



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

November 3, 2020

CESAJ-RD-WT
Regulatory Division
West Branch
Tampa Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2006-01592 (SP-RGH)

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

APPLICANT: Tom Champan
CC Manatee Development
1901 Ulmerton Road, Suite 475
Clearwater, Florida 33762

WATERWAY AND LOCATION: The project site involves proposed impacts to unnamed freshwater agricultural impoundments and drainage ditches that ultimately flow to Curiosity Creek, a tributary of the Little Manatee River. The site is located at 14000 Grass Farm Road, in Sections 3 and 10, Township 33 South, Range 18 East, in Palmetto, Manatee County, Florida.

Directions to the site are as follows: From Tampa, head south on I-75 and travel approximately 30 miles to Moccasin Wallow Road, exit 229. Head west on Moccasin Wallow Road. Travel west for a mile to Bud Rhoden Road, then turn right and drive about 2.0 miles north to Buckeye Road and take a right, the project area is on the north side of Buckeye Road.

APPROXIMATE CENTRAL COORDINATES: Latitude 27.636666°
Longitude -82.489135°

PROJECT PURPOSE:

Basic: To construct residential housing with supporting infrastructure.

Overall: To develop a residential community with related and appropriate infrastructure to include a large lake and designed to serve a variety of home buyers within the northern Manatee county area

EXISTING CONDITIONS: The total land area for the project is 1,558.53-acres of which approximately ±202.16 acres are wetland. The existing land uses include active pasture

and crop lands with extensive ditching, rangeland, exotic upland and wetland forested systems, scrub-shrub wetlands, mixed forested wetlands, a borrow pit, and a power-line easement. Agricultural and rural residential are directly adjacent and/or within close proximity to the project area.

FLUCCS	NAME	ACRES
2100	Cropland and Pastureland	888.37
2139	Woodland Pasture Disturbed	13.59
2610	Fallow Cropland	115.87
3209	Upland Shrub and Brushland Disturbed	35.53
4120	Xeric Oak - Pine	11.85
4200	Upland Hardwood Forest	48.51
4209	Upland Hardwood Forests Disturbed	34.07
4220	Brazilian Pepper	73.40
4300	Upland Mixed Forests	70.49
4340	Upland Mixed Coniferous-Hardwood	10.59
	Totals	1,356.37

The jurisdictional landward extent of wetlands and surface waters comprise a total of ±202.16 acres. The wetlands (140.62 acres) include disturbed scrub-shrub wetlands, freshwater marshes, and mixed wetland hardwoods. The wetlands were historically (1940's) isolated systems; however, they are currently connected via agricultural drainage ditches. Significant ditching (28.28 acres) has altered the hydrology and vegetative composition of these systems, with cattle utilization and hog rooting further reducing the quality. The cattle ponds (8.97 acres) within the western parcels consist of low to medium-low quality systems dominated by nuisance, exotic vegetation, the eastern parcel has a large reservoir (23.15 acres) and a creek (1.14 acres). The wetlands along the eastern boundary adjacent to the power-line easement consist of medium-high quality systems. A summary table of the existing conditions is provided below.

FLUCCS	NAME	ACRES
5120	Drainage Ditches	28.28
5300	Reservoirs/Other Surface Waters	33.26
6190	Exotic Wetland Hardwoods	0.79
6300	Wetland Forested Mixed	114.53
6410	Freshwater Marsh	6.42
6430	Scrub-Shrub Wetland	18.88
	TOTALS	202.16

PROPOSED WORK: The applicant seeks to construct a ±3,382 mixed use single-family residential development known as New Port Isles – Sweetwater Preserve. The project will be developed in 6 phases, and construction will include Phase III of the borrow pit (recreational lake), mass grading of uplands, excavation of 228 acres of

stormwater management ponds, and the installation of associated infrastructure (i.e., drainage, utilities, internal roads, and single-family homes).

The project will require impacts to 1.27 acres (10,289 cubic yards of fill) of wetlands including disturbed scrub-shrub (0.25-acre), exotic hardwood wetland (0.61-acre), freshwater marsh (0.01-acre), and mixed forested wetlands (0.40-acre), 27.04 acres of agricultural ditches, and 8.97 acres of other surface waters (i.e. reservoirs, cattle ponds) identified as jurisdictional to the state.

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:

Efforts to eliminate and reduce wetland impacts were employed during project design including direct avoidance of numerous high-quality wetlands and their upland buffers, as well as the selection of the edge of forested areas impacted by an existing jeep trail. Also, the shrub wetlands proposed for impact are low quality as they are dominated by nuisance, exotic vegetation, have been severely impacted by onsite agricultural activities, and extensive drawdown effects from drainage ditches.

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

Mitigation will include the preservation of the remaining ± 140 acres of wetlands, enhancement (i.e., removal of nuisance, exotic species) of the upland buffers (24.40 acres) and wetland buffers (5.40 acres), as well as littoral plantings (8.25 acres) within the borrow pit.

CULTURAL RESOURCES: The Corps has determined the permit area. 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 may affect, but is not likely to adversely affect (NLAA) the Wood stork (*Mycteria americana*) and Eastern indigo snake (*Drymarchon corais couperi*). Potential impacts to the wood stork were evaluated using the Effect Determination Key for the Wood Stork in Central and North Peninsular Florida, dated September 2008 (Key). The Corps has programmatic concurrence with the sequential determination of A > B > C > NLAA pursuant to the Key. Potential impacts to the eastern indigo snake were evaluated using the Eastern Indigo Snake Key (Key) dated 25 January 2010 and updated 13 August 2013. The Corps has

programmatic concurrence with the sequential determination of A > B > C > NLAA pursuant to the Key. This determination is based on the applicant implementing the Standard Protection Measures for the Eastern Indigo Snake. Per Key stipulation for both programmatic consultations, no further consultation with FWS is required 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 not have a substantial adverse impact 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, Florida 33610-8302 within 21 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, Ryan Hendren, in writing at the Tampa Permits Section, 10117 Princess Palm Avenue, Suite 120, Tampa, Florida 33610-8302; by electronic mail at Ryan.G.Hendren@usace.army.mil or, by telephone at 813-603-1152.

IMPACT ON NATURAL RESOURCES: Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area.

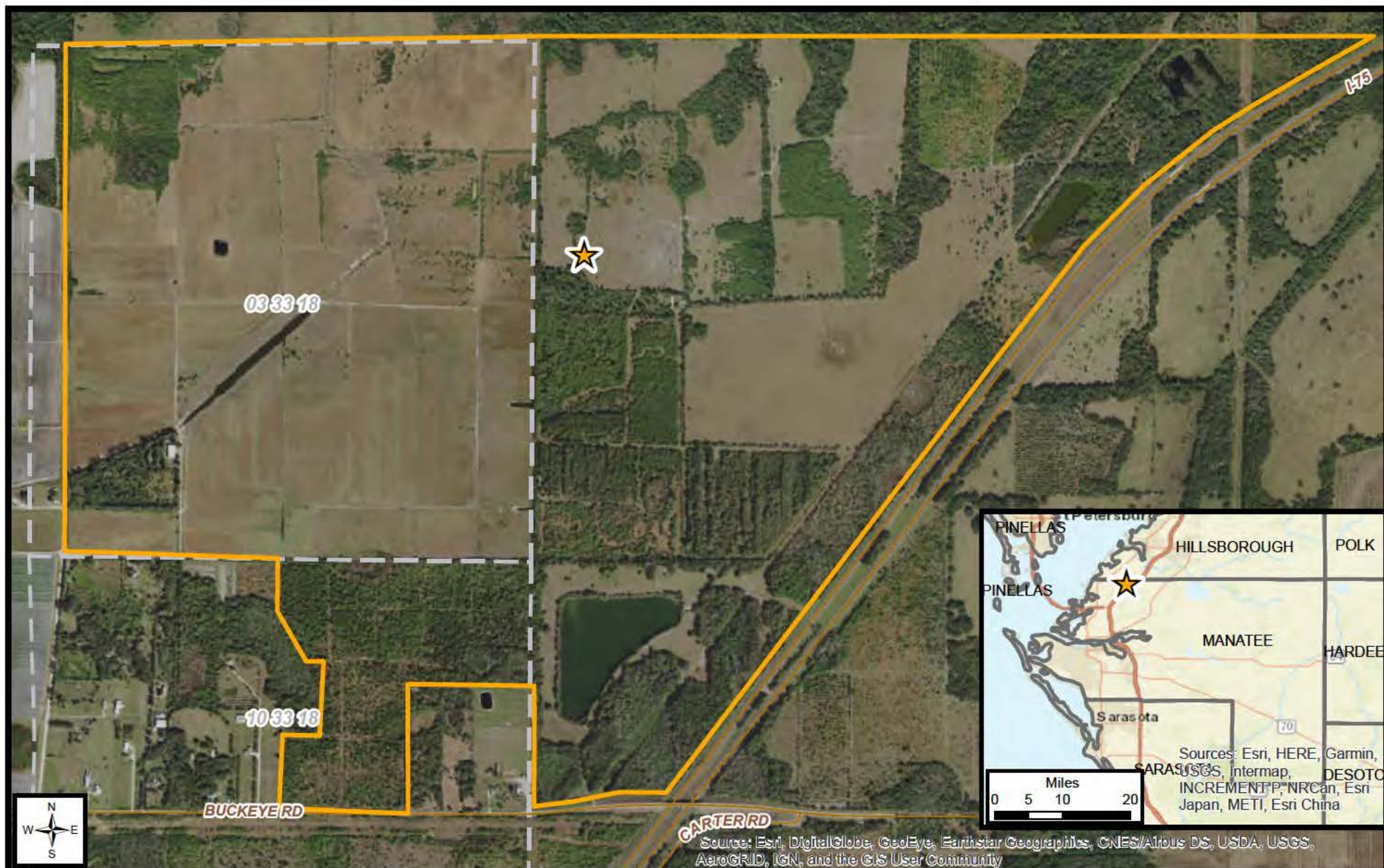
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public

interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

The US Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan.

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



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CC Manatee Development, LLC - New Port - Sweetwater Residential Development -
Manatee County, Florida



Site Location



Newport Sweetwater Boundary



Major Roads



PLSS Sections 3 & 10

**Figure 1.
Location Map**

Scale:

Feet

0 650 1,300 2,600

Date: 4/13/2020

FLUCCS MAP

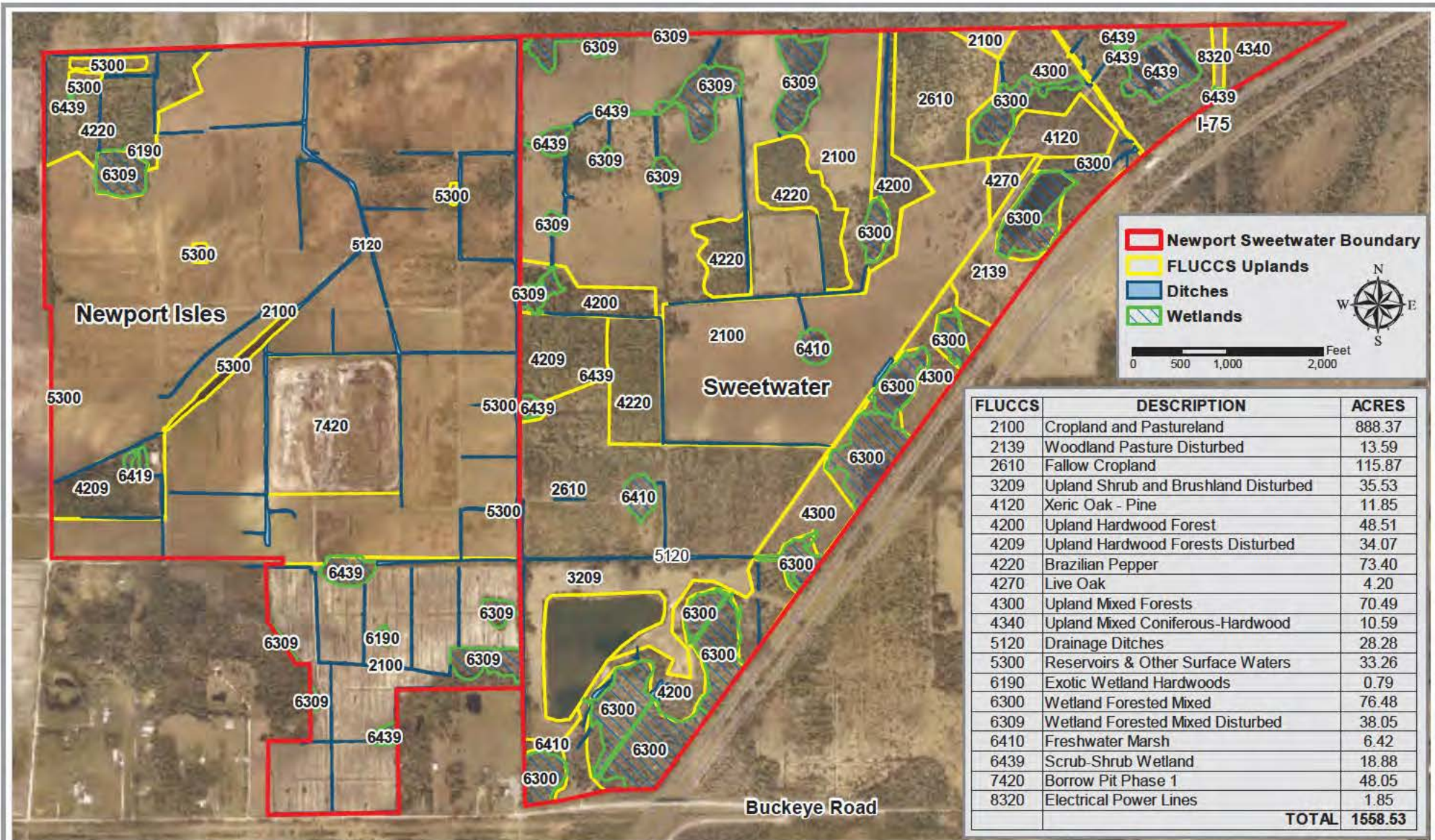


Figure 2

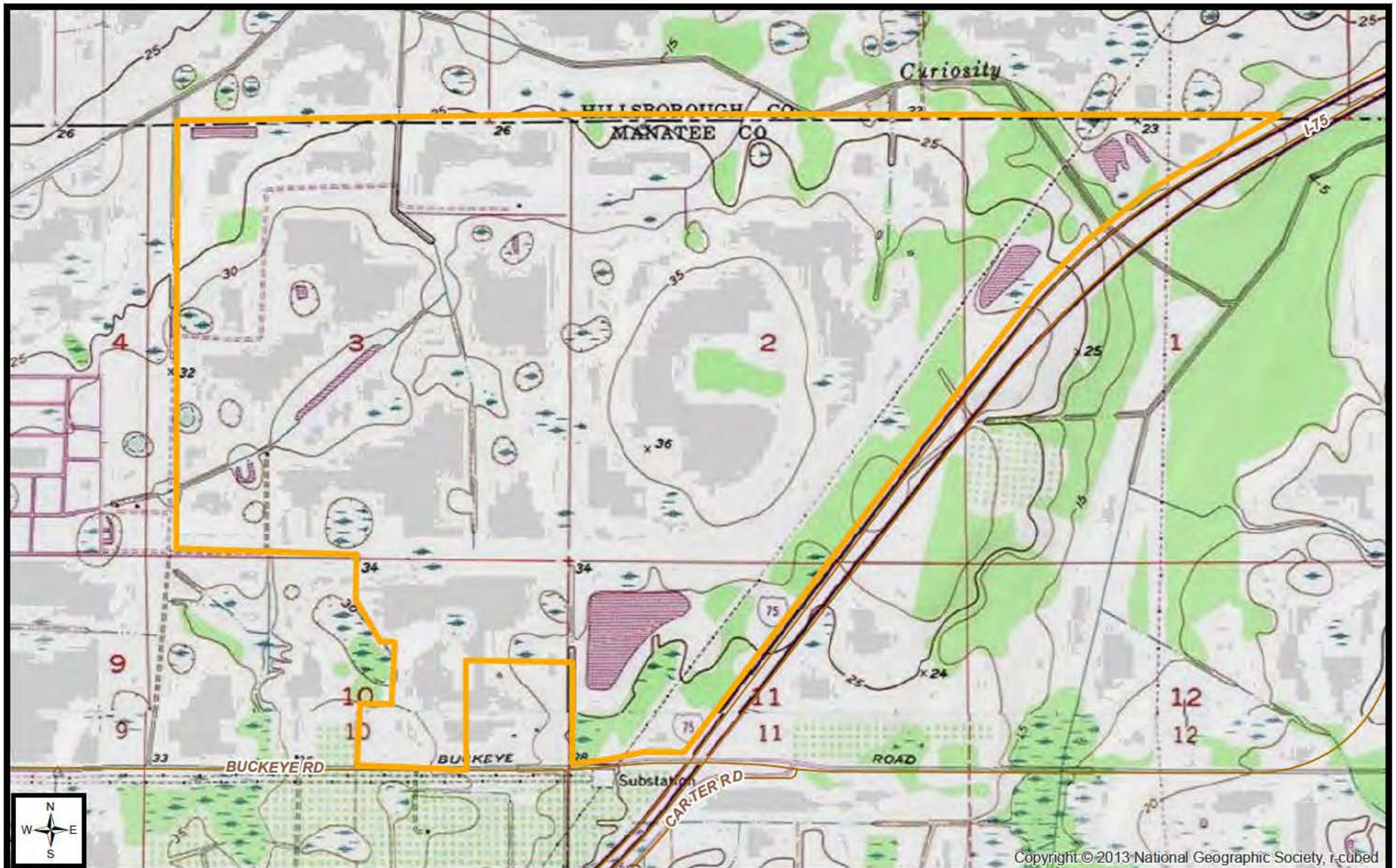
STR: 2,3,10 &11/33S/18E

05/01/20

NEWPORT ISLES - SWEETWATER RESIDENTIAL DEVELOPMENT MANATEE COUNTY, FL



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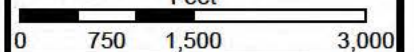
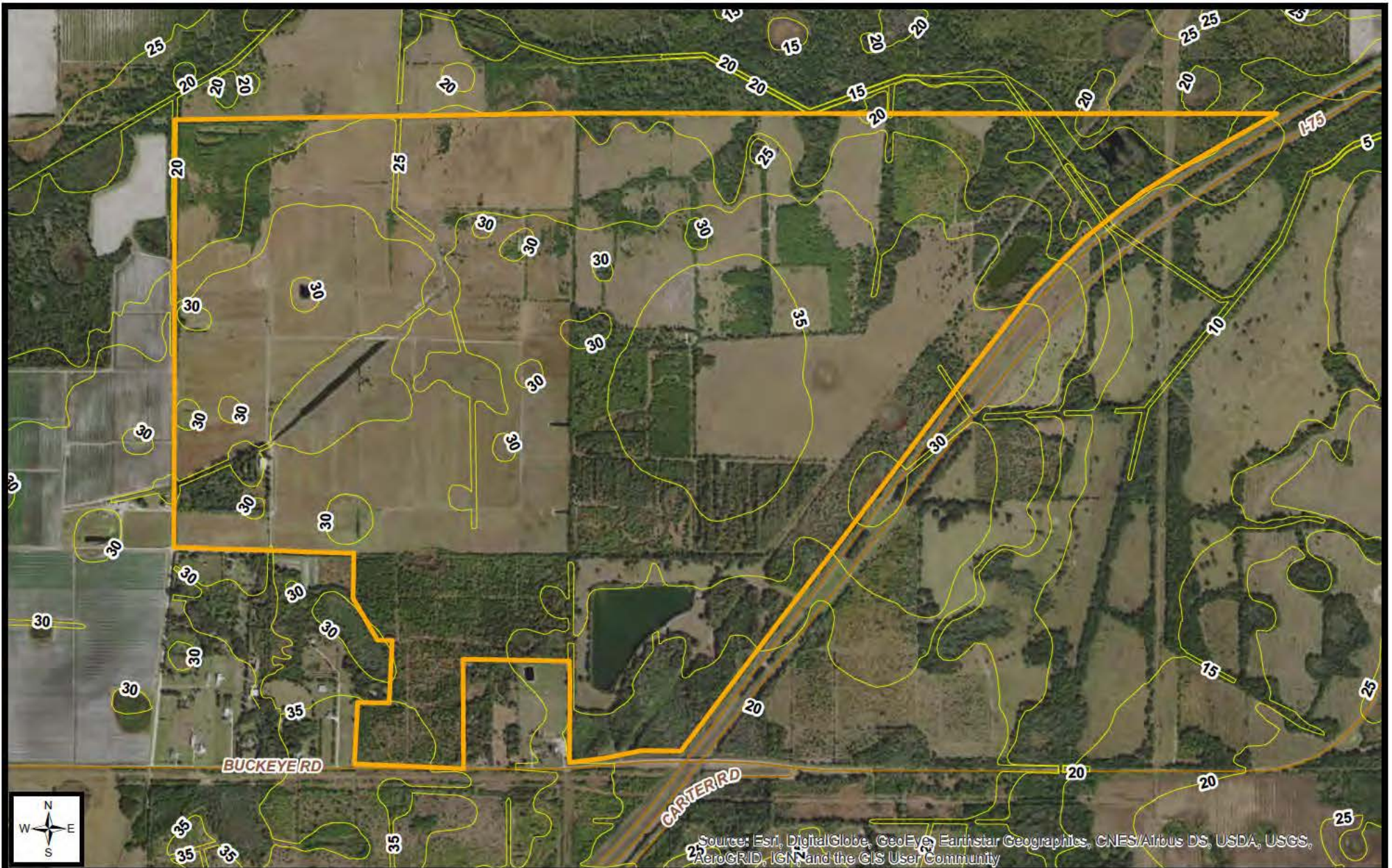
 Newport Sweetwater
Boundary
 Major Roads

Figure 3.
USGS Topographic
Map

Scale: Feet


Date: 4/13/2020



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



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CC Manatee Development, LLC - New Port - Sweetwater Residential Development -
Manatee County, Florida

- Newport Sweetwater Boundary
- USGS Contours (5ft)
- Major Roads

Figure 3.
USGS Topographic
Map

Scale: Feet
0 750 1,500 3,000

Date: 4/13/2020

JURISDICTIONAL WETLANDS & SURFACE WATER IMPACTS

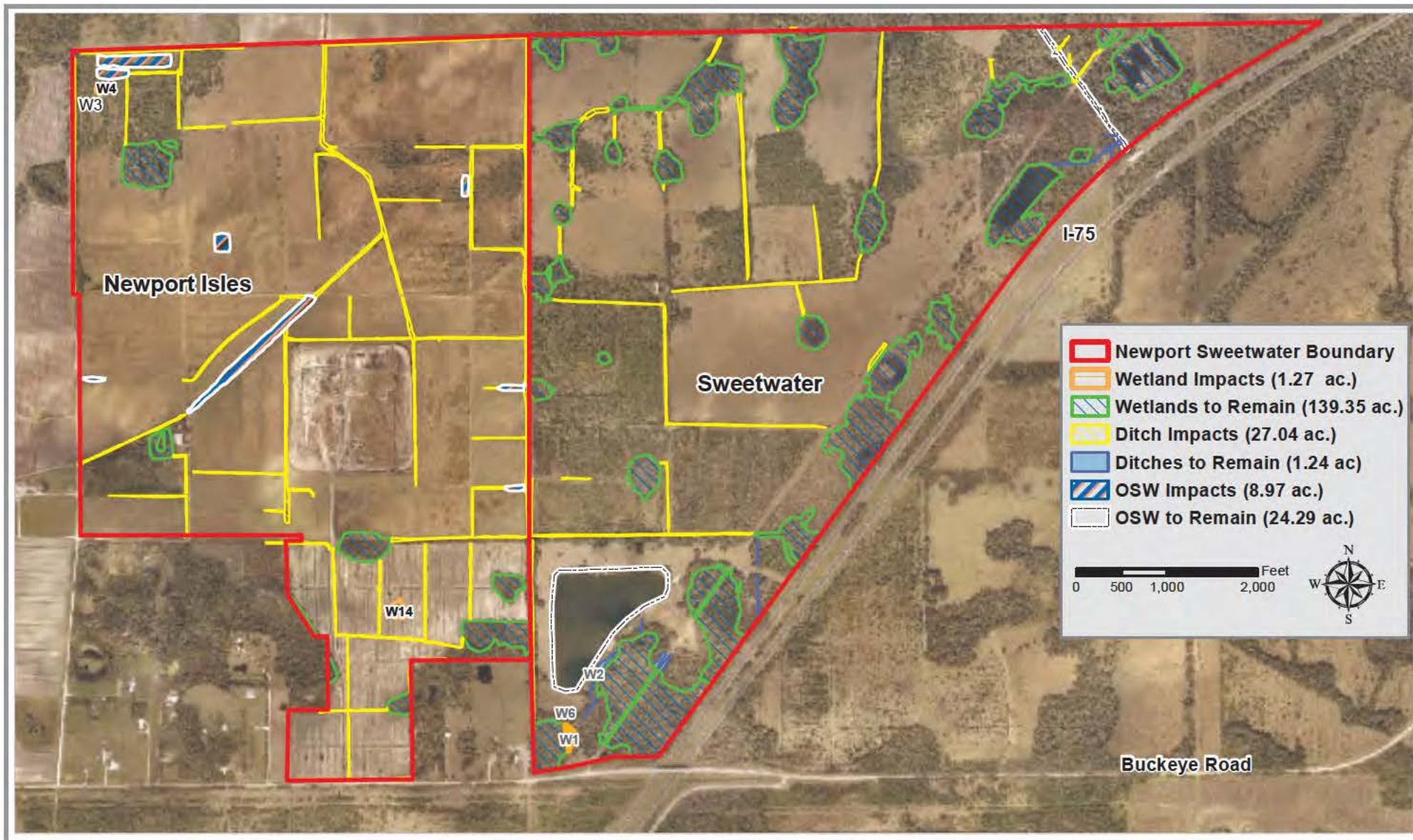


Figure 4

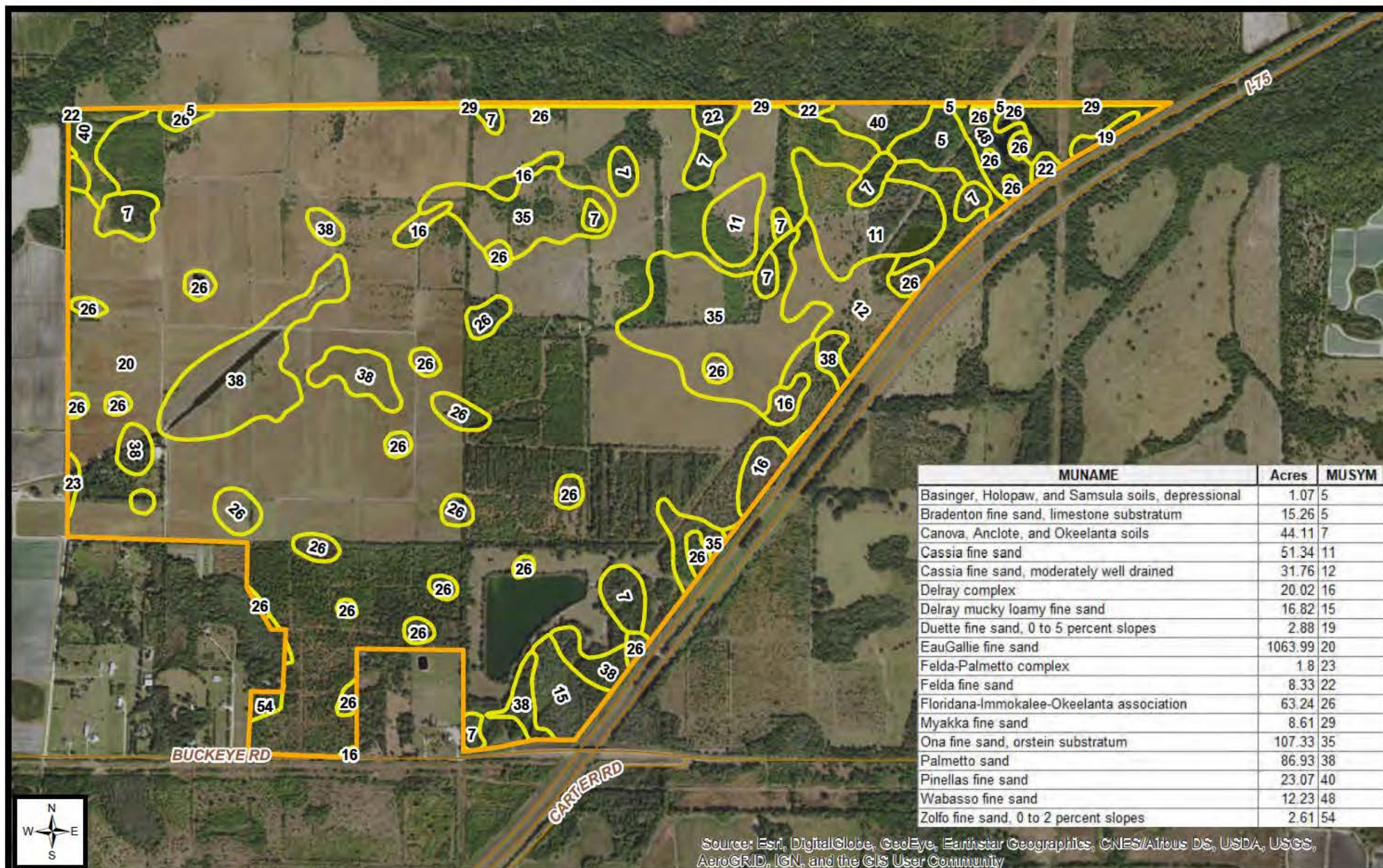
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Manatee County, Florida

- Newport Sweetwater Boundary
- NRCS Soils (Label MUSYM)
- Major Roads

**Figure 5 .
NRCS
Soils Map**

Scale: Feet
0 750 1,500 3,000

Date: 4/13/2020

LISTED SPECIES MAP

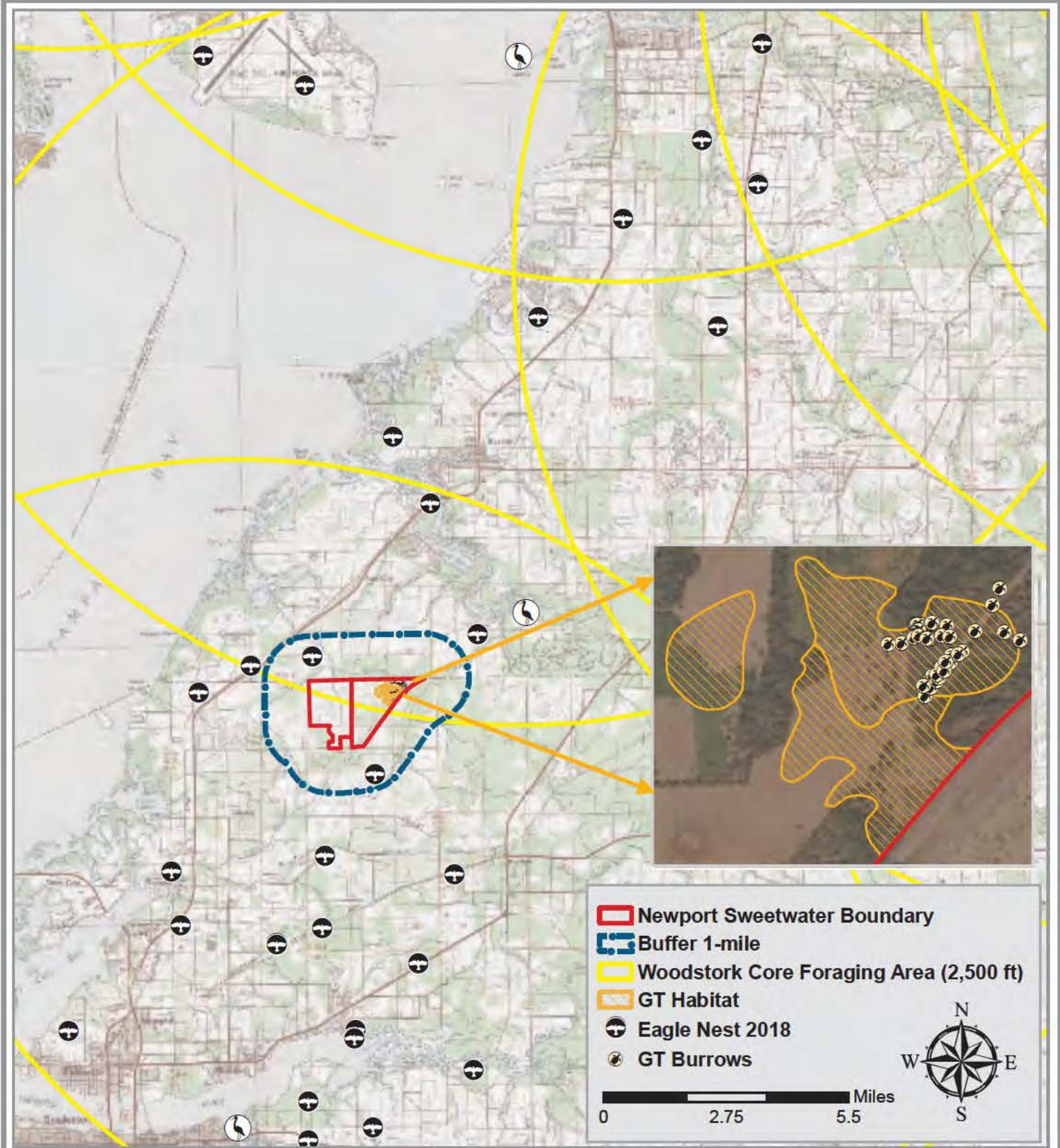


Figure 6

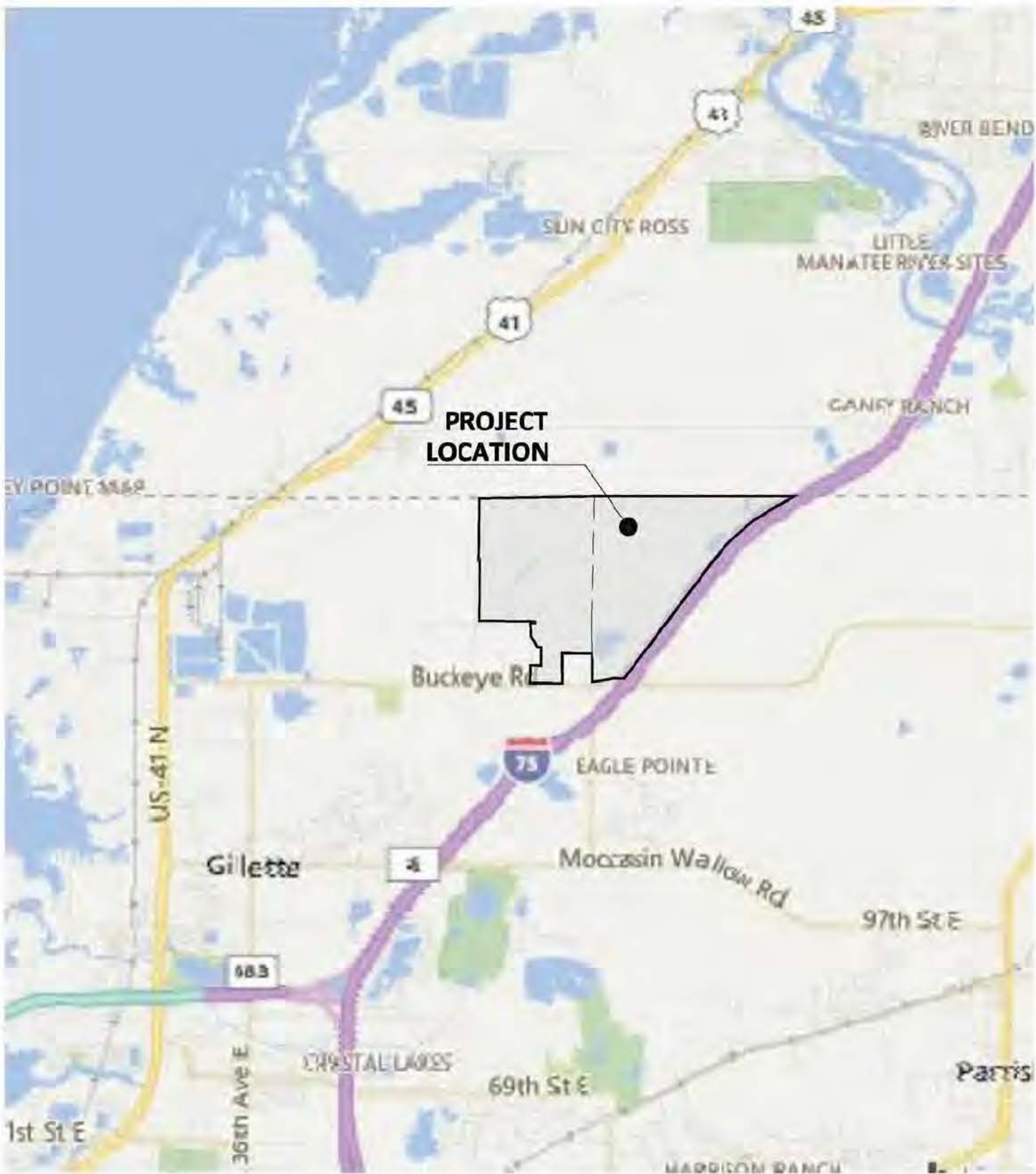
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4/14/2020

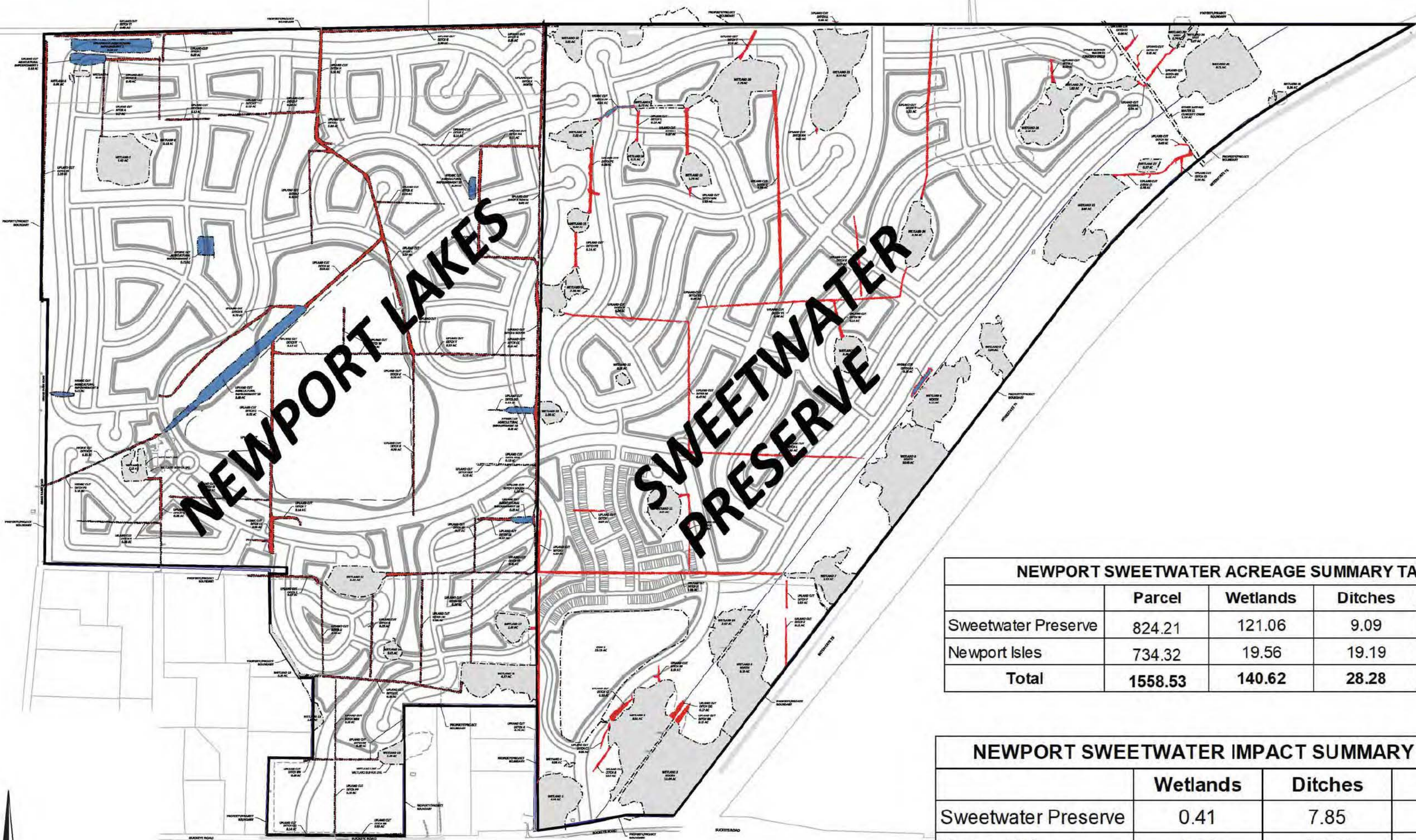
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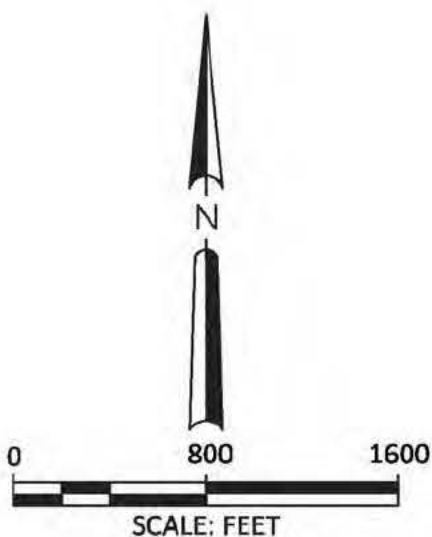


LOCATION MAP



NEWPORT SWEETWATER ACREAGE SUMMARY TABLE				
	Parcel	Wetlands	Ditches	OSW
Sweetwater Preserve	824.21	121.06	9.09	24.29
Newport Isles	734.32	19.56	19.19	8.97
Total	1558.53	140.62	28.28	33.26

NEWPORT SWEETWATER IMPACT SUMMARY TABLE			
	Wetlands	Ditches	OSW
Sweetwater Preserve	0.41	7.85	23.15
Newport Isles	0.86	19.19	8.97
Total	1.27	27.04	32.12



**PROPERTY/PROJECT
BOUNDARY**

