



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
701 SAN MARCO BOULEVARD
JACKSONVILLE, FLORIDA 32207-8915

April 24, 2020

CESAJ-RD-WT
Regulatory Division
West Branch
Tampa Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2014-02869 (SP-RGH)

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 of 1899 (33 U.S.C. §403) as described below:

APPLICANT: John Ryan
Epperson North, LLC
2502 North Rocky Point Drive, Suite 1050
Tampa, Florida 33607
ted@metrodevelopmentgroup.com

WATERWAY AND LOCATION: The project would affect waters of the United States associated with King Lake. The project site is located at latitude 28.298071 and longitude -82.285154, in Sections 14, 15, 22, & 23, Township 25 South, Range 20 East, Wesley Chapel, Pasco County, Florida. .

Directions to the site are as follows: From Tampa, north on I-7S, east on SR S4, north on Curley Road to Tyndall Road.

APPROXIMATE CENTRAL COORDINATES: Latitude 28.298071°
Longitude -82.285154°

PROJECT PURPOSE:

Basic: Residential Development

Overall: Construct a residential development in the Epperson Ranch area of Pasco County.

EXISTING CONDITIONS: The proposed project site is a ± 367 acre parcel that is currently being used for cattle. The site contains approximately 164.53 acres of freshwater marsh, 1.33 acres of vegetated non-forested freshwater wetlands, and 1.086 acres of ditches described below. The remainder of the site is a combination of improved pasture, mixed hardwoods, and abandoned orange grove.

PROPOSED WORK: The applicant seeks authorization to construct a residential development in Pasco County, Florida. The work will require fill placement of ± 0.70 acres of jurisdictional wetlands and ± 0.76 acres of non-jurisdictional waters.

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 applicant has designed the project to avoid and minimize wetland impacts to the greatest extent practicable.”

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

“The applicant intends to purchase freshwater herbaceous credits from the Two Rivers Mitigation Bank to replace the values of the proposed impacts. The applicant assessed the wetlands using UMAM. The combined UMAM Score for the proposed impacts is 0.27 units of loss.

Additionally, all wetlands within the boundaries of the project site that are preserved will be identified on a final plat as “Conservation Areas”, to be set aside in perpetuity. No Conservation Easements are proposed.

Epperson North, LLC is required by a County zoning condition to supplementally plant and maintain the King Lake littoral area within the project area. As a related matter, the start of the subdivision will result in removal of the cows that currently occupy the site. The removal of the cows and the elimination of the active citrus grove will certainly help with the water quality of the lake and surrounding wetlands and improve the vegetative character of these areas.”

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 and Wood Stork. 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 would have no effect on the Florida Scrub-jay 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 33610-8302 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, Ryan Hendren, in writing at the Tampa Permits Section, 10117 Princess Palm Avenue, Suite 120, Tampa, Florida 33610-8302; by electronic mail at Ryan.G.Hendren@usace.army.mil or, by telephone at 813-769-7075.

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.

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.

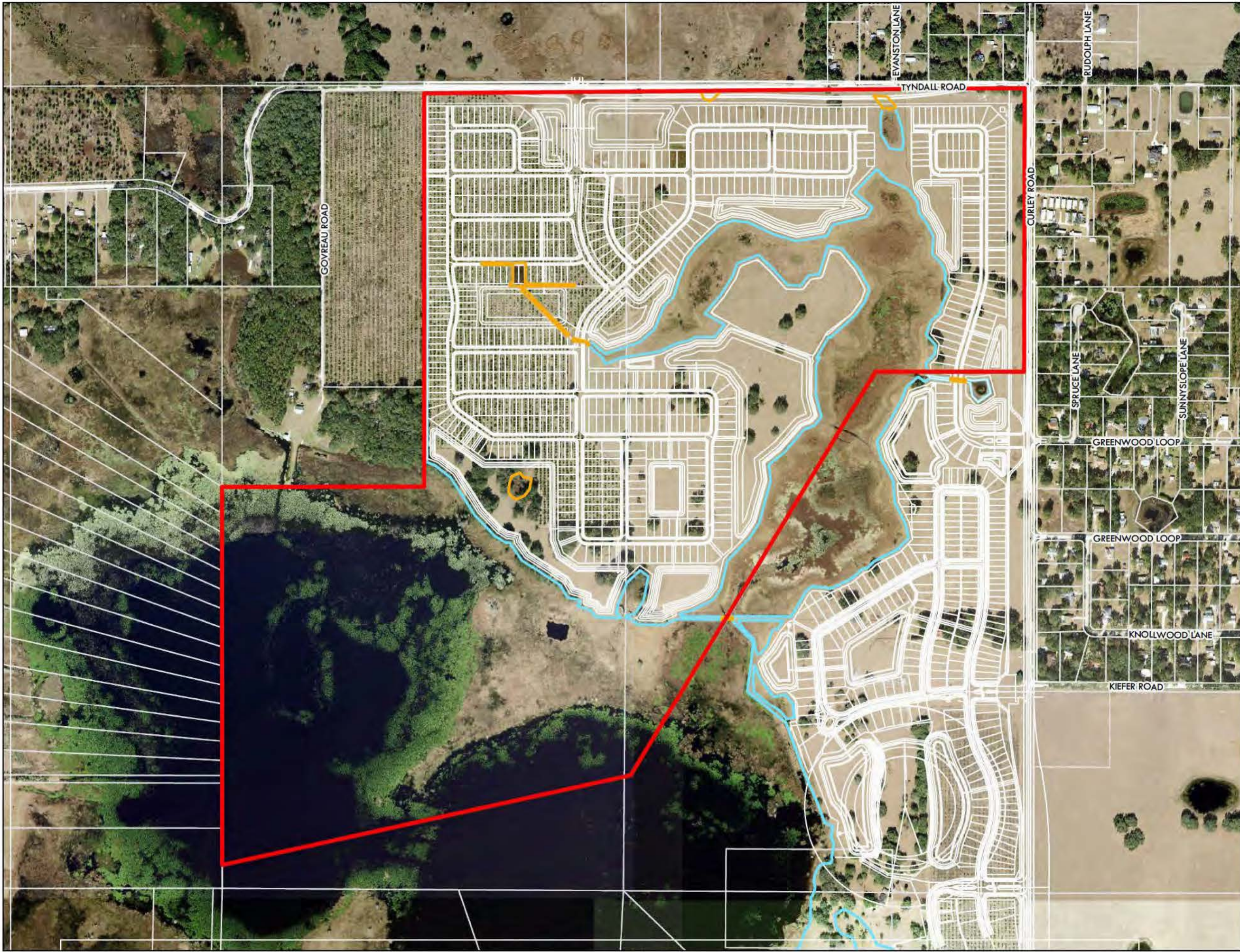
COE Wetlands at Epperson North A/B (including Tyndall Rd.)

John Goolsby (February 17, 2020)

Wetland ID	Wetland Acres Onsite	Proposed Impact ID and Size	General Type*	COE Jurisdictional Status**	UMAM Score	UMAM Loss	Impact or Jurisdictional Comment
Wetland 1N	163.25	1N1 - 0.03	522 and 641	Yes	0.500	0.015	Road crossing
		1N2 - 0.03	522 and 641	Yes	0.067	0.002	Boardwalk for pedestrian trail
Wetland 1B	0.85	None	641	Yes			Shallow marsh connects to King Lake
Wetland 1C	0.91	1C - 0.17	641	No	NA	NA	Exempt impact for Tyndall Rd.widening*
Wetland 1G	0.42	1G - 0.04	641D	Yes	0.433	0.017	Impact to ditched portion that drains marsh to Lake
Wetland 6	0.13	6 - 0.13	641	Yes	0.467	0.061	Marsh impact for Tyndall Road widening*
Wetland 8	0.42	8 - 0.42	641	No	NA	NA	Exempt, isolated marsh impact for pond
Wetland 30	0.30	30 - 0.30	531	Yes	0.367	0.110	Impact to irrigation pond in grove
Wetland Subtotal	166.28	Jurisdictional = 0.53 ac; Exempt = 0.59 ac				0.205	
Ditch 100	0.75	None	641D	No			Exempt man-made ditch; not connecting wetlands
Ditch 101	0.06	101 - 0.06	641D	No	NA	NA	Exempt man-made ditch; not connecting wetlands
Ditch 102	0.11	102 - 0.11	641D	No	NA	NA	Exempt man-made ditch; not connecting wetlands
Ditch 103	0.17	103 - 0.17	641D	Yes	0.367	0.062	Man-made ditch; connecting wetlands
Ditch Subtotal	1.09 ac	Jurisdictional = 0.17 ac; Exempt = 0.17 ac				0.062	
Overall Total	166.37	Jurisdictional = 0.70 ac; Exempt = 0.76 ac				0.267	0.57 ac of jurisdictional impact, not counting the Tyndall Road impacts under review in a separate NWP application

* - Note that Impacts 6 and 1C are already a part of a recent NWP dredge and fill permit for the COE for Tyndall Road improvements

** - COE JD issued 12-31-19



- Legend
- Phase A/B Boundary - 376.4 +/- Acres
 - Wetlands
 - Wetland Impacts
 - Layouts
 - Parcel Boundary



S: 22 T: 25 R: 20

Notes:

Clearview Land Design or Pasco County make no warranty, representation or guaranty as to the content, sequence, accuracy, timeliness, or completeness of any of the geodata information provided herein. Aerial: Pasco County, 2018

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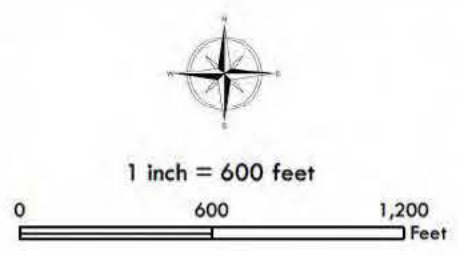


Figure: COE Master Plan Aerial	
Project: Epperson North	
Pasco County	
Filename: Epperson_COE_MP_20200224_11x17_wcs	
Map Date: 2/24/2020	Map Prepared By: WCS

Legend

Phase A/B Boundary - 376.4 +/- Acres

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Vicinity Map



T: 25 R: 20

Notes:
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1 inch = 5,000 feet

0 5,000 10,000 Feet

Figure: Vicinity

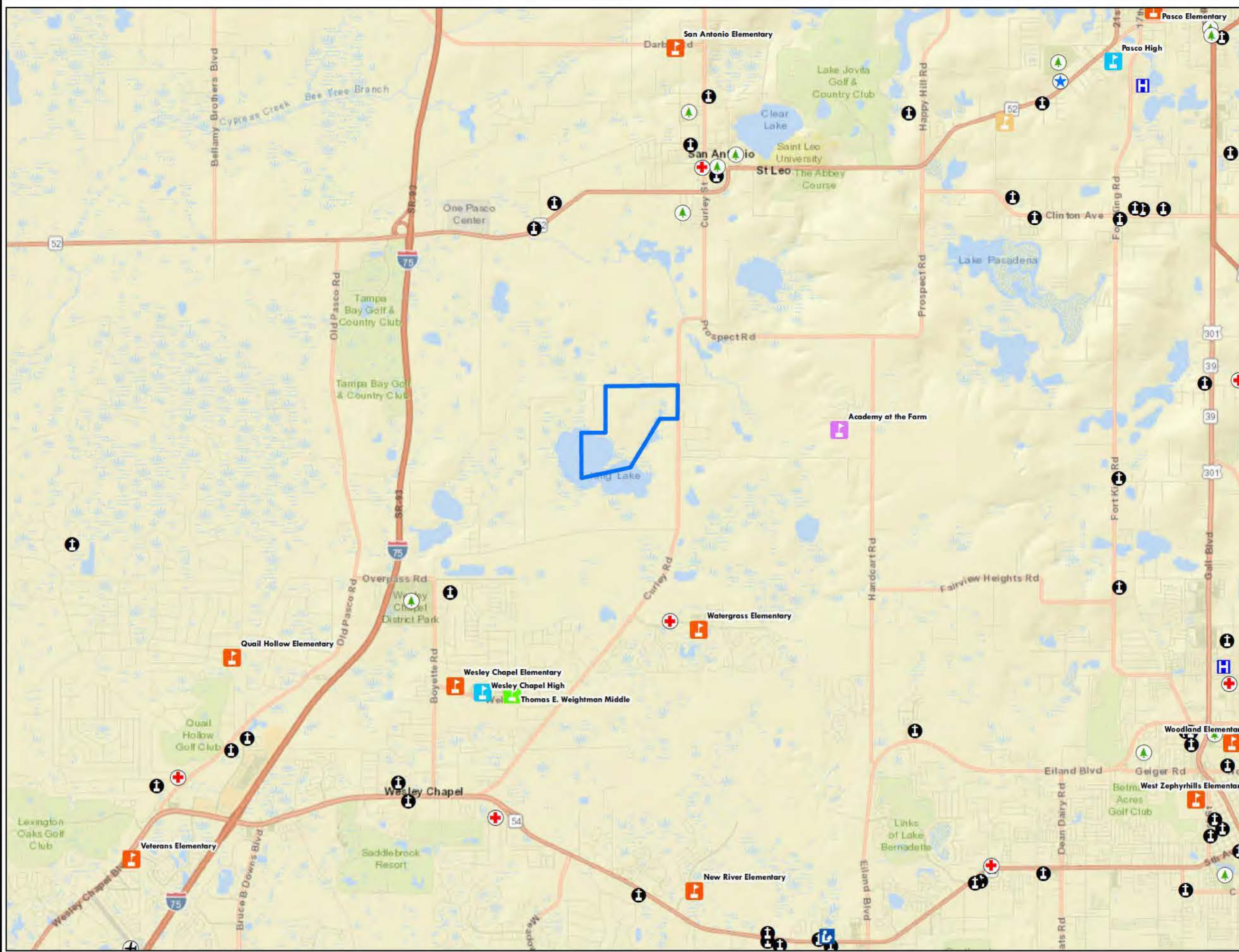
Project: Epperson North A / B

Pasco County

Filename:
EppersonAB_Vicinity_20181220_11x17_wcs

Map Date:
12/20/2018

Map Prepared By:
Cory Swales



Legend

 Phase A/B Boundary - 376.4 +/- Acres

Vicinity Map



T: 25 R: 20

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1 inch = 4,000 feet

0 4,000 8,000 Feet

Figure: USGS Quad

Project: Epperson North A / B

Pasco County

Filename:
Epperson_Quad_20181220_11x17_wcs

Map Date:
12/20/2018

Map Prepared By:
Cory Swales



Clearview
LAND DESIGN, P.L.

1213 E. 6TH AVENUE TAMPA, FLORIDA 33605
(813) 223-3919

Legend

Phase A/B Boundary - 376.4 +/- Acres

Hydric Soils

NRCS SSURGO Soils	46, CASSIA
1, WAUCHULA	48, LOCHLOOSA
2, POMONA	58, TOMOKA
7, SPARR	59, NEWNAN
11, ADAMSVILLE	60, PALMETTO
16, ZEPHYR	64, NOBLETON
22, BASINGER	66, MICANOPY
26, NARCOOSSEE	67, KANAPAHA
38, URBAN LAND	69, MILLHOPPER
43, ARREDONDO	99, WATER (FRESH)
45, KENDRICK	

Vicinity Map



T: 25 R: 20

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1 inch = 700 feet

0 700 1,400 Feet

Figure: NRCS SSURGO Soils

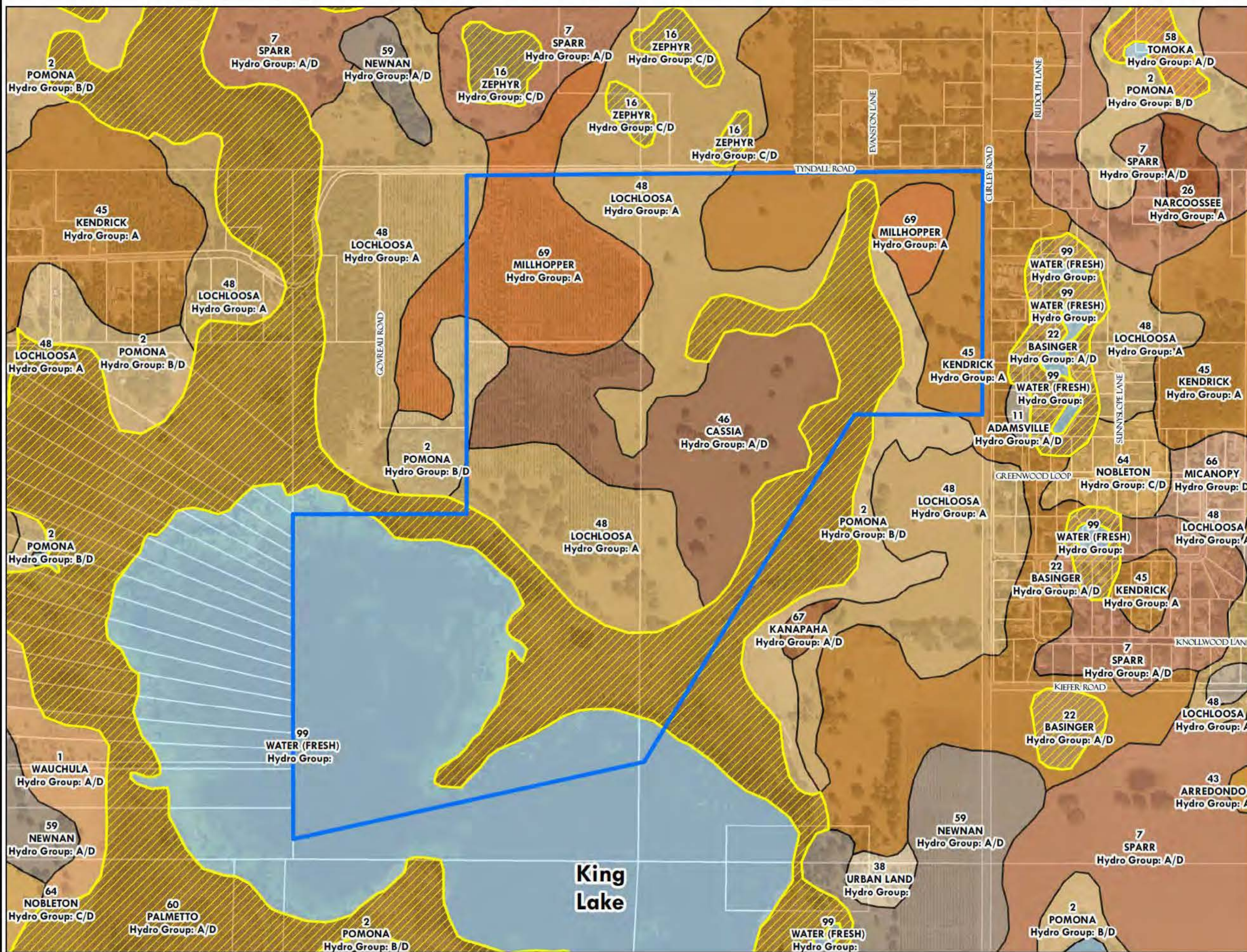
Project: Epperson North A / B

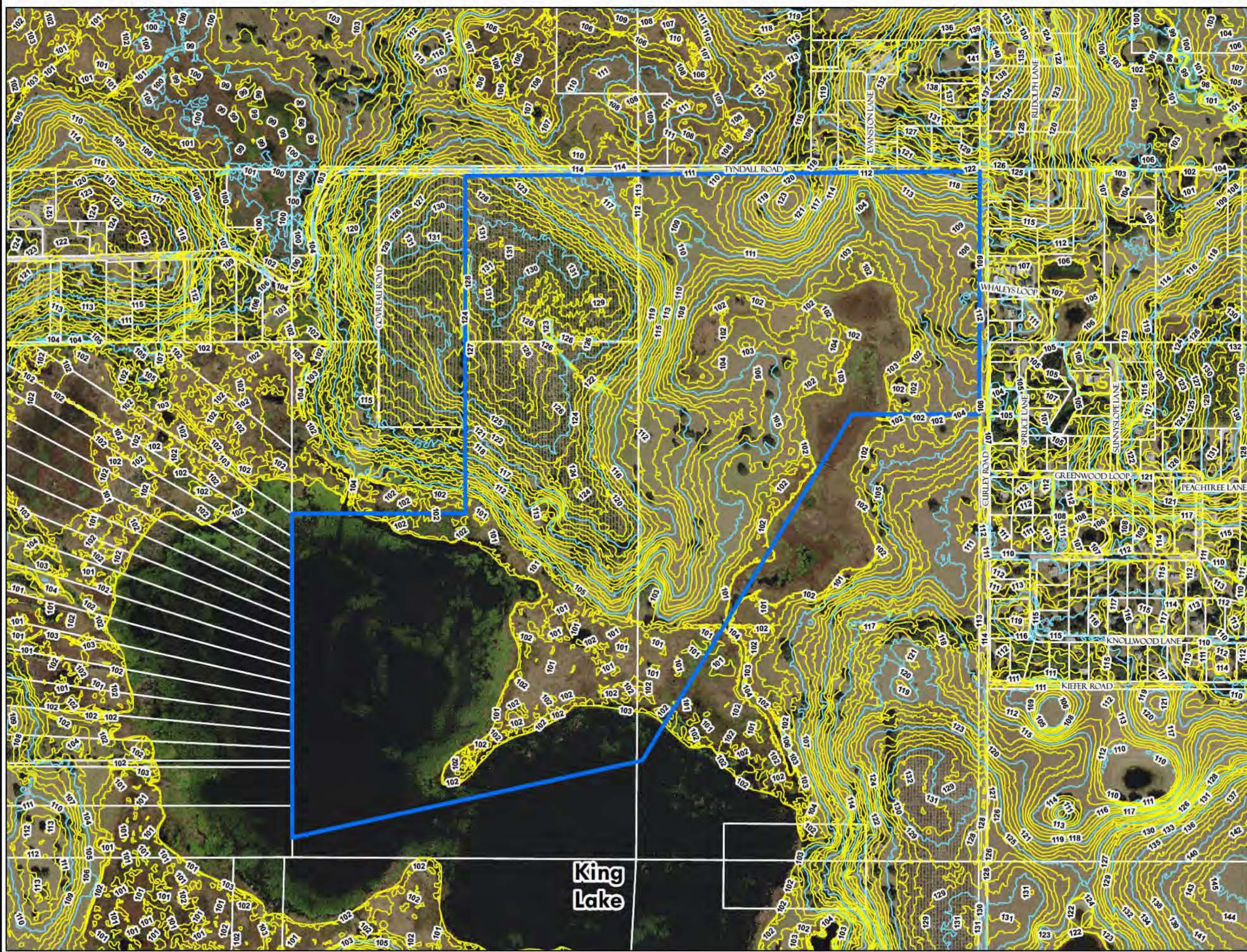
Pasco County

Filename:
Epperson_Soils_20190102_11x17_wcs

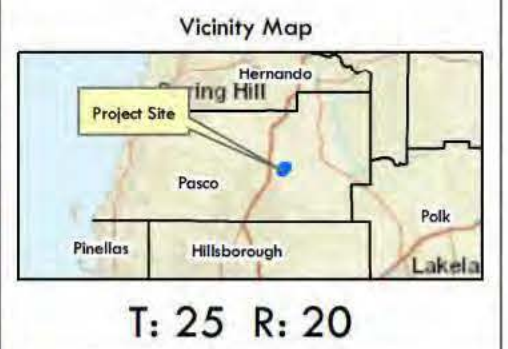
Map Date:
1/2/2019

Map Prepared By:
Cory Swales





- Legend**
- Phase A/B Boundary - 376.4 +/- Acres
 - 1ft Contours
 - 5ft Contours



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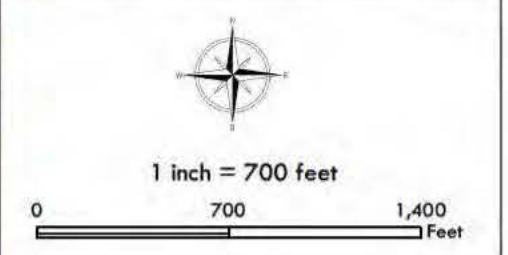


Figure: 1ft Contours	
Project: Epperson North A / B	
Pasco County	
Filename: Epperson_Topo_20190102_11x17_wcs	
Map Date: 1/2/2019	Map Prepared By: Cory Swales



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1213 E. 6TH AVENUE TAMPA, FLORIDA 33605
(813) 223-3919

Legend

 Phase A/B Boundary - 376.4 +/- Acres

Vicinity Map



T: 25 R: 20

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0 700 1,400 Feet

Figure: Aerial Map

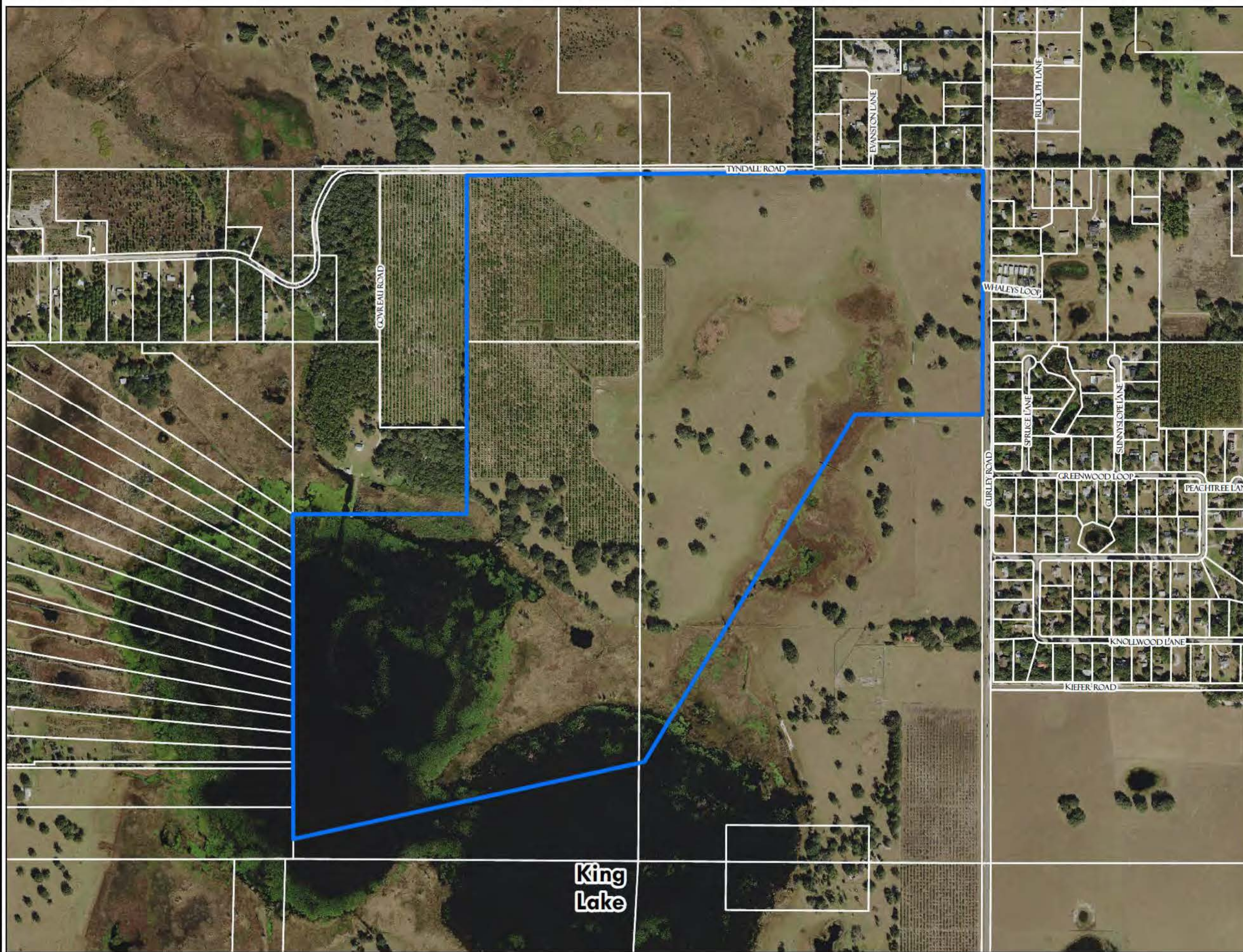
Project: Epperson North A / B

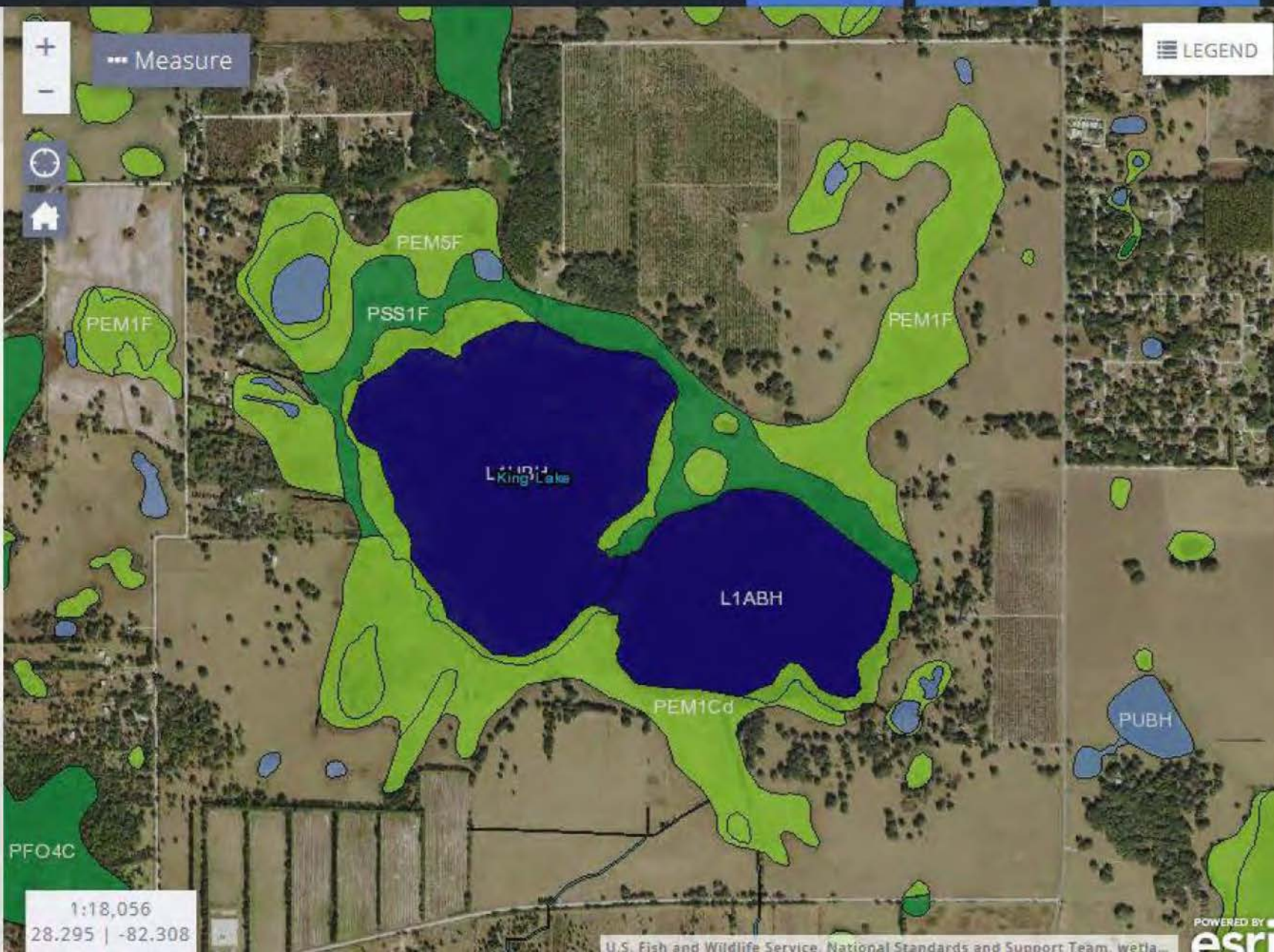
Pasco County

Filename:
Epperson_Aerial_20190102_11x17_wcs

Map Date:
1/2/2019

Map Prepared By:
Cory Swales



[BASEMAPS >](#)[MAP LAYERS >](#)☒ Wetlands[1](#) [?](#)☐ Riparian[1](#) [?](#)☐ Riparian Mapping Areas[1](#) [?](#)☒ Data Source[1](#) [?](#)☐ Source Type☐ Image Scale☐ Image Year☐ Areas of Interest[?](#)☐ FWS Managed Lands[1](#) [?](#)☐ Historic Wetland Data[1](#) [?](#)[Measure](#)[LEGEND](#)

1:18,056
28.295 | -82.308

