



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Corrected Copy March 24, 2023

March 22, 2023

** Delivered via email*

Seth/Laura Hochbaum/Coburn *
1101 Highland Beach Drive Unit A
Palm Beach, FL 33487

**Subject: Exemption for Hochbaum-Coburn
Application No. 230227-37740
Exemption No. 50-108526-P
Palm Beach County**

Dear Seth & Laura Hochbaum-Coburn:

The South Florida Water Management District (District) reviewed the information submitted for the proposed seawall and pile installation and has determined that the proposed project is exempt from the requirement to obtain an Environmental Resource Permit, pursuant to Rules 62-330.051 (12)(b) and 62-330.051(12)(d), Florida Administrative Code.

The proposed activities will occur at 1101 Highland Beach Drive Unit A, in Highland Beach, Palm Beach County. See Exhibit No. 1.0 for Location Map.

Based on the plans (Exhibit No. 2.0) received by the District on February 24, 2023, the proposed activities to be conducted under the exemption involve:

1. The removal of existing batter piles and rip rap boulders in front of the existing seawall.
2. The construction of a 100 linear-foot precast pile and panel seawall, no more than 12.0 inches waterward from the existing seawall.
3. The construction of seawall caps to incorporate king and batter piles.
4. The construction of two 10-foot returns using one 3.0-inch pin pile at each end of property, with minimal backfilling to achieve grade.

Activities that qualify for this exemption must be conducted and operated using appropriate best management practices and in a manner which does not cause or contribute to a water quality violation. Pursuant to Chapters 62-302 or 62-4, Florida Administrative Code.

This letter does not relieve you from the responsibility of obtaining other permits (federal, state or local) which may be required for the project.

The determination that this project qualifies as an exempt activity may be revoked if the installation is substantially modified, if the basis of the exemption is determined to be materially incorrect, or if the installation results in violation to state water quality standards. Any changes made in the construction plans or location of the project may necessitate a permit from the District. Therefore you are advised to contact the District before beginning any work in wetlands which is not specifically described in the submittal.

The notice of determination that the project qualifies as an exempt activity constitutes final agency action by the District unless a petition for administrative hearing is filed. Upon timely filing of a petition, this Notice will not be effective until further Order of the District. If you have any questions concerning this matter, please contact Caitlin Westerfield, Environmental Analyst 2 at 561-682-6058 or cwesterf@sfwmd.gov, and Susana Pascal, Engineering Specialist IV at (561) 682-2905 or spascal@sfwmd.gov.

Sincerely,



Jesse Markle, P.E.
Bureau Chief, Environmental Resource Bureau

c: Mitchell Scavone, Ray Qualmann Marine Construction Inc *

Exhibits

The following exhibits to this permit are incorporated by reference. The exhibits can be viewed by clicking on the links below or by visiting the District's ePermitting website (<http://my.sfwmd.gov/ePermitting>) and searching under this application number 230227-37740.

[Exhibit 1.0 Location Map](#)

[Exhibit 2.0 Plans](#)

NOTICE OF RIGHTS

As required by Chapter 120, Florida Statutes, the following provides notice of the opportunities which may be available for administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, or judicial review pursuant to Section 120.68, Florida Statutes, when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Some of the legal proceedings detailed below may not be applicable or appropriate for your situation. You may wish to consult an attorney regarding your legal rights.

RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Florida Statutes. Persons seeking a hearing on a District decision which affects or may affect their substantial interests shall file a petition for hearing in accordance with the filing instructions set forth herein within 21 days of receipt of written notice of the decision unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Florida Statutes; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Florida Statutes. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, posting, or publication that the District has taken or intends to take final agency action. Any person who receives written notice of a District decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action that materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional point of entry pursuant to Rule 28-106.111, Florida Administrative Code.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Florida Statutes, shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The District may grant the request for good cause. Requests for extension of time must be filed with the District prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and whether the District and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

FILING INSTRUCTIONS

A petition for administrative hearing must be filed with the Office of the District Clerk. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at the District's headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day.

Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406.
- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a

petition to the District's security desk does not constitute filing. It will be necessary to request that the District's security officer contact the Office of the District Clerk. An employee of the District's Clerk's office will receive and process the petition.

- Filings by e-mail must be transmitted to the Office of the District Clerk at clerk@sfwmd.gov. The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document.

INITIATION OF ADMINISTRATIVE HEARING

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Rules 28-106.201 and 28-106.301, Florida Administrative Code, initiation of an administrative hearing shall be made by written petition to the District in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

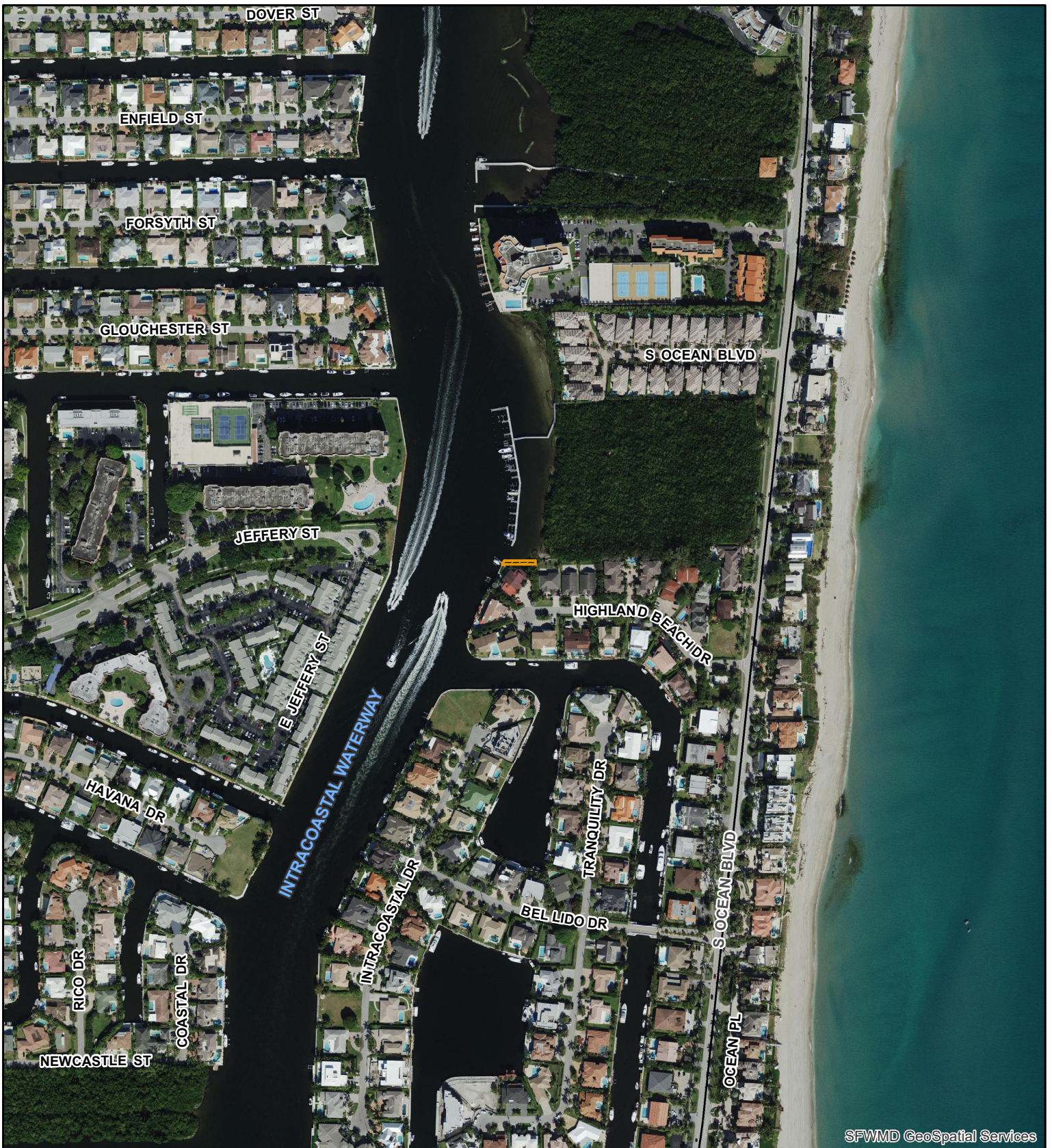
1. Identification of the action being contested, including the permit number, application number, District file number or any other District identification number, if known.
2. The name, address, any email address, any facsimile number, and telephone number of the petitioner, petitioner's attorney or qualified representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the District's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the District's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the District to take with respect to the District's proposed action.

MEDIATION






The procedures for pursuing mediation are set forth in Section 120.573, Florida Statutes, and Rules 28-106.111 and 28-106.401–.405, Florida Administrative Code. The District is not proposing mediation for this agency action under Section 120.573, Florida Statutes, at this time.

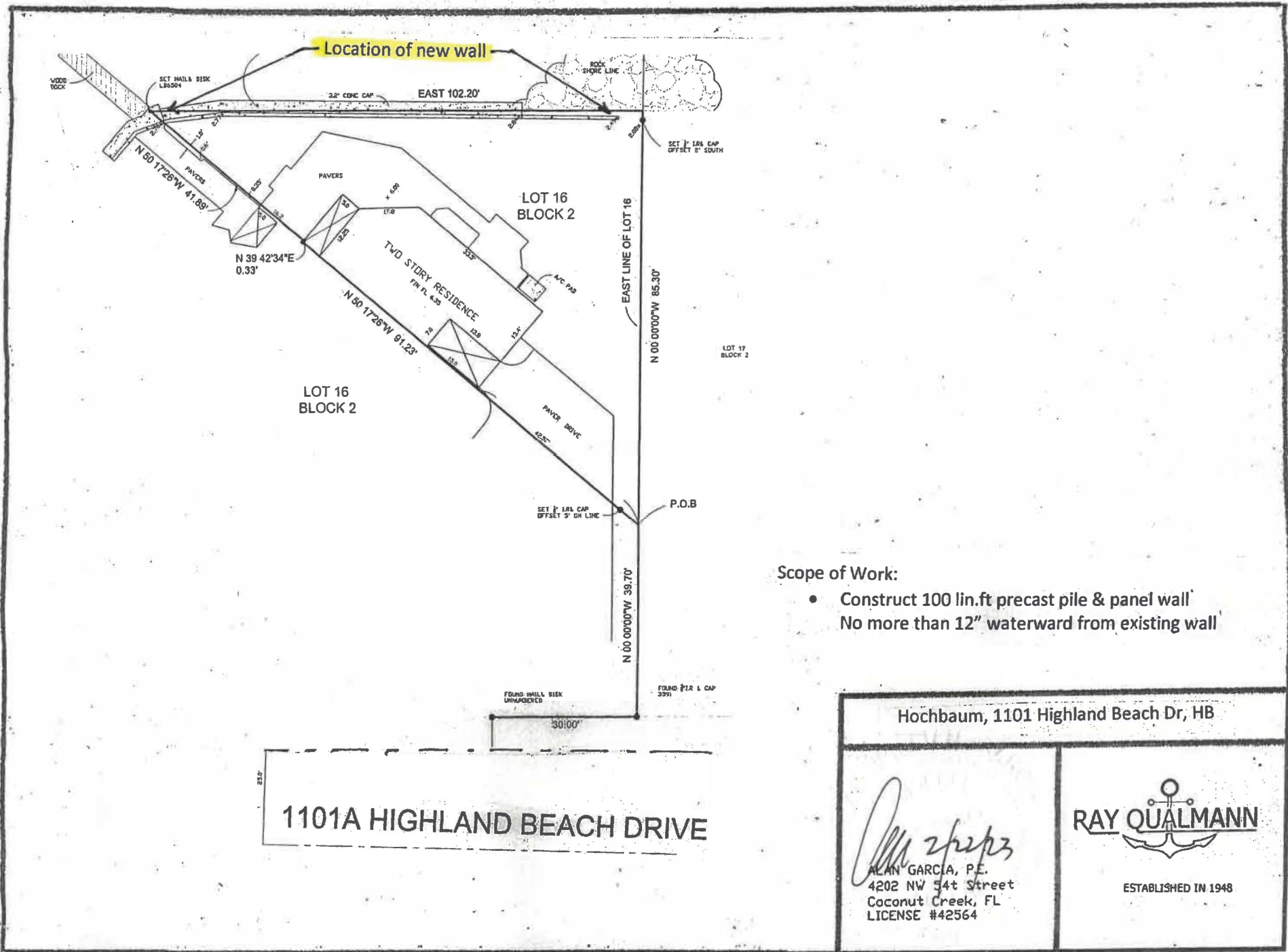
RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Section 120.68, Florida Statutes, and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final District action may seek judicial review of the District's final decision by filing a notice of appeal with the Office of the District Clerk in accordance with the filing instructions set forth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the appropriate district court of appeals via the Florida Courts E-Filing Portal.



SFWM District GeoSpatial Services

<p>Exhibit No: 1</p>	<p>Exhibit Created On: 2023-03-20</p>	<p>PALM BEACH COUNTY, FL</p>	<p> Application</p> <p>Exemption No: 50-108526-P</p> <p>Application Number: 230227-37740</p> 
<p>REGULATION DIVISION</p> <p>Project Name: Hochbaum-Coburn</p>			
	<p>0 387.5 775</p>  Feet	<p>Created by</p> 	<p>South Florida Water Management District</p>

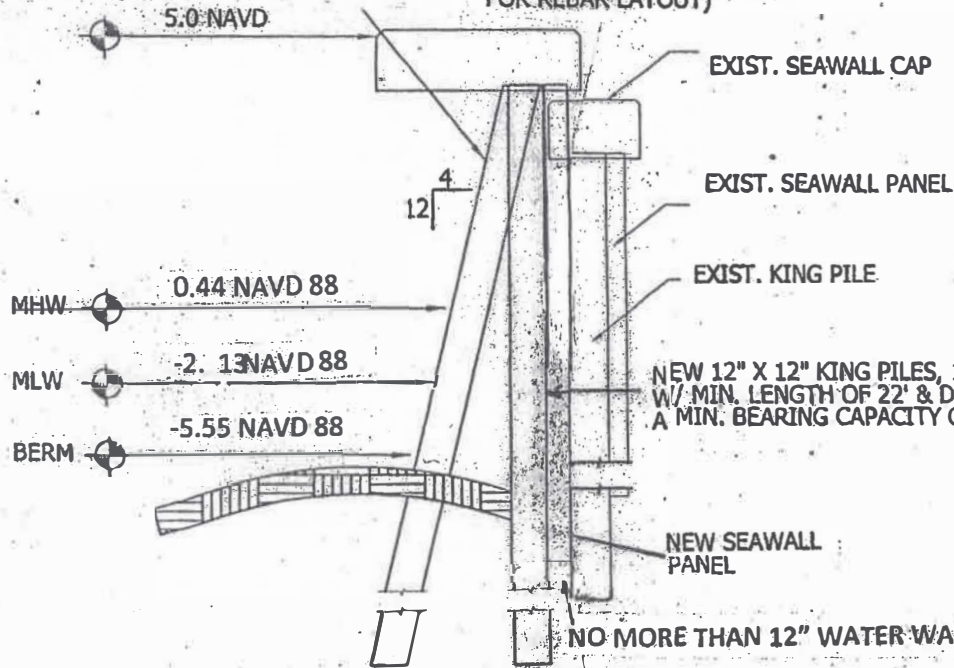


Scope of Work:

- Construct 100 lin.ft precast pile & panel wall
No more than 12" waterward from existing wall

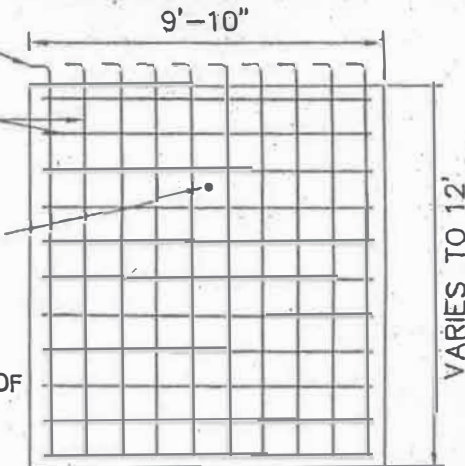
NEW 12" X 12" BATTER PILES, 10' O.C.,
W/ MIN. LENGTH OF 22' & DRIVEN TO
A MIN. BEARING CAPACITY OF 15 TONS

SEAWALL CAP
(SEE CAP CROSS SECTION
FOR REBAR LAYOUT)



CONCRETE SEAWALL SECTION
N.T.S.

STD. HOOK IN
VERT. BAR.
#5 REBAR 12" O.C.
VERT., 12" O.C. HORIZ.
SIDE COVER 6"
TOP / BOTTOM 4"



TYP. 8" THICK SEAWALL PANEL
N.T.S.

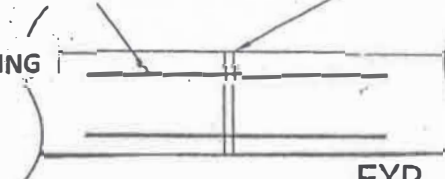
ONE 3" WEEPHOLE,
PLACED 2'-0"
INSIDE PANEL EDGE,
2'-10" BELOW TOP.

PROVIDE TWO 3/4"
LIFTING HOOKS IN TOP OF
PANEL OR 1/4" S.S.
CABLE FOR LIFTING.

3/4" DOWEL, 3' LONG, (4).
EACH CORNER OF CAP REBAR
CAGE. GREASED TO ALLOW EXPANSION.

1/2" EXP. MATERIAL W/
BACKER ROD (CONT.
AROUND JOINT)

NO MORE THAN 12" WATER WARD OF EXISTING



NOTE: PLACE EXP.
JT. @ MIDWAY
APPROX. EVERY 90 L.F. +/-

EXP. JOINT DETAIL
N.T.S.

Hochbaum, 1101 Highland Beach Dr, HB

GENERAL NOTES:

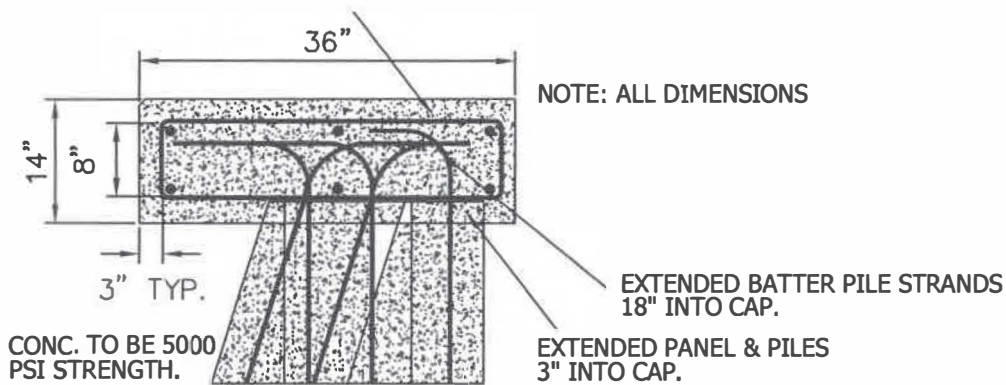
1. ALL CONCRETE TO BE 5000 psi. 28 DAY COMP. STRENGTH.
2. ALL STEEL REBAR TO BE GRADE 60
3. CONCRETE SHALL BE PROPERLY CURED.
4. CONTRACTOR TO OBTAIN UTILITY CLEARANCE PRIOR TO PILE DRIVING. CALL 1-800-432-4770.
5. ASSUMES GOOD BEARING SOIL. IF SILTS OR MUCK IS ENCOUNTERED, INCREASE PANEL DEPTH TO THE POINT OF REFUSAL AND CONTACT ENGINEER.

Alan Garcia
ALAN GARCIA, P.E.
4202 NW 54th Street
Coconut Creek, FL
LICENSE #42564



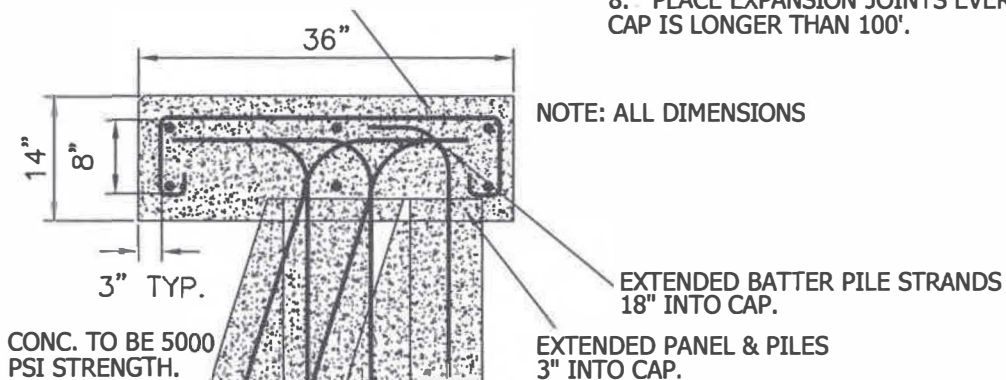
ESTABLISHED IN 1948

(3) - # 5 BARS TOP & BOTTOM,
W/ # 3 HOOPS 12" O.C., 6" O.C. @ PILE.



SEAWALL CAP
N.T.S.

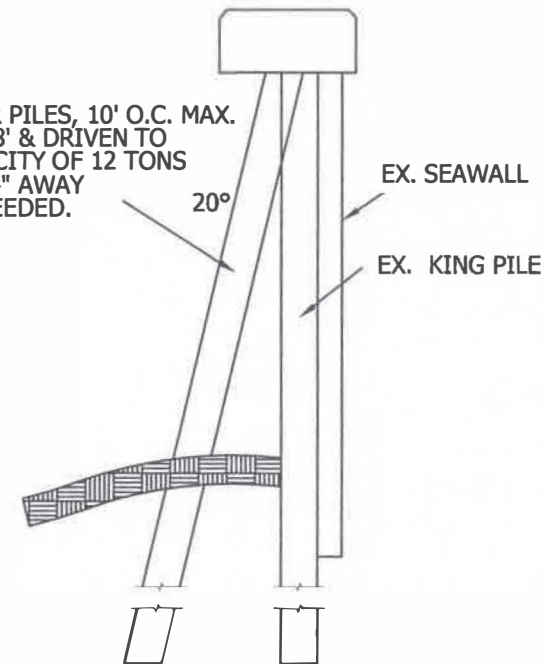
(3) - # 5 BARS TOP & BOTTOM,
W/ # STIRRUPS 12" O.C., 6" O.C. @ PILE.



ALTERNATE SEAWALL CAP
N.T.S.

SEAWALL CAP
(SEE CAP CROSS SECTION
FOR REBAR LAYOUT)

NEW 12" X 12" BATTER PILES, 10' O.C. MAX.
W/ MIN. LENGTH OF 18' & DRIVEN TO
A MIN. BEARING CAPACITY OF 12 TONS
OFFSET BATTER PILE 4" AWAY
FROM KING PILE, IF NEEDED.



CONCRETE SEAWALL SECTION
N.T.S.

- GENERAL NOTES:
1. ALL CONCRETE TO BE 5000 psi. 28 DAY COMP. STRENGTH.
 2. ALL STEEL REBAR TO BE GRADE 60
 3. CONCRETE SHALL BE PROPERLY CURED.
 4. CONTRACTOR TO OBTAIN UTILITY CLEARANCE PRIOR TO PILE DRIVING. CALL 1-800-432-4770.
 5. PLACE BATTERS AT EACH KING / T-PILE LOCATION.
 6. CAP WIDTH MAY VARY FROM 42", ADJUST LONGITUDINAL STEEL REBAR ACCORDINGLY.
 7. TYPICAL CAP THICKNESS 14".
 8. PLACE EXPANSION JOINTS EVERY 100' IF CAP IS LONGER THAN 100'.

Hochbaum, 1101 Highland Beach Dr Unit A Highland Beach

[Handwritten Signature]
2/22/23



ESTABLISHED IN 1948