



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

January 27, 2020

Regulatory Division
North Permits Branch
Mitigation Bank Team

PUBLIC NOTICE

Application Number: SAJ-2019-00292-SCW

TO WHOM IT MAY CONCERN: The Jacksonville District of the U.S. Army Corps of Engineers (Corps) has received a complete prospectus proposing the establishment of a mitigation bank pursuant to the 2008 *Compensatory Mitigation for Losses of Aquatic Resources* regulations (33 CFR Part 332) as described below:

APPLICANT: Mr. Jim McCarthy
North Florida Land Trust, Inc.
843 West Monroe Street
Jacksonville, Florida 32202

LOCATION: The proposed project, identified as the 94.06-acre North Florida Land Trust Salt Marsh Mitigation Bank (NSMMB), is located on nine manmade dredge spoil islands along a four-mile length of the Intracoastal Waterway, from Sawpit Creek to Broward Creek, within unclassified sections of Township 1 North, and Ranges 28 and 29 East, Duval County, Florida.

APPROXIMATE CENTRAL COORDINATES:

Island 1 Latitude: 30.511717° Longitude: -81.46617°	Island 2 Latitude: 30.510413° Longitude: -81.467218°	Island 3 Latitude: 30.504105° Longitude: -81.468208°
Island 4 Latitude: 30.502627° Longitude: -81.466034°	Island 5 Latitude: 30.497421° Longitude: -81.461431°	Island 6 Latitude: 30.463143° Longitude: -81.454715°
Island 7 Latitude: 30.461545° Longitude: -81.452527°	Island 8 Latitude: 30.460262° Longitude: -81.452892°	Island 9 Latitude: 30.459083° Longitude: -81.454047°

PROSPECTUS SUMMARY: Pursuant to 33 CFR 332.8(d)(4), the Corps has posted a full copy of the NSMMB prospectus online so that it is available for review by the public. The prospectus may be downloaded from the Regulatory In-Lieu Fee and Bank Information Tracking System (RIBITS) at web address: <https://ribits.usace.army.mil>.

Once on the RIBITS homepage, select "Jacksonville" from the "ALL DISTRICTS" drop down menu located in the lower left corner of the screen. Once the district filter has been selected, click on the "Banks & ILF Sites" link located in the Navigation box (upper left corner). This will generate a list of projects, scroll down the list and click on the "NFLT Salt Marsh MB" link. On this page, click on the "Cyber Repository" link located on the menu bar above the General Information box, then click on the Prospectus Documents folder to access the prospectus associated with the NSMMB project.

If you are unable to access the web address, a copy of the prospectus is available upon request to the project manager listed at the end of this public notice.

PROJECT GOALS AND OBJECTIVES: The applicant seeks authorization to enhance, restore, preserve and protect wetlands and uplands on the 94.06-acre property. The primary ecological goals of the NSMMB is maximize the ecological value of the existing soil islands through restoration, enhancement and preservation activities and provided enhanced habitat for state and federally protected avian species. Proposed activities would result in the preservation of 41.96 acres of salt marsh wetlands, 18.76 acres of salt flat, 1.45 acres of upland and 0.02 acres of open water; restoration of 8.72 acres of salt marsh wetlands; enhancement of 23.15 acres of uplands; and recordation of a conservation easement over the entire 94.06 project area. Specific restoration objectives for each dredge spoil island include:

Island 1 (4.77 acres)

- Preservation of 1.65 acres of salt marsh wetlands, 3.11 acres of salt flat, and 0.01 acre of open water.

Island 2 (3.72 acres)

- Preservation of 2.73 acres of salt marsh wetlands, 0.73 acre of salt flat, 0.25 acre of uplands, and 0.01 acre of open water

Island 3 (4.26 acres)

- Preservation of 2.22 acres of salt marsh wetlands, 0.06 acre of salt flat, and 1.08 acres of uplands.
- Restoration of 0.90 acre of salt marsh wetlands by excavating spoil material and planting native salt marsh vegetation.

Island 4 (11.08 acres)

- Preservation of 4.84 acres of salt marsh wetlands and 0.18 acre of salt flat.
- Restoration of 2.60 acres of salt marsh wetlands by excavating spoil material and planting native salt marsh vegetation.
- Enhancement of 3.46 acres of upland by vegetation thinning.

Island 5 (57.71 acres)

- Preservation of 21.91 acres of salt marsh wetlands and 13.82 acres of salt flat.

- Restoration of 4.20 acres of salt marsh wetlands by excavating spoil material and planting native salt marsh vegetation.
- Enhancement of 17.78 acres of upland by vegetation thinning.

Island 6 (8.93 acres)

- Preservation of 6.00 acres of salt marsh wetlands and 0.36 acre of salt flat.
- Restoration of 0.66 acre of salt marsh wetlands by excavating spoil material and planting native salt marsh vegetation.
- Enhancement of 1.91 acres of uplands by vegetation thinning.

Island 7 (1.14 acres)

- Preservation of 0.70 acre of salt marsh wetlands and 0.44 acre of salt flat.

Island 8 (0.79 acres)

- Preservation of 0.62 acre of salt marsh wetlands, 0.05 acre salt flat, and 0.12 acre of uplands.

Island 9 (1.66 acres)

- Preservation of 1.29 acre of salt marsh wetlands and 0.01 acre of salt flat.
- Restoration of 0.36 acre of salt marsh wetlands by excavating spoil material and planting native salt marsh vegetation.

ECOLOGICAL SUITABILITY OF THE SITE: A review of available information indicates that the prior to the construction of the Atlantic Intracoastal Waterway (ICW) and deposition of dredge spoil, the property historically consisted of salt marsh. The nine dredge spoil islands consist of wetland, upland and open water habitats. The wetland communities consist of salt flats, low salt marsh and high salt marsh. The salt flat communities are level lands coated with salt deposits. Salt flats are flooded by storm tides or by extreme high tides, and are sparsely vegetated by salt grass (*Distichlis spicata*), saltwort (*Batis maritima*), and annual glasswort (*Salicornia bigelovii*). Low salt marsh wetlands are dominated by smooth cord grass (*Spartina alterniflora*). High salt marsh wetlands are dominated by sea oxeye (*Borrchia frutescens*), marsh elder (*Iva frutescens*), salt grass, black needle rush (*Juncus roemerianus*), and marsh-hay cordgrass (*Spartina patens*). The uplands are dominated by a canopy of southern red cedar, with some slash pine (*Pinus elliottii*), black cherry (*Prunus serotina*), live oak (*Quercus virginina*), southern magnolia (*Magnolia grandiflora*), red bay (*Persea borbonia*), and cabbage palm (*Sabal palmetto*). The upland subcanopy is dominated by yaupon holly (*Ilex vomitoria*), saw palmetto (*Serenoa repens*), wax myrtle (*Morella cerifera*), saltbush, sugarberry (*Celtis laevigata*), wild olive (*Osmanthus americanus*), false willow (*Baccharis angustifolia*), and Florida privet (*Forestiera segregata*). The proposed NSMMB is located within the Timucuan Ecological and Historic Preserve, portions of Big Talbot State Park, and surrounded by the ICW, and salt marsh wetlands.

ESTABLISHMENT AND OPERATION OF THE BANK: The proposed NSMMB would be established and operated by North Florida Land Trust, Inc. as the Sponsor with the

assistance of Environmental Resource Solutions, A Division of SES Energy Services, LLC. The property that comprises the NSMMB is owned by North Florida Land Trust, Inc. The NSMMB is proposed to be established as a single and complete project. Following NSMMB successful implementation and attainment of final success criteria, long-term management activities will be implemented in order to ensure the sustainability of NSMMB. In addition, the Sponsor will provide sufficient financial assurances to ensure construction and long-term management of the proposed NSMMB.

PROPOSED SERVICE AREA: The project is located within the Nassau Sound-Fort George Inlet Frontal Subwatershed, identified as Hydrologic Unit Code (HUC) 030702050304 which is part of the larger Nassau Subbasin (HUC 03070205). The Applicant proposes a Mitigation Service Area (MSA) that includes subwatersheds within the St. Marys (HUC 03070204), Nassau (HUC 03070205), Lower St. Johns (HUC 03080103), and Daytona-St. Augustine (HUC 03080201) Subbasins. The proposed subwatershed include Amelia River (HUC 030702040906), Lower Thomas Creek (HUC 030702050203), Gardner Creek (HUC 030702050302), Fort George Inlet-Sisters Creek (HUC 030702050303), Nassau Sound-Fort George Inlet (HUC 030702050304), McCoy Creek (HUC 030801031405), Lower Trout River (HUC 030801031502), Arlington River (HUC 030801031503), Broward River (HUC 030801031601), Clapboard Creek (HUC 030801031602), Big Island Swamp (030801031603), Upper Pablo Creek (HUC 030801031604), Lower Pablo Creek (HUC 03081031605), Chicopit Bay (HUC 030801031606), and Upper Tolomato River (HUC 030802010501). The NSMMB MSA is anticipated to include wetland habitat communities that could reasonably be expected to occur on the NSMMB.

CULTURAL RESOURCES: The Corps is not aware of any known historic properties within the proposed NSMMB. 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:

(a) *U.S. Army Corps of Engineers Jacksonville District's Programmatic Biological Opinion*, NMFS, November 2017 (JAXBO): 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 Endangered Species Act. The Corps has determined that the proposed project falls within the scope of the JAXBO. The Corps will request

concurrence with this determination with National Marine Fisheries Service pursuant to Section 7 of the Endangered Species Act by separate correspondence.

(b) Manatee: The Corps has determined that the proposed project may affect, but is not likely to adversely affect the West Indian manatee (*Trichechus manatus*). Since the proposal by the applicant is for in-water construction, potential impacts to the endangered West Indian manatee were evaluated using *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 following sequential determination: A>B>C>G>N>O>P5 *may affect, not likely to adversely affect*. The proposed project neither involves dredging, nor increases watercraft access to the project site. Furthermore, the applicant elects to adhere to the *Standard Manatee Conditions for In-Water Work, 2011*. Therefore, according to the key, a *may affect but is not likely to adversely affect* determination is appropriate. By letter dated 25 April 2013, the FWS stated that for proposed in-water activities analyzed with the April 2013 version of the Manatee Key in which the Corps reaches a *may affect, not likely to adversely affect* determination with respect to the manatee and/or its designated critical habitat, the FWS concurs with the Corps determination in accordance with 50 CFR 402.14(b)1 and no further consultation with the FWS is required.

c) Wood stork: The Corps has determined that the proposed project may affect, but is not likely to adversely affect the wood stork. Potential impacts to the endangered Wood stork 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. Use of this Key resulted in the following sequential determination: A>B>C, *may affect, not likely to adversely affect* and no further consultation with FWS is required.

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 proposed project would occur over unvegetated bottom potentially utilized by various life stages of the following species covered within the South Atlantic Fisheries Management Council: Shrimp and Snapper Grouper complex. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in the Suwannee River and/or Gulf of Mexico. 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.

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.

COMMENTS: Comments regarding the proposed mitigation bank should be submitted in writing to the District Engineer at the address below within 30 days from the date of this notice.

The initial evaluation pertaining to whether or not this mitigation bank proposal has the potential for providing compensatory mitigation for activities authorized by issued Department of the Army permits will be based on the information contained in the prospectus, received from this public notice and obtained during an inspection of the project site.

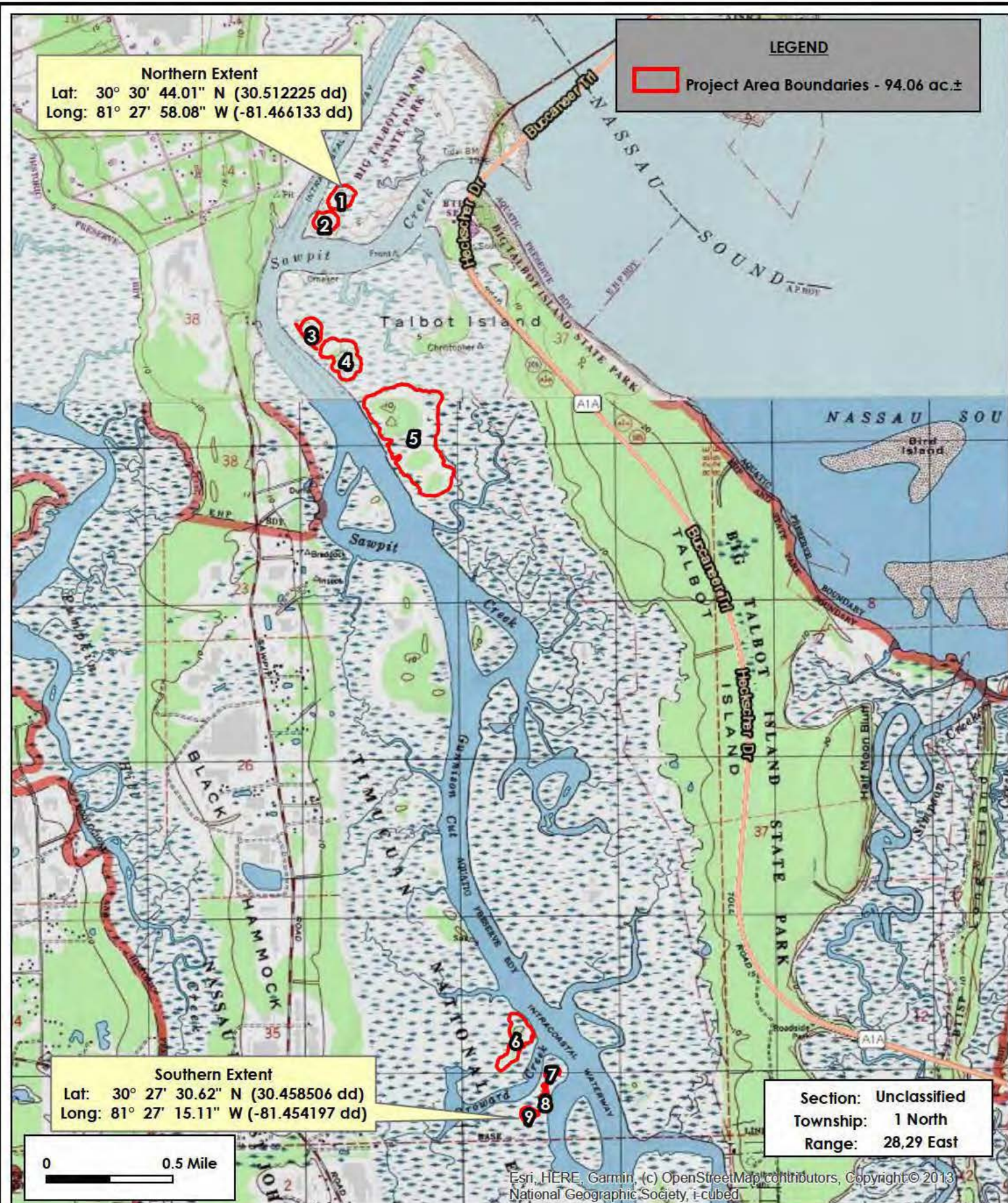
If you have any questions concerning this proposed project, you may contact Mrs. Shannon White by electronic mail at shannon.c.white@usace.army.mil, or by telephone at 904-232-1681 or at the following address:

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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: After the end of the comment period, the district engineer will review all comments received and make an initial determination as to the potential of the proposed project to provide compensatory mitigation for activities authorized by Department of the Army permits. That determination 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. Factors relevant to the proposal will be considered including 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.

The 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 proposed activity. All comments received will be considered by the Corps during the formulation of the initial determination of potential for the proposed activity.



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NFLT Salt Marsh Mitigation Bank Vicinity Map

Duval County, Florida

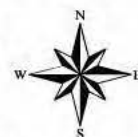
By: MEF

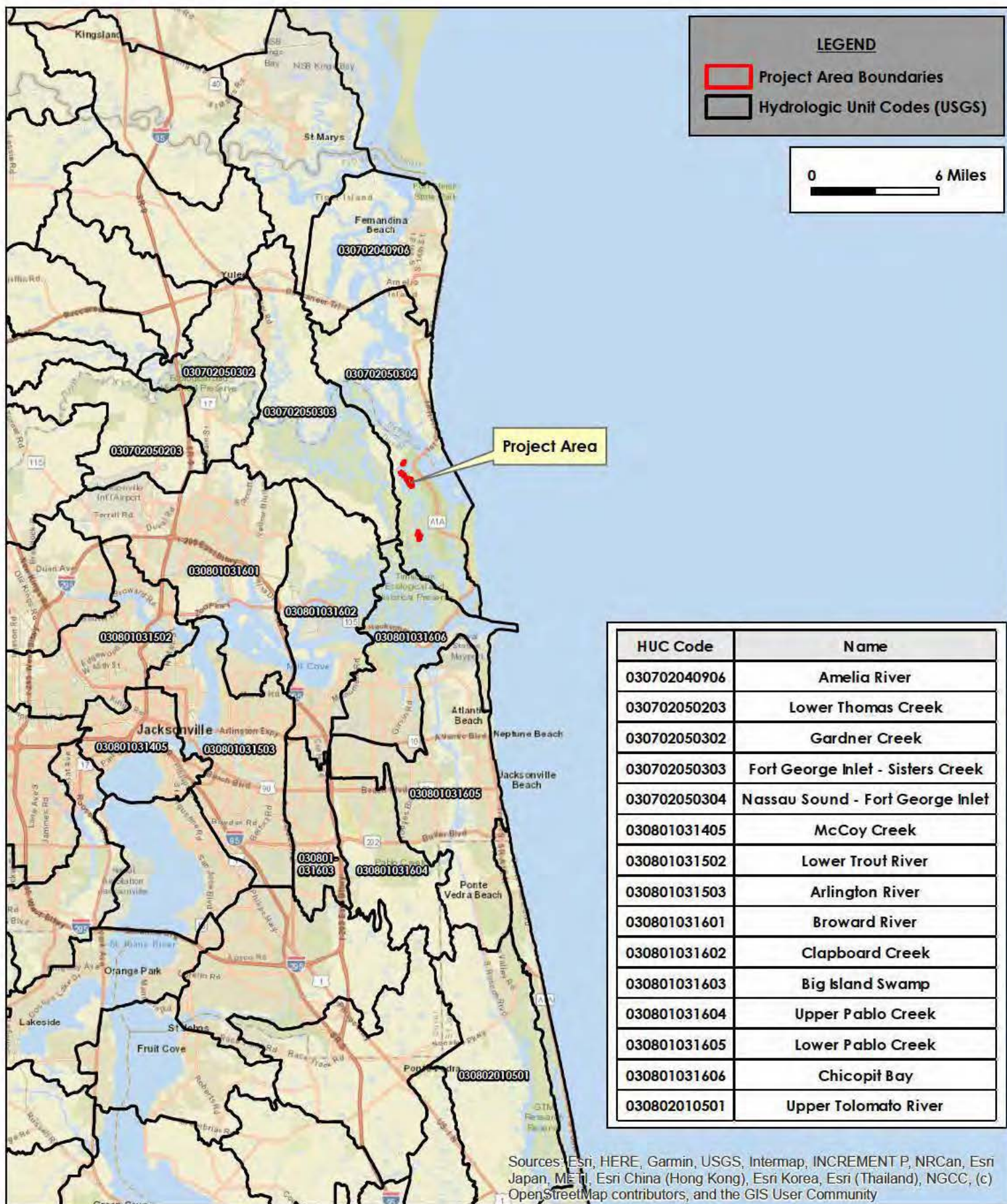
Project No.: 17146

Exhibit No.: 1

Date: 11-12-19

Rev. Date:





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NFLT Salt Marsh Mitigation Bank Hydrologic Unit Code Map

Project No.: 17146

Exhibit No.: 3



Date: 11-12-19

By: MEF

Rev. Date:



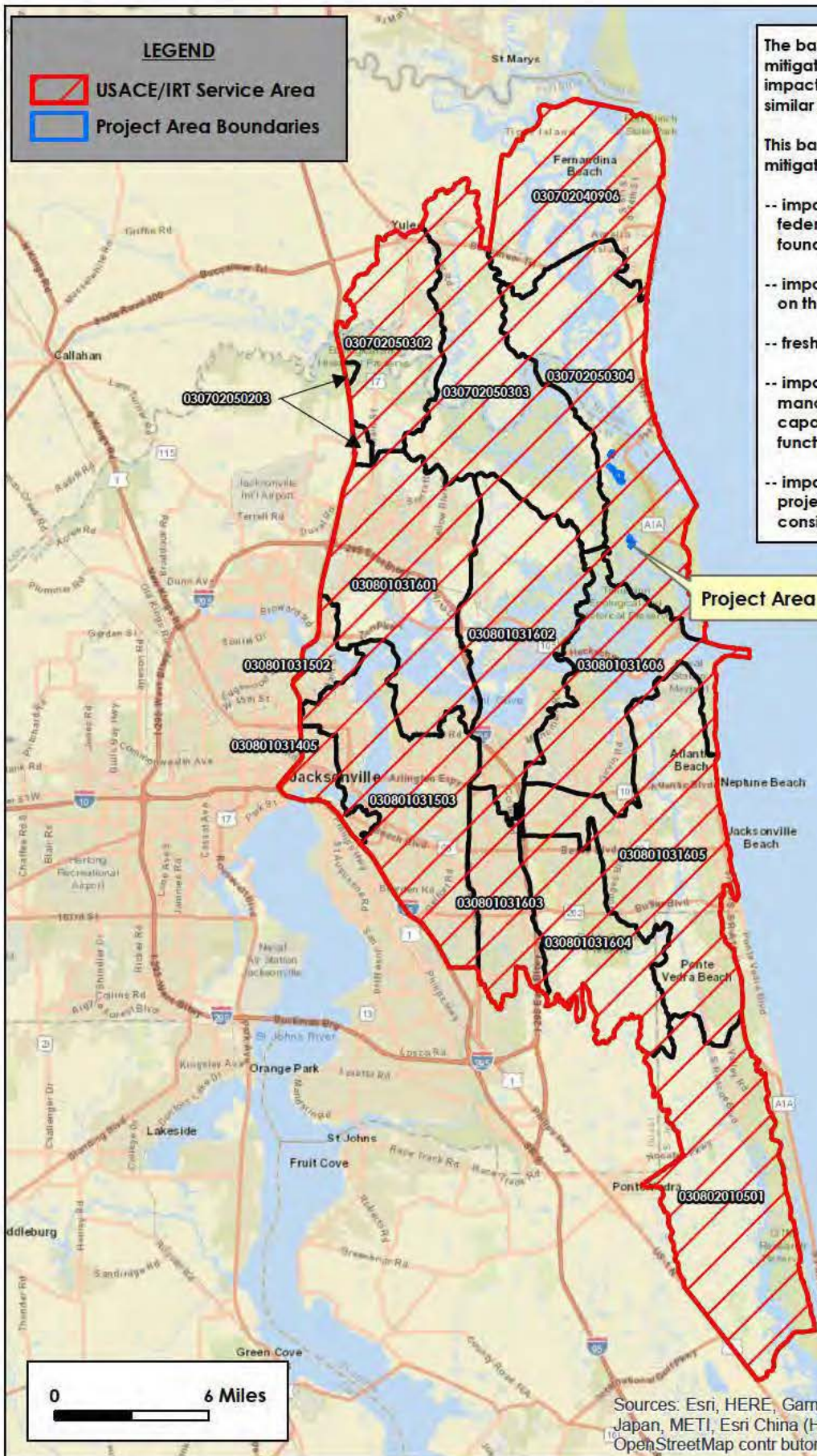
LEGEND

-  USACE/IRT Service Area
-  Project Area Boundaries

The bank is most appropriate for use as compensatory mitigation to offset those unavoidable and minimized impacts to estuarine salt marsh systems with habitats similar to those present on the bank site.

This bank is not appropriate for use as compensatory mitigation for the following types of impacts:

- impacts to the critical habitat of state-listed or federally-listed species where their habitat is not found on the bank site
- impacts to habitats entirely unlike those that exist on the site
- freshwater wetlands
- impacts that the SJRWMD or USACE project manager determines the bank would not be capable of offsetting due to particular aquatic functions eliminated by an impact
- impacts outside of the service area, though linear projects partially within the service area may be considered



HUC Code	Name
030702040906	Amelia River
030702050203	Lower Thomas Creek
030702050302	Gardner Creek
030702050303	Fort George Inlet - Sisters Creek
030702050304	Nassau Sound - Fort George Inlet
030801031405	McCoy Creek
030801031502	Lower Trout River
030801031503	Arlington River
030801031601	Broward River
030801031602	Clapboard Creek
030801031603	Big Island Swamp
030801031604	Upper Pablo Creek
030801031605	Lower Pablo Creek
030801031606	Chicopit Bay
030802010501	Upper Tolomato River

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



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NFLT Salt Marsh Mitigation Bank Proposed Mitigation Service Area Map

By: MEF

Project No.: 17146

Exhibit No.: 6

Date: 11-12-19



Rev. Date:



NOTES: 1. Depicted wetland/upland boundaries are approximate.
2. See Key Map for acreages.

Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

LEGEND

-  Detail Map Index
-  Project Area Boundaries

Spoil Island ID	Approximate Salt Marsh Acreage	Approximate Open Water Acreage	Approximate Upland Acreage	Total Island Acreage
1	4.76	0.01	0.00	4.77
2	3.46	0.01	0.25	3.72
3	2.28	-	1.98	4.26
4	5.02	-	6.06	11.08
5	35.73	-	21.98	57.71
6	6.36	-	2.57	8.93
7	1.14	-	0.00	1.14
8	0.67	-	0.12	0.79
9	1.30	-	0.36	1.66
Totals	60.72	0.02	33.32	94.06

0 0.5 Mile



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**NFLT Salt Marsh Mitigation Bank
Existing Conditions Map Key**

Project No.: 17146

Exhibit No.: 2-Key

Date: 11-12-19

By: MEF

Rev. Date:



NOTES: 1. Depicted wetland/upland boundaries are approximate.
2. See Key Map for acreages.

Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

LEGEND

- Project Area Boundaries
- Approximate Open Water Limits - 00.02 acres±
- Approximate Salt Marsh Limits - 60.72 acres±
- Approximate Upland Limits - 33.32 acres±



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NFLT Salt Marsh Mitigation Bank Existing Conditions Map A

Project No.: 17146

Exhibit No.: 2-A

Date: 11-12-19

By: MEF





Rev. Date:



NOTES: 1. Depicted wetland/upland boundaries are approximate.
2. See Key Map for acreages.

Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

LEGEND

-  Project Area Boundaries
-  Approximate Open Water Limits - 00.02 acres±
-  Approximate Salt Marsh Limits - 60.72 acres±
-  Approximate Upland Limits - 33.32 acres±



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**NFLT Salt Marsh Mitigation Bank
Existing Conditions Map B**

Project No.: 17146

Exhibit No.: 2-B

Date: 11-12-19

By: MEF





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NOTES: 1. Depicted wetland/upland boundaries are approximate.
2. See Key Map for acreages.

Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors
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LEGEND

-  Project Area Boundaries
-  Approximate Open Water Limits - 00.02 acres±
-  Approximate Salt Marsh Limits - 60.72 acres±
-  Approximate Upland Limits - 33.32 acres±



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**NFLT Salt Marsh Mitigation Bank
Existing Conditions Map C**

Project No.: 17146

Exhibit No.: 2-C

Date: 11-12-19

By: MEF





Rev. Date:



NOTES: 1. Depicted wetland/upland boundaries are approximate.
2. See Key Map for acreages.

Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

LEGEND

-  Project Area Boundaries
-  Approximate Open Water Limits - 00.02 acres±
-  Approximate Salt Marsh Limits - 60.72 acres±
-  Approximate Upland Limits - 33.32 acres±



0 300'



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**NFLT Salt Marsh Mitigation Bank
Existing Conditions Map D**

Project No.: 17146

Exhibit No.: 2-D

Date: 11-12-19

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NFLT Salt Marsh Mitigation Bank Proposed Conditions Map Key

Project No.: 17146

Exhibit No.: 5-Key

Date: 11-12-19

By: MEF

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NFLT Salt Marsh Mitigation Bank Proposed Conditions Map A

By: MEF

Project No.: 17146

Exhibit No.: 5-A

Date: 11-12-19

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NFLT Salt Marsh Mitigation Bank Proposed Conditions Map B

By: MEF

Project No.: 17146

Exhibit No.: 5-B

Date: 11-12-19

Rev. Date:







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NFLT Salt Marsh Mitigation Bank Proposed Conditions Map D

By: MEF

Project No.: 17146

Exhibit No.: 5-D

Date: 11-12-19

Rev. Date:

