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

February 26, 2025

Regulatory Division
West Branch
Tampa Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2024-02064 (SP-SMG)

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: Pulte Home Company, LLC
Christopher Pereira
24311 Walden Center Drive, Suite 300
Bonita Springs, Florida 33637

WATERWAY AND LOCATION: The project would affect aquatic resources associated with the proposed activities to discharge fill material into non-wetland other surface waters (ditches) associated with the Manatee River. The project site is located south of Upper Manatee Road and west of Rye Road in Section 23, Township 34 south, Range 19 east, Bradenton, Manatee County, Florida.

Directions to the site are as follows: From I-75 South to Exit 220, east on State Route 64, and left on Rye Road. The site is approximately 2.33 miles on the left.

APPROXIMATE CENTRAL COORDINATES: Latitude: 27.508578
Longitude: -82.379170

PROJECT PURPOSE:

Basic: Residential housing

Overall: To construct an economically viable single-family residential housing development with associated infrastructure and stormwater management facilities that is consistent with approved county zoning ordinances to accommodate the housing demand in central Manatee County, Florida.

EXISTING CONDITIONS: The approximate 125.52-acre project area is currently used as cattle pasture and occasional sod farming. The area consists of upland and wetland plant communities, including improved pastures, freshwater wetlands, and woodland pastures. The existing conditions of the project site were mapped in accordance with

Florida Land Use Cover Forms and Classification System (FLUCCS, Florida Department of Transportation 1999) and are described as follows:

Improved Pasture (FLUCCS Code: 211) – 96.31 acres. Areas of improved pasture are located throughout the project area. These areas are vegetated with bahiagrass *(Paspalum notatum)* and other hay grasses. This area has been historically and is currently utilized for agricultural activities, primarily cattle grazing.

Unimproved/Woodland Pasture (FLUCCS Code: 213) -- 4.10 acres. Woodland pastures are located in areas of the project limits where conversion to pasture occurred in the past, but where a lack of maintenance has allowed regrowth of various ruderal species. These areas are dominated by various grasses, sedges, and herbaceous plants, including bahiagrass *(Paspalum notatum),* dog fennel *(Eupatorium capillifolium),* ragweed *(Ambrosia artemisifolia),* nutsedge (*Cyperus* spp.), fogfruit *(Lippia nodiflora),* and tickseed (*Coreopsis* sp.). Scattered live oak (*Quercus virginiana)* and cabbage palms (*Sabal palmetto)* are also present within these areas.

Mixed Hardwood-Coniferous (FLUCCS Code: 434) – 0.38 acre. A small portion of the property is classified as hardwood-conifer mixed forest. This area appears to have been historically disturbed due to the lack of native understory and limited groundcover. The canopy is predominantly comprised of laurel oak (*Quercus virginica*) and slash pine (*Pinus elliottii*). Several areas were documented to contain Brazilian pepper (*Schinus terebinthifolia*).

Streams and Waterways/Other Surface Waters (FLUCCS Code: 510) – 4.68 acres. There are agricultural ditches historically excavated throughout the property. These ditches are mostly present surrounding and connecting the on-site wetlands, and according to the applicant the ditches originally functioned to drain the wetlands, control flooding, and improve agricultural productivity. The ditches are described as having an ephemeral flow regime and vegetative components including scattered dog fennel *(Eupatorium capillifolium),* manyflower marshpennywort *(Hydrocotyle umbellata),* spadeleaf (*Centella asiatica),* red ludwigia *(Ludwigia repens)* with occasional primrose willow *(Ludwigia peruviana)* and West Indian marsh grass *(Hymenachne amplexicaulis).*

Mixed Wetland Hardwoods (FLUCCS Code: 617) – 8.97 acres. Vegetation observed within these forested systems includes a mixed canopy of American elm (*Ulmus americana*), red maple (*Acer rubrum*), laurel oak, and bay trees (*Magnolia vitinono*). Herbaceous vegetation varies throughout the wetland and includes soft rush (*Juncus effusus),* lizards' tail (*Saururus cernuus*), smartweed (*Polygonium* spp.), and Virginia chain fern (*Woodwardia virginica*)

Freshwater Marshes (FLUCCS Code: 641) – 11.09 acres. There are several freshwater marsh systems within the project area that have been hydrologically impacted and degraded by historical and ongoing agricultural operations. These wetlands are vegetated with West Indian marsh grass *(Hymenachne amplexicaulis),* soft rush *(Juncus effusus),* torpedo grass *(Panicum repens)*, maidencaine *(Panicum hemitomon),*

Peruvian primrose willow *(Ludwigia peruviana),* Carolina willow *(Salix caroliniana),* and Brazilian pepper *(Schinus terebenthifolius).*

PROPOSED WORK: The applicant seeks authorization to permanently discharge approximately 3,271 cubic yards (cy) of fill material into 0.652 acres of non-wetland surface waters for the construction of 282 single family dwelling units, access roads, and other appurtenant infrastructure. In addition, temporary impacts to approximately 0.143 acres of aquatic resources would result from dredging 2,439 cy for the construction of detention ponds designed to function as part of the on-site stormwater management system that would address surface run-off and flood attenuation.

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 aquatic resources have been minimized to the maximum extent practicable. Specifically, the project has been designed to avoid impacts to all existing wetlands and would include the establishment of a 30-foot-wide permanent upland buffer area around each mapped wetland to minimize indirect adverse effects from construction-related activities. The applicant also proposes to install erosion control devices and implement other best management practices during ground-disturbing construction activities to avoid increased turbidity within the affected other surface waters (non-tidal ditches). The 30-foot-wide buffers would also reduce the likelihood of post-construction pollutants from entering the wetlands. Further, the applicant proposes to implement the standard protection measures for the eastern indigo snake developed by the U.S. Fish and Wildlife Service (USFWS) in Florida and Georgia to ensure avoidance and minimization of adverse effects to this species.

COMPENSATORY MITIGATION – The applicant did not propose compensatory mitigation and has offered the following rationale for why compensatory mitigation should not be required for the unavoidable functional loss to the aquatic environment: No impacts to delineated wetlands would occur and permanent impacts to other surface waters (i.e., non-tidal ditches) have been minimized to the maximum extent practicable. The applicant conducted an evaluation of the functional loss associated with the proposed impacts to the other surface waters (non-tidal ditches) in accordance with the Uniform Wetland Mitigation Assessment Methodology (UMAM) which resulted in a functional loss of 0.294. The functional quality of the non-tidal ditches is substantially limited as evidenced by the impacts occurring from on-going cattle and agricultural operations. The functions and services associated with these non-tidal ditches are limited to conveyance of stormwater runoff, minimal water quality treatment, and negligeable wildlife utilization. In addition, the impacts to 0.652 acres of non-tidal ditches are anticipated to be offset by the creation of the stormwater and floodplain management systems that would result in a net increase of approximately 46.319 acres of other surface waters. This net increase in surface waters would be expected to provide suitable habitat for a greater diversity of fish and wildlife species. Furthermore, installation of culverts would ensure the proposed discharge activities into non-wetland surface waters would not affect downstream flow conditions or impede the passage of high flows within the ditches. As part of the State of Florida Environmental Resource

Permit review process, the proposed stormwater and floodplain management system was modeled based on a 2.33 mean annual storm event to ensure that the hydropatterns of the on-site wetlands will not be adversely affected and are likely to be more stabilized that the existing conditions. Adverse effects to the non-tidal ditches are considered no more than minimal impact.

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. A search on the Florida Regulatory Viewer (SHPO data layer, and the National Register of Historic Places layer, accessed November 26, 2024) indicated no registered or eligible historic places are located within the area of potential effect/permit area. In addition, a cultural resources assessment survey was conducted on the project site on behalf of the applicant. The survey results indicated the site is unlikely to contain any historic properties or archaeological sites (Archaeological Consultants, Inc. 2024). Although there are no findings of historic places, it does not preclude the potential discovery of unknown, intact, buried cultural resources, which may be eligible for listing in the National Register of Historic Places. Based on this information, the Corps has preliminarily determined the proposed undertaking would result in no effect on cultural 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 action may affect but is not likely to adversely affect the wood stork (*Mycteria americana*) based on the Wood Stork Programmatic Determination Key for Central and North Florida (2008) that provided a result of “may affect, not likely to adversely affect”, with no further consultation necessary (A > B > C > D > E). This determination is based on the applicant’s creation of the stormwater and floodplain management systems that would result in a net increase of approximately 46.319 acres of other surface waters. The net increase in surface waters would be expected to provide an amount of habitat and foraging function for wood stork equivalent to that of the impacted suitable foraging habitat.

Use of the 2010 Eastern Indigo Snake Programmatic Determination Key and the 2013 Addendum resulted in a determination of “may affect” (A > B > C > D > E). However, in consideration of the applicant’s commitment to implement the standard protection measures for eastern indigo snake (*Drymarchon couperi*), the Corps believes a revised determination of “may affect, not likely to adversely affect” is appropriate.
In addition, the Corps has preliminarily determined the proposed action may affect but is not likely to adversely affect the federally threatened Audubon's crested caracara

(*Polyborus plancus audubonii*) (“caracara”) based on the presence of potential suitable habitat although a 2024 caracara nesting season survey yielded negative results.

The Corps will request U.S. Fish and Wildlife Service concurrence with the determinations for the indigo snake and the caracara pursuant to Section 7 of the Endangered Species Act.

The Corps has further determined the proposed action would have no effect on the eastern black rail, Everglade snail kite, Florida perforate cladonia, Florida scrub jay, pygmy fringe-tree, whooping crane, green sea turtle, and West Indian manatee. The Corps’ final determination relative to project impacts and the need for consultation is subject to review by and coordination with the USFWS.

ESSENTIAL FISH HABITAT (EFH): The proposed activities are located in freshwater aquatic resources that do not support EFH. The Corps’ initial determination is that the proposed action would not have an adverse effect on EFH or Federally managed fisheries in the Atlantic Ocean. The Corps’ final determination relative to project impacts and the need for consultation under Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act is subject to review by and coordination with the National Marine Fisheries Service (NMFS).

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 Los Angeles District, Regulatory Division, Transportation and Special Projects Branch, 915 Wilshire Boulevard, Suite 1109, Los Angeles, California 90017 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, Susan A. Meyer Gayagas, in writing at the Los Angeles District, Regulatory Division,

Transportation and Special Projects Branch, 915 Wilshire Boulevard, Suite 1109, Los Angeles, California 90017; by electronic mail at susan.a.meyer@usace.army.mil; or, by telephone at (213) 304-9810.

IMPACT ON NATURAL RESOURCES: Coordination with USFWS, U.S. Environmental Protection Agency (EPA), NMFS, 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.

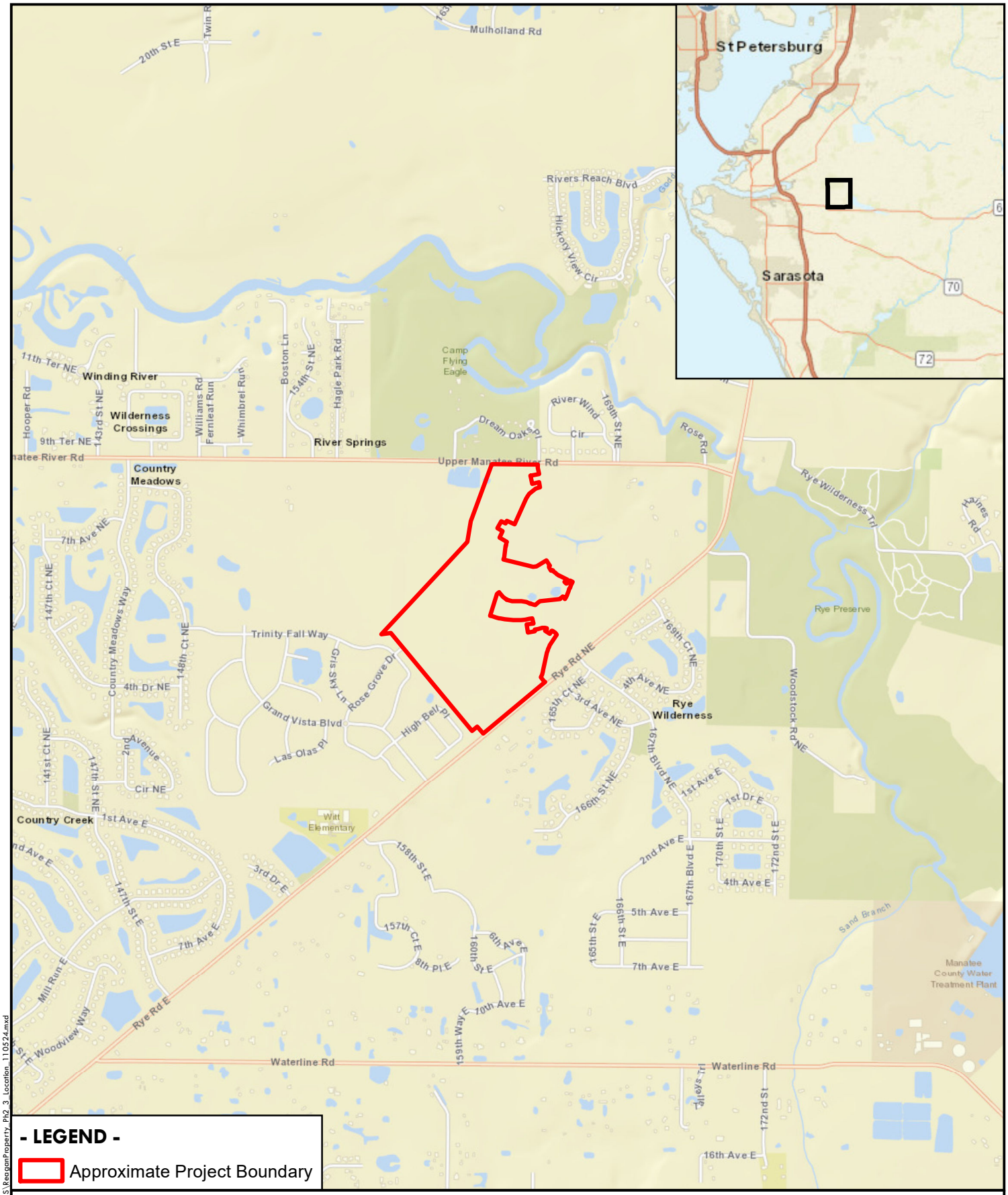
The U.S. Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps 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: The Southwest Florida Water Management District issued a water quality certification on June 24, 2024 (permit number 43047550.001).

COASTAL ZONE MANAGEMENT CONSISTENCY: 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.



ARDURRA
COLLABORATE. INNOVATE. CREATE.
1523 8th Ave W, Suite B
Palmetto, FL 34221

Client:	Pulte Group
Project:	Reagan Property
Location:	Manatee County, Florida
TRS:	Twp: 34S Rng: 19E Sec: 23
Title:	Location Map
Source:	ESRI World Street Map

Drawn By:	KS
Date:	11/5/2024
Sheet:	1

N

SCALE: 1" = 2000'

0 2,000 4,000

GRAPHIC REPRESENTATIONS ARE GENERAL IN NATURE AND SHOULD BE USED FOR PLANNING PURPOSES ONLY

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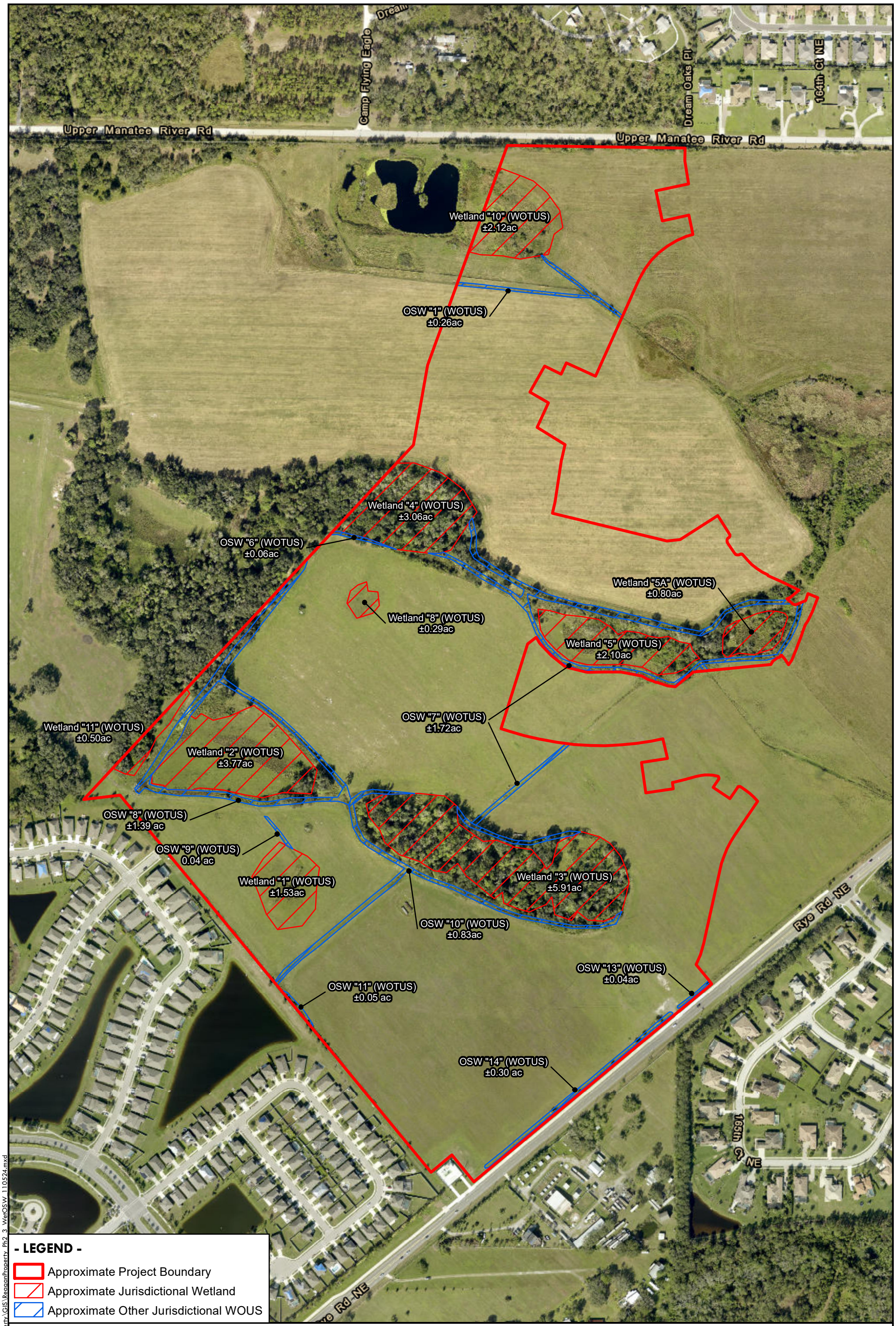

- LEGEND -

- Approximate Project Boundary
- Approximate Jurisdictional Wetland
- Approximate Other Jurisdictional WOUS

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Palmetto, FL 34221

Client:	Pulte Group
Project:	Reagan Property
Location:	Manatee County, Florida
TRS:	Twp: 34S Rng: 19E Sec: 23
Title:	Wetland and Other Surface Waters Map
Source:	Manatee County Imagery (2022)

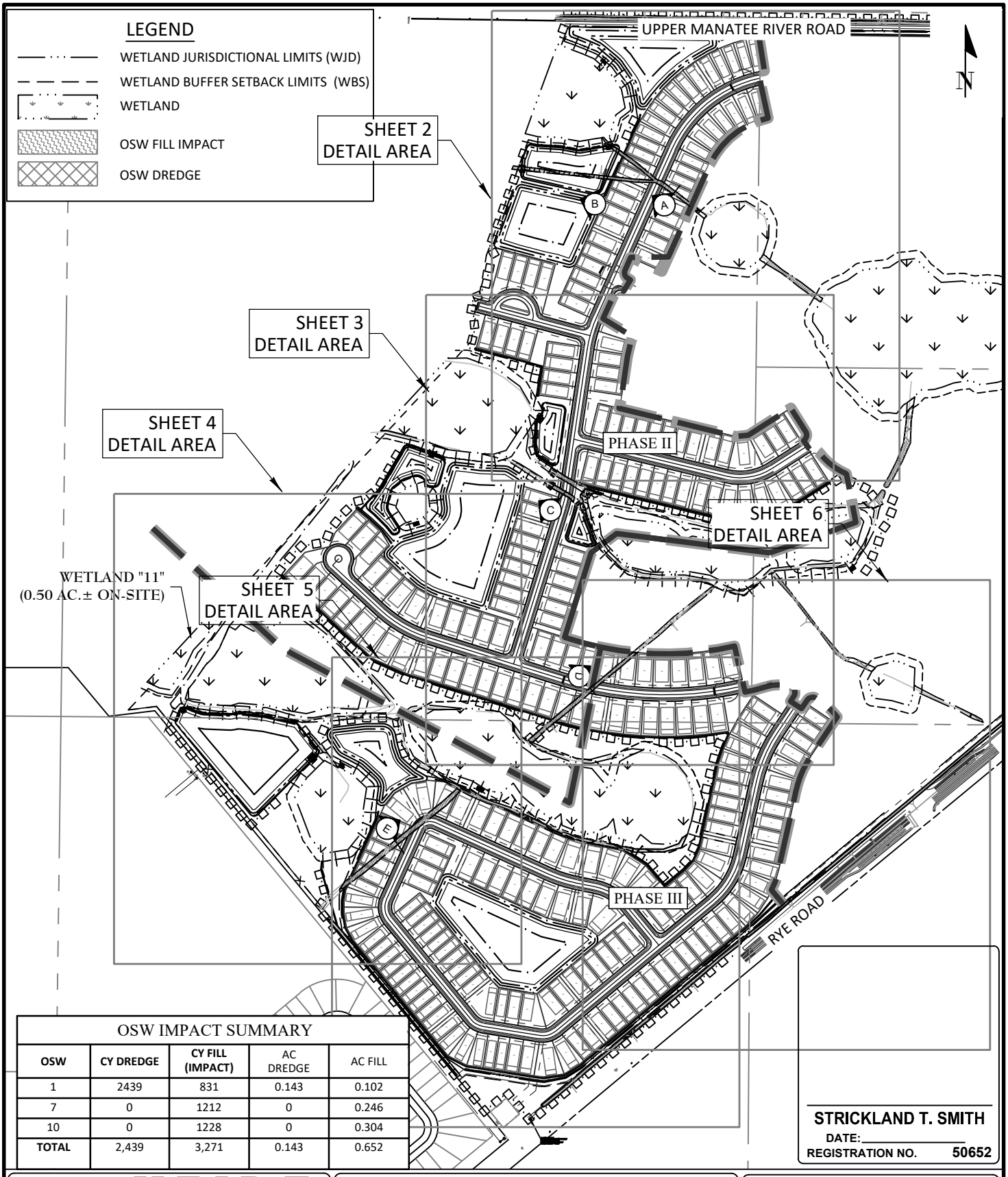
Drawn By:	KS
Date:	11/5/2024
Sheet:	1

N

SCALE: 1" = 350'

0 350 700

GRAPHIC REPRESENTATIONS ARE GENERAL IN NATURE AND SHOULD BE USED FOR PLANNING PURPOSES ONLY



OSW IMPACT SUMMARY				
OSW	**CY DREDGE**	**CY FILL (IMPACT)**	AC DREDGE	AC FILL
1	2439	831	0.143	0.102
7	0	1212	0	0.246
10	0	1228	0	0.304
TOTAL	2,439	3,271	0.143	0.652

STRICKLAND T. SMITH
DATE:_____
REGISTRATION NO. **50652**

HEIDT DESIGN
5806-B Breckenridge Parkway
Tampa, Florida 33610
Phone: 813-253-5311
www.HeidtDesign.com
Engineering Business Certificate of Authorization No. 28782
Landscape Architecture Certificate of Authorization No. LC26000405

REAGAN RANCH PH. 2 & 3

ACOE IMPACT KEY SHEET

CLIENT: PULTE HOME COMPANY, LLC

PROJECT #: PHC-RP-1016
DATE: 10/25/2024

0 500
SCALE: 1" = 500'

SHEET 1 OF 11