



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

Regulatory Division
North Branch
Pensacola Permits Section

June 18, 2020

PUBLIC NOTICE

Permit Application No. SAJ-1996-03565 (MOD-SWA)

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: Robert Goodwin III, Chairman
Okaloosa Board of County Commissioners
1250 North Eglin Parkway, Suite 100
Shalimar, Florida 32579

WATERWAY AND LOCATION: The project sites are located in the Gulf of Mexico, south of Okaloosa County, Florida. The LAARS Site A is approximately 15 miles southeast of Destin Pass, LAARS Site B is 23 miles south of Destin Pass and LAARS Site C is 15 miles southwest of Destin Pass.

APPROXIMATE CENTRAL COORDINATES:

Large Area Artificial Reef Site – A (LAARS “A”)	Latitude	Longitude
Northwest Corner	30.166666°	-86.146666°
Northeast Corner	30.166666°	-86.283333°
Southeast Corner	30.033333°	-86.283333°
Southwest Corner	30.033333°	-86.416666°
Large Area Artificial Reef Site – B (LAARS “B”)	Latitude	Longitude
Northwest Corner	29.983333°	-86.527666°
Northeast Corner	29.982833°	-86.377500°
Southeast Corner	29.808500°	-86.378666°
Southwest Corner	29.809166°	-86.528333°
Large Area Artificial Reef Site – C (LAARS “C”)	Latitude	Longitude
Northwest Corner	30.158500°	-86.827666°
Northeast Corner	30.157666°	-86.526833°
Southeast Corner	30.114166°	-86.527000°
Southwest Corner	30.114833°	-86.827666°

PROJECT PURPOSE:

Basic: Artificial Reef

Overall: Modify the existing Department of the Army Permit to include metal-hulled vessels in the list of materials authorized for deployment.

EXISTING CONDITIONS: The project sites are three existing Large Area Artificial Reef Sites (LAARS) off of Okaloosa County Florida. The habitat within the existing artificial reef sites contains medium to coarse grained sands, predominately unvegetated with a surficial layer of microalgae/cyanobacteria. There are no natural rock outcrops, hard bottom formations or submerged aquatic vegetation (SAV's) located within the reef deployment areas. LAARS Site A is 75.1 square miles in size with water depths that range from -100 feet to -166 feet at mean lower low water (MLLW). LAARS Site B is 108 square miles in size with water depths that range from -180 feet to -300 feet at MLLW. LAARS Site C is 57 square miles in size with water depths that range from -90 feet to -160 feet at MLLW.

PROJECT HISTORY: A Department of the Army (DA) permit was issued on March 10, 2016 for the reauthorization of the existing LAARS A, B and C with an expiration date of March 10, 2026. The DA permit authorized the deployment of artificial reef material that included clean concrete or rock, heavy gauge steel products, oil rig jackets, military surplus items, prefabricated structures that are a mixture of clean concrete and heavy gauge steel and chicken transport devices. During its review of the applicant's proposal, the Corps evaluated the potential effects the project could have on federally listed threatened and endangered species. Pursuant to Section 7 of the Endangered Species Act, the Corps requested concurrence from the National Marine Fisheries Service (NMFS) on April 7, 2014. The NMFS's evaluation also included the potential effects of vessel deployments within the artificial reef sites. On August 21, 2014, the Corps received concurrence from the NMFS for reauthorization of the three LAARS which included the deployment of vessels, provided that they were heavy-gauge ferrous and aluminum alloy metal-hulled vessels with a hull length of at least 60 feet, were deployed by controlled flooding without the use of scuttling charges or explosives of any kind and were prepared and deployed in accordance with all applicable U.S. Coast Guard, U.S. Environmental Protection Agency, and Florida Fish and Wildlife Conservation Commission regulations or policies. On May 5, 2020, the Corps received a request from the applicant to modify the DA permit to include vessels that comply with the restrictions described in the August 21, 2014 concurrence from NMFS in the list of materials authorized for deployment.

PROPOSED WORK: The applicant seeks to modify the existing Department of the Army Permit to include heavy gauge ferrous and aluminum alloy metal-hulled vessels which equal or exceed 60-foot hull length in the list of materials authorized for deployment within LAARS A, B and C. Vessels would be deployed by controlled flooding via valve opening with no scuttling charges or explosives used for deployment.

Additionally, vessels would be prepared and deployed in accordance with all applicable U.S Coast Guard, U.S. Environmental Protection Agency, and Florida Fish and Wildlife Conservation Commission regulations or policies. The current expiration date of March 10, 2026 would remain unchanged.

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 selected sites are devoid of submerged aquatic vegetation (SAV's) and where there are no natural rock outcrops or hard bottom formations. The sites are existing artificial reef deployment areas with numerous deployments over the last 10 years.

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

Impacts to special aquatic sites are not proposed.

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: During the initial review, the Corps determined the proposed project may affect, but is not likely to adversely affect the green turtle (*Chelonia mydas*), hawksbill turtle (*Eretmochelys imbricate*), Kemp's ridley turtle (*Lepidochelys kempi*), leatherback turtle (*Dermochelys coriacea*), loggerhead turtle (*Caretta caretta*), smalltooth sawfish (*Pristis pectinata*) and Gulf Sturgeon (*Acipenser oxyrinchus desotoi*). The Corps initiated consultation pursuant to Section 7 of the Endangered Species Act with the National Marine Fisheries Service on April 7, 2014. Consultation concluded on August 21, 2014 when NMFS concurred with the Corps determinations, which also included the deployment of vessels.

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 marine bottom utilized by various life stages of species within the following Fisheries Managements Plans (Shrimp, Reef Fish, Stone Crab and Coastal Migratory Pelagics). 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.

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 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, Steve Andrews Jr., in writing at the Pensacola Permits Section, 41 North Jefferson Street, Suite 301, Pensacola, Florida 32502; by electronic mail at stephen.w.andrews@usace.army.mil; by facsimile transmission at 850-433-8160; or, by telephone at 850-439-0707.

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 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.

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.

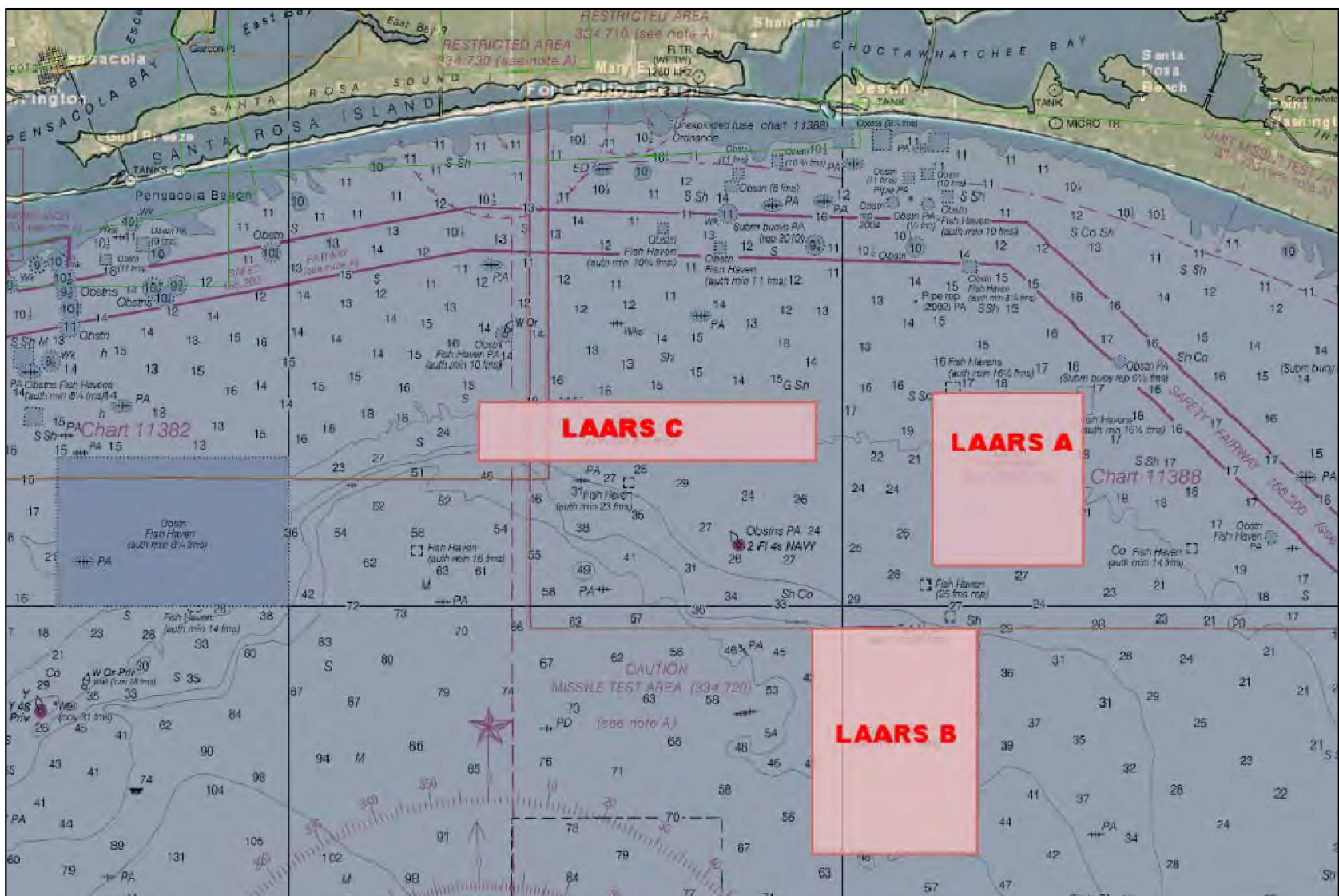
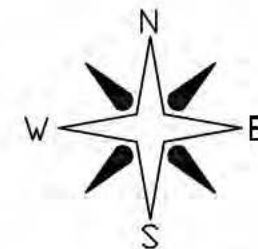
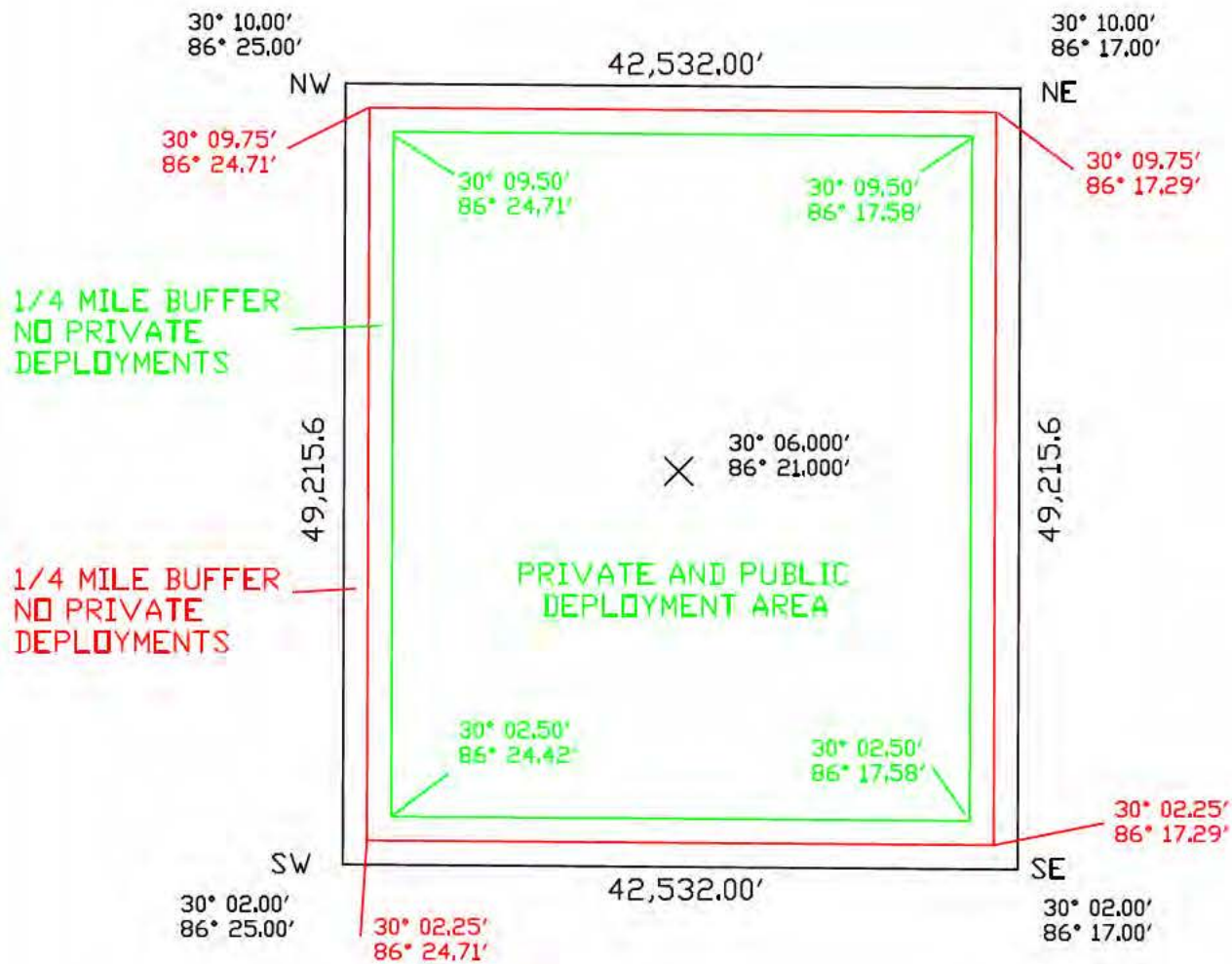


FIGURE 4 – LAARS Locations
OKALOOSA COUNTY ARTIFICIAL REEF PROGRAM

LARGE AREA ARTIFICIAL SITE A OKALOOSA COUNTY FLORIDA



0 5000 10000

SCALE IN FEET

WATER DEPTH
100' - 166'

AREA = 75.1 SQ. N. MILES
OR 47,711.2 SQ. AC.



FIGURE 1 - IAARS A
OKALOOSA COUNTY ARTIFICIAL REEF PROGRAM

LARGE AREA ARTIFICIAL REEF SITE B OKALOOSA COUNTY, FLORIDA

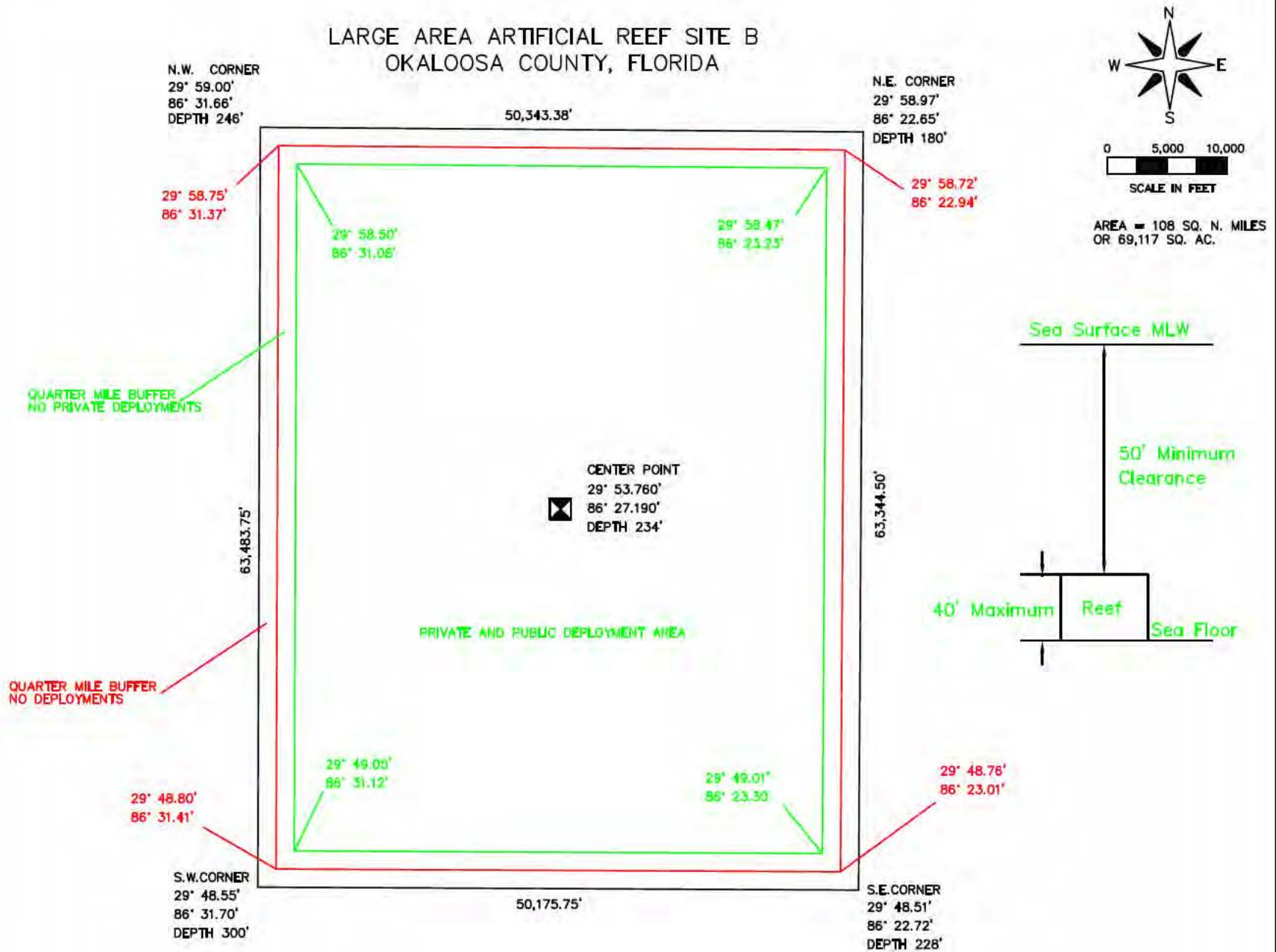
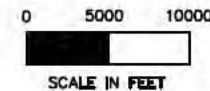
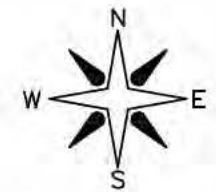
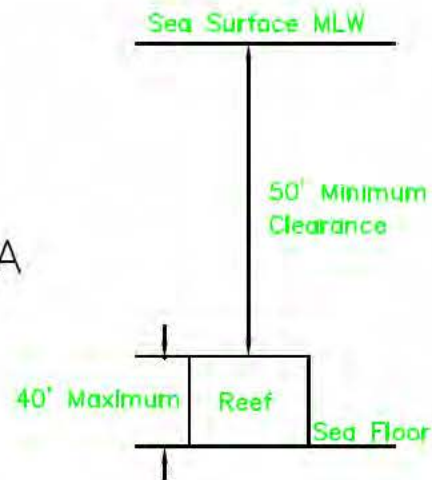


FIGURE 2 - LAARS B
OKALOOSA COUNTY ARTIFICIAL REEF PROGRAM

LARGE AREA ARTIFICIAL REEF SITE C OKALOOSA COUNTY, FLORIDA



AREA = 57 SQ. N. MILES
OR 36,771 SQ. AC.

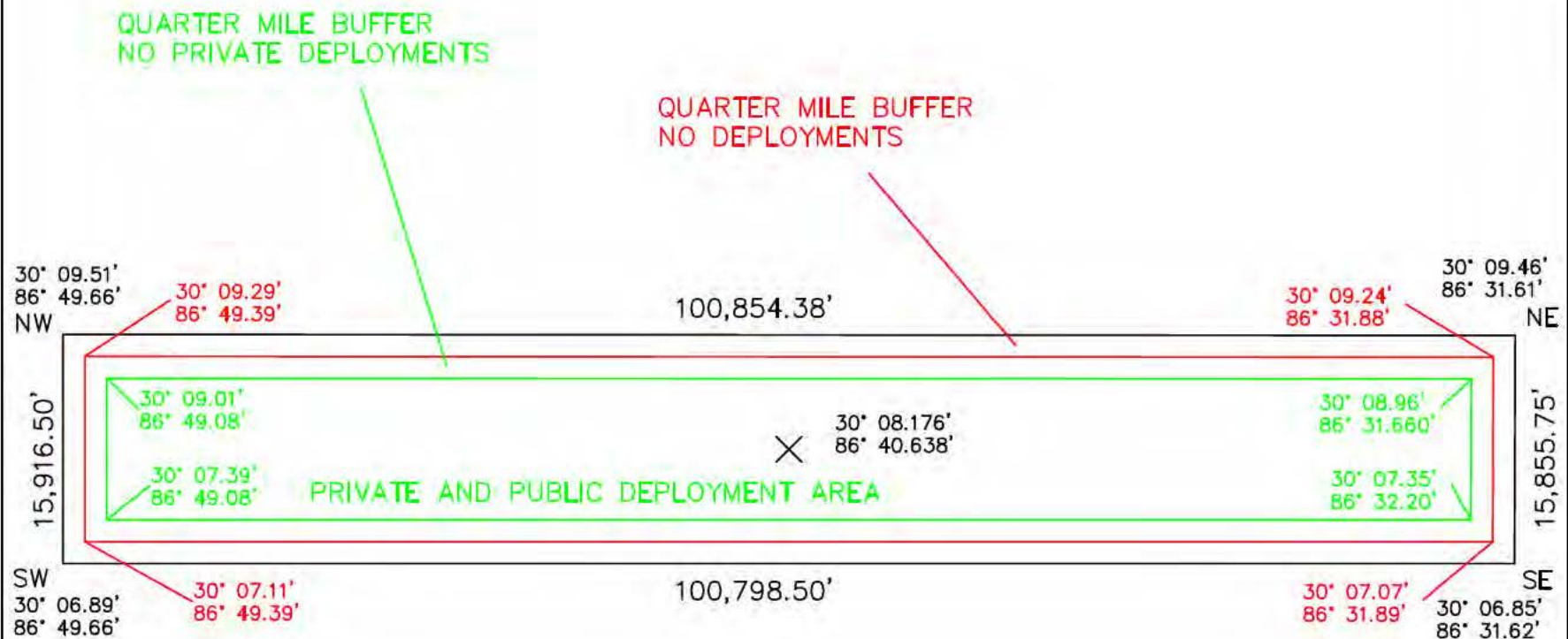


FIGURE 3 - LAARS C
OKALOOSA COUNTY ARTIFICIAL REEF PROGRAM