



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

REPLY TO
ATTENTION OF

Regulatory Division
North Permits Branch
Atlantic Permits Section

PUBLIC NOTICE

Permit Application SAJ-1989-90161-MRE SEP 24 2004

TO WHOM IT MAY CONCERN: This district has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344) as described below.

APPLICANT: Ponce Associates, LLC
Attn: Ms. Sally Hall
4315 Pablo Oaks Court, Suite One
Jacksonville, Florida 32224

WATERWAY & LOCATION: The project would affect wetlands associated with Robinson Creek and the Tolomato River, which are waters of the United States. The proposed project site is located in Section 54, Township 06 South, Range 29 East, and Section 42, Township 06 South, Range 30 East, at the existing Ponce de Leon Resort and Hotel, on the east side of U.S. Highway 1 North, north of downtown St. Augustine, St. Johns County, Florida.

APPROXIMATE LATITUDE & LONGITUDE: Latitude... 30° 55' 48" North
Longitude..81° 19' 15" West

PROJECT PURPOSE:

Basic: The basic project purpose is establishment of a mixed-use development.

Overall: The overall project purpose is the establishment of a mixed-use, residential and commercial, development that serves north St. Augustine.

PROPOSED WORK: The applicant proposes to modify the existing golf course development and adjacent undeveloped land to a single and multi-family residential development. This development would include a community amenity complex, a retail center, and a small commercial office site adjacent to U.S. Route 1. Impacts to wetlands would total 0.76 acre. These impacts would incorporate work affecting saltwater marsh (0.18 ac.), hydric pine flatwoods (0.29 ac.), and golf course lakes (0.29 ac). The proposed impacts are depicted on the project drawings.

MITIGATION: The applicant proposes to mitigate the proposed impacts to wetlands through the preservation of wetlands and uplands, the enhancement of wetlands, and the restoration of salt marsh. Specifically, the applicant would preserve a minimum of 46.21 acres of wetlands and 25.49 acres of uplands. Additionally, the applicant would enhance and preserve 22.43 acres of wetlands. This enhancement would be accomplished through the replacement of various culverts with larger culverts, which would increase the tidal flushing of several acres of wetlands. Finally, the applicant would restore, and preserve, 0.21 acre of salt marsh through the removal of a golf cart causeway. The removal of this causeway would enhance the upstream wetlands, a substantial but non-quantified acreage of wetlands.

ENDANGERED SPECIES: The U.S. Army Corps of Engineers is not aware of any threatened or endangered species on the project site.

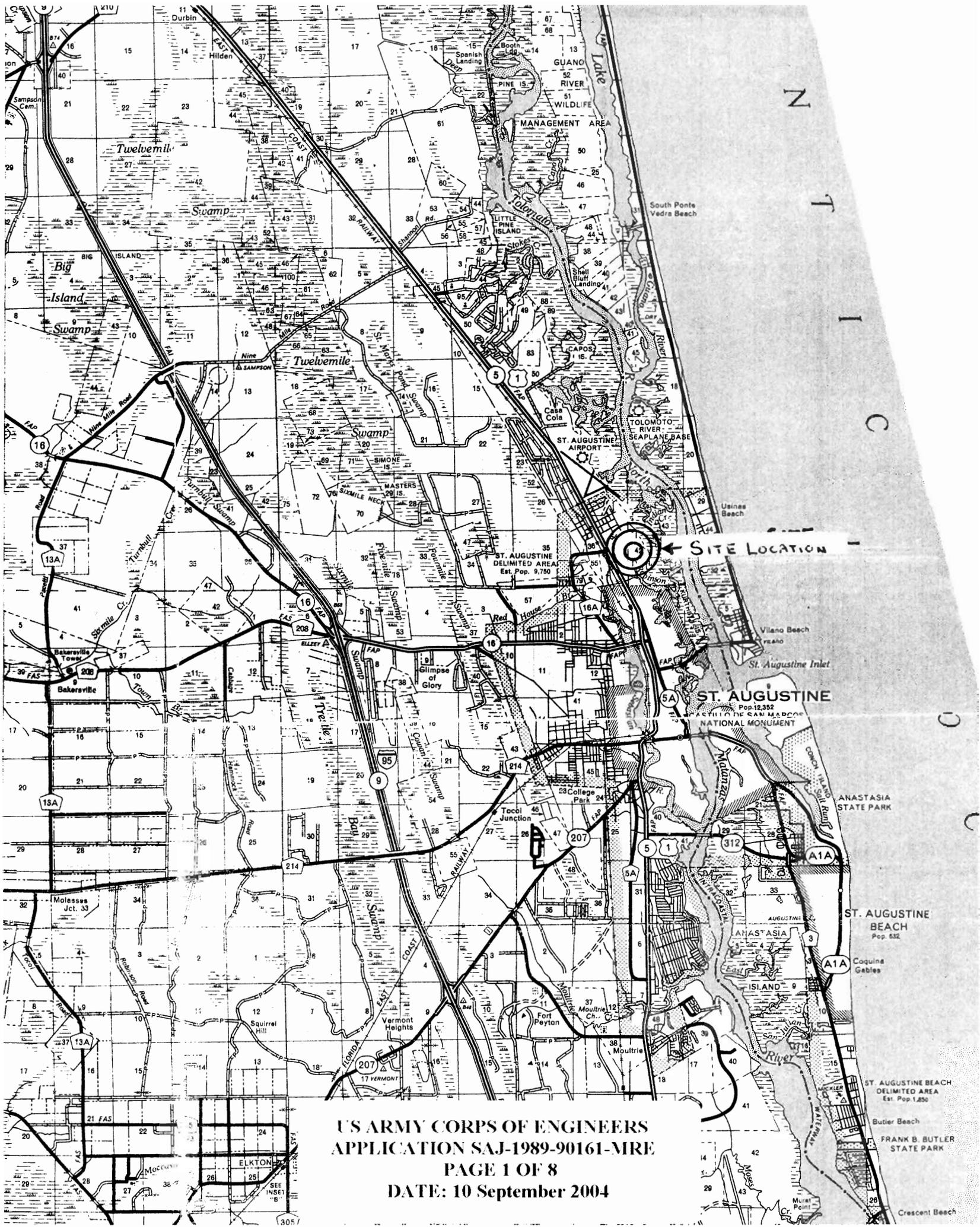
ESSENTIAL FISH HABITAT: This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposal would impact approximately 0.18 acres of estuarine wetlands. In consideration of the proposed mitigation, our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in Robinson Creek or the Tolomato River. 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.

NOTE: *This public notice is being issued based on information furnished by the applicant. This information has not been verified.*

AUTHORIZATION FROM OTHER AGENCIES: A State Water Quality Certification/Permit is required for this project. The St. Johns River Water Management District (SJRWMD) is reviewing the work proposed as permit application number is 4-109-94964-1.

Comments regarding the application should be submitted in writing to the District Engineer at the above address within **30 days** from the date of this notice.

If you have any questions concerning this application, you may contact the project manager Mark R. Evans by letter at the letterhead address, by e-mail at *Mark.R.Evans@saj02.usace.army.mil*, or by telephone at 904-232-2028.



US ARMY CORPS OF ENGINEERS
APPLICATION SAJ-1989-90161-MRE
PAGE 1 OF 8
DATE: 10 September 2004

N

T

I

C

← SITE LOCATION

ST. AUGUSTINE
Pop. 12,352
CITY OF ST. AUGUSTINE
NATIONAL MONUMENT

ANASTASIA
STATE PARK

ST. AUGUSTINE BEACH
Pop. 532

ST. AUGUSTINE BEACH
DELIMITED AREA
Est. Pop. 1,850

Butler Beach
FRANK B. BUTLER
STATE PARK

Crescent Beach

ELKTON
SEE INSET B

305

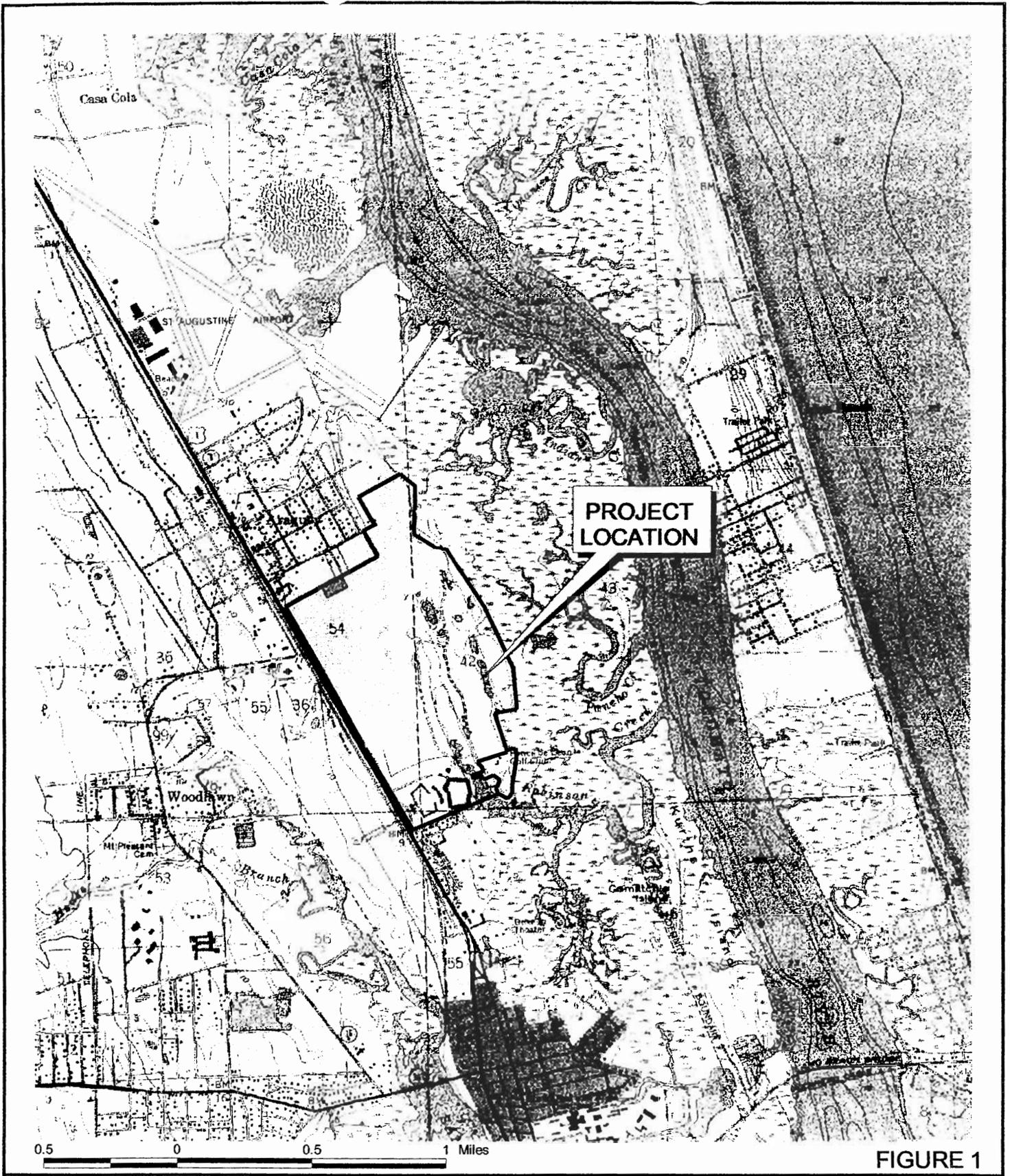
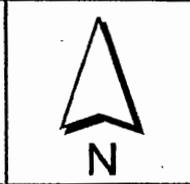


FIGURE 1





St. Johns County
Property Appraiser

SAJ-1989-90161-MRE

September 10, 2004



Northeast (2002)
County

US ARMY CORPS OF ENGINEERS APPLICATION SAJ-1989-90161-MRE PAGE 3 OF 8 DATE: 10 September 2004

This PDF was generated at:
<http://gis.sjcpa.us/imf/launch.html>

Aerial Photograph for Madeira at St. Augustine (former Ponce de Leon Golf and Country Club).

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION. Use and distribution of this map subject to copyright and disclaimer notices at www.geocortex.net.

See Figure 4A

See Figure 4B

See Figure 4C

See Figure 4D

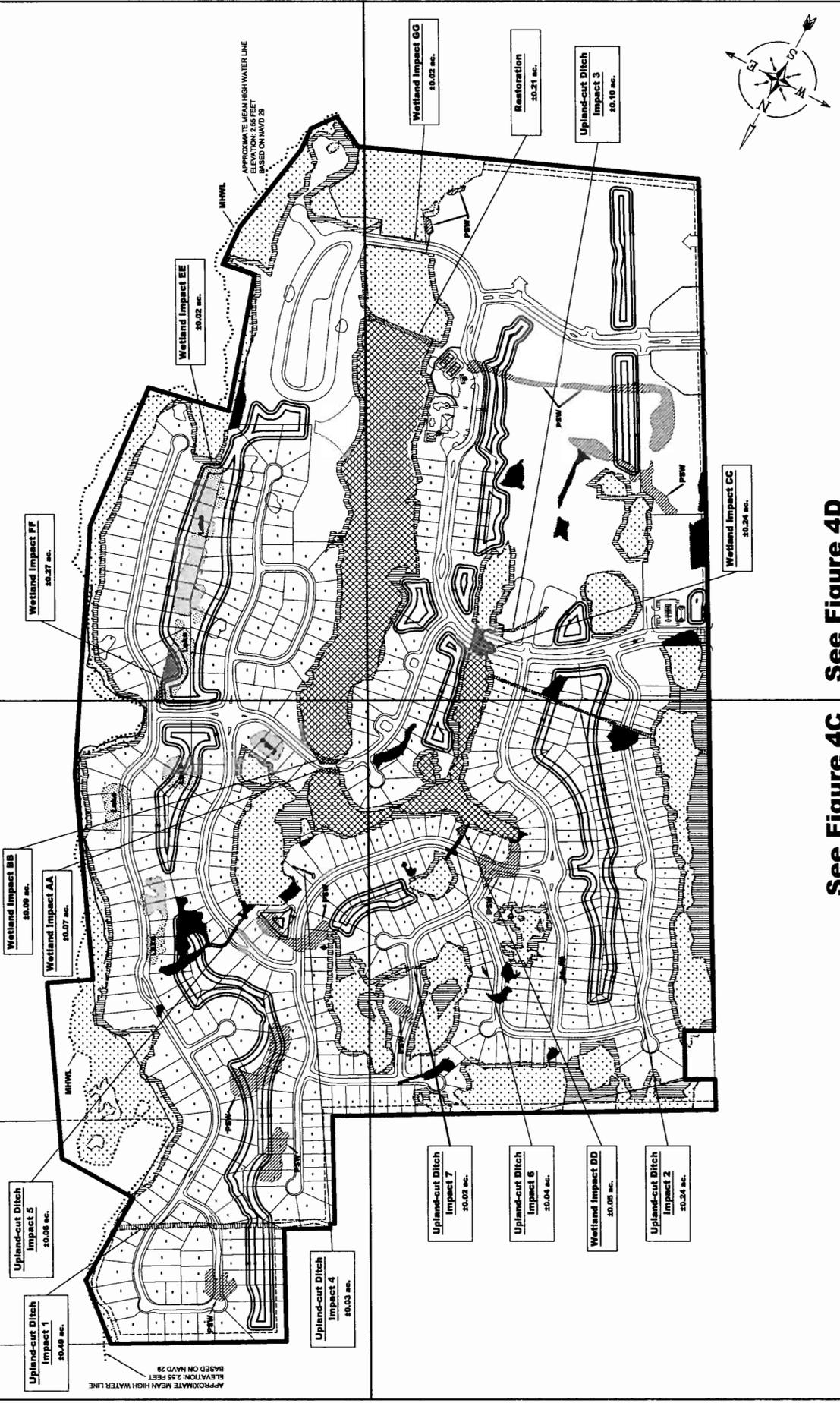


Figure: 4
 Scale: 1"= 800'
 Project: EJ98279.00
 Date: August 2004

Key Map - Proposed Site Conditions
Madeira - Ponce Resort
 St. Johns County, Florida

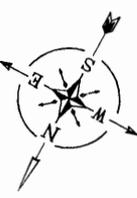
US ARMY CORPS OF ENGINEERS
 APPLICATION SAJ-1989-90161-MRE
 PAGE 4 OF 8
 DATE: 10 September 2004

Legend:

- Golf Course Lake Impacts
- SJRWMD/COE Impacts
- Upland-cut Ditch Impact
- Permitted Stormwater System (PSW)

- Upland Preservation
- Wetland Preservation
- Wetland Restoration
- Wetland Enhancement

- ±5.89 ac.
- ±0.76 ac.
- ±0.98 ac.
- ±6.52 ac.
- ±25.49 ac.
- ±46.21 ac.
- ±0.21 ac.
- ±22.43 ac.



Upland-cut Ditch Impact 1
±0.49 ac.

Upland-cut Ditch Impact 5
±0.06 ac.

Wetland Impact AA
±0.07 ac.

Wetland Impact BB
±0.09 ac.

APPROXIMATE MEAN HIGH WATER LINE
ELEVATION: 2.55 FEET
BASED ON NAVD 29



Match Line See Figure 4C

Proposed Site Conditions
Madeira - Ponce Resort
St. Johns County, Florida

Legend:

	- Golf Course Lake Impacts	±5.89 ac.		- Upland Preservation	±25.49 ac.
	- SJRWMD/COE Impacts	±0.76 ac.		- Wetland Preservation	±46.21 ac.
	- Upland-cut Ditch Impact	±0.98 ac.		- Wetland Restoration	±0.21 ac.
	- Permitted Stormwater System (PSW)	±6.52 ac.		- Wetland Enhancement	±22.43 ac.

Wetland Impact FF
±0.27 ac.

Wetland Impact EE
±0.02 ac.

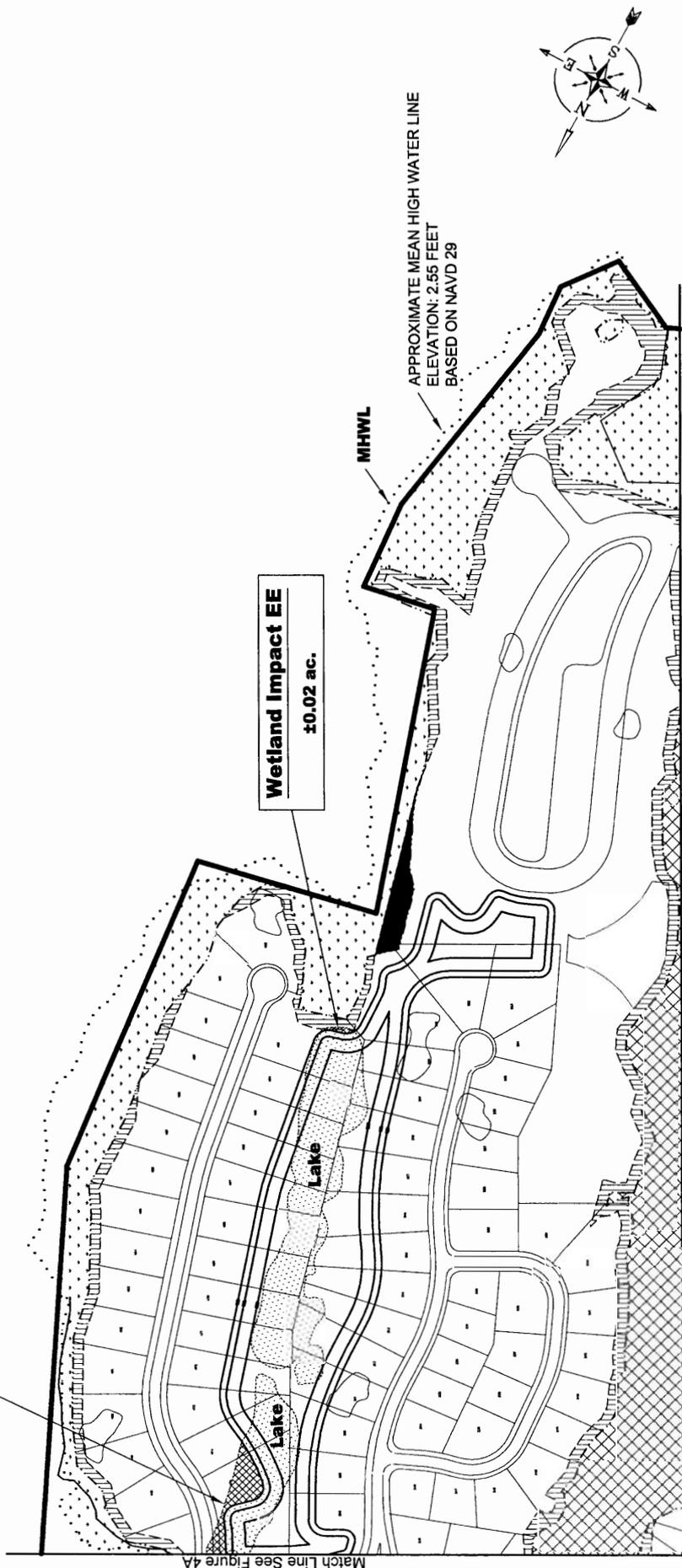
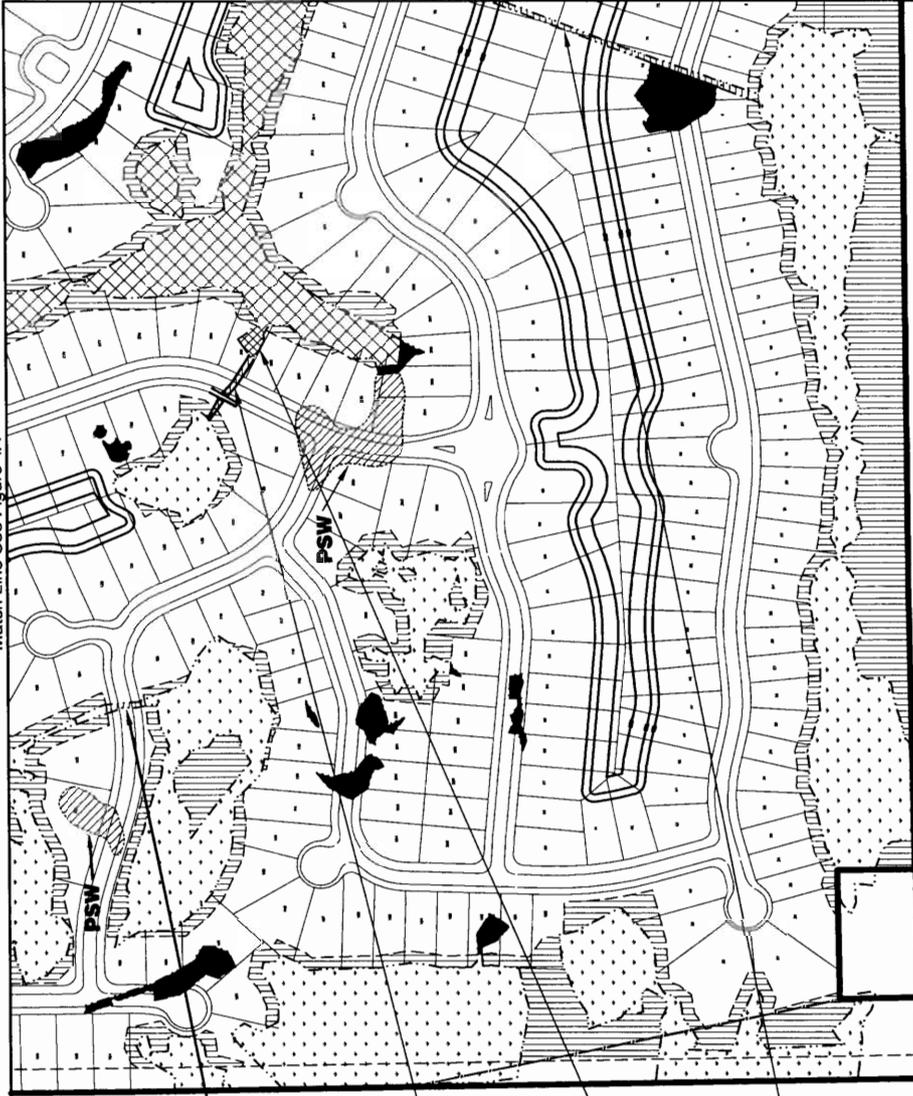


Figure: 4B
Scale: 1"= 400'
Project: EJ98279.00
Date: August 2004

Proposed Site Conditions
Madeira - Ponce Resort
 St. Johns County, Florida

Match Line See Figure 4A



Match Line See Figure 4D

**Upland-cut Ditch
Impact 7**
±0.02 ac.

**Upland-cut Ditch
Impact 6**
±0.04 ac.

Wetland Impact DD
±0.05 ac.

**Upland-cut Ditch
Impact 2**
±0.24 ac.

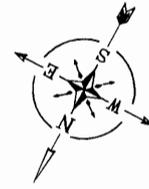
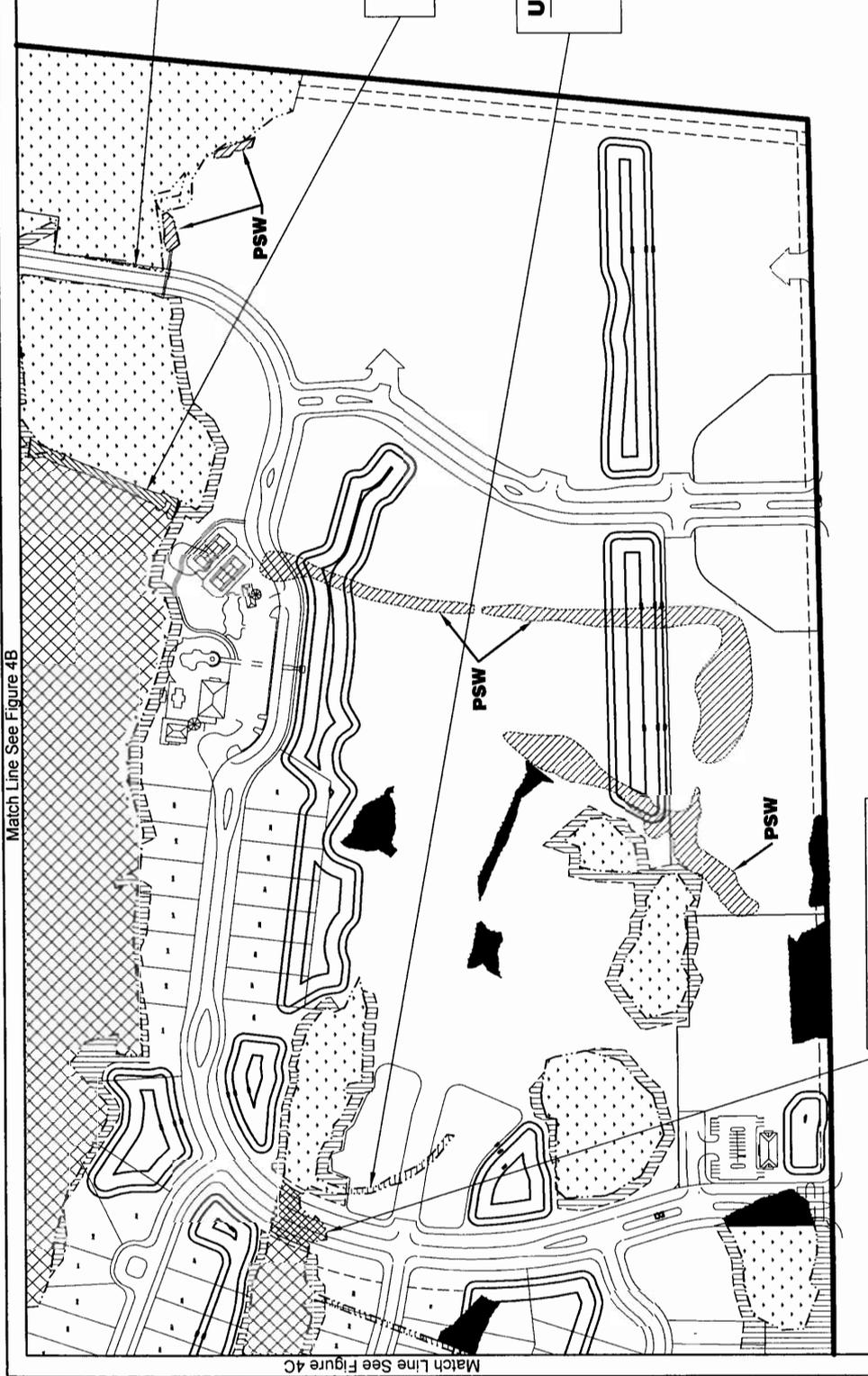
Legend:

	- Golf Course Lake Impacts	±5.89 ac.		- Upland Preservation	±25.49 ac.
	- SJRWMD/COE Impacts	±0.76 ac.		- Wetland Preservation	±46.21 ac.
	- Upland-cut Ditch Impact	±0.98 ac.		- Wetland Restoration	±0.21 ac.
	- Permitted Stormwater System (PSW)	±6.52 ac.		- Wetland Enhancement	±22.43 ac.



Match Line See Figure 4B

Match Line See Figure 4C



Legend:

	- Golf Course Lake Impacts	±5.89 ac.		- Upland Preservation	±25.49 ac.
	- SJRWMD/COE Impacts	±0.76 ac.		- Wetland Preservation	±46.21 ac.
	- Upland-cut Ditch Impact	±0.98 ac.		- Wetland Restoration	±0.21 ac.
	- Permitted Stormwater System (PSW)	±6.52 ac.		- Wetland Enhancement	±22.43 ac.

Wetland Impact GG
±0.02 ac.

Restoration
±0.21 ac.

Upland-cut Ditch Impact 3
±0.10 ac.

Wetland Impact CC
±0.24 ac.

Figure: 4D
Scale: 1"= 400'
Project: EJ98279.00
Date: August 2004

Proposed Site Conditions
Madeira - Ponce Resort
St. Johns County, Florida

US ARMY CORPS OF ENGINEERS
APPLICATION SAJ-1989-90161-MRE
PAGE 8 OF 8
DATE: 10 September 2004

IMPACT ON NATURAL RESOURCES: Preliminary review of this application indicates that an Environmental Impact Statement will not be required. 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. By means of this notice we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat.

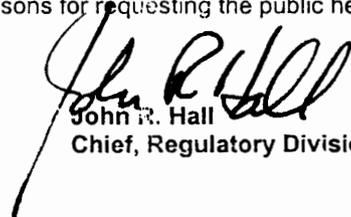
IMPACT ON CULTURAL RESOURCES: Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible or inclusion therein, are located at the site of the proposed work. Presently, unknown archeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished.

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, historic 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 of 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.

The U.S. 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 of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make or deny this decision, comments are used to assess impacts on 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 and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

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 approved 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.


John R. Hall
Chief, Regulatory Division