



**APPLICATION FOR SINGLE FAMILY/MULTI-FAMILY & COMMERCIAL DOCKS OR PIERS**

**FRANKLIN COUNTY BUILDING DEPARTMENT**

34 Forbes Street, Suite 1, Apalachicola, Florida 32320

Phone: 850-653-9783 Fax: 850-653-9799

[http://www.franklincountyflorida.com/planning\\_building.aspx](http://www.franklincountyflorida.com/planning_building.aspx)

**APPLICATION MUST BE COMPLETE:**

Property Owner/s: DANIEL GARLICK  
Contact Information: Home #: \_\_\_\_\_ Cell #: 850-899-5252  
Mailing Address: PO BOX 385 City/State/Zip: APALACHICOLA, FL 32329  
EMAIL Address: DAN@GARLICKENV.COM

Agent Name: SELF Business Name: \_\_\_\_\_  
Contact Information: Office #: \_\_\_\_\_ Cell #: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_  
EMAIL Address: \_\_\_\_\_

**PROPERTY DESCRIPTION:** 911 Address: 208 Sand Bar Road, Apalachicola, FL 32320  
Lot/s: 46 Block: \_\_\_\_\_ Subdivision: River's Edge Unit: Ph. 2  
Parcel Identification #: 27-08S-08W-1001-0000-0460

**JURISDICTION:**  Franklin County  
 Apalachicola  Eastpoint  St. George Island  Carrabelle  Dog Island  Lanark/ St. James  St. Teresa  Alligator Point

**Applicant Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Agent Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

- SINGLE FAMILY DOCK or PIER**
- MULTI-FAMILY DOCK**
- COMMERCIAL DOCK**

**ITEMS REQUIRED:**

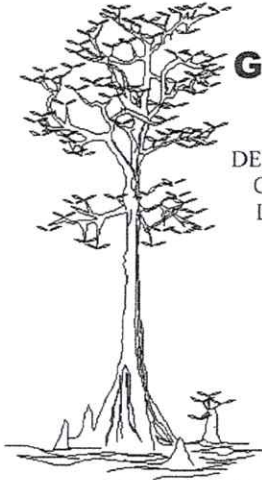
- Signed Application
- DEP Permit/Exemption
- Army Corps of Engineer Permit
- Site Plan
- Dock Plans
- House proposed*

RECEIVED  
JUN 04 2020  
BY: *ak*

**RECOMMENDATION FROM COUNTY PLANNER:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PLANNER SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**BOARD APPROVAL DATE:** \_\_\_\_\_



## **GARLICK ENVIRONMENTAL ASSOCIATES, INC.**

SPECIALIZING IN: REGULATORY PERMITS • WETLANDS/UPLAND JURISDICTIONAL  
DELINEATIONS • SUBMERGED LAND LEASES • ECOLOGICAL INVENTORY ASSESSMENTS •  
CONSERVATION AND OTHER EASEMENTS • EXPERT WITNESS AND ENVIRONMENTAL  
LITIGATION SERVICES • MITIGATION • CULTURAL RESOURCE ANALYSIS • CREATIVE  
MARINA, DOCK, AND SUBDIVISION DESIGN

June 4, 2020

Ms Amy Kelly  
Franklin County Planning & Zoning  
33 Commerce Street  
Apalachicola, FL 32320

Re: Planning and Zoning Agenda  
GEA File No. 19-075  
Dan Garlick

Dear Ms. Kelly:

By this letter, we are requesting you place the referenced project on the next Franklin County Planning and Zoning meeting to be held on July 14, 2020, as well as, the Franklin County Board of County Commissioners meeting to be held on July 21, 2020. for the construction of a Single Family Residential Dock with (1) one boat slip for the referenced project, as shown on the attached drawings..

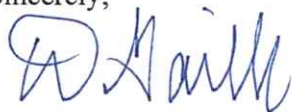
The water body at the project site is the Apalachicola River, Class II, OFW, not an Aquatic Preserve. The proposed project is located on Lot 46, River's Edge Phase II, in Section 27, Township 8 South, Range 8 West, Apalachicola, Franklin County, FL.

The proposed location of the dock is located on a sandy substrate spoil mound. The soils consist of coarse sand with virtually no organics. The proposed dock will not be located over emergent nor submerged grass beds, coral communities or wetlands. The proposed dock will be located 75 ft. from the Federal Channel, as noted on the attached drawings. The river's Ordinary High Water line is indicated on the attached drawings, as well. No sewage pump out facilities, fish cleaning facilities or liveboards are proposed.

The type of wood that will be used for the decking of the proposed dock will consist of treated wood. The decking will be no greater than 8 inches in width and will be spaced no less than one-half inch apart after shrinkage. The spacing between the piling will be a minimum of 10 ft. The floating portion will be constructed of "TREX" material. The piles will be jetted. Provisions will include maintain State Water Quality Standards for turbidity by installing turbidity curtains.

If you have any questions, please let us know.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dan Garlick". The signature is written in a cursive style with a large, stylized initial "D".

Dan Garlick, President  
Garlick Environmental Associates, Inc.

Attachments



**APPLICATION FOR DEVELOPMENT**

**FRANKLIN COUNTY BUILDING DEPARTMENT**

34 Forbes Street, Suite 1, Apalachicola, Florida 32320  
Phone: 850-653-9783 Fax: 850-653-9799  
[http://www.franklincountyflorida.com/planning\\_building.aspx](http://www.franklincountyflorida.com/planning_building.aspx)

PERMIT # \_\_\_\_\_  
FEE: \$ \_\_\_\_\_  
RADON: \$ \_\_\_\_\_  
FLOOD: \$ \_\_\_\_\_  
C.S.I.: \$ \_\_\_\_\_  
TOTAL: \$ \_\_\_\_\_

**NOTE TO APPLICANTS AND PERMIT HOLDERS:**  
VIOLATIONS OF THE TERMS AND CONDITIONS OF THIS PERMIT MAY WARRANT A STOP WORK ORDER OR REVOCATION OF THIS PERMIT. THIS PERMIT IS VALID FOR ONE YEAR FROM THE DATE OF ISSUANCE. CONSTRUCTION MUST COMMENCE WITHIN SIX MONTHS OF THIS DATE:  
ISSUANCE DATE: \_\_\_\_\_ EXPIRES: \_\_\_\_\_

- New Constuction
- Commercial
- Residential
- Substantial Improvement
- Less than Substantial

**APPLICATION MUST BE COMPLETE:** (We will no longer accept incomplete applications)

Property Owner/s: Dan GARLICK  
Contact Information: Home #: P.O. Box 385 Cell #: 850-899-5252  
Mailing Address: P.O. Box 385 City/State/Zip: APALACHICOLA FL 32329  
EMAIL Address: dan@garlickenv.com

Contractor Name: \_\_\_\_\_ Business Name: \_\_\_\_\_  
Contact Information: Office #: \_\_\_\_\_ Cell #: \_\_\_\_\_  
State License #: \_\_\_\_\_ County Registration #: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_  
EMAIL Address: \_\_\_\_\_

**PROPERTY DESCRIPTION:** 911 Address: \_\_\_\_\_  
Lot/s: 46-47 Block: \_\_\_\_\_ Subdivision: Rivers Edge Ph. II Unit: \_\_\_\_\_  
Parcel Identification #: 27-085-08W-1001-0000-0460 27-085-08W-1001-0000-0470

**JURISDICTION:**  Franklin Coun  City of Carrabelle  
 Apalachicola  Eastpoint  St. George Island  Carrabelle  Dog Island  Lanark/ St. James  St. Teresa  Alligator Point

**DESCRIPTION OF DEVELOPMENT:** DOCK  
ZONING DISTRICT: \_\_\_\_\_ CONTRACT COST: \_\_\_\_\_

HEATED SQ FT: \_\_\_\_\_ UN-HEATED SQ FT: \_\_\_\_\_ TOTAL SQUARE FOOT: \_\_\_\_\_  
ROOF MATERIAL: \_\_\_\_\_ FOUNDATION TYPE: \_\_\_\_\_ LOT DEMENSION: \_\_\_\_\_  
NO. OF STORIES: \_\_\_\_\_ UNDERNEATH STORAGE SQ FOOTAGE: \_\_\_\_\_  
(Requires Building or General Contractor if over 3 habitable stories including mezzanines.) (VE Zones: 299 Sq. Foot or Less and MUST be certified breakaway construction by Engineer)

SEPTIC TANK PERMIT # \_\_\_\_\_ OR SEWER DISTRICT: \_\_\_\_\_  
WATER DISTRICT: \_\_\_\_\_ OR PRIVATE WELL: \_\_\_\_\_

WATER BODY: \_\_\_\_\_  
CRITICAL SHORELINE DISTRICT: YES OR NO CRITICAL HABITAT ZONE: YES OR NO

**FLOOD ZONE INFORMATION:** EFFECTIVE DATE: February 5, 2014

PANEL NUMBER: \_\_\_\_\_ FIRM ZONE/S: \_\_\_\_\_  
ELEVATION REQUIREMENTS AS PER SURVEY: \_\_\_\_\_

- Requires V-Zone Certification
- Requires Elevation Certificates
- Requires Smart Vents
- Requires Breakaway Walls

BUILDING OFFICIAL \_\_\_\_\_ DATE \_\_\_\_\_ FLOODPLAIN ADMIN. \_\_\_\_\_ DATE \_\_\_\_\_ OWNER/CONTRACTOR \_\_\_\_\_ DATE \_\_\_\_\_

## SUPPLEMENTAL APPLICATION

- 1- **Proposed Alteration of the Land:**
  - Determination of COE & DEP Wetlands: \_\_\_\_\_
  - Amount and location of Fill to be placed on property: \_\_\_\_\_
  - Percentage of land to be placed in impervious surface: \_\_\_\_\_
  
- 2- **Critical Shoreline Inspection:**
  - Construction to be a minimum of 50 feet from the mean high water or wetland: \_\_\_\_\_  
(Must be indicated on submitted site plan)
  - Construction within 50 feet of the mean high water or wetlands: \_\_\_\_\_
  - Attach the Board of Adjustment Approval: Date of Approval: \_\_\_\_\_  
(Expires One Year From Approval Date)
  
- 3- **Elevation Requirements:**
  - FLOOD ZONE: \_\_\_\_\_ BASE FLOOD ELEVATION: \_\_\_\_\_
  - LOWEST BASE FLOOD ELEVATION AT BUILDING SITE: \_\_\_\_\_
  - A/AE/AH/AO ZONES: Elevation of bottom of the first floor: \_\_\_\_\_
  - VE Zones: Elevation of the first floor horizontal support structure: \_\_\_\_\_

## DEVELOPMENT APPLICATION CHECKLIST

### RESIDENTIAL:

- Application
- \_\_\_\_\_ Supplemental Application
- \_\_\_\_\_ Boundary Survey (Non-Flood Zones)
- Site Plan
- \_\_\_\_\_ Septic Tank Permit
- \_\_\_\_\_ Energy Code Form
- \_\_\_\_\_ 2 Complete Sets of Building Plans
- Wind Load Analysis     Engineered State Permits
- DEP Permits  COE Permits     FDOT Permits
- \_\_\_\_\_ Structure Height & Number of Stories Affidavit
- \_\_\_\_\_ Portable Toilet Agreement
- \_\_\_\_\_ Owner/Builder Affidavit
- \_\_\_\_\_ Dumpster Affidavit
- \_\_\_\_\_ Termite Affidavit
- \_\_\_\_\_ Turtle Light Affidavit (If Applicable)
- \_\_\_\_\_ Recorded Notice of Commencement

### FORMS REQUIRED IN FLOOD ZONES: (Additional)

- \_\_\_\_\_ Topographical Survey
- \_\_\_\_\_ Flood Plain Management Review (Requires Permit)
- \_\_\_\_\_ V Zone Certification (If Applicable)
- \_\_\_\_\_ Smart Vent Certification (If Applicable)
- \_\_\_\_\_ Elevation Affidavit

### COMMERCIAL: (Additional to Residential)

- \_\_\_\_\_ P&Z Approval Notice
- \_\_\_\_\_ BOA Approval Notice
- \_\_\_\_\_ BCC Approval Notice
- \_\_\_\_\_ DEP Storm Water Permit/Exemption
- \_\_\_\_\_ DBR Approval
- \_\_\_\_\_ Parking Plan
- \_\_\_\_\_ Flood Proofing Certification (If Applicable)

## SUB-CONTRACTOR LIST

PLEASE BE ADVISED THAT ALL CONTRACTORS DOING WORK IN FRANKLIN COUNTY MUST BE REGISTERED IN FRANKLIN COUNTY PRIOR TO PERFORMING ANY WORK IN THIS COUNTY. ALL GENERAL, RESIDENTIAL & BUILDING, ELECTRICAL, PLUMBING, HVAC & ROOFING CONTRACTOR'S ARE REQUIRED TO PULL PERMITS ON ALL NEW, RENOVATIONS, REMODEL PROJECTS.

CONTRACTOR OR OWNER HAS CONTRACTED WITH THE FOLLOWING (OWNER/BUILDERS ARE NOT ALLOWED TO HIRE SPECIALTY FRAMING CONTRACTORS) ALL CONTRACTOR'S & SUBCONTRACTOR'S MUST BE REGISTERED WITH FRANKLIN COUNTY AND ALL APPLICABLE PERMITS MUST BE OBTAINED BEFORE COMMENCING WORK.

- |                   |                                     |                   |                                     |
|-------------------|-------------------------------------|-------------------|-------------------------------------|
| Contractor: _____ | <input type="checkbox"/> Registered | Insulation: _____ | <input type="checkbox"/> Registered |
| Electrical: _____ | <input type="checkbox"/> Registered | Painting: _____   | <input type="checkbox"/> Registered |
| Plumbing: _____   | <input type="checkbox"/> Registered | Framing: _____    | <input type="checkbox"/> Registered |
| HVAC: _____       | <input type="checkbox"/> Registered | Masonry: _____    | <input type="checkbox"/> Registered |
| Roofing: _____    | <input type="checkbox"/> Registered | Tile: _____       | <input type="checkbox"/> Registered |
| Piling: _____     | <input type="checkbox"/> Registered | Other: _____      | <input type="checkbox"/> Registered |
| Concrete: _____   | <input type="checkbox"/> Registered | Other: _____      | <input type="checkbox"/> Registered |
| Siding: _____     | <input type="checkbox"/> Registered | Other: _____      | <input type="checkbox"/> Registered |



# FLORIDA DEPARTMENT OF Environmental Protection

Northwest District  
160 W. Government Street, Suite 308  
Pensacola, FL 32502

Ron DeSantis  
Governor

Jeanette Nuñez  
Lt. Governor

Noah Valenstein  
Secretary

Wednesday, February 5, 2020

Dan Garlick  
PO Box 385  
Apalachicola, Florida 32329  
[dan@garlickenv.com](mailto:dan@garlickenv.com)

File No.: 0377913-002-EG/19, Franklin County

Dear Mr. Garlick:

On December 5, 2019, we received your notice of intent to use a General Permit (GP) pursuant to Rule 62-330.427, Florida Administrative Code (F.A.C.) to construct a single-family dock totaling less than 2,000 square feet within the Apalachicola River, Class III Outstanding Florida Waters, Prohibited Shellfish Harvesting Area. The project is located at River's Edge Phase II Lot 46, Apalachicola, Florida 32320, Parcel No. 27-08S-08W-1001-0000-0460, in Section 27, Township 08 South, Range 08 West of Franklin County; at approximately 29°45'46" North Latitude, 85°01'45" West Longitude.

Your intent to use a general permit has been reviewed by Department staff for three types of authorization: (1) regulatory authorization, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal authorization. The authority for review and the outcomes of the reviews are listed below. Please read each section carefully.

**Your project did not qualify for the federal authorization, therefore additional authorization must be obtained prior to commencement of the proposed activity.** This letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity. Please refer to the specific section(s) dealing with that portion of the review below for advice on how to proceed.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

## 1. Regulatory Review – Approved

Based on the forms, drawings, and documents submitted with your notice, it appears that the project meets the requirements for the General Permit under Rule 62-330.427, F.A.C. Any activities performed under a general permit are subject to general conditions required in Rule 62-330.405, F.A.C. (attached) and the specific conditions of Rule 62-330.427, F.A.C. (attached). Any deviations from these conditions may subject the permittee to enforcement action and possible penalties.

Please be advised that the construction phase of the GP must be completed within five years from the date the notice to use the GP was received by the Department. If you wish to continue this GP beyond the expiration date, you must notify the Department at least 30 days before its expiration.

Authority for review – Part IV of Chapter 373, Florida Statutes (F.S.), Title 62, F.A.C., and in accordance with the operating agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C.

## **2. Proprietary Review – Granted**

The Department acts as staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) and issues certain authorizations for the use of sovereign submerged lands. The Department has the authority to review activities on sovereign submerged lands under Chapters 253 and 258, F.S. and Chapters 18-20 and 18-21, F.A.C.

The activity appears to be located on sovereign submerged lands owned by the Board of Trustees. The activity is not exempt from the need to obtain the applicable proprietary authorization. As staff to the Board of Trustees, the Department has reviewed the activity described above and has determined that the activity qualifies for a Letter of Consent under Section 253.77, F.S. to construct and use the activity on the specified sovereign submerged lands, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein.

During the term of this Letter of Consent you shall maintain satisfactory evidence of sufficient upland interest as required by paragraph 18-21.004(3)(b), F.A.C. If such interest is terminated or the Board of Trustees determines that such interest did not exist on the date of issuance of this Letter of Consent, this Letter of Consent may be terminated by the Board of Trustees at its sole option. If the Board of Trustees terminates this Letter of Consent, you agree not to assert a claim or defense against the Board of Trustees arising out of this Letter of Consent.

Please be advised that any use of sovereign submerged lands without specific prior authorization from the Board of Trustees will be considered a violation of Chapter 253, F.S. and may subject the affected upland riparian property owners to legal action as well as potential fines for the prior unauthorized use of sovereign land.

Authority for review – Chapter 253, F.S., Chapter 18-21, F.A.C., and Section 62-330.075, F.A.C., as required.

## **3. Federal Review –SPGP Not Approved**

Your proposed activity as outlined on your application and attached drawings **does not qualify** for Federal authorization pursuant to the State Programmatic General Permit and a **SEPARATE permit** or authorization **shall be required** from the Corps. You must apply separately to the Corps using their APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT, ENG FORM 4345, or alternative as allowed by their regulations. More information on Corps permitting may be found online in the Jacksonville District Regulatory Division Source Book at: <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book>.

Authority for review - an agreement with the USACOE entitled "Coordination Agreement Between the U.S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection (or Duly Authorized Designee), State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

#### **Additional Information**

Please retain this general permit. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S. and Chapter 18-14, F.A.C.

#### **NOTICE OF RIGHTS**

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until a subsequent order of the Department. Because the administrative hearing process is designed to formulate final agency action, the subsequent order may modify or take a different position than this action.

#### Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, 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.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at [Agency\\_Clerk@FloridaDEP.gov](mailto:Agency_Clerk@FloridaDEP.gov). Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.



#### Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do not publish notice of this action, this waiver may not apply to persons who have not received a clear point of entry.

#### Extension of Time

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

#### Mediation

Mediation is not available in this proceeding.

#### FLAWAC Review

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

#### Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S. by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and

by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

If you have any questions regarding this matter, please contact Jacob Hullett at the letterhead address, at (850)595-0638, or at [Jacob.Hullett@FloridaDEP.gov](mailto:Jacob.Hullett@FloridaDEP.gov)

#### **EXECUTION AND CLERKING**

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



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Jacob Hullett  
Environmental Specialist  
Submerged Lands and Environmental Resources Program

#### **Attachments:**

1. Rule 62-330.427, F.A.C., 2 pages
2. General Conditions for All General Permits, Rule 62-330.405, F.A.C., 3 pages
3. Special Consent Conditions for Use of Sovereignty Submerged Lands, 1 page
4. General Consent Conditions for Use of Sovereignty Submerged Lands, 2 pages
5. Project Drawings, 6 pages

#### **CERTIFICATE OF SERVICE**

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

Wade Dandridge, DEP, [Wade.Dandridge@FloridaDEP.gov](mailto:Wade.Dandridge@FloridaDEP.gov)  
Waylon Register, US Army Corps of Engineers, [Waylon.T.Register@usace.army.mil](mailto:Waylon.T.Register@usace.army.mil)  
Franklin County, [malley@cityofapalachicola.com](mailto:malley@cityofapalachicola.com), [michael@franklincountyflorida.com](mailto:michael@franklincountyflorida.com)

#### **FILING AND ACKNOWLEDGMENT**

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



**Clerk**

February 5, 2020

**Date**

**62-330.427 General Permit for Docks, Piers and Associated Structures.**

(1) A general permit is granted to any person to construct, extend, or remove a dock or pier and associated structures as described below:

(a) A private, single-family pier or dock with up to two boat lifts that, together with all existing structures on the shoreline of the property, does not exceed a total area of 2,000 square feet over surface waters. Such a structure:

1. Shall not accommodate the mooring of more than two vessels, either in the water or on a boat lift. Solely for purposes of this general permit, up to two personal watercraft as defined in section 327.02(33), F.S., may be moored in lieu of either or both allowable vessels of another type.

These limits shall not apply to the mooring, storage or other use of the dock or pier by:

a. Non-motor-powered vessels less than 16 feet in length that are stored on or under the dock or pier, or within an authorized mooring area; or

b. Personal watercraft, dinghies or similar small vessels that are stowed out of the water, upon a larger parent vessel that is moored at the dock in compliance with this general permit.

2. Shall be located such that all areas used for vessel mooring and navigational access already provide a minimum depth of two feet below the mean low water level for tidal waters, or two feet below the expected average low water depth for non-tidal waters as determined based on best available information for the water body at the project location; and

3. May include a roof over the vessel mooring areas, boat lifts, and terminal platform, or any portions thereof, subject to the applicable provisions of chapters 253 and 258, F.S., and the rules adopted thereunder. Portions of such roofs that overhang beyond the edge of decked portions of the pier or dock shall be included in the calculation of the total square footage of over-water structure allowed under paragraph (1)(a), above.

(b) A public fishing pier that does not exceed a total area of 2,000 square feet provided the structure is designed and built to discourage boat mooring by elevating the fishing pier to a minimum height of five feet above mean high water or ordinary high water, surrounding the pier with handrails, and installing and maintaining signs that state "No Boat Mooring Allowed."

(2) This general permit shall be subject to the following specific conditions:

(a) Construction or extension of the boat lift, boat mooring locations, or terminal platform, shall not occur over submerged grassbeds, coral communities or wetlands. However, the access walkway portion of the pier may traverse these resources provided it is elevated a minimum of five feet above mean high water or ordinary high water, contains handrails that are maintained in such a manner as to prevent use of the access walkways for boat mooring or access, and does not exceed a width of six feet, or a width of four feet in Aquatic Preserves;

(b) There shall be no structures enclosed by walls, screens, or doors on any side;

(c) The dock or pier will not facilitate vessel rentals, charters, or serve any other commercial purpose;

(d) There shall be no fish cleaning facilities, boat repair facilities or equipment, or fueling facilities on the structures authorized by this general permit. In addition, no overboard discharges of trash, human or animal waste, or fuel shall occur from any structures authorized by this general permit;

(e) This general permit shall not authorize the construction or extension of more than one dock or pier per parcel of land or individual lot. For the purposes of this general permit, multi-family living complexes shall be treated as one parcel of property regardless of the legal division of ownership or control of the associated property; and

(f) Notwithstanding any other provisions of this general permit, the design, construction and operation of the dock or pier and associated vessels shall not conflict with any manatee protection plan approved and adopted under section 379.2431(2)(t), F.S.

*Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.416, 373.418, 373.426, 403.814(1) FS. History—New 10-3-95, Formerly 62-341.427, Amended 10-1-13, 6-1-18.*

### **62-330.405 General Conditions for All General Permits.**

The following general permit conditions are binding upon the permittee and are enforceable under chapter 373, F.S. These conditions do not apply to the general permit for stormwater management systems under section 403.814(12), F.S.

- (1) The general permit is valid only for the specific activity indicated. Any deviation from the specified activity and the conditions for undertaking that activity shall constitute a violation of the permit and may subject the permittee to enforcement action and revocation of the permit under chapter 373, F.S.
- (2) The general permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any construction, alteration, operation, maintenance, removal or abandonment authorized by this permit; and it does not authorize any violation of any other applicable federal, state, local, or special district laws (including, but not limited to, those governing the "take" of listed species).
- (3) The general 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 general permit.
- (4) The general permit does not relieve the permittee from liability and penalties when the permitted activity causes harm or injury to: human health or welfare; animal, plant or aquatic life; or property. It does not allow the permittee to cause pollution that violates state water quality standards.
- (5) Section 253.77, F.S., provides that a person may not commence any excavation, construction, or other activity involving the use of state-owned 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 consent, lease, easement, or other form of authorization authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on state-owned lands.
- (6) The authorization to conduct activities under a general permit may be modified, suspended or revoked in accordance with chapter 120, F.S., and section 373.429, F.S.
- (7) The general permit is not transferable to a new third party. To be used by a different permittee, a new notice to use a general permit must be submitted in accordance with rule 62-330.402, F.A.C. Activities constructed in accordance with the terms and conditions of a general permit are automatically authorized to be operated and maintained by the permittee and subsequent owners in accordance with subsection 62-330.340(1), F.A.C. Any person holding the general permit, persons working under the general permit, and owners of land while work is conducted under the general permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to sale, conveyance, or other transfer of ownership or control of the permitted project, activity, or the real property at which the permitted project or activity is located.
- (8) Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the permitted system to ensure conformity with the plans and specifications approved by the general permit.
- (9) The permittee shall maintain any permitted project or activity in accordance with the plans submitted to the Agency and authorized in the general permit.
- (10) A permittee's right to conduct a specific activity under the general permit is authorized for a duration of five years.

(11) Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be implemented and maintained immediately prior to, during, and after construction as needed to stabilize all disturbed areas, including other measures specified in the permit to prevent adverse impacts to the water resources and adjacent lands. Erosion and sediment control measures shall be installed and maintained in accordance with the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation, June 2007)*, available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-04227>, and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008)*, available at [http://publicfiles.dep.state.fl.us/DEAR/Stormwater\\_Training\\_Docs/erosion-inspectors-manual.pdf](http://publicfiles.dep.state.fl.us/DEAR/Stormwater_Training_Docs/erosion-inspectors-manual.pdf).

(12) Unless otherwise specified in the general permit, temporary vehicular access within wetlands during construction shall be performed using vehicles generating minimum ground pressure to minimize rutting and other environmental impacts. Within forested wetlands, the permittee shall choose alignments that minimize the destruction of mature wetland trees to the greatest extent practicable. When needed to prevent rutting or soil compaction, access vehicles shall be operated on wooden, composite, metal, or other non-earthen construction mats. In all cases, access in wetlands shall comply with the following:

- (a) Access within forested wetlands shall not include the cutting or clearing of any native wetland tree having a diameter four inches or greater at breast height;
- (b) The maximum width of the construction access area shall be limited to 15 feet;
- (c) All mats shall be removed as soon as practicable after equipment has completed passage through, or work has been completed, at any location along the alignment of the project, but in no case longer than seven days after equipment has completed work or passage through that location; and
- (d) Areas disturbed for access shall be restored to natural grades immediately after the maintenance or repair is completed.

(13) Barges or other work vessels used to conduct in-water activities shall be operated in a manner that prevents unauthorized dredging, water quality violations, and damage to submerged aquatic communities.

(14) The construction, alteration, or use of the authorized project shall not adversely impede navigation or create a navigational hazard in the water body.

(15) Except where specifically authorized in the general permit, activities must not:

- (a) Impound or obstruct existing water flow, cause adverse impacts to existing surface water storage and conveyance capabilities, or otherwise cause adverse water quantity or flooding impacts to receiving water and adjacent lands; or
- (b) Cause an adverse impact to the maintenance of surface or ground water levels or surface water flows established pursuant to section 373.042, F.S., or a Works of the District established pursuant to section 373.086, F.S.

(16) If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, stone tools, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The permittee or other designee

shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section (DHR), at (850)245-6333, as well as the appropriate permitting agency office. Project activities shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, F.S.

(17) The activity must be capable, based on generally accepted engineering and scientific principles, of being performed and of functioning as proposed, and must comply with any applicable District special basin and geographic area criteria.

(18) The permittee shall comply with the following when performing work within waters accessible to federally- or state-listed aquatic species, such as manatees, marine turtles, smalltooth sawfish, and Gulf sturgeon:

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

(b) All deployed siltation or turbidity barriers shall be properly secured, monitored, and maintained to prevent entanglement or entrapment of listed species.

(c) All in-water activities, including vessel operation, must be shut down if a listed species comes within 50 feet of the work area. Activities shall not resume until the animal(s) has moved beyond a 50-foot radius of the in-water work, or until 30 minutes elapses since the last sighting within 50 feet. Animals must not be herded away or harassed into leaving. All onsite project personnel are responsible for observing water-related activities for the presence of listed species.

(d) Any listed species that is killed or injured by work associated with activities performed shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1(888)404-3922 and [ImperiledSpecies@myFWC.com](mailto:ImperiledSpecies@myFWC.com).

(e) Whenever there is a spill or frac-out of drilling fluid into waters accessible to the above species during a directional drilling operation, the FWC shall be notified at [ImperiledSpecies@myfwc.com](mailto:ImperiledSpecies@myfwc.com) with details of the event within 24 hours following detection of the spill or frac-out.

(19) The permittee shall hold and save the Agency 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 activity authorized by the general permit.

(20) The permittee shall immediately notify the Agency in writing of any submitted information that is discovered to be inaccurate.

*Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.044, 373.118(1), 373.129, 373.136, 373.406(5), 373.413, 373.4131, 373.414(9), 373.4145, 373.416, 373.422, 373.423, 373.429, 403.814(1) FS. History—New 10-3-95, Amended 10-1-07, Formerly 62-341.215, Amended 10-1-13, 6-1-18.*

### **Special Consent Conditions**

1. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.
2. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.
3. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.
4. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.
5. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.



**General Conditions for Authorizations for Activities on State-Owned Submerged Lands:**

All authorizations granted by rule or in writing under rule 18-21.005, F.A.C., except those for geophysical testing, shall be subject to the general conditions as set forth in paragraphs (a) through (j) below. The general conditions shall be part of all authorizations under this chapter, shall be binding upon the grantee, and shall be enforceable under chapter 253 or 258, part II, F.S.

- (a) 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.
- (b) 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.
- (c) 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.
- (d) Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.
- (e) 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.
- (f) 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.
- (g) Structures or activities shall not create a navigational hazard.
- (h) Activities shall not interfere with the public easement for traditional uses of the sandy beaches provided in section 161.141, F.S.
- (i) 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.
- (j) 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)(g), F.A.C., or any other applicable law.

*Rulemaking Authority 253.03(7), 253.73 FS. Law Implemented 253.001, 253.03, 253.141, 253.0347, 253.665, 253.71, 253.68, 253.72, 253.74, 253.75, 253.77 FS. History—New 3-27-82,*

*Amended 8-1-83, Formerly 16Q-21.04, 16Q-21.004, Amended 12-25-86, 1-25-87, 3-15-90, 8-18-92, 10-15-98, 12-11-01, 10-29-03, 12-16-03, 3-8-04, 10-27-05, 4-14-08, 9-1-09, 3-21-19.*

# PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.



APPLICANT/CLIENT: Dan Garlick  
WATERBODY/CLASS: Apalachicola River / OFW  
PURPOSE: Environmental Permitting  
PROJECT LOCATION / USGS: Apalachicola / Franklin County  
LATITUDE: 29° 45' 46.63"  
LONGITUDE: 85° 1' 44.93"  
SECTION: 27 TOWNSHIP: 8 South      RNG: 8 West

JOB: 19-075  
DEP:  
COE:  
OTHER:  
DATE: February 5, 2020  
SHEET: 2/4



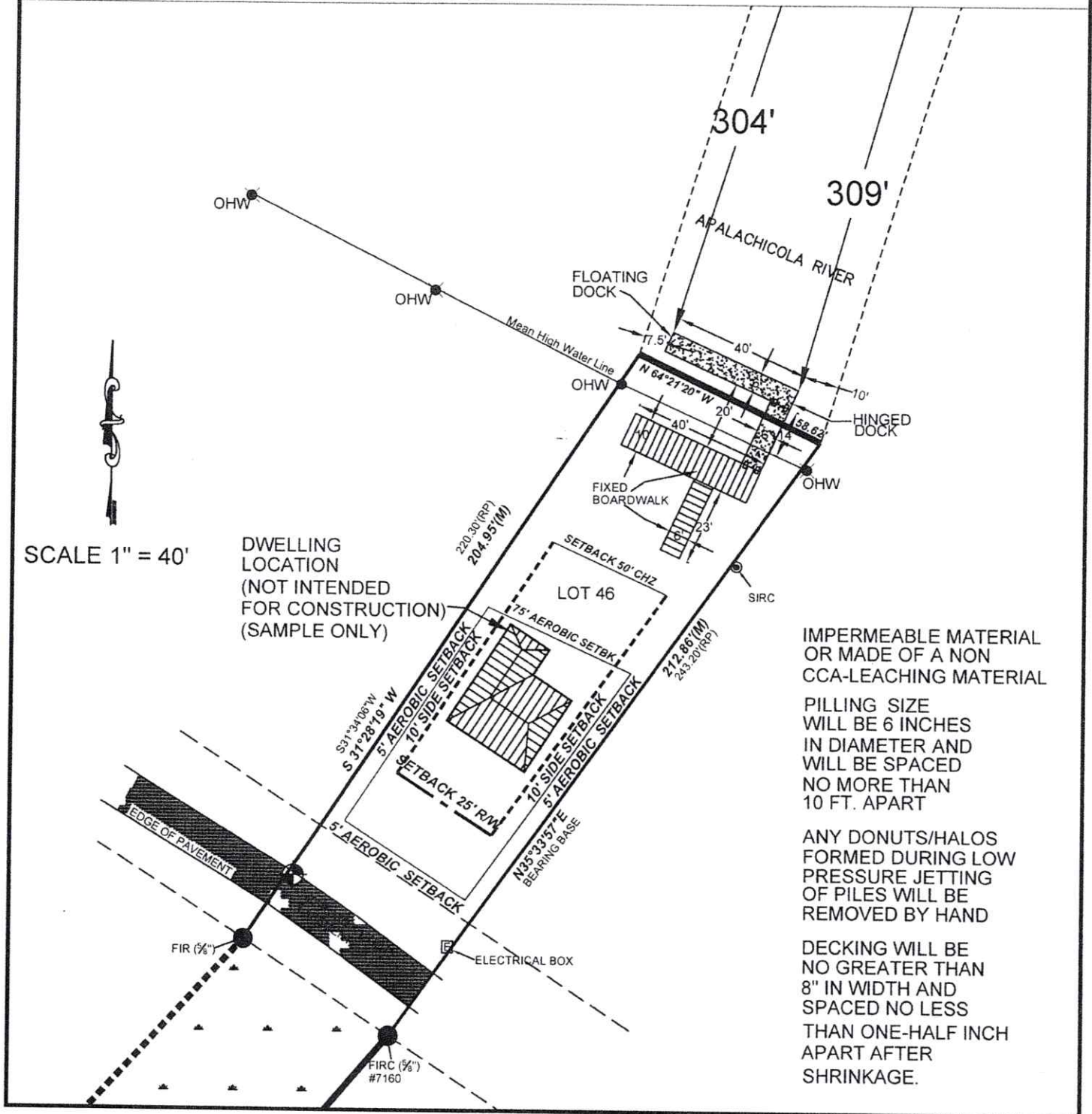
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OR MADE OF A NON  
CCA-LEACHING MATERIAL  
PILING SIZE  
WILL BE 8 INCHES  
IN DIAMETER AND  
WILL BE SPACED  
NO MORE THAN  
10 FT. APART  
ANY DONUTS/HALOS  
FORMED DURING LOW  
PRESSURE JETTING  
OF PILES WILL BE  
REMOVED BY HAND  
DECKING WILL BE  
NO GREATER THAN  
8' IN LENGTH AND  
SPACED NO LESS  
THAN ONE HALF INCH  
APART AFTER  
INSTALLATION

PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.



APPLICANT/CLIENT: Dan Garlick  
 WATERBODY/CLASS: Apalachicola River / OFW  
 PURPOSE: Environmental Permitting  
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 DEP:  
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 OTHER:  
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 SHEET: 3/4



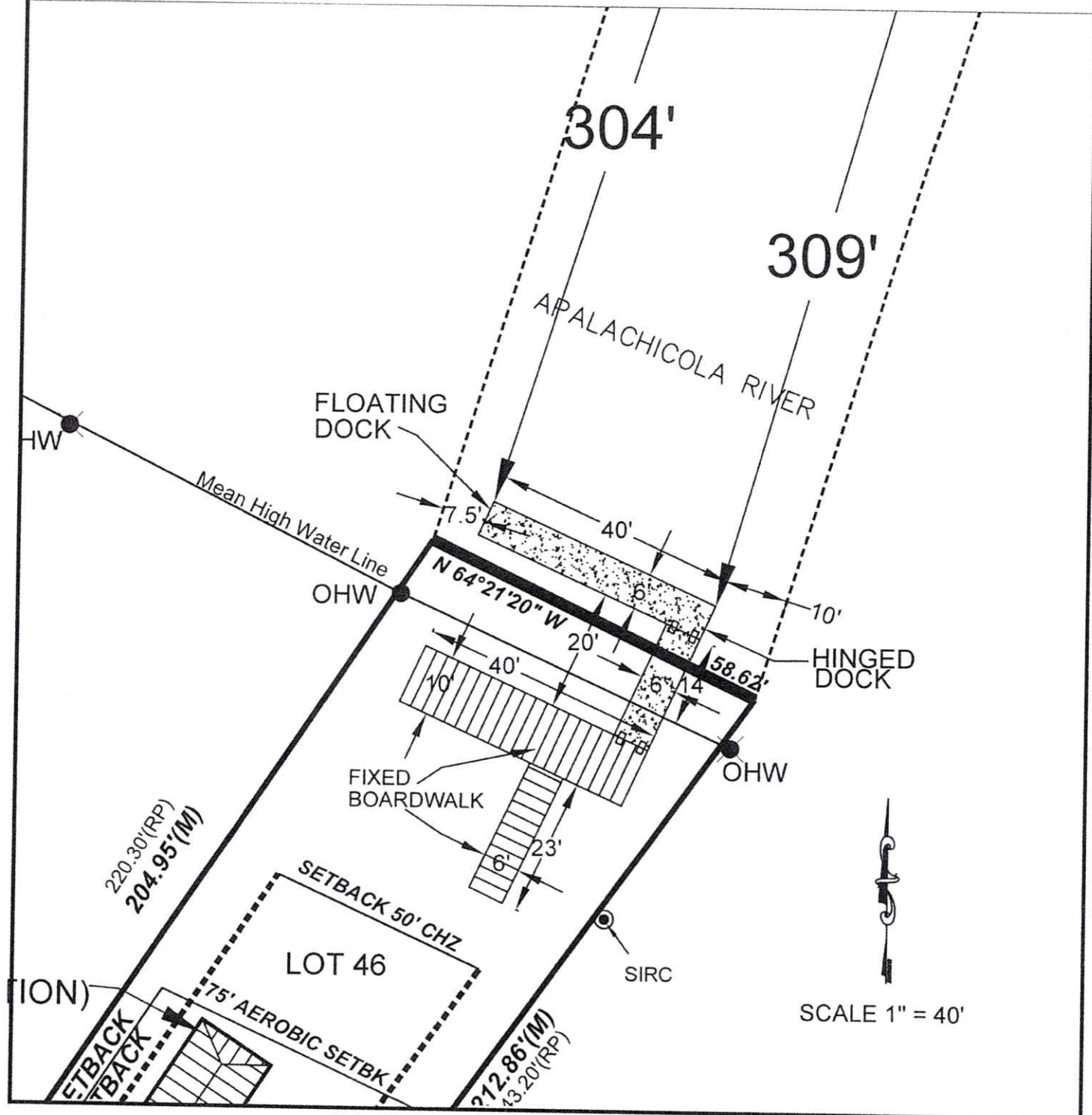
IMPERMEABLE MATERIAL OR MADE OF A NON CCA-LEACHING MATERIAL  
 PILLING SIZE WILL BE 6 INCHES IN DIAMETER AND WILL BE SPACED NO MORE THAN 10 FT. APART  
 ANY DONUTS/HALOS FORMED DURING LOW PRESSURE JETTING OF PILES WILL BE REMOVED BY HAND  
 DECKING WILL BE NO GREATER THAN 8" IN WIDTH AND SPACED NO LESS THAN ONE-HALF INCH APART AFTER SHRINKAGE.

PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.



APPLICANT/CLIENT: Dan Garlick  
 WATERBODY/CLASS: Apalachicola River / OFW  
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JOB: 19-075  
 DEP:  
 COE:  
 OTHER:  
 DATE: February 5, 2020  
 SHEET: 3A/4

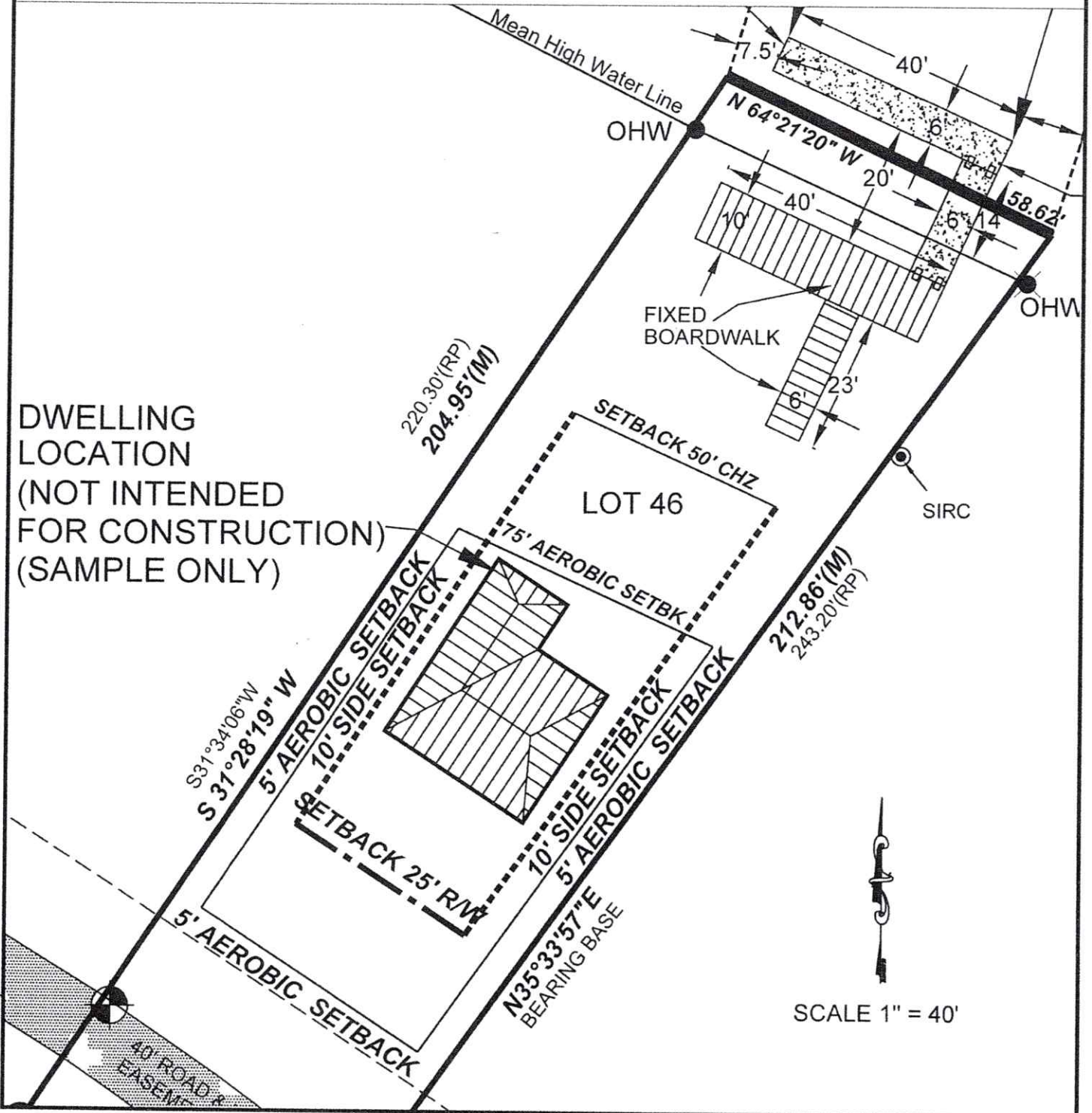


PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.



APPLICANT/CLIENT: Dan Garlick  
 WATERBODY/CLASS: Apalachicola River / OFW  
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JOB: 19-075  
 DEP:  
 COE:  
 OTHER:  
 DATE: February 5, 2020  
 SHEET: 3B/4



PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385

(850) 653-8899

FAX (850) 653-9656

garlick@garlickenv.com

LB No. 7415

APPLICANT/CLIENT: Dan Garlick

JOB: 19-075

WATERBODY/CLASS: Apalachicola River / ClassII / OFW

DEP:

PURPOSE: Environmental Permitting

COE:

PROJECT LOCATION / USGS: Apalachicola

OTHER:

LATITUDE: 29° 45' 46.63

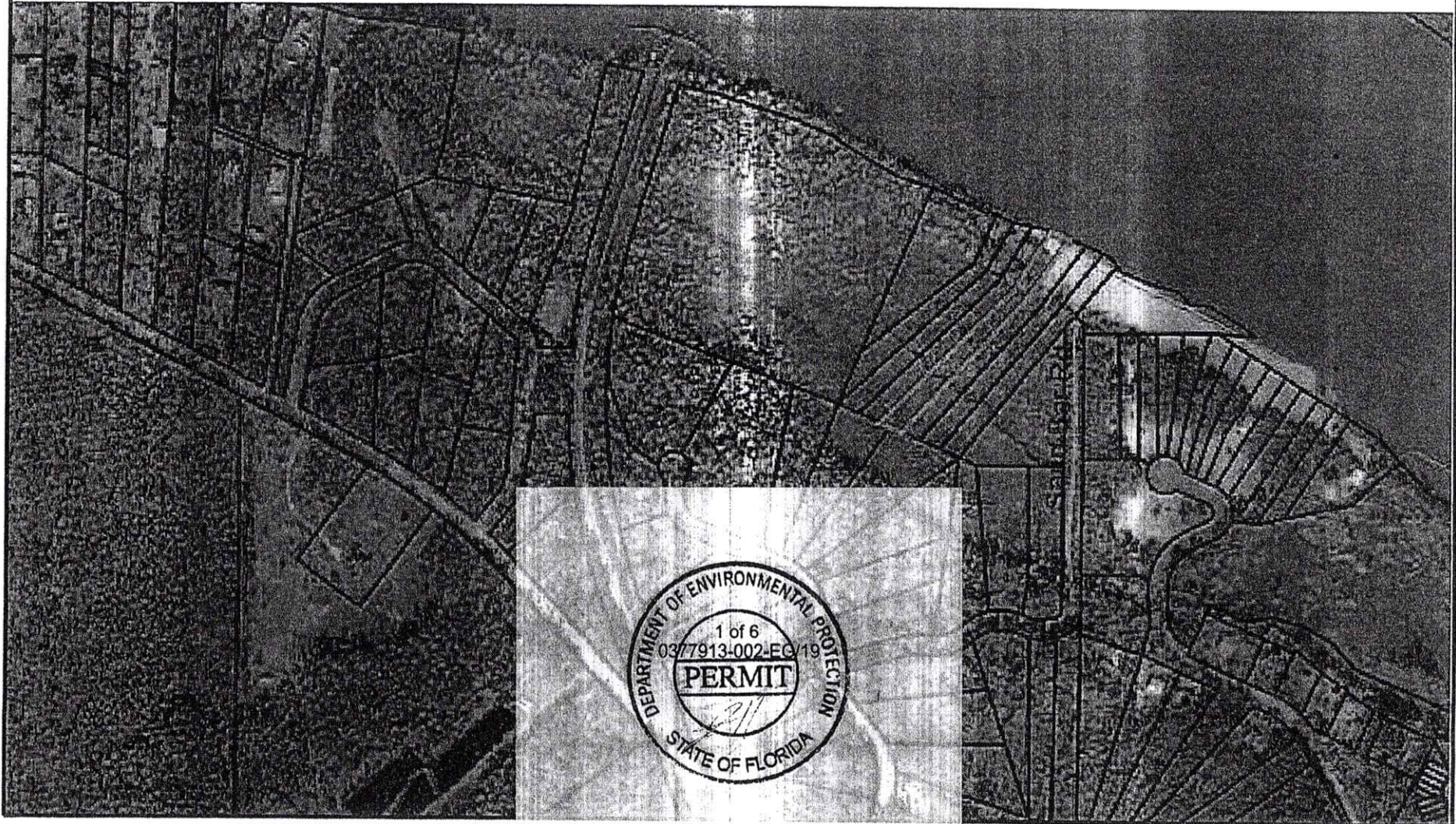
DATE: December 5, 2019

LONGITUDE: 85° 1' 44.93"

SHEET: 1/4

SECTION: 27 TOWNSHIP: 8 South

RANGE: 8 West



PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.



APPLICANT/CLIENT: Dan Garlick  
WATERBODY/CLASS: Apalachicola River / OFW  
PURPOSE: Environmental Permitting  
PROJECT LOCATION / USGS: Apalachicola / Franklin County  
LATITUDE: 29° 45' 46.63"  
LONGITUDE: 85° 1' 44.93"  
SECTION: 27 TOWNSHIP: 8 South      RNG: 8 West

JOB: 19-075  
DEP:  
COE:  
OTHER:  
DATE: December 5, 2019  
SHEET: 2/4



WOOD PILING WILL BE WRAPPED IN AN IMPERMEABLE MATERIAL OR MADE OF A NON-CCA-LEACHING MATERIAL  
PILING SIZE WILL BE 6 INCHES IN DIAMETER AND WILL BE SPACED NO MORE THAN 10 FT. APART  
ANY DONUTS/HALOS FORMED DURING LOW PRESSURE JETTING OF PILES WILL BE REMOVED BY HAND  
DECKING WILL BE NO GREATER THAN 8" IN WIDTH AND SPACED NO LESS THAN ONE-HALF INCH APART



SCALE 1" = 100'

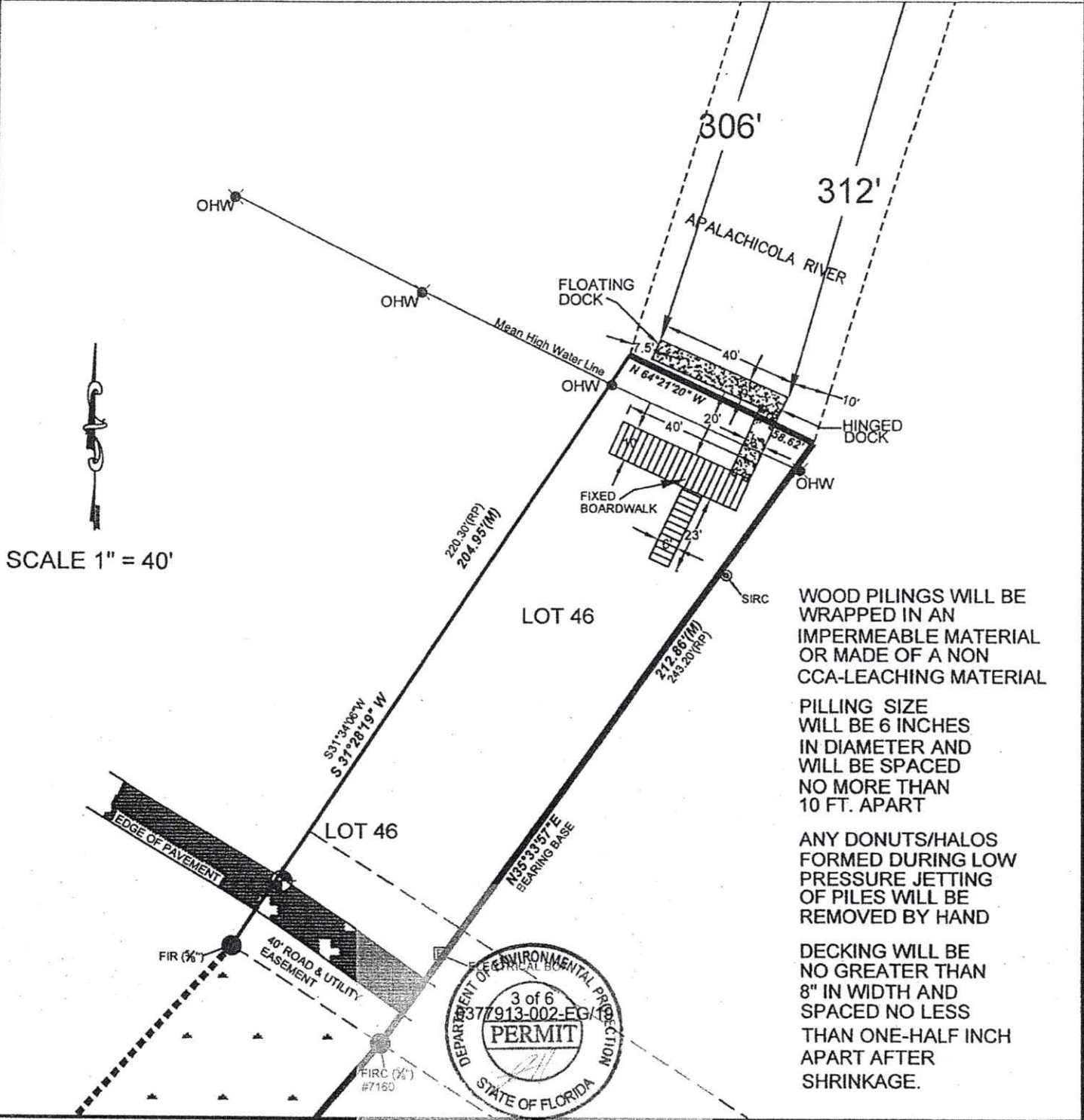


PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.



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WOOD PILINGS WILL BE WRAPPED IN AN IMPERMEABLE MATERIAL OR MADE OF A NON CCA-LEACHING MATERIAL

PILING SIZE WILL BE 6 INCHES IN DIAMETER AND WILL BE SPACED NO MORE THAN 10 FT. APART

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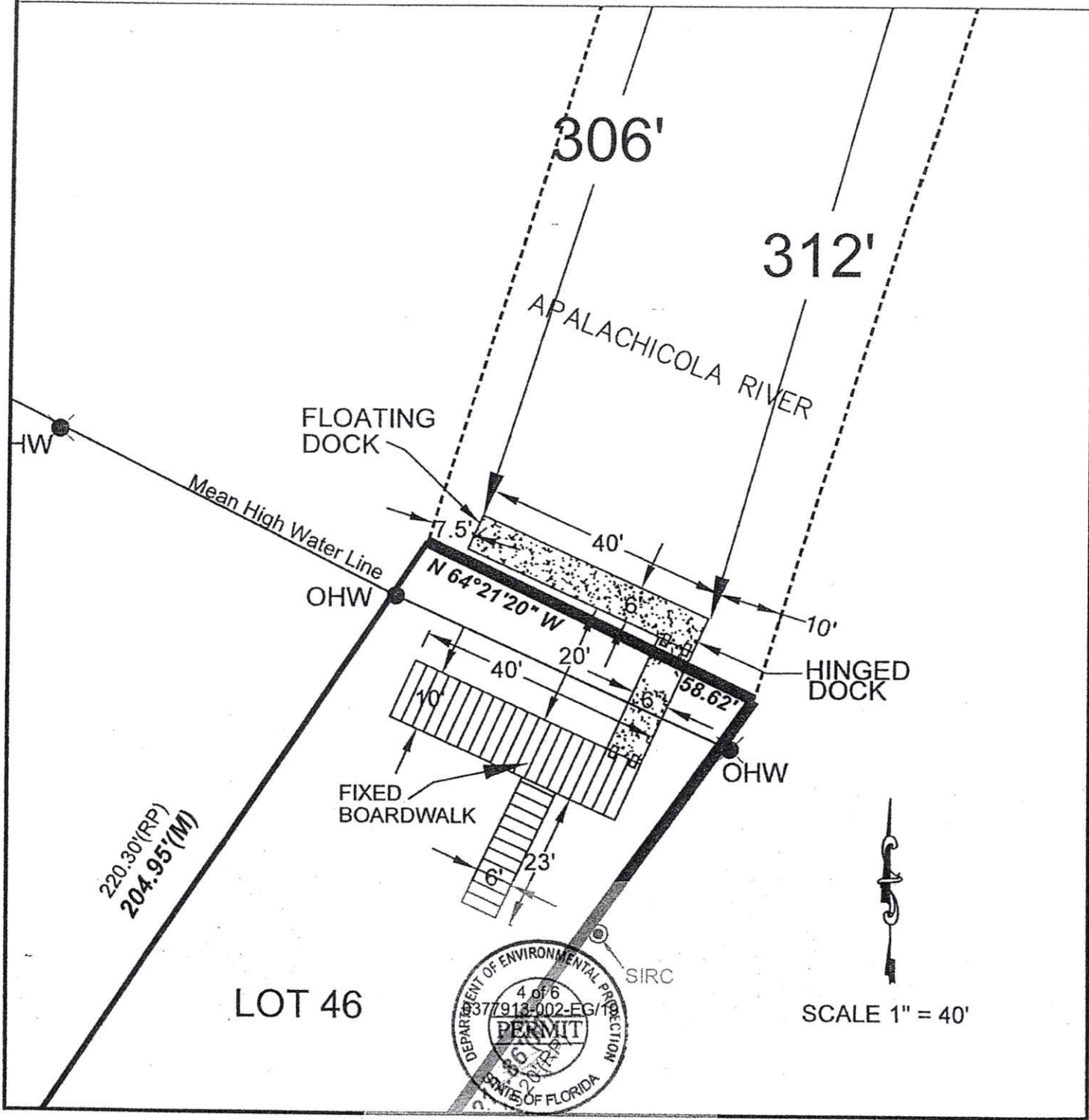




# PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

APPLICANT/CLIENT: Dan Garlick  
 WATERBODY/CLASS: Apalachicola River / OFW  
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JOB: 19-075  
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 DATE: December 5, 2019  
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PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385

(850) 653-8899

FAX (850) 653-9656

garlick@garlickenv.com

LB No. 7415

APPLICANT/CLIENT: Dan Garlick

WATERBODY/CLASS: Apalachicola River / OFW

PURPOSE: Environmental Permitting

PROJECT LOCATION / USGS: Apalachicola / Franklin County

LATITUDE: 29° 45' 46.63"

LONGITUDE: 85° 1' 44.93"

SECTION: 27 TWSHP: 8 South

RNG: 8 West

JOB: 19-075

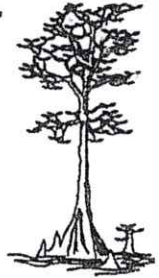
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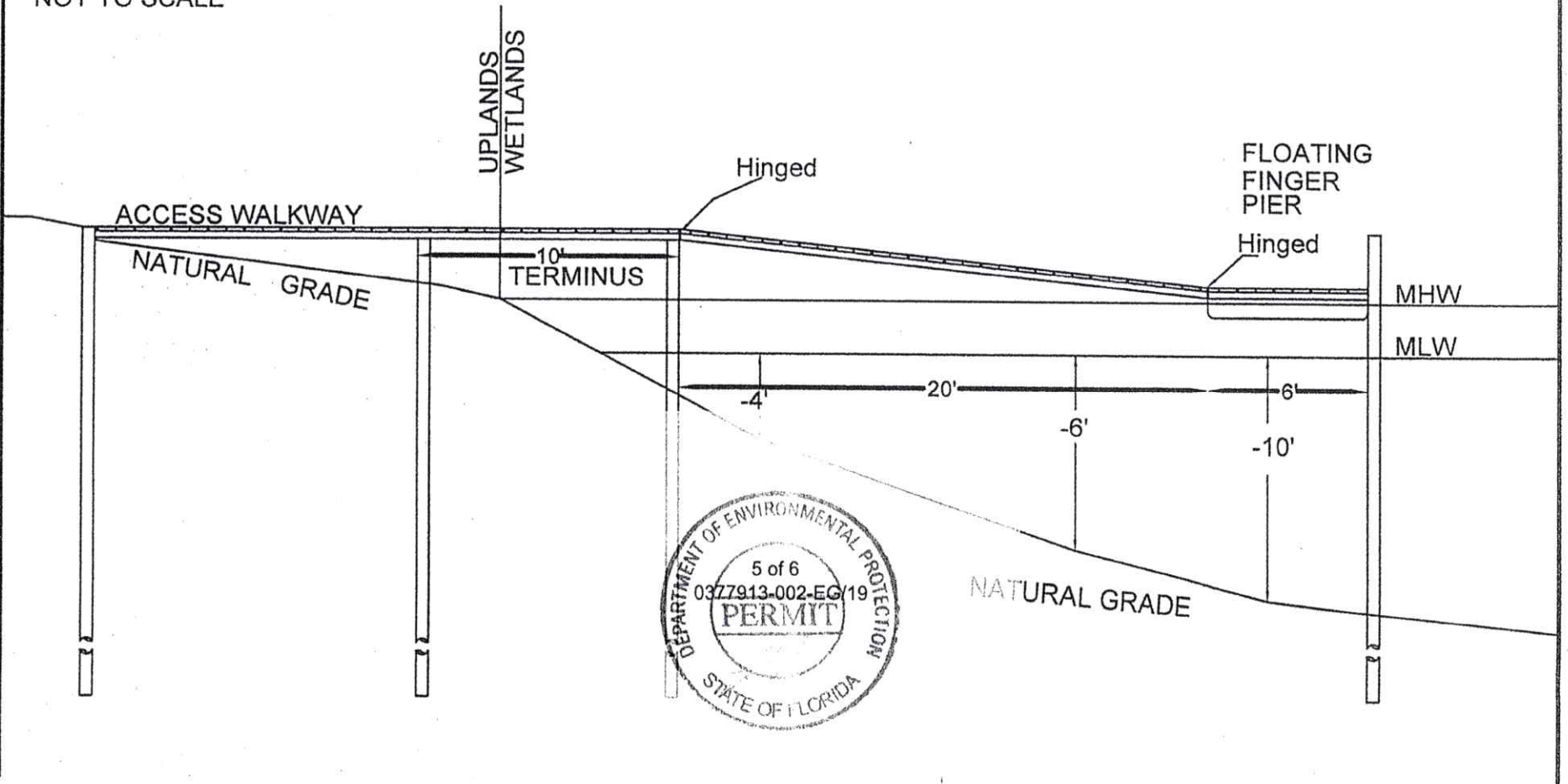
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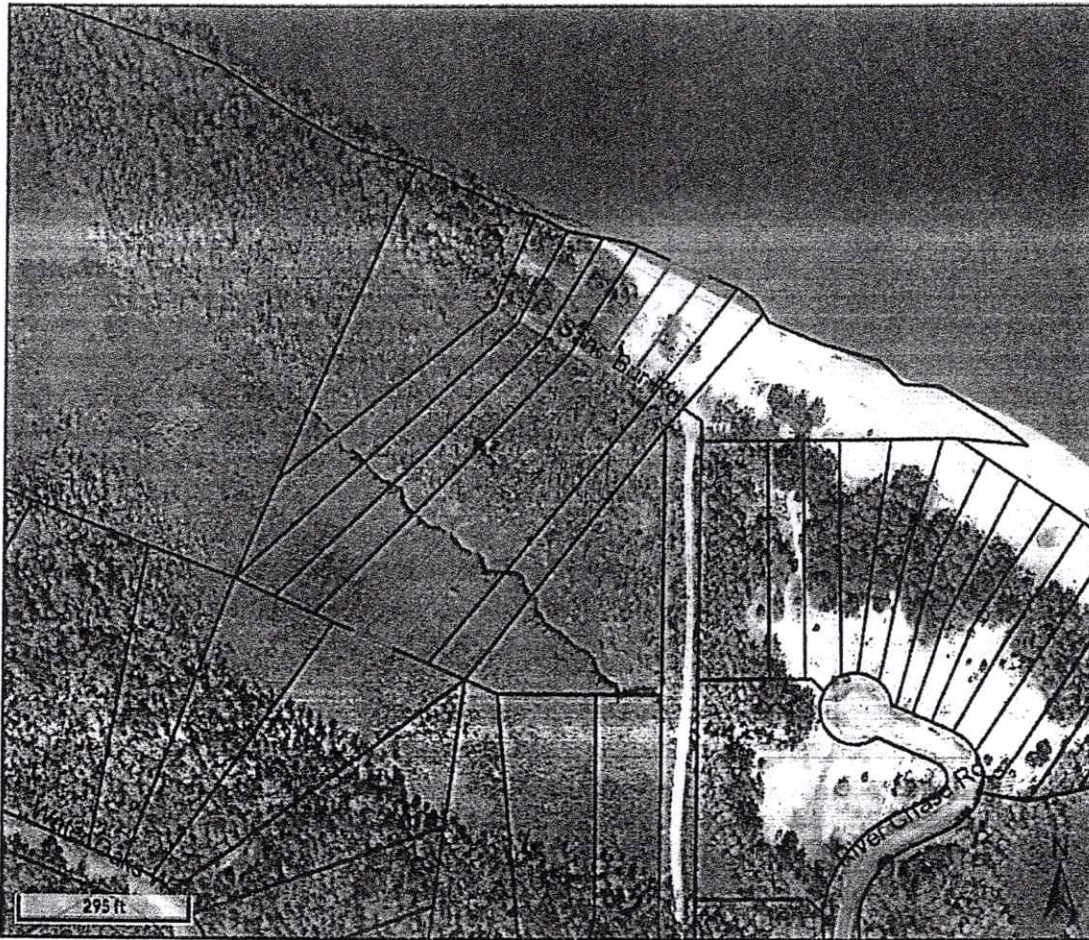
DATE: December 5, 2019

SHEET: 4/4



CROSS SECTION  
PROPOSED DOCK  
NOT TO SCALE





**Overview**



**Legend**

- Parcels
- Roads
- City Labels

Parcel ID	27-085-08W-1001-0000-0460	Alternate ID	08W08527100100000460	Owner Address	GARLICK DANIEL W.
Sec/Twp/Rng	--	Class	VACANT		PO. BOX 385
Property Address		Acreage	1		APALACHICOLA, FL 32320
District	1				
Brief Tax Description	RIVER'S EDGE PHASE II LOT 46				
	(Note: Not to be used on legal documents)				

Date created: 6/27/2019  
 Last Data Uploaded: 6/27/2019 7:11:11 AM

Developed by  **Schneider**  
 GEOSPATIAL





DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS JACKSONVILLE DISTRICT,  
415 RICHARD JACKSON BOULEVARD, SUITE 411  
PANAMA CITY BEACH, FLORIDA 32407

June 3, 2020

Regulatory Division  
North Permit Branch  
Panama City Permits Section  
SAJ-2020-02090(GP-LSL)

Mr. Dan Garlick  
Post Office Box 385  
Apalachicola, Florida 32329

Dear Mr. Garlick:

The U.S. Army Corps of Engineers (Corps) assigned your application for a Department of the Army permit, which the Corps received on April 29, 2020, the file number SAJ-2020-02090. A review of the information and drawings provided indicates that the proposed work will result in the construction of a 324 square foot (over mean high water line) single family dock with open mooring area. Specifically, the dock will include a 6' by 14' hinged access dock and 6' by 40' floating dock. Turbidity curtains will be utilized. The activities subject to this permit are authorized pursuant to authorities under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403). The project is located at Lot 46, River's Edge Phase II in Section 27, Township 8 south, Range 8 west, Apalachicola, Franklin County, Florida.

Your project, as depicted on the enclosed drawings, is authorized by Regional General Permit (GP) SAJ-20. This authorization is valid until March 27, 2023. Please access the Corps' Jacksonville District Regulatory Division Internet page to view the special and general conditions for SAJ-20, which apply specifically to this authorization. The Internet URL address is:

<http://www.saj.usace.army.mil/Missions/Regulatory.aspx>

Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Once there you will need to click on "Source Book"; and, then click on "General Permits." Then you will need to click on the specific SAJ permit noted above. You must comply with all of the special and general conditions of the permit; and, any project-specific conditions noted below, or you may be subject to enforcement action. The following project-specific conditions are included with this authorization:

**1. Reporting Address:** The Permittee shall submit all reports, notifications, documentation and correspondence required by the general and special conditions of this permit to either (not both) of the following addresses:

a. For electronic mail (preferred): [SAJ-RD-Enforcement@usace.army.mil](mailto:SAJ-RD-Enforcement@usace.army.mil) (not to exceed 15 MB).

b. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.

The Permittee shall reference this permit number, SAJ-2020-02090 (GP - LSL), on all submittals.

**2. Commencement Notification:** Within 10 days from the date of initiating the work authorized by this permit the Permittee shall submit a completed "Commencement Notification" Form (Attachment A).

**3. Self-Certification:** Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the attached "Self-Certification Statement of Compliance" form (Attachment B) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.

**4. Agency Changes/Approvals:** Should any other agency require and/or approve changes to the work authorized or obligated by this permit, the Permittee is advised a modification to this permit instrument is required prior to initiation of those changes. It is the Permittee's responsibility to request a modification of this permit from the Panama City Permits Section. The Corps reserves the right to fully evaluate, amend, and approve or deny the request for modification of this permit.

**5. Assurance of Navigation and Maintenance:** The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to

the United States. No claim shall be made against the United States on account of any such removal or alteration.

**6. Posting of Permit:** The Permittee shall have available and maintain for review a copy of this permit and approved plans at the construction site.

**7. Cultural Resources/Historic Properties:**

a. No structure or work shall adversely affect impact or disturb properties listed in the *National Register of Historic Places* (NRHP) or those eligible for inclusion in the NRHP.

b. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition ; and if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

d. In the unlikely event that unmarked human remains are identified on non-federal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO and THPO(s). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33

CFR Part 325.7. Such activity shall not resume without written authorization from the State Archeologist and from the Corps.

**8. Turbidity Barriers:** Prior to the initiation of any of the work authorized by this permit, the Permittee shall install floating turbidity barriers with weighted skirts that extend to the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained until the authorized work has been completed and all suspended and erodible materials have been stabilized. Turbidity barriers shall be removed upon stabilization of the work area.

**9. Manatee Conditions:** The Permittee shall comply with the "Standard Manatee Conditions for In-Water Work – 2011" (Attachment C).

This authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. Prior to the initiation of any construction, projects qualifying for this NWP/RGP permit must qualify for an exemption under section 403.813(1), F.S. or 373.406, F.S., or otherwise be authorized by the applicable permit required under Part IV of Chapter 373, F.S., by the Department of Environmental Protection, a water management district under section 373.069, F.S., or a local government with delegated authority under section 373.441, F.S., and receive Water Quality Certification (WQC) and applicable Coastal Zone Consistency Concurrence (CZCC) or waiver thereto, as well as any authorizations required for the use of state-owned submerged lands under Chapter 253, F.S., and, as applicable, Chapter 258, F.S. You should check State-permitting requirements with the Florida Department of Environmental Protection or the appropriate water management district.

This authorization does not include conditions that would prevent the 'take' of a state-listed fish or wildlife species. These species are protected under sec. 379.411, Florida Statutes, and listed under Rule 68A-27, Florida Administrative Code. With regard to fish and wildlife species designated as species of special concern or threatened by the State of Florida, you are responsible for coordinating directly with the Florida Fish and Wildlife Conservation Commission (FWC). You can visit the FWC license and permitting webpage (<http://www.myfwc.com/license/wildlife/>) for more information, including a list of those fish and wildlife species designated as species of special concern or threatened. The Florida Natural Areas Inventory (<http://www.fnai.org/>) also maintains updated lists, by county, of documented occurrences of those species.

This authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a

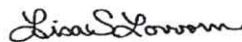


flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above RGP(s), please contact Mrs. Lisa S. Lovvorn by telephone at 850-285-9533.

Thank you for your cooperation with our permit program. The Corps' Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to complete our automated Customer Service Survey at [http://corpsmapu.usace.army.mil/cm\\_apex/f?p=regulatory\\_survey](http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey). Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Your input is appreciated – favorable or otherwise.

Sincerely,



Digitally signed by  
LOVVORN.LISA.SMITH.126  
0961310  
Date: 2020.06.03 14:19:48  
-05'00'

Lisa S. Lovvorn  
Project Manager

Enclosures

GENERAL CONDITIONS  
33 CFR PART 320-330

1. The time limit for completing the work authorized ends on the **dates identified in the letter.**
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST**

**PERMIT NUMBER: SAJ-2020-02090(GP-LSL)**

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019 or by electronic mail at [saj-rd-enforcement@usace.army.mil](mailto:saj-rd-enforcement@usace.army.mil).

\_\_\_\_\_  
(TRANSFEREE-SIGNATURE)

\_\_\_\_\_  
(SUBDIVISION)

\_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(LOT)

\_\_\_\_\_  
(BLOCK)

\_\_\_\_\_  
(NAME-PRINTED)

\_\_\_\_\_  
(STREET ADDRESS)

\_\_\_\_\_  
(MAILING ADDRESS)

\_\_\_\_\_  
(CITY, STATE, ZIP CODE)

PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385

(850) 653-8899 FAX (850) 653-9656 garlick@garlickenv.com

LB No. 7415

APPLICANT/CLIENT: Dan Garlick

JOB: 19-075

WATERBODY/CLASS: Apalachicola River / ClassII / OFW

DEP:

PURPOSE: Environmental Permitting

COE:

PROJECT LOCATION / USGS: Apalachicola

OTHER:

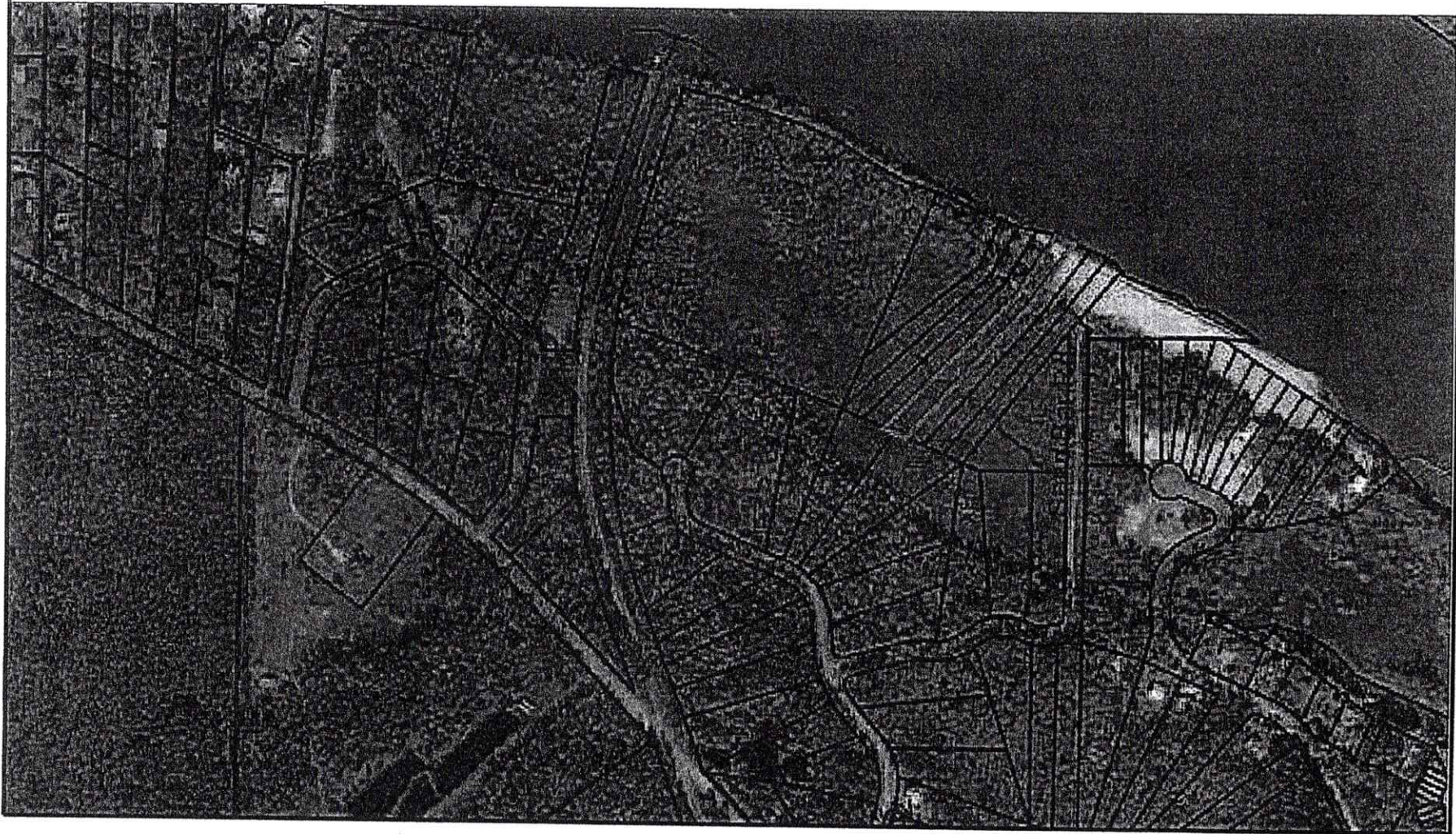
LATITUDE: 29° 45' 46.63"

DATE: February 5, 2020

LONGITUDE: 85° 1' 44.93"

SHEET: 1/4

SECTION: 27 TOWNSHIP: 8 South      RANGE: 8 West

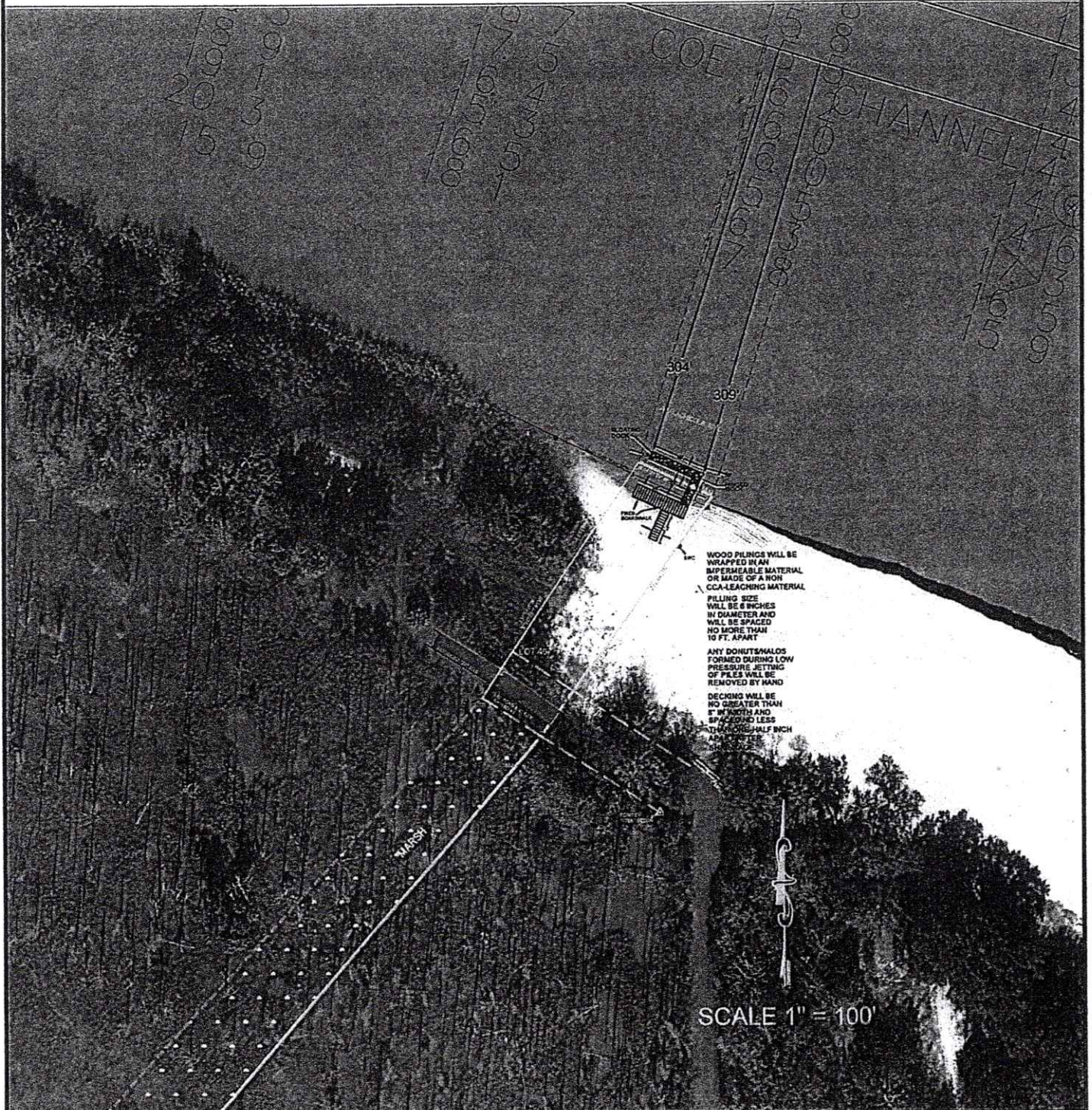




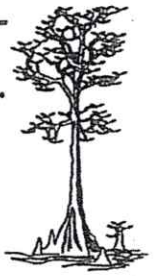
# PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

APPLICANT/CLIENT: Dan Garlick  
 WATERBODY/CLASS: Apalachicola River / OFW  
 PURPOSE: Environmental Permitting  
 PROJECT LOCATION / USGS: Apalachicola / Franklin County  
 LATITUDE: 29° 45' 46.63"  
 LONGITUDE: 85° 1' 44.93"  
 SECTION: 27 TOWNSHIP: 8 South      RING: 8 West

JOB: 19-075  
 DEP:  
 COE:  
 OTHER:  
 DATE: February 5, 2020  
 SHEET: 2/4



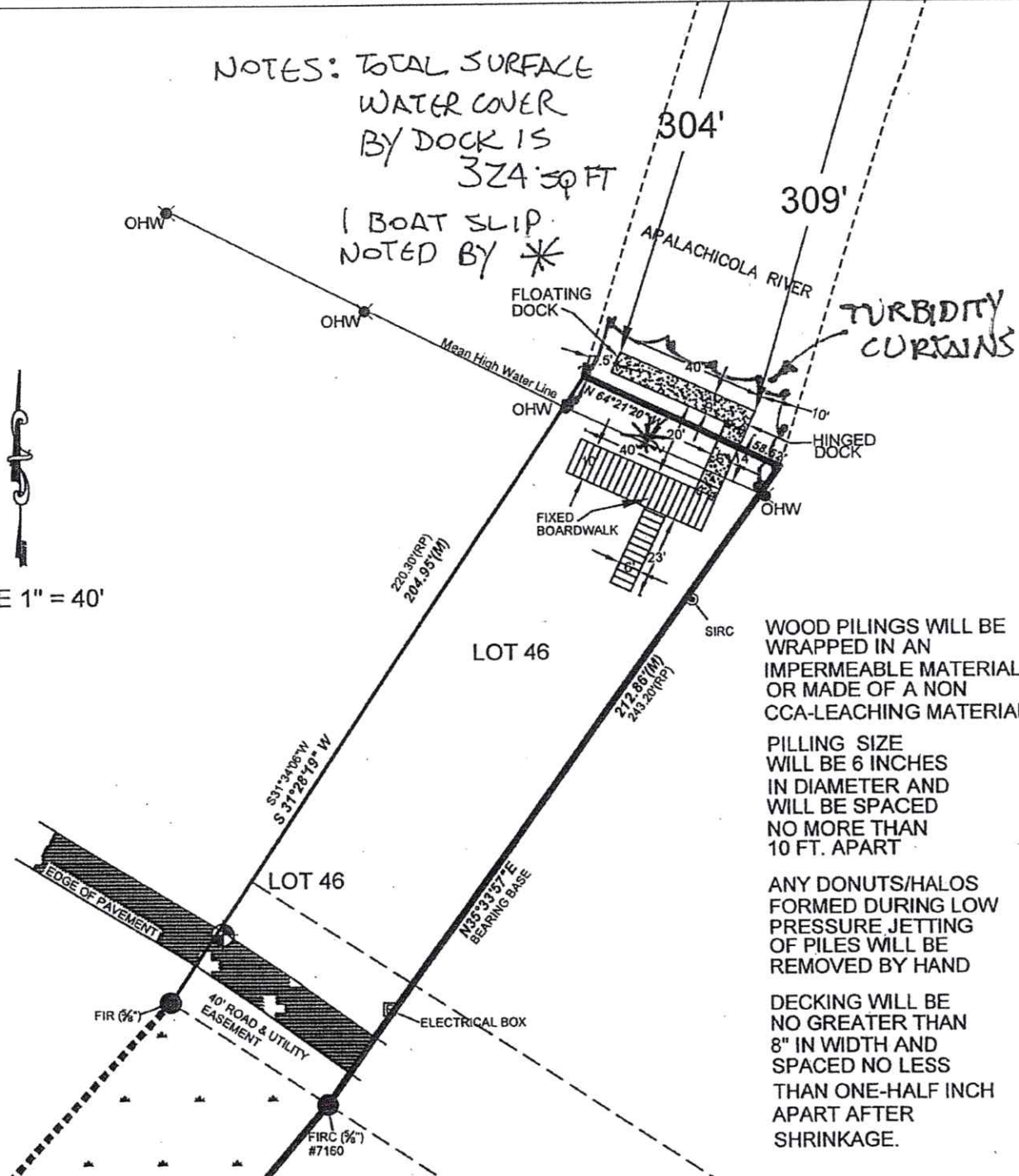
PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.



APPLICANT/CLIENT: Dan Garlick  
 WATERBODY/CLASS: Apalachicola River / OFW  
 PURPOSE: Environmental Permitting  
 PROJECT LOCATION / USGS: Apalachicola / Franklin County  
 LATITUDE: 29° 45' 46.63"  
 LONGITUDE: 85° 1' 44.93"  
 SECTION: 27 TWSHP: 8 South      RNG: 8 West

JOB: 19-075  
 DEP:  
 COE:  
 OTHER:  
 DATE: February 5, 2020  
 SHEET: 3/4

NOTES: TOTAL SURFACE  
 WATER COVER  
 BY DOCK IS  
 324.30 FT  
 1 BOAT SLIP  
 NOTED BY \*



SCALE 1" = 40'

WOOD PILINGS WILL BE  
 WRAPPED IN AN  
 IMPERMEABLE MATERIAL  
 OR MADE OF A NON  
 CCA-LEACHING MATERIAL

PILING SIZE  
 WILL BE 6 INCHES  
 IN DIAMETER AND  
 WILL BE SPACED  
 NO MORE THAN  
 10 FT. APART

ANY DONUTS/HALOS  
 FORMED DURING LOW  
 PRESSURE JETTING  
 OF PILES WILL BE  
 REMOVED BY HAND

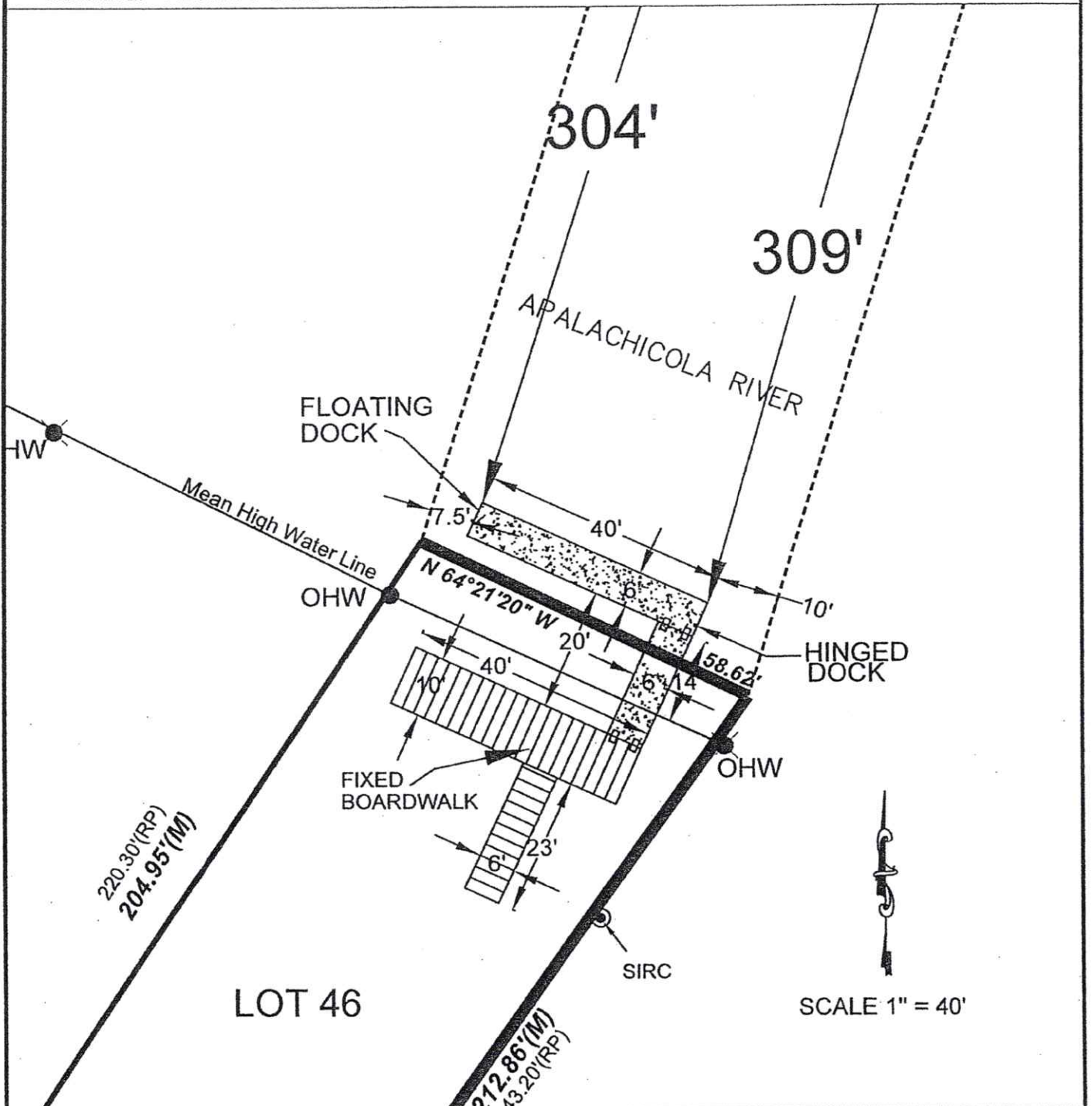
DECKING WILL BE  
 NO GREATER THAN  
 8" IN WIDTH AND  
 SPACED NO LESS  
 THAN ONE-HALF INCH  
 APART AFTER  
 SHRINKAGE.

PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.



APPLICANT/CLIENT: Dan Garlick  
WATERBODY/CLASS: Apalachicola River / OFW  
PURPOSE: Environmental Permitting  
PROJECT LOCATION / USGS: Apalachicola / Franklin County  
LATITUDE: 29° 45' 46.63"  
LONGITUDE: 85° 1' 44.93"  
SECTION: 27 TWSHP: 8 South      RNG: 8 West

JOB: 19-075  
DEP:  
COE:  
OTHER:  
DATE: February 5, 2020  
SHEET: 3A/4



PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385  
LB No. 7415

(850) 653-8899 FAX (850) 653-9656 garlick@garlickenv.com

APPLICANT/CLIENT: Dan Garlick  
WATERBODY/CLASS: Apalachicola River / OFW

JOB: 19-075

DEP:

PURPOSE: Environmental Permitting

COE:

PROJECT LOCATION / USGS: Apalachicola / Franklin County

OTHER:

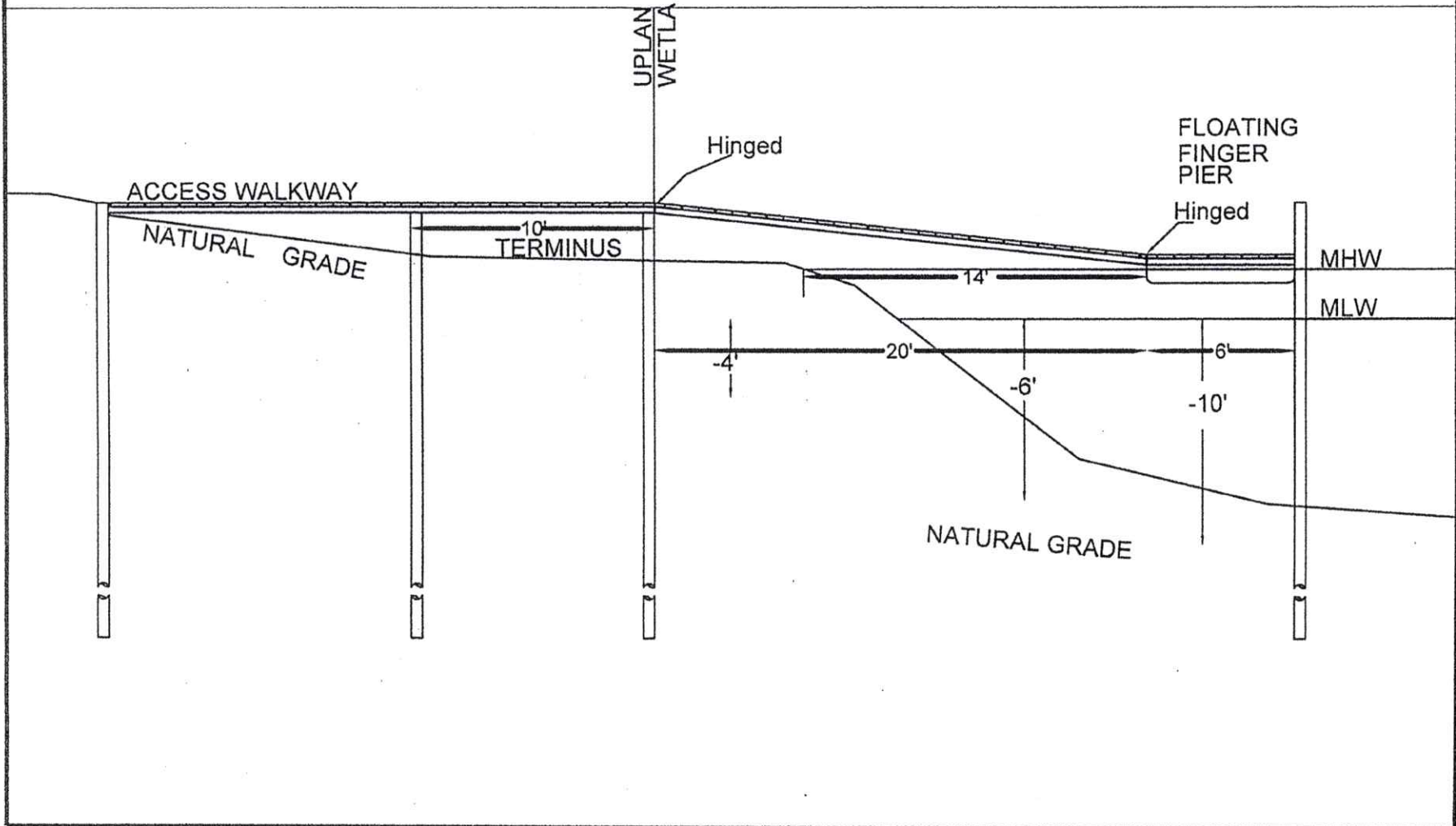
LATITUDE: 29° 45' 46.63"

DATE: February 5, 2019

LONGITUDE: 85° 1' 44.93"

SHEET: 4/4

SECTION: 27 TWSHP: 8 South RNG: 8 West





**COMMENCEMENT NOTIFICATION**

*Within ten (10) days of initiating the authorized work, submit this form via electronic mail to [saj-rd-enforcement@usace.army.mil](mailto:saj-rd-enforcement@usace.army.mil) (preferred, not to exceed 15 MB) **or** by standard mail to U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.*

1. Department of the Army Permit Number: SAJ-2020-02090(GP-LSL)

2. Permittee Information:

Name: \_\_\_\_\_

Email: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

3. Construction Start Date: \_\_\_\_\_

4. Contact to Schedule Inspection:

Name: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Printed Name of Permittee

\_\_\_\_\_  
Date

**SELF-CERTIFICATION STATEMENT OF COMPLIANCE**

*Within sixty (60) days of completion of the authorized work, submit this form via electronic mail to [saj-rd-enforcement@usace.army.mil](mailto:saj-rd-enforcement@usace.army.mil) (preferred, not to exceed 15MB) **or** by standard mail to U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.*

1. Department of the Army Permit Number: SAJ-2020-02090(GP-LSL)

2. Permittee Information: Name: \_\_\_\_\_

Email: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

3. Date Authorized Work Started: \_\_\_\_\_ Completed: \_\_\_\_\_

4. Contact to Schedule Inspection: Name: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

5. Description of Authorized Work (e.g. bank stabilization, fill placed within wetlands, docks, dredging, etc.): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

6. Acreage or Square Feet of Impacts to Waters of the United States: \_\_\_\_\_

7. Describe Mitigation completed (if applicable): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

8. Describe any Deviations from Permit (attach drawing(s) depicting the deviations):

\_\_\_\_\_

\_\_\_\_\_

\*\*\*\*\*

I certify that all work and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Printed Name of Permittee

\_\_\_\_\_

Date

## STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. 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.
- b. 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 will follow routes of deep water whenever possible.
- c. 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 must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. 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 in Vero Beach (1-772-562-3909) for south Florida, and emailed to FWC at [ImperiledSpecies@myFWC.com](mailto:ImperiledSpecies@myFWC.com).
- f. 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. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at [http://www.myfwc.com/WILDLIFEHABITATS/manatee\\_sign\\_vendors.htm](http://www.myfwc.com/WILDLIFEHABITATS/manatee_sign_vendors.htm). Questions concerning these signs can be forwarded to the email address listed above.