



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

January 23, 2025

Regulatory Division  
West Permits Branch  
Tampa Permits Section

## ***PUBLIC NOTICE***

Permit Application No. SAJ-2024-01894 (SP-MAM)

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 [Mark.A.Marousky@usace.army.mil](mailto:Mark.A.Marousky@usace.army.mil).

APPLICANT: DR Horton, Inc.  
Pete Chichetto  
7835 Osceola Polk Line Road  
Davenport, Florida 33896

WATERWAY AND LOCATION: The project would affect aquatic resources associated with Horse Creek (HUC 030901010801). The project site is located at 200 feet northeast of 1005 Blue Jay Drive in Section 28 and 29, Township 26 South, Range 27 East, Davenport, Polk County Florida.

Directions to the site are as follows: From Interstate I-4 located north of the city of Davenport take Highway 27 approximately 2.8 miles south, turn left at Ridgewood Lakes Boulevard and head east for approximately 1 mile, turn left on Blue Jay Drive and head north for .25 miles. The property is located immediately north at the end of Blue Jay Drive.

APPROXIMATE CENTRAL COORDINATES: Latitude 28.195833°  
Longitude -81.622438°

### **PROJECT PURPOSE:**

Basic: Residential Subdivision

Overall: Development of a single-family townhome residential community with associated roads and stormwater management in Davenport within close proximity to major roadways/highways and schools.

**EXISTING CONDITIONS:** The 51.93-acre Atria residential development project is located along the west side of Horse Creek, just north of the residential community at Blue Jay Drive in Davenport Florida. The area being developed totals 39.69 acres. The property consists of predominately open lands that have been cleared of vegetation. The upland habitat on site is very disturbed since a large portion of the uplands was previously used as a dumping site for excess fill from the adjacent Ridgewood Lakes Golf Course located just south of the property.

The project area contains two (2) vegetative communities as classified using the Florida Land Use, Cover and Forms Classification System (FLUCFCS). The following section provides a general description of all vegetative communities found on site.

211 – Improved Pasture (29.26 acre) - The largest habitat type located on site. This habitat is highly altered because it is actively being grazed by cattle. The dominant vegetation in this area is Bahia grass (*Paspalum notatum*), with other groundcover species observed including dog fennel (*Eupatorium capilifolium*), torpedo grass (*Panicum repens*) and broom sedge (*Andropogon virginicus*).

640 – Vegetated, Non Forested Wetland – Disturbed (22.67 acres) - This includes wetland 84 (5.57 acre) which is wholly contained along the east side of the property, and wetland 73 (17.1 acre) which is part of a much larger wetland system that extends offsite to the north and northwest.

Vegetation within Wetland 73 included Bahia grass (*Paspalum notatum*), with torpedo grass (*Panicum repens*), broom sedge (*Andropogon virginicus*), dog fennel (*Eupatorium capilifolium*), marsh pennywort (*Hydrocotyle umbellata*), and coinwort (*Centella asiatica*).

Vegetation within Wetland 84 included primrose willow (*Ludwigia peruviana*), Bahia grass (*Paspalum notatum*), torpedo grass (*Panicum repens*), blackberry (*Rubus betulifolius*), broom sedge (*Andropogon virginicus*), dog fennel (*Eupatorium capilifolium*), marsh pennywort (*Hydrocotyle umbellata*), and coinwort (*Centella asiatica*).

Wetland 73 and Wetland 84 are of lower quality due to the site's agricultural use, mowing, and the active grazing from cattle. The proposed wetland impact areas have been in transition to upland since agricultural ditching and draining of the property began in the 1940s. The wetlands now resemble a pasture due to the hydrologic impacts from agricultural activities that have occurred over many years. These pasture wetlands have also been hydrologically impacted due to the adjacent Horse Creek, ditching to the north and south which drain what was once the Horse Creek floodplain. The purpose of the ditching and draining was to convert wetlands into productive uplands, as is evidenced by the substantial encroachment of Bahia grass and blackberry throughout the wetlands. The reduced hydrology and cattle grazing has had a negative influence on the community structure with reduced diversity of wetland plants and a dominance of pasture grasses. The altered site and marginal quality wetlands

provide limited foraging and nesting habitat for listed species. The onsite wetlands are now best described as a disturbed wet pasture.

**PROPOSED WORK:** The applicant seeks authorization fill ±10.43-acres of jurisdictional wetlands for the development of a residential subdivision.

**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 adjacent wetlands wherever feasible. Secondary impacts were assessed for the two direct wetland impacts and two areas where the upland buffer cannot meet the minimum 15-foot width. Due to the cost of land and cost incurred with construction, the applicant needs 222 lots to create a viable project. To minimize impacts to the site the agent reduced the project footprint to 39.69 acres and efforts were made to avoid impacts to higher quality interconnected wetlands (wetland 73) that extend offsite to the north and northwest of the property. This resulted in a reduction of approximately 12.24 acres of wetland impacts to wetland 73.

The majority of impacts are associated with wetland 84 (5.57 acre) which is wholly contained along the east side of the property. This area is now qualified as a disturbed wet pasture. However, due to the ditching and agriculture use the area is transitioning to an upland pasture. Focusing impacts in this area will allow for the regeneration of wetland 73 which is a higher quality interconnected system with the necessary seed stock to regenerate after the area is placed under a conservation easement and agricultural activities no longer take place on site. Per the Southwest Florida Water Management District (SWFWMD) permit, the remaining approximately 168.88 acres avoided offsite portions of wetland 73 which have been preserved and recorded under a SWFWMD conservation easement.

During the review process the Corps will review alternatives to the proposed action and determine whether all appropriate and practicable measures have been proposed to avoid and minimize adverse effects to the aquatic environment.

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

The loss of wetland function due to the unavoidable impacts shall be sufficiently mitigated through the purchase of an appropriate wetland credits at an approved federal wetland 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 may affect but is not likely to adversely affect the wood stork, eastern indigo snake, or their designated critical habitat.

Wood stork (No effect) - The Corps completed an evaluation of the project based upon the Wood Stork Key for Central and North Peninsular Florida dated September 2008, the proposed project resulted in the following sequential determination: A > B > C = "Not likely to adversely affect" the wood stork.

Eastern Indigo Snake (No effect) - The Corps completed an evaluation of the project based upon the August 13, 2013, updated addendum to the January 2010 North and South Florida Ecological Services Field Offices Programmatic Concurrence for use with the Eastern Indigo Snake. Use of the Key for the Eastern Indigo Snake resulted in the following sequential determination: A>B>C. Not Likely to Adversely Affect (NLAA).

The Corps has determined the proposed project would have no effect on the American alligator, Eastern black rail, Crested caracara, Blue-tail mole skink, Everglade snail kite, Florida panther, Sand skink, Everglade snail kite or their designated critical habitat.

The Corps has determined the proposed project would have no effect on Carter's mustard, Avon Park harebells, Florida perforate cladonia, Papery whitlow-wort, Pigeon wings, or Lewton's polygala. The agent conducted a review of the property and determined that there were no protected plant species found on the site. Due to the highly altered nature of the property, it is unlikely that these plant species would be found on site.

**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 Gulf of Mexico. 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 21 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 by electronic mail at [Mark.A.Marousky@usace.army.mil](mailto:Mark.A.Marousky@usace.army.mil)

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, Mark A. Marousky, in writing at the Tampa Permits Section, 701 San Marco Boulevard Jacksonville, Florida 32207; by electronic mail at [Mark.A.Marousky@usace.army.mil](mailto:Mark.A.Marousky@usace.army.mil); or by telephone at (813) 597-7646.

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.

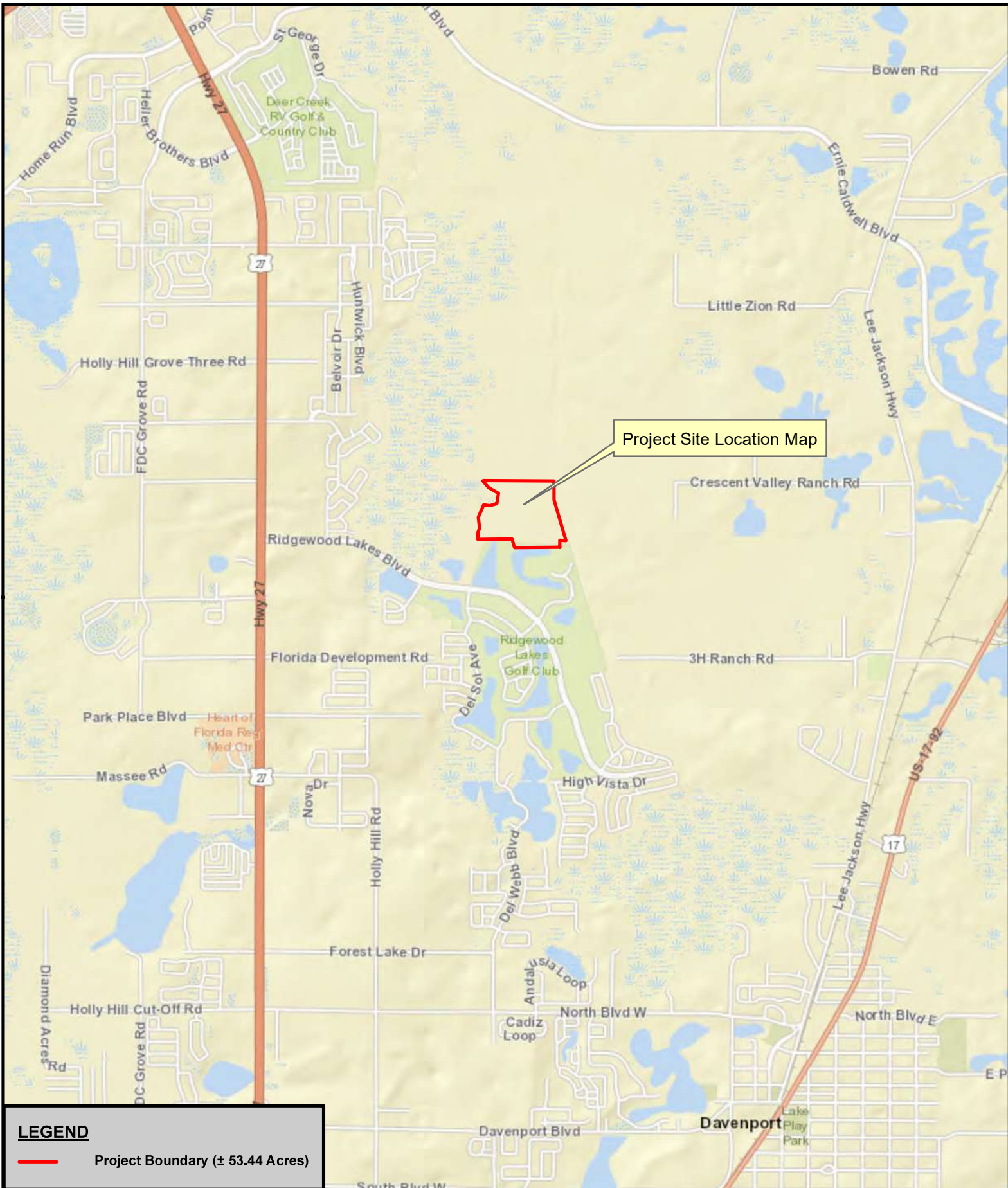
Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research 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.

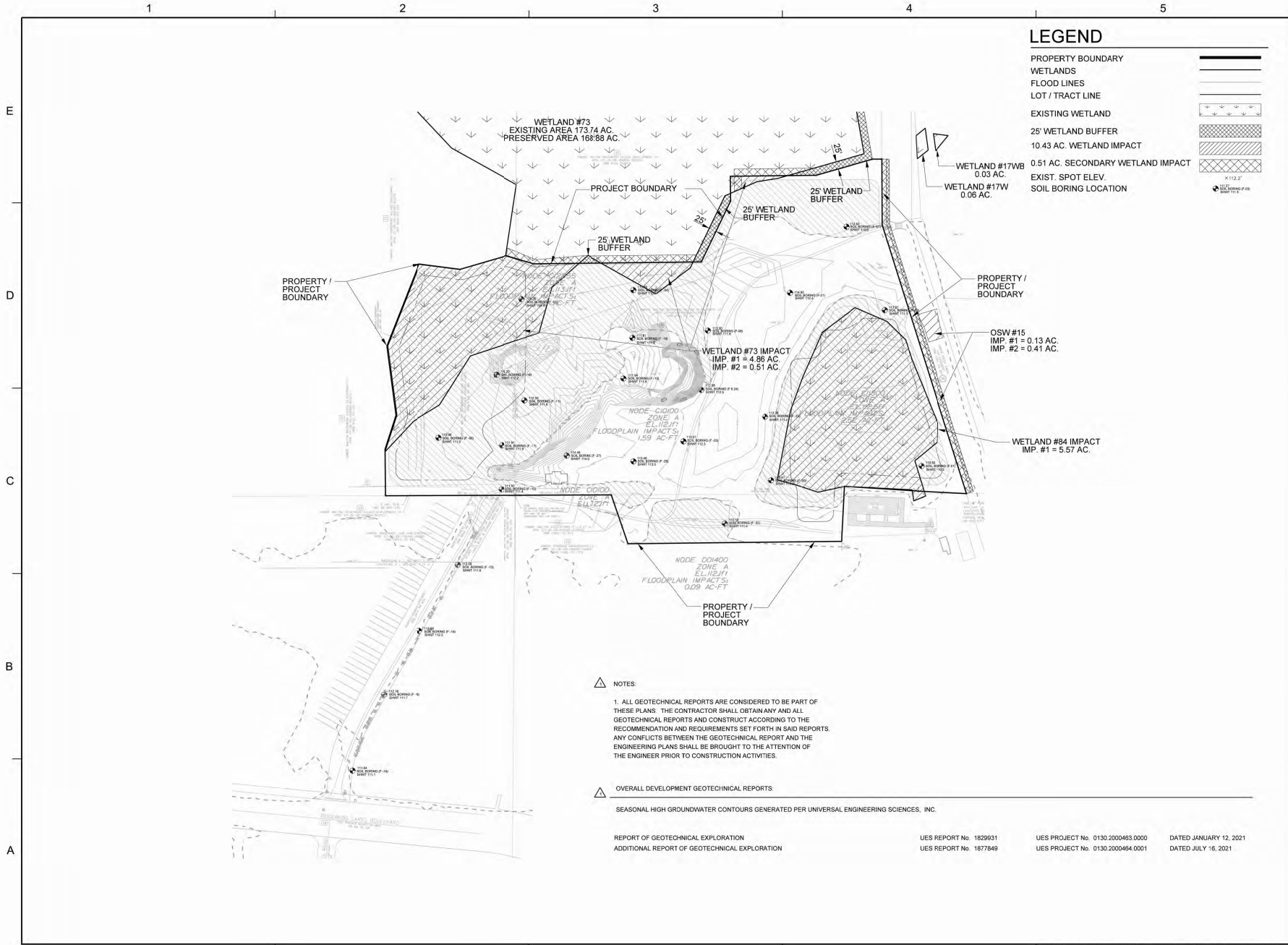
**WATER QUALITY CERTIFICATION:** Water Quality Certification may be required from the Southwest Florida Water Management District (SWFWMD). The project is being reviewed under SWFWMD File No.: 49043318.000 and 43043318.002.

**COASTAL ZONE MANAGEMENT CONSISTENCY:** Coastal Zone Consistency Concurrence is required from the Southwest Florida Water Management District. 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.



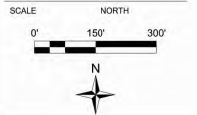
PERMITTED DRAWINGS: SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD)  
For construction permits, the Permittee shall notify the District  
in writing when construction begins.



Dewberry Engineers Inc.  
800 NORTH MAGNOLIA AVE.  
SUITE 1000  
ORLANDO, FL 32803  
PHONE: 407.843.9120  
ENGINEERING BUSINESS #794

Atria at Ridgewood Lakes  
Phase 2

POLK COUNTY, FLORIDA



REVISIONS				
No.	DATE	BY	DESCRIPTION	

PROJECT #	50133192
DRAWN BY	DKO
APPROVED BY	RM
CHECKED BY	NPS
DATE	MAY 2021
DATUM	NAVD 88

TITLE

ENVIRONMENTAL  
CONSIDERATIONS

RIDG5-50133192\CAD\Civil\Greystone West\Final\Civil Plans  
SHEET NO.

C05

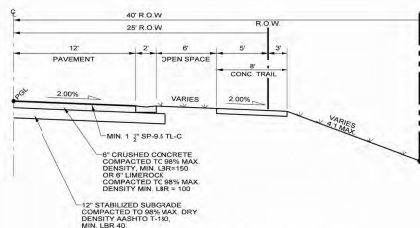
## SITE DATA

TOTAL SITE ACREAGE:	39.69 AC.	PROJECT
MINIMUM REQUIRED UNITS:		PROPOSED
RLAX GROSS X 2.1 UNITS/AC	83	RIGHT
PROPOSED UNITS:	222 (20' TOWNHOMES)	EASEMENT
REQUIRED OPEN SPACE:	3.96 AC. (10%)	BUILDING
PROVIDED OPEN SPACE:		CENTRAL
OPEN SPACE/PARK:	6.45 AC. (16.25%)	LOT /
		EXISTING
		25' WIDE
RECREATION AREA:	1.49 AC.	
ROADWAYS:	4.98 AC.	
OFFSITE ROADWAY:	1.36 AC.	
FUTURE LAND USE:	RL4X, A/R/RX, RM, PRESEX	
PROPOSED ZONING:	PUD	
GROSS DENSITY:	222 DU/39.69 AC = 5.59 DU/AC	
REQUIRED PARKING:	2 SPACES PER UNIT (PROVIDED IN GARAGE & DRIVEWAY)	
MAX HEIGHT:	50'	
MINIMUM BUILDING SETBACKS:		
FRONT YARD:	15'	
FRONT GARAGE:	20'	
SIDE YARD:	5'	
REAR YARD:	0'	
STREET SIDE:	15'	
INTERNAL SIDE UNIT:	0'	

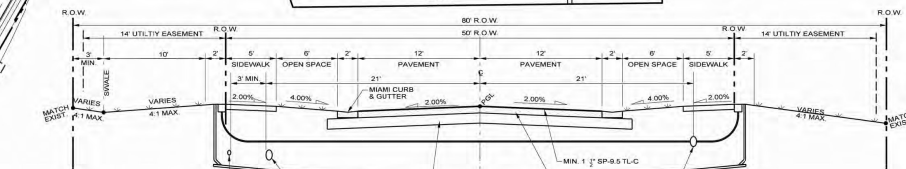
### LEGEND

PROJECT BOUNDARY  
PROPERTY BOUNDARY  
RIGHT-OF-WAY  
EASEMENT  
BUILDING SETBACK  
CENTERLINE  
LOT / TRACT LINE  
EXISTING WETLAND  
25' WETLAND BUFFER

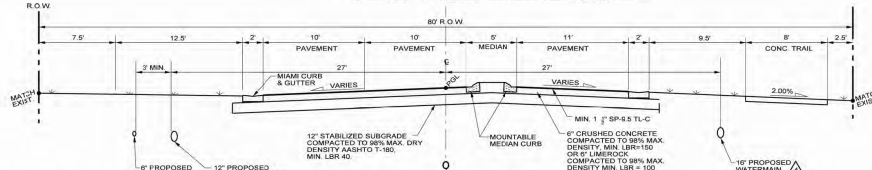
- NOTE: ALL SOIL DENSITY TESTING, SUBSURFACE INVESTIGATIONS, AND OTHER GEOTECHNICAL ACTIVITY ONSITE SHALL BE SUPERVISED AND CERTIFIED BY A PROFESSIONAL GEOTECHNICAL ENGINEER.
2. ALL ROADWAY STABILIZED SUBGRADE, BASE, AND SURFACE COURSE SHALL CONFORM TO THE REQUIREMENTS OF UNIVERSAL ENGINEERING SCIENCES REPORT NO. 1829931
3. SOIL CEMENT BASE SHALL CONFORM TO ASTM REQUIREMENTS, PER USE GEOTECHNICAL RECOMMENDATION. THE CONTRACTOR SHALL PERFORM A SOIL-CEMENT DESIGN WITH A MIN. 7-DAY STRENGTH OF 300 PSI ON THE MATERIALS TO BE USED. THE SOIL-CEMENT BASE SHALL BE PLACED IN MAX. 5-INCH LIFTS AND COMPACT IN PLACE TO A MIN. DENSITY OF 95% OF THE MAX. DRY DENSITY ACCORDING TO SPECIFICATIONS IN ASTM D-568. CONTRACTOR SHALL PLACE AND FINISH THE SOIL-CEMENT ACCORDING TO O-PORLAND CEMENT ASSOCIATION REQUIREMENTS. FINAL REVIEW OF THE SOIL-CEMENT BASE COURSE SHOULD INCLUDE MANUAL "CHAINING" OF THE SOUNDING INDENTED DAYS AFTER PLACEMENT. SHRINKAGE CRACKS WILL FORM IN THE SOIL-CEMENT MIXTURE AND CONTRACTOR SHOULD EXPECT REFLECTION CRACKING ON THE SURFACE COURSE. TESTING WILL BE THE SAME FREQUENCY AS RC OR LIMEROCK. COMPACTION AND COMPREHENSIVE STRENGTH EVERY 10,000 SQ-FT. BASE THICKNESS WILL BE THE SAME AS LISTED IN THE GEOTECHNICAL REPORTS. THE PLANS TO BE SUBMITTED SHALL INCLUDE THE FOLLOWING: 1. GRADE RAIN SENSOR & DELINEATION & LABELING OF WATER USE ZONES.



TYPICAL SECTION B-B 80' R.O.W. 



TYPICAL SECTION - 50' - 80' R.O.W.  $\Delta_1 \Delta_2$

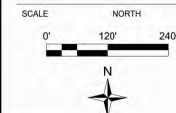


TYPICAL ENTRANCE SECTION - A-A 80' R.O.W. /


**Dewberry**®

**Dewberry Engineers Inc.**  
800 NORTH MAGNOLIA AVE  
SUITE 1000  
ORLANDO, FL 32803  
PHONE: 407.843.5120  
ENGINEERING BUSINESS -8794

Atria at Ridgewood Lakes  
Phase 2

Nicole Petersen Stalder  
FL PE # 64720  
9/14/2023

REVISONS					
Δ	9-20-22	DKO	REV W.M PER COUNTY		
Δ	1-31-22	DKO	REV AS PER CO. COMMEN		
Δ	12-20-21	DKO	REV AS PER CO. COMMEN		
No.	DATE	BY	Description		

PROJECT #	50133192
DRAWN BY	DKO
APPROVED BY	RM
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TITLE

OVERALL  
SITE PLAN

RIDG5-50133192\CAD\Civil\Greystone West\Final\Civil Plans

C09