



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT  
1002 WEST 23<sup>RD</sup> STREET, SUITE 350  
PANAMA CITY, FLORIDA 32405

February 6, 2019

Regulatory Division  
North Branch  
Panama City Permits Section

## ***PUBLIC NOTICE***

Permit Application No. SAJ-2018-02837(SP-TLW)

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: Hix Snedeker Companies  
805 Trione Street  
Daphne, Alabama 36526

WATERWAY AND LOCATION: The project would affect 1.38 acres of waters of the United States associated with Callaway Bayou. The project site is located at 271 Comet Avenue North, Panama City, Florida.

Directions to the site are as follows: From Panama City: East on US Highway 98 to Highway 22, left (east) onto Highway 22 for approximately 0.75 miles to Comet Avenue North. Property is located on the right (south); the nearside of Highway 22/ Comet Avenue intersection. The project is located in Section 7, Township 4 South, Range 13 West, Bay County, Florida.

APPROXIMATE CENTRAL COORDINATES: Latitude 30.151596°  
Longitude -85.579151°

### **PROJECT PURPOSE:**

Basic: Commercial development

Overall: To construct a commercial retail development specializing in farming and agriculture related merchandise in the Callaway and East Bay County area.

EXISTING CONDITIONS: The wetland system consists of a mixed pine flatwoods freshwater system. The onsite vegetation consists of *Pinus elliottii* (slash pine), *Magnolia virginiana* (sweetbay), *Quercus nigra* (water oak), *Myrica cerifera* (wax myrtle), *Ilex glabra* (gallberry), and *Andropogon* spp. (bluestem). Hydric soil indicators observed include dark surface, mucky texture, and local soil survey data. Hydrology indicators observed include inundation / saturation, water marks, water-stained leaves,

and a positive FAC-Neutral test. The existing area surrounding the project area consists of mixed residential and commercial development on three sides of the project property. Primary wetland functions are wildlife refuge, foraging and cover for small reptiles, insects, and amphibians; and water storage and attenuation.

**PROPOSED WORK:** The applicant seeks authorization to impact 1.38 acres of jurisdictional wetlands to construct a 19,000 SF building with an adjacent 15,000 SF fenced outdoor area, a 3,000 SF trailer and equipment display area, along with associated parking and stormwater management facilities.

**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:

Jurisdictional wetland areas occupy approximately 2.12 acres, or 48% of the +/- 4.4-acre project site. Impacts cannot be avoided due the irregular pattern of wetlands within the subject property. The project has minimized direct wetland impacts by limiting impacts to those necessary for the applicant's standard project design. In addition to the selected project site, the applicant considered four other properties. The project site was determined to be the least damaging alternative in the applicant's alternative sites analysis. The remaining 0.74 acres of onsite wetlands will remain undisturbed.

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

To offset the 1.38 acres of wetland impacts, as well as, secondary impacts associated with the proposed project, the applicant is proposing to purchase 0.75 forested wetland credits from the Sweetwater 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 proposed project may affect, but is not likely to adversely affect the eastern indigo snake, a federally listed species and the Panama City crayfish, a candidate species for listing. The Corps will request U.S. Fish and Wildlife Service concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

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 Panama City Permits Section, 1002 West 23<sup>rd</sup> Street, Suite 350, Panama City, Florida 32405 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, Tracey L. Wheeler, in writing at the Panama City Permits Section, 1002 West 23<sup>rd</sup> Street, Panama City, Florida 32405; by electronic mail at [tracey.l.wheeler@usace.army.mil](mailto:tracey.l.wheeler@usace.army.mil); or, by telephone at (850)784-4576.

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.

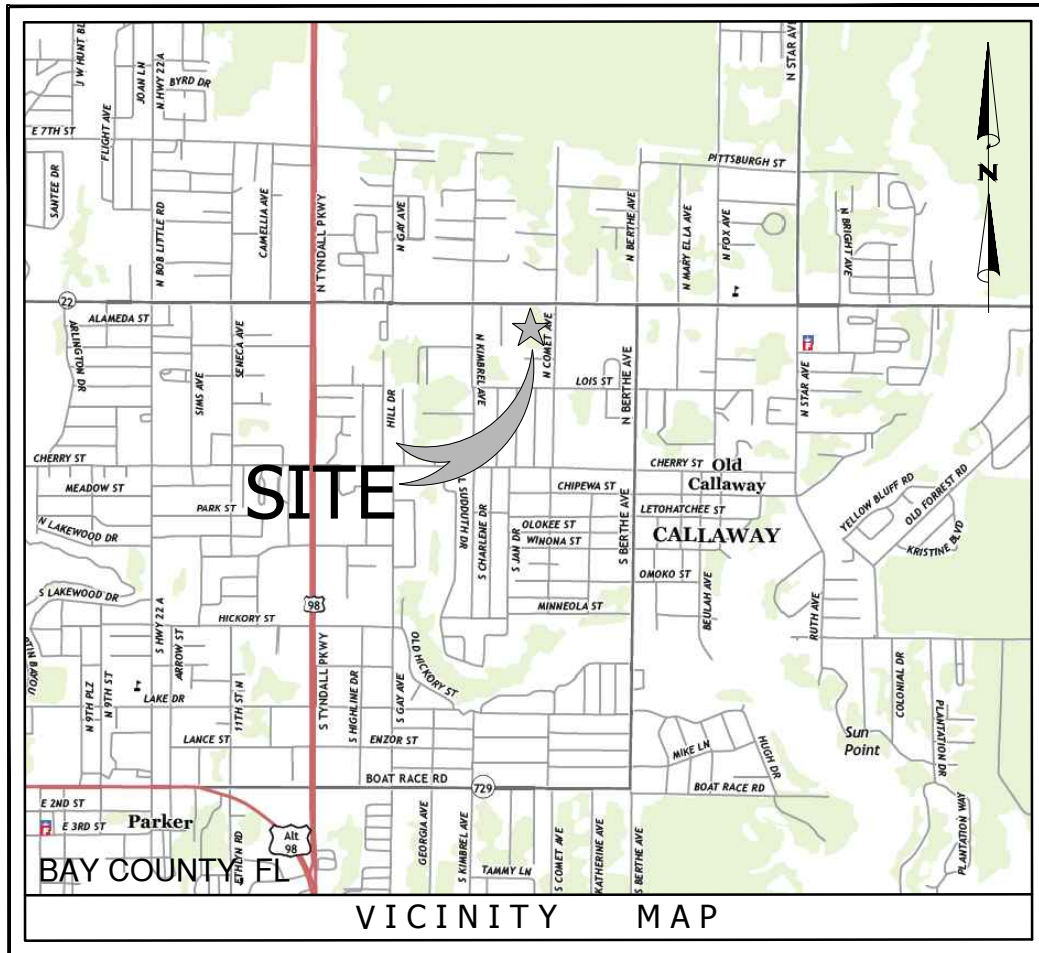
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits,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

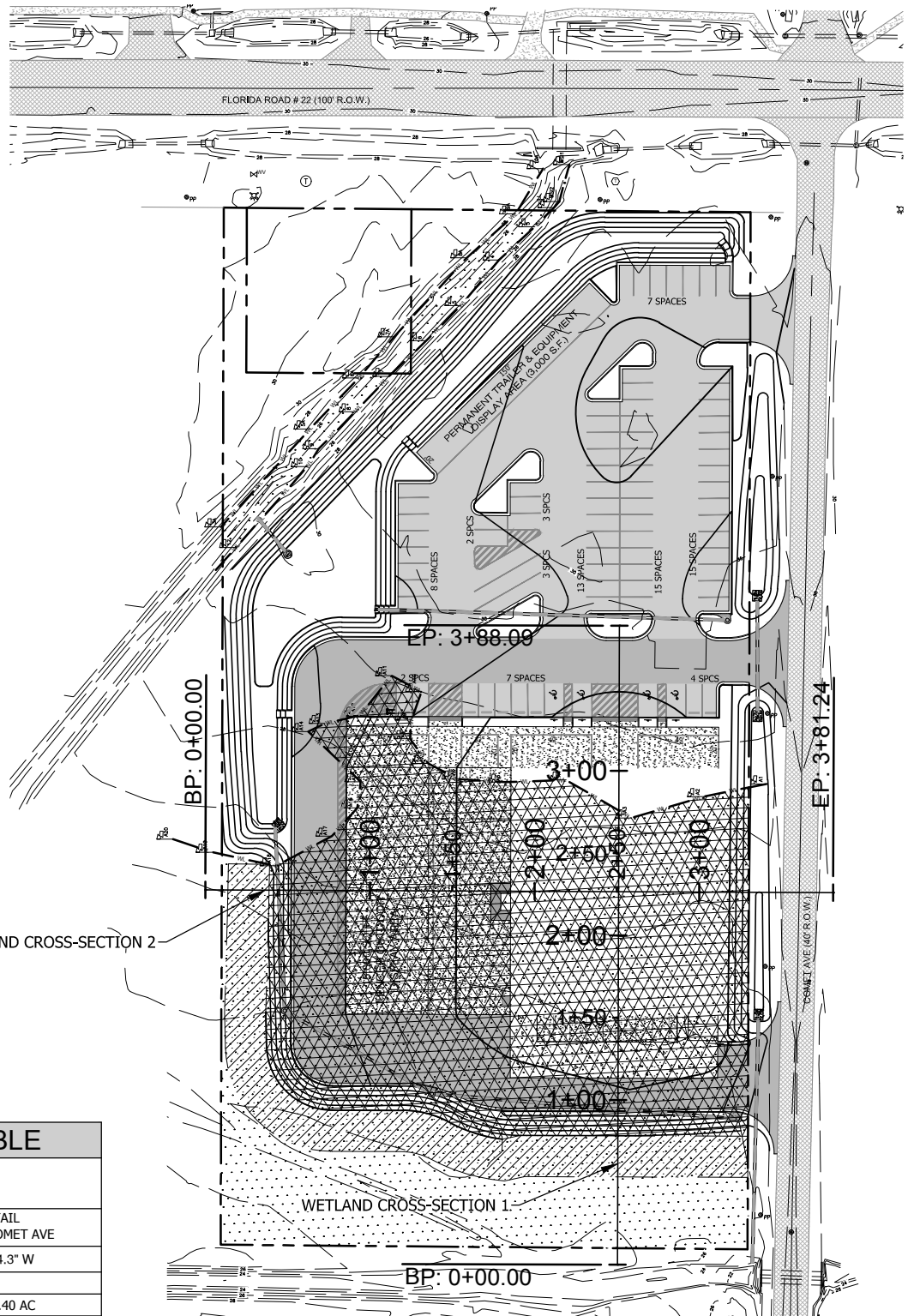
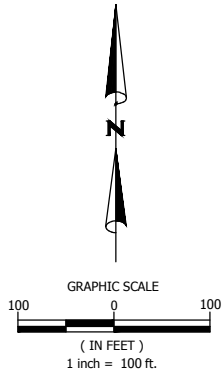
and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

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.

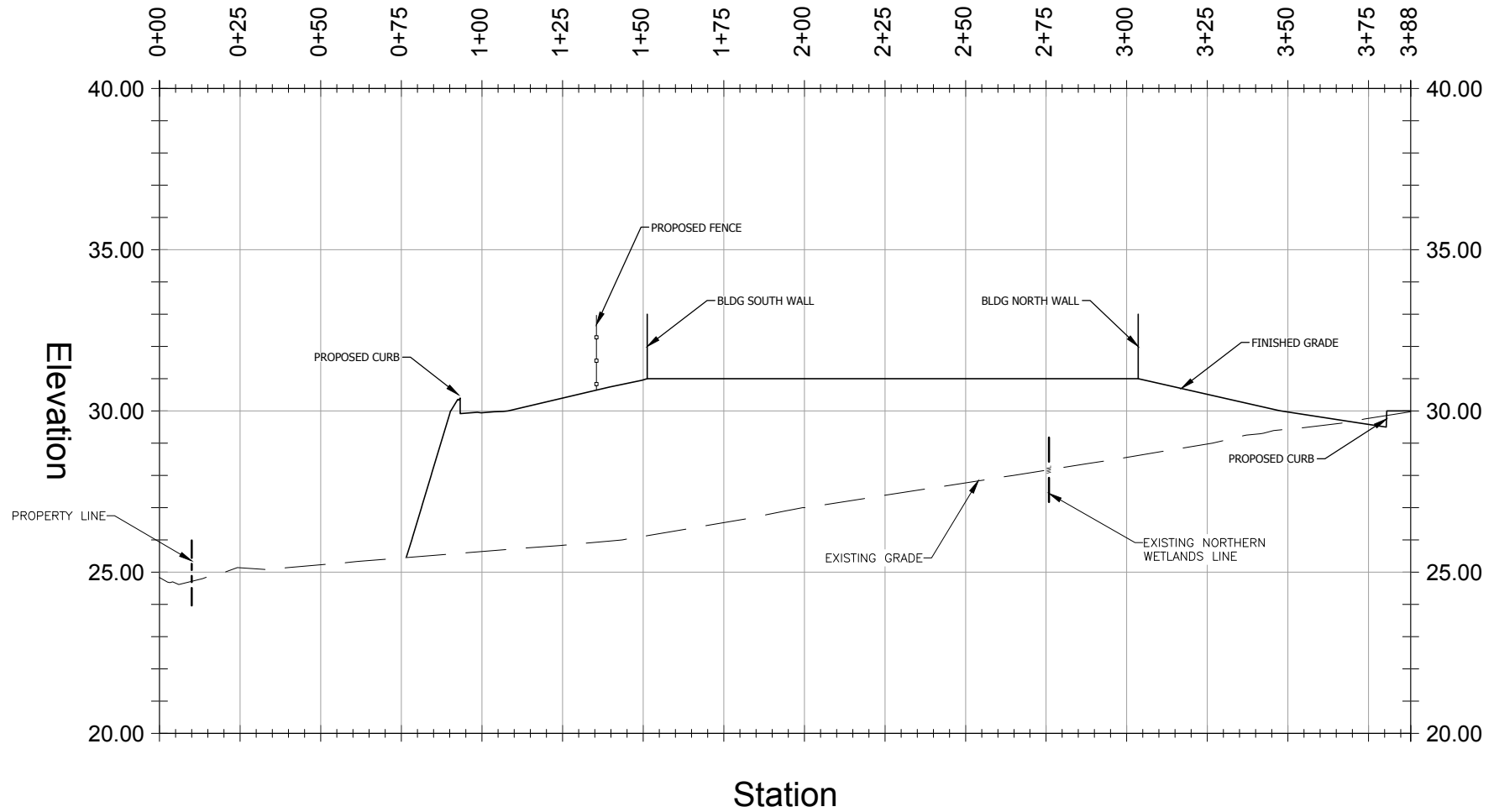




### SITE DATA TABLE

STATE OF FLORIDA BAY COUNTY NEAR CALLAWAY	
PROPOSED COMMERCIAL RETAIL WEWA HWY (HWY 22) & NORTH COMET AVE	
30° 09' 08.4" N	85° 34' 44.3" W
WETLAND DATA	
SITE AREA:	4.40 AC
SITE WETLAND AREA:	2.12 AC
IMPACTED WETLANDS:	1.38 AC
SECONDARY WETLAND IMPACT:	0.27 AC
WETLANDS FILL(SOIL BASE):	6532 CY
WETLANDS FILL(PAVING):	632 CY

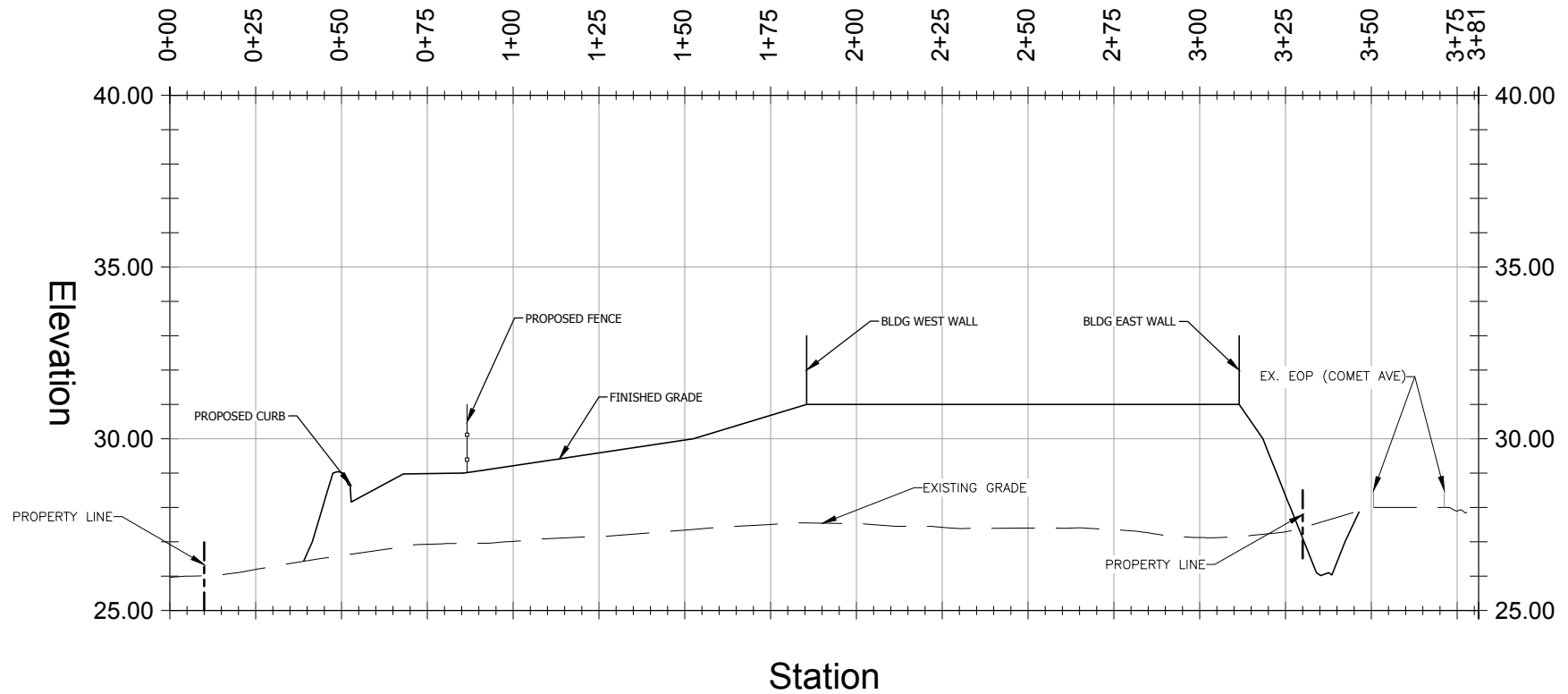
# Profile View of Wetland Cross-Section 1 Scale: 1"=50' Horizontal 1"=5' Vertical



## Profile View of Wetland Cross-Section 2

Scale: 1"=50' Horizontal

1"=5' Vertical



**JADE**  
CONSULTING, LLC

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