



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

May 7, 2019

Regulatory Division
North Permits Branch
Jacksonville Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2019-01246 (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: Nassau County
Attn: Mr. Michael Mullin
96135 Nassau Place
Yulee, Florida 32097

WATERWAY AND LOCATION: The project would affect waters of the United States associated with the Nassau River. The project is located from 86779 Pages Dairy Road to 86231 Pages Dairy Road, in Section 51, Township 3 South, Range 27 East, Yulee, Nassau County, Florida.

Directions to the site are as follows: From Interstate-95 take Exit 373 and head east. Proceed on State Road A1A until the intersection of Pages Dairy Road and turn left. Proceed until the intersection of McQueen Creek and you have reached the project corridor.

APPROXIMATE CENTRAL COORDINATES: Latitude 30.642846°
Longitude -81.575182°

PROJECT PURPOSE:

Basic: The basic project purpose is linear transportation.

Overall: The overall project purpose is improvements to the existing linear transportation feature.

EXISTING CONDITIONS: Current land use and vegetative communities on-site were classified in accordance with the Florida Land use Cover & Forms Classification system (FLUCFCS). The project boundaries encompass Pine Flatwoods (FLUCFCS code 411), Streams and Waterways (FLUCFCS code 510), Streams and Lake Swamps (FLUCFCS code 615, Wetland Forested Mixed (FLUCFCS code 630), and Roads and Highways (FLUCFCS code 814). The pine flatwoods on-site included only a small area

in the central region of the project. The streams and waterways within the project boundaries refer to the ditches that run the length of the highway, on both sides of the roadway. The stream and lake swamps can be found in areas near or around the Lofton Creek watershed. Areas considered wetland forested mixed can be found sporadically through the project area and are comprised of both hardwoods and conifers species, neither being dominant.

PROPOSED WORK: The applicant seeks authorization to discharge clean-fill material into 1.66 acres of palustrine-forested wetlands and cross over a Section 10 waterway to facilitate roadway improvements (widening).

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 and consulting engineer have gone through several iterations of the site plan in an effort to minimize wetland impacts to the greatest extent practicable. The layout of the proposed development is restricted because the structure of the roadway is already existing and therefore the widening of the roadway is limited to follow the exact layout of Pages Dairy Road. The proposed site plan allows continuity that is inherent and necessary for a roadway to be efficient. Uplands on the property are being utilized to the fullest extent practicable. Additionally, the altered nature of the ditching and on-site wetlands means that the ecological value is significantly less than the proposed mitigation bank credits.”

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

The applicant would obtain 0.99 palustrine-forested credits from Longleaf Mitigation Bank.

CULTURAL RESOURCES:

The Corps is aware of historic property/properties within or in close proximity of the permit area. The Corps will initiate consultation with the State Historic Preservation Office and those federally recognized tribes with concerns in Florida and the Permit Area, and the Advisory Council on Historic Preservation as applicable pursuant to 33 CFR 325, Appendix C and Section 106 of the National Historic Preservation Act, by separate letter.

ENDANGERED SPECIES:

a. Wood Stork (*Mycteria americana*) - May Affect Not Likely to Adversely Affect: 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*.

b. West Indian Manatee (*Trichechus manatus*) – May Affect Not Likely to Adversely Affect: The Corps reviewed the project utilizing *The Corps of Engineers, Jacksonville District, and the State of Florida Effect Determination Key for the Manatee in Florida, April 2013*. Use of this key resulted in the sequence A-B-C-G-N-O-P- *may affect, but is not likely to adversely affect*. The Corps partially based this determination on the implementation of the *Standard Manatee Conditions for In-Water Work, 2011*.

c. Red-cockaded Woodpecker (*Picoides borealis*) – No Effect: Habitat for Red-cockaded Woodpecker typically incorporates mature pine woodlands (not wetlands); and, optimal habitat is characterized as a broad savanna with a scattered overstory of large pines and a dense groundcover containing a diversity of grass and shrub species. Nesting and roosting occur in cavity trees that are almost exclusively old, living, flat-topped pine trees. The project site does not encompass typical or optimum habitat; or, trees capable of supporting cavities. Further, as significant forested habitat is located near the project site, it is likely that this species would only opportunistically forage at the site, which the development of the site would not preclude.

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 the Nassau River. 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.



Becker

Project Location

Yulee

Piney Island

O'Neil

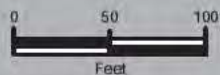
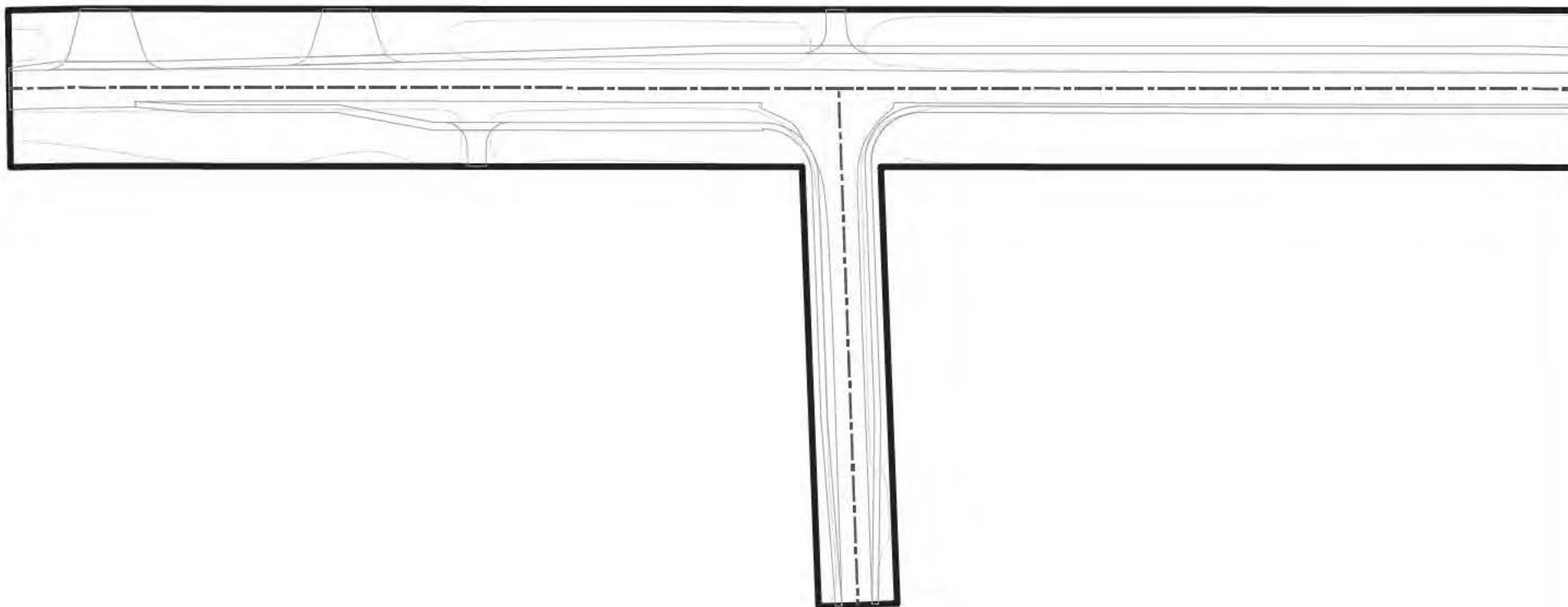
Big Piney Island

N

2 mi

Google earth

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-  Project Boundary
-  Jurisdictional Wetland Impacts (1.66 ac.±)
-  Wetland To Remain



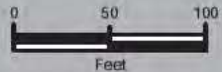
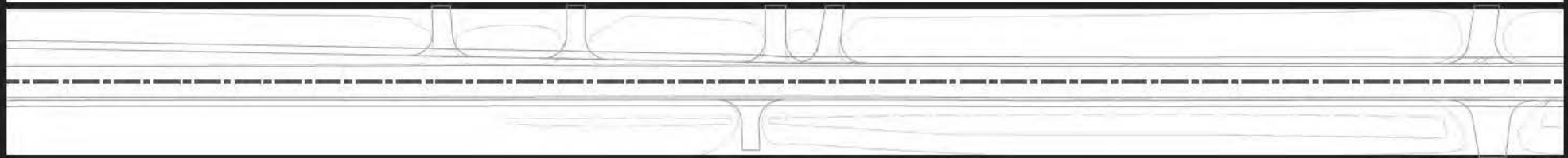
FIGURE INDEX



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Proposed Site Conditions
Pages Dairy Road Widening
Nassau County, Florida

Project:	EJ16279.01
Date:	Feb. 2019
Drawn By:	JRN
Checked By:	JLB
Approved By:	TAH
Figure:	4A



Source(s): Connelly & Wicker, Inc.

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FIGURE INDEX



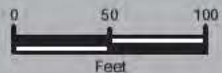
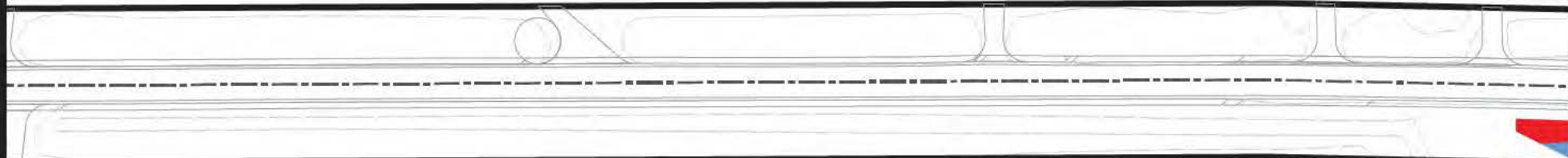
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-  Wetland To Remain

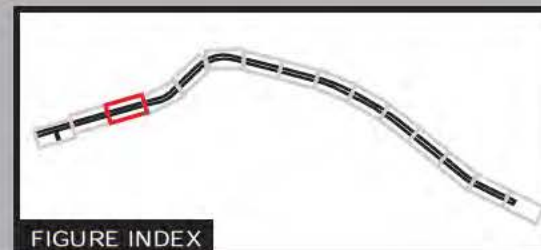


FIGURE INDEX



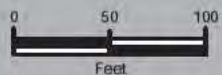
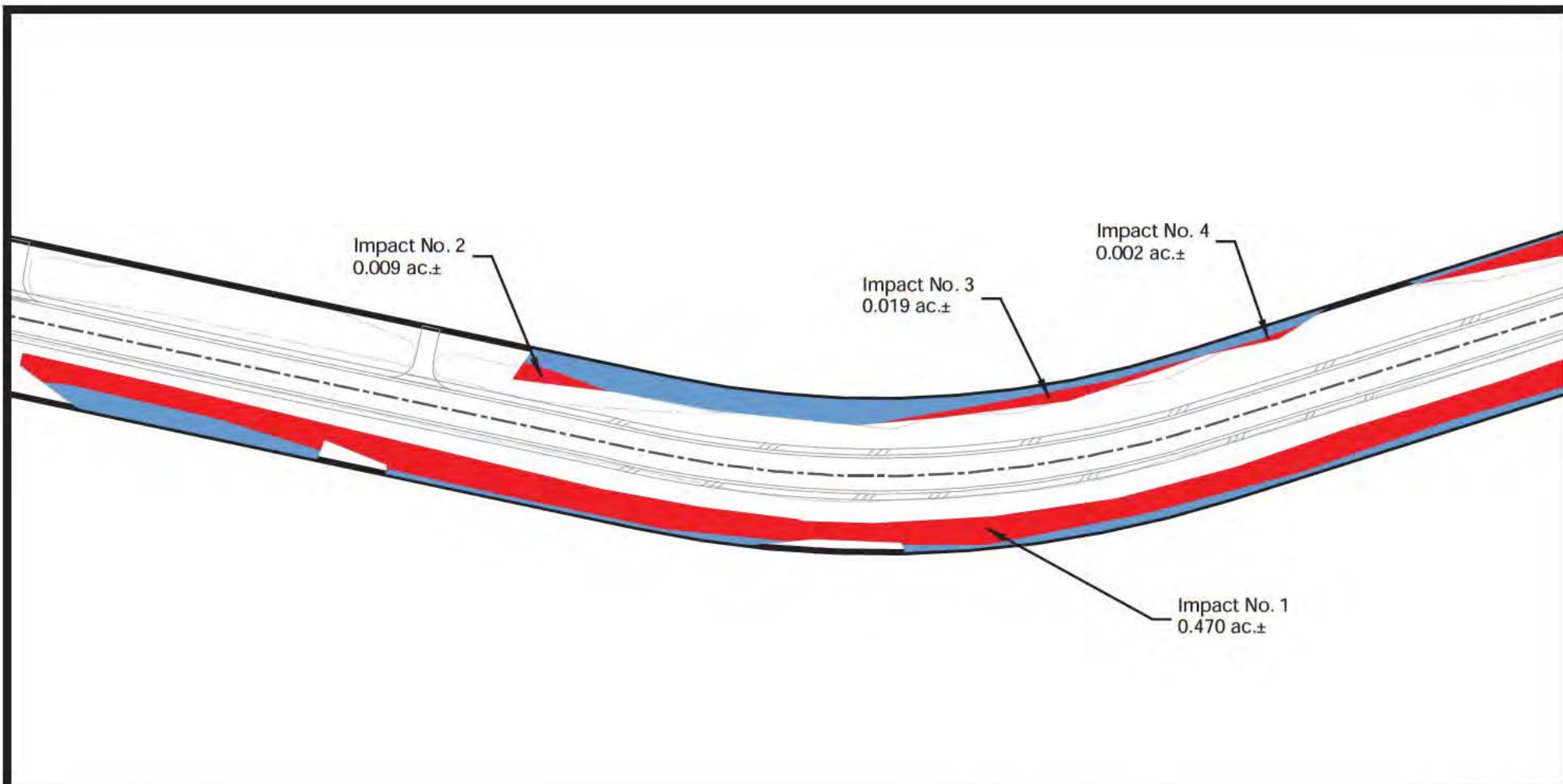
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- Project Boundary
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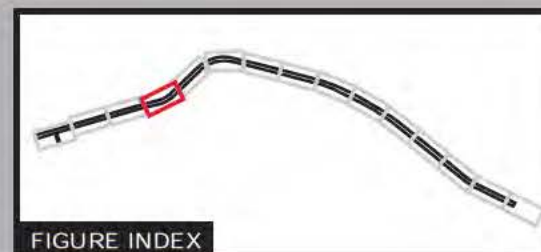


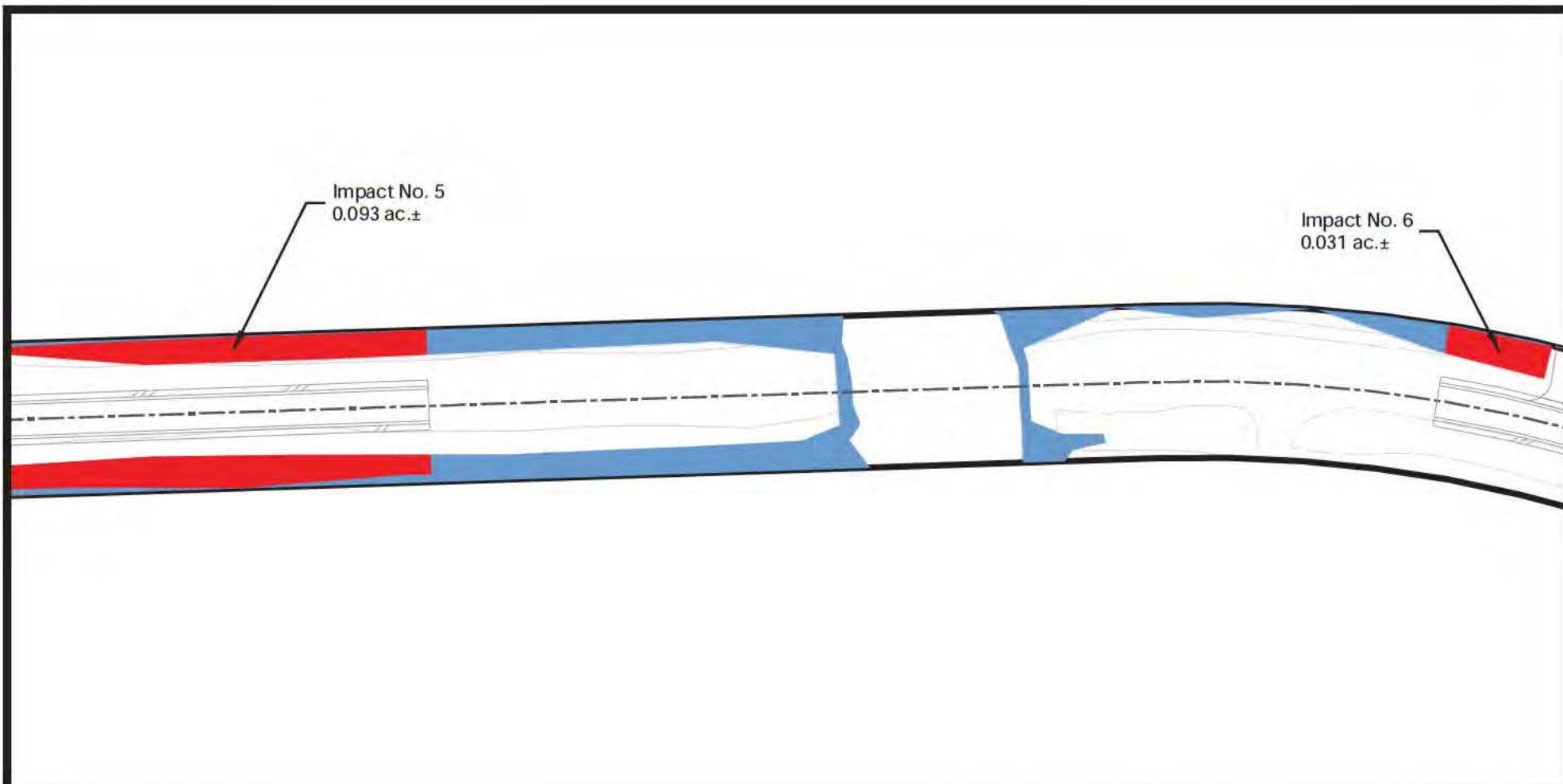
FIGURE INDEX



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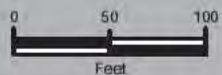
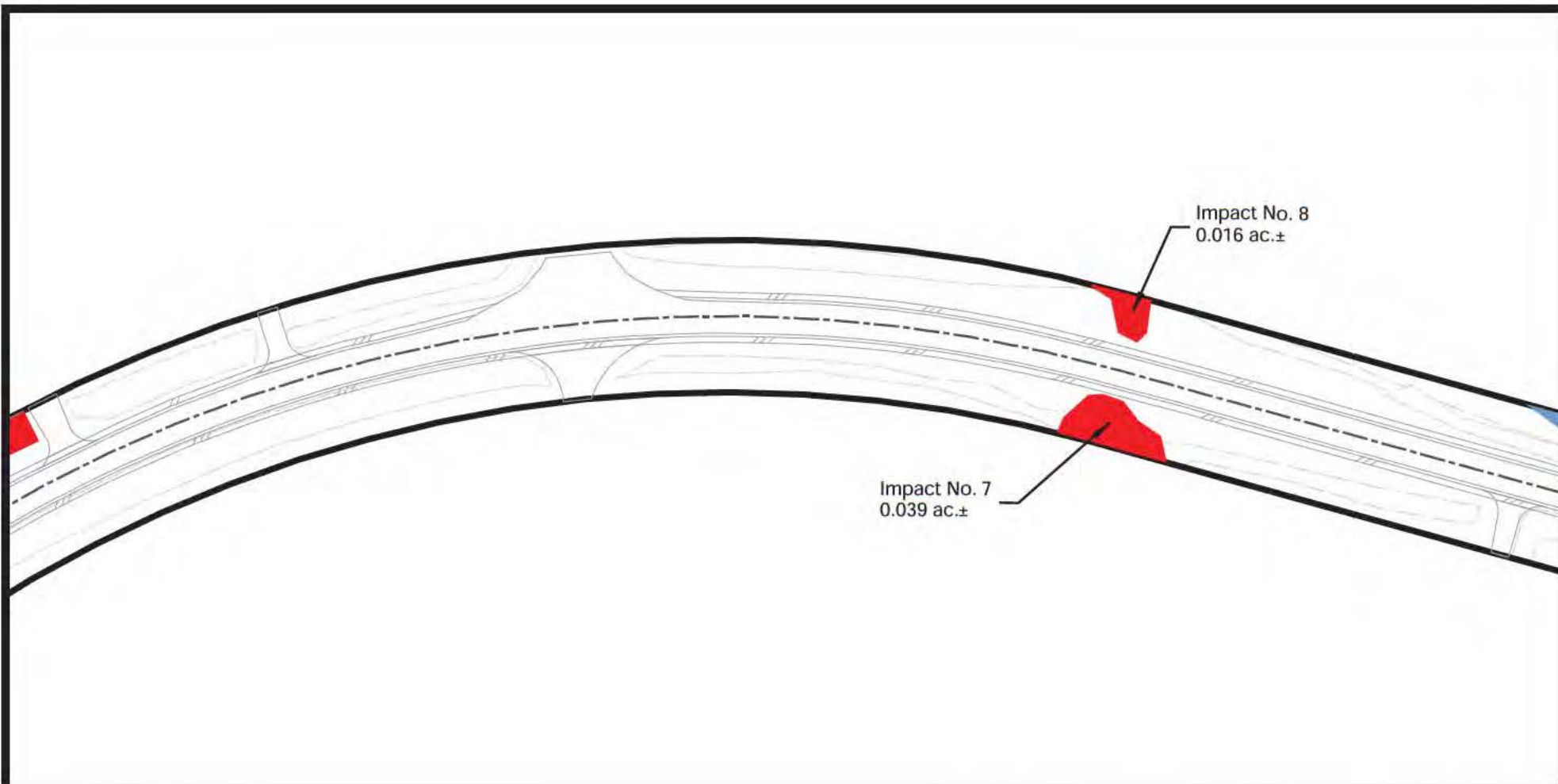
- Project Boundary
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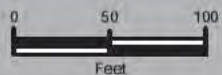
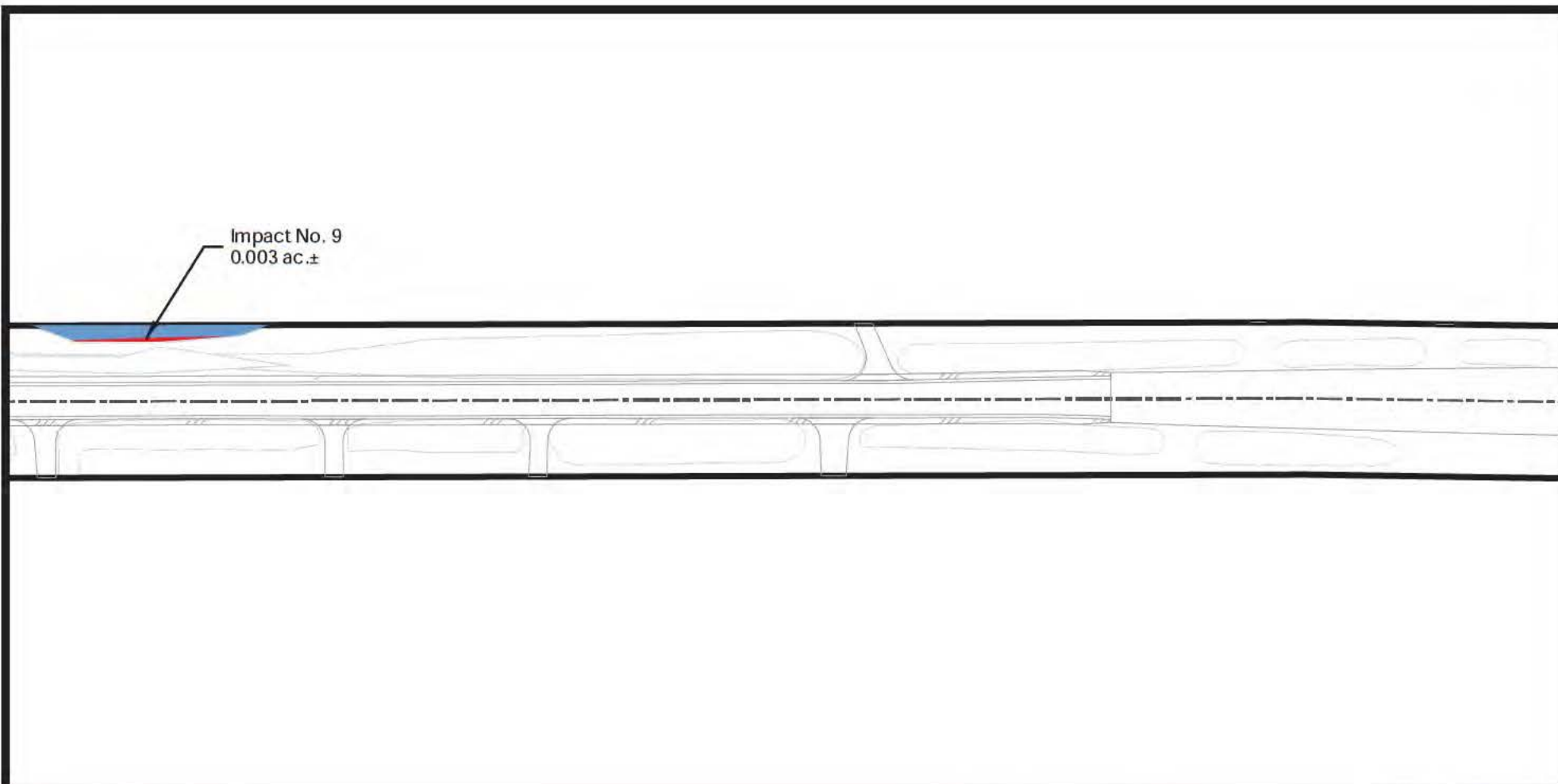
FIGURE INDEX



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FIGURE INDEX



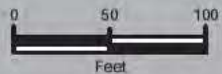
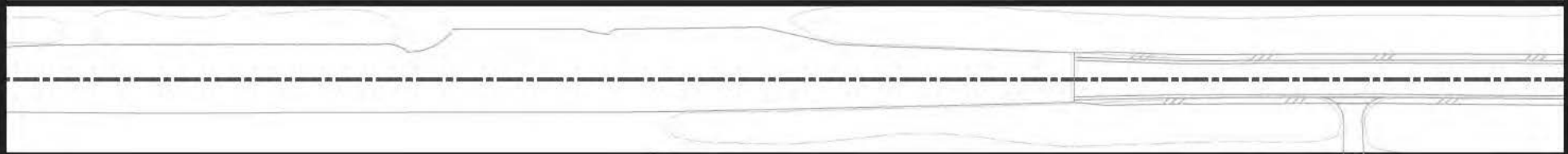
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FIGURE INDEX



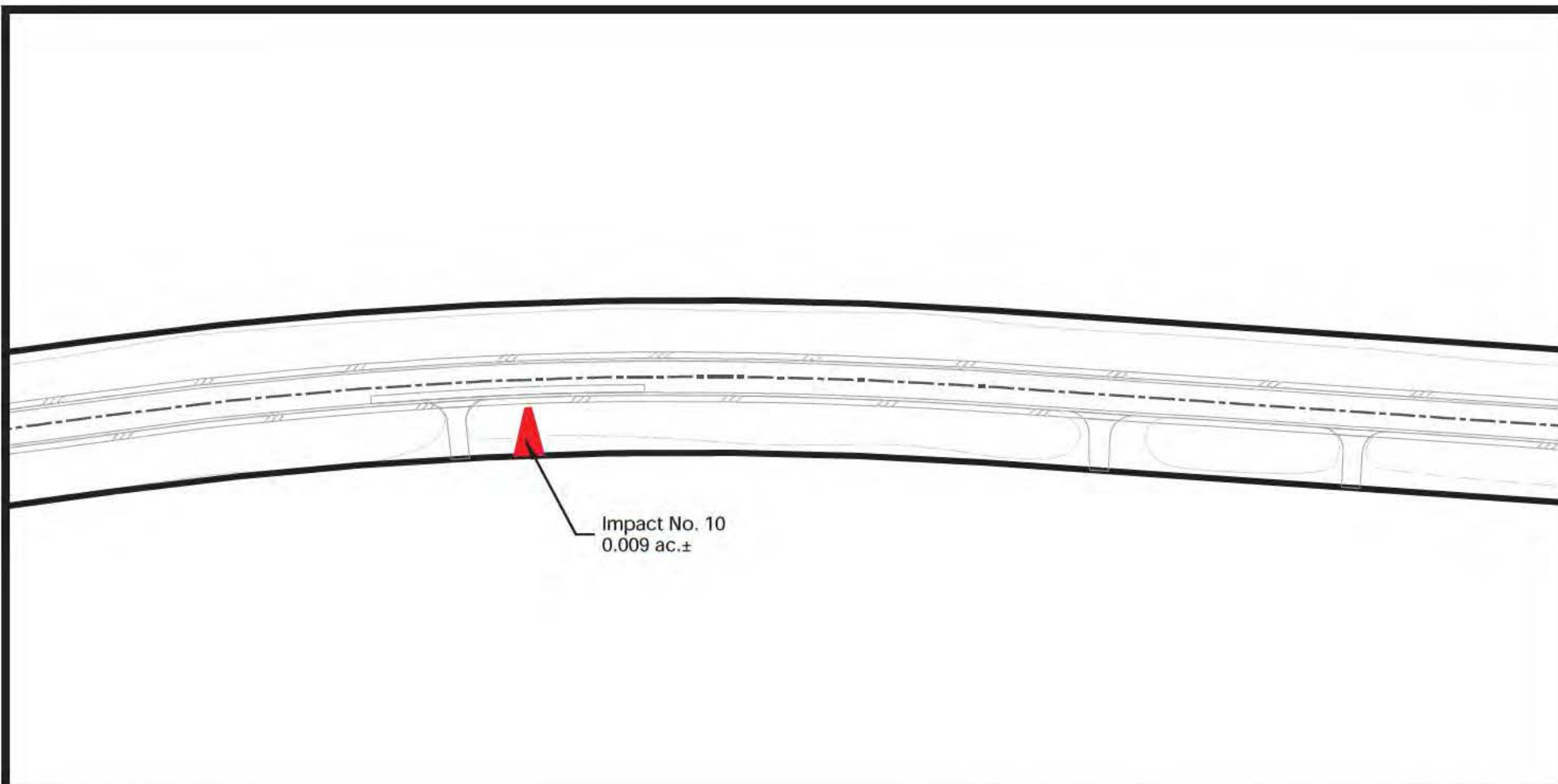
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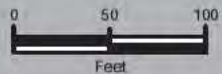
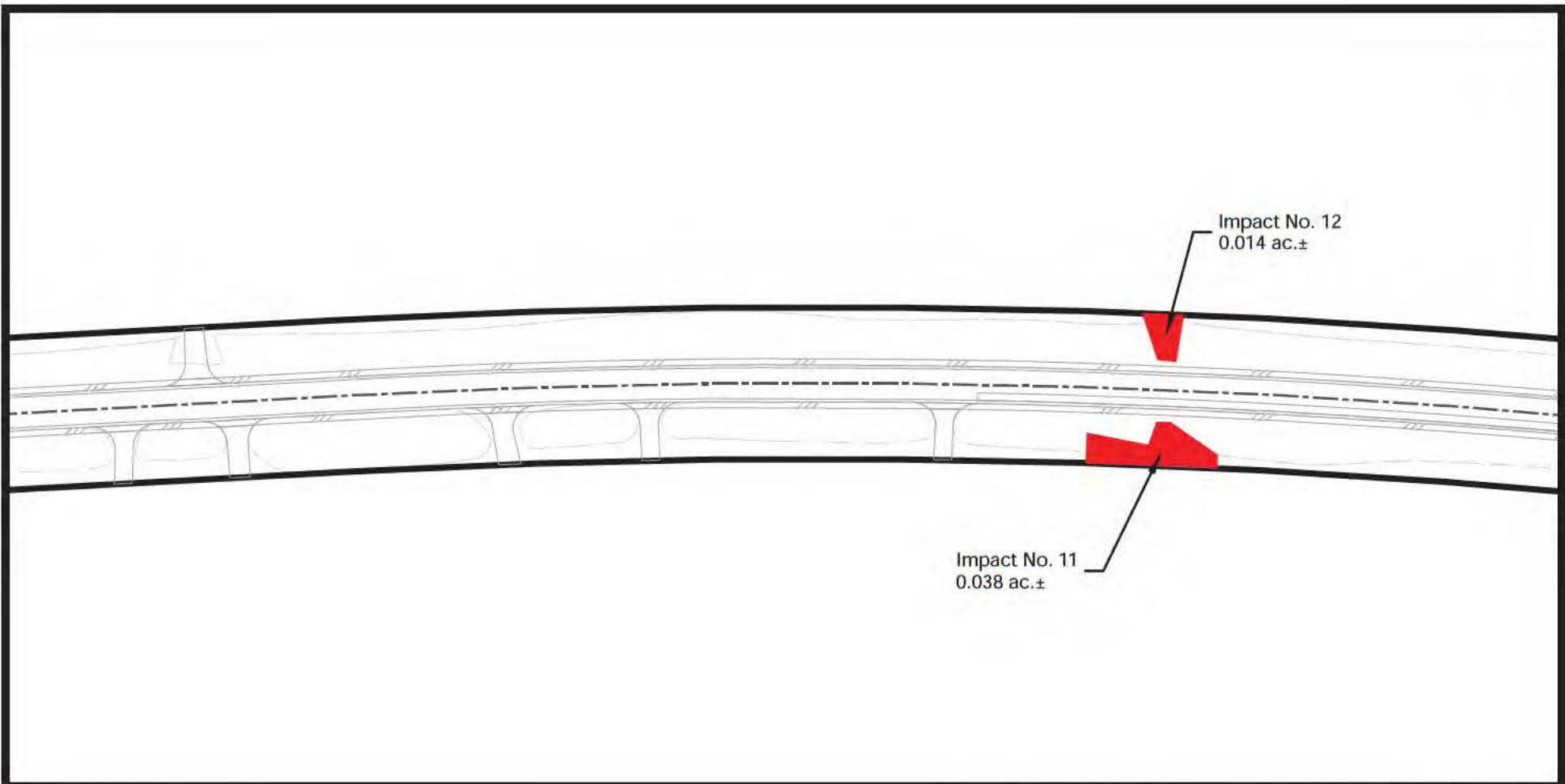
FIGURE INDEX



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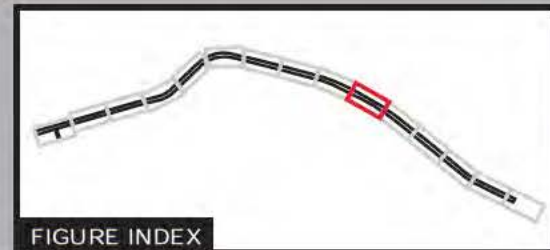
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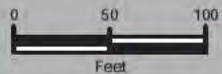
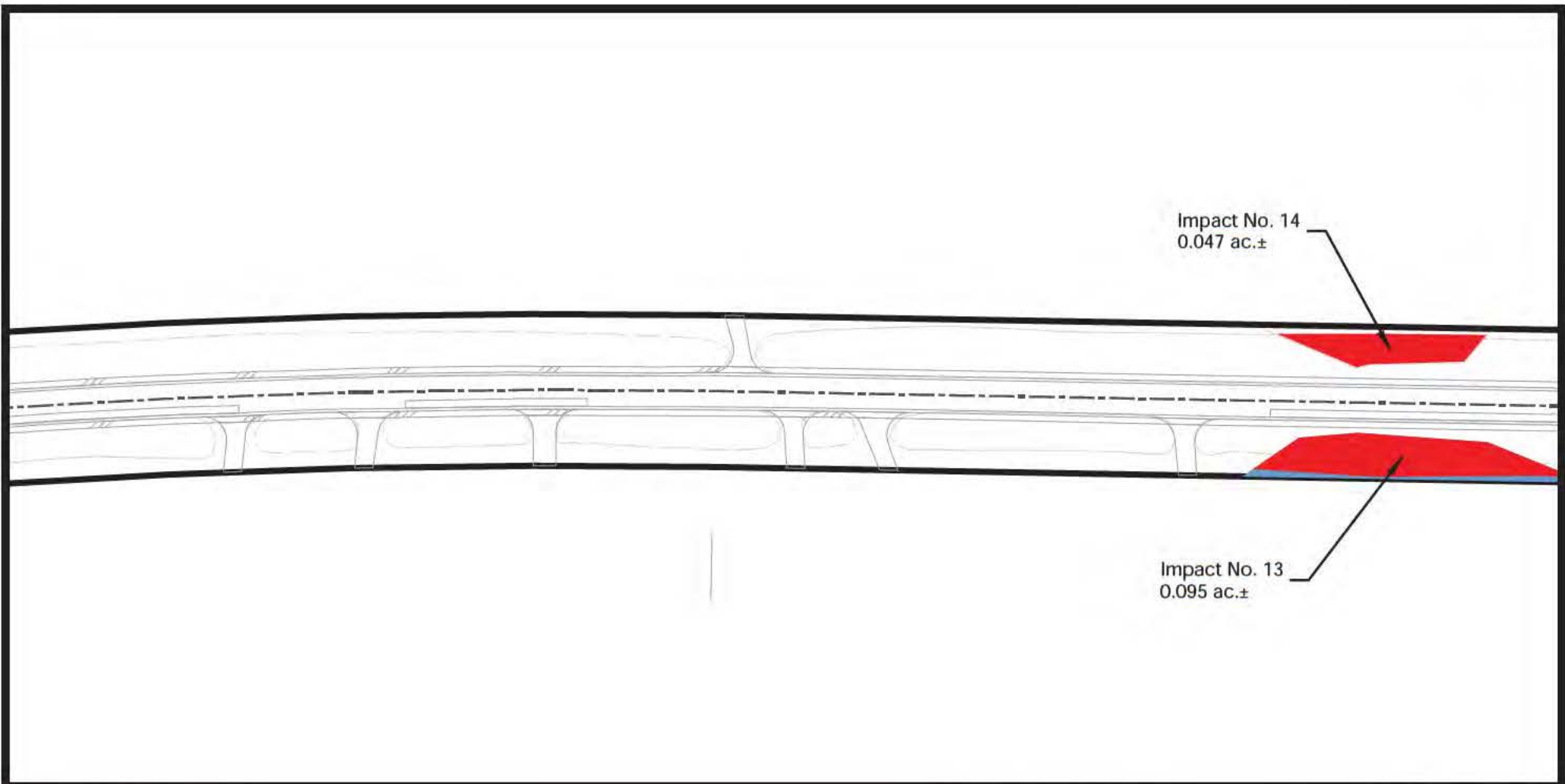
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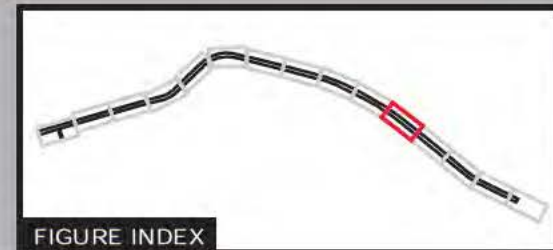


FIGURE INDEX



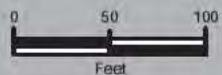
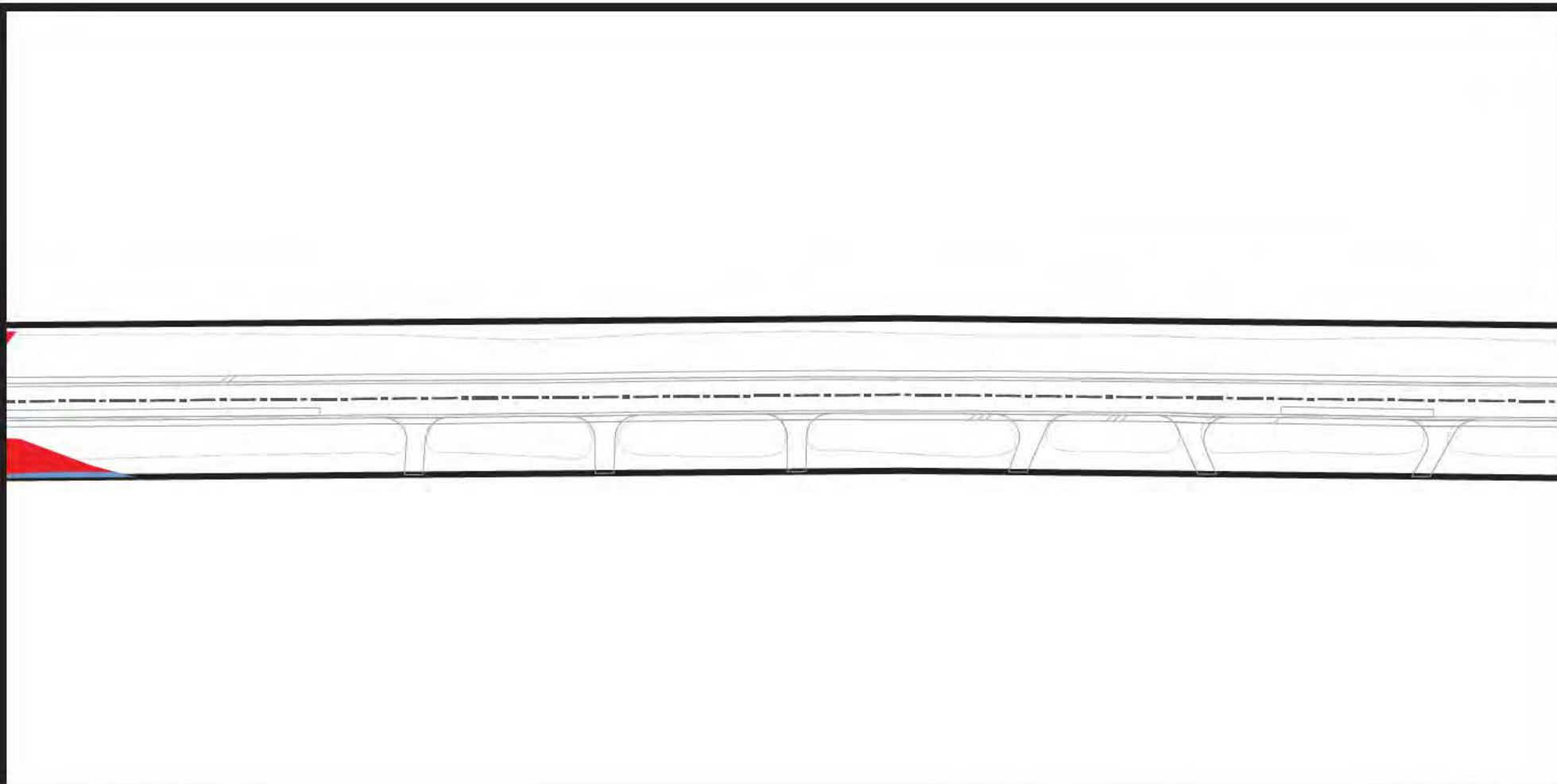
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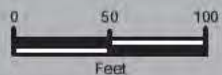
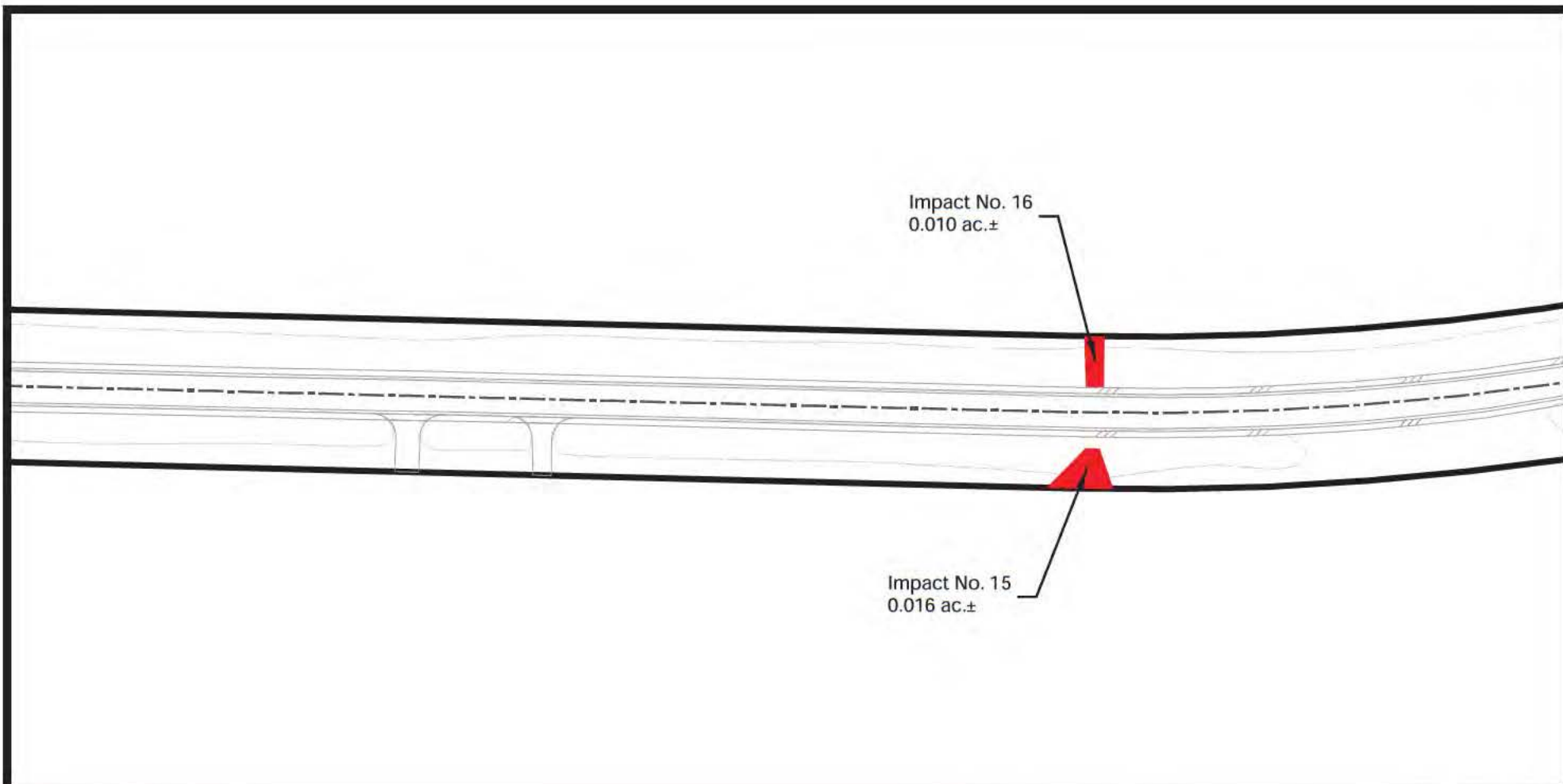
FIGURE INDEX



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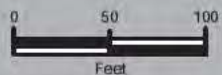
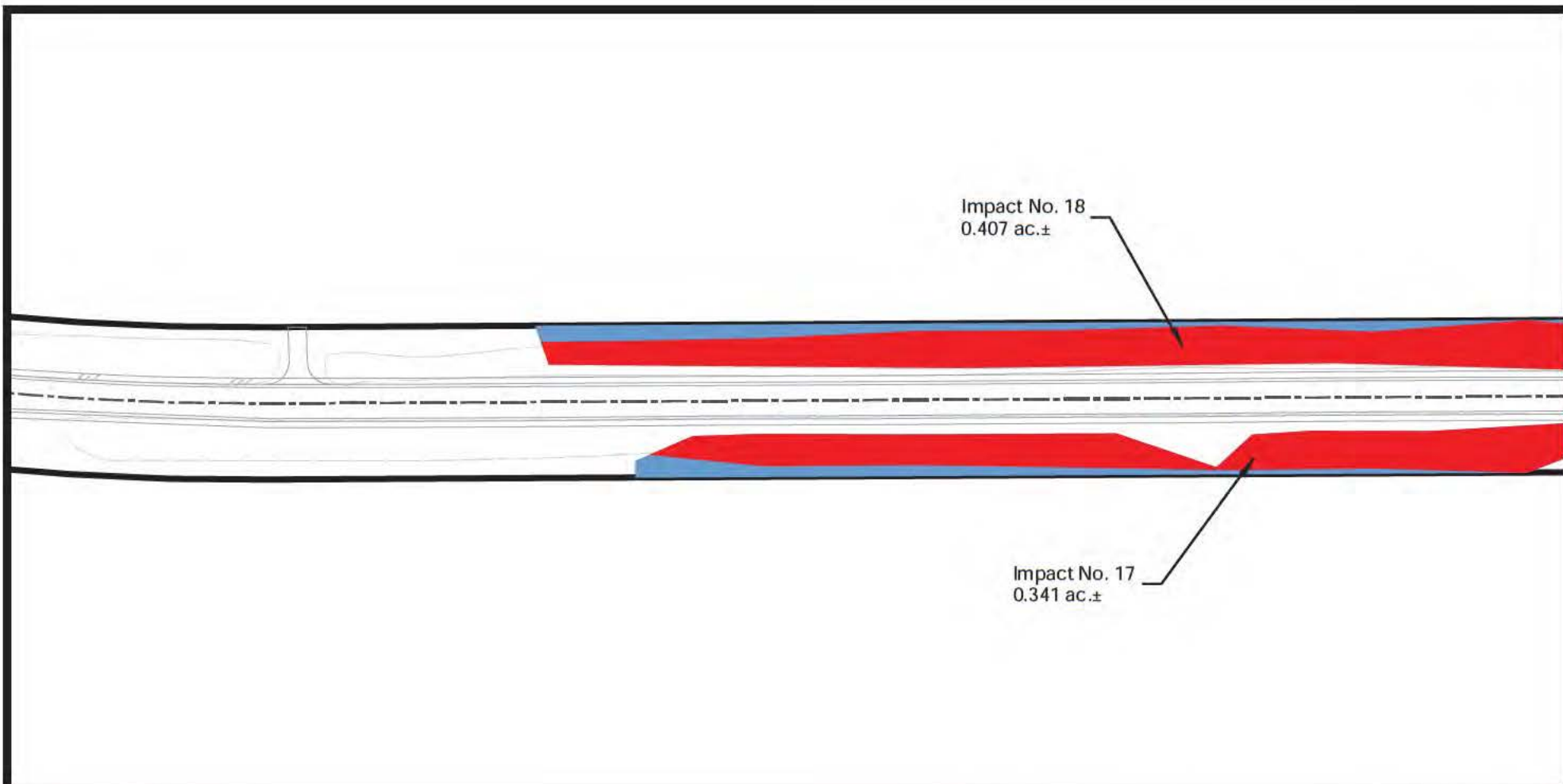
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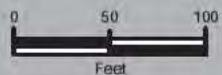
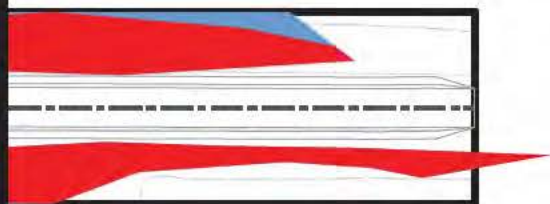
- Project Boundary
- Jurisdictional Wetland Impacts (1.66 ac.±)
- Wetland To Remain



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Proposed Site Conditions
Pages Dairy Road Widening
Nassau County, Florida

Project:	EJ16279.01
Date:	Feb. 2019
Drawn By:	JRN
Checked By:	JLB
Approved By:	TAH
Figure:	4N



Source(s): Connelly & Wicker, Inc.

Disclaimer: The information depicted on this figure is for conceptual purposes only, serves to aid a licensed engineer or geologist in rendering professional services, and is subject to review and approval by appropriate regulatory agencies.




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FIGURE INDEX



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