



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

February 4, 2025

Regulatory Division
South Permits Branch
Palm Beach Gardens Section

PUBLIC NOTICE

Permit Application No. SAJ-2024-04037(SP-KMM)

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 Kaitlyn.M.Mallett@usace.army.mil

APPLICANT: Jupiter Narrows Conservation Alliance (JNCA)
c/o Susan Panella
375 Beach Road
Tequesta, FL 33469

WATERWAY AND LOCATION: The project would affect aquatic resources associated with the shoreline of the Intracoastal Waterway. The project site is located adjacent to 800 linear feet of waterfront shorelines adjacent to numerous multi-family condominium buildings, located on the eastern side of the Intracoastal Waterway north of Cato's Bridge in Jupiter, Palm Beach County, Florida.

Directions to the site are as follows: From I-95 take exit 79A toward FL-786 East, take a slight in 0.3 miles onto Lake Victoria Gardens Ave. Turn right onto FL-811 N/FL A1A Alt N and continue to follow FL-811 N for 7.9 miles. Continue straight onto S Beach Road and the start of the destination will be on the left after crossing Cato's Bridge.

APPROXIMATE CENTRAL COORDINATES: Latitude 26.954786°
Longitude -80.078091°

PROJECT PURPOSE:

Basic: The basic project purpose is habitat creation/enhancement.

Overall: The overall project purpose is to restore and enhance aquatic habitat for fish and smaller coastal organisms adjacent to the eastern side of the Intracoastal Waterway north of Cato's Bridge in Jupiter, Palm Beach County, Florida.

EXISTING CONDITIONS and PERMIT HISTORY: The proposed project is located along 800 linear feet of waterfront shorelines adjacent to numerous multi-family condominium buildings, located on the eastern side of the Intracoastal Waterway north of Cato's Bridge in Jupiter, Florida. Due to being located approximately 0.86 miles northwest of the Jupiter Inlet, the area is constantly being passed by boaters of local residents and visitors of the area.

Currently there are three (3) existing mangrove islands totaling 0.21 acres within the proposed project area. The mangrove islands have experienced significant mangrove loss due to persistent wave action, primarily generated by boat wakes in this high-traffic area of the Intracoastal Waterway. The existing areas that are proposed to be enhanced include habitats made up of mangroves and submerged aquatic vegetation (SAV). A natural resource survey was conducted in June 2024 and identified the locations of approximately 0.21 acres of mangroves and approximately 4.76 acres of SAV. Within the proposed project footprint, the substrate consisted of sand and seagrasses were comprised of shoal grass (*Halodule wrightii*) and Johnson's seagrass (*Halophila johnsonii*). The resource survey indicated that the community structure appeared to be in very poor ecologic conditions and persistent erosion occurs in this area due to constantly wake action. There is no federal permitting history for the proposed area or existing mangrove planters however overtime historic aerials indicate that erosion has been severe and without intervention, erosion will continue.

PROPOSED WORK: The applicant proposes to enhance the aquatic habitat of three existing mangrove islands along approximately 800 linear feet of shoreline by conducting the following activities:

North mangrove Island: Installation of a 391 linear foot breakwater comprised of 6,587 square feet of limestone boulders (298 cubic yards). The breakwater will have a design crest width of 3 feet at an elevation of +1.50 feet North American Vertical Datum 1988 (NAVD) (+1.5 feet above mean high water [MHW]), 1.5–2 feet horizontal to 1-foot vertical side slopes, and an overall width approximately 17 feet, located approximately 24 inches to 15 feet depending on specific bathymetric conditions from existing mangrove islands. Geotextile fabric and bedding stone (165 cubic yards) will underlie the breakwater armor stone. Proposed mangrove planting of Red (*Rhizophora mangle*), white (*Laguncularia racemosa*), and black (*Avicennia germinans*) mangrove (3-gallon size) within a 1,956 square foot area. Placement of a 3-foot wide, 1.5-foot-high band of natural limestone (1-2 foot diameter stones) (1,017 square feet, 35 cubic yards) at the toe of the existing mangrove roots primarily on the western side of the island.

Central mangrove Island: Installation of a 303 linear foot breakwater comprised of 5,053 square feet of limestone boulders (230 cubic yards). The breakwater will have a design crest width of 3 feet at an elevation of +1.50 feet North American Vertical Datum 1988 (NAVD) (+1.5 feet above mean high water [MHW]), 1.5–2 feet horizontal to 1-foot vertical side slopes, and an overall width approximately 17 feet, ranging from a distance of 16 to 22 feet depending on specific bathymetric conditions from the existing mangrove island. Geotextile fabric and bedding stone (128 cubic yards) will underlie the breakwater armor stone. Proposed mangrove planting of Red (*Rhizophora mangle*), white (*Laguncularia racemosa*), and black (*Avicennia germinans*) mangrove (3-gallon size) within a 1,187 square foot area. Placement of a 3-foot wide, 1.5-foot-high band of natural limestone (1-2 foot diameter stones) (578 square feet, 28 cubic yards) at the toe of the existing mangrove roots primarily on the western side of the island.

South mangrove island: Installation of a 125 linear foot breakwater comprised of 2,040 square feet of limestone boulders (95 cubic yards). The breakwater will have a design crest width of 3 feet at an elevation of +1.50 feet North American Vertical Datum 1988 (NAVD) (+1.5 feet above mean high water [MHW]), 1.5–2 feet horizontal to 1-foot vertical side slopes, and an overall width approximately 17 feet, located approximately 18 feet from the existing mangrove island. Geotextile fabric and bedding stone (53 cubic yards) will underlie the breakwater armor stone. Proposed mangrove planting of Red (*Rhizophora mangle*), white (*Laguncularia racemosa*), and black (*Avicennia germinans*) mangrove (3-gallon size) within a 376 square foot area. Placement of a 3-foot wide, 1.5-foot-high band of natural limestone (1-2 foot diameter stones) (959 square feet, 12 cubic yards) at the toe of the existing mangrove roots primarily on the western side of the island.

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 design prioritizes avoidance and minimization of impacts to seagrass beds. Breakwater placement will avoid high-density seagrass areas. While designed to avoid and minimize natural resource impacts to the maximum extent practicable, the proposed breakwater construction will directly impact approximately 0.28 acre is low density seagrass habitat. Turbidity curtains and other best management practices will be employed during construction to minimize sediment disturbance. The selected breakwater material (natural limestone) minimizes shading compared to solid structures. The enhancement of seagrass habitat in the lee of the breakwaters is expected to offset any temporary or localized impacts associated with construction. These areas will benefit from the reduction of wave and boat wake energy, creating substantially improved habitat for seagrass resources.

Four alternatives were explored which included a no action plan and three onsite alternatives. The no action plan would not be beneficial as it would not enhance the existing ecosystem and could potentially lead to further loss of the natural mangrove and seagrass habitats. The first onsite alternative involved hardening the entire shoreline by the installation of a bulkhead however this would potentially eliminate the intertidal habitat that the existing mangroves provide. The second onsite alternative proposed the installation of groins/jetties extending from the shoreline to trap sediment and reduce wave energy however this could disrupt natural sediment transport patterns that could lead to erosion in other locations which would in turn, affect the seagrass beds. The third onsite alternative proposed the installation of reef balls combined with mangrove plantings which would provide prefabricated habitat cavities for organisms in the area, however with the size of the proposed reef balls, impacts to existing resources would be greater than the preferred plans.

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

The applicant provided a “Resource Preservation, Restoration, Enhancement, and Creation Plan” dated November 2024, that outlines the objectives, design, implementation, monitoring, and long-term management strategies for mitigating unavoidable impacts to 0.28 acres of seagrass habitat. The plan will enhance existing seagrass beds within the project area through wave and energy attenuation, promotion of seagrass recruitment and colonization within areas where wave energy currently precludes or limits growth. The enhancement of approximately 1.66 acres of seagrass habitat and the creation of 0.15-acre of seagrass habitat made possible by calmer conditions behind the breakwaters will offset potential impacts. No additional compensatory mitigation is proposed.

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 U.S. Army Corps of Engineers (Corps) has determined the proposed project may affect but is not likely to adversely affect the West Indian Manatee (*Trichechus manatus*) and its designated critical habitat (DCH). The Corps evaluated potential project related effects to the manatee by using *The Corps of Engineers, Jacksonville District, and the State of Florida Effect Determination Key for*

the Manatee in Florida, (Key) dated April 2013. Using the Key, A-B-C-G-N-O-P-Paragraph 4, resulted in a “*May affect, not likely to adversely affect*” determination.

The Corps has determined the project may affect but is not likely to adversely affect the Wood Stork (*Mycteria Americana*). The Corps evaluated potential project related effects to the wood stork by using the South Florida Programmatic Concurrence (Key), dated 18 May 2010. Use of this Key produced the sequential determination A-B-C-D-couplet 1, which resulted in a “*Not likely to adversely affect*” (NLAA) determination.

The Corps has determined the project may affect but is not likely to adversely affect the Swimming Sea Turtles: Leatherback (*Dermochelys coriacea*), Loggerhead (*Caretta caretta*), Green (*Chelonia mydas*) and its DCH (proposed), Hawksbill (*Eretmochelys imbricata*), and Kemp’s Ridley (*Lepidochelys kempii*); Smalltooth sawfish (*Pristis pectinata*); North Atlantic Right whale (*Eubalaena glacialis*); and the Giant Manta Ray (*Mobula birostris*). The Corps will request National Marine Fisheries Service 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 1996. The proposal would impact approximately 0.28 acres of seagrass habitat utilized by various life stages of penaid shrimp complex, reef fish, stone crab, spiny lobster, migratory/pelagic fish, and snapper/grouper complex. By planting native species such as mangroves, will allow for more natural recruitment and creation of native habitats for the area. 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.

NAVIGATION: Based on the Florida State Plane coordinates provided by the applicant, the waterward edge of the proposed structures are located within the 100 foot setback of the near edge of the federal channel and coordination with the Corps’ Navigation Division is required.

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 within 30 days from the date of this notice. Comments should be

submitted via the Regulatory Request System public notice module at <https://rrs.usace.army.mil/rrs/public-notices>. Alternatively, you may submit written comments through the Kaitlyn Mallett Permits Section at the address in the letterhead above.

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, Kaitlyn Mallett, in writing at the Palm Beach Gardens Permits Section, 4400 PGA Blvd, Suite 500, Palm Beach Gardens, Florida 33410; by electronic mail at Kaitlyn.M.Mallett@usace.army.mil; or by telephone at (561)545-4885.

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.

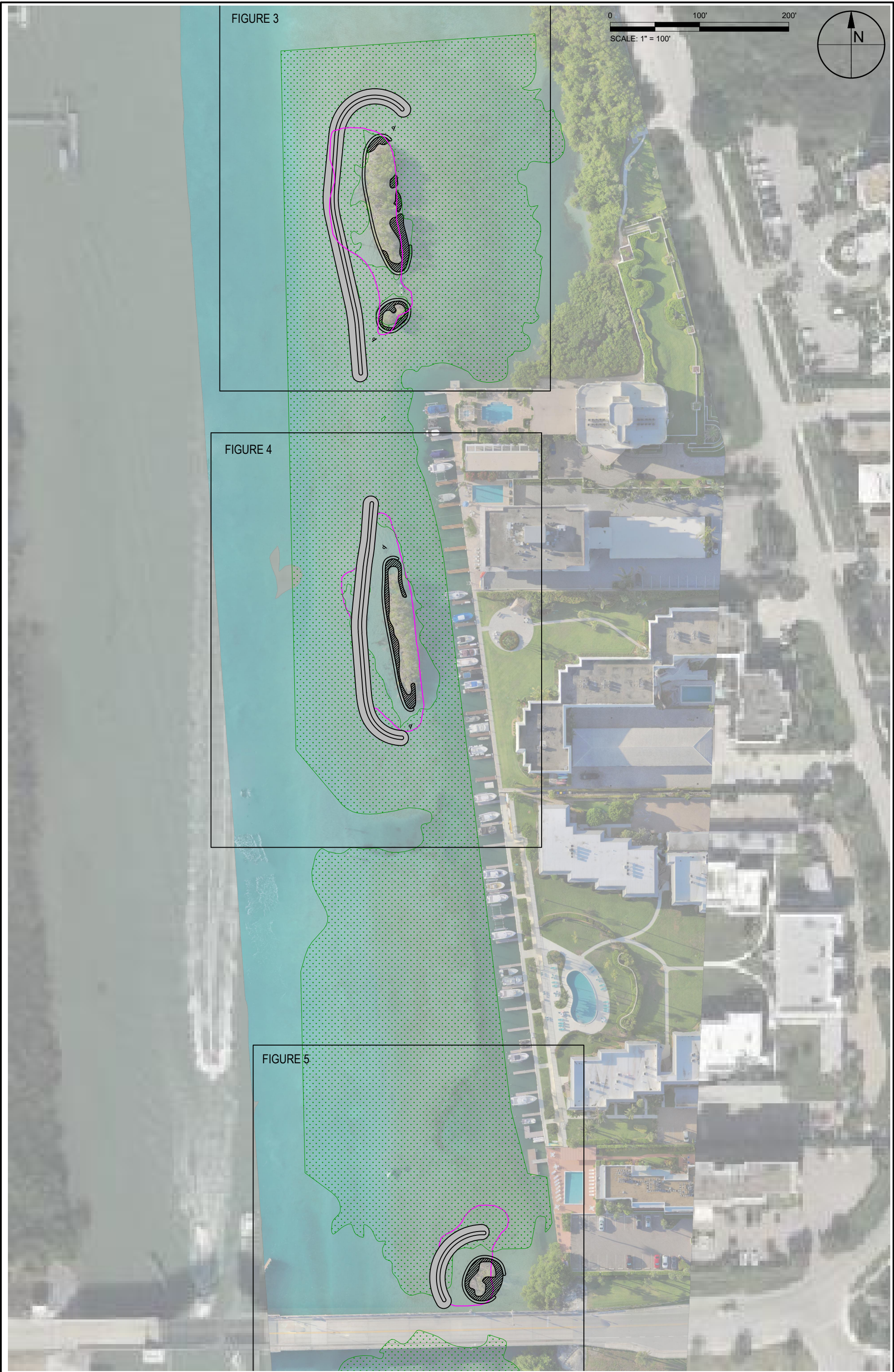
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, 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.

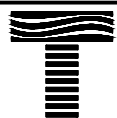
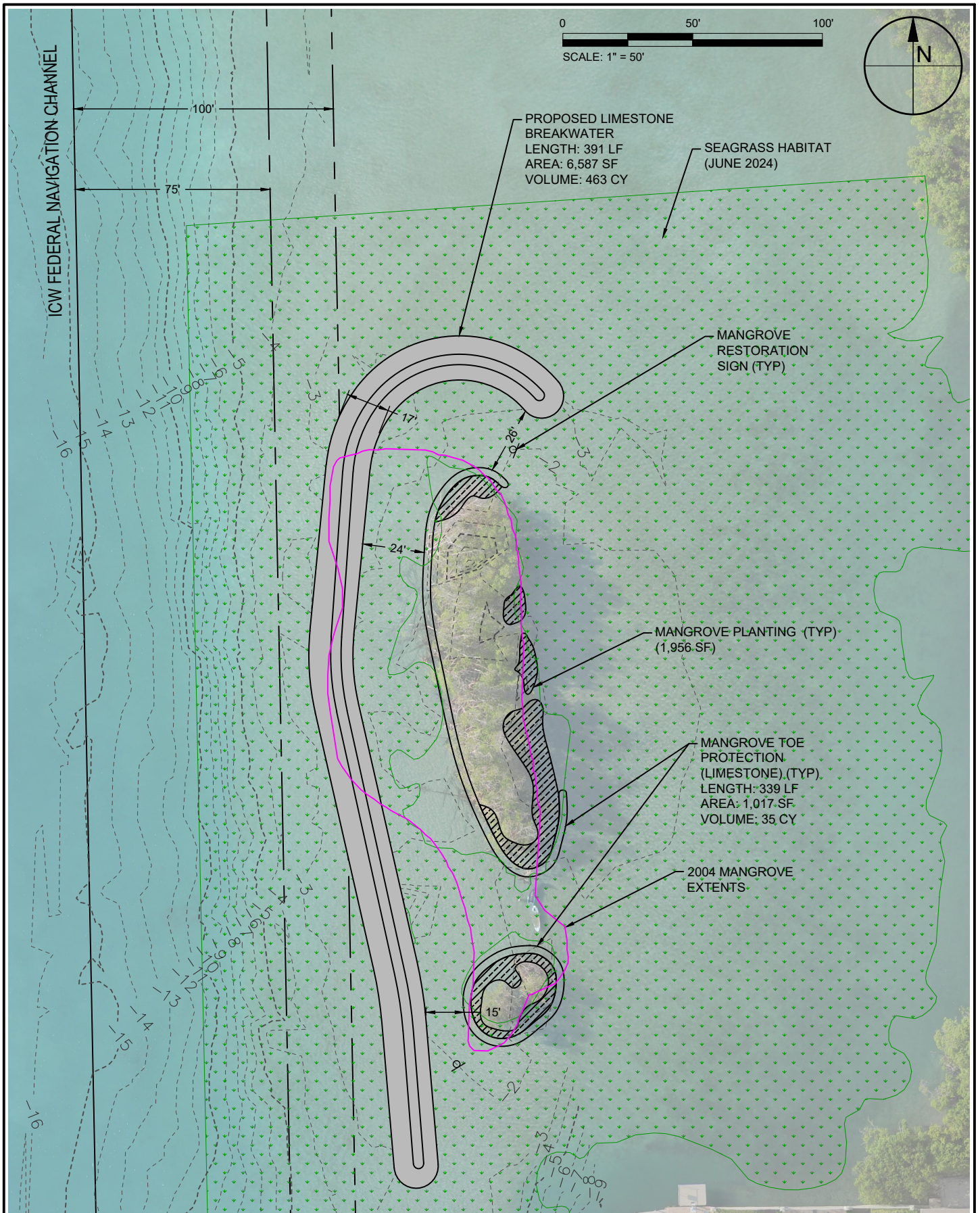
The US Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to 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. 50-0455378-001-EI.

COASTAL ZONE MANAGEMENT CONSISTENCY: Coastal Zone Consistency Concurrence is required from FDEP. In Florida, the State approval constitutes compliance with the 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.



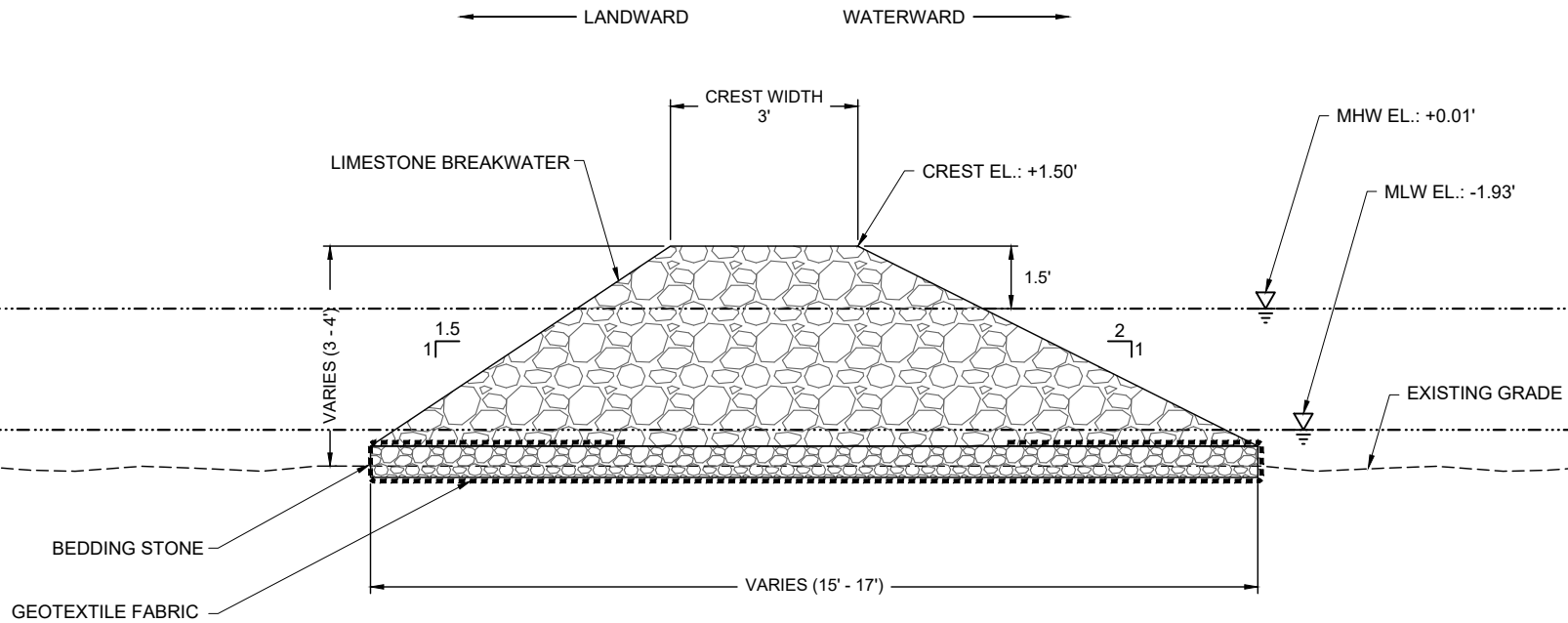


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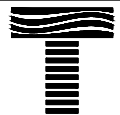
10199 SOUTHSIDE BLVD SUITE 310
JACKSONVILLE, FLORIDA 32256
REGISTRY # 4815

FIGURE 3
MANGROVE ISLAND 1 - PLAN VIEW
JUPITER NARROWS MANGROVE RESTORATION
PALM BEACH COUNTY, FLORIDA

PROJECT	C2024-042
DRAWN BY	BN
SHEET	3 of 5
DATE	NOV 2024



LIMESTONE BREAKWATER - TYPICAL SECTION



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FIGURE 6
TYPICAL LIMESTONE BREAKWATER SECTION
JUPITER NARROWS MANGROVE RESTORATION
PALM BEACH COUNTY, FLORIDA

PROJECT	C2024-042
DRAWN BY	BN
SHEET	6 of 6
DATE	NOV 2024