



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT  
415 RICHARD JACKSON BOULEVARD, SUITE 411  
PANAMA CITY BEACH, FLORIDA 32407

May 28, 2019

Regulatory Division  
North Permits Branch  
Panama City Permits Section

## ***PUBLIC NOTICE***

Permit Application No. SAJ-2019-01242(SP-LSL)

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: Mr. Jeremy Bedzow  
CG PCTY-1, LLC  
621 South Federal Highway, Suite 5  
Ft. Lauderdale, Florida 33301

WATERWAY AND LOCATION: The project would affect waters of the United States associated with Dry Branch. The project site is located at 5441 Nehi Road in Section 17, Township 3 South, Range 13 West, Panama City, Bay County, Florida.

Directions to the site are as follows: From Panama City, turn north onto Highway 231 at the intersection of 23<sup>rd</sup> Street and Highway 231. Travel approximately 4.86 miles and turn right onto Nehi Road. Project is located at 5441 and 5539 Nehi Road on the left.

APPROXIMATE CENTRAL COORDINATES: Latitude 30.228144°  
Longitude -85.564401°

### **PROJECT PURPOSE:**

Basic: Commercial residential development.

Overall: To construct a multi-family commercial residential development in response to loss of multi-family housing due to Hurricane Michael in Panama City, Bay County, Florida.

EXISTING CONDITIONS: The majority of the onsite area is pastureland. The north half of the project area is currently utilized as a single family residence and pastureland. The south half is pastureland and currently utilized as an equestrian facility. The project area includes 13.43 acres of jurisdictional wetlands, comprised of 11.01 acres of herbaceous pastureland, 1.24 acres of mixed pine and hardwood wetland, and 1.18 acres of open water pond area. Adjacent land uses include agricultural land to the north and northeast, the County jail facility to the southeast, the rear entrance to the jail facility to the south, and the right-of-way of Nehi Road to the west.

**PROPOSED WORK:** The applicant seeks authorization to impact 13.43 acres of jurisdictional wetlands in order to construct a residential development to include an 840 unit apartment complex, associated amenities, parking and stormwater facilities.

**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:

Impact site consists of primarily pastureland with a narrow vegetated wetland area between the pasture and the Bay County Jail facility. Given the impacted nature of the site and adjacent development, the applicant is requesting considerations without minimization.

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

To offset the wetland impacts, the applicant proposes to purchase 6.3 freshwater credits from Sweetwater Mitigation Bank.

**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:** Per the Eastern Indigo Snake Programmatic Effect Determination Key, the Corps has determined the proposed project may affect, but is not likely to adversely affect the Eastern indigo snake or Panama City crayfish. The Corps will request U.S. Fish and Wildlife concurrence with this determination pursuant to Section 7 of the Endangered Species Act. In addition, the Corps determined no effect for the red cockaded woodpecker.

**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 Panama City

Permits Section, 415 Richard Jackson Boulevard, Suite 411, Panama City Beach, Florida 32407 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, Mrs. Lisa S. Lovvorn, in writing at the Panama City Permits Section, 415 Richard Jackson Boulevard, Suite 411, Panama City Beach, Florida 32405; by electronic mail at [lisa.s.lovvorn@usace.army.mil](mailto:lisa.s.lovvorn@usace.army.mil); or, by telephone at (850) 285-9533.

**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 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.

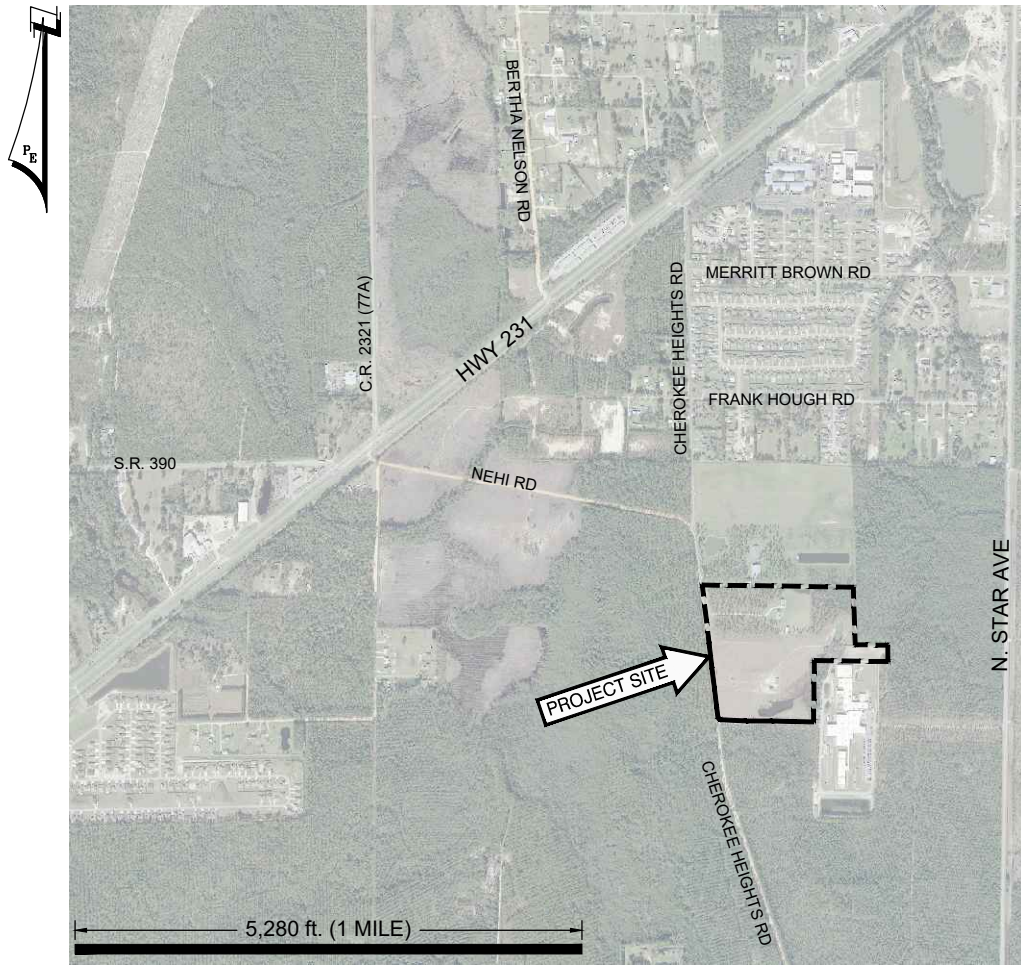
**COASTAL ZONE MANAGEMENT CONSISTENCY:** In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning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

# PROPOSED 43± ACRE APARTMENTS DEVELOPMENT

## AT NEHI ROAD

### BAY COUNTY, FLORIDA



ADDRESS: 5539 & 5441 NEHI RD  
SECTION TOWNSHIP RANGE (17-3S-13W)  
LAT ~ 30° 13' 42"  
LON ~ 85° 33' 51"

VICINITY MAP

0 1,000' 2,000' 4,000'

SCALE: 1" = 2,000'

#### DRAWING INDEX

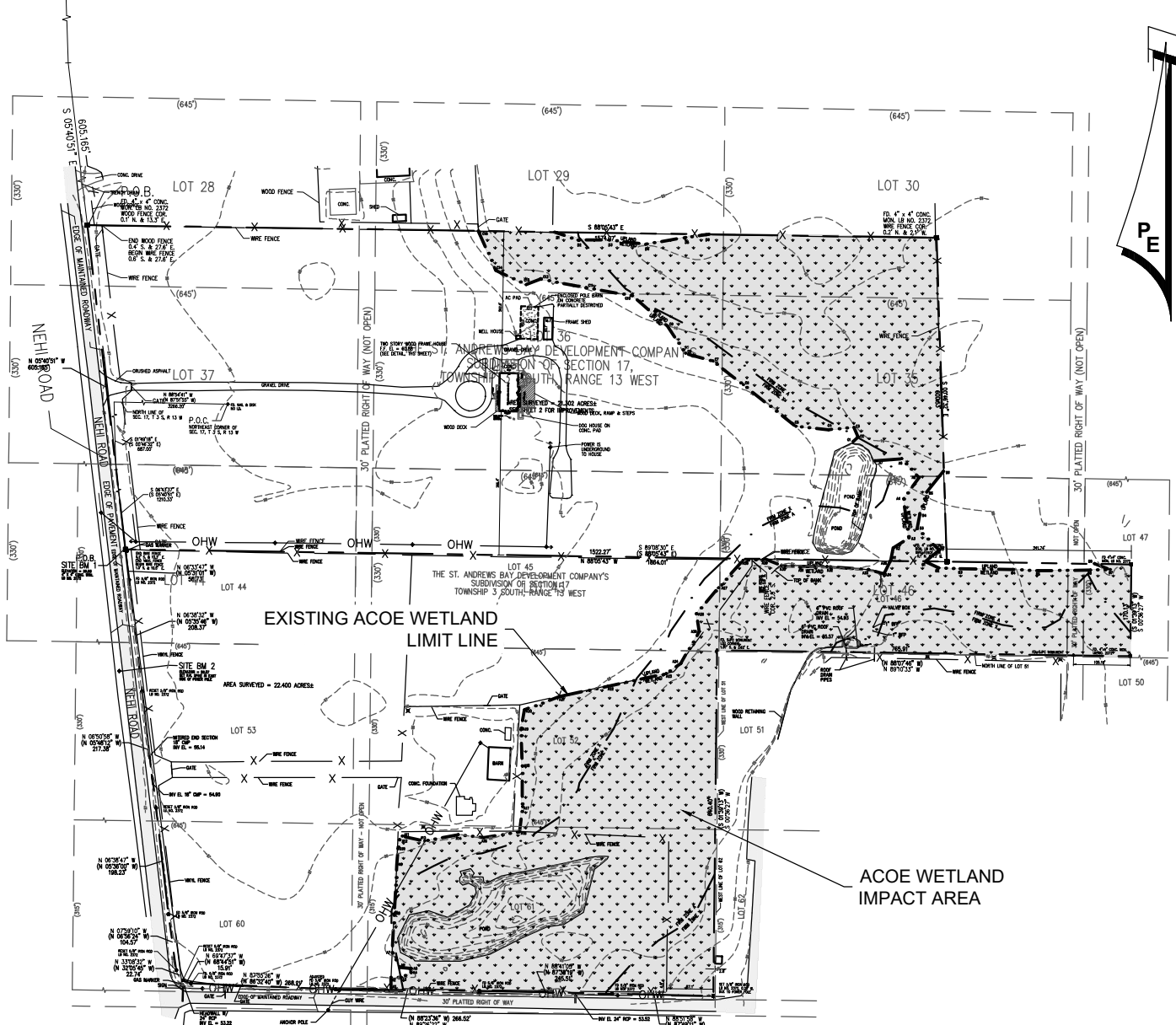
- | No. | TITLE  |
|-----|--|
| 0   | COVER SHEET                                  |
| 1   | EXISTING CONDITION WITH WETLAND IMPACT AREAS |
| 2   | OVERALL KEY MAP                              |
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| 4   | NORTH EAST WETLAND IMPACT AREA               |
| 5   | SOUTH EAST WETLAND IMPACT AREA               |
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| 13  | EROSION CONTROL DETAILS                      |

APRIL 2019  
PROJECT No. 146502

PREPARED FOR:  
**MR. JEREMY BEDZOW**  
CG PCTY-1 LLC

ADDRESS  
624 S. FEDERAL HWY, SUITE 5  
FT. LAUDERDALE FL, 33301


DPR CERTIFICATION #EB-7806



SEE SHEET 2 FOR ACOW IMPACT  
& CUT/FILL SUMMARY



#### LEGEND:

 DENOTES ACOW WETLAND  
IMPACT AREA

**PANHANDLE**  
**ENGINEERING, INC.**  
ENVIRONMENTAL ENGINEERS • CIVIL ENGINEERS • LAND PLANNERS  
3005 South Highway 77 Lynn Haven, Florida 32444  
(850)763-5200 Fax (850)769-0730 www.panhandleengineering.com

EXISTING CONDITION WITH WETLAND IMPACT AREAS  
PROPOSED 43± ACRE APARTMENTS DEVELOPMENT  
AT NEHI ROAD  
BAY COUNTY, FLORIDA

DPR CERTIFICATION #EB-7806

CAD FILE: 146502 ACOW PLANS.DWG

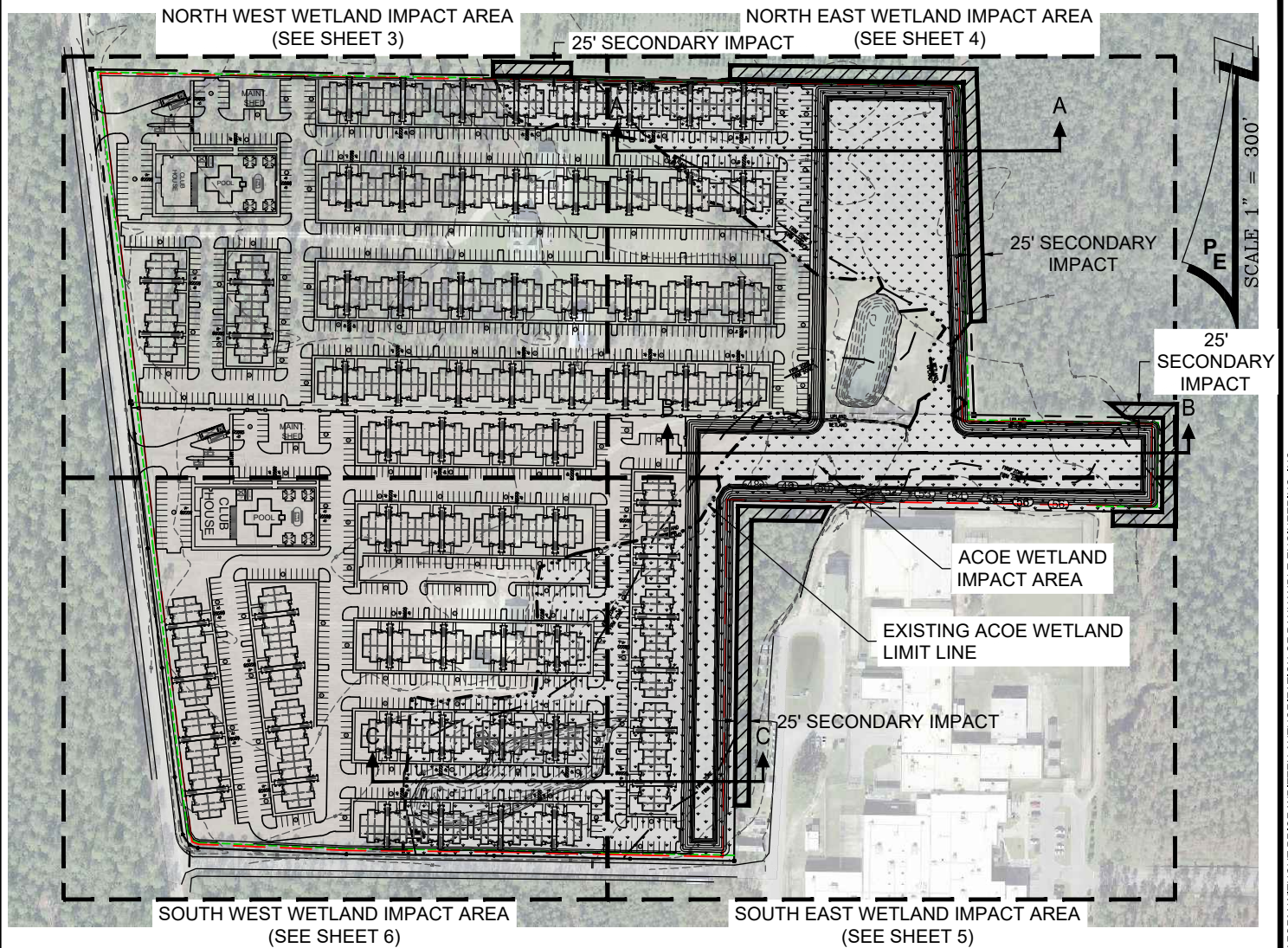
DWN BY: REF

DATE: APRIL 2019

SHEET NO: 1

PROJECT NUMBER  
146502





#### ACOE IMPACT SUMMARY

SITE AREA	1,904,442± SF. ~ 43.72± AC.
UPLANDS	1,298,123± SF. ~ 29.80± AC.
ACOE WETLANDS	584,807± SF. ~ 13.43± AC.
SECONDARY ACOE IMPACT	52,011± SF. ~ 1.19± AC.



#### Cut/Fill Summary

Name	Cut Factor	Fill Factor	2d Area	Cut	Fill	Net
ACOE WETLAND IMPACT AREA	1.000	1.000	584806.89 Sq. Ft.	47818.85 Cu. Yd.	36198.55 Cu. Yd.	11620.30 Cu. Yd.<Cut>
Totals			584806.89 Sq. Ft.	47818.85 Cu. Yd.	36198.55 Cu. Yd.	11620.30 Cu. Yd.<Cut>

#### LEGEND:



DENOTES ACOE WETLAND  
IMPACT AREA



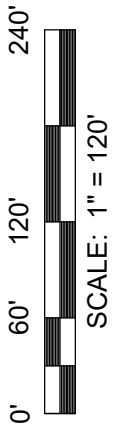
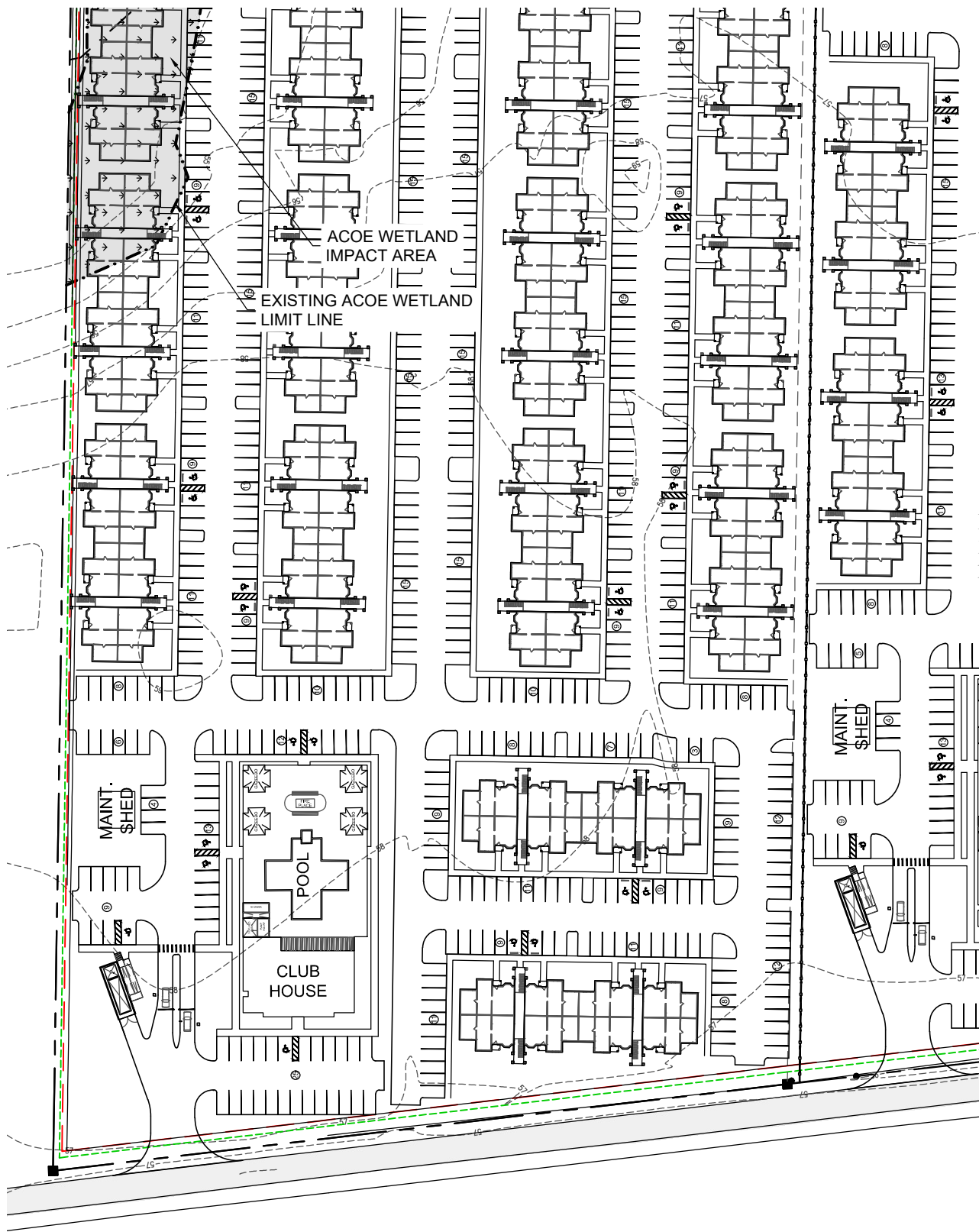
DENOTES SECONDARY ACOE WETLAND  
IMPACT AREA

DPR CERTIFICATION #EB-7806

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OVERALL KEY MAP  
PROPOSED 43± ACRE APARTMENTS DEVELOPMENT  
AT NEHI ROAD  
BAY COUNTY, FLORIDA

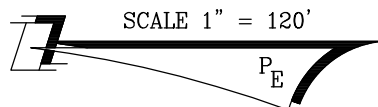
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DWN BY: REF  
DATE: APRIL 2019  
SHEET NO: 2  
PROJECT NUMBER  
146502



#### LEGEND:



DENOTES ACOE WETLAND  
IMPACT AREA



DPR CERTIFICATION #EB-7806

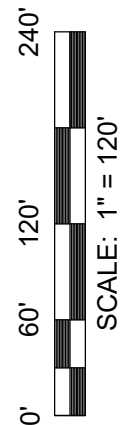
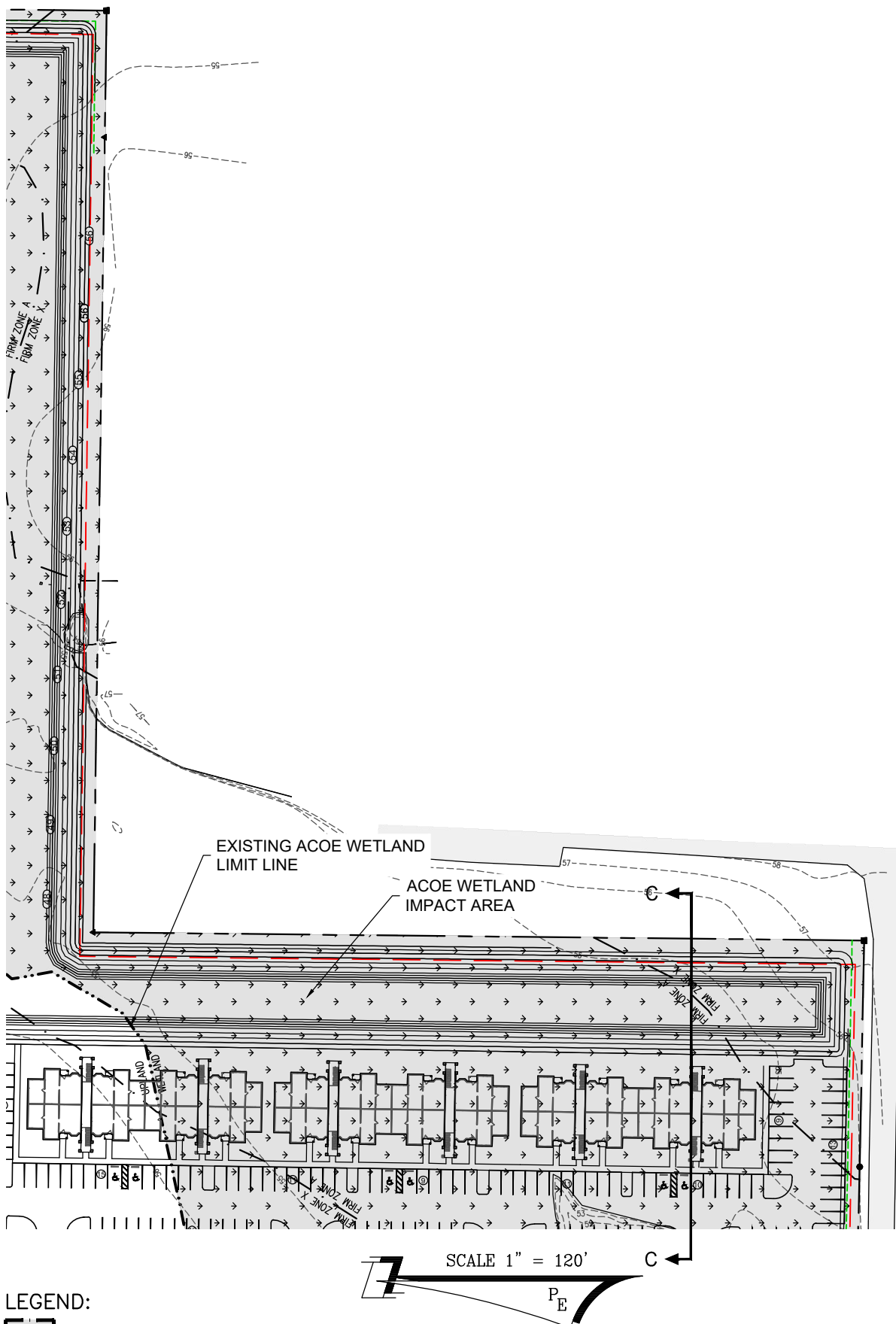
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3005 South Highway 77 Lynn Haven, Florida 32444  
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NORTH WEST WETLAND IMPACT AREA  
PROPOSED 43± ACRE APARTMENTS DEVELOPMENT  
AT NEHI ROAD  
BAY COUNTY, FLORIDA

CAD FILE: 146502 ACOE PLANS.DWG  
DWN BY: REF  
DATE: APRIL 2019  
SHEET NO: 3  
PROJECT NUMBER  
146502





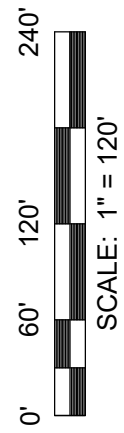
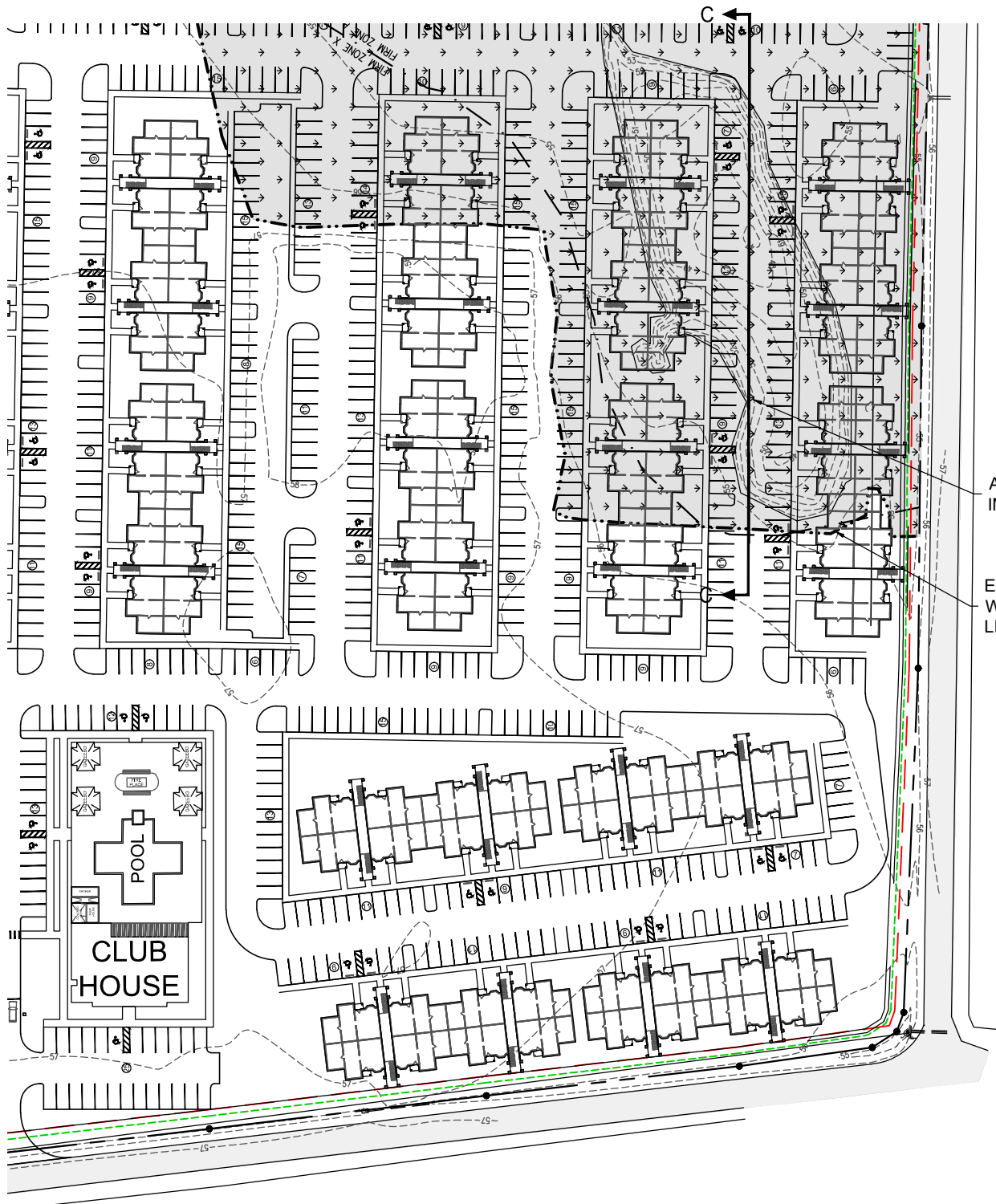


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**SOUTH EAST WETLAND IMPACT AREA**  
**PROPOSED 43± ACRE APARTMENTS DEVELOPMENT**  
**AT NEHI ROAD**  
**BAY COUNTY, FLORIDA**


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 DATE: APRIL 2019  
 SHEET NO: 5  
 PROJECT NUMBER  
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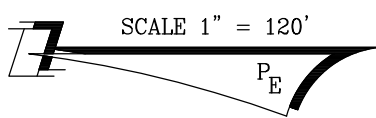


ACOE WETLAND  
IMPACT AREA

EXISTING ACOE  
WETLAND  
LIMIT LINE

# LEGEND:

 DENOTES ACOE WETLAND  
IMPACT AREA

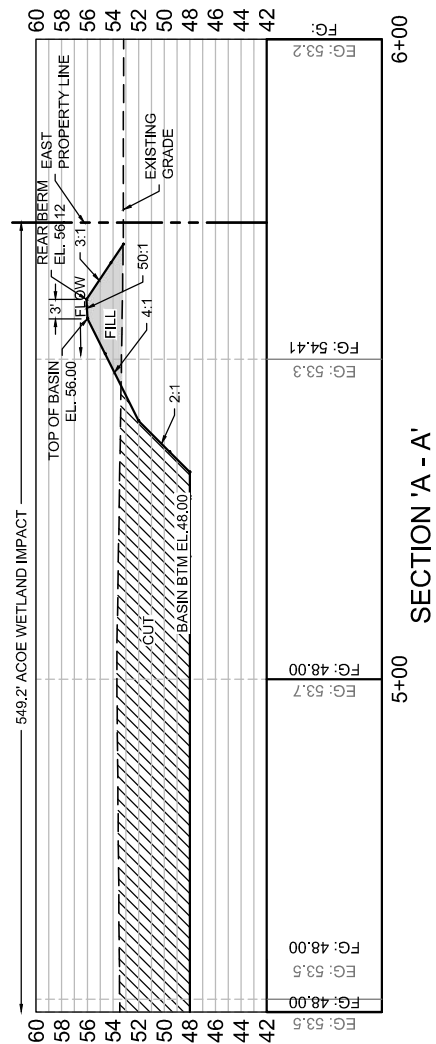
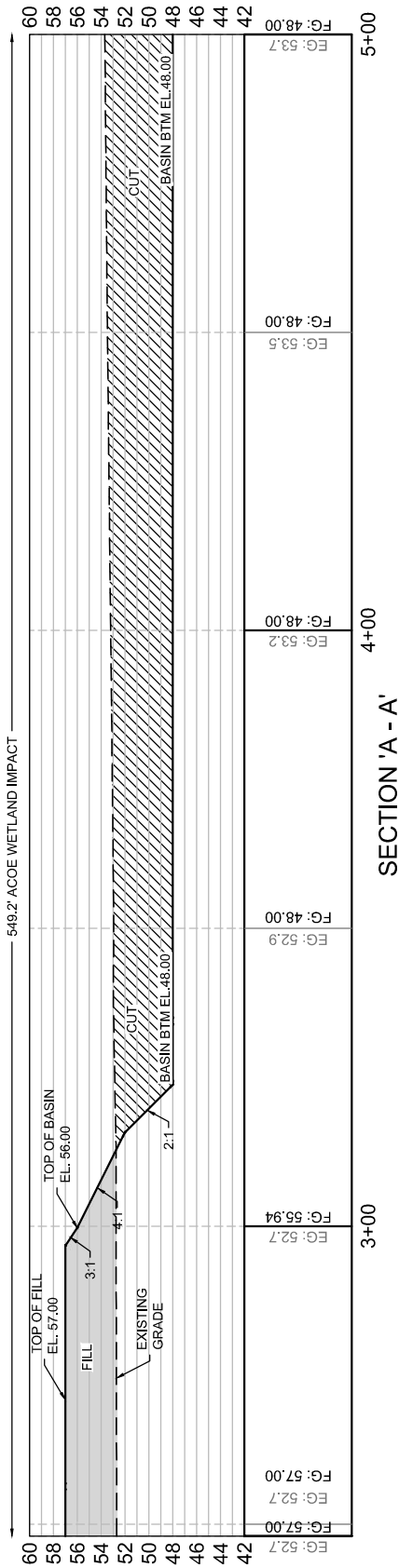
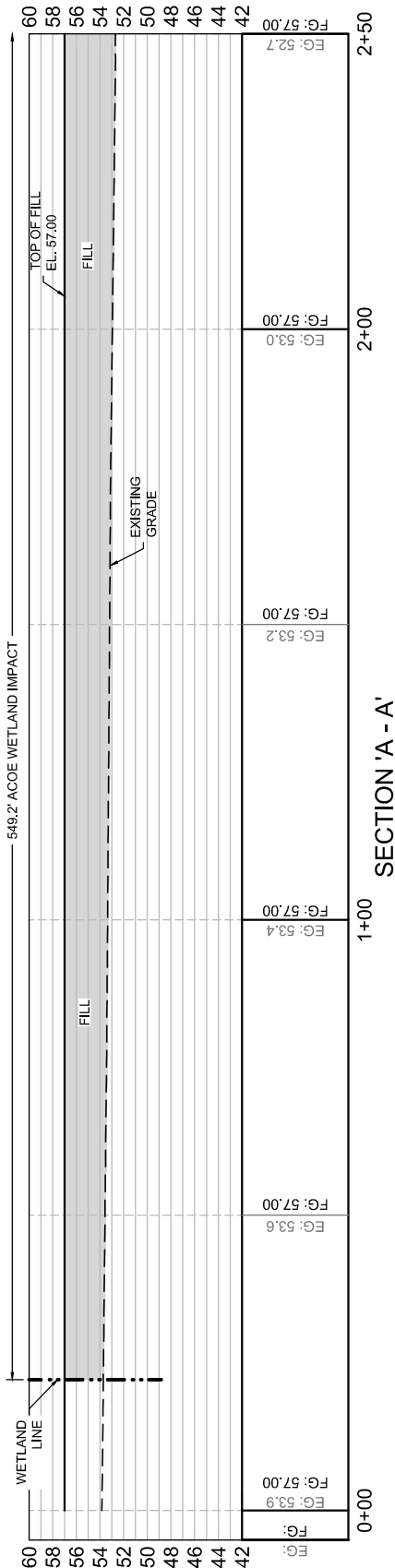


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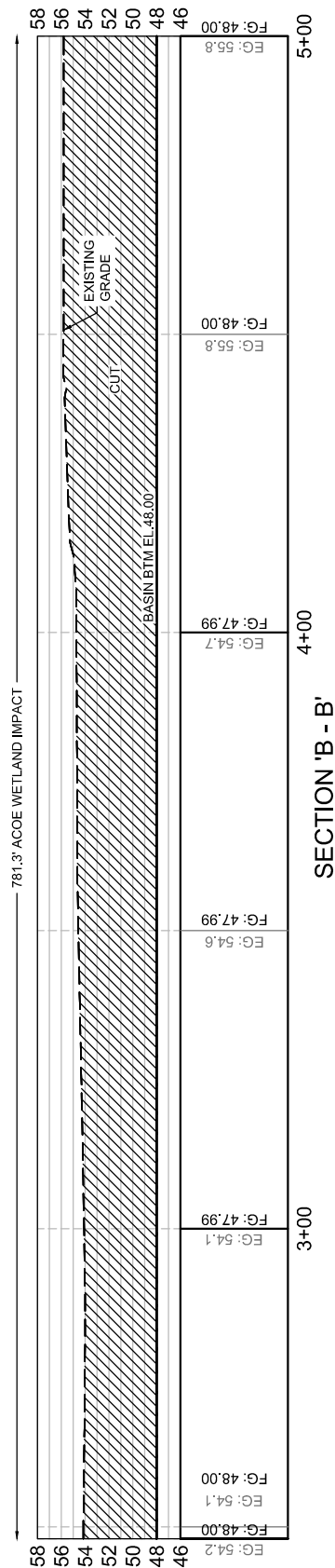
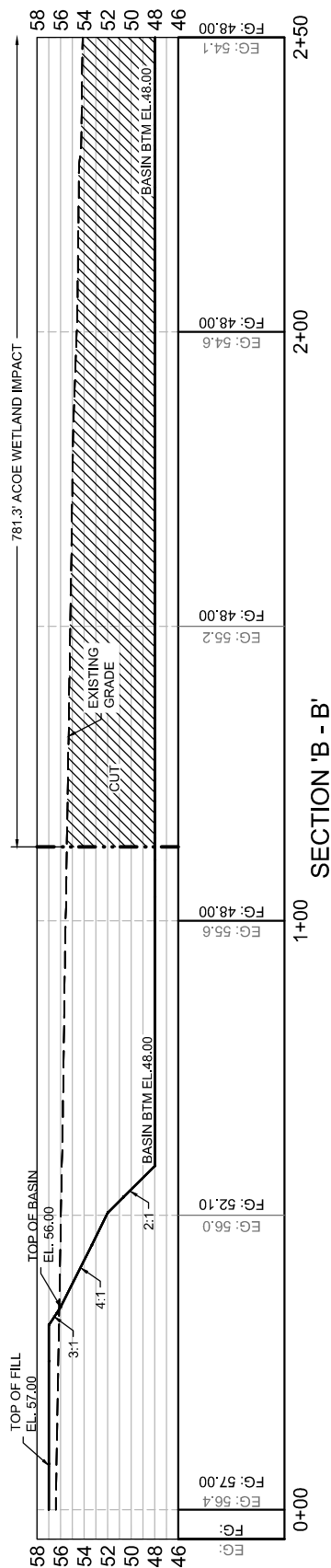
SOUTH WEST WETLAND IMPACT AREA  
PROPOSED 43± ACRE APARTMENTS DEVELOPMENT  
AT NEHI ROAD  
BAY COUNTY, FLORIDA

CAD FILE: 146502 ACOE PLANS.DWG  
DWN BY: REF  
DATE: APRIL 2019  
SHEET NO: 6  
PROJECT NUMBER  
146502



PROPOSED GRADE  
EXISTING GRADE  
STATION LABEL  
SCALE: HOR. 1"=30'  
VER. 1"=15'

DPR CERTIFICATION #EB-7806



EXISTING GRADE

PROPOSED GRADE

STATION LABEL

0+00

27.2

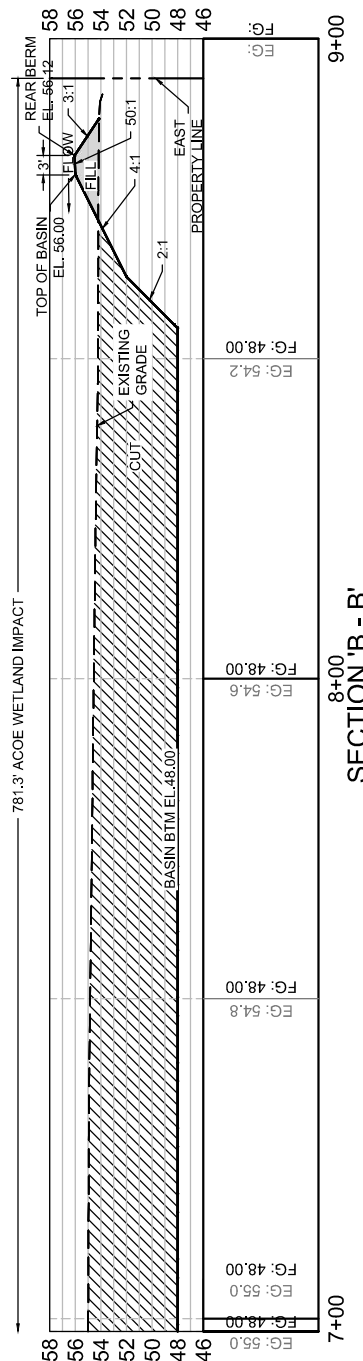
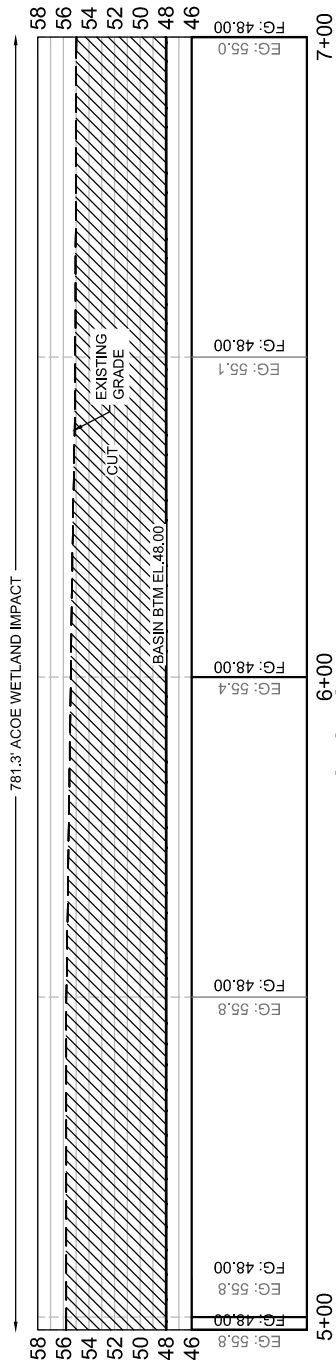
28.0

SCALE: HOR. 1"=30'

VER. 1"=15'

DPR CERTIFICATION #EB-7806

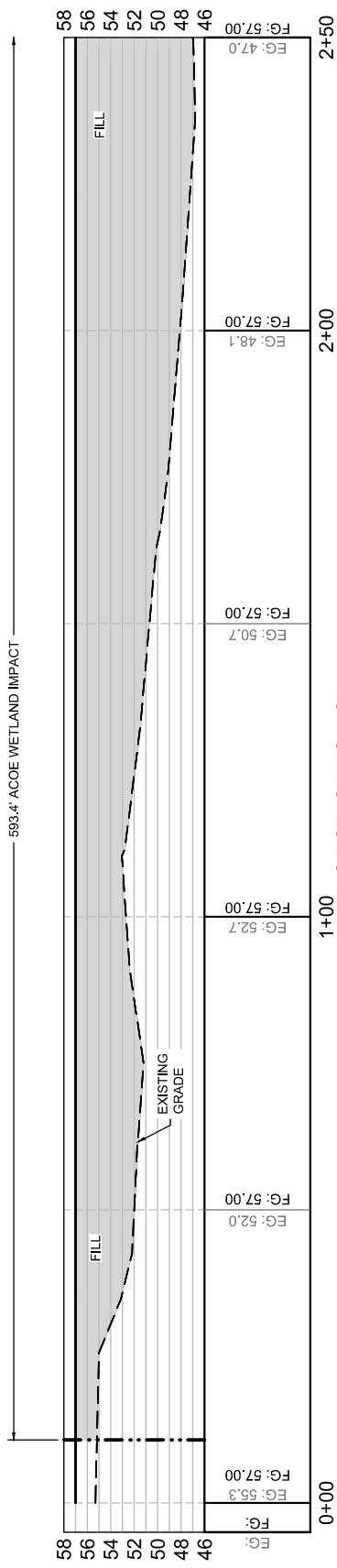




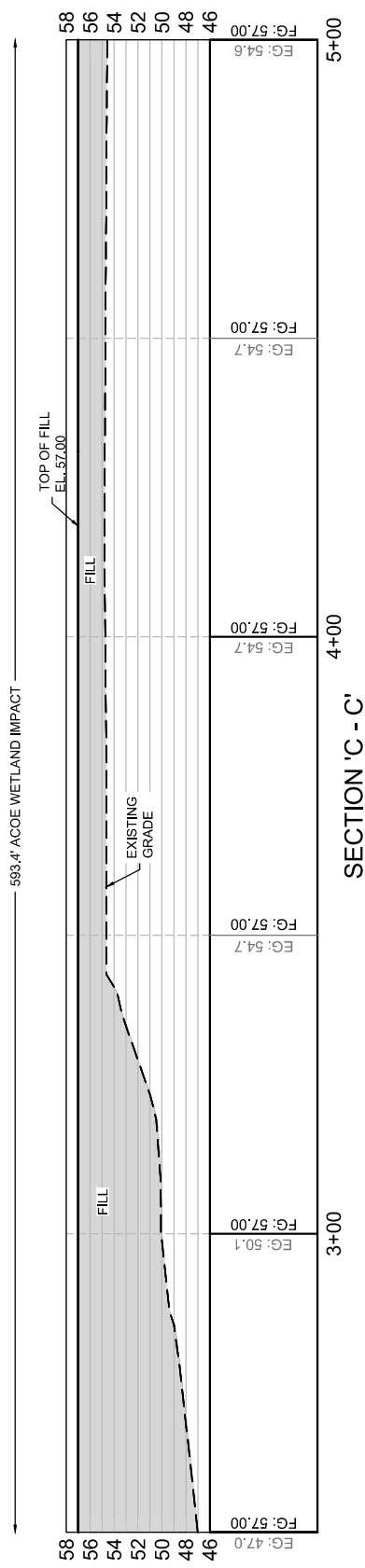
EXISTING GRADE  
PROPOSED GRADE  
STATION LABEL  
0+00

SCALE: HOR. 1"=30'  
VER. 1"=15'

DPR CERTIFICATION #EB-7806

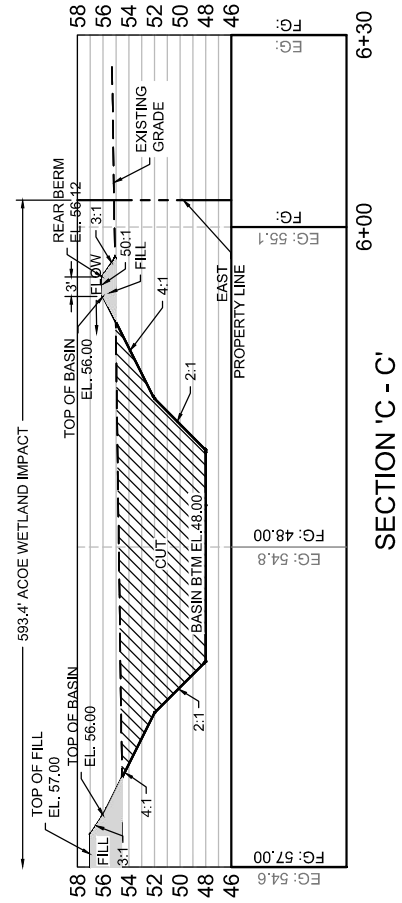


SECTION 'C - C'



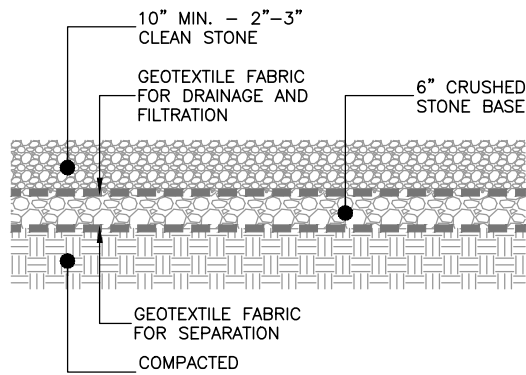
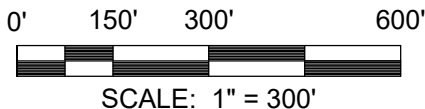
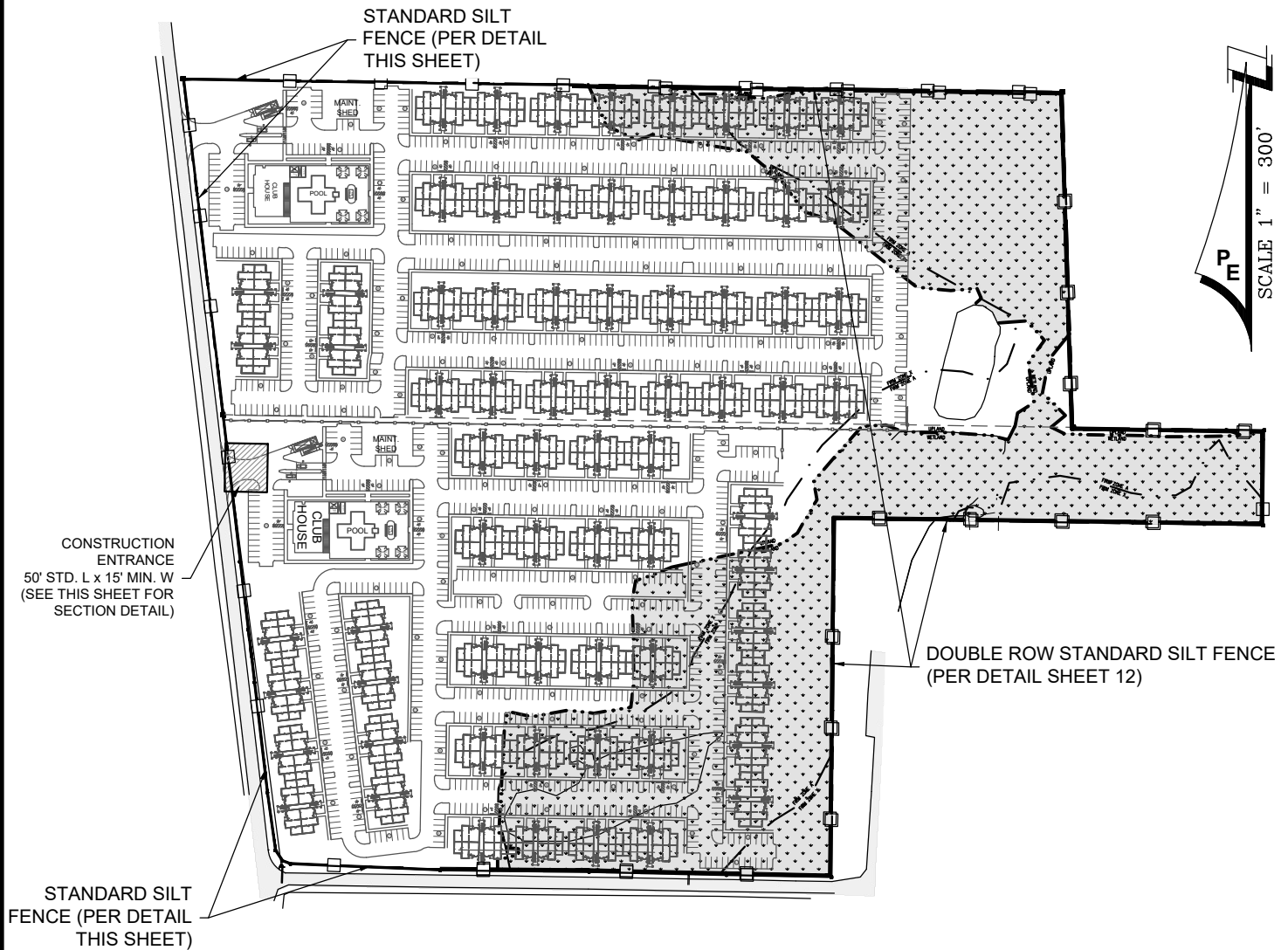
SECTION 'C - C'

EXISTING GRADE  
PROPOSED GRADE  
STATION LABEL  
SCALE: HOR. 1"=30'  
VER. 1"=15'



SECTION 'C - C'

DPR CERTIFICATION #EB-7806



#### CONSTRUCTION ENTRANCE NOTES:

1. GRADE SLOPE TO SITE.
2. PROVIDE CULVERT AS REQUIRED TO CARRY PRE-EXISTING DITCH FLOW. (SEE EXISTING PLAN VIEW FOR LOCATION)
3. CONTRACTOR TO LOCATE TEMPORARY CONSTRUCTION FENCING, JERSEY BARRIERS, OR BOTH ALONG THE SIDES OF THE CONSTRUCTION EXIT TO PREVENT CONSTRUCTION TRAFFIC FROM SHORT CIRCUITING/BYPASSING THE EXIT.
4. ALL MATERIALS SPILLED, DROPPED OR TRACKED ONTO PUBLIC ROADS (INCLUDING AGGREGATE STONE AND CONSTRUCTION MUD) SHALL BE REMOVED DAILY.

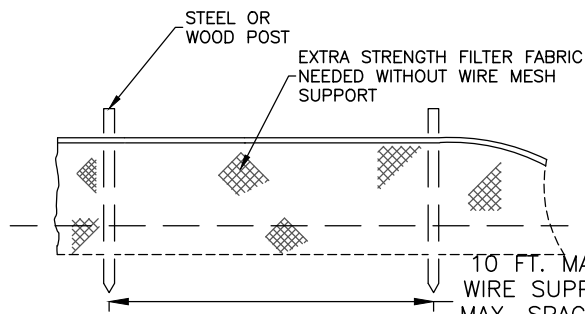
#### CONSTRUCTION ENTRANCE DETAIL

NOT TO SCALE

DPR CERTIFICATION #EB-7806

#### LEGEND:

- DENOTES ACOE WETLAND AREA
- DENOTES ACOE WETLAND IMPACT AREA

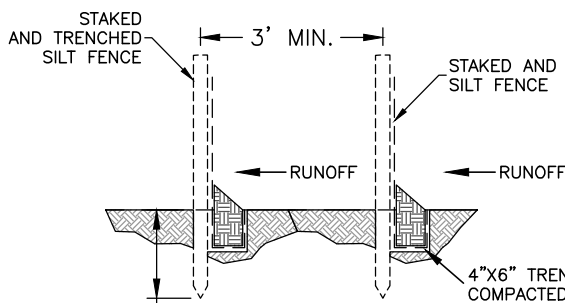


#### NOTE:

1. INSPECT AND REPAIR FENCE 24 HRS AFTER EACH STORM EVENT. REMOVE SEDIMENTS NO LATER THAN WHEN DEPOSITS REACH APPROXIMATELY ONE THIRD THE HEIGHT OF THE BARRIER.
2. REMOVED SEDIMENT SHALL BE DEPOSITED TO AN AREA THAT WILL NOT CONTRIBUTE SEDIMENT OFF-SITE AND CAN BE PERMANENTLY STABILIZED.

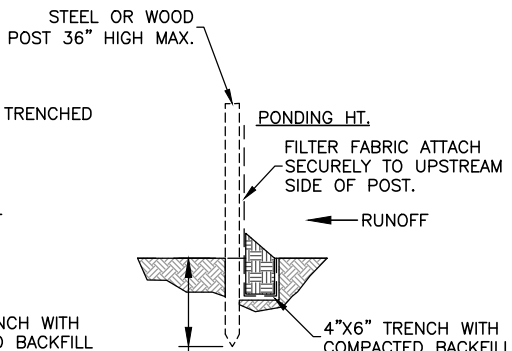
10 FT. MAX. SPACING WITH WIRE SUPPORT  
MAX. SPACING WITHOUT WIRE SUPPORT FENCE

ELEVATION  
NOT TO SCALE



**DOUBLE ROW STAKED SILT FENCE DETAIL**

NOT TO SCALE (REQUIRED AT ALL SHORELINE, WETLAND, AND WETLAND BUFFER AREAS)

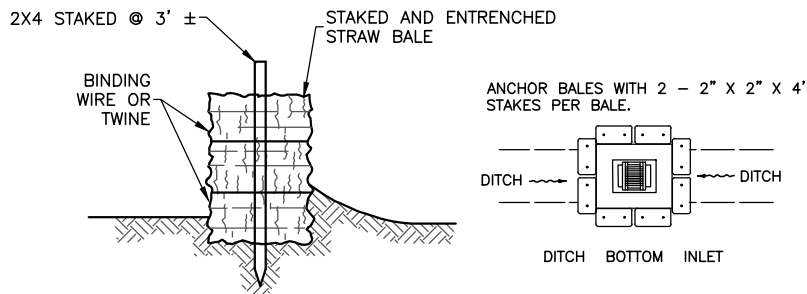


**SINGLE ROW STAKED SILT FENCE DETAIL**

NOT TO SCALE

#### STANDARD SILT FENCE DETAIL

NOT TO SCALE



**STRAW BALE BARRIER INSTALLATION DETAIL** NOT TO SCALE

#### NOTE:

ALL INLETS & STORM STRUCTURES TO HAVE HAY BALES ALL AROUND (SEE DETAILS THIS SHEET).

#### SWALE NOTE:

THE SYSTEM OF SWALES SHALL BE CONSTRUCTED BY THE PERMITTEE PRIOR TO RESALE OF INDIVIDUAL LOTS TO THIRD PARTIES.

#### EROSION CONTROL NOTES:

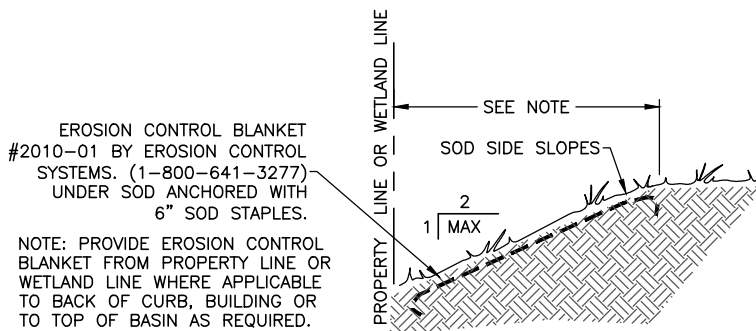
ALL INLETS SHALL HAVE HAY BALES OR SILT FENCE AROUND THEIR PERIMETER.

SILT FENCE AND HAY BALES ARE REQUIRED IN ALL AREAS AS DIRECTED BY THE ENGINEER.

#### PROTECTED TREES NOTE:

NO PROTECTED TREES WILL BE IMPACTED UNLESS PERMITTED INDEPENDENTLY.

DPR CERTIFICATION #EB-7806



## SLOPE STABILIZATION DETAIL

NOT TO SCALE

### SLOPE STABILIZATION NOTES

FLAT TO 1:3 - SEED AND MULCH, HYDRO-SEED OR SOD.  
 1:3 TO 1:2 - SOD LAPPED AND PINNED.  
 1:2 TO 1:1 - EROSION CONTROL BLANKET AND SOD.  
 1:1 OR GREATER - RETAINING WALL OR ARMOR FORM.

### NOTE:

AREAS NOT SODDED WILL BE STABILIZED WITH HYDROSEEDING.  
 SEE SLOPE STABILIZATION DETAIL THIS SHEET

## ENVIRONMENTAL SEQUENCE

THE CONTRACTOR SHALL AT A MINIMUM IMPLEMENT THE CONTRACTOR'S REQUIREMENTS OUTLINED BELOW AND THOSE MEASURES SHOWN ON THE EROSION CONTROL PLAN. IN ADDITION THE CONTRACTOR SHALL UNDERTAKE ADDITIONAL MEASURES REQUIRED TO BE IN COMPLIANCE WITH APPLICABLE PERMIT CONDITIONS AND STATE WATER QUALITY STANDARDS, DEPENDING ON THE NATURE OF MATERIALS AND METHODS OF CONSTRUCTION THE CONTRACTOR MAY BE REQUIRED TO ADD FLOCCULANTS TO THE RETENTION SYSTEM PRIOR TO PLACING THE SYSTEM INTO OPERATION.

## SEQUENCE OF MAJOR ACTIVITIES:

THE ORDER OF ACTIVITIES WILL BE AS FOLLOWS:

- |  |  |
|--|--|
| 1. INSTALL STABILIZED CONSTRUCTION ENTRANCE.   | 9. INSTALL UTILITIES, STORM SEWER, CURBS AND GUTTER.   |
| 2. INSTALL SILT FENCES AND HAY BALES, AS REQUIRED.   | 10. APPLY BASE TO PROJECT.   |
| 3. CONSTRUCT SEDIMENTATION BASIN.  | 11. COMPLETE GRADING AND INSTALL PERMANENT SEEDING/SOD AND PLANTING.   |
| 4. CLEAR AND GRUB FOR DIVERSION SWALES/ DIKES AND SEDIMENT BASIN AT PERMANENT POND LOCATION. | 12. COMPLETE FINAL PAVING.   |
| 5. CONTINUE CLEARING AND GRUBBING.   | 13. REMOVE ACCUMULATED SEDIMENT FROM BASINS.   |
| 6. STOCKPILE TOP SOIL IF REQUIRED.   | 14. WHEN ALL CONSTRUCTION ACTIVITY IS COMPLETE AND THE SITE IS STABILIZED, REMOVE ANY TEMPORARY DIVERSION SWALES/DIKES AND RESEED/ SOD, AS REQUIRED. |
| 7. PERFORM PRELIMINARY GRADING ONSITE, AS REQUIRED.  |  |
| 8. STABILIZE DENUDED AREA AND STOCKPILES AS SOON AS PRACTICABLE.                             |  |

## TIMING OF CONTROLS/MEASURES

AS INDICATED IN THE SEQUENCE OF MAJOR ACTIVITIES, THE SILT FENCES AND HAY BALES, STABILIZED CONSTRUCTION ENTRANCE AND SEDIMENT BASIN WILL BE CONSTRUCTED PRIOR TO CLEARING OR GRADING OF ANY OTHER PORTIONS OF THE SITE. STABILIZATION MEASURES SHALL BE INITIATED AS SOON AS PRACTICAL IN PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED. ONCE CONSTRUCTION ACTIVITY CEASES PERMANENTLY IN AN AREA, THAT AREA WILL BE STABILIZED PERMANENTLY IN ACCORDANCE WITH THE PLANS. AFTER THE ENTIRE SITE IS STABILIZED, THE ACCUMULATED SEDIMENT WILL BE REMOVED FROM THE SEDIMENT TRAPS AND THE EARTH DIKE/SWALES WILL BE REGRADED/REMOVED AND STABILIZED IN ACCORDANCE WITH THE EROSION AND TURBIDITY CONTROL PLAN.

DPR CERTIFICATION #EB-7806