



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
COCOA REGULATORY FIELD OFFICE  
400 HIGH POINT DRIVE, SUITE 600  
COCOA, FLORIDA 32926

DEC 11 2008

Cocoa Permits Section

***PUBLIC NOTICE***

Permit Application No. SAJ-2008-4151(IP-MAM)

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: Orange County Public Works  
c/o. Ghulam Qadir  
4200 John Young Parkway  
Orlando, FL 32839

WATERWAY & LOCATION: The project is located within wetlands starting at the intersection of Edgewater Drive and Clarcona Ocoee Road and ending at All American Boulevard east of Forest City Road, (Sections 33, Township 21 south, Range 29 east), in Orange County, Florida.

Directions to the site are as follows: From Interstate 4 take exit 86, turn left onto Par Street, turn right onto Edgewater Drive (SR-424), and the site will be located northeast of the intersection of Edgewater Drive and Clarcona Ocoee Road and ends at All American Boulevard.

LATITUDE & LONGITUDE: Latitude 28.617606 North  
Longitude -81.421009 West

PROJECT PURPOSE:

Basic: The basic project purpose is road access.

Overall: The overall project purpose is to provide a direct roadway connection from Clarcona Ocoee Road to All American Boulevard, in Orange County, Florida.

PROPOSED WORK: The applicant proposes to fill 0.52 acres of waters of the United States consisting of 0.30 acres of

freshwater wetlands and 0.22 acres of surface waters for the construction of a four lane roadway, which will provide a direct connection from Clarcona Occoee Road to All American Boulevard.

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 proposed project would result in impacts to an area predominately uplands, and wetland impacts would occur to degraded wetlands entirely surrounded by development. The proposed project would improve water quality discharges through development of on-site wet storm water retention ponds.

Compensatory Mitigation: The applicant has offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: Purchase 0.23 credits from the Wekiva River Mitigation bank.

EXISTING CONDITIONS: The freshwater wetland system consists of a 1.72-acre Wetlands Forested Mixed (FLUCFCS 630) directly abutting a relative permanent water (ditch) that drains into the Little Wekiva Canal. The wetland's vegetation consist of canopy dominated by slash pines, sweetbay, red bay, laurel and water oaks, wax myrtles, and of groundcover dominated by swamp ferns, royal ferns, cinnamon ferns, Virginia chain ferns, broomsedge blue stem, and St. Johns wort. The site also contains an isolated Exotic Wetland Hardwood (FLUCFCS 619) on the east side of the property with no hydrologic connections to waters of the U.S. and dominated by the exotic invasive Chinese tallowtree. The ditch that runs from north to south and then west to east into the Little Wekiva Canal contains vegetation dominated by swamp fern and cinnamon fern. The Little Wekiva Canal which flows into the Wekiva River has highly eroded banks containing little to no vegetation. There are also three stormwater ponds in the review area. The upland system consists mostly of Mixed Hardwoods (FLUCFCS 438) with a canopy dominated by laurel oak, chinaberry tree, mimosa tree, and earpod tree, and a groundcover dominated by air potato and Virginia creeper; Herbaceous (FLUCFCS 310) dominated by bahiagrass; and Other Shrubs and Brush (FLUCFCS 329) dominated by gallberry and shiny blueberry.

ENDANGERED SPECIES: The U.S. Army Corps of Engineers (Corps) has determined the proposed project may affect, but is not likely to adversely affect the threatened eastern indigo snake (*Drymarchon corais*) with the project adhering to the Standard Protection Measures for the Eastern Indigo Snake. This project will have no effect on any other federally listed species.

Therefore, no further review is being coordinated with the U.S. Fish and Wildlife Service. This determination is based on existing site conditions, T/E surveys conducted by the applicant's agent, and the use of the effect determination key for the wood stork dated September 2008.

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 0.30 acres of freshwater wetlands and 0.22 acres of surface waters, which may provide organic carbon to downstream fish habitats regulated by the National Marine Fisheries Service. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH. 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 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 application should be submitted in writing to the District Engineer at the above address within 15 days from the date of this notice.

If you have any questions concerning this application, you may contact Miguel Mozdzen at the letterhead address, by electronic mail at Miguel.A.Mozdzen@usace.army.mil, by fax at 321-504-3803, or by telephone at 321-504-3771 ext 26.

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.

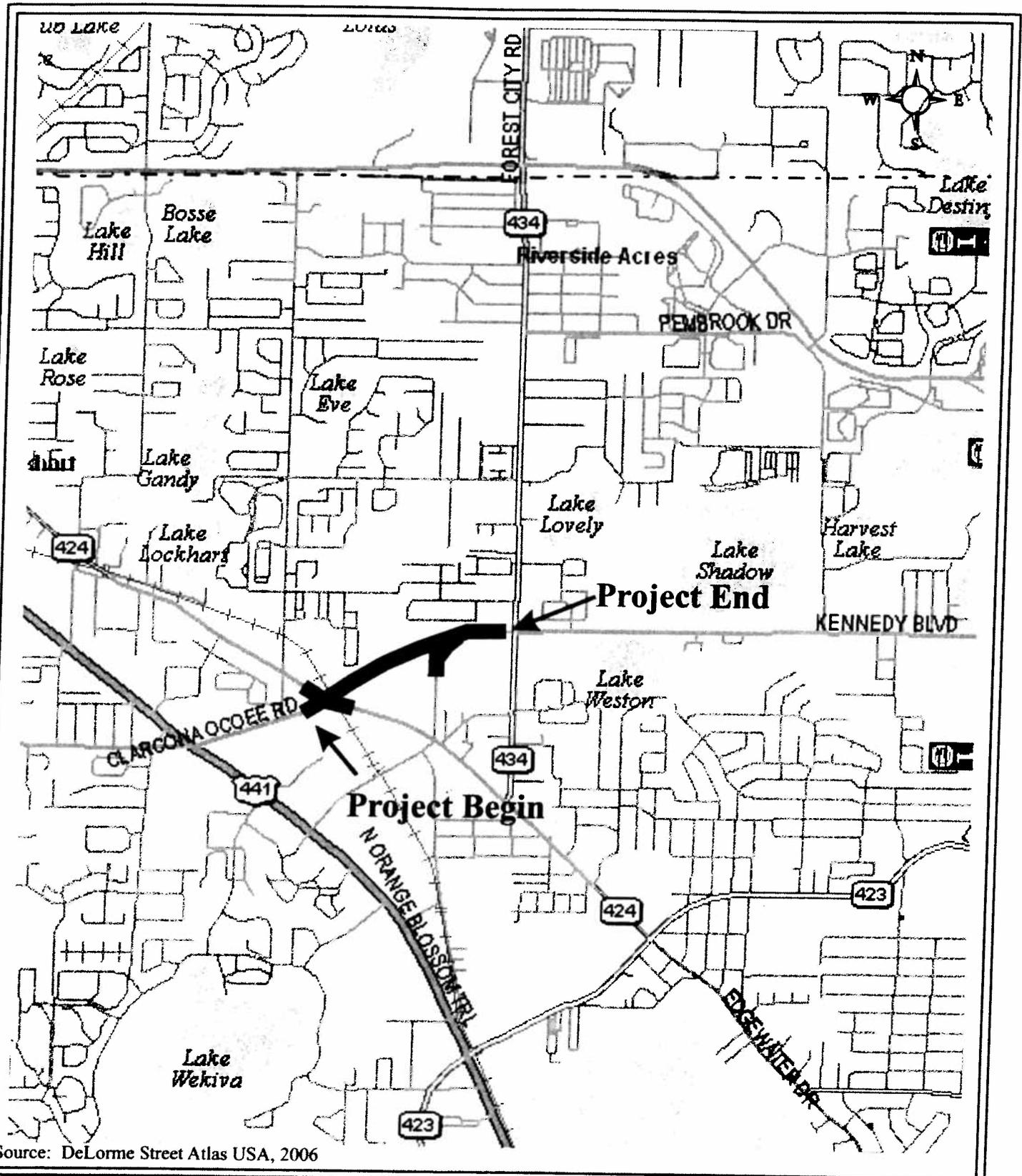
**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits,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



Source: DeLorme Street Atlas USA, 2006

**EMD**  
 Environmental Management  
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 1615 Edgewater Drive, Suite 100  
 Orlando, FL 32804  
 407.843.0615 fax 407.843.0616  
 email: emd@emd-inc.net

**REGIONAL LOCATION MAP**

**ALL AMERICAN BLVD**

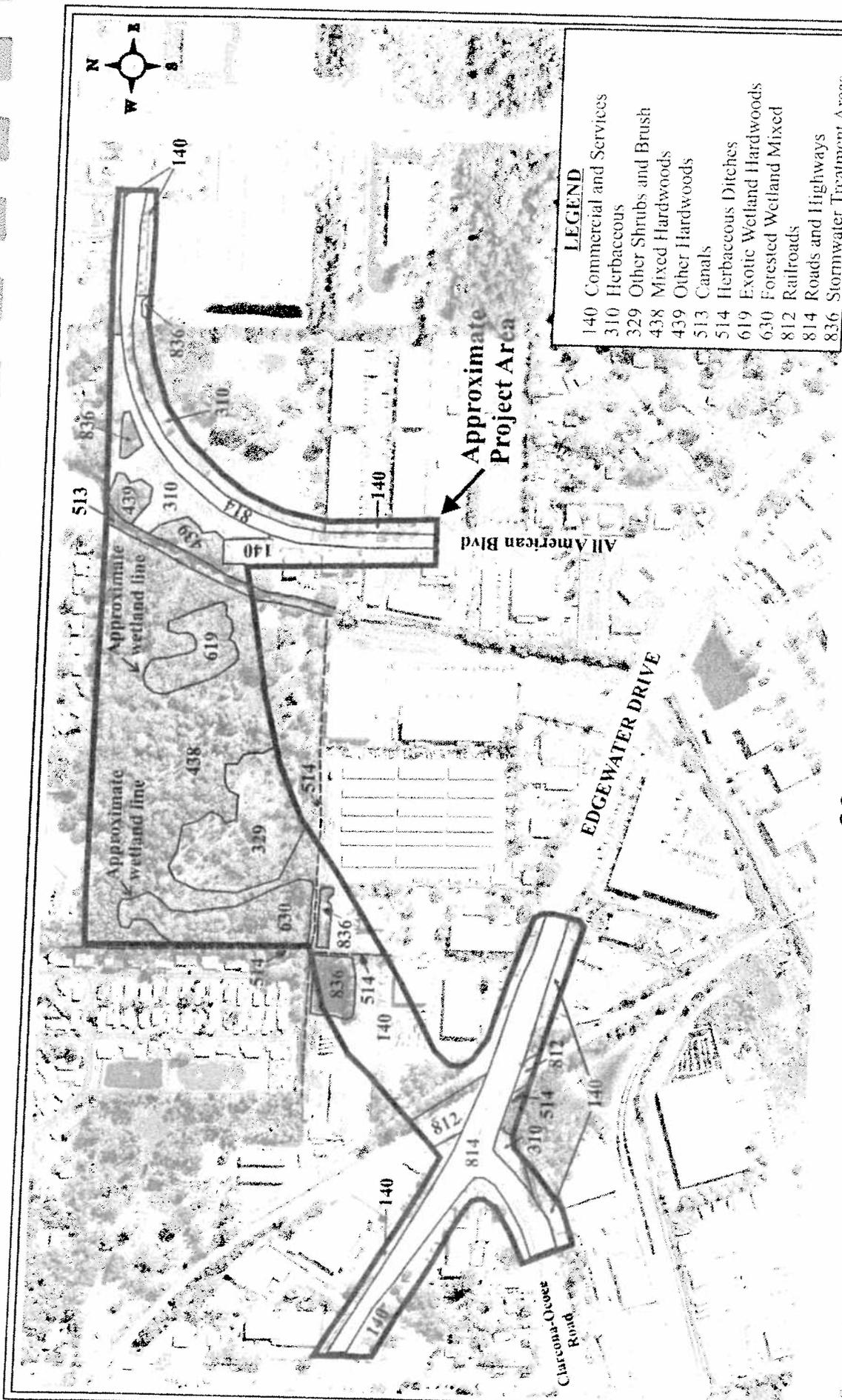
Sec. 33 Twn. 21S Rng. 29E  
 Orange County, Florida

FIGURE: 1

SCALE: N/A

JOB NO.: 43.04

DATE: 12/10/07



**LEGEND**

- 140 Commercial and Services
- 310 Herbaceous
- 329 Other Shrubs and Brush
- 438 Mixed Hardwoods
- 439 Other Hardwoods
- 513 Canals
- 514 Herbaceous Ditches
- 619 Exotic Wetland Hardwoods
- 630 Forested Wetland Mixed
- 812 Railroads
- 814 Roads and Highways
- 836 Stormwater Treatment Areas

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Source: Orange County Soils Survey

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**FLUCFCS MAP**

**ALL AMERICAN BLVD**

Sees. 33 Twashp. 21S Rng. 29E

Projects 4304 All American Blvd Design Figures Figure 4 - FLUCFCS Map.cdr

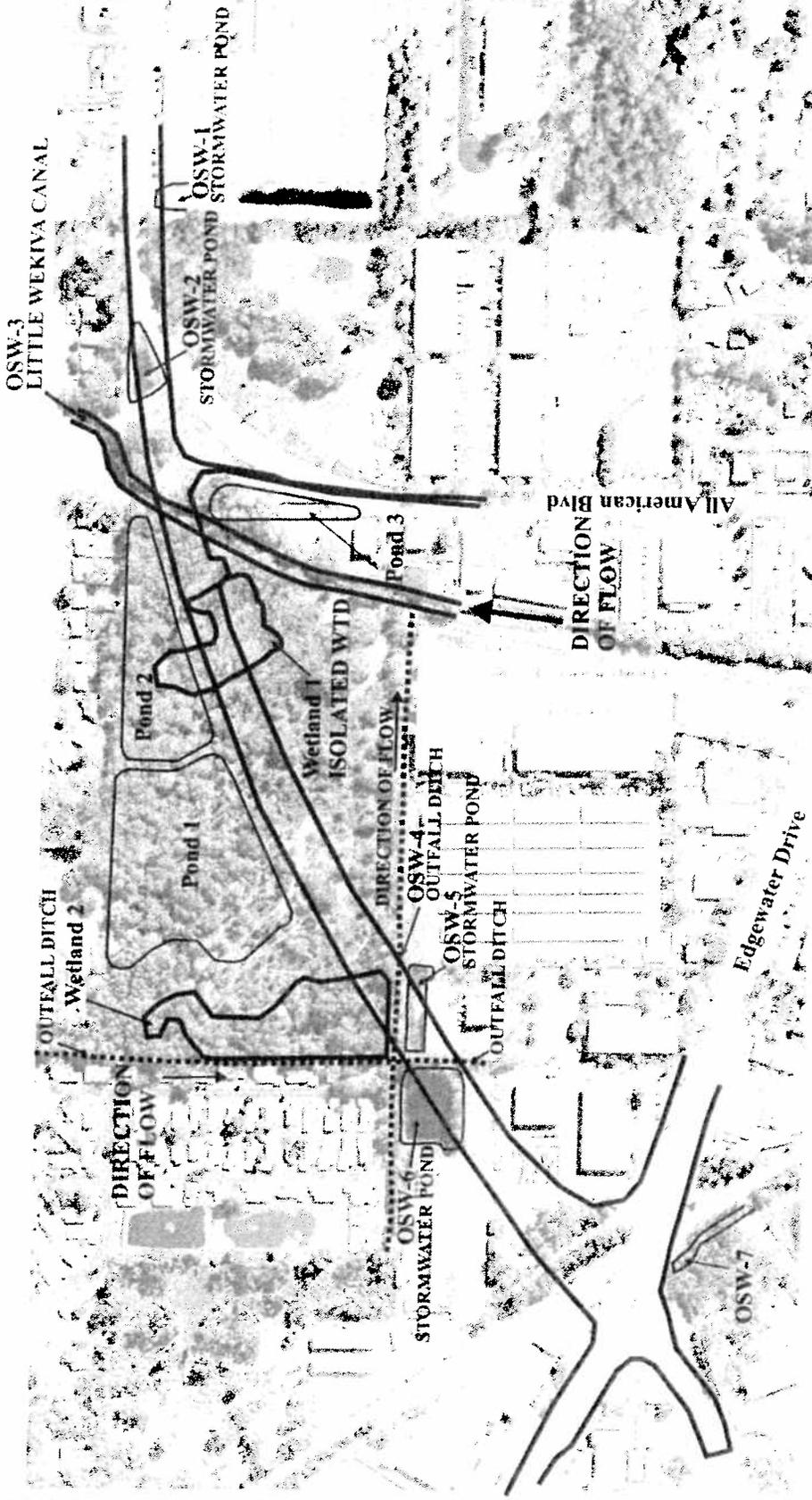
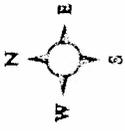
Orange County, Florida

FIGURE: 4

SCALE: N/A

JOB NO.: 43.04

DATE: 12/10/07



COE# SAJ-2008-4151  
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Source: Aerials Express 2006



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**WETLANDS AND OTHER SURFACE WATERS  
LOCATION MAP**

**ALL AMERICAN BLVD**

Sec. 33, Twn. 21S, Rng. 29E

Project: 43.04 All-American Blvd. Design ACOE Does Figure 6 - Wetlands and Other Surface Waters Loc

Orange County, Florida

FIGURE: 6

SCALE: NTS

JOB NO.: 43.04

DATE: 12/18/07

EM/

WETLANDS AND OTHER SURFACE WATERS  
 IMPACT MAP

FIGURE 7.

Job No. 43.04  
 Scale: 300+  
 Date: 1-04-08

