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

February 12, 2025

Regulatory Division
North Permits Branch
Jacksonville Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2024-05305 (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: FRP Miller Solar, LLC
ATTN: Anthony Pedroni
700 Universe Boulevard
Juno Beach, Florida 33408

WATERWAY AND LOCATION: The project would affect aquatic resources (freshwater wetlands) associated with the Saint Mary's River. The project site is located at Old Plank Road (Parcel IDs 001644-0000, 001644-0010, 001639-0100, 001633-0000, 001632-0000, 001640-0000, 001627-0000, 001552-0000, 001548-0000, 001669-0000, 001672-0000, 001668-0000), Otis Road (Parcel IDs 001719-0000, 001718-0000, 001722-0000, 001723-0000, 001721-0000, 001678-0000) and Beaver Street 001677-0000, 001675-0000, 001674-0000, and 001673-0000), within Jacksonville, in Duval County, Florida

Directions to the site are as follows: From I-95, take exit 351B for I-10 W, from I-10 take exit 361 for US-17/Roosevelt Boulevard/NAS JAX Base. Continue onto I-10/US 17 S, take exit 350 for FL-23 S/Cecil Commerce Center Parkway. Exit onto US-90 W/West Beaver Street, turn right onto Otis Road, turn left onto Old Plank Road.

APPROXIMATE CENTRAL COORDINATES: Latitude 30.319684°
Longitude -81.913247°

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 1,215.14 acres in size and encompasses 14 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 501.59 acres (41.28%) and uplands comprise 713.55 acres (58.72%). The existing area surrounding the project site consists of undeveloped land, residential homes (less than 2 dwelling units per acre), and farmland.

FLUCFCS Code	Description	Acreage	Percent Land Acres
211	Improved Pastures	397.39	32.70 %
310	Herbaceous – Dry Prairie	2.46	0.20 %
410	Upland Coniferous Forests	39.67	3.26 %
434	Hardwood – Conifer Mixed	6.43	0.53 %
436	Upland Scrub, Pine and Hardwoods	267.60	22.02 %
441W	Coniferous Plantations – Wet	15.93	1.31 %
510	Streams and Waterways	20.78	1.71 %
531	Reservoirs less than 10 acres	1.63	0.13 %
617	Mixed Wetland Hardwoods	145.91	12.01 %
620	Wetland coniferous Forests	34.85	2.87 %
621	Cypress	23.61	1.94 %
630	Wetland Forested Mixed	175.18	14.42 %
640	Vegetated Non-Forested Wetlands	2.75	0.23 %
643	Wet Prairies	80.95	6.67 %
	Total	1,215.14	100.00 %

PROPOSED WORK: The applicant seeks authorization to discharge 5,371.29 cubic yards of fill material over 0.51 acres of palustrine herbaceous wetlands, 0.22 acres of palustrine forested wetlands, 0.09 acres of streams and waterways, and 4.91 acres of ditches for the construction of a 74.9 MW renewable solar energy facility. The proposed work would consist of solar panels mounted as tracking arrays with inverters, transformers, unpaved access pathways, laydown yar, 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, UCDs and upland buffers have been avoided to the greatest practicable extent during Project design, while also meeting engineering and safety standards. The Project area comprises 1,215.14 acres, of which approximately 713.55 acres are upland. A standard solar site is usually 74.5 MW and requires a minimum of 450 buildable acres of land is required to fulfill the generation capacity including the solar PV field and areas required during construction for site access, equipment laydown, and staging. 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. Wetland impacts for solar PV panel placement were limited to one less than 1/2 acre system, and the remaining impacts result from culvert and access pathway improvements. The roads where impacts are proposed currently exist as agriculture and silviculture trail roads, and the existing road shape will be utilized to the greatest extent possible.

In total, only 0.2 percent of delineated on-site wetlands are proposed to be impacted as part of the Project design.

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

Wetland impacts will be mitigated through the purchase of credits from an approved mitigation bank. Direct wetland impacts to 0.82 acres and secondary wetland impacts to 1.78 acres result in a functional loss of 0.61 Uniform Mitigation Assessment Method units. There are an additional 4.91 acres of impacts to UCDs that are not proposed for mitigation. These ditches are man-made systems consisting of roadside drainage swales, agriculture ditches 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 13, 2025, the Corps executed a Resources Screening Tool (RST) report. The RST did not indicate that the site is utilized by, or contains habitat critical to, any federally listed threatened or endangered species. The 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 USFWS is not required.

The Corps has determined the proposed project would have no effect on the Green Sea Turtle (*Chelonia mydas*). Habitat for the green sea turtle is subtropical and temperate oceans. During breeding season, female green sea turtles travel onshore to deposit eggs in clutches buried on the beach. 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 USFWS is not required.

The Corps has determined the proposed project would have no effect on the Hawksbill Sea Turtle (*Eretmochelys imbricata*). Habitat for the hawksbill sea turtle is subtropical and temperate oceans. During breeding season, female hawksbill sea turtles travel onshore to deposit eggs in clutches buried on the beach. 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 USFWS is not required.

The Corps has determined the proposed project would have no effect on the Leatherback Sea Turtle (*Demochelys coriacea*). Leatherback sea turtle can be found throughout the Atlantic, Pacific and Indian Oceans. During breeding season, female leatherback sea turtles travel onshore to deposit eggs in clutches buried on the beach. 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 USFWS 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. Therefore, the Corps concludes that the project would have no effect on this species and consultation with the USFWS is not required.

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 in than 25 active and inactive gopher tortoise burrows. Per the Programmatic Concurrence, the permit, if issued, will be conditioned for use of the USFWS's most current guidance for Standard Protection Measures for the Eastern Indigo Snake (2021) and no further coordination with the USFWS 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 U.S. Fish and Wildlife Service 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 U.S. Fish and Wildlife Service 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 0.73 acres of herbaceous and forested wetlands and 5.00 acres of streams, waterways and ditches inland of the Brandy Branch. Our initial determination is that the proposed action would not have adverse impact on EFH or Federally managed fisheries in the Brandy Branch. 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-notices. 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 is required from the Florida Department of Environmental Protection (FDEP).

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

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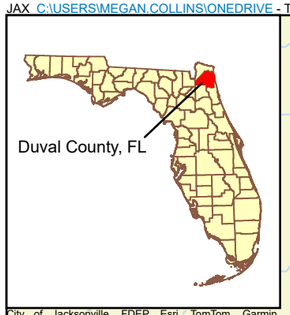

City of Jacksonville, FDEP, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA, USFWS

Ingle
Brandy Branch Swamp
Bryceville
Cary State Forest
Naval Outlying Field Whitehouse
Otis Rd
Otis Road Trailhead
Camp Milton Historical Preserve
Site Location
Baldwin Bay
Baldwin Byp
Barber Bay
Baldwin
Lake City Rd
Mattox
Macclenny
McPherson
N State Road 121
S Highway 301 S
Loblolly Mitigation Preserve
Cecil Field Conserv. Corridor
Cecil Airport
Southwest
New World Ave
First Coast Expy
Pope Duval Park
Whitehouse
Crystal Springs
Rolling Hills
Westside
Old Kings Rd
Trout River Blvd
Soutel Dr
Moncrief Rd W
Jones Rd
Magnolia Gardens
Biltmore
Bulls Bay
Grand Pa
Allendale
Commonwealth Ave
Lane Ave N
Marrietta
Paxton
Woodstock
Commonwealth
Edgewood
Lackawanna
Normandy
Murray Hill
Hillcrest
Lenox Ave
Avondale
Normandy Estates
Normandy Manor
Hyde Park
Fairfax
Cedar Hills Estates
Hyde Park - Sweetwater
Ortega
Cedar Hills
Ortega Farms
Jacksonville Heights West
Jacksonville Heights
Jacksonville Heights South
Oak Hill
Orange Park
Yukon
McGirts Creek
Duclay Forest
Settlers Landing

N

DRAWN BY	TETRA TECH	PROJECT NUMBER 112C10520
CHECKED BY - DATE	Site Vicinity Map FRP Miller SEC Duval County, FL	DRAWN BY M.COLLINS DATE 12/05/24
REVISED BY DATE		CHECKED BY H.CAROLAN DATE 12/05/24
SCALE AS NOTED		FIGURE NUMBER 1

0 1.25 2.5 5 Miles

Legend

- Project Area (1,215.14 acres)
- Property Boundary (1,563.04 acres)

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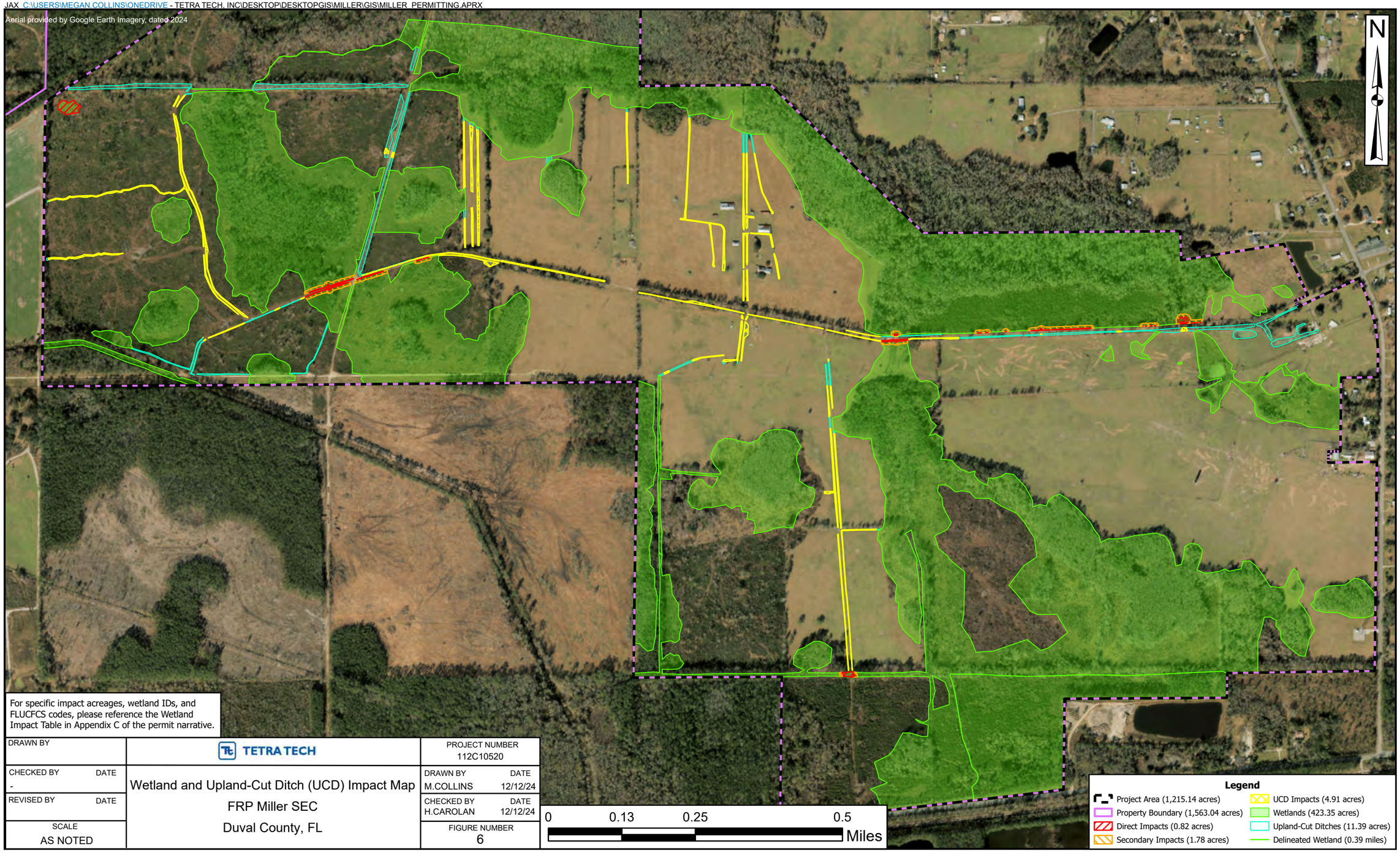
Aerial provided by Google Earth Imagery, dated 2024



For specific impact acreages, wetland IDs, and FLUCFCS codes, please reference the Wetland Impact Table in Appendix C of the permit narrative.

DRAWN BY	TETRA TECH	PROJECT NUMBER 112C10520
CHECKED BY - DATE	Wetland and Upland-Cut Ditch (UCD) Impact Map	DRAWN BY M.COLLINS DATE 12/12/24
REVISED BY DATE	FRP Miller SEC	CHECKED BY H.CAROLAN DATE 12/12/24
SCALE AS NOTED	Duval County, FL	FIGURE NUMBER 6

SITE COVERAGE TABLE			
DESCRIPTION	**SQ. FT.**	**ACREAGE**	**% OF SITE**
PROPOSED ACCESS PATHS	699,281	16.05	1.32
INVERTER PADS	4,400	0.10	0.01
COLLECTOR YARD	37,500	0.86	0.07
BESS AREA	234,000	5.37	0.44
JEA SWITCHYARD	210,900	4.84	0.40
TOTAL IMPERVIOUS	1,186,081	27.23	2.24
TOTAL PERVIOUS	51,745,483	1,187.91	97.76
FENCED AREA	18,105,446	415.64	34.21
TOTAL PROJECT AREA	52,931,564	1,215.14	100

FRP MILLER SOLAR ENERGY CENTER

DUVAL COUNTY, FLORIDA

OWNER

JEA

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

FUTURE LAND USE

AG — AGRICULTURE

ZONING DESIGNATION

A — AGRICULTURE

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 CHAINLINK WITH 3 STRANDS OF 1' - 0" BARBED WIRE TO MAKE AN OVERALL HEIGHT OF 7'-0". SITE ENTRANCE GATES SHALL BE CHAINLINK WITH 3 STRANDS OF 1' - 0" BARBED WIRE TO MAKE AN OVERALL HEIGHT OF 7' - 0".

100-YEAR FLOODPLAIN

THE FACILITY LIES WITHIN FLOOD ZONE X (AREA OF MINIMAL FLOOD HAZARD) AND FLOOD ZONE AO (SPECIAL FLOOD HAZARD) AS IDENTIFIED ON FEMA PANEL ID NUMERICALS: 12031C0305H, 12031C0310H, AND 12031C0320H, EFFECTIVE DATE: 06/03/2013.

LEGEND

- PROPERTY BOUNDARY
- PROJECT BOUNDARY
- PROPOSED FENCE
- EXISTING FENCE
- EXISTING ROAD
- PROPERTY SETBACK
- PARCEL BOUNDARY
- OVERHEAD UTILITY
- RIGHT-OF-WAY
- EASEMENT
- FUTURE RIGHT-OF-WAY
- EXISTING POWER POLE
- HDD CROSSING
- F — WETLAND ID
- DCC4 — OSW ID
- FLOODPLAIN - ZONE AO
- FLOODPLAIN - FLOODWAY
- FLOODPLAIN - ZONE AE
- FLOODPLAIN MITIGATION AREA (1.37 AC.)
- WETLAND (423.35 AC.)
- WETLAND BUFFER (25')
- WETLAND IMPACT (0.82 AC.)
- SECONDARY WETLAND IMPACT (1.78 AC.)
- OTHER SURFACE WATER (OSW) (11.39 AC.)
- OSW IMPACT (4.91 AC.)
- INVERTER PAD
- ACCESS PATHWAY
- SOLAR PANEL
- PROPOSED GATE

NOTE(S)

1. AERIAL IMAGERY TAKEN FROM FDOT AERIAL PHOTO LOOK UP SYSTEM (A+PLUS) FOR DUVAL COUNTY, FLORIDA DATED 2023.
2. BOUNDARY SURVEY DATA TAKEN FROM WSP USA INC, DATED 08/23/2024.
3. WETLANDS SURVEY PROVIDED BY TETRA TECH, DATED 11/06/2024.

ISSUED FOR PERMITTING

PREPARED BY:
SWCA ENVIRONMENTAL CONSULTANTS
567 BISHOP GATE LANE +1 (904) 384 - 7020
JACKSONVILLE, FL 32204 www.swca.com

PREPARED FOR:
FLORIDA RENEWABLE PARTNERS

N W E S

PROJECT: FRP MILLER SOLAR ENERGY CENTER, DUVAL COUNTY, FLORIDA
TITLE: SITE PLAN
SEAL

REV	DATE	DESCRIPTION	DESIGNED BY: IM\EWT	DRAWN BY: RGD	APPRV
0	2024-11-19	ISSUED FOR PERMITTING			BTH

CHECKED BY: IM\BTH

DATE: 2024-11-19
PROJECT #: P92853

0 500 1000
SCALE IN FEET

SHEET 3B