



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
POST OFFICE BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

August 25, 2020

REPLY TO
ATTENTION OF

Regulatory Division
West Permits Branch
Fort Myers Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2020-03017 (SP-JNP)

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: Collier County Facilities Management Division
Mr. Damon Grant
3325 Tamiami Trail East
Naples, Florida 34112

WATERWAY AND LOCATION: The project would affect waters of the United States associated with the Cocohatchee Canal. The project site is located on an undeveloped parcel, at 15430 Collier Boulevard, in Section 23, Township 48 South, Range 26 East, in Naples, Collier County, Florida.

Directions to the site are as follows: From the Fort Myers field office, turn left onto Summerlin Road (0.2-miles), turn right onto Colonial Boulevard (5.1-miles), merge onto Interstate 75 South (24-miles), take Exit 111 and turn left onto Immokalee Road (3.4-miles), turn left onto Colonial Boulevard (0.3-miles), the site is on the right just past an existing wastewater pump station.

APPROXIMATE CENTRAL COORDINATES: Latitude: 26.276231°
Longitude: -81.688422°

PROJECT PURPOSE:

Basic: The basic project purpose is government services.

Overall: The overall project purpose is to construct needed government services facilities within northern Naples.

EXISTING CONDITIONS: The project site consists of approximately 7.73-acres of former mining lands and an existing wastewater pump station. On-site waters of the U.S. consist of man-made vegetated surface waters surrounded by previously disturbed uplands. The site is bordered by Bellaire Bay Drive to the north and east, Collier Boulevard to the west, and an existing wastewater pump station to the south. The

wastewater pump station was previously issued a No Permit Required (SAJ-2006-07883) by the Corps. The site is located in an area portioned off from the overall Heritage Bay development.

Upland communities comprise approximately 3.26-acres and consists of previously disturbed lands associated with abandoned mining activities. Vegetation includes an over- and mid-story dominance of Brazilian pepper (*Schinus terebinthifolius*), melaleuca (*Melaleuca quinquenervia*), ear-leaf acacia (*Acacia auriculiformis*), and giant reed (*Arundo donax*). Also found in this habitat are cabbage palm (*Sabal palmetto*), myrsine (*Myrsine cubana*), and Carolina willow (*Salix caroliniana*), with an understory of broomsedge (*Andropogon virginicus*), Spanish needles (*Bidens alba*), ragweed (*Ambrosia artemisiifolia*), and bushy bluestem (*Andropogon glomeratus*). The existing wastewater pump station sits on approximately 1.59-acres of developed land in the southern portion of the project site.

The remaining 2.88-acres on site consists of waters of the U.S. This area was formerly uplands excavated during mining activities. The area contains defined bed and bank and an ordinary high water mark with vegetation consisting of slash pine (*Pinus elliotti*) and Australian pine (*Casuarina equisetifolia*) trees, with a mix of cabbage palm, myrsine, Brazilian pepper, melaleuca, and ear-leaf acacia saplings. The groundcover consists of white-top sedge (*Dichromena colorata*), marsh fleabane (*Pluchea odorata*), cogongrass (*Imperata cylindrica*), sawgrass (*Cladium jamaicense*), Mexican clover (*Richardia brasiliensis*), spikerush (*Eleocharis cellulosa*), and torpedograss (*Panicum repens*), among others.

PROPOSED WORK: The proposed project is the construction of a new government services facility, including an Emergency Medical Services building, two government services buildings, parking facilities, landscaping, utilities, and stormwater management facilities. The site could also be utilized to construct a public water supply well site in the future. The proposed project will have permanent fill impacts to all 2.88-acres of other surface waters to construct the proposed development.

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:

“Impacts to USACE wetlands have been avoided but impacts to USACE surface waters could not be avoided. The property was chosen because its lack of USACE jurisdictional wetland impacts and dominance of upland exotic vegetation. USACE impacts have been minimized by proposing fill within man-made USACE surface waters.”

COMPENSATORY MITIGATION: The applicant has provided the following explanation why compensatory mitigation should not be required:

“Since no USACE jurisdictional wetland impacts are proposed, no compensation or mitigation should be required.”

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 assessed the project site for Federally listed species using the FWS' Information for Planning and Consultation (IPaC) web site and all available GIS data within the Corps' Resources at Risk (RAR) system, for purposes of complying with Section 7 of the ESA of 1973 (as amended). The IPaC system generated a list of 16 species within Collier County.

The Corps had determined that the proposed project may affect the Florida panther (*Felis concolor coryi*), and may affect, but is not likely to adversely affect, the Florida bonneted bat (*Eumops floridanus*) and Eastern indigo snake (*Drymarchon corais couperi*). The Corps has initiated formal consultation with the U.S. Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act by separate letter dated July 29, 2020.

The Corps has also determined that the proposed project would have no effect on the Audubon's crested caracara (*Polyborus plancus audubonii*), Everglade snail kite (*Rostrhamus sociabilis plumbeus*), Florida scrub-jay (*Aphelocoma coerulescens*), ivory-billed woodpecker (*Campephilus principalis*), red-cockaded woodpecker (*Picoides borealis*), American wood stork (*Mycteria americana*), loggerhead sea turtle (*Caretta caretta*), Gulf sturgeon (*Acinpenser oxyrinchus desotoi*), Bartram's hairstreak butterfly (*Strymon acis bartrami*), Florida leafwing butterfly (*Anaea troglodyte floridalis*), Miami blue butterfly (*Cyclargus thomasi bethunebakeri*), Florida prairie-clover (*Dalea carthagenensis floridana*), and Garber's spurge (*Chamaesyce garberi*), or their designated, or proposed for designation, critical habitat.

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 site does not contain EFH and the Corps' initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in the South Atlantic Region. 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 Fort Myers Permits Section, 1520 Royal Palm Square Boulevard, Suite 310, Fort Myers, Florida 33919-1036 or to the email address of the Project Manager noted below, 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, Mr. John Policarpo, in writing at the Fort Myers Permits Section, 1520 Royal Palm Square Boulevard, Suite 310, Fort Myers, Florida 33919-1036, by electronic mail at John.N.Policarpo@usace.army.mil, or by telephone at (239) 334-1975.

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 impacts, 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 that may be relevant to the proposal will be considered, including cumulative impacts thereof, among these are conservation, economics, aesthetics, 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.

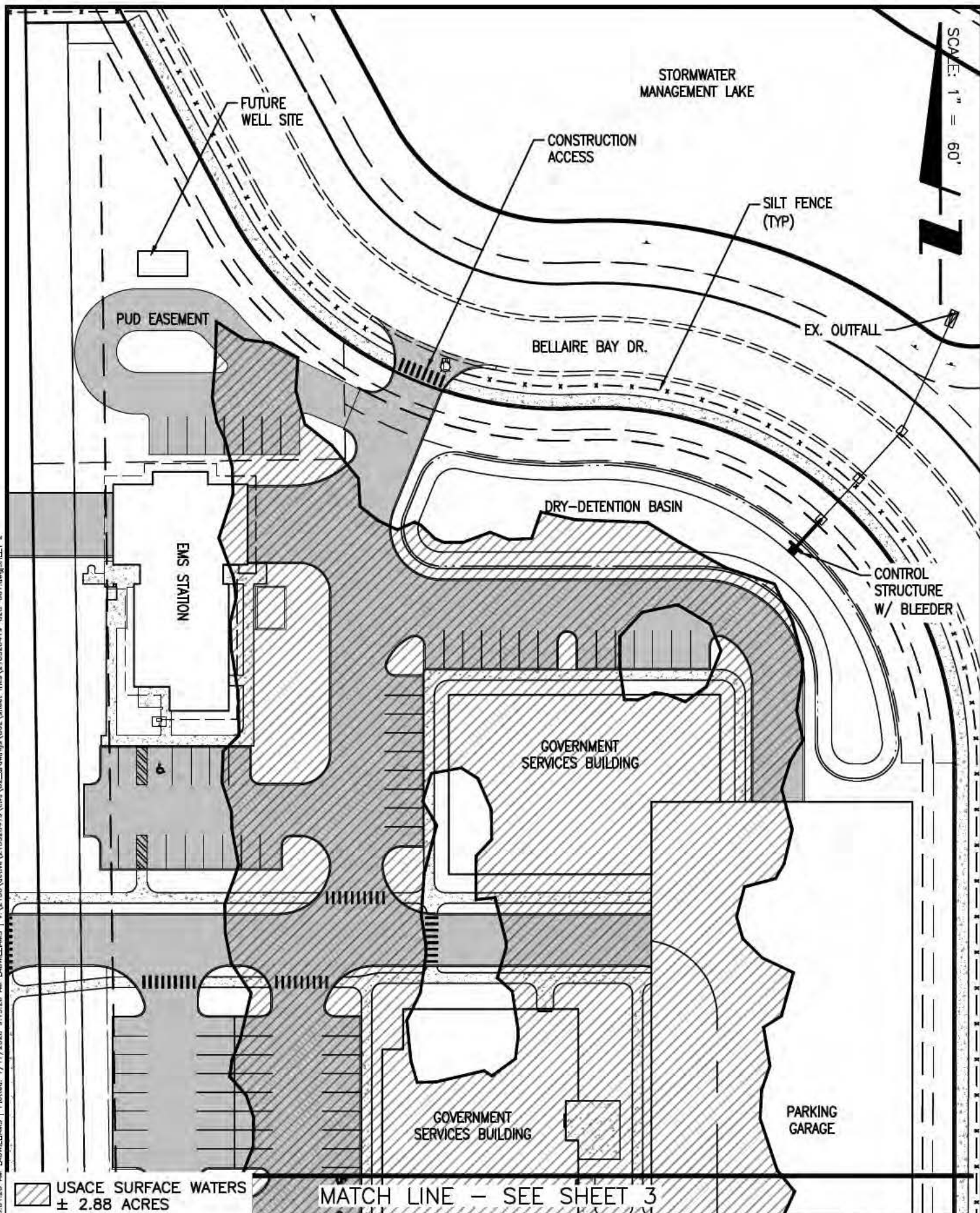


COLLIER BLVD

PROJECT NO: 218320419	
INDEX NO: 218320419-02C	
DATE: 07/01/2020	SHEET NO: 1

Digitally signed
by Kyle Goodwin
Date: 2020.07.17
13:05:14 -04'00'

SCALE: 1" = 60'



Saved: 7/16/2020 10:01:26 AM LAUWILLIAMS | V:\2156\active\218320419\civil\02_drawing\002\sheet_files\218320419-02C-001.dwg | SHEET 2

USACE SURFACE WATERS
± 2.88 ACRES

MATCH LINE - SEE SHEET 3

SCALE:	1" = 60'
LEAD TECH.	L.N.W.
SEC-TWP-RGE.	
DATE	



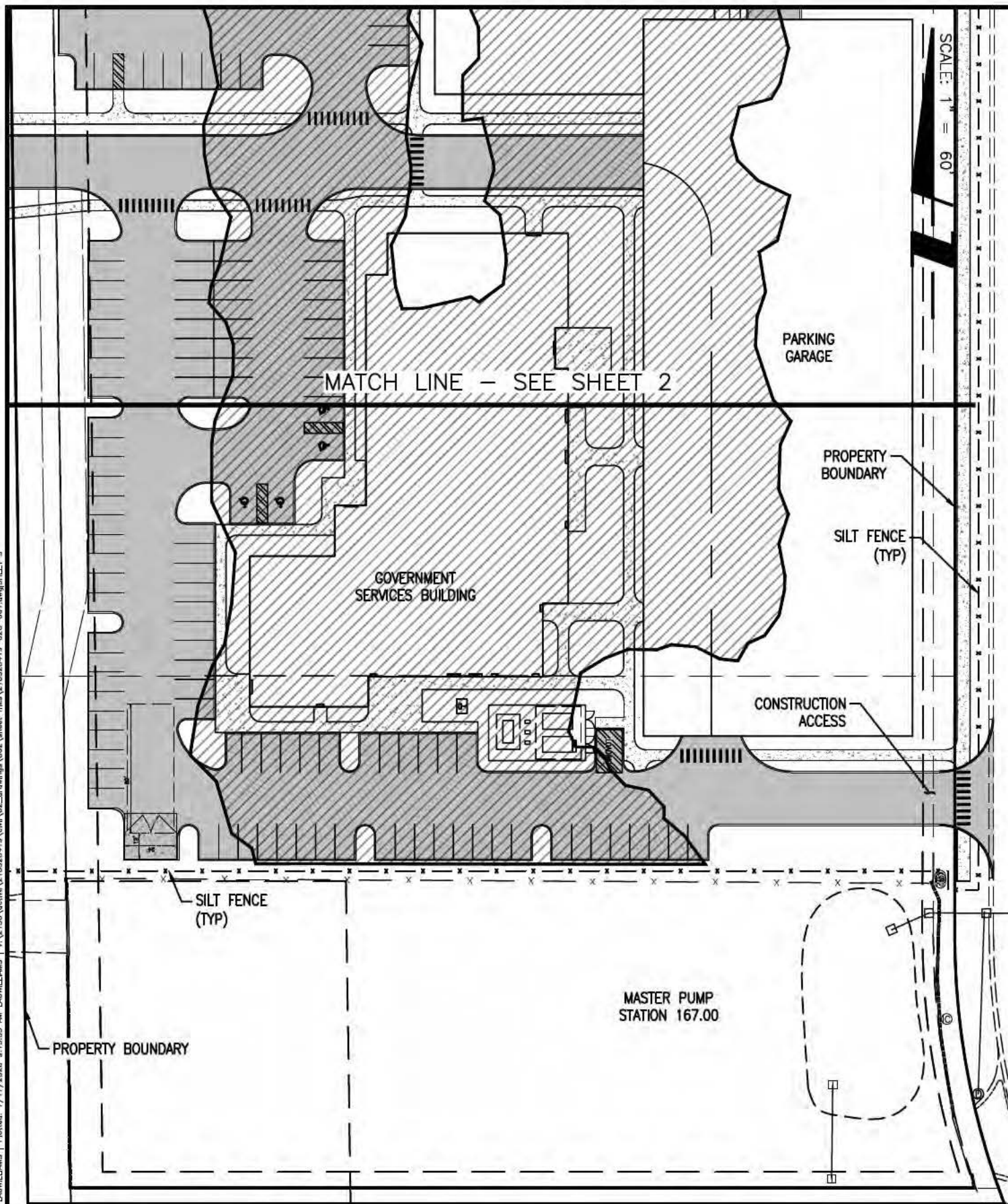
Stantec
5801 Pelican Bay Blvd., Ste. 300, Naples FL, 34108
Phone: 239-649-4242 Fax: 239-649-5716
Cert. No. of Authorization 027013 - www.stantec.com

The Contractor or client will be responsible for all drawings. DO NOT use a drawing - any errors or omissions shall be reported to Stantec or the client. The Client shall be responsible for all drawings and drawings are the property of Stantec. Any drawings or use of any drawings other than that authorized by Stantec is prohibited.

TITLE	SITE PLAN - NORTH
PROJ:	HERITAGE BAY PUBLIC FACILITIES COMPLEX
CLIENT:	COLLIER COUNTY

PROJECT NO.	218320419
INDEX NO.	218320419-02C
DATE:	07/01/2020
SHEET NO.	2

Saved: 7/16/2020 10:01:26 AM LAUWILLIAMS | V:\2156\active\218320419.ctb\02_drawing\002\sheet_files\218320419-02C-001.dwg\sheet_3



SCALE: 1" = 60'

USACE SURFACE WATERS
± 2.88 ACRES

SCALE:	1" = 60'
LEAD TECH.	L.N.W.
SEC-TWP-RGE.	
DATE	



Stantec
5801 Pelican Bay Blvd., Ste. 300, Naples FL, 34108
Phone: 239-649-6340 - Fax: 239-643-5716
Certificate of Authorization #027913 - www.stantec.com

The Contractor shall verify and be responsible for all dimensions. DO NOT use a this drawing - any errors or omissions shall be the responsibility of the user. The Contractor shall verify and be responsible for all dimensions. DO NOT use a this drawing - any errors or omissions shall be the responsibility of the user.

TITLE	SITE PLAN - SOUTH
PROJ:	HERITAGE BAY PUBLIC FACILITIES COMPLEX
CLIENT:	COLLIER COUNTY

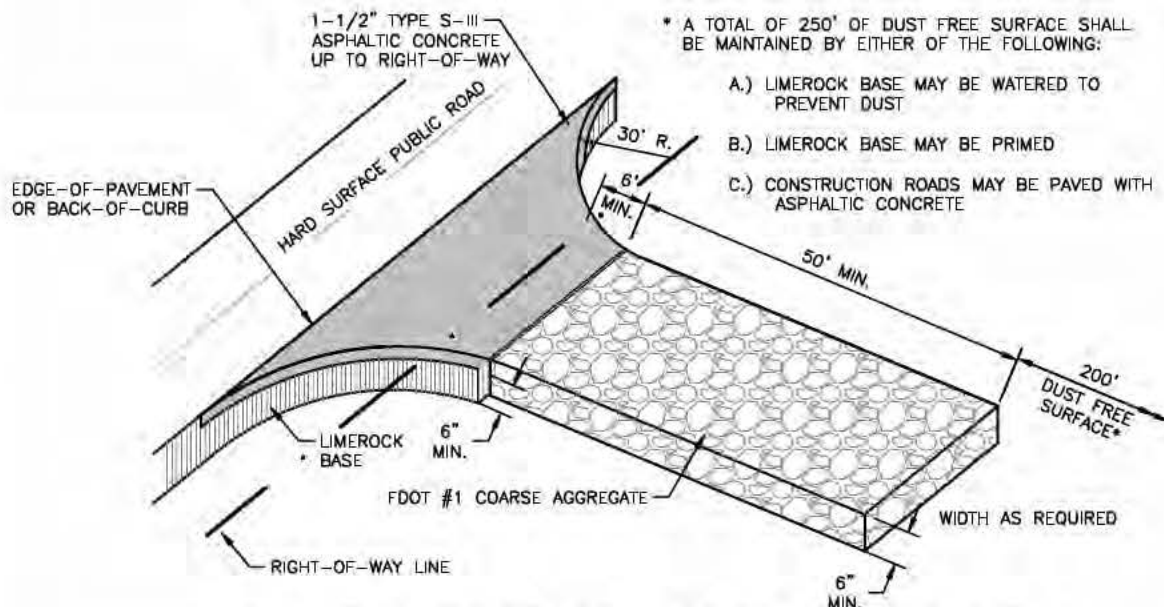
PROJECT NO.	218320419
INDEX NO:	218320419-02C
DATE:	07/01/2020
SHEET NO:	3

SITE PLAN NOTES:

1. THE PROJECT AREA IS MORE THAN 1 ACRE, THEREFORE THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PERMIT FROM THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AGENCY (DEP), AS WELL AS RESPONSIBLE FOR CREATING, IMPLEMENTING AND MAINTAINING A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) AS PER THE REQUIREMENTS OF THE NPDES GENERAL PERMIT.
2. CONTRACTOR SHALL EMPLOY METHODS IN ACCORDANCE WITH "CONTROLS OR BEST MANAGEMENT PRACTICES (BMPs)" AS REFERENCED WITHIN THE NPDES DISCHARGE CONTROL PLAN AND DETAILS OF THESE CONSTRUCTION DOCUMENTS AND IN ACCORDANCE WITH THE LATEST EDITION OF THE EROSION AND SEDIMENT CONTROL DESIGNER AND REVIEW MANUAL PREPARED FOR THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP).
3. PRIOR TO COMMENCEMENT OF CONSTRUCTION, THE APPLICANT SHALL INSTALL TEMPORARY CONSTRUCTION FENCING (SUCH AS SILT FENCE) BEYOND THE DRIPLINES OF RETAINED VEGETATION ALONG THE LIMITS OF CLEARING. CONTRACTOR SHALL COORDINATE WITH THE CONSTRUCTION MANAGER AND PROPERTY OWNER FOR LIMITS OF RETAINED VEGETATION PRIOR TO THE BIDDING AND CONSTRUCTION PHASES OF THE PROJECT.
4. TURBIDITY BARRIERS AND SILT FENCES AS SHOWN SHALL REMAIN ERECTED AND MAINTAINED UNTIL COMPLETION OF CONSTRUCTION.
5. THE CONTRACTOR SHALL COVER WITH FILTER FABRIC (MIRAFI OR APPROVED EQUAL) OR PROVIDE SEDIMENT FILTERS FOR ALL PROPOSED AND EXISTING STORM WATER STRUCTURES WITHIN THE IMMEDIATE PROJECT AREA PRIOR TO THE START OF CONSTRUCTION.
6. UPON COMPLETION OF CONSTRUCTION, ALL PROPOSED AND EXISTING STORM WATER STRUCTURES WITHIN THE IMMEDIATE PROJECT AREA, SHALL BE VACUUMED TO ENSURE THEY ARE FREE OF TRASH, DEBRIS AND SILT.
7. THIS SITE PLAN DOES NOT PROVIDE THE LIMITS OF CONSTRUCTION BARRIER FENCING FOR THE PROJECT. ADDITIONALLY, THE PROJECT MAY REQUIRE OTHER TEMPORARY ACCESS AND CONTROL MEASURES, AND IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE WITH THE CONSTRUCTION MANAGER AND PROPERTY OWNER FOR REQUIREMENTS PRIOR TO THE BIDDING PHASE OF THE PROJECT, AND IMPLEMENT AS CONTRACTED.

DISCHARGE CONTROL NOTES:

- 1.) PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITY APPROPRIATE EROSION CONTROL DEVICES SHALL BE INSTALLED TO CONTROL AND REDUCE SOIL EROSION AND SEDIMENT TRANSPORT TO OFF-SITE AREAS. THE CONTRACTOR SHALL MAINTAIN THESE DEVICES THROUGHOUT THE DURATION OF CONSTRUCTION. ALL DEVICES SHALL REMAIN IN PLACE UNTIL THE SURROUNDING AREAS ARE ESTABLISHED.
- 2.) THE FOLLOWING MINIMUM REQUIREMENTS ARE RECOMMENDED: (REFERENCE FLORIDA DEVELOPMENT MANUAL, FDEP, PPS 6-301 TO 6-500).
 - A) BMP 1.01 TEMPORARY GRAVEL CONSTRUCTION ENTRANCE
 - B) BMP 1.05 STRAW BALE BARRIER
 - C) BMP 1.06 SILT FENCE
 - D) BMP 1.08 STORM INLET DRAIN PROTECTION
- 3.) THESE BEST MANAGEMENT PRACTICES (BMP) ARE TYPICAL OF REQUIREMENTS FOR SOIL EROSION CONTROL PER DIVISION 3.7 OF THE COLLIER COUNTY LAND DEVELOPMENT CODE. THEY MAY NOT CONSTITUTE COMPLETE REQUIREMENTS FOR COMPLIANCE WITH REGULATORY AGENCIES AND SPECIFIC PERMIT CONDITIONS.



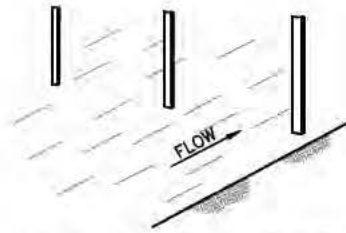
GRAVEL CONSTRUCTION ENTRANCE

N.T.S.

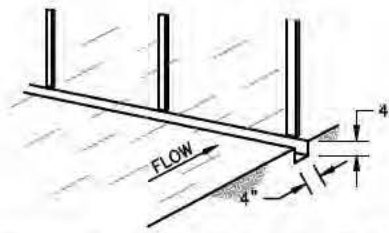
SOURCE: Va SWCC
 PLATE 1.01a
 BMP 1.01 TEMPORARY GRAVEL CONSTRUCTION ENTRANCE

SCALE:	N.A.	<p>Stantec 9801 Pelican Bay Blvd., Ste. 300, Naples FL, 34108 Phone: 239-546-0400 Fax: 239-543-5716 Cost of Publication: \$27913 - www.stantec.com</p>	TITLE	NPDES NOTES & DETAILS	PROJECT NO.	218320419
LEAD TECH.	L.N.W.		PROJ:	HERITAGE BAY PUBLIC FACILITIES COMPLEX	INDEX NO:	218320419-02C
SEC-TWP-ROE			CLIENT:	COLLIER COUNTY	DATE:	07/01/2020
DATE					SHEET NO:	4

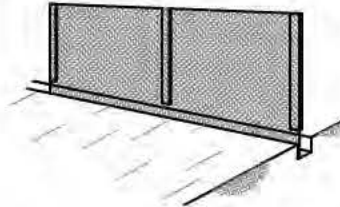
1. SET THE STAKES



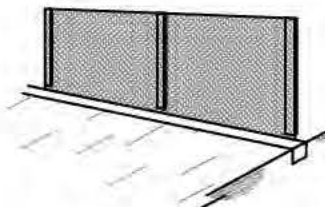
2. EXCAVATE A 4" X 4" TRENCH UPSLOPE ALONG THE LINE OF STAKES.



3. STAPLE FILTER MATERIAL TO STAKES AND EXTEND IT INTO THE TRENCH.



4. BACKFILL AND COMPACT THE EXCAVATED SOIL.

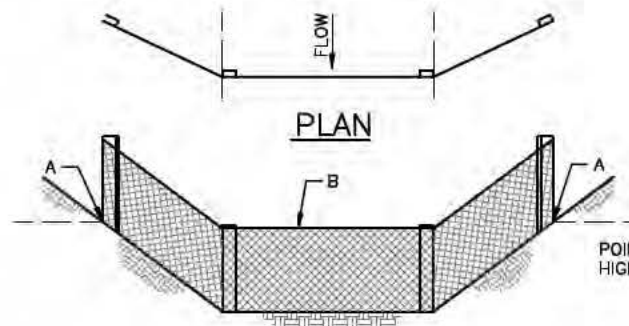


CONSTRUCTION OF A FILTER BARRIER

PLATE 1.06a

N.T.S.

SOURCE: INSTALLATION OF STRAW AND FABRIC FILTER BARRIERS FOR SEDIMENT CONTROL, SHERWOOD AND WYANT



POINTS A SHOULD BE HIGHER THAN POINT B

ELEVATION


PROPER PLACEMENT OF A FILTER BARRIER IN A DRAINAGE WAY

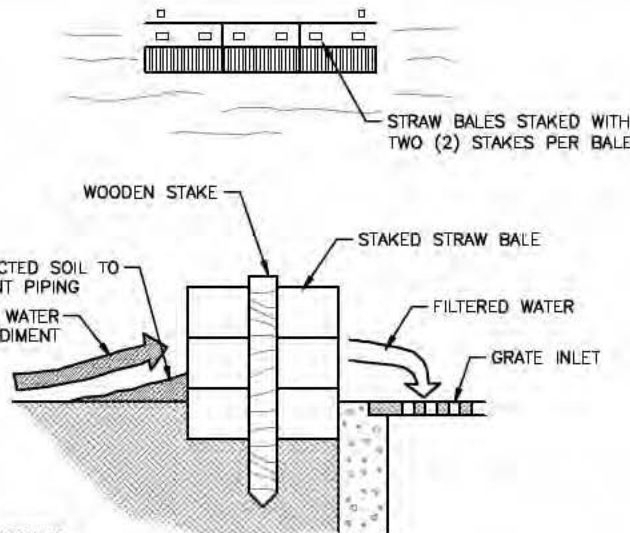
PLATE 1.06b

N.T.S.

BMP 1.06 SILT FENCE

Saved: 7/16/2020 10:01:26 AM LAUWILLIAMS | Plotted: 7/17/2020 9:13:45 AM LAUWILLIAMS | V:\2156\active\218320419\civil\02_drawing\002\sheet_files\218320419-02C-001.dwg | SHEET 5

SCALE:	N.A.	 Stantec 5801 Pelican Bay Blvd., Ste. 300, Naples FL, 34108 Phone: 239-649-4040 • Fax: 239-643-5716 Conf. Code of Auditoria: 0042013 • www.stantec.com	TITLE	NPDES DETAILS	PROJECT NO.	218320419
LEAD TECH.	L.N.W.		PROJ:	HERITAGE BAY PUBLIC FACILITIES COMPLEX	INDEX NO:	218320419-02C
SEC-TWP-ROE			CLIENT:	COLLIER COUNTY	DATE:	07/01/2020
REV NO. DATE					SHEET NO:	5



SPECIFIC APPLICATION

THIS METHOD OF INLET PROTECTION IS APPLICABLE WHERE THE INLET DRAINS A RELATIVELY FLAT AREA (SLOPES NO GREATER THAN 5 PERCENT) WHERE SHEET OR OVERLAND FLOWS (NOT EXCEEDING 0.5 cfs) ARE TYPICAL. THE METHOD SHALL NOT APPLY TO INLETS RECEIVING CONCENTRATED FLOWS, SUCH AS IN STREET OR HIGHWAY MEDIANS.

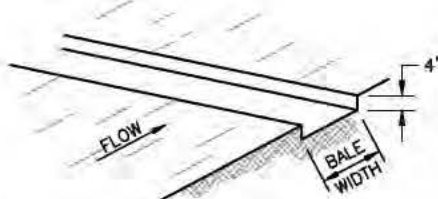
STRAW BALE DROP INLET SEDIMENT FILTER

PLATE 1.08a
BMP 1.08 STORM INLET DRAIN PROTECTION

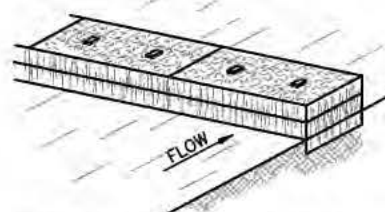
N.T.S.

SOURCE:
MICHIGAN SOIL EROSION AND
SEDIMENTATION CONTROL GUIDEBOOK, 1975

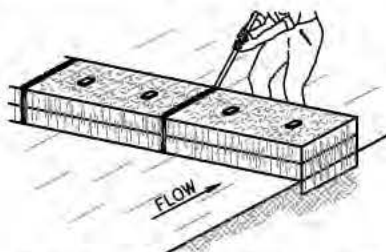
1. EXCAVATE THE TRENCH



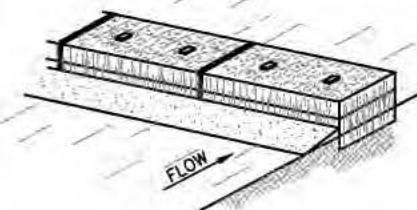
2. PLACE AND STAKE STRAW BALES.



3. WEDGE LOOSE STRAW BETWEEN BALES.



4. BACKFILL AND COMPACT THE EXCAVATED SOIL.




CONSTRUCTION OF A STRAW BALE BARRIER

N.T.S.

PLATE 1.05c

SOURCE: INSTALLATION OF STRAW AND
FABRIC FILTER BARRIERS FOR SEDIMENT
CONTROL, SHERWOOD AND WYANT

SCALE:	N.A.	 Stantec 5801 Pelican Bay Blvd., Ste. 300, Naples FL, 34108 Phone: 239-649-4242 • Fax: 239-649-5716 Chief Office of Auditors: 8627013 • www.stantec.com	TITLE	NPDES DETAILS	PROJECT NO.	218320419
LEAD TECH.	L.N.W.		PROJ:	HERITAGE BAY PUBLIC FACILITIES COMPLEX	INDEX NO:	218320419-02C
SEC-TWP-ROE			CLIENT:	COLLIER COUNTY	DATE:	07/01/2020
REV NO. DATE					SHEET NO:	6