



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

November 22, 2024

Regulatory Division
North Permits Branch
Jacksonville Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2024-02453(SP-BJB)

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:

APPLICANT: Florida Land Sales
c/o Terry Clayton
8130 Baymeadows Way W,
Ste 306
Jacksonville, FL 32256

WATERWAY AND LOCATION: The project would affect aquatic resources associated with a wetland system draining westward to St. Mary's River. The project site is located at 15499 CR 121, Bryceville, Florida 32009 in Section 14, Township 1 North, and Range 23 East in Nassau County, Florida.

Directions to the site are as follows: From Bryceville, Florida (southwest side of Nassau County) head west on County Road 119 for approximately 6 miles. Turn right (north) on County Road 121 for about 5.5 miles. The project site will be on your right (east).

APPROXIMATE CENTRAL COORDINATES: Latitude 30.482995°
Longitude -81.995984°

PROJECT PURPOSE:

Basic: The basic purpose of the project is to construct an access road.

Overall: The overall project purpose is to construct an access road to a proposed residential development on County Road 121 in the southwest side of Nassau County near the city of Bryceville, Florida.

EXISTING CONDITIONS: The wetland system consists of a freshwater, nontidal system draining to St. Mary's River. The subject property is bordered to the north, east, and south by undeveloped land and to the west by CR 121.

b. Vegetative Communities: Six dominant land use cover-types were identified within and around the site boundaries. These communities were classified using the Florida

Land Use, Cover and Forms Classification System (FLCCS), 1999. Additionally, the landward extent of wetlands and other surface waters within the project corridor were delineated in accordance with the *2010 Final Atlantic & Gulf Coast Supplement to the Corps of Engineers Wetlands Delineation Manual (1987)*.

i. Live Oak (FLCCS 1123)

This vegetative community consisted primarily of live oak (*Quercus virginiana*), American holly (*Ilex opaca*), water oak (*Quercus nigra*), saw palmetto (*Serenoa repens*), sparkleberry (*Vaccinium arboreum*), gallberry (*Ilex glabra*), and dogfennel (*Eupatorium capillifolium*).

ii. Coniferous Plantation (FLCCS 183332)

This vegetative community consisted primarily of planted slash pine (*Pinus elliotti*), red maple (*Acer rubrum*), wax myrtle (*Myrica cerifera*), saw palmetto, gallberry, sweetgum (*Liquidambar styraciflua*), bracken fern (*Pteridium aquillinum*), muscadine (*Vitis rotundifolia*), and blackberry (*Rubus spp.*).

iii. Wet Flatwoods (FLCCS 2221)

This vegetative community consisted primarily of slash pine, saw palmetto, wiregrass (*Aristida stricta*), peelbark St. John's wort (*Hypericum fasciculatum*), Virginia chain fern (*Woodwardia virginiana*), and yellow-eyed grass (*Xyris spp.*).

iv. Mixed Hardwood-Coniferous Swamps (FLCCS 2240)

This vegetative community consisted primarily of slash pine, pond cypress (*Taxodium ascendens*), myrtle leaf holly (*Ilex myrtifolia*), fetterbush (*Lyonia lucida*), Virginia chain fern, loblolly bay (*Gordonia lasianthus*), clubmoss (*Lycopodia spp.*), red maple, gallberry, peelbark St. John's wort, and beakrush (*Rhynchospora spp.*).

v. Bottomland Forest (FLCCS 22331)

This vegetative community consisted primarily of bald cypress (*Taxodium distichum*), loblolly bay, sweetgum, swamp titi (*Cyrilla racemiflora*), tall gallberry (*Ilex coriacea*), red maple, fetterbush, cinnamon fern (*Osmundastrum cinnamomeum*), netted chainfern (*Woodwardia areolate*), beakrush, and yellow-eyed grass.

vi. Wet Coniferous Plantation (FLCCS 183321)

This vegetative community consisted primarily of slash pine, maidencane (*Panicum hemitoman*), fetterbush, and peelbark St. John's wort.

PROPOSED WORK: The applicant seeks authorization to place clean fill material directly into 0.67-acre of forested wetland. Impacts to the wetland are to facilitate the construction of an entrance road to provide access to the proposed residential development.

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 jurisdictional wetlands as much as practicable to still have a viable project, which avoids effects and impacts to fish and wildlife. Upland buffers have been proposed around the high-quality wetlands and wherever feasible. Due to the cost of land and cost incurred with construction, the applicant needs 116 lots to create a viable project. The provided site plan has avoided the high-quality wetlands on-site as much as practicable, with the only wetland impact being the entrance road from CR 121.

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

Wetland fill impacts are proposed to be 0.67-acre of wetlands. As mitigation for the proposed wetland impacts, the applicant utilized the Wetland Rapid Assessment Procedure (WRAP) and proposes to purchase 0.47 mitigation bank credits from Longleaf mitigation bank.

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 would have no effect on the Eastern black rail (*Laterallus jamaicensis ssp. jamaicensis*) and may affect but is not likely to adversely affect the Eastern indigo snake (*Drymarchon corais couperi*), Red-cockaded woodpecker (*Dryobates borealis*), Tricolored bat (*Perimyotis subflavus*), and Wood stork (*Mycteria Americana*). 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.

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 a substantial adverse impact on EFH or Federally managed fisheries in the South Atlantic Region. 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 extent of aquatic resources 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 Jacksonville Permits Section, 701 San Marco Boulevard, Jacksonville, Florida 32207 within 21 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, Brett J. Burkart, in writing at the St. Louis Permits Section (SAJ-Support), 1222 Spruce Street, St. Louis, Missouri, 63103; by electronic mail at brett.j.burkart@usace.army.mil; by facsimile transmission at (314) 331-8738; or, by telephone at (314) 320-8129.

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 or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972.

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. The Individual Water Quality Certification is pending (SJRWMD ERP Application No. 188276-1).

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.

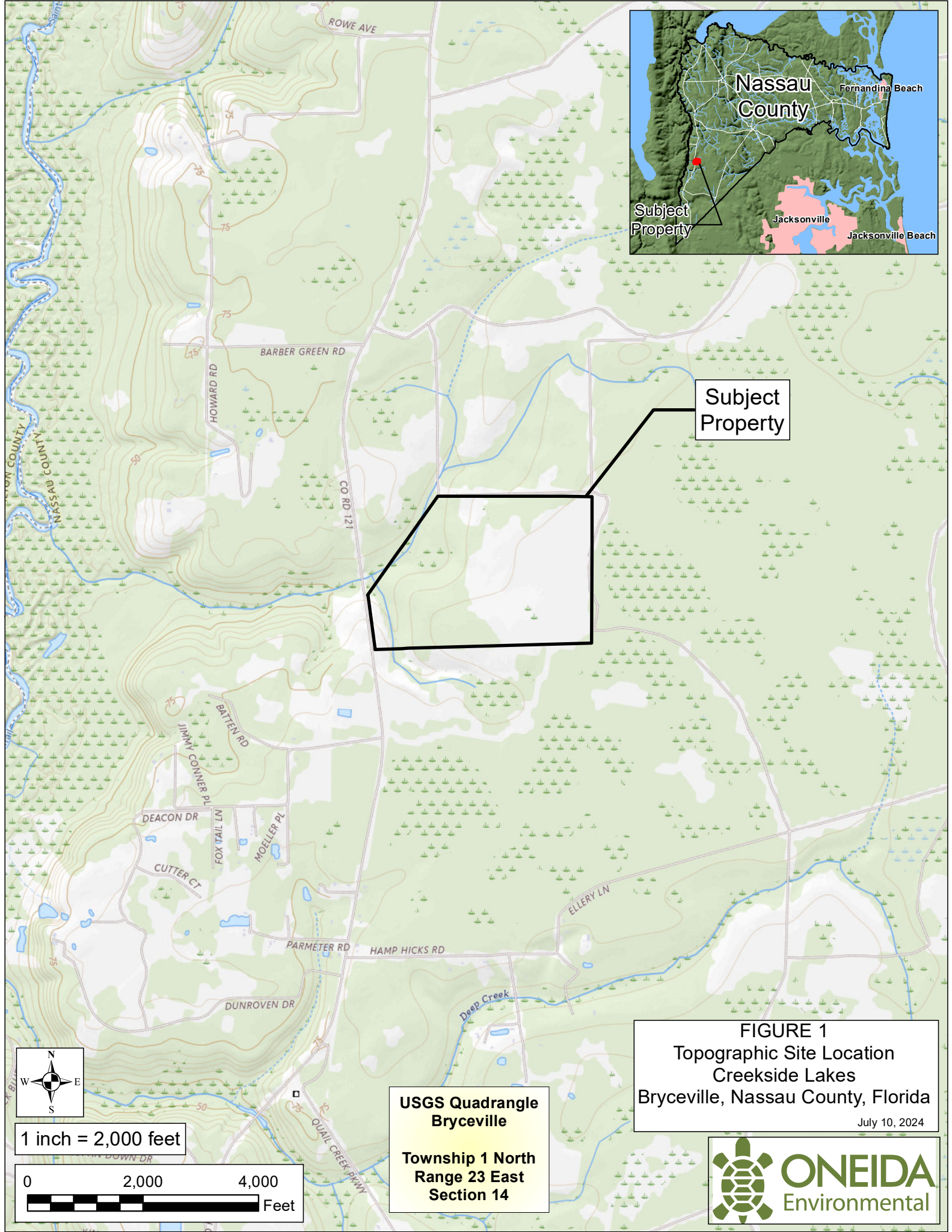


FIGURE 1
Topographic Site Location
Creekside Lakes
Bryceville, Nassau County, Florida
July 10, 2024

**USGS Quadrangle
Bryceville**

**Township 1 North
Range 23 East
Section 14**




Subject Property

FLCCS


1123 - Live Oak


183332 - Coniferous plantation


1833321 - Wet Coniferous plantation


2221 - Wet Flatwoods


22331 - Bottomland Forest


2240 - Mixed Hardwood-Coniferous Swamps



1 inch = 450 feet

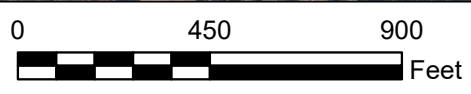
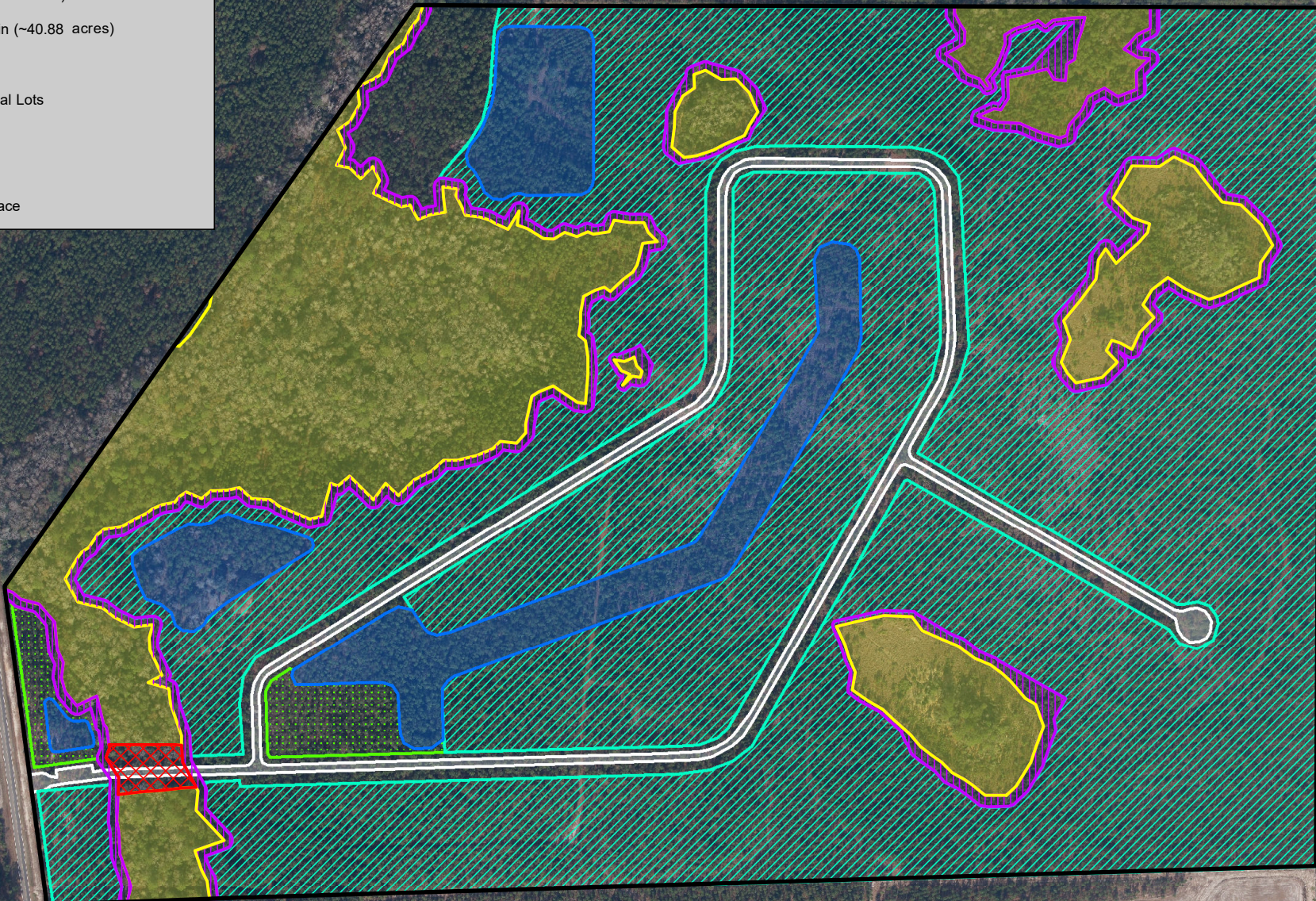
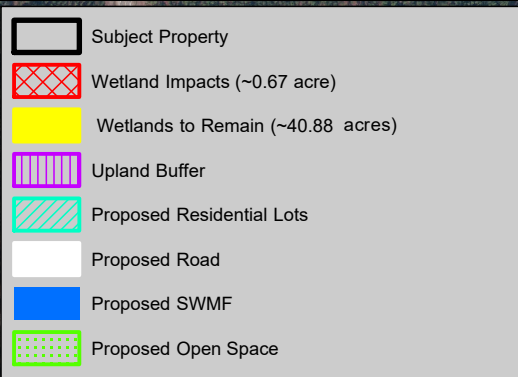


FIGURE 4
Florida Land Cover Classification System
Creekside Lakes
Bryceville, Nassau County, Florida
July 10, 2024



2023 True Color Orthophotos
From Florida DOT



1 inch = 450 feet

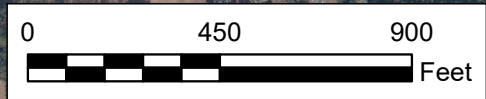


FIGURE 7
Site Plan
Creekside Lakes
Bryceville, Nassau County, Florida
 October 3, 2024



2023 True Color Orthophotos
 From Florida DOT