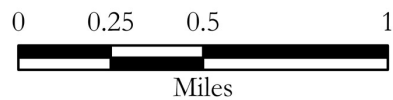


 Proposed Lease Area





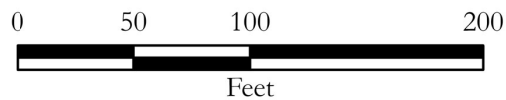
La Entrada Del Mar Association, Inc.

Lease No. 560010408

St. Lucie County, Florida



 Proposed Lease Area
 Current Lease Area



La Entrada Del Mar Association, Inc.

Lease No. 560010408

St. Lucie County, Florida

PROJECT DESCRIPTION

1. Location: 27°28'2.1851"Latitude/ 80°17'59.2861W Longitude
Sections 01, Township 35 South, Range 40 East
1300 Seaway Dr , Ft Pierce , FL 34949
Aquatic Preserve: No
Waterbody Name and Classification: Fort Pierce Inlet, Class III, Not Approved for Shellfish Harvesting
Designated Manatee County: Yes, with an approved Manatee Protection Plan
Manatee Aggregation Area: No
Manatee Protection Speed Zone: Slow speed zone
2. Preempted area: 42,089 square feet total

Structure dimensions: 7,462 square feet
 - Western Dock: 2,676 square feet
 - Eastern Dock: 2,062 square feet
 - Existing Dock (Exempt reconfiguration): 2,724 square feet
Number of slips: 20 existing, 24 additional proposed; 44 total
Vessels: Private vessels ranging from 13.5 to 35 feet in length with a 2-foot draft.

Artificial Reef: The installation of 6,000 square feet of clean concrete beneath the proposed dock in areas devoid of benthic resources to serve as an artificial reef structure.
3. Liveaboards: Currently prohibited and will not be authorized in the lease or permit.
4. Sewage pumpout facility: Currently prohibited and will not be authorized in the lease or permit.
5. Fueling facility: Currently prohibited and will not be authorized in the lease or permit.

REQUIREMENTS/ASSESSMENTS/COMMENTS

1. The Department's Environmental Resource Permit: See attached "Consolidated Notice of Intent to Issue."
2. U.S. Army Corps of Engineers permit: A standard lease condition references the need to obtain approval, if required.
3. Florida Fish and Wildlife Conservation Commission (FWC), Division of Habitat and Species Conservation, Imperiled Species Management Section, Manatees: Recommended on October 6, 2022, that the Lessee abide by the following conditions, which have been incorporated into the permit or lease:
 - a. The Standard Manatee Conditions for In-water Work (2011) shall be followed for all in-water activity;

- b. Install permanent manatee educational signs, which shall be maintained for the life of the facility, no later than 60 days after construction commencement. The number and types of signs, as well as the on-site locations, shall be approved by FWC staff prior to installation. A proposal for FWC sign approval shall be submitted to ImperiledSpecies@MyFWC.com in accordance with information provided at <http://www.myfwc.com/wildlifehabitats/managed/manatee/education-for-marinas/>. Signs shall be replaced in accordance with FWC guidance by the Permittee if outdated, damaged or faded.
4. Department of State, Division of Historical Resources (DHR): DHR was notified May 27, 2022, and no comments were received. The permit contains the following condition: If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, 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 and Review Section at (850)-245-6333, as well as the appropriate permitting agency office. Project activities shall not resume without verbal and/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.
5. Riparian rights line setback: The proposed lease boundary complies with the required riparian setbacks.
6. Noticing: The sovereign submerged lands lease modification request was noticed to 93 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. One objection was received by the end of the noticing period on March 17, 2023. The objection raised navigational concerns and riparian line disagreements, both of which have been resolved.

NET PUBLIC BENEFIT STATEMENT

The Applicant's riparian shoreline is approximately 310 linear feet and is used in the 40 square foot to one linear foot, or 40:1, ratio calculation, pursuant to Rule 18-21.004(4)(b)2, F.A.C., which allows the lessee to preempt up to 12,400 square feet without requiring net positive public benefit (NPPB). The proposed lease area exceeds the 40 to 1 ratio by approximately 29,689 square feet and is required to provide NPPB, pursuant to Rule 18-21.004(4)(b)2, F.A.C.

As NPPB, Applicant has proposed to contribute \$73,000 to St. Lucie County for improvements to the North Causeway Park and Boat Ramp. Specifically, improvements to the park and boat ramp consist of a new and improved boat ramp, new ADA accessible floating docks, additional improved boat trailer parking spaces, new ADA accessible restrooms, picnic pavilions, and an improved kayak launch area. These improvements will result in expanded public waterway access to the Indian River Lagoon and Atlantic Ocean. The entire North Causeway Park and Boat Ramp

improvement project has received regulatory authorization from the Department and is currently in the construction phase.

EXISTING FACILITIES

The private residential multifamily docking structure for the mooring of recreational vessels is associated with the upland 57-residential unit condominium. The docking structure is authorized by a sovereignty submerged lands lease.

The original five-year sovereignty submerged lands lease was authorized on April 1, 1991, encompassed 10,547 square feet, and authorized 21 wet slips to be used in conjunction with the upland condominiums. This lease was subsequently renewed without modification by the Department for three additional five-year terms on April 1st of 1996, 2001, and 2006.

On June 8, 2007, a one-year Temporary Use Agreement was granted to address an unauthorized water platform, which preempted an additional 775 square feet. This area was formally incorporated into the lease through a modification on December 6, 2007, increasing the total preempted area to 12,066 square feet. This modification also authorized an additional wet slip, increasing the number of slips from 21 to 22.

The lease underwent further renewal and modification on June 6, 2013, which resulted in an increase of the preempted area from 12,066 to 12,394 square feet but reduced the number of authorized wet slips from 22 to 20. The final renewal occurred on April 1, 2021, and due to a legislative change, the lease term was extended to ten years.

As mentioned, there have been past areas of noncompliance. In an application submitted on August 7, 2006, the Applicant disclosed the previously unauthorized water platform, explaining that the slip was missing from the April 1, 1991 authorization due to an oversight. The Applicant's return to compliance was facilitated by an exemption, a Temporary Use Agreement that followed, and a subsequent lease modification. On April 25, 2011, a site inspection was conducted, and vessels were discovered outside of the lease boundary. Further compliance inspections on March 17, 2016, and December 14, 2020, both confirmed the Applicant's compliance with the lease.

SPECIAL APPROVAL CONDITIONS

The Applicant's NPPB required by Rule 18-21.004(4)(b)2, F.A.C., shall be:

1. A cash contribution to St. Lucie County in the amount of \$73,000 for improvements to the North Causeway Park and Boat Ramp. The Applicant shall provide proof to the Department of Environmental Protection's Southeast District Office that the \$73,000 has been paid to St. Lucie County prior to the Applicant receipt of a fully executed lease.

SPECIAL LEASE CONDITIONS

1. Within 10 days of completion of the docking facility, handrails and "no-mooring" signs shall be installed along all portions of the docking facility adjacent to non-mooring areas.

Handrails shall be constructed to eliminate access to the docking facility by boaters and shall be maintained during the term of this lease and all subsequent renewal terms.

2. 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 of the lease 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.
3. Vessels that either do not possess a current vessel registration and title as required by Chapters 327 and 328, F.S., or do not have a current vessel registration and title as required in another state or country are prohibited within the leased premises.
4. All vessels that moor, dock, or otherwise use the leased premises shall be maintained in a fully operational condition.
5. 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.
6. Amendment to Conservation Easement: The Deed of Conservation Easement recorded in Official Records Book 3463, Page 2362, Public Records of St. Lucie County, Florida, is hereby amended to read as follows: "The Lessee is authorized to construct, operate, repair and maintain the docking facility described in Lease No. 560010408 and depicted in Attachment A to said lease rather than the docking facility depicted in the exhibit(s) attached to the Conservation Easement." [OGC Approved 6/1/11, ERPA Teleconference 7/28/11, OGC revised 8/9/11]

FEE CALCULATION

CONSIDERATION DUE: \$1,605.02

- (1) Lease Fee: Not Applicable pursuant to section 253.0347, F.S.
- (2) Plus 25% Surcharge on the new area \$1,605.02
(29,695 sq. ft. x \$0.2162 = \$6,420.06 x 0.25 = \$1,605.02)

TOTAL CONSIDERATION DUE: \$1,605.02



FLORIDA DEPARTMENT OF Environmental Protection

Ron DeSantis
Governor

Alexis A. Lambert
Secretary

Southeast District
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
561-681-6600

In the Matter of an Application for Permit/Water Quality Certification and Authorization to Use
Sovereignty Submerged Lands by:

APPLICANT:

La Entrada Del Mar Association, Inc.
1300 Seaway Drive
Fort Pierce, FL 34949

FILE No:

56-184743-004-EI

LEASE No:

560010408

COUNTY:

St. Lucie County

PROJECT NAME: La Entrada Marina

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

The Department of Environmental Protection gives consolidated notice of its intent to:

(a) issue an environmental resource permit under Part IV of Chapter 373, Florida Statutes (F.S.), and Title 62, Florida Administrative Code (F.A.C.) (draft copy of permit attached). Issuance of the environmental resource permit also constitutes certification of compliance with state water quality standards pursuant to Section 401 of the Clean Water Act, 33 U.S.C. 1341;

(b) grant a lease modification to use sovereignty submerged lands for the proposed activity, under Article X, Section 11 of the Florida Constitution, Chapter(s) 253., Title 18, F.A.C., as described, below subject to any fees, special lease, easement, or consent of use conditions in the attached Recommended Proprietary Action document.

Where applicable (such as activities in coastal counties), issuance of the environmental resource permit also constitutes a finding of consistency with Florida's Coastal Management Program, as required by Section 307 of the Coastal Zone Management Act.

I. DESCRIPTION OF THE PROPOSED ACTIVITY

The applicant, La Entrada Del Mar Association, Inc., applied on 05-27-2022 to the Department of Environmental Protection for a permit/water quality certification and authorization to use sovereignty submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) to reconfigure an existing multi-family docking facility through the following activities; 1) The installation of 4,414 square feet of additional dock structure for a total of 7,462 square feet of dock, 2) increasing the amount of wet-slips from twenty (20) to forty-four (44); 3) the installation of 6,000 square feet of clean concrete beneath the proposed dock in

areas devoid of benthic resources to serve as an artificial reef structure; 4) completion of the below referenced mitigation project; and 5) a \$73,000 contribution to St. Lucie County to meet the proprietary Net Positive Public Benefit requirement.

Submerged resources (*Halophila decipiens*, *Halodule wrightii* and *Halophila johnsonii*) are located within the proposed project boundaries. The applicant has reduced adverse impacts to the furthest practicable extent by raising the dock structure to 5-feet above the mean high waterline in areas of resources and utilizing grated decking. To offset the remaining unavoidable impacts that will occur as a result of these proposed activities the following activities are proposed to occur; 1) The removal of a 435 square foot illegally installed dock, SL 8, over seagrass habitat "SL 8" within the Indian River Lagoon Aquatic Preserve seagrass habitat Spoil Island No. 8; 2) the placement of forty-five (45) reef balls nearshore and adjacent to an existing on-site seagrass bed in order to dissipate wave energy from the inlet; and; 3) supplemental plantings of 1,400 *Halodule wrightii*, *Halophila decipiens* and *Syringodium filiforme* planting units in a 1,306 square foot area in and adjacent to the existing near-shore seagrass beds; and 4) the installation of four exclusionary buoys and G guide-piles will be installed adjacent to these areas to prevent vessels utilizing the facility from traversing overtop. No reef structures or material for mitigation will be placed in areas with existing seagrasses.

The activity includes consideration of an application for a 10-year sovereignty, submerged land lease containing 42,089 square feet, more or less for a private multi-family docking facility. No lease fee is required, pursuant to section 253.0347, F.S., and (2) \$1,605.02 as the one-time twenty-five percent surcharge payment for the additional 29,695 square feet of lease area pursuant to Rule 18-21.011(1)(b)3., F.A.C.

The activity is located in state-owned submerged lands authorization are located within the Fort Pierce Inlet, Class III Waters, adjacent to 1300 Seaway Drive, Fort Pierce (Section 1, Township 35 South, Range 40 East), in St. Lucie County (Latitude N 27°28'2.1851 ", Longitude W 80°17'59.2861").

II. AUTHORITY FOR REVIEW

This project requires an Environmental Resource Permit. Under the operating agreements between the Department and the water management districts, the Department has the authority to issue this permit. References: Part IV of Chapter 373, Florida Statutes; Title 62, Florida Administrative Code; Operating Agreements with the water management districts in Chapter 62-113, Florida Administrative Code.

The activity also requires a proprietary authorization, as it is located on sovereignty submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund. The activity is not exempt from the need to obtain a proprietary authorization. Pursuant to Article X, Section 11 of the Florida Constitution, Sections 253.002 and 253.77, F.S., Sections 18-21.0040, 18-21.0051, 62-343.075, F.A.C., and the Operating Agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C., the Department has the responsibility to review and take final action on this request for proprietary authorization.

III. BACKGROUND/BASIS FOR ISSUANCE

A. General

On March 3, 2005, the Lessee was issued an emergency authorization to dredge within the Fort Pierce Inlet. This was authorized in Permit No. 56-184742-001-EE.

On August 14, 2006, the lessee was issued an exemption for the addition of a slip and an associated lease modification. This exemption resulted in the TUA that was executed on May 31, 2007, as referenced above.

On September 9, 2011, the lessee withdrew their application to create a new slip (would have resulted in slip no. 22). This application was withdrawn due to the Department noting potential noncompliance. The Divisions of State Lands conducted an inspection in April 2011 and discovered vessels exceeding the lease boundaries. As a result of the expired lease, and concerns that the project would exceed the allowable 40 to 1 ratio without prior authorization by The Board, the Department then suggested, among other items, that the application be withdrawn due to the outstanding items and concerns. As such, the application was withdrawn.

Compliance inspections conducted on December 14, 2020, and March 17, 2016, both found the lessee to be in compliance with their lease.

Finally, on May 8, 2024, the Department issued Permit No. 56-184742-005-EE to repair and replace of sections of the docking structure within the lessee's existing footprint.

B. Regulatory Basis of Issuance

An applicant must provide reasonable assurance that the construction, alteration, operation, maintenance, removal or abandonment of projects regulated under this chapter:

Will not cause adverse water quantity impacts to receiving waters and adjacent lands:

Water quantity impacts are not proposed with this project as no wetland fill is proposed. No impacts or fill to the near-shore area is proposed. Part III, A.H. Vol. II

Will not cause adverse flooding to on-site or off-site property:

No adverse flooding is expected to occur as a result of the proposed activities within tidal surface waters. No wetland fill is proposed or dredging of wetlands or other surface waters. Part III, A.H. Vol. II

Will not cause adverse impacts to existing surface water storage and conveyance capabilities;

The project is not expected to cause adverse impacts to water storage or conveyance. All work shall be performed within tidal surface waters., Part III, A.H. Vol. II

Will not adversely impact the maintenance of surface or ground water levels or surface water flows established pursuant to Section 373.042, F.S.

This project is not expected to adversely affect the maintenance of surface or ground water levels or water flows due to the minimal change of water depths; no filling or impoundments are proposed to be done which could alter surface water or ground water levels and flow, Part III, IV, and V, A.H. Vol. II, for SFWMD

Will not cause adverse impacts to a work of the District established pursuant to Section 373.086, F.S.;

No adverse impacts to works of the District are proposed.

Will be capable, based on generally accepted engineering and scientific principles, of performing and functioning as proposed:

The project is capable based on generally accepted engineering and scientific principles.

Will comply with any applicable special basin or geographic area criteria:

Yes, the project will comply with any applicable special basin or geographic area criteria; NFWMD- Sections 13.0- 13. of Vol. II, Including Appendix A; SFWMD- 40E-41, 40E-61, and 40E-63; SWFWMD- N/A; SJWMD – Section 5.9 Vol. II; SRWMD- 40C-41, Sections 13.0-13.8.3 A.H. Vol. II, Part VI, Vol. II.

Environmental Conditions for Issuance

II. Elimination or Reduction of Impacts – 10.2.1, A.H. Vol. I –

Based on the Department’s site inspections and the benthic surveys, conducted on October 6, 2022, and August 23, 2023, seagrasses (*Halophila johnsonii*, *Halophila decipiens* and *Halodule wrightii*) were confirmed to be adjacent to and within the project’s footprint.

For new construction work occurring within and adjacent to resources, 1,263 square feet of impacts were identified resulting in a functional loss of 0.0036 based off the Department’s Uniform Mitigation Assessment Method analysis.

In an effort to reduce impacts, the Applicant elected to utilize the majority of their existing structure to prevent additional work overtop near-shore resources. The access walkways of the multifamily docking facility will be elevated to five feet above the mean high waterline and will be grated with 44% open space to allow maximum light penetration. The finger piers will use half inch plank spacing to allow light penetration.

Therefore, the applicant has demonstrated that impacts to wetlands and other surface waters have been reduced and eliminated to the furthest extent practicable. 10.2.1.1, A.H. Vol. I

III. Fish, Wildlife, Listed Species and their Habitat – 10.2.2, A.H. Vol. I, 10.1.1(a), A.H. Vol. I –

The proposed activity does not propose impacts to wetlands or other surface waters or their functions as related to the abundance and diversity of fish, wildlife, listed species, and the bald eagle, or the habitats of fish wildlife and listed species.

The Florida Fish and Wildlife Conservation Commission provided permit conditions that shall be made a part of the permit:

1. The [Standard Manatee Conditions for In-water Work](#) (2011) shall be followed for all in-water activity.

2. The Permittee shall install permanent manatee educational signs, which shall be maintained for the life of the facility, no later than 60 days after construction commencement. The number and types of signs, as well as the on-site locations shall be approved by FWC staff prior to installation. A proposal for FWC sign approval shall be submitted to ImperiledSpecies@MyFWC.com in accordance with information provided at <http://www.myfwc.com/wildlifehabitats/managed/manatee/education-for-marinas/>. Signs shall be replaced in accordance with FWC guidance by the Permittee if outdated, damaged or faded.

IV. Water quantity, impacts to wetlands and other surface waters – 10.2.2.4, A.H. Vol. I

—
The project involves the dredging of submerged bottom within tidal surface waters. Therefore, adverse water quantity impacts to wetlands and other surface waters shall not occur.

V. Public Interest Test – Chapter 373.414(1)(a), F.S., Paragraph 62-330.302(1)(a), F.A.C., 10.2.3, A.H. Vol. I –

Whether the activity will adversely affect public health, safety, or welfare or the property of others: This proposed activity will not adversely affect public health, safety or welfare of the property of others. 10.2.3.1 A.H. Vol. I

Whether the activity will adversely affect the conservation of fish and wildlife and their habitats: The proposed activity will not adversely affect the conservation of fish and wildlife and their habitats based on review from the Department and comments received from FWC. 10.2.3.2, A.H. Vol. I

Whether the activity will adversely affect Navigation or the flow of water or cause harmful erosion or Shoaling:

The proposed activity will not adversely affect navigation or the flow of water or cause harmful erosion or Shoaling. Dredge depths are approved to a depth of -2.4 ft. at mean low water as previously authorized. 10.2.3.3, A.H. Vol. I

Whether the activity will adversely affect the fishing or recreational values or marine productivity in the vicinity of the activity:

The proposed activity will not adversely affect the fishing or recreational values or marine productivity in the vicinity of the activity. On-site wetlands and benthic resources are not permitted to be impacted; therefore, resources will remain on-site and continue to provide function. 10.2.3.4, A.H. Vol. I

Whether the activity is temporary or permanent in nature:

The proposed activity is permanent in nature, however, future dredging must receive authorization from the Department due to the conditions of the existing conservation easement. 10.2.3.5, A.H. Vol. I

Whether the activity will adversely affect or will enhance significant historical and archeological resources:

The proposed activity will not adversely affect historical and archeological resources. 10.2.3.6, A.H. Vol. I

The current condition and relative value of functions being performed by areas affected by the proposed activity:

The current condition and relative value of functions are not expected to be adversely impacted by the project. 10.2.3.7, A.H. Vol. I

VI. Water Quality – 10.2.4, A.H. Vol. I –

Specific conditions in the permit will require the use of turbidity curtains during construction and require best management practices such as requiring all watercraft associated with the construction operate in waters of sufficient depth to preclude bottom scouring or prop dredging.

The use of hand-suction dredging will allow for more precision during in-water activities. Operators will more easily be able to conduct the selective dredging and avoid adjacent areas not authorized to be dredged. In addition, turbidity curtains will be installed around seagrass beds to protect from sediment. 11.0, A.H. Vol. I

VII. Class II Waters; Waters Approved for Shellfish Harvesting – 10.2.5 A.H. Vol. I –

The project shall not occur within Class II Waters

VIII. Vertical Seawalls – 10.2.6 A.H. Vol. I –

The project does not include the construction of vertical seawalls.

IX. Secondary Impacts – 10.2.7 A.H. Vol. I –

The proposed activities were assessed for the potential to result in unacceptable secondary impacts, as defined in subsection 10.2.7, ERP A.H. Volume I. While both submerged resources and wetlands are directly adjacent to the project area, secondary impacts are not expected to occur.

Suction dredging will be utilized to allow for greater control of material removal. In addition, turbidity curtains and PVC pipes will be installed to mark the outer edge of seagrass beds on site. The dredging is not expected to directly or secondarily impact the mangroves on site, and specific conditions shall be included in the permit that prohibits dredging with the footprint of mangroves, including their root structures.

No adverse unacceptable impacts to cultural resources are anticipated to result from this proposed project, pursuant to Section 10.2.7(c), ERP A.H. Volume I.

Adverse wetland impacts that may be caused by future phases of the project or activities that are closely linked and causally related to the project will not occur since there are no known future phases. Therefore, this project is not anticipated to cause adverse secondary impacts to wetlands, pursuant to Section 10.2.7(d), ERP A.H. Volume I.

Therefore, it has been determined that the applicant has provided reasonable assurances that the proposed activities will not result in unacceptable secondary impacts, as defined in subsection 10.2.7, ERP A.H. Volume I.

X. Cumulative Impacts– 10.2.8 A.H. Vol. I –

All impacts associated with the project are proposed to be mitigated for on-site and within the same drainage basins. Therefore there are no cumulative impacts.

XI. Mitigation – 10.3 A.H. Vol. I –

To offset the unavoidable adverse impacts to resources, the Applicant has proposed to mitigate through 1) The removal of a 435 square foot illegally installed dock, SL 8, over seagrass habitat within the Indian River Lagoon Aquatic Preserve on Spoil Island No. 8; 2) the placement of forty-five (45) reef balls nearshore and adjacent to an existing on-site seagrass bed in order to dissipate wave energy from the inlet; 3) supplemental plantings of 1,400 *Halodule wrightii*, *Halophila decipiens* and *Syringodium filiforme* planting units in a 1,306 square foot area in and adjacent to the existing near-shore seagrass beds; and 4) the installation of four exclusionary buoys and guide-piles adjacent to these areas to prevent vessels utilizing the facility from traversing overtop. No reef structures or material for mitigation will be placed in areas with existing seagrasses.

The mitigation areas will be protected through the placement of guide piles, which will be installed nearshore to prevent vessels from traversing these areas. Additionally, the modified on-site conservation easement will prevent future development without prior authorization from the Department.

Through the above and based on the general/limiting and specific conditions to the permit, the applicant has provided affirmative reasonable assurance that the construction and operation of the activity, considering the direct, secondary and cumulative impacts, will comply with the provisions of Part IV of Chapter 373, F.S., and the rules adopted thereunder, including the Conditions for Issuance or Additional Conditions for Issuance of an environmental resource permit, pursuant to Part IV of Chapter 373, F.S., Chapters 62-330, and Sections 40E-4.301 and 40E-4.302, F.A.C. The construction and operation of the activity will not result in violations of the water quality standards set forth in Chapters 62-3, 62-4, 62-302, 62-520, 62-522, and 62-550, F.A.C. The applicant has also demonstrated that the construction of the activity, including a consideration of the direct, secondary, and cumulative impacts, is not contrary to the public interest, pursuant to paragraph 373.414(1)(a), F.S.

C. Specific Proprietary Basis for Issuance

Through the above and based on the general/limiting and specific conditions to the modification of a lease to increase the preempted area more than 40:1, the applicant has met all applicable requirements for proprietary authorizations to use sovereignty submerged lands, pursuant to Article X, Section 11 of the Florida Constitution, Chapter(s) 253, associated Rule(s) 18-21, F.A.C., and the policies of the Board of Trustees. The applicant has provided reasonable assurance that the activity:

- (1) is "not contrary to the public interest"
- (2) will maintain essentially natural conditions;
- (3) will not cause adverse impacts to fish and wildlife resources or public recreation or navigation;

- (4) will not interfere with the riparian rights of adjacent property owners; and
- (5) will include a \$73,000 donation to St Lucie County for Net Positive Public Benefit for improvements at the North Causeway Island Park.

In addition, the project is consistent with the goals and objectives of the "Conceptual State Lands Management Plan" adopted by the Board of Trustees on March 17, 1981.

IV. PUBLICATION OF NOTICE

Under section 403.815 of the Florida Statutes and rule 62-103.150 of the Florida Administrative Code, you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. The notice must be published one time only within 30 days in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of sections 50.011 and 50.031 of the Florida Statutes, in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used should be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant must provide proof of publication to:

Department of Environmental Protection
Southeast District Environmental Resources Permitting
c/o (John Tracey)
3301 Gun Club Road, MSC 7210-1
West Palm Beach, Florida 33406

The proof of publication shall be provided to the above address within seven days of publication. Failure to publish the notice and provide proof of publication within the allotted time shall be grounds for denial of the permit and lease to use sovereignty submerged lands.

V. RIGHTS OF AFFECTED PARTIES

Under this intent to issue, the permit to grant a lease on sovereignty submerged lands is(are) hereby granted subject to the applicant's compliance with any requirement in this intent to publish notice of this intent in a newspaper of general circulation and to provide proof of such publication in accordance with section 50.051 of the Florida Statutes. This action is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under sections 120.569 and 120.57 of the Florida Statutes as provided below. If a sufficient petition for an administrative hearing is timely filed, this intent to issue automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. When proof of publication is provided, if required by this intent, and if a sufficient petition is not timely filed, the permit and a lease or easement will be executed. The actual terms of the lease will be formally executed at a later date and shall include provisions for rents and such other provisions as normally are included in such lease.

Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines noted below for filing a petition for an administrative hearing or request for an extension of time have expired and until the permit lease has(have) been executed and delivered.

Mediation is not available.

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 of the Florida Statutes. The petition must contain the information set forth below and 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.

Under rule 62-110.106(4) of the Florida Administrative Code, 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, before the applicable deadline. 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. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

In accordance with rules 28-106.111(2) and 62-110.106(3)(a)(4), petitions for an administrative hearing by the applicant 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) of the Florida Statutes must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under section 120.60(3) of the Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing 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 of the Florida Statutes.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; 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.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301.

Under sections 120.569(2)(c) and (d) of the Florida Statutes, a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to issue constitutes an order of the Department. Subject to the provisions of paragraph 120.68(7)(a) of the Florida Statutes, which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under section 120.68 of the Florida Statutes, by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, 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 of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department.

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Sirenia Davila
District Director
Southeast District

CERTIFICATE OF SERVICE

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

FDEP – Sirenia Davila, Norva Blandin, John Tracey, Luciano Guidoni, Irene Arpayoglou
Keith Mille, FFWCC- Division of Marine Fisheries Management - Artificial Reef Program,
Keith.Mille@myfwc.com

Chris Croushore, Croushore Marine Engineering, Inc., CCroushore@gmail.com
Andrew Connelly, Underwater Engineering Services Inc, aconnelly@uesi.com

FILING AND ACKNOWLEDGMENT

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

Clerk

Date



FLORIDA DEPARTMENT OF Environmental Protection

Ron DeSantis
Governor

Alexis A. Lambert
Secretary

Southeast District
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
561-681-6600

DRAFT

Project Name: La Entrada Marina

Permittee/Authorized Entity:

La Entrada Del Mar Association, Inc.
c/o Henry Ashburn
1300 Seaway Drive
Fort Pierce, FL 34949
Email: laentradadelmar@gmail.com

Authorized Agent:

Croushore Marine Engineering, Inc.
c/o Chris Chroshore
Email: CCroushore@gmail.com

Environmental Resource Permit - Granted

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

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

Permit No.: 56-184743-004-EI
Lease File No.: 560010408

Permit Issuance Date: TBD

Permit Construction Phase Expiration Date: TBD

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

Permit No.: 56-184743-004-EI

PROJECT LOCATION

The activities authorized by this Permit and state-owned submerged lands authorization are located within the Fort Pierce Inlet, Class III Waters, adjacent to 1300 Seaway Drive, Fort Pierce (Section 1, Township 35 South, Range 40 East), in St. Lucie County (Latitude N 27°28'2.1851 ", Longitude W 80°17'59.2861").

PROJECT DESCRIPTION

This permit authorizes the reconfiguration of an existing multi-family docking facility through the following activities; 1) The installation of 4,414 square feet of additional dock structure for a total of 7,462 square feet of dock; 2) increasing the amount of wet-slips from twenty (20) to forty-four (44); 3) the installation of 6,000 square feet of clean concrete beneath the proposed dock in areas devoid of benthic resources to serve as an artificial reef structure; 4) completion of the below referenced mitigation project; and 5) a \$73,000 contribution to St. Lucie County to meet the proprietary Net Public Environmental Benefit requirement.

This permit authorizes 1,176 ft² of impacts to other surface waters. Submerged resources (*Halophila decipiens*, *Halodule wrightii* and *Halophila johnsonii*) are located within the project boundaries. The applicant has reduced adverse impacts to the furthest practicable extent by raising the dock structure to 5-feet above the mean high waterline in areas of resources and utilizing grated decking. To offset the remaining unavoidable impacts that will occur as a result of these authorized activities the following activities are authorized to occur; 1) The removal of a 435 square foot illegally installed dock, SL 8, over seagrass habitat within the Indian River Lagoon Aquatic Preserve on Spoil Island No. 8; 2) the placement of forty-five (45) reef balls nearshore and adjacent to an existing on-site seagrass bed in order to dissipate wave energy from the inlet; 3) supplemental plantings of 1,400 *Halodule wrightii*, *Halophila decipiens* and *Syringodium filiforme* planting units in a 1,306 square foot area in and adjacent to the existing near-shore seagrass beds; and 4) The installation of four exclusionary buoys and guide-piles adjacent to these areas to prevent vessels utilizing the facility from traversing overtop. No reef structures or material for mitigation will be placed in areas with existing seagrasses.

The attached standard manatee conditions (version 2011) shall be adhered to during all in-water work. Prior to construction commencement, weighted floating turbidity curtains, extending to within one- foot from the submerged bottom shall be utilized around the project area to ensure that any turbidity resulting from construction activities will be contained within the project boundaries. All water bodies, including any adjacent submerged aquatic vegetation outside the specific limits of construction authorized by this permit shall be protected from erosion, siltation, sedimentation, and/or scouring.

AUTHORIZATIONS

Environmental Resource Permit

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

Sovereignty Submerged Lands Authorization

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

On **X (date)**, the Board of Trustees granted authority for the Department, acting as staff to the Board in accordance with Sections 253.002, F.S., to proceed with issuance of a lease for the use for the activity described.

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

Federal Authorization

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 the Application for Department of the Army Permit (ENG 4345) or alternative as allowed by Corps regulations. More information on Corps permitting may be found online in the Jacksonville District Regulatory Division Sourcebook:

(<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.

Coastal Zone Management

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

Water Quality Certification

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

Other Authorizations

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

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

PERMIT & SOVEREIGNTY SUBMERGED LANDS CONDITIONS

The activities described must be conducted in accordance with:

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

You are advised to read and understand these conditions and drawings prior to beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings herein. If you are using a contractor, the contractor also should read and understand these conditions and drawings prior to beginning any activity. Failure to comply with these conditions, including any mitigation requirements, shall be grounds for the Department to revoke the permit and authorization and to take appropriate enforcement action.

Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit and sovereignty submerged lands authorization, as described.

SPECIFIC CONDITIONS – EXECUTION OF PROPRIETARY DOCUMENTS

(1) The terms, conditions, and provisions of the required lease shall be met. **Construction of this activity shall not commence on sovereign submerged lands, title to which is held by the Board of Trustees of the Internal Improvement Trust Fund, until all required lease agreement documents have been executed to the satisfaction of the Department.**

SPECIFIC CONDITIONS- PROJECT FORMS & ATTACHMENTS

(2) The attached project drawings (sheets 1 through 8); the Standard Manatee Conditions for In-Water Work, 2011; Mitigation Plan; and DEP forms 62-330.310(3), 62-330.310(1); 62-330.310(2); 62-330.340(1); and 62-330.350(1), which may be downloaded at <http://www.dep.state.fl.us/water/wetlands/erp/forms.htm> become part of this permit. If the permittee does not have access to the Internet, please contact the Department at (561) 681-6600 to request the aforementioned forms and/or document(s).

SPECIFIC CONDITIONS - PRIOR TO CONSTRUCTION

(3) After selection of the contractor to perform the authorized activities and prior to the initiation of any work authorized by this permit, the permittee (or authorized agent) and the contractor shall attend a pre-construction conference with a representative of the Department. It

shall be the responsibility of the permittee to contact the Department's Compliance Assistance Program, by email SED_Compliance@FloridaDEP.gov, or by phone (561) 681-6600, to schedule the pre-construction conference.

(4) Prior to the initiation of any work authorized by this permit, floating turbidity curtains with weighted skirts that extend to within one foot of the bottom shall be placed around the active work sites and shall be maintained and remain in place for the duration of the project construction to ensure that turbid discharges do not occur outside the boundaries of the floating turbidity screens. The permittee shall be responsible for ensuring that turbidity control devices are inspected daily and maintained in good working order during all phases of construction authorized by this permit until all areas that were disturbed during construction are sufficiently stabilized to prevent turbid discharges.

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

(5) All watercraft associated with the construction of the permitted activities shall only operate within waters of sufficient depth (one-foot clearance from the deepest draft of the vessel (barge) to the submerged bottom) so as to preclude bottom scouring or prop dredging.

(6) There shall be no storage or stockpiling of tools and materials (i.e., lumber, pilings, debris), along the shoreline adjacent to waters of the state. All excess lumber, scrap wood, trash, garbage, and any other type of debris shall be removed from wetlands/waters of the state within 14 days of completion of the work authorized in this permit. All construction equipment/tools and materials shall be transported to and from the site via upland roadways and barges and all equipment/tools and materials shall be stored on the uplands.

(7) The installation and placement of the artificial reef structure shall not occur within seagrasses. The concrete structure shall not have exposed reinforcing rods or similar protrusions. It shall be free of sediment, debris and toxins or otherwise deleterious substances.

(8) If the project results in unauthorized adverse impacts to submerged resources, the permittee shall modify this permit to provide the Department with an appropriate mitigation plan to offset the unauthorized impacts.

SPECIFIC CONDITIONS – NET POSITIVE PUBLIC BENEFIT

(9) Prior to the commencement of activities authorized by this permit the permittee shall submit proof of the cash contribution to St. Lucie County in the amount of \$73,000 for improvements to the North Causeway Park and Boat Ramp. The Lessee shall provide proof to the Department of Environmental Protection's Southeast District Office that the \$73,000 has been paid to St. Lucie County prior to the Lessee's receipt of a fully executed lease.

SPECIFIC CONDITIONS – MITIGATION

- (10) The mitigation plan for the activities authorized under this permit shall be implemented as described in the attached document titled “La Entrada Mitigation Plan” in addition to the removal of dock “SL 8”.
- (11) Prior to the commencement of work authorized by this permit, the permittee must implement the mitigation plan as described in the attached document titled “La Entrada Mitigation Plan” in addition to the removal of dock “SL 8” and receive Department approval of a time-zero monitoring report.
- (12) The Department’s approval of the mitigation plan pursuant to this permit does not constitute a finding by the Department the mitigation will meet the required success criteria. The permittee acknowledges its obligation to meet the intent of the permit regarding the mitigation objective until the mitigation is determined by the Department to be successful.
- (13) A “Time Zero” Monitoring Report shall be submitted within 30 days of completion of implementation of the mitigation area(s) and shall include the following:
- a. GPS location of the area(s) planted;
 - b. Reef ball location(s);
 - c. Color photographs to provide an accurate representation of the mitigation area(s). The photographs shall be taken from fixed referenced points and directions which are shown on a scaled plan view.
 - d. Baseline coverage of the mitigation areas utilizing the Braun-Blanquet method as detailed in the attached Mitigation and Monitoring Plan.
- (14) Subsequent Mitigation Monitoring Reports shall be submitted annually for five years and shall include the following information (Data shall be submitted in tabular form; subsample number and size shall be determined by a statistically valid method):
- a. Color photographic prints taken from the reference points established in the Time Zero Monitoring Report.
 - b. Detailed description of statistical methods used which must include the following:
 - i. Subsample method and map of sampling locations.
 - ii. Method used to determine the percent cover of impacted seagrass habitat.
 - iii. Statistical analysis used.
 - c. Total percent cover by recruited seagrasses.

- d. Seagrass species composition with estimates of the contribution of each species to percent cover.
 - e. Photocopy of the field notes depicting the raw data collected.
- (15) The mitigation may be deemed successful when the following criteria has been continuously met for a period of at least two (2) years:
- a. Naturally recruited seagrass species have achieved a minimum 80% cover of background levels.
- (16) The responsibility to assess if the mitigation is meeting the permit-specified success criteria shall not fall solely on the Department. In the event the permittee becomes aware mitigation is not meeting the success criteria (based on either site observations or review of monitoring reports), the permittee, no later than 6 months before the permit construction phase expiration date, shall be responsible to submit an alternative mitigation plan to the Department for review and approval. The permittee shall implement the alternative restoration plan no later than 60 days after receiving Department approval.

SPECIFIC CONDITIONS – MONITORING/REPORTING REQUIREMENTS

(17) 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 Department at (561) 681-6600 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.

(18) 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 until turbidity subsides at 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.)

(19) During in-water construction or debris removal, the permittee or permittee's contractor shall collect the following turbidity monitoring data at the frequency and water depths directed by the Specific Condition above:

- 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 Department's Environmental Resources Compliance Assurance Program Staff by email at SEDERP@dep.state.fl.us. The subject line of the email shall include the project name, permit number, and the title "Turbidity Monitoring Reports."

SPECIFIC CONDITIONS – MANATEE CONDITIONS

(20) The [Standard Manatee Conditions for In-water Work](#) (2011) shall be followed for all in-water activity.

(21) The Permittee shall install permanent manatee educational signs, which shall be maintained for the life of the facility, no later than 60 days after construction commencement. The number and types of signs, as well as the on-site locations shall be approved by FWC staff prior to installation. A proposal for FWC sign approval shall be submitted to ImperiledSpecies@MyFWC.com in accordance with information provided at <http://www.myfwc.com/wildlifehabitats/managed/manatee/education-for-marinas/>. Signs shall be replaced in accordance with FWC guidance by the Permittee if outdated, damaged or faded.

SPECIFIC CONDITIONS – LISTED SPECIES

(22) 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 conservationplanningservices@myfwc.com.

GENERAL CONDITIONS FOR INDIVIDUAL PERMITS

The following general conditions are binding on all individual permits issued under chapter 62-330, F.A.C., except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate project-specific conditions.

(1) All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.

(2) A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.

(3) Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.

(4) At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," [October 1, 2013], which is incorporated by reference in paragraph 62-330.350(1)(d), F.A.C., indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.

(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 Operational 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 12.3.3 of Volume I) as filed with the 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 Entity” [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.

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

(9) This permit does not:

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

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

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

(12) The permittee shall notify the Agency in writing:

- a. Immediately if any previously submitted information is discovered to be inaccurate; and
- b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots

or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

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

(14) If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work 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 notification shall be provided in accordance with Section 872.05, F.S.

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

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

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

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

GENERAL CONDITIONS FOR SOVEREIGNTY SUBMERGED LANDS AUTHORIZATION

Any use of sovereignty submerged lands is subject to the following general conditions are binding upon the applicant and are enforceable under Chapter 253, F.S. and Chapter 258, F.S.

(1) Sovereignty submerged lands may be used 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 will constitute a violation. Violation of the authorization will result in

suspension or revocation of the applicant's use of the sovereignty submerged lands unless cured to the satisfaction of the Board of Trustees.

(2) Authorization under Rule 18-21.005, F.A.C., conveys no title to sovereignty submerged lands or water column, nor does it constitute recognition or acknowledgment of any other person's title to such land or water.

(3) Authorizations under Rule 18-21.005, F.A.C., may be modified, suspended or revoked in accordance with its terms or the remedies provided in Sections 253.04, F.S. and Chapter 18-14, F.A.C.

(4) Structures or activities will be constructed and used to avoid or minimize adverse impacts to resources.

(5) Construction, use, or operation of the structure or activity will 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.

(6) Structures or activities will not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity will be modified in accordance with the court's decision.

(7) Structures or activities will not create a navigational hazard.

(8) Structures will be maintained in a functional condition and will be repaired or removed if they become dilapidated to such an extent that they are no longer functional.

(9) Structures or activities will be constructed, operated, and maintained solely for water dependent purposes.

(10) The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.

(11) Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.

(12) Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses

to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.

(13) All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.

(14) This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

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 subsequent order may modify or take a different position than this action.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, 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 may not apply to persons who have not received a clear point of entry.

Extension of Time

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

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

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

Judicial Review

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

Executed in Palm Beach County, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Sirena Davila
District Director
Southeast District

CERTIFICATE OF SERVICE

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

FDEP – Sirena Davila, Norva Blandin MSEM, John Tracey, Rachael Griffin

Chris Croushore, Croushore Marine Engineering, Inc., CCroushore@gmail.com

Andrew Connelly, Underwater Engineering Services Inc, aconnelly@uesi.com

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

Attachments:

Project Drawings and Design Specs., 8 pages
La Entrada Mitigation Plan

Standard Manatee Conditions for In-Water Work, 2011

As-built Certification and Request for Conversion to Operational Phase Form 62-330.310(1)*

Request for Transfer to the Perpetual Operation Entity Form 62-330.310(2)*

Request to Transfer Permit Form 62-330.340(1)*

Commencement Notice Form 62-330.350(1)*

*Can be downloaded at: <https://floridadep.gov/water/submerged-lands-environmental-resources-coordination/content/forms-environmental-resource>



LOCATION MAP 1" = 2000'

SURVEY NOTES:

- COORDINATES AND BEARINGS SHOWN HEREIN ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT (NAD 83/11).
- NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OR DIGITAL/ELECTRONIC SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- EXISTING DOCK TO BE REMOVED.
- BEARINGS ARE BASED UPON A LINE BETWEEN NATIONAL OCEAN SERVICES DEEP ROD MONUMENT 872 2213 K TIDAL AND A 5/8" IRON ROD FOUND AT THE ASSUMED SOUTHWEST CORNER OF LOT 31 AS SHOWN ON A PLAT ENTITLED REVISED MAP OF FORT PIERCE BEACH AND FILED IN THE ST. LUCIE COUNTY CLERK'S OFFICE IN PLAT BOOK 8, PAGE 29, HAVING A BEARING OF S39° 02' 48"W.
- ELEVATION OF MEAN HIGH WATER -0.14 FEET NAVD 1988 BASED ON TIDE INTERPOLATION POINT IDENTIFICATION NUMBER 872-2213 AND PROVIDED BY M. KEVIN MEARS, PSM OF THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF SURVEY AND MAPPING.
- THE SITE HAS 300± FEET OF SANDY SHORELINE IN FRONT OF A SEAWALL.
- AERIAL IMAGERY WAS TAKEN IN 2021 AND WAS PROVIDED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION.
- AERIAL IMAGERY IS DISPLAYED HEREON FOR INFORMATION PURPOSES ONLY NO PHOTOGRAPHIC ACCURACY IS IMPLIED BY THIS MAP.
- UNDERGROUND UTILITIES AND IMPROVEMENTS NOT LOCATED.
- THE CENTERLINE OF FORT PIERCE INLET IS BASED UPON US ARMY CORPS OF ENGINEERS DRAWING ENTITLED, "FORT PIERCE INLET PROJECT CONDITION SURVEY," DATED JANUARY 2008.
- THIS IS A FIELD SURVEY.

CERTIFIED TO:
THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA

SEE SHEET 2 FOR FIELD SURVEY
SEE SHEET 3 FOR LEGAL DESCRIPTION

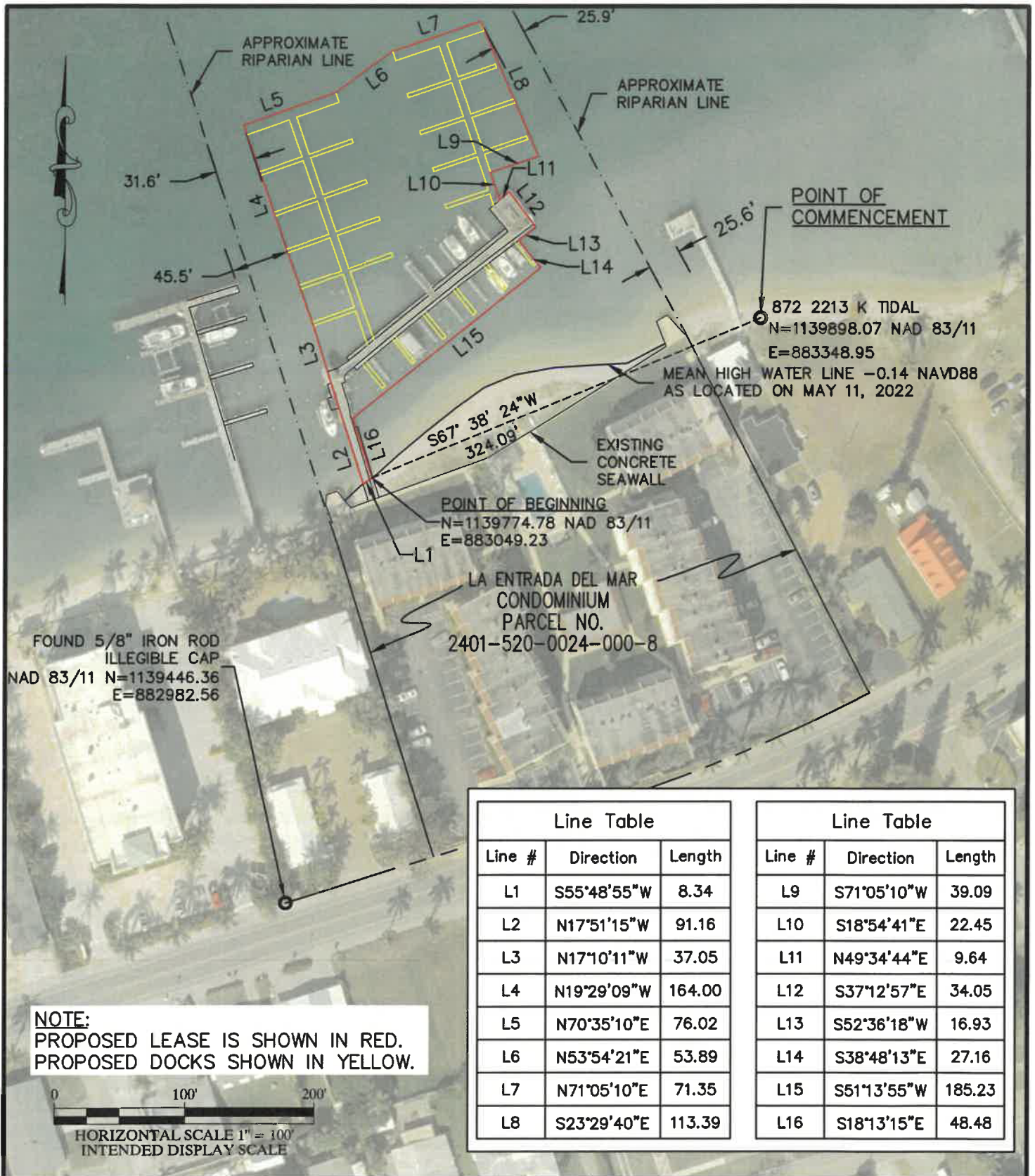
CERTIFICATE OF SURVEYOR - I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS IN ACCORDANCE WITH A RECENT FIELD SURVEY MADE UNDER MY DIRECTION AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 63-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

David W. Coggin
Digitally signed by David W. Coggin
Date: 2024.11.18 11:57:01 -05'00'

DAVID W. COGGIN, PSM
PROFESSIONAL SURVEYOR AND MAPPER # 6359
STATE OF FLORIDA

<p>Morgan & Eklund Inc. PROFESSIONAL SURVEY CONSULTANTS</p> <p>4908 US HIGHWAY #1 VERO BEACH, FL 32967 PHONE: (772) 388-5364 FAX: (772) 388-3165 LB # 4298</p>		<p>SOVEREIGN SUBMERGED LAND LEASE LA ENTRADA DEL MAR CONDOMINIUM ST. LUCIE COUNTY, FLORIDA FOR UNDERWATER ENGINEERING SERVICES, INC.</p>	<p>COMMISSION NO. 35812-4</p> <p>SCALE 1" = 100'</p> <p>DATE 7/9/24</p> <p>SHEET 1 of 5</p>
<p>DRAWN BY LFP</p>	<p>DESIGNED BY DWC</p>	<p>FIELD BOOK PAGE NO. 45-48</p> <p>DATE OF SURVEY 5/11/22</p>	

H:\Sdskpro\35812-4\DWG\35812-4 LEASE.dwg, SH02, 10u Mon, 18 Nov 2024 - 11:42am



Line Table		
Line #	Direction	Length
L1	S55°48'55"W	8.34
L2	N17°51'15"W	91.16
L3	N17°10'11"W	37.05
L4	N19°29'09"W	164.00
L5	N70°35'10"E	76.02
L6	N53°54'21"E	53.89
L7	N71°05'10"E	71.35
L8	S23°29'40"E	113.39

Line Table		
Line #	Direction	Length
L9	S71°05'10"W	39.09
L10	S18°54'41"E	22.45
L11	N49°34'44"E	9.64
L12	S37°12'57"E	34.05
L13	S52°36'18"W	16.93
L14	S38°48'13"E	27.16
L15	S51°13'55"W	185.23
L16	S18°13'15"E	48.48

Morgan & Eklund Inc.
PROFESSIONAL SURVEY CONSULTANTS
4000 US HIGHWAY #1
VERO BEACH, FL 32967
PHONE: (772) 385-5364
FAX: (772) 385-3165
LB # 4206

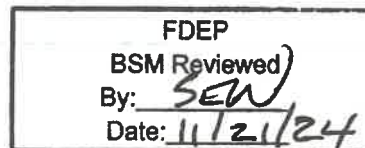
SOVEREIGN SUBMERGED LAND LEASE
LA ENTRADA DEL MAR CONDOMINIUM
ST. LUCIE COUNTY, FLORIDA
FOR UNDERWATER ENGINEERING SERVICES, INC.
DRAWN BY: LFP
CHECKED BY: DWC
FIELD BOOK: 45-05
SHEET NO.: 45-05
DATE OF SURVEY: 5/11/22
SHEET: 2 OF 5

LEGAL DESCRIPTION

THAT PART OF THE SOVEREIGN SUBMERGED LANDS OF THE STATE OF FLORIDA BEING IN SECTION 1, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY FLORIDA, AND LYING WITHIN THE FOLLOWING DESCRIBED AREA:

COMMENCING AT NATIONAL OCEAN SERVICE DEEP ROD MONUMENT, 872 2213 K TIDAL STAMPED 2213 K 1995, HAVING COORDINATES OF NORTHING 1,139,898.07 FEET, AND EASTING 883,348.95 FEET REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT (NAD83/11); THENCE S 67°38' 24" W A DISTANCE OF 324.09 FEET TO A POINT ON THE MEAN HIGH WATER LINE OF THE FORT PIERCE INLET, ELEVATION -0.14 FEET AS REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988, AND THE POINT OF BEGINNING OF THIS DESCRIPTION HAVING COORDINATES OF NORTHING 1,139,774.78 FEET, AND EASTING 883,049.23 FEET NAD 83/11, BEING THE POINT OF BEGINNING, THENCE ALONG SAID MEAN HIGH WATER LINE S 55° 48' 55" W FOR A DISTANCE OF 8.34 FEET TO A POINT; THENCE INTO THE WATERS OF THE FORT PIERCE INLET N 17° 51' 15" W FOR A DISTANCE OF 91.16 FEET TO A POINT; THENCE N 17° 10' 11" W FOR A DISTANCE OF 37.05 FEET TO A POINT; THENCE N 19° 29' 09" W FOR A DISTANCE OF 164.00 FEET TO A POINT; THENCE N 70° 35' 10" E FOR A DISTANCE OF 76.02 FEET TO A POINT; THENCE N 53° 54' 21" E FOR A DISTANCE OF 53.89 FEET TO A POINT; THENCE N 71° 05' 10" E FOR A DISTANCE OF 71.35 FEET TO A POINT; THENCE S 23° 29' 40" E FOR A DISTANCE OF 113.39 FEET TO A POINT; THENCE S 71° 05' 10" W FOR A DISTANCE OF 39.09 FEET TO A POINT; THENCE S 18° 54' 41" E FOR A DISTANCE OF 22.45 FEET TO A POINT; THENCE N 49° 34' 44" E FOR A DISTANCE OF 9.64 FEET TO A POINT; THENCE S 37° 12' 57" E FOR A DISTANCE OF 34.05 FEET TO A POINT; THENCE S 52° 36' 18" W FOR A DISTANCE OF 16.93 FEET TO A POINT; THENCE S 38° 48' 13" E FOR A DISTANCE OF 27.16 FEET TO A POINT; THENCE S 51° 13' 55" W FOR A DISTANCE OF 185.23 FEET TO A POINT; THENCE S 18° 13' 15" E A DISTANCE OF 48.48 FEET TO A POINT ON THE MEAN HIGH WATER LINE BEING THE POINT OF BEGINNING.

CONTAINING 42,089 SQUARE FEET OR 0.73 ACRES OF LAND MORE OR LESS.



Morgan & Eklund Inc.
PROFESSIONAL SURVEY CONSULTANTS

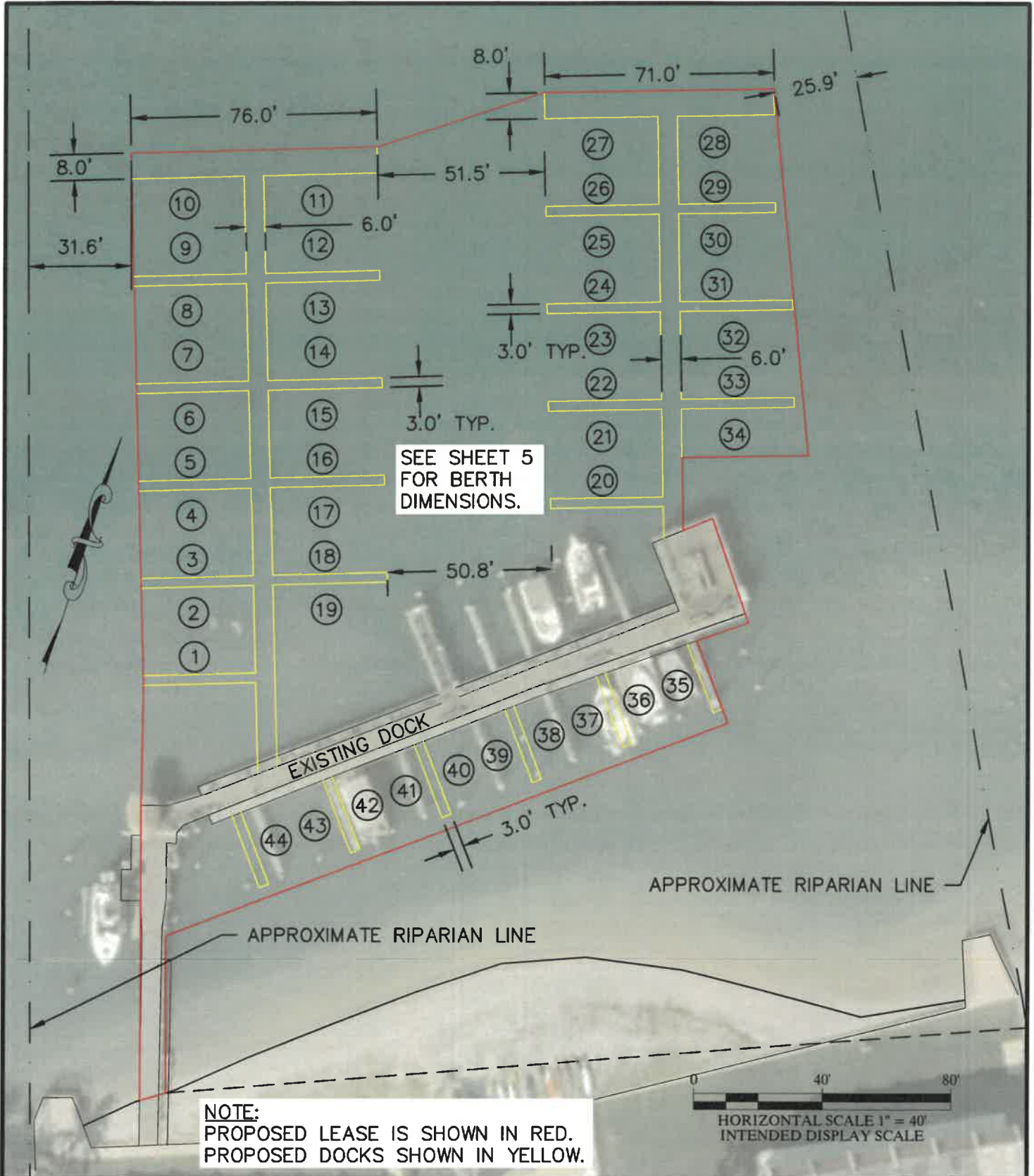
4908 US HIGHWAY #1
VERO BEACH, FL 32967
PHONE: (772) 388-5364
FAX: (772) 388-3165
LB # 4298

SOVEREIGN SUBMERGED LAND LEASE
LA ENTRADA DEL MAR CONDOMINIUM
ST. LUCIE COUNTY, FLORIDA
FOR UNDERWATER ENGINEERING SERVICES, INC.

DRAWN BY LFP	CHECKED BY DWC	FIELD BOOK PAGE NO.	BL. 108A 45-46	DATE OF SURVEY 5/11/22	SHEET 3 OF 5
-----------------	-------------------	------------------------	-------------------	---------------------------	--------------

CONDOMINIUM NO. 35812-4
SCALE 1" = 100'
DATE 7/9/24

H:\Sdeapro\35812-4\DWG\35812-4 LEASE.dwg, SH04, 10u Mon, 18 Nov 2024 - 11:42am



Morgan & Eklund Inc. PROFESSIONAL SURVEY CONSULTANTS 4000 US HIGHWAY #1 VERO BEACH, FL 32907 PHONE: (772) 368-3364 FAX: (772) 368-3165 LB # 4298		SOVEREIGN SUBMERGED LAND LEASE LA ENTRADA DEL MAR CONDOMINIUM ST. LUCIE COUNTY, FLORIDA FOR UNDERWATER ENGINEERING SERVICES, INC.			CONTRACT NO. 35812-4 SCALE 1" = 40' DATE 7/9/24
DRAWN BY LFP	CHECKED BY DWC	FIELD BOOK PAGE NO.	SL 108A 45-11	DATE OF SURVEY 5/11/22	SHEET 4 OF 5

BERTH DIMENSIONS	
BERTHS	SIZE
1 & 2	27' x 35'
3 & 4	27' x 35'
5 & 6	27' X 35'
7 & 8	30' X 35'
9 & 10	30' X 35'
11 & 12	30' X 35'
13 & 14	30' X 35'
15 & 16	27' X 35'
17 & 18	27' X 35'
19	15' X 35'
20 & 21	27' X 35'
22 & 23	27' X 35'
24 & 25	27' X 35'
26 & 27	27' X 35'
28 & 29	27' x 30'
30 & 31	27' x 30'
32 & 33	27' x 35'
34	15' x 35'
35 & 36	24' x 27'
37 & 38	24' X 27'
39 & 40	24' X 27'
41 & 42	24' X 27'
43 & 44	24' X 27'



Morgan & Eklund Inc.
PROFESSIONAL SURVEY CONSULTANTS

4000 US HIGHWAY #1
 VERO BEACH, FL 32907
 PHONE: (772) 389-5364
 FAX: (772) 389-3185
 LB # 4298

SOVEREIGN SUBMERGED LAND LEASE
 LA ENTRADA DEL MAR CONDOMINIUM
 ST. LUCIE COUNTY, FLORIDA
 FOR UNDERWATER ENGINEERING SERVICES, INC.

DRAWN BY
 LFP

CHECKED BY
 DWC

FIELD BOOK
 PAGE NO.

SL 109A
 45-46

DATE OF SURVEY
 5/11/22

CONVEYANCE NO.
 35812-4

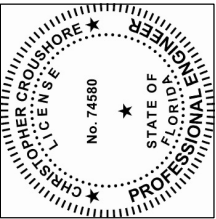
SCALE
 1" = 100'

DATE
 7/9/24

SHEET 5 OF 5

DocuSign Envelope ID: 2659CCE4-7803-4242-AF10-470379FA6957

LA ENTRADA DEL MAR CONDOMINIUMS
PROPOSED MARINA PROJECT - PHASE 2
1300 SEAWAY DRIVE
FORT PIERCE, FL 34949
ST LUCIE COUNTY, FL



DocuSigned by:
Christopher Croushore
BB5AEF7D9E96435...

CHRISTOPHER R. CROUSHORE
FLORIDA PE # 74580



PROJECT LOCATION
FT PIERCE, FL



PROJECT LOCATION
FT PIERCE, FL

SHEET	DESCRIPTION
C-1	COVER SHEET
P-1	PLAN VIEW - EXISTING/PROPOSED
P-2	PLAN VIEW - DETAILED PILING LAYOUT
CS-1	WALKWAY CS VIEW
CS-2	ENDS/PIERS CS VIEW
CS-3	BOAT LIFT IN SLIPS CS VIEW
N-1	CONTRACTOR NOTES

"THIS DOCUMENT HAS BEEN SIGNED AND SEALED BY
CHRISTOPHER CROUSHORE, FL PE #74580.
PRINTED COPIES OF THIS DOCUMENT ARE NOT
CONSIDERED SIGNED AND SEALED, THE SIGNATURE
MUST BE VERIFIED ON ELECTRONIC DOCUMENTS."

CROUSHORE MARINE ENGINEERING, INC.

100 ANDROS ROAD, PALM SPRINGS, FL 33461
PH (561) 951-6036 FBPE NO. 30254

LA ENTRADA DEL MAR CONDOS
FT PIERCE, FL

PROPOSED MARINA PROJECT - PHASE 2
COVER SHEET

SCALE: N/A	DRAWN BY: CRC
DATE: 06.17.24	

C-1

SHEET NO. 1 OF 7

PROPOSED TURBIDITY CURTAIN

51'-5" OPENING

25'-10" SETBACK

FT PIERCE INLET WATERWAY
~1,155' WIDE
~ 311' TO SOUTH EDGE OF FEDERAL CHANNEL

PROPOSED MITIGATION SEAGRASS BED PLANTINGS (TYP)

APPROX RIPARIAN

PROPOSED SLL (BY OTHERS)

MAIN WALKWAY - PHASE 1 (SEPARATE PERMIT)

SOUTH FINGER PIERS (PHASE 1)

ACCESS PIER (PHASE 1)

PROPOSED MARINA
PLAN VIEW - PROPOSED CONDITIONS
SCALE 1" = 60'

SETBACK 45'-6" SEPARATION TO KIWI LONG DOCKS

53' SEPARATION TO KIWI SHORT DOCKS

APPROX RIPARIAN

MAINTENANCE PLATFORM (PHASE 1)

PIERS 1-44

PIERS 20-44

PIERS 21-44

PIERS 22-44

PIERS 23-44

PIERS 24-44

PIERS 25-44

PIERS 26-44

PIERS 27-44

PIERS 28-44

PIERS 29-44

PIERS 30-44

PIERS 31-44

PIERS 32-44

PIERS 33-44

PIERS 34-44

PIERS 35-44

PIERS 36-44

PIERS 37-44

PIERS 38-44

PIERS 39-44

PIERS 40-44

PIERS 41-44

PIERS 42-44

PIERS 43-44

PIERS 44-44

PIERS 45-44

PIERS 46-44

PIERS 47-44

PIERS 48-44

PIERS 49-44

PIERS 50-44

PIERS 51-44

PIERS 52-44

PIERS 53-44

PIERS 54-44

PIERS 55-44

PIERS 56-44

PIERS 57-44

PIERS 58-44

PIERS 59-44

PIERS 60-44

PIERS 61-44

PIERS 62-44

PIERS 63-44

PIERS 64-44

PIERS 65-44

PIERS 66-44

PIERS 67-44

PIERS 68-44

PIERS 69-44

PIERS 70-44

PIERS 71-44

PIERS 72-44

PIERS 73-44

PIERS 74-44

PIERS 75-44

PIERS 76-44

PIERS 77-44

PIERS 78-44

PIERS 79-44

PIERS 80-44

PIERS 81-44

PIERS 82-44

PIERS 83-44

PIERS 84-44

PIERS 85-44

PIERS 86-44

PIERS 87-44

PIERS 88-44

PIERS 89-44

PIERS 90-44

PIERS 91-44

PIERS 92-44

PIERS 93-44

PIERS 94-44

PIERS 95-44

PIERS 96-44

PIERS 97-44

PIERS 98-44

PIERS 99-44

PIERS 100-44

PIERS 101-44

PIERS 102-44

PIERS 103-44

PIERS 104-44

PIERS 105-44

PIERS 106-44

PIERS 107-44

PIERS 108-44

PIERS 109-44

PIERS 110-44

PIERS 111-44

PIERS 112-44

PIERS 113-44

PIERS 114-44

PIERS 115-44

PIERS 116-44

PIERS 117-44

PIERS 118-44

PIERS 119-44

PIERS 120-44

PIERS 121-44

PIERS 122-44

PIERS 123-44

PIERS 124-44

PIERS 125-44

PIERS 126-44

PIERS 127-44

PIERS 128-44

PIERS 129-44

PIERS 130-44

PIERS 131-44

PIERS 132-44

PIERS 133-44

PIERS 134-44

PIERS 135-44

PIERS 136-44

PIERS 137-44

PIERS 138-44

PIERS 139-44

PIERS 140-44

PIERS 141-44

PIERS 142-44

PIERS 143-44

PIERS 144-44

PIERS 145-44

PIERS 146-44

PIERS 147-44

PIERS 148-44

PIERS 149-44

PIERS 150-44

PIERS 151-44

PIERS 152-44

PIERS 153-44

PIERS 154-44

PIERS 155-44

PIERS 156-44

PIERS 157-44

PIERS 158-44

PIERS 159-44

PIERS 160-44

PIERS 161-44

PIERS 162-44

PIERS 163-44

PIERS 164-44

PIERS 165-44

PIERS 166-44

PIERS 167-44

PIERS 168-44

PIERS 169-44

PIERS 170-44

PIERS 171-44

PIERS 172-44

PIERS 173-44

PIERS 174-44

PIERS 175-44

PIERS 176-44

PIERS 177-44

PIERS 178-44

PIERS 179-44

PIERS 180-44

PIERS 181-44

PIERS 182-44

PIERS 183-44

PIERS 184-44

PIERS 185-44

PIERS 186-44

PIERS 187-44

PIERS 188-44

PIERS 189-44

PIERS 190-44

PIERS 191-44

PIERS 192-44

PIERS 193-44

PIERS 194-44

PIERS 195-44

PIERS 196-44

PIERS 197-44

PIERS 198-44

PIERS 199-44

PIERS 200-44

PIERS 201-44

PIERS 202-44

PIERS 203-44

PIERS 204-44

PIERS 205-44

PIERS 206-44

PIERS 207-44

PIERS 208-44

PIERS 209-44

PIERS 210-44

PIERS 211-44

PIERS 212-44

PIERS 213-44

PIERS 214-44

PIERS 215-44

PIERS 216-44

PIERS 217-44

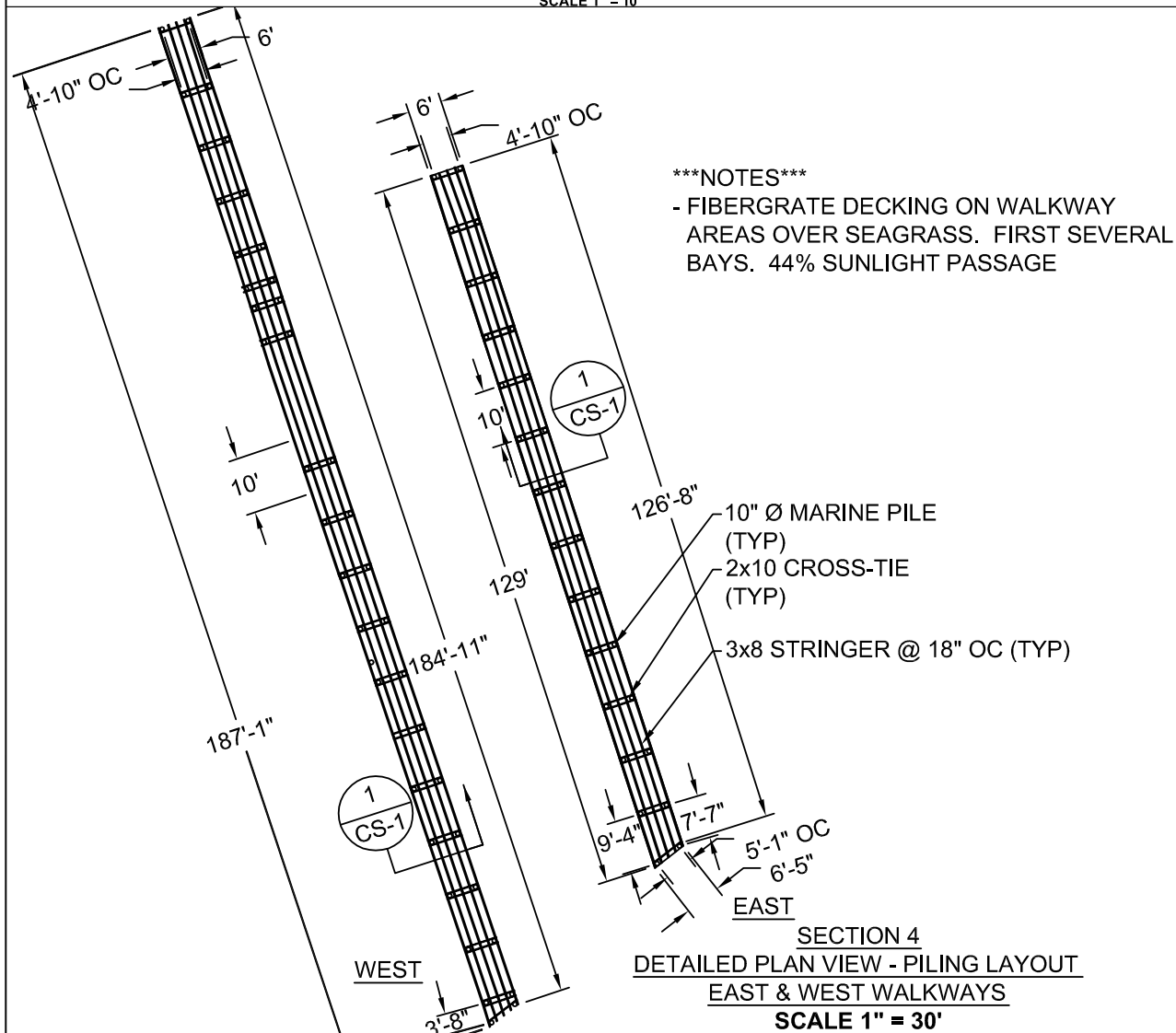
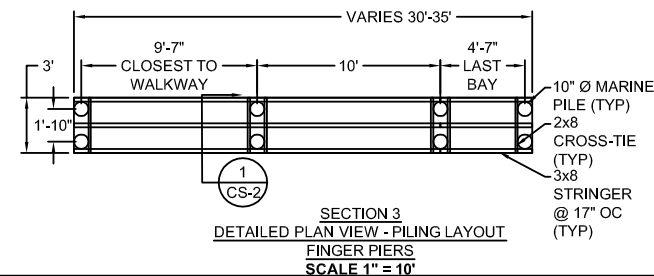
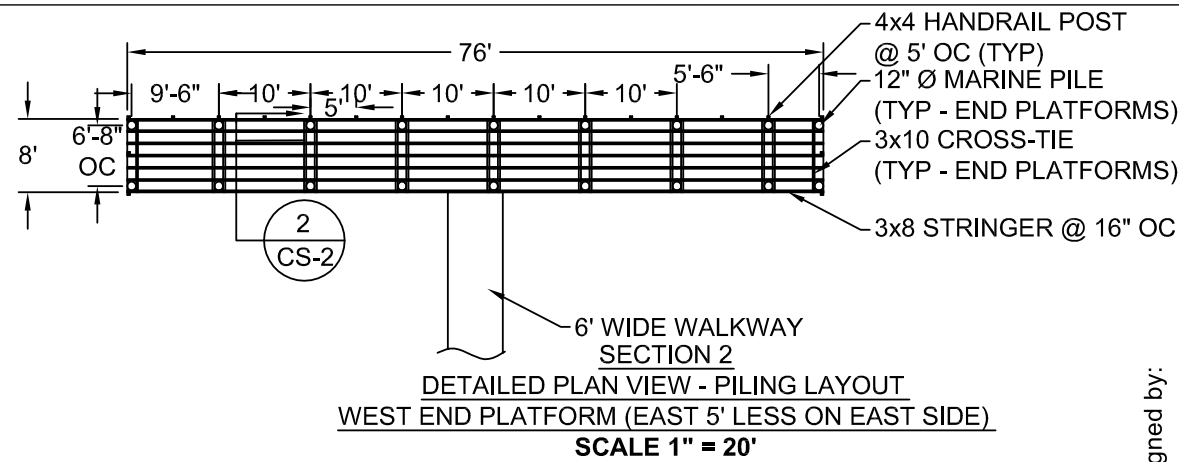
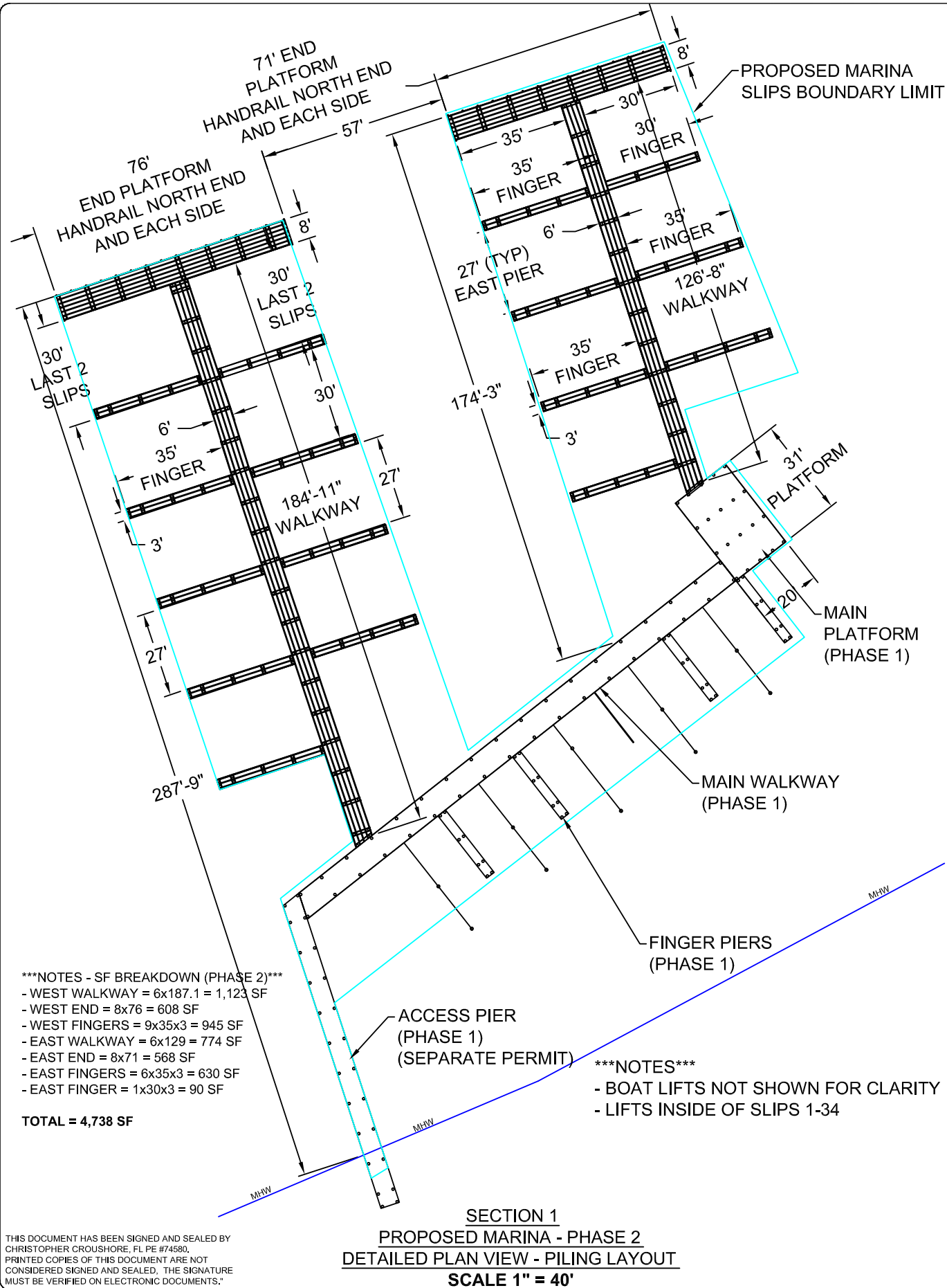
PIERS 218-44

<p> CHRISTOPHER R. CROUSHORE FLORIDA PE # 74580 </p>

CROUSHORE MARINE ENGINEERING, INC.

100 ANDROS ROAD, PALM SPRINGS, FL 33461
PH (561) 951-6036 FBPE NO. 30254

SHEET NO. 2 OF 7



Signed by:



DocuSigned by:
Christopher Croushore
CHRISTOPHER R. CROUSHORE
BBSAEF7D9E96435...
FLORIDA PE # 74580

SCALE:	NOTED
DATE:	06.17.24
DRAWN BY:	CRC

CROUSHORE MARINE ENGINEERING, INC.

100 ANDROS ROAD, PALM SPRINGS, FL 33461
PH (561) 951-6036 FBPE NO. 30254

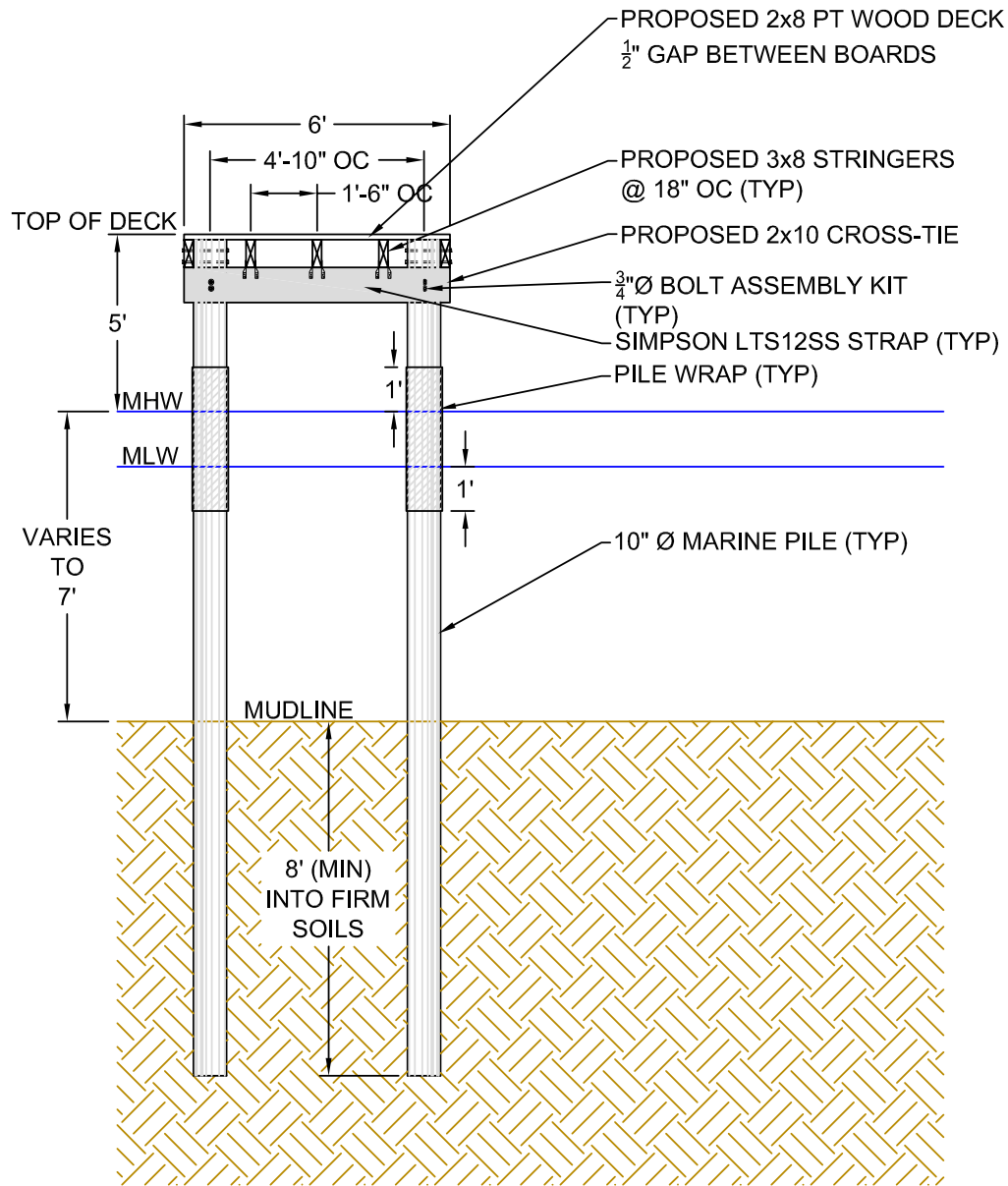
LA ENTRADA DEL MAR CONDOS
FT PIERCE, FL

PROPOSED MARINA PROJECT - PHASE 2
DETAILED PLAN VIEW - PILE LAYOUT

P-2

SHEET NO. 3 OF 7

THIS DOCUMENT HAS BEEN SIGNED AND SEALED BY
CHRISTOPHER CROUSHORE, FL PE #74580.
PRINTED COPIES OF THIS DOCUMENT ARE NOT
CONSIDERED SIGNED AND SEALED. THE SIGNATURE
MUST BE VERIFIED ON ELECTRONIC DOCUMENTS.



SECTION 1
PROPOSED EAST & WEST WALKWAYS OVER WATER
TYPICAL CROSS-SECTION VIEW
SCALE 1" = 4'

Signed by:



DocuSigned by:

Christopher Croushore

BB5AE7D9E96435...
CHRISTOPHER R. CROUSHORE
FLORIDA PE # 74580

CROUSHORE MARINE ENGINEERING, INC.

100 ANDROS ROAD, PALM SPRINGS, FL 33461
PH (561) 951-6036 FBPE NO. 30254

LA ENTRADA DEL MAR CONDOS
FT PIERCE, FL

PROPOSED MARINA PROJECT - PHASE 2
TYPICAL CROSS-SECTION VIEW - EAST & WEST WALKWAYS

SCALE: NOTED

DATE: 06.17.24

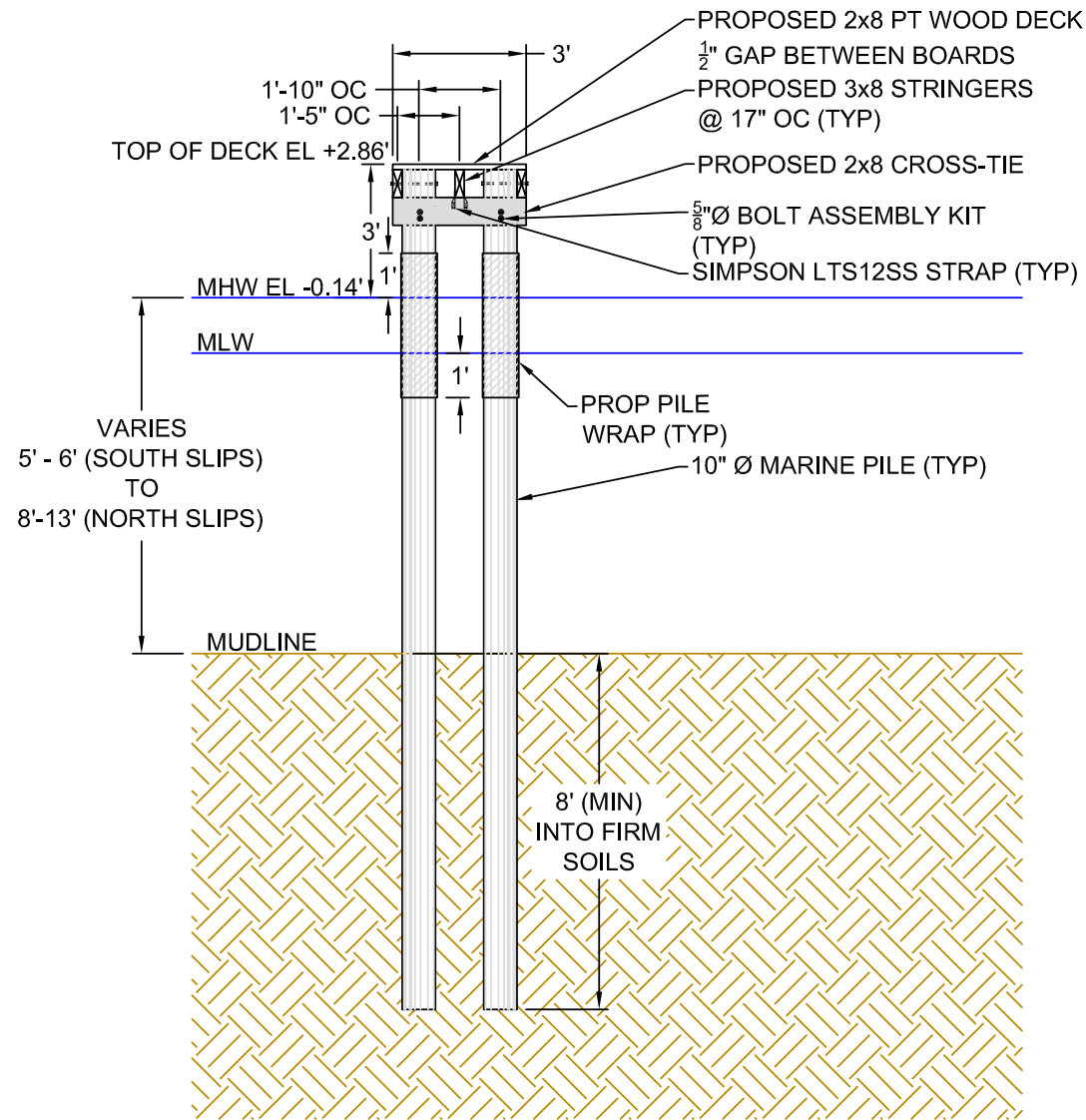
ACOE FILE:
SAU 2016-02882

DRAWN BY: CRC

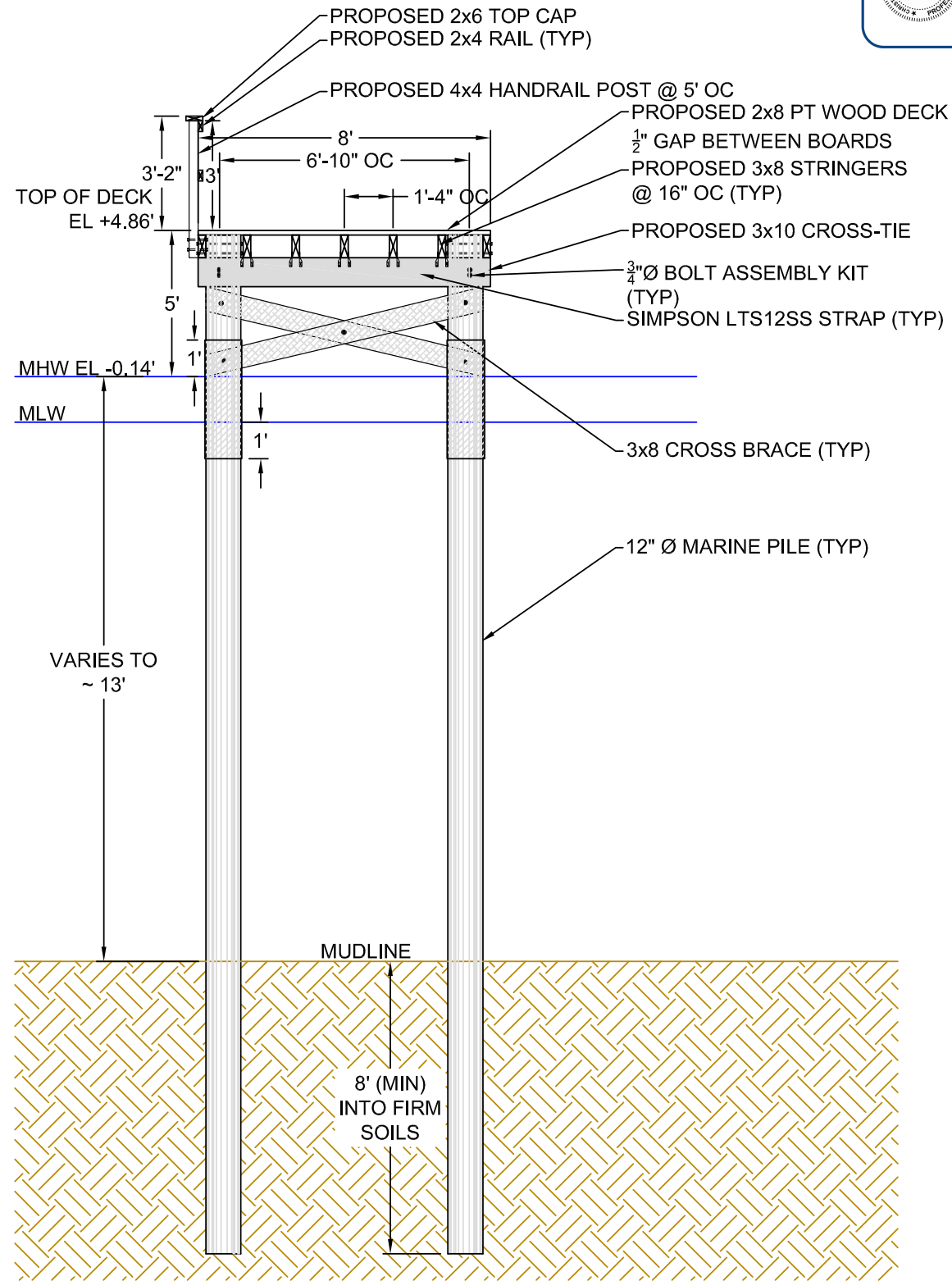
CS-1

SHEET NO. 4 OF 7

THIS DOCUMENT HAS BEEN SIGNED AND SEALED BY
CHRISTOPHER CROUSHORE, FL PE #74580.
PRINTED COPIES OF THIS DOCUMENT ARE NOT
CONSIDERED SIGNED AND SEALED. THE SIGNATURE
MUST BE VERIFIED ON ELECTRONIC DOCUMENTS.



SECTION 1
PROPOSED FINGER PIERS
TYPICAL CROSS-SECTION VIEW
SCALE 1" = 4'



SECTION 2
PROPOSED END PIERS
TYPICAL CROSS-SECTION VIEW
SCALE 1" = 4'

Signed by:



DocuSigned by:

Christopher Croushore
BB5AEF7D9E96435...

CHRISTOPHER R. CROUSHORE
FLORIDA PE # 74580

SCALE:	NOTED
DATE:	06.17.24
ACOE FILE:	
SAL2016-02962	
DRAWN BY:	CRC

CROUSHORE MARINE ENGINEERING, INC.

100 ANDROS ROAD, PALM SPRINGS, FL 33461
PH (561) 951-6036 FBPE NO. 30254

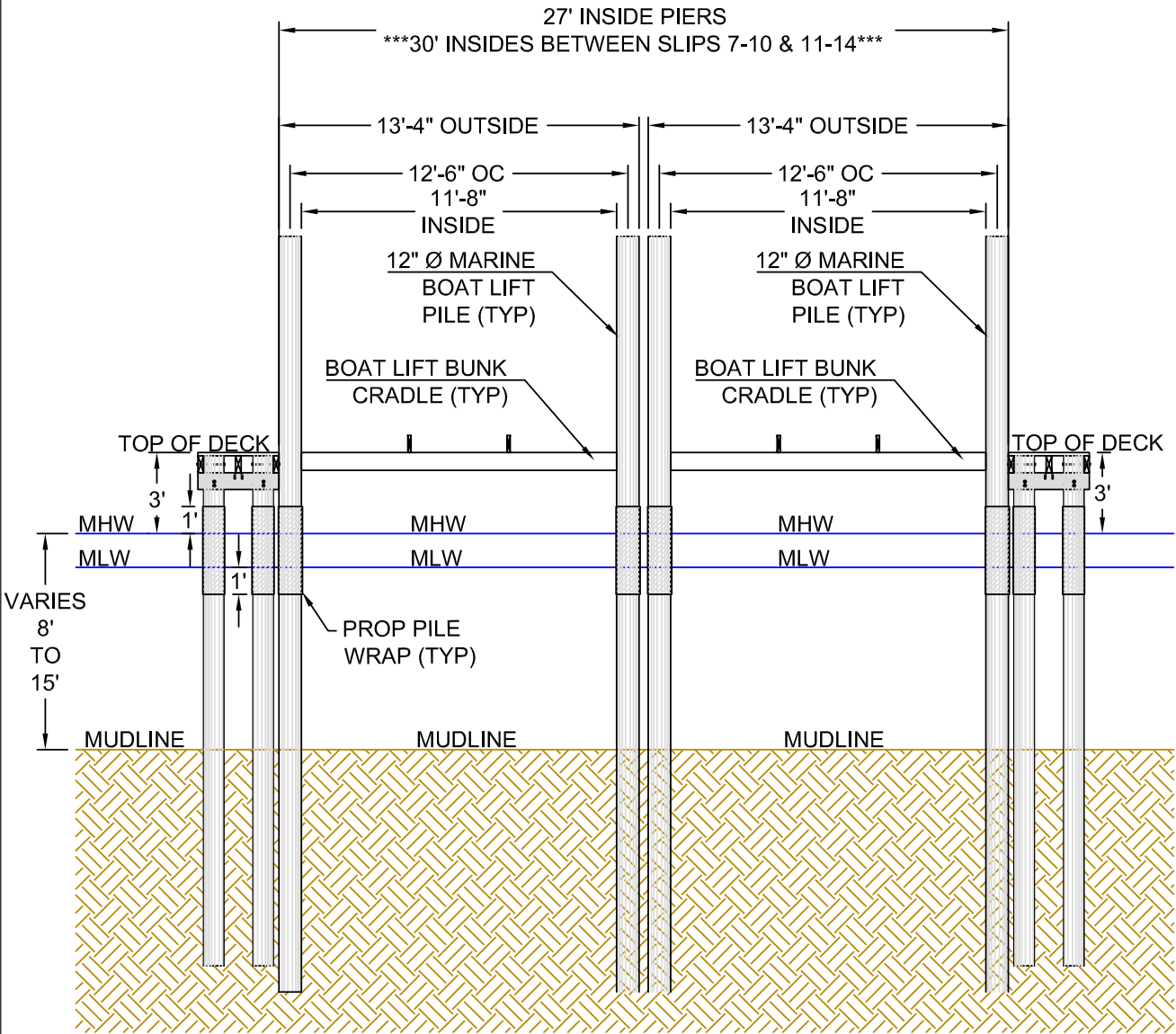
LA ENTRADA DEL MAR CONDOS
FT PIERCE, FL

PROPOSED MARINA PROJECT - PHASE 2
TYPICAL CROSS-SECTION VIEW - END PIERS & FINGER PIERS

CS-2

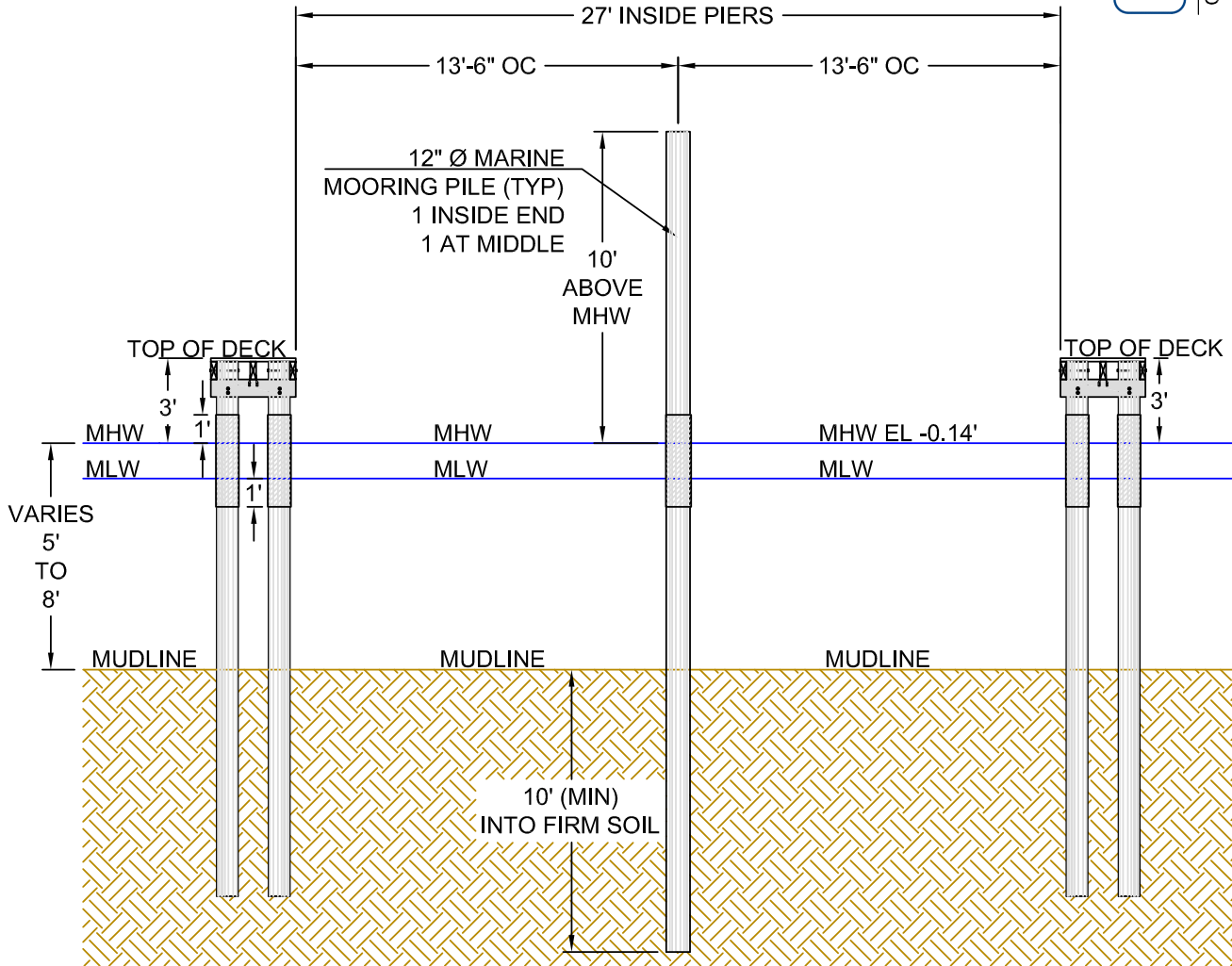
SHEET NO. 5 OF 7

DocuSign Envelope ID: 2659CCE4-7803-4242-AF10-470379FA6957



THIS DOCUMENT HAS BEEN SIGNED AND SEALED BY
CHRISTOPHER CROUSHORE, FL PE #74580.
PRINTED COPIES OF THIS DOCUMENT ARE NOT
CONSIDERED SIGNED AND SEALED. THE SIGNATURE
MUST BE VERIFIED ON ELECTRONIC DOCUMENTS.

SECTION 1
PROPOSED BOAT LIFT SLIPS (SLIPS 1-34)
TYPICAL CROSS-SECTION VIEW
SCALE 1" = 6'



SECTION 2
PROPOSED MOORING PILE SLIPS (SLIPS 35-44)
TYPICAL CROSS-SECTION VIEW
SCALE 1" = 6'

Signed by:



DocuSigned by:

Christopher Croushore

BB5AE7D9E96435...
CHRISTOPHER R. CROUSHORE
FLORIDA PE # 74580

LA ENTRADA DEL MAR CONDOS
FT PIERCE, FL

PROPOSED MARINA PROJECT - PHASE 2
TYPICAL CROSS-SECTION VIEW - BOAT LIFTS

SCALE: 1" = 4'
DATE: 06.17.24
DRAWN BY: CRC

CROUSHORE MARINE ENGINEERING, INC.

100 ANDROS ROAD, PALM SPRINGS, FL 33461
PH (561) 951-6036 FBPE NO. 30254

CS-3

SHEET NO. 6 OF 7

Docusign Envelope ID: 2659CCE4-7803-4242-AF10-470379FA6957

GENERAL NOTES

- THE FOLLOWING PROPOSED PROJECT PHASE CONSISTS OF A 44-SLIP PRIVATE MARINA, WITH 34 SLIPS (SLIPS 1-34) GETTING BOAT LIFTS WITHIN THE SLIP LIMITS, AND 10 SLIPS (SLIPS 35-44) GETTING 12" Ø MOORING PILES ALONG THE ADJOINING SLIPS CENTERLINE.
- THE CONTRACTOR SHOULD FAMILIARIZE THEMSELVES WITH THESE PLANS.
- ANY CHANGES OR DEVIATIONS FROM THESE PLANS MUST BE APPROVED BY THE ENGINEER PRIOR TO SAID CHANGES BEING PERFORMED.
- PERMITS/AUTHORIZATIONS TO BE OBTAINED FROM:
UNITED STATES ARMY CORPS OF ENGINEERS - NORTH BRANCH
400 HIGH POINT DRIVE, SUITE #600, COCOA, FL 32926
(321) 504-3771

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION - SOUTHEAST DISTRICT
3301 GUN CLUB ROAD, WEST PALM BEACH, FL 33406
(561)

- ALL ELEVATIONS SHOWN ON PLANS ARE IN NAVD 88.
- REVISED SUBMERGED LAND LEASE IS IN PROGRESS TO COVER THIS NEW LAYOUT. SUBMITTAL BY OTHERS.

STRUCTURAL NOTES

- PROJECT WAS DESIGNED USING 8TH EDITION 2023 FLORIDA BUILDING CODE EDITION.
- PROJECT DESIGN LIVE LOAD (NON-SINGLE FAMILY RESIDENTIAL) IS 100 PSF. NO GOLF CARTS OR ANY VEHICLE OR MACHINERY ALLOWED, AS WAS DESIGNED FOR PEDESTRIAN USE ONLY.

WOOD

- ALL WOOD TO BE SOUTHERN YELLOW PINE, #1 OR BETTER
- ALL MARINE WOOD PILES TO BE 2.50 CCA PRESSURE TREAT
- ALL STRINGERS, CROSS-TIES, AND CROSS-BRACING TO BE 0.60 CCA PRESSURE TREAT
- ALL DECK BOARD AND HANDRAIL COMPONENTS TO BE 0.40 ACQ DECKING, EXCEPT AREAS OF SEAGRASS WILL BE FIBERGRATE DECKING WITH 44% SUNLIGHT PASSAGE

HARDWARE

- ALL HARDWARE TO BE SS GRADE 316
- BOLT ASSEMBLY KIT INCLUDES: 3/4" Ø BOLT, 1.5" FLAT WASHER, 3/4" Ø (ID) HEX NUT (ACCESS PIER, END PIER, AND TERMINAL PLATFORM)
- BOLT ASSEMBLY KIT INCLUDES: 5/8" Ø BOLT, 1.25 FLAT WASHER, 5/8" Ø (ID) HEX NUT (FINGER PIERS)

FINGER PIER STEPS

- EACH FINGER PIER TO RECEIVE AN AFTERMARKET POLYPROPYLENE 36" WIDE x 36" (MIN) OUT x 6" RISE NON-SKID THREE- STEP AFFIXED TO FINGER PIER DECK BOARD AND WALKWAY OUTSIDE STRINGER

ENVIRONMENTAL NOTES

- STANDARD MANATEE AWARENESS AND OBSERVATION PROCEDURES WILL BE IN PLACE FOR THE DURATION OF THE PROJECT.
- FDOT TURBIDITY CURTAIN TO BE IN PLACE PRIOR TO PROJECT COMMENCEMENT AND IS TO REMAIN IN PLACE IN APPLICABLE SECTIONS, FOR SECTION INSTALLATION DURATION.
- PILE WRAP, 1' ABOVE MHW TO 1' BELOW MLW, TO BE NON-LEACHING MATERIAL AND PLACED ON ALL IN-WATER PILINGS.
- SEAGRASS IS PRESENT; PLEASE DO NOT DISTURB. ALL VESSELS AND WORK EQUIPMENT ARE TO MAINTAIN 1' (MIN) CLEARANCE FROM BOTTOM OF VESSEL/PROP TO TOP OF SEAGRASS BLADES.
- LOW PRESSURE JET PUMP ONLY FOR WOOD PILE INSTALLATIONS NEAR SEAGRASS BEDS
- NO CONCRETE REEF PIELS ARE TO BE PLACED IN AREAS OF SEAGRASS. THEY ARE TO BE PLACED IN DEEPER, BARREN WATERS.

THIS DOCUMENT HAS BEEN SIGNED AND SEALED BY
CHRISTOPHER CROUSHORE, FL PE #74580.
PRINTED COPIES OF THIS DOCUMENT ARE NOT
CONSIDERED SIGNED AND SEALED. THE SIGNATURE
MUST BE VERIFIED ON ELECTRONIC DOCUMENTS.*

WIND PRESSURE

OPEN STRUCTURE - MONO-SLOPED ROOFING

- APPLIED WIND PRESSURE = **68.65 PSF**

CONSTANTS USED

ENCLOSURE CLASSIFICATION = OPEN STRUCTURE (DOCK)
DIMENSION PERPENDICULAR TO WIND = 8.00 FT (TERMINAL PLATFORM)
DIMENSION PARALLEL TO WIND (SEGMENTAL) = 10.00 FT
MEAN DOCK HEIGHT (ABOVE WATER) = 5.00 FT
DOCK ANGLE = 0.00 DEG
WIND SPEED, V = 175.0 MPH
EXPOSURE CAT. = D
RISK CATEGORY = 2
WIND DIRECTIONALITY FACTOR = Kd = 0.85
TOPOGRAPHIC FACTOR = Kzt = 1.0
GUST EFFECT FACTOR = G = 0.85
INTERNAL PRESSURE COEFFICIENT = GCpi = 0.55
PRESSURE CALCULATION IS BASED ON ASCE 7-20

WIND LOAD CERTIFICATION STATEMENT

I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THESE PLANS AND SPECIFICATIONS HAVE BEEN DESIGNED TO COMPLY WITH THE APPLICABLE BUILDING CODES AS AMENDED, ADOPTED AND ENFORCED BY THE CITY OF FT PIERCE BUILDING DEPARTMENT. I ALSO CERTIFY THAT THE COMPONENTS AND RELATED ELEMENTS PROVIDE ADEQUATE RESISTANCE TO THE LOADS APPLIED.

CONNECTION SUMMARY

WALKWAYS

- ALL CROSS-TIES CONNECTED TO MARINE PILES WITH (2) 3/4" Ø BOLT ASSEMBLY KITS PER PILE
- EXTERIOR STRINGERS CONNECTED TO MARINE PILES WITH (2) 3/4" Ø BOLT ASSEMBLY KITS PER PILE
- INTERIOR STRINGERS CONNECTED TO CROSS-TIES WITH (1) SIMPSON LTS12 HURRICANE STRAP PER INTERIOR STRINGER PER CROSS-TIE
- 2x8 DECK BOARD CONNECTED TO STRINGERS WITH (2) #10 SS SCREWS PER BOARD PER STRINGER
- 4x4 HANDRAIL POST CONNECTED TO OUTSIDE OF EXTERNAL STRINGER WITH (2) 1/2" Ø BOLT ASSEMBLY KIT PER POST (1ST ~20' OF ACCESS PIER ONLY)
- 2x4 TOP/MID RAILS CONNECTED TO 4x4 HANDRAIL POST/MARINE PILE WITH (2) #10 SS DECK SCREWS PER RAIL PER POST/PILE
- 2x6 TOP CAP CONNECTED TO 2x4 TOP RAIL WITH #10 DECK SCREWS @ 6" OC ALONG RAIL
- 2x6 TOP CAP CONNECTED TO 4x4 HANDRAIL POST/MARINE PILE WITH (2) #10 SS SCREWS PER POST

END PIERS

- ALL CROSS-TIES CONNECTED TO MARINE PILES WITH (2) 3/4" Ø BOLT ASSEMBLY KITS PER PILE
- EXTERIOR STRINGERS CONNECTED TO MARINE PILES WITH (2) 3/4" Ø BOLT ASSEMBLY KITS PER PILE
- INTERIOR STRINGERS CONNECTED TO CROSS-TIES WITH (1) SIMPSON LTS12 HURRICANE STRAP PER INTERIOR STRINGER PER CROSS-TIE
- 2x8 DECK BOARD CONNECTED TO STRINGERS WITH (2) #10 SS DECK SCREWS PER BOARD PER STRINGER
- SEE HANDRAIL CONNECTION IN PRIOR SECTION

FINGER PIERS

- ALL CROSS-TIES CONNECTED TO MARINE PILES WITH (2) 5/8" Ø BOLT ASSEMBLY KITS PER PILE
- EXTERIOR STRINGERS CONNECTED TO MARINE PILES WITH (1) 5/8" Ø BOLT ASSEMBLY KIT PER PILE
- INTERIOR STRINGER CONNECTED TO CROSS-TIES WITH (1) SIMPSON LTS12 HURRICANE STRAP PER INTERIOR STRINGER PER CROSS-TIE
- 2x8 DECK BOARD CONNECTED TO STRINGERS WITH (2) #10 SS DECK SCREWS PER BOARD PER STRINGER

Signed by:



DocuSigned by:

Christopher Croushore
BES5AEF7D9E96435...

CHRISTOPHER R. CROUSHORE
FLORIDA PE # 74580

SCALE: N/A DATE: 06.17.24	LA ENTRADA DEL MAR CONDOS FT PIERCE, FL PROPOSED MARINA PROJECT - PHASE 2 CONTRACTOR NOTES	N-1 SHEET NO. 7 OF 7
DRAWN BY: CRC		

CROUSHORE MARINE ENGINEERING, INC.

100 ANDROS ROAD, PALM SPRINGS, FL 33461
PH (561) 951-6036 FBPE NO. 30254

CES Cover Sheet

☐ Checked for Duplicate Document

DM ID

Document Type: **CONSERVATION EASEMENTS**

Date: **12-13-2012**

Original Agency: **DISTRICT OFFICE**

BLA Review Number: **000001**

Section: **36**

Township: **34S**

Range: **40E**

Total Area / Area Unit: **.07** (A) Acreage (S) Square Feet

County Book / Page / Type: **ST. LUCIE** **B 3463** **Pg 2362** **Q**

County Book / Page / Type: **B** **Pg** **Q**

County/Instrument #

Comments: [PROPRIETARY CONSERVATION EASEMENT GRANTED BY
ENTRADA DEL MAR ASSOC. RELATIVE TO CSL/BOT #560010408

DATE PREPPED:

1/8/2013

SCAN BOX #

INVENTORY #: 690844

MAA'D For Rescan & Additional Pgs

The information on this page was collected during the prep phase of scanning and is an aid for data entry. Please refer to the document for actual information.

ATTACHMENT 1B

PAGE 47

Return to:
Department of Environmental Protection
c/o Melinda Kohlmyer
400 N. Congress Avenue, Suite 200
West Palm Beach, FL 33401

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 3779936-2 - 4 2012 at 02:25 PM
CR BOOK 3463 PAGE 2362 - 2363 Doc Type: EASEMENT
RECORDING: \$61.00

RECEIVED

DEC 17 2012

FL DEP
WEST PALM BEACH

CONSERVATION EASEMENT

THIS CONSERVATION EASEMENT is given this 13TH day of DEC. 2012, by La Entrada Del Mar Association, Inc., owner of the property having an address at 1300 Seaway Drive, Building F, Fort Pierce, FL 34949 (Grantor) to the BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA (BOARD OF TRUSTEES), whose address is Department of Environmental Protection, Division of State Lands, 3900 Commonwealth Boulevard, Mail Station 130, Tallahassee, Florida 32399-3000. As used herein, the term Grantor shall include any and all heirs, successors or assigns of the Grantor, and all subsequent owners of the Property (as hereinafter defined) and the term BOARD OF TRUSTEES shall include any successor or assignee of the BOARD OF TRUSTEES.

WITNESSETH

WHEREAS, the Grantor is the sole owner in fee simple of certain lands situated in St. Lucie County, Florida, more specifically described in Exhibit A attached hereto and incorporated herein (Property);

WHEREAS, the Grantor desires to construct a private residential multi-family docking facility on sovereignty submerged lands adjacent to the Property as authorized by Board of Trustees' Sovereignty Submerged Land Lease #560010408 in accordance with Chapter 253 Florida Statutes (F.S.); and

WHEREAS, the Board of Trustees' sovereignty submerged lands authorization for construction and/or operation of the Project requires a conservation easement in accordance with rule 18-21.004(4)(c), Florida Administrative Code (F.A.C.).

NOW THEREFORE, in consideration of the above and the mutual covenants, terms, conditions and restrictions contained herein, together with other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, Grantor hereby voluntarily grants and conveys a perpetual conservation easement, as defined in Section 704.06, Florida Statutes, for and in favor of the BOARD OF TRUSTEES upon the Property which shall run with the land and be binding upon the Grantor, and shall remain in full force and effect forever.

The scope, nature and character of this conservation easement shall be as follows:

1. **Purpose.** The purpose of this conservation easement is to limit the Grantor's use of riparian rights to construct and operate any docks, piers or other structures on the state-owned submerged lands in excess of the maximum slip and preempted area limits as allowed by subparagraphs 18-21.004(4)(b)1. and 2., F.A.C., and as authorized by the Board of Trustees Sovereignty Submerged Land Lease #560010408 between the Board of Trustees as lessor and La Entrada Del Mar Association, Inc. as the lessee and any future modifications.

RECEIVED

JAN 08 2013

TITLE & LAND RECORDS
SURVEY & MAPPING

RECEIVED

DEC 17 2012

FL DEP
WEST PALM BEACH

2. Rights of the BOARD OF TRUSTEES. To carry out this purpose, the following rights are conveyed to the BOARD OF TRUSTEES by this easement:

a. The right to prevent any activity on or use of the Property that is inconsistent with the purpose of this conservation easement;

b. The right to access, enter upon, and inspect the Property in a reasonable manner and at reasonable times to determine if Grantor is complying with the covenants and prohibitions contained in this conservation easement; and

c. The right to enforce this conservation easement by injunction or proceed at law or in equity to enforce the provisions of this conservation easement and the covenants set forth herein, to prevent the occurrence of any of the prohibited activities hereinafter set forth, and the right to require Grantor to restore such areas or features of the Property that may be damaged by any inconsistent activity or use.

3. Prohibited Uses. This conservation easement prohibits the construction and operation of any docks, piers, or other structures that would originate from or cross the easement and extend onto state-owned submerged land in excess of the maximum slip and preempted area limits as authorized by the Board of Trustees Sovereignty Submerged Land Lease #56010408 between the Board of Trustees as lessor and La Entrada Del Mar Association, Inc. as the lessee and any future modifications. Nothing herein shall preclude modification within the lease area if the modification does not change the use, does not increase the preempted area, and is otherwise consistent with the conditions of the lease. Any activity on or use of the Property inconsistent with the purpose of this conservation easement also is expressly prohibited.

4. Riparian Rights. This conservation easement shall not affect the Grantor's rights to reasonable ingress and egress from the property by means other than as restricted by this conservation easement.

5. Reserved Rights. Grantor reserves to itself all rights as owner of the Property, including the right to engage in uses of the Property that are not prohibited herein, nor inconsistent with the intent and purposes of this conservation easement.

6. Public Access. No right of access by the general public to any portion of the Property is conveyed by this conservation easement.

7. Responsibilities of Parties. Grantor shall take responsibility for any costs or liabilities related to the operation, upkeep or maintenance of the Property. In addition, the BOARD OF TRUSTEES and shall have no responsibility for any costs or liabilities related to the operation, upkeep or maintenance of the Property.

8. Taxes. Grantor shall pay before delinquency any and all taxes, assessments, fees, and charges of whatever description levied on or assessed by competent authority on the Property, and shall furnish the BOARD OF TRUSTEES with satisfactory evidence of payment upon request.

9. Liability. Grantor shall be responsible for any and all liability, loss, damage, expense, judgment or claim (including a claim for attorney fees) arising out of any negligent or willful action or activity resulting from the Grantor's use and ownership of or activities on the Property, the use by or activities of Grantor's agents, guests, lessees or invitees on the Property, or the use by or activities of third parties on the Property, and shall indemnify and hold the Department harmless

from same. Neither Grantor nor any person or entity claiming by or through Grantor shall hold the BOARD OF TRUSTEES liable for any damage or injury to person or personal property which may occur on the Property. Furthermore, the Grantor shall indemnify and hold harmless the BOARD OF TRUSTEES for all liability, any injury or damage to the person or property of third parties which may occur on the Property.

10. Hazardous Waste. Grantor covenants and represents that to the best of Grantor's knowledge no hazardous substance or toxic waste exists nor has been generated, treated, stored, used, disposed of, or deposited in or on the Property, and that there are not now any underground storage tanks located on the Property. Grantor further indemnifies the BOARD OF TRUSTEES for any and all liability arising from any subsequent placement or discovery of hazardous or toxic material on the property. In the event such material is discovered, Grantor shall be responsible for bringing the Property into compliance with all environmental laws related to hazardous substances and toxic wastes.

11. Enforcement Discretion. Enforcement of the terms, provisions and restrictions of this conservation easement shall be at the reasonable discretion of the BOARD OF TRUSTEES, and any forbearance on behalf of the BOARD OF TRUSTEES to exercise its rights hereunder in the event of any breach by Grantor, shall not be deemed or construed to be a waiver of BOARD OF TRUSTEES' rights.

12. Enforcement Costs. If the BOARD OF TRUSTEES prevails in an enforcement action, it shall be entitled to recover costs, including expert witness fees, as well as the reasonable cost of removing any authorized structures from the Property. These remedies are in addition to any other remedy, fine or penalty which may be applicable under Chapter 253, Florida Statute, or at law or in equity.

13. Assignment of Rights. BOARD OF TRUSTEES will hold this conservation easement exclusively for conservation purposes. BOARD OF TRUSTEES will not assign its rights and obligations under this conservation easement except to another organization qualified to hold such interests under applicable state laws.

14. Recording in Land Records. Grantor shall record this conservation easement and any amendments hereto in a timely fashion in the Official Records of St. Lucie County, Florida. Grantor shall pay all recording costs and taxes necessary to record this conservation easement in the public records.

15. Successors. The covenants, terms, conditions and restrictions of this conservation easement shall be binding upon, and inure to the benefit of the parties hereto and their respective personal representatives, heirs, successors and assigns and shall continue as a servitude running in perpetuity with the Property.

16. Notices. All notices, consents, approvals or other communications hereunder shall be in writing and shall be deemed properly given if sent by United States certified mail, return receipt requested, addressed to the appropriate party or successor-in-interest.

17. Subsequent Deeds. Grantor shall reference the conservation easement by Official Records book and page in any subsequent deed or other legal instrument by which Grantor divests itself of any interest in the Property. Grantor further agrees to give written notice to the BOARD OF TRUSTEES of the transfer of any interest at least twenty days prior to the date of

such transfer. The failure of Grantor to perform any act required by this paragraph shall not impair the validity of this conservation easement or limit its enforceability in any way.

18. Severability. If any provision of this conservation easement or the application thereof to any person or circumstances is found to be invalid, the remainder of the provisions of this conservation easement shall not be affected thereby, as long as the purpose of the conservation easement is preserved.

19. Alteration or Revocation. This conservation easement may be amended or modified only by written agreement between the parties hereto, which modification shall be filed in the public records in St. Lucie County. Further, this Conservation Easement may be released, in whole or in part, by the Department at any time and upon prior notice if such notice is required by other provisions of this Conservation Easement.

20. Controlling Law. The interpretation and performance of this conservation easement shall be governed by the laws of the State of Florida.

TO HAVE AND TO HOLD unto the BOARD OF TRUSTEES forever. The covenants, terms, conditions, restrictions and purpose imposed with this conservation easement shall be binding upon Grantor, and shall continue as a servitude running in perpetuity with the Property.

Grantor hereby covenants with said BOARD OF TRUSTEES that Grantor is lawfully seized of said Property in fee simple; that the Property is free and clear of all encumbrances that are inconsistent with the terms of this conservation easement and all mortgages have been joined or subordinated; that Grantor has good right and lawful authority to convey this conservation easement; and that it hereby fully warrants and defends the title to the conservation easement hereby conveyed against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has executed this Conservation Easement on the day and year first above written.

Signed, sealed and delivered
in our presence as witnesses:

Terry G. Lawrence

Elaine Benson
Signature of Witness

By: Terry G. Lawrence
Print Name:

Elaine Benson
Printed/Typed Name

Title: PRESIDENT (WINTER)

[Signature]
Signature of Witness

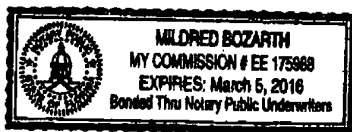
Bob Chambers
Printed/Typed Name

STATE OF FLORIDA
COUNTY OF ST. LUCIE COUNTY

The foregoing instrument was acknowledged before me this 13 day of DEC., 2012, by MILIE BOZARTH as SECY/TREASURER of the (corporation's name) LA ENTRADA DEL MAR CONDO. He/she is personally known to me or has produced PERSONALLY KNOWN as identification.

(SEAL)

Mildred Bozarth
Notary Public Signature



MILDRED BOZARTH
Printed/Typed Name of Notary

Commission No. EE 175968
Commission Expires 3-5-16

LEGAL DESCRIPTION

A PORTION OF SECTION 36, TOWNSHIP 34 SOUTH, RANGE 40 EAST, LYING ON THE FT. PIERCE INLET OF THE INDIAN RIVER, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 29 IN BLOCK 16 OF SUBDIVISION ENTITLED FORT PIERCE BEACH SUBDIVISION AS RECORDED IN PLAT BOOK 8 AT PAGE 29 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE N17°03'21"W ALONG THE WEST LINE OF SAID LOT 29, A DISTANCE OF 270.87 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL;


THENCE NORTH 17°03'21" WEST, A DISTANCE OF 5.74 FEET; THENCE NORTH 25°23'07" WEST, A DISTANCE OF 4.46 FEET TO THE MEAN HIGH WATER LINE; THENCE ALONG SAID MEAN HIGH WATER LINE THE FOLLOWING 8 COURSES AND DISTANCES; THENCE NORTH 58°37'17" EAST, A DISTANCE OF 74.95 FEET; THENCE NORTH 52°24'56" EAST, A DISTANCE OF 35.07 FEET; THENCE NORTH 54°33'42" EAST, A DISTANCE OF 50.06 FEET; THENCE NORTH 64°20'20" EAST, A DISTANCE OF 31.44 FEET; THENCE NORTH 66°34'34" EAST, A DISTANCE OF 31.45 FEET; THENCE NORTH 75°49'48" EAST, A DISTANCE OF 32.25 FEET; THENCE NORTH 66°54'07" EAST, A DISTANCE OF 34.35 FEET; THENCE NORTH 54°09'52" EAST, A DISTANCE OF 23.06 FEET TO A RIPARIAN LINE; THENCE SOUTH 25°23'07" EAST, ALONG SAID RIPARIAN LINE, A DISTANCE OF 10.17 FEET; THENCE SOUTH 54°09'52" WEST, A DISTANCE OF 22.33 FEET; THENCE SOUTH 66°54'07" WEST, A DISTANCE OF 36.24 FEET; THENCE SOUTH 75°49'48" WEST, A DISTANCE OF 32.22 FEET; THENCE SOUTH 66°34'34" WEST, A DISTANCE OF 30.45 FEET; THENCE SOUTH 64°20'20" WEST, A DISTANCE OF 30.39 FEET; THENCE SOUTH 54°33'42" WEST, A DISTANCE OF 49.02 FEET; THENCE SOUTH 52°24'56" WEST, A DISTANCE OF 35.43 FEET; THENCE SOUTH 58°37'17" WEST, A DISTANCE OF 77.37 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,129 SQUARE FEET, MORE OR LESS. .07 ACRES

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY AND/OR EASEMENTS OF RECORD.

CERTIFIED TO THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA


MICHAEL T. KOLODZIEJCZYK
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA REGISTRATION NO. 3864

11/13/2012
DATE OF SIGNATURE

REVISION: ADDED NOTE GLM 11-13-12

Sheet 1 of 2

DESCRIPTION OF EASEMENT

File: 06-345 s&d
easement.dwg

Date: 5-23-2012

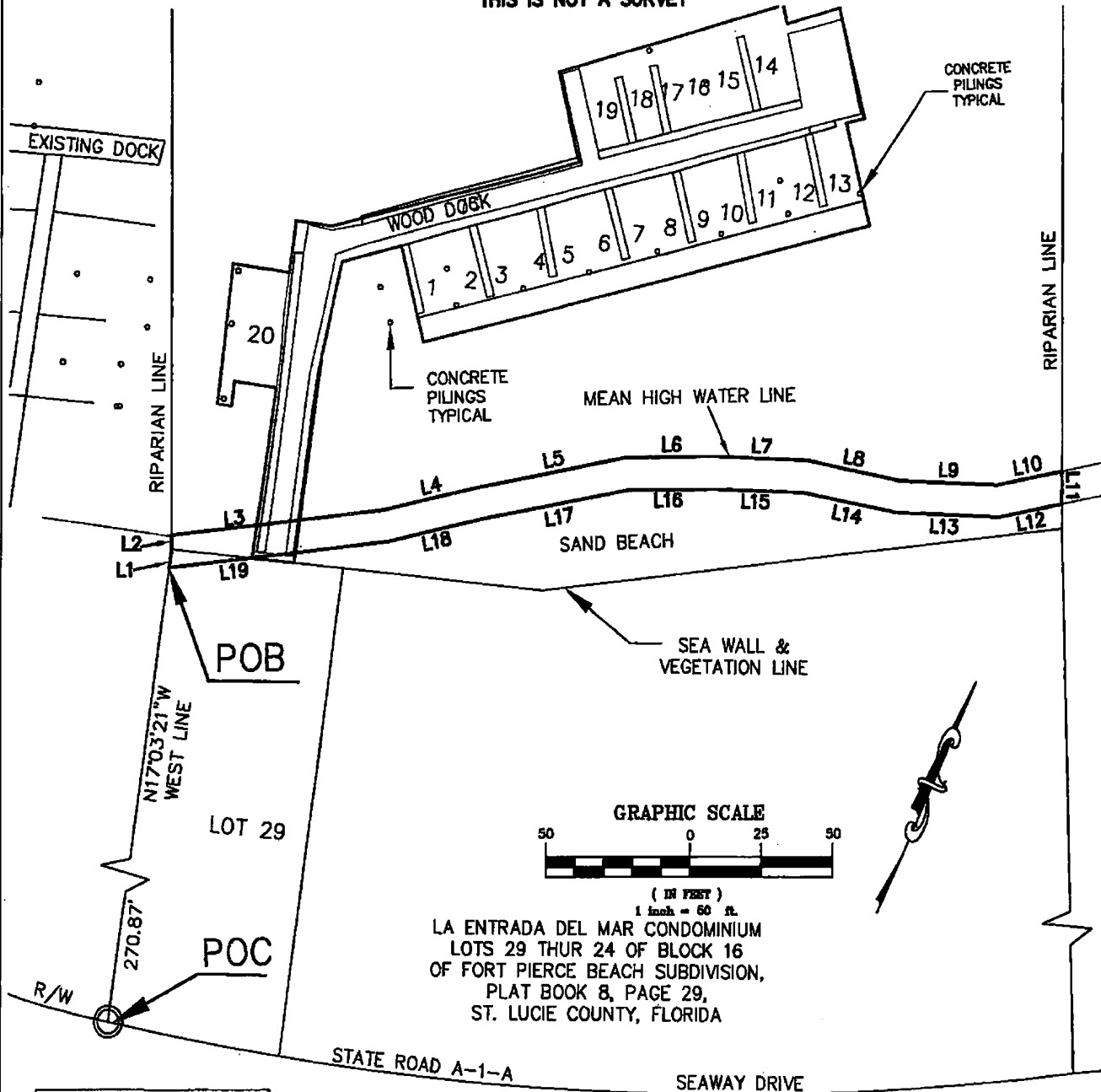
Tech: GLM



CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS | LAND SURVEYORS
2980 SOUTH 25th STREET • FORT PIERCE, FLORIDA 34981
PHONE 772-464-3537 • FAX 772-464-9497 • www.ct-eng.com
151 SW FLAGLER AVENUE • STUART, FLORIDA 34994
PHONE 772-220-3376 • FAX 772-464-9497 • www.ct-eng.com
STATE OF FLORIDA CERTIFICATION No. 13 4286

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

THIS IS NOT A SURVEY



LINE TABLE		
LINE	LENGTH	BEARING
L1	5.74	N17°03'21"W
L2	4.46	N25°23'07"W
L3	74.95	N58°37'17"E
L4	35.07	N52°24'56"E
L5	50.06	N54°33'42"E
L6	31.44	N64°20'20"E
L7	31.45	N66°34'34"E
L8	32.25	N75°49'48"E
L9	34.35	N66°54'07"E

L10	23.06	N54°09'52"E
L11	10.17	S25°23'07"E
L12	22.33	S54°09'52"W
L13	36.24	S66°54'07"W
L14	32.22	S75°49'48"W
L15	30.45	S66°34'34"W
L16	30.39	S64°20'20"W
L17	49.02	S54°33'42"W
L18	35.43	S52°24'56"W
L19	77.37	S58°37'17"W

POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
PLS = PROFESSIONAL LAND SURVEYOR
R/W = RIGHT-OF-WAY

BEARINGS SHOWN HEREON ARE RELATIVE TO THE
WEST LINE OF LOT 29 HAVING A BEARING OF
N17°03'21"W

Sheet 2 of 2

SKETCH OF DESCRIPTION

OF
EASEMENT

File: 06-345 s&d
easement.dwg

Date: 5-23-2012

Tech: GLM



CULPEPPER & TERPENING, INC

CONSULTING ENGINEERS | LAND SURVEYORS

2980 SOUTH 25th STREET • FORT PIERCE, FLORIDA 34981

PHONE 772-464-3537 • FAX 772-464-9497 • www.ct-eng.com

151 SW FLAGLER AVENUE • STUART, FLORIDA 34994

PHONE 772-220-3376 • FAX 772-464-9497 • www.ct-eng.com

STATE OF FLORIDA CERTIFICATION No. 17,426