



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
4400 PGA BOULEVARD, SUITE #500
PALM BEACH GARDENS, FL 33410

May 28, 2019

Regulatory Division
South Branch
Palm Beach Gardens Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2019-00387(SP-CF)

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) as described below:

APPLICANT: Jupiter Inlet Foundation
5500 Military Trail, Suite 22-214
Jupiter, FL 33458

WATERWAY AND LOCATION: The project would affect waters of the United States associated with the Jupiter Inlet/Loxahatchee River portion of the Intracoastal Waterway (ICWW). The project site is located waterward, directly west of the public boat dock area in Dubois Park, Jupiter, Section 31, Township 40 South, Range 43 East, Palm Beach County, FL.

Directions to the site are as follows: Take I-95 to Indiantown Road (SR 706) east until SR A1A (Ocean Blvd.) turn north. Proceed approximately 0.5 miles and go east onto Jupiter Beach Road then immediately left into Dubois Park. The Project is located waterward, directly west of the public boat dock area at Dubois Park.

APPROXIMATE CENTRAL COORDINATES:

Buoy Marker Number	Latitude	Longitude
1	26.56.7404N	80.4.8104W
2	26.56.7329N	80.4.7828W
3	26.56.7038N	80.4.7664W
4	26.56.6857N	80.4.7268W
5	26.56.6791N	80.4.6974W
6	26.56.6506N	80.4.6962W

PROJECT PURPOSE:

Basic: To install informational buoy markers indicating submerged aquatic resources in the area.

Overall: To install informational buoy markers indicating submerged aquatic resources in the Loxahatchee River/Jupiter Inlet portion of the Intracoastal Waterway (ICWW) in the town of Jupiter in northern Palm Beach County.

EXISTING CONDITIONS: The site consists of vegetated shallows within a tidal saltwater system. The submerged aquatic vegetation includes Johnson's seagrass. The existing area surrounding the project area consists of open tidal waters of the ICWW.

PROPOSED WORK: The applicant seeks authorization to install six (6) informational markers (five (5) Can Buoys and one (1) sign).

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:

Jupiter Inlet Foundation (JIF) is seeking to protect the seagrass bed by raising awareness about its presence through the placement of non-regulatory markers. The markers will be placed by a diver in an area devoid of submerged aquatic resources.

COMPENSATORY MITIGATION – The applicant has offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment:

No impacts to the aquatic environment is proposed, therefore no compensatory mitigation is proposed.

CULTURAL RESOURCES:

The Corps has determined the activity is of such limited scope there is little likelihood of impact upon a historic property; therefore, the proposed project would have "No Potential to Cause Effect".

ENDANGERED SPECIES:

The Corps has determined the proposed project may affect, but is not likely to adversely affect the West Indian Manatee (*Trichechus manatus*). Since the proposal by the applicant is for in-water construction, potential impacts to the threatened West Indian manatee (*Trichechus manatus*) were evaluated using The Corps of Engineers, Jacksonville District, and the State of Florida Effect Determination Key for the Manatee in Florida, and received programmatic concurrence for the may affect not likely to adversely affect determination.

The Corps has determined the proposed project may affect, but is not likely to adversely addct the Loggerhead (*Caretta caretta*), Green (*Chelonia mydas*) and Kemp's Ridley (*Lepidochelys kempii*), swimming sea turtles, Small tooth sawfish (*Pristis pectinata*) and Johnson's seagrass (*Halophila johnsonii*) or its designated critical habitat. The Corps will request National Marine Fisheries Service programmatic concurrence with this determination 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 6 square feet of mud, shell, sand and rock substrate utilized by various life stages of penaeid shrimp complex, reef fish, stone crab, spiny lobster, migratory/pelagic fish, and snapper/grouper complex. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in the South Atlantic Region. 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.

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 Palm Beach Gardens Permits Section, 4400 PGA Boulevard, Suite 500, Palm Beach Gardens, FL 33410 within 30 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, Carolyn Farmer, in writing at the Palm Beach Gardens Permits Section, 4400 PGA Boulevard, Suite 500, Palm Beach Gardens, FL 33410; by electronic mail at Carolyn.h.farmer@usace.army.mil; by facsimile transmission at (561)626-6971; or, by telephone at (561)472-3527.

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.

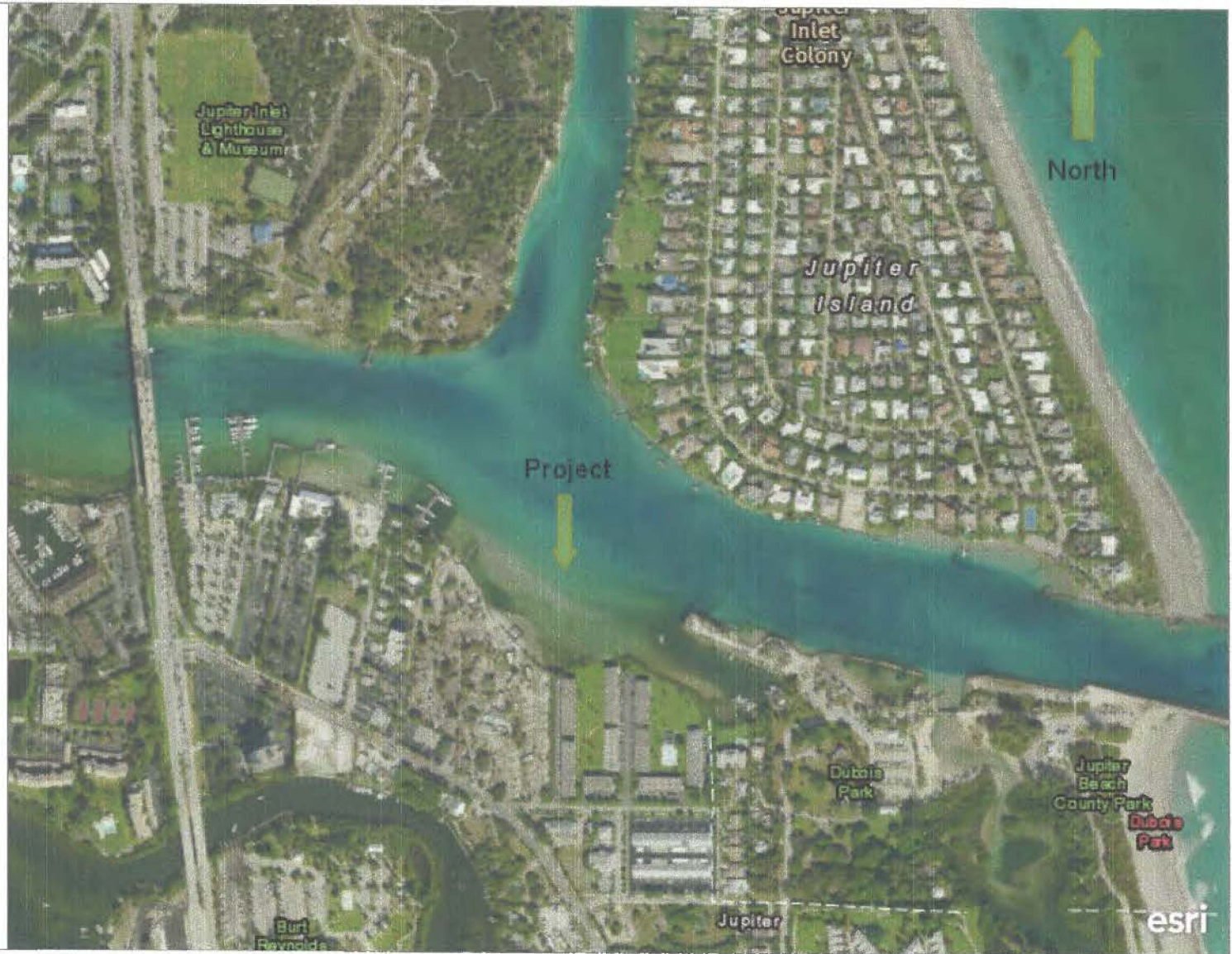
COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning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

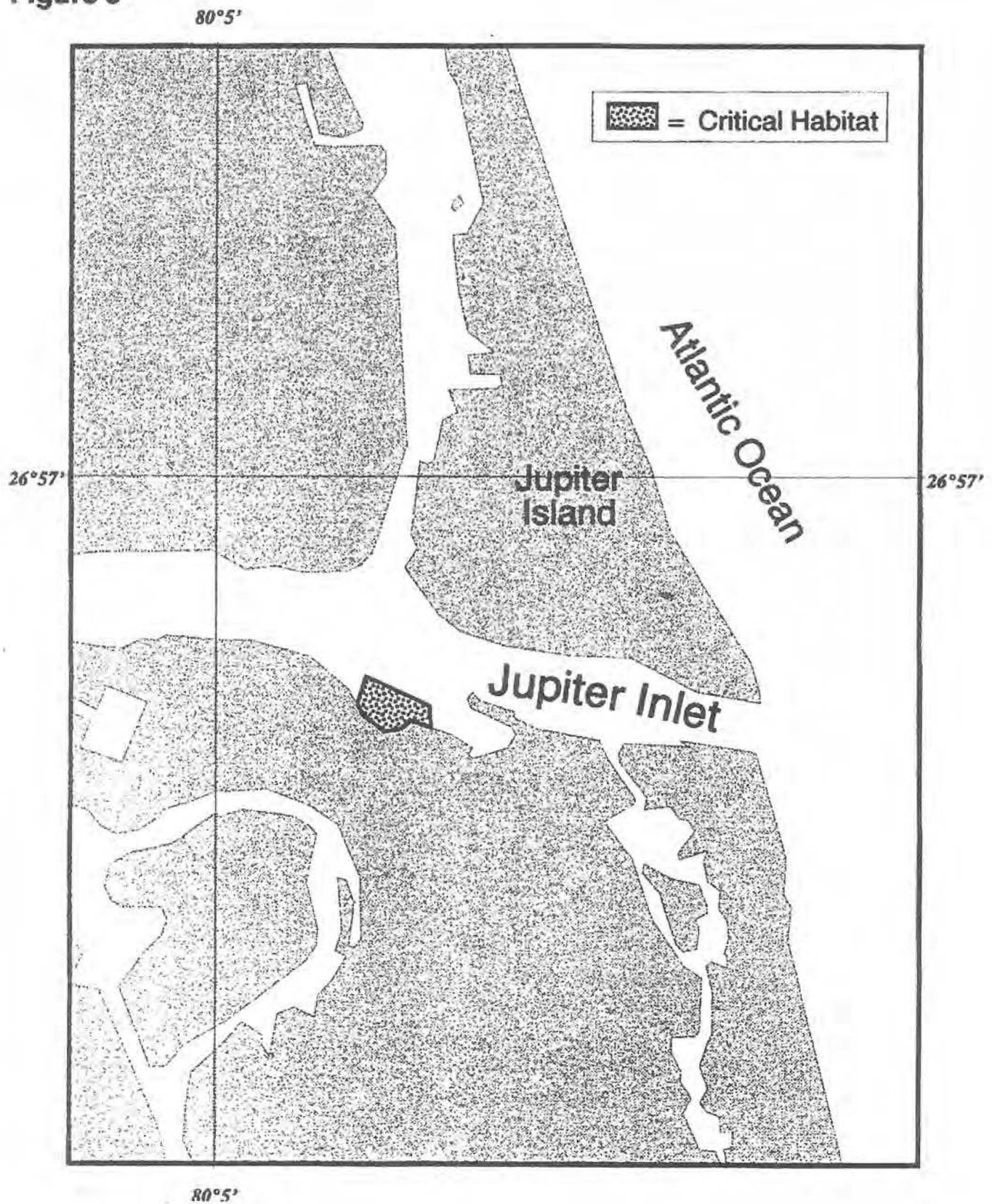
My Map

No legend

Exhibit 1(a)



Surdex GSI, USDA FSA, DigitalGlobe, GeoEye, CNES/Airbus DS | Esri, HERE, Garmin, iPC

Figure 5



"Environmental Datasets for Various Mapping Projects, Including Indian River Lagoon (IRL) Seagrass Mapping – The St. Johns River Water Management District, Open Data Geospatial Content: IRL Seagrass 2015, Shoreline 2008 Dataset." Larger Bed 1205 + 6.0653714 acres; Smaller bed 4207 = 1.8700162 acres; Total = 7.9353877 acres. (COLORS WERE ENHANCED IN ORDER TO MAKE THE BEDS EASIER TO SEE)

Exhibit 1(d)

Critical Habitat Informational Buoy Marker Sites

Legend



(Required)

REFERENCE

NUMBER (Local Marker ID):

Note each piling/buoy equals

(1) reference number. This

must match

number on scale drawing.

(Required)

LATITUDE / LONGITUDE:

Provide exact coordinates for

location of marker expressed in

Degrees and Decimal minutes.

Example 30 07.980N, 81 27.675W

DO NOT USE LORAN-C COORDINATES

FORMAT IN WGS 84 DATUM REQUIREDSign identifier for each reference number should be
denoted with an A, B, C or D

(Required)

(Required)

SITE CODE:

01 - BAY/SOUND

02 - INLET/PASS

03 - OCEAN/GULF

04 - LAKE/POND

05 - RIVER/CREEK

07 - CANAL/CUT

08 - PORT/HARBOUR

09 - MARSH/SWAMP

99 - OTHER

(Specify)

NO.	SIGN ID	LATITUDE (N)	LONGITUDE (W)	WATERWAY (Name)	CODE	N
1	A	26.56.7404N	80.4.8104W	Loxahatchee River	05	
2	A	26.56.7329N	80.4.7828W	Loxahatchee River	05	
3	A	26.56.7038N	80.4.7664W	Loxahatchee River	05	
4	A	26.56.6857N	80.4.7268W	Loxahatchee River	05	
5	A	26.56.6791N	80.4.6974W	Loxahatchee River	05	
6	A	26.56.6506N	80.4.6962W	Loxahatchee River	05	

(Required)

MOUNTING CODE:

B - BUOY

BF - BRIDGE FENDER

BR - BRIDGE

D - DOCK

DP - DOUBLE PILE

MB - MOORING BUOY

SP - SINGLE PILE

YB - YELLOW SPEC. PURP. BUOY

YM - YELLOW SPEC. PURP. MRK

O - OTHER (specify in column "k")

US Coast Guard

1

1P

(Required)

LOCATION CODE:

S - shore

W - water

(Required)

Must be from 001 - 133
and an odd number

NAME (Optional)

LOCATION

COUNTY (FIPS CODE)

CODE

NAME (Optional)

ATON

W

099

B

W

099

B

W

099

B

W

099

B

W

099

B

W

099

SP

(Required)

REGULATORY CODE:

BSZ - Boating Safety Zone

MTZN - Manatee Zone

INFO - Information

DNGR - Danger (i.e., rocks, reef, etc.)

CONST - Construction Area

VSLX - Vessel Exclusion

SWIM - Swimming Area

MOOR - Mooring Area

OTHER - (must specify in Comments)

(Required)

SIGN WORDING:

SSMW - Slow Speed Minimum Wake

ISNW - Idle Speed No Wake

RNSO - Resume Normal Safe Operation

SZ - Speed Zone (numeric MPH)

OTHER - (must specify in column "s")

Other Sign Wording

REGULATORY CODE

INFO

INFO

INFO

INFO

INFO

INFO

SIGN WORDING

OTHER

OTHER

OTHER

OTHER

OTHER

OTHER

CAUTION SEAGRASS AREA

CAUTION SEAGRASS AREA

CAUTION SEAGRASS AREA

CAUTION SEAGRASS AREA

CAUTION SEAGRASS AREA

CAUTION SEAGRASS AREA



Exhibit 2(a)

FUWM Permit Application MARKER SPECIFICATIONS

Complete this information (and include graphics) to satisfy the Marker Specification section of the FUWM Permit Application. If your application includes signs and buoys, please include the specifications for all markers on this sheet.

Please complete this section if your FUWM Application includes signs.

1. Sign Panels:

Total number of signs: 1

Sign Size(s): 3' x 4'

2. Sign Language (include all messages that will be used):

Caution Shallow Seagrass Area

3. Mounting Materials:

Mounting Type (include the # of each):

Pressure treated wood pile(s): 1

Composite wood pile(s): _____

Fiberglass Pile(s): _____

Concrete Pile(s): _____

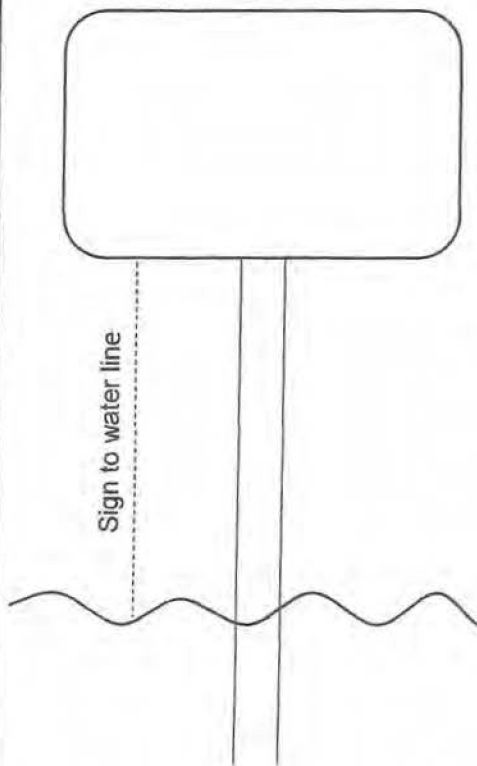
Aluminum Pole(s): _____

Bridge Fender(s): _____

Existing Structure (describe each):

4. Installation:

Distance between the bottom of the sign and the Mean High Water
(minimum of 36"): 36"



Please complete this section if your FUWM Application includes buoys.

1. Buoy Type:

Diameter: 9" Height: 61"

Can Buoy(s): 5 Nun Buoy(s): _____

2. Buoy Language (include all messages that will be used):

Caution Seagrass Area

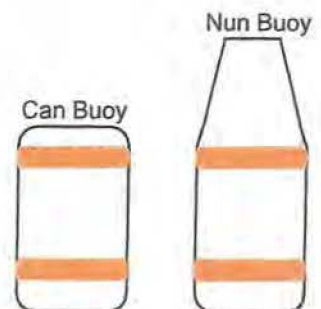
3. Anchoring System(s):

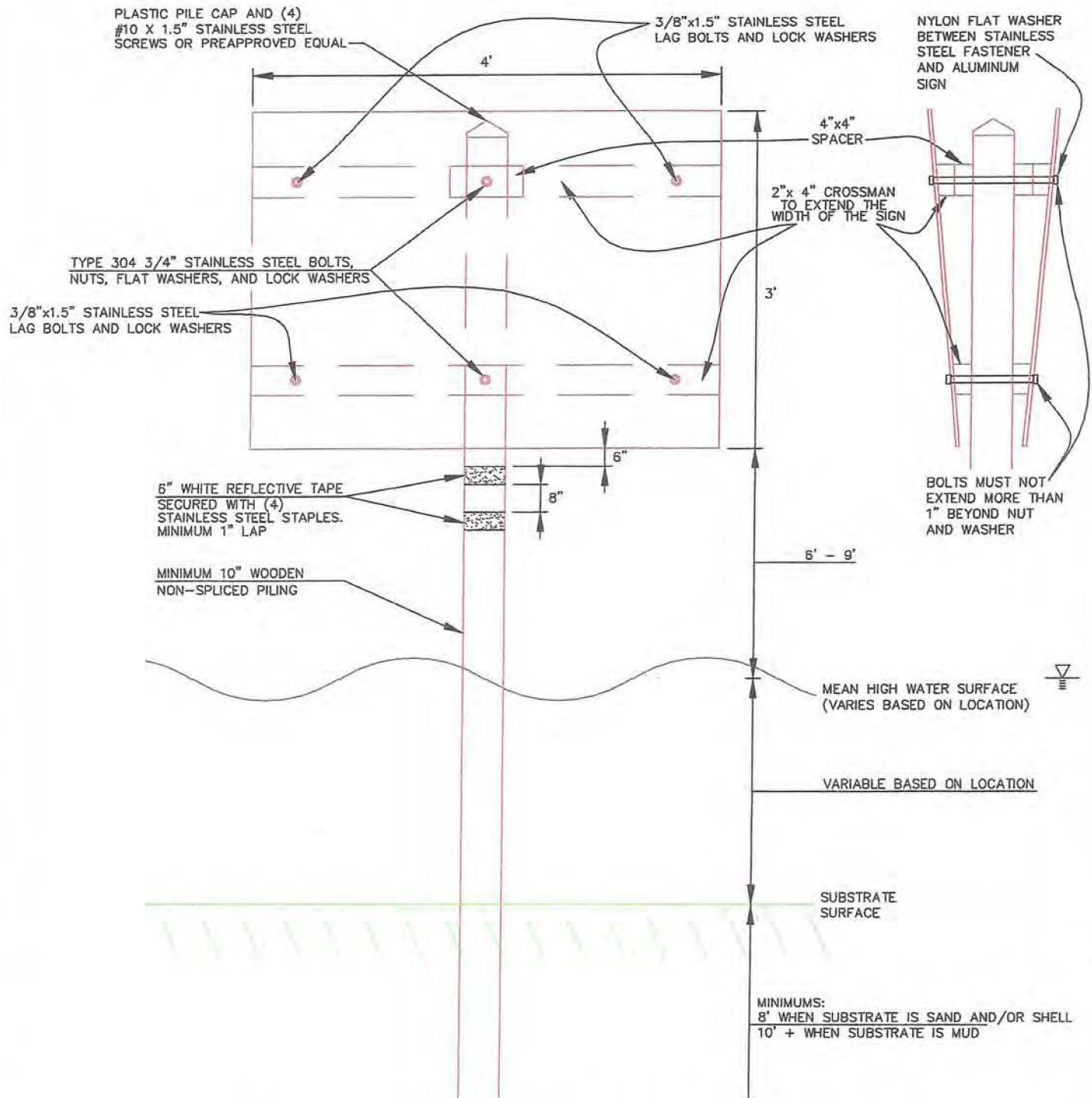
Helical Auger Anchor(s): X Deadweight Anchor(s): _____

Heavy Weight Disk Embedment Anchor(s): _____

Jet-Driven Anchor(s):

Other (describe):



**NOTE:**

1. ALL PILINGS MUST BE PRESSURE TREATED LUMBER (2.50 CCA FOR SALTWATER APPLICATIONS; 0.80 CCA, 0.80 ACQ, OR 1.0 ACZA FOR FRESHWATER APPLICATIONS).
2. ALL FRAMING FOR SIGNBOARD MUST BE PRESSURE TREATED LUMBER (0.60 CCA, 0.60 ACQ, OR 0.60 ACZA FOR SALTWATER APPLICATIONS; 0.40 CCA, 0.40 ACQ, 0.40 ACZA, 0.21 CA OR 0.41 CBA FOR FRESHWATER APPLICATIONS).
3. BOLT HOLES BORED 1/8" LARGER THAN DIAMETER OF BOLT. ALL FASTENERS MUST BE VANDAL PROOFED.
4. THE CONTRACTOR SHALL NOT IMPACT THE MESSAGE AREA OR REFLECTIVE SURFACES OF THE SIGN WHEN DRILLING HOLES IN THE SIGNS, OR SPLIT THE ENDS OF THE CROSSING TIMBERS
5. PLASTIC PILE CAP SHALL BE EQUAL TO THE TOP EDGE OF THE SIGN ($\pm 6"$) AND SHALL FIT PILING NATURALLY WITHOUT HAVING TO MODIFY CAP IN ANY WAY.
6. SIGN(S) MUST BE CENTERED ON SINGLE PILE.

NOT TO SCALE

 User: 22249
 G:\COASTAL\FWC 090547\Repair Templates\Tech Specs\SignDetails MARCH 6.dwg 03/07/2008 04:44:09 PM


Maintenance & Repair Work



Uniform Waterway Marker Plans

 3'x4'
 Single Pile Sign Detail

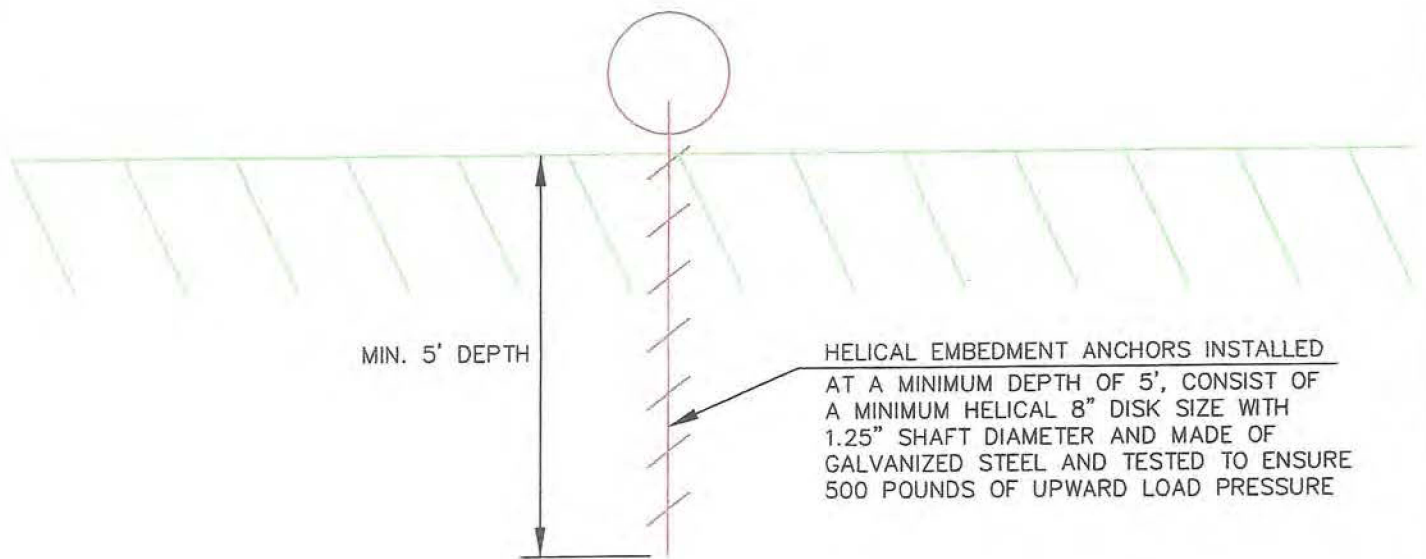
CAUTION SEAGRASS AREA

PERMIT NO.: 07-044

TO REPORT DAMAGED MARKERS: (866) 405-BUOY

1 = 3' X 4' Sign Panel

The Can Buoys will be installed using a helical auger anchoring system. The outer shell of the Can is made of Polyethylene. The foam inside is Urethane Foam with a 5 inch schedule 40 PVC pipe sleeve molded in the centerline of the Buoy that will allow a 4 inch schedule 80 PVC pipe to pass through. The schedule 80 pipe will be jetted 5-8 Ft. into the sand. The Can Buoy will float up and down the pipe with the tide. There are no metal components or parts.



NOT TO SCALE

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Maintenance & Repair Work
Uniform Waterway Marker Plans

Anchor System
"Helical Embedment"
Buoy Detail

