DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
415 RICHARD JACKSON BOULEVARD, SUITE 411
PANAMA CITY BEACH, FLORIDA 32407

June 8, 2020

Regulatory Division
North Permits Branch
Panama City Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2020-01670 (SP-LSL)

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: Mr. Richard Musgrave
City of Parker
1001 West Park Street
Parker, Florida 32404

WATERWAY AND LOCATION: The project would affect waters of the United States associated with East Bay of St. Andrew Bay. The project site is located at 6603 Oakshore Drive, Parker, Bay County, Florida.

Directions to the site are as follows: Heading east on Interstate-10 (I-10), take exit 130 for US-231 South and continue on US-231 for 39 miles. Turn left onto State Highway 729/Star Avenue and continue for 6.7 miles. Turn right onto FL-22 West and continue for 1.5 miles. Turn left onto US-98 E/N Tyndall Parkway and continue for 3.1 miles. Turn left onto Oakshore Drive. The project site and parking space is found at the end of Oakshore Drive along the shoreline of the East Bay.

APPROXIMATE CENTRAL COORDINATES: Latitude: 30.104576°
Longitude: -85.603457°

PROJECT PURPOSE:

Basic: Public fishing pier.

Overall: To construct a public fishing pier to restore and enhance fishing and recreational access to the residents of Parker, Tyndall Air Force Base, and surrounding communities in Bay County, Florida.

EXISTING CONDITIONS: East Bay of St. Andrew Bay consists of a dominantly-saltwater system. The onsite vegetation consists of seagrasses (*Halodule wrightii*, *S. filiforme*, and *Thalassia testudinum*). The existing area surrounding the project area consists of Earl Gilbert Park and adjacent submerged lands.

PROPOSED WORK: The applicant seeks authorization to construct a fixed concrete and timber public fishing pier offshore of Parker's Earl Gilbert Park in East Bay of St. Andrew Bay. The project consists solely of construction of a fixed concrete fishing pier and ancillary timber stairs, designed for ease of recreational access and resiliency to storm damage. The American Disabilities Act (ADA) accessible pier incorporates a concrete sub- and superstructure (piles, pile caps, and deck spans) with timber railing components and shore access stairs. The pier originates from the southeastern end of the parking area and extends seaward through an identified shallow area of least potential impact to submerged aquatic vegetation (SAV). Once offshore of potential SAV habitat, the pier width increases from 8' to 12' to accommodate increased fishing as depths increase above 6'. At the pier terminus, a 30' x 33' end section provides additional area to accommodate families/groups fishing and wildlife viewing in the deepest section. The total square footage of the structure would be 5,734. Turbidity curtains would be utilized. The project is being funded by the Deepwater Horizon - Natural Resource Damage Assessment (NRDA).

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:

While wetland and SAV habitat are documented within the project area, the pier layout incorporates significant avoidance and minimization to minimize potential impacts to the greatest extent practical. The structure layout strategically traverses the least amount and least quality of seagrass habitat possible. Taylor Engineering identified and mapped an approximate 25-ft wide "least-impact corridor" through the mapped seagrass habitat with the lowest seagrass cover and habitat quality with estimated cover of about 1%. The pier layout incorporates additional length to achieve the habitat crossing at this least-impact location and avoids traversing any other documented seagrass habitat. Throughout area of potential SAV habitat, the pier incorporates 30' pile bent spacing and width is minimized to 8' for safe ADA access given the intended uses.

Further, the project excludes fish cleaning stations, dredging, fueling facilities, sewage pump-outs, live-aboard slips, commercial slips, overnight slips, and vessel mooring. The structure consists of clean concrete (or other non-leaching materials) and timber components (e.g. stairs, landing, ADA-compliant handrails, railing, ledger, posts, etc.) to reduce the potential for contaminants introduction.

The contractor would be required to perform best management practices to maintain water quality (e.g., turbidity curtains, erosion controls, etc.) during construction. Pile driving as part of project construction is not expected to impact water quality, however, the contractor would install turbidity curtains around the work area. The contractor would monitor and maintain turbidity and erosion control devices according to Florida Department of Environmental Protection protocol. This requirement is reflected in the Permit Drawings. As such, permanent impact to water quality or ancillary natural resources (e.g., seagrass) is not anticipated.

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

The proposed pier traverses over approximately 179 ft^2 (0.004 acres) of seagrass habitat within a "least-impact corridor" where seagrass coverage minimal. The corridor was identified as containing the lowest seagrass cover and habitat quality by during a natural resource survey in 2018. The corridor contained very sparse *H. wrightii* with estimated percent cover of about 1%. Site observations in 2019 indicated significant Hurricane Michael impacts to SAV. These observations suggest less SAV currently exist in the vicinity of the proposed pier and that the 2018 corridor used for project design represents a conservative condition. Therefore, applicant considers that no mitigation shall be required.

CULTURAL RESOURCES: The Corps is aware of historic property/properties within or in close proximity of the permit area. However, the project does not include ground disturbance or excavation other than pile installation. 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, based on the use of *The Corps of Engineers, Jacksonville District, and the State of Florida Effect Determination Key for the Manatee in Florida (April 2013)*, that the proposed project may affect, but is not likely to adversely affect the West Indian manatee with the inclusion of conditions a, b, c, d, and e of the *Standard Manatee Conditions for In-water Work (2011)*.

The National Marine Fisheries Service (NMFS) – Protected Resources Division's Biological Opinion (BO), SER-2014-13883, dated February 22, 2018, issued in accordance with Section 7 of the Endangered Species Act described that the actions of the proposed project will not affect leatherback or hawksbill sea turtles, and may affect, but are not likely to affect Gulf sturgeon, or loggerhead sea turtle critical habitat. The BO included that the proposed project actions are likely to adversely affect loggerhead, green, and Kemp's ridley sea turtles and smalltooth sawfish, but are not likely to jeopardize the continued existence of these species.

ESSENTIAL FISH HABITAT (EFH): The Corps coordinated the submerged aquatic vegetation survey with the NMFS – Habitat Conservation Division (HCD) on May 18, 2020. From NMFS-HCD's review and evaluation, they anticipated any adverse effects that might occur on marine and anadromous fishery resources would be minimal and did not have any essential fish habitat conservation recommendations to provide regarding the proposed 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.

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 Panama City Permits Section, 415 Richard Jackson Boulevard, Suite 411, Panama City Beach, Florida 32407 within 30 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, Mrs. Lisa S. Lovvorn, in writing at the Panama City Permits Section, 415 Richard Jackson Boulevard, Suite 411, Panama City Beach, Florida 32405; by electronic mail at lisa.s.lovvorn@usace.army.mil; or, by telephone at (850) 285-9533.

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. A permit will be granted unless its issuance is found to be contrary to the public interest.

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 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.

VICINITY MAP
NOT TO SCALE

TYNDALL-DUPONT BRIDGE
US HWY 98

OAKSHORE DR

EARL GILBERT PARK

PROJECT AREA

FEDERAL NAVIGATION CHANNEL

EAST BAY

0 1,000' 2,000'
SCALE: 1" = 1,000'

TAYLOR ENGINEERING INC.
4300 LEGENDARY DRIVE
SUITE C246
DESTIN, FLORIDA 32541
REGISTRY # 4815

FIGURE C-1
TITLE SHEET
OAK SHORE DRIVE FISHING PIER
CITY OF PARKER, FLORIDA

PROJECT	C2018-065
DRAWN BY	AF
SHEET	1 of 7
DATE	MAY 2020

SEAL

ENG DATE

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PRELIM NARY DRAWINGS: THESE DRAWINGS ARE NOT IN F NAL FORM, BUT ARE BEING TRANSMITTED FOR AGENCY REV EW.

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 BY TAYLOR ENGINEERING (2019) AND FROM GOOGLE EARTH (2015), U.N.O. AERIAL IMAGERY DISPLAYED HEREON FOR INFORMATIONAL PURPOSES ONLY. NO PHOTOGRAPHIC ACCURACY IS IMPLIED BY THESE MAPS.
4. TOPOGRAPHIC, BATHYMETRIC, MEAN HIGH WATER, PARCEL BOUNDARIES AND EXISTING CONDITIONS SURVEY PROVIDED BY FLORABAMA GEOSPATIAL SERVICES, LLC., FIELD DATE FEBRUARY 17, 2020.
5. SUBMERGED AQUATIC VEGETATION EXTENTS LOCATED BY TAYLOR ENGINEERING, SEPTEMBER 27-28 2018. DURING THE INVESTIGATIONS, TAYLOR ENGINEERING ENVIRONMENTAL STAFF IDENTIFIED AND MAPPED AN APPROXIMATE 25-FOOT WIDE "LEAST-IMPACT CORRIDOR" THROUGH THE MAPPED SEAGRASS HABITAT WITH THE LOWEST SEAGRASS COVER AND HABITAT QUALITY. AT THE TIME OF THE FIELD SURVEY, THE CORRIDOR CONTAINED VERY SPARSE H. WRIGHTII WITH ESTIMATED PERCENT COVER OF ABOUT 1%.
6. NO DREDGING, VESSEL MOORING, LIVE-A-BOARDS, FUELING FACILITIES OR SEWAGE PUMP-OUTS ARE PROPOSED.
7. MATERIALS ARE SUBJECT TO CHANGE. PILE EMBEDMENT, FEATURE DIMENSIONS, AND SPACING WILL BE DETERMINED DURING FINAL DESIGN, U.N.O.
8. ELECTRICAL UTILITY DETAILS NOT SHOWN FOR CLARITY. PIER WILL INCLUDE SHIELDED RAIL-MOUNTED LIGHTING FOR SAFETY AND MAY INCLUDE BENEATH DECK LIGHTING. WHITE NAVIGATION LIGHT(S) SHALL BE INSTALLED PER LOCAL CODES AND ORDINANCE.
9. CONSTRUCTION SHALL NOT VIOLATE STATE WATER QUALITY STANDARDS OR IMPACT SEAGRASSES. CONSTRUCTION ACTIVITIES SHALL OCCUR WITHIN A ~30 FT CORRIDOR PROPOSED BY THE CONTRACTOR AND ACCEPTED BY THE OWNER OR ENGINEER. ACTIVITIES WITHIN 10 FT OF SEAGRASSES WILL REQUIRE ONSITE OWNER OR ENGINEER VERIFICATION PRIOR TO COMMENCEMENT. CONTRACTOR SHALL IMPLEMENT BEST MANAGEMENT PRACTICES TO FURTHER AVOID POTENTIAL IMPACTS.
10. TURBIDITY CURTAINS AND EROSION CONTROLS SHALL BE IMPLEMENTED AND REPOSITIONED BY THE CONTRACTOR USING BEST MANAGEMENT PRACTICES TO ASSURE WATER QUALITY STANDARDS ARE MAINTAINED THROUGHOUT CONSTRUCTION.
11. DISTURBED UPLAND AREAS SHALL BE VEGETATED, FERTILIZED, MULCHED, AND MAINTAINED IN ACCORDANCE WITH PROJECT SPECIFICATIONS AND CITY, COUNTY, STATE, AND FEDERAL REQUIREMENTS.

CONCRETE PIER PLAN:

1. FOOTPRINT AREA: 5,734 SF; 0.131 AC
   A. SEAWARD OF MHW: 5,018 SF; 0.115 AC
   B. LANDWARD OF MHW: 716 SF; 0.016 AC
2. LENGTH: 556 FT
   A. SEAWARD OF MHW: 468 FT
   B. LANDWARD OF MHW: 88 FT

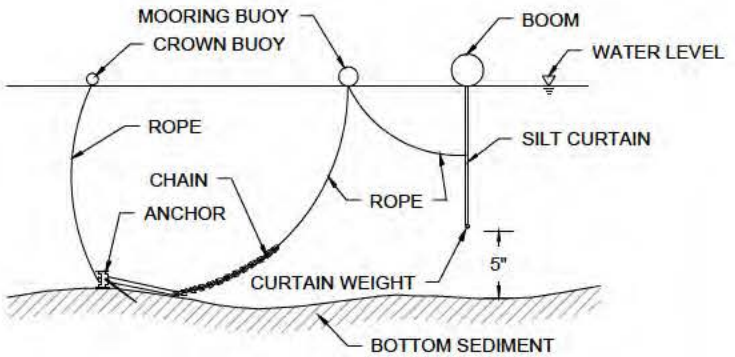
DEFINITIONS:

CIP: CAST-IN-PLACE

PSC: PRE-STRESSED CONCRETE

TIDAL DATUM REFERENCE:
NOAA STATION 8729085

MHHW	0.83'
MHW	0.73'
MSL	0.13'
MLW	-0.50'
MLLW	-0.57'
NAVD 88	0.00'



TURBIDITY CURTAIN DETAIL

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FIGURE C-2
GENERAL NOTES
OAKSHORE DRIVE FISHING PIER
CITY OF PARKER, FLORIDA

PROJECT	C2018-065
DRAWN BY	AF
SHEET	2 of 7
DATE	MAY 2020

SEAL

ENG DATE

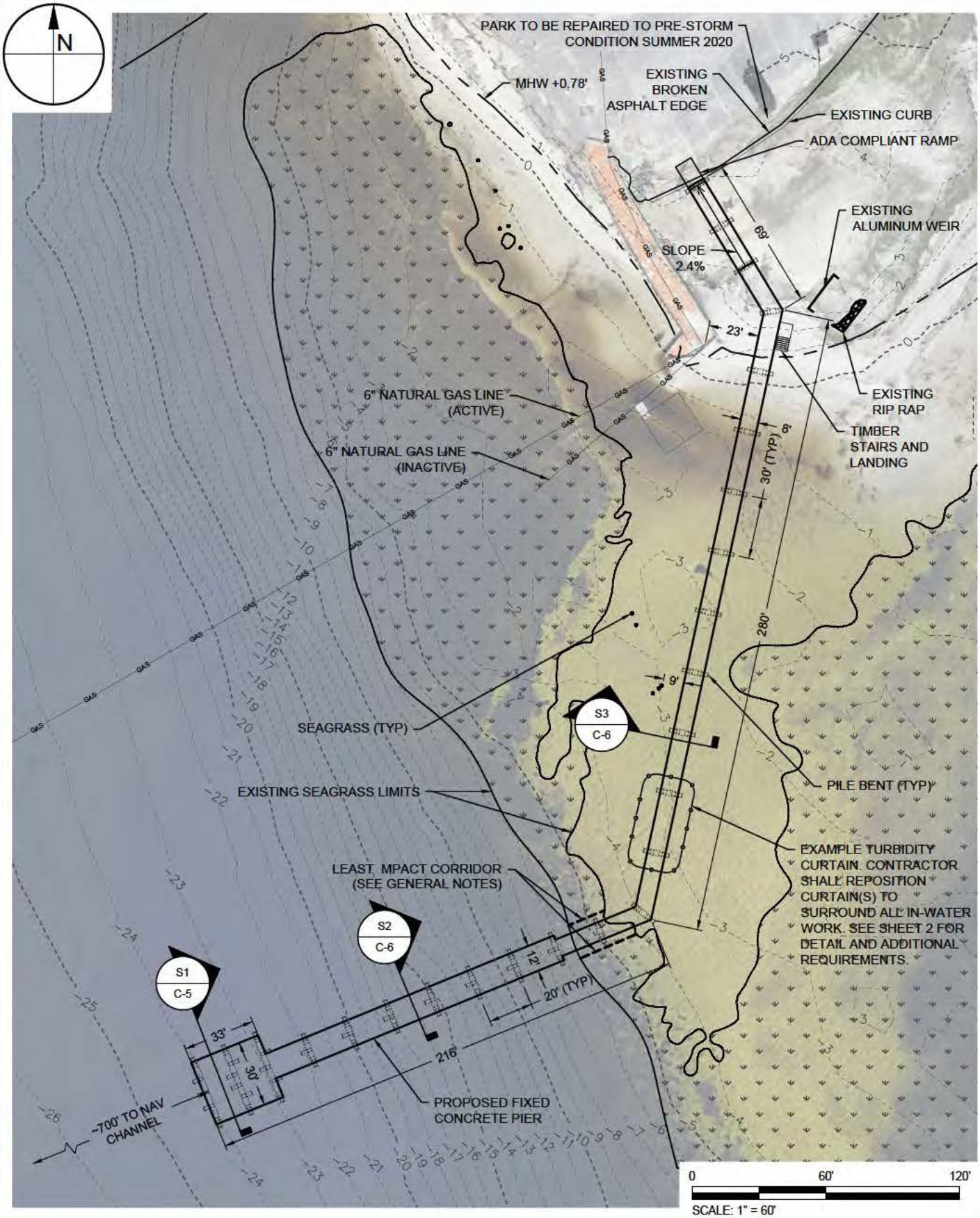

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FIGURE C-3
SITE PLAN
OAK SHORE DRIVE FISHING PIER
CITY OF PARKER, FLORIDA

PROJECT	DRAWN BY	SHEET	DATE
C2018-065	AF	3 of 7	MAY 2020

SEAL

ENG DATE

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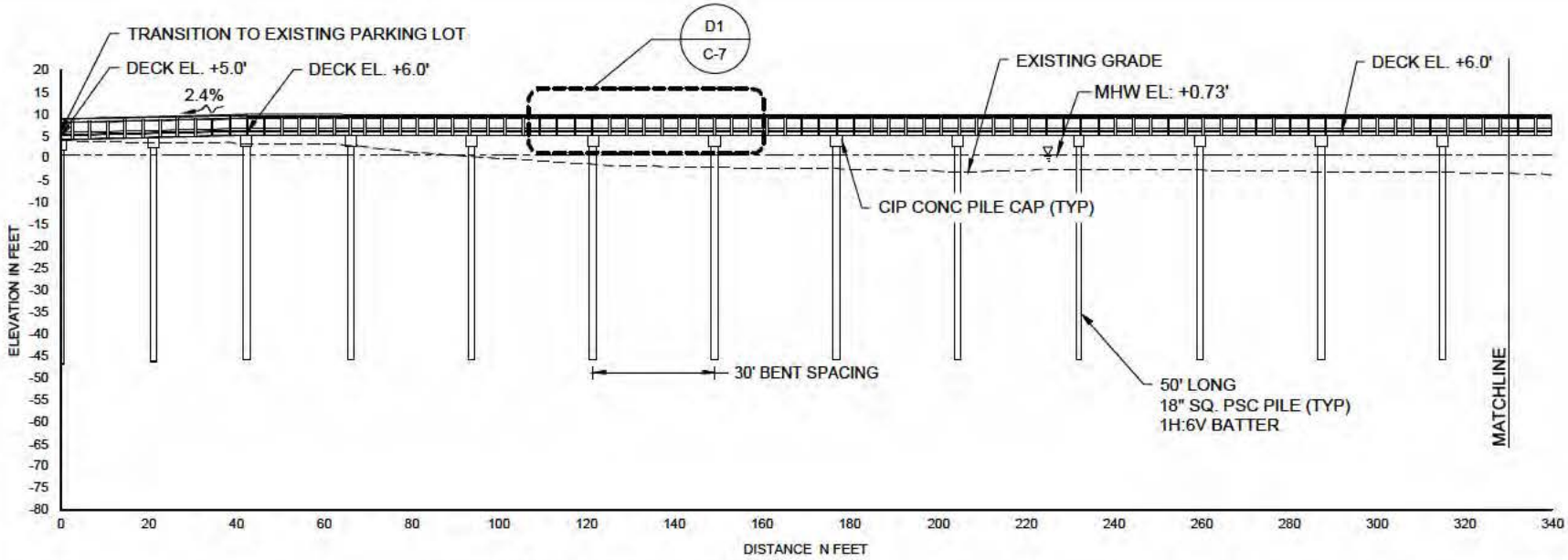
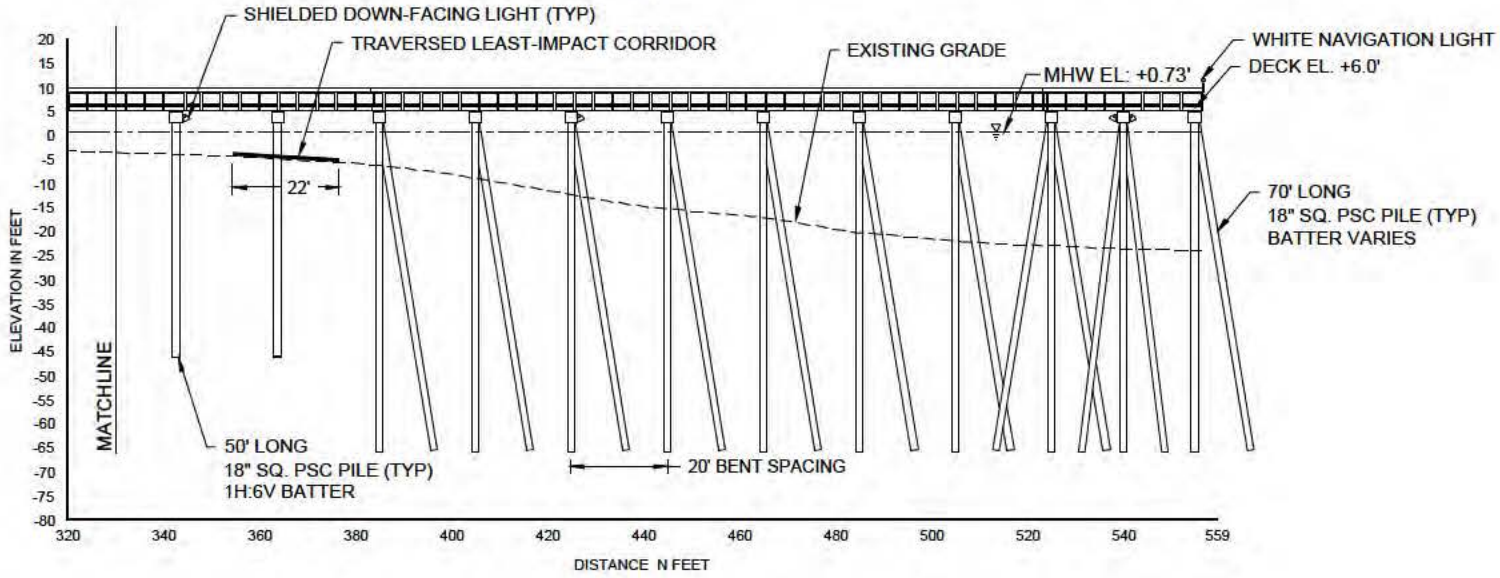
PRELIM NARY DRAWINGS: THESE DRAW NGS ARE NOT N FINAL FORM, BUT ARE BEING TRANSMITTED FOR AGENCY REVIEW.





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REGISTRY # 4815

FIGURE C-4
PIER PROFILE
OAK SHORE DRIVE FISHING PIER
CITY OF PARKER, FLORIDA

PROJECT	C2018-065
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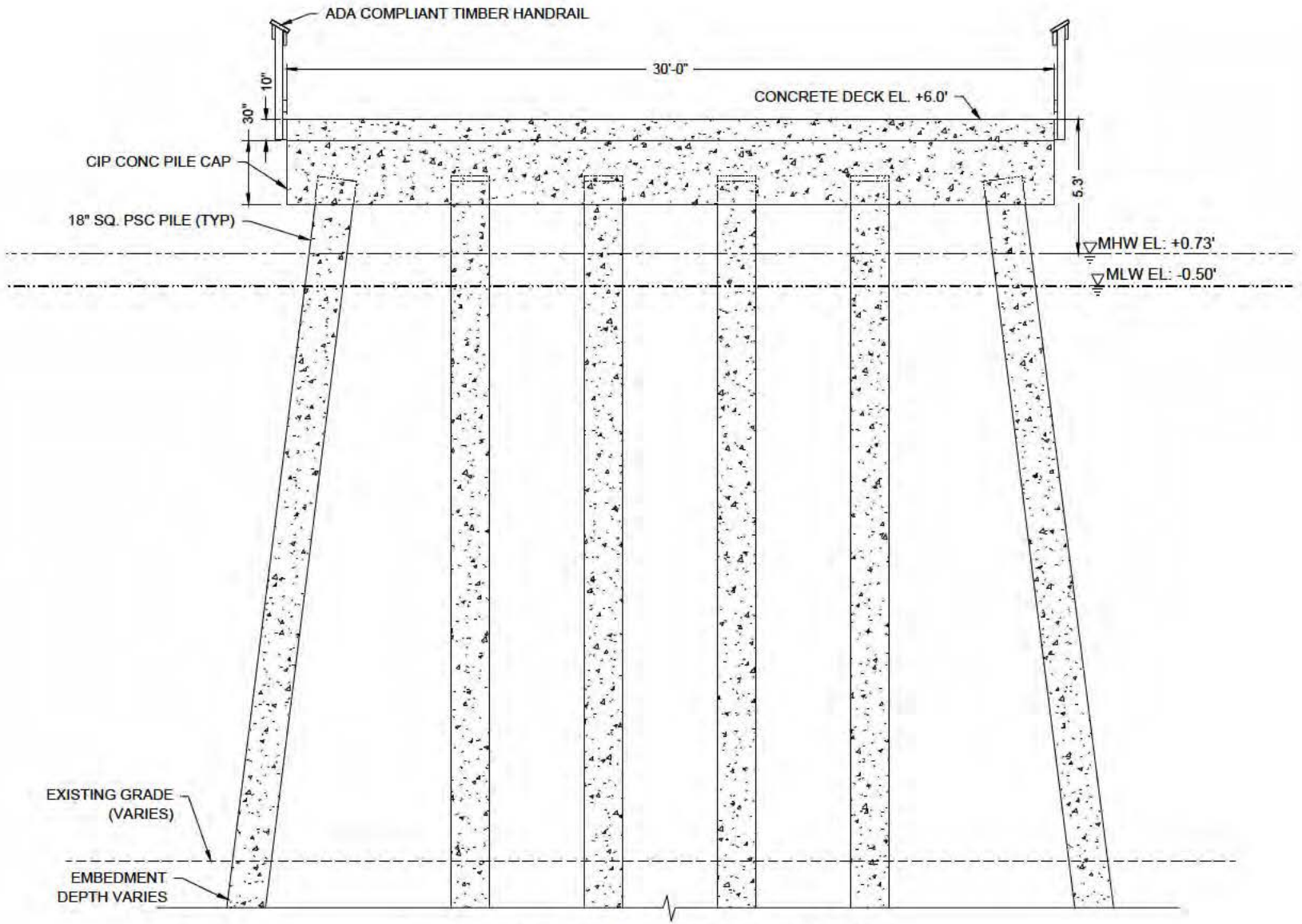
SHEET	4 of 7
DATE	MAY 2020

SEAL

ENG DATE

PRELIM NARY DRAWINGS: THESE DRAWINGS ARE NOT IN F NAL FORM, BUT ARE BEING TRANSMITTED FOR AGENCY REV EW.



S1 / C-3 TYPICAL BENT CROSS-SECTION

SCALE: 1" = 6'

0 6'

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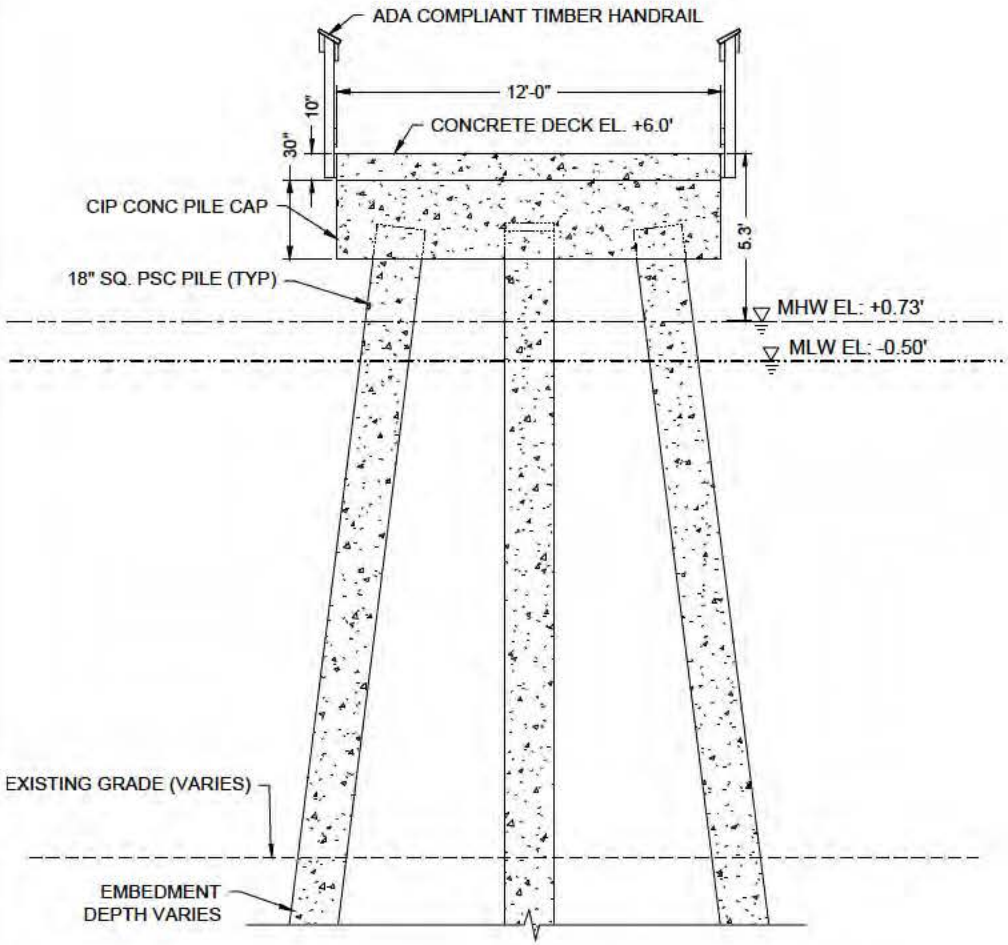
FIGURE C-5
TYPICAL BENT SECTION
OAK SHORE DRIVE FISHING PIER
CITY OF PARKER, FLORIDA

PROJECT	C2018-065
DRAWN BY	AF
SHEET	5 of 7
DATE	MAY 2020

SEAL

ENG DATE



S2 / C-3 TYPICAL BENT CROSS-SECTION
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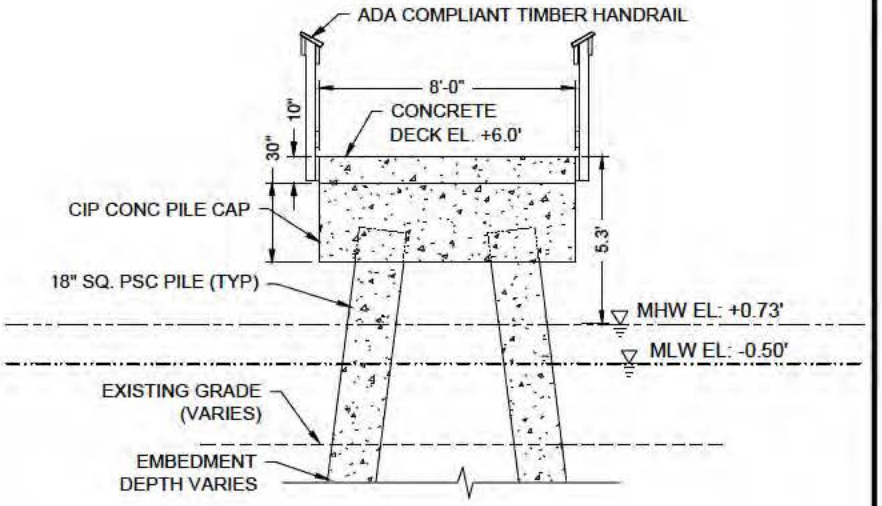
0 6'



S3 / C-3 TYPICAL BENT CROSS-SECTION
SCALE: 1" = 6'
0 6'

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FIGURE C-6
TYPICAL BENT CROSS-SECTION
OAK SHORE DRIVE FISHING PIER
CITY OF PARKER, FLORIDA

PROJECT	C2018-065
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DATE	MAY 2020

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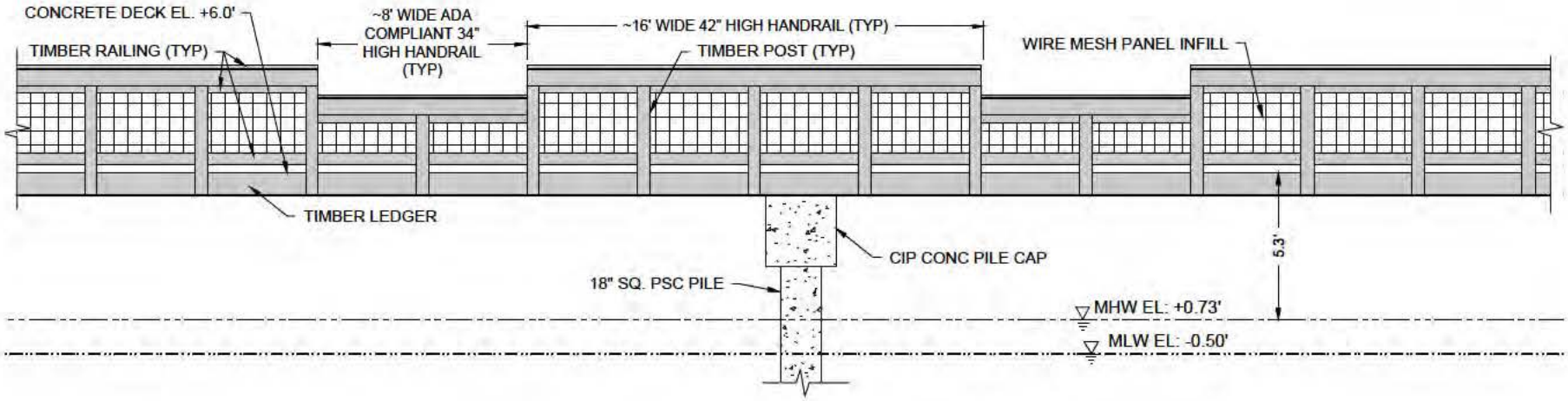

D1 / C-4 TYPICAL HANDRAIL DETAIL

SCALE: 1" = 6' 0 6'

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FIGURE C-7
TYPICAL HANDRAIL DETAIL
OAK SHORE DRIVE FISHING PIER
CITY OF PARKER, FLORIDA

PROJECT	C2018-065
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DATE	MAY 2020

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