



REPLY TO  
ATTENTION OF

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

**January 10, 2020**

Regulatory Division  
North Permits Branch  
Jacksonville Permits Section

***PUBLIC NOTICE***

Permit Application Number SAJ-2019-03986 (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) and Section 404 of the Clean Water Act (33 U.S.C. §1344) as described below:

APPLICANT: KB Home Jacksonville, LLC  
Attn: Chris Hill  
10475 Fortune Parkway, Suite 100  
Jacksonville, Florida 32256

WATERWAY AND LOCATION: The project would affect waters of the United States (wetlands) hydrologically connected to Mt. Pleasant Creek, a tidal creek that flows into Chicopit Bay and the St. Johns River. The project site is located east of Girvin Road at 1146 and 1160 Girvin Road and 13120 Sandy Drive, in Section 11, Township 2 South, Range 28 East, Jacksonville, Duval County, Florida.

APPROXIMATE CENTRAL COORDINATES: Latitude 30.344651°  
Longitude -81.463327°

**PROJECT PURPOSE:**

Basic: The basic project purpose is to construct a single family residential development.

Overall: The overall project purpose is to construct a residential subdivision and infrastructure in central Duval County, Florida.

EXISTING CONDITIONS: The 21.32 acre site consists of approximately 19.73 acres of uplands, 0.13 acre of saltwater marshes, 1.44 acres of mixed wetland forest, and 0.02 acre of an upland cut ditch. The project site is located adjacent to the west side of Girvin Road and bordered on the west by salt marsh. The property has three single family homes currently on the site, but is otherwise undeveloped. On-site land use types/vegetative communities were identified utilizing the *Florida Land Use, Cover and Forms Classification System, Level III* (FLUCCS, FDOT, 1999). The on-site land use types/vegetative communities include:

#### Uplands 19.73 Acres Total:

##### Single Family Residential (FLUCFCS 110) 4.41 acres

The southeast corner of the property contains two developed single family houses and adjacent yards with street addresses of 1146 Girvin Road and 1160 Girvin Road. The northern half of the property also contains one developed single family lot with a single family house and adjacent yard with a street address of 13120 Sandy Drive.

##### Pine Flatwoods (FLUCFCS 411) 12.81 acres

Most of the uplands on the property may be characterized as pine flatwoods. The canopy is dominated mostly by slash pine (*Pinus elliottii*) along with lesser amounts of loblolly pine (*P. taeda*) and longleaf pine (*P. palustris*). Some pond pine (*Pinus serotina*) also occurs near the edge of the wetlands. The understory and ground cover vegetation in much of this area is dominated by such species as saw palmetto (*Serenoa repens*), bitter gallberry (*Ilex glabra*), staggerbush (*Lyonia ferruginea*), and bracken fern (*Pteridium aquilinum*). Other areas have a ground cover vegetated with such species as muscadine grape (*Vitis rotundifolia*) and green briar (*Smilax* spp.).

##### Hardwood-Conifer Mixed (FLUCFCS 434) 2.51 acres

Some of the upland adjacent to Girvin Road has a canopy dominated by a mixture of pines and various hardwoods such as live oak (*Quercus virginiana*), laurel oak (*Q. laurifolia*) and water oak (*Q. nigra*). Part of this area has a dense growth of ornamental bamboo.

#### Wetlands and Other Surface Waters 1.59 acres Total:

##### Salt Marsh (FLUCFCS 642) 0.13 acre

The western edge of the property contains salt marsh that forms part of the headwaters of Mount Pleasant Creek. The dominant vegetation in most of the marsh is smooth cordgrass (*Spartina alterniflora*) and saltmeadow cordgrass (*Spartina patens*). The vegetation along the upper edges of the marsh include such species as black needle rush (*Juncus roemarianus*) and saltbush (*Baccharis halimifolia*).

##### Tidal Creek (FLUCFCS 510) offsite

Sections of tidal creek extend through the adjacent salt marsh. At low tide these creeks contain little or no water.

##### Wetland Forested Mixed (FLUCFCS 630) 1.44 acres

The southwestern corner of the property contains an area of forested wetland that borders the salt marsh. The canopy in most of this area includes such species as slash pine, pond pine, red maple (*Acer rubrum*), cabbage palm (*Sabal palmetto*), blackgum (*Nyssa sylvatica* var. *biflora*), and sweetgum (*Liquidambar styraciflua*). The understory and ground cover vegetation is relatively open and includes such species as cinnamon fern (*Osmunda cinnamomea*), netted chain fern (*Woodwardia areolata*), royal fern

(*Osmunda regalis*), and waxmyrtle (*Morella cerifera*). This area has a seasonal high water table at or near the ground surface.

There is a transitional zone between the salt marsh and the forested wetland that has a canopy which includes such species as cabbage palm and southern red cedar (*Juniperus silicicola*).

Drainage Ditch (FLUCFCS 510) 0.02 acre

The northwest corner of the property contains a section of upland-cut, man-made drainage ditch. This ditch appears to have been built to drain the backs of the residential lots along the south side of Sandy Drive. The ditch is normally dry although the bottom is at or near the seasonal high water table.

**PROPOSED WORK:** The applicant seeks authorization to discharge clean fill material over a total of 0.36 acre of waters of the United States for residential development on the 21.32 acre property. Best management practices would be required in project construction.

**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:

Project was designed to avoid wetland impacts as much as possible.

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

The proposed wetland impacts have been evaluated pursuant to the Wetland Rapid Assessment Procedure (WRAP). A copy of the WRAP spread sheet is enclosed. The proposed impacts score at 0.78/acre. The functional loss is calculated to be 0.28 (0.78/acre x 0.36 ac = 0.28). As mitigation for the proposed impacts, the permit applicant will purchase 0.28 WRAP credit from Loblolly Mitigation Bank.

**CULTURAL RESOURCES:** The Corps has not made an effect determination, but the applicant has stated that a Cultural Resource Assessment Study (CRAS) has been completed for this project. A copy of the CRAS report will be forwarded to the Corps. After a review of the CRAS, the Corps will make an effect determination. 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 project area.

**ENDANGERED SPECIES:**

Wood Stork (*Mycteria americana*): The project site is within the 13 mile Woodstork Nesting Colonies Buffer for four Woodstork Nesting Colonies: Pumpkin Hill, Cedar Point Road, Jacksonville Zoo, and Dee Dot Ranch; therefore, this species may be present at the project site. However, work proposed would not directly impact 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  $A > B > \text{no effect}$ . In consideration of the key sequence, additional coordination with the FWS is not required.

Red-Cockaded Woodpecker (*Picoides borealis*): This project is within the red-cockaded woodpecker consultation area; however, the project would not affect suitable habitat for the woodpeckers. According to US Fish and Wildlife Service (USFWS), red-cockaded woodpeckers inhabit open, mature pine woodlands that have a diversity of grass, forb, and shrub species. They generally occupy old growth longleaf pine in north and central Florida that have undergone heart wood rot that make for soft pecking to create their nest cavities. The habitat maintenance depends on prescribed fire for maintaining open, park-like conditions and so wild fires to not kill rare old growth longleaf pine. Due to this project being located in overgrown habitat and the nearest Red-Cockaded Woodpecker activity being almost 6 miles south of the property, red-cockaded woodpeckers are not likely to be found on site; therefore, the Corps has determined there to be no effect on this species.

Eastern Indigo Snake (*Drymarchon corais couperi*): Eastern indigo snake frequents several habitats found on site, including pine flatwoods and hardwood conifer mixed; therefore, the species could be found on site. In consideration of this information, the Corps utilized the *Eastern Indigo Snake Effect Determination Key, August 2013*, to determine potential effects upon this species. Use of this key resulted in the sequence  $A > B > C > D > E > \text{not likely to adversely affect}$ . In consideration of the key sequence, additional coordination with the FWS is not required.

The Corps executed a Resources At Risk (RAR) report on 08 January 2020. 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 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 applicant indicates that the project would not impact the saltmarsh found on the property. The Corps' initial determination is that the proposed action would not have a substantial adverse impact on EFH. Our final determination relative to project impacts is subject to review 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](mailto: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.

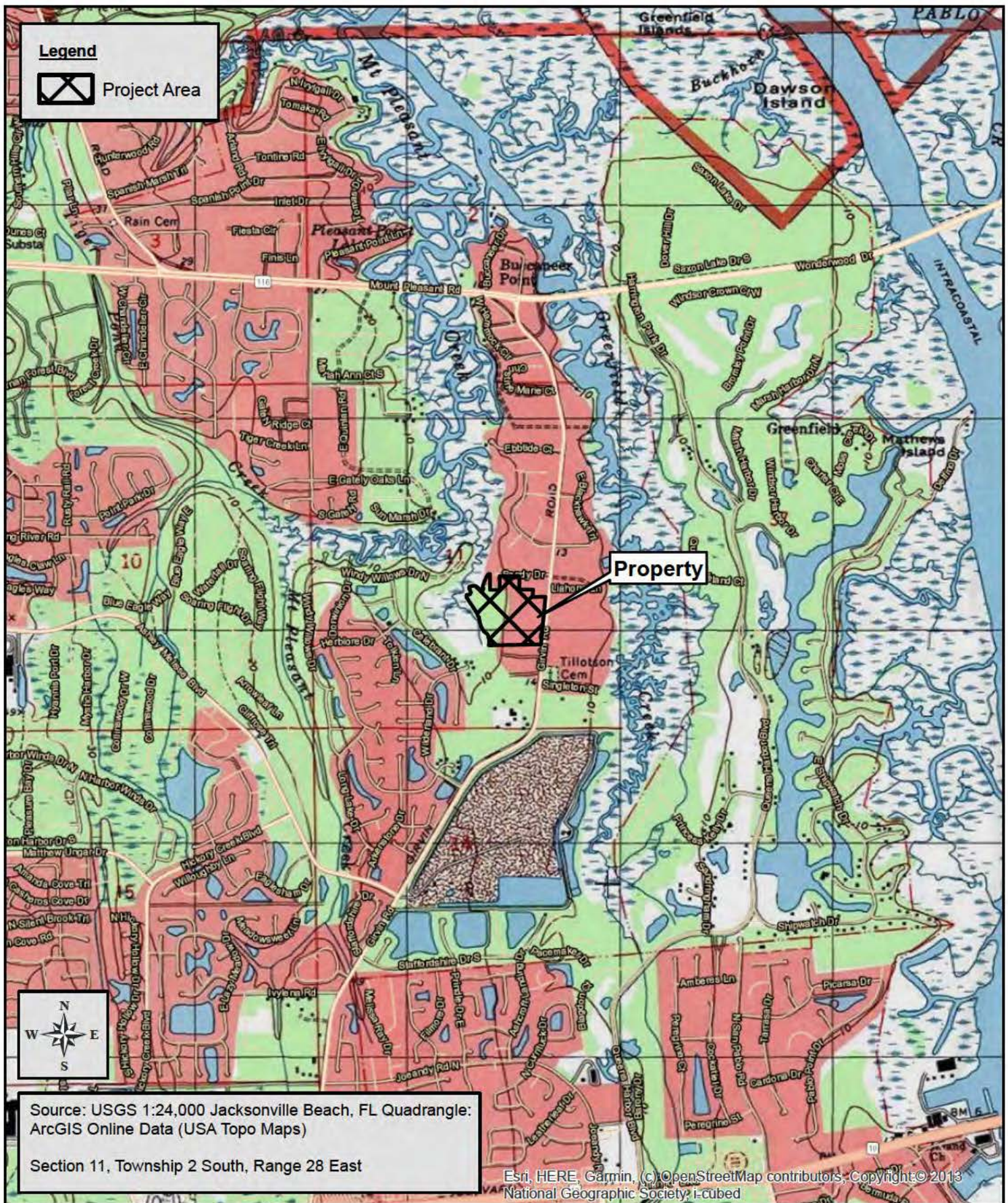
**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits,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





PEACOCK CONSULTING GROUP, LLC



12058 San Jose Boulevard, Suite 604, Jacksonville, Florida 32223  
(904) 268-1766 phone (904) 268-1729 fax

## Girvin Road Property

Duval County, Florida

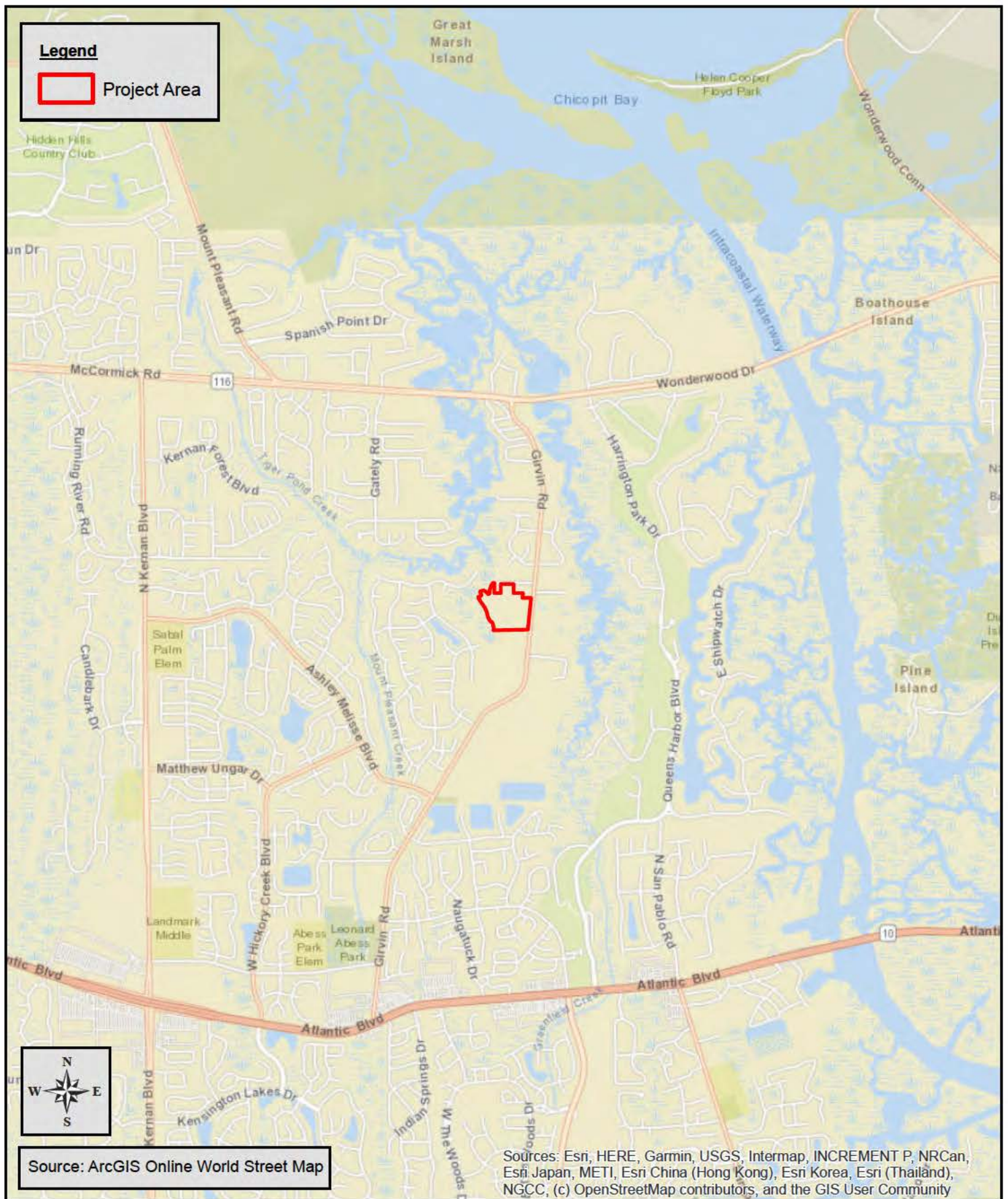
Location/Topographic Map

Figure: 1

Date: 12-7-19

0 2,000'





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Duval County, Florida

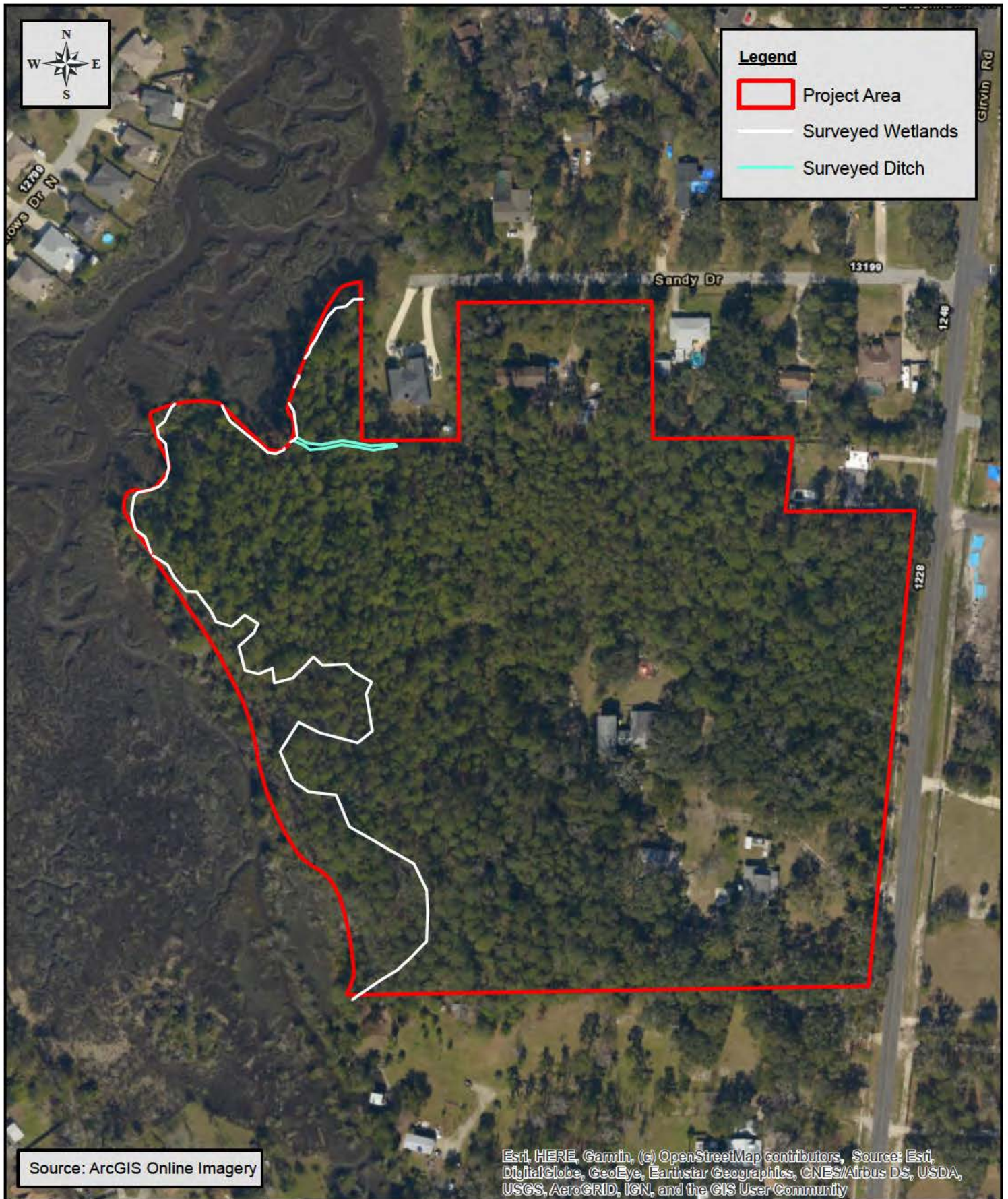
Vicinity Map

Figure: 2

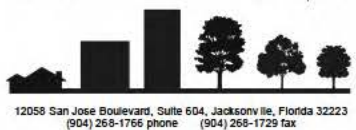
Date: 12-7-19







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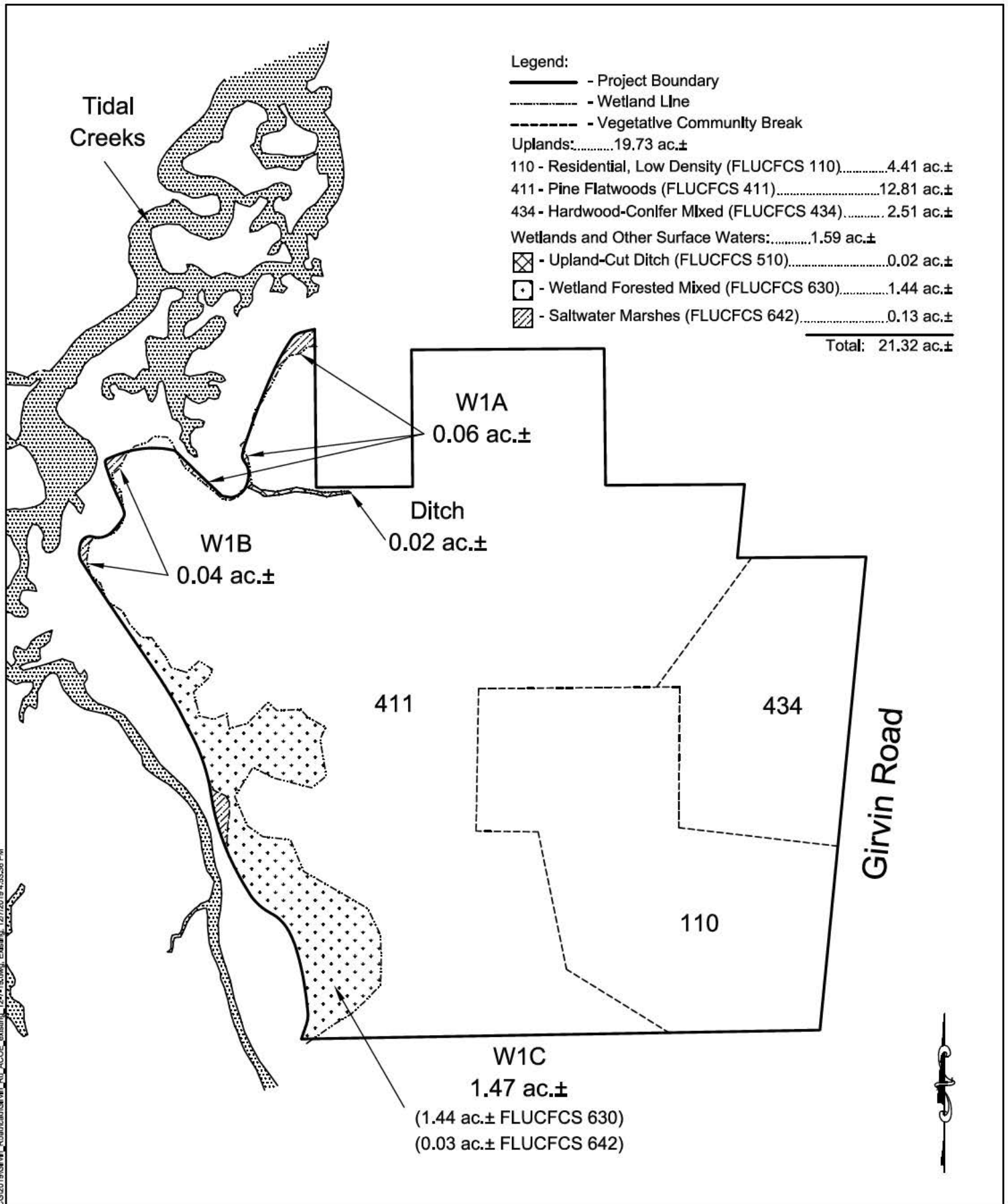
Duval County, Florida

Current Aerial Photograph

Figure: 3

Date: 12-7-19





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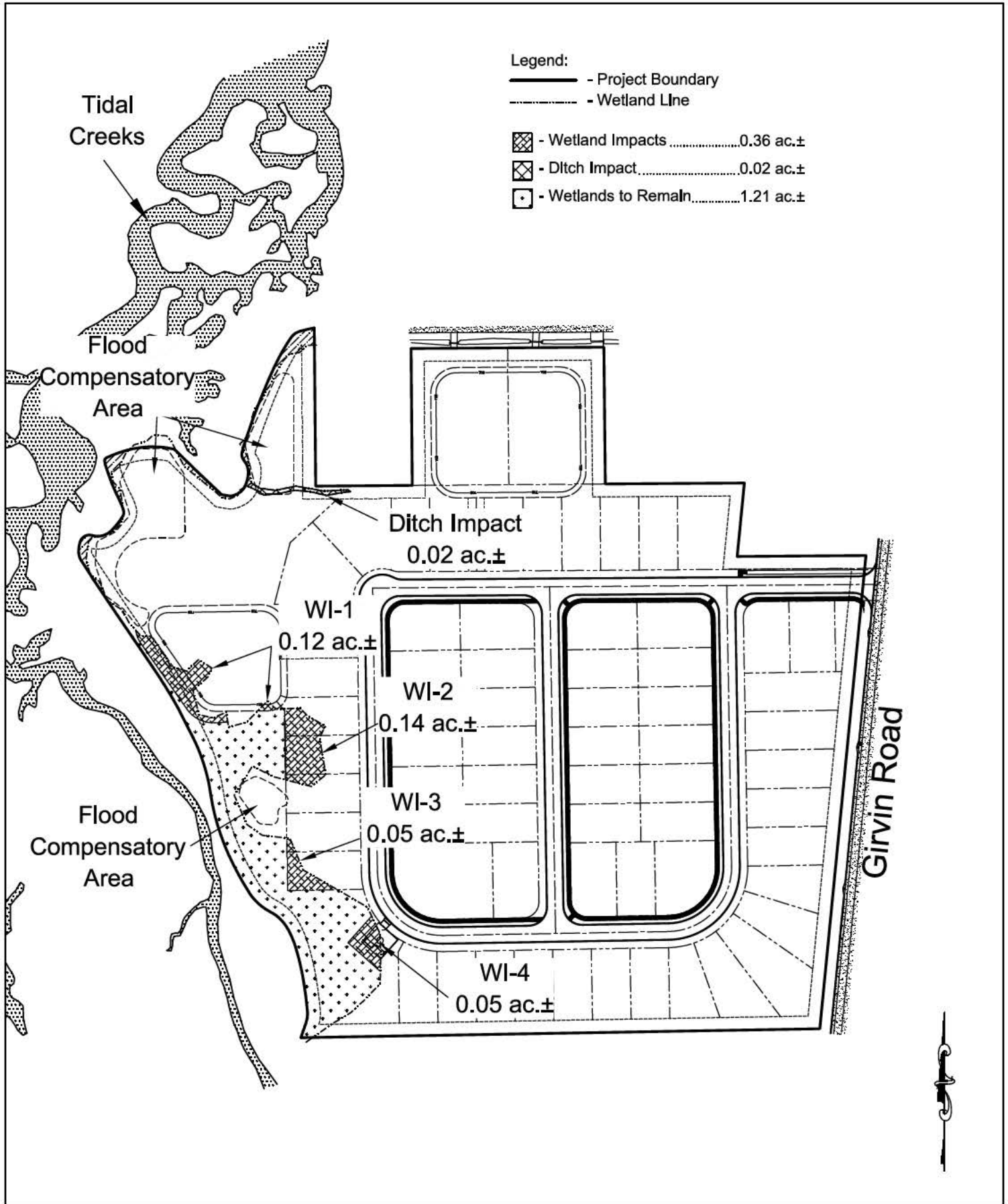
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**Girvin Road Property**  
Duval County, Florida  
*Existing Site Conditions*

Figure:	4
Scale:	1" = 200'
Date:	12-7-19





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**Palmetto Bluff**  
Duval County, Florida  
*Proposed Site Conditions*

Figure: 5

Scale: 1" = 200'

Date: 1-5-20