



FLORIDA DEPARTMENT OF Environmental Protection

Southeast District
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
561-681-6600

Ron DeSantis
Governor

Jay Collins
Lt. Governor

Alexis A. Lambert
Secretary

December 17, 2025

City of Fort Pierce
c/o Sara Hedges, City Attorney
601 N Cswy Dr
Fort Pierce, FL
shedges@cityoffortpierce.com

Re: Warning Letter
601 North Causeway Dr
ERP Site No.: 462857; Project No.: 425098
St. Lucie County

Dear Ms. Hedges:

A complaint inspection was conducted at your site on August 5, 2025. During this inspection, possible violations of Chapters 373 and 253, Florida Statutes ("Fla. Stat."), and Chapters 62-330 and 18-21, Florida Administrative Code (Fla. Admin. Code), were observed.

During the inspection, Department personnel noted the following:

- Docking structures and activities located over sovereign submerged lands without a valid Environmental Resource Permit and/or Sovereign Submerged Lands Lease.

Violations of Florida Statutes or administrative rules may result in liability for damages and restoration, and the judicial imposition of civil penalties, pursuant to Sections 403.121, 403.141, 403.161, and 253.04, Fla. Stat., and Chapter 18-14 Fla. Admin. Code.

Please confirm receipt of this letter within **15 days** by emailing Brian Fedak of the Southeast District Office at Brian.Fedak@Floridadep.gov. In your response, include several available dates and times for a meeting to discuss this matter. Department staff will schedule the meeting based on your availability. If you prefer, you may also contact Brian Fedak by phone at (561) 681-6671.

The Department is interested in receiving any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), Florida Statutes. We look forward to your cooperation in completing the investigation and resolving this matter.

Sincerely,



Sirena Davila
Director, Southeast District
Florida Department of Environmental Protection

Enclosure: Inspection Report, Exhibits A, B, C, and D

cc: Sirena Davila, FDEP-SED
Viviana Useche, FDEP-SED
Luciano Guidoni, FDEP-SED
Xenia Alonso, FDEP-SED
Brian Fedak, FDEP-SED
Richard Chess, City of Fort Pierce

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Florida Department of Environmental Protection SOUTHEAST DISTRICT COMPLIANCE ASSURANCE PROGRAM

ERP Inspection Report

Inspection Date: 08/05/2025
Lead Inspector: Brian Fedak

Inspection Type: Complaint
Complaint No.: 42870

Project Name: City of Fort Pierce – Little Jim
File / OGC No.: N/A

Site No.: 462857
Project No.: 425098

Owner/Responsible Party: City of Fort Pierce
Contractor/Agent: N/A

Contact: shedges@cityoffortpierce.com

Location: The project is located within South Indian River (above Ft. Pierce Inlet), Class II Waters of the State, adjacent to 601 N Causeway Dr, Fort Pierce (Township 0, Range 0, Section 0), in St. Lucie County (Parcel No.: 1434-100-0000-020-9), approximately at Latitude 27.478428 N, Longitude -80.312416 W (“Subject Property”).

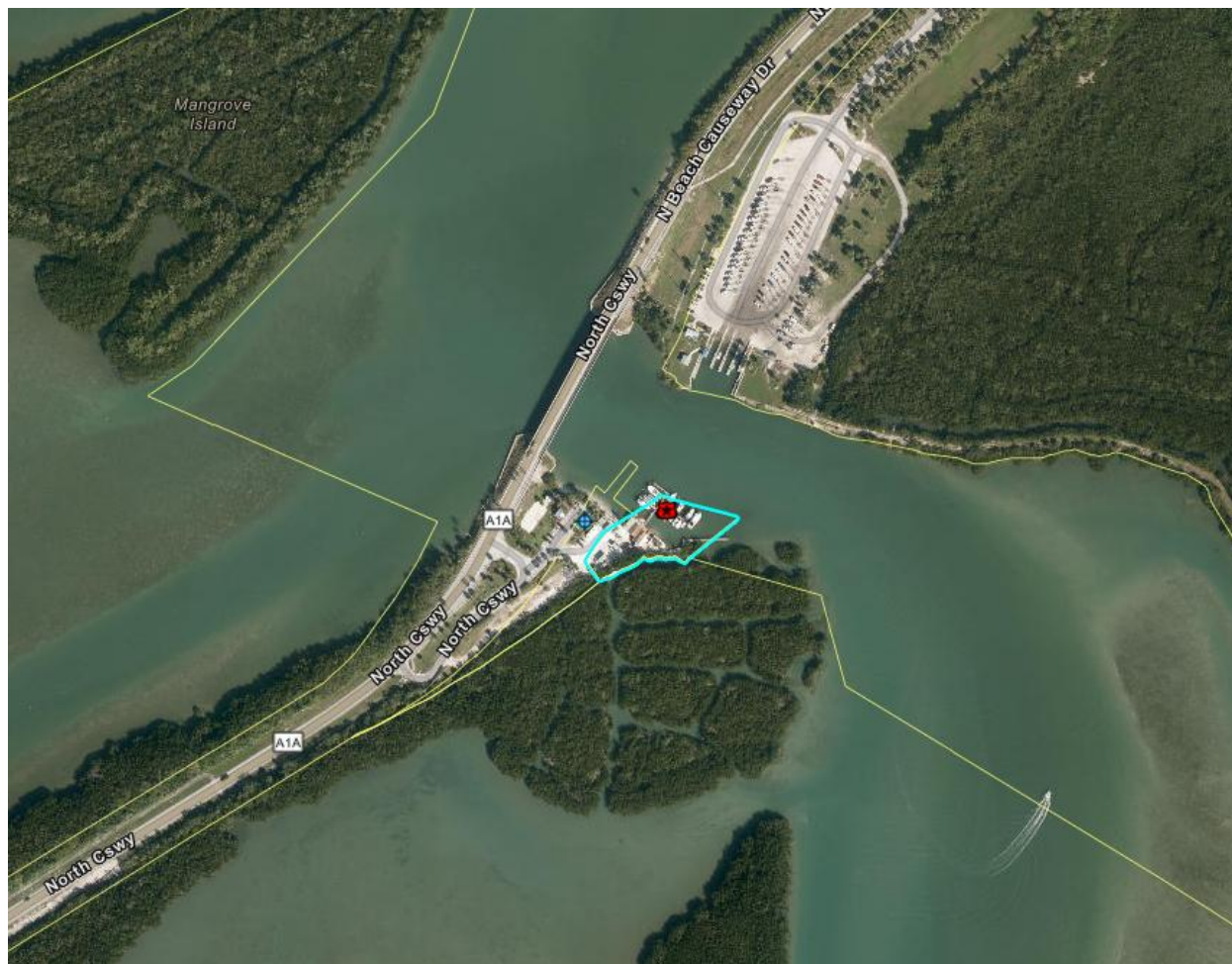


Figure 1: Site location (image taken from ArcGIS Online)

Site History & Inspection Overview

Site History:

May 28, 1929: The Board of Trustees of the Internal Improvement Trust Fund (“Board”) granted lands to the City of Fort Pierce containing 475.63 acres lying in Sections 34 and 35, Township 34 South, Range 40 East, in St. Lucie County under [Deed No. 17895](#). This deed contains a restrictive covenant that listed the use of the land for public and municipal purposes only.

October 18, 1946: The Board granted lands to the State Road Department, including lands lying in Sections 34, 35, and 36, Township 34 South, Range 40 East, and in Section 3, Township 35 South, Range 40 East, for road purposes only under [Deed No. 19211](#). This deed contains a reverter clause, where if any of these lands are abandoned for road purposes, then the simple fee title shall automatically revert to the Board.

September 21, 1967: The restrictive covenant was removed from Deed No. 17895 under [Quitclaim Deed No. 17895-A](#) and [Quitclaim Deed No. 17895-B Corrective](#).

June 4, 2025: The Florida Department of Environmental Protection (“Department”) received a complaint regarding potential compliance issues associated with the subject property. The complainant specifically described possible additional dock structures having been added to the main dock facility without Department authorization.

June 17, 2025: A [Title Determination](#) was completed for the subject property, indicating that lands outside of the deed boundaries (Deed 17895 and Deed 19211) are sovereign submerged lands owned by the Board.

This site has no permitting history with the Department.

Site Inspection Overview:

On August 5, 2025, Department staff Brian Fedak, Xenia Alonso, and Gaven Depies conducted a site inspection in response to a complaint inquiry regarding potential compliance issues with the dock structures located at the subject property. Department staff were accompanied by Sara Hedges (“City Attorney”), as well as several representatives of the City of Fort Pierce. Department staff took photos and measurements of the existing dock structures to confirm the size of overwater structures, number of slips, and the preempted area of the structures over potential sovereign submerged lands. Pursuant to the inspection findings and the Title Determination, approximately 1,425 ft² of overwater structures were located on or over sovereign submerged state lands, preempting approximately 9,649 ft² from the public without proprietary or regulatory authorization. The remaining 1,458 ft² of overwater structures are located over privately owned submerged lands which would not require proprietary authorization but remain without regulatory authorization (**Exhibit A: Unauthorized Structures**). To the south, is a 900 sq. ft. marginal dock that existed prior to the promulgation of the applicable rules and statutes and is located over privately submerged lands. As such, this structure is exempt from regulatory or proprietary authorization (**Exhibit B, Fig. 2: Historic Aerials**)

Compliance Status: Significant Non-Compliance

Resource Assessment

FLUCCS/FNAI Community Types:	5410: Embayments Opening Directly to Gulf or Ocean		
Wetlands/Other Surface Waters:	☒ Yes ☐ No		
Other Resources Present:	☐ Yes ☐ No ☒ Unknown	Identify: Unknown	
Resource Impacts:	☐ Yes ☐ No ☒ Unknown		

Area of Authorized Impacts:	900 sq. ft. (existed pre-rule / “grandfathered”)
Area of Unauthorized Impacts:	2,883 sq. ft.

DOCK

Total Length of Shoreline:	518.3 ft.
Setback Distance:	25 ft.
Dock Over-Water Area:	1,425 sq. ft. (over State Lands), 1,458 sq. ft. (over Deeded Lands)
Dock Pre-Empted Area:	9,649.47 sq. ft.
Number of Slips:	0 Covered 25 Uncovered
Unauthorized Structures:	☒ Yes ☐ No ☐ NA

Impact Description:

The Florida Land Use and Cover Classification System (“FLUCCS”) classifies the community type as 5410: Embayments Opening Directly to Gulf or Ocean. Mangroves currently exist along portions of the shoreline, and the presence of seagrass is currently unknown. A docking facility has existed at this location since the 1950’s; moreover, there is no record of the facility obtaining Grandfathered Structure Registration (“GSR”) and has changed configuration over time (**Exhibit B – Historic Aerials**). Due to the number of modifications over time, the main dock would lose its grandfathered status with respect to regulatory permitting requirements.

The main dock appears to be located partially over both sovereign submerged lands and deeded submerged lands (**Exhibit A – Unauthorized Structures Map**). Approximately 1,425 ft² of the structures are located over sovereign submerged lands, and approximately 823 ft² are located over deeded submerged lands. The structures appear to preempt approximately 9,649.47 ft² of sovereign submerged lands. Several finger piers were added to the portion located over sovereign submerged lands and a deck was added over deeded lands between the years of 2018 and 2022 (**Exhibit B, Figures 7-10**). There are several signs displaying advertisements for fishing charter boats, indicating that these slips are being subleased to individual fishing charter companies (**Photos 5 & 7**). This dock has 17 slips, 16 of which are located wholly or partially over sovereign submerged lands.

The eastern dock appears to be located wholly over deeded submerged lands; however, this 331 ft² dock was constructed without Department authorization sometime between 2006 and 2007, and it appears to change configuration between 2019 and 2020, increasing the size to 635 ft² (**Photos 13 & 14**). This dock has two slips located near the beginning along the seawall.

The southern dock appears to be located wholly over deeded submerged lands. Through aerial review, this 900 ft² dock appears to have been constructed pre-rule and has not changed configuration over time. This dock has six slips located marginally along the structure (**Photos 15 & 16**).

Investigation Summary

On August 5, 2025, Department staff conducted a site inspection in response to a complaint regarding possible unauthorized structures located on the subject property. The city attorney, as well as other city representatives, were present during the inspection. Department staff were able to field-verify the dock measurements as well as take photos of the structures currently installed.

As described above, portions of the facility require proprietary authorization through a sovereign submerged land lease pursuant to Section 18-21.005(1)(d), F.A.C. Additionally, portions of the facility not constructed or modified after also requires regulatory authorization through an Environmental Resource Permit (“ERP”).

“SIGNIFICANT NON-COMPLIANCE” DESCRIPTION:

The violations are categorized as “significant non-compliance” because the unauthorized activity occurs in or adjacent to a Class II waterbody.

Statute/Rule References:

Section 62-330.020, F.A.C. – Regulated Activities

(2) Unless the activity qualifies under subsection (1), above, a permit is required prior to the construction, alteration, operation, maintenance, removal, or abandonment of any project that, by itself or in combination with an activity conducted after October 1, 2013, cumulatively results in any of the following:

(a) Any project in, on, or over wetlands or other surface waters;

Section 373.430, F.S. – Prohibitions, violation, penalty, intent.

(1) It shall be a violation of this part, and it shall be prohibited for any person:

(b) To fail to obtain any permit required by this part or by rule or regulation adopted pursuant thereto, or to violate or fail to comply with any rule, regulation, order, or permit adopted or issued by a water management district, the department, or local government pursuant to their lawful authority under this part.

Subsection 18-21.005(1)(d), F.A.C. – Forms of Authorization

(d) Lease. A sovereignty submerged land lease is required for the following activities.

1. Private residential single-family or multi-family docks or piers, other docks or piers, boat ramps, or other similar activities that do not qualify for consent by rule or letter of consent.

5. All revenue-generating activities, except as provided for in this chapter.

Section 253.77, F.A.C. – State lands; state agency authorization for use prohibited without consent of agency in which title vested; concurrent processing requirements.

(1) A person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the board of trustees of the Internal Improvement Trust Fund under this chapter, until the person has received the required lease, license, easement, or other form of consent authorizing the proposed use.

Recommendations for Corrective Actions

Follow-Up Action:

Enter into a Consent Order with the Department, which will provide the timeframes for corrective actions, including but not limited to:

- Payment of civil penalties pursuant to Chapter 403.121, F.S.; and,
- Where applicable, obtain regulatory and proprietary authorization; or,
- Remove structures without the required proprietary and/or regulatory authorization.

Supporting Documentation:

- Site inspections photographs (see next page).
- Exhibit A – Unauthorized Structures Map
- Exhibit B – Historic Aerials



Brian Fedak, Environmental Specialist III

10/14/2025

Date



Luciano Guidoni, Environmental Administrator

11/25/2025

Date

Photographs Taken:



Photo 1: Dock facility overview, facing northeast.



Photo 2: Overwater roofed structure and decking at beginning of dock facility, facing north.



Photo 3: Northwest finger pier, cleats present for mooring, facing northwest.



Photo 4: Middle northwestern finger pier, facing northwest.



Photo 5: Midpoint of main dock, fishing charter advertisement, facing southeast.



Photo 6: Southwestern finger pier, facing northwest.



Photo 7: Fishing charter advertisement, at beginning of southwestern finger pier, facing northeast.



Photo 8: Small finger pier, used for deck boxes, facing southwest.



Photo 9: Small finger pier, used for deck boxes, facing southeast.



Photo 10: Finger pier, southeastern portion of main dock, facing northeast.

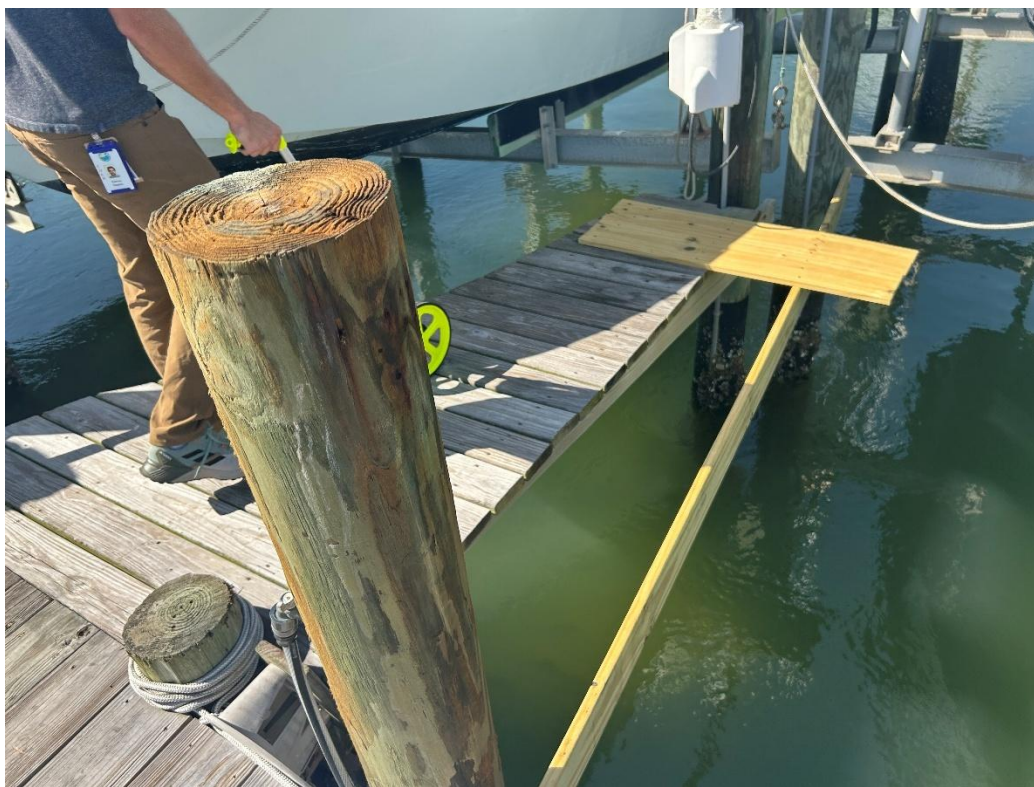


Photo 11: Small finger pier, southeastern portion of main dock, facing south.



Photo 12: Terminal end of southeastern portion of main dock, facing southeast.



Photo 13: Eastern dock, over deeded submerged lands, facing east.



Photo 14: Eastern dock, facing east.



Photo 15: Southern dock, over deeded submerged lands, facing east.

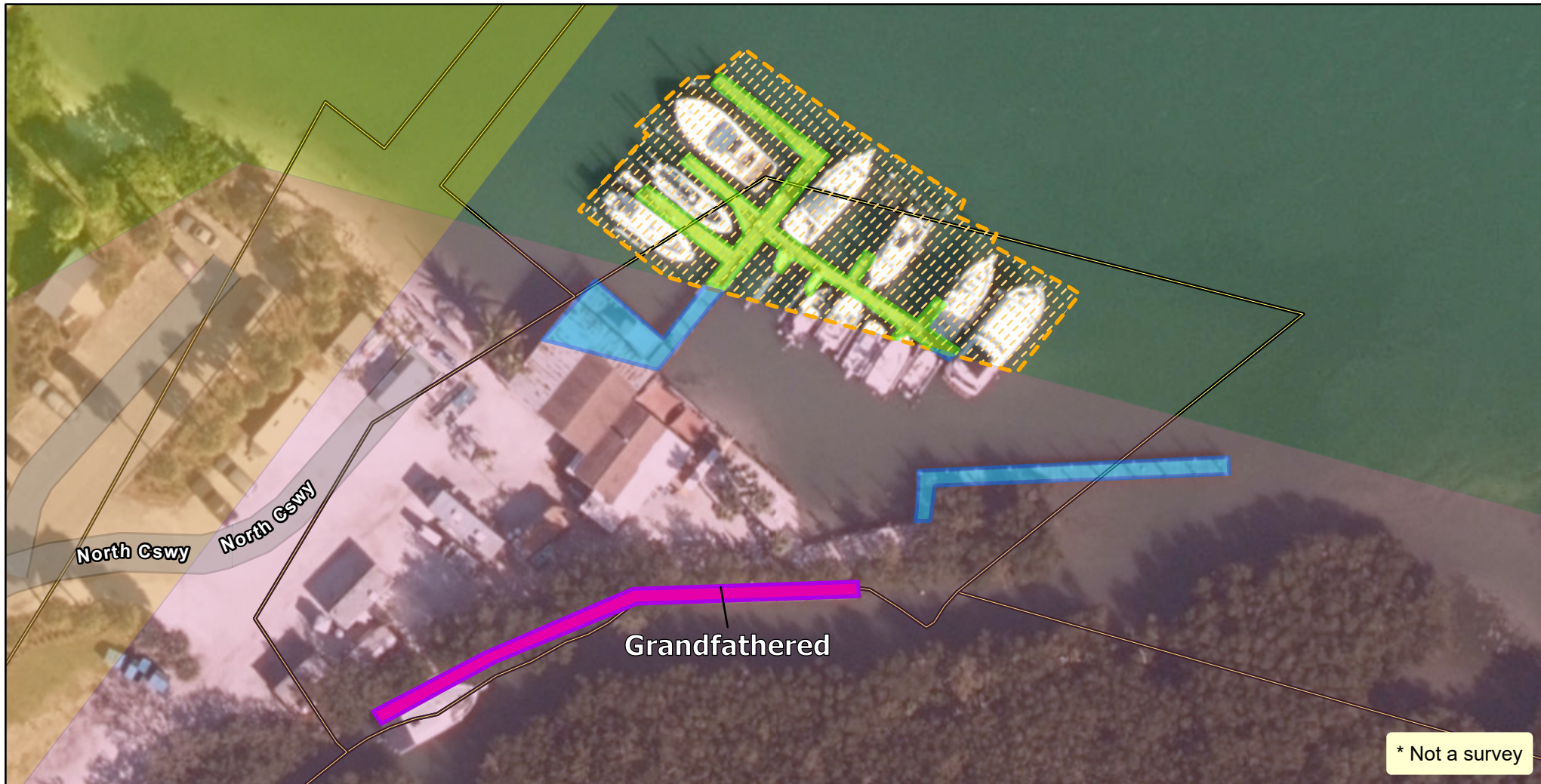


Photo 16: Southern dock, facing southwest.

Exhibit A

Unauthorized Structures Map

City of Fort Pierce - Little Jim
Site No.: 462857; Project No.: 425098



- | | |
|---|---|
|  Dock Structures without Regulatory or Proprietary Authorization (~1,425 ft ²) |  Deed 17895 |
|  Dock Structures without Regulatory Authorization (~1,458 ft ²) |  Deed 19211 |
|  Grandfathered Structure (900 ft ²) |  Cadastral 2023 (Property Appraiser Parcels) - Public View |
|  Preempted Area (~9,649.47 ft ²) | |

0 30 60 Feet

Created by FDEP
09/10/2025



EXHIBIT B – HISTORIC AERIALS
ERP SITE NO.: 462857
CITY OF FORT PIERCE – LITTLE JIM



Figure 1: Aerial dated 1980 (taken from FDOT).



Figure 2: Aerial dated 1992 (taken from FDOT).



Figure 3: Aerial dated 3/17/1994 (taken from Google Earth).



Figure 4: Aerial dated 2/21/1999 (taken from Google Earth).



Figure 5: Aerial dated 2003 (taken from FDOT).



Figure 6: Aerial dated 11/30/2005 (taken from Google Earth).



Figure 7: Aerial dated 5/7/2007, added east dock (taken from Google Earth).

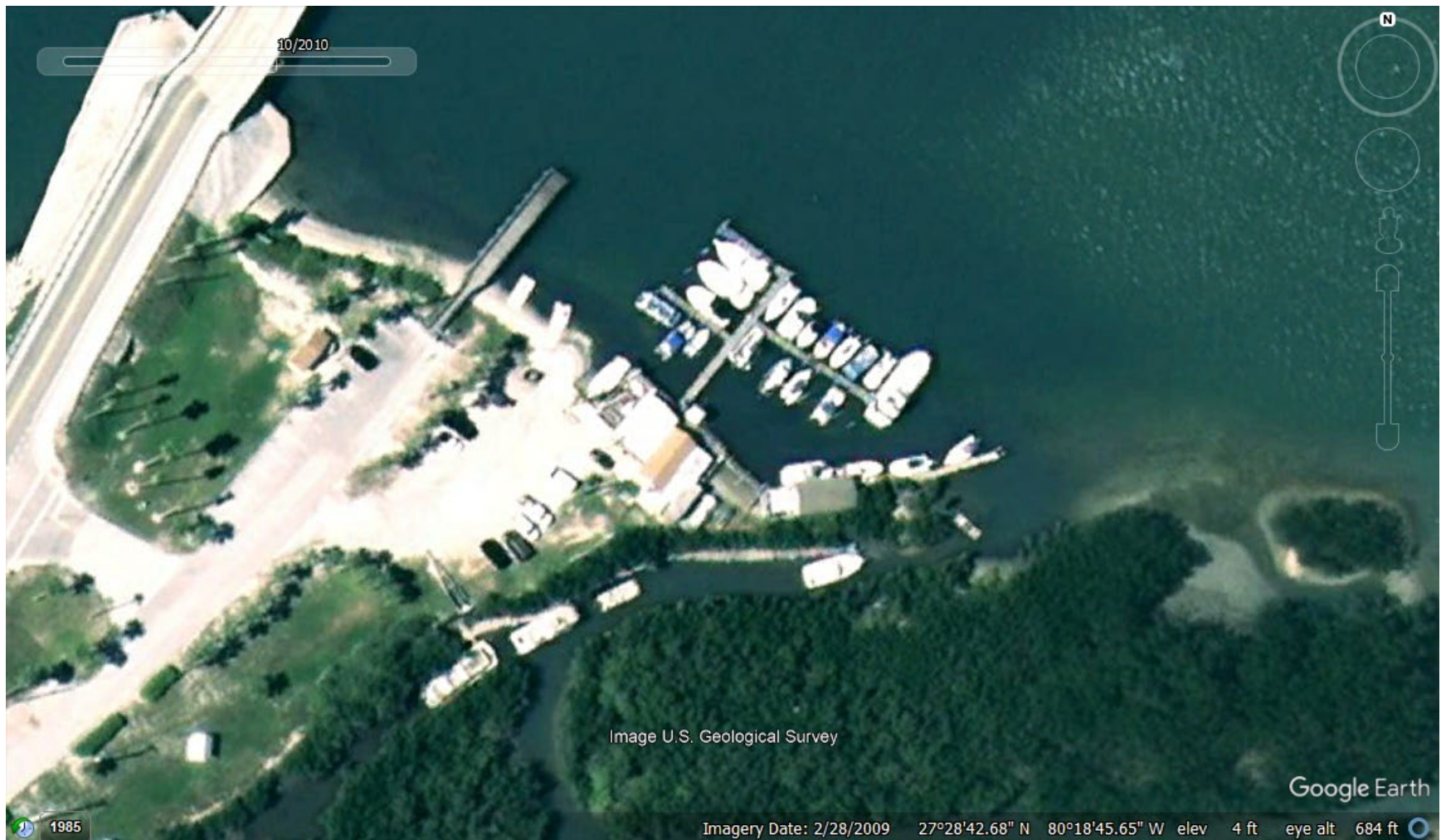


Figure 8: Aerial dated 2/28/2009 (taken from Google Earth).

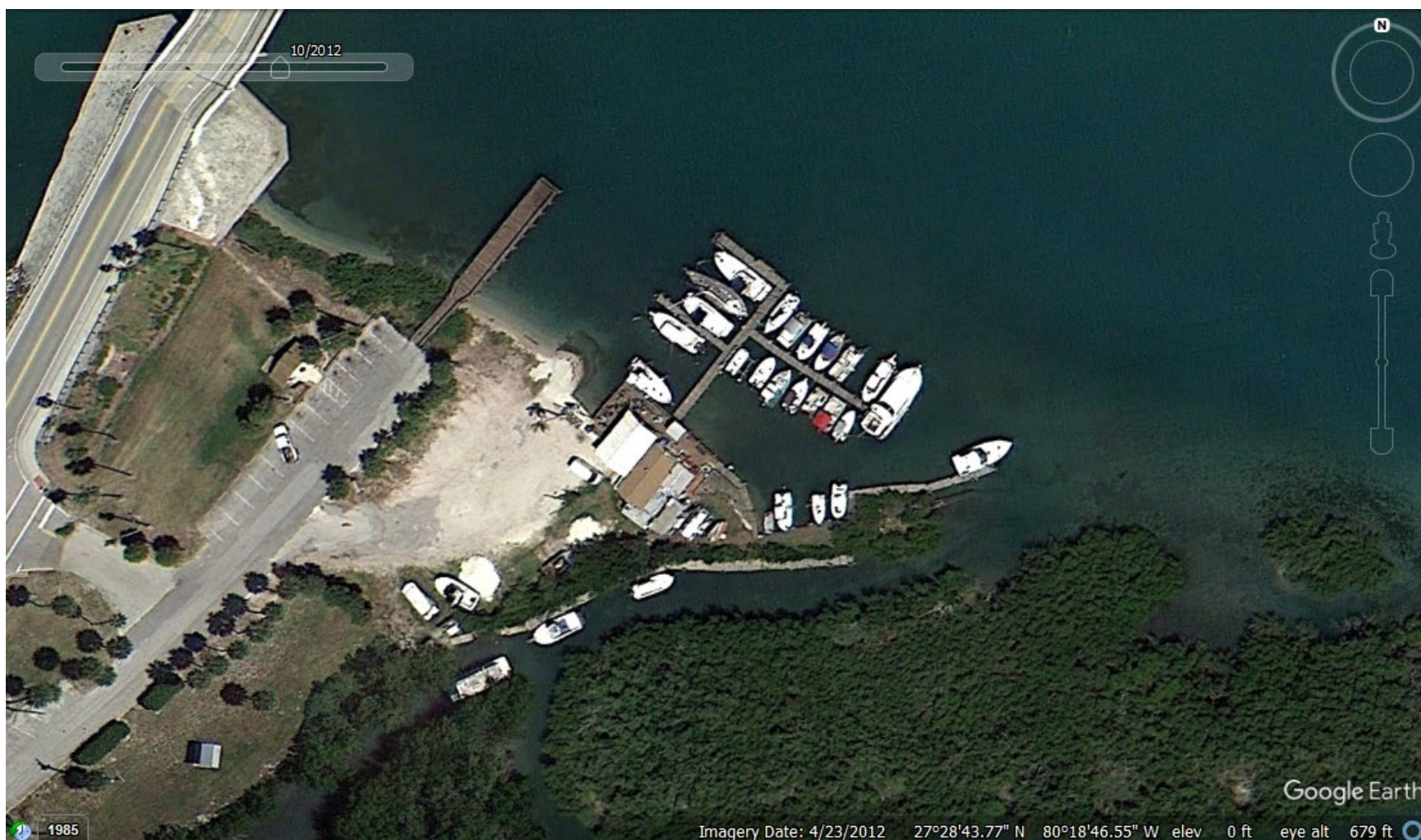


Figure 9: Aerial dated 4/23/2012 (taken from Google Earth).



Figure 10: Aerial dated 1/3/2018, finger pier added (taken from Google Earth).



Figure 11: Aerial dated 2/22/2020, finger pier and east dock expanded (taken from Google Earth).

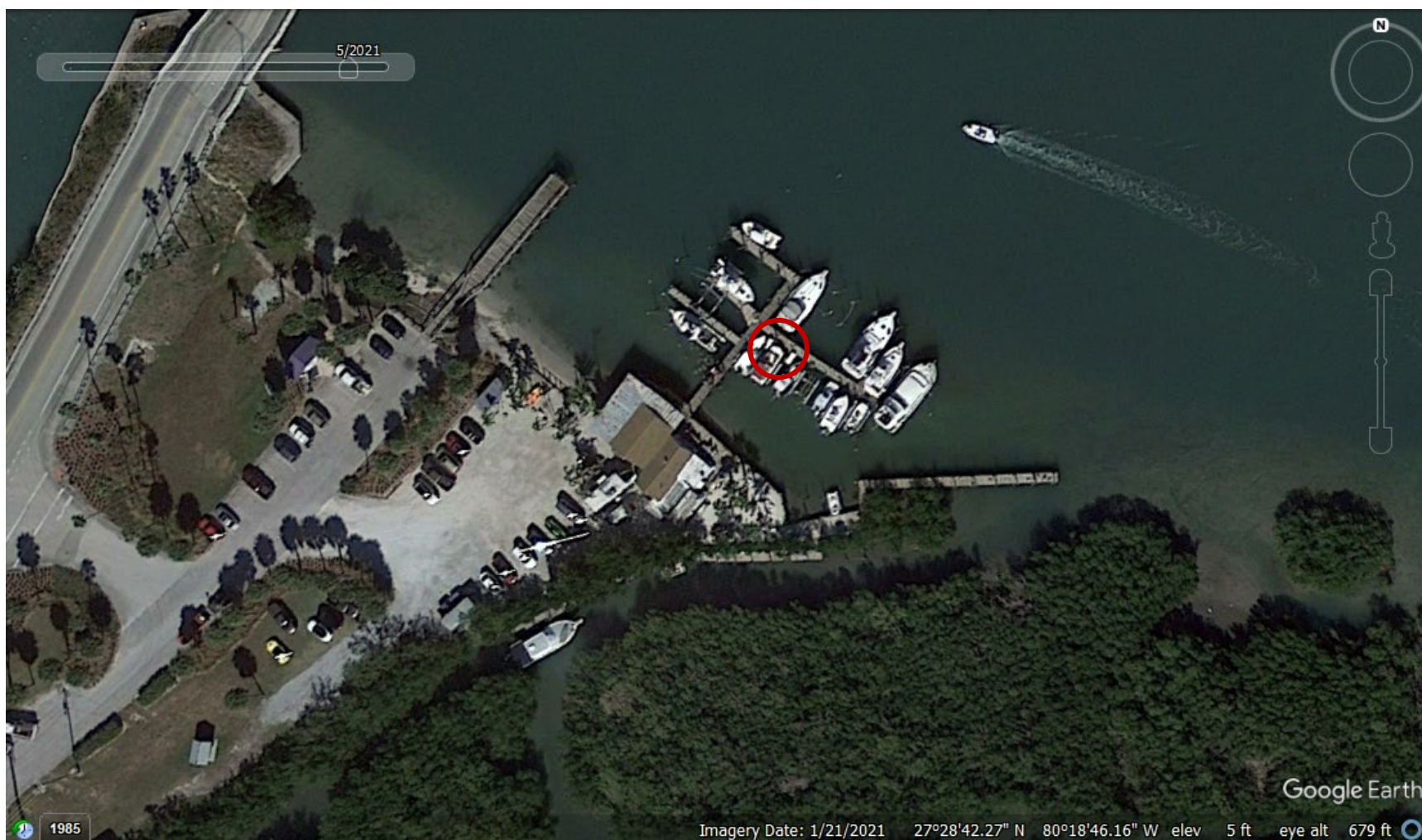


Figure 12: Aerial dated 1/21/2021, added two small finger piers to hold deck boxes (taken from Google Earth).



Figure 13: Aerial dated 1/14/2023, added three finger piers and deck (taken from Google Earth).



Figure 14: Aerial dated 3/1/2025 (taken from Google Earth).