

**SEPTEMBER 4, 2020**

***PUBLIC NOTICE***

Permit Application Number SAJ-2019-04478(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: Jacksonville Electric Authority (JEA)  
21 West Church Street  
Jacksonville, Florida 32202

**WATERWAY AND LOCATION:** The project would affect waters of the United States (wetlands) associated with the Ortega River. The project site is located at the JEA Southwest Water Reclamation Facility at 5420 118<sup>th</sup> Street (Duval County Property Appraiser – Parcel Identification Numbers 103517-0000 and 103484-0000), in Section 42, Township 3 South, Range 26 East, Jacksonville, Duval County, Florida.

APPROXIMATE CENTRAL COORDINATES:      Latitude 30.231278°  
Longitude -81.722309°

PROJECT PURPOSE:

Basic: The basic project purpose is the augmentation of JEA public utilities.

Overall: The overall project purpose is the expansion of the JEA Southwest Water Reclamation Facility.

EXISTING CONDITIONS:

a. General: The project site encompasses the existing JEA Southwest Water Reclamation Facility and contiguous undeveloped land. The applicant's ecological agent delineated the onsite wetlands pursuant to the *Corps of Engineers Wetlands Delineation Manual* (1987) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region* (Version 2.0) (2010).

b. Soils: The project site encompasses five soil types identified by *The Soil Survey of City of Jacksonville, Duval County, Florida* (U.S. Department of Agriculture – Natural Resource Conservation Service). The soils types are *Pelham fine sand* (Map Unit 51); *Pits* (Map Unit 55); *Sapelo fine sand* (Map Unit 63); *Surrency loamy fine sand, depressional* (Map Unit 66); *Urban land* (Map Unit 69).

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

(1) *Pine Flatwoods* (FLUCFCS code 411): Slash pine (*Pinus elliottii*), longleaf pine (*Pinus palustris*), laurel oak (*Quercus laurifolia*), saw palm (*Serenoa repens*), wax myrtle (*Morella cerifera*), and southern magnolia (*Magnolia grandiflora*) dominate the canopy of this community. Groundcover species include gallberry (*Ilex glabra*) and bracken fern (*Pteridium aquilinum*).

(2) *Wetland Forested Mixed* (FLUCFCS code 630): Slash pine, bald cypress (*Taxodium distichum*), water oak (*Quercus nigra*), red maple, and myrtle leaf holly (*Ilex myrtifolia*) dominate the canopy of this community. Ground species includes Virginia chain fern (*Woodwardia virginica*) and cinnamon fern (*Osmunda cinnamomea*).

**PROPOSED WORK:** The applicant seeks authorization to discharge clean fill material over 4.32 acres of wetlands to facilitate the expansion of the existing wastewater treatment facility, including the site infrastructure and stormwater treatment ponds. The project also would incidentally affect approximately 0.67 acre of forested wetland from Federal jurisdiction. The project, therefore, adversely affects a total of 4.99 acres of wetlands.

**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 established a quantifiable need for additional treatment volume within the overall JEA wastewater treatment system serving the greater Jacksonville area. The applicant has proposed to use the most technologically efficient system available to obtain the needed treatment volume while maintaining a compact development footprint. In order to minimize the footprint, the applicant proposes to re-purpose buildings and undeveloped areas within the existing facility to accommodate the proposed expansion. The Florida Department of Environmental Protection (DEP) requires stormwater treatment of new impervious areas within the existing facility and the proposed expansion. The stormwater systems have been designed with a minimal footprint while continuing to provide the necessary treatment volumes required by the DEP. In consideration of the project goals and objectives and the project constraints, the applicant expressed an opinion that the project minimizes impacts to wetlands to the maximum extent practicable.

**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 submitted a *Uniform Mitigation Assessment Method* (UMAM) analysis and a *Wetland Rapid Assessment Procedure* (WRAP) analysis calculating the wetland functions and services that would be lost through the implementation of the work proposed. In consideration of those analyses, the applicant would purchase either 3.16 UMAM-based mitigation bank credits or 3.19 WRAP-based mitigation bank credits from a federally authorized mitigation bank with a service area that encompasses the project area.

**CULTURAL RESOURCES:** The Corps compiled a Resource at Risk (RAR) report, which indicated that a Cultural Resource Assessment Survey (CRAS) may be required. Within the application submittal, the applicant provided a CRAS. The CRAS did not identify historical or cultural resources or sites listed, or eligible for listing, in the *National Register of Historic Places* (NRHP). Therefore, 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 ACT (ESA):

- a. Wood Stork (*Mycteria americana*): The project site is within the *Core Foraging Area* of the Jacksonville Zoo Wood Stork colony. Therefore, this species could utilize the area encompassed by the ESA scope of analysis for this project. The work proposed would not affect suitable foraging habitat (SFH). 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) has indicated that they concur with determinations of *no effect* based on the key for Wood Stork; and, that no additional consultation is necessary.
- b. 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 utilize the area encompassed by the ESA scope of analysis for this project. 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 guanhum*) provide shelter in wetter habitats. The site does not support gopher tortoise burrows nor 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.
- c. The Corps executed a *Resources At Risk* (RAR) report. 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 would not affect marine or estuarine habitat nor EFH. Our initial determination is that the proposed action would not affect EFH or federally managed fisheries in the Ortega 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 verified the proposed extent of wetlands encompassed by the project site.

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 or by electronic mail to the project manager, Mark Evans, at [mark.r.evans@usace.army.mil](mailto:mark.r.evans@usace.army.mil) within 21 days from the date of this notice. **Please note, due to office staffing precautions associated with CoVid-19, electronic mail correspondence is preferred.**

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 the FWS, U.S. 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.



# LEGEND

 Approximate Project Area - 25.62 ac. ±

Project Area

Sewage Disposal

Section: 42  
Township: 3 South  
Range: 26 East

Lat: 30° 13' 54.58" N (30.231828 dd)  
Long: 81° 43' 21.40" W (-81.722611 dd)

SJRWMD Mitigation Basin: 4

0 2,000'

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## JEA Southwest Waste Water Treatment Plant USGS Topographic Quadrangle Map

Duval County, Florida

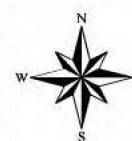
By: NEE

Project No.: 19156

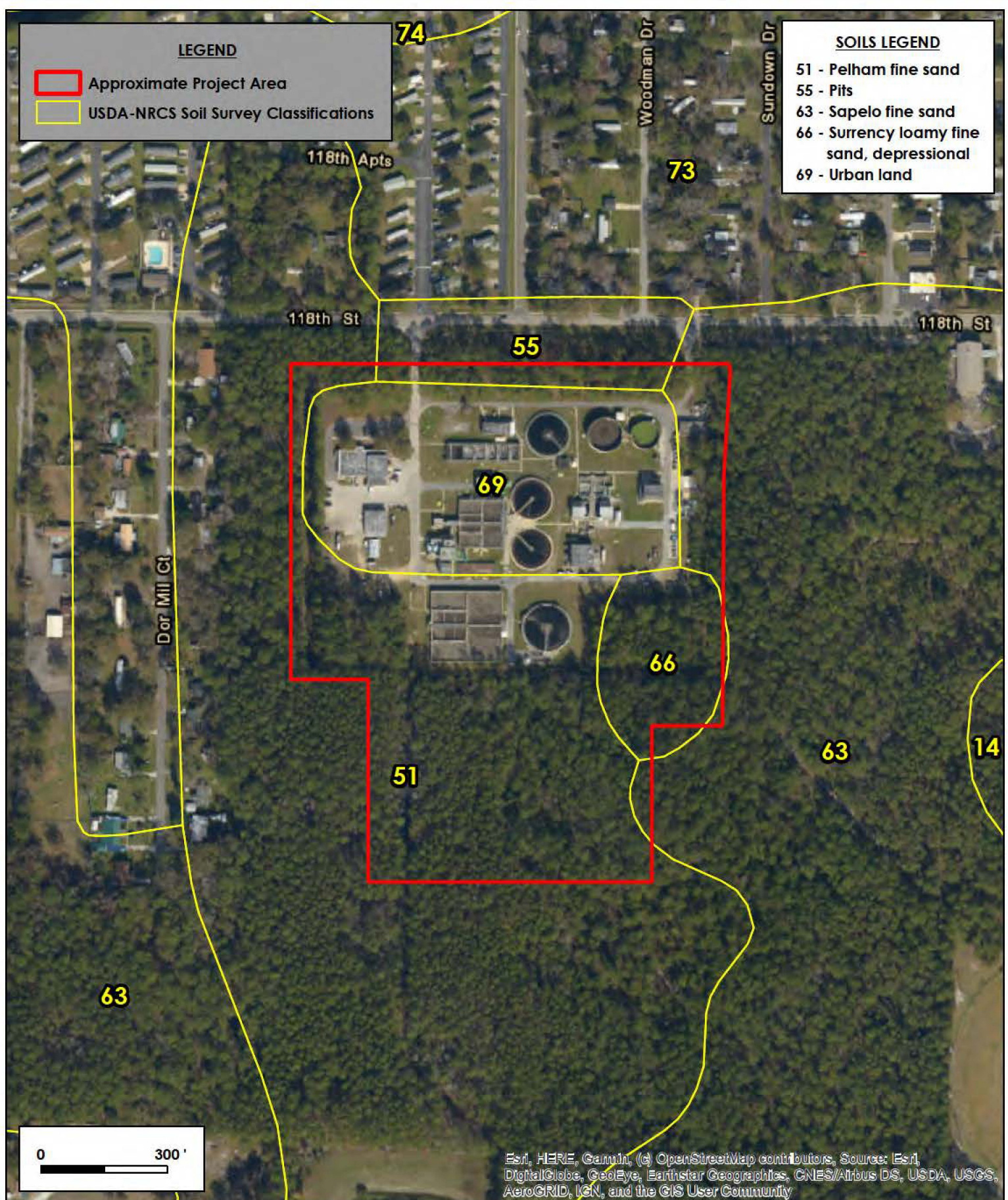
Exhibit No.: 1

Date: 6-17-20

Rev. Date:







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# JEA Southwest Waste Water Treatment Plant Soils Map

Duval County, Florida

By: NEE

Project No.: 19156

Exhibit No.: 2

Date: 6-17-20

Rev. Date:





# LEGEND



Approximate Project Area - 25.62 ac.±

## FLUCFCS Classification Boundaries



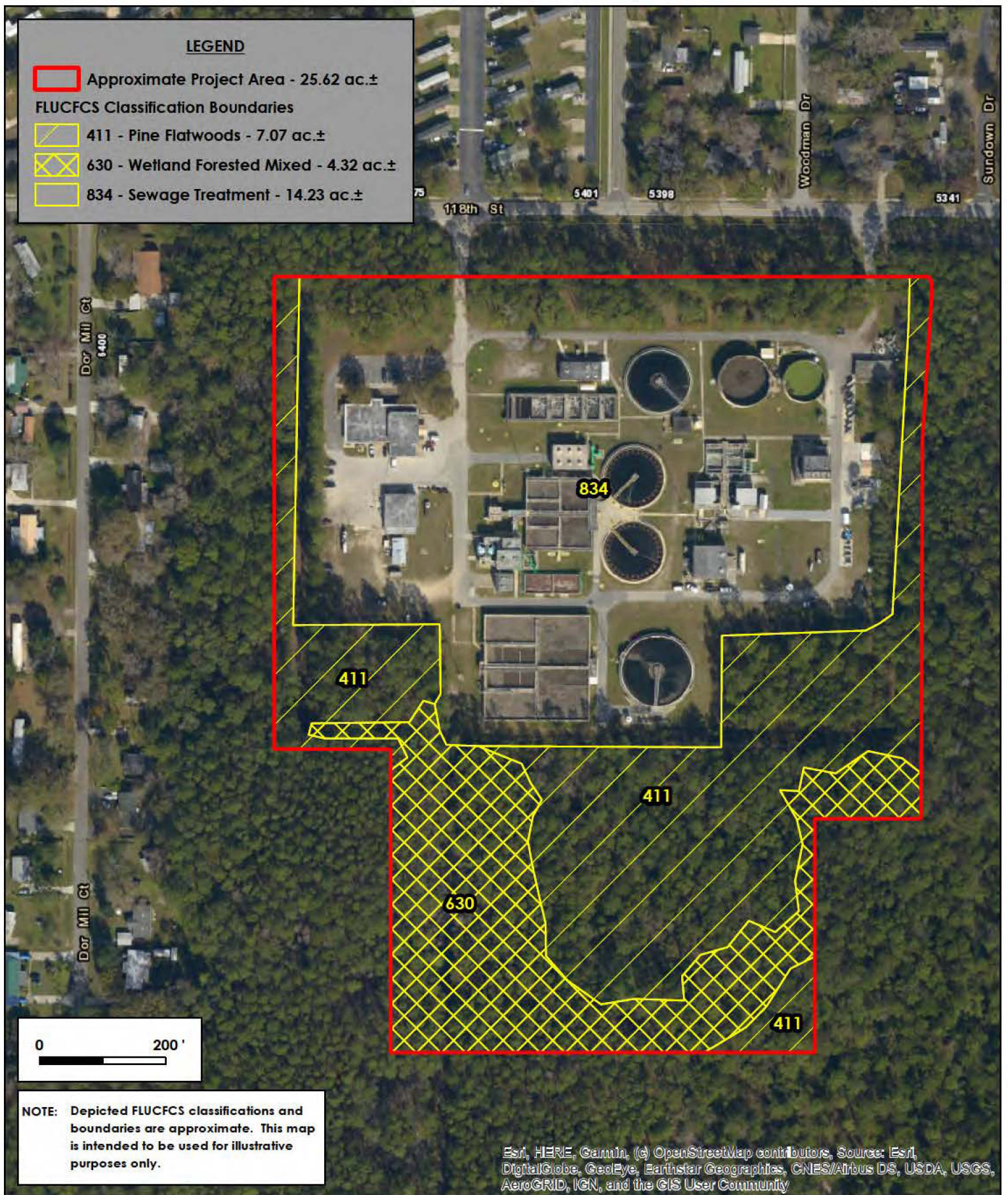
411 - Pine Flatwoods - 7.07 ac.±



630 - Wetland Forested Mixed - 4.32 ac.±



834 - Sewage Treatment - 14.23 ac.±



Esri, HERE, Garmin, (c) OpenStreetMap contributors, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



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## JEA Southwest Waste Water Treatment Plant FLUCFCS Map

By: NEE

Project No.: 19156

Exhibit No.: 3

Date: 6-17-20

Rev. Date:



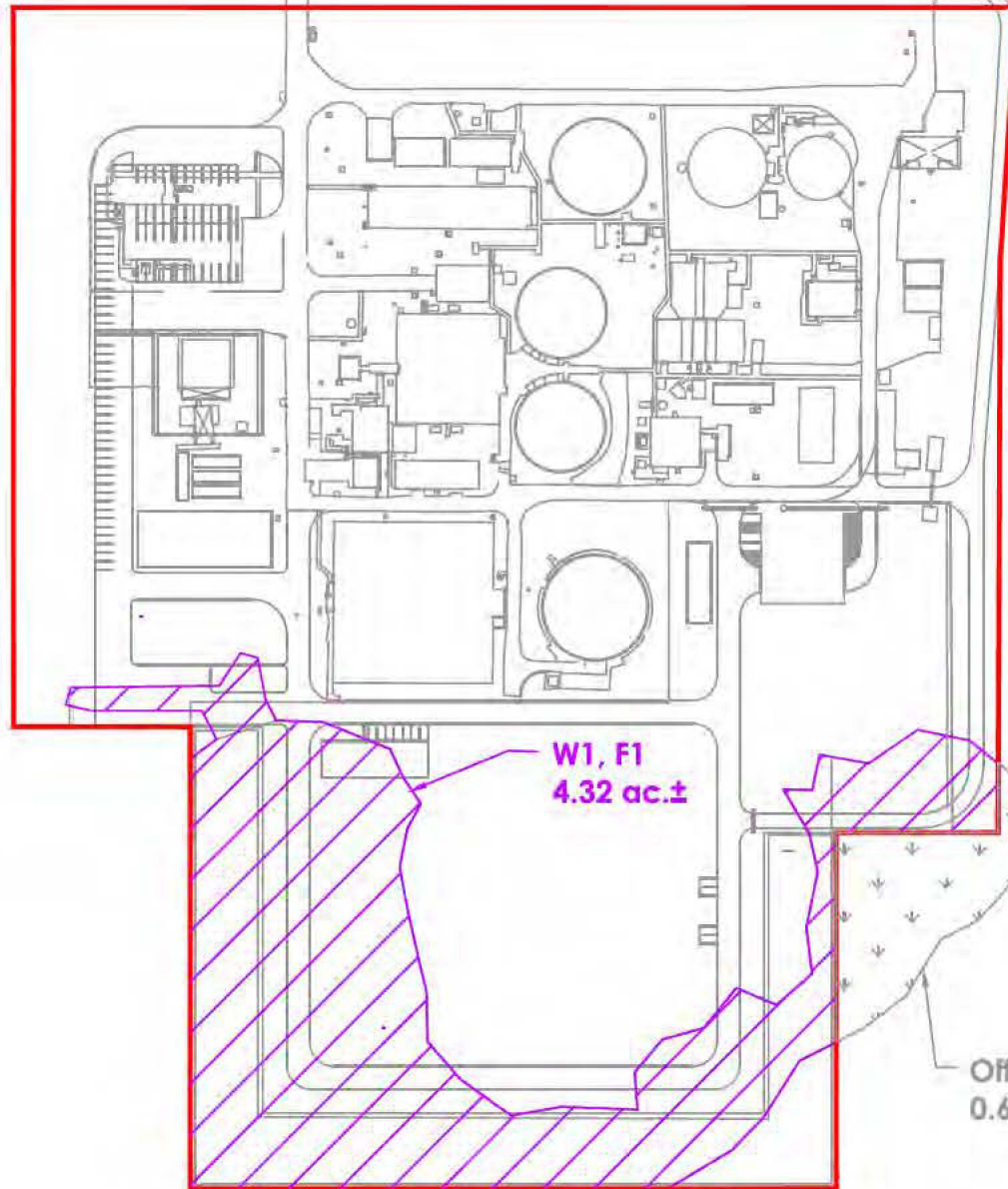


# **LEGEND**

-  Approximate Project Area
-  Wetland Fill Impacts - 4.32 ac.±
-  Off-site Wetland to Remain - 0.67 ac.±

118th Street

Dor Mill Ct



Scale: 1"=200'



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## **JEA SW WRF Expansion Impact Map**

Source: CDM Smith

By: NEE

Project No.: 19156

Exhibit No.: 4

Date: 6-16-20

Rev. Date:



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