



Overall: The overall project purpose is to commercial development in St. Johns County, Florida.

EXISTING CONDITIONS: The approximately 16.81-acre site consists of approximately 15.20 acres wetlands and approximately 1.61 acres of uplands. The property is undeveloped and borders the south side of CR 210/Old Palm Valley Road. The areas adjacent to the site are undeveloped to the east and south with a gas station to the west; further east are residential homes. The U.S. Geological Survey topographical map for this area (Palm Valley and Durbin Quadrangles, 1992) identifies the site as having elevations between 4 feet and 5 feet National Geodetic Vertical Datum (NGVD). Flow direction generally drains south and east to the Intracoastal Waterway approximately 0.5-mile east of the subject property. The soils found on site are hydric including Myakka fine sand and Manatee fine sandy loam, frequently flooded, Riviera fine sand, frequently flooded, and Winder fine sand, frequently flooded. On-site land use types/vegetative communities were identified utilizing the *Florida Land Use, Cover and Forms Classification System, Level III* (FLUCCS, FDOT, 1999). The on-site land use types/vegetative communities include:

(1) Wetland Forested Mixed (FLUCFCS 630) 15.20 acres: The wetlands found on-site are classified as a Hardwood – Coniferous Mixed community. The species in this community include American hornbeam (*Carpinus caroliniana*), cabbage palm (*Sabal palmetto*), sweetgum (*Liquidambar styraciflua*), slash pine (*Pinus serotina*), cypress (*Taxodium sp.*), and blackgum (*Nyssa sylvatica* var. *biflora*), with an open understory of fetterbush (*Lyonia lucida*), saw palmetto (*Serenoa repens*), panicum (*Panicum sp.*), cinnamon fern (*Osmunda cinnamomea*), and netted chainfern (*Woodwardia areolata*).

(2) Trail road (FLUCFCS 814) and Roadside Ditches 1.20 acres: A trail road extends along the southern property boundary. This is a portion of the old extent of County Road 210. Roadside ditches extend alongside the north and south side of the trail road. Little herbaceous vegetation occurs within the ditches, but there are occasional trees within the ditch, including sweetgum and American hornbeam (*Carpinus caroliniana*).

(3) Pine-Mesic Oak (FLUCFCS 414) 0.39 acres: A small area of upland extends onto the property from undeveloped land to the south. This area comprises slash pine (*Pinus elliottii*), water oak (*Quercus nigra*), cabbage palm, live oak (*Quercus virginiana*), laurel oak (*Quercus hemisphaerica*), saw palmetto, bracken fern (*Pteridium aquilinum*), and dwarf blueberry (*Vaccinium myrsinites*).

PROPOSED WORK: The applicant seeks authorization to discharge clean fill material over a total of 6.98 acres of waters of the United States for commercial development on the 16.81 acre property. The proposed work would include mixed use office space including 40,000-square-feet of retail development, 21,000-square-feet of commercial space, 4,800-square-feet of a signature restaurant, and associated infrastructure such as entry roads, parking, stormwater management, and a boardwalk. Best management practices would be required in project construction.

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:

Avoidance is impracticable as approximately 90% of the project site is wetlands. Although complete avoidance is not feasible, the applicant has designed the project to reduce wetland impacts and impact the relatively lower quality wetlands in the western portion of the property adjacent to Nocatee Parkway. The remaining wetlands will continue to provide typical wetland functions including nutrient uptake, flood storage, and wildlife utilization and connect to larger offsite systems to the south and east adjacent to the Intracoastal Waterway.

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

To determine the appropriate mitigation for the proposed wetland impacts and the loss of functions and values, the on-site wetlands were evaluated using the Universal Mitigation Assessment Method (UMAM) procedure. A total of 3.50 units of functional loss have been calculated associated with the impact of ± 6.98 acres of on-site wetlands. To ensure consistency with the guidance provided as part of Corps' 2008 Compensatory Mitigation Rule, the applicant has decided to offset the proposed impacts with the purchase of 3.50 UMAM credits from federally approved Lake Swamp Mitigation Bank.

CULTURAL RESOURCES: The Corps is not aware of cultural or historic resources on site. 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 project area.

ENDANGERED SPECIES: The Corps has determined the proposed work is not likely to adversely affect the Wood Stork (*Mycteria americana*) based on *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. Therefore, additional coordination with the U.S. Fish and Wildlife Service is not required.

The Corps has determined the proposed work is not likely to adversely affect the Eastern indigo snake based on the *Eastern Indigo Snake Programmatic Effect Determination Key* January 2010. Therefore, additional coordination with the U.S. Fish and Wildlife Service is not required.

ESSENTIAL FISH HABITAT (EFH): This public notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. There is no EFH found on the property. The Corps' initial determination is that the proposed action would have no impact on EFH. Our final determination relative to project impacts is subject to review 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 verified the extent of Federal jurisdiction.

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 Jacksonville Permits Section, Post Office Box 4970, Jacksonville, Florida 32232 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, Terri M. Mashour, in writing at the Jacksonville Permits Section, Post Office Box 4970, Jacksonville, Florida 32232; by electronic mail at terri.m.mashour@usace.army.mil; by facsimile transmission at (904) 232-1940; or, by telephone at (904) 570-4512.

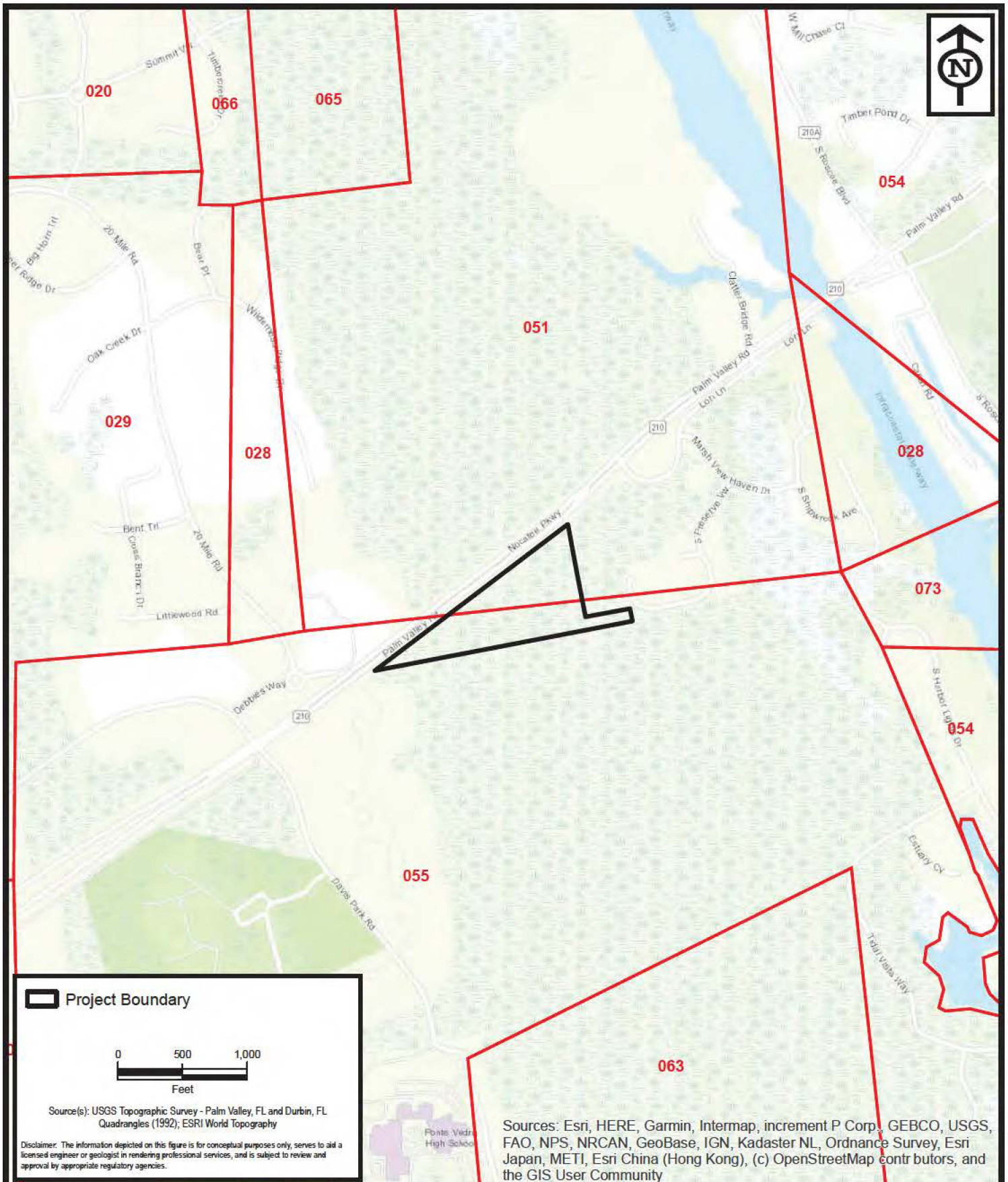
IMPACT ON NATURAL RESOURCES: Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information 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.



Project Location

Legacy Falls

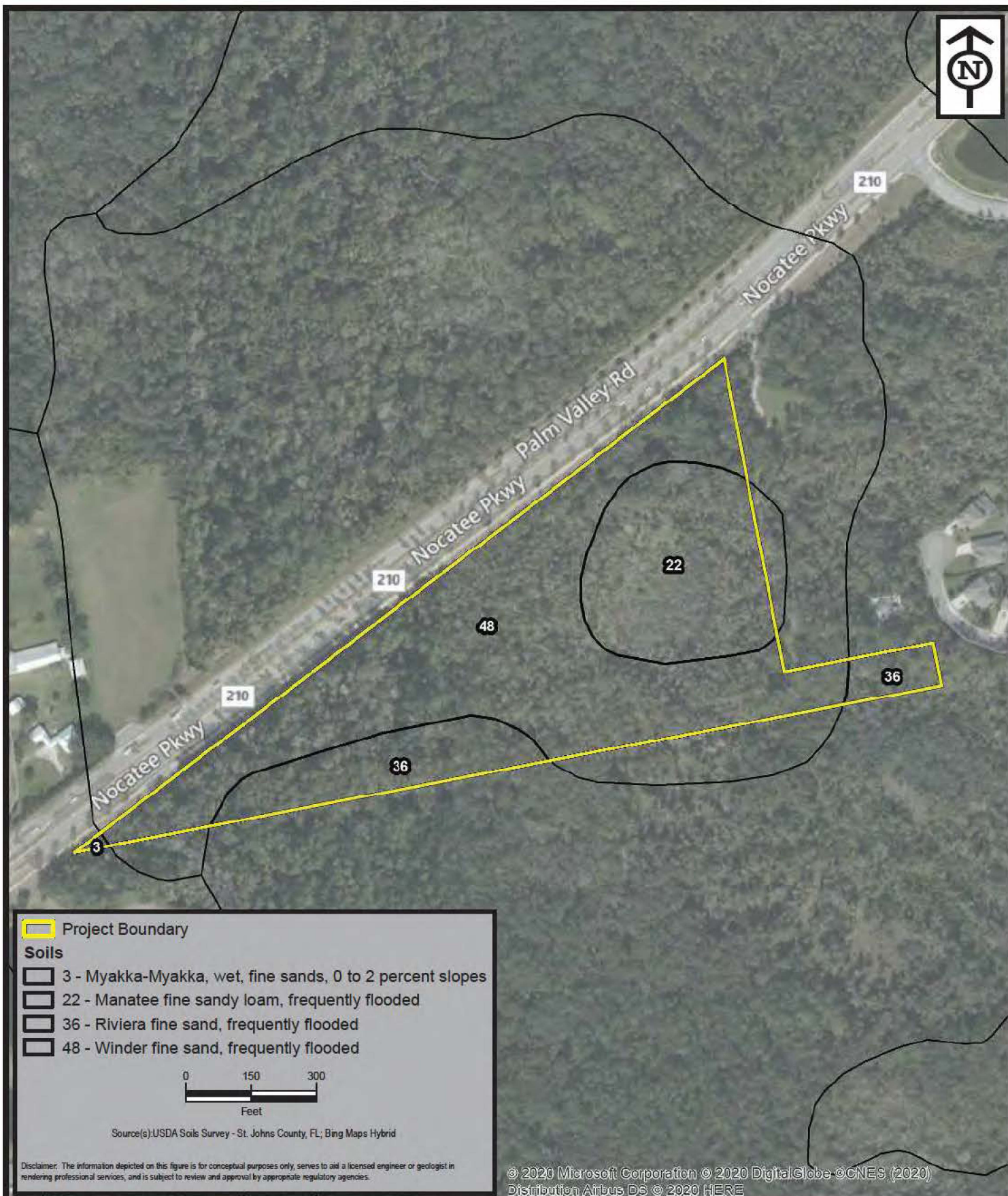
St. Johns County, Florida

Project No.	HK197210
Date	Mar 2020
Drawn By	JRN
Checked By	BAA
Approved By	BAA
Figure No.	1



**ENVIRONMENTAL
SERVICES, INC.**
A Terracon COMPANY

7220 FINANCIAL WAY, SUITE 100 JACKSONVILLE, FL 32256
PH. (904) 470-2200 FAX (904) 470-2112



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NRCS Soils

Legacy Falls

St. Johns County, Florida

Project No. HK197210

Date Mar 2020


Drawn By JRN

Checked By BAA




Approved By BAA

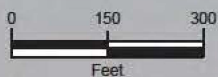
Figure No. 2



 Project Boundary

FLUCFCS

-  414 - Pine - Mesic Oak (0.39 ac.±)
-  630 - Wetland Forested Mixed (15.20 ac.±)
-  814 - Roads and Highways (1.20 ac.±)



Source(s): Florida Land Use, Cover and Forms Classification System (FDOT); Bing Maps Hybrid

Disclaimer: The information depicted on this figure is for conceptual purposes only, serves to aid a licensed engineer or geologist in rendering professional services, and is subject to review and approval by appropriate regulatory agencies.

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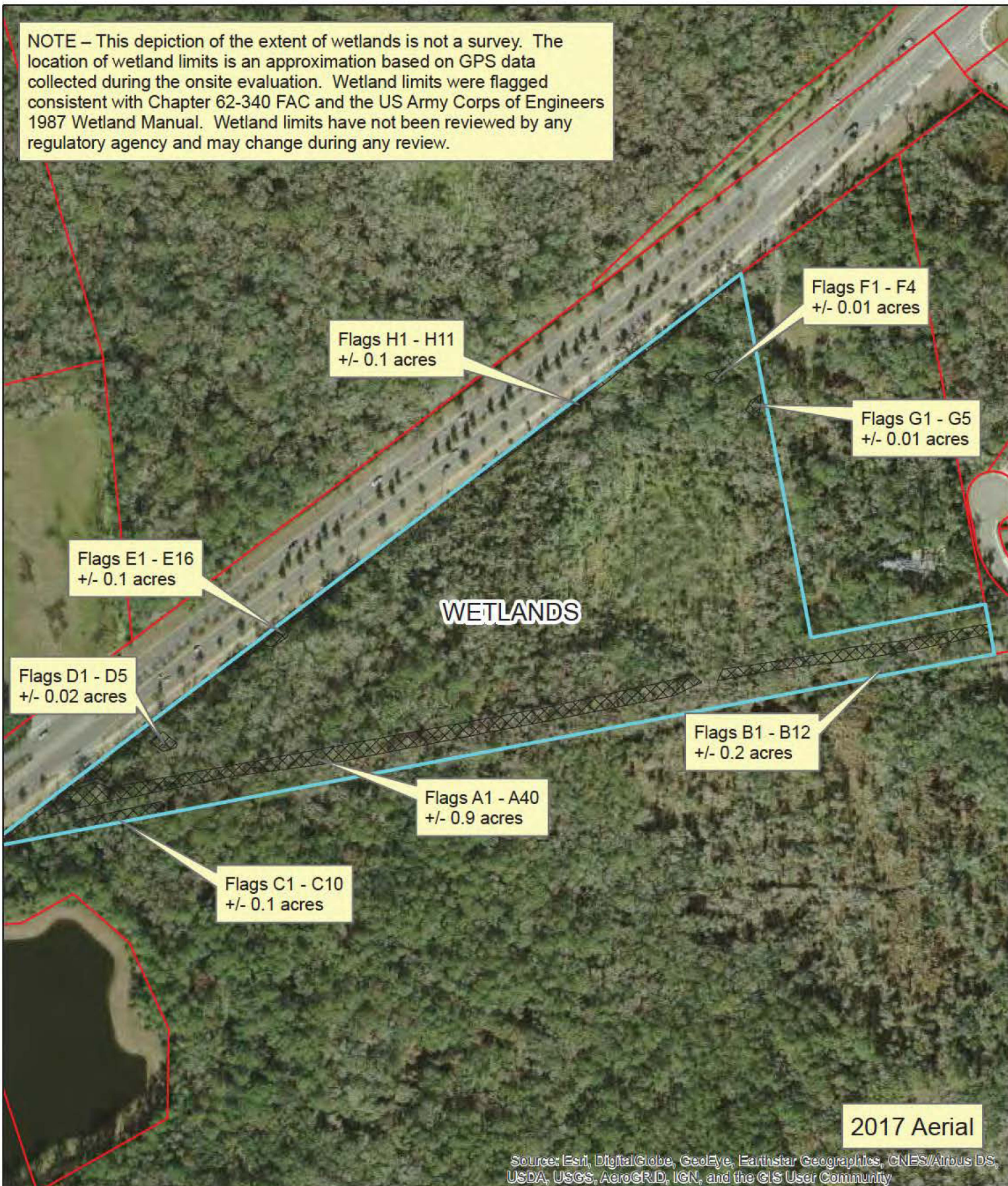
Existing Site Conditions

Legacy Falls

St. Johns County, Florida

Project No.	HK197210
Date	Mar 2020
Drawn By	JRN
Checked By	BAA
Approved By	BAA
Figure No.	3

NOTE – This depiction of the extent of wetlands is not a survey. The location of wetland limits is an approximation based on GPS data collected during the onsite evaluation. Wetland limits were flagged consistent with Chapter 62-340 FAC and the US Army Corps of Engineers 1987 Wetland Manual. Wetland limits have not been reviewed by any regulatory agency and may change during any review.

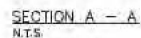


Palm Valley Rd
(Parcel No. 0680100000)
St. Johns County



1 in = 250 ft

TR T. RICHARDSON
SOILS
& ENVIRONMENTAL
LLC

LEGACY FALLS DEVELOPMENT

FOR
SCHMID CAPITAL REALTY, LLC
ST. JOHN'S COUNTY, FLORIDA

CONCEPTUAL WETLAND IMPACT PLAN

DESIGNED BY S. JINUSMAN

DATE _____
DRAWN BY _____

DRAWN BY _____
SCALE _____

DATE FEBRUARY 12,
PROJECT NO. 19-0084

CRS

JOHNSON CONSULTANTS, INC.
2875 Boydsway Way, Suite 401, Jacksonville, Florida 32205
Certificate 51-0007681
Phone (813) 731-1988

SHEET ____