



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

February 6, 2019

Regulatory Division
North Permits Branch
Jacksonville Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2018-01800 (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) as described below:

APPLICANT: Brightwork Real Estate
Attn: Mr. Timothy Simmons
3708 West Swann Avenue, Suite 200
Tampa, Florida 33609

WATERWAY AND LOCATION: The project would affect waters of the United States (wetlands) associated with Pottsburg Creek and Julington Creek. The project site is located at 8730 Baymeadows Way, in Section 56, Township 3 South, Range 27 East, Jacksonville, Duval County, Florida.

Directions to the site are as follows: From Interstate-95 take Exit 341 and turn west onto Baymeadows Road. Proceed until the intersection of Baymeadows Way and turn left. The proposed project site is located immediately to the left of Baymeadows Way.

APPROXIMATE CENTRAL COORDINATES: Latitude 30.219892 °
Longitude - 81.576235 °

PROJECT PURPOSE:

Basic: The basic project purpose is commercial development.

Overall: The overall project purpose is a convenience/gas station on Baymeadows Road between State Road 13 and Interstate-295.

EXISTING CONDITIONS: The wetland system consists of a freshwater wetland system. The onsite vegetation consists of cabbage palm (*Sabal palmetto*), cypress (*Taxodium* sp.), red maple (*Acer rubrum*), blackgum (*Nyssa sylvatica*), American sycamore (*Platanus occidentalis*), Virginia chainfern (*Woodwardia virginica*), Cinnamon fern (*Osmundastrum cinnamomeum*), and Chinese tallow (*Triadica sebifera*). The existing area surrounding the project area consists of commercial development and roadways.

PROPOSED WORK: The applicant seeks authorization to discharge fill material into 2.22 acres of freshwater-forested wetlands to facilitate the construction of a convenience store with gas stations.

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:

“Construction of the project at the preferred practicable alternative site would result in temporary and permanent impacts to wetlands and potential listed species. By reorganizing the stormwater treatment pond, wetland impacts will be minimized while protecting higher-quality wetlands and flow-ways onsite. The low-quality wetland onsite has been degraded because of increased litter, oil, and contaminants from surrounding development. However, construction of a wet detention pond as a stormwater management system would treat contaminated water from surrounding development that flows into the wetland onsite. For this reason, the stormwater management system must be 0.79-acre to accommodate the amount of untreated stormwater flowing into the site. The onsite water quality would significantly increase with construction of the detention pond. A stormwater management system is required for development of the proposed areas and was created considering the smallest footprint within the scope of the project. Additionally, a retaining wall will prevent erosion and transportation of sediment into the onsite wetlands.”

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

“Compensatory mitigation will be accomplished through purchase of mitigation bank credits from a mitigation bank approved by U.S. Army Corps of Engineers.”

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 Julington Creek and Pottsburg Creek basins. 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 Jacksonville Permits Section, Post Office Box 4970, Jacksonville, Florida 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, 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.

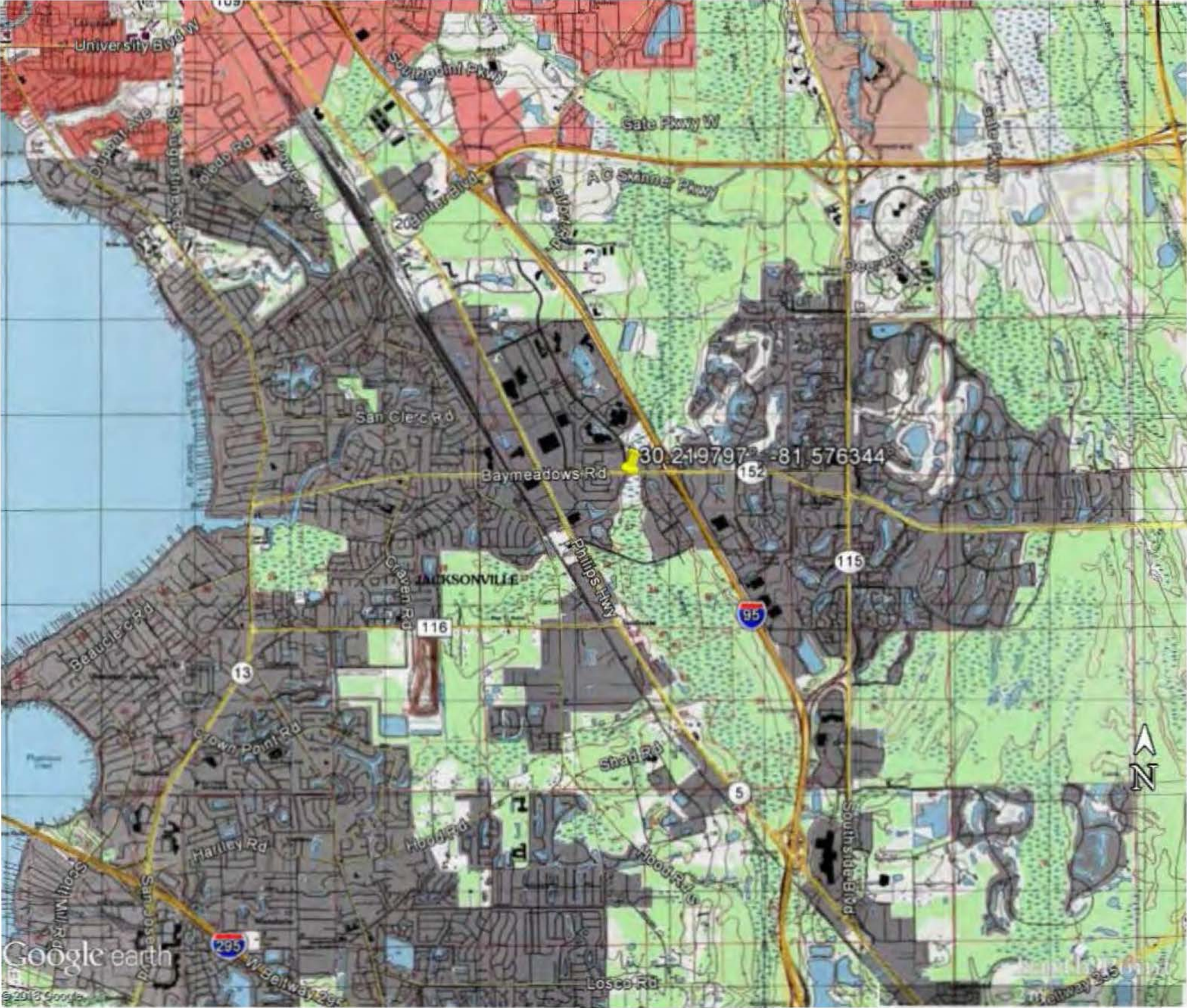
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, 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.



University Blvd W

Springpoint Pkwy

Gate Pkwy W

AC Skinner Pkwy

20th St

San Clere Rd

Baymeadows Rd

30.219797 -81.576344

JACKSONVILLE

Claver Rd

Phillips Hwy

Beaulieu Rd

Crown Point Rd

Harley Rd

Hood Rd

Shad Rd

Hood Rd

Southside Blvd

San Jose Rd

Losco Rd

Volney Rd

Google earth

© 2012 Google

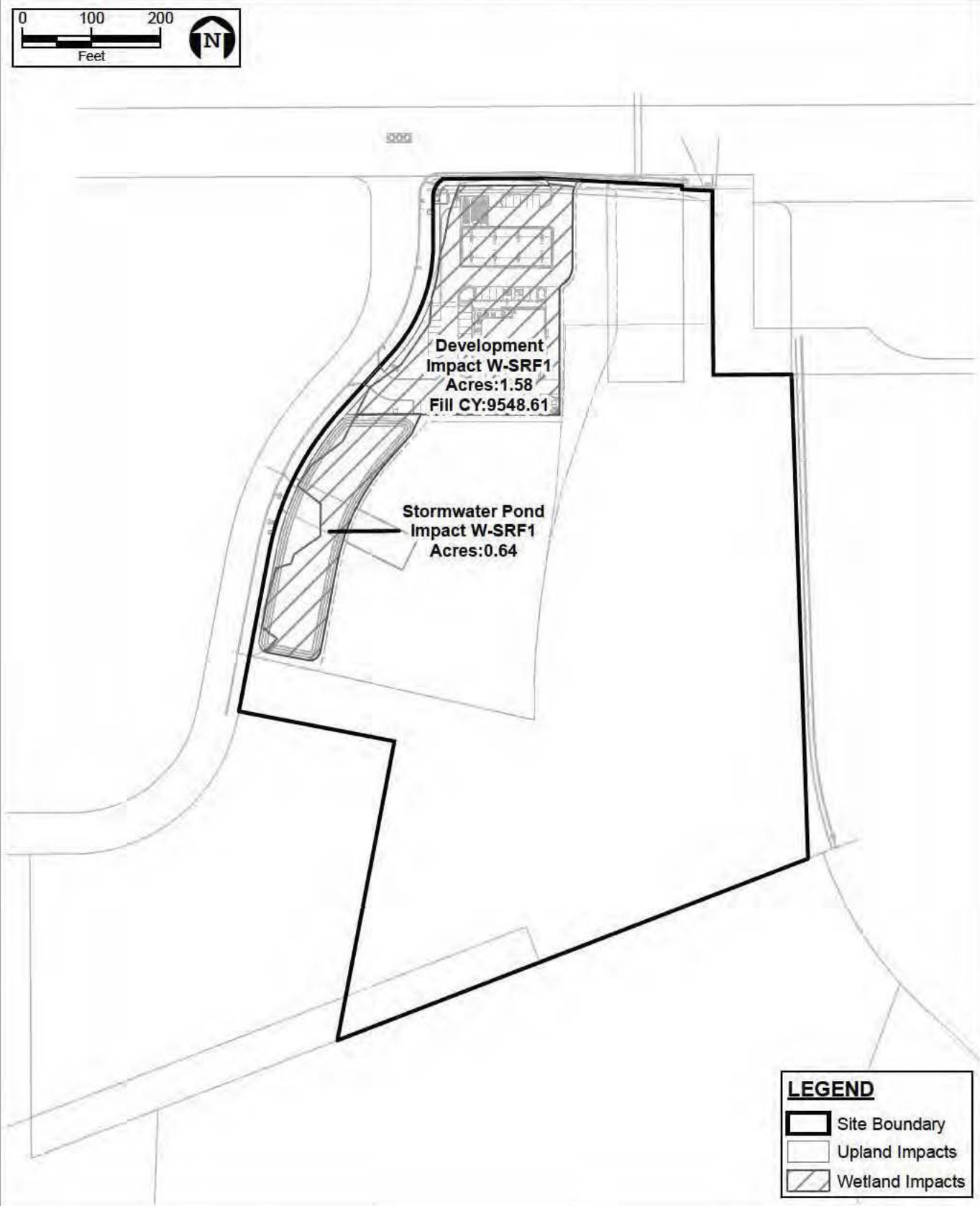


FIGURE 11.
PROPOSED SITE LAYOUT MAP
BAYMEADOWS ROAD SITE
DUVAL COUNTY, FLORIDA

Sources: SJRWMD, 2017; Duval PA, 2018; ECT, 2018.

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Consulting &
Technology, Inc.

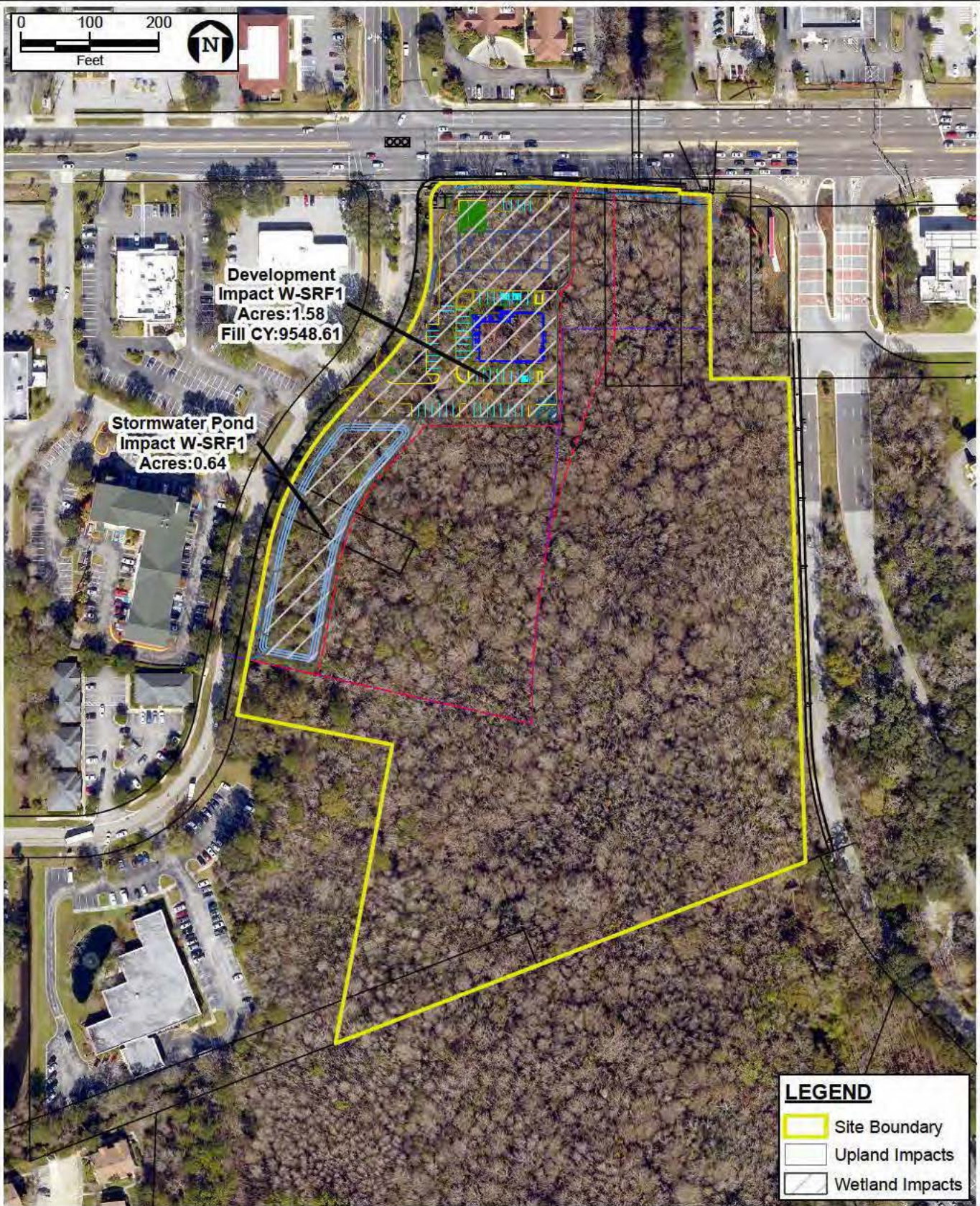


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