



**DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019**

October 17, 2019

REPLY TO
ATTENTION OF

Regulatory Division
North Permits Branch
Jacksonville Permits Section

Permit Application Number SAJ-2019-03100 (SP-TMM)

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 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) as described below:

APPLICANT: The City of Jacksonville
Attn: Mr. Robert Scott
214 North Hogan Street, Room 439
Jacksonville, Florida 32202

WATERWAY AND LOCATION: The project would affect non-vegetated navigable waters of the United States associated with the St. Johns River. The project site is located in the Riverside neighborhood of Jacksonville in the City of Jacksonville Post Street right-of-way, where Post Street terminates at the St. Johns River. The City of Jacksonville Post Street right-of-way is located between the Cummer Museum of Art and Gardens and the Garden Club of Jacksonville, in Section 56, Township 2 South, Range 26 East, Jacksonville, Duval County, Florida.

APPROXIMATE CENTRAL COORDINATES: Latitude 30.313842°, Longitude -81.676253°

PROJECT PURPOSE:

Basic: The basic project purpose is access to navigable waters.

Overall: The overall project purpose is the augmentation of public access and use of navigable waters from the City of Jacksonville Post Street right-of-way.

EXISTING CONDITIONS: The City of Jacksonville Post Street right-of-way encompasses an elongated U-shaped parking area. A maintained/mowed section of grass is located between the terminus of the parking area and the bulkhead along the river. The St. Johns River, at this location, is a deep, open-water system that does not

support emergent nor submerged vegetation.

PROPOSED WORK: The applicant seeks authorization to construct a pile-supported structure. The structure includes an Americans with Disabilities Act (ADA) accessible gangway with a fixed platform and a floating dock. The floating dock incorporates five boat slips. One boat slip would accommodate a water taxi operating in the St. Johns River in/near downtown Jacksonville. Four slips would accommodate transient boats for short-term public use. The structure would provide access to waters of the St. Johns River for boating and viewing.

The fixed platform structure includes a 42-foot by 4-foot aluminum gangway, an 8-foot by 8-foot fixed platform, a 36-foot by 4-foot aluminum gangway, and a 94-foot by 10-foot concrete floating dock. The floating dock would terminate into a 42-foot by 8-foot concrete floating finger pier to accommodate a water taxi slip and a separate boat slip; and two 32-foot by 8-foot floating finger piers to accommodate three additional slips. The three public mooring slips would be limited to day-use only (no overnight or long-term mooring).

The pilings associated with the proposed fixed platform would consist of 4 24-inch square pilings made of concrete and installed by impact hammer. The pilings associated with the proposed floating dock system consist of 12 24-inch-square pilings that will be made of either concrete or steel. If the pilings are steel, the applicant would use vibratory installation methods. If the pilings are concrete, the applicant would install the pilings using an impact hammer.

AVOIDANCE AND MINIMIZATION INFORMATION: The applicant indicates that the work is the minimum necessary to accommodate a station for a water taxi that operates within the St. Johns River in downtown and expected temporary mooring of vessels.

COMPENSATORY MITIGATION: The applicant noted that the work proposed would not affect wetland resources nor result in the loss of aquatic functions or services. Therefore, the applicant expressed an opinion that compensatory mitigation is not warranted.

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:

Manatee (*Trichechus manatus*): Manatee frequent waters of the St. Johns River. Therefore, this species may be present at the project site. In consideration of this information, the Corps reviewed the project utilizing *The Corps of Engineers, Jacksonville District, and the State of Florida Effect Determination Key for the Manatee*

in Florida, April 2013. Use of this key resulted in the sequence A-B-may affect, as the project would accommodate docking for a repeat-use vessel (the water taxi). In consideration of that determination, the Corps will initiate formal consultation with the U.S. Fish and Wildlife Service (FWS) in accordance with Section 7 of the Endangered Species Act through separate correspondence.

Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) and/or shortnose sturgeon (*Acipenser brevirostrum*): These species frequent waters of the St. Johns River. Therefore, these species may be present at the project site. The Corps evaluated the proposed work utilizing the *National Marine Fisheries Service (NMFS) Jacksonville District's Programmatic Biological Opinion (JAXBO) dated 20 November 2017*. The JAXBO analyzes the effects from 10 categories of minor in-water activities occurring in Florida and the U.S. Caribbean on sea turtles (loggerhead, leatherback, Kemp's ridley, hawksbill, and green), smalltooth sawfish, Nassau grouper, scalloped hammerhead shark, Johnson's seagrass, sturgeon (Gulf, shortnose, and Atlantic), corals (elkhorn, staghorn, boulder star, mountainous star, lobed star, rough cactus, and pillar), whales (North Atlantic right whale, sei, blue, fin, and sperm), and designated critical habitat for Johnson's seagrass, smalltooth sawfish, sturgeon (Gulf and Atlantic), sea turtles (green, hawksbill, leatherback, loggerhead), North Atlantic right whale, and elkhorn and staghorn corals in accordance with Section 7 of the ESA. Based on past permitting practices of the Corps and review of consultations with similar in-water construction activities, Project Design Criteria (PDCs) were identified in the JAXBO that typically have been applied to permitted in-water construction activities. These PDCs ensure effects of in-water construction activities are minimal in nature and do not result in adverse effects to listed species or to essential features of designated critical habitat. For this verification, the Corps conducted a project specific review to ensure that all of the PDCs were met. In consideration of the JAXBO, the Corps concludes that the project may affect but is not likely to adversely affect sturgeon (either species). In accordance with the project-specific review process established in the JAXBO, a PDC checklist, certification that the activity meets the applicable PDCs, and supporting documentation for the proposed activity will be provided to the NMFS. In consideration of that action, the Jacksonville District will satisfy the project-specific review requirements stipulated in the JAXBO and satisfy its obligation under the ESA.

Wood Stork (*Mycteria americana*): The project site is within the core foraging area of the Jacksonville Zoo Wood Stork colony. Therefore, this species may be present at the project site. However, the work proposed would not affect suitable foraging habitat. 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. Therefore, the Corps concludes that the project would have no effect on this species.

Red Cockaded Woodpecker (*Picoides borealis*): The project site is within the consultation area identified by the FWS and the Corps for this species. Therefore, this

species may be present at the project site. Habitat for this species typically incorporates mature pine woodlands; 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. It is likely that this species only opportunistically forages at the site, which the project 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):

Shrimp: The RAR report indicates that the project site is within an area identified as a “coastal inlet”; and, the NMFS has indicated that coastal inlet areas support EFH for shrimp (*Farfantepenaeus spp.*, *Penaeus sp.*, and/or *Litopenaeus spp.*). Areas that meet the criteria for essential fish habitat-habitat areas of particular concern (EFH-HAPCs) for penaeid shrimp include all coastal inlets, all state-designated nursery habitats of particular importance to shrimp, and state-identified overwintering areas. The NMFS has identified waters of the St. Johns River as EFH-HAPC for shrimp.

Snapper/Grouper: The NMFS also has indicated that coastal inlet areas support snapper (*Lutjanus spp.*) and grouper (*Mycteroperca spp.* and/or *Epinephelus spp.*). Areas that meet the criteria for EFH-HAPCs for species in the snapper-grouper management unit include medium to high profile offshore hard bottoms where spawning normally occurs; localities of known or likely periodic spawning aggregations; nearshore hard bottom areas; mangrove habitat; seagrass habitat; oyster/shell habitat; all coastal inlets; all state-designated nursery habitats of particular importance to snapper grouper; and Council-designated Artificial Reef Special Management Zones. The NMFS has identified waters of the St. Johns River as EFH-HAPC for snapper/grouper.

In consideration of the information noted above, this public notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. The work proposed would temporarily disturb 2,084 square feet of open-water, non-vegetated river bed. Shrimp and/or Snapper/Grouper within the area could/would vacate the area (mobility) due to the presence of workers/work. However, these species could/would repopulate/utilize the work area immediately upon the cessation of work activities. In addition, the pilings associated with the proposed structures could/would provide new habitat for marine invertebrates. In consideration of this information, the Corps determined that any affect upon these species would not only be temporary, but negligible. Therefore, the Corps’

initial determination is that the proposed action would not have a substantial 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 Corps has verified the extent of Federal jurisdiction.

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 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, Terri M. Mashour, in writing at the Jacksonville Permits Section, Post Office Box 4970, Jacksonville, Florida 32232; by electronic mail at terri.m.mashour@usace.army.mil; by facsimile transmission at (904) 232-1940; or, by telephone at (904) 570-4512.

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,

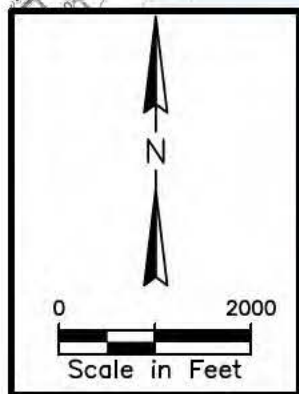
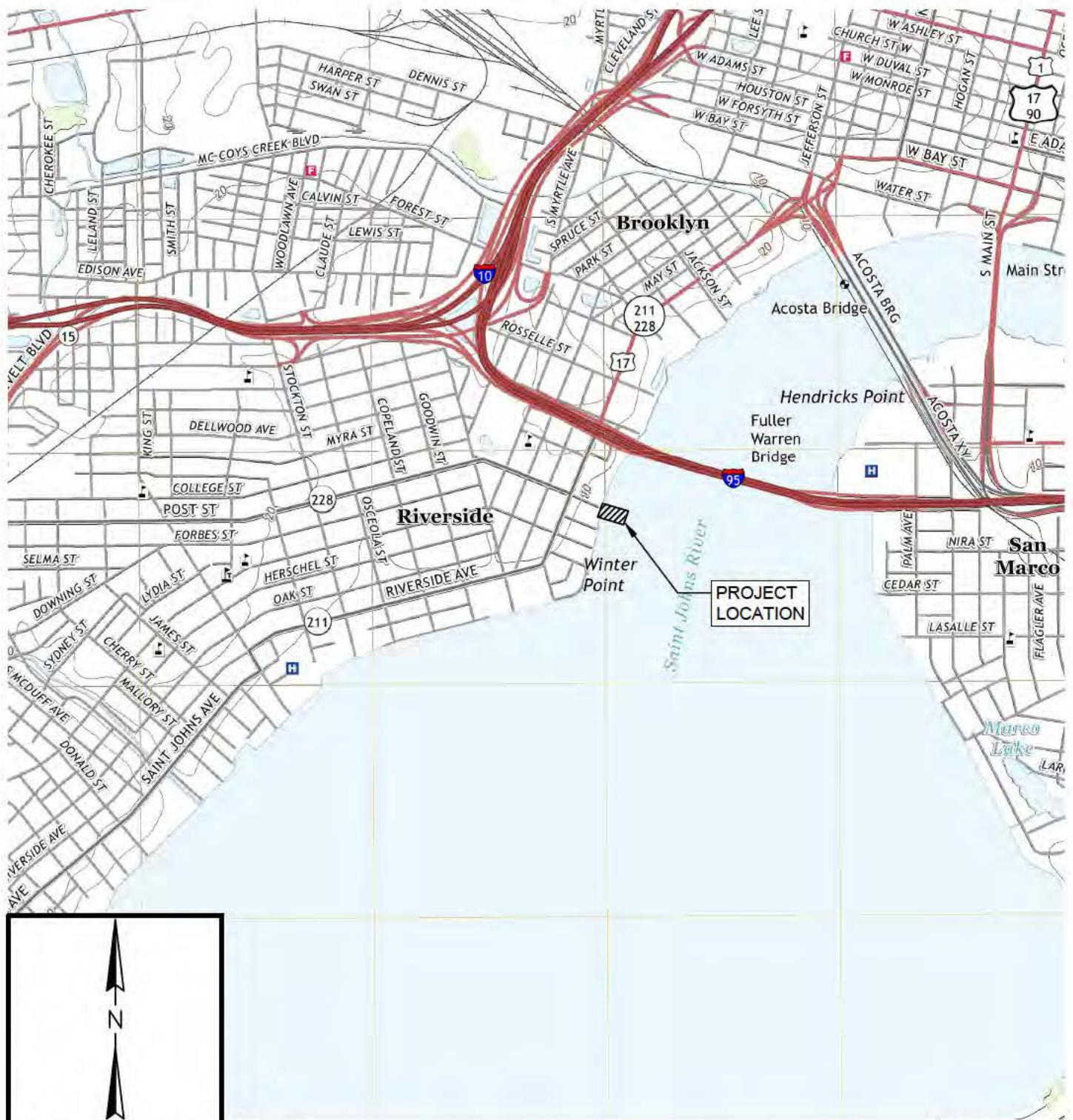
and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 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.

FOR PERMITTING PURPOSES ONLY
NOT FOR CONSTRUCTION



NOTE:
1. BASEMAP SOURCE: USGS 2018 JACKSONVILLE QUADRANGLE TOPO MAP

PROJECT: POST STREET WATER TAXI DOCK
WATERBODY: ST. JOHNS RIVER
COUNTY: Duval
STATE: Florida
LATITUDE: 30 24' 23.46"N
LONGITUDE: 81 24' 39.12"W

PROJECT LOCATION PLAN

Requested by: City of Jacksonville

Project Address: POST STREET

Parcel ID: N/A

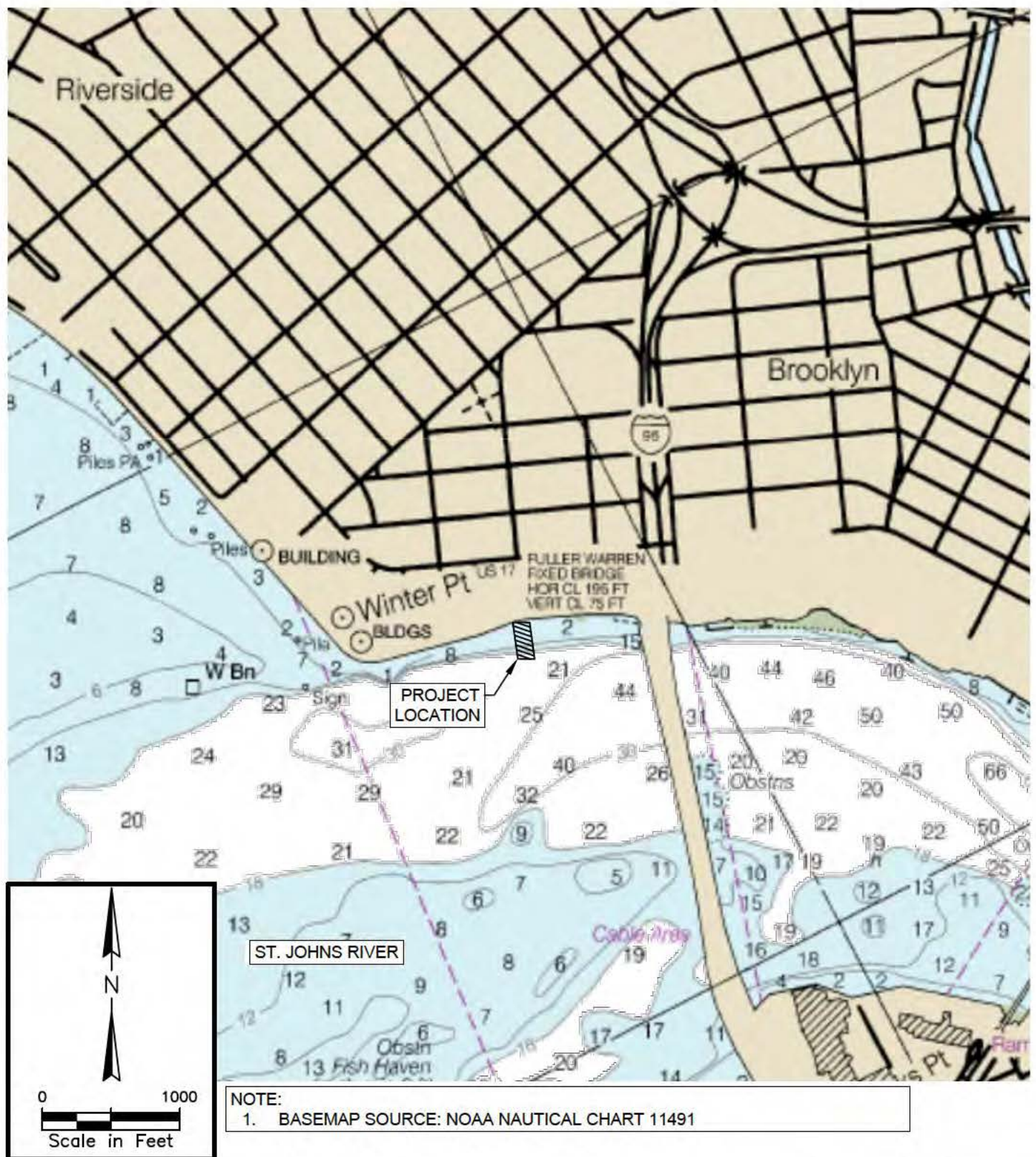
ATM DESIGN
ENGINEERING
CONSULTING

2200 N. PONCE DE LEON BLVD
ST. AUGUSTINE, FL 32084

SUITE 9
COA #4669

SEPTEMBER 27, 2019
SHEET 1

FOR PERMITTING PURPOSES ONLY
NOT FOR CONSTRUCTION



PROJECT: POST STREET WATER TAXI DOCK
WATERBODY: ST. JOHNS RIVER
COUNTY: Duval
STATE: Florida
LATITUDE: 30 24' 23.46"N
LONGITUDE: 81 24' 39.12"W

NAVIGATION PLAN

Requested by: City of Jacksonville

Project Address: POST STREET

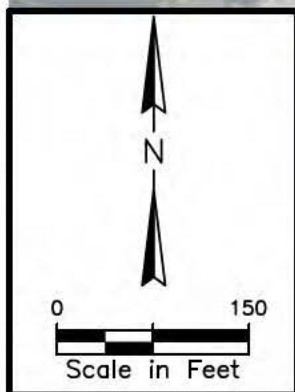
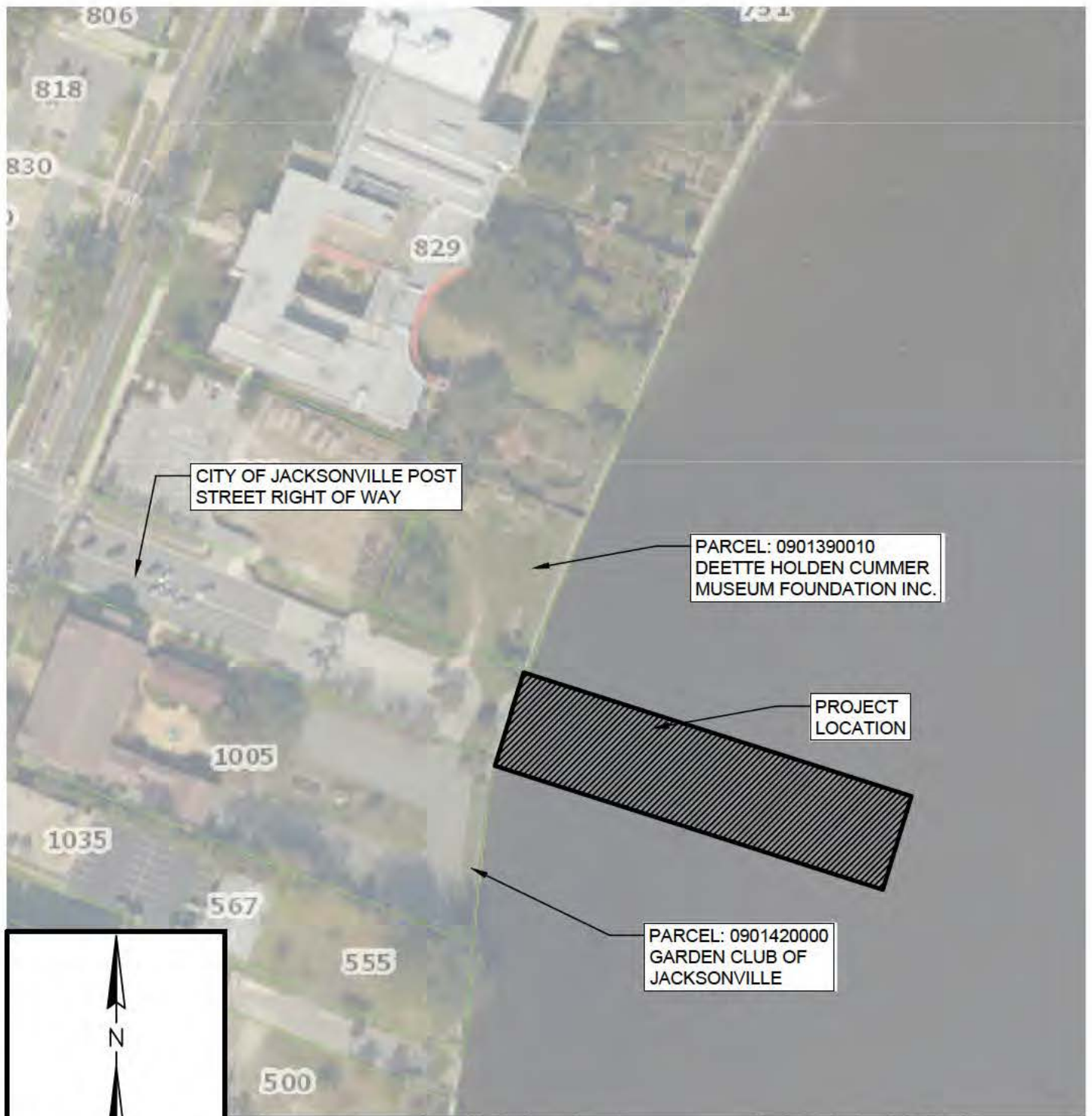
Parcel ID: N/A

ATM DESIGN
ENGINEERING
CONSULTING

2200 N. PONCE DE LEON BLVD
ST. AUGUSTINE, FL 32084
SUITE 9
COA #4669

SEPTEMBER 27, 2019
SHEET 2

FOR PERMITTING PURPOSES ONLY NOT FOR CONSTRUCTION



NOTE:
1. BASEMAP SOURCE: JACKSONVILLE GIS

PROJECT: POST STREET WATER TAXI DOCK
WATERBODY: ST. JOHNS RIVER
COUNTY: Duval
STATE: Florida
LATITUDE: 30 24' 23.46"N
LONGITUDE: 81 24' 39.12"W

PARCEL MAP

Requested by: City of Jacksonville

Project Address: POST STREET

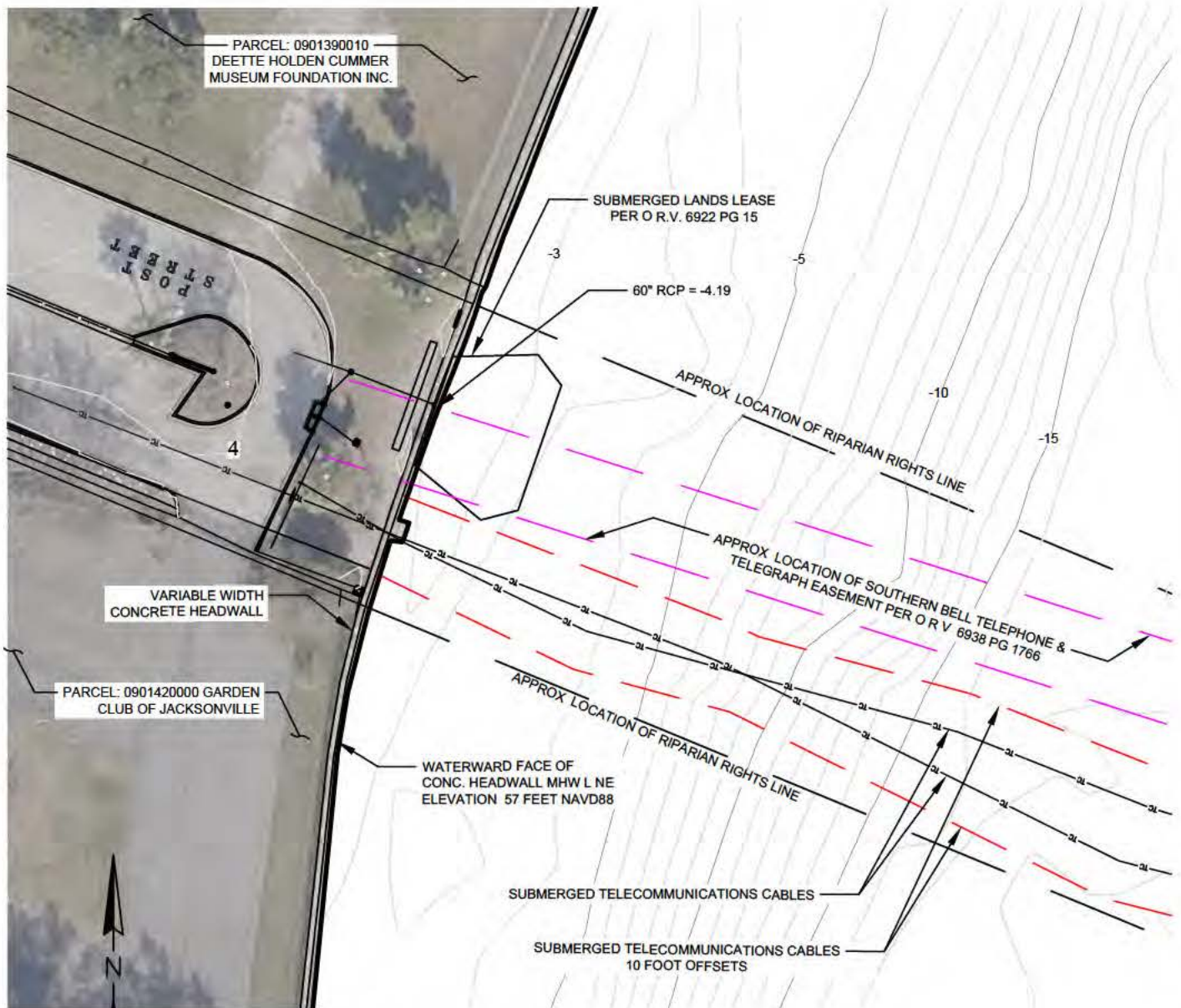
Parcel ID: N/A



2200 N. PONCE DE LEON BLVD
ST. AUGUSTINE, FL 32084
SUITE 9
COA #4669

SEPTEMBER 27, 2019
SHEET 3

FOR PERMITTING PURPOSES ONLY
NOT FOR CONSTRUCTION



NOTE:

1. SURVEY PERFORMED BY ARC SURVEYING AND MAPPING ON 2/26/18
2. VERTICAL DATUM NAVD88
3. HORIZONTAL DATUM IS FLORIDA STATE PLANE EAST ZONE NAD83

PROJECT: POST STREET WATER TAXI DOCK
WATERBODY: ST. JOHNS RIVER
COUNTY: Duval
STATE: Florida
LATITUDE: 30 24' 23.46"N
LONGITUDE: 81 24' 39.12"W

EXISTING SITE PLAN

Requested by: City of Jacksonville

Project Address: POST STREET

Parcel ID: N/A

ATM DESIGN
ENGINEERING
CONSULTING

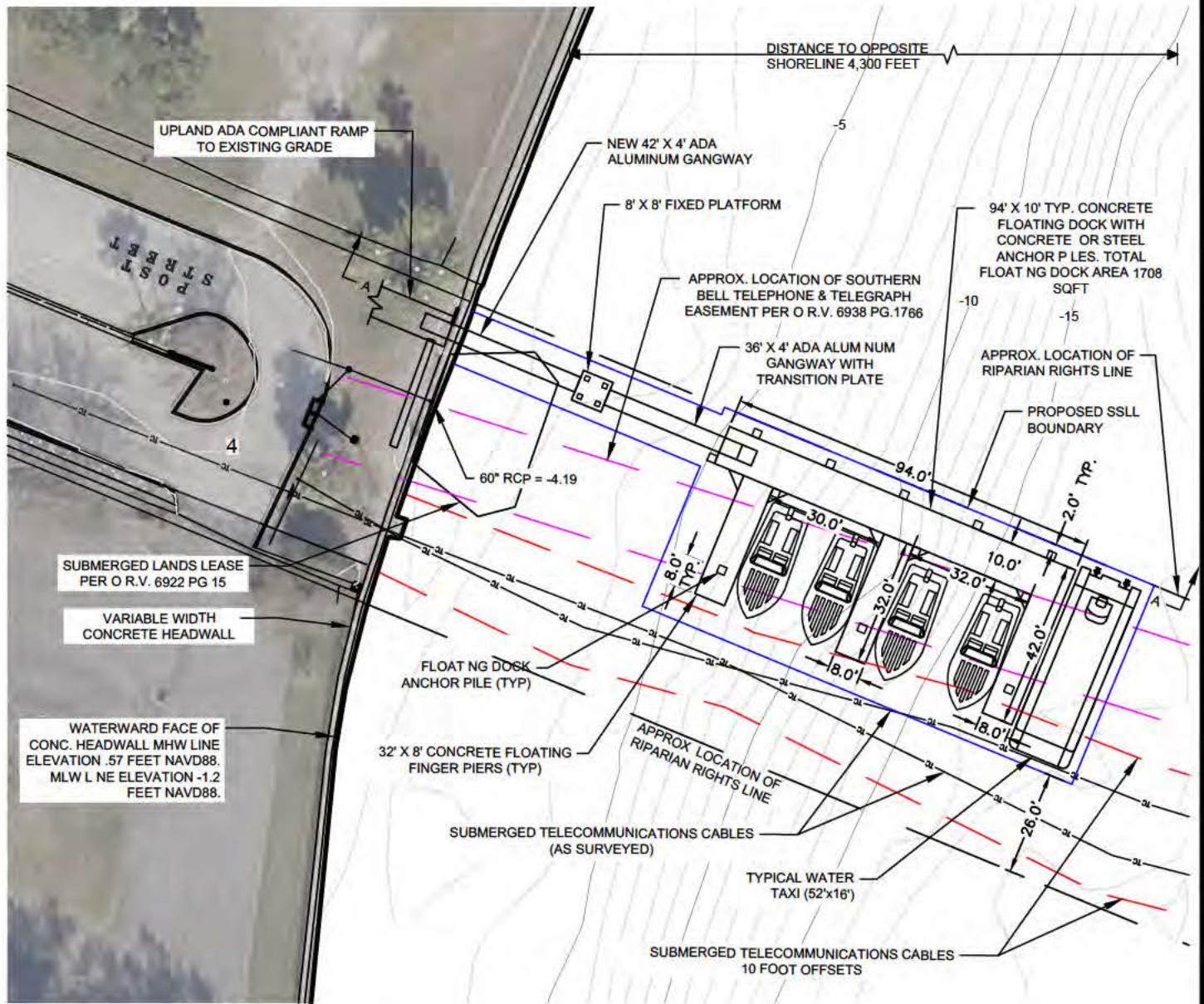
2200 N. PONCE DE LEON BLVD
ST. AUGUSTINE, FL 32084

SUITE 9
COA #4669

SEPTEMBER 27, 2019

SHEET 4

FOR PERMITTING PURPOSES ONLY NOT FOR CONSTRUCTION



NOTE:

1. ALL DIMENSIONS IN FEET.
2. SURVEY PROVIDED BY ARC SURVEYING & MAPPING, INC. SURVEY DATE 2/26/18. SURVEY INCLUDES APPROXIMATE RIPARIAN RIGHTS LINES, AT&T CABLE LOCATIONS, AND STATE SUBMERGED LANDS EASEMENTS (AS REFERENCED HEREON).
3. VERTICAL DATUM NAVD88
4. HORIZONTAL DATUM IS FLORIDA STATE PLANE EAST ZONE NAD83

PROJECT: POST STREET WATER TAXI DOCK
WATERBODY: ST. JOHNS RIVER
COUNTY: Duval
STATE: Florida
LATITUDE: 30 24' 23.46"N
LONGITUDE: 81 24' 39.12"W

PROPOSED SITE PLAN

CITY OF JACKSONVILLE

POST STREET WATER TAXI DOCK

PARCEL ID: N/A

ATM DESIGN
ENGINEERING
CONSULTING

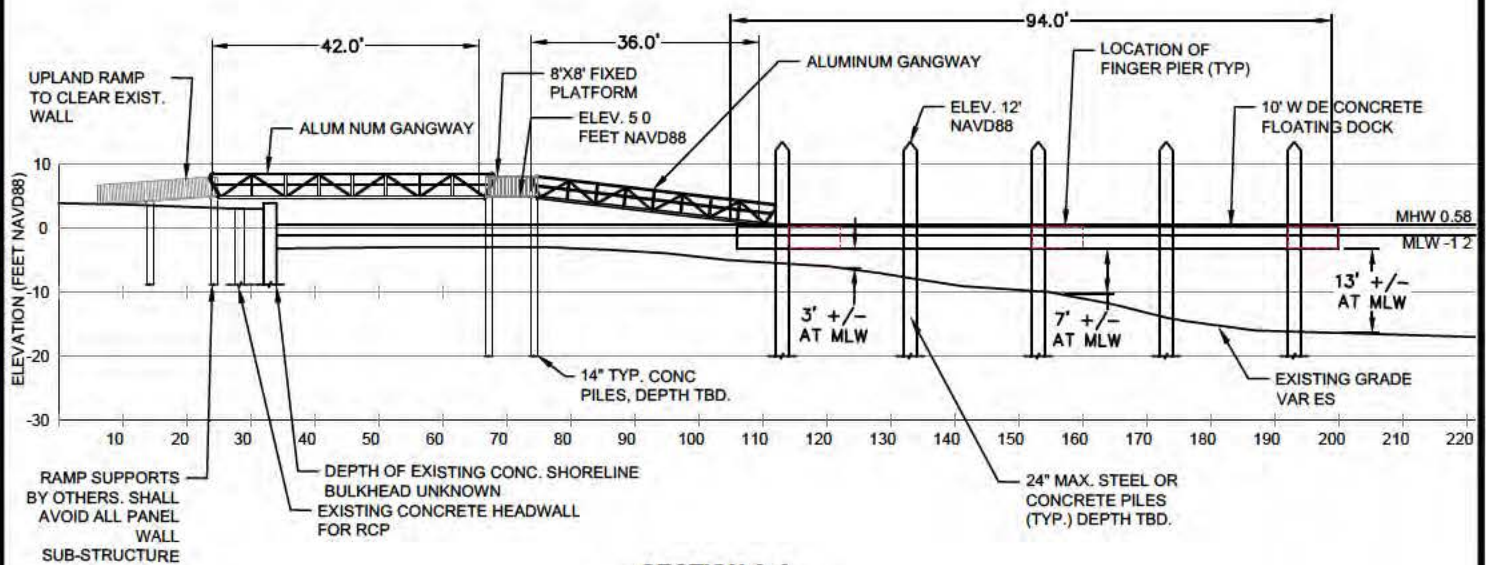
2200 N. PONCE DE LEON BLVD
ST. AUGUSTINE, FL 32084

COA #4669
SUITE 9

SEPTEMBER 27, 2019

SHEET 5

FOR PERMITTING PURPOSES ONLY NOT FOR CONSTRUCTION



SECTION A-A
1"=30'

NOTE:

1. DOCK SECTION SHOWN IS SCHEMATIC. SUPPLIER SHALL BE RESPONSIBLE FOR FINAL DESIGN TO COMPLY WITH PERFORMANCE SPECIFICATIONS.
2. FREEBOARD AND DRAFT OF FLOATING DOCK SYSTEM TYPICALLY 18".
3. 24" PILES ARE SHOWN IN THESE PLANS AND MAY BE STEEL OR CONCRETE. FINAL PILE DESIGN, LOCATIONS, AND EMBEDMENT TO BE DETERMINED BY CONTRACTOR
4. NO KNOWN SUBMERGED ENVIRONMENTAL OR HISTORIC RESOURCES ARE WITHIN THE FOOTPRINT OF THE PROJECT.

PROJECT: POST STREET WATER TAXI DOCK
WATERBODY: ST. JOHNS RIVER
COUNTY: Duval
STATE: Florida
LATITUDE: 30 24' 23.46"N
LONGITUDE: 81 24' 39.12"W

PROPOSED SECTION

Requested by: City of Jacksonville

Project Address: POST STREET

Parcel ID: N/A

ATM DESIGN
ENGINEERING
CONSULTING

2200 N. PONCE DE LEON BLVD
ST. AUGUSTINE, FL 32084

COA #4669
SUITE 9

SEPTEMBER 27, 2019

SHEET 6