



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

September 8, 2020

Regulatory Division
South Branch
Miami Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2020-00246 (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) as described below:

APPLICANT: Sartre Partners Ltd
C/o Turner Iscoe
P.O. Box 300849
Austin, TX Florida 78703

WATERWAY AND LOCATION: The project would affect waters of the United States associated with Atlantic Ocean. The project site is located at 118 Sunrise Drive on an undeveloped lot (Lot 13) in Section 14, Township 66 south, Range 32 east; Marathon, Monroe County, Florida (RE# 00355151-001300).

Directions to the site are as follows: Take U.S. 1 South to MM50; Turn left onto Sombrero Beach Road; Turn left onto Spoonbill Drive; Turn right onto Sunrise Isle Drive; Project is located at 118 Sunrise Isle Drive.

APPROXIMATE CENTRAL COORDINATES: Latitude 24.697449°
Longitude -81.079153°

PROJECT PURPOSE:

Basic: The basic project purpose is for residential housing.

Overall: The overall project purpose is for residential housing in Marathon, Florida.

EXISTING CONDITIONS: The wetland system consists of a saltwater system. The project is located within a partially developed residential subdivision adjacent to a canal and the Atlantic Ocean. The property supports a forested saltmarsh wetland system with an unconsolidated mature mangrove shoreline along the Atlantic Ocean. The shoreline along the canal is stabilized by a concrete seawall.

PROPOSED WORK: The applicant seeks authorization to place 810 cubic yards of fill within a 14,600 square foot jurisdictional forested saltmarsh wetland area for the construction of a single-family residence with appurtenant structures including riprap

revetment, to install temporary floating turbidity barriers around all work areas that are in/over U.S. navigable waters, and to avoid 4,375 square feet of wetland shoreline 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: Prior to the start of construction, turbidity curtains will be deployed to isolate the construction site from ambient waters. The applicant proposes to avoid 4,375 square foot area of wetland shoreline in perpetuity.

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 real estate parcel number is 00355151-001300 and **is** on the U.S. Fish and Wildlife Service Suitable Habitat List, dated August 2010, for Monroe County for the Eastern indigo snake.

The subject parcel is listed on the FWS 2011 Suitable Habitat List for the Eastern Indigo snake (*Drymarchon corais couperi*). Since critical habitat has not been designated for the indigo snake, potential impacts to *D. c. couperi* were evaluated using the Eastern Indigo Snake Programmatic Effect Determination Key dated August 1, 2017 (Snake Key). Due to the permit being conditioned for use of the Service's Standard Protection Measures for The Eastern Indigo Snake during site preparation and project construction, use of the Snake Key resulted in the following sequential determination: A>B>C>D1 "may affect likely to adversely affect." Pursuant to the Snake Key, no further consultation with the FWS is required.

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 14,600 square feet of forested saltmarsh above the mean high-water line. 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 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, 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.

PROJECT LOCATION

PARCEL ID 00355151-001300

LOT 13 SUNRISE ISLE PB7-58

SEC/TWP/RNG 14/66/32

BOOT KEY (MARATHON)

LATITUDE: 24.697421 °N LONGITUDE: 81.079085 °W

DIRECTIONS:

U.S. HIGHWAY NO. 1 SOUTH TO MM 50±. LEFT ONTO SOMBRERO BEACH RD. LEFT AT SUNRISE ISLE.

PROJECT SITE: ADJACENT TO 116 SUNRISE ISLE DR.

ADJOINING OWNERS

PRANEE BENNETT REV TRUST

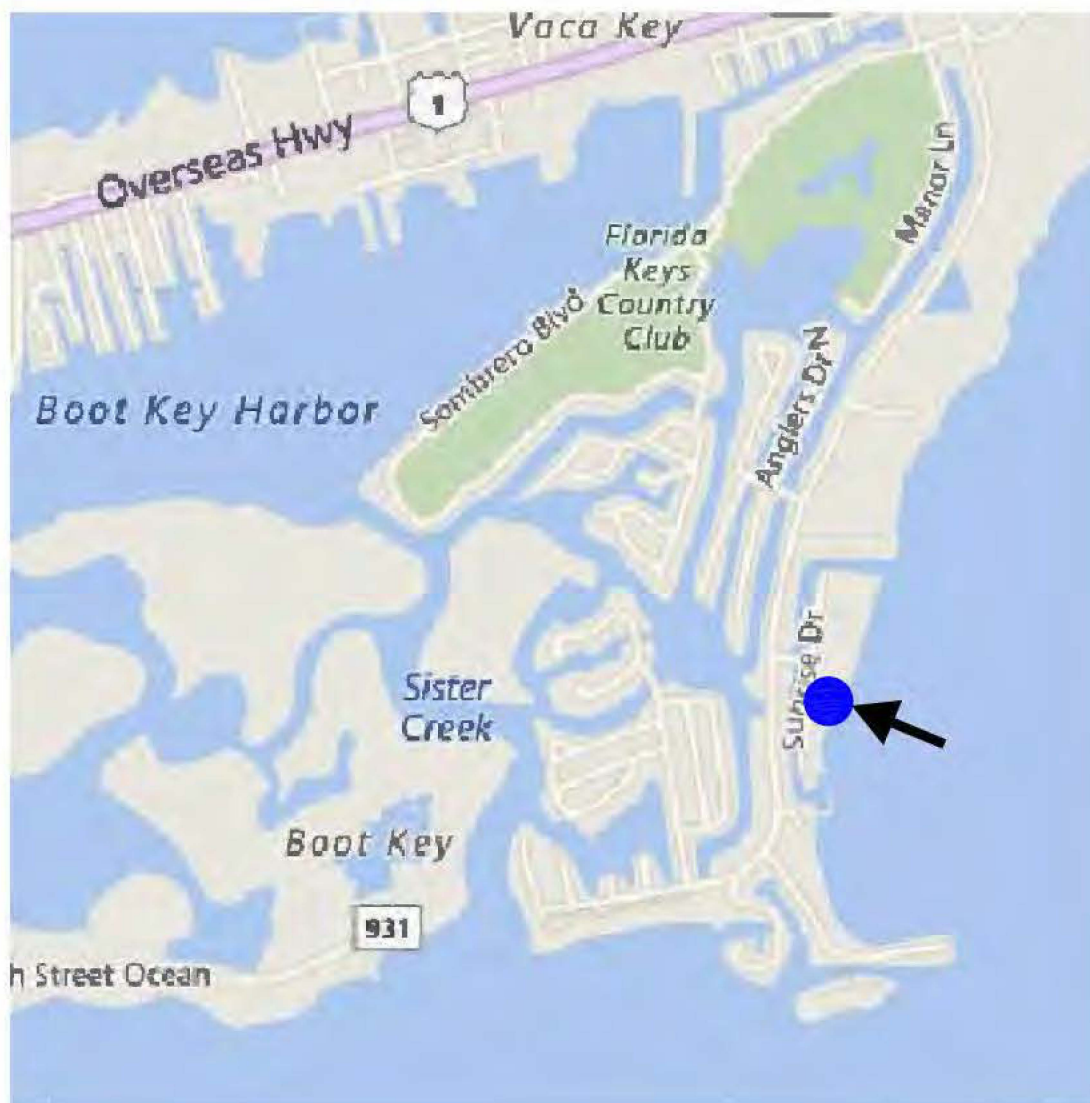
116 SUNRISE DR

MARATHON, FL 33050

JONATHAN A HULL

82262 OVERSEAS HWY

ISLAMORADA, FL 33036



REVISIONS:

LOCATION & VICINITY MAP
SCALE: AS SHOWN

FILL FOR RESIDENCE FOR SARTRE PARTNERS LTD
RE: 00355151-001300
MARATHON, MONROE COUNTY, FL

GLEN BOE AND ASSOCIATES, INC. # 4061
5800 OVERSEAS HIGHWAY, SUITE 4, MARATHON, FL 33050
Telephone (305) 743-9121 Fax (305) 743-9197
Email: glenboe@bellsouth.net

DATE: 12/13/19

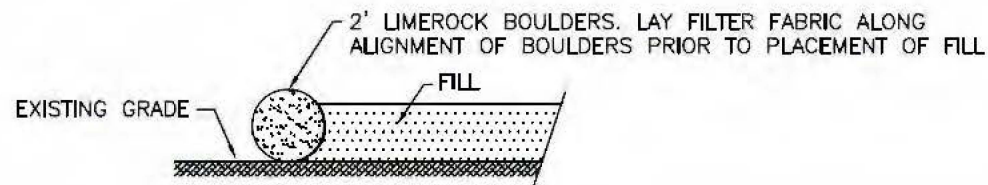
1

SHEET 1 OF 3



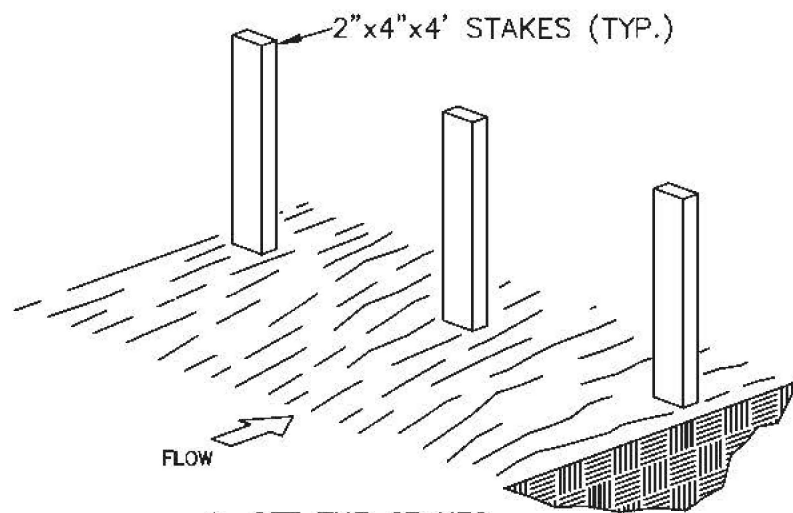
SITE PLAN

SCALE: 1" = 40'

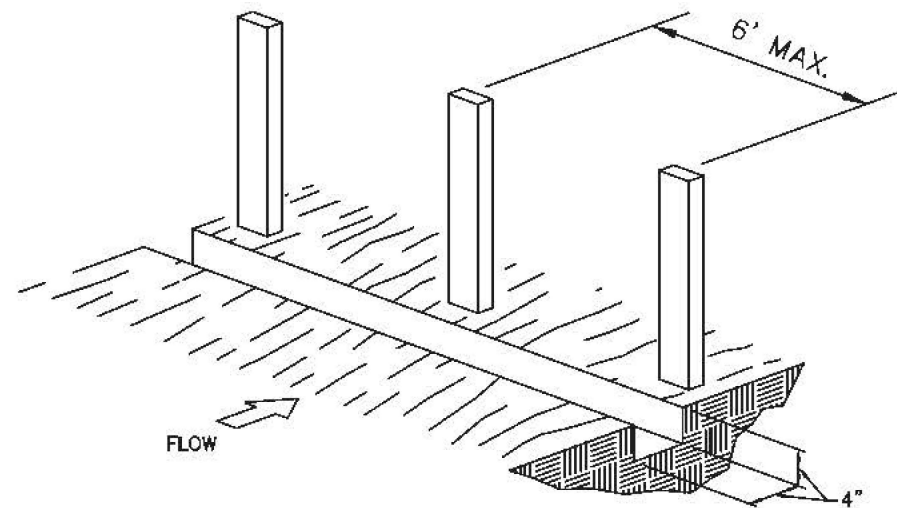


TYPICAL SECTION

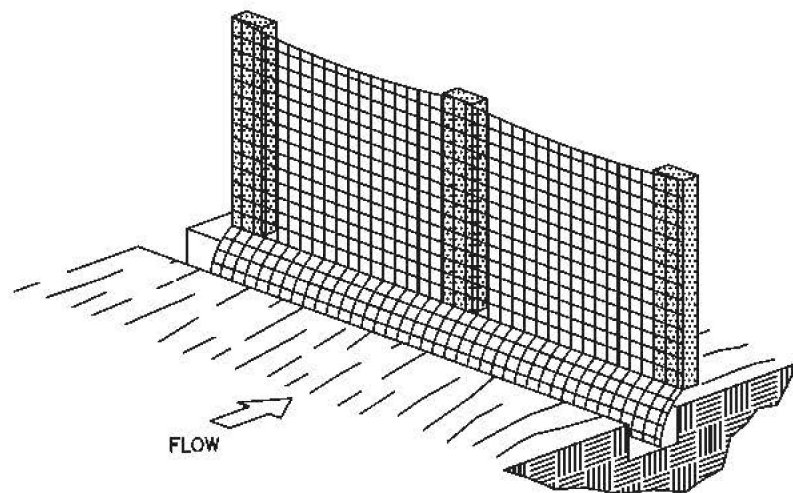
SCALE: 3/16" = 1'-0"



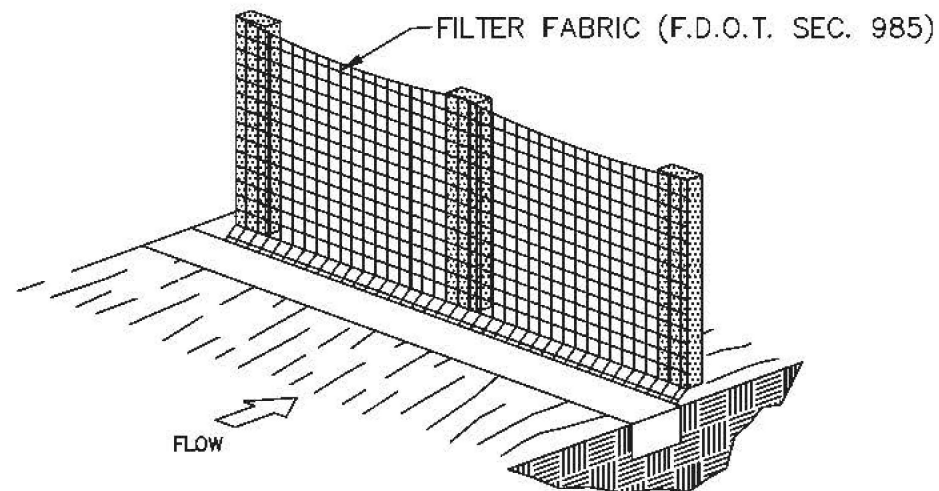
1. SET THE STAKES



2. EXCAVATE A 4"x4" TRENCH UPSLOPE
ALONG THE LINE OF STAKES.



3. STAPLE FILTER MATERIAL TO STAKES
AND EXTEND IT INTO THE TRENCH.



4. BACKFILL AND COMPACT THE EXCAVATED SOIL.

F.D.O.T. TYPE III FILTER FENCE