



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
FORT MYERS REGULATORY OFFICE
1520 ROYAL PALM SQUARE BOULEVARD, SUITE 310
FORT MYERS, FLORIDA 33919

Regulatory Division
South Permits Branch/West Permits Section
Fort Myers Regulatory Office

PUBLIC NOTICE

Permit Application No. SAJ-1992-536(IP-JWS) OCT 16 2004

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: EJ Builders
1918 Waukegan Road
Glenview, Illinois 60025

WATERWAY & LOCATION: Freshwater-forested and freshwater-herbaceous wetlands within the Caloosahatchee River watershed. The site is located north of Pondella Road, south of Pine Island Road, east of Hancock Creek South Boulevard and west of Orchid Lane, Section 04, Township 44 South, Range 24 East, Cape Coral, Lee County, Florida.

DIRECTIONS TO SITE: Take US 41 north to Pondella Road. Take Pondella Road west to Hancock Creek South Boulevard. Take Hancock Creek South Boulevard north for approximately ¼-mile. Project site is located on east side of road.

LATITUDE & LONGITUDE: Latitude: 26° 40' 16" North
Longitude: 81° 55' 16" West

PROJECT PURPOSE:

Basic: To construct a residential development.

Overall: To construct a residential development to serve the Lee County area.

PROPOSED WORK: The applicant proposes to construct a residential development, to be known as "Bridlewood Estates". The property is 75.60± acres in size with 13.65± acres of previously preserved/conserved wetlands and 61.95± acres of uplands, of which 0.10 acres were previously preserved/conserved. The 13.65 acres of previously preserved/conserved wetlands consist of mixed-hardwood (12.72 acres) and ditch (0.93 acres). The 61.95 acres of uplands consist of existing development (17.33 acres), cleared open land (11.14 acres), and altered hardwood forest (33.48 acres).

The applicant proposes to discharge 8,050 cubic yards of fill material into 1.03 acres of previously preserved/conserved wetlands that consist of mixed-hardwood (0.94 acres) and ditch (0.09 acres).

If it is determined that issuance of a permit is appropriate and compensatory mitigation is required to offset the impacts of the proposed project, the applicant has proposed to purchase 2.35 freshwater-forested credits from a Corps approved Mitigation Bank within the service area. Details of the compensation plan including wetland functional analysis and adequacy of the compensation have not been finalized.

ENDANGERED SPECIES: The Corps is unaware of any threatened or endangered species concerns at the project site. Therefore, the Corps believes that none will be affected.

NOTE: This public notice has been developed and issued based on information furnished by the applicant and has not been verified. The Corps has verified the wetland jurisdictional boundary.

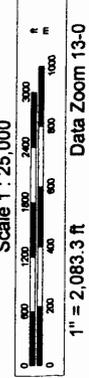
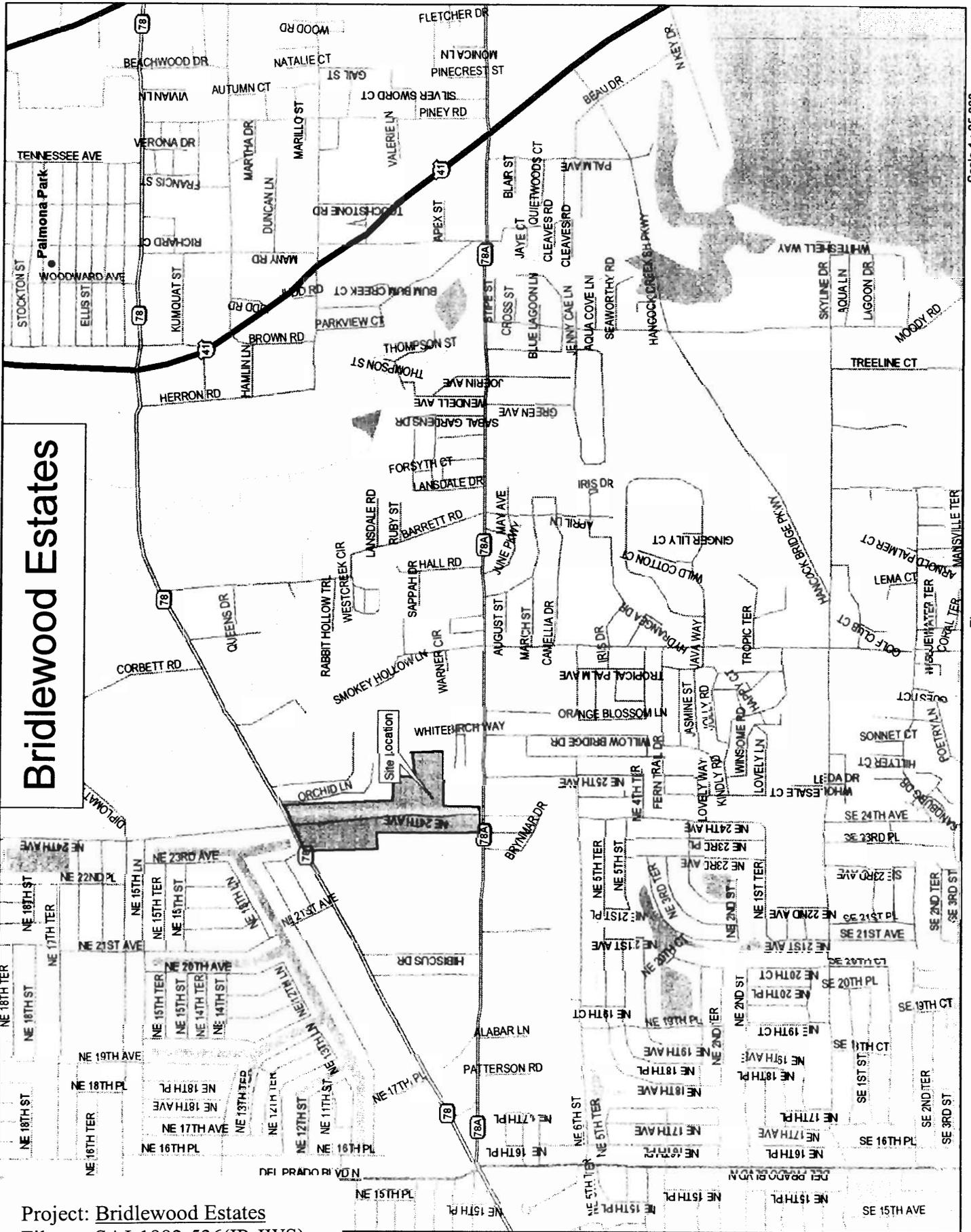
AUTHORIZATION FROM OTHER AGENCIES: The South Florida Water Management District (SFWMD) is currently processing an application for this project under application number: 040506-21.

Comments and/or recommendations concerning the application should be submitted in writing to the District Engineer, in care of Mr. Jason Steele, at the Fort Myers Regulatory Office, 1520 Royal Palm Square Blvd., Suite 310, Fort Myers, Florida 33919, by phone at 239-334-1975, Ext. 33, or via electronic mail at Jason.W.Steele@saj02.usace.army.mil within **15 days** from the date of this notice.



Bridlewood Estates

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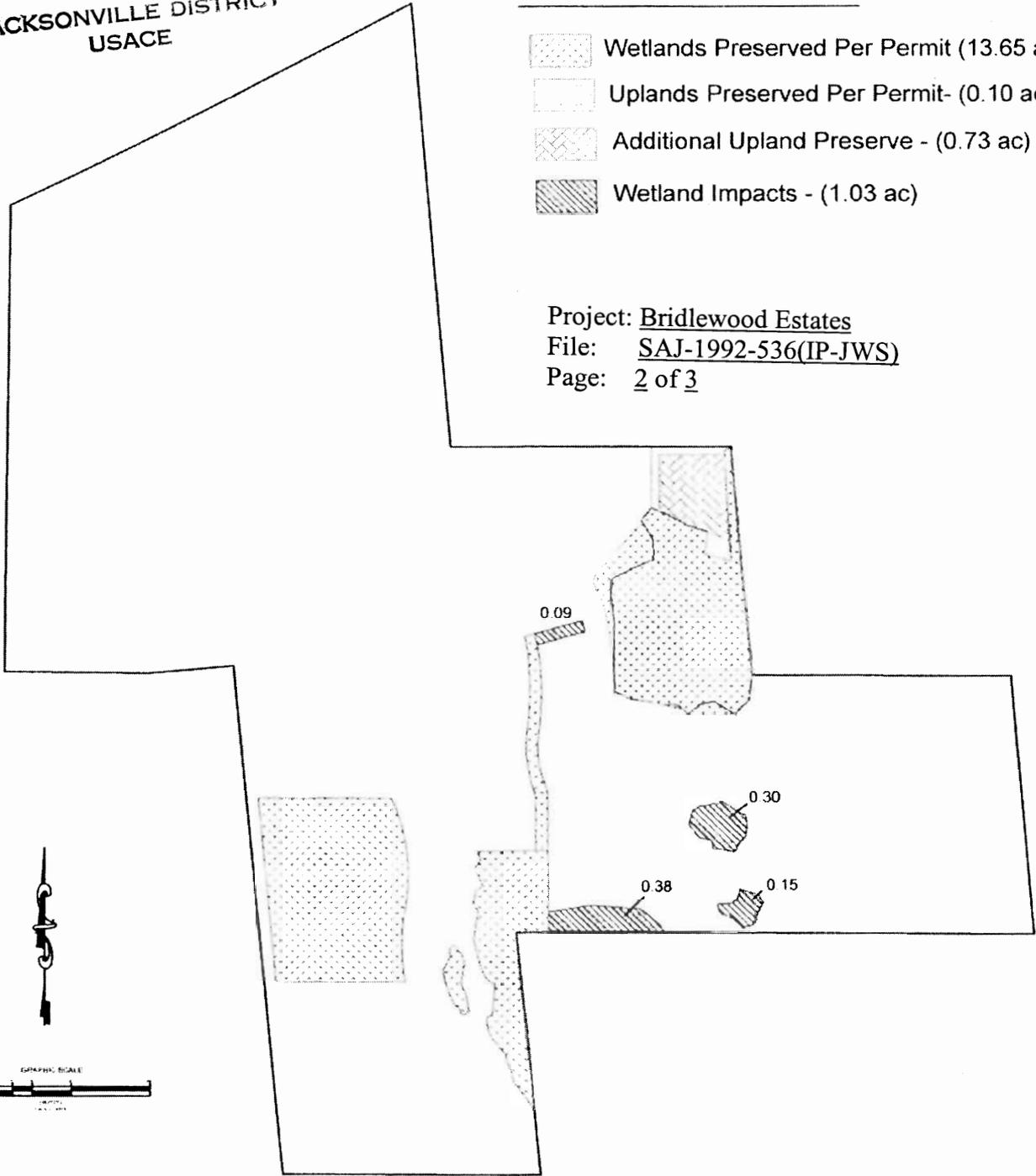
OCT 07 2004

JACKSONVILLE DISTRICT
USACE

LEGEND

-  Wetlands Preserved Per Permit (13.65 ac)
-  Uplands Preserved Per Permit- (0.10 ac)
-  Additional Upland Preserve - (0.73 ac)
-  Wetland Impacts - (1.03 ac)

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JOB # 940067
SCALE 1"=400'
FILE MIT
DRAWN BY KS
DATE 9-23-04

**BRIDLEWOOD ESTATES
WETLAND OVERVIEW**

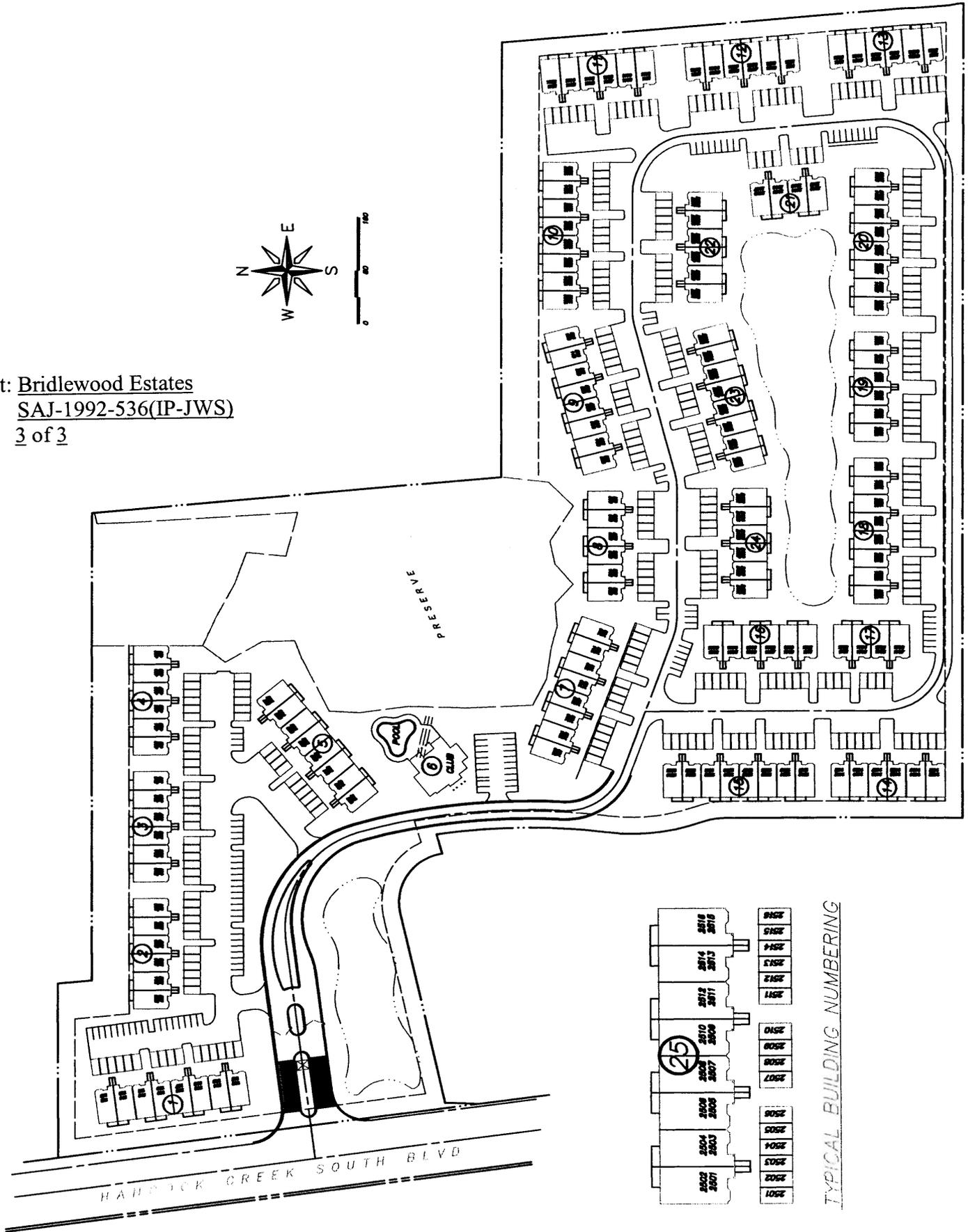
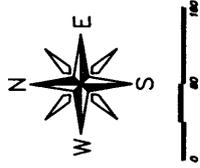
COUNTY Lee
SEC 4
TWP 44 S
RNG 24 E
REVISIONS

**Boylan
Environmental
Consultants, Inc.**



Wetland & Wildlife Surveys, Environmental Permitting,
Impact Assessments
11000 Metro Parkway, Suite 4, Ft. Myers, 33912 (941)418 0671

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

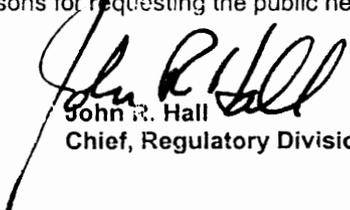
IMPACT ON CULTURAL RESOURCES: Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible or inclusion therein, are located at the site of the proposed work. Presently, unknown archeological, scientific, 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, historic 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 U.S. 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.


John R. Hall
Chief, Regulatory Division