



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

MARCH 6, 2020

PUBLIC NOTICE

Permit Application Number SAJ-2018-02235(SP-MRE)

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: DR Horton, Incorporated
4220 Race Track Road
Saint Johns, Florida 32259

WATERWAY AND LOCATION: The project would affect waters of the United States (wetlands) associated with Sampson Creek. The project site is located at 9755 CE Wilson Road (St. Johns County Property Appraiser Parcel Identification Numbers 026100-0000, 026200-0000, 026230-0000, 026100-0020, 026100-0010), in Section 16, Township 5 South, Range 28 East, St. Johns County, Florida.

APPROXIMATE CENTRAL COORDINATES: Latitude 30.0636°, Longitude -81.4880°

PROJECT PURPOSE:

Basic: The basic project purpose is residential development.

Overall: The overall project purpose is single-family and multi-family residential development for north-central St. Johns County.

EXISTING CONDITIONS:

a. General: The project site is approximately 144 acres in size and is bisected by Sampson Creek. The topography of the site is relatively flat but generally slopes from mostly upland communities towards depressional wetland areas; however, the site mainly drains toward Sampson Creek. The elevations of the property range from approximately +26 feet to +17 feet NAVD. Elevations in the wetlands are approximately 1 to 2 feet lower than the adjacent uplands. During a pre-application consultation, the applicant obtained an *Approved Jurisdictional Determination*, which concluded that four small systems located in the southern section of the property had no hydrologic connection to Sampson Creek; and, no other nexus to Sampson Creek or downstream waters. Therefore, these four wetland areas are not within Federal jurisdiction under the Clean Water Act of 1972, as amended.

b. Soils: The site encompasses seven soil types characterized in the *Soil Survey of St Johns County, Florida*.

(1) *Immokalee fine sand* (map unit 07): This soil type is a poorly drained, nearly level soil on broad flats and low knolls in flatwoods. The seasonal high-water table is at a depth of less than 10 inches for about two months of the year. It is at a depth of 10 to 40 inches for more than

eight months of the year; and, it recedes to a depth of more than 40 inches during extended dry periods. Typically, the surface layer is very dark gray fine sand about eight inches thick. The subsurface layer, which is about 32 inches thick, is light gray and white sand.

(2) *Zolfo fine sand* (map unit 08): This soil type is a somewhat poorly drained, nearly level soil on broad landscapes that are slightly higher than adjacent flatwoods. The seasonal high water table is at a depth of 24 to 40 inches for two to nine months in most years under natural conditions. Typically, the surface layer is grayish brown fine sand about five inches thick. The subsurface layer is pale brown to light gray fine sand, which extends to a depth of about 66 inches.

(3) *Pomona fine sand* (map unit 09): This soil type is a poorly drained, nearly level soil is located in broad areas in flatwoods. The seasonal high water table is within 10 inches of the surface for one to three months and is at a depth of 10 to 40 inches for six months or more. During extended dry periods, the water table recedes to a depth of more than 40 inches. Typically, the surface layer is black to very dark gray fine sand about six inches thick. The subsurface layer, which is about 15 inches thick, is gray and light gray fine sand.

(4) *Tocoi fine sand* (map unit 34): This poorly drained, nearly level soil is found in broad flatwood areas. Slopes range from 0 to 2 percent. Areas of these soils are irregular in shape and range from 15 to 400 acres. Typically, the surface layer is black fine sand about 13 inches thick. The upper part of the subsoil consists of very dark brown and dark reddish brown fine sand, which extends to depths of 23 inches. The seasonal high water table is at a depth of less than 10 inches for 2 to 4 months during rainy seasons. It is within a depth of 20 to 40 inches for 6 months or more during most years.

(5) *Sparr fine sand, 0 to 5 percent slopes* (map unit 44): This soil type is a somewhat poorly drained, nearly level to gently sloping soil adjacent to drainageways and on low knolls in flatwoods. The seasonal high water table is at a depth of 20 to 40 inches for one to four months during most years. Typically, the surface layer is gray fine sand about three inches thick. The subsurface layers are fine sand, which extends to a depth of 68 inches. They are very pale brown to white.

(6) *Holopaw fine sand, frequently flooded* (map unit 47): This soil type is a very poorly drained, nearly level sandy soil in broad, shallow drainageways. This soil is flooded for more than one month during most years. The water table is within 10 inches of the soil surface for two to six months annually. Typically, the surface layer is black fine sand about six inches thick. The subsurface layer, about 44 inches thick, is grayish brown and gray fine sand.

(7) *Bakersville muck* (map unit 69): This soil type is a nearly level, very poorly drained soil in depressional areas of flatwoods. The seasonal high water table is above the soil surface for six months or more in most years. Typically, in undisturbed areas, a layer of black muck about five inches thick is on the surface. The surface layer is black and very dark grayish brown loamy fine sand, which extends to a depth of about 41 inches.

c. Vegetative Communities: The project site encompasses six community types characterized by the *Florida Land Use, Cover, and Forms Classification System* (FLUCFCS).

(1) *Low Density Residential* (FLUCFCS code 110): This FLUCFCS type comprises single-family residential units with a density of less than two dwelling units per acre.

(2) *Pine Flatwoods* (FLUCFCS code 411): This upland community has a canopy of slash pine (*Pinus elliotii*). The understory and groundcover are vegetated with yaupon holly (*Ilex vomitoria*), bitter gallberry (*Ilex glabra*), saw palmetto (*Serenoa repens*), and bracken fern (*Pteridium aquilinum*).

(3) *Pine Plantation* (FLUCFCS code 441): This dominant upland community has a canopy of planted slash pine with an understory and groundcover of bitter gallberry, saw palmetto, and bracken fern.

(4) *Stream Swamp* (FLUCFCS code 615): This community includes the bottomland of stream hardwoods; and, is usually found on, but not restricted to, river, creek and lake flood plains, or overflow areas. At this site, this community is related to Sampson Creek. This community typically has a wide variety of predominantly hardwood species including red maple (*Acer rubrum*), river birch (*Betula nigra*), water oak (*Quercus nigra*), sweetgum (*Liquidambar styraciflua*), blackgum (*Nyssa sylvatica* var. *biflora*), water hickory (*Carya aquatica*), and water ash (*Fraxinus caroliniana*). Associated species include cypress (*Taxodium* spp.), slash pine (*Pinus elliotii*), and loblolly pine (*Pinus taeda*).

(5) *Hydric Pine Flatwoods* (FLUCFCS code 625): This wetland community has a canopy of slash pine (*Pinus elliotii*). The understory and groundcover are vegetated with scattered dahoon holly (*Ilex cassine*), loblolly bay (*Gordonia lasianthus*), fetterbush (*Lyonia lucida*), highbush blueberry (*Vaccinium corymbosum*), Virginia chain fern (*Woodwardia virginica*), and pipewort (*Eriocaulon* sp.).

(6) *Wetland Forested Mixed* (FLUCFCS code 630): This wetland community has a mixed canopy slash pine (*Pinus elliotii*), dahoon holly (*Ilex cassine*), loblolly bay (*Gordonia lasianthus*), red maple (*Acer rubrum*), and sweetgum (*Liquidambar styraciflua*). The understory and groundcover are vegetated with fetterbush (*Lyonia lucida*), highbush blueberry (*Vaccinium corymbosum*), Virginia chain fern (*Woodwardia virginica*) and pipewort (*Eriocaulon* sp.).

PROPOSED WORK: The applicant seeks authorization to discharge clean fill material over a total of 4.17 acres of wetlands within Federal jurisdiction to facilitate the establishment of the site infrastructure and some residential parcels. The project also would eliminate a total of 2.48 acres of wetlands not within Federal jurisdiction, as determined by the *Approved Jurisdictional Determination*. That additional work would facilitate the establishment of residential parcels and a component of the overall stormwater management system. Uplands within the eastern regions of the overall property provide areas to expand the proposed development in response to market demands ("Phase 2"). The applicant indicates that additional work affecting wetlands would not be necessary to accommodate any additional development in those areas.

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:

In order to access all of the property, the applicant must establish a crossing over Sampson Creek. The applicant indicated that the construction of a bridge over the creek is not economically practical; and, therefore, the project incorporates fill and a multi-culvert crossing. The applicant's engineering consultant expressed the opinion that the proposed crossing is the narrowest design that would safely accommodate two-way traffic, including emergency service vehicles. The applicant, in consideration of the roadway design and the nominal fill areas associated with the establishment of residential parcels, expressed an opinion that the project avoids and minimizes work affecting wetlands to the maximum extent practicable.

Separately, the proposed main roadway would act as ingress/egress for the proposed project; however, it also would serve to improve public safety. Currently, when residents of the *Sandy Creek* subdivision exit the subdivision and desire to go west on County Road 210, they must first turn right (on County Road 210) and then make a U-turn. Conversely, traffic going west on County Road 210 headed to *Sandy Creek* must travel past Interstate 95 and make a U-turn on County Road 210 to turn south onto the subdivision access road. The proposed roadway would provide an alternate access/egress for the *Sandy Creek* subdivision; and, provide a standard four-way intersection at County Road 210 and C.E. Wilson Road. In consideration of this secondary use, the applicant designed the location of the proposed roadway along the western project boundary, to facilitate its use by the *Sandy Creek* subdivision and other properties.

COMPENSATORY MITIGATION – The applicant has offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment:

The applicant's ecological agent submitted a *Uniform Mitigation Assessment Method* (UMAM) quantifying and qualifying the loss of wetland functions and services associated with the work proposed. That UMAM calculated the loss as 3.05 units. Therefore, the applicant has proposed the purchase of 3.05 credits from a UMAM-based federally approved mitigation bank with a service area encompassing the project site.

CULTURAL RESOURCES: The Corps executed a *Resources At Risk* (RAR) report. The RAR indicated that a *Cultural Resource Assessment Survey* (CRAS) may be required; and, identified an unevaluated Florida Structure (SJ03956 - 9915 CE Wilson Road). 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. **Wood Stork (*Mycteria americana*):** The project site is within the core foraging area of the Dee Dot Ranch (594004) Wood Stork colony. Therefore, this species could utilize the project site. The stork uses freshwater and estuarine wetlands as feeding, nesting, and roosting sites. Storks feed primarily on small fish in calm, uncluttered water depths between 2- to 15-inches deep. Often a dropping water level is needed to concentrate fish in an area to feed; conversely, a rise in water reduces the value of a site as feeding habitat. Generally, drying marshes, stock ponds, shallow roadside or agricultural ditches, narrow tidal creeks or shallow tidal pools, depressions in cypress swamps or sloughs provide the ideal feeding habitat. Most nesting colonies in the southeastern U.S. are located in woody vegetation over standing water or on islands surrounded by broad expanses of open water, including areas that have been impounded by man-made structures, although this is only for a short period of time. The majority of the work proposed occurs in areas with a dense canopy cover; and, the project would affect less than 0.5 acre of suitable foraging habitat for this species. 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*. 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 Wood Storks; and, that no additional consultation is necessary.

Eastern Indigo Snakes (*Drymarchon corais couperi*): Eastern Indigo Snake frequents several habitat types, including pine flatwoods, scrubby flatwoods, high pine, dry prairie, tropical hardwood hammocks, edges of freshwater marshes, agricultural fields, coastal dunes, and human-altered habitats. Therefore, this species could utilize the project site. Gopher tortoise (*Gopherus polyphemus*) burrows are commonly utilized as refuge from winter cold and/or desiccating conditions in xeric habitats; and, hollowed root channels, hollow logs, or burrows of rodents, armadillo (*Dasypus novemcinctus*), or land crabs (*Cardisoma guanhumi*) provide shelter in wetter habitats. The applicant's ecological consultant indicated that an inspection of the overall property located gopher tortoise burrows in the section of the overall property south of Sampson Creek. Separately, the FWS recently identified known sightings of Eastern Indigo Snakes; and, indicated that future evaluations of potential effects to this species might be based on identified locations of the species. With respect to this project, the closest identified sighting is approximately 5 miles from the project site. Therefore, potentially, it is unlikely that this species inhabits the site. However, in consideration of the potential presence of eastern indigo snake habitat, the Corps utilized *The Eastern Indigo Snake Programmatic Effect Determination Key, August 2013*. Use of this key resulted in the sequence A-B-C-D-E-*may affect, but is not likely to adversely affect*, as the applicant has agreed to implement the *Standard Protection Measures for the Eastern Indigo Snake*, dated August 12, 2013. The FWS previously has indicated that they concur with determinations of *may affect, not likely to adversely affect* based on the key for Eastern Indigo Snakes; and, that no additional consultation is necessary.

c. 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.

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 project does not affect marine or estuarine habitat nor an area designated as EFH. Our initial determination is that the proposed action would not have an impact on EFH or federally managed fisheries in the St. Johns River. 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. The Corps previously finalized an *Approved Jurisdictional Determination*; and, therefore, the Corps finalized an evaluation of the extent of wetlands and the extent of Federal jurisdiction at the site.

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 Jacksonville Permits Section, 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, Mark R. Evans, in writing at the Jacksonville Permits Section, Post Office Box 4970, Jacksonville, Florida 32232; by electronic mail at mark.r.evans@usace.army.mil; by facsimile transmission at (904)232-1940; or, by telephone at (904)232-2028.

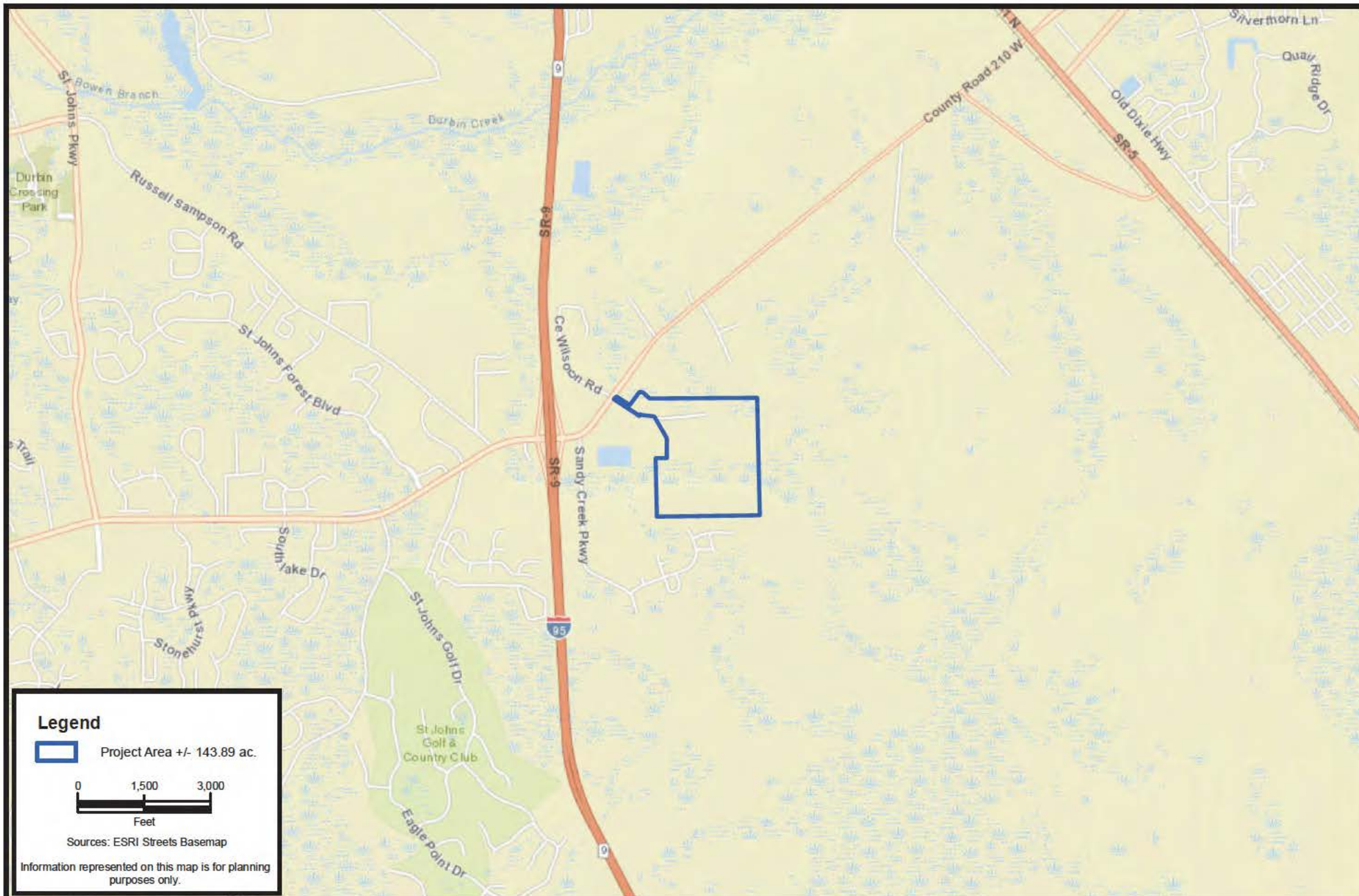
IMPACT ON NATURAL RESOURCES: Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information 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.



CARTER ENVIRONMENTAL
SERVICES, INC.



7 Waldo Street
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Location Map

Bridgewater

Project: 5.18077

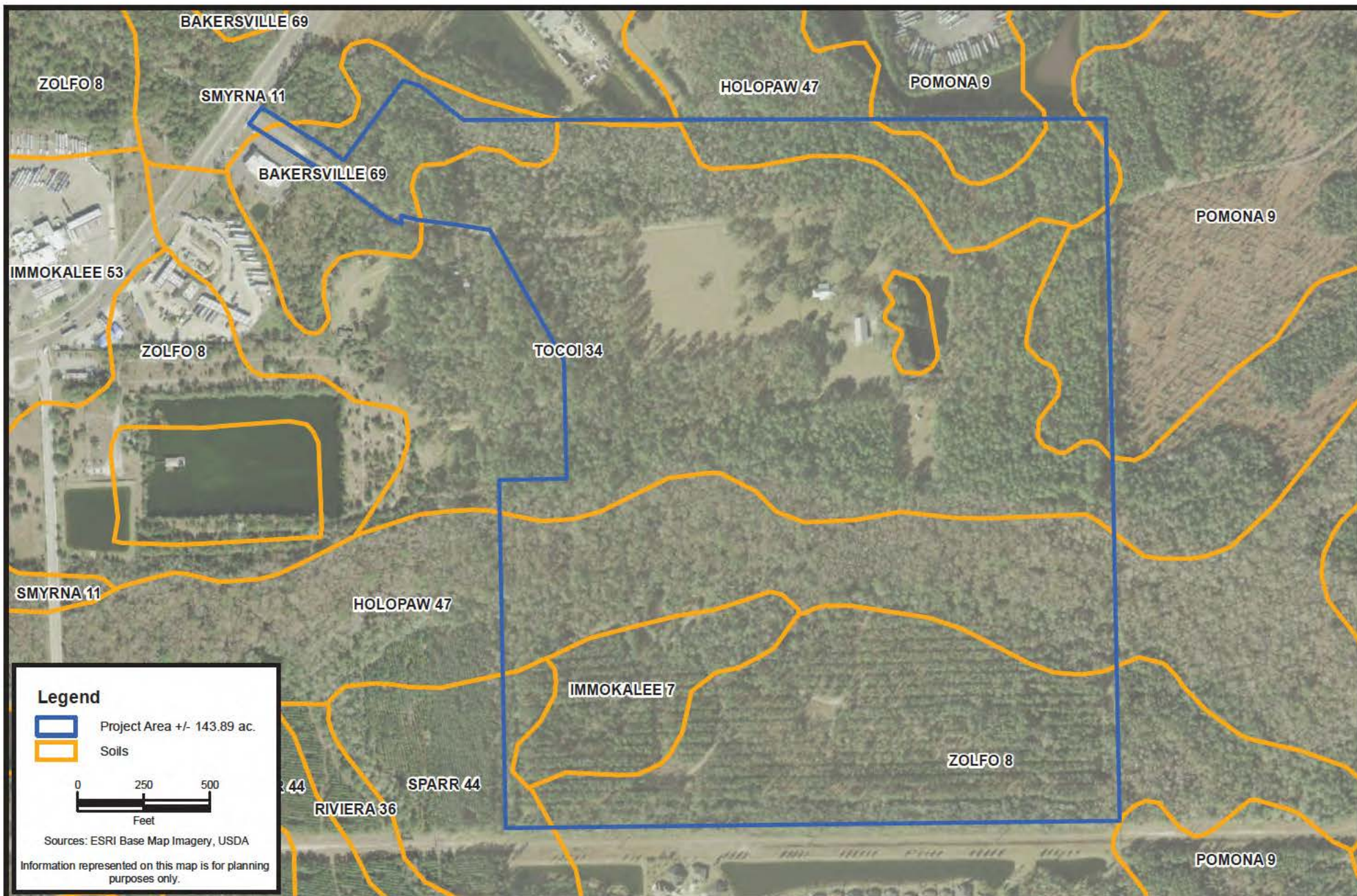
St Johns County, FL

Date: Oct 11 2019

Figure:

1





CARTER ENVIRONMENTAL
SERVICES, INC.



7 Waldo Street
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Soils Map

Bridgewater

Project: 5.18077

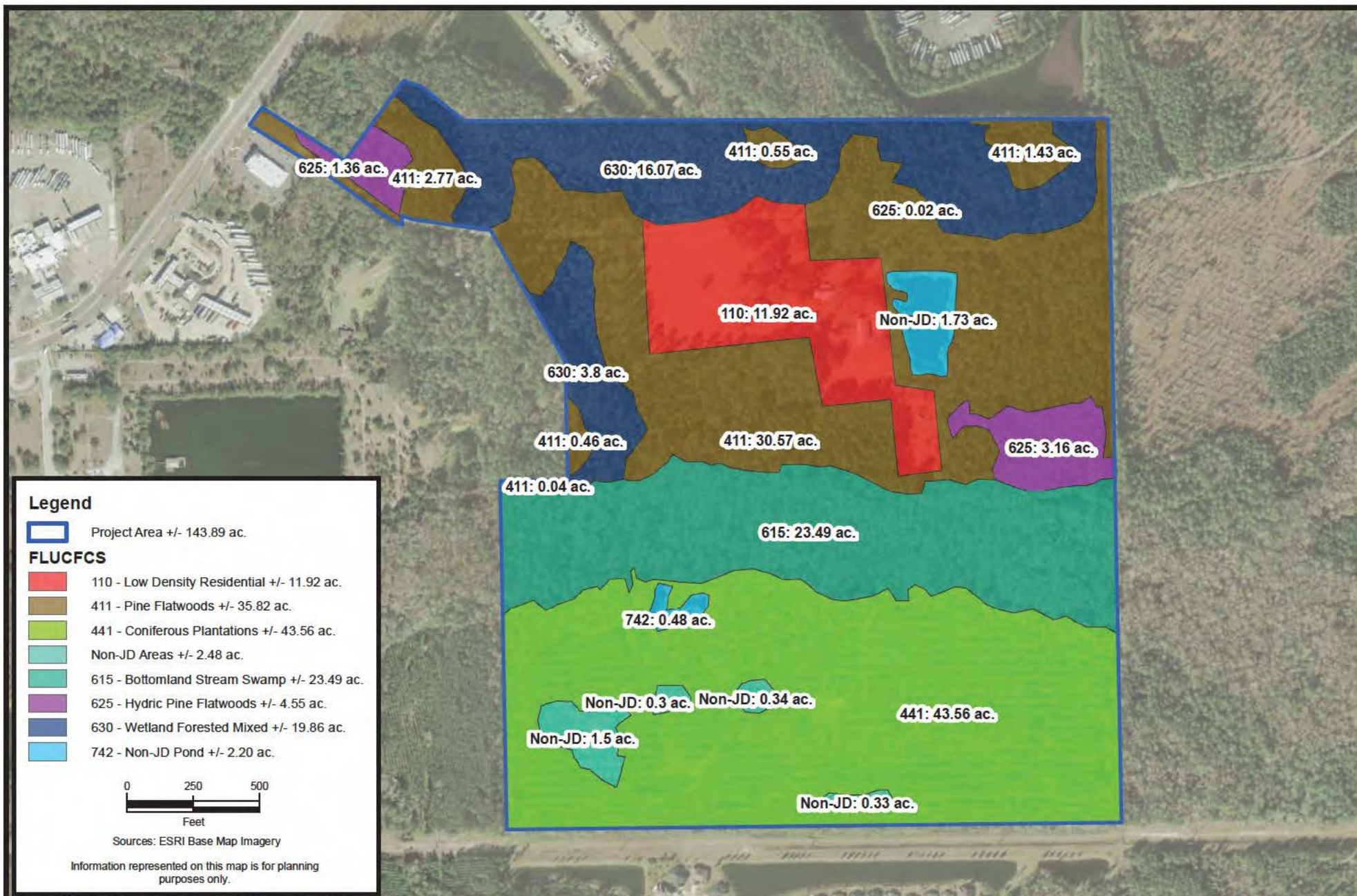
St Johns County, FL

Date: Oct 11 2019

Figure:

2





CARTER ENVIRONMENTAL
SERVICES, INC.



7 Waldo Street
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Existing Site Conditions

Bridgewater

Project: 5.18077

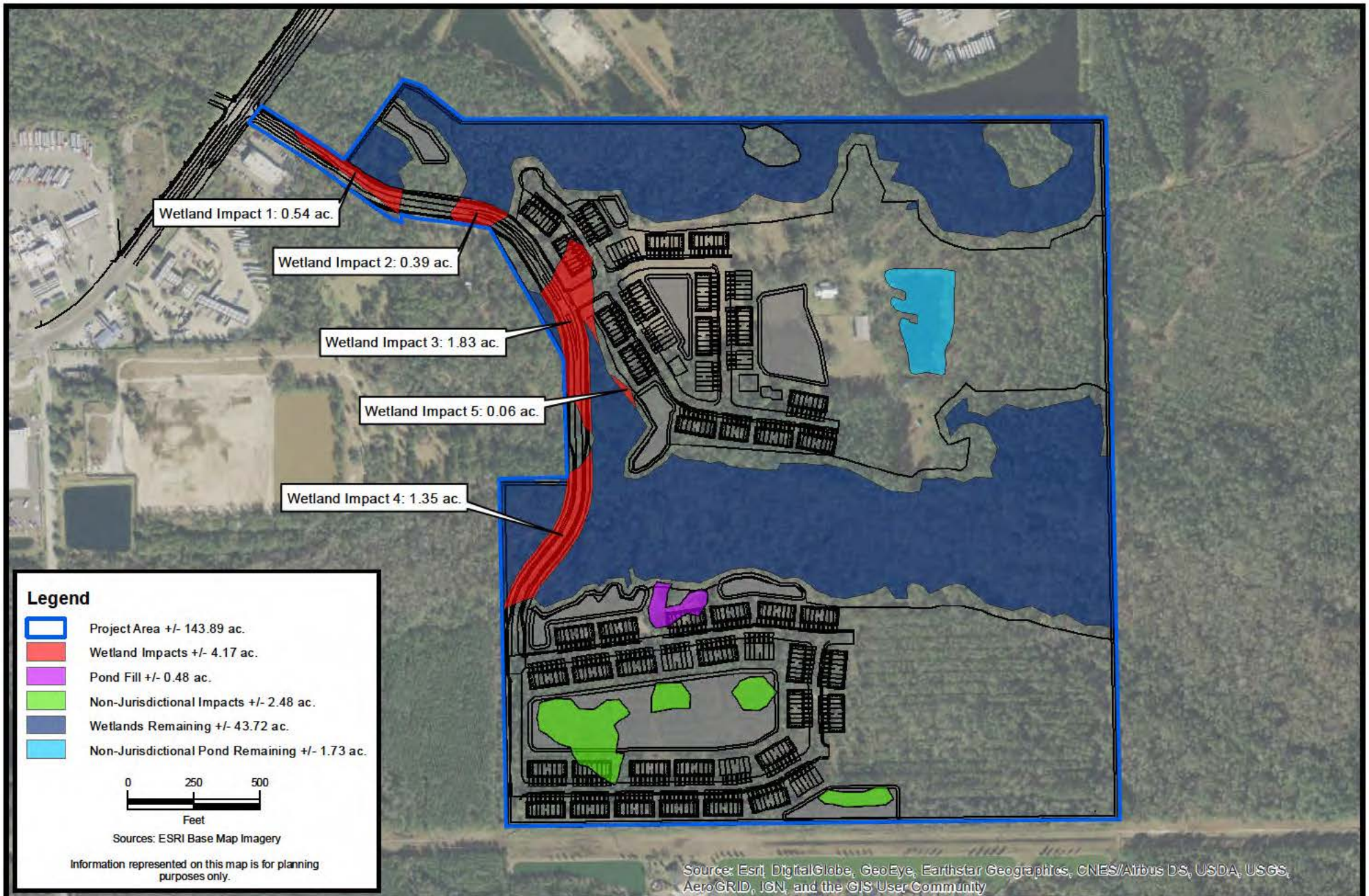
St Johns County, FL

Date: Oct 16 2019

Figure:

3





**CARTER ENVIRONMENTAL
SERVICES, INC.**



7 Waldo Street
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Proposed Site Conditions

Bridgewater

Project: 5.18077

St Johns County, FL

Date: Mar 03 2020

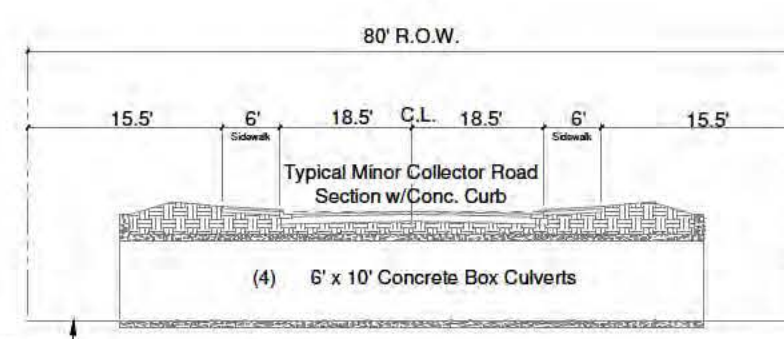
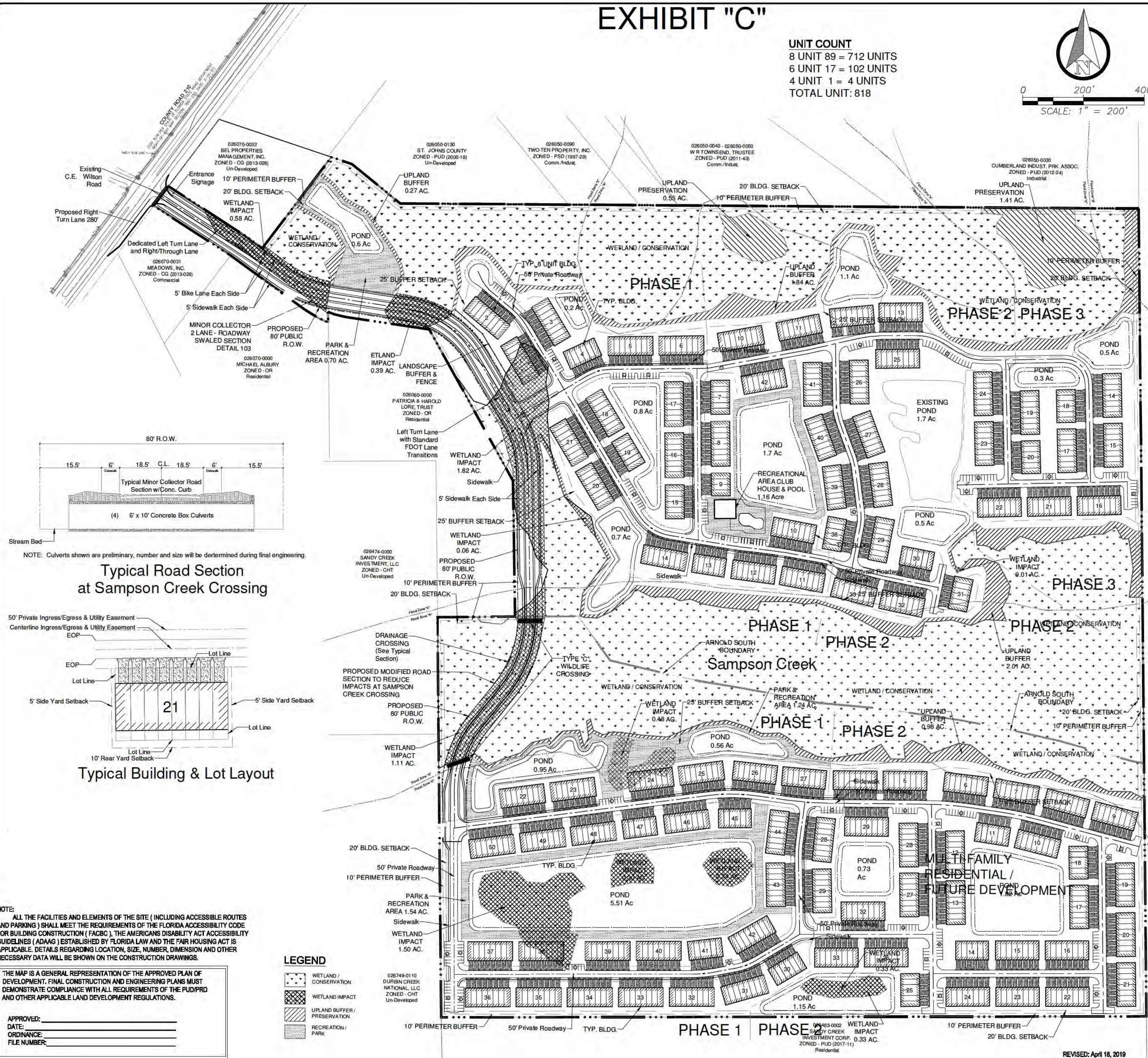
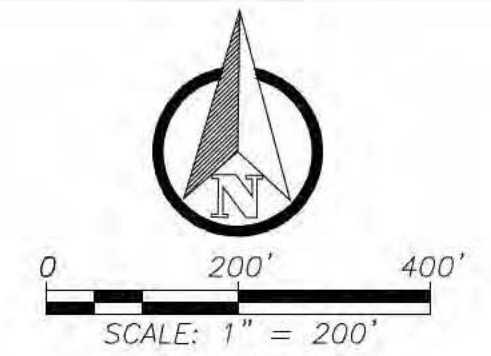
Figure:

4



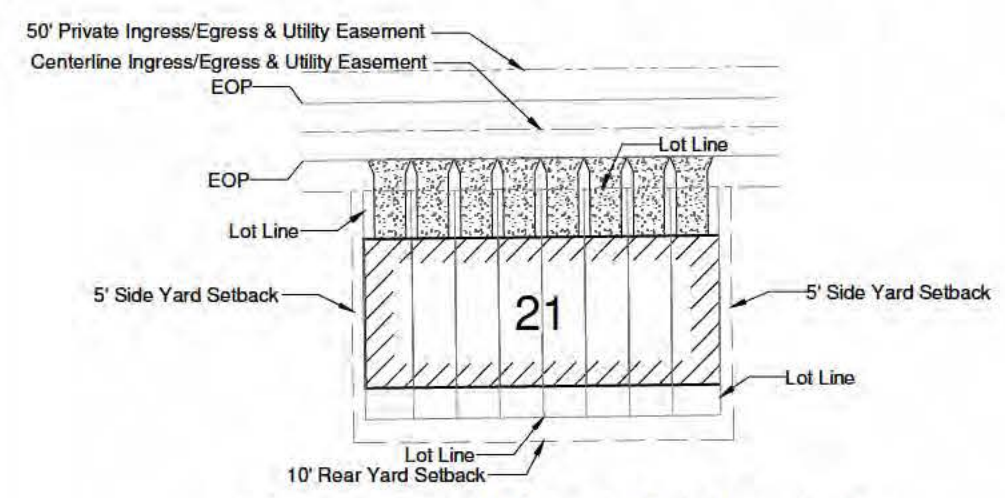
EXHIBIT "C"

UNIT COUNT
8 UNIT 89 = 712 UNITS
6 UNIT 17 = 102 UNITS
4 UNIT 1 = 4 UNITS
TOTAL UNIT: 818



NOTE: Culverts shown are preliminary, number and size will be determined during final engineering.

Typical Road Section
at Sampson Creek Crossing



Typical Building & Lot Layout

NOTE:
ALL THE FACILITIES AND ELEMENTS OF THE SITE (INCLUDING ACCESSIBLE ROUTES AND PARKING) SHALL MEET THE REQUIREMENTS OF THE FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION (FACBC), THE AMERICANS DISABILITY ACT ACCESSIBILITY GUIDELINES (ADAAG) ESTABLISHED BY FLORIDA LAW AND THE FAIR HOUSING ACT IS APPLICABLE. DETAILS REGARDING LOCATION, SIZE, NUMBER, DIMENSION AND OTHER NECESSARY DATA WILL BE SHOWN ON THE CONSTRUCTION DRAWINGS.

THE MAP IS A GENERAL REPRESENTATION OF THE APPROVED PLAN OF DEVELOPMENT. FINAL CONSTRUCTION AND ENGINEERING PLANS MUST DEMONSTRATE COMPLIANCE WITH ALL REQUIREMENTS OF THE PUD/PRD AND OTHER APPLICABLE LAND DEVELOPMENT REGULATIONS.

APPROVED: _____
DATE: _____
ORDINANCE: _____
FILE NUMBER: _____

LEGEND

- WETLAND / CONSERVATION
- WETLAND IMPACT
- UPLAND BUFFER / PRESERVATION
- RECREATION / PARK

REVISED: April 18, 2019

ADKINSON
ENGINEERING
6550 ST. AUGUSTINE ROAD, SUITE 203
JACKSONVILLE, FLORIDA 32217
PHONE (904) 881-4206

BRIDGEWATER
ST. JOHNS CO., FL
J. H. HORTON
Associate Engineer

NO.	DATE	REVISION DESCRIPTION

MDP
Map

JOB NO. 1710-002
DATE February 7, 2019
SCALE AS SHOWN
SHEET
MDP-02