



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

REPLY TO
ATTENTION OF

October 2, 2017

Pensacola Permits Section
SAJ-2000-03180 (SP-SWA)

Santa Rosa County
c/o: Roger Blaylock, County Engineer
6051 Old Bagdad Highway, Suite 300
Milton, Florida 32583

Dear Mr. Blaylock:

The U.S. Army Corps of Engineers (Corps) is pleased to enclose the Department of the Army permit, which should be available at the construction site. Work may begin immediately but the Corps must be notified of:

- a. The date of commencement of the work,
- b. The dates of work suspensions and resumptions of work, if suspended over a week, and
- c. The date of final completion.

This information should be mailed to the Enforcement Section of the Regulatory Division of the Jacksonville District at 41 North Jefferson Street, Suite 301, Pensacola, Florida 32502. The Enforcement Section is also responsible for inspections to determine whether Permittees have strictly adhered to permit conditions.

IT IS NOT LAWFUL TO DEVIATE FROM
THE APPROVED PLANS ENCLOSED.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Anderson Jr.", written over a white background.

Donald W. Kinard
Chief, Regulatory Division

Enclosures

DEPARTMENT OF THE ARMY PERMIT

Permittee: Santa Rosa County
c/o: Roger Blaylock, County Engineer
6051 Old Bagdad Highway, Suite 300
Milton, Florida 32583

Permit No: SAJ-2000-03180 (SP-SWA)

Issuing Office: U.S. Army Engineer District, Jacksonville

NOTE: The term "you" and its derivatives, as used in this permit, means the Permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the U.S. Army Corps of Engineers (Corps) having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: The project is to construct three (3) boardwalks and a dock with a kayak launch in compliance with Americans with Disabilities Act (ADA) specifications. The boardwalks will extend from the pavilions at Navarre Beach Park, over wetlands and the secondary dune system to the shoreline of Santa Rosa. The western boardwalk would be 6' x 524', crossing 96 square feet of wetlands and would terminate landward of the mean high water line (MHWL). The center boardwalk will be 8' x 307' extending to the MHWL and connecting to an 8' x 121' pier, 20' x 20' platform, 4' x 16' ramp, and a 13.3' x 19.9' floating dock with a kayak launch. The eastern boardwalk will be 6' x 246', crossing 464 square feet of wetlands and would terminate landward of the mean high water line (MHWL).

Project Location: The project site is located at the northeast corner of the intersection of Navarre Beach Causeway (State Road 399) and Gulf Boulevard in Santa Rosa County, Florida.

Directions to site: From the intersection of U.S. 98 and Navarre Beach Causeway in Santa Rosa County, Florida, drive south approximately 1.38 miles to Gulf Boulevard. Turn left to enter the Santa Rosa County Navarre Beach Marine Park.

Approximate Central Coordinates: Latitude: 30.384738°
Longitude: -86.860317°

Permit Conditions

General Conditions:

1. The time limit for completing the work authorized ends on **September 12, 2022**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature and the mailing address of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. **Reporting Address:** The Permittee shall submit all reports, notifications, documentation and correspondence required by the general and special conditions of this permit to the following address:

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a. For standard mail: U.S. Army Corps of Engineers, Regulatory Division
Enforcement Section, 41 North Jefferson Street, Suite 301, Pensacola, Florida 32502.

b. For electronic mail CESAJ-ComplyDocs@usace.army.mil (not to exceed 10 MB).
The Permittee shall reference this permit number, SAJ-2000-03180 (SP-SWA), on all
submittals.

2. **Commencement Notification:** Within 10 days from the date of initiating the work
authorized by this permit for each phase of the authorized project, the Permittee shall
provide a written notification of the date of commencement of authorized work to the
Corps.

3. **Self-Certification:** Within 60 days of completion of the work authorized by this
permit, the Permittee shall complete the attached "Self-Certification Statement of
Compliance" form and submit it to the Corps. In the event that the completed work
deviates in any manner from the authorized work, the Permittee shall describe the
deviations between the work authorized by this permit and the work as constructed on
the "Self-Certification Statement of Compliance" form. The description of any deviations
on the "Self-Certification Statement of Compliance" form does not constitute approval of
any deviations by the Corps.

4. **Turbidity Barriers:** Prior to the initiation of any of the work authorized by this
permit, the Permittee shall install floating turbidity barriers with weighted skirts around
all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall
remain in place and be maintained until the authorized work has been completed and
all suspended and erodible materials have been stabilized. Turbidity barriers shall
be removed upon stabilization of the work area.

5. **Assurance of Navigation and Maintenance:** The Permittee understands and
agrees that, if future operations by the United States require the removal, relocation, or
other alteration, of the structures or work herein authorized, or if in the opinion of the
Secretary of the Army or his authorized representative, said structure or work shall
cause unreasonable obstruction to the free navigation of the navigable waters, the
Permittee will be required, upon due notice from the Corps, to remove, relocate, or alter
the structural work or obstructions caused thereby, without expense to the United
States. No claim shall be made against the United States on account of any such
removal or alteration.

6. **Manatee Conditions:** The Permittee shall comply with the attached "*Standard
Manatee Conditions for In-Water Work – 2011.*"

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7. Sea Turtle/Sawfish/Sturgeon Guidelines: The Permittee shall comply with the attached National Marine Fisheries Service's "*Sea Turtle and Smalltooth Sawfish Construction Conditions*", which also applies to sturgeon.

8. Eastern Indigo Snake Protection Measures and Inspection: Permittee shall comply with U.S. Fish and Wildlife Service's "Standard Protection Measures for the Eastern Indigo Snake" dated August 12, 2013, attached to this permit. All gopher tortoise burrows, active or inactive, shall be evacuated prior to site manipulation in the vicinity of the burrow. If excavating potentially occupied burrows, active or inactive, individuals must first obtain state authorization via a Florida Fish and Wildlife Conservation Commission (FWC) Authorized Gopher Tortoise Agent permit. The excavation method selected shall minimize the potential for injury of an indigo snake. The Permittee shall follow the excavation guidance provided in the most current FWC Gopher Tortoise Permitting Guidelines found at <http://myfwc.com/gophertortoise>. If an indigo snake is encountered, the snake must be allowed to vacate the area prior to additional site manipulation in the vicinity. Holes, cavities, and snake refugia other than gopher tortoise burrows shall be inspected each morning before planned site manipulation of a particular area, and if occupied by an indigo snake, no work shall commence until the snake has vacated the vicinity of the proposed work.

9. Cultural Resources/Historic Properties:

a. No structure or work shall adversely affect impact or disturb properties listed in the *National Register of Historic Places* (NRHP) or those eligible for inclusion in the NRHP.

b. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition; and if deemed necessary by the SHPO, THPO(s), or Corps, in

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accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

d. In the unlikely event that unmarked human remains are identified on non-federal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO and THPO(s). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the State Archeologist and from the Corps.

10. Regulatory Agency Changes: Should any other regulatory agency require changes to the work authorized or obligated by this permit, the Permittee is advised that a modification to this permit instrument is required prior to initiation of those changes. It is the Permittee's responsibility to request a modification of this permit from the Pensacola Regulatory Office.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403)

Section 404 of the Clean Water Act (33 U.S.C. 1344)

Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413)

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The

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referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

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Your signature below, as Permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

Roger A. Blaylock
(PERMITTEE)

9/14/17
(DATE)

Roger A. Blaylock
(PERMITTEE NAME-PRINTED)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

Shayne Hayes
(DISTRICT ENGINEER)

3 October 2017
(DATE)

for Jason A. Kirk, P.E.
Colonel, U.S. Army
District Commander

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When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFEREE-SIGNATURE)

(DATE)

(NAME-PRINTED)

(ADDRESS)

(CITY, STATE, AND ZIP CODE)

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***Attachments to Department of the Army
Permit Number SAJ-2000-03180***

1. PERMIT DRAWINGS: Seventeen (17) pages, dated September 12, 2017.

2. WATER QUALITY CERTIFICATION: Florida Department of Environmental Protection Permit, in accordance with General Condition number 5 on page 2 of this DA permit. Seventeen (17) pages.

3. MANATEE CONDITIONS: One (1) page.

4. SELF-CERTIFICATION STATEMENT OF COMPLIANCE: One (1) page.

5. EASTERN INDIGO SNAKE PROTECTION MEASURES: Six (6) pages.

6. SEA TURTLE, SAWFISH AND STURGEON CONDITIONS: One (1) page.