

Surrency loamy fine sand, 0 to 2 percent slopes, frequently flooded (map unit 67): Under natural conditions the seasonal high water table for this soil type varies from being approximately at the surface to 0.5 feet below the surface for twelve months out of the year.

Vegetative Communities: The project site encompasses two vegetative communities characterized by the *Florida Land Use, Cover, and Forms Classification System* (FLUCFCS).

Pine Flatwoods (FLUCFCS code 411): This community has a canopy of slash pine (*Pinus elliottii*) with scattered water oak (*Quercus nigra*) and sweetgum (*Liquidambar styraciflua*). The understory and groundcover are vegetated with yaupon holly (*Ilex vomitoria*), bitter gallberry (*Ilex glabra*), saw palmetto (*Serenoa repens*), and bracken fern (*Pteridium aquilinum*).

Mixed Wetland Hardwoods (FLUCFCS code 617): This community has a mixed canopy of water oak (*Quercus nigra*), pignut hickory (*Carya glabra*), red maple (*Acer rubrum*), sweetgum (*Liquidambar styraciflua*), and blackgum (*Nyssa sylvatica*). The understory and groundcover are sparsely vegetated with Virginia chain fern (*Woodwardia virginica*) and sphagnum moss (*sphagnum spp.*).

PROPOSED WORK: The applicant seeks authorization to discharge clean fill material over 2.18 acres of wetlands within Federal jurisdiction; and, 2.39 acres of wetlands not within Federal jurisdiction in consideration of the *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers*, 531 U.S. 159 (2001) (SWANCC) Supreme Court decision. The work proposed would facilitate the establishment of a rental apartments, single-family attached units, infrastructure, and storm water treatment/management systems.

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 expressed an opinion that the development of the property could not completely avoid work affecting the onsite wetlands due to the location, orientation, and size of these systems. The applicant noted that the work proposed avoids the higher-quality wetlands along the southern border of the site; and, with respect to wetlands identified as under Federal jurisdiction, only generally affects transitional wetlands and/or lobes of wetlands surrounded by uplands. The applicant indicates that the overall work proposed is the minimum necessary to establish an economically feasible project.

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 submitted a *Wetland Rapid Assessment Procedure* (WRAP) quantifying and qualifying the loss of wetland functions and services associated with the work affecting wetlands within Federal jurisdiction. The WRAP calculates the potential loss as 1.70 units. In consideration of the WRAP, the applicant proposes the purchase of 1.70 credits from the *Longleaf Mitigation Bank* (SAJ-2003-00640).

CULTURAL RESOURCES: Heritage Cultural Services, LLC compiled a report, *Phase I Cultural Resource Assessment Survey of the Skinner Parkway Townhomes Development Duval County, Florida*, February 2019. The Corps reviewed the report and determined the report to be complete and the field work to be appropriate and sufficient in accordance with Chapters 1a-46, Florida Administrative Code and with Federal regulation 36 CFR 800: Protection of Historic Properties. The survey documented environmental conditions across the project area through

pedestrian survey and shovel testing. No cultural resources were identified in the project area, and the investigator recommended no further work. The Corps concurs with the investigator's recommendations and concludes that the proposed project would have no effect to historic properties; and, that no further work is required. The Corps previously coordinated this report and the Corps' conclusions with the State Historic Preservation Office (SHPO).

ENDANGERED SPECIES:

Wood Stork (*Mycteria americana*): The project site is approximately 7.5 miles from the Dee Dot Ranch (594004) Wood Stork colony and approximately 11.5 miles from the Jacksonville Zoo Wood Stork colony; and, within the *Core Foraging Area* of these colonies. Therefore, this species could utilize (forage at) the project site. However, the work proposed would not affect suitable foraging habitat (SFH). 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*.

Red Cockaded Woodpecker (*Picoides borealis*): The project site is approximately 4.5 miles from the nearest identified nest or cluster location for Red Cockaded Woodpecker; and, within the consultation area identified by the U.S. Fish and Wildlife Service and the Corps for this species. Therefore, Red Cockaded Woodpecker may utilize (forage at) the project site. Habitat for Red Cockaded Woodpecker typically incorporates mature pine woodlands (not wetlands); and, optimal habitat is characterized as a broad savanna with a scattered overstory of large pines and a dense groundcover containing a diversity of grass and shrub species. Nesting and roosting occur in cavity trees that are almost exclusively old, living, flat-topped pine trees. The project site does not encompass typical or optimum habitat; or, trees capable of supporting cavities. Further, as significant forested habitat is located near the project site, it is likely that this species would only opportunistically forage at the site, which the development of the site would not preclude. Therefore, the Corps concludes that the project would have *no effect* on this species.

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 or estuarine habitat; or, EFH. Our initial determination is that the proposed action would not have an adverse impact on EFH or federally managed fisheries in downstream waters, including, but not limited to, Pottsburg Creek, Arlington River, and/or 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. The Corps has verified the extent of Federal jurisdiction at the 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 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.

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.

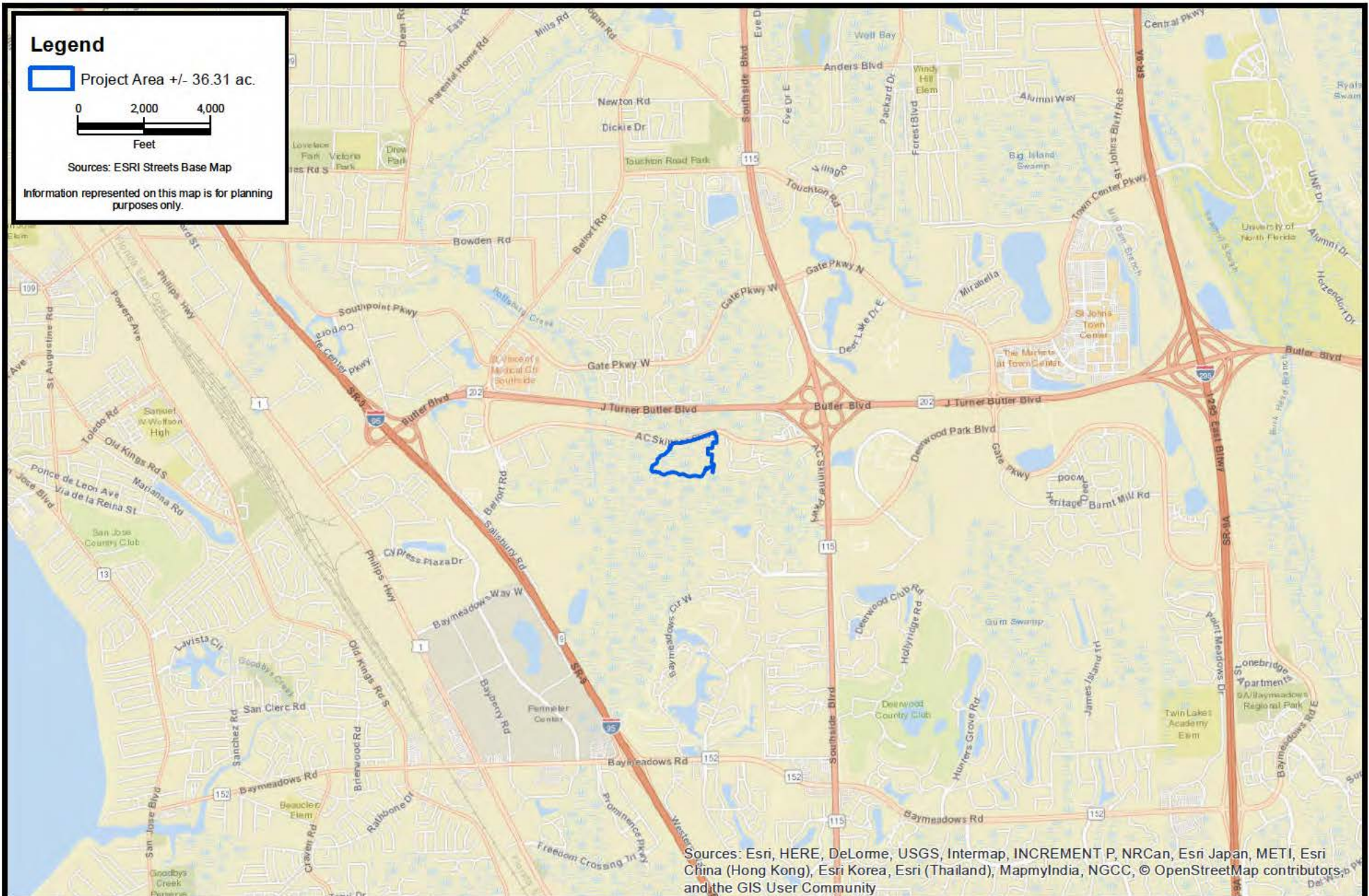
Legend

 Project Area +/- 36.31 ac.

0 2,000 4,000
Feet

Sources: ESRI Streets Base Map

Information represented on this map is for planning purposes only.



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

**CARTER ENVIRONMENTAL
SERVICES, INC.**



7 Waldo Street
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Location Map

DR Horton - AC Skinner Pkwy

Project: 5.18159

Duval County, FL

Date: Oct 09 2018

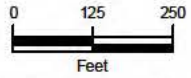
Figure:

1



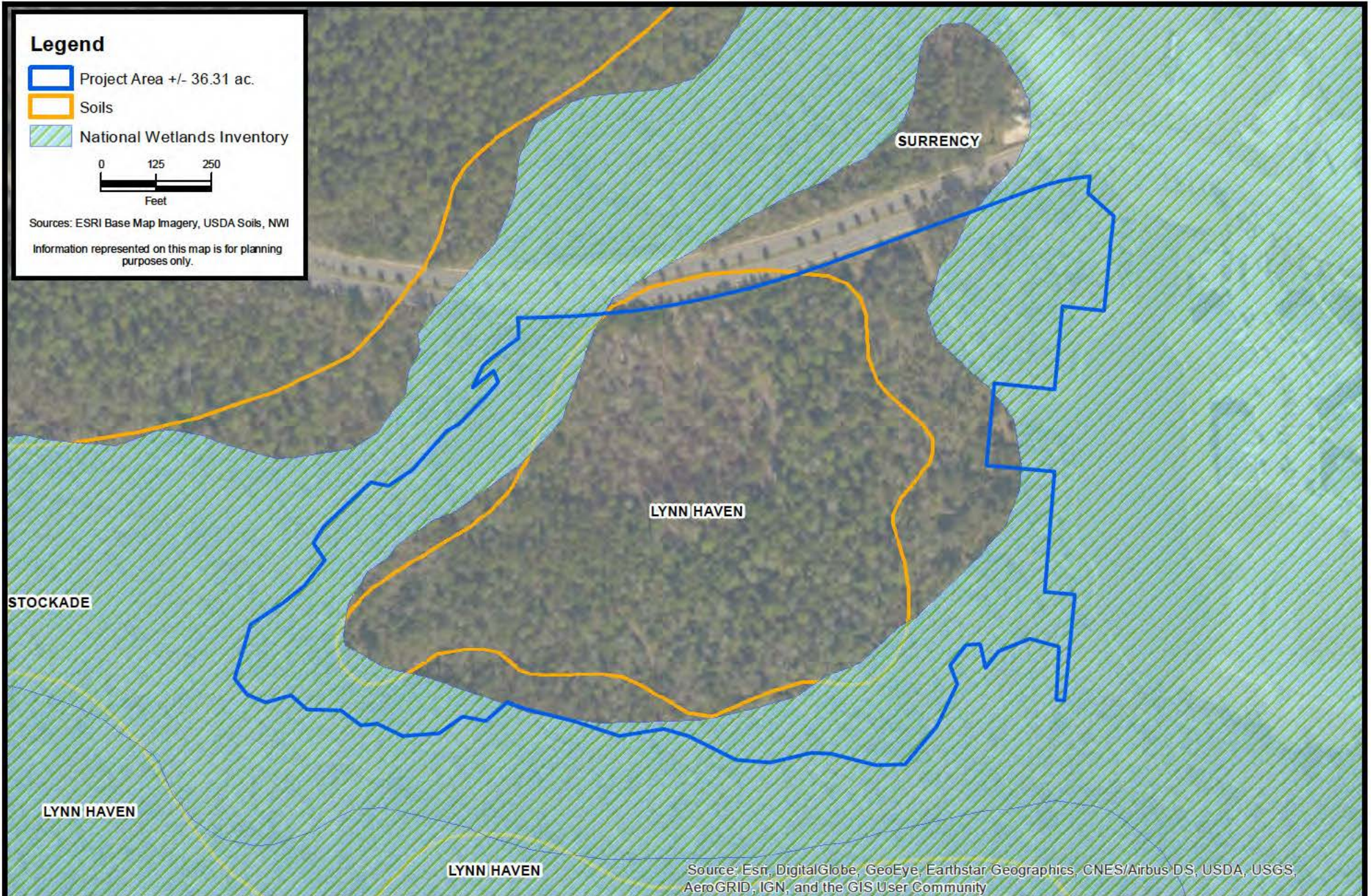
Legend

-  Project Area +/- 36.31 ac.
-  Soils
-  National Wetlands Inventory



Sources: ESRI Base Map Imagery, USDA Soils, NWI

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Soils Map

DR Horton - AC Skinner Pkwy

Project: 5.18159

Duval County, FL

Date: Oct 09 2018

Figure:

2




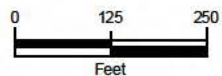
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 Project Area +/- 36.31 ac.

FLUCFCS

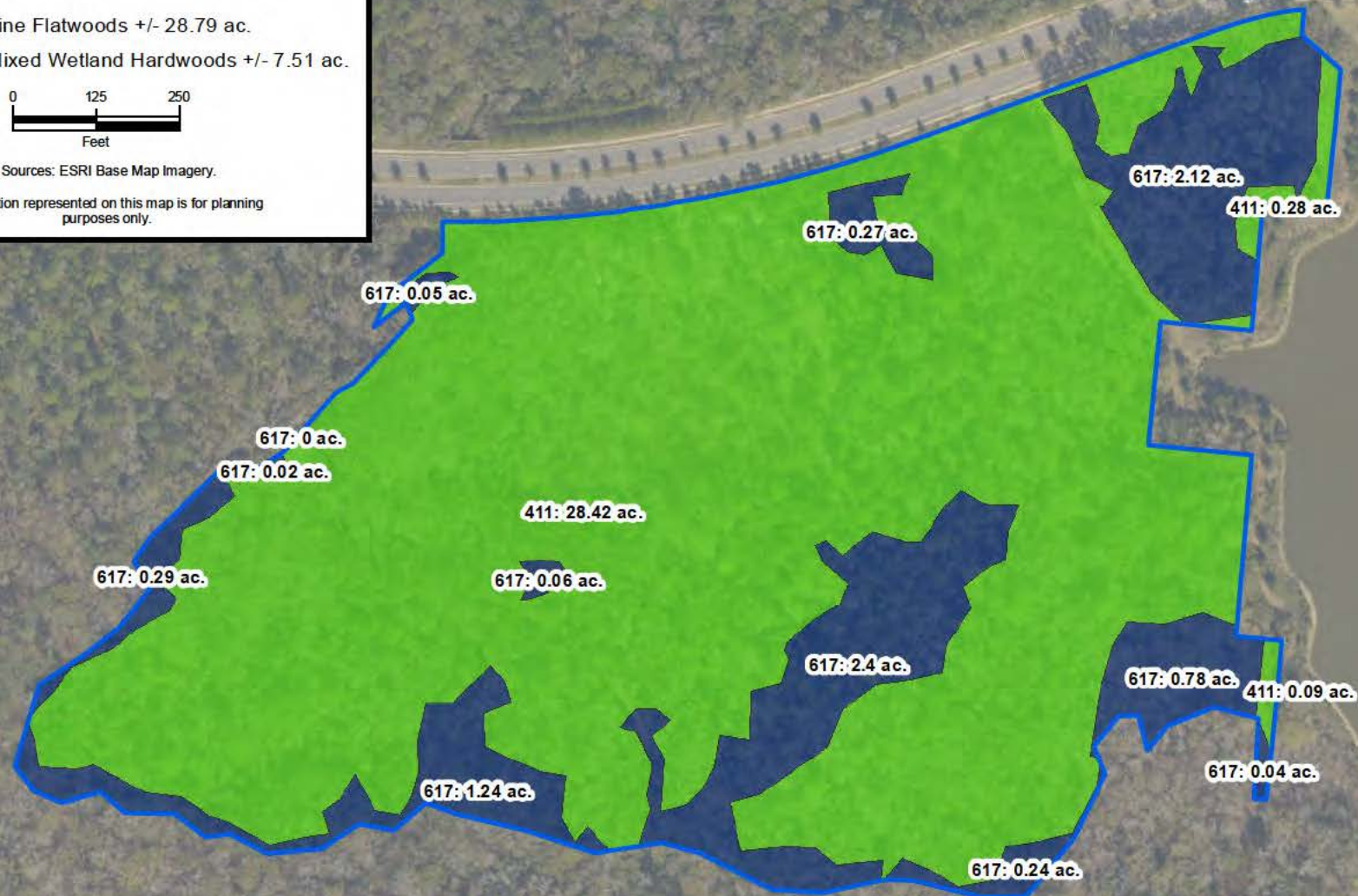
 411 - Pine Flatwoods +/- 28.79 ac.

 617 - Mixed Wetland Hardwoods +/- 7.51 ac.



Sources: ESRI Base Map Imagery.

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

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Existing Site Conditions

DR Horton - AC Skinner Pkwy

Project: 5.18159

Duval County, FL

Date: Oct 09 2018

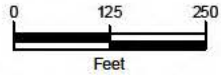
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Legend

- Project Area +/- 36.31 ac.
- ACOE Jurisdictional Wetlands +/- 5.12 ac.
- ACOE Potential Non-Jurisdictional Wetlands +/- 2.39 ac.



Sources: ESRI Base Map Imagery.

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

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Proposed ACOE Jurisdiction Map

DR Horton - AC Skinner Pkwy

Project: 5.18159

Duval County, FL

Date: Oct 09 2018

Figure:


4




Legend

 Project Area +/- 36.31 ac.

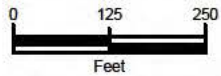
Total Jurisdictional Impacts with New Site Plan +/- 2.18 ac.

 Non-Jurisdictional Wetlands +/- 2.39 ac.

 Wetland Impacts Remaining +/- 1.43 ac.

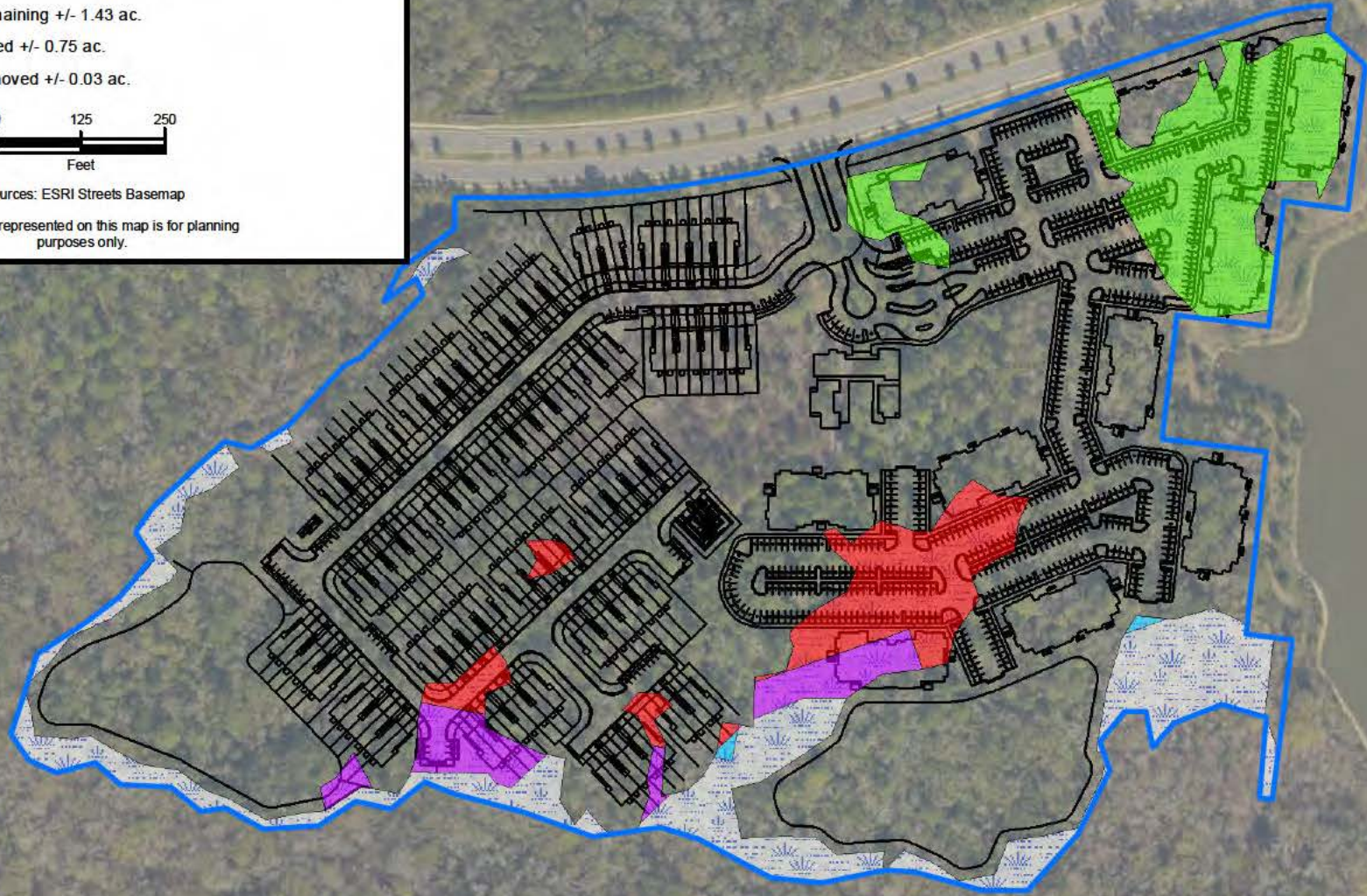
 Wetland Impacts Added +/- 0.75 ac.

 Wetland Impacts Removed +/- 0.03 ac.



Sources: ESRI Streets Basemap

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New Site Plan Impacts Comparison DR Horton - AC Skinner Pkwy

Project: 5.18159

Duval County, FL

Date: Jan 15 2019

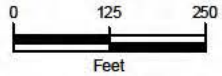
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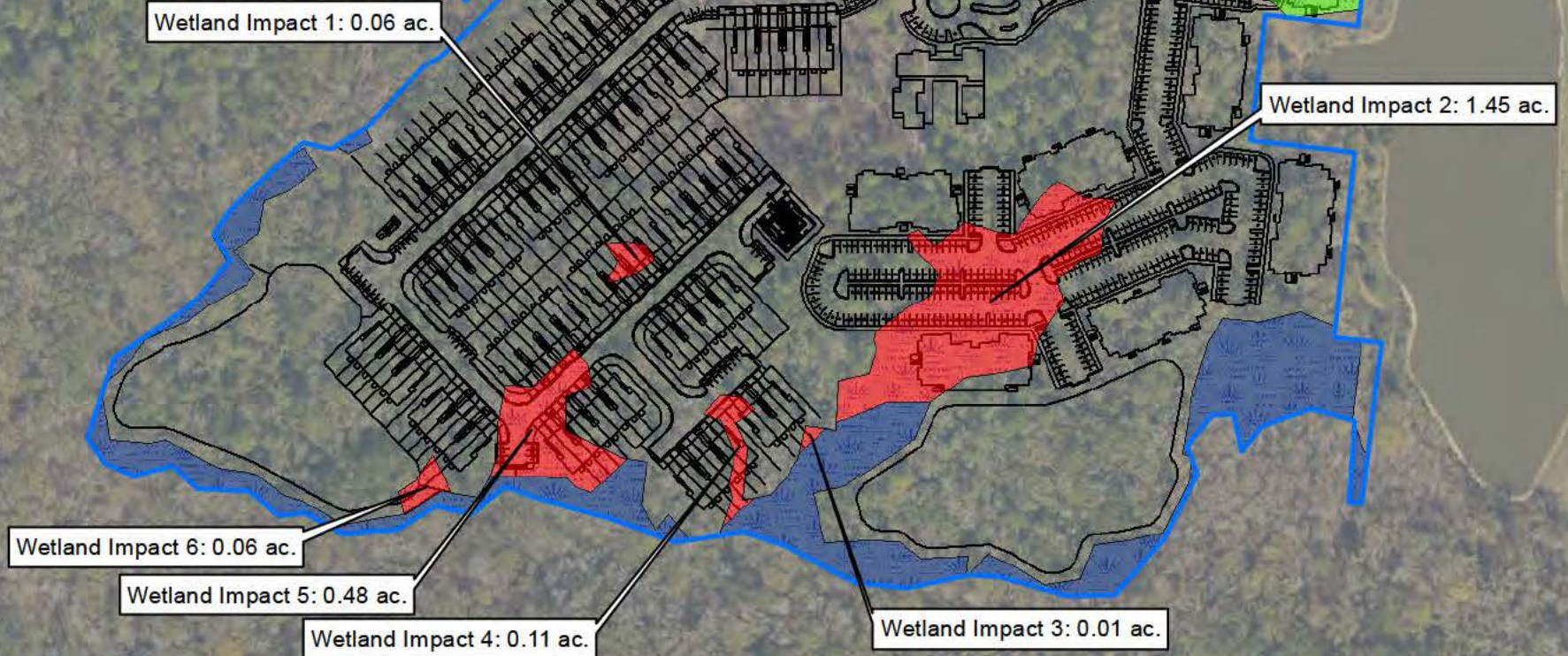
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- Project Area +/- 36.31 ac.
- Wetland Impacts +/- 2.18 ac.
- Non-Jurisdictional Wetlands +/- 2.39 ac.
- Wetlands Remaining +/- 2.94 ac.



Sources: ESRI Streets Basemap

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Proposed Site Conditions

DR Horton - AC Skinner Pkwy

Project: 5.18159

Duval County, FL

Date: Jan 29 2019

Figure:

5A

