



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT  
701 SAN MARCO BOULEVARD  
JACKSONVILLE, FLORIDA 32207-8915

April 30, 2019

CESAJ-RD-WT  
Regulatory Division  
West Branch  
Tampa Permits Section

## ***PUBLIC NOTICE***

Permit Application No. SAJ-2019-00436 (SP-RGH)

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: Michael Woolery  
Pulte Homes  
24311 Walden Center Drive, #300  
Bonita Springs, Florida 34134  
Michael.Woolery@PulteGroup.com

WATERWAY AND LOCATION: The project would affect waters of the United States associated with the headwater wetlands associated with the Braden River. The project site is located on the north side of SR 70 and west of Uihlein Road in Sections 14 and 23, Township 35 South, Range 19 East, Lakewood Ranch, Manatee County, Florida.

Directions to the site are as follows: Take I-75 S to FL-70 E in Manatee County. Take exit 217 from I-75 S Follow FL-70 E to Uihlein Road. Property is on the left.

APPROXIMATE CENTRAL COORDINATES: Latitude 27.435782°  
Longitude -82.375415°

### **PROJECT PURPOSE:**

Basic: Residential Development

Overall: To construct a Residential Development in Manatee County.

EXISTING CONDITIONS: The wetland system consists of freshwater systems. The onsite communities consist of wetland forested mixed, wetland scrub, exotic wetland hardwoods, and freshwater marsh. The existing area surrounding the project area consists of improved pastures, hardwood-coniferous mixed, open land, single-family residential developments, and roads and highways.

**PROPOSED WORK:** The applicant seeks authorization to discharge clean-fill material into 2.15 acres and dredge 1.29 of other surface waters (i.e., agricultural ditches), associated with the proposed construction of a residential development.

**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 agricultural ditches on-site, leaving the higher quality, contiguous wetlands undisturbed.

**COMPENSATORY MITIGATION** –The applicant has provided the following explanation why compensatory mitigation should not be required:

Development of the project will result in the permanent loss of 2.15 acres of Waters of the U.S. (WoUS) (upland cut agricultural ditches). The project has been designed to preserve and enhance the higher quality wetlands and their associated buffers that will continue to provide quality habitat to wetland dependent and aquatic species. Due to the de minimis nature of the proposed impacts, no mitigation is proposed.

#### **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 Corps has determined the proposed project “may affect not likely to adversely affect” the Eastern Indigo Snake. Based on the Eastern Indigo Snake Effect Determination Key (dated January 25, 2010; August 13, 2013 Addendum), the Corps determination sequence is as follows: A (The project is not located in open water or salt marsh.) > B (The permit will be conditioned for use of the Service’s standard Protection Measures for the Eastern Indigo snake during site preparation and construction) > C (There are no gopher tortoise burrows, holes, cavities, or other refugia where a snake could be buried or trapped and injured during project activities) = May Affect Not Likely To Adversely Affect (MANLAA). The Corps has U.S. Fish and Wildlife Service (FWS) concurrence for the proposed activities through use of the aforementioned determination key.

Based on existing habitat types, the Corps preliminarily determined the project will have no effect on Wood Stork (*Mycteria americana*), Florida grasshopper sparrow

(*Ammodramus savannarum floridanus*), Audubon's crested caracara (*Caracara cheriway*) and Florida scrub jay (*Aphelocoma coerulescens*).

**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. The proposal would impact approximately 3.44 acres of surface waters which ultimately discharge to the Braden River. Our initial determination is that the proposed action would not have a substantial adverse impact on downstream EFH or Federally managed fisheries. 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 (NMFS).

**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 not 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 Tampa Permits Section, 10117 Princess Palm Avenue, Suite 120, Tampa, Florida 33610-8302 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, Ryan Hendren, in writing at the Tampa Permits Section, 10117 Princess Palm Avenue, Suite 120, Tampa, Florida 33610-8302; by electronic mail at [Ryan.G.Hendren@usace.army.mil](mailto:Ryan.G.Hendren@usace.army.mil) or, by telephone at 813-769-7075.

**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.

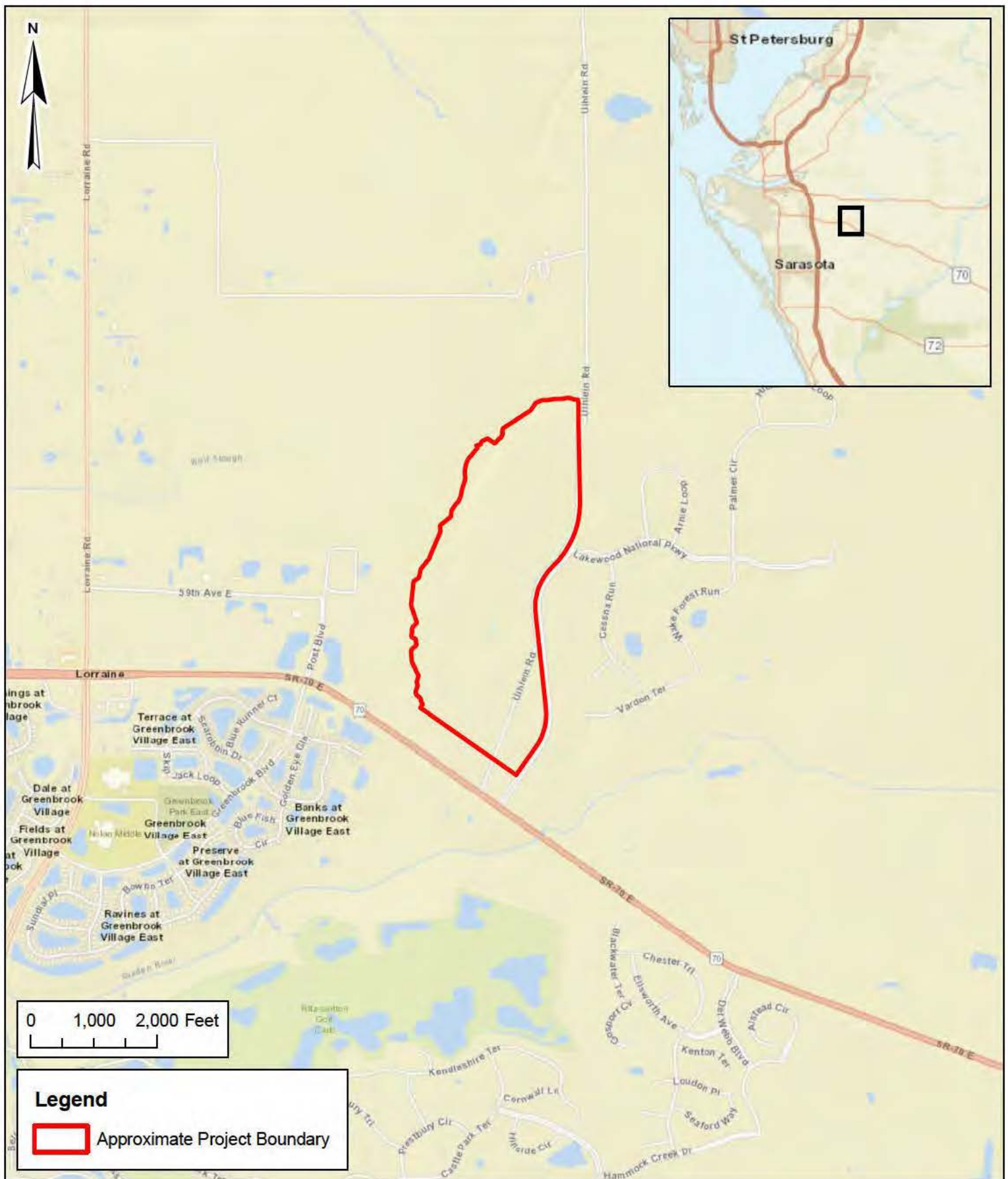
**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization

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.

**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.

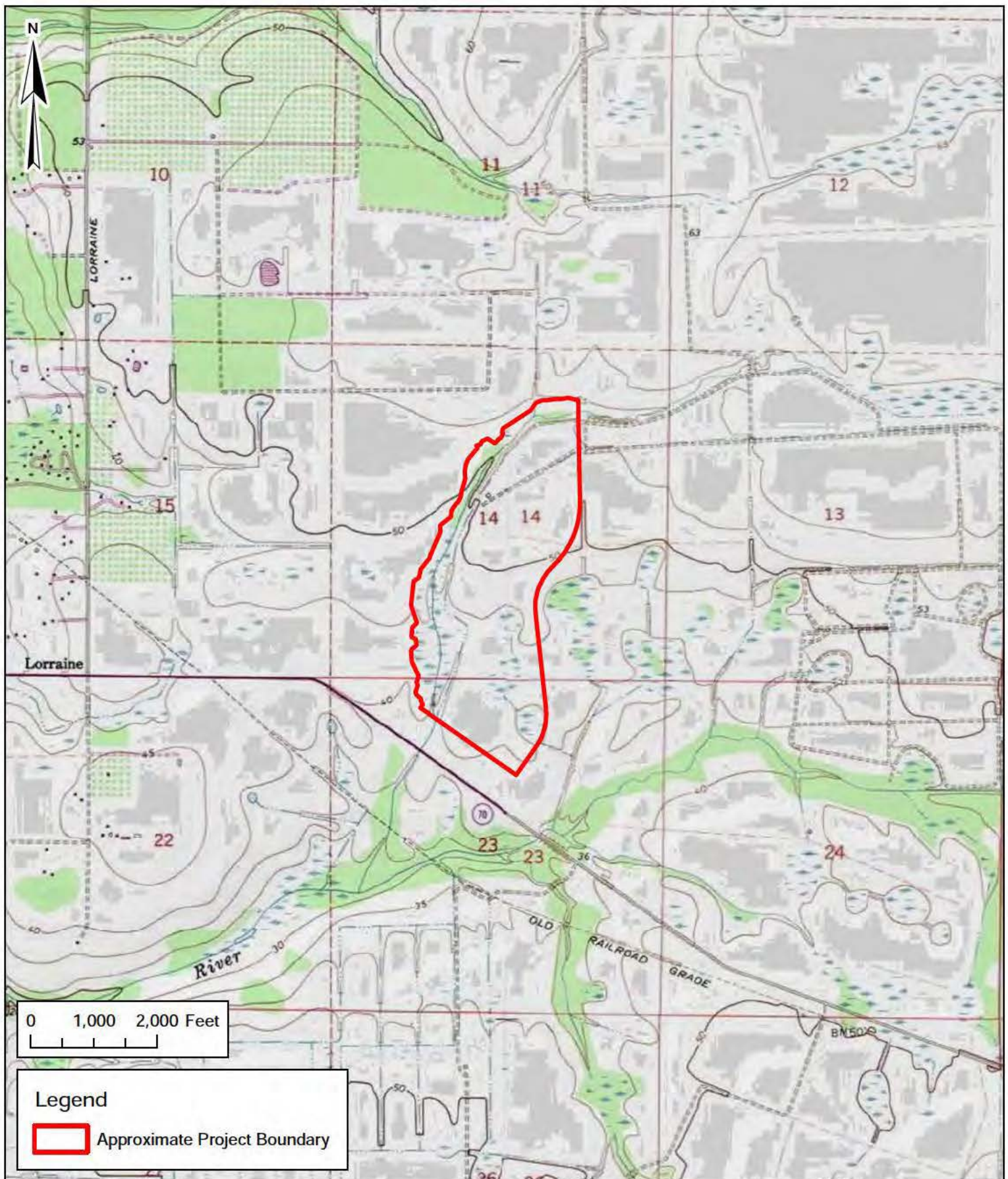


**Client:** Pulte  
**Project:** Lakewood Ranch NE Parcel  
**Location:** Manatee County, Florida  
**Title:** Location Map  
**Sheet:** 1

**TRS:** Twp: 35S Rng: 19E Sec: 14,23  
**Scale:** 1" = 2000'  
**Date:** 10/30/2018  
**Drawn By:** KS  
**Source:** ESRI World Street Map







**Client:** Pulte  
**Project:** Lakewood Ranch NE Parcel  
**Location:** Manatee County, Florida  
**Title:** USGS Quad Map  
**Sheet:** 1

**TRS:** Twp: 35S Rng: 19E Sec: 14,23  
**Scale:** 1" = 2000'  
**Date:** 10/30/2018  
**Drawn By:** KS  
**Source:** USGS Topo Maps





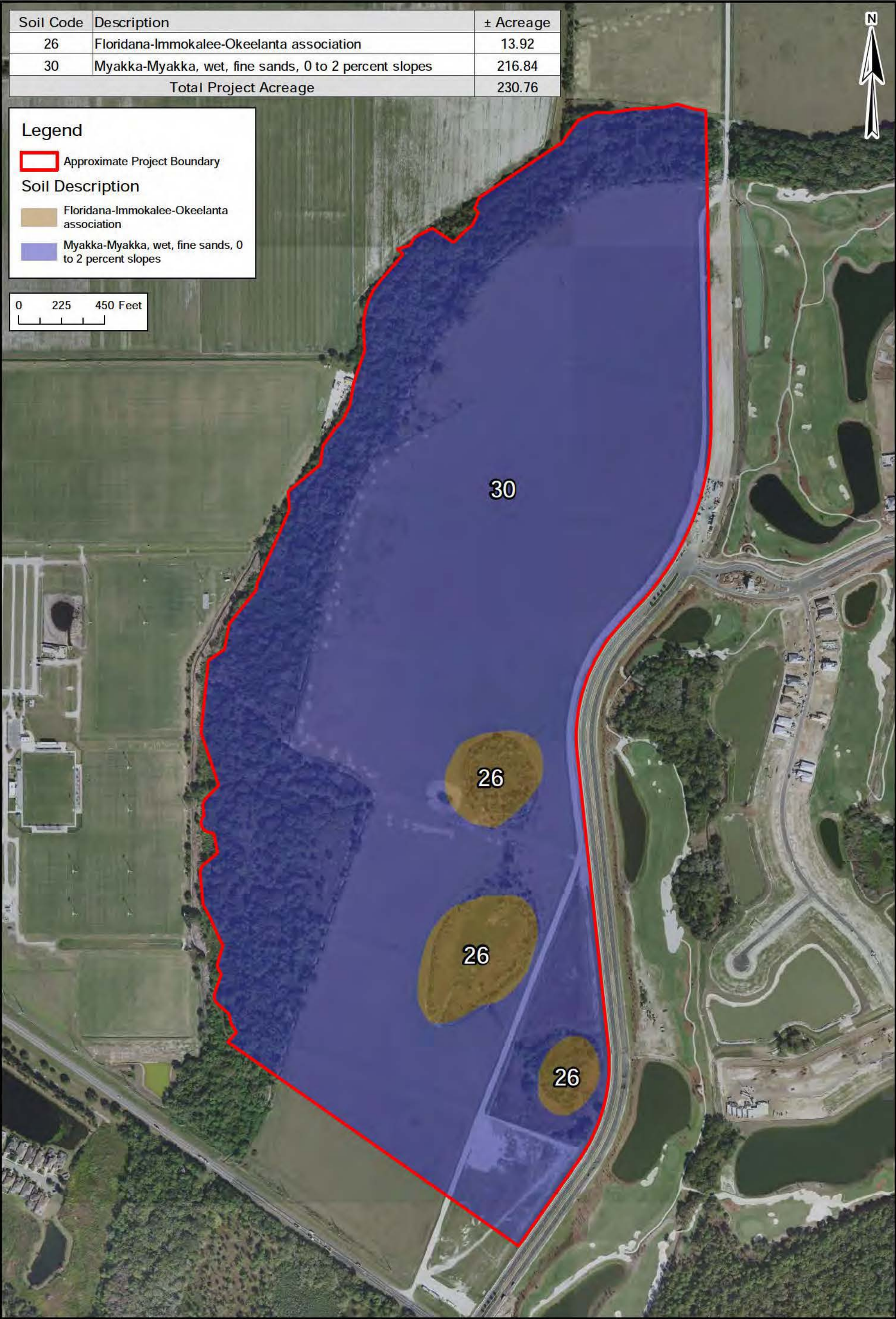
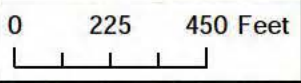
Soil Code	Description	± Acreage
26	Floridana-Immokalee-Okeelanta association	13.92
30	Myakka-Myakka, wet, fine sands, 0 to 2 percent slopes	216.84
Total Project Acreage		230.76

Legend

Approximate Project Boundary

Soil Description

- Floridana-Immokalee-Okeelanta association
- Myakka-Myakka, wet, fine sands, 0 to 2 percent slopes



**Client:** Pulte  
**Project:** Lakewood Ranch NE Parcel  
**Location:** Manatee County, Florida  
**Title:** NRCS Soils Map  
**Sheet:** 1

**TRS:** Twp: 35S Rng: 19E Sec: 14,23  
**Scale:** 1" = 450'  
**Date:** 10/30/2018  
**Drawn By:** KS  
**Source:** Manatee County Imagery (2017), NRCS



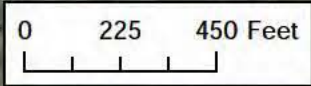


FLUCCS Code	Description	± Acreage
190	Open Land	14.68
211	Improved Pasture	148.02
434	Harwood - Conifer Mixed	22.36
510	Streams and Waterways	4.86
534	Reservoirs, less than 10 Acres	0.26
619	Exotic Wetland Hardwoods	0.61
630	Wetland Forested Mixed	33.00
631	Wetland Scrub	1.24
641	Freshwater Marshes	5.74
Total Project Acreage		230.76

Legend

Approximate Project Boundary

Approximate FLUCCS Habitat Lines



**Client:** Pulte  
**Project:** Lakewood Ranch NE Parcel  
**Location:** Manatee County, Florida  
**Title:** FLUCCS Habitat Map  
**Sheet:** 1

**TRS:** Twp: 35S Rng: 19E Sec: 14,23  
**Scale:** 1" = 450'  
**Date:** 11/20/2018  
**Drawn By:** KS  
**Source:** Manatee County Imagery (2017)





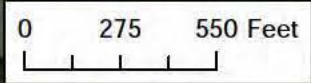
FLUCCS Code	Description	± Acreage
190	Open Land	14.68
211	Improved Pasture	148.02
434	Hardwood - Conifer Mixed	22.36
510	Streams and Waterways	4.86
534	Reservoirs, less than 10 Acres	0.26
619	Exotic Wetland Hardwoods	0.61
630	Wetland Forested Mixed	33.00
631	Wetland Scrub	1.24
641	Freshwater Marshes	5.74
Total Project Acreage		230.76
182	Golf Courses	-
186	Community Recreational Facilities	-
814	Roads and Highways	-

Legend

Approximate FLUCCS Habitat Lines

Approximate Project Boundary

Approximate 500' Buffer



Client:

Project:

Location:

Title:

Sheet:

Pulte

Lakewood Ranch NE Parcel

Manatee County, Florida

County FLUCCS Habitat Map

1

TRS:

Scale:

Date:

Drawn By:

Source:

Twp: 35S Rng: 19E Sec: 14,23

1" = 550'

11/27/2018

KS

Manatee County Imagery (2017)





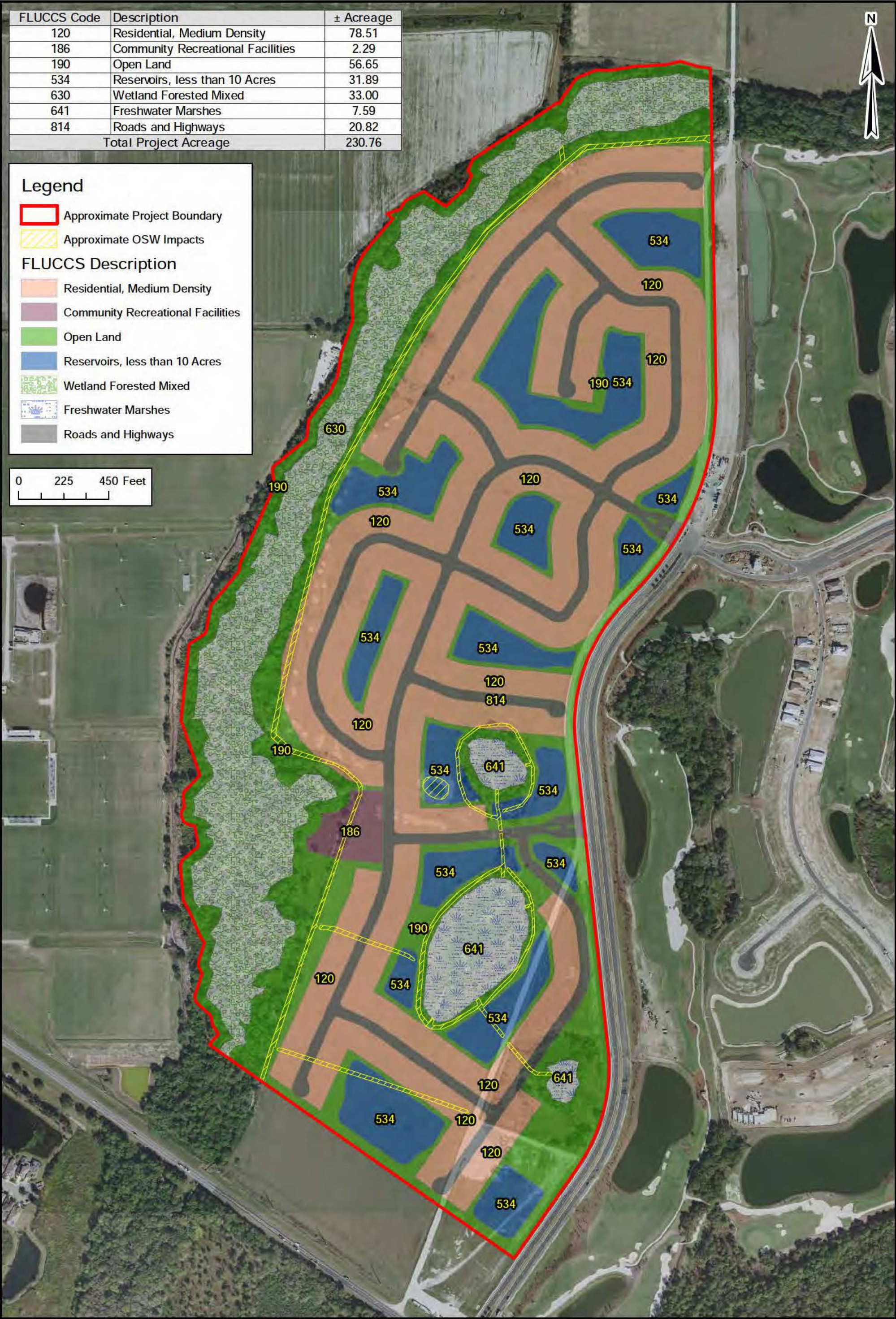
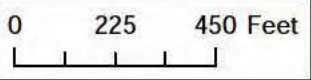
FLUCCS Code	Description	± Acreage
120	Residential, Medium Density	78.51
186	Community Recreational Facilities	2.29
190	Open Land	56.65
534	Reservoirs, less than 10 Acres	31.89
630	Wetland Forested Mixed	33.00
641	Freshwater Marshes	7.59
814	Roads and Highways	20.82
Total Project Acreage		230.76

Legend

- Approximate Project Boundary
- Approximate OSW Impacts

FLUCCS Description

- Residential, Medium Density
- Community Recreational Facilities
- Open Land
- Reservoirs, less than 10 Acres
- Wetland Forested Mixed
- Freshwater Marshes
- Roads and Highways



**Client:** Pulte  
**Project:** Lakewood Ranch NE Parcel  
**Location:** Manatee County, Florida  
**Title:** FLUCCS Habitat Map  
**Sheet:** 1

**TRS:** Twp: 35S Rng: 19E Sec: 14,23  
**Scale:** 1" = 450'  
**Date:** 10/30/2018  
**Drawn By:** KS  
**Source:** Manatee County Imagery (2017)







**Client:** Pulte  
**Project:** Lakewood Ranch NE Parcel  
**Location:** Manatee County, Florida  
**Title:** Wetland and Surface Water Map  
**Sheet:** 1

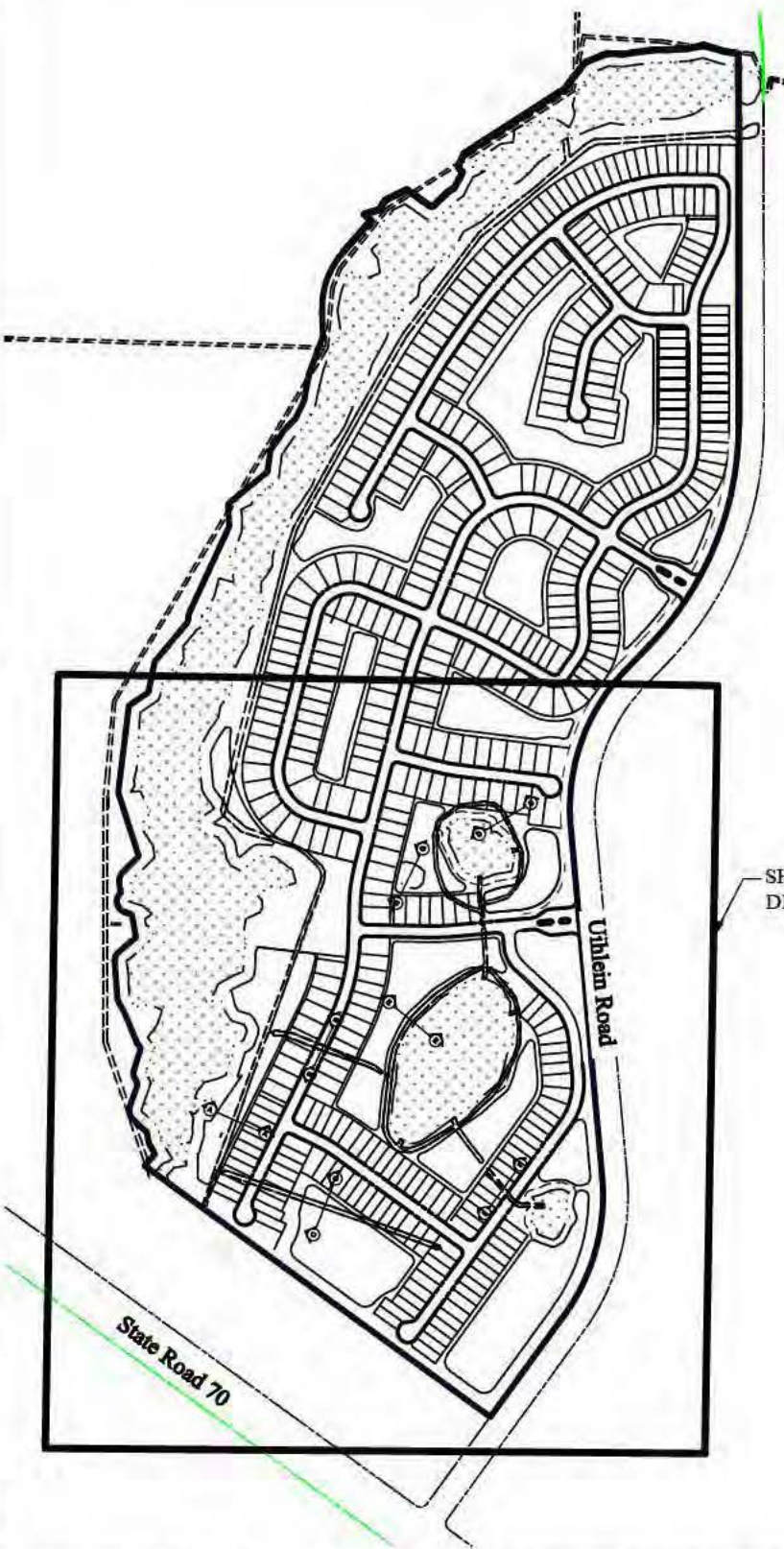
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**Scale:** 1" = 450'  
**Date:** 10/30/2018  
**Drawn By:** KS  
**Source:** Manatee County Imagery (2017)





**LEGEND**

- WETLAND JURISDICTIONAL LIMITS (WJD)
- WETLAND BUFFER SETBACK LIMITS (WBS)
- WETLAND
- OSW IMPACT



TOTAL FILL IMPACT 2.15 AC  
 TOTAL DREDGE IMPACT 1.29 AC  
 TOTAL CY FILL 5,616CY  
 TOTAL CY DREDGE 4,469 CY

SHEET 2  
 DETAIL AREA

**STRICKLAND T. SMITH**  
 DATE \_\_\_\_\_  
 REGISTRATION NO. 50652

**HEIDT**  
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5904-A Hampton Oaks Pkwy  
 Tampa, Florida 33610  
 Office: 813-253-5311  
 Fax: 813-464-7629  
 www.HeidtDesign.com

Engineering Business Certificate of Authorization No. 28782  
 Landscape Architecture Certificate of Authorization No. LC26000405

**LAKEWOOD RANCH NE PARCEL D**

**OSW IMPACT EXHIBITS**

CLIENT: PULTE HOMES

PROJECT #: PHC IW 1010  
 DATE: 01/14/2019

0 800  
 PLAN  
 SCALE: 1" = 800'

**SHEET 1 OF 5**





**LEGEND**

- WETLAND JURISDICTIONAL LIMITS (WJD)
- WETLAND BUFFER SETBACK LIMITS (WBS)
- WETLAND
- OSW FILL IMPACT
- OSW DREGE IMPACT

**STRICKLAND T. SMITH**  
DATE \_\_\_\_\_  
REGISTRATION NO. 50652

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**LAKEWOOD RANCH NE PARCEL D**

**OSW IMPACT EXHIBITS**

CLIENT: PULTE HOMES

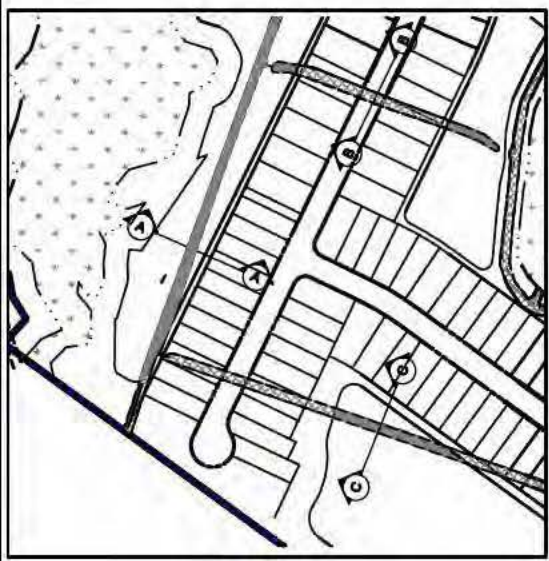
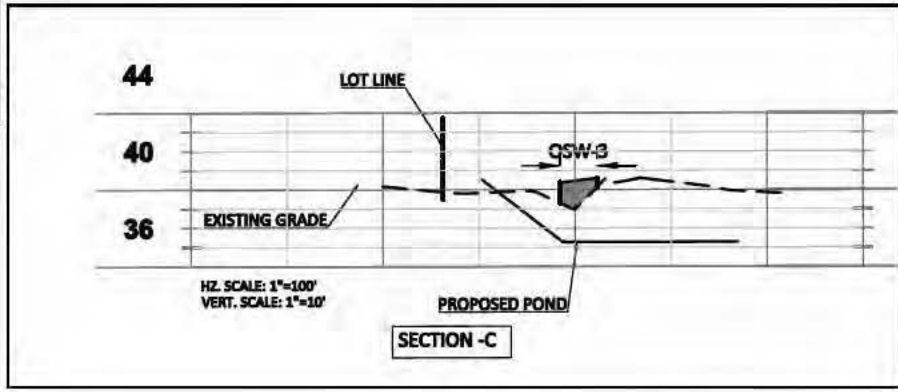
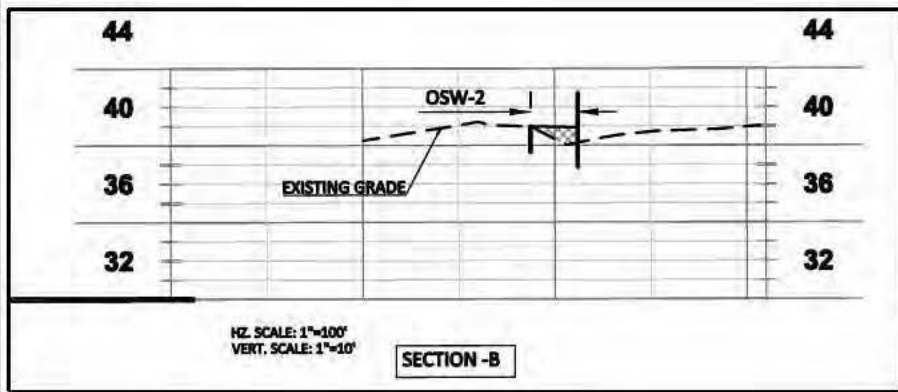
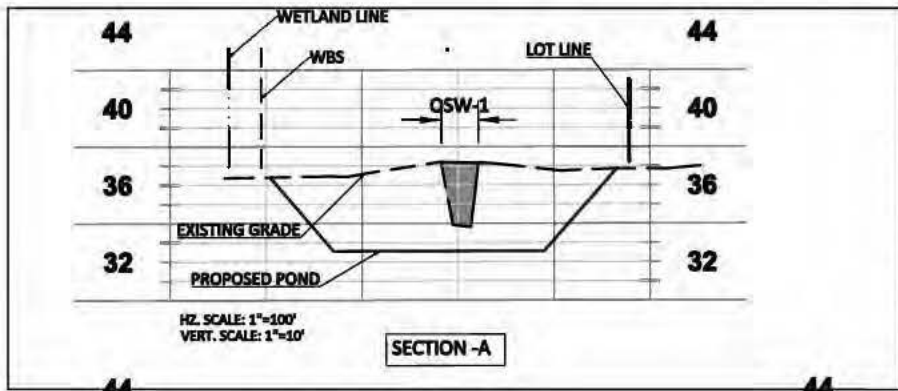
PROJECT #: PHC IW 1010  
DATE: 01/14/2019

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PLAN  
SCALE: 1" = 400'

**SHEET 2 OF 5**



R:\LAKEWOOD RANCH\PLUTE LWR NE\ECOLOGICAL\EXH - WETLAND IMPACT.DWG - SECTIONS A-C 2019/02/07 9:26 AM OMAR MALDONADO



KEY MAP

**LEGEND**

- WETLAND JURISDICTIONAL LIMITS (WJD)
- WETLAND BUFFER SETBACK LIMITS (WBS)
- WETLAND
- OSW FILL IMPACT
- OSW DREGE IMPACT

**FILL QUANTITIES**

OSW - 1:	1854 CY FILL / 2578 CY DREDGE
OSW - 2:	156 CY FILL / 77 CY DREDGE
OSW - 3:	769 CY FILL / 328 CY DREDGE

**STRICKLAND T. SMITH**

DATE \_\_\_\_\_

REGISTRATION NO. 50652

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Engineering Business Certificate of Authorization No. 28782  
Landscape Architecture Certificate of Authorization No. LC26000403

**LAKEWOOD RANCH NE PARCEL D**

**OSW IMPACT EXHIBITS**

CLIENT: PULTE HOMES

PROJECT #: PHC IW 1010

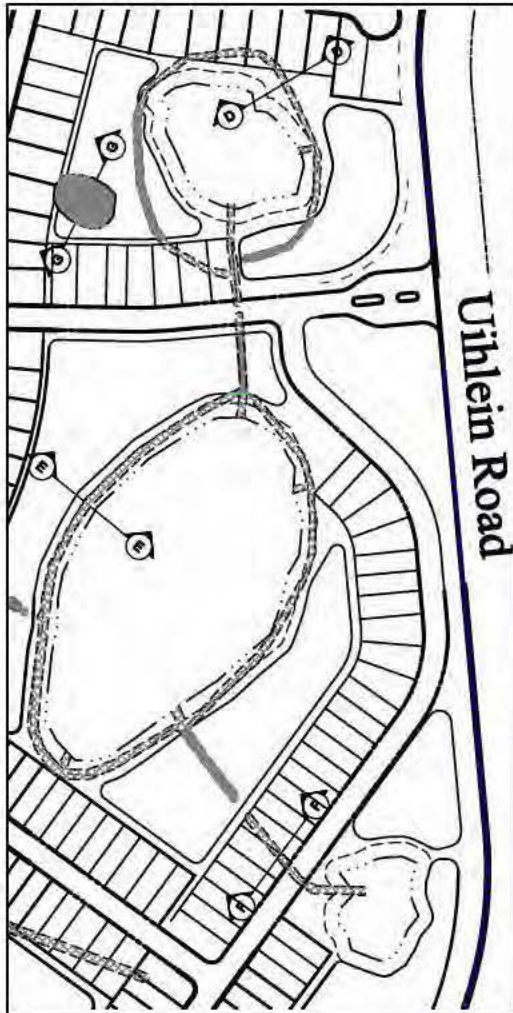
DATE: 01/14/2019

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PLAN SCALE: 1" = 400'

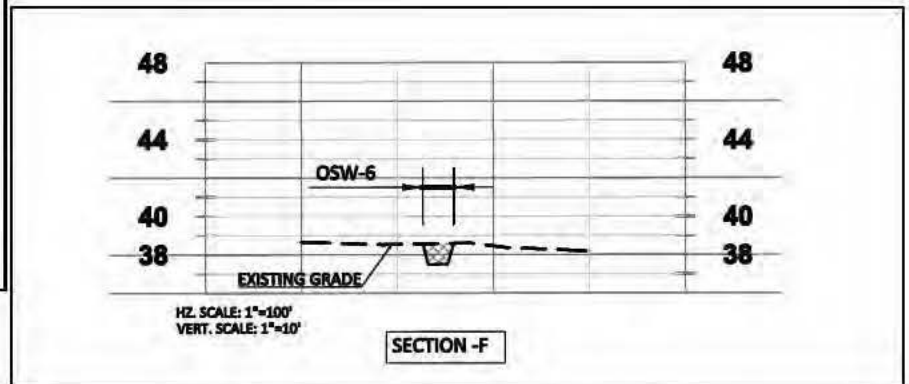
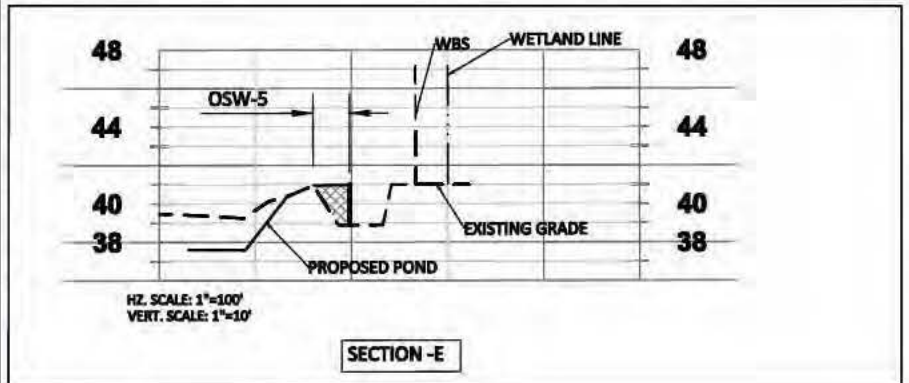
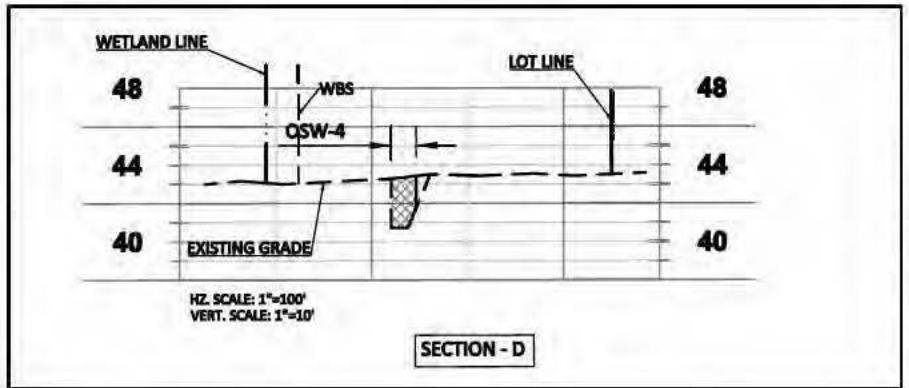
**SHEET 3 OF 5**

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KEY MAP



### LEGEND

- WETLAND JURISDICTIONAL LIMITS (WJD)
- WETLAND BUFFER SETBACK LIMITS (WBS)
- WETLAND
- OSW FILL IMPACT
- OSW DREGE IMPACT

### FILL QUANTITIES

OSW - 4: 1009 CY FILL / 443 CY DREDGE  
OSW - 5: 1655 CY FILL / 203 CY DREDGE  
OSW - 6: 173CY FILL

**STRICKLAND T. SMITH**  
DATE \_\_\_\_\_  
REGISTRATION NO. 50652



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**LAKEWOOD RANCH NE PARCEL D**

**OSW IMPACT EXHIBITS**

CLIENT: PULTE HOMES

PROJECT #: PHC IW 1010

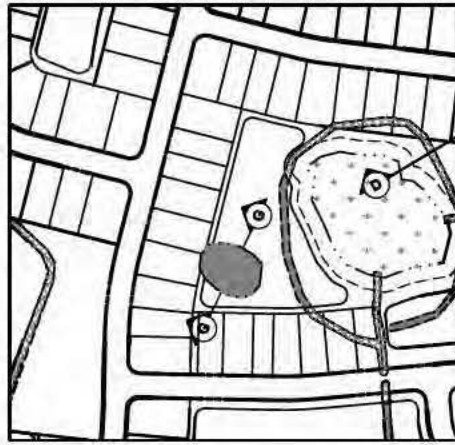
DATE: 01/14/2019

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PLAN  
SCALE: 1" = 400'

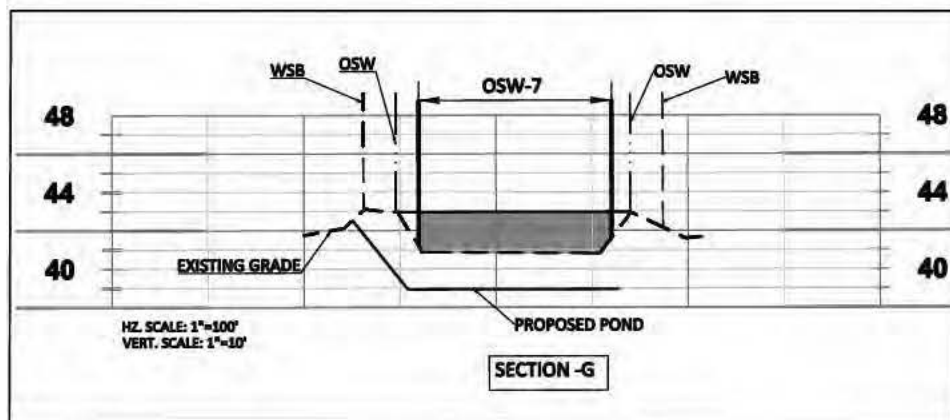


**SHEET 4 OF 5**





KEY MAP



FILL QUANTITIES  
OSW - 7: 840 CY DREDGE

### LEGEND

- WETLAND JURISDICTIONAL LIMITS (WJD)
- WETLAND BUFFER SETBACK LIMITS (WBS)
- WETLAND
- OSW FILL IMPACT
- OSW DREGE IMPACT

**STRICKLAND T. SMITH**  
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**LAKEWOOD RANCH NE PARCEL D**

**OSW IMPACT EXHIBITS**

CLIENT: PULTE HOMES

PROJECT #: PHC IW 1010

DATE: 01/14/2019

0 400  
PLAN  
SCALE: 1" = 400'



**SHEET 5 OF 5**