



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

May 15, 2019

Regulatory Division
West Branch
Tampa Permits Section
Gainesville Field Office

PUBLIC NOTICE

Permit Application No. SAJ-2018-00840 (SP-JED)

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) as described below:

APPLICANT: The Villages Land Company, LLC
Attn: Martin L. Dzuro
3601 Kiessel Road
The Villages, Florida 32163

WATERWAY AND LOCATION: The project would affect waters of the United States associated with Lake Okahumpka and Lake Harris. The project site is approximately 4,226 acres which spans several parcels which are generally bound by State Road 44 to the north, the Florida Turnpike to the south, Clay Drain Road to the East, and the Sumter County/Lake County Line to the west. The project site generally does not include the Wildwood Estates Mobil Home Park, Lake Okahumpka, and the Continental Country Club or its associated residential community. The project site parcels lie in Sections 1, 2, 20, 21, 23-28, and 34-36, Township 19 South, Range 23 East, and Sections 1 and 2, Township 20 south, Range 23E in the City of Wildwood, Florida. The project site is specifically depicted on the attached exhibits.

Directions to the site are as follows: From Interstate 75, take the State Road 44 exit. Head east on State Road 44 to Clay Drain Road in the City of Wildwood. This intersection lies at the approximate northwest corner of the project site. To reach the approximate northeast corner of the project site continue east along State Road 44 to the intersection of State Road 44 and County Road 468.

APPROXIMATE CENTRAL COORDINATES: Latitude: 28.816996°
Longitude: -82.013394°

PROJECT PURPOSE:

Basic: The basic project purpose is the construction of a mixed use development.

Overall: The overall project purpose is the construction of a mixed use development consisting of single-family residential, commercial, institutional, and transportation

infrastructure in the greater Villages/Wildwood area generating approximately 2,000 homes on an annual basis.

EXISTING CONDITIONS: The wetland systems on the project site consist of freshwater systems. The vegetative communities, surface waters, and land use types on the project site fall under the following Florida Land Use, Cover and Forms Classification System (FLUCFCS). The Site is characterized by a mixture of land uses including Open Land (190), Cropland and Pastureland (210), Improved Pastures (211), Live Oak (427), Hardwood-Coniferous Mixed (434), Tree Plantations (440), Ditches (516), Reservoirs (530), Reservoirs Less than 10 Acres which are Dominant Features (534), Streams and Lake Swamps (Bottomland) (615), Mixed Wetland Hardwoods (617), Wetland Forested Mixed (630), Wetland Forested Mixed (630)/Freshwater Marsh (641), Wetland shrub/Freshwater Marsh (631/641), Freshwater Marsh (641), Wet Prairie (643), Mixed Freshwater Marsh (641)/Wet Prairie (643), Emergent Aquatic Vegetation (644), and Utilities (830). Wetlands and surface waters comprise 1,628.47 acres (38.9%) and uplands comprise 2,562.32 acres (61.1%) of the site.

PROPOSED WORK: The applicant seeks authorization to discharge fill material into 10.91 acres of waters of the United States in order to construct a mixed use development consisting of single-family residential, commercial, institutional, and transportation infrastructure construction to expand the existing footprint of the Villages, Florida.

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 proposed roadway corridor would follow existing field roads and traverse uplands to the greatest extent practicable. The proposed corridor would cross the proposed impact wetlands and waters at their narrowest point, and the applicant aligned the corridor to avoid higher quality wetlands in favor of impacting lower quality wetlands along the proposed route.

The remaining wetland impacts are associated with residential lots, utility infrastructure, and stormwater management facilities. The applicant designed these features to impact wetlands on the project site that exhibit reduced function due to past fragmentation or alteration from the past agricultural activities on the project site, or to impact the edges of the larger intact wetland systems on the project site where the wetland functions are reduced.

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

The applicant proposes to offset the unavoidable direct and secondary impacts resulting from the project through the purchase of herbaceous and forested wetland mitigation

credits from federally permitted wetland mitigation banks with service areas encompassing the project site.

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:

Florida Scrub Jay (*Aphelocoma corulescens*): The Corps determined that the proposed project would have no effect on this species. A portion of the proposed project is located within the consultation area for the scrub jay. However, the proposed project site does not contain the scrub oak habitat necessary to support the scrub jay.

Wood stork (*Mycteria americana*): The Corps has determined that the proposed project is not likely to adversely affect the Wood stork. Since the applicant's proposal involves work within suitable foraging habitat for wood storks, the Corps utilized *The Corps of Engineers, U.S. Fish and Wildlife Service (FWS), 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 evaluate the proposed project's potential impact on wood storks. Use of this key produced the following sequence indicating that that the project is not likely to affect the wood stork: A→B→C→D(1) (not likely to adversely affect). The proposed project impacts to suitable foraging habitat are not within a wood stork Core Foraging Area of a colony site, and no wood storks have been documented foraging on site. In light of these facts, the Corps determined that the proposed project is not likely to adversely affect the wood stork.

Everglades snail kite (*Rostrhamus sociabilis*): The Corps has determined that the proposed project would have no effect on this species. According to the Florida Natural Areas Inventory (FNAI) database the closest documented occurrence of an Everglade snail kite is 12.4 northeast from the project site reported in 1990. There are no documented records of the primary prey (apple snail) on the project site. Therefore the Project is expected to have no effect on the Everglade snail kite.

Eastern Indigo Snake (*Drymarchon couperi*): The Corps has initially determined that the proposed project may affect this species. Since portions of the proposed project would occur in xeric habitat that could support gopher tortoise (*Gopherus polyphemus*) burrows, the Corps utilized the Eastern Indigo Snake Programmatic Effect Determination Key, August 2013, to evaluate the project's potential impacts to the Eastern Indigo Snake. Use of this key resulted in the following sequential determination: A→B→C→D couplet 2 (May affect).

The project will impact more than 25 active and inactive gopher tortoise burrows. The Corps will request initiation of formal consultation with the Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act by separate letter.

ESSENTIAL FISH HABITAT (EFH): 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 freshwater wetlands that do not support EFH or any Federally managed fishery. Thus, our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in the Gulf of Mexico. 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 Tampa Permits Section, Gainesville Field Office, 2833 NW 41st Street, Unit 130, Gainesville, FL 32606, within 30 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, James Davidson, in writing at the Tampa Permits Section, Gainesville Field Office, 2833 NW 41st Street, Unit 130, Gainesville, FL 32606; by electronic mail at james.e.davidson2@usace.army.mil; by facsimile transmission at (352)264-7733; or, by telephone at (352)264-7672.

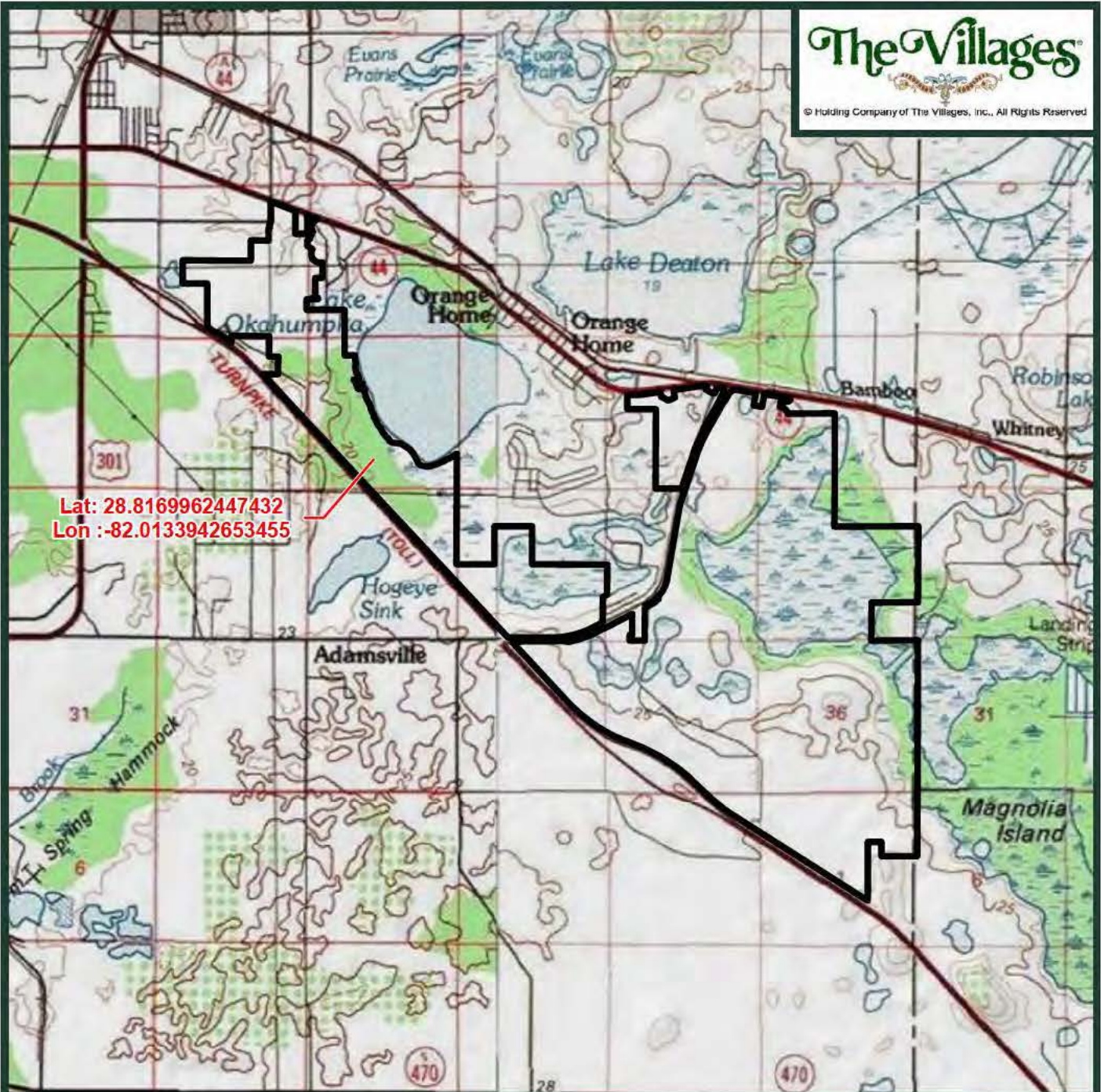
IMPACT ON NATURAL RESOURCES: Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information 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.



Legend

 Project Boundary

Source: Breedlove, Dennis & Associates. USGS WildwoodI and Lessburg West Fla. Quadrangles streamed from ESRI.

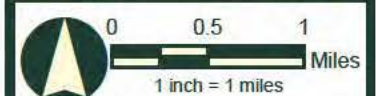
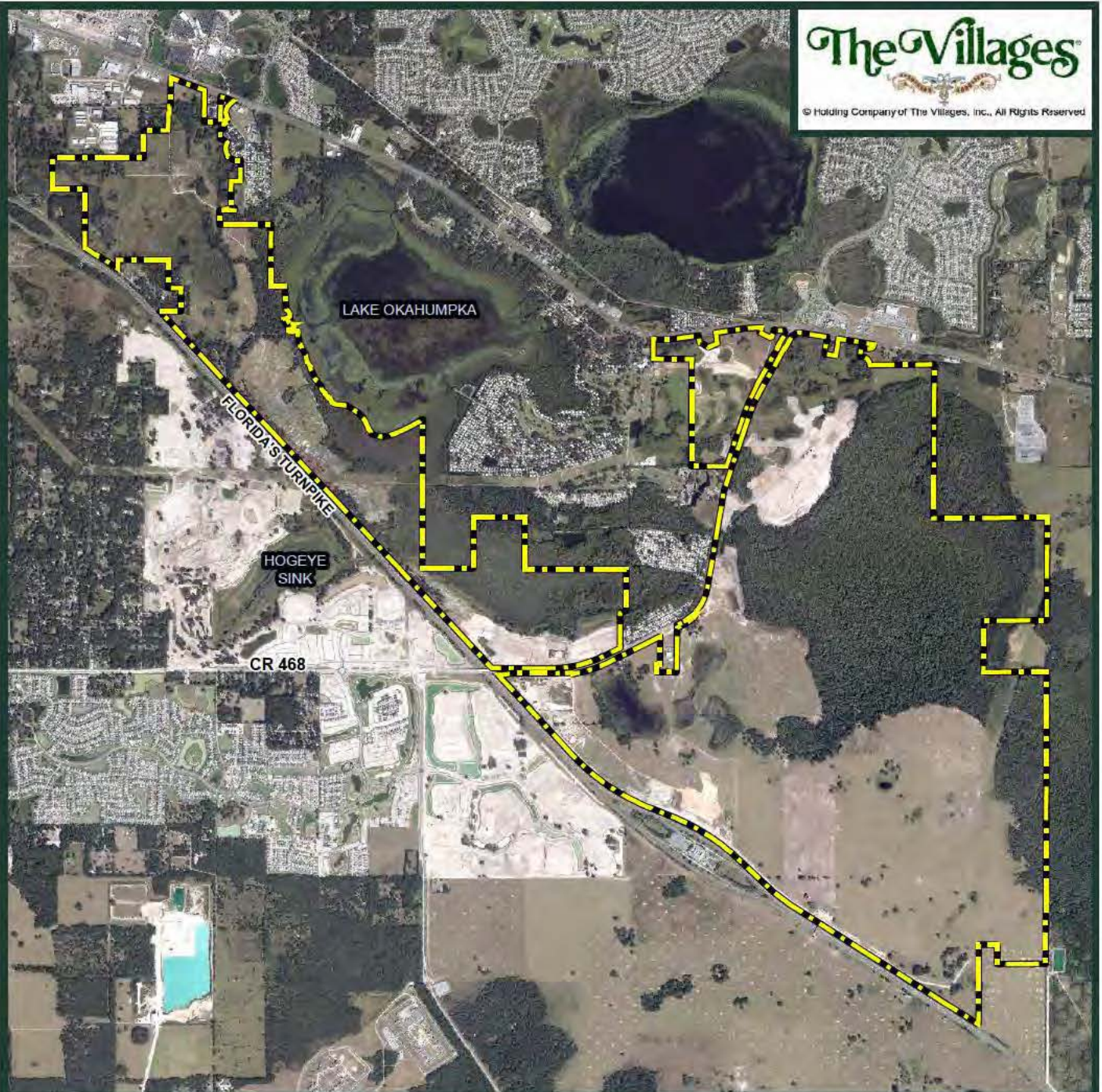


FIGURE 1.0-1
LOCATION OF THE PROJECT, (SECTIONS 1, 2, 20, 21, 23 - 28, AND 34 - 36, TOWNSHIP 19S, RANGE 23E
AND SECTIONS 1 AND 2, TOWNSHIP 20S, RANGE 23E), CITY OF WILDWOOD, FLORIDA

BDA BREEDLOVE, DENNIS & ASSOCIATES, INC.
 Environmental Consultants
 330 W. Canton Ave., Winter Park, FL 32789 • 407-677-1882



Legend

 Project Boundary

Source: 2018 aerial photographic provided by Farmer Barley; 20190220

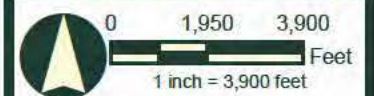


FIGURE 1.0-2
AERIAL PHOTOGRAPH OF THE PROJECT, CITY OF WILDWOOD, FLORIDA

FIGURE 4 2-1 IMPACTS TO THE DEPARTMENT OF THE ARMY CORPS OF ENGINEERS WATERS OF THE UN TED STATES
ON THE PRO ECT CITY OF WILDWOOD FLORIDA

