



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
Bradley Allen
202 E Riverside Drive,

Published: April 3, 2025
Expires: May 5, 2025

**Jacksonville District
Permit Application No. SAJ-2024-04728**

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/or** Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403). The purpose of this public notice is to solicit comments from the public regarding the work 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 Jessica.F.Bedsworth@usace.army.mil.

APPLICANT: Bradley Allen
202 E Riverside Drive,
Jupiter, FL 33469

AGENT: Patricia Monahan
Environmental Permitting Associates, Inc
1400 Water Tower Road
Lake Park, FL 33403

WATERWAY AND LOCATION: The project would affect waters of the United States and navigable waters of the United States associated with a residential canal. The project area is located on the southwest side of 202 East Riverside Drive, 0.17 miles SW of the intersection of E Riverside Drive and Glynn Mayo Highway in 31 Section, 40 Township, 43 Range; at Latitude 26.948303 and Longitude -80.090644; in Jupiter, Palm Beach County, Florida.

EXISTING CONDITIONS: The site consists of a residential canal off the Loxahatchee River with 3 single family docks. There is a sandbar at the south end of the canal where the canal meets the Loxahatchee River that is less than 1 foot deep in some areas. The north end of the canal, farthest from the Loxahatchee River, reaches depths of 6 feet below mean low water (MLW). There is an existing channel on the west side of the canal entrance adjacent to the sandbar that is between 1 foot and 3 feet deep. A benthic resource survey conducted on July 5, 2024 found sandy substrate with 5 to 20% coverage of *Halophila Johnsonii*, *Halodule wrightii*, and *Thalassia testudinum* seagrasses throughout the canal. Mangroves are also present along the banks of the canal.

PROJECT PURPOSE:

Basic: Improve navigation for a residential canal.

Overall: The overall project purpose is to improve navigation for a residential canal adjacent to 202 E Riverside Drive, Jupiter, Florida.

PROPOSED WORK: The applicant requests authorization to improve navigation by dredging a 93-foot long by 30-foot wide access channel (2,800 square feet, 250 cubic yards) of sandy material to a depth of -3 foot MLW through shallow sandbar area at the mouth of a residential canal off of the Loxahatchee River.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment:

The proposed dredging is to be done with shallow draft barge and excavator that will maintain clearance of at least 1 foot below the barge and above the sea floor. The proposed dredging will impact approximately 2,800 square feet of seagrass. In order to minimize impacts to seagrass, the applicant selected the smallest square footage of the channel for dredging that would still allow navigational access. The proposed dredge area also contains the least amount of seagrass compared to the other channel entrance areas.

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

This area has been dredged in the past and this is considered maintenance. The dredging is to re-open a navigable channel that previously provided vessel access to the single-family residences. Therefore compensatory mitigation should not be required for unavoidable impacts to seagrass.

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, federally recognized tribes and other interested parties.

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required, and with full

consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

ENDANGERED SPECIES: The Corps has performed an initial review of the application, to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur in the vicinity of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project may affect species and critical habitat listed below. No other ESA-listed species or critical habitat will be affected by the proposed action.

Table 1: ESA-listed species and critical habitat potentially present in the action area.

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
Green Sea Turtle	<i>Chelonia mydas</i>	Threatened
Green Sea Turtle Critical Habitat		Proposed
Kemp's Ridley Sea Turtle	<i>Lepidochelys kempii</i>	Endangered
Loggerhead Sea Turtle	<i>Caretta caretta</i>	Threatened
Smalltooth Sawfish	<i>Pristis pectinata</i>	Endangered
Giant Manta Ray	<i>Mobula birostris</i>	Threatened
West Indian Manatee	<i>Trichechus manatus</i>	Threatened
West Indian Manatee Critical Habitat		
Wood stork	<i>Mycteria americana</i>	Threatened
Florida Bonneted Bat	<i>Eumops floridanus</i>	Endangered

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402.

This notice serves as request to the U.S. Fish and Wildlife Service and National Marine Fisheries Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

ESSENTIAL FISH HABITAT: Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act 1996, the Corps reviewed the project area, examined information provided by the applicant, and consulted available species information.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action may adversely affect EFH and/or fisheries managed by Fishery Management Councils and the National Marine Fisheries Service (NMFS). Implementation of the proposed project would directly impact approximately 2,800 square feet of sandy substrate with 5 to 20% coverage of *Halophila Johnsonii*, *Halodule wrightii*, and *Thalassia testudinum*. The effects of the project are determined to be substantial and permanent. These habitat(s) are utilized by the following species and their various life stages:

EFH (2 layers queried, 2 returned results)				
Layer: NOAA Essential Fish Habitat				
Species	Life Stage			
Bluefish	Eggs			
Tiger Shark	Juvenile/Adult			
Nurse Shark	Juvenile/Adult			
Bull Shark	Juvenile/Adult			
Shrimp	ALL			
Scalloped Hammerhead Shark	Juvenile/Adult			
Snapper Grouper	ALL			
Bluefish	Larvae			
Bluefish	Adult			
Spiny Lobster	ALL			
Bluefish	Juvenile			
Source: https://services2.arcgis.com/C8EMgrsFcRFL6LrL/Arcgis/rest/services/EFH/FeatureServer/0				
Layer: NOAA Habitat Areas of Particular Concern				
Species	Habitat	HAPC Sitename		
	Coral, Coral Reefs, and Live/Hard Bottom Habitat	Phragmatopoma (worm reefs)		
Penaied Shrimp		Coastal Inlets		
Source: https://services2.arcgis.com/C8EMgrsFcRFL6LrL/ArcGIS/rest/services/HAPC/FeatureServer/0				

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 or activity is not located in the vicinity of a federal navigation channel.

SECTION 408: The applicant may require permission under Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408) because the activity, in whole or in part, may alter, occupy, or use a Corps Civil Works project.

WATER QUALITY CERTIFICATION: Water Quality Certification may be required from the Florida Department of Environmental Protection (FDEP).

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.

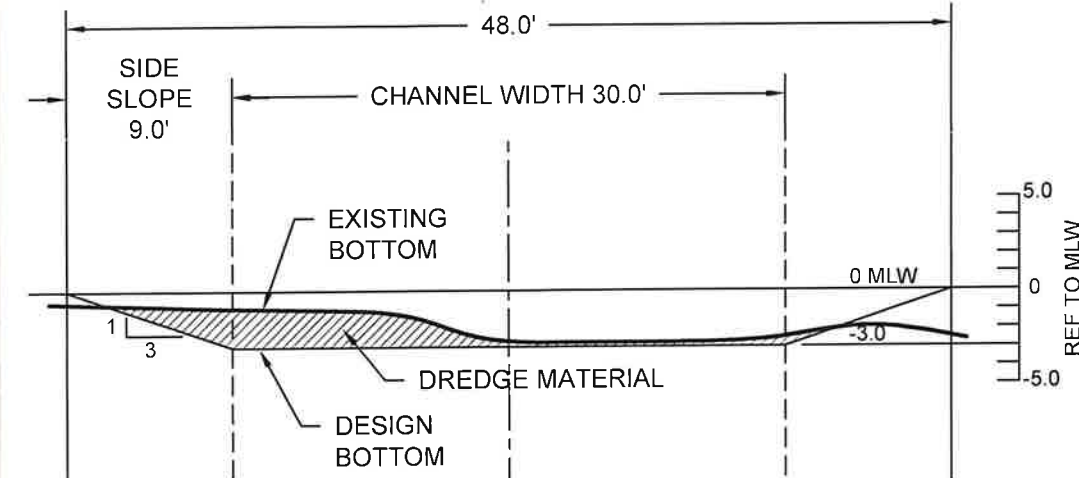
NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has not been verified by Corps personnel.

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. A permit will be granted unless its issuance is found to be contrary to the public interest.

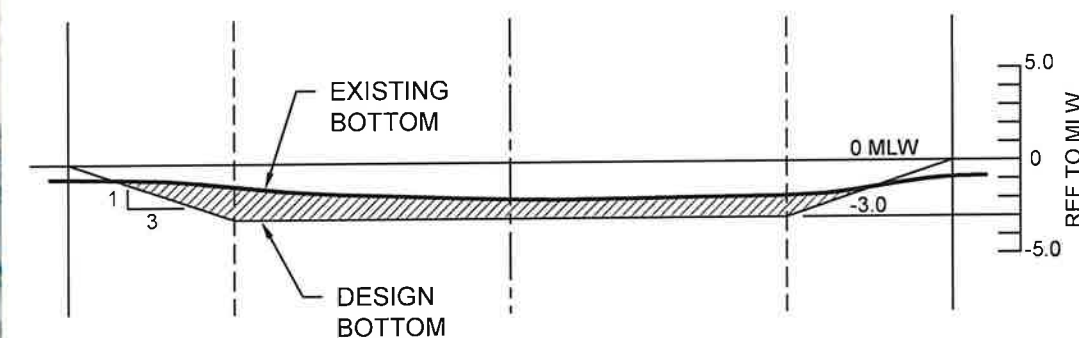
COMMENTS: The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether 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 used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Jacksonville District will receive written comments on the proposed work, as outlined above, until May 5, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Jessica Bedsworth at Jessica.F.Bedsworth@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Jacksonville District, Attention: Jessica Bedsworth, 4400 PGA Blvd, Suite 500, Palm Beach Gardens, Florida 33410. Please refer to the permit application number in your comments.

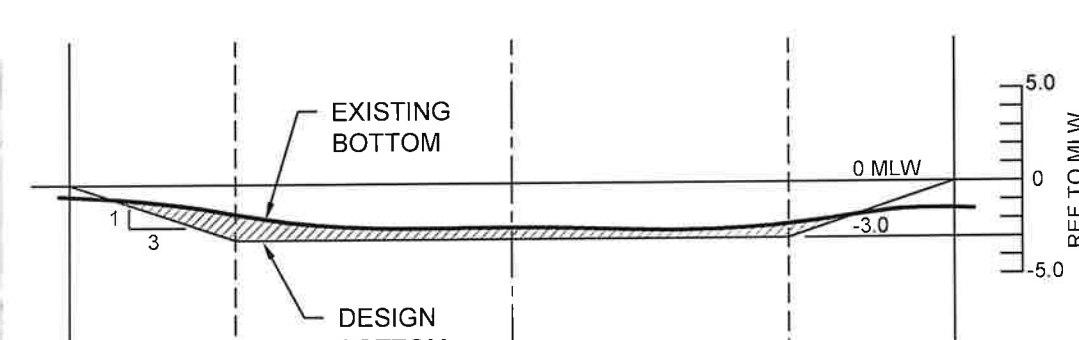
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.



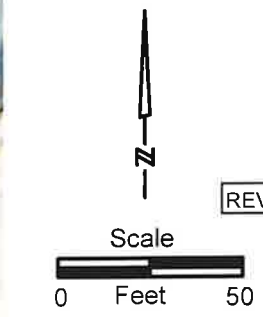
SECTION AA
1" = 10'



SECTION BB
1" = 10'



SECTION CC
1" = 10'

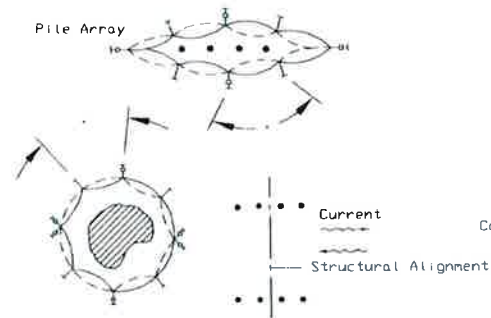
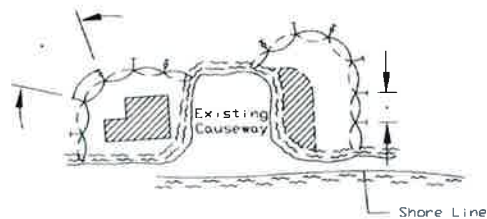


PLAN VIEW

- NOTES:**
1. WATER DEPTHS AND CONTOURS REFERENCED TO MLW
 2. DREDGE AREA - 2800 SF ±
 3. DREDGE VOLUME - 250 CY ±
 4. DATA COLLECTED JULY 5th, 2024
 5. TURBIDITY CURTAIN WILL BE EMPLOYED. IT WILL BE ANCHORED IN KEY LOCATIONS TO PREVENT DRIFTING INTO CHANNEL. A 30' BUFFER WILL BE MAINTAINED BETWEEN CHANNEL EDGE AND CURTAIN.

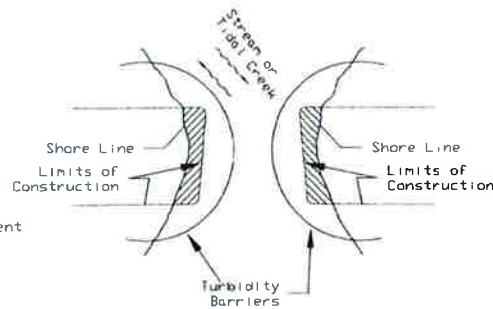
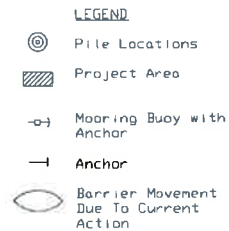
MCR PROFESSIONAL ENGINEERING 3733 ATLANTIC ROAD PALM BEACH GARDENS, FL 33410 PHONE: 561-863-3393		BATHYMETRIC AND SEAGRASS SURVEY		RIVER HAMMOCK EAST RIVERSIDE DRIVE JUPITER, FL		This item has been electronically signed and sealed by Dwight M Baber, PE, using a S/A authentication code. Printed copies of this document are not considered signed and sealed and the S/A authentication code must be verified on any electronic copies.		REVISIONS		SHEET #: 1 OF 1	
								DATE			
								7-5-24		INITIAL DRAWINGS	
								3-12-25		SHOW TURBIDITY CURTAIN	

Turbidity Curtain Procedures



NOTES:

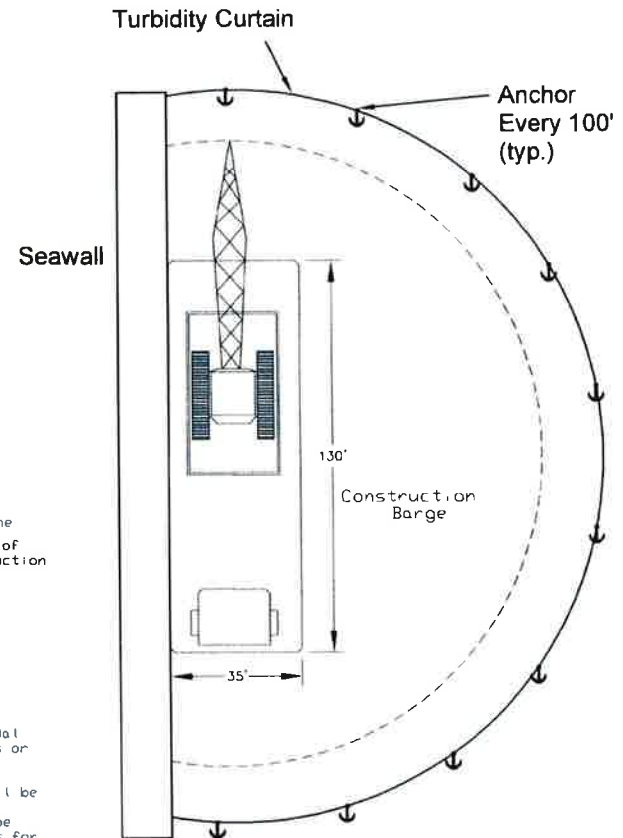
1. Turbidity barriers are to be used in all permanent bodies of water regardless of water depth.
2. Number and spacing of anchors dependent on current velocities.
3. Deployment of barrier around pile locations may vary to accommodate construction operations.
4. Navigation may require segmenting barrier during construction operations.
5. For additional information see Section 104 of the Standard Specifications.



NOTE:

Turbidity barriers for flowing streams and tidal creeks may be either floating, or staked types or any combinations of types that will suit site conditions and meet erosion control and water quality requirements. The barrier type(s) will be at the Contractors option unless otherwise specified in the plans, however payment will be under the pay item(s) established in the plans for Floating Turbidity Barrier and/or Staked Turbidity Barrier. Posts in staked turbidity barriers to be installed in vertical position unless otherwise directed by the Engineer of Record. Additional notes on last page.

TURBIDITY BARRIER APPLICATIONS



Sheet of

Prepared By:

Coston Marine Services, Inc.
1400 Watertower Road
Lake Park, Fl. 33403
(561) 747-4382

Project:

River Hammock
202 E. Riverside Drive
Jupiter, Fl. 33469