

**JANUARY 30, 2019**

# ***PUBLIC NOTICE***

Permit Application Number SAJ-2018-03125(SP-MRE)

TO WHOM IT MAY CONCERN: The Jacksonville District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) as described below:

APPLICANT: Hanlex Development LLC  
1000 Color Place  
Apopka, Florida 32703

**WATERWAY AND LOCATION:** The project would affect waters of the United States (wetlands) associated with Sampson Creek. The project site is located at 10180 CE Wilson Road (St. Johns County Property Appraiser Parcel Identification Number 026260-0000), in Section 16, Township 5 South, Range 28 East, St. Johns County, Florida.

**APPROXIMATE CENTRAL COORDINATES:**      Latitude 30.070336°  
Longitude -81.493434°

PROJECT PURPOSE:

Basic: The basic project purpose is commercial development.

Overall: The overall project purpose is the establishment of a commercial facility serving north-central St. Johns County.

EXISTING CONDITIONS:

Soils: The *Soil Survey of St. Johns County, Florida* identifies two soil types present at the property. These soil types are *Smyrna-Smyrna Wet Fine Sands, 0 to 2 percent slopes* (Map Unit 11) and *Bakersville Muck* (Map Unit 69). In general, the *Smyrna Fine Sands* occurs in the areas of the ecotone transition from pine flatwoods to hydric pine and the *Bakersville Muck* occurs within a deeper wetland system in the interior of the property.

a. *Smyrna-Smyrna Wet Fine Sands, 0 to 2 percent slopes* (Map Unit 11): This soil type represents approximately 4.24 acres of the property. This is a poorly drained, nearly level soil on broad areas in the flatwoods. Slopes range from 0 to 2 percent. The seasonal high water table is at a depth of less than 10 inches for 1 to 4 months and it recedes to a depth of 10 to 40 inches for more than 6 months in most years. During the rainy seasons, the water table rises above the surface briefly. Permeability is rapid in the surface and subsurface layers and moderate or moderately rapid in the subsoil.

b. *Bakersville Muck* (Map Unit 69): This soil type represents approximately 8.42 acres of the property. This is a nearly level, very poorly drained soil in depressional areas of the flatwoods. Slopes are less than 2 percent. Areas range from 40 to 120 acres. The seasonal high water

table is above the soil surface for 6 months or more in most years. Permeability is rapid in the surface layer and moderately rapid in the upper part of the subsoil. It is moderate in the lower part of the subsoil and rapid below.

**Vegetative communities:** The site supports two vegetative communities identified by the *Florida Land Use, Cover, and Forms Classification System* (FLUCFCS). These communities are *Pine Flatwoods* (FLUCFCS Code 411) and *Wetland Forested Mixed* (FLUCFCS Code 630).

a. *Pine Flatwoods* (FLUCFCS Code 411): This land use represents approximately 4.52 acres of the property. These upland flatwoods are dominated by slash pine (*Pinus elliottii*) with a saw palmetto (*Serenoa repens*) understory. The ground cover includes commonly associated herbaceous grasses and shrubs.

b. *Wetland Forested Mixed* (FLUCFCS Code 630): This land use represents approximately 8.14 acre of the property. The canopy vegetation includes slash pine, red maple (*Acer rubrum*), loblolly bay (*Gordonia lasianthus*), magnolia sweetbay (*Magnolia virginiana*), and cypress (*Taxodium* spp.). The vegetation transitions with inundation levels, which are a result of the topography sloping downward to the west of the property.

**PROPOSED WORK:** The applicant seeks authorization to discharge clean fill material over 2.41 acres of wetlands to facilitate the establishment of a commercial facility with the associated stormwater treatment system, parking, and landscaping.

**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 initially contemplated the incorporation of two “out parcels” contiguous to County Road 210, which would be sold or leased to garner additional revenue. That design required additional fill within wetlands to accommodate the proposed *Tractor Supply* store and the “out parcels”. However, in consideration of the requirements to avoid and minimize the work affecting wetlands, the applicant eliminated the “out parcels” and designed the project to only support the proposed *Tractor Supply* building. The applicant indicated that the proposed *Tractor Supply* building must be a standardized size and provide a pre-determined area of commercial space, with the associated minimum area for parking and stormwater treatment. Therefore, in consideration of the project goals, the applicant expressed an opinion that the project, as designed, avoided and minimized the work affecting wetlands to the maximum extent practical.

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

The applicant’s ecological consultant compiled a *Uniform Mitigation Assessment Method* (UMAM) quantifying and qualifying the loss of wetland functions and services associated with the work proposed. The UMAM calculated the functional loss as 1.52 units. As compensatory mitigation for the project, the applicant proposed the purchase of 1.52 palustrine forested mitigation bank credits from the *Tupelo Mitigation Bank* (SAJ-2002-07494).

**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 (SHPO) and those federally recognized tribes with

concerns in Florida and the Permit Area. In correspondence dated October 30, 2018, the SHPO expressed an opinion that work at the site was not likely to have an effect on historic properties.

#### ENDANGERED SPECIES:

Wood Stork (*Mycteria americana*): The project site is within the Core Foraging Area of the Dee Dot Ranch (594004) Wood Stork colony; and, as such, this species may utilize the project site. However, the work proposed would not affect suitable foraging habitat. In consideration of this information, the Corps utilized *The Corps of Engineers, Jacksonville District, U.S. Fish and Wildlife Service, Jacksonville Ecological Services Field Office and State of Florida Effect Determination Key for the Wood Stork in Central and North Peninsular Florida, September 2008*, to determine potential effects upon this species. Use of this key resulted in the sequence A-B-no effect.

The Corps executed a *Resources At Risk* (RAR) report. The RAR did not indicate that the site is utilized by, or contains habitat critical to, any other federally listed threatened or endangered species. The Corps also reviewed geospatial data and other available information. The Corps has not received or discovered any information that the project site is utilized by, or contains habitat critical to, any other federally listed threatened or endangered species.

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 project would not affect marine or estuarine habitat nor EFH. Our initial determination is that the proposed action would not have an 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/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 Permits Section, Post Office Box 4970, Jacksonville, Florida 32232 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, Mark R. Evans, in writing at the Jacksonville Permits Section, Post Office Box 4970, Jacksonville, Florida 32232; by electronic mail at [mark.r.evans@usace.army.mil](mailto:mark.r.evans@usace.army.mil); by facsimile transmission at (904)232-1940; or, by telephone at (904)232-2028.

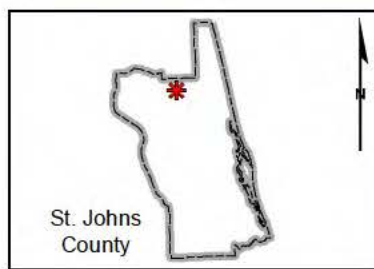
**IMPACT ON NATURAL RESOURCES:** Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information 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.



General Location

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1" = 1,000'

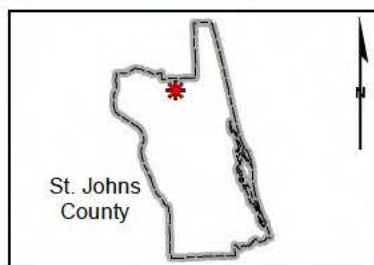
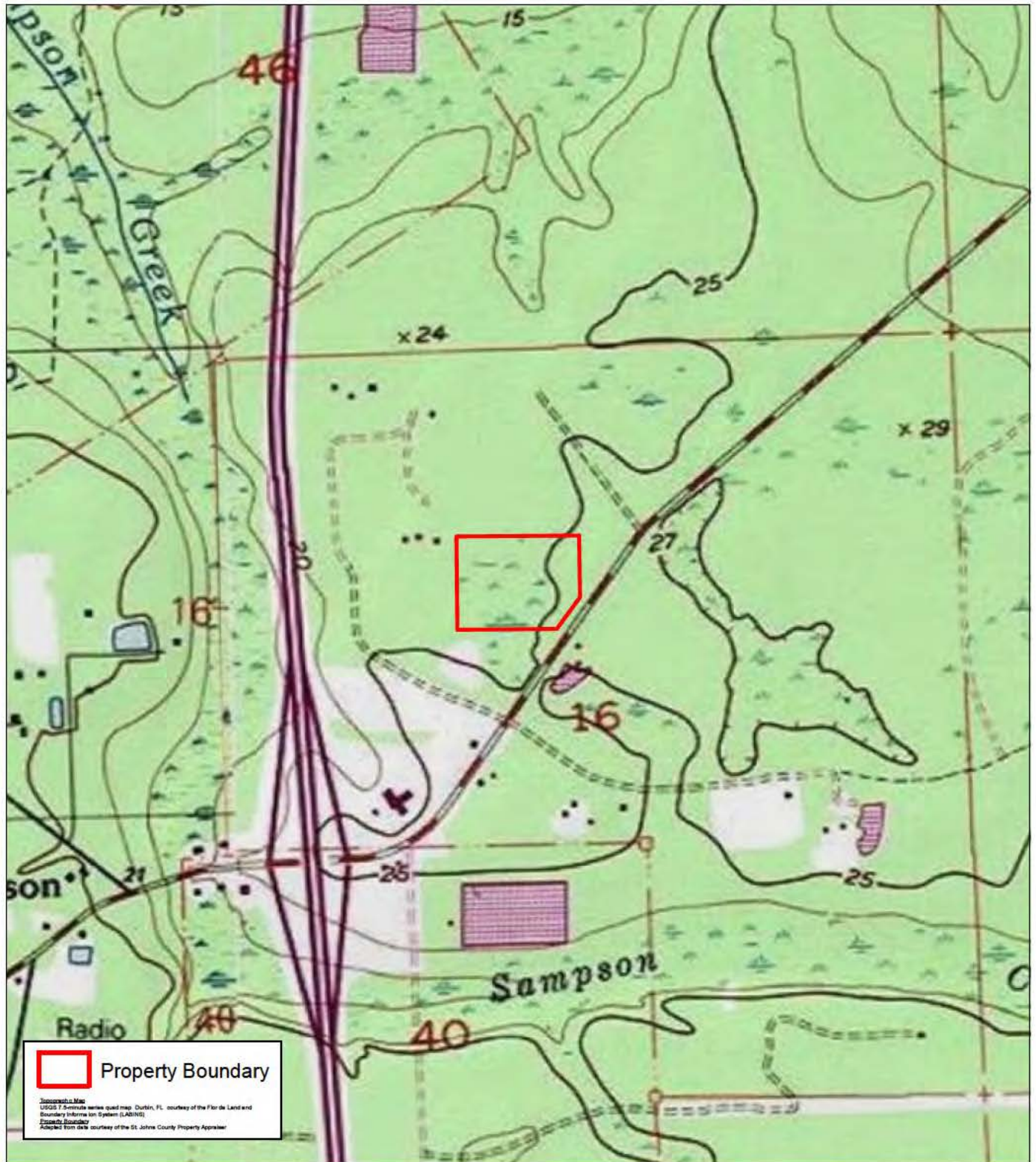


3428 PELICAN LANE ORLANDO, FLORIDA 32803  
TEL 407.405.8725 FAX 407.792.5692  
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**Figure 1**  
**Location Map**  
**Tractor Supply at CR 210**  
**St. Johns County, Florida**  
Section 16, Township 5 S, Range 28 E

Thomson Project No. 18-606  
November 2018





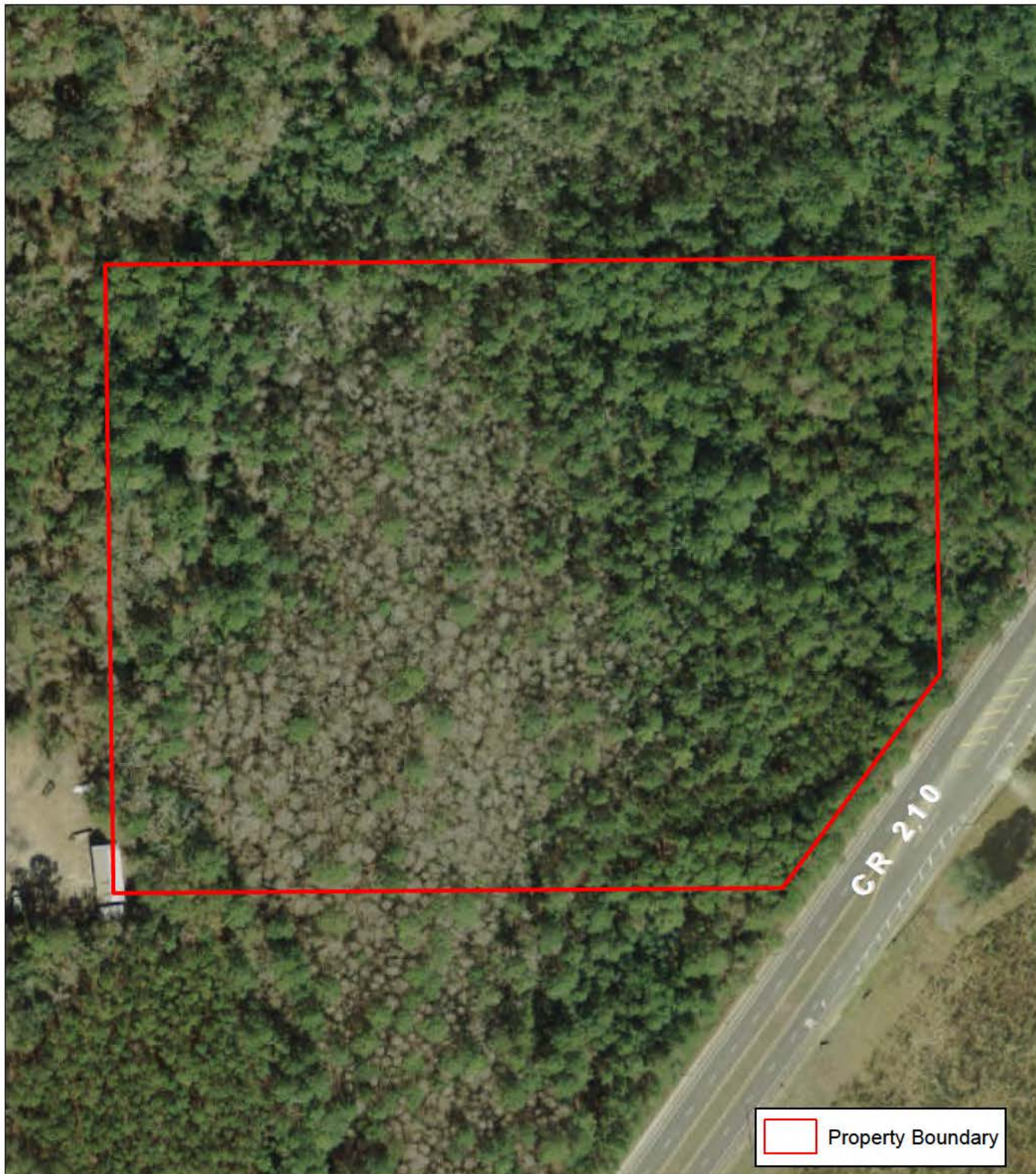
General Location



**Figure 2**  
**Topographic Map**  
Tractor Supply at CR 210  
St. Johns County, Florida  
Section 16, Township 5 S, Range 28 E

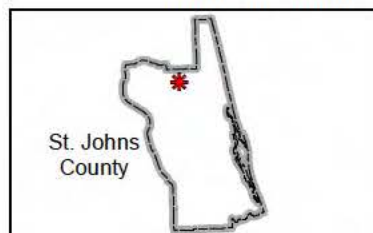
Thomson Project No. 18-606  
November 2018





Aerial Photograph:  
Natural Color Digital Orthophotograph (DOQ) Courtesy of the Florida Department of Transportation; Fly Date: 03/2017  
Property Boundary:  
Adapted from OAH. Courtesy of the St. Johns County Property Appraiser.

#### General Location



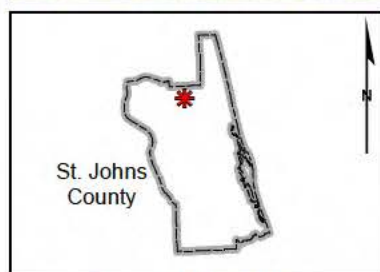
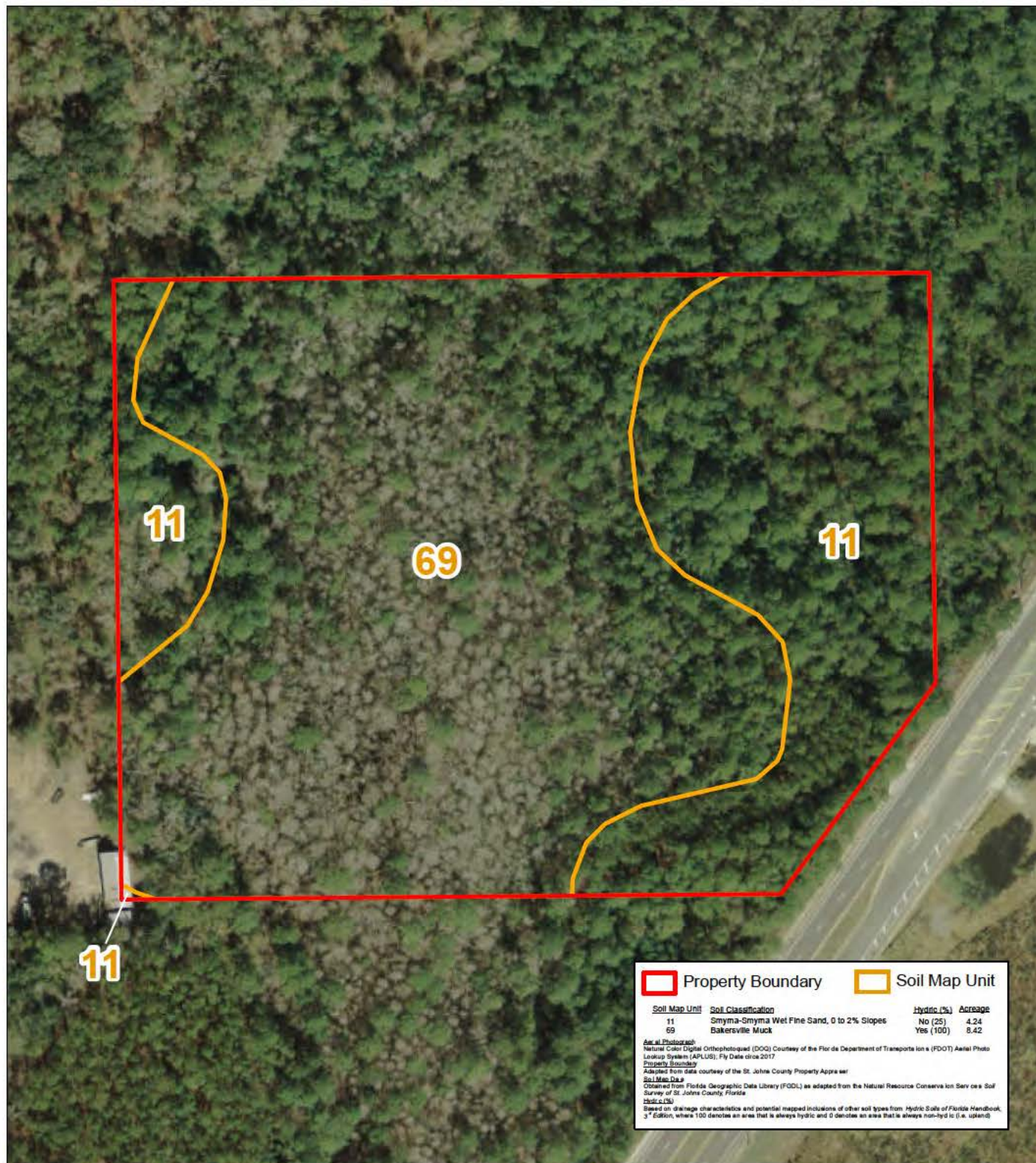
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**Figure 3**  
**Aerial Photograph**  
Tractor Supply at CR 210  
St. Johns County, Florida  
Section 16, Township 5 S, Range 28 E

Thomson Project No. 18-606  
November 2018





General Location

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1" = 150'



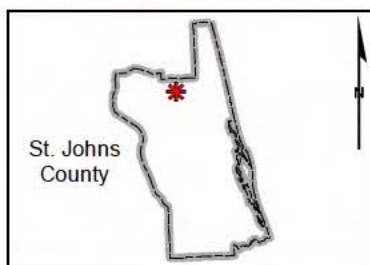
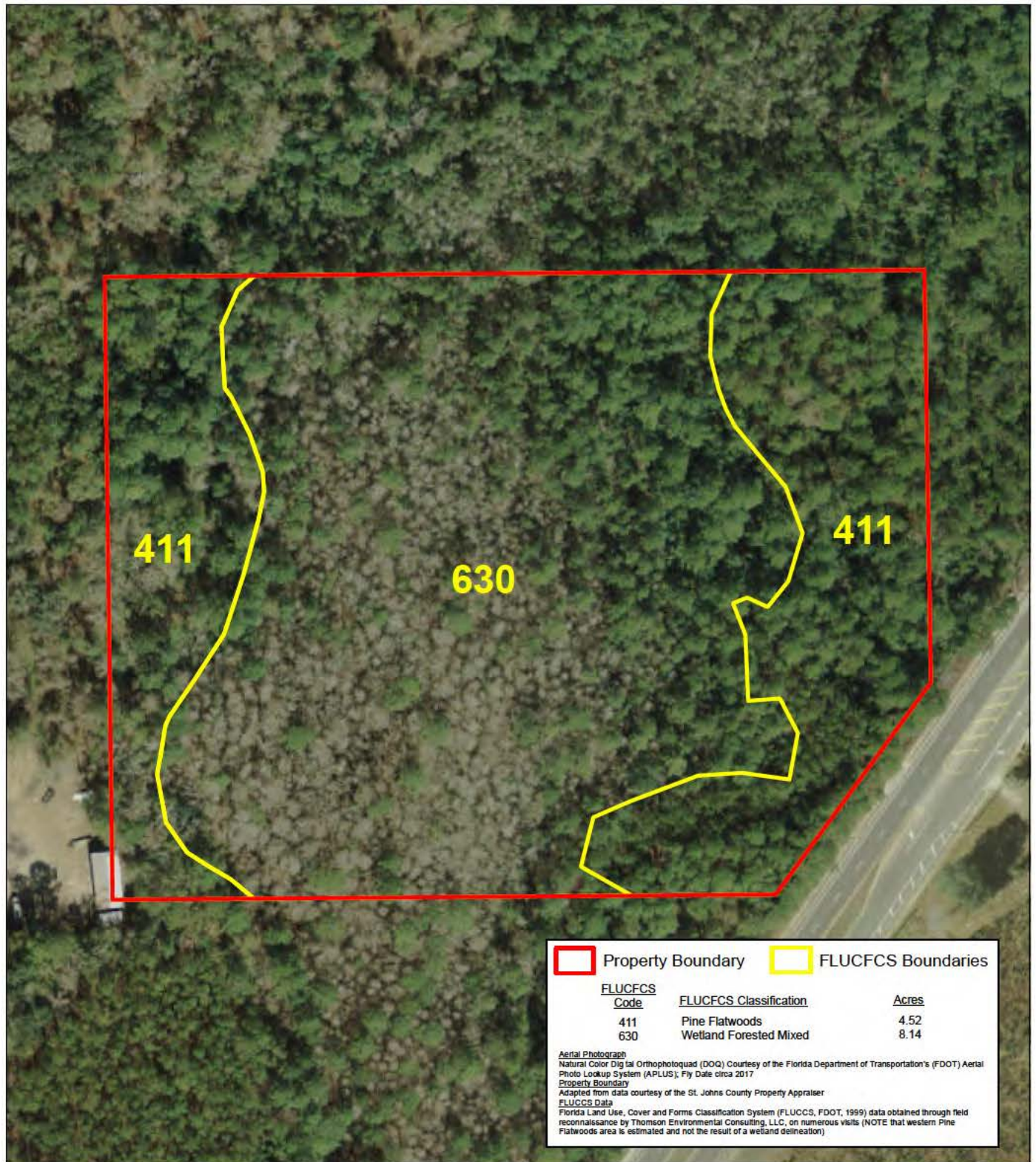
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**Figure 4**  
**Soils Map**  
Tractor Supply at CR 210  
St. Johns County, Florida  
Section 16, Township 5 S, Range 28 E

Thomson Project No. 18-606  
November 2018





General Location

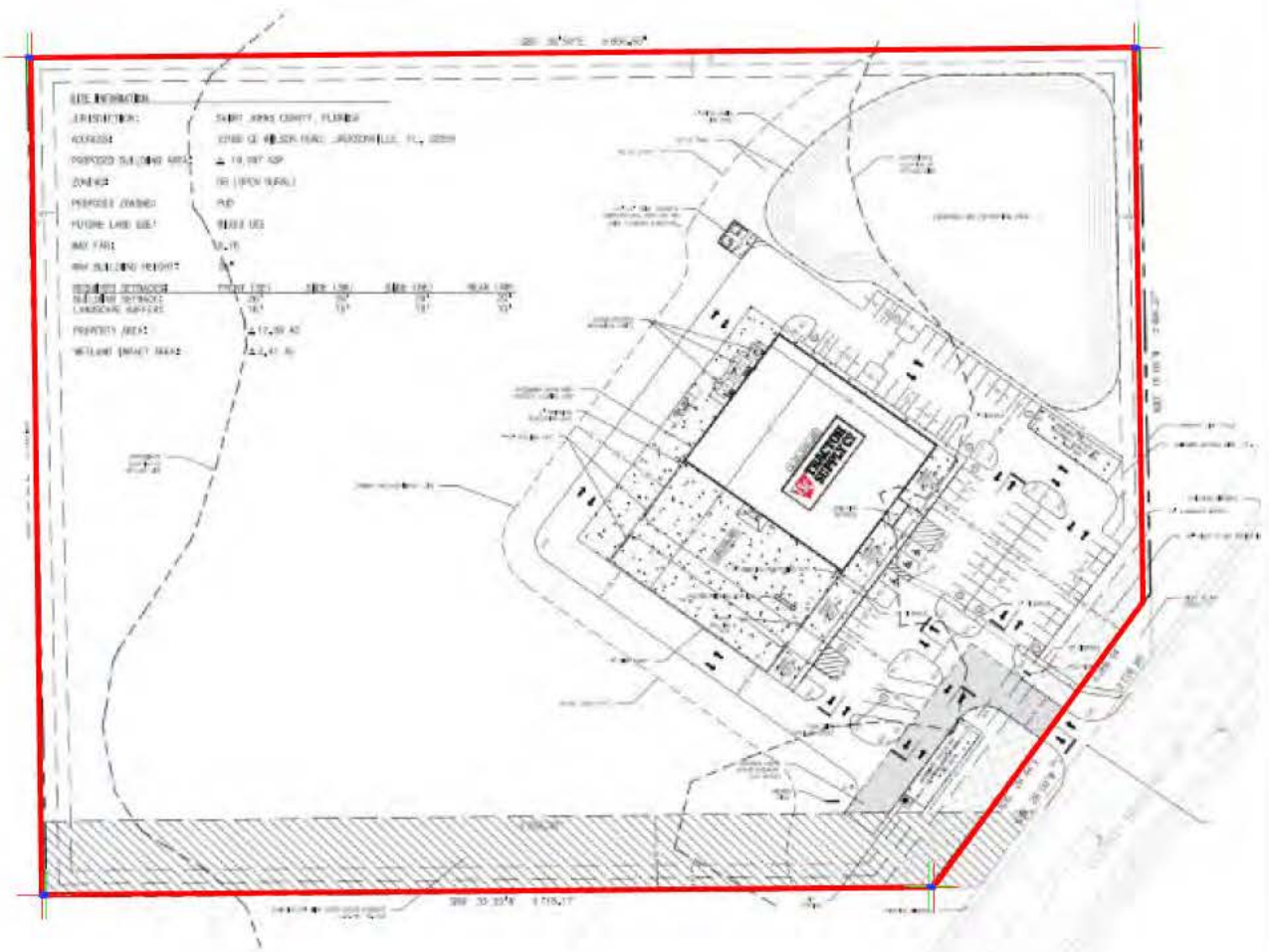
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**Figure 5**  
**Pre-Development Land Use Map**  
**Tractor Supply at CR 210**  
**St. Johns County, Florida**  
**Section 16, Township 5 S, Range 28 E**

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General Location



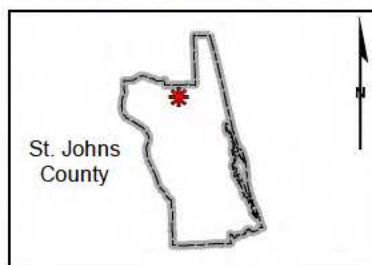
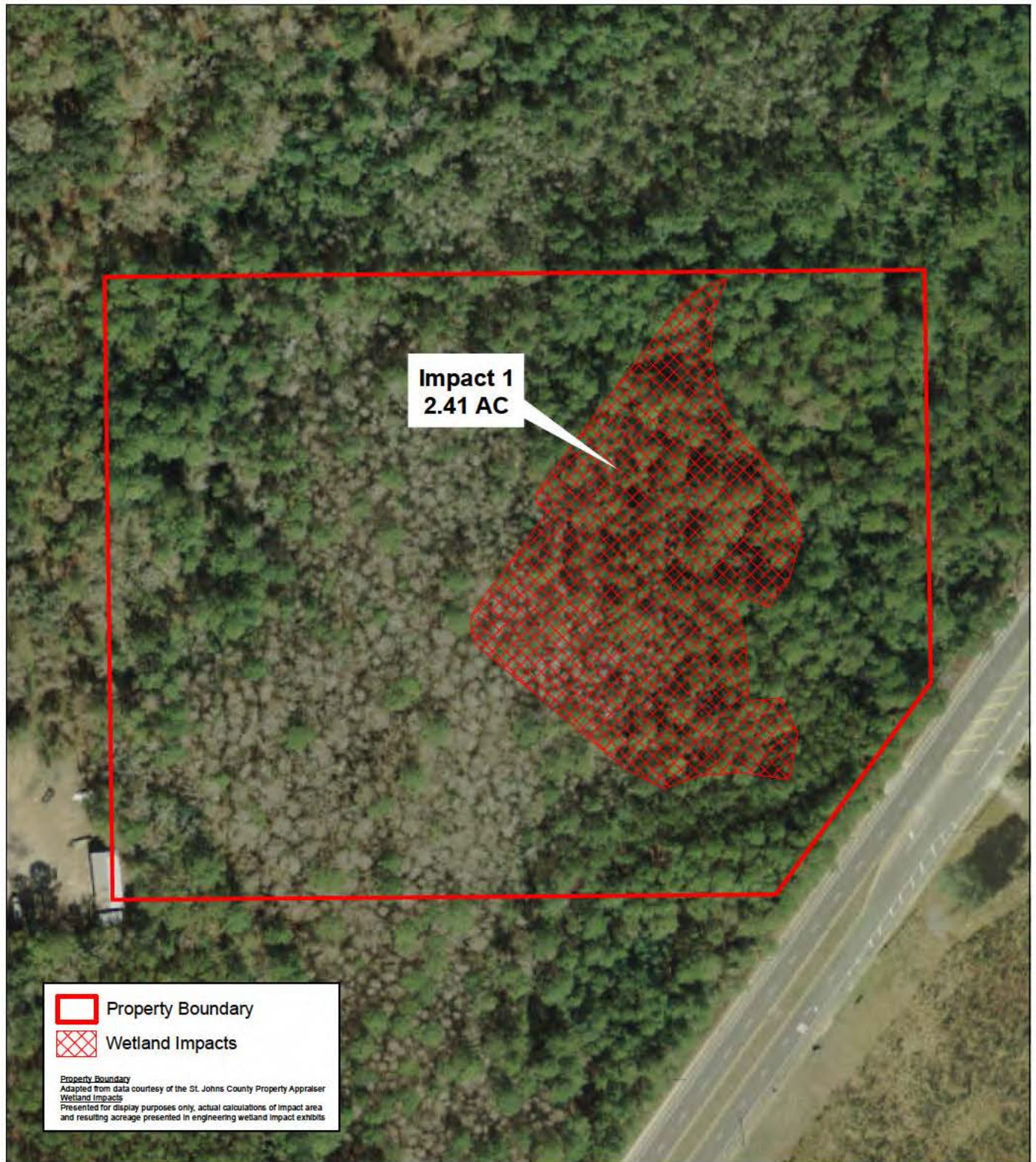
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**Figure 6**  
**Proposed Development Plan**  
**Tractor Supply at CR 210**  
**St. Johns County, Florida**  
 Section 16, Township 5 S, Range 28 E

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General Location

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1" = 150'

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**Figure 7**  
**Proposed Wetland Impacts**  
**Tractor Supply at CR 210**  
**St. Johns County, Florida**  
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