



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

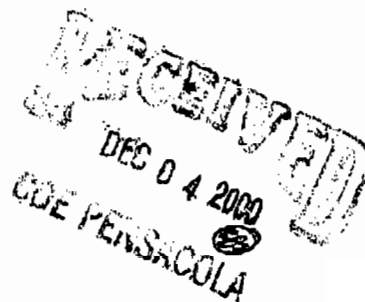
"Dedicated to making Florida a better place to call home"

JEB BUSH
Governor

STEVEN M. SEIBERT
Secretary

November 30, 2000

Mr. Clif Payne
Department of the Army
Jacksonville District Corps of Engineers
Pensacola Regulatory Office
41 North Jefferson Street, Suite 104
Pensacola, Florida 32501-5794



RE: Department of the Army - District Corps of Engineers - Public Notice - Permit
Application No.: 199402365 (IP-CP) - Applicant: Florida Fish and Wildlife
Conservation Commission - Modification and Re-authorization of Permit - Gulf
of Mexico, South of Pensacola, Escambia County, Florida
SAI: FL200008300623C

Dear Mr. Payne:

Pursuant to Gubernatorial Executive Order 95-359, the Coastal Zone Management Act, 16 U.S.C., sections 1451-1464, as amended, and section 380.23, Florida Statutes, the Florida State Clearinghouse has coordinated a review of the Florida Fish and Wildlife Conservation Commission's request to modify the list of materials authorized for use within the two permitted large-area artificial reef sites in the Gulf of Mexico.

The Department of Environmental Protection (DEP) has expressed concerns regarding the proposal to modify and re-authorize the referenced permits. DEP notes that the proposed permit modification does not comply with the current federal artificial reef construction guidelines and it disregards the considerable experience and scientific study upon which the guidelines are based. In addition, the proposed modification does not comply with the state's general permit criteria for artificial reef construction. Therefore, DEP objects to the proposed permit modification and recommends the use of material authorized under the state's general permit criteria for artificial reef construction, Rule 62-0312.807, Florida Administrative Code. Please refer to the enclosed DEP comments.

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Despite the concerns expressed by DEP, use of the materials identified in Florida Fish and Wildlife Conservation Commission's permit modification request are not prohibited by the enforceable policies included in the Florida Coastal Management Program. Therefore, the state has determined that approval of the requested permit modification would be consistent with the Florida Coastal Management Program. However, Florida strongly supports the view expressed by DEP that the materials approved for use in Escambia County's artificial reef sites should be limited to the materials identified in the state's general permit criteria for artificial reef construction, Rule 62-0312.807, Florida Administrative Code.

Thank you for the opportunity to review this permit modification and re-authorization. If you have any questions regarding this letter, please contact Ms. Cherie Trainor, Clearinghouse Coordinator, at (850) 414-5495.

Sincerely,



Ralph Cantral, Executive Director
Florida Coastal Management Program

RC/cc

Enclosures

cc: Sally Mann, Department of Environmental Protection



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

June 4, 2001

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**JACKSONVILLE DISTRICT
USACE**

Mr. Clif Payne
Department of the Army
Jacksonville District Corps of Engineers
Pensacola Regulatory Office
41 North Jefferson Street, Suite 104
Pensacola, FL 32501-5794

Re: FWCC Request to Modify and Reauthorize Artificial
Reef Permits, Gulf of Mexico, Offshore Escambia County
SAI#: FL200008300623C

Dear Mr. Payne:

By letter dated November 29, 2000, the Department of Environmental Protection provided comments and recommendations on the modification and renewal of the Fish and Wildlife Conservation Commission's (FWCC) permit for the Escambia County Large Area Artificial Reefs (Corps of Engineers Permit Number 199402635 IP-CP). The Department did not object to renewal of the permit, but did oppose the proposed addition of thin-gauge metal materials (<1/4" thickness) to the list of approved materials for placement in the reef sites. The proposed permit action was determined to be consistent with the Florida Coastal Management Program (see DCA letter dated November 30, 2000).

Following that correspondence, FWCC and Escambia County representatives met with Secretary Struhs and Department staff to discuss the proposed use of thin-gauge materials and how management of the reef sites could address the Department's concerns. FWCC considers the permit modification and re-authorization as an opportunity to conduct a five-year evaluation of the effectiveness of using thin-gauge metal materials for artificial reefs off the Northwest coast of Florida. The FWCC or its designee will inspect all materials before they are placed on the site, and an inspector will accompany 25% of the deployments to the reef sites. Experimental sites will be established for *in situ* monitoring of stability.

In light of the evaluative approach and quality control measures proposed by the FWCC, the Department has reconsidered its initial position and elected to withdraw its objection to the modification and issuance of renewal permits for the two large-area artificial reef sites. The Department does recommend, however, that the performance evaluation of thin-gauge metal

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materials respond to the specific concerns for durability, stability and habitat value raised in our original comments. Further, in conducting this study and evaluation, we recommend that FWCC draw from all current, available research on artificial reef design and function. The Department would appreciate an opportunity to review and comment on any reports and conclusions resulting from the project.

Please call me at 850-487-2231 if you have any questions or wish to discuss these issues.

Cordially,



Lynn Griffin
Intergovernmental Programs

cc: Mollie Palmer
Jasmin Raffington
Jon Dodrill