



REPLY TO
ATTENTION OF

CESAJ-RD
West Permits Branch
Tampa Section

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
701 SAN MARCO BOULEVARD
JACKSONVILLE, FLORIDA 32207-8915

October 22, 2020

PUBLIC NOTICE

Permit Application No. SAJ-2020-02007 (SP-LEO)

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: D.R. Horton, Inc.
Attn: Renato Ghizoni
200 Lee Vista Boulevard, Suite 400
Orlando, FL 32822

WATERWAY AND LOCATION: The project would affect waters of the United States associated with Sawgrass Bays. The project site is located north of Sawgrass Bay Boulevard in Section 13, Township 24 South, Range 26 East, Clermont, Lake County, Florida.

Directions to the site are as follows: From I-75 N from FL-574, follow I-4 to US-27 N take exit 55, follow US-27 N to Sawgrass Bay Boulevard. The property is on the left side of the road after Beargrass Street.

APPROXIMATE CENTRAL COORDINATES: Latitude 28.402288°
Longitude -81.671133°

PROJECT PURPOSE:

Basic: Residential

Overall: To construct a single-family home, residential development east of SR-27 in southern Lake County, FL.

EXISTING CONDITIONS: The project site totals 39.72 acres, of which 26.59 acres are characterized as uplands. The uplands are longleaf pine-xeric oak habitat. The site contains a total of two (02) wetlands; one forested wetland (7.57 acres) and one (01) freshwater marsh wetland (5.56 acres). The forested wetland is located in the western portion of the project along with an area attached to the southern portion of the marsh habitat, comprised primarily of loblolly bay (*Gordonia lasianthus*), red bay (*Persea*

borbonia) with slash pine (*Pinus elliottii*). The freshwater marsh occurs in the northeast portion of the site and is dominated by maiden cane (*Panicum hemitomom*) around the edges, umbrella sedge (*Fuirena* spp.), St. John's Wort (*Hypericum* spp.), gallberry (*Ilex glabra*), broomsedge (*Andropogon* spp.), fetterbush (*Lyonia lucida*), and torpedo grass (*Panicum repens*). These systems are surrounded by longleaf pine - xeric oak habitat as well as a recently constructed residential development. The wetlands are not connected to one another but do extend offsite. The existing area surrounding the project area consists of agricultural use, residential development, and a roadway.

PROPOSED WORK: The applicant seeks authorization to discharge fill material into 4.67 acres of wetlands and surface waters (4.64 ac of forested wetlands and 0.03 ac of impacts to the freshwater marsh) to construct a single-family residential 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:

The project site is not very large, approximately +/- 39.72 acres. Of that, approximately 13.13 acres of wetlands are present within the project site boundaries. Wetland No. 1 is located in the northeast corner of the property and the applicant has been able to design a layout that only proposes 0.03 acres of impacts to the wetland fringe. The shape and location of Wetland No. 2 creates a situation where wetland impacts are unavoidable. The applicant has maximized the uplands for development and almost completely avoided impacts to Wetland No 1, the higher quality of the two onsite wetlands. Again, since Wetland No. 2 extends into the center of the project site, the applicant shifted the proposed impacts to the "end" of the wetland or the eastern half. The west half of this wetland extends offsite as this wetland is part of a larger system, therefore the west half of this wetland will not be impacted.

The location of the entrance road into the proposed subdivision necessitates wetland impacts as it is the only way to access into the property. The road has to be a certain distance from Sawgrass Bay Blvd, which requires the entrance road to enter from the west side of the property and impact the wetland to provide access into the property. Again, impacts to the higher quality portion of Wetland No. 2 will be avoided. The area proposed for impacts is overgrown since no management has occurred onsite. The impact area is forested with dense saw palmetto, some of which is over six feet in height. Loblolly bay and dahoon holly comprise the majority of the impact area. There are no bald cypress present.

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

Approximately 3.27 palustrine credits from Hammock Lake Mitigation Bank (SAJ-2007-05939) will be purchased as mitigation. Once ACOE staff has approved the credit

amount, a reservation letter will be provided. ECS has spoken with The Mitigation Banking Group, Inc and verified credits are available for this project.

The Corps has not completed the evaluation for the impacts or determined the requirement for compensatory mitigation.

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 has determined the proposed project would have no effect on the Crested caracara (*Polyborus plancus audubonii*), Everglades snail kite (*Rostrhamus sociabilis plumbeus*), Red cockaded woodpecker (*Picoides borealis*), and Florida scrub jay (*Aphelocoma coerulescens*). Based on the project description and location, no impacts to these species or their habitat will occur as a result of the proposed action.

The Corps has determined the proposed project may affect, but is not likely to adversely affect (MANLAA), the wood stork (*Mycteria Americana*). Use of the 2008 Wood Stork Effect Determination Key yielded the following progression: A>B>C>D MANLAA. Project site is more than 2,500 feet from a colony site and contains suitable foraging habitat (SFH). Project impacts to SFH is greater than 0.5 ac, however impacts to SFH are not within the Core Foraging Area (CFA) of a colony site.

The Corps has determined the proposed project may affect, but is not likely to adversely affect (MANLAA), the Eastern indigo snake (*Drymarchon corais couperi*). Use of the 2010 Eastern Indigo Snake Key yielded the following progression: A>B>C>D>E MANLAA. Permit will be conditioned for use of the Service's most current guidance for Standard Protection Measures for the Eastern Indigo Snake and conditioned such all gopher tortoise burrows, active or inactive, shall be evacuated prior to site manipulation in the vicinity of the burrow. If excavating potentially occupied burrows, active or inactive, individuals must first obtain state authorization via a Florida Fish and Wildlife Conservation Commission (FWC) Authorized Gopher Tortoise Agent permit. The excavation method selected shall minimize the potential for injury of an indigo snake. The Permittee shall follow the excavation guidance provided in the most current FWC Gopher Tortoise Permitting Guidelines found at <http://myfwc.com/gophertortoise>. If an indigo snake is encountered, the snake must be allowed to vacate the area prior to additional site manipulation in the vicinity. Holes, cavities, and snake refugia other than gopher tortoise burrows shall be inspected each morning before planned site manipulation of a particular area, and if occupied by an indigo snake, no work shall commence until the snake has vacated the vicinity of the proposed work.

The Corps has determined that the proposed project may affect, and is likely to adversely affect the Sand skink (*Neoseps reynoldsi*). The Corps will initiate formal consultation with the Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act.

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. Our initial determination is that the proposed action would have no effect on EFH or Federally managed fisheries. 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 Tampa Permits Section, 10117 Princess Palm Avenue, Suite 120, Tampa, FL 33610 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, Leanne Obra, in writing at the Tampa Permits Section, 10117 Princess Palm Avenue, Suite 120 Tampa, Florida 33610, by telephone at (813)769-7071, by fax at (813)769-7061, or by electronic mail at Leanne.E.Obra@usace.army.mil.

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.

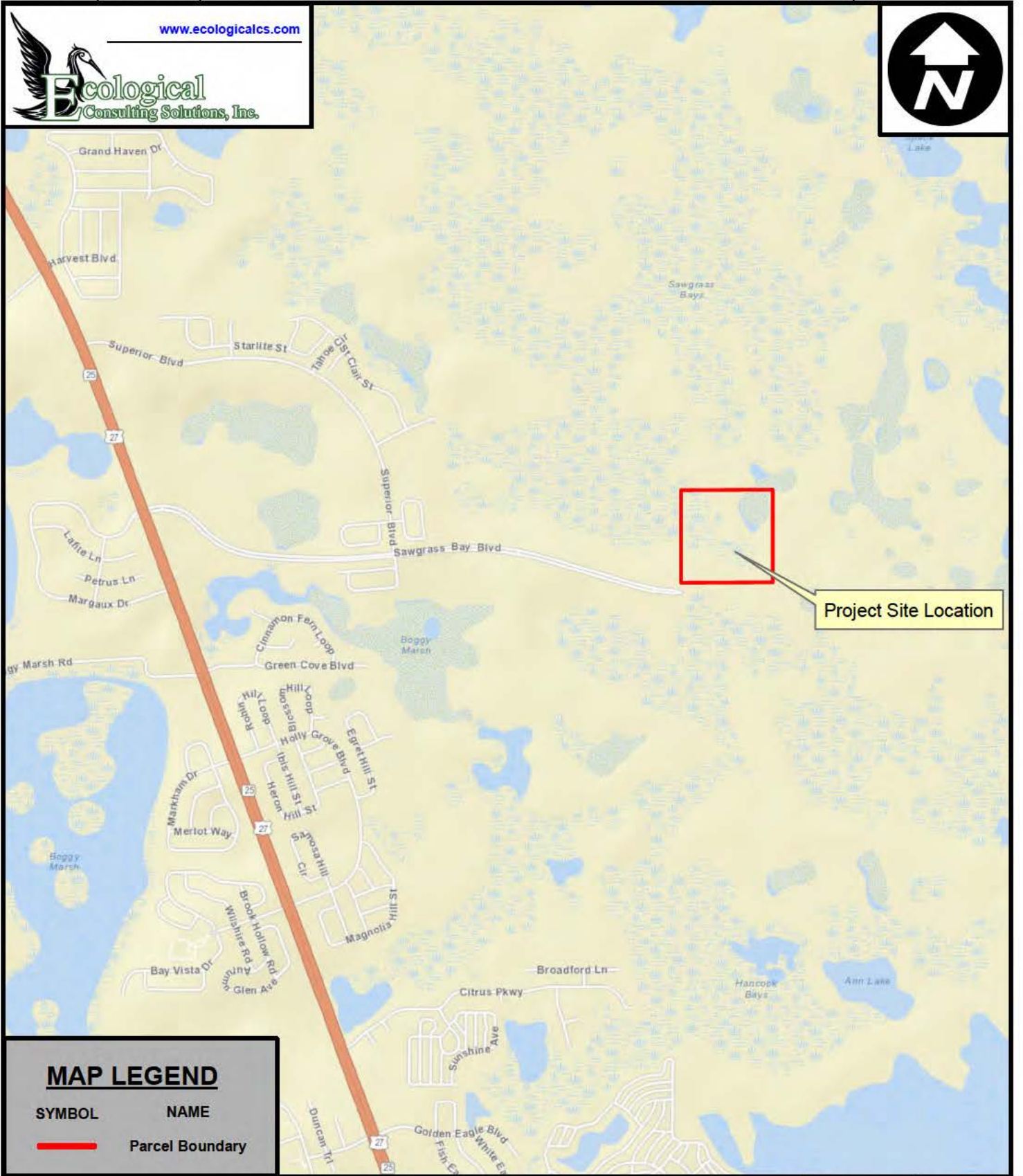
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization

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, 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.

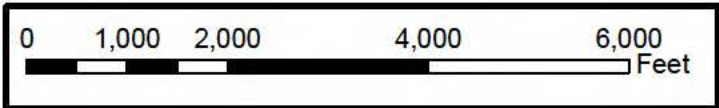
The US Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to 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.

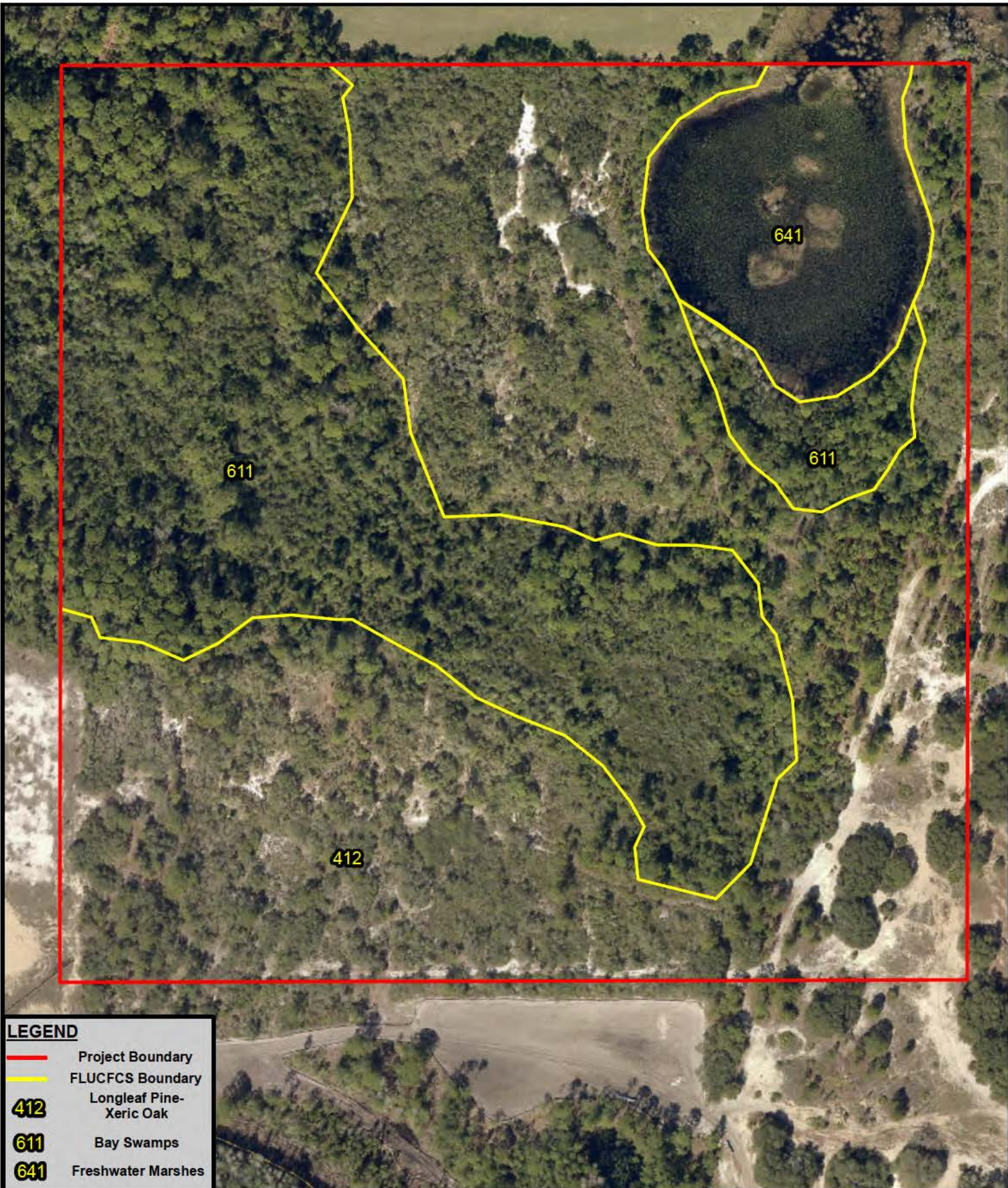
REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.



PROJECT #: 568.01.17 | DATE: 05/15/18 | FIGURE #: 1



**WALKER PROPERTY
LAKE COUNTY, FLORIDA
PROJECT SITE LOCATION MAP**



LEGEND

- Project Boundary
- FLUCFCS Boundary
- 412** Longleaf Pine-Xeric Oak
- 611** Bay Swamps
- 641** Freshwater Marshes



www.ecologicalcs.com

WALKER PROPERTY LAKE COUNTY, FLORIDA FLUCFCS MAP

PROJECT #: 562.48.19 DATE: 08/26/19 FIGURE #: 2

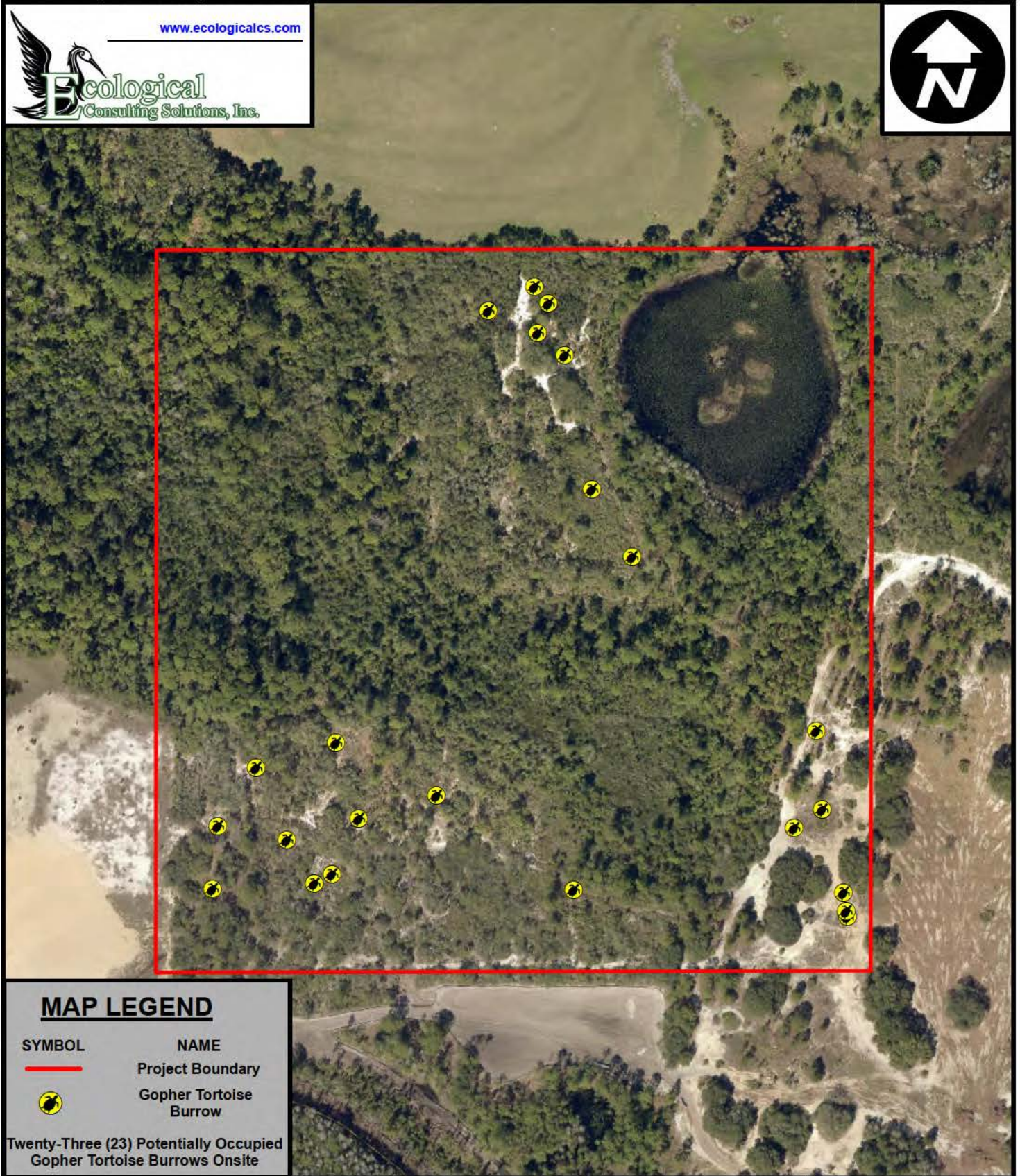
0 150 300 Feet



235 N. Hunt Club Blvd. Suite 202
Longwood, Florida 32779
Office: (407) 869-9434 Fax: (407) 869-9436
CKrack@ecsfl.cc



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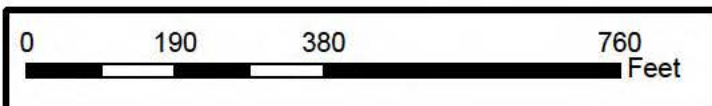


MAP LEGEND

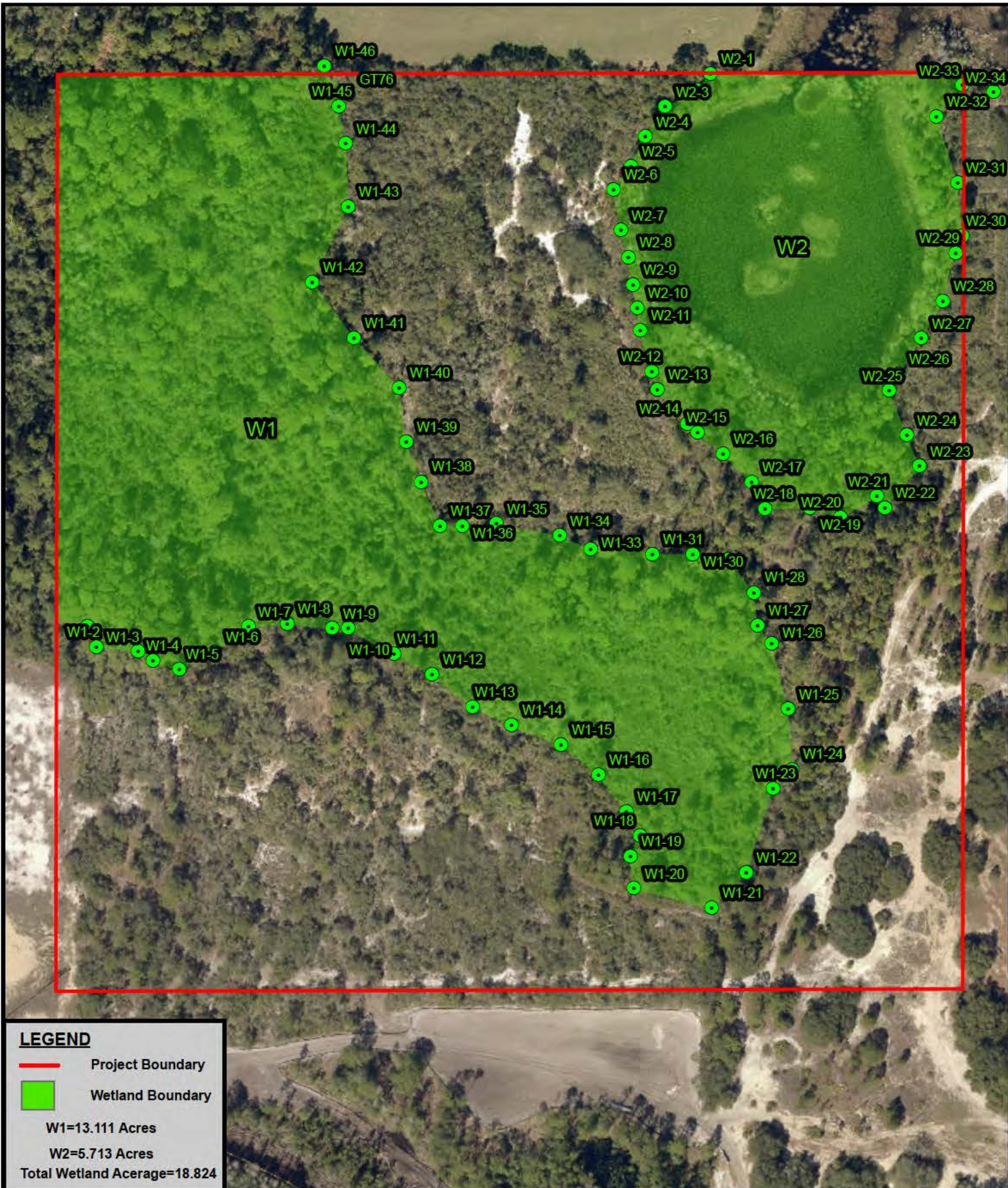
SYMBOL	NAME
	Project Boundary
	Gopher Tortoise Burrow

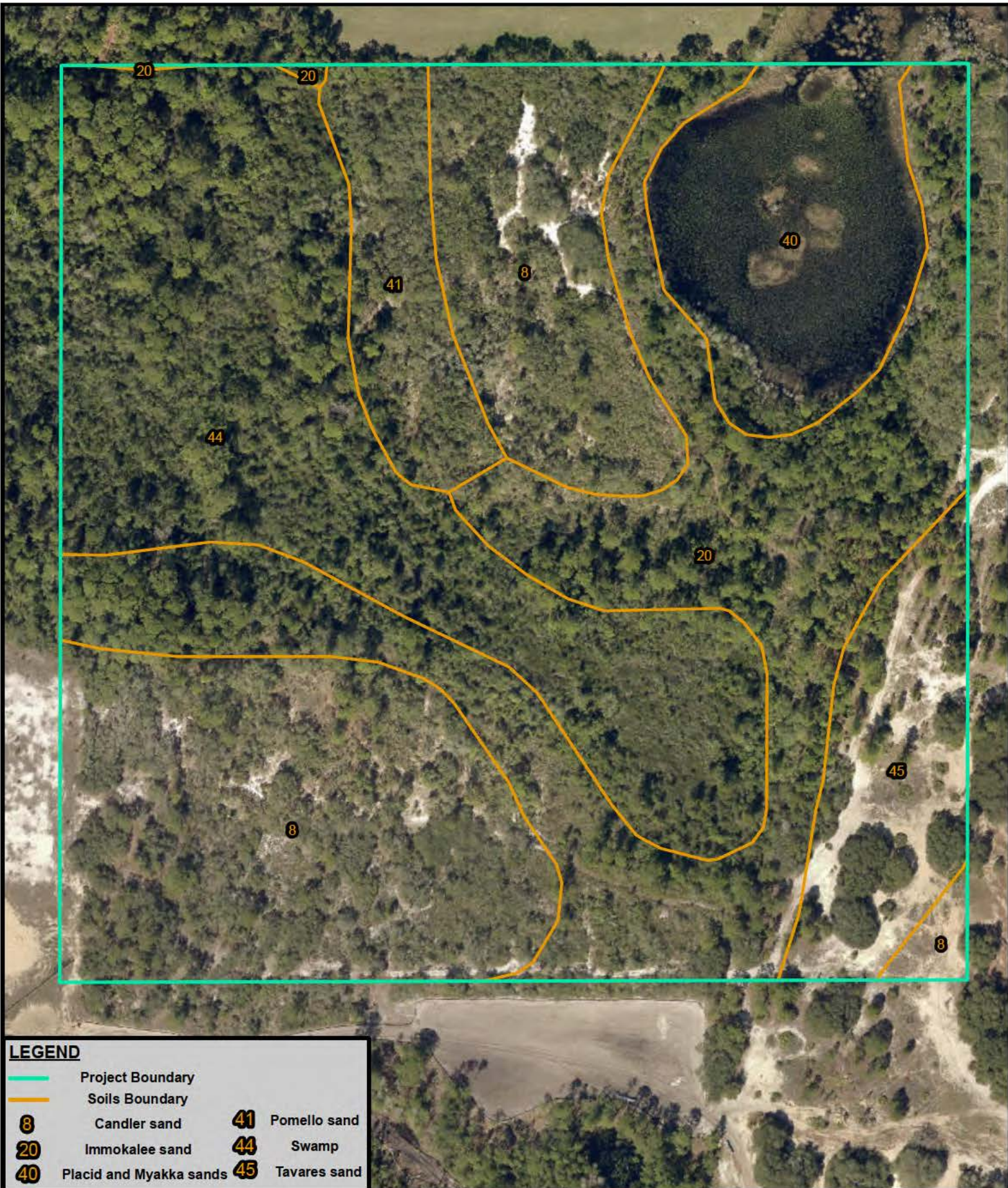
Twenty-Three (23) Potentially Occupied Gopher Tortoise Burrows Onsite

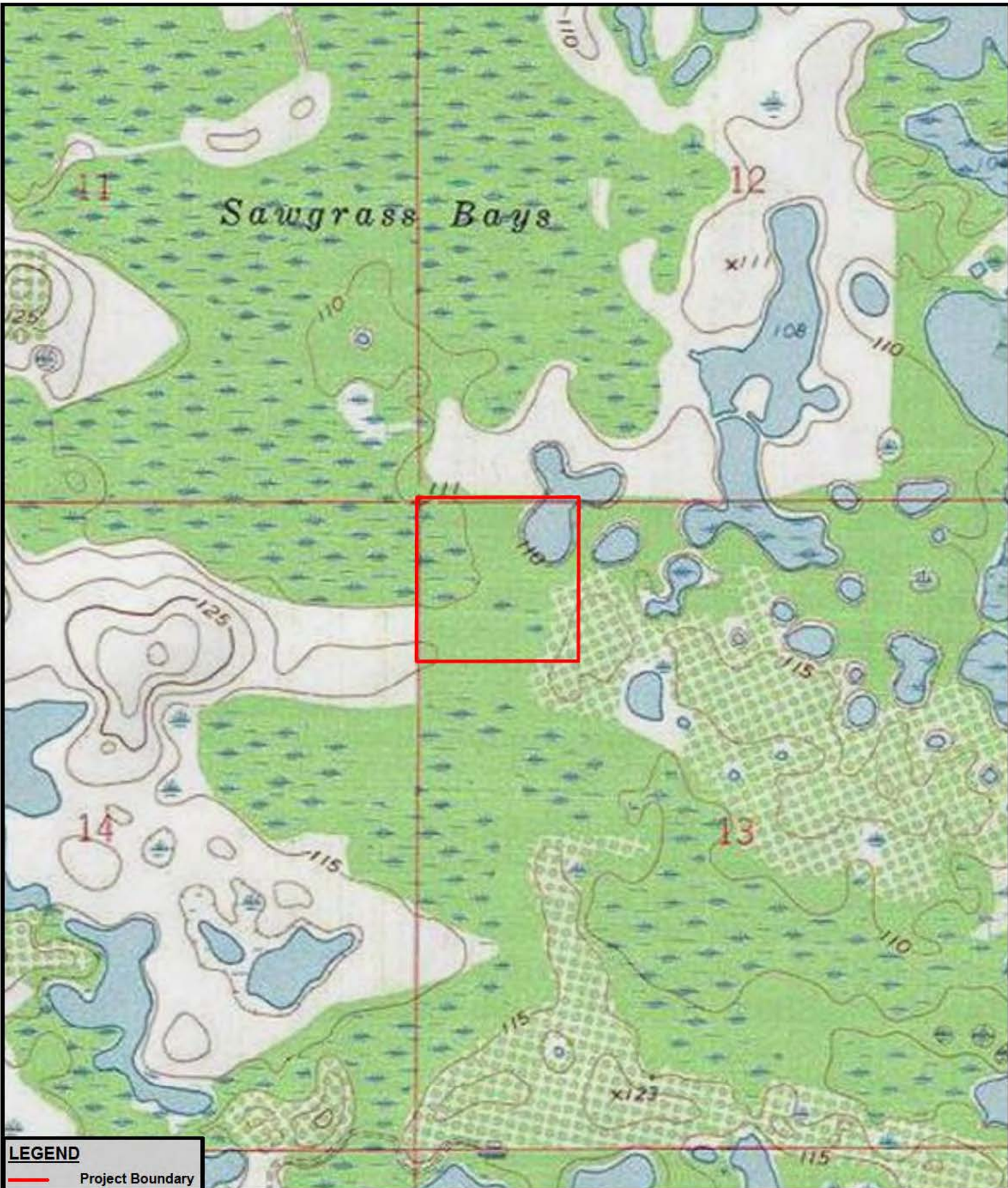
PROJECT #: 568.01.17 | DATE: 03/23/18 | FIGURE #: 3



**WALKER PROPERTY
LAKE COUNTY, FLORIDA
GOPHER TORTOISE BURROW MAP**







LEGEND

— Project Boundary



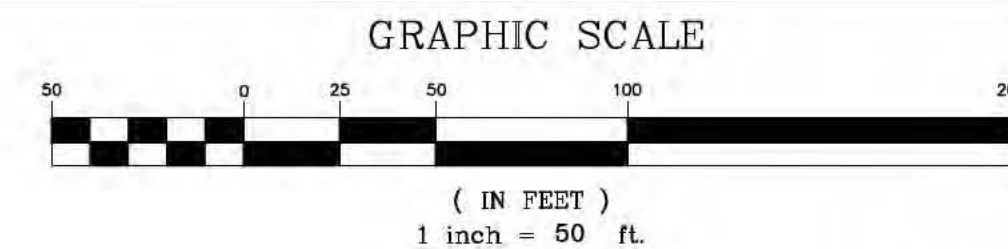
**WALKER PROPERTY
LAKE COUNTY, FLORIDA
TOPO MAP**

PROJECT #: 562.48.19 DATE: 08/26/19 FIGURE #: 6

0 150 300 600 900 1,200 1,500 1,800 2,100 2,400 Feet

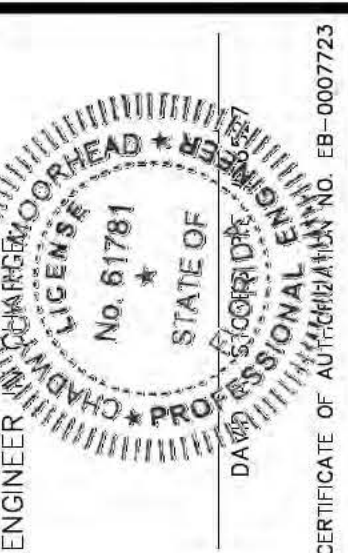


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ACOE WETLAND IMPACT PLAN
FOR
REX WALKER/RIDGEMONT
LAKE COUNTY, FLORIDA

SEMINOLE LAND HOLDINGS, LLC
850 SEMINOLE WOODS BLVD.
GENEVA, FLORIDA 32732
(407) 467-4806



NO.	DATE	REVISIONS
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JOB # 19058
DATE: 06/24/2020
SCALE: 1"=50'
DESIGNED BY: TTB
DRAWN BY: TTB
APPROVED BY: DAS

ACOE-1



- LEGEND
- LIMITS OF WETLAND
 - WETLAND IMPACT AREA

TOTAL IMPACT VOLUMES

WETLAND 1 IMPACTS:

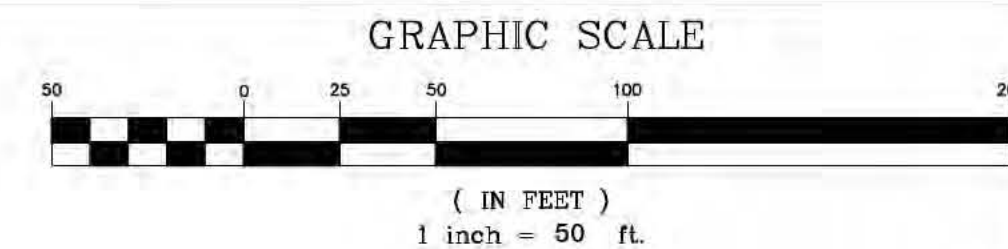
TOTAL VOLUME OF FILL: 2,381 C.F. (0.05 AC.-FT.)

TOTAL VOLUME OF CUT: 0 C.F. (0 AC.-FT.)

WETLAND 2 IMPACTS:

TOTAL VOLUME OF FILL: 820,941 C.F. (18.85 AC.-FT.)

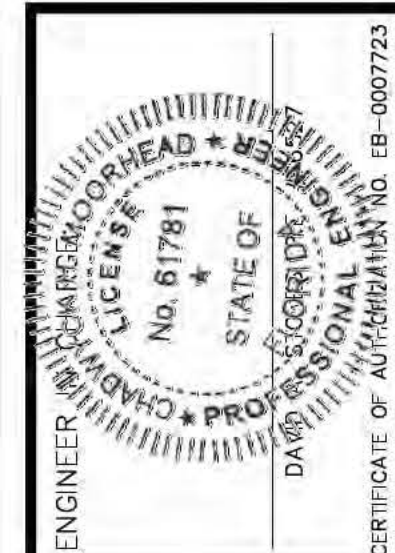
TOTAL VOLUME OF CUT: 19,574 C.F. (0.45 AC.-FT.)



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MOOREHEAD & STOKES, LLC
CIVIL ENGINEERS
431 E. Horatio Avenue
Suite 260
Maitland, Florida 32751
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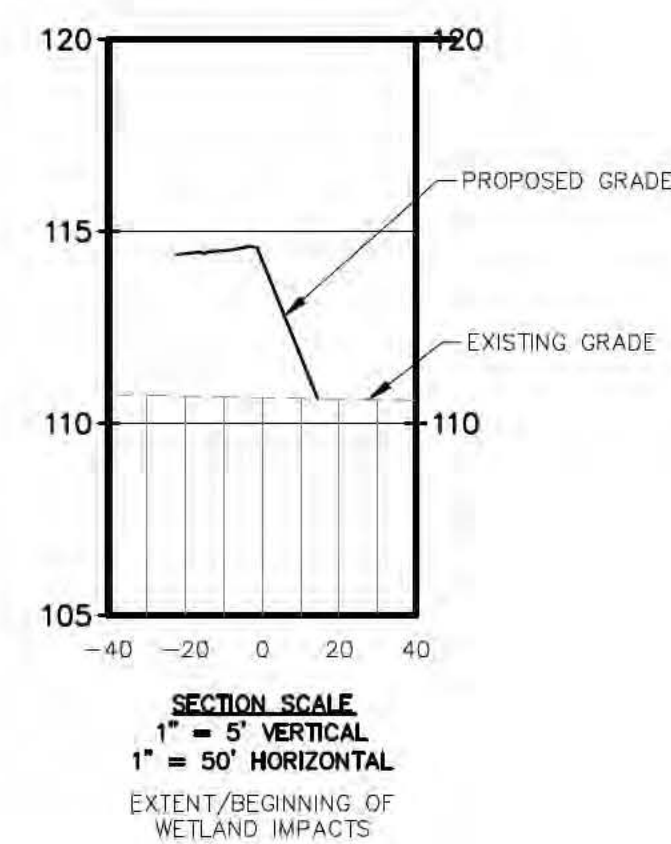


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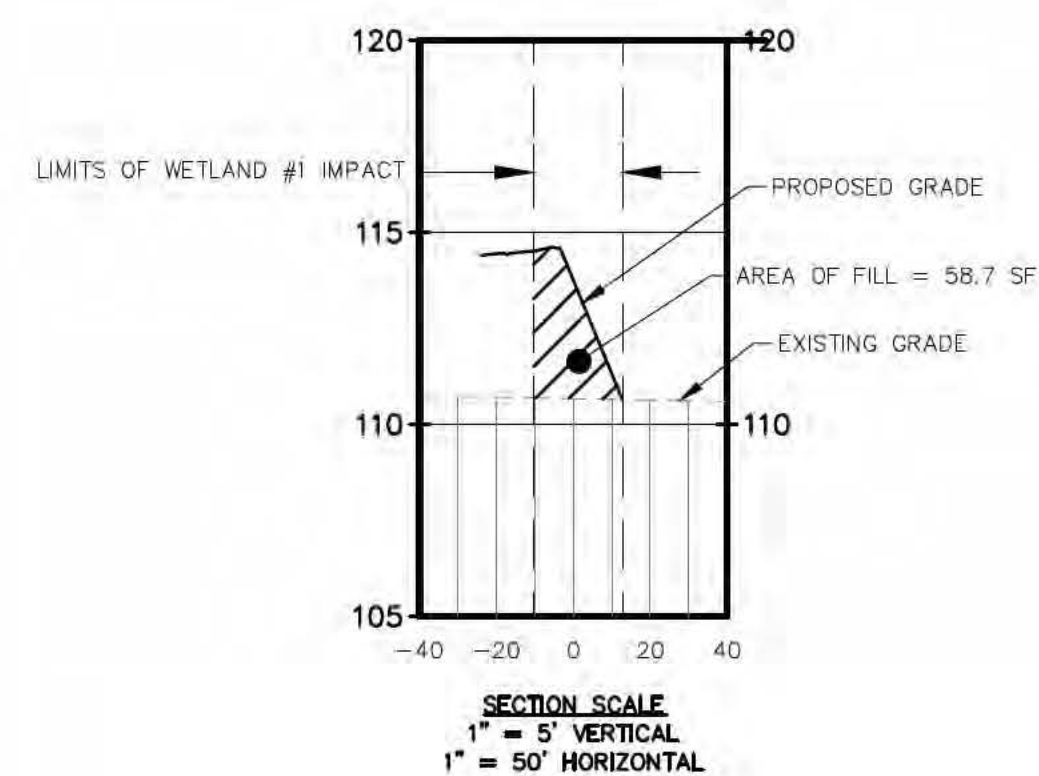
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DESIGNED BY: TIB
DRAWN BY: TIB
APPROVED BY: DAS

ACOE-2

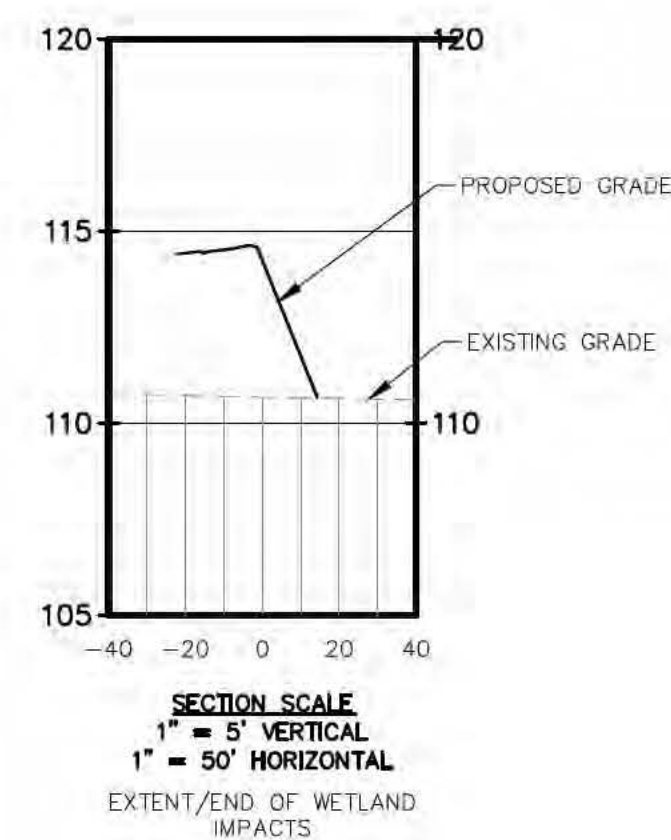
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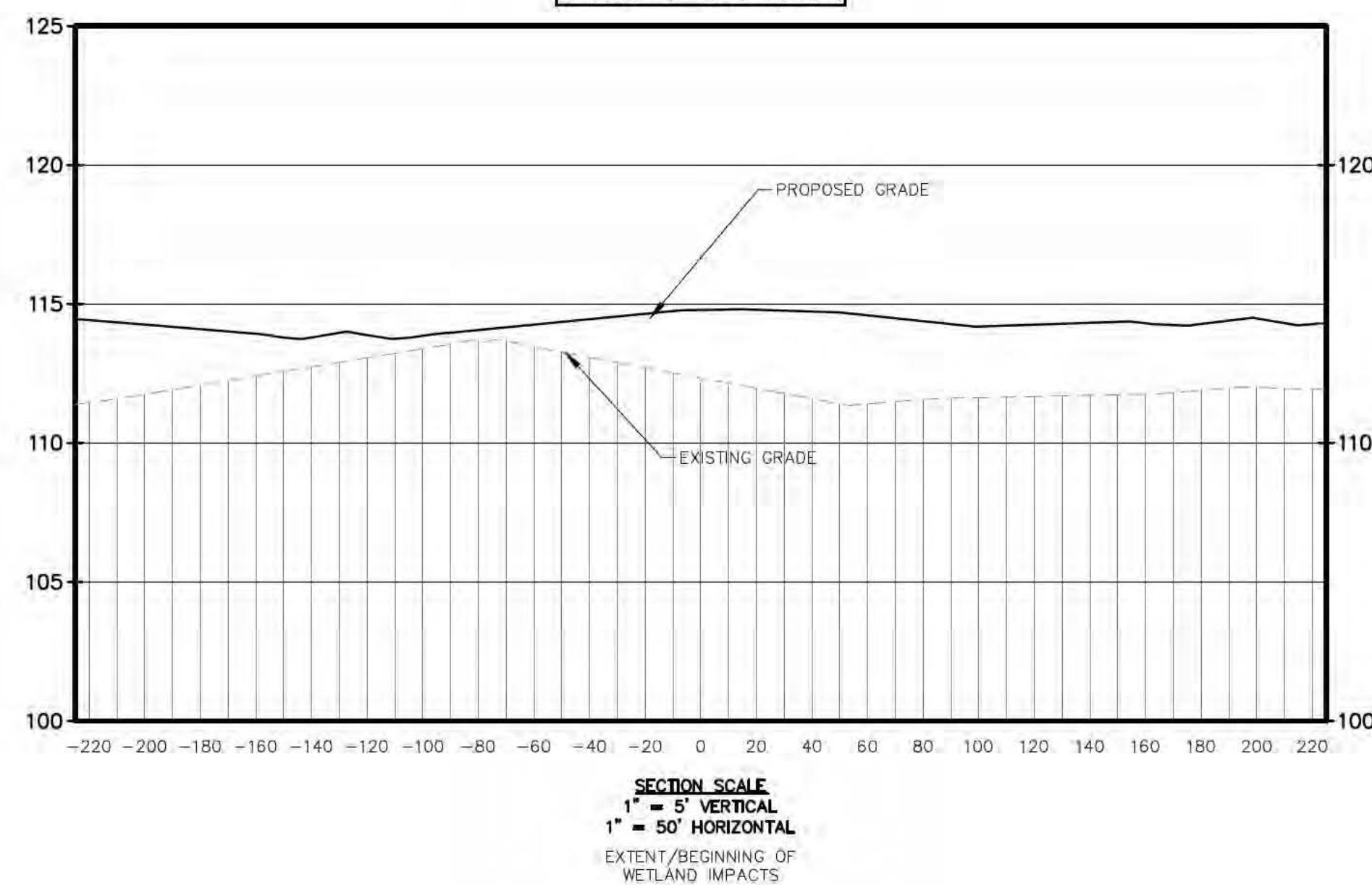
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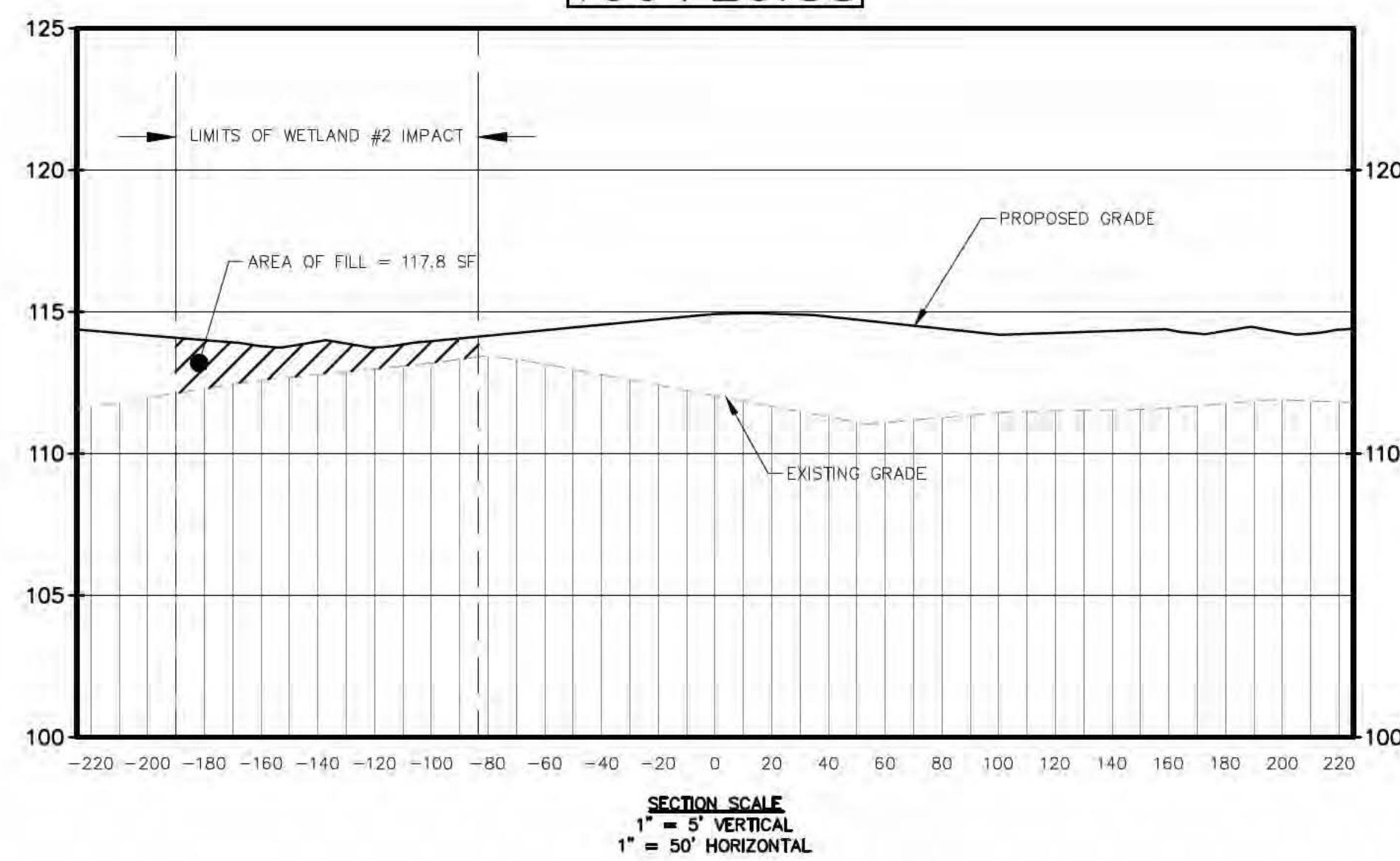
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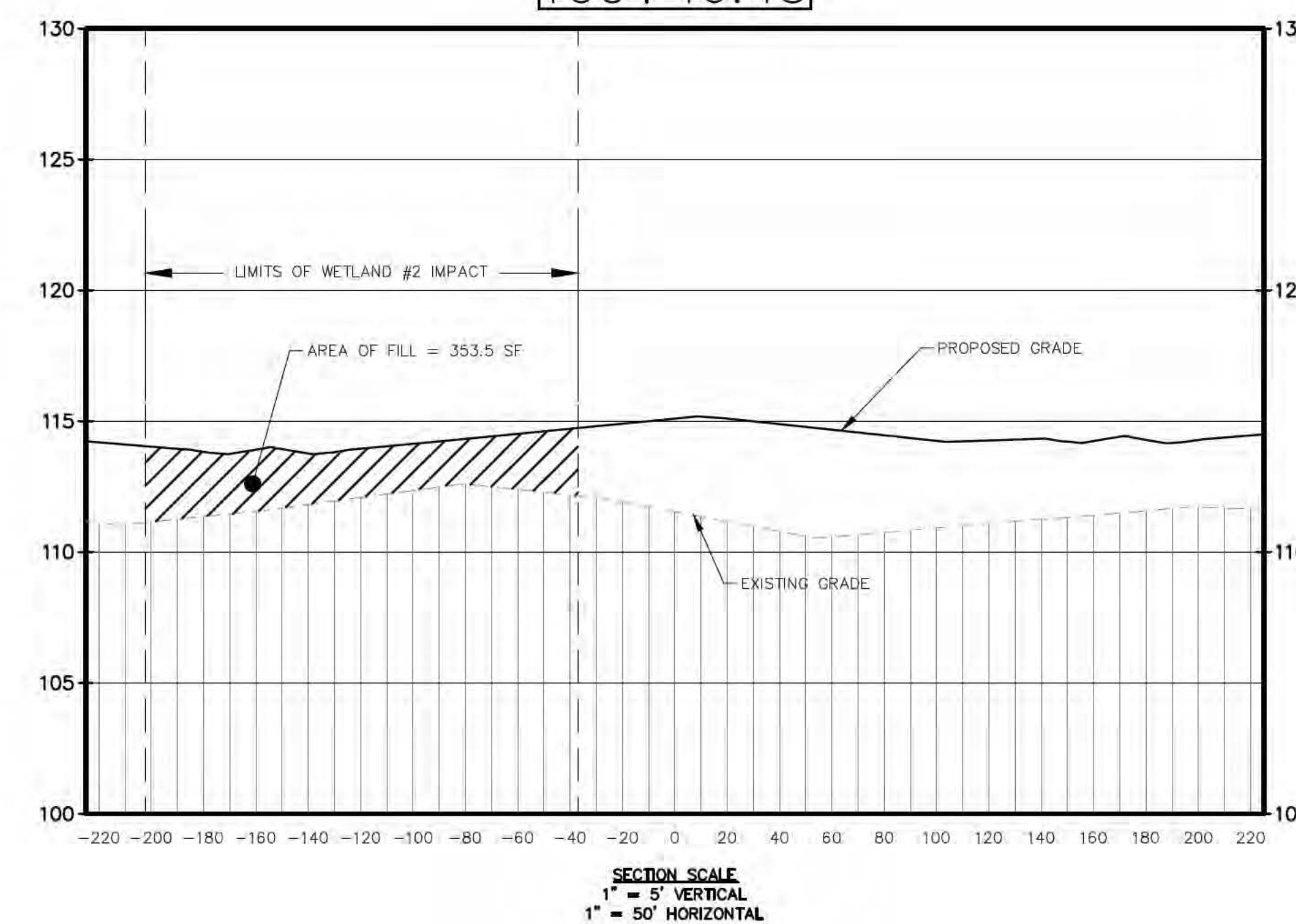
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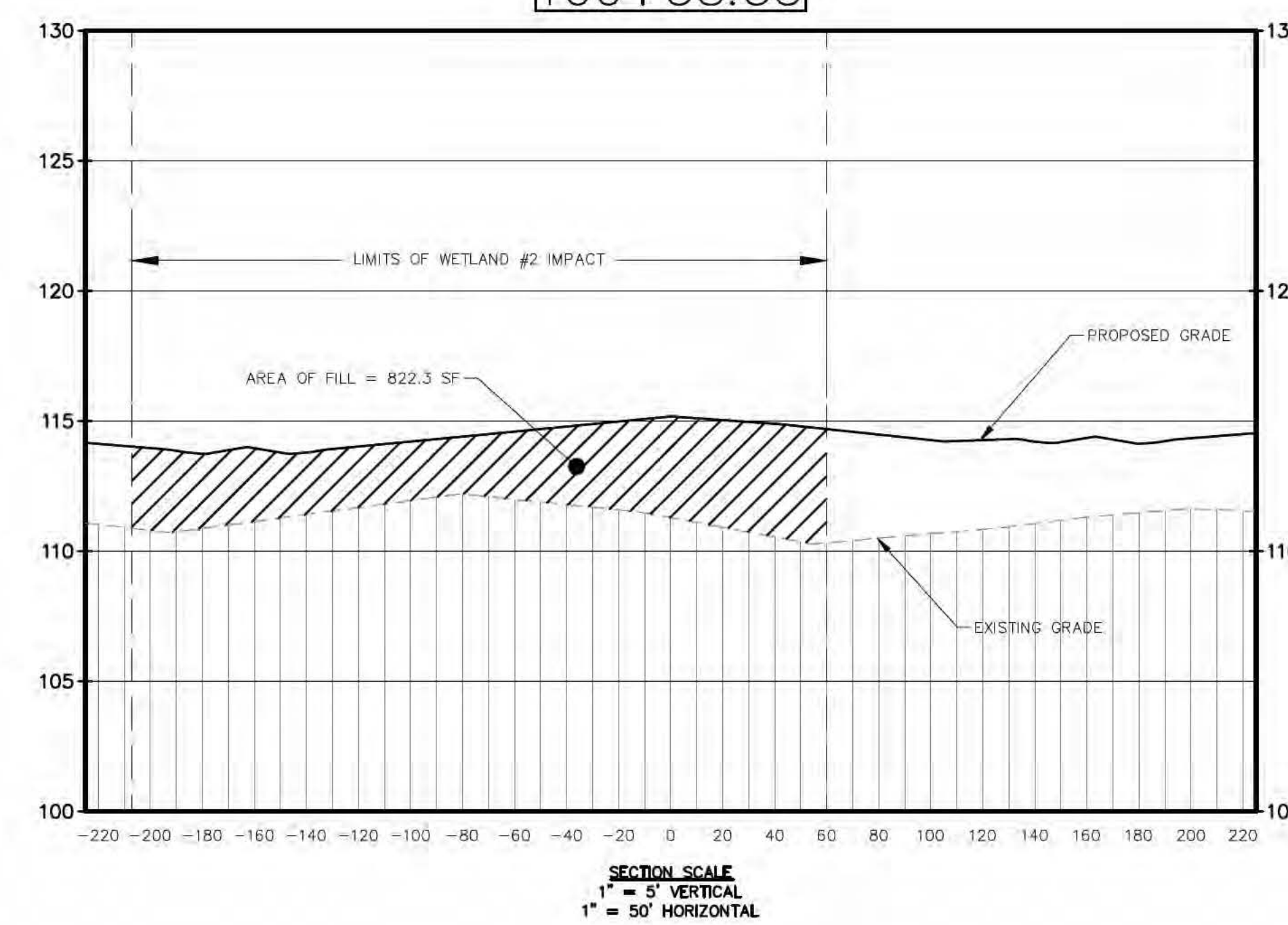
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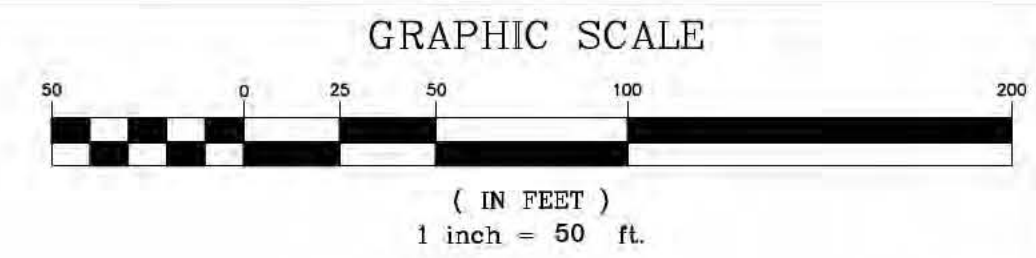


100+46.45



100+58.55





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ACOE WETLAND IMPACT PLAN
FOR
REX WALKER/RIDGEMONT
LAKE COUNTY
FLORIDA

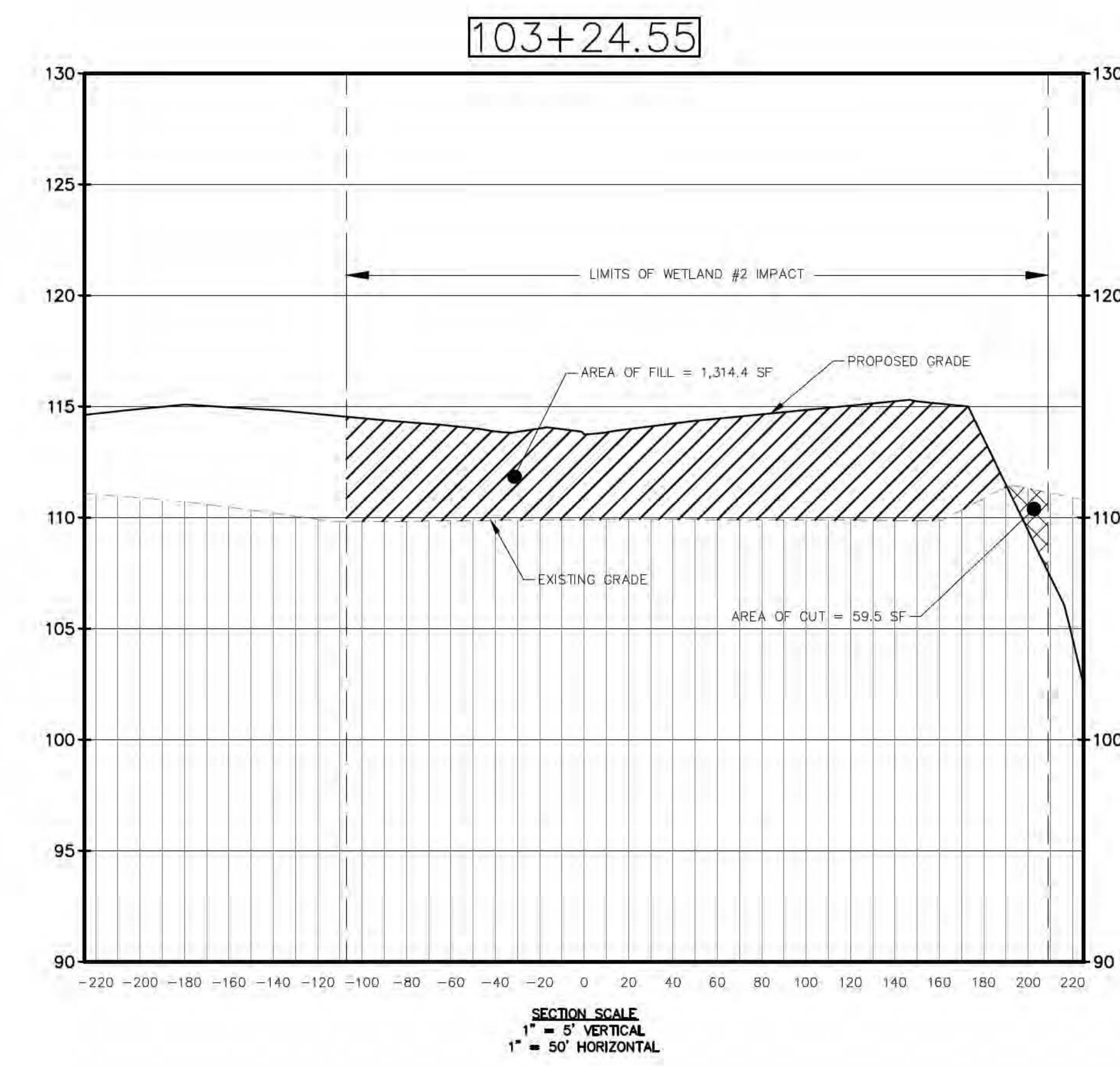
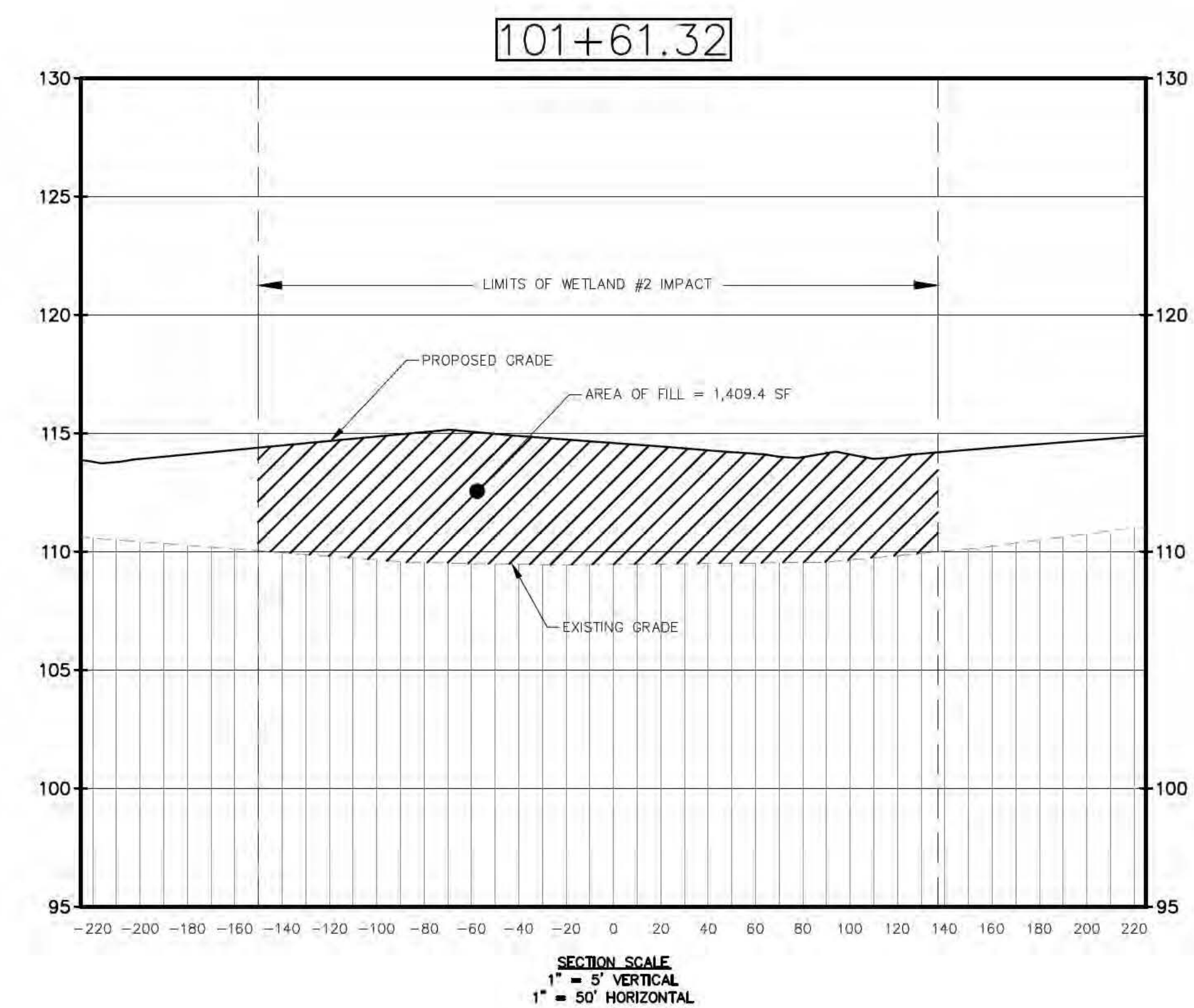
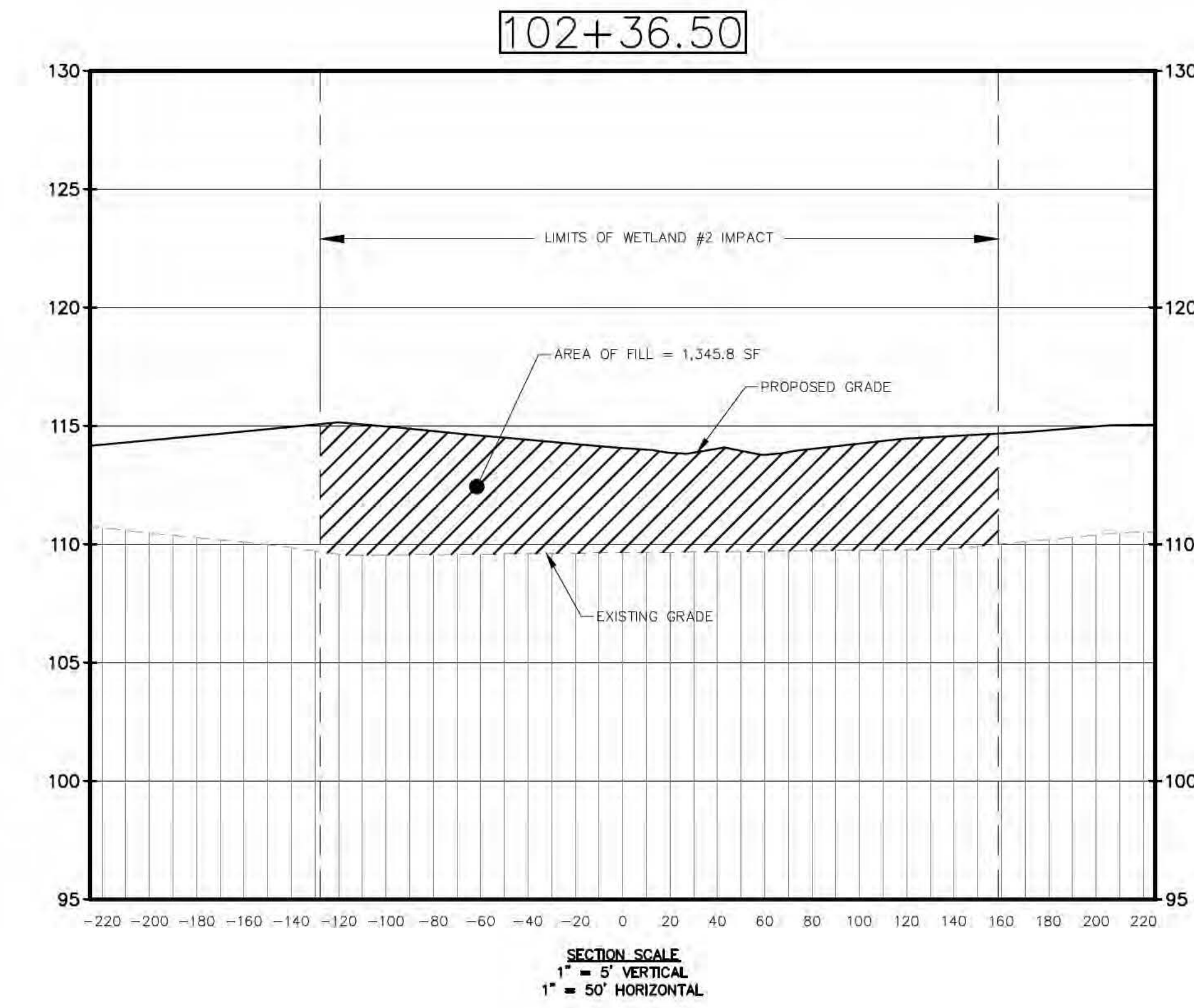
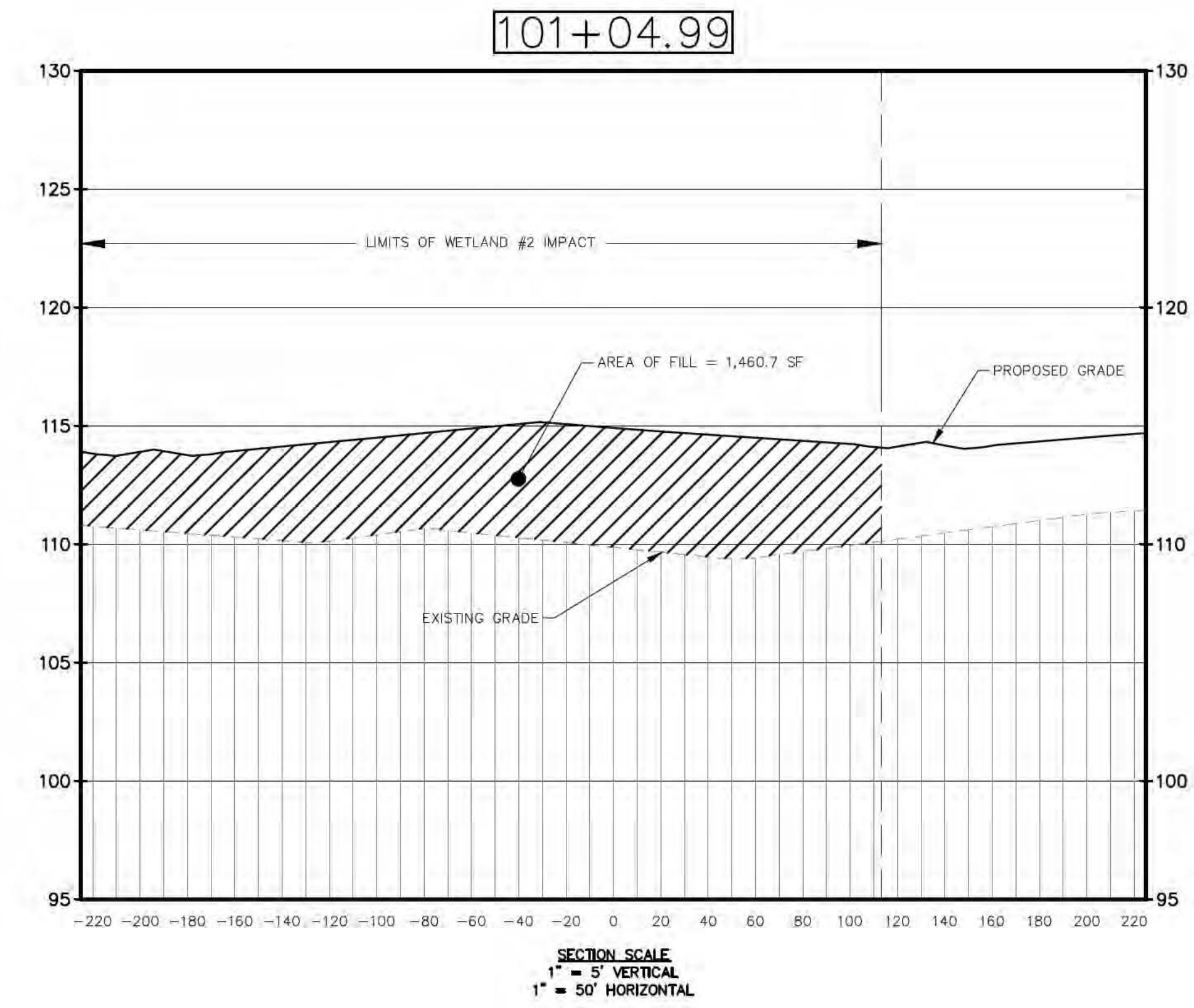
SEMINOLE LAND HOLDINGS, LLC
850 SEMINOLE WOODS BLVD.
GENEVA, FLORIDA 32732
(407) 467-4806

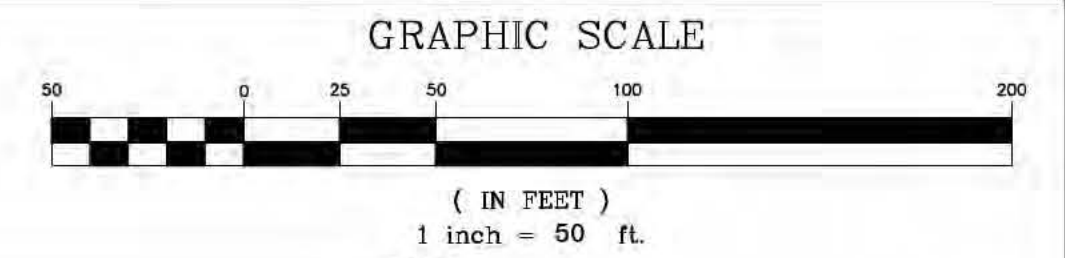
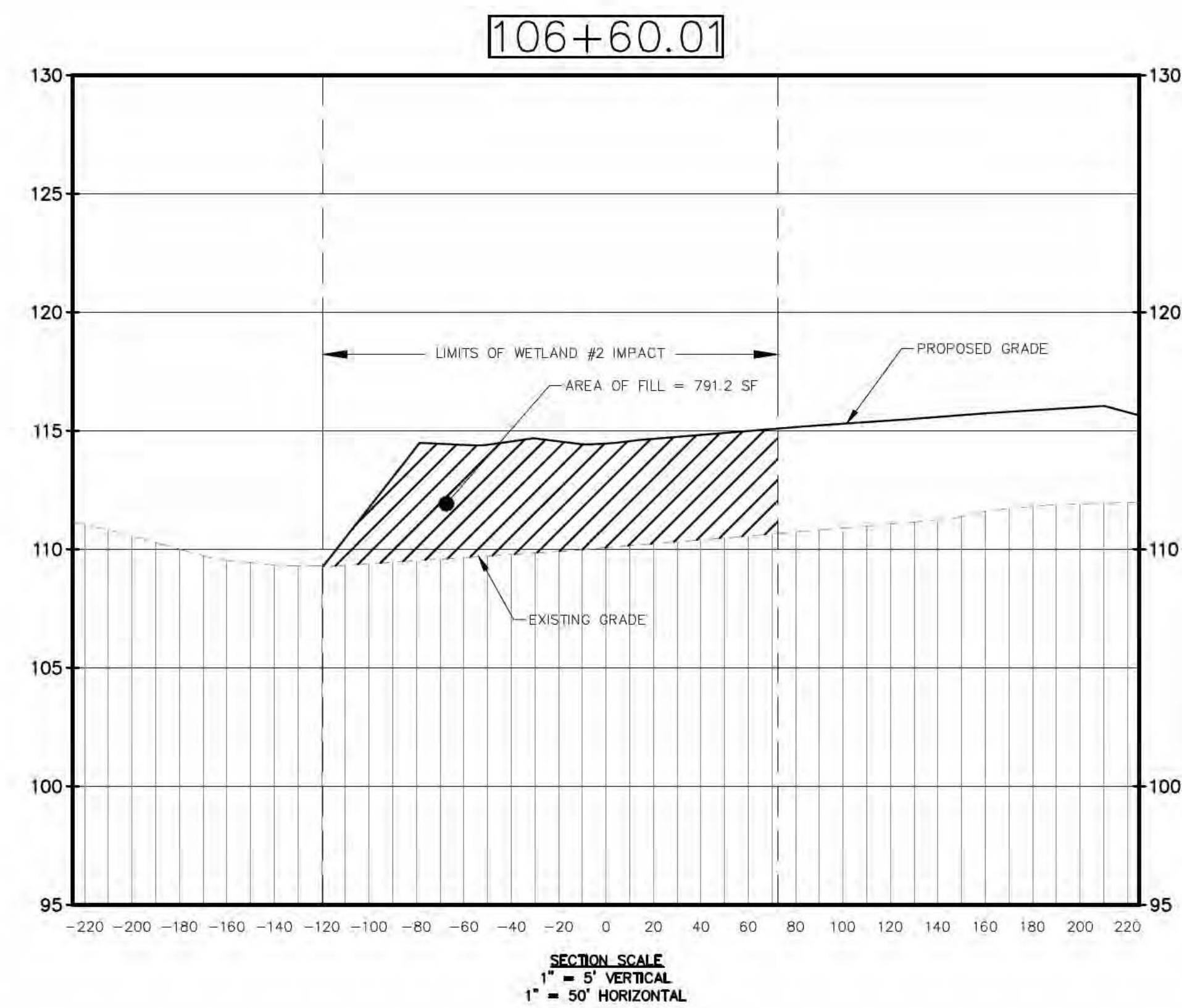
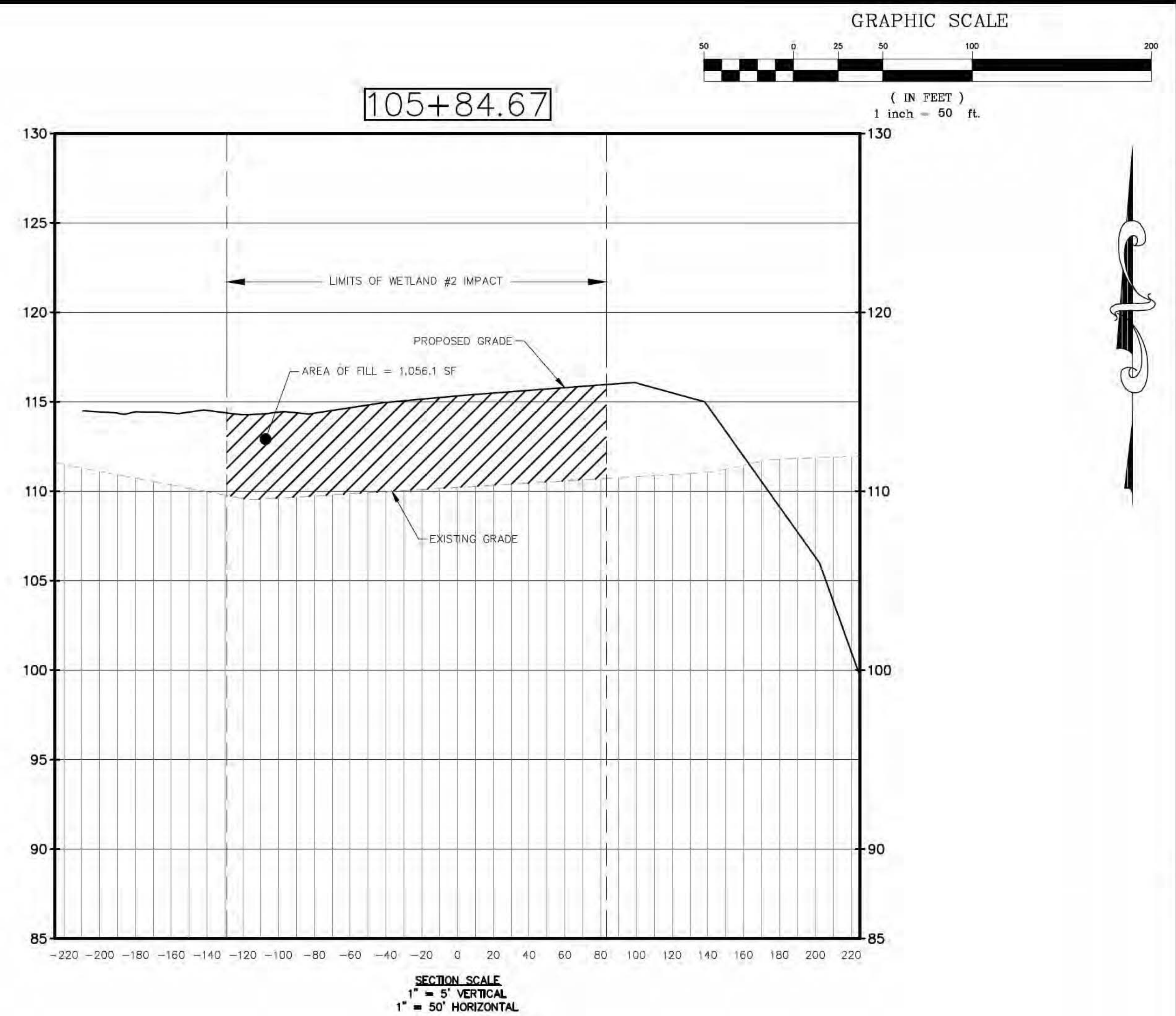
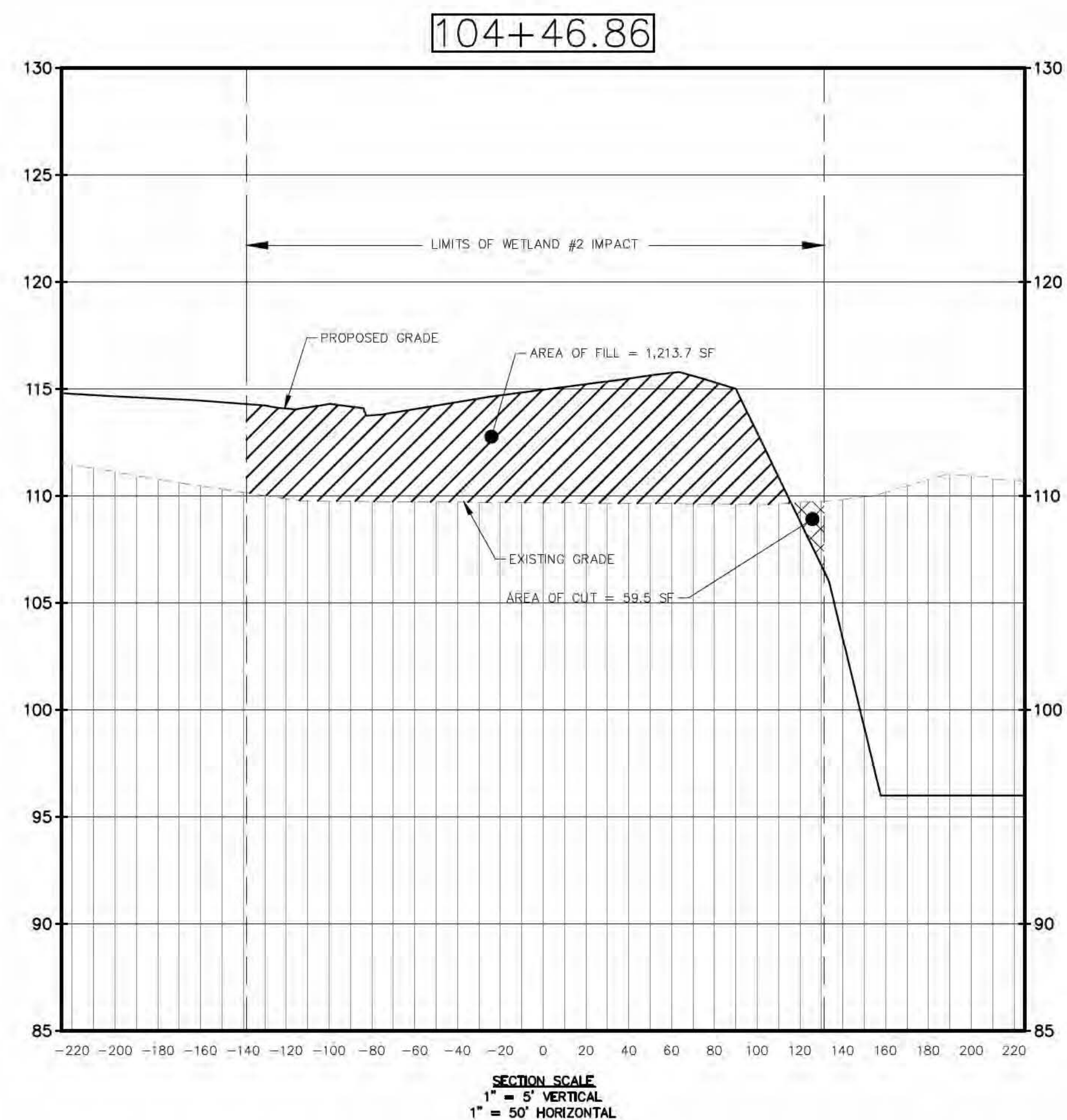
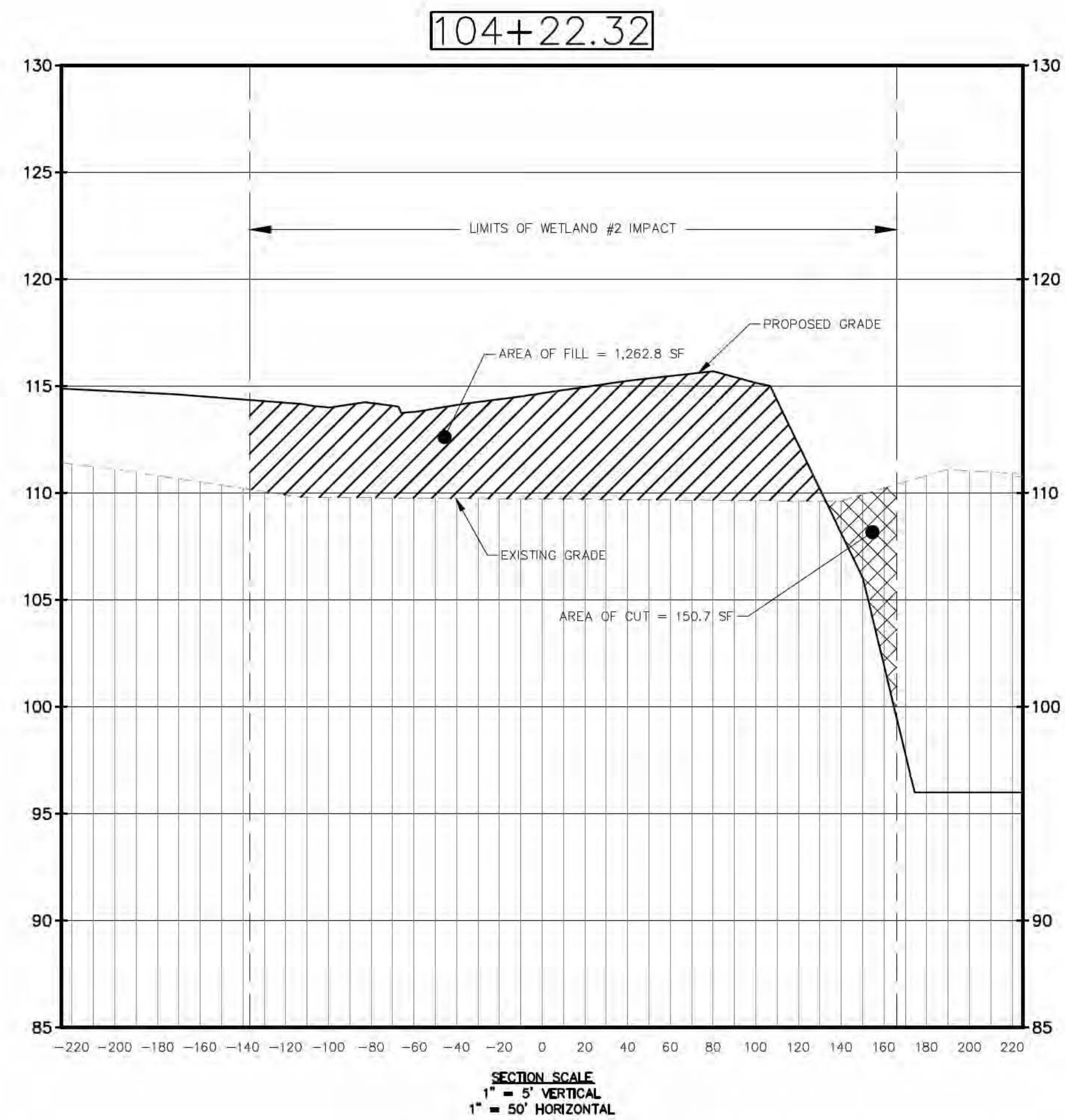
ENGINEER: CHARGEN MOORHEAD
LICENSE # No. 81781
STATE OF FLORIDA
DATE: 06/24/2020
PROFESSIONAL SEAL
CERTIFICATE OF AUTHORIZATION No. EB-000723

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JOB # 19058
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SCALE: 1"=50'
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DRAWN BY: TTB
APPROVED BY: DAS

ACOE-3

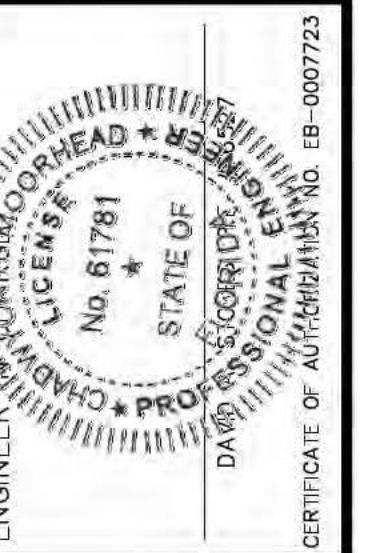




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ACOE WETLAND IMPACT PLAN
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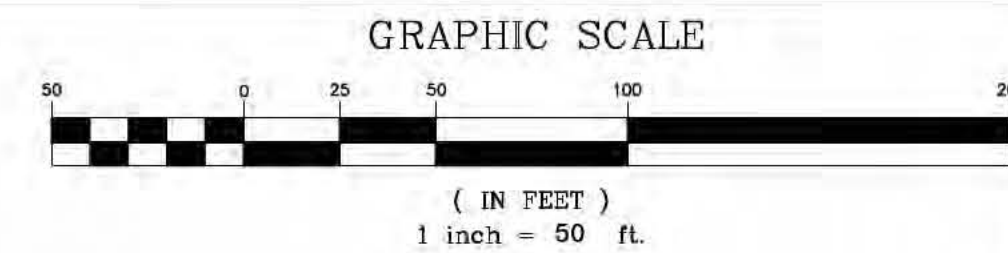
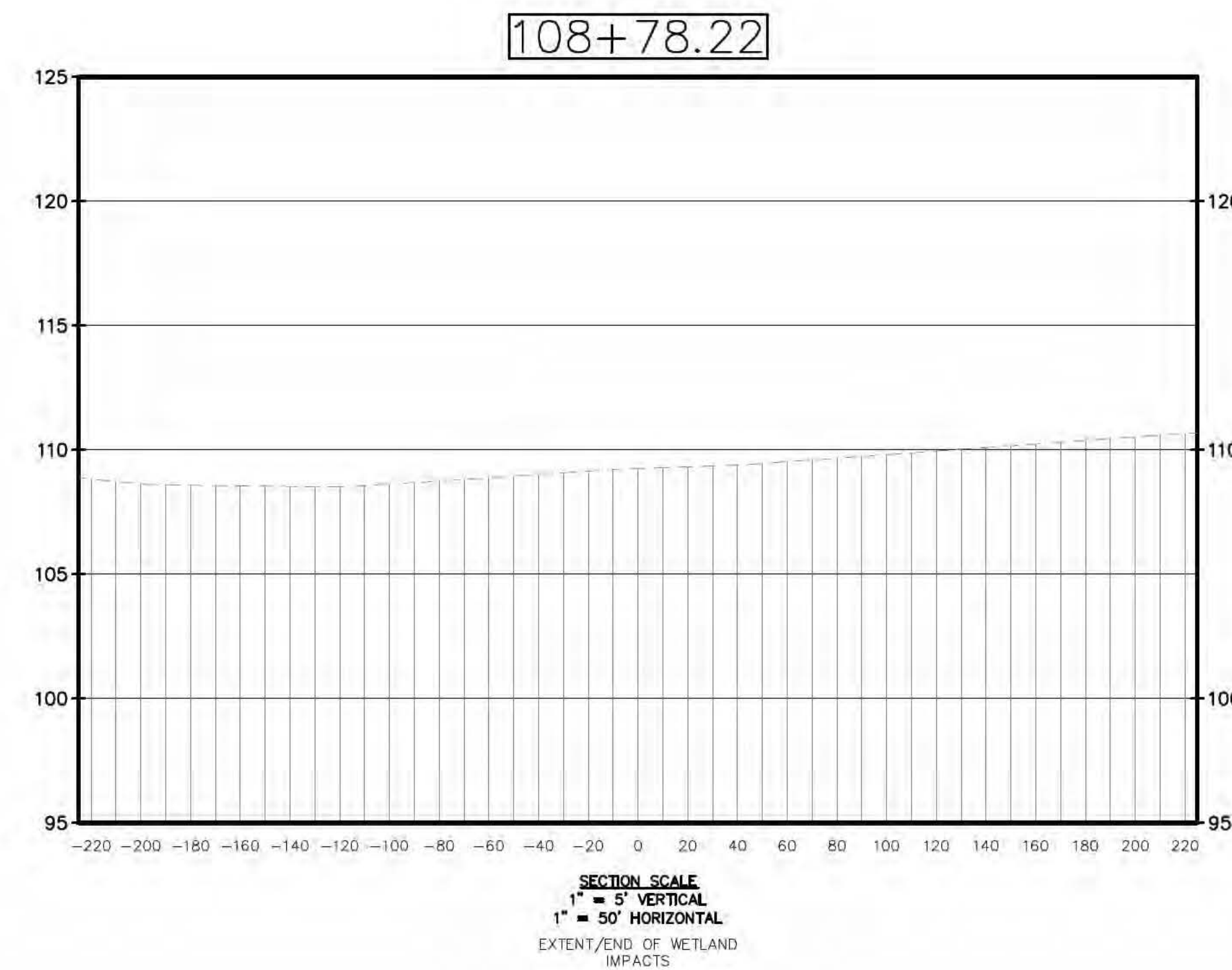
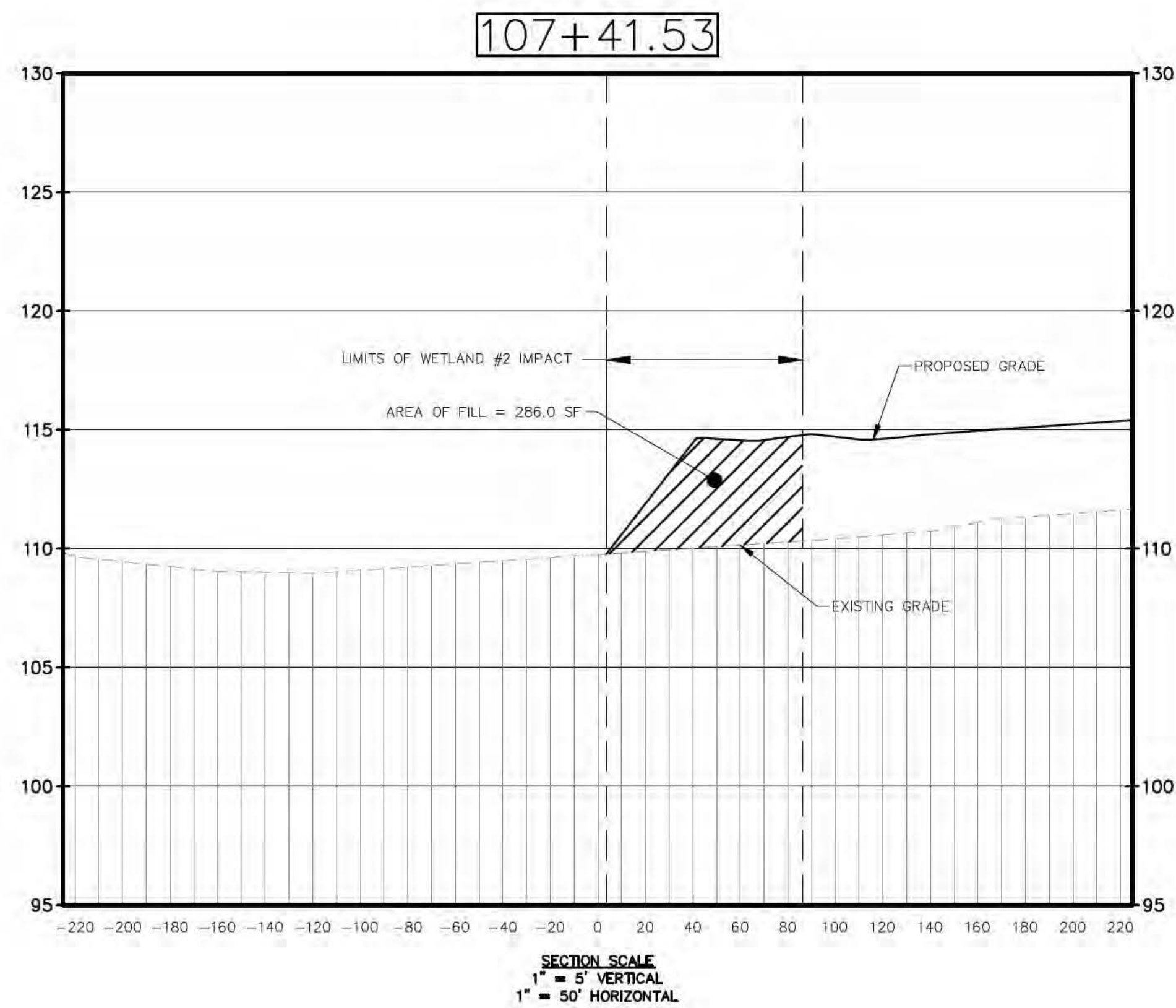
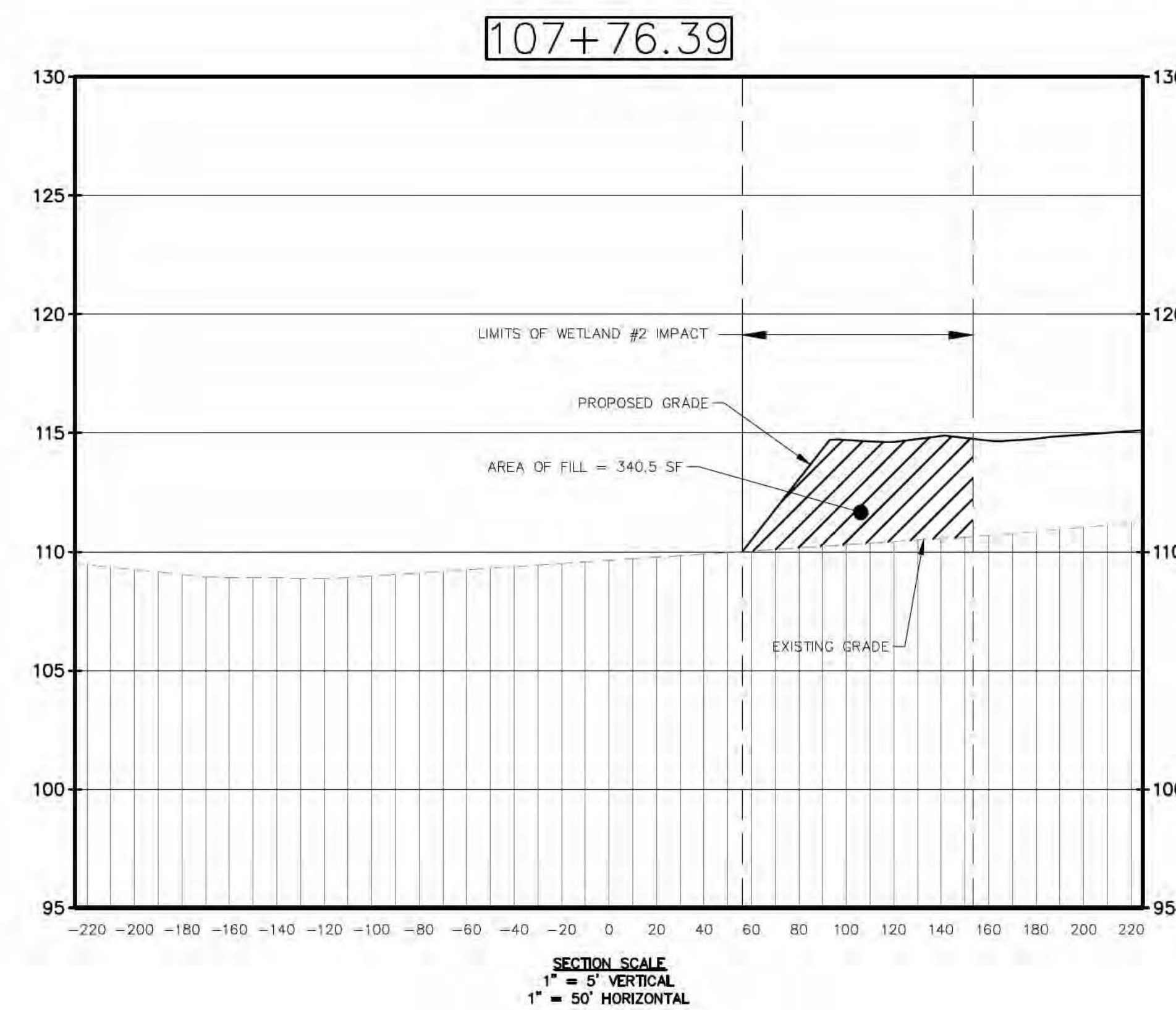
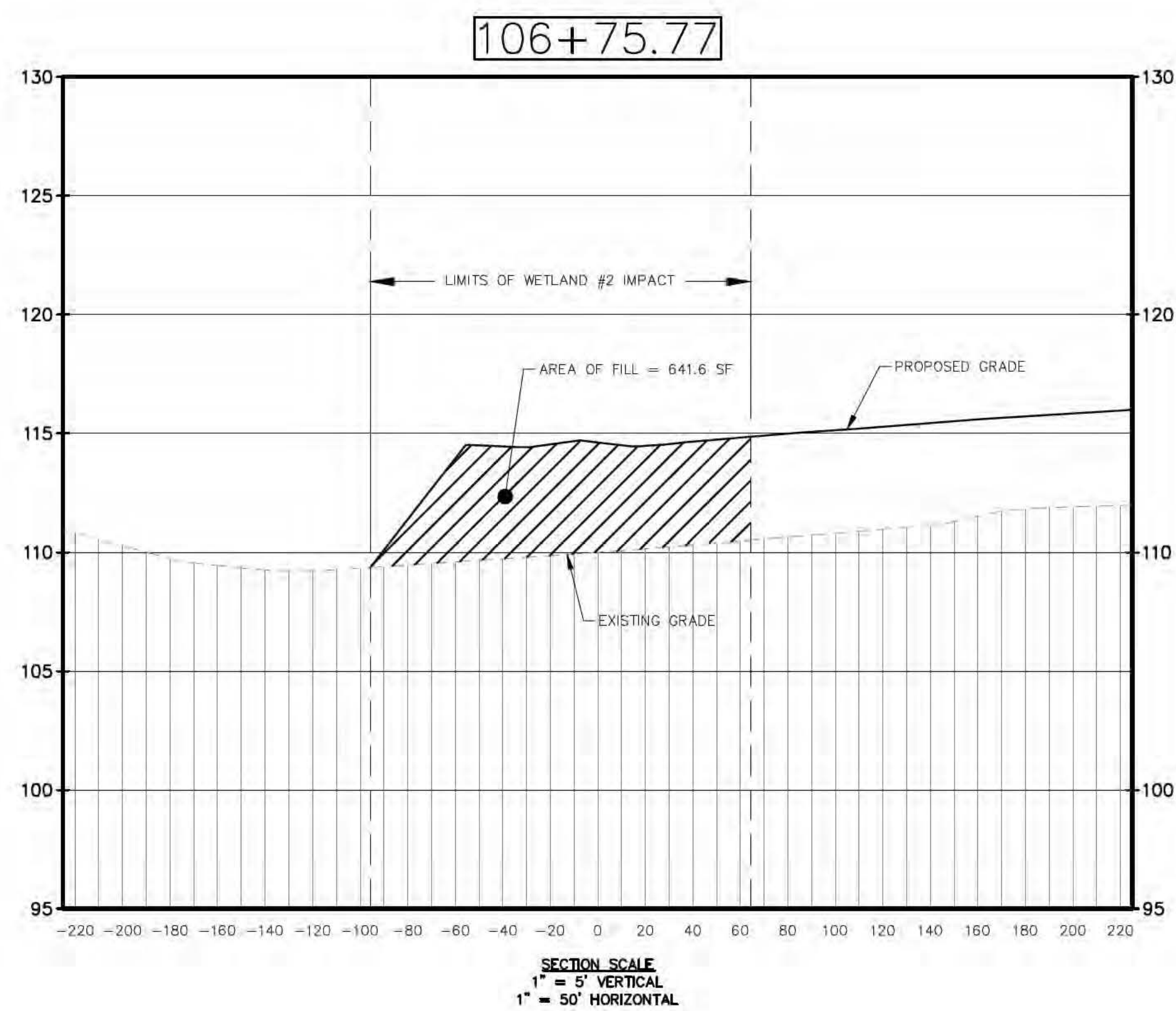
SEMINOLE LAND HOLDINGS, LLC
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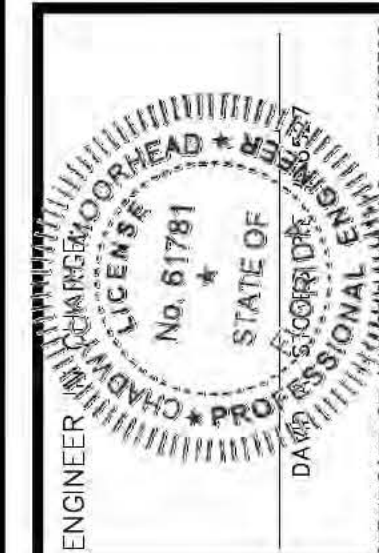
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ACOE WETLAND IMPACT PLAN
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