



US Army Corps
of Engineers®

PUBLIC NOTICE

Applicant:
Todd Kersh
Gulfshore of Longboat Key

Published: August 20, 2025
Expires: September 10, 2025

Jacksonville District
Permit Application No. SAJ-2025-01599

TO WHOM IT MAY CONCERN: The Jacksonville District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403). The purpose of this public notice is to solicit comments from the public regarding the work described below:

If you are interested in receiving additional project drawings associated with this public notice, please send an e-mail to the project manager by electronic mail at Jennifer.L.Alexander@usace.army.mil.

APPLICANT: Todd Kersh
Gulfshore of Longboat Key
2600 Richland Avenue
Edmond, Ok 73012

WATERWAY AND LOCATION: The project would affect aquatic resources associated with **Buttonwood Bay and Sarasota Bay**. The project site is located at **3710 Gulf of Mexico Drive**; at latitude 27.382143° and longitude -82.634012°; in Longboat Key, Sarasota County, Florida.

EXISTING CONDITIONS: This private marina has been in place since the 1950's, servicing the associated residential development. The marina consisted of 37 slips prior to the 2024 hurricanes that caused extensive damage. Currently the marina has been completely destroyed, leaving only small sections of the center docking structure and a few finger piers. Because the applicant is proposing to replace the existing structures within the same footprint as existing, no benthic or submerged resource survey was requested as it is unlikely that resources would be located within the previously shaded areas. The State of Florida has issued numerous permits for the marina, the latest in 2011 to replace existing structures. No prior Department of Army permits could be located.

PROJECT PURPOSE:

Basic: Reconstruct an existing multi-family private marina.

Overall: Reconstruct a multi-family private marina in Longboat Key, Sarasota County, Florida that was damaged by Hurricane Milton.

PROPOSED WORK: The applicant requests authorization to repair and reconstruct an existing 37 slip multi-family private marina that was damaged as a result of the Hurricane Milton in 2024. Specifically, the applicant is proposing to:

1. Remove all remaining existing pilings and dock debris;
2. Install 18 finger piers, 10-feet by 2.5-feet (450 square feet total);
3. Install a center access walkway 122-feet by 4-feet (450 square feet) with a triangular shaped terminal platform (1,122-square feet);
4. Remove and re-install 59 dock pilings, and permanently decrease the prior 37 slip authorization to 34 slips;
5. Install a wall mounted kayak launch.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The permit applicant, Gulfshore of Longboat Key, Inc., and the Gulfshore Marina Reconstruction Project contractor, Duncan Seawall, Dock & Lift, LLC, agree to comply with the November 2017 National Marine Fisheries Service's (NMFS) Jacksonville biological opinion (JAXBO), the 2011 standard manatee and marine turtle construction conditions, smalltooth sawfish construction conditions of March 2006 for in-water work to include the use of turbidity curtains.

COMPENSATORY MITIGATION: The applicant has provided the following explanation why compensatory mitigation should not be required: The project has been designed to replace existing overwater structures and avoid impacts to submerged vegetation.

CULTURAL RESOURCES:

The Corps evaluated the undertaking pursuant to Section 106 of the National Historic Preservation Act (NHPA) utilizing its existing program-specific regulations and procedures along with 36 CFR Part 800. The Corps' program-specific procedures include 33 CFR 325, Appendix C, and revised interim guidance issued in 2005 and 2007, respectively. The District Engineer consulted district files and records and the latest published version of the National Register of Historic Places and initially determines that:

No historic properties (i.e., properties listed in or eligible for inclusion in the National Register of Historic Places) are present within the Corps' permit area; therefore, there will be no historic properties affected. The Corps subsequently requests concurrence from the SHPO and/or THPO.

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required, and with full

consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

ENDANGERED SPECIES: The Corps has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), National Marine Fisheries Service (NMFS) SERO Section 7 Mapper, and the NMFS Critical Habitat Mapper to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur in the vicinity of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project may affect species and critical habitat listed below. No other ESA-listed species or critical habitat will be affected by the proposed action.

The Corps has determined the project will have no effect on the following ESA-listed species: Aboriginal Prickly-apple (*Harrisia aboriginum*); American crocodile (*Crocodylus acutus*); Crested caracara (*Polyborus plancus audubonii*); Eastern Black rail (*Laterallus jamaicensis ssp. jamaicensis*); Eastern indigo snake (*Drymarchon couperi*); Everglade snail kite (*Rostrhamus sociabilis plumbeus*); Florida Bonneted Bat (*Eumops floridanus*); Florida panther (*Puma concolor coryi*); Florida perforate cladonia (*Cladonia perforata*); Miami Blue Butterfly (*Cyclargus thomasi bethunebakeri*); Piping Plover (*Charadrius melodus*); Pygmy fringe-tree (*Chionanthus pygmaeus*); Rufa Red knot (*Calidris canutus rufa*). No further consultation with U.S. Fish and Wildlife Service (USFWS) is necessary regarding the above listed species.

The Corps has determined the project may affect, the West Indian Manatee (*Trichechus manatus*). This determination was made using the 2013 Effect Determination Key for the Manatee in Florida. Pursuant to the key, further consultation with USFWS is necessary due to the nature of the project.

The Corps has determined that the project may affect but is not likely to adversely affect swimming sea turtles [green (*Chelonia mydas*), Kemp's Ridley (*Lepidochelys kempii*), and Loggerhead (*Caretta caretta*)]; and the smalltooth sawfish (*Pristis pectinata*). Smalltooth sawfish and swimming sea turtles may be affected by being unable to use an area for forage or refuge habitat due to potential avoidance of construction activities. Since these species are motile and likely to leave the area during construction, the risk of injury from this type of construction activity is minimal. The Corps has received programmatic concurrence from the National Marine Fisheries Service (NMFS), Protected Resources Division pursuant to the Jacksonville District Programmatic Biological Opinion (JaxBO). Therefore, no further coordination pursuant to Section 7 of the Endangered Species Act with NMFS is necessary. Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402.

This notice serves as request to the U.S. Fish and Wildlife Service and National Marine Fisheries Service for any additional information on whether any listed or proposed to be

listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

ESSENTIAL FISH HABITAT: Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act 1996, the Corps reviewed the project area, examined information provided by the applicant, and consulted available species information.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action may adversely affect EFH and/or fisheries managed by Fishery Management Councils and the National Marine Fisheries Service (NMFS). Implementation of the proposed project would directly and indirectly impact approximately 0.46 acres of benthic substrate due to placement of pilings and shading effects. The effects of the project are determined to be minimal and permanent. These habitat(s) are utilized by the following species and their various life stages:

NOAA Essential Fish Habitat (12 feature(s) returned)	
Species	Life Stage
Bonnethead Shark (Gulf of Mexico Stock)	Juvenile
Coastal Migratory Pelagics	ALL
Blacknose Shark (Gulf of Mexico Stock)	Juvenile/Adult
Nurse Shark	Juvenile/Adult
Red Drum	ALL
Tiger Shark	Juvenile/Adult
Shrimp	ALL
Blacktip Shark (Gulf of Mexico Stock)	Neonate
Bull Shark	Juvenile/Adult
Bonnethead Shark (Gulf of Mexico Stock)	Neonate
Reef Fish	ALL
Bonnethead Shark (Gulf of Mexico Stock)	Adult

Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

NAVIGATION: The proposed structure or activity is not located in the vicinity of a federal navigation channel.

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

WATER QUALITY CERTIFICATION: Water Quality Certification (WQC) is required from the Florida Department of Environmental Protection (FDEP). The project is being reviewed under FDEP application no. 0183939-003.

COASTAL ZONE MANAGEMENT CONSISTENCY: Coastal Zone Consistency Concurrence is required from FDEP. In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has not been verified by Corps personnel.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. A permit will be granted unless its issuance is found to be contrary to the public interest.

COMMENTS: The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Jacksonville District will receive written comments on the proposed work, as outlined above, until September 10, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Jennifer Alexander at Jennifer.L.Alexander@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Jacksonville District, Attention: Jennifer Alexander, 10117 Princess Palm Avenue Suite 120 Tampa, Florida 33610. Please refer to the permit application number in your comments.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings

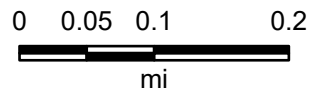
shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

Legend

 Marina

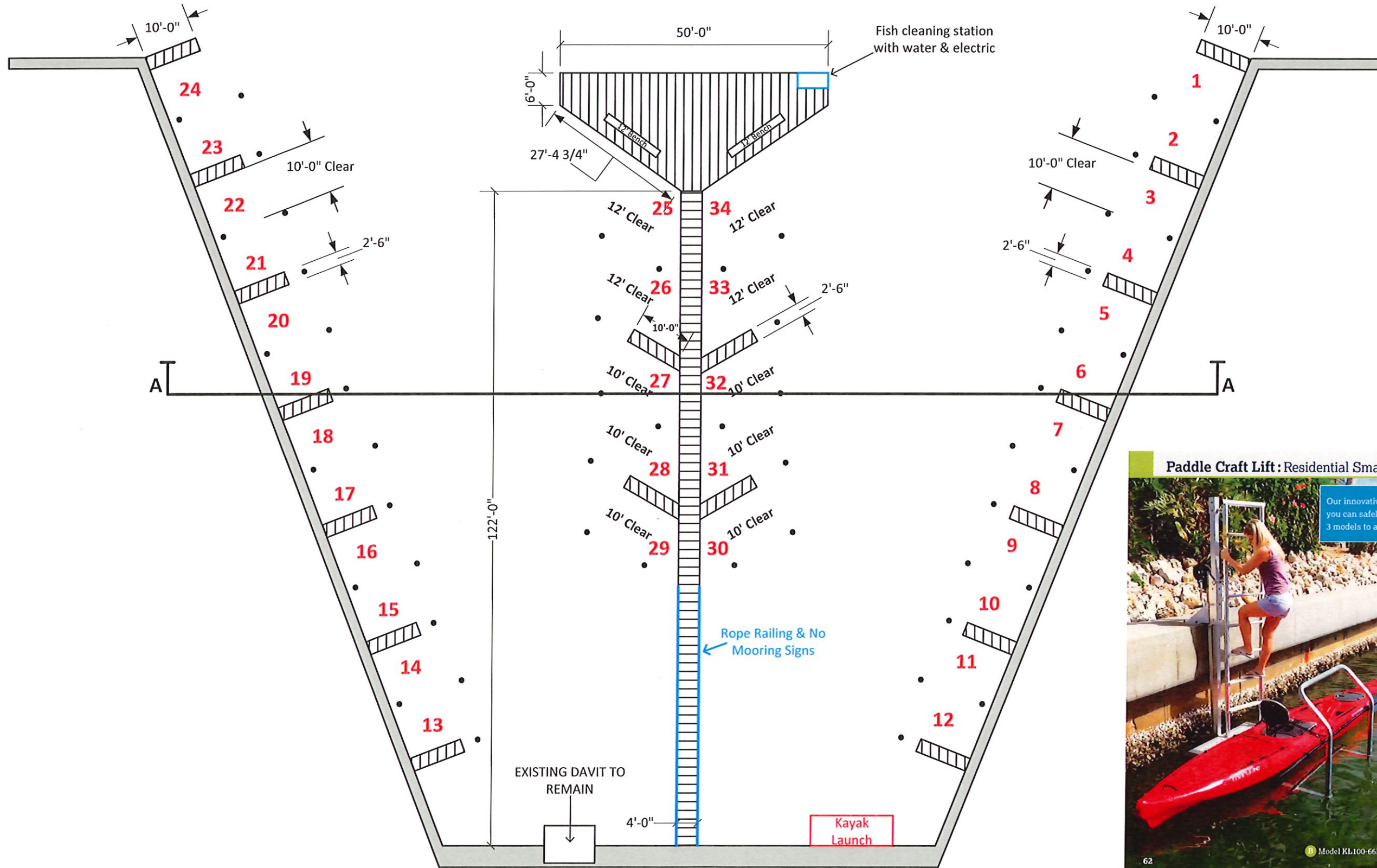


Project Location



Map Center: 82.627808°W 27.382917°N

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere



Paddle Craft Lift: Residential Small Craft Lifts

Our innovative Kayak Lift & Launch features a platform that raises and lowers so you can safely and easily launch your kayak from a seawall or dock. Available in 3 models to accommodate different lifting heights and craft weights.

Kayak Lift & Launch

- Mounts to seawalls or docks
- Manual winch raises and lowers the platform
- Sure-Step® UV resistant decking on platform
- Boarding handle with built-in paddle storage hooks
- Adjustable aluminum & vinyl bunks
- Three models available
- **FREE UPS shipping** on models KL100-30 & KL100-66L
- Model KL400-72L ships freight - visit our website for a shipping cost to your location

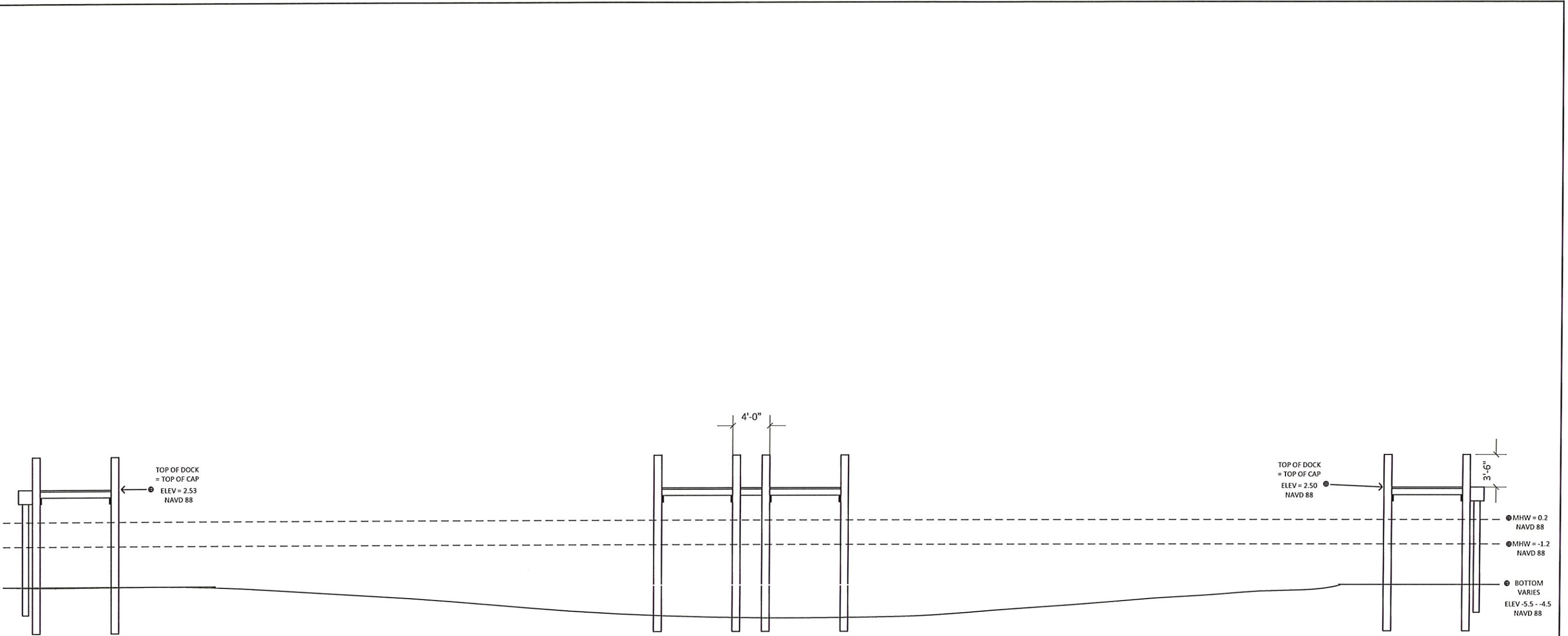
MODEL	A KL100-30	B KL100-66L	C KL400-72L
Lifting Height	30"	66"	72"
Max Craft Weight	100 lbs.	100 lbs.	400 lbs.
Max Craft Beam Width	38"	38"	51"
Ladder	NO	YES	YES
UPS Shippable*	YES	YES	NO (ships freight)

*FREE shipping on KL100-30 and KL100-66L within the continental USA. Optional accessories subject to regular ground shipping costs. Shipping additional for Model KL400-72L, please visit our website to calculate shipping cost to your location. Custom lifting heights available, contact us for details.

Watch a video of the kayak lift at: www.thedockdoctors.com/ladder-lift-launch

62 Model KL100-66L





CROSS SECTION A/A