



**US Army Corps  
of Engineers®**

# PUBLIC NOTICE

Applicant:  
Small, Brian  
Bird Dog, LLC

Published: April 11, 2025  
Expires: May 12, 2025

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**Jacksonville District  
Permit Application No. SAJ-2025-00483**

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 [Terri.M.Mashour@usace.army.mil](mailto:Terri.M.Mashour@usace.army.mil).

**APPLICANT:** Small, Brian  
Bird Dog, LLC  
3948 3rd Street South  
Jacksonville Beach, Florida 32250

**AGENT:** Hayley Torkos  
Oneida Environmental  
10475 Fortune Parkway  
Suite 201  
Jacksonville, Florida 32256

**WATERWAY AND LOCATION:** The project would affect waters of the United States associated with Cedar Creek. The project/review area is located on the north side of Hemlock Street, 0.20-miles east of the intersection of Lem Turner Road and Hemlock Street in 33 Section, 1 Township, 26 Range; at Latitude 30.462208° and Longitude - 81.710666°; in Jacksonville, Duval County, Florida.

**EXISTING CONDITIONS:** The project site is 9.80 acres in size and is located in a rural area of northwest Jacksonville. The site consists of four single family residences, two open water ponds and forested areas that consist of forested wetlands and what the applicant has identified as forested ditches. The natural communities have been classified under the Florida Land Cover Classification System (FLCCS) as follows:

**Pine – Mesic Oak (FLCCS 1124) 1.99 acres** – This vegetative community consisted of slash pine (*Pinus elliottii*), laurel oak (*Quercus laurifolia*), and live oak (*Quercus virginiana*) with understory species such as gallberry (*Ilex glabra*), greenbrier (*Smilax* spp.), and saw palmetto (*Serenoa repens*).

**Rural Structures (FLCCS 1832) 5.51** – This land cover classification consisted of residences and other outbuildings with maintained yards, laurel oak, live oak, and ornamental shrubs.

**Freshwater Non-Forested Wetlands (FLCCS 2100) 0.31 acre** – This vegetative community consisted of yellow-eyed grass (*Xyris* spp.), torpedo grass (*Panicum repens*), soft rush (*Juncus effusus*), bluestem (*Andropogon* spp.), marshpennywort (*Hydrocotyle* spp.), nutrush (*Scleria* spp.), and sedges (*Carex* spp.).

**Mixed Hardwood-Coniferous Swamps (FLCCS 2240) 1.24 acres** – This vegetative community consisted of slash pine, red maple (*Acer rubrum*), blackgum (*Nyssa sylvatica*), sweetgum (*Liquidambar styraciflua*) with understory species consisting of fetterbush (*Lyonia lucida*) and royal fern (*Osmunda spectabilis*).

**Artificial/Farm Pond (FLCCS 3210) 0.47 acre** – This land cover classification consisted of an artificial pond.

**Ditch (FLCCS 4220) 0.28 acres, 1,911.17-linear-feet** – This land cover classification consisted of upland cut ditches vegetated with various ferns.

#### **PROJECT PURPOSE:**

**Basic:** The basic project purpose is housing.

**Overall:** The overall project purpose is to develop a single family residential subdivision that would house at least 54 duplex lots on the northwest side of Jacksonville, Duval County, Florida.

**PROPOSED WORK:** The applicant requests authorization to place 2,194-cubic-yards of clean fill into 1.77 acres of aquatic resources (1.03-acres of palustrine forested wetlands, 0.46-acre of pond impacts, and 0.28 acre of ditch impacts) for the construction of a single family residential subdivision and associated infrastructure.

**AVOIDANCE AND MINIMIZATION:** 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 to still have a viable project, which avoids effects and impacts to fish and wildlife. Upland buffers have been proposed around the high-quality wetlands and wherever feasible. The provided site plan has avoided the high-quality wetlands on-site as much as practicable by shifting the development to the south.”

**COMPENSATORY MITIGATION:** The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: “Wetland fill impacts are proposed to be ±1.03 acres of wetlands. As mitigation for the

proposed jurisdictional wetland impacts, the Applicant will purchase 0.74 units of mitigation bank credits from a mitigation bank to be determined.

### **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 performed an initial review of the application, the National Regulatory Viewer, U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), National Marine Fisheries Service (NMFS) NOAA Fisheries Southeast Region 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.

Table 1. Positive Layer Queries		
ESA Programmatic (5 layers queried, 1 returned results)		
Layer: Wood stork Core Foraging Areas		
Common Name	Scientific Name	CFA Buffer
Wood stork	Mycteria americana	13 miles
Source: <a href="https://arcportal-ucop-corps.usace.army.mil/s0arcgis/rest/services/Regulatory/SAJ_Programmatic/MapServer/9">https://arcportal-ucop-corps.usace.army.mil/s0arcgis/rest/services/Regulatory/SAJ_Programmatic/MapServer/9</a>		

Table 2. IPAC Species	
Species Name (common (scientific))	Federal Status
Eastern Black rail (Laterallus jamaicensis ssp. jamaicensis)	Threatened
Eastern indigo snake (Drymarchon couperi)	Threatened
Green sea turtle (Chelonia mydas)	Threatened
Hawksbill sea turtle (Eretmochelys imbricata)	Endangered
Monarch butterfly (Danaus plexippus)	Proposed Threatened
Red-cockaded woodpecker (Dryobates borealis)	Threatened
Tricolored bat (Perimyotis subflavus)	Proposed Endangered
Whooping crane (Grus americana)	Experimental Population, Non-Essential
Wood stork (Mycteria americana)	Threatened

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402. The Corps is the lead Federal agency for ESA consultation for the proposed action. Any required consultation will be completed by the Corps.

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.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action would not impact EFH and/or fisheries managed by Fishery Management Councils and the National Marine Fisheries Service (NMFS). The proposed project is located in freshwater wetlands, which are inland and upstream of tidal waters and EFH. The effects of the project are determined to be minimal and permanent.

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 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.

**COASTAL ZONE MANAGEMENT CONSISTENCY:** Coastal Zone Consistency Concurrence is required from St. Johns River Water Management District. 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. 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 May 12, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Terri M. Mashour at Terri.M.Mashour@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Jacksonville District, Attention: Terri M. Mashour, 701 San Marco Boulevard, Jacksonville, FL 32207. Please refer to the permit application number in your comments.

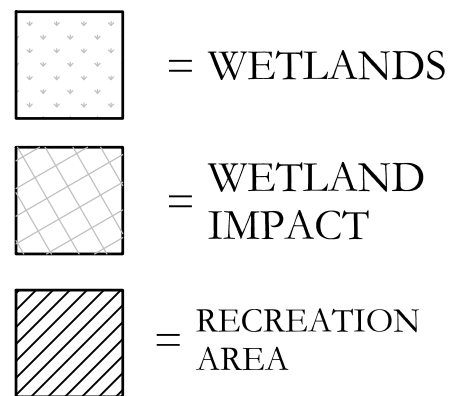
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless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



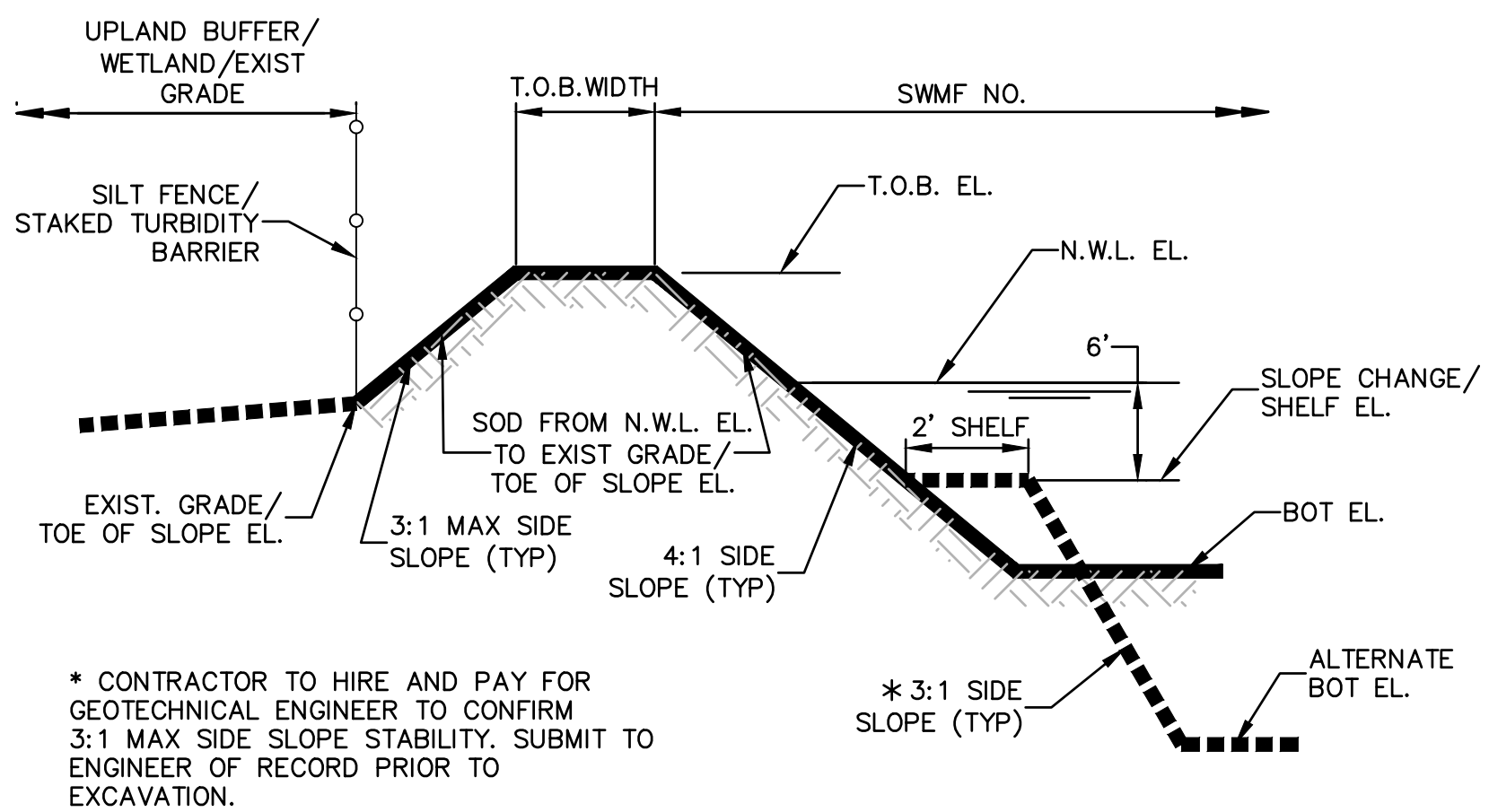




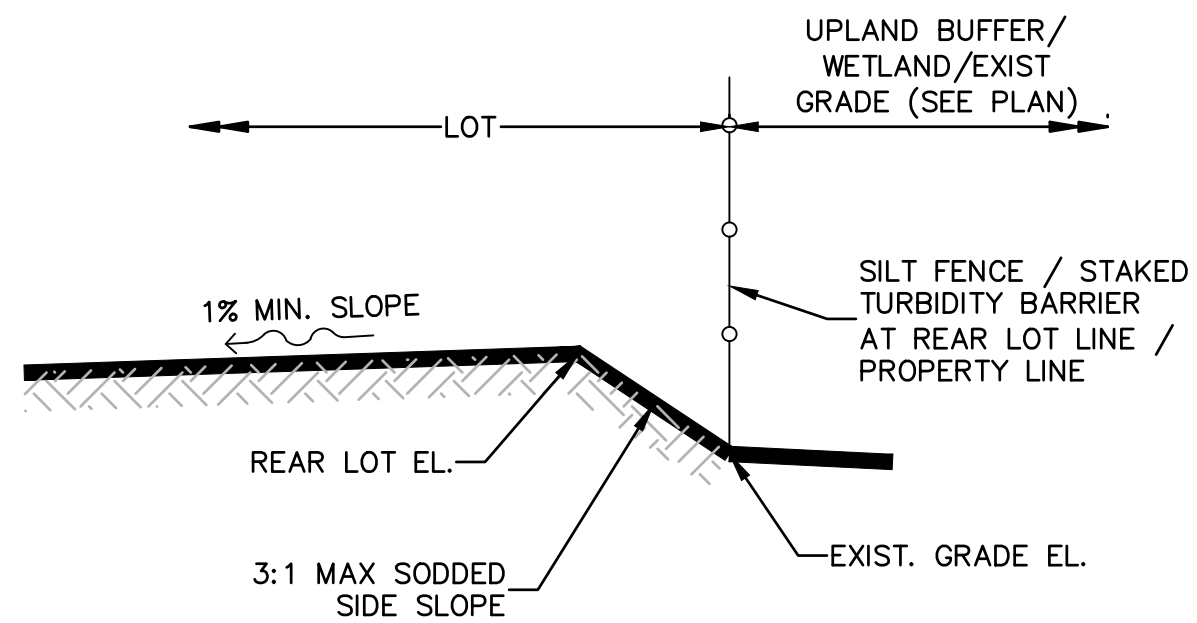
LEGEND



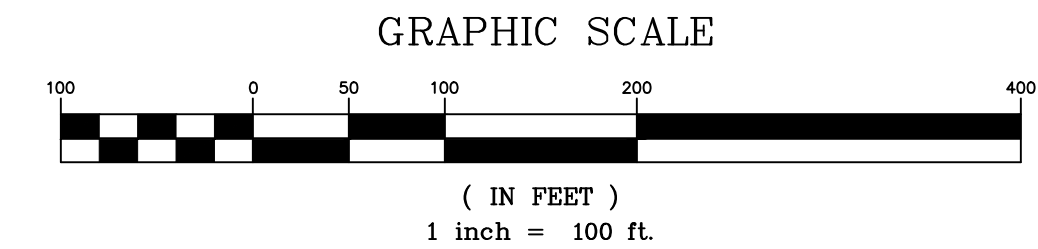
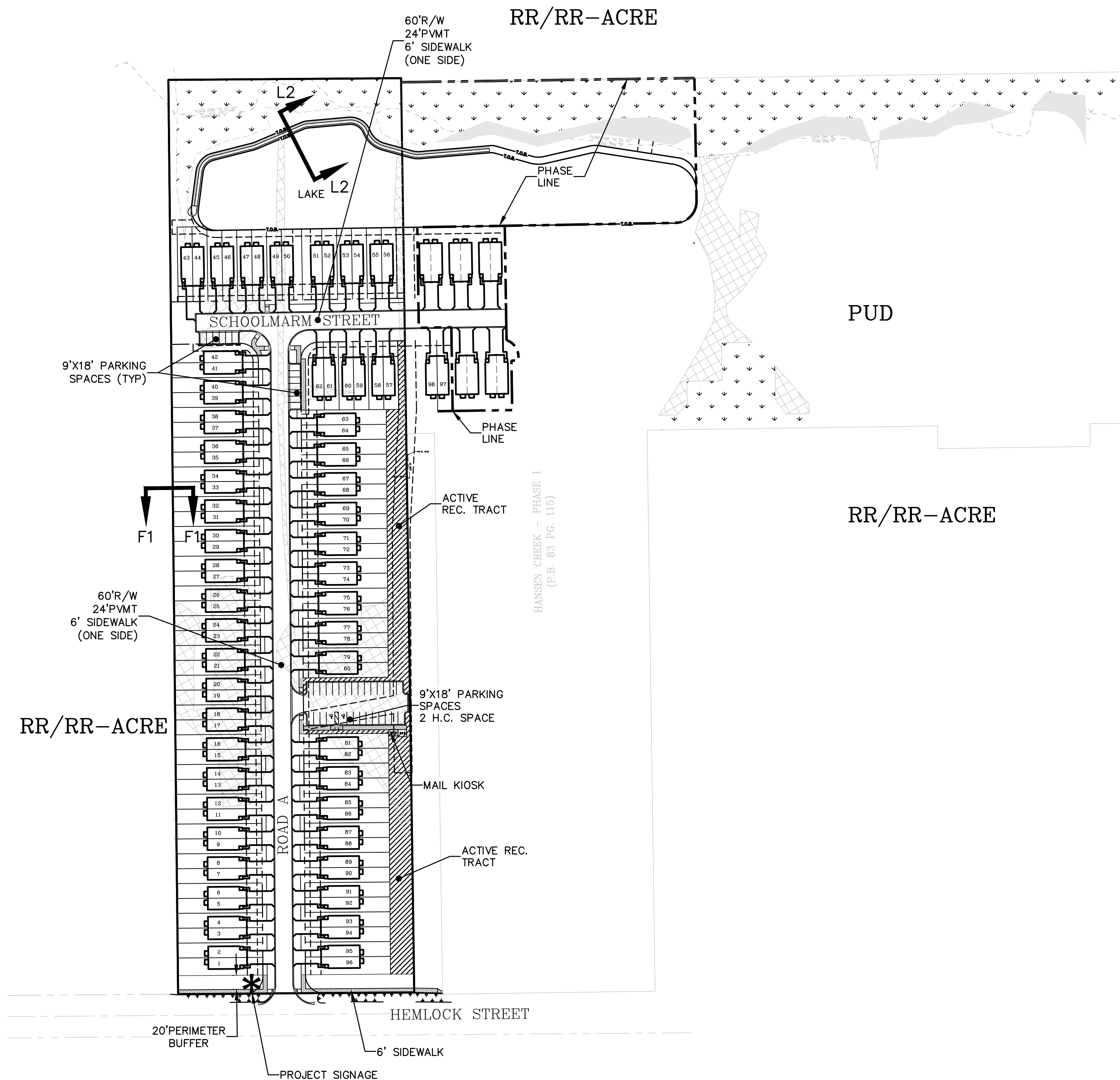
\* GENERAL LOCATION OF ENTRY IDENTIFICATION SIGNAGE



SWMF SECTION L2-L2



SWMF SECTION F1-F1



SITE SUMMARY

- OWNER:  
BIRD DOG, LLC  
3948 3RD STREET S.  
SUITE 116  
JACKSONVILLE, BCH FL 32250  
PHONE: (904)-516-5900
- DEVELOPER:  
BIRD DOG, LLC  
3948 3RD STREET S.  
SUITE 116  
JACKSONVILLE, BCH FL 32250  
PHONE: (904)-516-5900
- ENGINEER:  
DUNN & ASSOCIATES, INC.  
8647 BAYPINE ROAD BUILDING 1  
JACKSONVILLE, FL 32256  
PHONE: (904)363-8916  
FAX: (904)363-8917
- SURVEYOR:  
CLARSON & ASSOCIATES  
1643 NALDO AVENUE  
JACKSONVILLE, FL 32207  
PHONE: (904)396-2623  
FAX: (904)396-2633
- LANDSCAPE ARCHITECT:  
GODARD DESIGN ASSOCIATES, INC.  
541 OLEANDER STREET  
NEPTUNE BEACH, FL 32266  
PHONE: (904)247-7729
- ZONING:  
RMD-A
- REAL ESTATE NO. / TAX PARCEL:  
019466-0180, 019466-0170, 019466-0020, 019466-0030
- EXISTING SITE CHARACTERISTICS:  
A) LOCATED ON HEMLOCK STREET, WEST OF LEM TURNER ROAD  
B) TOPOGRAPHY DESCRIPTION: SITE FLOWS SOUTH TO NORTH
- TOTAL SITE AREA SUMMARY:  
TYPE OF DEVELOPMENT = DUPLEX  
LAND USE = MDR  
MINIMUM LOT AREA = 1,890 SF  
MINIMUM LOT WIDTH = 21'  
FRONT SETBACK: = 20'  
SIDE SETBACK: = 0' (5' EXTERIOR W/ 10' BETWEEN BLDGS)  
REAR SETBACK: = 10'  
MAX HEIGHT OF STRUCTURES: = 35'
- WATER SUPPLY: = J.E.A.
- SEWER SERVICE: = J.E.A.
- ELECTRICAL SERVICE: = J.E.A.
- STORM WATER SYSTEM: WET DETENTION PONDS
- FIRE PROTECTION: AS REQUIRED VIA HYDRANTS
- SIGNAGE: TYPE, LOCATION AND DIMENSIONS TO BE IN ACCORDANCE WITH P.U.D.
- SIDEWALKS: SHALL BE PER 2030 COMP PLAN
- ADA RAMPS: SHALL BE PROVIDED AT ALL SIDEWALK CONNECTIONS

SITE DATA	
A. TOTAL GROSS ACREAGE	= 9.80 Ac.
B. NUMBER OF LOTS	= 98
C. LOT DENSITY	= 10.0 LOTS PER ACRE
D. AVERAGE LOT SIZE	= 21'x90' (1,890 SF)
E. LOT COVERAGE	= 70% FOR ALL BUILDINGS
F. WETLANDS PRESERVED	= 0.52Ac.
G. PERIMETER BUFFER	= 0.12Ac.
H. COMMON AREA/REC. SPACE (150 SF / DU)	= 0.34Ac. REQUIRED = 0.56Ac. PROVIDED
I. LAKE	= 1.74Ac.
PARKING SUMMARY:	
J. SPACE FOR EACH LOT	= 2 SPACES PER LOT PLUS 1 GUEST SPACE PER 3 LOTS
K. TOTAL SPACES REQUIRED	= 229 (1 CAR GARAGE & 1 CAR IN DRIVEWAY + 40 GUEST)
L. TOTAL SPACE PROVIDED	= 236 + 2H.C. = 238

FLOOD ZONE

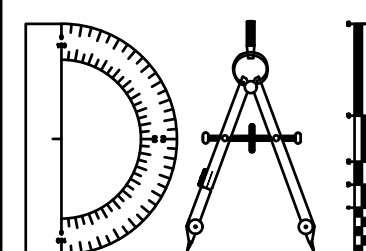
DEVELOPED AREA LOCATED WITHIN FLOOD ZONE "X" PER FEMA MAP NO. 12031C079H, DATED JUNE 3, 2013. (BASE FLOOD ELEVATION ESTABLISHED PER FEMA MAPS).

NOTE: THIS PLAN IS CONCEPTUAL IN NATURE. LOT LINES, LOT SIZES, ROADWAY NETWORK, RIGHT-OF-WAYS, STORM WATER PONDS AND SIGNAGE MAY BE ADJUSTED FOR ENGINEERING, GEOMETRY AND ANY GOVERNMENTAL AGENCY REQUIREMENTS AND AS SITE PLANNING REQUIRES.

P:\2211-517-2 HANSEN CREEK PHASE 2\EXHIBITS\HANSEN CREEK ACOE EXHIBIT.DWG3/26/2025 1:03 PMNigel Scarbrough

REVISIONS		
NO.	DATE	DESCRIPTION

DESIGNED BY: DAI
DRAWN BY: NWS
CHECKED BY: D. TAYLOR
SCALE: 1" = 100'
DATE: 3/26/2025
PROJ. NO.: 2211-517-2



Dunn & Associates, Inc.

CIVIL ENGINEERS / LAND PLANNERS  
8647 Baypine Road, Suite 200  
Jacksonville, Florida 32256  
Phone: (904)363-8916 Fax: (904)363-8917  
www.dunneng.com

HANSEN CREEK PH-2

FOR:  
BIRD DOG, LLC

DUVAL COUNTY, FLORIDA  
PRELIMINARY SKETCH PLAN

Sheet No. 1 of 1

PSP  
DWG. NO.

DAVID M. TAYLOR ENGINEER NO. 44184  
GLEN R. WIEGER ENGINEER NO. 81419  
JOSHUA M. BENOLKEN ENGINEER NO. 93672



