



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
701 SAN MARCO BOULEVARD
JACKSONVILLE, FLORIDA 32207-8175

December 13, 2024

Regulatory Division
South Branch
Florida Keys Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2021-02439(SP-NME)

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 an electronic copy of the project drawings associated with this Public Notice for the proposed project described, please send an e-mail to the project manager by electronic mail to Nicole.m.etzel@usace.army.mil

APPLICANT: Larysa Smith & David Karim-Urroza
849 Cardinal Lane
Key Largo, FL 33037

WATERWAY AND LOCATION: The project would affect aquatic resources associated with the Atlantic Ocean. The project site is located at 849 Cardinal Lane, in Section 22, Township 61 South, Range 39 East, in Key Largo, Monroe County, FL, 33037.
RE#00546420-000000.

APPROXIMATE CENTRAL COORDINATES: Latitude 25.119408°
Longitude -80.410531°

PROJECT PURPOSE:

Basic: The basic project purpose is to provide vessel mooring, provide shoreline stabilization, restore water depth at the property, and remove the vessel from the water when not in use.

Overall: The overall project purpose is to provide vessel mooring, provide shoreline stabilization, restore water depth at the property, and remove the vessel from the water when not in use in Key Largo, Monroe County, FL.

PROPOSED WORK: The applicant seeks authorization to remove 2,875 sf of red mangroves, dredge 1875 sf (250 cy) of canal, install a 1000 sf concrete dock with associated 100 LF seawall, and install a 14,000 lb boat lift.

EXISTING CONDITIONS: The wetland system consists of a saltwater system. The onsite vegetation consists of wetland vegetation and red mangroves. The existing area surrounding the project area consists of developed lots. Based on the location and environmental condition, there are no corals or seagrasses within the project footprint.

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:

Prior to the start of construction, turbidity curtains will be deployed to isolate the construction site from ambient waters. These will remain in place until all construction induced turbidity has subsided and water quality has returned to pre-construction conditions.

COMPENSATORY MITIGATION – The applicant has offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment:

If mitigation is required by the Army Corps of Engineers, the appropriate mitigation will be determined with a UMAM and payment made to Keys Restoration Fund.

CULTURAL RESOURCES: The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, those federally recognized tribes with concerns in Florida and the Permit Area, and other interested parties.

ENDANGERED SPECIES:

West Indian Manatee (*Trichechus manatus*): Since the proposal by the applicant is for in-water construction, potential impacts to the endangered West Indian manatee were evaluated using Corps of Engineers, Jacksonville District, and the State of Florida Effect Determination Key for the Manatee in Florida, April 2013 (Key). Use of the Key resulted in the sequence: A > B > C > G > H > I > N > O > P (4), “*may affect, not likely to adversely affect*”, where no further consultation with the Service is necessary. This determination is based on the applicant following the standard Manatee construction

conditions for the proposed activity, which are reiterated as special conditions of the permit.

Swimming Green sea turtles (*Chelonia mydas*), Loggerhead sea turtles (*Caretta caretta*) and their designated critical habitat, Hawksbill sea turtles (*Eretmochelys imbricata*), Kemp's ridley sea turtles (*Lepidochelys kempi*), Leatherback sea turtles (*Dermochelys coriacea*), Nassau grouper (*Epinephelus striatus*), the smalltooth sawfish (*Pristis pectinata*) and its designated critical habitat: The Corps has determined the proposed project may affect, but is not likely to adversely affect the above species or their designated critical habitat. The Corps will request National Marine Fisheries Service concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

Rim Rocked Crown Snake (*Tantilla oolitica*): Potential impacts to the rim rocked crown snake were evaluated using the FWS Species Overview tool. It was determined that this project would have no effect on the snake.

American crocodile (*Crocodylus acutus*): The project is located within American crocodile (*Crocodylus acutus*) consultation area. According to the 28 October 2014 American Crocodile Key, the property does not support suitable nesting habitat for the crocodile as the shoreline is densely vegetated and/or hardened. Use of the Key resulted in the sequence #2. Therefore, the Corps has reached a "may affect not likely to adversely affect" determination on the American crocodile and its suitable nesting habitat. No further consultation with the FWS is required for the American crocodile.

Wood Stork (*Mycteria Americana*): The Google Earth Resource at Risk (RAR) report for the subject parcel includes the wood stork nesting colonies buffers and single buffer. Potential impacts to the wood stork were evaluated using the Wood Stork Effect Determination Key dated 18 May 2010 (key). Use of the key resulted in the following sequential determination: A (3), "no effect" for the wood stork. This determination is based on the project not affecting suitable foraging habitat (SFH); therefore no further consultation with the FWS is required.

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 impact approximately 2,875 square feet of red mangrove habitat utilized by various life stages of marine and wetland species, including snapper, grouper, and spiny lobster. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in the Florida Keys. 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.

NAVIGATION: The proposed structure and activity is not located in the vicinity of a federal navigation channel.

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

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.

COMMENTS regarding the potential authorization of the work proposed should be submitted in writing to the attention of the District Engineer through the Florida Keys Permits Section, 9900 SW 107th St, #203, Miami, FL, 33176 within 30 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, Nicole Etzel, in writing at the Florida Keys Permits Section, by electronic mail at Nicole.m.etzel@usace.army.mil; or by telephone at (786)696-4609.

IMPACT ON NATURAL RESOURCES: 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.

WATER QUALITY CERTIFICATION: WQC is required from the Florida Department of Environmental Protection (FDEP).

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan.

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.

The US 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 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.

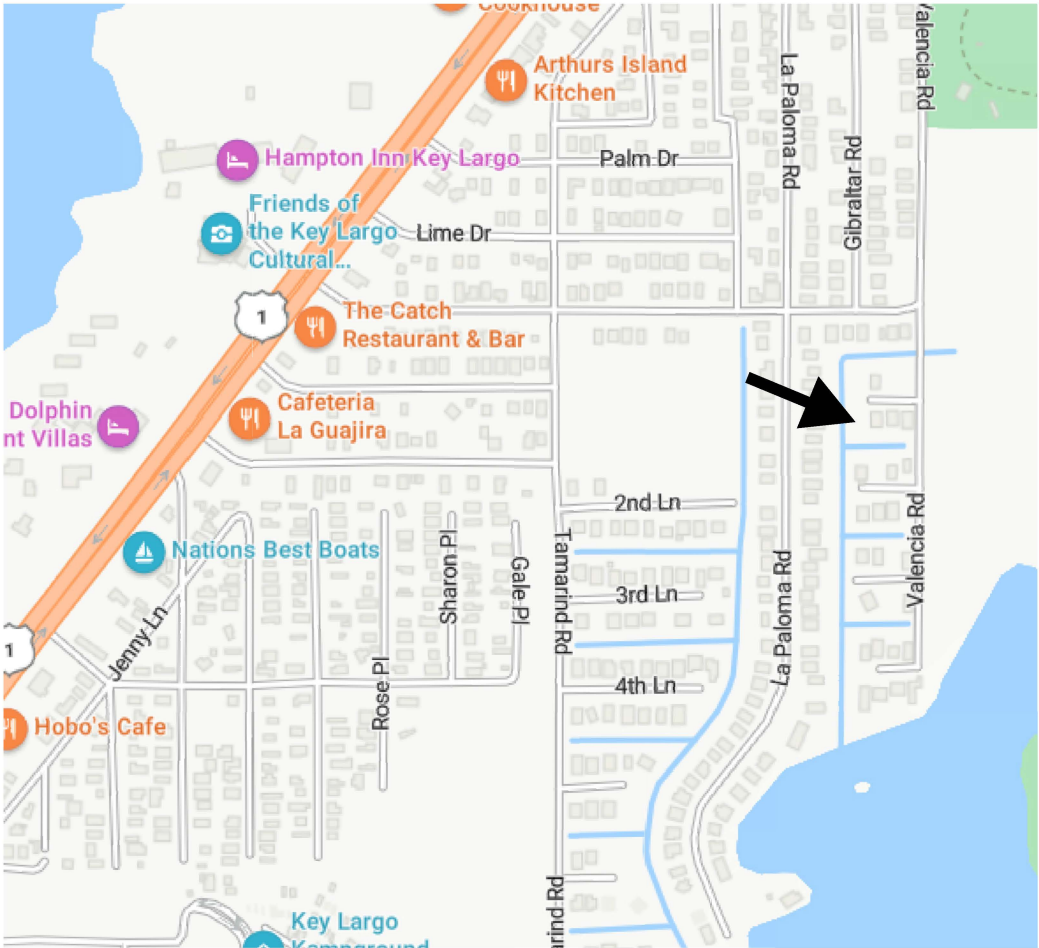
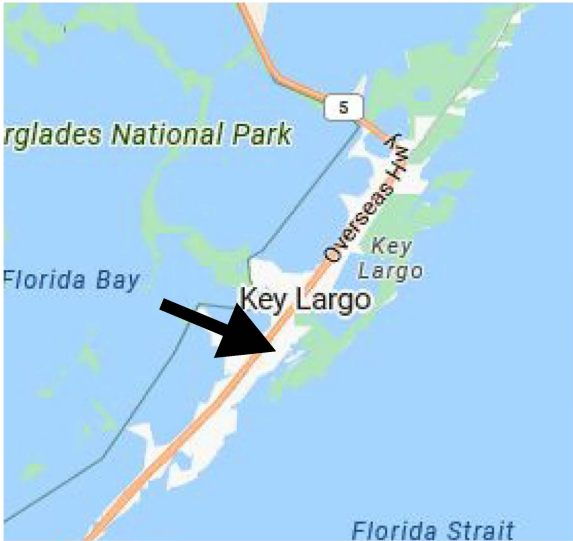
REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.

PROJECT LOCATION
PARCEL ID 00546420-000000
BLOCK 2 LOT 5 AMENDED PLAT OF
WINSTON WATERWAYS PB4-144
SEC/TWP/RNG 22/61/39
KEY LARGO
LATITUDE: 25.119533°N LONGITUDE: 80.410555°W

DIRECTIONS:
US HIGHWAY NO 1 NORTH TO MM 102±. TURN RIGHT ON
MAHOGANY DR. TURN RIGHT ON VALENCIA RD.
RIGHT ON CARDINAL LANE
PROPERTY ADDRESS: 853 CARDINAL LANE

ADJOINING OWNERS
DANIEL M VINSON
30 MARLIN AVE SE
KEY LARGO FL 33037

GREGORY & MAYA ZAKHARIN
853 CARDINAL LN
KEY LARGO FL 33037



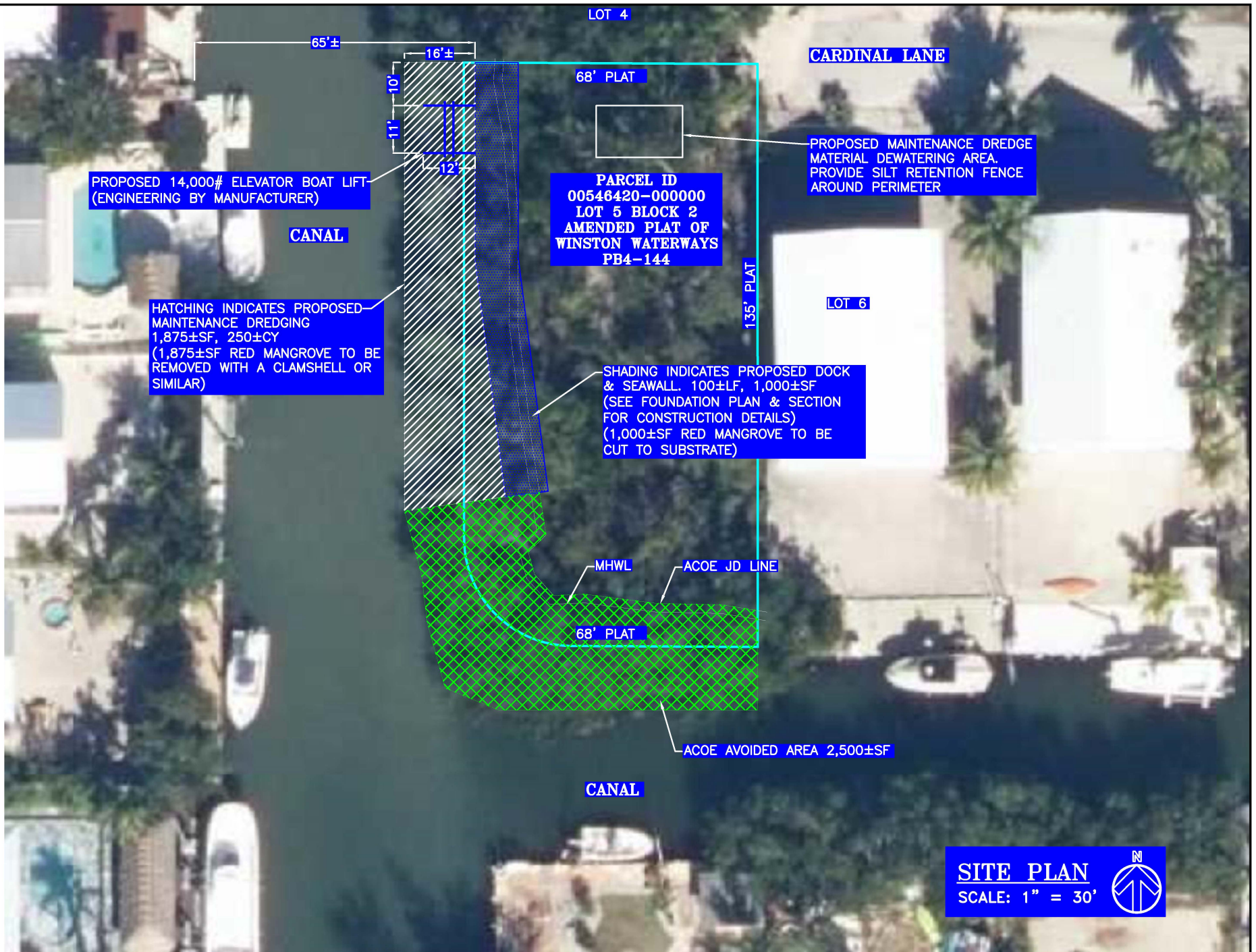
REVISIONS:			

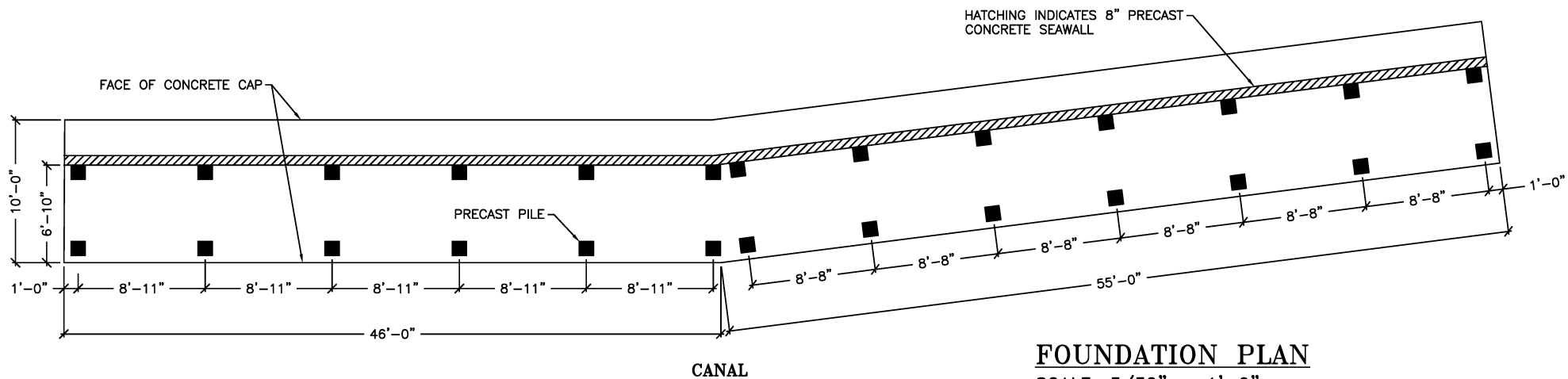
LOCATION & VICINITY MAP
SCALE: AS SHOWN

DOCK/SEAWALL - DAVID KARIM-JURROZA & LARYSA SMITH
853 CARDINAL LANE
KEY LARGO, MONROE COUNTY, FL

GLEN BOE AND ASSOCIATES, INC. # 4061
5800 OVERSEAS HIGHWAY, SUITE 4, MARATHON, FL 33050
Telephone (305) 743-9121 Fax (305) 743-9197
Email: glenboe@bellsouth.net

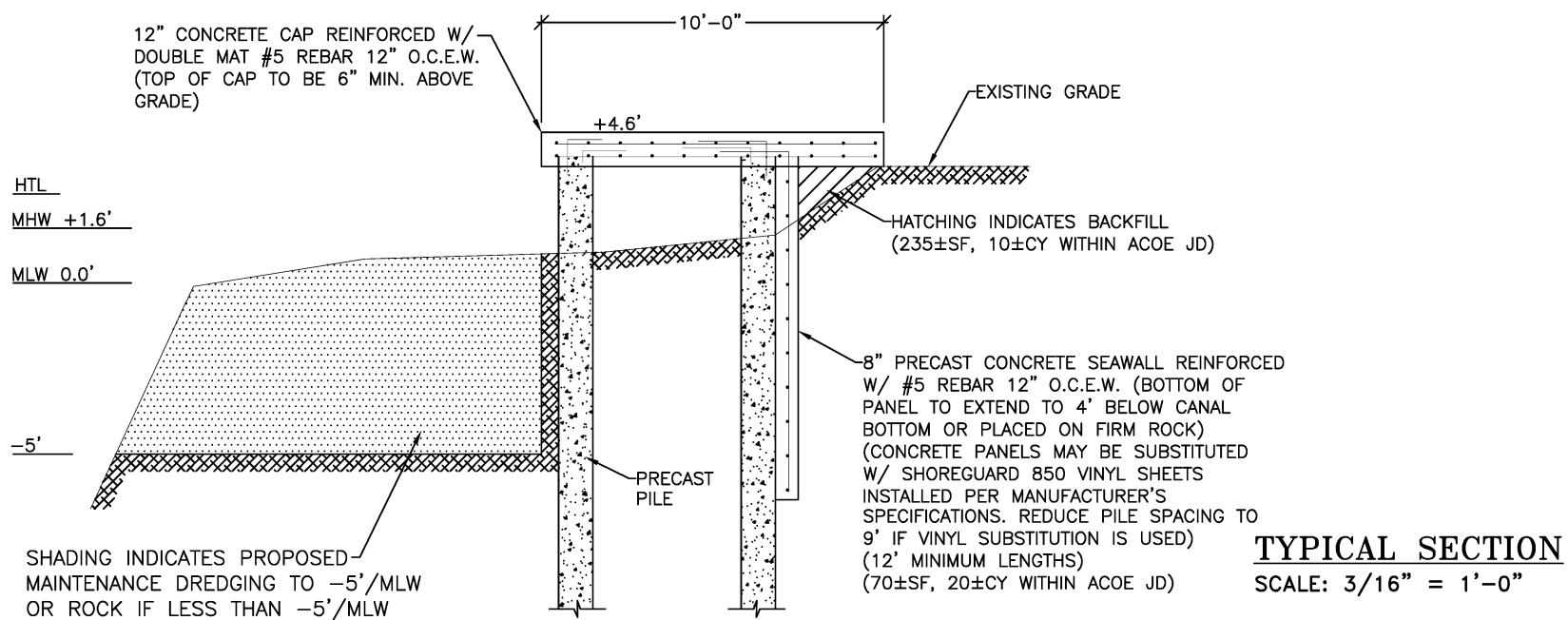
DATE: 06/05/23





FOUNDATION PLAN

SCALE: 3/32" = 1'-0"



TYPICAL SECTION

SCALE: 3/16" = 1'-0"