

127 23 May 2007



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
PENSACOLA REGULATORY OFFICE  
41 North Jefferson Street, Suite 111  
PENSACOLA, FLORIDA 32502-5794

LAARS WEST

Regulatory Division  
North Permits Branch  
SAJ-2007-2978 (IP-ICP)

May 21, 2007

Escambia County BOCC  
Neighborhood and Environmental Services  
Marine Resources Division  
C/O Captain Robert Turpin  
1190 West Leonard Street  
Pensacola, Florida 32502

Dear Captain Turpin:

This office is in receipt of the county's request to extend and modify Department of the Army Permit 19942365 which authorizes the deployment of artificial reef material on two Large Area Artificial Reef Sites (LAARS) located in the Gulf of Mexico south of Pensacola Florida. In accordance with the county's request, LAARS East will remain under file number 19942365 whereas LAARS West has been assigned file number 2007-2978. Please utilize these file numbers in all future correspondence.

A review of the submitted application indicates that it is incomplete. Please furnish this office with the following items:

1. Copy (8.5 x 11) of most recent NOAA chart with the corners and boundaries of the present LAARS West depicted as well as depicting the corners and boundaries of the proposed expanded LAARS West. Please include the lat/long coordinates for the all corners in decimal minute format to the 3<sup>rd</sup> decimal place. Please ensure the chart number and date of print are clearly depicted.
2. In light of the proposed expansion and altered site parameters, please provide revised plan view and cross sectional drawings utilizing sheets 2-6 of 8 of the existing permit drawings as a guide. Also please provide a cross sectional drawing at 30 degrees latitude.
3. Please clarify if the expansion encompasses the East/West Safety fairway or excludes the fairway plus the 2 nautical mile setback generally requested by the U.S. Coast Guard (USCG).
4. What distance would separate the proposed northeast and northwest corners of the expanded LAARS West from the shoreline of Perdido Key?

5. Does the proposed expansion encompass areas supporting known hard bottom or other marine resources or known historic/archaeological resources?
6. Describe the proximity of the proposed LAARS West expansion in relation to commercial fishing and trawling grounds, navigational safety fairways, military restricted areas, transmission crossings, etc.
7. Using Mean Lower Low Water (MLLW) as the datum, what is the range of depths existing within the proposed LAARS West expansion? What method was utilized to gain this information?
8. Provide a description of the bottom sediments and characteristics within the proposed LAARS West expansion. What method was utilized to gain this information?
9. What minimum authorized clearance would be maintained below MLLW?
10. What changes if any are proposed for the authorized reef materials listed in special condition 1 of the existing permit?
11. Escambia County is proposing the use of a borrow area south of Perdido Key to gain necessary sediment for nourishment of Gulf front beach on Perdido Key. What is the geographic location of the proposed LAARS West expansion in relation to the borrow area? Provide a visual depiction of the proposed LAARS West expansion in relation to the proposed borrow area.
12. The existing permit includes 12 special conditions. From text in the county's request for permit modification, it would appear the county desires to modify in whole or in part conditions 3,4,5,9, and 10 of the existing Department of the Army Permit. Please clarify if these and/or additional special conditions would be modified or eliminated?
13. In the county's request for permit modification the following text is included "Elimination of precise reef location reporting for personal reefs". Is the intent to eliminate use of the ESCAMBIA LAARS Forms or modify the format of the forms? Please clearly describe how this proposed action would modify the any of the 12 existing permit conditions?
14. In the county's request for permit modification the following text is included "Elimination of monitoring of personal reef deployments by Marine Resources Division". Is the intent to eliminate on-water monitoring of the physical deployment or all aspects of monitoring including shore side inspection of materials? Please clearly describe how this proposed action would modify the any of the 12 existing permit conditions?
15. The county's request for permit modification appears to focus on the charter boat captains as the primary users of the LAARS West.

Please clarify the targeted user group for the LAARS West expansion. Is it charter boat captains, private fishers, divers, etc?

16. Clearly define the project purpose? Is the purpose to reduce/remove use restrictions, enhance recreational fishing opportunities, etc?
17. The county's request for permit modification states that the goals and objectives of the LAARS remains essentially unchanged though user satisfaction is apparently low. Clearly define the objectives to be accomplished by the proposed expansion of LAARS West.
18. Is the county proposing deployment setbacks from the boundaries of the proposed LAARS West expansion and if so what criteria were utilized to justify the setbacks?
19. Provide evidence documenting the county's compliance with all special conditions of the existing Department of the Army permit and especially conditions 10-12.
20. Provide detailed information which documents how the proposed expansion meets the standards established in Section 203 of the National Fishing Enhancement Act.
21. Provide detailed information which documents how the proposed expansion would allow sufficient information to comply with Section 205 and most specifically section 205 (b) of the National Fishing Enhancement Act.
22. Provide detailed information documenting the county's provisions for siting, constructing, monitoring, and managing the proposed LAARS West expansion in accordance with the National Fishing Enhancement Act, the revised National Artificial Reef Plan, and Corps regulations found at 33 CFR 322.5 (b).
23. An evaluation of the project's consistency in relation to the State of Florida's Coastal Management Program (CMP) must occur. Please submit detailed information documenting consistency with the CMP. Debbie Tucker and Shana Kinsey (850-245-2185) with the Florida Department of Environmental Protection can provide information and address questions you may have regarding the CMP. Information may be gained at <http://www.dep.state.fl.us/cmp/federal/index.htm>
24. What is the source of funding utilized to administer and manage the county's activities associated with the LAARS West? Are alternative sources of funding being pursued? How would potential budgetary shortfalls impact the county's ability to administer and manage the proposed LAARS West and what actions is the county prepared to take to minimize adverse impact on administration and management of the county's responsibilities in accordance with the permit?
25. Provide a deployment summary for the LAARS West from permit issuance to the present. Please separate public, private and sanctuary reefs. Provide date of pre deployment notification and post

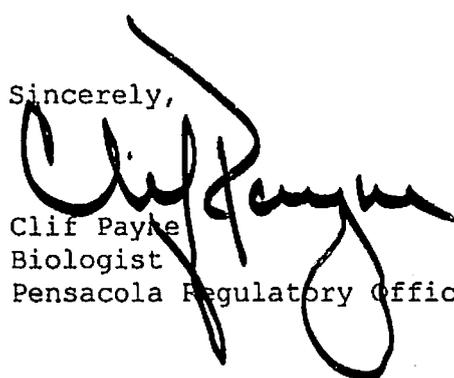
deployment notification, a physical description of the materials deployed, approximate volume, and square feet of sea floor covered by the deployed material, and the deployment coordinates.

26. The county's request to modify the permit references concern for over crowding of the existing LAARS West. To aid in assessing potential of over use or crowding, please visually depict the boundaries of existing LAARS West as well as the deployments that have occurred within the site and the area of seafloor consumed by these deployments.
27. For long term planning, with the exclusion of LAARS East, please describe other artificial reefs that are planned within the next 5-10 years and visually depict these projects in relation to LAARS East and West.

Your responses to questions 1-18 above are required for the application to be considered complete and noticing the project for public comment. Your responses to questions 19 - 27 are required for a complete and final evaluation of the permit modification request. If the requested information is not received within 45 days of the date of this letter the Corps of Engineers will assume you have no further interest in obtaining a Department of the Army permit and will place your request in an inactive status. If we have not heard from you within the specified time, this letter will constitute final action by the Department of the Army.

If you have any questions, please contact the undersigned at the letterhead address or by telephone (850) 433-8732.

Sincerely,



Clif Payne  
Biologist  
Pensacola Regulatory Office