



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

**December 17, 2024**

Regulatory Division  
South Branch  
Palm Beach Gardens Permits Section

***PUBLIC NOTICE***

Permit Application No. SAJ-1994-05293(MOD-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 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) as described below:

APPLICANT: Yachting Promotions, Inc.  
Attn: Ricardo Strul  
1650 SE 17<sup>th</sup> Street, Suite 412  
Ft. Lauderdale, Florida 33316

WATERWAY AND LOCATION: The project would affect waters of the United States associated with the Lake Worth Lagoon. The project site is located adjacent to 101 South Flagler Drive, (Section 22, Township 43, Range 43), West Palm Beach in Palm Beach County, Florida.

Directions to the site are as follows: From I-95 in Palm Beach County, head east on Okeechobee Boulevard until it intersects Flagler Drive. The project site is along Flagler Drive.

APPROXIMATE CENTRAL COORDINATES: Latitude 26.71282°  
Longitude -80.048203°

**PROJECT PURPOSE:**

Basic: The basic project purpose is to provide increased temporary docking facilities for an annual boat show.

Overall: The overall project purpose is to provide increased temporary water access for the display of vessels for the Palm Beach boat show.

PROJECT HISTORY: The Corps issued a Department of Army (DA) permit for the Palm Beach International Boat Show, SAJ-1994-05293(IP-BP), on March 10, 1999, and re-issued on March 10, 2004, under permit number SAJ-2003-12727(IP-SLN), which expired on March 10, 2009. The Corps issued a DA permit on March 18, 2010, authorizing annual construction and subsequent removal of floating docks, dock ramps, and pilings for the Palm Beach Boat Show, which expired on March 18, 2015. The

Corps re-authorized the project on April 1, 2020 with the addition of temporary structures at the Flagler Museum. On March 7, 2023, the Corps authorized a modification of the design and layout of the show, resulting in the increase of the total square footage of overwater structures from 146,203 square feet to 250,910 square feet and the elimination of the proposed structures from the Flagler Museum and Palm Harbor Marina locations. The modification also authorized a temporary relocation of the federal channel to the east of the typical location, for a total of seven (7) days per annual event. The current permit expires on April 1, 2030.

The Corps previously published a public notice on October 3, 2024, which described the proposed project as the applicant seeking a permit modification that would result in the reconfiguration and expansion of the square footage of temporary docking structures associated with the annual boat show event to include the installation of a total of approximately 316,724 square feet of floating docks and 234 steel “I” beam piles for the mooring of 667 vessels and the temporary relocation of approximately 0.4 miles of the federal channel for a total of seven (7) days per annual event. After the posting of the public notice, the Corps received revised project plans from the applicant and is issuing a new public notice to inform the public and solicit comments regarding the proposed changes.

**EXISTING CONDITIONS:** The project is located at the West Palm Beach City Docks, which consist of three permanent docks and are currently authorized for the mooring of 48 transient vessels. The benthic community of the subject site consists of sand, silt, crushed shell, and rock rubble. Depths within the project area varies from 3 feet to 20 feet, with depths increasing towards the center of the Intracoastal Waterway (ICWW). In the most recent benthic resource survey, conducted on August 26, 2022, paddle grass (*Halophila decipiens*, 1-75% coverage), was observed within the project area in the ICWW.

**PROPOSED WORK:** The applicant seeks authorization to modify the existing Palm Beach boat show permit. The modification would result in the reconfiguration and expansion of the square footage of temporary docking structures associated with the annual boat show event to include the installation of a total of approximately 346,650 square feet of floating docks and 234 steel “I” beam piles for the mooring of 670 vessels and the temporary relocation of approximately 0.4 miles of the federal channel for a total of seven (7) days per annual event. This change in the reconfiguration and expansion of the temporary docking structures is located in the northern portion of the project area and would result in an increase in square footage of structures that was not previously included the public notice posted on October 3, 2024.

**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 project has been minimized to the maximum extent possible that would allow the applicant to achieve the project purpose. The project is temporary in nature and all

vessels are moored in areas to maintain a minimum of 1-foot clearance between the substrate and lowest portion of any vessel. Given the nature of the activity and results of previous seagrass surveys, no long-term impacts to seagrass are anticipated as the layout and typical conditions minimize potential impacts to the greatest extent possible. In addition, the proposed slip and square footage of floating docks increase are located within an existing marina (Palm Harbor Marina) and are consistent with previous authorization for the boat show.

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

As impacts to resources are not anticipated, mitigation should not be required.

**CULTURAL RESOURCES:** The Corps is aware of recorded historic resources within or adjacent to the permit area and 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:** The Corps has determined the proposed project may affect, but is not likely to adversely affect the endangered West Indian manatee (*Trichechus manatus*) or its designated critical habitat. The Corps will request the U.S. Fish and Wildlife Service (FWS), concurrence with this determination pursuant to Section 7 of the Endangered Species Act by separate letter.

The Corps has determined the proposed project may affect but is not likely to adversely affect the endangered and threatened swimming sea turtles (*Chelonia mydas*, *Eretmochelys imbricata*, *Lepidochelys kempii*, *Dermochelys coriacea*, *Caretta caretta*), the threatened Giant Manta Ray (*Manta birostris*) and the endangered smalltooth sawfish (*Pristis pectinata*). The Corps will request concurrence with this determination 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 of 1996. The proposal would temporarily shade approximately 1,541,473 square feet of unvegetated and vegetated benthic habitat utilized by various life stages of penaeid shrimp complex, reef fish, stone crab, spiny lobster, migratory/pelagic fish, and snapper/grouper complex. Past benthic surveys conducted pre- and post-show, found that temporary impacts may result from shading, but the seagrass beds seem to recover once the structures are removed and over the course of the growing season. 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 Division. 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 project is located within the setback of the federal channel and coordination with the Corps Navigation Section will be completed.

SECTION 408: The applicant will require permission under Section 14 of the Rivers and Harbors Act (33 USC 408) because the activity, in whole or in part, would 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 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, Jeffrey Meyer, 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](mailto:Jennifer.L.Alexander@usace.army.mil) (please copy [Alisa.A.Zarbo@usace.army.mil](mailto:Alisa.A.Zarbo@usace.army.mil)); or by telephone at (561) 785-3961.

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.

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.

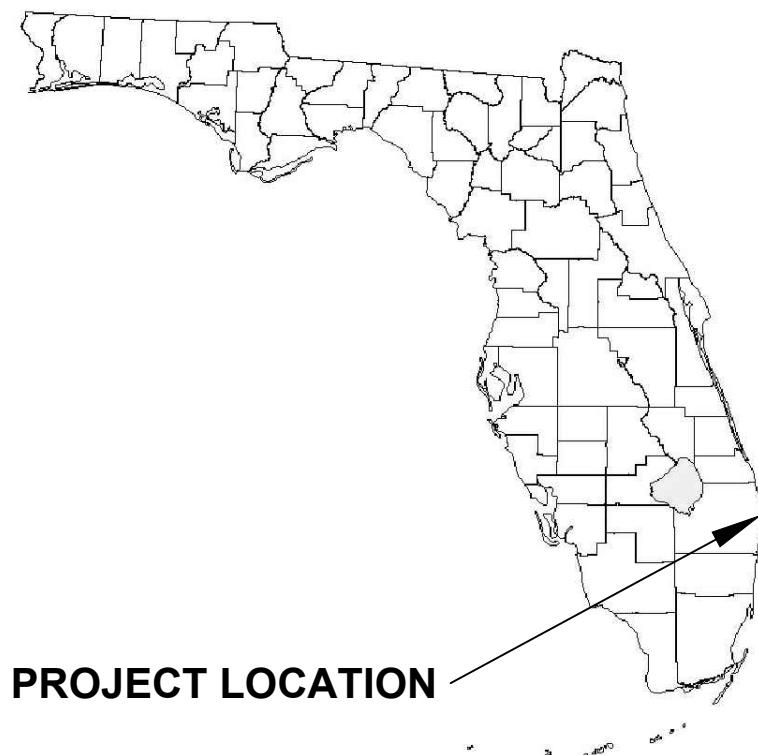
**WATER QUALITY CERTIFICATION:** Water Quality Certification may be required from the Florida Department of Environmental Protection (FDEP). The project is being reviewed under FDEP application no. 50-0137959-010-EM.

**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.

# PALM BEACH BOAT SHOW

## CITY OF WEST PALM BEACH



PROJECT LOCATION

LOCATION MAP (n.t.s.)

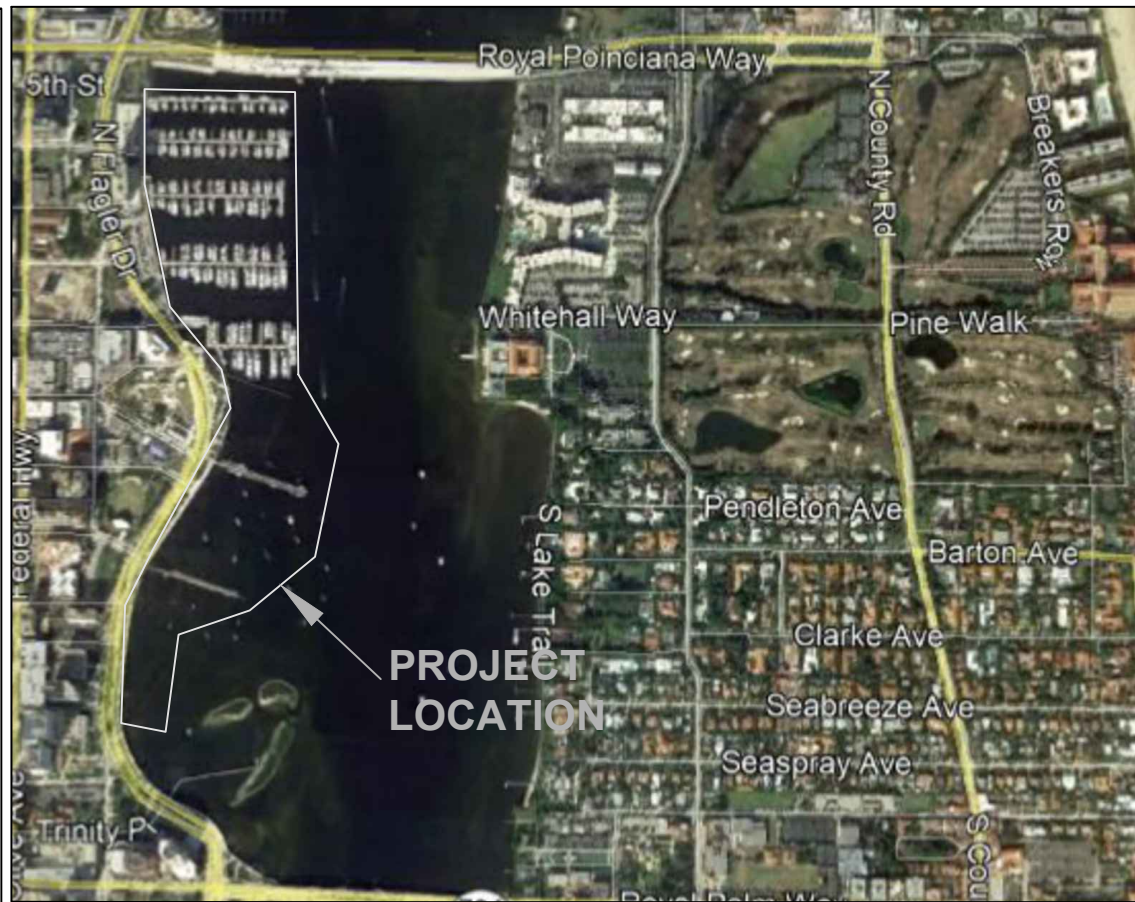
### DRAWING INDEX

SHEET 1: COVER SHEET

SHEET 2: PROPOSED CONDITIONS

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VICINITY AERIAL (n.t.s.)

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- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys
- Tree Surveys & Appraisals

## PALM BEACH BOAT SHOW

PREPARED FOR:  
YACHTING PROMOTIONS, INC.

COVER

Date:  
10/4/2024  
Proj No.:  
09-0032.004

Sheet :  
**1**

of :  
**4**

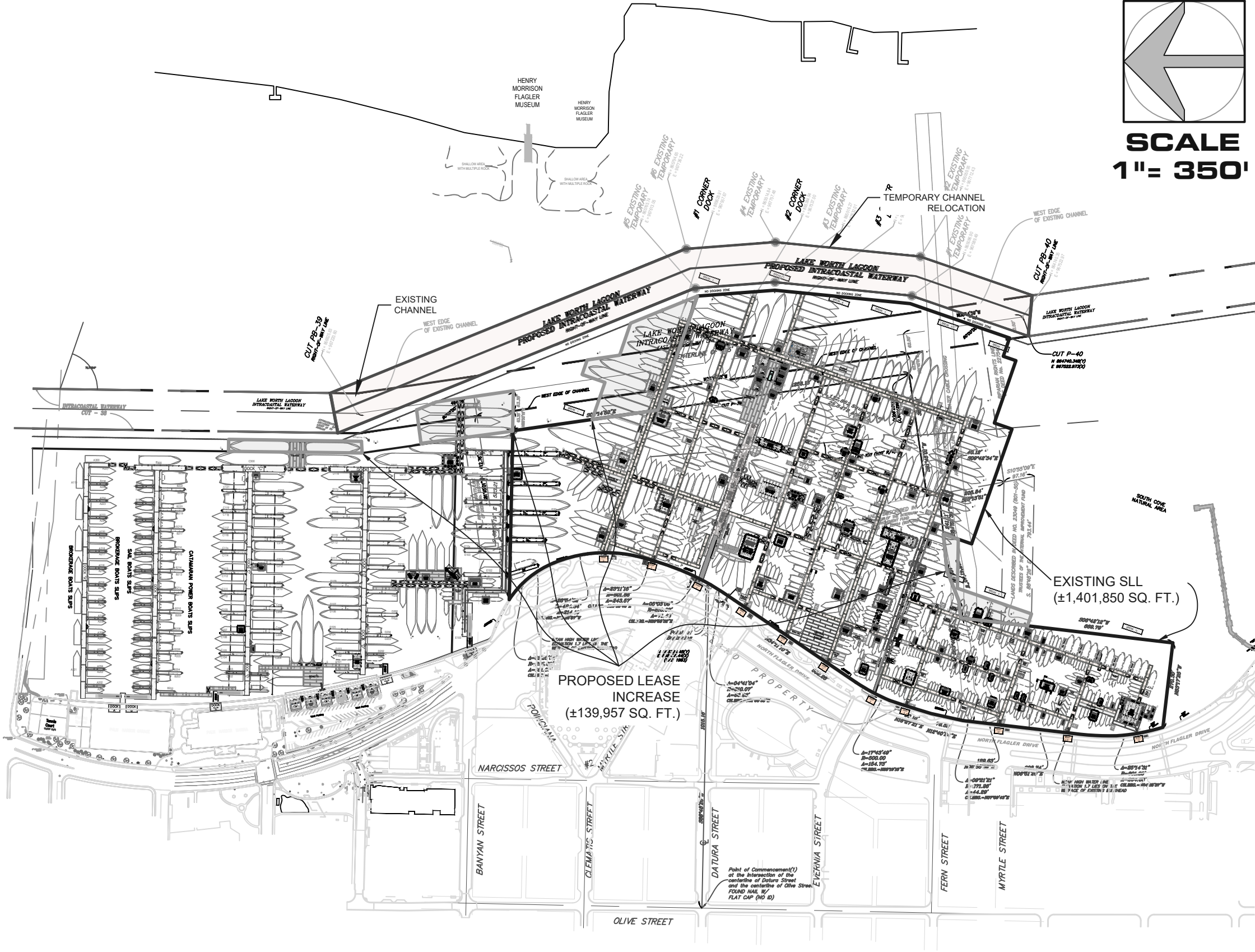
LEGEND

(14)		= 10'x10' TEMPORARY FLOATING DOCK
(22)		= TEMPORARY TRIANGLE FLOATING DOCK (various sizes)
(671)		= 10'x40' TEMPORARY FLOATING DOCK
(15)		= 5'x20' TEMPORARY FLOATING DOCK
(374)		= 10'x20' TEMPORARY FLOATING DOCK
(20)		= 4' X 22' DOCK RAMP
(2)		= TERMINATOR
(234)		= W12x48 STEEL "I" BEAM (PILING)
(90)		= FIRE EXTINGUISHER (Dry Chemical - Class 2-A 40BC)
(18)		= FIRE PUMP (190gal./min. - 52psi - 200' HOSE)
(670)		= EXHIBITOR BOAT
(237)		= EXHIBITOR BOAT PALM HARBOR MARINA
(111)		= TENTS

- PROPOSED FLOATING DOCKS (±346,650 ft²)**
- NAVIGATIONAL CHANNEL**
- EXISTING SUBMERGED LAND LEASE (±1,401,850 SQ. FT.)**
- PROPOSED SUBMERGED LAND LEASE INCREASE (±139,957 SQ. FT.)**

NOTE: MHW 0.27' NAVD      MLW -2.35' NAVD

STRUCTURE	LATITUDE	LONGITUDE
#5 PROPOSED TEMPORARY BUOY	N 865765.74	E 967613.05
#6 PROPOSED TEMPORARY BUOY	N 865794.65	E 967736.22
#1 CORNER DOCK	N 865628.91	E 967557.67
#4 PROPOSED TEMPORARY BUOY	N 865514.84	E 967757.48
#3 PROPOSED TEMPORARY BUOY	N 865516.27	E 967632.01
#2 CORNER DOCK	N 865384.94	E 967537.00
#2 PROPOSED TEMPORARY BUOY	N 865059.95	E 967712.43
#1 PROPOSED TEMPORARY BUOY	N 865086.90	E 967589.49
#3 CORNER DOCK	N 864956.29	E 967516.22



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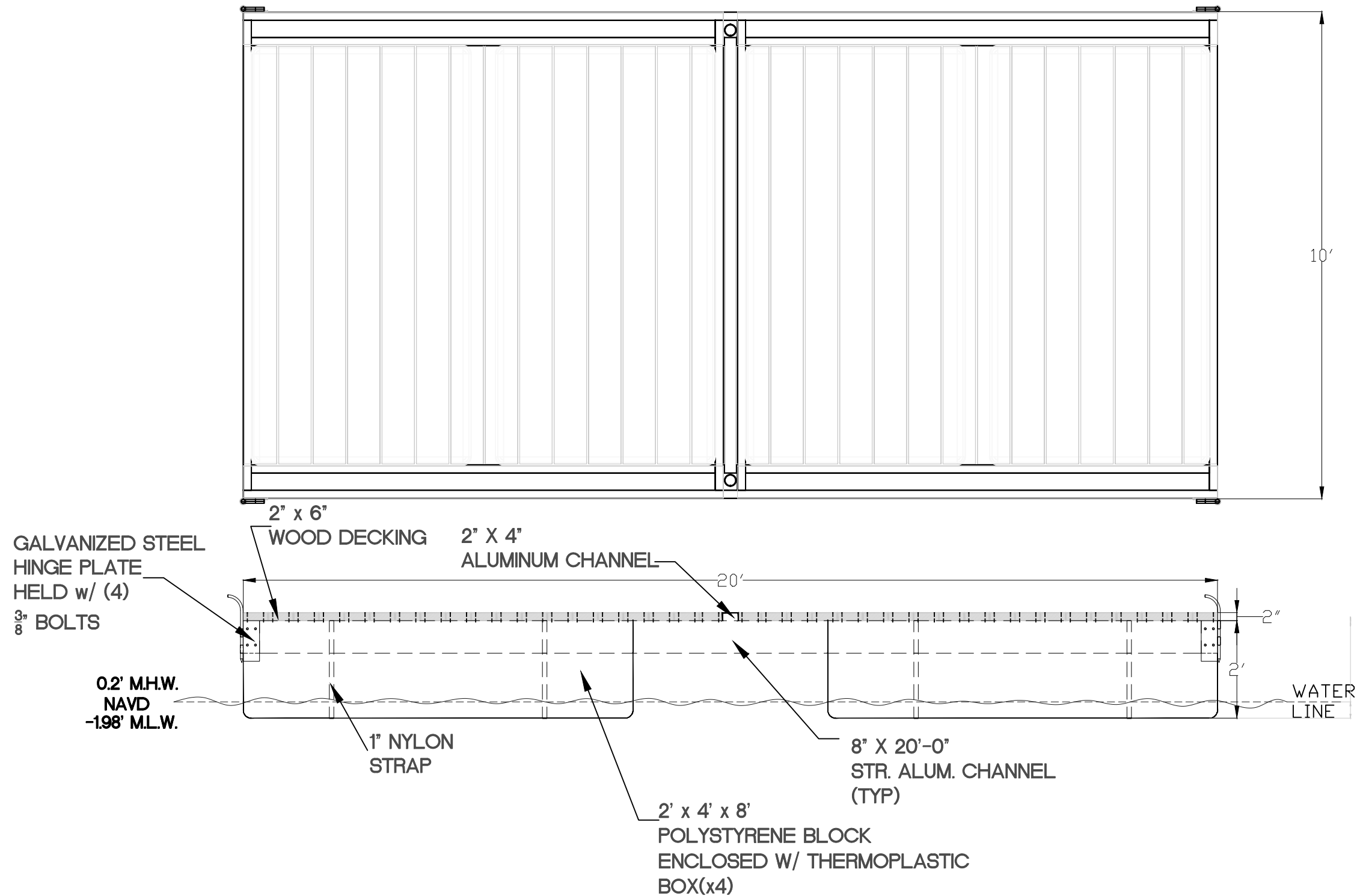
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PALM BEACH BOAT SHOW

PREPARED FOR:  
YACHTING PROMOTIONS INC.

PROPOSED PLAN		
Date: 10/4/2024	Sheet : 2	of : 4
Proj No.: 09-0032.004		

# 10' x 20' TEMPORARY FLOATING DOCK (SECTION THROUGH 20' DIMENSION)



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## PALM BEACH BOAT SHOW

PREPARED FOR:  
YACHTING PROMOTIONS INC.

10X20 SECTION		
Date: 10/4/2024	Sheet :	of :
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