DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
COCOA PERMITS SECTION
400 HIGH POINT DRIVE, SUITE 600
COCOA, FLORIDA 32926

REPLY TO
ATTENTION OF

JUN 01 2009

Cocoa Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2009-01115(IP-AWP)

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: Florida Department of Transportation - District 2
Attn: Van Humphreys
1109 South Marion Avenue
Lake City, Florida 32025

WATERWAY & LOCATION: The project is located along State Road (SR) 200 extending from the Duval/Nassau County Line to the City of Callahan, Nassau County, Florida. The project will impact Thomas Creek, Funk's Creek, Brandy Branch, and unnamed wetlands which discharge to St. Mary's River.

Directions to the site are as follows: From the intersection of SR 200 and Interstate 95 proceed south on SR 200. The project begins at the 2 lane section and extends to Callahan.

LATITUDE & LONGITUDE: Latitude 30.4744 North
Longitude 81.9060 West

PROJECT PURPOSE:

Basic: Widen existing roadway.

Overall: Widening of SR 200 from SR 10 (US 90) in Duval County to the existing four lane section just west of the City of Callahan, Nassau County, Florida.

PROPOSED WORK: The applicant proposes to widen SR 200 from SR 10 (US 90) in Duval County to the existing four lane section just west of the City of Callahan, Nassau County, Florida. The applicant proposes to impact 113.7 acres of wetlands for the widening of the existing roadway.

The applicant has requested a 10-year expiration date on any permit authorized.

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:

Impacts have been eliminated and reduced to the maximum extent practicable, while allowing for an economically viable project that meets required goals in providing improved traffic flow. Careful planning and engineering have been employed in the design of the project and no further modifications are practicable. The widening is warranted and the proposed ponds are necessary to accommodate drainage from increased impervious surfaces. The considerations that were employed when selecting the proposed pond sites are as follows:

- Use existing FDOT property when feasible
- Ability to treat and attenuate required volumes in each basin
- Minimize the number of parcels required
- Site ponds in the least costly location on each property
- Avoid splitting parcel, creating unusable remainders
- Coordinate with Right-of-Way office
- Avoid wetlands
- Avoid archaeological sites
- Avoid contamination sites
- Stormwater ponds should be located at least 100 feet from public water supply wells

The use of these considerations resulted in the currently proposed pond locations. Although construction will incur wetland impacts, they have been minimized the maximum extent practicable.

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

Mitigation has been completed in accordance with section 373.4137, Florida Statutes, (F.S.).

EXISTING CONDITIONS: The project as proposed will impact bottomland swamps, mixed wetland hardwoods, hydric planted pine, cypress swamps, freshwater marsh, and wet prairie.

ENDANGERED SPECIES: A review of known wood stork locations indicates the project is located within the Core Foraging Area of the endangered wood stork. The Corps has determined the proposed modification "may affect, but is not like to adversely affect" the wood stork with the inclusion of wetland compensation for the loss of wetland habitat. Additionally, the Corps has information indicating the potential for the threatened eastern indigo snake to be present in the project area. The Corps has determined the project "may affect, but is not likely to adversely affect" the eastern indigo snake with the inclusion of the Standard Protection Measures for the Eastern Indigo Snake in any permit issued. The Corps will request U.S. Fish and Wildlife's concurrence via separate letter.

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 project as proposed will impact 109 acres of wetlands which may provide water quality functions which benefit St. Mary's River. Additionally, St. Mary's River is utilized by various life stages of post larvae, subadult, and adult white shrimp, pink shrimp, brown shrimp, subadults of red drum, cobia. The estuarine water column is also habitat for juvenile and adult bluefish, summer flounder. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in St. Mary's River. 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 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 application should be submitted in writing to the District Engineer at the above address within 21 days from the date of this notice.

If you have any questions concerning this application, you may contact Andrew Phillips at the letterhead address, by electronic mail at andrew.w.phillips@usace.army.mil, by fax at 321-504-3803, or by telephone at 321-504-3771 extension 14.

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.

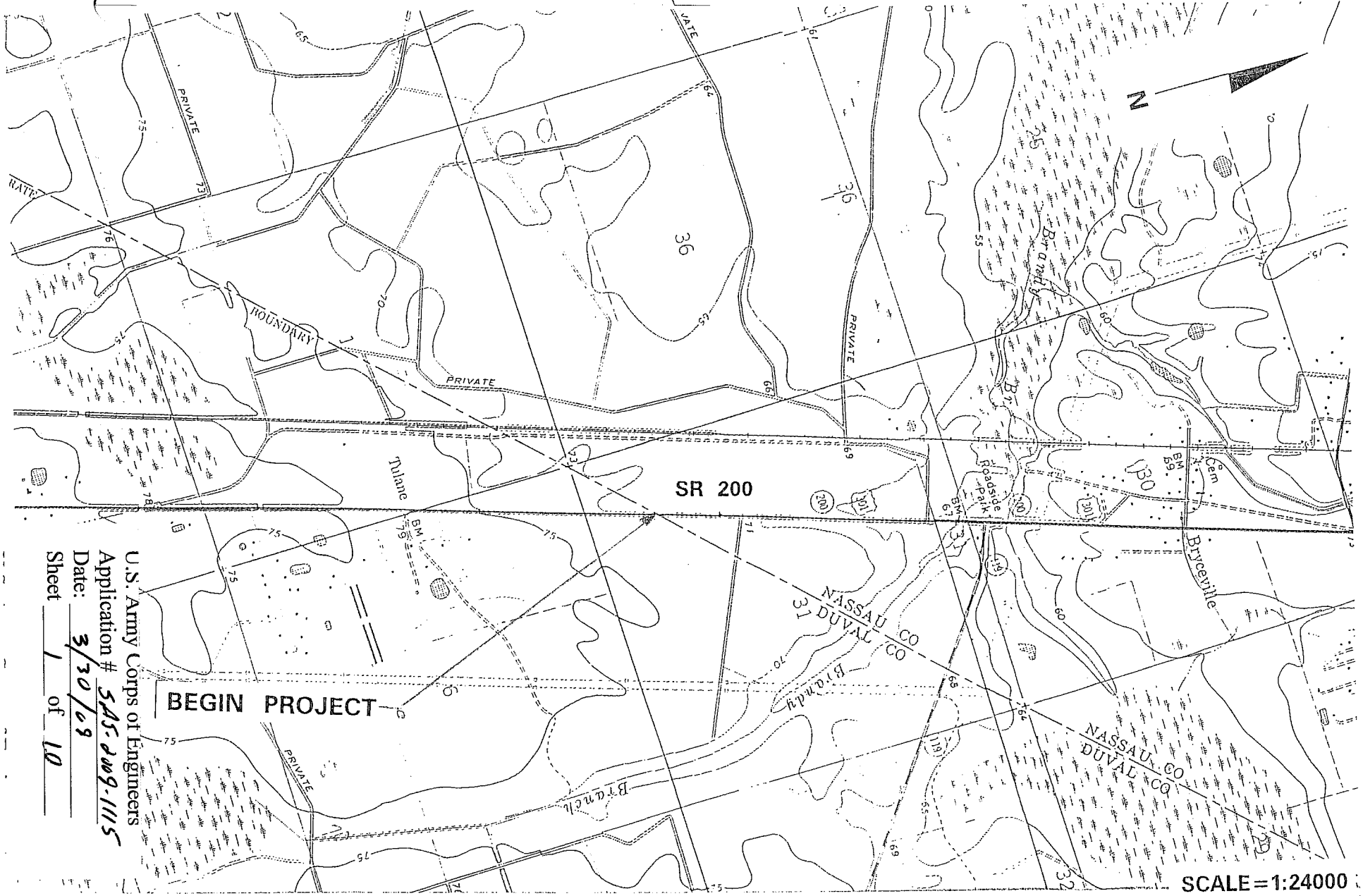
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits,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



U.S. Army Corps of Engineers
Application # SAS-2009-1115
Date: 3/30/09
Sheet 1 of 10

PROJECT DESCRIPTION S.R. 200	FLORIDA DEPARTMENT OF TRANSPORTATION	STATE PROJECT NO. 74040-3530	
PROJECT LOCATION MAP		COUNTY NASSAU	
TWP: 17 S RNG: 21, 22 E	NAME:	DEP	CG	SHEET 1 OF 5
SEC 2, 7, 8, 9, 10, 11, 12	SIGNATURE / CERTIFICATE NO. / DATE:	COE	WMD	DATE FEB. 98

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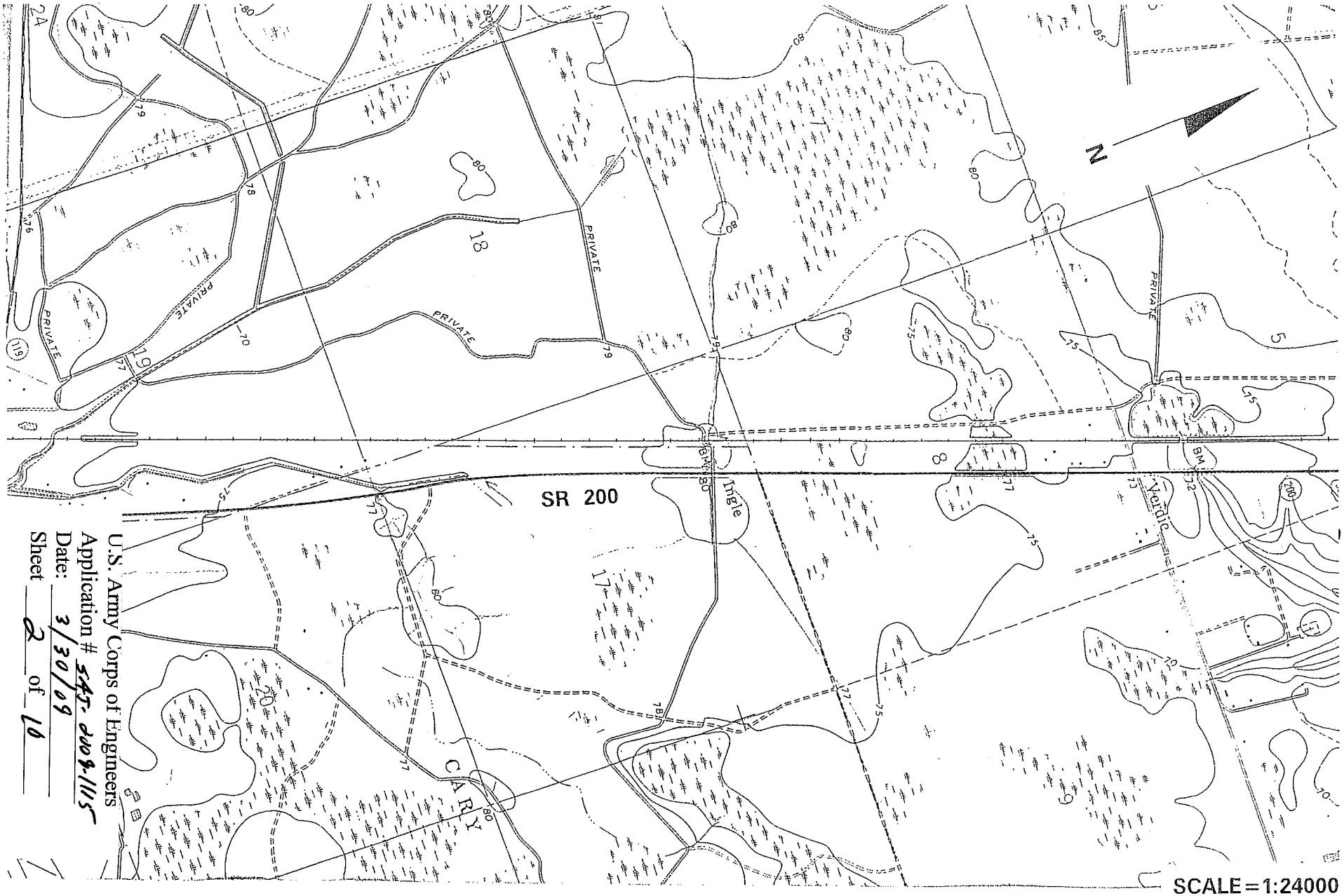

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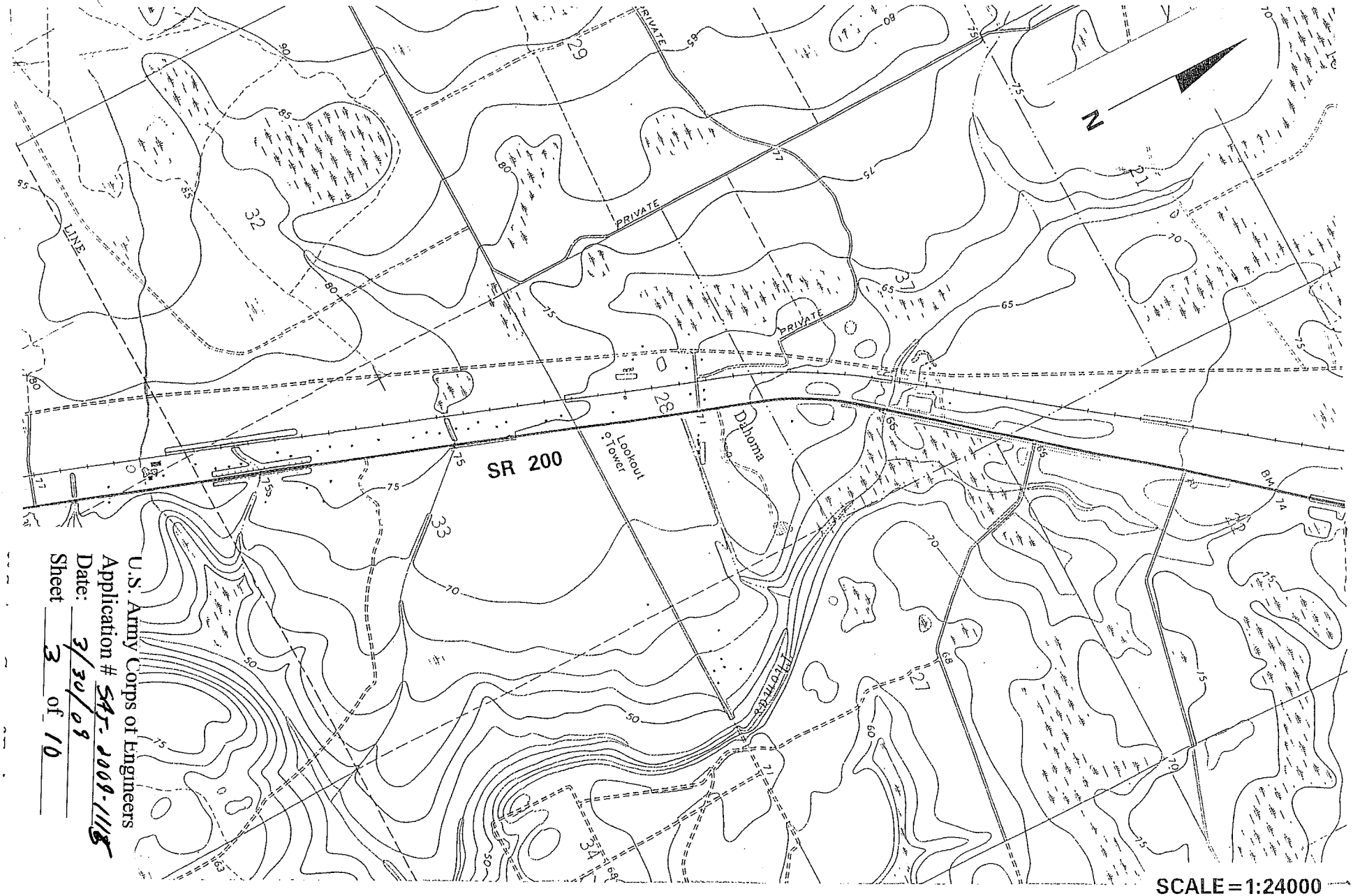

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Application # SAJ-2009-1118
Date: 3/30/09
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TWP: 17 S RNG: 21, 22 E	SIGNATURE	DEP / CG	SHEET 3 OF 5
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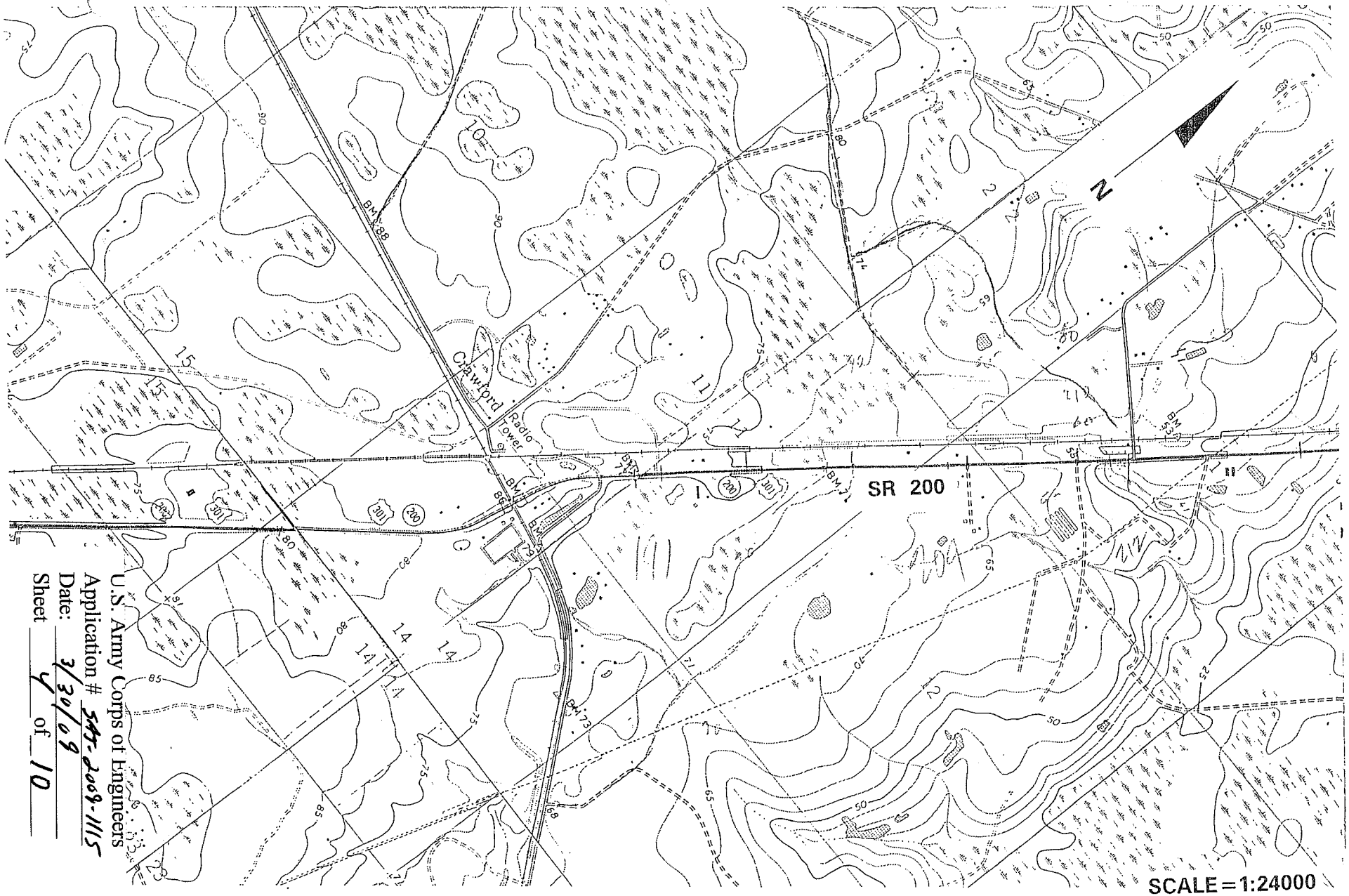

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Date: 3/30/09
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PROJECT DESCRIPTION S.R. 200	FLORIDA DEPARTMENT OF TRANSPORTATION	STATE PROJECT NO. 74040-3530
PROJECT LOCATION MAP	NAME:	COUNTY NASSAU
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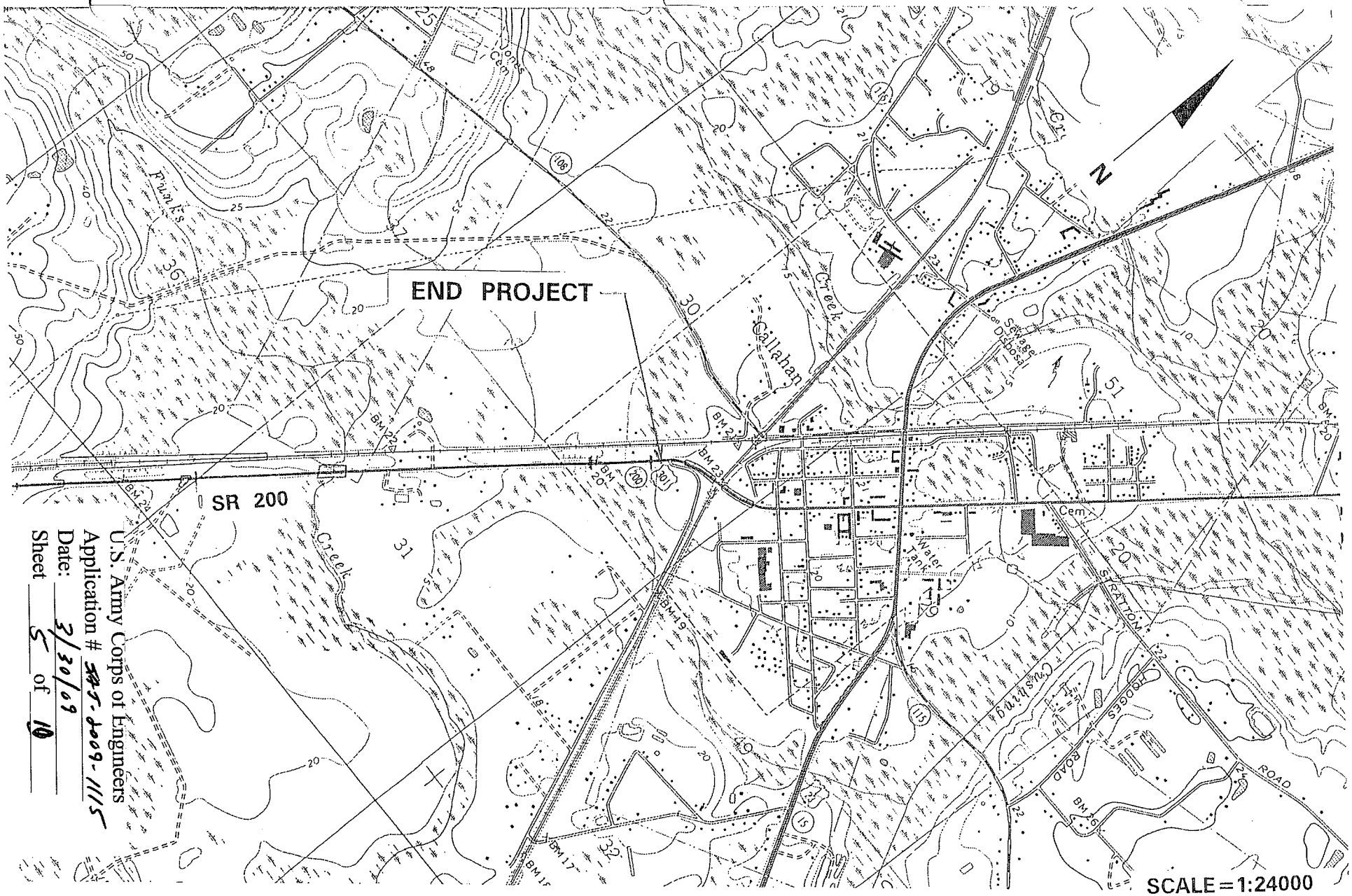

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PROJECT DESCRIPTION S.R. 200	FLORIDA DEPARTMENT OF TRANSPORTATION	STATE PROJECT NO. 74040-3530
PROJECT LOCATION MAP	NAME:	COUNTY NASSAU
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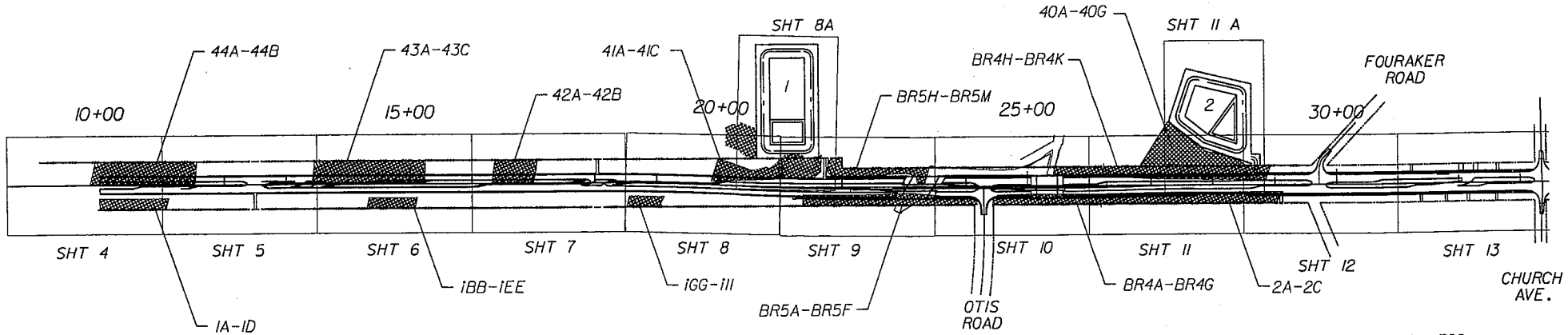

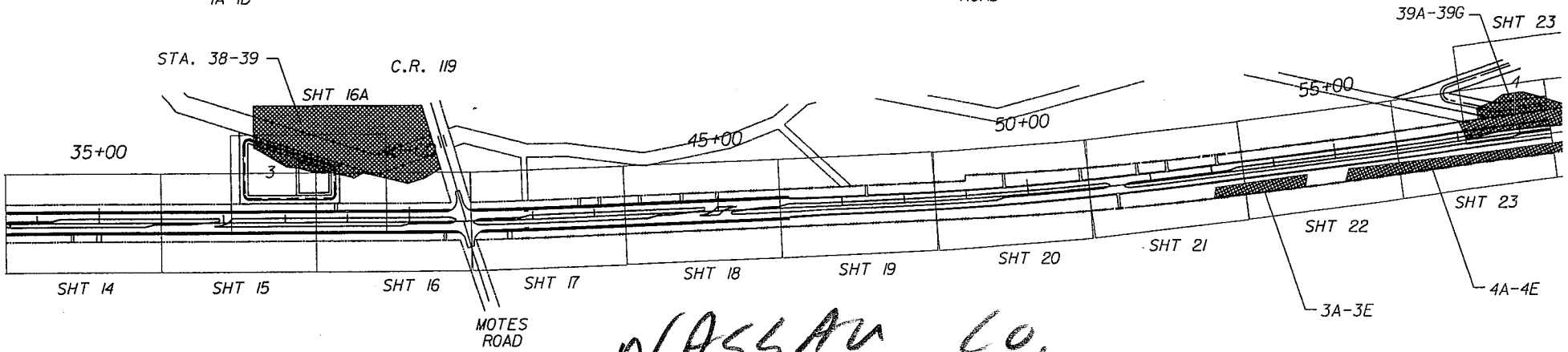

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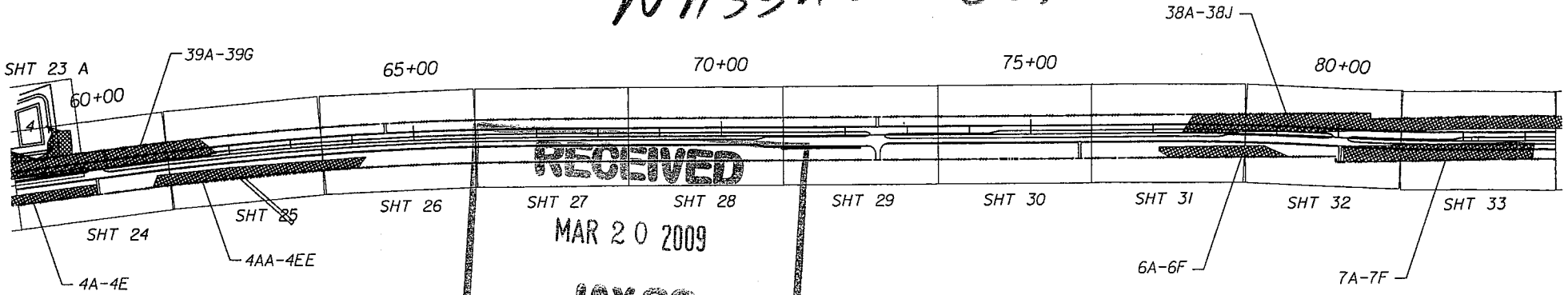

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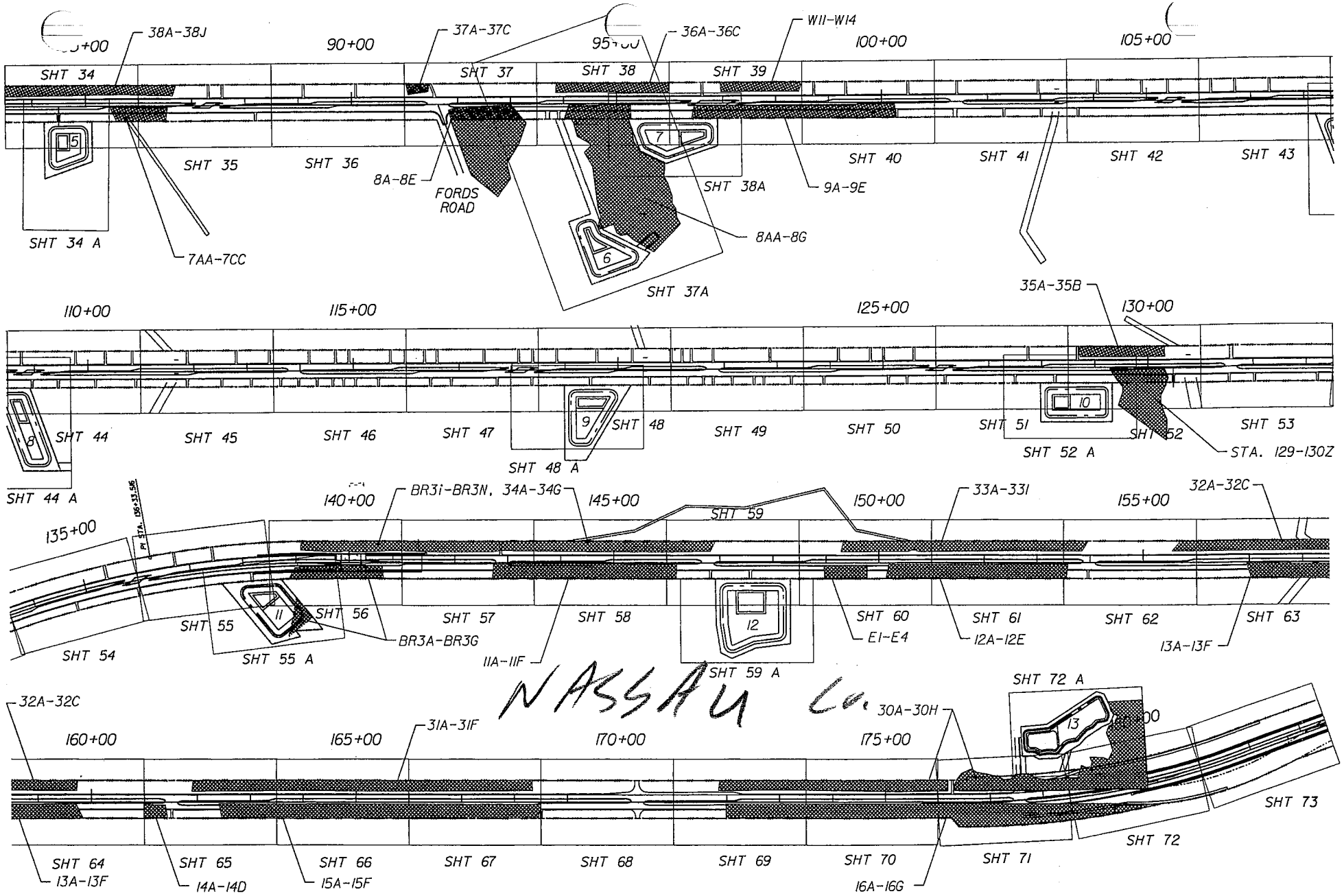

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SR 200 NASSAU COUNTY	Application # SAT-2009-1115		COUNTY: NASSAU		
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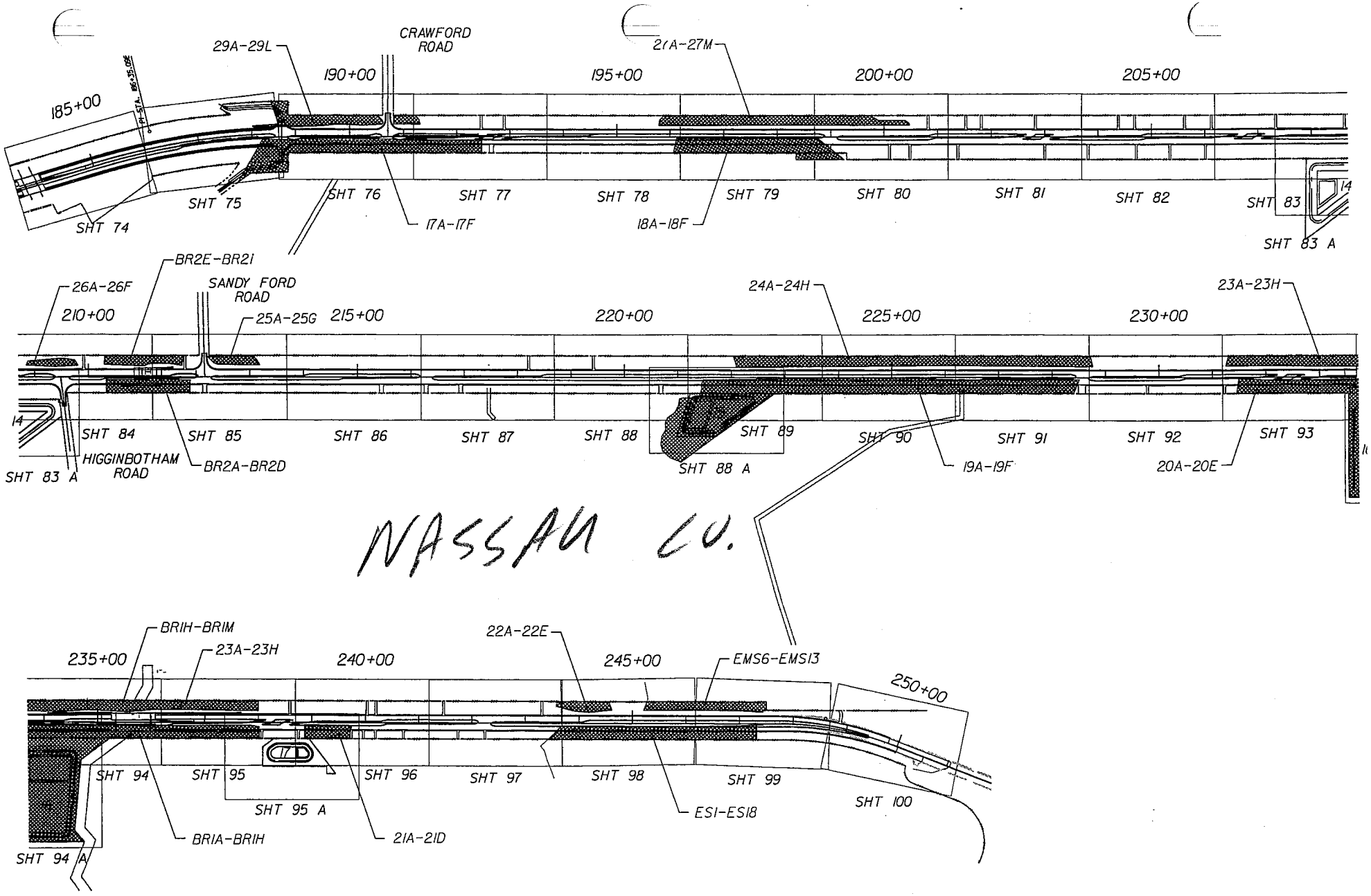

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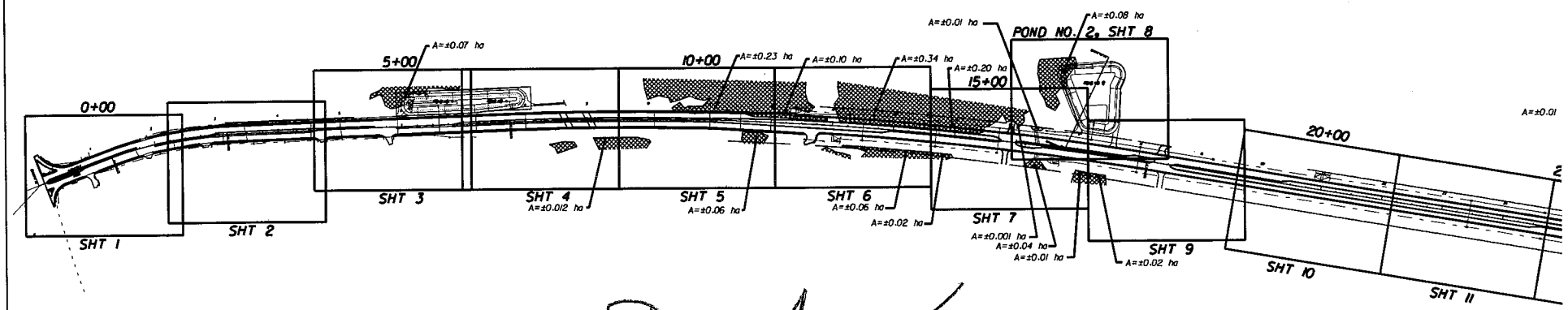

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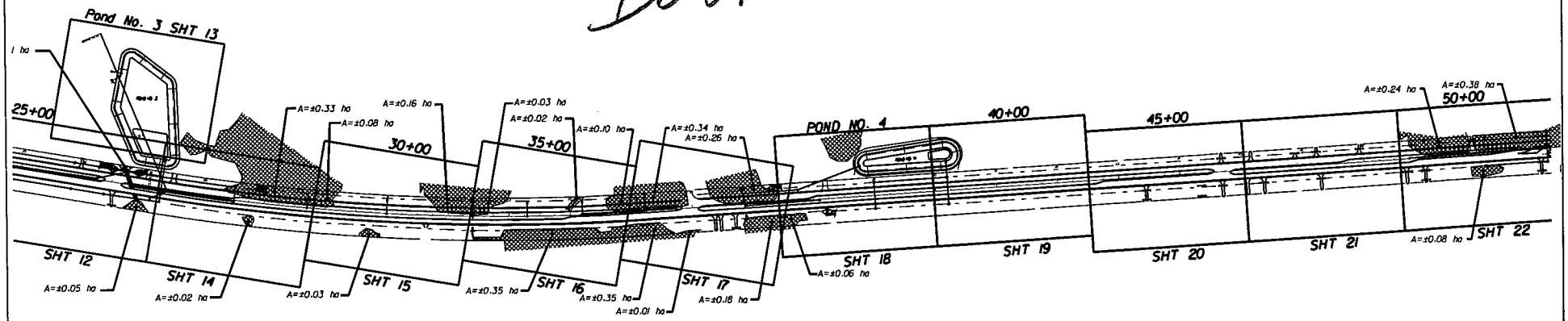

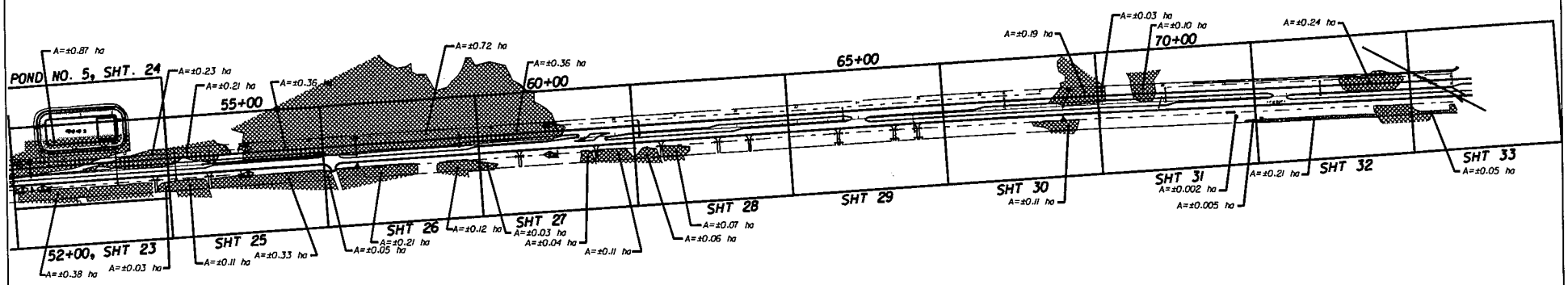

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SR 200 PROJECT DUVAL COUNTY	Application # SAJ-2009-01115		COUNTY DUVAL
TWP: S2 RNG: 23E	Date: 5/19/09		DEP / CG / SHEET OF 130
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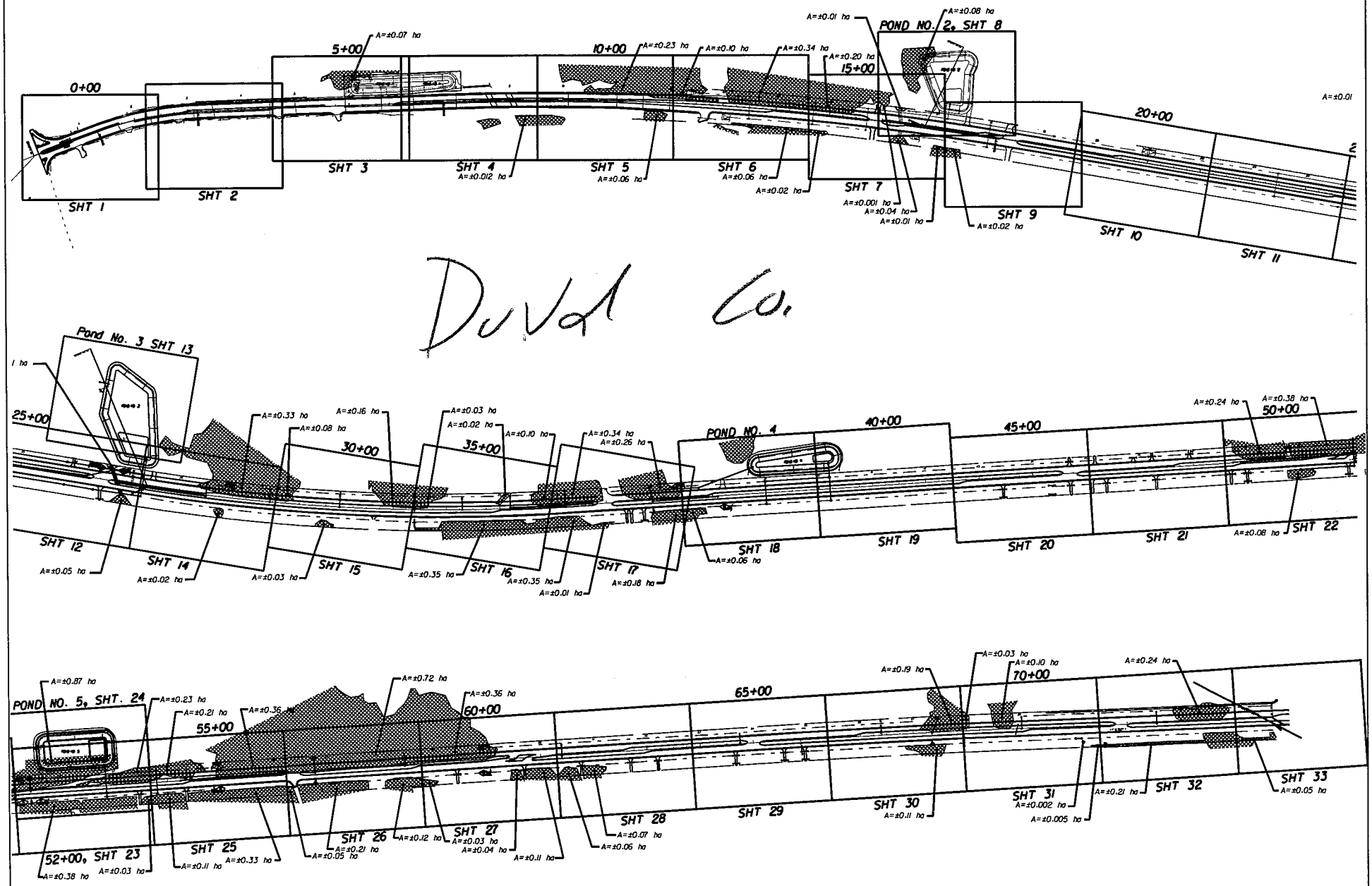

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