



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
4400 PGA BOULEVARD, SUITE 500
PALM BEACH GARDENS, FLORIDA 33410

February 4, 2019

Regulatory Division
South Branch
Palm Beach Gardens Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2018-02335(SP-RHF)

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: Concrete Impressions of Florida, Inc.
c/o George Southworth
PO Box 292782
Tampa, FL 33687

WATERWAY AND LOCATION: The project would affect wetland waters of the United States associated within the North Fork of the St. Lucie River sub-watershed (HUC 030902060200). The site is located within Section 32, Township 35 South, Range 40 East. More precisely, the project site is located east of Selvitz Road in Fort Pierce, Florida.

Directions to the site are as follows: Proceed on I-95 to exit 126 and proceed east on Midway Road approximately 0.46 miles. Turn left to head northeast on State Highway 709/Glades Cut Off Road for approximately 2.3 miles. Turn right on Selvitz Road to head south and continue for approximately 0.2. Turn left on to an un-named access road and the destination will be on the left after approximately 0.1 miles.

APPROXIMATE CENTRAL COORDINATES: Latitude 27.395030°
Longitude -80.364039°

PROJECT PURPOSE:

Basic: The basic project purpose is to construct a commercial development.

Overall: The overall project purpose is to construct a commercial development to serve the Fort Pierce area in St. Lucie County.

EXISTING CONDITIONS: The 18.72 acre project site is comprised of agricultural and undeveloped lands. The property includes abandoned agricultural areas with upland furrows and one 1.15 acre wetland area.

The vegetative community of the wetland consists primarily of Carolina willow, Brazilian pepper, creeping oxeye, jointed spikerush, spatterdock, fire flag, and primrose willow. The vegetative community of the surrounding upland are consists of dense west indian dropseed, shrubby false buttonweed, and hairy indigo.

PROPOSED WORK: The applicant proposes construction of a commercial concrete casting facility. The proposed 18.72-acre project entails impacts to 1.15 acres of wetland waters of the US requiring the placement of approximately 1385-cubic yards of fill. The proposed work will consist of construction of the concrete manufacturing facility, and access road, storage areas, and an on-site storm water retention area.

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:

“Complete elimination of impacts to the wetland is not practicable or feasible, as the Applicant would not be able to meet the project purpose and need due to the boundaries and location of the area. Additionally, the site is depauperate of healthy native wetland habitat and, therefore, depauperate of the species that utilize that habitat. However, because the ecological value of the functions provided by the wetland to be impacted are low, mitigation in the Bluefield Ranch Mitigation Bank will provide greater long-term ecological value than the area of the lone wetland that is to be adversely affected. The Applicant, therefore, should not be required to implement practicable design modifications to reduce or eliminate impacts.”

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

“The Concrete Impressions of Florida, Inc. project includes off-site mitigation of Wetland A provided by Bluefield Ranch Mitigation Bank. The purchase of credits in the mitigation bank will offset the function and value of the wetland.”

CULTURAL RESOURCES:

The Corps is aware of historic property/properties within or in close proximity of the permit area. The Corps will initiate consultation with the State Historic Preservation Office and if applicable, those federally recognized tribes with concerns in Florida and the Permit Area as applicable pursuant to 33 CFR 325, Appendix C and Section 106 of the National Historic Preservation Act, by separate letter.

ENDANGERED SPECIES:

The project is within the range and consultation area of the threatened Audubon's crested caracara (*Polyborus plancus audobonii*), eastern indigo snake (*Drymarchon corais couperi*), Everglade snail kite (*Rostrhamus sociabilis plumbeus*), Florida

grasshopper sparrow (*Ammodramus savannarum floridanus*), Florida scrub jay (*Aphelocoma coerulescens*), and wood stork (*Mycteria americana*).

- This project is located within the consultation area for the threatened Audubon's crested caracara. Nesting or foraging habitat for the caracara consists of dry or wet prairies with low groundcover dotted with numerous shallow ponds and sloughs and single or small clumps of live oaks, cabbage palms, and cypress. Base No caracaras have been observed on site. The trees present on site (primarily Brazilian pepper) are not suitable for species use and the open herbaceous areas feature thick, invasive grass cover (West Indian dropseed) not suitable for species use. According to information available from United States Fish and Wildlife Service (FWS) South Florida Ecological Services Office (SFESO), the closest known nest is 2.68 miles from the proposed project. Based on this information, the Corps has determined the project will have no effect to the crested caracara.
- The project site is located in an area where the eastern indigo snake may occur. The Corps has determined the proposal may affect the eastern indigo snake. The project site contains approximately 18.72-acres of potential eastern indigo snake habitat. By use of the FWS revised Eastern Indigo Snake Key dated August 1, 2017, the following key sequence A>B>C<D<E would result in a "Not Likely to Adversely Affect" determination. The applicant will agree to conditions requiring that all gopher tortoise burrows, active or inactive, will be excavated prior to site manipulation in the vicinity of the burrow. If an eastern indigo snake is encountered, the snake must be allowed to vacate the area prior to additional site manipulation in the vicinity. Any permit will also be conditioned such that holes, cavities, and snake refugia other than gopher tortoise burrows will be inspected each morning before planned site manipulation of a particular area, and, if occupied by an eastern indigo snake, no work will commence until the snake has vacated the vicinity of proposed work.
- The project is within the consultation area for the Everglades Snail Kite. Kite foraging habitat consists of relatively shallow wetland vegetation, either within extensive marsh systems, or in lake littoral zones. Snail kite nesting substrate is typically located over open water at a distance of approximately 150 meters from the edge of water to provide protection to the nest. The wetland present on site is dominated by dense invasive canopy cover which prevents species use of the project area. Based on the above information, the Corps has determined that the proposed work will have no effect on the Everglades Snail Kite.
- The project is located within the species consultation area for the Florida Grasshopper sparrow. However, suitable habitat (dry prairie that is relatively open and low in stature, treeless, relatively poorly-drained grasslands that have a history of frequent fires) is not found on site. The project area contains one wetland with dense invasive canopy cover (Brazilian pepper) and surrounding upland areas dominated by dense groundcover (West Indian dropseed).

Therefore, the Corps has determined that the proposed work would have no-effect on the Florida Grasshopper Sparrow.

- The project is located within the species consultation area for the Florida scrub jay. Suitable habitats for the scrub-jay are not only the more “classic” xeric oak scrub, scrubby pine flatwoods, scrubby coastal strand, and sand pine scrub, but also include: improved, unimproved, and woodland pastures, citrus groves, rangeland, pine flatwoods, longleaf pine xeric oak, sand pine, sand pine plantations, forest regeneration areas, sand other than beaches, disturbed rural land in transition without positive indicators of intended activity, and disturbed burned areas. The project area contains one wetland with dense invasive canopy cover (Brazilian pepper) and surrounding upland areas dominated by dense groundcover (West Indian dropseed). Therefore, the project areas does not contain suitable habitat for the Florida Scrub Jay. Based on this information, the Corps has determined the proposed work would have no-effect on the Florida Scrub Jay.
- Not Likely to Adversely Affect the wood stork. The applicant has proposed compensation for wetland impacts through the use of onsite wetland mitigation. By use of the FWS Wood Stork Key dated January 25, 2010 and the May 18, 2010 addendum, the following key sequence A>B>C>E would result in a “Not Likely to Adversely Affect” (NLAA) determination. Any loss of wood stork foraging biomass resulting from the proposed activity will be compensated for through the purchase of mitigation credits from a federally approved mitigation bank within the area.

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 1.15 acres of freshwater wetlands. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in the South Atlantic Region. 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 Palm Beach

Gardens Permits Section, 4400 PGA Boulevard Suite 500, Palm Beach Gardens, Florida 33410 within 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, Trey Fraley, in writing at the Palm Beach Gardens Permits Section, 4400 PGA Boulevard Suite 500, Palm Beach Gardens, Florida 33410; by electronic mail at robert.h.fraley@usace.army.mil, or, by telephone at (561) 472-3526.

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.

| Structure Name | Structure Details |
|-----------------------|--|
| SD-07 TYPE 1' BULK | RDI = 14.95 S DRY = 10.19 NW DRY = 22.38 |
| SD-05 TYPE 1' BULK | RDI = 14.95 N DRY = 10.81 |

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EXISTING PROPOSED GRADE

34

| Model | Model | Model |
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DAVID E. MORIN, P.E., FL. REG. NO. 78043

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