



REPLY

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

May 28, 2019

Regulatory Division
North Permits Branch
Mitigation Bank Team

PUBLIC NOTICE

Application No. SAJ-2019-00294

TO WHOM IT MAY CONCERN: The Jacksonville District of the U.S. Army Corps of Engineers (Corps) has received a complete prospectus proposing the establishment of a mitigation bank pursuant to the 2008 *Compensatory Mitigation for Losses of Aquatic Resources* regulations (33 CFR Part 332) as described below:

APPLICANT: Mr. John Cassidy
Pigeon Creek Mitigation Bank, LLC
4223 Lakeside Drive
Jacksonville, Florida 32210

LOCATION: The proposed project, identified as the Pigeon Creek Mitigation Bank (PCMB), is bordered to the north by Bay Road, and to the south by Magnolia Avenue, west of U.S. Highway 1 in Hilliard, Nassau County. The site lies within Section 13, Township 3 North, Range 23 East, and Sections 18 & 19 of Township 3 North, Range 24 East.

APPROXIMATE CENTRAL COORDINATES: Latitude 30.676394°
Longitude -81.949321°

PROSPECTUS SUMMARY: Pursuant to 33 CFR 332.8(d)(4), the Corps has posted a full copy of the PCMB prospectus online so that it is available for review by the public. The prospectus may be downloaded from the Regulatory In-Lieu Fee and Bank Information Tracking System (RIBITS) at web address: <https://ribits.usace.army.mil>.

Once on the RIBITS homepage, select "Jacksonville" from the "ALL DISTRICTS" drop down menu located in the lower left corner of the screen. Once the district filter has been selected, click on the "Banks & ILF Sites" link located in the Navigation box (upper left corner). This will generate a list of projects, scroll down the list and click on the "Pigeon Creek MB" link. On this page, click on the "Cyber Repository" link located on the menu bar above the General Information box, then click on the Prospectus Documents folder to access the prospectus associated with the PCMB project.

If you are unable to access the web address, a copy of the prospectus is available upon request to the project manager listed at the end of this public notice.

PROJECT GOALS AND OBJECTIVES:

As stated by the applicant, the goals of this mitigation bank are:

- To provide additional, enhanced, and more diverse habitat for resident and
- migratory wildlife (protected and non-protected species) that are known to occur
- within and around the project area,
- To maximize the ecological value of the site through preservation and enhancement
- To restore natural vegetative and hydrologic conditions in the on-site communities

The objectives of the mitigation bank include, but are not limited to, the following:

- Elimination of silvicultural planting activities and most planted pines
- Elimination of use of herbicide and fertilizer
- Eliminate tree harvesting practices
- Restoration of natural hydrologic flows and hydroperiods currently disrupted by trail roads
- Implementation of mechanical clearing and/or prescribed burning to restore natural communities
- Removal of trail roads built in and around wetlands in several areas to restore natural wetland grades and functions
- Restoration of natural vegetative structural components within disturbed wetland depressions and swamps through pine removal
- Protection from high intensity hunting
- Implementation of conservation easements
- Control of floral and faunal exotic and/or nuisance species

CULTURAL RESOURCES: The proposed bank is not expected to have any direct or indirect impact to cultural resources. Project review will, however, include review of the proposal for any potential impact to cultural resources.

ENDANGERED SPECIES: The site will be reviewed for potential critical habitat and presence of endangered species. The findings will be coordinated with the U.S. Fish and Wildlife service.

ESSENTIAL FISH HABITAT (EFH): It is unlikely that essential fish habitat is present onsite, however, the project proposal will be coordinated with the pertinent federal agencies to minimize the risk for any potential impact to EFH.

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.

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.

COMMENTS: Comments regarding the proposed mitigation bank should be submitted in writing to the District Engineer at the address below within 30 days from the date of this notice.

The initial evaluation pertaining to whether or not this mitigation bank proposal has the potential for providing compensatory mitigation for activities authorized by issued Department of the Army permits will be based on the information contained in the prospectus, received from this public notice and obtained during an inspection of the project site.

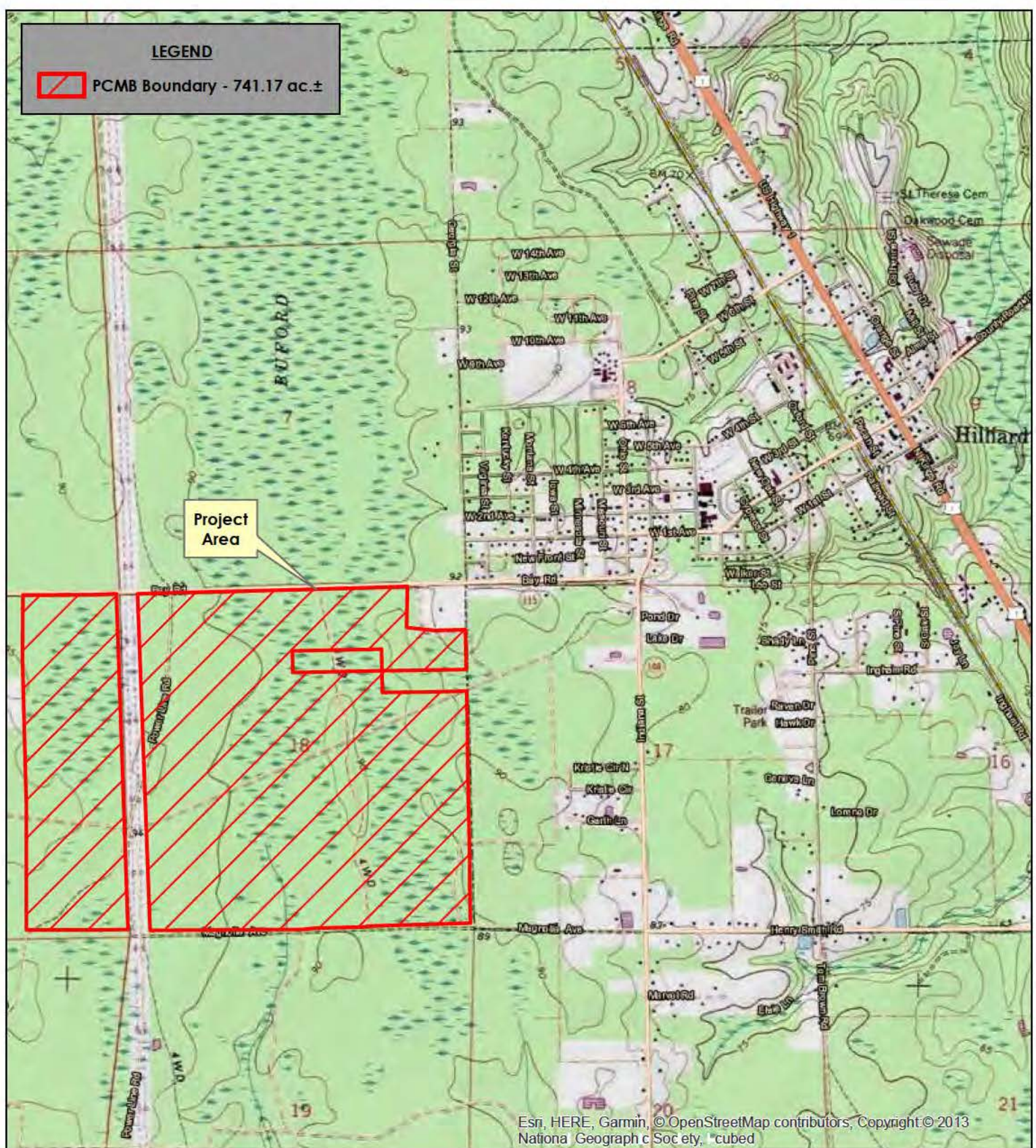
If you have any questions concerning this proposed project, you may contact Mr. Steven Currie by electronic mail at steven.j.currie@usace.army.mil, by fax at 904-232-1904, or by telephone at 904-232-3701 or at the following address:

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

IMPACT ON NATURAL RESOURCES: Preliminary review of this application indicates that an Environmental Impact Statement will not be required. 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. By means of this notice, we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat

EVALUATION: After the end of the comment period, the district engineer will review all comments received and make an initial determination as to the potential of the proposed project to provide compensatory mitigation for activities authorized by Department of the Army permits. That determination 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. Factors relevant to the proposal will be considered including 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.

The 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 proposed activity. All comments received will be considered by the Corps during the formulation of the initial determination of potential for the proposed activity.



0 2,000'

Section: 13 18, 19
 Township: 3 North 3 North
 Range: 23 East 24 East

Lat: 30° 40' 34.80" N (30.676333 dd)
 Long: 81° 56' 54.08" W (-81.948356 dd)



8711 Perimeter Park Blvd.,
 Suite 1
 Jacksonville, FL 32216

(904) 285-1397
 mail@ersenvironmental.com

Pigeon Creek Mitigation Bank Vicinity Map

Nassau County, Florida

By: GLA

Project No.: 18152


Figure No.: 1

Date: 3-18-19


Rev. Date:




LEGEND


 PCMB Boundary - 741.17 ac.±


Existing Community Conditions


 U1: Pine Plantation - 121.96 ac.±


 W1: Wet Pine Plantation - 176.71 ac.±


 W2: Wet Pine Flatwoods - 82.37 ac.±

 W3: Basin Swamp - 83.99 ac.±

 W4: Basin Swamp, Disturbed - 259.98 ac.±

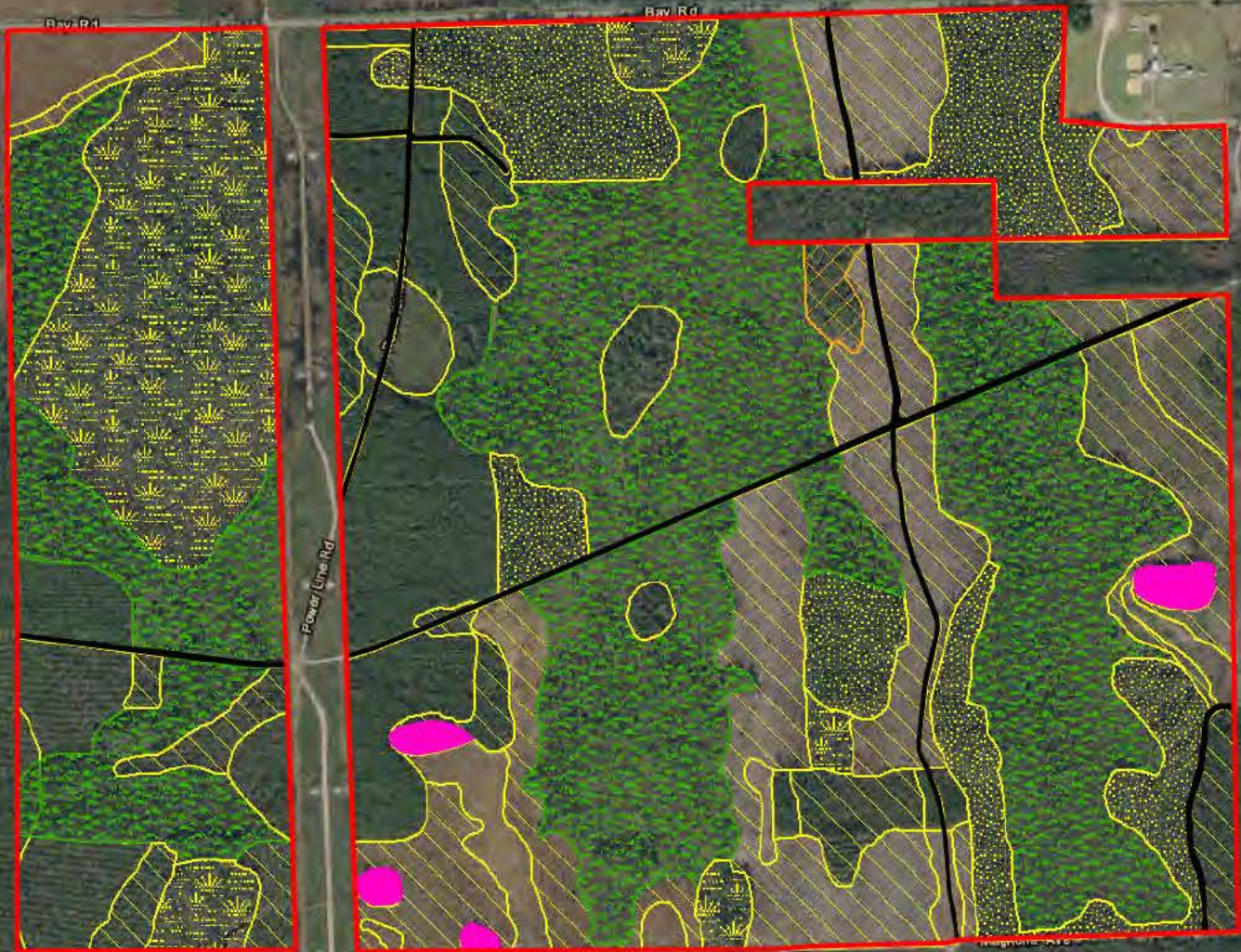
 W5: Hydric Hammock - 3.62 ac.±

 W6: Dome Swamp - 5.08 ac.±

 Roads to Remain - 7.46 ac.±

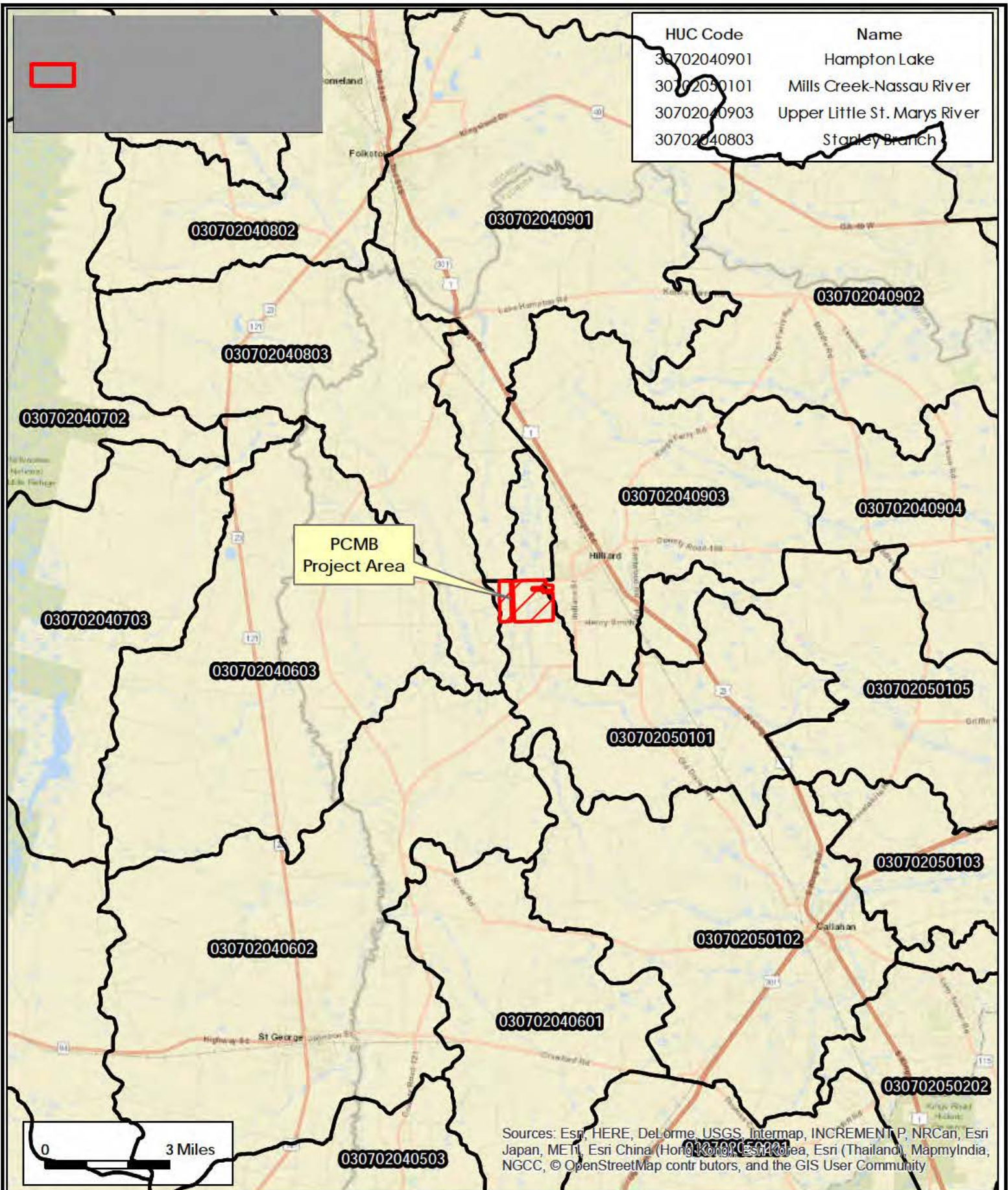
NOTE: Depicted FLUCFCS classifications and boundaries are approximate. This map is intended to be used for illustrative purposes only.

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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus
DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



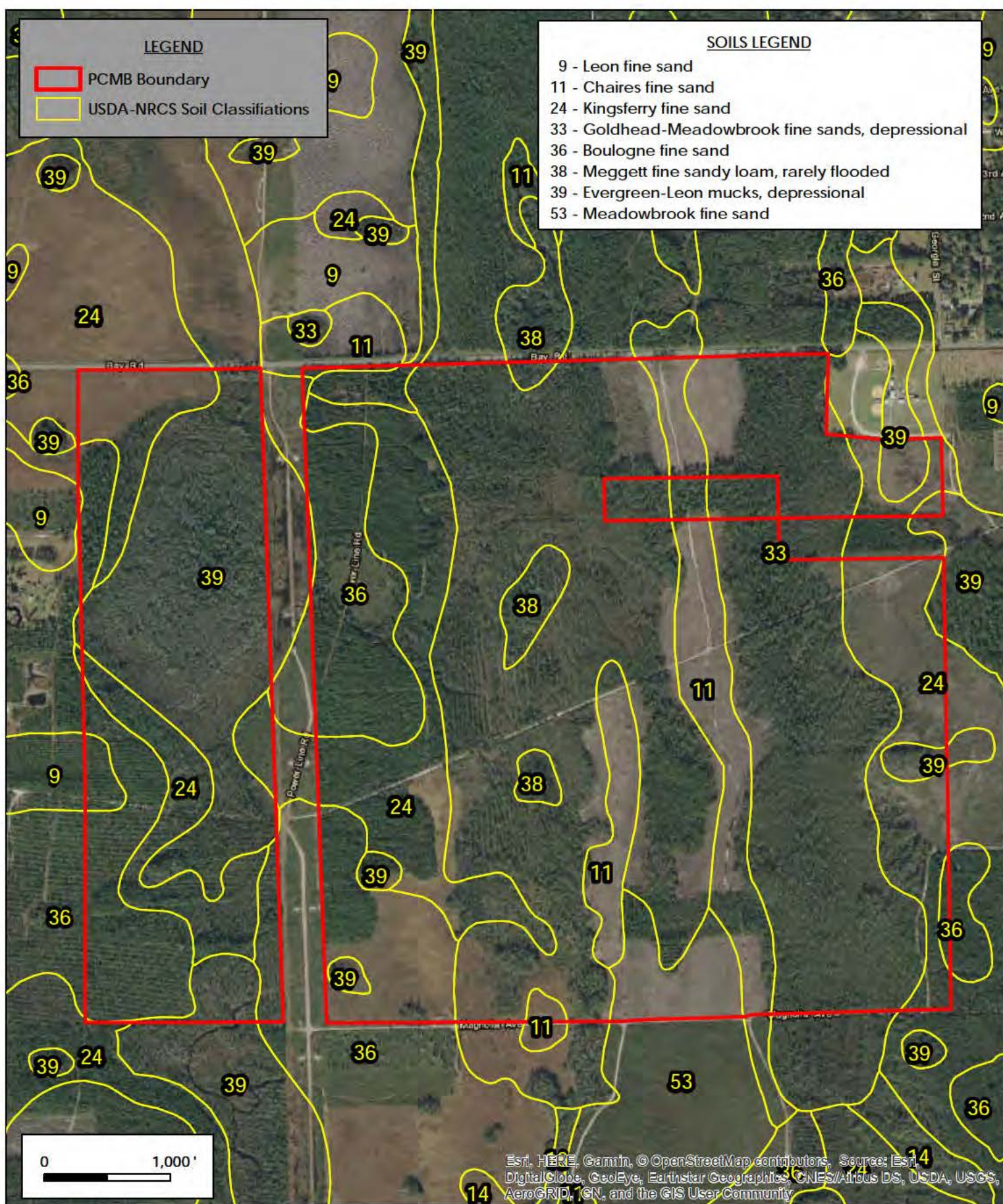


LEGEND

- PCMB Boundary
- USDA-NRCS Soil Classifications

SOILS LEGEND

- 9 - Leon fine sand
- 11 - Chaires fine sand
- 24 - Kingsferry fine sand
- 33 - Goldhead-Meadowbrook fine sands, depressional
- 36 - Boulogne fine sand
- 38 - Meggett fine sandy loam, rarely flooded
- 39 - Evergreen-Leon mucks, depressional
- 53 - Meadowbrook fine sand

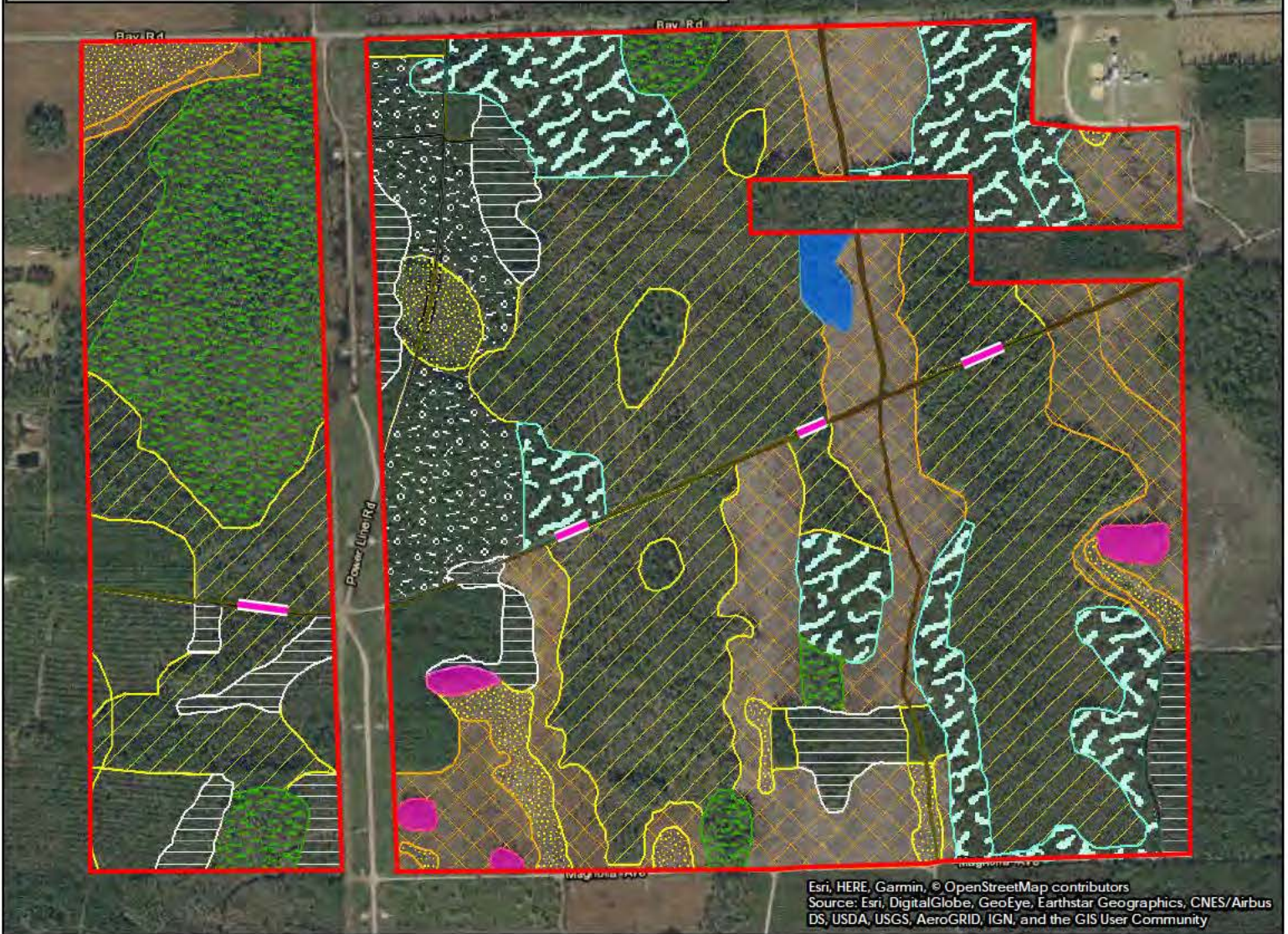


LEGEND

- PCMB Boundary - 741.17 ac.±
- Proposed Low Water Crossings - 0.48 ac.±
- Proposed Community Classifications**
- U1A: Pine Plantation to Mesic Flatwoods - 54.15 ac.±
- U1B: Immature Pine Plantation to Mesic Flatwoods - 27.81 ac.±
- U1C: Borrow Pit to Mesic Flatwoods - 40.00 ac.±
- W1A: Wet Pine Plantation to Wet Pine Flatwoods - 40.80 ac.±
- W1B: Immature Wet Pine Plantation to Wet Pine Flatwoods - 135.91 ac.±
- W2: Wet Pine Flatwoods to Wet Pine Flatwoods - 82.37 ac.±
- W3: Basin Swamp to Basin Swamp - 83.99 ac.±
- W4: Basin Swamp, Disturbed to Basin Swamp - 259.98 ac.±
- W5: Hydric Hammock to Hydric Hammock - 3.62 ac.±
- W6: Dome Swamp to Enhanced Dome Swamp - 5.08 ac.±
- Roads to Remain - 6.98 ac.±

NOTE: Depicted FLUCFCS classifications and boundaries are approximate. This map is intended to be used for illustrative purposes only.






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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus
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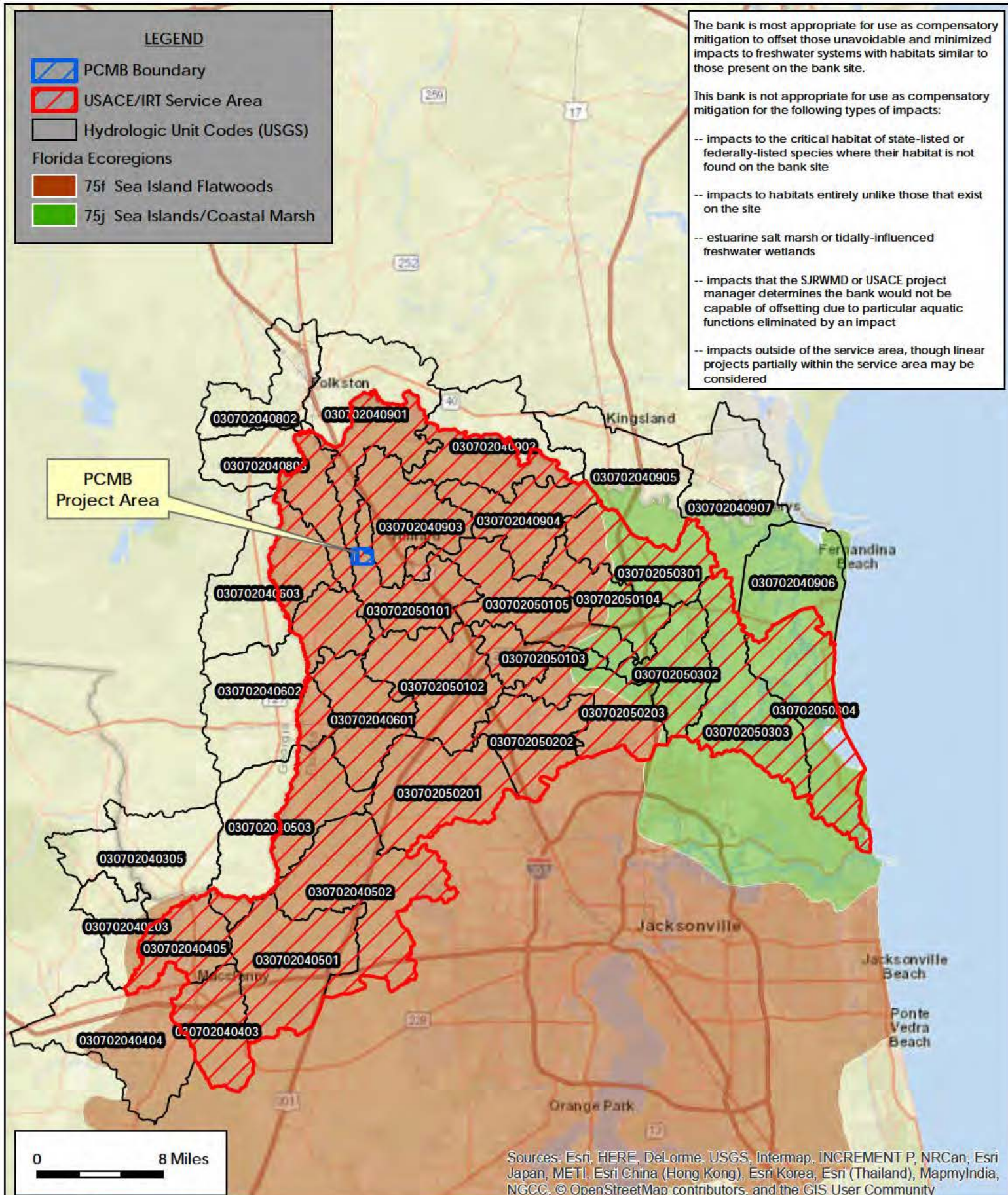
LEGEND

-  PCMB Boundary
-  USACE/IRT Service Area
-  Hydrologic Unit Codes (USGS)
- Florida Ecoregions
 -  75f Sea Island Flatwoods
 -  75j Sea Islands/Coastal Marsh

The bank is most appropriate for use as compensatory mitigation to offset those unavoidable and minimized impacts to freshwater systems with habitats similar to those present on the bank site.

This bank is not appropriate for use as compensatory mitigation for the following types of impacts:

- impacts to the critical habitat of state-listed or federally-listed species where their habitat is not found on the bank site
- impacts to habitats entirely unlike those that exist on the site
- estuarine salt marsh or tidally-influenced freshwater wetlands
- impacts that the SJRWMD or USACE project manager determines the bank would not be capable of offsetting due to particular aquatic functions eliminated by an impact
- impacts outside of the service area, though linear projects partially within the service area may be considered



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community



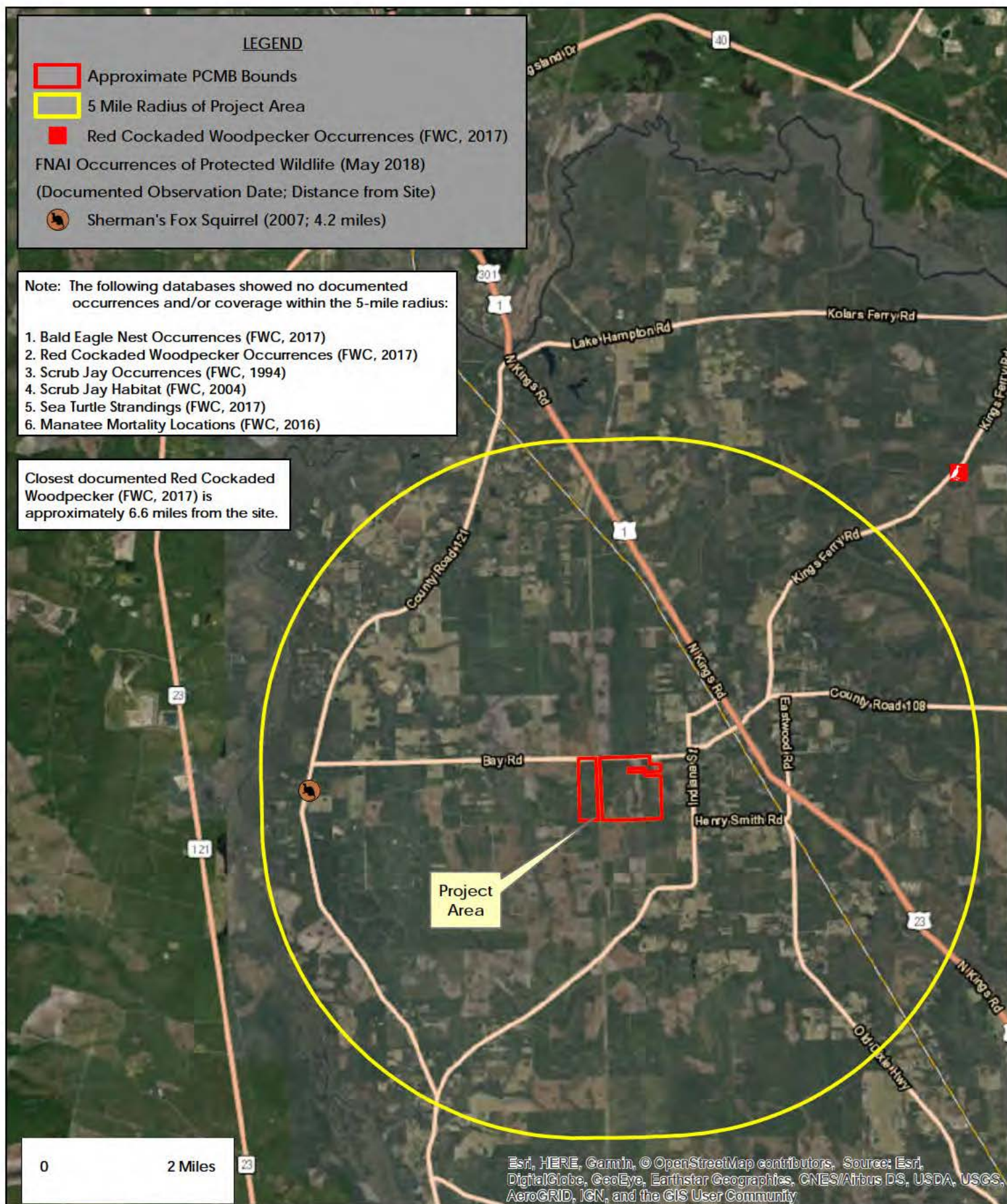
LEGEND

- Approximate PCMB Bounds
- 5 Mile Radius of Project Area
- Red Cockaded Woodpecker Occurrences (FWC, 2017)
- FNAI Occurrences of Protected Wildlife (May 2018)
- (Documented Observation Date; Distance from Site)
- Sherman's Fox Squirrel (2007; 4.2 miles)





Note: The following databases showed no documented occurrences and/or coverage within the 5-mile radius:

1. Bald Eagle Nest Occurrences (FWC, 2017)
2. Red Cockaded Woodpecker Occurrences (FWC, 2017)
3. Scrub Jay Occurrences (FWC, 1994)
4. Scrub Jay Habitat (FWC, 2004)
5. Sea Turtle Strandings (FWC, 2017)
6. Manatee Mortality Locations (FWC, 2016)

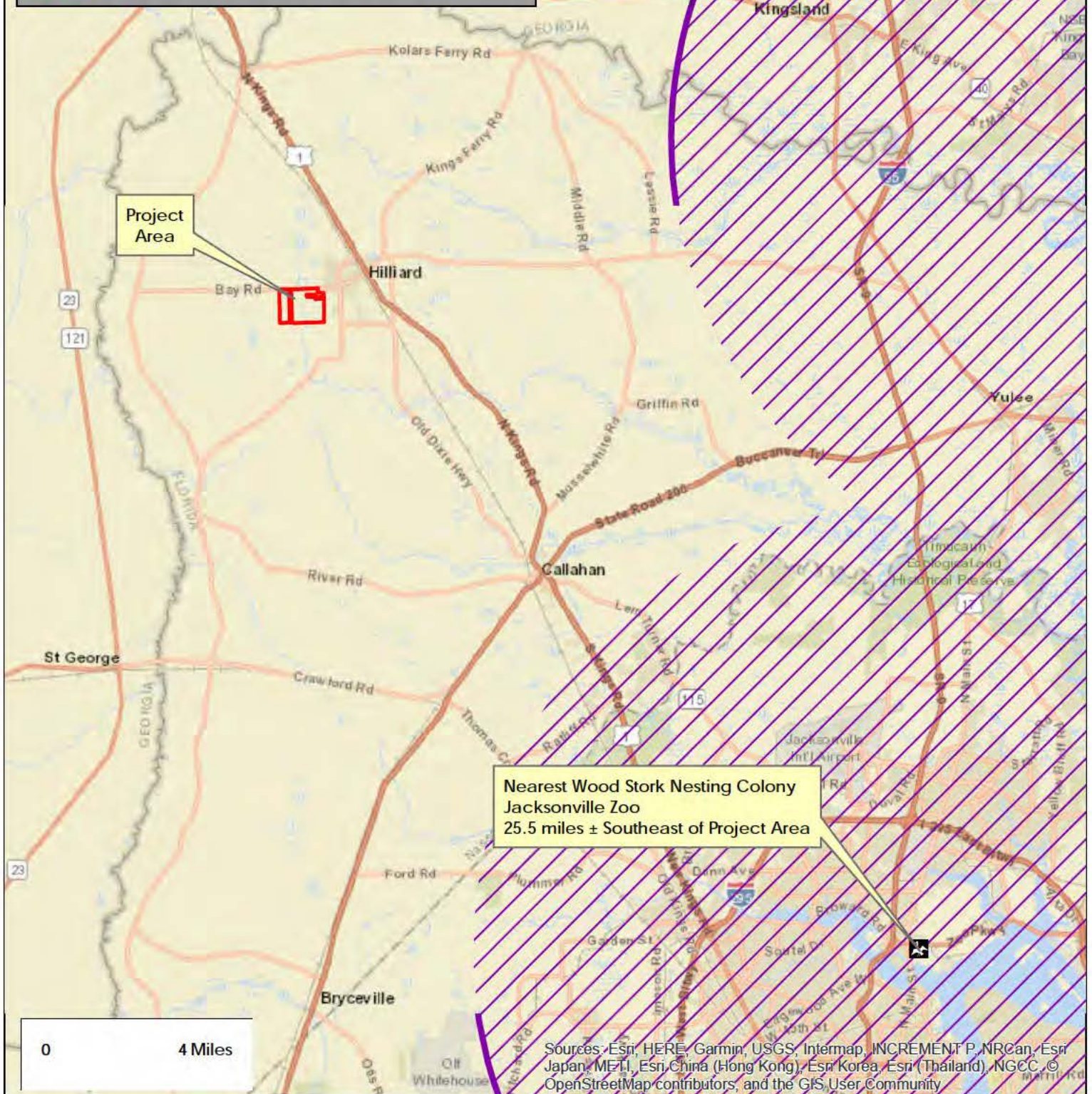
Closest documented Red Cockaded Woodpecker (FWC, 2017) is approximately 6.6 miles from the site.



LEGEND

-  Approximate PCMB Boundary
-  Wading Bird Rookery Locations (FWC, 1999)
-  Wood Stork Nesting Colony Locations (USFWS, 2018)
-  Wood Stork Core Foraging Areas (USFWS, 2018)

NOTE: No documented wood stork nesting colonies exist within 13 miles of the project site (USFWS, 2018).



Nearest Wood Stork Nesting Colony
Jacksonville Zoo
25.5 miles ± Southeast of Project Area

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community



