



Hillsborough River Interlocal Planning Board & Technical Advisory Council

Hillsborough River Interlocal Planning Board TAC Meeting

Tuesday, March 21, 2023, 1:30 pm

Meeting Location: Members-18th floor County Center / Public-Online

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Moment of Silence**
5. **Public Comment**
- ★6. **Approval of Previous Meeting Summary**
 - A. February 21, 2023*(p.3)
7. **Presentations, Reports & Status Updates**
 - A. Micromix® by Micronomix LLC, Jana McCarty & Pozo Gonzalo*(p.6)
- ★8. **Consistency Recommendation**
 - A. Port Tampa Bay Minor Work Permit No.70468(R3)*(p.8)
 - B. Port Tampa Bay Minor Work Permit No.75583*(p.42)
9. **Other Business**

★ *Indicates Action Required*

* *Indicates backup material provided*

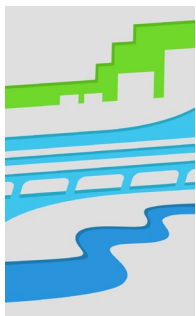
Technical support during the meeting may be obtained by contacting Priya Nagaraj at (813) 310-9709 or Privan@plancom.org.

The public is invited to join the meeting from your computer, tablet or smartphone, go to:

<https://attendee.gotowebinar.com/register/1963006915364104028>

Offices and meeting rooms are closed to the public due to the COVID-19 pandemic. Members of the public may access this meeting and participate via the GoToMeeting link above.

Persons needing assistance reading or interpreting items in this document, free of charge, are encouraged to contact Joshua Barber, (813) 272-5940, or barberj@plancom.org. Plan Hillsborough (the Planning Commission, the Hillsborough TPO and the Hillsborough River Board) cannot ensure accessibility for items produced by other agencies or organizations.



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Hillsborough River Interlocal Planning Board & Technical Advisory Council

February 21, 2023
1:30 p.m.

Meeting Location:
Plan Hillsborough Room/Online

Technical Advisory Council Meeting Meeting Summary

Present

Rich Brown, HC Citizen*
Richard Formica, COT Citizen*
Heather Maggio, COT**
Diego Guerra, TPC
Shawn College, TPC
Alana Todd, TBRPC*

Amber Smith, SWFWMD*
Jackie Julien, Port Tampa Bay*
Joe Gross, HC**
Gail Reese, TPC
Ali Howerton, FDEP

Absent

Michael Gile, EPC*
Troy Tinch, TT Staff**
Peter Romano, ACOE

Giovanny Cardenas, Planning Commission*
Stu Marvin, TT Citizen*

*Denotes TAC Member or Alternates

**Denotes Staff Ex- Officio Members

1. Call to Order

Chair Brown called the meeting to order at 1:33 PM

2. Roll Call

A quorum was met in person.

3. Pledge of Allegiance

Chair Brown led in the Pledge of Allegiance.

4. Public Comment

None.

5. Election of Officers

- A. Chair – Dr. Richard Brown; nominated by Rich Formica, seconded by Jackie Julien. With no other nominations, Dr. Brown was elected chair by acclamation.
- B. Vice Chair – Stu Marvin; nominated by Dr. Richard Brown, seconded by Richard Formica. With no other nominations, Mr. Marvin was elected Vice Chair by acclamation.

6. Approval of Previous Meeting Summary

- A. November 15, 2022

Jackie Julien moved to approve the meeting summary from November 15, 2022; seconded by Richard Formica. The voice vote passed unanimously.

7. Presentations, Reports & Status Updates

A. Nature Based Solutions on the Hillsborough River (Ping Wang, Margaret Winter and Taryn Sabia, USF)

- Review of project background – USF in collaboration with the City of Tampa; funding from Gulf Research Program.
- Went over the goal – develop a full proposal for nature-based solutions for the Lower Hillsborough River; requires extensive community engagement; looking at communities of concern; work with community partners.
 - Restructure, infrastructure, multi-benefit
- Potential Project Sites – Rowlett Park, Sulphur Springs, Rome Ave.
- Went over background research and parameters to define site selection; utilized extreme water level estimates based on NOAA, plus SLR to 2050.
 - Reviewed the potential project sites.
- Next Steps – partnership building, final site selection, build community engagement plan.

Discussion:

Site selection and the criteria involved were discussed. Erosion, stormwater, communities of concern, etc. are in the criteria. Hoping that the community engagement is two-way resulting in less trash and pollution while preserving the river. It was recommended that the study group reach out to the EPC. It was also recommended that a spring near Ulele would be a good example of a "perfect restoration" project. There was discussion about other potential sites for the future.

B. Tampa Wastewater Reuse Project Update (Dr. Richard Brown)

- Continuing to move along with many presentations to stakeholders.
- Questions continue to be – Is it safe, is it necessary, what's it going to cost?
- Still don't have scientific answers; stakeholders trying to give the city a pass on wastewater without a plan as the PURE project is ongoing. There are no current standards available to show the project could meet standards.
- Being pushed in different directions around the project.

Discussion:

It was asked if this will likely be voted on before there is a vote on how wastewater will be treated. No. There are other places in the country doing this process. It was recommended to get information on what is being discharged now and what is in the river now. The Nitrogen Management Consortium (NMC) was brought up as an organization that pools resources on nitrogen management and there are hundreds of people working on why seagrasses are being lost. All of the studies are posted on their website.

8. Consistency Recommendation

- ### A. Port Tampa Bay Minor Work Permit No. 22-061: permitted by the Port.
- Proposed replacement of whales & catwalks associated with the fender system located at Columbus Drive Bridge (Bridge No. 105504), Tampa, FL;

Hillsborough River; STR 11 & 14-29S-18E; City of Tampa. This is a maintenance project.

- B. Port Tampa Bay Minor Work Permit No. 75067
Construction of a dock pursuant to permit exhibits and conditions. Replacement dock. It was noted that there is a floating platform and it doesn't seem to be labeled well. Would ask that EPC update the labeling on the floating structure.

Motion to find A & B consistent with the master plan made by Richard Formica, seconded by Jackie Julien. The voice vote passed unanimously.

- C. Port Tampa Bay Minor Work Permit No. 75583 – vacant lot
Install a dock and boatlift at 4206 N Riverside Drive. Dock to have a 4'x26' walkout to a 16'x16' head. 16,000 lb. boatlift. There was no dock detail drawing. A house is being built; the dock is going to be for the residence.

Jackie Julien motioned to postpone this until the next meeting and more information can be submitted; seconded by Richard Formica. The voice vote passed unanimously.

9. Other Business

- A. Noted a University of Colorado program around rainfall. It noted that Florida has gone from a moderate to severe drought into mid-February. Rainfall is down for the month.
- B. There are two new kayak entry sites, one above the dam and one on the river curve off Renfrew.
- C. The manatees are back; the dolphins have come up.
- D. River clean-up is ongoing while water is low. Santeria activities have been observed, finding headless chickens in the river. Have a general idea of where it is going on. Have let Parks and Recreation know.
- E. New BOCC member on the River Board, Michael Owen. He has signed up for all the water committees he can find. Representing District 4. There is a joint meeting of the Board and TAC in April.
- F. There is a resident who reached out about siltation that is causing depth challenges. The requestor was directed to resources for the county and city.

The next TAC meeting will be on March 21, 2023.

Chair Brown adjourned the meeting at 3:12 PM.



**Hillsborough River
Interlocal Planning Board
& Technical Advisory Council**

**Agenda Item 7. A. Micromix® by Micronomix LLC, Jana
McCarty & Pozo Gonzalo**

Attachments:

Summary Page



Plan Hillsborough
planhillsborough.org
planner@plancom.org
813 - 272 - 5940
601 E Kennedy Blvd
18th floor
Tampa, FL, 33602

MICRONOMIX CORE BIO-TECHNOLOGY

Micromix® by Micronomix LLC is a proprietary complex liquid medium that is produced via fermentation over 8 months. It consists of a selected broad spectrum of naturally occurring micro-organisms which includes aerobic bacteria, anaerobic bacteria, nitrifying bacteria, sulfur oxidizing bacteria & fungi, and co-factoring enzymes which are sustained in a naturally occurring polymeric carrier.

The formula is highly effective to create humus due to the essential balance between the selected groups of micro-organisms that work synergistically to significantly speed up the biochemical reactions and natural decomposing processes of organic (carbon based) material into Humus. Humus is the most stable form of organic matter that does not undergo any further biological decomposition and sequesters carbon indefinitely.

To watch an in-depth 1.5 hour documentary about Humus which will help you understand in detail how Micromix works, View the movie “Kiss the Ground” on Netflix or Vimeo here: <https://kissthegroundmovie.com/>

Offensive odors are eliminated at the source as the beneficial bacteria employed in Micromix® rapidly destroy the pathogenic and odor causing bacteria.

Putrefied organic substances are oxidized by the beneficial bacteria and are transformed into stable humic substances sequestering the carbon. In instances where ammonia and/or nitrogen are already present, these are oxidized into nitrates and nitrites, which can be readily absorbed by more complex organisms. Phosphorus and other inorganic minerals are also converted to an organic form. Micromix® joins the polluting macro-elements like fats, proteins, carbohydrates, etc., and breaks them down into stable humic content thus preventing crust like formations that favor the uncontrolled development of pathogenic bacteria.

Heavy metals are neutralized and remediated by the processes of absorption and adsorption so that they are not available for plant or human uptake. Salt water intrusion is neutralized.

Mosquito populations and toxic algae blooms are controlled in water bodies.

Humus stores water, reducing water consumption needs by vegetation by 25%.

The sustainable production of Humus by Micronomix makes is a multifaceted and ecologically important product for many uses, including wastewater treatment plants, agriculture, turf management, coal ash plant and pond remediation, food, paper, and animal processing facilities, composting, algae bloom treatment and prevention, oil decontamination on land or in water, just to name a few.



**Hillsborough River
Interlocal Planning Board
& Technical Advisory Council**

Agenda Item 8. A. Minor Work Permit No. 70468(R3) (EPCHC)

Attachments:

1. Minor Work Permit Application



Plan Hillsborough
planhillsborough.org
planner@plancom.org
813 - 272 - 5940
601 E Kennedy Blvd
18th floor
Tampa, FL, 33602

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March 2, 2023

Shawn College
colleges@plancom.org
P.O. Box 1110
Tampa, FL 33601

**INTERESTED PARTY NOTIFICATION LETTER
ENVIRONMENTAL PROTECTION COMMISSION
MINOR WORK PERMIT APPLICATION NO. - 70468(R3)**

Applicant: Thomas Filippello
6705 N. Adah Avenue
Tampa, FL 33604

Dear Mr. College:

Please be advised the Environmental Protection Commission (EPC) has received the enclosed Minor Work Permit application for the issuance of an EPC permit pursuant to the Amended and Restated Interlocal Agreement between the EPC and the Tampa Port Authority (TPA) and Section 25, Chapter 95-488 Laws of Florida.

Please review the attached application and project drawings. If you have any questions or concerns regarding this application, please call me at (813) 627-2600 ext. 1209.

Sincerely,

Michael Gile
Environmental Supervisor
Wetlands Division
Environmental Protection Commission
of Hillsborough County

mpg
Enclosures
ec: Thomas Filippello - tfilippello@hotmail.com

Gile, Michael

From: noreply@fs2.formsite.com on behalf of epinfo at epchc.org <noreply@fs2.formsite.com>
Sent: Tuesday, November 29, 2022 12:41 PM
To: Gile, Michael
Subject: MWP09 - Minor Work Permit Application Result #13805603

Follow Up Flag: Follow up
Flag Status: Completed

PERMIT REVISION	\$100 Review Fee, construction has not begun
Fee Amount:	100.00
ItemCode	MWP-PR
Email Address to send Invoice to:	jennifer@1waterline.com
SecKey	i32Uej-ddxWWEjdna344s2
Item #211	Add a roof structure of lift
Owner First Name	Thomas
Owner Last Name	Filippello
Mailing Address	216 W Thomas St
City	Tampa
State	FL
Zip Code	33604
Owner Telephone Number(s)	18136905555
Email Address	tfilippello@hotmail.com
Are you using an agent?	Yes
Agent First Name	William
Agent Last Name	Hecker
Company Name (if applicable)	Waterline Construction
Street Address	4408 N Grady Ave.
City	Tampa
State	FL
Zip Code	33614

Telephone Number(s)	18138061977
Email Address	aaron@1waterline.com
Site Street Address	6705 N Adah Avenue
City	Tampa
State	FL
Zip Code	33604
Folio Numbers(s) of Site	104911-0000
Parcel ID:	
Section	
Required	36
Township	
Required	28
Range	
Required	18
Name of Water Body / Waterway at Proposed Project	Hillsborough River
Proposed:	Private Single-Dwelling
Owner	Tampa Port
1st Permit Number	70468(R1)
1st Date	11/30/2021
2nd Permit Number	70468(R2)
2nd Date	06/04/2022
Check to confirm that your project is not located in critical habitat for smalltooth sawfish or gulf sturgeon, as applicable.	Confirmed
Check to confirm that if your project is located in waters accessible to manatees, the project shall not affect or will not directly or indirectly likely adversely affect manatees, as applicable.	Confirmed
A. Structures	New Work
1) Dock, Observation Deck, Pier, or Elevated Boardwalk (check applicable boxes)	Dock
Item #232	

Length of Shoreline (in linear feet)	
(if applicable)	186'-9"
Number of Proposed Docks	
(if applicable)	1
Number of Boat Slips / Lifts	
(if applicable)	2
Length from OHW/MHW to Waterward Edge of Structure (in feet)	
(if applicable)	41
Width of Structure (in feet)	
(if applicable)	40
Mooring Water Depth at O/MLW (in feet)	
(if applicable)	3'-6"
Existing Structure Area (in square feet)	
(if applicable)	0
Proposed Structure Area (in square feet)	
(if applicable)	1060
Overall Area of Facility (in square feet)	
(if applicable)	1060
To Begin On:	01/01/2023
To Be Completed By:	12/31/2023
Enter any additional remarks for the project.	This revision is to add a 14'x36' roof structure over the center proposed lift.
Public Interest Comment Box:	This project will not adversely affect the above conditions. It is also located in the most suitable spot
1st Adjacent Property Owner Name(s)	Howe Mickey D
Mailing Address	7015 E Adamo Dr
City	Tampa
State	FL
Zip Code	33619

2nd Adjacent Owner	City Of Tampa
Mailing Address	306 E Jackson St
City	Tampa
State	FL
Zip Code	33602
OWNER / APPLICANT ACKNOWLEDGEMENT	I am an agent filling out the application on behalf of the owner.
Please download, complete and sign the Owner's Authorization Form. Then upload the signed authorization document here:	EPC Signature Page Roof - Filippello signed.pdf (167 KB)
Project Drawings uploads: (Site Plan, Plan Review, Profile)	Fillippello Roof Drawing.pdf (283 KB)

This email was sent to gilem@epchc.org as a result of a form being completed.
[Click here](#) to report unwanted email.



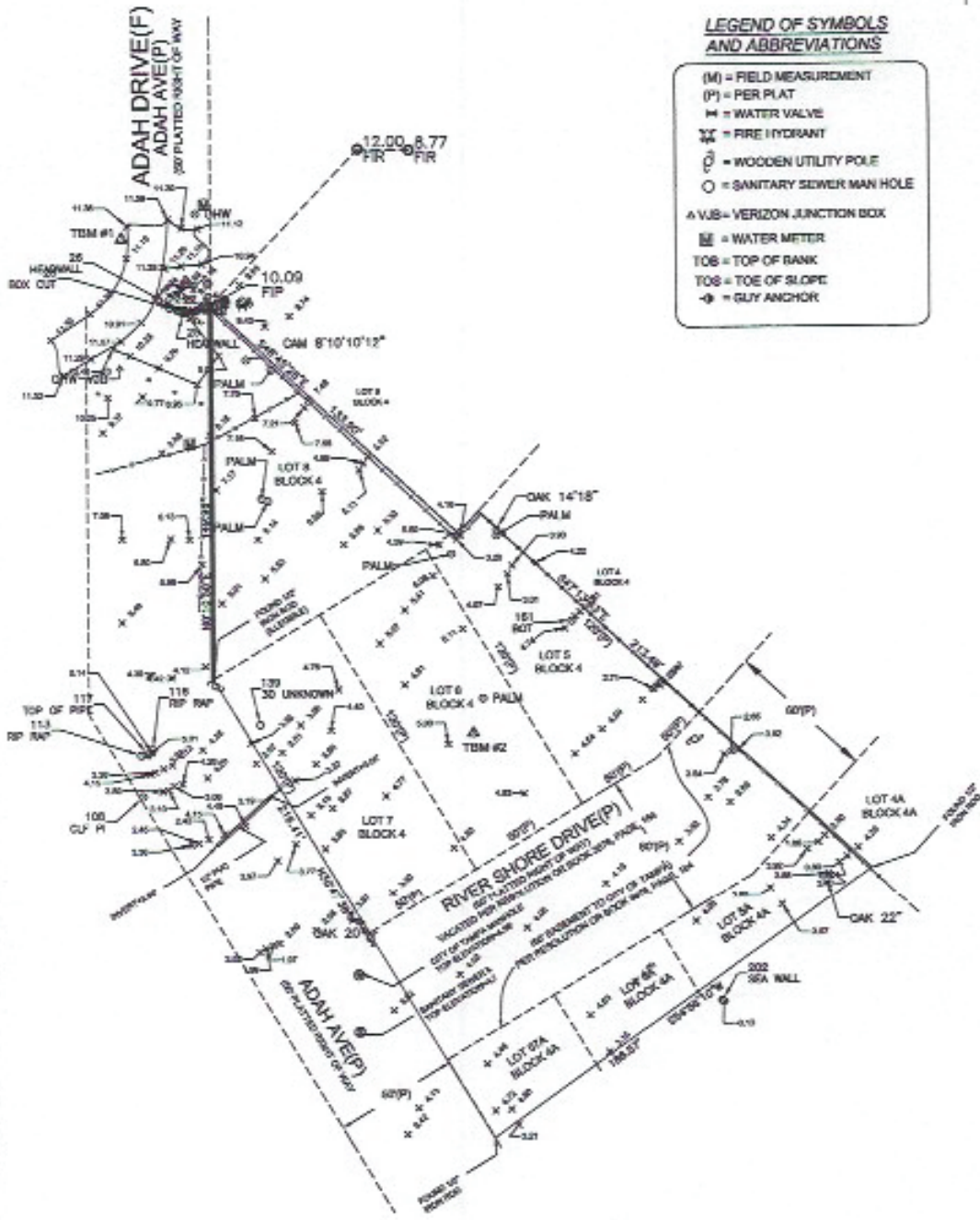
MAP OF SURVEY

SECTION 29, TOWNSHIP 28 SOUTH, RANGE 16 EAST, PASCO COUNTY, FLORIDA



LEGEND OF SYMBOLS AND ABBREVIATIONS

- (M) = FIELD MEASUREMENT
- (P) = PER PLAT
- W = WATER VALVE
- ⊕ = FIRE HYDRANT
- ⊙ = WOODEN UTILITY POLE
- = SANITARY SEWER MAN HOLE
- △ VJB = VERIZON JUNCTION BOX
- ⊞ = WATER METER
- TOB = TOP OF BANK
- TOS = TOE OF SLOPE
- ⊕ = GUY ANCHOR



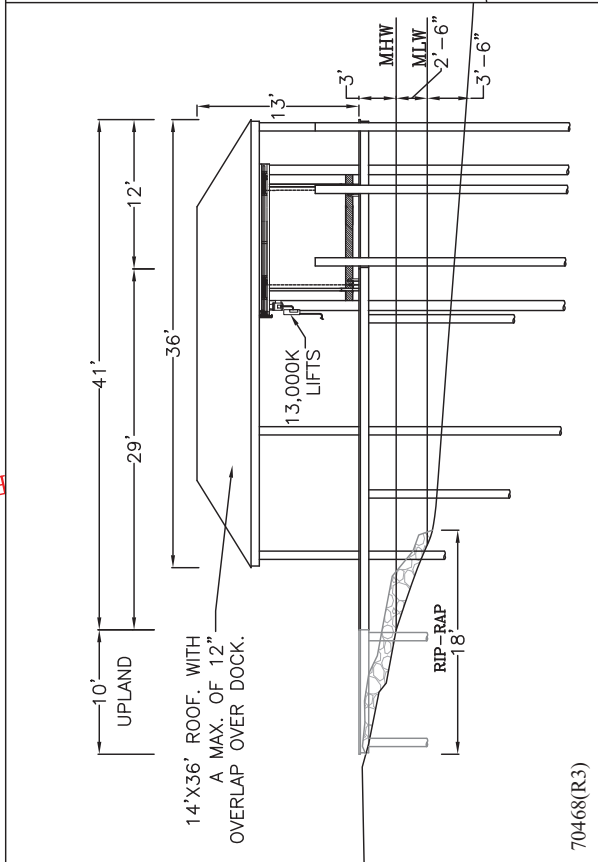
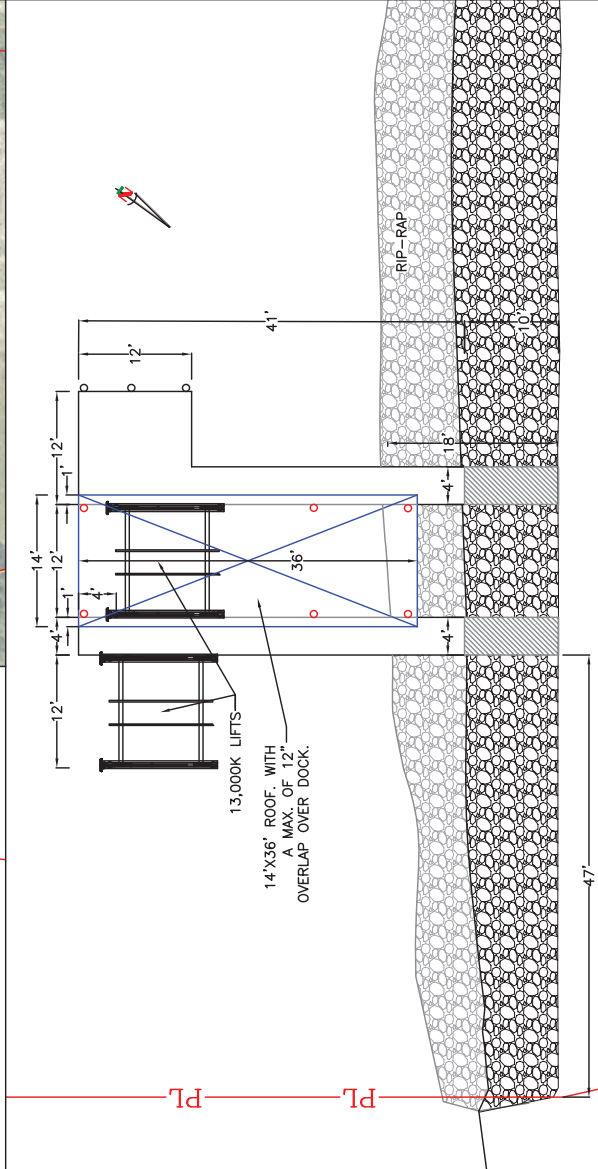
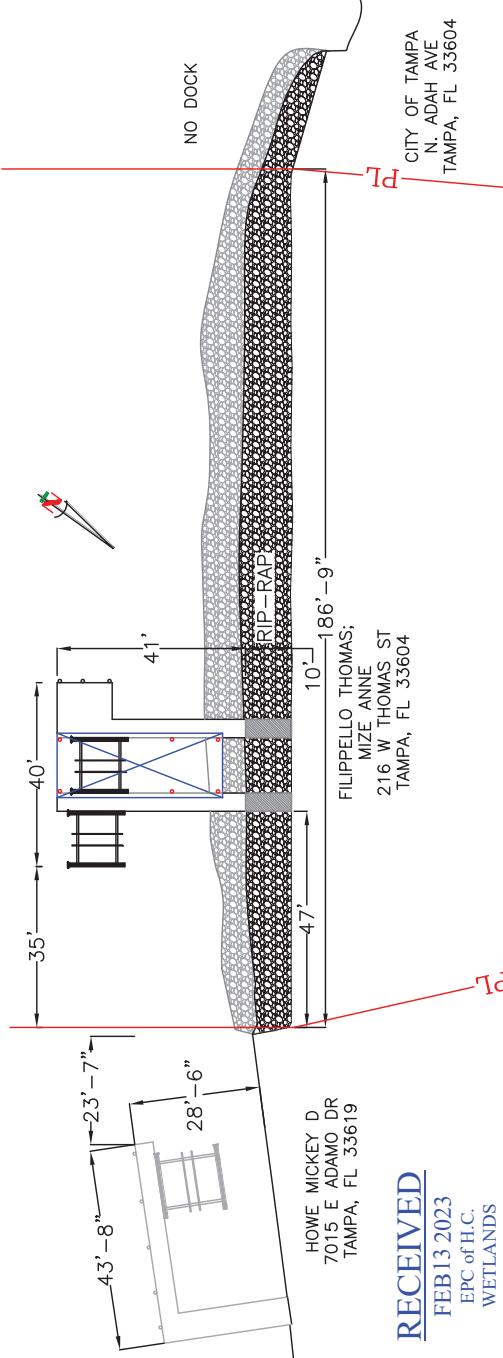
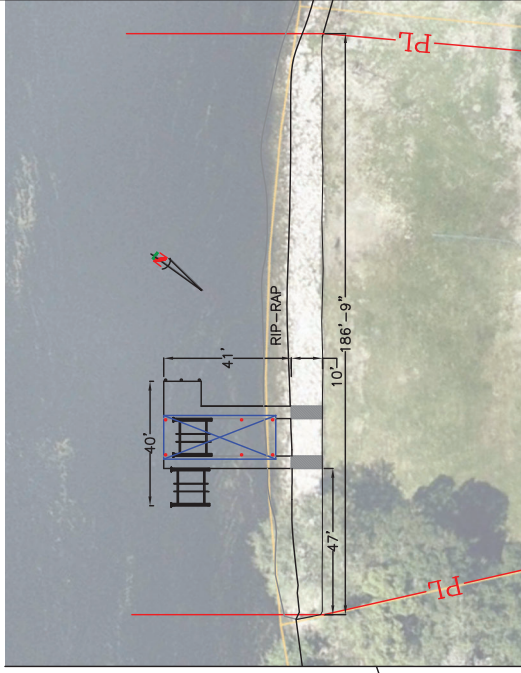
SHEET
1 OF 2

TAMPA CIVIL DESIGN
 ENGINEERING - SURVEYING - DESIGN
 17927 HUNTING BOW CRL 5-102
 LUTZ, FL 33558
 (813) 920-2005 PHONE
 CERTIFICATE OF AUTHORIZATION NUMBER 28971
 CERTIFICATE OF AUTHORIZATION NUMBER LB8888

REVISED

Replaces Drawings Received: JAN 27, 2023

Waterline Construction Inc.



70468(R3)



Patrick Hecker
4408 Grady Ave. N
Tampa FL 33614

Thomas Filippello
6705 N Adah Ave
Tampa, FL 33619

1" = NTS

0

Waterline 813-806-1977 Owner

PAGE 7 OF 7 Pages



DEBORAH A. GETZOFF
PARTNER
Shutts Et Bowen LLP
200 South Biscayne Boulevard
Suite 4100
Miami, FL 33131
DIRECT (813) 227-8136
FAX (813) 227-8236
EMAIL DGetzoff@shutts.com

RECEIVED
JAN 27 2023
EPC of H.C.
WETLANDS

January 27, 2023

REVISED

Replaces Drawings Received: JAN 6, 2023

VIA E-MAIL

Michael Gile
Environmental Supervisor
Environmental Protection Commission
3629 Queen Palm Drive, Tampa, FL 33619

Re: Revised Variance Request for THOMAS FILIPPELLO
Location: 6705 N. Adah Avenue, TAMPA, FL 33604
MWP Application 70468(R3)

Dear Mr. Gile:

This Revised Request for a Variance to Rule Subsection V.G.3.d.(3) of the Tampa Port Authority Submerged Land Management Rules is hereby submitted pursuant to your review. In addition to minor revisions including the Applicant's mailing address and listed square footages as noted in this Revised Request, a revised Plan from Waterline Construction showing the estimated mean high waterline upland ownership is labeled as **Exhibit B** and replaces the plan shown as **Exhibit B** in the initially filed Variance Request of January 6, 2023. The depicted mean high waterline has not been surveyed and therefore is not a disclaimer of ownership.

This is a request to exceed the 520 combined square foot limit for a terminal platform and covered boat slip in the Urban River area of the Hillsborough River. The Applicant for this Variance Request is the lot owner, Thomas Filippello, whose mailing address is 216 W Thomas St, Tampa, Florida 33604. Shutts & Bowen LLP represents the property owner, Mr. Filippello in this request.

On June 4, 2022, Mr. Filippello was issued Minor Work Permit ("MWP") 70468(R2), attached as **Exhibit A** consisting of 19 pages, for the construction of a dock and two non-covered boat lifts at 6705 N. Adah Avenue. No construction pursuant to the MWP has yet occurred.

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Replaces Drawings Received: JAN 6, 2023

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JAN 27 2023

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WETLANDS

Subsequent to the issuance of MWP 70468(R2) in June, Mr. Filippello determined that he would need a roof to protect one particular vessel, and he noted that such dock roofs are common in the river area of his property. His contractor applied to your office at EPC for an MWP for the roof and has been advised by EPC that, due to the Port's Technical Guidance Memorandum policy of calculating combined terminal dock platform area with a covered slip in the Urban River location, which did not affect the permissibility of the previously issued permit, the rule limit in V.G.3.d.(3) of the combined 520 square feet for the platform and cover will be exceeded.

Although this rule variance request and the pending roof application will not increase the preempted area from the issued permit, this Variance Request is asking relief from the 520 square foot combined structural area limitation in Rule V.G.3.d.(3) to allow the issuance of MWP 70468(R3) for an 856-square foot structural total area to allow the terminal platform and proposed roof cover combined. This represents a rule variance request for an additional 336 square feet of structural coverage to allow the roof to be permitted.

The waterfront length of the lot is 186.75 linear feet, and the permitted preempted area square footage is and will remain 1060 square feet, which is less than the allowable square footage of 1860. Therefore, issued MWP 70468(R2) and the pending MWP Application, 70468(R3) to request a roof for one of the previously permitted boat lift locations are both within the Port's Rule's preempted area limits. No setback encroachment is proposed. The proposed roof location is for a permitted lift area located between the two dock walkways and is already in a totally preempted area. No increase in preempted area is needed.

The Applicant's boat is a significant investment, and he is requesting the ability to protect this investment in a manner similar to other riverfront owners with covered docks in the immediate vicinity. A revised drawing of the proposed roof structure and location for MWP Application 70458(R3) is attached as **Exhibit B** to this Request. The permitted dock extends 41 feet from the mean high-water line into the water, and the proposed roof is shown at a shore perpendicular length of 36 feet to protect and accommodate a 35-foot vessel for the center, preempted lift location. The proposed roof drawing shown in **Exhibit B** depicts a 14-foot width to allow a maximum 12-inch overhang above the dock walkways within the permitted preempted boat lift area. The proposed roof area is a minimum area necessary to provide cover and protection to a 35-foot vessel consistent with typical vessel dimensions and private residential riparian uses evident in this area of the Hillsborough River.

Please see attached **Exhibit C** consisting of four aerial photograph pages. The first photo is an aerial photo showing the Applicant's "Subject Property" and eight covered single-family docks within 1400 feet of the Applicant's parcel. The next three pages of **Exhibit C** depict the calculation of the cover and terminal platform for at least three of these

REVISED

Replaces Drawings Received: JAN 6, 2023

docks that appear to exceed the 520 square foot area rule limit for this section of the River. It appears that covered boat slips sufficient to protect vessels at nearby residential docks are a reasonable and customary use of the river and riparian submerged lands and represent a right commonly associated with riparian ownership in this Urban River location.

The Applicant asserts that the denial of this Variance Request will create an economic hardship for him due to the commonly seen single-family dock boat covers/roofs within the vicinity of his property, in that such denial will negatively impact the market value of his waterfront property in relation to nearby residential riparian uses. Furthermore, a denial will impair his exercise of commonly seen riparian uses and will negatively affect protection and economic value of his vessel in the future.

Mr. Filippello has advised each of his adjacent owners of his proposed MWP dock cover application. The owner to the north, Mickey Howe, at 6710 N. River Shore Drive, has executed an Affidavit of No Objection to Permit or Variance Request ("AONO"), attached hereto as **Exhibit D**. The City of Tampa is the adjacent owner to the south of the project location, and is also the owner of the submerged lands waterward of Mr. Filippello's property where the dock has been permitted. The City has prepared a submerged land lease for Mr. Filippello's permitted dock facility and is awaiting the decision on the MWP 70468(R3) application.

Below please find the responses in bold font to the five variance conditions listed in the Submerged Lands Management Rules.

1. The variance requested arises from a condition that is unique and peculiar to the riparian upland property and adjacent submerged land.

A residential riparian owner's reasonable use of riparian property for single-family boating purposes includes the ability to have a functional dock and lift with a roof cover to protect the vessel, which is a significant investment and riparian asset. Under Florida Submerged Land rules and TPA rules, a single-family residential dock is able to moor two vessels. In this case, due to the typical dimensions of the Applicant's vessel needing roof covering, the roof itself has an area of 504 square feet, of which approximately 72 square feet slightly overlap the permitted terminal dock. This area does not allow sufficient square footage at this river location for a terminal platform or dock walkway in addition to the roof cover to reach navigable depths and distances from the riprap shoreline and remain within the 520 square foot limitation listed in the rule.

The total structure area previously permitted in MWP 70468(R2) for the two-slip dock with two boat lifts was approximately 424 square feet. Based on the

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Replaces Drawings Received: JAN 6, 2023

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WETLANDS

distance for the slope of the riprap from the estimated mean high water line and the need to reach necessary depths away from riprap for safe vessel ingress and egress and to avoid prop dredging, this particular dock site will not accommodate any reasonable roof area under the Port's Technical Guidance Memorandum definition applicable to this location for a terminal dock combined with a boat cover within the rule's 520-square foot limitation for the combined structures.

2. The granting of a variance will not adversely impact the resource quality, aesthetic value, or the general quality of public uses with the affected waterbody.

As evidenced by the issued MWP 70468(R2), the submerged location for the proposed roof cover has already been permitted for a boat lift and is already preempted between two walkways. The placement of the roof cover will not in any way affect public uses in the waterway or impair resources, vegetation, manatees or other species. This has been confirmed by the Applicant's contractor in MWP Application 70468(R3).

3. The variance requested is the minimum necessary to allow reasonable use of the Jurisdictional Lands.

As detailed above, the 36-foot by 14-foot roof will be the minimum size necessary to cover and protect the Applicant's vessel of a typical length of 35 feet. In order to provide this reasonably sized roof cover of 504 square feet together with a terminal platform area required to have safe navigable depths with ingress and egress from the sloped riprapped area, there is no opportunity to provide a terminal platform with a boat cover pursuant to the Port's March 13, 2017 (Revised 4/24/2017) Technical Guidance Memorandum at this location that will meet the 520-square foot limit under the rule. This request is therefore for the minimum square footage necessary to safely and reasonably accommodate a two-vessel single family dock with one covered slip at this particular location.

4. The variance requested is not contrary to the general spirit and intent of this rule. This variance request is consistent with submerged land private residential dock uses within the Urban River area of the Port's jurisdiction. A covered slip for a single-family dock is a common feature on sovereign submerged lands and within the Port's proprietary and regulatory jurisdiction. Numerous covered private single-family slips can be observed along the Hillsborough River Urban River area, and Exhibit C depicts 8 nearby covered single family docks, some of which have been calculated to exceed the 520-square foot dock and cover limit within 1400 feet of the Applicant's

REVISEDReplaces Drawings Received: JAN 6, 2023

site. This request is a reasonable and customary use of private, residential riparian property and is not contrary to the general spirit and intent of the rule.

5. The activity applied for directly related to the exercise of a right commonly associated with the ownership of riparian property.

As stated above, a covered boat slip at a single-family residential dock on sovereign submerged land in Florida is a right commonly associated with ownership and use of riparian property. The requested roof variance is a reasonable size and is consistent with existing single-family dock structures in the immediate vicinity of the applicant's parcel (several of which appear to exceed the 520-structural square foot rule limitation) and throughout the Port's proprietary and tidal jurisdiction. A covered boat slip is clearly a use and right commonly associated with riparian activities, rights and uses in the Urban River area, and the Applicant's proposed structure and this Variance Request should be approved as reasonable and consistent with those rights and uses. A denial of this request would subject the Applicant to an unnecessary economic hardship regarding his property's uses and market value given the existing riparian uses at residential properties in the immediate vicinity.

Please contact me if you need further information or have additional questions regarding this variance request.

Regards,

Shutts & Bowen LLP



Deborah A. Getzoff, Esq.

cc: Jackie Julien (via email)
Thomas Filippello (via email)
DAG

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Sterlin Woodard, P.E. WETLANDS DIVISION

May 10, 2022

Thomas Filippello (Sent via email)
filippello@hotmail.com
1202 E. Clifton Street
Tampa, FL 33604

Permittee:	THOMAS FILIPPELLO
Permit Number:	70468(R2)
Type of Permit:	INTENT TO ISSUE MINOR WORK PERMIT FOR A DOCK AND TWO NON-COVERED BOAT LIFTS
Project Address:	6705 N. ADAH AVENUE, TAMPA, FL 33604
Issuance Date:	JUNE 4, 2022
Expiration Date:	JUNE 4, 2025

Dear Mr. Filippello:

This Intent to Issue the Minor Work Permit (Permit) for a dock and two non-covered boat lifts is issued to Thomas Filippello (Permittee) by the Environmental Protection Commission of Hillsborough County (EPC) on behalf of the Tampa Port Authority (TPA). The TPA delegated this regulatory authority to the EPC in 2009. Please review this document and attachments carefully, paying particular attention to the conditions and approved drawings. NO CONSTRUCTION ACTIVITY SHALL OCCUR in wetlands or other surface waters until June 4, 2022.

The EPC reserves the right to stop this Permit from becoming effective under any of the following circumstances: (1) if the EPC revokes the Permit pursuant to Section 1-2.052, Rules of the EPC; (2) if a "Notice of Appeal" or "Request for Extension of Time to File a Notice of Appeal" under Part IV of Section 1-2, Rules of the EPC (See NOTICE OF RIGHTS) is timely filed; or (3) if any applicable Federal governmental agency objects to verification that the activity qualifies for the United States Army Corp's of Engineers' State Programmatic General Permit. The Permittee shall be noticed in writing if any of these occur. No construction activity may occur until such time as the issue is resolved and the Permit becomes effective. It is possible in some circumstances for the Permit to be challenged after the initial construction date. Please contact the EPC Legal Department if you have any questions regarding this process.

This Permit authorizes the above named permittee, hereinafter referred to as the Permittee, to perform the described work on wetlands and/or other surface waters, on or adjacent to submerged lands under the regulatory or proprietary jurisdiction of the TPA. This Permit

Environmental Excellence in a Changing World
Environmental Protection Commission - Roger P. Stewart Center
3629 Queen Palm Drive, Tampa, FL 33619 - (813) 627-2600 - www.epchc.org

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addresses activities regulated under the TPA Submerged Lands Management Rules and EPC Wetland Rule Chapter 1-11, Rules of the EPC. This work shall be accomplished in accordance with the general and specific conditions contained in this Permit. This Permit shall expire on the date noted in this Permit and shall be valid until it expires or such time as it is amended, replaced, or revoked in writing.

Acceptance of this Permit constitutes acceptance of all the attached conditions and the project drawings. Compliance with all conditions is necessary for the Permit to be considered valid. Should you have objections to any of these conditions, please see the attached **NOTICE OF RIGHTS** detailing the appeal process.

Sincerely,



Sterlin K. Woodard, P.E. - Division Director
EPC Wetlands Division

lmc/cb/mhs

Enclosures

cc: Ricco Palermo - rpalermo@hcsso.tampa.fl.us
Jose Sanchez - jsanchez@hcsso.tampa.fl.us
Robert Barron - spgp@usace.army.mil
Stiles Byrne - stiles@1waterline.com
City of Tampa - Construction Services Department
Shawn College, Hillsborough River Board

cc: Mickey Howe
City of Tampa Real Estate



Janet D. Lorton, Executive Director

PERMIT

PERMIT NUMBER: 70468(R2)

**PERMITTEE: THOMAS FILIPPELLO
1202 E. CLIFTON STREET
TAMPA, FL 33604**

**AGENT: WATERLINE CONSTRUCTION
STILES BYRNE
4408 N. GRADY AVENUE
TAMPA, FL 33614**

PROJECT DESCRIPTION: CONSTRUCTION OF A DOCK WITH TWO NON-COVERED BOAT LIFTS PURSUANT TO PERMIT EXHIBITS AND CONDITIONS

PROJECT LOCATION: 6705 N. ADAH AVENUE, TAMPA, FL 33604 / HILLSBOROUGH RIVER

DATE OF ISSUE: JUNE 4, 2022

EXPIRATION DATE: JUNE 4, 2025

**THIS PERMIT CARD SHALL BE
PROMINENTLY DISPLAYED AT THE
WORKSITE. FOR QUESTIONS CALL THE
WETLANDS DIVISION (813) 627-2600.**

ENVIRONMENTAL PROTECTION COMMISSION
MINOR WORK PERMIT No. - 70468(R2)
SPECIFIC CONDITIONS
June 4, 2022

1. **Cancellation of MWP 70468(R1).** This permit revision supersedes and cancels MWP 70468(R1) issued on November 30, 2021 in its entirety, including stipulations and exhibits.
2. This Permit revision authorizes the construction of a dock with two non-covered boat lifts.
3. Be advised, if the proposed activity approved by this Permit is altered, a modification to this Permit with applicable application and fee may be required. Modifications include, but are not limited to, changes to the footprint of the proposed activity or adding structures such as: floating vessel platforms, floating docks, roofs, canopy covers, personal watercraft (PWC) lifts, etc. Modifications require review by EPC.
4. **The enclosed Permit Card shall be conspicuously displayed at the project site once work on this project has been initiated and shall remain so displayed until the project has been completed. Within fifteen (15) days of completion of this project, EPC is to be notified via email wetlandscompliance@epchc.org.**

DOCK CONSTRUCTION SPECIFIC CONDITIONS

5. The structure shall be constructed as depicted per EPC approved Permit exhibits A-1(R2) and A-2(R2).
6. The structure shall be placed within the property limits as depicted per EPC approved Permit exhibits A-1(R2) and A-2(R2).
7. The 41-foot length of this structure, as depicted in the EPC approved Permit exhibits A-1(R2) and A-2(R2) of this permit, is the maximum distance that can be authorized under current TPA Submerged Lands Management Rules and may not be extended in the future.
8. The proposed docking facility shall be used to moor no more than two vessels and shall not create a navigational hazard.
9. No roof or sundeck is permitted for this structure under this Permit.
10. The water depths in mooring areas shall be no less than two (2) feet at Mean Low Water (MLW).
11. No dredging, filling, clearing or scouring shall be allowed except for the settings of pilings for the structure. If pilings are to be installed by jetting, then the water pump must be shut off when not in use to avoid unnecessary disturbance to the water body.
12. All structures shall be marked with reflectors, reflective tape or other materials necessary to make the extent of structures clearly visible to boaters in accordance with the requirements of the United States Coast Guard and the Florida Fish & Wildlife Conservation Commission.
13. Structures shall not be enclosed.
14. This Permit does not authorize the placement of pilings or any other structures extraneous to the dock and boatlift system.
15. This Permit does not authorize the construction of bathouses, storage shelters, gazebos, screen porches, fish cleaning facilities, living quarters or other non-water dependent structures.

16. No davits are permitted for this structure.
17. The structure shall be constructed a minimum of 1-foot vertical elevation above the Mean High Water (MHW) elevation.
18. In the vicinity of mooring, watercraft associated with the construction of the permitted structure shall operate within the waters of sufficient depth to preclude bottom scouring/prop dredging.
19. All wetland vegetation must be preserved during all construction authorized under this Permit.

U.S. ARMY CORPS OF ENGINEERS SPGP DETERMINATION

Your proposed activity as outlined in your application and attached drawings qualifies for Federal authorization pursuant to the State Programmatic General Permit VI-R1, and a SEPARATE permit or authorization will not be required from the Corps. Please note that the Federal authorization expires on July 27, 2026. However, your authorization may remain in effect for up to 1 additional year, if provisions of Special Condition 15 of the SPGP VI-R1 permit instrument are met. You, as permittee, are required to adhere to all General Conditions and Special Conditions that may apply to your project. Special conditions required for your project are attached. A copy of the SPGP VI-R1 with all terms and conditions and the General Conditions may be found at <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book>.

U.S. ARMY CORPS OF ENGINEERS SPGP SPECIAL CONDITIONS

Note: JAXBO (Jacksonville District's Programmatic Biological Opinion), referenced throughout, may be found online in the Jacksonville District Regulatory Division Sourcebook, or at <http://cdm16021.contentdm.oclc.org/utills/getfile/collection/p16021coll3/id/577>.

The SPGP V1-R1 instrument and all attachments may be found online through the Sourcebook, or at <https://www.saj.usace.army.mil/SPGP/>

In addition to the conditions specified above, the following Special Conditions apply to all projects reviewed and/or authorized under the SPGP V1-R1.

Special Conditions for all Projects

1. Authorization, design and construction must adhere to the terms of the SPGP VI-R1 instrument including the General Conditions for All Projects, Special Conditions for All Projects, Applicable activity-specific special conditions, Procedure and Work Authorized sections.
2. Design and construction must adhere to the PDCs for In-Water Activities (Attachment 28, from PDCs AP.7 through AP11, inclusive, of JAXBO) (Reference: JAXBO PDC AP.1.).
3. All activities must be performed during daylight hours (Reference: JAXBO PDC AP.6.).
4. For all projects involving the installation of piles, sheet piles, concrete slab walls or boatlift I-beams (Reference Categories A, B and C of JAXBO PDCs for In-Water Noise from Pile and Sheet Pile Installation, page 86):
 - a. Construction methods limited to trench and fill, pilot hole (auger or drop punch), jetting, vibratory, and impact hammer (however, impact hammer limited to installing no more than 5 per day).

- b. Material limited to wood piles with a 14-inch diameter or less, concrete piles with a 24-inch diameter/width or less, metal pipe piles with a 36-inch diameter or less, metal boatlift I-beams, concrete slab walls, vinyl sheet piles, and metal sheet piles.
 - c. Any installation of metal pipe or metal sheet pile by impact hammer is not authorized (Reference: Categories D and E of JAXBO PDCs for In-Water Noise from Pile and Sheet Pile Installation, page 86.).
 - d. Projects within the boundary of the NOAA Florida Keys National Marine Sanctuary require prior approval from the Sanctuary (Reference: JAXBO PDCs AP.14 and A1.6).
5. The Permittee shall comply with the "Standard Manatee Conditions for In-Water Work - 2011" (Attachment 29).
6. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Applicant/Permittee or other party on the Applicant's/Permittee's behalf, shall conduct a search of known historical properties by contracting a professional archaeologist, and contacting the Florida Master Site File at 850-245-6440 or SiteFile@dos.state.fl.us. The Applicant/Permittee can also research sites in the National Register Information System (NRIS). Information can be found at <http://www.cr.nps.gov/nr/research>.
- a. If, during the initial ground disturbing activities and construction work, there are archaeological/cultural materials unearthed (which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work in the vicinity and notify the Compliance and Review staff of the State Historic Preservation Office at 850-245-6333 and the Corps Regulatory Archeologist at 904-232-3270 to assess the significance of the discovery and devise appropriate actions, including salvage operations. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 C.F.R. § 325.7.
 - b. In the unlikely event that human remains are identified, the remains will be treated in accordance with Section 872.05, Florida Statutes; all work in the vicinity shall immediately cease and the local law authority, and the State Archaeologist (850-245-6444) and the Corps Regulatory Archeologist at 904-232-3270 shall immediately be notified. Such activity shall not resume unless specifically authorized by the State Archaeologist and the Corps.
7. The Permittee is responsible for obtaining any "take" permits required under the U.S. Fish and Wildlife Service's regulations governing compliance with these laws. The Permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such "take" permits are required for a particular activity.
8. Mangroves. The design and construction of a Project must comply with the following (Reference: JAXBO PDCs AP.3 and AP.12.):
- a. All projects must be sited and designed to avoid or minimize impacts to mangroves.
 - b. Mangrove removal must be conducted in a manner that avoids any unnecessary removal and is limited to the following instances:

- (1) Removal to install up to a 4-ft-wide walkway for a dock.
 - (2) Removal of mangroves above the mean high water line (MHWL) provided that the tree does not have any prop roots that extend into the water below the MHWL.
 - (3) Mangrove trimming. Mangrove trimming refers to the removal (using hand equipment such as chain saws and/or machetes) of lateral branches (i.e., no alteration of the trunk of the tree) in a manner that ensures survival of the tree.
 - (a) Projects with associated mangrove trimming waterward of the MHWL are authorized if the trimming: (a) occurs within the area where the authorized structures are placed or will be placed (i.e., removal of branches that overhang a dock or lift), (b) is necessary to provide temporary construction access, and (c) is conducted in a manner that avoids any unnecessary trimming.
 - (b) Projects proposing to remove red mangrove prop roots waterward of the MHWL are not authorized, except for removal to install the dock walkways as described above.
9. For Projects authorized under this SPGP VI-R1 in navigable waters of the U.S., the Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
10. Notifications to the Corps. For all authorizations under this SPGP VI-R1, including Self-Certifications, the Permittee shall provide the following notifications to the Corps:
- a. Commencement Notification. Within 10 days from the date of initiating the work authorized by this permit the Permittee shall submit a completed "Commencement Notification" form (Attachment 8).
 - b. Corps Self-Certification Statement of Compliance form. Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the "Self-Certification Statement of Compliance" form (Attachment 9) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.
 - c. Permit Transfer. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form (Attachment 10).
 - d. Reporting Address. The Permittee shall submit all reports, notifications, documentation, and correspondence required by the general and special conditions of this permit to the following address.

- (1) For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL, 32232-0019.
 - (2) For electronic mail: SAJ-RD-Enforcement@usace.army.mil (not to exceed 10 MB). The Permittee shall reference this permit number, SAJ-2015-2575 on all submittals.
11. The District Engineer reserves the right to require that any request for authorization under this SPGP VI-R1 be evaluated as an Individual Permit. Conformance with the terms and conditions of the SPGP VI-R1 does not automatically guarantee Federal authorization.
 12. On a case-by-case basis, the Corps may impose additional Special Conditions which are deemed necessary to minimize adverse environmental impacts.
 13. Failure to comply with all conditions of the SPGP VI-R1 constitutes a violation of the Federal authorization.
 14. The SPGP VI-R1 will be valid through the expiration date unless suspended or revoked by issuance of a public notice by the District Engineer. The Corps, in conjunction with the Federal resource agencies, will conduct periodic reviews to ensure that continuation of the permit during the period ending expiration date, is not contrary to the public interest. The SPGP VI-R1 will not be extended beyond the expiration date but may be replaced by a new SPGP. If revocation occurs, all future applications for activities covered by the SPGP VI-R1 will be evaluated by the Corps.
 15. If the SPGP VI-R1 expires, is revoked, or is terminated prior to completion of the authorized work, authorization of activities which have commenced or are under contract to commence in reliance upon the SPGP VI-R1 will remain in effect provided the activity is completed within 12 months of the date the SPGP VI-R1 expired or was revoked.

Special Conditions for Docks, Piers, Associated Facilities, and other Minor Piling-Supported Structures

1. Chickees must be less than 500 ft² and support no more than 2 slips (Reference: JAXBO PDC A2.1.6.).
2. The design and construction of a Project over marsh (emergent vegetation) must comply with the following:
 - a. The piling-supported structure shall be aligned so as to have the smallest over-marsh footprint as practicable.
 - b. The over-marsh portion of the piling-supported structure (decking) shall be elevated to at least 4 feet above the marsh floor.
 - c. The width of the piling-supported is limited to a maximum of 4 feet. Any exceptions to the width must be accompanied by an equal increase in height requirement.
3. Mangroves. For pile-supported structures, the following additional requirements for mangroves found in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) shall apply:
 - a. The width of the piling-supported structure is limited to a maximum of 4 feet.
 - b. Mangrove clearing is restricted to the width of the piling-supported structure.

- c. The location and alignment of the piling-supported structure should be through the narrowest area of the mangrove fringe.
4. Regarding SAV, the design and construction of a Project must comply with the following:
 - a. A pile supported structure
 - (1) that is within the range of seagrass (estuarine waters within all coastal counties except for Nassau, Duval, St Johns, Flagler and Volusia north of Ponce Inlet), but outside of the range of Johnson's seagrass (the range of Johnson's seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida) will be constructed to the following standards:
 - (a) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then SAV is presumed present and the pile-supported structure must comply with, or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of SPGP, two uncovered boatlifts are allowed.
 - (i) If the pile supported structure is currently serviceable, repair and replacement may occur in the same footprint without completion of a benthic survey.
 - (ii) Boatlifts and minor structures in Monroe County may be installed within existing boat slips without completion of a SAV survey. Boatlift accessory structures, like catwalks, shall adhere to "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) if a SAV survey has not been completed.
 - (iii) A marginal dock may be constructed a maximum of 5 feet overwater, as measured from the waterward face (wet face) of the seawall).
 - (b) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), then the pile-supported structure must comply with, or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.
 - (i) If the pile supported structure is currently serviceable, repair and replacement may occur in the same footprint without completion of a benthic survey.
 - (ii) Boatlifts may be installed within existing boat slips without completion of a

SAV survey.

(iii) A marginal dock may be constructed a maximum of 5 feet overwater, as measured from the waterward face (wet face) of the seawall).

(c) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is absent (including seagrass, tidal freshwater SAV and emergent vegetation), then no design restrictions are required and boatlifts may include a cover.

b. A pile supported structure

(1) that is within the range of Johnson’s seagrass (the range of Johnson’s seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida) but not within Johnson’s seagrass critical habitat will be constructed to the following standards:

(a) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then seagrass is presumed present and the pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers’/National Marine Fisheries Service’s “Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat” U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) with the sole exception of the number of allowable boat lifts. For the purposes of this permit, two uncovered boatlifts are allowed.

(b) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), THEN pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers’/National Marine Fisheries Service’s “Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat” U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

(c) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is absent (including seagrass, tidal freshwater SAV and emergent vegetation), THEN no design restrictions are required and boatlifts may include a cover.

c. A pile supported structure located within Johnson’s seagrass critical habitat will be constructed to the following standards:

(1) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then seagrass is presumed present and the pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers’/National Marine Fisheries Service’s “Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat” U.S. Army Corps of

Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) with the sole exception of the number of allowable boat lifts. For the purposes of this permit, two uncovered boatlifts are allowed.

- (2) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is absent and the project is
 - (a) A dock replacement in the same footprint, no design restrictions are required.
 - (b) A new dock or dock expansion THEN pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers' /National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.
- (3) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), then pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers' /National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.
5. North Atlantic Right Whale. The attached North Atlantic Right Whale Information Form (Attachment 30) describes the presence of North Atlantic right whales in the area and the Federal regulations governing the approach to North Atlantic right whales. The FDEP or Designee will attach the North Atlantic Right Whale Information Form to their authorizations for any dock project (new construction, repair, or replacement) at a private residence located within 11 nautical miles of an inlet that leads to areas within the known range of North Atlantic right whale. These zones, with an 11 nm radius, are described by the North Atlantic Right Whale Educational Sign Zones, Attachment 7 (from Section 2.1.1.4 of JAXBO, pages 31 and 32, inclusive). (Reference JAXBO PDC A2.4).
6. Educational Signs. For commercial, multi-family, or public facilities, and marine events, signs must be posted as described below (Reference: These replicate JAXBO PDCs A.2.2 and A.2.2.1 to A.2.2.3., inclusive, within the table PDCs Specific to Activity 2 - Pile Supported Structures and Anchored Buoys, starting on page 112.):
 - a. For commercial, multi-family, or public facilities, and marine events, signs must be posted in a visible location(s), alerting users of listed species in the area susceptible to vessel strikes and hook-and-line captures. The most current version of the signs that must be downloaded and sign installation guidance are available at:

<https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>

The signs required to be posted by area are stated below:

<https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>

- (1) All projects in Florida shall use the Save Sea Turtle, Sawfish, and Dolphin sign. These signs shall include contact information to the sea turtle and marine mammal stranding networks and smalltooth sawfish encounter database.
 - (2) Projects within the North Atlantic right whale educational sign zone shall post the Help Protect North Atlantic Right Whales sign.
 - (3) On the east coast of Florida, projects located within the St. Johns River and those occurring north of the St. Johns River to the Florida-Georgia line shall post the Report Sturgeon sign. On the west coast of Florida, projects occurring from the Cedar Key, Florida north to the Florida-Alabama line.
7. Monofilament Recycling Bins. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided as described below (Reference: The below replicates PDC A.2.3 within the table PDCs Specific to Activity 2 - Pile Supported Structures and Anchored Buoys, the PDC itself on page 113 of the JAXBO.):
- a. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided at the docking facility to reduce the risk of turtle or sawfish entanglement in, or ingestion of, marine debris. Monofilament recycling bins must:
 - (1) Be constructed and labeled according to the instructions provided at <http://mrrp.myfwc.com>.
 - (2) Be maintained in working order and emptied frequently (according to <http://mrrp.myfwc.com> standards) so that they do not overflow.
8. Lighting for docks installed within visible distance of ocean beaches. If lighting is necessary, then turtle-friendly lighting shall be installed. Turtle-friendly lighting is explained and examples are provided on the Florida Fish and Wildlife Conservation Commission website: <http://myfwc.com/wildlifehabitats/managed/sea-turtles/lighting/> (Reference: JAXBO PDC A2.8.).
9. Construction Location. Project construction shall take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited (Reference: JAXBO PDC A2.9.).
10. Aids to Navigation (ATONs). ATONs must be approved by and installed in accordance with the requirements of the U.S. Coast Guard (i.e., 33 C.F.R., chapter I, subchapter C, part 66, Section 10 of the Rivers and Harbors Act, and any other pertinent requirements) (Reference: JAXBO PDC A2.5.).
11. Aids to Navigation (ATONs) in Acropora critical habitat. The distance from ATONs to ESA-listed corals and Acropora critical habitat (Attachment 20) shall ensure there are no impacts to the corals or the essential feature of Acropora critical habitat from the movement of buoys and tackle. The appropriate distance shall be based on the size of the anchor chain or other tackle to be installed to secure the buoy to its anchor, particularly when the design of the ATON does not prohibit the contact of tackle with the marine bottom. In all cases, buoy tackle will include flotation to ensure there is no contact between the anchor chain or line and the marine bottom (Reference: JAXBO PDC A2.10.).
12. Within Loggerhead sea turtle critical habitat (Reference: JAXBO PDC A2.15.):
- a. ATONs (pile-supported and anchored buoys) are allowed in nearshore reproductive habitat of the Northwest Atlantic Distinct Population Segment (NWA DPS) of

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loggerhead sea turtle critical habitat.

- b. No other pile-supported structures are allowed in nearshore reproductive habitat.

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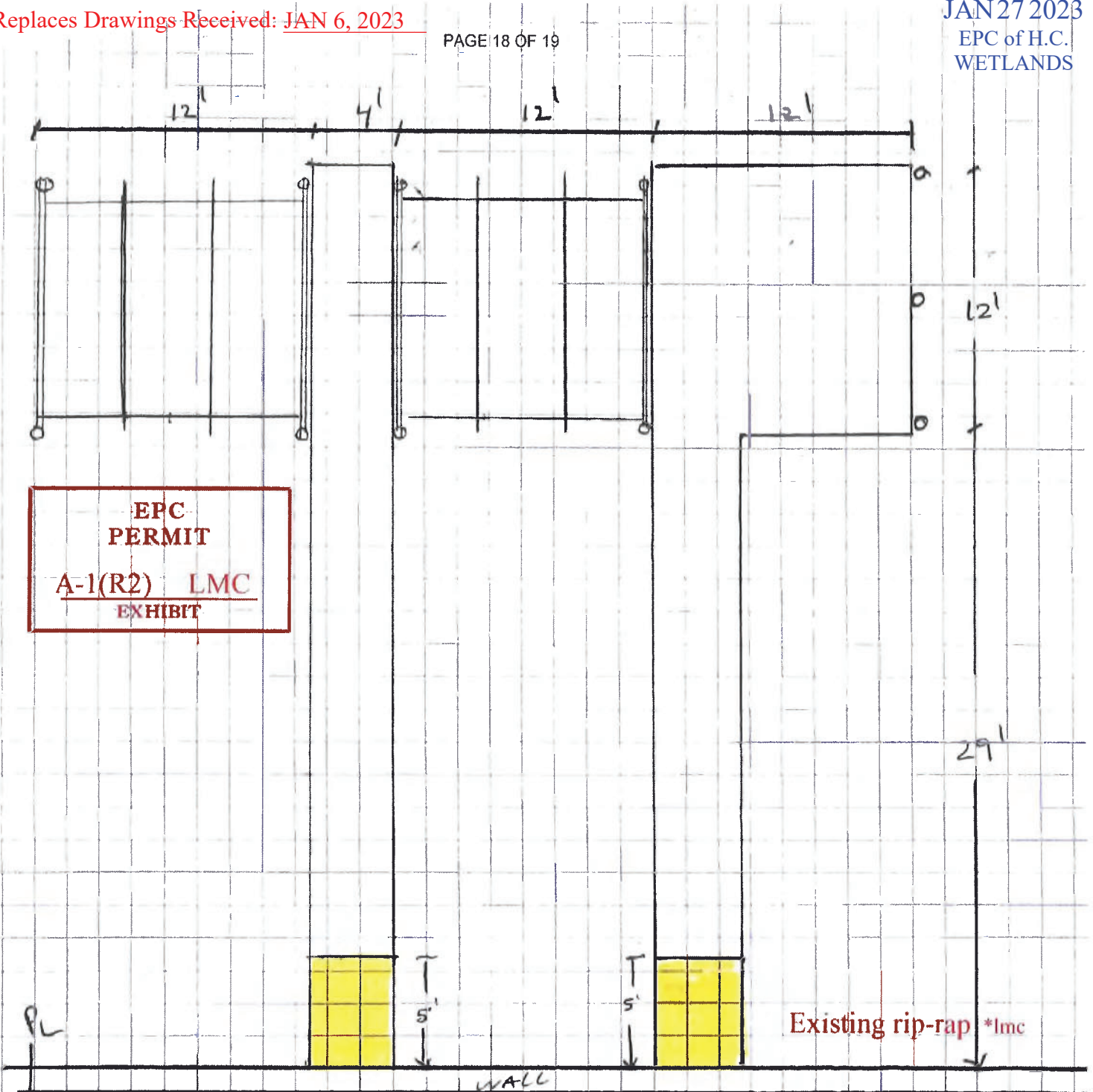
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**EPC
PERMIT
A-1(R2) LMC
EXHIBIT**

Existing rip-rap *lmc

WALL

Added
5

PLAN VIEW
1 of 3

Thomas Flipello
6705 N. ADAM Ave
TAMPA FL

186.75 L.F.

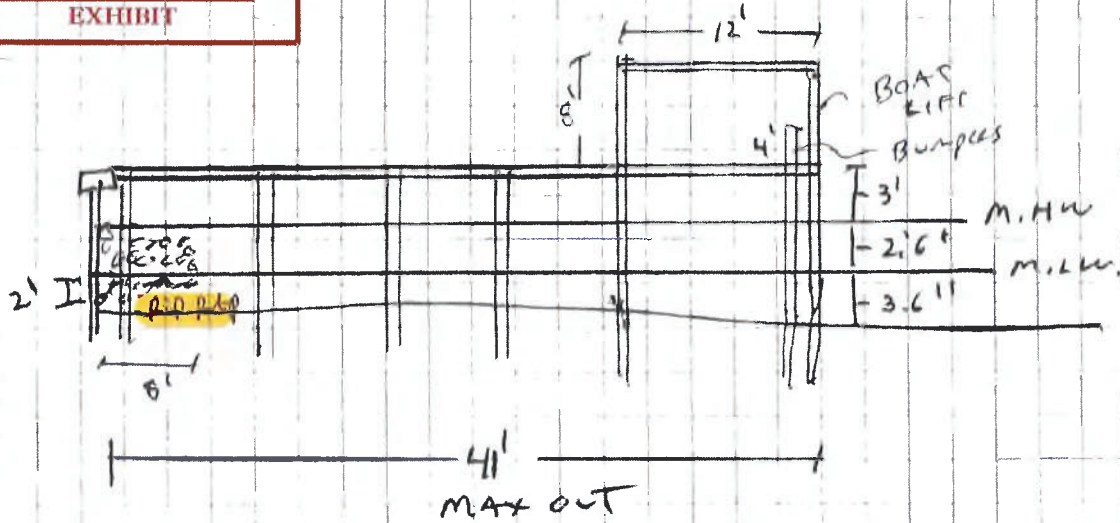
RECEIVED

May 2, 2022
EPC of H.C.
WETLANDS

70468(R2)

EPC PERMIT
A-2(R2) LMC
EXHIBIT

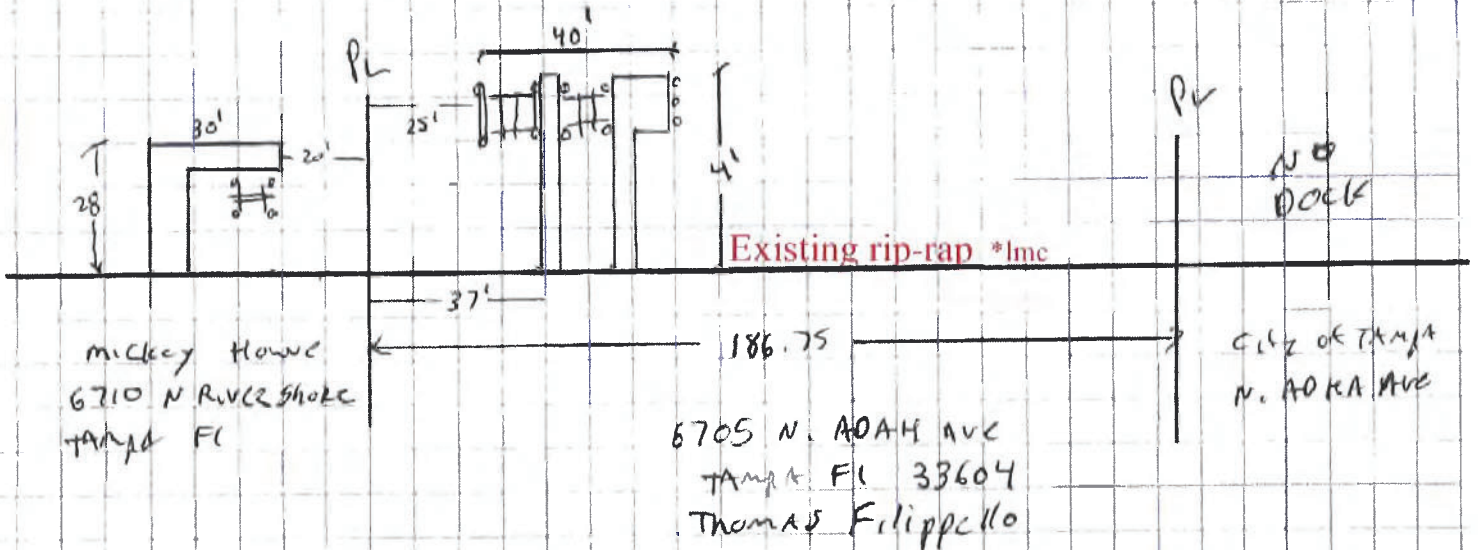
SIDE VIEW 3 of 3



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May 2, 2022
EPC of H.C. WETLANDS

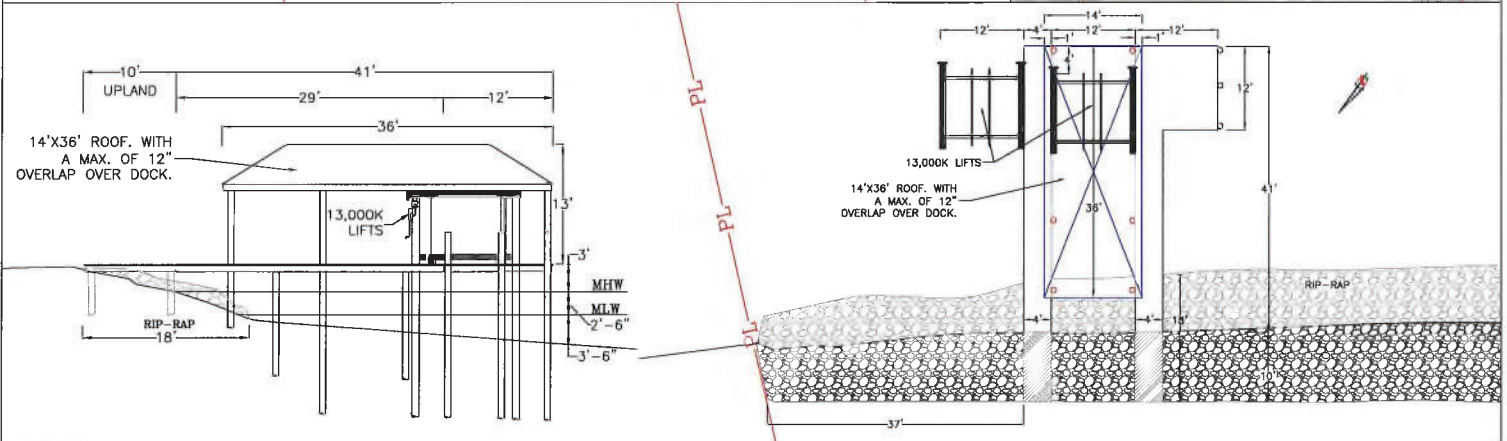
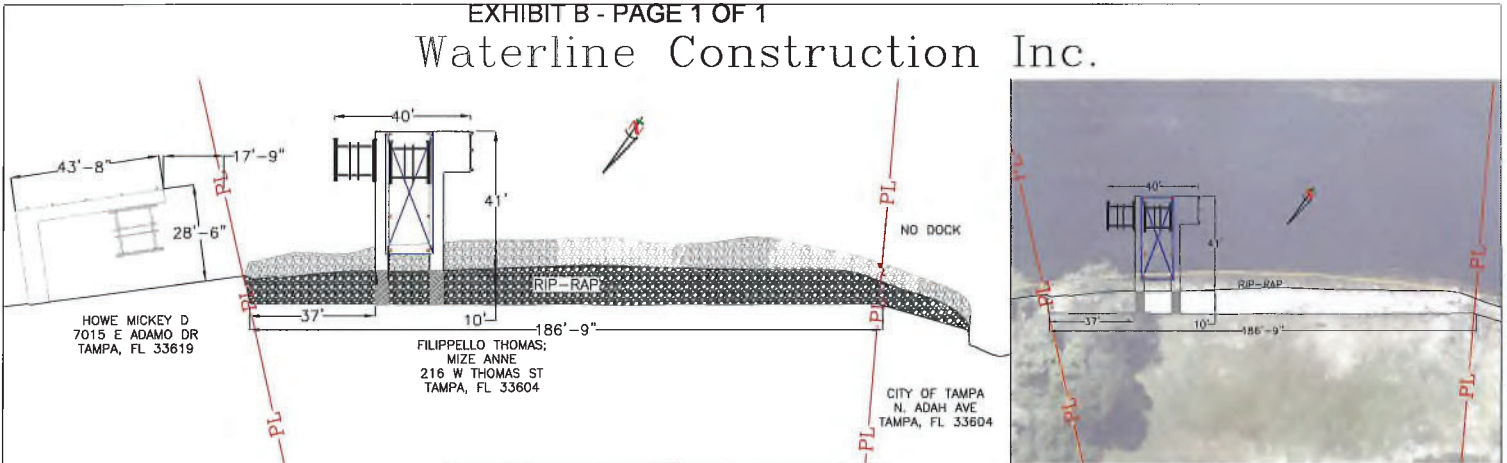
OVERVIEW 2 of 3



70468(R2)

EXHIBIT B - PAGE 1 OF 1

Waterline Construction Inc.



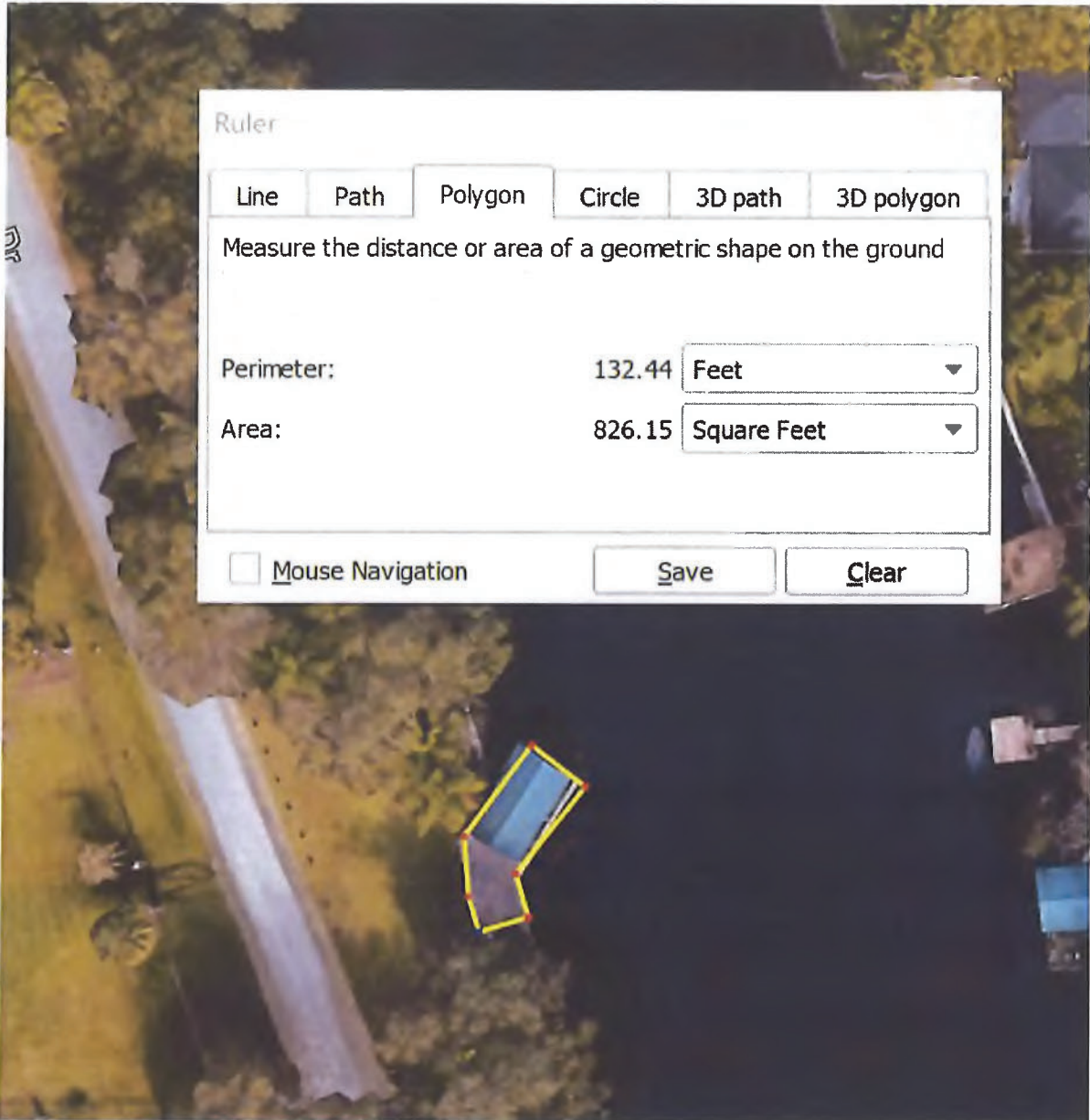
	Patrick Hecker 4408 Grady Ave. N Tampa FL 33614	Thomas Filippello 6705 N Adah Ave Tampa, FL 33619	0 1" = NTS NTS	Waterline 813-806-1977 Owner
				PAGE / OF / Pages

EXHIBIT C – Page 1 of 4

8 docks with roofs within 1,400' of Filippello property line ("Subject Property" labeled below) in Hillsborough River.



Property A



Property D

Ruler

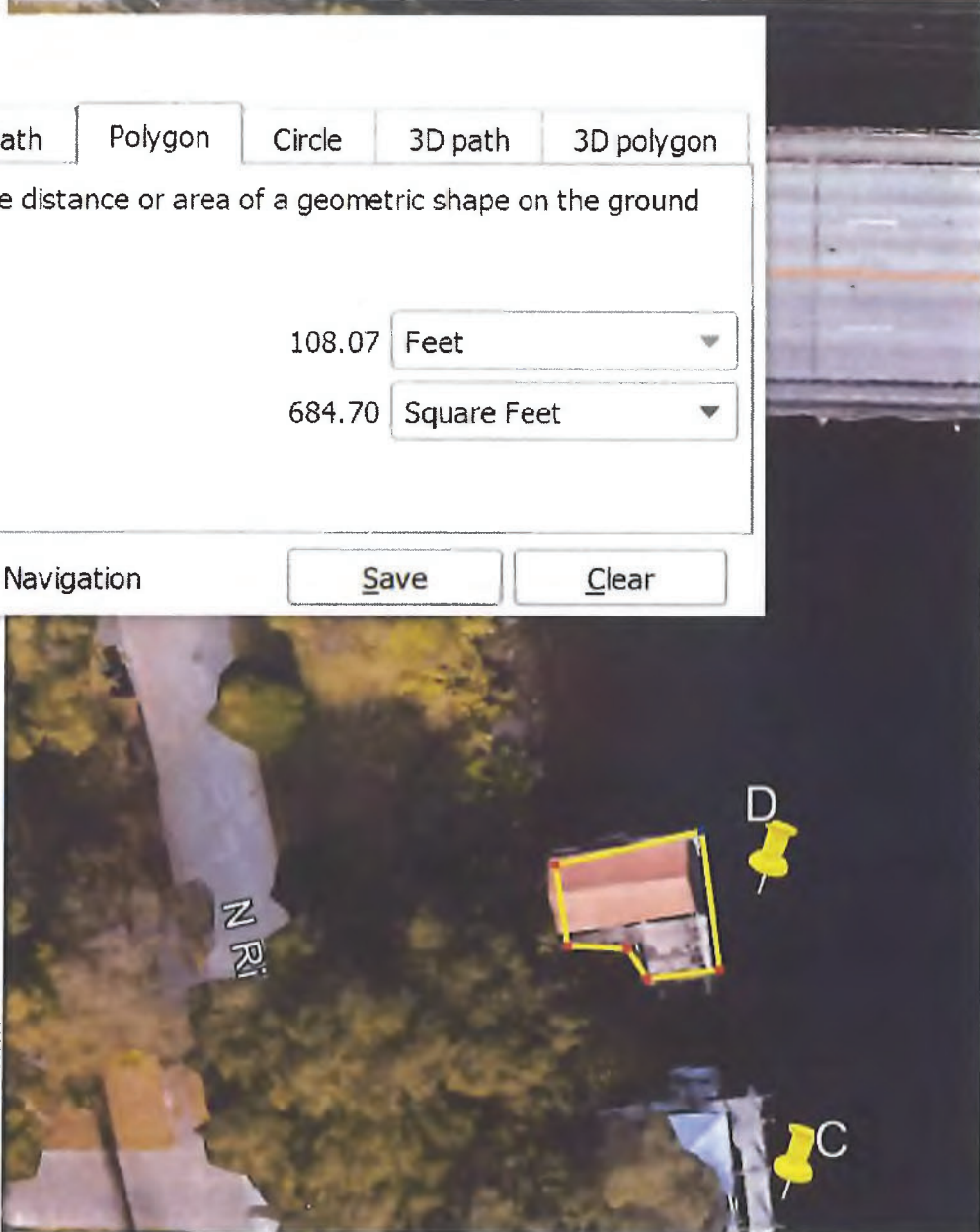
Line Path Polygon Circle 3D path 3D polygon

Measure the distance or area of a geometric shape on the ground

Perimeter: 108.07 Feet

Area: 684.70 Square Feet

Mouse Navigation Save Clear



Property E

\

Ruler

Line	Path	Polygon	Circle	3D path	3D polygon
Measure the distance or area of a geometric shape on the ground					
Perimeter:	116.09	Feet	▼		
Area:	619.03	Square Feet	▼		
<input type="checkbox"/> Mouse Navigation	Save		Clear		



ADJACENT PROPERTY OWNER AFFIDAVIT OF NO OBJECTION
TO PERMIT OR VARIANCE REQUEST

ENVIRONMENTAL PROTECTION COMMISSION (EPC)
MINOR WORK PERMIT APPLICATION NO. - 70468(R3)

APPLICANT NAME: Thomas Filippello
PROJECT ADDRESS: 6705 N. Adah Avenue
CITY: Tampa STATE: FL ZIP: 33604
TELEPHONE NUMBER: (813)690-5555

ADJACENT PROPERTY OWNER

NAME: Mickey Howe
ADDRESS: 6710 N River Shore Drive
CITY: Tampa STATE: FL ZIP: 33604
TELEPHONE NUMBER: (813)267-0023

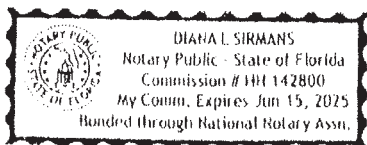
This is to acknowledge and certify that I am the riparian property owner adjacent to the site of the referenced proposed project. I have reviewed the plans of record for the project as described in the EPC Minor Work Permit Application No. - 70468(R3) and have no objections to the issuance of the permit or to the variance request pursuant to this application.

TO BE SIGNED BY ADJACENT RIPARIAN PROPERTY OWNER:

SIGNATURE: Mickey D. Howe DATE: 12/20/22
(Adjacent Property Owner)

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

Sworn to and subscribed before me this 21st day of December 2022
by Mickey D. Howe who is personally known to me or produced
as identification.



Diana Sirmans

Signature Notary Public State of Florida
Diane Sirmans

Printed Name of Notary Public

Note: This affidavit of no objection is submitted pursuant to the Tampa Port Authority (TPA)
Submerged Lands Management Rules



**Hillsborough River
Interlocal Planning Board
& Technical Advisory Council**

Agenda Item 8. B. Minor Work Permit No. 75583 (EPCHC)

Attachments:

1. Minor Work Permit Application



Plan Hillsborough
planhillsborough.org
planner@plancom.org
813 - 272 - 5940
601 E Kennedy Blvd
18th floor
Tampa, FL, 33602

MWP09 - Minor Work Permit Application Result #13613872

epcinfo at epchc.org <noreply@fs2.formsite.com>

Tue 8/30/2022 2:39 PM

To: Gile, Michael <gilem@epchc.org>

8/30/22

EPC OF H.C.
WETLANDS

NEW	\$650 Review Fee
Fee Amount:	650.00
Item #211	Install a dock and boatlift at 4206 N Riverside Drive. Dock to have a 4'x26' walkout to a 16'x16' head. 16,000LB boatlift. 545.41' total SQFT. and 56.14 LF of after-the-fact Rip-Rap
Owner First Name	Daniel
Owner Last Name	Gorman
Mailing Address	4206 N Riverside Drive
City	Tampa
State	FL
Zip Code	33603
Owner Telephone Number(s)	813-482-7482
Email Address	danielgorman2006@yahoo.com
Are you using an agent?	Yes
Agent First Name	Barry
Agent Last Name	Bishop
Company Name (if applicable)	Trident Marine Construction
Street Address	5302 Ingraham Street
City	Tampa
State	FL
Zip Code	33616
Telephone Number(s)	8137143930
Email Address	barry@tridenth2o.com
Site Street Address	4206 N Riverside Drive
City	Tampa
State	FL
Zip Code	33603
Folio Numbers(s) of Site	166610-0005
Parcel ID:	
Section	
Required	2
Township	
Required	29
Range	

Required	18	
Name of Water Body / Waterway at Proposed Project	Hillsborough River	
Proposed:	Private Single-Dwelling	
Owner	City of Tampa Real Estate Division	
Check to confirm that your project is not located in critical habitat for smalltooth sawfish or gulf sturgeon, as applicable.	Confirmed	
Check to confirm that if your project is located in waters accessible to manatees, the project shall not affect or will not directly or indirectly likely adversely affect manatees, as applicable.	Confirmed	RECEIVED
A. Structures	New Work	8/30/22
1) Dock, Observation Deck, Pier, or Elevated Boardwalk (check applicable boxes)	Dock	EPC OF H.C. WETLANDS
Item #232		
Length of Shoreline (in linear feet)		
(if applicable)	56.14'	
Number of Proposed Docks		
(if applicable)	1	
Number of Boat Slips / Lifts		
(if applicable)	1	
Length from OHW/MHW to Waterward Edge of Structure (in feet)		
(if applicable)	42	
Width of Structure (in feet)		
(if applicable)	16	
Mooring Water Depth at O/MLW (in feet)		
(if applicable)	3	
Existing Structure Area (in square feet)		
(if applicable)	0	
Proposed Structure Area (in square feet)		
(if applicable)	547.5'	
Overall Area of Facility (in square feet)		
(if applicable)	547.5'	
3) Other Type of Structure	Other	
explain	16,000LB boatlift.	
To Begin On:	08/31/2022	
To Be Completed By:	09/01/2022	
Enter any additional remarks for the project.	Minimal to no impact to local flora and fauna.	
Public Interest Comment Box:	Minimal to no impact to local flora and fauna.	
1st Adjacent Property Owner Name(s)	JSH Investments LLC	
Company Name & Title (if applicable)	JSH Investments LLC	

Mailing Address	15 S TREASURE DR	
City	Tampa	
State	FL	RECEIVED
Zip Code	33609	
2nd Adjacent Owner	4208 N Riverside Dr LLC	8/30/22
Company (if applicable)	4208 N Riverside Dr LLC	EPC OF H.C. WETLANDS
Mailing Address	PO BOX 5001	
City	Tampa	
State	FL	
Zip Code	33675	
OWNER / APPLICANT ACKNOWLEDGEMENT	I am an agent filling out the application on behalf of the owner.	
Please download, complete and sign the Owner's Authorization Form. Then upload the signed authorization document here:	4206_Owners_Auth_Signed.pdf (274 KB)	
Project Drawings uploads: (Site Plan, Plan Review, Profile)	4206_DrawingS.pdf (1.84 MB)	

This email was sent to gilem@epchc.org as a result of a form being completed.
[Click here](#) to report unwanted email.

JSH Investments LLC
4804 N Riverside Drive
Tampa, FL 33603
NO Existing Structure

Gorman, Daniel; Gorman Claudia
4806 N Riverside Drive
Tampa, FL 33603
NO Existing Structure

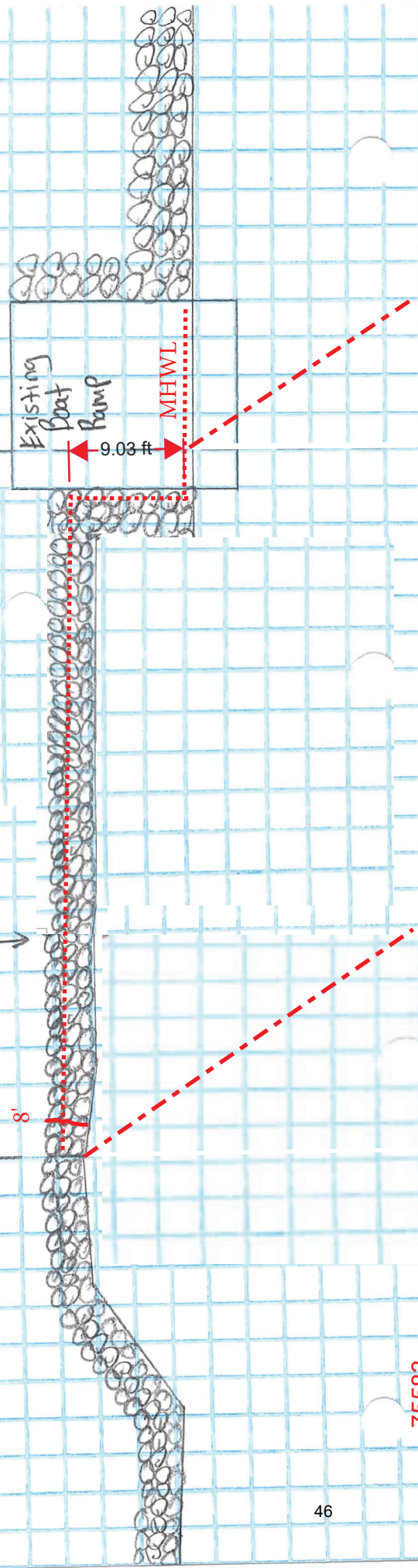
4808 N Riverside Dr LLC
4808 N Riverside Drive
Tampa, FL 33603
NO Existing Structure

47.14'

RECEIVED

8/30/22

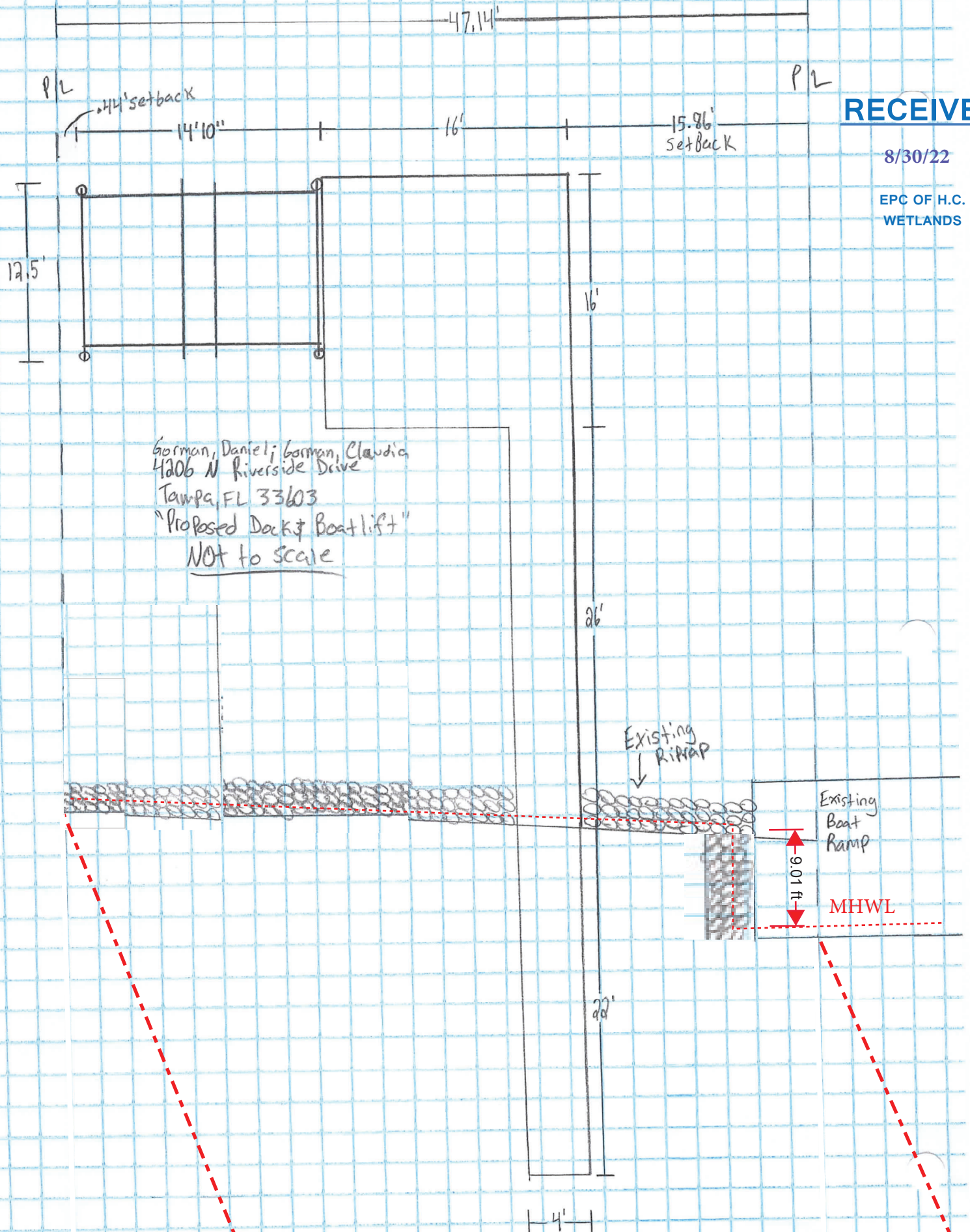
EPC OF H.C.
WETLANDS



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8/30/22

EPC OF H.C.
WETLANDS

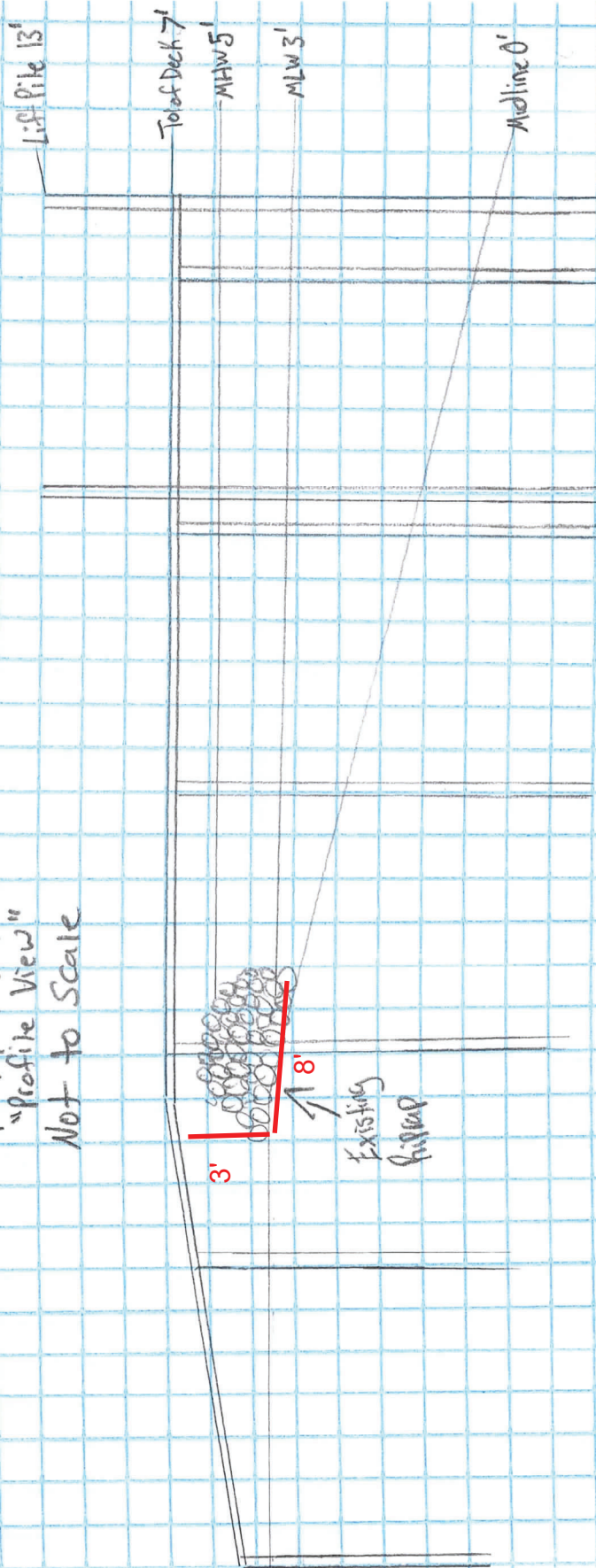


Gorman, Daniel; Gorman, Claudia
4206 N Riverside Drive
Tampa, FL 33603
"Proposed Dock & Boat Lift"
NOT to Scale

42'

22'

Gorman, Daniel; Gorman, Claudia
4206 N River Drive
Tampa, FL 33603
"Profile View"
Not to Scale



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8/30/22

EPC OF H.C.
WETLANDS

75583

EXHIBIT "A"

DESCRIPTION SKETCH

(NOT A BOUNDARY SURVEY)

LEGEND

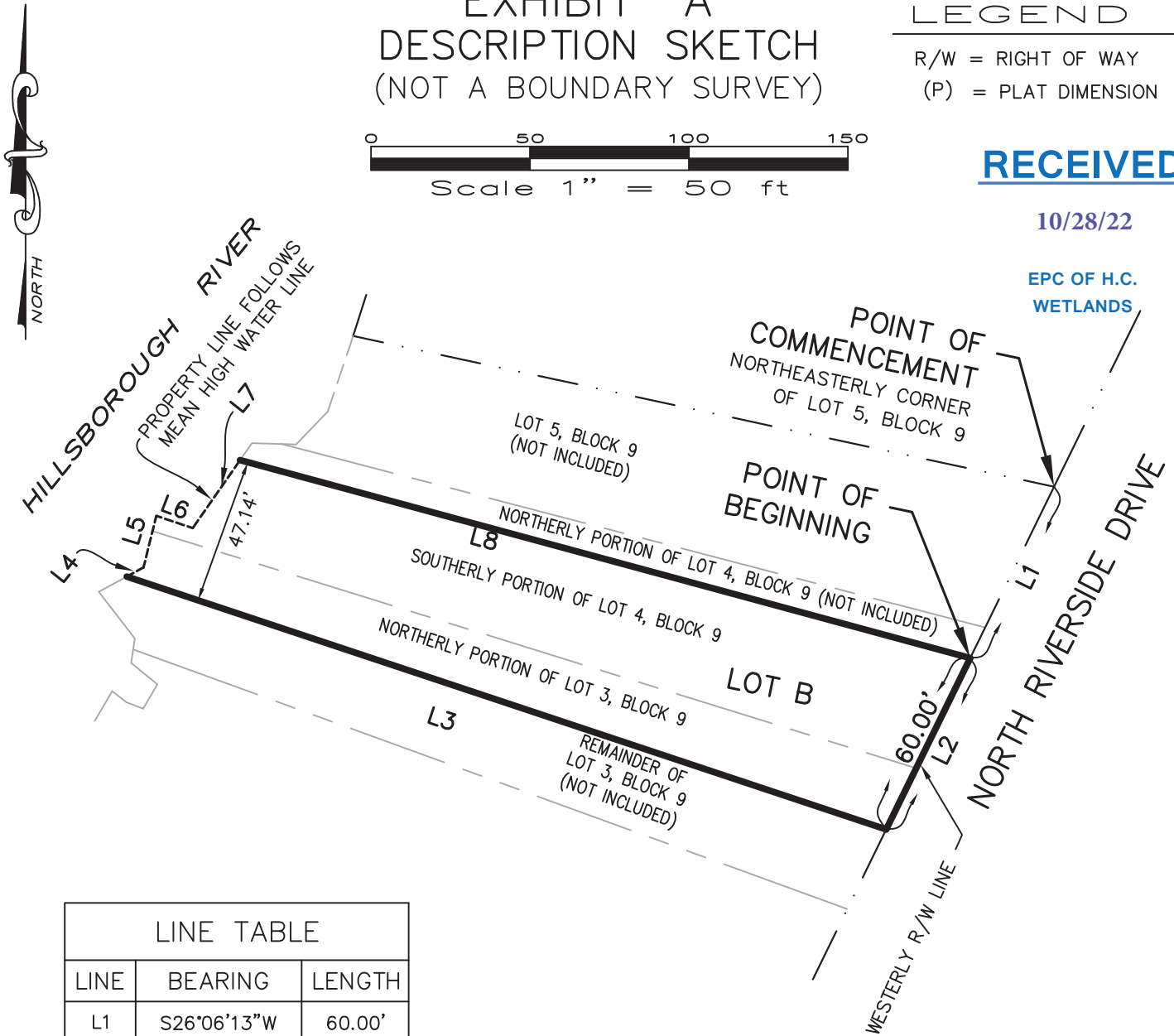
R/W = RIGHT OF WAY
(P) = PLAT DIMENSION



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10/28/22

EPC OF H.C.
WETLANDS



LINE TABLE

LINE	BEARING	LENGTH
L1	S26°06'13"W	60.00'
L2	S26°06'13"W	60.00'
L3	N71°35'19"W	251.76'
L4	N61°26'17"E	5.98'
L5	N13°55'54"E	16.74'
L6	S71°18'03"E	12.07'
L7	N34°54'39"E	26.05'
L8	S74°50'12"E	237.93'

SECTION 02 TOWNSHIP 29S RANGE 18E COUNTY, STATE HILLSBOROUGH, FLORIDA

AMERICAN SURVEYING INC.
L.B. #7168
4847 NORTH FLORIDA AVENUE
TAMPA, FLORIDA 33603
EMAIL: INFO@AMERICANSURVEYING.COM
PH. (813)234-0103 • FAX (813)234-0108

PREPARED FOR:

TAMPA INDUSTRIAL REAL ESTATE CONSULTANT

SHEET 2 OF 2
SEE SHEET 1 OF 2
FOR LEGAL DESCRIPTION

75583

PROJECT NO.: 08002620C SLB	DATE: 05/13/2021	DWN.: LCN	APRVD.: JWS		
PROJECT NO.:	DESCRIPTION	DATE	DWN.	APRVD.	
					49