



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

REPLY TO
ATTENTION OF

February 11, 2019

Regulatory Division
South Permits Branch
Palm Beach Gardens Permits Section

PUBLIC NOTICE

Permit Application Number SAJ-2018-02596 (SP-KAE)

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) and Section 404 of the Clean Water Act (33 U.S.C. §1344) as described below:

APPLICANT: Palm Beach County Environmental Resources Management Department
Attn: Ms. Deborah Drum
2300 North Jog Road, 4th Floor
West Palm Beach, Florida 33411

WATERWAY AND LOCATION: The project is located within navigable waters of the United States (U.S.) in the Lake Worth Lagoon. The project site is located at 2900-2944 South Flagler Drive (P.C.N. 74-43-43-34-04-003-0260 and P.C.N. 74-43-43-33-24-002-0101), in Section 33, Township 43 South, Range 43 East, in West Palm Beach, within Palm Beach County, Florida.

APPROXIMATE COORDINATES: Latitude: 26.687120° Longitude: -80.049668°

Directions to the site are as follows: From I-95, exit at Belvedere Road and head east. Turn right onto South Olive Avenue. Continue for approximately 0.2 miles and turn left onto Monceaux Road. The site is located along Flagler Drive between Avila and Monceaux Roads.

PROJECT PURPOSE:

Basic: aquatic enhancement

Overall: aquatic enhancements at a public park in Lake Worth Lagoon, Florida

EXISTING CONDITIONS: The park is located in the uplands adjacent to the Lake Worth Lagoon and is open to the public. The park is comprised of 0.7325 acres of recreational and open space area with a 376-linear foot shoreline that is bulkheaded and includes a return wall on the south end and an existing 10-foot wide concrete box culvert for stormwater discharge on the northern portion of the parcel.

Palm Beach County conducted a seagrass survey on 07 August 2017 and on 08 May 2018 of the submerged bottom adjacent to the park and found that did not contain seagrasses. The depths located adjacent to the existing bulkhead and within the project boundary range from minus 1 foot NAVD88 to minus 5 feet NAVD88.

PROPOSED WORK: The applicant seeks authorization to place 0.08 acres (410 cubic yards) of limestone riprap and 0.02 acres (145 cubic yards) of sand backfill in the Lake Worth Lagoon to create mangrove planters along the existing seawall in two locations adjacent to the park. No seagrasses would be impacted by the mangrove planters.

The intertidal wetland islands would be constructed with sand fill and limestone boulders. Materials would be transported via barge and may be placed by excavators and/or conveyor belt systems. Wetland planters would be constructed along the shoreline using sand fill and limestone boulders, transported via barges or landward by truck and other equipment (depending on location). The rip rap (limestone boulders) would be placed using excavator and related equipment.

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:

Best management practices would be utilized to limit turbidity while construction activities are being conducted by utilizing turbidity curtains. The applicant will monitor turbidity upstream and downstream of the turbidity curtains to ensure turbidity levels within the project do not exceed background levels."

COMPENSATORY MITIGATION: The applicant has provided the following explanation why compensatory mitigation should not be required:

The project is designed to create mangrove wetlands, which would help improve the overall water quality and aquatic habitat in Lake Worth Lagoon. Since the project will not impact seagrasses or other aquatic resources, compensatory mitigation is not required.

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 project site is accessible to the West Indian manatee (*Trichechus manatus*). The Corps has determined the in-water construction work may affect, but is not likely to adversely affect manatee. Use of *The Corps of Engineers, Jacksonville District and the State of Florida Effect Determination Key for the Manatee in Florida* dated April 2013 results in a path of A-B-C-G-N-O-P (paragraph 4). Provided the applicant adheres to

the standard manatee construction conditions during the in-water work, the key results in a *may affect, not likely to adversely affect* determination and no further consultation with the U.S. Fish and Wildlife Service is necessary.

The Corps has determined the proposed project may affect, but is not likely to adversely affect the smalltooth sawfish and swimming sea turtles: the endangered green sea turtle (*Chelonia mydas*), the endangered hawksbill sea turtle (*Eretmochelys imbricata*), the endangered leatherback sea turtle (*Dermochelys coriacea*), the endangered Kemp's ridley sea turtle (*Lepidochelys kempii*), and the threatened loggerhead sea turtle (*Caretta caretta*). The Corps will request concurrence with this determination from the National Marine Fisheries Service pursuant to Section 7 of the Endangered Species Act by separate letter.

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 shade approximately 0.10 acres of barren bottom 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 Atlantic Ocean as the project would enhance EHF. 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 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, Florida 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, Kelly Egan, in writing at the Palm Beach Gardens Permits Section, 4400 PGA

Boulevard, Suite 500, Palm Beach Gardens, Florida 33410; by electronic mail at Kelly.Egan@usace.army.mil; or by telephone at (561) 472-3514.

IMPACT ON NATURAL RESOURCES: Coordination with USFWS, 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.

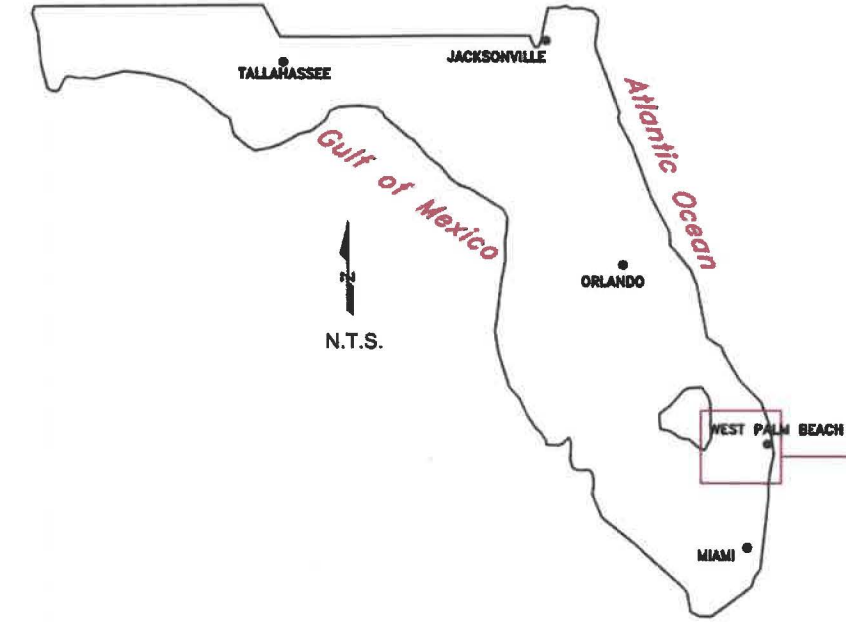
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits,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

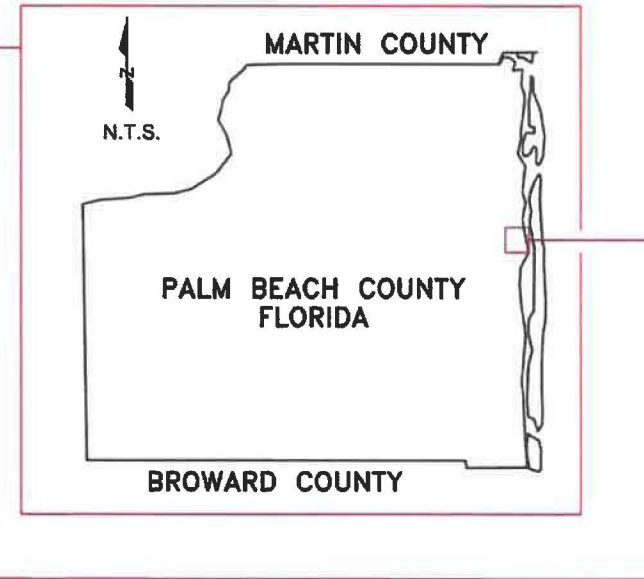
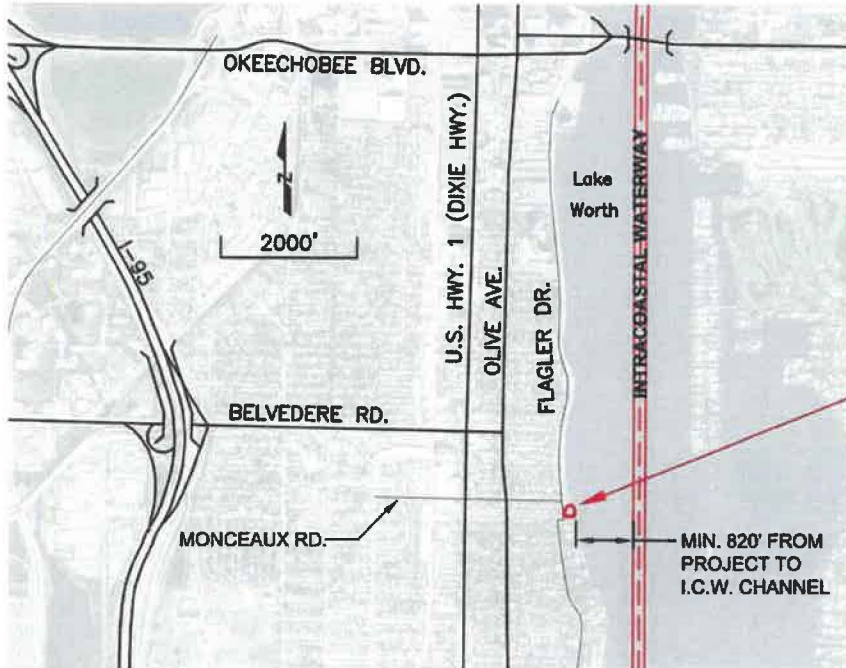
REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated

comment period of the notice and must state the specific reasons for requesting the public hearing.



INDEX OF DRAWINGS

<u>SHEET NO.</u>	<u>DESCRIPTION</u>
1	LOCATION MAP
2	BATHYMETRY
3	PLAN VIEW
4	CROSS-SECTIONS
5	TURBIDITY CONTROL PLAN & MATERIAL QUANTITIES
6	SEAGRASS SURVEYS



**PROJECT
AREA**

PERMIT DRAWING NOT FOR CONSTRUCTION

PALM BEACH COUNTY
DEPARTMENT OF
ENVIRONMENTAL RESOURCES MANAGEMENT
2300 NORTH JOG BOUL. 4TH FLOOR
WEST PALM BEACH, FLORIDA 33411
(561) 253-2400



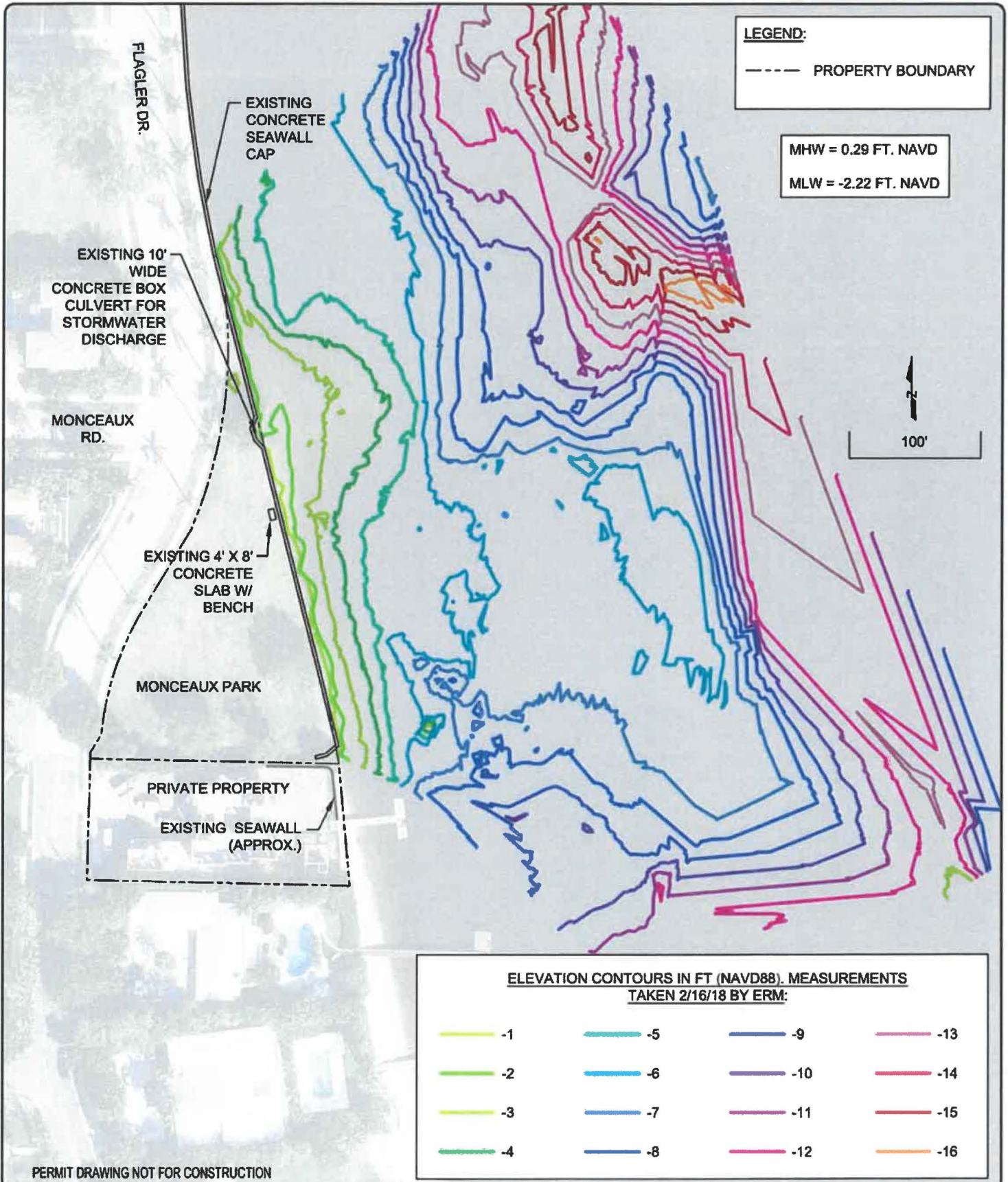
AS NOTED
Scale: CGRB
Drawn:

MONCEAUX PARK
CITY OF WEST PALM BEACH
LIVING SHORELINE PERMIT PLANS

Project:

SITE LOCATION

Sheet: **1 OF 5**

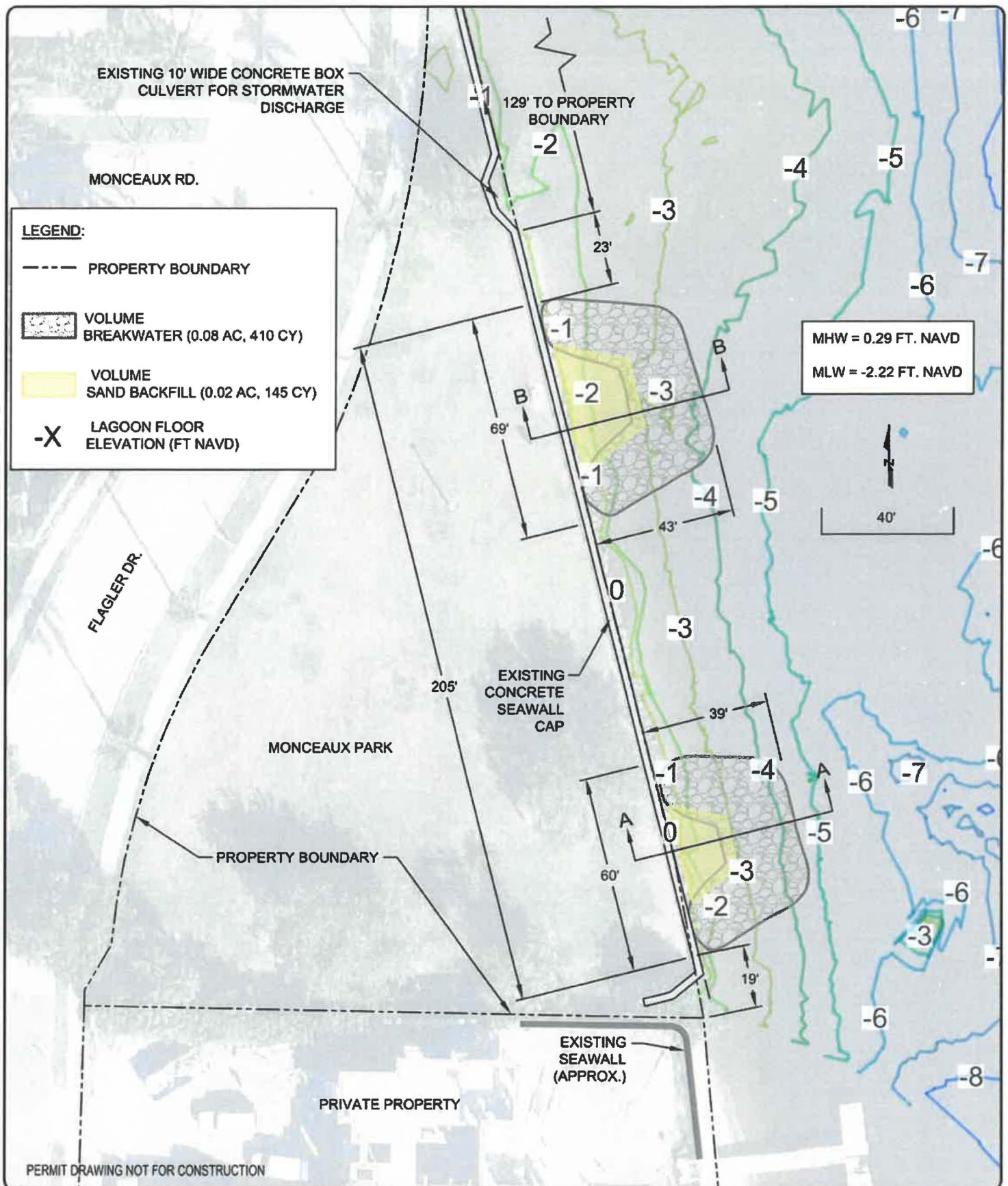


Sheet:
2 of **5**

Project: **MONCEAUX PARK
CITY OF WEST PALM BEACH
LIVING SHORELINE PERMIT PLANS
EXISTING CONDITIONS**

Scale: AS NOTED
Drawn: CG/RB

**PALM BEACH COUNTY
DEPARTMENT OF
ENVIRONMENTAL RESOURCES MANAGEMENT**
2300 NORTH JOG ROAD, 4th FLOOR
WEST PALM BEACH, FLORIDA 33411
(561) 233-2400



Sheet:

3
OF
5

Project:

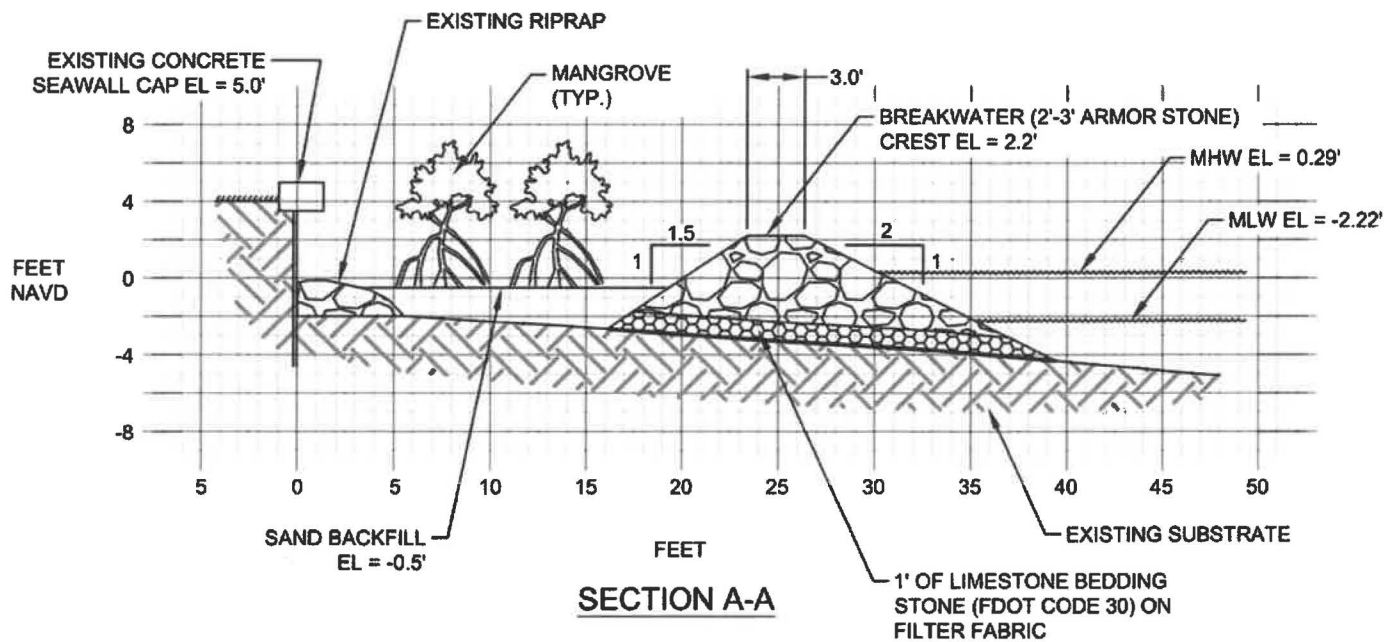
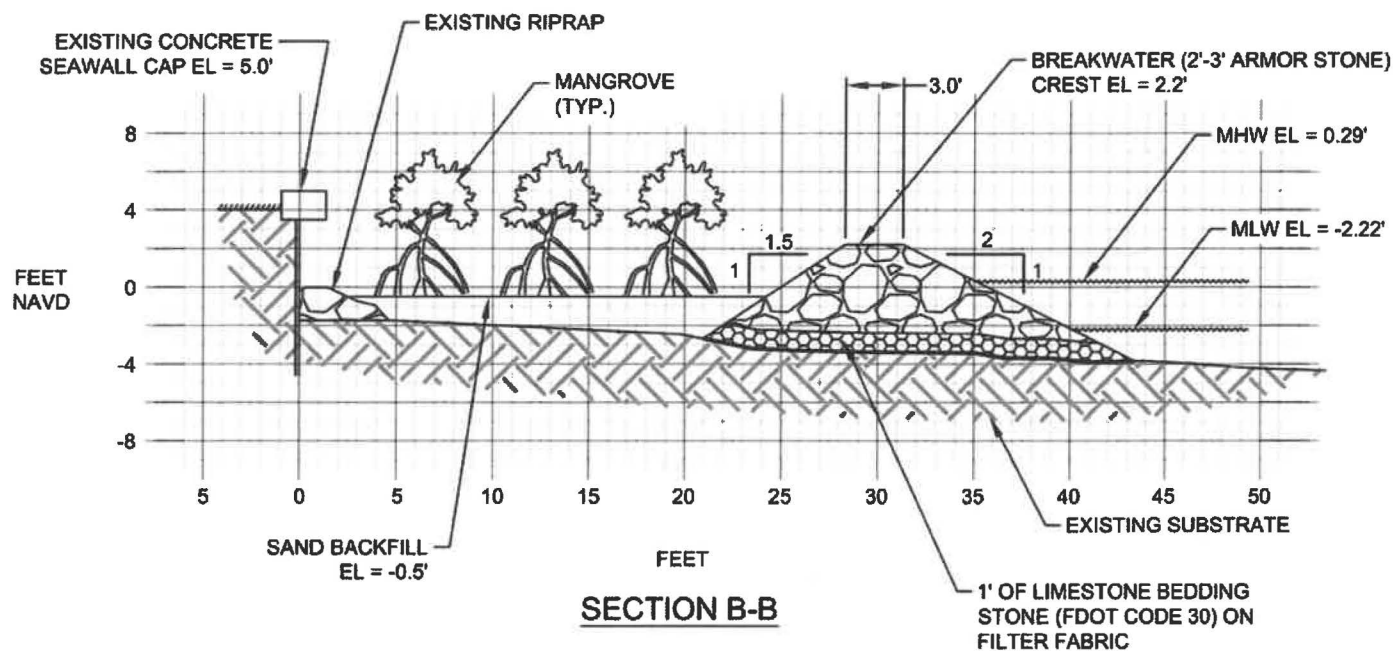
MONCEAUX PARK
CITY OF WEST PALM BEACH
LIVING SHORELINE PERMIT PLANS
PROPOSED CONDITIONS

Scale: AS NOTED

Drawn: CG/RB



PALM BEACH COUNTY
DEPARTMENT OF
ENVIRONMENTAL RESOURCES MANAGEMENT
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 WEST PALM BEACH, FLORIDA 33411
 (561) 233-2400



PERMIT DRAWING NOT FOR CONSTRUCTION

Sheet:

4 OF 5

Project:

MONCEAUX PARK
CITY OF WEST PALM BEACH
LIVING SHORELINE PERMIT PLANS
CROSS-SECTIONS

Scale: AS NOTED

Drawn: CG/RB



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ESTIMATED MATERIAL QUANTITIES

	FILTER FABRIC (SY)	BEDDING STONE		ARMOR STONE		SAND	
		(TONS)	(CY)	(TONS)	(CY)	(TONS)	(CY)
NORTH PLANTER	60	120	80	210	140	110	79
SOUTH PLANTER	50	110	75	170	115	90	64
TOTAL	110	230	155	380	255	200	145

MHW = 0.29 FT. NAVD

MLW = -2.22 FT. NAVD

40'

TURBIDITY CURTAINS
TO BE EMPLOYED
ACCORDINGLY AS
WORK PROGRESSESMINIMUM 820' TO
I.C.W. CHANNEL

PROPOSED PLANTERS

MONCEAUX PARK

EXISTING
CONCRETE
SEAWALL
CAPEXISTING
SEAWALL
(APPROX.)

PRIVATE PROPERTY

PERMIT DRAWING NOT FOR CONSTRUCTION

Sheet:

5
OF
5

Project:

MONCEAUX PARK
CITY OF WEST PALM BEACH
LIVING SHORELINE PERMIT PLANS
TURBIDITY CONTROL PLAN & MATERIAL QUANTITIES

Scale: AS NOTED

Drawn: CGRB



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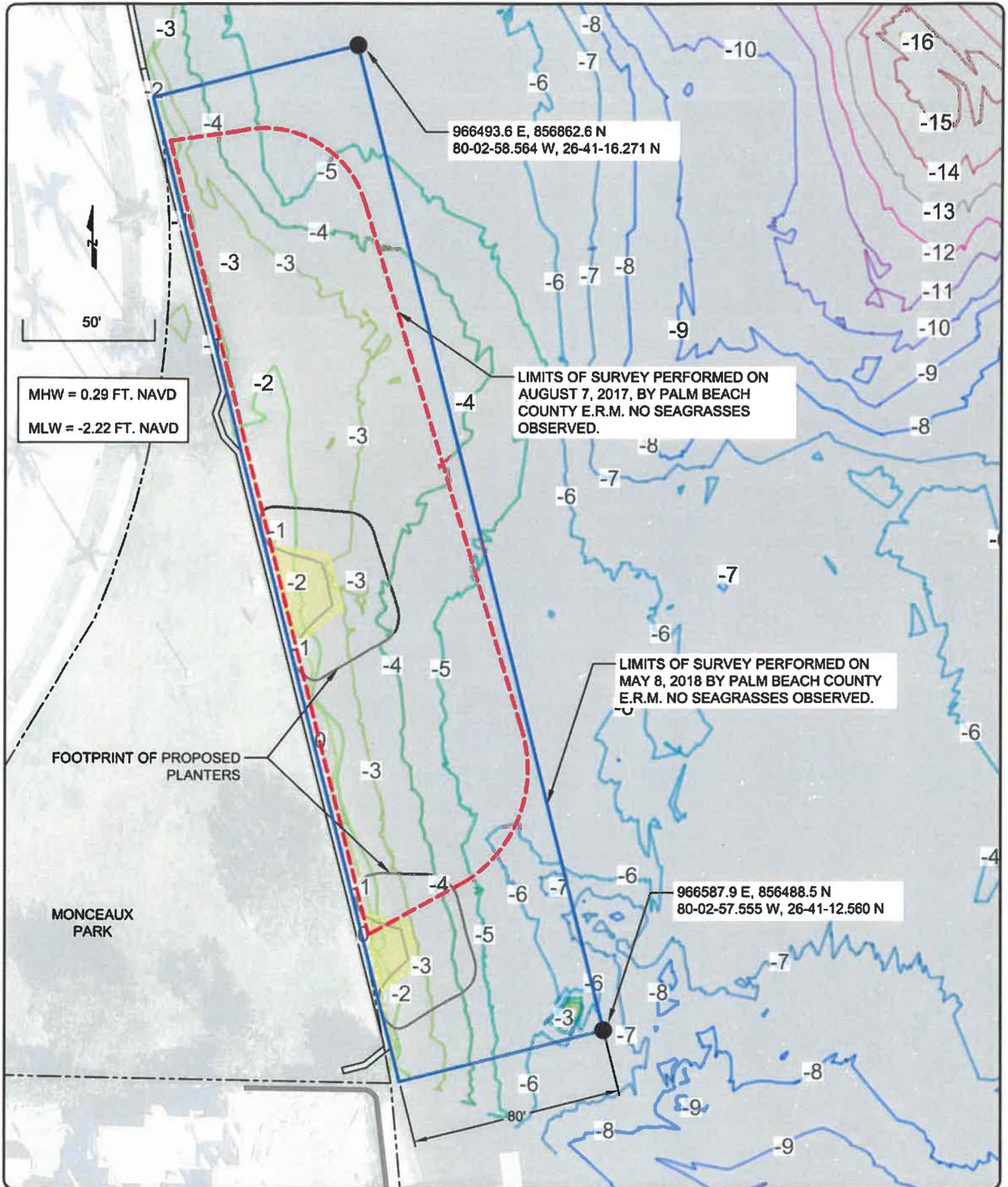


Figure 1

Project:

**MONCEAUX PARK
CITY OF WEST PALM BEACH
PROPOSED LIVING SHORELINE**

SEAGRASS SURVEYS

Scale: AS NOTED

Drawn: CG



**PALM BEACH COUNTY
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