



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

February 24, 2025

Regulatory Division  
West Permits Branch  
Tampa Permits Section

***PUBLIC NOTICE***

Permit Application No. SAJ-2024-00052 (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: Sarasota County Department of Public Works  
Tran Thai  
1001 Sarasota Center Boulevard  
Sarasota, Florida 34240

WATERWAY AND LOCATION: The project would affect aquatic resources associated with Philippe Creek Main A and Cow Pen Slough. The project site is located between Palmer Boulevard and Fruitville Road in Sarasota, Florida.

Directions to the site are as follows: From I-75 and Fruitville Road interchange (exit 210), take the exit to Fruitville Road east. Travel east approximately 3.9 miles to Lorraine Road (existing roadway to north of Fruitville Road; proposed roadway is to south of Fruitville Road). Alternate: From I-75 and Bee Ridge Road (Exit 207) travel east approximately 3.2 miles and then north on existing Lorraine Road to Palmer Drive.

APPROXIMATE CENTRAL COORDINATES: Latitude 27.331389°  
Longitude -82.383854°

**PROJECT PURPOSE:**

Basic: Municipal Roadway and Stormwater improvements.

Overall: The overall project purpose is to construct a roadway and stormwater management system to reduce traffic congestion within adjacent communities and to provide additional traffic routes during evacuation and emergency situations in Sarasota County.

EXISTING CONDITIONS: The Lorraine Roadway extension begins at the intersection of Fruitville Road extending approximately 2.5 miles south past the Founders Club subdivision located to the west, connecting to a previously constructed section of Lorraine Road. This 4.96 acre area consists of disturbed, freshwater herbaceous wetlands and shrubby uplands with large manmade swales running north and south though out the property. The site contains small areas of remnant wetlands, and a highly managed steep-sloped canal (Philippe Creek Main A) to the south which connects via culvert to Cow Pen Slough located east of the project limit.

The project area contains three (3) 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.

510 – Streams and Waterways – (Surface Waters SW2 - Philippe Creek Main Canal A) is a named major conveyance located at the southern extent of the project area. This canal receives water from the surrounding neighborhoods, agricultural properties, and adjacent roadways. The waterway continues to the west through a larger drainage network connecting to Philippe Creek and east through drainage culvert to Cow Pen Slough. The Philippe Creek Main Canal A is a steep-sloped canal with vegetation at the top of bank consisting of Wax myrtle (*Morella cerifera*), Live oak (*Quercus virginiana*), and Brazilian pepper (*Schinus terebinthifolius*). While the side slopes of the canal are primarily unvegetated, the vegetation at the toe of the slope consists of Alligator weed (*Alternanthera philoxeroides*), Paragrass (*Brachiaria purpurascens*), West Indian marsh grass (*Hymenachne amplexicaulis*), Primrose willow (*Ludwigia peruviana*), Parrot feather (*Myriophyllum aquaticum*) and Torpedograss (*Panicum repens*). Philippe Creek Main Canal A frequent undergoes mechanical and herbicidal spraying to maintain the conveyance capacity of the canal.

510 – Streams and Waterways - (Other Surface Waters - OSW 3,4, and 5) are located within the project area east of the Founder's Club stormwater ponds. OSW 5 is located just south of Fruitville Road, continuing south to OSW 4 which is located east of Lake 36 and Lake 37. OSW 3 is located just north of Philippe Creek Main Canal A. An aerial review of the site indicates that OSW 3,4 and 5 are agricultural ditches that were installed on the property around 2012 after the adjacent agricultural ditches were filled and moved during the construction of the adjacent Iona Road Corridor. These manmade disturbed channels contain shrubby and herbaceous vegetation consisting of Alligator weed (*Alternanthera philoxeroides*), Bushy bluestem (*Andropogon glomeratus*), Saltbush (*Baccharis halimifolia*), False nettle (*Boehemeria cylindrica*), Sedges (*Cyperus spp.*), Primrose willow (*Ludwigia*), Wax myrtle (*Myrica cerifera*), Laurel oak (*Quercus laurifolia*), Maidencane (*Panicum hemitomon*), Torpedograss (*Panicum repens*), Pickerelweed (*Pontederia cordata*), Carolina willow (*Salix carolinana*), Brazilian pepper, Alligator flag (*Thalia geniculata*), Cattail (*Typha sp.*), Creeping oxeye (*Sphagneticola trilobata*), Cogon grass (*Imperata cylindrica*), and Muscadine grapevine (*Vitis rotundifolia*). The nuisance and exotic vegetation makes up a moderate amount of vegetative cover. Soils in the area have some hydric markers but aggregate and fill material were also found to be common in the soils.

641 – Freshwater Marsh – (Wetland 1 - W1) is a linear freshwater wetland that is located on the northeast side of the project area at Fruitville Road continuing south to a dirt access road located on the property. The western boundary of this wetland is located at the toe of slope of a berm located at the existing dirt access road. The eastern boundary is adjacent to the High Hat Ranch property. This freshwater marsh is seasonally inundated with an extended hydroperiod. This system eventually connects to Cow Pen Slough which is located south of the project area. The predominant vegetation within wetland 1 consists of Alligator weed (*Alternanthera philoxeroides*), Swamp fern (*Blechnum serrulatum*), Buttonbush (*Cephalanthus occidentalis*), West Indian marsh grass (*Hymenachne amplexicaulis*), Primrose willow (*Ludwigia*), Wax myrtle (*Myrica cerifera*), Maidencane (*Panicum hemitomon*), Torpedograss (*Panicum repens*), Pickerelweed (*Pontederia cordata*), and Carolina willow (*Salix caroliniana*). The vegetative cover consists of nuisance and exotic vegetation in moderate quantities. Upland vegetation is located along the top of slope adjacent to the cleared bermed area consists primarily of Live oak (*Quercus virginiana*) and Slash pine (*Pinus elliotii*). This wetland has been recently disturbed by the construction of the nearby Peace River Main utility corridor.

631 – Wetland Scrub – (Wetland 2A - W2A) is a wetland scrub with an herbaceous plant understory. This wetland is contiguous with OSW 5 which is located along the west side of the project area near Fruitville Road at the north end of the project area. W2A is bounded by a berm to the east, stormwater ponds to the west, and Fruitville Road to the north. This wetland is seasonally inundated with vegetation that is similar to OSW 5. This wetland contains shrubby and herbaceous vegetation consisting of Alligator weed (*Alternanthera philoxeroides*), Saltbush (*Baccharis halimifolia*), Primrose willow (*Ludwigia*), Carolina willow (*Salix caroliniana*), Brazilian pepper (*Schinus terebinthifolia*), Alligator flag (*Thalia geniculata*), and Cattail (*Typha sp.*). Soils in the area have some hydric markers but aggregate and fill material were also found to be common in the soils. Although similar to OSW 5 in vegetation, soils, and hydrology, reviews of historical aeriels indicated Wetland 2A is associated with a wetland present in the juncture of Fruitville Road and the proposed roadway.

631 – Wetland Scrub - (Wetland 2B – W2B) is a wetland scrub with an herbaceous plant understory. This wetland is contiguous with the southern portion of OSW 5 located on the west side of the project area. This system is bounded by a berm located to the east and stormwater ponds to the west. W2B is seasonally inundated with vegetation that is similar to WL 2A and OSW 5. This wetland contains shrubby and herbaceous vegetation consisting of Saltbush (*Baccharis halimifolia*), Primrose willow (*Ludwigia*), Wax myrtle (*Myrica cerifera*), Maidencane (*Panicum hemitomon*), Torpedo grass (*Panicum repens*) Laurel oak (*Quercus laurifolia*), Carolina willow (*Salix caroliniana*), Brazilian pepper (*Schinus terebinthifolia*), Alligator flag (*Thalia geniculata*), and Cattail (*Typha sp.*). Soils in the area have some hydric markers but aggregate and fill material was also found to be common in the soils.

PROPOSED WORK: The applicant seeks authorization to fill ±0.91-acres of Waters of the United States (WOTUS) and 3.55-acres of other surface waters to facilitate the construction of a 2.5-mile long roadway extension and stormwater management system

in Sarasota County. Work will include the installation of 35,484 cubic yards of fill within the Lorraine Road extension from Palmer Boulevard to Fruitville Road. The project will utilize previously constructed and permitted stormwater management facilities within the Founders Cove subdivision located immediately west of the roadway corridor.

**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 while allowing for a viable project which avoids effects and impacts to fish and wildlife. The proposed location of the roadway is in a previously disturbed and partially cleared right-of-way to minimize impacts to the higher quality Wetlands (W1) that run north and south along the east side of the roadway corridor with impacts to low quality non-wetland waters and a canal that primarily serves as a stormwater conveyance. This canal has been previously disturbed, and the vegetation within the canal is regularly maintained through physical and chemical means. There is limited upland habitat adjacent to the other surface waters and wetlands within the project area. The impacts to Philippe Creek Main A (OSW 2) is limited to the replacement of a stormwater culvert and the installation of rip rap at the end of the culvert to reduce erosion and maintain the current hydrological flow. The overall design eliminates impacts to OSW 1 and OSW 6 at the southern terminus of the project area.

The applicant has included secondary impacts for two direct wetland impacts where a 25 foot upland buffer is not feasible. Impacts to adjacent, unimpacted wetlands and OSW's will be avoided by utilizing silt fencing and other best management practices to protect those areas during construction activities. To further minimize impacts the proposed stormwater management system has been designed to utilize previously constructed and operational storm water ponds that are located west of project site within the Founders Club subdivision. This design significantly reduces the impacts to wetlands and uplands within the surrounding area.

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

To offset the unavoidable functional losses of aquatic resources associated with the discharge of fill material into approximately 0.91 acres of Waters of the United States (WOTUS) and about 3.55 acres of adjacent surface waters to facilitate the construction of a 2.5-mile-long roadway extension, the applicant proposes to compensate for the anticipated impacts on wetlands 1, 2A, and 2B, with the purchase 0.41 mitigation credits from a federally approved mitigation bank.

The applicant has provided the following explanation why compensatory mitigation should not be required other surface waters (OSW) identified as OSW 1 thru OSW 6:

The other surface waters identified as OSW 3,4, and 5 within the limits of construction were created after Southwest Florida Water Management District issued an environmental resource permit 24626.002 in 2012 authorizing the filling of the agricultural ditch, and the construction of a conveyance swale along the west side of the proposed roadway corridor to allow water to flow north to south to the Philippe Main Canal. These OSW areas identified within the project area currently function as stormwater conveyance features. Since the project include swales in the same area to move the water and the main function of the other surface waters is water conveyance, there will be no functional loss. Therefore, no mitigation is proposed for the impacts to OSW 3, 4, and 5.

OSW 2 (Philippe Creek Main A) is a canal that is maintained by mechanical and herbicidal means. The waterbody receives water from surrounding neighborhoods, agricultural properties and roadways. It is connected via culverts to a larger drainage network consisting of OSW 1 (Philippe Creek) and OSW 6 (Cow Pen Slough). The only fill that is proposed in these other surface waters is at OSW 2 where a culvert will be installed to maintain hydrology, and riprap will be placed at the end of the culvert to prevent erosion. There will be no functional loss since these other surface waters will continue to function as stormwater conveyances. Therefore, no mitigation is proposed for the impacts to OSW 2.

#### 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:

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 South Florida dated May 18, 2010, the proposed project resulted in the following sequential determination: A > B > C = "Not likely to adversely affect" the wood stork (NLAA).

Eastern Indigo Snake (No effect) - The Corps completed an evaluation of the project using the Eastern Indigo Snake Programmatic Effect Determination key dated July 2017. Use of the Key for the Eastern Indigo Snake resulted in the following sequential determination: A>B>C>D. "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, Everglade snail kite, Florida panther, Florida bonneted bat, the Tricolored bat, Miami Blue Butterfly, Monarch butterfly, or their designated critical habitat.

The Corps has determined the proposed project would have no effect on Aboriginal Prickly-apple, Pygmy fringe-tree. 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 through the Tampa Permits Section 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 was reviewed and approved by SWFWMD on January 23, 2024, App ID/Permit No: 864973 / 43046636.000.

**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.

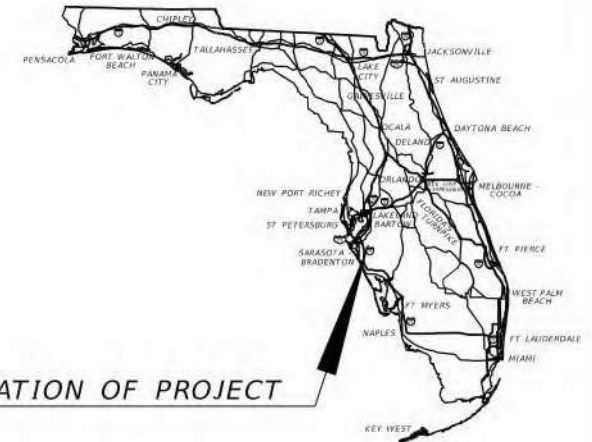
**REQUEST FOR PUBLIC HEARING:** Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.



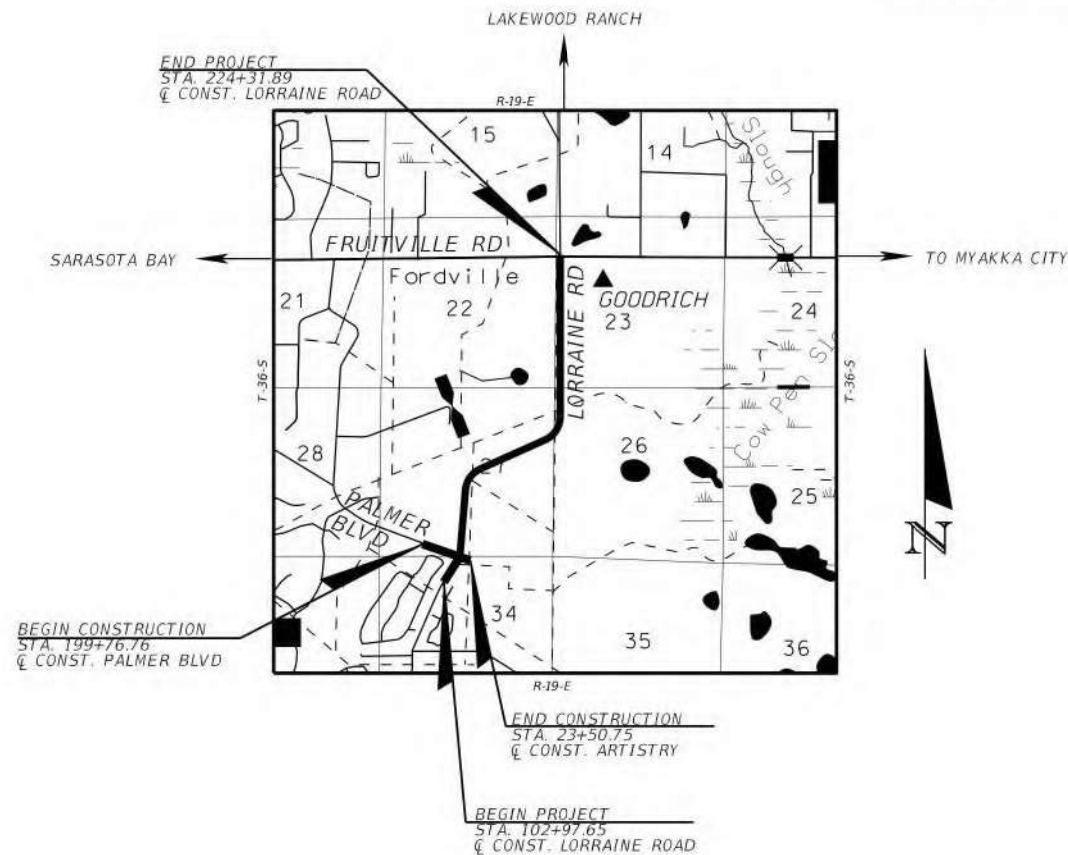
# SARASOTA COUNTY

## PERMIT SKETCHES

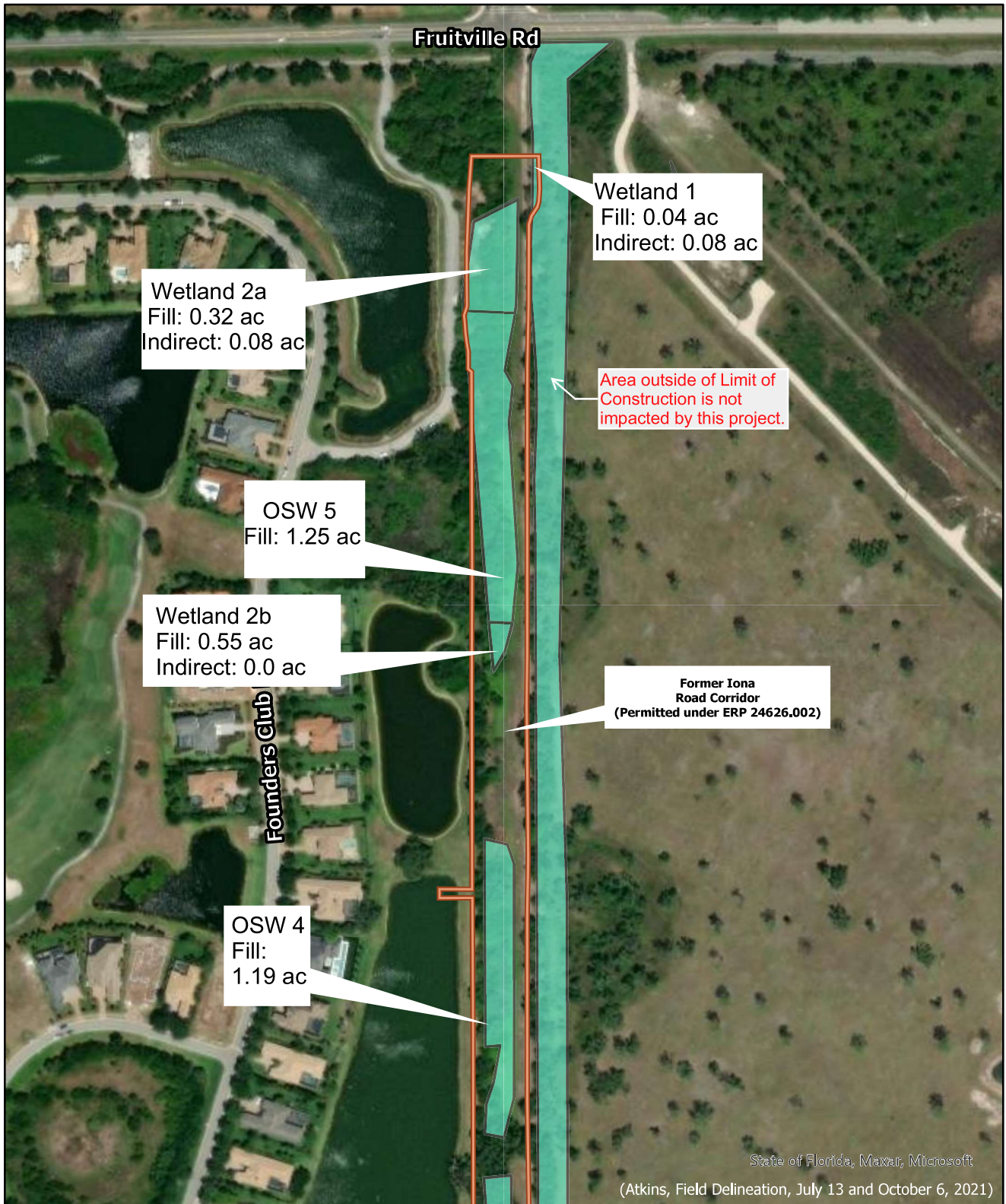
CIP 95832  
LORRAINE ROAD EXTENSION  
FROM PALMER BOULEVARD TO FRUITVILLE ROAD







LOCATION OF PROJECT

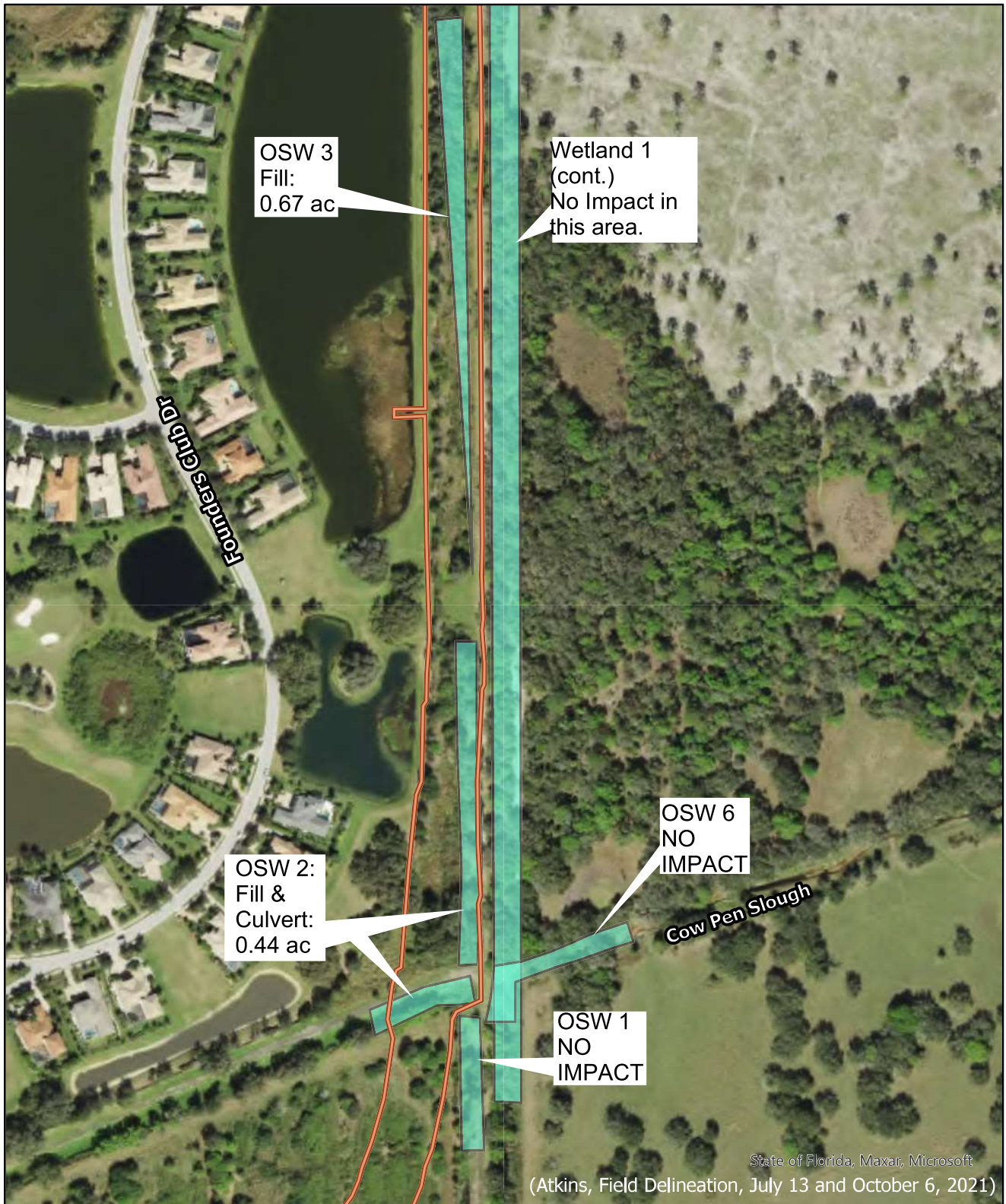








USACE Section 404 and  
SWFWMD ERP



 	<p align="center"> <b>Lorraine Road Extension</b>  <b>Sarasota, FL</b>  <b>Wetlands &amp; Other Surface Water (OSWs)</b>  <b>Location Map</b>  <b>Figure 5</b>  <b>Sheet 1</b> </p> <div style="display: flex; align-items: center; justify-content: center;"> <div data-bbox="462 1953 958 2016"> <p>0    150    300    600 US Feet</p>  </div> <div data-bbox="1023 1921 1079 2016"> <p>N</p>  </div> </div>	<p><b>Legend</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 20px; height: 10px; background-color: #90EE90; border: 1px solid black; margin-right: 5px;"></span> OSWs &amp; Wetlands</li> <li><span style="display: inline-block; width: 20px; border-bottom: 2px solid brown; margin-right: 5px;"></span> Lorraine Road Limits of Construction (LOC)</li> </ul>
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  2023	<b>Lorraine Road Extension</b> <b>Sarasota, FL</b> <b>Wetlands &amp; Other Surface Water (OSWs)</b> <b>Location Map</b> <b>Figure 5</b> <b>Sheet 2</b>	<b>Legend</b>  OSWs & Wetlands  Lorraine Road Limits of Construction (LOC)
	<div style="display: flex; align-items: center;"> <div style="flex: 1;">  </div> <div style="flex: 0.1; text-align: center;"> N   </div> </div>	