



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
701 SAN MARCO BOULEVARD
JACKSONVILLE, FLORIDA 32207

January 27, 2025

Regulatory Division
North Permits Branch
Pensacola Section

PUBLIC NOTICE

Permit Application No. SAJ-2024-00887(SP-EPS)

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 404 of the Clean Water Act (33 U.S.C. §1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) as 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 edward.p.sarfert@usace.army.mil.

APPLICANT: Richard Hyland
521 Deer Point Circle
Gulf Breeze, FL 32561

WATERWAY AND LOCATION: The project would affect aquatic resources associated with English Navy Cove. The project site is located on the beach and within surface waters of English Navy Cove immediately waterward of the parcels at 521, 523, and 525 Deer Point Circle, Gulf Breeze, Florida 32561.

APPROXIMATE CENTRAL COORDINATES: Latitude 30.344825°
Longitude -87.182461°

PROJECT PURPOSE:

Basic: Shoreline stabilization and restoration

Overall: To stabilize and restore the shoreline at 521, 523, and 525 Deer Point Circle, Gulf Breeze, Florida.

EXISTING CONDITIONS: The project site contains a sandy, unvegetated beach and the estuarine surface waters of English Navy Cove. Submerged aquatic vegetation exists near the proposed project footprint. The existing area surrounding the project area consists of residential properties with a mix of unarmored and armored shorelines.

PROPOSED WORK: The applicant seeks authorization to discharge 690 cubic yards of fill over approximately 0.15-acre of waters of the United States. Approximately 0.13-acre of this area would be converted from surface waters to intertidal beach habitat. This fill material would be sand similar in grain size to the native sediment and would be washed prior to placement. The applicant's engineer has estimated the location of the new shoreline after factoring in the effects of wind, waves, and longshore sand transport on the sand-filled areas. The remainder of the fill area would comprise three rock breakwaters approximately 21-feet by 36-feet in size. The breakwaters would be 4-feet high and would extend approximately 1-foot above the water at MHHW, and 2-feet at MLLW.

AVOIDANCE AND MINIMIZATION INFORMATION – The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment:

The proposed activities would fill approximately 0.15 acres of waterbottom. The majority of the affected area (approximately 0.13 acres) will be converted from waterbottom to sandy, intertidal beach habitat using clean, well-sorted sand of a grain size consistent with the native shoreline. The remainder is attributable to rock structures required to maintain the new sand beach. The project has been minimized in footprint to achieve the project need of offsetting and preventing ongoing recent beach erosion. Impacts outside of the project footprint will be avoided by the implementation of Best Management Practices (BMPs) as described below to control sediment discharge.

COMPENSATORY MITIGATION – The applicant has provided the following explanation why compensatory mitigation should not be required:

Based on the improved shoreline condition, the stabilization of intertidal sandy beach habitat, no compensatory mitigation should be required.

CULTURAL RESOURCES:

The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, those federally recognized tribes with concerns in Florida and the Permit Area, and other interested parties.

ENDANGERED SPECIES:

The Corps has determined the proposal may affect the gulf sturgeon and swimming sea turtles or their designated critical habitat(s). The Corps will request initiation of formal consultation with the Fish and Wildlife Service/National Marine Fisheries Service pursuant to Section 7 of the Endangered Species Act by separate letter.

ESSENTIAL FISH HABITAT (EFH): This notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. The proposal would impact approximately 0.15 acres of estuarine bay bottom utilized by various life stages of shrimp, reef fish, red drum, and coastal migratory/pelagic fish. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in the Gulf of Mexico. 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 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 (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

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 jurisdictional line has not been verified by Corps personnel.

COMMENTS regarding the potential authorization of the work proposed should be submitted in writing within 21 days from the date of this notice. Comments should be submitted via the Regulatory Request System public notice module at <https://rrs.usace.army.mil/rrs/public-notice>. Alternatively, you may submit written comments through the Pensacola Permits Section at 41 N. Jefferson Street, Suite 301, Pensacola, FL 32502.

The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to the associated wetlands. This is based on an analysis of the applicant's avoidance and minimization efforts for the project, as well as the compensatory mitigation proposed.

QUESTIONS concerning this application should be directed to the project manager, Ed Sarfert, in writing at the Pensacola Permits Section, 41 N. Jefferson Street, Suite 301, Pensacola, FL 32502; by electronic mail at edward.p.sarfert@usace.army.mil; or by telephone at (850) 439-9533.

IMPACT ON NATURAL RESOURCES: Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area.

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.

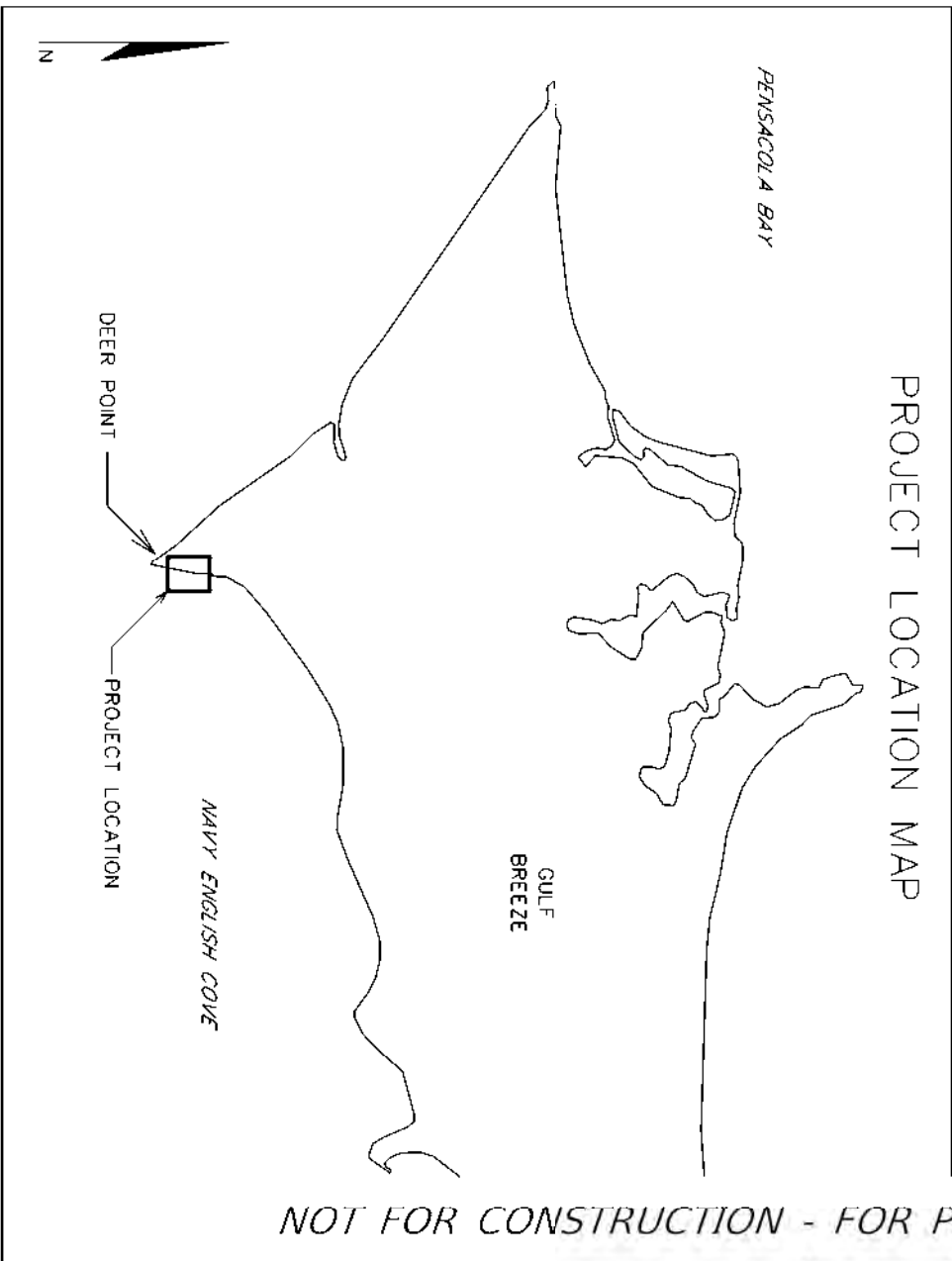
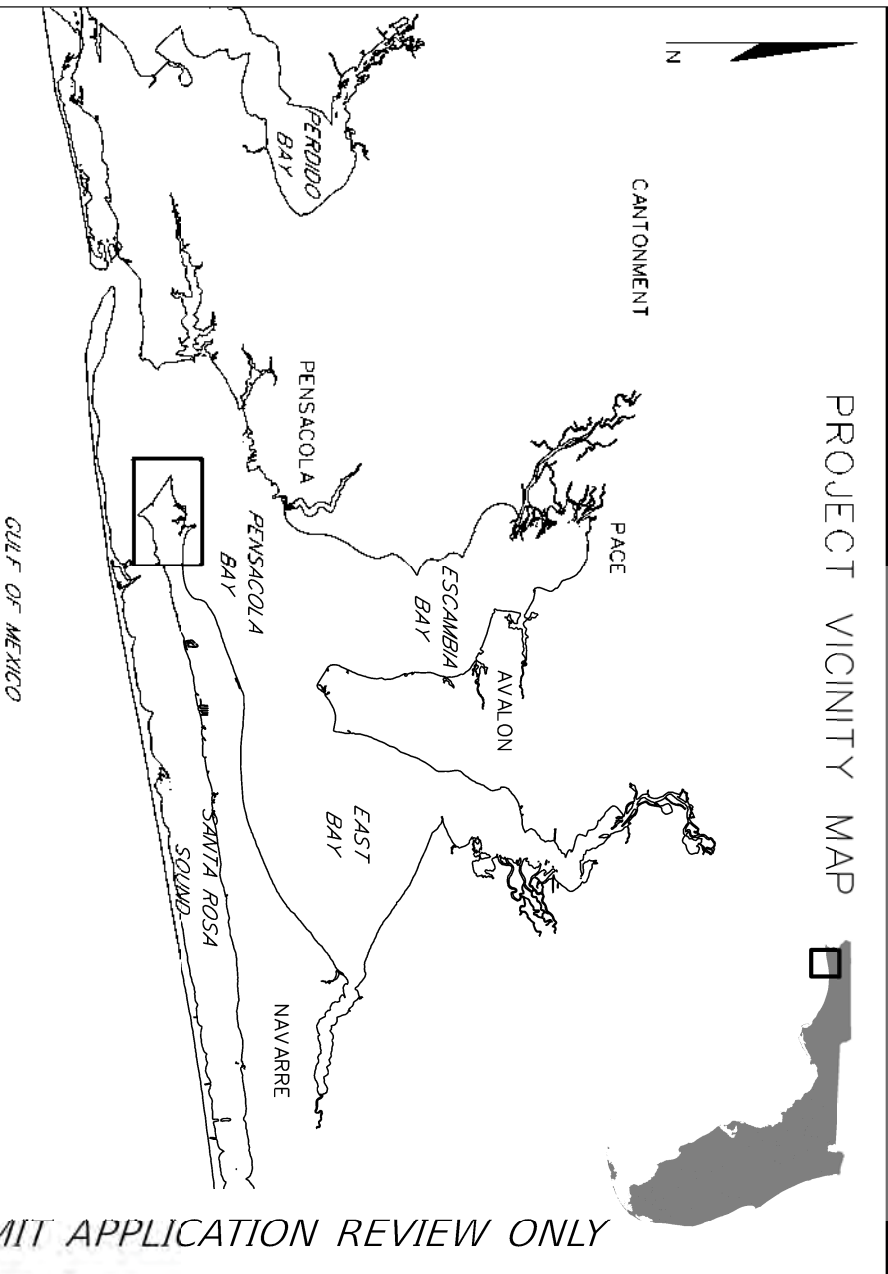
Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972.

The US Army Corps of Engineers (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 also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

WATER QUALITY CERTIFICATION: Water Quality Certification may be required from the State of Florida.

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

REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.



NOT FOR CONSTRUCTION - FOR PERMIT APPLICATION REVIEW ONLY

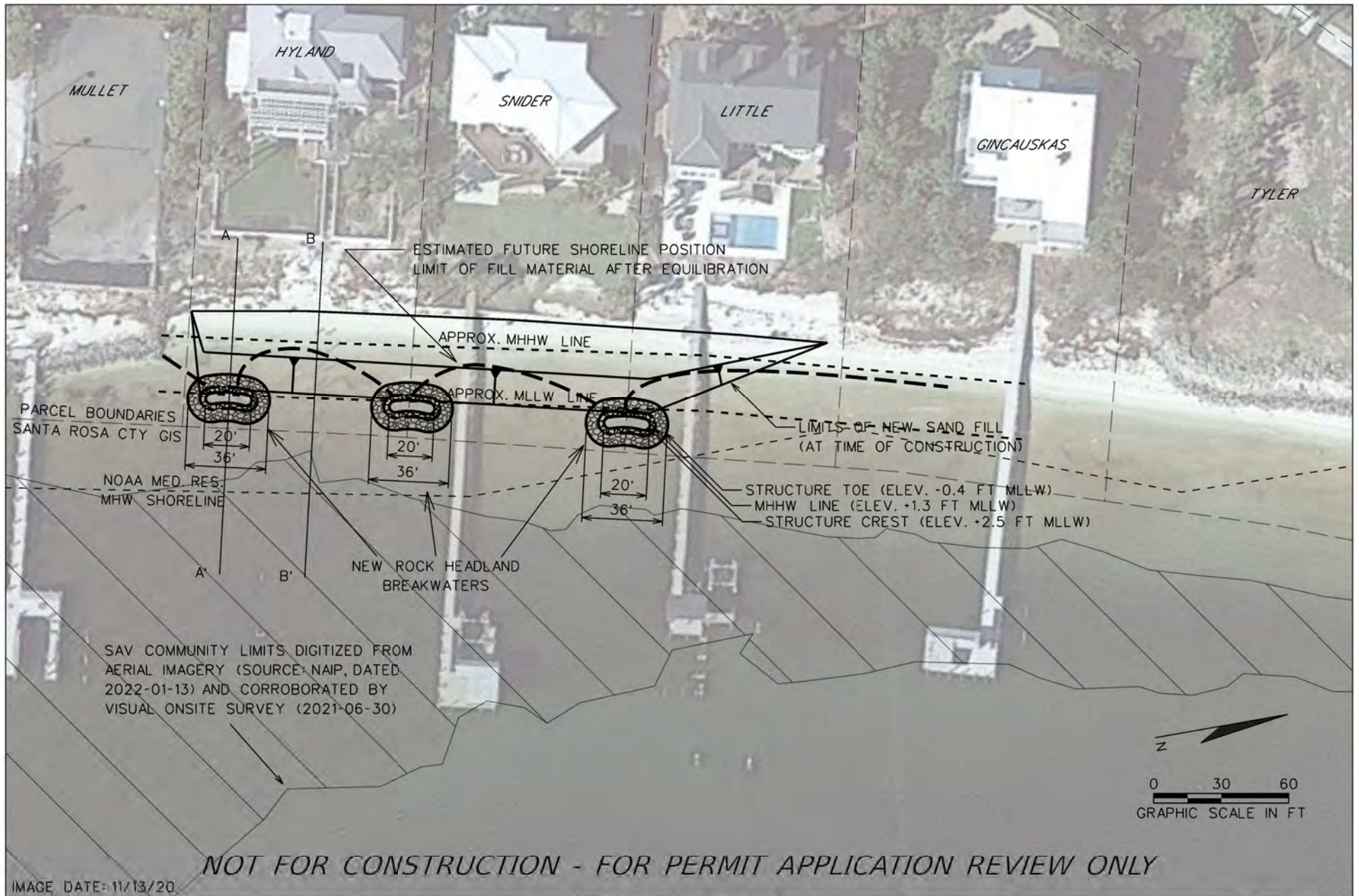
Deer Point Beach Stabilization
Project Vicinity + Location
Gulf Breeze, FL

DESIGN: SLD	CHECK:
DRAWING: BB	REVIEW:
DATE: 3/1/24	SUBMITTED:



SOUTH COAST ENGINEERS
Engineering for the Coast

DRAWING NO.
M
NO. 1 OF 4



Deer Point Beach Stabilization
Plan View
Gulf Breeze, FL

DESIGN:
SLD

DRAWING:
BB

DATE:
9/6/24

CHECK:

REVIEW:

SUBMITTED:



SOUTH COAST ENGINEERS
Engineering for the Coast

DRAWING NO.

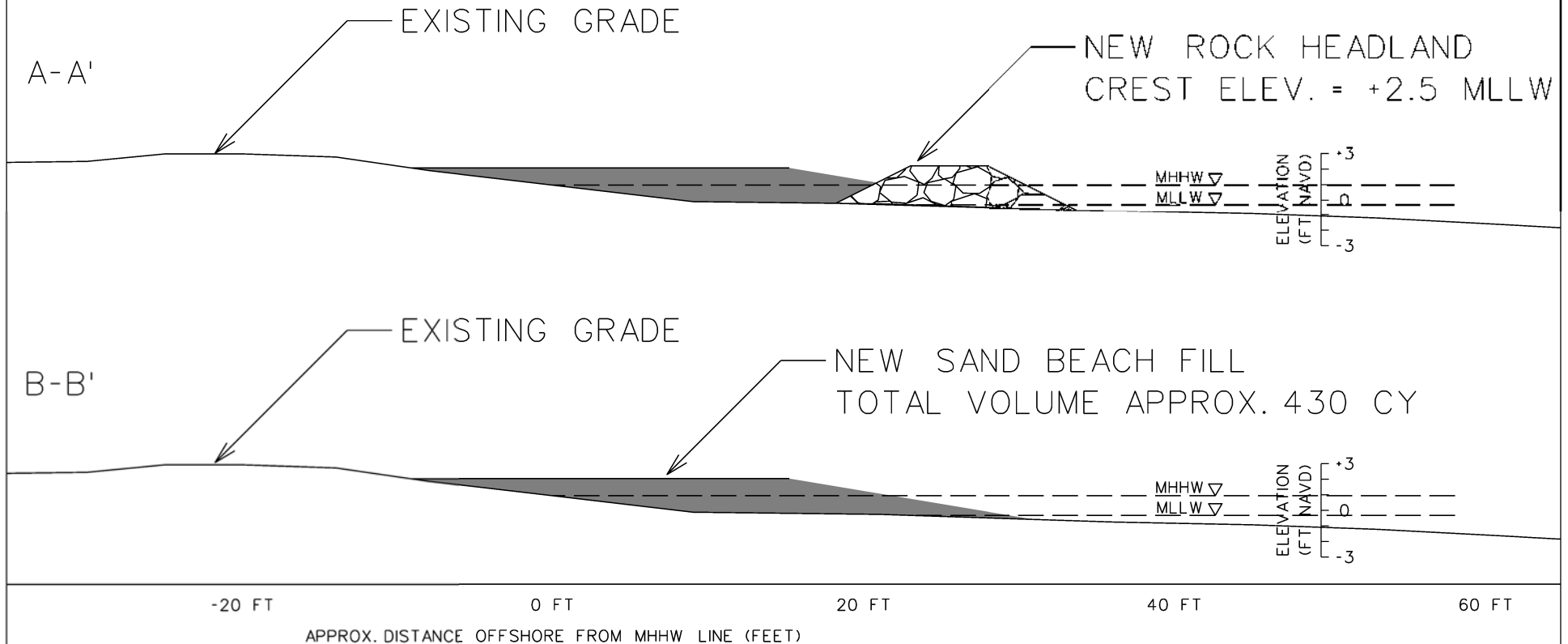
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NO. 2 OF 4

NOTES:

1. TIDAL AND SURVEY DATUMS FROM NOAA CO-OPS STATION #8729840, PENSACOLA, FL
2. THE BAYWARD FACE OF NEW SAND BEACH FILL WILL BE CONSTRUCTED AT THE NATURAL ANGLE OF REPOSE. THIS DRAWING REPRESENTS THE CROSS-SECTION AFTER INITIAL RESPONSE TO NATIVE WAVE CLIMATE.

APPROX. GRAPHIC SCALE 1" = 10'



NOT FOR CONSTRUCTION - FOR PERMIT APPLICATION REVIEW ONLY

Deer Point Beach Stabilization
Profile View
Gulf Breeze, FL

DESIGN: SLD	CHECK:
DRAWING: BB	REVIEW:
DATE: 9/6/24	SUBMITTED:



SOUTH COAST ENGINEERS
Engineering for the Coast

DRAWING NO.
X
NO. 3 OF 4