DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
MERRITT ISLAND REGULATORY OFFICE
2460 NORTH COURTENAY PARKWAY, SUITE 204
MERRITT ISLAND, FLORIDA 32953

REPLY TO
ATTENTION OF

Regulatory Division
North Permits Branch
Merritt Island Field Office

PUBLIC NOTICE

Permit Application No. 2003-06930(IP-EPB) OCT 22 2003

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: PRN Real Estate & Investments, Ltd.
6355 Metro West Boulevard, Suite 330
Orlando, FL 32835

WATERWAY & LOCATION: The wetlands onsite are connected to the Bay Lake Canal in the headwaters of Boggy Creek. The proposed project is located on Sand Lake Road, between Orange Avenue and Orange Blossom Trail, Section 35, Township 23 South, Range 29 East, Orlando, Orange County, Florida.

LATITUDE & LONGITUDE: Latitude.....28°26'51" North
Longitude.....81°22'54" West

PROJECT PURPOSE:

Basic: Mass grading for an industrial development.

Overall: Mass grading for an industrial development in the Orlando area with good transportation access.

PROPOSED WORK: The applicant proposes to impact 18.7 acres of waters of the United States on this 155.7-acre site. The Beeline (SR 528) divides the site with 138.3 acres north of SR 528 and 17.4 acres south of SR 528. The out parcel in the northwest corner is a water treatment facility. An electric sub-station is east of the northeast corner. Roadways and surface waters surround the remainder of the site. Agriculture and cattle grazing have impacted this site.

The site will be mass graded to prepare it for industrial development. The proposed stormwater management system is being designed for an 80% impervious condition. The applicant does not have a development plan for this site.

The site has four separate wetlands and a 9.7-acre borrow pit. Wetlands 1A (17.1 acres), 1B (0.6 acre), 2 (0.8 acre) and 4 (4.7 acres) are Freshwater Marsh (FLUCFCS 641) vegetated with various herbaceous growth, shrubs, and vines. All 18.5 acres of Wetlands 1A, 1B, and 2 will be impacted. Wetland 3 (0.3 acre) is an Exotic Wetland Hardwood (FLUCFCS 619) dominated by Chinese Tallow. Wetlands 3 and 4 will be preserved. The 17.4-acre parcel south of SR 528 is entirely uplands classified as Rangeland-Herbaceous (FLUCFCS 310).

The 0.2-acre Surface water OSW-1 will be filled. Surface Waters OSW-2A (0.2 acre), OSW2B (0.1 acre), OSW3 (1.2 acre), and OSW4 (2.8 acre) will not be impacted.

To mitigate, the applicant proposes to create 12.9 acres of forested wetlands on the south parcel (Mitigation areas A1 and A2), enhance wetlands 3 (Mitigation area B) and 4 (Mitigation area C) on the north parcel. Mitigation areas D, E1, and E2 are the mesic fringes around Mitigation areas A, B, and C that will be enhanced through the removal of exotics and the planting of native trees. The applicant did provide a mitigation and monitoring plan.

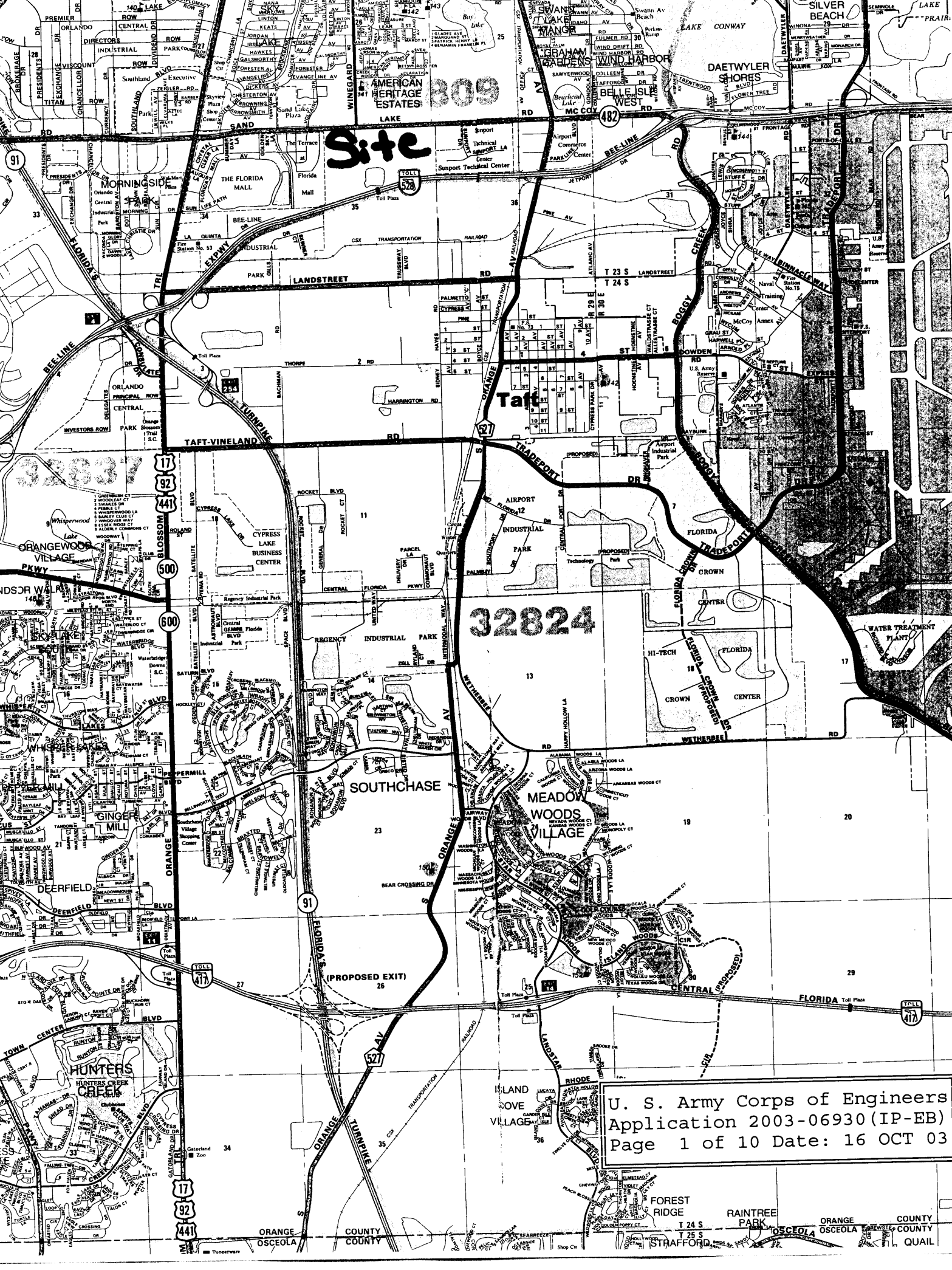
ENDANGERED SPECIES: The U.S. Army Corps of Engineers is not aware of any threatened or endangered species on the project site. The southern parcel does have Gopher Tortoises. No other species of concern were found on this site.

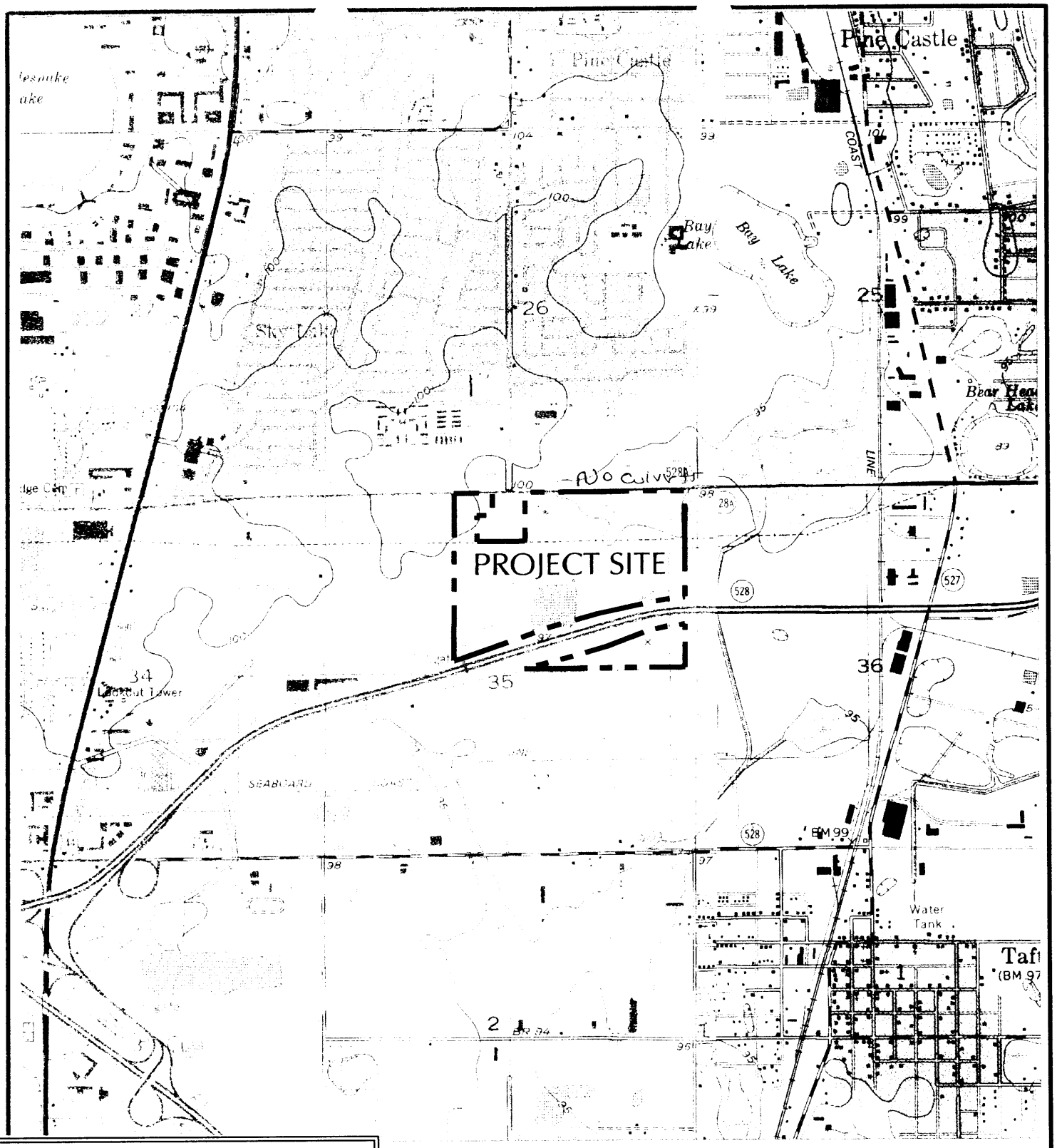
NOTE: *This public notice is being issued based on information furnished by the applicant. This information has not been verified.*

AUTHORIZATION FROM OTHER AGENCIES: A State Water Quality Certification/Permit may be required for this project. The South Florida Water Management District (SFWMD) is processing application number 030606-13 for this project.

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 Elizabeth Bishop of this office either by letter at the letterhead address, by telephone at 321-453-7655 ext. 16, by e-mail at *elizabeth.p.bishop@saj02.usace.army.mil*, or by fax at 321-453-5220. The application package is available for viewing between 9 a.m. and 4 p.m. (EST) by appointment.


Site
Taft
32824
809
U. S. Army Corps of Engineers
Application 2003-06930(IP-EB)
Page 1 of 10 Date: 16 OCT 03



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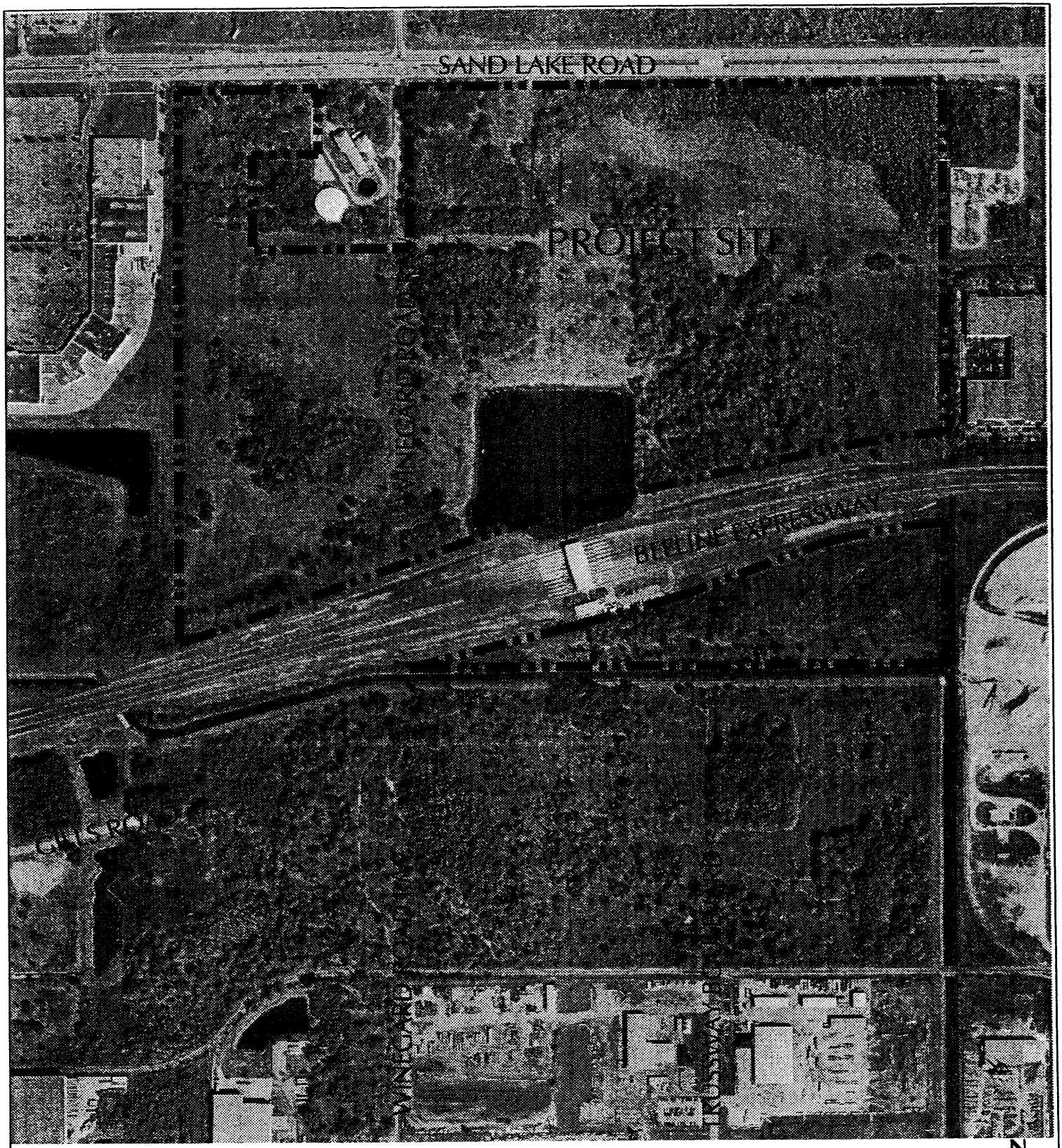
SAND LAKE ROAD PROPERTY ORANGE COUNTY, FLORIDA	MILLER SELLEN CONNER & WALSH Community Planners, Designers & Engineers 214 East Lucerne Circle, Orlando, Florida 32801 Telephone:(407) 422-3330 Fax:(407) 422-3329 E-mail: mail@mscwinc.com Engineering Business Number: 2565	TITLE: USGS MAP	
		SCALE: 1" = 2,000'	DATE: MAY, 2003
		FILE: 00072-USGS MAP.dwg	FIGURE: FIGURE 1

© Miller, Sellen, Conner, & Walsh, Inc., 2003.



AERIAL SOURCE: ORANGE CO. PROPERTY APPRAISER

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U. S. Army Corps of Engineers
Application 2003-06930(IP-EB)
Page 3 of 10 Date:16 OCT 03

ILLER SELLEN CONNER & WALSH
mmunity Planners, Designers & Engineers
4 East Lucerne Circle, Orlando, Florida 32801
Telephone:(407) 422-3330 Fax:(407) 422-3329
E-mail: mail@mscwinc.com
Engineering Business Number: 2565

TITLE: AERIAL PHOTOGRAPH			
SCALE: 1" = 600'		DATE: MAY, 2003	
FILE: 00072-AERIAL PHOTO.dwg		FIGURE: FIGURE 2	

ORANGE COUNTY, FLORIDA

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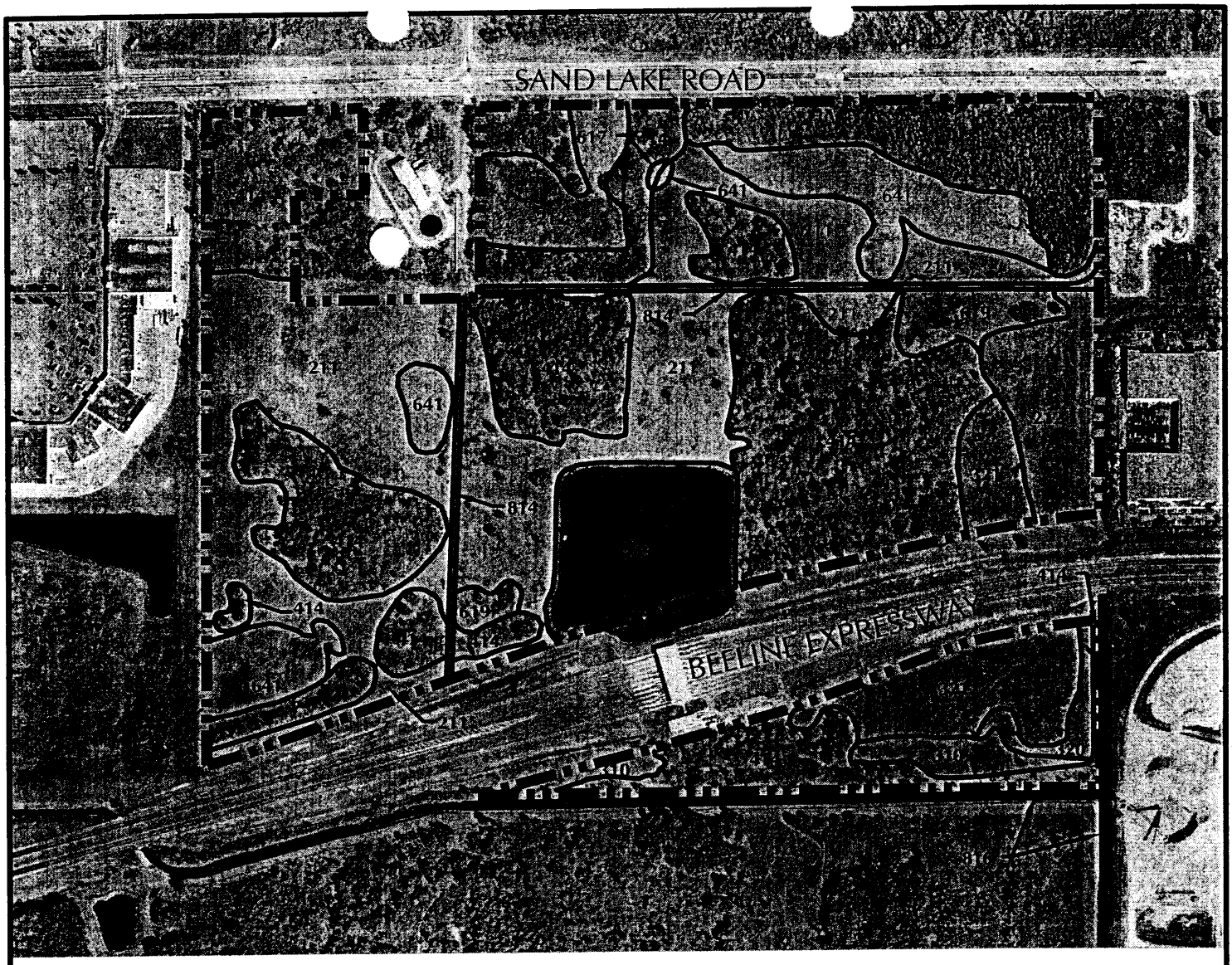

FLUCFCS DESIGNATIONS:

NUMBER	I.D.
211	IMPROVED PASTURE
212	UNIMPROVED PASTURE
310	RANGELAND-HERBACEOUS
320	SHRUB AND BRUSH
321	PALMETTO PRAIRIE
414	PINE/MESIC OAK
534	RESERVOIR (<10 ACRE)
617	MIXED WETLAND HARDWOODS
619	EXOTIC WETLAND HARDWOODS
621	CYPRESS
814	ROAD
816	CANAL

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Application 2003-06930(IP-EB)
Page 4 of 10 Date: 16 OCT 03

AERIAL SOURCE: ORANGE CO. PROPERTY APPRAISER

300 0 600

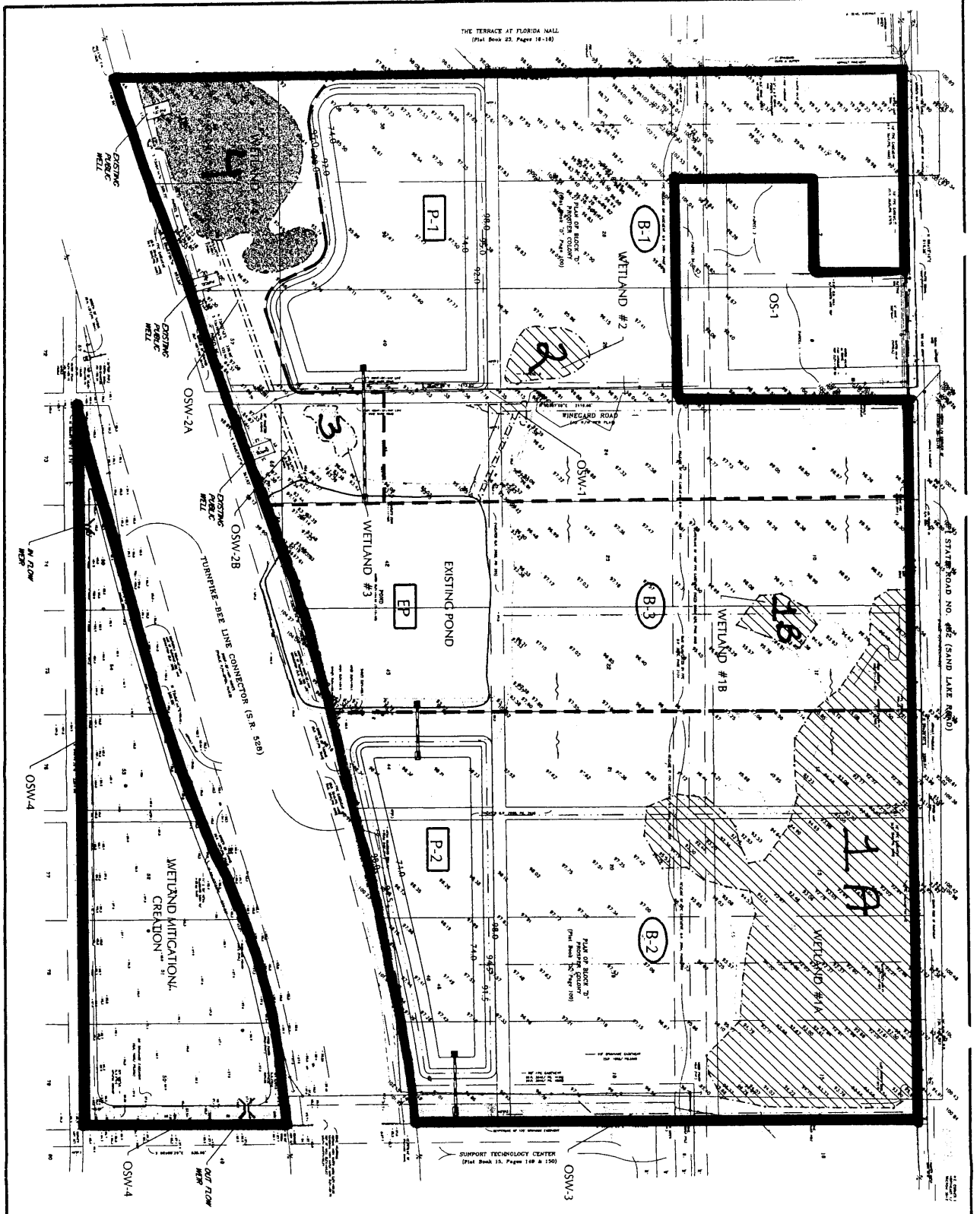
N

SAND LAKE ROAD PROPERTY

ORANGE COUNTY, FLORIDA

MILLER SELLEN CONNER & WALSH
Community Planners, Designers & Engineers
214 East Lucerne Circle, Orlando, Florida 32801
Telephone:(407) 422-3330 Fax:(407) 422-3329
E-mail: mail@mscwinc.com
Engineering Business Number: 2565

TITLE: FLUCFCS MAP	
SCALE: 1" = 600'	DATE: MAY, 2003
FILE: FLUCFCS_MAP.dwg	FIGURE: FIGURE 2



LEGEND

- PROPERTY BOUNDARY
- WETLAND LIMITS
- WETLANDS PRESERVED
- WETLANDS IMPACT
- BASIN BOUNDARY
- B-2 BASIN ID
- P-2 NODE ID

150 0 300

SURVEY NOTES:

1. BOUNDARY, TOPO SOUTH OF BEELINE & WETLAND #1A & #1B PROVIDED BY: SWAGGERTY LAND SURVEYING, INC
2. TOPO NORTH OF BEELINE PROVIDED BY: HOLLIS ENGINEERING INC.
3. WETLANDS #2A, #3 & #4 AND OTHERS SURFACE WATER #1 & #2 AS PROVIDED BY BOYLE ENGINEERING.

SAND LAKE PROPERTY

ORANGE COUNTY, FLORIDA

MILLER SELLEN CONNER & WALSH
Community Planners, Designers & Engineers
214 East Lucerne Circle, Orlando, Florida 32801
Telephone:(407) 422-3330 Fax:(407) 422-3329
E-mail: mail@mscwinc.com
Engineering Business Number: 2565

TITLE: POST-DEVELOPMENT BASIN MAP	
SCALE: 1" = 300'	DATE: JUNE, 2003
FILE: 00072-POST-DEVEL.dwg	FIGURE: FIGURE 6

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Table 1:

PROJECT WETLAND (WL) AND OTHER SURFACE WATER (SW) SUMMARY

WL & SW ID	WL & SW TYPE	WL & SW SIZE	WL & SW NOT IMPACTED	TEMPORARY WL & SW IMPACTS			PERMANENT WL & SW IMPACTS			MITIGATION ID
				WL & SW TYPE	WL & SW SIZE	IMPACT CODE	WL & SW TYPE	WL & SW SIZE	IMPACT CODE	
1A1	611	9.7	0				611	9.7	F	A thru E
1A2	641	7.4	0				641	7.4	F	A thru E
1B1	617	0.1	0				617	0.1	F	A thru E
1B2	641	0.5	0				641	0.5	F	A thru E
2	641	0.8	0				641	0.8	D	A thru E
3	619	0.3	0.3							N/A
4	641	4.7	4.7							N/A
OSW1	816	0.2	0				816	0.2	F	N/A
OSW2A	816	0.2	0.2							N/A
Project Totals:		**See Next Page**	**See Next Page**					**See Next Page**		

COMMENTS: Wetlands 1A1 and 1A2 shows the FLUCFCS codes for the wetland adjacent to Sand Lake Road. Wetlands 1B1 and 1B2 shows the FLUCFCS codes for the wetland southwest of Wetlands 1A1 and 1A2.

CODES (multiple entries per cell not allowed):
Wetland Type: from an established wetland classification system (see Section E.111b.)
Impact Type: D = dredge; F = fill; H = change hydrology; S = shading; C = clearing; O = other

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FORM NUMBER 40C-4.900(1)

Reviewer: _____

WL & SW ID	WL & SW TYPE	WL & SW SIZE	WL & SW NOT IMPACTED	TEMPORARY WL & SW IMPACTS			PERMANENT WL & SW IMPACTS			MITIGATION ID
				WL & SW TYPE	WL & SW SIZE	IMPACT CODE	WL & SW TYPE	WL & SW SIZE	IMPACT CODE	
OSW2B	816	0.1	0.1							N/A
OSW3	816	1.2	1.2							N/A
OSW4	816	2.8	2.8							N/A
Project Totals:		**28.0**	**9.3**					**18.7**		

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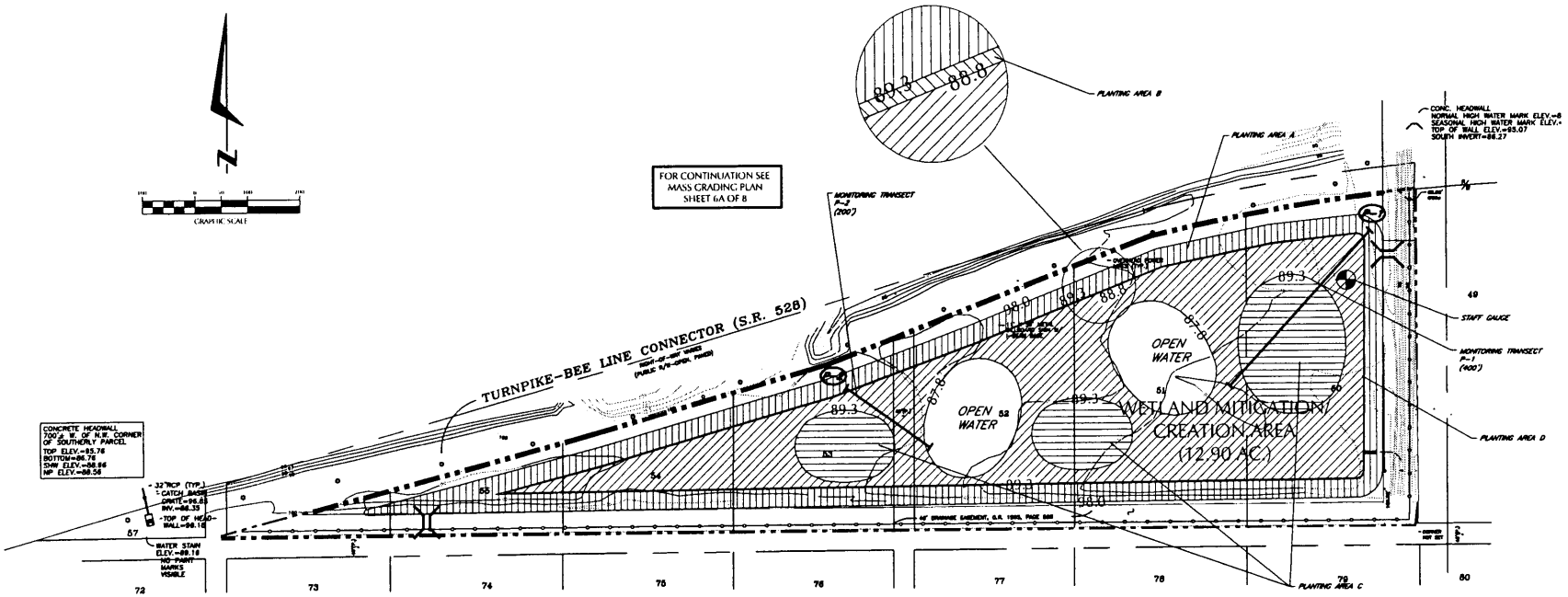

SURVEY NOTES:

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2. TOPO NORTH OF BEELINE PROVIDED BY: HOLLIS ENGINEERING INC.
3. WETLANDS #2A, #3 & #4 AND OTHERS SURFACE WATER #1 & #2 AS PROVIDED BY BOYLE ENGINEERING.

LEGEND:

98	PROPOSED CONTOUR
+98.00	PROPOSED ELEVATION
	PROPERTY BOUNDARY
	WETLANDS
P-1	PANORAMIC PHOTO STATION
	STAFF GUAGE

A — Area A: Waterward two (2) Rows of trees is a mix of three (3) gallon size Pond pine, Wax myrtle, and Red maple. Also include one (1) gallon size Saw palmetto in the above mix. Landward two (2) rows of trees is a mix of three (3) gallon size Laurel oak and Slash pine. Also include one (1) gallon size Saw palmetto in the above mix. All species on ten (10) foot centers.

B — Area B: Two (2) rows of one (1) gallon size Big cordgrass on five (5) foot centers. The waterward row is (6) inches below the SHW elevation. The landward row is six (6) inches above the SHW elevation.

C — Area C: Mix of three (3) gallon size Red maple, Sweetbay, and Dahoon holly on ten (10) fot centers.

D — Area D: Three (3) gallon size Cypress on ten (10) foot centers.

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Mitigation Parcel South of the Bee-line

S.F.W.M.D. SUBMITTAL

BOYLE

No.	DATE	DESCRIPTION	CHK'D	APP'D
2	8/5/03	PER SFWMD COMMENTS		
1	6/5/03	SUBMIT TO S.F.W.M.D.		

REVISIONS

DES RB
DWN JAK
CHK'D RLB/RB
APP'D CDC/RLB
FILE: 00072 WMP.dwg

MILLER SELLEN CONNER & WALSH
Community Planners, Designers & Engineers
214 East Lucerne Circle, Orlando, Florida 32801
Telephone:(407) 422-3330 Fax:(407) 422-3329
E-mail: mailbox@mcw.com Engineering Business Number 2565

WETLAND MITIGATION PLAN
SAND LAKE ROAD PROPERTY
-
ORANGE COUNTY, FLORIDA

JOB NO. 00072.10
DATE JUNE, 2003
SCALE 1" = 100'
SHEET 6B OF 8

SEAL
CONCURRENCE PLAN SET REVISION
DATE Sep 16, 2003

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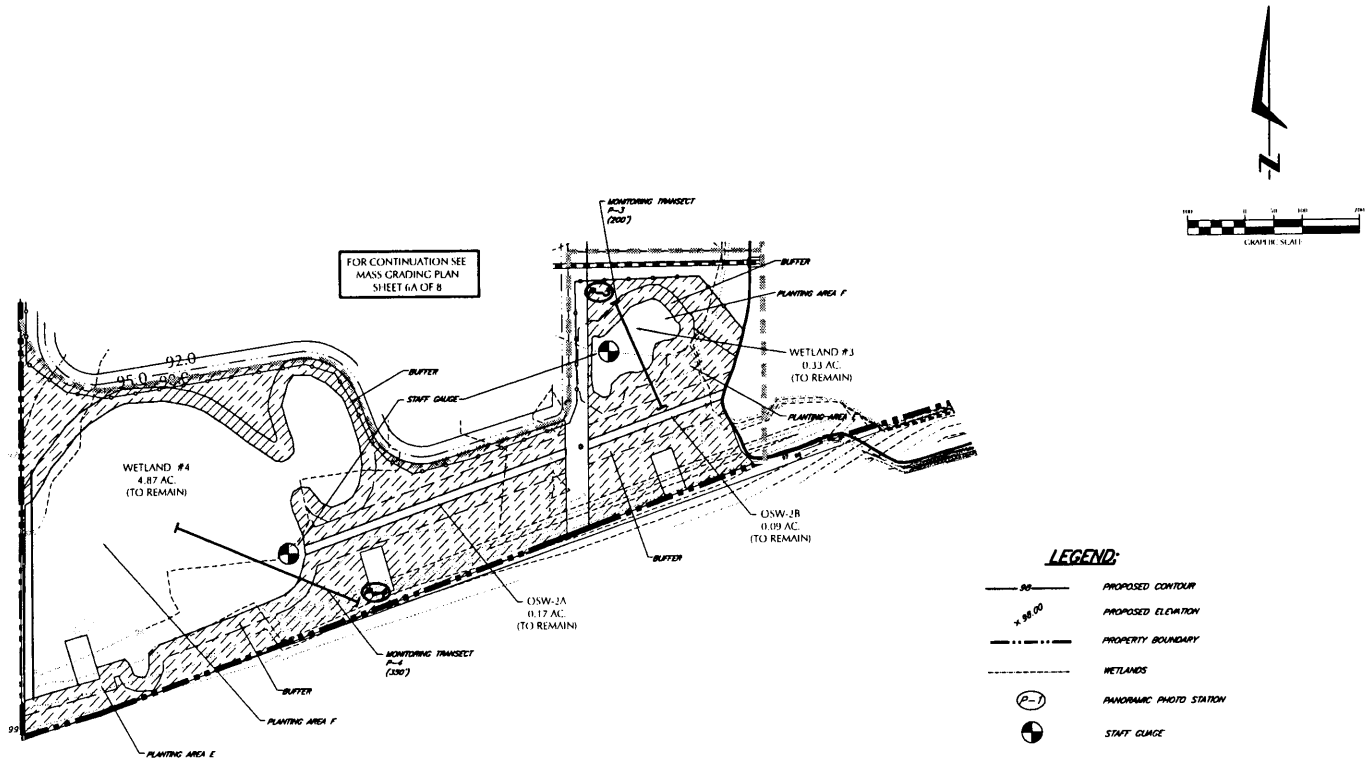

LEGEND:

- 98 — PROPOSED CONTOUR
- x 98.00 — PROPOSED ELEVATION
- PROPERTY BOUNDARY
- WETLANDS
- (P-1) — PANORAMIC PHOTO STATION
- STAFF GUAGE

SURVEY NOTES:

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2. TOPO NORTH OF BEELINE PROVIDED BY: HOLLIS ENGINEERING INC.
3. WETLANDS #2A, #3 & #4 AND OTHERS SURFACE WATER #1 & #2 AS PROVIDED BY BOYLE ENGINEERING.

E — Area E: Three (3) gallon size Slash pine on thirty (30) foot centers. Remove all nuisance and exotic species.

F — Area F: Mix of three (3) gallon size Water oak, Wax myrtle, and Pond pine on fifteen (15) foot centers. Remove all nuisance and exotic species.

Mitigation Parcel North of the Bee-line

S.F.W.M.D. SUBMITTAL

BOYLE

No.	DATE	DESCRIPTION	CHK'D	APP'D
2	8/5/03	PER SFWMD COMMENTS		
1	6/5/03	SUBMIT TO S.F.W.M.D.		

REVISIONS

DES RB
DWN JAK
CHK'D RLB/RB
APP'D CDC/RLB
FILE 00072-WEP.dwg

MILLER SELLEN CONNER & WALSH
Community Planners, Designers & Engineers
214 East Lucerne Circle, Orlando, Florida 32801
Telephone:(407) 422-3330 Fax:(407) 422-3329
E-mail: mail@msw-ace.com Engineering Business Number 2565

WETLAND ENHANCEMENT PLAN
SAND LAKE ROAD PROPERTY
-
ORANGE COUNTY, FLORIDA

JOB NO. 00072.10
DATE JUNE, 2003
SCALE 1" = 100'
SHEET 6C OF 8

SEAL
LICENSED PROFESSIONAL ENGINEER
DATE Sep 16 2003

FILE NAME: 00072-WEP.dwg - Sep 16, 2003 - 9:20am
XREFS: K:\00\00072\Civil\DWG\Final\00072-TBLOCK.dwg

Table 2:

PROJECT ON-SITE MITIGATION SUMMARY

MITIGATION ID	CREATION		RESTORATION		ENHANCEMENT		WETLAND PRESERVE		UPLAND PRESERVE		OTHER	
	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TYPE	AREA	TYPE	AREA	TARGET TYPE
A1-Triangle	10.9	611										
A2 - Triangle	2.0	617										
B-Wetland 3					0.3	617						
C-Wetland 4					4.7	617						
D1-Upland (A)									1.5	412		
D2 – Upland (B)											2.5	414
E1 - Upland (C)									1.2	414		
E2 – Upland (D)									2.6	414		
PROJECT TOTALS:	**12.9**				**5.0**				**5.3**		**2.5**	

COMMENTS: (A) – xeric fringe (preserved) of Mitigation Area A. (B) – mesic upland fringe (planted) of Mitigation Area A. (C) – mesic upland fringe (enhanced) of Wetland 3. Includes an additional 0.6 ac. of enhanced buffer. (D) – mesic fringe (enhanced) of Wetland 4. Includes an additional 1.7 ac. of enhanced buffer.

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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