



REPLY TO  
ATTENTION OF

Regulatory Division  
South Permits Branch  
Miami Permits Section

**DEPARTMENT OF THE ARMY**  
**JACKSONVILLE DISTRICT CORPS OF ENGINEERS**  
9900 SOUTHWEST 107<sup>TH</sup> AVENUE, SUITE 203  
MIAMI, FLORIDA 33176

**April 26, 2019**

***PUBLIC NOTICE***

Permit Application Number SAJ-2012-02181 (SP-MIB)

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) and Section 404 of the Clean Water Act (33 U.S.C. §1344) as described below:

APPLICANT: Senen Garcia  
7215 West 3<sup>rd</sup> Court  
Hialeah, Florida 33014

WATERWAY AND LOCATION: The project would affect waters of the United States associated with Florida Bay. The proposed project site is on an undeveloped lot on 101 Bayview Drive; legally described as Lot 17, Blk 6 Safety Harbor in Section 20, Township 64 South, Range 36 East, Lower Matecumbe, Monroe County, Florida (MM 74). RE#00391890-000000.

Directions to the site are as follows: Take U.S. 1 South to MM 74; Turn right at Palm Drive; Turn left at Bayview Drive; The project is located on an undeveloped lot east of 105 Bayview Drive.

**APPROXIMATE CENTRAL COORDINATES:**

Latitude 24.85417  
Longitude -80.73721

**PROJECT PURPOSE:**

Basic: The basic purpose is to construct a single-family residence with associated docking structure.

Overall: The overall purpose is for the development of a single-family residence with associated docking structure in Islamorada, Monroe County, Florida.

EXISTING CONDITIONS: The wetland system consists of a saltwater system. The existing area surrounding the project consists of primarily developed single-family residences and pockets of undeveloped area. The property is situated at the end of the canal system. The property supports dense red mangroves along the shoreline. The lot consists of a mature forested saltmarsh buttonwood system. The onsite vegetation is

comprised of white mangroves, buttonwood, sea oxeye daisy, and sea purslane. The invasive exotics species are clustered along the center of the lot and transition into a lower wetland habitat consisting of Brazilian pepper, Australian pine, seaside mahoe intermixed with buttonwood and sea grape. Algal matting is present at the site. The property supports wetland vegetation, hydric soils and primary and secondary hydrological indicators at the subject site. The parcel was red flagged in the Advanced Wetland Identification (ADID).

**PROPOSED WORK:** The applicant seeks authorization to place 30 cubic yards of fill within a 6,422 square feet wetland area for the construction of a single-family residence with associated infrastructure, to construct a 332 square foot "T"-shaped dock, and to install temporary floating turbidity barriers around all work areas that are in/over U.S. navigable waters and avoid 1,881 square feet of remaining wetlands in perpetuity.

**AVOIDANCE AND MINIMIZATION INFORMATION:** The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The applicant has proposed to avoid and minimize impacts to the remaining 1,881 square feet of remaining wetlands. Turbidity screens and filter cloth will be deployed to isolate the construction site from ambient waters.

**COMPENSATORY MITIGATION:** The applicant has offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: If it is determined that the issuance of a DA permit is appropriate, mitigation will be required. The applicant has indicated that the mitigation proposal will be based on the Keys Restoration Fund (KRF). Time lag and risk will be a required component of any mitigation requirement.

#### **CULTURAL RESOURCES:**

The Corps is not aware of any known historic properties within the permit area. By copy of this public notice, the Corps is providing information for review. Our final determination relative to historic resource impacts is subject to review by and coordination with the State Historic Preservation Officer and those federally recognized tribes with concerns in Florida and the Permit Area.

#### **ENDANGERED SPECIES:**

The U.S. Army Corps of Engineers (Corps) has determined the project may affect, but is not likely to adversely affect the West Indian manatee (*Trichechus manatus*) or its designated critical habitat. Use of the Key resulted in the sequence A-B-C-G-H-I-N-O-P *may affect, not likely to adversely affect*. This determination partially was based on the implementation of the *Standard Manatee Conditions for In-Water Work*. The Corps has concurrence with this determination pursuant to the Effect Determination Key for the manatee dated April 2013. The real estate parcel number is 00391890-000000 and **is not** on the U.S. Fish and Wildlife Service Suitable Habitat List, dated August 2010, for Monroe County.

The Corps has determined the proposed project *may affect, but is not likely to adversely affect* ("MANLAA") the swimming green sea turtles (*Chelonia mydas*), loggerhead sea turtles (*Caretta caretta*), hawksbill sea turtles (*Eretmochelys imbricata*), Kemp's ridley sea turtles (*Lepidochelys kempii*), leatherback sea turtles (*Dermochelys coriacea*), the smalltooth sawfish (*Pristis pectinata*) and Acropora sp. critical habitat. The Corps has reached a *no effect* determination on *Acropora sp.* and corals species; (*Dendrogyra cylindrus*, *Orbicella annularis*, *Orbicella faveolata*, *Orbicella franksi*, *Mycetophyllia ferox*). The Corps has concurrence with this determination with the National Marine Fisheries Service's pursuant to Section 7 of the Endangered Species Act.

ESSENTIAL FISH HABITAT (EFH): This notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. The proposal would impact approximately 322 square feet of wetland shoreline and 6,422 square feet of wetlands utilized by various life stages of marine species. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in the Florida Keys. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The jurisdictional line has not been verified by Corps personnel.

AUTHORIZATION FROM OTHER AGENCIES: Water Quality Certification may be required from the Florida Department of Environmental Protection and/or one of the state Water Management Districts.

COMMENTS regarding the potential authorization of the work proposed should be submitted in writing to the attention of the District Engineer through the Miami Permits Section, 9900 SW 107<sup>th</sup> Avenue, Suite 203, Miami, Florida 33176 within 15 days from the date of this notice.

The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to the associated wetlands. This is based on an analysis of the applicant's avoidance and minimization efforts for the project, as well as the compensatory mitigation proposed.

QUESTIONS concerning this application should be directed to the project manager, Maria Bezanilla, in writing at the Miami Permits Section, 9900 SW 107<sup>th</sup> Avenue, Suite 203, Miami, Florida 33176, by electronic mail at [Maria.I.Bezanilla@usace.army.mil](mailto:Maria.I.Bezanilla@usace.army.mil), by fax at (305) 526-7184, or by telephone at (305) 779-6057.

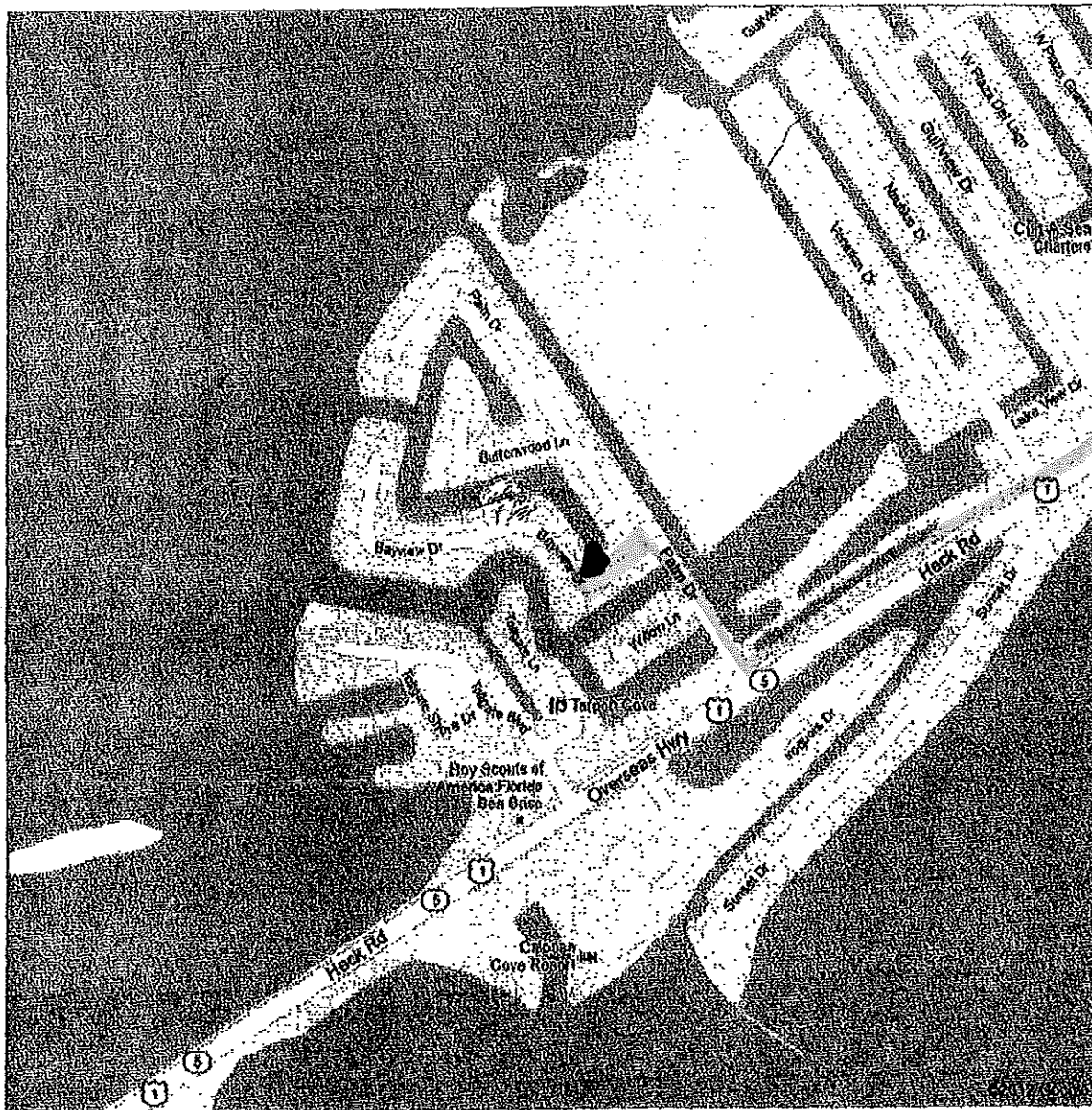
**IMPACT ON NATURAL RESOURCES:** Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area.

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

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

**COASTAL ZONE MANAGEMENT CONSISTENCY:** In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with the Coastal Zone Management Plan.

**REQUEST FOR PUBLIC HEARING:** Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.



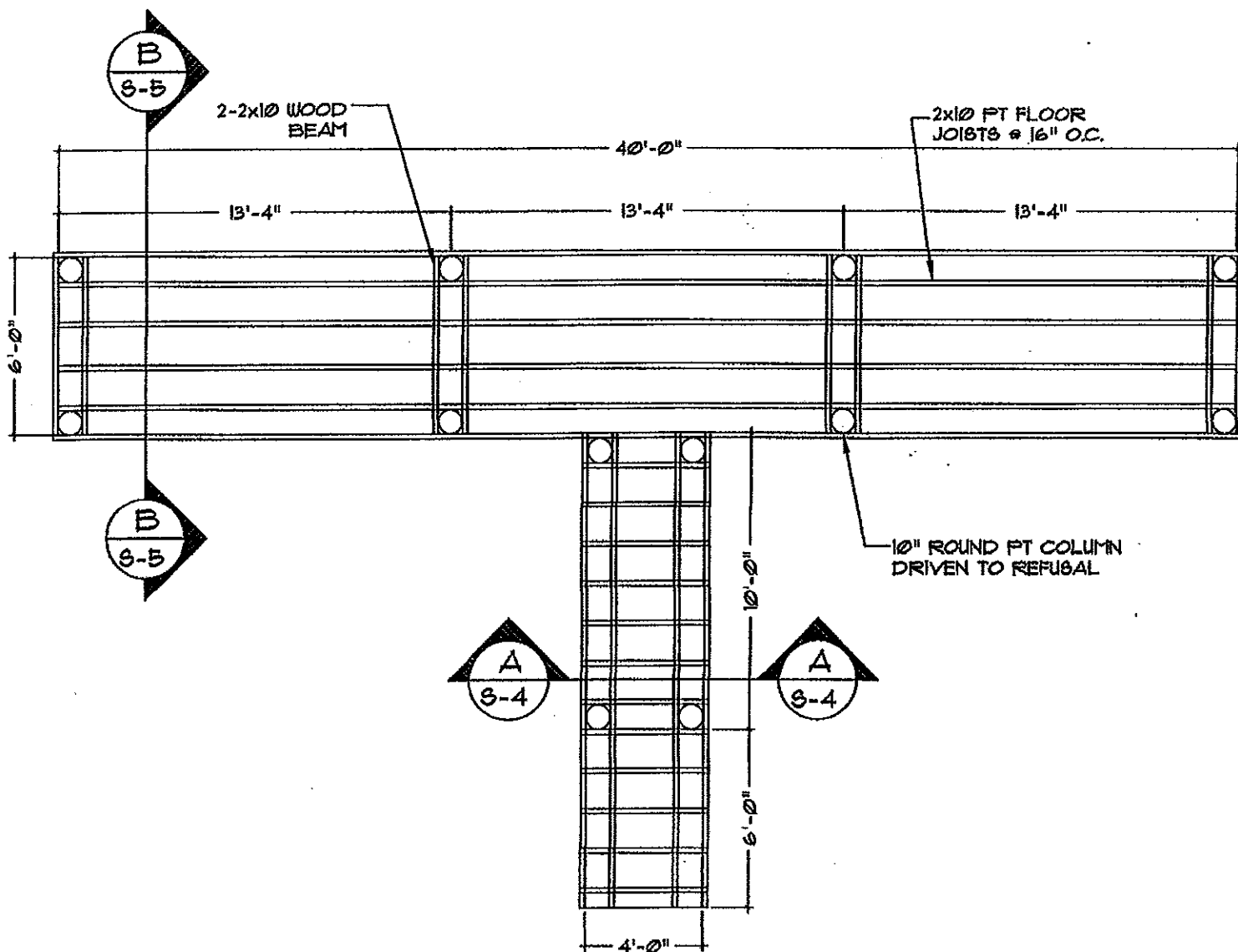
**Project: Senen Garcia Dock**

**Title: Location Plan**

**Keys Engineering Services**  
**91700 Overseas Highway, Suite 1**  
**Tavernier, FL 33070**  
**305-852-0262**  
**Daryle L. Osborn, P.E. #27428**

**Page No.**

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## DOCK LAYOUT PLAN

3/16" = 1'-0"

PROJECT No: D-11-198  
OWNER: SENAN GARCIA  
DOCK-101 BAYVIEW DRIVE  
18 LAMORADA, FLORIDA

TITLE: NEW DOCK

### KEYS ENGINEERING SERVICES

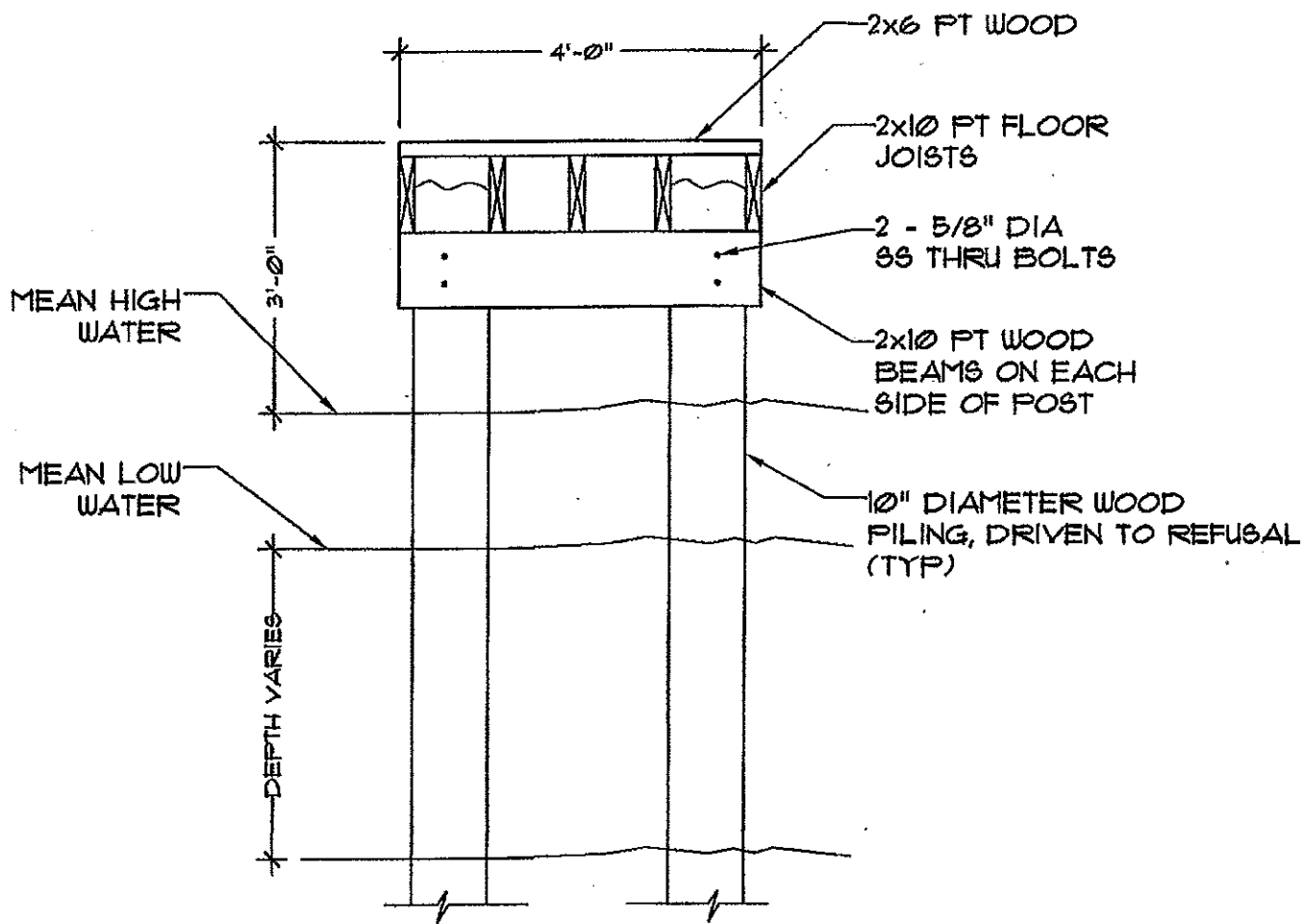
DARYLE L. OSBORN  
P.E. No. FL 27428

9100 SUITE # OVERSEAS HIGHWAY  
TAVERNIER, FLORIDA 33070 - FH (305) 852-0262

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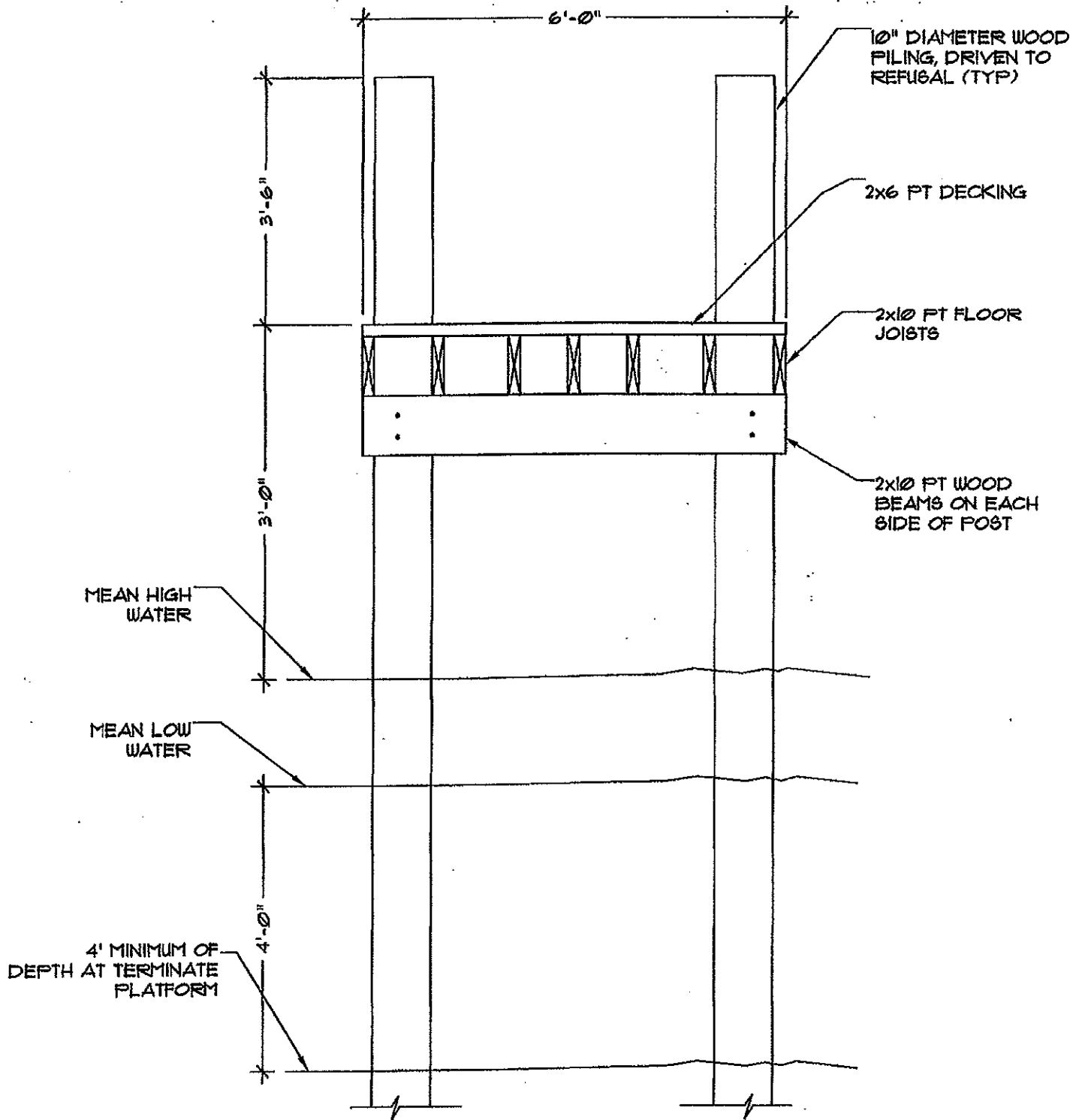
DATE:



## TYP SECTION A-A (WALKWAY)

1/2" = 1'-0"

PROJECT No: D-11-198	OWNER: SENAN GARCIA DOCK-101 BAYVIEW DRIVE ISLAMORADA, FLORIDA	<u>KEYS ENGINEERING SERVICES</u>  DARYLE L. OSBORN P.E. No. FL 27428  9700 SUITE 11 OVERSEAS HIGHWAY TAVERNIER, FLORIDA 33070 - PH. (305) 882-0262	PAGE NO. S-4
TITLE: NEW DOCK			DATE:



# TYP SECTION A-A (TERMINAL PLATFORM)

1/2" = 1'-0"

PROJECT No: D-11-198  
 OWNER: SENAN GARCIA  
 DOCK-101 BAYVIEW DRIVE  
 ISLAMORADA, FLORIDA

TITLE: NEW DOCK

## KEYS ENGINEERING SERVICES

DARYLE L. OSBORN  
 P.E. No. FL 27428

31100 SUITE 1 OVERSEAS HIGHWAY  
 TAVERNIER, FLORIDA 33070 - PH. (305) 852-0262

PAGE NO.  
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 DATE:



## CONSTRUCTION NOTES:

1. ALL ROUGH HARDWARE SHALL BE GALVANIZED METAL
2. ALL WOOD IN CONTACT WITH CONCRETE OR EXPOSED SHALL BE PRESSURE TREATED OR AN APPROVED EQUAL.
3. ALL JOIST LUMBER SHALL BE EQUIVALENT TO SOUTHERN PINE #2 WITH A MINIMUM FIBER STRESS OF 1400 PSI.
- ✓ 4. WALKWAY PORTION OF DOCK SHALL HAVE SOLID HANDRAILS.
5. WALKWAY PORTION OF DOCK SHALL HAVE SIGNS POSTED THAT STATE "NO MOORING".
6. FIBERGLASS GRATING WILL BE USED THAT ALLOWS A MINIMUM OF 43% PERMEABILITY.
7. REFLECTIVE NAVIGATIONAL INDICATORS SHALL BE LOCATED EVERY 50 FEET AND ON BOTH SIDES OF TERMINAL PLATFORM.
8. CONTINUOUS ACCESS TO OPEN WATER IS REQUIRED FROM DOCK.

PROJECT No: D-11-198	OWNER: BENAN GARCIA DOCK-101 BAYVIEW DRIVE ISLAMORADA, FLORIDA	<u>KEYS ENGINEERING SERVICES</u>  DARYLE L. OSBORN P.E. No. FL 27428  9100 SUITE 1 OVERSEAS HIGHWAY TAVERNIER, FLORIDA 33070 - PH. (305) 852-0262	PAGE NO. S-6  DATE:
TITLE: NEW DOCK			

LOT 17, BLOCK 6, SAFETY HARBOR, ACCORDING  
TO THE PLAT THEREOF, AS RECORDED IN PLAT  
BOOK 3, AT PAGE 69 OF THE PUBLIC RECORDS  
OF MONROE COUNTY, FLORIDA



TOTAL SITE  
TOTAL WETLAND AREA  
AREA OF WETLANDS TO BE FILLED

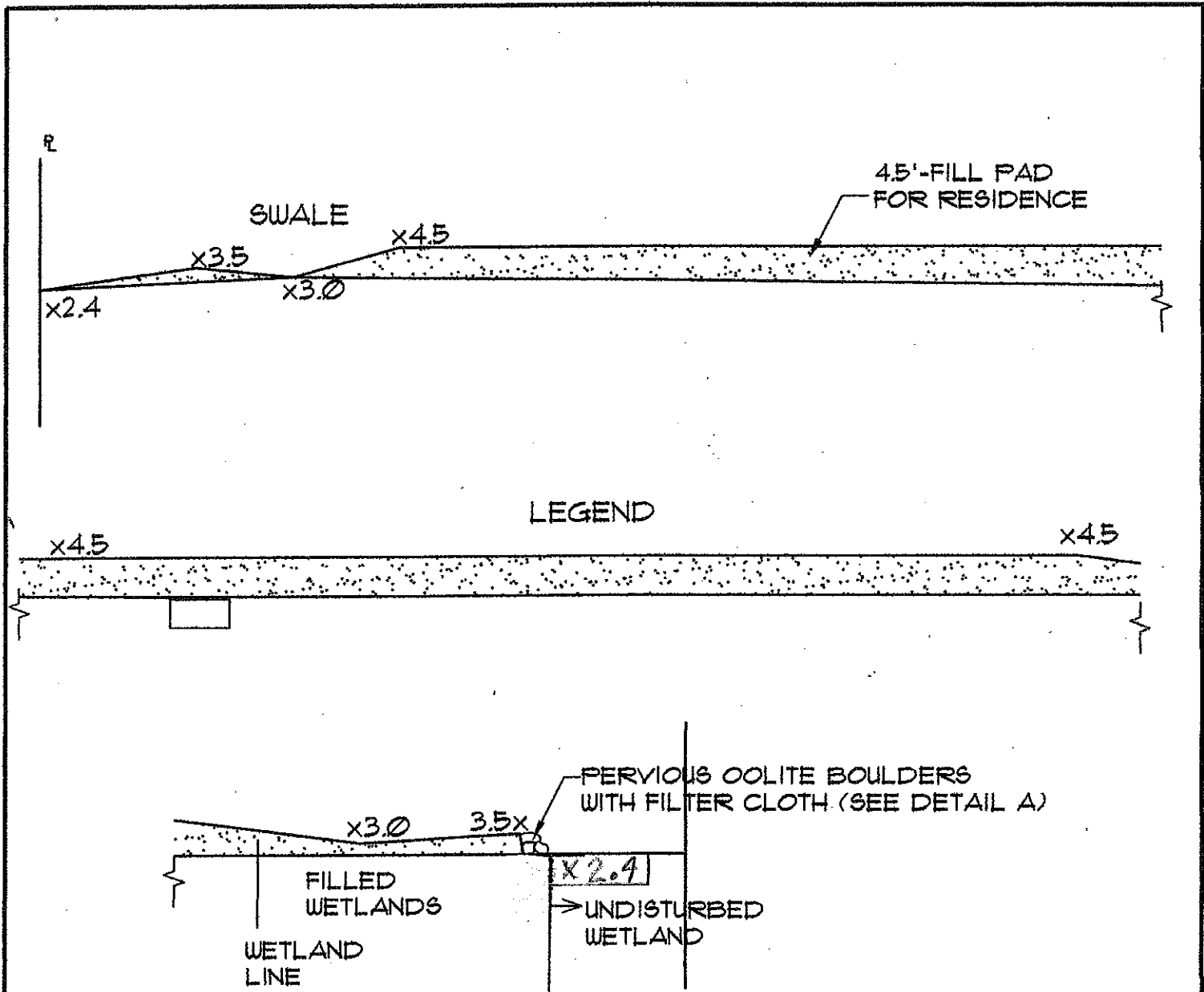
10638 SF  
8303 SF  
6422 SF

KEYS  
ENGINEERING SERVICES

DARYLE L. OSBORN - PE. No. FL 27428  
9700 OVERSEAS HWY - TAVERNIER, FL. 33070 - PH. (305) 852-0762

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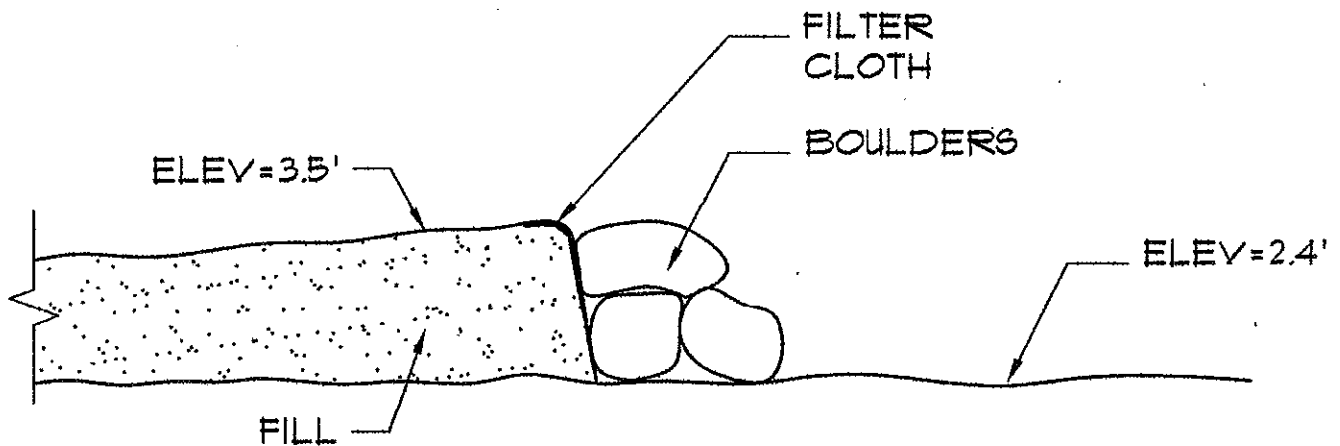




# CROSS SECTION 'A-A' THRU PROPERTY

SCALE @ 1/8" = 1'-0"

PROJECT No: D-11-198	OWNER: GARCIA RESIDENCE 101 BAYVIEW DRIVE ISLAMORADA, FL.	KEYS ENGINEERING SERVICES  DARYLE L. OSBORN - P.E. No. FL 27428 9100 OVERSEAS HWY - TAVERNIER, FL. 33070 - PH. (305) 882-0262	PAGE NO.  C-3
TITLE: CROSS SECTION			



DETAIL 'A'

SCALE @  $\frac{3}{4}" = 1'-0"$

PROJECT No:  
D-11-198

OWNER:  
GARCIA RESIDENCE  
101 BAYVIEW DRIVE  
ISLAMORADA, FL.

TITLE:  
DETAIL 'A'

KEYS  
ENGINEERING SERVICES

DARYLE L. OSBORN - P.E. No. FL 27428  
31700 OVERSEAS HWY - TAVERNIER, FL. 33070 - PH. (305) 852-0262

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FILL MATERIAL

SOURCE -

SPOILS FROM LOCAL EXCAVATION

FILL MATERIAL -

LOOSE ROCK WITH SOME ORGANIC MATERIAL

MANGROVE SHORELINE

PRESERVED

ALL

MANGROVES REMOVED

0

AMOUNT OF PROPOSED FILL 30 CU. YDS.

PROJECT No:

D-11-198

OWNER:

GARCIA RESIDENCE  
101 BAYVIEW DRIVE  
ISLAMORADA, FL.

TITLE:

NOTES

KEYS  
ENGINEERING SERVICES

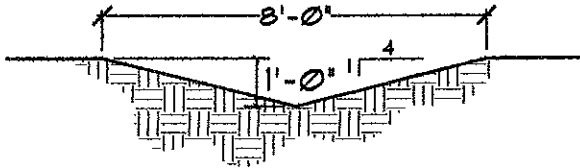
DARYLE L. OSBORN - P.E. No. FL 27428  
9100 OVERSEAS HWY - TAVERNIER, FL. 33070 - PH. (305) 852-0262

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### VEGETATION:

ALL INVASIVE EXOTIC PLANTS SHALL BE REMOVED  
PRIOR TO CERTIFICATE OF OCCUPANCY



### SWALE BERM DETAIL

#### OPEN SPACE RATIOS

LOT SIZE 10,638 S.F.

#### DEVELOPED AREA:

HOUSE 2,221 S.F. N.T.S.

O.S.R. 79 %

WETLAND AREA 8,303 S.F.

AREA TO BE FILLED 6,422 S.F.

O.S.R. 21 %

PROJECT No:

D-11-198

OWNER:

GARCIA RESIDENCE  
101 BAYVIEW DRIVE  
ISLAMORADA, FL.

## KEYS ENGINEERING SERVICES

DARYLE L. OSBORN - P.E. No. FL 27428  
9100 OVERSEAS HWY - TAVERNIER, FL. 33070 - PH. (305) 882-0262

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TITLE:

NOTES