



REPLY TO
ATTENTION OF

Regulatory Division
South Permits Branch
Palm Beach Gardens Permits Section

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

December 6, 2024

PUBLIC NOTICE

Permit Application Number SAJ-2015-03484 (SP-JLA)

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) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) as described below.

If you are interested in receiving additional project drawings associated with this public notice, please send an e-mail to the project manager by electronic mail at Jennifer.L.Alexander@usace.army.mil.

APPLICANT: Town of Palm Beach
Attn: Mr. Thomas Bradford
360 South County Road
Palm Beach, Florida 33480

WATERWAY AND LOCATION: The Town of Palm Beach Groin Rehabilitation Project is located within navigable waters of the United States (U.S.) of the Atlantic Ocean along the beaches of the Town of Palm Beach, within Reaches 2 through 6, Florida Department of Environmental Protection (FDEP) Range Monuments R-78+500 and R-116+500, Palm Beach County, Florida.

Directions to the Mid-Town Municipal Beach are as follows: From Interstate 95, take exit 70 for Okeechobee Boulevard. Head east on Okeechobee Boulevard for 1.4 miles. Turn left (north) onto Flagler Drive and then right (east) onto the Royal Park Bridge. Continue 0.7 miles on Royal Palm Way. The Mid-Town Municipal Beach is located at the intersection of Royal Palm Way and South Ocean Boulevard. The project area extends approximately 4 miles north and 4 miles south from the municipal beach.

APPROXIMATE COORDINATES:

Northern extent:	Latitude 26.763533	Longitude -80.037017
Southern extent:	Latitude 26.646800	Longitude -80.037183

PROJECT PURPOSE:

Applicant's Project Purpose: The project purpose is to maintain the coastal system through groin rehabilitation, thereby complimenting the Town of Palm Beach sand placement efforts. The Town of Palm Beach's Coastal Management Program provides storm protection to upland property within the proposed project area in the form of direct sand placement from Lake Worth Inlet maintenance dredging and the Mid-Town Beach Nourishment Project.

Basic: The basic project purpose if to stabilize the coastal shoreline.

Overall: The overall project purpose is to stabilize the coastal shoreline within the Town of Palm Beach, Florida.

EXISTING CONDITIONS and PROJECT HISTORY: The project site is located along the beaches of the Atlantic Ocean. The Town of Palm Beach (Town) is located on the southeast coast of Florida in Palm Beach County on Palm Beach Island. The Town's coastline has a total of 124 groins of multiple construction types that are in various states of functionality. Historically, groins have been constructed to manage erosional trends by slowing the transport of sand through a particular area. In the Town of Palm Beach, initial groin construction dates back to the 1930's. Since that time, many groins have been installed, repaired, rebuilt, modified, removed, and additional groins installed. A total of 124 groin structures have been identified within Reaches 2 through 6 of the Town of Palm Beach. The groins are constructed of various materials including steel sheet pile, rubblemound, concrete, timber, and combinations thereof. Over the years since installation, the conditions of the groins have deteriorated and are functioning at varying degrees. Prior Federal permitting includes the authorization issued in December of 2018.

Hardbottom resources exist offshore and throughout the project area. The hardbottom habitat is highly ephemeral with areas of exposure and burial being redistributed even after high frequency, seasonal wave events.

PROPOSED WORK: The applicant is requesting a 5-year time extension to perform the work described in the authorization that was issued on December 6, 2018 and expired on December 6, 2023 to: Remove and replace groins between Reaches 2 through 6, (FDEP Range Monuments R-78+500 and R-116+500). Of the 124 groins identified in the footprint:

- Thirty-four (34) groins will be removed.
- Forty-one (41) groins will be removed and each replaced with a concrete king pile and panel groin. The modular nature of the pile and panel groin allows the structure to be adjusted and customized to resemble the size and dimensions of the groins to be replaced. The pile and panel groins also allows for the structure to be adjusted following construction, if needed.

The applicant has not started work and will not deviate from the work authorized in the existing permit.

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:

“The following best management practices will be required to avoid damage to hardbottom resources by water-based equipment:

- Mobilization and demobilization to, and from, the project site shall be through gaps in exposed hardbottom formations. Available data and hardbottom mappings will be used minimize passing over hardbottom formations with equipment.
- Floating equipment that is not self-propelled shall be directly push or towed with polypropylene (floating) lines in the vicinity of hardbottom areas. No cables, equipment or other objects shall sag or hang over the side of any barges or tugs, or any other vessels, pontoons or floating equipment. These measures will be required to avoid hardbottom damage from sagging cables or other objects.”

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

The project will not impact seagrasses, hardbottom or other aquatic resources, therefore, compensatory mitigation is not required.

CULTURAL RESOURCES: The Corps is aware of known historic properties within the Permit Area. A prior consultation with the State Historic Preservation Officer on July 7, 2017 provided a no effect on historical properties determination provided the applicant avoid known archeological sites. By copy of this public notice, the Corps is providing information for review pursuant to a time extension of the previously authorized work and no new work is proposed. 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 Corps has determined the proposed project may affect, but is not likely to adversely affect the smalltooth sawfish (*Pristis pectinate*); Queen Conch (*Alger gigas*); North Atlantic right whale (*Eubalaena glacialis*); corals: Boulder Star (*Orbicella franksi*), Lobed Star (*Orbicella annularis*), Mountainous Star (*Orbicella faveolate*), and Pillar (*Dendrogyra cylindrus*); 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 project would not adversely modify designated critical habitat for the loggerhead sea turtle or the proposed critical habitat for the green sea turtle. 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.

The Corps has determined that the proposed project “May affect, not likely to Adversely effect” for the following species: West Indian manatee (*Trichechus manatus*); piping plover (*Charadrius melodus*); red knot (*Calidris canutus rufa*); nesting sea turtles: the green sea turtle, the hawksbill sea turtle, the leatherback sea turtle, the Kemp’s ridley sea turtle, and the loggerhead sea turtle. The Corps will request concurrence with this determination from the USFWS 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 remove and replace approximately 0.2 acres of existing concrete structures over barren sand, and permanently remove approximately 0.12 acres of existing structures 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. 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, Alisa Zarbo, in writing at the Palm Beach Gardens Permits Section, 4400 PGA Boulevard, Suite 500, Palm Beach Gardens, Florida 33410; by electronic mail at Jennifer.L.Alexander@usace.army.mil; by or by telephone at (561) 785-3961.

IMPACT ON NATURAL RESOURCES: Coordination with FWS, 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.

c:\Palm Beach\Town of Palm Beach\152870 TPB Groin Rehabilitation\CAD\Permits\152870P_PV.dwg - Aug 06, 2015 @ 7:11am - qary.kvstyniak



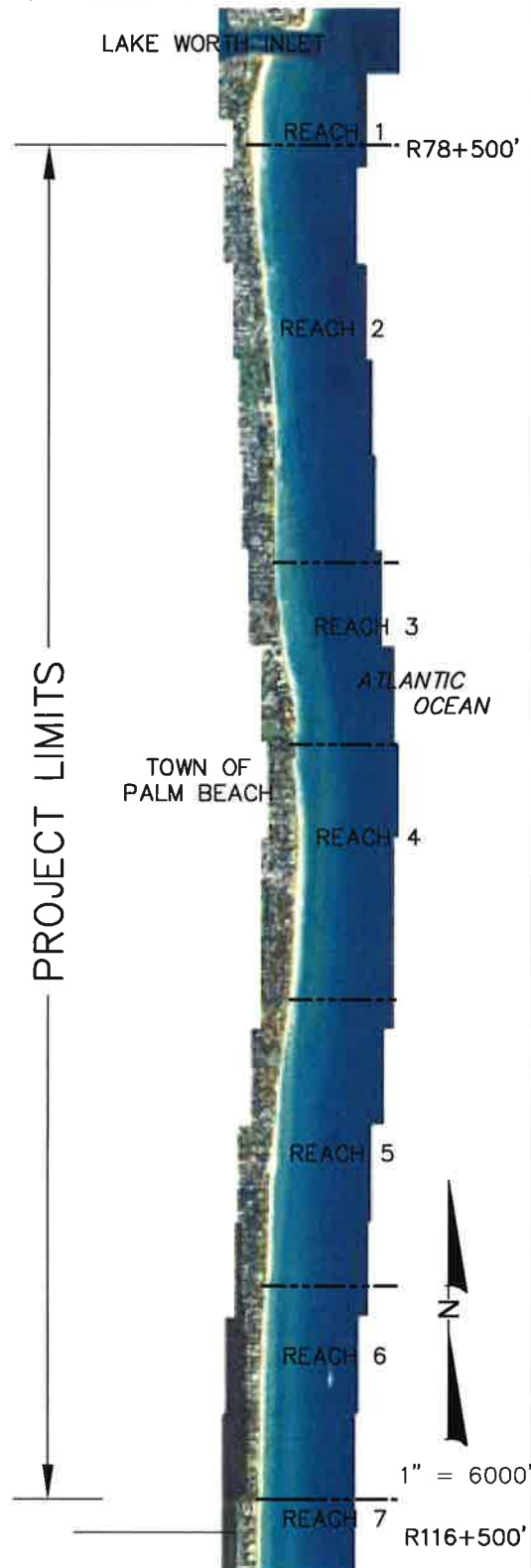
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|-------|-----------------------|
| 1 | COVER SHEET |
| 2-28 | PLAN VIEWS |
| 29 | TYPICAL GROIN SECTION |
| 30-31 | TYPICAL GROIN DETAILS |



NOT FOR CONSTRUCTION
FOR REGULATORY REVIEW ONLY

DAVID T. SWIGLER P.E. No. 75548

DATE _____



**TOWN OF PALM BEACH
GROIN REHABILITATION PROJECT
COVER SHEET**

CB&I COASTAL PLANNING & ENGINEERING, INC.

PH. (561) 391-8102
FAX (561) 391-8116
C.O.A. FL #4028

2481 N.W. BOCA RATON BOULEVARD
BOCA RATON, FLORIDA 33431
www.CBI.com

DATE:
3/5/15

BY: GK

COMM NO.:
152870

SHEET:
1

[illegible]

DAVID SWIGLER P.E. NO. 75548

DATE

NOT FOR CONSTRUCTION
FOR REGULATORY REVIEW ONLY
PROFESSIONAL ENGINEER



PANEL OMITTED
FOR LATERAL
BEACH ACCESS

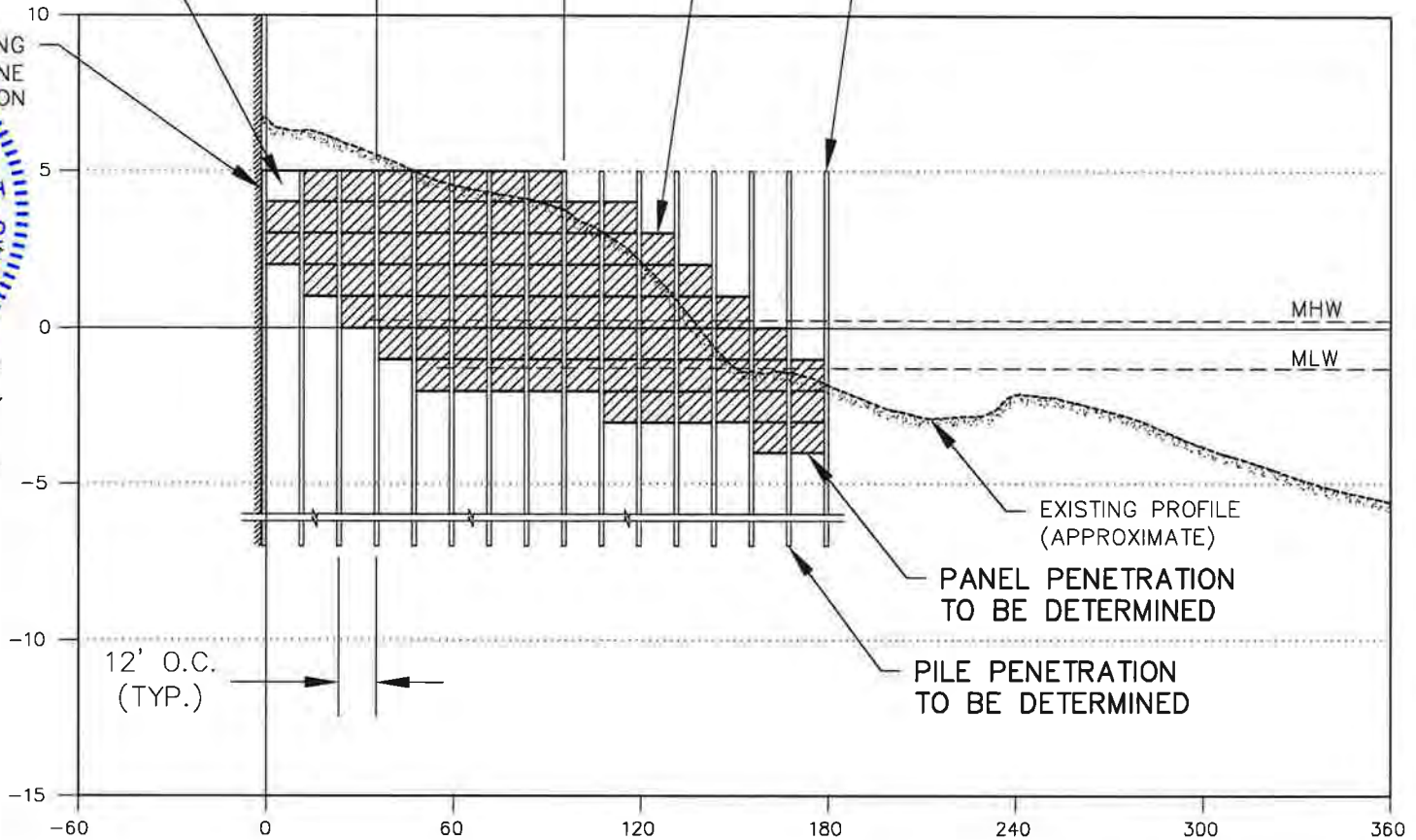
GROIN LENGTH
(VARIES)

PROPOSED CONCRETE PANEL
(TOP ELEVATION VARIES)

PROPOSED CONCRETE KING PILE
(TOP ELEVATION +5' NAVD)

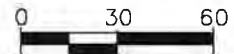
EXISTING
SEAWALL/DUNE
VEGETATION

ELEVATION (FT.)



DISTANCE (FEET)

GROIN CROSS SECTION



HORIZONTAL GRAPHIC SCALE IN FT



VERTICAL GRAPHIC SCALE IN FT

DATE	BY	REVISIONS
		DESCRIPTION

BY: HN
DATE: 03/10/15

CB&I COASTAL PLANNING & ENGINEERING, INC.
2481 N.W. BOCA RATON BOULEVARD
BOCA RATON, FLORIDA 33431
PH: (561) 391-8102
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C.O.A. FL #4028
C.O.A. LA #2531
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**TOWN OF PALM BEACH
EROSION CONTROL PROJECT
TYPICAL GROIN SECTION**

SHEET: 29
COMM NO.: 152870

PROPOSED
CONCRETE
PANEL (TYP.)

PROPOSED
CONCRETE
KING PILE
(TYP.)

MHW LINE

(SEE SHEET 28)

EXISTING
SEAWALL/DUNE
VEGETATION

SEE DETAIL A
BELOW

GROIN PLAN VIEW

SCALE: 1" = 10'

TOWN OF PALM BEACH
GROIN REHABILITATION PROJECT
TYPICAL GROIN DETAILS

CB&I COASTAL PLANNING & ENGINEERING, INC.
PH: (561) 391-4102
FAX: (561) 391-9116
C.O.A. FL #4026
C.O.A. LA #2531
2451 N.W. BOCA RATON BOULEVARD
BOCA RATON, FLORIDA 33431
www.CBI.com

DATE:
03/05/15

BY:
HN

COMM NO.:
152870

SHEET:
30

22"
(TYP.)

PROPOSED
CONCRETE KING
PILE (TYP.)

PROPOSED
CONCRETE
PANEL (TYP.)

20" (TYP.)

7.5" (TYP.)

12'

DETAIL A

SCALE: 1" = 2'



NOT FOR CONSTRUCTION
FOR REGULATORY REVIEW ONLY

DAVID SWIGLER P.E. NO. 75548

DATE

4/2/2016

REVISIONS		
DATE	BY	DESCRIPTION