



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
Qadir Ghulam
Orange County Public Works

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**Jacksonville District
Permit Application No. SAJ-2024-03649 (SP-MWL)**

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). 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 Michael.W.Langley@usace.army.mil.

APPLICANT: Qadir Ghulam
Orange County Public Works
4200 South John Young Parkway
Orlando, FL 32809

AGENT: Nicole Gough
Dewberry Engineers, Inc.
800 Magnolia Avenue
Suite 1000
Orlando, FL 32804

WATERWAY AND LOCATION: The project would affect aquatic resources associated with the Kissimmee Hydrologic Unit Code (HUC 030901). The project is located along the existing Ficquette Road, approximately from its intersection with Overstreet Road to Torcello Isle Drive in Sections 22, 23, 27, and 34, Township 23 South, Range 27 East; at Latitude 25.458283 degrees and Longitude -81.596094 degrees; in Orlando, Orange County, Florida.

EXISTING CONDITIONS: The wetland system consists of a primarily freshwater forested, including Cypress and Mixed Forested system. The onsite vegetation consists of a mixture of species such as water oak (*Quercus nigra*), slash pine (*Pinus elliotti*), red maple (*Acer rubrum*), and dahoon holly (*Ilex cassine*), or a dominance in cypress (*Taxodium* spp.). The existing area surrounding the project area consists of primarily residential properties or neighborhoods and schools. Due to the existing development, systems are already exposed to edge effects and secondary impacts. All wetland systems have encroachment by non-native and nuisance species.

PROJECT PURPOSE:

Basic: The basic project purpose is roadway improvement.

Overall: The overall purpose of this project is to improve roadway capacity and safety for current and future expected increases in traffic volume due to rapid development in west Orange County, as well as address existing deficiencies in the roadway network geometry and design. The route serves as the sole public road that leads multiple neighborhoods to Florida's Turnpike, which is a dedicated emergency evacuation route.

PROPOSED WORK: The applicant requests authorization to construct capacity and safety improvements along Ficquette Road. Work will include construction from the existing two (2) travel lanes to four (4) travel lanes, with an eventual future widening expansion to six (6) lanes via the median. The capacity improvements include the construction of two (2) associated stormwater pond sites and various safety improvements. The northernmost portion of the project (Station 458 to 475) will be milled and resurfaced. Widening of the roadway surface and construction of stormwater management ponds would permanently impact 8.91 acres of aquatic resources in the form of wetlands and surface waters and 0.09 acre of non-wetland waters and indirectly impact an additional 2.89 acres.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment:

During the analysis of alternatives ("Build" and "No-Build"), environmental impacts associated with the Build alternative were evaluated during the early stages of the design phase to avoid and minimize wetland and/or surface water impacts. Other alternative alternatives were ruled out because of the potential for substantially more impacts, including impacts to waters of the U.S.

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

The applicant is proposing to purchase 5.44 total federal wetland mitigation bank credits from Florida Mitigation Bank (SAJ-1996-03573).

CULTURAL RESOURCES:

The Corps evaluated the undertaking pursuant to Section 106 of the National Historic Preservation Act (NHPA) utilizing its existing program-specific regulations and procedures along with 36 CFR Part 800. The Corps' program-specific procedures include 33 CFR 325, Appendix C, and revised interim guidance issued in 2005 and 2007, respectively. The District Engineer consulted district files and records and the latest published version of the National Register of Historic Places and initially determines that:

Historic properties (i.e., properties listed in or eligible for inclusion in the National Register of Historic Places), are present within the Corps' permit area; however, the undertaking will have no adverse effect on these historic properties. The Corps subsequently requests concurrence from the SHPO and/or THPO.

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 performed an initial review of the application, using the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur within the boundary of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project may affect species and critical habitat listed in Table 1. No other ESA-listed species or critical habitat will be affected by the proposed action.

Table 1 ESA-listed species and/or critical habitat potentially present in the action area.

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
Wood stork	<i>Mycteria americana</i>	Threatened
Eastern indigo snake	<i>Drymarchon couperi</i>	Threatened

The Corps has determined the proposed project may affect, but is not likely to adversely affect, the wood stork using the 2008 effects determination key for central and north peninsular Florida (A>B>C>D>E). The Corps has also determined that the project may affect, but is not likely to adversely affect, the eastern indigo snake using the August 2013 north Florida effect determination key for the species (A>B>C>D>E). No further consultation is necessary for either species.

This notice serves as request to the U.S. Fish and Wildlife Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

ESSENTIAL FISH HABITAT: Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act 1996, the Corps reviewed the project area, examined information provided by the applicant, and consulted available species information.

The Corps has determined the proposal would have no effect on any Essential Fish Habitat (EFH). The project is inland and not in the vicinity of waters that can provide such habitat. Therefore, no consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996 is required.

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 (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 (SFWMD). The SFWMD issued a water quality certification on May 11, 2023 (Permit No. 48-107112-P).

COASTAL ZONE MANAGEMENT CONSISTENCY: Coastal Zone Consistency Concurrence is required from SFWMD. In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. This approval was received from SFWMD on May 11, 2023, under Permit No. 48-107112-P.

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. 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.


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 14, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Michael Langley at Michael.w.Langley@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Jacksonville District, Attention: Michael Langley, 3636 North Central Avenue Suite 900 Phoenix, AZ 85012-1939. 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 hearings 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

 Project Limits



Ficquette Road
Orange County, Florida
Regional Location Map



Data Source: OCPA, FGDL
Image Source: ESRI
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Overall Project Plan View
Fiquette Road Widening
From Ingelnook Dr. to Summerlake Park Blvd
Orange County, Florida

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Data Source: USFWS

Image Source: ESRI



