



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

March 11, 2020

Regulatory Division
West Branch
Tampa Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2018-00957(SP-CMW)

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: DiVosta Homes

WATERWAY AND LOCATION: The project would affect waters of the United States associated with South Creek. The project site is located south of Hwy 681 and west of Honore Avenue in Section 13, Township 38 South, Range 18 East and Sections 7, 17, and 18, Township 38 South, Range 19 East, Sarasota County.

Directions to the site are as follows: From Interstate 75 in Sarasota, exit onto State Road 681 toward Venice. At the light at Honore Avenue, turn south. The project location is on the west side of Honore Avenue.

APPROXIMATE CENTRAL COORDINATES: Latitude 27.176400°
Longitude -82.444839°

PROJECT PURPOSE:

Basic: Housing

Overall: Expand an existing residential development in the Palmer Ranch area of Sarasota County.

EXISTING CONDITIONS: The proposed project site is a 228.8 acre parcel currently used as cattle pasture. The site contains approximately 50.6 acres of freshwater marsh, 9.75 acres of wet prairie, and 1.02 acres of ditches. The remainder of the site is improved pasture with dominant vegetation consisting of Bahia grass.

PROPOSED WORK: The applicant seeks authorization to expand construction of a residential subdivision. Work will require fill placement in 0.68 acres of jurisdictional wetlands and 0.08 acres of ditches.

PROJECT HISTORY: The applicant previously received a Nationwide permit to develop Talon Preserve to the south of the proposed project. This permit included a 281.5 acre

parcel and approved impacts to 0.36 acres of jurisdictional wetlands. Together, the proposed project would total 510.3 acres and include impacts to 1.10 acres of jurisdictional wetlands and 0.08 acres of ditches.

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:

“Through detailed planning and design, the Project has minimized proposed wetland impacts and limited most impacts to transitional edges of the wetland.”

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

The proposed project site is not within a mitigation bank service area, therefore the applicant has proposed on-site mitigation. “As compensation for wetland impacts to Corps-jurisdictional wetlands, 0.78-acre Mitigation Area 1 will be provided as Corps mitigation. The mitigation area will be constructed on the southern portion of Parcel 6A in an upland area between Wetlands C and L. Areas of wetland enhancement within Wetlands C and L will also be provided as compensation for impacts to Corps-jurisdictional wetlands.”

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:

The Corps has determined the proposed project may affect, but is not likely to adversely affect the Wood Stork or the Florida Bonneted Bat. The Corps will request U.S. Fish and Wildlife concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

The Corps has determined the proposal may affect the Eastern Indigo Snake. The Corps will request initiation of formal consultation with the Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act by separate letter.

The Corps has determined the proposal would have no effect on the Florida Scrub-jay or the Florida Grasshopper Sparrow as no suitable habitat exists on site.

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. Our initial determination is that the proposed

action would not have a substantial adverse impact on EFH or Federally managed fisheries in the 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. 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 Tampa Permits Section, 10117 Princess Palm Avenue, Suite 120, Tampa, Florida 33610 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, Candice Wheelahan, in writing at the Tampa Permits Section, 10117 Princess Palm Avenue, Suite 120, Tampa, Florida 33610; by electronic mail at Candice.M.Wheelahan@usace.army.mil; by facsimile transmission at (813)769-7061; or, by telephone at (813)769-7064.

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.

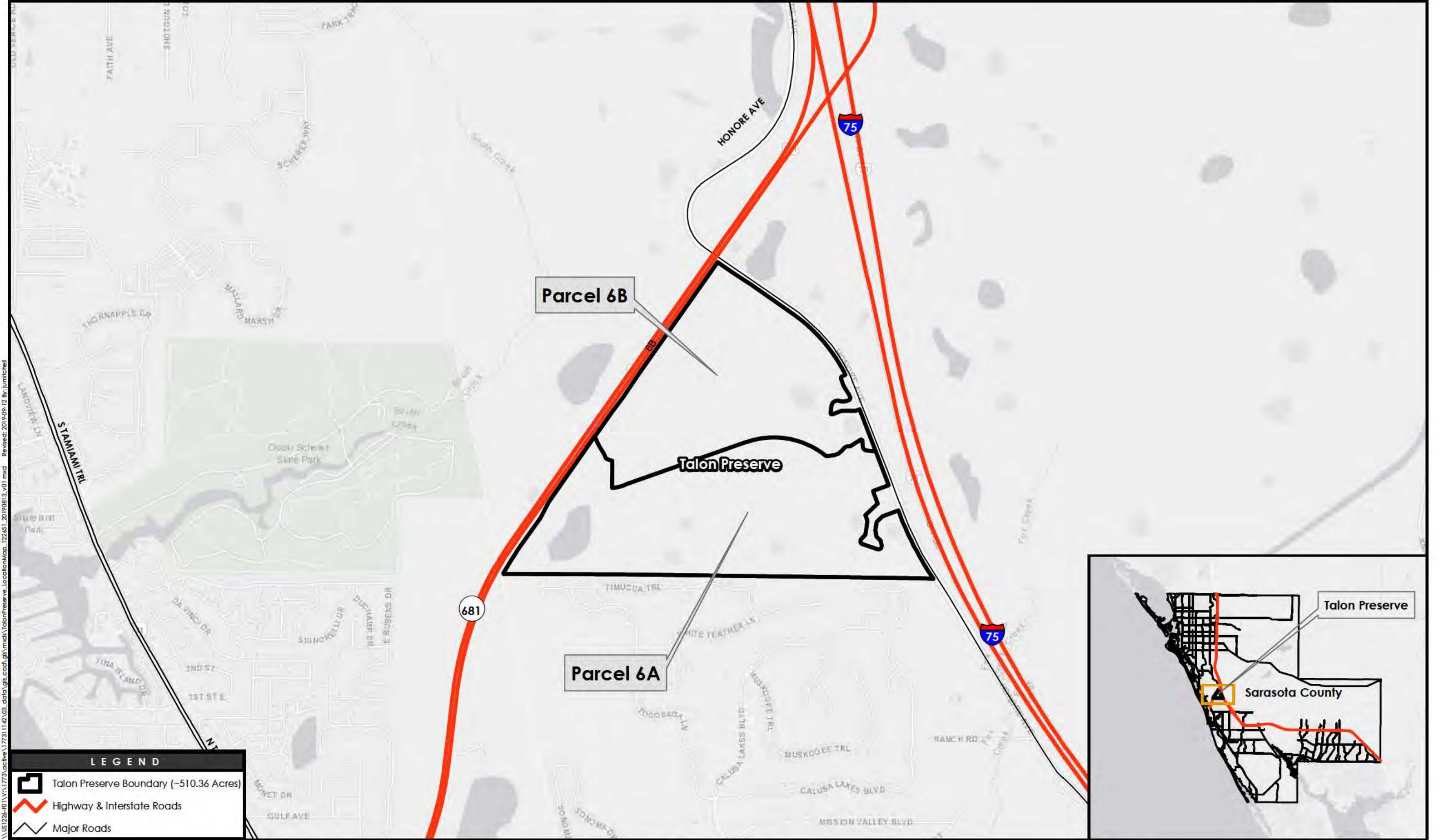
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, 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.



\\US1226-R01\N\1773\active\1773\1142\03_data\gis\cod\gb\mxd\TalonPreserve_LocationMap_172451_20190813_v01.mxd Revised: 2019-08-13 By: jlmitchell

LEGEND

- Talon Preserve Boundary (~510.36 Acres)
- Highway & Interstate Roads
- Major Roads



Disclaimer: Stantec assumes no responsibility for data applied in electronic format. The recipient accepts full responsibility for verifying the accuracy and completeness of the data. The recipient releases Stantec, its officers, employees, consultants and agents, from any and all claims arising in any way from the content or provision of the data.

Notes:

1. Coordinate System: NAD 1983 StatePlane Florida West FIPS 0902 Feet
2. Source data: Stantec Staff SRG Parcels/Streets Data
3. Imagery: ESRI Aerial Basemap

Talon Preserve
General Location Map
September 2019

Stantec Consulting Services Inc.
6900 Professional Pkwy E.
Sarasota, FL 34240
tel 941.907.6900
fax 941.907.6910



750 0 750 Feet









Prepared by: JM 08/13/19
Technical Review by: NA 08/13/19
Independent Review by: AC 08/13/19

031002010204
LITTLE SARASOTA BAY FRONTAL

031002010202
VENICE INLET FRONTAL

SOUTH CREEK

LEGEND

-  Project Boundary
-  Flow Direction
-  South Creek
-  HUC 12 Boundary
- USACE Jurisdiction | Acreage
-  Jurisdictional Wetlands | ±14.16 ac.
-  Non - Jurisdictional Wetlands | ±46.24 ac.
-  Jurisdictional OSW | ±0.08 ac.
-  Isolated OSW | ±0.94 ac.



Disclaimer: Stantec assumes no responsibility for data accuracy or other errors. The engineer's design is for informational purposes only. The engineer does not warrant the accuracy or completeness of the data. The engineer does not warrant the accuracy or completeness of the data. The engineer does not warrant the accuracy or completeness of the data.

Palmer Ranch Parcel 6B
HUC 12 Watershed Map
September 2019

Stantec Consulting Services Inc.
6900 Professional Pkwy E.
Sarasota, FL 34240
tel 941.907.6900
fax 941.907.6910







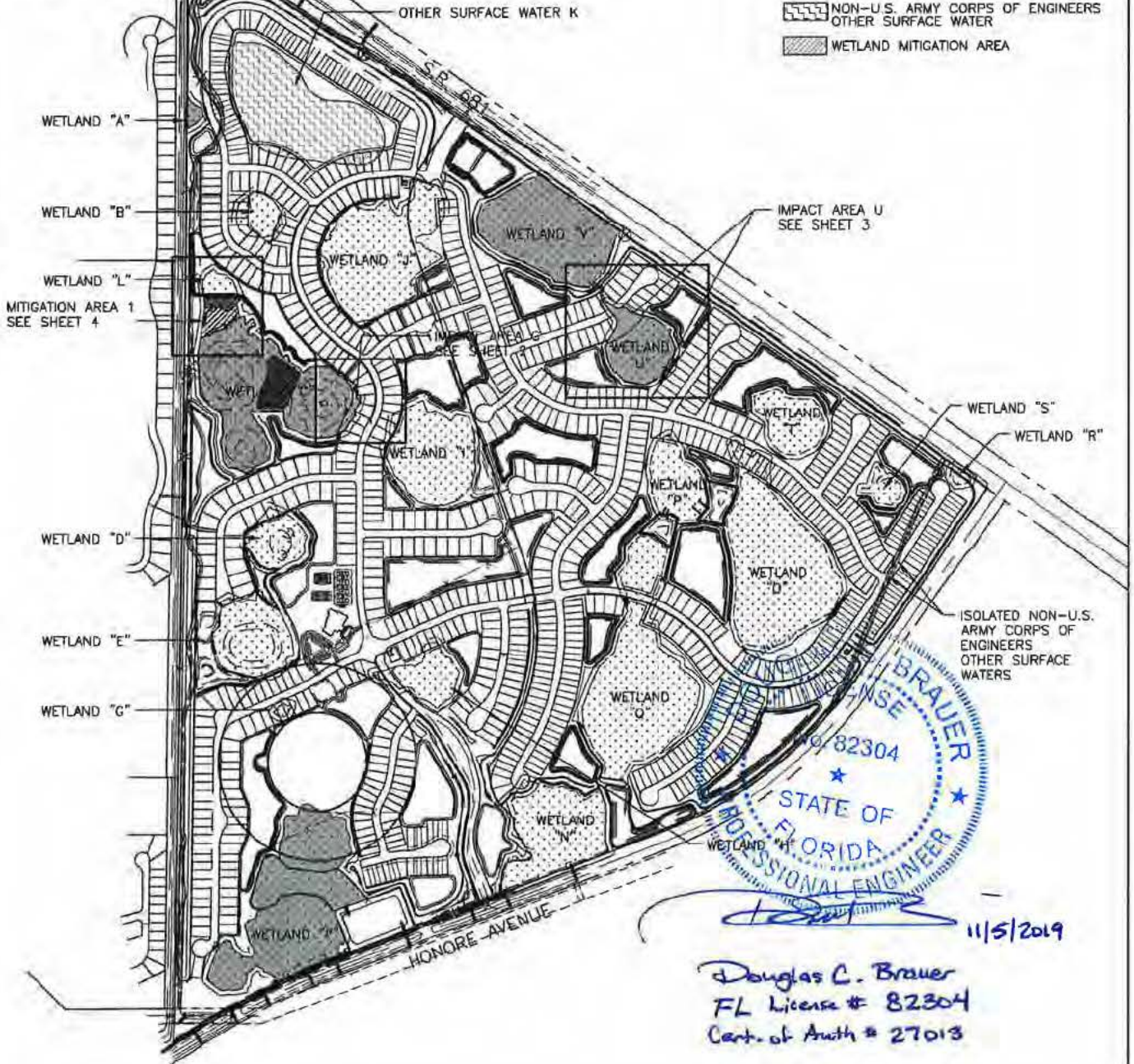
0 400 800 Feet

Prepared by J.W. 09/11/19
Technical Review by J.A.M. 09/11/19
Independent Review by A.C. 09/11/19

SCALE: 1" = 3000'

LEGEND:

-  U.S. ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLAND
-  ISOLATED, NON-U.S. ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLAND
-  NON-U.S. ARMY CORPS OF ENGINEERS OTHER SURFACE WATER
-  WETLAND MITIGATION AREA



PROJECT: TALON PRESERVE (PALMER RANCH PARCELS 6A & 6B)

CLIENT: DIVOSTA HOMES, LP

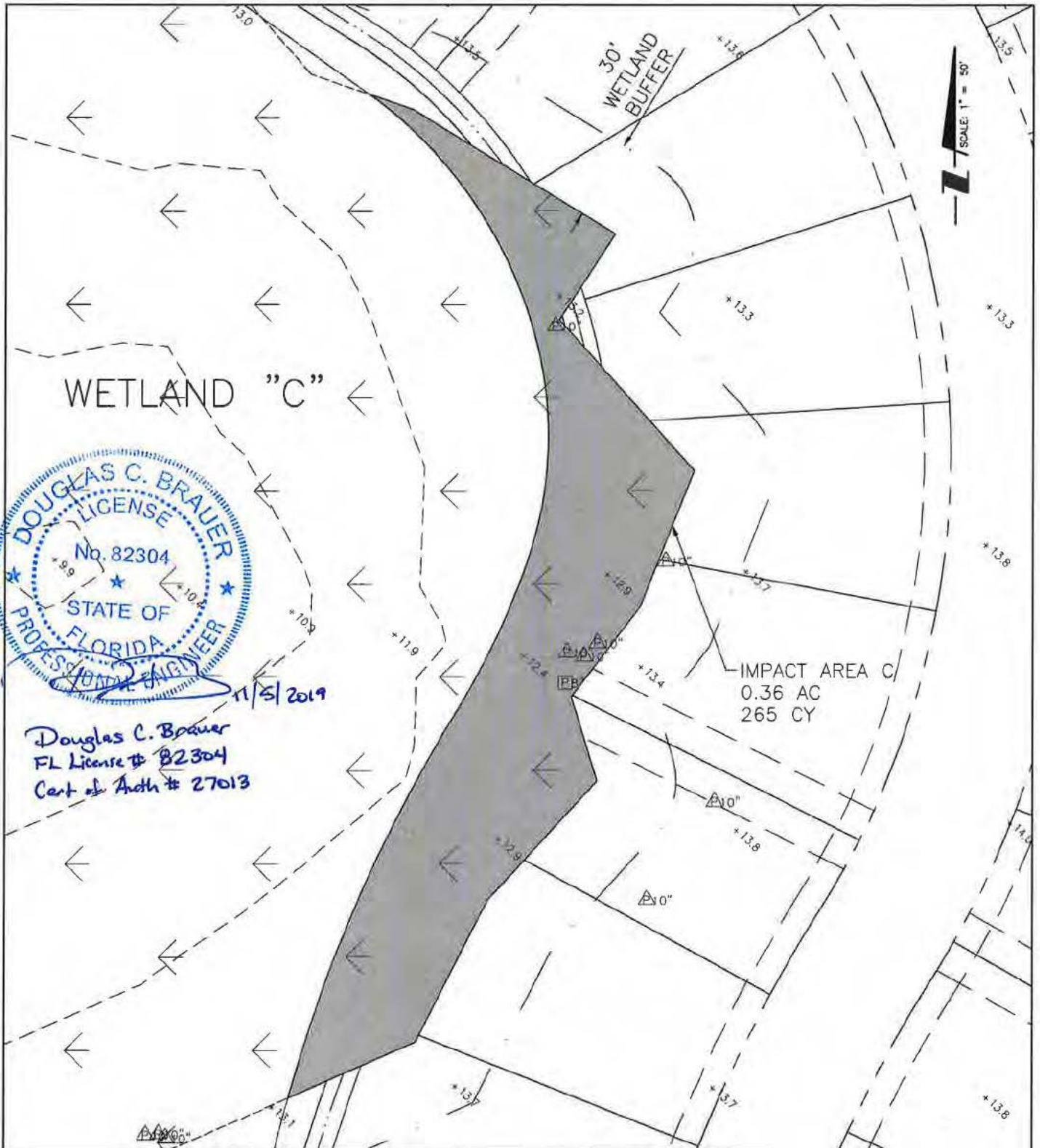


Stantec

6900 Professional Parkway East, Sarasota, FL 34240-8414
Phone 941-907-6900 • Fax 941-907-6910
Certificate of Authorization #27013 • www.stantec.com

The Contractor shall verify and be responsible for all dimensions. DO NOT scale the drawing - any errors or omissions shall be reported to Stantec without delay. The Copyrights to all designs and drawings are the property of Stantec. Reproduction or use for any purpose other than that authorized by Stantec is forbidden.

SCALE:	1" = 3000'	DATE:	11/19
SEC:	13, 18	TWP:	38S
PROJECT NO:	215614196	REV NO:	XX/XX/19 - REV
DRAWN BY/EMP NO:	BKG/96745	INDEX NO:	215614196_01C_B03EX
		SHEET NO:	1 OF 6



PROJECT: TALON PRESERVE (PALMER RANCH PARCELS 6A & 6B)

CLIENT: DIVOSTA HOMES, LP

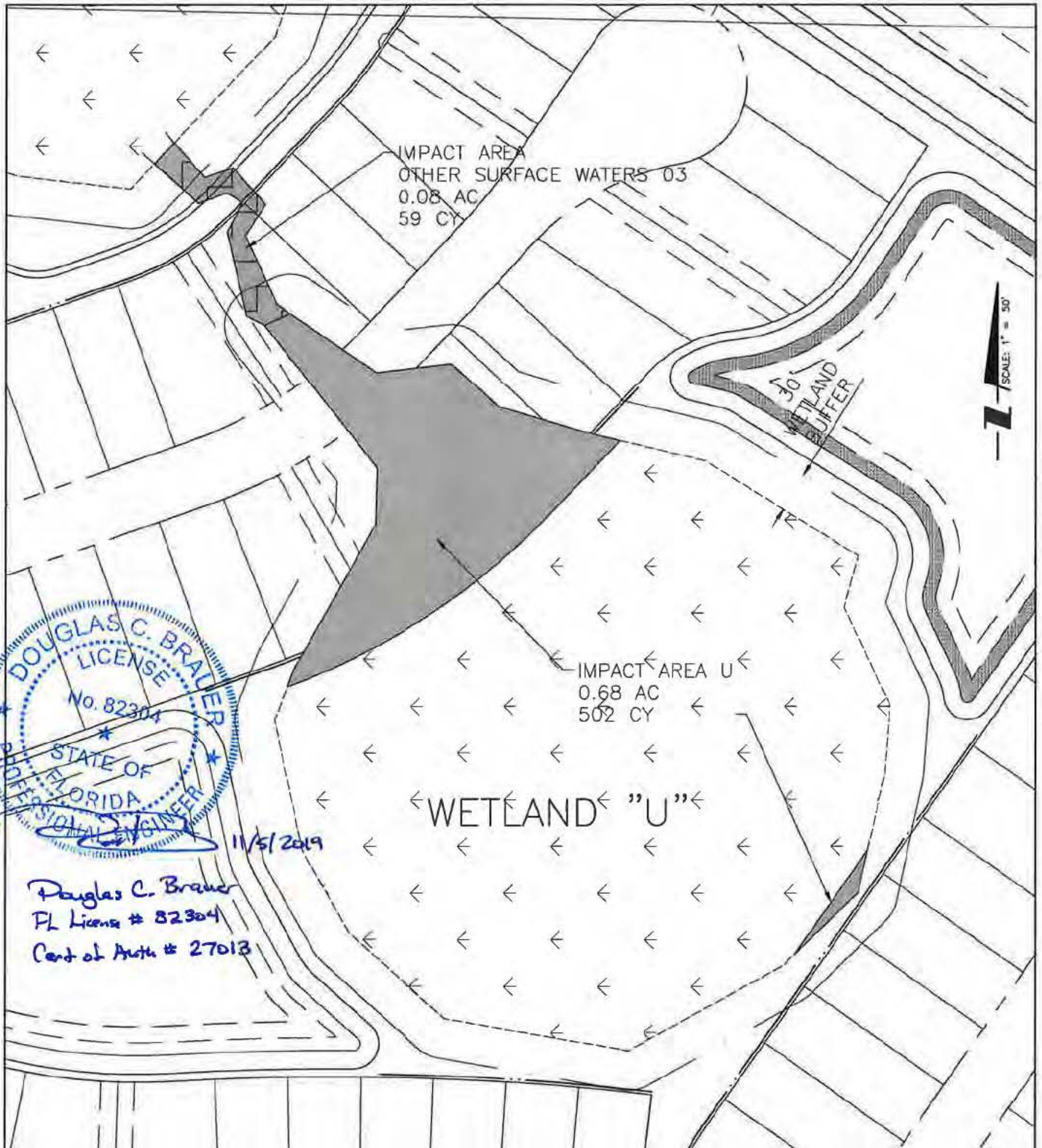


Stantec

6900 Professional Parkway East, Sarasota, FL 34240-8414
Phone 941-907-6900 • Fax 941-907-6910
Certificate of Authorization #27013 • www.stantec.com

The Contractor shall verify and be responsible for all dimensions. DO NOT scale the drawing - any errors or omissions shall be reported to Stantec without delay. The Copyrights to all designs and drawings are the property of Stantec. Reproduction or use for any purpose other than that authorized by Stantec is forbidden.

SCALE:	1" = 50'	DATE:	11/19
SEC:	13,18	TWP:	38S
		RGE:	18E, 19E
PROJECT NO.	215614196	REV NO:	XX/XX/19 - REV
DRWN BY/EMP. NO.	BKG/96745	INDEX NO:	215614196_01C_B03EX
		SHEET NO:	2 of 6



PROJECT: TALON PRESERVE (PALMER RANCH PARCELS 6A & 6B)

CLIENT: DIVOSTA HOMES, LP

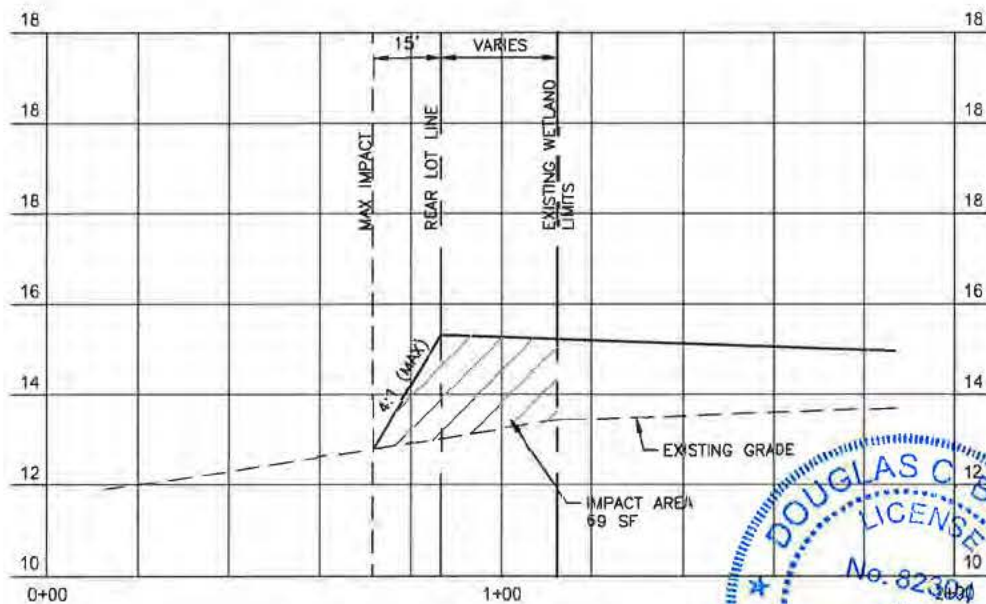


Stantec

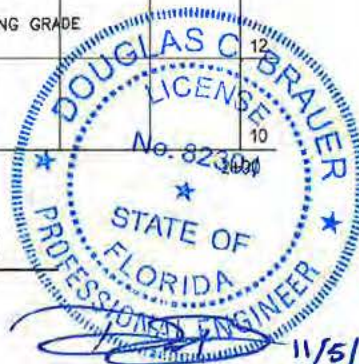
6900 Professional Parkway East, Sarasota, FL 34240-8414
Phone 941-907-6900 • Fax 941-907-6910
Certificate of Authorization #27013 • www.stantec.com

The Contractor shall verify and be responsible for all dimensions. DO NOT scale the drawing - any errors or omissions shall be reported to Stantec without delay. The Copyrights to all designs and drawings are the property of Stantec. Reproduction or use for any purpose other than that authorized by Stantec is forbidden.

SCALE: 1" = 50'			DATE: 11/19
SEC: 13.18	TWP: 38S	RGE: 18E, 19E	REV NO: XX/XX/19 - REV
PROJECT NO: 215614196			INDEX NO: 215614196_01C_803EX
DRAWN BY/EMP NO: BKG/96745			SHEET NO: 3 OF 6



TYPICAL FILL SECTION



Douglas C. Brauer
FL License # 82304
Cert of Auth # 27013

PROJECT: TALON PRESERVE (PALMER RANCH PARCELS 6A & 6B)

CLIENT: DiVOSTA HOMES, LP

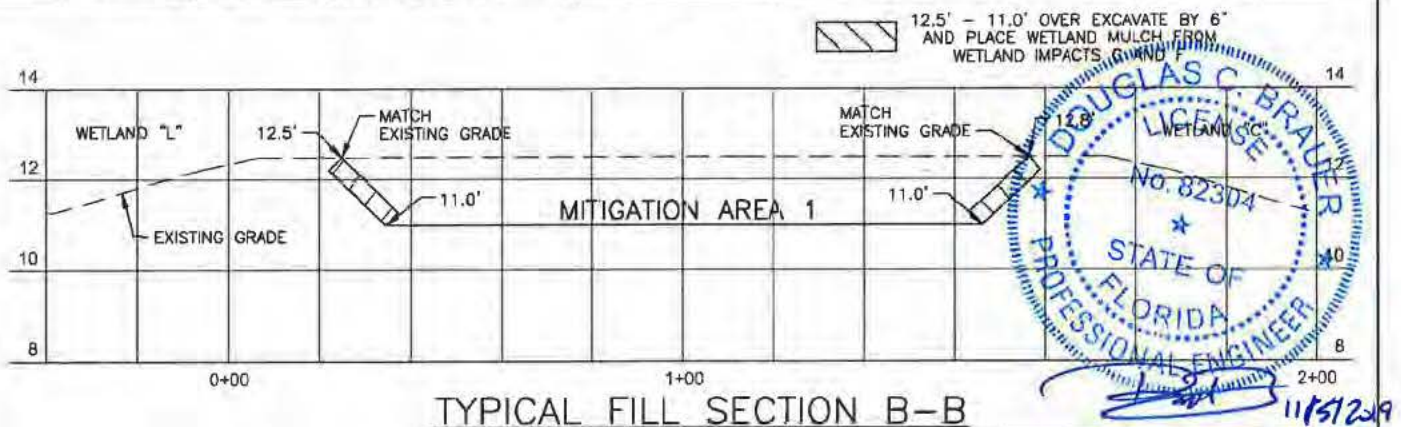
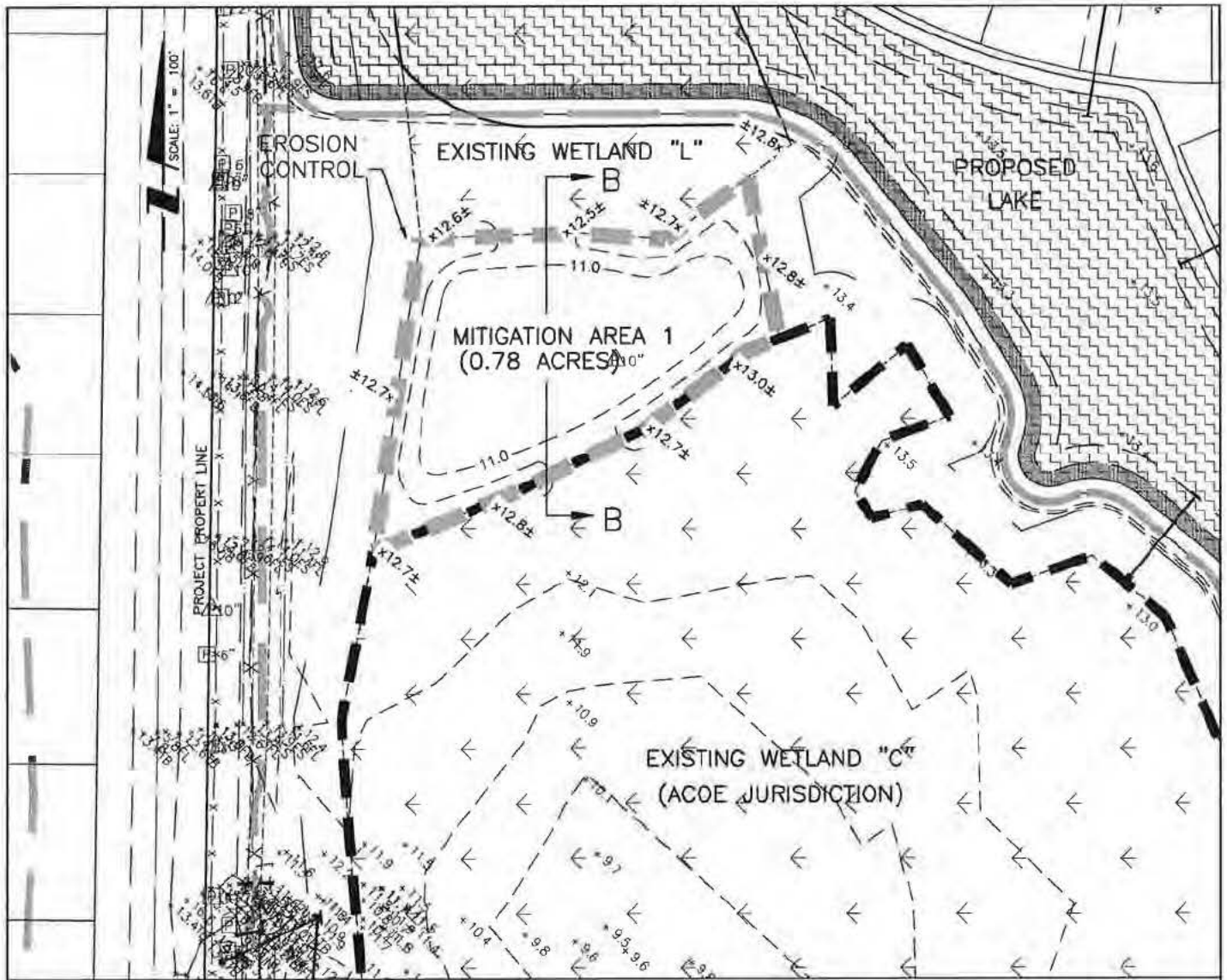


Stantec

6900 Professional Parkway East, Sarasota, FL 34240-8414
Phone 941-907-6900 • Fax 941-907-6910
Certificate of Authorization #27013 • www.stantec.com

The Contractor shall verify and be responsible for all dimensions. DO NOT scale the drawing - any errors or omissions shall be reported to Stantec without delay. The Copyrights to all designs and drawings are the property of Stantec. Reproduction or use for any purpose other than that authorized by Stantec is forbidden.

SCALE:	AS NOTED	DATE:	11/19
SEC:	13.18	TWP:	38S
		RGE:	18E, 19E
PROJECT NO.	215614196	REV. NO.	KX/XX/19 - REV
DRWN BY/EMP NO.	BKG/96745	INDEX NO.	215614196_01C_803EX
		SHEET NO.	4 OF 5



PROJECT: TALON PRESERVE (PALMER RANCH PARCELS 6A & 6B)

CLIENT: DIVOSTA HOMES, LP

Douglas C. Brauer

FL License # 82304

Cert of Auth # 27013

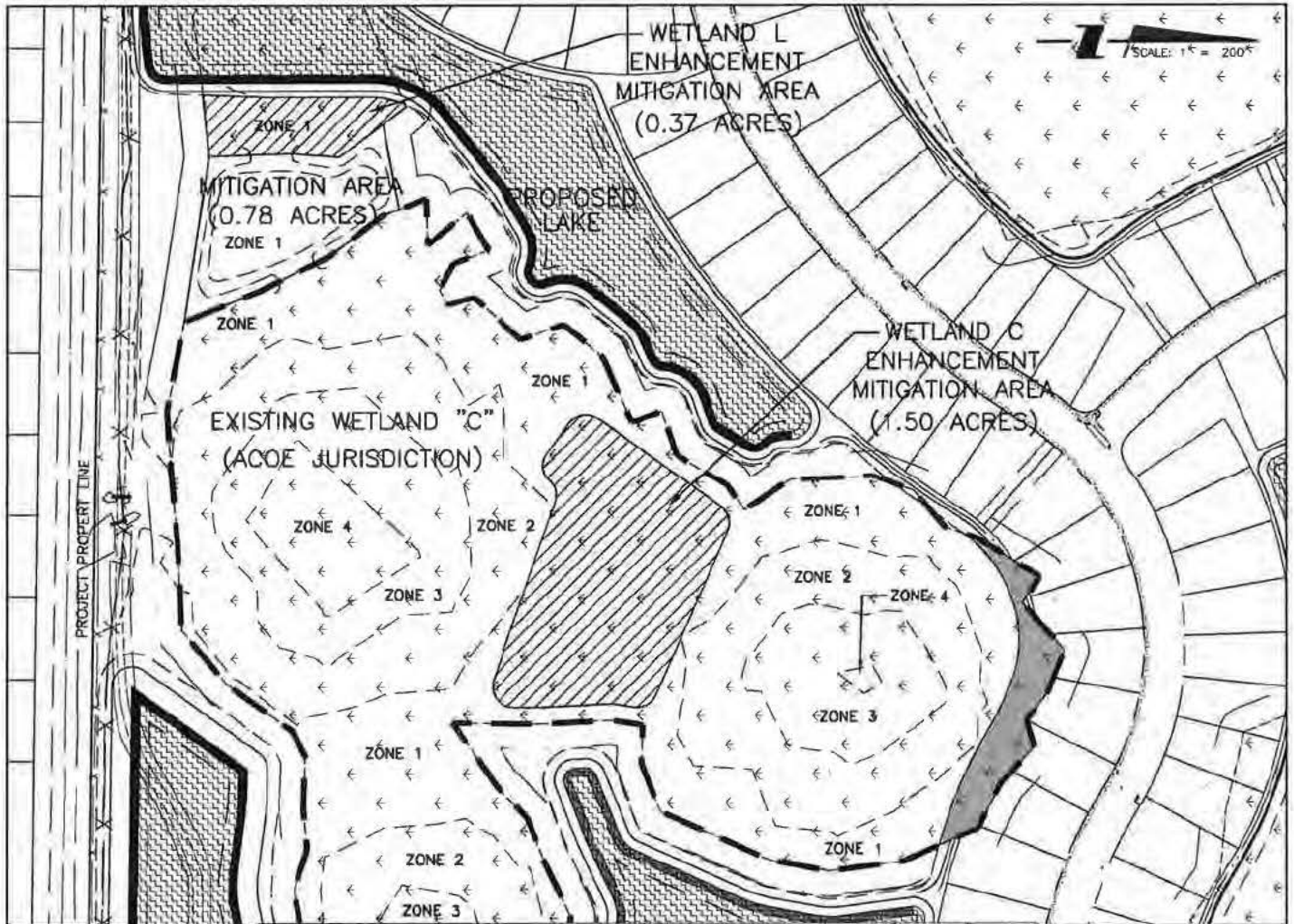


Stantec

6900 Professional Parkway East, Sarasota, FL 34240-8414
Phone 941-907-6900 • Fax 941-907-6910
Certificate of Authorization #27013 • www.stantec.com

The Contractor shall verify and be responsible for all dimensions. DO NOT scale the drawing - any errors or omissions shall be reported to Stantec without delay. The Copyrights to all designs and drawings are the property of Stantec. Reproduction or use for any purpose other than that authorized by Stantec is forbidden.

SCALE:	AS NOTED	DATE:	11/19
SEC:	13.18	TWP:	38S
		RGE:	18E, 19E
PROJECT NO:	215614196	REV NO:	X/XX/19 - REV1
DRWN BY/EMP NO:	BKG/96745	INDEX NO:	215614196_01C_803EX
		SHEET NO:	5 OF 6




Zone	Elevation Range	Acreage	Scientific Name	Common Name	Size	Spacing	Quantity
Buffer Enhancement	—	2.7 Ac	<i>Acer rubrum</i>	red maple	3 gal.	1 Row - 10' o.c.	200
			<i>Quercus laurifolia</i>	laurel oak	3 gal.	10' o.c.	200
			<i>Myrica cerifera</i>	wax myrtle	1 gal.	2 Rows - 5' o.c.	1,570
Zone 1	12' - 11'	8.31 Ac	<i>Panicum hemitomon</i>	maidencane	qt. eq.	3' o.c.	20,000
			<i>Spartina bakeri</i>	sand cordgrass	qt. eq.	3' o.c.	6,700
			<i>Canna flaccida</i>	golden canna	qt. eq.	3' o.c.	5,700
			<i>Juncus effusus</i>	soft rush	qt. eq.	3' o.c.	5,700
Zone 2	11' - 10'	4.71 ac	<i>Juncus effusus</i>	soft rush	qt. eq.	3' o.c.	5,700
			<i>Pontederia cordata</i>	pickerelweed	qt. eq.	3' o.c.	5,700
			<i>Sagittaria lancifolia</i>	lance-leaf arrowhead	qt. eq.	3' o.c.	5,700
Zone 3	10' - 9'	2.20 ac	<i>Eleocharis interstincta</i>	knotted spikerush	qt. eq.	3' o.c.	5,700
			<i>Eleocharis interstincta</i>	knotted spikerush	qt. eq.	3' o.c.	2,840
			<i>Pontederia cordata</i>	pickerelweed	qt. eq.	3' o.c.	2,840
			<i>Sagittaria lancifolia</i>	lance-leaf arrowhead	qt. eq.	3' o.c.	2,840
Zone 4	9' - 8'	0.54 Ac	<i>Thalia geniculata</i>	fire flag	qt. eq.	5' o.c.	765
			<i>Scirpus californicus</i>	giant bulrush	qt. eq.	5' o.c.	235
			<i>Nuphar advena</i>	spatterdock	qt. eq.	5' o.c.	235
			<i>Nymphaea odorata</i>	water lily	qt. eq.	5' o.c.	235
			<i>Thalia geniculata</i>	fire flag	qt. eq.	5' o.c.	235
		18.46 Ac					73,125



PROJECT: TALON PRESERVE (PALMER RANCH PARCELS 6A & 6B) CLIENT: DIVOSTA HOMES, LP

Douglas C. Brauer
FL License # 82304
Cert of Auth # 27013



Stantec
6900 Professional Parkway East, Sarasota, FL 34240-8414
Phone 941-907-6900 • Fax 941-907-6910
Certificate of Authorization #27013 • www.stantec.com

The Contractor shall verify and be responsible for all dimensions. DO NOT scale the drawing - any errors or omissions shall be reported to Stantec without delay. The Copyrights to all designs and drawings are the property of Stantec. Reproduction or use for any purpose other than that authorized by Stantec is forbidden.

SCALE: 1" = 100'

SEC: 13, 18 TWP: 38S R1E: 18E, 19E

PROJECT NO: 215614196

DRWN BY/EMP NO: BKG/96745

DATE: 11/19

REV NO: XX/XX/19 - REV

INDEX NO: 215614196_01C_003EX

SHEET NO: 6 of 6