



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
1520 ROYAL PALM SQUARE BLVE, SUITE 310  
FORT MYERS, FLORIDA

REPLY TO  
ATTENTION OF

July 30, 2019

Regulatory Division  
West Permits Branch  
Ft. Myers Permits Section

## ***PUBLIC NOTICE***

Permit Application No. SAJ-2019-01797 (IP-SJF)

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: Collier County Government  
C/o Dan Rodriguez  
3335 Tamiami Trail East  
Naples, FL 34112

WATERWAY AND LOCATION: The project would affect waters of the United States south of the Golden Gate Canal. The project site is located just north of I-75, approximately 1.28 miles east of Collier Boulevard, in Section 36, Township 49 South, Range 26 East, Collier County, Florida.

Directions to the site are as follows: Take I-75 to Exit 101 and head north on Collier Boulevard (951) for 0.4 miles. Turn right on City Gate Boulevard North, which currently dead ends at the Subject Property.

APPROXIMATE CENTRAL COORDINATES: Latitude 26.16631°  
Longitude -81.66833°

PROJECT PURPOSE:

Basic: The basic project purpose is for recreation.

Overall: To construct a sports and event complex on a 128.04-acre parcel in Collier County, Florida.

EXISTING CONDITIONS: The Subject Property is vacant and densely vegetated consisting of both wetland and upland communities. Extensive exotic vegetation is present throughout the property. The Subject Property is bordered by vacant/undeveloped land to the south, the Collier County landfill to the east, the Collier County Sports Complex to the west on City Gate property, and the Collier County Resource Recovery Park to the north.

The 128.04-acre property is currently forested with the exception of a small portion of the northwest corner associated with an access road to the Collier County Resource Recovery Park. The site consists primarily of 105.77 acres uplands with 22.07 acres of wetland communities along the eastern portion of the property and a small wetland along the southern property line. Current access to the property is via City Gate Boulevard North, off of Collier Boulevard.

A total of five (5) vegetation associations and land uses (i.e., FLUCCS codes) Pine Flatwoods (FLUCCS Code 411 E2 through E4, 26-99% Exotics); Mixed Pine (FLUCCS Code 415 E3 through E4, 51-99% Exotics); Cypress-Pine-Cabbage Palm (FLUCCS Code 624 E3, 51-75% Exotics); Industrial under Construction (FLUCCS Code 159); and Primitive Trails (FLUCCS Code 8146) were identified on the property. The majority of the site contains upland habitats with varying levels of exotic vegetation. Wetland communities exist primarily in the eastern portion and a small area in the south portion of the property with moderate to high levels of exotic vegetation. Exotic vegetation infestation, primarily Earleaf acacia (*Acacia auriculiformis*) and Melaleuca (*Melaleuca quinquenervia*) with some scattered Brazilian pepper (*Schinus terebinthifolia*) and Caesar weed (*Urena lobata*) (predominantly along the community edges) exceeding 50 percent in most of the native wetland habitat area.

#### FLUCCS 159, Industrial Under Construction

This community is located in the northwest corner of the Subject Property. It has been permitted and cleared as part of an access road to the Collier County Resource Recovery Park. The Sports Complex is sharing this access road, which is an extension of City Gate Boulevard North.

#### FLUCCS 411-E2, Pine Flatwoods (26-50% Exotics)

This community is located in one strand in the southeast portion of the Subject Property as well as in two small areas near the northeast corner. Canopy vegetation is dominated by slash pine (*Pinus elliottii*) and earleaf acacia (*Acacia auriculiformis*). Other vegetation includes abundant saw palmetto (*Serenoa repens*), cabbage palm (*Sabal palmetto*), and various grasses scattered throughout. Exotic cover is moderate with earleaf acacia (*Acacia auriculiformis*) throughout and scattered melaleuca (*Melaleuca quinquenervia*) near the transitional boundaries.

#### FLUCCS 411-E3, Pine Flatwoods (51-75% Exotics)

This community is located along a majority of the western portion of the Subject Property. Canopy vegetation is dominated by slash pine and earleaf acacia. Other vegetation includes saw palmetto, cabbage palm, and various grasses scattered throughout. Exotic coverage is moderately high with earleaf acacia throughout and scattered melaleuca near the transitional boundaries.

#### FLUCCS 411-E4, Pine Flatwoods (>75% Exotics)

This community is located along the northern boundary of the Subject Property. Canopy vegetation is dominated by slash pine and earleaf acacia. Other vegetation includes saw palmetto, cabbage palm, and various grasses scattered throughout. Exotic coverage is

high with dense earleaf acacia, Caesarweed (*Urena lobata*), and some Brazilian pepper (*Schinus terebinthifolia*).

#### FLUCCS 415-E3 Mixed Pine (51-75% Exotics)

This community is found in the south-central portion of the Subject Property. Canopy cover is dominated by moderate amounts of earleaf acacia, slash pine, and small, scattered bald cypress (*Taxodium distichum*). Mid-story consists of sparse cabbage palm. Ground cover is largely open with dense earleaf acacia duff.

#### FLUCCS 415-E4 Mixed Pine (>75% Exotics)

This community is found in the eastern-central portion of the Subject Property. Canopy cover is dominated by abundant earleaf acacia, slash pine, and small, scattered bald cypress. Mid-story consists of sparse cabbage palm. Ground cover is largely open with dense earleaf acacia duff.

#### FLUCCS 624-E3 Cypress-Pine-Cabbage Palm (51-75% Exotics)

This community is found along much of the eastern half of the Subject Property, as well as an isolated 'island' in the southwestern property corner. Canopy cover is a mix of larger bald cypress, scattered slash pine, cabbage palm, melaleuca, and earleaf acacia. Other vegetation includes moderate swamp fern (*Telmatoblechnum serrulatum*). Scattered wetland hydrologic indicators such as water lines, elevated lichen lines, and bald cypress knees can be found throughout the community. Exotic cover is high with melaleuca and earleaf acacia with some Caesarweed near the transitional boundaries.

#### FLUCCS 8146, Primitive/Trails

These primitive trails transect the central portion of the Subject Property north to south and fork near the southern portion of the Subject Property.

**PROPOSED WORK:** The applicant seeks authorization to discharge 127,786 cubic yards of fill within 22.27 acres of wetlands in order to construct the second phase of a sports and event center including associated roads, parking and storm water management features.

**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:

Due to the nature of the sports complex as an essential service, avoidance and minimization were not a viable option for development of the property. The project site includes 22.27 acres of jurisdictional wetlands. The parcel and wetlands on-site are surrounded by existing development to the north, a landfill to the east, phase 1 development to the west and I-75m to the south. Based on the location of the wetlands, their reduced functional value and fragmented nature, as well as the acreage needed to construct the project, wetland avoidance is not practicable.

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

In order to offset the loss of wetland functions due to the project's proposed construction activities, the wetland mitigation plan consists of offsite mitigation through the purchase of 7.42 functional wetland units from the Panther Island Mitigation Bank (PIMB). The Panther Island Mitigation Bank Expansion is a federally permitted wetland mitigation bank with credits servicing the West Collier Basin.

#### 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 will request U.S. Fish and Wildlife concurrence with the following determinations pursuant to Section 7 of the Endangered Species Act:

The Corps has determined the proposed project may affect, the Florida Bonneted Bat (FBB; *Eumops floridanus*). The project is located within the Focal area of the FBB. The Corps will request initiation of formal consultation with the FWS pursuant to Section 7 of the Endangered Species Act by separate letter.

The Corps has determined the proposed project may affect, but is not likely to adversely affect the Eastern indigo snake (*Drymarchon corais couperi*). Based on the Eastern Indigo Snake Effect Determination Key (dated August 1, 2017), the Corps determination sequence resulted in A > B > C > D > NLAA. The Permittee agrees to use the Standard Protection Measures for the Eastern Indigo Snake (dated August 12, 2013). The Corps has U.S. Fish and Wildlife Service concurrence for the proposed activities through use of the aforementioned determination keys.

The Corps has determined the project may affect, but is not likely to adversely affect the wood stork (*Mycteria americana*). The Corps received FWS concurrence letter, dated May 18, 2010 (amended on August 13, 2013) for all work that results in a "may affect, not likely to adversely affect" determination using the Wood Stork Effect Determination Key. The project proposes less than 50 acres of wetland impacts and the applicant will provide the required short/long hydroperiod compensation through the purchase of federal credits at a mitigation bank within the service area. The Corps has programmatic concurrence with the sequential determination of A > B > C > E > "NLAA" pursuant to the Key.

The Corps has determined the proposed project may affect the Florida panther (*Puma concolor coryi*). This determination was made utilizing the USFWS Florida Panther

Effect Determination Key, A>C = “may affect”. The project is located within the Panther Focus Area and is greater than 1-acre. The project is located within a Primary Zone. The Corps will request initiation of formal consultation with the FWS pursuant to Section 7 of the Endangered Species Act by separate letter.

The Corps has determined the proposed project may affect, but is not likely to adversely affect the Florida scrub-jay (*Aphelocoma coerulescens*). The proposed project is within the consultation area for the Florida scrub-jay. No habitat types utilized by Florida scrub-jays are found within or adjacent to the project area. The Corps will request U.S. Fish and Wildlife concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

The Corps has determined the proposed project may affect, but is not likely to adversely affect the Everglades snail kite (*Rostrhamus sociabilis plumbeus*) or its designated critical habitat. The proposed project is within the consultation area for the snail kite. No habitat types utilized by the Everglades snail kite are found within or adjacent to the project area. The Corps will request U.S. Fish and Wildlife concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

The Corps has determined the proposed project may affect, but is not likely to adversely affect the red-cockaded woodpecker (RCW) (*Picoides borealis*). Although the project occurs within the Consultation Area of the endangered RCW, the habitats found on the proposed project area are not suitable for the RCW and there is limited open areas for foraging and nest tree development. In addition, there are no documented active RCW colonies within or adjacent to the project area. The Corps will request U.S. Fish and Wildlife concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

The Corps has determined the proposal would have no effect on any other listed threatened or endangered species or designated critical habitat.

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 District Engineer through the 1520 Royal Palm Square, Suite 310, Ft. Myers, Florida 33919 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, Stephen J. Fleming, in writing at the Fort Myers Permits Section, 1520 Royal Palm Square Blvd. Suite 310, Fort Myers, FL 33919; by electronic mail at Stephen.J.Fleming@usace.army.mil; by facsimile transmission at (239) 334-0797; or, by telephone at (239) 334-1975.

**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

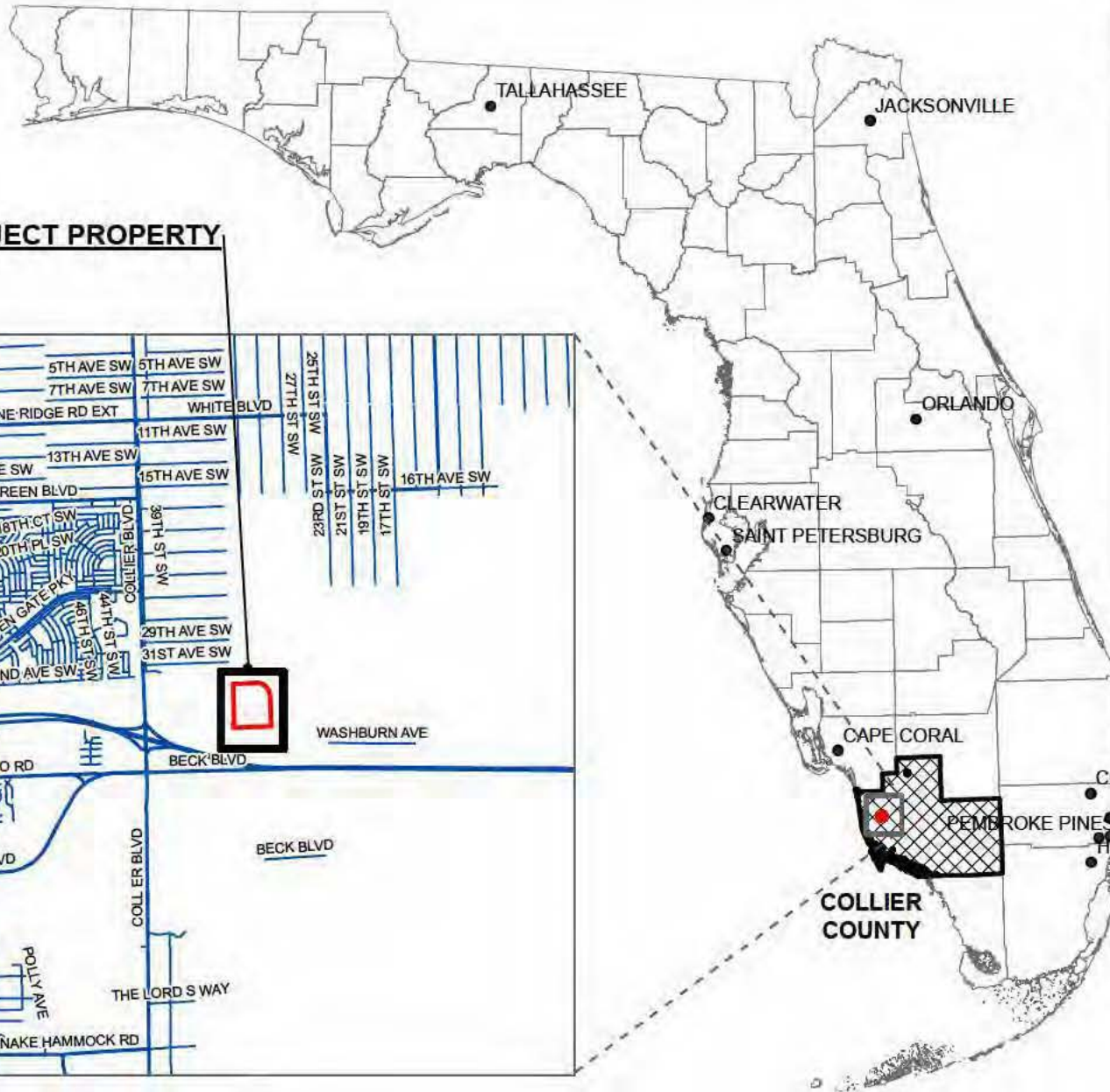
Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with the Coastal Zone Management Plan.

**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.

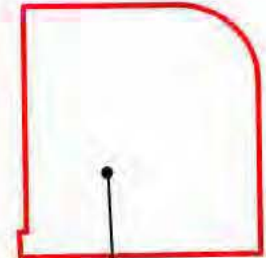
G:\ETEnv Documents\PROJECTS\COLLIER\Collier County Sports Complex\GIS\Location Map- SP Subparcel.mxd / 11:29:16 AM



**SUBJECT PROPERTY**



31ST AVE SW



175

**SUBJECT  
PROPERTY**

Collier County Sports Complex  
and Events Center - Phase 2

EARTH TECH ENVIRONMENTAL, LLC  
10600 JOLEA AVENUE  
BONITA SPRINGS, FLORIDA 34135  
PHONE (239) 304-0030 FAX (239) 324-0054  
WWW.ETEFLORIDA.COM

Location Map

SHEET NO.

DATE

PROJECT NO.

SCALE

4/26/19

N/A

N/A

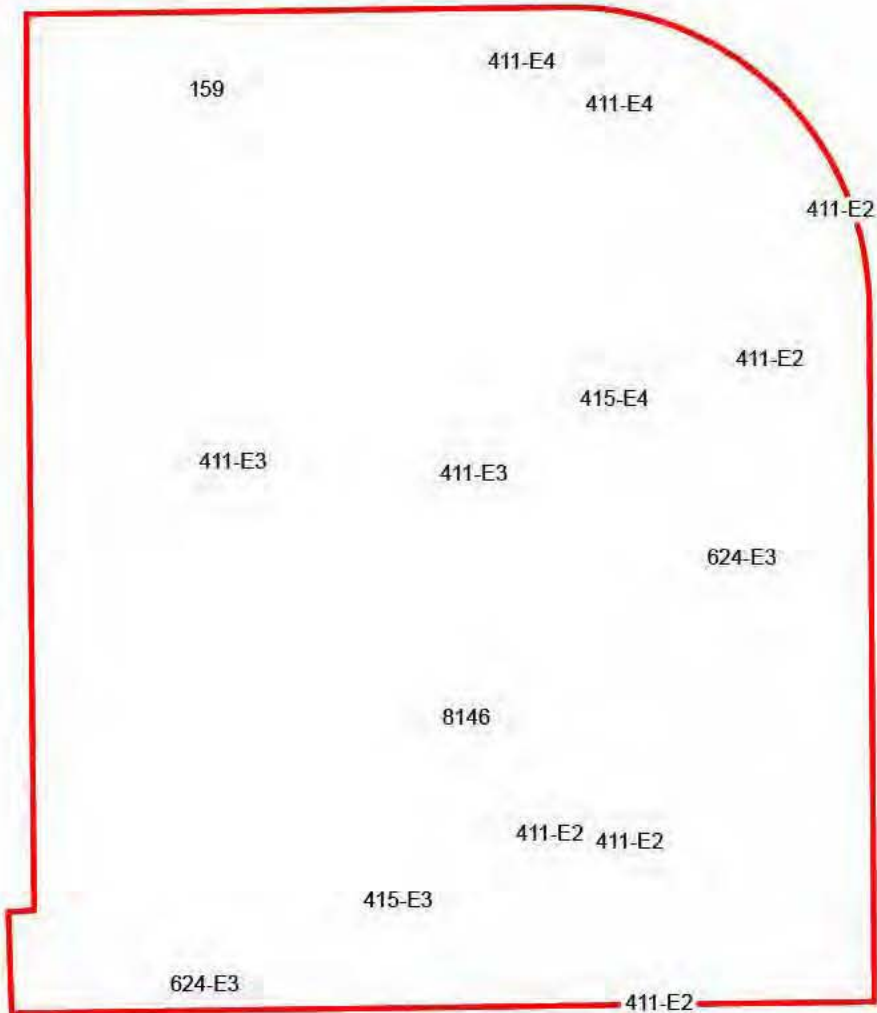




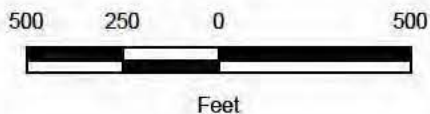
COLLIER COUNTY RESOURCE RECOVERY PARK

COLLIER COUNTY  
SPORTS COMPLEX  
(on City Gate)

COLLIER COUNTY LANDFILL



Note:  
1. 2019 Aerial obtained from  
Collier County Property Appraiser.  
2. Subject Property boundary  
obtained from Davidson Engineering.



- Subject Property**
- FLUCCS Mapping**
- 159, INDUSTRIAL UNDER CONSTRUCTION
  - 411-E2, PINE FLATWOODS (26-50% Exotics)
  - 411-E3, PINE FLATWOODS (51-75% Exotics)
  - 411-E4, PINE FLATWOODS (>75% Exotics)
  - 415-E3, MIXED PINE (51-75% Exotics)
  - 415-E4, MIXED PINE (>75% Exotics)
  - 624-E3, CYPRESS-PINE-CABBAGE PALM (51-75% Exotics)
  - 8146, PRIMITIVE/TRAILS

Collier County Sports Complex  
and Events Center - Phase 2

EARTH TECH ENVIRONMENTAL, LLC  
10668 JOLEA AVENUE  
BONITA SPRINGS, FLORIDA 34135  
PHONE (239) 304-8830 FAX (239) 324-8854  
www.eteflorida.com

FLUCCS Map

SHEET NO

DATE

PROJ EC NO

SCALE

N/A

AS SHOWN

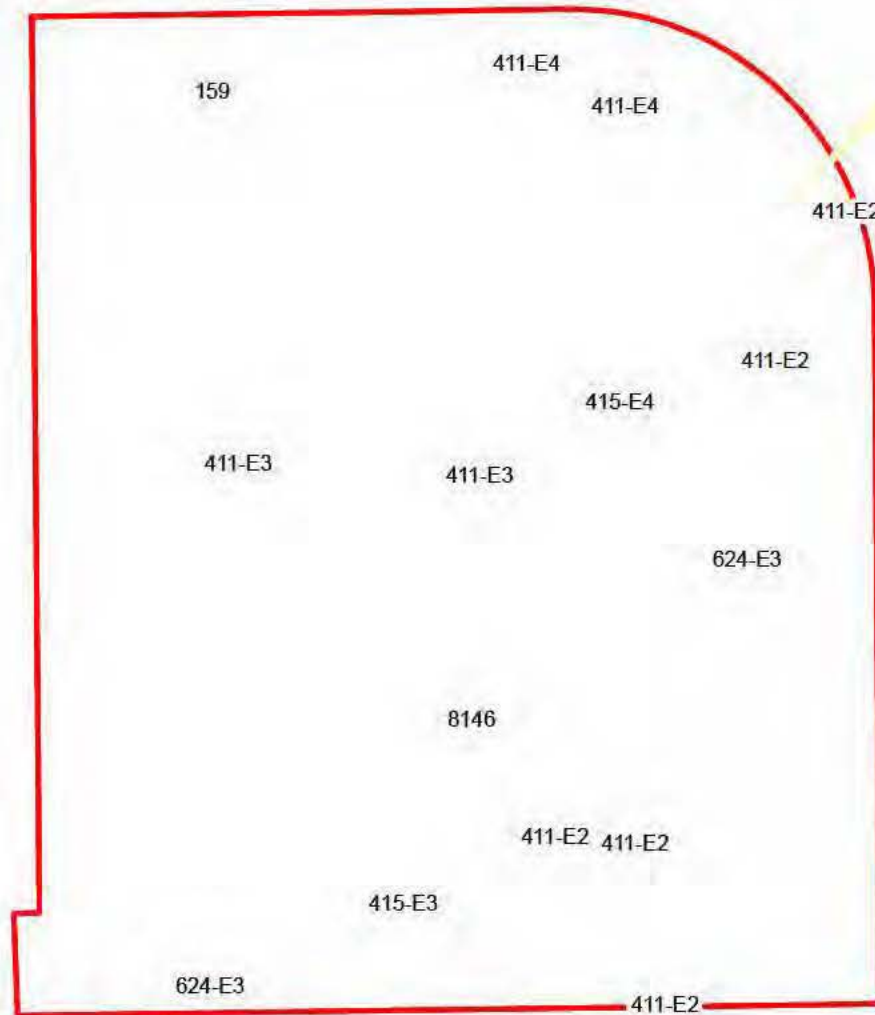


COLLIER COUNTY RESOURCE RECOVERY PARK

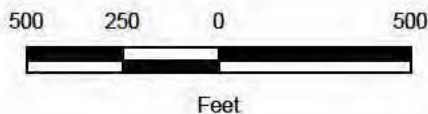
COLLIER COUNTY  
SPORTS COMPLEX  
(on City Gate)

Jurisdictional  
Wetlands  
(22.27 Acres)

COLLIER COUNTY LANDFILL



Note:  
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Collier County Property Appraiser.  
2. Subject Property boundary  
obtained from Davidson Engineering.



Subject Property  
 Jurisdictional Wetlands

**FLUCCS Mapping**

- 159, INDUSTRIAL UNDER CONSTRUCTION
- 411-E2, PINE FLATWOODS (26-50% Exotics)
- 411-E3, PINE FLATWOODS (51-75% Exotics)
- 411-E4, PINE FLATWOODS (>75% Exotics)
- 415-E3, MIXED PINE (51-75% Exotics)
- 415-E4, MIXED PINE (>75% Exotics)
- 624-E3, CYPRESS-PINE-CABBAGE PALM (51-75% Exotics)
- 8146, PRIMITIVE/TRAILS

Collier County Sports Complex  
and Events Center - Phase 2

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www.etefl.com

Jurisdictional Wetlands Map

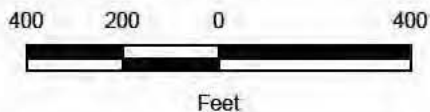
SHEET NO.	DATE	PROJECT NO.	SCALE
		N/A	AS SHOWN



COLLIER COUNTY RESOURCE RECOVERY PARK



Note:  
Subject Property boundary  
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Collier County Sports Complex  
and Events Center - Phase 2

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Site Plan

DATE	DA E	PRO EC NO	SCALE
4/29/19	N/A	AS SHOWN	