



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
POST OFFICE BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

March 21, 2019

Regulatory Division
North Permits Branch
Jacksonville Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2019-00592 (SP-BJC)

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) as described below:

APPLICANT: Southport Financial Services, Inc.
Attn: Mr. Peter Leach
5403 West Gray Street
Tampa, Florida 33609

WATERWAY AND LOCATION: The project would affect waters (wetlands) of the United States associated with the Nassau River. The project site is located at 941328 Old Nassauville Road, in Sections 29 and 32, Township 2 North, Range 28 East, Fernandina Beach, Nassau County, Florida.

Directions to the site are as follows: From Interstate-95 take Exit 373 and head east. Proceed until the intersection of Amelia Concourse and turn left. Proceed until just before the intersection of Old Nassauville Road and the project site is to both the left side and right side of Amelia Concourse.

APPROXIMATE CENTRAL COORDINATES: Latitude 30.591825 °
Longitude - 81.517972 °

PROJECT PURPOSE:

Basic: The basic project purpose is single-family residential development.

Overall: The overall project purpose is single-family residential development with direct access to Amelia Concourse.

EXISTING CONDITIONS: The wetland system consists of freshwater systems. The onsite communities consist of hydric pine flatwoods, wetland forested mixed, and lake swamps. The existing area surrounding the project area consists of pine flatwoods, pine-mesic oak, hardwood-coniferous mixed, single-family residential developments, and roads and highways.

PROPOSED WORK: The applicant seeks authorization to discharge clean-fill material into 1.32 acres of freshwater-forested wetlands and 0.66-acre of surface waters to facilitate a single-family residential development and associated infrastructure.

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

“The applicant has addressed avoidance and minimization of wetland impacts by proposing to impact only the smaller, geographically isolated wetland areas on-site, leaving the higher quality, contiguous wetlands undisturbed.”

COMPENSATORY MITIGATION – The applicant has offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment:

The proposed project will incur approximately 1.32 acres of direct impact to wetlands that require mitigation, incurring 0.90 unit of Functional Loss. Mitigation for these impacts will be provided through mitigation bank credit purchase and on-site wetland preservation. Approximately 6.03 acres of wetlands will be preserved providing 0.12 functional gain units. A total of 0.78 credits will be purchased from an in-basin mitigation bank to offset the remaining impacts. A credit reservation letter will be forwarded to USACE pending approval of the proposed mitigation plan.”

CULTURAL RESOURCES:

The Corps is not aware of any known historic properties within the permit area. By copy of this public notice, the Corps is providing information for review. Our final determination relative to historic resource impacts is subject to review by and coordination with the State Historic Preservation Officer and those federally recognized tribes with concerns in Florida and the Permit Area.

ENDANGERED SPECIES:

The project is within the *Core Foraging Area* of a wood stork colony; however, the project would affect less than 0.5 acre of suitable foraging habitat for Wood Storks. In consideration of this information, the Corps utilized *The Corps of Engineers, Jacksonville District, U.S. Fish and Wildlife Service, Jacksonville Ecological Services Field Office and State of Florida Effect Determination Key for the Wood Stork in Central and North Peninsular Florida, September 2008*, to determine potential effects upon this species. Use of this key resulted in the sequence A-B-C-*may affect, but is not likely to adversely affect*. The U.S. Fish and Wildlife Service previously indicated that they concur with determinations of *may affect, not likely to adversely affect* based on the key for Wood Storks; and, that no additional consultation is necessary.

ESSENTIAL FISH HABITAT (EFH): This notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in Alligator Creek. 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.

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 jurisdictional line has been verified by Corps personnel.

AUTHORIZATION FROM OTHER AGENCIES: Water Quality Certification may be required from the Florida Department of Environmental Protection and/or one of the state Water Management Districts.

COMMENTS regarding the potential authorization of the work proposed should be submitted in writing to the attention of the District Engineer through the Jacksonville Permits Section, Post Office Box 4970, Jacksonville, Florida 32232-0019 within 21 days from the date of this notice.

The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to the associated wetlands. This is based on an analysis of the applicant's avoidance and minimization efforts for the project, as well as the compensatory mitigation proposed.

QUESTIONS concerning this application should be directed to the project manager, Brad Carey, in writing at the Jacksonville Permits Section, Post Office Box 4970, Jacksonville, Florida 32232-0019; by electronic mail at brad.j.carey@usace.army.mil; or, by telephone at (904) 232-2405.

IMPACT ON NATURAL RESOURCES: Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area.

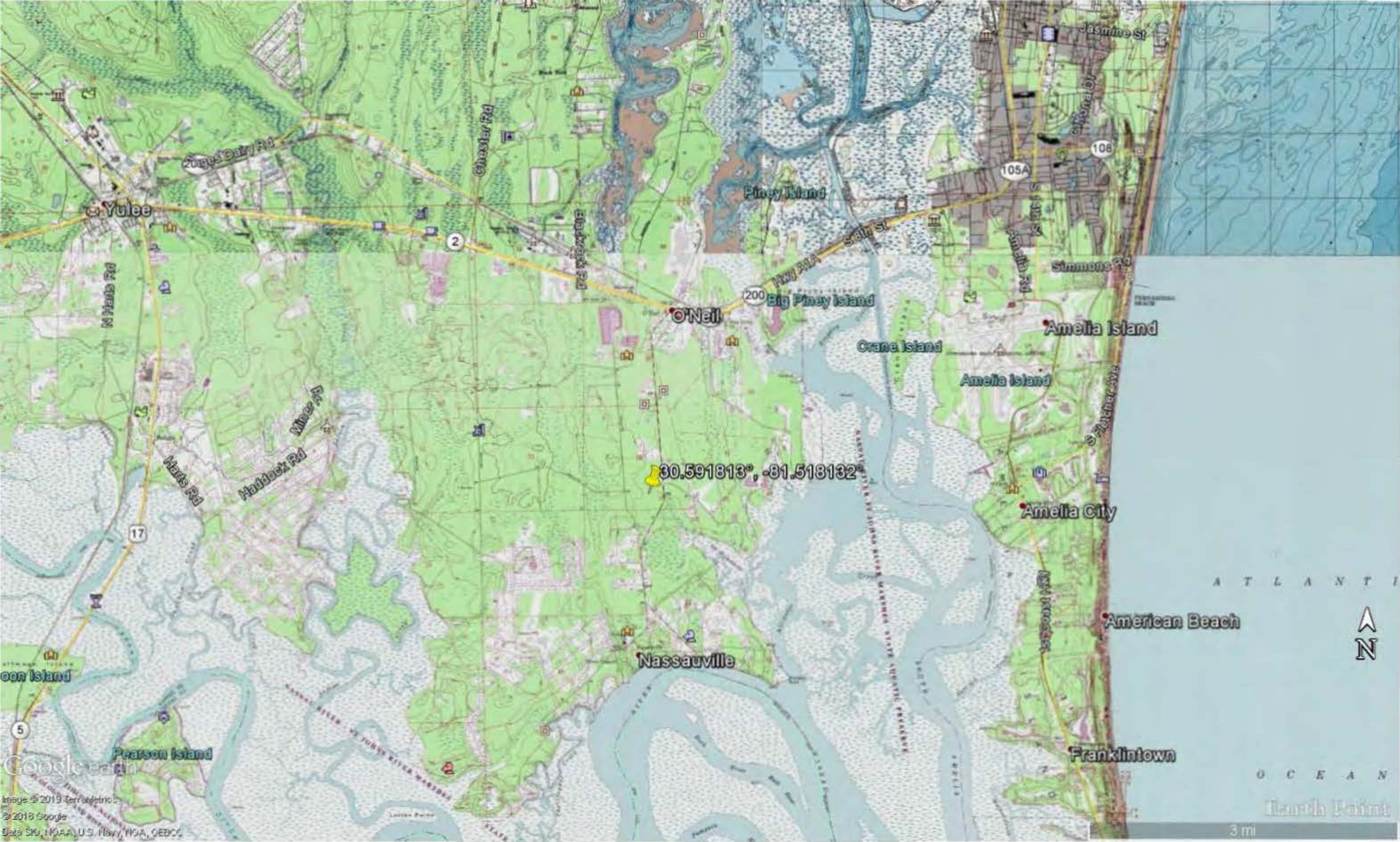
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, 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. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

The US Army Corps of Engineers (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 also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with the Coastal Zone Management Plan.

REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.



Yulee

O'Neil

Nassauville

Amelia Island

Amelia City

American Beach

Franklinton

30.591813, -81.518132



A T L A N T I C

O C E A N

North Point

3 mi

Google

Image © 2019 TerraMetrics
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Data SIO, NOAA, U.S. Navy, NGA, GEBCO

W8, P1
5.04 ac.±

W8, F1
0.05 ac.±

W6, F1
0.03 ac.±

W5, F1
0.61 ac.±

W4, F1
0.12 ac.±

W7, F1
0.02 ac.±

Amelia Concourse

Old Nassauville Road

W9, P1
0.28 ac.±

W9 to Remain
0.12 ac.±

W9, P2
0.71 ac.±

SW Impact 1
0.66 ac.±

W2, F1
0.25 ac.±

W3, F1
0.01 ac.±

Terra Cotta Way

W1, D1
0.23 ac.±

LEGEND

- Approximate Project Area - 52.28 ac.±
- Wetland Fill Impacts - 1.09 ac.±
- Surface Water Impacts - 0.66 ac.±
- Wetland Dredge Impacts - 0.23 ac.±
- Wetland Preservation - 6.03 ac.±
- Wetlands to Remain - 0.12 ac.±
- Upland Buffer - 2.45 ac.±

Scale: 1"=300'

