



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:

Eric Fordin

Hillsboro Mile Property Owner, LLC

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Jacksonville District

Permit Application No. SAJ-2024-02472(SP-PWB)

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 paula.w.bratschi@usace.army.mil.

APPLICANT: Eric Fordin

Hillsboro Mile Property Owner, LLC

2850 Tigertail Ave. Suite 800

Miami, Florida 33133

AGENT:

Tyler Chappell

The Chappell Group

714 McNab Road

Pompano Beach, Florida 33062

WATERWAY AND LOCATION: The project would affect waters of the United States associated with The Intracoastal Waterway. The project area is located on the West side of Hillsboro Mile, 1.9 miles south of the intersection of East Hillsboro Boulevard and Hillsboro Mile in 8 Section, 48 S Township, 43 E Range; at Latitude 26.297034 and Longitude -80.079855; in Hillsboro Beach, Broward County, Florida.

EXISTING CONDITIONS:

The project site is located along the eastern shoreline of the Intracoastal Waterway adjacent to a mostly undeveloped parcel. The site is to be utilized as a future multi-family marina. A Department of the Army permit 19910234(IP-DSG) issued on November 25 2001 authorized the creation of an 11 slip marina and included excavating uplands to create a basin, dredging of an access channel, installation of seawalls and docking structures, and placement of riprap to create a 3,550 square foot mangrove planter within the Intracoastal Waterway adjacent to the southern end of the basin. In 2022 a marginal dock was constructed in the basin and upland clearing began. The

upland property is currently under construction for a 3-story condominium. A benthic survey was conducted on September 22, 2024, which documented an area of paddle grass (*Halophilla decipiens*) at the north end of the site. The seagrass area is approximately 300 feet long by 55 to 70 feet wide on the outside of the basin. No seagrasses were found on the inside of the basin. The project site is located approximately 2.73 miles north of the Hillsboro Inlet with access to the Atlantic Ocean.

PROJECT PURPOSE:

Basic: Shoreline stabilization and improved water access.

Overall: The overall project purpose is shoreline stabilization and water access to create a new multi-family marina (Rosewood Marina) located adjacent to 1174-1184 Hillsboro Mile, Hillsboro Beach, Florida.

PROPOSED WORK: The applicant requests authorization to create a 15 slip marina for a multi-family residence by conducting the following work:

1. Remove 481 linear feet of an existing concrete seawall, cap and piles along the eastern shoreline of the basin.
2. Remove 2 marginal docks within the basin and a pier (4,087 square feet total); the pier is west of the shoreline and creates a basin.
3. Remove 931 linear feet (340 square feet/30 cubic yards) of existing riprap at the north end of the western side of the basin and 24 concrete piles adjacent to the existing riprap.
4. Install 605 linear feet of 2.5-foot wide concrete seawall cap over existing sheet piles along the eastern shoreline.
5. Install 76.5 linear feet of new steel sheet piles and a 2.5-foot wide concrete cap along the southern shoreline of the basin.
6. Place 669 linear feet (4,014 square feet/233 cubic yards) of riprap in front of new seawalls.
7. Construct a new 471.9-foot by 7.9-foot (3,728 square feet) concrete marginal dock and a new 50-foot by 5-foot (250 square feet) concrete marginal dock along the eastern shoreline.
8. Construct a new 76.4-foot by 5.5-foot (420 square feet) concrete marginal dock and a 5-foot by 50-foot (250 square feet) pier along the southern shoreline of the basin.
9. Construct a new 7.6-foot by 311-foot (2,364 square feet) pier and a 15-foot by 40-foot (600 square feet) observation/drop-off dock west of the shoreline creating a basin.
10. Construct a new T-shaped dock (1,936 square feet total) with an 8-foot by 47-foot (376 square feet) access ramp and 12-foot by 130-foot (1,560 square feet) terminal platform within the north end of the basin.
11. Install 130 linear feet of steel sheet pile wave break beneath the terminal end of the T-shaped dock

12. Construct a new floating 24-feet by 33.9-feet (814 square feet) personal watercraft (PWC) platform with a 5-feet by 30-feet (150 square feet) gangway.
13. Dredge 33,800 square feet (3,250 cubic yards) to a depth of -5 feet to -7.5 feet mean low water (MLW).

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

A benthic survey was conducted on September 22, 2024, which documented an area of paddle grass (*Halophila decipiens*) at the north end of the site. The dredge footprint is configured to avoid seagrasses, and a 5-foot buffer zone and turbidity curtains would be used to minimize indirect impacts to the existing seagrasses. The applicant will comply with the Standard Manatee Conditions for In-Water Work. Clean fill material will be used for the project.

COMPENSATORY MITIGATION:

The applicant has provided the following explanation why compensatory mitigation should not be required:

A benthic survey conducted on September 22, 2024, showed seagrass in the survey area but not within the project footprint. Because there is no loss of aquatic resources proposed or expected, no compensatory mitigation plan 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.

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.

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
Green Sea Turtle	<i>Chelonia mydas</i>	Threatened
Kemp’s Ridley Sea Turtle	<i>Lepidochelys kempii</i>	Endangered
Loggerhead Sea Turtle	<i>Caretta caretta</i>	Threatened
Smalltooth Sawfish	<i>Pristis pectinata</i>	Endangered
Giant Manta Ray	<i>Mobula birostris</i>	Threatened
West Indian Manatee	<i>Trichechus manatus</i>	Threatened
West Indian Manatee Critical Habitat		
Wood stork	<i>Mycteria americana</i>	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). A benthic survey was conducted on September 22, 2024, which documented an area of paddle grass (*Halophilia decipiens*) at the north end of the site. No seagrasses were found within the project footprint. Implementation of the proposed

project would directly impact approximately 64,191 square feet of unvegetated substrate. 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 Grouper	ALL	
Spiny Lobster	ALL	
Corals	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 Live/Hard Bottom Habitat	SEAMAP Nearshore Hard Bottom
	Coral, Coral Reefs, and Live/Hard Bottom Habitat	Phragmatopoma (worm reefs)
Snapper-Grouper		SEAMAP Hard Bottom
Source: https://services2.arcgis.com/C8EMgrsFcRFL6LrL/ArcGIS/rest/services/HAPC/FeatureServer/0		

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 project is within the Intracoastal Waterway federal channel. The Corps Navigation Division will review the project and make a final determination.

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 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.

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 October 12, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Paula Bratschi at paula.w.bratschi@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Jacksonville District, Attention: Paula Bratschi, 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.



