



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT  
10117 PRINCESS PALM AVENUE, SUITE 120  
TAMPA, FLORIDA 33610

September 16, 2019

Regulatory Division  
West Branch  
Tampa Permits Section

## ***PUBLIC NOTICE***

Permit Application No. SAJ-2015-01634(SP-CMW)

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:**

VK Avalon Groves LLC  
c/o Kolter Land Partners LLC  
James Harvey  
14025 Riveredge Drive, Suite 175  
Tampa, FL 33637

**WATERWAY AND LOCATION:** The project would affect waters of the United States associated with Reedy Creek. The project site is located in Sections 13, 14, 23, and 24, Township 24 South, Range 26 East, Lake County, Florida.

Directions to the site are as follows: From Clermont Florida, travel south on US Highway 27, and turn left on Sawgrass Boulevard. The project site is located at the end of Sawgrass Boulevard.

**APPROXIMATE CENTRAL COORDINATES:** Latitude 28.383207°  
Longitude -81.663094°

**PROJECT PURPOSE:**

Basic: Housing

Overall: Residential development within the larger Avalon Groves development in southern Lake County.

**PROJECT HISTORY:** The overall Avalon Groves property was permitted in March 2017 for the main roadway (total of 8.93 acres of wetland impact). Several adjacent residential/commercial developments were considered during this review, however not permitted as they lacked a state water quality certification (WQC). The future developments would be included by modification once WQC is received (for a total of

4.64 acres of wetland impact). To date Phases 1 & 2 have been permitted for 3.73 acres of the 4.64 acres of wetland impact.

**EXISTING CONDITIONS:** The wetland system in the area consists of a freshwater mixed forested wetland. The onsite vegetation consists of red maple (*Acer rubrum*), pond pine (*Pinus serotina*), sweetbay (*Magnolia Virginia*), laurel oak (*Quercus laurifolia*), loblolly bay (*Gordonia lasianthus*), water oak (*Quercus nigra*), cabbage palm (*Sabal palmetto*), swamp tupelo (*Nyssa sylvatica*), royal fern *Osmunda regalis*), poison ivy (*Toxicodendron radicans*), wild azalea (*Rhododendron viscosum*), coinwort (*Centella asiatica*), pennywort (*Hydrocotyle umbellata*), maidencane (*Panicum hemitomon*), spike rush (*Eleocharis baldwinii*), soft rush (*Juncus effusus*), *Juncus* spp., sedges (*Carex* sp. and *Cyperus* sp.), *Digitaria* sp., broomsedge (*Andropogon virginicus*), beakrush (*Rhynchospora* sp.), primrose willow (*Ludwigia octovalvis*), cattail (*Typha* sp.), pickerelweed (*Pontedaria cordata*), duck potato (*Sagittaria lancifolia*) and umbrella grass (*Fuirena squarrosa*), and wild elderberry (*Sambucus canadensis*). The existing area surrounding the project area consists of improved pasture, pine flatwoods, xeric oak and pine plantation. Other areas within the Avalon Groves development are in various phases of construction.

**PROPOSED WORK:** The applicant seeks authorization to construct Serenoa Village 3. This development is approximately 192 acres and contains Phase 4 and part of Phase 3 from the original permitted phasing map. The proposed development would require impacts to 8.75 acres of wetlands.

**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 submitted design requires some wetland impacts that are unavoidable. These impacts are limited to small and outer fringe wetland systems. The majority of these proposed wetland impacts are to low quality systems that have been severely impacted by the agricultural activities on the subject property. To minimize impacts to resources, the project design was modified several times so as to preserve the higher-functioning wetland areas and direct any unavoidable impacts to lower-quality wetlands and smaller wetlands that would be extremely difficult to maintain in any post-development setting. Focusing any unavoidable impacts are minimized in this manner because these lower-quality systems are typically difficult to maintain in the post-development condition. The small systems become land-locked within development and access for non-avian species is virtually eliminated. Additionally, smaller systems or systems with pre-development hydrology that is already impaired most often lose what remaining functional values exist after development of the surrounding areas.”

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

“The proposed wetland impact to Corps Jurisdictional wetlands (8.75 acres) will be offset by the purchase of 4.81 Federal WRAP credits from the Reedy Creek Mitigation Bank.”

**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 has determined the proposed project may affect, but is not likely to adversely affect the Caracara (*Polyborus plancus audubonii*), Everglades Snail kite (*Rostrhamus sociabilis plumbeus*), Florida Scrub Jay (*Aphelocoma coerulescens*), and Eastern Indigo Snake (*Drymarchon corais couperi*) or its designated critical habitat. 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 may affect the Sand Skink (*Neoseps reynoldsi*). The Corps will request initiation of formal consultation with the Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act by separate letter.

**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 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 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, Candice Wheelahan, in writing at the Tampa Permits Section, 10117 Princess Palm Avenue, Suite 120, Tampa, Florida 33610; by electronic mail at [candice.m.wheelahan@usace.army.mil](mailto:candice.m.wheelahan@usace.army.mil); by facsimile transmission at (813)769-7061; or, by telephone at (813)769-7064.

**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.

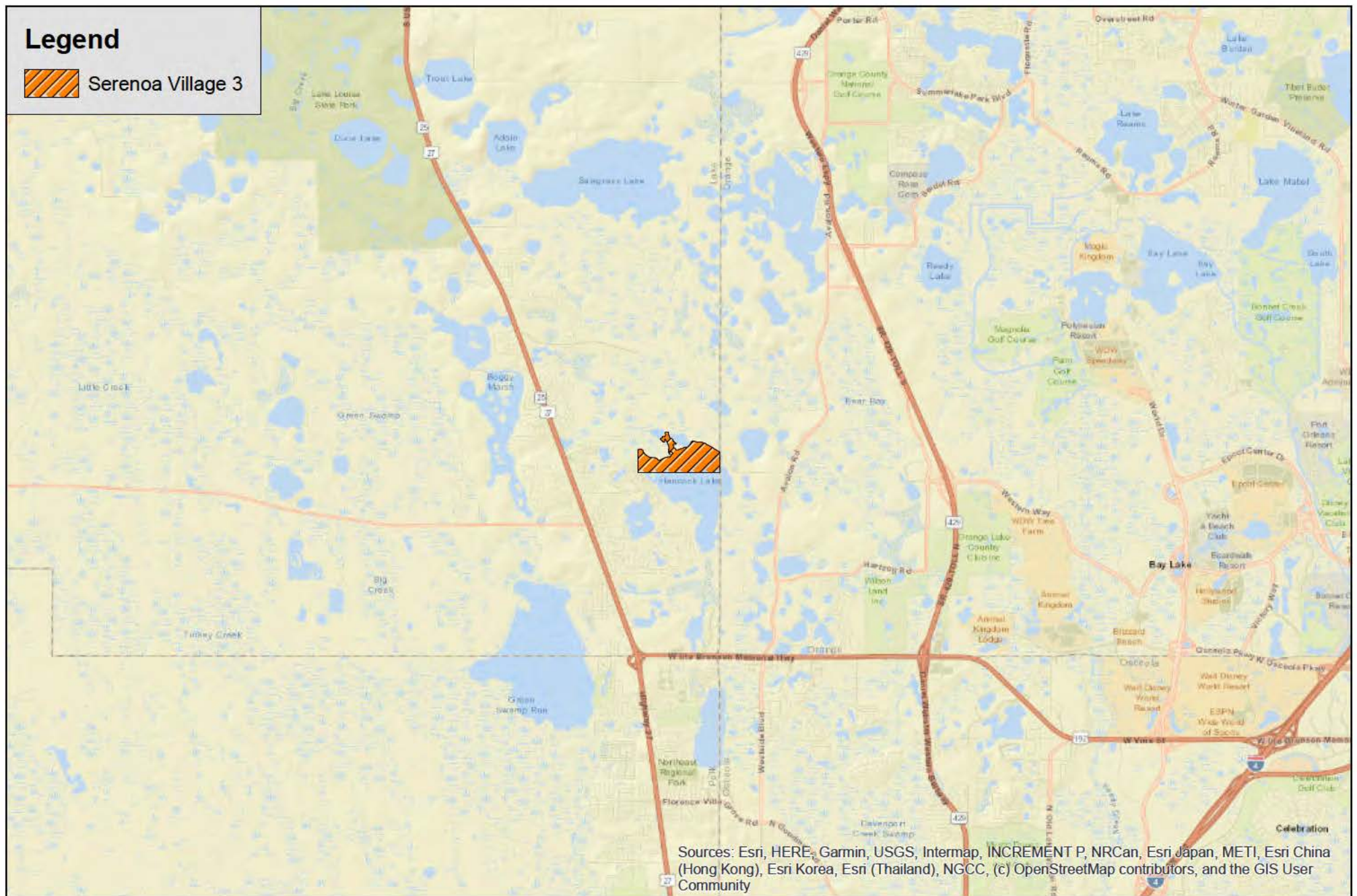
**REQUEST FOR PUBLIC HEARING:** Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.



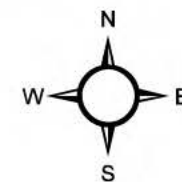
## Legend



Serenoa Village 3




Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

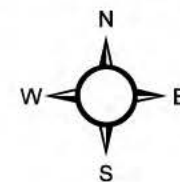
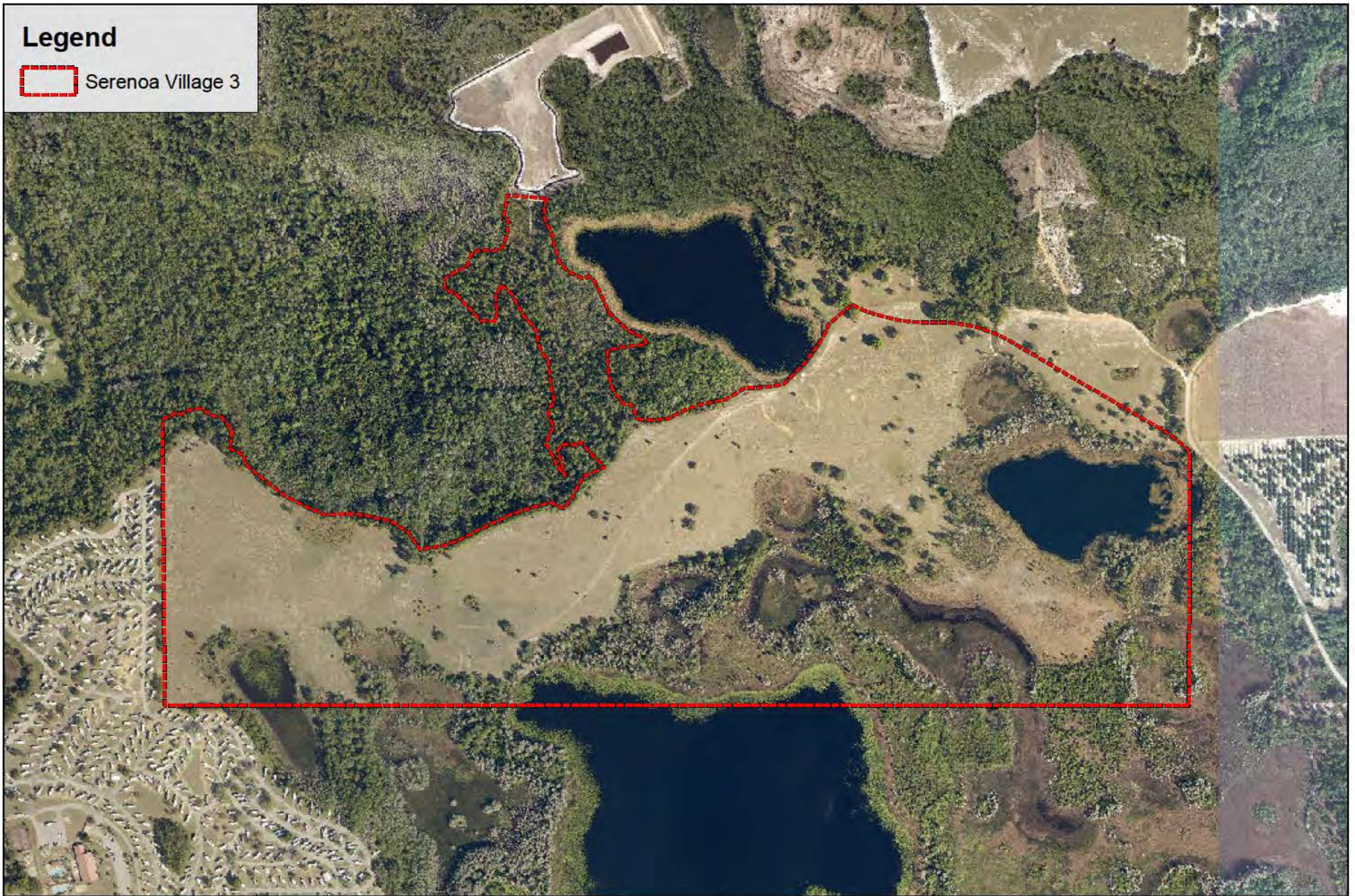


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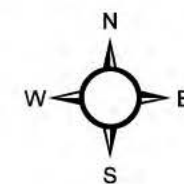
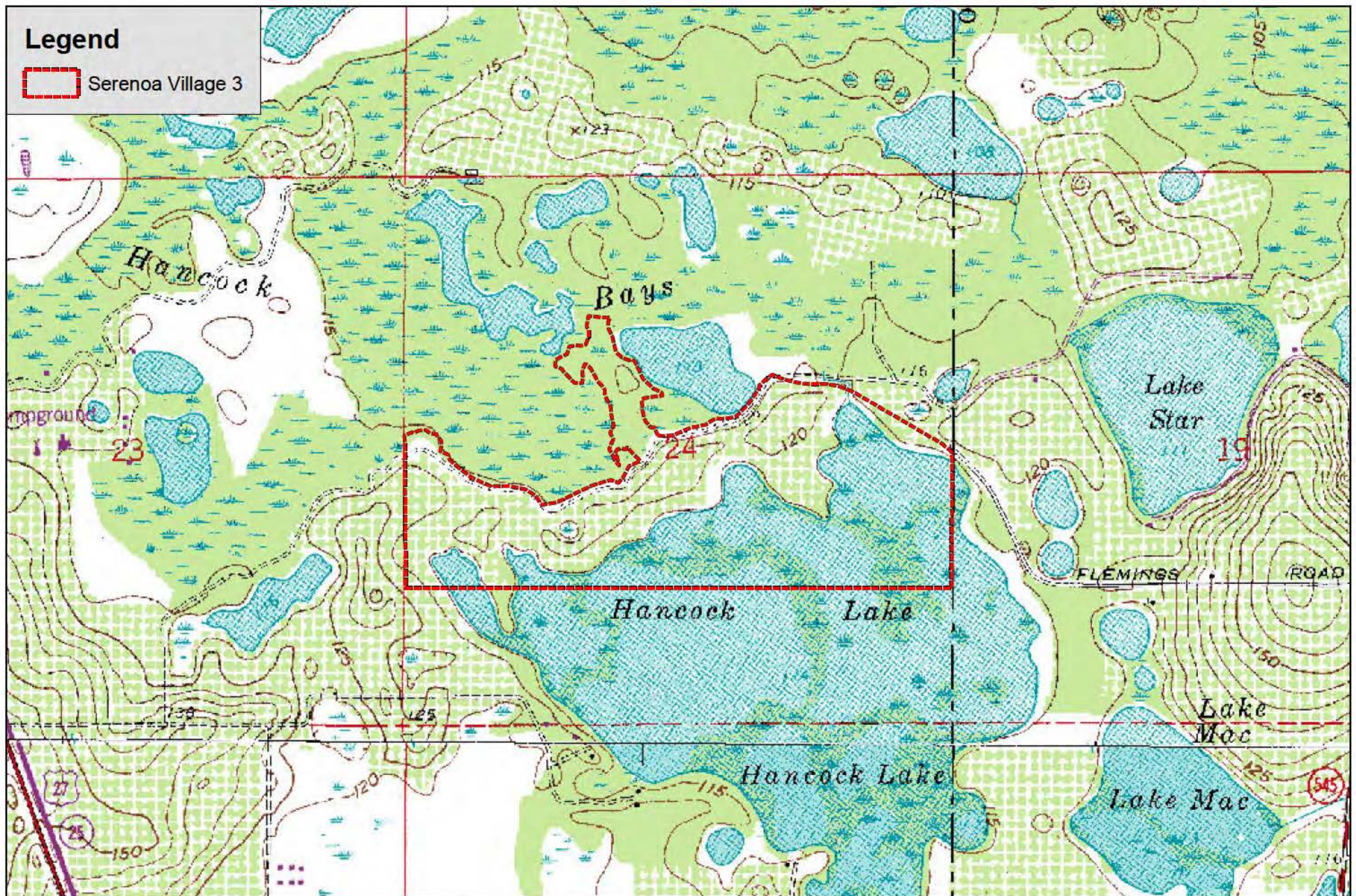


## Legend

 Serenoa Village 3








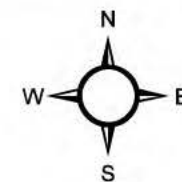


# Legend

 Serenoa Village 3



## FLUCCS\_sym, FLUCCS\_nam

-  211: Improved Pastures
-  411: Pine Flatwoods
-  510: Streams and Waterways
-  520: Lakes
-  530: Reservoirs
-  615: Stream and Lake Swamps
-  630: Wetland Forested Mixed





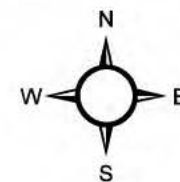
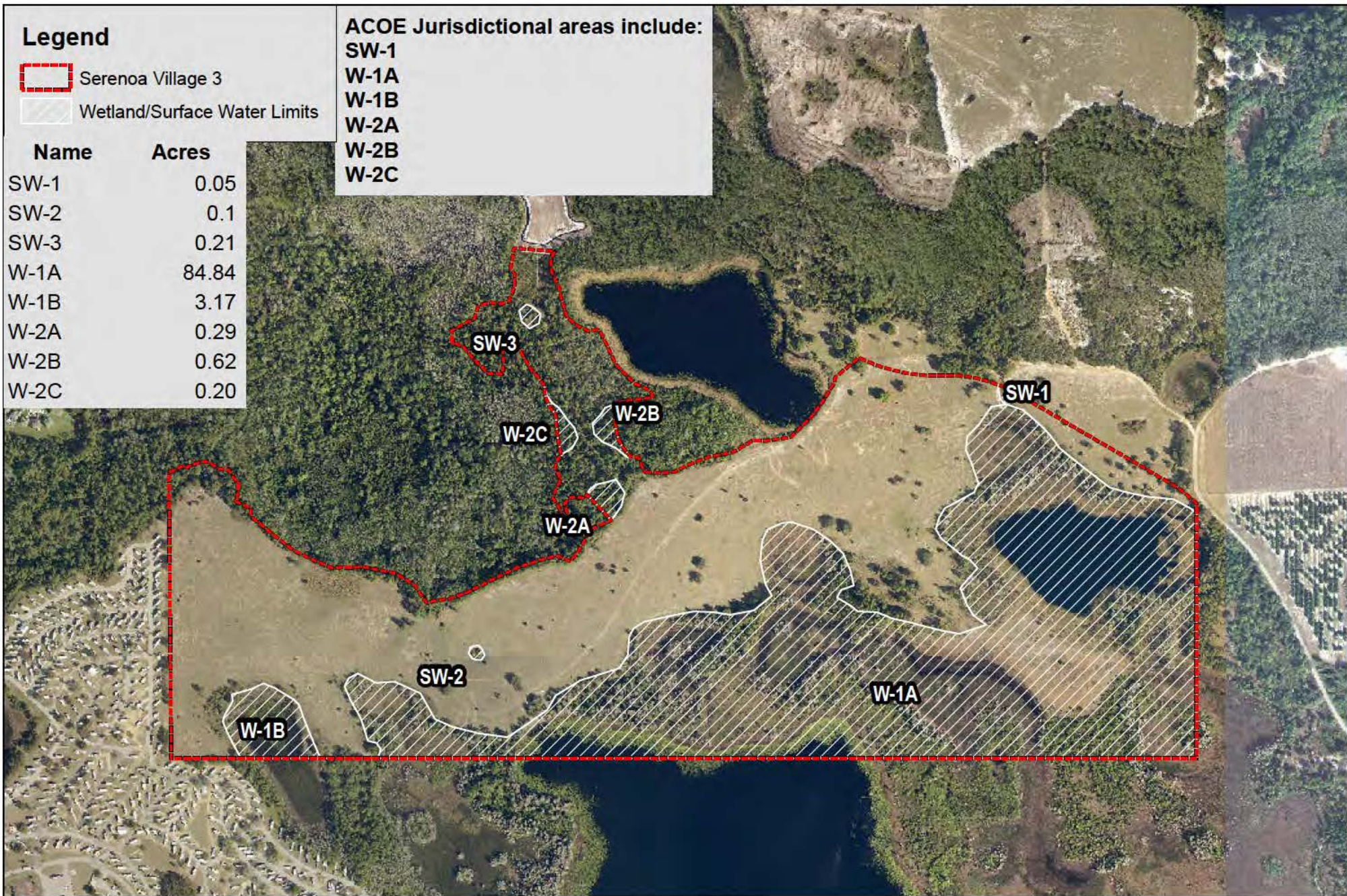
## Legend

-  Serenoa Village 3
-  Wetland/Surface Water Limits

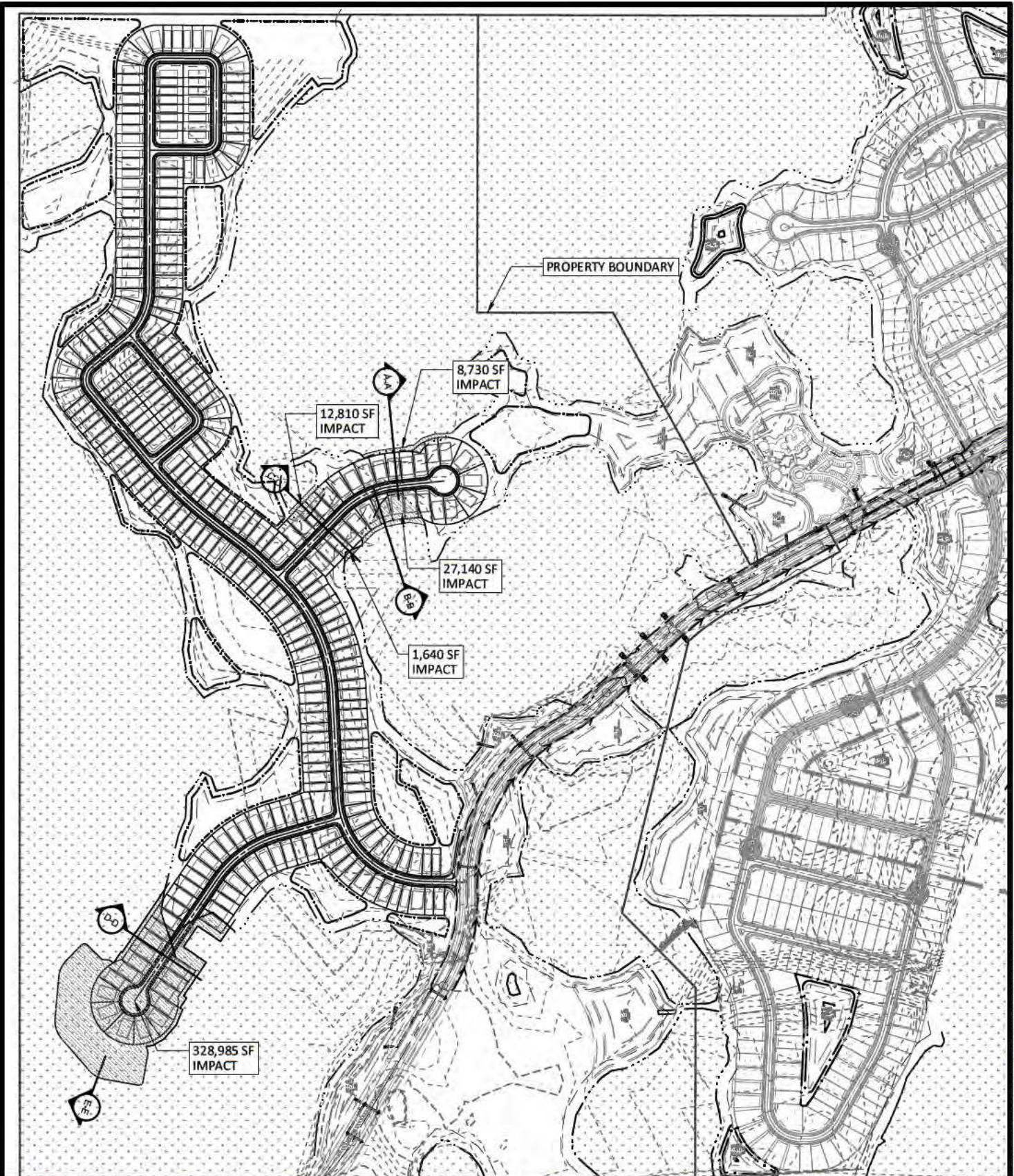
## ACOE Jurisdictional areas include:

SW-1  
W-1A  
W-1B  
W-2A  
W-2B  
W-2C

Name	Acres
SW-1	0.05
SW-2	0.1
SW-3	0.21
W-1A	84.84
W-1B	3.17
W-2A	0.29
W-2B	0.62
W-2C	0.20







**HEIDT  
DESIGN**

5904-A Hampton Oaks Parkway  
Tampa, Florida 33610  
Phone: 813-253-5311  
www.HeidtDesign.com

Engineering Business Certificate of Authorization No. 28782  
Landscape Architecture Certificate of Authorization No. LC26000405

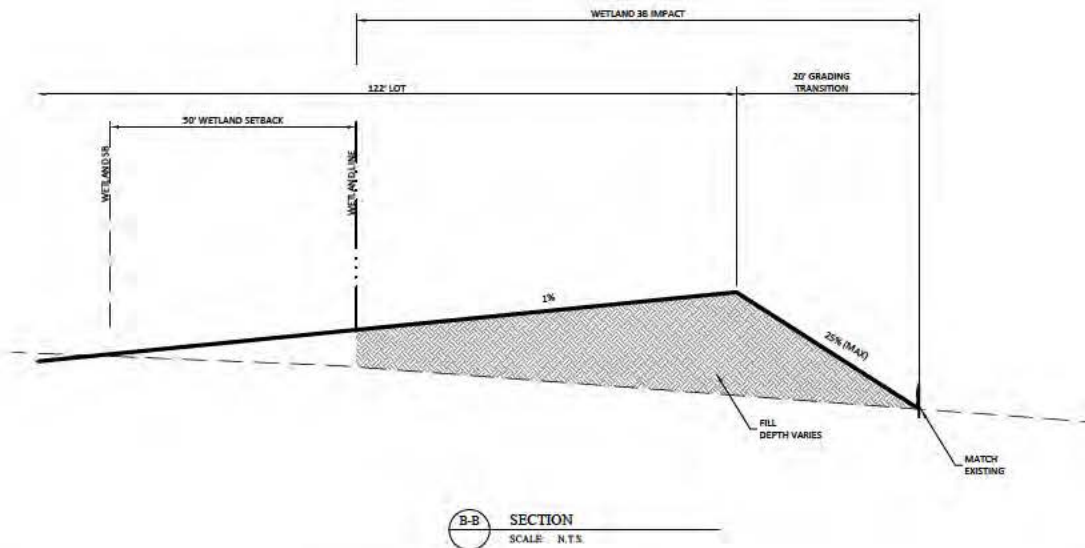
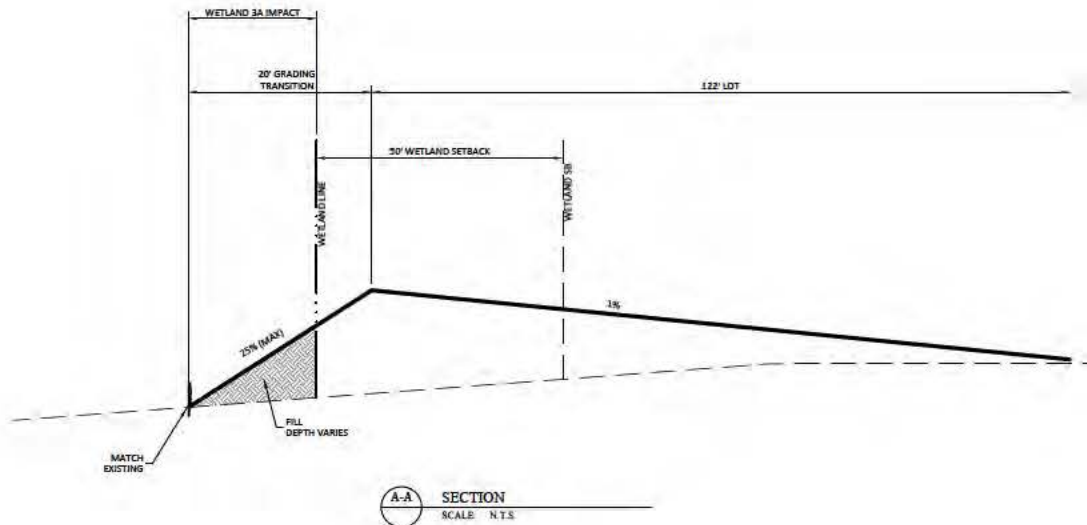
**WETLAND ENCROACHMENT**

**SERENOA VILLAGE 3**

**SCALE 1"=600**

**SHEET 1**





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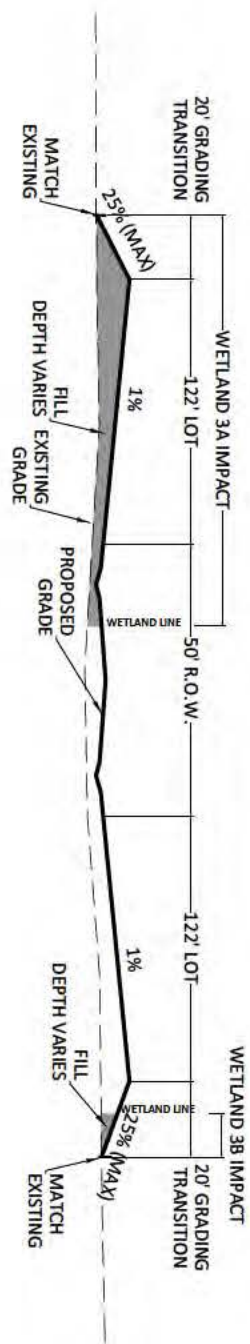
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SERENOVA VILLAGE 3

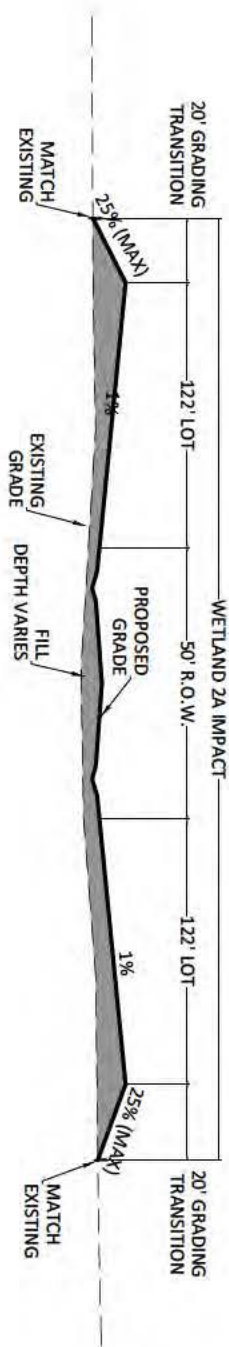
NOT TO SCALE

**SHEET 2**





C-C SECTION  
SCALE: N T S



D-D SECTION  
SCALE: N T S

## WETLAND ENCROACHMENT

SERENOA VILLAGE 3

NOT TO SCALE

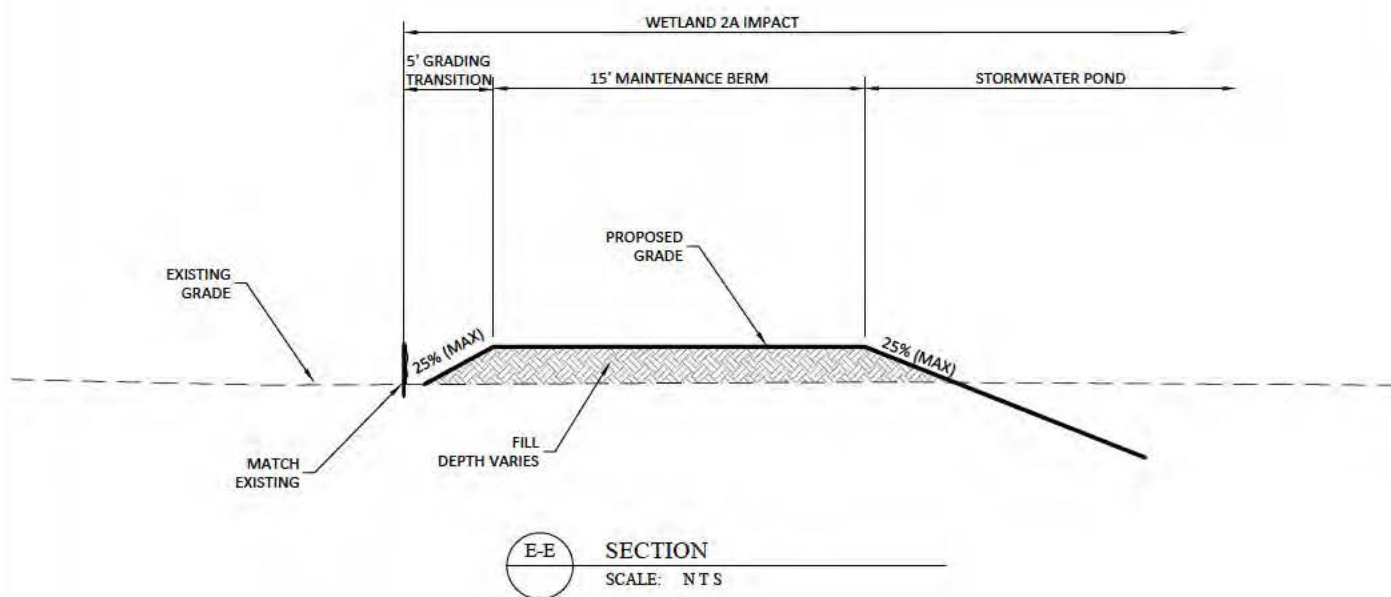
**SHEET 3**



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## WETLAND ENCROACHMENT

**SERENOA VILLAGE 3**

**NOT TO SCALE**

**SHEET 4**