



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

JULY 17, 2019

PUBLIC NOTICE

Permit Application Number SAJ-2017-02751(SP-MRE)

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 Catty Shack Ranch Wildlife Sanctuary, Inc.
Attn: Mr. Curt LoGiudice
1860 Starratt Road
Jacksonville, Florida 32226

WATERWAY AND LOCATION: The project would affect waters of the United States (wetlands) associated with Caney Branch, a tributary to Dunn Creek. The project site is located at 1860 Starratt Road (Duval County Property Appraiser Parcel Identification Number 106301-0100) in Section 22, Township 1 North, Range 27 East, Jacksonville, Duval County, Florida.

APPROXIMATE CENTRAL COORDINATES: Latitude 30.492950°
Longitude -81.585834°

PROJECT PURPOSE:

Basic: The basic project purpose is institutional development.

Overall: The overall project purpose is the expansion/improvement of the facilities associated with the Catty Shack Ranch Wildlife Sanctuary in Jacksonville, Florida.

HISTORY AND EXISTING CONDITIONS:

The Catty Shack Ranch and Wildlife Sanctuary occupies approximately 14.26 acres of land. The developed portion of the property encompasses approximately 9 acres of land. An additional 5.26 acres of forested wetlands are located along the eastern and northern boundaries of the property. In 2015, the organization acquired an additional 203.94 acres of land to the east, almost all of which has been permanently preserved with conservation easements.

The project site had previously contained more wetlands that had been impacted without any permits. The surveyed boundaries of the existing wetlands were plotted on a series of historic aerial photographs (1943, 1952, 1969, 1975, 1984, 1999, 2004, 2009, and 2017). The original extent of the wetlands was then extrapolated from the apparent signature of wetlands depicted these historic aerial photographs.

The original onsite wetlands contributed to the headwaters of Caney Branch, which drains to the south into Dunn Creek and then into the St. Johns River. Based on an examination of historic aerial imagery, the original site encompassed several vegetative communities and land uses

characterized pursuant to the *Florida Land Use, Cover, and Forms Classification System* (FLUCFCS). The upper edges of the original onsite wetlands appear to have been hydric pine flatwoods (FLUCFCS code 625). These flatwoods may have graded downslope into bay swamp (FLUCFCS code 611) and then farther downslope into slough wetlands (FLUCFCS code 616). The hydric pine flatwoods probably had a canopy dominated by such species as pond pine (*Pinus serotina*) and slash pine (*Pinus elliottii*) mixed with scattered loblolly bay (*Gordonia lasianthus*). The understory and ground cover vegetation were probably dominated by such species as sweet gallberry (*Ilex coriacea*), fetterbush (*Lyonia lucida*), cinnamon fern (*Osmunda cinnamomea*), and saw palmetto (*Serenoa repens*). The bay swamp probably had a canopy dominated by loblolly bay mixed with a lesser amount of sweet bay (*Magnolia virginiana*) and swamp bay (*Persea palustris*). The understory and ground cover vegetation was probably dominated by fetterbush, cinnamon fern, and bamboo vine (*Smilax laurifolia*). The lowest areas of slough wetlands may have had a canopy dominated by such species as red maple (*Acer rubrum*), blackgum (*Nyssa biflora*), pond cypress (*Taxodium ascendens*), swamp laurel oak (*Quercus laurifolia*), and sweet bay. The understory and ground cover vegetation may have included such species as Virginia willow (*Itea virginica*), buttonbush (*Cephalanthus occidentalis*), Virginia chain fern (*Woodwardia virginica*), royal fern (*Osmunda regalis*), sphagnum moss (*Sphagnum* sp.), and dwarf blue stem (*Sabal minor*). The uplands originally encompassed by the property appear to have been previously developed for single family estate lots. Portions of the uplands had been cleared and maintained as improved pasture. Other areas appear to have been pine flatwoods with a canopy dominated by slash pine and loblolly pine (*Pinus taeda*) and an understory and ground cover dominated by such species as saw palmetto, bitter gallberry (*Ilex glabra*) and bracken fern (*Pteridium aquilinum*). A review of the historic aerial photographs indicates that portions of the original and existing wetlands had been cleared and used for improved pasture for many years and remained in that condition when the unauthorized impacts occurred.

Currently, approximately 9 acres of uplands encompassed by the project site support various buildings and facilities associated with the housing and care of numerous animals. The site also encompasses approximately 5.26 acres of wetlands and other surface waters. Most of the existing wetlands are categorized as wetland forested mixed communities (FLUCFCS code 630). These wetlands support a canopy that includes various hardwoods such as red maple, sweetgum (*Liquidambar styraciflua*), water oak (*Quercus nigra*), laurel oak (*Quercus laurifolia*), sweet bay, loblolly bay, and blackgum. The deeper areas also contain pond cypress. A few of the remaining wetland areas are categorized as hydric pine flatwoods (FLUCFCS code 625). These areas mainly support slash pine mixed with scattered loblolly bay with a dense understory of saw palmetto. The southeast corner of the property encompasses a 0.19-acre pond and several ditches traverse the site.

PROPOSED WORK: The applicant seeks after-the-fact authorization for the discharge of clean fill material that eliminated 2.74 acres of wetlands; and, authorization for the discharge of clean fill material over an additional 3.23 acres of wetlands and 0.40 acre of other surface waters.

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 indicates that relocating the facilities is not practical; and, therefore, alternate sites are not practical. The applicant indicates that the proposed expansion of the facility was designed to avoid wetland impacts as much as possible while still achieving the overall project purpose. The applicant avoided any work to the east where the highest quality wetlands are located; and, focused the work to the north, which affects wetlands that abut improved pasture

on the adjacent property. The work proposed is the minimum necessary to provide safe and modernized facilities for the sheltered animals; and, provide safe and updated facilities for staff and, separately, visitors (which generates funds to maintain care for the animals).

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

The applicant's ecological agent compile a Wetland Rapid Assessment Procedure (WRAP) quantifying and qualifying the previous unauthorized work and the newly proposed work. That WRAP calculated the overall functional loss of the unauthorized work as 1.973 units; and the newly proposed work as 1.768 units. Therefore, in consideration of the WRAP, the applicant proposes the purchase of 3.74 mitigation bank credits from the Loblolly Mitigation Bank, which is a federally authorized mitigation bank with a service area encompassing the project site.

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:

Wood Stork (*Mycteria americana*): The project site is within the *Core Foraging Area* of the Pumpkin Hill, Cedar Point Road, and Jacksonville Zoo Wood Stork colonies. Therefore, this species could utilize the project site. However, the work proposed would not affect suitable foraging habitat. 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-*no effect*.

The Corps executed a *Resources At Risk* (RAR) report. The RAR did not indicate that the site is utilized by, or contains habitat critical to, any other federally listed threatened or endangered species. The Corps also reviewed geospatial data and other available information. The Corps has not received or discovered any information that the project site is utilized by, or contains habitat critical to, any other federally listed threatened or endangered species.

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 project would not affect marine nor estuarine ecosystems or EFH. Our initial determination is that the proposed action would not adversely affect EFH or federally managed fisheries in the St. Johns 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. However, Corps personnel have verified the proposed delineation of wetlands encompassed by the project site.

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 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, Mark R. Evans, in writing at the Jacksonville Permits Section, Post Office Box 4970, Jacksonville, Florida 32232; by electronic mail at mark.r.evans@usace.army.mil; by facsimile transmission at (904)232-1940; or, by telephone at (904)232-2028.

ADDITIONAL INFORMATION: After reviewing all available information pertaining to the completed work, the Department of the Army has not recommended legal action at this time. Final determination regarding legal action will be made after review of the project through the permit procedure.

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.

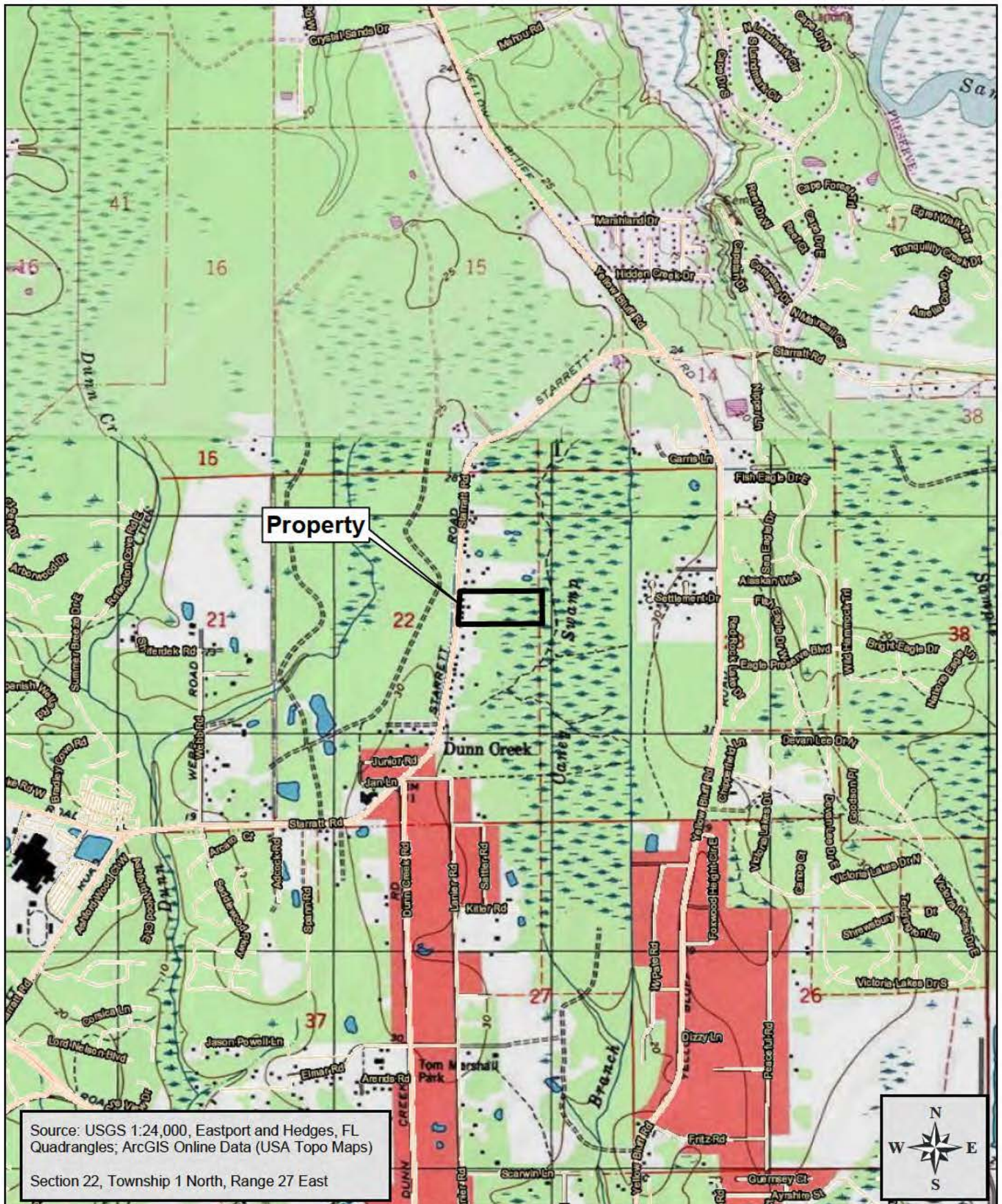
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, 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.



PEACOCK CONSULTING GROUP, LLC



12058 San Jose Boulevard, Suite 604, Jacksonville, Florida 32223
(904) 268-1766 phone (904) 268-1729 fax

Caddy Shack Ranch and Wildlife Sanctuary

Duval County, Florida

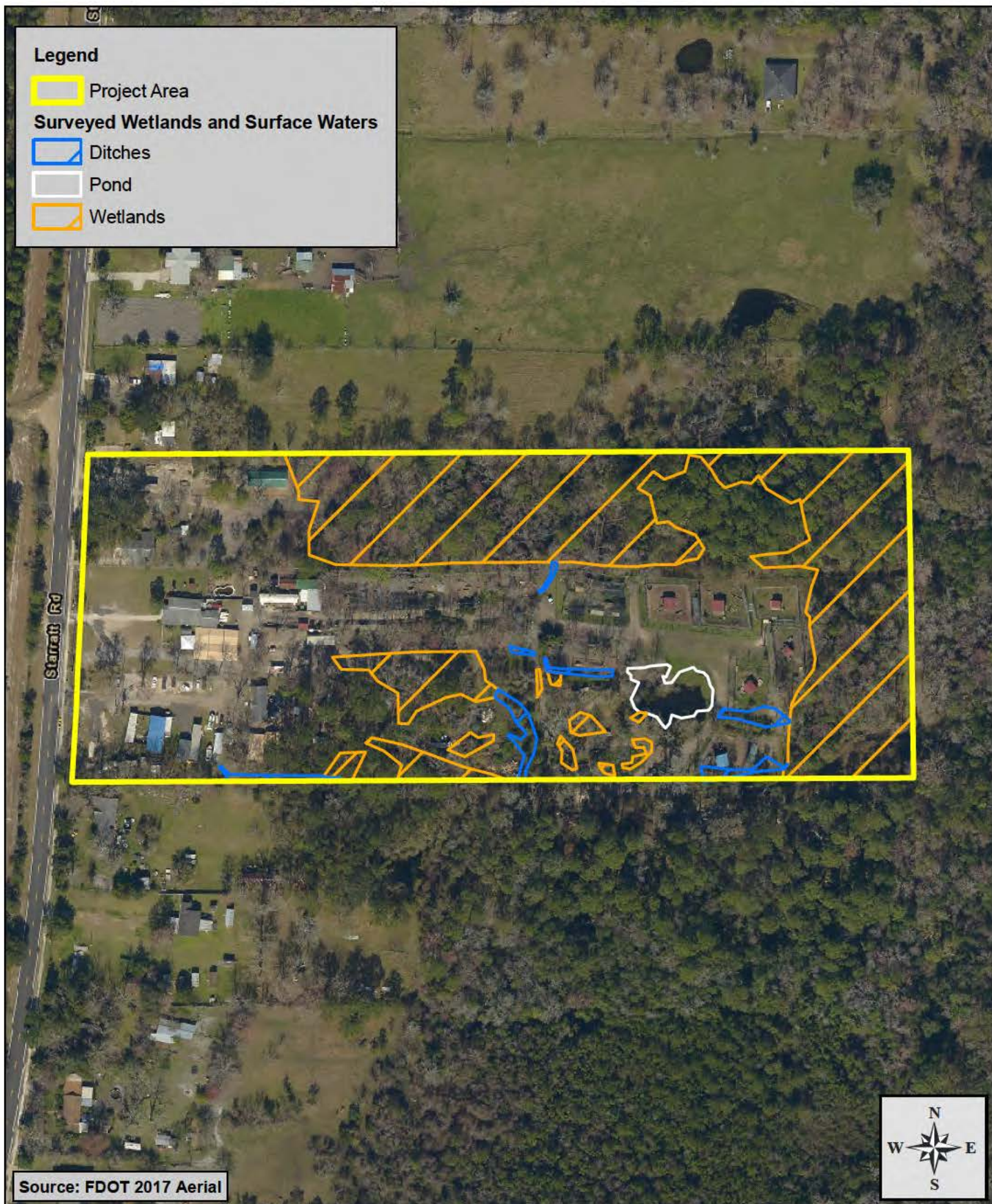
Location/Topographic Map

Figure: 1

Scale: 1" = 2,000'

Date: June 2018

2018/CaddyShackTopo/6-9-18



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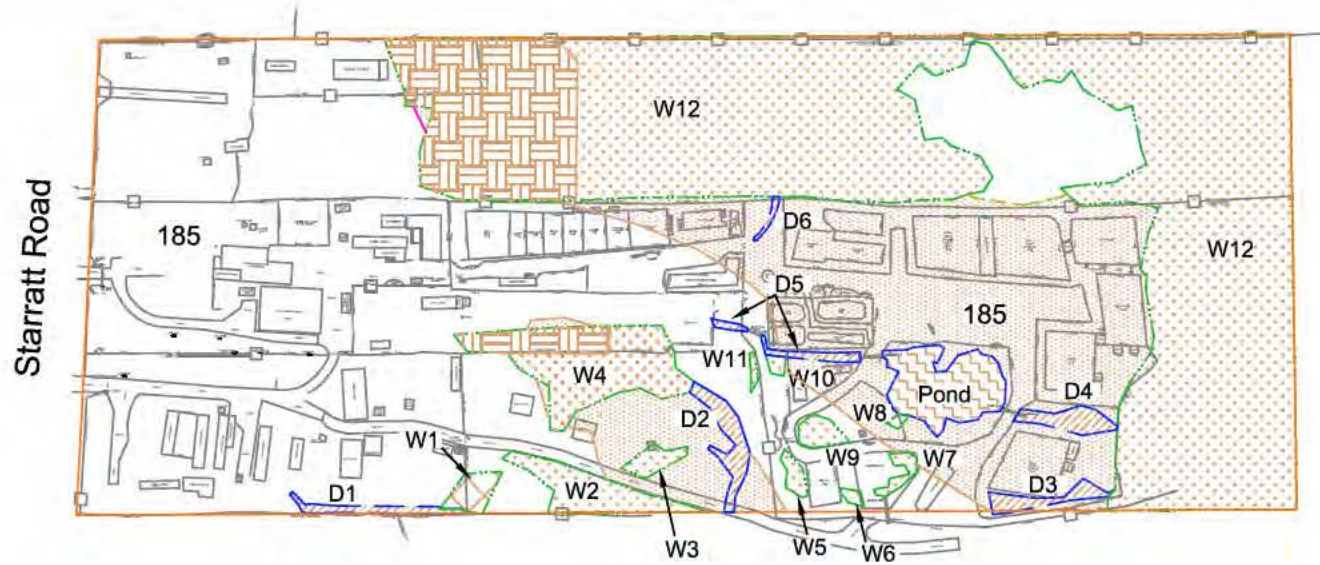
Current Aerial Photograph with Surveyed Wetlands

Figure: 3

Scale: 1" = 200'

Date: June 2018

2018/CattyShack_A/2017aerial/6-9-18



Legend:

- Project Boundary
- Wetland Line

Uplands: 9.00 ac.±

- Unauthorized Impacts, 2.74 ac.±

185 - Parks and Zoos (FLUCFCS 185), 6.30 ac.±

Wetlands and Other Surface Waters: 5.26 ac.±

- Ditches (FLUCFCS 510) 0.21 ac.±

- Pond (FLUCFCS 524), 0.19 ac.±

- Hydric Pine Flatwoods (FLUCFCS 625), 0.04 ac.±

- Wetland Forested Mixed (FLUCFCS 630), 4.07 ac.±

- Wetland Forested Mixed,
Previously Cleared (FLUCFCS 630c), 0.75 ac.±

Total: 14.26 ac.±

Wetland ID	FLUCFCS	Acreage
W1	625	0.04
W2	630	0.12
W3	630	0.03
W4	630	0.22
	630c	0.09
W5	630	0.02
W6	630	0.01
W7	630	0.02
W8	630	0.01
W9	630	0.03
W10	630	0.01
W11	630	0.01
W12	630	3.59
	630c	0.66
D1	510	0.03
D2	510	0.06
D3	510	0.04
D4	510	0.04
D5	510	0.02
	510	0.01
D6	510	0.01



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Catty Shack Ranch and Wildlife Sanctuary

Duval County, Florida
Existing Site Conditions

Figure: 4

Scale: 1"=200'

Date: May 2019

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Legend:

- Project Boundary
- Wetland Line

	- Ditch Impact	0.21 ac.±
	- Pond Impact	0.19 ac.±
	- Wetland Impact	3.23 ac.±
	- Wetland Impact (625)	0.04 ac.±
	- Wetland Impact (630c)	0.75 ac.±
	- Wetland Impact (630)	2.44 ac.±
	- Wetlands to Remain	1.63 ac.±

Impact ID	FLUCFCS	Acreage
W1	625	0.04
W2	630	0.12
W3	630	0.03
W4A	630	0.22
W4B	630c	0.09
W5	630	0.02
W6	630	0.01
W7	630	0.02
W8	630	0.01
W9	630	0.03
W10	630	0.01
W11	630	0.01
W12A	630c	0.66
W12B	630	1.96
D1	510	0.03
D2	510	0.06
D3	510	0.04
D4	510	0.04
D5	510	0.02
	510	0.01
D6	510	0.01



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Catty Shack Ranch and Wildlife Sanctuary

Duval County, Florida
Proposed Site Conditions

Figure: 5
Scale: 1"=200'
Date: May 2019