

## **Permit Suspension: Dorado del Mar Project Frequently Asked Questions**

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**1. Where is this project located?**

On the Atlantic Ocean, in Dorado del Mar Beach, near the Embassy Suites Hotel.

**2. What was the permit for and when was it issued?**

Permit purpose was to create a sandy bathing beach by extending an existing rock jetty, build a new rock jetty, dredge 0.65 acres of sea bottom and backfilling with sand and transplant seagrasses as mitigation. The permit was issued on May 8, 2000.

**3. How did the Permittee violate the Corps permit issued for Dorado del Mar?**

The project has failed to achieve its purpose and has caused severe erosion along the shoreline and permitted site areas adjacent to the project site. The dimensions of the breakwater were exceeded, permittee failed to meet mitigation requirements and corrective measures implemented have been unsuccessful. The Corps received several letters reporting erosion conditions from adjacent neighbors within the permitted site in Ocean Villas and Costa Dorada II.

**4. Was the Permittee cited by the Corps for other violations on this site?**

There have been 2 incidences of noncompliance with the Corps permit. In December 11, 2000 the Corps issued the 1st Notice of Non-Compliance for failure to construct the rock jetties in accordance with permit terms and levied an administrative penalty of \$12,500. In February 13, 2002, the Corps issued a 2nd Notice of Non-Compliance and Cease and Desist Order for failure to construct the rock jetties according to the authorized footprint, failure to submit compliance documents, failure to provide required mitigation and failure to remove fill material utilized to construct a temporary road. Some of the issues in this Notice and Order have never been fully resolved.

**5. Why did the Corps suspend the permit for this project?**

The Corps suspended the permit because the permittee failed to achieve the project purpose and has caused significant erosion along the shoreline of adjacent properties Ocean Villas including a portion of Costa Dorada II to Costa Dorada I. The decision to grant a permit was predicated upon permittee and their consultant's assurances that the proposed project would not adversely impact the public interest. In addition, the permittee exceeded the dimension of the breakwaters, failed to remain within scope of authorized work and failed to meet mitigation requirements for seagrasses. The corrective measures implemented to stabilize the beach were unsuccessful.

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**6. What has been done to fix or mitigate the erosion problem and what are the results?**

The prior two attempts at stabilization have been unsuccessful. Agents for the permittee have acknowledged the erosion problem. Between March and July 2003 measures were implemented to reverse the erosion but these proved to be unsuccessful. In August 2007 permittee consultants recommended construction of a submerged breakwater but evaluation by the US Army Corps of Engineers determined their analysis was inconclusive and concluded return to pre-existing conditions was preferable to uncertainty of more structures.

**7. What effect does the permit suspension have?**

The Permittee is no longer authorized to work in areas that have been identified as waters of the United States in front of Embassy Suites Hotel, Dorado del Mar Beach and Golf Resort, Ocean Villas and Costa Dorada.

**8. Now that the permit has been suspended, what happens next?**

The permittee has 10 days to respond and/or request a meeting with the District Engineer or a Public Hearing. The Corps will then decide to reinstate, modify, or revoke the permit. If the permit is revoked, the permittee will be required to restore the area to its original conditions and provide mitigation for impacted resources.

Prepared by US Army Corps of Engineers  
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