



**DEPARTMENT OF THE ARMY**  
**CORPS OF ENGINEERS, JACKSONVILLE DISTRICT**  
**1520 ROYAL PALM SQUARE BLVE, SUITE 310**  
**FORT MYERS, FLORIDA**

**October 22, 2020**

Regulatory Division  
West Permits Branch  
Fort Myers Permits Section

***PUBLIC NOTICE***

Permit Application No. SAJ-2006-06656-(SP-RMT)

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

APPLICANTS: Babcock Property Holdings, L.L.C. (BPH)  
Erica S. Woods, Vice-President  
42850 Crescent Loop  
Babcock Ranch, Florida 33982  
ewoods@kitsonpartners.com  
and  
Babcock Ranch Community Independent Special District  
Bill Vander May, Chairperson  
2300 Glades Road, Suite 410W  
Boca Raton, Florida 33431  
brcisdengineer@babcockranchcommunityisd.com

WATERWAY AND LOCATION: The project site is located within the Tidal Caloosahatchee River Watershed and contains freshwater forested and herbaceous wetlands. The site is east of Interstate 75 (I-75) and State Road 31 (S.R. 31) and north of County Road 78 (C.R. 78) in Sections 29 & 31-33, Township 41 South, Range 26 East, and Sections 4-10, 15-17, 19-36, Township 42 South, Range 26 East in Charlotte County. Portions of the site are in Sections 1-7 & 9, Township 43 South, Range 26 East Lee County, Florida.

Directions to the site are as follows: From I-75 take Exit 143 onto Bayshore Road east for approximately three miles to the intersection of Bayshore and S.R. 31. Turn north onto S.R. 31 and go approximately 1.5 miles to the intersection of S.R. 31 and C.R. 78. The project site begins at the northeast corner of the intersection of C.R. 78 and S.R. 31. Note: the majority of the proposed modifications are located east of the Curry Canal, with access only through the Babcock Ranch Community (BRC).

APPROXIMATE CENTRAL COORDINATES: Latitude 26.777783 N °  
Longitude -81.172245 W °

## PROJECT PURPOSE:

Basic: Mixed Use Residential Development with Commercial, Light Industrial, Recreational and Institutional components.

Overall: The BRC was previously authorized, by the Corps (permit # SAJ-2006-06656), to be a self-sustainable, mixed-use community including a town center, several villages, and hamlets. The proposed post development land uses include residential, retail, office, light industrial, schools, hospital, government support facilities (fire, police), infrastructure (i.e., utilities such as electric power, potable water, wastewater treatment, water reuse, etc.), plus golf, other recreational uses, and preserves.

PROJECT HISTORY: On 31 July 2006 BPH purchased the entire Babcock Ranch property consisting of approximately 91,362 acres, after the previous owner was unable to sell the property to the State of Florida, Lee and Charlotte Counties for preservation. BPH engaged in a two-year, multi-agency and public planning process to define a development plan that included the sale of a portion of the property to the State of Florida and Lee County for permanent preservation, while the site was being approved for the development of the BRC on approximately 17,787 acres of the original 91,362 acres. The planning process resulted in the sale of 73,575 acres of environmentally sensitive lands to the State of Florida and Lee County for permanent preservation, while allowing BPH to retain 17,787 acres for development of the BRC development. Throughout this notice the 73,575-acre portion of the property that was sold to the State of Florida and Lee County for permanent preservation is identified as the "Babcock Ranch Preserve" (BRP). BPH's remaining 17,787 acres included 199.80 acres of future right-of-way (ROW) for the planned widening of S.R. 31; therefore, the final development project size is 17,588 acres. The 17,588 acres (which excludes the ROW area) will be identified as the project site or "on-site" for the purposes of defining impacts and/or mitigation. The BRP is referred to as "off-site" for purposes of defining mitigation.

The Corps issued the authorization for the BRC development on 2 July 2010. Upon completion, the BRC development proposes approximately 19,500 homes, six million square feet (6,000,000 SF) of commercial development, internal roadways, surface water management systems, eight (8) water control structures in canals, utilities, schools, a hospital, fire and police facilities, educational research facilities, golf courses, lakes, trail systems, preserves and open spaces. The proposal included the discharge of approximately 1,066,750 cubic yards (cy) of fill material into 368.93 acres of wetlands and 6.16 acres of other waters of the US and the excavation of 1,900,000 cy of native materials from 60.69 acres of wetlands for a total of 429.62 acres of direct wetland impacts. Impacts were anticipated to occur on an incremental basis, with mitigation being provided on an incremental basis to remain concurrent or ahead of impacts.

The compensatory mitigation required for the wetland impacts of the subject authorization included 227.67 acres of wetland enhancements, creation of 171.25 acres of wetlands (inclusive of wetland transitional zones which did not receive mitigation credit), 1515.02 acres of wetland preservation, 153.78 acres of upland enhancements, and 2,545.70 acres

of upland preserves and buffers on-site. BPH also proposed to enhance and manage 43.88 acres of wetlands and 90.50 acres of uplands, and to preserve 2,659.39 acres of wetlands, 2,720.38 acres of upland buffers on adjacent State lands. Existing agricultural lands that are to remain in agricultural use within the State lands total 394.39 acres. The 10,522± acres of mitigation activities were divided among eight (8) different units identified as Mitigation Areas A-H. Mitigation Areas A and E-H are located onsite and total 4,607.83 acres, while Mitigation Areas B-D (5,914.13 acres) are off-site, located on adjacent land within the BRP, as allowed through a Consent of Use with the State of Florida. Additionally, four (4) control structures are to be installed in the Curry Canal and two (2) control structures in the Big Island Canal to enhance and restore hydrology by elongating the hydro-period of upstream wetlands. Three (3) additional on-site mitigation units (Mitigation Areas I-K) were viewed to be in excess of Corps wetland mitigation requirements and therefore were not included as part of the mitigation plan with the original permit issuance.

BPH requested and was authorized a modification to the original permit on 28 September 2018, for the removal of 429.98 acres of land in the northern portion of the BRC, which was purchased by Florida Power & Light (FP&L) for Phase 2 of their solar power facility. That permit modification had no effect on the previously authorized wetland impacts and compensatory mitigation.

**EXISTING CONDITIONS:** Prior to construction, the BRC boundary included 2,872.15 acres of wetlands and other waters of the US and 14,715.88 acres of uplands. Those wetlands are characterized by freshwater forested and herbaceous habitats with varying degrees of exotic vegetation and hydrologic disturbance. Approximately 50% of the uplands were comprised of disturbed lands (mining operations, improved pastures, and field crops), in which most of the authorized development is located. Natural upland habitats are dominated by pine flatwoods and palmetto prairie.

To date, all development for the BRC has occurred west of the Curry Canal. A total of 252.87 acres of direct wetland impacts have been associated with BRC development west of Curry Canal, while 3,741.49 acres of mitigation (1,378.94 acres of conservation easements over onsite preserves and 2,362.55 acres of offsite preserves in Mitigation Areas C and D) are in various stages of implementation to offset wetland and Endangered Species Act (ESA) listed species habitat impacts. Of this acreage, mitigation sign-off has been granted (by the Corps) over approximately 305 acres of compensatory mitigation areas A and E and a request for agency sign-off has been made for 769 acres for mitigation area C, Phase 3 and is pending final field review and approval. Three (3) control structures have also been installed in the Curry Canal to restore the hydrology of upstream wetlands within the Curry Preserve system (i.e. mitigation area C within the BRP). The applicants continue to manage future mitigation preserve areas through prescribed burns, which are reported annually in the Interim Panther Management Monitoring report. During the 2019-2020 burn season, BPH conducted prescribed burns on approximately 2,444 acres located within the onsite Mitigation Areas A, F, J, and K.

The development modifications associated with this request are located east of the Curry Canal in portions of Sections 2, 3, 4, and 9, Township 43 South, Ranges 26 East, in Lee County and Sections 15-16, 20-29, and 32-36, Township 42 South, Range 26 East, in Charlotte County. An 8,710.87-acre project area has been established to focus where the proposed changes in development/preserve layout are largely located. The project area is generally bound to the west by Trout Creek (aka Curry Canal), extending slightly north of Hercules Grade and to east and south consistent with the authorized BRC boundary. Existing conditions within the project area are consistent with pre-development conditions previously reviewed and include 1621.58 acres of wetlands, 41.43 acres of other waters, and 7,047.86 acres of uplands.

Onsite wetlands within the project area include 378.30 acres of wetland shrub, 297.83 acres of cypress, 263.61 acres of freshwater marsh, 260.56 acres of wet prairie, 205.16 acres of cypress, pine, and cabbage palm, 159.92 acres of hydric pine, 36.67 acres of inland slough, 15.25 acres of wetland forested mix, and 4.28 acres of hydric pasture. The surface waters are comprised of 36.47 acres of streams and waterways and 4.96 acres of isolated cow ponds.

Uplands within the project area are comprised of 3333.53 acres of pine flatwoods, 2,416.20 acres of improved pasture, 570.09 acres of field crops, 266.44 acres of palmetto prairie, 138.39 acres of shrub and brush, 124.27 acres of mixed range land, 72.09 acres of oak-pine, 28.51 acres of pine with graminoid understory, 20.48 acres of hardwood-conifer mix, 15.18 acres of live oak, 11.34 acres of pine, oak, and cabbage palm, 5.64 acres of upland scrub, and 1.49 acres of dry prairie.

The project area encompasses portions of mitigation areas A and H in which onsite mitigation has been initiated (conservation easements are recorded and no changes are proposed), as well as areas of future onsite mitigation areas identified, in the original BRC plans, that have not yet been placed under conservation easement (portions of Mitigation Areas E, F, G, J and K). There have been no wetland impacts implemented to date within the project area, except for minor surface water impacts associated with approved trails within portions of Mitigation Areas A and H, consistent with the prior Corps approval.

East and north of the project site are portions of the Babcock Ranch Preserve. To the immediate west of the project site is S.R. 31, then the Fred C. Babcock - Cecil B. Webb Wildlife Management Area (a state preserve); single-family residences; agricultural lands and a mining operation. Several planned residential developments are located south of the project.

**PROPOSED WORK:** For this modification request approximately 92% (7,996 acres) of the 8,711± - acre project area remains consistent with the original Corps permit (SAJ-2006-06656). Development will occur on 4,451 acres previously approved for development (comprised of 166 acres of wetlands and 4,285 acres of uplands) and preserves are proposed on 3,544 acres of land previously approved as preserves. Approximately 716 acres (8%) of the project area differs from the original authorization.



This request seeks to modify the project footprint within approximately 433 acres (124 acres of wetlands and 309 acres of uplands) located within some portions of mitigation areas F and G to be converted into development acres. The applicant also seeks to convert 283 acres of development (11 acres of wetlands and 272 acres of uplands) into on-site mitigation preserves. Most of the additional preserve (250± acres) is attributed to the removal of a portion of the authorized development tracts in the southeast portion of the BRC, which will be incorporated into mitigation area K which is contiguous with offsite preserve lands.

An additional 270± acres of natural habitat (235 acres uplands and 35 acres wetlands) considered an “out parcel” or not included within the SAJ-2006-06656 boundary, is also being added to the mitigation plan (Mitigation Area E) as part of the proposed modification. The proposed modifications result in a net loss of 78± acres of wetlands that are adjacent to the approved development tracts. The 553± acres of newly proposed preserves (an increase of 120± acres of preserve in the original permitted conditions) align with adjacent, offsite preserve lands (i.e. the Telegraph Creek Preserve and the Bob Janes Preserve in Lee County and the Babcock Ranch Preserve in Charlotte County). This larger contiguous tract of preserves contributes to the overall regional ecological value of a wildlife corridor, aimed at extending the significance for far ranging species such as the Florida panther, and will be of long term ecological value as the mitigation in these areas is conducted and maintained in perpetuity by the BRCISD, an independent special district (ISD). With this modification, the applicant seeks authorization to incorporate Mitigation Areas I, J, and K into the Corps mitigation plan for the BRC.

The proposed modified development plan east of Curry Canal will result in a total of 279.60 acres of wetland impacts. This acreage includes the 166.18 acres of previously approved wetland impacts within the project boundary plus the approximate 113.42 acres of wetland impacts associated with the modified development plan (124.01 acres of new impacts minus the 10.59 acres of the previously authorized impacts that are being put back into preserve = 113.42 acres net increase). The existing BRC permit authorizes 6.49 acres of surface water impacts within the project area east of the Curry Canal. The modified site plans would include an additional 0.27 acres impacts to a (non-jurisdictional) cow pond (FLUCFCS 525). Construction in the modified project area would require the discharge of approximately 1,213,754 cubic yards of clean fill material into the 279.60 acres of wetlands and 29,772 cubic yards of clean fill into the 6.76 acres of surface water impacts.

The overall modified project would result in the BRC development impacting a total of 553.63 acres of wetlands and will now result in a total of 12,913 acres of compensatory mitigation comprised of wetlands and habitat for listed ESA species. The original Corps permit provided for a 20-year construction timeframe to complete project impacts, with a current expiration date of 2 July 2030. The applicants seek to extend the permit construction window to 2 July 2040, with this modification.

AVOIDANCE AND MINIMIZATION INFORMATION – BPH has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment:

The process of avoidance and minimization of wetland and wildlife impacts associated with the BRC began before Kitson & Partners purchased the property in 2006. The BRC was previously part of the 91,362-acre Babcock Ranch. During 2005 and 2006 the State of Florida, Charlotte County and Lee County formed a public-private partnership with the Babcock Florida Company to purchase 73,575 acres of the Babcock Ranch for perpetual conservation and for sustainable agricultural purposes. The remaining 17,787 acres of private acquisition ( $\pm$  19% of the greater tract) comprises the outer boundary of what is now known as the BRC. Extensive discussions with state and federal agencies, non-governmental organizations, and concerned citizens were involved in determining the BRC boundary in a collaborative effort to produce a viable and sustainable mixed-use community that met the project's purpose and need.

The BRC's project purpose and need include implementing its development approvals entitling it to build a total of nineteen thousand five hundred (19,500) residential units and six million square feet (6,000,000 SF) of non-residential uses. When the conceptual design for the BRC was formed fifteen (15) years ago, the future demands of the housing and non-residential markets were conceptual projections only and were fully expected to be refined as the BRC was developed over the course of decades. This modification proposes to remove 250 $\pm$  acres currently permitted for development from the southeastern portion of the BRC and substitute those lands with acreage in the internal portion of the BRC which is not currently permitted for development. This modification reflects these updates to the BRC site plan to meet the project's purpose of building 19,500 residential units and 6,000,000 SF of non-residential uses, while continuing to avoid and minimize impacts to the maximum amount practicable and viable.

The BPH began pre-application planning, for this modification, in April 2019, with the goal of providing flexibility of design/product types within the interior portion of the BRC development, while providing additional preserves that would contribute to larger expanses of land with connectivity to off-site preserves. During this planning process, BPH explored design modifications to avoid and minimize adverse impacts within the established BRC boundary/project site.

A total of six (6) options were considered during the evaluation process. The first five (5) options documented the practical design modifications to avoid and minimize impacts from the proposed project. The sixth option was considered to be the most environmentally practicable and economically viable modified design that would meet the project's purpose and need. Details and planning level illustration of the referenced options are contained in the Avoidance and Minimization Report within the Environmental Supplement provided by the applicant and can be found in the administrative file.

The preferred modified plans increase the connectivity of the mitigation preserve areas and as such are expected to provide better long-term contiguous environmental habitat,

both on and offsite. The required maintenance of existing flow-ways and substantial supporting upland habitat to wetland preserve areas will result in a regionally valuable mitigation plan. The tracts for development have been designed to concentrate higher densities in the central areas of those tracts and the lower densities are to border adjacent preserves where feasible. Wetland impacts have been limited to areas isolated from larger wetland assemblages to the maximum extent practicable. The wetland impacts proposed with this modification would impact areas that are isolated from the larger conservation landscapes. The proposed modifications to the BRC Mitigation Plan will increase the continuity of the on-site preserves with the off-site preserve areas, resulting in better long-term habitat connectivity with offsite preserve lands and resulting in an overall net gain of preserved environmental lands.

The wetland preserves being proposed for impacts through the proposed design modification (113± net acres) were already identified as impacted for the panther by the FWS, in their 2009 Biological Opinion. They made that determination because, from a landscape conservation perspective, those wetland preserves, as originally proposed, were internal in the original design of development and thereby isolated. No panther habitat units (panther mitigation) would be derived for the internal preserves. In this situation, the preserve areas on the BRC that abut offsite conservation lands provide greater long-term ecological value than the internal wetland preserves that were proposed to be impacted. The modified design will assist in minimizing human-wildlife conflicts through elimination of the 250± acres in the southeast portion of the property which was originally approved for development.

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

Consistent with the prior approval, the BRC Mitigation Plan includes on-site mitigation and offsite mitigation on the BRP. Mitigation on the BRP (Mitigation Areas B, C, and D) remains consistent with the original Corps permit. Modifications are proposed to some portions of on-site Mitigation Areas A, E, F, and G. The applicants also propose to now include on-site Mitigation Areas I, J, and K in the Corps mitigation plan. The acreage of mitigation for impacts to listed species habitat is greater than the acreage of compensatory wetland mitigation, resulting in a mitigation plan that exceeds functional wetland loss, even with the additional wetland impacts proposed with the modified site design east of Curry Canal. Compensatory mitigation is to be implemented on an incremental basis with the intention of remaining current or ahead of construction impacts. Compliance with this condition is being tracked by the Corps through an annual compliance update and by the South Florida Water Management District (SFWMD) through construction/operation permits.

The overall project and site design (including the mitigation plan) are intended to minimize impacts to regionally important habitat and for listed species. The mitigation preserve areas will provide a broad habitat corridor extending east to west and consistent with regional conservation goals of creating a corridor of preserved lands from Lake Okeechobee to Charlotte Harbor. As modified, the BRC Mitigation Plan would include a

total of 12,913± acres, comprised of 7,073± acres of onsite mitigation and 5840± acres of offsite mitigation.

As now proposed the on-site mitigation includes enhancing and preserving 2,247.13 acres of wetlands; creating and preserving 368.55 acres of wetlands; enhancing and preserving 4,306.28 acres of uplands (inclusive of upland buffers) and installing six (6) control structures (4 water control structures in Curry Canal and 2 water control structures in Big Island Canal) to extend the hydroperiod of upstream wetlands within the Trout Creek and Telegraph Creek watersheds.

The BRP mitigation totals 5,839.79 acres. The mitigation includes 2,704.43 acres of wetlands to be enhanced and preserved, and 3,124.27 acres of uplands plus 11.09 acres of trails/road that will remain with no mitigation credit derived.

The BRP wetlands to be enhanced and preserved include 1.21 acres of hydric pasture; 24.42 acres of willow; 0.32 acre of exotic wetland; 1,007.44 acres of cypress; 321.65 acres of cypress, pine/cabbage/palm; 180.78 acres of hydric pine; 270.94 acres of wetland forested mix; 157.66 acres of wetland shrubs; 517.62 acres of freshwater marsh; 210.41 acres of wet prairie and 11.98 acres of streams, waterways and reservoirs.

The BRP uplands consist of 319.34 acres of improved pastures; 73.84 acres of field crops; 7.87 acres of dry prairie, 171.01 acres of shrub and brush land; 29.15 acres of palmetto prairie and other shrubs and brush, 5.39 acres of mixed range land, 2,308.35 acres of pine flatwoods, 12.31 acres of live oak, 183.36 acres of hardwood conifer mix, 1.00 acre of upland scrub, 12.65 acres of disturbed land (spoil storage area), and 11.09 acres of roads.

The BRP mitigation areas are adjacent to the on-site mitigation areas and provide a substantial corridor to connect the BRP to the Fred C. Babcock - Cecil B. Webb Wildlife Management Area to the west. All mitigation areas will be maintained free of nuisance and exotic vegetation in perpetuity in accordance with the approved mitigation plan. On-site mitigation areas will be placed under conservation easements as impacts occur. The onsite mitigation areas are protected via conservation easements granted to the SFWMD, with third party enforcement rights granted to the Corps.

**CULTURAL RESOURCES:** Cultural resource assessments were previously conducted by Archaeological Consultants, Inc. (ACI) during original permitting of the BRC. By correspondence dated 12 August 2020, the Florida Department of State Division of Historical Resources (DHR) stated that based on their review of the previous cultural resource assessment survey (Project File No.: 2020-3050-B), the mitigation areas proposed for impact with this application were sufficiently addressed as part of the overall survey and no further archaeological surveys were recommended. The DHR has determined that the proposed changes to the development plan will have no effect to any historic properties listed, or eligible for listing, in the National Register of Historic Places.

**ENDANGERED SPECIES:** On 31 August 2009, the U.S. Fish and Wildlife Service (FWS) issued a Biological Opinion for the project which addressed project related impacts to the Florida panther (*Puma concolor coryi*), wood stork (*Mycteria americana*), Audubon's crested caracara (*Caracara cheriway audubonii*), Florida scrub-jay (*Aphelocoma coerulescens*), red-cockaded woodpecker (*Picoides borealis*, RCW), Eastern indigo snake (*Drymarchon corais couperi*), and the beautiful pawpaw (*Deeringothamnus pulchellus*).

A minor amendment to the BO was issued by the FWS on 9 August 2019, authorizing a change in panther habitat designation over 171.58 acres of land originally intended to remain as farming/nursery operations, from “panther neutral” to “panther impact”, to allow development. An additional 435.58 acres of land (panther mitigation) was incorporated into the Telegraph Trail Preserve (Mitigation Area D), as compensation. The panther mitigation addition was included as wetland mitigation for the BRC when the Corps issued its permit but had not been included for panther mitigation in the 2009 BO.

The 2019 BO amendment also re-evaluated the project's potential effects on the Eastern indigo snake in accordance with the most recent Programmatic Key for indigo snake, as revised in 2017, By the 2017 Key, if the project contains more than 25 acres of indigo snake habitat “a take is likely”.

The applicant has provided the results of updated threatened and endangered species surveys conducted for the project and management plans for the above referenced species. Based on the applicant's listed species surveys, the proposed management plans and current site plan, the Corps has made determinations consistent with the 2009 BO that the project may affect but is not likely to adversely affect the RCW, Florida scrub jay, and the beautiful paw-paw and will request concurrence from the FWS with these determinations.

The Corps has completed an evaluation of the current modifications proposed for the BRC and finds the proposed project “may affect” some ESA listed species and/or their designated habitat. Additionally, there has been a newly listed ESA species identified on the property that was not previously considered during prior reviews. Based on the new information, the Corps determined that the modified project “may affect” the Florida bonneted bat [(FBB) *Eumops floridanus*]. Additionally the Corps has determined that the proposed modified project “may affect” the panther, the wood stork, Audubon's crested caracara, and the indigo snake and will request the FWS to initiate formal consultation for those species. The applicant has also requested consultation for one candidate species, the gopher tortoise (*Gopherus polyphemus*). These determinations will be coordinated with the FWS, via separate letter.

**ESSENTIAL FISH HABITAT (EFH):** This project is above the mean high water and has no effect on EFH.

**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:** The SFWMD is processing a modification application for this project. The SFWMD application number is #200526-3536.

**COMMENTS:** Comments regarding the potential authorization of the work proposed should be submitted in writing to the attention of District Engineer through the Fort Myers Permitting Section, 1520 Royal Palm Square Boulevard, Suite 310, Fort Myers, Florida 33919 within 21 days from the date of this notice.

The decision whether to issue or deny this permit modification 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:** Questions concerning this application should be directed to the project manager, Robert Tewis, in writing at the Ft. Myers Permits Section, 1520 Royal Palm Square Blvd. Suite 310, Fort Myers, Florida, 33919; by electronic mail at robert.M.Tewis@usace.army.mil; by facsimile transmission at (239)-334-0797; or by telephone at (239)-334-1975 ext. 0012. .

**IMPACT ON NATURAL RESOURCES:** Coordination with the U.S. Fish and Wildlife Service (FWS), the Environmental Protection Agency (EPA), the National Marine Fisheries Services (NMFS), 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 (CWA) 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 (CZMP). 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.

**PUBLIC NOTICE (PN) PUBLISHING:** If you are a property owner who might have interest in work being proposed on property adjoining yours a PN for the proposed work has been published on the internet at the following web address:

<http://www.saj.usace.army.mil/Missions/Regulatory/PublicNotices.aspx>

Please be aware this web address is case sensitive and should be entered as it appears above. In order to view the notice, access the web page provided, left click on the following file number to open the PN for SAJ-2006-06656-(Mod-RMT).

**AVAILABLE HARD COPIES OF THE PN FOR REVIEWING:** Hard copies of this PN and associated site plans will be made available for review within the BRC at the Hatchery Building located at 42881 Lake Babcock Drive, Babcock Ranch, Florida 33982. **PLEASE NOTE:** Persons wanting to review a hard copy of the PN **must call in advance (941-628-7837)** to be allowed into the building.



# ENVIRONMENTAL PERMIT DRAWINGS

## FOR

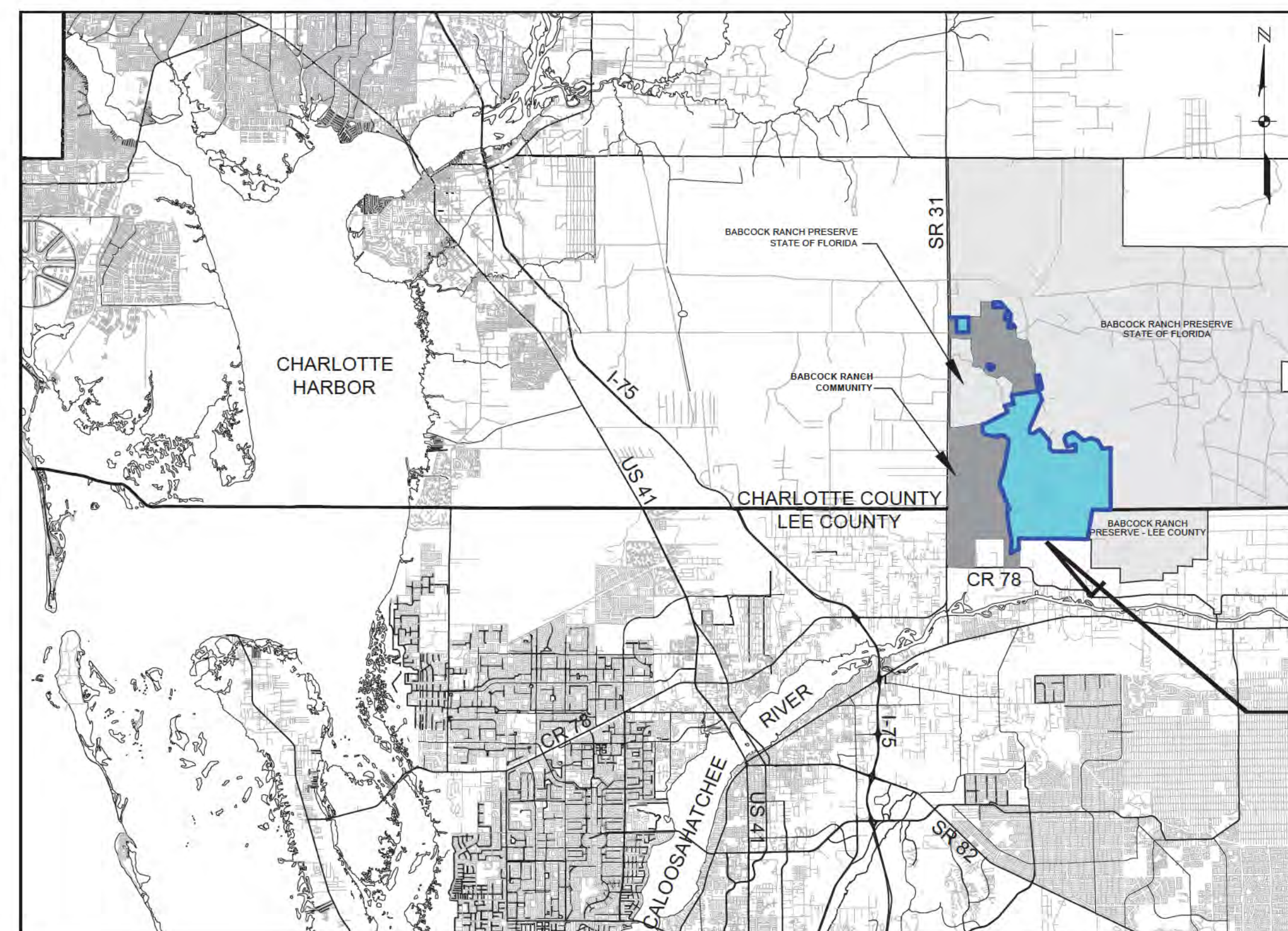
# BABCOCK RANCH COMMUNITY

## 2020 BABCOCK MODIFICATION

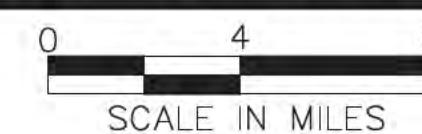
### Lee and Charlotte Counties, Florida

#### INDEX OF PLANS

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E2	USGS Quadrangle Map
E3	Soils Map
E4 - E6	Existing Conditions
E7 - E8	Impacts
E9 - E11	Preserves



#### LOCATION MAP



SEPTEMBER 2020

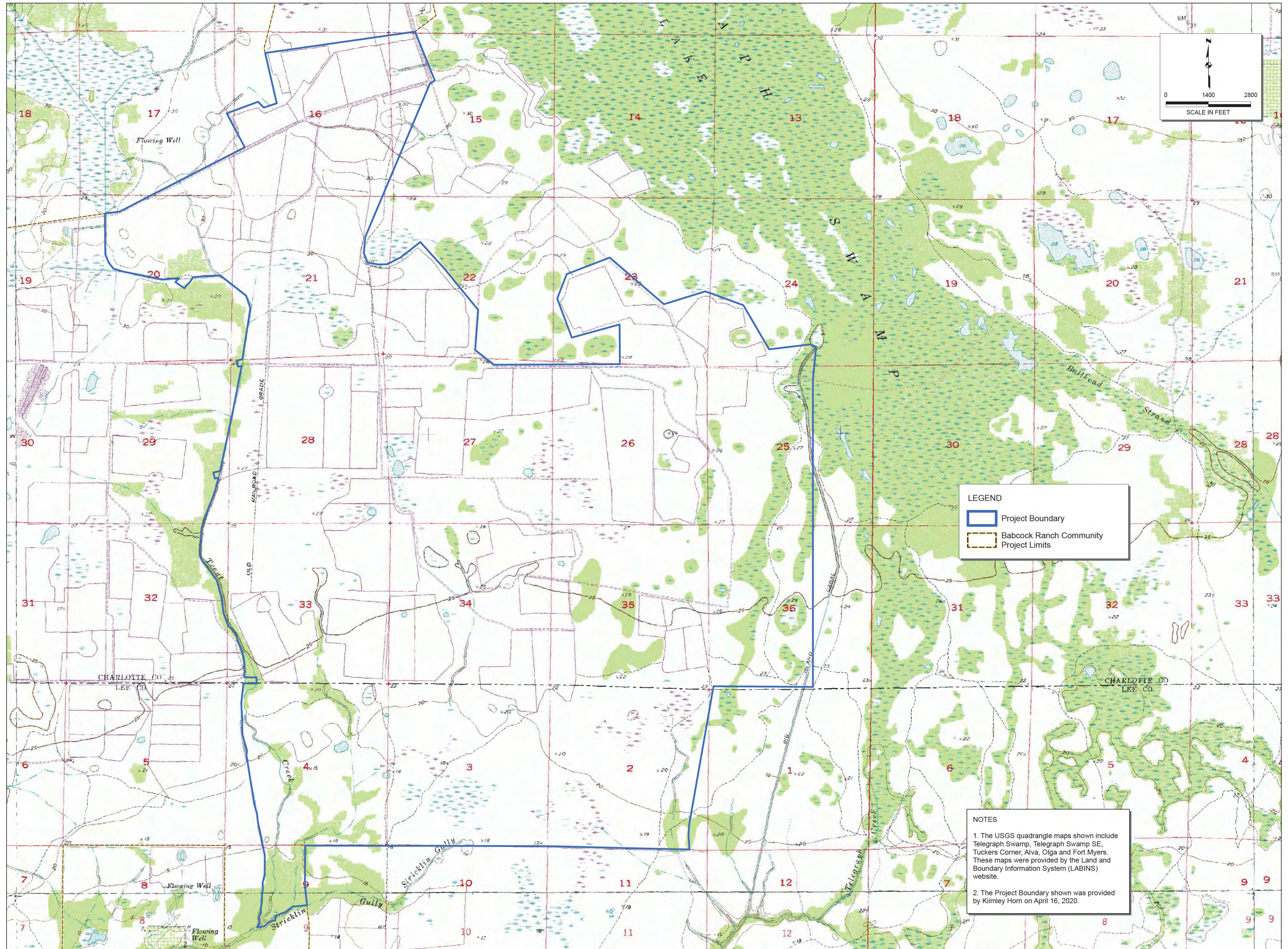
**PROJECT  
LOCATION**

**JOHNSON**  
ENGINEERING

JOHNSON ENGINEERING, INC.  
2122 JOHNSON STREET  
P.O. BOX 1550  
FORT MYERS, FLORIDA 33902-1550  
PHONE (239) 334-0046  
FAX (239) 334-3661  
E.B. #642 & L.B. #642

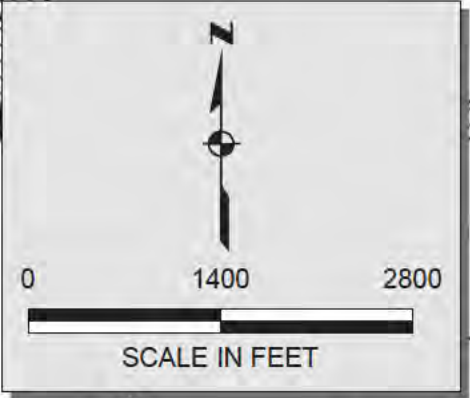
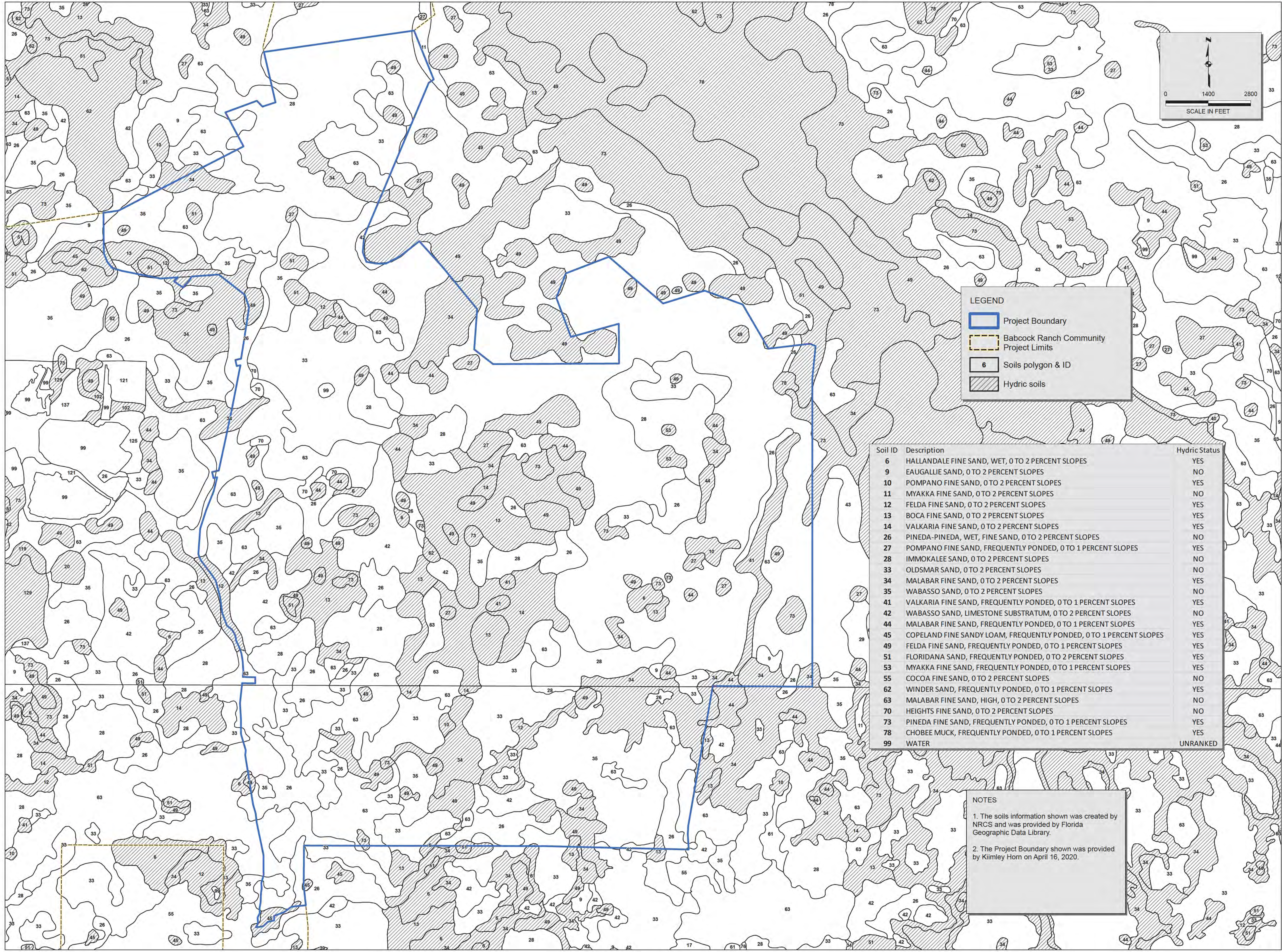


## GS QUADRANGLE MAP





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REVISIONS

NO.	DATE	DESCRIPTION

DATE: September 2020

PROJECT NO. 20192105-001

FILE NO.

SCALE: As Shown

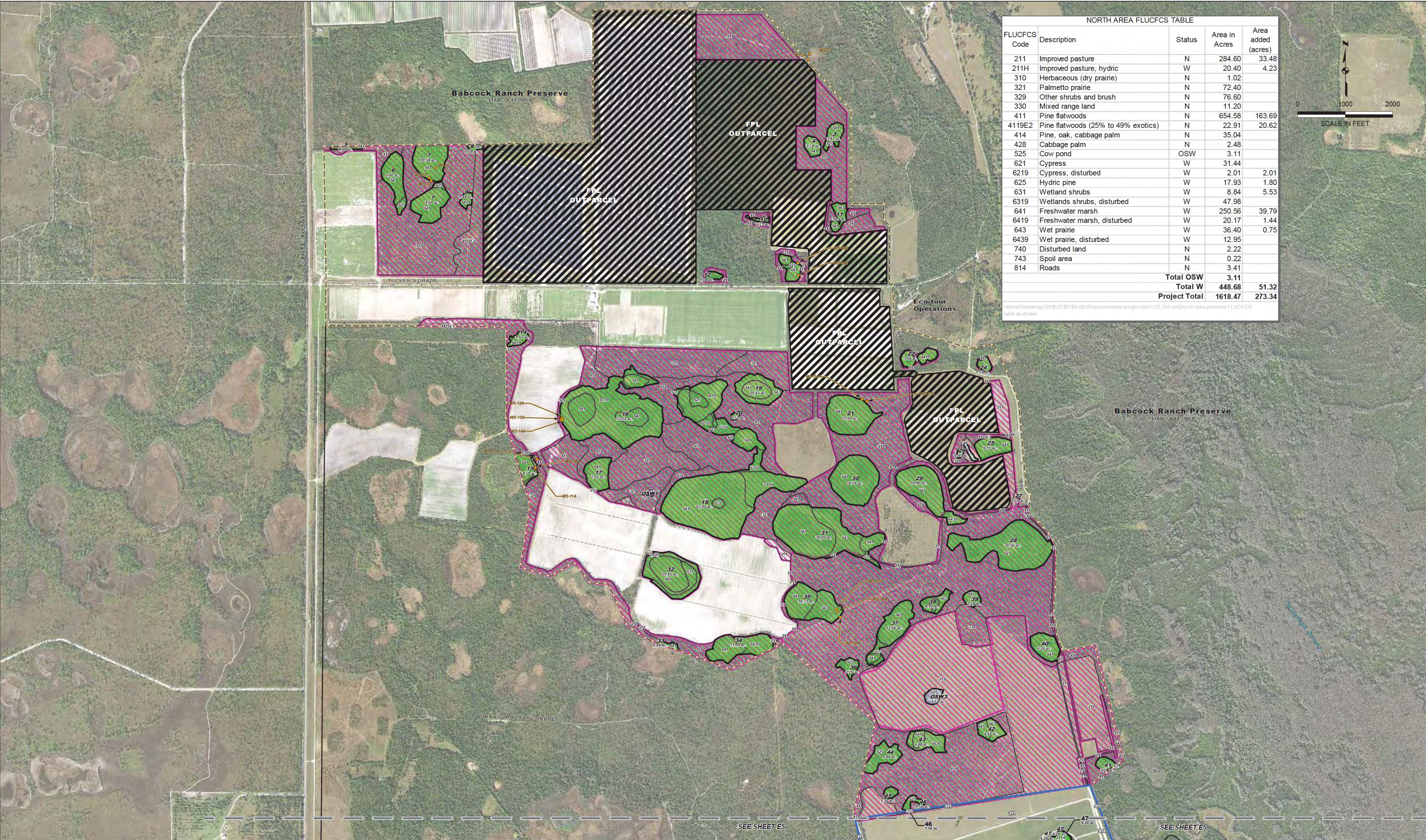
SOILS MAP

SHEET NUMBER

E3



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NORTH AREA FLUCFCS TABLE				
FLUCFCS Code	Description	Status	Area in Acres	Area added (acres)
211	Improved pasture	N	284.60	33.48
211H	Improved pasture, hydric	W	20.40	4.23
310	Herbaceous (dry prairie)	N	1.02	
321	Palmetto prairie	N	72.40	
329	Other shrubs and brush	N	76.60	
330	Mixed range land	N	11.20	
411	Pine flatwoods	N	654.58	163.69
4119E2	Pine flatwoods (25% to 49% exotics)	N	22.91	20.62
414	Pine, oak, cabbage palm	N	35.04	
428	Cabbage palm	N	2.48	
525	Cow pond	OSW	3.11	
621	Cypress	W	31.44	
6219	Cypress, disturbed	W	2.01	2.01
625	Hydric pine	W	17.93	1.80
631	Wetland shrubs	W	8.84	5.53
6319	Wetlands shrubs, disturbed	W	47.98	
641	Freshwater marsh	W	250.56	39.79
6419	Freshwater marsh, disturbed	W	20.17	1.44
643	Wet prairie	W	36.40	0.75
6439	Wet prairie, disturbed	W	12.95	
740	Disturbed land	N	2.22	
743	Spoil area	N	0.22	
814	Roads	N	3.41	
Total OSW			3.11	
Total W			448.68	51.32
Project Total			1618.47	273.34

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Table 20-10 Table

- NOTES
1. The FLUCFCS mapping and wetland limits shown were reviewed and approved under SFWMD Permit 08-00004-S-05 and USACE Permit SAJ-2006-06656.
  2. The Project Boundary shown was provided by Klimley Horn on April 16, 2020.
  3. The aerial photographs shown are from Greenman-Pedersen, Inc. (2018), FDOT (2017) and Lee County government (2017).

- LEGEND
- Project Boundary
  - North Area preserve extents
  - Babcock Ranch Community Project Limits
  - FLUCFCS Polygons
  - Wetlands
  - OSWs
  - Wetland / Surface Water Extent, ID & Acreage
  - Wet Season Water Table Locations

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BABCOCK PROPERTY  
HOLDINGS, LLC

BABCOCK RANCH COMMUNITY,  
2020 BABCOCK MODIFICATION  
LEE AND CHARLOTTE COUNTIES, FLORIDA

REVISIONS

NO.	DESCRIPTION	DATE

DATE: September 2020

PROJECT NO. 20192105-001

FILE NO.

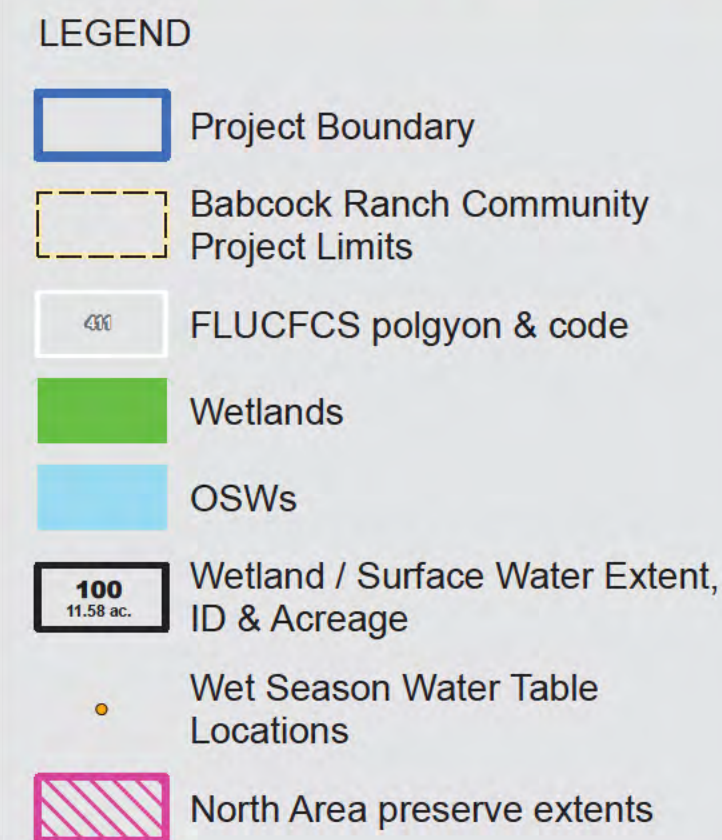
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EXISTING CONDITIONS

SHEET NUMBER

E4





## NOTES

1. The FLUCFCS mapping and wetland limits shown were reviewed and approved under SFWMD Permit 08-00004-S-05 and USACE Permit SAJ-2006-06656.
2. The Project Boundary shown was provided by Kimmley Horn on April 16, 2020.
3. The aerial photographs shown are from Greenman-Pedersen, Inc. (2018), FDOT (2017) and Lee County government (2017).

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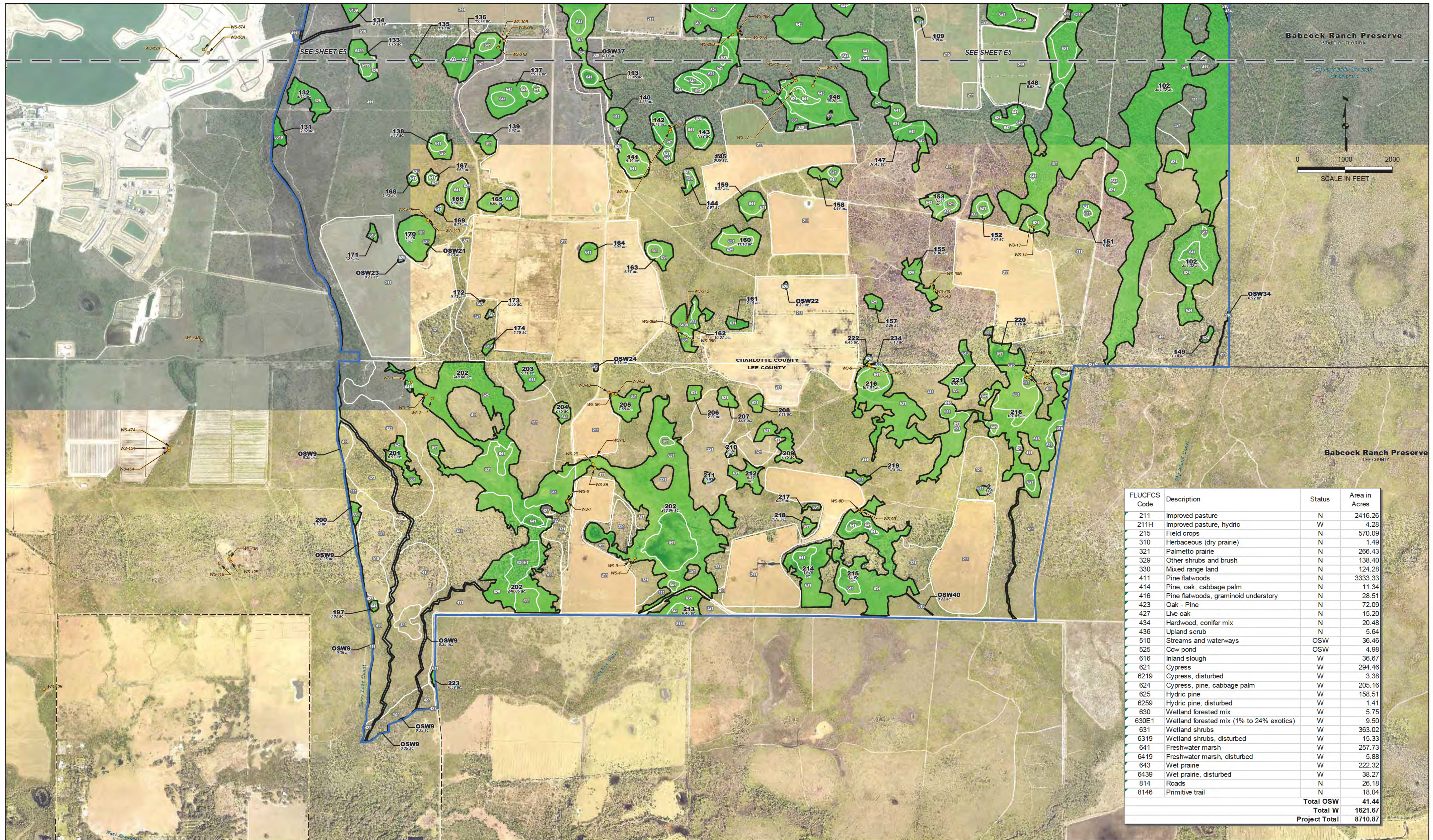
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EET NUMBER

5



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- NOTES
1. The FLUCFCS mapping and wetland limits shown were reviewed and approved under SFWMD Permit 08-00004-S-05 and USACE Permit SAJ-2006-06656.
  2. The Project Boundary shown was provided by Kimley Horn on April 16, 2020.
  3. The aerial photographs shown are from Greenman-Pedersen, Inc. (2018), FDOT (2017) and Lee County government (2017).

LEGEND

- Project Boundary
- Babcock Ranch Community Project Limits
- FLUCFCS polygon & code
- Wetlands
- OSWs
- Wetland / Surface Water Extent, ID & Acreage
- Wet Season Water Table Locations

FLUCFCS Code	Description	Status	Area in Acres
211	Improved pasture	N	2416.26
211H	Improved pasture, hydric	W	4.28
215	Field crops	N	570.09
310	Herbaceous (dry prairie)	N	1.49
321	Palmetto prairie	N	266.43
329	Other shrubs and brush	N	138.40
330	Mixed range land	N	124.28
411	Pine flatwoods	N	3333.33
414	Pine, oak, cabbage palm	N	11.34
416	Pine flatwoods, graminoid understory	N	28.51
423	Oak - Pine	N	72.09
427	Live oak	N	15.20
434	Hardwood, conifer mix	N	20.48
436	Upland scrub	N	5.64
510	Streams and waterways	OSW	36.46
525	Cow pond	OSW	4.98
616	Inland slough	W	36.67
621	Cypress	W	294.46
6219	Cypress, disturbed	W	3.38
624	Cypress, pine, cabbage palm	W	205.16
625	Hydric pine	W	158.51
6259	Hydric pine, disturbed	W	1.41
630	Wetland forested mix	W	5.75
630E1	Wetland forested mix (1% to 24% exotics)	W	9.50
631	Wetland shrubs	W	363.02
6319	Wetland shrubs, disturbed	W	15.33
641	Freshwater marsh	W	257.73
6419	Freshwater marsh, disturbed	W	5.88
643	Wet prairie	W	222.32
6439	Wet prairie, disturbed	W	38.27
814	Roads	N	26.18
8146	Primitive trail	N	18.04
Total OSW			41.44
Total W			1621.67
Project Total			8710.87

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REVISIONS

NO.	DESCRIPTION	DATE

DATE: September 2020  
PROJECT NO. 20192105-001  
FILE NO.  
SCALE: As Shown

EXISTING CONDITIONS

SHEET NUMBER

E6



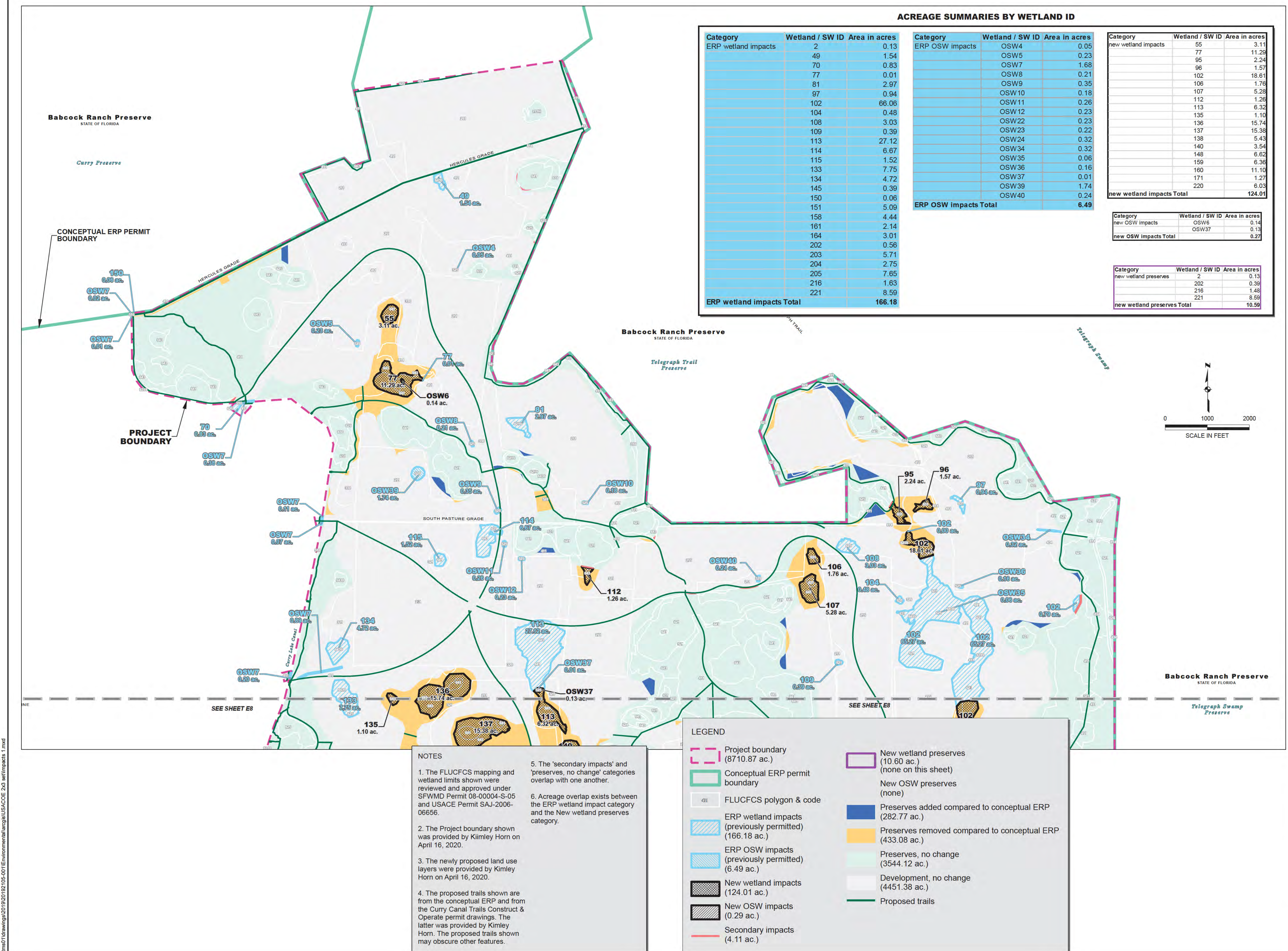
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## IMPACTS

SHEET NUMBER

E7





NO.	REVISIONS DESCRIPTION	DATE

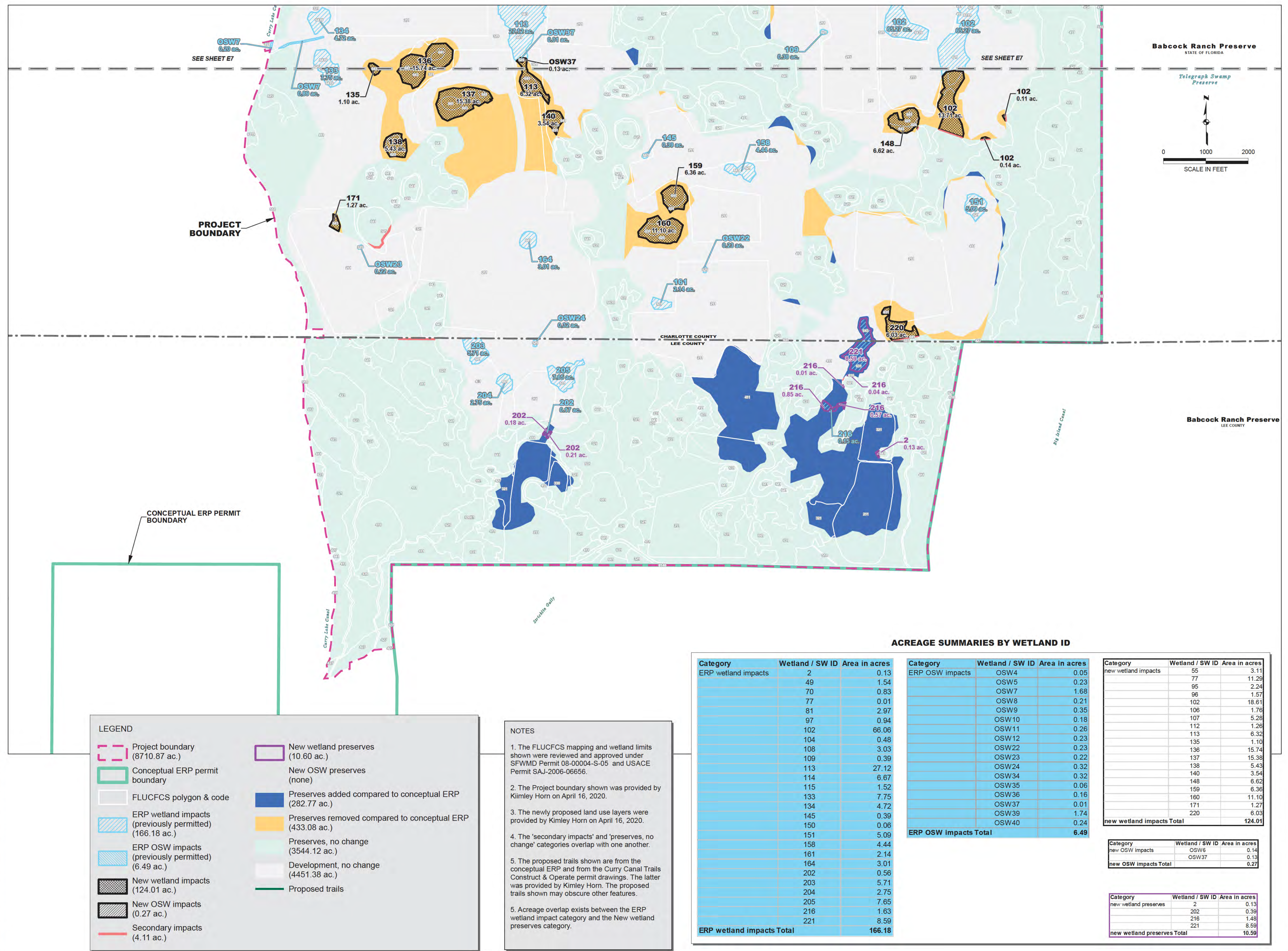
PROJECT NO. 20192105-001

SCALE: As Shown

## IMPACTS

ET NUMBER

8






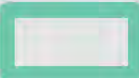
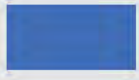



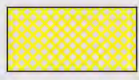

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SCALE: As Shown

ET NUMBER

9



- LEGEND**
-  Project boundary (8710.87 ac.)
  -  Conceptual ERP permit boundary
  -  Preserves added outside of project boundary, compared to conceptual ERP (273.34 ac.) (See Note 4)
  -  Preserves, no change
  -  FLUCFCS polygon & code
  -  Wetlands
  -  Other surface waters
  -  Wetland / OSW extents, ID and acreage

1. The FLUCFCS mapping and wetland limits shown were reviewed and approved under SFWMD Permit 08-00004-S-05 and USACE Permit SAJ-2006-06656.

2. The Project boundary shown was provided by Kimley Horn on April 16, 2020.
3. The preserve layers shown are based on land use layers which were provided by Kimley Horn on April 16, 2020.
4. The preserve acreage (blue polygons) applies only to polygons shown on this sheet.



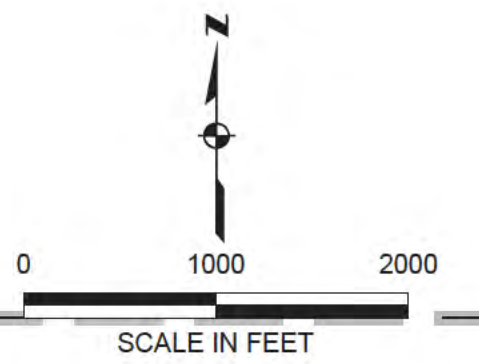
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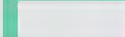
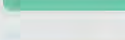

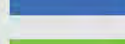

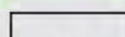
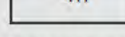
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RESERVES

SHEET NUMBER

E10

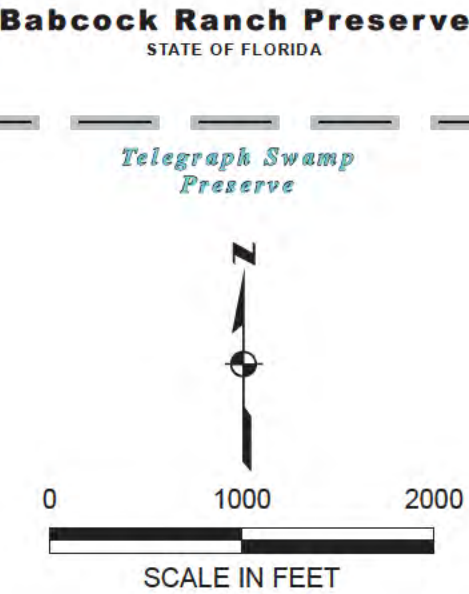
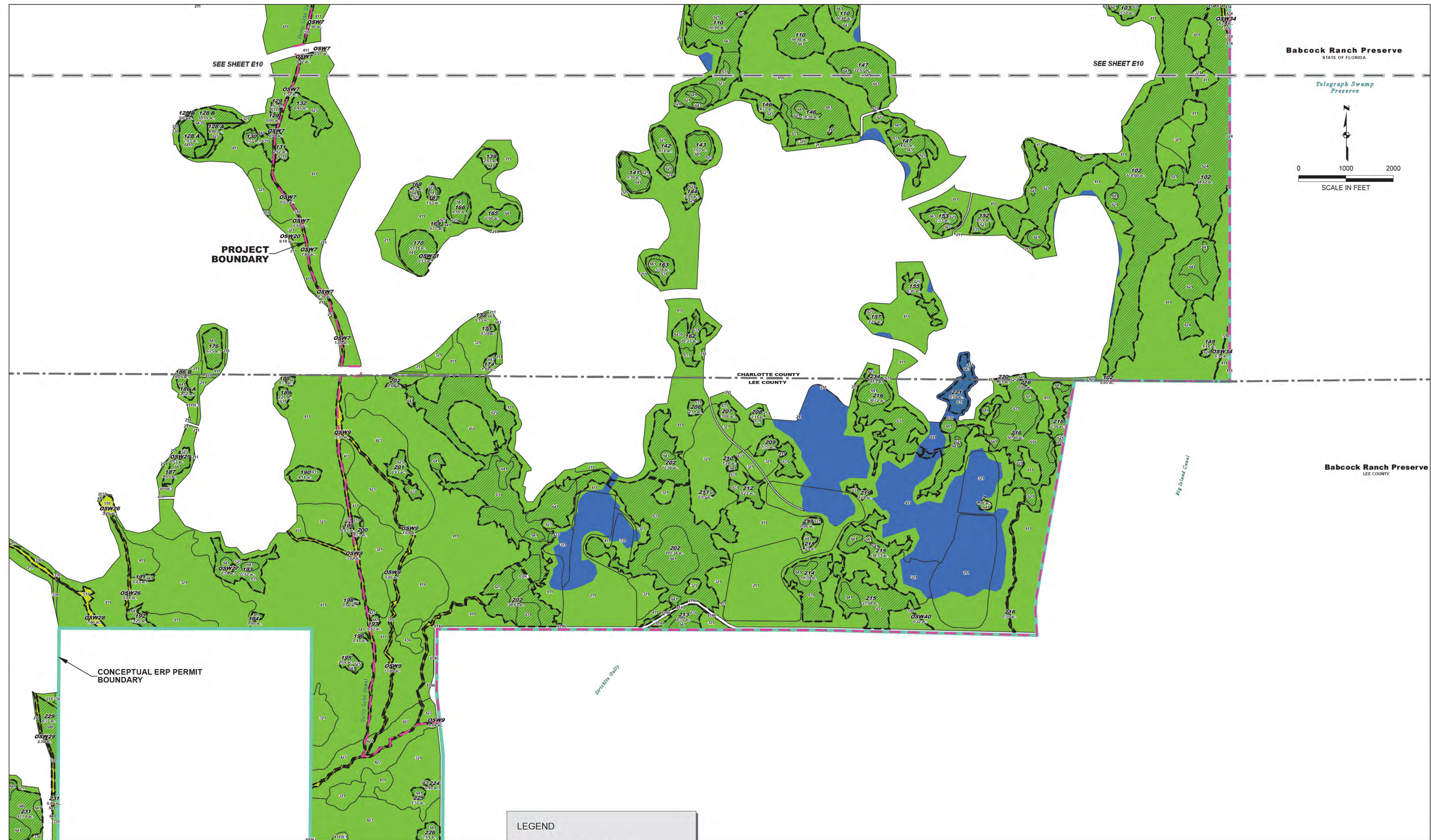


-  Project boundary  
(8710.87 ac.)
-  Conceptual ERP permit boundary
-  Preserves added compared to conceptual ERP  
(282.77 ac.) (See Note 4)
-  Preserves, no change
-  411 FLUCFCS polygon & code
-  Wetlands
-  Other surface waters
-  Wetland / OSW extents, ID and acreage

1. The FLUCCFCS mapping and wetland limits shown were reviewed and approved under SFWMD Permit 08-00004-S-05 and USACE Permit SAJ-2006-06656.
2. The Project boundary shown was provided by Kimley Horn on April 16, 2020.
3. The preserve layers shown are based on land use layers which were provided by Kimley Horn on April 16, 2020.
4. This acreage pertains to only those polygons that occur within the project boundary.



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**LEGEND**

- Project boundary (8710.87 ac.)
- Conceptual ERP permit boundary
- Preserves added within project boundary, compared to conceptual ERP (282.77 ac.) (See Note 4)
- Preserves, no change
- FLUCFCS polygon & code
- Wetlands
- Other surface waters
- Wetland / OSW extents, ID and acreage

**NOTES**

- The FLUCFCS mapping and wetland limits shown were reviewed and approved under SFWMD Permit 08-00004-S-05 and USACE Permit SAJ-2006-06656.
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- The preserve layers shown are based on land use layers which were provided by Kimley Horn on April 16, 2020.
- This acreage pertains to only those polygons that occur within the project boundary.

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2020 BABCOCK MODIFICATION  
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NO.	DESCRIPTION	DATE

DATE: September 2020

PROJECT NO. 20192105-001

FILE NO.

SCALE: As Shown

PRESERVES

SHEET NUMBER

E11