



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

**March 16, 2020**

Regulatory Division  
South Branch  
Palm Beach Gardens Permits Section

***PUBLIC NOTICE***

Permit Application No. SAJ-2004-01005(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 404 of the Clean Water Act (33 U.S.C. §1344) and as described below:

**APPLICANT:** Sunbeam Properties  
c/o Mr. Scott Hodges  
10212 USA Today Way  
Miramar, FL 33025

**WATERWAY AND LOCATION:** The project is located within wetlands and uplands at the northeast corner of Miramar Parkway and New Flamingo Road, Miramar (Sections 25 7 30, Township 51 south, Range 40 east), Broward County, Florida.

Directions to the site are as follows: From Interstate 75, exit at Miramar Parkway and travel east to New Flamingo Road. The project site is located north of Miramar Parkway and is bounded on the west by New Flamingo Road, on the north by Miramar Boulevard and on the east by Miramar Park of Commerce Phase III.

**APPROXIMATE CENTRAL COORDINATES:** Latitude 25.9838°  
Longitude -80.2925°

**PROJECT PURPOSE:**

Basic: To construct a mixed residential and commercial development.

Overall: To construct a mixed residential and commercial development located within Miramar, Florida.

**EXISTING CONDITIONS:** The site is a 92.87 acre parcel that contains 32.92 acres of freshwater wetlands, 5.98 acres of waters (canal) and the remaining 53.97 acres consists of uplands. The onsite vegetation consists of predominately Melaleuca. The existing area surrounding the project area consists of multi-family residential and commercial development and an offsite mitigation area (51 acres).

**PROJECT HISTORY:** A permit was issued March 2, 2009, for the placement of approximately 77,900 cubic yards of fill over 31.64 acres of poor quality wetlands on a 117 acre site that included this project area. To offset the authorized impacts, the applicant was required to enhance 1.22 acres of onsite wetlands, construct 7.41 acres of wetlands adjacent to a previously installed 40-acre mitigation area located on-site and the purchase of 7.61 mitigation credits from the Loxahatchee Mitigation bank. A modification was issued June 14, 2013, to revise the project to include impacting all of the on-site wetlands totaling 32.92 acres and constructing 8.26 acres of wetlands within a previously designated 51-acres mitigation area located on-site and purchase 10.71 credits from the Loxahatchee Mitigation bank. To date, a 24.13 acres upland portion of the project area was developed. The remaining 92.87 acres has not been constructed and is undeveloped.

**PROPOSED WORK:** The applicant seeks authorization to place approximately 132,800 cubic yards of fill within 32.92 acres of wetlands in order to construct a residential and commercial development on 92.87 acres. In addition, place approximately 173,240 cubic yards of fill within 8.26 acres of waters within a previously designated an existing 51 acre mitigation area to create mitigation for this project.

**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 believes that due to the quality and location of the onsite wetlands, avoidance and minimization of impacts is not practical or economically feasible.

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

The applicant is proposing to construct 8.26 acres of wetlands within a previously designated 51-acres mitigation area located adjacent to the project area and utilizing the 10.42 credits from the Loxahatchee Mitigation bank previously purchased when the project was originally authorized.

**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 proposed project may affect, but is not likely to adversely affect the wood stork (*Mycteria americana*), Everglade snail kite (*Rostrhamus sociabilis plumbeus*), Florida's Bonneted Bat (*Eumops floridanus*) and the Eastern indigo snake (*Drymarchon couperi*). The Corps will initiate informal consultation with the U.S. Fish and Wildlife Service (FWS) pursuant to Section 7 of the Endangered Species Act (ESA) by separate letter.

The Corps has determined the proposal would have no effect on any other listed threatened or endangered species or designated critical habitat.

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 Palm Beach Gardens Permits Section, 4400 PGA Boulevard, Suite 500, Palm Beach Gardens, FL 33410 within 21 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](mailto: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.

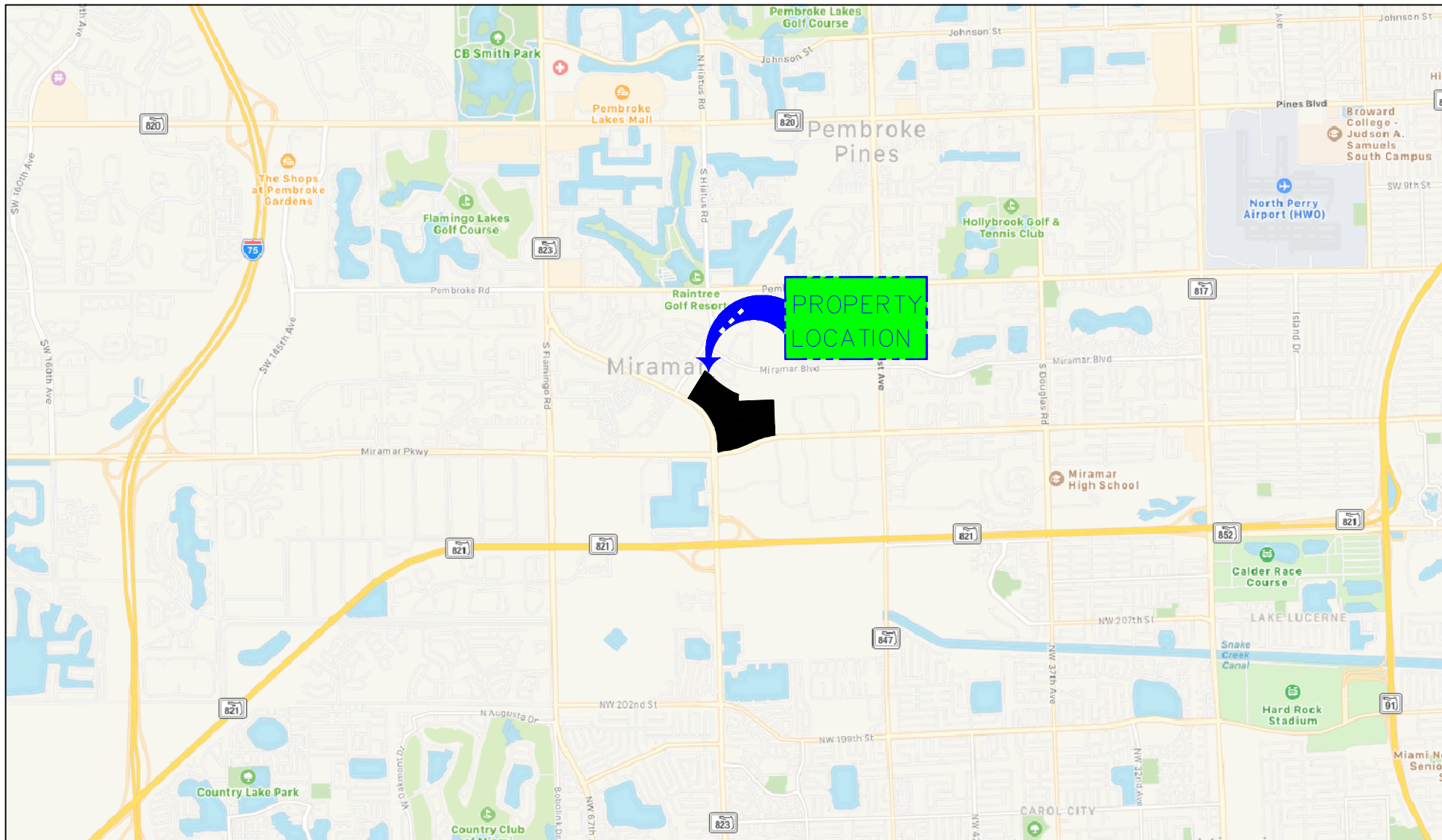
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, 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.

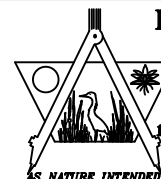


NORTH



#### LOCATION MAP

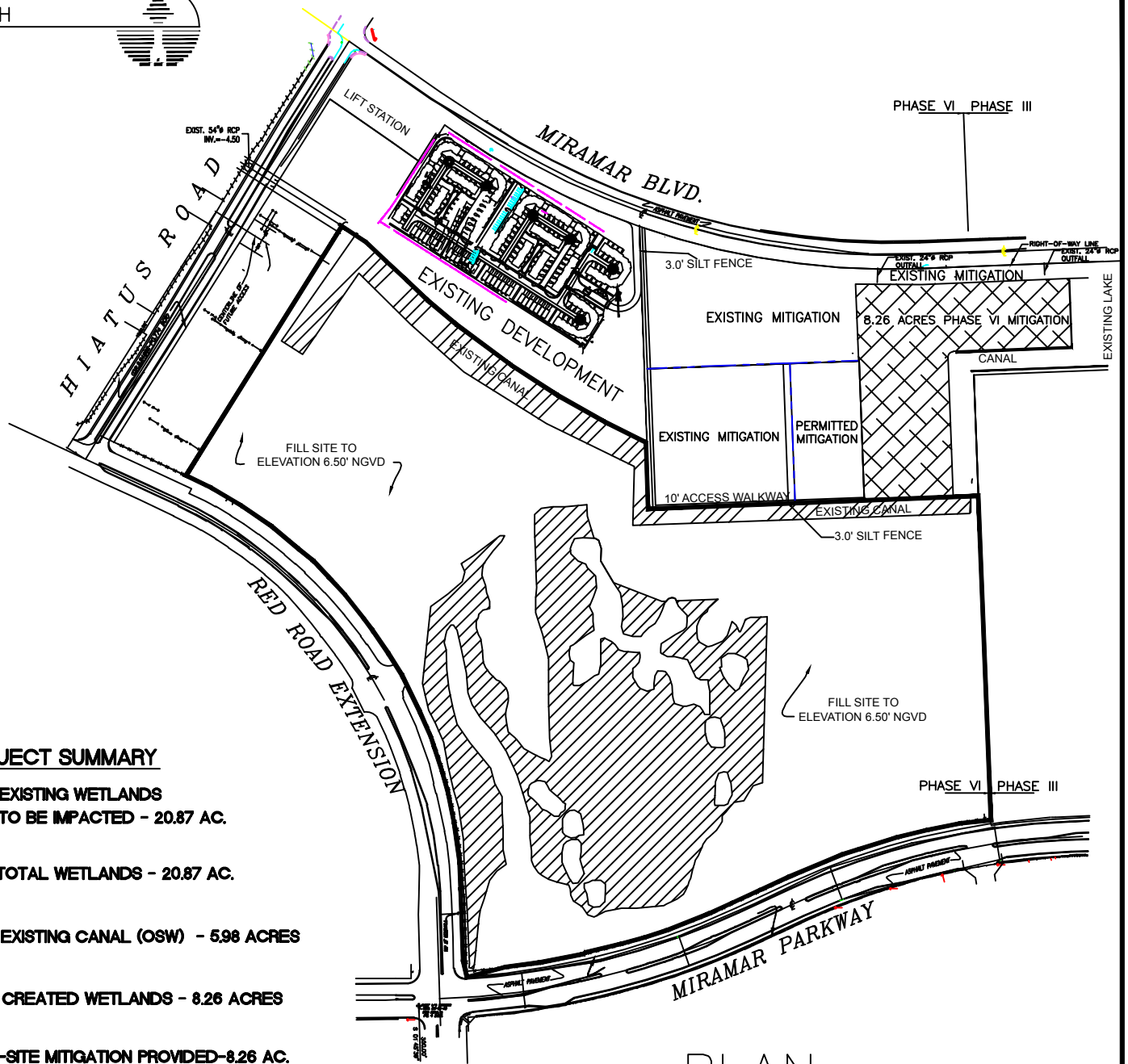
MIRAMAR PARK OF COMMERCE  
PHASE VI  
FOR:  
SUNBEAM PROPERTIES, INC  
MIRAMAR, FLORIDA



**PHILLIP R. JIMRUSTI  
& ASSOCIATES, INC.**  
**ECOLOGICAL ENGINEERS  
ENVIRONMENTAL CONSULTANTS**  
1391 NW ST. LUCIE WEST BLVD #322  
PORT ST. LUCIE, FLORIDA 34986  
(954) 370-8870

PROJECT No. 102-16
COMP. NAME MPOC 6
FILE NAME LOCATION MAP
DATE 3/5/2020
FIGURE 1

NORTH



### PROJECT SUMMARY



**EXISTING WETLANDS  
TO BE IMPACTED - 20.87 AC.**

**TOTAL WETLANDS - 20.87 AC.**



**EXISTING CANAL (OSW) - 5.98 ACRES**



**CREATED WETLANDS - 8.26 ACRES**

**TOTAL ON-SITE MITIGATION PROVIDED-8.26 AC.**

**TOTAL OFF-SITE MITIGATION PROVIDED-10.71  
CREDITS PURCHASED IN THE LOXAHATCHEE  
MITIGATION BANK**

**TOTAL SITE- 92.87 AC.**

**WETLAND FILL AREA-20.87 ACRES-84,200 CU YDS  
LAKE FILL AREA-8.26 ACRES-173,240 CU YDS**

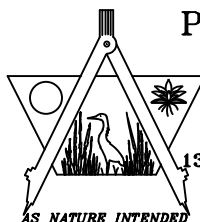
**PLAN**

**SCALE: 1"= 600'**

1	EXT. WETLANDS & CANAL	3/5/2020	KRC
NO.	REVISION	DATE	BY

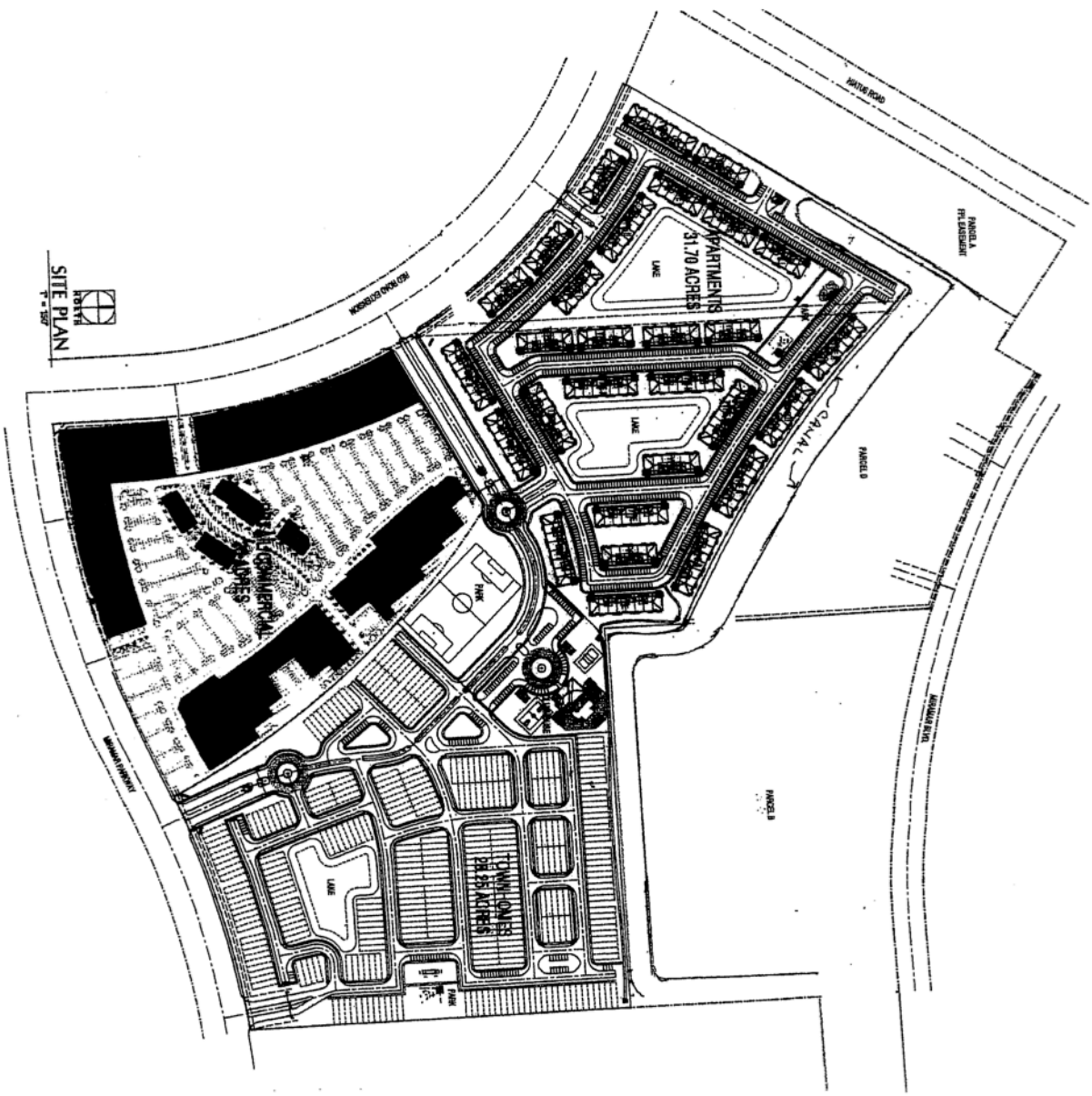
### SITE PLAN

MIRAMAR PARK OF COMMERCE  
PHASE VI  
FOR:  
SUNBEAM PROPERTIES, INC  
MIRAMAR, FLORIDA



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PROJECT No.  
102-16  
COMP. NAME  
MPOC 6  
FILE NAME  
SITE PLAN  
DATE  
3/5/2020  
SHEET 1 OF 2



SITE PLAN  
1" = 100'