



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

**February 20, 2025**

Regulatory Division  
West Branch  
Tampa Section

## ***PUBLIC NOTICE***

Permit Application Number SAJ-2014-00804 (SP-AJP)

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: Jonathan Tratt  
Tratt Properties, LLC  
505 N. 40<sup>th</sup> Street, Suite 360  
Phoenix, Arizona 85018

WATERWAY AND LOCATION: The project would affect waters of the United States (WOUS) associated with the Peace Creek Drainage Basin. The project site is located east of County Road 655, north of State Road 60 in Sections 26, 27, and 28, Township 39 South, Range 26 East, Polk County, Florida.

Directions to the site are as follows: From Tampa, take State Road 60 East through Bartow. Approximately, 0.6 miles east of the intersection of State Road 60 and Old Bartow Lake Wales Road turn left on Logistics Parkway. The project site is located approximately one mile north on both sides of Logistics Parkway.

APPROXIMATE CENTRAL COORDINATES: Latitude 27.933° N  
Longitude -81.700° W

### **PROJECT PURPOSE:**

Basic: Commercial development

Overall: To construct a rail-oriented commercial warehouse up to eight million square feet of intermodal rail-oriented logistics facility which would include warehouse, commercial and office space designed and sited to complement and support the Evansville Western Rail Terminal Facility located in Polk County, Florida.

EXISTING CONDITIONS: The project was initially authorized on June 14, 2016, with a permit modification on December 21, 2020 and an expiration of June 14, 2023, for the permanent impacts to 11.77 acres of wetlands and 5.17 acres of man-made ditches. Portions of the project were completed between 2022 and 2023, with impacts to approximately 7.14 acres of wetlands and 1.94 acres of man-made ditches completed

prior to permit expiration. The initial project site consisted of approximately 567 acres which was previously owned by the City of Winter Haven and used for wastewater sludge and effluent disposal and contracted hay production. To date, approximately 150 acres of the western portion of the project site have been impacted, including the impacts to aquatic resources identified above.

The five (5) remaining on-site wetlands totaling 123.6 acres are freshwater systems located in the Peace River hydrologic basin and consist of bay swamp, hydric pine savanna, wetland forested mixed, wetland shrub, vegetated non-forested wetlands, and treeless savannas. There are also a total of 4.39 acres of upland cut ditches remaining throughout the site. Due to the altered hydrology of these wetlands systems from past land use there is a presence of nuisance and exotic species throughout the site. The land use surrounding the wetlands consists primarily of hay fields used for sewage/sludge treatment, unimproved pastures, and other shrub and brushland.

**PROPOSED WORK:** The Applicant seeks reauthorization to discharge fill material into approximately 8.38 acres of waters of the United States, consisting of 4.85 acres of wetlands and 3.53 acres of man-made ditches, for the construction of a rail-oriented commercial development. The project was initially authorized on June 14, 2016, with a permit modification on December 21, 2020. The continued development of the project will include related site amenities and improvements to include parking, loading docks, access roads, utilities, landscaping, and rail. All of the impacts are to freshwater wetlands or surface waters. There are no proposed revisions or alterations to the original authorized project.

**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:

During the preparation of the development plan, the site was designed to avoid impacts to the larger higher quality wetland systems to the east and southeast. The WoUS proposed for impact have been degraded by historic agricultural ditching and the dispersal of wastewater effluent and sludge within the adjacent uplands. The development plan provides for a 300 foot buffer along the Peace Creek drainage canal and avoids impact to Wetland No. 9 (99.14 acres) and Wetland No. 7 (18.20 acres). Both Wetland No. 7 and Wetland No. 9 extend off-site. The redesign resulted in a reduction in the acreage of impacts to the higher quality on-site systems.

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

The project is located within the Mitigation Service Area of two (2) existing permitted mitigation banks with available freshwater forested and herbaceous credits. Under the previous authorization, the Applicant purchased 0.82 herbaceous credits from the Boran Ranch Mitigation Bank to offset 4.09 acres of herbaceous/shrub wetland impact and

2.67 forested credits from the Peace River Mitigation Bank to offset 7.26 acres of forested wetland impact.

**CULTURAL RESOURCES:** The Corps is not aware of any known historic properties within the permit area. By copy of this public notice, the Corps is providing information for review. Our final determination relative to historic resource impacts is subject to review by and coordination with the State Historic Preservation Officer and those federally recognized tribes with concerns in Florida and the Permit Area.

**ENDANGERED SPECIES:** The Endangered Species Act (ESA) requires federal agencies to consult with the U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. Initial coordination with the USFWS indicates no presence of federally listed endangered or threatened species in the vicinity of the action area. A copy of this notice is being furnished to the USFWS for their review. We are requesting comments from the USFWS concerning potential impacts to threatened and/or endangered species pursuant to Section 7(a)(2) of the Endangered Species Act (ESA) of 1973, as amended. If required, the Corps will initiate ESA consultation with the USFWS by separate letter.

**ESSENTIAL FISH HABITAT (EFH):** Based on the project's location and distance from tidal waters of the United States and absence of EFH within the impact area, the Corps has determined the proposed work 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 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 the District Engineer through the Tampa Permits

Section, 10117 Princess Palm Avenue, Suite 120, Tampa, Florida 33610 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, Aric J. Payne, in writing at the Tampa Section, 10117 Princess Palm Avenue, Suite 120, Tampa, Florida 33610; by electronic mail at [aric.j.payne@usace.army.mil](mailto:aric.j.payne@usace.army.mil) or, by telephone at (423) 394-5102.

**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.

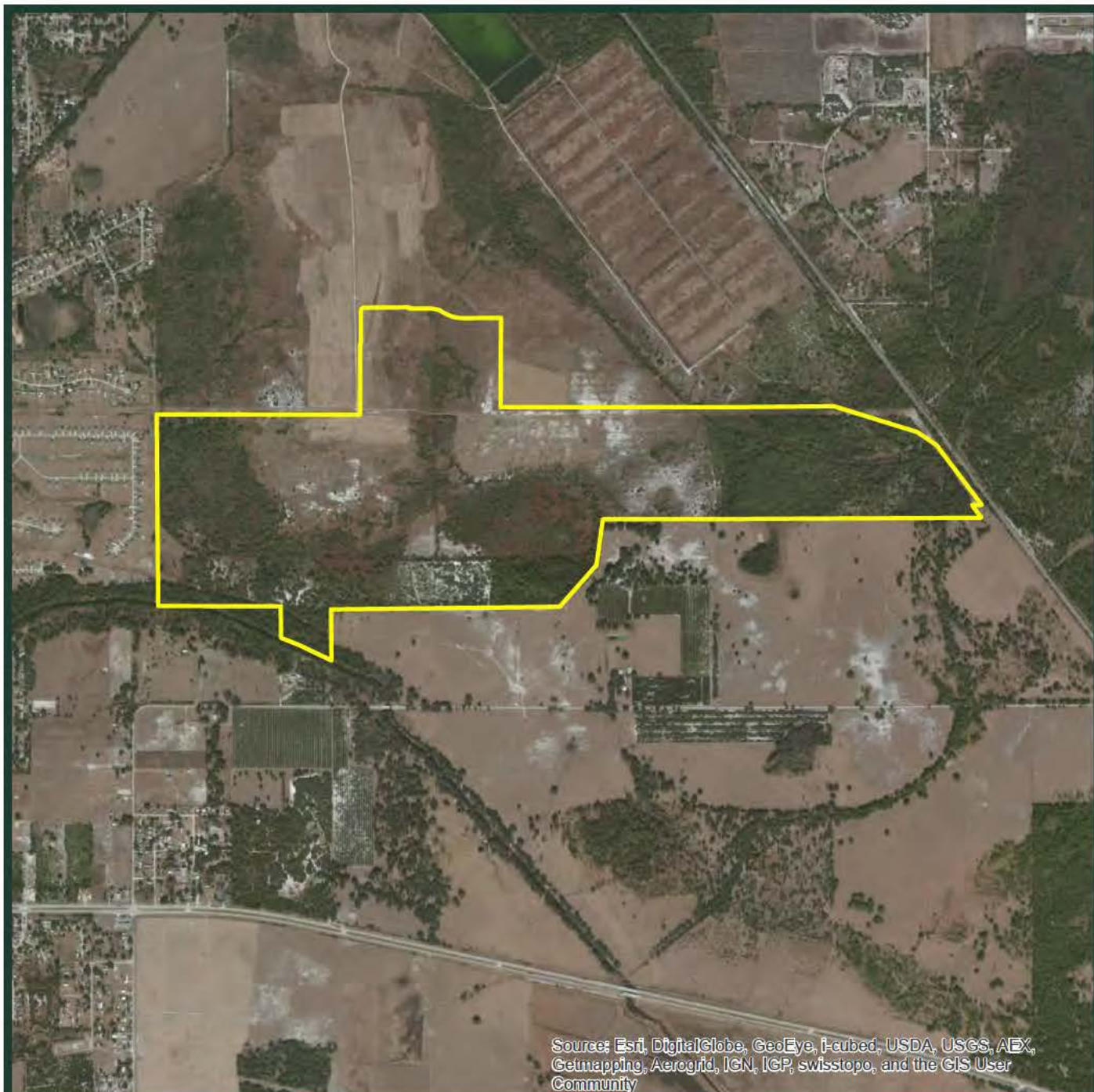
**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits,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

**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.

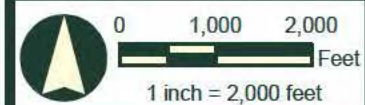


Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

## Legend

### Project Boundary

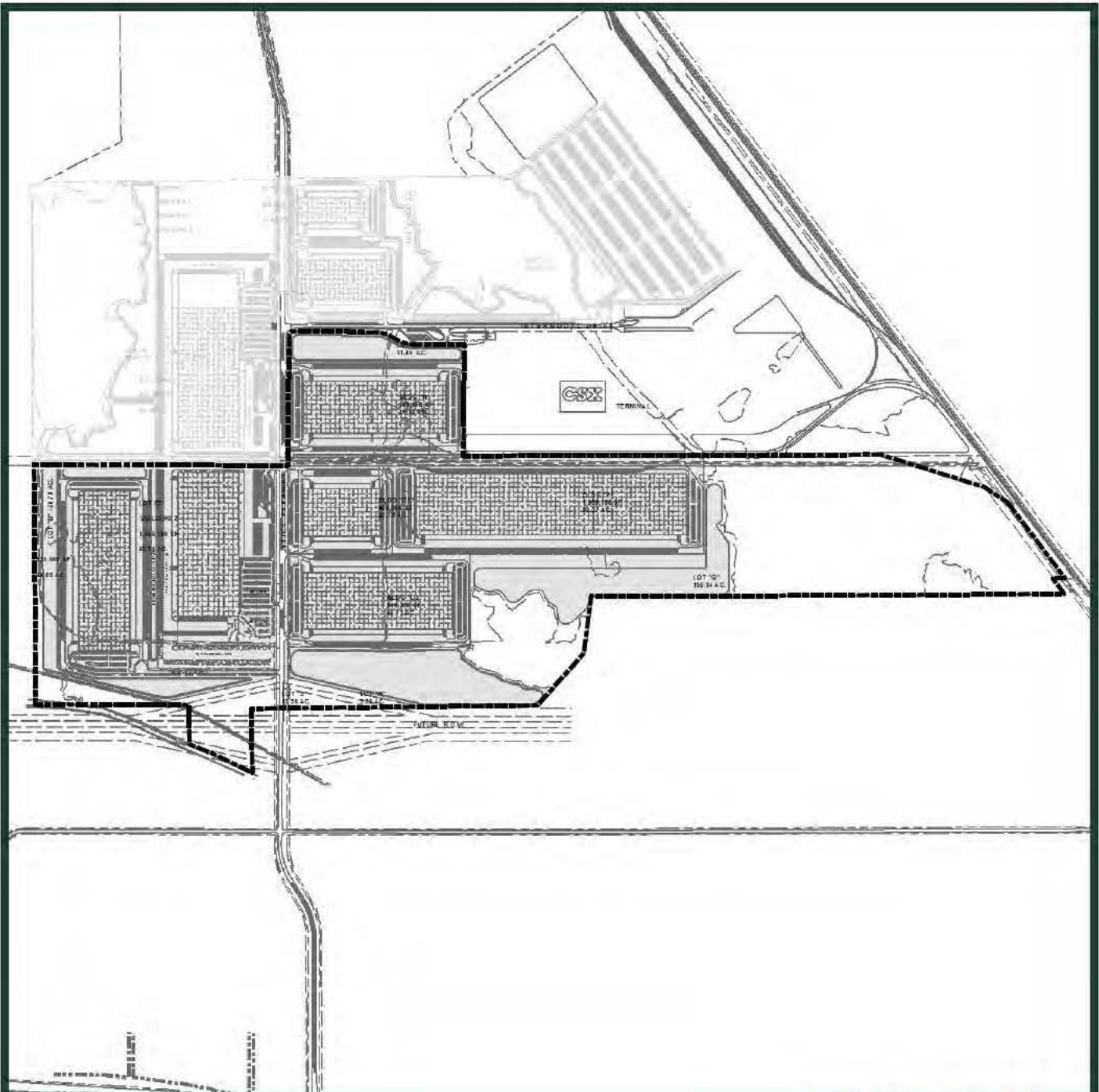
 81°42'0"W 27°56'0"N





**AERIAL PHOTOGRAPH OF THE WINTER HAVEN INTEGRATED LOGISTICS  
CENTER PARCEL 2B PROJECT SITE, POLK COUNTY, FLORIDA.**

**BDA** BREEDLOVE, DENNIS  
& ASSOCIATES, INC.  
Environmental Consultants  
330 W. Canton Ave., Winter Park, FL 32789 • 407-677-1882

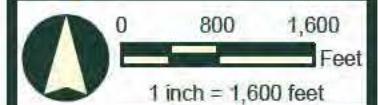




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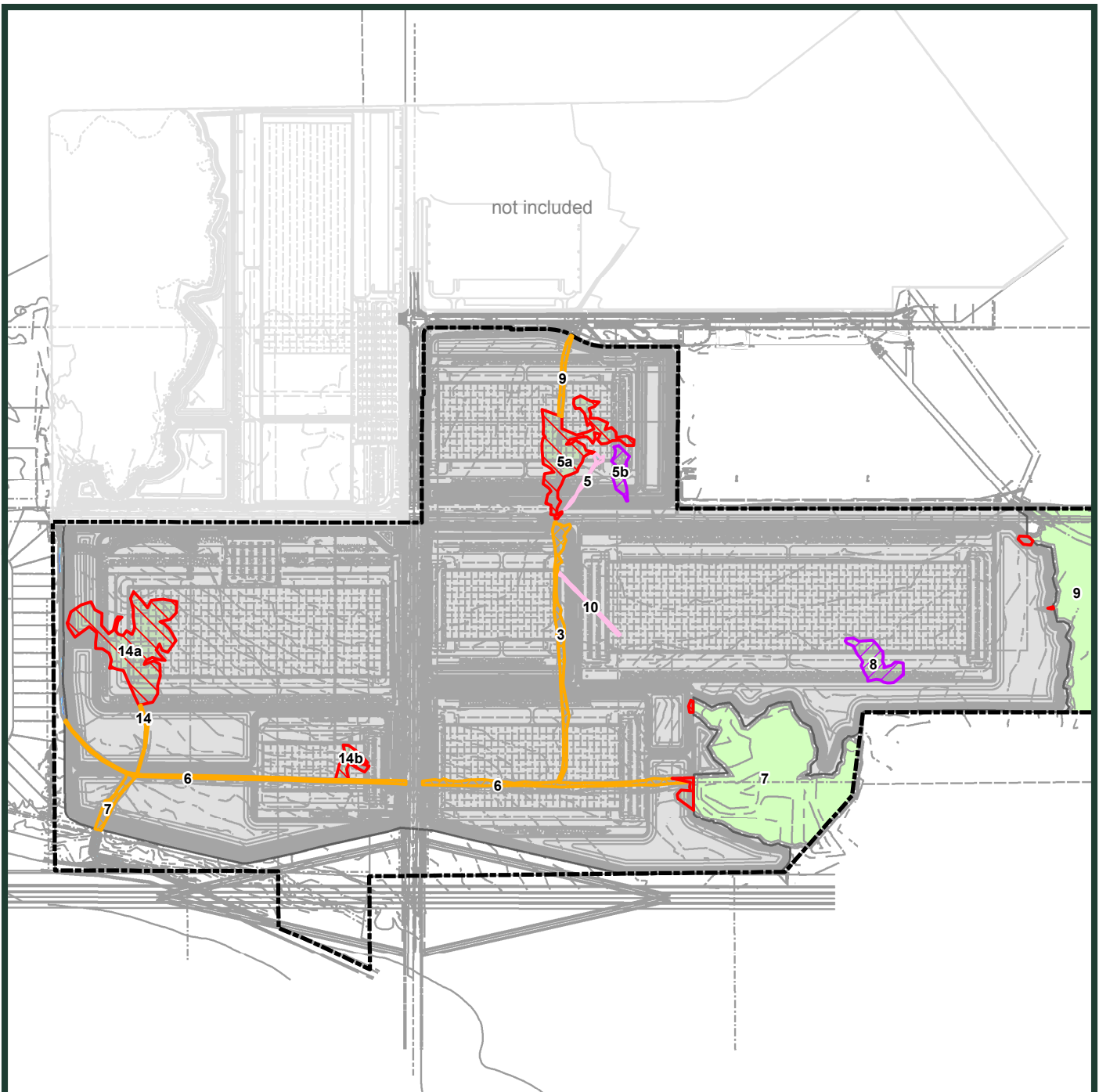
-  Project Boundary
-  Limit of Development

Source: Development plan and Limit of Development provided by Clay Corp.; 2015-01-28



**PROPOSED DEVELOPMENT PLAN FOR THE WINTER HAVEN INTEGRATED LOGISTICS CENTER PARCEL 2B PROJECT SITE, POLK COUNTY, FLORIDA.**

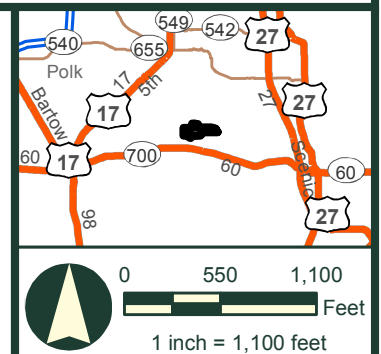
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## Legend

Project Boundary	Limit of Development
Wetland (130.73 ac)	Jurisdictional Wetland Impacts (11.77 ac)
Surface Water (6.48 ac)	Jurisdictional Surface Water Impacts (5.17 ac)
	Non-Jurisdictional Wetland Impacts (2.17 ac)
	Non-Jurisdictional Surface Water Impacts (0.45 ac)

Source: Development plan provided by Clay Corp.; 2015-01-28.



## PROPOSED WETLAND IMPACTS ON THE WINTER HAVEN INTEGRATED LOGISTICS CENTER PARCEL 2B PROJECT SITE, POLK COUNTY, FLORIDA.

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