



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
**JACKSONVILLE DISTRICT CORPS OF ENGINEERS**  
POST OFFICE BOX 4970  
JACKSONVILLE, FLORIDA 32232

**March 24, 2020**

Regulatory Division  
North Permits Branch  
Jacksonville Permits Section

***PUBLIC NOTICE***

Permit Application Number SAJ-2018-00447 (SP-TMM)

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 as described below:

APPLICANT: Pulte Home Company, LLC  
Attention: Justin Dudley  
124 Dell Webb Parkway  
Ponte Vedra, Florida 32081

WATERWAY AND LOCATION: The project would affect waters of the United States (wetlands) associated with the tidal Clapboard Creek. The project site is located at 4666 Cedar Point Road, Duval County Property Appraiser Parcel Identification Number 159827-050, in Section 31 and 9, Township 1 South, Range 28 East, Jacksonville, Duval County, Florida.

APPROXIMATE CENTRAL COORDINATES: Latitude 30.457687°  
Longitude -81.541517°

**PROJECT PURPOSE:**

Basic: The basic project purpose is residential development.

Overall: The overall project purpose is single-family residential development for northeast Duval County, Florida.

**EXISTING CONDITIONS:**

a. General: The project site is approximately 24.78 acres in size. The project site is undeveloped, fully forested land with the southwest corner being the marsh and creek of Clapboard Creek. A manmade ditch drains the pasture adjacent to the north through the project site and into Clapboard Creek, flowing northeast to south west. Elevations range from 72 feet in the center of the property west of the manmade ditch and 62 feet east of the manmade ditch down to 2 feet at the marsh floor with steep topographical relief. The

southeast border is adjacent to the border of Timucuan Ecological and Historic Preserve, which is owned and managed by the Department of the Interior, National Parks Service.

b. Vegetative Communities: The project site encompasses many community types characterized by the *Florida Land Use, Cover and Forms Classification System, Level III* (FLUCCS, FDOT, 1999).

(1) Pine Flatwoods (FLUCFCS 411) 8.88 acres: Most of the uplands comprise pine flatwoods. The canopy in these areas is dominated by slash pine (*Pinus elliottii*), loblolly pine (*P. taeda*) and longleaf pine (*P. palustris*). The understory and ground cover vegetation are dominated by such species as saw palmetto (*Serenoa repens*), bitter gallberry (*Ilex glabra*) and bracken fern (*Pteridium aquilinum*).

(2) Temperate Hardwood/Live Oak (FLUCFCS 425/427) 2.89 acres: Two areas comprise hardwood forests with a large percentage of live oak (*Quercus virginiana*). Other than live oak the canopy also includes such species as water oak (*Q. nigra*), southern magnolia (*Magnolia grandiflora*), pignut hickory (*Carya glabra*), and scattered cabbage palm (*Sabal palmetto*). The understory and ground cover vegetation include such species as wild olive (*Osmanthus americanus*), staggerbush (*Lyonia ferruginea*), tree sparkleberry (*Vaccinium arboreum*), shiny blueberry (*V. myrsinites*), saw palmetto, and bracken fern.

(3) Temperate Hardwoods (FLUCFCS 425) 2.35 acres: The north central portion of the property contains an area of upland hardwood forest. This area is very similar to the temperate hardwood/live oak community but generally does not have as many mature live oaks.

(4) Inland Ponds and Sloughs (FLUCFCS 616) 6.11 acres: The majority of the wetland W3 may be characterized as inland slough. The upper edges comprise seepage slope or hydric hammock wetland that are regularly saturated at or near the ground surface while the lower areas comprise swamp that regularly holds shallow water above the ground surface. Wetland W1 may be characterized as a very small, isolated pond that is partially drained by the adjacent ditch. The canopy in wetland W1 includes such species as blackgum (*Nyssa sylvatica* var. *biflora*), sweetgum (*Liquidambar styraciflua*), sweet bay (*Magnolia virginiana*), loblolly bay (*Gordonia lasianthus*), red maple (*Acer rubrum*), bald cypress (*Taxodium distichum*), laurel oak (*Quercus laurifolia*), water oak, and cabbage palm. The understory and ground cover vegetation include such species as pipestem (*Agarista populifolia*), doghobble (*Leucothoe axillaris*), fetterbush (*Lyonia lucida*), waxmyrtle (*Morella cerifera*), Virginia willow (*Itea virginica*), cinnamon fern (*Osmunda cinnamomea*), netted chain fern (*Woodwardia areolata*), and buttonbush (*Cephalanthus occidentalis*).

(5) Dry Forested Levee (FLUCFCS 616d) 0.21 acre: The property contains a narrow strip of land along the northern bank of Clapboard Creek that appears to be an old levee formed over many years when the creek would overflow its banks. The vegetation

growing on this levee includes such species as cabbage palm, wax myrtle, and young laurel oak. This area has a water table that fluctuates with the daily tides but is normally not inundated.

(6) Hydric Pine Flatwoods (FLUCFCS 625) 1.02 acres: Wetland W2 and small areas of wetland W3 comprise hydric pine flatwoods. The canopy in these areas is dominated by slash pine. The ground cover vegetation is dominated by saw palmetto mixed with cinnamon fern. Most of this habitat has a seasonal high water table near the ground surface but is not normally inundated.

(7) Saltwater Marshes (FLUCFCS 642) 2.69 acres: The southern half of the property contains areas of saltmarsh bordering Clapboard Creek. The dominant vegetation in the marsh includes smooth cordgrass (*Spartina alterniflora*). The upper edges and higher spots also include such species as black needle rush (*Juncus roemarianus*), saw grass (*Cladium jamaicense*) and sand cordgrass (*Spartina bakeri*). The very upper edges also include saltbush (*Baccharis halimifolia*).

(8) Drainage Ditch (FLUCFCS 510) 0.14 acre onsite 0.08 acre offsite: A section of man-made, upland-cut drainage ditch extends through the northern portion of the property. Some of this ditch is located immediately offsite but will be culverted as part of the proposed project.

(9) Tidal Creek (FLUCFCS 51) 0.49 acre: The southwest corner of the property contains a section of Clapboard Creek. This section of creek averages approximately 25 feet in width at high tide.

**PROJECT HISTORY:** Phase 1 of the Bradley Pond subdivision was previously authorized by the Corps pursuant to Nationwide Permit # SAJ-2018-00447 (NW-SCW) issued on January 31, 2019. This permit authorized impacts to 0.41 acre of upland-cut drainage ditch and 0.02 acre of hydric pine flatwoods. The proposed work would be the Pulte Home Company Bradley Pond subdivision Phase 2. The parcels proposed as the project site were not part of the original plan and were not owned at the time of the Phase 1 permit authorization.

**PROPOSED WORK:** The applicant seeks authorization to discharge clean fill material over a total of 0.44-acre of freshwater hydric pine flatwoods and 0.22-acre of upland cut drainage ditch within Federal jurisdiction to facilitate the establishment the residential parcels and site infrastructure. Best management practices would be required in project construction. Additionally, two sections of boardwalk would be built across the wetlands. The top of the boardwalk would be 4-feet above the existing wetland grade. The boardwalk would connect to a pedestrian walking path through the neighborhood park and would be open to the general public. As such the boardwalk would need to meet the requirements of the American's with Disabilities Act. Associated with the boardwalk, a kayak launch would be installed along the northern bank of Clapboard Creek. Due to the dimensions of the creek channel and tidal range, matting would be placed at the



launch instead of a dock. The kayak launch would be 10 feet in width and 15 feet in length.

**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:

Wetland impacts will be avoided except for road crossings and minor areas required to develop the property.

**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 *Wetland Rapid Assessment Procedure* (WRAP) quantifying and qualifying the loss of wetland functions and services associated with the work proposed. That WRAP calculated the loss at 0.33 units. Therefore, the applicant has proposed the purchase of 0.33 credits from the WRAP-based federally approved mitigation bank, Longleaf 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. 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 project area.

**ENDANGERED SPECIES:** The Corps has determined the proposed project may have various effects on the following species or their designated critical habitat.

a. Eastern Indigo Snake (*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. In consideration of the potential presence of eastern indigo snake habitat, the Corps utilized the *Eastern Indigo Snake Effect Determination Key, August 2013*, to determine potential effects upon this species. Use of this key resulted in the sequence A > B > C *not likely to adversely affect*, as the permit authorization would be conditioned with the *Standard Protection Measures for the Eastern Indigo Snake*, dated August 12, 2013. The U.S. Fish and Wildlife Service (FWS) previously indicated that they concur with determinations of *not likely to adversely affect* based on the key for eastern indigo snakes; and, that no additional consultation is necessary.

b. Wood Stork (*Mycteria americana*): The project site is within the Jacksonville Zoo and Gardens, Pumpkin Hill, and Cedar Point Road Wood Stork Colonies. 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. 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. 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.

c. Red-Cockaded Woodpecker (*Picoides borealis*): This project is within the red-cockaded woodpecker consultation area; however, the project would not affect suitable habitat for the woodpeckers. According to US Fish and Wildlife Service (USFWS), red-cockaded woodpeckers inhabit open, mature pine woodlands that have a diversity of grass, forb, and shrub species. They generally occupy old growth longleaf pine in north and central Florida that have undergone heart wood rot that make for soft pecking to create their nest cavities. The habitat maintenance depends on prescribed fire for maintaining open, park-like conditions and so wild fires to not kill rare old growth longleaf pine. Due to this project being located in overgrown habitat that is not maintained via prescribed fire and the nearest Red-Cockaded Woodpecker activity being over 28 miles south of the property, red-cockaded woodpeckers are not likely to be found on site; therefore, the Corps has determined there to be *no effect* on this species.

The Corps executed a Resources At Risk (RAR) report on March 11 2020. 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 public 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 affects a 10-foot by 15-foot area of estuarine habitat for the kayak launch; however, the area is not designated as EFH. Our initial determination is that the proposed action would not have an impact on EFH. Our final determination relative to project impacts is subject to review 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 has verified the extent of Federal jurisdiction.

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 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, Terri M. Mashour, in writing at the Jacksonville Permits Section, Post Office Box 4970, Jacksonville, Florida 32232; by electronic mail at [terri.m.mashour@usace.army.mil](mailto:terri.m.mashour@usace.army.mil); by facsimile transmission at (904) 232-1940; or, by telephone at (904) 570-4512.

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

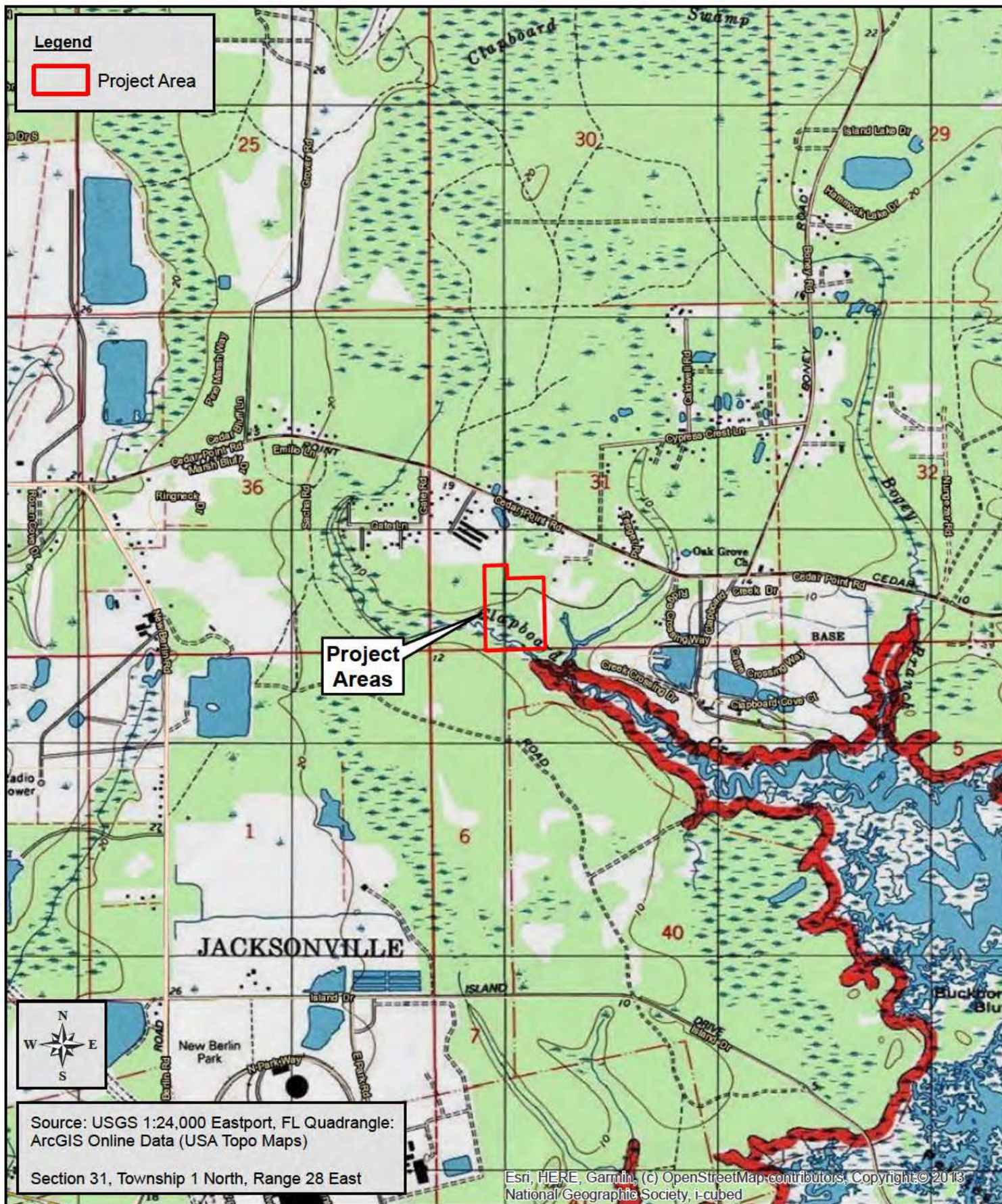
criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

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.





PEACOCK CONSULTING GROUP, LLC



12058 San Jose Boulevard, Suite 604, Jacksonville, Florida 32223  
(904) 268-1766 phone (904) 268-1729 fax

## Bradley Pond Phase 2

Duval County, Florida

Location/Topographic Map

Figure: 1

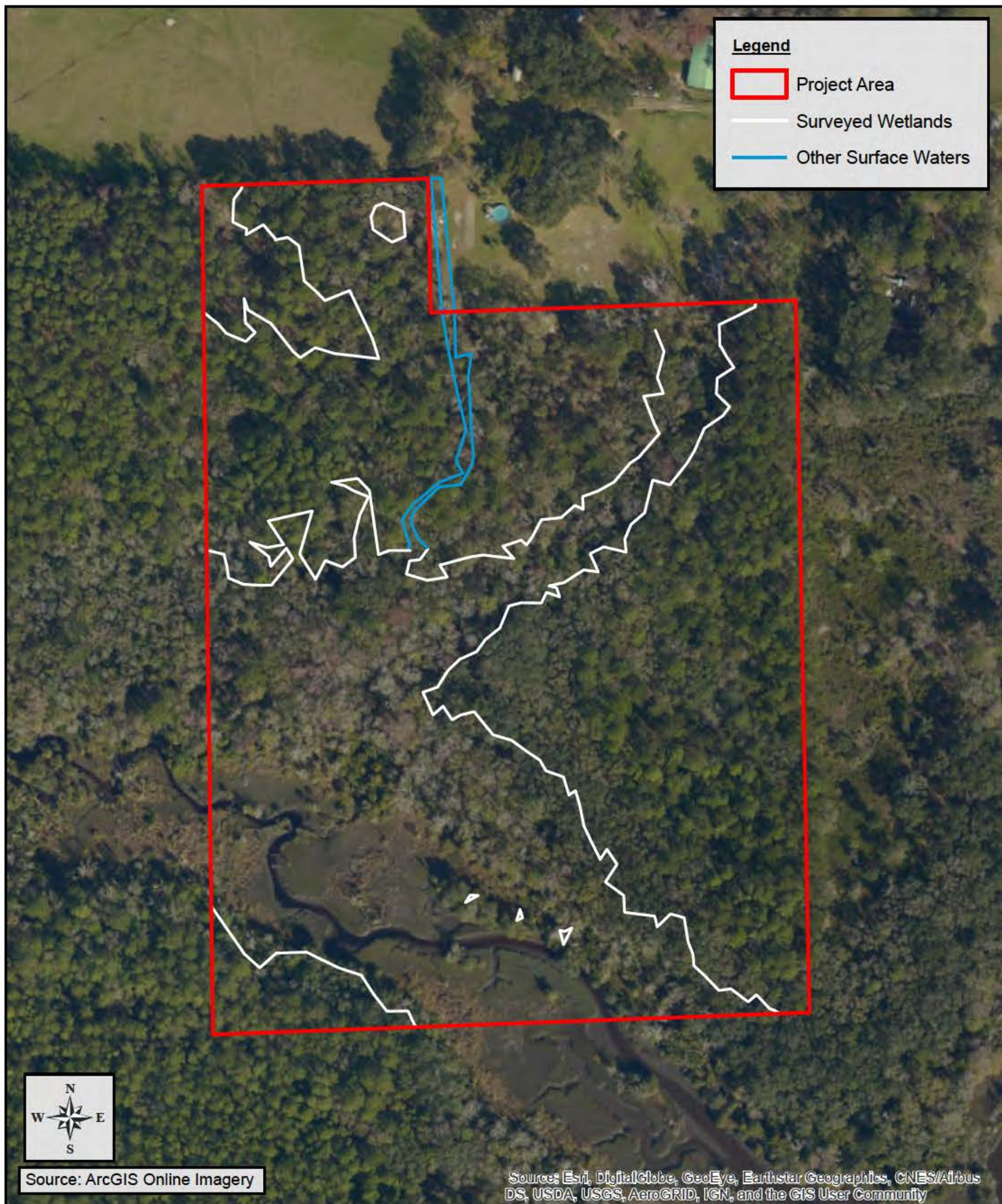
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## Bradley Pond Phase 2

Duval County, Florida

*Current Aerial Photograph with Surveyed Wetlands*

Figure: 3

Date: 1-31-20

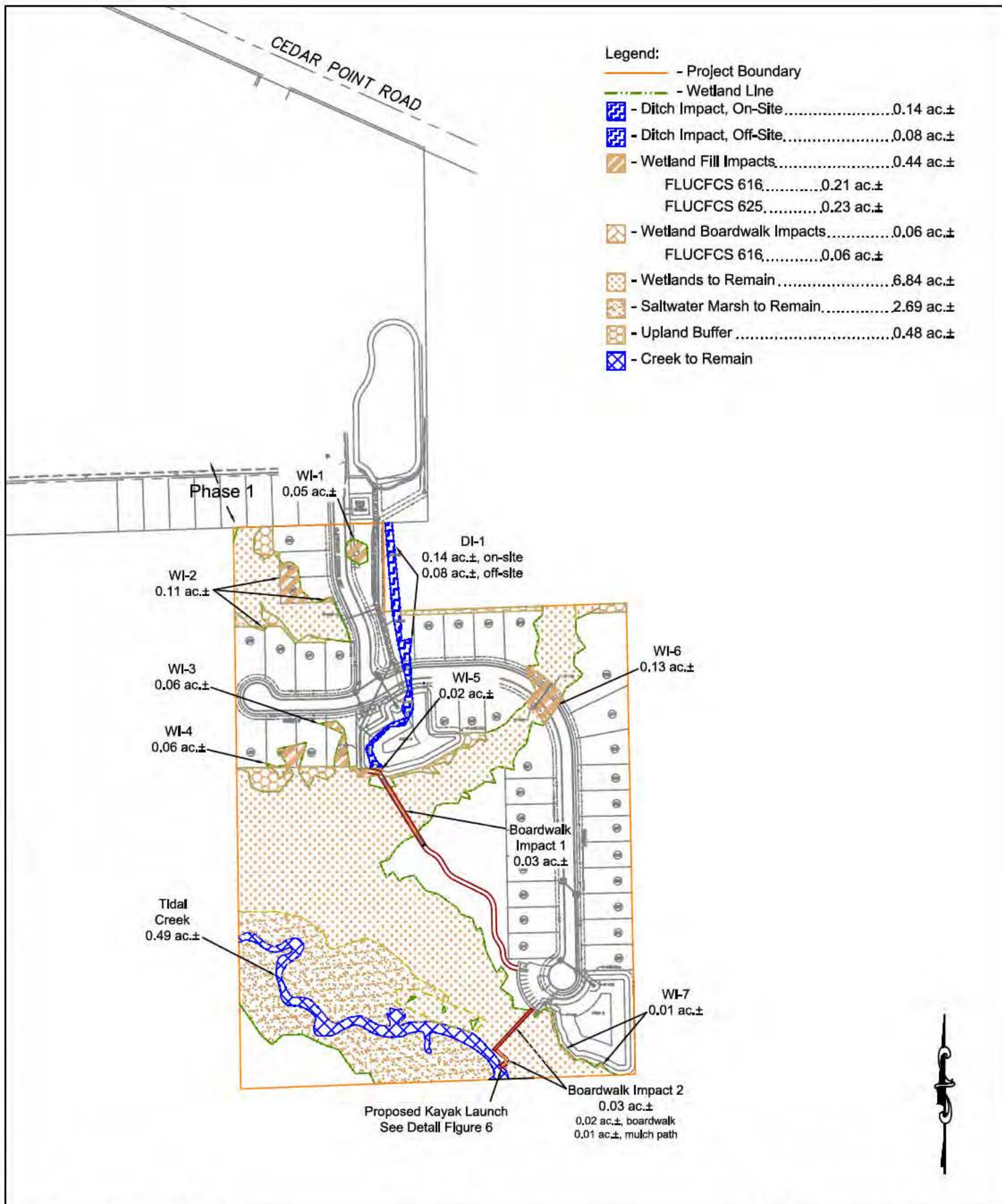




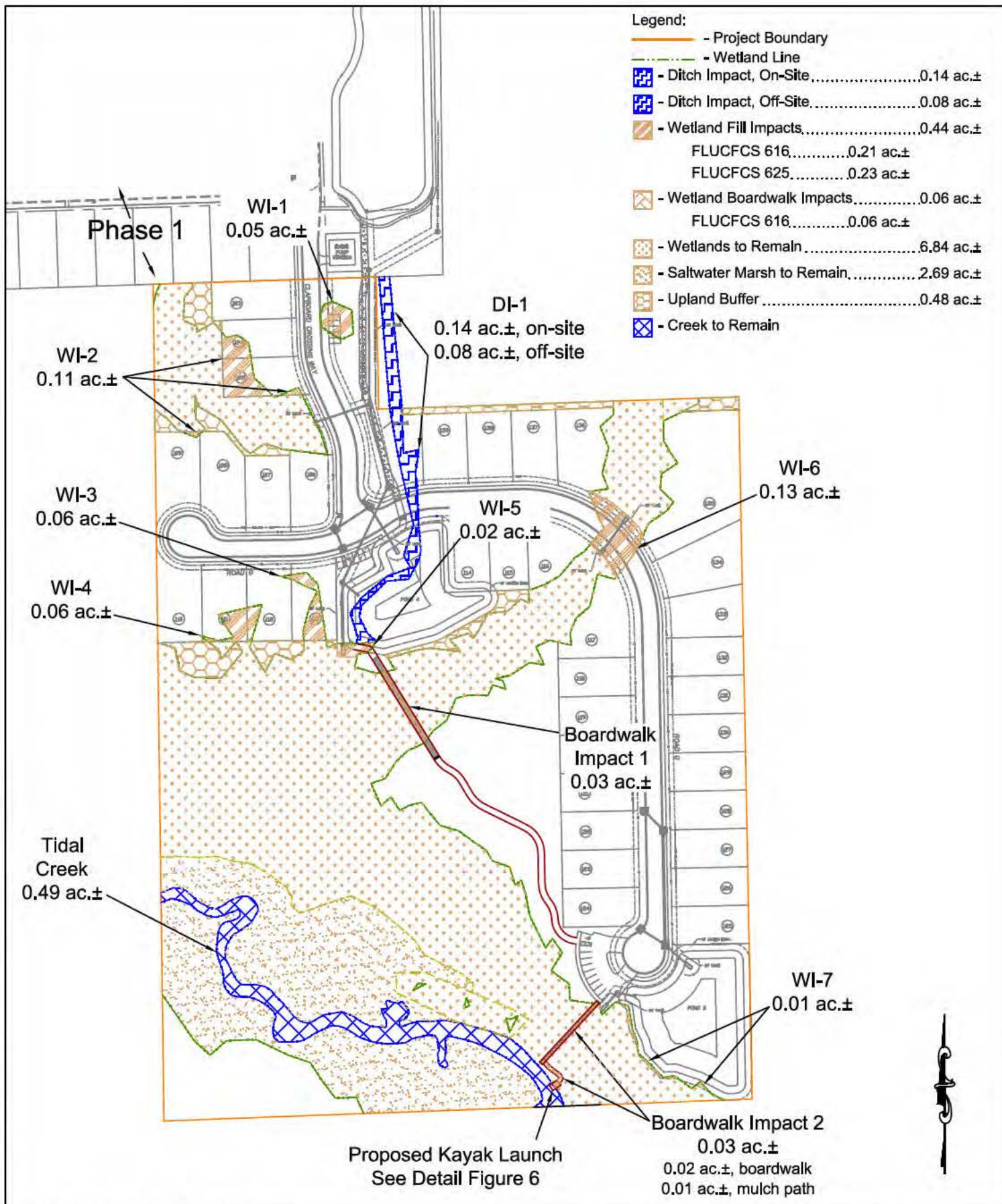




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10'x15' At-Grade  
Kayak Launch

125'

6'-Wide  
Dock

(762 sq.ft. over  
wetlands)

6'-Wide  
Mulch Path  
(258 sq.ft. over  
wetlands)

34'

24'

20' U.D.

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## Bradley Pond Phase 2

Duval County, Florida  
*Kayak Launch Details*

Figure: 6A

Scale: 1" = 40'

Date: 2-22-20





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## Bradley Pond Phase 2

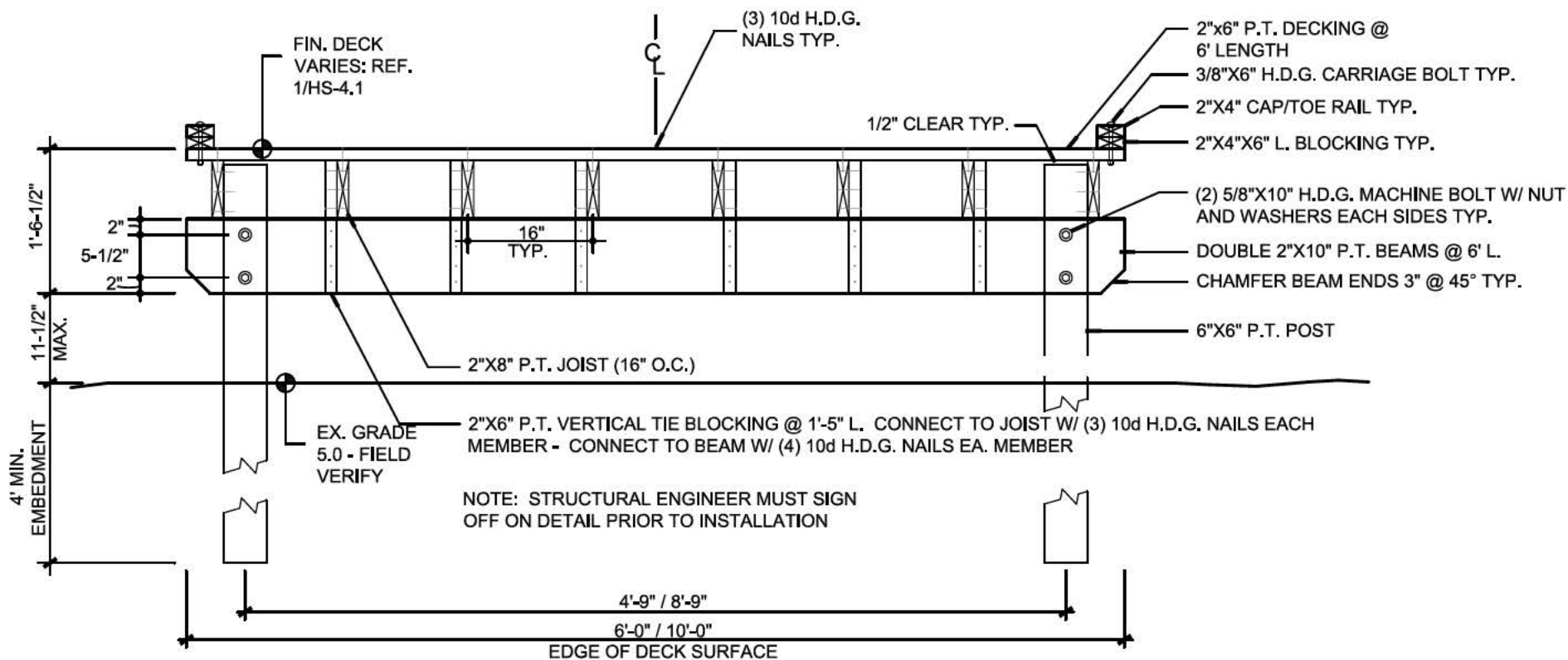
Duval County, Florida

*Proposed Kayak Launch Details*

Figure: 6B

Date: 2-22-20

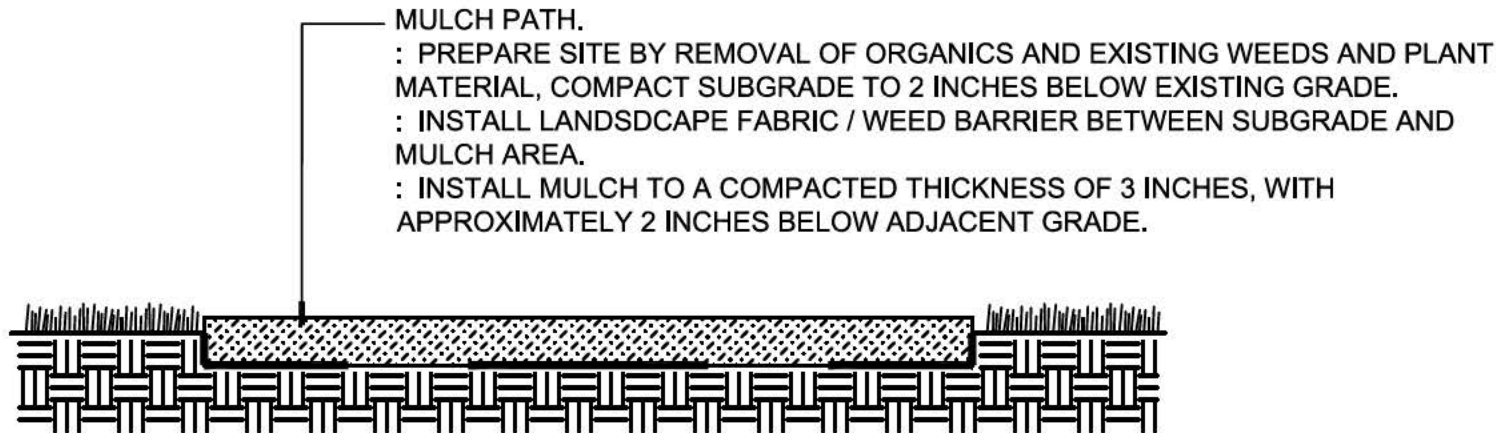




7  
HS-1

## TYPICAL BOARDWALK CROSS SECTION

NTS



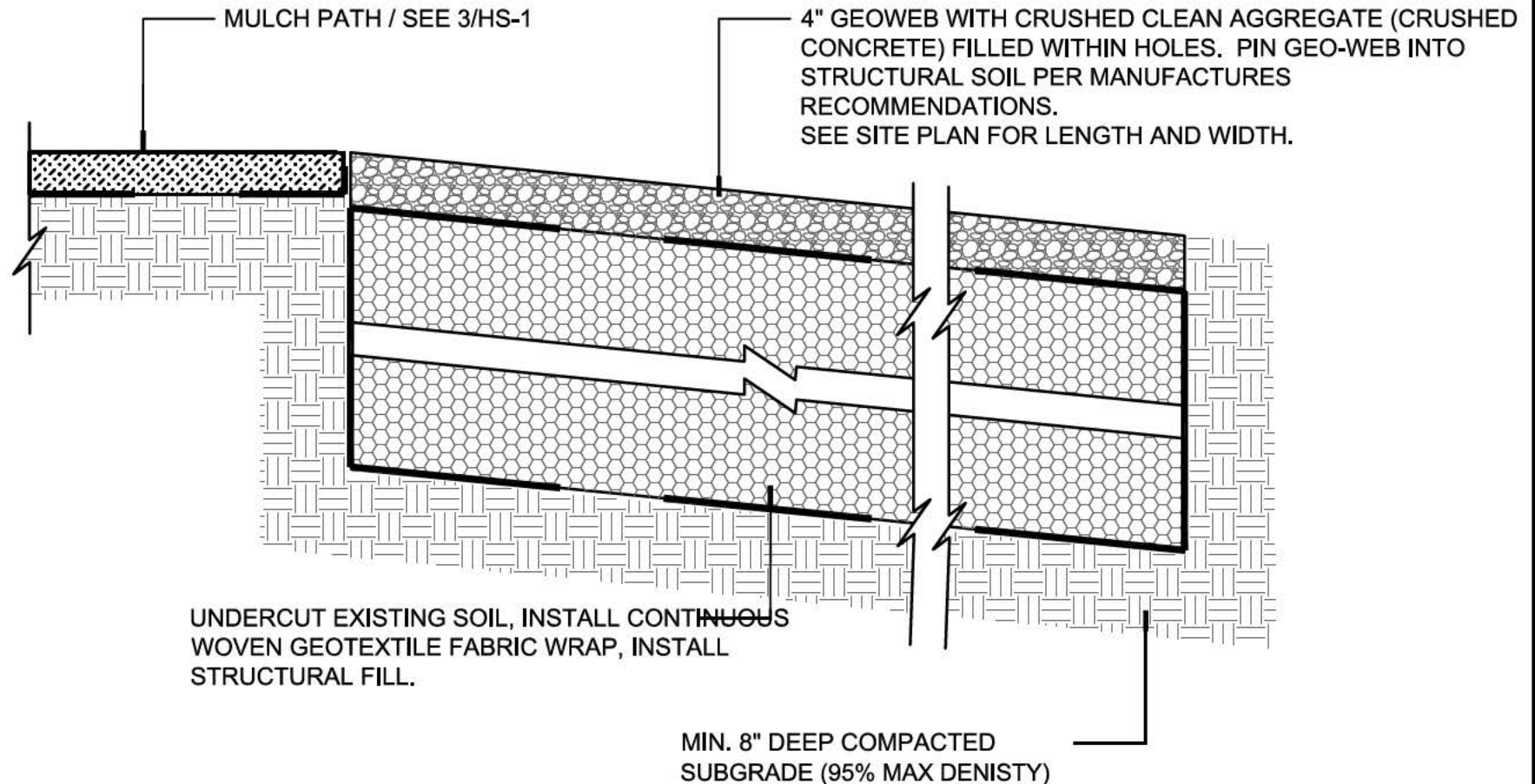
3  
HS-1

MULCH PATH - SECTION

N.T.S.



GENUINE GEOWEB SLOPE WITH ATRA ANCHOR OR OTHERS.  
GEO-SYSTEMS. PRESTO PRODUCTS CO.  
SOURCED FROM RH MOORE / LARRY LARSON  
813-988-0200



## KAYAK LAUNCH SURFACING - SECTION

N.T.S.



**HALFF**

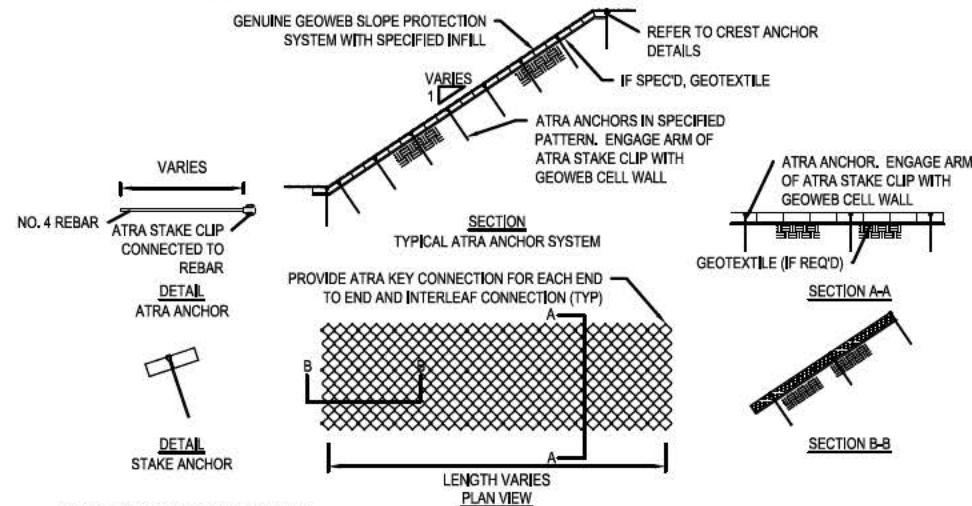
HS Details - Bradley Pond

PULTE - DEL WEBB

2.21.2020



PRESTO GEOSYSTEMS  
P.O. BOX 2399, 670 NORTH PERKINS ST.  
APPLETON, WI 54912-2399  
TOLL FREE: 1-800-548-3424  
PHONE: (920) 738-1336  
FAX: (920) 738-1222  
www.prestogeo.com



#### STAKE ANCHOR INSTALLATION STEPS:

1. POSITION THE ATRA ANCHOR NEXT TO THE UP-SLOPE CELL WALL.
2. DRIVE ATRA ANCHOR INTO THE GROUND UNTIL ARM OF ATRA STAKE CLIP IS LOCATED ABOVE GEOWEB CELL WALL.
3. ENGAGE ARM OF ATRA STAKE CLIP TO CELL WALL AND DRIVE UNTIL TIGHT.

#### MANUFACTURER NOTES:

1. ATRA ANCHORS SHALL CONSIST OF NO. 4 REBAR WITH AN ATRA STAKE CLIP INSERTED INTO THE END OF THE REBAR. LENGTH OF THE ATRA ANCHORS SHALL BE AS SPECIFIED.
2. PRE-ASSEMBLED ATRA GFRP (POLYMER) ARE AVAILABLE FROM PRESTO GEOSYSTEMS.
3. THE GEOWEB SHALL BE FILLED WITH THE SPECIFIED MATERIAL (TOPSOIL, STONE, OR CONCRETE) AND SHALL BE SUITABLE TO WITHSTAND THE APPLICABLE HYDRAULIC CONDITIONS.
4. THE GEOWEB SECTIONS SHALL BE ANCHORED TO RESIST SLIDING DUE DRIVING AND HYDRAULIC FORCES.
5. IF VEGETATION IS DESIRED, PROVIDE AN EROSION CONTROL BLANKET OR TURF REINFORCEMENT MAT IF THERE IS A POTENTIAL FOR EROSION PRIOR TO ESTABLISHING VEGETATION.
6. THE GEOWEB PANELS SHALL BE CONNECTED WITH ATRA KEYS AT EACH INTERLEAF AND END TO END CONNECTION.
7. REFER TO THE GENERAL DETAIL DRAWINGS FOR ANCHOR DETAILS.

#### NOTES:

1. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
2. DO NOT SCALE DRAWING.
3. THIS DRAWING IS INTENDED FOR USE BY ARCHITECTS, ENGINEERS, CONTRACTORS, CONSULTANTS AND DESIGN PROFESSIONALS FOR PLANNING PURPOSES ONLY. THIS DRAWING MAY NOT BE USED FOR CONSTRUCTION.
4. ALL INFORMATION CONTAINED HEREIN WAS CURRENT AT THE TIME OF DEVELOPMENT BUT MUST BE REVIEWED AND APPROVED BY THE PRODUCT MANUFACTURER TO BE CONSIDERED ACCURATE.
5. CONTRACTOR'S NOTE: FOR PRODUCT AND COMPANY INFORMATION VISIT [www.CADDdetails.com/info](http://www.CADDdetails.com/info) AND ENTER REFERENCE NUMBER Conceptual HS Details



## GEOWEB SLOPE STABILIZATION

N.T.S. - GEOWEB SLOPE PROTECTION WITH ATRA ANCHORS