US Army Corps of Engineers®

PUBLIC NOTICE

Applicant:
John Drury
City of Tavares

Published: June 6, 2025
Expires: June 27, 2025

Jacksonville District
Permit Application No. SAJ-2025-01138

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 Mark.A.Marousky@usace.army.mil.

APPLICANT: John Drury
City of Tavares
100 N. Disston Avenue
Tavares, Florida 32778

WATERWAY AND LOCATION: The project would affect aquatic resources associated with forested wetlands that are connected to Lake Eustis. The project site is located Between N. St. Clair Abrams Avenue and N. Rockingham Avenue: at latitude 28.812323° and longitude -81.720068°; in Tavares, Lake County, Florida.

EXISTING CONDITIONS: The project is located within a very populated and developed residential portion of Tavares, in Lake County. Work is occurring within a 3.08 acre parcel located just north of an existing state owned stormwater pond in central Tavares. The site contains approximately 2.14 acre of forested wetlands (WL1 and WL2), 0.35 acre of wetland cut ditches (OSW1), 0.12 acre of upland cut ditches (OSW2). The area surrounding the site contains existing roadways, residential neighborhoods, and an adjacent sports complex located southeast from the site. Areas located north of the project contains small, forested areas that are undeveloped. The majority of the areas surrounding the site have been altered by development and the construction of residential neighborhoods, roadways, and commercial buildings. The project will occur within two (2) upland land use communities and three (3) wetland communities that area present within the project area. Descriptions of the land uses and their FLUCFCS description are provided below.

Upland Habitats

Herbaceous Dry Prairie (FLUCFCS 310): Consists of a 0.37 acre area of sodded areas of grass and other ruderal herbaceous vegetation are present within the road right of ways (ROW) of N. Rockingham and N. St. Clair Abrams Avenues. The ROW associated with N. St. Clair Abrams Avenue contains a shallow, grassy swale. Both areas appear to be regularly mowed and maintained. Observed vegetation included bahia grass (*Paspaum notatum*), Bermuda grass (*Cynodon dactylon*), guinea grass (*Urochloa maxima*), beggarticks (*Bidens alba*), and Mexican clover (*Richardia brasiliensis*).

Other Shrubs and Brush (FLUCFCS 329): Consists within a 0.10 acre area. A spoil pile adjacent to a ditch and sloping associated with a berm between the onsite wetland/ ditching and the existing stormwater pond to the south consisted of other shrubs and brush. Representative vegetation consisted of ruderal species, including Brazilian pepper (*Schinus terebinthifolia*), guineagrass, beggarticks, lantana (*Lantana strigocamara*), Caesarweed (*Urena lobata*), shrubby false buttonweed (*Spermacoce verticillata*), Bermudagrass, Muscadine grape (*Vitis rotundifolia*), and tuberous sword fern (*Nephrolepis cordifolia*).

Wetland Habitats

Wetland Cut Ditches (FLUCFCS 513): Consists within a 0.35 acre area. A ditch that appears to have been excavated in wetlands was observed along the western and northern portions of the Project. This ditch is within an area mapped by the NRCS as containing primarily Placid sand, frequently ponded, 0 to 2% slopes (38), which is a wetland soil. Vegetation within the wetland-cut ditch consisted of manyflower marshpennywort (*Hydrocotyle umbellata*), tropical flatsedge (*Cyperus surinamensis*), Cuban bulrush (*Cyperus blepharoleptos*), alligator weed (*Alternanthera philoxeroides*), broadleaf cattail (*Typha latifolia*), and common dayflower (*Commelina diffusa*).

Upland Cut Ditches (FLUCFCS 514): Consists within a 0.12 acre area. A ditch that appears to have been excavated in uplands was observed along the eastern portion of the Project. This ditch is within an area mapped by the NRCS as containing Arents (17) which is an upland soil. Vegetation within the upland-cut ditch consisted of vaseygrass (*Paspalum urvillei*), manyflower marshpennywort, lizard's tail, common dayflower, and swamp fern.

Wetland Hardwood Forests (FLUCFCS 610): Consists within a 2.01 acre area. A wetland hardwood forest covered most of the Project. A ditch traversing the interior of this wetland was included as part of this land cover. Microtopographic variability within this wetland is evident in the topographic survey for the Project and is likely the result of historic earthwork associated with the installation of this ditch, other perimeter ditches, and the adjacent roadways. The canopy within this forested wetland community consisted of a mix of mostly hardwood species, which included red maple (*Acer rubrum*), sweetbay (*Magnolia virginiana*), swamp tupelo (*Nyssa biflora*), camphortree (*Camphora officinarum*), sugarberry (*Celtis laevigata*), and slash pine (*Pinus elliottii*).

Vegetation within the understory and ground cover included elderberry (*Sambucus canadensis*), buttonbush (*Cephalanthus occidentalis*), southern willow (*Salix caroliniana*), wax myrtle (*Morella cerifera*), Brazilian pepper, cinnamon fern (*Osmundastrum cinnamomeum*), lizard's tail (*Saururus cernuus*), swamp fern (*Telmatoblechnum serrulatum*), poison ivy (*Toxicodendron radicans*), air potato (*Dioscorea bulbifera*), and tuberous sword fern.

Wetland Forested Mixed (FLUCFCS 610): Consists within a 0.13 acre area. A mixed wetland forest was identified along the northern boundary of the Project which contained a larger percentage of slash pine in the canopy relative to the rest of the forested wetlands onsite. This canopy/subcanopy was primarily a mix of slash pine, camphor tree, and sweet bay. The understory consisted of a mix of tuberous sword fern, swamp fern, and air potato, including notably dense and overgrown pockets of air potato.

PROJECT PURPOSE:

Basic: Stormwater Improvements

Overall: To construct a stormwater management system to address flood storage and pollution abatement deficiencies identified within the city of Tavares Florida in Lake County, Florida.

PROPOSED WORK: The applicant requests authorization to fill ±2.61 acre of jurisdictional wetlands to construct a stormwater management system in Lake County. The stormwater management system will require the discharge of 6.75 cubic yards of in Waters of the United States.

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 being proposed consists of a new stormwater improvement facility designed to increase the City of Tavares total stormwater treatment and storage capacities, while also diversifying wildlife habitat and enhancing recreational opportunities. Previous studies of functional stormwater management capabilities within the City of Tavares determined deficiencies associated with flood storage and pollution abatement. The purpose of this project is to address these deficiencies. This project is being proposed as a retrofit to increase the City of Tavares stormwater treatment and storage capacities, with the intent to improve water quality, diversify wildlife habitat, and enhance recreational and educational opportunities. The property on which the project is proposed is composed of vacant land consisting almost entirely of a forested wetland that has been ditched on all sides and internally. Due to the absence of undeveloped uplands available to accommodate the area for which stormwater treatment and storage are needed, the project is being proposed within this forested wetland; however, the forested wetland to be impacted contains perimeter and interior ditches and receives

untreated stormwater runoff from surrounding roads. This wetland area will be replaced by a pond with stormwater treatment to improve water quality, additional flood storage capacity, and associated wetland littoral areas. Floating vegetated mats (Beemats) and aerators will be included to improve water quality by increasing oxygen circulation and removing excess nutrients and pollutants. The pond design also involves irregular shorelines and a variety of depths to increase the extent and diversity of fish and wildlife habitat and enhance recreational opportunities, namely fishing, but also activities such as bird watching. All discharges will be temporary in association with pond construction and will largely be contained using silt fencing/turbidity barriers as applicable. The permanent improvements to water quality will outweigh any impacts that may be associated with potential temporary discharges.

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

Mitigation for these impacts will be provided via 62.55 acres of offsite preservation adjacent to Lake Eustis consisting of forested wetlands.

CULTURAL RESOURCES:
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 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 in the vicinity of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project will not affect any listed species or critical habitat.

Table 2: ESA-listed species and/or critical habitat potentially present in the action area.

Species Name (common (scientific))	***Federal Status***
Eastern Black rail (Laterallus jamaicensis ssp. jamaicensis)	Threatened
Eastern indigo snake (Drymarchon couperi)	Threatened
Everglade snail kite (Rostrhamus sociabilis plumbeus)	Endangered
Lewton's polygala (Polygala lewtonii)	Endangered
Monarch butterfly (Danaus plexippus)	Proposed Threatened
Papery whitlow-wort (Paronychia chartacea)	Threatened
Pigeon wings (Clitoria fragrans)	Threatened
Pygmy fringe-tree (Chionanthus pygmaeus)	Endangered
Sand skink (Neoseps reynoldsi)	Threatened
West Indian Manatee (Trichechus manatus)	Threatened
Whooping crane (Grus americana)	Experimental Population, Non-Essential

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402.

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 located within a very populated and developed portion of Clearwater called South Highpoint, in Pinellas County. Work is occurring within existing disturbed roadways and a powerline corridor right of way outside areas that contain essential fish habitat. The majority of the areas have been altered by development and the construction of residential neighborhoods, roadways, and commercial buildings. Approximately 90 percent of the project occurs with the footprint of a large powerline easement that extends north through this portion of Clearwater. 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 is required from the St Johns River Water Management District (SJRWMD). The project is being reviewed under SJRWMD application no. 229620-1.

COASTAL ZONE MANAGEMENT CONSISTENCY: Coastal Zone Consistency Concurrence is required from the SJRWMD. The project is being reviewed under SJRWMD application no. 229620-1. 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 June 27, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at https://rrs.usace.army.mil/rrs or to Mark A. Marousky at Mark.A.Marousky@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Jacksonville District, Attention: Mark A. Marousky, 701 San Marco Boulevard Jacksonville, Florida 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.

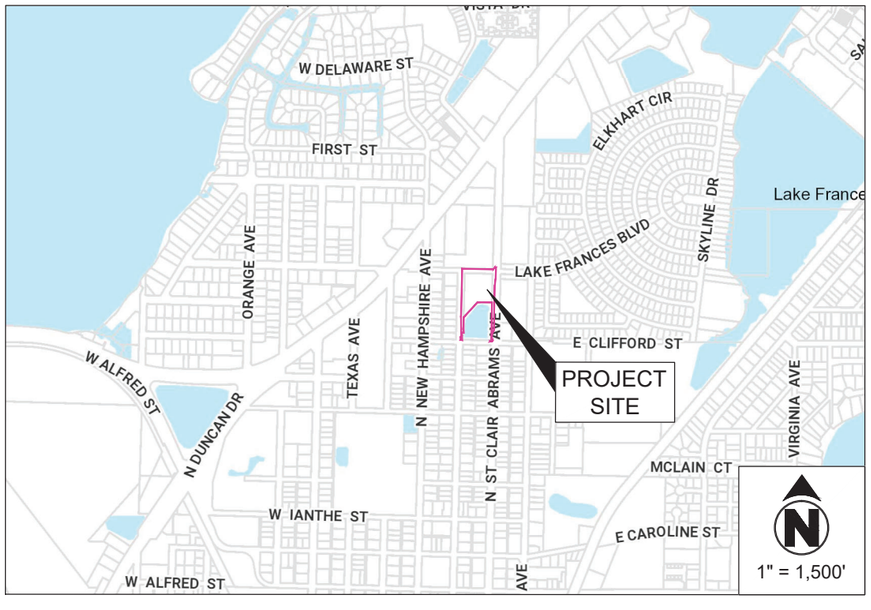
N ST CLAIR ABRAMS TREATMENT POND

PARCEL INFORMATION
Parcel ID: 29-19-26-0100-103-00001
AltKey #: 3893636

LEGAL DESCRIPTION
TAVARES BLK 103--LESS BEG AT SW COR OF SAID BLK 103, RUN S 88-26-19 E ALONG S LINE OF SAID BLK 103 A DIST OF 276.73 FT TO SE COR OF SAID BLK 103, N 01-30-05 E ALONG E LINE 372.60 FT, N 88-11-54 W 143.66 FT, S 42-49-40 W 168.56 FT, S 88-26-59 W 21.80 FT TO A POINT ON W LINE OF BLK 103, S 01-30-05 W 245.33 FT TO POB--PB 1 PG 64 ORB 4543 PG 2008

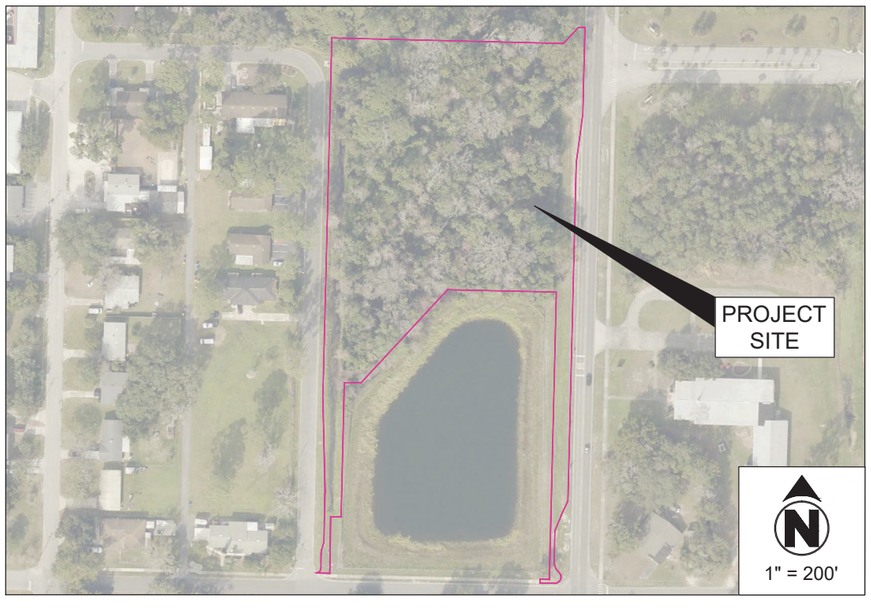
INDEX

VICINITY MAP



CALL BEFORE YOU DIG:
Sunshine 811
11 Plantation Road
DeBary, FL 32713
Admin: (386) 575-2000
Locates: 811 or (800) 432-4770

AERIAL MAP



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CITY OF TAVARES
201 E. MAIN STREET
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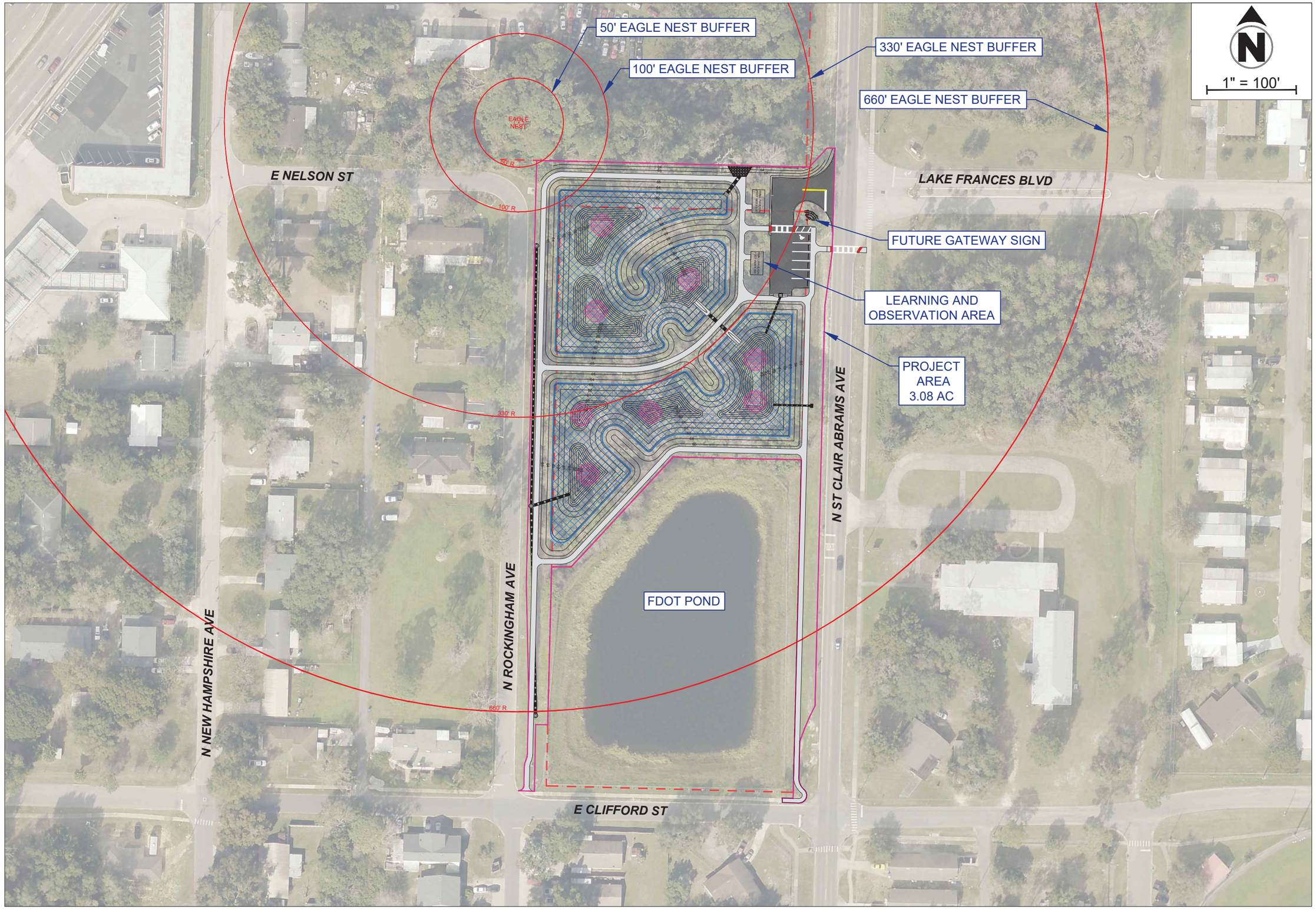
N ST CLAIR ABRAMS
TREATMENT POND

COVER

Date	Drawn By:
	DAG
	Drawing #:
	Pond Plan
	Project #:
03-28-25	03053
10-11-24	Scale:
07-30-24	AS NOTED

SHEET 1 of 19



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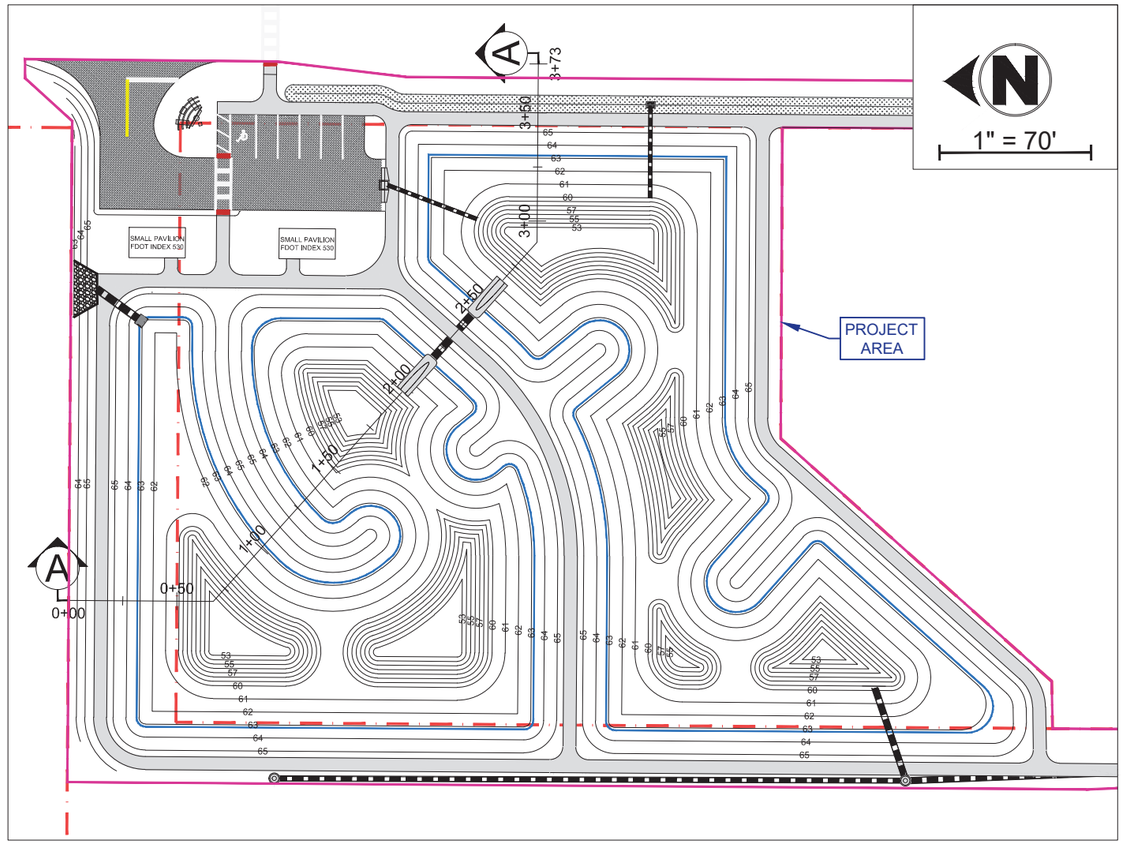
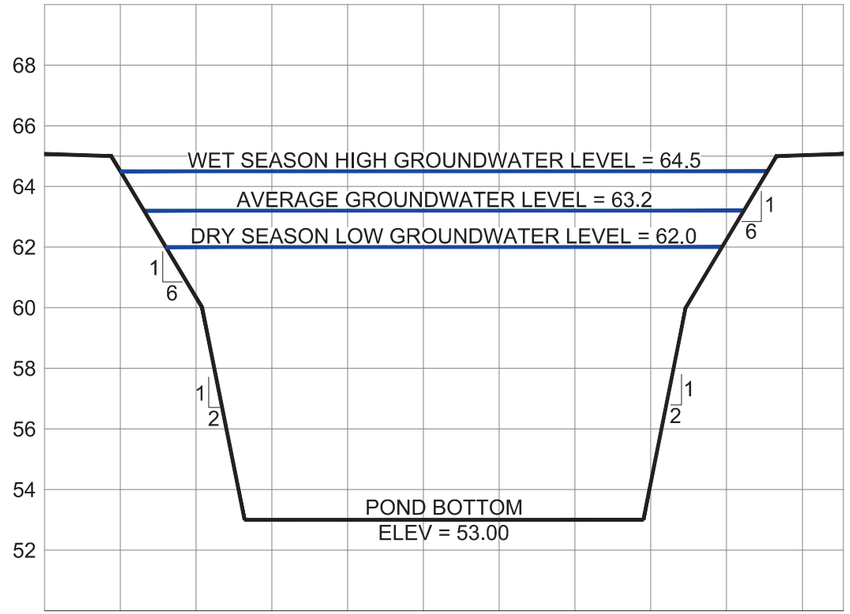
N ST CLAIR ABRAMS
TREATMENT POND

OVERALL PLAN

Date	Drawn By:
	DAG
	Drawing #:
	Pond Plan
	Project #:
03-28-25	03053
10-11-24	Scale:
07-30-24	1" = 100'



TYPICAL POND CROSS SECTION



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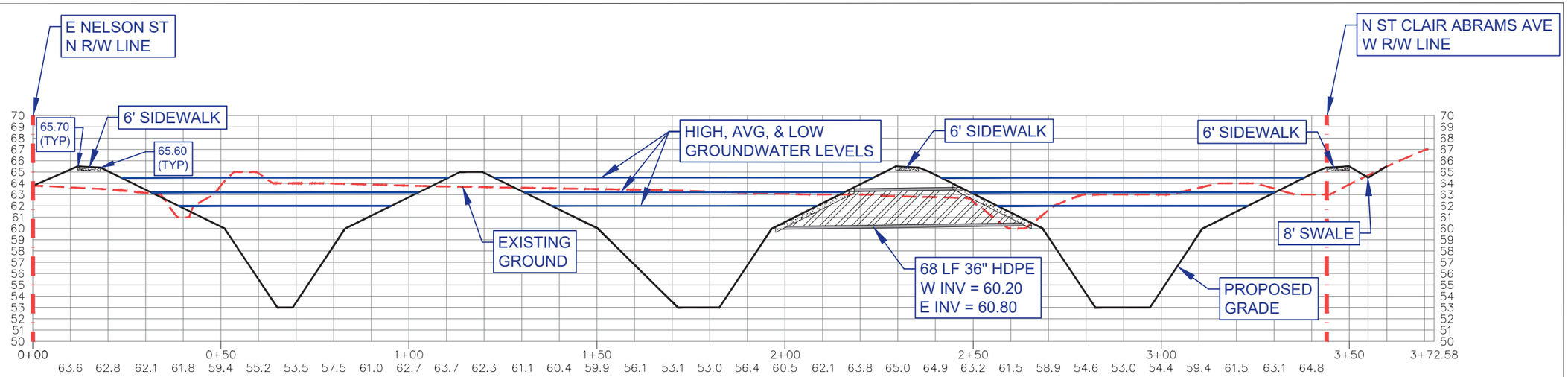

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N ST CLAIR ABRAMS
TREATMENT POND

POND CROSS SECTION

Date	Drawn By:
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	Drawing #:
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03-28-25	03053
10-11-24	Scale:
07-30-24	As Noted