|
| SCALE: 1"=200' | PROJECT NO: 24071806 | SHEET NO: 5 OF 13 | SPECIFIC PURPOSE SURVEY PRIVATE EASEMENT NEWFOUND HARBOR CHANNEL |
| DATE: 8/12/2024 | OFFICE: CAD: KMB CHECKED: JRW | NOT WHOLE OR COMPLETE WITHOUT ALL SHEETS ATTACHED | |



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SKETCH OF SURVEY

PRIVATE EASEMENT
NEWFOUND HARBOR CHANNEL



| | | | |
|--------------------|-------------------------------------|---|---|
| SCALE: 1"=200' | PROJECT NO: 24071806 | SHEET NO: 6 OF 13 | SPECIFIC PURPOSE SURVEY PRIVATE EASEMENT NEWFOUND HARBOR CHANNEL |
| DATE: 8/12/2024 | OFFICE: CAD: KMB CHECKED: JRW | NOT WHOLE OR COMPLETE WITHOUT ALL SHEETS ATTACHED | |



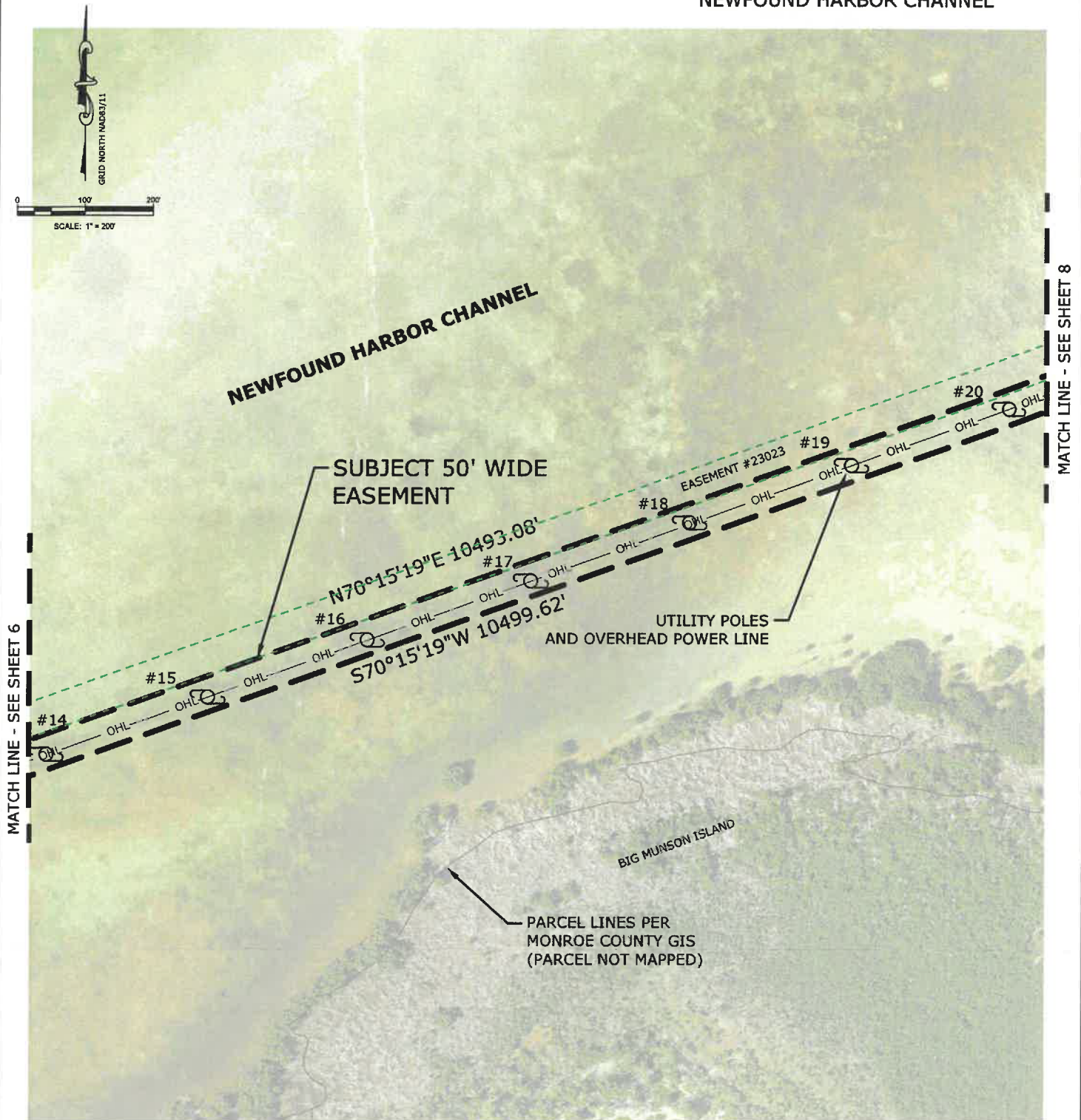
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EMAIL INFO@REECESURVEYING.COM

SECTIONS 2,3,8,9 & 10, TOWNSHIP 67 SOUTH, RANGE 29 EAST
MONROE COUNTY, FLORIDA

SKETCH OF SURVEY

PRIVATE EASEMENT
NEWFOUND HARBOR CHANNEL



MATCH LINE - SEE SHEET 6

MATCH LINE - SEE SHEET 8

| | | | |
|--------------------|-------------------------------------|---|---|
| SCALE: 1"=200' | PROJECT NO: 24071806 | SHEET NO: 7 OF 13 | SPECIFIC PURPOSE SURVEY PRIVATE EASEMENT NEWFOUND HARBOR CHANNEL |
| DATE: 8/12/2024 | OFFICE: CAD: KMB CHECKED: JRW | NOT WHOLE OR COMPLETE WITHOUT ALL SHEETS ATTACHED | |



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SECTIONS 2,3,8,9 & 10, TOWNSHIP 67 SOUTH, RANGE 29 EAST
MONROE COUNTY, FLORIDA

SKETCH OF SURVEY

PRIVATE EASEMENT
NEWFOUND HARBOR CHANNEL



SECTION 4 -T67S-R29E

SECTION 9 -T67S-R29E

NEWFOUND HARBOR CHANNEL

SUBJECT 50' WIDE
EASEMENT

N70°15'19"E 10493.08'

S70°15'19"W 10499.62'

UTILITY POLES
AND OVERHEAD POWER LINE

HOPKINS KEY

PARCEL LINES PER
MONROE COUNTY GIS
(PARCEL NOT MAPPED)

MATCH LINE - SEE SHEET 7

MATCH LINE - SEE SHEET 9

SCALE:
1"=200'

PROJECT NO:
24071806


SHEET NO:
8 OF 13

**SPECIFIC PURPOSE SURVEY
PRIVATE EASEMENT
NEWFOUND HARBOR CHANNEL**

DATE:
8/12/2024

OFFICE:
CAD: KMB
CHECKED: JRW

NOT WHOLE OR
COMPLETE WITHOUT
ALL SHEETS ATTACHED



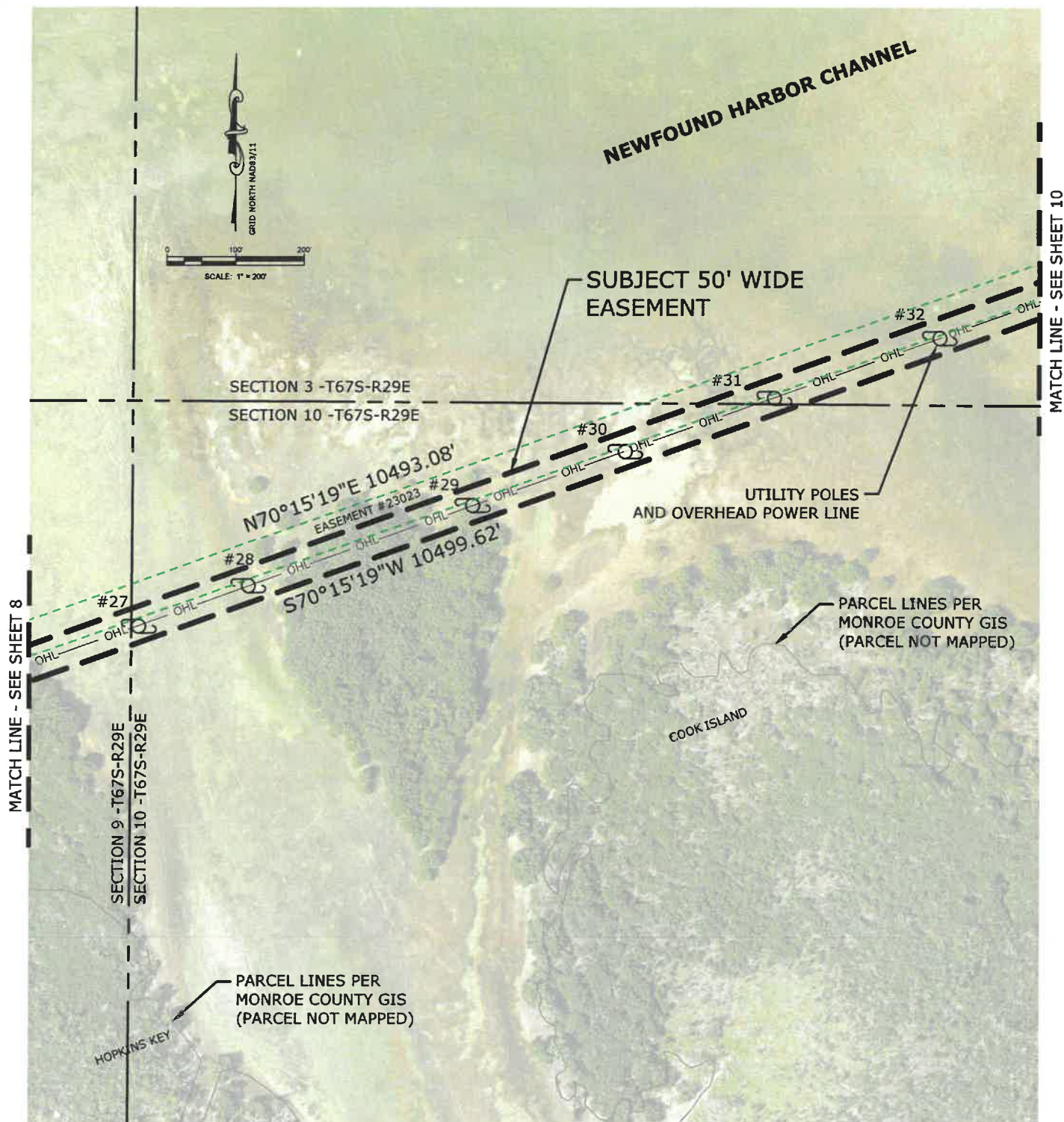
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SECTIONS 2,3,8,9 & 10, TOWNSHIP 67 SOUTH, RANGE 29 EAST
MONROE COUNTY, FLORIDA

SKETCH OF SURVEY

PRIVATE EASEMENT
NEWFOUND HARBOR CHANNEL



| | | | |
|--------------------|-------------------------------------|---|---|
| SCALE: 1"=200' | PROJECT NO: 24071806 | SHEET NO: 9 OF 13 | SPECIFIC PURPOSE SURVEY PRIVATE EASEMENT NEWFOUND HARBOR CHANNEL |
| DATE: 8/12/2024 | OFFICE: CAD: KMB CHECKED: JRW | NOT WHOLE OR COMPLETE WITHOUT ALL SHEETS ATTACHED | |



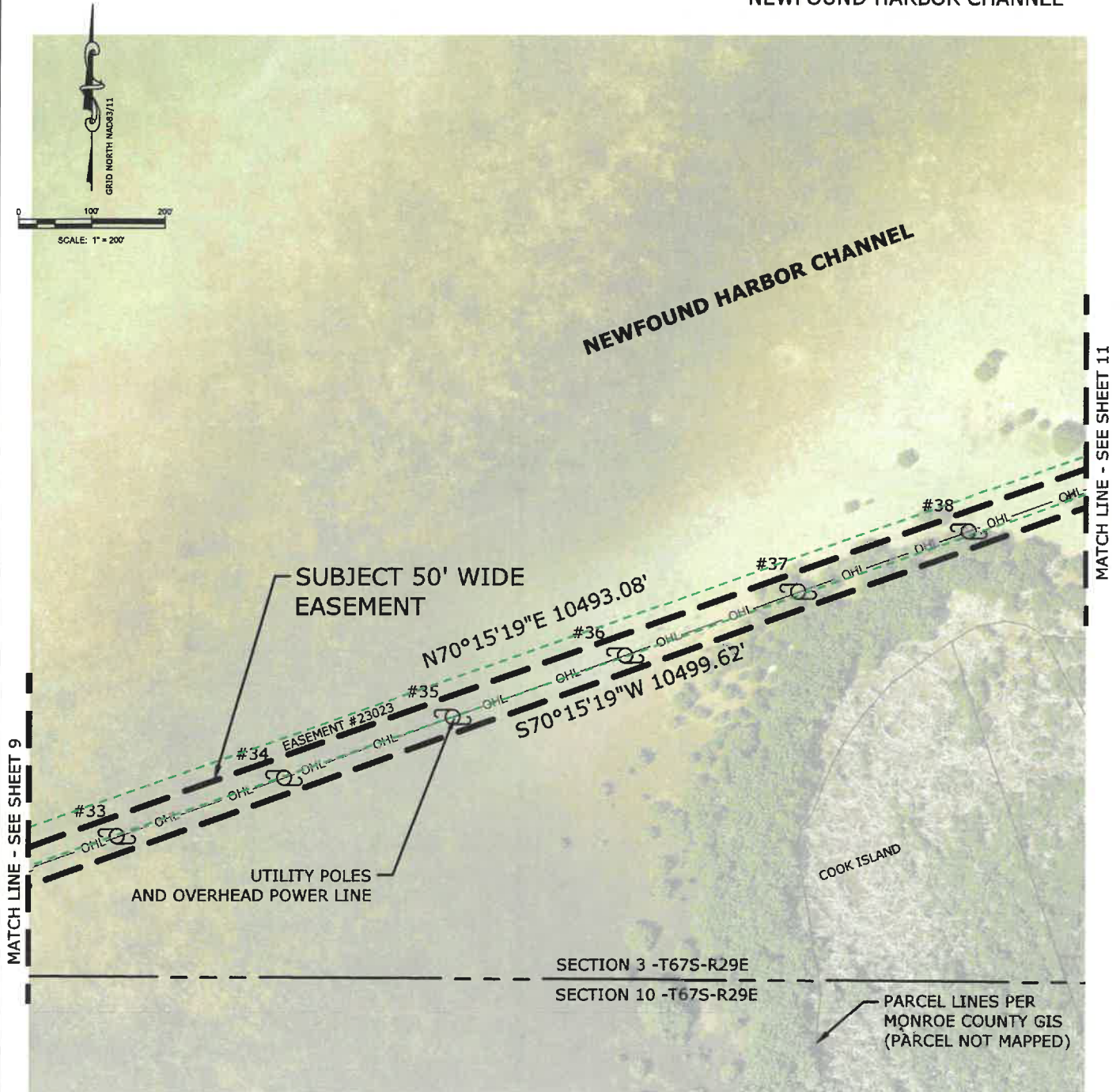
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SECTIONS 2,3,8,9 & 10, TOWNSHIP 67 SOUTH, RANGE 29 EAST
MONROE COUNTY, FLORIDA

SKETCH OF SURVEY

PRIVATE EASEMENT
NEWFOUND HARBOR CHANNEL



| | | | |
|--------------------|-------------------------------------|---|---|
| SCALE: 1"=200' | PROJECT NO: 24071806 | SHEET NO: 10 OF 13 | SPECIFIC PURPOSE SURVEY PRIVATE EASEMENT NEWFOUND HARBOR CHANNEL |
| DATE: 8/12/2024 | OFFICE: CAD: KMB CHECKED: JRW | NOT WHOLE OR COMPLETE WITHOUT ALL SHEETS ATTACHED | |

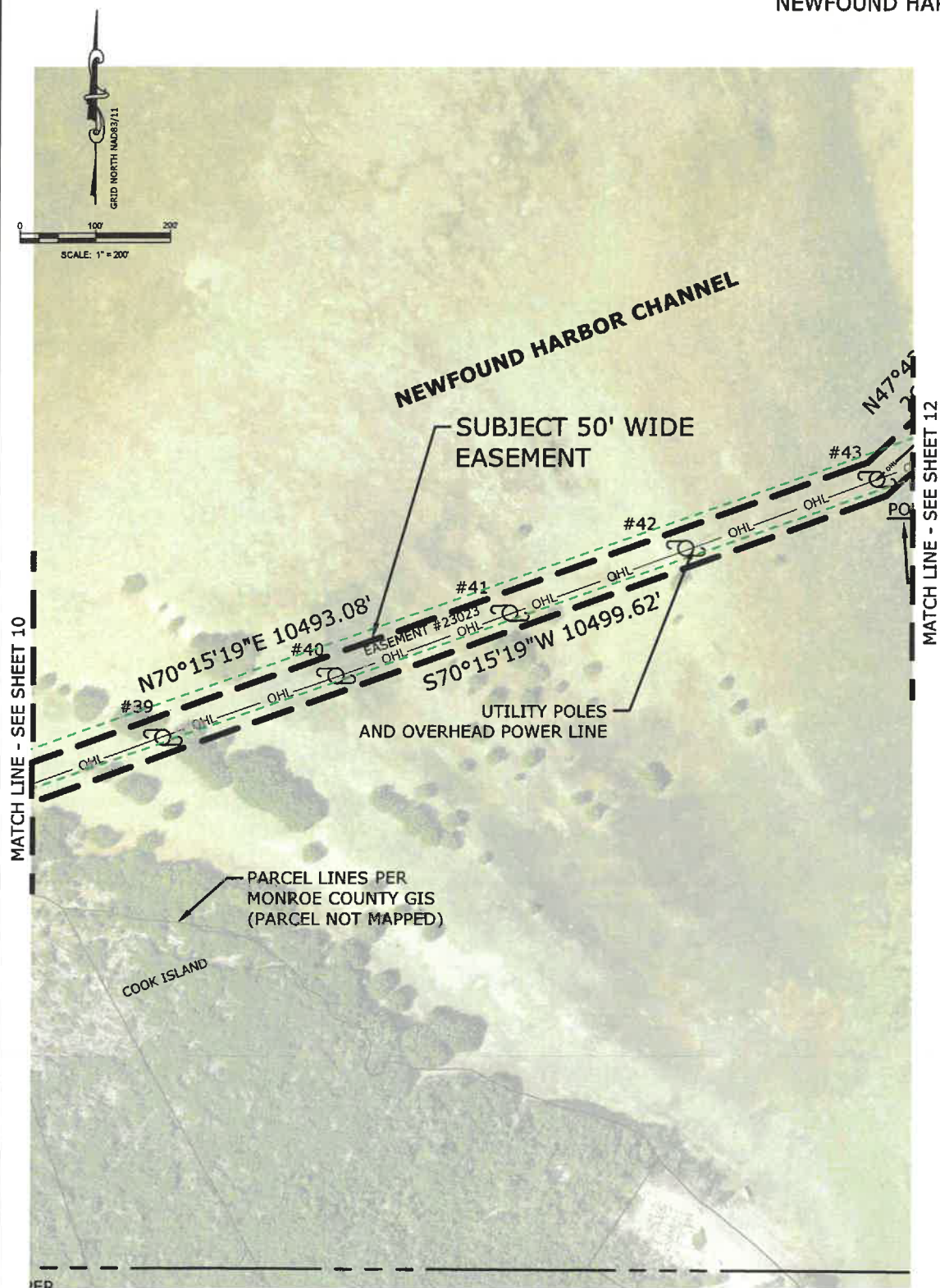


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SECTIONS 2,3,8,9 & 10, TOWNSHIP 67 SOUTH, RANGE 29 EAST
MONROE COUNTY, FLORIDA

SKETCH OF SURVEY

PRIVATE EASEMENT
NEWFOUND HARBOR CHANNEL



| | | | |
|--------------------|-------------------------------------|---|---|
| SCALE: 1"=200' | PROJECT NO: 24071806 | SHEET NO: 11 OF 13 | SPECIFIC PURPOSE SURVEY PRIVATE EASEMENT NEWFOUND HARBOR CHANNEL |
| DATE: 8/12/2024 | OFFICE: CAD: KMB CHECKED: JRW | NOT WHOLE OR COMPLETE WITHOUT ALL SHEETS ATTACHED | |

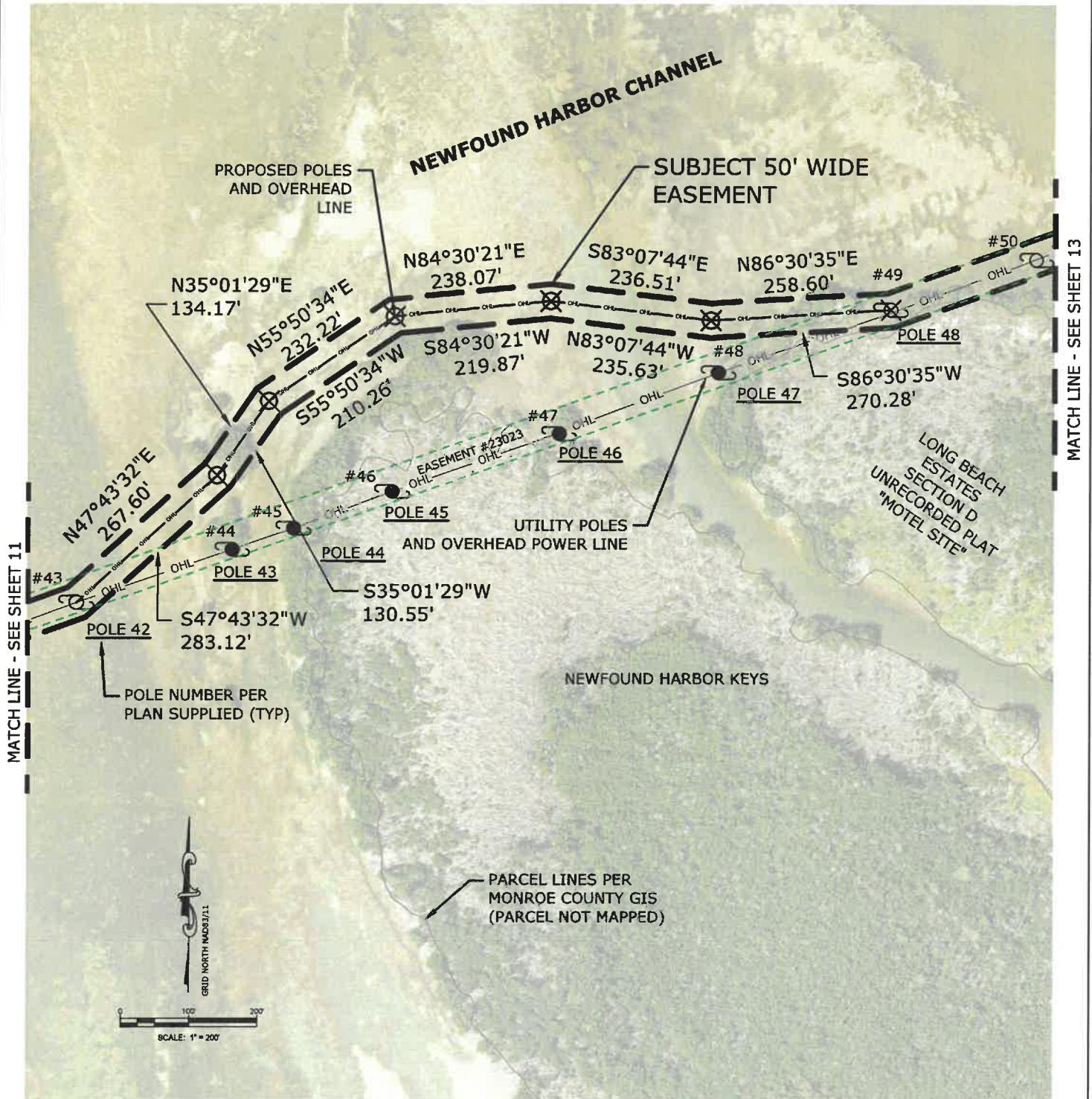


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SKETCH OF SURVEY

PRIVATE EASEMENT
NEWFOUND HARBOR CHANNEL



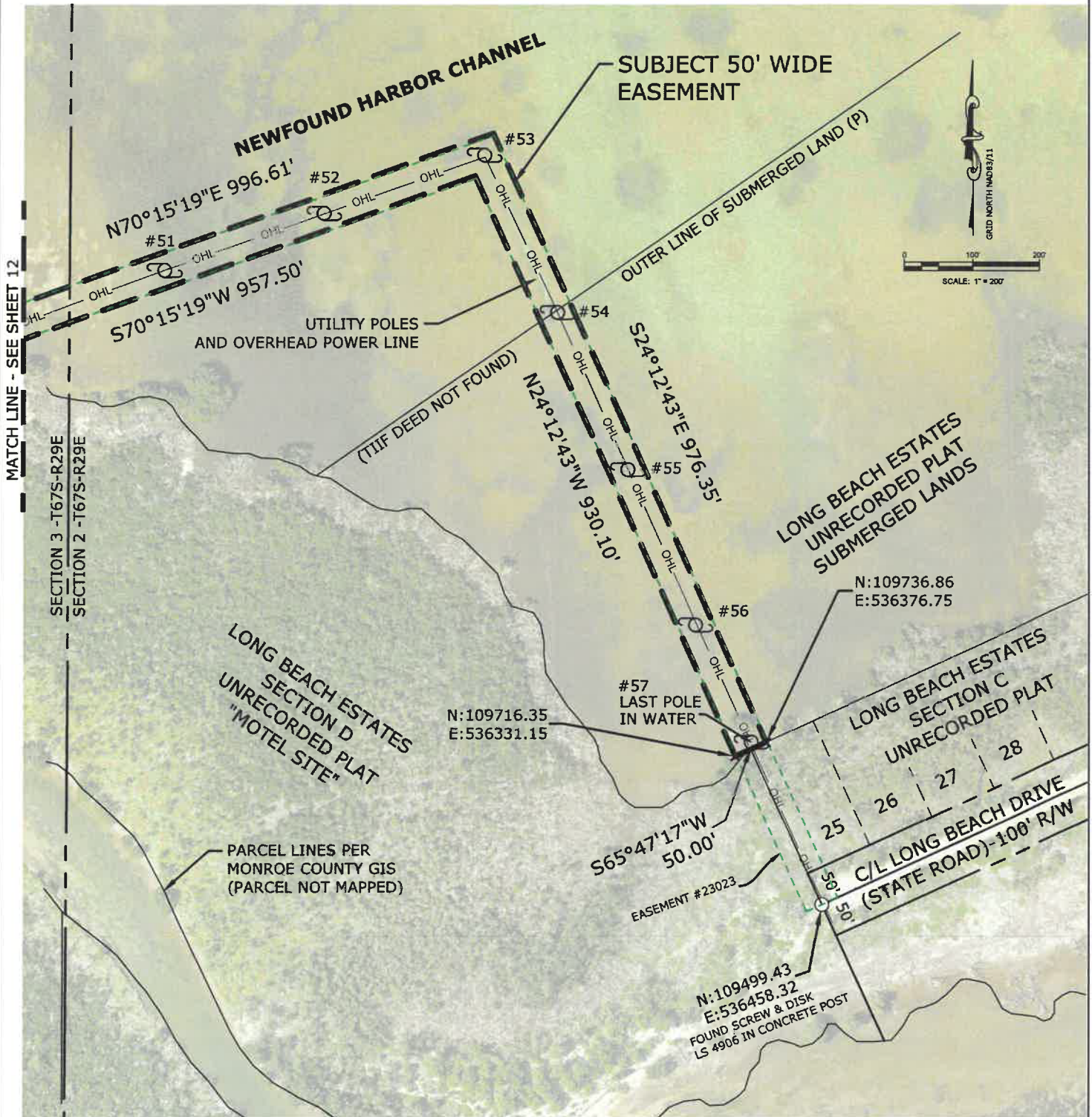
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|--------------------|-------------------------------------|---|---|
| SCALE: 1"=200' | PROJECT NO: 24071806 | SHEET NO: 12 OF 13 | SPECIFIC PURPOSE SURVEY PRIVATE EASEMENT NEWFOUND HARBOR CHANNEL |
| DATE: 8/12/2024 | OFFICE: CAD: KMB CHECKED: JRW | NOT WHOLE OR COMPLETE WITHOUT ALL SHEETS ATTACHED | |

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SKETCH OF SURVEY

PRIVATE EASEMENT
NEWFOUND HARBOR CHANNEL



| | | | |
|--------------------|-------------------------------------|---|---|
| SCALE: 1"=200' | PROJECT NO: 24071806 | SHEET NO: 13 OF 13 | SPECIFIC PURPOSE SURVEY PRIVATE EASEMENT NEWFOUND HARBOR CHANNEL |
| DATE: 8/12/2024 | OFFICE: CAD: KMB CHECKED: JRW | NOT WHOLE OR COMPLETE WITHOUT ALL SHEETS ATTACHED | |



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R:\Archives\IE-Sciences\SWC\6-0013\6-0013-001\4_figures and drawings\GIS\Shrt\of4_Location Map.mxd By:



Imagery Source: Monroe County 2021

Legend

- Existing Power Poles

0 0.25 0.5 0.75 1
Miles



PROJECT NUMBER:
6-0013-001

**Little Palm Island
Power Pole
Replacement**
Newfound Harbor Keys, Florida

**Location Map &
LPI Electric Line**

SCALE:
1"=2,102.625955'

DATE:
8/31/2022

SHEET

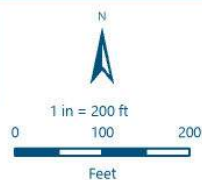
1

OF 4






Figure 2
Existing Conditions Map

Little Palm Island Pole 45 Replacement
Monroe County, FL
81.3659°W 24.636°N



Reference: Project limits are approximate. The project boundaries depicted on this map have not been surveyed and are for assessment purposes only. This information is not to be used as final legal boundaries.
Project Number: 108735
Data Source: ESRI Streetmaps
Spatial Reference:
NAD 1983 2011 StatePlane Florida East FIPS 0901 Ft US

-  Damaged Pole to be Abandoned
-  Existing Pole
-  Existing Overhead Power Lines



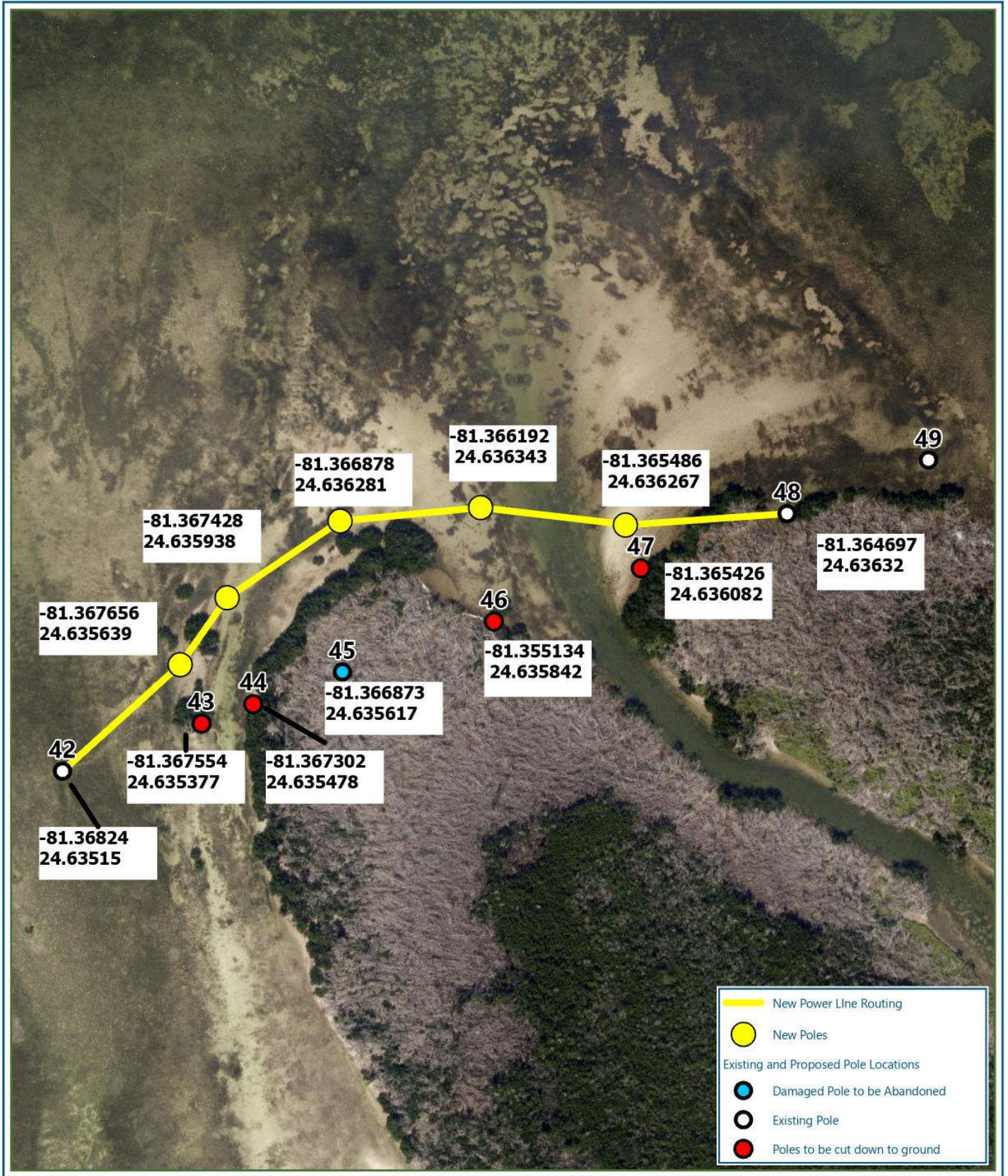
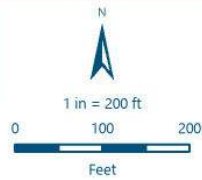


Figure 3
Alternative Path Map

Little Palm Island Pole 45 Replacement
Monroe County, FL
81.3661°W 24.636°N



Reference: Project limits are approximate. The project boundaries depicted on this map have not been surveyed and are for assessment purposes only. This information is not to be used as final legal boundaries.

Project Number: 108735

Data Source: ESRI Streetmaps

Spatial Reference: NAD 1983 2011 StatePlane Florida East FIPS 0901 Ft US

