

14 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 EAST

Regulatory Division  
North Permits Branch  
SAJ-1994-2365 (IP-LCP)

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. The quality of the file copy of the drawings associated with the LAARS East is degraded due to duplication. To ensure adequate information is provided for public comment, please provide updated plan view and cross sectional drawings utilizing sheets 1-6 of 8 of the existing permit drawings as a guide. Please include a copy of most recent NOAA chart with the corners and boundaries of the LAARS East depicted. 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. Considering the county's request for LAARS East to be utilized exclusively for public deployments, what changes if any are proposed for the authorized reef materials listed in special condition 1 of the existing permit?
3. 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 condition 5 regarding pre-deployment notification submittals for each deployment. Please clarify

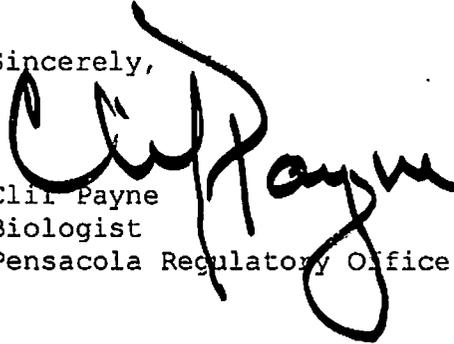
if modifications are proposed for any of the remaining permit conditions.

4. Clearly define the purpose and proposed future use of LAARS East. Will sanctuary/refugia reefs be deployed within LAARS East or would they be diverged to LAARS West where less chance might exist of discovery due to vessel transit?
5. Will the county continue to use the deployment setbacks stated in the present permit?
6. Provide evidence documenting the county's compliance with all special conditions of the existing Department of the Army permit and especially conditions 10-12.
7. In light of the change of purpose for the LAARS East, provide detailed information documenting the county's provisions for constructing, monitoring, and managing future deployments in LAARS East in accordance with the National Fishing Enhancement Act, the revised National Artificial Reef Plan, and Corps regulations found at 33 CFR 322.5 (b).
8. 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>
9. What is the source of funding utilized to administer and manage the county's activities associated with LAARS East? Are alternative sources of funding being pursued? How would potential budgetary shortfalls impact the county's ability to administer and manage the LAARS East 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?
10. Provide a deployment summary for the LAARS East 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.
11. To aid in assessing potential of over use or crowding, please visually depict the boundaries of existing LAARS East as well as the deployments that have occurred within the site and the area of seafloor consumed by these deployments.
12. For long term planning, with the exclusion of LAARS West, 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 1-5 above are required for the application to be considered complete and noticing the project for public comment. Your responses to questions 6 - 12 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,

A handwritten signature in black ink, appearing to read "Cliff Payne". The signature is written in a cursive style with a large, sweeping initial "C".

Cliff Payne  
Biologist  
Pensacola Regulatory Office