



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

January 21, 2025

Regulatory Division
North Permits Branch
Jacksonville Section

PUBLIC NOTICE

Permit Application No. SAJ-2024-05309 (SP-KGM)

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 Kimberly.G.Mann@usace.army.mil.

APPLICANT: Florida Power and Light
Attn: Mr. Franck Leblanc
15430 Endeavor Drive, D01/JW
Jupiter, Florida 33478

WATERWAY AND LOCATION: The project would affect aquatic resources (freshwater wetlands) associated with Thomas Creek. The project site is located at Acree Road (Parcel ID 002644-0010), Jacksonville, FL 32219.

Directions to the site are as follows: From 1-95 N, take exit 351B for 1-10 W, from 1-10 take exit 356 to 1-295 N. Take exit 28B to merge onto US-1 N/US-23N/New Kings Road, turn left onto Dunn Avenue, turn right onto Old Kings Road, and turn left onto Plummer Road, the site is 2.5 miles on the right.

APPROXIMATE CENTRAL COORDINATES: Latitude 30.433901°
Longitude -81.832611°

PROJECT PURPOSE:

Basic: Renewable Energy

Overall: The project purpose is to produce a renewable solar energy as an additional energy source for JEA's service territory in Duval County.

EXISTING CONDITIONS: The project is approximately 602.54 acres in size and encompasses 7 communities (reference Table 1) characterized by the Florida Land

Use, Cover and Forms Classification System (FLUCFCS). Vegetation within these areas is typical for the communities identified. Table 1 conveys the approximate acreage of these communities. Wetlands and surface waters comprise 222.13 acres (36.87%) and uplands comprise 380.41 acres (63.13%). The existing area surrounding the project site consists of residential homes to the south, east and west, undeveloped forests, both upland and wetlands, to the north and Thomas Creek to the north.

FLUCFCS Code	Description	Acreage	Percent Land Acres
436	Upland Scrub, Pine, and Hardwoods	177.52	29.46 %
441	Coniferous Plantation	202.89	33.67 %
441W	Coniferous Plantation – Wet	2.66	0.44 %
510	Streams and Waterways	6.09	1.01 %
617	Mixed Wetland Hardwoods	4.23	0.70 %
630	Wetland Forested Mixed	118.98	19.75 %
643	Wet Prairies	90.17	14.97 %
Total		602.54	100.00 %

PROPOSED WORK: The applicant seeks authorization to discharge 8,621.07 cubic yards of fill material over 5.207 acres of palustrine herbaceous wetlands, 5.207 acres of forested palustrine wetland, and 3.31 acres of ditches for the construction of a 50.0 MW renewable solar energy facility. The proposed work would consist of solar panels mounted as tracking arrays with inverters, transformers, unpaved access pathways, laydown yard, collector yard and wet detention area. Internal access improvements would be conducted which would include stabilization of existing farm pathways, construction of new access pathways, and installation of new culverts or like for like culvert replacement. An abbreviated set of plans have been included with this public notice.

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:

Impacts to wetlands, ditches and upland buffers have been avoided to the greatest practicable extent during Project design, while also meeting engineering and safety standards. The Subject Property comprises 602.54 acres of which 380.41 acres are upland. A standard solar site is usually 74.5 MW and requires a minimum of 450 buildable acres of land to fulfill the generation capacity, including the solar PV field and areas required during construction for site access, equipment laydown, and staging. Due to the lack of buildable uplands and avoiding significant wetland impacts, the proposed Project was reduced from a standard solar site design to a 50 MW generating facility. Solar panels were placed throughout the available uplands as best as possible to avoid unnecessary wetland impacts, while also creating an efficient solar site design. The distribution of wetlands throughout the site made this challenging resulting in unavoidable wetland impacts. Multiple designs were considered within the

Subject Property, the design submitted with this application resulted in the least amount of wetland impacts overall and focused on unavoidable impacts to lower-quality isolated systems and ditches. Wetland impacts for solar PV panel placement were limited to isolated systems, and the remaining impacts were a result of culvert and access pathway improvements. One existing culvert will remain, two existing culverts will be replaced, and twelve new culverts will be installed as part of the stormwater design. The roads where impacts are proposed currently exist as silviculture trail roads, and the existing road shape will be utilized to the greatest extent possible.

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

Wetland impacts would be mitigated through the purchase of credits from an approved mitigation bank. Direct impacts to 4.495 acres of palustrine herbaceous wetlands and 5.207 acres of palustrine forested wetland result in a functional loss of 5.23 Uniform Mitigation Assessment Method (UMAM) units. There are an additional 3.31 acres of ditches, impacts that are not proposed for mitigation. These ditches are man-made systems consisting of roadside drainage swales and silviculture ditches that were historically cut from uplands. Impact of these ditches will not result in significant resource losses that are of importance to the aquatic environment or species.

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:

On January 6, 2025, the Corps executed a Resources Screening Tool (RST) report. The RST indicate that the site has the potential to be utilized by or contain habitat critical the Wood Stork. In addition, species mentioned below have the potential to be present based on the Information for Planning and Consultation (IPaC). The Corps also reviewed geospatial data and other available information. The Corps has not received or discovered any information that the project site is utilized by, or contains habitat critical to, any federally listed, threatened, or endangered species, other than those mentioned below.

No Effect:

The Corps has determined the proposed project would have no effect on the Eastern Black Rail (*Laterallus jamaicensis ssp.*). Habitat for the Eastern Black Rail is a variety of salt, brackish and freshwater marsh that can be tidally or non-tidally influence with plant structure the more important factor. When shrub densities become too high, the habitat becomes less suitable for the species. The project site does not contain viable habitat. Therefore, the corps concludes that the project would have no effect on this species and consultation with the U.S. Fish and Wildlife Service (FWS) is not required.

The Corps has determined the proposed project would have no effect on the Red-cockaded Woodpecker (*Dryobates borealis*). Habitat for the red-cockaded woodpecker is old slash, longleaf and loblolly pine forest. The project site contains slash pines, however, based on aerial photos and photos provided by the applicant, the slash pines are too young to be a viable habitat for the red-cockaded woodpecker. The project site does not contain viable habitat. Therefore, the corps concludes that the project would have no effect on this species and consultation with the U.S. Fish and Wildlife Service (FWS) is not required.

The Corps has determined the proposed project would have no effect on the Wood Stork (*Mycteria americana*). The Corps reviewed the FWS Wood Stork Key for North Florida dated September 2008, and the proposed project resulted in the following sequential determination: A, B – No Effect. Per the Programmatic Concurrence, no further coordination with the FWS is required for this species.

May Affect, Not Likely To Adversely Affect:

The Corps has determined the proposed project may affect, but is not likely to adversely affect the Eastern Indigo Snake (*Drymarchon corais couperi*) based on the *Eastern Indigo Snake Programmatic Effect Determination Key (North Florida)*, dated August 13, 2013, sequence (A, B, C, D, E – may affect, not likely to adversely affect) as the proposed work would impact less than 25 acres of xeric habitat with supporting less than 25 active and inactive gopher tortoise burrows. Per the Programmatic Concurrence, the permit, if issued, will be conditioned for use of the FWS's most current guidance for Standard Protection Measures for the Eastern Indigo Snake (2021) and no further coordination with the FWS is required for this species.

The Corps has determined the proposed project may affect, but is not likely to adversely affect the Whooping Crane (*Grus americana*). Habitat for the whooping crane is shallow marshes and open grasslands. In addition, the whooping crane currently exist in two non-migratory population in Florida. One range is along the west coast from south of Tampa to the Fort Meyers area. The second range is along the east coast from south of Daytona Beach to the Fort Lauderdale area. While the project site contains viable habitat, the project location is not near either known population. The Corps will request initiation of informal consultation with the FWS pursuant to Section 7 of the Endangered Species Act by separate letter.

May Affect:

The Corps has determined the proposal may affect the Tricolored Bat (*Perimyotis subflavus*). Habitat for the tricolored bat is deciduous and mixed forested with trees of various heights. Tricolored bats can be found roosting in Spanish moss and tree cavities. The project site contains the viable habitat. The species is currently proposed to be listed as a federally endangered species. Consultation is not required for proposed federally listed species. The Corps will request initiation of an informal consultation with the FWS pursuant to Section 7 of the Endangered Species Act by separate letter.

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. The proposal would impact approximately 13.012 acres of herbaceous and forested palustrine wetland inland of the Thomas Creek. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in the Thomas Creek. 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 within 30 days from the date of this notice. Comments should be submitted via the Regulatory Request System public notice module at <https://rrs.usace.army.mil/rrs/public-notice>. Alternatively, you may submit written comments through the Jacksonville Permits Section at 701 San Marco Boulevard, Jacksonville Florida 32207.

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, Kimberly Mann, in writing at the Jacksonville Permits Section, 701 San Marco

Boulevard, Jacksonville Florida 32207; by electronic mail at Kimberly.G.Mann@usace.army.mil; or by telephone at (904) 251-9190.

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.

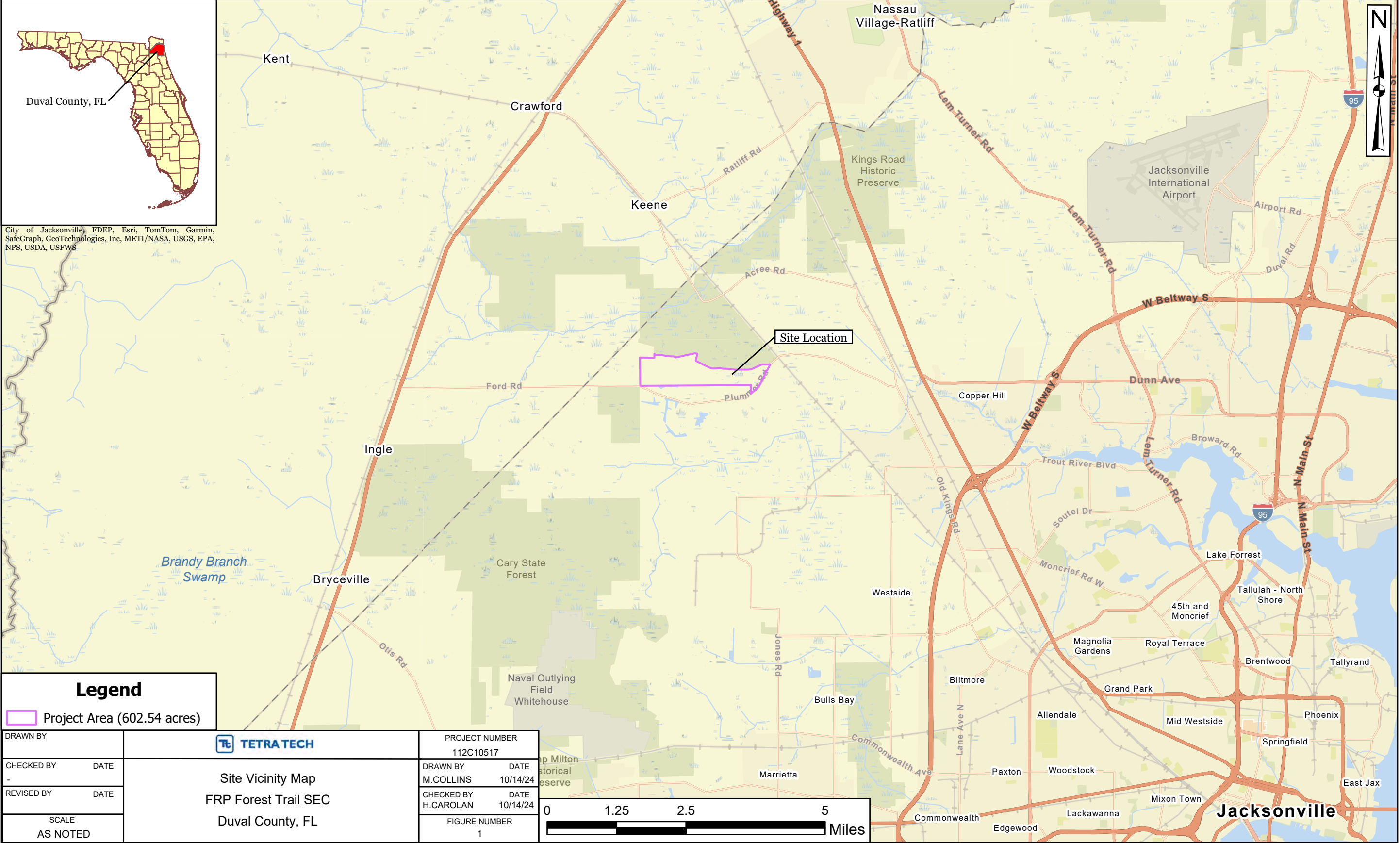
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, 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.

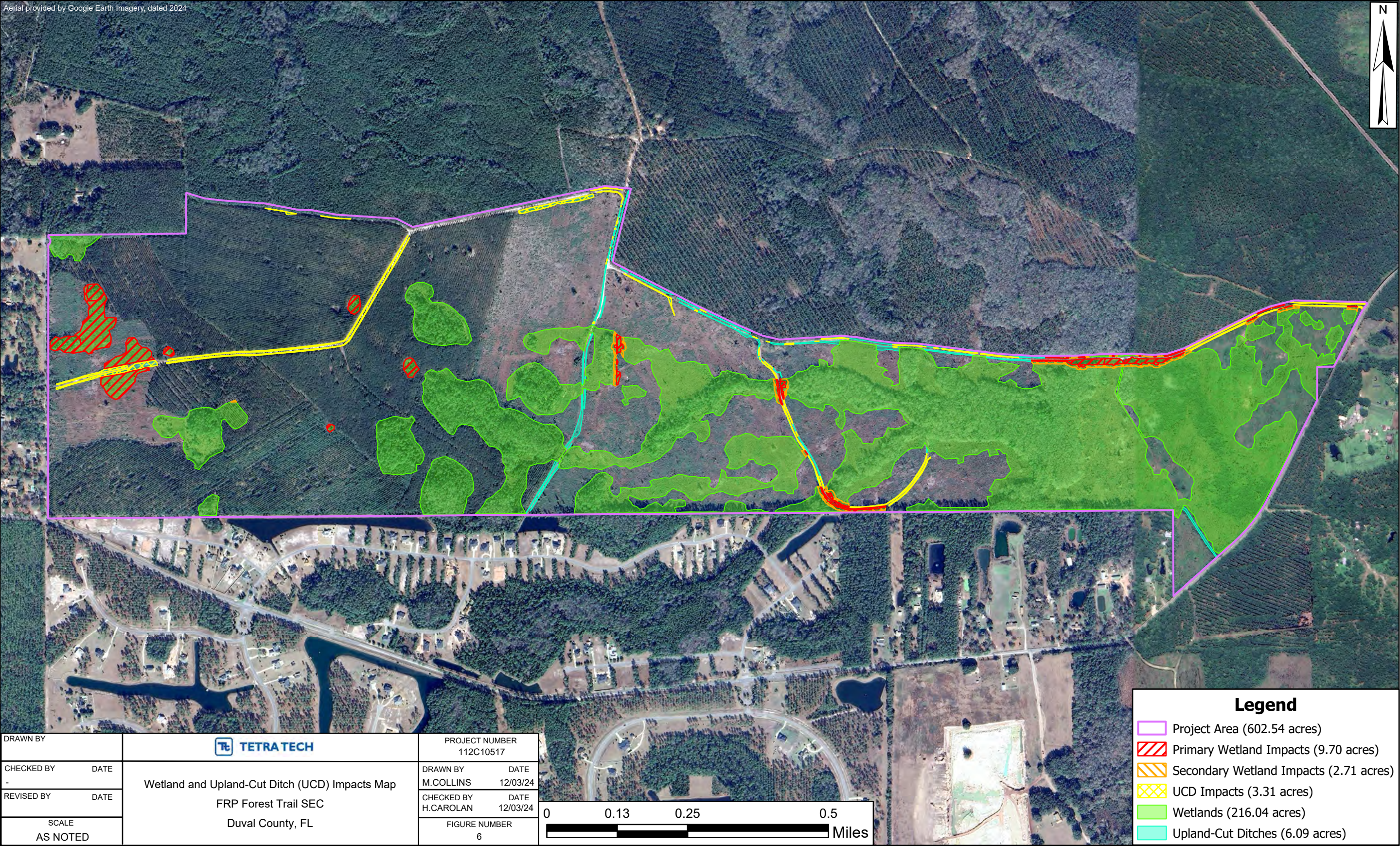
The US Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to 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 Florida Department of Environmental Protection (FDEP).

COASTAL ZONE MANAGEMENT CONSISTENCY: Coastal Zone Consistency Concurrence is required from the FDEP. 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.







SITE COVERAGE TABLE			
DESCRIPTION	SQ. FT.	ACREAGE	% OF SITE
PROPOSED ACCESS PATHS	446,743	10.26	1.70
INVERTER PADS	3,200	0.07	0.01
COLLECTOR YARD	14,300	0.33	0.05
TOTAL IMPERVIOUS	464,243	10.66	1.77
TOTAL PERVIOUS	25,782,415	591.88	98.23
FENCED AREA	12,795,388	293.74	48.75
TOTAL PROPERTY/PROJECT AREA	26,246,658	602.54	100

FRP FOREST TRAIL SOLAR ENERGY CENTER

DUVAL COUNTY, FLORIDA

OWNER

JEA

SITE ZONING SETBACKS	
FRONT	25'
SIDE	10'
REAR	10'

FUTURE LAND USE

AG AGRICULTURE

ZONING DESIGNATION

AG AGRICULTURE

NOTE(S)

1. AERIAL IMAGE TAKEN FROM GOOGLE EARTH DATED 02/01/2023.
2. BOUNDARY SURVEY DATA TAKEN FROM WSP USA INC, DATED 07/24/2024.
3. WETLANDS SURVEY PROVIDED BY TETRA TECH, DATED 05/03/2024.

SURFACING

ACCESS PATHS: BASE MATERIAL
INVERTER PADS: STABILIZED AGGREGATE BASE
OPEN SPACE: GRASSED AREA
NOTE: ALL DISTURBED AREAS SHALL BE SEEDED UNLESS SPECIFIED OTHERWISE.

STRUCTURE DISTANCE TO PROPERTY BOUNDARY

SOLAR PANELS ARE MINIMUM 25' FRONT, 10' REAR AND 10' SIDES FROM PROPERTY BOUNDARY.

SECURITY FENCING

COLLECTOR YARD FENCE SHALL BE 7'-0" CHAINLINK WITH 6 STRANDS OF BARBED WIRE ON "V" EXTENSION ARMS TO MAKE AN OVERALL HEIGHT OF 8' - 0".
PERIMETER FENCE SHALL BE 7' - 0" FARM FENCE OR 6' - 0" CHAINLINK WITH 3 STRANDS OF BARBED WIRE TO MAKE AN OVERALL HEIGHT OF 7' - 0".

100-YEAR FLOODPLAIN

THE PROJECT LIES WITHIN FLOOD ZONE X AND FLOOD ZONE A (AREA OF MINIMAL FLOOD HAZARD) AS IDENTIFIED ON FEMA PANEL ID NUMERICALS: 12031C0155H AND 12031C0165H, EFFECTIVE DATE: 06/03/2013 AND 12031C0160J, EFFECTIVE DATE: 11/02/2018.

LEGEND

---	PROPERTY/PROJECT BOUNDARY		FLOODPLAIN - ZONE A
-X-	PROPOSED FENCE		FLOODPLAIN MITIGATION AREA (4.00 AC.)
-X-	EXISTING FENCE		WETLAND (216.04 AC.)
---	EXISTING ROAD		WETLAND BUFFER (25')
---	PROPERTY SETBACK		WETLAND IMPACT (9.70 AC.)
---	PARCEL BOUNDARY		SECONDARY WETLAND IMPACT (2.71 AC.)
-O/H-	OVERHEAD UTILITY		TEMPORARY WETLAND IMPACT (0.12 AC.)
---	RIGHT-OF-WAY		OTHER SURFACE WATER (OSW)
	EXISTING POWER POLE		OSW IMPACT (3.31 AC.)
	HDD CROSSING		INVERTER PAD
F	WETLAND ID		ACCESS PATHWAY
			SOLAR PANEL
			PROPOSED GATE

ISSUED FOR PERMITTING

PREPARED BY:
SWCA
ENVIRONMENTAL CONSULTANTS
567 BISHOP GATE LANE • 1 (904) 364 - 7020
JACKSONVILLE, FL 32204 www.swca.com

PREPARED FOR:
FLORIDA RENEWABLE PARTNERS

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PROJECT
FRP FOREST TRAIL SOLAR ENERGY CENTER
DUVAL COUNTY, FLORIDA

TITLE
SITE PLAN

SEAL

CHECKED BY: MC/BTH	DESIGNED BY: EWT/JMC	DRAWN BY: RGD
REV	DATE	APPROV
0	2024-11-05	BTH
ISSUED FOR PERMITTING		

DATE: 2024-11-05
PROJECT #: P92856

0 400 800
SCALE IN FEET

SHEET
3