



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
9900 SW 107TH AVENUE, SUITE 203
MIAMI, FLORIDA 33176

September 6, 2019

Regulatory Division
South Branch
Miami Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2018-03571 (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 404 of the Clean Water Act (33 U.S.C. §1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) as described below:

APPLICANT: Ocean Reef Club, Inc.
C/o Vaughn Roberts
35 Ocean Reef Drive, Suite 200
Key Largo, Florida 33037

WATERWAY AND LOCATION: The project would affect waters of the United States associated with Atlantic Ocean. The project site is located within Ocean Reef at 201 Ocean Reef Drive in Section 7, Township 59 south, Range 41 east; Key Largo, Monroe County, Florida (RE# 00569500-000000).

Directions to the site are as follows: Take U.S. 1 South; Turn left onto SR 905 towards Ocean Reef Club; Pass the Ocean Reef Club gated entrance; Proceed onto Gatehouse Road which merges into Anchor Drive; Turn right onto Ocean Reef Drive; Project is located at 9201 Ocean Reef Drive.

APPROXIMATE CENTRAL COORDINATES: Latitude 25.311490°
Longitude -80.277304°

PROJECT PURPOSE:

Basic: The basic project purpose is shoreline protection.

Overall: The basic project purpose is for shoreline protection in Key Largo, Florida.

EXISTING CONDITIONS: The project is located within a mixed use improved subdivision of Ocean Reef Club. The Ocean Reef Club (ORC) is a private club community and resort located on the northern end of Key Largo in Monroe County, Florida. The resort, founded in 1945, is host to numerous amenities including a marina, airstrip, Buccaneer Island, inn rooms, and the Ocean Room building that hosts front desk check-in, restaurant, and lounge. The Ocean Room Building is situated along a canal developed in 1952 according to the Historical Society and Museum at the Ocean

Reef Cultural Center. The shoreline is stabilized by a seawall and rip rap boulders leading back underneath the building while the building is set on piles. The canal is a tidal water connected directly to the Atlantic Ocean via the intersection of another canal to the south. The canal is approximately 10' deep consisting of a sandy substrate with a thin layer of silt. In the immediate project area, the existing Ocean Room building overhangs the shoreline by approximately 10'. To the north and along the eastern shoreline of the canal, the canal banks are lined with red and black mangrove trees. Fifteen small colonies (< 15cm diameter) of *Stephanocoenia intersepta* will be impacted by the proposed fill. While the north and east sides of the canal banks are lined with red and black mangroves, no impacts to these mangroves are proposed with this project.

PROPOSED WORK: The applicant seeks authorization to place 1,203 cubic yards of fill within a 0.15 acre area to install a new 265 linear foot seawall placed 26 feet from the wet face of the existing seawall, and to install temporary floating turbidity barriers around all work areas that are in/over U.S. navigable waters.

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: No impacts to the adjacent wetland shoreline are proposed. Turbidity curtains and filter fencing 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: There are fifteen colonies located within the footprint of the proposed seawall and fill area. Of these fifteen colonies, only five are greater than 5 cm in diameter that would require compensatory mitigation. The applicant is currently coordinating with the Florida Department of Environmental Protection's Coral Program for relocation of the five impacted colonies.

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 real estate parcel number is 00569500-000000 and **is** on the U.S. Fish and Wildlife Service Suitable Habitat List, dated August 2010, for Monroe County for the Key Largo cotton mouse and Key Largo wood rat.

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 Nassau grouper (*Epinephelus striatus*) species. A no effect determination was reached on *Acorpora* sp. and its designated critical habitat and corals species; (*Dendrogyra cylindrus*, *Orbicella annularis*, *Orbicella faveolata*, *Orbicella franksi*, and *Mycetophyllia ferox*). The Corps will request National Marine Fisheries Service 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 0.15 acre of submerged bottom utilized by various life stages of marina 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 Southwest 107th Avenue, Suite 203, Miami, Florida 33176 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, Maria Bezanilla, in writing at the Miami Permits Section, 9900 Southwest 107th Avenue, Suite 203, Miami, Florida 33176; by electronic mail at Maria.I.Bezanilla@usace.army.mil 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.



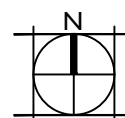
NOTES

- NO MANGROVES ARE TO BE IMPACTED BY PROPOSED ACTIVITIES;
- TURBIDITY CURTAINS WILL BE FIELD ADJUSTED TO AVOID MANGROVES AND CORAL COLONIES.

OCEAN ROOM BUILDING

PREPARED FOR OCEAN REEF CLUB

WETLAND BOUNDARY MAP



SCALE: 1" = 120'0"

WGI

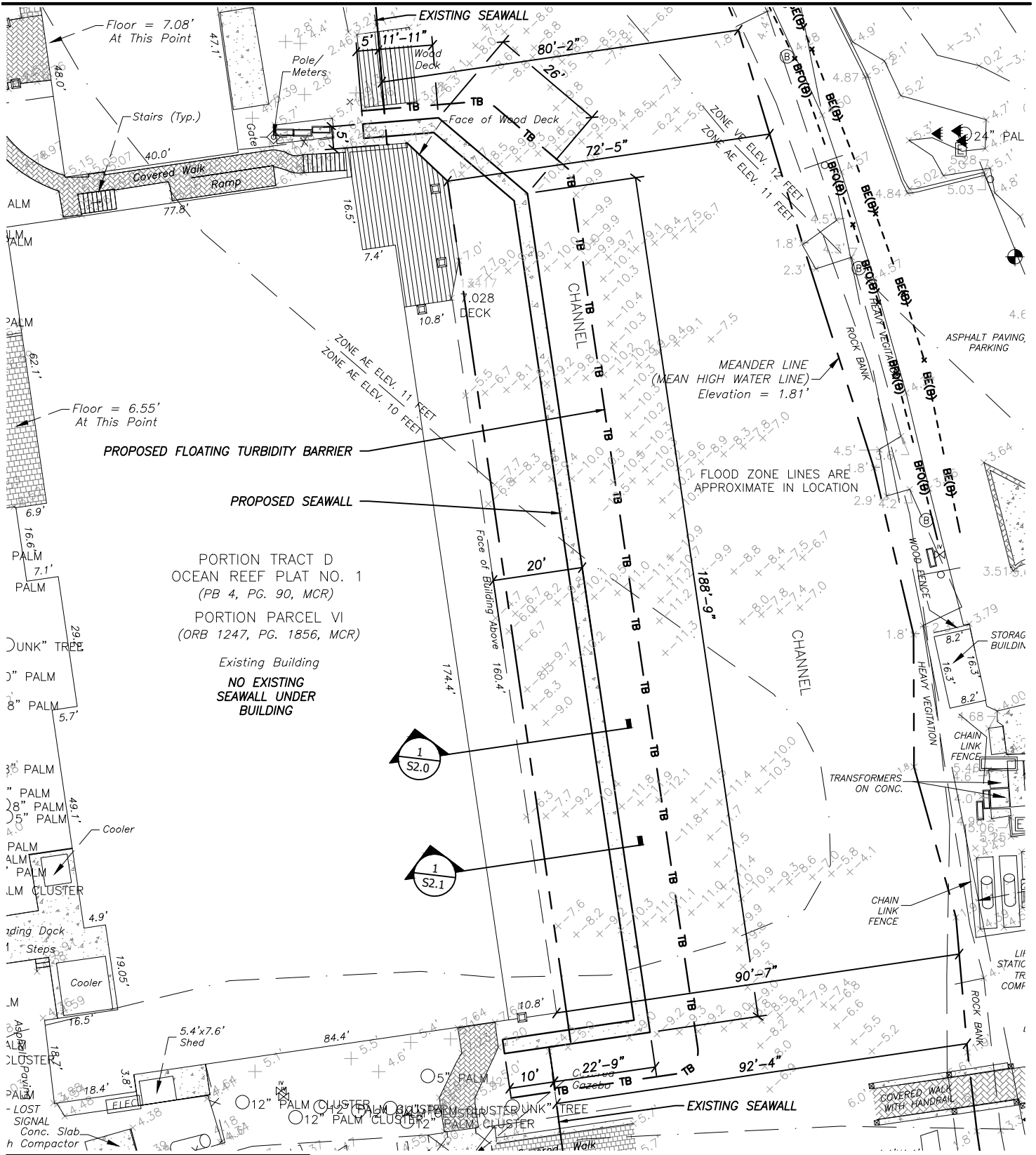
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FILE #:	3177.00
DATE:	05/01/2019



2035 Vista Parkway
West Palm Beach, FL 33411
Phone No. 561.687.2220
Fax No. 561.687.1110
Cert No. 6091 - LB No. 7055
ENGINEERING // SURVEYING // ENVIRONMENTAL // PLANNING

JOB OCEAN REEF CLUB - CLUBHOUSE
SUBJECT PROPOSED SEAWALL

JOB NUMBER 3177.05
SHEET NO. S1.0 OF 3
CALCULATED BY CBL DATE 6/4/2019
CHECKED BY CBL DATE 7/30/2019



DATUM NOTE:
ELEVATIONS SHOWN HEREON ARE BASED ON
NGVD '29 DATUM. TO CONVERT TO NAVD '88
SUBTRACT 1.56' FROM THE NGVD VALUE.

EXISTING PLAN VIEW
SCALE: 1" = 30'

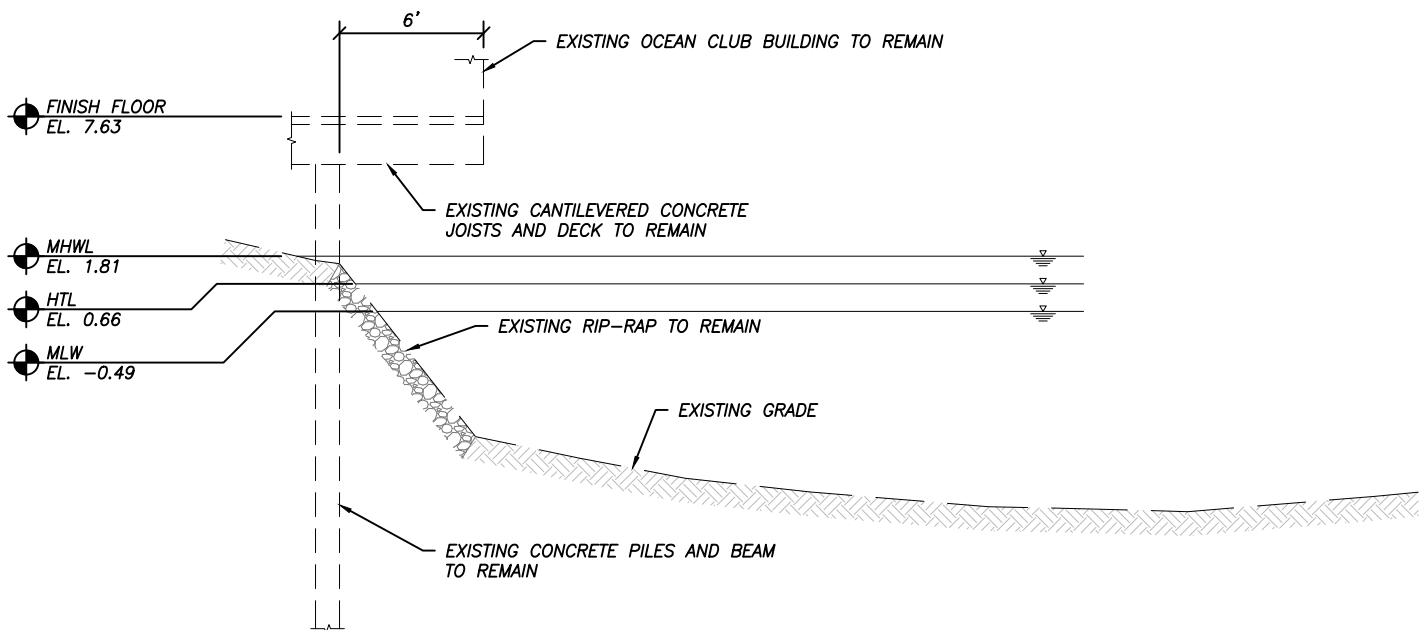
SEAL
CHRISTOPHER B. LaFORTE-76797
FLORIDA P.E. NAME & NUMBER



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JOB OCEAN REEF CLUB - CLUBHOUSE
SUBJECT PROPOSED SEAWALL

JOB NUMBER 3177.05
SHEET NO. S2.0 OF 3
CALCULATED BY CBL DATE 6/4/2019
CHECKED BY CBL DATE 7/30/2019



NOTE:
1. NO EXISTING SEAWALL BELOW BUILDING.

DATUM NOTE:
ELEVATIONS SHOWN HEREON ARE BASED ON
NGVD '29 DATUM. TO CONVERT TO NAVD '88
SUBTRACT 1.56' FROM THE NGVD VALUE.

1
S2.0

EXISTING CROSS SECTION

SCALE: 1" = 8'

SEAL

CHRISTOPHER B. LaFORTE-76797

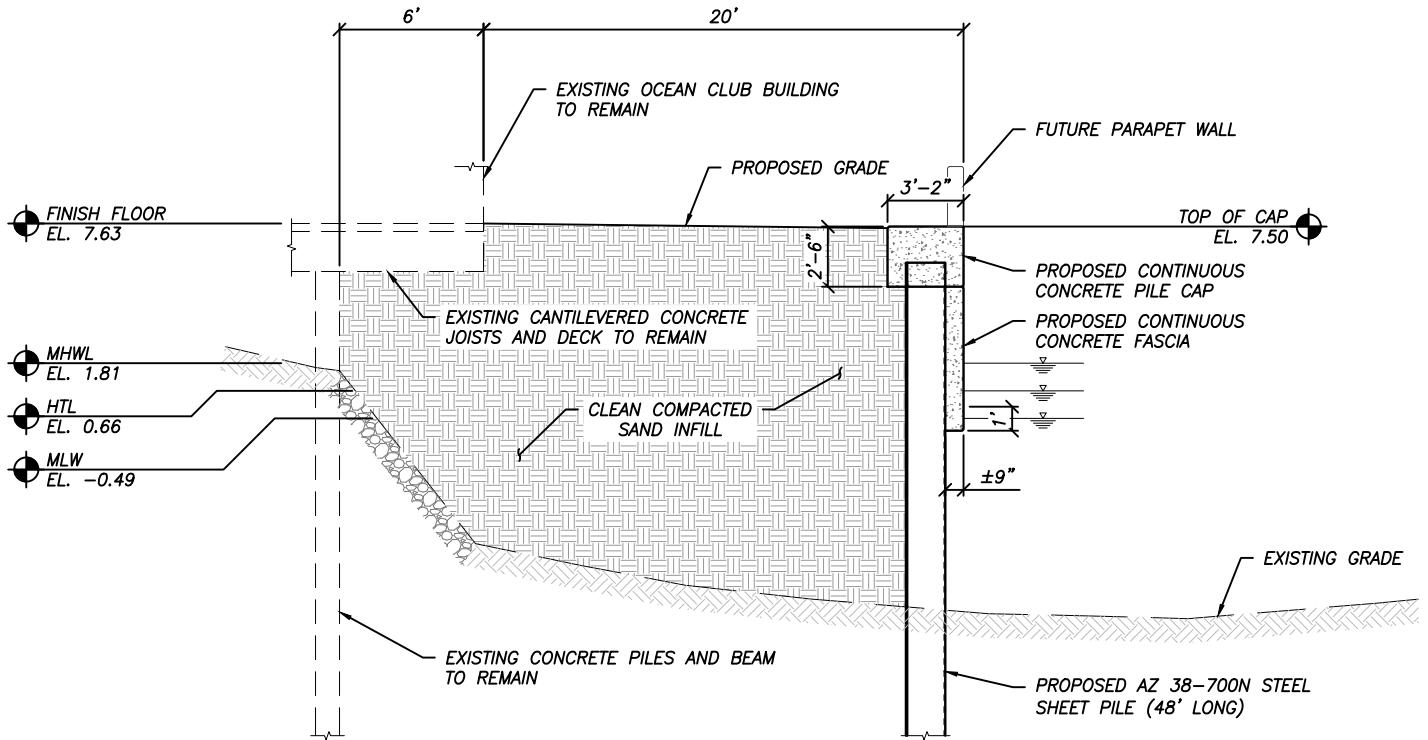
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SUBJECT PROPOSED SEAWALL

JOB NUMBER 3177.05
SHEET NO. S2.1 OF 3
CALCULATED BY CBL DATE 6/4/2019
CHECKED BY CBL DATE 7/30/2019



NOTE:

1. NO EXISTING SEAWALL BELOW BUILDING.
2. ALL STEEL SHEET PILES SHALL BE INSTALLED USING THE PRESS-IN METHOD.

DATUM NOTE:
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SUBTRACT 1.56' FROM THE NGVD VALUE.

1
S2.1

PROPOSED CROSS SECTION

SCALE: 1" = 8'

SEAL

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