



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, JACKSONVILLE DISTRICT  
701 SAN MARCO BOULEVARD  
JACKSONVILLE, FLORIDA 32207-8175

**November 22, 2024**

Regulatory Division  
North Branch  
Jacksonville Permits Section

## ***PUBLIC NOTICE***

Permit Application No. SAJ-2024-01178

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:

APPLICANTS: New Leaf Communities, LLC  
Mr. Lee Arsenault  
4651 Salisbury Rd, Ste 330  
Jacksonville, Florida 32256

New Leaf Communities, LLC  
Mr. John H. Latshaw, Jr.  
4650 Salisbury Rd, Ste 330  
Jacksonville, Florida 32256

WATERWAY AND LOCATION: The project would affect aquatic resources associated with Little Mills Creek and unnamed adjacent wetlands within Nassau County. The project site is located at 543027 US HWY 1 South in Section 20, Township 2 North, Range 25 East, Callahan, Florida 32011.

Directions to the site are as follows: From the intersection of 1<sup>st</sup> Avenue and S Kings Road in Callahan, follow S Kings Rd (Rt 23) north for approximately 0.75 miles, turn left on to Colson Road and follow it for approximately 0.12 miles, turn right on to Johnson Road and follow it for approximately 0.15 miles, turn right onto Roberts Road and follow it for approximately 0.1 miles, turn left on to a dirt road called Hill Road. The southern boundary of the project parcel is approximately 0.07 miles north on Hill Rd. The project parcel is bordered to the north by undeveloped land, the east by US HWY 1, to the south by low density residential housing, and to the west by railroad tracks. Little Mills Creek runs through the southern portion of the property.

APPROXIMATE CENTRAL COORDINATES: Latitude 30.579448°  
Longitude -81.838108°

## PROJECT PURPOSE:

Basic: Construction of a single-family residential development.

Overall: The project purpose is to create more housing for Nassau County.

EXISTING CONDITIONS: The project parcel consists of approximately 71.46 total acres of which approximately 21.67 acres are wetlands. Little Mills Creek is a perennial creek that crosses the southern portion of the parcel, and the wetland system consists of a freshwater system. The onsite vegetation consists of uplands with Coniferous Plantation communities and wetlands with Mixed Hardwood-Coniferous Swamps and Wet Coniferous Plantation communities. The existing area surrounding the project area consists of low-density residential communities.

PROPOSED WORK: The applicant proposes to construct a single-family residential housing development in Callahan, Nassau County, Florida. The proposed project will establish a minimum of 101 building lots for new homes, an access road connecting to US Highway 1, internal roads to connect the sub-divided parcel, two (2) recreation areas and five (5) stormwater management structures. The applicant seeks authorization to fill up to 3.4 acres of 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 project has been designed to minimize impacts to wetlands as much as practicable to meet the project purpose and need. Specifically, the proposed project site plan will avoid the on-site perennial stream and 20.2 acres of wetlands located within the project parcel. The applicant is also proposing to establish upland buffers to minimize indirect effects and impacts to fish and wildlife.

COMPENSATORY MITIGATION – The applicant has offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment:

The applicant proposes to purchase 2.04 Mitigation Bank credits from an approved, regional mitigation bank. The Corps has not yet determined the adequacy of the Applicant's proposed compensatory mitigation.

## 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:

The Corps has determined the proposed project may affect but is not likely to adversely affect the Eastern Indigo Snake (*Drymarchon couperi*), Red-cockaded woodpecker (*Picoides borealis*), Eastern black rail (*Laterallus jamaicensis*), and Tricolored bat (*Perimyotis subflavus*). The Corps will request U.S. Fish and Wildlife concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

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 Albuquerque District, Albuquerque Regulatory Office, 4101 Jefferson Plaza NE, Albuquerque, New Mexico 87109 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, Ms. Sarrah Kubinec, in writing at the Albuquerque District, Albuquerque Regulatory Office, 4101 Jefferson Plaza NE, Albuquerque, New Mexico 87109; by electronic mail at Sarrah.c.kubinec@usace.army.mil; or, by telephone at (505)290-7079.

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.

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.

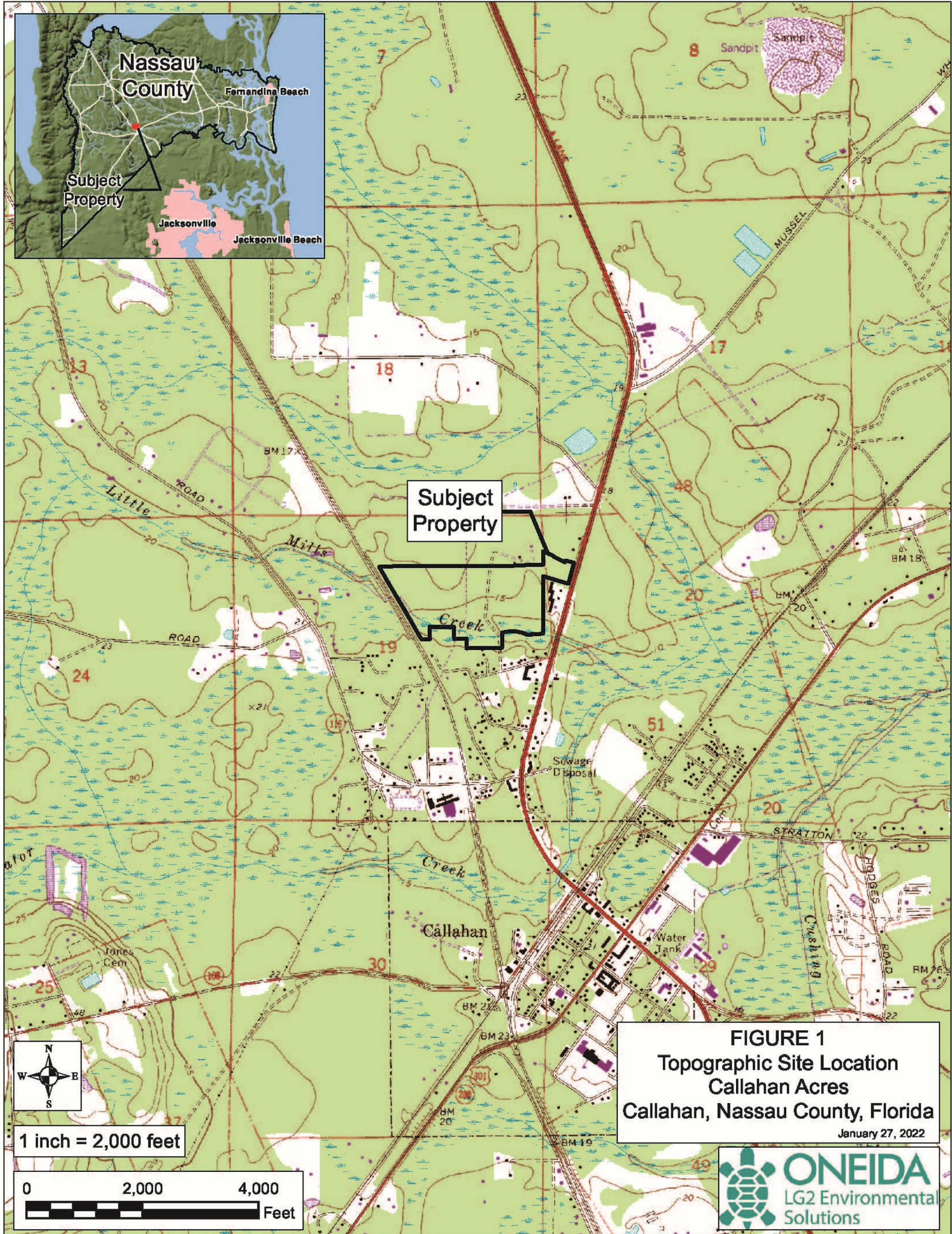
The US Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to 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 is required from the St. Johns River Water Management District.

**COASTAL ZONE MANAGEMENT CONSISTENCY:** In Florida, the State approval constitutes compliance with the 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.

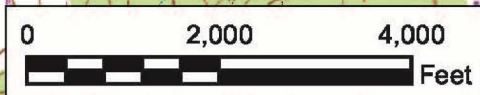




**FIGURE 1**  
**Topographic Site Location**  
**Callahan Acres**  
**Callahan, Nassau County, Florida**  
January 27, 2022



1 inch = 2,000 feet





-  Wetland Impacts (~3.40 acres)
-  Upland Cut Ditch Impact (~0.02 acre)
-  Wetland Preservation (~20.20 acres)
-  Other Wetlands to Remain (~1.07 acres)
-  Creek (~2.53 acres)
-  Creek (Offsite)
-  Upland Buffer
-  Proposed Road
-  Proposed Residential Development
-  Proposed SWMF
-  Proposed Recreation Area
-  Existing FPL Easement

## Wetland Impact Areas

A: ~1.48 acres

B: ~1.69 acres

C: ~0.23 acres

Subject Property



1 inch = 450 feet



2021 True Color Orthophotos  
From Florida DOT

**FIGURE 5**  
Site Plan  
Callahan Acres  
Callahan, Nassau County, Florida

April 10, 2024

