



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant: Attn: John Noonan
Diocese of Orlando

Published: July 14, 2025
Expires: August 13, 2025

**Jacksonville District
Permit Application No. SAJ-2025-00293**

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 paul.j.ruben@usace.army.mil.

APPLICANT: Attn: John Noonan
Diocese of Orlando
11954 Narcoossee Road Suite# 2
Orlando, Florida 32832

WATERWAY AND LOCATION: The project would affect aquatic resources associated with the Lake-Hart-Ajay Canal. The project site is located at 11048 Clapp Simms Duda Road, east of Narcoossee Road and south of Clapp Simms Duda Road; at latitude 28.349933° and longitude -81.228855°; in Orlando, Orange County, Florida.

EXISTING CONDITIONS: The Lake Nona Parish Property totals 62.42 acres and consists of (617) Mixed Wetland Hardwoods, (740) Disturbed Lands, (438) Mixed Hardwoods, (190) Open Lands, and (110) Residential (low density) land. The project area was cleared and maintained as an open pasture for agricultural practices pre-1959 until the early 1980's. Varying levels of past disturbances are present in the form of drainage ditching within the east and south portions of the project area and presence of nuisance and exotic vegetation throughout. The mixed wetland hardwood and marsh communities within the project area have continued to expand since the early 1980's without the presence of agriculture. Open land has remained to the east portion of the project area since it was cleared.

PROJECT PURPOSE:

Basic: Construction of a mixed use development.

Overall: Residential multifamily housing and educational institution near southeast Orlando, FL.

PROPOSED WORK: The applicant seeks authorization to discharge fill into a total of approximately 45.08 acres of non-tidal forested wetlands associated with the Lake Hart-Ajay Canal.

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

“In considering alternative site plans with respect to the elimination or reduction of wetland/surface water impacts, the applicant has implemented practicable design modifications, supplemented with mitigation that offers regional ecological value and provides greater long-term value than the portions of the agriculturally disturbed on-site wetlands and surface waters to be adversely affected by the Lake Nona Parish Property project site.

As evidenced by BTC staff while on-site and as depicted on the attached exhibits, the majority of the wetland/surface water systems located within the limits of the project site consist of moderate quality and disturbed vegetative communities that have been continuously impacted by the site’s historic and current agricultural operations and maintenance activities. With respect to the proposed 45.08 acres of direct wetland impacts, these impacts are in association with the construction of the residential lots, roads, and stormwater treatment systems, along with their associated infrastructure. Avoidance and minimization measures have been taken here possible.

Based on the lower quality of these systems to be impacted, it is BTC’s position that preserving the wetlands/surface waters and surrounding them with residential infrastructure would not provide any long-term, viable ecologic value to wetland functions or wildlife utilization. Due to their disturbed condition and relatively small size, water quality and wildlife opportunities would be severely minimized by the adjacent development. It is believed that a greater long-term ecological benefit would be provided to the basin by purchasing wetland impact mitigation credits from an approved off-site mitigation bank within the same drainage basin (Lake Hart) as the project site. The mitigation bank wetlands are under a conservation easement which protects them in perpetuity; thereby providing water quality and wildlife habitat support in the future.”

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

“Mitigation to offset the functional losses incurred via the project’s 45.08 acres of direct wetland impact consists of the purchase of mitigation bank credits from an appropriate bank. ... The final mitigation plan will be provided after all impacts have been reviewed and approved by staff and the mitigation options have been discussed.”

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

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
Eastern Indigo Snake	<i>Drymarchon couperi</i>	Threatened
Tricolored Bat	<i>Perimyotis subflavus</i>	Proposed Endangered
Wood Stork	<i>Mycteria americana</i>	Threatened

The Corps has determined the proposed project may affect, but is not likely to adversely affect the eastern indigo snake, Tricolored bat, and Wood Stork and/or their designated critical habitats.

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 activity is not located within an area where EFH is present. 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 is required from the South Florida Water Management District (SFWMD). The project is being reviewed under SFWMD application no. 241217-48582.

COASTAL ZONE MANAGEMENT CONSISTENCY: Coastal Zone Consistency Concurrence is required from SFWMD. 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 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

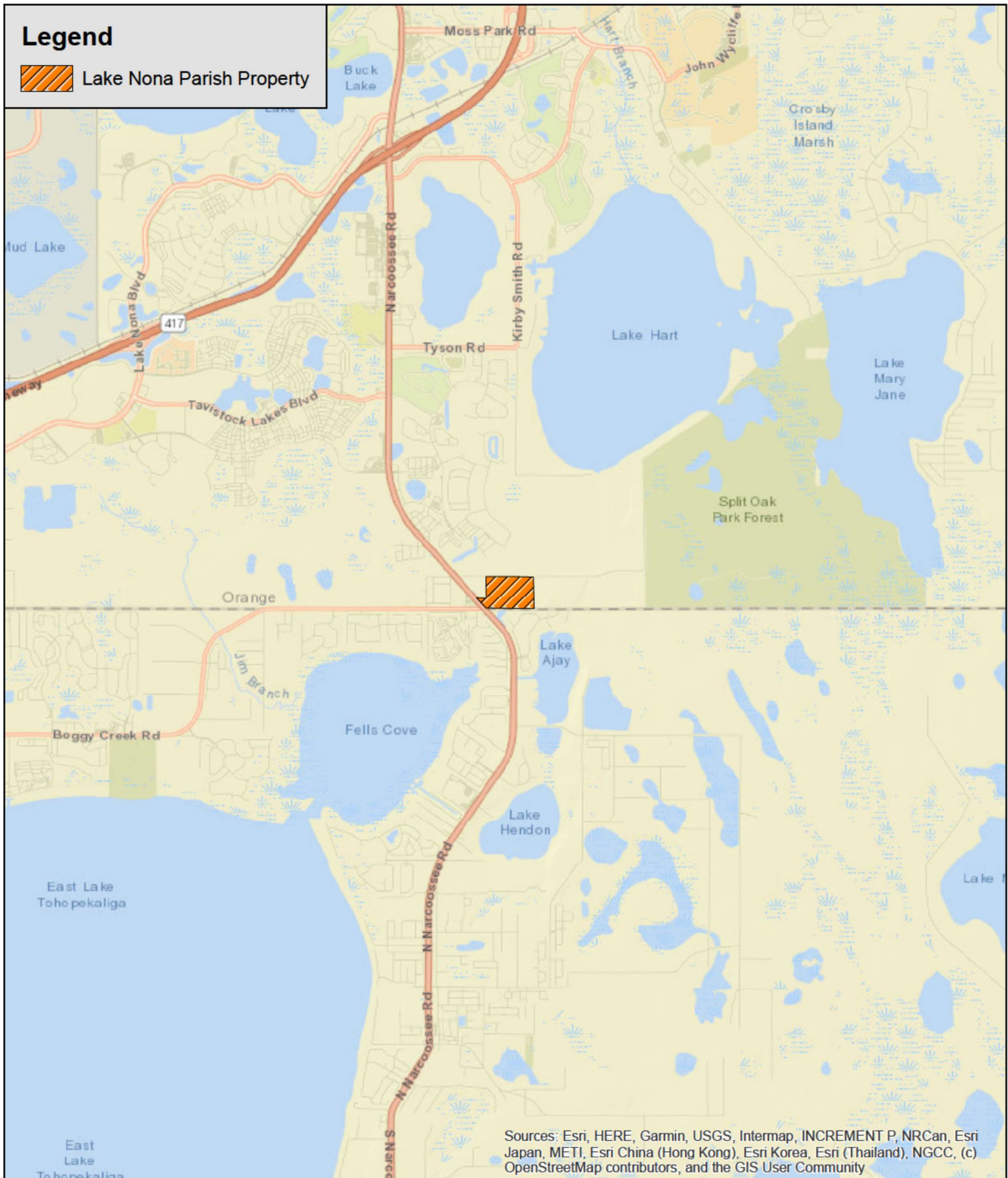
permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) 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 August 13, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Paul Ruben at paul.j.ruben@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Jacksonville District, Attention: Paul Ruben, 400 High Point Drive Suite 600 Cocoa, FL 32926. Please refer to the permit application number in your comments.

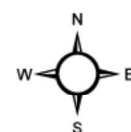
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless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

Legend

 Lake Nona Parish Property



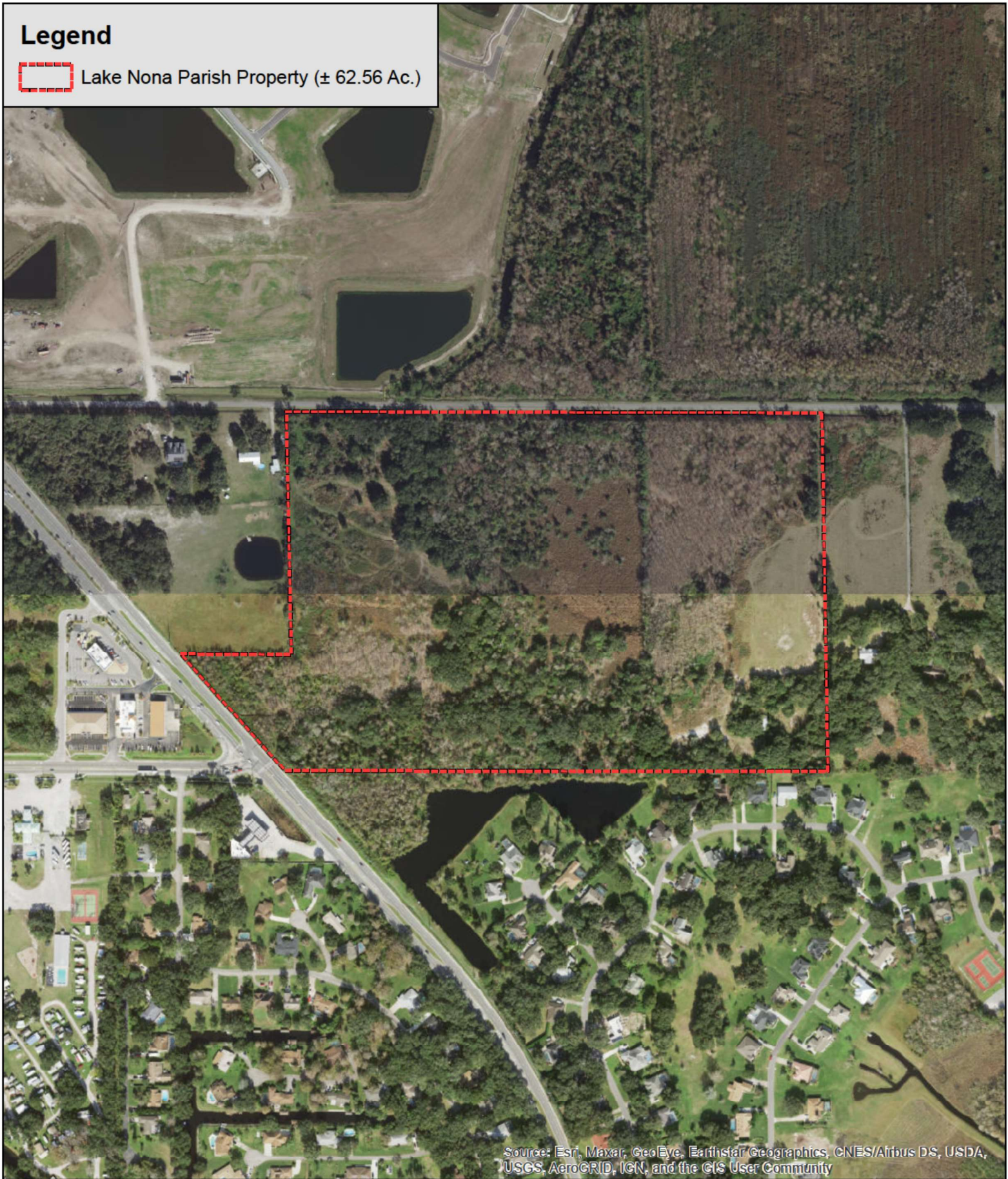
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



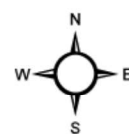
Legend



Lake Nona Parish Property (± 62.56 Ac.)



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

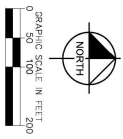
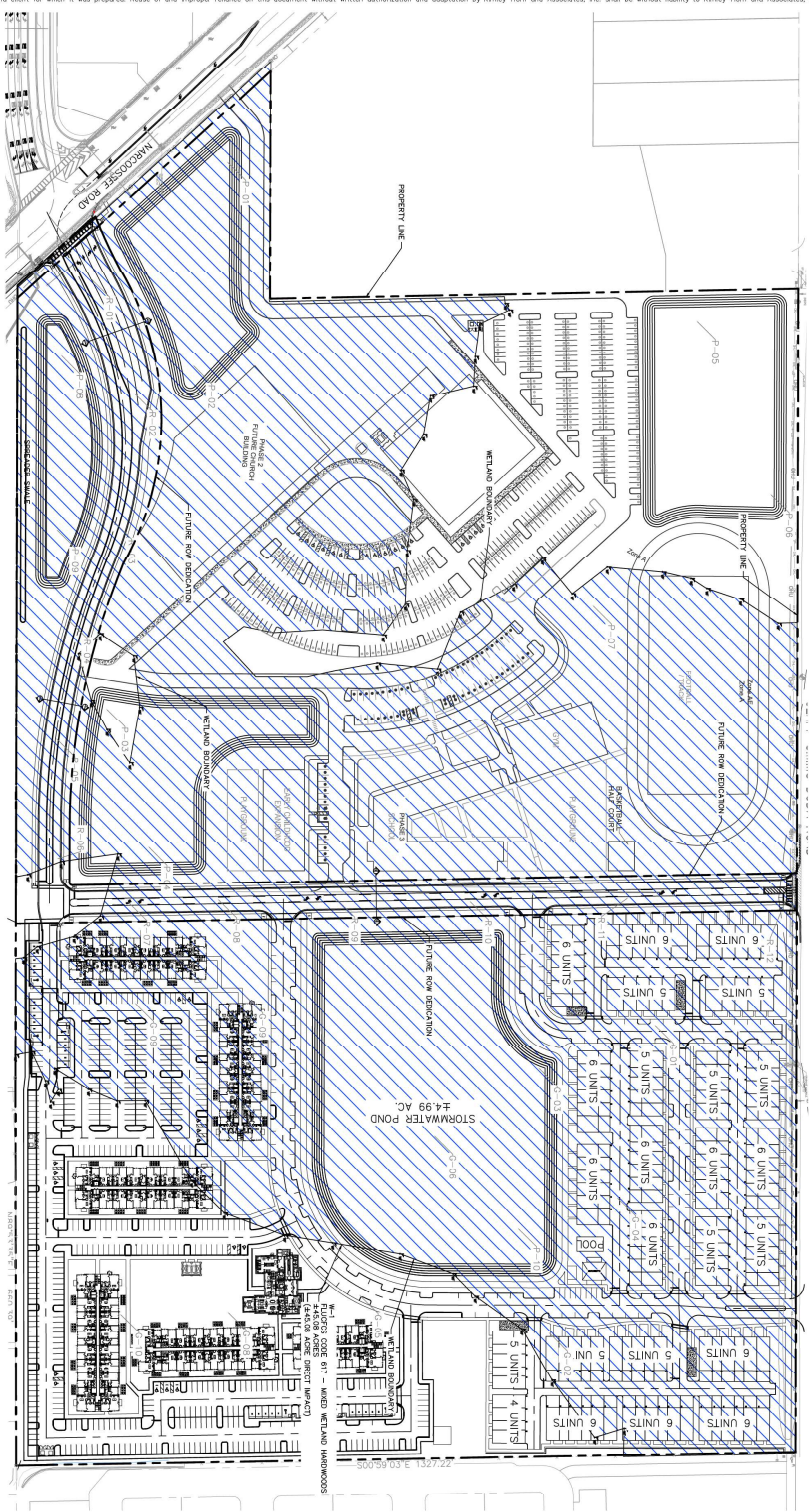


500

Feet

Project #:
Produced By: JDH
Date: 12/2/2021

NOTES:
1. ALL ON-SITE WETLANDS WILL BE IMPACTED.



LEGEND

- EXISTING PROPERTY BOUNDARY
- WETLAND BOUNDARY
- WETLAND AREA
- EXISTING SPRING LOCATION

ENTIRE SITE DEVELOPMENT AREA	62.42 AC
TOTAL WETLAND AREA	±45.08 AC

Kimley»Horn

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FOR INFORMATIONAL PURPOSES ONLY

KHA PROJECT 149761004
DATE 6/10/2025
SCALE AS SHOWN
DESIGNED BY CAP
DRAWN BY JFP
CHECKED BY CAP

WETLAND IMPACT EXHIBIT

SOUTHERN OAKS
ROADWAY & MASS
GRADING

CITY OF ORLANDO FLORIDA

SHEET NUMBER
EX-1

NO.	REVISIONS	DATE	BY