



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
Shirley Bryan
40 Audusson, LLC

Published: August 27, 2025
Expires: September 11, 2025

**Jacksonville District
Permit Application No. SAJ-2008-02665**

TO WHOM IT MAY CONCERN: The Jacksonville District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403). The purpose of this public notice is to solicit comments from the public regarding the work described below:

If you are interested in receiving additional project drawings associated with this public notice, please send an e-mail to the project manager by electronic mail at Holly.M.Millsap@usace.army.mil.

APPLICANT: Shirley Bryan
40 Audusson, LLC
10131 Noriega Drive
Pensacola, Florida 32514

WATERWAY AND LOCATION: The project would affect aquatic resources associated with Bayou Texar. The project site is located at 40 Audusson Avenue; at latitude 30.401247° and longitude -87.250217°; in Pensacola, Escambia County, Florida.

EXISTING CONDITIONS: The project site consists of an existing commercial marina with water depths up to -7 mean low water. The marina basin is surrounded by a primarily natural shoreline with segments of seawalls. A seagrass survey conducted August 15, 2024, identified no seagrass within the project limits. The project site is surrounded by Bayou Texar to the north, Barrancas Avenue and commercial development to the east, and residential development to the west and south.

PROJECT PURPOSE:

Basic: Marina

Overall: Expand an existing commercial marina in Bayou Texar, in Pensacola, Escambia County, Florida.

PROPOSED WORK: The applicant requests authorization to construct a 9-foot by 20-foot fixed pier extension to a 10-foot by 265-foot floating dock connected by a 5-foot by 20-foot gangway. The floating dock would be for transient mooring.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: “Weighted turbidity curtains will be used during the installation of the piles. There are no emergent or submerged resources within the area of potential affect.”

COMPENSATORY MITIGATION: The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: Due to the nature of the project and lack of impact to special aquatic sites, the applicant did not offer compensatory mitigation.

CULTURAL RESOURCES: The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes and other interested parties.

ENDANGERED SPECIES: The Corps has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), National Marine Fisheries Service (NMFS) Section 7 Mapper, and the NMFS Critical Habitat Mapper to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur in the vicinity of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project may affect species and critical habitat listed below. No other ESA-listed species or critical habitat will be affected by the proposed action.

Table 1: ESA-listed species and/or critical habitat potentially present in the action area.

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
West Indian manatee	<i>Trichechus manatus</i>	Threatened
Gulf Sturgeon	<i>Acipenser oxyrinchus desotoi</i>	Threatened
Green turtle	<i>Chelonia mydas</i>	Threatened
Kemp’s ridley turtle	<i>Lepidochelys kempii</i>	Endangered
Loggerhead turtle	<i>Caretta caretta</i>	Threatened

Hawksbill turtle	<i>Eretmochelys imbricate</i>	Endangered
Leatherback turtle	<i>Dermochelys coriacea</i>	Endangered
Giant manta ray	<i>Mobula birostris</i>	Threatened

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402.

This notice serves as request to the U.S. Fish and Wildlife Service and National Marine Fisheries Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

ESSENTIAL FISH HABITAT: Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act 1996, the Corps reviewed the project area, examined information provided by the applicant, and consulted available species information.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action may adversely affect EFH and/or fisheries managed by Fishery Management Councils and the National Marine Fisheries Service (NMFS). Implementation of the proposed project would indirectly impact (due to shading) approximately 0.07 acres of estuarine subtidal habitat. The effects of the project are determined to be minimal and permanent. These habitat(s) are utilized by the following species and their various life stages:

Species	Life Stage
Blacktip Shark	Neonate
Bull Shark	Juvenile/Adult
Spinner Shark	Neonate

Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

NAVIGATION: Based on the information provided by the applicant, the waterward edge of the proposed structure is 395+ feet away from the near bottom edge of the Bayou Chico federal channel.

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

WATER QUALITY CERTIFICATION: Water Quality Certification may be required from the Florida Department of Environmental Protection (FDEP).

COASTAL ZONE MANAGEMENT CONSISTENCY: Coastal Zone Consistency Concurrence is required from FDEP. In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan.

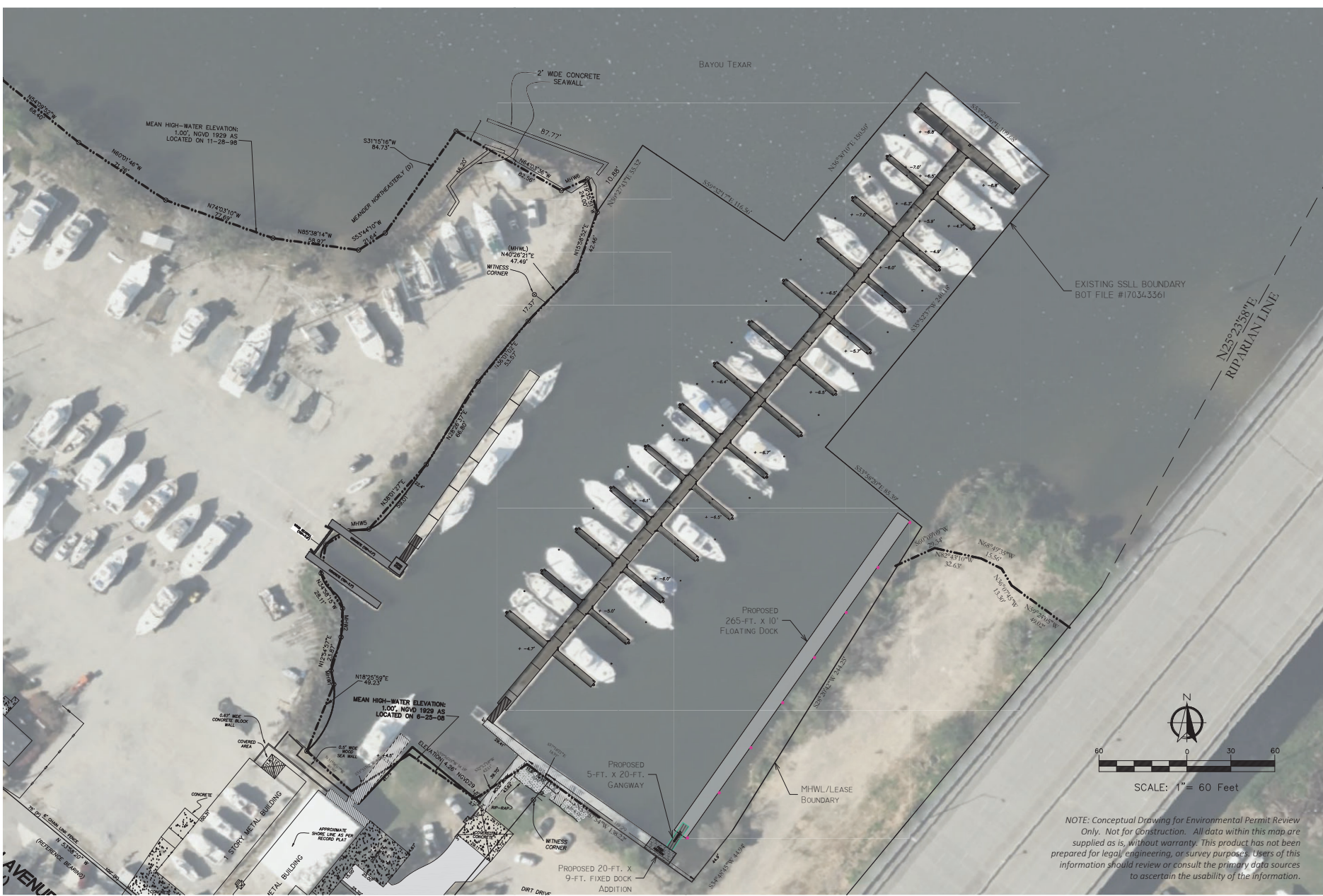
NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has not been verified by Corps personnel.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

COMMENTS: The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

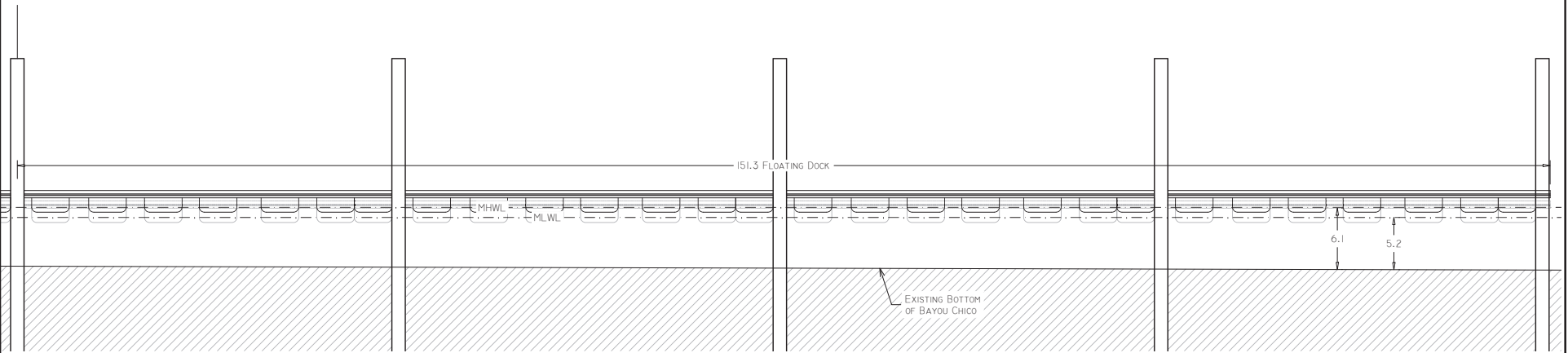
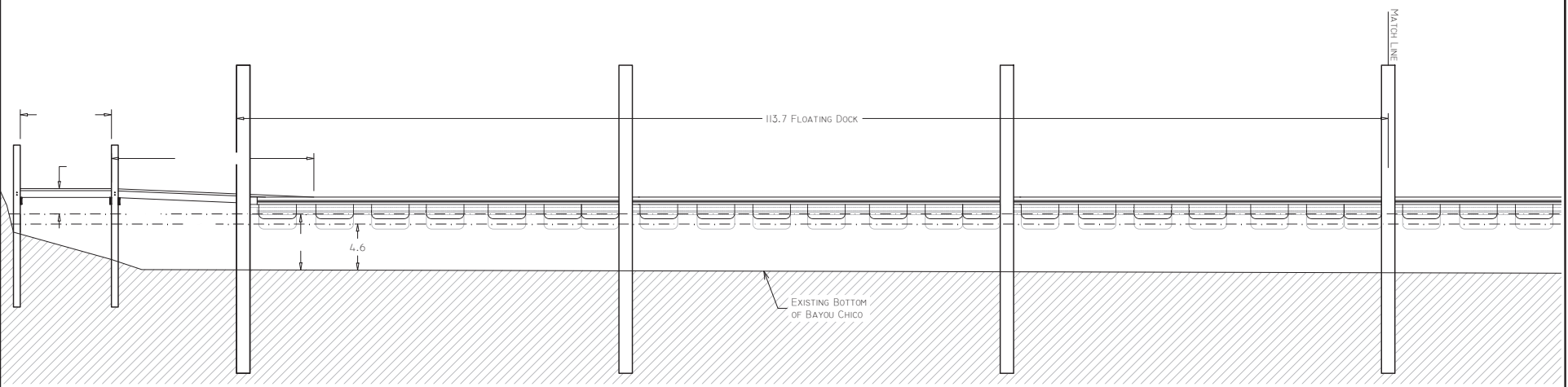
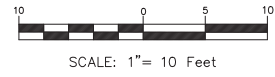
The Jacksonville District will receive written comments on the proposed work, as outlined above, until September 11, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs/public-notices> or to Holly Millsap at Holly.M.Millsap@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Jacksonville District, Attention: Holly Millsap, 41 North Jefferson Street, Suite 301 Pensacola, Florida 32502. Please refer to the permit application number in your comments.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.



NOTE: Conceptual Drawing for Environmental Permit Review Only. Not for Construction. All data within this map are supplied as is, without warranty. This product has not been prepared for legal, engineering, or survey purposes. Users of this information should review or consult the primary data sources to ascertain the usability of the information.

NO.	DATE	APPROV.	REVISION/DESCRIPTION
1	09/21/24	KDJ	ISSUED FOR PERMIT REVIEW



**WETLAND
SCIENCES**
INCORPORATED

ENVIRONMENTAL CONSULTANTS
3308 GULF BEACH HIGHWAY
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

NO.	DATE	APPROV.	REVISION/CONTINGENT
1	09/12/22		SPOT CHECKS

**PELICAN'S PERCH
MARINA**
FLOATING DOCK
PROFILE (SECTION A-A)

PROJECT NO.:
2007-215

DRAWN BY:
KDJ

DATE:
09/12/22

SHEET:
5 of 5

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