



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-2019-04551(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 Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) as described below:

APPLICANT: Mizner IG, LLC
c/o Mr. Saeed Sirang
45 Hendricks Isle, Unit PH2
Fort Lauderdale, FL 33301

WATERWAY AND LOCATION: The project is located within non-wetland waters and uplands located between Camino Real on the north and SW 18th Street on the south, on the east side of Military Trail and on the west and east sides of Camino Del Mar, in Boca Raton (Section 26, Township 47S, Range 42E), Palm Beach County, Florida.

Directions to the site are as follows: Exit Palmetto Park Road from 1-95 in Palm Beach County. Travel south to W Camino Real and go west. Turn south onto Powerline Road and first left onto Canary Palm Circle. Mizner Village is located on the north side of Canary Palm Circle.

APPROXIMATE CENTRAL COORDINATES: Latitude 26.341978°
Longitude -80.148679°

PROJECT PURPOSE:

Basic: To construct a residential development.

Overall: To construct a residential development located within eastern Boca Raton, Florida.

EXISTING CONDITIONS: The site is a 125.60 acre abandoned golf course. The site consists of 7.49 acres on non-wetland waters. The existing area surrounding the project area consists of multi-family and single-family residential developments.

PROPOSED WORK: The applicant seeks authorization to place approximately 125,485 cubic yards of fill within 7.49 acres of non-wetland waters in order to construct a residential development.

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 site plan for the proposed residential development was designed to avoid and minimize impacts to the stormwater ponds and adjacent L-49 canal to the greatest extent possible. The applicant is proposing to fill the non-wetland waters that are located directly adjacent to the L-49 canal, at the request of the Lake Worth Drainage District. These are areas of canal erosion and the Drainage District is requiring that the canal banks be recontoured to the original footprint.

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

While no compensatory mitigation is required for the impacts to non-wetland waters, these same waters are most likely to be considered suitable foraging habitat (SFH) for the Wood stork (*Mycteria Americana*). The loss of SFH is required to be replaced through mitigation by the Corps. The unavoidable impacts to SFH will be offset through the creation of additional SFH in the form of stormwater ponds and littoral shelves associated with the residential development. Created SFH areas will consist of all stormwater ponds as well as the littoral areas (6" above and 2' below the SHGW). Approximately 1.04 acres of SFH are proposed for impact. This will be offset with the creation of 1.80 acres of SFH.

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*) and the Eastern indigo snake (*Drymarchon couperi*). The Corps has determined the proposed project would have no effect on the Florida scrub jay (*Aphelocoma coerulescens*).

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 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.

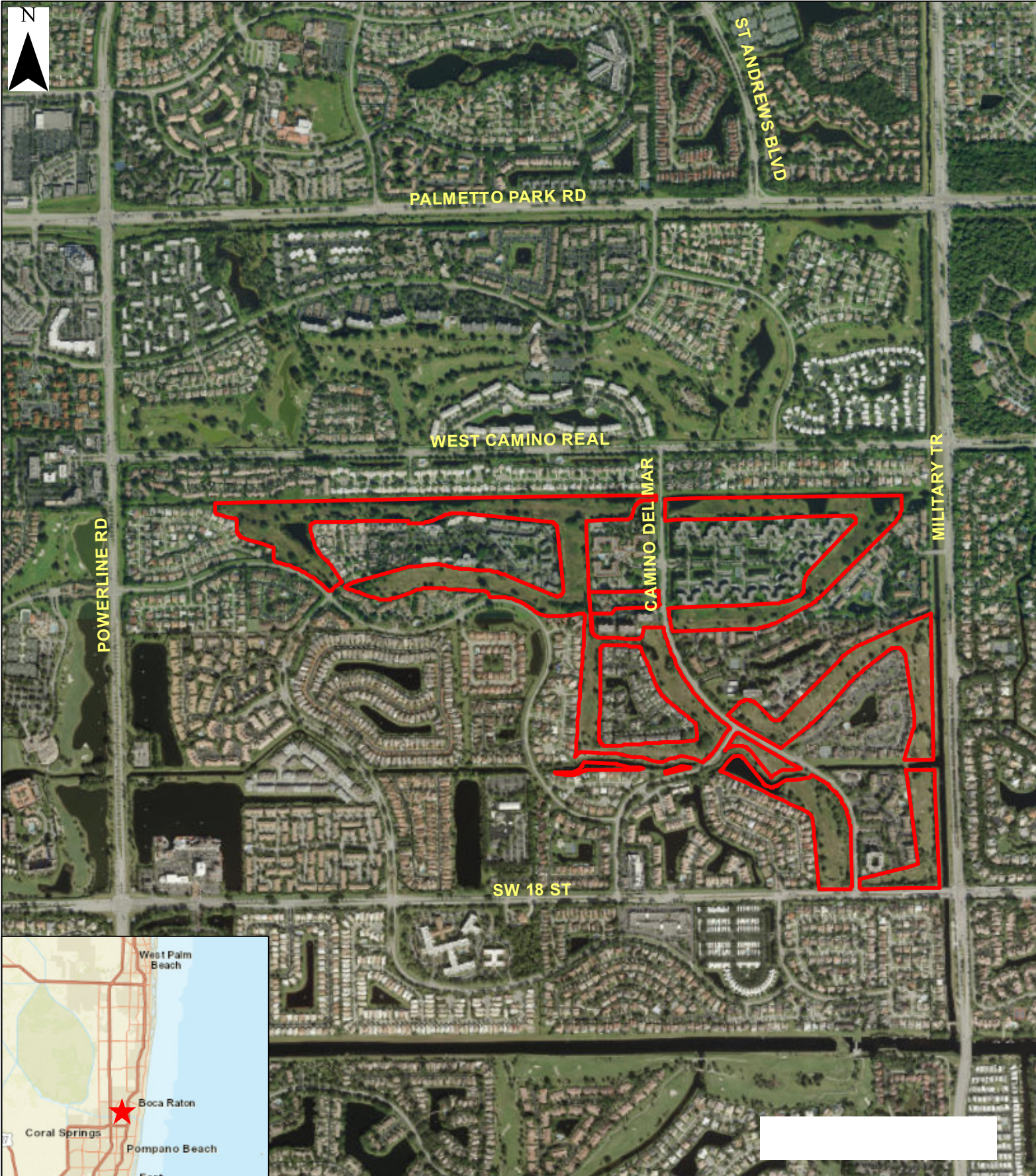
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits,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



2035 Vista Parkway
West Palm Beach, FL 33411
866-909-2220

Figure 1

Location Map

Mizner Village

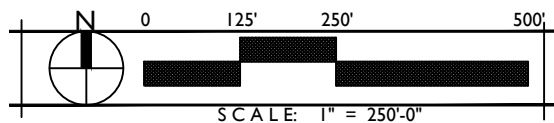
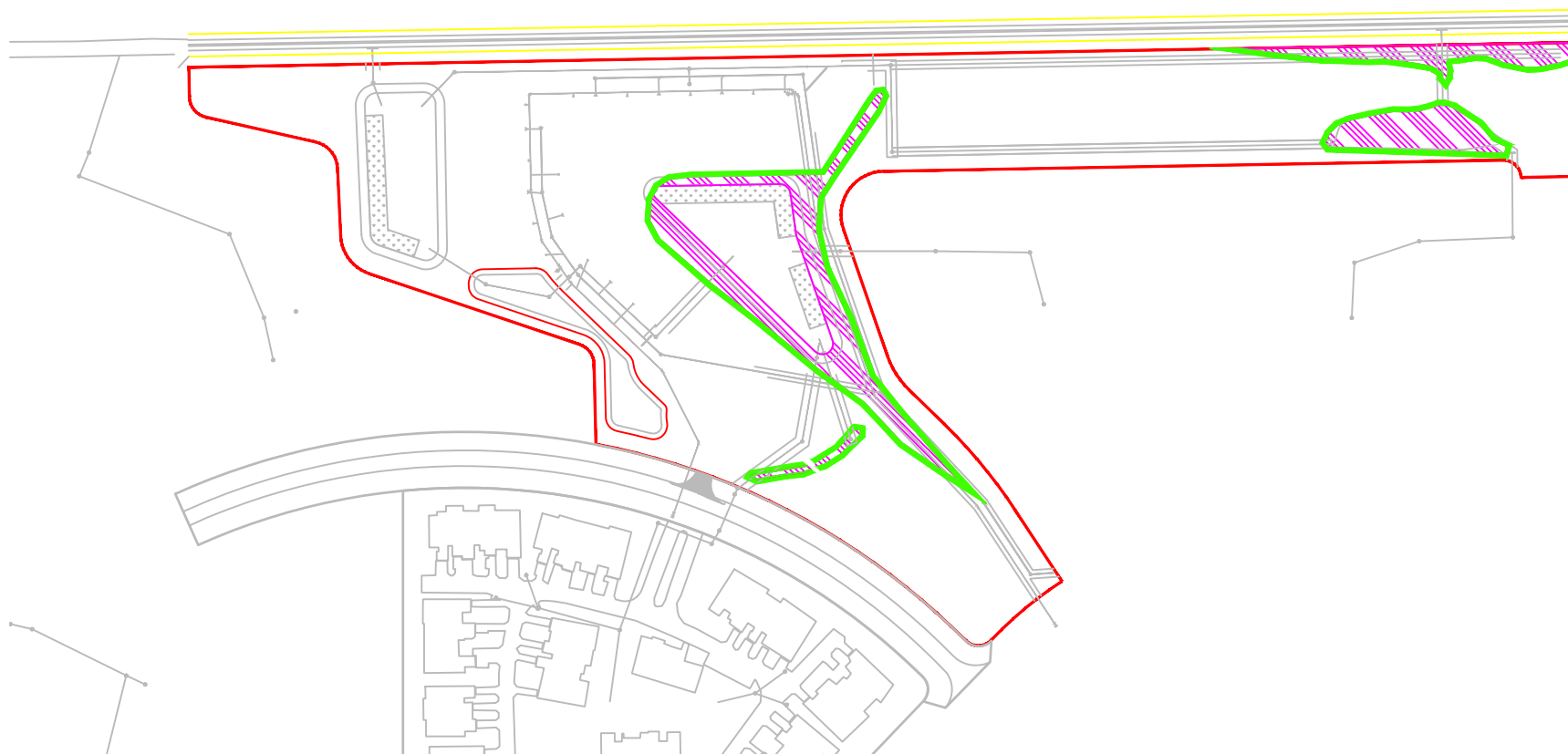
Palm Beach County, FL

Maps are for graphical purposes only. They do not represent a legal survey. While every effort has been made to ensure that these data are accurate and reliable within the limits of the process, WGI cannot assume liability for any damages caused by any errors or omissions in the data. WGI makes no warranty, expressed or implied, nor does the fact of distribution constitute such a warranty.

Legend

Project Boundary

Map prepared by WGI
December 11, 2019



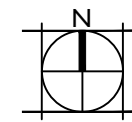
WETLAND & SW IMPACTS

	Total Direct Impacts = 0.00 ac.
	Total Secondary Impacts = 0.00 ac.
	Total SW Impacts = 1.20 ac.
	Wood Stork SFH Impact = 0.41 ac.

MIZNER TRAIL PROPERTIES BANYAN COVE - POD 64A

PREPARED FOR MIZNER IG, LLC

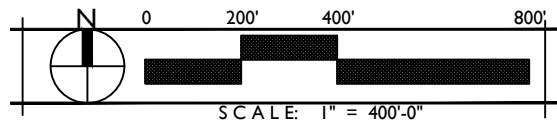
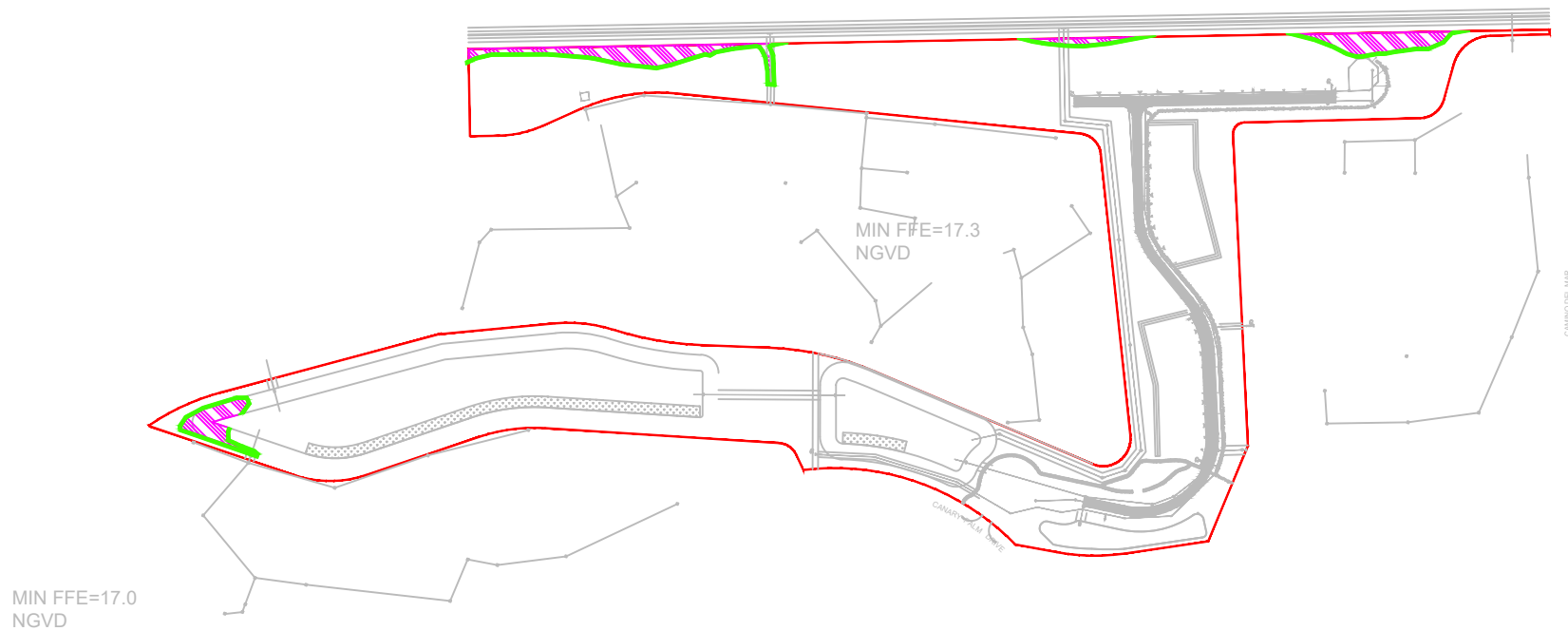
EXHIBIT C: WETLAND IMPACT MAP



SCALE: 1" = 250'0"



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FILE #: 3194.00
DATE: REVISED 12/11/2019



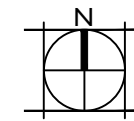
WETLAND & OSW IMPACTS

	Total Direct Impacts = 0.00 ac.
	Total Secondary Impacts = 0.00 ac.
	Total SW Impacts = 0.78 ac.
	Wood Stork SFH = 0.28 ac.

MIZNER TRAIL PROPERTIES BARRINGTON COVE - POD 64B

PREPARED FOR MIZNER IG, LLC

EXHIBIT C: WETLAND IMPACT MAP



SCALE: 1" = 400'0"

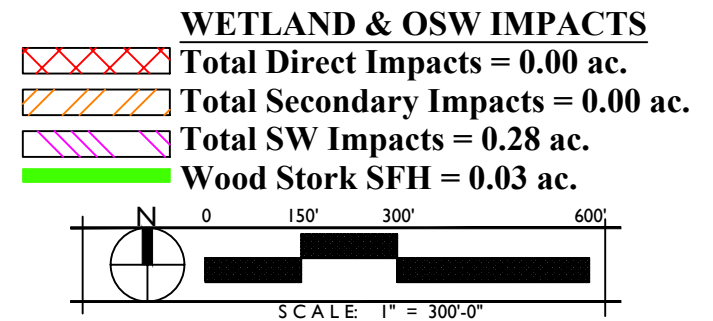
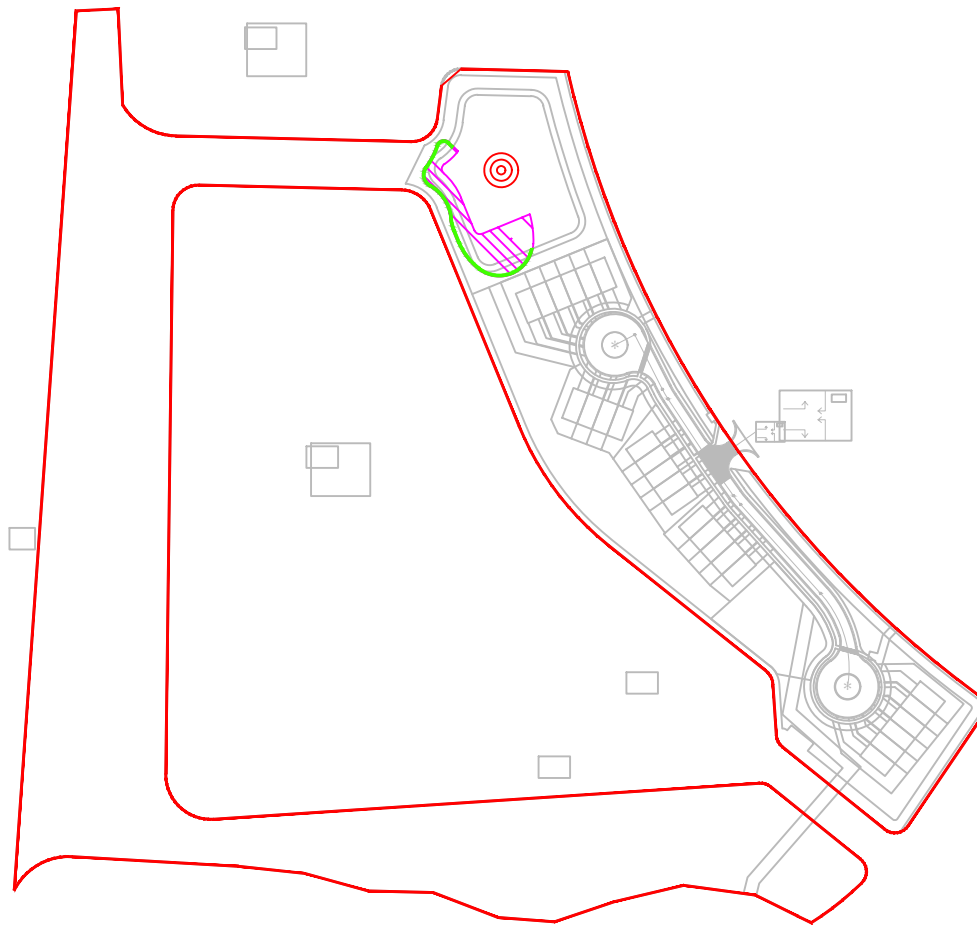


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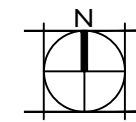
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MIZNER TRAIL PROPERTIES COPPER COVE - POD 64C

PREPARED FOR MIZNER IG, LLC

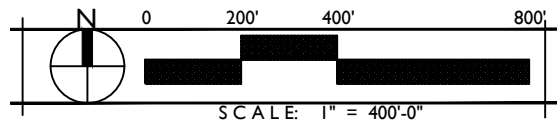
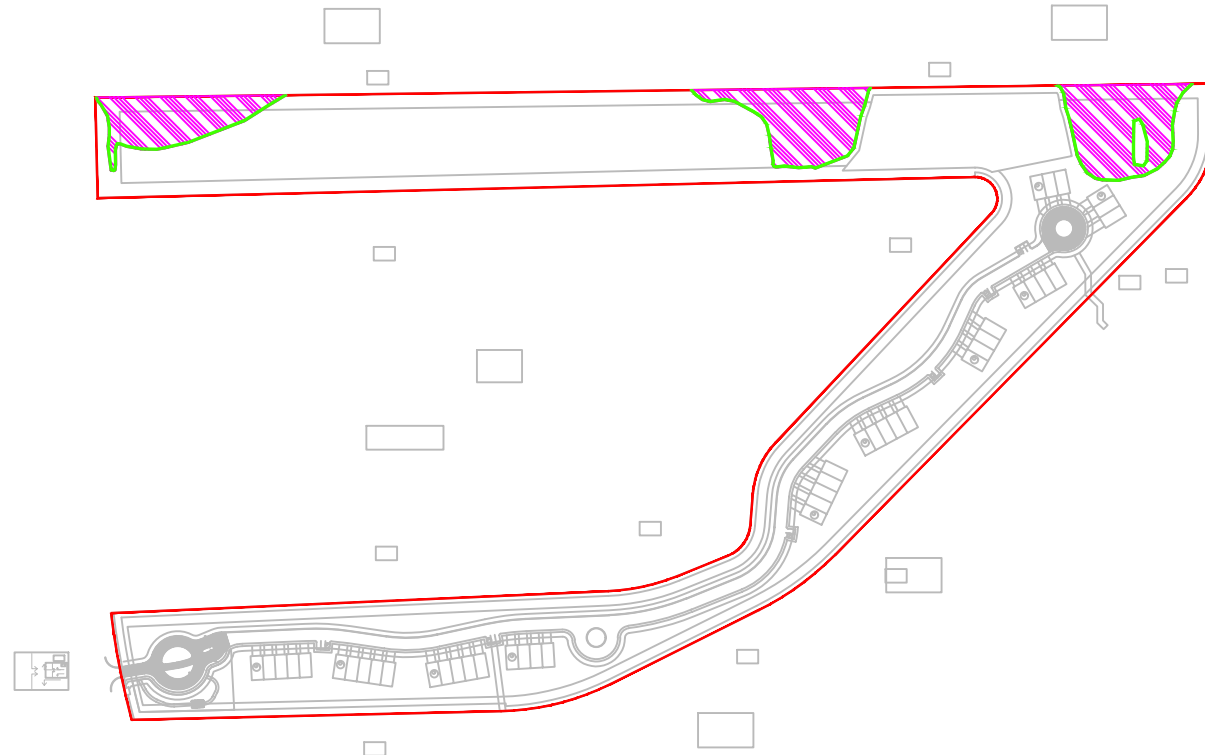
EXHIBIT C: WETLAND IMPACT MAP



SCALE: 1" = 300'-0"



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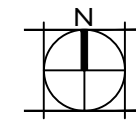
WETLAND & SW IMPACTS

	Total Direct Impacts = 0.00 ac.
	Total Secondary Impacts = 0.00 ac.
	Total SW Impacts = 2.39 ac.
	Wood Stork SFH = 0.14 ac.

MIZNER TRAIL PROPERTIES SAPPHIRE COVE - POD 64D

PREPARED FOR MIZNER IG, LLC

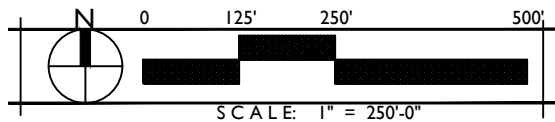
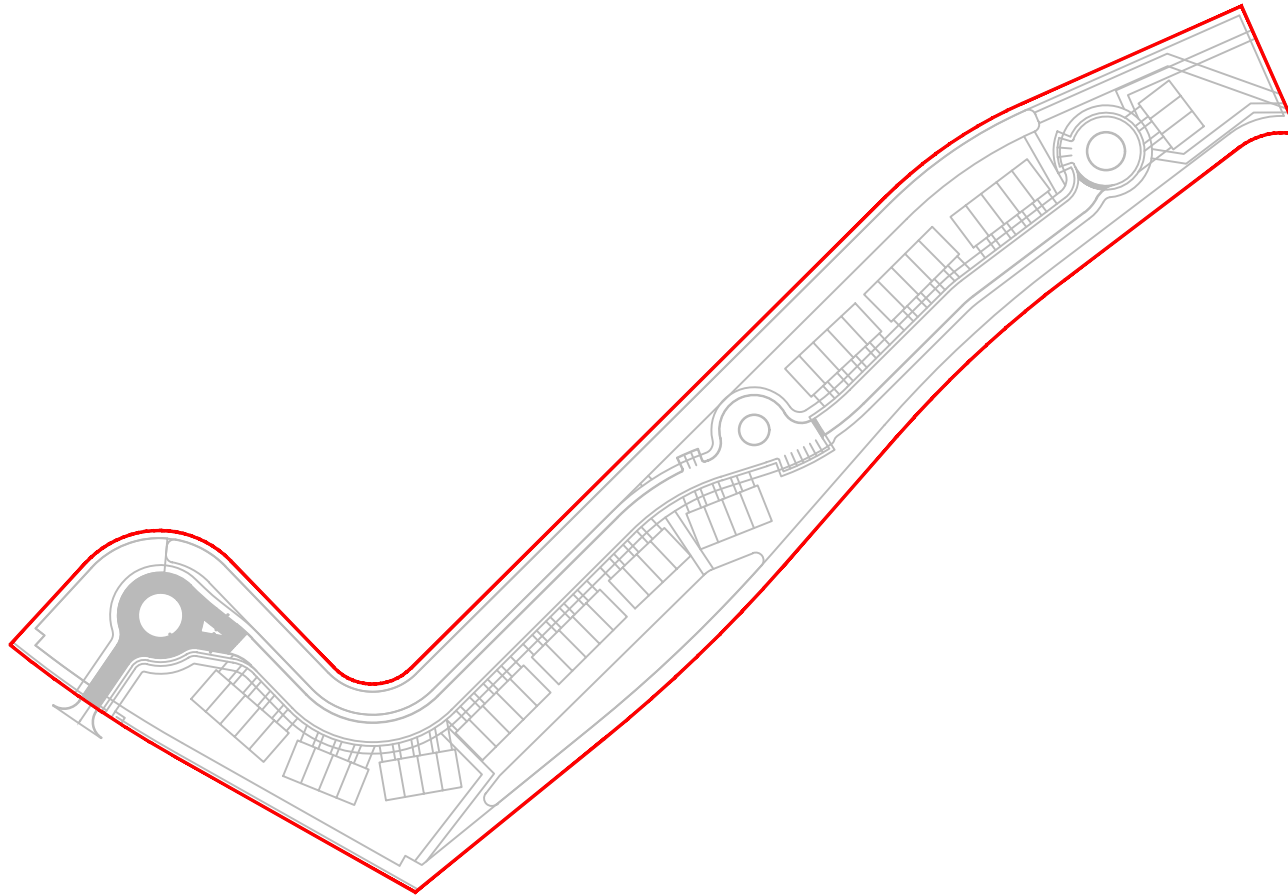
EXHIBIT C: WETLAND IMPACT MAP



SCALE: 1" = 400'0"



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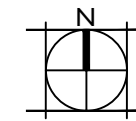


WETLAND & SW IMPACTS	
	Total Direct Impacts = 0.00 ac.
	Total Secondary Impacts = 0.00 ac.
	Total SW Impacts = 0.00 ac.

MIZNER TRAIL PROPERTIES BRIARWOOD COVE - POD 64E1

PREPARED FOR MIZNER IG, LLC

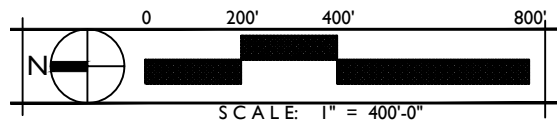
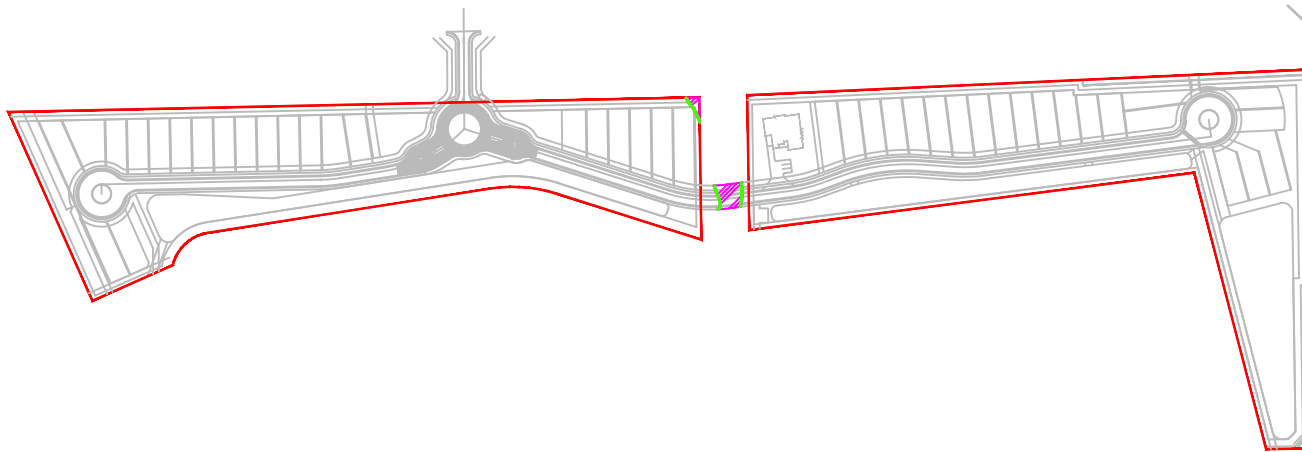
EXHIBIT C: WETLAND IMPACT MAP



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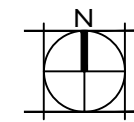
WETLAND & SW IMPACTS

	Total Direct Impacts = 0.00 ac.
	Total Secondary Impacts = 0.00 ac.
	Total SW Impacts = 0.08 ac.
	Wood Stork SFH = 0.01 ac.

MIZNER TRAIL PROPERTIES BRIDGEWATER COVE - POD 64E2

PREPARED FOR MIZNER IG, LLC

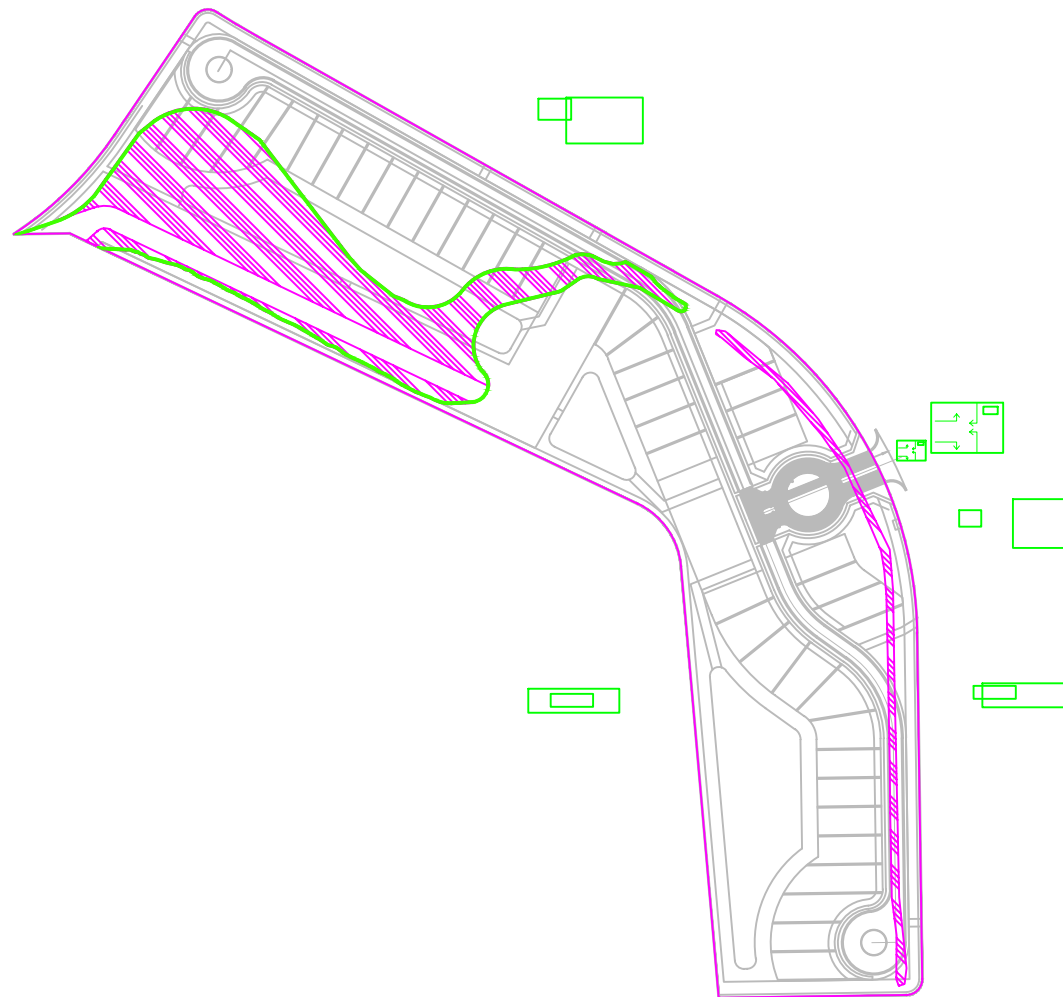
EXHIBIT C: WETLAND IMPACT MAP







SCALE: 1" = 800'0"

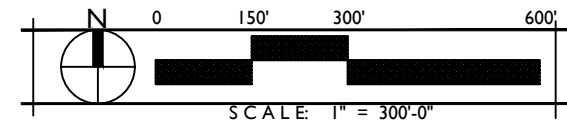


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WETLAND & SW IMPACTS

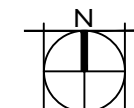
-  Total Direct Impacts = 0.00 ac.
-  Total Secondary Impacts = 0.00 ac.
-  Total SW Impacts = 2.76 ac.
-  Wood Stork SFH = 0.17 ac.



MIZNER TRAIL PROPERTIES MADISON COVE - POD 64F

PREPARED FOR MIZNER IG, LLC

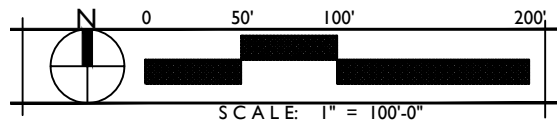
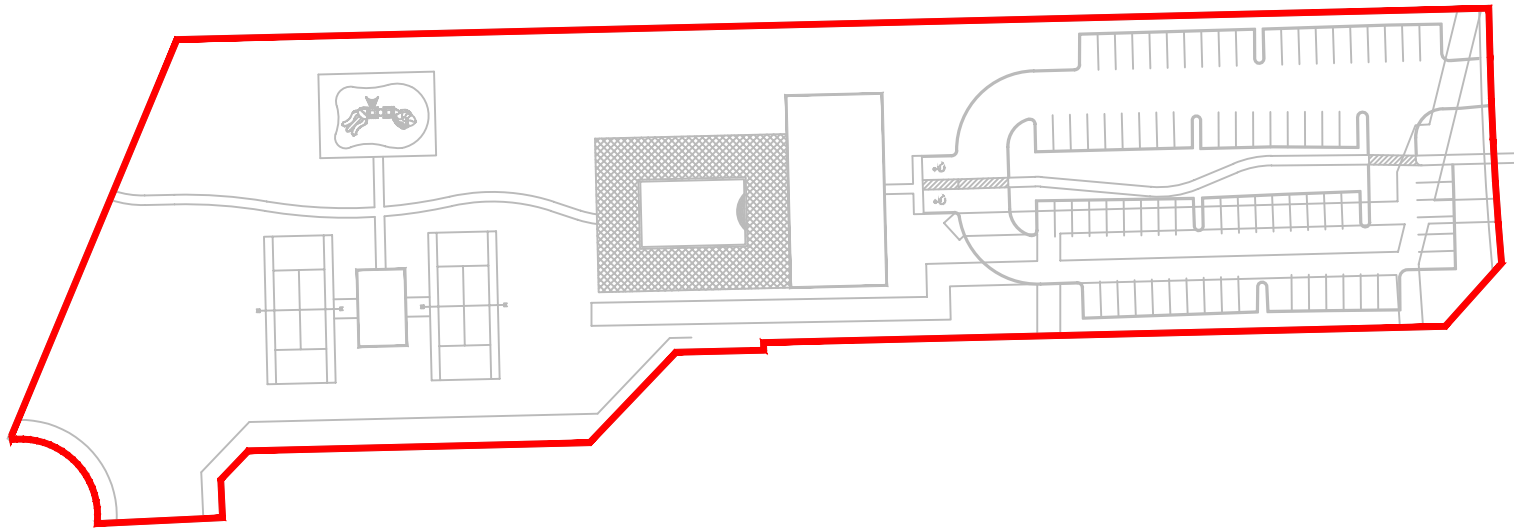
EXHIBIT C: WETLAND IMPACT MAP



SCALE: 1" = 300'-0"



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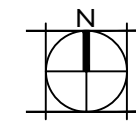
WETLAND & SW IMPACTS

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	Total Secondary Impacts = 0.00 ac.
	Total SW Impacts = 0.00 ac.

MIZNER TRAIL PROPERTIES VILLAGE CENTER - POD 69A

PREPARED FOR MIZNER TRAIL GOLF CLUB, LTD

EXHIBIT C: WETLAND IMPACT MAP



SCALE: 1" = 800'0"



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DATE:	REVISED 12/11/2019