



**AGENDA
HARBOR AND WATERWAYS BOARD MEETING
MONDAY, FEBRUARY 28, 2022
5:00 PM
DESTIN CITY HALL ANNEX COUNCIL CHAMBERS**

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL**
- 2. APPROVAL OF MINUTES**
 - A) January 24, 2022**
- 3. PUBLIC COMMENTS**
- 4. NEW BUSINESS**
 - A) 4137 Belcourt Drive- Proposed Single-Family Residential Marine Construction**
 - B) 4141 Belcourt Drive- Proposed Single-Family Residential Marine Construction**
 - C) 130 Country Club Drive W.- Proposed Single-Family Residential Marine Construction**
 - D) 138 Durango Road a Short-Term Rental- Proposed Commercial Marine Construction**
- 5. OLD BUSINESS**
- 6. COMMITTEE MEMBER REPORTS**
 - A) Richard Hoey- Marina Siting Discussion**
 - B) Guy Tadlock**
 - C) William McKissick**
 - D) Casey Jones**
 - E) Jim Green**
 - F) John Stephens**
 - G) Harvey Hurst**
- 7. DIRECTOR'S REPORT**
- 8. NEXT MEETING DATE: March 28, 2022**

9. PUBLIC COMMENTS (Comments from the public on any matters considered at the meeting, or on any matters not on the agenda)

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the City Clerk at (850) 837-4242 at least 48 hours prior to the hearing. If a person decides to appeal any decision made with respect to any matter considered at such meeting, such person will need a record of the proceeding and for such purpose may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. (Sec. 286.0105, Florida Statutes)

**MINUTES OF THE
HARBOR AND WATERWAYS BOARD MEETING
DESTIN CITY HALL, JANUARY 24, 2022 - 5:00 P.M.**

1. CALL TO ORDER:

Chairman Hoey called the Destin Harbor and Waterways Board meeting to order at approximately 5:30 p.m. on Monday, January 24, 2022, at Destin City Hall, with the Pledge of Allegiance immediately following.

2. ROLL CALL:

Member Present:

Richard Hoey
Guy Tadlock
John Stephens
Harvey Hurst

Members Absent

Jim Green
Casey Jones
Bill McKissick

Staff:

Kim Montgomery Deputy City Clerk
Steven O'Connor Principal Planner
Tunazzina Alam Planner
Sae More Planner
Kris Mercurio Deputy Code Compliance Dir.
Darryl Sanders Harbor Compliance Officer
Jeramy Kwiatkowski
Kyle Bauman City Attorney

3. APPROVAL OF MINUTES:

➤ **November 22 , 2021**

Board member Tadlock moved to approve the minutes of the November 22, 2021 minutes as written, with Board member Hurst providing the second; the motion passes with a 4-0 vote.

4. PUBLIC COMMENTS:

None

5. OLD BUSINESS:

None

6. NEW BUSINESS:

None

7. BOARD MEMBER COMMENTS:

➤ **Chairman Hoey - Marina Siting Recommendation Discussion**

With the Marina Siting revisions having been made, Mr. O'Connor informed the Board that staff is requesting them to strictly focus the discussion on what is in this staff report, in order to get their recommendations to the Local Planning Agency (LPA) and then theirs on to the City Council. Adding this will enable staff to then forward Council's approved changes to the consultants so they can begin drafting

the verbiage into the new Land Development Code (LDC). He then briefly explained their recommendations from Ordinance 20-06-LC got held up at the LPA level and was tabled indefinitely.

3TP Ventures, Inc. Recommendation:

2.06.02.G & 2.06.04 - It is recommended that marine construction is reviewed solely through the building permit process unless the proposal includes a marina (commercial or residential) with 10 or more slips. In that case, the application will be required to be reviewed by the Harbor and Waterways Board and City Council.

Staff Recommendation:

Any self-certification from the Florida Department of Environmental Protection (FDEP), is staff-level approval. Residential docks not qualifying for self-certification, or with 4-9 slips, or those that require U.S. Army Corps of Engineering approval, shall require Harbor and Waterways Board (HWB) review and recommendation to City Council for a consent agenda item.

Further, any residential dock with 10 slips or more requires HWB recommendation and a public hearing before the City Council. All commercial docks require HWB recommendation with a public hearing before the City Council. In conclusion, if the HWB agrees, staff recommends forwarding the recommendation to the Local Planning Agency.

The Chairman explained the process for self-certification through FDEP and how long it generally takes.

Board member Stephens asked if as part of the review process, do they have to make sure that there is enough room for the boat to back up if there is another nearby dock. The Chairman pointed out is covered under the required setback criteria.

Mr. O'Connor explained that what staff has recommended is the same however, there is one caveat to the Chairman's recommended language where he says, "**And proposed single family marine projects permitted by the FDEP and US Army Corp. of Engineers shall require approval of the Harbor & Waterways Board and City Council.**" Because, staff cannot wait for the FDEP & ACE permit to bring the project before the board for a recommendation. The applicants are only required to provide proof that they have started the process by submitting their application, but staff and the board cannot hold up this level of the approval process for the applicant's permit. Therefore, staff's recommendation is, "**All commercial marine projects...**" Reiterating that if it's a commercial dock, comes before the board and city council, both are public hearings. Self-certification is staff level approval through the building permit process with both their plans and the self-certification required, and if the plans don't match the self-certification then they would not receive their marine construction permit until it is in compliance with the self-certification.

Mr. O'Connor briefly explained the two different processes between the planning process and the building process for self-certifications to the Board.

Mr. Zunguze explained that when the applicant is at the building level process, it means that they have met all the conditions and they're ready to build. Additionally, the self-certification means the applicant has met all the requirements at the State level, and there are no other requirements necessary to obtain at the planning or board level, and this saves the applicant a huge amount of time.

The Chairman suggested changing the 4-9 slips down to 3-9 since the State allows for up to 2 slips in self-certification process. Mr. Zunguze agreed and stated that they would make the necessary amendments to that language. The Chairman also suggests adding language regarding the letter of concurrence that the FDEP now requires if there is a project that interferes with the 25-foot setbacks.

In 11.05.01(S) the Chairman recommended adding the 10-foot marginal docks and self-certification process which has been redefined for riparian setback requirements. He spoke of a potential conflict with code, regarding the 25-foot setback with a conforming dock setback requirements, because the State only requires a setback of 10-feet for conforming docks.

In 11.05.02(J), the Chairman recommended eliminating the repeated verbiage because of redundancy and recommends just stating that the riparian lines are required on the drawings. And in the self-certification process of a rebuild, since it has to be in the same configuration, he recommends adding in the code that it has to also comply with the FDEP's, pointing out that if someone want to move their dock, they would have to apply for a new construction permit.

There was a brief discussion regarding concern for zero setbacks. According to Mr. O'Connor, there are no developable properties in the city that have those setbacks and the ones that do, are zoned Recreation/Conservation.

In the fuel and oil abatement plan in 11.05.01 (E), Board member Stephens asked if the Coast Guards oil abatement plan differs from FDEP's plans. Adding he has an email from the FDEP of their plan, and us what he follows. Adding that he can forward to staff, if they would be interested. Mr. O'Connor stated he would and will review it and possibly come back with a recommendation for their consideration.

Motion to forward staffs recommended language to the Local Planning Agency, for the review involvement for docks, marinas, or other infrastructure affecting the waterways of Destin with also changing the slips from 4-9 to 3-9. Board member Hurst provided the second. A roll call vote of 4-0 was taken the motion passed unanimously.

➤ **Board member Stephens – Coast Guard Channel Dredge**

Asked staff if it was too late to have the dredged material moved to another location. According to the City Attorney, it is because City Council has already approved the location.

➤ **Board member Tadlock**

Spoke of a couple of liveaboards reported to him that are in the harbor as well as a couple of barges that are out in the harbor conducting work on the water.

According to Mr. Sanders, staff has been in contact with and discussed those issues with Okaloosa County and FWC on how to address them. Additionally, staff has not been able to get on the water since the city just received a donated boat from the Okaloosa County Sherriff's Office and it is currently being inspected.

Board member Tadlock also spoke of how many of the boats in the harbor do not have anchor lights on them and feels this should be better enforced.

➤ **Board member Hurst**

Asked about the status of the Harbor Pump. According to Mr. O'Connor, it is operational and is running on its winter schedule.

8. DIRECTOR'S REPORT:

None

9. NEXT MEETING DATE:

10. ADJOURNMENT:

With there being no further discussion, the meeting adjourned at 6:00 p.m.

Adopted and approved this _____ day of _____ 2021.

Richard Hoey, Chairman

Kim Montgomery, Deputy City Clerk

CITY OF DESTIN – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: February 28, 2022

BOARD/COMMITTEE: Harbor & Waterways Board

TYPE OF AGENDA ITEM: Action Item

OUTLINE NUMBER: 4.A.

TO: Harbor & Waterways Board

THRU: Louis Zunguze, Community Development Director
Kimberly Kopp, Land Use Attorney

FROM: Steve O'Connor, Principal Planner
Tunazzina Alam, Planner

DATE: February 18, 2022

SUBJECT: 4137 Belcourt Drive- Proposed Single-Family Residential Marine Construction

I. BACKGROUND:

B&W Services, LLC, on behalf of Josh Reiker, has submitted an application for Harbor and Waterways Board review of a residential construction for one (1) 110' x 5' access pier, one (1) 20' x 10' terminal platform, one (1) 15' x 4' finger pier, and one (1) 16' x 10' step-down platform, comprising approximately 970 square feet.

II. DISCUSSION:

The applicant requests Harbor and Waterways Board approval for a proposed marine construction project located at 4137 Belcourt Drive, located within Indian Bayou, a Class II Florida Waterbody, and tributary of Choctawhatchee Bay.

The proposed marine construction project meets the requirements of *Article 11.05.00, City of Destin Land Development Code*, including the following sections:

- *11.05.01.A – Construction of new pilings.*
- *11.05.01.C – Waste Disposal into the Harbor and Waterways of Destin.*
- *11.05.01.F – Length of the pier.*
- *11.05.01.H, 11.05.01.K – Mooring of the vessel.*
- *11.05.01.S – 25' riparian setback.*

COMPREHENSIVE PLAN CONSISTENCY: The proposed marine construction project

is consistent with **Coastal Management Element Goal 6-1, Coastal Management Element Objective 6-1.1, and Coastal Management Element Policy 6-1.1.3: Protect Coastal and Estuarine Environmental Quality and the Shoreline.**

A. Link to Strategic Goals / Objectives:

1) Enhance Quality of Life, 2) Enhance and Preserve Heritage and Environment.

B. Effect on Budget (EOB): There is no anticipated effect on the budget.

C. Level of Service (LOS): There is no anticipated effect on the LOS.

III. CONCLUSION:

The contractor provided a Florida Department of Environmental Protection (FDEP) Self-Certification (File No.: 0411074001EE) for the project. City staff reviewed the application and determined that the plans comply with City Codes and regulations, including ***Section 11.05.01, Marina Siting.***

STAFF RECOMMENDATION: Staff recommends approval of a single-family marine construction project proposed at 4137 Belcourt Drive, consisting of one access pier, one terminal platform, one finger pier, and one step-down platform, comprising approximately 970 square feet, subject to the applicant meeting all applicable City permit requirements.

IV. RECOMMENDED MOTION:

I move that the Harbor & Waterways Board recommend City Council approval of a single-family marine construction project located at 4137 Belcourt Drive, subject to the applicant meeting all applicable City permit requirements.

Attachments:

1. DEP Permit_v1
2. PERMIT DRAWINGS_v1 (1)
3. 4137 Belcourt Dr_HWB-000376-2022_Presentation

Ben Williams

From: wright branson <wright.branson@gmail.com>
Sent: Monday, January 10, 2022 7:34 PM
To: Ben Williams
Subject: Fwd: FDEP ERP Self-Certification Receipt
Attachments: mime-attachment; 2dfc9b4dcfaa57c94d9c52f87dfe5ea1.pdf;
2ed875b8cd9ceb4c9ed697f6feb7b.pdf; ProjectDesignCriteria_1_01.pdf

Sent from my iPhone

Begin forwarded message:

From: Josh Reiker <joshreiker@gmail.com>
Date: November 11, 2021 at 12:56:52 PM CST
To: wrightbranson@gmail.com
Subject: Fwd: FDEP ERP Self-Certification Receipt

Sent from my iPhone

Begin forwarded message:

From: no-reply@dep.state.fl.us
Date: October 13, 2021 at 2:41:33 PM CDT
To: joshreiker@gmail.com
Cc: ERP.SELFCERTS@dep.state.fl.us, SPGP@usace.army.mil,
NMFS.SER.PROGRAMMATICREVIEW@noaa.gov,
NWD_ERP_APPLICATIONS@floridadep.gov
Subject: FDEP ERP Self-Certification Receipt

FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

Receipt for Submission

**SELF-CERTIFICATION FOR A PROJECT AT A
PRIVATE, RESIDENTIAL SINGLE-FAMILY DOCK**

10/13/2021

Self-Certification File No.: **0411074001EE**

File Name: **4137 Belcourt Dr Destin, FL 32541 - Self Cert Exempt Dock with Boat Lift(s) (General)**

Dear **Joshua Reiker**: On **10/13/2021** you used the Florida Department of Environmental Protection's electronic Self Certification Process to certify compliance with the terms and conditions of the Single-Family Dock ERP Exemption Self Certification Process for a project at private, single-family residence located at:

LAT - Degrees: **30** Minutes: **24** Seconds: **16.0591**
LONG - Degrees: **-86** Minutes: **27** Seconds: **9.2852**
SITE ADDRESS: **4137 Belcourt Dr Destin, FL 32541**
COUNTY: **Okaloosa**

For:

Joshua Reiker
737 Bayou Dr. Destin, FL 32541

You have certified that the project you propose to construct at the above location meets all the conditions of the Self-Certification Process. A project that is built in conformance to those conditions (attached for reference) will:

1. Qualify for a regulatory exemption under Section 403.813(1)(b) of the Florida Statutes (F.S.) and Chapter 62-330, Florida Administrative Code (F.A.C.). As such, it is exempt from the need to obtain a DEP Environmental Resource Permit.;
2. Qualify for Consent by Rule or Letter of Consent (as applicable) under Chapter 253, F.S. and Chapter 18-21, F.A.C. (and Chapter 258, F.S. and Chapter 18-20, F.A.C., if applicable), when the project is located on submerged lands owned by the State of Florida.

Your Self-Certification is based solely on the information you provided under this process, and applies only to the statutes and rules in effect when your certification was completed. The certification is effective only for the specific project proposed, and only if the project is constructed, operated, and maintained in conformance with all the terms, conditions, and limitations stated in the Self-Certification Process. In addition, any substantial modifications in your plans should be submitted to the Department for review, as changes may result in a permit being required.

You have acknowledged that this Self Certification will automatically expire if:

1. Construction of the project is not completed within one year from the self-certification date;
2. site conditions materially change;
3. the terms, conditions, and limitations of the Self Certification are not followed; or
4. the governing statutes or rules are amended before construction of the project.

Completion of the Self Certification constitutes your authorization for Department or Corps personnel to enter the property for purposes of inspecting for compliance.

Receipt of this Self-Certification constitutes authorization to use sovereignty/state-owned submerged lands, as required by rule 18-21.005, F.A.C.

The authorization must be visibly posted during all construction activities.

In waters that are accessible to manatees, obtain information on your mandatory Manatee Protection sign by [clicking here](#).

FEDERAL STATE PROGRAMMATIC GENERAL PERMIT (SPGP)

You have certified that the project you propose to construct at the above location meets all the conditions of the SPGP Self-Certification Process and will be built in conformance to those conditions (attached for reference). Your proposed activity as certified is in compliance with the SPGP program. U.S. Army Corps of Engineers (Corps) Specific conditions apply to your project, attached. **No further permitting for this activity is required by the Corps. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.**

Notifications to the Corps. For all authorizations under this SPGP V-R1, including Self-Certifications, the Permittee shall provide the following notifications to the Corps:

- a. Commencement Notification. Within 10 days before the date of initiating the work authorized by this permit or 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
- b. Corps Self-Certification Statement of Compliance form. Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the "Self-Certification Statement of Compliance" form (attached) 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.
- c. Permit Transfer. 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 the enclosed form.
- d. 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.
 1. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL, 32232-0019.
 2. For electronic mail: SAJ-RD-Enforcement@usace.army.mil (not to exceed 10 MB). The Permittee shall reference this permit number, SAJ-2015-2575 on all submittals.

This SPGP Self-Certification is based solely on the information you provided under this process, and applies only to the statutes and rules in effect when your certification was completed. You have recognized that your certification is effective only for the specific project proposed, and provided the project is constructed, operated, and maintained in conformance with all the terms, conditions, and limitations stated in the SPGP Self-Certification Process. This Self-Certification will not apply if any substantial modifications are made to the project. You agree to contact the Department for review of any plans to construct additional structures or to modify the project, as changes may result in a permit being required.

You have acknowledged that this Self-Certification will automatically expire if:

1. construction of the project is not completed by midnight, July 25, 2021, unless construction commenced or a contract to construct was executed before July 25, 2021, in which case the time limit for completing the work authorized by the SPGP ends at midnight, July 25, 2022. However, in no case can construction continue for more than one year beyond the Self-Certification date;
2. site conditions materially change;
3. the terms, conditions, and limitations of the Self-Certification are not followed; or
4. the governing statutes or rules are amended before construction of the project.

Completion of the Self-Certification constitutes your authorization for Department or Corps personnel to enter the property for purposes of inspecting for compliance.

If you have any questions, please contact your local Department District Office. Contact information can be found at:

https://floridadep.gov/sites/default/files/SLERC_contacts_web_map_01-2017_0.pdf.

For further information, contact the Corps directly at:

<https://www.saj.usace.army.mil/Missions/Regulatory.aspx>. When referring to your project, please use the SPGP Self-Certification file number listed above.

Authority for review - an agreement with the U.S. Army Corps of Engineers entitled Coordination Agreement between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection State Programmatic General Permit, Section 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act.

ADDITIONAL INFORMATION

This Self-Certification Process does not relieve you from the responsibility of obtaining other permits or authorizations from other agencies (federal, state, Water Management District, or local) that may be required for the project. Failure to obtain all applicable authorizations prior to construction of the project may result in enforcement.

If you have any questions or issues with the attached documents, please contact your local Department District Office:

Northwest District

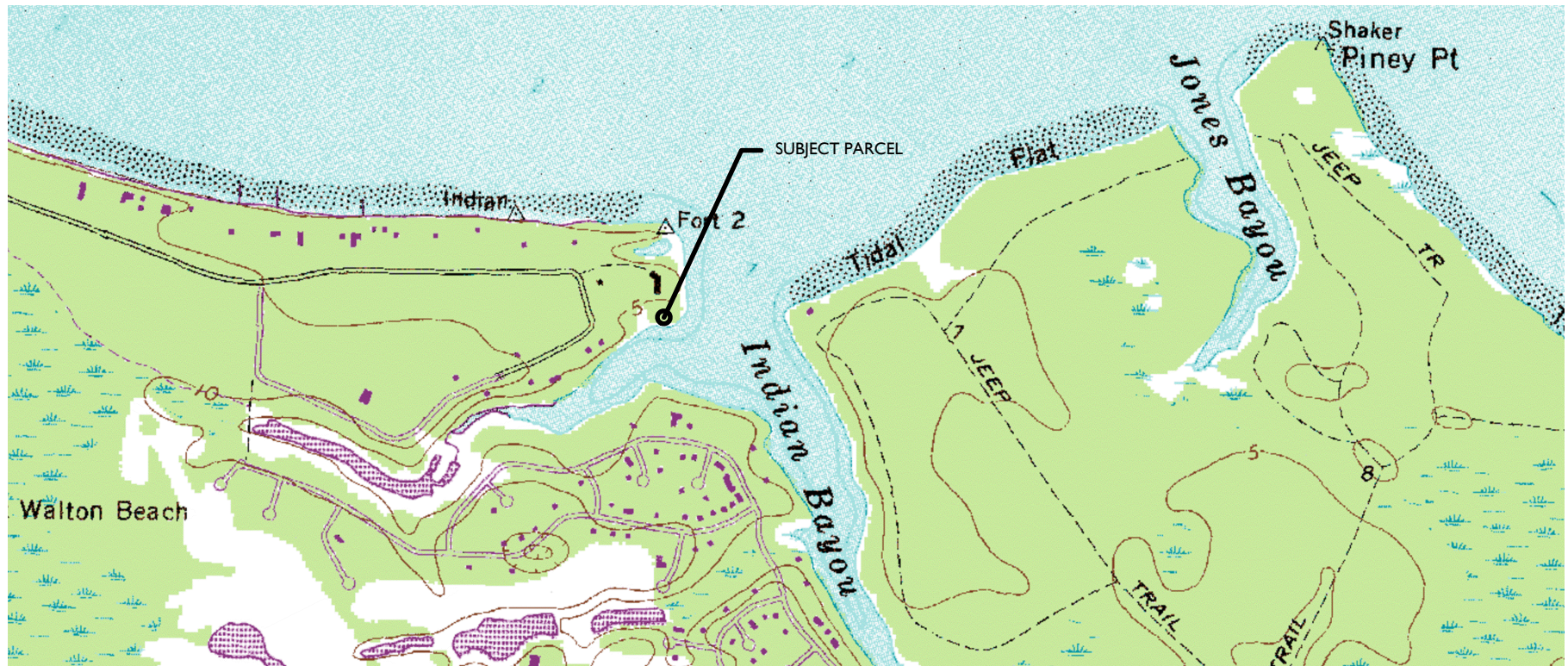
NWD_ERP_Applications@FloridaDEP.gov

Sincerely,
Florida Department of Environmental Protection.

Attachments:

FDEP Terms and Conditions
SPGP Terms and Conditions
Project Design Criteria



PROPERTY INFO

PID: 00-2S-22-4600-0000-0120
 SITUS: 4137 BELCOURT DRIVE
 DESTIN, FL 32541
 LAT: 30.404580
 LONG: -86.452742

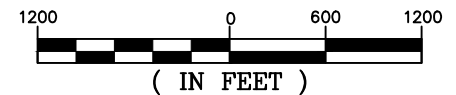
RECORD OWNER

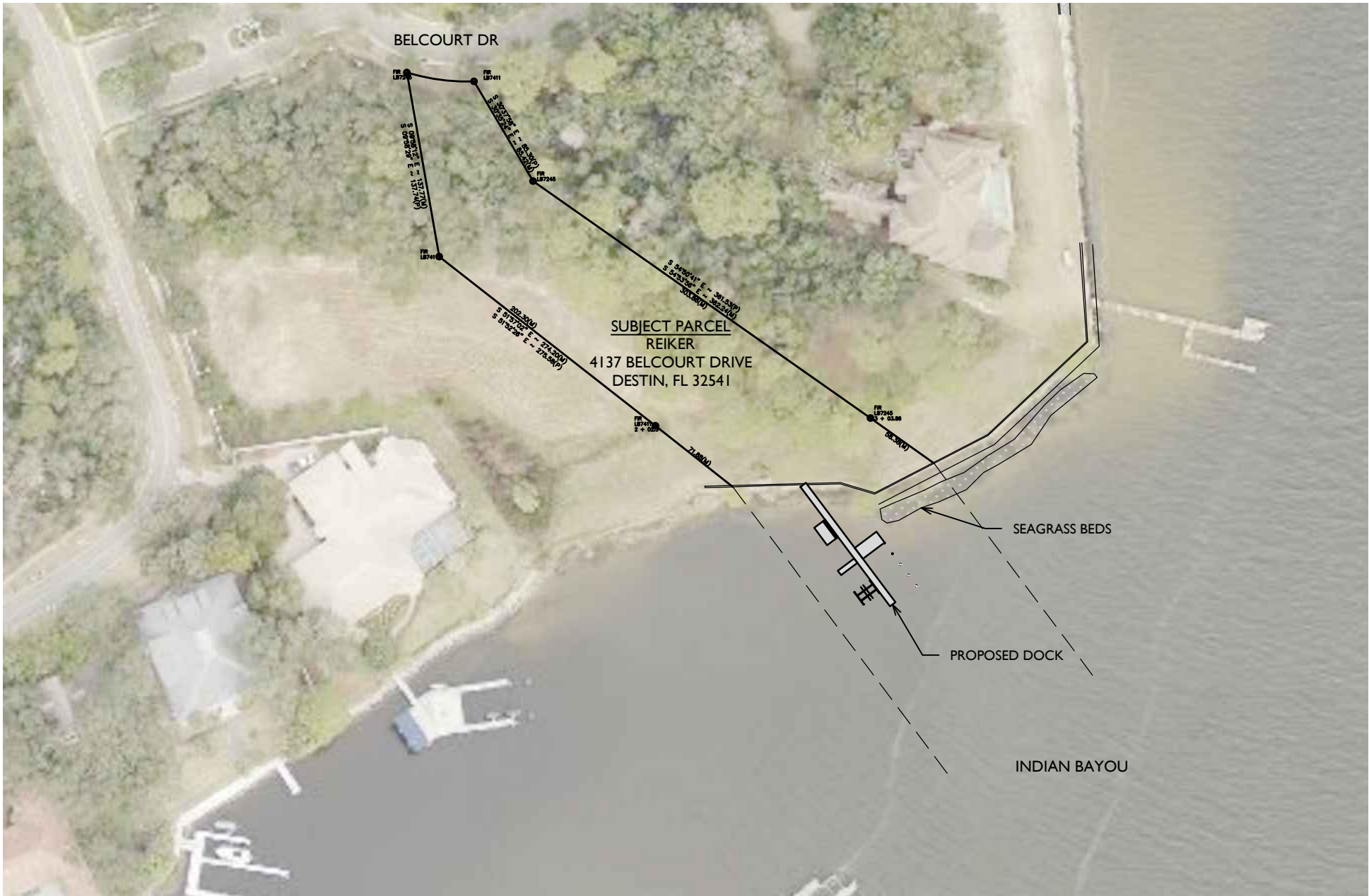
REIKER, JOSH & ILONA
 737 BAYOU DRIVE
 DESTIN, FL 32541

INDEX OF SHEETS

1-SITE LOCATION & SHEET INDEX
 2-PLAN VIEW DEPICTED ONTO AERIAL
 3-PLAN VIEW OVERALL
 4-DOCK PROFILE

PROJECT NAME: 4137 BELCOURT DRIVE, REIKER
SITE LOCATION MAP & SHEET INDEX
PROJECT NO.: 2021-081
DRAWN BY: JAT DATE: 12/10/2021
SHEET: 1 OF 4





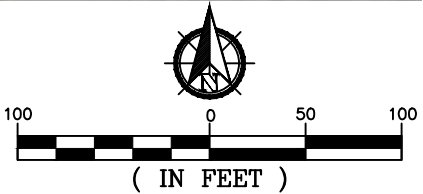
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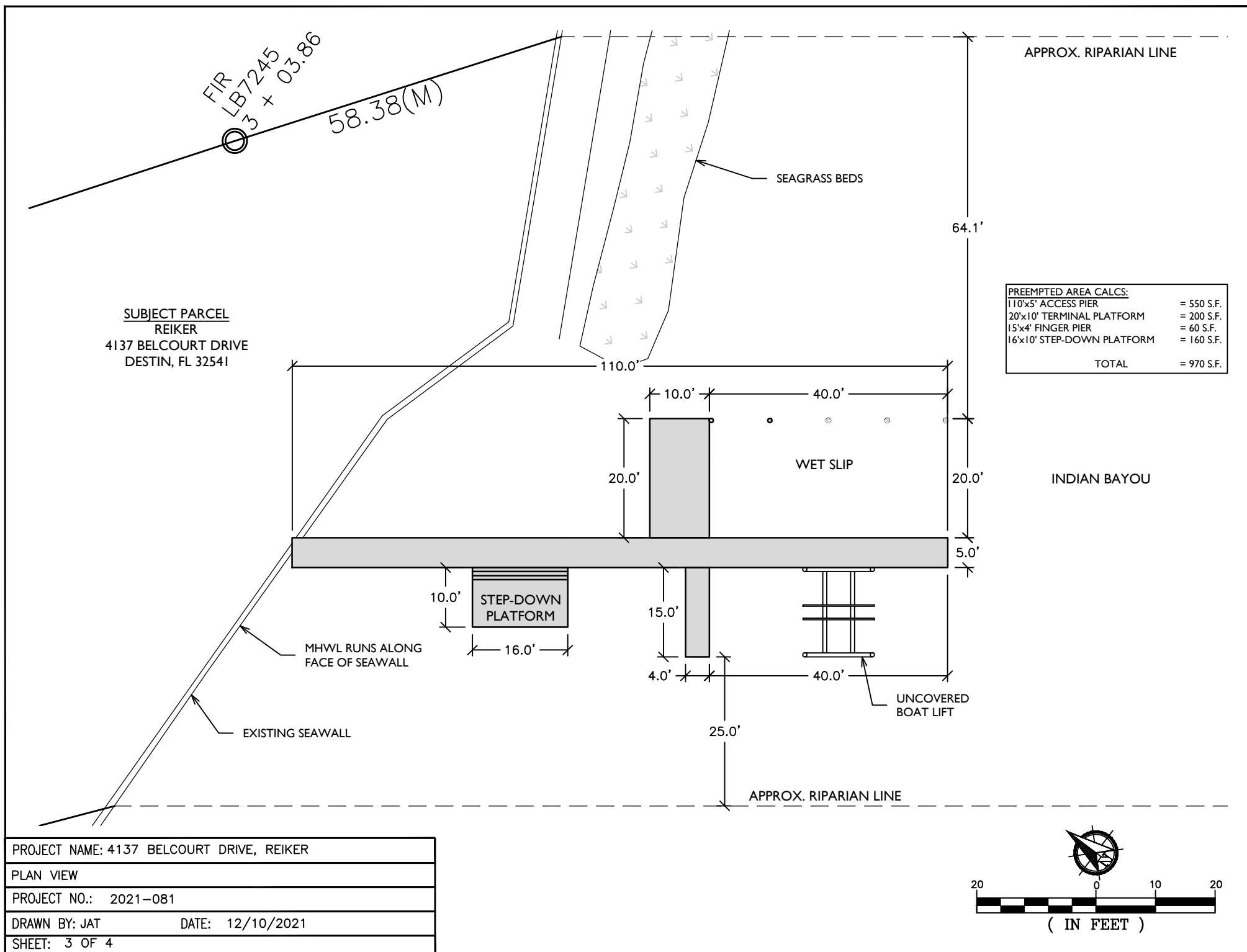
PLAN VIEW DEPICTED ONTO AERIAL

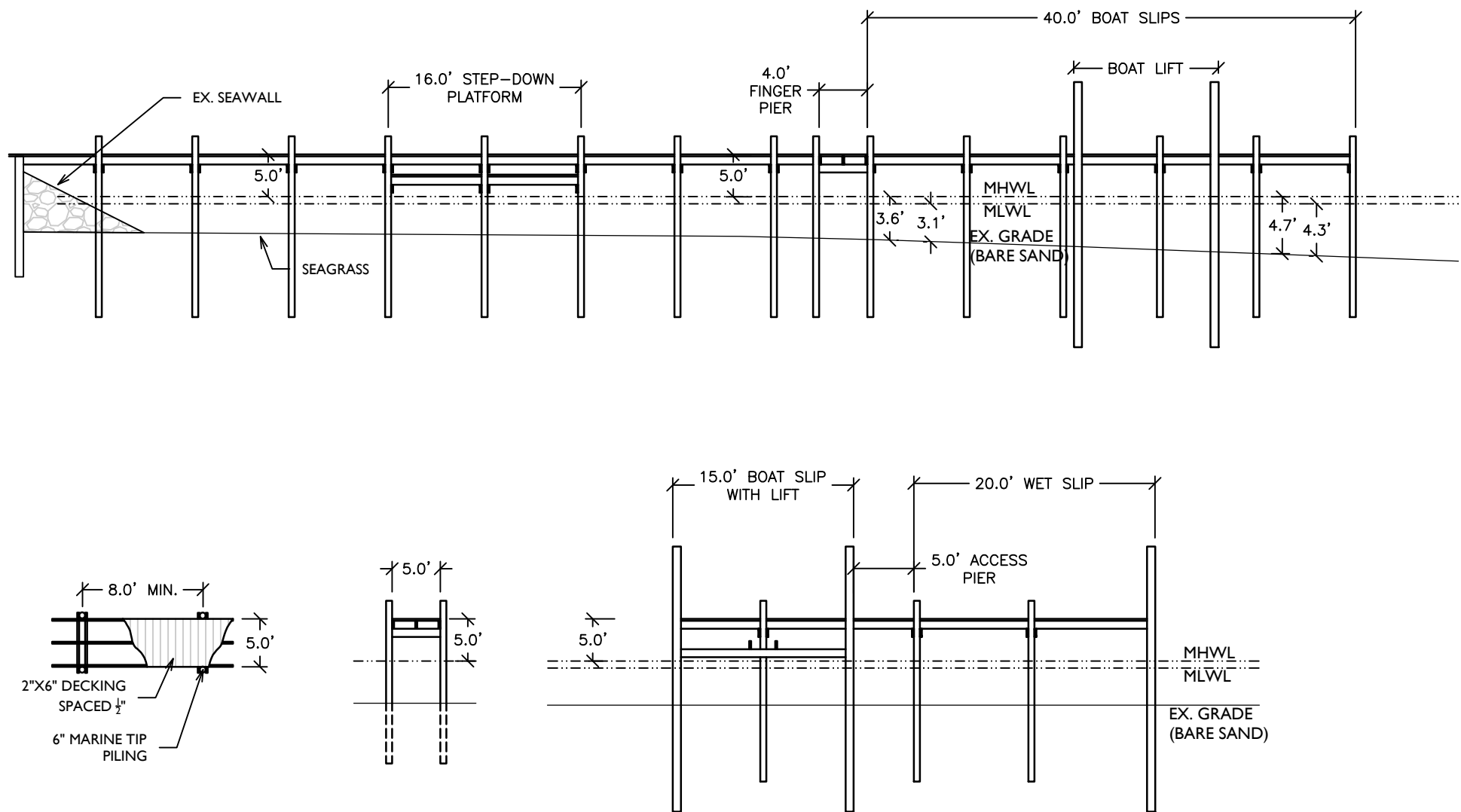
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DRAWN BY: JAT DATE: 12/10/2021

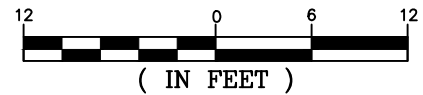
SHEET: 2 OF 4







PROJECT NAME: 4137 BELCOURT DRIVE, REIKER	
DOCK PROFILE	
PROJECT NO.: 2021-081	
DRAWN BY: JAT	DATE: 12/17/2021
SHEET: 4 OF 4	



HARBOR & WATERWAYS BOARD

4137 Belcourt Dr- Residential Dock

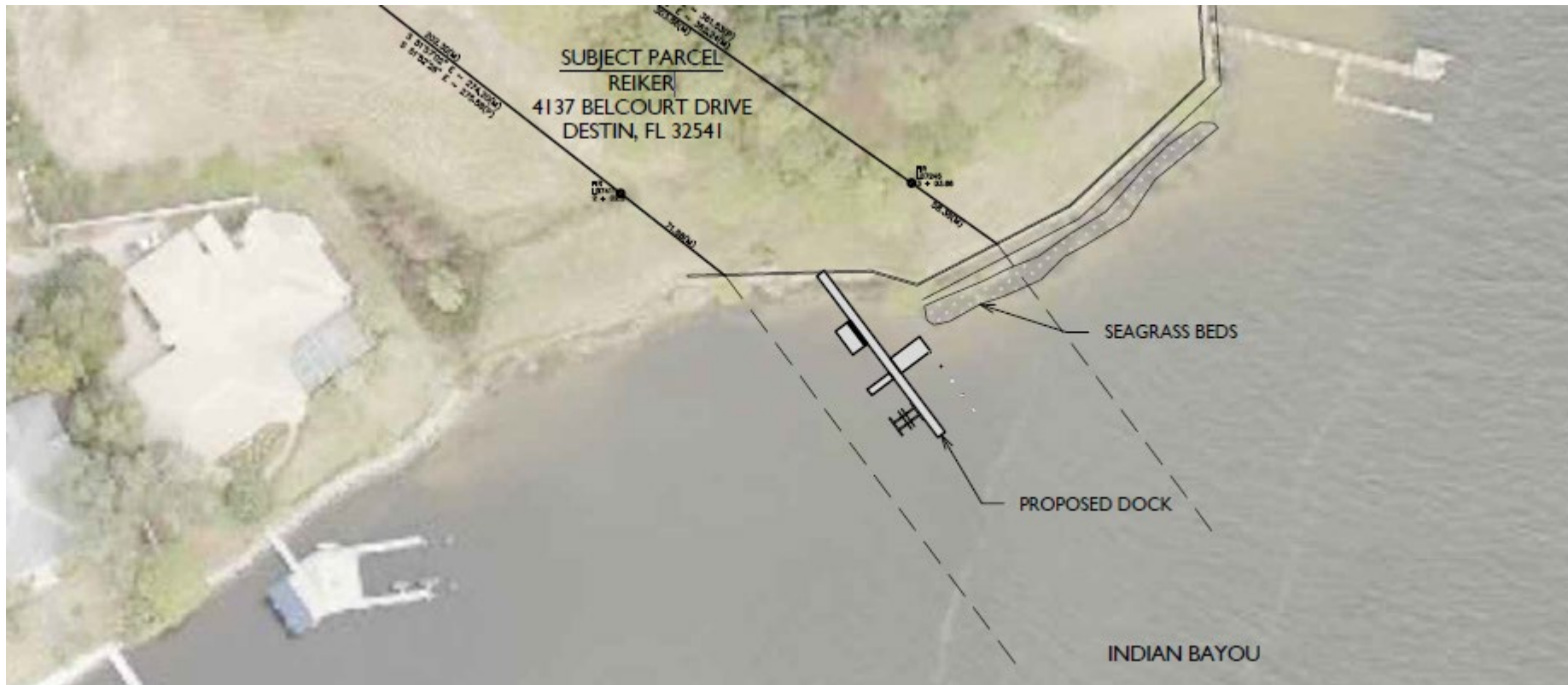
Community Development
Planning Division

Presenter: Tunazzina Binte Alam, Planner

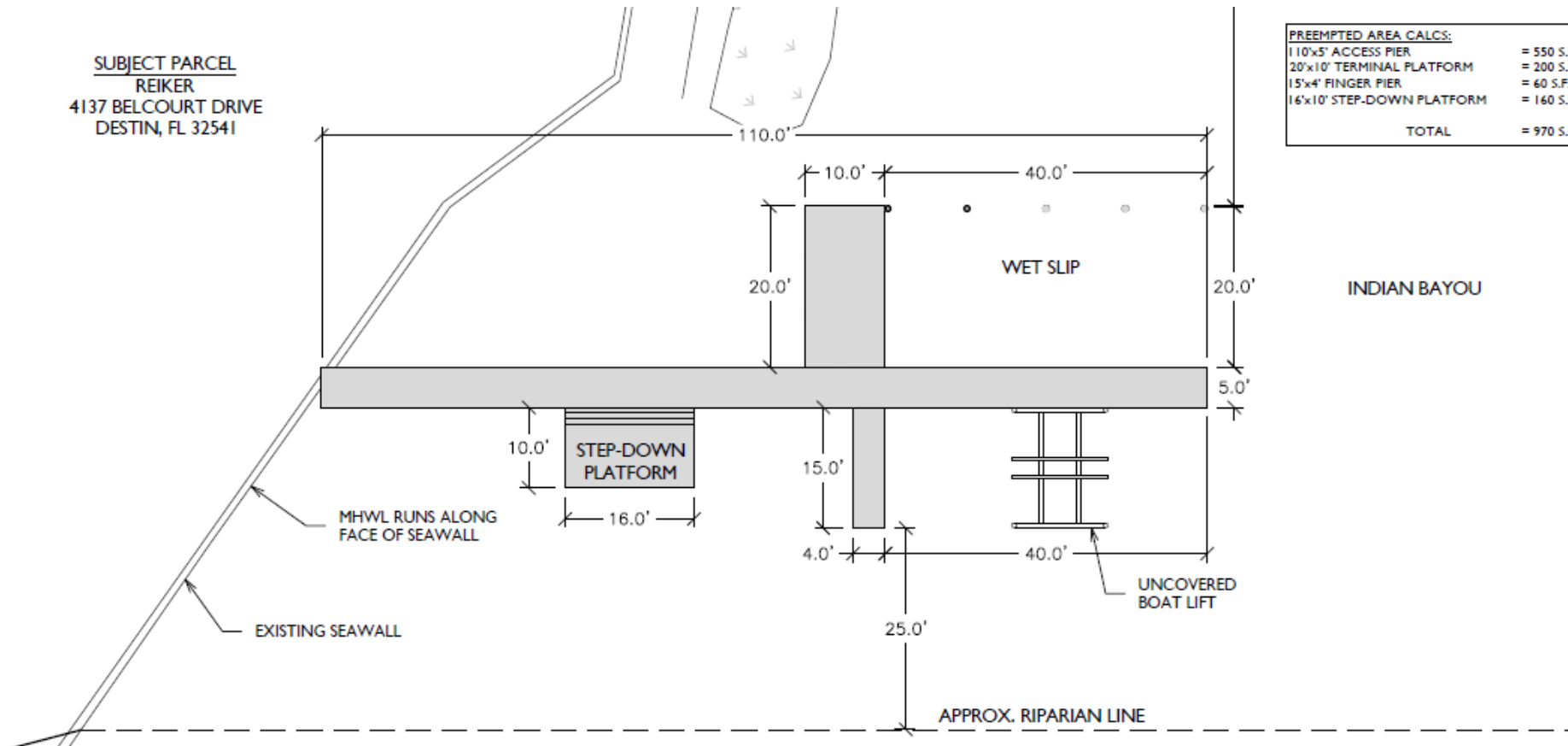




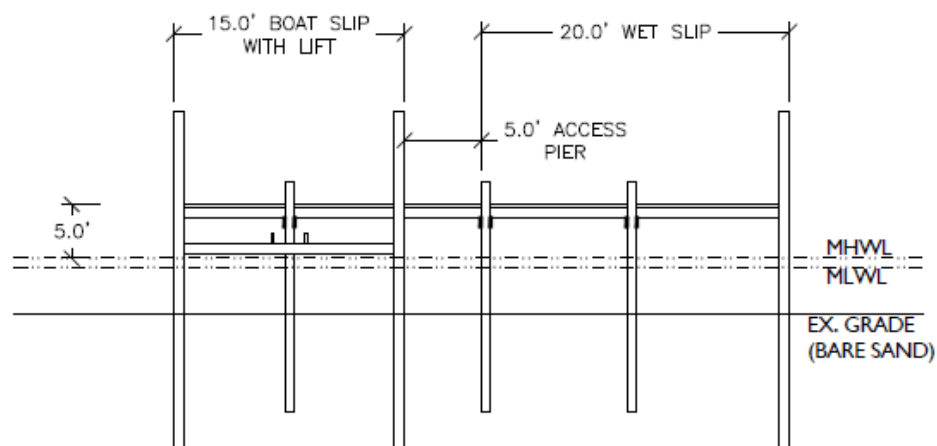
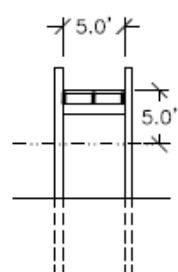
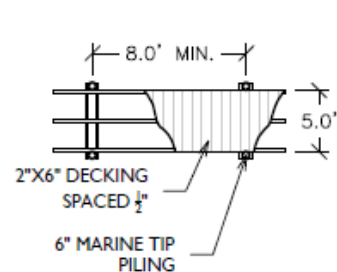
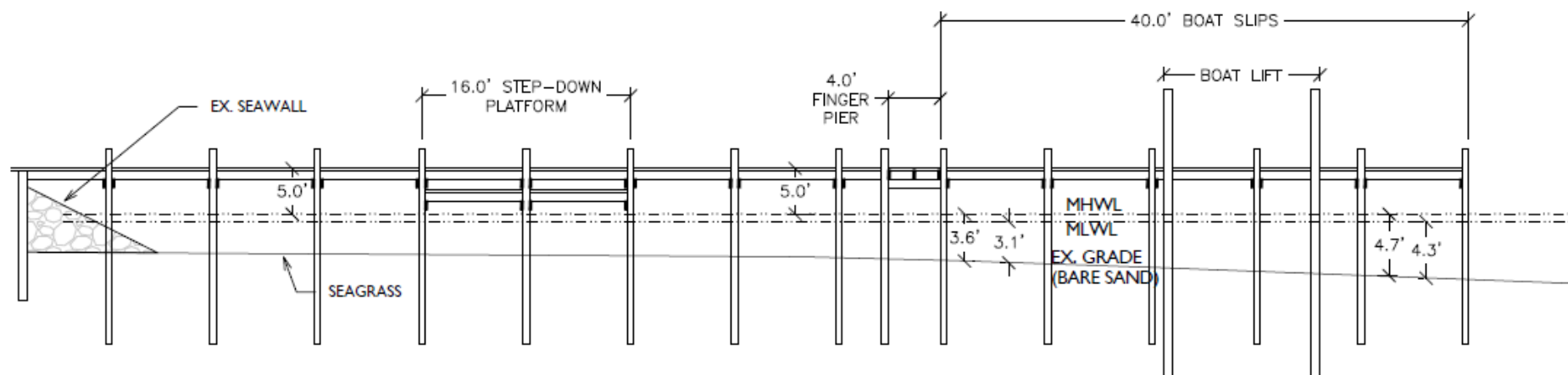
- 4137 Belcourt Dr
- Located within the Indian Bayou – a Class II Florida Waterbody - tributary of the Choctawhatchee Bay
- Single- Family Residential dock.



SUBJECT PARCEL
REIKER
 4137 BELCOURT DRIVE
 DESTIN, FL 32541



Access pier : 110' x 5'
 Terminal platform : 20' x 10'
 Finger Pier : 15' x 4'
 Step-down platform: 16' x 10'
 Total Sq. Ft : ± 970 sq. ft.





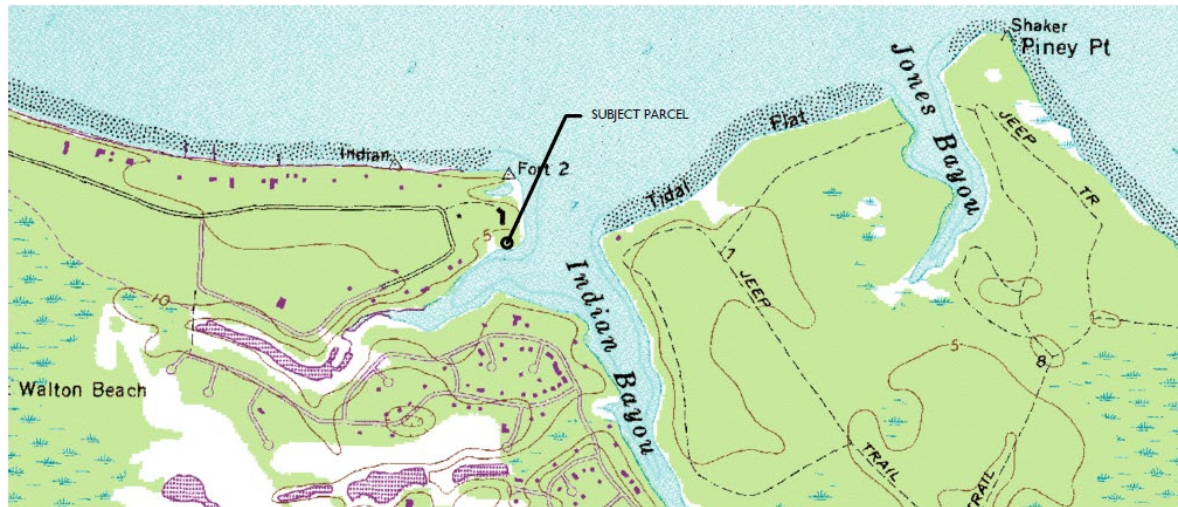
- The proposed project meets the requirements of the Coastal Management Element (6-1.1.3) of the Comprehensive Plan and following LDC Articles:
 - ✓ 11.05.01.C
 - ✓ 11.05.01.F
 - ✓ 11.05.01.G
- Includes 25' riparian setback.
- Links to strategic goals / objectives - Enhance Quality of Life, Enhance and Preserve Heritage and Environment.
- No anticipated effect on the budget.
- No anticipated effect on the Level of Service.



- Staff recommends approval of the single-family Residential dock at 4137 Belcourt Drive, consisting of:

Access pier, terminal platform, finger pier, and step-down platform comprising ± 970 sq.ft.

Condition: Provide the city with the approval letter from Florida Department of Environmental Protection (FDEP) at the time of building permit application.



CITY OF DESTIN – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: February 28, 2022

BOARD/COMMITTEE: Harbor & Waterways Board

TYPE OF AGENDA ITEM: Action Item

OUTLINE NUMBER: 4.B.

TO: Harbor & Waterways Board

THRU: Louis Zunguze, Community Development Director
Kimberly Kopp, Land Use Attorney

FROM: Steve O'Connor, Principal Planner
Sae More, Planner

DATE: February 18, 2022

SUBJECT: 4141 Belcourt Drive- Proposed Single-Family Residential Marine Construction

I. BACKGROUND: William F Davis Construction, Inc, on behalf of Blase Craig has submitted an application for Harbor and Waterways Board review for construction of a 106.5' x 4' access pier, one (1) 16' x 10' terminal platform, two (2) 40' x 4' finger piers, one (1) 40' x 18' covered boat slip, and one (1) 20' x 1' roof overhang, comprising approximately ±1,646 square feet.

II. DISCUSSION:

The applicant requests Harbor and Waterways Board approval for a single-family marine construction project located at 4141 Belcourt Drive, located within Choctawhatchee Bay, a Class II Florida Waterbody.

The proposed marine construction project meets the following requirements of *Article 11.05.00, City of Destin Land Development Code*, in addition, to including the required 25-foot riparian setback,

- *11.05.01.A – Construction of new dock*
- *11.05.01.C, 11.05.01.D – Waste Disposal into the Harbor and Waterways of Destin*
- *11.05.01.F, 11.05.01.G, and 11.05.01.M – Length of the pier*

COMPREHENSIVE PLAN CONSISTENCY: The proposed marine construction project is consistent with Coastal Management Element Goal 6-1, Coastal Management

Element Objective 6-1.1, and Coastal Management Element Policy 6-1.1.3: Protect Coastal and Estuarine Environmental Quality and the Shoreline.

A. Link to Strategic Goals / Objectives:

1) Enhance Quality of Life, 2) Enhance and Preserve Heritage and Environment.

B. Effect on Budget (EOB): There is no anticipated effect on the budget.

C. Level of Service (LOS): There is no anticipated effect on the LOS.

III. CONCLUSION:

The contractor provided a Florida Department of Environmental Protection (FDEP), Permit No. 0229019-002-EI/46. City staff reviewed the application and determined that the plans comply with City Codes and regulations. Specifically, the proposed dock complies with *Article 11.05.01.M., Marina Siting of the City's Land Development Code*, and the Coastal Management Element of the City's Comprehensive Plan (*Coastal Management Element Policy 6-1.1.3*).

STAFF RECOMMENDATION: Staff recommends approval of the single-family marine construction project proposed at 4141 Belcourt Drive, consisting of one access pier, one terminal platform, two finger piers, one covered boat slip, and one roof overhang, comprising approximately ±1,646 square feet, subject to the applicant meeting all applicable City permit requirements.

IV. RECOMMENDED MOTION: I move that the Harbor & Waterways Board recommend City Council approval of the single-family marine construction project located at 4141 Belcourt Drive, subject to the applicant meeting all applicable City permit requirements.

Attachments:

1. Blase Deed_v1
2. B. Blase Building Plan_v1
3. C. Blase
Dock_APPROVAL_0299019-002-EI-46 FDEP
4. D. Blase Army Corp Permit_v1

This Instrument Prepared by and Return to:

Shoreline Title, LLC
60 Clayton Lane, Suite B
Santa Rosa Beach, FL 32459
Our File No.: 21-00455
Property Appraisers Parcel Identification (Folio) Number: 00-2S-22-4600-0000-0110
Florida Documentary Stamps in the amount of \$6,300.00 have been paid hereon.

SPACE ABOVE THIS LINE FOR RECORDING DATA

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made effective this 3rd day of June, 2021 by **Provident Investments LLC, a Louisiana limited liability company**, whose post office address is **1598 Ochsner Blvd., Ste. 100, Covington, LA 70433** herein called the Grantor, to **Craig Stephen Blase**, whose post office address is **219 Scenic Gulf Dr., Unit 1520, Miramar Beach, FL 32550**, hereinafter called the Grantee:

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of company)

W I T N E S S E T H: That the Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in OKALOOSA County, State of Florida, viz.:

Lot 11, Estates at Indian Pointe, according to the map or plat thereof, as recorded in Plat Book 24, Page(s) 73, of the Public Records of Okaloosa County, Florida.

Subject to easements, restrictions and reservations of record and taxes for the year 2021 and thereafter.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against all lawful claims which arise by, through, or under Grantor, but against no others.

Continued next page

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Maureen Dreyfus
Witness #1 Signature

Maureen Dreyfus
Witness #1 Printed Name

Joy Briggs
Witness #2 Signature

Joy Briggs
Witness #2 Printed Name

Provident Investments LLC, a Louisiana limited liability company

By: William S. Sheffield, Jr.
William S. Sheffield, Jr., Manager

STATE OF LOUISIANA
PARISH OF _____

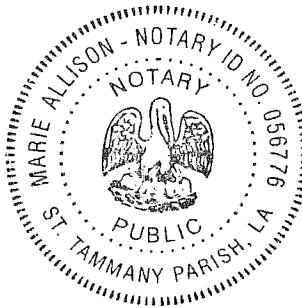
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 2nd day of June, 2021 by William S. Sheffield, Jr., as Manager on behalf of Provident Investments LLC, a Louisiana limited liability company, who (☒) is personally known to me or () has produced _____ as identification.

SEAL

Marie Allison
Notary Public

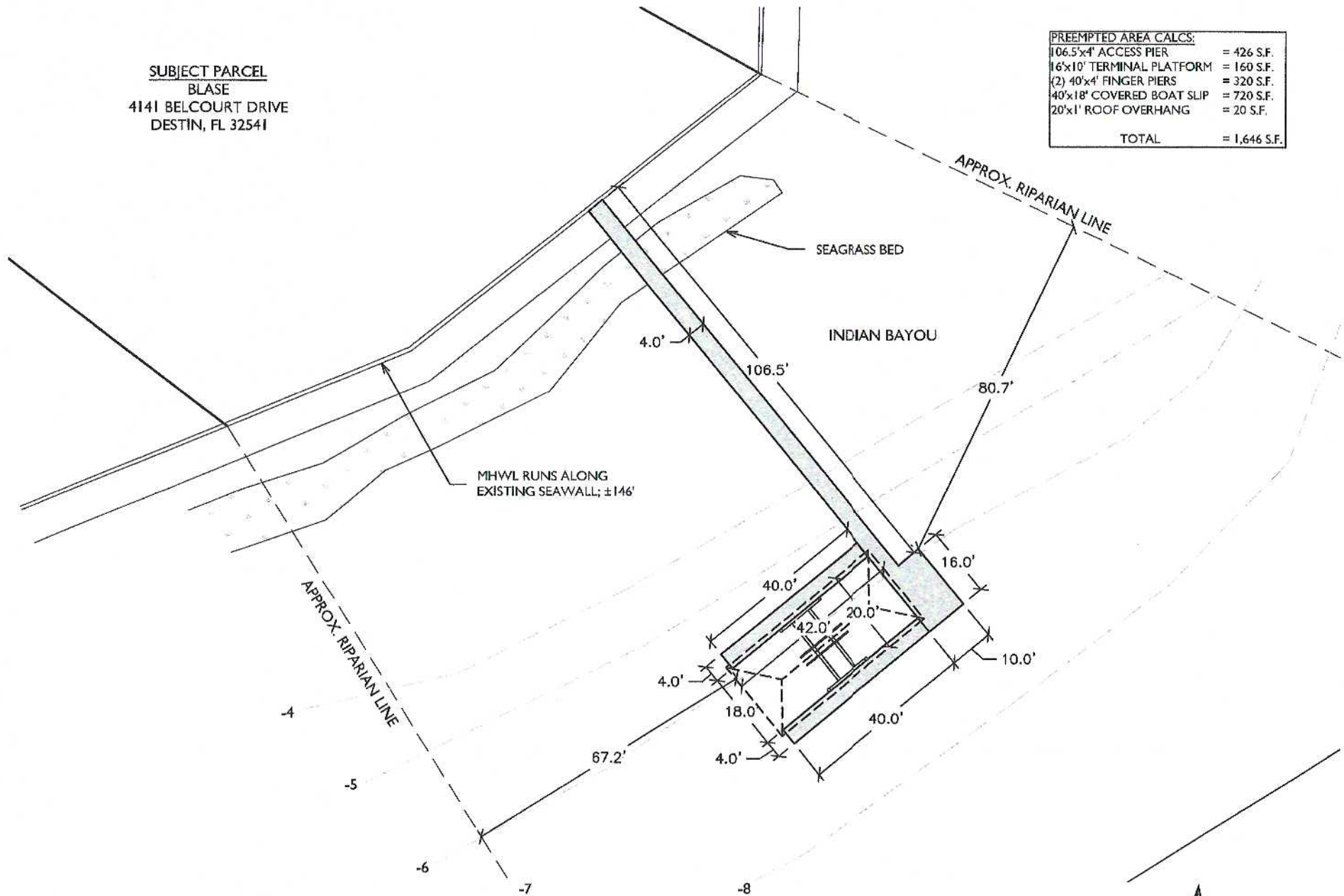
Marie Allison
Printed Notary Name
NP # 056776

My Commission Expires: at my death
4815-1029-3997, v. 2



SUBJECT PARCEL
BLASE
4141 BELCOURT DRIVE
DESTIN, FL 32541

PREEMPTED AREA CALCS:	
106.5'x4' ACCESS PIER	= 426 S.F.
16'x10' TERMINAL PLATFORM	= 160 S.F.
(2) 40'x4' FINGER PIERS	= 320 S.F.
40'x18' COVERED BOAT SLIP	= 720 S.F.
20'x1' ROOF OVERHANG	= 20 S.F.
TOTAL	= 1,646 S.F.



PROJECT NAME: 4141 BELCOURT DRIVE, BLASE

PLAN VIEW OVERALL

PROJECT NO.: 2021-045

DRAWN BY: JAT

DATE: 7/25/21

SHEET: 3 OF 4





FLORIDA DEPARTMENT OF Environmental Protection

Northwest District
160 W. Government Street, Suite 308
Pensacola, Florida 32502-5740

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

Permittee/Authorized Entity:

Craig Blasé
4141 Belcourt Drive
Destin, Florida 32541, Okaloosa County
CSBlase@gmail.com

Blasé Dock

Authorized Agent:

Oakhurst Environmental
c/o Jason Taylor
1225 Oakview Road
Decatur, Georgia 30030
OakhurstEnvironmental@Gmail.com

Environmental Resource Permit State-owned Submerged Lands Authorization – Granted

U.S. Army Corps of Engineers Authorization – Separate Corps Authorization Required

Okaloosa County
Permit No.: 0229019-002-EI/46

Permit Issuance Date: December 22, 2021

Permit Construction Phase Expiration Date: December 22, 2026

Consolidated Environmental Resource Permit and Sovereignty Submerged Lands Authorization

Permittee/Grantee: Craig Blasé
Permit No: 0299019-002-EI/46

PROJECT LOCATION

The activities authorized by this permit and sovereignty submerged lands authorization are located at 4141 Belcourt Drive, Destin, Florida 32541, Parcel ID 00-2S-4600-0000-0110, in Section 21, Township 02 South, Range 22 West in Okaloosa County, at 30°24'17.8279" North Latitude, 86°27'10.0769" West Longitude.

PROJECT DESCRIPTION

The permittee is authorized to construct a 106.5 foot by 4 foot access pier, a 16 foot by 10 foot terminal platform, a 40 foot by 2 foot finger pier, and a 40 foot by 18 foot covered boat lift, totaling 1,646 square feet. No mooring will occur at the proposed pier. The project is located within Indian Bayou, a Class II Florida Waterbody, Prohibited Shellfish Harvesting Area. Those activities include 1,646 square feet of structure and preemption of state-owned sovereignty submerged lands. Authorized activities are depicted on the attached exhibits.

AUTHORIZATIONS

Blasé Dock

Environmental Resource Permit

The Department has determined that the activity qualifies for an Environmental Resource Permit. Therefore, the Environmental Resource Permit is hereby granted, pursuant to Part IV of Chapter 373, Florida Statutes (F.S.), and Chapter 62-330, Florida Administrative Code (F.A.C.).

Sovereignty Submerged Lands Authorization

The activity is located on sovereignty submerged lands owned by the State of Florida. It therefore also requires authorization from the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees), pursuant to Article X, Section 11 of the Florida Constitution, and Section 253.77, F.S. As staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) under Sections 253.002, F.S., the Department has determined that the activity qualifies for and requires a Letter of Consent, as long as the work performed is located within the boundaries as described and is consistent with the terms and conditions herein.

During the term of this Letter of Consent you shall maintain satisfactory evidence of sufficient upland interest as required by paragraph 18-21.004(3)(b), F.A.C. If such interest is terminated or the Board of Trustees determines that such interest did not exist on the date of issuance of this Letter of Consent, this Letter of Consent may be terminated by the Board of Trustees at its sole option. If the Board of Trustees terminates this Letter of Consent, you agree not to assert a claim or defense against the Board of Trustees arising out of this Letter of Consent.

Federal Authorization

Your proposed activity as outlined in your application and attached drawings **does not qualify** for Federal authorization pursuant to the State Programmatic General Permit VI-

R1. **SEPARATE permit(s)** or authorization **will be required** from the U.S. Army Corps of Engineers (USACOE).

Authority for review - an agreement with the USACOE entitled “Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection (or Duly Authorized Designee), State Programmatic General Permit”, Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Coastal Zone Management

Issuance of this authorization also constitutes a finding of consistency with Florida’s Coastal Zone Management Program, as required by Section 307 of the Coastal Zone Management Act.

Water Quality Certification

This permit also constitutes a water quality certification under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

Other Authorizations

You are advised that authorizations or permits for this activity may be required by other federal, state, regional, or local entities including but not limited to local governments or municipalities. This permit does not relieve you from the requirements to obtain all other required permits or authorizations.

The activity described may be conducted only in accordance with the terms, conditions and attachments contained in this document. Issuance and granting of the permit and authorizations herein do not infer, nor guarantee, nor imply that future permits, authorizations, or modifications will be granted by the Department.

PERMIT / SOVEREIGNTY SUBMERGED LANDS CONDITIONS

The activities described must be conducted in accordance with:

- **The Specific Conditions**
- **The General Conditions**
- **The Special Consent Conditions**
- **The General Conditions for Sovereignty Submerged Lands Authorization**
- **The limits, conditions and locations of work shown in the attached drawings**
- **The term limits of this authorization**

You are advised to read and understand these conditions and drawings prior to beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings herein. If you are using a contractor, the contractor also should read and understand these conditions and drawings prior to beginning any activity. Failure to comply with these conditions, including any mitigation requirements, shall be grounds for the Department to revoke the permit and authorization and to take appropriate enforcement action. Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit and sovereignty submerged lands authorization, as described.

SPECIFIC CONDITIONS – ADMINISTRATIVE/EMERGENCIES

1. The construction phase expires at 11:59 p.m. on the date indicated on the cover page of this permit.
2. For emergencies involving a serious threat to the public health, safety, welfare, or environment, the emergency telephone contact number is (800) 320-0519 (State Warning Point). The Department telephone number for reporting nonthreatening problems or system malfunctions is (850) 595-0663, day or night.
3. The mailing address for submittal of forms for the “Construction Commencement Notice”, “As-Built Certification ...”, “Request for Conversion of Stormwater Management Permit Construction Phase to Operation and Maintenance Phase”, or other correspondence is FDEP, SLERP, 160 W. Government Street, Suite 308, Pensacola, Florida 32502.

SPECIFIC CONDITIONS – PRIOR TO ANY CONSTRUCTION

4. Prior to the initiation of any work authorized by this permit, floating turbidity screens with weighted skirts that extend to within 1 ft. of the bottom shall be placed around the active construction areas of the site. The screens shall be maintained and shall remain in place for the duration of the project construction to ensure that turbidity levels outside the construction area do not exceed 29 NTU’s above background levels. The permittee shall be responsible for ensuring that turbidity control devices are inspected daily and maintained in good working order so that there are no violations of state water quality standards outside of the turbidity screens.
5. Best management practices for erosion control shall be implemented prior to construction commencement and shall be maintained at all times during construction to prevent siltation and turbid discharges in excess of State water quality standards pursuant to Rule 62-302, F.A.C. Methods shall include, but are not limited to the use of staked hay bales, staked filter cloth, sodding, seeding, staged construction and the installation of turbidity screens around the immediate project site.

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

6. If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The applicant shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section at (850)-245-6333. Project activities shall not resume without verbal and/or written authorization. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately, and the proper authorities notified in accordance with Section 872.05, Florida Statutes.
7. All wetland areas or water bodies which are adjacent to the specific limits of construction authorized by this permit shall be protected from erosion, sedimentation, siltation, scouring, excess turbidity or dewatering.
8. Any damage to wetlands outside of the authorized impact areas as a result of construction shall be immediately reported to the Department at (850)595-8300 and repaired by reestablishing

the pre-construction elevations and replanting vegetation of the same species, size, and density as that in the adjacent areas. The restoration shall be completed within 30 days of completion of construction, and the Department shall be notified of its completion within that same 30-day period

9. The following measures shall be taken immediately by the permittee when turbidity levels within waters of the State surrounding the project site exceed 29 NTUs above background:

- a. Immediately cease work contributing to the water quality violation.
- b. Stabilize exposed soils contributing to the violation. Modify the work procedures responsible for the violation, install additional turbidity containment devices and repair non-functioning turbidity containment devices.
- c. Notify the Department of Environmental Protection, Submerged Lands & Environmental Resources Program, Compliance and Enforcement Section, Northwest District Office, 160 W Government Street, Pensacola, Florida 32502-5794, in writing or by telephone at (850)595-8300 within 24 hours of the time the violation is first detected

10. There shall be no stock piling of tools, materials, (i.e., lumber, pilings, riprap, and debris) within wetlands, along the shoreline within the littoral zone, or elsewhere within waters/waters of the state.

11. Construction equipment shall not be repaired or refueled in wetlands or elsewhere within waters of the state.

12. All cleared vegetation, excess lumber, scrap wood, trash, garbage and any other type of debris shall be removed from wetlands/waters of the state within 14 days of completion of the work authorized in this permit.

13. All watercraft associated with the construction of the permitted structure shall only operate within waters of sufficient depth to preclude bottom scouring and prop dredging.

14. This permit does not authorize the construction of additional structures not illustrated on the permit drawings. Examples of additional structures, which are not authorized by this permit include but are not limited to: walkways, doors, awnings, and decking around or under the bottom of the pile-supported structures. Storage of equipment, pesticides, herbicides, construction material, trash receptacles, or part of a septic tank system beneath the pile-supported structure is prohibited.

SPECIFIC CONDITIONS – OTHER LISTED SPECIES

15. This permit does not authorize the permittee to cause any adverse impact to or “take” of state listed species and other regulated species of fish and wildlife. Compliance with state laws regulating the take of fish and wildlife is the responsibility of the owner or applicant associated with this project. Please refer to Chapter 68A-27 of the Florida Administrative Code for definitions of “take” and a list of fish and wildlife species. If listed species are observed onsite, FWC staff are available to provide decision support information or assist in obtaining the appropriate FWC permits. Most marine endangered and threatened species are statutorily protected and a “take” permit cannot be issued. Requests for further information or review can be sent to FWCConservationPlanningServices@MyFWC.com.

SPECIFIC CONDITIONS – OPERATION AND MAINTENANCE ACTIVITIES

16. Overboard discharges of trash, human or animal waste, or fuel shall not occur at the dock.

GENERAL CONDITIONS FOR INDIVIDUAL PERMITS

The following general conditions are binding on all individual permits issued under chapter 62-330, F.A.C., except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate project-specific conditions.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual* (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual* (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," [October 1, 2013], which is incorporated by reference in paragraph 62-330.350(1)(d), F.A.C., indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.
5. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex – "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or

- b. For all other activities – “As-Built Certification and Request for Conversion to Operational Phase” [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
7. If the final operation and maintenance entity is a third party:
- a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as- built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
 - b. Within 30 days of submittal of the as- built certification, the permittee shall submit “Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity” [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
- a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the Agency in writing:
- a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

14. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.

15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.

16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.

17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.

18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with subsection 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

SPECIAL CONSENT CONDITIONS

1. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.

2. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of

Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.

3. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.

4. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.

5. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

GENERAL CONDITIONS FOR SOVEREIGNTY SUBMERGED LANDS AUTHORIZATION

Any use of sovereignty submerged lands is subject to the following general conditions, which are binding upon the applicant and are enforceable under Chapter 253, F.S.

1. Sovereignty submerged lands may be used only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use will constitute a violation. Violation of the authorization will result in suspension or revocation of the applicant's use of the sovereignty submerged lands unless cured to the satisfaction of the Board of Trustees.

2. Authorization under Rule 18-21.005, F.A.C., conveys no title to sovereignty submerged lands or water column, nor does it constitute recognition or acknowledgment of any other person's title to such land or water.

3. Authorizations under Rule 18-21.005, F.A.C., may be modified, suspended or revoked in accordance with its terms or the remedies provided in Sections 253.04, F.S. and Chapter 18-14, F.A.C.

4. Structures or activities will be constructed and used to avoid or minimize adverse impacts to resources.

5. Construction, use, or operation of the structure or activity will not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.

6. Structures or activities will not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity will be modified in accordance with the court's decision.
7. Structures or activities will not create a navigational hazard.
8. Structures will be maintained in a functional condition and will be repaired or removed if they become dilapidated to such an extent that they are no longer functional.
9. Structures or activities will be constructed, operated, and maintained solely for water dependent purposes.
10. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.
11. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.
12. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.
13. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.
14. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until a subsequent order of the Department. Because the

administrative hearing process is designed to formulate final agency action, the subsequent order may modify or take a different position than this action.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@FloridaDEP.gov. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant to Rule 62-110.106(10)(a).

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you

do not publish notice of this action, this waiver will not apply to persons who have not received written notice of this action.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@FloridaDEP.gov, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S. by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Thank you for applying to the Submerged Lands and Environmental Resource Permit Program. If you have any questions regarding this matter, please contact Patricia Engel at the letterhead address, at (850)595-0669, or at Patricia.Engel@FloridaDEP.gov.

EXECUTION AND CLERKING

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



For Kimberly R. Allen
Permitting Program Administrator

KRA:tae

Attachment(s):

Project Drawings and Design Specs., 4 pages

Copies of 62-330 forms may be obtained at: <https://floridadep.gov/water/submerged-lands-environmental-resources-coordination/content/forms-environmental-resource>

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

Kimberly R. Allen, DEP, Kim.Allen@FloridaDEP.gov
Jennifer Waltrip, DEP, Jennifer.Waltrip@FloridaDEP.gov
Trish Engel, DEP, Patricia.Engel@FloridaDEP.gov
Okaloosa County, mmartinez@co.okaloosa.fl.us, jautrey@co.okaloosa.fl.us,
sbitterman@co.okaloosa.fl.us, propertyappraiser@okaloosapa.com, planning@cityofdestin.com

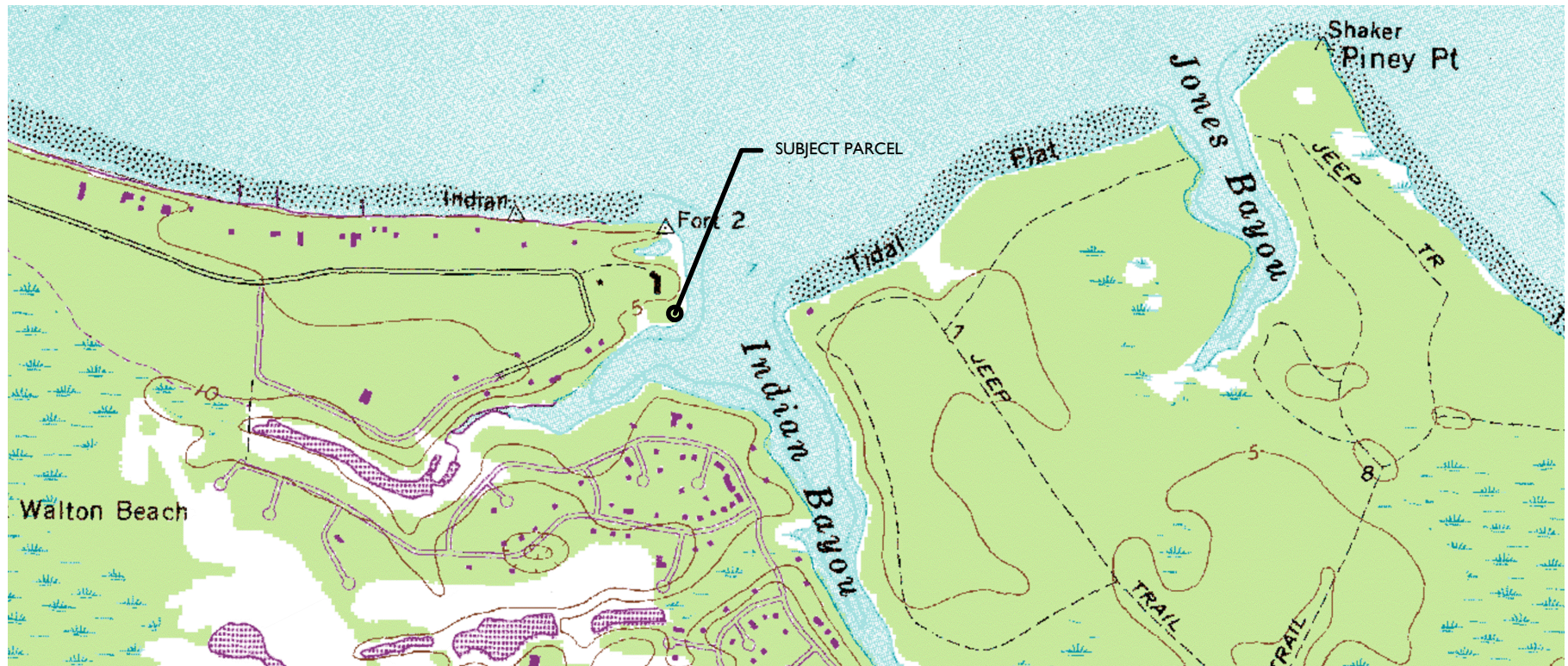
FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk

December 22, 2021
Date

PROPERTY INFO

PID: 00-2S-22-4600-0000-0110
 SITUS: 4141 BELCOURT DRIVE
 DESTIN, FL 32541
 LAT: 30.404719
 LONG: -86.452376

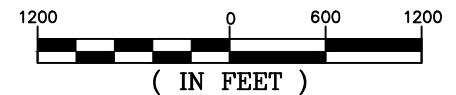
RECORD OWNER

BLASE CRAIG S
 219 SCENIC GULF DR #1520
 MIRAMAR BEACH, FL 32550

INDEX OF SHEETS

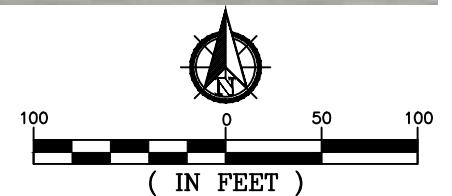
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 2-PLAN VIEW DEPICTED ONTO AERIAL
 3-PLAN VIEW OVERALL
 4-DOCK PROFILE

PROJECT NAME: 4141 BELOCOURT DRIVE, BLASE
SITE LOCATION MAP & SHEET INDEX
PROJECT NO.: 2021-045
DRAWN BY: JAT DATE: 7/25/21
SHEET: 1 OF 4



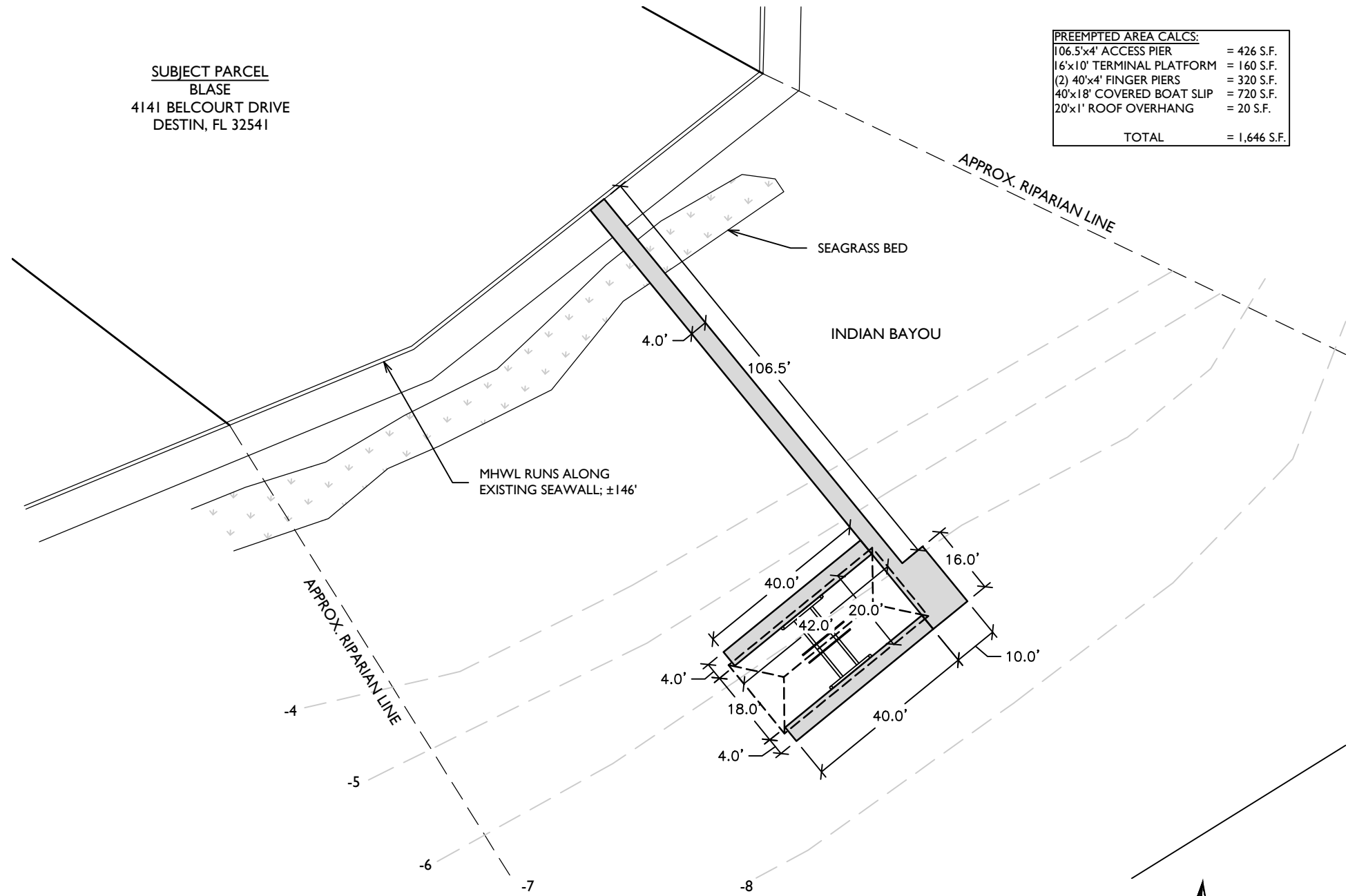


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PROJECT NO.: 2021-045	
DRAWN BY: JAT	DATE: 7/25/21
SHEET: 2 OF 4	

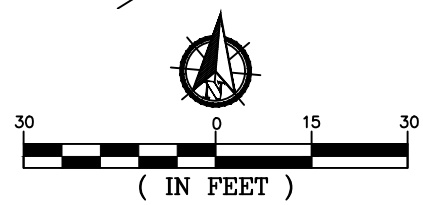


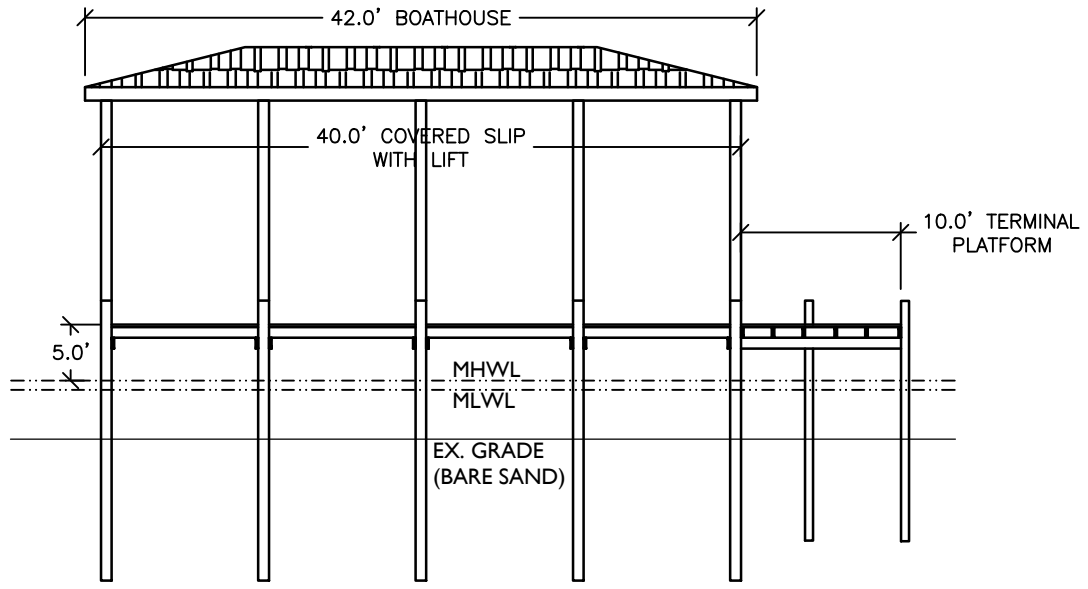
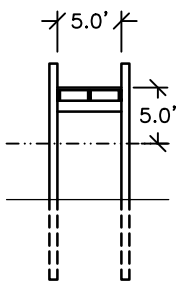
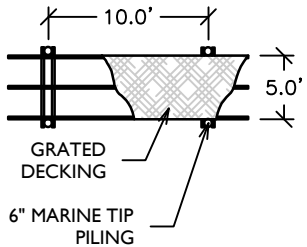
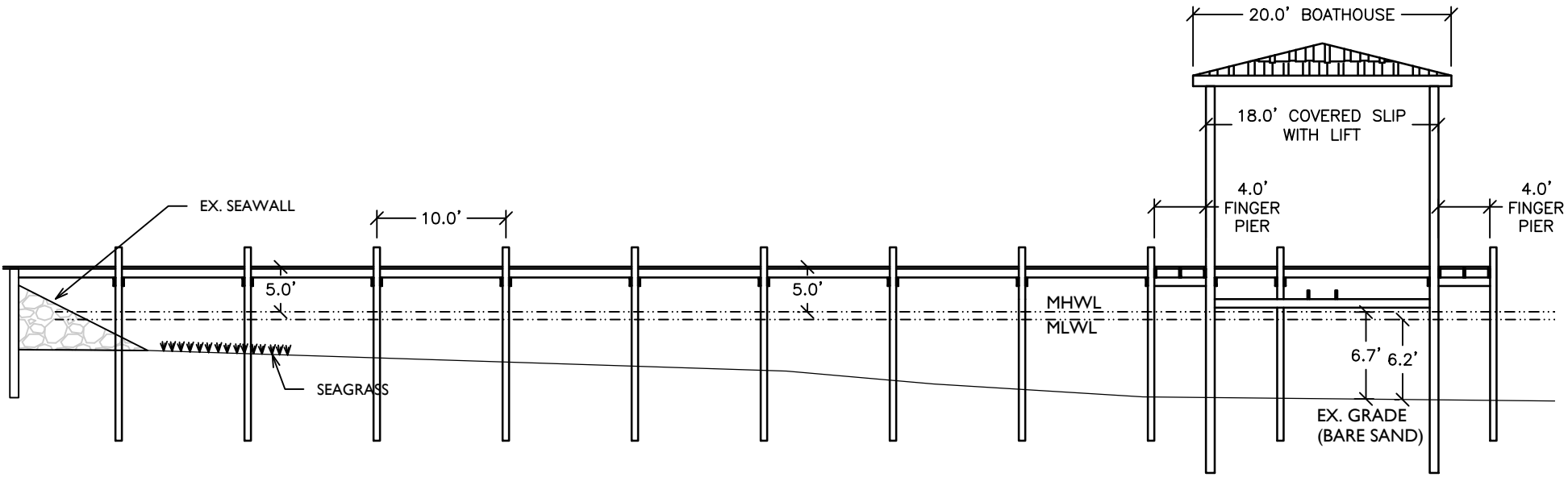
SUBJECT PARCEL
BLASE
4141 BELCOURT DRIVE
DESTIN, FL 32541

PREEMPTED AREA CALCS:	
106.5'x4' ACCESS PIER	= 426 S.F.
16'x10' TERMINAL PLATFORM	= 160 S.F.
(2) 40'x4' FINGER PIERS	= 320 S.F.
40'x18' COVERED BOAT SLIP	= 720 S.F.
20'x1' ROOF OVERHANG	= 20 S.F.
TOTAL	= 1,646 S.F.

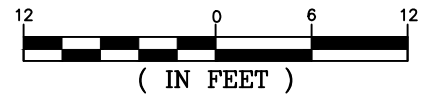


PROJECT NAME: 4141 BELCOURT DRIVE, BLASE	
PLAN VIEW OVERALL	
PROJECT NO.: 2021-045	
DRAWN BY: JAT	DATE: 7/25/21
SHEET: 3 OF 4	





PROJECT NAME: 4141 BELCOURT DRIVE, BLASE	
DOCK PROFILE	
PROJECT NO.: 2021-045	
DRAWN BY: JAT	DATE: 7/25/21
SHEET: 4 OF 4	





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

September 16, 2021

Regulatory Division
North Permits Branch
Pensacola Permits Section
SAJ-2010-00162 (GP-HMM)

Craig Blase
219 Scenic Gulf Drive #1520
Miramar Beach, Florida 32550

Dear Mr. Blase:

The U.S. Army Corps of Engineers (Corps) has completed the review of your application for a Department of the Army permit. Your application was assigned file number SAJ-2010-00162. A review of the information and drawings provided indicates that the proposed work will result in the construction of a 106.5-foot by 4-foot access pier, a 16-foot by 10-foot terminal platform, and two 40-foot by 4-foot catwalks forming a covered 40-foot by 18-foot boat slip with lift and a 42-foot by 20-foot roof. The activities subject to this permit are authorized pursuant to authorities under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403). The project is located at 4141 Belcourt Drive, in Indian Bayou, Latitude 30.404719° North, Longitude 86.452376° West, Section 00, Township 2 South, Range 22 West, in Destin, in Okaloosa County, Florida.

This letter verifies your project, as described above and depicted on the enclosed drawings, is authorized by Regional General Permit (RGP) SAJ-20 and any subsequent modifications, if applicable. **This RGP authorization is valid until March 27, 2023.** Please access the Corps' Jacksonville District Regulatory Division Source Book webpage to view the special and general conditions for SAJ-20, which apply specifically to this authorization. The Internet URL address is: <http://www.saj.usace.army.mil/Missions/Regulatory.aspx>. Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Once there select "Source Book"; and, then select "General Permits." Then you will need to select the specific SAJ permit noted above.

You must comply with ALL the RGP general and special conditions, attached and/or incorporated by reference, and the Project Specific Special Conditions and General Conditions, listed below, or you may be subject to enforcement action.

General Conditions (33 CFR PART 320-330):

1. The time limit for completing the work authorized ends on **March 27, 2023.**
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 of the new owner on the transfer form attached to this letter and forward a copy 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 a representative 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.

Project Specific Special Conditions:

The following project specific special conditions are included with this verification:

1. **Reporting Address:** The Permittee shall submit all reports, notifications, documentation and correspondence required by the general and special conditions of this permit to either (not both) of the following addresses:
 - a. For electronic mail (preferred): SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).
 - b. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.

The Permittee shall reference this permit number, SAJ-2010-00162 (GP-HMM), on all submittals.

2. **Commencement Notification:** Within 10 days from the date of initiating the work authorized by this permit the Permittee shall submit a completed "Commencement Notification" Form (Attached).
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. **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 of Engineers, 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.
5. **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 that extend to within 1 foot of the bottom 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.
6. **Agency Changes/Approvals:** Should any other agency require and/or approve changes to the work authorized or obligated by this permit, the Permittee is advised 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** Permits Section. The Corps reserves the right to fully evaluate, amend, and approve or deny the request for modification of this permit.
7. **Posting of Permit:** The Permittee shall have available and maintain for review a copy of this permit and approved plans at the construction site.
8. **Dock Construction Guidelines:** The Permittee shall comply with the attached "Dock Construction Guidelines in Florida for Docks or Other Minor Structures Constructed in or over Submerged Aquatic Vegetation, Marsh or Mangrove Habitat – U.S. Army Corps of Engineers/National Marine Fisheries Service – November 2017.

9. **Manatee Conditions:** The Permittee shall comply with the attached “Standard Manatee Conditions for In-Water Work – 2011”.
10. **Jacksonville District Programmatic Biological Opinion (JAXBO), November 2017, Project Design Criteria (PDCs):** Structures authorized under this permit must comply with all applicable PDCs, based on the permitted activity, as required by JAXBO. Please note that failure to comply with the applicable PDCs, where a take of listed species occurs, would constitute an unauthorized take, and noncompliance with this permit. The NMFS is the appropriate authority to enforce the terms and conditions of JAXBO. The most current version of JAXBO can be accessed at the Jacksonville District Regulatory Division internet webpage in the Endangered Species section of the Sourcebook located at:
<http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>.

Note - JAXBO may be subject to revision at any time. The most recent version of these conditions must be utilized during the design and construction of the permitted work. In accordance with the Endangered Species Act, and for those projects which do not comply with JAXBO, the Corps will seek individual consultation with the NMFS.

Note - some authorized activities may deviate from the PDCs. In cases, where the activity (i.e., structure dimensions, length, etc.) deviates from the PDCs, the permit drawings shall supersede the PDCs.

For each of the following authorized activities subject of this permit, the permittee shall adhere to the following PDCs, which are attached to, and made part of, this authorization/verification letter:

Activity 2 - Pile-supported Structures: (AP.1-14; A2.1-16; S.2)

11. 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 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.

This letter of authorization does not include conditions that would prevent the 'take' of a state-listed fish or wildlife species. These species are protected under sec. 379.411, Florida Statutes, and listed under Rule 68A-27, Florida Administrative Code. With regard to fish and wildlife species designated as species of special concern or threatened by the State of Florida, you are responsible for coordinating directly with the Florida Fish and Wildlife Conservation Commission (FWC). You can visit the FWC license and permitting webpage (<http://www.myfwc.com/license/wildlife/>) for more information, including a list of those fish and wildlife species designated as species of special concern or threatened. The Florida Natural Areas Inventory (<http://www.fnai.org/>) also maintains updated lists, by county, of documented occurrences of those species.

This letter of authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

Please note U.S. Coast Guard regulations may require you as permittee to provide information for a Notice to the maritime community regarding your project. You should contact the Coast Guard Sector Mobile Waterways Management Branch (spw), 1500 15th Street, Mobile, AL 36615 or by phone at 251-441-5684 to determine if a Notice is necessary. Also any safety lights, signs and signals prescribed by the U.S. Coast Guard through their regulations or otherwise, must be installed and maintained at your expense as permittee on authorized facilities in navigable waters of the United States.

To receive a U.S. Coast Guard Private Aids to Navigation marking determination, you are advised to contact the Eighth Coast Guard District (dpw), 500 Poydras St. Suite 1230, New Orleans, LA 70130, 504-671-2328 or via email to: D8oanPATON@uscg.mil prior to installation/construction of any fixed structures. For general information related to Private Aids to Navigation please visit the Eighth CG District web site at: <http://www.atlanticarea.uscg.mil/district-8/district-divisions/waterways/PATON>.

This letter of authorization does not preclude the necessity to obtain any other Federal, State, or local permits, which may be required.

Thank you for your cooperation with our permit program. The Corps' Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to complete our automated Customer Service Survey at <https://regulatory.ops.usace.army.mil/customer-service-survey/>. Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Your input is appreciated – favorable or otherwise.

Should you have any questions related to this GP verification or have issues accessing the documents reference in this letter, please contact Holly Millsap at the letterhead address above, via telephone at 850-470-9823, or via e-mail at Holly.M.Millsap@usace.army.mil.

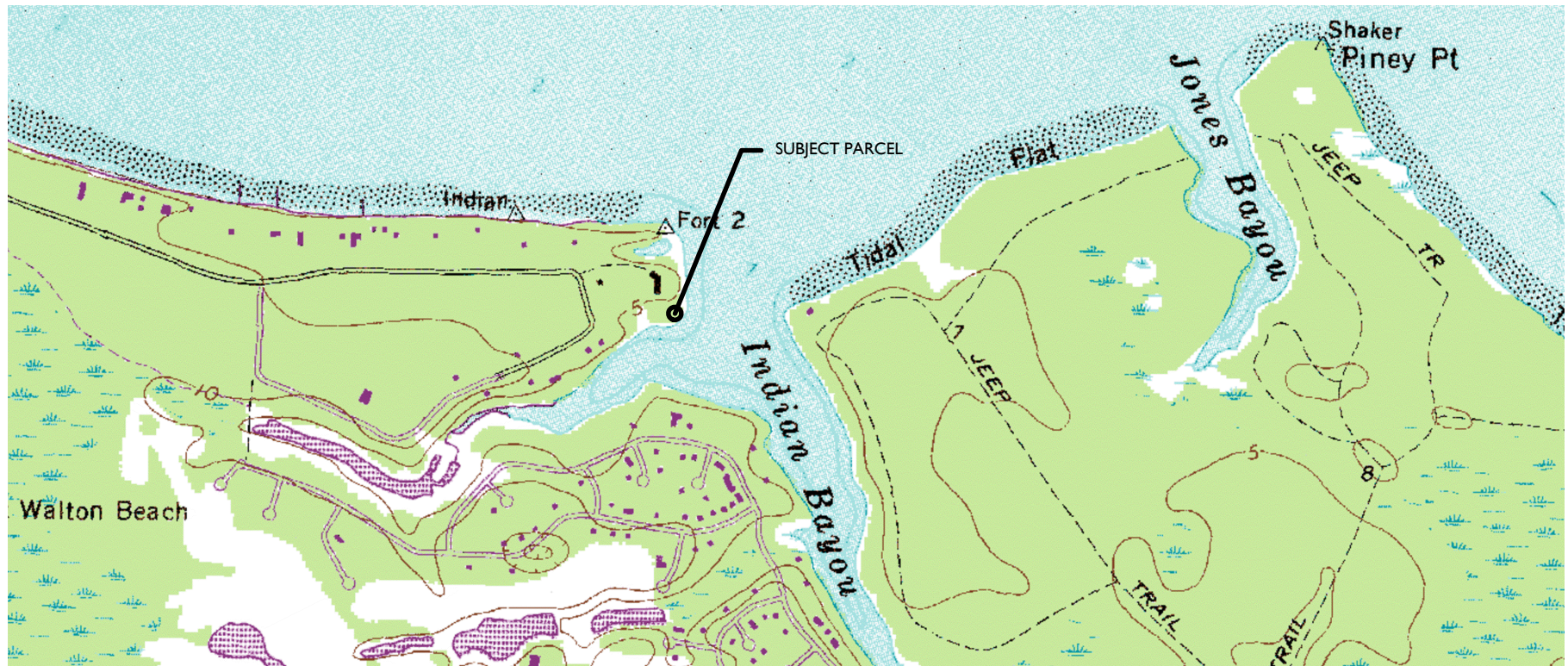
Sincerely,

A handwritten signature in black ink, appearing to read 'Holly Millsap', written over a circular stamp or seal.

Holly Millsap
Project Manager

Enclosures

Copy:
Jason Taylor, Oakhurst Consulting, Agent

PROPERTY INFO

PID: 00-2S-22-4600-0000-0110
 SITUS: 4141 BELCOURT DRIVE
 DESTIN, FL 32541
 LAT: 30.404719
 LONG: -86.452376

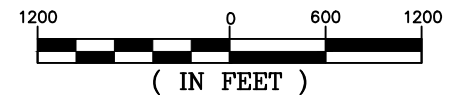
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INDEX OF SHEETS

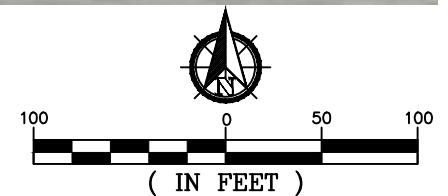
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 2-PLAN VIEW DEPICTED ONTO AERIAL
 3-PLAN VIEW OVERALL
 4-DOCK PROFILE

PROJECT NAME: 4141 BELOCOURT DRIVE, BLASE
SITE LOCATION MAP & SHEET INDEX
PROJECT NO.: 2021-045
DRAWN BY: JAT DATE: 7/25/21
SHEET: 1 OF 4





PROJECT NAME: 4141 BELCOURT DRIVE, BLASE	
PLAN VIEW DEPICTED ONTO AERIAL	
PROJECT NO.: 2021-045	
DRAWN BY: JAT	DATE: 7/25/21
SHEET: 2 OF 4	



<u>PREEMPTED AREA CALC:</u>	
106.5'x4' ACCESS PIER	= 426 S.F.
16'x10' TERMINAL PLATFORM	= 160 S.F.
(2) 40'x4' FINGER PIERS	= 320 S.F.
40'x18' COVERED BOAT SLIP	= 720 S.F.
20'x11' ROOF OVERHANG	= 20 S.F.
TOTAL	= 1,646 S.F.

INDIAN BAYOU

MHWL RUNS ALONG
EXISTING SEAWALL; ±146'

APPROX. RIPARIAN LINE

-4

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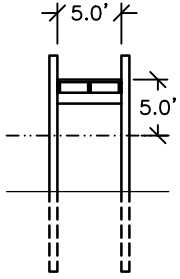
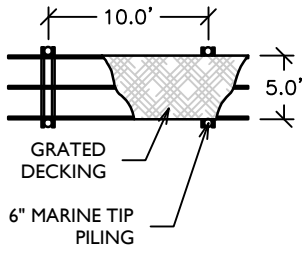
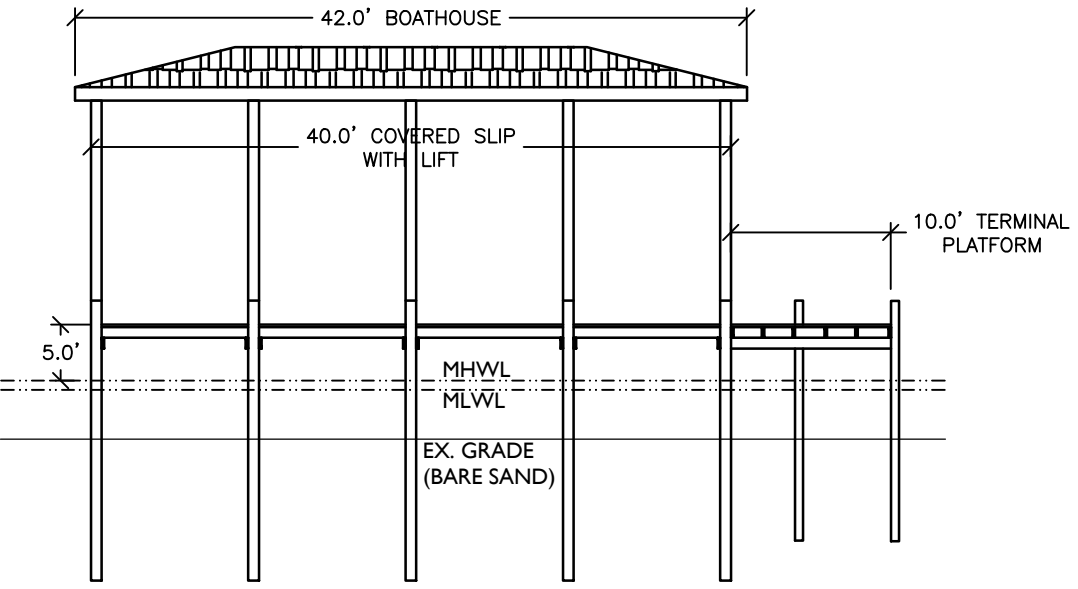
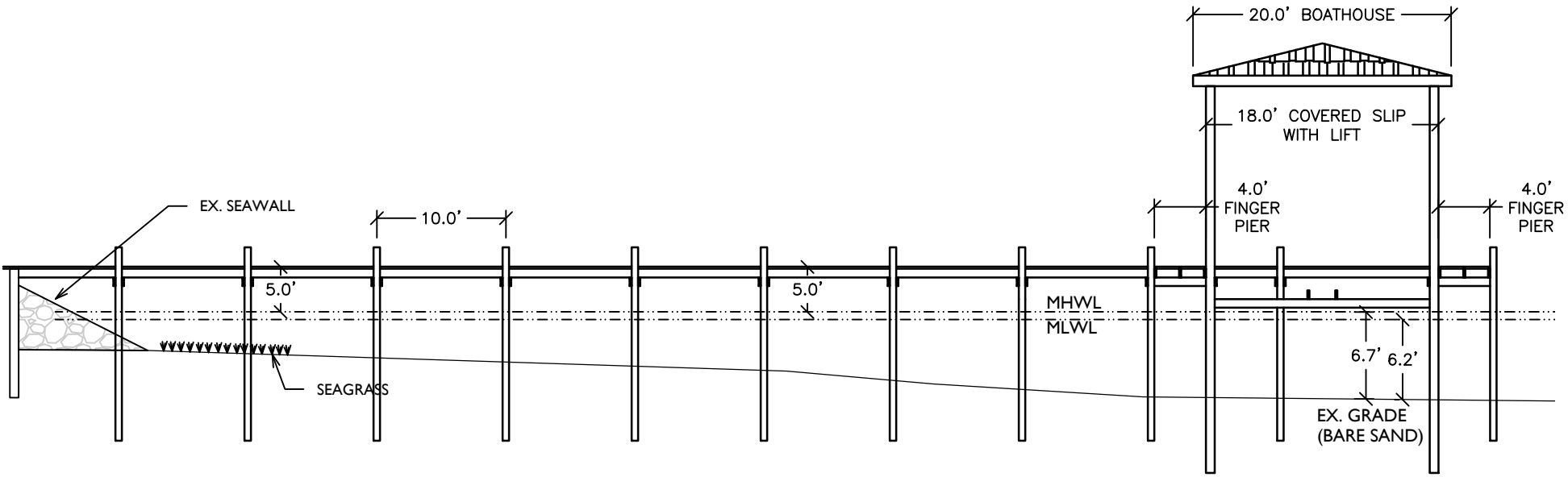
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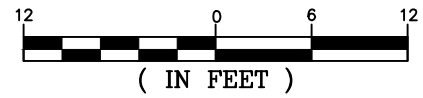
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PROJECT NAME: 4141 BELCOURT DRIVE, BLASE	
DOCK PROFILE	
PROJECT NO.: 2021-045	
DRAWN BY: JAT	DATE: 7/25/21
SHEET: 4 OF 4	



**Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in
or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat
U.S. Army Corps of Engineers/National Marine Fisheries Service
November 2017**

Submerged Aquatic Vegetation:

1. Avoidance. The piling-supported structure shall be aligned so as to minimize the size of the footprint over SAV beds.
2. The height of piling-supported structure shall be a minimum of 5 feet above MHW/OHW as measured from the top surface of the decking.
3. The width of the piling-supported structure is limited to a maximum of 4 feet. A turnaround area is allowed for piling-supported structures greater than 200 feet in length. The turnaround is limited to a section of the piling-supported structure no more than 10 feet in length and no more than 6 feet in width. The turnaround shall be located at the midpoint of the piling-supported structure.
4. Over-SAV bed portions of the piling-supported structure shall be oriented in a north-south orientation to the maximum extent that is practicable.
5. a. If possible, terminal platforms shall be placed in deep water, waterward of SAV beds or in an area devoid of SAV beds.

b. If a terminal platform is placed over SAV areas and constructed of grated decking, the total size of the platform shall be limited to 160 square feet. The grated deck material shall conform to the specifications stipulated below. The configuration of the platform shall be a maximum of 8 feet by 20 feet. A minimum of 5 feet by 20 feet shall conform to the 5-foot height requirement; a 3 feet by 20 feet section may be placed 3 feet above MHW to facilitate boat access. The long axis of the platform should be aligned in a north-south direction to the maximum extent that is practicable.

c. If the terminal platform is placed over SAV areas and constructed of planks, the total size of the platform shall be limited to 120 square feet. The configuration of the platform shall be a maximum of 6 feet by 20 feet of which a minimum 4-foot wide by 20-foot long section shall conform to the 5-foot height requirement. A section may be placed 3 feet above MHW to facilitate boat access. The 3 feet above MHW section shall be cantilevered. The long axis of the platform should be aligned in a north-south direction to the maximum extent that is practicable. If the 3 feet above MHW section is constructed with grating material, it may be 3 feet wide.
6. One uncovered boat lift area is allowed. A narrow catwalk (2 feet wide if planks are used, 3 feet wide if grating is used) may be added to facilitate boat maintenance along the outboard side of the boat lift and a 4-foot wide walkway may be added along the stern end of the boat lift, provided all such walkways are elevated 5 feet above MHW. The catwalk shall be cantilevered from the outboard mooring pilings (spaced no closer than 10 feet apart).
7. Pilings shall be installed in a manner which will not result in the formation of sedimentary deposits("donuts" or "halos") around the newly installed pilings. Pile driving is the preferred method of installation, but jetting with a low pressure pump may be used.
8. The spacing of pilings through SAV beds shall be a minimum of 10 feet on center.
9. The gaps between deckboards shall be a minimum of ½ inch.

October 2002 - Grid Specifications and Suppliers Section modified to add an additional vendor of materials.

February 2003 – Manufacturer name changed from ChemGrate to FiberGrate

May 2003 - The terms dock and pier were removed and replaced by the term piling-supported structure, to clarify our intent.

March 2008 – Added requirement for 43% open space in grids; added additional manufacturer of grating.

November 2017 – Manufacturer of grated material updated to include Voyager Industries.

Marsh:

1. The piling-supported structure shall be aligned so as to have the smallest over-marsh footprint as practicable.
2. The over-marsh portion of the piling-supported shall be elevated to at least 4 feet above the marsh floor.
3. The width of the piling-supported is limited to a maximum of 4 feet. Any exceptions to the width must be accompanied by an equal increase in height requirement.

Mangroves.

1. The width of the piling-supported structure is limited to a maximum of 4 feet.
2. Mangrove clearing is restricted to the width of the piling-supported structure.
3. The location and alignment of the piling-supported structure should be through the narrowest area of the mangrove fringe.

Grid Specifications and Suppliers

The following information does not constitute a U.S. Army Corps of Engineers endorsement or advertisement for any particular provider and is provided only as an example for those interested in obtaining these materials for piling-supported structure construction. Light-transmitting materials are made of various materials shaped in the form of grids, grates, lattices, etc., to allow the passage of light through the open spaces. **All light-transmitting materials used in construction for minor piling-supported structures shall have a minimum of forty-three (43) percent open space.**

A type of fiberglass grate panel is manufactured by SeaSafe (Lafayette, LA; phone: 1-800-326-8842) and FiberGrate (1-800-527-4043). A type of plastic grating is manufactured by ThruFlow Interlocking Panels (1-888-478-3569). Plastic grate panels are also distributed by Southern Pine Lumber Company (Stuart, FL; 772-692-2300). Grated panels can be obtained from Titan Deck/Voyager Industries (Brandon, MN; 877-207-4136; www.titandeck.net). Panels are available in a variety of sizes and thicknesses. For safety, the grate should contain an anti-slip texture which is integrally molded into the top surface. The manufacturer or local distributor should be consulted to ensure that the load-bearing capacity of the selected product is sufficient to support the intended purpose. Contact the manufacturer(s) for product specifications and a list of regional distributors.

October 2002 - Grid Specifications and Suppliers Section modified to add an additional vendor of materials.

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STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

The Permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees, which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. [Omitted]
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and emailed to FWC at ImperiledSpecies@myFWC.com.
- f. [Omitted]

[Conditions "c" and "f" have been omitted as they are not applicable in this location.]

Project Design Criteria (PDCs) Applicable to All Projects

NOTE - You are required to comply with the following PDCs, which serve to address requirements pursuant to Section 7, Endangered Species Act (ESA) for those listed species and designated critical habitat under purview of the National Marine Fisheries Service Protected, Resources Division. These PDCs are taken from the Programmatic Biological Opinion (PBO) referred to as JaxBO. These criteria serve to address ESA requirements only, and additional conditions may be required to address other Federal laws, including the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act. Authorization under this permit is conditional upon your compliance with all applicable PDCs, which are made part of this permit. You are reminded that you must complete the attached self-certification statement of compliance following completion of the authorized work. Your statement of compliance does not obviate the need to satisfy all PDCs, including those requirements (e.g., such as structural dimensions and educational signs) that are observable post-construction, and those requirements (e.g., construction methods or procedures to be followed) that are not observable post-construction. Please note that failure to comply with the applicable PDCs of this PBO, where a take of the listed species occurs, would constitute an unauthorized take, and it would also constitute noncompliance with this permit. The NMFS is the appropriate authority to determine compliance with the terms and conditions of this PBO.

AP.1. The applicant must agree to adhere to PDCs for *In-Water Activities* (provided below).

AP.2. All projects involving the installation of piles or sheet piles shall follow the PDCs for *In-Water Noise from Pile and Sheet Pile Installation* (Section 2.2). This Opinion does not cover projects that use seismic surveys, low frequency sonar, explosions, and seismic air guns.

AP.3. All projects proposed in or near areas with mangroves, seagrasses, corals, or hard bottom habitat must refer to PDCs for *Mangroves, Seagrasses, Corals, and Hard Bottom for All Projects* (provided below) to determine whether the project is covered under the Opinion and, if it is covered, to ensure it is sited, designated, and implemented following all of the PDCs in that section.

AP.4. For every project, the USACE must determine if the project is located within:

- a) Smalltooth sawfish critical habitat limited exclusion zones (Section 2.1.1.1)
- b) Gulf sturgeon critical habitat migratory restriction zones (Section 2.1.1.2)
- c) Atlantic sturgeon critical habitat exclusion zone (St. Marys River) (Section 2.1.1.3)
- d) North Atlantic right whale educational sign zones (Section 2.1.1.4)
- e) U.S. Caribbean sea turtle critical habitat restriction zones (Section 2.1.1.5)
- f) Bryde's whale exclusion zone (Section 2.1.1.6)

Where the activity is excluded from the Opinion within a particular zone, the application must be processed under a separate consultation. Where additional restrictions apply to activities within that zone, the USACE or other authorizing entity must ensure that the project meets the requirements for that zone.

AP.5. This Opinion only covers new construction (i.e., installation, repair, replacement) and does not apply to after-the-fact consultations or enforcement actions handled by the Corps.

AP.6. All activities must be completed during daylight hours.

Project Design Criteria (PDCs) for In-Water Activities

AP.7. Education and Observation: The permittee must ensure that all personnel associated with the project are instructed about the potential presence of species protected under the ESA and the Marine Mammal Protection Act (MMPA). All on-site project personnel are responsible for observing water-related activities for the presence of protected species. All personnel shall be advised that there are civil and criminal penalties for harming, harassing, or killing ESA-listed species or marine mammals. To determine which species may be found in the project area, please review the relevant Protected Species List at:

http://sero.nmfs.noaa.gov/protected_resources/section_7/threatened_endangered/index.html

AP.8. Reporting Interactions with Protected Species:

- a) Any collision(s) with and/or injury to any sea turtle, sawfish, whale, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (1-727-824-5312) or by email to: takereport.nmfs@noaa.gov and SAJ-RD-Enforcement@usace.army.mil.
- b) Smalltooth sawfish: Report sightings to 1-844-SAWFISH or email: Sawfish@MyFWC.com
- c) Sturgeon: Report dead sturgeon to 1-844-STURG 91 (1-844-788-7491) or email: nmfs.ser.sturgeonnetwork@noaa.gov
- d) Sea turtles and marine mammals: Report stranded, injured, or dead animals to 1-877-WHALE HELP (1-877-942-5343).
- e) North Atlantic right whale: Report injured, dead, or entangled right whales to the USCG via VHF Channel 16.

AP.9. Vessel Traffic and Construction Equipment: All vessel operators must watch for and avoid collision with species protected under the ESA and MMPA. Vessel operators must avoid potential interactions with protected species and operate in accordance with the following protective measures:

- a) *Construction Equipment*:
 - i) All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while operating in water depths where the draft of the vessel provides less than a 4-foot (ft) clearance from the bottom, and in all depths after a protected species has been observed in and has departed the area.
 - ii) All vessels will follow marked channels and/or routes using the maximum water depth whenever possible.
 - iii) Operation of any mechanical construction equipment, including vessels, shall cease immediately if a listed species is observed within a 50-ft radius of construction equipment and shall not resume until the species has departed the area of its own volition.
 - iv) If the detection of species is not possible during certain weather conditions (e.g., fog, rain, wind), then in-water operations will cease until weather conditions improve and detection is again feasible.

- b) *All Vessels:*
- i) Sea turtles: Maintain a minimum distance of 150 ft.
 - ii) North Atlantic right whale: Maintain a minimum 1,500-ft distance (500 yards).
 - iii) Vessels 65 ft in length or longer must comply with the Right Whale Ship Strike Reduction Rule (50 CFR 224.105) which includes reducing speeds to 10 knots or less in Seasonal Management Areas (<http://www.fisheries.noaa.gov/pr/shipstrike/>).
 - iv) Mariners shall check various communication media for general information regarding avoiding ship strikes and specific information regarding right whale sightings in the area. These include NOAA weather radio, USCG NAVTEX broadcasts, and Notices to Mariners.
 - v) Marine mammals (i.e., dolphins, whales [other than North Atlantic right whales], and porpoises): Maintain a minimum distance of 300 ft.
 - vi) When these animals are sighted while the vessel is underway (e.g., bow-riding), attempt to remain parallel to the animal's course. Avoid excessive speed or abrupt changes in direction until they have left the area.
 - vii) Reduce speed to 10 knots or less when mother/calf pairs or groups of marine mammals are observed, when safety permits.

AP.10. Turbidity Control Measures during Construction: Turbidity must be monitored and controlled. Prior to initiating any of the work covered under this Opinion, the Permittee shall install turbidity curtains as described below. In some instances, the use of turbidity curtains may be waived by the USACE project manager if the project is deemed too minimal to generate turbidity (e.g., certain ATON installation, scientific survey device placement, marine debris removal) or if the current is too strong for the curtains to stay in place. Turbidity curtains specifications:

- a) Install floating turbidity barriers with weighted skirts that extend to within 1 ft of the bottom around all work areas that are in, or adjacent to, surface waters.
- b) Use these turbidity barriers throughout construction to control erosion and siltation and ensure that turbidity levels within the project area do not exceed background conditions.
- c) Position turbidity barriers in a way that does not block species' entry to or exit from designated critical habitat.
- d) Monitor and maintain turbidity barriers in place until the authorized work has been completed and the water quality in the project area has returned to background conditions.
- e) In the range of ESA-listed corals (St. Lucie Inlet, Martin County south to the Dry Tortugas and the U.S. Caribbean) and Johnson's seagrass (Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida):
 - i. Projects that include upland earth moving (e.g., grading to install a building or parking lot associated with a dock and seawall project), must install sediment control barriers to prevent any upland sediments from reaching estuarine or marine waters.
 - ii. The turbidity curtain requirement cannot be waived for any project that moves or removes sediment (e.g., dredging, auger to create a pile, trenching to install a cable

line). If turbidity curtains are not feasible in an area based on site conditions such as water current, high wave action, or stormy conditions, the project must undergo individual Section 7 consultation and is not covered under this Programmatic Opinion.

AP.11. Entanglement: All turbidity curtains and other in-water equipment must be properly secured with materials that reduce the risk of entanglement of marine species (described below). Turbidity curtains likewise must be made of materials that reduce the risk of entanglement of marine species.

- a) In-water lines (rope, chain, and cable, including the lines to secure turbidity curtains) must be stiff, taut, and non-looping. Examples of such lines are heavy metal chains or heavy cables that do not readily loop and tangle. Flexible in-water lines, such as nylon rope or any lines that could loop or tangle, must be enclosed in a plastic or rubber sleeve/tube to add rigidity and prevent the line from looping and tangling. In all instances, no excess line is allowed in the water.
- b) Turbidity curtains and other in-water equipment must be placed in a manner that does not entrap species within the construction area or block access for them to navigate around the construction area.

Project Design Criteria (PDCs) for Mangroves, Seagrasses, Corals and Hard Bottom for All Projects

Note: **For projects authorized in reliance on this Opinion only**, the PDCs below supercede any other guidance documents otherwise applicable to reduce or avoid impacts to mangroves, seagrasses, and corals. This includes the NMFS's *Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation, Marsh, or Mangrove Habitat* dated August 2001, and NMFS's *Key for Construction Conditions for Docks or Other Minor Structures Constructed in or over Johnson's Seagrass (Halophila johnsonii)*, dated October 2002. NMFS may still apply these guidance documents in other consultations, including consultations on Essential Fish Habitat under the Magnuson-Stevens Fishery Conservation and Management Act, as appropriate.

AP.12. Mangroves:

- a) To qualify for coverage under this Opinion, all projects must be sited and designed to avoid or minimize impacts to mangroves.
- b) Mangrove removal must be conducted in a manner that avoids any unnecessary removal and is limited to the following instances:
 - i. Removal to install up to a 4-ft-wide walkway for a dock.
 - ii. Removal to install up to an 8-ft-wide walkway for public docks, where the walkway is necessary to address compliance with the Americans with Disability Act (ADA).
 - iii. Removal to install culverts necessary to improve water quality or restore hydrology between 2 water bodies. Such mangrove removal is limited to a maximum of 20 linear feet (lin ft) of shoreline per culvert opening.
 - iv. Removal of mangroves above mean high water (MHW) provided that the tree does not have any prop roots that extend into the water below the MHWL.
- c) Mangrove Trimming. Mangrove trimming is regulated by FDEP, Puerto Rico Department of Natural and Environmental Resources, and U.S. Virgin Islands Department of Planning and Natural Resources. Consistent with those authorities, when used in this Opinion, mangrove trimming refers to the removal (using hand equipment such as chain saws and/or machetes) of lateral branches (i.e., no alteration of the trunk of the tree) in a manner that ensures survival of the tree. This Opinion does not limit or supersede any restrictions on mangrove removal required under any federal, state, or local law.
 - i. This Opinion only covers projects with associated mangrove trimming occurring waterward of MHW if such trimming (1) occurs within the area where the authorized structures are placed or will be placed (e.g., removal of branches that overhang a dock),
 - ii. (2) is necessary to provide temporary construction access, and (3) is conducted in a manner that avoids any unnecessary trimming.

- iii. The Opinion does not apply to projects proposing to remove red mangrove props roots waterward of MHW, except for removal to install the dock walkways, as described above (up to a 4-ft walkway and up to a 8-ft ADA compliant walkway) and to install culverts necessary to improve water quality or restore hydrology between 2 water bodies.

AP.13. Seagrass:

- a) Pile-supported structures must follow the PDCs for *Docks or Other Minor Structures* (PDC A2.17, Section 2.2.2)

Johnson's seagrass:

- b) This Opinion does not apply to projects where Johnson's seagrass is found within the project footprint except for:
 - i. Installation of pile-supported structures that meet the PDCs for *Docks or Other Minor Structures* (PDC A2.17, Section 2.2.2).
 - ii. Maintenance dredging of previously authorized areas. This is limited to the removal of no more than 0.1 acre (ac) (4,356 ft²) of Johnson's seagrass per year (Activity 3; see Section 2.2.3).
 - iii. Transmission/utility line repairs within the same footprint of the lines being repaired (Activity 8; see Section 2.2.8).

Non-listed seagrasses:

- a) All impacts to non-ESA listed native, non-invasive seagrasses should be avoided and minimized to the extent practicable.
- b) This Opinion does not apply to projects located within the geographic boundary of U.S. Caribbean sea turtle critical habitat (hawksbill, leatherback, and the NA DPS of green sea turtle critical habitat identified in Section 2.1.1.5) if non-ESA listed, native, non-invasive seagrasses are found within the project footprint.
- c) This Opinion does not apply to projects that may affect, directly or indirectly, ESA-listed corals.
- d) Projects occurring within in the Florida Keys National Marine Sanctuary (FKNMS) may require separate consultation or authorization from NOAA's FKNMS. Projects authorized to occur in the FKNMS shall comply with any measures NOAA FKNMS has developed to avoid, minimize, and/or mitigate any effects on non-listed corals. For projects occurring outside of the FKNMS, if non-listed corals are found within the project footprint, we recommend relocating all non-listed corals, when possible, in a manner that is protective of the corals.

AP.14. Coral and Hard Bottom Habitat:

- a) This Opinion does not apply to projects that may affect, directly or indirectly, ESA-listed corals.
- b) Projects occurring within in the Florida Keys National Marine Sanctuary (FKNMS) may require separate consultation or authorization from NOAA's FKNMS. Projects authorized to occur in the FKNMS shall comply with any measures NOAA FKNMS has developed to avoid, minimize, and/or mitigate any effects on non-listed corals. For projects occurring outside of the FKNMS, if non-listed corals are found within the project footprint, we recommend relocating all non-listed corals, when possible, in a manner that is protective of the corals.
- c) This Opinion does not apply to projects where hard bottom habitat is found within the project footprint, except for the temporary placement (up to 24 months) of scientific survey devices (Activity 5) that have a footprint of less than 1 square foot (ft²) per device and are installed in a manner that does not permanently alter the hardbottom (e.g., the devices are not installed by drilling). For this Opinion, we define hard bottom in 2 ways:
 - i. Natural consolidated hard substrate that is suitable to support corals, coral larval settlement, reattachment and recruitment of asexual coral fragments. These areas of hard bottom or dead coral skeleton must be free from fleshy or turf macroalgae cover and sediment cover.
 - ii. Nearshore and surf-zone, low-profile hard bottom outcroppings (e.g., worm-rock reef [sabellariid worm reefs] and eolianite, granodiorite). This habitat can be persistent or ephemeral, cycling through periods of exposure and cover by sand. The range of this hard bottom habitat extends along the southeastern coast of Florida from Cape Canaveral to Miami-Dade County and in the U.S. Caribbean. It is an important developmental habitat for juvenile hawksbill and green sea turtles, which use it for both foraging and refuge.

Project Design Criteria (PDCs) Specific to Activity 2 for Pile-Supported Structures and Anchored Buoys

A2.1. Activities covered by this Opinion include the installation, repair, replacement, and removal of structures as described below:

- A2.1.1. The pile-supported and anchored structures included in this Opinion are: docks and piers, boatlifts, mooring piles and dolphin piles associated with docks/piers; ATONs and PATONs; floating docks; pile-supported chickees (i.e., small, back-country, over-water, pile-supported, primitive camping shelters); boardwalks (as long as they are designed and clearly marked to prohibit fishing and vessel mooring); mooring fields and buoys; and other minor pile-supported structures. This does not include structures that support large commercial vessels including ferries, tankers, and cargo ships such as ferry terminals and large ports.
- A2.1.2. Pile-supported docks/piers for a single-family residential lot are limited to 4 slips for motorized vessels. Slips for non-motorized vessels (e.g., kayak, canoe, and paddleboard) and associated launching areas do not count toward the total slip number.
- A2.1.3. Pile-supported structures for marinas, multi-family facilities (e.g., condo complexes, trailer parks, subdivisions when the homeowners association owns and controls the in-water structures). Docks and piers for multi-family residential properties (e.g., condos, trailer parks, apartment complexes), and marinas are limited to a maximum of 50 total slips (i.e., combination of wet and dry slips for existing plus proposed slips).
- A2.1.4. Anchored buoys and temporary pile-supported structures associated with marine events. Upon completion of the event, these structures must be removed and, to the maximum extent practical, the site must be restored to pre-construction elevations. Water depths in the area of marine events must be deep enough to support at least 5 ft of water depth under the keel of a vessel and between the keel of a vessel and ESA-listed coral colonies when transiting to the mooring areas. There is no limit on the number of vessel slips allowed for temporary structures associated marine events such as boat shows.
- A2.1.5. Mooring fields are limited to a maximum of 50 motorized vessels (there is no limit on the number of non-motorized vessels).
- A2.1.6. All pile-supported structures constructed must comply with PDC 2.17 for *Docks or Other Minor Structures Constructed in Florida Under this Opinion* (see below).

The following PDCs apply to all the activities described in PDC A2.1 above:

A2.2. For commercial, multi-family, or public facilities, and marine events, signs must be posted in a visible location(s), alerting users of listed species in the area susceptible to vessel strikes and hook-and-line captures. The most current version of the signs that must be downloaded and sign installation guidance are available at:

(http://sero.nmfs.noaa.gov/protected_resources/section_7/protected_species_educational_signs/index.html). The signs required to be posted by area are stated below:

- A2.2.1. All projects in Florida shall use the Save Sea Turtle, Sawfish, and Dolphin sign. These signs shall include contact information to the sea turtle and marine

- mammal stranding networks and smalltooth sawfish encounter database.
- A2.2.2. Projects within the North Atlantic right whale educational sign zone (as defined in Section 2.1.1.4) shall post the Help Protect North Atlantic Right Whales sign.
- A2.2.3. On the east coast of Florida, projects located within the St. John's River and those occurring north of the St. Johns River to the Florida-Georgia line shall post the Report Sturgeon sign. On the west coast of Florida, projects occurring from the Cedar Key, Florida north to the Florida-Alabama line.
- A2.2.4. We are still developing the signs to be used in the U.S. Caribbean. Once developed, those signs will be included at the website above.

A2.3. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided at the docking facility to reduce the risk of turtle or sawfish entanglement in, or ingestion of, marine debris. Monofilament recycling bins must:

- A2.3.1. Be constructed and labeled according to the instructions provided at <http://mrrp.myfwc.com>.
- A2.3.2. Be maintained in working order and emptied frequently (according to <http://mrrp.myfwc.com> standards) so that they do not overflow.

A2.4. For any dock project (new construction, repair, or replacement) at a private residence located within 11 nautical miles of North Atlantic right whale critical habitat (as measured in a radius from the center of the nearest inlet to open ocean and described in Section 2.1.1.4), the property owner will be provided a handout with their USACE permit describing the presence of North Atlantic right whales in the area and the Federal regulations governing the approach to North Atlantic right whales (Appendix C).

A2.5. ATONs and PATONs must be approved by and installed in accordance with the requirements of the USCG (see 33 CFR, chapter I, subchapter C, part 66 and RHA Section 10 and any other pertinent requirements).

A2.6. Chickees must be less than 500 ft² and support no more than 2 slips.

A2.7. No activities associated with municipal or commercial fishing piers are covered under this Opinion.

A2.8. Docks installed within visible distance of ocean beaches are required to comply with turtle-friendly lighting, if lighting is necessary to the project. Turtle-friendly lighting is explained and examples are provided on the Florida Fish and Wildlife Conservation Commission website:
<http://myfwc.com/wildlifehabitats/managed/sea-turtles/lighting/>

A2.9. Project construction will take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited.

Additional PDCs for Activity 2 applicable in Critical Habitat

- A2.10.** *Acropora* critical habitat and the U.S. Caribbean: This Opinion does not cover new and expanded pile-supported structures in *Acropora* critical habitat where the essential features are present. The distance from ATONs to ESA-listed corals and *Acropora* critical habitat shall ensure there are no impacts to the corals or the essential feature of *Acropora* critical habitat from the movement of buoys and tackle. The appropriate distance shall be based on the size of the anchor chain or other tackle to be installed to secure the buoy to its anchor, particularly when the design of the ATON does not prohibit contact of tackle with the marine bottom. In all cases, buoy tackle will include flotation to ensure there is no contact between the anchor chain or line and the marine bottom.
- A2.11.** Gulf sturgeon critical habitat: Additional noise restrictions are required for pile and sheet pile installation in the Gulf sturgeon critical habitat migratory restriction zones defined in Section 2.1.1.2. The noise restrictions are described in that section.
- A2.12.** Smalltooth sawfish critical habitat: This Opinion does not cover activities occurring in areas identified as smalltooth sawfish limited exclusion zones defined in Section 2.1.1.1.
- A2.13.** North Atlantic right whale critical habitat: This Opinion does not cover installation of anchored ATONs and permanent buoys in North Atlantic right whale critical habitat; temporary buoys for marine events are allowed in North Atlantic right whale critical habitat.
- A2.14.** Johnson's seagrass critical habitat: This Opinion does not cover new marinas or multi-family facilities in Johnson's seagrass critical habitat. Repair, replacement, and reconfiguration of existing marinas or multi-family facilities may be covered if it (1) occurs within same overall footprint (out to the perimeter of the facility, including the outer limits of the structure and permitted mooring locations), (2) does not increase the total aerial extent (i.e., area of coverage from the dock structures) of the existing facility, and (3) does not affect Johnson's seagrass. Mooring fields are allowed in Johnson's seagrass critical habitat and within the range of Johnson's seagrass so long as they occur in waters deeper than -13 ft (-4 m).
- A2.15.** NWA DPS of loggerhead sea turtle critical habitat: ATONs (pile-supported and anchored buoys) are allowed in nearshore reproductive habitat of the NWA DPS of loggerhead sea turtles under this Opinion. No other pile-supported structures are allowed in nearshore reproductive habitat under this Opinion.
- A2.16.** U.S. Caribbean sea turtle critical habitat (hawksbill, leatherback, and the NA DPS of green sea turtle critical habitat): ATONs (pile-supported and anchored buoys) are allowed near sea turtle nesting beaches under this Opinion. No other pile-supported structures are allowed near sea turtle nesting beaches under this Opinion.

Project Design Criteria (PDCs) for In-Water Noise from Pile and Sheet Pile Installation

Open Water

The letters A-E in the tables below specify the PDC category. Activities labeled A-D must follow the corresponding PDCs for labeled Category A-D below. Activities labeled E are excluded from this Opinion, as stated in Category E below.

	Trench and	Pilot hole (auger or	Jetting	Vibratory	Impact hammer
Wood piles 14-inch (in) diameter or less when installed via impact hammer and 36-in or less for all other installation methods	A	A	A	A	B
Concrete pile 24-in diameter/width or less in open	A	A	A	A	B
Metal pipe pile 36-in diameter or less	A	A	A	A	E
2 metal boatlift I-beams	A	A	A	A	B
Concrete slab wall- any size	A	A	A	A	B
Vinyl sheet pile- any size	A	A	A	A	B
Metal sheet pile- any size	A	A	A	A	E

Confined Space

In Florida, we consider the confined space to be any area that has a solid object (e.g., shorelines or seawalls) within 150 ft of the pile installation site and in the U.S. Caribbean we consider confined space to be any area that has a solid object within 260 ft of the pile installation site.

	Trench and	Pilot hole (auger or	Jetting	Vibratory	Impact hammer
Wood pile 14-in diameter or less when installed via impact hammer and 36-in or less for all other installation methods	A	A	A	A	B
Concrete pile 24-in diameter/width or less (5 piles	A	A	A	A	C
Concrete pile 24-in diameter/width or less (6-10	A	A	A	A	D
Metal pipe pile 36-in diameter or less	A	A	A	A	E
2 metal boatlift I-beams	A	A	A	A	B
Vinyl sheet pile – any size	A	A	A	A	B
Concrete slab wall- any size (5 slabs or less	A	A	A	A	C
Concrete slab wall- any size (6-10 slabs installed/day)	A	A	A	A	D
Metal sheet pile- any size	A	A	A	A	E

- A. The Projects identified as A above must comply with PDCs identified for all projects in this Opinion. Specific PDCs related to noise include:**
1. All work must occur during daylight hours only (PDC AP.6).
 2. All construction personnel are responsible for observing water-related activities to detect the presence of these species and avoid them (PDC AP.7).
- B. The projects identified as B above must follow all of the conditions under A, above, AND also must limit the maximum number of piles installed per day to no more than 10 piles per day.**
- C. The projects identified as C above must follow all of the conditions under A, above, AND also must limit the maximum number of piles installed per day to no more than 5 piles per day.**
- D. The projects identified as D above must follow all of the conditions under A and B, above, AND also must abide by one of the noise abatement measures below, as chosen by the applicant:**
1. Bubble curtain: The bubble curtain design must adhere to the guidelines for unconfined and confined bubble curtains described in Appendix B.
 2. Temporary noise attenuation pile (TNAP) also known as a pile isolation casing: The TNAP design must be constructed of a double-walled tubular casing (a casing within a larger casing), with at least a 5-in-wide area between the casings that is dewatered to create a hollow space or 5-in wide area between the casings completely filled with closed-cell foam or other noise dampening material between the walls. The TNAP must be long enough to be seated firmly on the sea bottom, fit over the pile being driven, and extend at least 3 ft above the surface of the water.
 3. The use of any other alternative noise control method must receive prior approval by NMFS and the USACE, as described in Section 2.3.
- E. The projects identified as E are not covered under this Opinion.**

COMMENCEMENT NOTIFICATION

*Within ten (10) days of initiating the authorized work, submit this form via electronic mail to saj-rd-enforcement@usace.army.mil (preferred, not to exceed 15 MB) **or** by standard mail to U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.*

1. Department of the Army Permit Number: SAJ-2010-00162 (GP-HMM)

2. Permittee Information:

Name: _____

Email: _____

Address: _____

Phone: _____

3. Construction Start Date: _____

4. Contact to Schedule Inspection:

Name: _____

Email: _____

Phone: _____

Signature of Permittee

Printed Name of Permittee

Date

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: SAJ-2010-00162 (GP-HMM)

Permittee's Name & Address (please print or type): _____

Telephone Number: _____

Location of the Work: _____

Date Work Started: _____ Date Work Completed: _____

PROPERTY IS INACCESSIBLE WITHOUT PRIOR NOTIFICATION: YES _____ NO _____

**TO SCHEDULE AN INSPECTION PLEASE CONTACT _____
AT _____**

Description of the Work (e.g. bank stabilization, residential or commercial filling, docks,
dredging, etc.):

Acreage or Square Feet of Impacts to Waters of the United States: _____

Describe Mitigation completed (if applicable): _____

Describe any Deviations from Permit (attach drawing(s) depicting the deviations):

I certify that all work, and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

Signature of Permittee

Date

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

Permit Number: SAJ-2010-00162 (GP-HMM)

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. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Section, Post Office Box 4970, Jacksonville, FL 32232-0019 or submit via electronic mail to: SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).

(TRANSFEREE-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT)

(BLOCK)

(NAME-PRINTED)

(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

CITY OF DESTIN – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: February 28, 2022

BOARD/COMMITTEE: Harbor & Waterways Board

TYPE OF AGENDA ITEM: Action Item

OUTLINE NUMBER: 4.C.

TO: Harbor & Waterways Board

THRU: Louis Zunguze, Community Development Director
Kimberly Kopp, Land Use Attorney

FROM: Steve O'Connor, Principal Planner
Tunazzina Alam, Planner

DATE: February 18, 2022

SUBJECT: 130 Country Club Drive W.- Proposed Single-Family Residential Marine Construction

I. BACKGROUND:

Gulf Coast Maintenance, on behalf of Mark Hotopp has submitted an application for Harbor and Waterways Board review of a residential construction of a 70' long and 36" high seawall to be built in two sections of 30' and 40' on both side of the existing dock.

II. DISCUSSION:

The applicant requests Harbor and Waterways Board approval for the proposed marine construction project located at 130 Country Club Dr W, located within Indian Bayou, a Class II Florida Waterbody, and tributary of Choctawhatchee Bay.

The proposed marine construction project meets the requirements of *Article 11.05.00*, City of Destin Land Development Code, including the following section:

- *11.05.01.A - Construction of new seawall.*
- *11.01.06.B.3.a – Construction of private seawalls.*

COMPREHENSIVE PLAN CONSISTENCY: The proposed marine construction project is consistent with Coastal Management Element Goal 6-1, Coastal Management Element Objective 6-1.1, and Coastal Management Element Policy 6-1.1.3: Protect Coastal and Estuarine Environmental Quality and the Shoreline.

A. Link to Strategic Goals / Objectives:

1) Enhance Quality of Life, 2) Enhance and Preserve Heritage and Environment.

B. Effect on Budget (EOB): There is no anticipated effect on the budget.

C. Level of Service (LOS): There is no anticipated effect on the LOS.

III. CONCLUSION:

The contractor provided an exemption letter from the Florida Department of Environmental Protection (FDEP) stating that the proposed activity does not require FDEP approval. City staff reviewed the application and determined that the plans comply with City Codes and regulations, including *Section 11.05.01, Marina Siting*.

STAFF RECOMMENDATION: Staff recommends approval of a single-family marine construction project proposed at 130 Country Club Dr W, consisting of a seawall construction, subject to the applicant meeting all applicable City permit requirements.

IV. RECOMMENDED MOTION: I move that the Harbor & Waterways Board recommend City Council approval of a single-family marine construction project located at 130 Country Club Dr W, subject to the applicant meeting all applicable City permit requirements.

Attachments:

1. FDEP exemption Letter
2. Site Plan_v1
3. 130 Country Club Dr W_HWB-000414-2022_Presentation

Hi Sarah,

Here is the rule language to show the project as described is exempt:

62-330.051 Exempt Activities.

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under chapters 253 and 258, F.S., as applicable.

(12) Construction, Replacement, Restoration, Enhancement, and Repair of Seawall, Riprap, and Other Shoreline Stabilization –

(c) The construction of seawalls or riprap in wetlands or other surface waters between and adjoining existing seawalls or riprap at both ends in accordance with section 403.813(1)(o), F.S. For purposes of this exemption, riprap is subject to the same length and orientation limitations as a seawall.

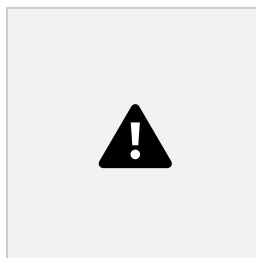
403.813 Permits issued at district centers; exceptions.—

(1) A permit is not required under this chapter, chapter 373, chapter 61-691, Laws of Florida, or chapter 25214 or chapter 25270, 1949, Laws of Florida, for activities associated with the following types of projects; however, except as otherwise provided in this subsection, this subsection does not relieve an applicant from any requirement to obtain permission to use or occupy lands owned by the Board of Trustees of the Internal Improvement Trust Fund or a water management district in its governmental or proprietary capacity or from complying with applicable local pollution control programs authorized under this chapter or other requirements of county and municipal governments:

(o) The construction of private seawalls in wetlands or other surface waters where such construction is between and adjoins at both ends existing seawalls; follows a continuous and uniform seawall construction line with the existing seawalls; is no more than 150 feet in length; and does not violate existing water quality standards, impede navigation, or affect flood control. However, in estuaries and lagoons the construction of vertical seawalls is limited to the circumstances and purposes stated in s. [373.414](#)(5)(b)1.-4. This paragraph does not affect the permitting requirements of chapter 161, and department rules must clearly indicate that this exception does not constitute an exception from the permitting requirements of chapter 161.

Feel free to reach out with any further questions!

Thank you,

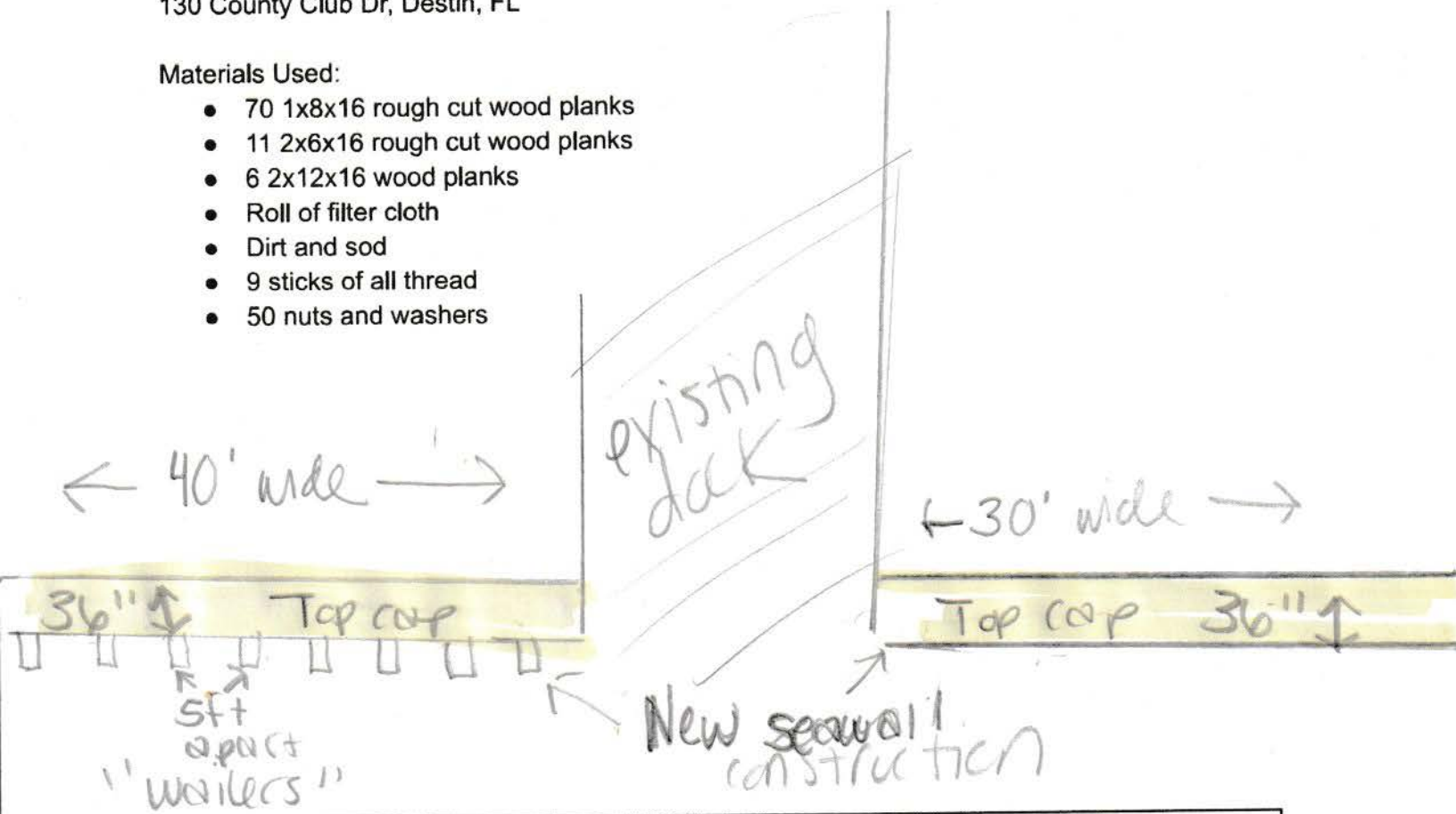


Ms. Blakely Gill
Florida Department of Environmental Protection
Compliance Assurance Program
Northwest District - Pensacola
Environmental Specialist II
Blakely.Gill@FloridaDEP.gov
Office: 850-595-0568

130 County Club Dr, Destin, FL

Materials Used:

- 70 1x8x16 rough cut wood planks
- 11 2x6x16 rough cut wood planks
- 6 2x12x16 wood planks
- Roll of filter cloth
- Dirt and sod
- 9 sticks of all thread
- 50 nuts and washers



Constructed with posts (wailers) 5' apart	Horizontal board on top (wood) 2x6 on bottom and top
Posts (wailers) are inserted into ground after water is pumped out.	Filter cloth mounted vertically to keep sediment on shoreline
Posts are inserted with an an excavator and vibrating tamp	
Posts are grounded down by anchoring them down with all thread to 'deadman' boards that are inserted into ground at a 45 degree angle	

HARBOR & WATERWAYS BOARD

130 Country Club Dr W – Seawall

Community Development
Planning Division

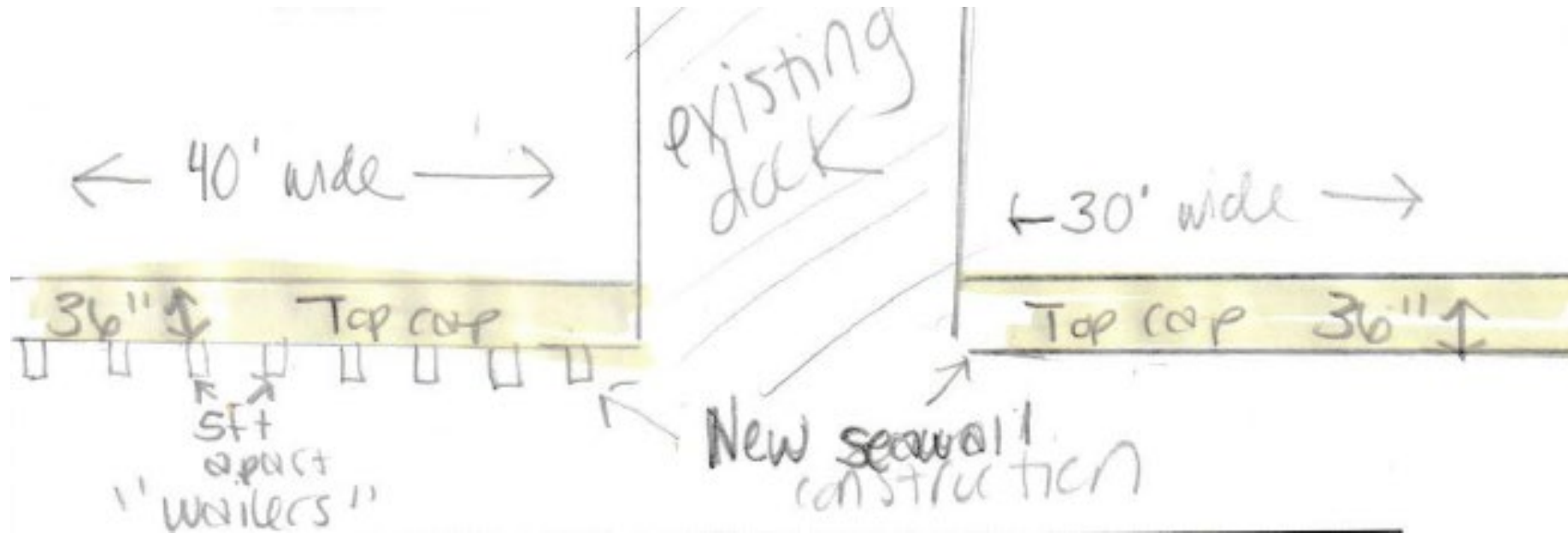
Presenter: Tunazzina Binte Alam, Planner





- 130 Country Club Dr
- Located within the Indian Bayou – a Class II Florida Waterbody - tributary of the Choctawhatchee Bay
- Seawall construction



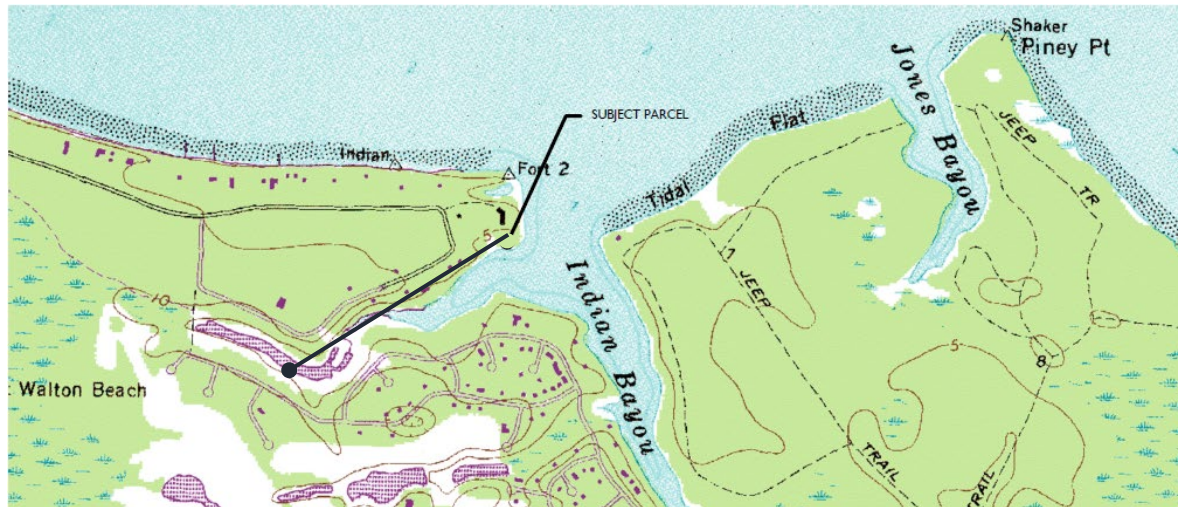




- The proposed project meets the requirements of the Coastal Management Element (6-1.1.3) of the Comprehensive Plan and following LDC Articles:
 - ✓ 11.01.06.B.3.a.
 - ✓ 11.05.01.C
 - ✓ 11.05.01.G
- Links to strategic goals / objectives - Enhance Quality of Life, Enhance and Preserve Heritage and Environment.
- No anticipated effect on the budget.
- No anticipated effect on the Level of Service.



- Staff recommends approval of the 70' long seawall to be constructed in two sections at 130 Country Club Drive W



CITY OF DESTIN – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: February 28, 2022

BOARD/COMMITTEE: Harbor & Waterways Board

TYPE OF AGENDA ITEM: Action Item

OUTLINE NUMBER: 4.D.

TO: Harbor & Waterways Board

THRU: Louis Zunguze, Community Development Director
Kimberly Kopp, Land Use Attorney

FROM: Steve O'Connor, Principal Planner
Sae More, Planner

DATE: February 18, 2022

SUBJECT: 138 Durango Road a Short-Term Rental- Proposed Commercial Marine Construction

I. BACKGROUND:

LD&L Marine Contractor, on behalf of Missy McDonald, has submitted an application for Harbor and Waterways Board review for construction of eight (8) mooring pilings, consisting of 4 measuring 8' X 25' piles with wrap and another 4 measuring 6' X 16' piles with wrap.

II. DISCUSSION:

The applicant requests Harbor and Waterways Board approval for installing 8 pilings for the mooring of vessels for a single-family marine construction project located at 138 Durango Road, located within a canal in Holiday Isle of the Destin Harbor, a Class II Florida Waterbody.

The proposed marine construction project meets the following requirements of *Article 11.05.00, City of Destin Land Development Code*, in addition, to including the required 25-foot riparian setback,

- *11.05.01.A - Construction of new pilings*
- *11.05.01.C - Waste Disposal into the Harbor and Waterways of Destin*
- *11.05.01.H, 11.05.01.K – Mooring of the vessel*

COMPREHENSIVE PLAN CONSISTENCY: The proposed marine construction project is

consistent with Coastal Management Element Goal 6-1, Coastal Management Element Objective 6-1.1, and Coastal Management Element Policy 6-1.1.3: Protect Coastal and Estuarine Environmental Quality and the Shoreline.

A. Link to Strategic Goals / Objectives:

1) Enhance Quality of Life, 2) Enhance and Preserve Heritage and Environment.

B. Effect on Budget (EOB): There is no anticipated effect on the budget.

C. Level of Service (LOS): There is no anticipated effect on the LOS.

III. CONCLUSION:

The contractor provided a Florida Department of Environmental Protection (FDEP), Permit Self-Certification No. 0415398001EE. City staff reviewed the application and determined that the plans comply with City Codes and regulations. Specifically, the proposed pilings comply with *Article 11.05.01, Marina Siting of the City's Land Development Code*, and the Coastal Management Element of the City's Comprehensive Plan (*Coastal Management Element Policy 6-1.1.3*).

STAFF RECOMMENDATION: Staff recommends approval of the proposed marine construction project proposed at 138 Durango Road, consisting of eight (8) mooring pilings, subject to the applicant meeting all applicable City permit requirements.

IV. RECOMMENDED MOTION:

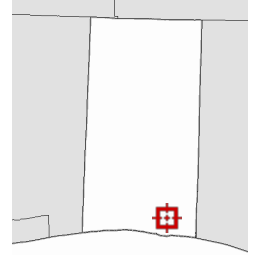
I move that the Harbor & Waterways Board recommend City Council approval of the single-family marine construction project located at 138 Durango Road, subject to the applicant meeting all applicable City permit requirements.

Attachments:

1. A. Boundary Survey
2. B. Site Plan_v1
3. C. Self certified receipt email



Overview



Legend

- Parcels
- Roads
- Water
- City Labels

Parcel ID	00-25-24-0000-0012-0000	Physical Address	138 DURANGO RD DESTIN	Land Value	\$150,000	Last 2 Sales			
Acres (GIS)	0.07	Mailing Address	MCDONALD MELISSA L	Ag Land Value	\$0	Date	4/30/2018	Price	\$107300
Property Class	SFR/TOWNHO	Address	230 112TH AVE TREASURE ISLAND, FL 33706-3058	Building Value	\$104,895	Date	4/9/2018	Price	\$37800
Taxing District	10			Misc Value	\$0			Reason	UNQUAL/TRANSACT U OF AFFILIATION
				Just Value	\$254,895			Reason	UNQUAL/TRANSACT U OF AFFILIATION
				Assessed Value	\$193,699				
				Exempt Value	\$50,000				
				Taxable Value	\$143,699				

Date created: 1/24/2022
Last Data Uploaded: 1/24/2022 12:01:34 PM



Office of the County Administrator

OKALOOSA COUNTY, FLORIDA

John Hofstad
County Administrator

December 14, 2021

Ms. Noell Bell, CBO; Building Official
City of Destin Building Division
4200 Indian Bayou Trail
Destin, Florida 32541
nbell@cityofdestin.com

Re: Ms. McDonald's Installation of Pilings in Old Pass Lagoon Canal/Parcel 00-2S-24-2187-0000-OCA0

Dear Ms. Bell,

Okaloosa County is the fee simple owner of the u-shaped parcel of upland property, Parcel Identification Number 00-2S-24-2187-0000-OCA0 (the "**Parcel**"), located at the terminus of the Old Pass Lagoon Canal.

I have been advised that the City has been requested to issue a permit to Ms. Melissa McDonald to allow the installation of up to eight (8) pilings in the canal proximate to her parcel for the mooring of vessels.

Please be advised that Okaloosa County has no objection to Ms. McDonald's installation of up to eight (8) pilings in the canal waterward of her subject parcel and that those pilings shall not interfere with the potential uses by the County in the future.

Please do not hesitate to contact me if you have any questions.

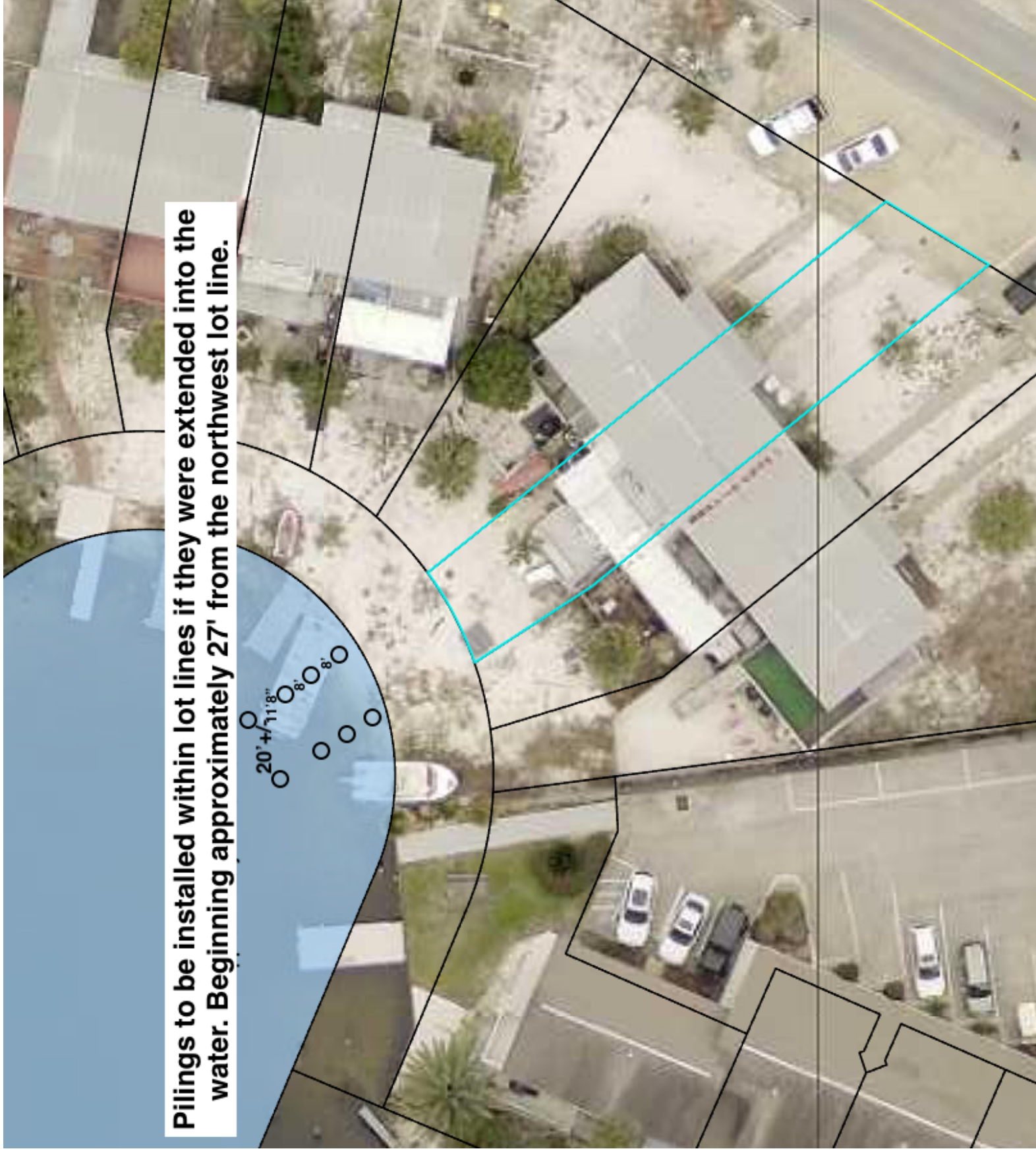
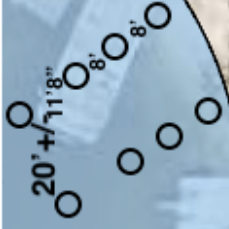
Sincerely,

John Hofstad
Okaloosa County Administrator

Cc: Mr. Steve O'Connor
Principal Planner
City of Destin | Community Development
4100 Indian Bayou Trail
Destin, FL 32541

Ms. Melissa McDonald
Via Email: missymcdonald@cox.net & jill@southern.legal

Pilings to be installed within lot lines if they were extended into the water. Beginning approximately 27' from the northwest lot line.





HOLIDAY ISLE IMPROVEMENT ASSOCIATION, INC.

PO Box 5467, 225 Main St #19, Destin, FL 32541

(Commerce Row, next door to Ace Hardware)

Office: 850-837-4753 Fax: 850-837-4984 www.holidayisleimprovement.com

BUILDING PERMIT INSTRUCTIONS

The HIIA permit must be obtained prior to ANY, repairs, alterations, construction, site-preparation, or demolition.

1. Obtain a permit application package from the HIIA office or download from the HIIA website (<http://holidayisleimprovement.com/hiiia-documents/>).
2. Review the HIIA Protective Covenants and Restrictions (see *HIIA Documents* on the HIIA website) to ensure that the proposed construction is compliant with all provisions of the PC&Rs.

*****Where there are differences in the City of Destin's regulations and Holiday Isle's Protective Covenants & Restrictions, the more restrictive/rule shall prevail*****

3. Submit the following to our office at the same time you submit your application to the City:
 - Complete and sign permit application (incomplete package will NOT be approved).
 - Completed set of plans and specs for all proposed construction, to be retained by our office. Please submit a full-sized set of plans and a PDF copy. Digital images of the site and any structure are useful to the review process.
 - New construction will also require a slab survey, framing survey, and as-built survey.
 - The permit fee is \$20.00 for the first \$10,000.00 of construction cost, plus \$1.00 for each additional \$1,000.00 cost. If you have questions, call our office.
 - Copy of City of Destin Building Permit as submitted.
4. The HIIA Architectural Review Committee meets on the **2nd and 4th Wednesdays** of each month. All HIIA Permit applications must be received by the HIIA office by noon on the Friday preceding each meeting date. When the City permit is approved and a copy is received by the HIIA office permits will be issued for approved applications. Applicants are responsible for the timely delivery of this document. Please allow up to 10 business days to process the application.
5. Permit shall be posted where it is visible from the street during construction. All signage must conform to section 4.6 of the HIIA PC&R's.
6. Permit is valid for one year from the date of issuance or final inspection, whichever comes first. No building materials may be stored on any property without an active permit. Also, all debris and excess materials must be removed within 30 days of project completion.
7. A non-interest refundable damage deposit beginning at \$2,000.00 determined by the ARC is due upon permit approval. The deposit will be refunded when the project is completed,

inspected by the association manager, and found to be in compliance with the HIIA PC&R's. Any damage to ROW or any other property will be deducted from this amount.

8. Fences and pools require a review by the Board that will occur at the next scheduled meeting.
9. All documents required by The City of Destin must also be copied to HIIA, i.e., slab survey, field height, and final survey. Please note slab survey must be copied to HIIA before framing may commence.
10. All construction parking must be contained to the property owner's parcel only. If additional parking is required it must be provided by Owner/Contractor off site of Holiday Isle. (A shuttle may be used).
11. All sand must meet The City of Destin's requirements.
12. Location of port-o-potty must be shown on plot plan and be screened off so when door is open interior cannot be in view.
13. Please be mindful of parking at construction sites; no blocking of driveways, mailboxes, and sidewalks is permitted on Holiday Isle.
14. Any and all changes to documents must be approved by HIIA ARB prior to implementation of changes.
15. By accepting this permit the Owner/Builder agrees to allow access to the property by the HIIA Manager or HIIA Designee for compliance.
16. Construction may be performed during the following times on Holiday Isle:
Monday – Friday 7:00am-6:00pm (March through October)
Monday – Friday 7:00am-5:00pm (November through February)
Saturday 7:00am-5:00pm (Year-Round)
NO WORK IS ALLOWED ON SUNDAYS OR HOLIDAYS, INCLUDING BUT NOT LIMITED TO THE FOLLOWING: New Year's Eve & New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving, Christmas Eve & Christmas Day

Property Owner: _____
Printed name Signature

Contractor: Christopher Byron
agent of Chuck LoBello
Printed name Signature

Date Submitted: _____



HOLIDAY ISLE IMPROVEMENT ASSOCIATION, INC.

PO Box 5467, 225 Main St #19, Destin, FL 32541

(Commerce Row, next door to Ace Hardware)

Office: 850-837-4753 Fax: 850-837-4984 www.holidayisleimprovement.com

BUILDING PERMIT APPLICATION

**Required for all new construction, remodeling, or any alteration
to include swimming pools and fences.**

***** All items must be complete before submitting this permit *****

***** Please refer to the Building Permit Instructions – Revised 7-14-2020 *****

HIIA BUILDING PERMIT # _____ DATE ISSUED: _____
In review not issued
CITY OF DESTIN PERMIT # MARI-003414-2021 DATE ISSUED: as of 01/03/2022

LOCATION: 138 Durango Rd. LOT # _____

PROPERTY OWNER: Melissa McDonald

CURRENT ADDRESS: 138 Durango Rd.

PHONE: _____ CELL PHONE: _____
FAX: _____ EMAIL: _____

CONTRACTOR: Charles LoBello LICENSE # 11071-0600564

ADDRESS: 297 W. Miracle Strip Pkwy M.E.
OFFICE PHONE: _____ CELL PHONE: 850 585 3003
FAX: _____ EMAIL: _____

PROJECT DESCRIPTION / ARCHITECTURAL STYLE (Please be specific and detailed):

To install 8 pilings for mooring

ESTIMATED CONSTRUCTION COST: 5,080 PERMIT FEE: _____

Revised: 24 April 2019

NON-INTEREST REFUNDABLE CONSTRUCTION DAMAGE DEPOSIT

\$2,000.00 NA

ADDITIONS: TOTAL SQUARE FOOTAGE: _____

NUMBER OF LEVELS: _____

HEIGHT from lowest finished floor elevation: _____

HEIGHT above FEMA minimum base flood elevation: _____

SETBACKS: Front _____ Rear _____
Left _____ Right _____

MATERIAL OR COLOR CHANGES to the exterior of your home: (include color samples)

MATERIALS Building _____

Trim _____

Foundation _____

Roof _____

Driveway _____

COLORS Building _____

Trim _____

Foundation _____

Roof _____

Driveway _____

These colors and materials may be altered prior to commencement of painting and/or installation of materials ONLY with written permission from the ASSOCIATION. *

LANDSCAPING PLAN OR CHANGES: (Submit a plan) _____

SEAWALL /DOCK Materials _____ Design _____ Height _____

FENCE Height _____ Material _____ Description _____

STREET PARKING IS PROHIBITED AND MAY RESULT IN FINES TO OWNER.

PARKING FOR ALL CONSTRUCTION SHALL BE PROVIDED AT:

138 Durango Rd.

The permit becomes null and void if authorized construction is not commenced within six months, if construction is suspended or abandoned for a period of six (6) months any time after start of construction, or if the City of Destin permit becomes invalid. This permit expires one (1) year after the date of issue. If all construction is not completed at that time, this permit may, by written approval of the Holiday Isle Improvement Association's Board, be extended by one (1) year to allow for building contingencies.

The issuance of this permit is conditioned upon all statements in the permit application being true and correct, and upon the construction following the plans presented to the Association in this application. Notwithstanding the language in the application and approval, all construction shall be in accordance with all provisions of the Holiday Isle Protective Covenants and Restrictions. This permit is subject to revocation at any time upon the violation of any provision of the Holiday Isle Protective Covenants and Restrictions or upon any changes in plans and/or specifications not authorized by the Holiday Isle Improvement Association.

In addition, to this permit, there may be additional permits required by local, state or federal government entities.

***** WHITE SAND ZONE ONLY: Consult Review Board for any deviation. *****

*** All submitted documents become the property of the Association ***

***** All HIIA Building Permits are Subject to Ratification by the Board of Directors *****

I have read and understand the Holiday Isle Improvement Protective Covenants & Restrictions and the ARB:

Property Owner: _____
Signature Printed Name Date

Contractor: _____
Signature Printed Name Date

Holiday Isle Improvement Association, Inc.
Architectural Committee Approval _____

Disapproval Reason / MUST resubmit by (date) _____

Size:

Color:

Aesthetic:

Finishes:

Other:

The permit becomes null and void if authorized construction is not commenced within six months, if construction is suspended or abandoned for a period of six (6) months any time after start of construction, or if the City of Destin permit becomes invalid. This permit expires one (1) year after the date of issue. If all construction is not completed at that time, this permit may, by written approval of the Holiday Isle Improvement Association's Board, be extended by one (1) year to allow for building contingencies.

The issuance of this permit is conditioned upon all statements in the permit application being true and correct, and upon the construction following the plans presented to the Association in this application. Notwithstanding the language in the application and approval, all construction shall be in accordance with all provisions of the Holiday Isle Protective Covenants and Restrictions. This permit is subject to revocation at any time upon the violation of any provision of the Holiday Isle Protective Covenants and Restrictions or upon any changes in plans and/or specifications not authorized by the Holiday Isle Improvement Association.

In addition, to this permit, there may be additional permits required by local, state or federal government entities.

***** WHITE SAND ZONE ONLY: Consult Review Board for any deviation. *****

***** All submitted documents become the property of the Association *****

***** All HIIA Building Permits are Subject to Ratification by the Board of Directors *****

I have read and understand the Holiday Isle Improvement Protective Covenants & Restrictions and the ARB:

Property Owner:		<u>Melissa McDonald</u>	<u>1-24-21</u>
	Signature	Printed Name	Date
	Christopher Byron		
Contractor:	<u>Agent of Chuck LoBello</u>		
	Signature	Printed Name	Date

Holiday Isle Improvement Association, Inc.

Architectural Committee Approval _____

Disapproval Reason / MUST resubmit by (date) _____

Size:

Color:

Aesthetic:

Finishes:

Other:

inspected by the association manager, and found to be in compliance with the HIIA PC&R's. Any damage to ROW or any other property will be deducted from this amount.

8. Fences and pools require a review by the Board that will occur at the next scheduled meeting.
9. All documents required by The City of Destin must also be copied to HIIA, i.e., slab survey, field height, and final survey. Please note slab survey must be copied to HIIA before framing may commence.
10. All construction parking must be contained to the property owner's parcel only. If additional parking is required it must be provided by Owner/Contractor off site of Holiday Isle. (A shuttle may be used).
11. All sand must meet The City of Destin's requirements.
12. Location of port-o-potty must be shown on plot plan and be screened off so when door is open interior cannot be in view.
13. Please be mindful of parking at construction sites; no blocking of driveways, mailboxes, and sidewalks is permitted on Holiday Isle.
14. Any and all changes to documents must be approved by HIIA ARB prior to implementation of changes.
15. By accepting this permit the Owner/Builder agrees to allow access to the property by the HIIA Manager or HIIA Designee for compliance.
16. Construction may be performed during the following times on Holiday Isle:
Monday – Friday 7:00am-6:00pm (March through October)
Monday – Friday 7:00am-5:00pm (November through February)
Saturday 7:00am-5:00pm (Year-Round)
NO WORK IS ALLOWED ON SUNDAYS OR HOLIDAYS, INCLUDING BUT NOT LIMITED TO THE FOLLOWING: New Year's Eve & New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving, Christmas Eve & Christmas Day

Property Owner: Melissa McDonald Melissa McDonald
Printed name Signature

Contractor: Christopher Byron
agent of Chuck LoBello
Printed name Signature

Date Submitted: _____



Christopher Byron <chris@byron.contact>

FW: FDEP ERP Self-Certification Receipt

1 message

Missy McDonald <missymcdonald@cox.net>
To: Christopher Byron <chris@byron.contact>

Mon, Jan 24, 2022 at 2:28 PM



MISSY MCDONALD
Broker Owner

**AHRN Certified Agent, Florida Military
& Real Estate Negotiation Specialist**

(850) 830-5535 @redhotrealtydestin
@redhotrealty redhotrealty.org
missymcdonald@cox.net

Stress-Free Military Relocation

From: no-reply@dep.state.fl.us <no-reply@dep.state.fl.us>

Sent: Monday, January 24, 2022 3:04 PM

To: missymcdonald@cox.net

Cc: ERP.SELFCERTS@DEP.STATE.FL.US; SPGP@USACE.ARMY.MIL;
NMFS.SER.PROGRAMMATICREVIEW@NOAA.GOV; NWD_ERP_APPLICATIONS@
FLORIDADEP.GOV

Subject: FDEP ERP Self-Certification Receipt



**FLORIDA DEPARTMENT OF
Environmental Protection**

Bob Martinez Center
2600 Blair Stone Road

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Tallahassee, Florida 32399-2400

Shawn Hamilton

Secretary

Receipt for Submission**SELF-CERTIFICATION FOR A PROJECT AT A
PRIVATE, RESIDENTIAL SINGLE-FAMILY DOCK****01/24/2022**Self-Certification File No.: **0415398001EE**File Name: **138 Durango Rd Destin, FL 32541 - Self Cert Exempt Dock (General)**

Dear **Missy McDonald**: On **01/24/2022** you used the Florida Department of Environmental Protection's electronic Self Certification Process to certify compliance with the terms and conditions of the Single-Family Dock ERP Exemption Self Certification Process for a project at private, single-family residence located at:

LAT - Degrees: **30** Minutes: **23** Seconds: **14.79**
LONG - Degrees: **-86** Minutes: **29** Seconds: **59.1819**
SITE ADDRESS: **138 Durango Rd Destin, FL 32541**
COUNTY: **Okaloosa**

For:

Missy McDonald**138 Durango Rd Destin, FL 32541**

You have certified that the project you propose to construct at the above location meets all the conditions of the Self-Certification Process. A project that is built in conformance to those conditions (attached for reference) will:

1. Qualify for a regulatory exemption under Section 403.813(1)(b) of the Florida Statutes (F.S.) and Chapter 62-330, Florida Administrative Code (F.A.C.). As such, it is exempt from the need to obtain a DEP Environmental Resource Permit.;
2. Qualify for Consent by Rule or Letter of Consent (as applicable) under Chapter 253, F.S. and Chapter 18-21, F.A.C. (and Chapter 258, F.S. and Chapter 18-20, F.A.C., if applicable), when the project is located on submerged lands owned by the State of Florida.

Your Self-Certification is based solely on the information you provided under this process and applies only to the statutes and rules in effect when your certification was completed. The certification is effective only for the specific project proposed, and only if the project is constructed, operated, and maintained in conformance with all the terms, conditions, and limitations stated in the Self-Certification Process. In addition, any substantial modifications in your plans should be submitted to the Department for review, as changes may result in a permit being required.

You have acknowledged that this Self Certification will automatically expire if:

1. Construction of the project is not completed within one year from the self-certification date;
2. site conditions materially change;
3. the terms, conditions, and limitations of the Self Certification are not followed; or
4. the governing statutes or rules are amended before construction of the project.

Completion of the Self Certification constitutes your authorization for Department or Corps personnel to enter the property for purposes of inspecting for compliance.

Receipt of this Self-Certification constitutes authorization to use sovereignty/state-owned submerged lands, as required by rule 18-21.005, F.A.C.

The authorization must be visibly posted during all construction activities.

In waters that are accessible to manatees, obtain information on your mandatory Manatee Protection sign by [clicking here](#).

FEDERAL STATE PROGRAMMATIC GENERAL PERMIT (SPGP)

You have certified that the project you propose to construct at the above location meets all the conditions of the SPGP Self-Certification Process and will be built in conformance to those conditions (attached for reference). Your proposed activity as certified is in compliance with the SPGP program. U.S. Army Corps of Engineers (Corps) Specific conditions apply to your project, attached. **No further permitting for this activity is required by the Corps.**

Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

Notifications to the Corps. For all authorizations under this SPGP VI, including Self-Certifications, the Permittee shall provide the following notifications to the Corps:

- a. Commencement Notification. Within 10 days before the date of initiating the work authorized by this permit or 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
- b. Corps Self-Certification Statement of Compliance form. Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the "Self-Certification Statement of Compliance" form (attached) 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.
- c. Permit Transfer. 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 the enclosed form.
- d. 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.
 1. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL, 32232-0019.
 2. For electronic mail: SAJ-RD-Enforcement@usace.army.mil (not to exceed 10 MB). The Permittee shall reference this permit number, SAJ-2015-2575 on all submittals.

This SPGP Self-Certification is based solely on the information you provided under this process and applies only to the statutes and rules in effect when your certification was

completed. You have recognized that your certification is effective only for the specific project proposed, and provided the project is constructed, operated, and maintained in conformance with all the terms, conditions, and limitations stated in the SPGP Self-Certification Process. This Self-Certification will not apply if any substantial modifications are made to the project. You agree to contact the Department for review of any plans to construct additional structures or to modify the project, as changes may result in a permit being required.

You have acknowledged that this Self-Certification will automatically expire if:

1. construction of the project is not completed by midnight, July 27, 2026, unless construction commenced or a contract to construct was executed before July 27, 2026, in which case the time limit for completing the work authorized by the SPGP ends at midnight, July 27, 2027. However, in no case can construction continue for more than one year beyond the Self-Certification date;
2. site conditions materially change;
3. the terms, conditions, and limitations of the Self-Certification are not followed; or
4. the governing statutes or rules are amended before construction of the project.

Completion of the Self-Certification constitutes your authorization for Department or Corps personnel to enter the property for purposes of inspecting for compliance.

If you have any questions, please contact your local Department District Office. Contact information can be found at:

https://floridadep.gov/sites/default/files/SLERC_contacts_web_map_01-2017_0.pdf.

For further information, contact the Corps directly at: <https://www.saj.usace.army.mil/Missions/Regulatory.aspx>. When referring to your project, please use the SPGP Self-Certification file number listed above.

Authority for review - an agreement with the U.S. Army Corps of Engineers entitled Coordination Agreement between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection State Programmatic General Permit, Section 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act.

ADDITIONAL INFORMATION

This Self-Certification Process does not relieve you from the responsibility of obtaining other permits or authorizations from other agencies (federal, state, Water Management District, or local) that may be required for the project. Failure to obtain all applicable authorizations prior to construction of the project may result in enforcement.

If you have any questions or issues with the attached documents, please contact your local Department District Office:

Northwest District

NWD_ERP_Applications@FloridaDEP.gov

Sincerely,
Florida Department of Environmental Protection.

Attachments:

FDEP Terms and Conditions

SPGP Terms and Conditions

Project Design Criteria



4 attachments



7d257011572ebb05e5331f679ca5735.pdf
50K



4bac6bd5bacdc467751fdd0f61b831b.pdf
50K



ProjectDesignCriteria_1_01.pdf
2622K



Untitled attachment 02020.dat
50K