

**JUNE 22, 2020**

***PUBLIC NOTICE***

Permit Application Number SAJ-2005-07681(SP-MRE)

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: The Deltona Corporation  
Attn: Mr. Anthony Gram  
8014 SW 135<sup>th</sup> Road  
Ocala, Florida 33473

**WATERWAY AND LOCATION:** The project would affect waters of the United States (wetlands) associated with Moses Creek and the Matanzas River. The project site is located southeast of Shores Boulevard and east of Valverde Lane in Section 41, Township 8 South, Range 30 East, St. Augustine, St. Johns County, Florida.

APPROXIMATE CENTRAL COORDINATES:      Latitude 29.795109°  
Longitude -81.293792°

PROJECT PURPOSE:

Basic: The basic project purpose is residential development.

Overall: The overall project purpose is residential development serving southern St. Augustine, Florida.

EXISTING CONDITIONS:

General: The project site encompasses approximately 348 acres, of which approximately 115.25 acres are wetlands. Residential development associated with the overall St. Augustine Shores subdivisions is located west, northwest, and north of the project site. Wetlands associated with the Matanzas River form the eastern border of the site. The property south of the project site is undeveloped.

**Soils:** The project site encompasses ten soils identified in the Natural Resources Conservation Service – *Soil Survey of St. Johns County Florida*. These soils are *Astatula fine sand, 0 to 8 percent slopes* (map unit 02), *Myakka-Myakka, wet, fine sands, 0 to 2 percent slopes* (map unit 03), *Myakka fine sand, frequently ponded, 0 to 1 percent slopes* (map unit 04), *Tavares fine sand, 0 to 5 percent slopes* (map unit 06), *Immokalee fine sand* (map unit 07), *Zolfo fine sand* (map unit 08), *St. Johns fine sand* (map unit 13), *Pellicer silty clay loam, frequently flooded* (map unit 24), *Moultrie fine sand, frequently flooded* (map unit 49), and *EauGallie fine sand* (map unit 58). The general locations of these soils are depicted on the project drawings.

**Vegetative Communities:** The project site encompasses six communities characterized by the *Florida Land Use, Cover, and Forms Classification System (FLUCFCS)*.

**Sand Pine** (FLUCFCS code 413): This community contains a canopy layer dominated by sand pine (*Pinus clausa*) and live oak (*Quercus virginiana*). A sub-canopy layer includes juvenile canopy species, scattered wax myrtle (*Myrica cerifera*), turkey oak (*Quercus laevis*), and saw palmetto (*Serenoa repens*). The ground cover layer is sparse and includes reindeer moss (*Cladonia rangiferina*), bracken fern (*Pteridium aquilinum*), and wiregrass (*Aristida stricta*).

**Pine-Mesic Oak** (FLUCFCS code 414): This community is dominated by eastern red cedar (*Juniperus virginiana*), laurel oak (*Quercus laurifolia*), cabbage palm (*Sabal palmetto*), wax myrtle, saw palmetto, and grapevine (*Vitis spp.*).

**Shrub and Brushland** (FLUCFCS code 320): This community includes bushy bluestem (*Andropogon glomeratus*), green briars (*Rubus spp.*), and winged sumac (*Rhus copallinum*).

**Wetland Forested Mixed** (FLUCFCS 630): This community is dominated by red maple (*Acer rubrum*), laurel oak, swamp bay (*Persea palustris*), sweet bay (*Magnolia virginiana*), black gum (*Nyssa sylvatica*), and bald cypress (*Taxodium distichum*). The sub-canopy includes fetterbush (*Lyonia lucida*) and wax myrtle. Ground cover includes Virginia chainfern (*Woodwardia virginica*) and royal fern (*Osmunda regalis*).

**Vegetated non-Forested Wetlands** (FLUCFCS code 640): This community consists of small depressions dominated by cordgrass (*Spartina alterniflora*), pickerel weed (*Pontederia cordata*), Broadleaf arrowhead (*Sagittaria latifolia*), and netted chain fern (*Woodwardia areolata*).

**Saltwater Marshes** (FLUCFCS code 642): This community parallels the eastern property boundary; and, is tidally influenced by the Matanzas River. Dominant vegetation includes cordgrass, black needle rush (*Juncus roemerianus*), glassworts (*Salicornia spp.*), saltwort (*Batis maritima*), and salt grass (*Distichlis spicata*).

**PROPOSED WORK:** The applicant seeks authorization to discharge clean fill material over a total of 5.34 acres of wetlands to facilitate the construction of a single-family residential subdivision and the associated infrastructure (roads and stormwater treatment ponds).

**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 owned the property for over 25 years as part of the overall St. Augustine Shores development; and, as such, did not investigate alternate locations for the project. Market opportunities, however, only recently created sufficient demand for residential housing options in this region of St. Johns County to render the project economically viable.

**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 compiled a Uniform Mitigation Assessment Method (UMAM) quantifying and qualifying the loss of wetland functions and services associated with the work proposed. The UMAM calculated that loss as 3.625 units. In consideration of the UMAM, the applicant proposed the use of 3.625 credits from the *Fish Tail Swamp Mitigation Bank* (SAJ-2007-05851).

**CULTURAL RESOURCES:** The Corps executed a Resource at Risk report, which indicated that the site may require the compilation of a Cultural Resource Assessment Survey (CRAS). In consideration of the RAR report, the Corps shall evaluate the need for a CRAS. However, 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:**

**Florida Scrub Jay (*Aphelocoma coerulescens*):** There is no designated critical habitat for the Florida Scrub Jay listed in the federal register (52 FR 20715-20719). However, information from the FWS indicates that the Florida Scrub Jay has extremely specific habitat requirements. It is endemic to peninsular Florida's ancient dune ecosystem or scrubs, which occur on well drained to excessively well drained sandy soils. Relict oak-dominated scrub, or xeric oak scrub, is essential habitat to the Florida Scrub Jay. Optimal habitat incorporates four species of stunted, low growing oaks [sand live oak (*Quercus geminata*), Chapman oak (*Quercus chapmanii*), myrtle oak (*Quercus myrtifolia*), and scrub oak (*Quercus inopina*)] that are 1-3 meters high, interspersed with 10 to 50 percent non-vegetated sandy openings, with a sand pine (*Pinus clausa*) canopy of less than 20 percent. Therefore, Florida Scrub Jay habitat is absent from the project site. However, the project site is located near the northern limits of a consultation area identified by the Corps and the FWS for this species. According to the FWS Florida Scrub Jay species profile, though, this species has been eradicated from St. Johns County. Therefore, it is likely that this species only opportunistically forages within forested areas at the project site, which the project would preclude, or in the vicinity of the project site, which the project would not preclude. The nearest identified Florida Scrub Jay colony is over 10 miles south of the project site near Marineland; and, considerable natural foraging habitat occurs between the project site and that colony. In consideration of the lack of appropriate habitat at the site, the local abundance of foraging habitat, and the distance to the nearest colony, the Corps determined that the project would have *no effect* upon this species.

**Wood Stork (*Mycteria americana*):** Wood Storks nest in colonies (rookeries); and, roost and feed in flocks. Stork breeding populations in Florida trend in the central and southern counties with a few scattered northeastern Florida counties. 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. Often a dropping water level is needed to concentrate fish in an area to feed; conversely, a rise in water reduces the value of a site as feeding habitat. 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, although this is only for a short period of time. The project site is approximately 5 miles from the St. Augustine Alligator Farm Wood Stork colony; and, within the *Core Foraging Area* of this colony. Therefore, Wood Stork potentially could forage at the project site or the adjacent marshes associated with the Matanzas River. However, the project would not affect suitable foraging habitat for Wood Stork. 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-*no effect*. 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.

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 be present at the project site. Gopher tortoise (*Gopherus polyphemus*) burrows are commonly utilized as refuge from winter cold and/or desiccating conditions in xeric habitats; and, hollowed root channels, hollow logs, or burrows of rodents, armadillo (*Dasypus novemcinctus*), or land crabs (*Cardisoma guanhumi*) provide shelter in wetter habitats. The applicant's ecological agent did not indicate that the site supports gopher tortoise burrows; and, the site does not support xeric habitat. In consideration of the potential presence of eastern indigo snake habitat, the Corps utilized *The Eastern Indigo Snake Programmatic Effect Determination Key, August 2013*. Use of this key resulted in the sequence A-B-C-D-E-*may affect, but is not likely to adversely affect*, as the applicant has agreed to implement the *Standard Protection Measures for the Eastern Indigo Snake, August 12, 2013*. The FWS has indicated that they concur with determinations of *may affect, not likely to adversely affect* based on the key for eastern indigo snakes; and, that no additional consultation is necessary.

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 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 does not incorporate work within a marine or estuarine system nor EFH. Our initial determination is that the proposed action would not have an adverse impact on EFH or federally managed fisheries in the Matanzas River. 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 Corps has not field-verified the proposed extent of wetlands.

AUTHORIZATION FROM OTHER AGENCIES: Water Quality Certification is required from the St. Johns River Water Management District.

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 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, Mark Evans, in writing at the Jacksonville Permits Section, Post Office Box 4970, Jacksonville, Florida 32232; by electronic mail at [mark.r.evans@usace.army.mil](mailto:mark.r.evans@usace.army.mil); by facsimile transmission at (904)232-1940; or, by telephone at (904)232-2028. **Please note, due to office staffing precautions associated with CoVid-19, electronic mail correspondence is preferred.**

**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.

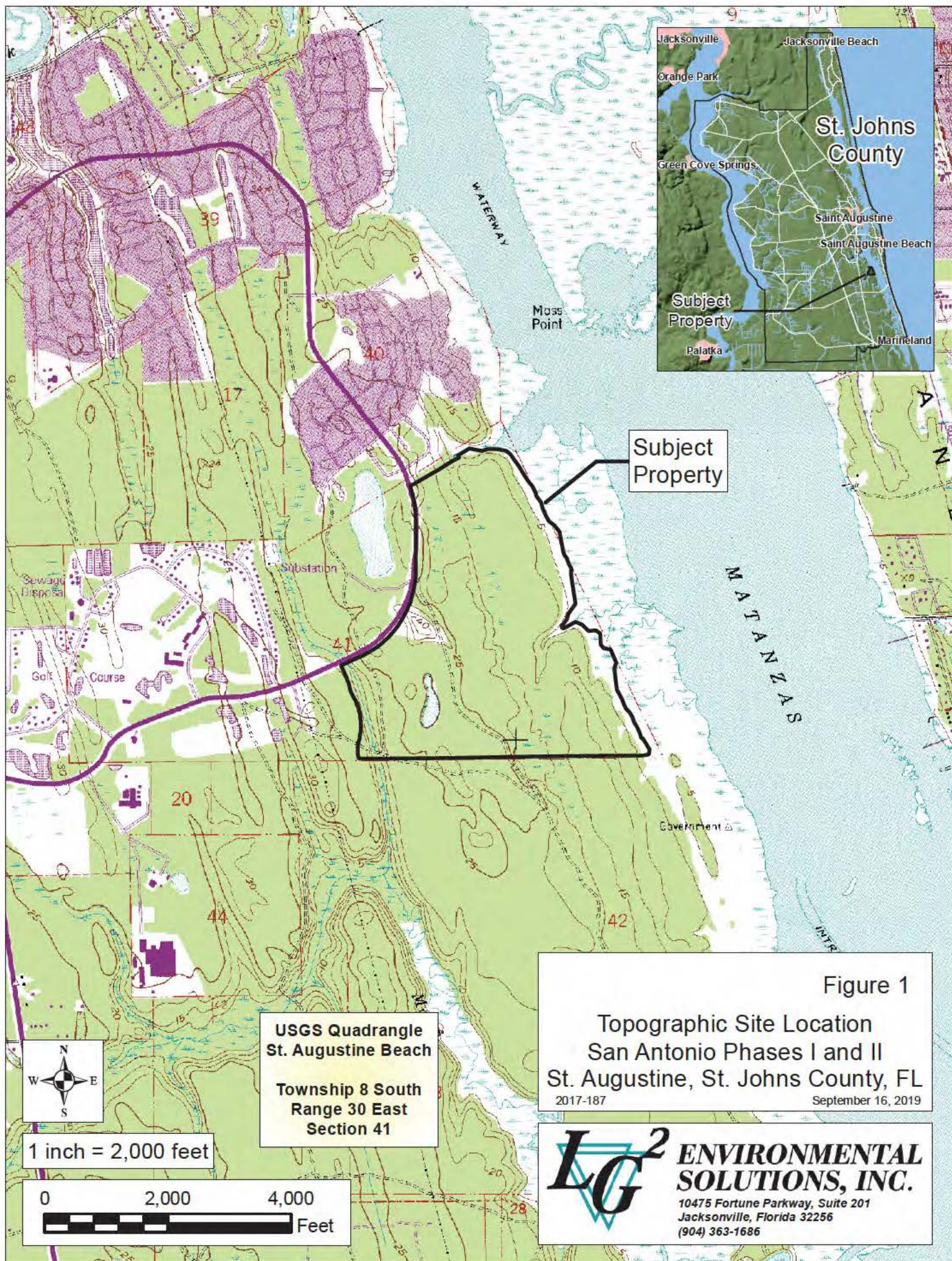
**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, 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.

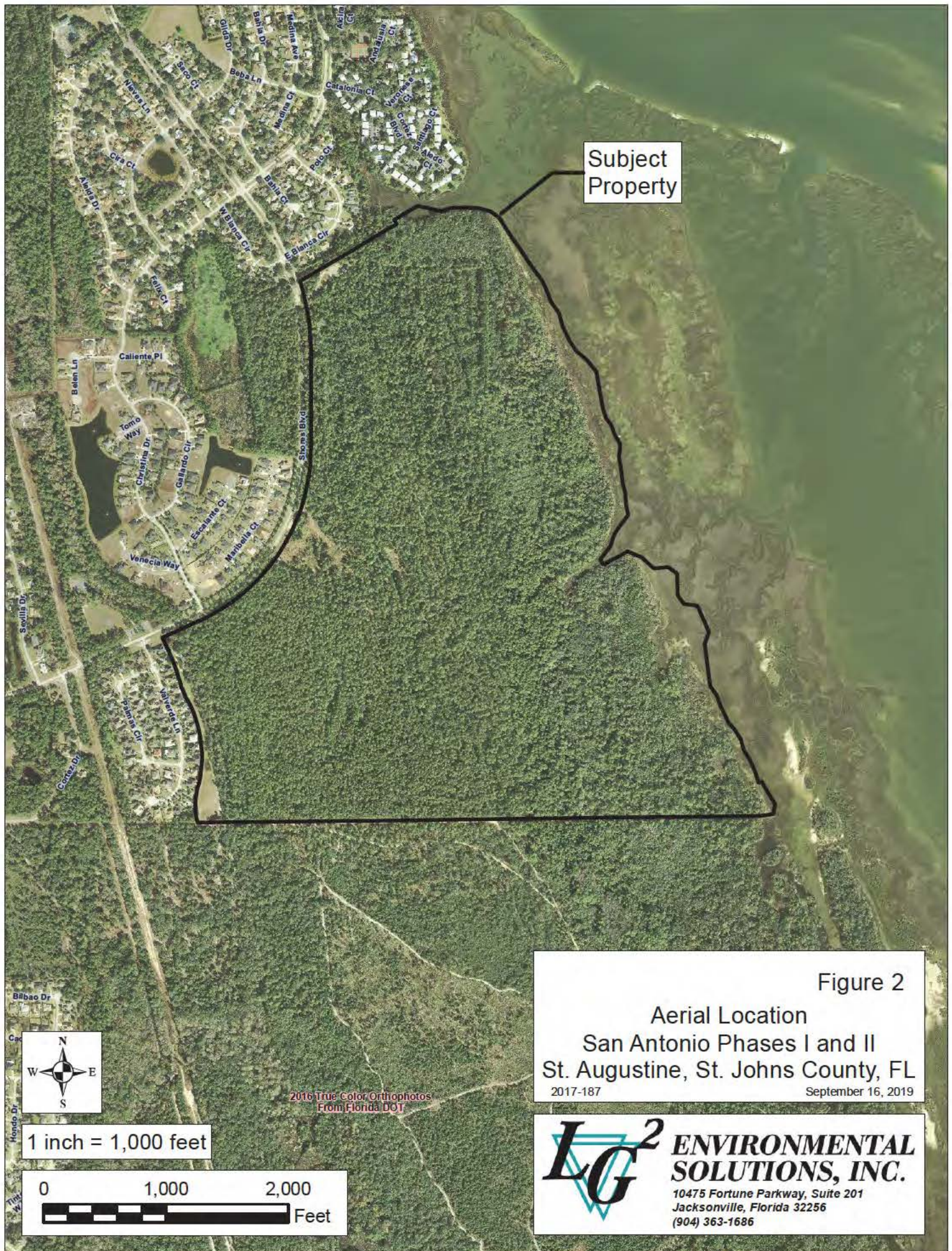
**COASTAL ZONE MANAGEMENT CONSISTENCY:** In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning 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.









Subject  
Property

Figure 2  
Aerial Location  
San Antonio Phases I and II  
St. Augustine, St. Johns County, FL  
2017-187  
September 16, 2019

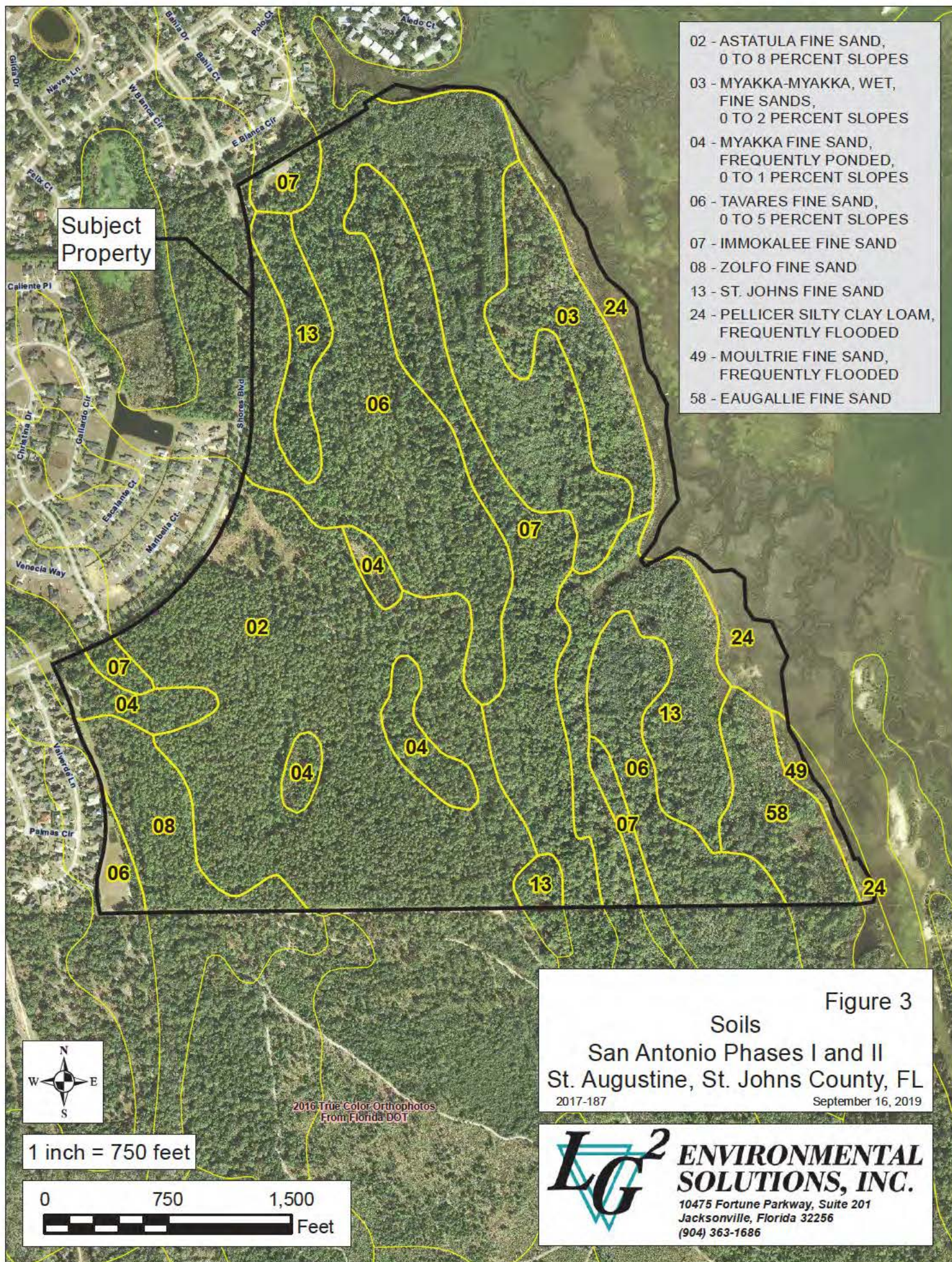
**LG<sup>2</sup> ENVIRONMENTAL SOLUTIONS, INC.**  
10475 Fortune Parkway, Suite 201  
Jacksonville, Florida 32256  
(904) 363-1686



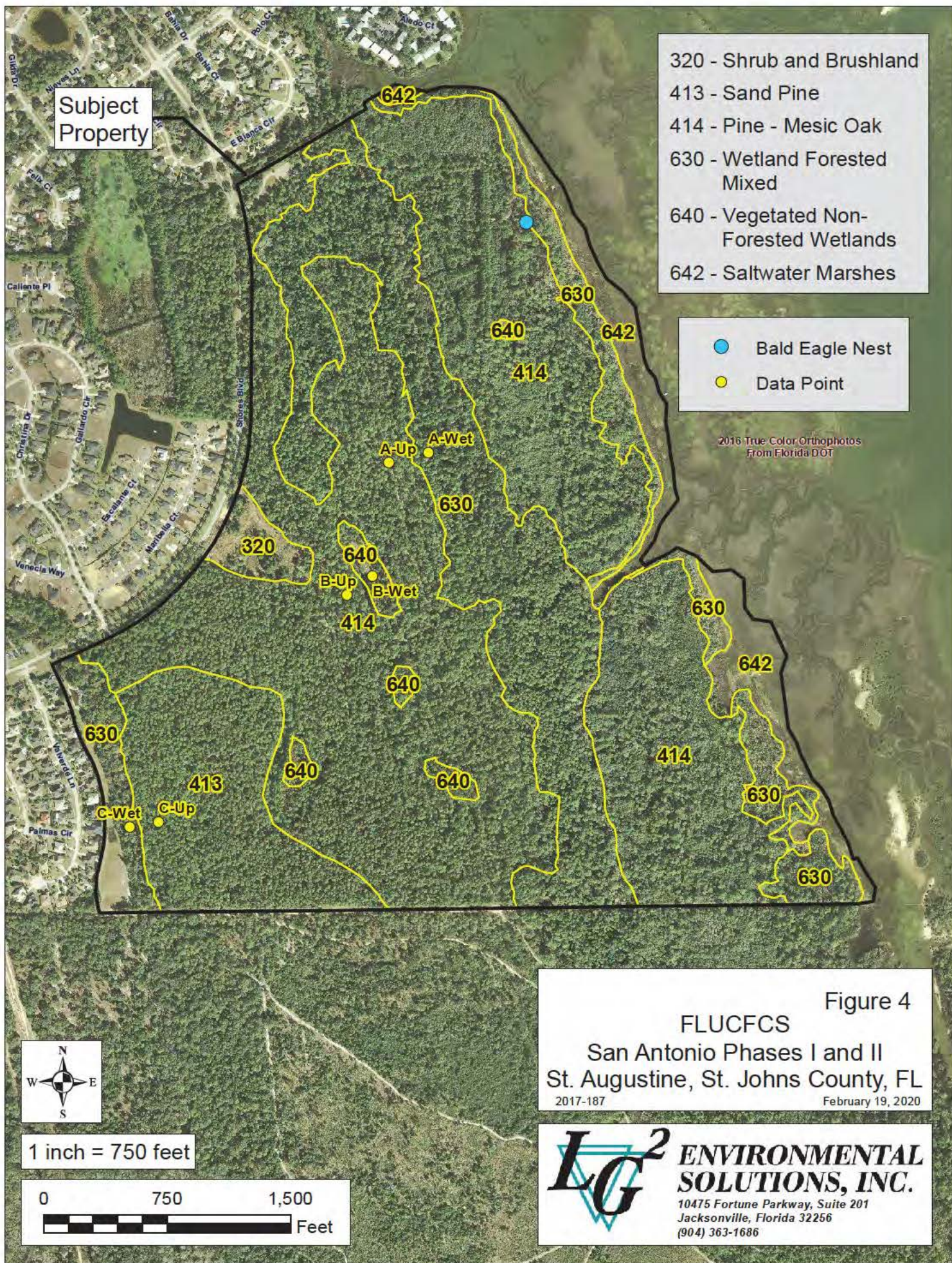
1 inch = 1,000 feet











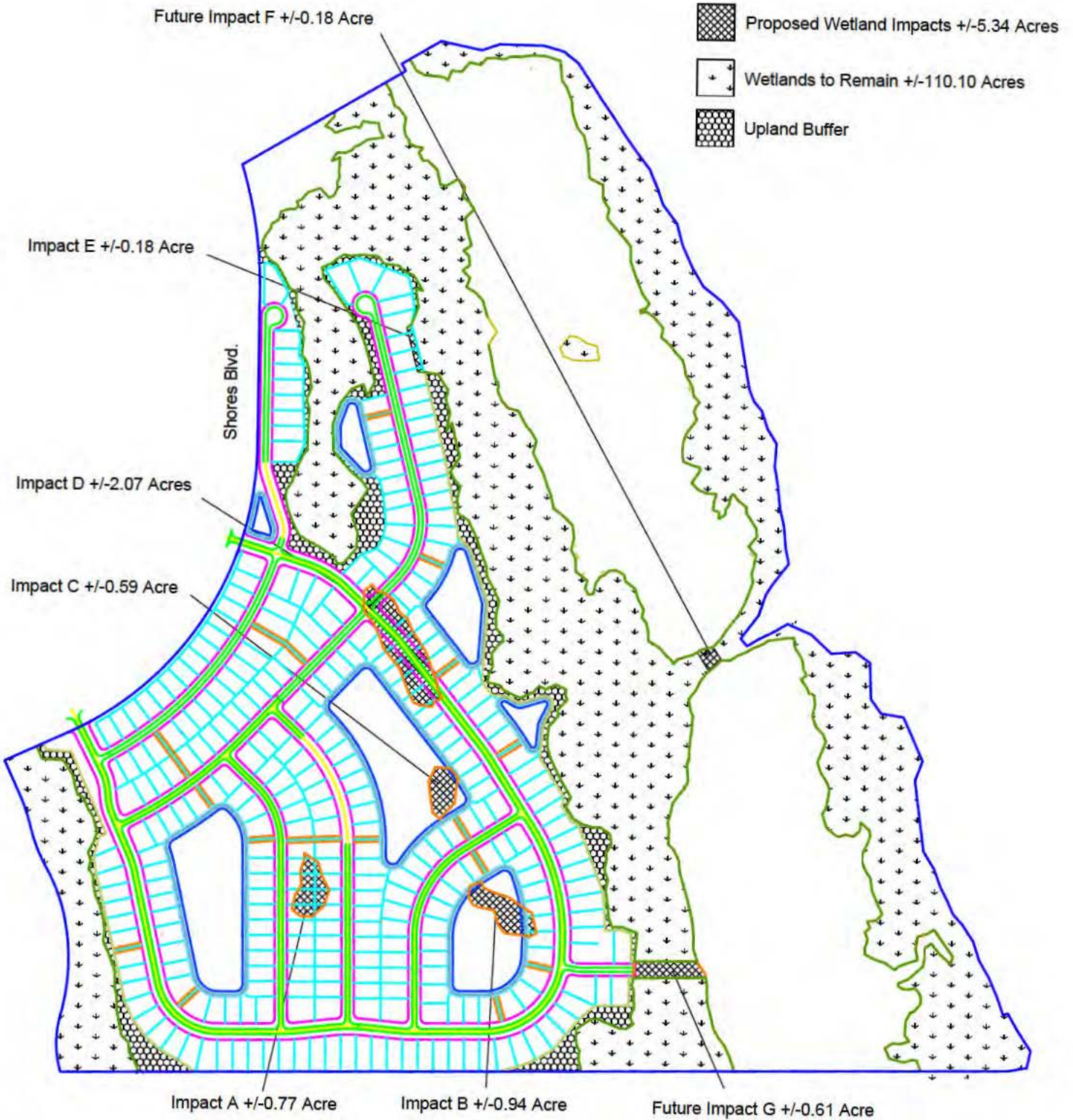


# San Antonio Phases I & 2

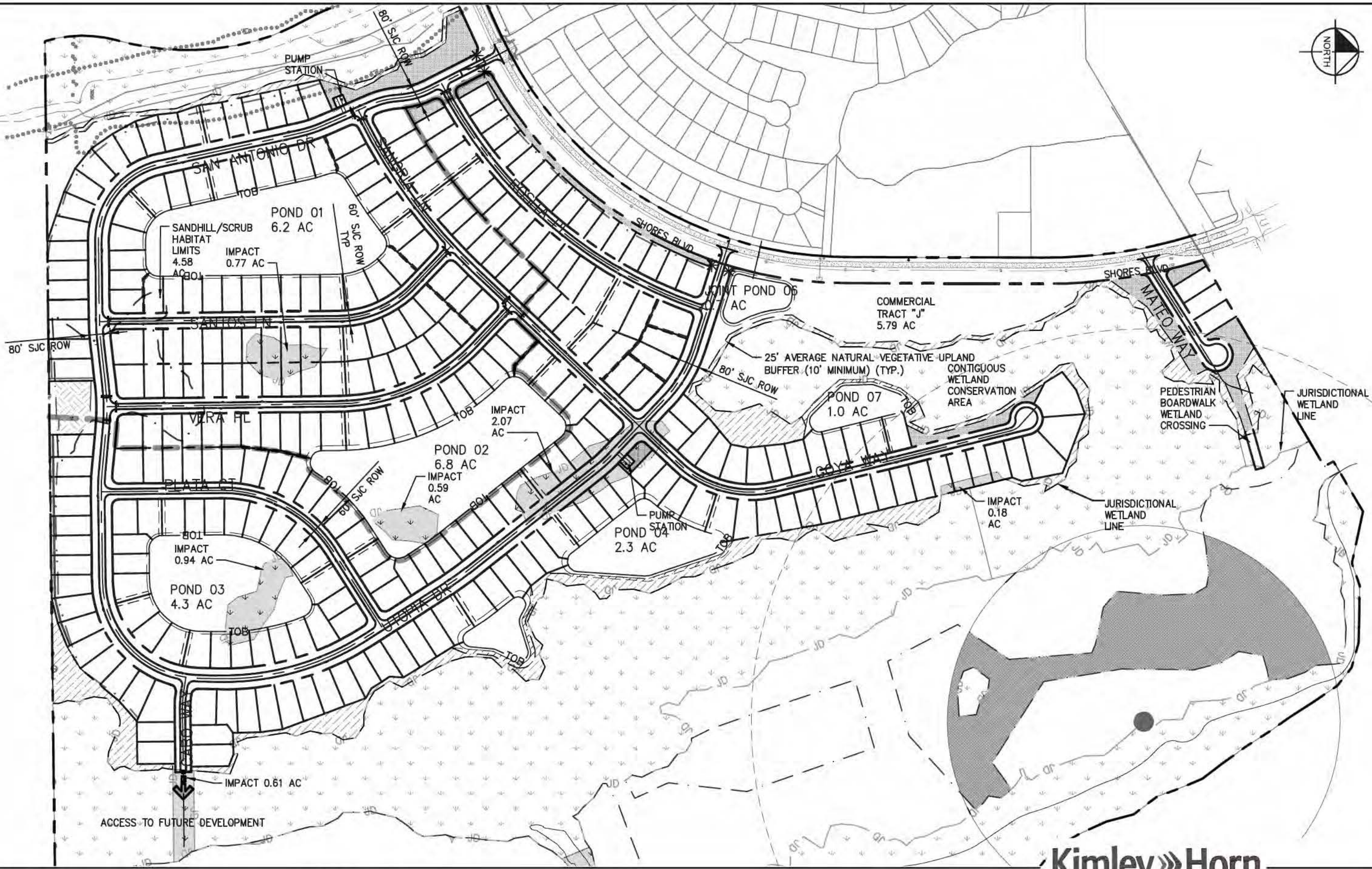
St. Johns County, Florida

Proposed Site Conditions

Figure 5







# SAN ANTONIO PHASE 1 AND 2 EXHIBIT

St. Johns County

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12740 GRAN BAY PARKWAY WEST, SUITE 2350  
JACKSONVILLE, FLORIDA 32258  
PHONE: 904-828-3900  
WWW.KIMLEY-HORN.COM CA 0000696

Drawing name: K:\AX\_Civil\044952007 - San Antonio\Add\Exhibits\2020-06-16 MASTER SITE PLAN.dwg MDP-02 Jun 18, 2020 11:02am by: lance.white





LEGEND:

- PROPERTY BOUNDARY
- WETLAND LINE AS APPROVED IN SJRWMD PERMIT 21489
- CONSERVATION EASEMENT PER ALTA SURVEY BY PERRET AND ASSOCIATES, INC DATED 10/03/17
- WETLAND CONSERVATION
- UPLAND BUFFER
- PRESERVED SANDHILL/SCRUB HABITAT
- PRESERVED XERIC OAK HABITAT

ST. AUGUSTINE SHORES				
	EXISTING	PHASE 1 & 2	FUTURE	TOTAL
UNITS	210	299	250 (MAX)	759 (MAX)
PARK (ACTIVE REC)	12.31 AC	0.0 AC	10.27 AC (MIN)	22.28 AC (MIN)

NOTE:  
1. ACTIVE RECREATION AND PARKS ARE TRACTS A, X, AND Y IN ORIGINAL PLAT.

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12740 GRAN BAY PARKWAY WEST, SUITE 2350  
JACKSONVILLE, FLORIDA 32258  
PHONE: 904-828-3900  
WWW.KIMLEY-HORN.COM CA 00000696

PERMIT REVIEW

KHA PROJECT 044952007	DATE FEBRUARY 2019	SCALE AS SHOWN	DESIGNED BY WLW	DRAWN BY WLW	CHECKED BY MTJB	DATE	LISCENSED PROFESSIONAL  MARTIN J. BRENNY FLORIDA LICENSE NUMBER FL# 71515	ST. JOHNS COUNTY	SHEET NUMBER 1 OF 1

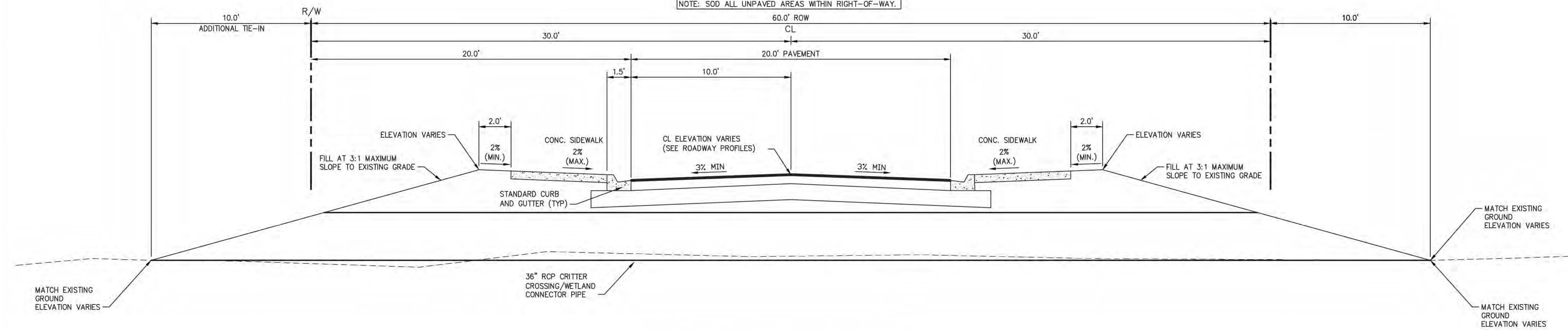
MASTER SITE PLAN

SAN ANTONIO PHASE 3

PREPARED FOR  
DELTONA



NOTE: SOD ALL UNPAVED AREAS WITHIN RIGHT-OF-WAY.



**WETLAND CROSSING — 60' RIGHT-OF-WAY**

N.T.S.  
NOTE: REFER TO PLANS FOR SIDEWALK LOCATIONS