



Florida Department of Environmental Protection

South District Branch Office
2796 Overseas Highway, Suite 221
Marathon, FL 33050

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

VIA ELECTRONIC MAIL

Permittee/Authorized Entity:
Conch Harbor Retail Center LLC
951 Caroline Street
Key West, FL 33040
ginamkennedy@hotmail.com

Dock reconfiguration

Authorized Agent:
Philip A. Frank, Ph.D.
Terramar Environmental Services, Inc.
1241 Crane Boulevard
Sugarloaf Key, FL 33042
terramar@bellsouth.net

**Environmental Resource Permit
State-owned Submerged Lands Authorization -Granted if applicable**

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

Permit No.: 44-0306205-002

**Permit Issuance Date: August 28, 2012
Permit Construction Phase Expiration Date: August 28, 2017**

Environmental Resource Permit

Permittee: Conch Harbor Retail Center LLC

Permit No: 44-0306205-002

PROJECT LOCATION

The activities authorized by this Permit are located at the Conch Harbor Marina, 951 Caroline Street, Key West, Florida, in Section 31, Township 67 South, Range 25 East, Monroe County; RE#00002970-000000, within Key West Bight, Class III Waters.

AUTHORIZATIONS

Dock reconfiguration

Project Description

The permittee is authorized to reconfigure the terminus of an existing multi-slip commercial docking facility within Key West Bight, Class III Waters, as follows:

1. Remove an existing floating dock;
2. Install a new floating dock containing 5 slips, including four (4) new permanent slips (#50-53) and one new (1) temporary fueling slip (#F-1) for a new fueling facility;
3. Reconfigure an existing, pile-supported dock by:
 - a. relocating the existing fueling facility further waterward,
 - b. relocating one (1) existing temporary fueling slip and adding one (1) new temporary fueling slip (#F-2), and
 - c. relocating an over-water two-story building containing a dockmaster's office, ships store, and bait station; and
4. Install a new finger pier containing one (1) new permanent slip (#48).

Authorized activities are depicted on the attached drawings.

To offset unavoidable impacts that will occur from these authorized activities, the permittee has made a monetary contribution of \$1,012 to the Florida Keys National Marine Sanctuary (FKNMS) Coral Nursery Program. A monetary donation to this program is used to support field-based, underwater coral nurseries within the FKNMS in Key West, Florida. Specifically, donations are utilized to directly offset costs associated with maintaining corals that have been rescued from permitted construction sites in a dockside and offshore underwater coral nursery until such time that corals can be directed to beneficial use projects, such as scientific research, education, and reef restoration at vessel grounding sites. Donations to the FKNMS Coral Nursery Program were made to the National Marine Sanctuary Foundation, a non-profit 501(c)(3) tax-exempt organization, and earmarked for the FKNMS Coral Nursery. A skilled

subcontractor, CBE Marine, LLC, manages the coral nursery facilities and is reimbursed for services by the National Marine Sanctuary Foundation's Coral Nursery Program donations. The cost associated with coral propagation and husbandry in the FKNMS Coral Nursery Program has been estimated at \$10,000 per square meter of coral (or \$1/sq. cm. coral) based on a review of coral nursery costs prepared by NOAA economists in 2006. In this case, the \$1,012 donation provides for the transplantation of 920 sq. cm. of coral (920 sq. cm. @ \$1/sq. cm. + 10% admin. fee).

The project described above may be conducted only in accordance with the terms, conditions and attachments contained in this permit. The issuance of this permit does not infer, nor guarantee, nor imply that future permits or modifications will be granted by the Department.

Sovereignty Submerged Lands Authorization

If applicable, this permit constitutes the authority sought under Section 253.77, Florida Statutes (F.S.), and Chapters 18-21, Florida Administrative Code (F.A.C.), to pursue this project.

Federal Authorization

A copy of this permit has been sent to the U.S. Army Corps of Engineers (USACE). The USACE may require a separate permit. Failure to obtain any required federal permits prior to construction could subject you to enforcement action by that agency. Specifically, this permit does not constitute any permission that may be necessary from the United States Army Corps of Engineers to encroach into the area of the perpetual right of way and spoil disposal easement (Document No. 24526).

Coastal Zone Management

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

Water Quality Certification

This permit constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

Other Authorizations

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

In addition, you are advised that your project may require additional authorizations or permits from the municipality/county in which the project is located. Please be sure to

contact the local county building and environmental department to obtain these required authorizations.

PERMIT

The activities described herein 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 commencing the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings. If you are utilizing a contractor, the contractor also should read and understand these conditions and drawings prior to commencing the authorized activities. Failure to comply with these conditions, including any mitigation requirements, shall constitute grounds for revocation of the Permit and appropriate enforcement action by the Department.

Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit/certification/authorization, as specifically described above.

SPECIFIC CONDITIONS:

1. All submittals of information required by this permit shall be submitted to the Department's Marathon office at 2796 Overseas Highway, Suite 221, Marathon, Florida 33050.
2. The permittee shall install educational signage, conspicuously placed at the new docking facility, which includes information on responsible boating practices. **Prior to construction**, the permittee shall submit a proposal for the signage content, location, and timelines for installation to the Department for review and approval. Construction shall not begin until the proposal is approved by the Department. The approved signage shall be maintained for the life of the facility.
3. The Permittee shall adhere to the attached Fuel Plan.
4. The Permittee shall adhere to the attached Construction Implementation and Sequence Plan.
5. Best management practices (primarily turbidity screens) for erosion and turbidity control shall be implemented and maintained at all times during construction and operation of the permitted activity to prevent siltation and turbid discharges in excess

of State water standards pursuant to Rule 62-302, F.A.C. The Permittee shall be responsible for ensuring that erosion and turbidity control devices and procedures are inspected and maintained daily during all phases of construction authorized by this permit until all areas that were disturbed during construction are sufficiently stabilized to prevent erosion, siltation, and turbid discharges.

6. The project shall comply with applicable State Water Quality Standards of Chapter 62-302, F.A.C., namely:

62-302.500 – Minimum Criteria for All Waters at All Times and All Places

62-302.530 – Surface Water Quality Criteria

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

8. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels shall follow routes of deep water whenever possible.

9. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers shall not impede manatee movement.

10. All on-site project personnel are responsible for observing water-related activities for the presence of manatees. All in-water operations, including vessels, shall be shutdown if a manatee comes within 50 feet of the operation. Activities shall not resume until every manatee has moved beyond the 50-foot radius of the project operation, or until 30 minutes has elapsed wherein a manatee has not reappeared within 50 feet of the operation. Animals shall not be herded away or harassed into leaving.

11. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-FWCC. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida.

12. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion

of the project. Awareness signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used. One sign measuring at least 3 ft. by 4 ft. which reads *Caution: Manatee Area* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shutdown of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. Please see the Florida Fish and Wildlife Conservation Commission website for information on how to obtain appropriate signs:

http://www.myfwc.com/docs/WildlifeHabitats/Manatee_EducationalSign.pdf

13. In the event discrepancies exist between the permit drawings and the Specific Conditions of this permit, the Specific Conditions shall prevail.

GENERAL CONDITIONS:

1. All activities authorized by this permit shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit and a violation of Part IV of Chapter 373, (F.S.).

2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by the Department staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.

3. Activities approved by this permit shall be conducted in a manner which does not cause violations of state water quality standards. The permittee shall implement best management practices for erosion and pollution control to prevent violations of state water quality standards. Temporary erosion control shall be implemented prior to and during construction and permanent control measures shall be completed within seven (7) days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into the receiving water-body exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. All practices shall be in accordance with the guidelines and specifications described in Chapter Six of the Florida Land Development Manual; A Guide to Sound Land and Water Management (Department of Environmental Regulation, 1988), unless a project-specific erosion and sediment control plan is approved as part of the permit. Thereafter, the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.

4. The permittee shall notify the Department of the anticipated construction start date within thirty (30) days of the date that this permit is issued. **At least forty-eight (48) hours prior** to commencement of the activity authorized by this permit, the permittee shall submit to the Department an “Environmental Resource Permit Construction Commencement” notice (Form No. 62-343.900(3), Florida Administrative Code (F.A.C.)) indicating the actual start date and expected completion date.

5. When the duration of construction will exceed one year, the permittee shall submit construction status reports to the Department on an annual basis utilizing an “Annual Status Report Form” (Form No. 62-343.900(4), F.A.C.). Status Report Forms shall be submitted the following June of each year.

6. **Within thirty (30) days after completion of construction** of the permitted activity, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law utilizing the supplied “Environmental Resource Permit As-Built Certification by a Registered Professional” (Form No. 62-343.900(5), F.A.C.). The Statement of completion and certification shall be based on on-site observation of construction or review of as-built drawings for the purpose of determining if the work was completed in compliance with permitted plans and specifications. This submittal shall serve to notify the Department that the system is ready for inspection. Additionally, if deviations from the approved drawings are discovered during the certification process, the certification must be accompanied by a copy of the approved permit drawings with deviations note. Both the original and revised specifications must be clearly shown. The plans must be clearly labeled as “as-built” or “record” drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor.

7. The operation phase of this permit shall not become effective; until the permittee has complied with the requirements of condition number six (6) above, has **submitted a “Request for Transfer of Environmental Resource Permit Construction Phase to Operation Phase” (Form 62-343.900(7), F.A.C.)**; the Department determines the system to be in compliance with the permitted plans and specifications; and the entity approved by the Department in accordance with Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District – August 1995, accepts responsibility for operation and maintenance of the system. The permit shall not be transferred to such approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the Department, the permittee shall initiate transfer of permit to the approved responsible operation entity if different from the permittee. Until the permit is transferred pursuant to Rule 62-343.110(1) (d), F.A.C., the permittee shall be liable for compliance with the terms of the permit.

8. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of the phase or portion of the system to a local government or other responsible entity.

9. For those systems that will be operated or maintained by an entity that will require an easement or deed restriction in order to enable that entity to operate or maintain the system in conformance with this permit, such easement or deed restriction must be recorded in the public records and submitted to the Department along with any other final operation and maintenance documents required by Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District – August 1995, prior to lot or unit sales or prior to lot or unit sales or prior to the completion of the system, whichever occurs first. Other documents concerning the establishment and authority of the operation entity must be filed with the Secretary of State where appropriate. For those systems which are proposed to be maintained by the county or municipal entities, final operation and maintenance documents must be received by the Department when maintenance and operation of the system is accepted by the local government entity. Failure to submit the appropriate final documents will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system and any other permit conditions.

10. Should any other regulatory agency require changes to the permitted system, the permittee shall notify the Department in writing of the changes prior to implementation so that a determination can be made whether a permit modification is required.

11. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 40E-4 or Chapter 40E-40, F.A.C.

12. The permittee is hereby advised that Section 253.77, F.S. states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the

permittee is responsible for obtaining any necessary authorization from the Board of Trustees prior to commencing activity on sovereignty lands or other state owned lands.

13. The permittee is advised that the rules of the South Florida Water Management District require the permittee to obtain a water use permit from the South Florida Water management District prior to construction dewatering, unless the work qualifies for a general permit pursuant to Rule 40E-20.302(4), F.A.C., also known as the "No Notice" rule.

14. The permittee shall hold and save the Department harmless from any and all damages, claims or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any system authorized by this permit.

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 Section 373.421(2). F.S., provides otherwise.

16. The permittee shall notify the Department in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of a permitted system or the real property on which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Rule 62-343.130, F.A.C. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations prior to the sale, conveyance or other transfer of the system.

17. Upon reasonable notice to the permittee, Department authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.

18. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the appropriate Department office.

19. The permittee shall immediately notify the Department in writing of and previously submitted information that is later discovered to be inaccurate.

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 further order of the

Department. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice.

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 Rule 28-106.201, 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, 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; and
- (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. Also, a copy of the petition shall be mailed to the permittee 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 permittee must be filed with 21 days of receipt of this written notice. Petitions filed by any persons other than the permittee, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency

action may file a petition with 21 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of 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 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 permittee, 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 the order is filed with the Clerk of the Department.

Judicial Review

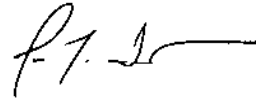
Any party to this action has the right to seek judicial review pursuant to section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, 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.

[this portion intentionally left blank]

The Notice of Appeal must be filed with 30 days from the date this action is filed with the Clerk of the Department.

Executed in Lee County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Jon M. Iglehart
District Director
South District Office

JMI/ch

Attachments:

Project Drawings, 9 pages
Fuel Plan, 2 pages
Construction Implementation and Sequence Plan, 1 page
Commencement notice /62-343.900(3)*
Annual status report/62-343.900(4)*
As-built certification/62-343.900(5)*
Inspection certification/62-343.900(6)*
Transfer construction to operation phase/ 62-343.900(7)*
Application for transfer of an ERP permit/62-343.900(8)*
*Can be downloaded at: <http://www.dep.state.fl.us/water/wetlands/erp/forms.htm>

Copies furnished to:

Permittee
DEP, Office of General Counsel (electronically)
U.S. Army Corps of Engineers, Miami (electronically)
Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section (electronically)
Florida Keys National Marine Sanctuary (electronically)
NOAA National Marine Fisheries Service (electronically)
U.S. Fish and Wildlife Service (electronically)
Monroe County Property Appraiser (electronically)
City of Key West (electronically)
U.S. Coast Guard (electronically)
Florida Department of Economic Opportunity (electronically)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this permit and authorization, including all copies, were mailed before the close of business on August 28, 2012, to the above listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date, under 120.52(7) of the
Florida Statutes, with the designated Department Clerk,
receipt of which is hereby acknowledged.

 August 28, 2012

Clerk

Date

Permittee: Conch Harbor Retail Center LLC
Permit No: 44-0306205-002
Page 12 of 12

Permit Expiration: August 28, 2017

COVER SHEET



CONCH HARBOR

951 CAROLINE STREET KEY WEST FLORIDA

FT	Florida Technical, inc
	THOMAS E CHEEVER, P.E. 114 W. DAVIS BLVD. TAMPA, FLORIDA 33606
CA# 4455 PE# 36054	813-251-5948

FLORIDA TECHNICAL, INC.,

CONSULTING ENGINEERS

THOMAS E. CHEEVER, P.E.

LIC. # PE36054

CONSULTING ARCHITECT

PETER PIKE AND ASSOCIATES

LIC. # AR0015198

471 US HIGHWAY 1, SUITE 101
KEY WEST, FL. 33040
305 296-1692

REVISED 08-15-12

RECEIVED

AUG 24 2012

D.E.P. Marathon

PROJECT LOCATION

KEY WEST, FLORIDA



PETER PIKE & ASSOCIATES

471 US HIGHWAY #1 UNIT 101
KEY WEST FLORIDA 33040

PROJECT:

CONCH HARBOR

DOCK RECONFIGURATION FOR:
951 CAROLINE STREET KEY WEST FLORIDA

PROJECT NUMBER:
10.28
DRAWN:
CHECKED: PMP
DATE: 05-02-2011

S-1



PROJECT LOCATION



PROJECT LOCATION

951 CAROLINE STREET,
KEY WEST, FLORIDA 33040

LEGAL DESCRIPTION

SEE ATTACHMENTS

LAT. N 24' - 33' - 46.13N"
LONG. W081' - 48" - 00.33W"

OWNERSHIP DETAILS

SEE ATTACHMENTS

DIRECTIONS

SOUTH ON US HIGHWAY #1 TO CITY OF KEY WEST RIGHT TURN AT
US1 - N ROOSEVELT BLVD TO PALM AVE RIGHT OVER BRIDGE AT GARRISON BIGHT
RIGHT ON MAGARET STREET TO CAROLINE RIGHT TURN PROJECT ON LEFT

ADJOINING PROPERTY OWNERS

SEE ATTACHMENTS

PROJECT DATA

Linear feet existing:412
After Reconfiguration:611

TOTAL APPLICANT OWNED AREA -	.56ac
TOTAL AREA SERVED BY THE SYSTEM-	2.54 ac
IMPERVIOUS AREA SOUGHT FOR PERMIT .	NA
VOL. OF WATER SYS CAPABLE OF IMPOUNDING	0 ac
TOTAL AREA OF WORK OVER WETLANDS	.56 ac
TOTAL VOL. OF AREA TO BE DREDGE	0 ac
EXISTING BOAT SLIPS	4 WET
NEW BOAT SLIPS	3 WET
TOTAL RECONFIGURED BOAT SLIPS	7 WET

RECEIVED
AUG 24 2012
D.E.P. Marathon



PETER PIKE & ASSOCIATES

471 US HIGHWAY #1 UNIT 101
KEY WEST FLORIDA 33040

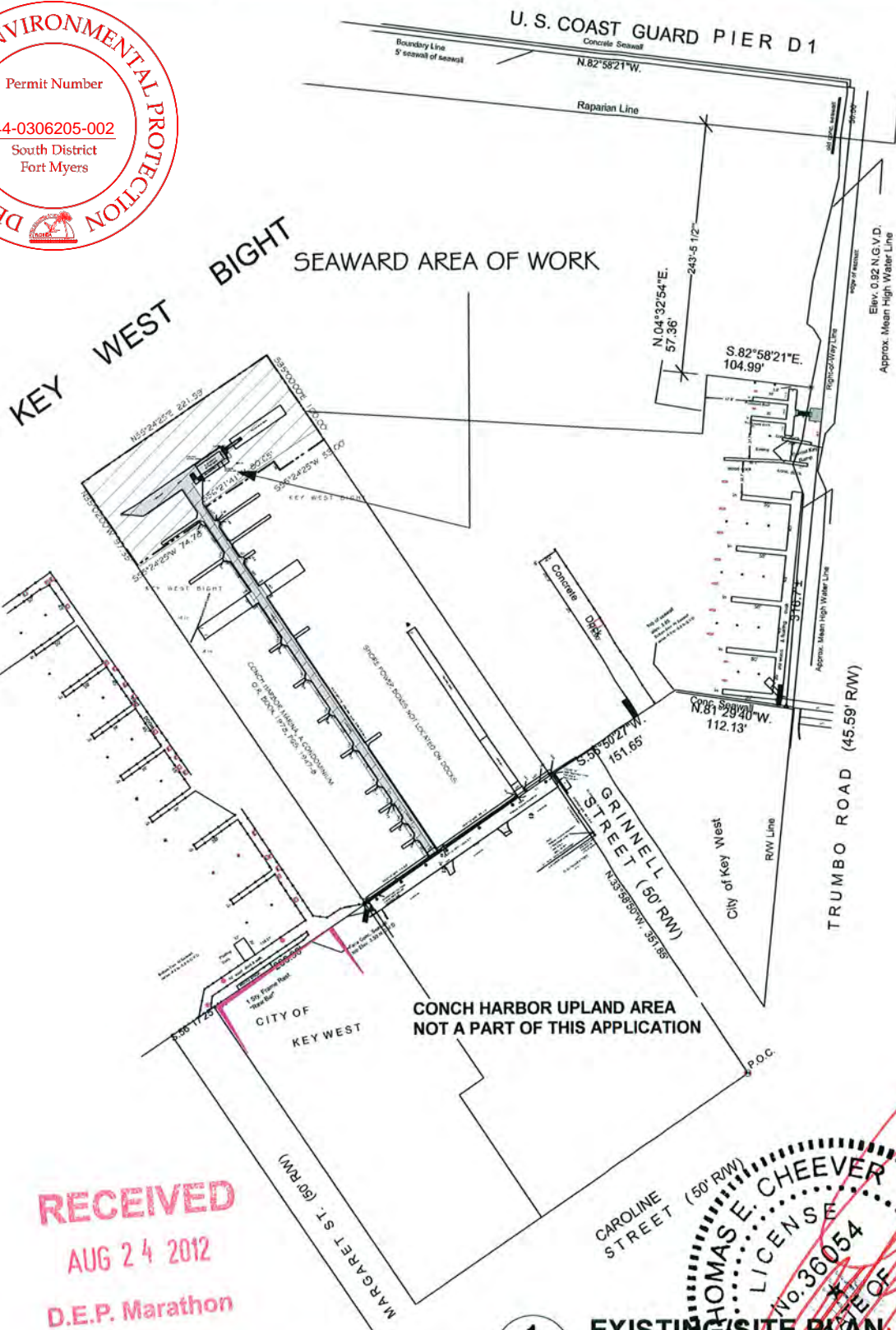
PROJECT:

CONCH HARBOR

DOCK RECONFIGURATION FOR:
951 CAROLINE STREET KEY WEST FLORIDA

PROJECT NUMBER:
10.28
DRAWN:
CHECKED: PMP
DATE: 05-02-2011

S-2



RECEIVED
AUG 24 2012
D.E.P. Marathon

SITE INFORMATION BASED
 ON SURVEY BY REECE AND WHITE
 LAND SURVEYORS INC
 DATED 03-22-11

1

EXISTING SITE PLAN
 Scale: 1:1800



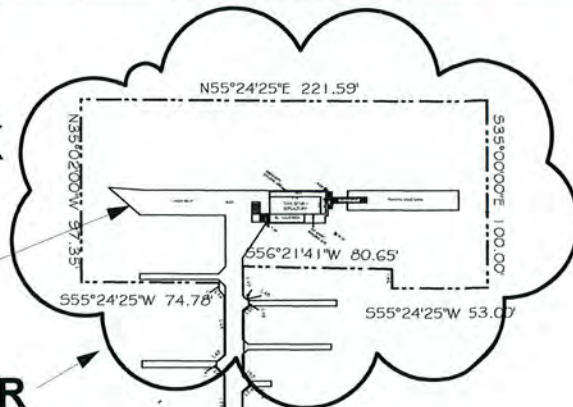
PETER PIKE & ASSOCIATES
 471 US HIGHWAY #1 UNIT 101
 KEY WEST FLORIDA 33040

PROJECT: CONCH HARBOR
 DOCK RECONFIGURATION FOR:
 951 CAROLINE STREET KEY WEST FLORIDA

PROJECT NUMBER: 10.28
 DRAWN: PMP
 CHECKED: PMP
 DATE: 05-02-2011

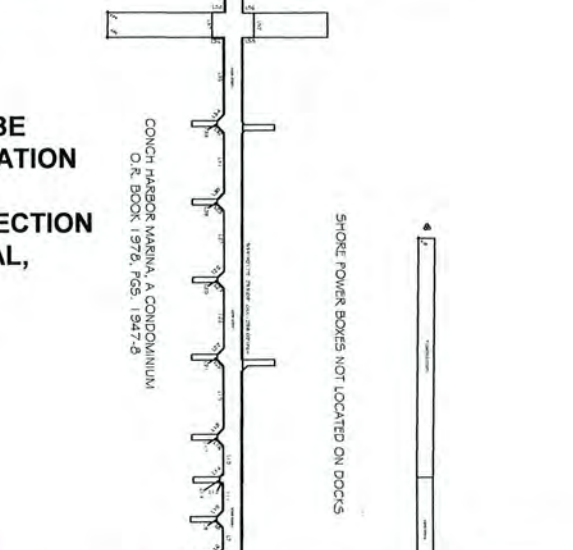
S-3

LIMITS OF WORK



TURBIDITY BARRIER
NOTES AND
SPECIFICATIONS

NOTE: ENTIRE PROJECT TO BE PROTECTED VIA IMPLEMENTATION OF A TURBIDITY BARRIER AND ENVIRONMENTAL PROTECTION PLAN AS REQUIRED BY LOCAL, STATE AND FEDERAL LAW



SEWARD AREA

CONCH HARBOR UPLAND AREA NOT A PART OF THIS APPLICATION

UPLAND AREA NOT A PART OF THIS APPLICATION

GRINNELL STREET (50' RM)

RECEIVED

AUG 24 2012

D.E.P. Marathon

SITE INFORMATION BASED ON SURVEY BY REECE AND WHITE LAND SURVEYORS INC DATED 03-22-11



1 ENLARGED EXISTING SITE PLAN
A2 Scale: 1" = 100 ft

PETER PIKE & ASSOCIATES

471 US HIGHWAY #1 UNIT 101
KEY WEST FLORIDA 33040

PROJECT:

CONCH HARBOR

DOCK RECONFIGURATION FOR:
951 CAROLINE STREET KEY WEST FLORIDA

PROJECT NUMBER: 10.28
DRAWN:
CHECKED: PMP
DATE: 05-02-2011

S-4



Permit Number

44-0306205-002

South District
Fort Myers

**NEW STRUCTURE TO
EXTEND 48.5' MAX. FROM
ORIGINAL DOCK**

OLD STRUCTURE

NEW
GRADED FINGER
PIER

**EXISTING SHOWN
IN DOTTED LINES
AND HATCHED**



RELOCATED
DOCK MASTER
AND OFFICE
16'X36'

PROPERTY LINE

DISTANCES

(A) = 48.5' distance from
existing dock

(B) = 20" distance from
proposed dock

SEE SHEET S-6

NEW
292 SQ FT GRADED
DECK

CONCH HARBOR

Riparian Line
N.33°58'50"W, 497.95'

N.33°58'50"W,
S.33°58'50"E, 497.95'

Riparian Line

431.58'

32.8'

15.6' wood

2' conc. seawall
P.O.B. Ferry

Face Conc. Seawall
top Elev. 3.50 N.G.V.D.

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1
A2

PROPOSED NEW SITE PLAN

Scale: 1:900



PETER PIKE & ASSOCIATES

471 US HIGHWAY #1 UNIT 101
KEY WEST FLORIDA 33040

PROJECT:

CONCH HARBOR

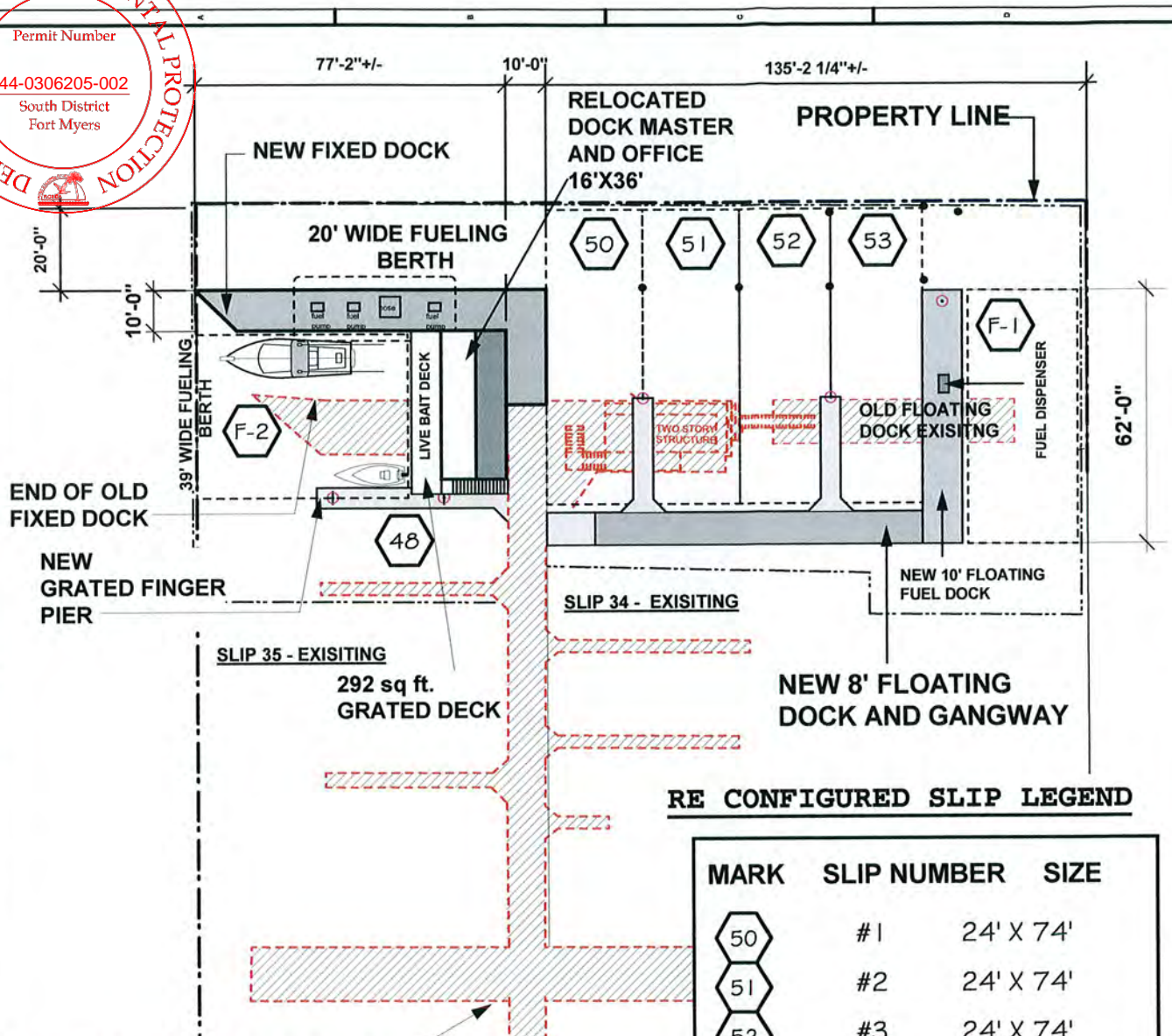
DOCK RECONFIGURATION FOR:
951 CAROLINE STREET KEY WEST FLORIDA

PROJECT NUMBER:
10.28
DRAWN:
CHECKED: PMP
DATE: 05-02-2011

S-5



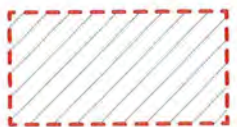
Permit Number
 44-0306205-002
 South District
 Fort Myers



RE CONFIGURED SLIP LEGEND

MARK	SLIP NUMBER	SIZE
50	#1	24' X 74'
51	#2	24' X 74'
52	#3	24' X 74'
53	#4	24' X 74'
F-1	#5	29' X 62'
F-2	#6	39' X 77'
48	#7	22.5' X 77'

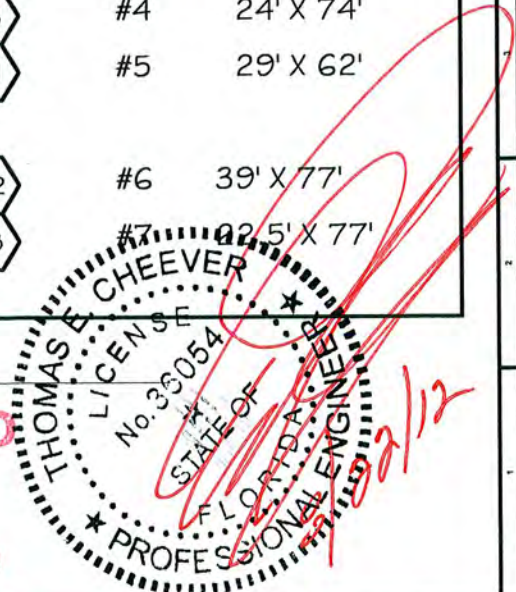
**EXISTING SHOWN
 IN DOTTED LINES
 AND HATCHED**



1 PROPOSED NEW DOCK PLAN
A2 Scale: 1" = 40 ft

SITE INFORMATION BASED
 ON SURVEY BY REECE AND WHITE
 LAND SURVEYORS INC
 DATED 03-22-11

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 AUG 24 2012
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PETER PIKE & ASSOCIATES
 471 US HIGHWAY #1 UNIT 101
 KEY WEST FLORIDA 33040

PROJECT: CONCH HARBOR
 DOCK RECONFIGURATION FOR:
 951 CAROLINE STREET KEY WEST FLORIDA

PROJECT NUMBER:
 10.28
 DRAWN:
 CHECKED: PMP
 DATE: 05-02-2011

S-6



Permit Number
44-0306205-002
South District
Fort Myers



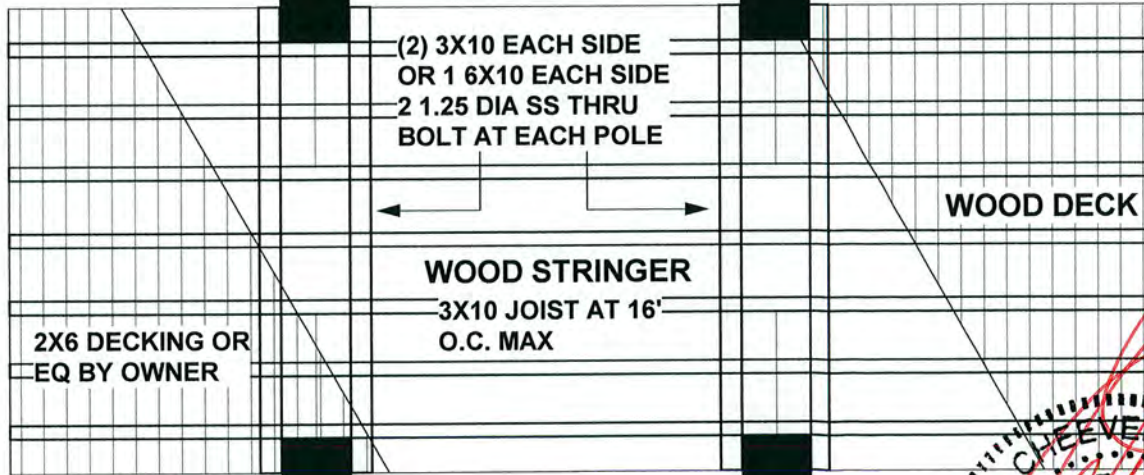
PILES AT 10' O.C. MAX

NEW
GRADED FINGER
PIER

292 sq. ft.
GRADED DECK

INDICATES 18X18 PRESTRESSED
CONCRETE PILE

18" PRESTRESSED CONC PILE
TYP. SEE STRUCTURAL



(2) 3X10 EACH SIDE
OR 1 6X10 EACH SIDE
2 1.25 DIA SS THRU
BOLT AT EACH POLE

WOOD DECK

WOOD STRINGER

3X10 JOIST AT 16'
O.C. MAX

2X6 DECKING OR
EQ BY OWNER

10'-0" TYP

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PROPOSED RE-CONFIGURED DOCK PLAN

Scale: 1/4" = 1'-0"



PETER PIKE & ASSOCIATES

471 US HIGHWAY #1 UNIT 101
KEY WEST FLORIDA 33040

PROJECT:

CONCH HARBOR

DOCK RECONFIGURATION FOR:
951 CAROLINE STREET KEY WEST FLORIDA

Project Number: 10.28
DRAWN:
CHECKED: PMP
DATE: 05-02-2011

S-7



Permit Number

44-0306205-002

South District
Fort Myers

2X6 DECKING OR
EQ BY OWNER

6'-0"
MATCH EXISTING

10'-0"

TYP. NOT TO EXCEED

PVC WRAPPED WOOD/
CONCRETE OR FIBERGLASS
POLE PER STRUCTURAL
PERMIT DOCS.

MATCH EXISTING 4.0'
TO 5.0' F.V.

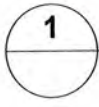
3X10 JOIST AT 16'
O.C. MAX

4'-0"

MEAN HIGH WATER LINE
0.0' BENCHMARK

(2) 3X10 EACH SIDE
OR 1 6X10 EACH SIDE
2 1.25 DIA SS THRU
BOLT AT EACH POLE

EXISTING BOTTOM
VARIES



PROPOSED NEW DOCK SECTION

Scale: 1/4" = 1'-0"

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PETER PIKE & ASSOCIATES
471 US HIGHWAY #1 UNIT 101
KEY WEST FLORIDA 33040

PROJECT: **CONCH HARBOR**
DOCK RECONFIGURATION FOR:
951 CAROLINE STREET KEY WEST FLORIDA

PROJECT NUMBER: 10.28
DRAWN: PMP
CHECKED: PMP
DATE: 05-02-2011

S-8



ENVIRONMENTAL NOTES AND SPECIFICATIONS

Environmental Notes:

1. The Contractor shall review environmental requirements of any proposed staging areas with the City of Key West Engineer at least seventy-two (72) hours prior to use.
2. Any material to be stockpiled for periods greater than 24 hours shall be protected by appropriate erosion control devices. Cost to be included in the related summary of estimated quantities item.
3. This project is adjacent to waters of the Gulf of Mexico which is part of the Florida Keys National Marine Sanctuary and are designated as Outstanding Florida Waters (OFW). No degradation of water quality, increased turbidity of the water, and/or the discharge of any foreign material into the water shall be permitted. Turbidity shall not exceed 0 NTUs above background outside the turbidity controls.
4. The following Federally and State endangered and threatened listed animal species could inhabit or migrate through the construction area: Smalltooth Sawfish. The Contractor shall comply with all Federal and State requirements regarding endangering and threatened species and State listed species of special concern. Should these species be encountered, the Contractor shall contact the District Environmental Management Office at (305) 470-5220 within 24 hours of each encounter.
5. West Indian Manatees/Marine Turtles, a Federal and State listed endangered species, may migrate through the project area. The Contractor shall post temporary sign(s) in a location prominently visible to water-related construction crews, measuring at least 3 by 4 feet that reads CAUTION: MANATEE/MARINE TURTLE HABITAT for the duration of the project. If vessels or other equipment operating in or over the water are associated with the construction, signage shall also be displayed next to the controls on all construction-related vessels and equipment, measure at least 8.5 by 11 inches, and read CAUTION: MANATEE/MARINE TURTLE HABITAT. The Contractor is responsible for providing a designated, trained manatee/marine turtle observer during all water-related activities. The cost of all items required for the monitoring and protection of Manatees/Marine Turtles, such as, but not limited to manatee/marine turtle signs, observers, polarized glasses, and binoculars, shall be included in the related summary of quantities item.

General Comments/Notes to Designer:

Based on a desktop review of DERM and FDEP GIS layers, there are (2) facilities with known contamination within a 300-ft buffer of the project (see list below). Due to the scope of this project and the location of the facility, a more detailed Phase I (Level I) Environmental Site Assessment (ESA) is not necessary at this time. Should the project limits or the scope of work change, a Phase I (Level I) ESA and subsequent Phase II (Level II) ESA may be necessary. Please include the attached notes addressing unidentified areas of contamination during construction in the contract plans.

LIST OF KNOWN AND POTENTIAL CONTAMINATED SITES

1. Key West Bight Terminal, 201 Grinnell St, FDEP #9802172
2. Conch Harbor Marina, 951 Caroline St, FDEP #8735043

Based on a desktop review using the ETDM Environmental Screening Tool, there is one (1) historic resource within 300 feet of the proposed dock extension: Key West Bight Dump (MO03446). Due to the location of this resource from the proposed dock extension (220 feet), cultural coordination is not necessary at this time. Please note that this resource has not been evaluated by SHPO for listing in the National Register of Historic Places (NRHP).

UNIDENTIFIED AREAS OF CONTAMINATION

When encountering or exposing any abnormal condition indicating the presence of a hazardous or toxic waste, or contaminants, cease operations immediately in the vicinity and notify the City of Key West Engineer. The presence of tanks or barrels; discolored earth, metal, wood, ground water, etc.; visible fumes; abnormal odors; excessively hot earth; smoke; or other conditions that appear abnormal may indicate hazardous or toxic wastes or contaminants and must be treated with extreme caution.

Make every effort to minimize the spread of contamination into uncontaminated areas. Immediately provide for the health and safety of all workers at the job site and make provisions necessary for the health and safety of the public that may be exposed to any potentially hazardous conditions. Provisions shall meet all applicable local, State, and Federal laws, rules, regulations or codes covering hazardous conditions and will be in a manner commensurate with the gravity of the conditions.

The City of Key West Engineer and/or Prime Contractor will coordinate and mobilize a qualified Contamination Assessment/Remediation (CAR) Contractor. Qualifications of such CAR Contractor shall include: experience and personnel to prepare contamination assessment plans, conduct contamination assessments, prepare site assessment reports, implement remedial action plans, risk based corrective actions or any other type of environmental assessment or remedial activities as necessary.

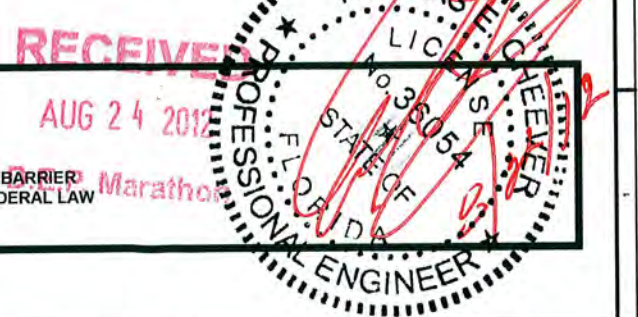
All the work performed by the CAR Contractor shall be performed in compliance with all applicable local, state and federal regulations governing worker safety and environmental regulations. This is to include occupational exposure to contaminated soils, groundwater, wastes and atmosphere during the construction of all features included in the construction plans. In addition, the CAR Contractor must be staffed with Florida licensed technical professionals (geologists and engineers) who will be involved with the project and knowledgeable of the work activities conducted within the identified contaminated areas and who would sign and seal project reports as required for submittal to the appropriate environmental regulatory agencies.

The City of Key West Engineer will immediately notify the Florida Department of Transportation (FDOT) District VI Contamination Impact Coordinator (DCIC) at (305) 470-5228 after encountering the unidentified areas of contamination. Preliminary investigation by the CAR Contractor will determine the course of action necessary for site security and the steps necessary under applicable laws, rules, and regulations for additional assessment and/or remediation work to resolve the contamination issue.

Following completion of the project, the CAR Contractor shall be required to provide copies of all reports submitted to regulatory agencies, waste material profiles, manifests and/or disposal receipts for the handling of all contaminated media including but not limited to ground water, waste water, soils, solid wastes, sludge, hazardous wastes, air monitoring records and sample results for all materials tested and analyzed to the City of Key West Engineer and the FDOT DCIC.

TURBIDITY BARRIER NOTES AND SPECIFICATIONS

NOTE: ENTIRE PROJECT TO BE PROTECTED VIA IMPLEMENTATION OF A TURBIDITY BARRIER AND ENVIRONMENTAL PROTECTION PLAN AS REQUIRED BY LOCAL, STATE AND FEDERAL LAW



PETER PIKE & ASSOCIATES
471 US HIGHWAY #1 UNIT 101
KEY WEST FLORIDA 33040

PROJECT: CONCH HARBOR
DOCK RECONFIGURATION FOR:
951 CAROLINE STREET KEY WEST FLORIDA

PROJECT NUMBER: 10.28
DRAWN:
CHECKED: PMP
DATE: 05-02-2011
S-9



Petroleum Marine Consultants, LLC
13833 Wellington Trace E4 #207
Wellington, Florida 33414
Tel (561) 422-9018
Fax (561) 422-9019
www.petroleummarine.com
May 24, 2011

Conch Harbor Marina
951 Caroline Street
Key West, Florida 33040
Attention: Gina Kennedy

Subject: Fuel Implementation with new Dock

Goal: To safely provide fueling at the new fixed pier with minimal interruption of the ongoing fuel operations

- A. Obtain Copy of existing approved SPCC plan for Conch Harbor Marina
- B. Familiarize project management with all aspects and keep a copy of SPCC plan on jobsite
- C. Perform preconstruction meeting with DEP and Conch Harbor Marina Management to assure all safety procedures are in place
- D. Conch Harbor to supply absorbent boom and bundles of absorbent pads

Scope of work

- 1. Install boom under fuel dock, moving boom to each area during piping disconnection and removal
- 2. Provide a full bundle of pads within boat and on dock at each disconnection point
- 3. Lock out/ Tag out fuel pump for each product that is scheduled to be disconnected
- 4. Remove check valve at tank field
- 5. Connect Flex hose with shutoff valve at dispenser impact valves
- 6. Purge product from fuel lines using nitrogen.

- 7. Disconnect each fuel line independently within onshore transition containment sump.
- 8. Proceed to disconnect and cut fuel lines in 10ft sections.
- 9. Remove fuel lines and cut into 5 ft sections.
- 10. Properly dispose of pipe and fittings

Phase I - New 50 ft Fixed Pier

Note Phase I work will be completed while existing facility is still operating
Provide and install corrosion resistant hangers
Provide and install dispenser sumps w/ all hardware
Provide and install new two (2) diesel double wall piping and fittings
Provide and install one (1) gasoline double wall fuel piping and fittings.
Perform air test
Obtain inspections
Provide and install electrical conduits fittings and wiring
Provide and install new dispensers as per previous proposal
Provide all mechanical and electrical connections required for a working fuel system

Phase II

Purge diesel double wall piping on existing pier
Remove and properly dispose of diesel piping
Provide and install new two (2) diesel double wall piping.
Connect new diesel fuel line within existing onshore transition sump to Ball Valve
Connect new diesel fuel line with Phase I new diesel fuel line on new 50ft pier.
Perform air test
Obtain inspection
Purge air and obtain fuel at nozzle
Perform startup and calibration.

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Petroleum Marine Consultants, LLC
13833 Wellington Trace E4 #207
Wellington, Florida 33414
Tel (561) 422-9018
Fax (561) 422-9019
www.petroleummarine.com

Phase II A

Purge one (1) gasoline double wall piping on existing pier
Remove and properly dispose of one (1) gasoline piping
Provide and install new one (1) diesel double wall piping.
Connect new gasoline fuel line within existing onshore transition sump to Ball Valve
Connect new gasoline fuel line with Phase I new 3" gasoline fuel line on new 50ft pier.
Perform air test
Obtain inspection
Purge air and obtain fuel at nozzle
Perform startup and calibration.

Paul J Doyle
CEO
www.petroleummarine.com

Affiliations:

Texaco Council
The Association of Marina Industries
Marine Industries Association of South Florida
The Marine Industries Association of the Palm Beaches
The Florida Marine Contractors Association, Inc
Chairman; **Petroleum Equipment Institute** RP1000-09 Recommended Practices for The Installation of Marina Fueling Systems
PEI
NFPA

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McKendry Builders inc.
80 Palm Dr. Key West Fl 33040
cell- 305-304-7937 & Tele. Fax 305-745-4228
License # CGC1505150
Tim Root 305-360-2916

Conch Harbor
951 Caroline St
Key West Fl 33040

5/4/11

Construction Implementation based on drawings S-1 thru S-8
Scope of Work:

- 1- Demolition of existing fuel dock's pilings and relocation of offices / Marine fuel & supply store. Relocate floating dock
- 2- Construct new fuel dock and relocate structure. Install new floating docks and pilings for new slip configuration

Construction sequence :

The project consists of the installation of new framing & decking. Installation of floating docks. Relocation and construction of existing structure. Installation of new fuel system and pumps

Phase I : Install 20 pilings for the new fuel dock . Frame and deck that section. Tie in new dock to existing main deck.

Old fuel dock & building will remain so fuel operation will not be disrupted. Install new fuel pumps and lines at new location. Upon completion of this phase the new pumps will be activated and tied to the existing fuel storage lines. Demo exiting fuel dock and remove all pilings.

Phase II : Install remaining pilings and floating docks. Hook up fuel pump on floating dock to existing fuel storage lines. All old pilings & construction debris will be removed from the site.

Sediment retainage will be installed where needed and construction will not impede the use of the existing channel to the city marina & USCG docks.

- Notes:
- A- All pilings will be driven from barge with crane & pile driver
 - B- 18 foot skiff and 3' x 8' floating platforms will be used to install deck framing.
 - C- Demolition also will be performed from the barge. Piling will be loaded on barge and salvaged. Decking & framing will be removed and salvaged.
 - D- All debris & unsalvageable materials will be disposed of at local licensed dump facility on Stock Island.
 - E- All materials will be delivered by land and loaded on barge to construction site from owners property.
 - F- Turbidity & sediment controls will be installed according to DEP and Army Corp guidelines

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