



FLORIDA DEPARTMENT OF Environmental Protection

Southeast District Branch Office
2796 Overseas Highway, Suite 221
Marathon, FL 33050
Southeast.District@floridadep.gov

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

October 7, 2022

Mr. Steven McAlearney
Port and Marina Services Director
City of Key West
201 William St
Key West, FL 33040
smcalearney@cityofkeywest-fl.gov

Re: Monroe County - ERP
BOT No. 440360555
Site No. 406657 / Project No. 398121
Key West Bight – Class III Waters
City of Key West - Bar Pilot Vessel Mooring Area
Parcel No. 0072082-002800 - 700 Front Street, Key West, 33041

Dear Mr. McAlearney:

Enclosed is the fully executed Temporary Use Agreement Addendum to provide the City of Key West with continued temporary authorization for the existing structures and activities on state-owned submerged lands at the City of Key West Bar Pilot Vessel Mooring Area. The Temporary Use Agreement Addendum is effective through February 18, 2023.

If you have any questions regarding this matter, please contact McKenzie Fraley by phone at (305) 289-7079, or by e-mail at Mckenzie.Fraley@FloridaDEP.gov.

Thank you for your continued cooperation in this matter.

Sincerely,

A blue ink signature of Jason Andreotta, written in a cursive style.

Jason Andreotta
Director of District Management
Southeast District Office

Enclosure: Temporary Use Agreement Addendum

cc: Baron W. Smith, Esq., Smith/Hawks Attorneys at Law, bart@smithhawks.com

TEMPORARY USE AGREEMENT ADDENDUM
BOT # 440360555

This Temporary Use Agreement Addendum (hereinafter referred to as "Addendum") is entered into this 7th day of October, 2022, and between the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (hereinafter referred to as the "Board") and the City of Key West, a Florida Municipal Corporation, (hereinafter referred to as the "Applicant"), and is hereby made a part of the Temporary Use Agreement previously entered on August 18, 2021 by and between the Board and the Applicant.

Whereas, the Temporary Use Agreement expires on August 18, 2022, and the Applicant needs additional time to complete the application for a sovereignty, submerged lands lease for the structures and activities shown on Exhibit A attached hereto.

The parties hereto, then, agree as follows:

1. The parties hereby agree to extend and continue the Temporary Use Agreement for an additional 6-month term, commencing on August 18, 2022, and expiring on February 18, 2023, or the date of execution of a sovereignty submerged lands lease between the Board and the Applicant, whichever occurs first.
2. Except as specifically amended by the provisions of this Addendum, all of the terms and provisions of the Temporary Use Agreement shall remain unchanged and in full force and effect and the same are hereby ratified, approved and confirmed by the parties hereto.
3. The terms and conditions of this Addendum shall be binding upon and inure to the benefit of the parties hereto and their representatives, heirs, personal representatives, successors and assigns.

Executed on the date first written above.

CITY OF KEY WEST

By: 

Original Signature


Printed/Typed Name


Title

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

By: 

Jason Andreotta
Director of District Management,
Department of Environmental Protection, as
agent for and on behalf of the Board of
Trustees of the Internal Improvement Trust
Fund of the State of Florida

