



Bosso, Dentzau & Imhof, Inc.

Environmental Sciences

November 20, 2009

Mr. Richard Connolly
PMB 112
30251 Golden Lantern, Suite E
Laguna Niguel, CA 92677-5994

**RE: Lots 59, 60 & 61
Timber Lane
Navarre, Florida
Jurisdictional wetland determination**

Dear Mr. Connolly:

Bosso, Dentzau & Imhof, Inc. (BDI) recently conducted an assessment of jurisdictional wetlands as per the rules and regulations of the U.S. Army Corps of Engineers (ACOE) and the Florida Department of Environmental Protection (FDEP) of the above lots. An accurate graphic representation of these limits will require field delineation and survey. Based upon our site visit, we are providing you with a brief summary of each agencies potential involvement with these lots.

DESCRIPTION

The above referenced lots are located on and to the north of Timber Lane west of Panhandle Drive. They each contain approximately 1.13 acres of unimproved, naturally vegetated residential land.

U.S. ARMY CORPS OF ENGINEERS

Technical guidelines outlined in the US Army Corps of Engineers Wetlands Delineation Manual (1987) were applied in the field for determining the presence and location of jurisdictional wetlands. The on site reconnaissance was conducted by walking multiple transects throughout the property. Wetlands field indicators observed below the upland/ wetland interface consisted of the following:

1. **Hydrophytic vegetation:** Slash pine, Black titi, Sweetbay, Swamp tupelo, Redbay, Myrtle holly, Virginia chain fern, Cinnamon fern, Bamboo vine and sphagnum moss.

2. **Hydric soils:** Muck mineral, four inches of low chroma <2, distinct and prominent oxidized rhizospheres, matrix stripping.
3. **Hydrology:** High water marks, plant adaptations, flow channels and aerial photographs.

Section 404 of the Clean Water Act (33 USC 1344) requires authorization from the Secretary of the Army, acting through the Corps of Engineers, for the discharge of dredged or fill material into all waters of the United States, including wetlands. Discharges of fill material generally include, without limitation: placement of fill that is necessary for the construction of any structure, or impoundment requiring rock, sand, dirt, or other material for its construction; site-development fills for recreational, industrial, commercial, residential, and other uses; causeways or road fills; dams and dikes; artificial islands; property protection or reclamation devices such as riprap, groins, seawalls, breakwaters, and revetments; beach nourishment; levees; fill for intake and outfall pipes and sub-aqueous utility lines; fill associated with the creation of ponds; and any other work involving the discharge of fill or dredged material. A Corps permit is required whether the work is permanent or temporary.

The basic premise of the dredge and fill program is that no discharge of dredged or fill material may be permitted if: (1) a practicable alternative exists that is less damaging to the aquatic environment or (2) the nation's waters would be significantly degraded. What this means is when you apply for a permit, you must show that you have, to the extent practicable:

- Reasonably avoided all wetland impacts;
- Minimized potential impacts on wetlands; and
- Provided compensation for any remaining unavoidable impacts.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The FDEP will exert jurisdiction over the same area as the ACOE. Dredge and/or fill activities waterward of FDEP's limits will require a permit under Section 403, F.S., Chapters 17-4.02 and 17-12, F.A.C. The sensitivity of the project will be the determining factor for the time involvement. Once all the requests for additional information and modifications are satisfied, the FDEP will issue or deny within 90 days. Time delays will occur if the FDEP requests additional information or if a commenting agency or an individual requests an administrative hearing. Wetland mitigation is also required for wetland impacts.

CONCLUSION

Based on our site visit, we have concluded that the ACOE and FDEP exerts jurisdiction over nearly the entire limits of each lot. The jurisdictional wetland consists of successional hardwoods underlain by hydric soils and a seasonally high water table.

Land development impacts inside the jurisdictional area will require a joint dredge and fill permit from both agencies. The amount of functional wetland loss will determine the amount of mitigation required along with the time involved for permit issuance. Typical timeframes for agency action falls between six months and a year. Mitigation and permitting fees will likely run between \$9,000.00 and \$12,000.00 dollars.

This concludes our assessment of the above referenced lot. If you require additional information, assistance, or clarification, please give me a call. We look forward to being of assistance to you in the future.

Sincerely,

850-434-1935
850-232-7385 CELL

Bosso, Dentzau & Imhof, Inc.



Patrick Imhof
Environmental Scientist

Enclosure: Wetland delineation sketch

WETLAND DELINEATION SKETCH



Legend



Wetlands



Lots

80 40 0 80 Feet



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