

## PERMITS STATUS MEMORANDUM

### Beckett Bridge Replacement/Riverside Drive Drainage Improvements

PID 001037A/PID 001037B

#### Permits Required

U.S. Coast Guard (USCG) Bridge Permit

Southwest Florida Water Management District (SWFWMD) General Permit

- Includes expanded Sovereign Submerged Lands Easement for new bridge from FDEP

U.S. Army Corps of Engineers (USACE) Nationwide Permit (for Bridge Replacement)

U.S. Army Corps of Engineers (USACE) Nationwide Permit (for Drainage Outfall on Riverside Drive)

FDEP National Pollutant Discharge System (NPDES) Permit

City of Tarpon Springs Tree Removal Permit

#### Status of Existing Permits – Bridge Replacement

##### U.S. Coast Guard

- The USCG Bridge Permit (No. 6-19-7) for Beckett was issued on August 19, 2019.
- Condition #8 of the permit states that the permit will be void if construction doesn't start within 3 years (August 19, 2022) and isn't completed within 5 years of the date issued (August 19, 2024).
- The USCG Bridge Permit construction end date is August 2024

##### Coordination with USCG August 2021

Regarding the time limitation for “start of construction - start of construction does not have to be “breaking ground”. Start of construction includes acquisition of land, letting of contracts, relocation of utilities to facilitate construction, etc. If bridge construction is not started, but construction of the proposed stormwater improvements starts before the permit time limitation (start) then the permit also remains valid.

Regarding time limitation for completion of construction – if the project is under construction and additional time is needed to complete construction or to remove the old bridge from the waterway, the USCG will be able to grant a permit extension in a letter versus a permit amendment, which simplifies the process.

*If the USCG permit is void because the start date is not met, a new permit will be required. Coordination with environmental resource agencies (US Fish and Wildlife Service and National Marine Fisheries Service) will be required to address potential new rules regarding threatened and endangered species. Updated benthic and seagrass surveys, as well as new delineations for mangrove limits are likely to be required.*

##### SWFWMD

The SWFWMD General Permit will expire in October 2023. General Permits cannot be modified or extended. Accordingly, the County will need to apply for a new permit in early 2023 if it is anticipated that construction will not be completed until June 2024.

If a new permit is not obtained prior to the expiration date, ongoing construction would be required to be stopped. Application for a new permit should be made when the contract letting date and construction schedule are confirmed.

*It is likely that new benthic and seagrass surveys, and new limits for delineation of mangrove limits will be required to obtain a new permit. Seagrass surveys are required to be conducted during the growing season (June 1 – September 3).*

## **USACE**

### **County will be applying for new Permits**

The USACE Nationwide Permit expires on March 18, 2022. (All USACE Nationwide permits expire in March 2022 and will be reissued.) By rule, the County gets an automatic one-year extension to March 2023 if the County commences or is under contract to commence construction.

Since it is not anticipated that construction will be complete by March 2023 the County will need to obtain a new USACE permit at some time while construction is ongoing or before construction starts.

*It is likely that new benthic and seagrass surveys, and new limits for delineation of mangrove limits will be required to obtain a new permit.*

### **City of Tarpon Springs Tree Permit**

#### **(Applies to both Beckett Bridge Replacement and Riverside Drive Drainage Improvements)**

The City of Tarpon Springs has agreed to issue one permit to Pinellas County for removal of all trees on private property within the City limits required to complete the proposed construction.

Approval of the tree removal permit in relationship to Pinellas County Beckett Bridge and stormwater project will have the following additional conditions:

For the protection and preservation of trees, to ensure the adequacy of tree numbers, and preservation of the canopy, City of Tarpon Springs is strongly advising the planting of new trees wherever feasible and possible in lieu of payment.

As outlined in Section 133.06 Permit Conditions, trees removed shall be replaced inch for inch on property in which the tree(s) is/were removed. If this cannot be accomplished, fees in lieu of replacements shall be placed in a fund established as the City Tree Bank. Fee schedule is established in Section 133.06(E).

The consent of the effected property owners shall be required to remove trees from private property originating from outside county right-of-way. Pinellas County is required to have a written agreement for replanting trees with each property owner. Those written agreements will be provided to the City listing each owner and the mitigation agreement with the property owner.

Replacement trees shall meet or exceed the standards set out in Section 134.03.

**The information below may clarify the request from the City of Tarpon Springs Attorney for a signed agreement for the proposed replanting as mitigation for impacting the trees:**

- The City of Tarpon Springs agreed to allow the County to apply for one permit that included all trees on private property within the project limits. Typically, one permit would be required for each property owner. A permit application with the Contractor's information will be required
- Based on an evaluation of the trees within the project limits on private property that are shown on the plans to be removed, the City Arborist estimated that if no trees were replanted that the County would need to pay \$20,785.00 into the City's tree bank.
- The City would prefer that trees be replanted somewhere on the property where the tree is removed if the property owner agrees or requests replanting as mitigation. The City will deduct the value of any trees that are replanted from the \$20,785.00 mitigation fee so that the County is not paying twice for tree mitigation. Accordingly, the City Attorney added language to the permit conditions that require the County to provide a signed agreement from each property owner for replanting trees on their property.

### **Status of Existing Permits - Riverside Drainage Improvements**

#### **SWFWMD Exemption**

By letter dated November 15, 2019 the SWFWMD determined that an Environmental Resource Permit will not be required for the proposed stormwater improvements for Riverside Drive.

#### **USACE**

##### **County will be applying for new Permits**

The USACE Nationwide Permit expires on March 18, 2022. (All USACE Nationwide permits expire in March 2022 and will be reissued.) By rule, the County gets an automatic one-year extension to March 2023 if the County commences construction or is under contract to commence construction.

Since it is not anticipated that construction will be complete by March 2023 the County will need to obtain a new USACE permit at some time while construction is ongoing or before construction starts.

#### **FDEP National Pollutant Discharge Elimination System (NPDES) Permit**

An NPDES permit will be required for the combined project since the area of ground disturbance exceeds one acre. The contractor will be responsible for obtaining this permit prior to construction.