

**U.S. ARMY CORPS OF ENGINEERS, JACKSONVILLE DISTRICT (SAJ)**  
**VIOLATION COMPLAINT FORM**  
 For use of this form, see Authorities listed in the Privacy Act Statement; the proponent agency is CESAJ-RD.

**DATA REQUIRED BY THE PRIVACY ACT OF 1974**

**Authority:** The authorities for requesting this information are Sections 9, 10, 13, and 14, Rivers and Harbors Act of March 3, 1899; Section 404, Clean Water Act; and Section 103 Marine Protection Research and Sanctuaries Act of 1972.

**Principal Purpose:** This information is requested to provide a complete investigation and documentation of alleged violations of Sections 9, 10, 13, and 14, Rivers and Harbors Act of March 3, 1899; Section 404, Clean Water Act; and Section 103 Marine Protection Research and Sanctuaries Act of 1972.

**Routine Uses:** Routine uses will include: (a) To serve as a basis for a decision by the Chief of Engineers or his designated representative in enforcing the regulatory program. (b) Records may be referred to the Department of Justice for possible criminal prosecution. (c) Records may be referred to other Federal, State, and local agencies for evaluation and enforcement purposes.

**Disclosure:** Disclosure of this information is voluntary on your part. However, failure of individual to provide requested information could result in inability to determine all pertinent information regarding a Department of the Army permit matter.

**SECTION I - FOR OFFICIAL USE ONLY**

1. PROJECT NUMBER: \_\_\_\_\_ 2. ASSIGNED TO: \_\_\_\_\_

**SECTION II - REPORTED BY**

<input type="checkbox"/> Telephone	Leave name, address, and email blank if anonymous			<input type="checkbox"/> Anonymous	<input type="checkbox"/> Other Federal Agency	
<input type="checkbox"/> In Person	Name	Bill Goetz		<input type="checkbox"/> USACE	<input type="checkbox"/> State Agency	
<input checked="" type="checkbox"/> Written	Address	3339 Avanti Circle		<input type="checkbox"/> USEPA	<input type="checkbox"/> Local Agency	
<input type="checkbox"/> Surveillance	City	North Port	State FL	Zip Code 34287	<input type="checkbox"/> USFWS	<input type="checkbox"/> Private Party
<input type="checkbox"/> Other	Email	billgoetz3339@gmail.com	Phone:	(941) 876-3537	<input type="checkbox"/> NRCS	<input checked="" type="checkbox"/> Other

**SECTION III - ALLEGED VIOLATOR(S)**

1. Property Owner's Name City of North Port			2. Contractor or Other Party Name		
Address			Address		
City	State	Zip Code	City	State	Zip Code
Email		Phone:	Email		Phone:

**SECTION IV - LOCATION DESCRIPTION**

1. Nearest Municipality City of North Port	2. Nearest Waterbody Myakkahatchee Creek (Big Slough)	3. County of Suspected Violation Sarasota
4. Directions to Site: Sylvania Ave. to Snowbird St.		

**SECTION V - ACTIVITY DESCRIPTION**

Detailed Description of Activity (type of waterbody affected, estimated amount of impact, type of fill material, and type of equipment being used). Please include dates of observed activity (start date of activity, end date of activity), if known. Attach additional sheets if necessary.

The Myakkahatchee transects the watershed in-between the Myakka and Peace Rivers. Humanity has utilized this natural (somewhat modified) watercourse as a corridor and seasonal source of water for at least 12,000 years as the Myakkahatchee Site (SO00397) demonstrates. The creek has naturally steep banks made up of very fine sand. It cuts through and cascades over many karst features. The earliest surveys from the 1840s describe, "a creek with high banks," and "called by the Indians Maalcahatchee." (Miller, Huffman, Morris)

During the middle of April a large portion of the east bank of the Myakkahatchee was impacted by city staff as hundreds of oak and palm trees were ripped out by the root to make way for what staff explained at a city meeting as a maintenance road. This bank destabilization for over a mile has already shown sagging in many areas and the bank has actually collapsed into the creek bed in a few. They also drove heavy equipment into the creek bed to remove the front of the turpentine era dock feature that was actually stabilizing the bank in a twenty meter stretch. The tracks in the creek bed and excavation area of the dock face have been photographed in detail.

**SECTION VI - AUTHENTICATION**

1. Documented By: <i>Bill Goetz</i>	2. Date: <i>5/22/2018</i>	3. Signature: <i>[Signature]</i>
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Picture that I took of the dock structure in 2012



Same perspective as the picture above after the incident









Where the dock structure was pulled out



Profile from where dock was stabilizing the bank



Heavy equipment track in the creek bed beside the old dock profile





Dock structure in trash pile (pictured above) was removed (almost two weeks after going into this pile) from this pile at 4:30 on Friday April 20<sup>th</sup> to cover-up the incident. In a public statement issued; the city said they were taking the dock structure away so that, “no one steals it,” and “so that they can conserve it.”



The structure has sat in this condition since April 20<sup>th</sup> demonstrating the City of North Port’s conservation efforts.











