



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
Mark Weaver
Harbour Hall Inlet Club II Condo
~~Assn.~~

Published: May 20, 2025
Expires: June 10, 2025

**Jacksonville District
Permit Application No. SAJ-2008-04012**

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). 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 Jeffrey.L.Meyer@usace.army.mil.

APPLICANT: Mark Weaver
Harbour Hall Inlet Club II Condo Assn.
c/o Ocean Breeze Com Mgt, LLC
35599 23rd Avenue S, Suite 8
Lake Worth, Florida 33461

AGENT: Charles C. Isiminger, Jr.
Isiminger and Stubbs Engineering, Inc.
649 U.S. Highway 1, Suite 9
North Palm Beach, Florida 33408

WATERWAY AND LOCATION: The project would affect waters of the United States and navigable waters of the United States associated with the Intracoastal waterway. The project/review area is located adjacent to 689 NE 6th Court in Section 22, Township 45 South, Range 43 East; at Latitude 26.53250 and Longitude -80.05444; in Boynton Beach, Palm Beach County, Florida.

EXISTING CONDITIONS: The project site is an existing marina consisting of approximately 420 linear feet of bulkheaded shoreline with a marginal dock running the full length and 14 finger piers extending perpendicular to shore to create 24 wet slips. The waters within the basin are tidal and connect directly to the Intracoastal waterway. Benthic resource surveys were conducted on June 6, 2023, and September 12, 2024. The survey results indicate that benthic resources such as seagrass are not present within the project area. The area surrounding the project consists of residential

development to the north, northeast, and west, tidal mangrove swamp to the south and southwest, and the Intracoastal waterway to the east.

PROJECT PURPOSE:

Basic: Improved shoreline stabilization, water access, and navigation.

Overall: Improved shoreline stabilization, water access, and navigation within the existing Harbour Hall Inlet Club II Condo Association Marina in the Town of Boynton Beach, Florida.

PROPOSED WORK: The applicant requests authorization to improve the existing 24-slip marina by conducting the following activities:

1. Removal of the existing docking structures.
2. Replacement of the existing 484± linear foot seawall with a new sheet pile wall located approximately 4 feet waterward of the existing seawall wetface.
3. Construction of a new 4-foot-wide concrete seawall cap.
4. Installation of eleven 25-foot by 4.5-foot finger piers and one 25-foot by 5-foot finger pier (1,362.5± square feet total).
5. Installation of a 125± square foot floating vessel platform.
6. Installation of 25± linear feet of sheet piles for wave attenuation.
7. Installation of 26 mooring piles or 25 boat lifts. Boat lifts to be installed if and at the time desired by the slip occupant. Mooring piles will be installed in slips without boat lifts.
8. Installation of a 403± linear foot training wall.
9. Dredging of 2,500± cubic yards from an 22,594± square foot area to -4± feet mean low water (MLW).

The project will increase the total slip count to 25.

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 project has been designed to comply with all applicable Jacksonville Biological Opinion (JAXBO) Project Design Criteria (PDC) for shoreline stabilization, piling supported structures, and dredging. The applicant will adhere to the Standard Manatee Conditions for In-Water Work and the NMFS 2021 protected species construction conditions. Floating turbidity curtains would be utilized during all in-water work and turbidity would be monitored according to the submitted Turbidity Monitoring Plan. Construction barges will operate in areas with adequate water depth to minimize bottom disturbance, and dredge material will be loaded onto a barge with containment rails to prevent spoil and effluent from re-entering the water. The dredged material will be disposed at a suitable, self-contained upland location.

COMPENSATORY MITIGATION: The applicant has provided the following explanation why compensatory mitigation should not be required: Compensatory mitigation has not been proposed because the proposed work is not anticipated to result in adverse impacts to aquatic resources or the functions they provide.

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, 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.

The Corps has determined the proposed project may affect, but is not likely to adversely affect the Queen Conch (*Aliger gigas*), the swimming sea turtles: (green sea turtle (*Chelonia mydas*), Kemp's Ridley sea turtle (*Lepidochelys kempii*), Loggerhead sea turtle (*Caretta caretta*)); smalltooth sawfish (*Pristis pectinata*); 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.

The Corps has determined the proposal may affect the West Indian Manatee (*Trichechus manatus*) or its designated critical habitat. The Corps will request initiation of formal consultation with the U.S. Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act by separate letter.

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 22,594 square feet of unvegetated, unconsolidated benthic substrate, and may indirectly impact the adjacent mangrove swamp by disrupting existing water flow patterns and tidal flushing. 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: Penaeid shrimp complex, bluefish, nurse shark, tiger shark, bull shark, blacktip shark, spiny lobster, coastal migratory pelagic fish, and snapper/grouper complex.

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.

WATER QUALITY CERTIFICATION: Water Quality Certification is required from the Florida Department of Environmental Protection (FDEP). The project is being reviewed under FDEP application no. 50-0301156-011-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.

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.

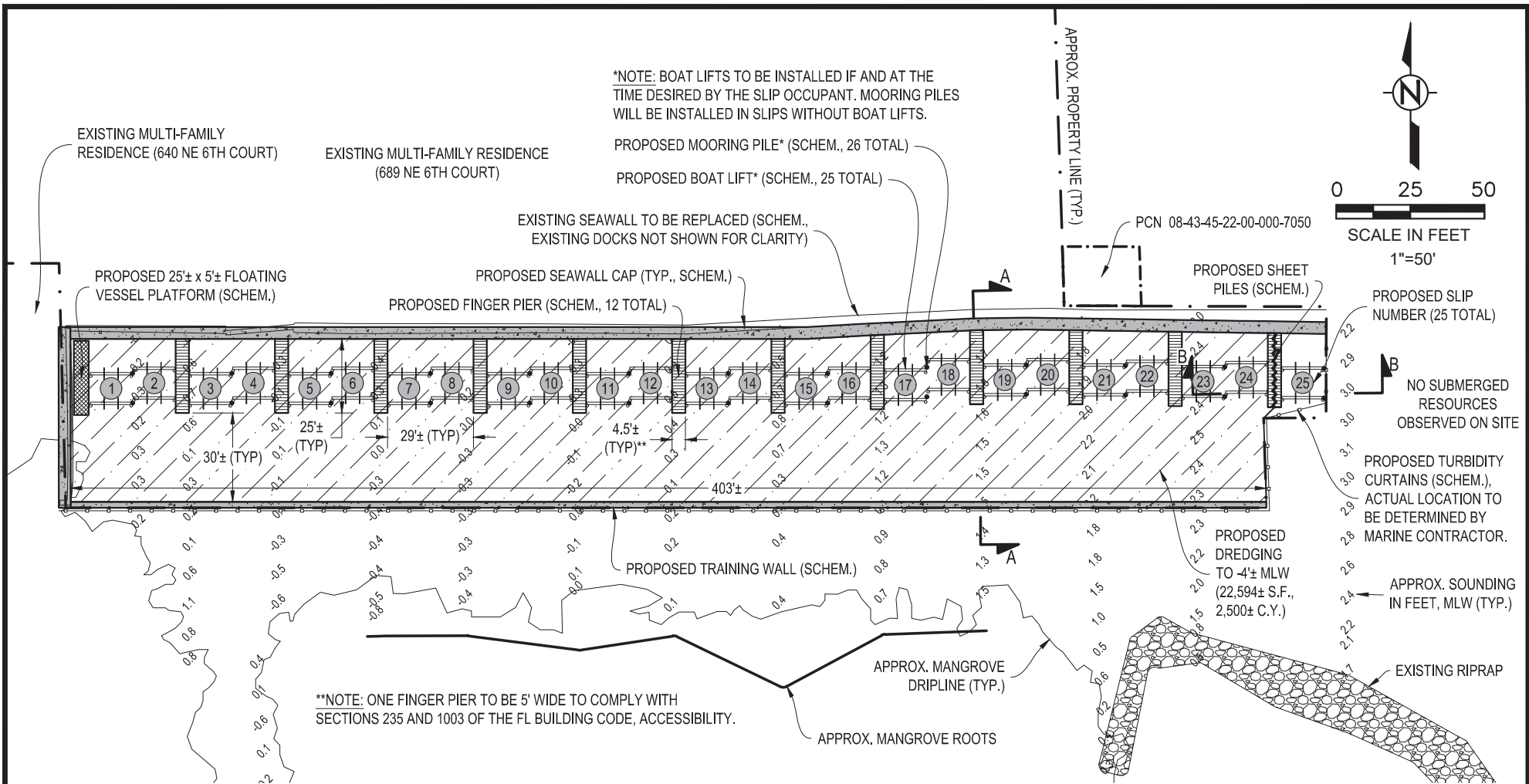
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, 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. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. 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 June 10, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Jeffrey Meyer at Jeffrey.L.Meyer@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Jacksonville District, Attention: Jeffrey Meyer, 4400 PGA Boulevard, 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.

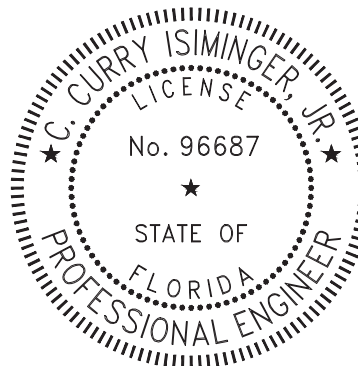


NOTES:

- DATUM IS MLW. MLW = -2.2'± NAVD FROM LABINS DATABASE.
- EXISTING LOCATIONS ARE APPROXIMATE BASED ON SURVEY BY BASELINE LAND SURVEY LLC, UPDATED 07/18/23, 2023 PALM BEACH COUNTY AERIAL, AND ON-SITE OBSERVATIONS.
- SOUNDINGS AND RESOURCE OBSERVATION BY ISIMINGER & STUBBS ENGINEERING, INC. FIELD WORK PERFORMED 6/6/23 & 9/12/24. SOUNDINGS REDUCED TO MLW BASED ON SURVEYED ELEVATIONS.

2/5/2025

This item has been digitally signed and sealed by Charles Curry Isiminger, Jr., P.E. on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.



PROPOSED PLAN VIEW



**ISIMINGER & STUBBS
ENGINEERING, INC.**

COASTAL • ENVIRONMENTAL • MARINE

REGISTRY NUMBER: 8114

649 U.S. HWY 1, SUITE 9, NORTH PALM BEACH, FL 33408 (561) 881-0003

PROPOSED DREDGING, TRAINING WALL, SEAWALL, AND MULTI-FAMILY DOCKS
INTRACOASTAL WATERWAY

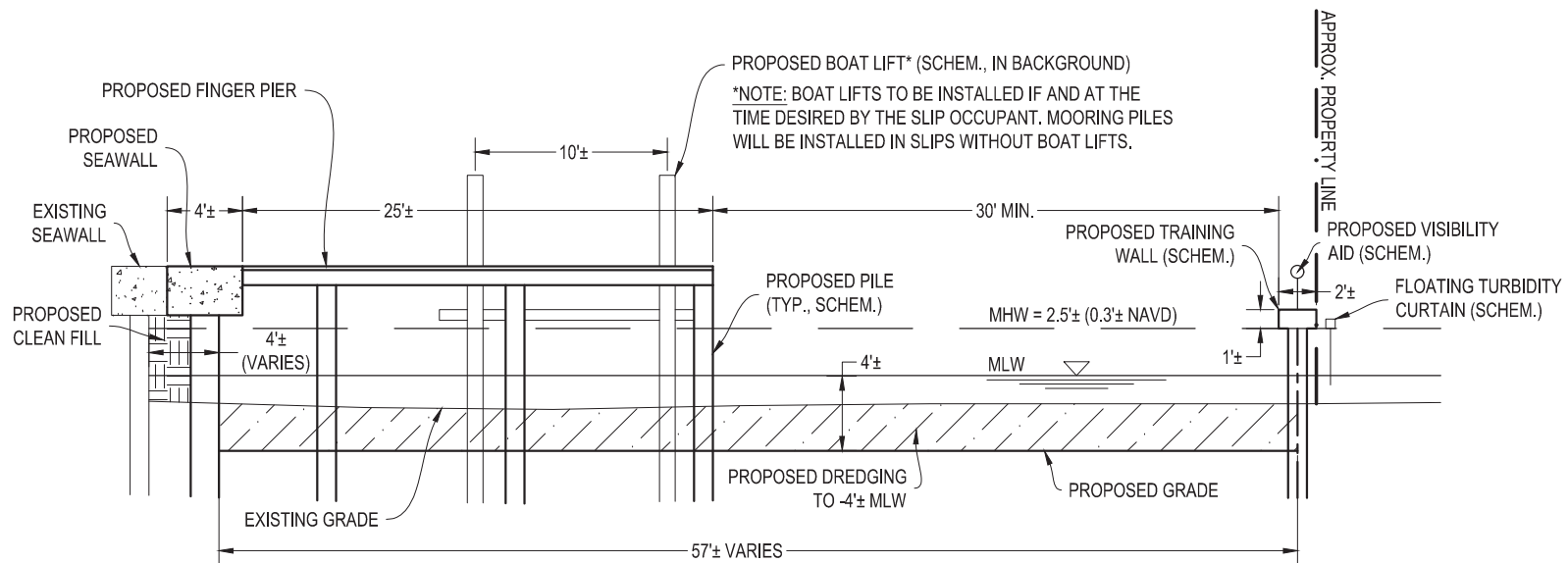
689 NE 6TH COURT

CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FL
APPLICANT: HARBOUR HALL INLET CLUB II CONDO. ASSOC.

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| DATE | 02/25 | DRAWN | CCIJR | CHKD | ELF | APPRVD | CCIJR |
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| DWG NO. | 23017M | SHEET | 3 OF 5 |
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SKETCH SUBMITTED FOR ENVIRONMENTAL PERMIT REVIEW.
NOT INTENDED FOR CONSTRUCTION OR BUILDING PERMIT REVIEW.



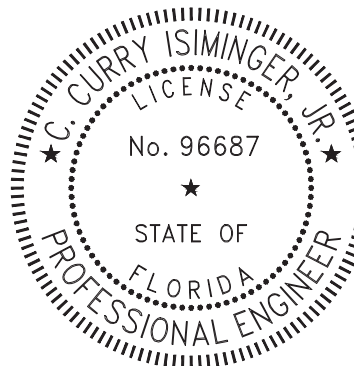
SECTION A-A
 0 5 10
 SCALE IN FEET
 1"=10'

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SECTION A-A



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COASTAL • ENVIRONMENTAL • MARINE

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| DWG NO. | 23017M | SHEET | 4 OF 5 |
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