DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
POST OFFICE BOX 4970
JACKSONVILLE, FLORIDA 32232

REPLY TO ATTENTION OF

August 3, 2020

Regulatory Division
North Permits Branch
Jacksonville Permits Section

PUBLIC NOTICE

Permit Application Number SAJ-2020-02990 (SP-TMM)

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 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) and Section 404 of the Clean Water Act (33 U.S.C. §1344) as described below:

APPLICANT: St. Johns County School Board
Attn: Frank Cervasio
3740 International Golf Parkway
St. Augustine, Florida 32092

WATERWAY AND LOCATION: The project would affect waters of the United States (wetlands) hydrologically connected to Sampson Creek as well as Durbin Creek, which becomes tidal and flows into Julington Creek and the St. Johns River. The project site is located east of Interstate 95 and north of County Road 210 adjacent to the north of the Beachwalk Residential Subdivision, in Sections 9 and 46, Township 5 South, Range 28 East, St. Johns, St. Johns County, Florida.

Directions to the site are as follows: From the intersection of Interstate 295 and County Road 210, proceed east on CR 210. Turn left (north) into the Beachwalk community. Proceed north, past a stormwater pond on the northwestern side of the road. The site can be accessed by a trail road just north of the stormwater pond.

APPROXIMATE CENTRAL COORDINATES: Latitude 30.083516°
Longitude -81.493202°

PROJECT PURPOSE:

Basic: The basic project purpose is to construct a high school.

Overall: The overall project purpose is to construct a high school in north St. Johns County, Florida.

EXISTING CONDITIONS:

General: The site is 74.04 acres. The project site is located adjacent to the northwest of the new Beachwalk Subdivision east of Interstate 95 and north of County Road 210. Proposed access is by crossing a creek and wetlands that are connected to Durbin Creek to the northeast and Sampson Creek to the west. The property has no development except for a haul road that leads to an upland dug borrow pit; Interstate 95 is adjacent to the property on the west. The applicant has requested an approved jurisdiction (AJD) for a portion of the wetlands on site. The AJD is still pending. The applicant has proposed that the Corps has jurisdiction over wetlands W1, F1 and proposes W2, F1 and the 6.41-acre surface water are not jurisdictional, map enclosed.

Project History: The site for the proposed work and proposed impacts were originally identified in Corps permit SAJ-2004-08517 Twin Creeks Development. The area was sold to the St. Johns County School Board for a high school; therefore the project area was assigned a new permit number, SAJ-2020-02990. The new owner/applicant will be responsible for the permit and associated impacts. The proposed impacts for the proposed high school are lower than the originally proposed impacts.

Soils: According to the Soil Survey of St. Johns County, Florida (United States Department of Agriculture-Natural Resources Conservation Service), the following soil types are mapped within the project area: Myakka-Myakka, wet, fine sands, Tavares fine sand, Zolfo fine sand, Smyrna-Smyrna, wet, fine sand, St. Johns fine sand, Wesconnett fine sand, frequently flooded, and Holopaw fine sand, frequently flooded (reference Soils Map 2, enclosed).

Natural Communities: Land use/land cover types were classified using the Florida Department of Transportation (FDOT) Florida Land Use, Cover and Forms Classification System (FLUCFCS, 1999). The cover types and acreages are described below.

(1) Other Open Land (FLUCFCS 194) - 0.58 acres: This classification is used to describe an upland area at the eastern end of the access road for the school site.

(2) Coniferous Plantation (441) – 62.86 acres: This classification describes the majority of on-site uplands. While the canopy consists almost exclusively of slash pine (Pinus elliottii), the understory structure varies among the plantations. Due to fire suppression, the subcanopy in many areas is dominated by water oak (*Quercus nigra*), loblolly bay (*Gordonia lasianthus*), and wax myrtle (*Myrica cerifera*). Live oak (*Quercus virginiana*), sand live oak (*Quercus geminata*), and Chapman's oak (*Quercus chapmanii*) occur in drier areas at higher elevations. Dominant ground cover species include saw palmetto (*Serenoa repens*), bitter gallberry (*Ilex glabra*), fetterbush (*Lyonia lucida*), bracken fern (*Pteridium aquilinum*), wiregrass (*Aristida stricta*), blackberry (*Rubus* spp.), and broomsedge (*Andropogon virginicus*). Common vines include greenbrier (*Smilax* spp.), yellow jessamine (*Gelsemium sempervirens*), and grape vine (*Vitis rotundifolia*).

(3) Hydric Pine Plantation (441-H) – 0.43 acres: The canopy of this wetland community is dominated by slash pine, with less dense loblolly bay, laurel oak (*Quercus laurifolia*), water oak, and swamp bay (*Persea palustris*). Subcanopy species include fetterbush, myrtle-leaf holly (*Ilex myrtifolia*), wax myrtle, and saplings of canopy species. Dominant ground cover species include highbush blueberry (*Vaccinium corymbosum*), fetterbush, cinnamon fern (*Osmunda cinnamomea*), netted chain fern (*Woodwardia areolata*), blackberry, bushy broom grass (*Andropogon glomeratus*), St. Johns wort (*Hypericum* spp.), yellow-eyed grass (*Xyris* spp.), and sphagnum moss (*Sphagnum* spp.).

(4) Mixed Wetland Hardwoods (617) – 1.22 acres: Dominant species include red maple (*Acer rubrum*), swamp tupelo (*Nyssa biflora*), swamp bay, sweetgum (*Liquidambar styraciflua*) and scattered cypress (*Taxodium* spp.). Ground cover within this community is generally sparse to non-existent in semi- to permanently inundated portions, limited to emergent species such as lizard's tail (*Saururus cernuus*) and southern blue flag (Iris virginica). In areas of saturated soils, sphagnum moss, royal fern (Osmunda regalis), netted chain fern, and Virginia chain fern (Woodwardia virginica) are common.

(5) Vegetated Non-Forested Wetlands (640) – 0.09 acres: This classification is used to describe the small, hydrologically isolated wetland in the eastern central portion of the property. Dominant groundcover species include chalky bluestem (*Andropogon virginicus* var. *glaucus*), St. Johns wort, and beaksedge (*Rhynchospora* spp.).

(6) Borrow Area (742) – 6.41 acres: This surface water located in the southwest portion of the project area existed prior to 1984.

(7) Graded and Drained Roads (8145) – 2.45 acres: This trail road extends from east to west within the project site. It is associated with historic and ongoing silvicultural operations.

PROPOSED WORK: The applicant seeks authorization to discharge clean fill material over a total of 1.65 acres of waters of the United States (wetlands) for development of a high school and associated infrastructure, such as athletics fields, parking, and stormwater facilities. The project would also include the discharge of clean fill material into 6.41 acres of (b)(8) upland dug borrow pit surface waters, not jurisdictional to the Corps. 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:

The proposed project avoids and minimizes wetland impacts to the most practicable extent. Only minor wetland impacts will result from the proposed project in order to construct the surface water management system. All other alternative sites would require additional wetland impact or are not available for purchase. The proposed plan

avoids impacts to the channelized portion of the creek and wetland areas immediately adjacent to the primary channel.

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

The proposed project will incur 1.65-acres± of direct wetland impacts that require mitigation. Mitigation will be accomplished through the purchase of 1.27 UMAM credits from an in-basin mitigation bank.

CULTURAL RESOURCES: The Corps is aware of historic 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 is not likely to adversely affect the Wood Stork (*Mycteria americana*). The project site is within the 13 mile Woodstork Nesting Colonies Buffer for Dee Dot Ranch; therefore, this species may be present at the project site. In consideration of this information, the Corps utilized *The Corps of Engineers, Jacksonville District, U.S. Fish and Wildlife Service (FWS), 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 > C > D > E > not likely to adversely affect*. In consideration of the key sequence, additional coordination with the FWS is not required.

The Corps has determined the proposed project is not likely to adversely affect the Eastern Indigo Snake (Drymarchon corais couperi). Eastern indigo snake frequents several habitats found on site, including pine flatwoods and hardwood conifer mixed; therefore, the species could be found on site. In consideration of this information, the Corps utilized the *Eastern Indigo Snake Effect Determination Key, August 2013,* to determine potential effects upon this species. Use of this key resulted in the sequence A > B > C > not likely to adversely affect. In consideration of the key sequence, additional coordination with the FWS is not required.

The Corps executed a Resources At Risk (RAR) report on July 30 2020. 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 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 essential fish habitat on site. 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.

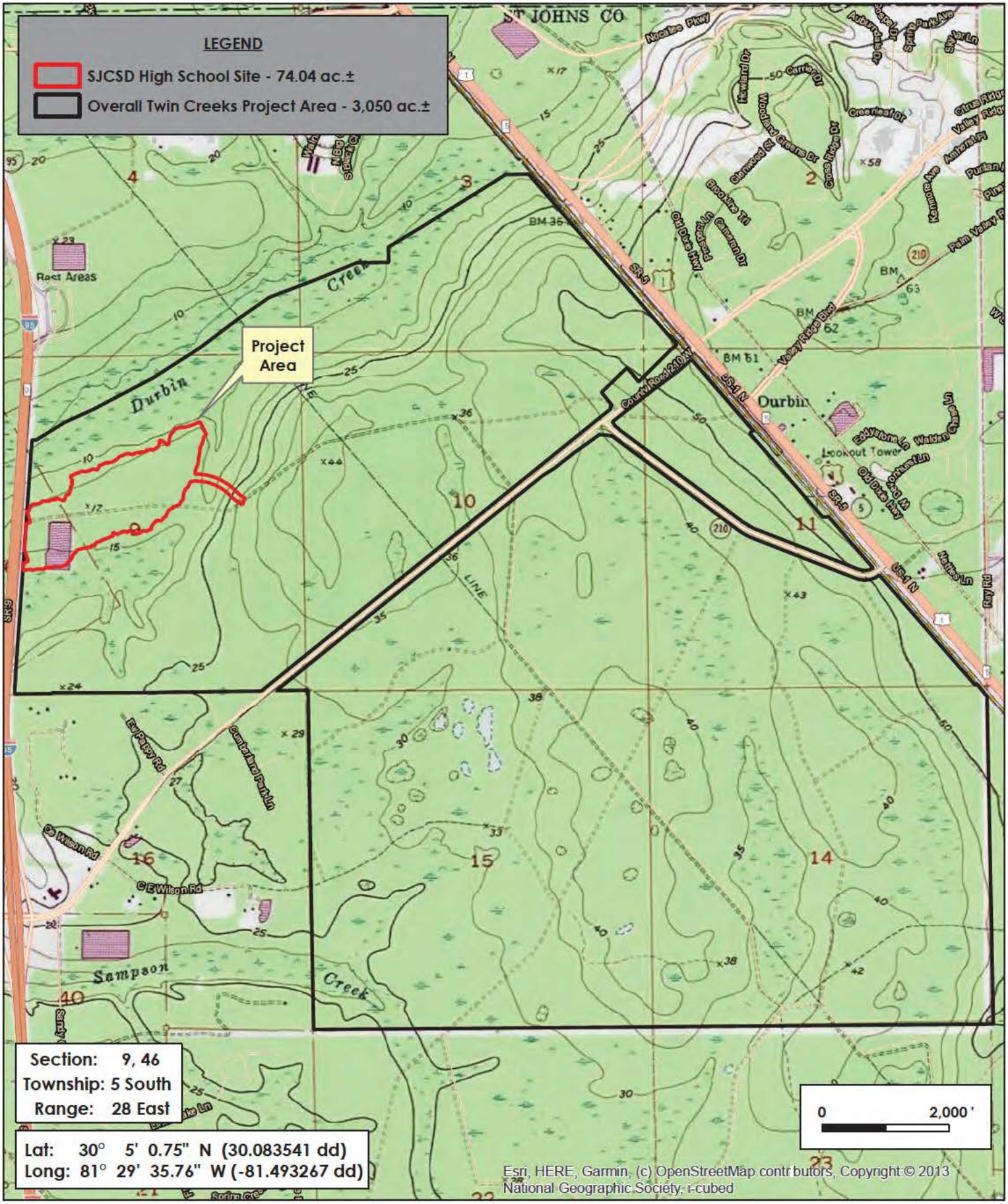
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits,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



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St. Johns County High School III
USGS Topographic Quadrangle Map

St. Johns County, Florida | By: MF

Project No.:	20110
Exhibit No.:	1
Date:	6-30-20
Rev. Date:	

N W E S

Source: 7.5' USGS Durbin, FL Topographic Quadrangles; ArcGIS Online (USA Topo Maps)

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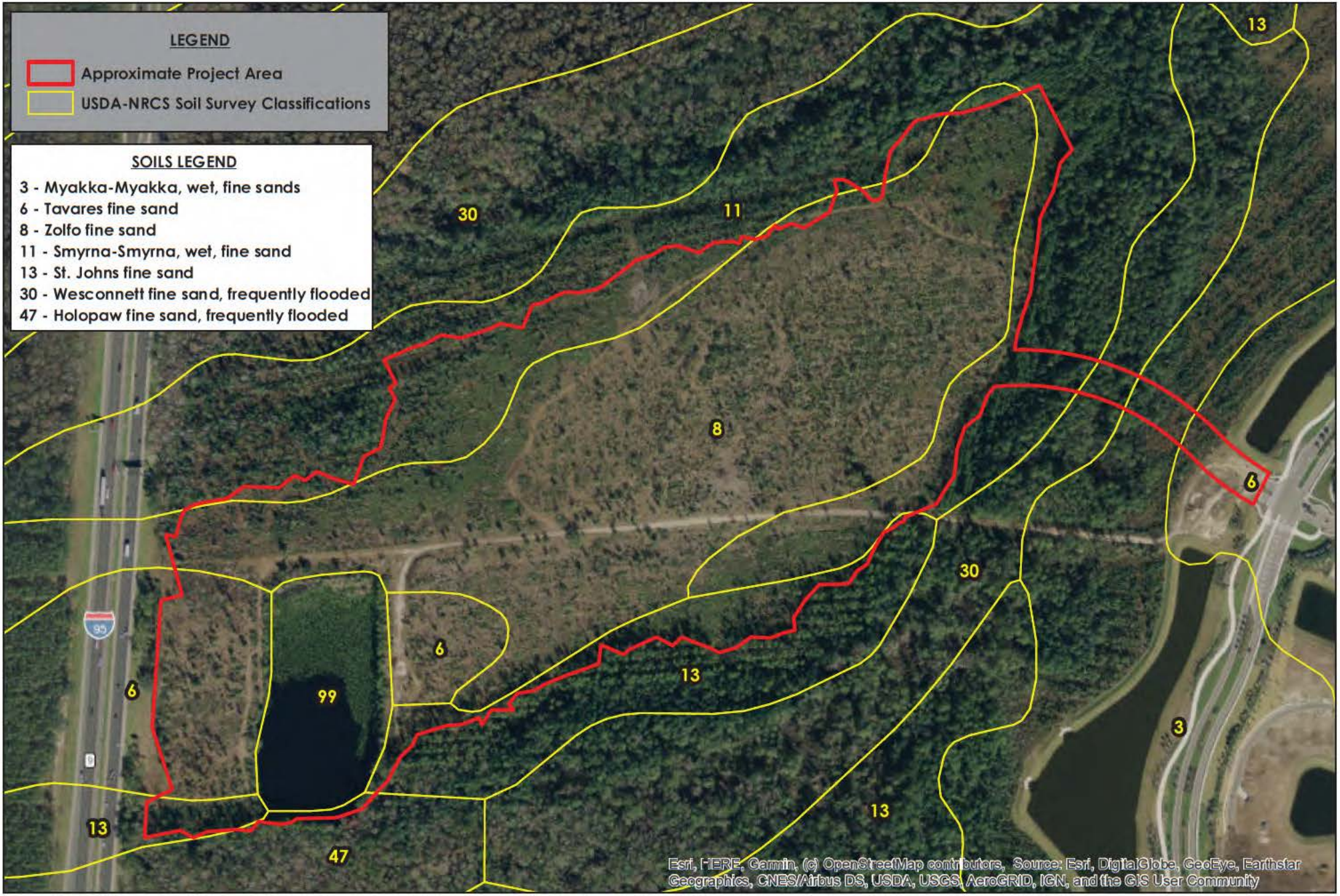

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St. Johns County High School III
Soils Map

St. Johns County, Florida | By: MF

Project No.:	20110
Exhibit No.:	2
Date:	6-30-20
Rev. Date:	

N W E S

Source: ArcGIS Online Imagery; USDA-NRCS soil survey classifications (data obtained from NRCS)

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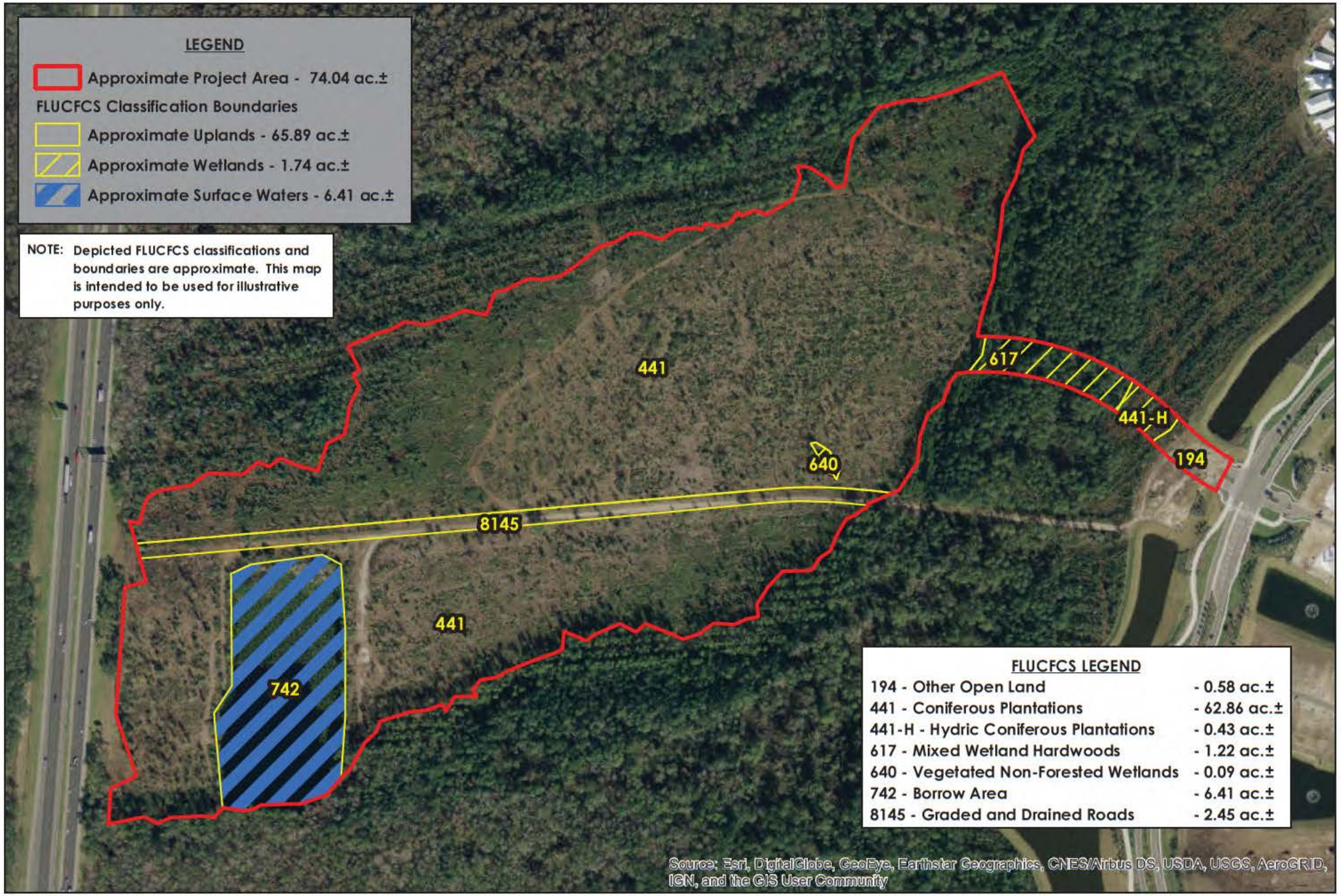

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Source: ArcGIS Online Imagery and World Transportation

St. Johns County High School III
FLUCFCS Map

By: MEF

Project No.:	20110
Exhibit No.:	3
Date:	6-30-20
Rev. Date:	

N W E S

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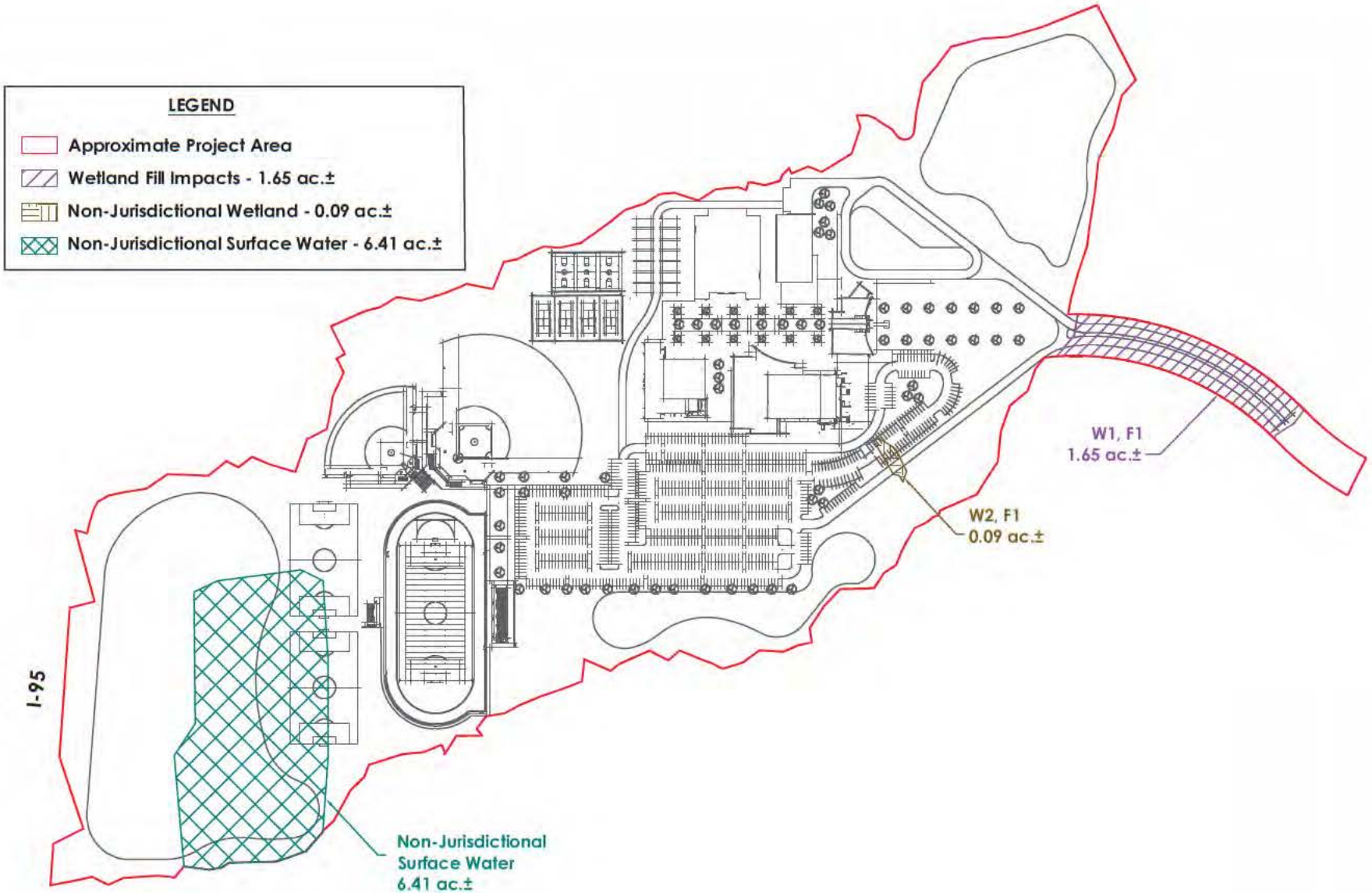

Scale: 1"=400'

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St. Johns County High School III
USACE Wetland Impact Map

Project No.:	20110
Exhibit No.:	4
Date:	7-15-20
Source: Matthews Design Group	By: JKN
Rev. Date:	

N W E S

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