



REPLY TO
ATTENTION OF

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

Regulatory Division
South Permits Branch

PUBLIC NOTICE

Permit Application No. SAJ-2004-2019 (IP-LAO) SEP 24 2004

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: M/I Schottenstein Homes, Inc.
4 Harvard Circle, Suite 950
West Palm Beach, Florida 33409

WATERWAY & LOCATION: The project is located in waters of the United States on undeveloped land sited bounded by Military Trail to the east, Hood Road to the north, Central Blvd. and I-95 to the west, and a residential community to the south, in Palm Beach Gardens, in Section 36, Township 42 South, Range 42 East, Palm Beach County, Florida.

DIRECTIONS TO SITE: Directions to the site are as follows: From Interstate-95, take the PGA exit and head west to Military Trail then North to Hood Road, the Project is the parcel on the Southwest corner of Military Trail and Hood Road, Palm Beach Gardens, FL.

LATITUDE & LONGITUDE: Latitude 26°51'38.3687" North
Longitude -80°23'19.2020" West

PROJECT PURPOSE:

Basic: The basic purpose of this project is to construct a residential development.

Overall: The overall purpose of this project is to develop a single family and multifamily residential development on the ±156.5 acre property, including interior roads, surface water management ponds, and other associated infrastructure.

PROPOSED WORK: The applicant proposes to construct a residential development on a 156.5-acre site, of which 155.1-acres are uplands, and 1.4 acres are wetlands. The uplands consist of pine flatwoods dominated by slash pine (*Pinus elliottii*) and saw

palmetto (*Serenoa repens*). The applicant proposes to fill the 1.4 acres of onsite wetlands, which consist of the three following areas: a) a 0.9-acre melaleuca-dominated ditch that continues off-site, b) a 0.3 melaleuca-dominated wetland adjacent to the ditch and c) a 0.2 acre wetland in the southeast corner of the parcel. The site is bordered by a road and residential development to the east and south, a road and community center on the North, roads and an undeveloped parcel on the west. The applicant has offered purchase 1.09 freshwater herbaceous mitigation credits at the Loxahatchee Mitigation Bank the following compensatory mitigation for consideration if it is determined that issuance of a permit is appropriate. The U.S. Army Corps of Engineers (Corps) is currently determining if the proposed mitigation would offset the loss of wetland function and value through the Wetland Rapid Assessment Procedure (WRAP) process. For further project details, please see the enclosed Attachments.

ENDANGERED SPECIES: The Corps has information indicating the presence of the Endangered or Threatened wood stork (*Mycteria americana*) in the project area. Based on review of the proposed project and information provided by the applicant, the Corps has made a determination that the proposed work may affect, but is not likely to adversely affect the wood stork. Pursuant to Section 7 of the Endangered Species Act, the Corps is requesting concurrence with the determination from the Fish and Wildlife Service by separate letter.

ESSENTIAL FISH HABITAT: 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 1.4 acres of freshwater wetlands. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in the South Atlantic Region. 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.

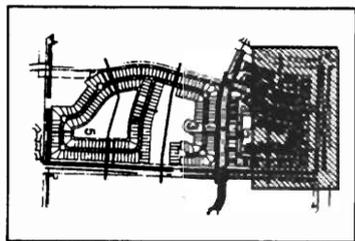
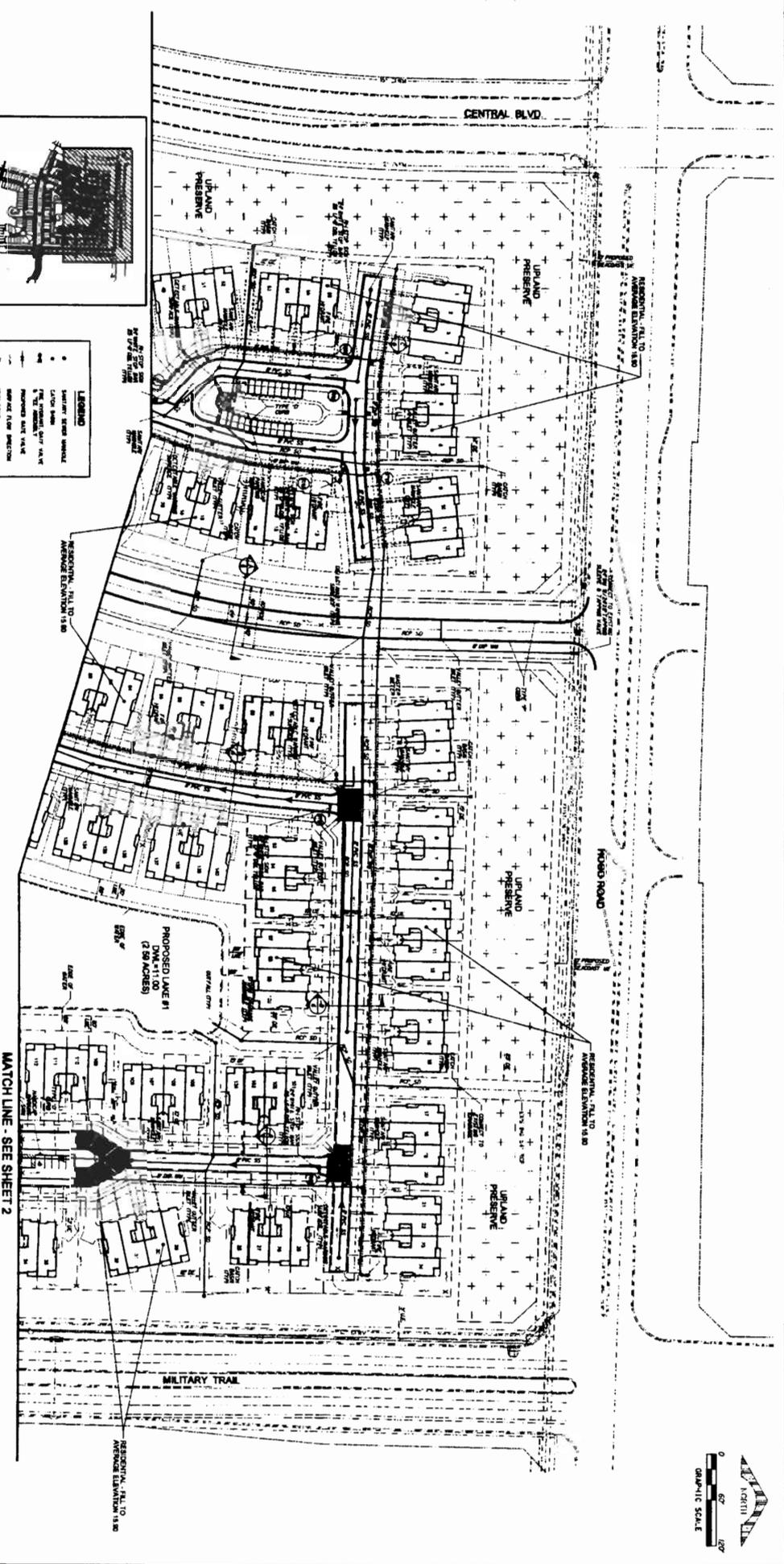
NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified. The jurisdictional line has been verified by Corps personnel.

AUTHORIZATION FROM OTHER AGENCIES: A State Water Quality Certification/Permit may be required for this project. The Water Management District is processing an Environmental Resource Permit Application for this project, under application number 040130-21.

Comments regarding the application should be submitted in writing to the District Engineer at the above address within **30** days from the date of this notice.

If you have any questions concerning this application, you may contact Leah Oberlin of this office either by letter at the letterhead address, by telephone at 561-472-3527, by e-mail at Leah.A.Oberlin@saj02.usace.army.mil, or by fax at 561-626-6971.

SAJ-2004-2019
 Sept. 15, 2004
 Drawing 2 of 10
 S 36, T 42 South, R 42 East



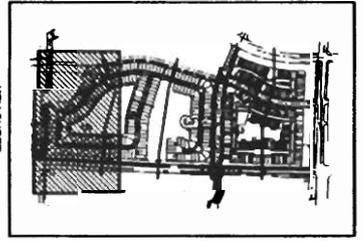
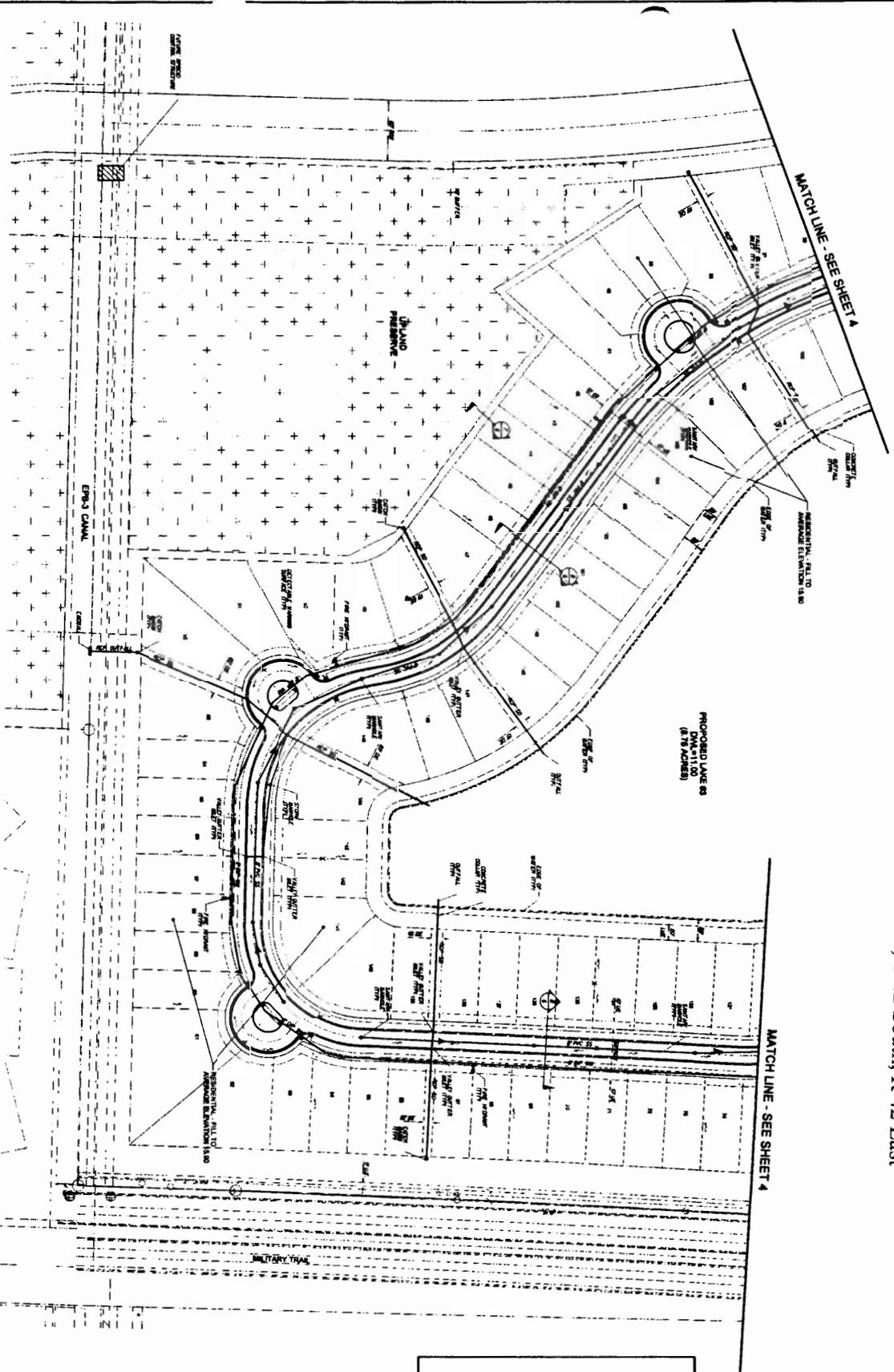
- LEGEND**
- SWAMPY SOILS SYMBOL
 - CLAY SOILS
 - 1" TO 2" STORMWATER
 - 2" TO 4" STORMWATER
 - 4" TO 6" STORMWATER
 - 6" TO 8" STORMWATER
 - 8" TO 10" STORMWATER
 - 10" TO 12" STORMWATER
 - 12" TO 14" STORMWATER
 - 14" TO 16" STORMWATER
 - 16" TO 18" STORMWATER
 - 18" TO 20" STORMWATER
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 - 94" TO 96" STORMWATER
 - 96" TO 98" STORMWATER
 - 98" TO 100" STORMWATER

SCHWARS
 ENGINEERING CORPORATION
 4 HARVARD CIRCLE, SUITE 800
 WEST PALM BEACH, FLORIDA 33409
 TEL: (561) 841-4300
 FAX: (561) 841-4302

CLIENT:	M/I HOMES	PROJECT:	PALOMA (A.K.A. PARCEL 31B)	SCALE:	1"=60'
ADDRESS:	4 HARVARD CIRCLE, SUITE 800 WEST PALM BEACH, FLORIDA 33409	LOCATION:	PALM BEACH GARDENS FLORIDA	DATE:	PRELIMINARY ENGINEERING PLAN
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JAN 15 2004
 JOB NO. 0312
 DRAWN BY: JTS
 CHECKED BY: JMS
 SHEET 1 OF 9

SAJ-2004-2019
 Sept. 15, 2004
 Drawing 6 of 10
 S 36, T 42 South, R 42 East



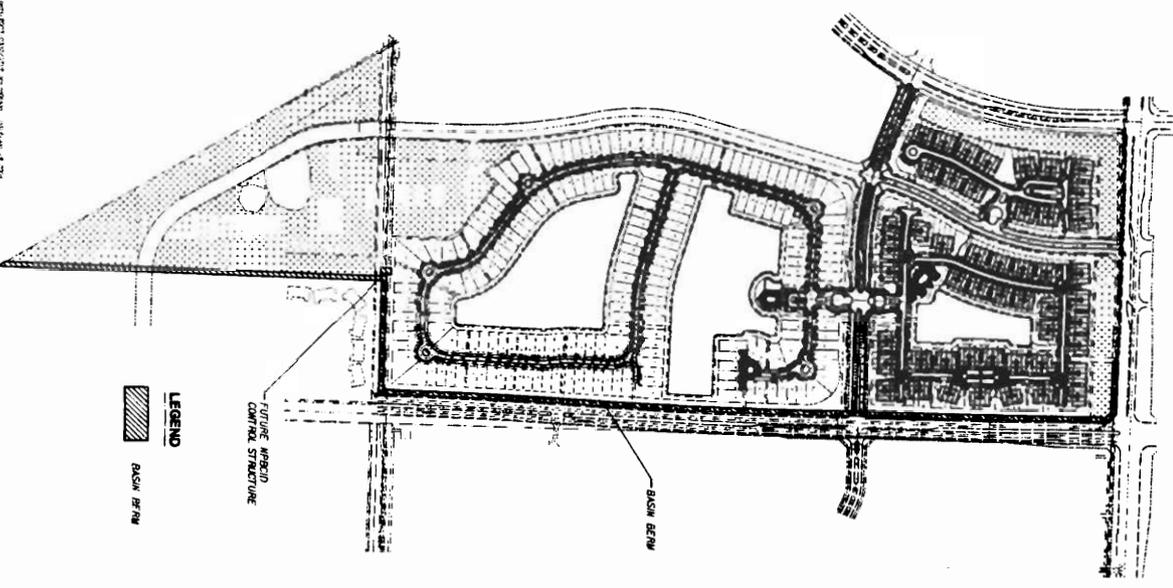
LEGEND

- SURVEY POINT
- CENTER MARK
- CENTER MARK OF THE PROPOSED DRIVE
- PROPOSED DRIVE VALVE
- WATER MAIN VALVE
- GAS VALVE
- ELECTRIC VALVE
- CONCRETE DRIVEWAY
- APPROVED UTILITY CONDUIT
- WATER MAINING WALL
- SEWER MAIN
- GAS MAIN
- ELECTRIC MAIN
- EXISTING UTILITIES

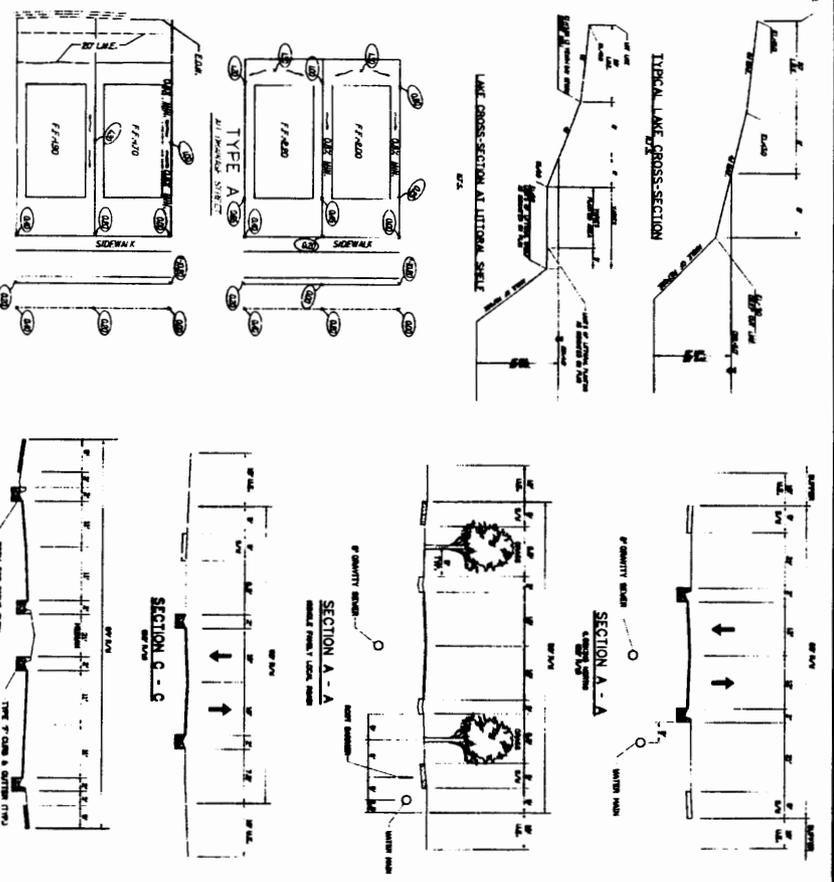
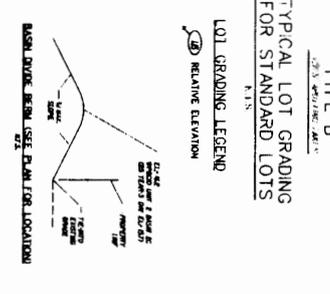
SCHNARS ENGINEERING CORPORATION
 901 Pickett Street, Palm Beach, Florida 33480
 Tel: (561) 241-2400 Fax: (561) 241-2401

CLIENT:	PROJECT:	TITLE:	DATE:
M/I HOMES 4 HARVARD CIRCLE, SUITE 100 WEST PALM BEACH, FLORIDA 33409	PALOMA (A.K.A. PARCEL 31B) PALM BEACH GARDENS	PRELIMINARY ENGINEERING PLAN	October 2003
DESIGNER:	PROJECT:	TITLE:	DATE:
WEST PALM BEACH, FLORIDA 33409	PALM BEACH GARDENS	PRELIMINARY ENGINEERING PLAN	October 2003
STATE:	CITY:	COUNTY:	PARCEL:
FLORIDA			
REVISIONS:	DATE:	BY:	CHK:
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DATE:	TIME:	BY:	CHK:
JAN 13 2004			
SCALE:	DATE:	BY:	CHK:
AS SHOWN			
SHEET: 5 of 9			

SAJ-2004-2019
 Sept. 15, 2004
 Drawing 7 of 10
 S 36, T 42 South, R 42 East



- GENERAL NOTES:**
1. ALL UTILITIES ARE SHOWN AND SHALL BE PROVIDED BY THE APPROPRIATE AGENCIES.
 2. SEE SITE PLAN FOR SITE GEOMETRY
 3. ALL OTHER STRIPING, EXCLUDING PARKING STRIP STRIPING SHALL BE THERMOPLASTIC.
- WATER AND SEWER NOTES:**
1. WATER AND SEWER SERVICE IS AVAILABLE AND SHALL BE PROVIDED BY SEACOAST UTILITY AUTHORITY
- SITE GRADING NOTES:**
1. ALL ELEVATIONS SHOWN REFER TO THE NATIONAL GEODETIC VERTICAL DATUM (NGVD) OF 1929
 2. VERTICAL PROPOSED FLOOR ELEVATION - 6.50
 3. FIN. GROUND OF ROAD - 14.50
 4. DESIGN WALK LEVEL (DWLL) - 11.00
5. SITE GRADING AND DRAINAGE SHALL BE IN CONFORMANCE WITH ALL RULES OF THE CITY OF PALM BEACH GARDENS, STATE AND NORTH DARIEN PALM BEACH COUNTY IMPROVEMENT DISTRICTS.



REVISIONS

NO.	DATE	DESCRIPTION
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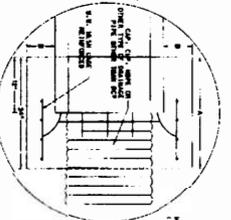
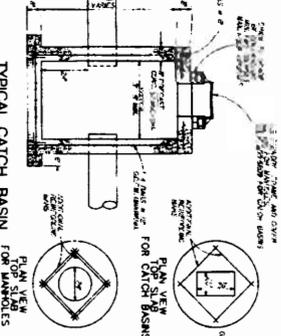
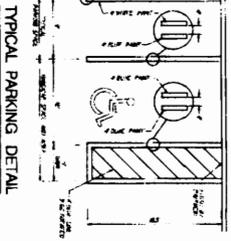
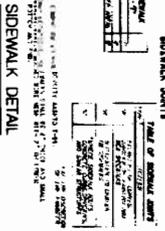
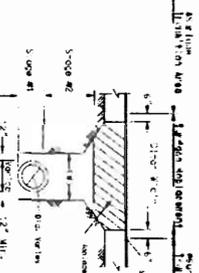
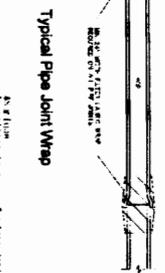
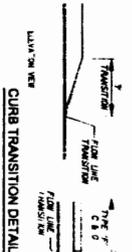
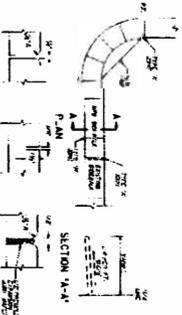
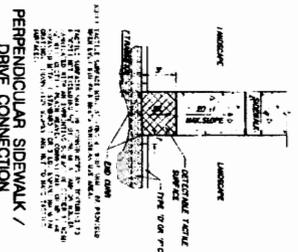
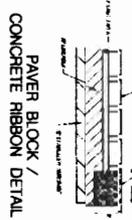
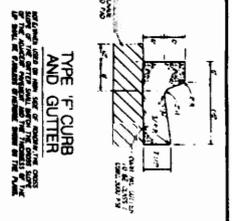
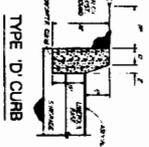
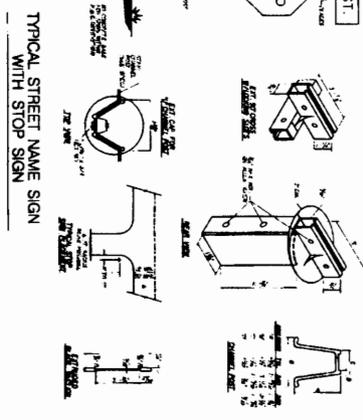
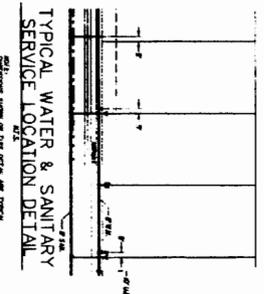
NOTE:

1. SEE ENGINEERING NOTES
2. ALL DIMENSIONS ARE IN FEET AND INCHES
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12. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED

SCHNARS
 ENGINEERING CORPORATION
 801 Lighthouse Parkway, Suite 100
 Boca Raton, Florida 33487
 Tel: (561) 991-8400
 Fax: (561) 991-8382

CLIENT:	M/I/HOMES 4 HAVARD CIRCLE, SUITE 800 WEST PALM BEACH, FLORIDA 33409
PROJECT:	PALOMA (AKA PARCEL 31B) PALM BEACH GARDENS FLORIDA
TASK:	PRELIMINARY ENGINEERING DETAILS
DATE:	SEP 15 2004
DRAWN BY:	AMS
CHECKED BY:	AMS
DATE:	
SHEET:	6 OF 9

SAJ-2004-2019
 Sept. 15, 2004
 Drawing 8 of 10
 S 36, T 42 South, R 42 East



0 - 30"	A-30"
30" - 60"	B-30"
60" - 90"	C-30"
90" - 120"	D-30"

1	REVISIONS	October 2003
2	1. REVISION PER PERMITTED PAVEMENT CUT	
3	2. REVISION PER PERMITTED PAVEMENT CUT	
4	3. REVISION PER PERMITTED PAVEMENT CUT	
5	4. REVISION PER PERMITTED PAVEMENT CUT	

SCHWARS
 ENGINEERING CORPORATION
 901 South Grand Parkway, Suite 303
 Fort Worth, Texas 76104
 Tel: (817) 341-4400
 Fax: (817) 341-4400

CLIENT: **M/I HOMES**
 4149 AVARD CIRCLE, SUITE 100
 WEST PALM BEACH, FLORIDA 33409

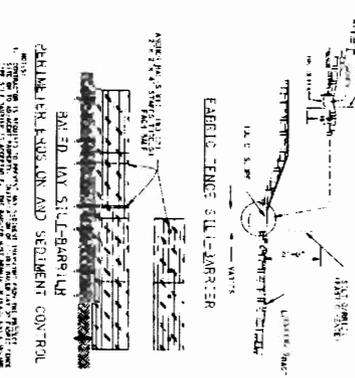
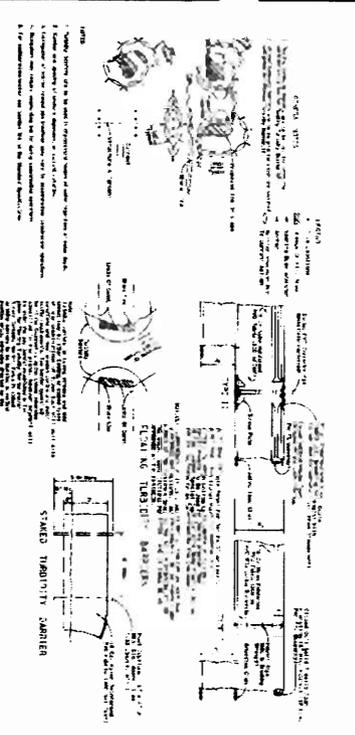
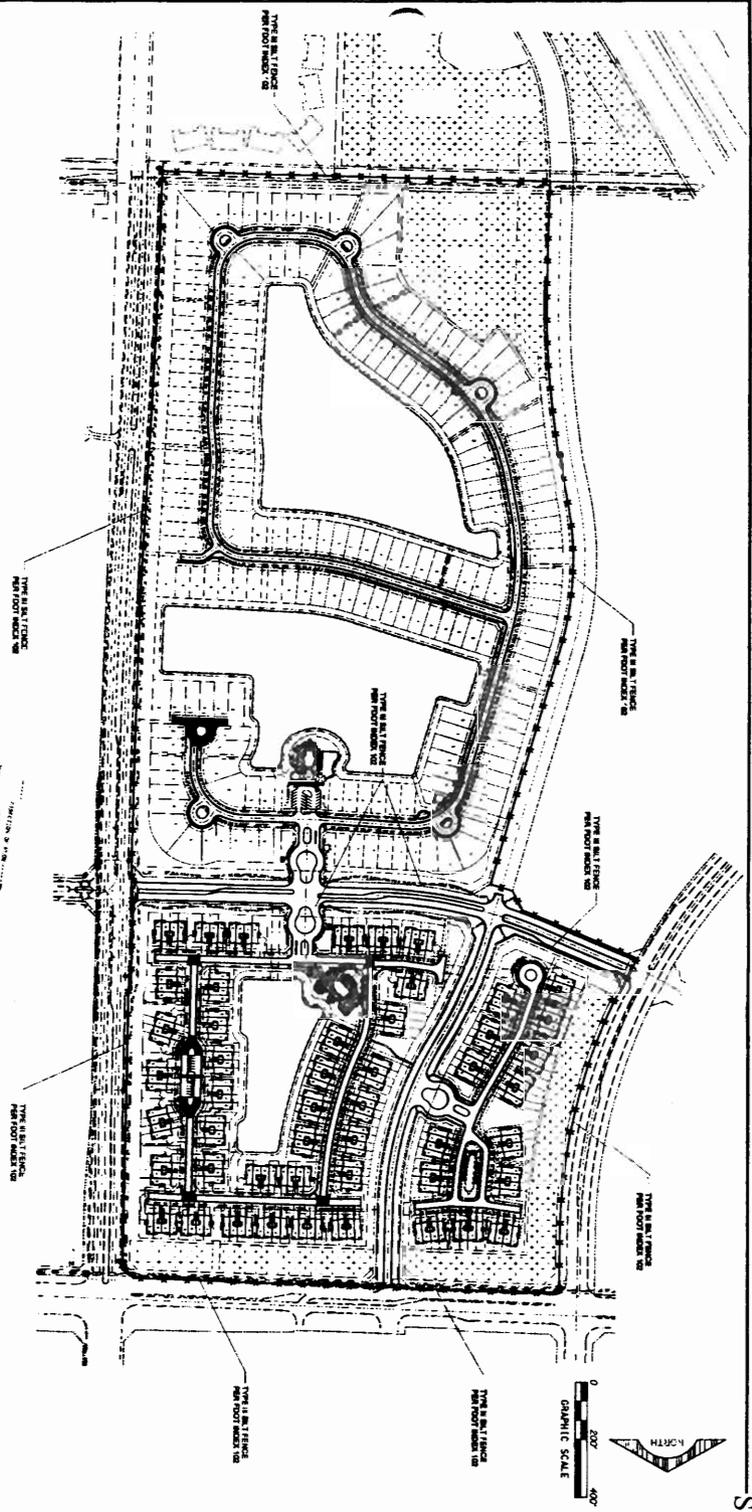
PROJECT: **PALOMA (A.K.A. PARCEL 31B)**
 PALM BEACH GARDENS
 FLORIDA

TASK: **PRELIMINARY ENGINEERING DETAILS**

6	DATE	October 2003
7	DESIGNED BY	
8	CHECKED BY	
9	DATE	
10	SCALE	
11	PROJECT NO.	
12	SHEET NO.	

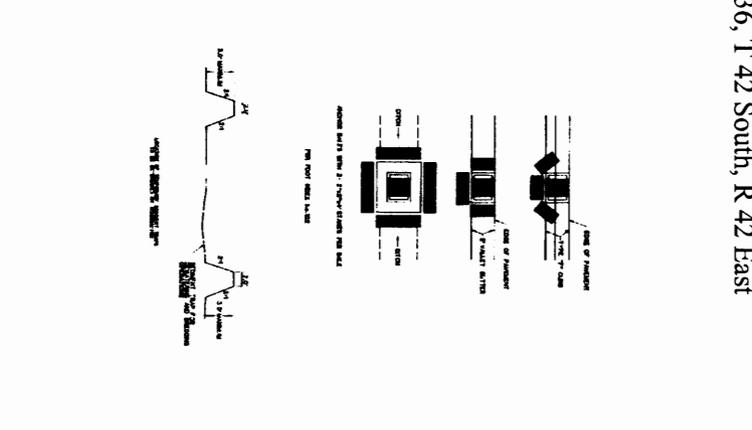
DATE: **Aug 13 2004**
 JOB NO.: **0313**
 DRAWN BY: **JTS**
 CHECKED BY: **JMW**
 SHEET **7** OF **9**

S-A1-2004-2019
 Sept. 15, 2004
 Drawing 10 of 10
 S 36, T 42 South, R 42 East



EROSION AND SEDIMENTATION CONTROL MEASURES

1. ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION AND UNTIL THE SITE IS RESTORED TO ORIGINAL OR BETTER CONDITION.
2. EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF ANY EROSION-PRONE AREAS.
3. SEDIMENTATION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF ANY SEDIMENTATION-PRONE AREAS.
4. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND UNTIL THE SITE IS RESTORED TO ORIGINAL OR BETTER CONDITION.
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19. SEDIMENTATION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION AND UNTIL THE SITE IS RESTORED TO ORIGINAL OR BETTER CONDITION.
20. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION AND UNTIL THE SITE IS RESTORED TO ORIGINAL OR BETTER CONDITION.



SCHWABER
 ENGINEERING CORPORATION
 1000 West Palmdale Blvd.
 Palmdale, CA 93550
 Tel: 805/251-1500
 Fax: 805/251-1501

CLIENT:	M/I/HOMES 4 HAVARD CIRCLE, SUITE 100 WEST PALM BEACH, FLORIDA 33409	PROJECT:	PALOMA (A.K.A. PARCEL 31B) PALM BEACH GARDENS FLORIDA	TASK:	CONSTRUCTION PERIOD EROSION AND SEDIMENTATION CONTROL PLAN
DATE:	JANUARY 2004	DRAWN BY:	JAN 13 2004	DATE:	
DESIGNED BY:		CHECKED BY:		DATE:	
SCALE:		SHEET:	9 OF 9		

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

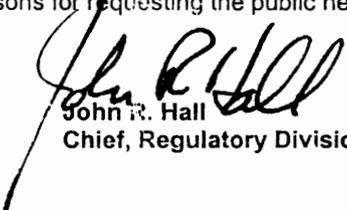
IMPACT ON CULTURAL RESOURCES: Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible or inclusion therein, are located at the site of the proposed work. Presently, unknown archeological, scientific, 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, historic 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 U.S. 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.


John R. Hall
Chief, Regulatory Division