



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
701 SAN MARCO BOULEVARD
JACKSONVILLE, FLORIDA 33207

November 26, 2024

Regulatory Division
Northwest Branch
Tampa Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2008-00216 (SP-KAC)

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 kelby.a.callahan@usace.army.mil.

APPLICANT: Mr. Len Jaffe
NNP – Southbend II
3162 S Falkenburg Rd
Tampa, FL 33578

WATERWAY AND LOCATION: The project would affect aquatic resources associated with Wolf Branch. The project site is located east of U.S. Highway 41, west of Interstate-75, south of Big Bend Road, and north of 19th Ave in Sections 27, 28, 33, and 34, Township 31 South, Range 19 East, Apollo Beach, Hillsborough County, Florida.

Directions to the site are as follows: Go south from Tampa on I-75; Exit onto Big Bend Rd; Go west on Big Bend Rd for approximately 1 mile to Waterset Blvd; Turn left onto Waterset Blvd; Go to terminus of Waterset Blvd, approximately 4 miles; Project site is there.

APPROXIMATE CENTRAL COORDINATES: Latitude 27.7444
Longitude -82.3992

PROJECT PURPOSE:

Basic: To provide residential and commercial uses.

Overall: To construct a mixed-use development, near I-75 in southern Hillsborough County, to meet local housing and commercial demand.

EXISTING CONDITIONS: The uplands on-site consist of predominately cropland and pastureland (FLUCCS 210). The site also consists of nurseries and vineyards (FLUCCS 240), utilities (FLUCCS 830), and other open lands (FLUCCS 260).

Wetlands and surface waters onsite are freshwater and outside of tidal influence. Forested wetlands (FLUCCS 617 and 615) are dominated by laurel oak (*Quercus laurifolia*), water oak (*Quercus nigra*), Brazilian pepper (*Schinus terebinthifolius*), *Sabal palmetto*, and various herbaceous groundcovers. Herbaceous wetlands (FLUCCS 641) contain various herbaceous species including ferns (*Thelypteris interrupta* and *Blechnum serrulatum*) and primrose-willow species (*Ludigwiga peruviana* and *Ludwigia octovalvis*). Linear surface water features mainly consist of agricultural ditches.

Project History: The project is associated with an expired Department of the Army (DA) permit, SAJ-2008-00216. As depicted on the attached drawings, the applicant completed several phases of work under the DA authorization and subsequent modifications. However, the DA permit expired before the applicant could complete the previously permitted work.

PROPOSED WORK: The applicant seeks authorization to discharge approximately 300,000 cubic yards of fill material into 0.63-acre of wetlands and 17.88 acres of ditches to construct a mixed-use development. The applicant has requested an Approved Jurisdictional Determination. However, the Corps has not determined the jurisdictional status of the aquatic resources at this site.

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:

As stated by the applicant, “The wetlands avoidance and minimization efforts were accomplished through the original review process under the 2014 Corps Permit...The impacts shown on the enclosed permit drawings are nearly identical to the impacts approved by the 2014 Corps Permit. Any differences in impact acreage or location between the 2014 Corps Permit and the proposed activities here are the result of changes in Hillsborough County mandates/criteria for roadway and subdivision design or are a conscious effort on behalf of the Applicant to reduce wetland impacts and avoid offsite drainage impacts”.

The applicant has also reduced ditch impacts by 2.00 acres as compared to the previous DA permit.

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

The applicant has proposed to utilize onsite wetland creation areas WS-2 and WS-3, to offset 0.379 units of forested functional loss and 0.064 units of herbaceous functional loss. These on-site wetland creation areas were authorized under the 2014 DA permit.

CULTURAL RESOURCES: The Corps is aware of recorded historic resources within or adjacent to the permit area and 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: Eastern Indigo Snake (*Drymarchon couperi*): The Corps has determined the proposal may affect, but is not likely to adversely affect, the eastern indigo snake using the 2013 Key for North Florida (A>B>C>D>E>NLAA).

Wood Stork (*Mycteria americana*): The Corps has determined the proposed project may affect, but is not likely to adversely affect, the wood stork using the 2008 Key for Central and North Peninsular Florida (A>B>C>D>E).

The tricolored bat (*Perimyotis subflavus*) is proposed endangered. The project area contains suitable habitat for the tricolored bat, including forested areas. Currently, the tricolored bat is not a federally listed species. Due to the scope of work and adjacent forested habitat, the project is not likely to jeopardize the continued existence of the proposed species. Therefore, the Corps is not required to initiate conference with USFWS at this time.

The Corps has determined the proposal would have no effect on the American crocodile (*Crocodylus acutus*), Eastern Black Rail (*Laterallus jamaicensis ssp. Jamaicensis*), Everglade Snail Kite (*Rostrhamus sociabilis plumbeus*), Hawksbill sea turtle (*Eretmochelys imbricata*) Leatherback sea turtle (*Dermochelys coriacea*), Pygmy fringe-tree (*Chionanthus pygmaeus*), Rufa red knot (*Calidris canutus rufa*), Audubon's Crested caracara (*Caracara plancus audubonii*), 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 a substantial adverse impact on EFH or Federally managed fisheries, as the project impacts freshwater wetlands and surface waters. 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 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 Northeast Branch Permits Section, 1949 Industrial Park Road Room 140, Conway, South Carolina 29526, 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, Kelby Callahan, in writing at the Charleston District, 1949 Industrial Park Road Room 140, Conway, South Carolina 29526, by electronic mail at kelby.a.callahan@usace.army.mil, or, by telephone at (843) 278-9356.

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.

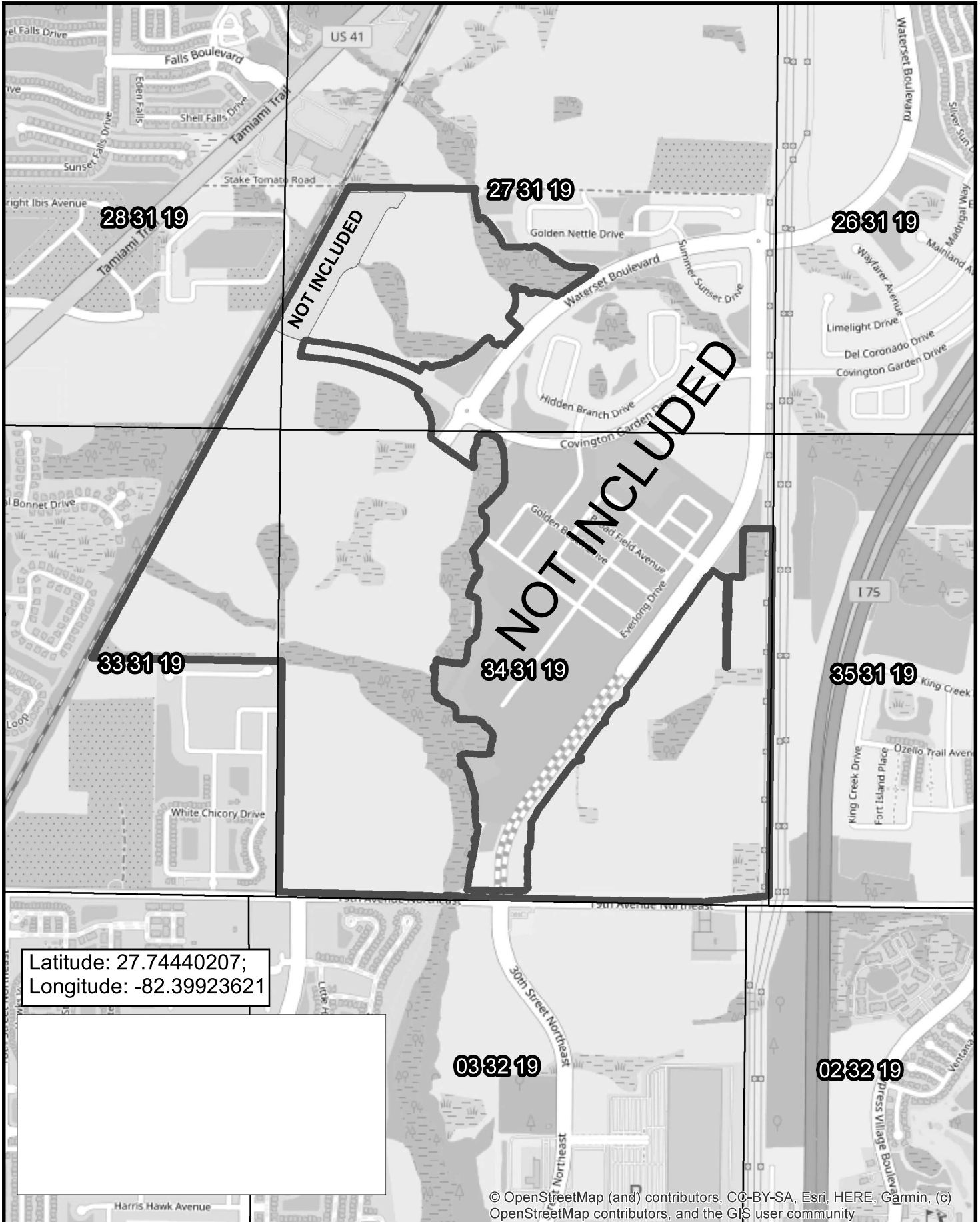
Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research 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 Southwest Florida Water Management District. The project is being reviewed under application number 884744.

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.

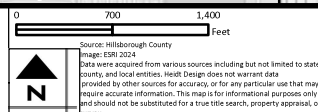
REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.



Wolf Creek

Location Map

Hillsborough County



HEIDT
DESIGN
(813) 253-5311

SH-1 SH-2

COMPLETED UNDER
SAJ-2008-00216

SH-3 SH-4



HEIDT
DESIGN

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Engineering Business Certificate of Authorization No. 28782
Landscape Architecture Certificate of Authorization No. LC26000405

NNP - SOUTHBEND II
WATERSET WOLF CREEK

404 INDIVIDUAL PERMIT



KEY MAP

