



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
10117 PRINCESS PALM AVENUE, SUITE 120
TAMPA, FLORIDA 36610

June 25, 2019

Regulatory Division
West Branch
Tampa Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2019-00102(SP-LEO)

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 Ferber Company
Attn: Jason Crews
151 Sawgrass Corners Drive, Inc.
Ponte Vedra Beach, FL 32082

WATERWAY AND LOCATION: The project would affect waters of the United States associated with Sandy Branch, a tributary of Anclote River. The project site is a vacant property located south of SR 54 where it intersects with Ballantrae Blvd, Lutz in Section 29, Township 26S, Range 18E, Pasco County, FL.

Directions to the site are as follows: Traveling north on I-75 take Exit 275 Tarpon Springs/Land O Lakes/New Port Richey. Turn left onto SR56/FL-56 which becomes SR 54/FL. Continue on SR54/FL until you reach Ballantrae Blvd on the right. Vacant property is located across of Ballantrae Blvd on left side of SR54/FL.

APPROXIMATE CENTRAL COORDINATES: Latitude 28.190584°
Longitude -82.523893°

PROJECT PURPOSE:

Basic: Mixed-use residential and commercial development.

Overall: To construct a mixed-use (residential and commercial) development in the south-central area of Pasco County, FL.

EXISTING CONDITIONS: The 164 acre project site is primarily pastureland with patches of cypress dome, forested wetlands. There are 15 Wetlands (for a total of 43.31 acres) and 15 upland-cut ditches (for a total of 1.64 acres). Wetlands range in size from 0.04 acres to 23.02 acres. The dominant plant species in the forested wetlands are cypress (*Taxodium distichum*). Shrub and groundcover vegetation is sparse.

PROPOSED WORK: The applicant seeks authorization to discharge fill material into 5.18 acres of wetlands and surface waters to construct a 164-acre mixed-use residential and commercial 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: Site plan was designed to preserve the highest quality wetlands.

COMPENSATORY MITIGATION – The applicant has offered the following compensatory mitigation plan to offset unavoidable functional losses to the aquatic environment: Wetland impacts will be offset through the purchase of mitigation credits from Old Florida Mitigation Bank. The Corps has not completed the evaluation of the impacts or determined the requirement for compensatory mitigation.

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 determined the proposed project would have no effect on the Florida scrub jay (*Aphelocoma coerulescens*) and the Wood Stork (*Mycteria Americana*). Based on the project description and location, no impacts to this species or their habitat will occur as a result of the proposed action.

The Corps determined the proposed project may affect, but is not likely to adversely affect (MANLAA) the Eastern indigo snake (*Drymarchon corais couperi*). Use of the 2017 Eastern Indigo Snake Key yielded the following progression: A>B>C>D>E MANLAA. Permit will be conditioned for use of the Service's most current guidance for Standard Protection Measures for the Eastern Indigo Snake, project will impact less than 25 ac of habitat. A review of the project specific data indicated that the project site has known holes, cavities, and active or inactive gopher tortoise burrows. Any permit will be conditioned such that all gopher tortoise burrows, will be excavated prior to site manipulation in the vicinity of the burrow. If an eastern indigo snake is encountered, the snake will be allowed to vacate the area prior to additional site manipulation in the vicinity. Additionally, the permit will be conditioned such that holes, cavities, and snake refugia other than gopher tortoise burrows will be inspected each morning before planned site manipulation.

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. 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 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 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, Leanne Obra, in writing at the Tampa Permits Section, 10117 Princess Palm Avenue, Suite 120, Tampa, Florida 33610; by electronic mail at Leanne.e.Obra@usace.army.mil; by facsimile transmission at (813)769-7061; or, by telephone at (813)769-7071.

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.



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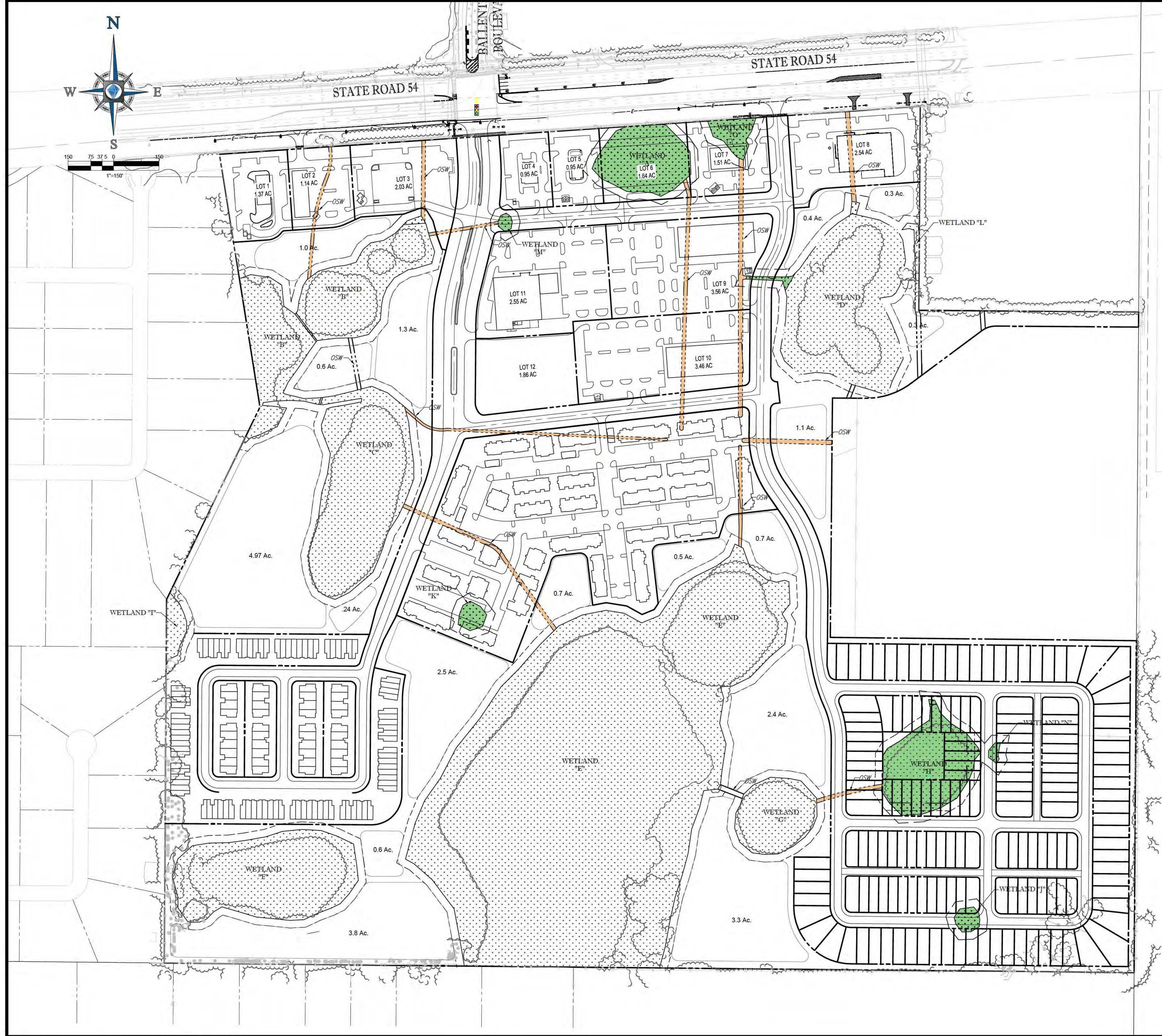
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LEGEND		
	PROPOSED SURFACE WATER IMPACT	
	PROPOSED IMPACTED WETLANDS	
	EXISTING WETLANDS	

WETLAND AREA TABLE

WETLAND	AREA(S.F./MOL)	LINEAR FEET	IMPACTED AREA (ACRES)
OTHER SURFACE WATER	71,583	12,127	1.47
A	56,839	778	1.30
B & C	328,744	4,324	0
D	180,590	2,086	0.03
E	1,002,739	3,793	0
F	146,671	1,589	0
G	53,736	837	0
H	75,464	1,109	1.73
I	10,714	285	0
J	5,420	269	0.12
K	6,375	295	0.15
L	2,998	308	0
M	2,067	168	0.05
N	1,758	178	0.04
O	12,463	322	0.29
TOTALS	1,958,161	28,468	5.18

TOTAL IMPACTED SURFACE WATER AREA: 1.47 AC

TOTAL IMPACTED WETLANDS AREA: 3.71 AC

BOHLER
ENGINEERING

SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PLANNING
TRANSPORTATION SERVICES

REVISIONS			
REV	DATE	COMMENT	BY

811

KNOW WHAT'S BELOW
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NOT APPROVED FOR CONSTRUCTION

PROJECT No. FL190133
DRAWN BY: LAR
CHECKED BY: GRR
DATE: 8/17/2019
SCALE: AS NOTED
CAD 1.D: CB2

CONCEPT PLAN

FOR

THE FERBER COMPANY, INC.

LOCATION OF SITE
SEC OF STATE ROAD 54 &
BALLANTYNE BLVD
LUTZ, FL 33558
PASCO COUNTY

BOHLER
ENGINEERING

3820 NORTHDAL BLVD., SUITE 300B
TAMPA, FLORIDA 33624
Phone: (813) 812-4100
Fax: (813) 812-4101
FLORIDA BUSINESS CERT. OF AUTH. No. 30780
LANDSCAPE ARCHITECT BUSINESS L.C. No. LC20090521

SHEET TITLE:

WETLAND EXHIBIT

SHEET NUMBER:

1