



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
JACKSONVILLE REGULATORY OFFICE
P.O. BOX 4970
JACKSONVILLE, FLORIDA 32232

January 24, 2020

Regulatory Division
North Permits Branch
Jacksonville Permits Section

PUBLIC NOTICE

Permit Application Number SAJ-2019-04596 (SP-DSD)

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:

Matanzas Park, LLC
Attn: Robert Gazzoli
185 Cypress Point Parkway, Suite 7
Palm Coast, Florida 32164

WATERWAY AND LOCATION: The project would affect waters of the United States (including wetlands) associated with the Steven's Branch Hydrologic Basin. The property is specifically located north of Matanzas Woods Parkway, east of US-1, and between Longfellow Dr and London Dr., Sections 27 & 28, Township 10 South, Range 30 East in Flagler County.

Directions to the site are as follows: From Jacksonville take I-95 South to exit 298 US-1, South on US-1 and turn east on Matanzas Woods Parkway. Turn north on Londonderry Rd, site is at the intersection of Londonderry Rd and Longfellow Dr.

APPROXIMATE CENTRAL COORDINATES:

Latitude 29.622°
Longitude -81.273°

PROJECT PURPOSE:

Basic: Multi-family residential development.

Overall: To construct a multi-family residential development along with its required infrastructure and stormwater management, within the northeastern portion of Flagler County.

EXISTING CONDITIONS: The project area exists as a remnant pine silviculture operation and hydric pine flatwoods associated with drainage ditches which connect to the Hulett Branch. The subject property consists of 78 individual single-family parcels. Description of each habitat is found below:

Pine Flatwoods (FLUCCS 411) – Approximately 14.70 acres of the project site have been classified as pine flatwoods. This area was originally part of the pine silviculture operation onsite, but has since been harvested and left fallow. No site preparation for pine silviculture has been performed since the harvest. This habitat consists of young trees primarily consisting of slash pine (*Pinus elliotii*), live oak (*Quercus virginiana*), and loblolly bay (*Gordonia lasianthus*). The understory consists of a thick cover of saw palmetto (*Serenoa repens*). Other species found at a much lesser extent include gallberry (*Ilex glabra*), shiny lyonia (*Lyonia lucida*), bracken fern (*Pteridium aquilinum*), and a heavy cover of vines such as greenbriar (*Smilax* spp.) and grapevine (*Vitis rotundifolia*).

Hydric Pine Flatwoods (FLUCCS 625) – Approximately 11.02 acres of hydric pine plantation is found on the project site. This area includes predominately slash pine silviculture areas which contain rows and furrows. Canopy trees include predominately slash pine, though affected by the seasonal high-water levels. The understory includes Carolina willow (*Salix caroliniana*), primrose willow (*Ludwigia peruviana*), myrtle-leaved holly (*Ilex myrtifolia*), shiny lyonia, saw palmetto, gallberry, Virginia chain fern (*Woodwardia virginica*), cinnamon fern (*Osmunda cinnamomeum*), bushy broom grass (*Andropogon glomeratus*), blue maidencane (*Amphicarpum muhlenbergianum*), and bracken fern.

The table below indicates the acreage for each vegetative and land use cover types classified on the project site:

FLUCCS CODE	NAME	% of the Project Area	Total Acres
411	Pine Flatwoods	57%	14.70
625	Hydric Pine Flatwoods	43%	11.02
Total		100%	25.72 acres

PROPOSED WORK: The applicant seeks authorization to construct a multi-family residential community, including the filling of 11.02 acres of waters of the United States (wetlands).

AVOIDANCE AND MINIMIZATION INFORMATION: Due to the location, size, and geometry of the onsite wetland it was determined avoidance and minimization was not possible of this wetland. The wetland is located within the center of the subject property

and avoidance or minimization could not be completed given the site design requirements for ingress/egress, stormwater management structures, and infrastructure size. Additionally, the subject property exists as 78 individually platted lots which each reserve the right to a single-family home. If construction of each individual parcel occurred separately the wetland would be impacted in its entirety. Therefore, the wetland would have a high potential of complete impact in the future if this project were not completed.

COMPENSATORY MITIGATION: The applicant has offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: "Compensatory mitigation for the proposed 11.02 acres of wetland impacts will be accomplished through the purchase of 5.14 UMAM credits from a federally permitted wetland mitigation bank within the service area".

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:

On October 1, 2019, 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.

Wood Stork (*Mycteria americana*): No nesting rookeries are located within the subject property. The subject property is not located within a Core Foraging Area. Impacts to this species were evaluated using 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* (Wood Stork Key). Use of this Wood Stork Key resulted in the sequential determination A>B>*no effect*. The U.S. Fish and Wildlife Service previously indicated that they concur with determinations of *no effect*, based on the key for Wood Storks; and, that no additional consultation is necessary

Eastern indigo snake (*Drymarchon corais couperi*): Based on the Eastern Indigo Snake Effect Determination Key (dated January 25, 2010; August 13, 2013 Addendum), the Corps determination sequence resulted in A>B>C>D>E>*not likely to adversely affect*. This determination results from there being less than 25 acres of Eastern indigo snake habitat, and no known holes, cavities, active or inactive gopher tortoise burrows or

underground refugia. The permittee agrees to use the Standard Protection Measures for the Eastern Indigo Snake (dated August 12, 2013). The Corps has U.S. Fish and Wildlife Service concurrence for the proposed activities through use of the aforementioned determination keys. The Corps has determined the proposed project is not likely to adversely affect the Eastern indigo snake.

Florida Scrub Jay (*Aphelocoma coerulescens*): The project site is approximately 1.70 miles from the nearest identified habitat location for Florida scrub jay; and, within the consultation area identified by the Corps and the FWS for this species. Therefore, this species may utilize the project site. Information from the FWS indicates that the Florida scrub jay has extremely specific habitat requirements. It is endemic to peninsular Florida's ancient dune ecosystem or scrubs, which occur on well drained to excessively well drained sandy soils. Relict oak-dominated scrub, or xeric oak scrub, is essential habitat to the Florida scrub jay. Optimal habitat incorporates four species of stunted, low growing oaks [sand live oak (*Quercus geminata*), Chapman oak (*Quercus chapmanii*), myrtle oak (*Quercus myrtifolia*), and scrub oak (*Quercus inopina*)] that are 1-3 meters high, interspersed with 10 to 50 percent non-vegetated sandy openings, with a sand pine (*Pinus clausa*) canopy of less than 20 percent. Therefore, scrub jay habitat is absent from the project site. It is likely that this species only opportunistically forages within forested areas in the vicinity of the project site. In consideration of the lack of appropriate habitat at the site, the local abundance of foraging habitat, and the distance to the nearest colony, the Corps determined that the project would have no effect upon this species.

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 will be required through the St. Johns River Water Management District.

COMMENTS regarding the potential authorization of the work proposed should be submitted in writing to the attention of the District through the Jacksonville Permits Section, P.O. Box 4970, Jacksonville, FL 32232 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, Danielle D'Amato, in writing at the Jacksonville Permits Section, Jacksonville District Corps of Engineers Post Office Box 4970 Jacksonville Florida, 32232 within 30 days

from the date of this notice, by electronic mail at Danielle.S.D'Aamto@usace.army.mil; or, by telephone at (904)-232-2166.

IMPACT ON NATURAL RESOURCES: Preliminary review of this application indicates that an Environmental Impact Statement will not be required. 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. By means of this notice, we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat

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 of 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 decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act 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.



Lat: 29.606
Long: -81.273
Sections 27 & 28
Township 10 South
Range 30 East

Image Source: ESRI 2019
Date: 11-4-19

0 1,500 3,000
Feet



Location Map Matanzas Park Flagler County, Florida



WWW.ATLANTICECO.COM
904-347-9133 | jody@atlanticeco.com
201 Basque Rd | St. Augustine, FL 32080

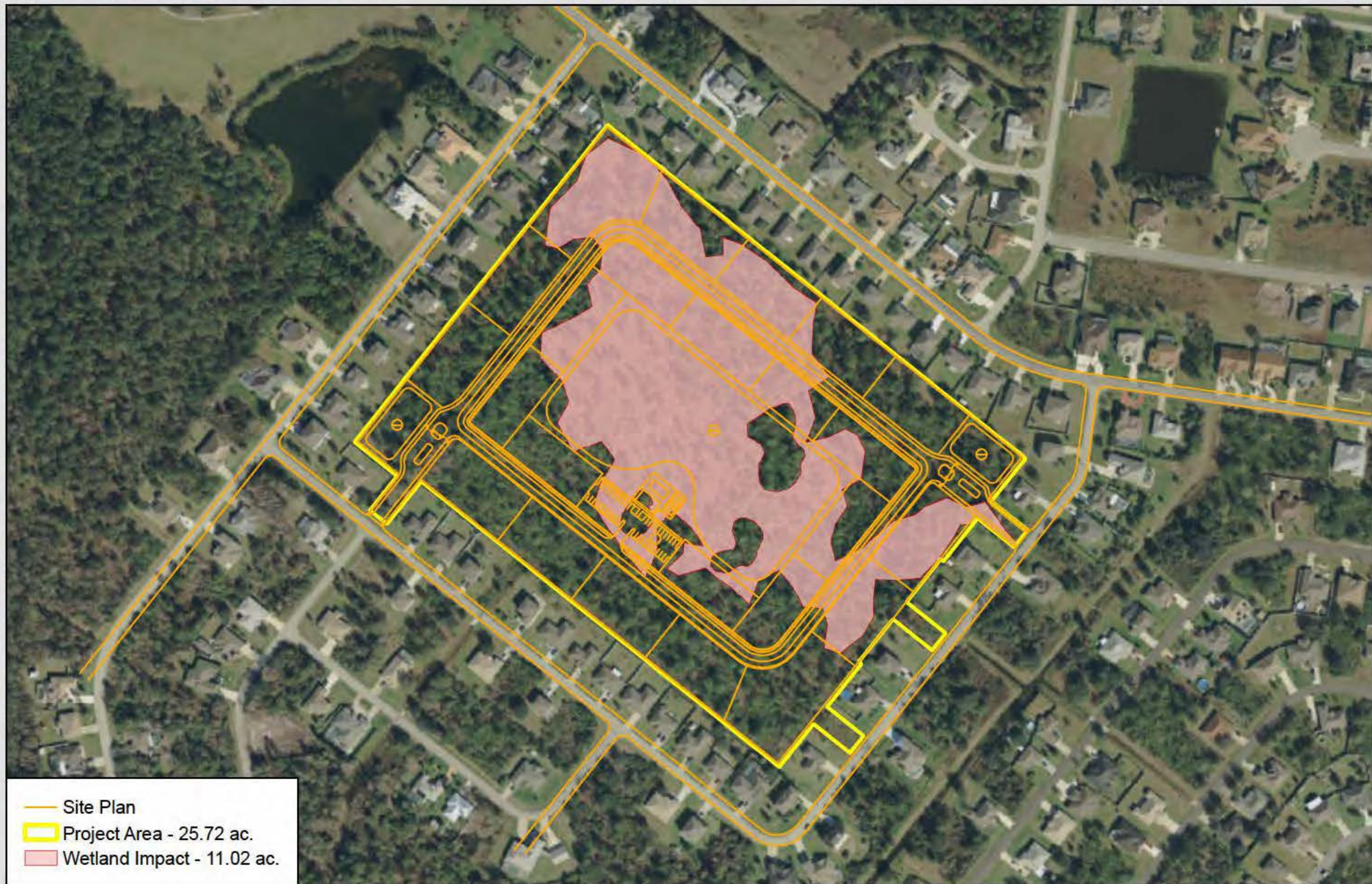


Image Source: ESRI 2017
Date: 11-4-19

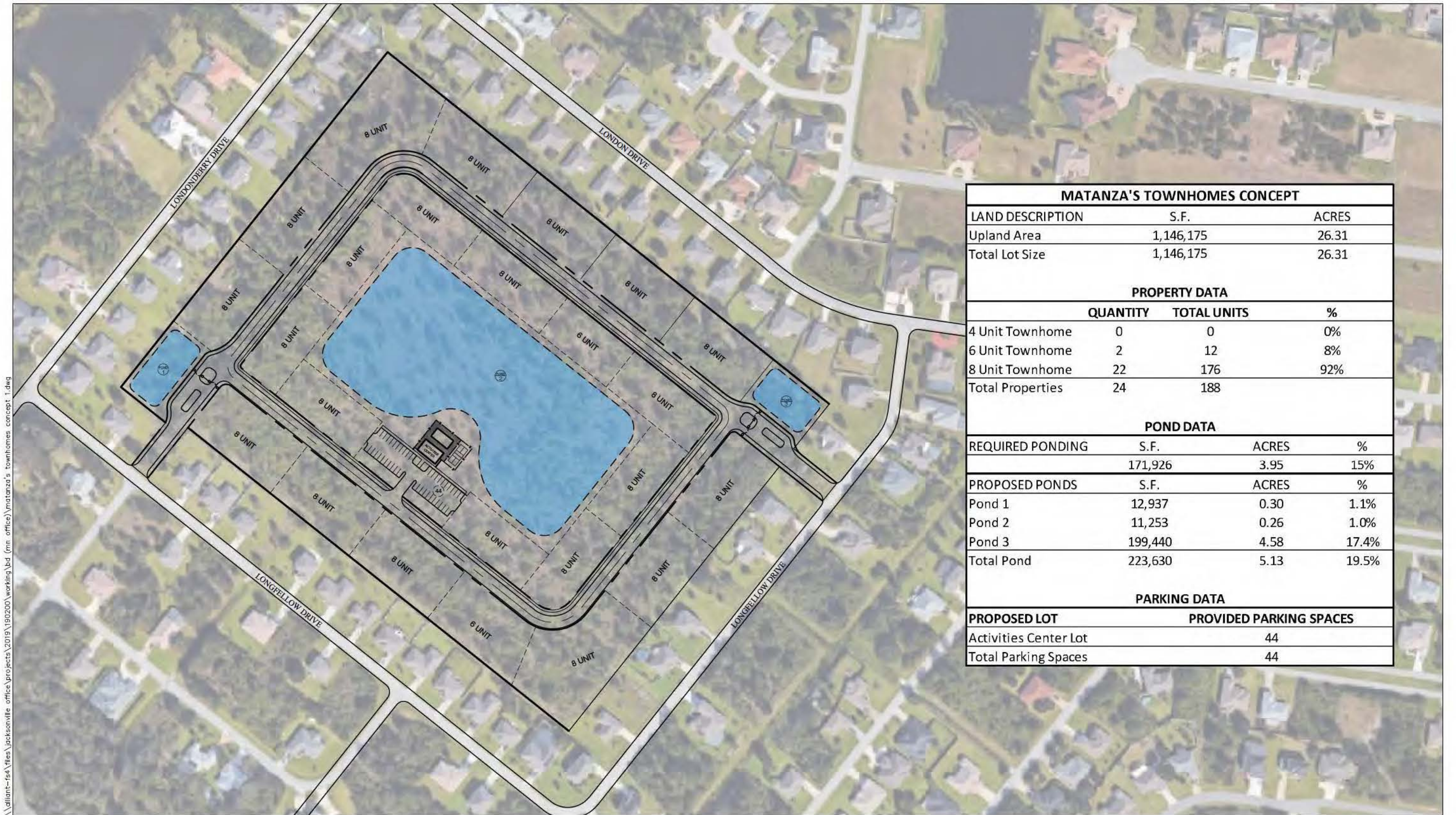
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Wetland Impact Map Matanzas Park Flagler County, Florida



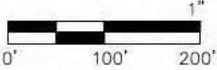
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MATANZA'S TOWNHOMES CONCEPT			
LAND DESCRIPTION		S.F.	ACRES
Upland Area		1,146,175	26.31
Total Lot Size		1,146,175	26.31
PROPERTY DATA			
	QUANTITY	TOTAL UNITS	%
4 Unit Townhome	0	0	0%
6 Unit Townhome	2	12	8%
8 Unit Townhome	22	176	92%
Total Properties	24	188	
POND DATA			
REQUIRED PONDING	S.F.	ACRES	%
	171,926	3.95	15%
PROPOSED PONDS	S.F.	ACRES	%
Pond 1	12,937	0.30	1.1%
Pond 2	11,253	0.26	1.0%
Pond 3	199,440	4.58	17.4%
Total Pond	223,630	5.13	19.5%
PARKING DATA			
PROPOSED LOT		PROVIDED PARKING SPACES	
Activities Center Lot		44	
Total Parking Spaces		44	

MATANZAS TOWNHOMES
PALM COAST, FL

CONCEPT PLAN



DATE: 10-28-2019
DRAWN BY: BD
SCALE: 1" = 200' - 0"

