



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
Ernesto Chiong

Published: April 14, 2025
Expires: May 5, 2025

**Jacksonville District
Permit Application No. SAJ-2025-00522**

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). 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 Maria.I.Bezanilla@usace.army.mil.

APPLICANT: Ernesto Chiong
1614 W 64 Street
Hialeah, Florida 33012

AGENT: Kimberly Sowder
All Keys Boat Lifts LLC
101681 Overseas Highway
Key Largo, Florida 33037

WATERWAY AND LOCATION: The project would affect waters of the United States and navigable waters of the United States associated with the Gulf of America. The project site is located in Outdoor Resorts at 65821 Overseas Highway, Lot 328, in Section 7, Township 65 South, Range 35 East; at Latitude 24.806402 and Longitude -80.842968; in Long Key, Monroe County, Florida.

EXISTING CONDITIONS: The project is located within a developed residential subdivision. The property consists of a 20 linear foot waterfront property located at the terminus of a canal perpendicular to another waterfront property. The shoreline is supported by a concrete dock/seawall. A covered fish cleaning station is affixed to the concrete dock. The canal measures 50 feet in width. No corals, seagrass, wetlands, or hard bottom is anticipated within the project footprint.

PROJECT PURPOSE:

Basic: The project purpose is to remove a vessel from the water when not in use.

Overall: The overall project purpose is to remove a vessel from the water when not in use for a property owner in Long Key, Monroe County, FL.

PROPOSED WORK: The applicant requests authorization to install a 5,000 lb. capacity personal watercraft elevator lift 7.5 feet from the north property line with the cradle beams extending up to 10 feet into the water. Turbidity curtains will be deployed prior to construction and will remain in place until water quality has returned to pre-construction conditions.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: Turbidity curtains will be deployed to isolate the construction site from ambient waters.

COMPENSATORY MITIGATION: The applicant has provided the following explanation why compensatory mitigation should not be required: The project is limited to the installation of a boat lift; therefore, no compensatory mitigation is proposed.

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.

ENDANGERED SPECIES: The Corps has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), National Marine Fisheries Service (NMFS) Section 7 Mapper, and the NMFS Critical Habitat Mapper 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.

Swimming green sea turtles (*Chelonia mydas*), loggerhead sea turtles (*Caretta caretta*), Kemp's ridley sea turtles (*Lepidochelys kempii*), the smalltooth sawfish (*Pristis pectinata*), Nassau grouper (*Epinephelus striatus*); American crocodile (*Crocodylus acutus*), and West Indian manatee (*Trichechus manatus*) and/or its critical habitat.

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 square feet of submerged bottom. The effects of the project are determined to be minimal and permanent. These habitat(s) are utilized by the following species and their various life stages:

<i>Layer: NOAA Essential Fish Habitat</i>	
<i>Species</i>	<i>Life Stage</i>
Spiny Lobster	ALL
Coastal Migratory Pelagics	ALL
Corals	ALL
Snapper Grouper	ALL
Shrimp	ALL
Reef Fish	ALL
<i>Source: https://services2.arcgis.com/C8EMarsFcRFL6LrL/arcgis/rest/services/EFH/FeatureServer/0</i>	

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 will not require permission under Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

COASTAL ZONE MANAGEMENT CONSISTENCY: Coastal Zone Consistency Concurrence is required from the Florida Department of Environmental Protection (DEP). 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.

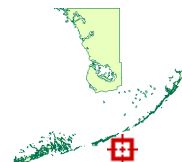
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and

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 Maria Bezanilla at Maria.I.Bezanilla@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Jacksonville District, Attention: Maria Bezanilla, 9900 Southwest 107th Avenue, Suite 203, Miami, Florida, 33176. 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.



Legend

- Centerline
- Easements
- Hooks
- Lot Lines
- Road Center
- Rights of Way
- Shoreline
- [] Condo Building
- Key Names
- [] Subdivisions
- [] Parcels

(Note: Not to be used on legal documents)

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GEOSPATIAL

CANAL WIDTH 50'

PROPOSED 5K ELEVATOR BOAT
LIFT

5'

7.5'

10'

7.5'

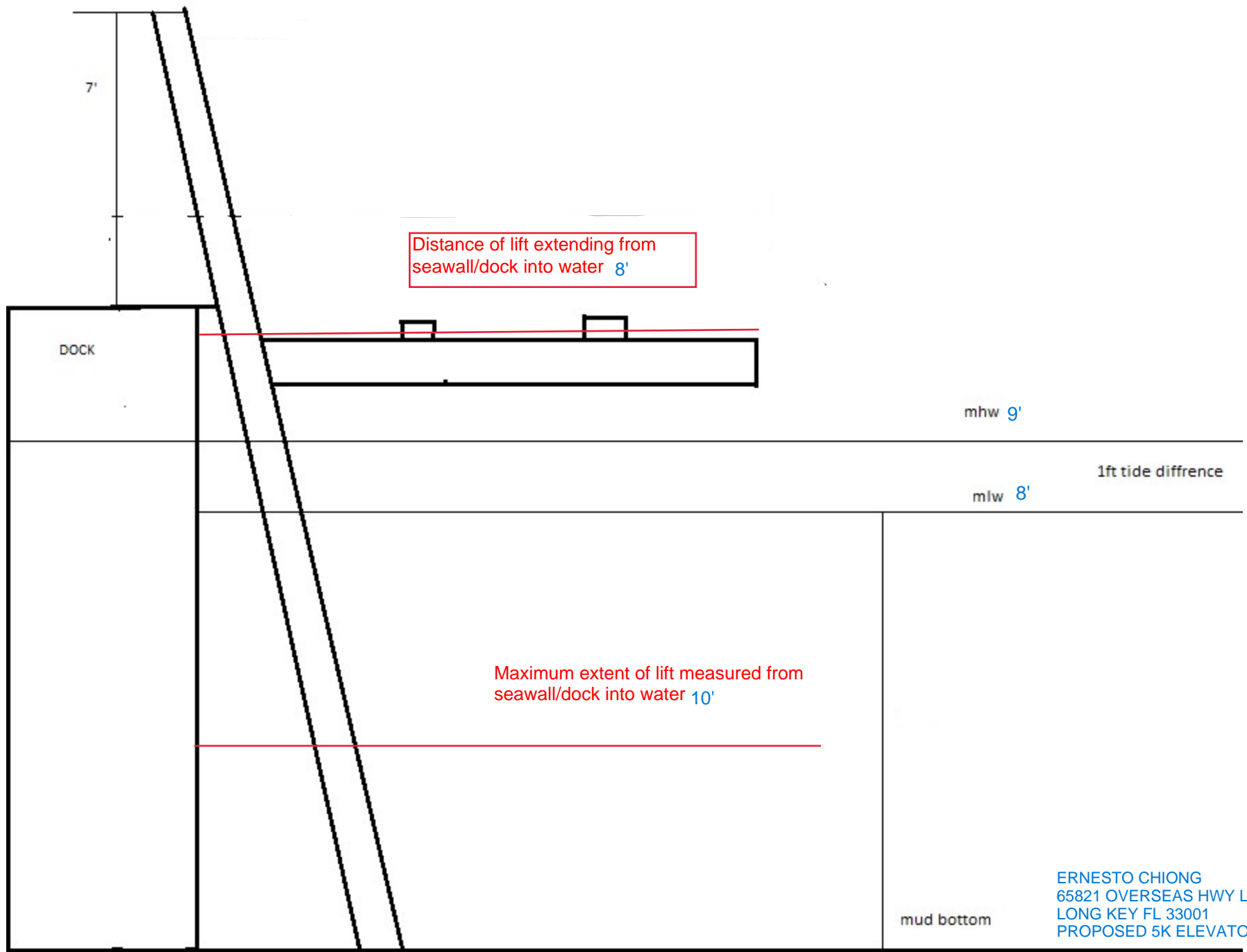
20' CONCRETE DOCK

328

ERNESTO CHIONG
65821 OVERSEAS HWY
LOT 328

LONG KEY, FL 33001
PROPOSED 5K BOAT
LIFT

KIMBERLY SOWDER
ALL KEYS BOAT LIFTS LLC
101681 OVERSEAS HIGHWAY
KEY LARGO, FL
305-453-0076



ERNESTO CHIONG
65821 OVERSEAS HWY LOT 328
LONG KEY FL 33001
PROPOSED 5K ELEVATOR BOAT LIFT