



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
701 SAN MARCO BOULEVARD
JACKSONVILLE, FLORIDA 32207

December 11, 2024

Regulatory Division
West Branch
Tampa Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2024-02017

TO WHOM IT MAY CONCERN: The Jacksonville District of the U.S. Army Corps of Engineers (Corps) 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.

If you are interested in receiving additional project drawings associated with this public notice, please send an e-mail to the project manager by electronic mail at matthew.j.diloreto@usace.army.mil.

APPLICANT: Spencer Farms, Inc.
111 S. Armenia Ave. Suite 201
Tampa, Florida 33609

WATERWAY AND LOCATION: The project would affect aquatic resources associated with Marsh Branch Creek. The project site is located at the Northeast corner of the intersection of 15th Street SE and 14th Avenue SE in the City of Ruskin, Hillsborough County, Florida within Section 9 of Township 32 South and Range 19 East.

Directions to the site are as follows: The site is at the intersection of 15th ST SE and 14th Ave SE in Ruskin FL. From I-75 take the 674 E. College Ave exit Ruskin/Sun City Center. Take 674 West to 15th ST SE. Head South on 15th ST SE until you reach 14th AVE SE. the project is the NE comer of the intersection.

APPROXIMATE CENTRAL COORDINATES: Latitude 27.707699°
Longitude -82.412626°

PROJECT PURPOSE:

Basic: Develop a residential community (single-family residences)

Overall: The total project involves the development of a residential community (single family, 84 units), internal roadways, ponds, floodplain compensation areas and other associated infrastructure to serve the community of Ruskin within Hillsborough County, Florida.

EXISTING CONDITIONS: The wetland system consists of a freshwater system. The approximately 36.1-acre project site is predominantly “Other Open Lands”, and former agricultural land interspersed with ditch-like aquatic resources, stormwater management pond in the southeast corner of the property, and segment of the Marsh Branch Creek flowing north-south in the southwest corner of the property. The existing area surrounding the project area consists of all sides bound by existing roadways, a forested wetland to the north, an existing residential community to the south and east, and low-density residential developments to the west.

PROPOSED WORK: The applicant seeks authorization to construct 84 single family residences and associated supporting infrastructure. The proposed work requires the fill or conversion of approximately 2.145 acres of wetlands (including 2.129 acres of freshwater ditch-like features, 0.016 acres of riparian wetland)

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 Applicant has undertaken an iterative process in arriving at the proposed development plan and layout on the +/-36-acre project area. Lot configurations and roadway alignments have been carefully evaluated and designed to avoid significant impacts to onsite wetlands and other aquatic resources, while maintaining conformance with state and local design standards.

Previous site plans were considered for the Spencer Creek Phase 3 project, and each were discarded in favor of arriving at a plan that achieves the desired objectives while minimizing environmental impacts to the greatest degree practicable. In general, the proposed wetland impacts associated with previous versions of the site plan were greater in scope, and the Applicant discarded these former site plans because they did not meet the goal of being able to reduce impacts to both state and Federal jurisdictional wetlands while achieving adequate lot yield and addressing technical and regulatory requirements for drainage and flood control.

The end result of this planning process is that wetland impacts depicted on the current Site Plan that is the subject of this application are primarily limited to those areas necessary to provide access to developable upland areas or where certain wetlands were impacted in order to achieve a working drainage analysis for the site.

COMPENSATORY MITIGATION – The applicant has offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: If mitigation is required, the applicant would provide wetland mitigation bank credits.

CULTURAL RESOURCES:

The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, those federally recognized tribes with concerns in Florida and the Permit Area, and other interested parties.

ENDANGERED SPECIES: Option A: The Corps has determined the proposed project may affect but is not likely to adversely affect the Eastern indigo snake (*Drymarchon couperi*) or its designated critical habitat. The Corps will request U.S. Fish and Wildlife/ National Marine Fisheries Service concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

The Corps has determined the proposal would have no effect on any other listed threatened or endangered species or designated critical habitat.

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. Our initial determination is that the proposed action would not have no effect on EFH or Federally managed fisheries in the permit area. 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.

NAVIGATION: The proposed activity is not located in the vicinity of a federal navigation channel.

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act (33 USC 408) because the activity, in whole or in part would not alter, occupy, or use a Corps Civil Works project.

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.

COMMENTS regarding the potential authorization of the work proposed should be submitted in writing to the attention of the District Engineer through the Sacramento District Regulatory Division, 1325 J Street, Room 860, Sacramento, CA 95814 within 30 days from the date of this notice.

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.

QUESTIONS concerning this application should be directed to the project manager, Matthew Di Loreto, by electronic mail at matthew.j.diloreto@usace.army.mil; or by telephone at (916) 557-7882.

IMPACT ON NATURAL RESOURCES: 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.

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.

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 to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

WATER QUALITY CERTIFICATION: Water Quality Certification may be required from the Southwest Florida Water Management District.

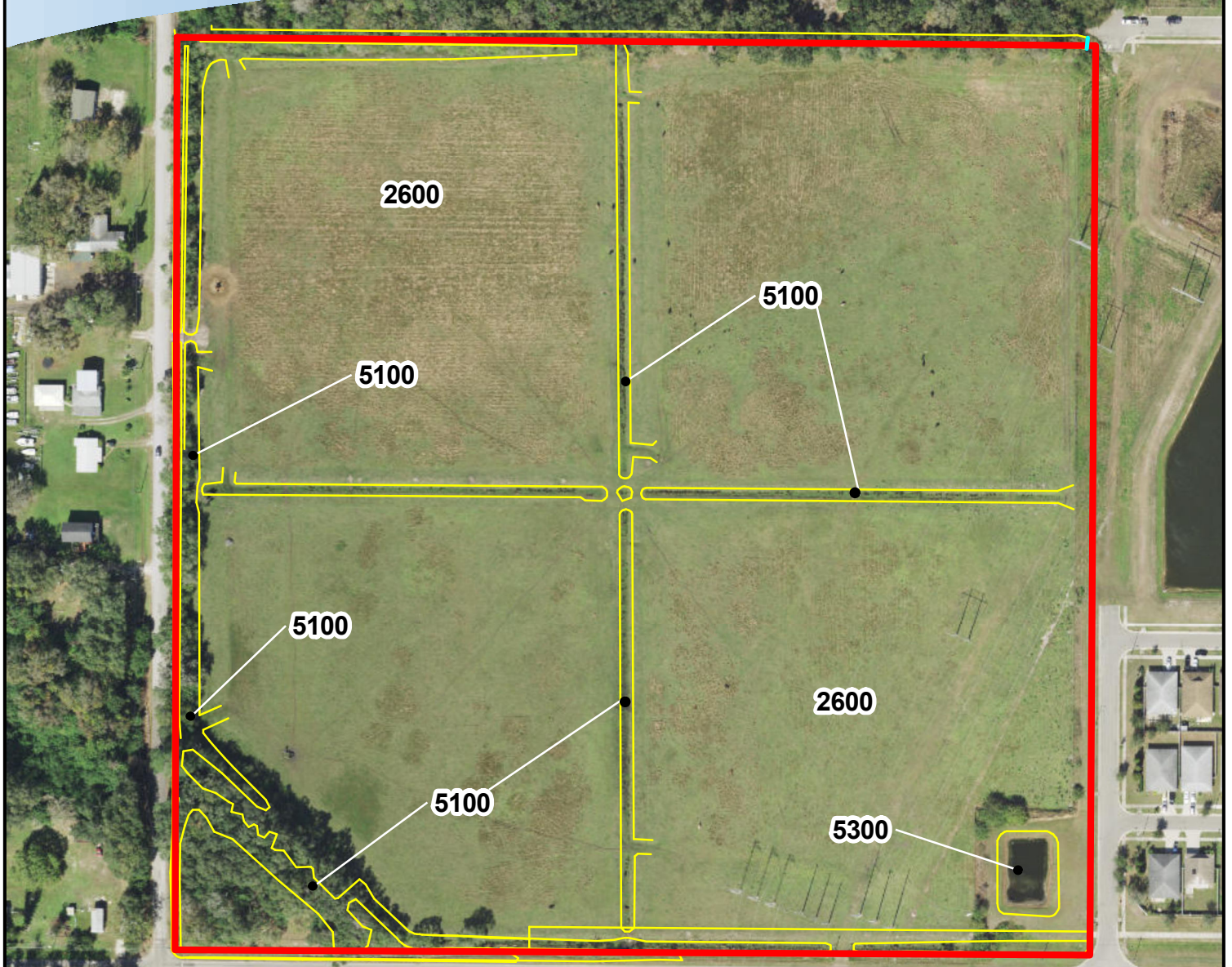
COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the

Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with the 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.

SPENCER CREEK PH 3

FLUCFCS Map



- LEGEND -

-  Parcel Boundary
-  Ardurra Adjusted FLUCFCS

FLUCFCS Descriptions:
2600 - Other Open Lands
5100 - Streams and Waterways
5300 - Reservoirs



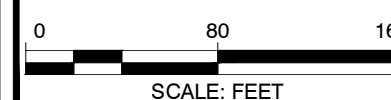
SCALE - FEET

0 210 420



HILLSBOROUGH COUNTY

GRAPHIC REPRESENTATIONS ARE GENERAL IN NATURE AND SHOULD BE USED FOR PLANNING PURPOSES ONLY



ARDURRA
COLLABORATE. INNOVATE. CREATE.

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License #2610

SPENCER FARMS, INC.
111 SOUTH ARMENIA
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SUITE 201
TAMPA, FLORIDA 33609

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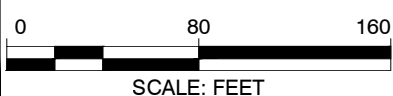
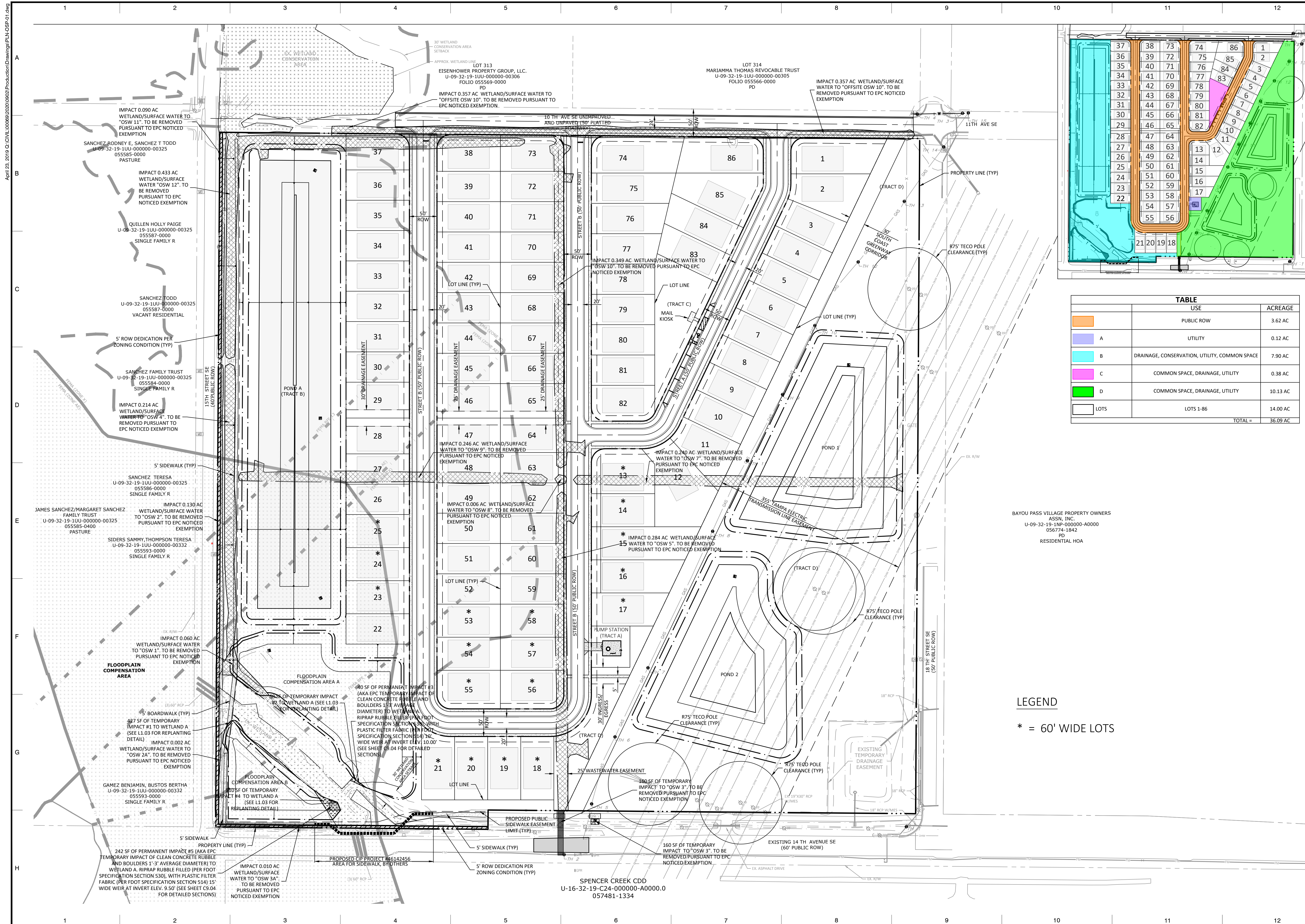
**SPENCER CREEK
PHASE 3**

DEMOLITION AND SITE PREPARATION PLAN







JOB NO: 00069-2020-0902

C2.03

ACOE SUBMITTAL
05/15/2024



SPENCER FARMS, INC
111 SOUTH ARMENIA
AVENUE
SUITE 201
TAMPA, FLORIDA 33609

TABLE		
	USE	ACREAGE
	PUBLIC ROW	3.62 AC
 A	UTILITY	0.12 AC
 B	DRAINAGE, CONSERVATION, UTILITY, COMMON SPACE	7.90 AC
 C	COMMON SPACE, DRAINAGE, UTILITY	0.38 AC
 D	COMMON SPACE, DRAINAGE, UTILITY	10.13 AC
 LOTS	LOTS 1-86	14.00 AC
TOTAL =		36.09 AC

BAYOU PASS VILLAGE PROPERTY OWNERS
ASSN, INC.
U-09-32-19-1NP-000000-A0000
056774-1842
PD
RESIDENTIAL HOA

* = 60' WIDE LOTS

SPENCER CREEK

OVERALL SITE PLAN

JOB NO:	00069-2020-0902
DATE:	

C2.02

ACOE SUBMITTAL
05/15/2024