US Army Corps of Engineers®

PUBLIC NOTICE

Applicant:
Richard Smith
Clay County

Published: March 28, 2025
Expires: April 28, 2025

Jacksonville District
Permit Application No. SAJ-2019-03054-ACM

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 alexander.c.meincke@usace.army.mil

APPLICANT: Richard Smith
Clay County
477 Houston Street, PO Box 1366
Green Cove Springs, Florida 32043

AGENT: Kristen Bridges
Jacobs Engineering Group Inc.
200 West Forsyth Street
Suite 1520
Jacksonville, Florida 32202

WATERWAY AND LOCATION: The project would affect aquatic resources associated with Black Creek. The project/review area is located along CCR 220, east of Baxley Road and west of Shamrock Drive, in Sections 4, 5 and 6, Township 5 South, Range 25 East; at Latitude 30.0961 and Longitude -81.8214; in Clay County, Florida.

EXISTING CONDITIONS: The existing vegetative communities and land uses have been characterized pursuant to the Florida Department of Transportation publication Florida Land Use, Cover and Forms Classification System (FLUCFCS) as depicted on Figure 4 and described below.

A. Uplands

1. Improved Pastures (FLUCFCS 2110) 3.44 acres

Improved pastures are intensively managed (i.e., cleared, tilled, and reseeded) and improved with brush control and fertilizer application. These areas show evidence of

cattle, such as watering ponds, feed bunkers, fencing and cattle trails. Irrigation during dry seasons and water removal during wet periods is typically accomplished by ditch systems. Vegetative species noted within the community type include typical pasture grasses such as bahiagrass (Paspalum notatum), big carpetgrass (Axonopus furcatus), with scattered pine (Pinus spp.).

2. Coniferous Plantations (FLUCFCS 4110) 5.45 acres

This community type is located along the full northern and southern extents of the project corridor. Coniferous plantation habitats are dominated by slash pine (Pinus elliottii) in the canopy with little to no sub-canopy. Herbaceous groundcover consisted of scattered saw palmetto (Serenoa repens), gallberry (Ilex glabra), greenbrier vine (Smilax sp.), and blackberry (Rubus sp.).

3. Primitive/Trails (FLUCFCS 8146) 0.01 acres

These features can be found intermittently adjacent to the project corridor along the southern project limits. These primitive roadways are typically associated with logging trails.

4. Roads and Highways (FLUCCS 8140) 9.05 acres

This land use includes roads and highways that exceed 100 feet in width over long segments and have two lanes and median strips or turning lanes. The ~1.25-mile county road improvement project area extends along CR 220 from Baxley Road to Henley Road.

B. Wetlands

1. Ditches and Swales (FLUCFCS 5130) 1.79 acres

This community type includes man-made linear water bodies and typically associated with stormwater management system conveyance features (i.e., ditches and swales). This land use includes the side slopes, linear drainage features, and grassed wet swale areas. Several drainage ditches and swales fall within the project area extending along both the northern and southern extents of CR 220. Ditches were typically colonized by pennywort (Hydrocotyle umbellata), coinwort (Centella asiatica), torpedograss (Panicum repens), St. Augustine grass (Stenotaphrum secundatum) and taro (Colocasia esculenta). The CR 220 Right-of-Way (ROW) consisted of vegetated roadside drainage features present along the entire project corridor.

2. Stormwater Ponds (FLUCCS 5300)

This land use includes artificial impoundments of water used for water treatment, floodplain compensation, or irrigation. There are no reservoirs or stormwater ponds currently within the roadway project. Two stormwater retention pond exists within 500-

feet of the roadway project area. The ponds are associated with commercial (Marathon gas station, Nail salon, and Family Dollar) and residential developments (Sherwood Dr., and Hunters Trace) located within close proximity to the CR 220 ROW. These ponds generally consist of open water with no or little littoral shelf containing wetland vegetation. The side slopes of these created systems are generally vegetated with bahigrass.

3. Wetland Forested Mixed (FLUCCS 6300) 0.08 acres

This wetland type occurs on a variety of soil moisture conditions, from permanently wet to seasonally or infrequently wet. This cover type is located adjacent to the southern boundary of CR 220 with forested wetlands directly adjacent to the road project. These areas typically have a mix of canopy species including maple, water oak sweetgum, sweetbay, and loblolly pine. The shrub layer includes scattered maple and water oak saplings. The herbaceous layer is variable and comprised of scattered southern shield fern (Thelypteris kunthii), cinnamon fern (Osmunda cinnamomeum), netted chain fern (Woodwardia areolata), with various types of vines including poison ivy (Toxicodendron radicans), and laurel greenbrier (Smilax laurifolia). The wetland is highly suitable for usage by regionally common wading birds as well as common amphibians, reptiles, and fish.

4. Coniferous Plantations-Wet (FLUCCS 4410-W) 0.65 acres

This community type is located along the full northern and southern extents of the project corridor. Coniferous plantation habitats are dominated by slash pine (Pinus elliottii) in the canopy with little to no sub-canopy. Herbaceous groundcover consisted of scattered saw palmetto (Serenoa repens), gallberry (Ilex glabra), greenbrier vine (Smilax sp.), and blackberry (Rubus sp.).

PROJECT PURPOSE:

Basic: The basic project purpose is roadway improvement.

Overall: The overall purpose of this project is to enhance the ability of CR 220 to meet anticipated traffic demands, improve safety, improve water quality, and serve existing and future land uses along the corridor.

PROPOSED WORK: The applicant requests authorization to widen and reconstruct CR 220 from a two lane rural roadway to a four-lane urban section including bike lanes and sidewalks and enhancement of stormwater management with two new wet detention stormwater ponds. The traffic signals at Baxley Road and CR 220 will be reconstructed to accommodate the additional lanes. The proposed construction would result in direct impacts to include 0.22 acres of Wetland Forested Mixed, 0.08 acres of Mixed Wetland, 0.64 acres of Coniferous Plantations (wet), 1.79 acres of

swales/ditches, and secondary impacts to 0.15 acres of Mixed Wetland Hardwoods, 1.13 acres of Wetland Forested Mixed, and 2.13 acres of Coniferous Plantations (wet).

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

"Potential impacts to jurisdictional wetland and surface waters were avoided and minimized to the extent possible while still providing the described goals for the project which include widening and improvements to CR 220 and required stormwater management ponds. The existing CR 220 corridor (roadway and right-of-way) dictated the location of widening and proposed improvements and jurisdictional features within that footprint could not be avoided. Alternative locations were investigated for the stormwater ponds. The selection of stormwater pond locations was based on an evaluation of available properties for acquisition, site topography, and avoidance of environmental impacts

To eliminate the potential for permanent drawdown and dewatering of adjacent wetlands due to required control elevations in the ponds, impermeable liners are positioned beneath the stormwater management ponds that extend to elevations above the surrounding SHWT. The proposed impermeable liners will avoid approximately 5.45 acres of additional permanent drawdown and dewatering impacts to forested wetlands.

To further minimize the impacts to the other wetland and surface waters adjacent to the proposed impact areas, best management practices will be utilized during project implementation. These include the installation of silt fencing around construction areas just beyond the limits of clearing and grading to prevent soil erosion and runoff into adjacent features. The silt fencing will remain in place until the project is completed and soil surfaces have stabilized.

All impacts will be restricted to the aerial limits shown on project design sheets. No operation of heavy machinery will be conducted outside of these aerial limits. All heavy vehicle traffic will access the wetland areas being cleared from the adjacent uplands. All clearing activities will take place from inside the area to be cleared. No heavy machinery or vegetation will be staged or stockpiled within adjacent wetland areas."

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

"The total functional loss to wetland communities from the unavoidable proposed project impacts is 1.21 credits. This includes 0.78 forested wetland credits and 0.43 herbaceous wetland credits. All impacts to agency approved jurisdictional features are proposed to receive compensatory mitigation based on the calculated functional loss. Permanent wetland impacts incurred by the project are proposed to be compensated

through purchase of wetland mitigation credits from an approved mitigation bank located in Cumulative Impact Basin 4 - Northern St. Johns River and Coastal Basin."

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.

ENDANGERED SPECIES: The Corps has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), National Marine Fisheries Service (NMFS) Section 7 Mapper, and the NMFS Critical Habitat Mapper to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur in the vicinity 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 below. No other ESA-listed species or critical habitat will be affected by the proposed action.

The Corps has determined the proposed project may affect, but is not likely to adversely affect the Tricolored Bat (Perimyotis subflavus), Eastern Indigo Snake (Drymarchon couperi), based on programmatic key. The applicant would complete work prior to any potential listing of the species; or, if the species is listed prior to work completion, the applicant would pursue consultation with the United States Fish and Wildlife Service pursuant to Section 10 of the Endangered Species Act.

The Corps has determined the proposal would have no effect on the Whooping Crane (Grus americana), Monarch Butterfly (Danaus plexippus), Black Creek Crayfish (Procambarus pictus), Eastern Black Rail (Laterallus jamaicensis ssp. jamaicensis) or designated critical habitat.

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). There were no EFH identified in the project area. 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 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 may be required from the St. Johns River Water Management District (SJRWMD).

COASTAL ZONE MANAGEMENT CONSISTENCY: Coastal Zone Consistency Concurrence is required from the St. Johns River Water Management District (SJRWMD). 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.

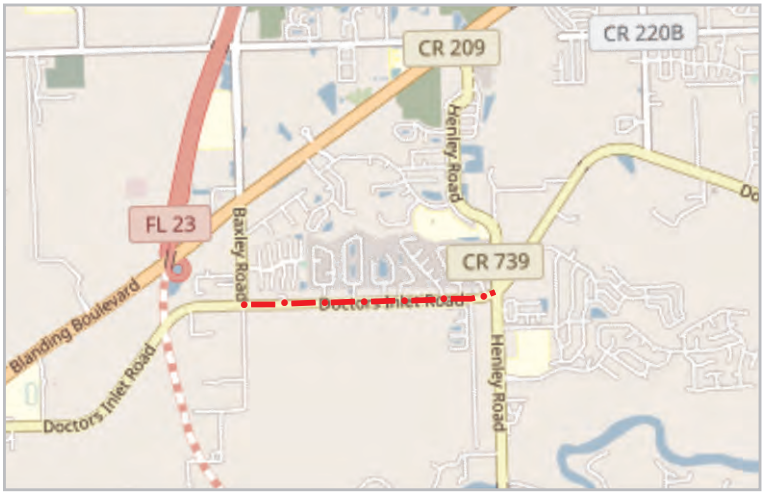
COMMENTS: The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether 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 7, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at https://rrs.usace.army.mil/rrs or to Alex Meincke at alexander.c.meincke@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Jacksonville District, Attention: Alex Meincke, Jacksonville Permits Section, 701 San Marco Boulevard, Jacksonville, FL, 33207-8175. 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.

PROJECT LOCATION MAP



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Longitude -81.830842°W
Latitude 30.095978°N

Project End:
Longitude -81.809787°W
Latitude 30.096743°N

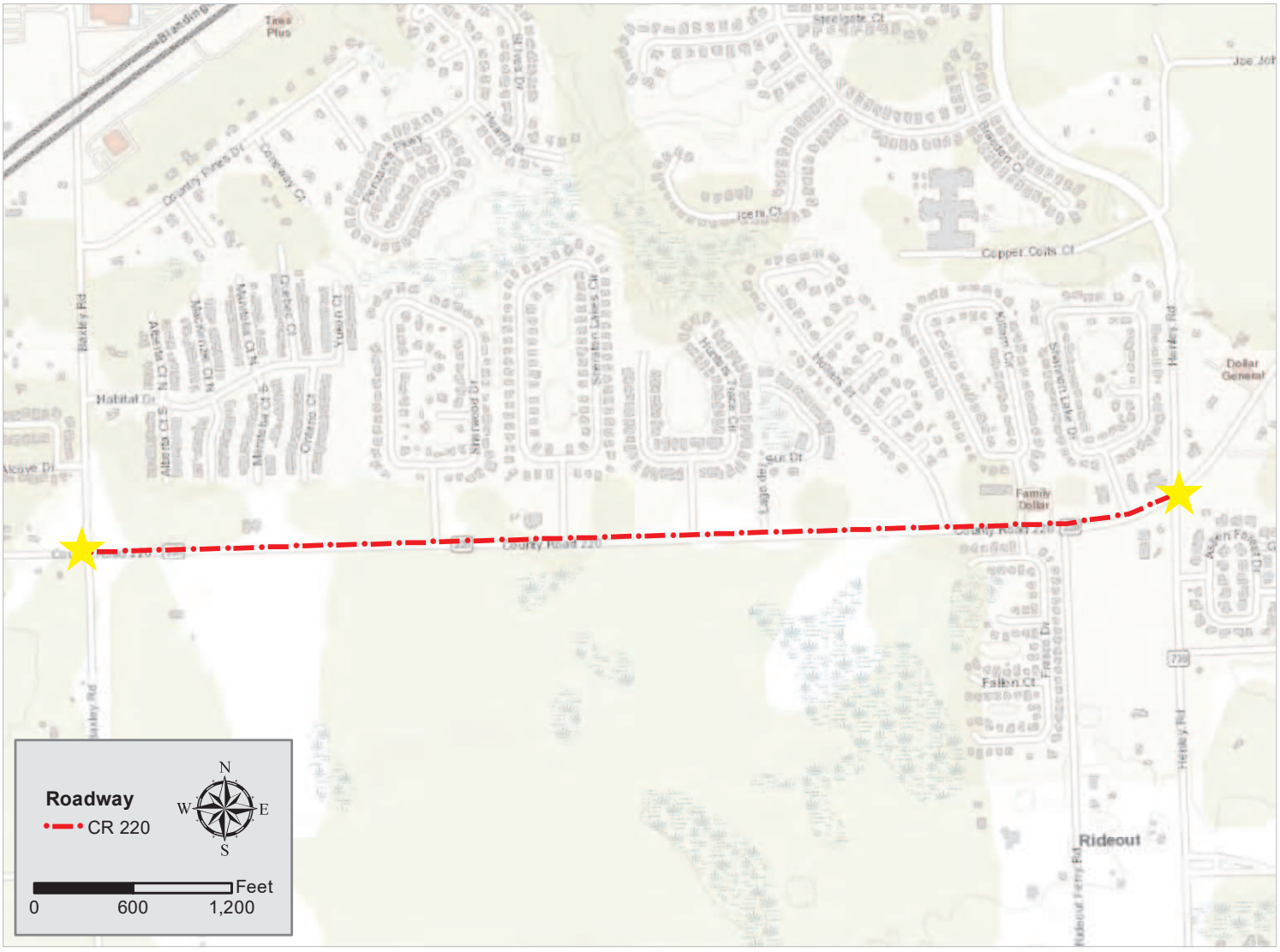
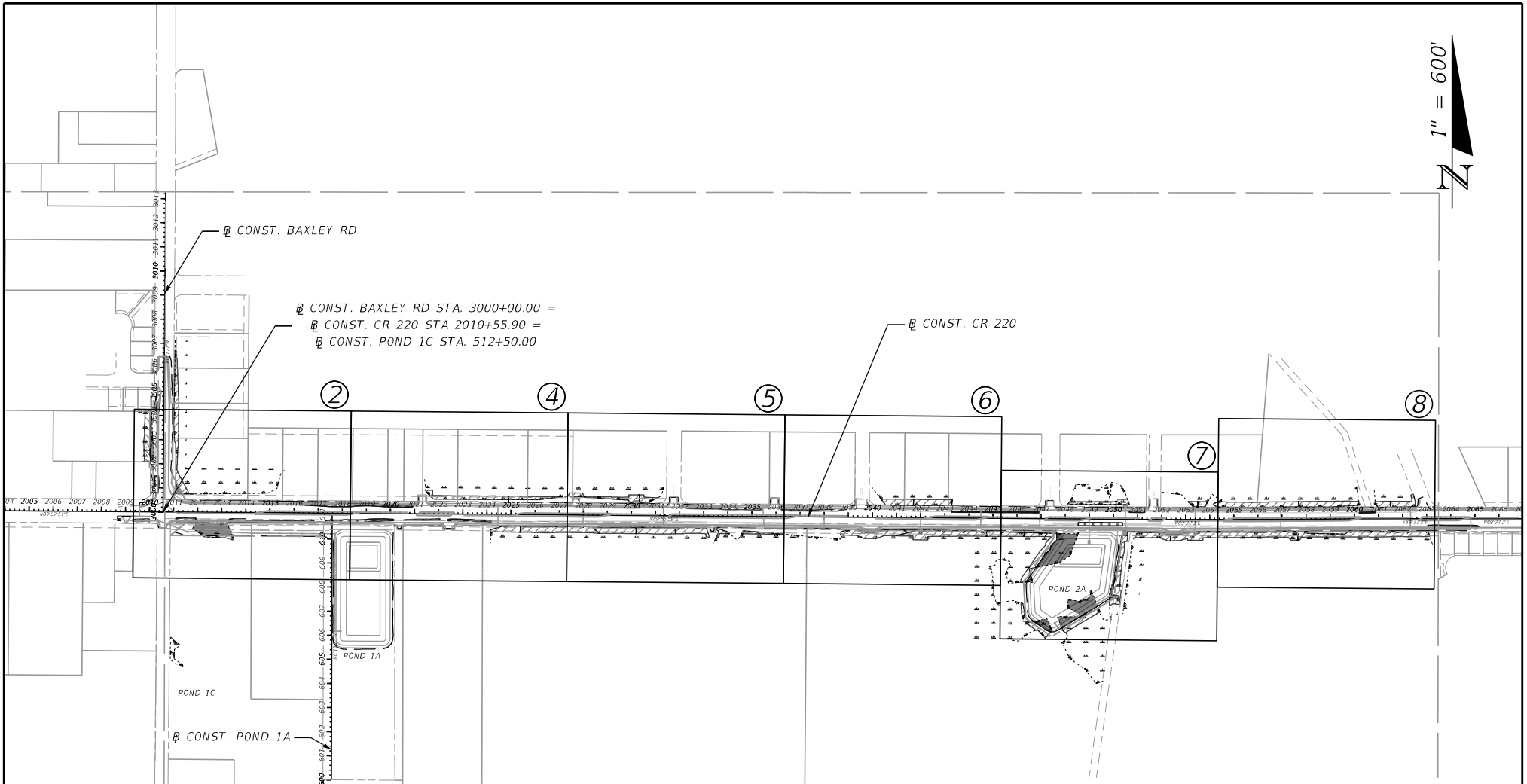


Figure 1.0	**CLAY COUNTY BOCC** **CR 220 - FROM BAXLEY ROAD TO HENLEY ROAD** **CLAY COUNTY, FL**	WGI
STR:05/05S/25E		
11/25/2020	Source: WorldTopoMap/ArcGIS Online	



SUMMARY OF IMPACTS		
IMPACT TYPE	AREA (AC)	AREA (SF)
DIRECT WETLAND IMPACTS	0.94	40,660
SECONDARY WETLAND IMPACTS	3.41	147,832
62-340 WETLAND CUT IMPACTS	1.15	50,694
OTHER SURFACE WATERS IMPACTS	0.64	27,846
TOTAL IMPACTS	6.14	267,328

CR 220
IMPROVEMENTS
WETLAND IMPACTS SHEETS LAYOUT

REVISION	BY	DATE

COUNTY ROAD 220 — CLAY COUNTY

	BY	DATE
DRAWN	KB	10-12-23
CHECKED	DTL	10-13-23

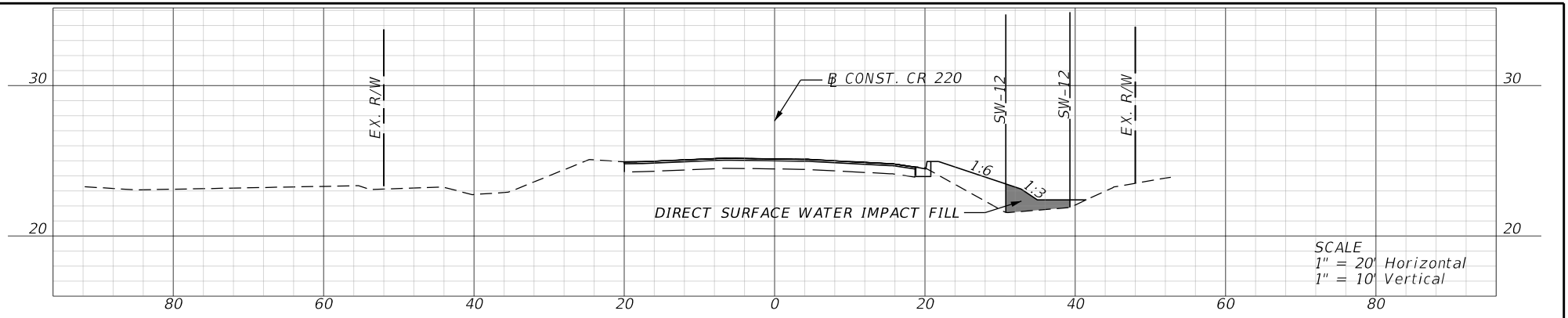
PREPARED BY:

DATA SOURCE:

F.P. NO.

SECTION

SHEET 1 OF 14



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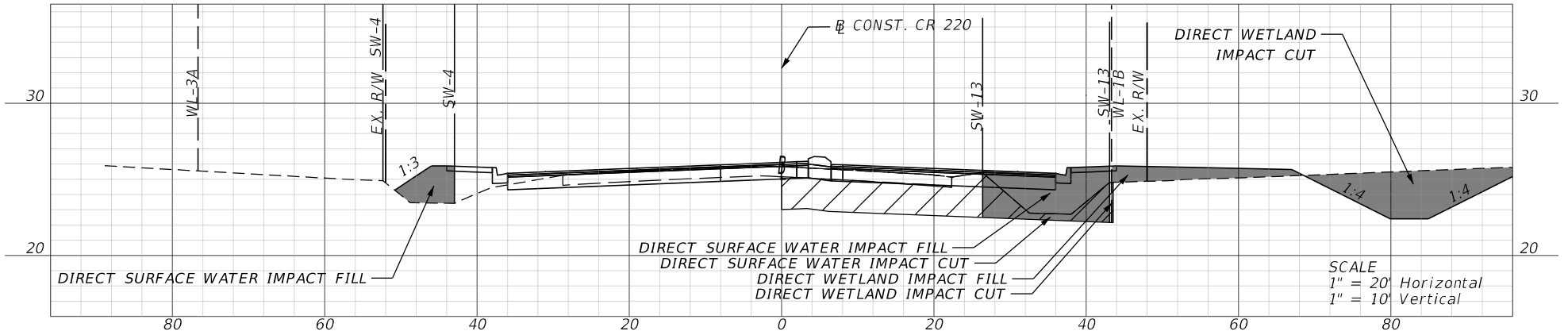

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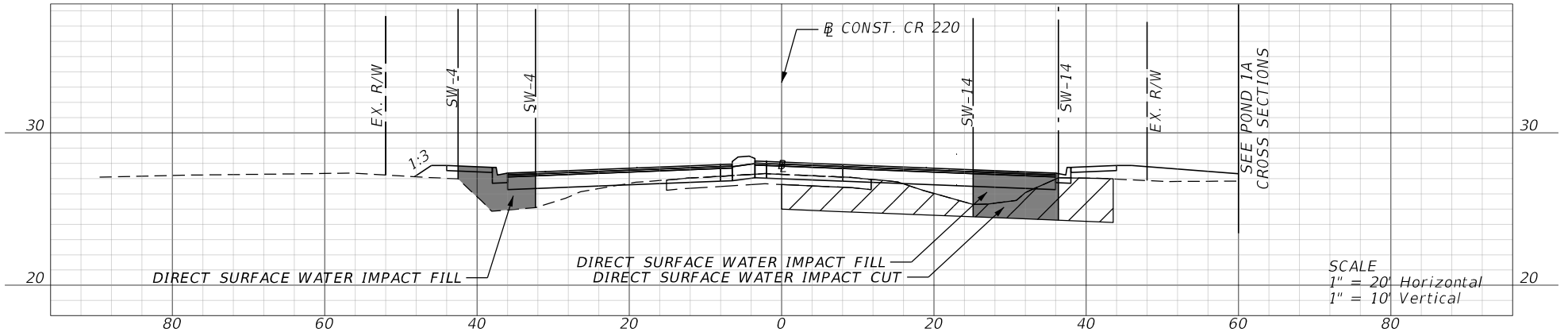

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CR 220
IMPROVEMENTS

WETLAND IMPACTS

REVISION	BY	DATE

COUNTY ROAD 220 — CLAY COUNTY

	BY	DATE
DRAWN	KB	10-12-23
CHECKED	DTL	10-13-23

PREPARED BY:

DATA SOURCE:

F.P. NO.

SECTION

SHEET 8 OF 14