



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
Mike Devine

Published: June 11, 2025
Expires: July 11, 2025

**Jacksonville District
Permit Application No. SAJ-2024-03681**

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/or** 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 scott.m.casey@usace.army.mil.

APPLICANT: Mike Devine
1374 County Street 2919
Tuttle, OK 73089

WATERWAY AND LOCATION: The project would affect aquatic resources associated with East Bay. The project site is located at 6653 Seabreeze Lane; at latitude 30.516472° and longitude -87.048518°; in Milton, Santa Rosa County, Florida.

EXISTING CONDITIONS: The proposed construction is in non-tidal wetlands (pine savanna), associated with East Bay, on a 2.339-acre undeveloped single-family residential lot.

PROJECT PURPOSE:

Basic: The basic purpose is to provide single family housing.

Overall: The overall project purpose is to construct a single-family residence in Santa Rosa County.

PROPOSED WORK: The applicant requests authorization to discharge clean fill material over 0.35-acre of wetlands to facilitate the construction of a single-family residential house.

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 applicant has situated the home as close to the front and side building

setbacks as possible. Side slopes will allow the construction of the home within the proposed impact area, as well as allow for future maintenance of the residence. Driveway, parking, garage access is minimal for utilization.

COMPENSATORY MITIGATION: The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: The applicant will purchase in-kind, 0.10 palustrine emergent credits to offset primary and secondary impacts from the Garcon Peninsula Mitigation Bank. The applicant has also proposed to purchase an additional 0.14 credit of palustrine emergent credits for existing fill that was identified on-site.

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) 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
Wood stork	Mycteria americana	Threatened

Piping plover	Charadrius melodus	Threatened
Red knot	Calidris canutus rufa	Threatened
Eastern indigo snake	Drymarchon couperi	Threatened
Reticulated flatwood salamander	Ambystoma bishopi	Endangered
Tricolored bat	Perimyotis subflavus	Proposed Endangered

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402. The Corps is the lead Federal agency for ESA consultation for the proposed action. Any required consultation will be completed by the Corps.

This notice serves as request to the U.S. Fish and Wildlife 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.

The Corps has determined the proposal would have no effect on any Essential Fish Habitat (EFH). The proposed project would occur in freshwater wetlands inland of tidal waters and EFH. Therefore, no consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996 is required.

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 was issued by Florida Department of Environmental Protection (FDEP) on August 9, 2024, under FDEP permit no. 0449735-001-EI/57.

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.

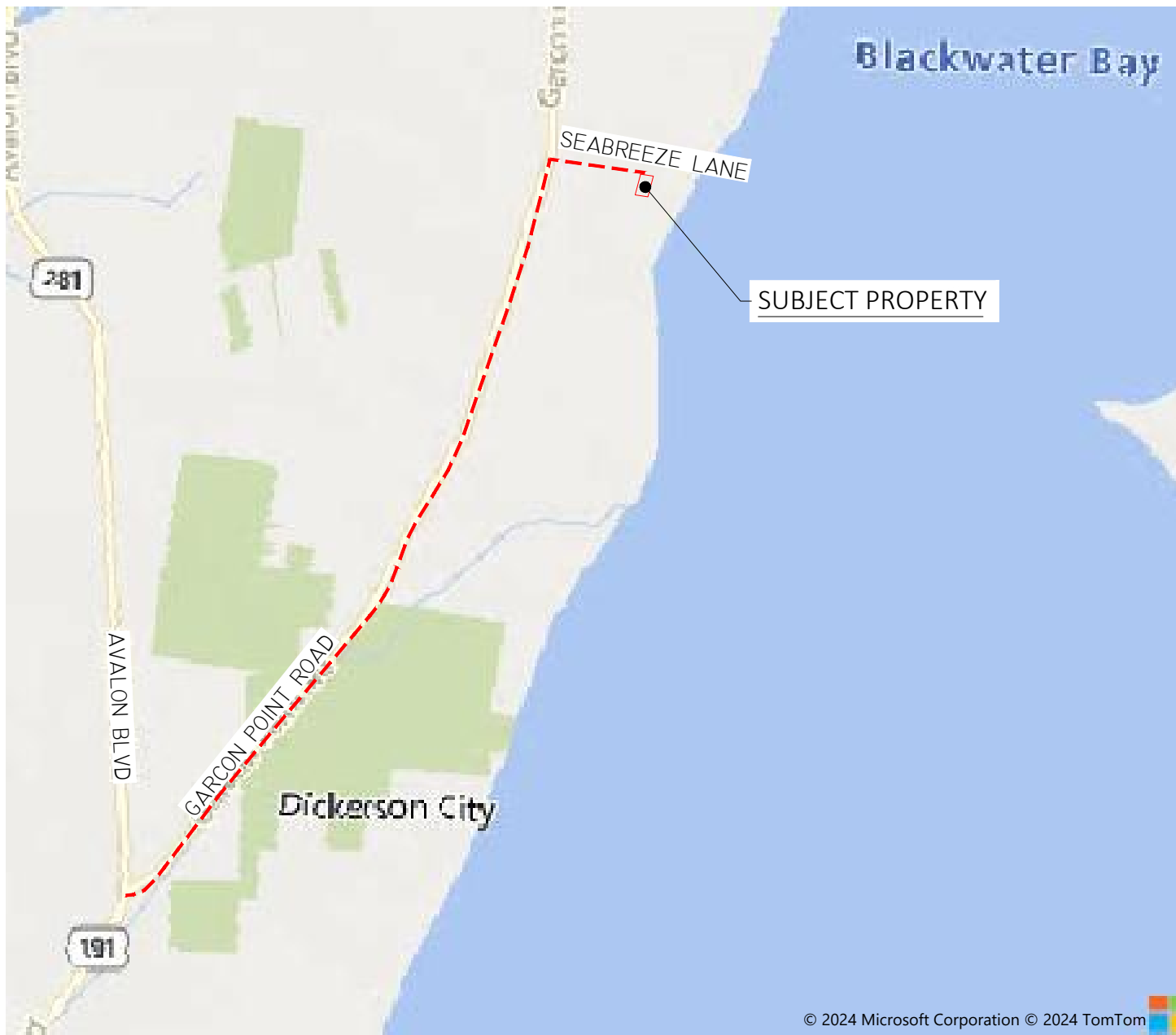
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, 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 July 11, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Scott Casey at scott.m.casey@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Jacksonville District, Attention: Scott Casey, 41 North Jefferson Street, Pensacola, FL 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.



DIRECTIONS TO THE SITE FROM THE INTERSECTION OF AVALON BOULEVARD AND GARCON POINT ROAD: FOLLOW GARCON POINT ROAD NORTHEAST FOR APPROXIMATELY 3.15 MILES TO SEABREEZE LANE. TURN RIGHT (EAST) ONTO SEABREEZE LANE FOR 0.35 MILES. THE SUBJECT PROPERTY WILL BE ON THE RIGHT (SOUTH) SIDE OF SEABREEZE LANE. PLEASE CALL (850) 453-4700 WITH ANY QUESTIONS.

SUBJECT PROPERTY

PARCEL ID# 14-IS-28-0000-17800-0000

LOCATION

SEABREEZE LANE

MILTON, FLORIDA 32583

LAT:30°31'01.45" LONG: -87°02'53.49"

OWNER:

DEVINE RUSTIN & DEVINE DUSTIN

1374 COUNTY STRET 2919

TUTTLE, OK 73089-3706

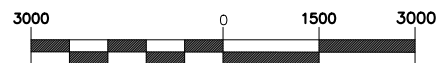
INDEX OF SHEETS

SHEET NO.

1
2
3
4

DESCRIPTION

SITE LOCATION MAP
EXISTING CONDITIONS
SITE PLAN
CROSS SECTION



SCALE: 1"= 3000 Feet



ENVIRONMENTAL CONSULTANTS

3308 GULF BEACH HIGHWAY
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
CRAIG@WETLANDSCIENCES.COM

PROJECT NAME: 6653 SEABREEZE LANE

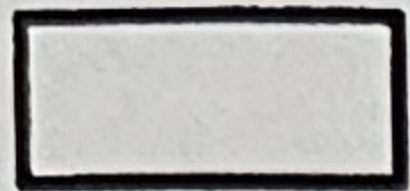
SITE LOCATION MAP

PROJECT NO.:

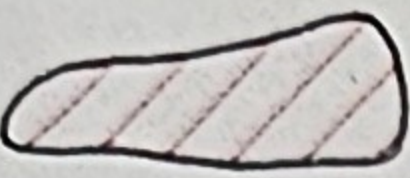
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DATE: 04/10/2024

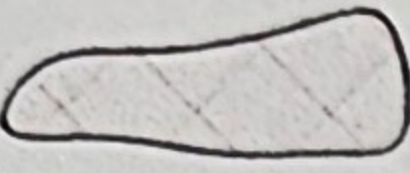
SHEET: 1 OF 4



SUBJECT PROPERTY
2.33± AC (SURVEY)



CORPS/FDEP/COUNTY
UNDISTURBED WETLANDS
1.75± AC



PRIMARY WETLAND IMPACTS
8,443.4 SQ. FT. OR 0.19± AC



SECONDARY WETLAND IMPACTS
8,459.0 SQ. FT. OR 0.19± AC

Septic Tank
8' x 4' x 5'
Lateral Line
Drain Field

PARCEL BOUNDARY
PER: TOPOGRAPHIC & BOUNDARY SURVEY
BY: 3D SURVEYING
REVISION DATE: 02/22/2024

BENCHMARK
SET NAIL & DISK (8436)
ELEVATION= 8.08'

SEABREEZE LANE
(RIGHT OF WAY UNDETERMINED)
CENTERLINE OF ±18' PAVED ASPHALT ROAD

BENCHMARK
SET NAIL & DISK (8436)
ELEVATION= 8.31'

POINT OF
BEGINNING

N 13°24'41" E 411.40' (D&M)

VACANT
EX. 4' WIRE FENCE 2.3276 Acres

14-1S-28-0000-17800-0000

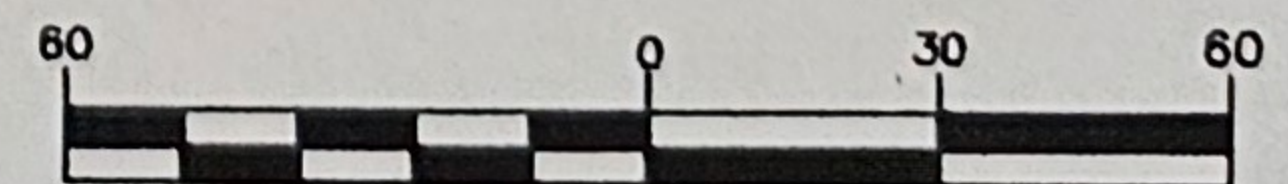
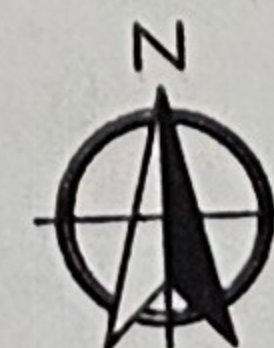
WETLANDS TO REMAIN

N 83°07'28" W 248.00' (D&M)

S 13°24'41" W 411.50' (D&M)

N 83°07'28"

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ASCERTAIN THE USABILITY OF THE INFORMATION.



SCALE: 1" = 60 Feet

WETLAND
SCIENCES
INCORPORATED

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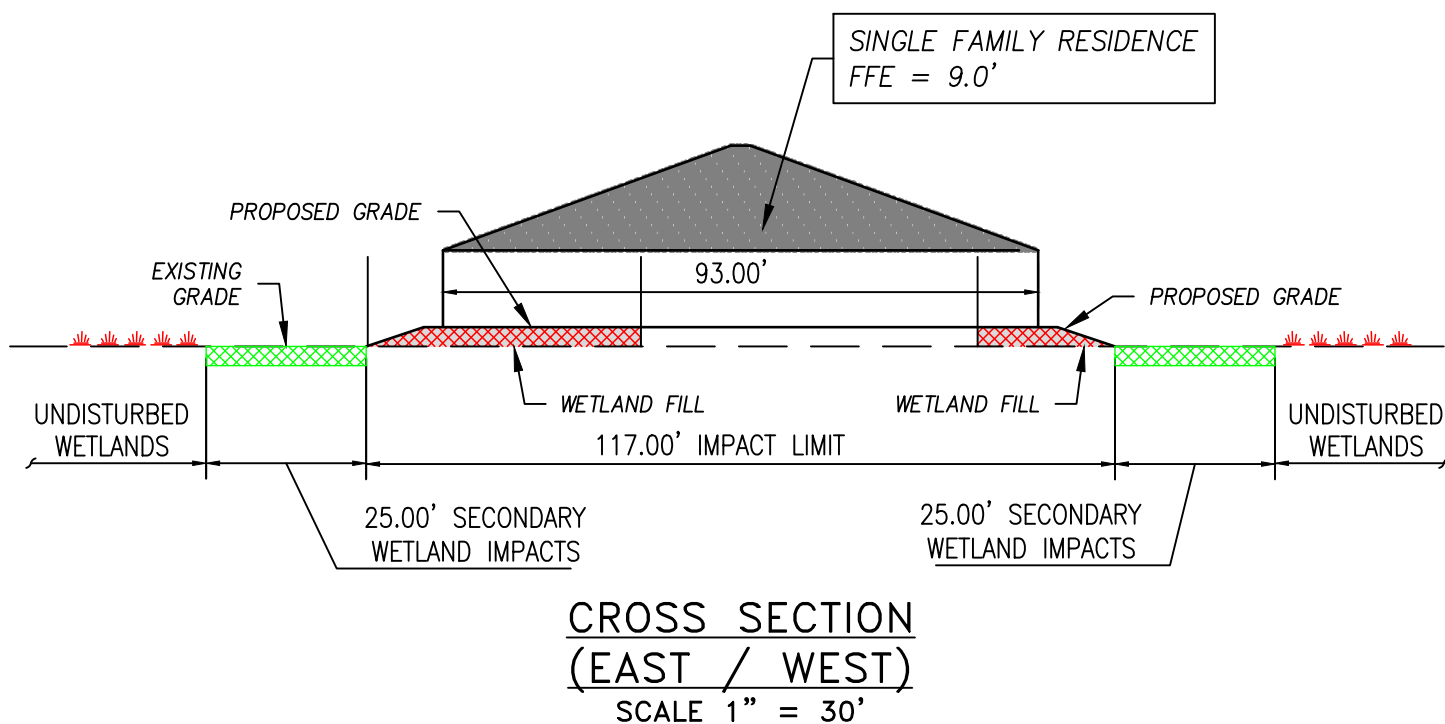
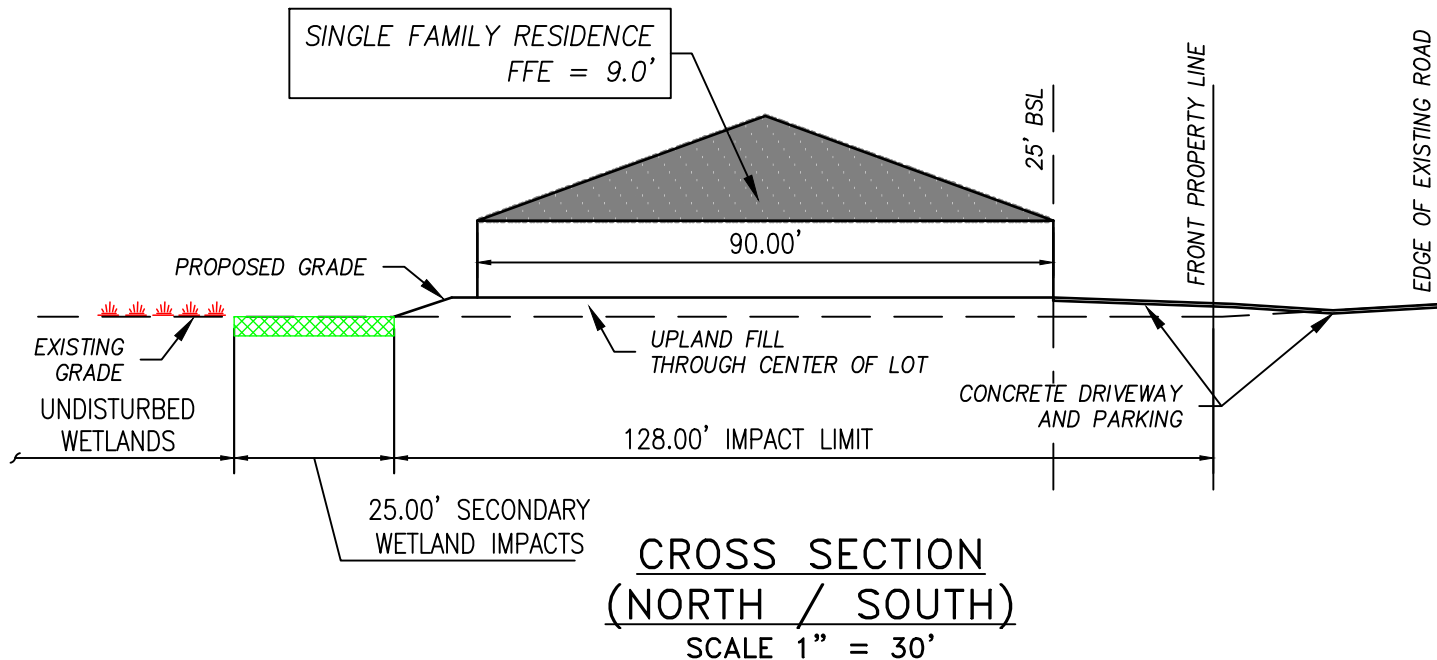
PROPOSED SITE PLAN

PROJECT NO.:

DRAWN BY: MKB

DATE: 04/10/2024

SHEET: 3 OF 4



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SITE CROSS SECTIONS

PROJECT NO.:

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SHEET: 4 OF 4