



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

January 14, 2019

Regulatory Division
North Permits Branch
Jacksonville Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2018-03391 (SP-BJC)

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: ES WB Holdings, LLC
Attn: Mr. Dean Vincent
14700 Village Square Place
Midlothian, Virginia 23112

WATERWAY AND LOCATION: The project would affect waters of the United States associated with Black Creek. The project site is located near 3656 Nalls Lane, in Sections 13 and 24, Township 4 South, Range 24 East; and, Sections 18 and 19, Township 4 South, Range 25 East, Middleburg, Clay County, Florida.

Directions to the site are as follows: From Interstate-10 take Exit 350 and head south on Cecil Commerce Center Parkway. Turn right at the intersection of Trail Ridge Road, proceed until the intersection of Tynes Boulevard, and turn right. Proceed until the road ends at the project site.

APPROXIMATE CENTRAL COORDINATES: Latitude 30.146447 °
Longitude - 81.845834 °

PROJECT PURPOSE:

Basic: The basic project purpose is residential development.

Overall: The overall project purpose is residential development within the geographical district of Oakleaf High School.

EXISTING CONDITIONS: The wetland system consists of a 6.36-acre freshwater or system. The site includes vegetation such as slash pine (*Pinus elliottii*), red maple (*Acer rubrum*) and gallberry (*Ilex glabra*). The existing area surrounding the project area consists of open land created from previous disturbances and pine flatwoods.

PROPOSED WORK: The applicant seeks authorization to discharge fill material into 1.11 acres of freshwater-forested wetlands to facilitate the construction of 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 proposed wetland impacts are necessary to provide access to available on-site uplands and to successfully develop the parcel as a residential subdivision. County code requires at least two-access points for residential development in case of emergency. Impacts occur to the least ecologically valuable wetlands on-site. These wetlands were previously altered by the properties past use as a yard waste disposal facility. Originally proposed impacts to the large contiguous wetland located along the eastern property boundary were minimized.”

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

The applicant has offered to obtain 0.72-credits from Longleaf Mitigation Bank.

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 proposal would have no effect on any listed threatened or endangered species or designated critical habitat.

ESSENTIAL FISH HABITAT (EFH): This notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in the St. Johns 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 jurisdictional line has not 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 Jacksonville Section Permits Section, Post Office Box 4970, Jacksonville, Florida 32232-0019 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, Brad Carey, in writing at the Jacksonville Permits Section, Post Office Box 4970, Jacksonville, Florida 32232-0019; by electronic mail at brad.j.carey@usace.army.mil; or, by telephone at (904) 232-2405.

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. 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.



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DUVAL CO
CLAY CO

30.146248°, -81.845833°

Florida 23

Gravel Field Challenge Rd

Challenge Rd

Blanchard Rd

Reeseville Rd

Bellair Meadowbrook T

Orange Park

Orange

Lakeside

Crabapple Island

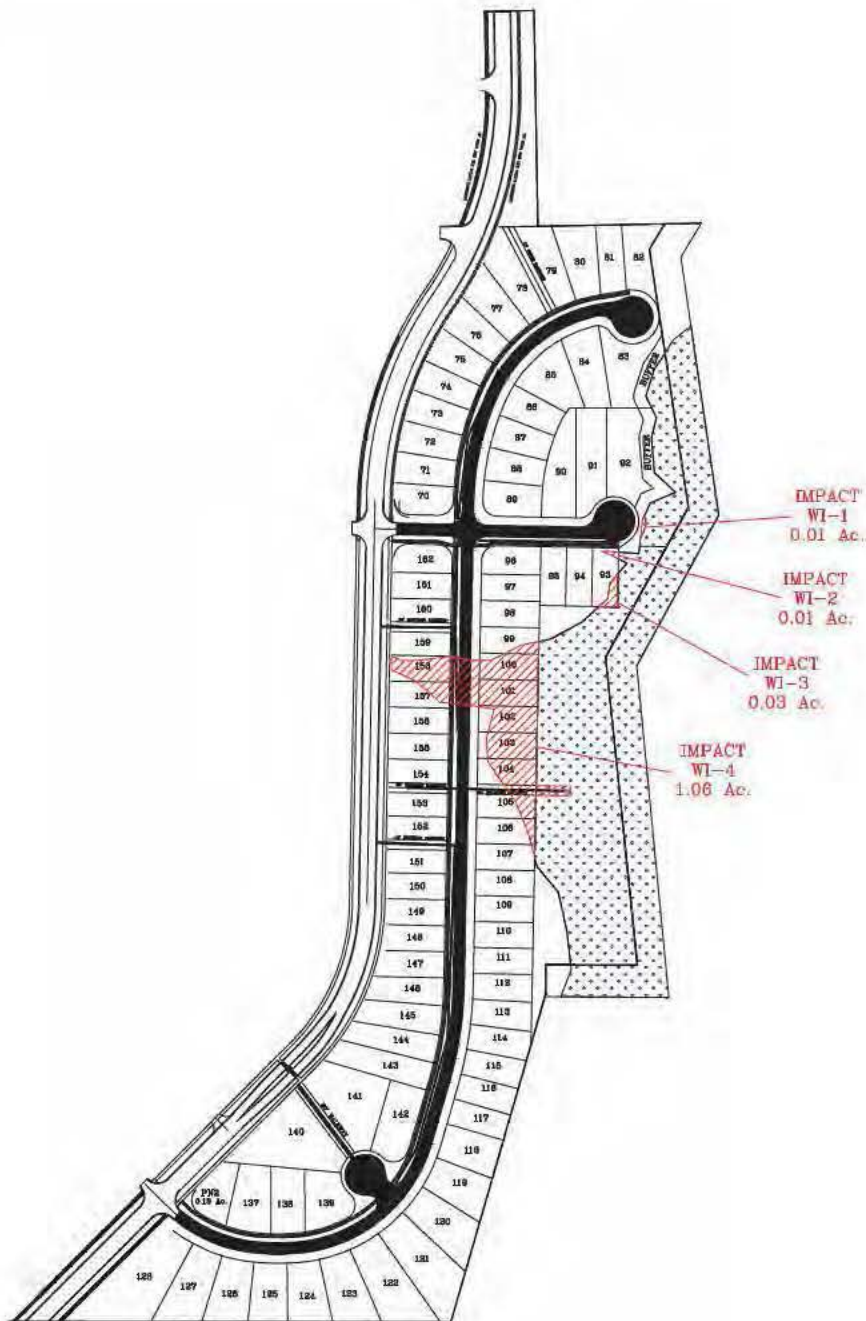
FLEMING ISLAND
Fleming Island



Middleburg

Little Jesse Island

Google earth

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-  Primary Impacts to Wetlands – 1.11 Acres
-  Wetlands to Remain – 5.25 Acres



*Note This is not a Survey. Subject to Agency Verification and Approval.



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2720 PARK STREET, STE. 201
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Westbank – Proposed Impacts

DATE: 10.15.18	SCALE: 1" = 250'
FIGURE 6	AEA 16-1012-00
DRAWN BY: STAFF	CHECKED BY: JAS