



**DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
COCOA PERMITS OFFICE
400 HIGH POINT DRIVE, SUITE 400
COCOA, FLORIDA, 32926**

Regulatory Division
North Permits Branch
Cocoa Permits Section

February 3, 2020

PUBLIC NOTICE

Reauthorization of Permit No. SAJ-2019-03477 (LOP-CMM)

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 USC 403) and Section 404 of the Clean Water Act (33 USC 1344) as described below:

APPLICANT: John Peters
The City of Deltona
255 Enterprise Road
Deltona FL 32725

WATERWAY AND LOCATION: The project would affect waters of the United States associated with Lake Monroe. The project site is located at 980 Lakeshore Drive, in Section 06, Township 19 South, Range 31 East, Deltona, Volusia County, Florida.

Directions to the site are as follows: From Interstate-4 (I-4) take exit 108 toward Deltona/DeBary. Turn East onto DeBary Ave and then right (south) onto Providence Blvd. Turn left (east) onto Lakeshore Drive. After 0.3 miles, the Deltona Community Center will be on the left and the Deltona Lake Monroe Boat Ramp will be on your right, across the street from the Deltona Community Center.

APPROXIMATE CENTRAL COORDINATES: Latitude 28.862681°
Longitude -81.252439°

PROJECT PURPOSE:

Basic: Provide alternate water supply (AWS) for irrigation.

EXISTING CONDITIONS: The project occurs on the parcel occupied by the Lake Monroe Boat Ramp and the Deltona Community Center. The intake pipe for the project will be located behind the existing bulkhead at the boat ramp and include a dredged basin extending into Lake Monroe. This area of the boat ramp is grassed with a

concrete bulkhead. Adjacent to the Community Center (west), the intake and pump facility will be located on the opposite side (north) of Lakeshore Drive. This area is upland with various oaks, pines and hickory trees present. A raw water pipe will also be installed underneath Lakeshore Drive and Providence Boulevard, ultimately connecting to the Alexander Avenue Water Resources Facility (AAWRF), a Rapid Infiltration Basin (RIB) site.

PROPOSED WORK: The Phase 4B project site is located on the north shore of Lake Monroe in Deltona, Florida. The proposed project includes a surface water withdrawal facility at Lake Monroe and 30-inch raw water transmission main. Project 4B will transmit Lake Monroe water for storage and treatment at the already constructed AAWRF. The surface water intake will be located at the Lake Monroe Boat Ramp and the pump station will be located on the west side of the Community Center. The intake structure will require the dredging of approximately 5,000 cubic yards of material from the lake bottom, by hydraulic dredge, to facilitate the construction of an intake basin that will allow the intake of water when lake water levels during seasonal low water levels. The dredge material will be stored and de-watered on the west side of the Deltona Community Center. The dredged material will be tested to determine suitability for beneficial re-use, otherwise will be disposed of at an approved upland disposal site. Additionally, the raw water main will be directionally drilled to the west and under Lakeshore Drive from the intake station to Providence Boulevard where it will turn north and be directionally drilled under the proposed multi-use path (trail) on the east side of Providence Boulevard. A section of this pipe along Providence Boulevard will be completed in a separate project (referred to as the Providence Multi-use Trail project), but the pipe will run north on Providence Boulevard to Anderson Drive and continue on Geneva Avenue and Windbrook Drive to connect to the AAWRF.

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:

“All wetlands are avoided in the proposed project. A surface water impact will occur from the dredging footprint, but the design was chosen to minimize the dredged area, type of dredge used, and the overall long-term impact of the project on the shoreline of Lake Monroe. Other types of raw water extraction plans were not chosen due to their more intrusive construction requirements, long-term impacts on Lake Monroe, and the adjacent shoreline wetlands.”

COMPENSATORY MITIGATION – The applicant has provided the following statement in regards to compensatory mitigation:

“Compensatory mitigation is not required for the project as no wetland impacts will occur.”

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.

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 proposal would require the dredging of approximately 0.92 acre of lake bottom in Lake Monroe. 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 the project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

ENDANGERED SPECIES: Wood Stork (*Mycteria americana*) – The Corps completed an evaluation of the project based upon the U.S. Fish and Wildlife Service (FWS) North Florida Ecological Services Field Offices Programmatic Concurrence for use with the Wood Stork (May 2010). Use of the Key for Wood Stork resulted in the following sequential determination: A (Project more than 25,000 feet from a colony site) > B (Project impacts SFH) > C (Project impacts to SFH are less than or equal to 0.5 acres) = “Not Likely to Adversely Affect”. The Corps has U.S. Fish and Wildlife Service concurrence for the proposed activities through use of the aforementioned determination key. No further action is required.

West Indian Manatee (*Trichechus manatus*) - were also evaluated using “The Corps of Engineers, Jacksonville District, and the State of Florida Determination Key for the Manatee In Florida” dated April 2013. Use of the Manatee key resulted in the following sequential determination: A (In waters accessible to Manatee) > B (Project other than listed) > C (Project not in IMA) > G (no new access to watercraft) > N (Project impacts to submerged aquatic vegetation will have beneficial, insignificant, discountable, or no effects on the manatee) > O (Project proponent elects to follow standard Manatee conditions for in-water work) P = “May effect, not likely to adversely affect” is appropriate and no further consultation is necessary.

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 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 Cocoa Permits Section, 400 High Point Dr., Cocoa, Florida, 32926 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 waters. 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 Corey Maier, in writing at the Cocoa Permits Section, 400 High Point Drive, Cocoa, Florida, 32926; by electronic mail at corey.m.maier@usace.army.mil; by facsimile transmission at (321) 504-3803; or, by telephone at (321) 504-3771 ext. 15.

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.

