



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

September 16, 2019

CESAJ-RD
North Permits Branch
Jacksonville Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2019-03056 (SP-JNP)

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: Florida Power & Light Company
Ms. Kathy Salvador
700 Universe Boulevard
Juno Beach, Florida 33408

WATERWAY AND LOCATION: The project would affect waters of the United States, including wetlands, associated with an unnamed tributary to the Main Canal. The project site is located on an undeveloped fallow agricultural parcel, at 1575 98th Avenue, in Section 9, Township 33 South, Range 38 East, in unincorporated Indian River County, Florida.

Directions to the site are as follows: From the Palm Beach Gardens field office, take PGA Boulevard east and merge onto Interstate 95 North to Exit 147 for FL-60 W (67-miles), turn left onto FL-60 W (0.7-miles), turn left on 98th Avenue (0.6-miles), the site is on the right.

APPROXIMATE CENTRAL COORDINATES: Latitude 27.630128°
Longitude -80.530603°

PROJECT PURPOSE:

Basic: The basic project purpose is the construction of an electric utility support center.

Overall: The overall project purpose is to construct a support facility that will allow efficient and quick response to storm emergencies within expanding population areas of Indian River County.

EXISTING CONDITIONS: The project site consists of approximately 39.03-acres of fallow agricultural lands. On-site waters of the U.S, including wetlands, consist of agricultural ditches (linear wetlands). The site is bordered by 98th Avenue to the east,

and 60th Street to the south), agricultural lands to the west and south, and light industrial facilities to the north.

Upland communities comprise the majority of the project site at 35.3-acres and consist of unimproved pasture, Brazilian pepper, and mixed hardwoods. Unimproved pasture makes up the bulk of the site at 26.4-acres located throughout the site. Dominant vegetation in these areas consists of bahia grass (*Paspalum notatum* var. *notatum*), cogon grass (*Imperata cylindrical*), and shrubby false buttonweed (*Spermacoce verticillata*). Lands comprised of Brazilian pepper (*Schinus terebinthifolia*) make up approximately 5.6-acres, located in the middle of the project site. Mixed hardwoods consist of 3.1-acres of forested area located in the north-central portion of the project site. Vegetation in this area consists of laurel oak (*Quercus laurifolia*), cabbage palm (*Sabal palmetto*), and live oak (*Quercus virginiana*).

The remainder of the 3.9-acres of the project site consists of remnant agricultural ditches, some of which contain wetlands (approximately 1.58-acres). These ditches run in a north-south orientation, and are located throughout the site, while two larger east-west oriented ditches are located along the northern and southern property boundaries. These ditches no longer convey water, as they have not been maintained. There are no ordinary high water marks in most of these features, and those portions are not considered waters of the U.S. Areas that contain vegetation have been determined to be linear wetlands and consist of soft rush (*Juncus effusus*), smartweed (*Persicaria hydropiperoides*), downy maiden fern (*Thelypteris dentata*), Peruvian primrose (*Ludwigia peruviana*), Brazilian pepper, and other emergent wetland vegetation.

PROPOSED WORK: The proposed project is the construction of an electric utility service center, consisting of a modular building, parking areas, equipment/truck storage areas, warehouses, fleet services building, above ground fuel tank, associated buildings, stormwater management facilities, and a perimeter security fence. The proposed service center will allow FPL to have a quicker response time after severe storms to customers in the growing population areas of Indian River County. The proposed project will have permanent impacts to a total of 1.58-acres of man-made agricultural ditches (linear wetlands) for the construction of the proposed service center. Permanent fill impacts will occur to 0.73-acres of wetlands for construction of the service center, 0.034-acres of wetlands for the placement of a culvert crossing off of 16th Street, and permanent dredging impacts to 0.813-acres of wetlands for drainage improvement.

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:

“Wetland impact avoidance is not practical because FPL requires nearly the full 39.03 acres for the needed buildings, a surface water management system, parking lot, and an area to store equipment and trucks. However, the project will seek to minimize impacts through the use of the following measures: implementation of a site-specific stormwater pollution prevention plan; removing excess vegetation in wetlands 12 and 13 and reestablishing low-growing wetland vegetation may provide listed species’

foraging habitat; implementation of best management practices (BMPs) and effective soil erosion control measures, including routine inspections during construction until soil stabilization has occurred. These procedures are intended to minimize the extent and duration of project-related disturbance on wetlands and ditches, control erosion and sedimentation, and enhance revegetation; and, conducting an analysis to ensure the proposed stormwater design will not cause adverse effects to nearby wetland and surface water functions.”

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

“As mitigation for the proposed wetland impacts, FPL will purchase of 0.48 freshwater herbaceous wetland credits from Basin 22 Mitigation Bank.”

CULTURAL RESOURCES: The Corps has determined the permit area was previously surveyed for archaeological resources in 2005. The survey did not find any archaeological resources and the Corps will not be requiring any additional work.

ENDANGERED SPECIES: The Corps assessed the project site for Federally listed species using the Fish and Wildlife Service’s (FWS) Information for Planning and Consultation (IPaC) web site, information provided by the applicant, and all available GIS data within the Corps’ Resources at Risk (RAR) system, for purposes of complying with Section 7 of the ESA of 1973 (as amended).

The Corps has determined that the proposed project may affect the Eastern indigo snake (*Drymarchon corais couperi*) and Florida panther (*Puma concolor coryi*), and may affect, but is not likely to adversely affect, the Audubon’s crested caracara (*Polyborus plancus audubonii*). The Corps has initiated formal consultation with the FWS pursuant to Section 7 of the Endangered Species Act by separate letter dated August 23, 2019.

The Corps has also determined that the proposed project would have no effect on the southeastern beach mouse (*Peromyscus polionotus niveiventris*), West Indian manatee (*Trichechus manatus*), Everglade snail kite (*Rostrhamus sociabilis plumbeus*), Florida scrub-jay (*Aphelocoma coerulescens*), ivory-billed woodpecker (*Campephilus principalis*), piping plover (*Charadrius melodus*), red knot (*Calidris canutus rufa*), red-cockaded woodpecker (*Picoides borealis*), American wood stork (*Mycteria americana*), hawksbill sea turtle (*Eretmochelys imbricata*), leatherback sea turtle (*Dermochelys coriacea*), loggerhead sea turtle (*Caretta caretta*), Miami blue butterfly (*Cyclargus thomasi bethunebakeri*), fragrant prickly-apple (*Cereus eriophorus* var. *fragrans*), and Lakela’s mint (*Dicerandra immaculata*), or their designated, or proposed for designation, critical habitat.

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 site does not contain EFH and the Corps’ initial determination is that the proposed action would not have a substantial

adverse impact on EFH or Federally managed fisheries in the South Atlantic Region. 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 Palm Beach Gardens Permits Section, 4400 PGA Boulevard, Suite 500, Palm Beach Gardens, Florida 33410 or to the email address of the Project Manager noted below, within 30 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, Mr. John Policarpo, in writing at the Palm Beach Gardens Permits Section, 4400 PGA Boulevard, Suite 500, Palm Beach Gardens, Florida 33410, by electronic mail at John.N.Policarpo@usace.army.mil, by facsimile transmission at (561) 626-6970, or by telephone at (561) 472-3518.

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.

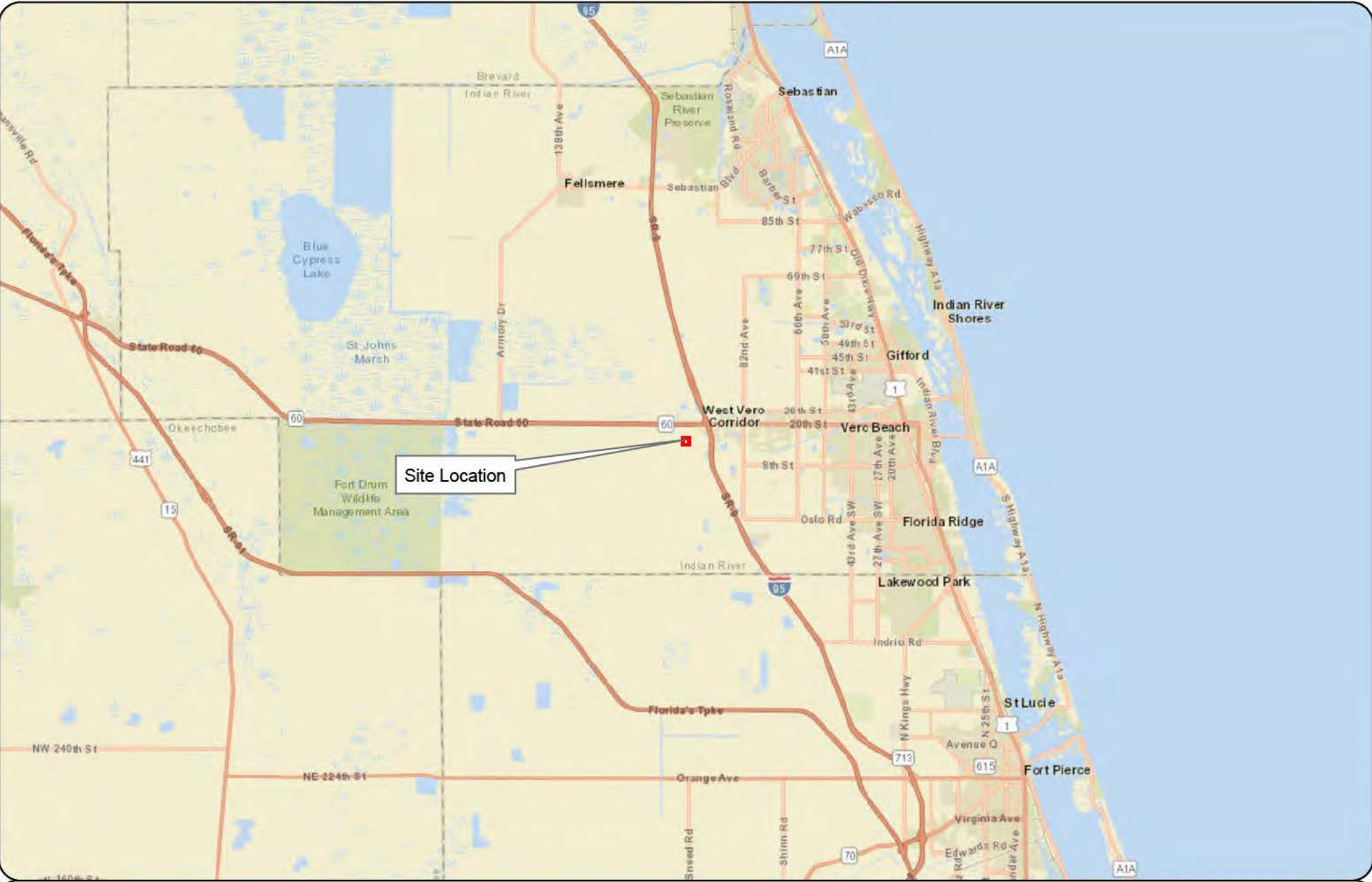
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered, including cumulative impacts thereof, among these are conservation, economics, aesthetics, 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.



 Site Location

Site Location Map
Indian River Service Center

Figure 1





- Site Location
- 212 - Unimproved Pasture (26.4 Acres)
- 422 - Brazilian Pepper (5.6 Acres)
- 438 - Mixed Hardwoods (3.1 Acres)
- 511/641 - Ditch (3.9 Acres)

FLUCFCS Land Use/Land Cover Map Indian River Service Center

Figure 2





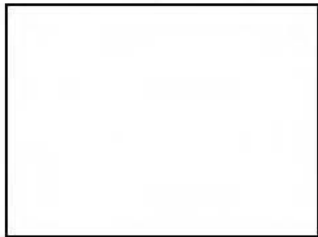
ID	Acres
W-1	0.023
W-2	0.007
W-3	0.040
W-4	0.047
W-5	0.010
W-6	0.014
W-7	0.116
W-8	0.117
W-9	0.022
W-10	0.248
W-11	0.086
W-12	0.376
W-13	0.471

- Data Points
- Property Boundary
- Ditch Top of Bank
- Wetland Impacts

Wetland Delineation and
Impact Map

Indian River Service Center

Figure 2

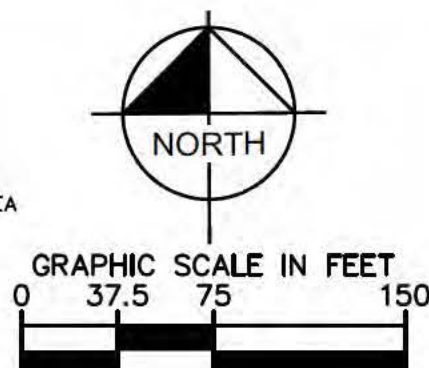


Plotted By: Bergstresser, Blaine. Sheet Size: INDIAN RIVER SERVICE CENTER. Layout: C-300. Overall Site Plan. August 13, 2019. 05:39:05pm. K:\V08_LDEVA\147088006 Indian River Service Center\CAD\plan\sheet\C-300 SITE PLAN.dwg

ADJACENT LOT (NORTH)
ZONING - LIGHT INDUSTRIAL (IL)
FUTURE LAND USE -
COMMERCIAL/INDUSTRIAL (C/I)

LEGEND

	PROPERTY LINE
	ACCESSIBLE PARKING SPACES
	FENCING
	PHASE 2 FENCING
	PARKING COUNT
	OVERHEAD POWERLINE
	CURB AND GUTTER



SITE PLAN NOTES
1. ALL NUISANCE EXOTIC VEGETATION EXISTING WITHIN DEVELOPMENT PROJECT SITE PROPERTY MUST BE REMOVED IN CONJUNCTION WITH SITE DEVELOPMENT.

BUILDOUT TRIP GENERATION

LAND USE	INTENSITY	DAILY TRIPS
PROPOSED DEVELOPMENT		
UTILITY (PHASE 1)	1,584 SF	21
UTILITY (PHASE 2)	450 SF	6
UTILITY (PHASE 3)	16,000 SF	212
UTILITY (PHASE 4)	43,534 SF	576
TOTAL NET NEW TRIPS		815

LEGAL DESCRIPTION
TRACT 1, SECTION 9, TOWNSHIP 33 SOUTH, RANGE 38 EAST, ACCORDING TO LAST GENERAL PLAT OF LANDS OF INDIAN RIVER FARMS COMPANY RECORDED IN PLAT BOOK 2, PAGE 25, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID LAND LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA, LESS CANALS, DITCHES AND RIGHTS-OF-WAY.
CONTAINING 1,779,002.14 SQUARE FEET OF 40.84 ACRES MORE OR LESS.

SITE DATA
LOCATION: SECTION 9, TOWNSHIP 33S, RANGE 38E
ADDRESS: 1575 98TH AVENUE, VERO BEACH, FL 32966
ZONING: IL - LIGHT INDUSTRIAL DISTRICT
LAND USE: VACANT
FUTURE LAND USE: CA - COMMERCIAL/INDUSTRIAL
PARCEL ID NUMBER: 33-38-09-0001-0010-00001.0
SITE AREA: 40.84 ACRES

BUILDING HEIGHT (35' MAX.)	21'-0"
SERVICE CENTER	29'-4"
FLEET SERVICES	29'-4"
BUILDING SETBACKS	REQUIRE DEDICATED
FRONT YARD (EAST)	25'
REAR YARD (WEST)	10'
SIDE YARD (NORTH)	20'
LOT COVERAGE:	1,779,002 SF = 100%
BUILDING AREA (40% MAX.)	46,889 SF = 2.64%
IMPERVIOUS AREA*	606,444 SF = 34.09%
OVERWATER AREA (15% REQ.)	553,709 SF = 31.12%
STORMWATER AREA	571,861 SF = 32.15%

* IMPERVIOUS AREA INCLUDES CURB, PAVEMENT, SIDEWALK, AND 3' CAR OVERHANG.

PARKING SUMMARY	REQUIRE DEDICATED	PROVIDED
STANDARD	99	118
ACCESSIBLE PER ADA	4	4
DESIGNATED TRUCK PARKING	N/A	30
TOTAL PARKING	103	152

SERVICE CENTER (2 FLOORS) (1 / 300 SF x 25,436 SF = 85 SPACES) (OFFICE)
FLEET SERVICES (1 / 2000 SF x 9,402 SF = 5 SPACES) (WAREHOUSE)
STORES WAREHOUSE (1 / 2000 SF x 7,319 SF = 4 SPACES) (WAREHOUSE)
STORM SHELTER (1 / 300 SF x 1,344 SF = 5 SPACES) (OFFICE)
AVIATION WAREHOUSE (6,000 SF) = 0 SPACES
DATA CENTER (10,000 SF) = 0 SPACES
TRUCK WASH (1,420 SF) = 0 SPACES
ENVIRONMENTAL SHED (150 SF) = 0 SPACES

VERTICAL DATUM
THE ELEVATIONS SHOWN HEREON ARE BASED ON THE NATIONAL GEODETIC VERTICAL DATUM (NAVVD) OF 1988.

FLOOD ZONE
THE PARCELS OF LAND SHOWN HEREON IS LOCATED IN FLOOD ZONE A, MAP NO. 120119 PANEL NO. 0220, DATED DECEMBER 4, 2012.

- PARKING SPACE STRIPING**
- ALL PARKING SPACES WITH EXCEPTION OF THE HANDICAPPED PARKING SPACES SHALL BE STRIPED IN WHITE, RETRO-REFLECTIVE TRAFFIC PAINT AND BE IN ACCORDANCE WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) STANDARD SPECIFICATIONS FOR ROAD & BRIDGE CONSTRUCTION, LATEST EDITION, SECTION 710.
 - ALL HANDICAPPED PARKING SPACES SHALL BE PROPERLY SIGNED AND STRIPED IN ACCORDANCE WITH FDOT STANDARD INDEX 711-001, LATEST EDITION.
 - ALL COMPACT SPACES SHALL BE MARKED "COMPACT" ON THE STALL OR TIRE STOP.
- SITE SIGNAGE / PAVEMENT MARKINGS**
- SIGNS AND PAVEMENT MARKINGS ARE TO CONFORM TO THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND THE INDIAN RIVER COUNTY TYPICAL DRAWINGS FOR ROADWAY SIGNING, STRIPING & GEOMETRICS.
 - PAVEMENT MARKINGS IN THE PUBLIC ROW ARE TO BE THERMOPLASTIC.
 - PAVEMENT MARKINGS ON PRIVATE PROPERTY MAY BE PAINT.

UTILITY PROVIDERS
THE PROJECT WILL BE SERVED BY:

WATER/SEWER	INDIAN RIVER COUNTY
ELECTRIC	FLORIDA POWER AND LIGHT
CABLE TV	COMCAST
TELEPHONE	AT&T
GAS	FLORIDA CITY GAS

CONSTRUCTION SCHEDULE

CONSTRUCTION COMMENCEMENT	FEBRUARY 2020
CONSTRUCTION COMPLETION	OCTOBER 2020

JURISDICTIONAL AGENCY PERMITS

PERMITS REQUIRED FOR DEVELOPMENT OF THIS PROPERTY INCLUDE:

INDIAN RIVER COUNTY	LAND CLEARING/TREE REMOVAL (WILL APPLY 10 DAYS PRIOR TO SITE PLAN RELEASE)
	UTILITY CONSTRUCTION
	TYPE B STORMWATER MANAGEMENT SYSTEM
	MAJOR SITE PLAN
	CONCURRENCY
	UTILITY CONNECTION
	RIGHT-OF-WAY
	LAND DEVELOPMENT

ST. JOHN'S RIVER WATER MANAGEMENT DISTRICT

INDIAN RIVER FARMS WATER CONTROL DISTRICT

FDEP

WATER / WASTEWATER
NOT TO USE GENERIC PERMIT FOR STORMWATER DISCHARGE FROM CONSTRUCTION ACTIVITIES



ADJACENT LOT (EAST)
ZONING - AGRICULTURAL (A-1)
FUTURE LAND USE - M-1

ADJACENT LOT (SOUTH)
ZONING - AGRICULTURAL (A-1)
FUTURE LAND USE - M-1

Kimley»Horn

2019 KIMLEY-HORN AND ASSOCIATES, INC.
445 24TH STREET, SUITE 200, VERO BEACH, FL 32960
PHONE: 772-794-4100
WWW.KIMLEY-HORN.COM CA 00000696

LICENSED PROFESSIONAL
KHA PROJECT 147088006
DATE 05/16/19
SCALE AS SHOWN
DESIGNED BY TW
DRAWN BY RS
CHECKED BY JGV

OVERALL SITE PLAN

INDIAN RIVER
SERVICE CENTER

SHEET NUMBER
C-300

INDIAN RIVER COUNTY FLORIDA

REVISIONS

DATE BY