



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

November 26, 2024

Regulatory Division
West Branch
Tampa Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2024-01608 (SP-ARR)

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:
Manatee County Public Works Department
1022 26th Ave East
Bradenton, FL 34208

WATERWAY AND LOCATION: The project would affect aquatic resources associated with Wade Canal. The project site is located within Wade Canal and associated wetlands along Erie Road from 69th St. E. to Martha Rd. in Parrish, Manatee County, Florida.

Directions to the site are as follows: From Tampa, travel south on I-75 to 97th St E/Moccasin Wallow Rd in Manatee County. Take exit 229 from I-75 S. Continue on 97th St E/Moccasin Wallow Rd to Erie Rd in Parrish.

APPROXIMATE CENTRAL COORDINATES: Latitude 27.5786°
Longitude -82.4611°

PROJECT PURPOSE:

Basic: The basic project purpose is roadway improvements.

Overall: The overall project purpose is to provide transportation to meet the growth and development demand within the community of Parrish, Manatee County.

EXISTING CONDITIONS: The wetlands and surface waters are a freshwater system. Wetland community types were categorized using the Florida Land Use, Cover, and Forms Classification System (FLUCFCS). The following wetland and surface water types are found onsite: 5300 – reservoirs, 6150 stream and lake swamps (bottomland), 6400 – vegetated non-forested wetlands, and 6410 – freshwater marshes. The onsite vegetation consists of Peruvian primrose-willow (*Ludwigia peruviana*), maidencane

(*Panicum hemitomon*), pickerelweed (*Pontederia cordata*), cattail (*Typha latifolia*), cabbage palm (*Sabal palmetto*), soft rush (*Juncus effusus*), laurel oak (*Quercus laurifolia*), Virginia chain fern (*Woodwardia virginica*), bald cypress (*Taxodium distichum*), torpedo grass (*Panicum repens*), broomsedge (*Andropogon virginicus*), limpgrass (*Hemarthria altissima*), red root (*Ceanothus americanus*), Carolina willow (*Salix caroliniana*), and wax myrtle (*Myrica cerifera*). The existing area surrounding the project area consists of 1100 – low density residential development, 1200 – medium density residential development, 1900 – open land, 2100 – cropland and pastureland, 2300 – feeding operations, 4100 – upland coniferous forest, 4340 – upland hardwood coniferous mixed, and 8100 – transportation.

PROPOSED WORK: The applicant seeks authorization to permanently discharge fill material within approximately 1.62 acres of wetlands and 0.63 acre of other waters associated with widening a 2.4 mile section of an existing 2-lane rural roadway to a 4-lane urban curb and gutter roadway. Work would also involve approximately temporary impacts to 0.59 acre of upland cut roadside drainage 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:

Due to the existing Erie Road corridor and existing right-of-way constraints, proposed widening to the south of the existing corridor would avoid the existing CSX railroad, newly constructed sidewalks and trails, and the high-density residential properties to the north. Pond sites that avoid excessive direct impacts to wetlands and other surface waters were selected when practicable. Specific minimization measures would be utilized during construction, including implementing Best Management Practices (BMPs) to minimize water quality impacts, such as erosion and turbidity within wetlands and surface waters adjacent to construction activities. Sediment and turbidity control devices are shown on the roadway construction plans for the work within and adjacent to wetlands and surface waters. A project-specific Stormwater Pollution Prevention Plan (SWPPP) would be prepared and included in the roadway construction plans.

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

The applicant is proposing to purchase 1.10 freshwater forested credits and 0.74 freshwater herbaceous credits from the Tampa Bay Mitigation Bank to offset unavoidable wetland impacts.

CULTURAL RESOURCES:

The Corps is aware of recorded historic resources within or adjacent to the permit area and is evaluating the undertaking for effects to historic properties as required under

Section 106 of the National Historic Preservation Act. A Cultural Resource Assessment Survey (CRAS) is being developed for this project. 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 reviewed the U.S. Fish and Wildlife Service's (USFWS's) Information for Planning and Consultation species list for the Manatee County range that have habitat which identified species that could be located within the action area include: Audubon's crested caracara (*Caracara plancus audubonii*), eastern black rail (*Laterallus jamaicensis ssp. jamaicensis*), eastern Indigo Snake (*Drymarchon couperi corais*), Everglade snail kite (*Rostrhamus sociabilis plumbeus*), tricolored bat (*Perimyotis subflavus*), whooping crane (*Grus americana*), wood stork (*Mycteria Americana*), green sea turtle (*Chelonia mydas*), Monarch butterfly (*Danaus plexippus*), pygmy fringe-tree (*Chionanthus pygmaeus*), and Florida perforate cladonia (*Cladonia perforata*).

NO EFFECT:

There is no habitat to support the Monarch butterfly, pygmy fringe-tree, or Florida perforate cladonia; therefore, the proposed project would have no effect to these species or their critical habitat.

Audubon's crested caracara (*Caracara plancus audubonii*): The project is not located within the USFWS consultation area per the Survey Guidelines and Conservation Measures for the crested caracara and no evidence of nesting was observed within or adjacent to the action area. Therefore, the proposed project would have no effect on the crested caracara.

Eastern black rail (*Laterallus jamaicensis ssp. jamaicensis*): The black rail is a secretive bird species occurring along upland-wetland habitat gradients where shallow marshes shrink and expand based on hydrologic conditions, to provide dependable foraging habitat. They require dense vegetative cover which allows for movement underneath the canopy; however, when shrub densities become too high, the habitat becomes less suitable for the bird species. The project is within the current range of the species. Wetland 2 contains marsh habitat; however, it lacks the dense stands of spartina, rushes, or sedges that provide suitable Eastern black rail habitat. Due to the lack of suitable habitat, the project would have no effect on the eastern black rail.

Everglade snail kite (*Rostrhamus sociabilis plumbeus*): The Everglade snail kite nests in marshes near open water and forages in similar habitats where apple snails (*Pomacea*

paludosa) occur. The action area does not fall within the USFWS consultation area or overlap any critical habitat for this species and no individuals were observed during the site assessment. No apple snails or apple snail egg masses were observed within the action area. Based on the lack of suitable habitat, the proposed project would have no effect on the Everglade snail kite.

Whooping crane (*Grus americana*): This species is located within wetland habitat which could be utilized by the species for foraging and breeding. Whooping crane breeds, migrates, winters, and forages in a variety of wetland and other habitats, including coastal marshes and estuaries, inland marshes, lakes, ponds, wet meadows and rivers, and agricultural fields. For feeding, whooping cranes primarily use shallow, seasonally, and semi-permanently flooded palustrine wetlands for roosting, and various cropland and emergent wetlands. Whooping cranes are omnivorous, probing the soil subsurface with their bills and taking foods from the soil surface or vegetation. While the habitat features in the proposed project area have the potential to be utilized by this species, there is a low likelihood of them being impacted by the proposed project due to their small range and estimated population size of this species in Florida. Therefore, the Corps determined the proposed work would have no impact on this species.

MAY AFFECT, NOT LIKELY TO ADVERSELY AFFECT:

Eastern Indigo Snake (*Drymarchon couperi corais*): The areas of debris removal within the channel, culvert replacement, and stabilization do not contain holes or cavities that could provide habitat for the eastern indigo snake. By use of the Eastern Indigo Snake Key dated 25 January 2010, the project results in a path of A>B>C>D>E>NLAA, may affect but is not likely to adversely affect the eastern indigo snake provided the permit is conditioned for use of the Service's current guidance for Standard Protection Measures For The Eastern Indigo Snake during site preparation and project construction. With an outcome of "not likely to adversely affect (NLAA)" as outlined in the key, the requirements of Section 7 of the Endangered Species Act (ESA) are fulfilled for the eastern indigo snake and no further action is required.

Tricolored bat (*Perimyotis subflavus*): There is tricolored bat habitat on the project site; therefore, the Corps evaluated potential effects to this species. The tricolored bat is one of the smallest bats native to North America. The once common species is wide ranging across the eastern and central United States and portions of southern Canada, Mexico and Central America. During the winter, tricolored bats are found in caves and mines, although in the southern United States, where caves are sparse, tricolored bats are often found roosting in road-associated culverts. During the spring, summer and fall, tricolored bats are found in forested habitats where they roost in trees, primarily among leaves. During the spring, summer and fall (non-hibernating seasons), tricolored bats primarily roost among live and dead leaf clusters of live or recently dead deciduous hardwood trees. Tricolored bats may also roost in Spanish moss (*Tillandsia usneoides*), pine trees, and occasionally human structures like barns, beneath porch roofs, bridges, concrete bunkers, and rarely within caves. Female tricolored bats exhibit high site

fidelity, returning year after year to the same summer roosting locations. Female tricolored bats form maternity colonies and switch roost trees regularly. Males roost singly. During the winter, tricolored bats hibernate, which means that they reduce their metabolic rates, body temperatures and heart rate, in caves and mines; although, in the southern United States, where caves are sparse, tricolored bats often hibernate in road-associated culverts, as well as sometimes in tree cavities and abandoned water wells. Tricolored bats exhibit high site fidelity with many individuals returning year after year to the same hibernaculum. The project site contains suitable roosting and foraging habitat for the tricolored bat. Should the species be formally listed prior to site clearing, the project will comply with any newly established regulations to ensure no adverse effect on this species. Therefore, the Corps has determined the proposed work may affect, but would not be likely to adversely affect the tricolored bat. Any authorization would be conditioned to include language that requires Section 7 consultation with the USFWS in the event that the work is not completed prior to designation.

Wood stork (*Mycteria Americana*): The proposed project is located within the core foraging area of one active wood stork nesting colony, Ayers Point, located approximately 8 miles southwest of the project area. Therefore, the Corps utilized the Corps of Engineers, Jacksonville District, U.S. Fish and Wildlife Service, Jacksonville Ecological Services Field Office, and State of Florida Effect Determination Key for the Wood Stork in Central and North Peninsular Florida, September 2008 (Key) to determine potential effects upon this species. Use of this Key produced the sequential determination A>B>C>NLAA. The U.S. Fish and Wildlife Service (FWS) previously indicated that they concur with determinations of may affect, not likely to adversely affect based on the key for Wood Storks; and, that no additional consultation is necessary.

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. There is no EFH within the project area. 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.

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 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 Los Angeles District, Arizona Regulatory Branch (Attn: Alexandra Ryan), 3636 North Central Avenue Suite 900, Phoenix, Arizona 85012 within 30 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, Alexandra Ryan, in writing at the Los Angeles District, Arizona Regulatory Branch, 3636 North Central Avenue Suite 900, Phoenix, Arizona 85012; by electronic mail at alexandra.ryan@usace.army.mil; or, by telephone at (602) 230-6954.

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.

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: Water Quality Certification is required from the Southwest Florida Water Management District (SWFWMD).

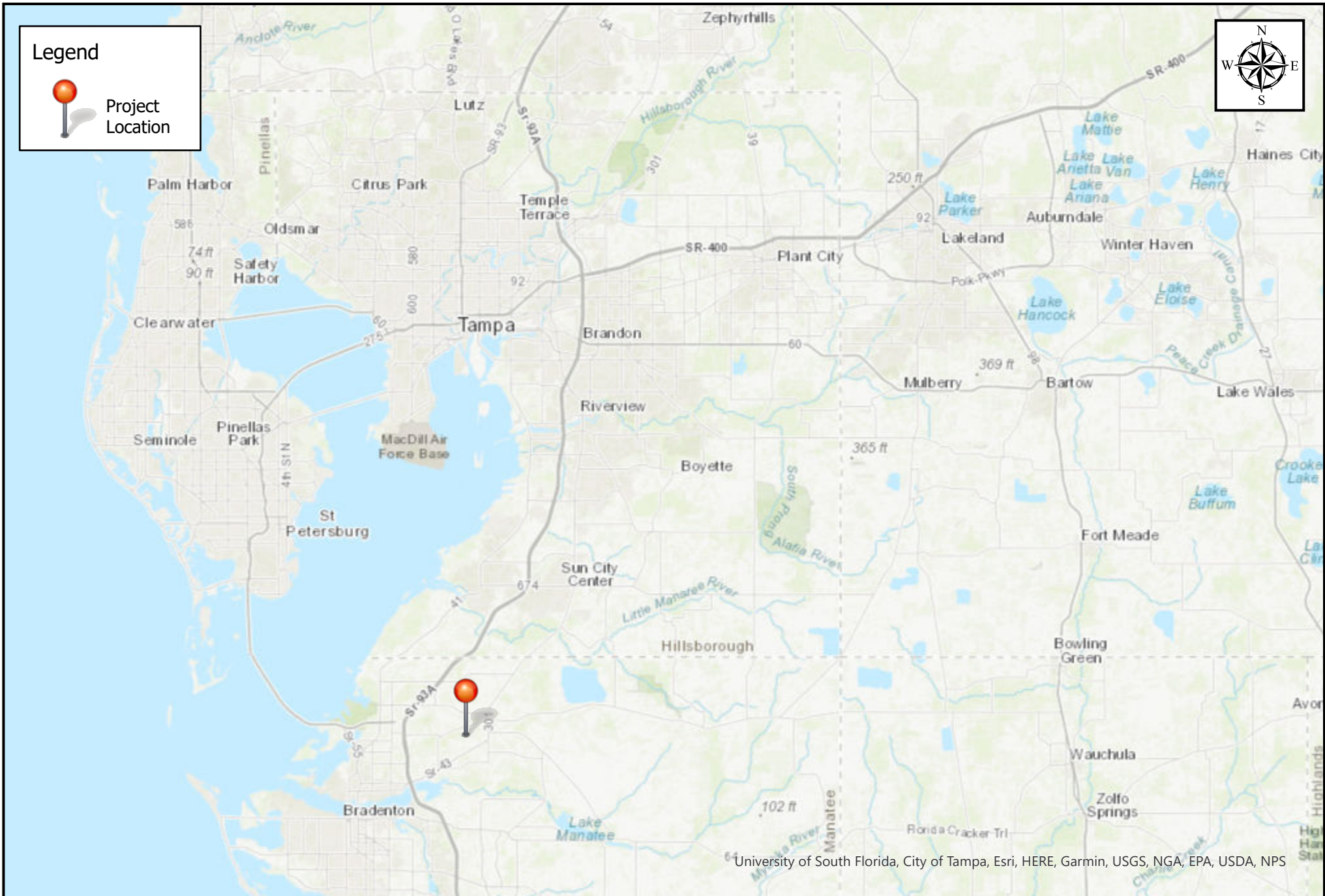
COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning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

Legend



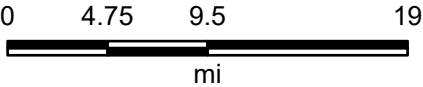
Project Location



University of South Florida, City of Tampa, Esri, HERE, Garmin, USGS, NGA, EPA, USDA, NPS



SAJ-2024-01608
Vicinity Map

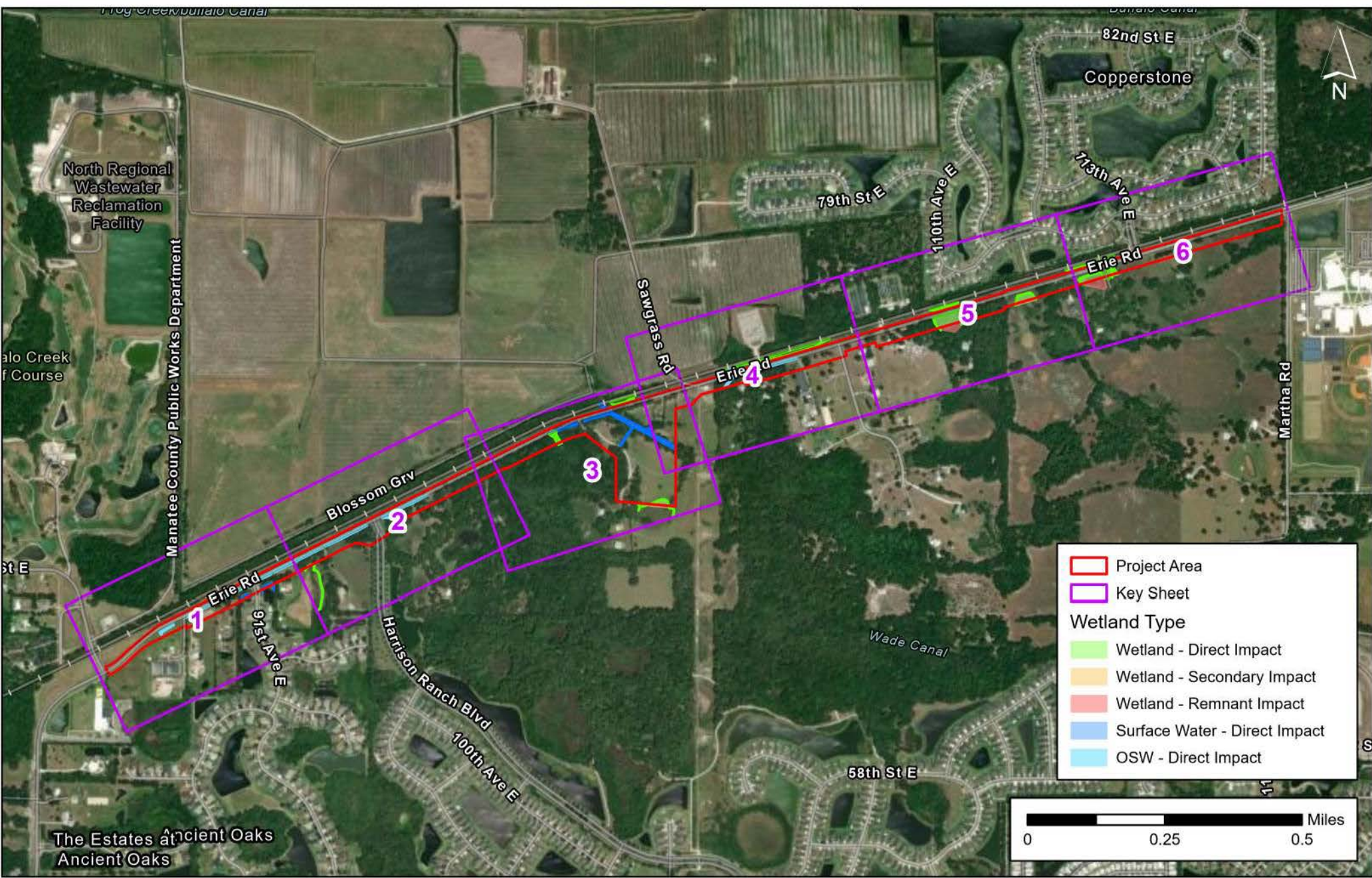


Map Center: 82.24086°W 27.838027°N

Map Created by: A. Ryan

Date: 11/25/2024

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere



DRMP, Inc.
 941 Lake Baldwin Lane
 Orlando, FL 32814
 Phone: 407-896-0594
 Fax: 407-896-4836

Erie Road West Segment Widening

Manatee County, FL

Wetland & Surface Water Impact Map

Date Source:
 Imagery: ESRI 2023
 Wetlands: DRMP 2023

Figure

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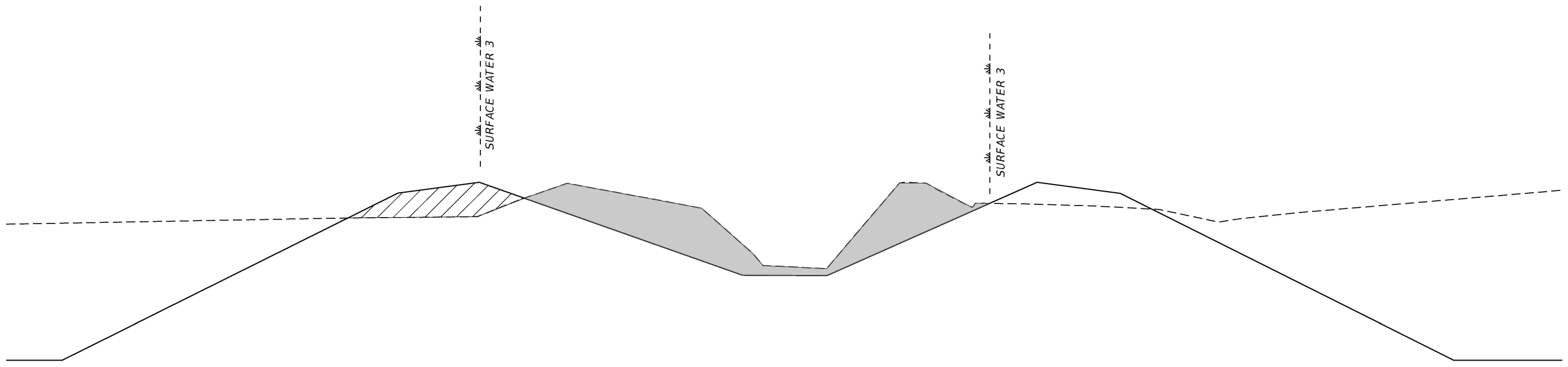
Key Sheet

DATE:
 March 2024

DRAWN
 BY: BH

PROJECT NUMBER:
 21-0638.002

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



LEGEND

- FILL IMPACT
- DREDGE IMPACT

SURFACE WATER 3 TOTAL FILL IMPACT = 143 CY
 SURFACE WATER 3 DREDGE IMPACT = 1099 CY

SURFACE WATER 3

NUMBER	DESCRIPTION	DATE	PROJECT #	6111360	SURVEYED	DEC 2023	STEVEN L. WALLACE, P.E. P.E. LICENSE NUMBER 59537 DRMP, INC. 15310 AMBERLY DRIVE, SUITE 310 TAMPA, FL 33647	 PUBLIC WORKS DEPARTMENT ENGINEERING SERVICES 1022 26TH AVENUE EAST, BRADENTON, FL 34208	ENVIRONMENTAL CONSIDERATION SHEETS	SHEET NO.
			SURVEY #		DESIGNED	JAN 2024				
			SEC./TWN./RGE.	VARIES	DRAWN	JAN 2024				
			SCALE (11x17)		CHECKED	JAN 2024				

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