

MANATEE COUNTY FLORIDA

FACSIMILE

August 6, 2009

TO: All Interested Bidders

SUBJECT: Invitation for Bid (IFB) #09-2775DC
Manatee Beach Pier Demolition

ADDENDUM 2

Bidders are hereby notified that this Addendum is to be acknowledged on the Bid Form and made a part of the above named bidding and contract documents.

The following items are issued to add to, modify, and clarify the bid and contract documents. These items shall have the same force and effect as the original bidding and contract documents, and cost involved shall be included in the bid prices. Bids to be submitted on the specified bid date, shall conform to the additions and revisions listed herein.

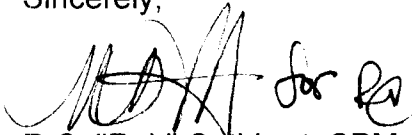
1. Contract completion is extended to January 15, 2010, reference IFB items C.03, D.01, F.03, and Bid Form.
2. Section 00200 Specifications has been revised per the attached pages:
Page 00200-1, item F.02 (the County shall retain ownership of railing);
Page 00200-2, item F.04 (licensing and marine insurance requirements); and
Page 00200-3, item F.09 (construction area access).
3. Fencing material standard shall be the temporary 6' chain link fencing.
4. Environmental protection conditions are required during the in-water demolition activity per the attached Florida Department of Environmental Protection Permit.
5. The concrete shall be disposed of, off-site as specified, by the contractor. Using the concrete as reef material is not an option to be considered with this bid.

Financial Management Department - Purchasing Division
1112 Manatee Avenue West, Suite 803, Bradenton, FL 34205
PHONE: 941.749.3074 * FAX: 941.749.3034
www.mymanatee.org

6. An Alternate is added to the Bid Form for the demolition of the approach ramp (Bid item F.02). This Alternate is not included in the Total Bid Price (award evaluation) and will only be awarded at the direction of the Manatee County Board of Commissioners.
7. Delete pages 00200-1 thru 00200-4 and page 00300-1; and insert revised pages 00200-1 thru 00200-4 and page 00300-1, Addendum 2.
8. Aerial view of the project area is attached showing access, fencing, and staging areas.

Bids will be received at Manatee County Purchasing, 1112 Manatee Avenue West, Suite 803, Bradenton, Florida 34205 until **August 11, 2009 at 3:00 P.M.**

Sincerely,

A handwritten signature in black ink, appearing to read 'Rob Cuthbert', written over a large, stylized 'X' or similar mark.

R.C. "Rob" Cuthbert, CPM, CPPO
Purchasing Manager

/dcr
Attachments

SECTION 00200
SPECIFICATIONS

F.01 PIER LOCATION

The pier is located in Manatee County, on Anna Maria Island at 4000 Gulf Drive, Holmes Beach, Florida. The Manatee public beach and pier is located at the western termination of Manatee Avenue. The pier is situated on the beach at Manatee public beach between Florida Department of Environmental Protection (FDEP) beach monuments R-20 and R-21.

F.02 PIER DEMOLITION AND REMOVAL

The pier and associated structures are to be demolished and removed from the public beach. The ramp leading up to the pier will not be demolished, but is to be protected. The structural engineer for the project will determine at what location the structure will be removed, however, the pile supported structure will be demolished and removed. The dimensions of the pier to be removed is 18'-0 wide x 300'-0 long. The superstructure consists of an existing 3 rail aluminum pedestrian barrier around the perimeter. The walking surface is an 8 – 10 inch tongue and groove pre-cast slab system. The substructure consists of (2) concrete stringer beams approximately 12" wide x 18" deep x 20'-0 long at approximately 20'-0 on center (4) 12" square concrete piles with (2) 12" x 20" x 18'-0 long concrete support the superstructure. In addition, miscellaneous pile existing beneath the pier and remnants of an old groin shall also be removed. ***The existing railing, precast tongue and groove slab system and stringer beams can be removed by cutting the fasteners between the components. Several small concrete apron slabs that currently rest on the shore are to be removed. The aluminum railing is to be unbolted and carefully removed. These rails are to be salvaged and stored at an off-site location as directed by the COUNTY.*** The pier pile caps must be cut off of the pier piles to be removed. The pier piling must be removed utilizing either jetting or vibration techniques. If jetting or vibration do not work, by cutting off each pile at a minimum of 18" below the existing sand bottom. All exposed reinforcing rebar (iron or steel) shall be cut and ground to remove all protrusions and all sharp edges. **All debris must be removed and disposed of at a legal dump site, or as directed by the COUNTY.** Attached are photos of the various components.

F.03 COMMENCEMENT, PROSECUTION AND COMPLETION OF WORK

The CONTRACTOR shall be required to commence removal of the pier upon receipt of the "Notice to Proceed" from Manatee County, but no earlier than November 1, 2009. The CONTRACTOR shall prosecute said WORK diligently and shall complete the entire WORK before ~~December 30, 2009~~ **January 15, 2010**. The time stated for completion shall include demolition and removal of the pier from the project site, and removal of all equipment, materials and debris on the beach and underwater at the project site.

F.04 CONTRACTOR REQUIREMENTS

The CONTRACTOR shall provide the appropriate equipment, labor, supplies and materials to perform all operations in connection with the demolition and removal of the pier at Manatee public beach. The CONTRACTOR shall provide sufficient equipment, labor, supplies and materials to conduct the WORK in the limited timeframe as addressed in this specification. The contractor shall possess a Certified General Contractor License (CGC) in the State of Florida, ***or a Certified Builders Contractor License in the State of Florida, or be certified as a marine specialty contractor. In addition to the requirement for normal liability and workers comp insurance, contractors must carry USL&H and Jones Act coverage in accordance with state regulations for marine contractors.***

F.05 STATE AND FEDERAL PERMITS

The COUNTY has obtained the FDEP permit and the U.S. Army Corps of Engineers (USACE) approval for demolition and removal of the pier. Any other licenses or approvals required for the prosecution of the WORK shall be secured and paid for by the CONTRACTOR.

F.06 SEA TURTLE PROTECTION

Sea turtles may nest on the beach in the project area during the month of May into October. This time frame is outside of that which is being specified by this project's documents. However, in the event of a nest being discovered that directly effects this project outside of the normal season, then the following shall be adhered to. On a daily basis, the CONTRACTOR shall not access the beach or begin any beach activity until the sea turtle monitoring personnel have investigated the construction area and marked any sea turtle nests which may have been established in the construction site. Sea turtles nests will be marked and a buffer zone established around the sea turtle nest which shall be avoided by all CONTRACTOR's equipment and activity. Sea turtle nest monitoring will occur on a daily basis each day of the week starting on April 1. The CONTRACTOR shall communicate and coordinate on a daily basis with the sea turtle monitoring personnel to insure that the monitoring has occurred each morning and that all nests were cleared or marked and buffered prior to the start of project work. Fencing around the beach work area shall be removed each evening and re-established each morning after the sea turtle nesting investigations have been completed, and the CONTRACTOR informed that beach activity may commence. Fencing posts may remain on the beach at the discretion of the CONTRACTOR if flagged or otherwise clearly marked so that the posts are visible at night. The CONTRACTOR shall accept all responsibility for fence posts on the beach. Additionally at the end of each day, all demolition debris, material, plant, equipment, appliance or any other item associated with the work must be removed from the beach and stored in the staging area, with the possible exception of the fence posts on the beach. Fencing which presently exists at the pier site, and is located around the landward terminus of the pier shall not be removed until the section of pier encompassed by the fence is demolished and removed. The fence around the landward pier terminus is intended to prevent pedestrian access beneath the pier. Additional fencing may be required to segregate the landward construction area from the remainder of the beach.

F.07 PRE-CONSTRUCTION MEETING

After the pier demolition and removal contract is awarded and before demolition operations are started, the CONTRACTOR shall meet with the ENGINEERS and the COUNTY, at the project site, to discuss the schedule, estimated time to demolish and remove the pier, the quality control requirements, permits and other project issues. The meeting shall develop a mutual understanding relative to the details of the WORK.

F.08 PROJECT SUPERINTENDENT

The CONTRACTOR shall provide in writing to the ENGINEERS and COUNTY the name and qualifications of the superintendent(s) who will be onsite for the duration of the pier demolition and removal project, and who will be the CONTRACTOR's job site representative and will control all activities related to the demolition and removal of the pier. The superintendent(s) of the CONTRACTOR shall be at the WORK site at all times and make herself/himself available to the COUNTY and/or ENGINEERS at all times during pier demolition and removal activities. Under no circumstances will demolition or removal activity occur without the presence of the superintendent at the project site. The superintendent shall provide to the COUNTY and ENGINEERS a mobile phone number which shall be a phone that is in the possession of the superintendent at all times during work activities.

F.09 CONSTRUCTION ACCESS AND STAGING AREA

The CONTRACTOR shall limit construction access and construction activity to a maximum 150 foot wide corridor extending from the designated staging area westward to the pier, centered on the pier. The CONTRACTOR shall exercise caution when accessing and driving on the beach with vehicles and equipment. The CONTRACTOR shall cordon off and/or fence the ~~beach access corridor~~ **demolition area** and the staging area located north of the public beach parking lot to keep the public away from equipment and construction debris. ***A diagram of proposed work area has been attached. The final area shall be coordinated with the COUNTY Natural Resources Department and the City of Holmes Beach.***

The ***proposed*** staging area for construction equipment, materials, debris and any other item used by the CONTRACTOR shall be off the beach and in the grass area north of the parking lot area, as designated by the COUNTY. Nighttime storage of equipment, construction debris, materials or any other item on ***unfenced areas*** of the beach shall not be permitted. All night time storage shall be confined to the designated ***staging*** areas. ~~***Fencing must be removed from the beach every night and replaced the next morning after sea turtle nest monitoring has been concluded. The fencing will be stored in the staging area at night.***~~ Fencing ***posts*** may remain on the beach at the discretion of the CONTRACTOR ***if but must be*** clearly flagged with reflective material to avoid injury to nighttime beach users.

F.10 OPERATION PERIOD

The CONTRACTOR will be limited to operations only during daylight hours. Daylight ***hours will be the published time of sunrise to sunset.***

F.11 SAFETY

The CONTRACTOR is solely responsible for all safety associated with the project. The CONTRACTOR shall be solely responsible for initiating, maintaining and supervising all safety precautions and programs in connection with the WORK. The CONTRACTOR shall be required to fence off all areas during working hours where active work is occurring, and to protect the public from injury. The staging area shall be fenced at all times during the WORK.

F.12 MISPLACED DEMOLITION DEBRIS, MATERIAL, PLANT, MACHINERY, EQUIPMENT OR APPLIANCE

Should the CONTRACTOR during the progress of the WORK, lose, discard, throw overboard, sink or misplace any demolition debris, material, plant, machinery, equipment, or appliance into the Gulf of Mexico, the CONTRACTOR shall recover or remove the same with the utmost dispatch. Should the COUNTY or ENGINEER discover such demolition debris, material, debris, machinery, equipment or appliance, the CONTRACTOR shall be notified and requested to remove the item(s) in question. Removal of the demolition debris, material, debris, plant, machinery, equipment or appliance shall be the responsibility of the CONTRACTOR and the cost of removal be paid for by the CONTRACTOR. Should the CONTRACTOR refuse, neglect, or delay compliance for the above requirements, such items in questions may be removed by the COUNTY and the cost of such removal may be deducted from the money due or to become due to the CONTRACTOR, or may be recovered under his/her bond.

F.13 PROTECTION OF PROPERTY

The CONTRACTOR shall, at its own cost and expense, support and protect all public and private property that may be encountered and endangered in prosecution of the WORK herein contemplated. The CONTRACTOR shall repair to its original condition and make good any damage caused to any such property by reason of its operation to the satisfaction of the COUNTY and any private owner before final payment is provided to the CONTRACTOR by the COUNTY. The waterward area of the project shall be completely enclosed by a floating turbidity barrier. The contractor shall maintain the barrier for duration of the project.

F.14 OIL AND HAZARDOUS MATERIAL SPILLS AND CONTAINMENT

The CONTRACTOR shall insure that all hazardous material spills are immediately reported to the proper authorities and the COUNTY. All Hazardous material spills shall be immediately cleaned up in accordance with the most recent version of the USACE safety and health manual, EM385-1-1, or latest version and any other applicable laws or regulations, in the plan developed for spill containment. Costs associated with cleanup shall be borne by the contractor.

F.15 FINAL CLEAN-UP

Final clean up shall include the removal of the CONTRACTOR's equipment, material and all construction debris from the project site.

SECTION 00300
BID FORM
 (Submit in Triplicate)

For: Manatee Beach Pier Demolition

ITEM	DESCRIPTION	LUMP SUM
1.	Pier Demolition and Debris Removal (Work to commence no earlier than November 1, 2009 and be completed before <i>January 15, 2010</i>)	\$
2.	Discretionary Work	\$ 25,000.00
TOTAL BID PRICE		\$
Number of days required for completion not to exceed _____ calendar days from date of Notice to Proceed.		
ALTERNATE: DEMOLITION OF APPROACH RAMP: \$ _____ TOTAL COST		

We, the undersigned, hereby declare that we have carefully reviewed the Bid Documents and with full knowledge and understanding of the aforementioned herewith submit this bid, meeting each and every specification, term, and condition contained in the Invitation For Bid.

We understand that the bid specifications, terms, and conditions in their entirety shall be made a part of any agreement or contract between Manatee County and the successful bidder. Failure to comply shall result in contract default, whereupon, the defaulting contractor shall be required to pay for any and all reprourement costs, damages, and attorney fees as incurred by the County.

Communications concerning this Bid shall be addressed as follows:

Person's Name: _____

Address: _____ Phone: _____

Date: _____ Date you visited site: _____

Company's Name: _____

Authorized Signature(s): _____

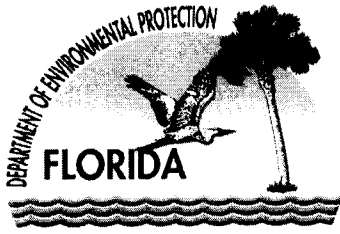
Name and Title of Above Signer(s)

Company Mailing Address: _____

Email address: _____

Telephone: (____) _____ Fax: (____) _____

Acknowledge Addendum Nos. _____ Dated: _____



Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

CERTIFIED - RETURN RECEIPT REQUESTED

June 23, 2009

Manatee County
c/o Richard H. Spadoni
Coastal Planning & Engineering, Inc.
2481 NW Boca Raton Boulevard
Boca Raton, Florida 33431

NOTICE OF DE MINIMUS EXEMPTION Manatee County Pier Removal File No. 0295087-002-BE, Manatee County

Dear Mr. Spadoni:

The Department received your application for a de minimus exemption on April 9, 2009. As stated in your application, the project is to remove the existing pier structure to prepare the site for the construction of a new pier. The existing railing, precast tongue-and-groove slab system and stringer beams will be removed by cutting the fasteners between the components. The existing pile caps will be cut off so the existing piles can be removed. The existing piles will be removed utilizing jetting or vibration techniques, or will be cut off 18 inches below the existing bottom. All exposed reinforcing rebar will be cut and ground to remove any protrusions or sharp edges. In addition, miscellaneous pilings located beneath the pier, but not associated with the existing pier (i.e., remnants of an older structure), will also be removed. The removed concrete slabs and pilings will either be used as artificial reef material, according to a separate Department authorization, or placed in an approved solid waste disposal facility. If the material is to be deployed as an artificial reef, it will first be prepared to meet the requirements of the artificial reef authorization (such as removal of protruding rebar) before being placed within one of the County's existing, Department-approved artificial reef sites.

The project site is located between R-20 and R-21, in Section 29, Township 34 South, Range 16 East, Manatee County, in the Gulf of Mexico, Class III Waters.

The pier was closed to the public on February 24, 2009, due to the loose and flaking concrete that was falling from the side and underside of the pier, which has made it unsafe for public use. Although the County has closed the pier, it is not continually guarded to enforce the closure. Since the public can still access the pier, this demolition is a high priority for the County in terms of public safety.

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File No. 0295087-002-BE
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Under normal conditions, the proposed activity is not expected to generate a noticeable amount of turbidity. However, if an obvious plume is observed and appears to be caused by the demolition activity, there could be a violation of state water quality standards and adverse resource impacts associated with the turbidity. In that case, the de minimus exemption is no longer valid, and a permit would be required before the project activities outline herein would be allowed to continue. The application for that permit would have to address the need to establish a mixing zone for turbidity and the potential impacts associated with the turbidity.

Activities in, on or over waters of the State require a regulatory authorization for construction and operation of the project, unless otherwise exempt by statute or rule. Activities that have a material physical effect on existing coastal conditions or natural shore and inlet processes, and that extend seaward of the mean high water line into sovereign submerged lands, are regulated as “coastal construction”, unless otherwise exempt by rule. Activities on sovereign submerged lands require a proprietary authorization. Works in waters of the United States also require federal authorization and **may** qualify for review by the state under the State Programmatic General Permit process. Your proposed application has been reviewed for these authorizations.

REGULATORY REVIEW – EXEMPTION VERIFIED

A project that affects surface waters is regulated under Part IV of Chapter 373, Florida Statutes (F.S.), and unless otherwise exempt by statute or rule, requires an environmental resource permit described in Rule 62-343.050(2), Florida Administrative Code (F.A.C.). However, Chapter 373.406(6), F.S., provides a de minimus exemption for activities that will have only minimal or insignificant individual or cumulative adverse impacts on the water resources. The Department has determined that the proposed pier removal activity meets this criterion, and would be exempt from the need for an environmental resource permit.

A project that may affect existing coastal conditions or natural shore and inlet processes on sovereign submerged lands is regulated under the coastal construction program, as specified in Chapter 161.041, F.S., and Chapter 62B-41, F.A.C. According to Rule 62B-41.004(2)(c), F.A.C., structures having de minimus impacts to the coastal system, i.e., insignificant and not of a substantial nature either individually or cumulatively, shall be exempt from the provisions of this Chapter. The Department has determined that the proposed pier removal activity meets this criterion and is, therefore, exempt from the need for regulatory authorization under the coastal construction program described in Rule 62B-41.005, F.A.C. Because the project is exempt from the need for an environmental resource permit and a regulatory authorization under the coastal construction program, the project does not require a joint coastal permit, as prescribed in Rules 62B-49.003 and 62-343.075(7), F.A.C.

Therefore, the Department hereby grants a de minimus exemption for the proposed activity under Chapter 373.406(6), F.S. and Chapter 62B-41, F.A.C.

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The determination that your activity qualifies for an exemption does not relieve you from the need to comply with all applicable water quality standards during construction and operation. **Activities conducted under the above exemption must be conducted using appropriate best management practices and in a manner that does not cause water quality violations, pursuant to rule 62-302, F.A.C.** This determination shall not be valid if the project results in water quality violations or if the basis for the exemption is found to be materially incorrect.

The determination that your project qualifies as an exempt activity is based upon forms, drawings and documents provided to the Department as of April 9, 2009, and the statutes and rules that were in effect at that time. This determination is effective only for the specific activity proposed and may be invalid if site conditions materially change or if the governing statutes or rules are amended. In addition, any substantial alterations to the demolition plans or location of the project should be submitted to the Department for review prior to commencement of work, as changes may result in the need for a permit. **In any event, this determination shall expire after one year.**

This project shall be subject to the specific conditions listed below:

SPECIFIC CONDITIONS:

1. No water quality mixing zone has been authorized for this pier removal project. If an obvious turbidity plume is observed, the JCP Compliance Officer shall be notified immediately by phone at 850-414-7716 or by email at JCPCCompliance@dep.state.fl.us. Unless it is determined by the JCP Compliance Officer that the project can proceed without violating water quality standards, this exemption determination shall be revoked and an Environmental Resource Permit would be required to continue the pier removal project.
2. In order to avoid adverse impacts to marine turtles, the removal of the Manatee County Public Pier shall be started after October 31 and be completed before May 1. No operation, transportation or staging or storage of equipment or materials is authorized seaward of the dune crest or rigid coastal structure on the marine turtle nesting beach along the Gulf of Mexico, May 1 through October 31.

PROPRIETARY REVIEW – AUTHORIZATION APPROVED

The project is not exempt from the need to obtain the applicable proprietary authorization for activities that are on or over sovereign (state-owned) submerged lands, as described in Chapter 253, F.S., and Rule 18-21, F.A.C. The Department acts as staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees), pursuant to Chapter 253.77, F.S. Under

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this authority, the Department has reviewed the proposed project, at the proposed location, and has made the following proprietary determinations:

The pier removal activity qualifies for a letter of consent under Rule 18-21.005(1)(c), F.A.C., to conduct the activity on the specified sovereign submerged lands. This letter **constitutes proprietary authorization to perform this activity** as long as the work performed is located within the boundaries described in the application as of April 9, 2009, and is consistent with the attached General Consent Conditions.

STATE PROGRAMMATIC GENERAL PERMIT– NOT ELIGABLE

The State Programmatic General Permit IV (SGPG) program allows the State to process Federal authorizations for certain activities. The proposed activity, as outlined on your application and attached drawings, **does not qualify** for Federal authorization by the State under the SPGP, so a **separate** permit or authorization will be required from the U.S. Army Corps of Engineers. A copy of your application was sent to the U.S. Army Corps of Engineers (USACE) for review. The USACE will issue their authorization directly to you, or contact you if additional information is needed. If you have not heard from the USACE within 30 days from the date that your application was received by the Department, contact the nearest USACE regulatory office for status and further information. **Failure to obtain USACE authorization** prior to the demolition could subject you to federal enforcement action by that agency. This letter does not relieve you from the responsibility of obtaining other permits (Federal, State, or local) which may be required for the project.

NOTICE OF RIGHTS OF SUBSTANTIALLY AFFECTED PERSONS

This letter acknowledges that the proposed activity is exempt from permitting requirements in Part IV of Chapter 373, and Chapter 161.041, F.S. This determination 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, F.S., as provided below. Be advised that neighboring property owners and other parties who may be substantially affected by the proposed activity allowed under this determination of exemption have a right to request an administrative hearing on the Department's decision that the proposed activity qualifies for this exemption. If a sufficient petition for an administrative hearing is timely filed, this determination automatically becomes only proposed agency action 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. The procedures for petitioning for a hearing are set forth in the attached notice.

This determination is based on the information you provided the Department and the statutes and rules in effect when the application was submitted and is effective only for the specific activity proposed. This determination shall automatically expire if site conditions materially change or

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the governing statutes or rules are amended. In addition, any substantial modifications in your plans should be submitted to the Department for review, as changes may result in a permit being required. In any event, this determination shall expire after one year.

The Department will not publish notice of this determination. **Publication of this notice by you is optional and is not required for you to proceed.** However, in the event that an administrative hearing is held and the Department's determination is reversed, proceeding with the proposed activity before the time period for requesting an administrative hearing has expired would mean that the activity was conducted without the required permit.

If you wish to limit the time within which *all* substantially affected persons may request an administrative hearing, you may elect to publish, at your own expense, the enclosed publication notice in the legal advertisement section of a newspaper of general circulation in the county where the activity is to take place. A single publication will suffice.

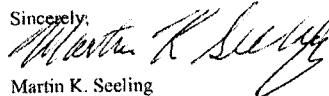
If you wish to limit the time within which any *specific* person(s) may request an administrative hearing, you may provide such person(s), by certified mail, a copy of this determination, including the publication notice.

For the purposes of publication, a newspaper of general circulation means a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S. In the event you do publish this notice, within seven days of publication, you must provide, to the following address, proof of publication issued by the newspaper as provided in Section 50.051, F.S. If you provide direct written notice to any person as noted above, you must provide, to the following address, a copy of the direct written notice.

Department of Environmental Protection
Bureau of Beaches and Coastal Systems
3900 Commonwealth Boulevard, Mail Station 300
Tallahassee, Florida 32399-3000

Please see the attached a copy of the exemption language and note that all criteria of the rule must be met in order to qualify for this exemption. If you have any questions, please contact Molly Edson at (850) 414-7798. When referring to this project, please use both the project name and the file number listed above.

Sincerely,



Martin K. Seeling
Environmental Administrator
Bureau of Beaches and Coastal Systems

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File No. 0295087-002-BE
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MKS/mte

Enclosures: Drawings (4 pages)
Exemption Citations
Notice of Exemption Publication
General Consent Conditions


cc: Charlie Hunsicker, Manatee County
Tom Pierro, CP&E
Brian Rheault, Bridge Design Associates
Doug Fry, DEP, SLER Office
Bill Vorstadt, DEP, SW District Office
Michael Barnett, BBCS-Chief
Paden Woodruff, BBCS-BECP
Gene Chalecki, BBCS-Program Administrator
Roxane Dow, BBCS-BECP
Robert Brantly, BBCS-CE
Vincent George, BBCS-BECP
CE Review, BBCS
Martin Seeling, BBCS-JCP
Vladimir Kosmynin, BBCS-JCP
Laine Edwards, BBCS-JCP
Steve West, BBCS-Field Inspector
Robbin Trindell, FWC, ISMS
Nancy Douglass, FWC, SW Region
Tuwnis W. McElwain, U. S. Army Corps of Engineers, Jacksonville

FILING AND ACKNOWLEDGMENT

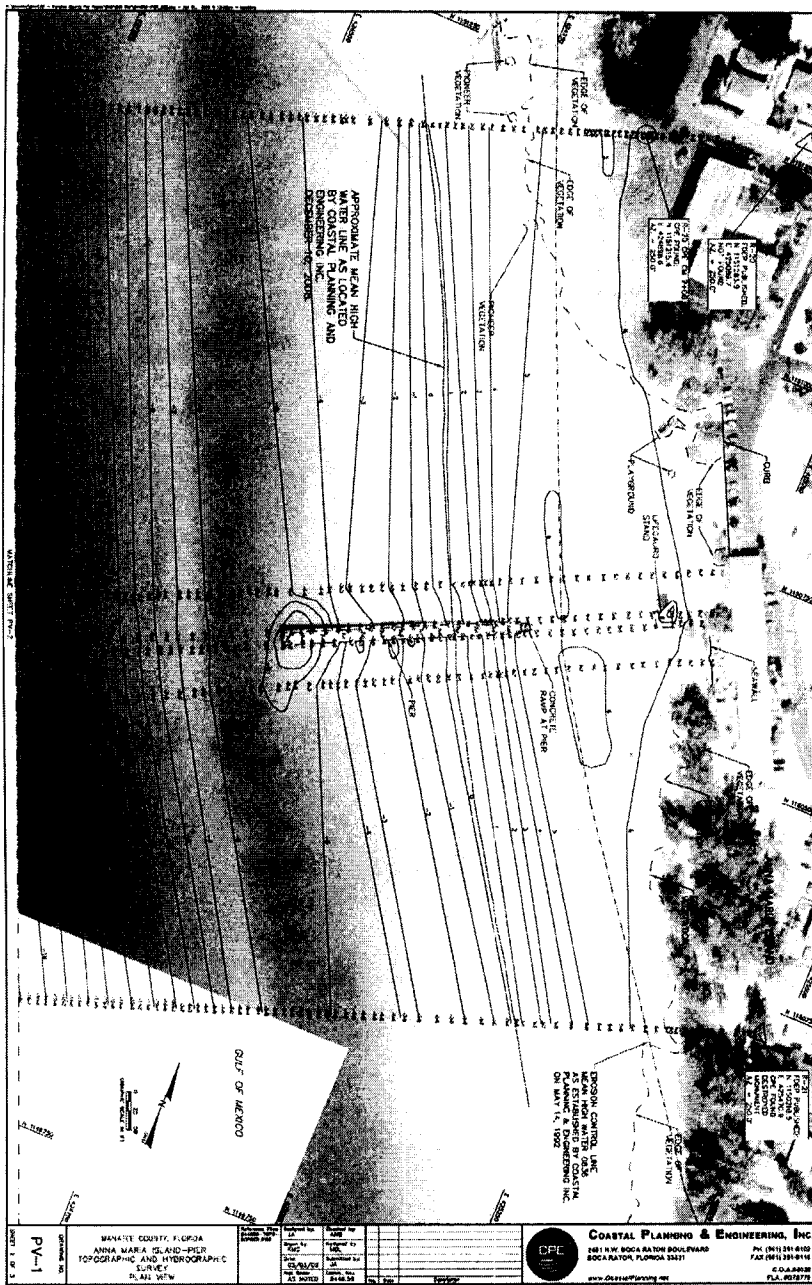
FILED, on this date, pursuant to Section 120.52, Florida Statutes, with the designated
Department Clerk, receipt of which is hereby acknowledged.



Deputy Clerk



Date

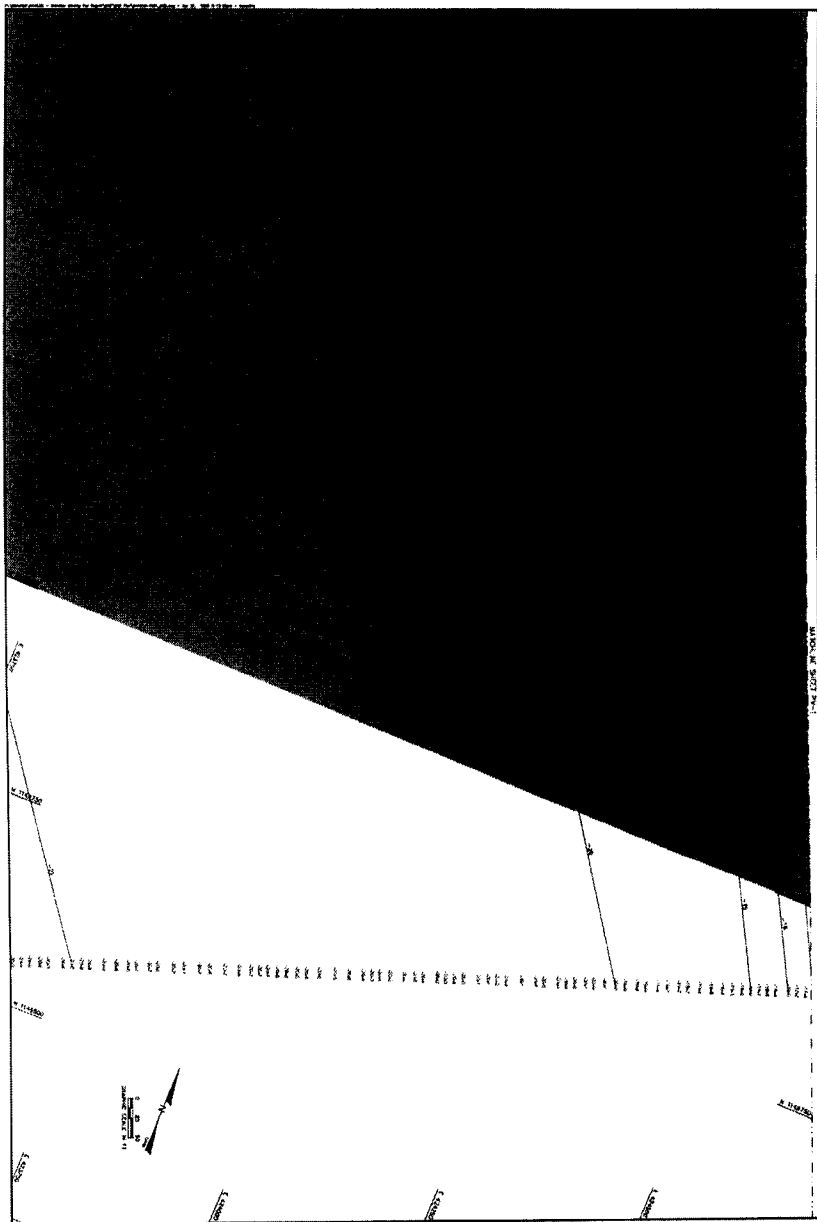


MANATEE COUNTY, FLORIDA
 ANNA MARIA ISLAND-PIER
 TOPOGRAPHIC AND HYDROGRAPHIC
 SURVEY
 D. ALL W. W.

NO.	DATE	DESCRIPTION	BY	CHECKED BY
1	10/1/92	FIELD SURVEY	D. ALL	W. W.
2	10/1/92	DATA REDUCTION	D. ALL	W. W.
3	10/1/92	MAP PREPARATION	D. ALL	W. W.
4	10/1/92	FINAL CHECK	D. ALL	W. W.

COASTAL PLANNING & ENGINEERING, INC.
 281 N.W. BOCA RATON BOULEVARD
 BOCA RATON, FLORIDA 33431
 PH: (954) 351-6100
 FAX: (954) 351-6116
 C.O.A.#0002
 P.L.# 000378

PERMIT # 295087002



SHEET NO. PV-2 OF 3	MANATEE COUNTY, FLORIDA ANNA MARIA ISLAND-FRONT TOPOGRAPHIC AND HYDROGRAPHIC SURVEY PLAN VIEW	DATE OF SURVEY 03/02/05	DRAWN BY J. H. HARRIS	CHECKED BY J. H. HARRIS	SCALE AS SHOWN	PROJECT NO. 295087002		COASTAL PLANNING & ENGINEERING, INC. 2481 N.W. BOCA RATON BOULEVARD BOCA RATON, FLORIDA 33431 PHONE (561) 991-8100 FAX (561) 991-8110 www.CoastalPlanning.net
		PROJECT NO. 295087002	DATE OF SURVEY 03/02/05	DRAWN BY J. H. HARRIS	CHECKED BY J. H. HARRIS	SCALE AS SHOWN	PROJECT NO. 295087002	PROJECT NO. 295087002

PERMIT # 295087002

Appendix A: Exemption Language

373.406(6):

“Any district or the department may exempt from regulation under this part those activities that the district or department determines will have only minimal or insignificant individual or cumulative adverse impacts on the water resources of the district. The district and the department are authorized to determine, on a case-by-case basis, whether a specific activity comes within this exemption. Requests to qualify for this exemption shall be submitted in writing to the district or department, and such activities shall not be commenced without a written determination from the district or department confirming that the activity qualifies for the exemption.”

Appendix B: General Consent Conditions

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
SUBMERGED LANDS & ENVIRONMENTAL RESOURCES PROGRAM
GENERAL CONSENT CONDITIONS**

Authorization No. 0295087-002-BE, Manatee County
Richard Spadoni, Coastal Planning and Engineering, Inc.
Manatee County Pier Removal

1. Authorizations are valid only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.
2. Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.
3. Authorizations may be modified, suspended or revoked in accordance with their terms or the remedies provided in Sections 253.04 and 258.46, F.S., or Chapter 18-14, F.A.C.
4. Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.
5. Construction, use, or operation of the structure or activity shall not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.
6. Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.
7. Structures or activities shall not create a navigational hazard.
8. Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of Rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.

9. Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under paragraph 18-21.004(1)(f), F.A.C., or any other applicable law.

Appendix C: Notice of Determination of Exemption

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF DETERMINATION OF EXEMPTION

The Department of Environmental Protection gives notice that taking geotechnical vibracores has been determined to be exempt from requirements to obtain an Environmental Resource Permit.

The project site is located between R monuments R-20 and R-21 at 4000 Gulf Drive, Holmes Beach, Anna Maria Island, Florida, Gulf of Mexico, Class III Waters.

A person whose substantial interests are affected by the Department's action may petition for an administrative hearing in accordance with sections 120.569 and 120.57, 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. Mediation is not available.

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 judge upon the filing of a motion in compliance with rule 28-106.205, Florida Administrative Code.

In accordance with rule 62-110.106(3), F.A.C., petitions for an administrative hearing must be filed within 21 days of publication of the notice or receipt of written notice, whichever occurs first. 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, 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.

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 right.

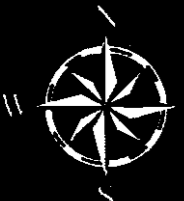
A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the 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, 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.

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, F.A.C.

Under sections 120.569(2)(c) and (d), F.S., 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.

Complete copies of all documents relating to this determination of exemption are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, at the DEP Bureau of Beaches and Coastal Systems, 5050 West Tennessee Street, Building B, Tallahassee, Florida 32304.



MANATEE PUBLIC BEACH PIER

