US Army Corps of Engineers®

PUBLIC NOTICE

Applicant:
Hanna Koch
Monroe County Board of County Commissioners (BOCC)

Published: May 30, 2025
Expires: June 30, 2025

Jacksonville District
Permit Application No. SAJ-2025-00696

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 Gletys.Guardia-Montoya@usace.army. mil

APPLICANT: Hanna Koch
Monroe County Board of County Commissioners (BOCC)
2798 Overseas Highway
Marathon, Florida 33050

WATERWAY AND LOCATION: The project would affect aquatic resources associated with the Gulf of America. The project site will be reference as the Monroe County BOCC Gulfside Eight Mile Reef. This proposed Artificial reef is located in open waters of the Gulf of America, approximately 25.61 nautical miles northeast of Key West at a bearing of 33 degrees, 22.91 nautical miles, northeast of Stock Island at a bearing of 25 degrees, and 14.64 nautical miles northwest of Cudjoe Key at a bearing of 350 degrees. The proposed project area is 21.96 nautical miles from Calda Channel Marker “3” northeast of Key West at a bearing of 41 degrees, in Monroe County, Florida. (See enclosed Vicinity Map & Coordinates).

APPROXIMATE CENTRAL POINT AND FOUR CORNER POINT COORDINATES:

Corners	LAT (DD) (N)	LONG(DD) (W)	LAT (DDM) (N)	LONG (DDM) (W)
Center	24.904°	-81.556°	24°54' 14.4"	81° 33' 21.6"
NW	24.90607°	-81.55831°	24°54' 21.852"	81° 33' 29.916"
NE	24.90607°	-81.55373°	24°54' 21.852"	81° 33' 13.428"
SE	24.90191°	-81.55373°	24°54' 6.8759"	81° 33' 13.428"
SW	24.90191°	-81.55831°	24° 54' 6.8759"	81° 33' 29.916"

EXISTING CONDITIONS: The Monroe County BOCC Gulfside Eight Mile Reef site, is located within open state and federal waters of the Gulf of America, outside of the Florida Keys National Marine Sanctuary (FKNMS) boundaries. The proposed Monroe Gulfside Eight Mile Reef is part of an overall Monroe county-wide plan to create a network of separate Artificial Reef sites for marine habitat enhancement for a variety of marine and fish species and to provide new fishing and diving opportunities while reducing human user conflicts and pressure from other stressed areas of the Florida Keys. The proposed site sea floor is comprised of unconsolidated sand and the approximate water depth within this project site is 37' relative to mean low low water (MLLW). A preliminary sea bottom survey was conducted in August 2024 to determine depth and general sediment composition. Further surveys of the proposed site and its vicinity were conducted on April 2025, and divers did not identify any natural hardbottom or submerged aquatic vegetation (SAV) within the project footprint or its vicinity. Few organisms were reported, which included primarily sparse sea stars, sea urchins, sea pens, sand dollars, and sea biscuits. Very few fish were observed. No stony corals or queen conch were observed. According to the survey, the submerged bottom within the proposed project site is being identified as unconsolidated sand bottom. The proposed site is outside the historic shrimping activities. No shipwrecks have been identified within the proposed project area.

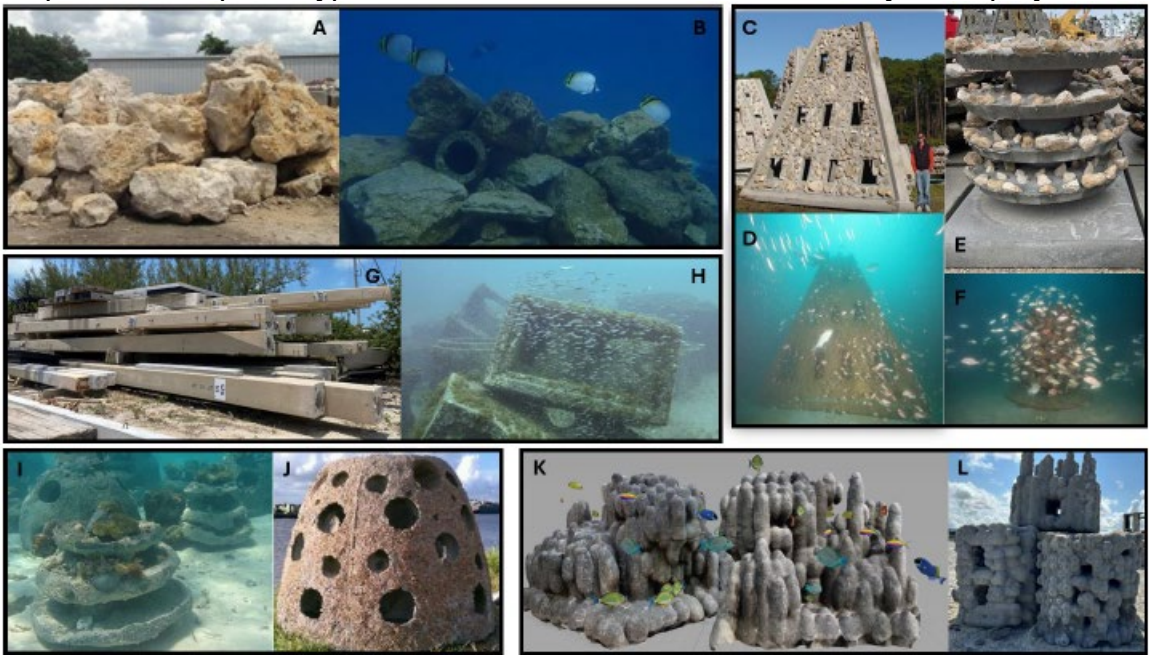
PROJECT PURPOSE:

Basic: The Basic project purpose is to develop an Artificial Reef for marine habitat enhancement and increase recreational water activities in the area.

Overall: The overall project purpose is to develop an artificial reef to enhance the marine environment and to provide long term, stable, quality marine habitat for a variety of marine organism within waters of the Gulf of American, offshore of Monroe County, Florida.

PROPOSED WORK: The applicant seeks a 10-year Corps authorization to develop an offshore artificial reef site, to be known as the Monroe County BOCC Gulfside Eight Mile Reef. The proposed artificial reef footprint is 0.25 nautical miles by 0.25 nautical miles, encompassing a total area of 53 acres of submerged sand sea-bottom, of which less than 1 acre of the artificial reef material would be deployed during the lifetime of a 10-year permit. The proposed navigational vertical clearance is -22' MLLW from the top of any deployed structure. The applicant proposes to develop this artificial reef only with material that is consistent with the approved Gulf and Atlantic States Marine Fisheries Commission publication "Guidelines for Marine Artificial Reef Material, 3rd edition", as well as NOAA's 'National Artificial Reef Plan', and FWC's 'State of Florida Artificial Reef Strategic Plan'. Examples of proposed materials include secondary-use concrete (culverts, power poles, bridge material, junction boxes etc.), pre-fabricated or printed concrete artificial reef modules, and limestone boulders. Modules will be constructed with the approved minimum turtle regress standard. (see enclosed image, work plans and supplemental information). The proposed project is in waters of the United States.

Proposed example of types of materials and structures that may be deployed.



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

Due to the nature of the work, the applicant could not avoid conducting the proposed work within waters of the United States. As consistent with the USACE Jacksonville District's 2017 Programmatic Biological Opinion (JAXBO), the applicant has agreed to follow all applicable artificial reef project design criteria (PDCs) for this project. The applicant has agreed to follow best management practices, and all applicable special conditions and guidelines set forth for the development of artificial reefs. The deployment of the proposed material is proposed on areas devoid of submerged aquatic vegetation (SAVs) and areas that do not support natural rock outcrops or hard-bottom. Material will be deployed into separate patch reefs within the proposed permitted area to maintain sand forage area between patch reefs and disperse fishing pressure between locations. Material will be deployed on sand sea-bottom and a buffer area of at least 200-feet will be maintained from any submerged aquatic resources, if present. The proposed work will be conducted during daylight hours only. No materials will be dredged as a result of the proposed work. All reef materials will be clean and free from asphalt, petroleum, other hydrocarbons and toxic substances. All reef materials will be selected, designed, constructed, and/or modified to create stable and durable marine habitat that will not be an entanglement hazard. To ensure that the deployed materials remain in place within the authorized boundaries, only reef materials that weights at least 500 pounds will be deployed at the proposed site. There shall be a 50' buffer zone inside the site borders on all sides to ensure all reef materials will be deployed within the permitted boundaries only.

COMPENSATORY MITIGATION: The applicant has provided the following explanation why compensatory mitigation should not be required: A compensatory mitigation plan has not been submitted as unavoidable functional loss to the aquatic environment is not being proposed. All artificial reef deployments will occur on barren, sandy substrate a minimum of 200 feet from benthic resources, if encounter. Furthermore, the proposed activities should result in net increases in aquatic habitat functions and services. Any impacts from the proposed project are anticipated to be positive by creating new habitat for feeding, refuge, and reproduction of many marine organisms.

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 U.S. Army Corps of Engineers (Corps) has determined the project may affect but is not likely to adversely affect ("MANLAA") the West Indian manatee (*Trichechus manatus*) and would not adversely modify its designated critical habitat. Since the proposal by the applicant is for in-water construction, potential impacts to the endangered West Indian manatee were evaluated using Corps of Engineers, Jacksonville District, and the State of Florida Effect Determination Key for the Manatee in Florida, April 2013 (Key). Use of the Key resulted in the sequence A-B-C-G -N-O-P (5) "*may affect, not likely to adversely affect"*, where no further consultation with the Service is necessary. This determination is based on the applicant following the standard Manatee construction conditions for the proposed activity. The U.S. Fish and Wildlife Service (FWS) has given concurrence with this determination pursuant to Section 7 of the Endangered Species Act. No further coordination with the FWS is required.

The Corps has performed an initial review of the application, the 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.

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

Species Common Name and/or Critical Habitat Name	**Scientific Name**	**Federal Status**
Queen Conch	*Alger gigas*	Threatened
Loggerhead Sea Turtle and its critical habitat	*Caretta caretta*	Threatened
Green Sea Turtle and its critical habitat	*Chelonia mydas*	Threatened
Leatherback Sea Turtle	*Dermochelys mydas*	Endangered
Hawksbill Sea Turtle	*Eretmochelys imbricata*	Endangered
Kemp's Ridley Sea Turtle	*Lepidochelys kempii*	Endangered
Giant Manta Ray	*Mobula birostris*	Threatened
Smalltooth Sawfish	*Pristis pectinata*	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 1.0 acres of barren sandy habitat. 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:

Species	*Life Stage*
Bluefish	Adult
Bonnethead Shark (Gulf of Mexico Stock)	Juvenile
Spiny Lobster	ALL
Coastal Migratory Pelagics	ALL
Lemon Shark	Adult
Bluefish	Larvae
Blacknose Shark (Gulf of Mexico Stock)	Juvenile/Adult
Nurse Shark	Juvenile/Adult
Red Drum	ALL
Blacktip Shark (Gulf of Mexico Stock)	Juvenile/Adult
Bluefish	Juvenile
Tiger Shark	Juvenile/Adult
Great Hammerhead Shark	ALL
Snapper Grouper	ALL
Spinner Shark	Neonate
Blacktip Shark (Gulf of Mexico Stock)	Neonate
Bluefish	Eggs
Scalloped Hammerhead Shark	Juvenile/Adult
Bull Shark	Juvenile/Adult
Sandbar Shark	Adult
Bonnethead Shark (Gulf of Mexico Stock)	Neonate
Sailfish	Adult
Reef Fish	ALL
Tiger Shark	Neonate
Bonnethead Shark (Gulf of Mexico Stock)	Adult

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 may be required from the Florida Department of Environmental Protection (FDEP). The project is being reviewed under FDEP application number: 44-0461100-001-EG.

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. The project is being reviewed under FDEP application number: 44-0461100-001-EG.

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.

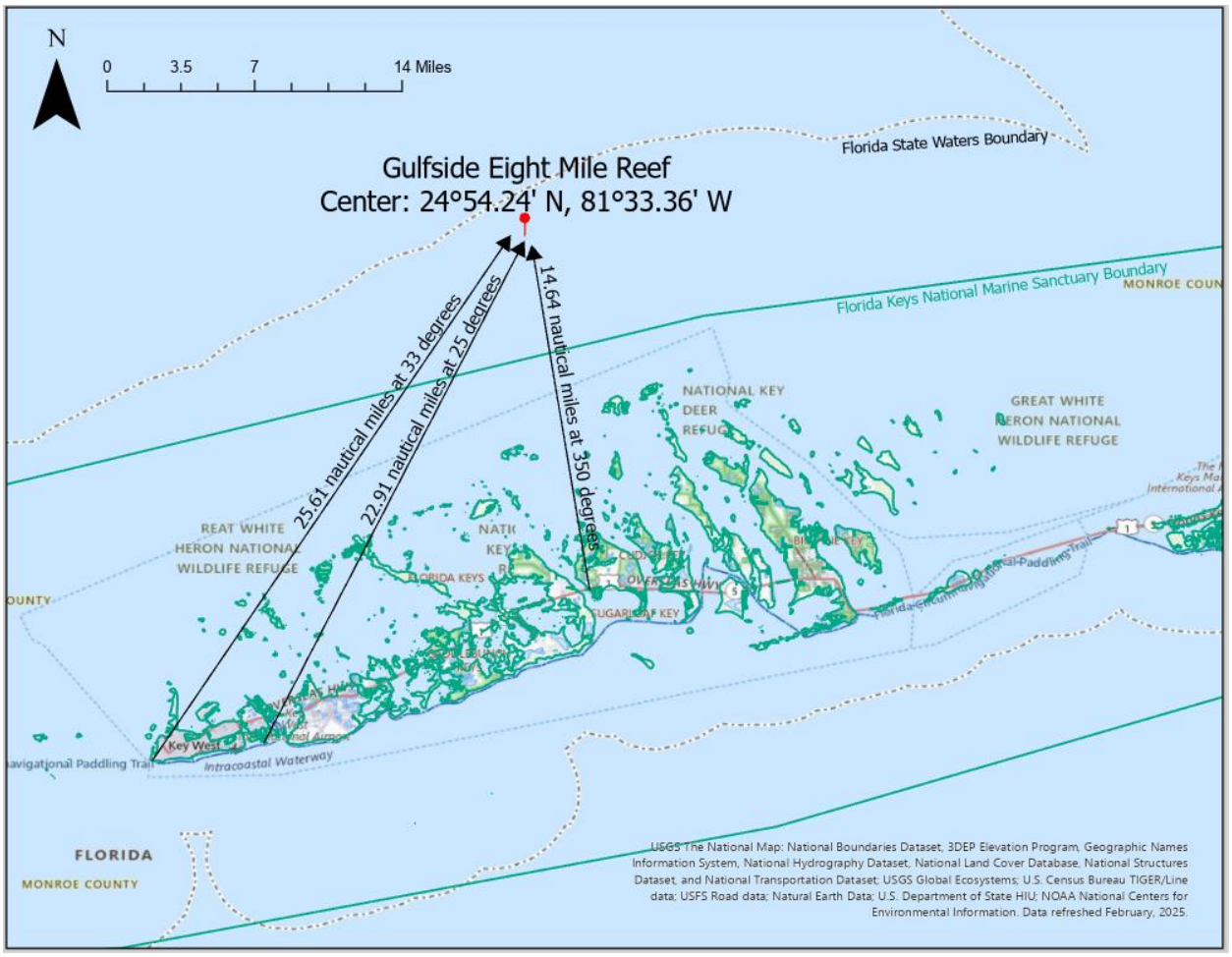
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, 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 30, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at https://rrs.usace.army.mil/rrs or to Gletys Guardia-Montoya at Gletys.Guardia-Montoya@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Jacksonville District, Attention: Gletys Guardia-Montoya, 9900 SW 107th Avenue, Suite #203, Miami, FL 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.

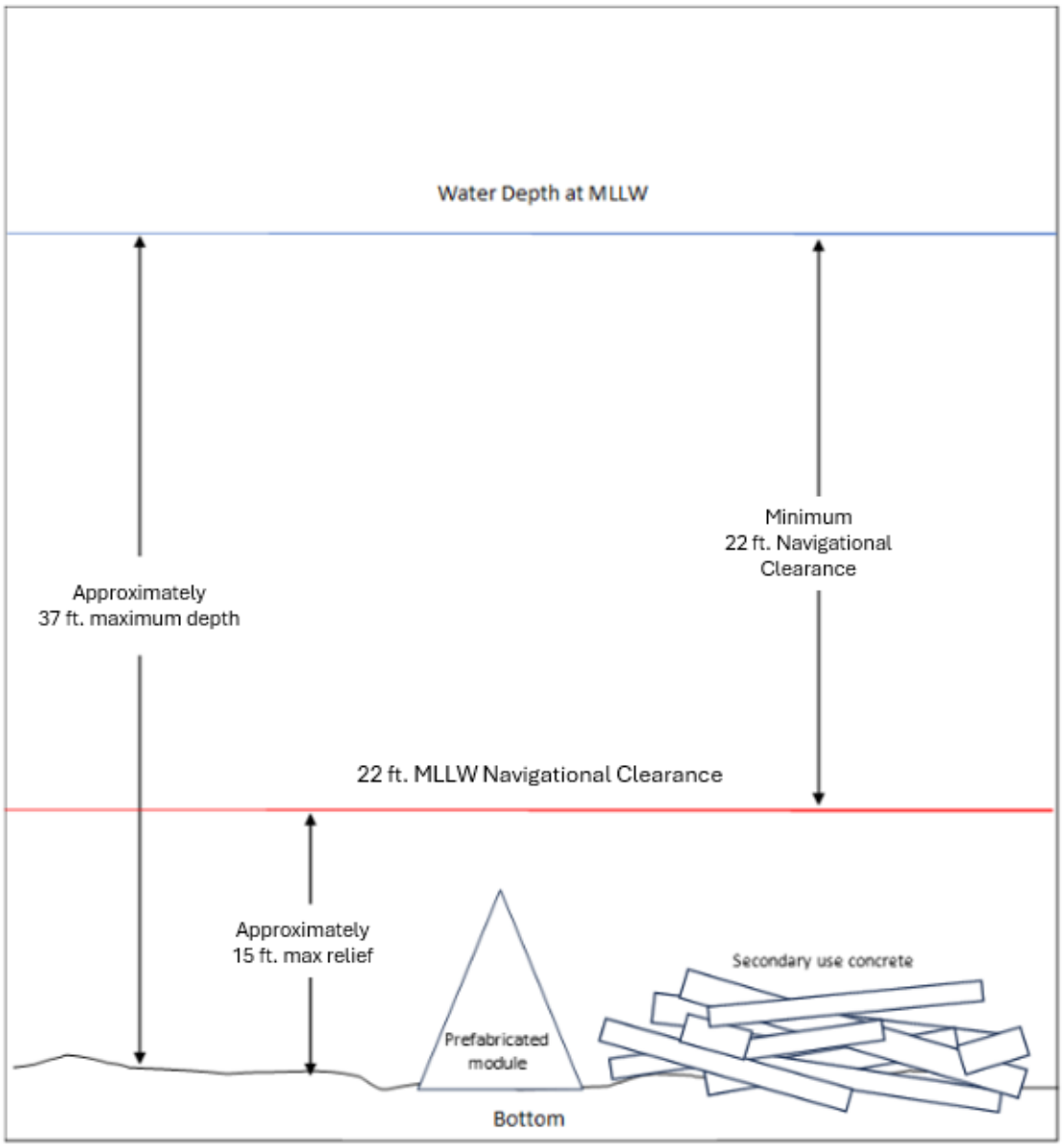
Gulfside Eight Mile Artificial Reef Access Map



Map depicts access points including distance (nautical miles) and bearing from Key West, Stock Island, and Cudjoe Key to the proposed Gulfside Eight Mile Artificial Reef site (red marker) as indicated by its central coordinates. The proposed permit area is outside of the Florida Keys National Marine Sanctuary.

Monroe County BOCC
Department of Artificial Reefs
Prepared by: Dr. Hanna R. Koch

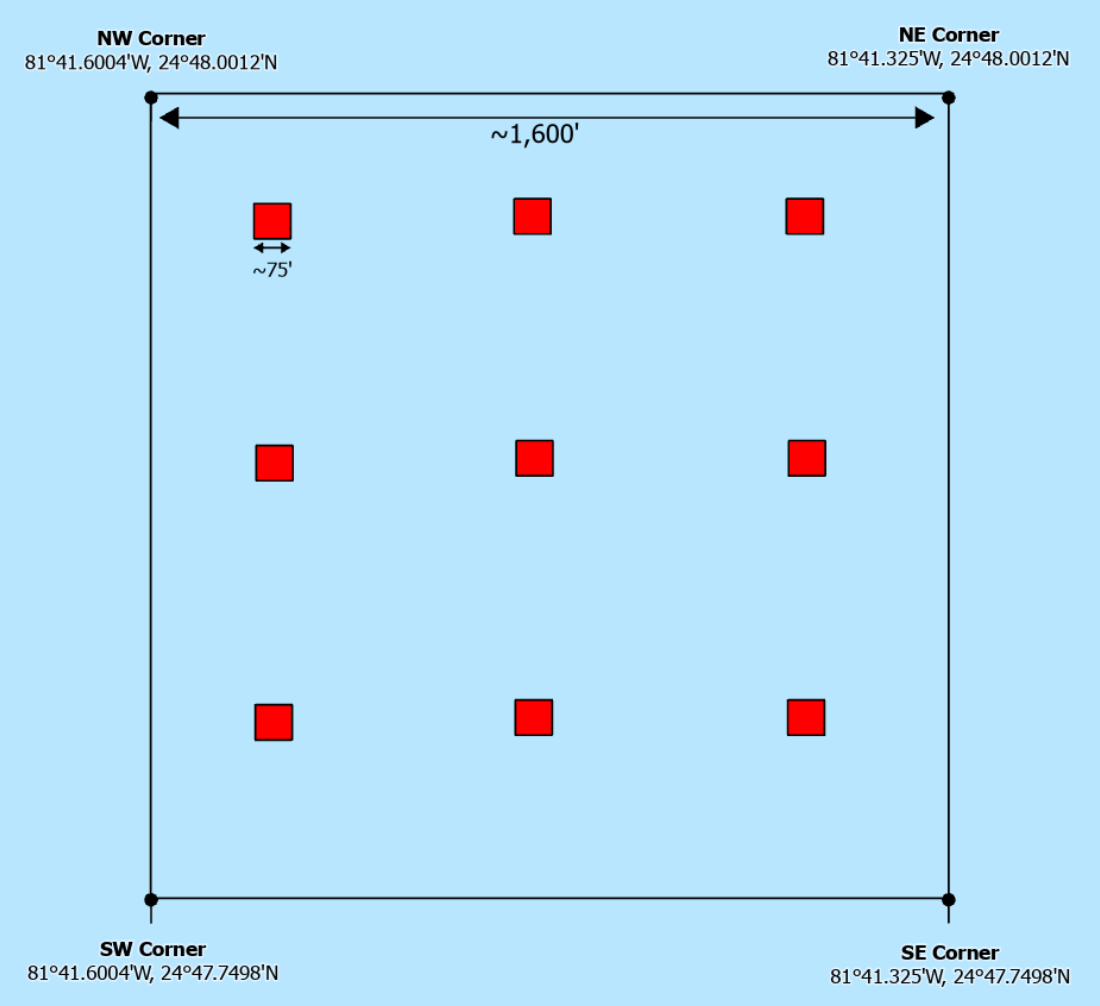
Typical Cross-Section for Gulfside Eight Mile Artificial Reef



Florida Fish and Wildlife Conservation Commission
Artificial Reef Program
Prepared by: Carolyn Kalinowski
11/3/2023

Schematic drawing depicts approximate 37’ depth of the proposed artificial reef site relative to MLLW, the 22’ navigational clearance, and 15’ maximum relief of the artificial reef once materials are deployed.

Following the materials placement considerations in Figure 10, what could that look like for Gulfside 9 Mile Reef?



ArcGIS map of APE showing the scale of each patch reef and the total space that could host artificial reef material, if the 1 acre of materials was distributed across 9 patch reefs.