US Army Corps of Engineers®

PUBLIC NOTICE

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

Published: June 13, 2025
Expires: July 13, 2025

Jacksonville District
Permit Application No. SAJ-2025-01538

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:

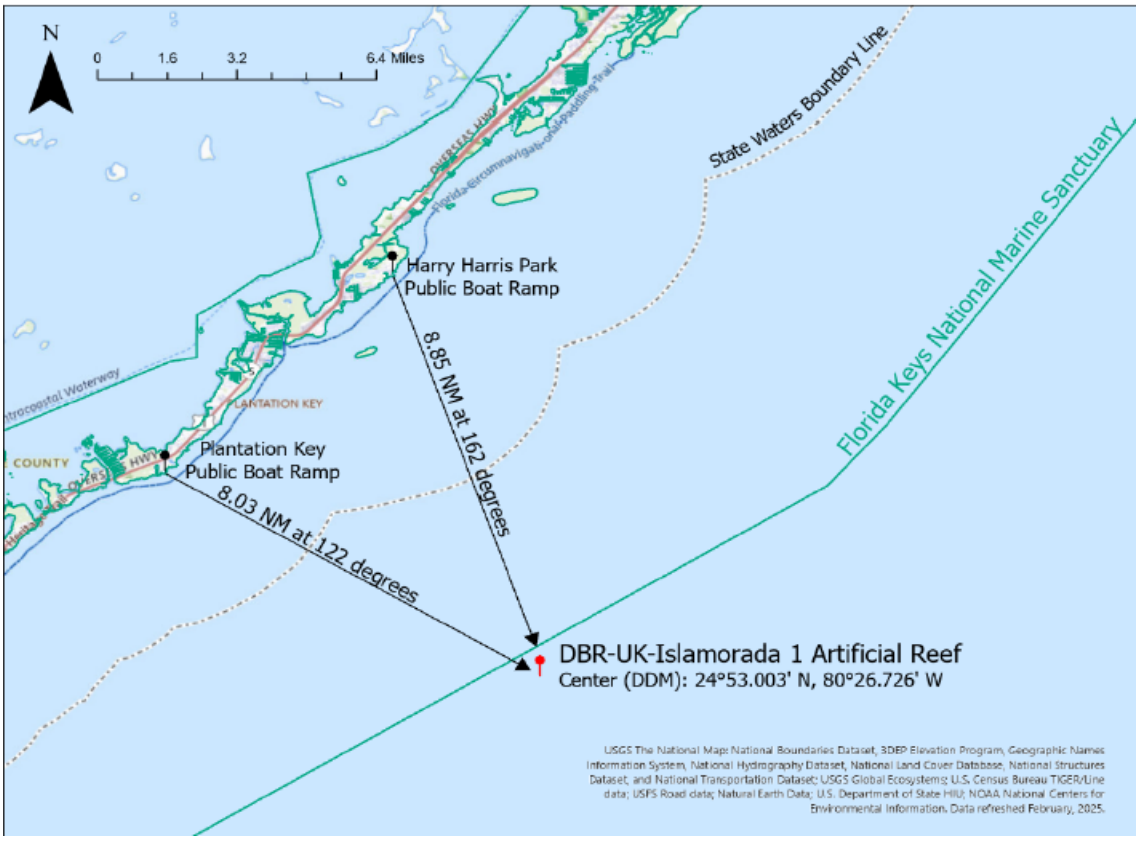
If you are interested in receiving additional project drawings associated with this public notice, please send an e-mail to the project manager by electronic mail at Gletys.Guardia-Montoya@usace.army. mil

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 Atlantic Ocean. The project site will be reference as the Monroe County BOCC DBR-UK-Islamorada 1 Artificial Reef and its center point is located 8.85 nautical miles (nm) at a bearing of 162° from the Harry Harris Park Public Boat Ramp (Beach Rd. and E. Beach Rd.) on Tavernier, and 8.03 nautical miles at a bearing of 122° from the Plantation Key, Monroe County, Florida, Public Boat Ramp (E. Ridge Rd. and Toner Ln.). The northwest corner of the project site is approximately 8 nm at a bearing of 114° from the Snake Creek Channel Marker '1'. (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	24.88339°	-80.44543	24°53.003'	80°26.726'
NE	24.88548	-80.44313	24°53.12880'	80°26.58780'
NW	24.88548	-80.44772	24°53.12880'	80°26.8632
SW	24.88129°	-80.44772	24°52.87740'	80°26.86320'
SE	24.88129	-80.44313	24°52.87740'	80°26.58780'



EXISTING CONDITIONS: The proposed Monroe County BOCC DBR-UK-Islamorada 1 Artificial Reef site is located within open federal waters of the Atlantic Ocean, outside of the Florida Keys National Marine Sanctuary (FKNMS) boundaries. The sea floor within the proposed project area is comprised of unconsolidated sand and the approximate water depth within this project site is 315-320' relative to mean low low water (MLLW). A preliminary sea bottom survey was conducted to determine depth and general sediment composition. Additionally, the FWC scientists conducted bottom surveys of the proposed project site by using two different survey methods including a ROV (with video) and a drop camera (GoPro camera mounted on a motor that rotated 360˚. A pincer tool on the ROV was also used to test substrate composition and found it appropriate for hosting artificial reef materials (i.e., a mix of coarse and fine sand). During the surveys, no benthic or cultural resources were identified. No natural hardbottom or submerged aquatic vegetation (SAV) were identified within the project footprint. The proposed site is outside the historic shrimping activities.

The proposed Artificial Reef is part of an overall Monroe county-wide plan to create a network of separate Artificial Reefs 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 natural areas of the Florida Keys.

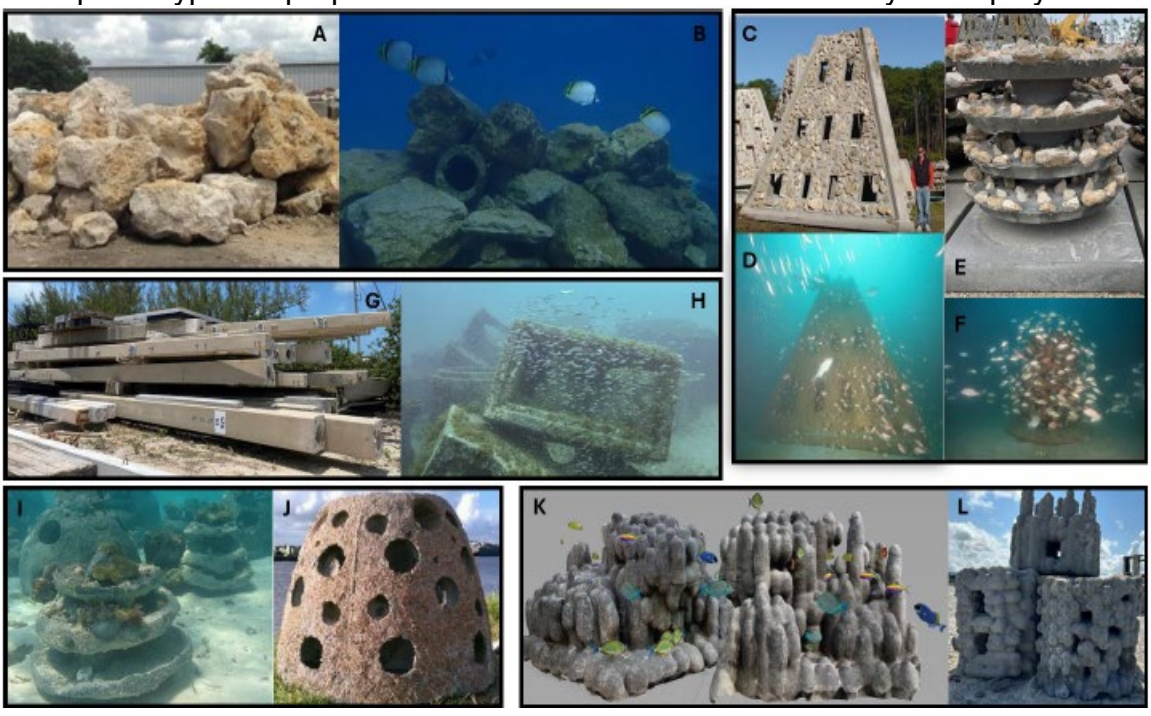
PROJECT PURPOSE:

Basic: The Basic project purpose is to develop an Artificial Reef for marine habitat enhancement and increase deepwater fishing opportunities.

Overall: The overall project purpose is to develop an artificial reef to enhance the marine environment and create new habitat for marine organisms, including fish, within offshore waters of the Atlantic Ocean, 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 DBR-UK-Islamorada 1 Artificial 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 reef material would be deployed during the lifetime of a 10-year permit. The proposed navigational vertical clearance is -200' MLLW from the top of any deployed structure. Proposed materials to be deploy at the proposed site may include calcium-carbonate based, such as limestone boulders, prefabricated artificial reef modules, or large concrete-based materials such as printed structures or clean. The proposed project is in waters of the United States.

Example of types of proposed 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. A pre-deployment surveys will be conducted no more than one year before any deployment to confirm site conditions. 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. The applicant proposes to develop this artificial reef only with material that is consistent with all required permit conditions and will adhere to follow guidelines set forth in the following best management practice documents: (1) Guidelines for Marine Artificial Reef Materials 2nd Ed. (Association of the Gulf and Atlantic States Marine Fisheries Commissions 2004); (2) National Artificial Reef Plan: Guidelines for Siting, Construction, Development, and Assessment of Artificial Reefs (NOAA 2007); and (3) Guidelines & Management Practices for Artificial Reef Siting, Usage, Construction, and Anchoring in Southeast Florida (Southeast Florida Coral Reef Initiative, Lindberg and Seaman (Ed.), 2010).

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 result on entrapment or entanglement hazard to any species. 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 permitted boundaries as 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. 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**
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
Nassau Grouper	*Epinephelus striatus*	Threatened
Oceanic whitetip shark	*Carcharhinus longimanus*	Threatened
Sperm Whale	*Physeter catodon=macrocephalus*	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 acre of barren sandy submerged aquatic 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
Bluefish	Larvae
Silky Shark	ALL
Night Shark	ALL
Nurse Shark	Juvenile/Adult
Blacktip Shark (Gulf of Mexico Stock)	Juvenile/Adult
Bluefish	Juvenile

Tiger Shark	Juvenile/Adult
Great Hammerhead Shark	ALL
Snapper Grouper	ALL
Whale Shark	ALL
Atlantic Sharpnose Shark (Gulf of Mexico Stock)	Juvenile/Adult
Skipjack Tuna	Adult
Scalloped Hammerhead Shark	Juvenile/Adult
Bull Shark	Juvenile/Adult
Shrimp	ALL
Sandbar Shark	Adult
Bonnethead Shark (Gulf of Mexico Stock)	Neonate
Sailfish	Adult
Caribbean Reef Shark	ALL
Tiger Shark	Neonate
Sailfish	Juvenile
Dolphin Wahoo	ALL
Skipjack Tuna	Juvenile
Longfin Mako Shark	ALL
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).

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 under review by the Florida State Clearinghouse SAJ# FL202506040479C.

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.

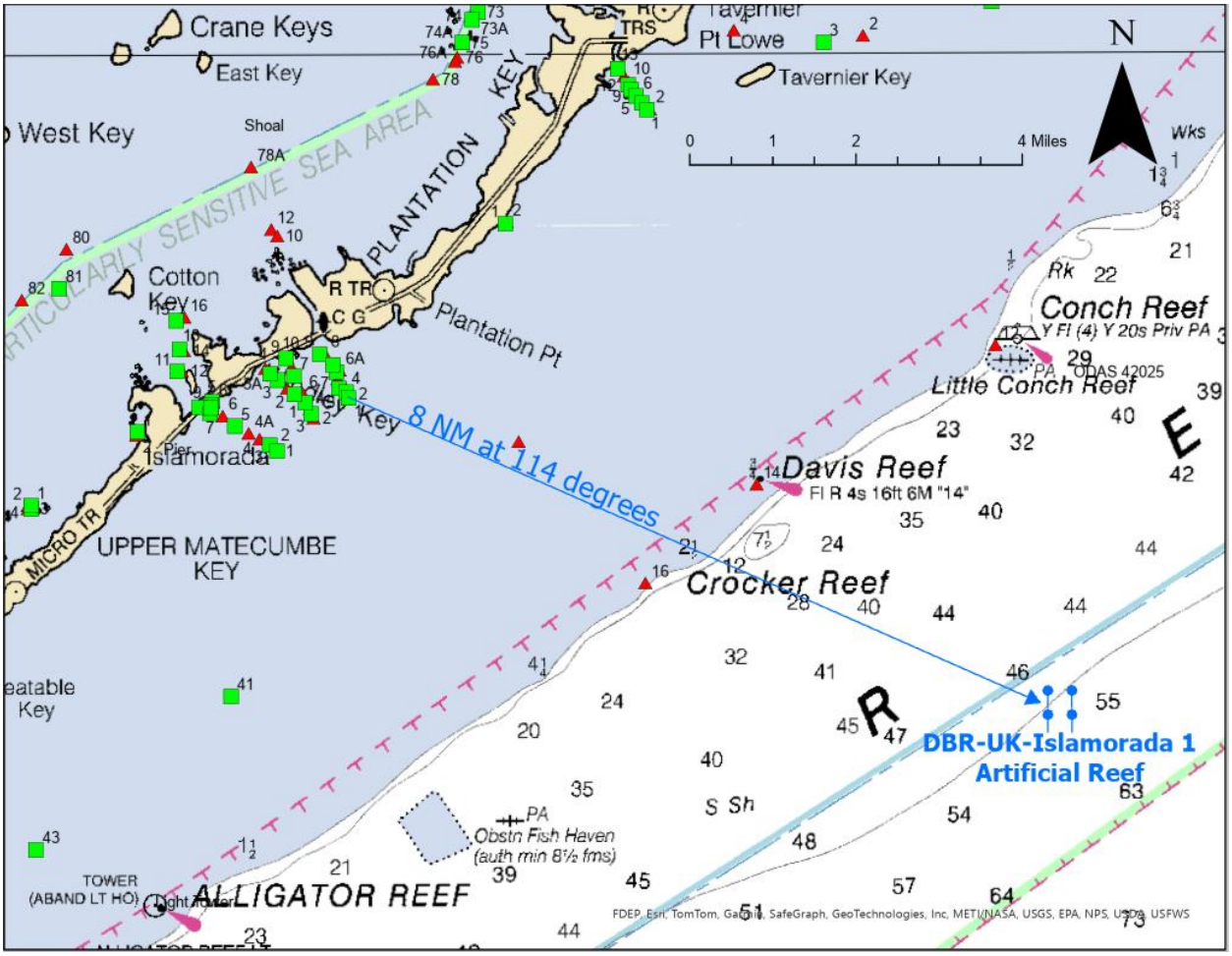
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits,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

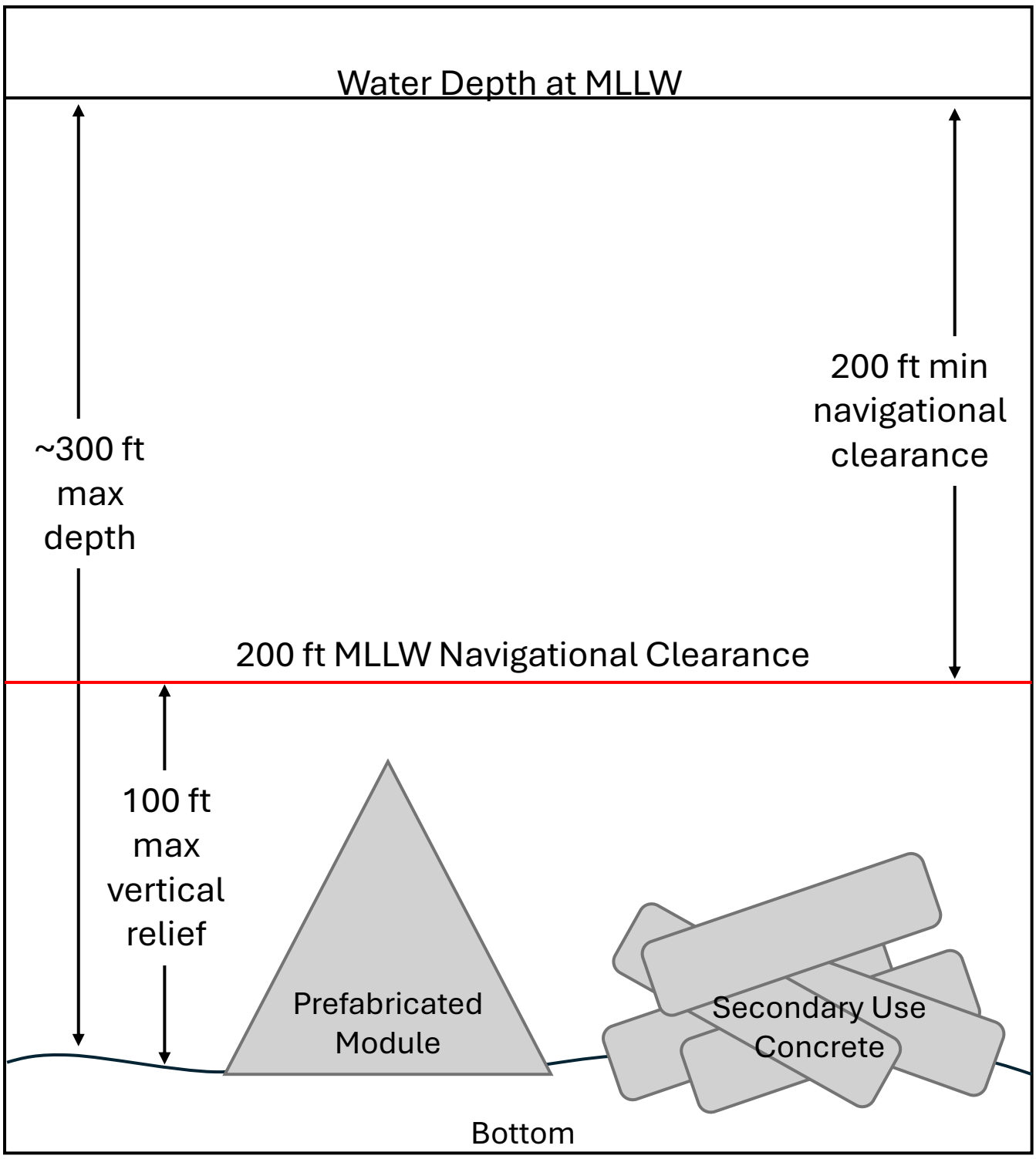
The Jacksonville District will receive written comments on the proposed work, as outlined above, until July 13, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at https://rrs.usace.army.mil/rrs or to Gletys Guardia-Montoya at Gletys.Guardia-Montoya@usace.army.mil. 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.



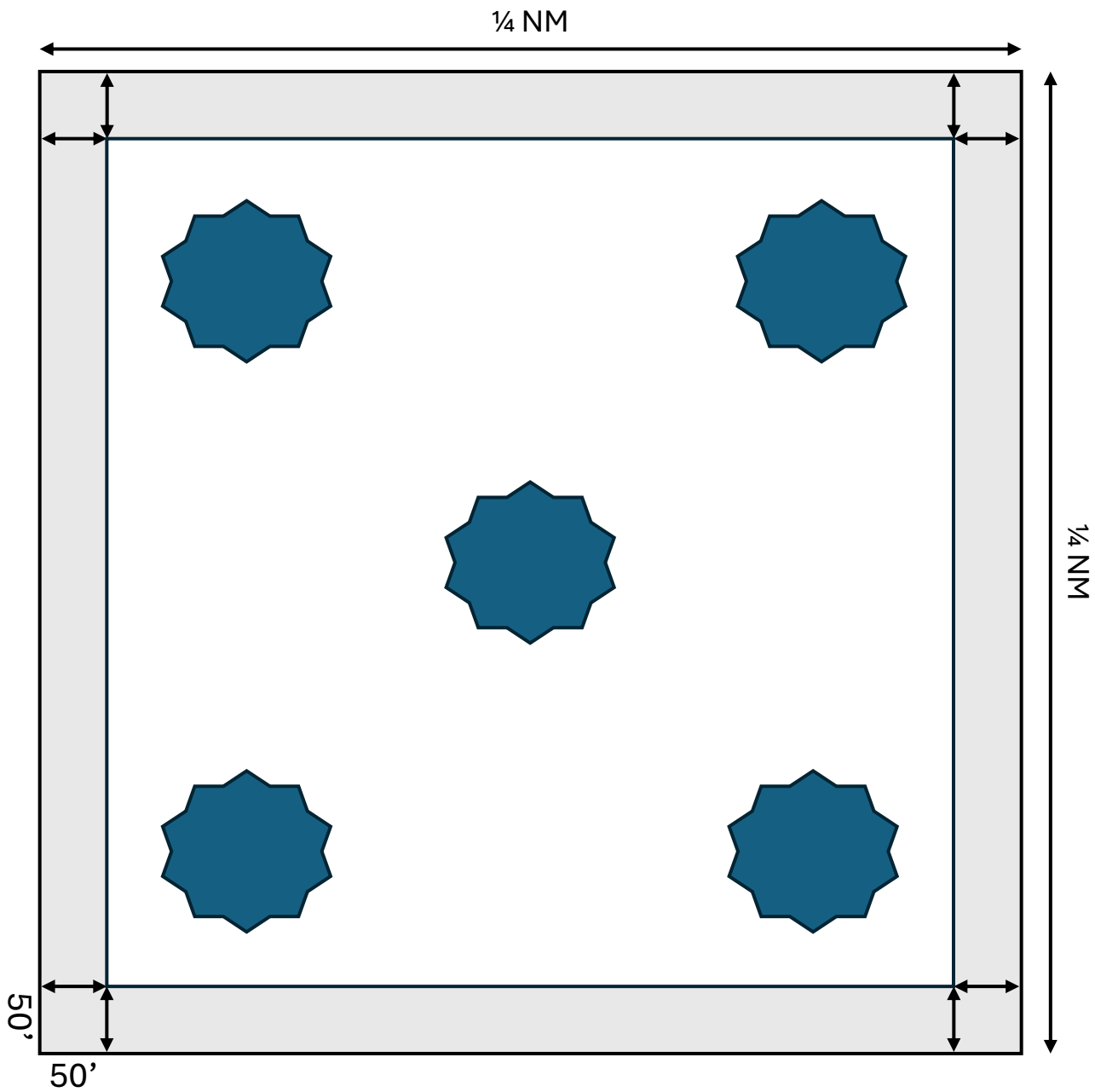
NOAA Nautical Access Chart for DBR-UK-Islamorada 1 Artificial Reef. Map depicts distance (nautical miles) and heading (degrees) from the Snake Creek Channel Marker '1' to the northwest corner of the project site which is shown here by its four corner markers (blue).

Typical Cross-Section for DBR-UK-Islamorada 1 Artificial Reef



**Graphic drawing not to scale

Sketch of Material Placement Considerations



Multiple Patch Reefs with Sand Foraging Areas.
50’ buffer between materials and permit boundary.
No more than 1 total acre of materials on seafloor.