



**US Army Corps  
of Engineers®**

# PUBLIC NOTICE

Applicant:  
Daniel Catalfumo  
DMBH Residential Investment LLC &  
PGA Landing Marina LLC

Published: May 22, 2025  
Expires: June 23, 2025

**Jacksonville District  
Permit Application No. SAJ-2023-02660**

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](mailto:Jessica.F.Bedsworth@usace.army.mil)

**APPLICANT:** Daniel Catalfumo  
DMBH Residential Investment LLC & PGA Landing Marina LLC  
4001 Design Center Drive, Suite 110  
Palm Beach Gardens, Florida 33410

**WATERWAY AND LOCATION:** The project would affect aquatic resources associated with Intracoastal Waterway. The project site is located at 11309 Ellison Wilson Road; at latitude 26.84166° and longitude -80.06583°; in Palm Beach Gardens, Palm Beach County, Florida.

**EXISTING CONDITIONS:** The project site is located on the east side of the Intracoastal Waterway, south of the PGA Boulevard Bridge. The adjacent uplands contains a commercial marina with an existing 242 linear foot seawall and a 757 square foot dock with 5 slips. The seawall has an existing Department of Army authorization. A benthic resource surveys conducted on September 16, 2024 and October 21, 2024 found that shoal grass and paddle grass were present in the survey area with 15-40% coverage.

## **PROJECT PURPOSE:**

**Basic:** Improved water access.

**Overall:** The overall project purpose is to improve water access for a marina located at 11309 Ellison Wilson Road, Palm Beach Gardens, Florida.

**PROPOSED WORK:** The applicant requests authorization to improve water access by conducting the following activities:

1. Removal of an existing 757± square feet dock and 3 existing mooring piles.
2. Installation of a 260± square feet finger pier and a 265± square feet finger pier.
3. Installation of 4 boat lifts.
4. Installation of 51± and 53± linear feet of submerged sheet piles.
5. Dredging of 575± cubic yards from a 5,116± square feet area to -6'± MLW,
6. Dredging of 60± cubic yards from a 3,043 square feet area to -1'± MLW for seagrass mitigation,
7. Upland excavation of a 95± cubic yards from a 652± square feet area (slip 4) to -6'± MLW,
8. Upland excavation of 170± cubic yards from a 1,179 square feet area to -1'± MLW for seagrass mitigation area.

**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 proposes approximately 2,958 square feet of unavoidable direct impacts to seagrass from the proposed dredging and shading of structures. The seagrass on-site is growing within the footprint of the existing dock and slips. Therefore, total elimination is not possible. Even if we were to simply moor boats in the existing slips, seagrass would be shaded. Reduction of the impacts is occurring as the footprint of the proposed dock is smaller than the footprint of the existing dock, the footprint of the proposed slips is smaller than the footprint of the existing slips, and the number of proposed slips is less than the number of the existing slips. The existing footprint of the existing dock is being utilized to the extent practicable. The existing water depths in the footprint of the proposed slips are not sufficient for motorized vessels. Dredging is being proposed to the minimum depth necessary for navigation and to provide the minimum clearance between the vessel and the submerged bottom. The dredging and the proposed dock are being proposed on the north side of the property, where less seagrass exists. As such, less seagrass will be impacted than if the proposed dock and dredging was located on the south side of the property. Additionally, Best Management Practices, including the use of floating turbidity curtains, will be utilized during construction. As such, the seagrass impacts are minimized to the extent practicable. Furthermore, due to ICW setback requirements, the slips cannot be moved to the waterward side of the seagrasses. Submerged sheet piles are being proposed on the south side of the proposed dredging to avoid further impacts to seagrass as a result of side slopes. The proposed project will result in unavoidable impacts to seagrass. To fully offset these unavoidable impacts, the applicant is proposing on-site mitigation. The on-site mitigation would result in more seagrass habitat than currently exists on-site.

**COMPENSATORY MITIGATION:** The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: To offset 2,958 square feet of impacts to seagrass, the applicant proposes to create an

onsite seagrass mitigation area by dredging 3,043 square feet and excavating 1,179 square feet for a total of 4,222 square foot area resulting in vegetative characteristics that are similar to and that would provide ecological functions and services commensurate with those of the seagrasses proposed to be impacted. The seagrass mitigation area is intended to provide appropriate, in-kind mitigation that would fully offset all anticipated seagrass impacts within the proposed project area.

### **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/or critical habitat potentially present in the action area.

<b>Species Common Name and/or Critical Habitat Name</b>	<b>Scientific Name</b>	<b>Federal Status</b>
Green Sea Turtle	<i>Chelonia mydas</i>	Threatened
Kemp's Ridley Sea Turtle	<i>Lepidochelys kempii</i>	Endangered
Leatherback Sea Turtle	<i>Dermochelys coriacea</i>	Endangered
Loggerhead Sea Turtle	<i>Caretta caretta</i>	Threatened
Giant Manta Ray	<i>Mobula birostris</i>	Threatened

Queen Conch	<i>Strombus gigas</i>	Threatened
West Indian Manatee	<i>Trichechus manatus</i>	Threatened
Wood Stork	<i>Mycteria americana</i>	Threatened

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). The proposed project would directly impact approximately 2,958 square feet of vegetated benthic substrate and approximately 2,158 square feet of unvegetated benthic substrate via dredging. The applicant will offset these impacts by creating and enhancing habitat by excavating 1,179 square feet of uplands and dredging 3,043 square feet of unvegetated shallow substrate to -1MLW to allow seagrass to recruit to the area. The proposed docking structures will be within the dredge area, so no shading impacts are anticipated. 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	
Shrimp	ALL	
Snapper	ALL	
Grouper		
Spiny Lobster	ALL	
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	Phragmatopoma (worm reefs)

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 structure is 57.5 feet away from the near bottom edge of the Intracoastal Waterway federal channel. The project will be coordinated with the Corps Navigation Section for approval.

**SECTION 408:** The applicant will 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 alter, occupy, or use a Corps Civil Works project.

**WATER QUALITY CERTIFICATION:** Water Quality Certification may be required from the South Florida Water Management District.

**COASTAL ZONE MANAGEMENT CONSISTENCY:** Coastal Zone Consistency Concurrence is required from South Florida Water Management District. 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 June 23, 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](mailto: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.





TAKEN FROM U.S.G.S. RIVIERA BEACH, FLORIDA QUADRANGLE

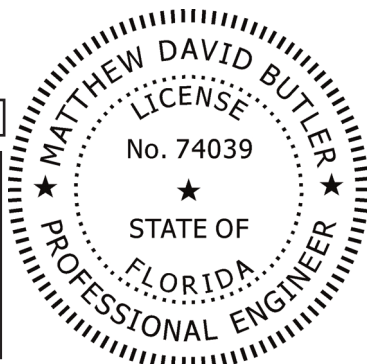
SEC: 05 TWP: 42S RGE: 43E

LAT: 26° 50' 30" N

LONG: 080° 03' 57" W

5/16/2025

This item has been digitally signed and sealed by Matthew D. Butler, 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.



## VICINITY MAP



**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 DOCKING FACILITY  
INTRACOASTAL WATERWAY  
11309 ELLISON WILSON ROAD**

CITY OF PALM BEACH GARDENS, PALM BEACH COUNTY, FL  
APPLICANT: PGA LANDING MARINA LLC & DMBH RESIDENTIAL INVESTMENT LLC

DATE	12/24	DRAWN	ELF	CHKD	ELF	APPRVD	MDB
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DWG NO.	24110Er1	SHEET	1	OF	12
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REV	1	5/25	REVISED SHEET NUMBERS
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0 20 40  
SCALE IN FEET  
1"=40'

APPROX.  
PROPERTY  
LINE

EXISTING MOORING PILE TO  
BE REMOVED (TYP., 3 TOTAL)

EXISTING 757± S.F. DOCK  
TO BE REMOVED

EAST EDGE OF ICW  
CHANNEL

CONTOUR IN FEET, MLW (TYP.)

EXISTING SLIP NUMBER  
(TYP., 5 TOTAL)

ICW RIGHT OF WAY

EXISTING PADDLE  
AND/OR SHOAL GRASS  
(15-40% COVER)

EXISTING ADJACENT  
SEAWALL

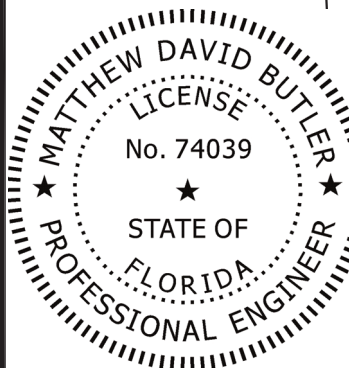
APPROX.  
PROPERTY  
LINE

UPLANDS

EXISTING SEAWALL

APPROX. MHWL (255± L.F.)

APPROX.  
PROPERTY  
LINE



5/16/2025

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**NOTES:**

1. DATUM IS MLW. MLW = -2.5± NAVD FROM LABINS DATABASE.
2. EXISTING LOCATIONS ARE APPROXIMATE BASED ON SURVEY BY LIDBERG LAND SURVEYING, INC. DATED 8/04/23, PLANS BY BOLCHOZ MARINE ADVISORS, BATHYMETRIC SURVEY BY EDGEWATER GROUP, DATED 11/07/24, AND ON-SITE OBSERVATIONS.
3. SOUNDINGS AND RESOURCE OBSERVATION BY ISIMINGER & STUBBS ENGINEERING, INC. FIELD WORK PERFORMED 9/16/24 & 10/21/24. SOUNDINGS REDUCED TO MLW BASED ON SURVEY ELEVATIONS.

SKETCH SUBMITTED FOR ENVIRONMENTAL PERMIT REVIEW.  
NOT INTENDED FOR CONSTRUCTION OR BUILDING PERMIT REVIEW.

**EXISTING CONDITION**



**ISIMINGER & STUBBS  
ENGINEERING, INC.**

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DATE	12/24	DRAWN	ELF	CHKD	ELF	APPRVD	MDB
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DWG NO. 24110Er1

SHEET **2** OF 12

REV	1	5/25	REVISED SHEET NUMBERS
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0 20 40  
SCALE IN FEET  
1"=40'

PROPOSED IMPACTS TO  
SEAGRASS = 2,958± S.F.

APPROX.  
PROPERTY  
LINE

EAST EDGE OF ICW  
CHANNEL

CONTOUR IN FEET, MLW (TYP.)

PROPOSED EXCAVATION TO -1'± MLW FOR  
SEAGRASS MITIGATION (1,179± S.F., 170± C.Y.)

PROPOSED DREDGING TO -1'± MLW FOR  
SEAGRASS MITIGATION (3,043± S.F., 60± C.Y.)

ICW RIGHT OF WAY

EXISTING PADDLE  
AND/OR SHOAL GRASS  
(15-40% COVER)

FLOATING TURBIDITY CURTAIN (SCHEM.)  
ACTUAL LOCATION TO BE DETERMINED  
BY CONTRACTOR

PREV. AUTH. 8-PILE  
BOAT LIFTS

PROPOSED BOAT LIFT  
(TYP., 4 TOTAL)

PROPOSED DREDGING TO -6'±  
MLW (5,116± S.F., 575± C.Y.)

PROPOSED SLIP NUMBER  
(TYP., 4 TOTAL)

PROPOSED 5' WIDE FINGER  
PIER (TYP., 2 TOTAL)

EXISTING ADJACENT  
SEAWALL

APPROX.  
PROPERTY  
LINE

PROPOSED EXCAVATION TO  
-6'± MLW (652± S.F., 95± C.Y.)

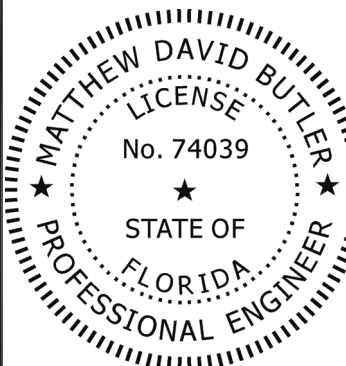
PROPOSED SUBMERGED  
SHEET PILES (TYP.)

UPLANDS

EXISTING SEAWALL

APPROX. MHWL (255± L.F.)

APPROX.  
PROPERTY  
LINE



5/16/2025

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## PROPOSED CONDITION



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DATE	12/24	DRAWN	ELF	CHKD	ELF	APPRVD	MDB
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DWG NO. 24110Er1

SHEET **3** OF 12

REV	1	5/25	REVISED PER WMD RAI
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