



REPLY TO  
ATTENTION OF

Regulatory Division  
West Permits Branch  
Ft. Myers Permits Section

DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
1520 ROYAL PALM SQUARE BLVE, SUITE 310  
FORT MYERS, FLORIDA

**February 19, 2025**

## ***PUBLIC NOTICE***

Permit Application No. SAJ-2024-01085 (SJR), Mason Classical Academy, Build School

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: Andrew McCauley  
Mason Classical Academy  
3073 Horseshoe Drive S #101  
Naples, FL 34104

WATERWAY AND LOCATION: The project would affect waters of the United States associated with Green Canal Basin. The project site is located on the south side of Vanderbilt Beach Road, approximately 2.5 miles east of I-75, in Section 25, Township 48 South, Range 26 East, Collier County, Florida.

Directions to the site are as follows: Take I-75 to Exit 111. Head east on Immokalee Road and make a right onto Collier Boulevard. Head south on Collier Boulevard and make a right onto 7<sup>th</sup> Avenue NW, just south of Vanderbilt Beach Road. The project site is located approximately 0.43 miles west of Collier Boulevard on the north side of 7<sup>th</sup> Avenue NW. Access to the site is on 7<sup>th</sup> Avenue NW.

APPROXIMATE CENTRAL COORDINATES: Latitude 26.242572  
Longitude -81.696822

### **PROJECT PURPOSE:**

Basic: Educational (School)

Overall: Construct a school with associated field and recreational sporting facilities in Collier County, Florida.

EXISTING CONDITIONS: The 17.2-acre proposed project area consists of four (4) parcels with a single-family home and driveway on each parcel. The undeveloped portions of the parcels consist of drained wetlands and upland communities. The proposed project area is bound by Vanderbilt Beach Road to the north and 7<sup>th</sup> Avenue NW to the south. There are approximately 9.14 acres of freshwater forested wetlands on the lots combined.

A total of four (4) vegetative communities and land uses (i.e., FLUCFCS codes) were identified within the project area. Aside from the developed portions of the property, drained wetland habitats exist in the western and eastern portion of the proposed project area by an upland habitat with relatively low levels of exotic vegetation.

Pine Flatwoods (FLUCFCS Code 411 E1, <25% Exotics); Cypress-Pine-Cabbage Palm (FLUCFCS Code 624 E1, <25% Exotics); Residential (FLUFCS Code 110); and Roadways (FLUCFCS Code 814).

**PROPOSED WORK:** The applicant seeks authorization to discharge 212,137 cubic yards of clean fill and dredge 212,137 cubic yards to construct a 52,050 square foot charter school with associated field and recreational sporting facilities, associated parking, drive aisles, utilities, and a stormwater management system requiring the filling and or dredging of approximately 7.29 acres of freshwater forested wetlands on-site. Approximately 2.06 acres of wetlands will remain on the property undisturbed.

**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 site plan was designed taking appropriate and practicable steps to minimize wetland impacts. The applicant considered several design alternatives to minimize wetland impacts. The design of the site plan included appropriate and practicable steps to minimize (i.e., avoid) impacts to the higher quality wetlands and limit impacts to the lower quality, exotic infested wetlands. The proposed project also includes the creation of a wetland habitat in the area of an existing residential structure and sodded lawn.

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

In order to offset the loss of wetland functions due to the project's proposed construction activities, the purchase of 3.16 functional wetland credits from an approved mitigation bank has been proposed. The applicant proposes to preserve 2.06 acres of wetlands on the site.

#### **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 will request U.S. Fish and Wildlife concurrence with the following determinations pursuant to Section 7 of the Endangered Species Act:

The Corps has made the determination of *Not Likely to Adversely Affect (NLAA)* for the eastern indigo snake (*Drymarchon corais couperi*). Based on the Consultation Key for the Eastern Indigo Snake (dated August 1, 2017), the Corps determination sequence resulted in A>B>C>D>E>NLAA. The Permittee agrees to use the Standard Protection Measure for the Eastern Indigo Snake (dated March 23, 2001).

The Corps has made the determination of *May Affect but is Not Likely to Adversely Affect (MANLAA)* the Florida bonneted bat (*Eumops floridanus*). The project is located within the consultation area of the bat. Furthermore, the project site is 5 acres or greater and includes more than 1 acre (alone or combined) of the following FBB habitat types: upland and wetland forest. Based on the Florida Bonneted Bat Consultation Guidelines (dated 2024 Revisions), the Corps determination sequence resulted in 1a>2a>3c>4a>5b>6a>8a MANLAA with required BMPs.

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.

AUTHORIZATION FROM OTHER AGENCIES: Water Quality Certification may be required from the Florida Department of Environmental Protection and/or one of the state Water Management Districts.

COMMENTS regarding the potential authorization of the work proposed should be submitted in writing to the attention of District Engineer through the 1520 Royal Palm Square, Suite 310, Ft. Myers, Florida 33919 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, Steven Rabney, in writing at the Ft. Myers Permits Section, 1520 Royal Palm Square Blvd., Ft. Myers, Florida, 33919; by electronic mail at [steven.j.rabney@usace.army.mil](mailto:steven.j.rabney@usace.army.mil); or, by telephone at (239)334-1975 ext. 0009.

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

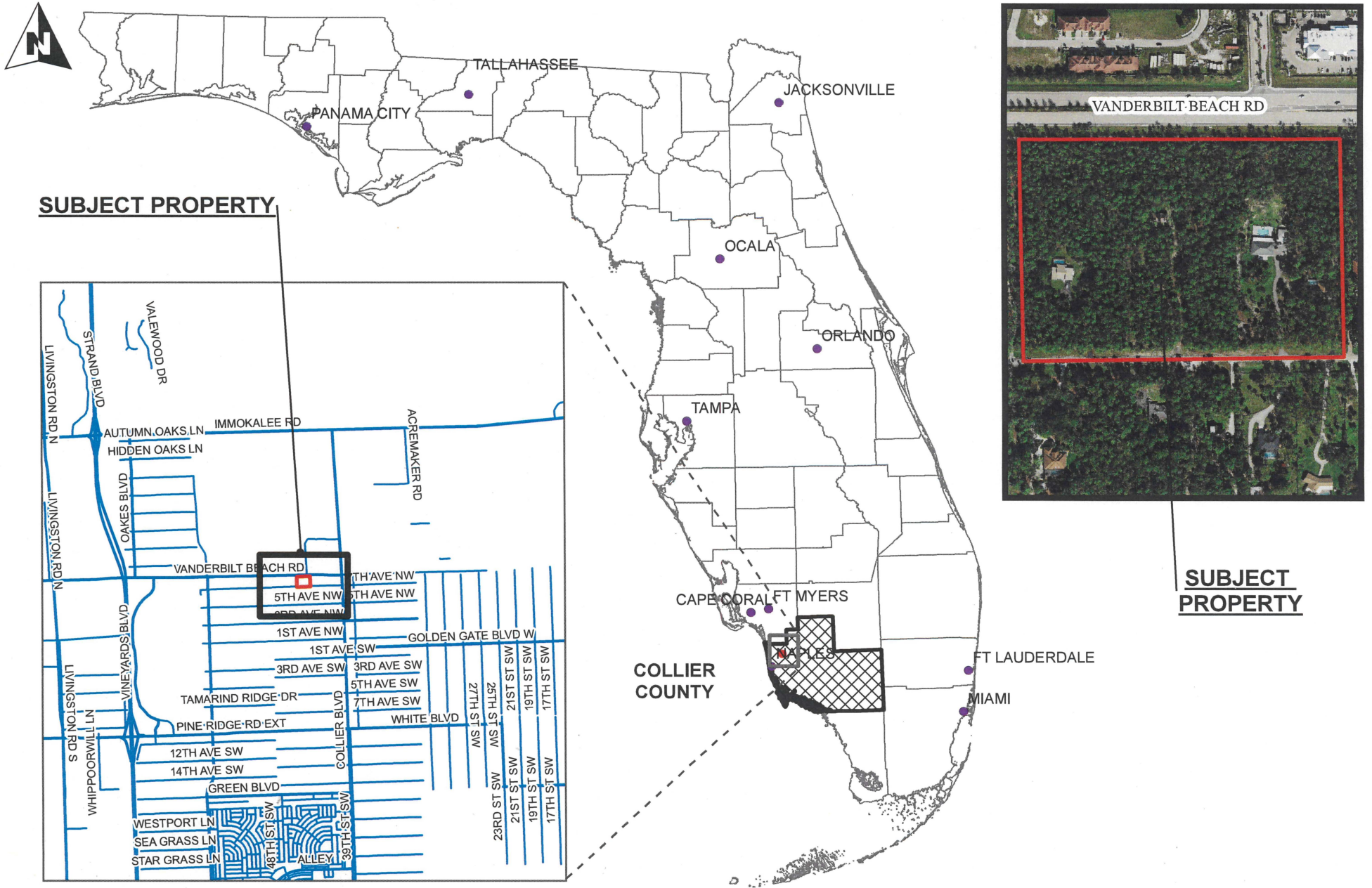
generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area.

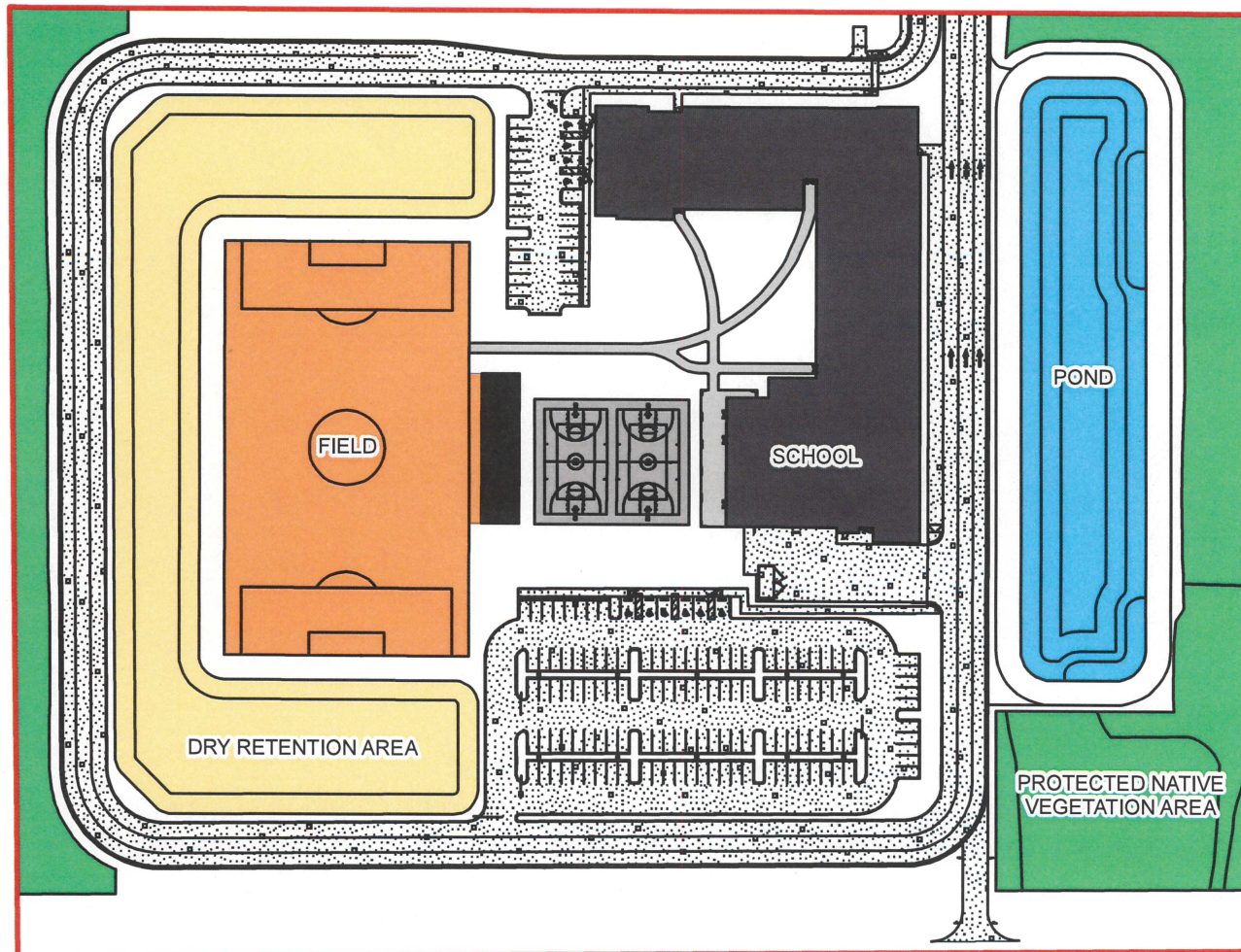
**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits,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

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.

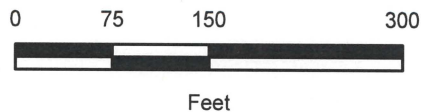
**COASTAL ZONE MANAGEMENT CONSISTENCY:** The State approval constitutes compliance with the approved Coastal Zone Management Plan.

**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.





Note:  
Subject Property boundary obtained from  
Collier County Property Appraiser



- |   |  |
|---|--|
| <span style="border: 2px solid red; padding: 2px;"> </span> Overall Subject Property                              | <span style="background-color: lightblue; border: 1px solid black; padding: 2px;"> </span> Pond                              |
| <span style="border-bottom: 2px solid black; width: 20px; display: inline-block;"></span> Site_Plan_Polyline_0402 | <span style="background-color: lightgreen; border: 1px solid black; padding: 2px;"> </span> Protected Native Vegetation Area |
| <b>Details</b>  |  |
| <span style="background-color: lightgrey; border: 1px solid black; padding: 2px;"> </span> Athletic Courts        | <span style="background-color: darkgrey; border: 1px solid black; padding: 2px;"> </span> School                             |
| <span style="background-color: yellow; border: 1px solid black; padding: 2px;"> </span> Dry Retention             | <span style="background-color: lightgrey; border: 1px solid black; padding: 2px;"> </span> Sidewalk                          |
| <span style="background-color: orange; border: 1px solid black; padding: 2px;"> </span> Field                     |  |

Project

Mason Classical Academy  
Collier County, Florida

Map Type

Site Plan Map

Date

04/03/24



