



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

May 26, 2022

Regulatory Division
North Permits Branch
Pensacola Permits Section
SAJ-1992-60069 (NW/GP-HMM)

City of Fort Walton Beach
c/o Michael Beedie
107 Brooks Street SE
Fort Walton Beach, Florida 32548

Dear Mr. Beedie:

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-1992-60069. A review of the information and drawings provided shows the proposed work will result in the removal of a total of 692 linear feet of existing seawall; the removal of a total of 1960 square feet of concrete and riprap debris, dilapidated boat ramp, and invasive vegetation along the irregular shoreline; and the installation and realignment of a new 850-linear foot seawall with 10 cubic yards of associated backfill. A total of 290 square feet of existing riprap at the west end of the shoreline will be relocated no more than 5 feet waterward of the new seawall (landward of the existing seagrass). The existing outfall structure at the center of the shoreline (west side of the T-pier) will be replaced and will include a new 50 square foot riprap splash pad. A total of 150 square feet (21 cubic yards) will be installed at and landward of the mean high water at the 35-foot gap in the seawall at the east end of the shoreline (associated with the non-jurisdictional upland excavation of a proposed embayment). The work includes the construction of a 915 square foot piling-supported overwater boardwalk (marginal pier) waterward of the mean high water line, the removal and reconstruction of the existing 1312 square foot center T-pier within the existing footprint, and the removal of one 10-linear foot section and one 20-linear foot section of two finger piers of the easternmost dock. The work also includes the creation of a living shoreline that consists of 45 cubic yards of dredging, 265 cubic yards of upland excavation, and 50 cubic yards of fill within a 5800 square foot area for the creation of a "marsh shelf" and tidal channel; the discharge of 14.6 cubic yards of bagged oyster shell over a 283 square foot area for the creation of four breakwaters; and planting of native emergent vegetation (total of 7487 plants) on 18-24 inch centers within a 6400 square foot area, as detailed on the attached drawings (Attachment 1). The project is located at 139 Brooks Street SE, in Santa Rosa Sound, Latitude 30.402185° North, Longitude 86.607589° West, Section 24, Township 2 South, Range 24 West, in Fort Walton, Okaloosa County, Florida.

The aspect of your project involving the outfall, riprap relocation, removal/ replacement of docks, and the removal of the seawall, ramp and riprap/debris, as depicted on the attached drawings, is authorized by Nationwide Permit 3 (NWP-3), *Maintenance*. The aspect of your project involving installation of a seawall/riprap, as depicted on the attached drawings, is authorized by Nationwide Permit 13 (NWP-13), *Shoreline Stabilization*. The aspect of your project involving aquatic habitat enhancement, as depicted on the attached drawings, is authorized by Nationwide Permit 27 (NWP-27), *Aquatic Habitat Restoration, Establishment, and Enhancement Activities*. The aspect of your project involving a living shoreline, as depicted on the attached drawings, is authorized by Nationwide Permit 54 (NWP-54), *Living Shorelines*. **This verification is valid until March 14, 2026.** In order for these NWP authorizations to be valid, you must ensure that the work is performed in accordance with the Nationwide Permit General Conditions, the Jacksonville District Regional Conditions, and the General and Project-Specific Special Conditions listed below. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant NWP is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this NWP. Alternatively, you can access the U.S. Army Corps of Engineers' (Corps) Jacksonville District's Regulatory Source Book web page for links to view NWP information at: <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book/>. Please be aware this Internet address is case sensitive and should be entered as it appears above. Once there you will need to select "Source Book" and then select "Nationwide Permits." These files contain the description of the NWP authorization, the NWP general conditions, and the regional conditions, which apply specifically to this NWP verification.

The aspect of your project involving the overwater boardwalk (marginal pier), as depicted on the attached drawings, is authorized by Regional General Permit (RGP) SAJ-33 and its subsequent modifications, if applicable. **This RGP authorization is valid until July 24, 2023.** Please access the Corps' Jacksonville District Regulatory Division Source Book webpage to view the special and general conditions for SAJ-33, 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 of the special and general conditions for the NWP and RGP, including any project-specific conditions included in this letter and all conditions incorporated by reference as described above.

General Conditions (33 CFR PART 320-330):

1. The time limit for completing the work authorized by the NWPs ends on **March 14, 2026**. The time limit for completing the work authorized by the RGP ends on **July 24, 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-1992-60069 (NW/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 (Attachment 2).

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 (Attachment 3) 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 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 daily until the authorized work has been completed and turbidity within the construction area has returned to ambient levels. Turbidity barriers shall be removed upon stabilization of the work area.
6. **Erosion Control:** Prior to the initiation of any work authorized by this permit, the Permittee shall install erosion control measures along the perimeter of all work areas to prevent the displacement of fill material outside the work area into waters of the United States. The erosion control measures shall remain in place and be maintained until all authorized work is completed and the work areas are stabilized.
7. **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.
8. **Posting of Permit:** The Permittee shall have available and maintain for review a copy of this permit and approved plans at the construction site.
9. **Manatee Conditions:** The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011” (Attachment 5).

10. Eastern Indigo Snake Protection Measures and Inspection: Permittee shall comply with the U.S. Fish and Wildlife Service's "Standard Protection Measures for the Eastern Indigo Snake" dated August 12, 2013 (Attachment 6). All gopher tortoise burrows, active or inactive, shall be evacuated prior to site manipulation in the vicinity of the burrow. If excavating potentially occupied burrows, active or inactive, individuals must first obtain state authorization via a Florida Fish and Wildlife Conservation Commission (FWC) Authorized Gopher Tortoise Agent permit. The excavation method selected shall minimize the potential for injury of an indigo snake. The Permittee shall follow the excavation guidance provided in the most current FWC Gopher Tortoise Permitting Guidelines found at <http://myfwc.com/gophertortoise>. If an indigo snake is encountered, the snake must be allowed to vacate the area prior to additional site manipulation in the vicinity. Holes, cavities, and snake refugia other than gopher tortoise burrows shall be inspected each morning before planned site manipulation of a particular area, and if occupied by an indigo snake, no work shall commence until the snake has vacated the vicinity of the proposed work.

11. Jacksonville District Programmatic Biological Opinion (JAXBO): Structures and activities authorized under this permit will be constructed and operated in accordance with all applicable PDCs contained in the JAXBO, based on the permitted activity. Failure to comply with applicable PDCs will constitute noncompliance with this permit. In addition, failure to comply with the applicable PDCs, where a take of listed species occurs, would constitute an unauthorized take. The NMFS is the appropriate authority to determine compliance with the Endangered Species Act. The most current version of JAXBO can be accessed at the Jacksonville District Regulatory Division website in the Endangered Species section of the Sourcebook located at: <http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>

JAXBO may be subject to revision at any time. The most recent version of these JAXBO must be utilized during the design and construction of the permitted work.

12. Memorandum of Agreement (MOA): A MOA between the Corps, SHPO, and the City of Fort Walton Beach was signed by all parties on March 15, 2022 for resolution of adverse effects to archaeological sites 8OK1507 and 8OK1012 resulting from the permitted work (Attachment 7). The Permittee shall adhere to all requirements in MOA SAJ-1992-60069. No ground disturbing construction activities may take place in the areas stipulated in the MOA until the requirements of the MOA are met.

13. 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, human remains, ceramics,

stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with native cultures or early colonial settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps at the addresses listed in the **Reporting Address Special Condition** within the same business day (8 hours). The Corps shall coordinate with the Florida State Historic Preservation Officer (SHPO) 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 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 Archaeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO. 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 SHPO 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.

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 verification letter 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,



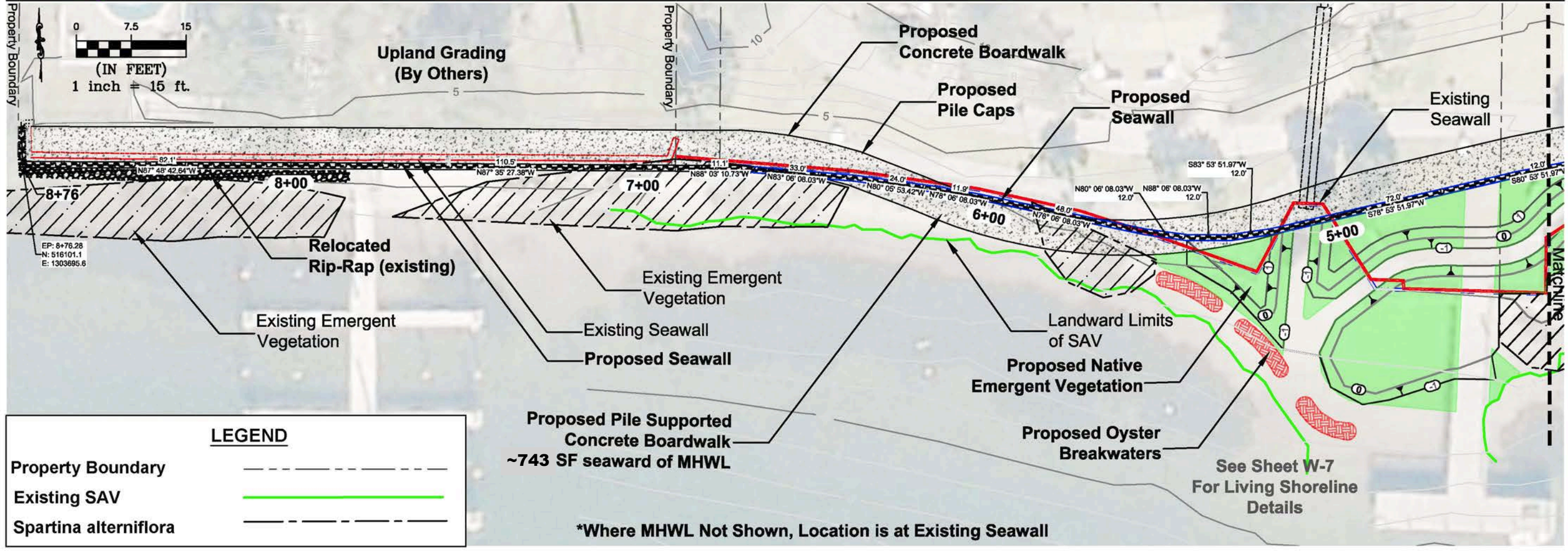
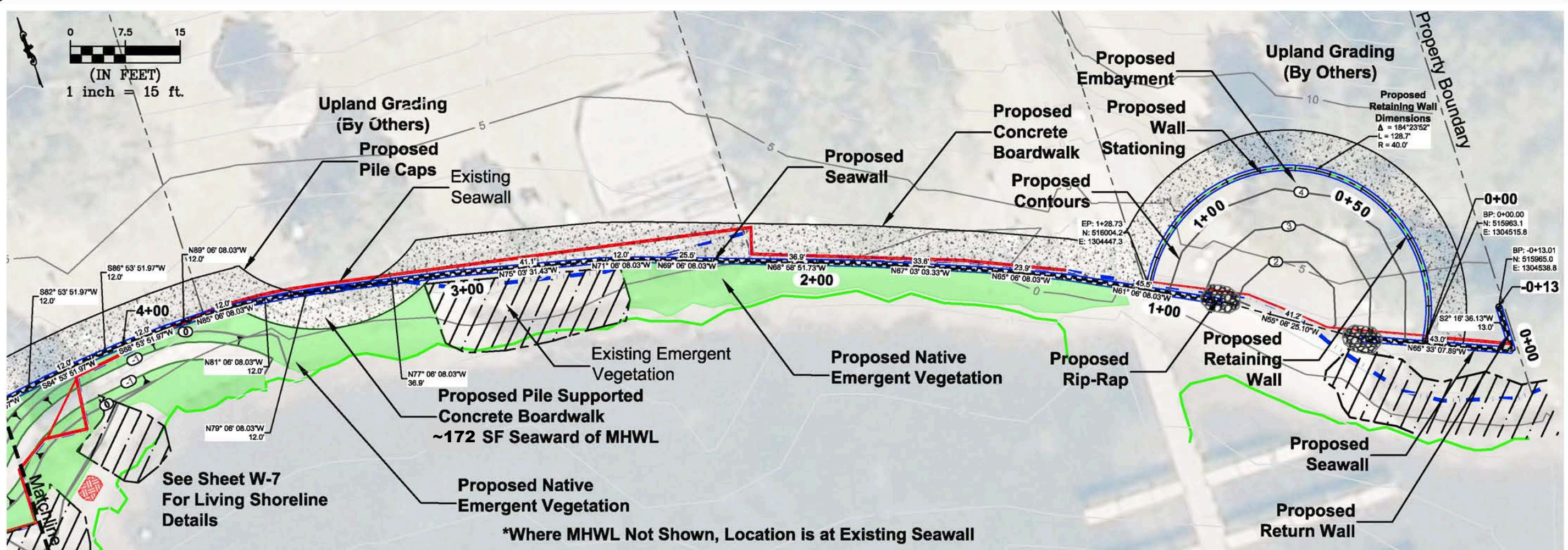
Holly Millsap
Project Manager

Enclosures:

- Attachment 1 - Permit Drawings (12 pages)
- Attachment 2 - Commencement Notification (1 page)
- Attachment 3 – Self-Certification Form (1 page)
- Attachment 4 – Permit Transfer Request (1 page)
- Attachment 5 – Standard Manatee Conditions (1 page)
- Attachment 6 – Eastern Indigo Snake Conditions (6 pages)
- Attachment 7 – MOA SAJ-1992-6069 (8 pages)

Copy: Tonia Nation, AVCON, Agent
Michael Dombrowski, MRD Associates, Inc.

S:\PROJECTS\15-409 THE LANDING\DRAWINGS\CONSTRUCTION\2018-08-17 THE LANDING CONSTRUCTION LAYOUT DRAWINGS.dwg 15-409.dwg 9/17/2018 11:44 AM



LEGEND

| | |
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| Property Boundary | --- |
| Existing SAV | — |
| Spartina alterniflora | --- |

AVCON, INC.
 ENGINEERS & PLANNERS
 320 BAYSHORE DRIVE, SUITE A
 NICEVILLE, FL 32578-2425
 OFFICE: (850) 678-0050
 FAX: (850) 678-0040
 CORPORATE CERTIFICATE OF AUTHORIZATION NUMBER: 5057
 www.avconinc.com

MRD ASSOCIATES, INC.
 CONSULTING ENGINEERS
 543 Harbor Boulevard, Suite 204
 Destin, Florida 32541
 Certification of Authorization Number 9482
 (850) 654-1555 (local) (850) 654-1555 (toll free)
 www.mrdassociates.com

Michael R Dombrowski, P.E.
 Florida P.E. Number 55255

TONIA D. NATION
 FL LICENSE NO.: 64631
 FBPR CERTIFICATE OF AUTHORIZATION NO. 5057

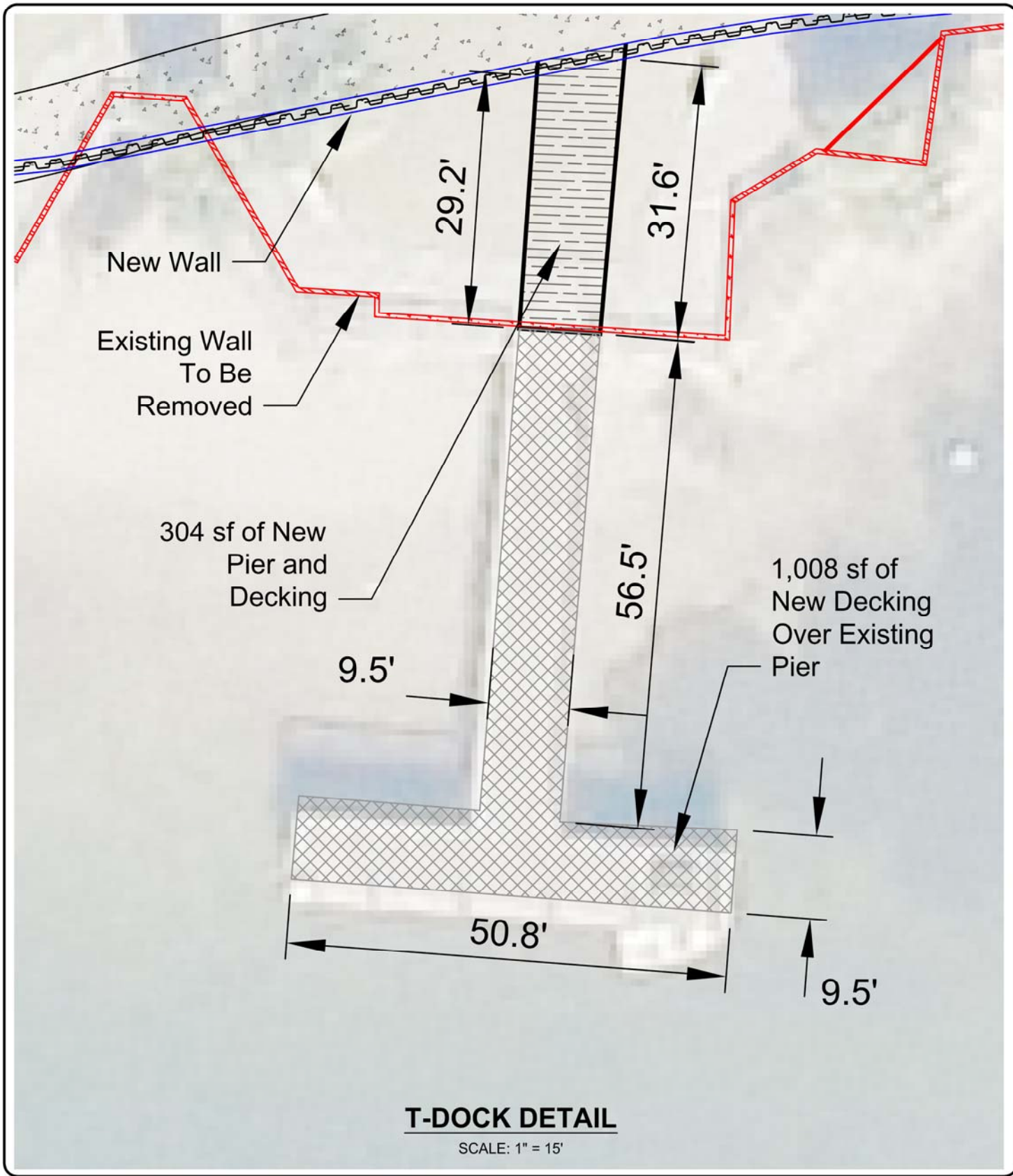
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PROPOSED SITE LAYOUT

FORT WALTON BEACH LANDING IMPROVEMENTS
 PREPARED FOR
 CITY OF FORT WALTON BEACH

DESIGNED BY: MRD
 DRAWN BY: JM
 CHECKED BY: MRD
 APPROVED BY: MRD
 PROJECT NO: 2015.238.03
 DATE: September 2018

SHEET NUMBER
 W-4



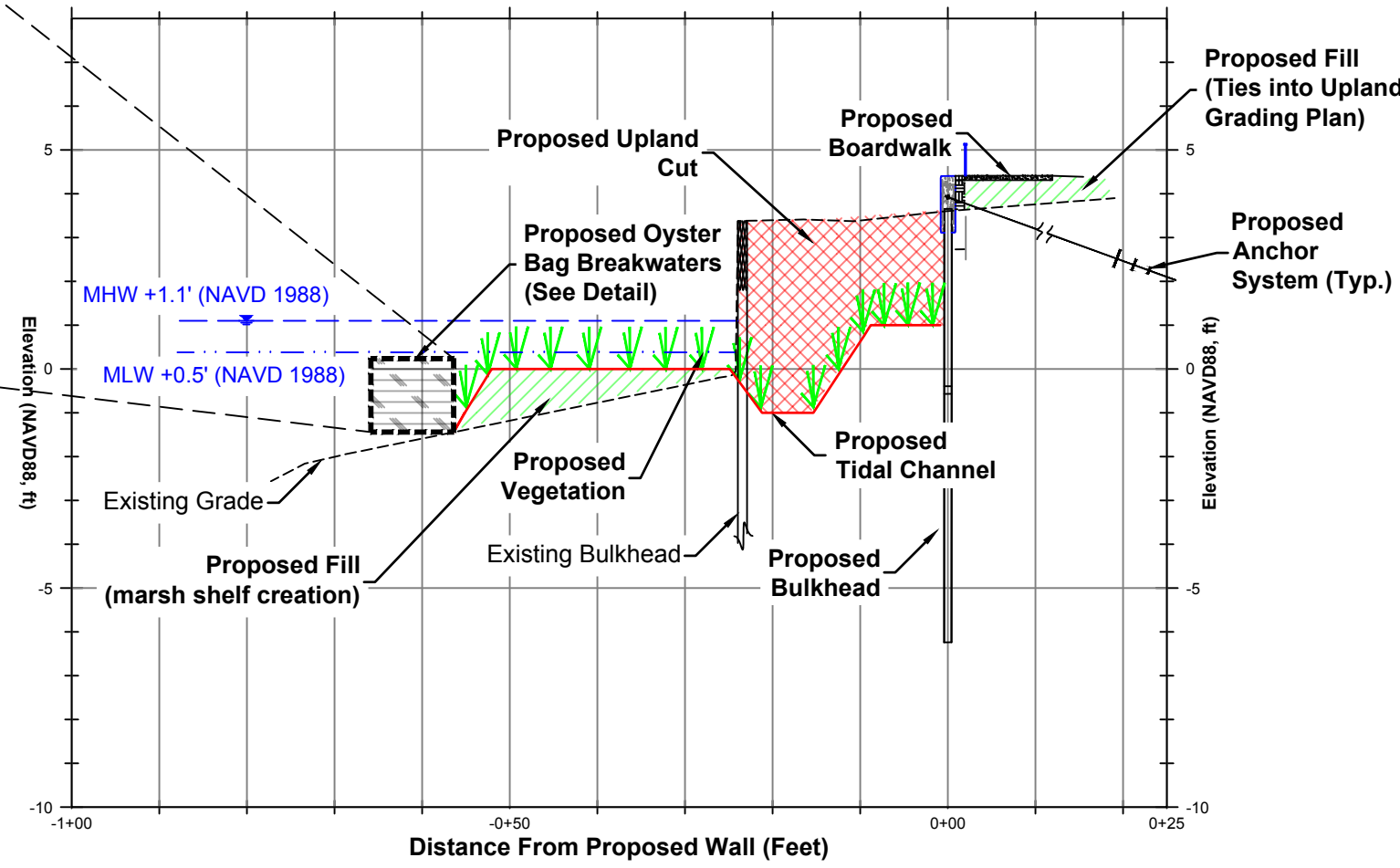
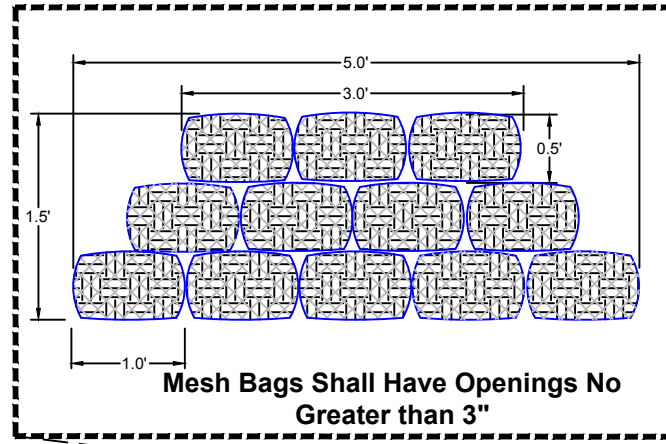
mrd 543 Harbor Boulevard, Suite 204
Destin, Florida 32541
Certification of Authorization Number 9482
850.654.1555 (voice) • 850.654.0550 (fax)
www.mrd-associates.com
Coastal, Marina & Water Resources Engineering

T-DOCK DIMENSIONS
Fort Walton Beach Landing Improvements

City of Fort Walton Beach, Florida
107 Miracle Strip Parkway SW, Fort Walton Beach, Florida 32548

Michael R. Dombrowski, P.E.
Florida P.E. Number 55255
Date: December 2, 2019
Sheet Rev Date:
PROJECT NUMBER 15-409 SHEET NUMBER 1

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| Living Shoreline Vegetation Quantities | | |
|---|-----------|-------|
| | Area (SF) | QTY |
| Above 1' Contour (<i>Juncus roemerianus</i> or <i>Spartina patens</i>) | 755 | |
| @ 18" O.C. | | 503 |
| @ 24" O.C. | | 378 |
| Below 1' Contour (<i>Spartina alterniflora</i>) | 5,645 | |
| @ 18" O.C. | | 3,763 |
| @ 24" O.C. | | 2,823 |
| Black Mangroves: (<i>Avicennia germinans</i>) | | |
| @ Varied O.C. | | 20 |

AVCON, INC.
ENGINEERS & PLANNERS
320 BAYSHORE DRIVE, SUITE A
NICEVILLE, FL 32578-2425
OFFICE: (850) 678-0050
FAX: (850) 678-0040
CORPORATE CERTIFICATE OF
AUTHORIZATION NUMBER: 5057
www.avconinc.com

MRD
mrd associates, inc.
Civil, Marine & Water Resources Engineering
543 Harbor Boulevard, Suite 204
Destin, Florida, 32541
Certification of Authorization Number 9482
850.654.1555 (voice) • 850.654.6550 (fax)
www.mrd-associates.com

MICHAEL DOMBROWSKI
FL LICENSE NO. 55255
FBPR CERTIFICATE OF
AUTHORIZATION NO. 9482

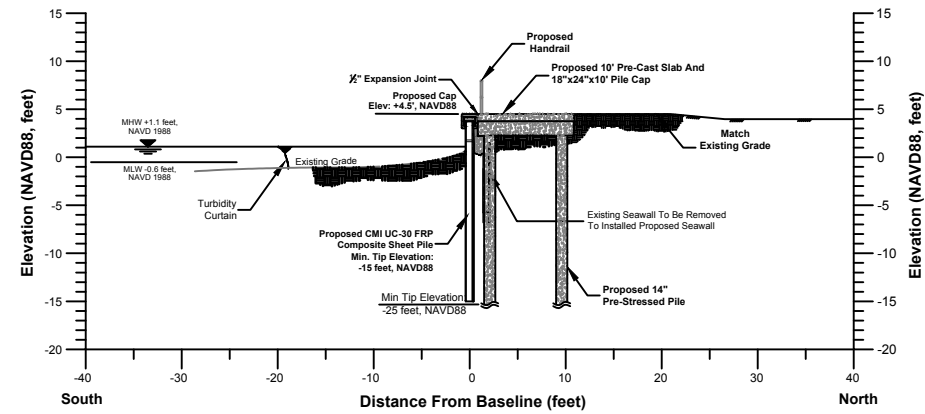
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PROPOSED LIVING SHORELINE DETAILS

FORT WALTON BEACH LANDING IMPROVEMENTS
PREPARED FOR
CITY OF FORT WALTON BEACH

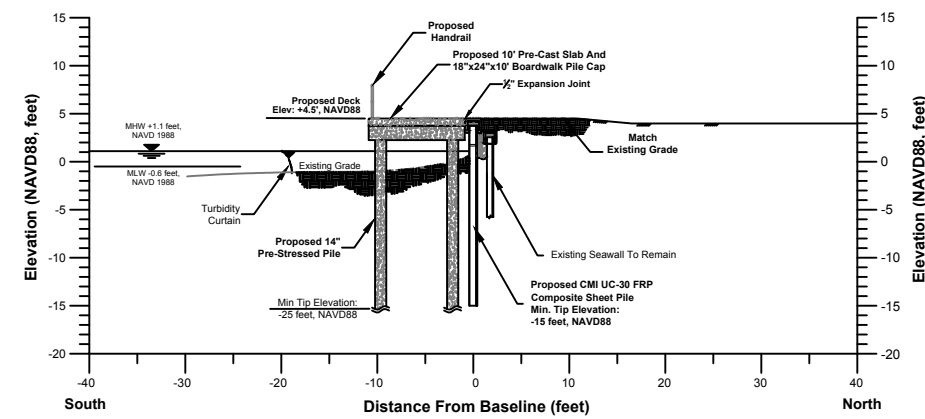
DESIGNED BY: MRD
DRAWN BY: JM
CHECKED BY: MRD
APPROVED BY: MRD
PROJECT NO: 2015.238.03
DATE: 08/11/19

SHEET NUMBER
W-7



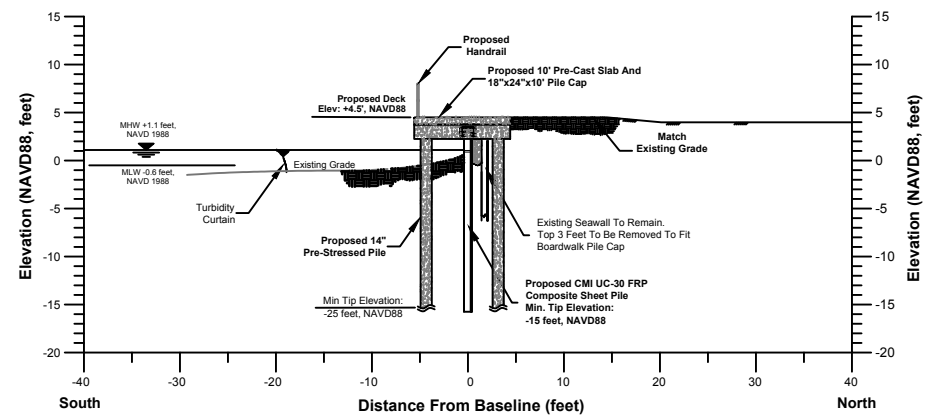
SEAWALL AND ELEVATED BOARDWALK SECTION - STA 3+06, 3+37, 5+04, 6+60

Scale: 1" = 10'



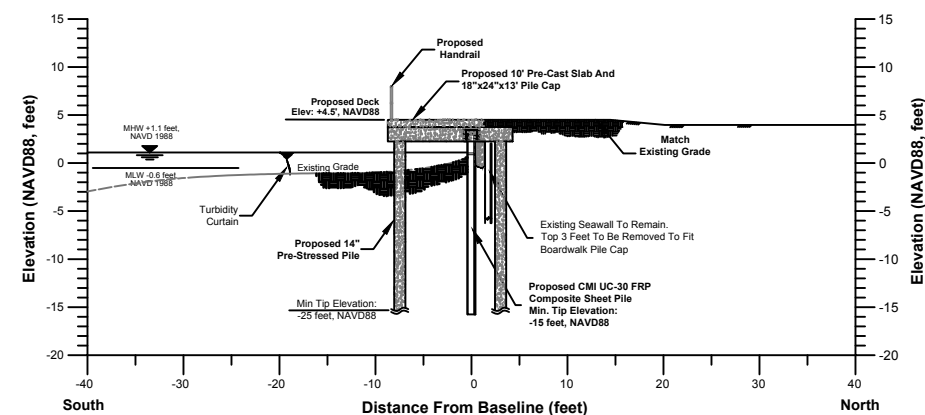
SEAWALL AND ELEVATED BOARDWALK SECTION - STA 3+38, 5+95

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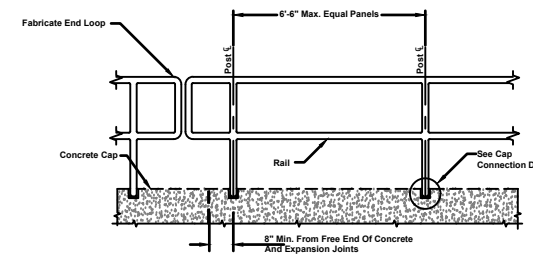
SEAWALL AND ELEVATED BOARDWALK SECTION - STA 3+18, 3+57, 5+52

Scale: 1" = 10'



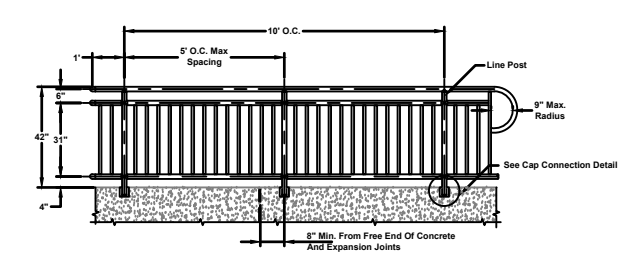
SEAWALL AND ELEVATED BOARDWALK SECTION - STA 3+29, 3+47, 5+64, 6+22

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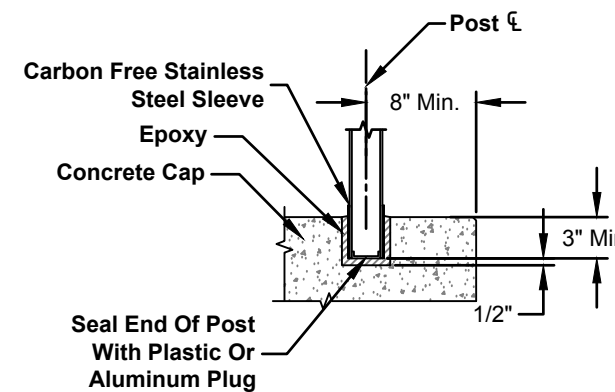
HANDRAIL - OPTION NO. 1

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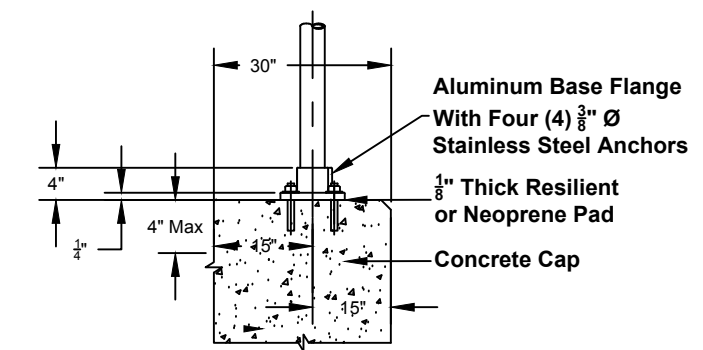
HANDRAIL - OPTION NO. 2

Not To Scale



HANDRAIL CONNECTION

Not To Scale



HANDRAIL CONNECTION - ALTERNATIVE

Not To Scale

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ENGINEERS & PLANNERS
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OFFICE: (850) 678-0050
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MICHAEL DOMBROWSKI
FL LICENSE NO. 55205
FBPR CERTIFICATE OF
AUTHORIZATION NO. 9482

| NO. | DATE | BY | REVISION |
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SEAWALL, ELEVATED BOARDWALK, HANDRAIL SECTIONS

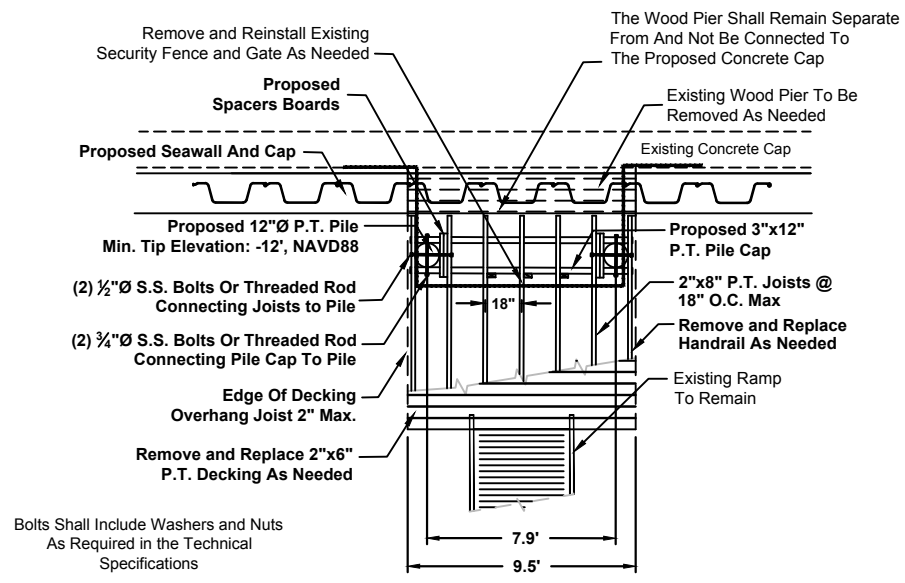
FORT WALTON BEACH LANDING IMPROVEMENTS
PREPARED FOR
CITY OF FORT WALTON BEACH

DESIGNED BY: M.D.
DRAWN BY: T.A./M.D.
CHECKED BY: M.D.
APPROVED BY: M.D.
PROJECT NO: 15-409
DATE: 08/11/19

SHEET NUMBER

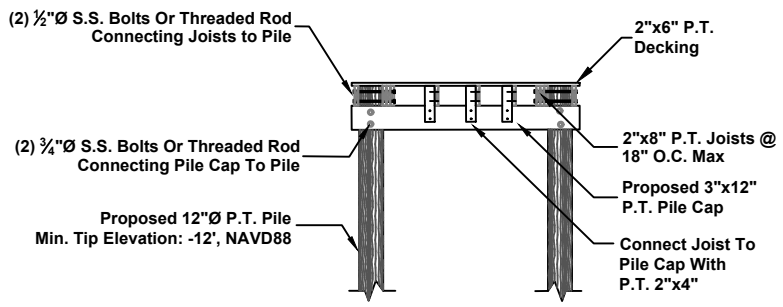
W-9

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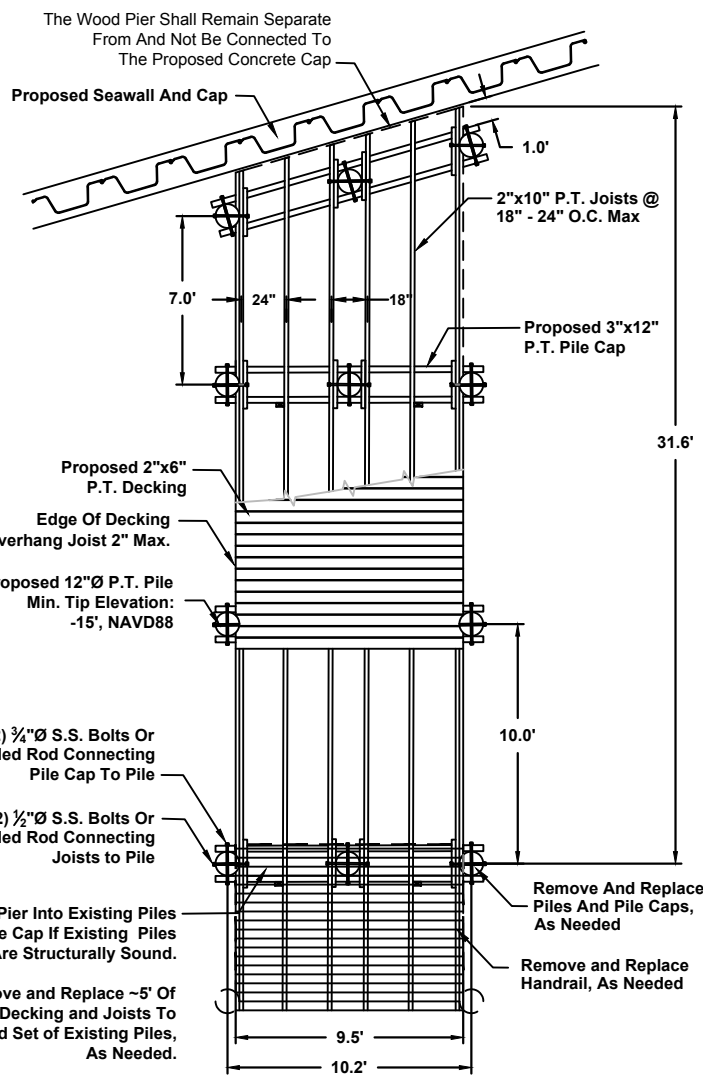
INDIANOLA PIER REPAIR AND REPLACEMENT - PLANVIEW

Scale: 1" = 4'



INDIANOLA PIER REPAIR AND REPLACEMENT - SECTION

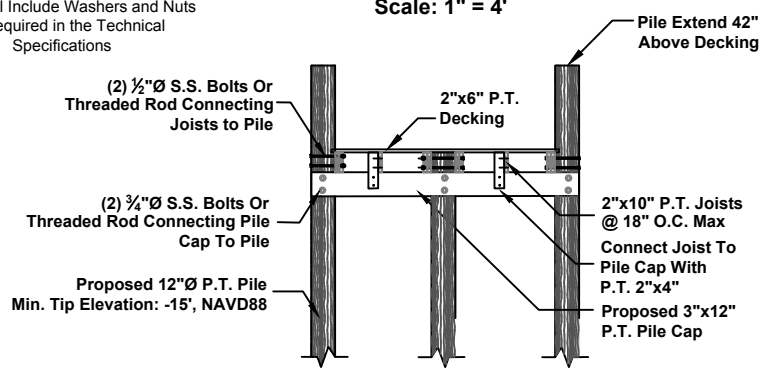
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T-DOCK PIER EXTENSION - PLANVIEW

Scale: 1" = 4'

Bolts Shall Include Washers and Nuts As Required in the Technical Specifications

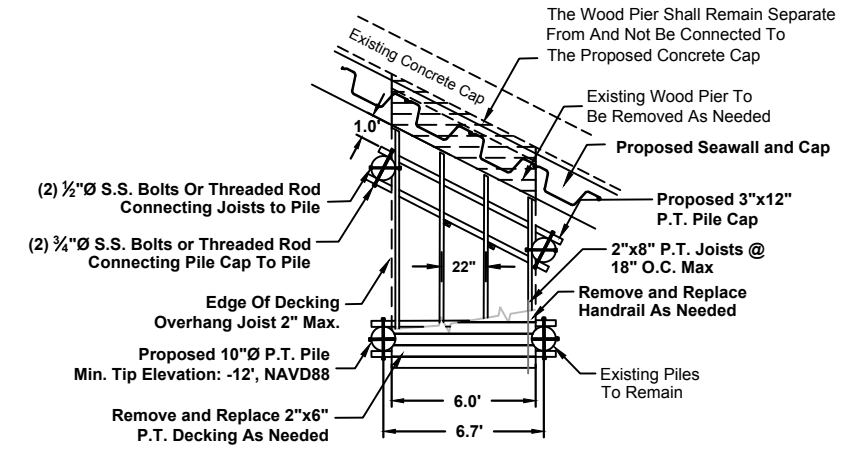


T-DOCK PIER EXTENSION - SECTION

Scale: 1" = 4'

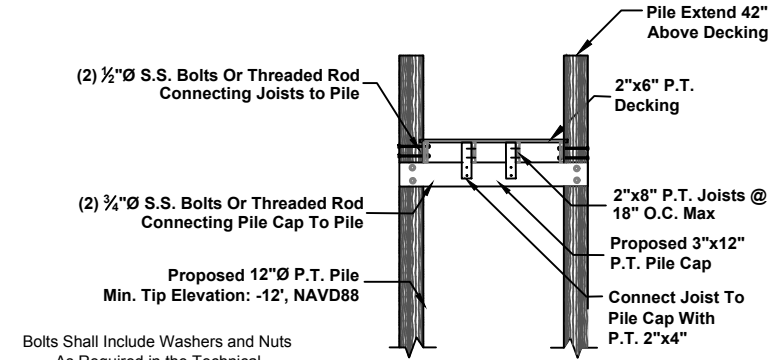
JOIST TO PILE CAP CONNECTIONS - ELEVATION VIEW

Not To Scale



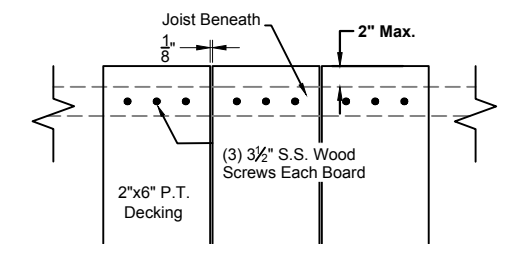
DOCK PIER REPAIR AND REPLACEMENT - PLANVIEW

Scale: 1" = 4'



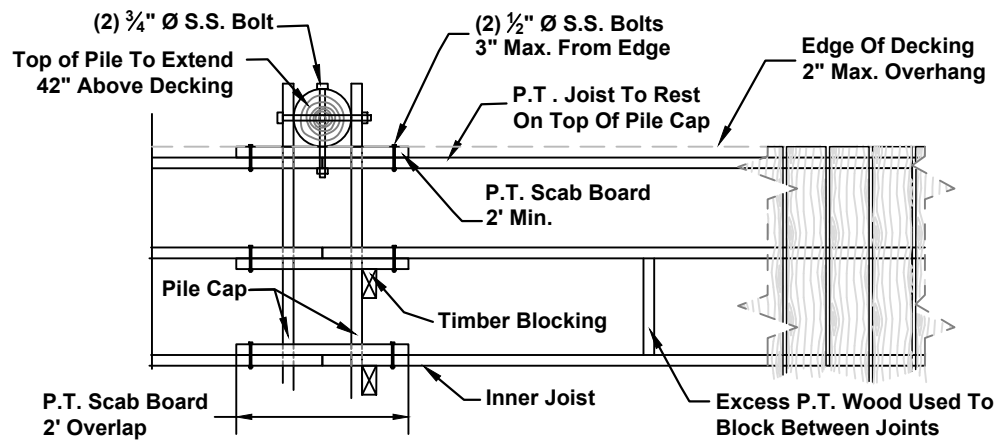
DOCK PIER REPAIR AND REPLACEMENT - PLANVIEW

Scale: 1" = 4'



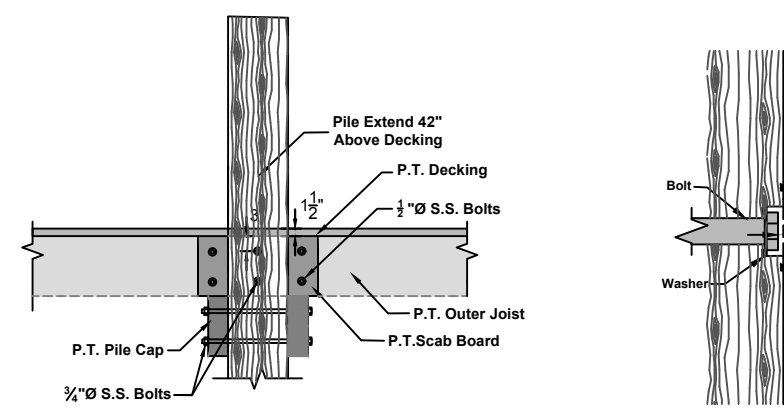
DECKING DETAIL - PLAN VIEW

Not To Scale



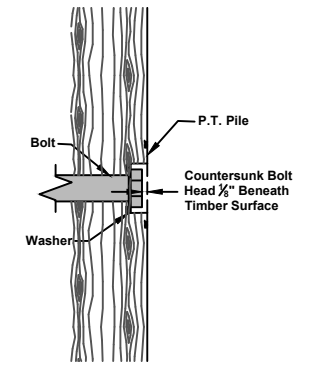
CONNECTION DETAIL - PLAN VIEW

Not To Scale



PILE, PILE CAP AND JOIST CONNECTION DETAIL - SIDE VIEW

Not To Scale



COUNTERSUNK BOLT DETAIL SIDE VIEW

Not To Scale

AVCON, INC.
ENGINEERS & PLANNERS
320 BAYSHORE DRIVE, SUITE A
NICEVILLE, FL 32578-2425
OFFICE: (850) 678-0050
FAX: (850) 678-0040
CORPORATE CERTIFICATE OF
AUTHORIZATION NUMBER: 9057
www.avconinc.com

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mrd associates, inc.
Civil, Marine & Water Resources Engineering
543 Harbor Boulevard, Suite 204
Destin, Florida 32541
Certification of Authorization Number 9482
850.654.1955 (voice) • 850.654.0500 (fax)
www.mrd-associates.com

MICHAEL DOMBROWSKI
FL LICENSE NO. 55255
FBPR CERTIFICATE OF
AUTHORIZATION NO. 9482

WOOD PIER DETAILS

FORT WALTON BEACH LANDING IMPROVEMENTS
PREPARED FOR
CITY OF FORT WALTON BEACH

DESIGNED BY: M.D.
DRAWN BY: T.A./M.D.
CHECKED BY: M.D.
APPROVED BY: M.D.
PROJECT NO: 15-409
DATE: 09/01/2018

SHEET NUMBER

W-11

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-1992-60069 (NW-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-1992-60069 (NW-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

ATTACHMENT 3
Self-Certification
(1 page)

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

Permit Number: SAJ-1992-60069 (NW-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)

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.]

STANDARD PROTECTION MEASURES FOR THE EASTERN INDIGO SNAKE
U.S. Fish and Wildlife Service
August 12, 2013

The eastern indigo snake protection/education plan (Plan) below has been developed by the U.S. Fish and Wildlife Service (USFWS) in Florida for use by applicants and their construction personnel. At least **30 days prior** to any clearing/land alteration activities, the applicant shall notify the appropriate USFWS Field Office via e-mail that the Plan will be implemented as described below (North Florida Field Office: jaxregs@fws.gov; South Florida Field Office: verobeach@fws.gov; Panama City Field Office: panamacity@fws.gov). As long as the signatory of the e-mail certifies compliance with the below Plan (including use of the attached poster and brochure), no further written confirmation or “approval” from the USFWS is needed and the applicant may move forward with the project.

If the applicant decides to use an eastern indigo snake protection/education plan other than the approved Plan below, written confirmation or “approval” from the USFWS that the plan is adequate must be obtained. At least 30 days prior to any clearing/land alteration activities, the applicant shall submit their unique plan for review and approval. The USFWS will respond via e-mail, typically within 30 days of receiving the plan, either concurring that the plan is adequate or requesting additional information. A concurrence e-mail from the appropriate USFWS Field Office will fulfill approval requirements.

The Plan materials should consist of: 1) a combination of posters and pamphlets (see **Poster Information** section below); and 2) verbal educational instructions to construction personnel by supervisory or management personnel before any clearing/land alteration activities are initiated (see **Pre-Construction Activities** and **During Construction Activities** sections below).

POSTER INFORMATION

Posters with the following information shall be placed at strategic locations on the construction site and along any proposed access roads (a final poster for Plan compliance, to be printed on 11” x 17” or larger paper and laminated, is attached):

DESCRIPTION: The eastern indigo snake is one of the largest non-venomous snakes in North America, with individuals often reaching up to 8 feet in length. They derive their name from the glossy, blue-black color of their scales above and uniformly slate blue below. Frequently, they have orange to coral reddish coloration in the throat area, yet some specimens have been reported to only have cream coloration on the throat. These snakes are not typically aggressive and will attempt to crawl away when disturbed. Though indigo snakes rarely bite, they should NOT be handled.

SIMILAR SNAKES: The black racer is the only other solid black snake resembling the eastern indigo snake. However, black racers have a white or cream chin, thinner bodies, and WILL BITE if handled.

LIFE HISTORY: The eastern indigo snake occurs in a wide variety of terrestrial habitat types throughout Florida. Although they have a preference for uplands, they also utilize some wetlands

and agricultural areas. Eastern indigo snakes will often seek shelter inside gopher tortoise burrows and other below- and above-ground refugia, such as other animal burrows, stumps, roots, and debris piles. Females may lay from 4 - 12 white eggs as early as April through June, with young hatching in late July through October.

PROTECTION UNDER FEDERAL AND STATE LAW: The eastern indigo snake is classified as a Threatened species by both the USFWS and the Florida Fish and Wildlife Conservation Commission. “Taking” of eastern indigo snakes is prohibited by the Endangered Species Act without a permit. “Take” is defined by the USFWS as an attempt to kill, harm, harass, pursue, hunt, shoot, wound, trap, capture, collect, or engage in any such conduct. Penalties include a maximum fine of \$25,000 for civil violations and up to \$50,000 and/or imprisonment for criminal offenses, if convicted.

Only individuals currently authorized through an issued Incidental Take Statement in association with a USFWS Biological Opinion, or by a Section 10(a)(1)(A) permit issued by the USFWS, to handle an eastern indigo snake are allowed to do so.

IF YOU SEE A LIVE EASTERN INDIGO SNAKE ON THE SITE:

- Cease clearing activities and allow the live eastern indigo snake sufficient time to move away from the site without interference;
- Personnel must NOT attempt to touch or handle snake due to protected status.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Immediately notify supervisor or the applicant’s designated agent, **and** the appropriate USFWS office, with the location information and condition of the snake.
- If the snake is located in a vicinity where continuation of the clearing or construction activities will cause harm to the snake, the activities must halt until such time that a representative of the USFWS returns the call (within one day) with further guidance as to when activities may resume.

IF YOU SEE A DEAD EASTERN INDIGO SNAKE ON THE SITE:

- Cease clearing activities and immediately notify supervisor or the applicant’s designated agent, **and** the appropriate USFWS office, with the location information and condition of the snake.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Thoroughly soak the dead snake in water and then freeze the specimen. The appropriate wildlife agency will retrieve the dead snake.

Telephone numbers of USFWS Florida Field Offices to be contacted if a live or dead eastern indigo snake is encountered:

North Florida Field Office – (904) 731-3336
Panama City Field Office – (850) 769-0552
South Florida Field Office – (772) 562-3909

PRE-CONSTRUCTION ACTIVITIES

1. The applicant or designated agent will post educational posters in the construction office and throughout the construction site, including any access roads. The posters must be clearly visible to all construction staff. A sample poster is attached.
2. Prior to the onset of construction activities, the applicant/designated agent will conduct a meeting with all construction staff (annually for multi-year projects) to discuss identification of the snake, its protected status, what to do if a snake is observed within the project area, and applicable penalties that may be imposed if state and/or federal regulations are violated. An educational brochure including color photographs of the snake will be given to each staff member in attendance and additional copies will be provided to the construction superintendent to make available in the onsite construction office (a final brochure for Plan compliance, to be printed double-sided on 8.5" x 11" paper and then properly folded, is attached). Photos of eastern indigo snakes may be accessed on USFWS and/or FWC websites.
3. Construction staff will be informed that in the event that an eastern indigo snake (live or dead) is observed on the project site during construction activities, all such activities are to cease until the established procedures are implemented according to the Plan, which includes notification of the appropriate USFWS Field Office. The contact information for the USFWS is provided on the referenced posters and brochures.

DURING CONSTRUCTION ACTIVITIES

1. During initial site clearing activities, an onsite observer may be utilized to determine whether habitat conditions suggest a reasonable probability of an eastern indigo snake sighting (example: discovery of snake sheds, tracks, lots of refugia and cavities present in the area of clearing activities, and presence of gopher tortoises and burrows).
2. If an eastern indigo snake is discovered during gopher tortoise relocation activities (i.e. burrow excavation), the USFWS shall be contacted within one business day to obtain further guidance which may result in further project consultation.
3. Periodically during construction activities, the applicant's designated agent should visit the project area to observe the condition of the posters and Plan materials, and replace them as needed. Construction personnel should be reminded of the instructions (above) as to what is expected if any eastern indigo snakes are seen.

POST CONSTRUCTION ACTIVITIES

Whether or not eastern indigo snakes are observed during construction activities, a monitoring report should be submitted to the appropriate USFWS Field Office within 60 days of project completion. The report can be sent electronically to the appropriate USFWS e-mail address listed on page one of this Plan.



ATTENTION:

THREATENED EASTERN INDIGO SNAKES MAY BE PRESENT ON THIS SITE!!!

IF YOU SEE A LIVE EASTERN INDIGO SNAKE ON THE SITE:

- Cease clearing activities and allow the eastern indigo snake sufficient time to move away from the site without interference.
- Personnel must NOT attempt to touch or handle snake due to protected status.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Immediately notify supervisor or the applicant's designated agent, **and** the appropriate U.S. Fish and Wildlife Service (USFWS) office, with the location information and condition of the snake.
- If the snake is located in a vicinity where continuation of the clearing or construction activities will cause harm to the snake, the activities must halt until such time that a representative of the USFWS returns the call (within one day) with further guidance as to when activities may resume.

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USFWS Florida Field Offices to be contacted if a live or dead eastern indigo snake is encountered:

North Florida Field Office – (904) 731-3336

Panama City Field Office – (850) 769-0552

South Florida Field Office – (772) 562-3909

Killing, harming, or harassing indigo snakes is strictly prohibited and punishable under State and Federal Law.

DESCRIPTION: The eastern indigo snake is one of the largest non-venomous snakes in North America, with individuals often reaching up to 8 feet in length. They derive their name from the glossy, blue-black color of their scales above and uniformly slate blue below. Frequently, they have orange to coral reddish coloration in the throat area, yet some specimens have been reported to only have cream coloration on the throat. These snakes are not typically aggressive and will attempt to crawl away when disturbed. Though indigo snakes rarely bite, they should NOT be handled.

SIMILAR SNAKES: The black racer is the only other solid black snake resembling the eastern indigo snake. However, black racers have a white or cream chin, thinner bodies, and WILL BITE if handled.

LIFE HISTORY: The eastern indigo snake occurs in a wide variety of terrestrial habitat types throughout Florida. Although they have a preference for uplands, they also utilize some wetlands and agricultural areas. Eastern indigo snakes will often seek shelter inside gopher tortoise burrows and other below- and above-ground refugia, such as other animal burrows, stumps, roots, and debris piles. Females may lay from 4 - 12 white eggs as early as April through June, with young hatching in late July through October.

PROTECTION: The eastern indigo snake is classified as a Threatened species by both the USFWS and the Florida Fish and Wildlife Conservation Commission. "Taking" of eastern indigo snakes is prohibited by the Endangered Species Act without a permit. "Take" is defined by the USFWS as an attempt to kill, harm, harass, pursue, hunt, shoot, wound, trap, capture, collect, or engage in any such conduct. Penalties include a maximum fine of \$25,000 for civil violations and up to \$50,000 and/or imprisonment for criminal offenses, if convicted.

Only individuals currently authorized through an issued Incidental Take Statement in association with a USFWS Biological Opinion, or by a Section 10(a)(1)(A) permit issued by the USFWS, to handle an eastern indigo snake are allowed to do so.

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INDIGO SNAKE ON THE SITE:**

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INDIGO SNAKE ON THE SITE:**

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contacted if a live or dead eastern indigo
snake is encountered:**

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Panama City ES Office – (850) 769-0552
South Florida ES Office – (772) 562-3909

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Killing, harming, or harassing indigo snakes is strictly prohibited and punishable under State and Federal Law.

Only individuals currently authorized through an issued Incidental Take Statement in association with a USFWS Biological Opinion, or by a Section 10(a)(1)(A) permit issued by the USFWS, to handle an eastern indigo snake are allowed to do so.

LEGAL STATUS: The eastern indigo snake is classified as a Threatened species by both the USFWS and the Florida Fish and Wildlife Conservation Commission. “Taking” of eastern indigo snakes is prohibited by the Endangered Species Act without a permit. “Take” is defined by the USFWS as an attempt to kill, harm, harass, pursue, hunt, shoot, wound, trap, capture, collect, or engage in any such conduct. Penalties include a maximum fine of \$25,000 for civil violations and up to \$50,000 and/or imprisonment for criminal offenses, if convicted.



August 12, 2013

ATTENTION:
THREATENED EASTERN INDIGO
SNAKES MAY BE PRESENT ON
THIS SITE!!!



Please read the following information provided by the U.S. Fish and Wildlife Service to become familiar with standard protection measures for the eastern indigo snake.

**MEMORANDUM OF AGREEMENT
BETWEEN
THE UNITED STATES ARMY CORPS OF ENGINEERS,
THE FLORIDA STATE HISTORIC PRESERVATION OFFICER,
AND THE CITY OF FORT WALTON BEACH
FOR
SAJ-1992-60069
FORT WALTON BEACH LANDING
FORT WALTON BEACH, OKALOOSA COUNTY, FLORIDA**

WHEREAS, the United States Army Corps of Engineers, Jacksonville District (Corps) has the authority to issue permits pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C. § 1344) and Section 10 of the Rivers and Harbors Act (RHA) of 1899 (33 U.S.C. § 401);

WHEREAS, the Corps is evaluating an application for a permit pursuant to Section 404 of the CWA and Section 10 of the RHA that would authorize impacts to waters of the United States and navigable waters submitted on behalf of the City of Fort Walton Beach, Florida (Applicant), the property owner of the Fort Walton Beach Landing Park (Park). The Park is comprised of approximately 5 acres, which is located at 139 Brooks Street SE, in Section 24, Township 2 South, Range 24 West, in Okaloosa County, Florida, and contains waters, which have been determined to be jurisdictional under the CWA and the RHA;

WHEREAS, the "Undertaking" consists of dredge and fill in jurisdictional waters associated with improvements to the Park;

WHEREAS, the United States Fish and Wildlife Service (FWS), Department of Interior asserted that they had originally conducted a Section 106 review for the proposed Undertaking as the lead federal agency for Federal grant funding prior to the Applicant's submittal of a CWA permit application to the Corps, and indicated that the Undertaking would have no adverse effects;

WHEREAS, the Seminole Tribe of Florida (STOF) requested consultation with the Corps regarding the review of the permit application, which prompted the Corps to engage in a closer review of the Undertaking and led to the discovery that the scope of the Undertaking had changed significantly;

WHEREAS, due the change in scope of the Undertaking, the Corps' engaged in additional Section 106 consultation as the lead federal agency for the permit application;

WHEREAS, in accordance with 36 C.F.R. Part 800, the Corps has determined that the Undertaking will affect historic properties and is subject to Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. § 306108);

WHEREAS, the Corps has defined the Undertaking's area of potential effect, in accordance with Appendix C of 36 C.F.R. Part 325 and the NHPA, to consist of the affected waters and all uplands within the park that contain archaeological site components under the Federal handle related to Federal funding and Department of Army permitting;

WHEREAS, Phase I archeological investigations were undertaken on the subject parcel by the Applicant, confirming that portions of the previously recorded archaeological sites 8OK01507 and 8OK01012 extend across the subject parcel. Portions of these sites within the parcel are comprised of shell middens containing intact cultural deposits associated with the Weeden Island Period, and are components of a larger village and mound complex;

WHEREAS, the Corps has determined that sites 8OK01507 and 8OK01012 are eligible for inclusion in the National Register of Historic Places;

WHEREAS, the Corps has determined the Undertaking will have an adverse effect on sites 8OK01507 and 8OK01012 and the State Historic Preservation Officer (SHPO); has concurred with this determination;

WHEREAS, the Corps has consulted with the SHPO, STOF, and offered consultation to the Miccosukee Tribe of Indians of Florida (MTIF) pursuant to 36 C.F.R. Part 800;

WHEREAS, the Corps has invited the Applicant to sign this MOA as an invited signatory pursuant to 36 C.F.R. § 800.2(c)(4);

WHEREAS, in accordance with 36 C.F.R. § 800.6(a)(1), the Corps has notified the Advisory Council on Historic Preservation (Council) of its adverse effect determination, and the Council chose not to participate in the consultation pursuant to 36 C.F.R. § 800.6(a)(1)(iii); and

NOW, THEREFORE, the Corps, SHPO, and the City of Fort Walton Beach (Signatories) agree that the Undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the Undertaking on the historic properties.

STIPULATIONS

1. The Corps shall ensure that the following measures are implemented:

a. All work shall be conducted by, or under the direct supervision of, a person or persons meeting, at a minimum, the Secretary of Interior's Professional Qualifications Standards for Archaeology (48 FR 44739).

b. Upper Lawn Area

Archaeological fieldwork by SEARCH, Inc. has verified that intact midden deposits are present within the Upper Lawn Area and were first encountered within 20 cm of the surface. Grading of 1.0 to 2.0 ft in the Upper Lawn area would affect undisturbed archaeological deposits associated with NRHP-eligible sites 8OK01012 and 8OK01507. To address potential adverse impacts to the sites as a result of the proposed work, the following stipulations must be met prior to ground disturbing activities in the Upper Lawn Area:

1). Prior to any ground disturbing work in this area, a Phase III archaeological block excavation within the areas proposed for impacts must be undertaken. The work must meet the standards and guidelines provided for in the Florida Division of Historical Resources' "Cultural Resources Management Standards and Operational Manual, Module Three", and the National Park Service's "Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation". The extent of excavations required to mitigate the proposed impacts will be determined in consultation with the USACE and the SHPO. This archaeological work will not begin until the applicant's archaeologist has submitted a comprehensive plan for the archaeological work in the Upper Lawn Area for review and approval by the Corps and SHPO. The plan must include: the research questions to be addressed based on the findings of the previous archaeological work; professional qualifications of those supervising or carrying out the work; a description of the data classes that are expected to be encountered and their relevance to the research questions; a description of the specific methods and techniques that will be employed in the data collection process and subsequent analysis; and a plan for the treatment of burial resources if encountered.

2). The Applicant will provide progress reports every two weeks to the Corps and SHPO on the archaeological work being conducted.

3). In the event human remains are encountered during excavations, the applicant will immediately notify the Corps and SHPO and all work shall be halted in the immediate vicinity of the discovery. A plan for addressing the human remains must be developed between the Applicant, the Corps, and the SHPO. The Corps will consult with the STOF and MTIF on the plan. No work in the vicinity of the discovery will commence until the plan has been approved by the Corps and SHPO.

4). Following the completion of field work for the Phase III archaeological investigations, a Management Summary of the findings shall be provided to the Corps and SHPO within fifteen (15) days. The Corps and SHPO will have ten (10) days to review the Management Summary. If the Corps and SHPO, in consultation with the consulting Federally-recognized tribes, agree with the findings of the Management Summary, then the Corps may issue a notice allowing permitted activities in the Upper Lawn Area to proceed. No ground disturbing construction activity is allowed in the Upper Lawn Area until this requirement is met.

5). Within six (6) months of the Management Summary approval, a full report consistent with Rule 1A-46 of the Florida Administrative Code, shall be produced and submitted to the Corps and SHPO for a fifteen (15) day review and comment period. If necessary, the Applicant will address any comments and resubmit the final report for an additional fifteen (15) day review and comment period.

c. T-Dock Area

While soils encountered in shovel tests in the T-Dock area revealed fill and disturbed soils, intact deposits may be present below the disturbance and throughout the T-Dock area. Therefore, the following stipulations must be met for construction in this area:

1). Monitoring by a qualified professional archaeologist is required during ground disturbing activities in the T-Dock area. The work must meet the standards and guidelines provided for in the Florida Division of Historical Resources' "Cultural Resources Management Standards and Operational Manual, Module Three", and the National Park Service's "Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation".

2). If intact archaeological deposits are identified during construction activities, the archaeological monitor shall have the authority to stop construction activities in the vicinity of the deposits in order to record the finds and to assess them for significance. If the finds in the area are significant, then the archaeologist must notify the Corps and SHPO in order to develop a plan for additional documentation. Construction work cannot commence until a plan has been approved by the Corps and SHPO.

3). A final report of the monitoring activities and findings must be submitted to the SHPO within 3 months of completion of the monitoring work. The reporting must meet the standards and guidelines provided for in the Florida Division of Historical Resources' "Cultural Resources Management Standards and Operational Manual, Module Three".

d. Pocket Bay Area

The survey identified apparent disturbances within the Pocket Bay area associated with underground utilities, irrigation, and sidewalks. However, previously reported shovel tests excavated along the edges of this area revealed archaeological material and apparent intact midden deposits. Planned improvements include the clearing and removal of upland soil from this area to create a small inundated bay. Therefore, the following stipulations must be met for construction in this area:

1). Monitoring by a qualified professional archaeologist is required during ground-disturbing activities. The work must meet the standards and guidelines provided for in

the Florida Division of Historical Resources' "Cultural Resources Management Standards and Operational Manual, Module Three", and the National Park Service's "Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation".

2). If intact archaeological deposits are identified during construction activities, the archaeological monitor shall have the authority to stop construction activities in the vicinity of the deposits in order to record the finds and to assess them for significance. If the finds are significant, then the archaeologist must notify the Corps and SHPO in order to develop a plan for additional documentation. Construction work cannot commence until a plan has been approved by the Corps and SHPO.

3). A final report of the monitoring activities and findings must be submitted to the SHPO within 3 months of completion of monitoring work. The report must meet the standards and guidelines provided for in the Florida Division of Historical Resources' "Cultural Resources Management Standards and Operational Manual, Module Three".

2. This MOA may be amended when such an amendment is agreed to in writing by all Signatories. The amendment will be effective on the date it is signed by all the Signatories to this MOA.

3. If any Signatory determines that the terms of this MOA cannot be or are not being carried out, the Signatories shall consult to seek amendment to the MOA in accordance with Stipulation 2, above. If the MOA is not amended, any Signatory may terminate the MOA upon written notification to the other Signatories. Once the MOA is terminated, and prior to work continuing on the Undertaking, the Corps shall then either execute a new MOA pursuant to 36 C.F.R. § 800.6(c)(1) or request the comments of the ACHP under 36 C.F.R. § 800.7(a). The Corps shall notify the Signatories as to the course of action it will pursue.

4. If the terms of this MOA have not been implemented within two years of execution, this MOA will be considered null and void. Prior to such time, the Corps may consult with the other Signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation 2.

5. This MOA shall become effective on the date that it has been signed by the Corps, the City of Fort Walton Beach, and the SHPO.

Execution of this Memorandum of Agreement by the SHPO and the Corps and the implementation of its terms evidence that the effects of the Undertaking on historic properties have been taken into account and mitigated so that the Undertaking may proceed.

SIGNATORIES

U.S. ARMY CORPS OF ENGINEERS
JACKSONVILLE DISTRICT

By: Shawn H. Zinszer Date: 3/15/22
Shawn H. Zinszer
Chief, Regulatory Division

FLORIDA DIVISION OF HISTORICAL RESOURCES

By: [Signature] Date: 3/10/22
Dr. Timothy Parsons
Director and State Historic Preservation Officer

CITY OF FORT WALTON BEACH, FL OWNER/APPLICANT

By: Richard A. Ryneason Date: _____
Richard A. Ryneason
2022.03.14 15:59:27 -05'00'
Authorized Representative for City of Fort Walton Beach, FL

Attachment A

**Map of Area of Potential Effect (APE) and
Archaeological Sub-areas**

SAJ 1992-60069 Ft Walton Beach Landing Area of Potential Effect



0 30 60 Meters



*boundaries of sub-areas within the APE are approximate