



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
4400 PGA BLVD, SUITE 500
PALM BEACH GARDENS, FL 33410

February 11, 2020

Regulatory Division
South Branch
Palm Beach Gardens Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2019-03206 (SP-KAE)

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: United Technologies Corporation
Pratt & Whitney Division
c/o Matthew Enochs, Managing Member
17900 Beeline Highway
Jupiter, FL 33478

WATERWAY AND LOCATION: The project would affect waters of the United States associated within the "Florida Southeast Coast" (HUC 03090206) watershed. More precisely, the project site is located southwest of the Beeline Highway (SR 710), approximately one half mile southwest of Indiantown Road, 3.5 miles northwest of Pratt Whitney Road in Sections 4,5, and 9, Township 41 South, Range 40 East), in Palm Beach County, Florida.

Directions to the site are as follows: proceed west on PGA boulevard for 5.7 miles turn right (northwest) onto FL-710 (Beeline Highway). Proceed eight miles until the traffic light for the Pratt & Whitney and United Technology property main entrance. Turn left into the Pratt & Whitney campus. The project area is located in the northern portion of the property. Access to the project area is restricted from this point on.

APPROXIMATE CENTRAL COORDINATES: Latitude: N 26.928850°
Longitude: W -80.339345°

PROJECT PURPOSE:

Basic: The basic purpose of the project is Industrial Development.

Overall: The purpose of the project is to expand an existing industrial facility in Palm Beach County, Florida.

EXISTING CONDITIONS: The 46.85 +/- acre project area is comprised of an existing industrial facility, upland vacant lands, and undeveloped areas comprised of natural

wetlands. The wetland areas are comprised of shrub wetlands, hydric pine flatwoods, and wet prairie. Invasive exotic vegetation, primarily comprised of melaleuca and old world climbing fern, is present as scattered occurrences within the wetlands proposed for impacts for the access drive widening. The project area includes 32.6 +/- acres of wetland waters and 1 +/- acres of excavated ditches. The remainder of the project area is comprised of previously improved or disturbed uplands (13.1 +/- acres). The project area is located within a larger (6,000+ acre) property owned by the applicant that surrounds the project area. With the exception of the test range which is an open grassed area with a paved strip extending west from the existing facility, the areas adjacent to and surrounding project area are comprised of undeveloped lands of a similar nature (pine flatwoods, hydric pine flatwoods, shrub wetlands, cypress domes, and wet prairies). SR710 (Beeline Highway) lies one quarter mile to the north and parallel to the existing paved access drive. The J.W. Corbett Wildlife Management Area lies west of the project area.

PROPOSED WORK: The applicant seeks authorization to fill approximately 22.1 acres of wetlands within a 46.85 acre area for the expansion of an existing road, construction of an industrial building, associated additional parking, and a surface water management system at an existing Remote Test Site facility.

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: “The Remote Test Site consists of a building and a one half mile long (30 +/- acres) test field, both currently in use, and to remain in use after completion of the proposed activity. The active test field cannot be utilized for this proposed expansion. All other available uplands adjacent to the existing facility consist of previously disturbed lands that will be used but cannot accommodate all the proposed improvements. Due to the sensitive nature of the work and need for security at this facility, alternative site locations would have to be within the Pratt and Whitney property and provide a 35 or more acres of contiguous uplands, including a one half mile long open area. No such contiguous undeveloped upland area exists within the property. The existing Remote Test Site facility is surrounded by a mosaic of wetland habitats, therefore impacts to wetland waters are unavoidable.”

COMPENSATORY MITIGATION – The applicant has offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: “The Project Area is outside of any mitigation bank service area capable of providing mitigation credits for all of the wetland types being impacted (hydric pine flatwoods). Other mitigation bank(s) that could offer partial mitigation credits for the required compensatory mitigation do not have sufficient credits available. Because sufficient mitigation credits are not available, the applicant is proposing to offset unavoidable impacts to wetlands waters through implementation of an onsite permittee-responsible mitigation plan consisting of the perpetual preservation of natural wetland habitats with a commitment to implement a maintenance program in perpetuity.”

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 if applicable those federally recognized tribes with concerns in Florida and the Permit Area.

ENDANGERED SPECIES:

May Affect:

The Corps has determined the proposal may affect the Florida bonneted bat (*Eumops floridanus*), Eastern Indigo Snake (*Drymarchon couperi*), red-cockaded woodpecker (*Leuconotopicus borealis*). The Corps will request initiation of formal consultation with the Fish and Wildlife Service/National Marine Fisheries Service pursuant to Section 7 of the Endangered Species Act by separate letter.

Florida bonneted bat (*Eumops floridanus*): The project is not located within the species Urban Bat Area, however it is located in the consultation area. Potential roosting habitat includes forests and other areas with tall, mature trees. In general, roosting habitat contains one or more of the following structures: tree snags, and trees with cavities, hollows, deformities, decay, crevices, or loose bark. There are trees and structures present within the footprint of the proposed project that may provide potential roosting habitat, however, the majority of the habitat consists of smaller slash pine trees. Foraging habitat typically consists of relatively open areas such as freshwater wetlands, and the areas above wetland and upland forests. The project area offers hydric pine flatwood habitats with a high density of short-statured trees. The proposed project will impact less than 50 acres of potential foraging habitat (46.85 +/- acre project area) and extensive areas of similar habitat will remain in the surrounding landscape. The scope of the impacts to potential foraging habitats and potential roosting habitats would be negligible at the landscape scale. Based on the amount of potential roost structures, the amount of potential suitable foraging habitat being impacted, and the presence of extensive areas of suitable foraging habitat in the surrounding landscape, the proposed activity may affect the Florida bonneted bat.

Eastern Indigo Snake (*Drymarchon couperi*): The Corps determined that the proposed project activities may affect the Eastern indigo Snake due to the total project area of 46.85 acres. Use of The Corps of Engineers, Jacksonville District and the U.S. Fish and Wildlife's Indigo Snake Key dated 25 January 2010 and the 13 August 2013 addendum, resulted in a path of A-B-C, may affect.

Red-cockaded woodpecker (*Leuconotopicus borealis*): The project is located within the species consultation area. Nesting habitat includes Pine or pine dominated pine/hardwood stands, with old-growth pines and low or sparse understory. Cavities are generally constructed/excavated from mature pine trees, more than 60 years old. Suitable habitats include: Upland coniferous forest, pine flatwoods, longleaf pine-Xeric

Oak, and Pine-Mesic Oak. The project is located within these types of habitats and therefore the Corps has determined that the project may affect the species.

May affect not likely to adversely affect:

The Corps has determined the proposed project may affect, but is not likely to adversely affect the Everglade snail kite (*Rostrhamus sociabilis plumbeus*) and the wood stork (*Mycteria Americana*). The Corps will request U.S. Fish and Wildlife Service concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

Everglade snail kite (*Rostrhamus sociabilis plumbeus*): The project is located within the species consultation area. The species regularly occur in lake shallows along the shores and islands of many major lakes, including Lakes Okeechobee, Kissimmee, Tohopekaliga (Toho) and East Toho. They also regularly occur in the expansive marshes of southern Florida such as Water Conservation Areas 1, 2, and 3, Everglades National Park, the upper St. John's River marshes, and Grassy Waters Preserve. Snail kite foraging habitat consists of relatively shallow wetland vegetation, either within extensive marsh systems, or in lake littoral zones. Snail kite nesting substrate is typically located over open water at a distance of approximately 150 meters from the edge of water to provide protection to the nest. Herbaceous wetlands to be impacted by the proposed activity consist of fringe habitat thus are not suitable nesting habitat. The project was designed to avoid herbaceous wetlands to the greatest extent possible. It is not likely that nesting habitat is present on site, but suitable foraging habitat may be present. Extensive areas of suitable foraging habitat will remain in areas adjacent to the proposed project. Based on the lack of suitable nesting habitat on site, the limited amount of potential suitable foraging habitat on site, and the presence of extensive areas of suitable foraging and nesting habitat in the surrounding landscape, the proposed activity may affect, but is not likely to adversely affect the endangered Everglade snail kite.

Wood Stork (*Mycteria Americana*): The Corps determined that the proposed project activities are not likely to adversely affect the wood stork. Use of The Corps of Engineers, Jacksonville District and the U.S. Fish and Wildlife's Wood Stork Key dated 18 May 2010, resulted in a path of A-B-C-E, not likely to adversely affect. Some herbaceous wetland areas proposed to be impacted are considered Suitable Foraging Habitat (SFH) and will represent less than five acres overall. Nesting by this species is not currently occurring on the site, thus any occurrence would be transient. All wetland impacts will be compensated type for type thus providing SFH compensation.

No Effect:

Audubon's Crested Caracara (*Caracara plancus audubonii*): The project is located within the species consultation area. The project does not include the species nesting or foraging habitat which consists of large expanses of pastures, grasslands, or prairies dotted with numerous shallow ponds and sloughs and single or small clumps of live oaks, cabbage palms, and cypress, therefore the Corps has determined that the project will have no effect on the species.

Florida grasshopper sparrow (*Ammodramus savannarum floridanus*): The project is located within the species consultation area. Habitat for the Florida grasshopper sparrow has been described as dry prairie that is relatively open and low in stature. The habitat consists of treeless, relatively poorly-drained grasslands that have a history of frequent fires. The prairie vegetative community is typically dominated by saw palmetto and dwarf oaks. The project is not located in any of these types of habitats, therefore the Corps has determined that the project will have no effect on the species.

Florida scrub jay (*Apelocoma coerulescens*): The project is located within the species consultation area. Suitable habitats for the scrub-jay are not only the more "classic" xeric oak scrub, scrubby pine flatwoods, scrubby coastal strand, and sand pine scrub, but also include: improved, unimproved, and woodland pastures, citrus groves, rangeland, pine flatwoods, longleaf pine xeric oak, sand pine, sand pine plantations, forest regeneration areas, sand other than beaches, disturbed rural land in transition without positive indicators of intended activity, and disturbed burned areas. The project is not located in any of these types of habitats, therefore the Corps has determined that the project will have no effect on the 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 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 Palm Beach Gardens Permits Section, 4400 PGA Boulevard, Ste 500, Palm Beach Gardens, FL 33410 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, Kelly Egan, in writing at the Palm Beach Gardens Permits Section, 4400 PGA Boulevard, Ste 500, Palm Beach Gardens, FL 33410; by electronic mail at Kelly.A.Egan@usace.army.mil; or, by telephone at (561) 472-3514.

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

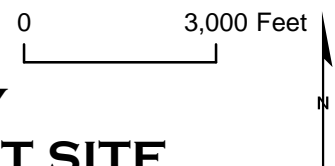
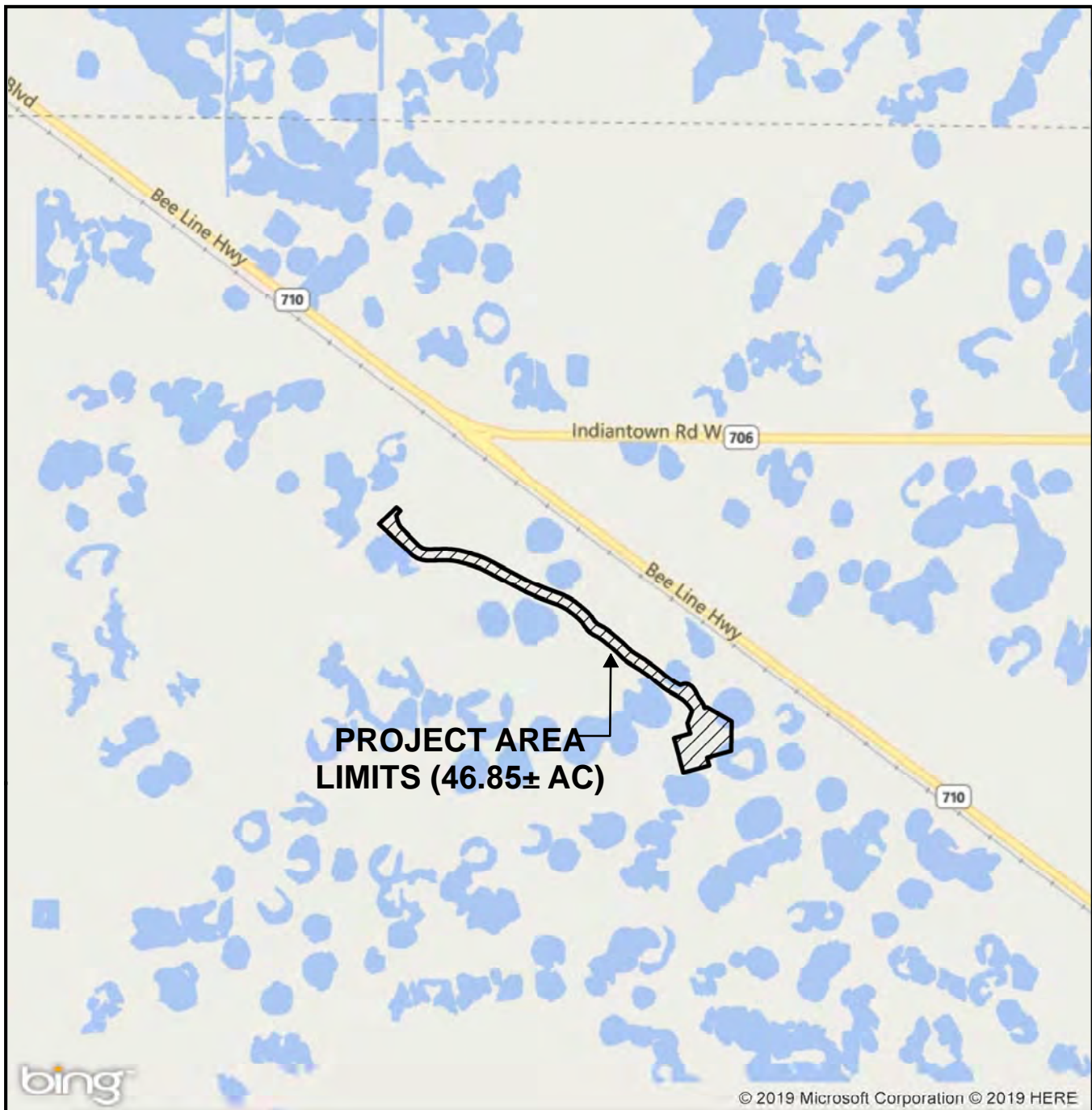
concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area.

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.



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FIGURE

1

PROJECT AREA
LIMITS (46.85± AC)

BEE LINE HIGHWAY
SR 710

FDOT AERIALS DATED 2019



0 800
SCALE IN FEET

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EXPANSION OF REMOTE TEST SITE
AERIAL



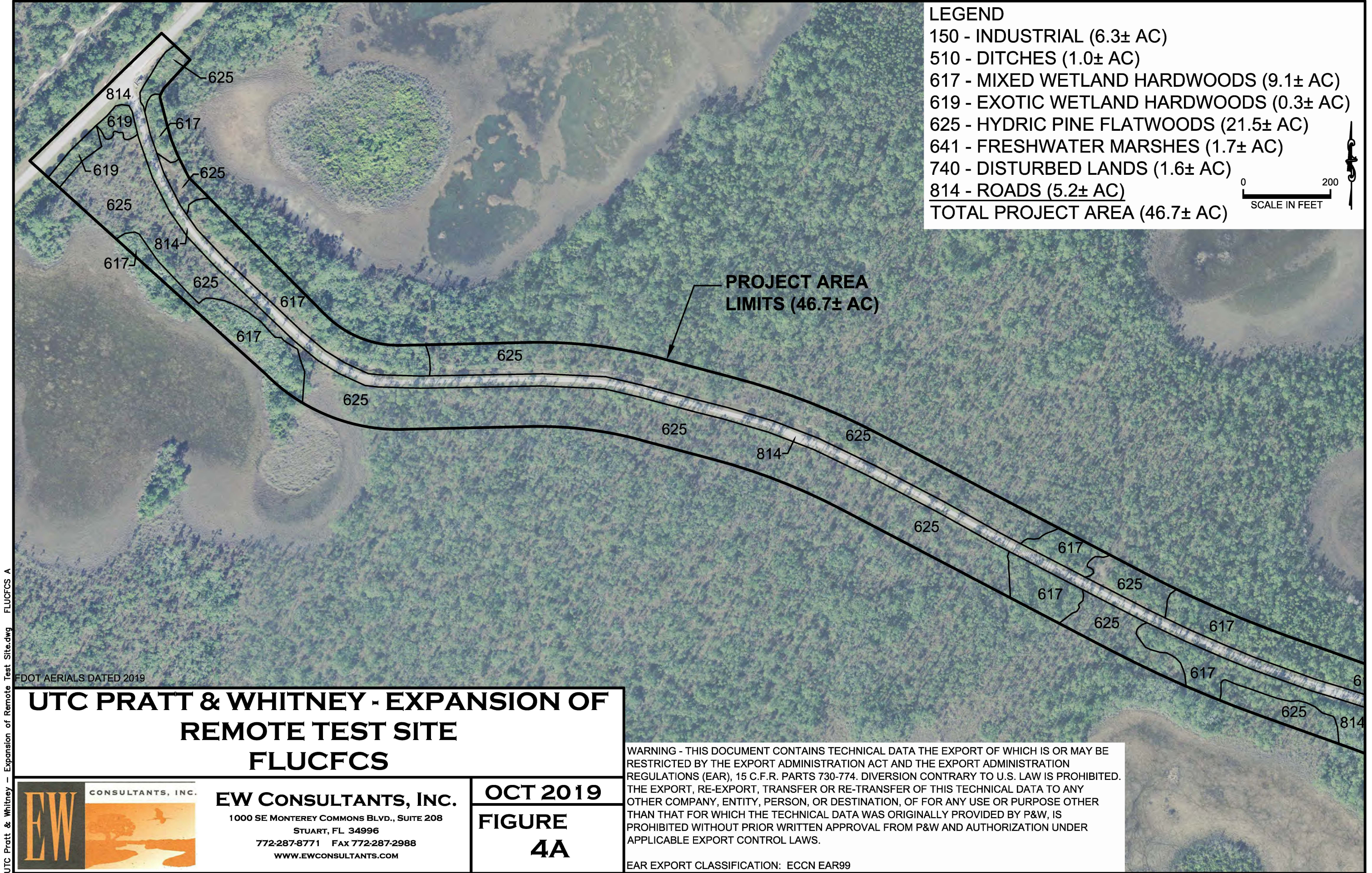
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FIGURE

3

UTC Pratt & Whitney - Expansion of Remote Test Site.dwg FLUCFCS A



LEGEND

- 150 - INDUSTRIAL (6.3± AC)
- 510 - DITCHES (1.0± AC)
- 617 - MIXED WETLAND HARDWOODS (9.1± AC)
- 619 - EXOTIC WETLAND HARDWOODS (0.3± AC)
- 625 - HYDRIC PINE FLATWOODS (21.5± AC)
- 641 - FRESHWATER MARSHES (1.7± AC)
- 740 - DISTURBED LANDS (1.6± AC)
- 814 - ROADS (5.2± AC)
- TOTAL PROJECT AREA (46.7± AC)**

0 200
SCALE IN FEET

FDOT AERIALS DATED 2019

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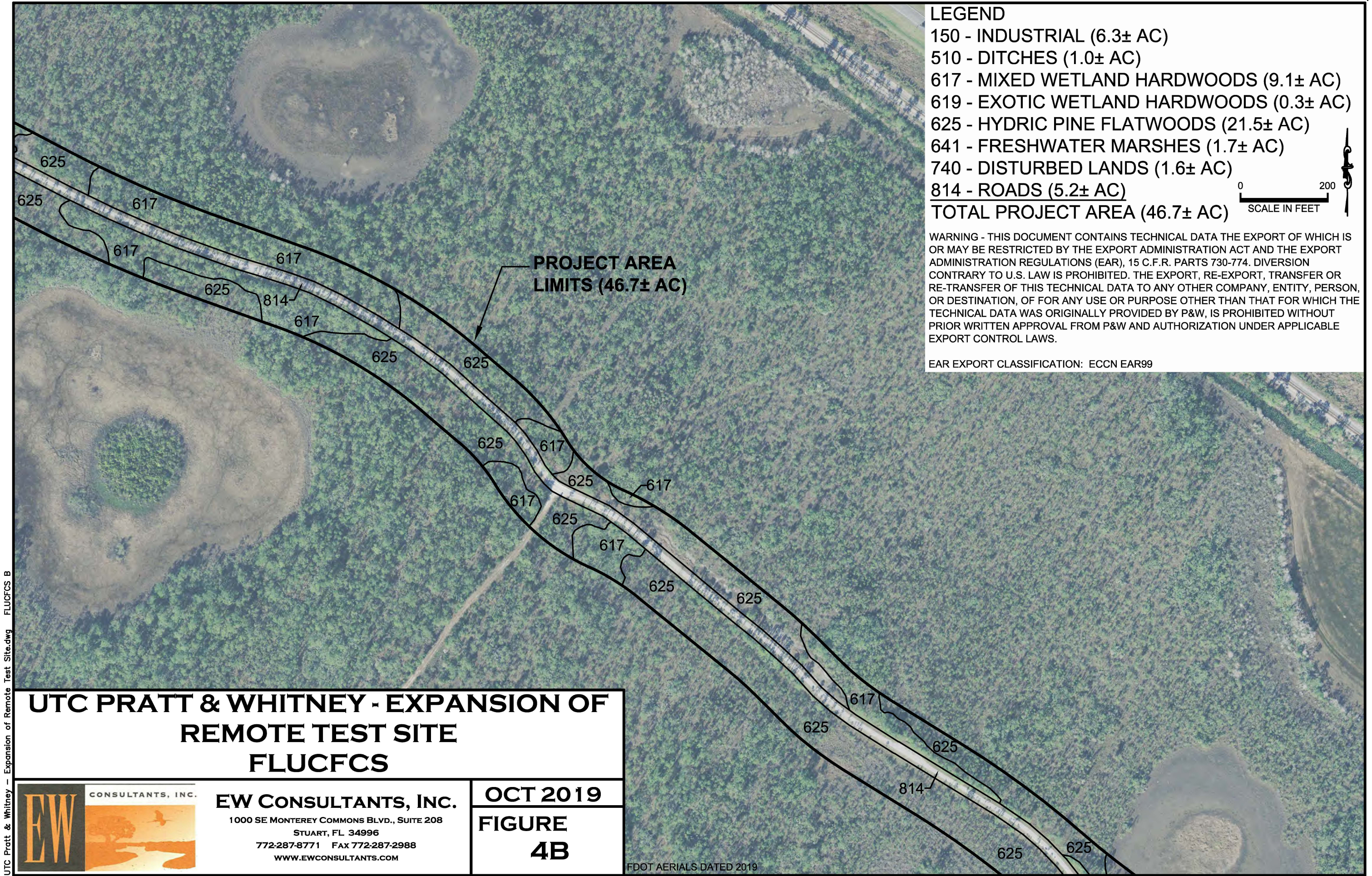


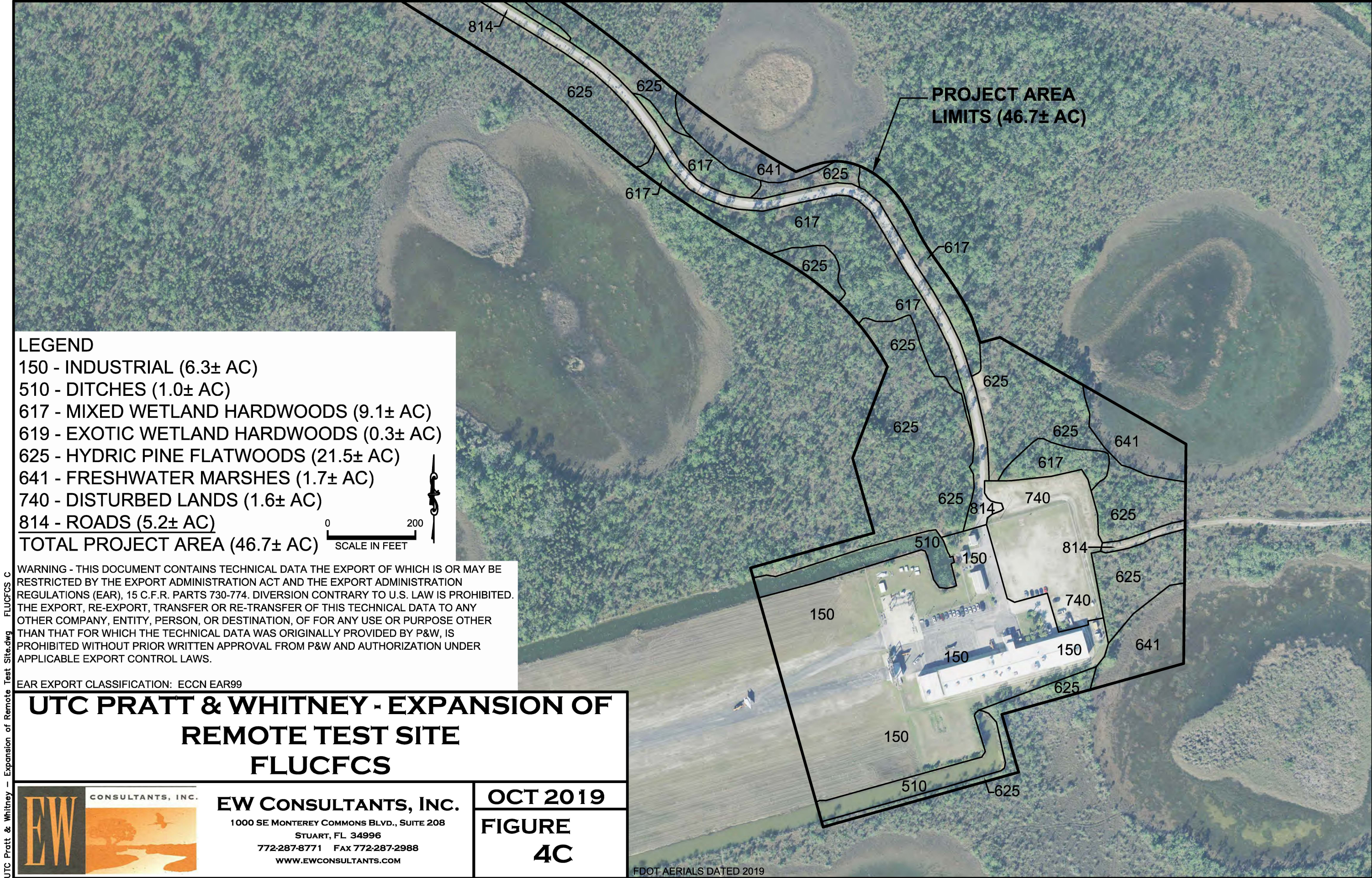
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FIGURE 4A

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LEGEND

150 - INDUSTRIAL (6.3± AC)
510 - DITCHES (1.0± AC)
617 - MIXED WETLAND HARDWOODS (9.1± AC)
619 - EXOTIC WETLAND HARDWOODS (0.3± AC)
625 - HYDRIC PINE FLATWOODS (21.5± AC)
641 - FRESHWATER MARSHES (1.7± AC)
740 - DISTURBED LANDS (1.6± AC)
814 - ROADS (5.2± AC)

TOTAL PROJECT AREA (46.7± AC)

0 200
SCALE IN FEET

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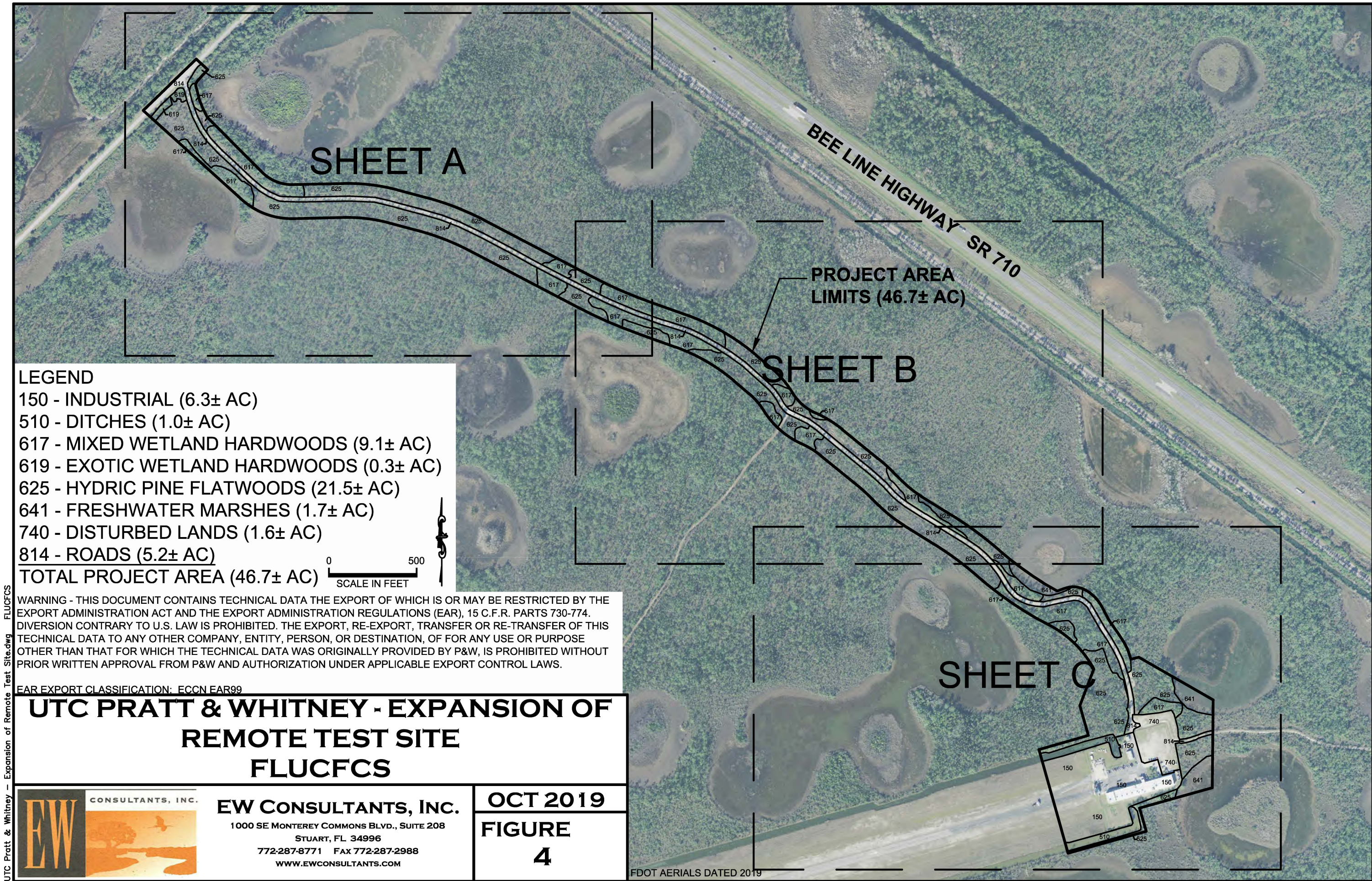
**UTC PRATT & WHITNEY - EXPANSION OF
REMOTE TEST SITE
FLUCFCS**

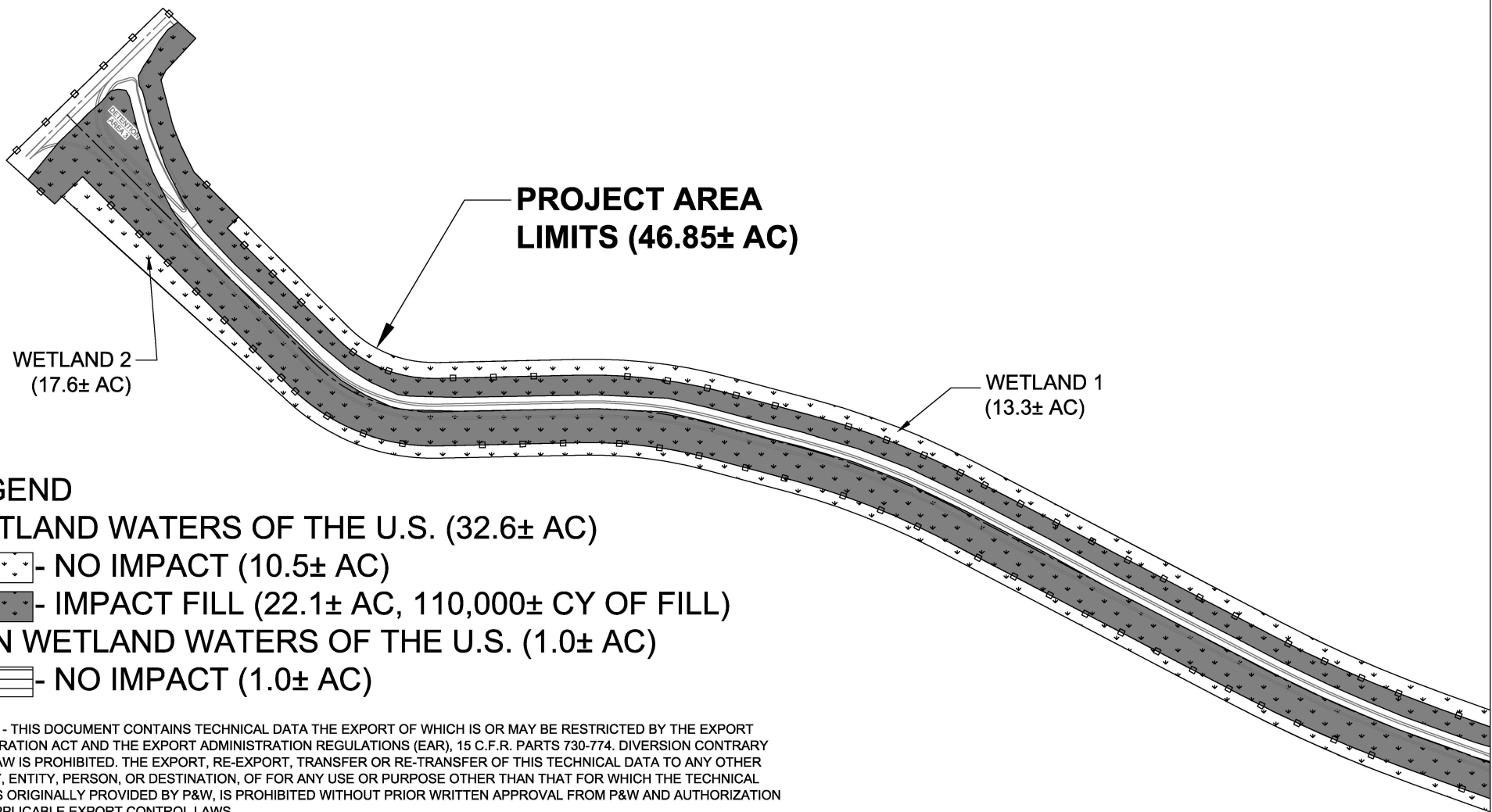


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**FIGURE
4C**

FDOT AERIALS DATED 2019





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SITE PLAN BY: ARCADIS U.S., Inc.

DATED: 11-04-2019



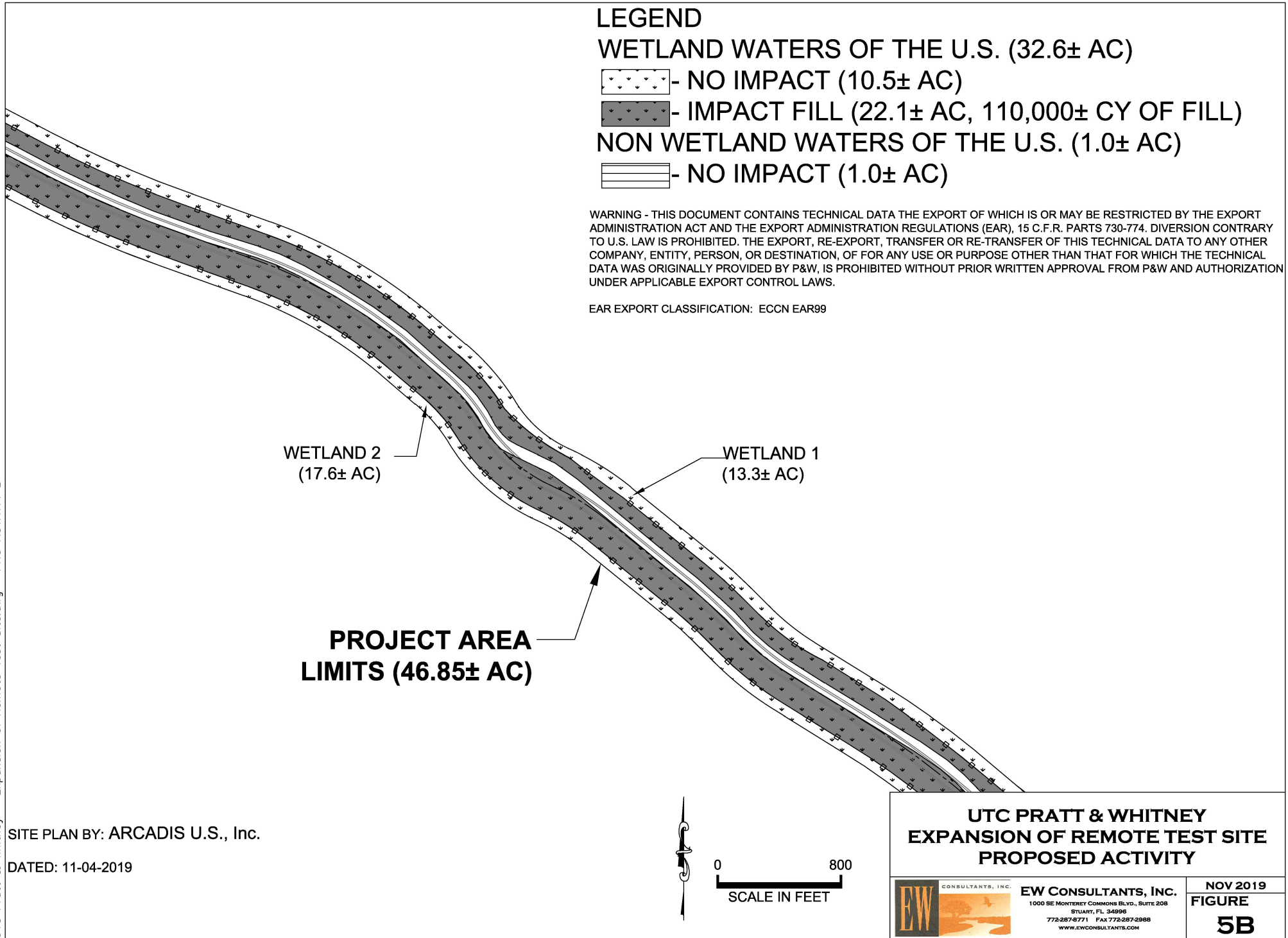
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**FIGURE
5A**



**PROJECT AREA
LIMITS (46.85± AC)**

**WETLAND 2
(17.6± AC)**

**WETLAND 1
(13.3± AC)**

**NWW 1
(0.5± AC)**

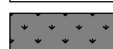
**WETLAND 3
(1.7± AC)**

**NWW 2
(0.5± AC)**

LEGEND

WETLAND WATERS OF THE U.S. (32.6± AC)

 - NO IMPACT (10.5± AC)

 - IMPACT FILL (22.1± AC, 110,000± CY OF FILL)

NON WETLAND WATERS OF THE U.S. (1.0± AC)

 - NO IMPACT (1.0± AC)

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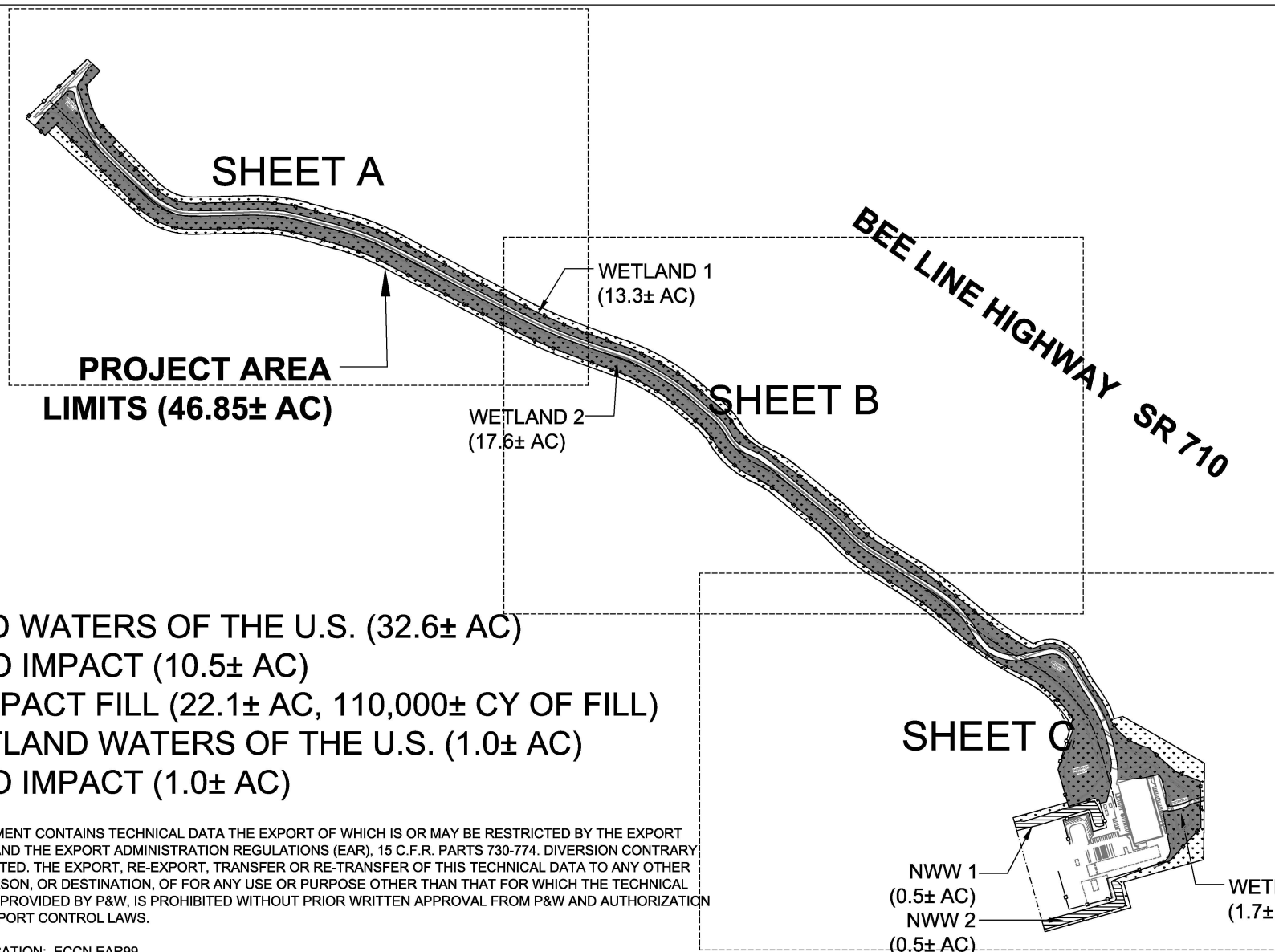


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FIGURE

5C

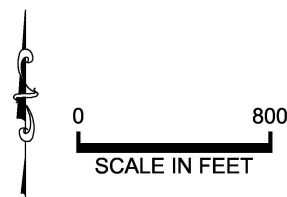


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FIGURE
5

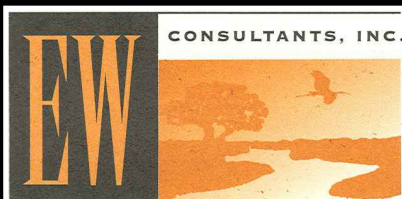
UTC Pratt & Whitney - Expansion of Remote Test Site.dwg



USGS QUAD MAP "WEST OF ROOD", SECTION 4, 5 & 9, TOWNSHIP 41 SOUTH, RANGE 40 EAST, JUPITER, PALM BEACH COUNTY, FLORIDA LATITUDE 26°55'44.69" LONGITUDE -80°20'20.32"

0 3000
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UTC PRATT & WHITNEY EXPANSION OF REMOTE TEST SITE QUAD



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FIGURE

2