



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant: Walton County Board of
County Commissioners
ATTN: Melinda Gates

Published: May 29,
2025
Expires: June 30, 2025

**Jacksonville District
Permit Application No. SAJ-2003-11036**

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). 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 lauren.k.pohlmann@usace.army.mil.

APPLICANT: Walton County Board of County Commissioners
ATTN: Melinda Gates
117 Montgomery Circle
DeFuniak Spring, FL 32435

WATERWAY AND LOCATION: The project would affect aquatic resources associated with Oyster Lake and the Gulf of America. The project site is located south of County Highway 30A; at latitude 30.350801° and longitude -86.247454°; in Santa Rosa Beach, Walton County, Florida.

EXISTING CONDITIONS: Oyster Lake is a coastal dune lake adjacent to the Gulf of America. Oyster Lake has an intermittent connection to the Gulf which sometimes allows the lake to drain to the Gulf in response to higher water levels within Oyster Lake. This natural process reduces the potential for localized flooding around the lake. However, conditions of the beach, surrounding dunes, and lake are not always conducive to draining the lake and, at times, flooding takes place around the lake and impacts the surrounding properties and infrastructure.

PROJECT PURPOSE:

Basic: Flood Control.

Overall: Excavation of the connection between Oyster Lake and the Gulf of America to alleviate flooding of the properties around Oyster Lake in Walton County, Florida.

PROPOSED WORK: The applicant requests authorization to periodically excavate the Oyster Lake outfall . The applicant proposes a trigger point elevation of 4.0 feet relative to North American Vertical Datum (NAVD), which is the elevation of the ordinary high water level of Oyster Lake. The area would be excavated to create a temporary trench that would be approximately 5 feet wide and 2 feet deep. The trench could be as much as 140 feet long or the length necessary to establish connection between the lake and the Gulf depending on beach conditions. Excavated sand would be sidecast on either side of the trench and would erode into the Gulf through natural processes. This would result in the temporary erosion of beach sand into the Gulf. As occurs when the lake naturally drains, the sediment would be redistributed by the tides and the temporary trench would fill back in with sand after excess water within the lake has drained to the Gulf.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: “Walton County will only utilize the mechanical opening permit when the beach, dune and lake conditions do not allow Oyster Lake to open naturally. Walton County will coordinate with South Walton Turtle Watch during turtle nesting season to verify that no nests are located within the project area prior to the commencement of any work. All sand excavated for the mechanical opening will be placed adjacent to the trench as the lake flows into the Gulf, the trench will widen and all excavated material will erode into the Gulf. No work is proposed seaward of the MHWL of the Gulf of America.”

COMPENSATORY MITIGATION: The applicant has provided the following explanation why compensatory mitigation should not be required: “Due to the limited impacts associated with the proposed activities, no compensatory mitigation is needed due to the de-minimis nature.”

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, federally recognized tribes and other interested parties.

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) 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.

Table 1: ESA-listed species and/or critical habitat potentially present in the action area.

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
Choctawhatchee Beach Mouse	<i>Peromyscus polionotus allophrys</i>	Endangered
Tricolored Bat	<i>Perimyotis subflavus</i>	Proposed Endangered
West Indian Manatee	<i>Trichechus manatus</i>	Threatened
Eastern Black Rail	<i>Laterallus jamaicensis</i> ssp. <i>jamaicensis</i>	Threatened
Alligator Snapping Turtle	<i>Macrochelys temminckii</i>	Proposed Threatened
Eastern Indigo Snake	<i>Drymarchon couperi</i>	Threatened
Green Sea Turtle	<i>Chelonia mydas</i>	Threatened
Hawksbill Sea Turtle	<i>Eretmochelys imbricata</i>	Endangered
Kemp's Ridley Sea Turtle	<i>Lepidochelys kempii</i>	Endangered
Leatherback Sea Turtle	<i>Dermochelys coriacea</i>	Endangered
Loggerhead Sea Turtle	<i>Caretta caretta</i>	Threatened
Gulf Sturgeon	<i>Acipenser oxyrinchus</i> (=oxyrhynchus) <i>desotoi</i>	Threatened
Monarch Butterfly	<i>Danaus plexippus</i>	Proposed Threatened
Giant Manta Ray	<i>Mobula birostris</i>	Threatened
Wood Stork	<i>Mycteria americana</i>	Threatened
Piping Plover	<i>Charadrius melodus</i>	Threatened
Red Knot	<i>Calidris canutus rufa</i>	Threatened

Pursuant to Section 7 ESA, any required consultation with the Services 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 would have s minor adverse impact on EFH and/or fisheries managed by Fishery Management Councils and the National Marine Fisheries Service (NMFS). Implementation of the proposed project would indirectly impact a small area of intertidal primarily sandy substrate. The effects of the project are determined to be minimal and temporary. These habitat(s) are utilized by the following species and their various life stages:

<i>Species</i>	<i>Life Stage</i>	
Bonnethead Shark (Gulf of Mexico Stock)	Juvenile	
Spinner Shark	Juvenile/Adult	
Blacktip Shark (Gulf of Mexico Stock)	Juvenile/Adult	
Atlantic Sharpnose Shark (Gulf of Mexico Stock)	Juvenile/Adult	
Spinner Shark	Neonate	
Blacktip Shark (Gulf of Mexico Stock)	Neonate	
Bull Shark	Juvenile/Adult	
Sandbar Shark	Adult	
Bonnethead Shark (Gulf of Mexico Stock)	Neonate	
Sailfish	Adult	
Tiger Shark	Neonate	
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: WQC is required from the Florida Department of Environmental Protection (FDEP).

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. 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. 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 June 30, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Lauren Pohlmann at lauren.k.pohlmann@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Jacksonville District, Attention: Lauren Pohlmann, 41 North Jefferson Street, Suite 301, Pensacola, Florida 32502. 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.



Oyster Lake Outfall
Mechanical Opening

Legend

Streets

RouteType

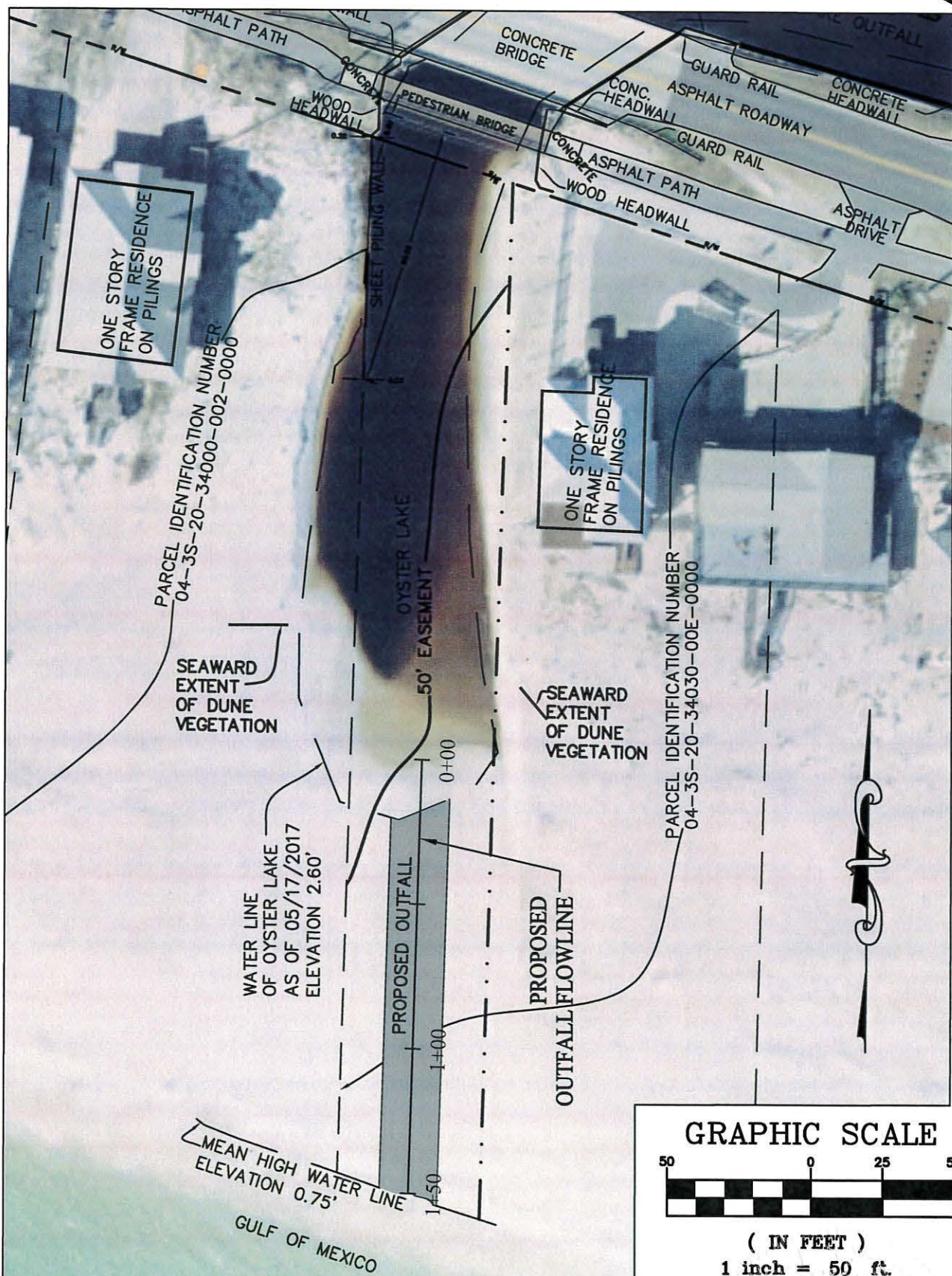
- Interstate Highway
- U.S. Highway
- State Route
- County Route
- Local
- CCCL

0 120 240 480
Feet

Walton County Environmental/Engineering
This GIS data is not a legal representation of
the features depicted; any assumption of the
legal status of this data is hereby disclaimed.
by S. Cairway 8/24/2016.

NOTE:

LOCATION AND LIMITS OF PROPOSED EXCAVATION ARE APPROXIMATE AND ARE NOT NECESSARILY DRAWN TO SCALE.



Public Works Division
Engineering Department

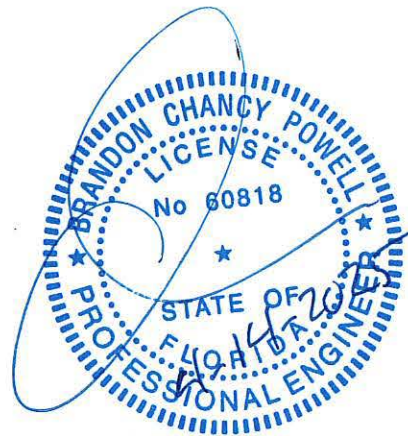
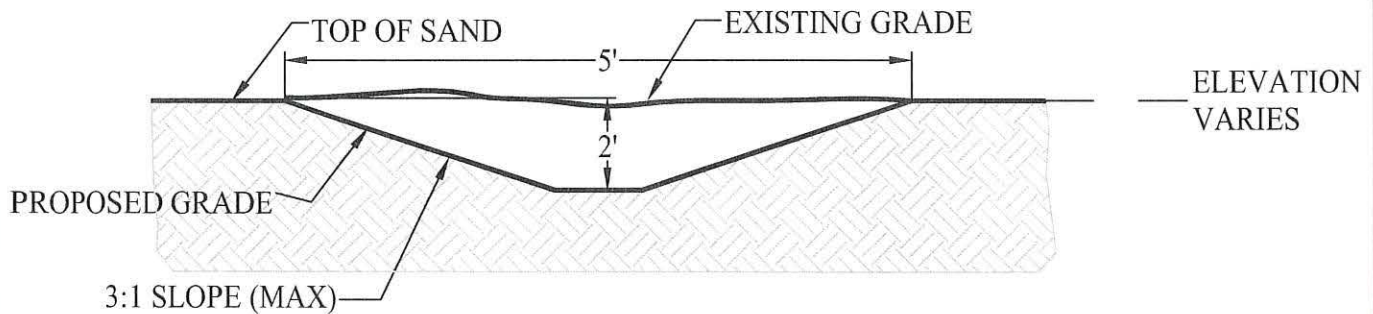
97 Montgomery Circle DeFuniak Springs, FL 32435
TELEPHONE: (850) 892-8108 ~ FAX: (850) 892-8402

OYSTER LAKE LONG
STANDING PERMIT
PROPOSED OUTFALL

Greg Graham
7/5/2017
#51381

PROPOSED OUTFALL CROSS-SECTION

NOT TO SCALE



NOTE:

THE OUTFALL IS A DYNAMIC SYSTEM AND THESE CROSS-SECTIONS ARE NOT AN EXACT REPRESENTATION OF CONDITIONS, WHICH CAN OCCUR AFTER FUTURE OPENINGS.



WALTON COUNTY
Engineering Department

117 Montgomery Circle DeFuniak Springs, FL 32435

TELEPHONE: (850) 892-8108

OYSTER LAKE LONG
STANDING PERMIT
PROPOSED CROSS-SECTION