



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
**JACKSONVILLE DISTRICT CORPS OF ENGINEERS**  
**1520 ROYAL PALM SQUARE BLVD., SUITE 310**  
**FORT MYERS, FLORIDA 33919**

**DEC 09 2008**

Fort Myers Section

**PUBLIC NOTICE**

Permit Application No. SAJ-2006-7780 (IP-MJD)

TO WHOM IT MAY CONCERN: This district 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: Charlotte County Airport Authority  
28000 A-1 Airport Road  
Punta Gorda, Florida 33982

WATERWAY & LOCATION: The project is located at 28000 A-1 Airport Road in Punta Gorda in Sections 9-11, 14 & 15, Township 41 South, Range 32 East, in Charlotte County, Florida.

Directions to the site are as follows: From I-75 take exit 161, Jones Loop Road (County Road 768) 0.25 miles east and turn north on Piper Road. Follow Piper Road approximately 1.15 miles and turn left onto Golf Course Blvd. Follow Golf Course Blvd. approximately 0.7 miles north and turn left onto Utilities Blvd. The large Borrow Pit is located directly to the west.

LATITUDE & LONGITUDE: Latitude 26.921482 North  
Longitude 82.009320 West

PROJECT PURPOSE:

Basic: Modify an existing surface water management system.

Overall: Modify the existing surface water management system at the Charlotte County Airport to improve existing water quality and design for future development on the airport property.

PROPOSED WORK: The applicant proposes to impact 0.91 acres of wetlands and surface waters to upgrade the surface water management system on the western portion of the airport property. The re-designed system would facilitate future

development around the airport consistent with the conceptual future design plans of the airport property.

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:

By incorporating the existing borrow areas into the surface water management system, the applicant can maximize upland development and avoid additional wetland impacts. The unused borrow lakes would provide increased storage for storm water requiring treatment and are located farther from the active runways. Utilizing the existing borrow areas to provide storm water storage and treatment allows the applicant to improve water quality and provide for future development of the area around the airport while still being consistent with FAA guidelines to limit construction of open-water features that may attract birds in accordance with FAA Advisory Circular 150/5200-33b.

Compensatory Mitigation: The applicant has offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment:

Since the project involves primarily impacts to two existing borrow pits and surface waters the applicant has not proposed specific mitigation at this time.

EXISTING CONDITIONS: The wetland system consists of a freshwater system. The onsite vegetation consists of emergent vegetation in the shallow areas and around the edges of the borrow pits and within the ditches connecting the wetlands and waters. The existing area surrounding the project area consists of I-75 to the west, borrow pits to the north, the airport property to the east and agricultural development to the south.

ENDANGERED SPECIES: The U.S. Army Corps of Engineers has determined the proposal would have no effect on any listed threatened or endangered species or designated critical habitat.

ESSENTIAL FISH HABITAT (EFH): This project is located approximately 2 miles from the Peace River. Although the existing surface water management system, drainage ditches and wetlands drain to the Peace River via conveyances to Broad Creek, the proposed work would have no affect on EFH.

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: The existing Southwest Florida Water Management District is processing an application number 43000164.038 for a modification to existing surface water management system.

Comments regarding the application should be submitted in writing to the District Engineer at the above address within twenty-one (21) days from the date of this notice.

If you have any questions concerning this application, you may contact Monika J. Dey at the letterhead address, by electronic mail at monika.j.dey@usace.army.mil, by fax at 239-334-0797, or by telephone at 239-334-1975 X 29.

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.

**IMPACT ON NATURAL RESOURCES:** Preliminary review of this application indicates that an Environmental Impact Statement will not be required. Coordination with US 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. By means of this notice, we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat.

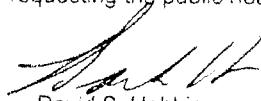
**IMPACT ON CULTURAL RESOURCES:** Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible for inclusion therein, are located at the site of the proposed work. Presently, unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished.

**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 of 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.

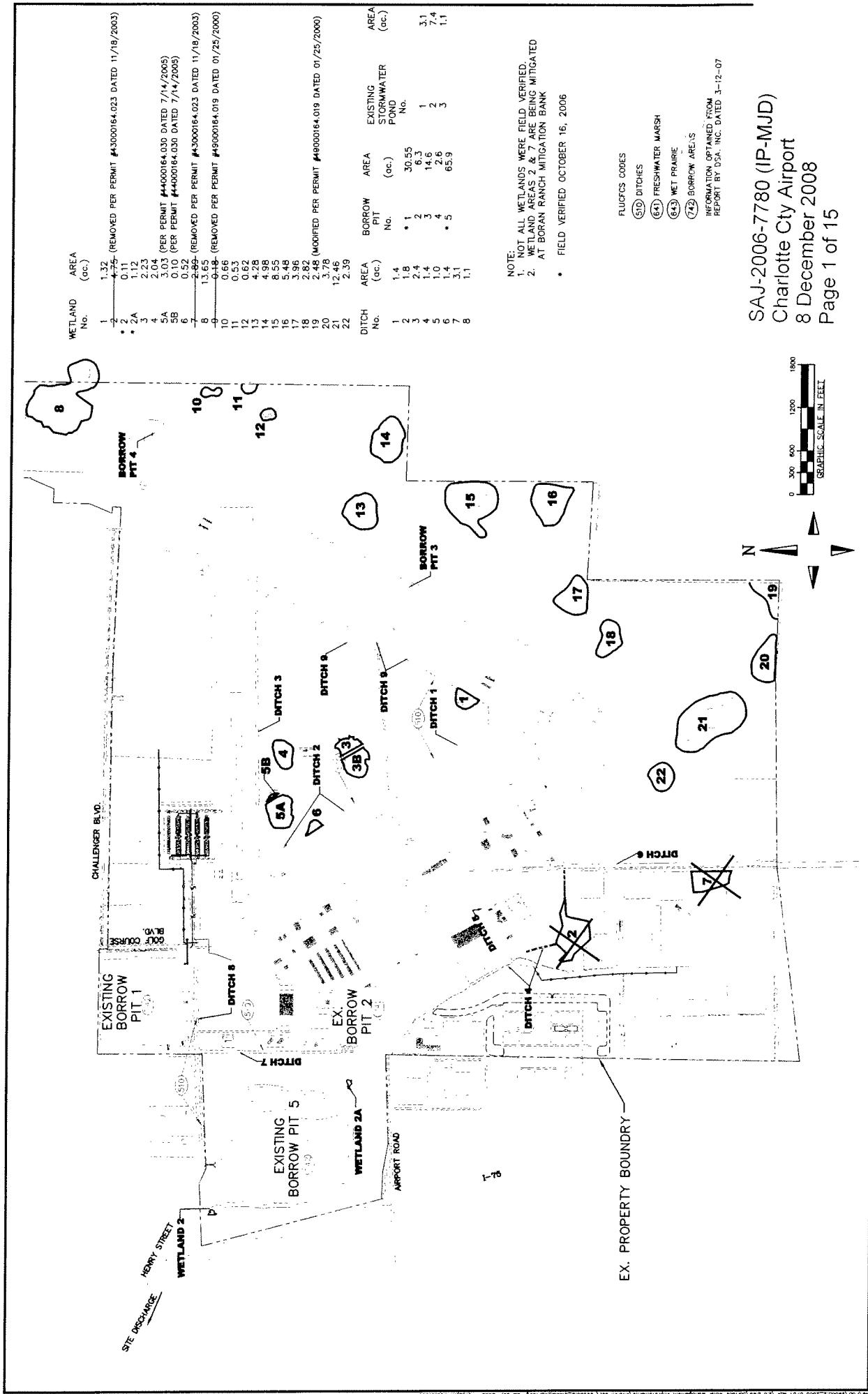
The US Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make or deny this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. 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 approved Coastal Zone Management Plan.

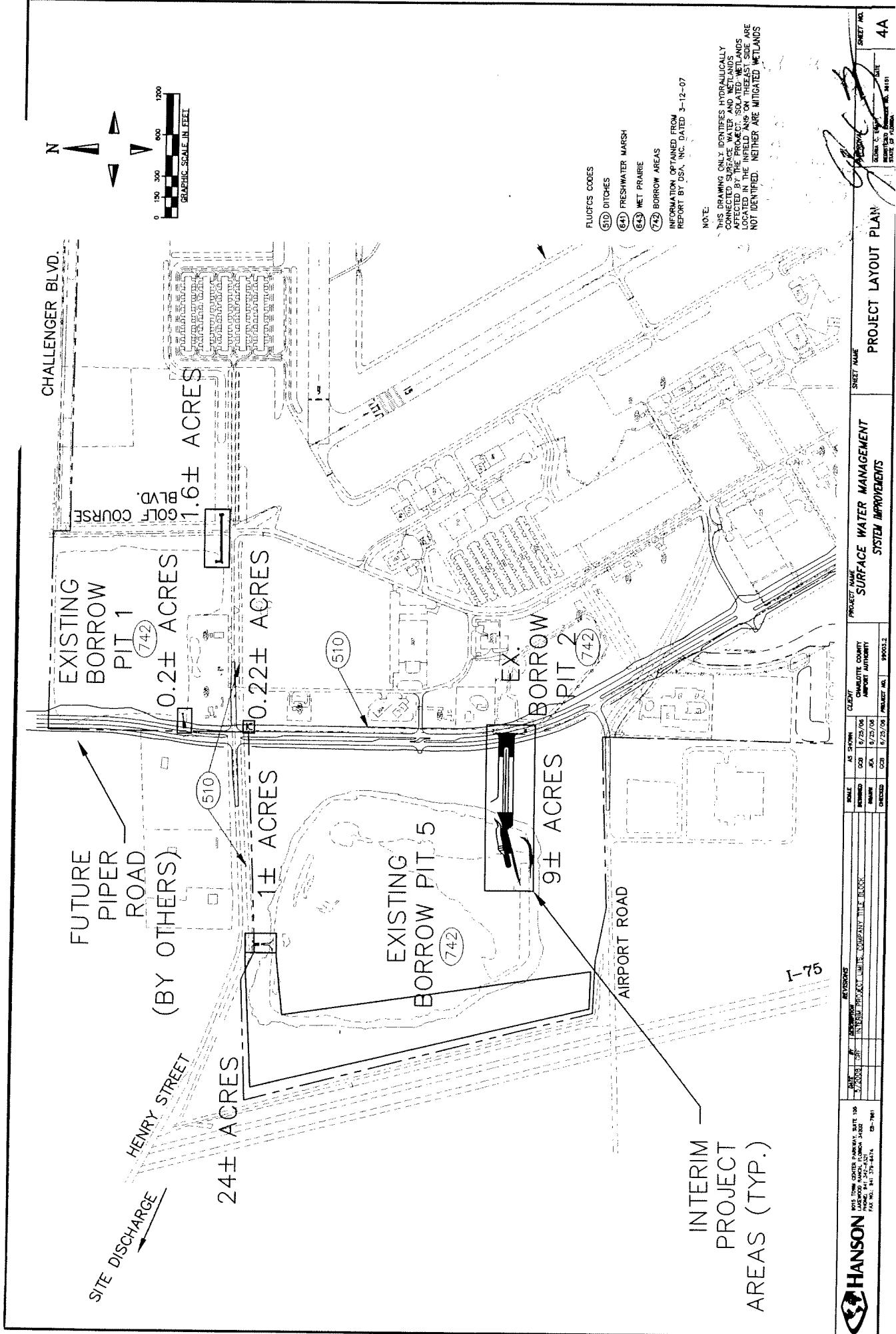
**REQUEST FOR PUBLIC HEARING:** Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.



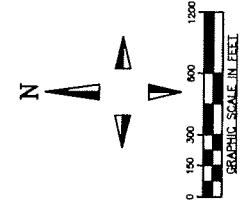
David S. Hobbie  
Regulatory Division



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CHALLENGER BLVD.



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**FLUCFS CODES**

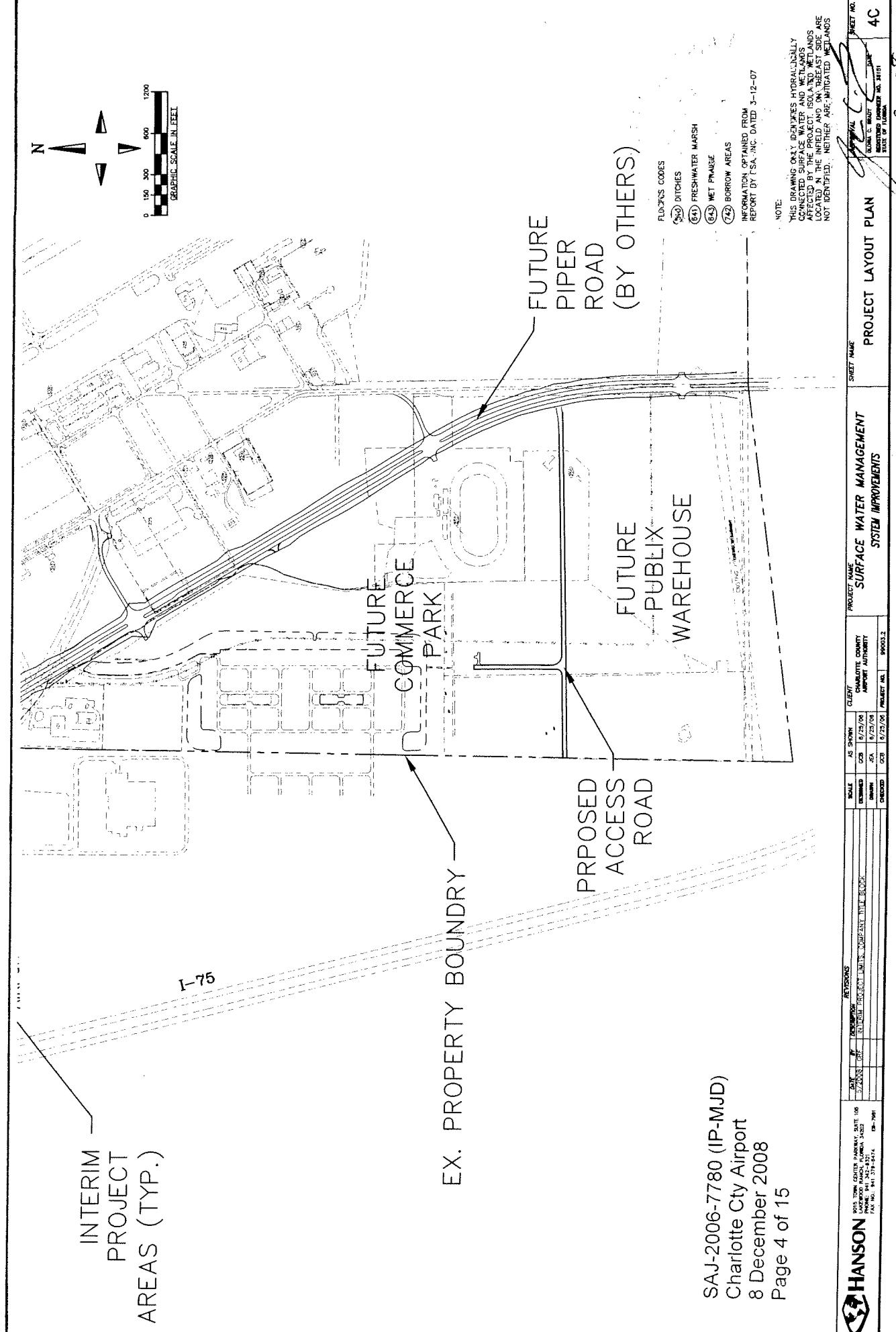
- (510) DITCHES
- (841) FRESHWATER
- (643) WET PRAIRIES
- (742) BORROW AREAS

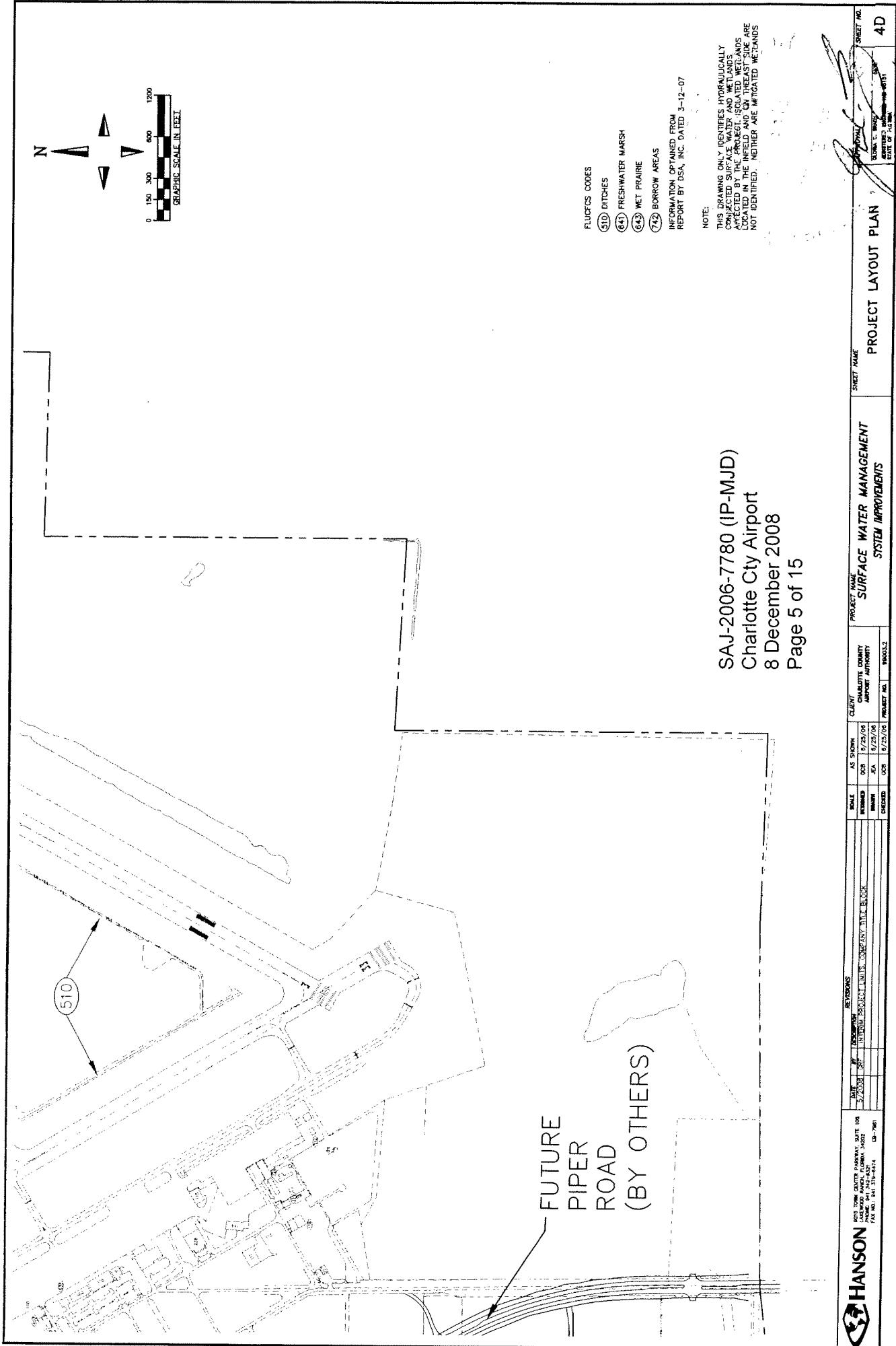
NOTE: THIS DRAWING ONLY IDENTIFIES HYDRAULICALLY CONNECTED SURFACE WATER AND WETLANDS AFFECTED BY THE PROJECT. ISOLATED WETLANDS LOCATED IN THE INFILLED OR ON THE EAST SIDE ARE NOT IDENTIFIED. NEITHER ARE MITIGATED WETLANDS.

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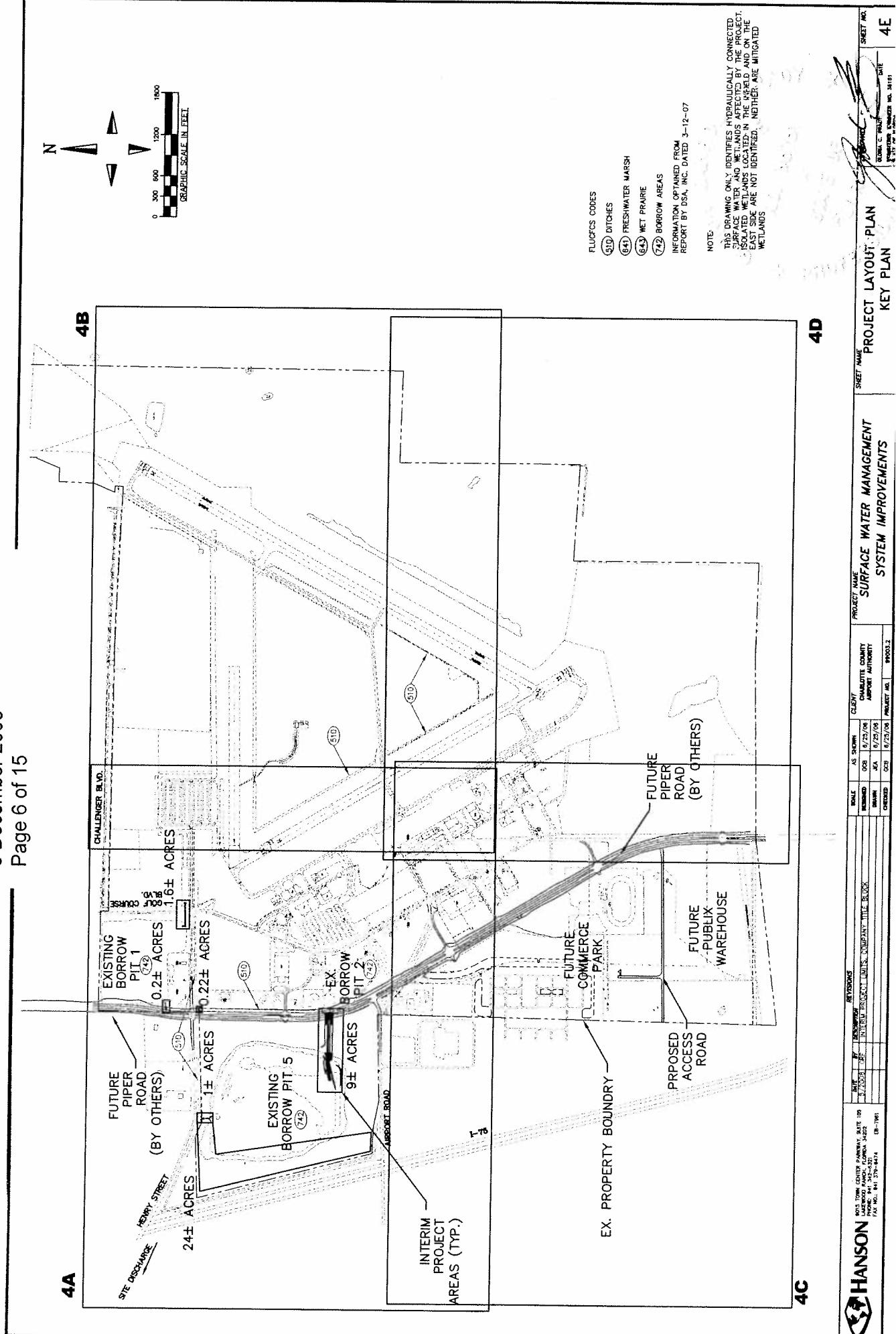
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**48**  
SWEET NO.  
DATE  
REGISTRATION NUMBER NO. 30151  
ELMA C. BROOK  
STATE OF CALIFORNIA

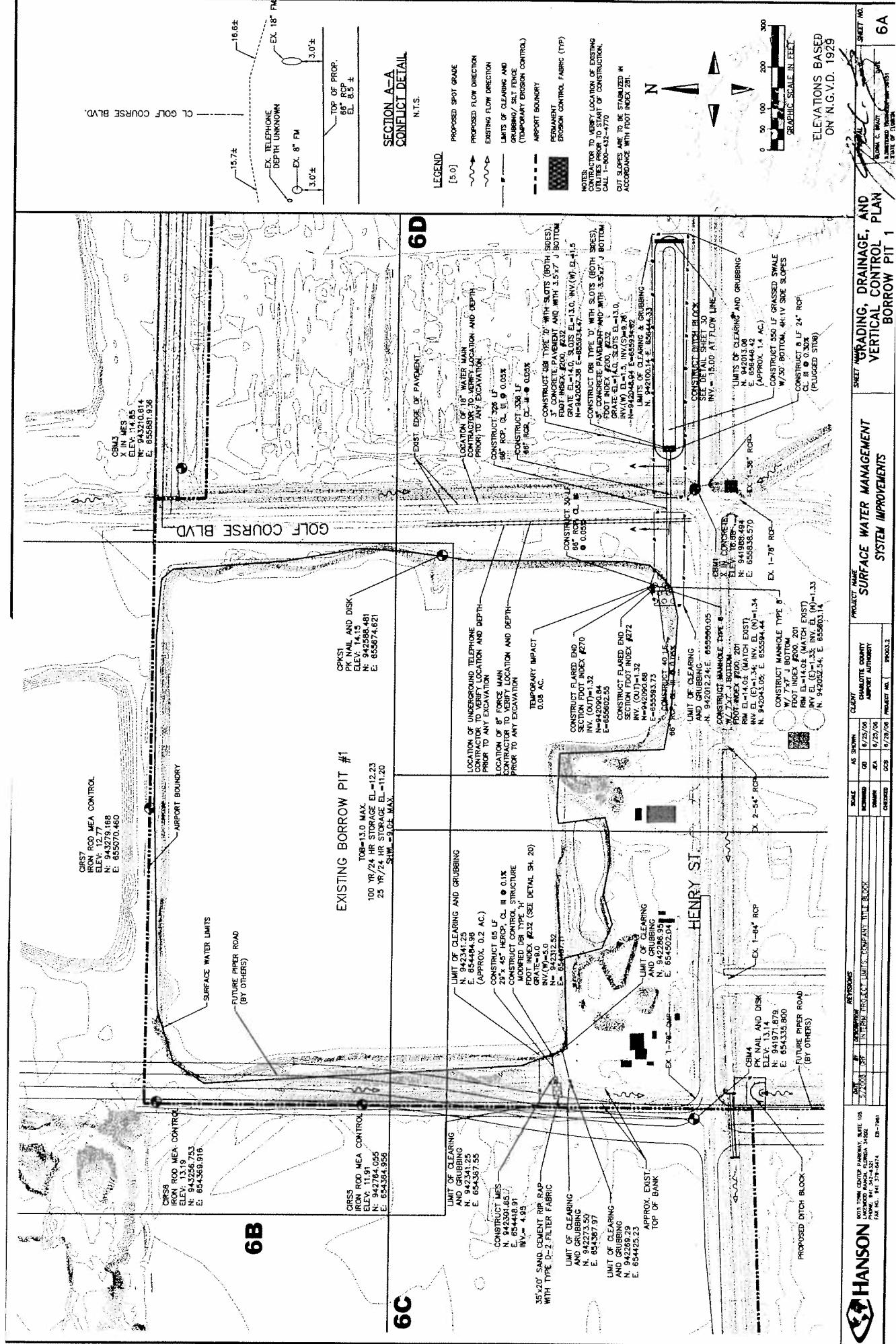


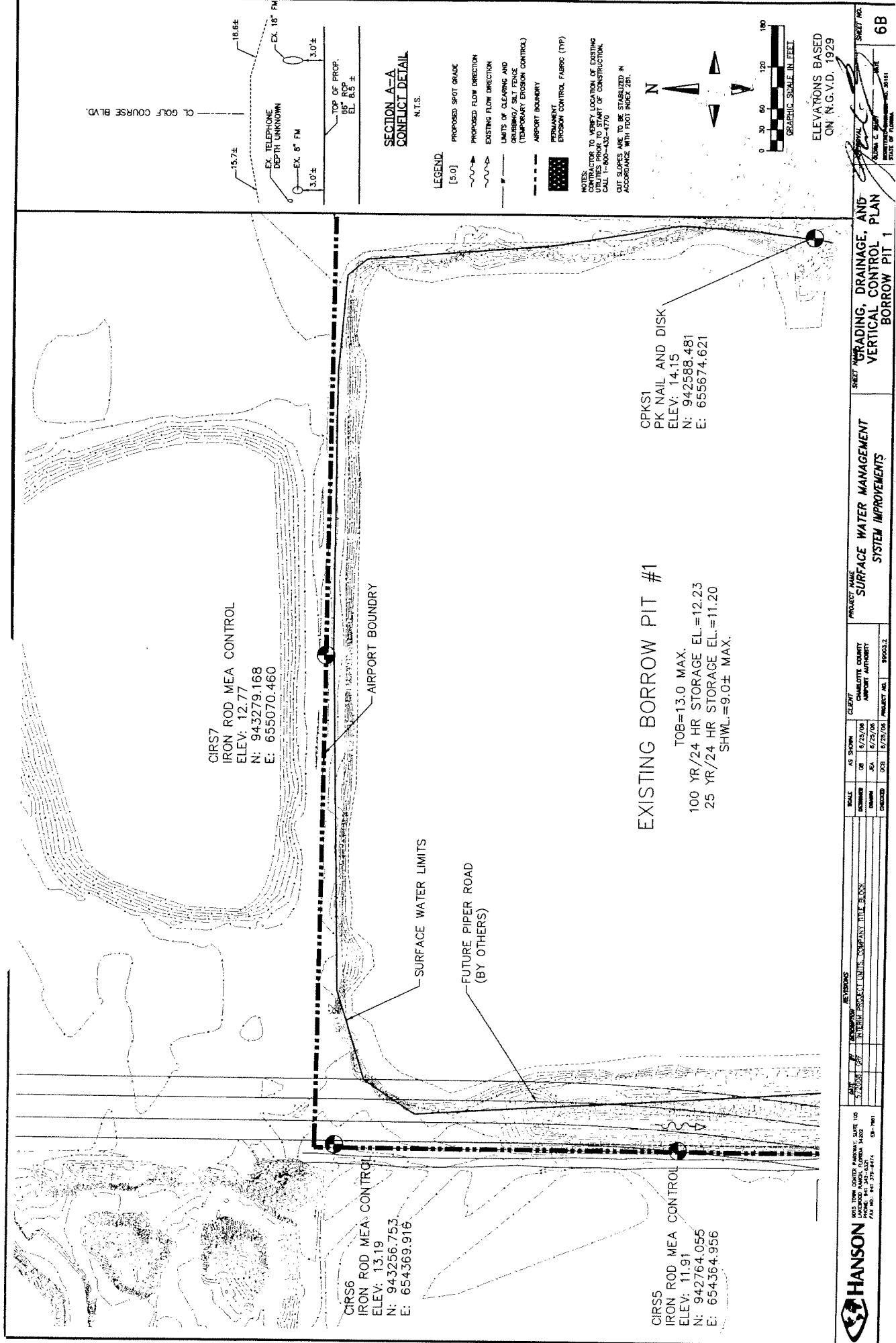


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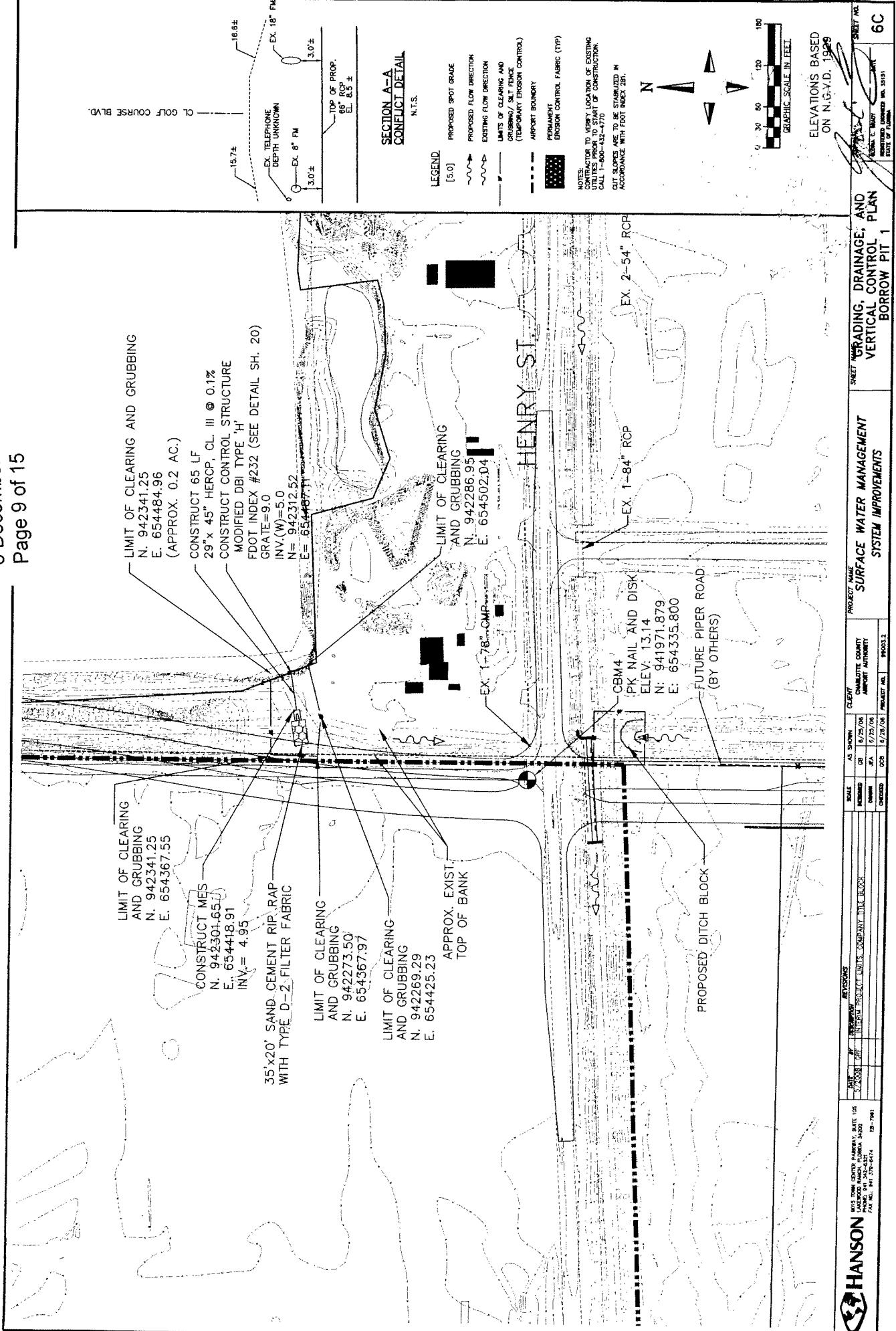


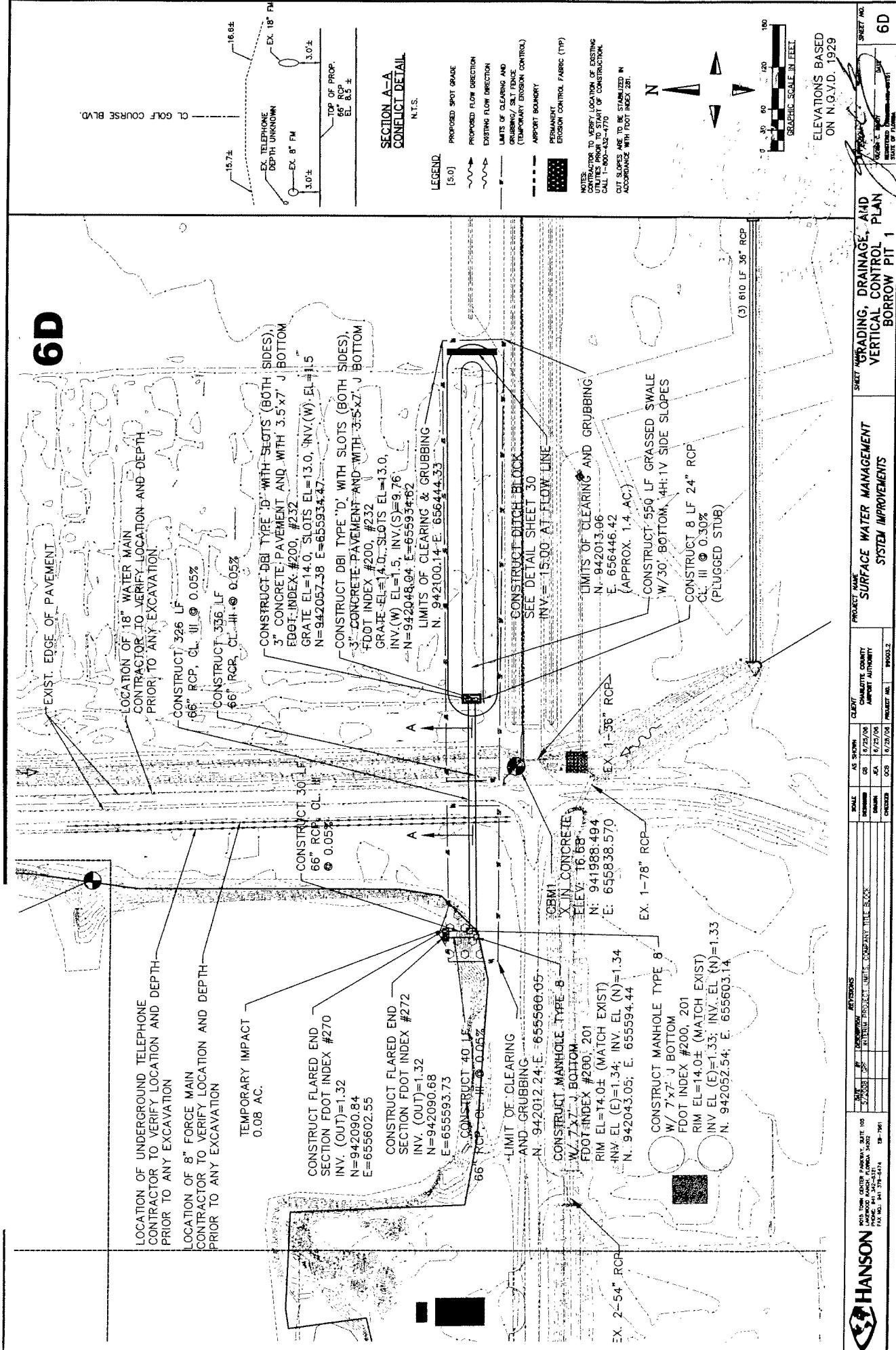
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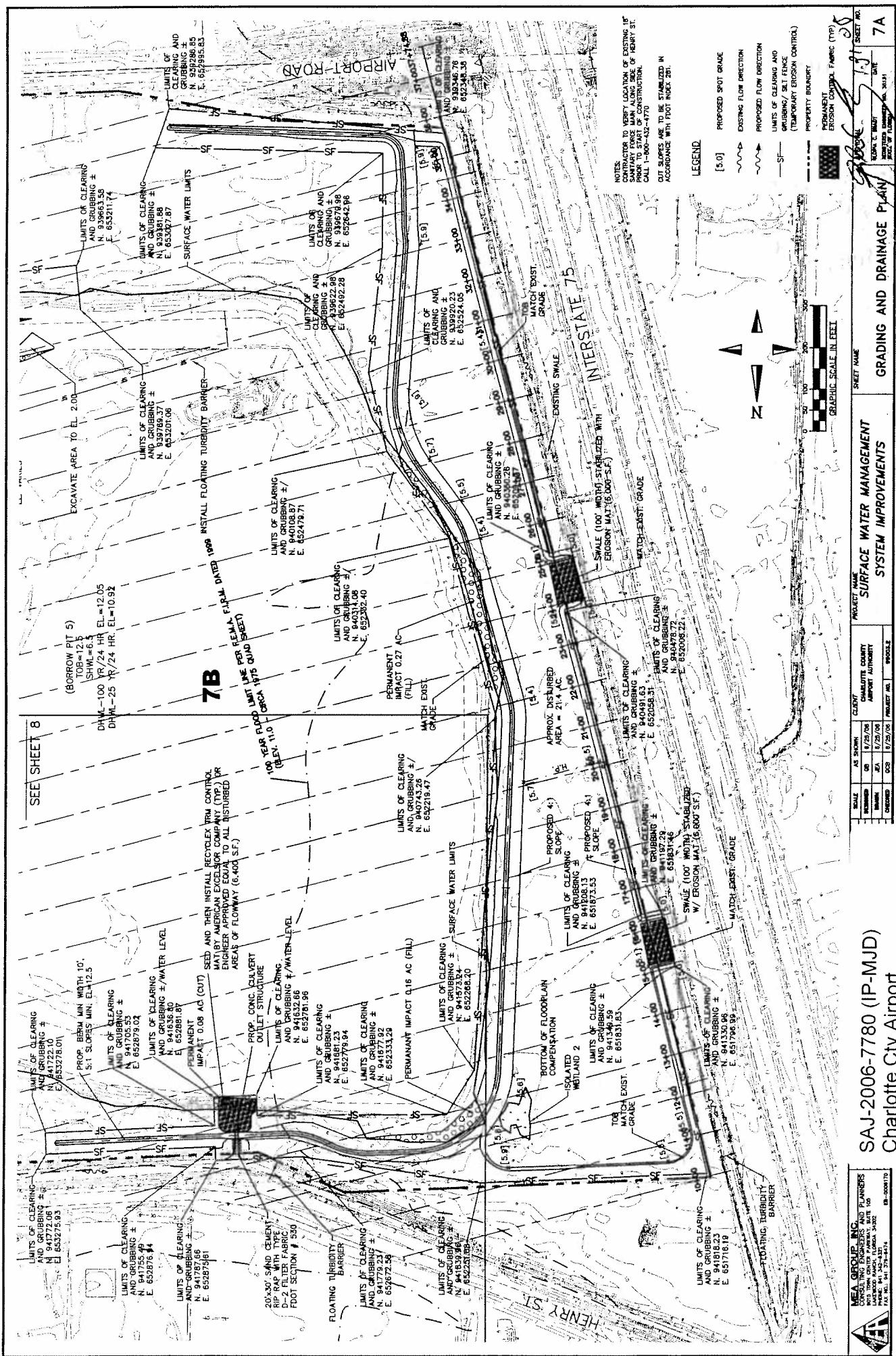




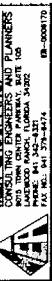
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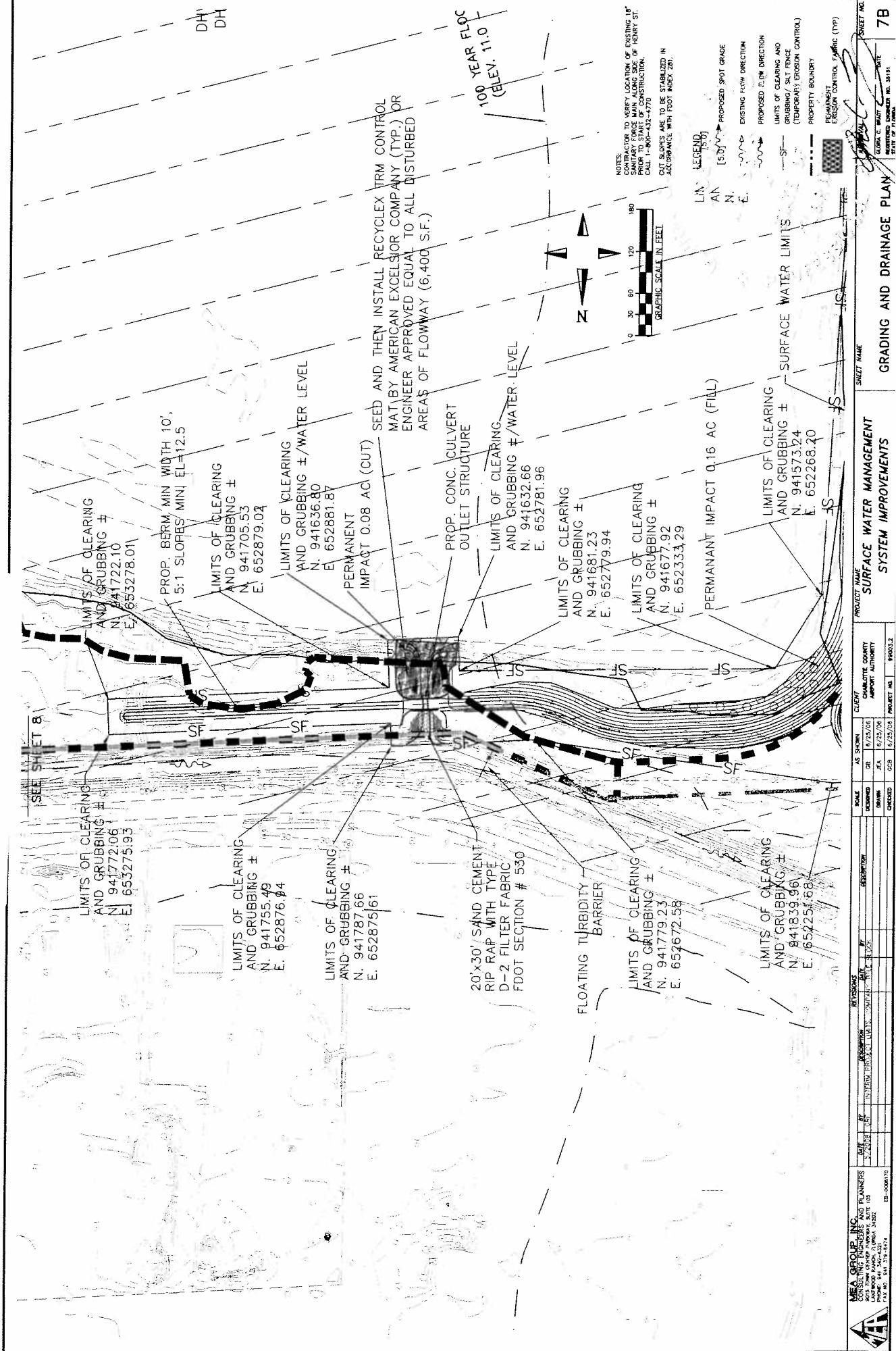


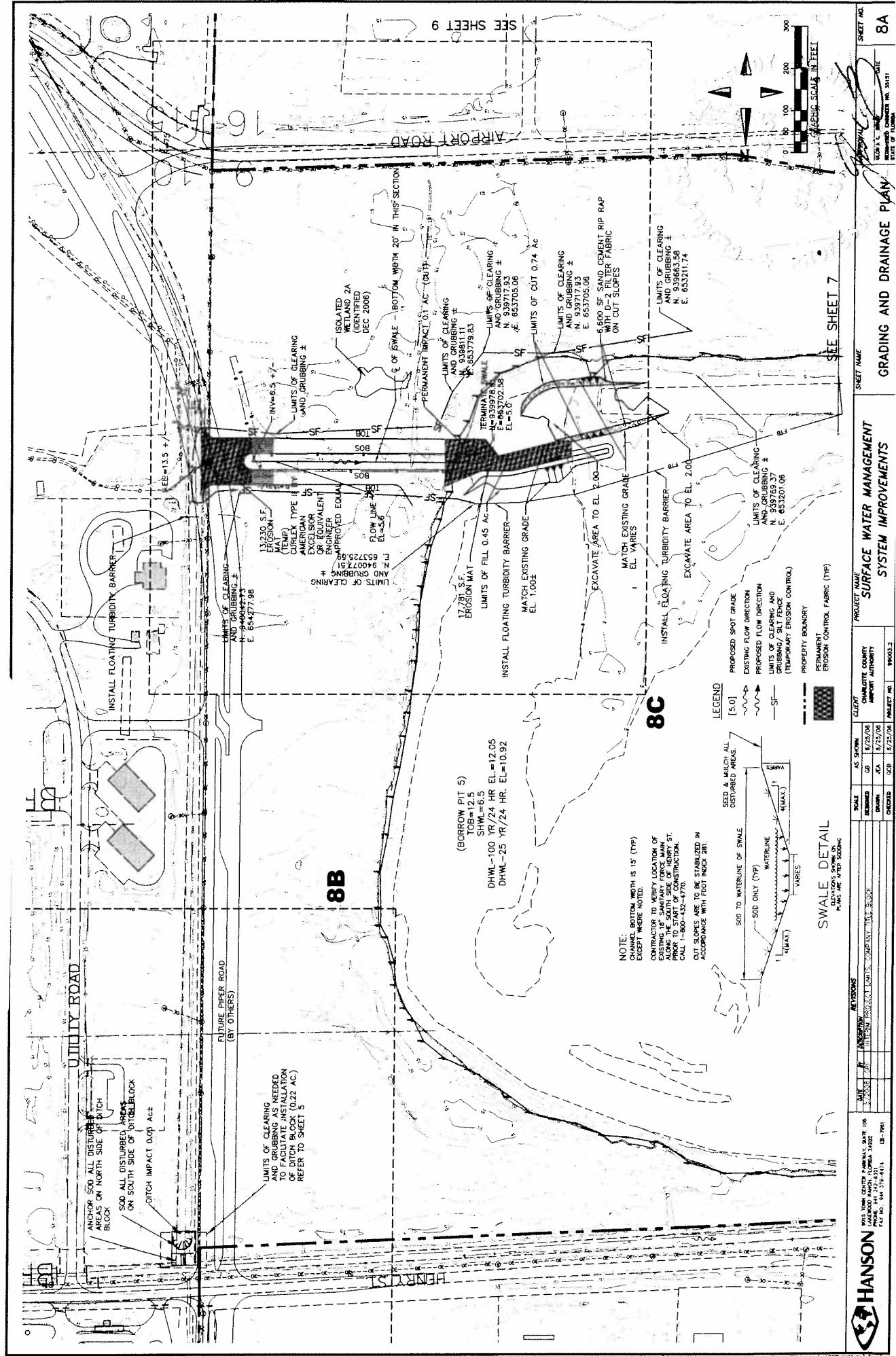


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