



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
415 RICHARD JACKSON BOULEVARD, SUITE 411
PANAMA CITY BEACH, FLORIDA 32407

April 8, 2020

Regulatory Division
North Permits Branch
Panama City Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2017-00145 (SP-TLW)

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: Hombre Development, LLC
Attention: Mr. George Roberts
3233 Magnolia Islands Boulevard
Panama City Beach, Florida 32408

WATERWAY AND LOCATION: The project would affect waters of the United States associated with an unnamed pond that acts as a tributary and connects to an excavated tributary that crosses the US Highway 98 right-of-way, flows north and drains to St Andrews Bay. The project site is located at the south side of US Highway 98 between Moylan Road and Glades Trail.

Directions to the site are as follows: From Panama City, west across the Hathaway Bridge into Panama City Beach on Highway 98 West, continue for approximately 2.72 miles and the property is located on the left (south) side of Panama City Beach Parkway.

APPROXIMATE CENTRAL COORDINATES: Latitude 30.192077 N
Longitude -85.799657 W

PROJECT PURPOSE:

Basic: Commercial

Overall: To provide commercial outparcel space on the east end of Panama City Beach.

EXISTING CONDITIONS: The wetland system consists of a freshwater, man-made pond that was created as part of the golf course, surrounded by managed turf. The existing area surrounding the project area consists of residential development.

PROPOSED WORK: The applicant seeks authorization to impact 1.1 acres of jurisdictional surface waters within a former golf course development, to allow

construction of a new commercial development and service road for commercial outparcels along the US 98 right of way.

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 proposed project consists of filling 1.1 acres of jurisdictional surface waters within a pervious golf course development and the creation of 3.91 acres of the surface water pond area. All impacts to natural wetland areas have been avoided.

COMPENSATORY MITIGATION – The applicant has provided the following explanation why compensatory mitigation should not be required:

The applicant is proposing to fill part of the existing system and create additional area within the existing system. As such, the existing and proposed conditions and functions of the system will remain the same. The project will increase surface water area by 80% over existing conditions, providing enhanced flood attenuation in an area that currently experiences flooding problems, which is a net positive benefit to landowners within the vicinity of the proposed project. The expansion of the existing pond areas will provide a net increase of habitat. Therefore, there is no net loss of resources associated with the project, and 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:

The Corps has determined the proposed project may affect, but is not likely to adversely affect the Eastern indigo snake or its designated critical habitat. Based upon the results of the programmatic key, no further coordination with U.S. Fish and Wildlife Service is required.

ESSENTIAL FISH HABITAT (EFH): No designated essential fish habitat is present within the project area.

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 Panama City Permits Section, 415 Richard Jackson Boulevard, Suite 411, Panama City Beach, Florida 32407 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, Mrs. Tracey L. Wheeler, in writing at the Panama City Permits Section, 415 Richard Jackson Boulevard, Suite 411, Panama City Beach, Florida 32405; by electronic mail at tracey.l.wheeler@usace.army.mil; or, by telephone at (850) 287-0138.

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 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.

PREPARED BY: CYPRESS ENVIRONMENTAL

Client / Applicant: **Hombre Development, LLC**

Waterbody / Class: **Unnamed Surface Waters**

Purpose: **Environmental Permitting**

Project Location / USGS: **PCB Pkwy @ Glades Trail / Panama City Beach**

Latitude: **N30° 11' 23.5"**

Longitude: **W85° 48' 26.4"**

Section: **36**

Township: **3 South**

Range: **16 West**

Job: **332.02**

WMD:

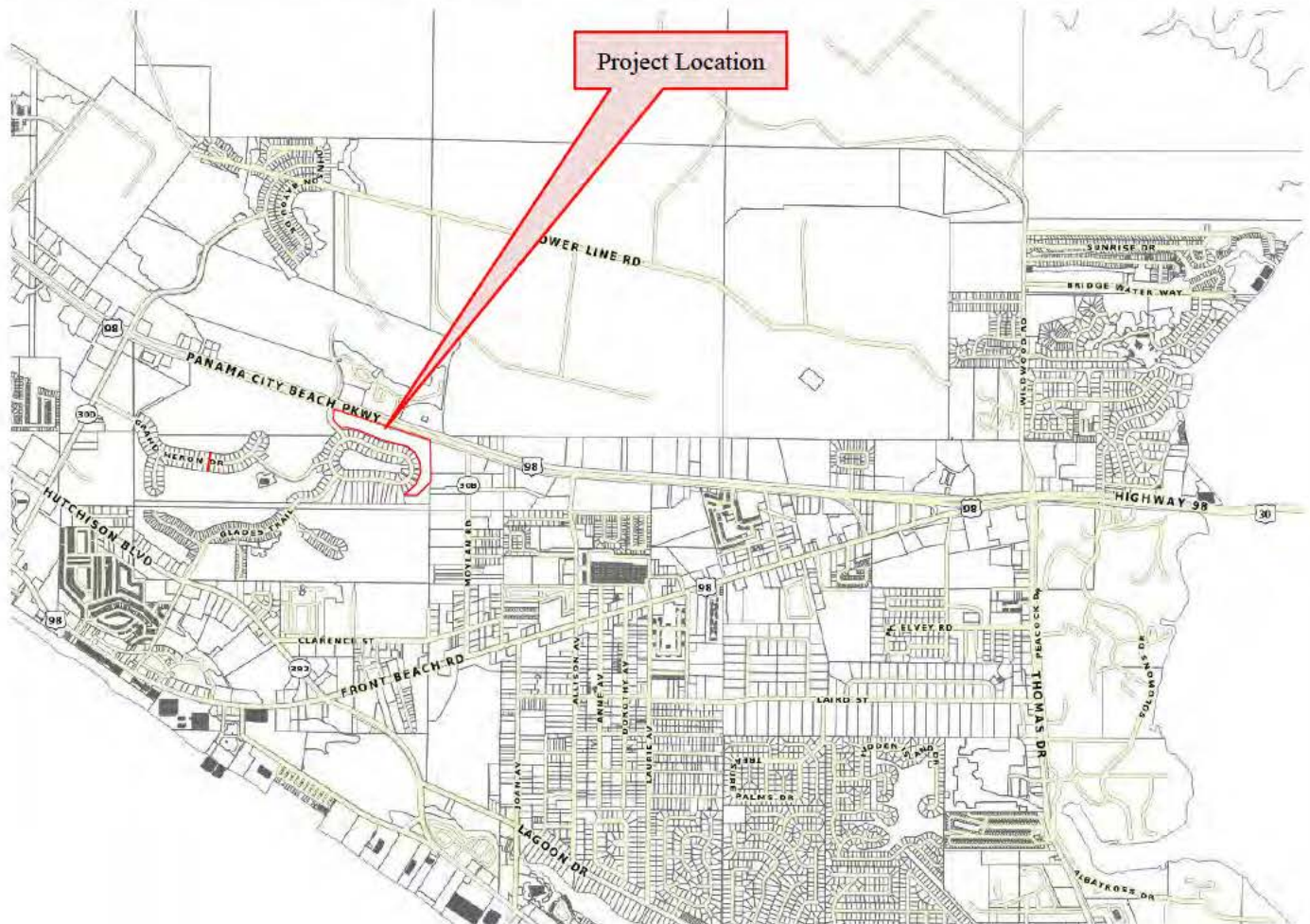
COE:

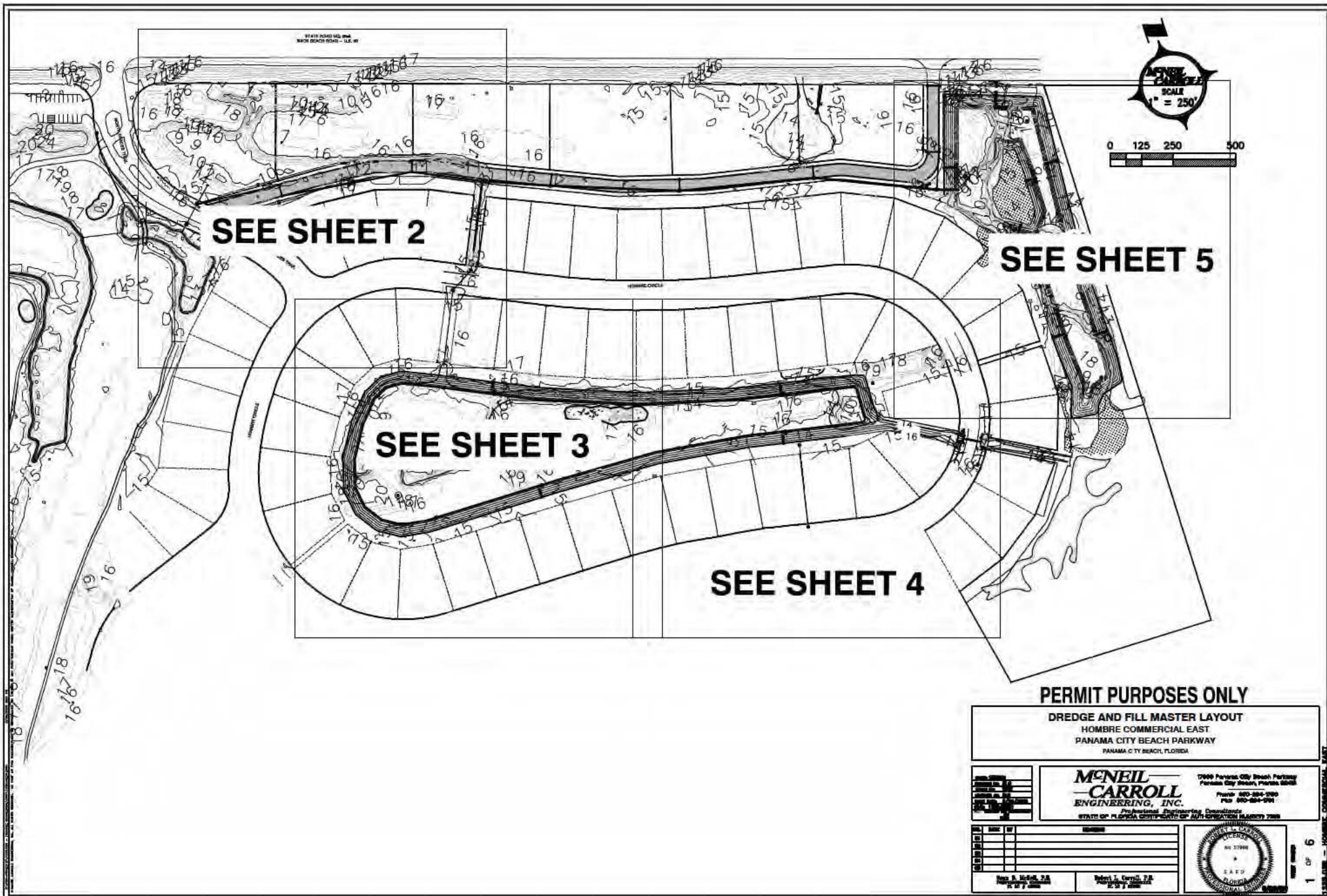
Other: **A Portion of PID: 34810-030-000**

Date: **December 23, 2019**

Sheet:

VICINITY MAP





PERMIT PURPOSES ONLY

DREDGE AND FILL MASTER LAYOUT
HOMBRE COMMERCIAL EAST
PANAMA CITY BEACH PARKWAY
 PANAMA CITY BEACH, FLORIDA



MCNEIL-CARROLL
ENGINEERING, INC.

17000 Panama City Beach Parkway
 Panama City Beach, Florida 32408
 Phone: 904-264-2900
 Fax: 904-264-2901

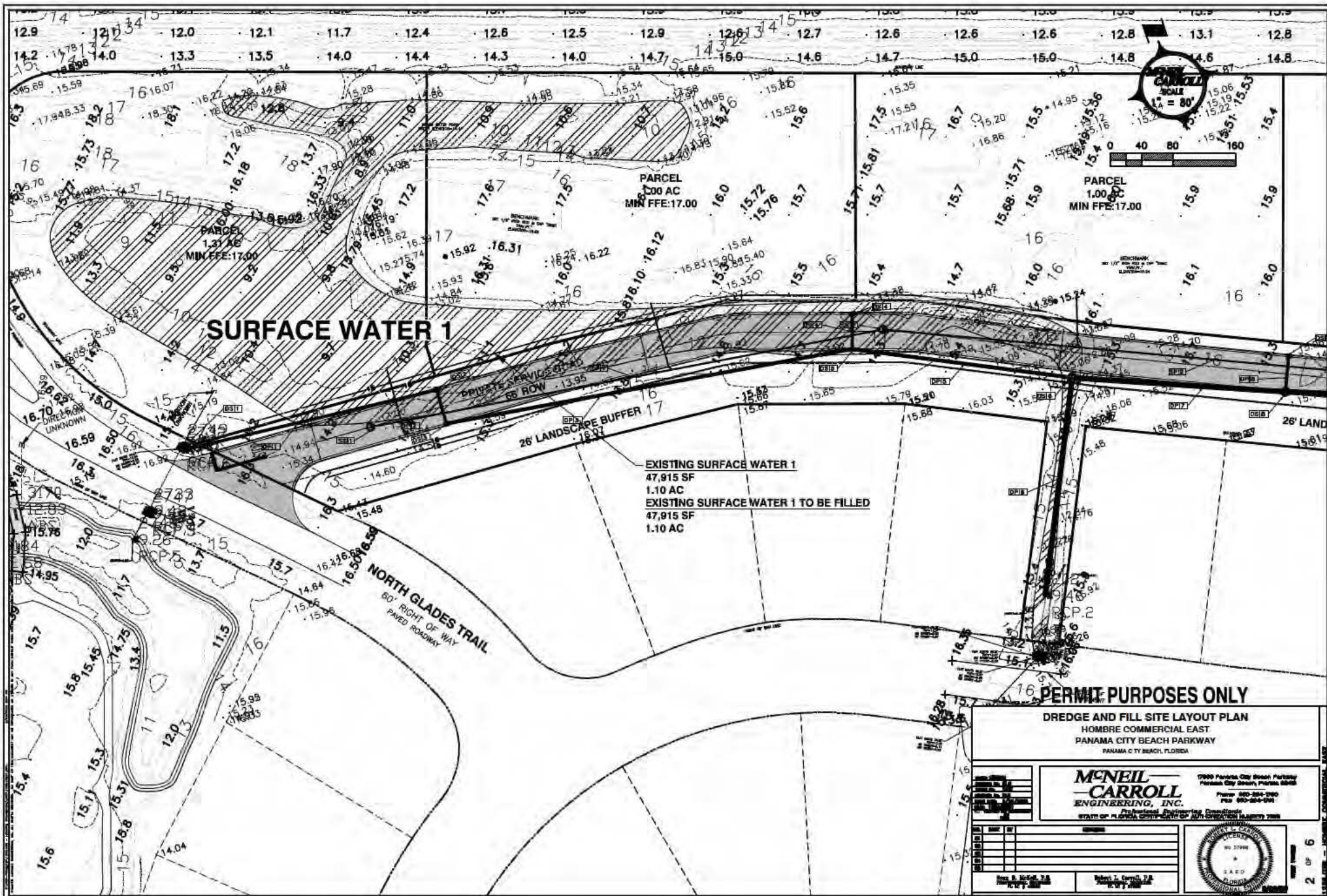
NO.	DATE	BY	REVISION

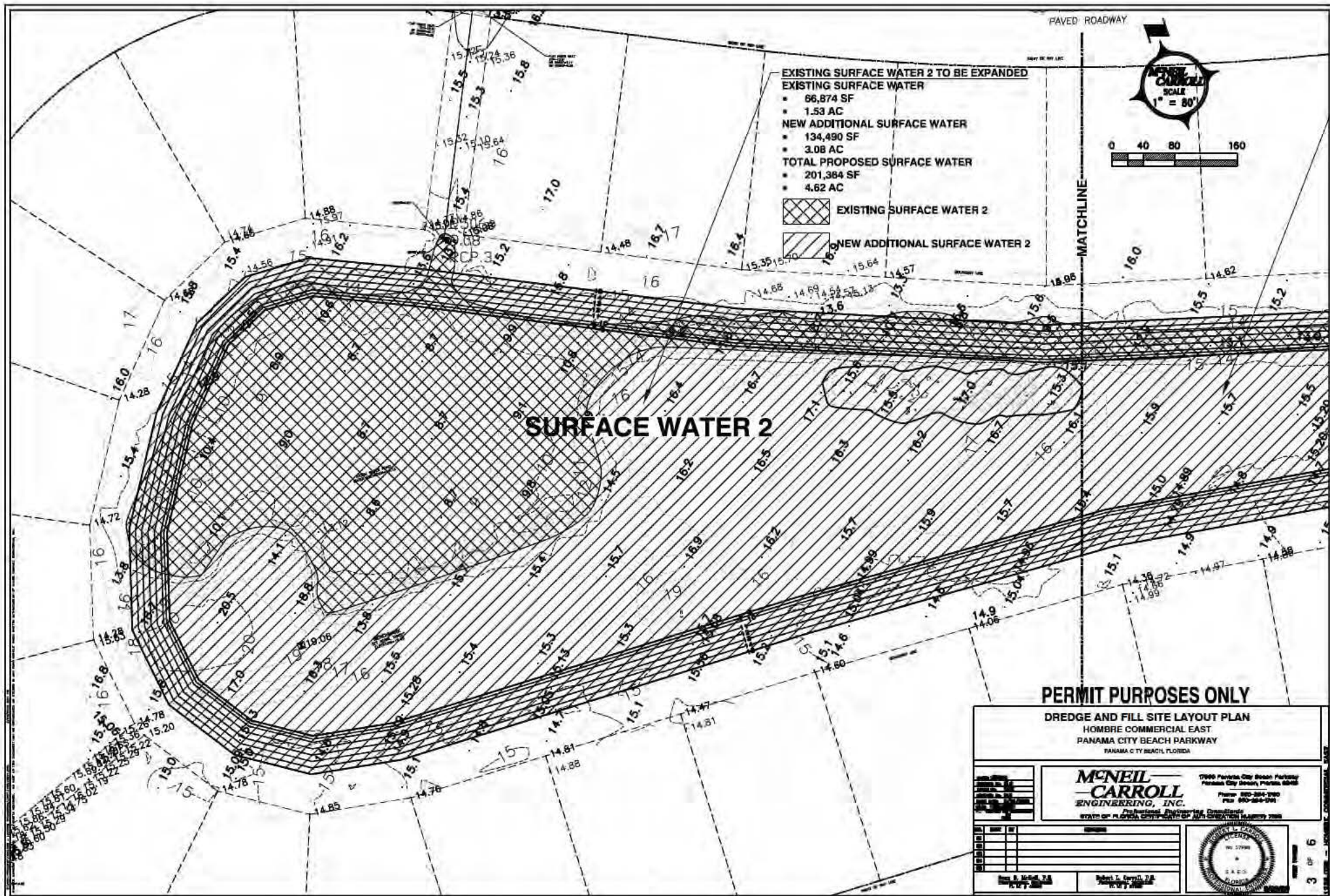
Professional Engineering Consultants
 STATE OF FLORIDA CERT. NO. 10000000000000000000

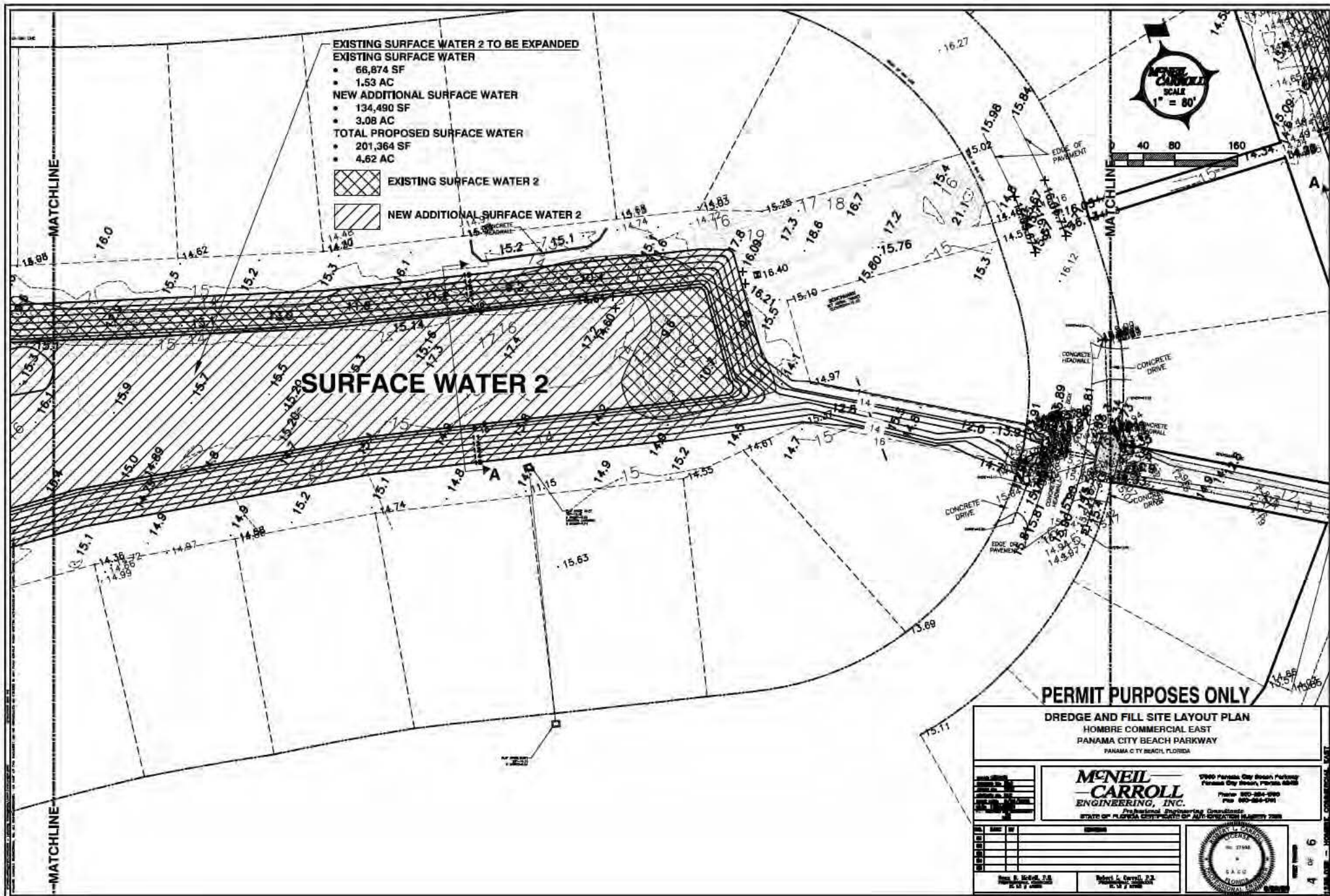
Don A. McNeil, P.E.
 P. 007 10000

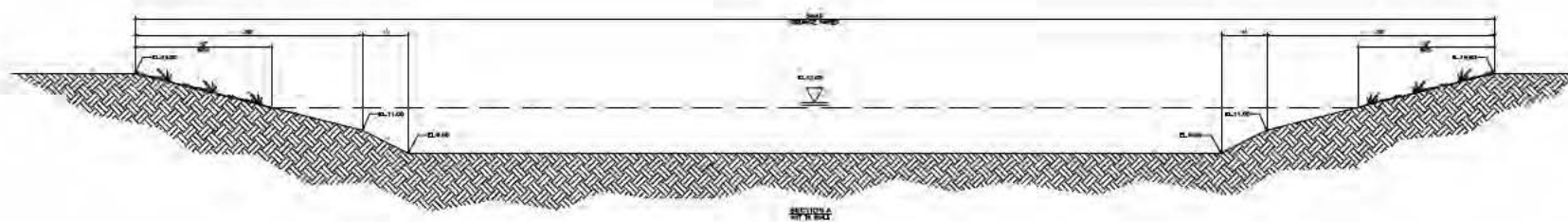
Robert L. Carroll, P.E.
 P. 007 10000









**PERMIT PURPOSES ONLY**

DREDGE AND FILL SECTION
HOMBRE COMMERCIAL EAST
PANAMA CITY BEACH PARKWAY
PANAMA CITY BEACH, FLORIDA

100

**McNEIL—
CARROLL**
ENGINEERING, INC.

7944 Parkway City Road, Parkway
Parkway City Road, Parkway 22-22
Phone: 800-224-2200
Fax: 800-224-2201

Professional Engineering Consultants
STATE OF FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER 725

Blair R. McSwain, D.D.
President, University of Tennessee
Chattanooga, Tennessee

Robert L. Carroll, P.A.
Pawlingham, Connecticut
P.O. Box 4, 06460



1