



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
701 SAN MARCO BOULEVARD
JACKSONVILLE, FLORIDA 32207-8915

January 2, 2020

CESAJ-RD-WT
Regulatory Division
West Branch
Tampa Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2019-03481 (SP-RGH)

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

APPLICANT: James R. Schier
Moccasin Wallow Associates, LLC
5800 Lakewood Ranch Blvd. N
Sarasota, Florida 34219
jschier@nealcommunities.com

WATERWAY AND LOCATION: The project would affect waters of the United States associated with Buffalo Canal. The project site is located at 11855 Moccasin Wallow Road, in Section 19 & 20, Township 33 South, Range 19 East, Parrish, Manatee County, Florida.

Directions to the site are as follows: From I-75 South. Take exit 229 from I-75 S Sharp left onto 97th St. E /Moccasin Wallow Rd (signs for US-301). Destination is on the left.

APPROXIMATE CENTRAL COORDINATES: Latitude 27.590881°
Longitude -82.434885°

PROJECT PURPOSE:

Basic: Residential Development

Overall: Residential Development with associated infrastructure and storm water management system in Manatee County.

EXISTING CONDITIONS: The onsite wetlands have largely been drained through a series of agricultural ditches, however there are several drainages that connect to off-site wetlands, including a large man-made drainage canal (Buffalo Canal). The onsite vegetation consists of mostly citrus trees and row crops. A small portion of the property contains some hardwoods. The existing area surrounding the project area consists of

agricultural properties, residential homes, and newly created large residential subdivisions.

PROPOSED WORK: The applicant seeks authorization to develop the 127.28-acre project site as a residential subdivision extension with associated infrastructure and a storm water management system.

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:

Development of the project proposes no wetland impacts. Impacts necessary to develop the property in an economically feasible manner are limited to the permanent loss of 1.37 acres of agricultural ditches considered Waters of the U.S (WOUS). Other designs considered that would have avoided WOUS impacts create access issues and potentially left otherwise developable uplands inaccessible. Consequently, this site has been designed with attention to environmental sensitivity, aesthetics and functionality.

COMPENSATORY MITIGATION – The applicant has provided the following explanation why compensatory mitigation should not be required:

Development of the project proposes no wetland impacts. Impacts have been constrained to 1.37 acres of agricultural ditches. No compensatory mitigation has been offered.

CULTURAL RESOURCES:

The Corps is aware of historic property/properties within or in close proximity of the permit area. The Corps will initiate consultation with the State Historic Preservation Office and those federally recognized tribes with concerns in Florida and the Permit Area, and the Advisory Council on Historic Preservation as applicable pursuant to 33 CFR 325, Appendix C and Section 106 of the National Historic Preservation Act, by separate letter.

ENDANGERED SPECIES:

The Corps has determined the proposed project may affect, but is not likely to adversely affect the Wood stork (*Mycteria americana*) and Eastern indigo snake (*Drymarchon corais couperi*). Potential impacts to the wood stork were evaluated using the Effect Determination Key for the Wood Stork in Central and North Peninsular Florida, dated September 2008 (Key). The Corps has programmatic concurrence with the sequential determination of A > B > C > MANLAA pursuant to the Key. Potential impacts to the eastern indigo snake were evaluated using the Eastern Indigo Snake Key (Key) dated 25 January 2010 and updated 13 August 2013. The Corps has programmatic concurrence with the sequential determination of A > B > C > MANLAA pursuant to the Key. This determination is based on the applicant implementing the Standard Protection

Measures for the Eastern Indigo Snake. The Corps will request U.S. Fish and Wildlife concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

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 not 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 33610-8302 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, Ryan Hendren, in writing at the Tampa Permits Section, 10117 Princess Palm Avenue, Suite 120, Tampa, Florida 33610-8302; by electronic mail at Ryan.G.Hendren@usace.army.mil or, by telephone at 813-769-7075.

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.

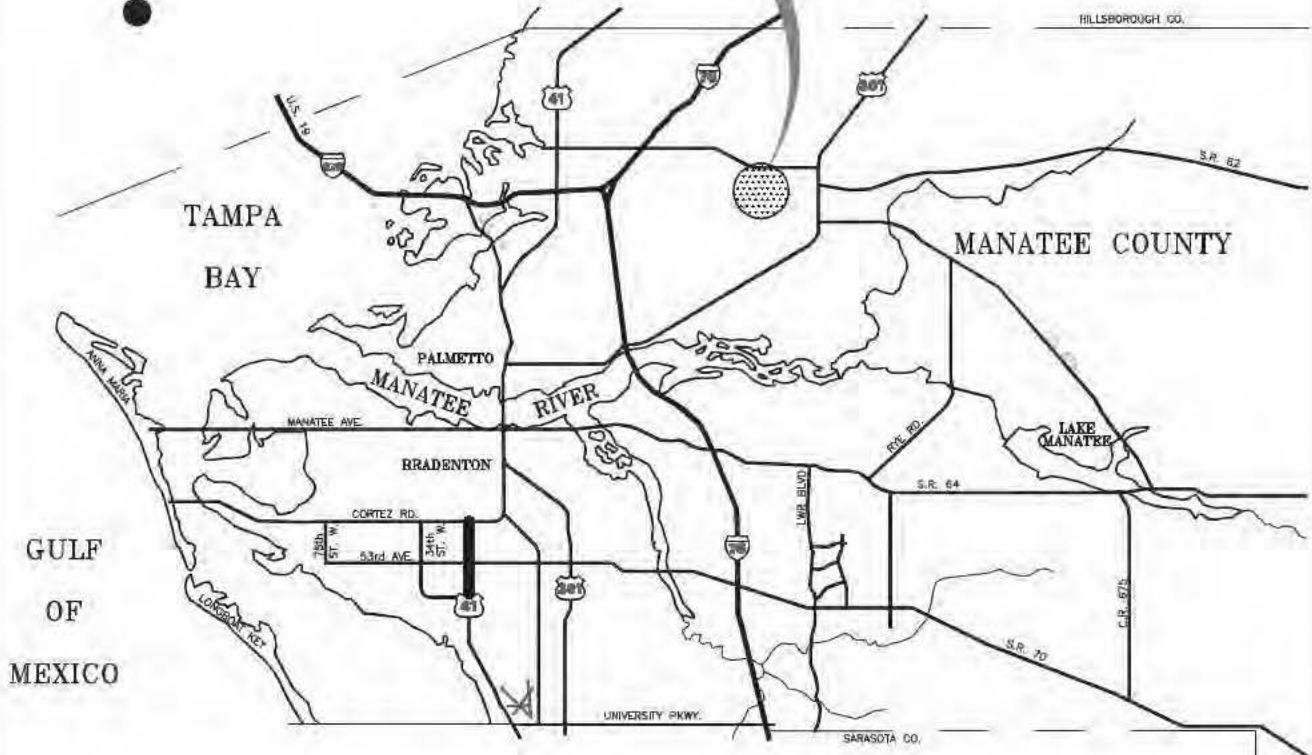
The US Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to 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.

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.

SCALE: 1" = 5 MI. ±

PROJECT LOCATION



INDEX OF SHEETS

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3	MASTER SITE PLAN
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9-11	CROSS SECTIONS & TABULATION OF IMPACTS

COVER SHEET & LOCATION MAP

PROJECT: MORGAN'S GLEN

CLIENT: MOCCASIN WALLOW ASSOCIATES, LLC



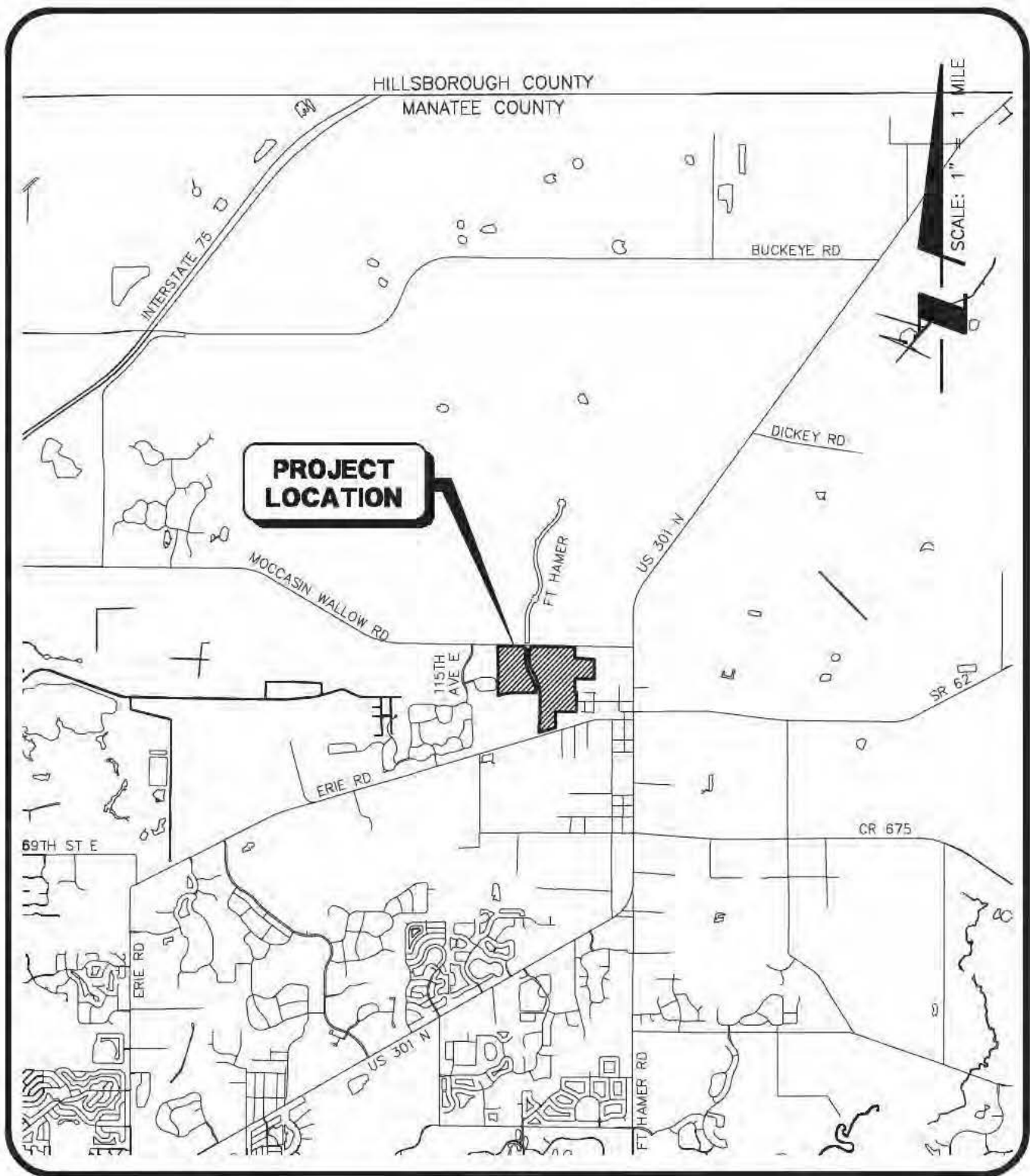
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ROBERT A. ENGEL, P.E.
FLORIDA LICENSE NO. 58602

SCALE: 1" = 5' MILES	DATE: JULY 2019
SEC: 20 TWP: 33S RGE: 19E	REV NO:
PROJECT NO. 215614811	INDEX NO: 215614811-04C-001
DRWN BY/EMP NO. RPC/116490	SHEET NO: 1 OF 11



OVERALL SITE MAP

PROJECT: MORGAN'S GLEN

CLIENT: MOCCASIN WALLOW ASSOCIATES, LLC



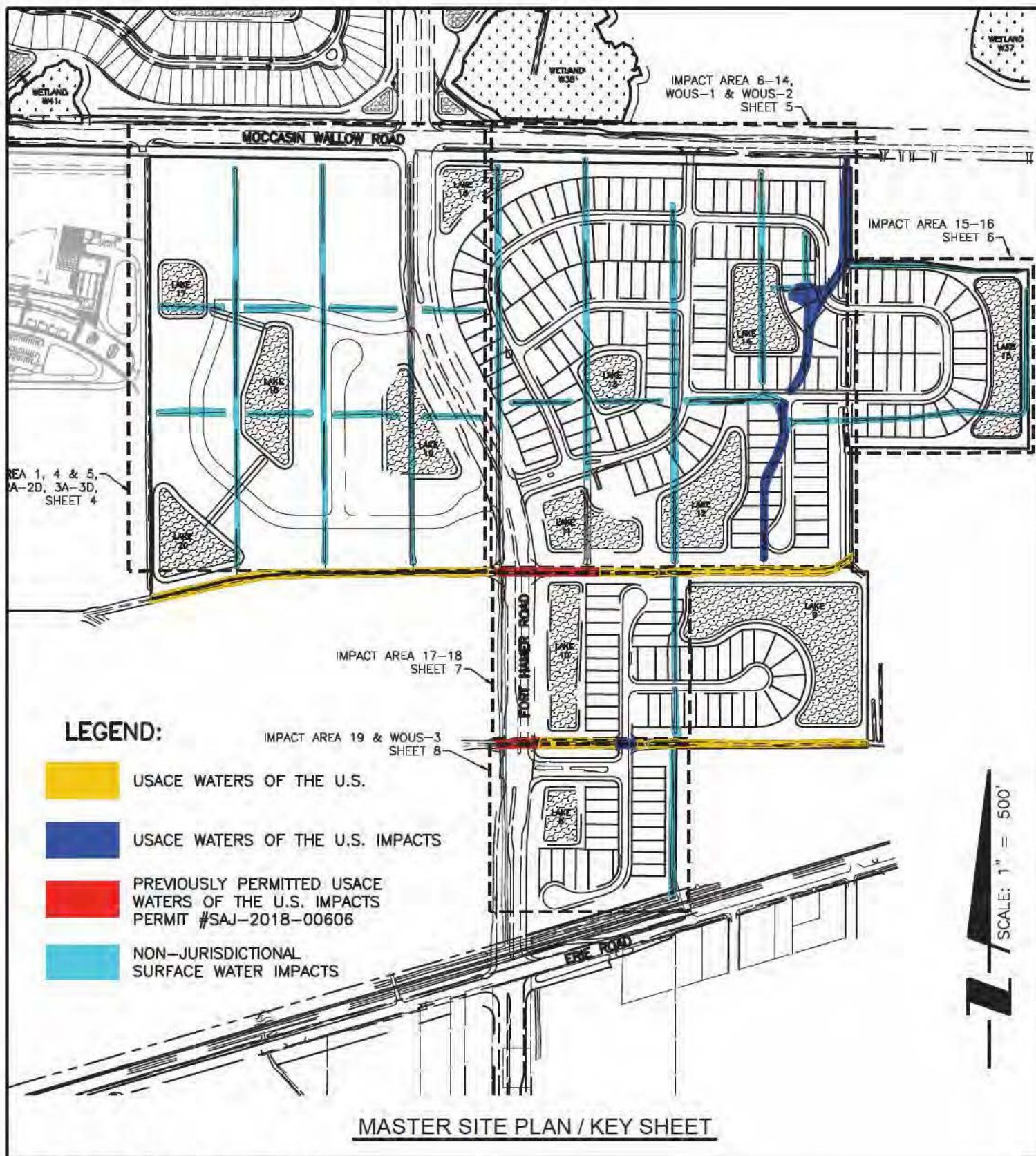
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SCALE:	1" = 3000'	DATE:	JULY 2019
SEC:	20	TWP:	33S
		RGE:	19E
PROJECT NO.	215614811	INDEX NO:	215614811-04C-002
DRWN BY/EMP NO.	RPC/116490	SHEET NO:	2 OF 11



PROJECT: MORGAN'S GLEN

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SCALE: 1" = 500'	DATE: JULY 2019
SEC: 20 TWP: 33S RGE: 19E	REV NO:
PROJECT NO. 215614811	INDEX NO: 215614811-04C-003
DRWN BY/EMP NO. RPC/116490	SHEET NO: 3 OF 11



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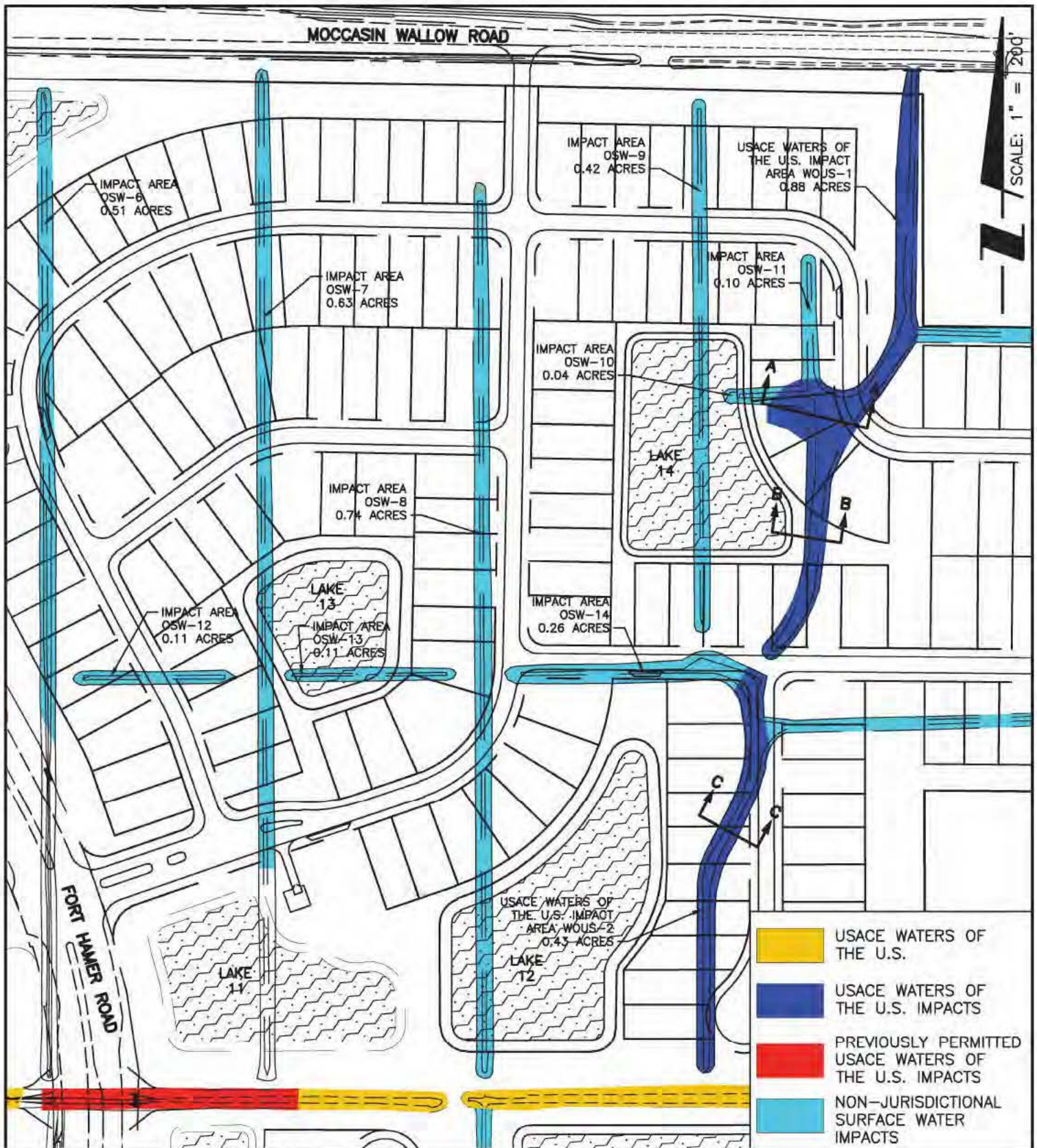
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SCALE: 1" = 200'	DATE: JULY 2019
SEC: 20 TWP: 33S RGE: 19E	REV NO:
PROJECT NO: 215614811	INDEX NO: 215614811-04C-004
DRWN BY/EMP NO: RPC/116490	SHEET NO: 4 OF 11

MOCCASIN WALLOW ROAD

SCALE: 1" = 200'



PROJECT: MORGAN'S GLEN

CLIENT: MOCCASIN WALLOW ASSOCIATES, LLC



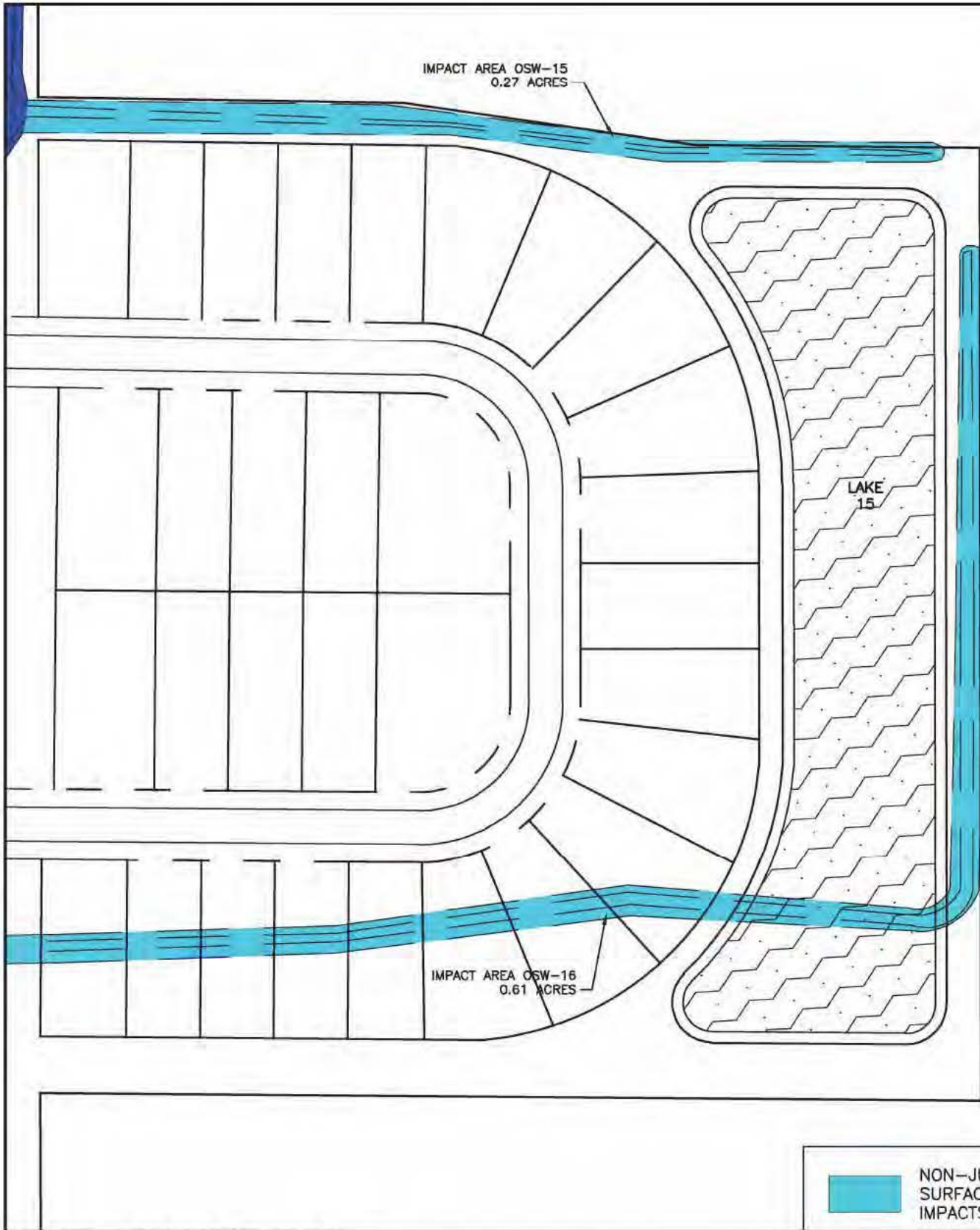
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		RGE:	19E
PROJECT NO:	215614811	INDEX NO:	215614811-04C-004
DRWN BY/EMP NO:	RPC/116490	SHEET NO:	5 OF 11



SCALE: 1" = 100'

PROJECT: MORGAN'S GLEN

CLIENT: MOCCASIN WALLOW ASSOCIATES, LLC



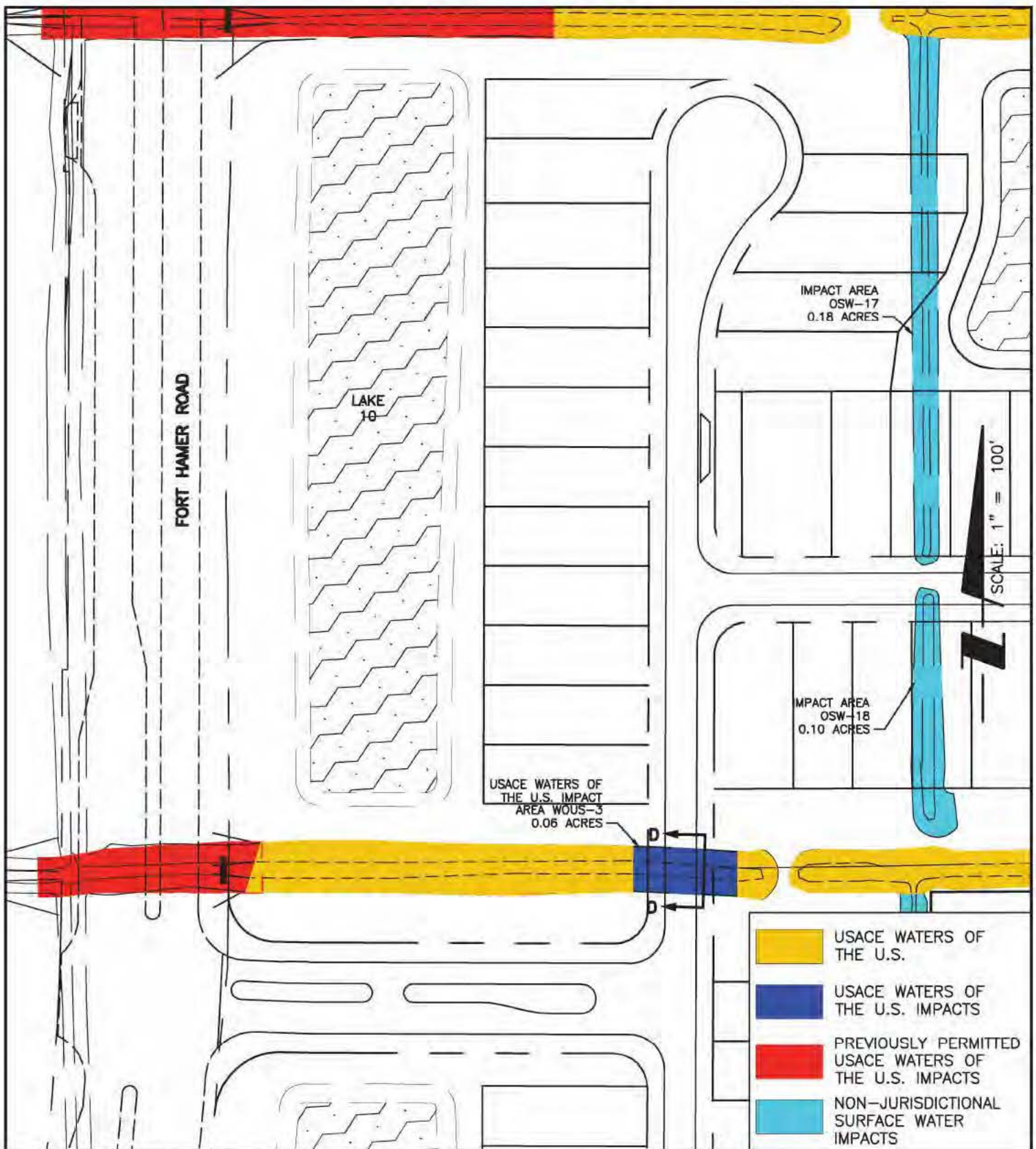
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SEC: 20 TWP: 33S RGE: 19E	REV NO:
PROJECT NO. 215614811	INDEX NO: 215614811-04C-004
DRWN BY/EMP NO. RPC/116490	SHEET NO: 6 OF 11



PROJECT: MORGAN'S GLEN

CLIENT: MOCCASIN WALLOW ASSOCIATES, LLC



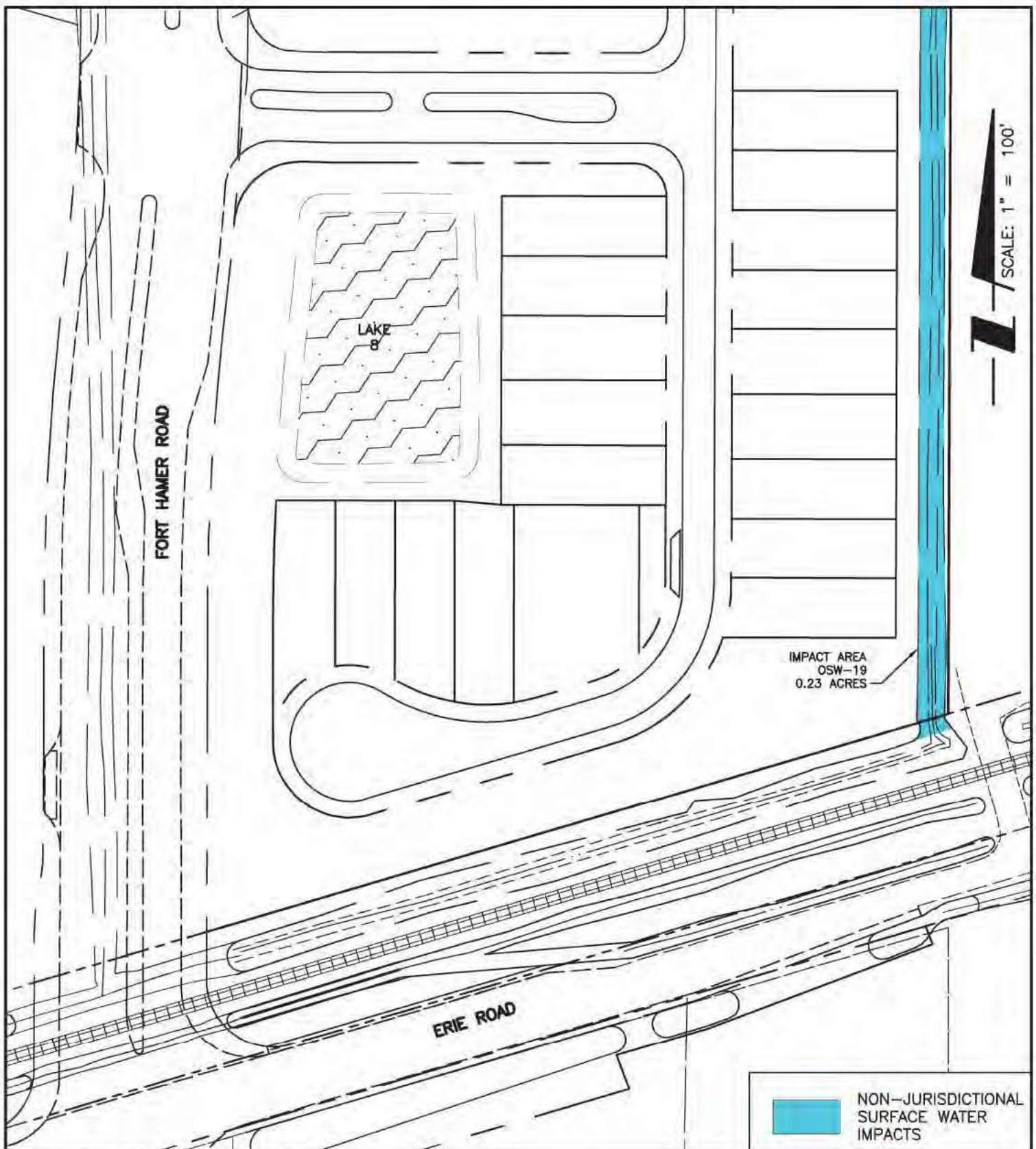
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PROJECT NO.	215614811	INDEX NO.	215614811-04C-004
DRWN BY/EMP NO.	RPC/116490	SHEET NO.	7 OF 11



PROJECT: MORGAN'S GLEN

CLIENT: MOCCASIN WALLOW ASSOCIATES, LLC



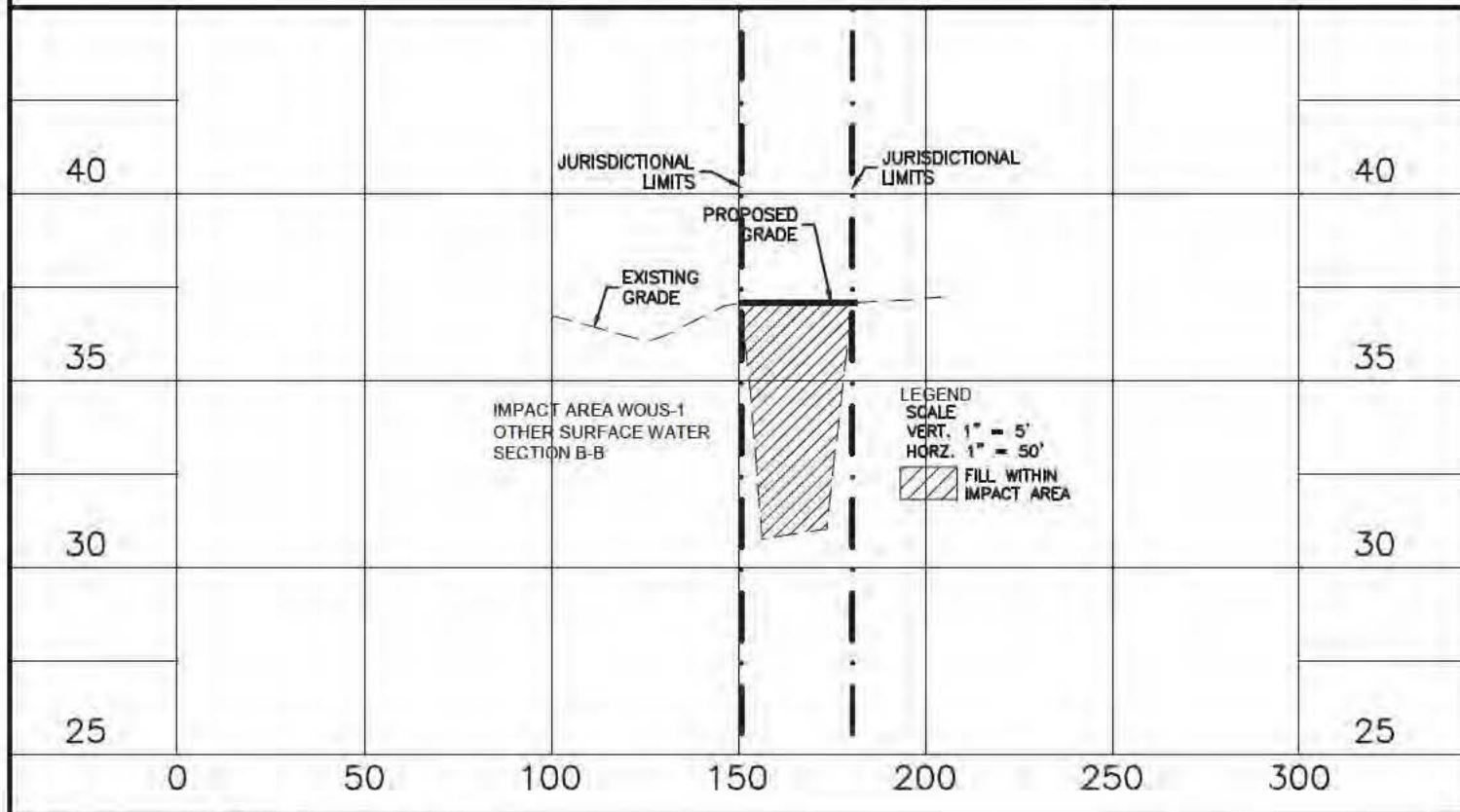
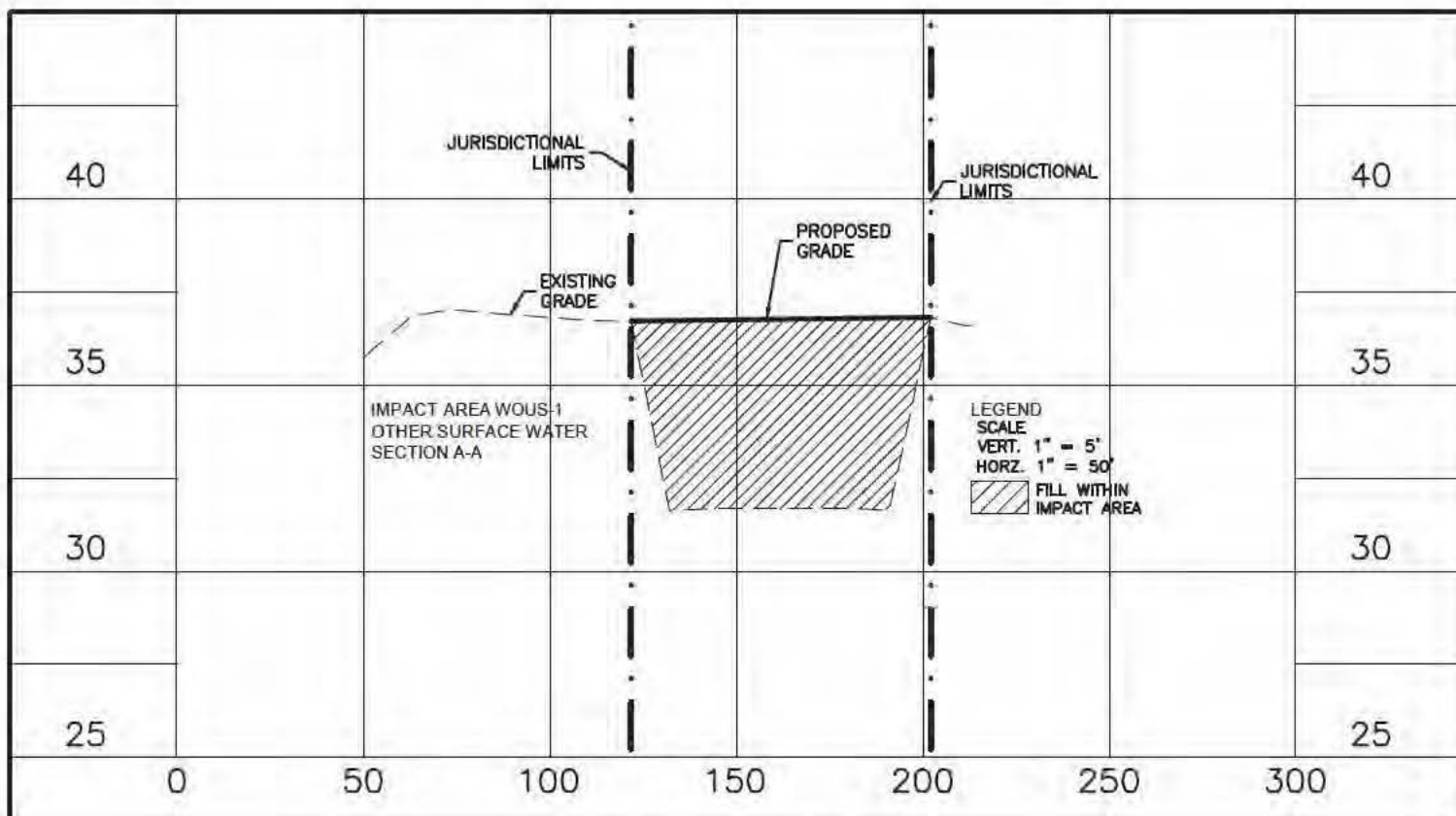
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PROJECT NO:	215614811	INDEX NO:	215614811-04C-004
DRWN BY/EMP NO:	RPC/116490	SHEET NO:	8 OF 11



PROJECT: MORGAN'S GLEN

CLIENT: MOCCASIN WALLOW ASSOCIATES, LLC



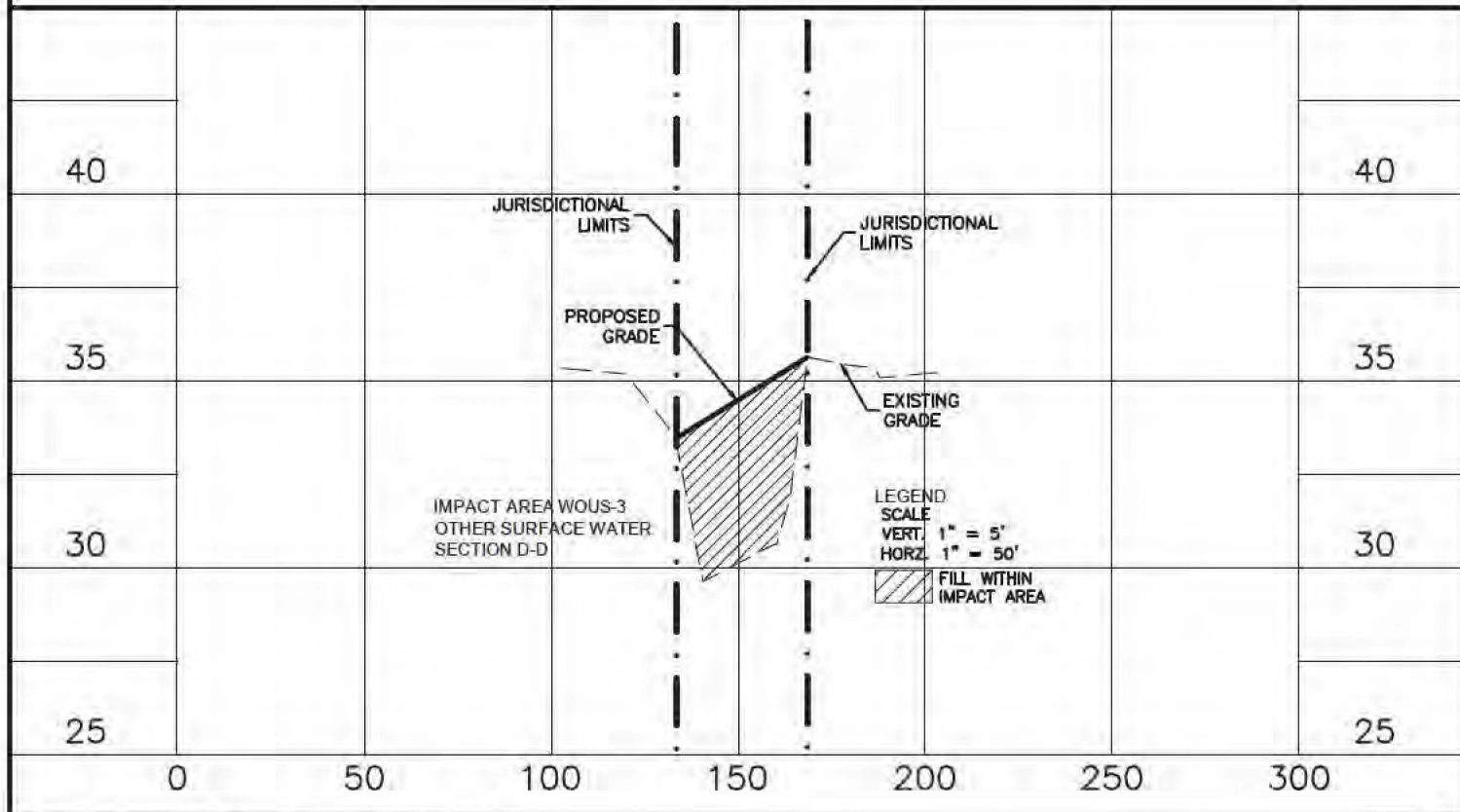
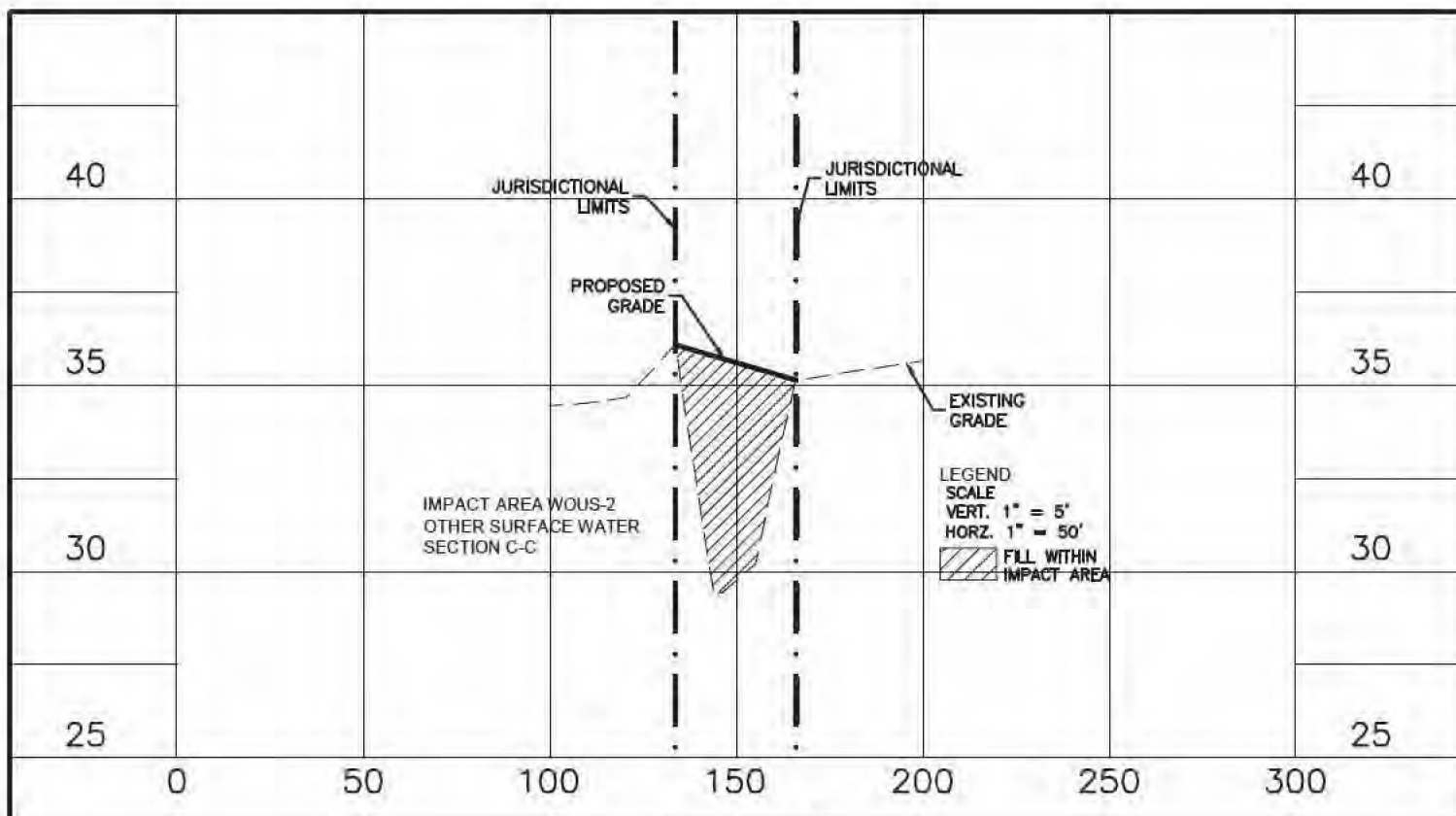
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PROJECT NO:	215614811	INDEX NO:	215614811-04C-005
DRWN BY/EMP NO:	RPC/116490	SHEET NO:	9 OF 11



PROJECT: MORGAN'S GLEN

CLIENT: MOCCASIN WALLOW ASSOCIATES, LLC



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PROJECT NO:	215614811	INDEX NO:	215614811-04C-005
DRWN BY/EMP NO:	RPC/116490	SHEET NO:	10 OF 11

WATERS OF THE U.S. IMPACTS

IMPACT ID.	IMPACT AREA (S.F.)	IMPACT AREAS (ACRES)	FILL VOLUMES (C.Y.)
WOUS-1	38,186	0.88	2,864
WOUS-2	18,762	0.43	2,253
WOUS-3	2,731	0.06	256

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SEC:	TWP:	RGE:	REV NO:
20	33S	19E	
PROJECT NO.	INDEX NO:		
215614811	215614811-04C-006		
DRWN BY/EMP NO.	SHEET NO:		
RPC/116490	11 OF 11		