



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

January 25, 2019

Regulatory Division  
West Branch  
Tampa Permits Section

## ***PUBLIC NOTICE***

Permit Application No. SAJ-2018-00678 (SP-KRD)

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:**

Tampa Egypt Shriners  
Mr. James Lich  
750 West Lumsden Road  
Brandon, Florida 33511

**WATERWAY AND LOCATION:** The project would affect waters of the United States associated with Palm River. The project site is located on the south side of Washington Street in the Palm River area of Tampa, 0.15 miles east of US 41 (50<sup>th</sup> Street) (See Figure 1) in Section 22, Township 29 South, Range 19 East, in Tampa, Hillsborough County, Florida. This project site is an assemblage of four separate parcel folio numbers under two different owners (160820-0000; 160822-0000; 160813-0100 and 160823-0000) totaling approximately 10.60 acres. These parcels are currently vacant.

Directions to the site are as follows: The project site is located 0.13 miles east of US 41 (50<sup>th</sup> Street) which is 0.10 miles south of the intersection of the Crosstown Expressway in Tampa. The project site can be accessed from SR 60 or I-75 to the Crosstown Expressway or I-4 to the US 41 exit.

**APPROXIMATE CENTRAL COORDINATES:** Latitude 27.947628  
Longitude -82.398951

**PROJECT PURPOSE:**

Basic: Recreational Development.

Overall: To construct a new meeting facility and parade practice drill field for the Tampa Egypt Shriners within the City of Tampa limits, Hillsborough County, Florida.

**EXISTING CONDITIONS:** The project area includes four separate vacant legal parcels totaling 10.60 acres. The western parcel was almost totally filled by dredge spoil from the Palm River and is 4.601 acres of upland habitat mostly comprised of invasive weeds, Brazilian pepper (*Schinus terebinthifolia*), sabal palm (*Sabal palmetto*) and mimosa species. The 0.73-acre of wetland is a mangrove swamp off the Palm River that has been impacted by a DOT drainage easement and ditch. There is significant invasion on the edge by Brazilian pepper. The mangrove species in this wetland are black mangroves (*Avicennia germinans*) and white mangroves (*Laguncularia racemosa*). A portion of these 0.73 acres is on the river and the remainder is the edge of the mangrove forest. There is a ditch, 0.21 acres, on the east side of the eastern parcel created by the railroad for the construction of the track bed that drains to the river. There is mangrove wetland on all of the two center parcels and 0.86 acres of the eastern parcel is mangrove wetland leaving 1.71 acres of upland habitat.

**PROPOSED WORK:** The applicant seeks authorization to construct a new meeting facility and parade practice drill field for the Tampa Egypt Shriners.

The project will involve the following activities:

- The discharge of fill and permanent loss of 0.04-acre of mangrove wetland and 0.11-acre of ditch on the east side of the parcel for the construction of the retaining walls needed to minimize side slope for the proposed 45,000 square foot practice drill field. The practice drill field size is the minimum required by the International Association of Shrine Motor Corps.
- The construction of a 5-foot-wide by 324-foot-long (3000 square foot (SF)) boardwalk which will connect the main building parcel with the practice drill field parcel. The boardwalk will be constructed from upland to upland and will meander through mangrove wetlands, minimizing the need to trim mangroves when possible.
- The construction of an 860 SF observation pier south the proposed main building.

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

The applicant provided alternatives analysis proving they could not find a suitable site for their meeting building and the parade drill field. The applicant provided information from the National Shriners on the minimum requirement for the drill field. They were able to eliminate a driveway to the drill field and have employed the use of retaining walls at the drill field site to minimize the permanent impacts to wetlands.

The applicant has worked diligently to minimize the impacts to the wetland. The site plans were developed and modified to achieve minimization of wetland impacts. These efforts include:

- 1) A 324-foot, 3000 square feet, boardwalk will be constructed across the wetland instead of a side walk across the wetland at Washington Street.
- 2) Retaining walls will be constructed on the east side to eliminate any fill in the railroad ditch.
- 3) Retaining walls will be built on the west side of the drill field in the mangrove wetland to eliminate the side slope on the fill.
- 4) The applicant has eliminated the 0.31-acre road crossing.

These design features have helped to minimize the wetland impact acreage from an originally proposed 0.826-acre, to 0.46-acre, then to a final 0.15-acres.

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

There are no mitigation bank credits available for this basin. Therefore, the applicant will be creating 0.108 acres of mangrove habitat on the river edge and remove 0.50 acres of Brazilian pepper trees/bushes and replanting with black and white mangroves.

**CULTURAL RESOURCES:** The Corps has determined the permit area has been extensively modified by previous work and there is little likelihood a historic property may be affected. 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 following listed species have the potential to be present within the project area:

*Name of species present managed by the U.S. Fish and Wildlife Service (USFWS):*

- Eastern Indigo Snake (*Drymarchon corais couperi*)
- Florida Scrub Jay (*Aphelocoma coerulescens*)
- Piping Plover (*Charadrius melodus*)
- West Indian Manatee (*Trichechus manatus*)
- Wood Stork (*Mycteria americana*)

*Name of species present managed by the National Marine Fisheries Service (NMFS):*

- Smalltooth sawfish (*Pristis pectinata*)
- Swimming Sea Turtles: Green sea turtle (*Chelonia mydas*), Hawksbill sea turtle (*Eremochelys imbricate*), Kemp's Ridley sea turtle (*Lepidochelys kempi*), Leatherback sea turtle (*Dermochelys coriacea*), and/or Loggerhead sea turtle (*Caretta caretta*).

*Designated Critical Habitat:* There is no Designated Critical Habitat within or adjacent to the project area for any ESA listed species.

The Corps has made the following effect determinations for each of the listed species noted above and will request USFWS and/or NMFS concurrence with these determinations pursuant to Section 7 of the Endangered Species Act, if required:

Eastern Indigo Snake - In accordance with the USFWS North and South Field Offices Eastern Indigo Snake Programmatic Effect Determination Key (25 January 2010), use of the key resulted in a determination that the proposed project is not likely to adversely affect (NLAA) this species (A>B>C>NLAA) and no further consultation with USFWS is required.

Florida Scrub-Jay - The project is located within the Florida scrub-jay consultation area. There is no designated critical habitat for the scrub jay listed in the federal register (52 FR 20715-20719). Persistent breeding populations of Florida scrub-jays exist only where there are scrub oaks in sufficient quantity to provide an ample winter acorn supply, cover from predators, and nest sites during the spring. The project site does not support scrub jay foraging or nesting habitat. The Corps has determined that the proposed project will have no effect on Florida Scrub-Jay and no further consultation with USFWS will be required.

Piping Plover - The project area is located within the Piping Plover Consultation Area. However, the Corps has determined that this project will have no effect because the site does not support nesting or foraging habitat to support the Piping Plover. No further consultation with USFWS will be required.

West Indian Manatee - The project is located within Manatee consultation area. However, most of the proposed activities will occur landward of the mean high water (MHW) line or within intertidal areas not accessible to the manatee. The Corps has determined that the project will have no effect on the manatee and no further consultation with USFWS is required.

Wood Stork - This project is located within Wood Stork core foraging areas and does support suitable foraging habitat. In accordance with the Corps and USFWS, Jacksonville Ecological Services Field Office's Wood Stork in Central and North Peninsular Key (September 2008), the project keyed out to a "not likely to adversely

affect" (NLAA) determination (A>B>C>NLAA). Per the key, no further consultation with USFWS will be required.

Smalltooth sawfish and Swimming Sea Turtles – The Corps plans to evaluate the proposed work utilizing NMFS's Jacksonville District's Programmatic Biological Opinion (JAXBO) dated November 20, 2017. The JAXBO analyzes the effects from 10 categories of minor in-water activities occurring in Florida and the U.S. Caribbean on sea turtles (loggerhead, leatherback, Kemp's ridley, hawksbill, and green); smalltooth sawfish; Nassau grouper; scalloped hammerhead shark, Johnson's seagrass; sturgeon (Gulf, shortnose, and Atlantic); corals (elkhorn, staghorn, boulder star, mountainous star, lobed star, rough cactus, and pillar); whales (North Atlantic right whale, sei, blue, fin, and sperm); and designated critical habitat for Johnson's seagrass; smalltooth sawfish; sturgeon (Gulf and Atlantic); sea turtles (green, hawksbill, leatherback, loggerhead); North Atlantic right whale; and elkhorn and staghorn corals in accordance with Section 7 of the Endangered Species Act. For this project, the Corps will conduct a project specific review in accordance with the project-specific review process established in the JAXBO. If applicable, the Jacksonville District will have satisfied the project-specific review requirements stipulated in the JAXBO and satisfied its obligation under the ESA for the above-listed species and critical habitats within the NMFS purview. A separate consultation with NMFS will be conducted if deemed necessary.

**ESSENTIAL FISH HABITAT (EFH):** This notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. The proposal would impact approximately 0.15-acre of mangrove wetlands and open tidal ditch utilized by various life stages of EFH managed species. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in the Palm 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 been verified in the field 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 (c/o Katy Damico), Tampa Permits Section, 10117 Princess Palm Avenue, Suite 120, Tampa, Florida 33610-8302

or preferably by email to [Katy.R.Damico@usace.army.mil](mailto:Katy.R.Damico@usace.army.mil) within thirty (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, Katy Damico, in writing by U.S. Mail at the Tampa Permits Section, 10117 Princess Palm Avenue, Suite 120, Tampa, Florida 33610-8302; by electronic mail at [Katy.R.Damico@usace.army.mil](mailto:Katy.R.Damico@usace.army.mil); or, by telephone at (813) 769-7076.

**IMPACT ON NATURAL RESOURCES:** Coordination with U.S. Fish and Wildlife Service (USFWS), 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 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.



# SHRINERS TAMPA HILLSBOROUGH COUNTY FLORIDA

US Army Corps of Engineers  
Tampa Permits Section  
Reviewed by CESAD-HD-WN/KRO  
Date December 10, 2018



**Figure 1**  
**Location Map**

Shriners Project Area-10.60 acres

**CLEMENTI ENVIRONMENTAL CONSULTING**  
**620 EAST TWIGGS STREET STE 200**  
**TAMPA, FL 33602**



CLEMENTI ENVIRONMENTAL CONSULTING, LLC



# SHRINERS TAMPA HILLSBOROUGH COUNTY FLORIDA



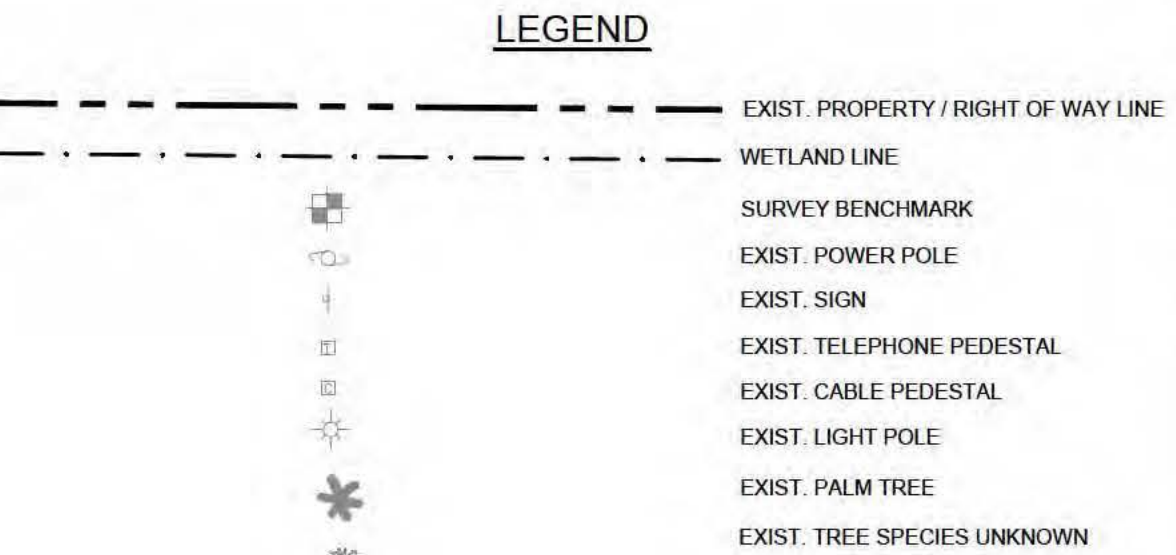
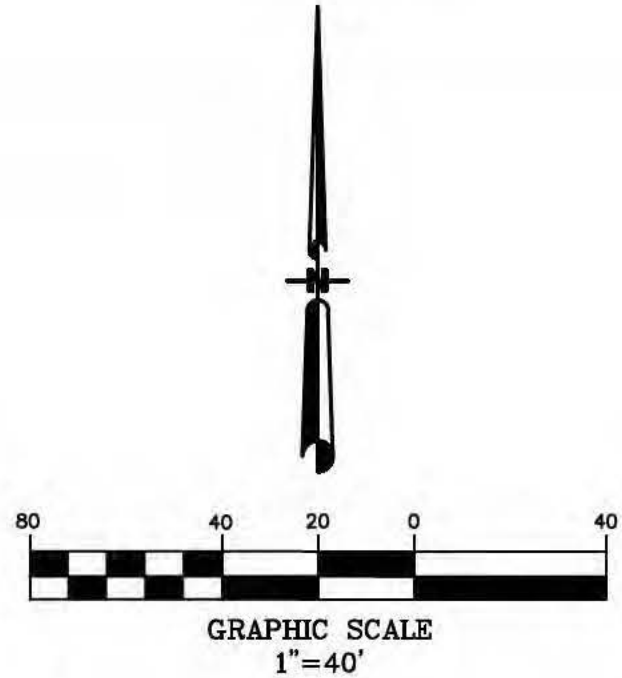
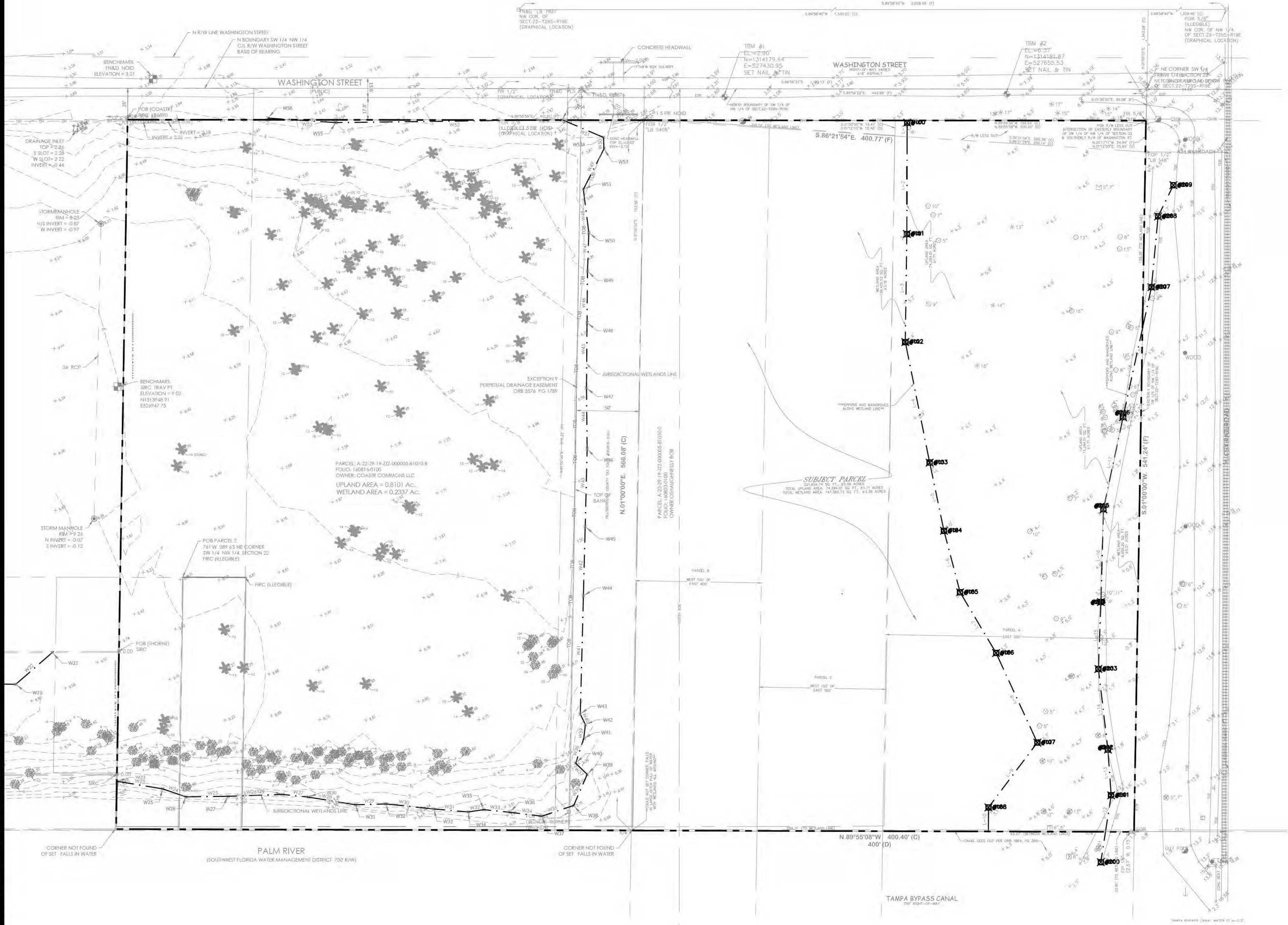


# SHRINERS TAMPA HILLSBOROUGH COUNTY FLORIDA

US Army Corps of Engineers  
Tampa Permit Section  
Received by CESA JRD/WTKRD  
Date: December 19, 2018







**FIGURE 7**

US Army Corps of Engineers  
Tampa Permits Section  
Consent to Construct  
Date: December 19, 2018

NO.	BY	DATE	REVISION	DESCRIPTION
1	TS	07/13/18	DRAWN BY:	DATE:
2	AT		CHECKED BY:	APPROVED BY:

CHARLES A. OTERO, PE #18259

THESE PLANS MAY NOT BE  
USED FOR ANY OTHER  
PROJECT WITHOUT  
WRITTEN PERMISSION FROM  
OTERO ENGINEERING, INC.  
NOT VALID UNLESS SIGNED &  
EMBOSSSED BY A REGISTERED  
ENGINEER

**PARCEL  
EXHIBIT**

**EGYPT SHRINERS  
HEADQUARTERS**  
5099 EAST WASHINGTON AVENUE  
CITY OF TAMPA, FLORIDA

**CANCO**  
GENERAL CONTRACTORS, INC.  
1-4 BUSINESS CENTER AT PARK ROAD  
2902 N Portage Park Place, Plant City, FL - (813) 755-1222

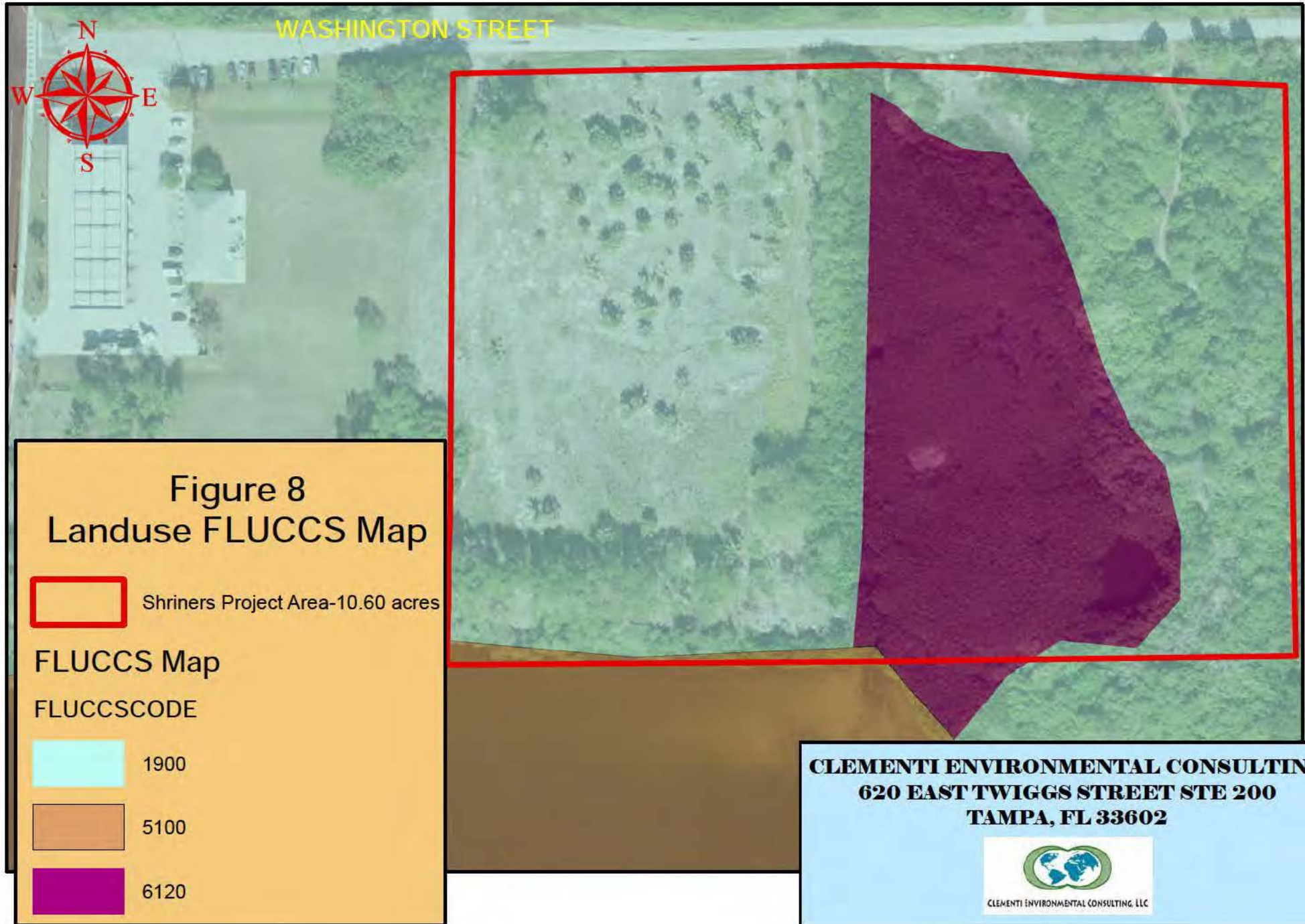
**OTERO ENGINEERING**  
CIVIL ENGINEERING  
13902 N. Dale Mabry Highway, Suite 110 • Tampa, FL 33618 • (813) 956-5585

1/1



# TAMPA SHRINERS

US Army Corps of Engineers  
Tampa Permits Section  
Received by CESAJ-RD-WT/KRD  
Date: December 19, 2018





**FIGURE 8A**  
**Tampa Egypt Shriners**

US Army Corps of Engineers  
 Tampa Permits Section  
 Received by CESAJ-RD-WT/KRD  
 Date: December 19, 2018



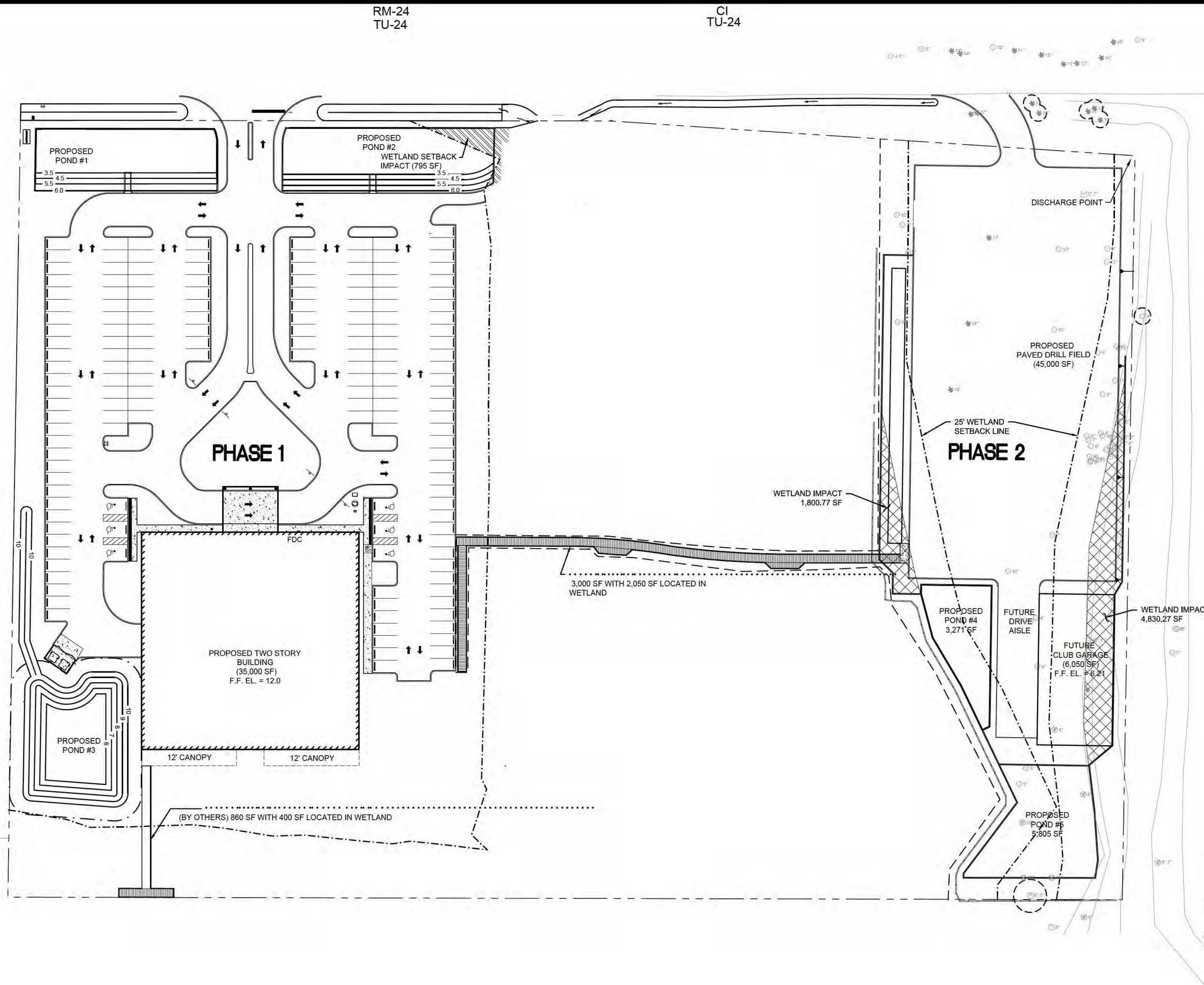
October 2, 2018

**Wetlands**

- |  |   |  |
|--|---|--|
|  Estuarine and Marine Deepwater |  Freshwater Emergent Wetland       |  Lake     |
|  Estuarine and Marine Wetland   |  Freshwater Forested/Shrub Wetland |  Other    |
|  |  Freshwater Pond                   |  Riverine |

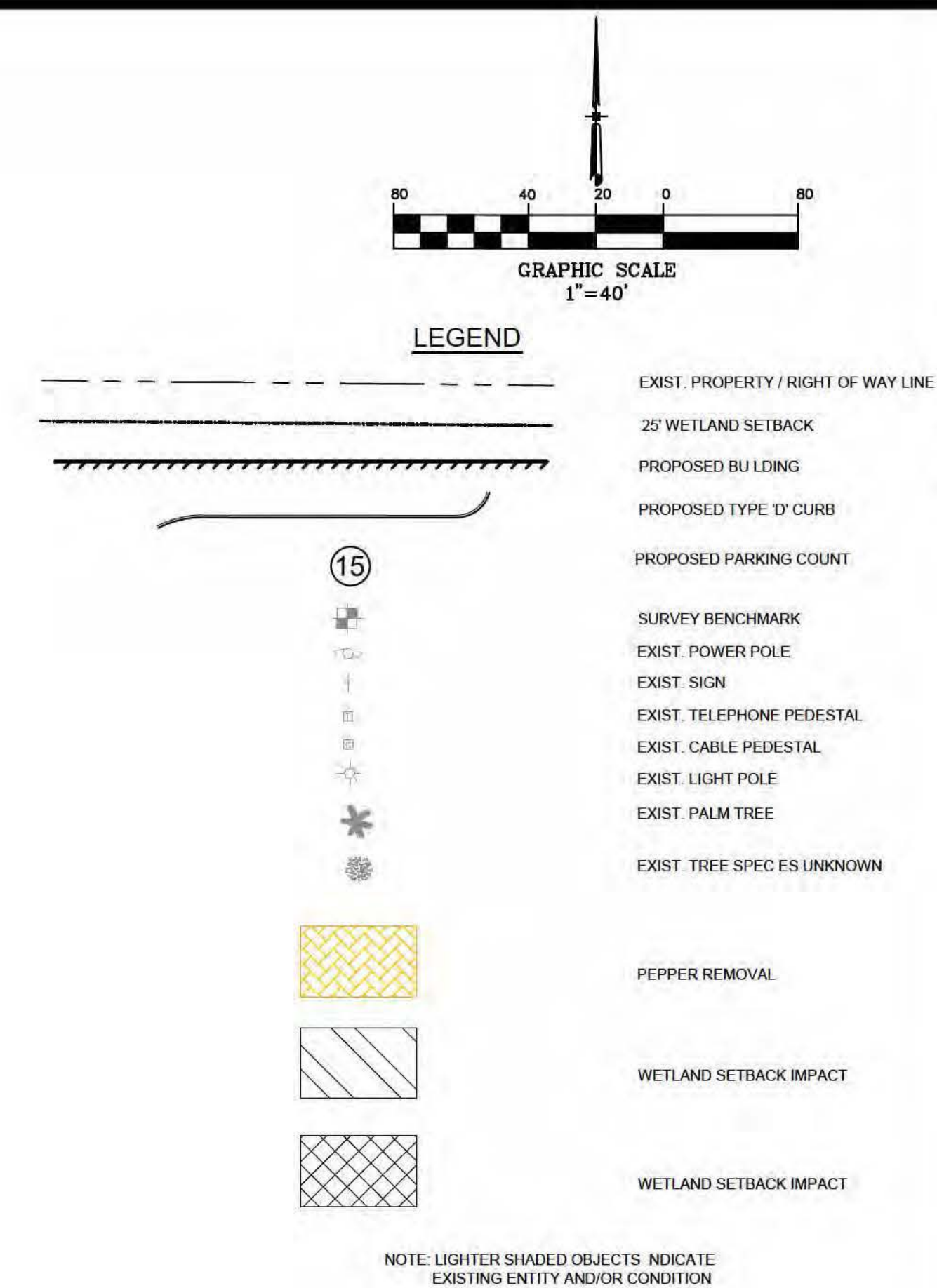
This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.





FLA. STATUTE 553.851 (1979) REQUIRES A MIN. OF 2 DAYS AND A MAX. OF 5 DAYS NOTICE BEFORE YOU EXCAVATE. ALWAYS CALL "SUNSHINE 811" AT 811 OR 1-800-432-4770 BEFORE DIGGING

FIGURE 9











**811** Know what's **below.**  
Call before you dig.

FLA. STATUTE 553.851 (1979) REQUIRE A MIN. OF 2 DAYS AND A MAX. OF 5 DAYS NOTICE BEFORE YOU EXCAVATE. ALWAYS CALL "SUNSHINE 811" AT 811 OR 1-800-432-4770 BEFORE DIGGING.