

**MANATEE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT	Execution of DEP reef application	TYPE AGENDA ITEM	Consent
DATE REQUESTED	March 13, 2001	DATE SUBMITTED/REVISED	February 27, 2001
BRIEFINGS?/WHO?	None	CONSEQUENCES IF DEFERRED	None
DEPARTMENT/DIVISION	Environmental Management Natural Resources	AUTHORIZED BY TITLE	Karen Collins-Fleming Director <i>KCF</i>
CONTACT PERSON TELEPHONE/EXTENSION	Bob Fluke X 5980	PRESENTER/TITLE TELEPHONE/EXTENSION	Bob Fluke/Environmental Manager X 5980
ADMINISTRATIVE APPROVAL	<i>OK for E Padgett 3/7/01</i>		

ACTION DESIRED

INDICATE WHETHER ¹REPORT or ²DISCUSSION, ³FORM OF MOTION, or ⁴OTHER ACTION REQUIRED:

- Authorization for the Chairman to re-execute a permit application to the Department of Environmental Protection for artificial reef construction.
- Authorize SWFWMD to sign as agent for the County on the reef permit application.

ENABLING/REGULATING AUTHORITY

Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy.)

Florida State Statute, Chapter 370.25 Artificial Reef Program
Florida State Statute, Chapter 403.087 Environmental Control
Florida Administrative Code, Chapter 16R-9 Rules of FDEP

APPROVED IN OPEN SESSION

MAR 13 2001

**BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA**

BACKGROUND/DISCUSSION

- On October 6, 1998 the BOCC executed a permit application to DEP for new in-shore artificial reef construction.
- On August 31, 1999 a memo from Mr. Alderson was sent to Mr. Hammond requesting that permitting fees be waived.
- On September 24, 1999 a letter from Mr. Calder DEP (Tallahassee) was sent to Mr. Hammond approving of the waiver request.
- On December 15, 2000 a letter from Mr. Stetler DEP (Tampa) to Mr. Hammond requesting that SWFWMD sign as agent for Manatee County.

HAS COUNTY ATTORNEY REVIEW BEEN REQUESTED ? Indicate "NO" or "YES" @ right. (If "NO," proceed to 1) below; and if "YES," proceed to 2) below) Yes	
1) IF "NO" TO ABOVE, A) PLEASE EXPLAIN BELOW: (see also following section 1B) re: contract, agreement, lease, etc.: B) IF A CONTRACT, AGREEMENT, LEASE OR OTHER DOCUMENT WAS PREVIOUSLY APPROVED, STATE YEAR OF LAST USE @ RIGHT: N/A	
2) IF "YES" TO FIRST QUESTION IN THIS SECTION, A) HAS ENTIRE MATTER, OR ONLY A PORTION, BEEN REVIEWED? IF ONLY A PORTION, WHICH PORTION? The entire issue has been reviewed by Jeff Steinsnyder of the County Attorney's office. B) HAVE ALL COMMENTS/SUGGESTIONS RAISED BY COUNTY ATTORNEY BEEN ADDRESSED/INCORPORATED; IF NOT, PLEASE EXPLAIN. A COPY OF FINAL COUNTY ATTORNEY MEMO RE THIS MATTER MUST BE ATTACHED (if comments were verbal, so indicate.) Yes. Jeff Steinsnyder's memo is attached. Jeff's comments on page 2 relate to the actual issue on which EMD had requested a legal review.	
ATTACHMENTS: (List in order as attached) 1) October 6, 1998 agenda memorandum 2) October 6, 1998 signed application 3) August 31, 1999 letter 4) September 24, 1999 letter 5) December 15, 2000 letter 6) Blank (page 5) application for signature 7) Memo from County Attorney's Office	INSTRUCTIONS TO BOARD RECORDS: <div style="text-align: right; font-size: 2em;">✓</div> Please notify Bob Fluke at x5980 when documents have been executed and are ready for pick-up.
COST N/A	SOURCE (ACCT# & NAME) N/A
COMMENTS None	AMT./FREQ. OF RECURRING COSTS (ATTACH FISCAL IMPACT STATEMENT) N/A

**MANATEE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT	Artificial Reef Program	TYPE AGENDA ITEM	Consent
DATE REQUESTED	October 6, 1998	DATE SUBMITTED/REVISED	September 24, 1998
BRIEFINGS?/WHO?	None	CONSEQUENCES IF DEFERRED	Submittal of application after 12/1/98 may cause forfeiture of NEP grant in FY 1998-99
DEPARTMENT/DIVISION	Environmental Management Natural Resources	AUTHORIZED BY TITLE	Karen Collins-Fleming Director <i>KCF</i>
CONTACT PERSON TELEPHONE/EXTENSION	Bob Fluke X 5980	PRESENTER/TITLE TELEPHONE/EXTENSION	Bob Fluke/Environmental Specialist X 5980
ADMINISTRATIVE APPROVAL			

ACTION DESIRED

INDICATE WHETHER ¹REPORT or ²DISCUSSION, ³FORM OF MOTION, or ⁴OTHER ACTION REQUIRED:

- Authorize the submission of artificial reef permit applications to the Florida Department of Environmental Protection.
- Authorization for the Chairman to execute all related documents.
- Authorization to pay necessary fees associated with such permits.

ENABLING/REGULATING AUTHORITY

Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy.)

Florida State Statue, Chapter 370.25 Artificial Reef Program
 Florida State Statue, Chapter 403.087 Environmental Control
 Florida State Statue, Chapter 309.01 Protection of Ports and Harbors
 Florida Administrative Code, Chapter 16R-9 Rules of FDEP

BACKGROUND/DISCUSSION

- Existing off-shore reef permits require renewal every five years, which will be accomplished with this action.
- A proposed in-shore reef program is comprised of 3 existing fishing piers, 2 sites previously permitted in the 80's and 7 new sites which may be eligible under the Sarasota Bay National Estuary program.
- Permits will allow Manatee County to establish a comprehensive artificial reef program.
- There is approximately \$25,000 (no local match required) of federal and State funds available to coastal counties for off-shore artificial reef construction and/or monitoring. Manatee County has been awarded grants the last two years and is ranked 5th out of 25 submittals for the next fiscal year.
- Sarasota Bay National Estuary Program anticipates allocating a \$20,000 (no local match required) per County per year for in-shore reef construction/monitoring grant program starting in fiscal year 1998-99 in which Manatee County hopes to participate. Permit applications are a requirement of this participation.
- Included is a map and tabular summary of the proposed In-shore program.

HAS COUNTY ATTORNEY REVIEW BEEN REQUESTED? Indicate "NO" or "YES" @ right. (If "NO," proceed to 1) below; and if "YES," proceed to 2) below) No

1) IF "NO" TO ABOVE,

A) PLEASE EXPLAIN BELOW: (see also following section 1B) re: contract, agreement, lease, etc.:

No legal issues involved with this item (application only).

B) IF A CONTRACT, AGREEMENT, LEASE OR OTHER DOCUMENT WAS PREVIOUSLY APPROVED, STATE YEAR OF LAST USE @ RIGHT: 1997

2) IF "YES" TO FIRST QUESTION IN THIS SECTION,

A) HAS ENTIRE MATTER, OR ONLY A PORTION, BEEN REVIEWED? IF ONLY A PORTION, WHICH PORTION?

N/A

B) HAVE ALL COMMENTS/SUGGESTIONS RAISED BY COUNTY ATTORNEY BEEN ADDRESSED/INCORPORATED; IF NOT, PLEASE EXPLAIN. A COPY OF FINAL COUNTY ATTORNEY MEMO RE THIS MATTER **MUST BE ATTACHED** (If comments were verbal, so indicate.)

N/A

ATTACHMENTS: (List in order as attached)

- 1) Two ERP Applications
- 2) Map
- 3) In-shore reef tabular summary

INSTRUCTIONS TO BOARD RECORDS:

Please notify Bob Fluke when documents have been executed and are ready for pick-up.

COST \$200 - Application fees

SOURCE (ACCT# & NAME)

acct # 001.249300 EMD-Natural Resources / FBIP

COMMENTS

Proposal is supported by the Manatee County Artificial Reef Committee.

AMT./FREQ. OF RECURRING COSTS (ATTACH FISCAL IMPACT STATEMENT)

Not required