



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

April 21, 2020

Regulatory Division
North Permits Branch
Panama City Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2019-03390(SP-LSL)

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: Mr. Jason Bense
J.W.A., LLC
1901 North East Avenue
Panama City, Florida 32405

WATERWAY AND LOCATION: The project would affect waters of the United States associated with unnamed wetlands that drain to North Bay. The project site is located at Highway 389 and Dundee Lane in Section 15, Township 3 South, Range West, Lynn Haven, Bay County, Florida.

Directions to the site are as follows: From the intersection of Highway 77 and Highway 231 in Panama City, continue west on Highway 231 for approximately 2 miles. Turn left (north) onto Highway 389/North East Avenue for approximately 1.64 miles. The property is located on the left side (east) of Highway 389.

APPROXIMATE CENTRAL COORDINATES: Latitude 30.224131° N
Longitude -85.631576° W

PROJECT PURPOSE:

Basic: Residential development.

Overall: To construct a moderate income 84-lot single-family residential development in east Lynn Haven to fulfill an increased demand in residential housing within the City of Lynn Haven, Bay County, Florida.

EXISTING CONDITIONS: The proposed project is a 31 acre infill project surrounded by residential development. The property consists of 13.8 acres of uplands and 17.23 acres of wetlands. The wetlands are ruderal growth areas that were pasturelands associated with a dairy farm that operated in the area for over 50 years, closing in 1987. Vegetation within the wetland impact areas consists primarily of monotypic stands of titi (*Cyrilla racemiflora* and *Cliftonia monophylla*) and slash pine (*Pinus elliotii*) which were

heavily damaged by Hurricane Michael. Other vegetation includes southern magnolia (*Magnolia grandiflora*), water oak (*Quercus nigra*), blackjack oak (*Quercus marilandica*), wax myrtle (*Myrica cerifera*), gallberry (*Ilex glabra*), and saw palmetto (*Serenoa repens*). The existing area surrounding the project area consists of single family residential development on the north, south, and east. To the west of the project area is McCain Creek and to the west of McCain Creek is also a single family residential development.

PROPOSED WORK: The applicant seeks authorization to impact 13.16 acres of jurisdictional wetlands associated with the proposed construction of an 84-lot single family subdivision and associated roads, infrastructure, and storm water facilities.

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 original project area considered an additional 5 acres to the east with the entire proposed development connecting through the existing Mowat Highlands subdivision. A pre-application meeting with the local government resulted in the need for another outlet to Highway 389 in addition to the proposed Mowat Highlands outlet. The requirement for this ingress/egress point led to the acquisition of a 5 acre parcel south that has since been merged into the subject property. This property and the parcel to the east referenced above both contained upland and wetland areas. Considering acquisition costs, development costs, and the need to minimize wetland impacts to the maximum extent possible, a determination was made that including all of the additional area in the project was not feasible. As such, a decision was made to keep the 5 acre parcel on Highway 389 for the required ingress/egress and eliminate the other 5 acres to the east which in turn minimized potential wetland impacts.

With the project boundaries identified, the original planned development included 95 lots and impact of all of the onsite wetlands. Cypress Environmental subsequently identified the quality of the onsite wetlands. The highest functioning wetlands within the project area were identified as the wetlands along McCain Creek and two mixed forested areas in the southern extent of the property. The layout was then re-designed from 95 lots to 84 lots to avoid impact to these areas.

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

To offset the direct and secondary wetland impacts, the applicant is proposing to purchase 7.07 forested wetland credits from the Breakfast Point Mitigation Bank.

CULTURAL RESOURCES: The Corps is aware of historic property/properties within or in close proximity of the permit area. The Corps will initiate consultation with the State Historic Preservation Office and those federally recognized tribes with concerns in Florida and the Permit Area, and the Advisory Council on Historic Preservation as

applicable pursuant to 33 CFR 325, Appendix C and Section 106 of the National Historic Preservation Act, by separate letter.

ENDANGERED SPECIES: The Corps has determined the proposed project may affect, but is not likely to adversely affect (MANLAA) the eastern indigo snake (*Drymarchon corais couperi*) based on a programmatic consultation with the Fish and Wildlife Service (FWS) and the use of *Standard Protection Measures for the Eastern Indigo Snake*. For red cockaded woodpecker (*Picoides borealis*), a determination of no effect was made. For Panama City crayfish (*Procambarus econfinae*), a determination of MANLAA was made and the Corps will request FWS concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

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 Panama City Permits Section, 415 Richard Jackson Boulevard, Suite 411, Panama City Beach, Florida 32407 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, Mrs. Lisa S. Lovvorn, in writing at the Panama City Permits Section, 415 Richard Jackson Boulevard, Suite 411, Panama City Beach, Florida 32405; by electronic mail at lisa.s.lovvorn@usace.army.mil; or, by telephone at (850) 285-9533.

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

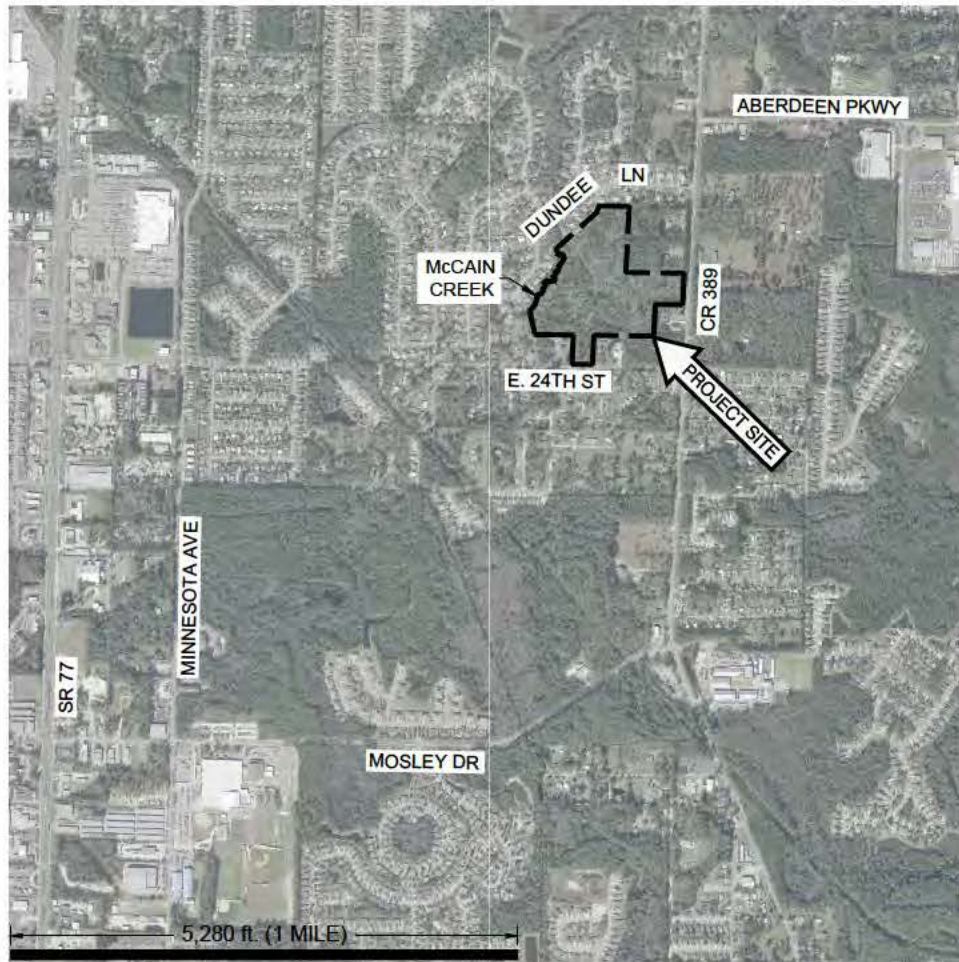
the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, 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.

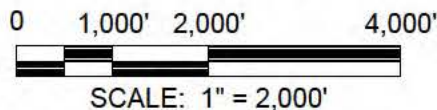
REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.

ANDREWS PLANTATION II SUBDIVISION LYNN HAVEN, FLORIDA



ADDRESS: HIGHWAY 389
SECTION TOWNSHIP RANGE (15-3S-14W)
LAT ~ 30° 14' 29"
LON ~ 85° 35' 43"

VICINITY MAP



DRAWING INDEX

- No. - TITLE
- 0 - COVER SHEET
 - 1 - EXISTING CONDITIONS WITH WETLAND IMPACT AREAS
 - 2 - WETLAND IMPACT AREA
 - 3 - 5 - CROSS SECTIONS
 - 6 - EROSION CONTROL PLAN
 - 7 - 8 - EROSION CONTROL DETAILS

MARCH 2020
PROJECT No. 57924

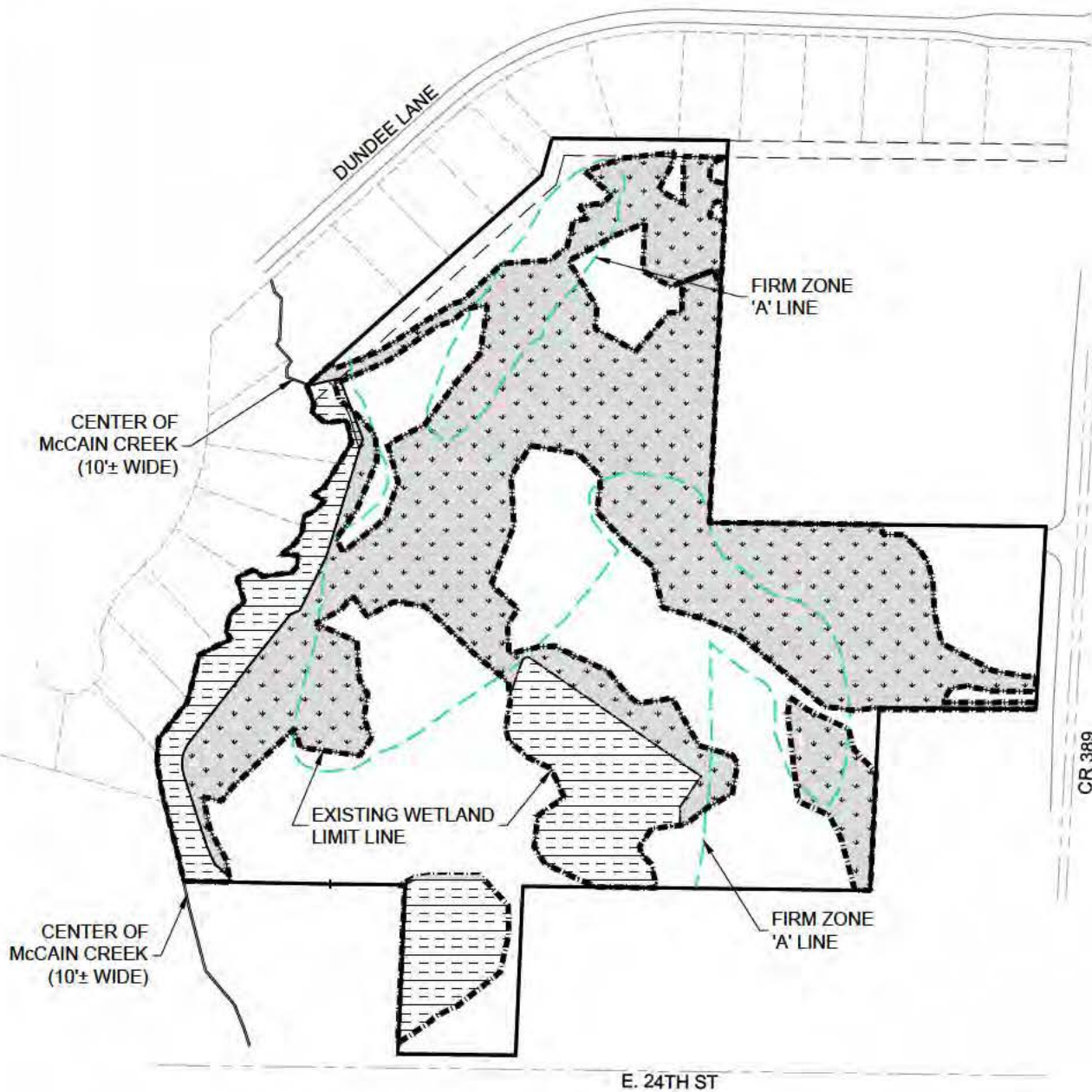
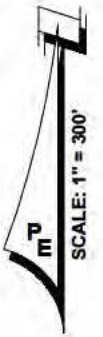
PREPARED FOR:
MR. ALLAN BENSE
J.W.A., LLC
1901 N. EAST AVENUE
PANAMA CITY, FL 32405

DPR CERTIFICATION #EB-7806

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COVER SHEET
ANDREWS PLANTATION II
SUBDIVISION
LYNN HAVEN, FLORIDA

CAO FILE: 57924acoe.dwg
DWN BY: JDM
DATE: MARCH 2020
SHEET NO: 0
PROJECT NUMBER 57924



0' 150' 300' 600'

SCALE: 1" = 300'

LEGEND:



DENOTES JURISDICTIONAL
WETLAND IMPACT AREA



DENOTES JURISDICTIONAL
WETLANDS NOT TO BE DISTURBED

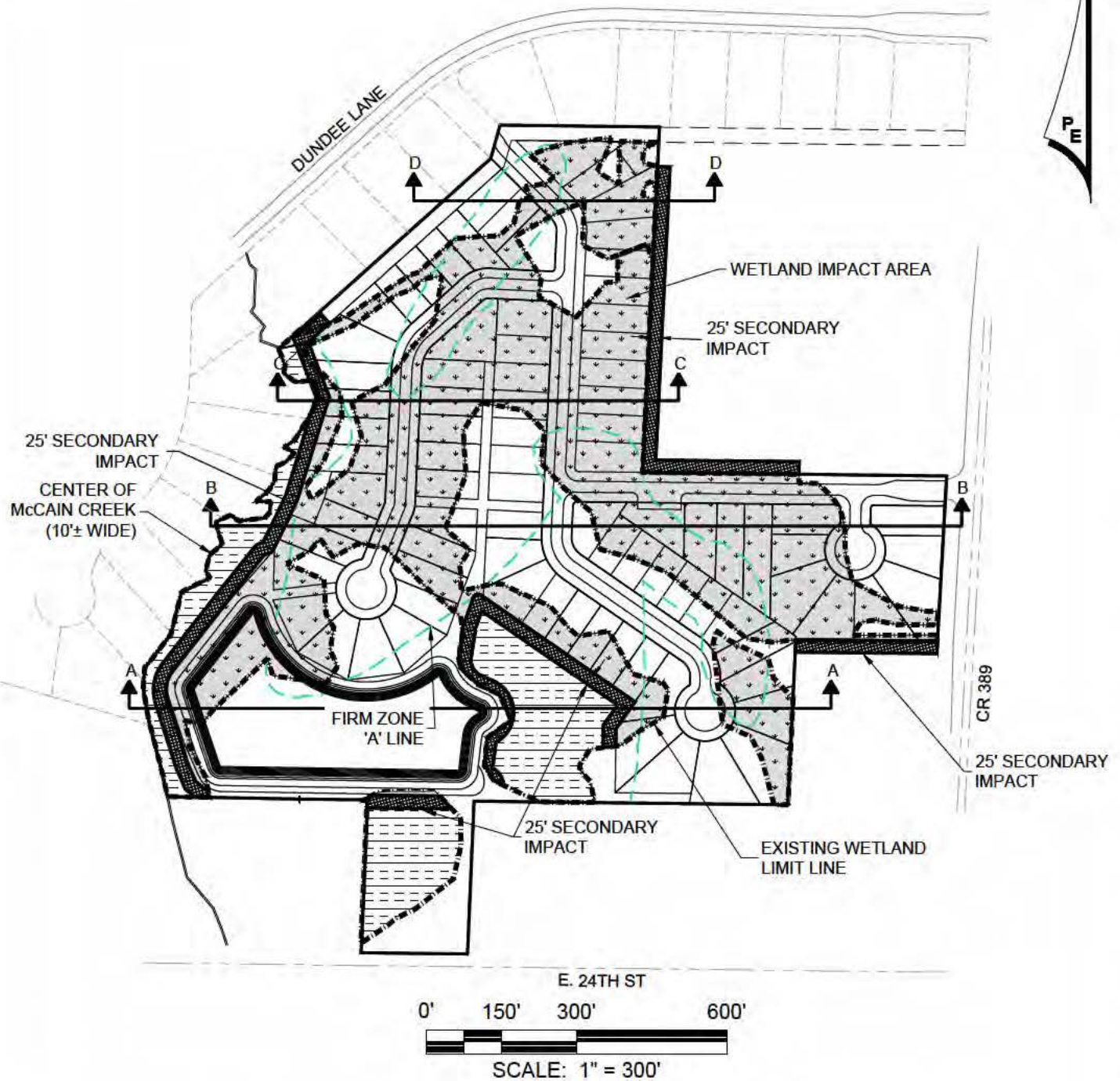
NOTE:
SEE SHEET 2 FOR WETLAND
IMPACT AND CUT / FILL SUMMARY

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EXISTING CONDITIONS WITH WETLAND IMPACT AREAS
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SUBDIVISION
LYNN HAVEN, FLORIDA

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DWN BY: JDM
DATE: MARCH 2020
SHEET NO: 1
PROJECT NUMBER 57924



LEGEND:



DENOTES JURISDICTIONAL
WETLAND IMPACT AREA



DENOTES JURISDICTIONAL
WETLANDS NOT TO BE DISTURBED



DENOTES SECONDARY
WETLAND IMPACT AREA

IMPACT SUMMARY

SITE AREA	1,351,465± S.F. ~ 31.02± AC.
UPLANDS AREA	600,927± S.F. ~ 13.80± AC.
WETLAND AREA	750,538± S.F. ~ 17.23± AC.
PRIMARY IMPACT	573,397± S.F. ~ 13.16± AC.
SECONDARY IMPACT	80,542± S.F. ~ 1.85± AC.
TOTAL CUT IN WETLANDS	13,345 CUBIC YARDS
TOTAL FILL IN WETLANDS	51,413 CUBIC YARDS

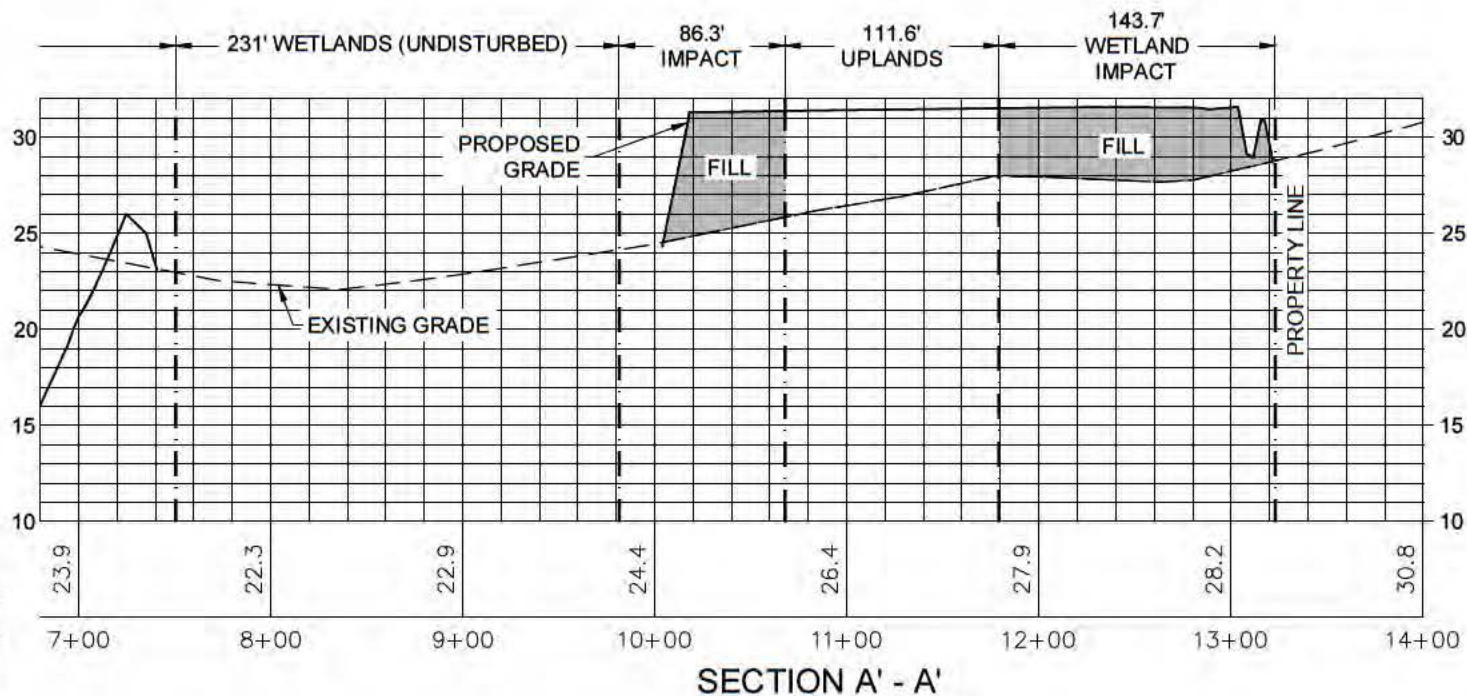
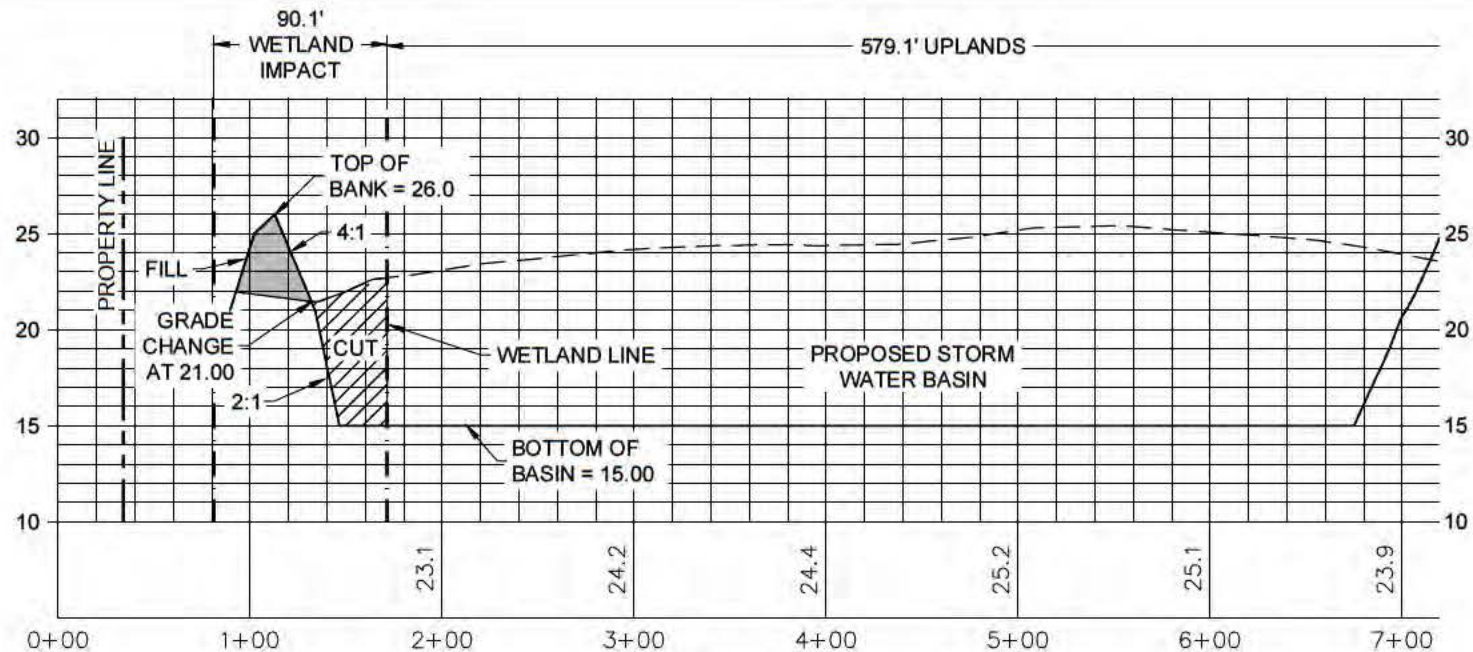
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WETLAND IMPACT AREA
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SHEET NO: 2
PROJECT NUMBER
57924

CROSS SECTIONS
 ANDREWS PLANTATION II
 SUBDIVISION
 LYNN HAVEN, FLORIDA



SCALE: HOR. 1"=100'
 VER. 1"=10'
 EXIST'NG GRADE
 STATION LABEL
 0+00

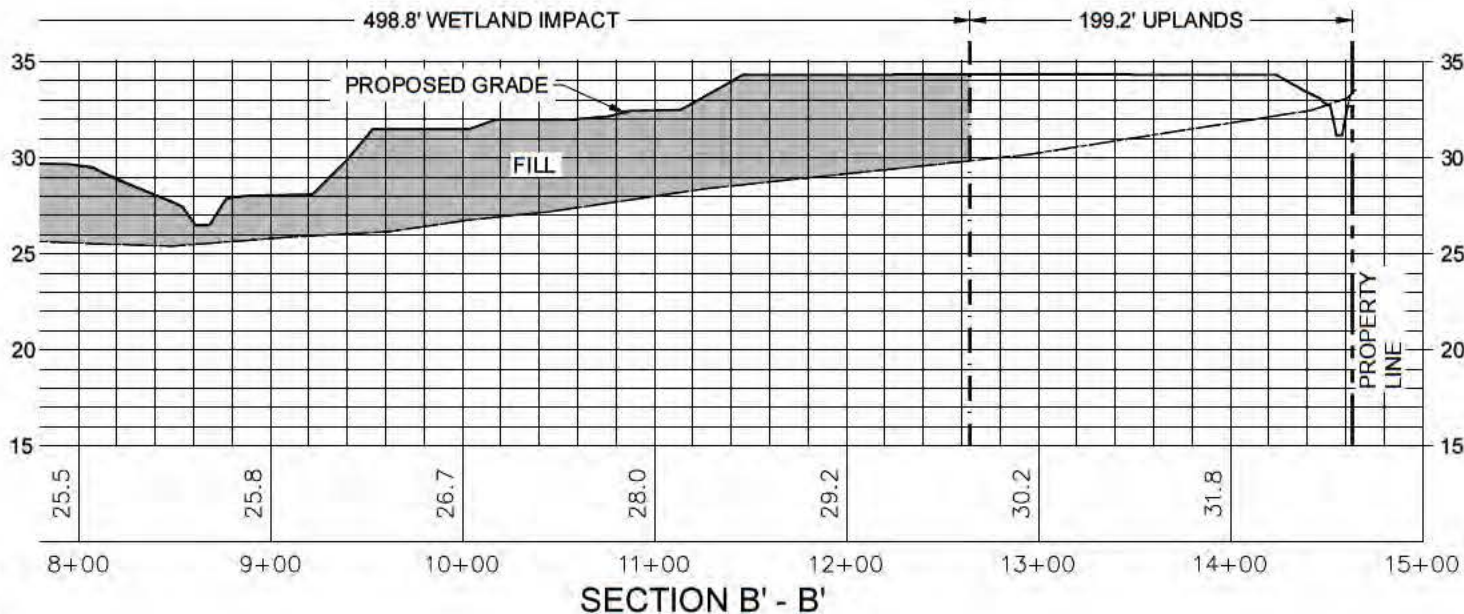
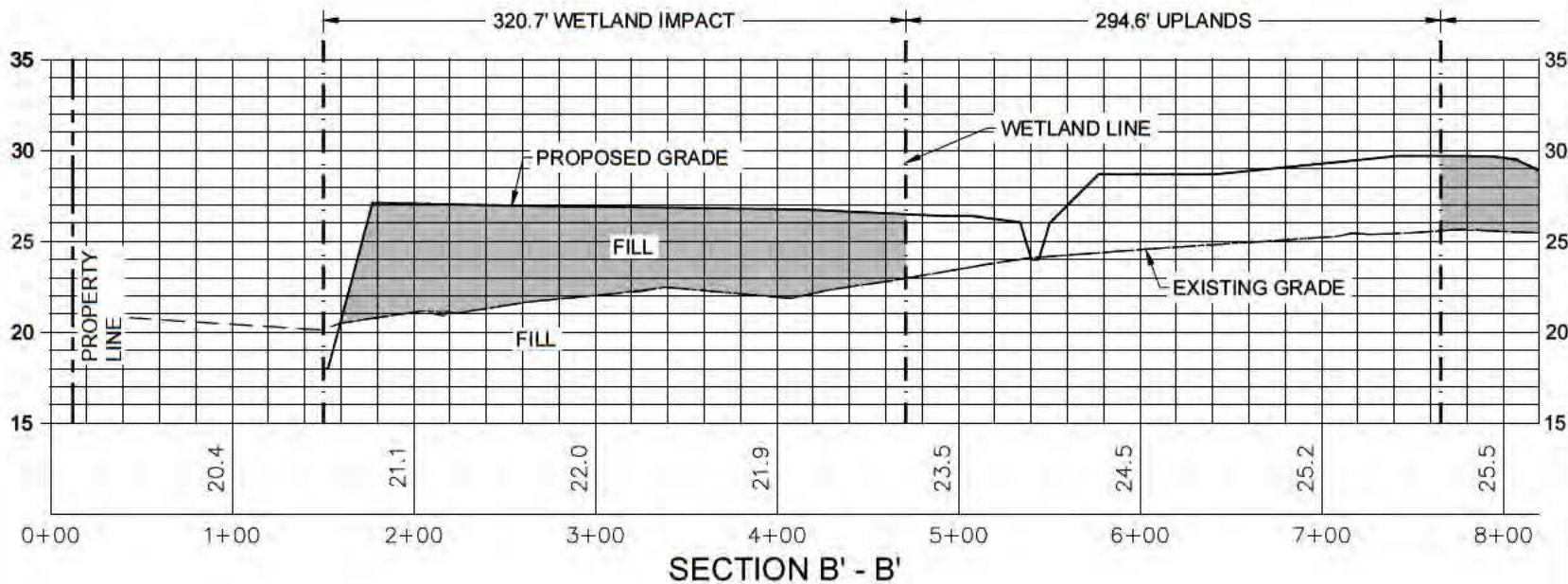
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 DATE: MARCH 2020
 SHEET NO. 3
 PROJECT NUMBER 57924

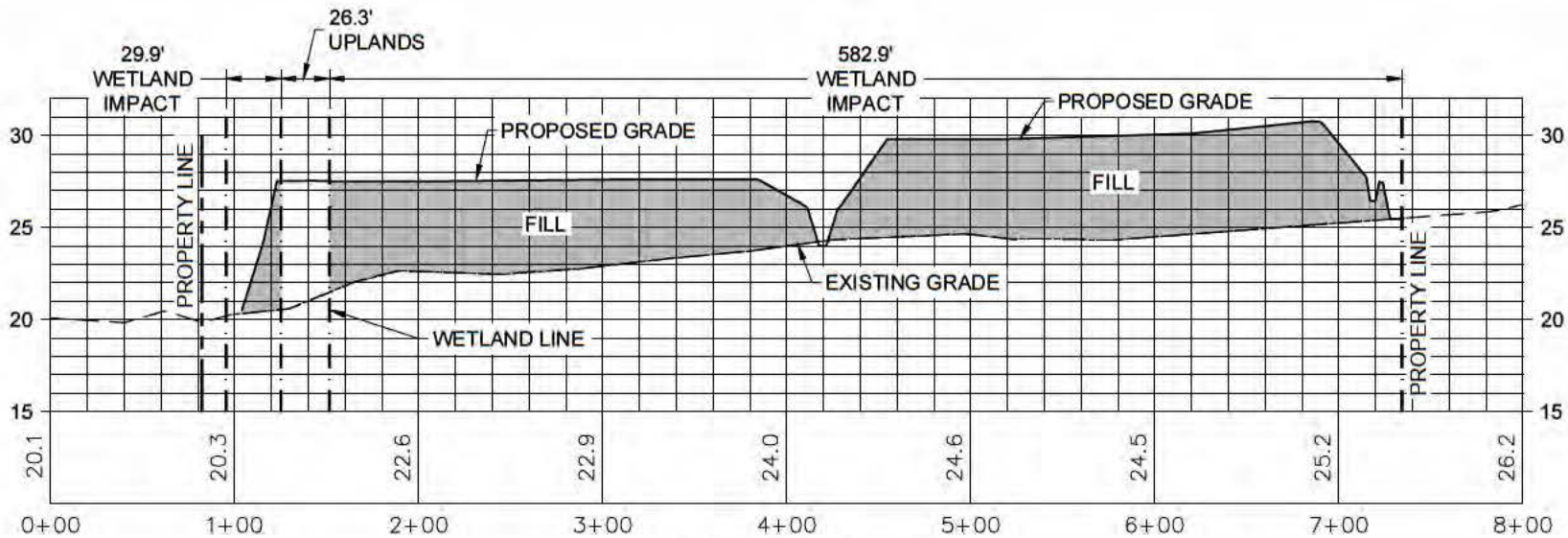
CROSS SECTIONS
 ANDREWS PLANTATION II
 SUBDIVISION
 LYNN HAVEN, FLORIDA

DPR CERTIFICATION #EB-7806

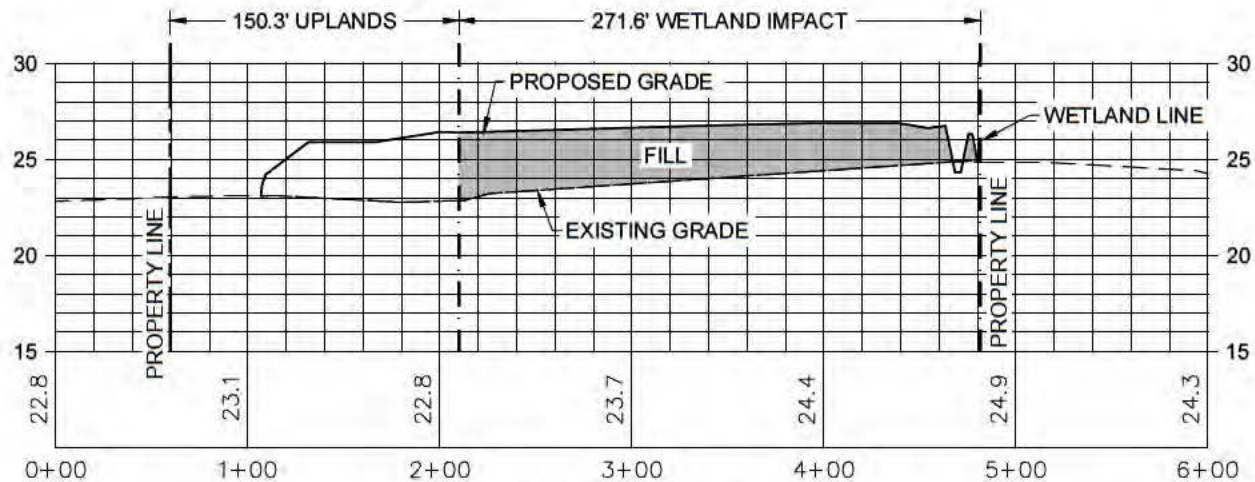
EXIST NG GRADE
 STATION LABEL
 SCALE: HOR. 1"=100'
 VER. 1"=10'



CROSS SECTIONS
 ANDREWS PLANTATION II
 SUBDIVISION
 LYNN HAVEN, FLORIDA



SECTION C' - C'



SECTION D' - D'

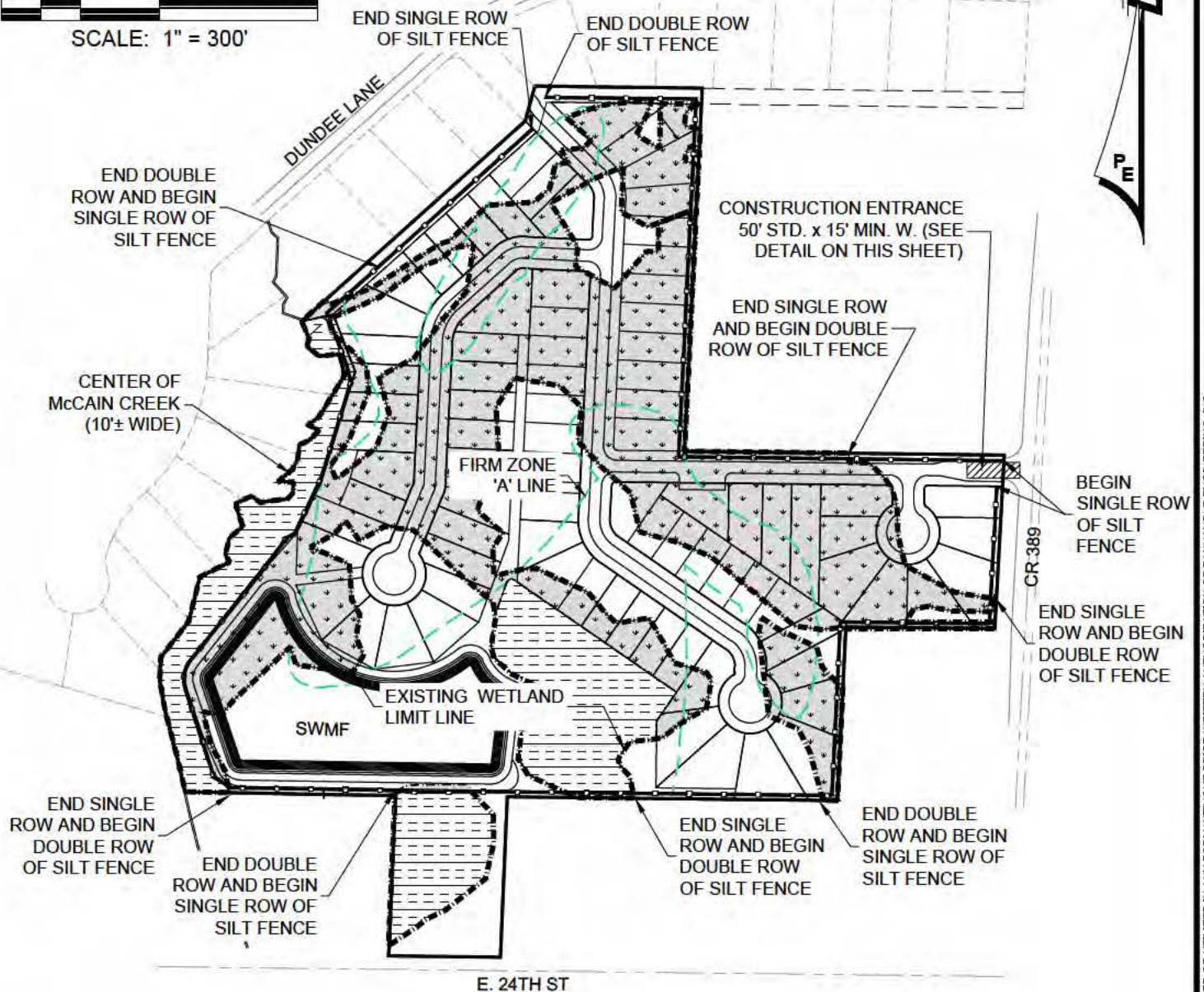
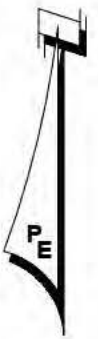
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 0+00
 STATION LABEL
 SCALE: HOR. 1"=100'
 VER. 1"=10'

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 DATE: MARCH 2020
 SHEET NO. 5
 PROJECT NUMBER 57924

0' 150' 300' 600'

SCALE: 1" = 300'

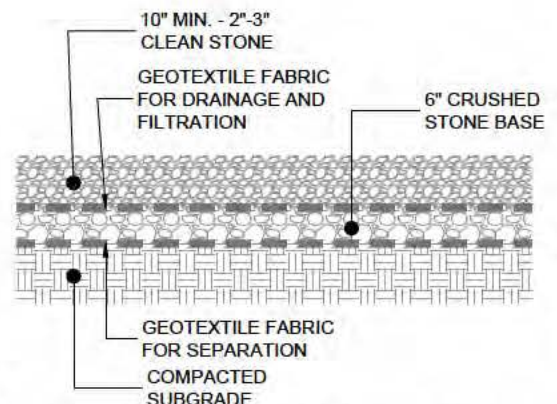


LEGEND:

-  DENOTES WETLAND IMPACT AREA
-  DENOTES WETLANDS NOT TO BE DISTURBED

CONSTRUCTION ENTRANCE NOTES:

1. GRADE SLOPE TO SITE.
2. PROVIDE CULVERT AS REQUIRED TO CARRY PRE-EXISTING DITCH FLOW. (SEE EXISTING PLAN VIEW FOR LOCATION)
3. CONTRACTOR TO LOCATE TEMPORARY CONSTRUCTION FENCING, JERSEY BARRIERS, OR BOTH ALONG THE SIDES OF THE CONSTRUCTION EXIT TO PREVENT CONSTRUCTION TRAFFIC FROM SHORT CIRCUITING/BYPASSING THE EXIT.
4. ALL MATERIALS SPILLED, DROPPED OR TRACKED ONTO PUBLIC ROADS (INCLUDING AGGREGATE STONE AND CONSTRUCTION MUD) SHALL BE REMOVED DAILY.



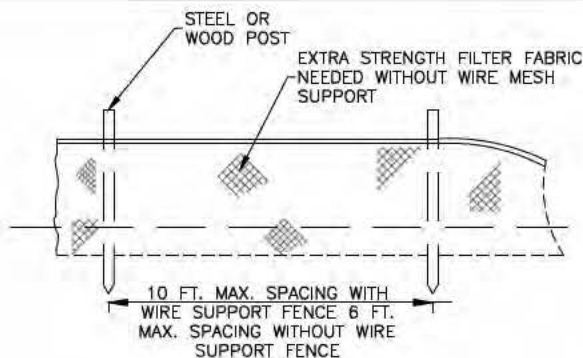
CONSTRUCTION ENTRANCE DETAIL
NOT TO SCALE

DPR CERTIFICATION #EB-7806

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EROSION CONTROL PLAN
ANDREWS PLANTATION II
SUBDIVISION
LYNN HAVEN, FLORIDA

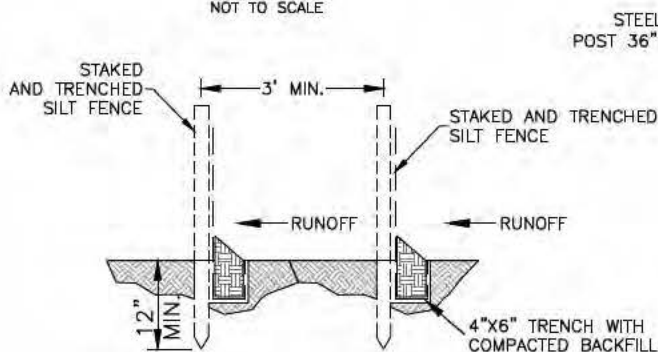
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DWN BY: JDM
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ELEVATION
NOT TO SCALE

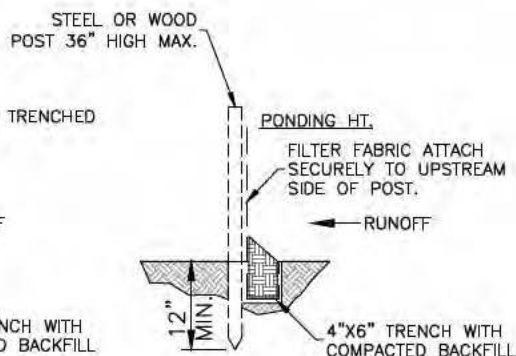
NOTE:

1. INSPECT AND REPAIR FENCE 24 HRS AFTER EACH STORM EVENT. REMOVE SEDIMENTS NO LATER THAN WHEN DEPOSITS REACH APPROXIMATELY ONE THIRD THE HEIGHT OF THE BARRIER.
2. REMOVED SEDIMENT SHALL BE DEPOSITED TO AN AREA THAT WILL NOT CONTRIBUTE SEDIMENT OFF-SITE AND CAN BE PERMANENTLY STABILIZED.
3. SILT FENCE SHALL BE PLACED ON SLOPE CONTOURS TO MAXIMIZE PONDING EFFICIENCY.



DOUBLE ROW STAKED SILT FENCE DETAIL

NOT TO SCALE (REQUIRED AT ALL SHORELINE, WETLAND, AND WETLAND BUFFER AREAS)

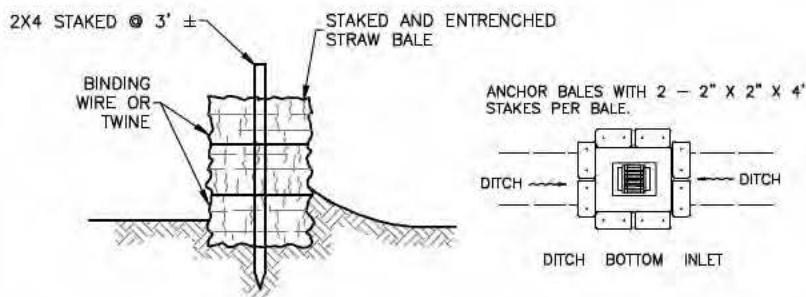


SINGLE ROW STAKED SILT FENCE DETAIL

NOT TO SCALE

STANDARD SILT FENCE DETAIL

NOT TO SCALE



STRAW BALE BARRIER INSTALLATION DETAIL

NOT TO SCALE

NOTE:

ALL INLETS & STORM STRUCTURES TO HAVE HAY BALES ALL AROUND (SEE DETAILS THIS SHEET).

SWALE NOTE:

THE SYSTEM OF SWALES SHALL BE CONSTRUCTED BY THE PERMITTEE PRIOR TO RESALE OF INDIVIDUAL LOTS TO THIRD PARTIES.

EROSION CONTROL NOTES:

ALL INLETS SHALL HAVE HAY BALES OR SILT FENCE AROUND THEIR PERIMETER.

SILT FENCE AND HAY BALES ARE REQUIRED IN ALL AREAS AS DIRECTED BY THE ENGINEER.

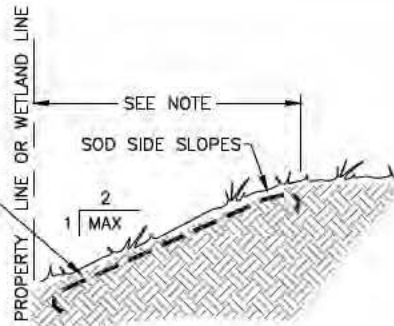
PROTECTED TREES NOTE:

NO PROTECTED TREES WILL BE IMPACTED UNLESS PERMITTED INDEPENDENTLY.

DPR CERTIFICATION #EB-7806

EROSION CONTROL BLANKET
#2010-01 BY EROSION CONTROL
SYSTEMS. (1-800-641-3277)
UNDER SOD ANCHORED WITH
6" SOD STAPLES.

NOTE: PROVIDE EROSION CONTROL
BLANKET FROM PROPERTY LINE OR
WETLAND LINE WHERE APPLICABLE
TO BACK OF CURB, BUILDING OR
TO TOP OF BASIN AS REQUIRED.



SLOPE STABILIZATION DETAIL

NOT TO SCALE

SLOPE STABILIZATION NOTES

FLAT TO 1:3 - SEED AND MULCH, HYDRO-SEED OR SOD.
1:3 TO 1:2 - SOD LAPPED AND PINNED.
1:2 TO 1:1 - EROSION CONTROL BLANKET AND SOD.
1:1 OR GREATER - RETAINING WALL OR ARMOR FORM.

NOTE:

AREAS NOT SODDED WILL BE STABILIZED WITH HYDROSEEDING
SEE SLOPE STABILIZATION DETAIL THIS SHEET

ENVIRONMENTAL SEQUENCE

THE CONTRACTOR SHALL AT A MINIMUM IMPLEMENT THE CONTRACTOR'S REQUIREMENTS OUTLINED BELOW AND THOSE MEASURES SHOWN ON THE EROSION CONTROL PLAN. IN ADDITION THE CONTRACTOR SHALL UNDERTAKE ADDITIONAL MEASURES REQUIRED TO BE IN COMPLIANCE WITH APPLICABLE PERMIT CONDITIONS AND STATE WATER QUALITY STANDARDS, DEPENDING ON THE NATURE OF MATERIALS AND METHODS OF CONSTRUCTION THE CONTRACTOR MAY BE REQUIRED TO ADD FLOCCULANTS TO THE RETENTION SYSTEM PRIOR TO PLACING THE SYSTEM INTO OPERATION.

SEQUENCE OF MAJOR ACTIVITIES:

THE ORDER OF ACTIVITIES WILL BE AS FOLLOWS:

1. INSTALL STABILIZED CONSTRUCTION ENTRANCE.
2. INSTALL SILT FENCES AND HAY BALES, AS REQUIRED.
3. CONSTRUCT SEDIMENTATION BASIN.
4. CLEAR AND GRUB FOR DIVERSION SWALES/ DIKES AND SEDIMENT BASIN AT PERMANENT POND LOCATION.
5. CONTINUE CLEARING AND GRUBBING.
6. STOCKPILE TOP SOIL IF REQUIRED.
7. PERFORM PRELIMINARY GRADING ONSITE, AS REQUIRED.
8. STABILIZE DENUDED AREA AND STOCKPILES AS SOON AS PRACTICABLE.
9. INSTALL UTILITIES, STORM SEWER, CURBS AND GUTTER.
10. APPLY BASE TO PROJECT.
11. COMPLETE GRADING AND INSTALL PERMANENT SEEDING/SOD AND PLANTING.
12. COMPLETE FINAL PAVING.
13. REMOVE ACCUMULATED SEDIMENT FROM BASINS.
14. WHEN ALL CONSTRUCTION ACTIVITY IS COMPLETE AND THE SITE IS STABILIZED, REMOVE ANY TEMPORARY DIVERSION SWALES/DIKES AND RESEED/ SOD, AS REQUIRED.

TIMING OF CONTROLS/MEASURES

AS INDICATED IN THE SEQUENCE OF MAJOR ACTIVITIES, THE SILT FENCES AND HAY BALES, STABILIZED CONSTRUCTION ENTRANCE AND SEDIMENT BASIN WILL BE CONSTRUCTED PRIOR TO CLEARING OR GRADING OF ANY OTHER PORTIONS OF THE SITE. STABILIZATION MEASURES SHALL BE INITIATED AS SOON AS PRACTICAL IN PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED. ONCE CONSTRUCTION ACTIVITY CEASES PERMANENTLY IN AN AREA, THAT AREA WILL BE STABILIZED PERMANENTLY IN ACCORDANCE WITH THE PLANS. AFTER THE ENTIRE SITE IS STABILIZED, THE ACCUMULATED SEDIMENT WILL BE REMOVED FROM THE SEDIMENT TRAPS AND THE EARTH DIKE/SWALES WILL BE REGRADED/REMOVED AND STABILIZED IN ACCORDANCE WITH THE EROSION AND TURBIDITY CONTROL PLAN.

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EROSION CONTROL DETAILS
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LYNN HAVEN, FLORIDA

CAO FILE: 57924acoe.dwg

DWN BY: JDM

DATE: MARCH 2020

SHEET NO: 8

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