



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

March 4, 2020

Regulatory Division
North Branch
Jacksonville Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2017-03348 (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) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) as described below:

APPLICANT: Saint John's County
Attention: Jay Brawley
2750 Industry Center Road
Saint Augustine, Florida 32084

WATERWAY AND LOCATION: The project would affect waters of the United States (open water) associated with Deep Creek and sixteen mile Creek. The project site is located within a Saint John's County Right of way under the Florida Department of Transportation bridge number 784054.

APPROXIMATE CENTRAL COORDINATES: Latitude 29.678877°
Longitude -81.466354°

PROJECT PURPOSE:

Basic: The basic project purpose is dredge.

Overall: The overall project purpose is to dredge under the Florida Department of Transportation bridge number 784054 to reestablish a positive downstream flow within the system.

EXISTING CONDITIONS: The project site is located under Florida Department of Transportation bridge number 784054. The site contains muck at low tide impacting the water flow during storm events.

PROPOSED WORK: The applicant seeks authorization to dredge 15,300-cubic yards of material from the County right of way to reconnect existing dredged areas to improve drainage, this will decrease the elevation 2-4 feet throughout the channel. Dredging will be completed in 4 phases so that portions of the project area can be isolated, creek

flows can be maintained, and material can be stockpiled and dewatered. Each phase will generate 3-4,000 cubic yards of material. Each phase will be isolated with a temporary sheet pile coffer dam. A temporary bypass channel will be dug to an elevation of -2.0 ft NAVD88 on the opposite side of the isolated area to allow creek baseflow to continue. Turbidity curtains will be installed parallel to each work zone phase and at the north end of the project area to protect downstream water quality. Sediment under and approximately 50' on either side of the bridge will be removed with each phase. Muck material will need to be dewatered 'in-situ', within the limits of the phased dredging areas as there is not sufficient adjacent upland area within the right of way to create a separate upland dewatering area. Muck in each construction phase area will be pushed into wind row piles by a bulldozer and allowed to dewater. A small dewatering pit may be used in each phase to facilitate dewatering. Water would be pumped from within the cofferdam area out to the temporary bypass channel. Dredge material will be sufficiently dewatered to "paint filter test" standards to prevent leakage during transport. Dredge material within 50' north and south of the bridge that is contaminated with benzo-a-pyrene will be removed and hauled to a Class I landfill for disposal. For remaining areas, the County proposes to dispose of the material at a beneficial use site if identified. If the County identifies a willing landowner that would take the dredged material for a beneficial upland use, the selected contractor will haul the dredged material to this location and dispose of it. However, prior to disposal at the off-site beneficial use site, the selected contractor will conduct composite sampling and laboratory analysis of the dewatered material at a minimum of two separate locations per phase to confirm arsenic and barium concentrations. If a beneficial use upland site is not identified, the selected contractor will dispose of the dredged material at a permitted landfill.

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: "Proposed fill activities is only proposed in unvegetated maintained portion of the St. Johns County, County Road 13 right of way (ROW) so as to avoid impacts to adjacent high quality forested wetlands and minimize the footprint of the proposed dredging. Dredge depths are based upon prior elevations recorded in a historic survey. This will minimize hydrologic impacts to the adjacent floodplain wetlands. Access to the north side of County Road 13 to remove dredge material is very limited. The County is proposing the construction of an access road that minimizes fill and wetland impacts by proposing the access road only be stabilized with a geoweb and rock. The proposed access road width has been minimized to the width of a dump truck to avoid impacts to the adjacent wetland."

COMPENSATORY MITIGATION – The applicant has provided the following explanation why compensatory mitigation should not be required: due to the water dependent activity no compensatory mitigation is proposed.

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:

a. West Indian Manatee: The proposal by the applicant is for in-water construction, potential impacts to the 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 sequential determination A > B > C > D > E > F > G > N > O > P4-may affect, not likely to adversely affect. This determination is based on the applicant adhering to the Standard Manatee Conditions for In-Water Work, 2011. The U.S. Fish and Wildlife Service (FWS) previously indicated that they concur with determinations of may affect, not likely to adversely affect based on the key for manatees; and, that no additional consultation is necessary.

b. Wood Stork: May Affect, Not Likely to Adversely Affect; Programmatic Consultation - The project is within the Core Foraging Area of a Wood Stork colony; however, the project would affect less than 0.5 acre of suitable foraging habitat for Wood Storks. 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-C-may affect, but is not likely to adversely affect.

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 North Permits Section, Jacksonville District Corps of Engineers Post Office Box 4970 Jacksonville Florida, 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 21 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: 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, aesthetics, 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.

Figure 1-1

Overall Conceptual Phasing Plan

Deep Creek at CR 13 Dredge

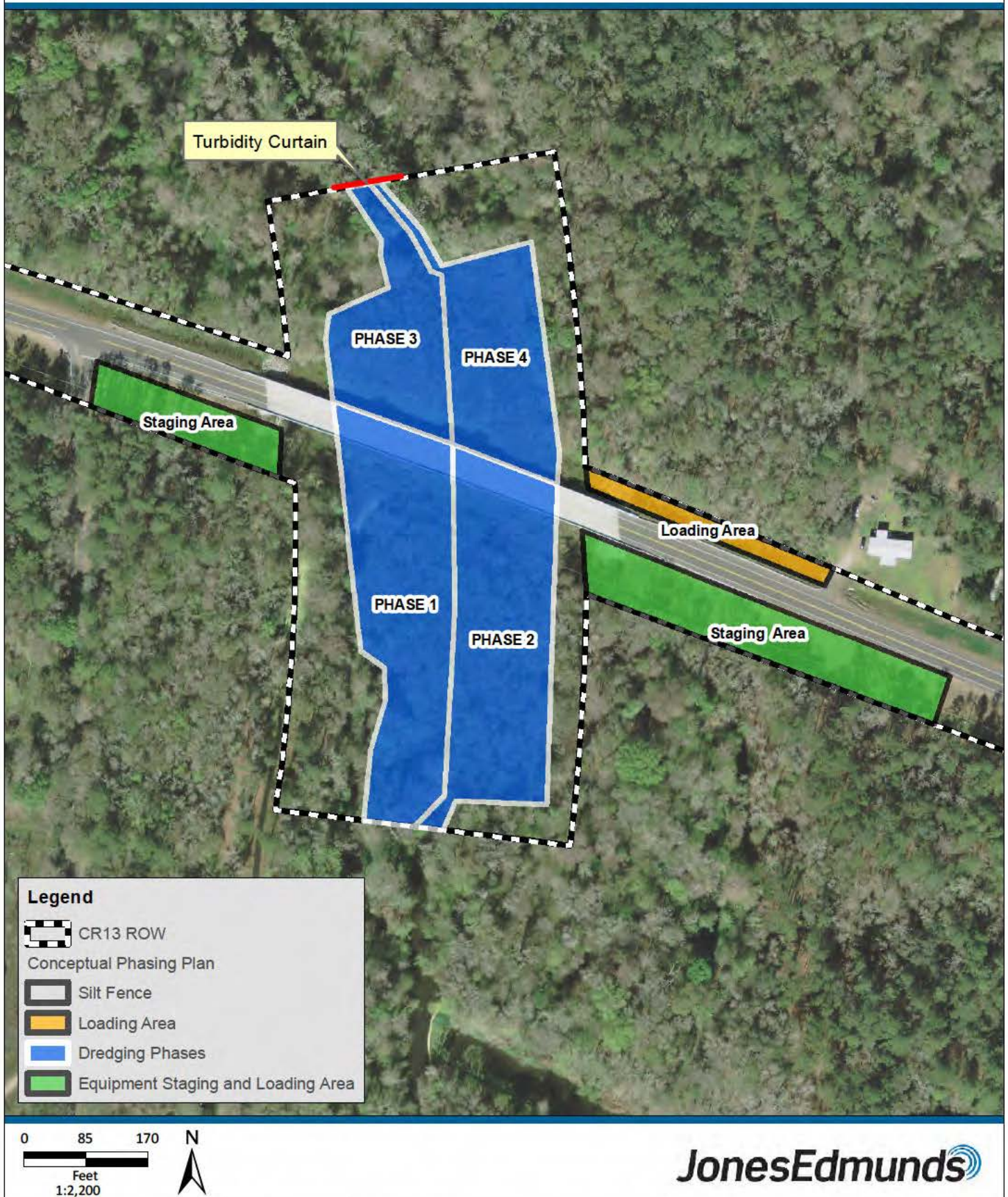
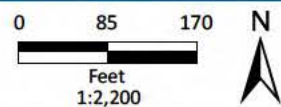
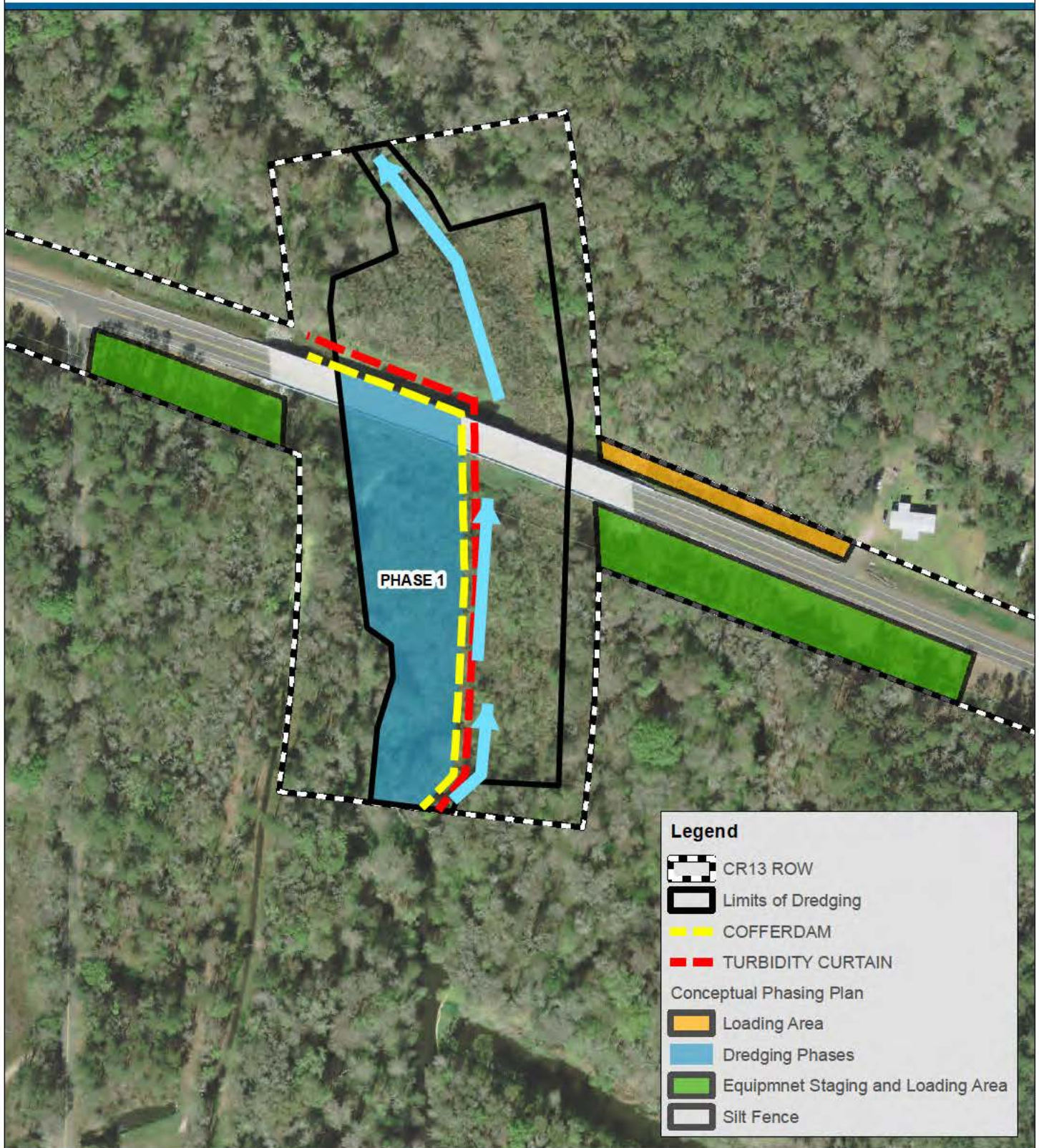


Figure 1-2

Conceptual Phase I Dredging Plan

Deep Creek at CR 13 Dredge

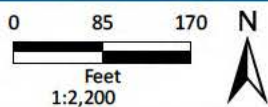


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Figure 1-3

Conceptual Phase 2 Dredging Plan

Deep Creek at CR 13 Dredge

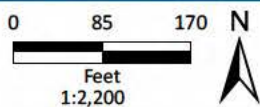
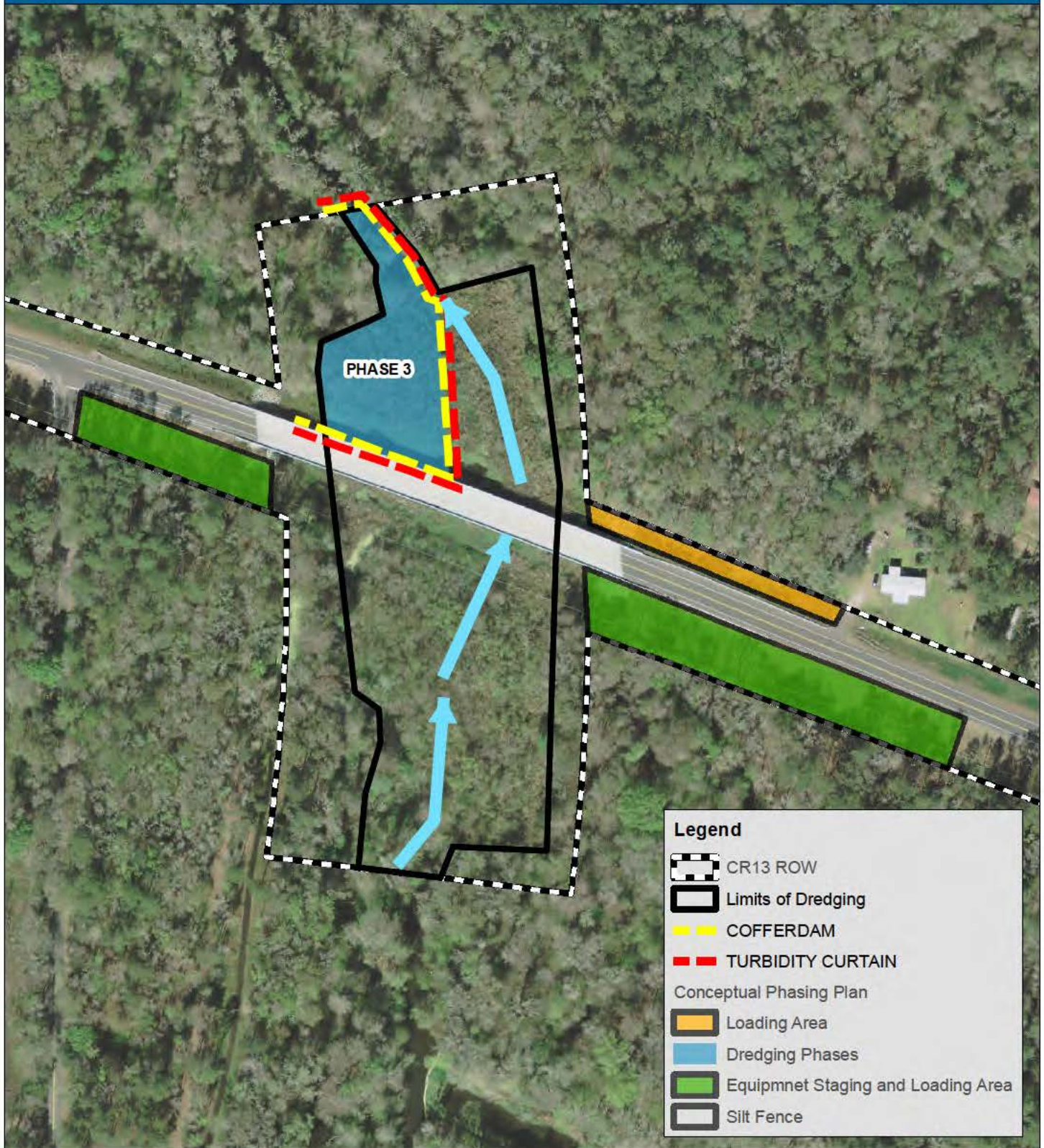


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Figure 1-4

Conceptual Phase 3 Dredging Plan

Deep Creek at CR 13 Dredge

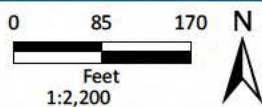
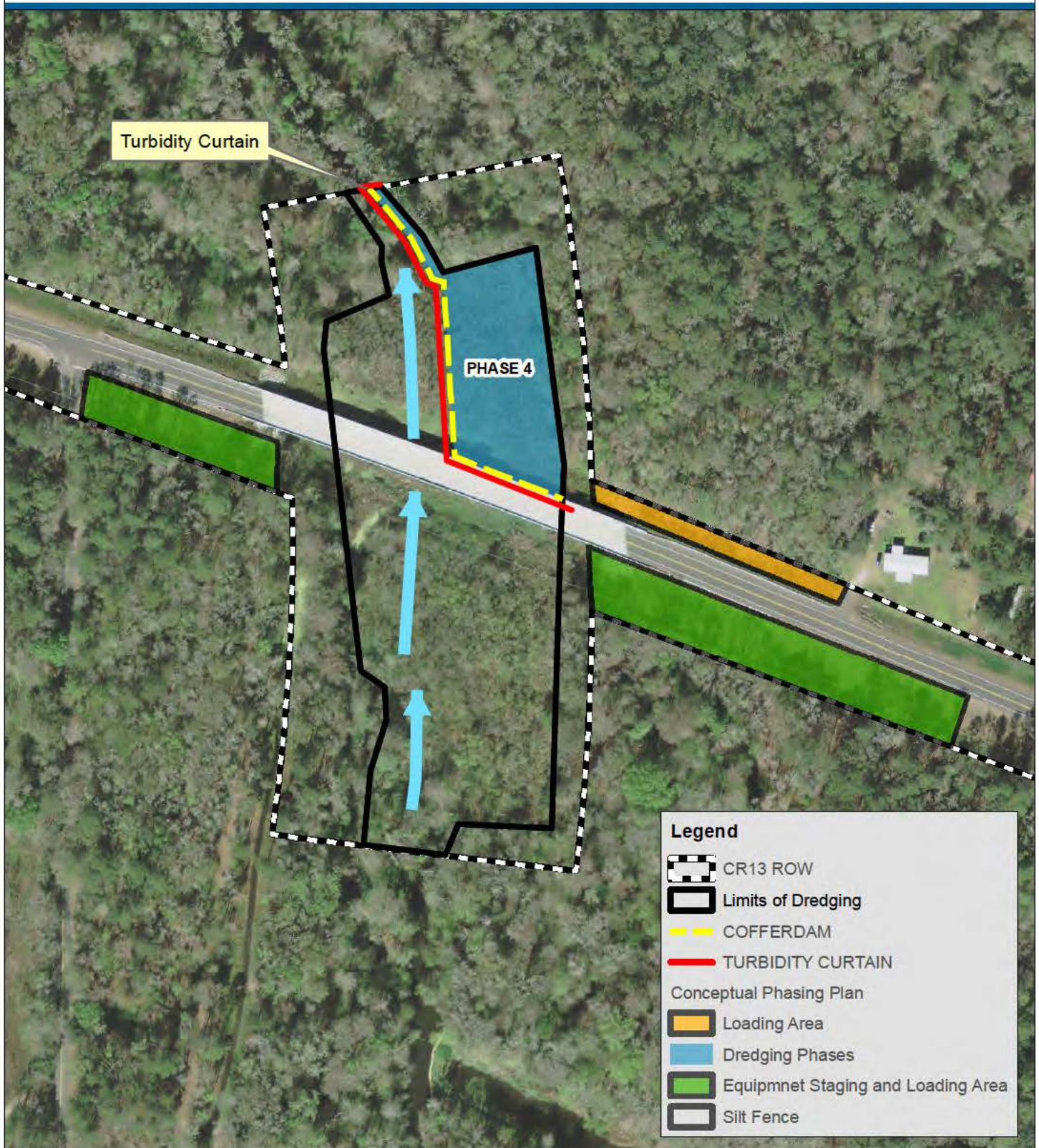


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Figure 1-5

Conceptual Phase 4 Dredging Plan

Deep Creek at CR 13 Dredge



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Figure 1-1

Typical Dredge Means and Methods Map

Deep Creek Drainage Improvements

