



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
701 SAN MARCO BOULEVARD
JACKSONVILLE, FLORIDA 32207-8175

December 5, 2024

Regulatory Division
North Permits Branch
Cocoa Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2024-01395 (SP-CMM)

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) as described below:

APPLICANT: DR Horton, Inc.
Johnny Lynch
1430 Culver Drive NE
Palm Bay, FL 32907

WATERWAY AND LOCATION: The project is located on the north side of Glades Cut-Off Road adjacent to the C-24 Canal in Sections 21; Township 36 South, Range 39 East, St. Lucie County, Florida.

Directions to the site are as follows: From Florida's Turnpike exit at Cross Prairie Parkway, continue straight, south across US 192. After about half a mile, turn Left on Partin Settlement Road. The project site is on the south side of Partin Settlement Road.

APPROXIMATE CENTRAL COORDINATES: Latitude 27.334376 °
Longitude -80.452195 °

PROJECT PURPOSE:

Basic: Residential Development

Overall: The overall project purpose is the construction of a residential planned development in Port St. Lucie area.

EXISTING CONDITIONS: The Project Site currently consists of altered uplands utilized as pasture, a residential home, wetlands, and a manmade surface water. The Project Site has operated as cattle pasture since at least the 1970s. The Project Site is surrounded by residential and commercial development on all sides but the south, where it is bounded by more pasture and Fish Lake. The project site is bordered by Partin Settlement Road to the north and Cross Prairie Parkway to the west.

PROPOSED WORK: This project proposes the construction of a large-scale master Planned Unit Development (PUD) residential community consisting of single-family residential units, major roadways, and a park. The Total site area for the project is approximately 465.97 acres. The development will impact up to 6.77 acres of wetland and 28.4 acres if SFWMD permitted wastewater/irrigation facilities, and 859 acres if surface water features (ditches).

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

“The on-site wetland is extremely low quality and has been converted to citrus and then pasture many decades ago. As such, it is more environmentally sound to compensate for these impacts at a federally permitted mitigation bank that will be maintained as high quality wetlands in perpetuity.”

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

“The applicant is proposed to compensate for the impacts of 6.77 wetland acres by purchasing 1.32 herbaceous federal credits from Bluefield Ranch Mitigation Bank, located in the same HUC as the project site.”

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, those federally recognized tribes with concerns in Florida and the Permit Area, and other interested parties.

ENDANGERED SPECIES:

The Corps determined the project may affect the following species:
Eastern Indigo Snake: Based on the Eastern Indigo Snake Effect Determination Key (dated January 25, 2010; August 13, 2013 Addendum), the Corps’ determination sequence is as follows: A (The project is not located in open water or salt marsh.) > B (The permit will be conditioned for use of the Service’s standard Protection Measures for the Eastern Indigo snake during site preparation and construction) > C (There are gopher tortoise burrows or other refugia.) > D (Project will impact less than 25 active and inactive burrows) > E (Permit will be conditioned such that all gopher tortoise burrows, active or inactive, will be evacuated prior to site manipulation in the vicinity of the burrow. If an indigo snake is encountered, the snake must be allowed to vacate the area prior to additional site manipulation in the vicinity. Permit is conditioned

with the standard protection measure for the Indigo Snake) = NLAA. All gopher tortoise burrows, active or inactive, will be excavated prior to site manipulation in the burrow vicinity. If excavating potentially occupied burrows, active or inactive, individuals must first obtain state authorization from the Florida Fish and Wildlife Conservation Commission. The excavation method selected should also minimize the potential for injury of an indigo snake. Holes, cavities, and snake refugia other than gopher tortoise burrows will be inspected each morning before planned site manipulation of a particular area, and if occupied by an indigo snake, no work will commence until the snake has vacated the vicinity of proposed work; the permittee agrees to use the Standard Protection Measures for the Eastern Indigo Snake (dated August 12, 2013). The Corps has U.S. Fish and Wildlife Service concurrence for the proposed activities through use of the aforementioned determination key.

Wood Stork: The proposed activity is within the Core Foraging Area (CFA) of a wood stork rookery; the project supports marginally Suitable Foraging Habitat (SFH) for wood stork. Based on the Effect Determination Key for the Wood Stork in Central and North Peninsular Florida (dated September 2008), the Corps determination sequence was A>B>C>E = NLAA. The determination is supported by SFH compensation provided within the service area of a mitigation bank which covers the CFA, and provides an amount of habitat and foraging function equivalent to that of impacted SFH; is not contrary to the Service's Habitat Management Guidelines For The Wood Stork In The Southeast Region and in accordance with the CWA Section 404(b)(1) guidelines. The Corps has U.S. Fish and Wildlife Service concurrence for the proposed activities through the use of the aforementioned determination key.'

The Corps will request U.S. Fish and Wildlife/National Marine Fisheries Service concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

Based on existing habitat types and/or provided survey information, the Corps preliminarily determined the project would have no effect on Bluetail mole skink (*Eumeces egregious lividus*) and Sand skink (*Neoseps reynoldsi*), red-cockaded woodpecker (*Leuconotopicus borealis*), Everglades Snail Kite (*Rostrhamus sociabilis plumbeus*), Audubon's crested caracara (*Polyborus plancus audubonii*), or Florida scrub-jay (*Aphelocoma coerulescens*).

ESSENTIAL FISH HABITAT (EFH): This notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. The proposal would impact approximately 2.87 acres herbaceous wetland that is not utilized by EFH species. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries. 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 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 (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

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 jurisdictional line has not been verified by Corps personnel.

COMMENTS regarding the potential authorization of the work proposed should be submitted in writing to the attention of the District Engineer through the Cocoa Permits Section, 400 High Point Drive, Cocoa, Florida, 32926 within 21 days from the date of this notice.

The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to the associated wetlands. This is based on an analysis of the applicant's avoidance and minimization efforts for the project, as well as the compensatory mitigation proposed.

QUESTIONS concerning this application should be directed to the project manager, Corey Maier, in writing at the Cocoa Permits Section, 400 High Point Drive, Suite 600, Cocoa, Florida, 32926; by electronic mail at Paul.J.Ruben@usace.army.mil; or, by telephone at (321)504-3771.

IMPACT ON NATURAL RESOURCES: Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area.

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.

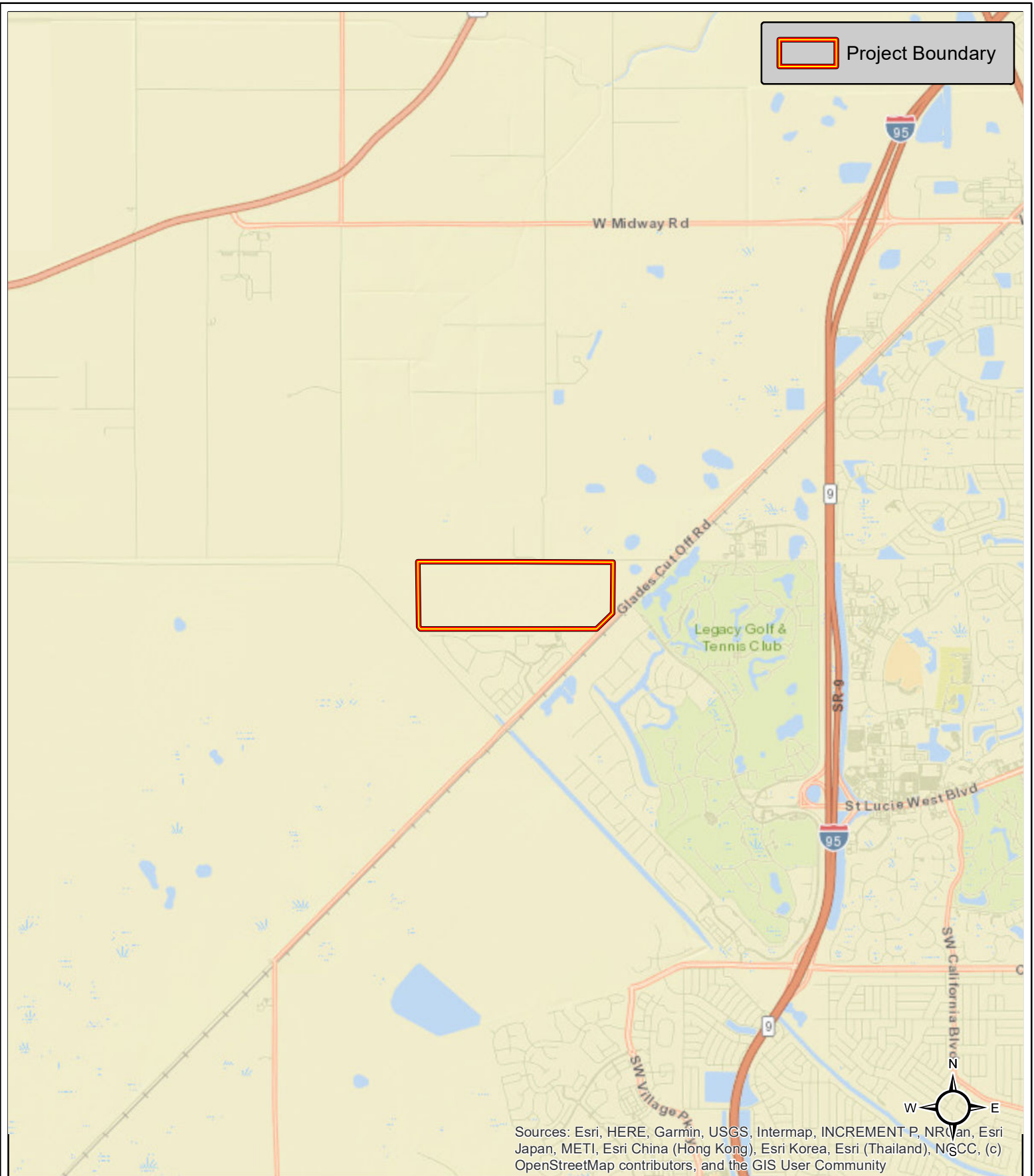
Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972.

The US Army Corps of Engineers (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 also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

WATER QUALITY CERTIFICATION: WQC is required from the Florida Department of Environmental Protection (FDEP).

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with the Coastal Zone Management Plan.

REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.



Project: Astoria






Figure 1: Location Map



St Lucie County, Florida




AE Proj #: 22640

-  Project Boundary
-  211. Improved Pastures
-  212. Unimproved Pastures
-  533. Reservoirs larger than 10 acres
-  510. Streams and Waterways



Project: Astoria

Figure 4: Land Use (FLUCFCS) Map

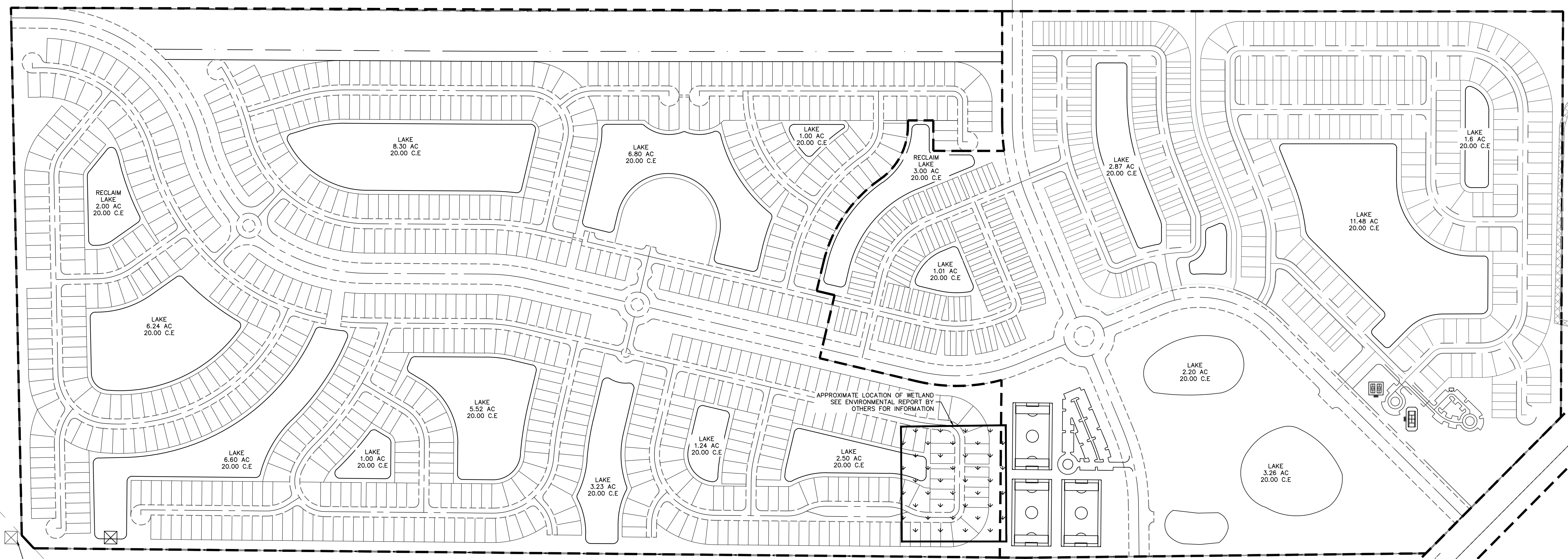
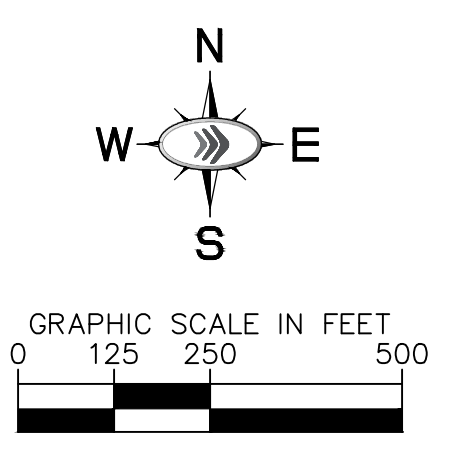
0 500 1,000 2,000
 Feet

2021 Aerial, St Lucie County, Florida

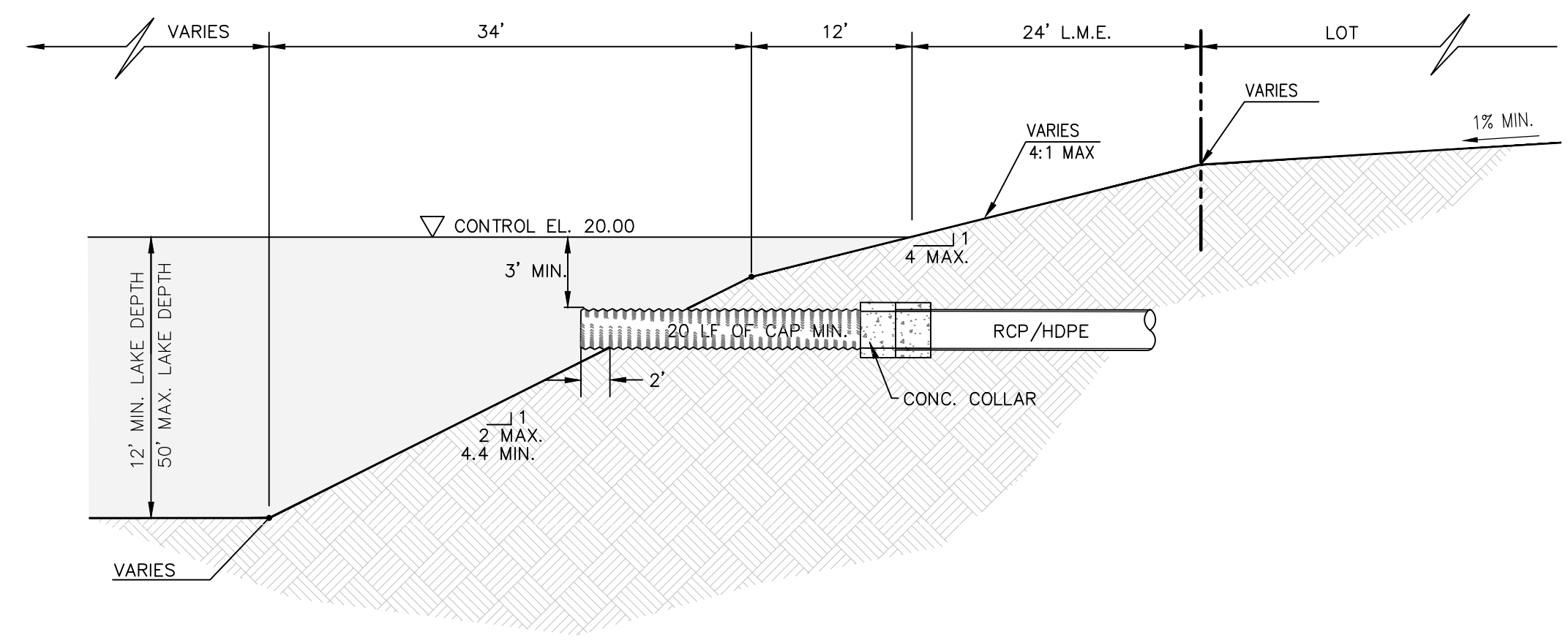


AE Proj #: 22640

Plotted By: Anderson, Zach Sheet Set: ## Layout: EX-1 April 25, 2024 10:15:30am K:\VRB\LOBE\LULES GROVE\CAD\EXHIBITS\DRAINAGE BASIN MAP\Master Storm Water Plan.dwg
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EXISTING CONTROL STRUCTURE
 CENTRAL AND SOUTH FLORIDA FLOOD CONTROL DISTRICT
 CANAL NUMBER C-24



TYPICAL LAKE SECTION
 N.T.S.

DATUM NOTE:
 ELEVATIONS HEREON ARE SHOWN IN NAVD 88'.
 TO CONVERT TO NGVD 29' = (ELEVATION OF NAVD 88'-1.45')

No.	REVISIONS	DATE	BY

Kimley-Horn
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 WWW.KIMLEY-HORN.COM REGISTRY NO. 696

KHA PROJECT	147296010
DATE	04/25/24
SCALE	AS SHOWN
DESIGNED BY	JUD
DRAWN BY	JUD
CHECKED BY	KFH

**MASTER STORM
 WATER PLAN**

LULFS GROVE
 FLORIDA
 PORT ST LUCIE