



CHARLOTTE COUNTY

Public Works

Manchester Waterway Cut-Through Summit
Meeting Summary

Representatives

- Charlotte County
- Manchester Civic Association
- Florida Department of Environmental (FDEP) Protection -Regulatory and State Lands
- Army Corps of Engineers (ACOE)
- National Oceanic and Atmospheric Administration (NOAA)
- U.S. Fish and Wildlife Service (FWS)
- U.S Environmental Protection Agency (EPA)



Agenda Items Discussed



Lands

- Ownership & Coordination
- Coordinating Parties and type of information required
- Procedural timing
- Upland
- Submerged

Resources and Impacts of Dredging

- Upland
- Submerged & Aquatic
- Mitigation

Water Quality

- Water Quality Parameters
- Hydrodynamics

Challenges to the Permit

Additional Topics/Concerns by Agency

Lands Ownership and Coordination

County is conducting a 60-
Year title search

FDEP informed us that one
parcel is co-owned by the
water Management District

Appear before the Board of
Trustees twice (approval to
apply and secure upland
easement and as final
authority on Permit
Issuance)

Approval by the Acquisition
and Restoration Council
(Easement through the
State Park)

Approval from the Water
Management District's
Governing Board

Lands Coordination of Easement and Public Interest for Upland and Submerged Lands

Initiate coordination with agencies at the onset to ensure all necessary information is provided to obtain easement

Would need to be found consistent with the States Park Management Plan (upland) and the Aquatic Preserve (AP) Management Plan (submerged)

Both upland and submerged lands would need cultural resource and environmental resource surveys.

Upland Areas Public interest would need impact surveys, show a Net Positive Environmental Benefit and would need to be deemed of equal or greater value in the Public interest

AP Public Interest is difficult as the Management Plan strongly discourages new dredging in the aquatic preserve

Resource Impacts of Upland Cut

ACOE

- Review under Standard Permit
- Foresees difficulty in overcoming alternatives analysis and cumulative impact analysis due to impacts to wetlands, mangroves and submerged areas when there is already boat access to the area.
- Cumulative impacts would need to consider the future development of vacant parcels

EPA

- Would need an alternatives analysis and cumulative affects analysis

FDEP

- Since all three channels have been mentioned any application would have to consider the cumulative impacts of all three in their review
- This would be viewed as a precedent setting permit, and would garner a thorough review
- Other areas in the region have similar situations and this would open the door for additional permit applications

Resource Impacts Submerged

NOAA

- Concerns that this would negatively impact essential fish habitat through direct and cumulative impacts to mangroves and seagrasses
- There could be unforeseen impacts by providing a direct hydrologic connection, i.e., potential water quality and habitat degradation. Referenced 23% seagrass reduction in Charlotte Harbor
- Concerns of impacts to juvenile small tooth sawfish and their habitat due to direct and secondary impacts (currently there is no methodology and costs associated with the work cannot be determined until application is made)
- Will want to see avoidance and minimization of resource impacts and agreed with ACOE that there is already a channel for boat access.

FDEP

- Tidal Modeling would need to be conducted to see what will happen within the system

FWS

- Any impacts to the seagrasses could impact manatees.
- Upland species impacts would also need to be analyzed
- Concerns over the impacts of the future development in the area

EPA

- Would need to see an alternatives analysis and tackle the proposed activity vs the positive of this area on coastal resiliency

Water Quality

FDEP

- Minimum needed would be enterococci and nutrient loads
- Number of locations will depend on which model and location of the cuts and results of the hydrodynamic/flow study
- Would need their hydrodynamics staff to review the study and determine if it is fully inclusive of requirements
- Changes in hydrology would need to be assessed/addressed through the cumulative impacts process
- Without a formal application any review will not be able to be conducted quickly

Challenges to the Permit

FDEP

- Administrative Hearing process when the notice of intent to issue is advertised
- Groups would petition or file to petition in which the County would be responsible to respond to challenges to the permit, not the Civic Association
- Litigation and appeal process can take multiple years (Lock Removal objection took 4 years to resolve)
- Opposition could affect ARC review and could lead to not issuing an easement

ACOE

- Comments received anytime after application is submitted will be sent to the County to be addressed.
- Will not issue or decide until all comments have been addressed .
- Anyone can appeal federal permit which could delay the entire process.

Additional Items/Concerns by Agency

FDEP

- Jon Iglehart (Regulatory) – The ecosystem in your area is quite dynamic so the water quality will be different now than it was five years ago. Significant concerns include red tide, red algae, nutrient overloads, and how the water flows. It doesn't take much nutrients for blooms to occur. Any increase in nutrient loads would not be viewed favorably. Reiterated that this potential project is years out.
- Megan Mills (Regulatory) – Compliance with the Manchester Lock removal permit was discussed. Continued compliance is required for the state to consider future permitting in this area. The management plans for state parks and aquatic preserve both discourage connections. This will be a significant task to overcome.

ACOE

- John Policarpo (Section Chief) – This is a “daunting” project to permit. There are a lot of moving parts and issues. It could take years before anything begins to move forward. Be aware, that things may change (policies) that we are unaware of and could affect this.

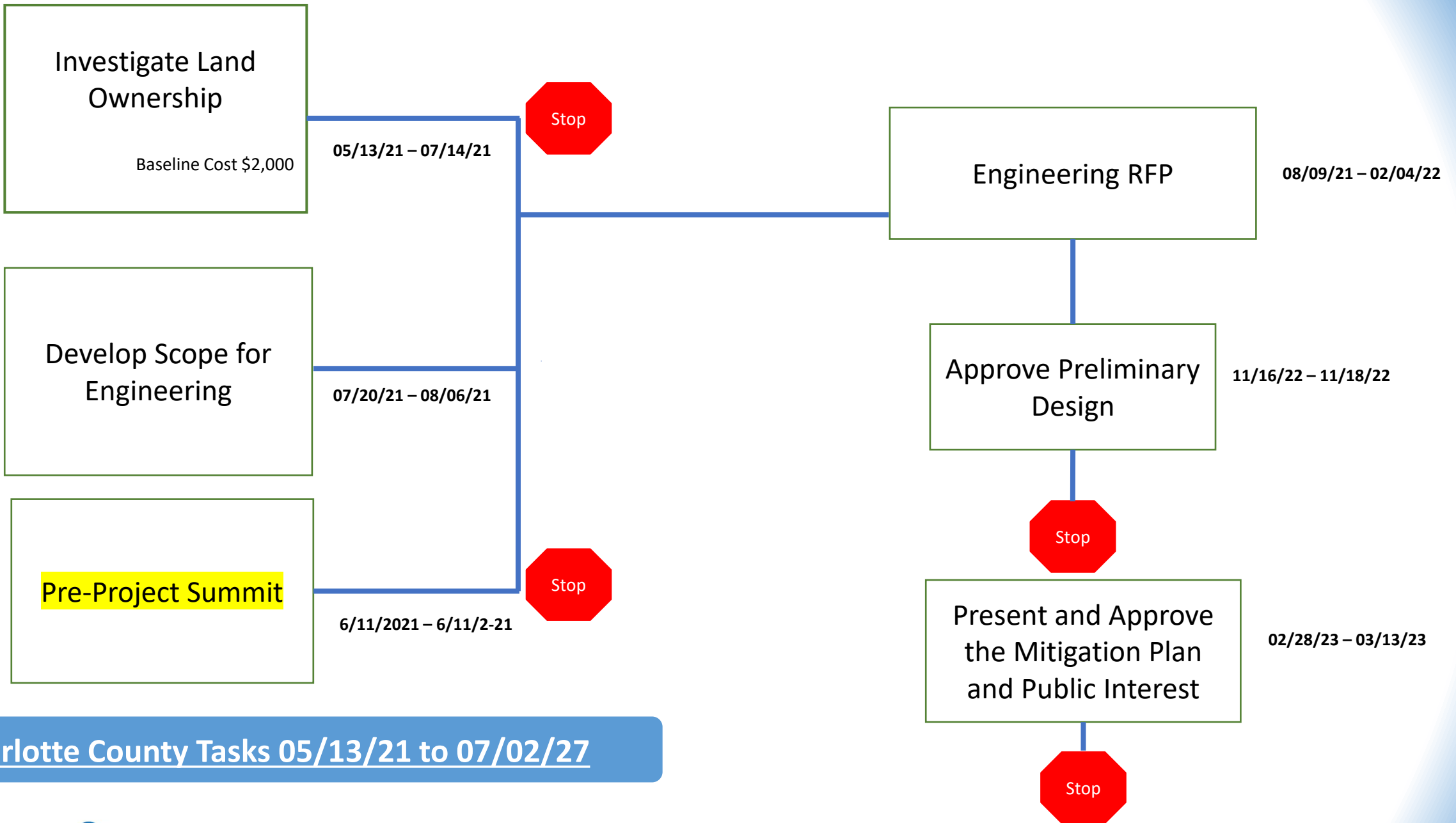
NOAA

- Dana Bethea (Biologist) - Sea turtles were not mentioned prior, but that is a concern due to the potential impacts to sea grasses.
- Mark Sramek (Biologist) – Review of this project will be “robust.”

Additional Items/Concerns by Agency

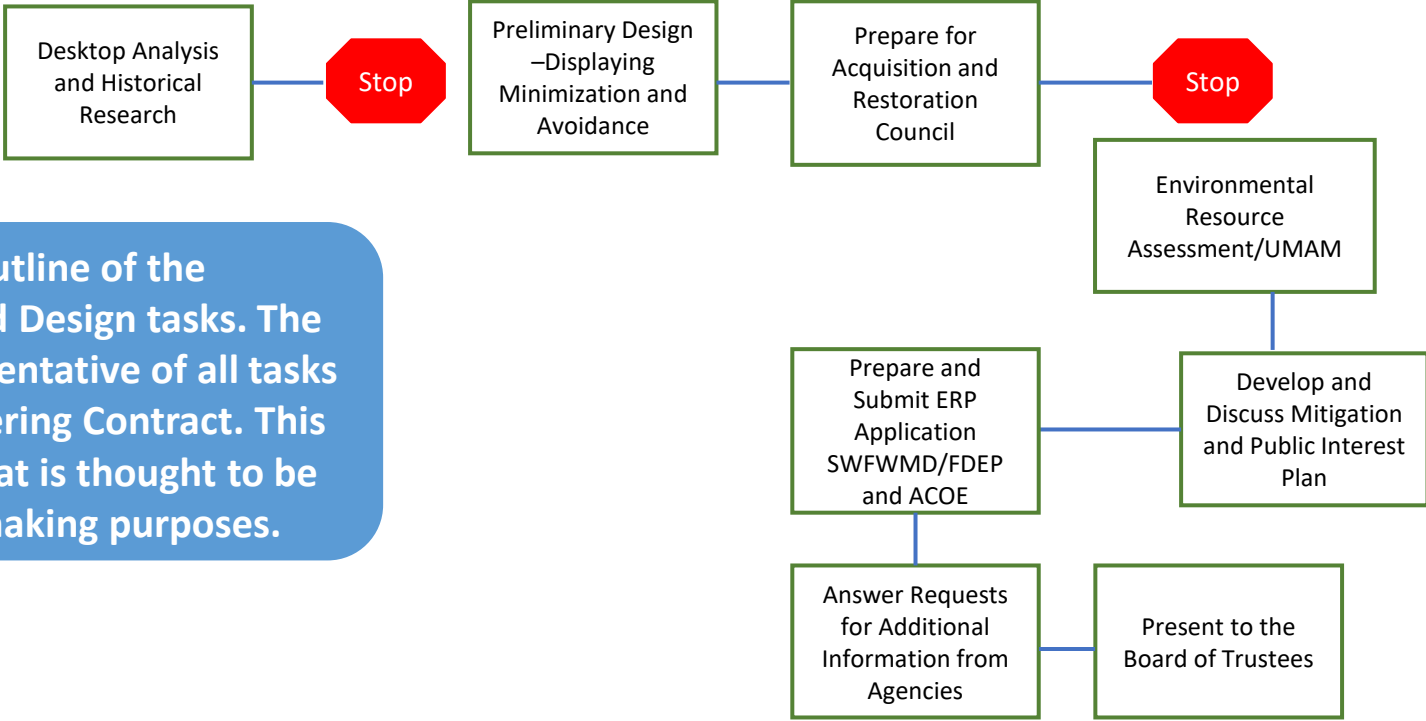
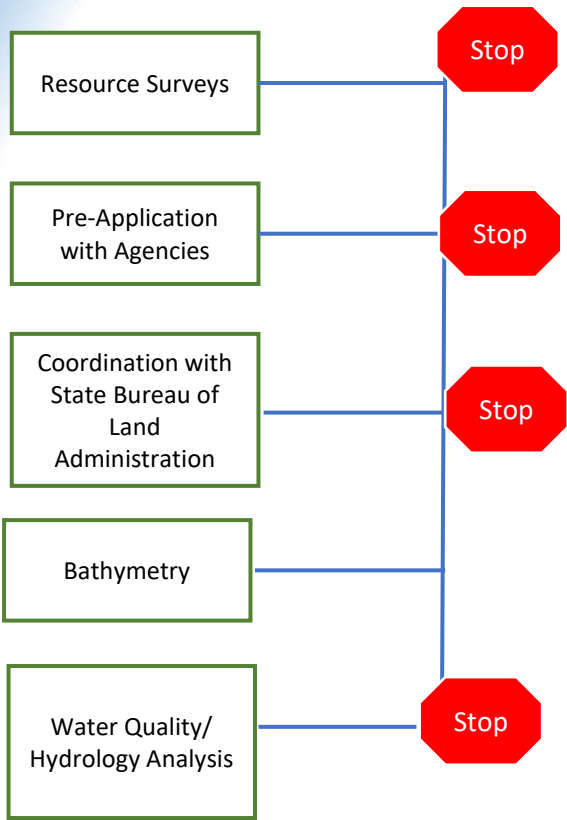
EPA

- **Cynthia** (Wetland and Streams Regulatory Program)
 - Given that there is already access, the consideration of a project of this type raises a substantial number of issues and questions, particularly given the type and quality of aquatic resources (e.g., essential fish habitat, Aquatic Resources of National Importance, Federally-listed species, etc.). The benefits to the human and natural environment are unsubstantiated without documentation and baseline studies (e.g., traffic studies, noise studies, habitat quality, fin and shellfish assemblage information, etc.), modeling, alternatives analysis, cumulative effects analysis, etc. Other unknowns include whether the proposed 700-lot development would have hardened or living shorelines, traditional development and stormwater treatments vs. LID design or other techniques that disconnect stormwater and provide enhanced treatment, and other site design techniques and measures that would achieve measurable water quality and ecological results.



Engineering/Permit and Design 2/11/22 – 12/4/26

Baseline Cost: \$300,000



This slide is an outline of the Engineering/Permit and Design tasks. The list of tasks is not representative of all tasks expected in the Engineering Contract. This is representative of what is thought to be critical for decision making purposes.