



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
Martin Dzuro
The Villages Land Operating, LLC

Published: March 12, 2025
Expires: April 12, 2025

**Jacksonville District
Permit Application No. SAJ-2019-01691 (SP-TRA)**

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) **and/or** Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403). The purpose of this public notice is to solicit comments from the public regarding the work 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 Tyler.R.Adams@usace.army.mil.

APPLICANT: Martin Dzuro
The Villages Land Operating, LLC
3601 Kiessel Road
The Villages, Florida 32163

AGENT: Jeffrey Pardue
Breedlove Dennis & Associates, Inc
30 East Liberty Street
Brooksville, Florida 34601

WATERWAY AND LOCATION: The project would affect waters of the United States associated with Shady Brook. The Marlene O'Toole industrial Park (Project) site is located within Section 36, Township 19 South, Range 22 East; Sections 1 and 12, Township 20 South, Range 22 East; Section 6, Township 20 South Range 23 East; in Sumter County, Florida.

EXISTING CONDITIONS: The site is located east of State Road (SR) 301 and abutting Shady Brook. The Project area encompasses approximately 545.79 acres, including 423.03 acres of upland, 114.54 acres of wetland habitats, and 8.22 acres of surface waters. Currently, the site is characterized by uplands consisting of crop and pastureland, improved pasture, with wetlands and surface waters comprised of ditches, reservoirs, wetland forested mixed, freshwater marsh, and wet prairies.

PROJECT PURPOSE:

Basic: The basic purpose is to construct infrastructure and a stormwater management system to support industrial development, in proximity to The Villages continuing development with direct access to highways and potential rail.

Overall: The overall project purpose is development of an industrial park with related infrastructure in the vicinity of The Villages' expansion near CR 470.

PROPOSED WORK: The applicant requests authorization to construct access roadways, conduct grading activities, and construct an eleven (11) pond system to serve the industrial park. The proposed project will impact a total of 2.97 acres of wetlands. The proposed work and impacts are illustrated in the attached site plans.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: Impacts to WOTUS could not be totally avoided due to the configuration of internal roadways and associated support infrastructure, the need for large contiguous parcels for industrial development, and grading and engineering requirements for the SWMS. Complete avoidance would not be practicable considering cost, technology, and logistics associated to the overall project purpose. Impacts to WOTUS are required for a roadway that crosses Shady Brook in order to access uplands on both sides of the flow-way. As such, complete avoidance was not practicable. However, the roadway was re-aligned to reduce impacts (from 5.23 acres in Alignment 1B to 2.72 acres in Alignment 1A) and still have a roadway designed to efficiently provide access to development areas and to comply with safety standards for roadways.

COMPENSATORY MITIGATION: The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: The applicant has proposed to purchase wetland credits from Boarshead Ranch Mitigation Bank to compensate for unavoidable wetland impacts.

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, federally recognized tribes and other interested parties.

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

ENDANGERED SPECIES: The Corps has determined the proposed project may affect but is not likely to adversely affect the eastern indigo snake (*Drymarchon corais couperi*), and the Eastern Black rail (*Laterallus jamaicensis ssp. jamaicensis*). The Corps will request U.S. Fish and Wildlife Service concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

The Corps has determined the proposal would have no effect to any other listed threatened or endangered species or designated critical habitat.

NAVIGATION: The proposed structure or 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 of 1899 (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

WATER QUALITY CERTIFICATION: Water Quality Certification is required from the South Florida Water Management District.

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan.

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 geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has not been verified by Corps personnel.

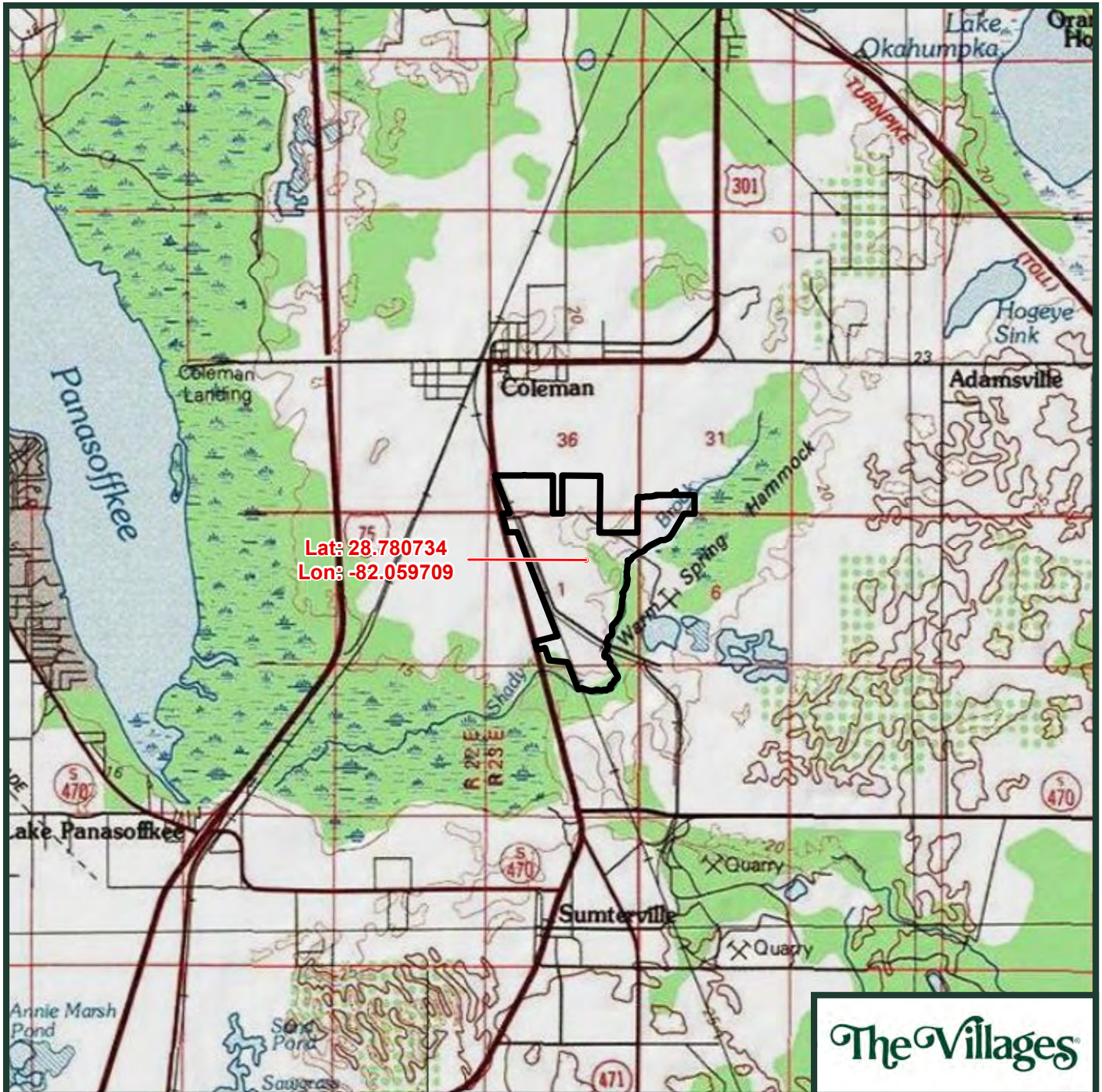
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits,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

COMMENTS: The 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 used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Jacksonville District will receive written comments on the proposed work, as outlined above, until April 12, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Tyler Adams at Tyler.R.Adams@USACE.army.mil. Please refer to the permit application number in your comments.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public April shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.



Legend

 Boundary (545.79 ac)

(SECTION 36, TOWNSHIP 19 S. RANGE 22 E. AND SECTION 31, TOWNSHIP 19 S. RANGE 23 AND SECTIONS 1 AND 12, TOWNSHIP 20 S., RANGE 22 E. AND SECTION 6, TOWNSHIP 20 S. RANGE 23 E)

Source: Project boundaries recieved from Clymer Farner Barley, Inc.; 20231105. USGS Wildwood, Fla. Quadrangle streamed from ESRI.

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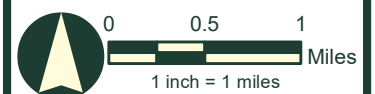
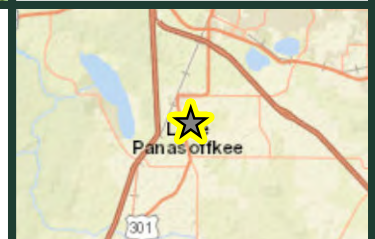
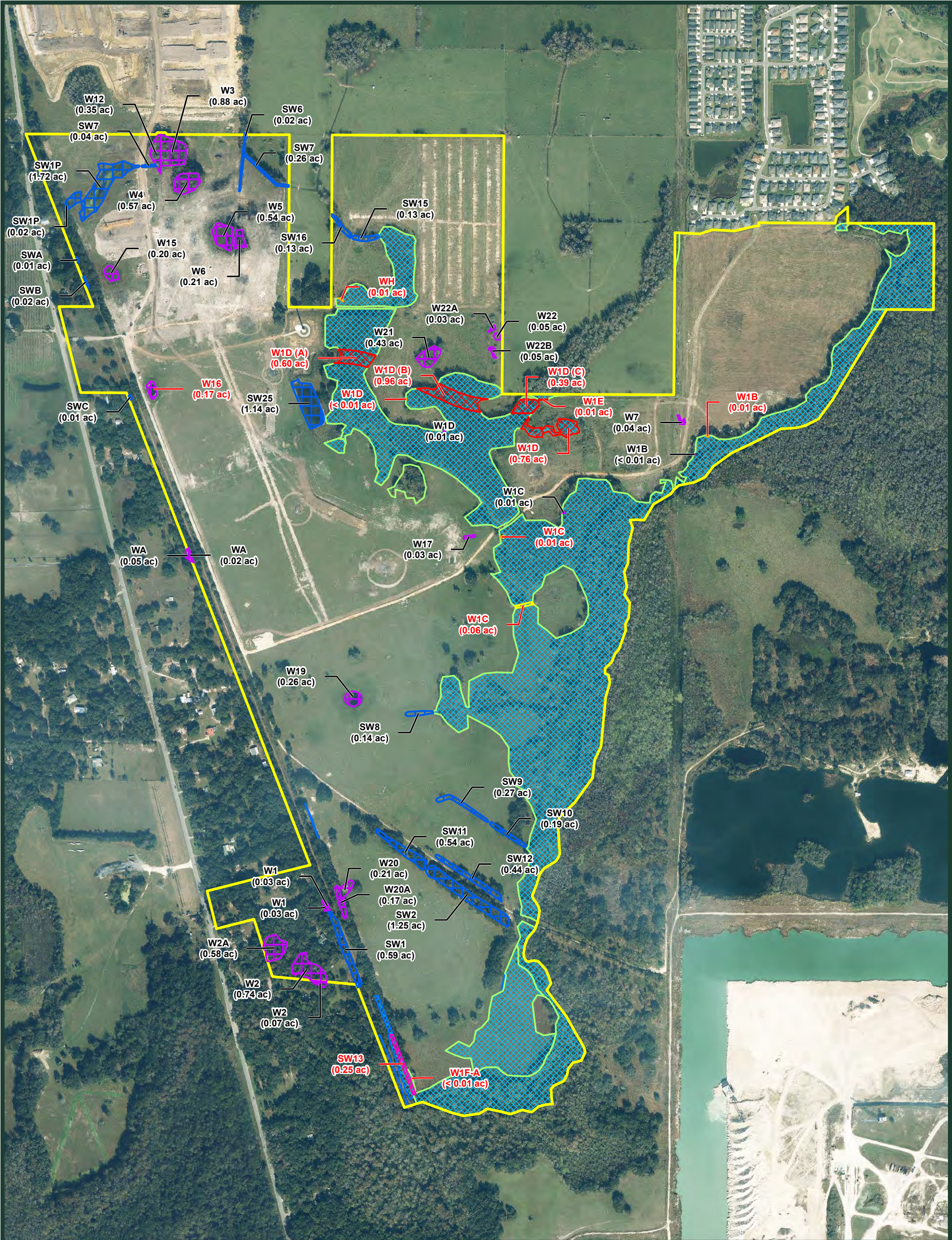


FIGURE 1.0-1
LOCATION OF THE MARLENE O'TOOLE INDUSTRIAL PARK STORMWATER AND EARTHWORKS, SUMTER COUNTY, FLORIDA.

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



Legend

Boundary (545.79 ac)

Wetlands and Surface Waters

Surface Waters (8.22 ac)

Wetlands (114.54 ac)

Impacts to non-WOTUS Wetlands and Surface Waters

Surface Water Impacts (6.92 ac)

Wetland Impacts (5.73 ac)

Impacts to WOTUS based on the pre-2015 regulatory regime and the Sackett decision

Surface Water Impacts (0.25 ac)

Wetland Impacts (2.72 ac)

Wetland Dredge Impacts (0.03 ac)

Temporary Wetland Impacts (0.06 ac)

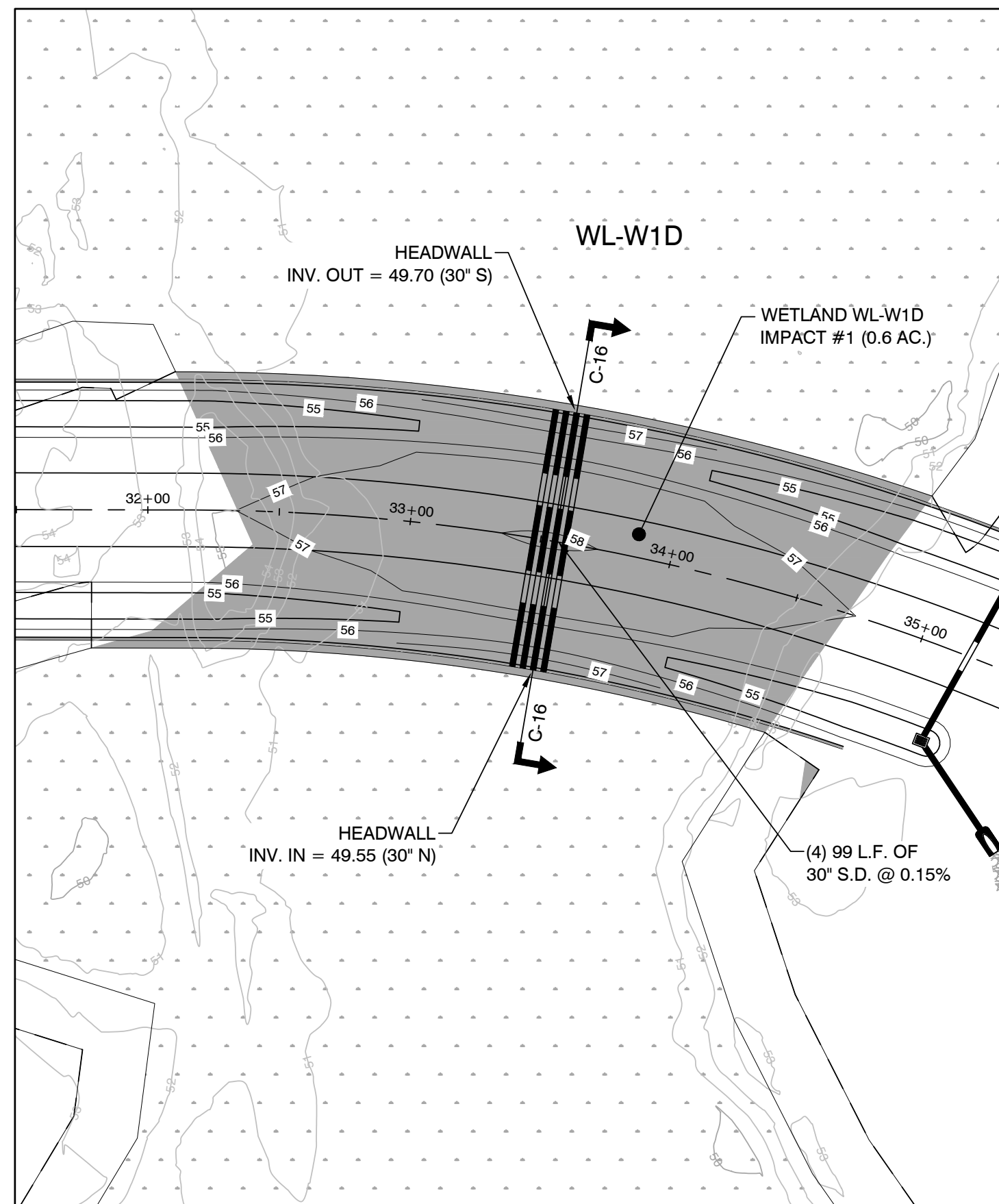
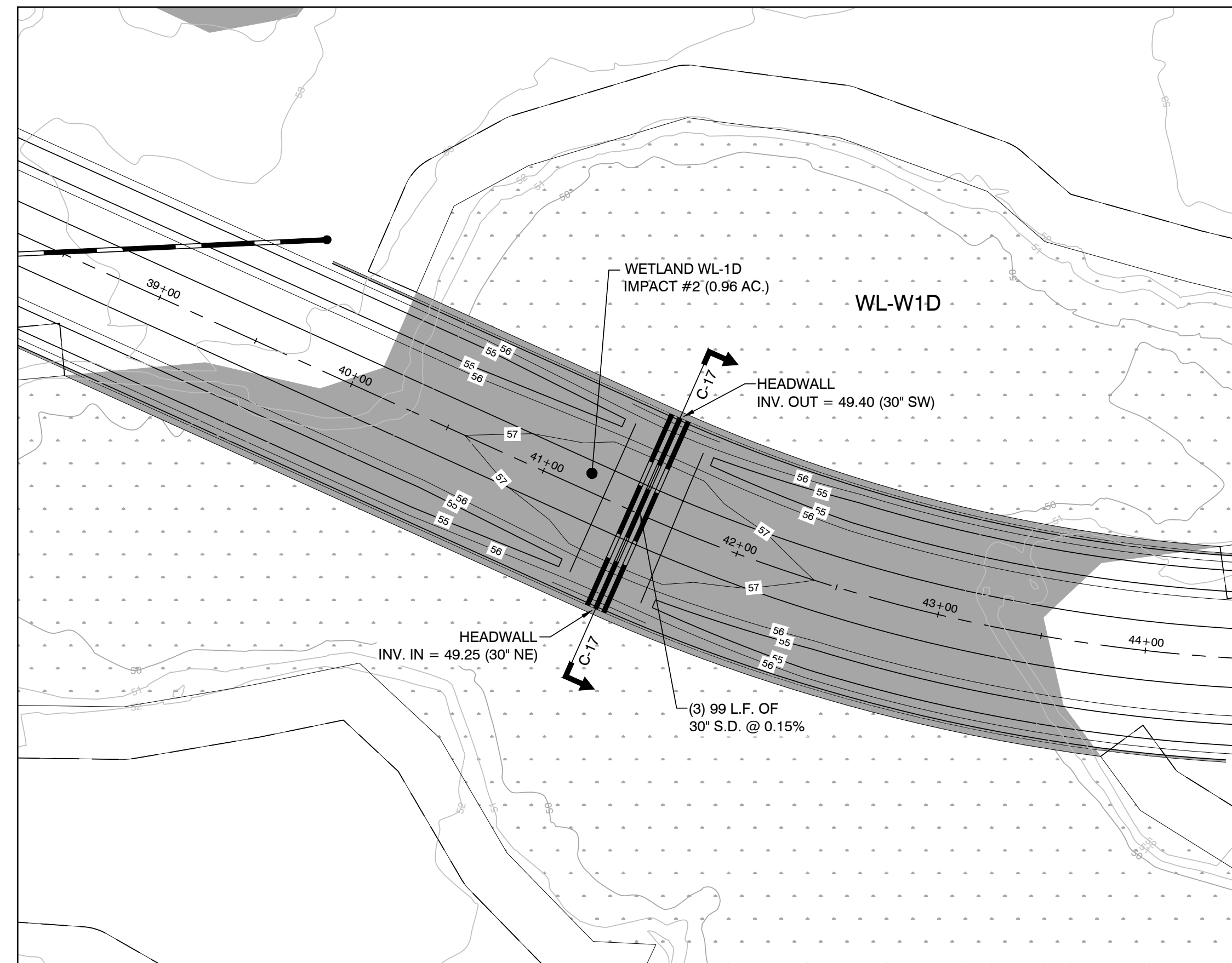
Source: Project boundaries recieved from: Clymer Farner Barley, Inc.; 20231105. 2022 aerial provided by Clymer Farner Barley.



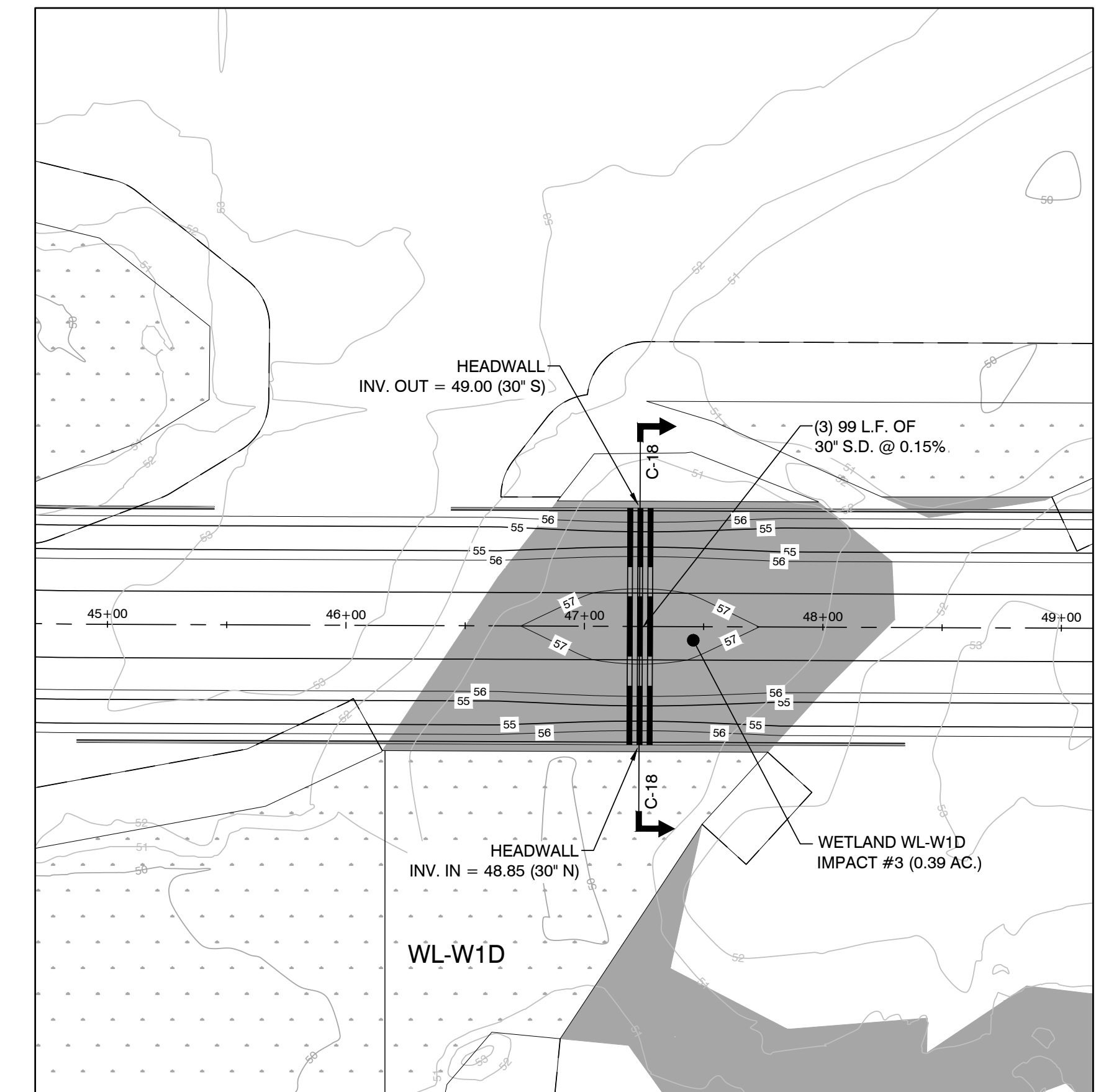
0 375 750
Feet
1 inch = 750 feet

FIGURE 3.2-1
WETLAND IMPACTS ON THE MARLENE O'TOOLE INDUSTRIAL PARK STORMWATER AND
EARTHWORKS, SUMTER COUNTY, FLORIDA.

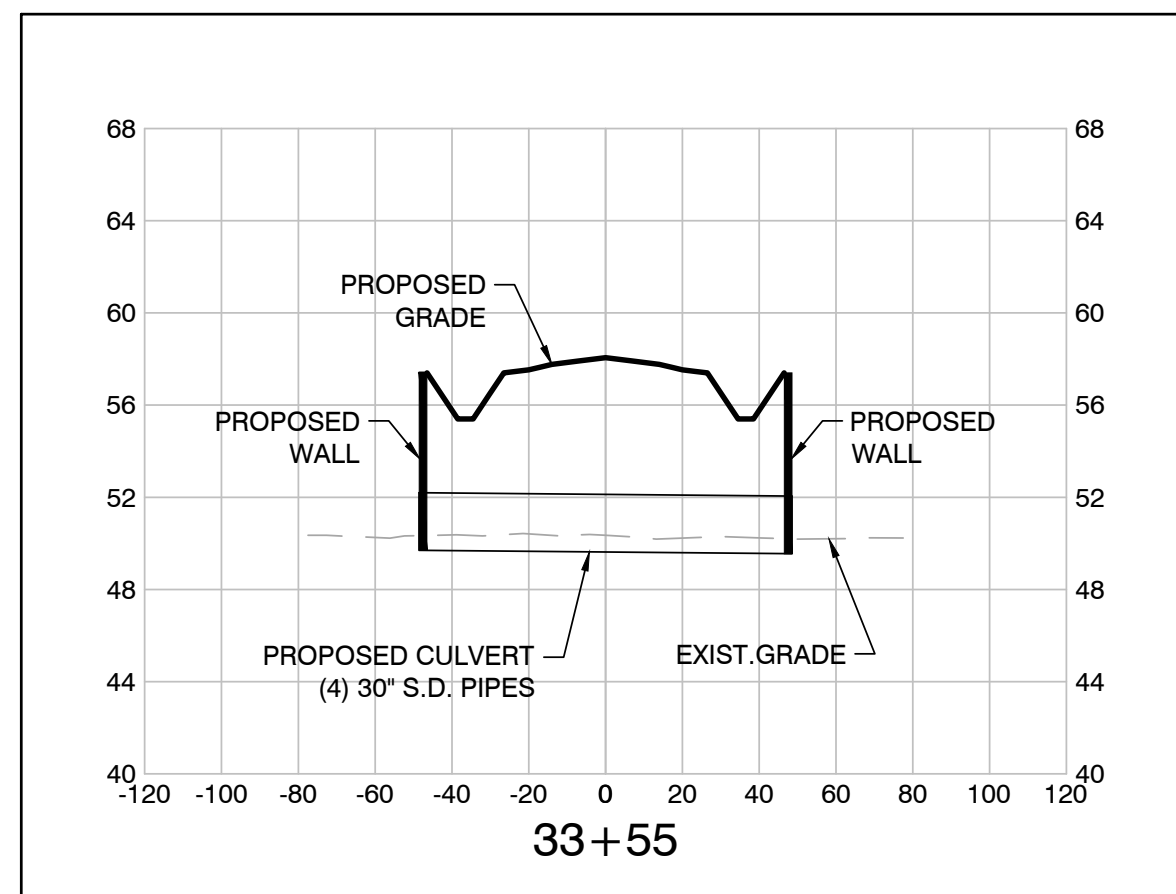
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& ASSOCIATES, INC.
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WL-W1D IMACT #1

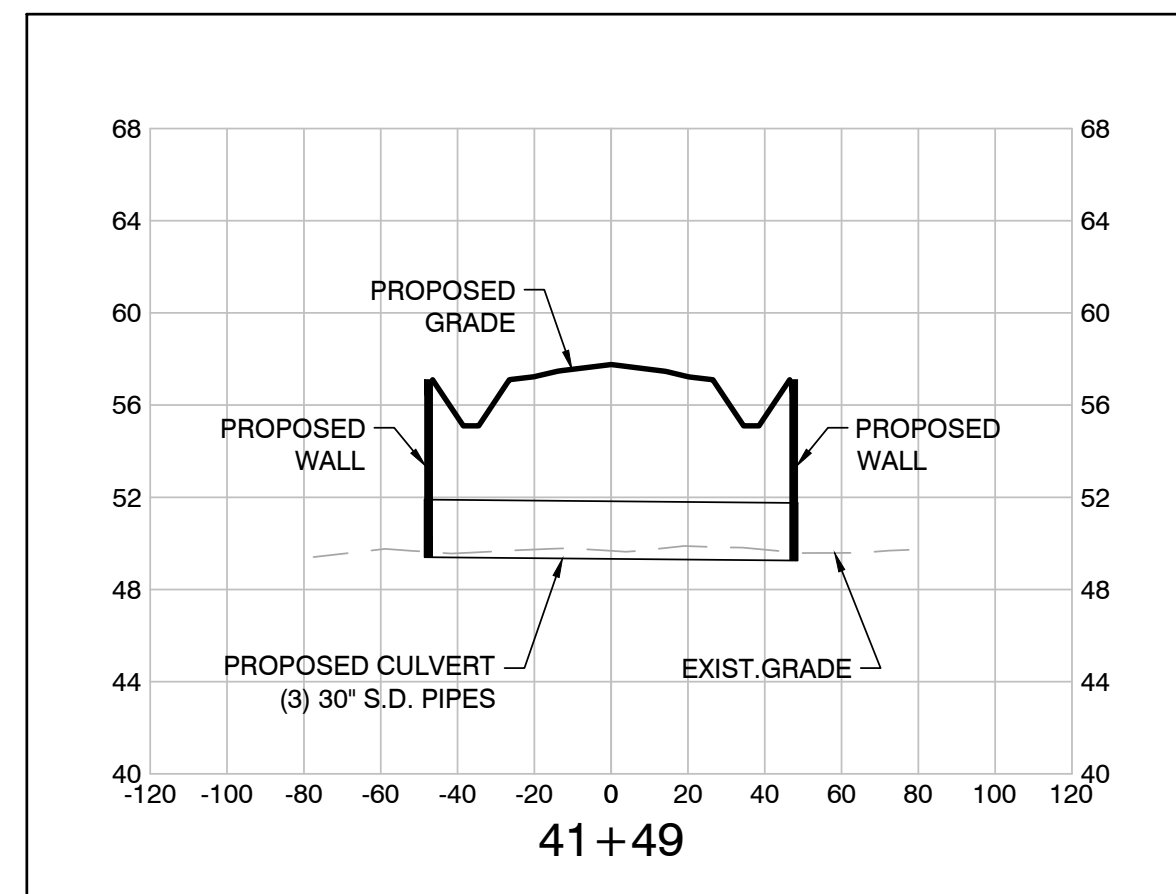
WL-W1D IMACT #2



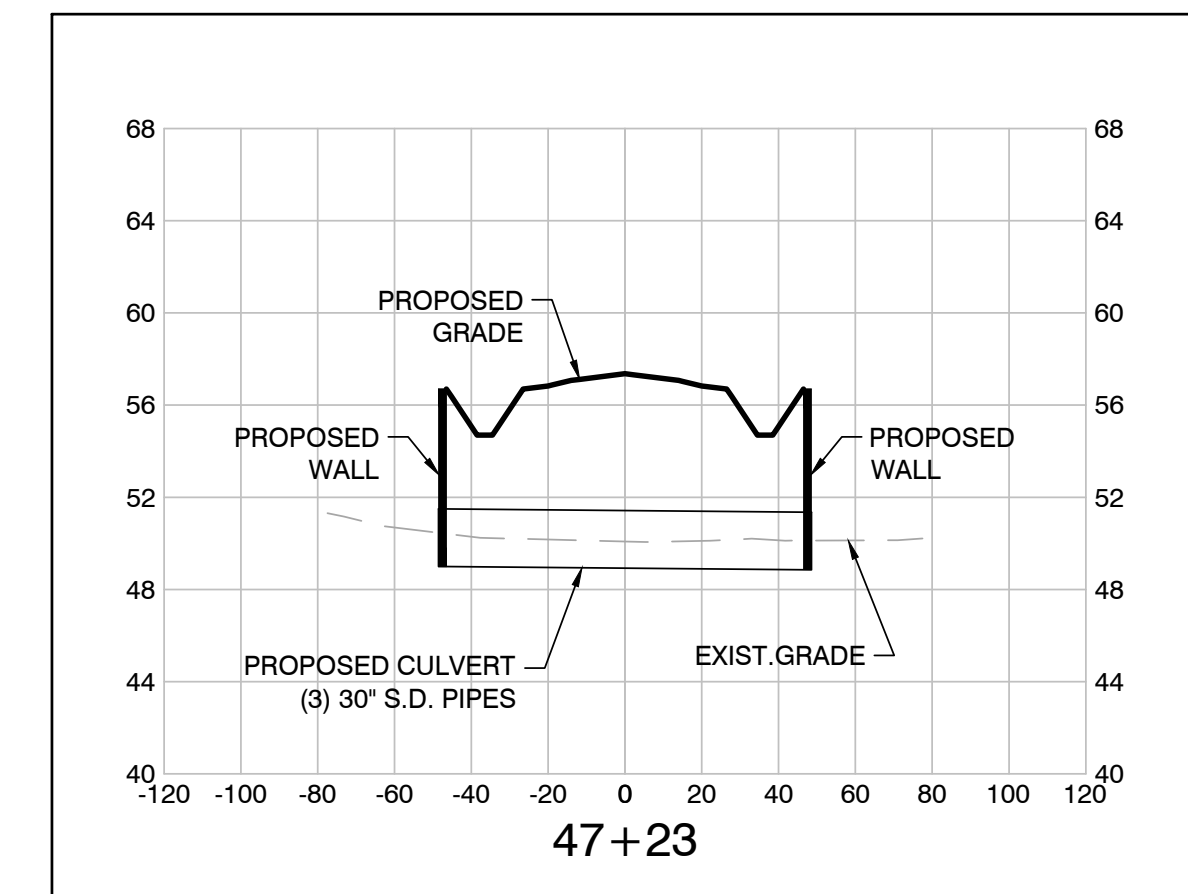
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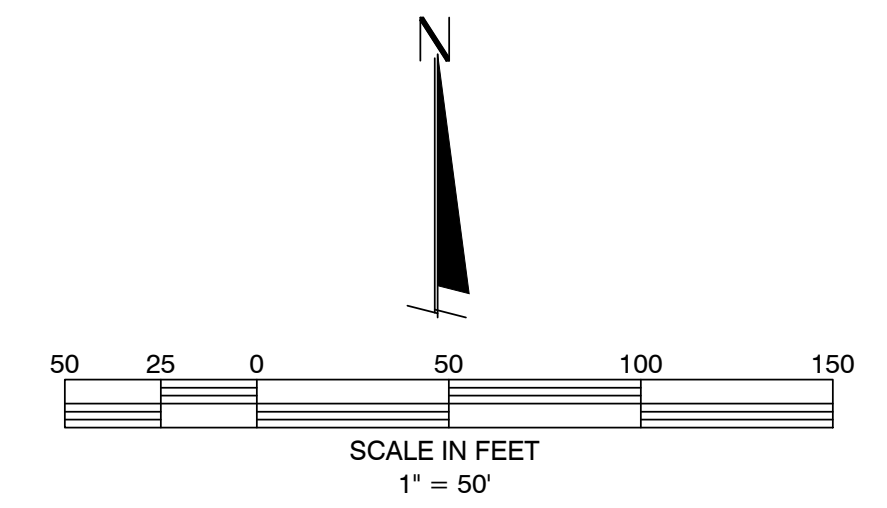
SECTION C-16



SECTION C-17



SECTION C-18

[illegible]

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MARLENE OTTOLE INDUSTRIAL PARK

ACOE WEILAND IMPACTS

SAVE DATE	2/19/2025
DRAWN BY	MJF
CHECKED BY	TC
PROJECT #	E16063.0849
FILE NAME	MOTIP-ACOE IMP EXHIBIT

EET NUMBER ###