



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

REPLY TO
ATTENTION OF

Regulatory Division
North Permits Branch
Atlantic Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2003-10730-JJS **SEP 28 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: Mr. Norman M. Brody
Kimco Developers, Inc.
111 Burlington Avenue, Suite 113
Lisle, Illinois 60532

WATERWAY & LOCATION: The proposed project would impact waters of the United States (including wetlands) associated with Julington Creek. The site is located southeast of Interstate 95 (I-95), west of Philips Highway and the Florida East Coast Railroad line, northeast of the intersection of I-95 and Interstate 295, and north of Cedar Street in Section 2, Township 04 South, Range 27 East in Jacksonville, Duval County, Florida. The proposed project site would also include an access road adjacent to the existing Haverty's Store located at 7720 Philips Highway.

LATITUDE & LONGITUDE: Latitude 30.177096
Longitude -81.556477

PROJECT PURPOSE:

Basic: Construct a mixed-use development.

Overall: Construction of a mixed-use development on the southside of Jacksonville Florida.

PROPOSED WORK: The applicant proposes to impact 3.42 acres of wetlands to construct Avenues Walk, a multi-use development including 1,050 multi-family units, 50,000 square feet of office space, 600,000 square feet of commercial retail use, and a 400 room hotel.

EXISTING CONDITIONS: Both developed and natural community types comprise the uplands and wetlands (Figure 3). All communities have been classified based upon the *Florida Land Use, Cover and Forms Classification System* (FLUCFCS) (Florida Department of Transportation State Topographic Bureau Thematic Mapping Section Procedure No. 550-010-001-a). Upland and wetland types are as follows:

1. Borrow Areas (742). This is the dominant land classification and is located in the central portion of the site. There are 4 borrow areas, most of which have been recently active and do not have notable vegetative cover.
2. Mixed Forested Wetland (630). The majority of the onsite wetlands comprise the mixed forested community. These areas are not dominated by any one species, but are a mix of hardwoods and conifers such as red maple (*Acer rubrum*), loblolly bay (*Gordonia lasianthus*), water oak (*Quercus nigra*), and slash pine (*Pinus elliottii*).
3. Vegetated Non-Forested Wetlands (640). There is a small area of shoreline wetland in the northeastern portion of the property, adjacent to a stocking pond. The vegetative composition consisted of various grasses such as maidencane (*Panicum hemitomon*) and flat sedge (*Cyperis spp*).
4. Upland Coniferous Forest (410). Various areas throughout the property are composed of this community type. Largely it comprises longleaf pine and slash pine with some scattered hardwoods such as laurel oak (*Quercus laurifolia*) and gallberry (*Ilex glabra*). Ground cover is primarily mixed grasses.
5. Pine-Mesic Oak (414). Located northwest of the stocking pond, this community comprises a mixture of water oak, and slash pine. Ground cover consists of wax myrtle (*Myrica cerifera*).
6. Longleaf Pine (412). This community is located in numerous areas throughout the site. It comprises primarily longleaf pine, though scattered hardwoods such as water oak and sweetgum (*Liquidambar styraciflua*) can also be found. The ground cover consists of various pasture grasses and wiregrass.
7. Disturbed Lands (740). This community types, consisting of cleared areas with little or no vegetation occurs in the upland areas adjacent to the borrow areas on the southern portion of the property.
8. Commercial and Services (140). This community type consists of existing commercial development along Phillips Highway that will serve as the entrance point to the proposed development.

9. Upland Cut Ditch (510u). This community type occurs adjacent to the borrow areas and serves as an overflow from the borrow areas to the wetland systems.

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.

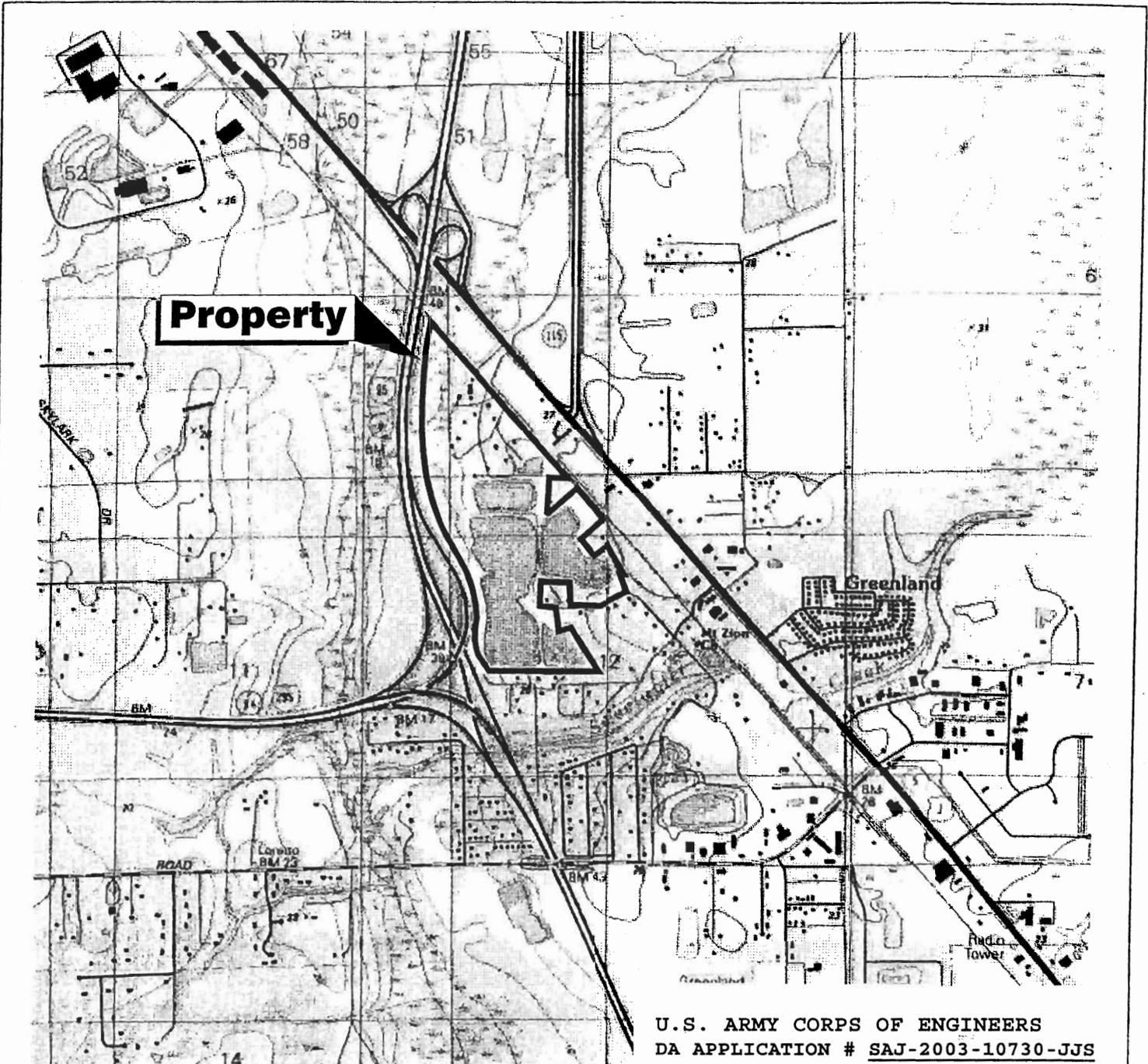
Essential Fish Habitat (EFH): The Corps is not aware of any EFH at the proposed project site; therefore, the Corps does not anticipate any adverse effect to occur to EFH as a result of the proposal.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified. The jurisdictional line has not been verified by Corps personnel.

AUTHORIZATION FROM OTHER AGENCIES: A State Water Quality Certification/Permit is required for this project. The St. Johns River Water Management District has issued a permit for this activity. The file number is 93900-1.

Comments regarding the application should be submitted in writing to the District Engineer at the above address within 30 days from the date of this notice.

If you have any questions concerning this application, you may contact Jason Spinning at the letterhead address, by electronic mail at jason.j.spinning@saj02.usace.army.mil, by fax at 904-232-1684, or by telephone at 904-232-1670.



Source: U.S.G.S. Topographical Survey, Bayard, FL., Quadrangles. (1993)
 Sections 1, 2, 11 and 12, Township 4 South, Range 27 East

Latitude: 30° 10' 27"
 Longitude: 81° 33' 16"

U.S. ARMY CORPS OF ENGINEERS
DA APPLICATION # SAJ-2003-10730-JJS
DATE... 22 SEPTEMBER 2004
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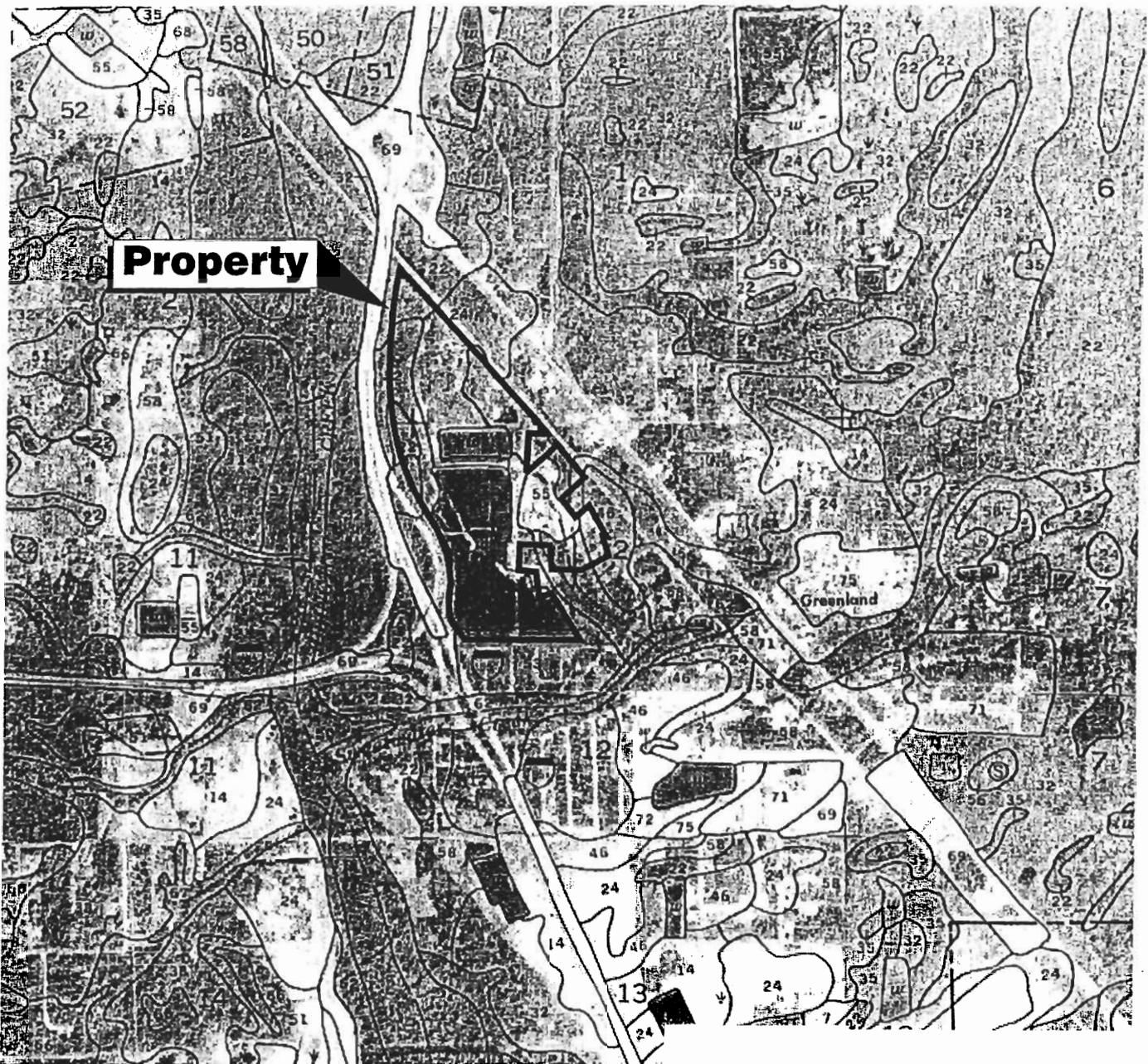
Location/Topographic Map



ENVIRONMENTAL SERVICES, INC.

U.S. 1 Commercial Property
 Jacksonville, Florida

Project No.	EJ03092.00
Date	April 2003
Scale	1"=2000'
Figure 1	



Source: U.S.D.A. Soil Survey of City of Jacksonville, Duval County, FL. (1998) F

Soil Legend:

- 22 - Evergreen-Wesconnett complex, depressional, 0 to 2% slopes
- 24 - Hurricane and Ridgewood soils, 0 to 5% slopes
- 32 - Leon fine sand, 0 to 2% slopes
- 46 - Ortega fine sand, 0 to 5% slopes
- 49 - Pamlico muck, depressional, 0 to 1% slopes
- 53 - Penney fine sand, 0 to 5% slopes
- 55 - Pits

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Soils Map



ENVIRONMENTAL SERVICES, INC.

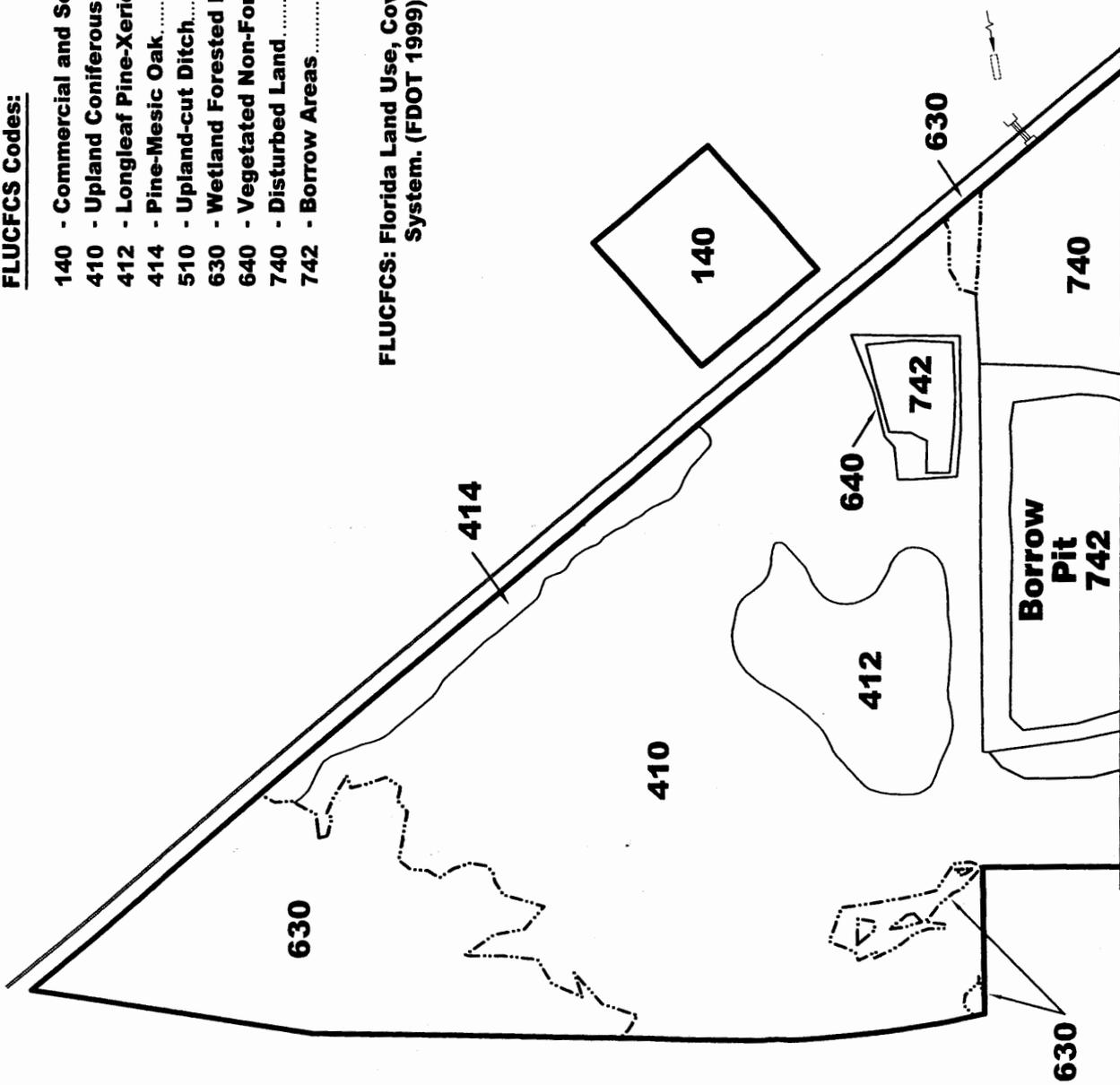
U.S. 1 Commercial Property
 Jacksonville, Florida

Project No.	EJ03092.00
Date	April 2003
Scale	1"=2000'
Figure 2	

FLUCFCS Codes:

140 - Commercial and Services.....	±3.11 ac.
410 - Upland Coniferous Forests.....	±36.70 ac.
412 - Longleaf Pine-Xeric Oak.....	±4.52 ac.
414 - Pine-Mesic Oak.....	±2.01 ac.
510 - Upland-cut Ditch.....	±0.29 ac.
630 - Wetland Forested Mixed.....	±11.45 ac.
640 - Vegetated Non-Forested Wetlands.....	±0.48 ac.
740 - Disturbed Land.....	±52.16 ac.
742 - Borrow Areas.....	±51.14 ac.
On-site Total:	±161.86 ac.

FLUCFCS: Florida Land Use, Cover and Forms Classification System. (FDOT 1999)



Match Line See Figure 3B

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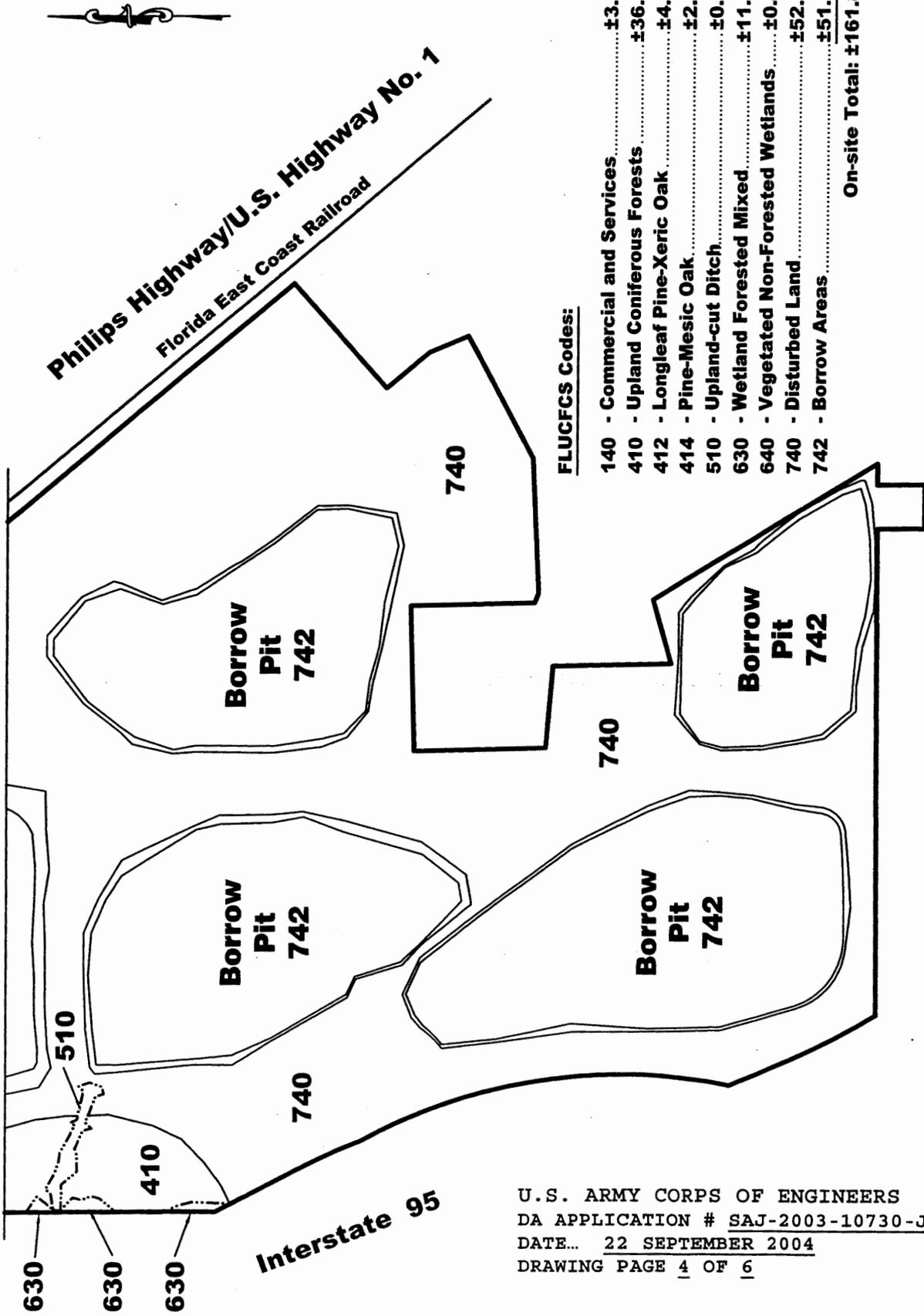
Figure: 3A
Scale: 1"=300'
Project: EJ03092.00
Date: September 2004

Existing Site Conditions

Avenues Walk
 Jacksonville, Duval County, Florida



Match Line See Figure 3A



FLUCFCS Codes:

140 - Commercial and Services.....	±3.11 ac.
410 - Upland Coniferous Forests.....	±36.70 ac.
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FLUCFCS: Florida Land Use, Cover and Forms Classification System. (FDOT 1999)

Existing Site Conditions
Avenues Walk
Jacksonville, Duval County, Florida

Figure: 3B

Scale: 1"=300'

Project: EJ03092.00

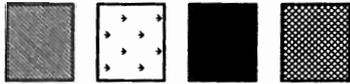
Date: September 2004



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Legend:

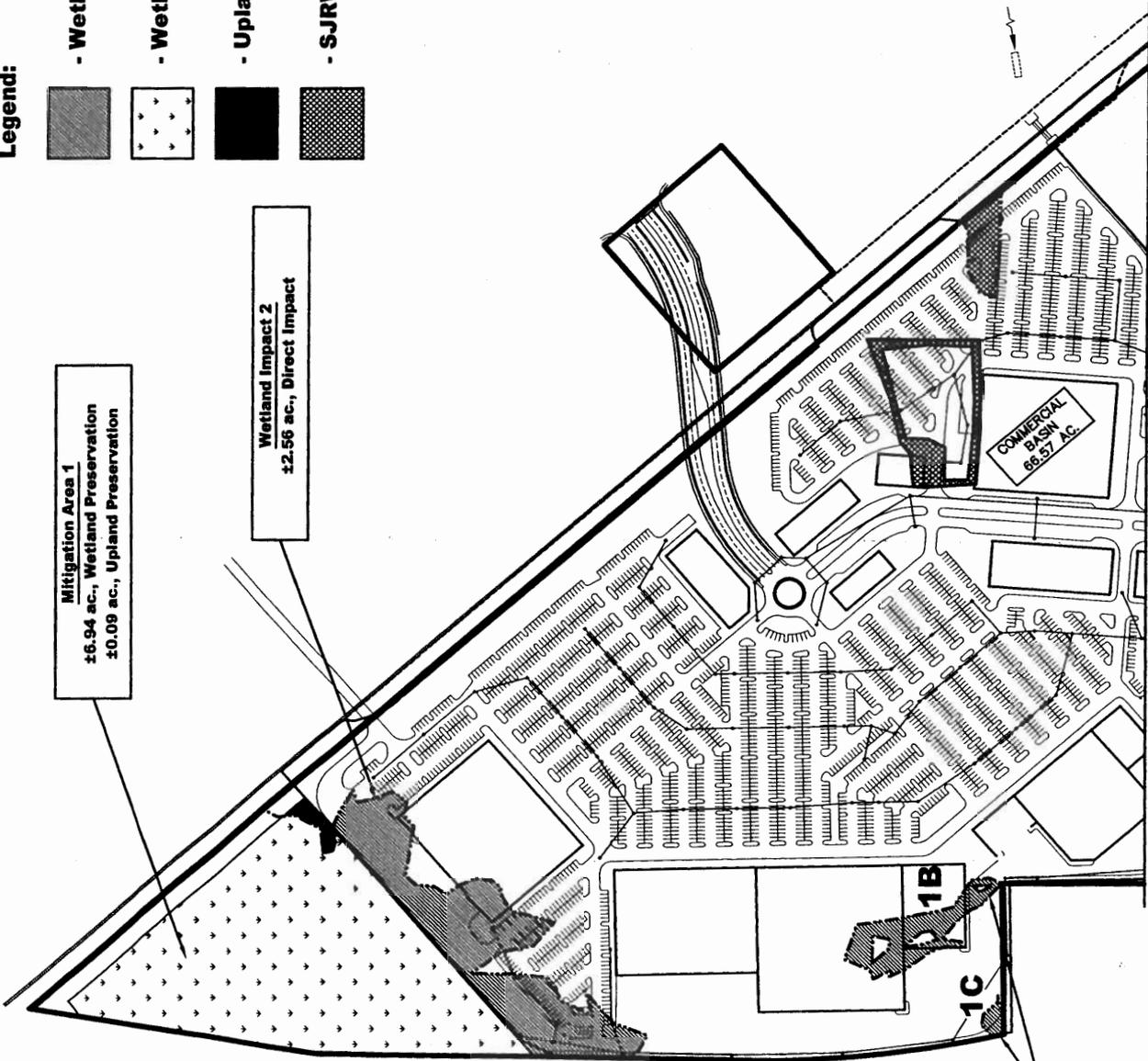
- Wetland Impacts ±3.42 ac.
- Wetland Preservation ±6.94 ac.
- Upland Preservation ±0.09 ac.
- SJRWMD Only Impacts ±1.09 ac.



Mitigation Area 1
±6.94 ac., Wetland Preservation
±0.09 ac., Upland Preservation

Wetland Impact 2
±2.56 ac., Direct Impact

Wetland Impacts 1
1A - ±0.21 ac.
1B - ±0.59 ac.
1C - ±0.06 ac.
Total: ±0.86 ac.



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Figure: 4A
Scale: 1"=300'
Project: EJ03092.00
Date: September 2004

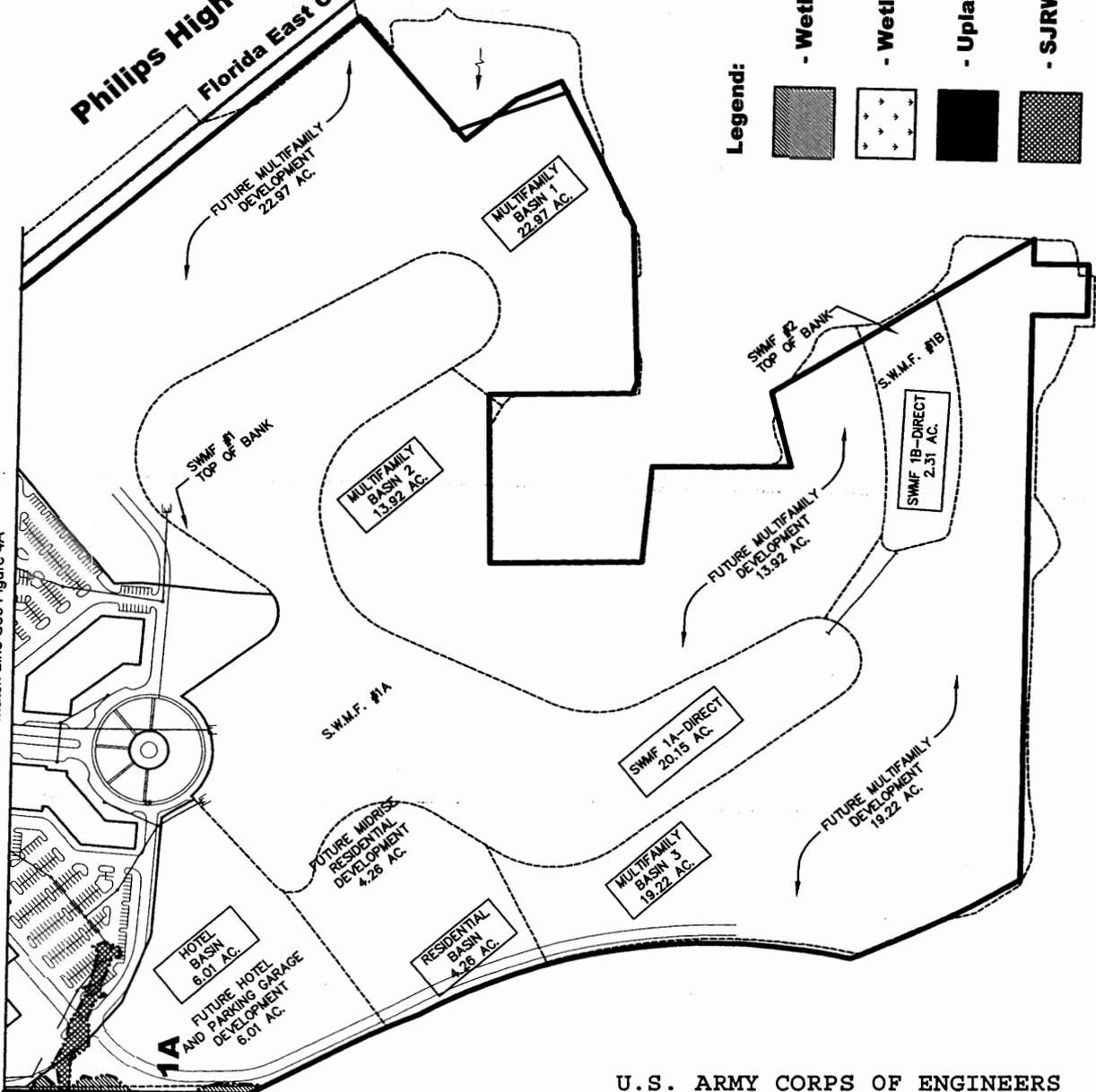
Proposed Site Conditions
Avenues Walk
Jacksonville, Duval County, Florida



ENVIRONMENTAL
SERVICES, INC.

Philips Highway/U.S. Highway No. 1
 Florida East Coast Railroad

Match Line See Figure 4A



Legend:



- Wetland Impacts ±3.42 ac.
- Wetland Preservation ±6.94 ac.
- Upland Preservation ±0.09 ac.
- SJRWMD Only Impacts ±1.09 ac.

Interstate 95

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ENVIRONMENTAL
 SERVICES, INC.

Proposed Site Conditions
Avenues Walk
 Jacksonville, Duval County, Florida

Figure: 4B

Scale: 1"=300'

Project: EJ03092.00

Date: September 2004

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.

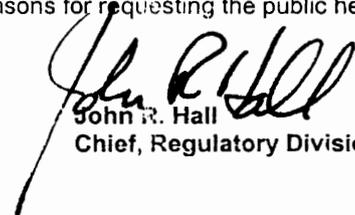
IMPACT ON CULTURAL RESOURCES: Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible or inclusion therein, are located at the site of the proposed work. Presently, unknown archeological, scientific,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