



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
POST OFFICE BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

August 21, 2019

Regulatory Division
North Permits Branch
Jacksonville Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-1998-02518 (SP-DSD)

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: Golfway Center, LLC
Attention: Mr. Wallace Devlin
P.O. Box 1636
Ponte Vedra Beach, Florida 32004

WATERWAY AND LOCATION: The subject property comprises parcels identified by the St. Johns County Property Appraiser as Property Identification Numbers 027020-0020 and 027020-0010, located north and south of Parkland Trail, in Section 11, Township 6 South, Range 28 East, St. Johns County, Florida. The overall project is bordered to the south by International Golf Parkway, to the west by an existing office and parking lot, to the north by previously permitted residential development, and to the east by an existing St. Johns County water treatment plant and a community park for the adjacent Bannon Lakes development. The property also contains sections of Golfway Drive and Golfway West Drive. The project would affect waters of the United States (wetlands) associated with Turnbull Swamp.

Directions to the site are as follows: From Interstate-95, take Exit 323, turn east onto International Golf Parkway, and turn north onto Parkland Trail.

APPROXIMATE CENTRAL COORDINATES: Latitude 29.99039 °
Longitude -81.457721°

PROJECT PURPOSE:

Basic: The basic project purpose is commercial development.

Overall: The overall project purpose is the establishment of a commercial development serving a target market on International Golf Parkway between State Road 16 and U.S. Highway 1.

EXISTING CONDITIONS: The existing vegetative communities and land uses have been characterized pursuant to the Florida Department of Transportation publication of

Florida Land Use, Cover, and Forms Classification System (FLUCFCS). The vegetative communities present include *Open Land/Improved Pasture* (FLUCFCS code 190) encompassing 16.57 acres, *Roads* (FLUCFCS code 814) encompassing 1.33 acres, *Inland Ponds and Sloughs* (FLUCFCS code 616) encompassing 3.73 acres, and *Stormwater Ponds* (FLUCFCS code 534) encompassing 5.69 acres.

PROPOSED WORK: The applicant seeks authorization to discharge fill material into 3.73 acres of forested-freshwater wetlands to facilitate the formation of a 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:

“The permit applicant can not avoid and minimize impacts to the onsite wetland due to the design of the proposed stormwater treatment system and commercial development. It would not be practicable to attempt to leave an isolated remnant of wetland surrounded by large commercial buildings and parking lots.”

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

The applicant has proposed to obtain assessment-based mitigation bank credits from a mitigation bank with a service area encompassing the project site. The applicant's ecological consultant compiled a *Uniform Mitigation Assessment Methodology* (UMAM) quantifying and qualifying the loss of wetland functions and services associated with the proposed work. Based on the submitted UMAM the functional loss ratio is 0.567 units per acre, which equates to 2.12 units total. Therefore, as compensatory mitigation for the work proposed, the applicant would purchase 2.12 credits from the *Fish Tail Swamp Mitigation Bank* (SAJ-2007-05851).

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 is within the *Core Foraging Area* (CFA) of the St. Augustine Alligator Farm Wood Stork colony; and, the project would affect more than 0.5 acre of suitable foraging habitat (SFH) for Wood Storks. Specifically, the littoral edges of the existing stormwater ponds provide SFH; however, the canopy of the onsite wetlands is sufficiently dense to preclude identifying that area as 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 a preliminary sequence A-B-C-D-E-*may affect, not likely to adversely affect*, as the applicant would establish SFH within the littoral zone of the proposed stormwater pond and purchase credits from a mitigation bank that established SFH within the CFA of the St. Augustine Alligator Farm colony (thereby compensating the loss of SFH at the project site). The U.S. Fish and Wildlife Service previously indicated that they concur with determinations of *may affect, not likely to adversely affect* based on the key for Wood Storks; and, that no additional consultation is necessary.

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 aquatic habitat nor EFH. Our initial determination is that the proposed action would have no adverse impact on 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. The jurisdictional line has 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 Jacksonville Permits Section, Post Office Box 4970, Jacksonville, Florida 32232-0019 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, Danielle D'Amato, in writing at the Jacksonville Permits Section, Post Office Box 4970, Jacksonville, Florida 32232-0019; by telephone at (904) 232-2166; or by electronic mail at Danielle.S.D'Amato@usace.army.mil.

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.

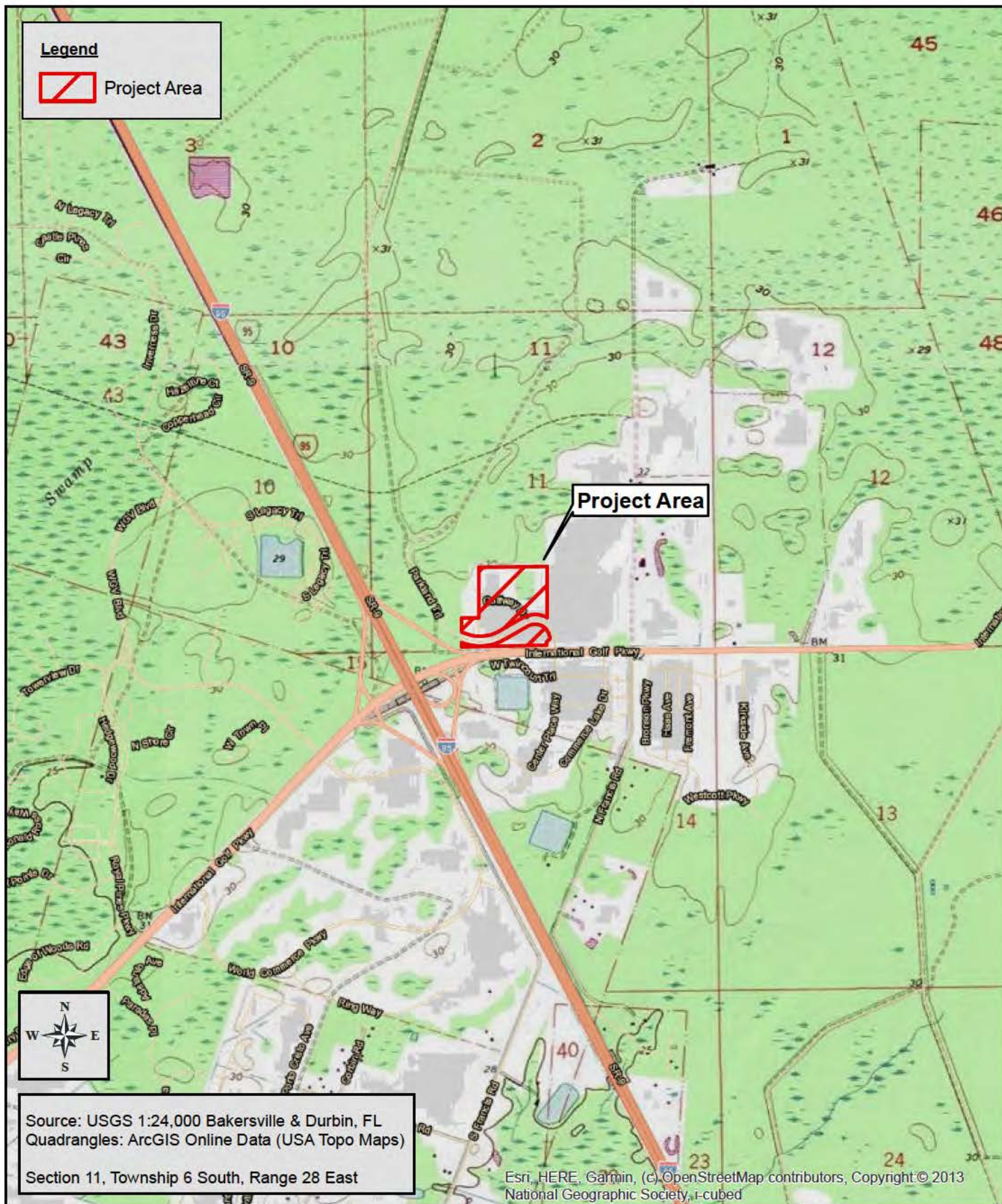
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits,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

Golfway Centre

St. Johns County, Florida

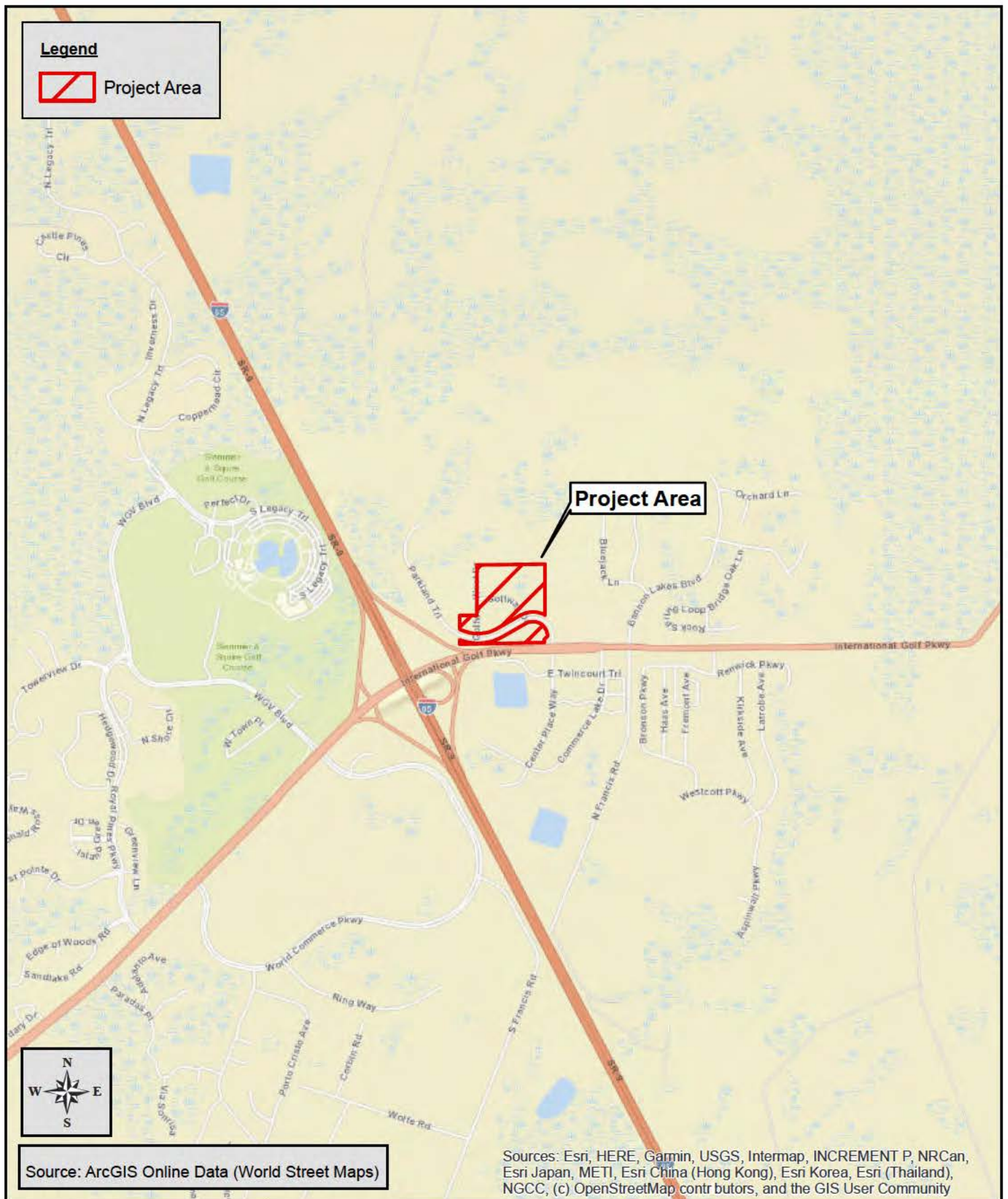
Location/Topographic Map

Figure: 1

Date: 7-28-19

0 2,000'





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Golfway Centre




St. Johns County, Florida

Vicinity Map

Figure: 2
Date: 7-28-19

0 2,000'

Legend

-  Project Area
-  Stormwater Ponds
-  Surveyed Wetland



Source: ArcGIS Online Imagery

Esri, HERE, Garmin, (c) OpenStreetMap contributors, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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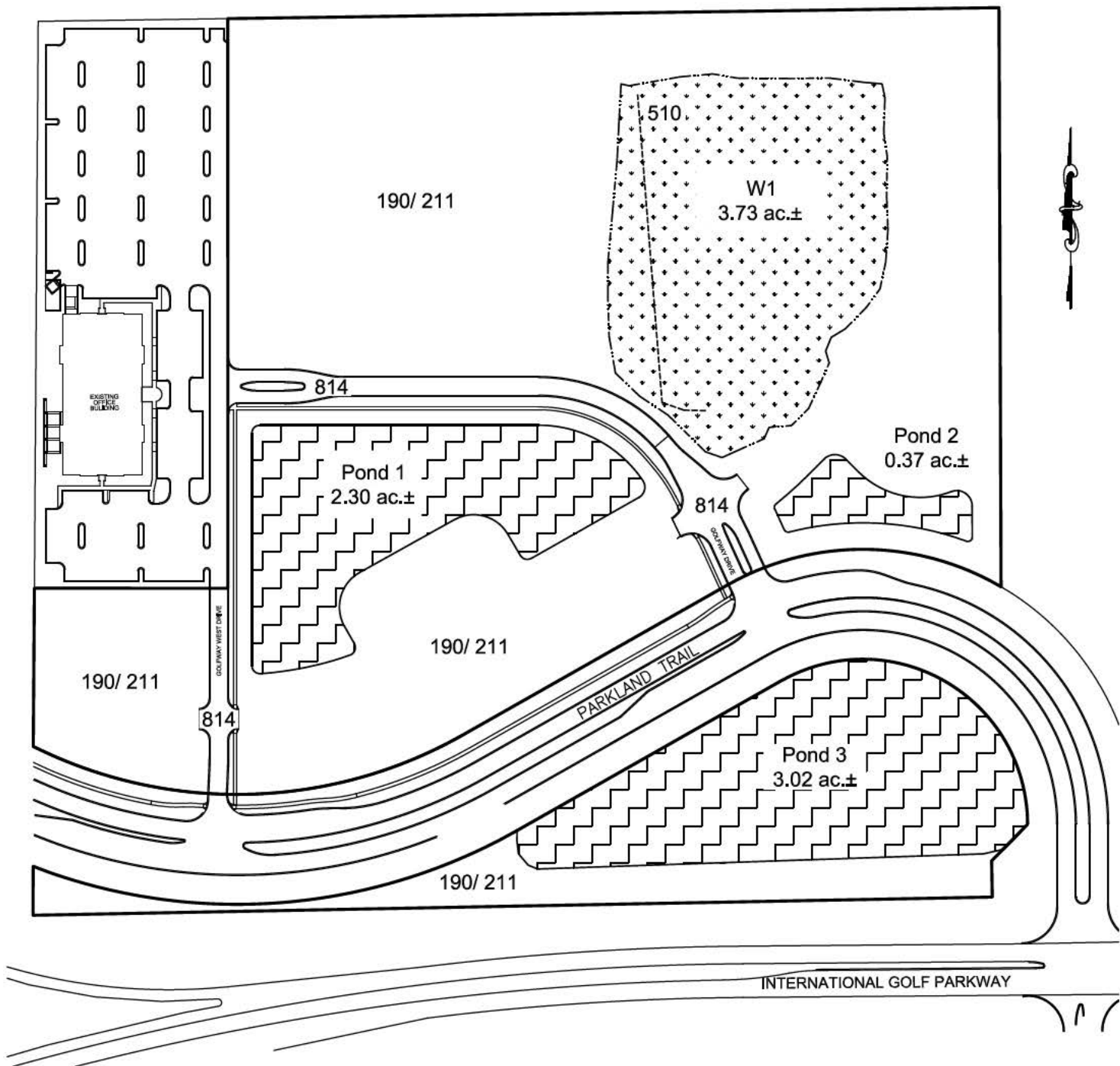
Current Aerial Photograph

Figure: 3

Date: 7-28-19



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Legend:

- - Project Boundary
- - - - - Wetland Line
- - - - - Ditch

Uplands: 17.90 ac.±

190/- Open Land (FLUCFCS 190)/

211 Improved Pasture (FLUCFCS 211) 16.57 ac.±

814 - Roads (FLUCFCS 814) 1.33 ac.±

Wetlands and Other Surface Waters: 9.42 ac.±

☐ - Stormwater Ponds (FLUCFCS 534) 5.69 ac.±

☐ - Inland Ponds and Sloughs (FLUCFCS 616) 3.73 ac.±

Total: 27.32 ac.±

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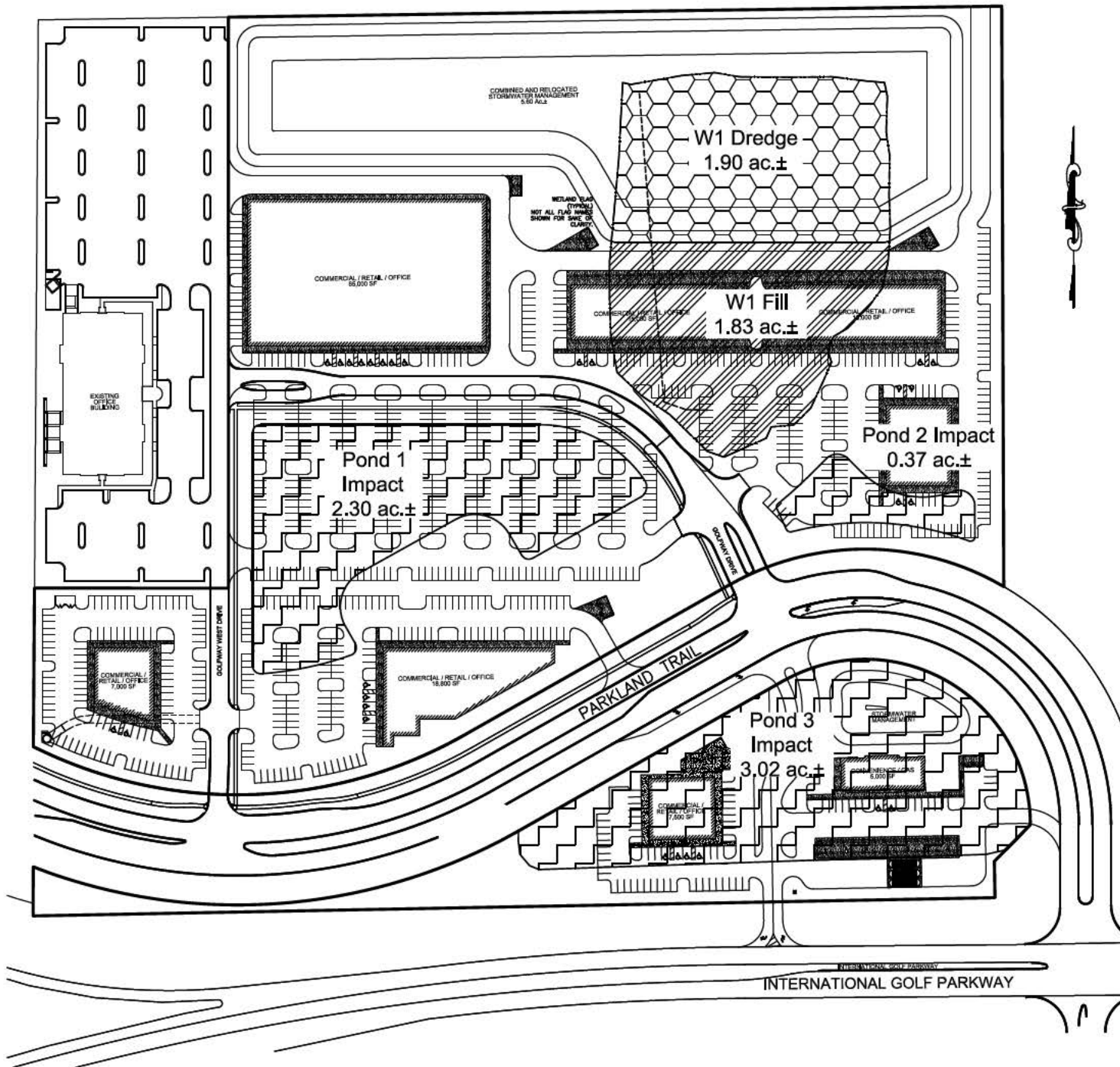
Golfway Centre
St. Johns County, Florida
Existing Site Conditions

Figure: 4

Scale: 1" = 200'

Date: 7-28-19

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Legend:

- Project Boundary
- Wetland Line
- Ditch Impact

| | | |
|--|-------------------------------|-----------|
| | - Stormwater Ponds Fill | 5.69 ac.± |
| | - Wetland Fill | 1.83 ac.± |
| | - Wetland Dredge | 1.90 ac.± |

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Golfway Centre
St. Johns County, Florida
Proposed Site Conditions

Figure: 5

Scale: 1" = 200'

Date: 7-28-19