



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
9900 SW 107TH AVE., SUITE 203
MIAMI, FLORIDA 33176

REPLY TO
ATTENTION OF

Regulatory Division
South Permits Branch
Miami Permits Section

May 19, 2020

PUBLIC NOTICE

Permit Application Number SAJ-2018-02775 (SP-AG)

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: Giraldo Castellon
9805 NW 131 Street
Hialeah Gardens, FL 33018

WATERWAY AND LOCATION: The project would affect waters of the United States associated with freshwater wetlands. The project site is located at 9805 NW 131 Street, in Section 29, Township 52 S, Range 40 E, Hialeah Gardens, Miami-Dade, Florida, 33014 (Folio: 27-2029-001-0074).

Directions to the site are as follows: From I-75, exit NW 138th Street heading west, then turn south/ left on NW 102nd Avenue. Turn left/ east on NW 131 Street. The site will be the 12th lot on the left.

APPROXIMATE CENTRAL COORDINATES: Latitude 25.892923
Longitude -80.358368

PROJECT PURPOSE:

Basic: The basic project purpose is for a single family homesite that will be the applicant's primary residence.

Overall: The overall project purpose is for a single family homesite in Hialeah Gardens, Florida.

EXISTING CONDITIONS: The project site is located in the East Turnpike Wetlands Basin, which is characterized as historically having a short-to-moderate hydroperiod. The freshwater wetlands typically affected in this area are predominantly *Melaleuca* and *Brazilian Pepper*. According to the Natural Resources Conservation Service, the site contains Dania muck depressional which is classified as hydric.

PROPOSED WORK: The applicant seeks authorization to construct a single family residence and stormwater management system by placing fill on the entire 1.14-acre parcel. The project will utilize 10,830 cubic yards of fill.

AVOIDANCE AND MINIMIZATION INFORMATION – Based on the low quality of the surrounding wetlands, combined with the existing development in this segment of Miami-Dade County, it is unlikely that a viable wetland preserve would be incorporated into the project, based on the small project size as well as the anticipated secondary impacts associated with placing a compact preserve within a densely constructed project such as this. The proposed filling will be performed in such a way as to preserve water quality from potential contamination during construction. In order to minimize impacts to the adjacent wetland, the applicant proposes to implement best management practices. Prior to the start of construction, silt fences will be deployed and will remain in place until all construction activity has subsided. Material used on the site will consist entirely of clean fill.

COMPENSATORY MITIGATION -The applicant has proposed to mitigate for unavoidable direct impacts at the Everglades National Park HID Mitigation project

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 (*Drymarchon corais couperi*), Wood Stork (*Mycteria Americana*), and have no effect on the Everglades Snail Kite (*Rostrhamus sociabilis plumbeus*) or its designated critical habitat. The Corps has programmatic concurrence with these determinations based the 1 August 2017 letter from the U.S. Fish and Wildlife Service for the Indigo snake and 18 May 2010 letter for the wood stork.

The Corps has determined the proposal may affect the Florida Bonneted Bat (*Eumops floridanus*). The project is located within the South Florida Urban Bat Area within Miami- Dade County. The Corps will request initiation of formal consultation with the Fish and Wildlife Service/National Marine Fisheries Service pursuant to Section 7 of the Endangered Species Act by separate letter.

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. The proposal would have no impacts on tidally influenced waters. Our initial determination is that the proposed action would have a no impact on EFH or Federally managed fisheries within Biscayne Bay. 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/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 Miami Permits Section, 9900 SW 107th Ave, Miami, Florida 33176 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, Albert Gonzalez, in writing at the Miami Permits Section, 9900 SW 107th Ave, Miami, Florida 33176; by electronic mail at Albert.Gonzalez@usace.army.mil; or, by telephone at (305)779-6055.

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.

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.

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Giraldo Castellon
MIAMI-DADE COUNTY,FLORIDA



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www.rs-env.com

2014 Aerial

Location Map
S-29 T-52 R-40

DRAWN BY: LVK
CHECKED BY: RWS

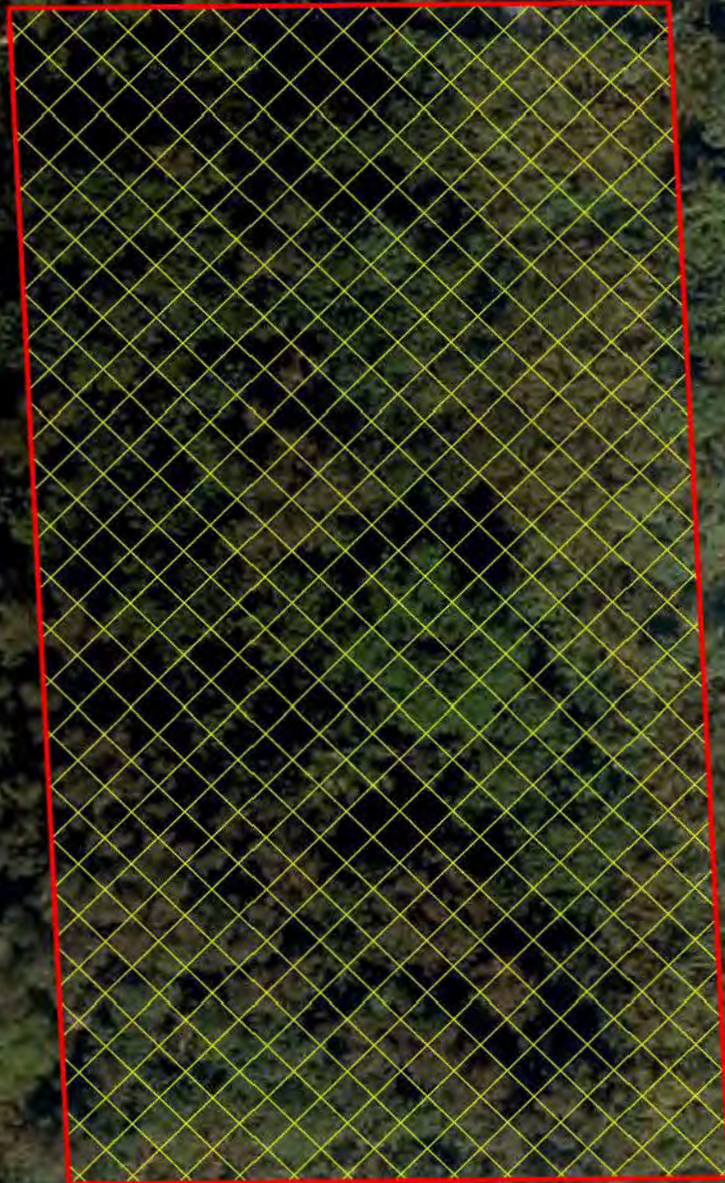
DATE: 8/20/2018
SCALE: NTS



Property Boundary



Limerock Fill - 10,830 CY



0 37.5 75 150 225 300 Feet



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2014 Aerial

Fill Map
S-29 T-52 R-40

DRAWN BY: LVK
CHECKED BY: RWS

DATE: 8/20/2018
SCALE: NTS



 Property Boundary
 30' Secondary Impacts

0 37.5 75 150 225 300 Feet



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Secondary Impacts Map
S-29 T-52 R-40

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