



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
Mrs. Casey Lyon
Florida Department of Transportation

Published: July 9, 2025
Expires: August 8, 2025

**Jacksonville District
Permit Application No. SAJ-2025-00334**

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 Veronica.C.Beech@usace.army.mil.

APPLICANT: Mrs. Casey Lyon
Florida Department of Transportation
719 South Woodland Boulevard
Deland, FL 32720

WATERWAY AND LOCATION: The project would affect aquatic resources associated with the Peghorn Slough Canal which drains into the St. Cloud / C-31 Canal. The western end of the project is approximately 0.12 mile north of crossing between the Neptune Road bridge and the St. Cloud/ C-31 Canal (Latitude: 28.254897, Longitude: -81.325091). The eastern end of the project is west of Old Canoe Creek Road (Latitude: 28.249985, Longitude -81.317014), in the city of St. Cloud, Sections 4, 9, 10, 11, Township 26 South, Range 30 East, Osceola county, Florida.

EXISTING CONDITIONS: The freshwater systems where the work is proposed is surrounded by residential developments of low and medium density, private businesses, roadway facilities, governmental and public facilities, stormwater facilities, and recreational areas. Peghorn Slough Canal drains into the St. Cloud/ C-31 Canal, which is a federal Civil Works project. Currently, the canal is in an overgrown condition and has multiple areas of sediment accumulation, trash, and dense vegetation growth. The canal varies in depth and has a bottom width between 16-feet (ft.) to 19-ft. The side slopes vary from 1:2 to 1:1 according to as-builts drawings from previous improvement projects. The accumulated material has negatively impacted the conveyance capacity, hydrology and flooding. FDOT currently owns a drainage easement over the entirety of the canal, and the easements range from 95 ft. wide to 40 ft. wide. The Peghorn Slough Canal was dug prior to 1940 according to arials provided by FDOT, and the length of the canal crossed through agricultural lands and outfalls into the C-31 canal, which was likely constructed in the 1930s.

PROJECT PURPOSE:

Basic: Drainage improvements

Overall: The purpose of the project is to improve and manage water flow, reduce flooding risks, prevent current and future erosion, and restore the limits of the water feature and hydrology within Peghorn Slough Canal.

PROPOSED WORK: The applicant seeks authorization to maintenance dredge the Peghorn Slough Canal to restore it to its as-builts conveyance capacity, stabilize the banks and provide future maintenance access. The proposed project would impact 3.619 acres of waters of the United States. The work would consist of impacts to 2.34 acres of surface waters and embankment to grade the side slopes to approximately ratio of 1:1.5 - 1:2 (Vertical : Horizontal) on either side of the canal and excavate the surface waters. It is anticipated that the width at the canal's bottom would be approximately 16 ft. Nearly 1.27 acres of grout-filled articulating concrete blocks (ACB) (685.1 cubic yards) are also being proposed in areas where the project can only accommodate slopes steeper than 1:1.5. Additionally, FDOT is requesting to install 0.009 acre (272 linear feet) of steel sheet pile wall, at a location where the embankment could not support the desired inclines due to site constraints. A 12-ft. wide maintenance berm is also being proposed on the left side of the canal to provide maintenance access, no additional impacts are anticipated from this activity.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: Since the activity is to maintain the canal and restore conveyance capacity, complete avoidance and minimization was not feasible due to the nature of the drainage improvements project.. FDOT designed the work to be completed solely within the boundaries of the existing drainage easement to avoid impacts to other adjacent areas. FDOT proposes to follow standard construction specifications to prevent water quality issues during construction and minimize turbidity. In addition, turbidity curtains and erosion barriers would be installed prior to the initiation of constructions to avoid inadvertent impacts.

COMPENSATORY MITIGATION: The applicant has provided the following explanation why compensatory mitigation should not be required: The project is required to restore drainage for the surrounding areas (i.e., homes and businesses which would provide flood protection), limit additional sedimentation into the canal, decrease water quality issues, provide future access for maintenance and restored hydrological connections to the upper portions of the canal. While the project would incur permanent impacts due to the excavation activities, these impacts would result in improvements to hydrology and conveyance. In addition, after the work is complete, the excavated areas would have similar surface waters, with improved water quality, and in-kind habitats and ecological functionalities similar to the one prior to the siltation and the proposed work. The permanent impacts to 1.27 acres of surface waters and embankments from the

installation of the ACB are limited to areas where steeper side slopes are anticipated due to constraints of the project. The ACB is designed to prevent the steep embankments from sloughing into the canal. Because of the above discussion, FDOT has not offered additional compensatory mitigation.

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 (SHPO), 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 Tribal Historic Preservation Officer (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 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 but is not likely to adversely affect or no effect to the species (Table 1). There are no critical habitats for any ESA-listed species within the project area.

The Corps has determined that the proposed project may affect but is not likely to adversely affect the Eastern Indigo Snake, the Everglade Snail Kite, Florida Bonneted Bat, the Wood stork.

The project would have no effects on the Crested Caracara, Eastern Black Rail, Florida Panther, Lewton's Polygala, Papery whitlow-wort, Pygmy Fridge-tree, Red-cockaded Woodpecker, Sand skink and Sandlace. If the Monarch butterfly and/or the Tricolored Bat are listed during the permitting or construction of the proposed project, FDOT would return to the Corps and the USFWS if the project is deemed to have potential impacts to these species.

Table1:

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
Crested Caracara	<i>Caracara plancus audubonii</i>	Threatened

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
Eastern Black Rail	<i>Laterallus jamaicensis</i>	Threatened
Eastern Indigo Snake	<i>Drymarchon corais couperi</i>	Threatened
Everglade Snail Kite	<i>Rostrhamus sociabilis plumbeus</i>	Endangered
Florida Bonneted Bat	<i>Eumops floridanus</i>	Endangered
Florida Panther	<i>Puma (=Fellis) concolor coryi</i>	Endangered
Lewton's Polygala	<i>Polygala lewtonii</i>	Endangered
Papery whitlow-wort	<i>Paronychia chartaceae</i>	Threatened
Pigeon wings	<i>Clitoria fragrans</i>	Threatened
Pygmy Fridge-tree	<i>Chionanthis pygmaeus</i>	Endangered
Red-cockaded Woodpecker	<i>Dryobtes borealis</i>	Threatened
Wood stork	<i>Mycteria americana</i>	Threatened
Sand skink	<i>Neoseps reynoldsi</i>	Threatened
Sandlace	<i>Polygonella myriophylla</i>	Endangered
Proposed Species		
Monarch Butterfly	<i>Danaus plexippus</i>	Proposed
Tricolored Bat	<i>Perimyotis subflavus</i>	Proposed

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

This notice serves as request to the USFWS 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.

NAVIGATION: The proposed structure or activity is not located in the vicinity of a federal navigation channel.

SECTION 408: The applicant will 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 alter, occupy, or use a Corps Civil Works project.

WATER QUALITY CERTIFICATION: Water Quality Certification may be required from the South Florida Water Management District.

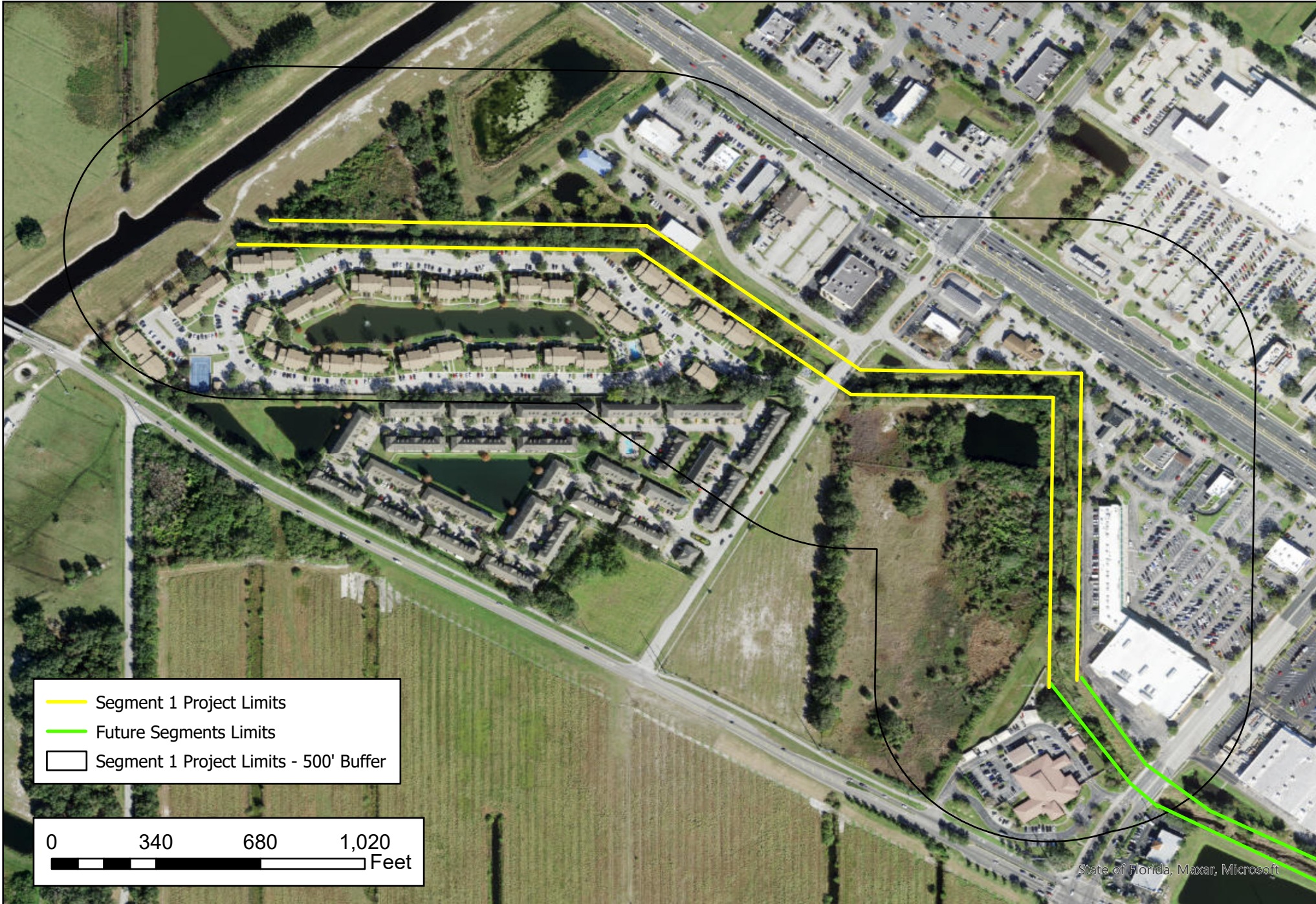
NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that 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, Environmental Protection Agency (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 August 7, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Veronica C. Beech at veronica.c.beech@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Jacksonville District, Attention: Veronica C. Beech, 415 Richard Jackson Boulevard, Suite 411, Panama City Beach, Florida 32407. Please refer to the permit application number in your comments.

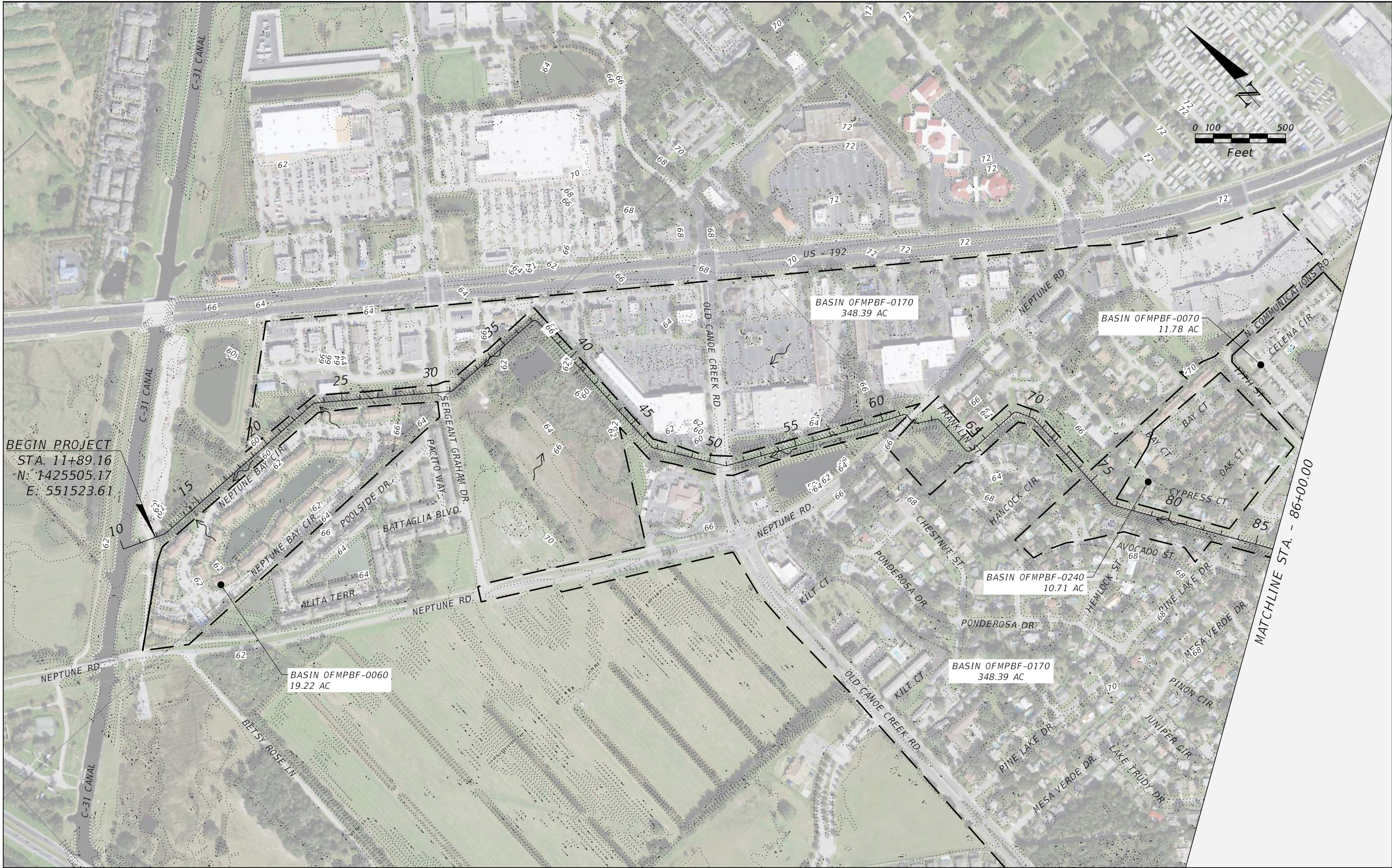
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless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



Peghorn Slough
Segment 1
FPID: 237975-1-32-11
Osceola County
FDOT District 5

Project Limits





REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

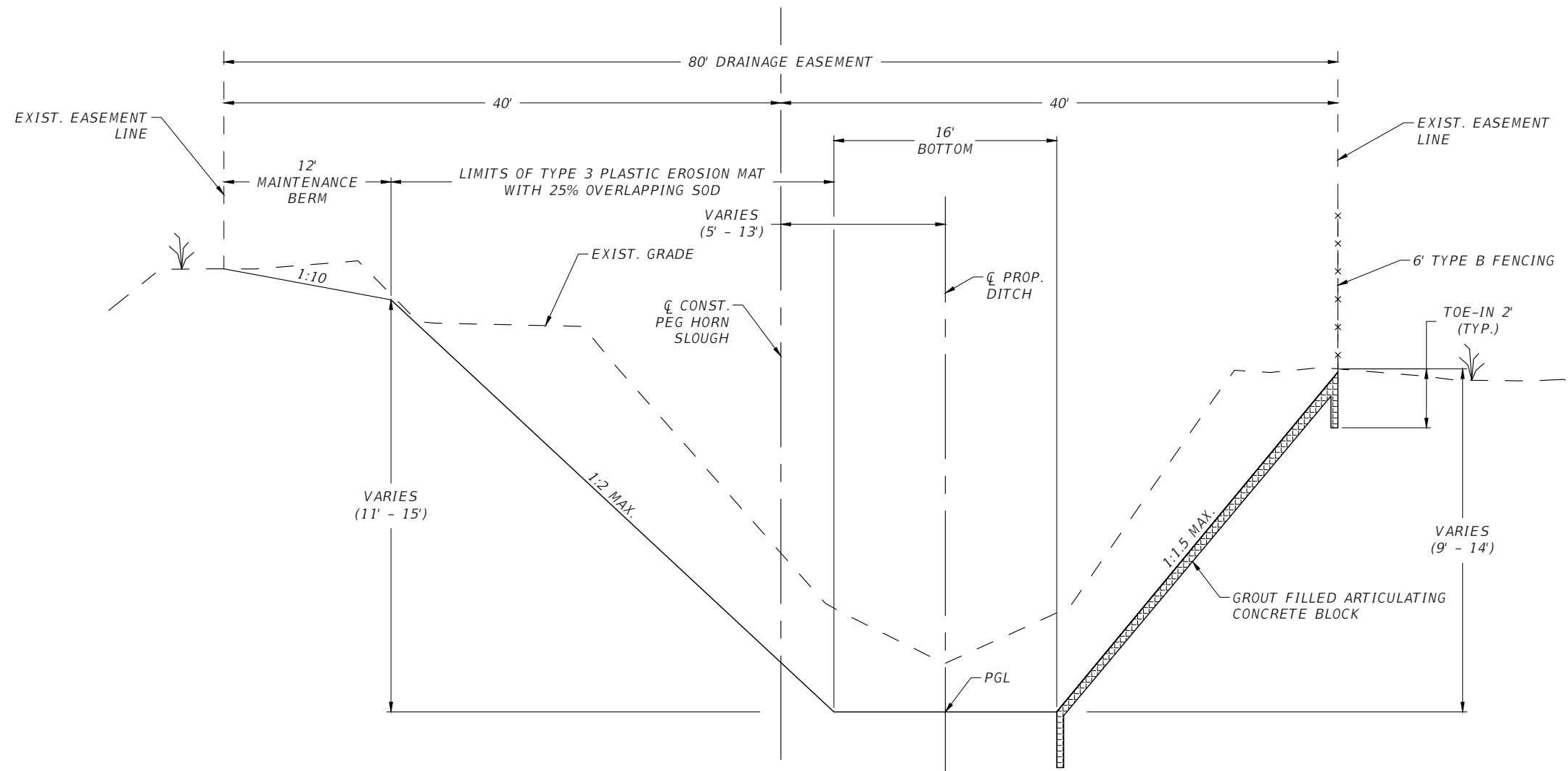
CHARLES T. CURTIS, P.E.
P.E. LICENSE NUMBER 82185
BURGESS & NIPLE, INC.
1511 N. WESTSHORE BLVD., SUITE 500
TAMPA, FLORIDA 33607

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
N/A	OSCEOLA	

DRAINAGE MAP (1)	

SHEET NO.
3

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.



TYPICAL SECTION 1

PEG HORN SLOUGH
N.T.S.
STA. 11+89.16 TO STA. 23+40.00
STA. 25+00.00 TO STA. 41+83.01

R E V I S I O N S				CHARLES T. CURTIS, P.E. P.E. LICENSE NUMBER 82185 BURGESS & NIPLE, INC. 1511 N. WESTSHORE BLVD., SUITE 500 TAMPA, FLORIDA 33607	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			TYPICAL SECTIONS (1)	SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					N/A	OSCEOLA	412326-5-72-57		
							5		