

PUBLIC NOTICE

Applicant: Kevin Kramer Governors Park Property Holdings, LLC Published: May 20, 2025 Expires: June 10, 2025

Jacksonville District
Permit Application No. SAJ-2025-00826

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 Tracy.d.sanders@usace.army.mil.

APPLICANT: Kevin Kramer

Governors Park Property Holdings, LLC 401 East Las Olas Blvd, Suite 1870 Ft. Lauderdale, Florida 33301

WATERWAY AND LOCATION: The project site is located north and east of the First Coast Expressway and west of adjacent CR 15A within Sections 3, 4, 19, 20, 21, 29, 30, 32, 33, 34, and 38, Township 6 South, Range 26 in Clay County, Florida. Florida at latitude 29.954292° and longitude -81.713114°. The project would affect aquatic resources associated with Governors Creek

EXISTING CONDITIONS:

The Governors Parc North site consists of approximately 1,107 acres and supports the following ten (10) land use types/vegetative communities within its boundaries. These areas were identified utilizing the Florida Land Use, Cover and Forms Classification System, Level III (FLUCFCS, FDOT, January 1999). The Upland land use types/vegetative communities on the site are classified as Residential, low Density (110) (8.94 acres), Open Land (190) (5.7 acres), Sod Farms (242) (512.77 acres), Mixed Rangeland (330) (7.66 acres), Mixed Hardwoods (438) (271.26 acres), Coniferous Plantations (441) (122.92 acres) and Electrical Power Transmission Lines (832) (0.76 acres). The wetland/surface water land use types/vegetative communities on the site are classified as Reservoirs less than 10 acres (534) (21.76 acres), Wetland Forested Mixed (630) (150.26 acres), and Vegetated Non-Forested Wetlands (640) (4.75 acres).

PROJECT PURPOSE:

Basic: The basic project purpose mixed-use development.

Overall: The overall project purpose is to construct a mixed-use single family, multifamily, institutional and commercial development and associated infrastructure in southeast Clay County.

PROPOSED WORK: The applicant seeks authorization to discharge approximately 209,305 cubic yards of permanent fill material in approximately 20.24 acres of freshwater forested wetlands for the construction of a mixed-used development that includes roads, single and multifamily units, schools, community centers, commercial developments 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 subject property has been selected and designed in such a way as to avoid high-quality, ecologically significant wetlands and to minimize those impacts necessary to result in a feasible project. Avoidance and minimization were accomplished by the selection of a site dominated by agricultural pastureland, silviculture, and old sod farm with little wetland impacts. For those wetland impacts which could not be avoided, high quality compensatory mitigation in the form of mitigation bank credits will be provided. The subject property has been selected and designed in such a way as to avoid high-quality, ecologically significant wetlands and to minimize those impacts necessary to result in a feasible project. The unique goal of this project to provide much needed affordable single & multi-family housing. Institutional, and Town Center in an area with high demand. The elimination and reduction strategy includes the selection of a site dominated by agricultural and silvicultural land use, with nearby residential and commercial development with minimal connectivity to high quality natural wetlands. With a total of 155.02 acres of wetlands onsite, only 12.57 acres of jurisdictional wetlands are proposed for impacts. All of the impacts associated with the site are for ingress and egress, spine roads and emergency exits. The buildings, infrastructure, and unit count cannot practicably be reduced further, as they are currently at the minimum scale to result in a viable multi-family project. Thus, no jurisdictional impacts are proposed for building infrastructure. The development footprint was reduced as much as possible, with the appropriate allowable unit size. Impacts from WI-2C, 2D, and 2F account for approximately 5.62 acres of wetland Impacts come from a spine road running east to west. This practicability extends to the value and marketability of the final product, as site lines and advertising (including visible amenities) are critical for a development of this type. These impacts are unavoidable for they provide important ingress and egress points to access properties within the site. These road locations were chosen

in a way to minimize wetland impacts from W-2. If they were to be shifted to the north or south more wetland impacts would occur. Therefore, these impact locations avoid the wetlands to its greatest possible measure. Wetland impacts WI-2A, WI-2B, WI-2E, WI-2G, and WI-2H are all impacts associated with emergency exits and cross collector road. These impacts account for 6.95 of the overall project impacts. The collector road, not only serves as a road to access the spine road and internal roads, but as a tie in road to the First Coast Expressway (SR23). These impacts are minor but a necessary part of the overall ingress and egress of the project site. The northern impacts to Governors Creek are for emergency ingress/ egress points. These impacts are necessary if one or more ingress points are impeded for emergency use. Having access to the northern portion of the property through these roads are necessity to eliminate risk.

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

The applicant purchased 7.96 UMAM credits from an approved Federal mitigation bank.

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:

No 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; therefore, there will be <u>no historic properties affected</u>. 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, through the use of 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 would have no effect on the Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis*), black creek crayfish (*Procambus pictus*), and Monarch butterfly (*Danaus plexippus*).

The Corps has determined the proposed project may affect, but is not likely to adversely affect the Eastern Indigo Snake (*Drymarchon couperi*) and Tricolored Bat (*Perimyotis subflavus*). The Corps will request U.S. Fish and Wildlife concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

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.

The Corps has determined the proposal would have no effect on any Essential Fish Habitat (EFH). The proposed project would occur in freshwater wetlands inland of tidal waters and EFH. 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.

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 Saint Johns River Water Management District.

COASTAL ZONE MANAGEMENT CONSISTENCY: Coastal Zone Consistency Concurrence is required from Saint Johns River Water Management District. In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan.

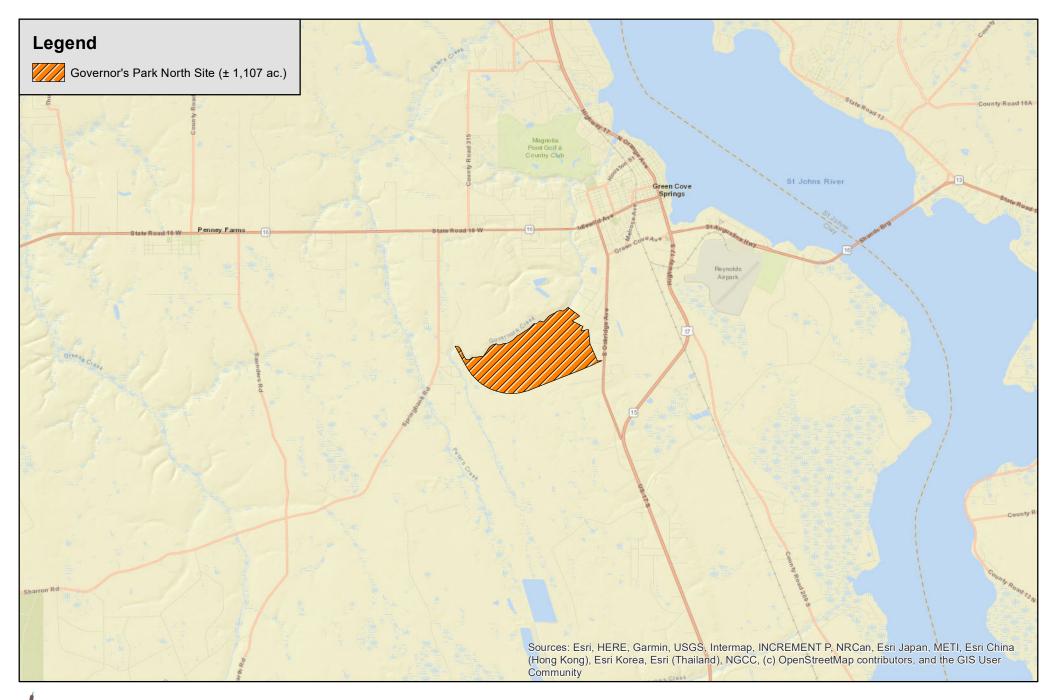
NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that 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. 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 June 10, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at https://rrs.usace.army.mil/rrs or to Tracy Sanders at Tracy.d.sanders@usace.armymil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Jacksonville District, Attention: Tracy Sanders, 701 San Marco Boulevard, Jacksonville, Florida 32207-8175. 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.

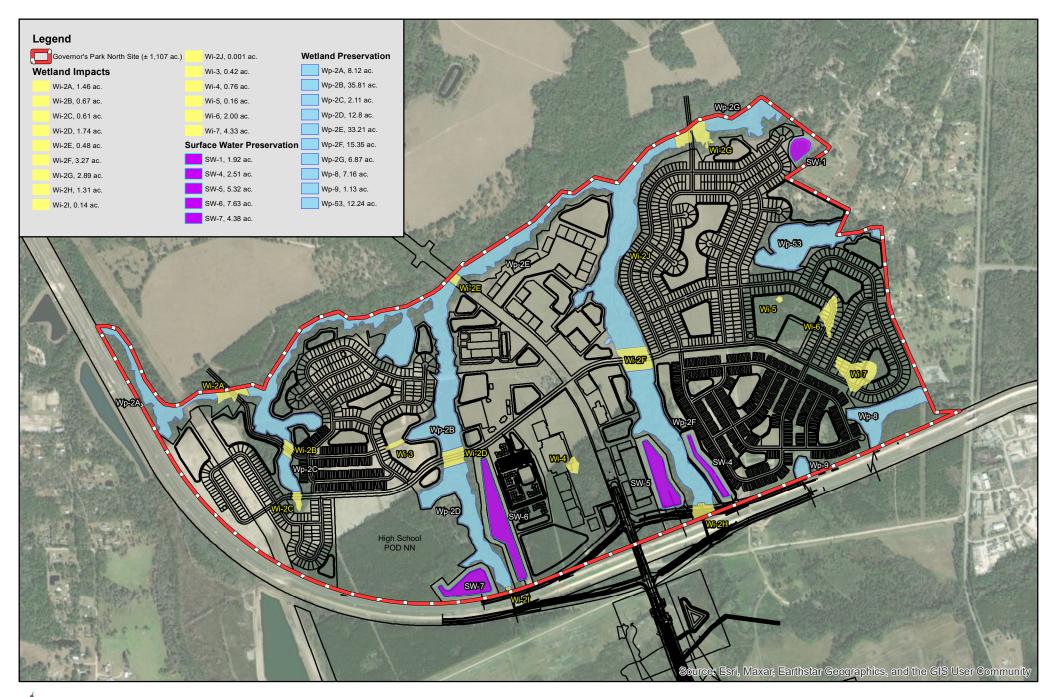




3025 East South Street Orlando, FL 32803 Phone (407) 894-5969 Fax (407) 894-5970 www.bio-techconsulting.com Governor's Park North Site Clay County, Florida Figure 1 Location Map



1.5 Miles
Project #: 1288-10
Produced By: JDH
Date: 2/21/2025





3025 East South Street Orlando, FL 32803 Phone (407) 894-5969 Fax (407) 894-5970 www.bio-techconsulting.com Governor's Park North Site Clay County, Florida Figure 8A Wetland & Surface Water Impacts



1,500
Feet
Project #: 1288-10
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Date: 3/17/2025