



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

January 28, 2025

Regulatory Division
North Branch
Jacksonville Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2024-03887 (SP-JHW)

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: R. Duane Kent, St. Johns County, 2740 Industry Center Road, St. Augustine, Florida 32084, rkent@sjcfl.us

WATERWAY AND LOCATION: The project would affect aquatic resources associated with Moultrie Creek. The project site is located at Old Moultrie Road between Lewis Point Road and State Route (SR) 312, Section 36, Township 7 South, Range 29 East, City of St. Augustine, Florida.

APPROXIMATE CENTRAL COORDINATES: Latitude 29.85444°
Longitude -81.32716°

PROJECT PURPOSE:

Basic: The basic project purpose is transportation.

Overall: The overall project purpose is to increase transportation capacity and safety between newly constructed residential and commercial sectors of the city.

EXISTING CONDITIONS: The wetland system consists of a freshwater system. The onsite vegetation consists of slash pine, bald cypress (*Taxodium distichum*), red maple (*Acer rubrum*), dahoon holly (*Ilex cassine*), Chinese tallow (*Triadica sebifera*), elderberry (*Sambucus nigra* subsp. *canadensis*), wax myrtle (*Morella cerifera*), gallberry, and Virginia chain fern (*Woodwardia virginica*).

The existing area surrounding the project area consists of a disturbed upland plot, residential and commercial developments, and hardwood-conifer mixed uplands dominated by live oak (*Quercus virginiana*), water oak (*Q. nigra*), slash pine (*Pinus elliotii*), red cedar (*Juniperus virginiana*), gallberry (*Ilex glabra*), bracken fern (*Pteridium aquilinum*), and muscadine (*Vitis rotundifolia*).

PROPOSED WORK: The applicant seeks authorization to widen and improve the existing alignment of Old Moultrie Road to add bicycle lanes and pedestrian sidewalks, as well as widen the road's shoulders. The project would also construct two stormwater ponds and an outfall structure to accommodate increased runoff from the improved road.

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:

According to the applicant, the proposed stormwater basins are the minimum necessary size to accommodate to proposed road widening projects. In addition, the applicant intends to implement standard Best Management Practices, or BMPs, such as silt fences to reduce impacts to Waters of the U.S.

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

The applicant proposes to coordinate with the Corps to compensate for unavoidable adverse impacts to waters. A Unified Mitigation Assessment Method (UMAM) spreadsheet has been submitted with the application, proposing that 0.82 credits of compensatory mitigation be required.

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:

Option A: The Corps has determined the proposed project may affect, but is not likely to adversely affect, the eastern indigo snake (*Drymarchon couperi*). The Corps will condition any issued permit to include the U.S. Fish and Wildlife Service (USFWS) Standard Protection Measures published on August 12, 2013, or if not possible, conduct consultation with the USFWS as required under Section 7 of the Endangered Species Act.

ESSENTIAL FISH HABITAT (EFH): The Corps has determined that there is no EFH in the project area, and that consultation under the Magnuson-Stevens Fishery Conservation and Management Act of 1996 is not required.

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 California Delta Permits Section, 1325 J Street, Room 860, Sacramento, CA 95814 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, Jeffrey Wang, by electronic mail at Jeffrey.h.wang@usace.army.mil or by telephone at (510)909-1864.

ADDITIONAL INFORMATION: After reviewing all available information pertaining to the completed work, the Department of the Army has not recommended legal action at this time. Final determination regarding legal action will be made after review of the project through the permit procedure.

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.

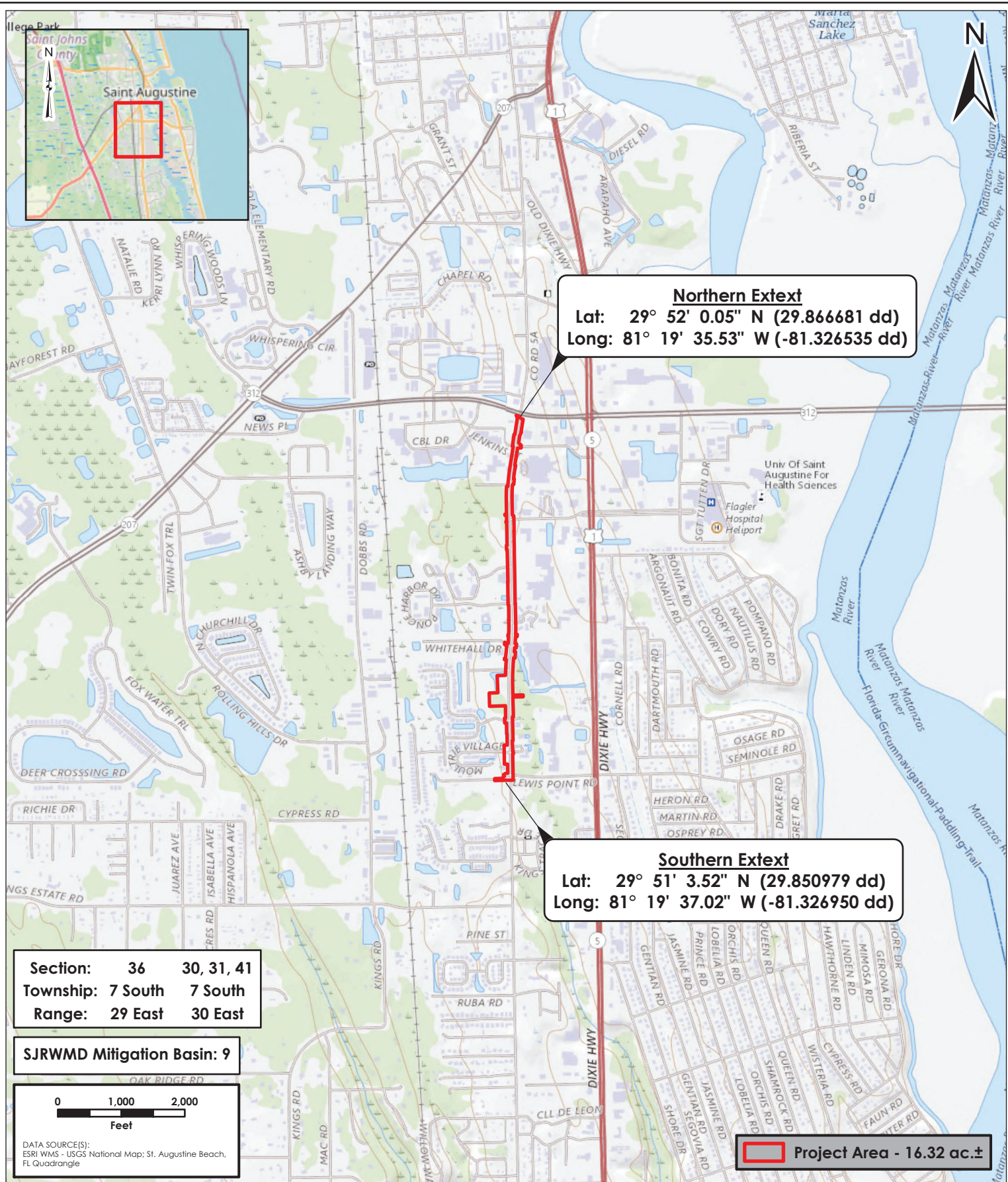
Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research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

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.



**SES Environmental
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USGS Topographic Map

Old Moultrie Rd (CR 5A): Lewis Point Rd to SR 312
 St. Augustine, St. Johns County, Florida

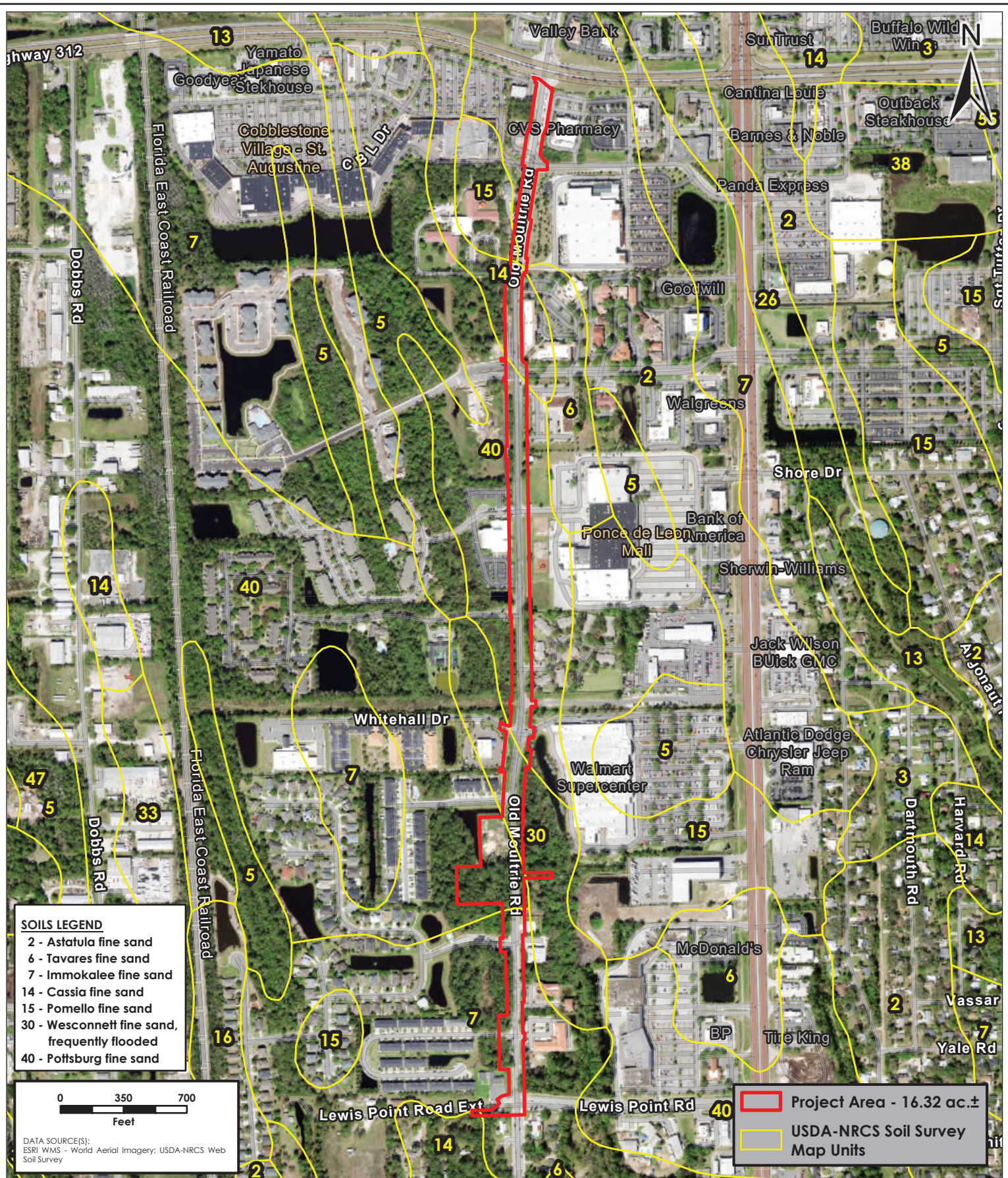
SES Project No: **2P001.7600.0001.0050**

ERS Project No: **18080** Date: **Mar 2024**

Drawn By: **DF** EXHIBIT

Reviewed By: **MS** NUMBER

Approved By: **KAC** **1**



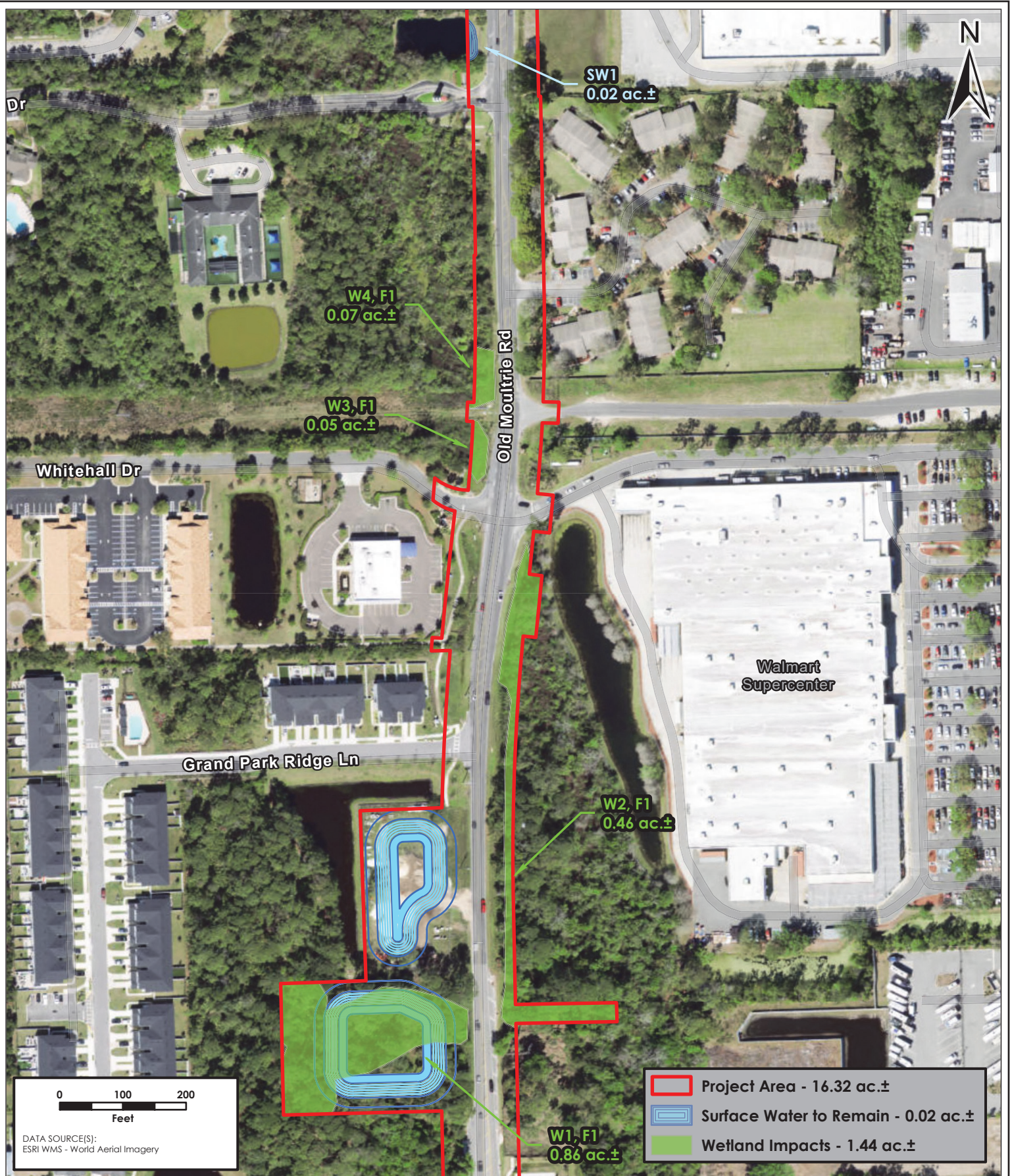
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Soils

Old Moultrie Rd (CR 5A): Lewis Point Rd to SR 312
St. Augustine, St. Johns County, Florida

SES Project No:	2P001.7600.0001.0050	
ERS Project No:	18080	Date: Mar 2024
Drawn By:	DF	EXHIBIT NUMBER 2
Reviewed By:	MS	
Approved By:	KAC	



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Wetland and Surface Water Impacts

Old Moultrie Rd (CR 5A): Lewis Point Rd to SR 312
St. Augustine, St. Johns County, Florida

SES Project No: **2P001.7600.0001.0050**

ERS Project No: **18080** Date: **Apr 2024**

Drawn By: **DF** EXHIBIT
Reviewed By: **MS** NUMBER

Approved By: **KAC** **6**