



REPLY TO
ATTENTION OF

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

JAN 0 5 2009

Palm Beach Gardens Section

PUBLIC NOTICE

Permit Application No. SAJ-2008-4550 (IP-JWH)

TO WHOM IT MAY CONCERN: This district 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: Palm Beach County
Department of Environmental Resources Management
c/o Richard Walesky
2300 North Jog Road, 4th Floor
West Palm Beach, FL 33411-2743

WATERWAY & LOCATION: The project is located in the Pondhawk Natural Area east of Military Trail between Yamato Road and Spanish River Boulevard, Boca Raton (Section 12, Township 47 S, Range 42 E) in Palm Beach County, Florida.

Directions to the site are as follows: From I-95 South, take Exit 48 to Yamato Road and go west. Project site is located southeast of intersection of Yamato Road and Military Trail.

LATITUDE & LONGITUDE: Latitude 26.3908442282 North
Longitude -80.117994377 West

PROJECT PURPOSE:

Basic: The basic project purpose is environmental restoration.

Overall: The overall project purpose is environmental restoration in southern Palm Beach County.

PROPOSED WORK: The applicant proposes to restore a historical saw grass marsh by removing Brazilian pepper, scraping down an approximately 8.3 acre area to 12 to 18 inches below the groundwater table, and replanting with native wetland vegetation. Fill excavated from the wetland restoration area will be deposited along the shoreline of Blue Lake to give it a

more natural contour and create 2.1 acres of a 12-foot wide multiuse trail around the lake and to create 0.71 acres of littoral shelf.

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:

This is an environmental restoration project. Therefore, the applicant has not provided any information to support efforts to avoid and/or minimize impacts to wetlands.

Compensatory Mitigation: The applicant has provided the following explanation why compensatory mitigation should not be required:

The restored wetlands should more than offset any temporary impacts to wetlands and other Waters of the US associated with construction activities.

EXISTING CONDITIONS: The project sites consists of low quality degraded wetlands which are being impacted by nuisance exotic species and a small freshwater lake. Pondhawk Natural Area is a 79 acre preserve area with scrub, scrubby flatwoods, mesic flatwoods, hydric hammock, disturbed hydric hammock and disturbed marsh. Wetlands have been drained and impacted by surrounding development. The surrounding area consists of residential and commercial development.

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 and the eastern indigo snake. The Corps will request Fish and Wildlife's/National Marine Fisheries Service's concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

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 application should be submitted in writing to the District Engineer at the above address within 21 days from the date of this notice.

If you have any questions concerning this application, you may contact Justin W. Hughes at the letterhead address, by electronic mail at Justin.W.Hughes@usace.army.mil, by fax at 561-626-6971, or by telephone at 561-472-3514.

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.

Additional Mailing Labels
for
SAJ-2008-4550 (IP-JWH)

SHPO, RA Gray Building, 500 South Bronough Street, Tallahassee,
Florida 32399-0250

USEWS - Vero Beach, FL

Adjacent Property Owners

IMPACT ON NATURAL RESOURCES: Preliminary review of this application indicates that an Environmental Impact Statement will not be required. Coordination with US 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. By means of this notice, we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat.

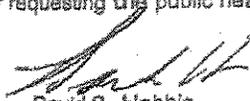
IMPACT ON CULTURAL RESOURCES: Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible for inclusion therein, are located at the site of the proposed work. Presently, unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished.

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 of 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 JS 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 of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make or deny this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. 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 approved 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.


David S. Hobbie
Regulatory Division

Project Purpose

This application is a request for an Environmental Resource Permit to authorize activities associated with the creation of a wetland restoration area and a multi-use trail/littoral shelf in and around Palm Beach County's Pondhawk Natural Area. Within Pondhawk Natural Area this project will recreate approximately 8.3 acres of wetlands by removing the soil surface until the ground water level is reached. This will recreate a seasonal depressional wetland that has 6 to 12 inches of standing water during periods of high rainfall. Soil removed from the wetland creation area will be deposited along the shoreline of Blue Lake creating a substrate for the planned trail and littoral shelf.

ProjectSite/Description

The Project area is located East of Military Trail between Yamato Road and Spanish River Boulevard within Palm Beach County's Pondhawk Natural Area and Blue Lake which is owned by the city of Boca Raton, (See Attachment 1, Location Map). Pondhawk Natural Area is a 79 acre ecological preserve which was purchased by the county in 2002. The site contains scrub, scrubby flatwoods, mesic flatwoods, hydric hammock, disturbed hydric hammock and disturbed basin marsh. Historically there were approximately 30 acres of wetlands on Pondhawk Natural area. Human-caused disturbances over the last half-century have caused all of these wetlands to disappear.

Proposed Project

This project will create approximately 8.3 acres of wetland restoration area within the boundaries of Pondhawk natural area. The wetland restoration area will be constructed to replace a sawgrass marsh that ran through the property prior to the drastic drop of the groundwater table due to drainage of adjacent properties. The Brazilian pepper monoculture has been removed from this area and this project plans to scrape down a portion of this former wetland until the soil is again 12 to 18 inches below the groundwater table. The wetland restoration area will consist of two cells separated by a berm. The northern cell will recreate a seepage slope and will be inundated only during the wet season. The southern cell is targeted to become a depressional marsh with a lower average elevation, and will have a deep area which is designed to be inundated year round as a deep water refugia.

Seasonal fluctuations of water levels at Pondhawk Natural Area are determined through the use of three monitoring wells located within the boundaries of the Natural Area and a staff gauge located in Blue Lake. Water levels are checked monthly by Palm Beach County Environmental Resources Management. Please see attachment 4 for locations of hydrological monitoring stations and attached graph and spreadsheet (Attachment 5 and 5a) for water level information.

Construction Methodologies

Earth moving equipment such as Tracked excavators, off-road dump trucks, front end loaders and bull dozers will be used to excavate and move fill within the wetland restoration area. Most of the fill from this area will be deposited along the shoreline of Blue Lake. Deposition of fill in this area will give the shoreline a more natural contour, serve as the substrate for a twelve foot wide multi-use trail and create a littoral shelf. Throughout the construction process, turbidity curtains will be used to minimize any environmental impact to Blue Lake. At the project site monitoring for turbidity shall be conducted twice daily, with at least a four hour interval, by the County in accordance with state and federal guidelines. Background samples shall be taken at sampling points located at least 200 feet away from the construction. Compliance samples shall be taken just outside of turbidity curtains, in the area of construction. The turbidity curtains shall be deployed and anchored beyond the areas of excavation during construction of the project. After the turbidity levels have returned to background levels, the turbidity curtains will be removed. See Attachment 6 for more information regarding control and monitoring of turbidity. Operation of earth moving equipment will be restricted to upland areas. This restoration

project will fill approximately 2.8 acres of Blue Lake (2.1 acres of upland restoration trail and 0.71 acres of littoral shelf)

Wetlands

All wetlands formerly present within the boundaries of Pondhawk Natural Area have disappeared due to human activities; therefore planned restoration construction will have no effect on water quantity, quality, hydroperiod or habitat of existing on-site wetlands within the natural area. Restoration of upland habitat and littoral shelf in and around blue lake has the potential to improve water quality, hydroperiod and habitat within that system. It is expected that placement of fill within Blue Lake will reduce the volume of available storage in Blue Lake by 9.4%. However, excavation of the wetland restoration area will create approximately three times more storage than that lost by filling a portion of Blue Lake. Hydroperiod will remain the same within blue lake. The goal of this project is habitat creation through wetland restoration. The planned restoration activities will create approximately 11 acres of high quality habitat where degraded, low quality habitat is present today.

Pondhawk Natural Area Habitat Types Acres

Scrub	8.8
Mesic Flatwoods	23.4
Scrubby Flatwoods	13.3
Disturbed Basin Marsh	15.4
Hydric Hammock	5.9
Disturbed Hydric Hammock	10.8
Disturbed Easements	1.1
Total	78.7

Land Use Before and After Restoration

Excavated Wetland:

Before

After

8.21 Acres of Brazilian Pepper (4220)	0.45 Acres of Emergent Aquatic Vegetation (6440)
	7.76 Acres of Freshwater Marshes-Sawgrass (6411)

Littoral Shelf/Pathway:

Before

After

3.066 Acres of Reservoirs (5300)	1.3 Acres of Emergent Aquatic Vegetation (6440)
	1.766 Acres of Mixed Wetland Hardwoods (6170)
1.007 Acres of Brazilian Pepper (4220)	1.007 Acres of Mixed Wetland Hardwoods (6170)

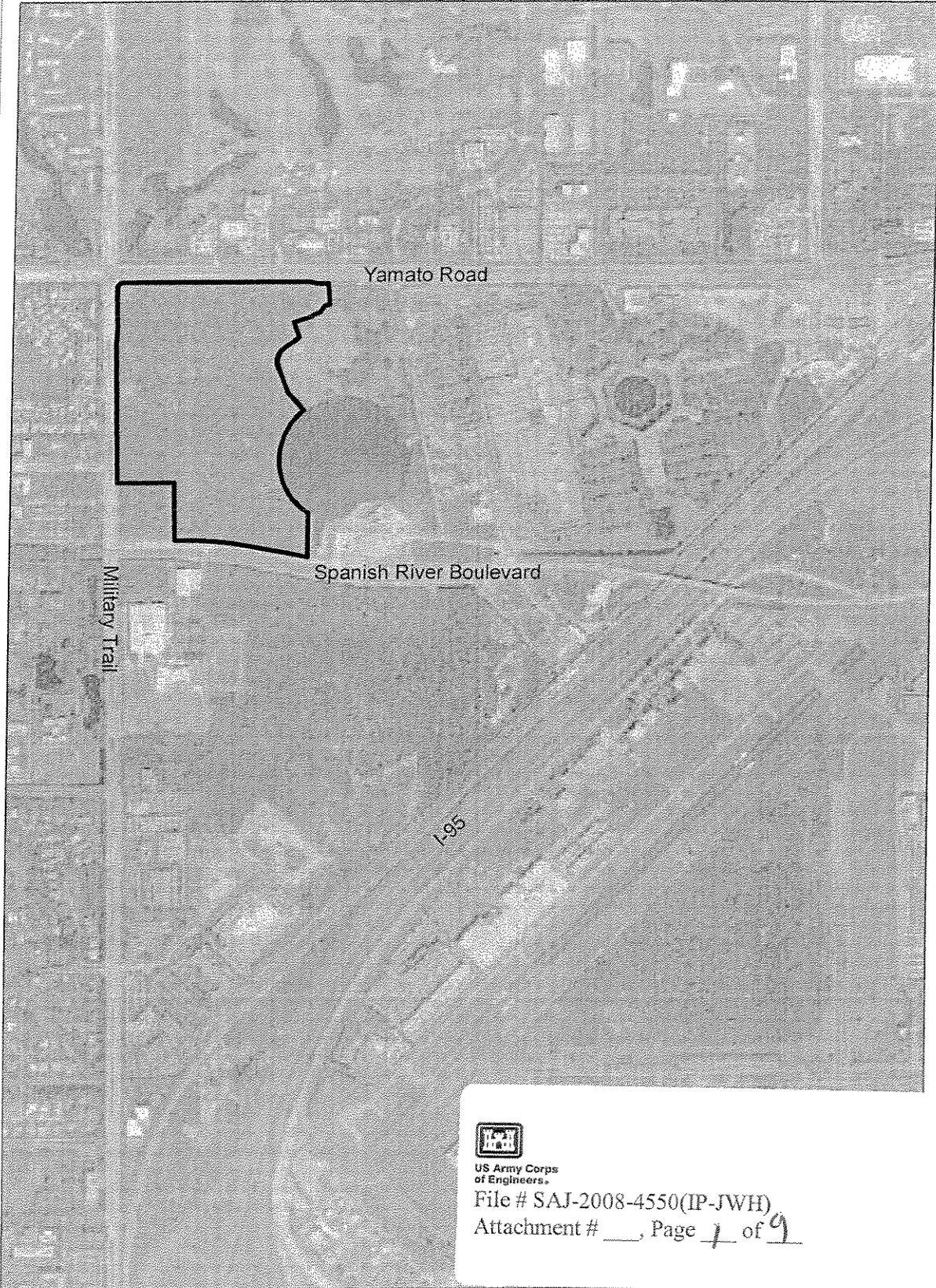
Listed Species Protection Plan

Recent monitoring by Environmental Resources Management Staff has recorded no listed species in the project area. County staff will oversee all phases of this project and if any listed species are encountered during construction, work will cease, appropriate agencies will be contacted and action will be taken to insure their preservation.

Attachments:

1. Location Map
2. Plan View (Entire Project Area)
 - 2a. Plan View (Littoral Shelf)
 - 2b. Plan View (Excavation Area)
 - 2c. Profiles
3. Soils
4. Benchmarks, Wells and Staff Gauge
5. Groundwater Monitoring Graph
 - 5a. Groundwater Monitoring Spreadsheet
6. Turbidity Control and Monitoring
7. Topographic Map
- 8a. Excavated Area Planting Plan
- 8b. Littoral Shelf Planting Plan
9. Deed

Attachment 1. Pondhawk Natural Area Location



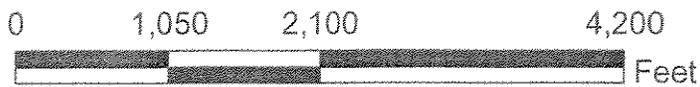
US Army Corps
of Engineers

File # SAJ-2008-4550(IP-JWH)

Attachment # ____, Page 1 of 9

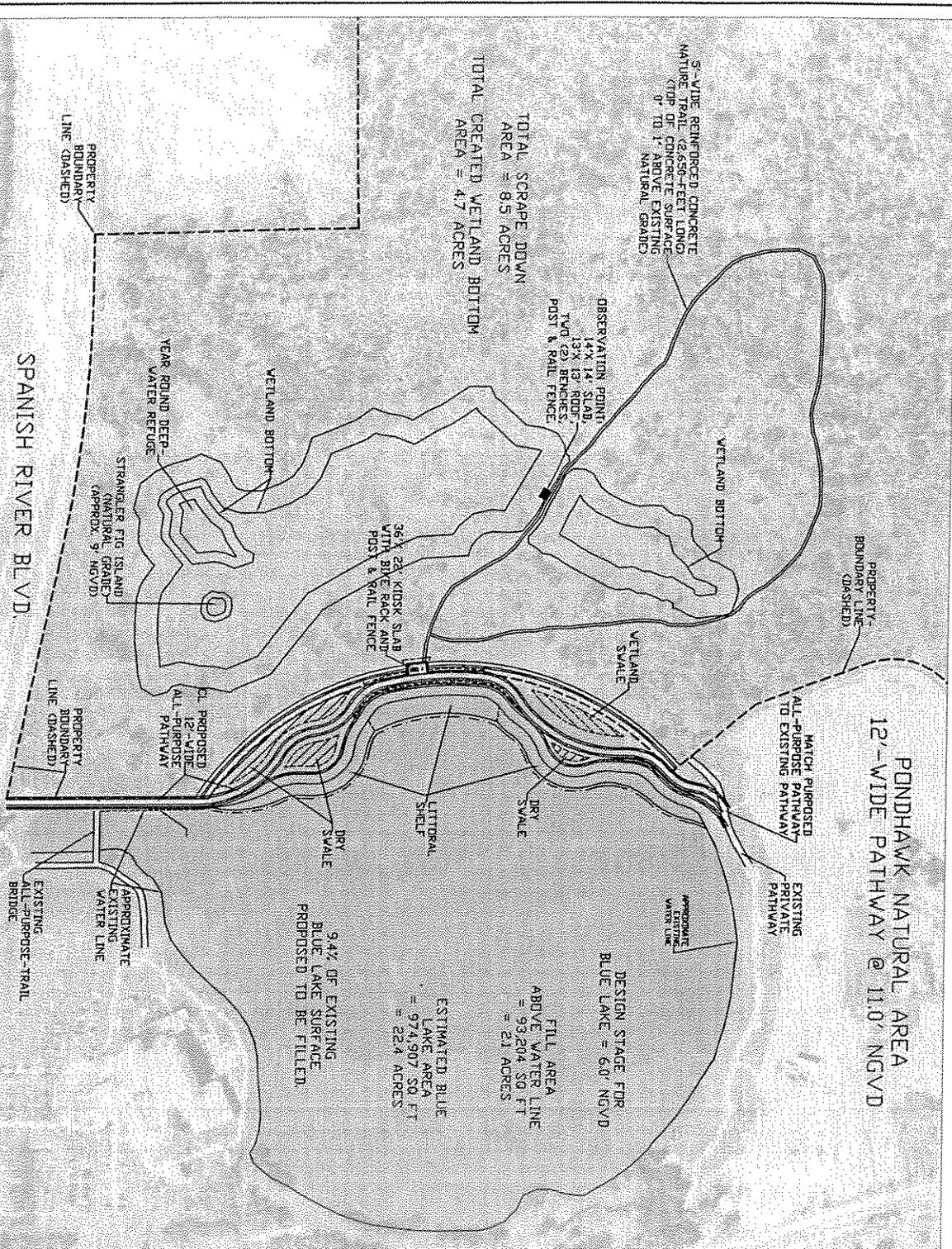
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 Natural_Area_Boundary



ATTACHMENT 2

Project: Wetland Restoration Project, Attachment 2, sheet 2 of 9, 10/10/08



US Army Corps of Engineers

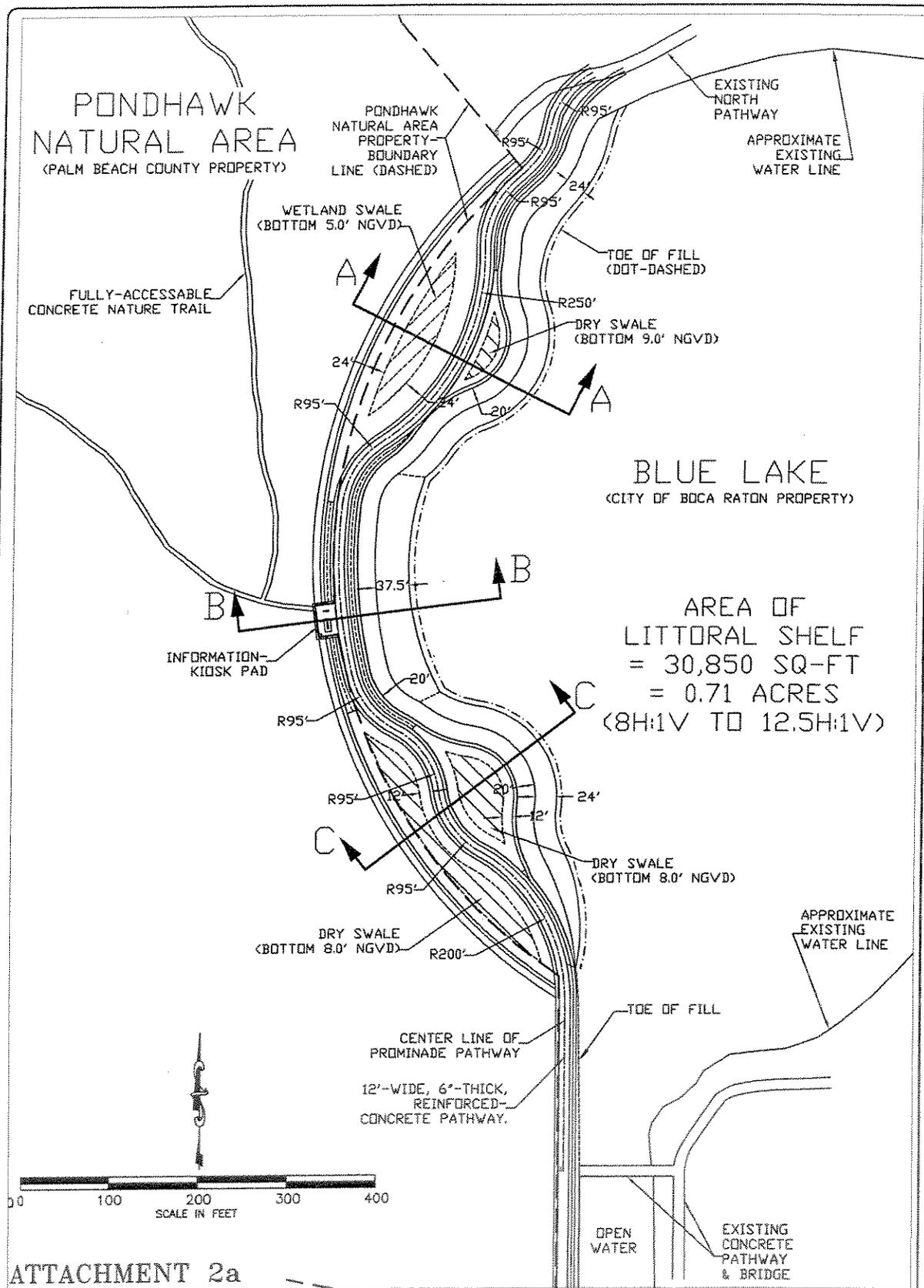
File # SAJ-2008-4550(IP-JWH)

Attachment # ____, Page 2 of 9

Sheet 2	Project PONDHAWK NATURAL AREA WETLAND RESTORATION PROJECT	SEAL	Scale AS NOTED	No.	Revisions	By	Date
			Approved FG				
DR: HR	SITE PLAN		Field book No.				



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



ATTACHMENT 2a

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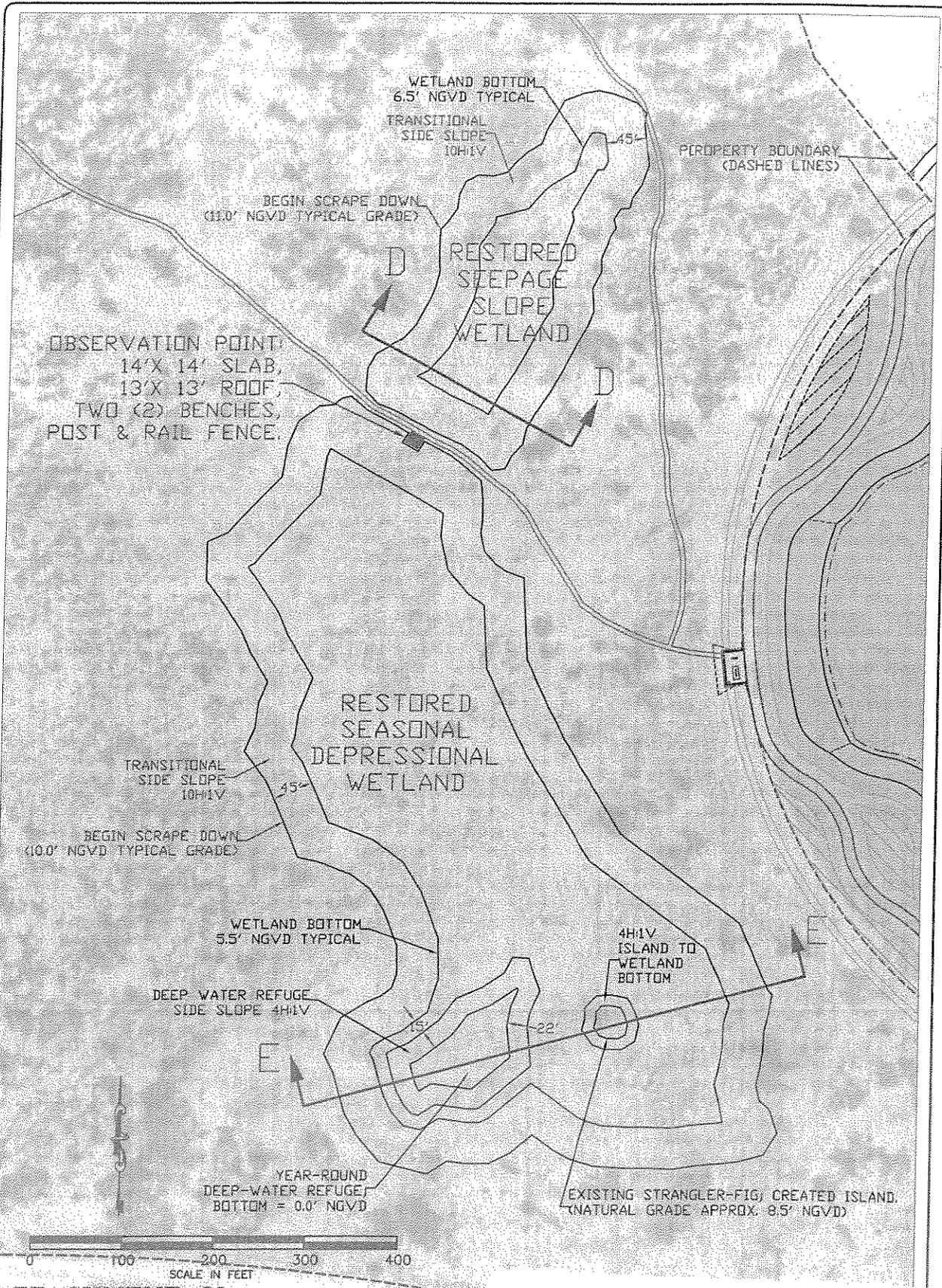
Sheet	Project	SEAL	Scale	AS NOTED	No.
	PONDHAWK NATURAL AREA PROMENADE		Approved	LL	
	DIMENSIONS & SECTION LINES		Drawn	BN	
			Checked	CT	
			Date	9/08	
			Field Book No.		



US Army Corps of Engineers

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ATTACHMENT 2b

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Sheet	
SP: 101	

Project	PONDHAWK NATURAL AREA WETLAND RESTORATION
PLAN VIEW & SECTION LINES	

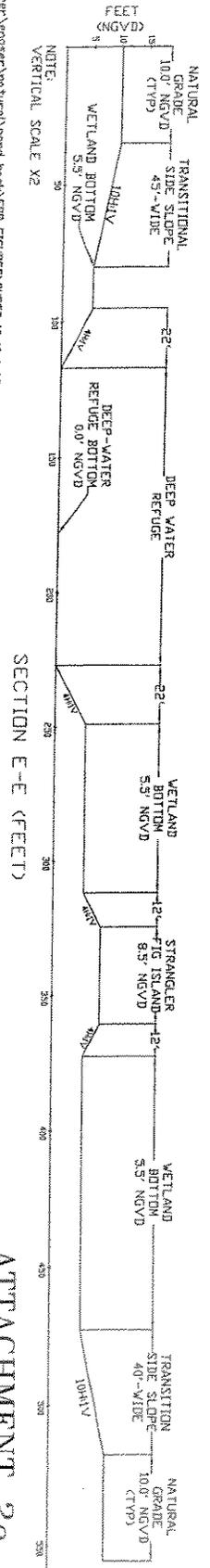
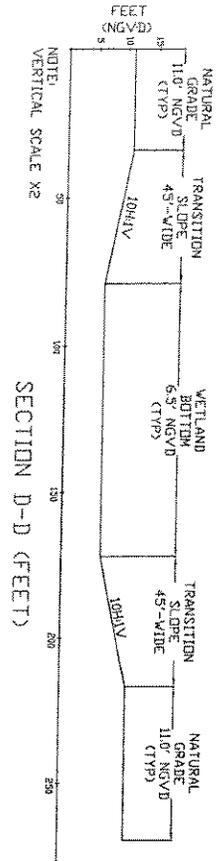
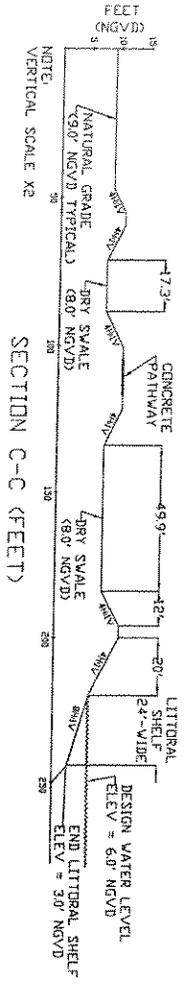
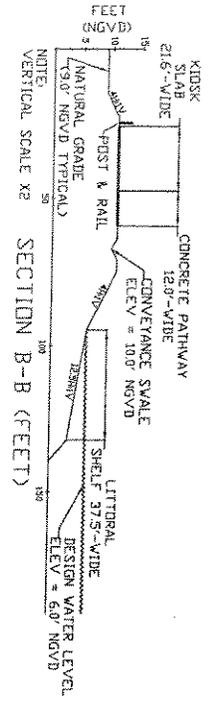
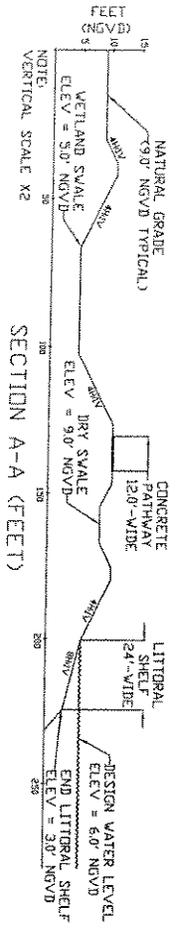
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Approved	FG		
Drawn	JH		
Checked	FG		
Date	10/26		
Field Book No.			



US Army Corps
of Engineers,
File # SAJ-2008-4550(IP-JWH)
Attachment # ____, Page 4 of 9

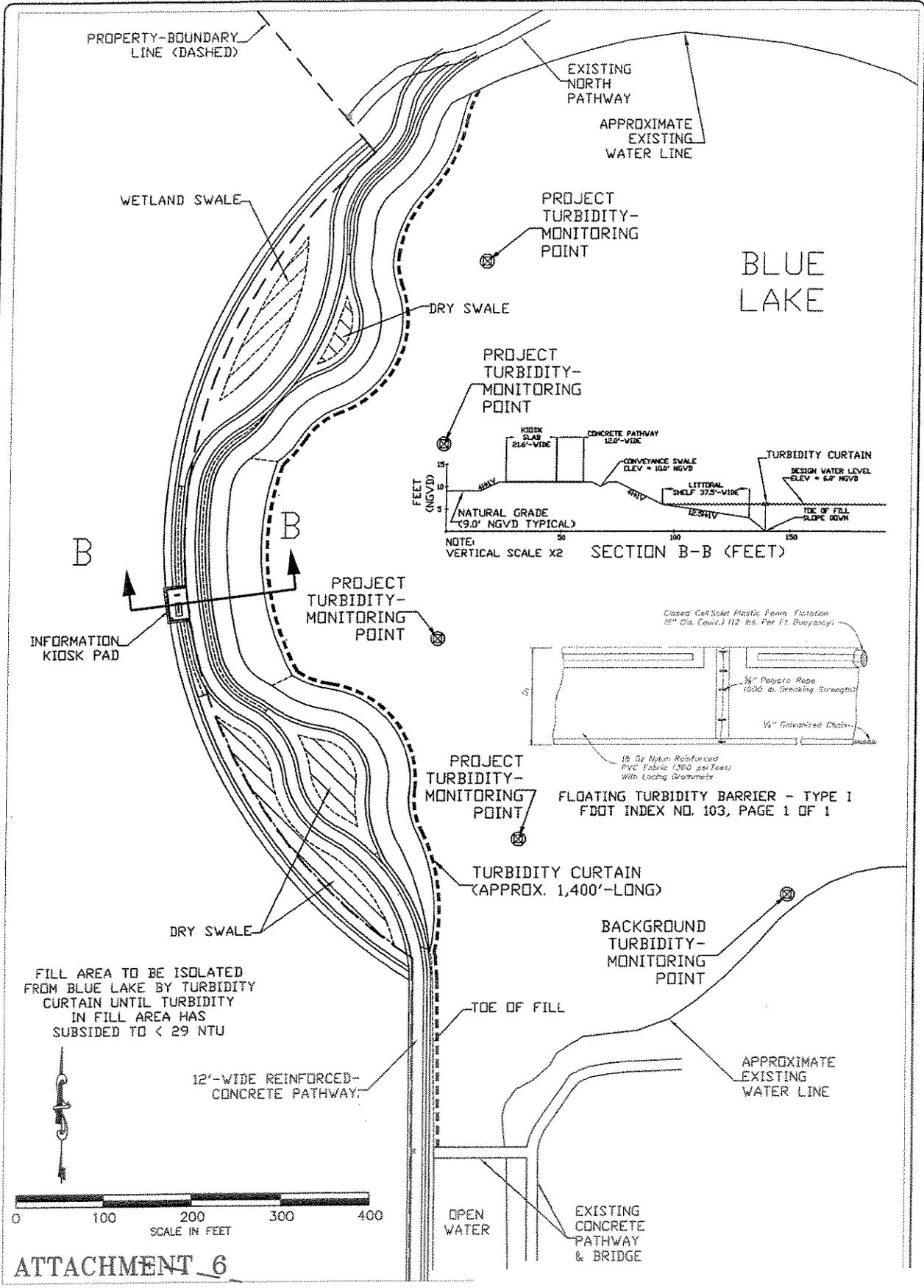
PONDHAWK NATURAL AREA WETLAND RESTORATION & PROMENADE PATH PROJECT PROFILES



ATTACHMENT 2c

ATTACHMENT 2c

Sheet	PONDHAWK NATURAL AREA PUBLIC USE FACILITIES PROMENADE & WETLAND RESTORATION CROSS SECTIONS	SCALE	Scale AS NOTED Approved TS Drawn SM Checked CT Date 10/08 Field Book No.	 US Army Corps of Engineers. File # SAI-2008-4550(IP-JWH) Attachment # _____, Page 5 of 9
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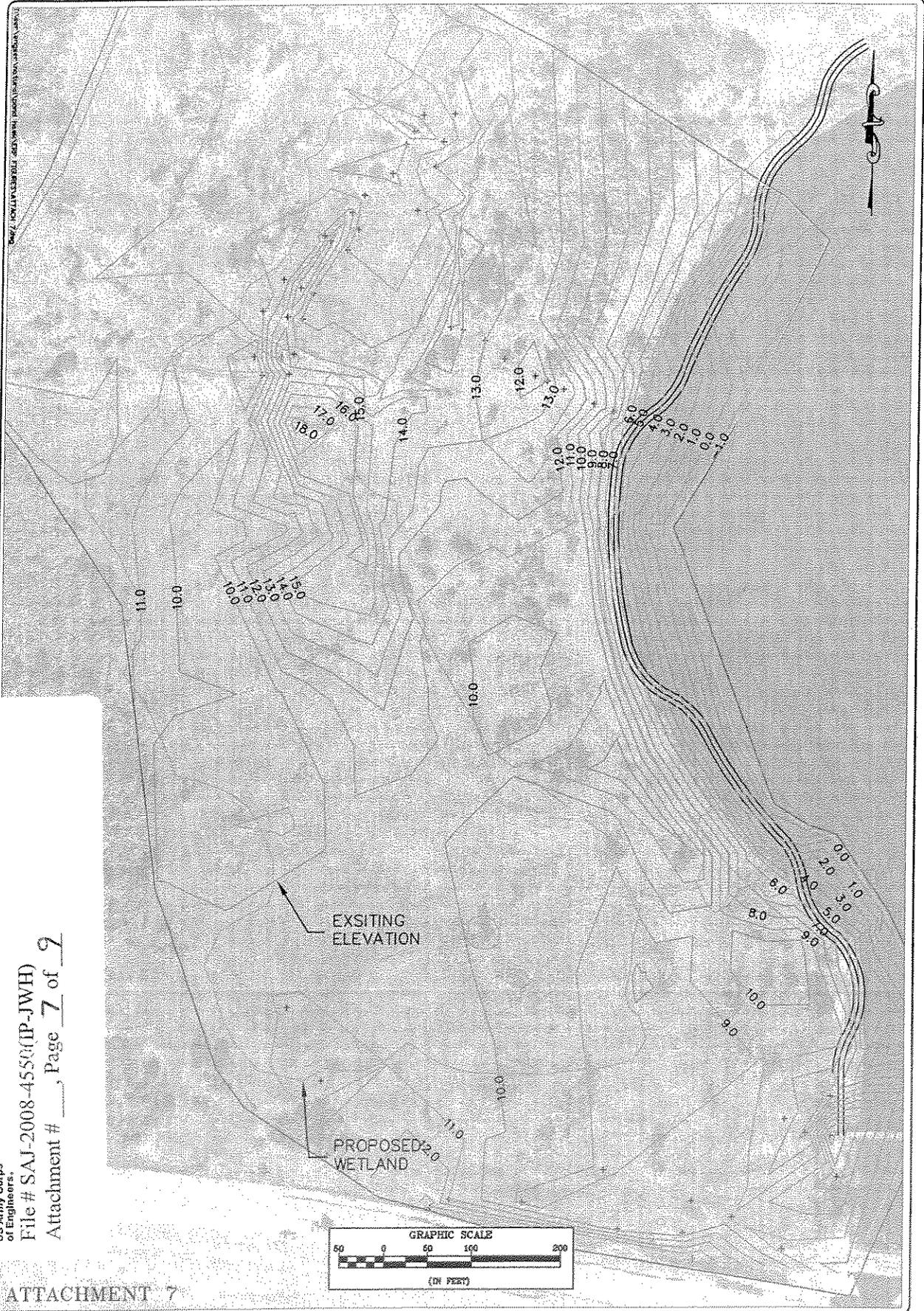


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Sheet	Project	Scale	Scale AS NOTED	No.
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	TURBIDITY CONTROL		Drawn: EM	
			Checked: CT	
			Date: 10/08	
			Field Book No.	

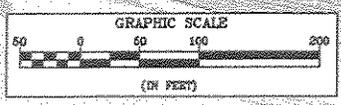


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US Army Corps
of Engineers

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Attachment # ____, Page 7 of 9



ATTACHMENT 7

NO. 1287	DATE

Project
**PONDHAWK
NATURAL AREA**
EXISTING GRADE

SCALE

Field	No.	Reviser	By	Date
State AS BUILT				
Approved				
Drawn				
Checked				
Rev.				
Field Book No.				



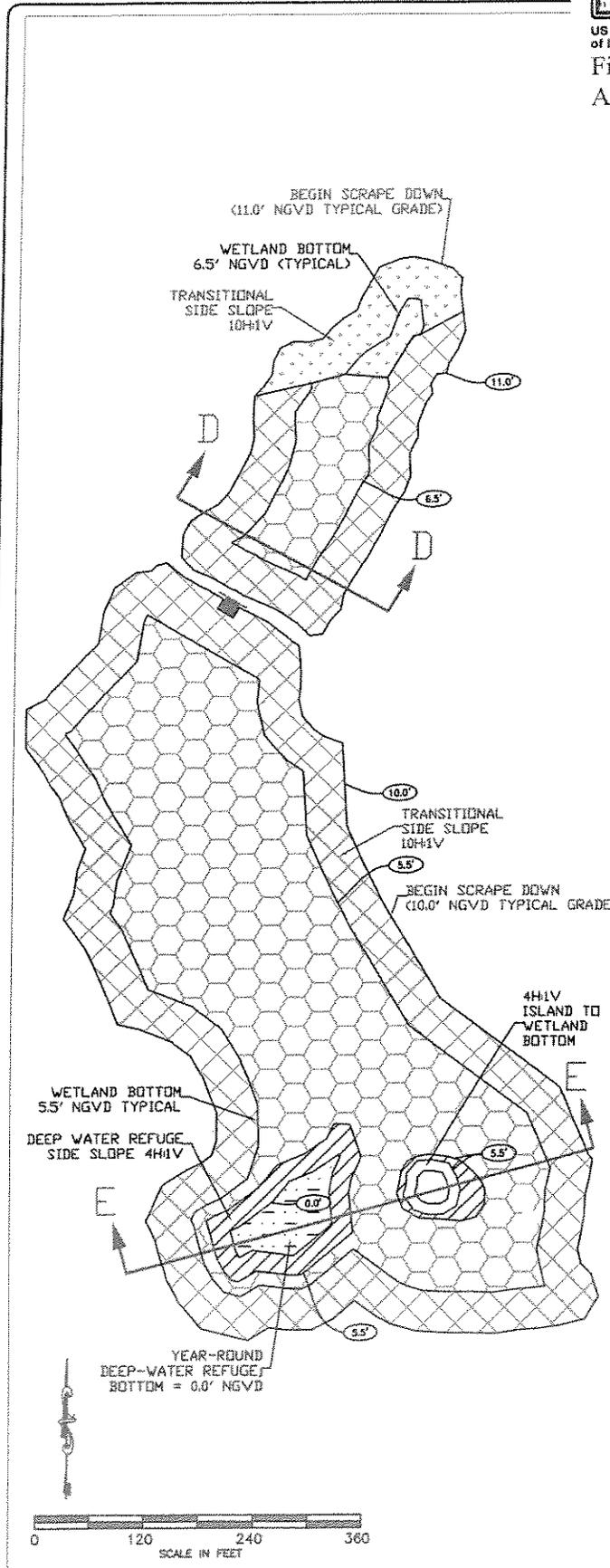
PALM BEACH COUNTY
DEPARTMENT OF
ENVIRONMENTAL RESOURCES MANAGEMENT
2300 NORTH JOG ROAD, 4th FLOOR
WEST PALM BEACH, FLORIDA
(561) 233-2400



US Army Corps of Engineers

File # SAJ-2008-4550(IP-JWH)

Attachment # __, Page 8 of 9



PLANTS' LIST (RESTORED WETLAND)

ZONE A

- Fragrant water lily – *Nymphaea odorata*
- Open Water

ZONE B

- Spike rush – *Eleocharis* spp.
- Soft Stem bulrush – *Scirpus validus*
- Pickerelweed – *Pontederia cordata*

ZONE C

- Saw grass – *Cladium jamaicense*
- Maiden cane – *Panicum hemitonon*

ZONE D

- Spartina – *Spartina bakeri*
- Dune sunflower – *Helianthus debilis*
- Saw palmetto – *Serenoa repens*

ZONE F

- Future Cutthroat grass colonization area

HABITAT TYPE	LEGEND	
ZONE A (0' NGVD) WATER DEPTH MIN. 5'		6,647 SQ-FT = 0.15 ACRES
ZONE B (0' TO 5.5' NGVD) WATER DEPTH 0' TO 5.5'		12,967 SQ-FT = 0.30 ACRES
ZONE C (5.5' TO 6.5' NGVD) WATER DEPTH 0' TO 1'		178,798 SQ-FT = 4.10 ACRES
ZONE D (5.5' TO 11' NGVD) UPLAND		144,084 SQ-FT = 3.31 ACRES
ZONE F (6.5' TO 11' NGVD) SEEPAGE SLOPE (MOSTLY DRY)		15,334 SQ-FT = 0.35 ACRES
8.00'	PROPOSED ELEVATIONS	

Attachment 8A

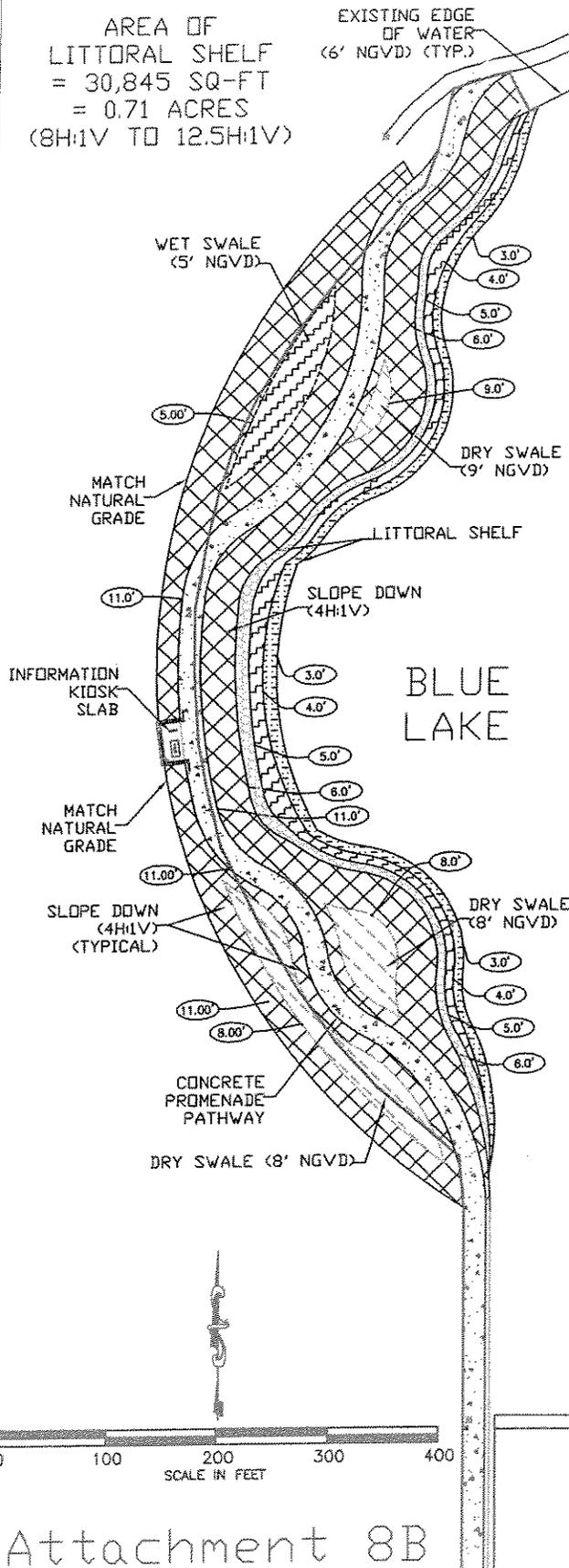
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Sheets	Project PONDHAWK NATURAL AREA WETLAND RESTORATION	SEAL	Scale AS NOTED	No.	Revised	By	Date
			Approved FG				
DR 00	PLAN VIEW & SECTION LINES						



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

AREA OF LITTORAL SHELF
= 30,845 SQ-FT
= 0.71 ACRES
(8H:1V TO 12.5H:1V)



PLANTS' LIST

(PROMENADE PATHWAY & LITTORAL SHELF)

ZONE A

- Fragrant water lily - *Nymphaea odorata*
- Spatterdock - *Nuphar luteum*
- Open Water

ZONE B

- Spike rush - *Eleocharis* spp.
- Soft stem bulrush - *Scirpus validus*
- Pickerelweed - *Pontederia cordata*

ZONE C

- Spike rush - *Eleocharis* spp.
- Pickerelweed - *Pontederia cordata*
- Golden canna - *Canna flaccida*
- Fire flag - *Thalia geniculata*
- Blue flag iris - *Iris virginica*
- Saw grass - *Cladium jamaicense*
- Red maple - *Acer rubrum*
- Giant Leather fern - *Acrostichum danaeifolium*
- Red bay - *Persea borbonia*

ZONE D

- Spartina - *Spartina bakeri*
- Dune sunflower - *Helianthus debilis*
- Saw palmetto - *Serenoa repens*

ZONE E

- Pond apple - *Annona glabra*
- Cabbage palm - *Sabal palmetto*
- Button bush - *Cephalanthus occidentalis*
- Dahoon holly - *Ilex cassine*
- Red maple - *Acer rubrum*
- Red bay - *Persea borbonia*

HABITAT TYPE

LEGEND

	ZONE A (3' TO 4' NGVD) WATER DEPTH 2' TO 3'	9,988 SQ-FT = 0.23 ACRES
	ZONE B (4' TO 5' NGVD) WATER DEPTH 1' TO 2'	10,483 SQ-FT = 0.24 ACRES
	ZONE C (5' TO 6' NGVD) WATER DEPTH 0' TO 1'	35,988 SQ-FT = 0.83 ACRES
	ZONE D (6' TO 11' NGVD) UPLAND	77,736 SQ-FT = 1.78 ACRES
	ZONE E (8' OR 9' NGVD) UPLAND (DRY SWALE)	12,232 SQ-FT = 0.28 ACRES
	CONCRETE PROMENADE PATHWAY	30,868 SQ-FT = 0.71 ACRES

PROPOSED ELEVATIONS

Attachment 8B

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Sheet	Project	Scale	AS NOTED	By	Rev	By	Date	Field Book No	<p>PALM BEACH COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT 2300 NORTH JOG ROAD, 4th FLOOR WEST PALM BEACH, FLORIDA 33411 (561) 255-2400</p>
BH 2	<p>PONDHAWK NATURAL AREA PROMENADE</p> <p>LANDSCAPE PLAN</p>	SEAL	<p>Approved: [Signature]</p> <p>Drawn: [Signature]</p> <p>Checked: [Signature]</p> <p>Date: 11/08</p>						

