



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
PENSACOLA REGULATORY OFFICE
41 NORTH JEFFERSON STREET, SUITE 301
PENSACOLA, FLORIDA 32502-5794

August 1, 2019

Regulatory Division
North Permits Branch
Pensacola Permits Section

PUBLIC NOTICE

Permit Application Number SAJ-2019-01600 (SP-HMM)

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 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) as described below:

APPLICANT: MSB of Destin, Inc.
c/o Alan Laird
116 E Highway 98
Destin, Florida 32541

WATERWAY AND LOCATION: The project would affect waters of the United States associated with Cinco Bayou. The project is located at 200 Eglin Parkway NE, in Section 12, Township 2 South, Range 24 West, in Fort Walton Beach, Okaloosa County, Florida.

Directions to the site are as follows: From Pensacola, go east on US Highway 98 to Fort Walton Beach. Turn north onto FL-189 E/Beal Parkway SW, then east on Hughes Street NW. Turn north on FL-85 N/Eglin Parkway NE. After crossing the bridge over Cinco Bayou, turn west onto Beach Drive and enter the Mariner Plaza Shopping Center. Take an immediate left. The site is located straight ahead (southwest corner of the plaza) behind the AJ's on the Bayou restaurant.

APPROXIMATE CENTRAL COORDINATES:

Latitude 30.428366° North
Longitude 86.607440° West

PROJECT PURPOSE:

Basic: Marina

Overall: Expand an existing commercial docking facility on Cinco Bayou, in Okaloosa County.

EXISTING CONDITIONS: The project site consists of a seawall along the entire shoreline and an 8-slip T-shaped commercial docking facility with 40 linear feet of public

transient mooring. There are five seagrass beds (total of 0.084 acre) located along the shoreline, one dense bed is located in the northern portion of the site (north of the existing dock, near the seawall) and four small patches are located in the eastern half of the site. The seagrass beds are comprised entirely of shoal grass (*Halodule wrightii*). In addition, there is 372 square feet of emergent tidal marsh consisting of saltmarsh cordgrass (*Spartina alterniflora*) located at the eastern corner of the site, adjacent to the seawall. The site is surrounded by commercial development to the north, Eglin Parkway and single-family residential development to the east, and Cinco Bayou to the south and west.

PROPOSED WORK: The applicant seeks authorization to remove the existing 590 square foot docking facility and construct a new 7,359 square foot docking facility consisting of 2 new fixed docks with a total of 34 commercial slips and 353 linear feet of public transient mooring areas. A portion of the main access pier of the northern dock would cross over seagrass and would be constructed using grated decking. The structure includes a 15-foot wide multi-use marginal dock parallel to the shoreline. A permeable wave fence would be placed along the dock located at the southwest boundary of the docking facility that runs parallel to the shoreline. No dredging, fueling facilities, sewage pump-outs or live-aboard slips are proposed. The dock width has been minimized to maintain safe ADA and public use access.

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 applicant has minimized impacts by utilizing grated decking for the portion of the access pier that crosses over seagrass. The applicant would minimize impacts to the aquatic environment by utilizing Best Management Practices (BMPs) during construction. No emergent marsh would be impacted by the proposed work.

COMPENSATORY MITIGATION: Due to the nature of the project, the applicant has not proposed compensatory mitigation.

CULTURAL RESOURCES: The Corps is not aware of any known historic properties within the permit area. By copy of this public notice, the Corps is providing information for review. Our final determination relative to historic resource impacts is subject to review by and coordination with the State Historic Preservation Officer and those federally recognized tribes with concerns in Florida and the Permit Area.

ENDANGERED SPECIES: The Corps has determined the proposed project may affect, but would not likely adversely affect the West Indian manatee (*Trichechus manatus*) as determined using the 2013 Manatee Key, following couplets A > B > C > G > H > I > J > L > N > O > P. The Corps has also determined the proposed project may affect, but is not likely to adversely affect the Gulf sturgeon (*Acipenser oxyrinchus desotoi*), Green turtle (*Chelonia mydas*), Leatherback turtle (*Dermochelys coriacea*), Kemp's Ridley turtle (*Lepidochelys kempi*), and Smalltooth sawfish (*Pristis pectinata*). The Corps will

request National Marine Fisheries Service concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

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 0.17 acres of estuarine subtidal habitat due to shading utilized by various life stages of 2 shark species (bull and spinner), four shrimp species (brown, white, pink, Royal red), coastal migratory pelagic species, red drum, and 43 species of reef fish. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries. 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.

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.

AUTHORIZATION FROM OTHER AGENCIES: Water Quality Certification may be required from the Florida Department of Environmental Protection and/or one of the state Water Management Districts.

COMMENTS regarding the potential authorization of the work proposed should be submitted in writing to the attention of the District Engineer through the Pensacola Permits Section, 41 North Jefferson Street, Suite 301, Pensacola, Florida, 32502 within 21 days from the date of this notice.

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, Holly Millsap, in writing at the Pensacola Permits Section, 41 North Jefferson Street, Suite 301, Pensacola, FL 32502, by electronic mail at Holly.M.Millsap@usace.army.mil, by fax at (850) 433-8160, or by telephone at (850) 470-9823.

IMPACT ON NATURAL RESOURCES: Preliminary review of this application indicates that an Environmental Impact Statement will not be required. 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. By means of this notice, we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat

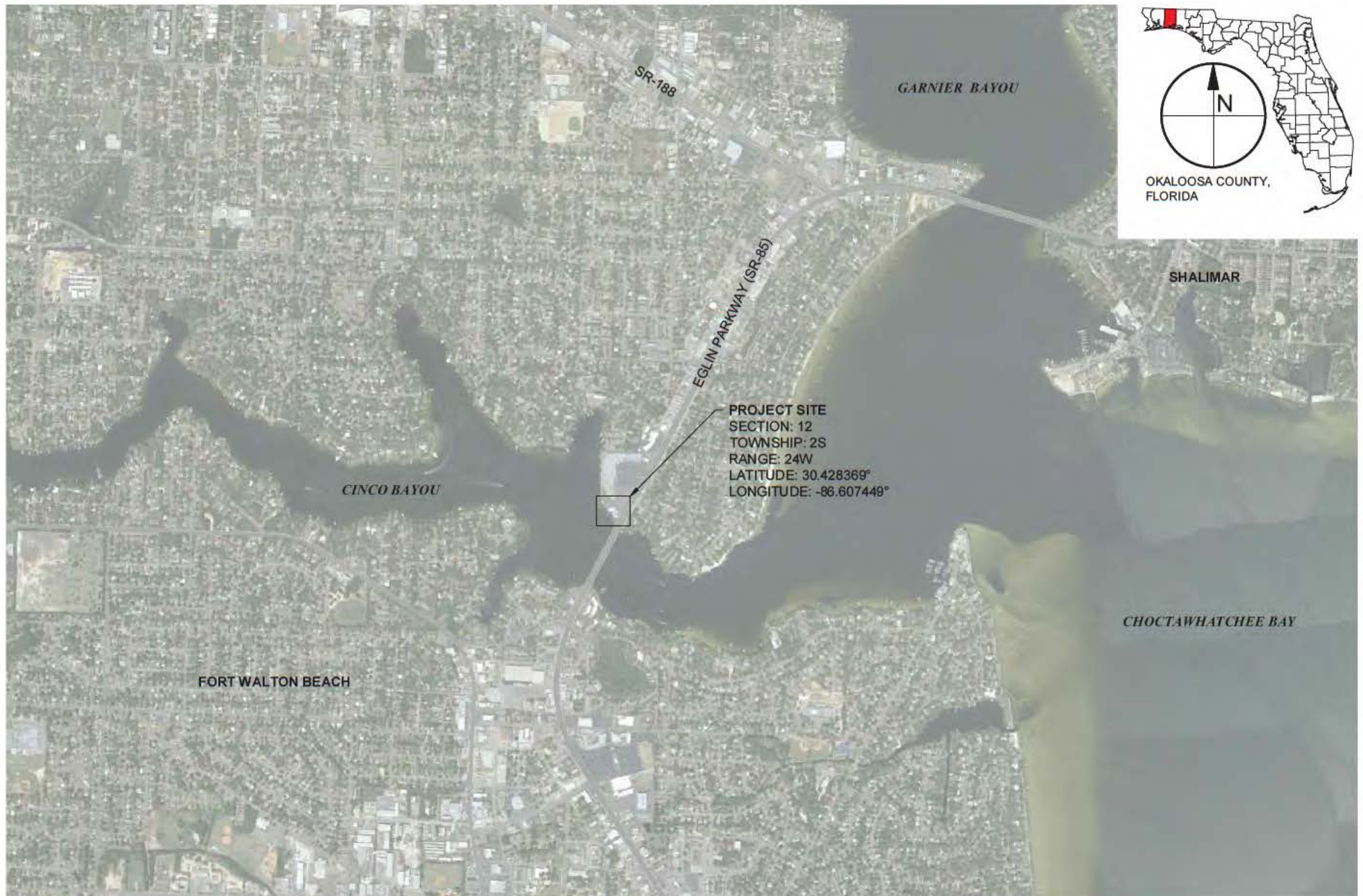
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, 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 of 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.

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 decision, comments are used to assess impacts on 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 and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board, in the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with the 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.

ANTON FLEWELLING X:\SYD\PROJECTS\C2018-034 AJS MARINA\PERMIT\C2018-034-TITLE SHEET.DWG 3/12/2019 10:17:45 AM



TAYLOR ENGINEERING INC.

4300 LEGENDARY DRIVE
SUITE C246
DESTIN, FL 32541
CERTIFICATE OF AUTHORIZATION #4815

FIGURE 1
PROJECT LOCATION
AJ'S ON CINCO BAYOU
OKALOOSA COUNTY, FL

PROJECT	C2018-034
DRAWN BY	NP
SHEET	1 of 8
DATE	MAR 2019

SEAL

DRAFT

DUNCAN GREER, P.E. #83306

DATE

PRELIMINARY DRAWINGS: THESE DRAWINGS ARE NOT IN FINAL FORM, BUT ARE BEING TRANSMITTED FOR AGENCY REVIEW.

GENERAL NOTES:

1. DRAWING REFERENCES FLORIDA STATE PLANE NORTH, NORTH AMERICAN DATUM OF 1983 (NAD83).
2. ALL ELEVATIONS REFERENCE THE 1988 NORTH AMERICAN VERTICAL DATUM (NAVD88). ELEVATIONS IN FEET UNLESS NOTED OTHERWISE (U.N.O.).
3. AERIAL IMAGERY OBTAINED FROM GOOGLE EARTH (2013), U.N.O. AERIAL IMAGERY DISPLAYED HEREON FOR INFORMATIONAL PURPOSES ONLY. NO PHOTOGRAPHIC ACCURACY IS IMPLIED BY THESE MAPS.
4. PARCEL BOUNDARIES, EXISTING SUBMERGED LAND LEASE BOUNDARY, AND MEAN HIGH WATER ELEVATION ARE APPROXIMATE, AND OBTAINED FROM A "BOUNDARY AND TOPOGRAPHIC SURVEY UNDIVIDED TOWNSHIP 2 SOUTH, RANGE 24 WEST, FORT WALTON BEACH, OKALOOSA COUNTY, FLORIDA" BY RUBEN SURVEYING AND MAPPING, INC., DATED 09-28-16, JOB NO. 17507-16.
5. BATHYMETRIC CONTOURS OBTAINED BY TAYLOR ENGINEERING, INC., JULY 3, 2018.
6. DRAWING REFERENCES EXISTING BOARD OF TRUSTEES SOVEREIGN SUBMERGED LAND LEASE # 460432861.
7. CONSTRUCTION SHALL NOT VIOLATE STATE WATER QUALITY STANDARDS.
8. NO LIVE-A-BOARDS ARE PROPOSED.
9. NO FUELING FACILITIES OR SEWAGE PUMP-OUTS ARE PROPOSED AT THIS FACILITY.
10. MATERIALS ARE SUBJECT TO CHANGE. PILE EMBEDMENT, DIMENSIONS, AND SPACING WILL BE DETERMINED DURING FINAL DESIGN.
11. THE LOCATION OF TURBIDITY CURTAINS SHOWN ON THESE DRAWINGS FOR INFORMATIONAL PURPOSES ONLY. TURBIDITY CURTAINS SHALL BE LOCATED AND REPOSITIONED BY THE CONTRACTOR USING BEST MANAGEMENT PRACTICES TO ASSURE WATER QUALITY STANDARDS ARE MAINTAINED THROUGHOUT CONSTRUCTION.
12. DOCK PILINGS WILL BE WRAPPED TREATED TIMBER OR OTHERWISE MADE FROM NON-LEACHING MATERIALS.

TIDAL DATUM REFERENCE: NOAA STATION 8729538

MHHW ——— 0.60'
MHW ——— 0.59'

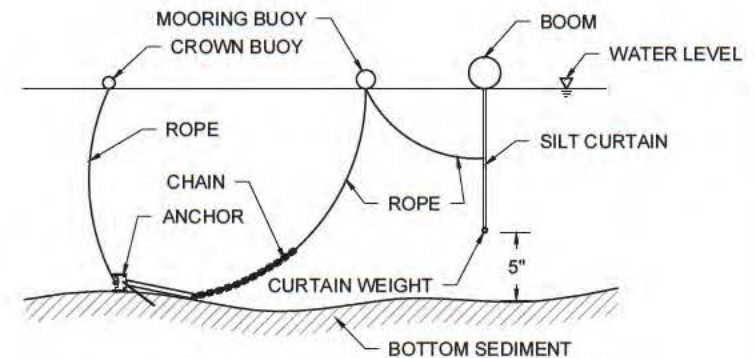
MSL ——— 0.39'

MLW ——— 0.22'
MLLW ——— 0.19'

NAVD 88 ——— 0.00'

PROPOSED DOCK PLAN:

1. COMMERCIAL (PERMANENT) SLIPS
 - 1.1. EXISTING: 8
 - 1.2. PROPOSED INCREASE FROM EXISTING : 26
 - 1.3. TOTAL PROPOSED COMMERCIAL SLIPS: 34
2. PUBLIC TRANSIENT MOORING SLIPS
 - 2.1. EXISTING: 1 (40 LF)
 - 2.2. PROPOSED INCREASE FROM EXISTING: 2 (313 LF)
 - 2.3. TOTAL PROPOSED PUBLIC TRANSIENT MOORING SLIPS: 3 (353 LF)
3. FIXED TIMBER DOCK AREA
 - 3.1. EXISTING (TO BE DEMOLISHED): 590 SF
 - 3.2. PROPOSED INCREASE FROM EXISTING: 6,769 SF
 - 3.3. TOTAL PROPOSED FIXED TIMBER DOCK AREA: 7,359 SF
4. SOVEREIGN SUBMERGED LAND LEASE AREA (LEASE # 460432861)
 - 4.1. EXISTING: 6,208 S.F. (0.14 ACRES)
 - 4.2. PROPOSED INCREASE FROM EXISTING: 51,552 S.F. (1.19 ACRES)
 - 4.3. TOTAL PROPOSED SOVEREIGN SUBMERGED LAND LEASE AREA: 57,760 S.F. (1.33 ACRES)



TURBIDITY CURTAIN DETAIL



TAYLOR ENGINEERING INC.

4300 LEGENDARY DRIVE
SUITE C246
DESTIN, FL 32541

CERTIFICATE OF AUTHORIZATION #4815

FIGURE 2
GENERAL NOTES
AJ'S ON CINCO BAYOU
OKALOOSA COUNTY, FL

PROJECT	C2018-034
DRAWN BY	NP
SHEET	2 of 8
DATE	MAR 2019

SEAL

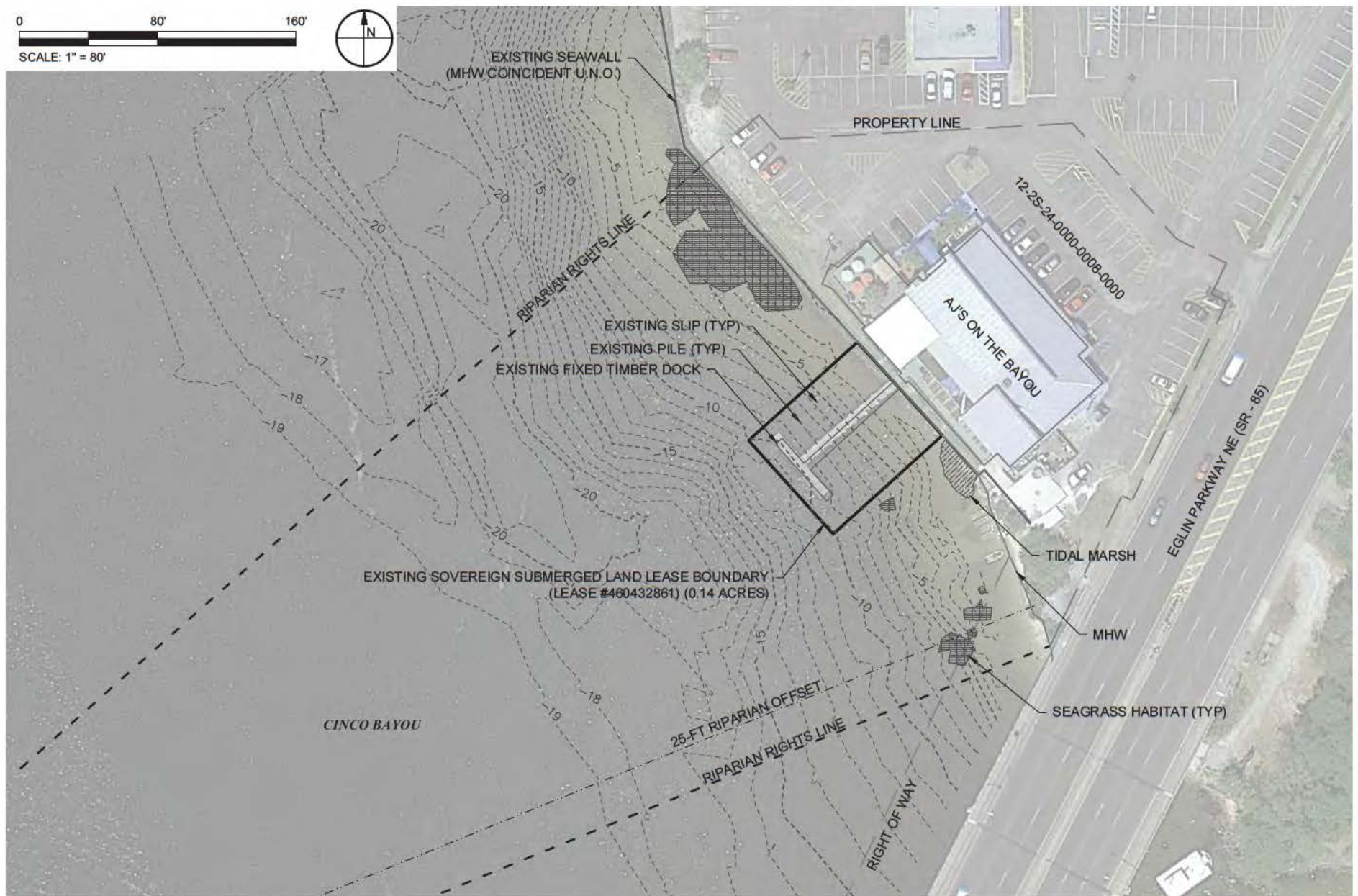
DRAFT

DUNCAN GREER, P.E. #83306

DATE

0 80' 160'

SCALE: 1" = 80'



TAYLOR ENGINEERING INC.

4300 LEGENDARY DRIVE
SUITE C246
DESTIN, FL 32541
CERTIFICATE OF AUTHORIZATION # 4815

FIGURE 3
EXISTING CONDITIONS
AJ'S ON CINCO BAYOU
OKALOOSA COUNTY, FL

PROJECT	C2018-034
DRAWN BY	NP
SHEET	3 of 8
DATE	MAR 2019

SEAL

DRAFT

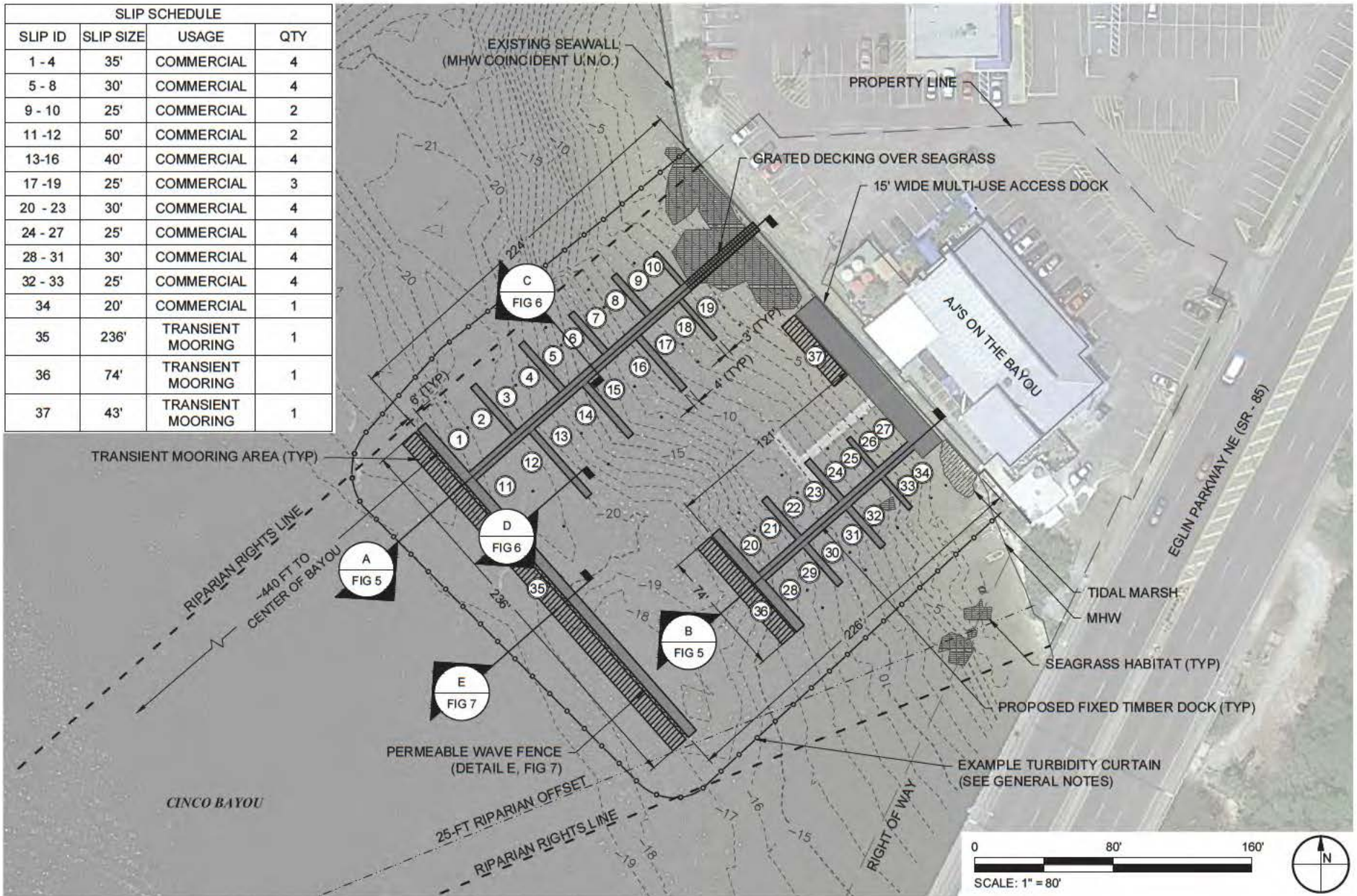
DUNCAN GREER, P.E. #83306

DATE

ANTON FLEWELLING X:\SYD\PROJECTS\C2018-034-AJ'S MARINA\PERMIT\C2018-034-P-EXISTING CONDITIONS.DWG 3/12/2019 10:17:54 AM

PRELIMINARY DRAWINGS: THESE DRAWINGS ARE NOT IN FINAL FORM, BUT ARE BEING TRANSMITTED FOR AGENCY REVIEW.

SLIP SCHEDULE			
SLIP ID	SLIP SIZE	USAGE	QTY
1 - 4	35'	COMMERCIAL	4
5 - 8	30'	COMMERCIAL	4
9 - 10	25'	COMMERCIAL	2
11 - 12	50'	COMMERCIAL	2
13-16	40'	COMMERCIAL	4
17 - 19	25'	COMMERCIAL	3
20 - 23	30'	COMMERCIAL	4
24 - 27	25'	COMMERCIAL	4
28 - 31	30'	COMMERCIAL	4
32 - 33	25'	COMMERCIAL	4
34	20'	COMMERCIAL	1
35	236'	TRANSIENT MOORING	1
36	74'	TRANSIENT MOORING	1
37	43'	TRANSIENT MOORING	1



TAYLOR ENGINEERING INC.

4300 LEGENDARY DRIVE
SUITE C246
DESTIN, FL 32541
CERTIFICATE OF AUTHORIZATION # 4815

FIGURE 4
PROPOSED SITE PLAN
AJ'S ON CINCO BAYOU
OKALOOSA COUNTY, FL

PROJECT C2018-034
DRAWN BY NP
SHEET 4 of 8
DATE MAR 2019

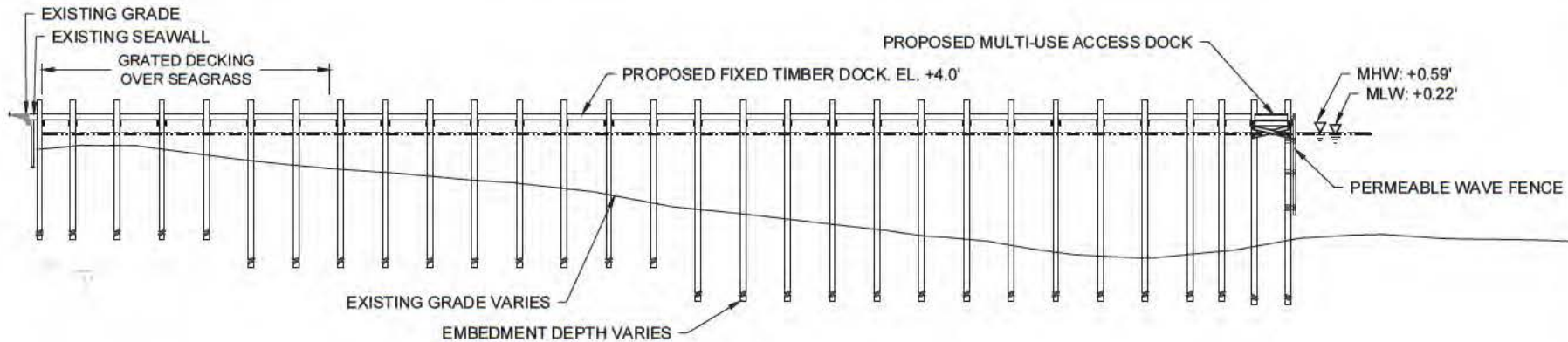
SEAL

DRAFT

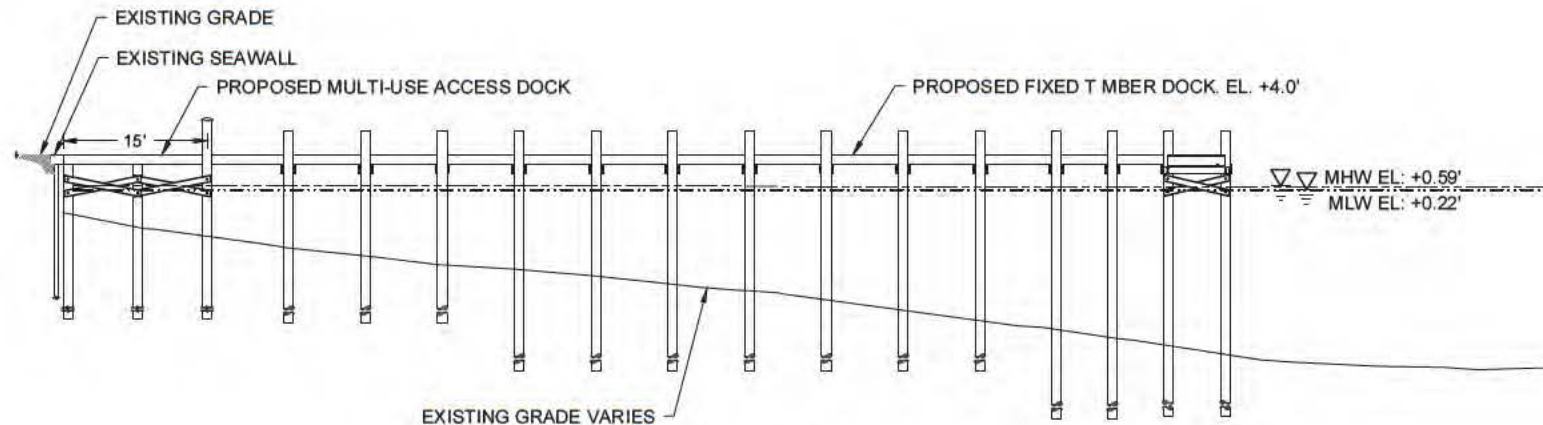
DUNCAN GREER, P.E. #83306

DATE

ANTON FLEWELLING \A\SYN\PROJECTS\C2018-034 AJS MARINA\PERMIT\C2018-034-P-DETAILS.DWG 3/12/2019 10:18:11 AM



A DOCK PROFILE
FIG 4 SCALE: 1" = 30' 0 30'



B DOCK PROFILE
FIG 4 SCALE: 1" = 20' 0 20'



TAYLOR ENGINEERING INC.

4300 LEGENDARY DRIVE
SUITE C246
DESTIN, FL 32541

CERTIFICATE OF AUTHORIZATION #4815

FIGURE 5
DOCK PROFILES
AJ'S ON CINCO BAYOU
OKALOOSA COUNTY, FL

PROJECT	C2018-034
DRAWN BY	NP
SHEET	5 of 8
DATE	MAR 2019

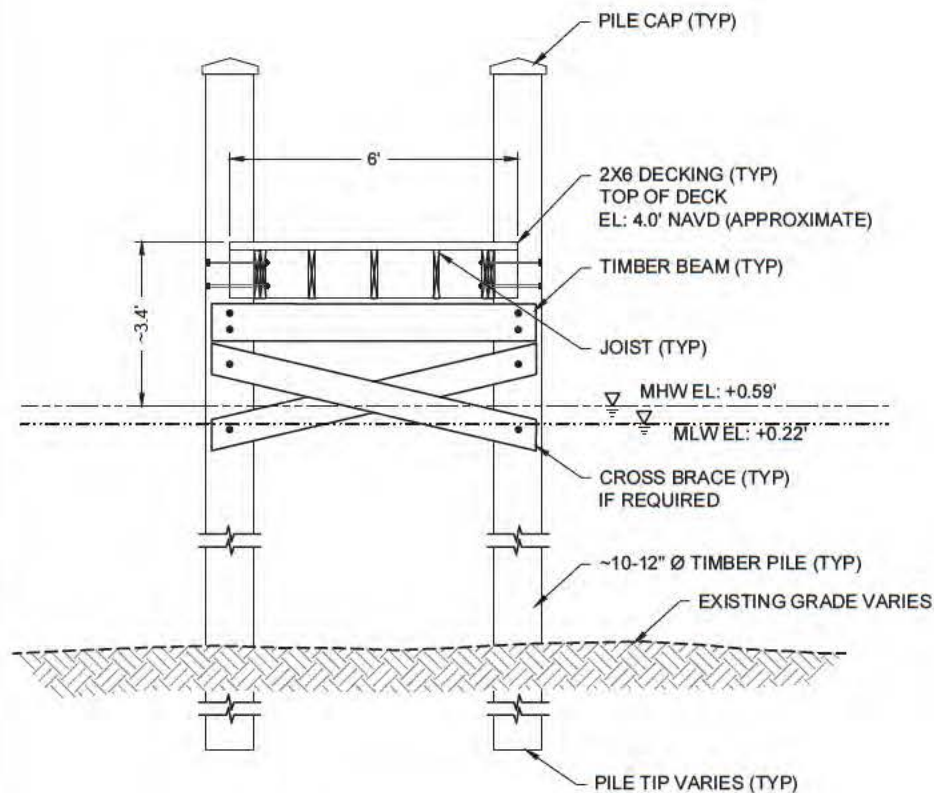
SEAL

DRAFT

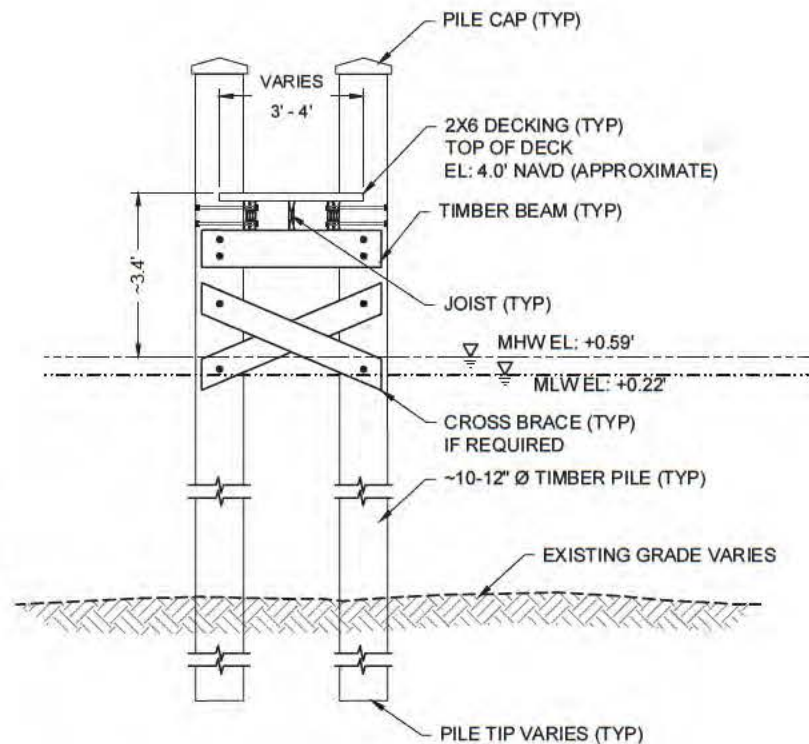
DUNCAN GREER, P.E. #83306

DATE

ANTON FLEWELLING A USGS PROJECTS C2018-034 A US MARINER PERMIT C2018-034-P-DETAILS.DWG 3/12/2019 10:18:12 AM



C TYPICAL FIXED TIMBER DOCK SECTION
FIG 4 SCALE: 1" = 4'



D TYPICAL FINGER PIER SECTION
FIG 4 SCALE: 1" = 4'



TAYLOR ENGINEERING INC.

4300 LEGENDARY DRIVE
SUITE C246
DESTIN, FL 32541
CERTIFICATE OF AUTHORIZATION #4615

FIGURE 6
DOCK SECTIONS
AJ'S ON CINCO BAYOU
OKALOOSA COUNTY, FL

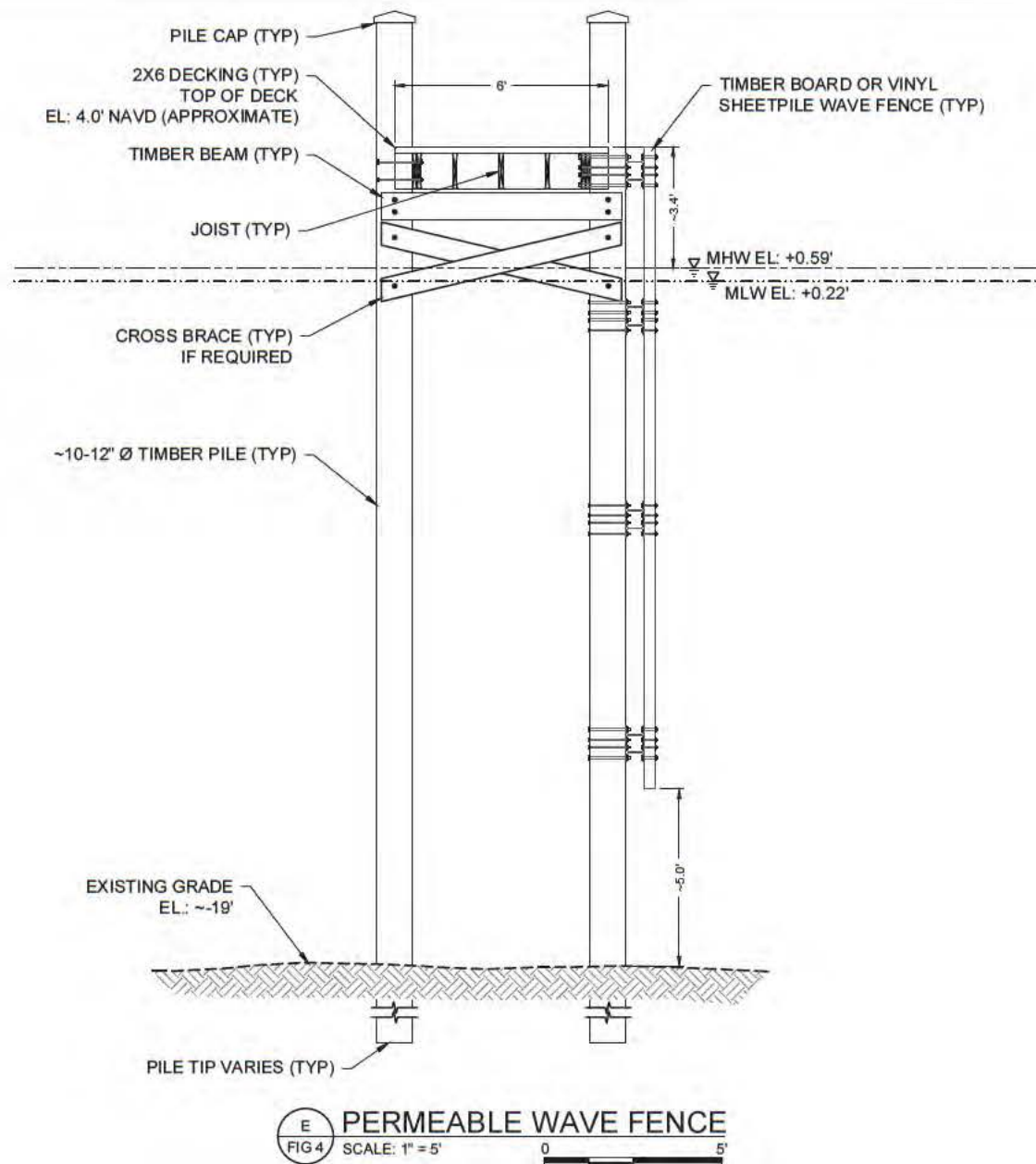
PROJECT: C2018-034
DRAWN BY: NP
SHEET: 6 of 8
DATE: MAR 2019

SEAL

DRAFT

DUNCAN GREER, P.E. #83306

DATE



PERMEABLE WAVE FENCE
 FIG 4 SCALE: 1" = 5'

FIGURE 7
 DOCK SECTIONS
 AJ'S ON CINCO BAYOU
 OKALOOSA COUNTY, FL



TAYLOR ENGINEERING INC.

4300 LEGENDARY DRIVE
 SUITE C246
 DESTIN, FL 32541
 CERTIFICATE OF AUTHORIZATION #4815

PROJECT	C2018-034
DRAWN BY	NP
SHEET	7 of 8
DATE	MAR 2019

SEAL

DRAFT

DUNCAN GREER, P.E. #83306

DATE

0 80' 160'

SCALE: 1" = 80'



TAYLOR ENGINEERING INC.

4300 LEGENDARY DRIVE
SUITE C246
DESTIN, FL 32541
CERTIFICATE OF AUTHORIZATION #4815

FIGURE 8
PROPOSED SLL
AJ'S ON CINCO BAYOU
OKALOOSA COUNTY, FL

PROJECT	C2018-034
DRAWN BY	NP
SHEET	8 of 8
DATE	MAR 2019

SEAL

DRAFT

DUNCAN GREER, P.E. #83306

DATE

ANTON FLEWELLING X:\STG\PROJECTS\C2018-034-AJ'S MARINA\PERMIT\C2018-034-P-PROPOSED SLL.DWG 3/12/2019 10:18:21 AM

PRELIMINARY DRAWINGS: THESE DRAWINGS ARE NOT IN FINAL FORM, BUT ARE BEING TRANSMITTED FOR AGENCY REVIEW.