



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
Post Office Box 4970
Jacksonville, Florida 32232-0019

REPLY TO
ATTENTION OF

North Permits Branch
Atlantic Permits Section

PUBLIC NOTICE
Permit Application SAJ-2004-6380-MRE **OCT 07 2004**

TO WHOM IT MAY CONCERN: This district 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: Kensington, LLC
Attn: Mr. Mike Mesiano
1914 Art Museum Drive
Jacksonville, Florida 32207

WATERWAY & LOCATION: The waters of the United States (wetlands) that would be affected by the work proposed are hydrological connection to Stokes Creek, which is a tributary of the navigable Tolomato River. The proposed project is located northeast of U.S. Highway 1, south of Pine Island Road and west of the Tolomato River in St. Johns County, Florida. The site is further located in Sections 4, 22, 28, 29, 30, 32, 60, and 61, Township 5 South, Range 29 East.

APPROXIMATE CENTRAL LATITUDE & LONGITUDE: Latitude 30.04
Longitude -81.40

PROJECT PURPOSE:

Basic: The basic project purpose is the development of a residential subdivision.

Overall: The overall project purpose is the construction of a single-family residential development serving south Duval County and north St. Johns County.

PROPOSED WORK: The applicant seeks authorization to place clean fill material over 6.64 acres of wetlands within the jurisdiction of the U.S. Army Corps of Engineers (Corps). The proposed impact areas are characterized as vegetated non-forested wetland, wetland coniferous plantation, cypress, wetland forested mixed, mixed wetland hardwoods, bay swamp, and wetland hardwoods. Please review the project drawings for a depiction of the work proposed.

As mitigation, the applicant proposes to place a conservation easement over a minimum of 0.55-acre of uplands, 37.94 acres of jurisdictional wetlands and 0.81-acre of non-jurisdictional wetlands on-site. Furthermore, the applicant is proposing to enhance 4.98 acres of

wetlands and create 2.0 acres of wetlands. The applicant has submitted a Wetland Rapid Assessment Procedure functional analysis in support of the proposed mitigation.

Endangered Species: The Corps has determined the proposed project may affect, but is not likely to adversely affect the Eastern indigo snake (*Drymarchon corais couperi*). The applicant has indicated a willingness to implement the standard permit conditions to protect this species should the Corps issue a permit. Through separate correspondence, pursuant to Section 7 of the Endangered Species Act, the Corps will request Fish and Wildlife's concurrence with this determination.

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 not impact estuarine or riverine habitat. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in 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.

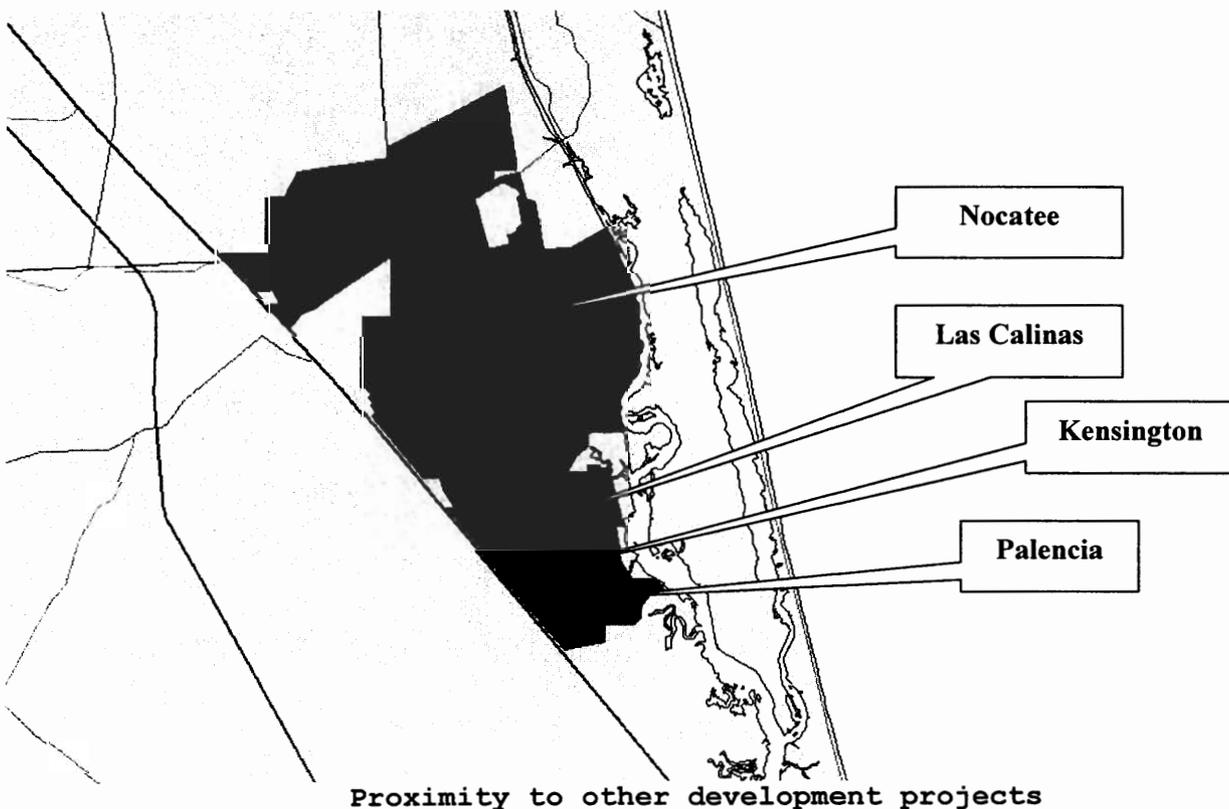
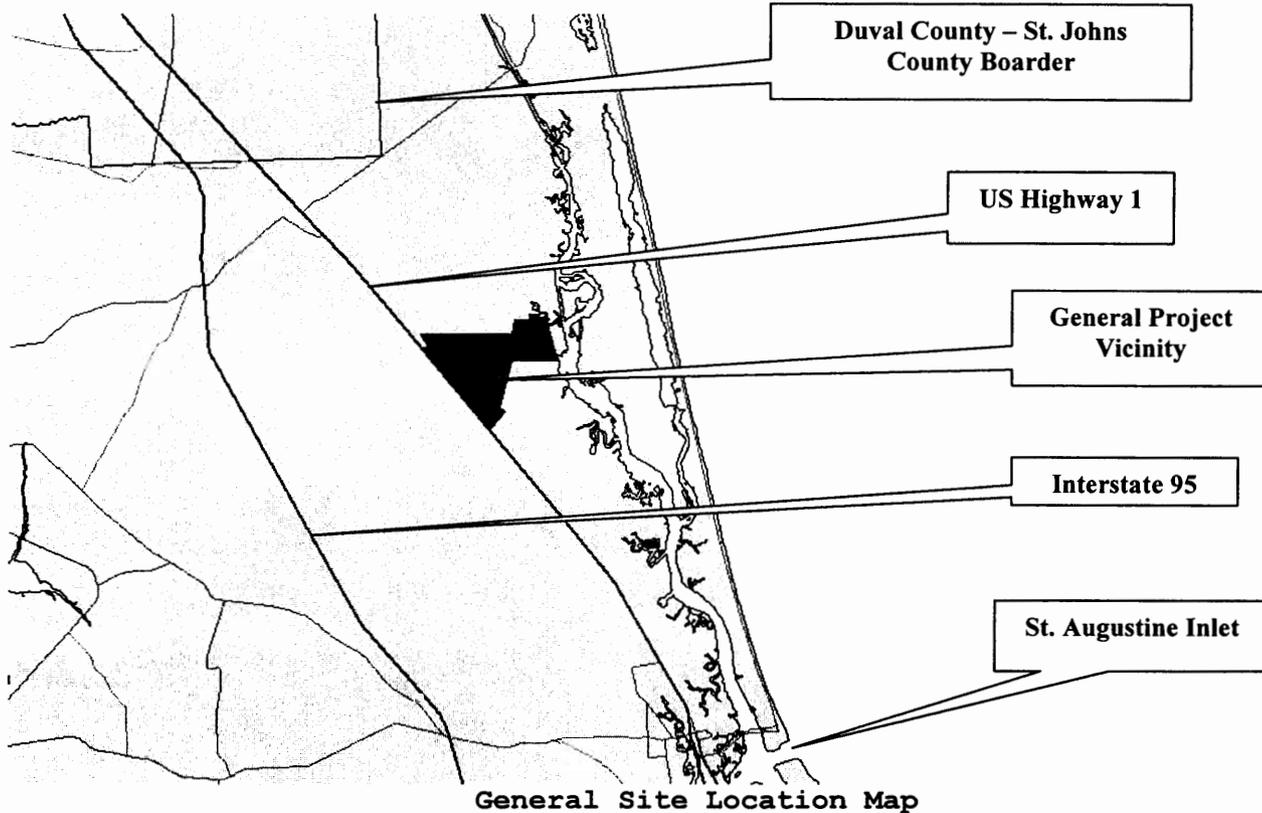
NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified. Corps personnel have verified the jurisdictional line.

AUTHORIZATION FROM OTHER AGENCIES: A State Water Quality Certification/Permit is required for this project. The St. Johns River Water Management District (SJRWMD) is currently reviewing the project as two separate phases; permit applications 4-109-71374-2 and 4-109-71374-3.

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.

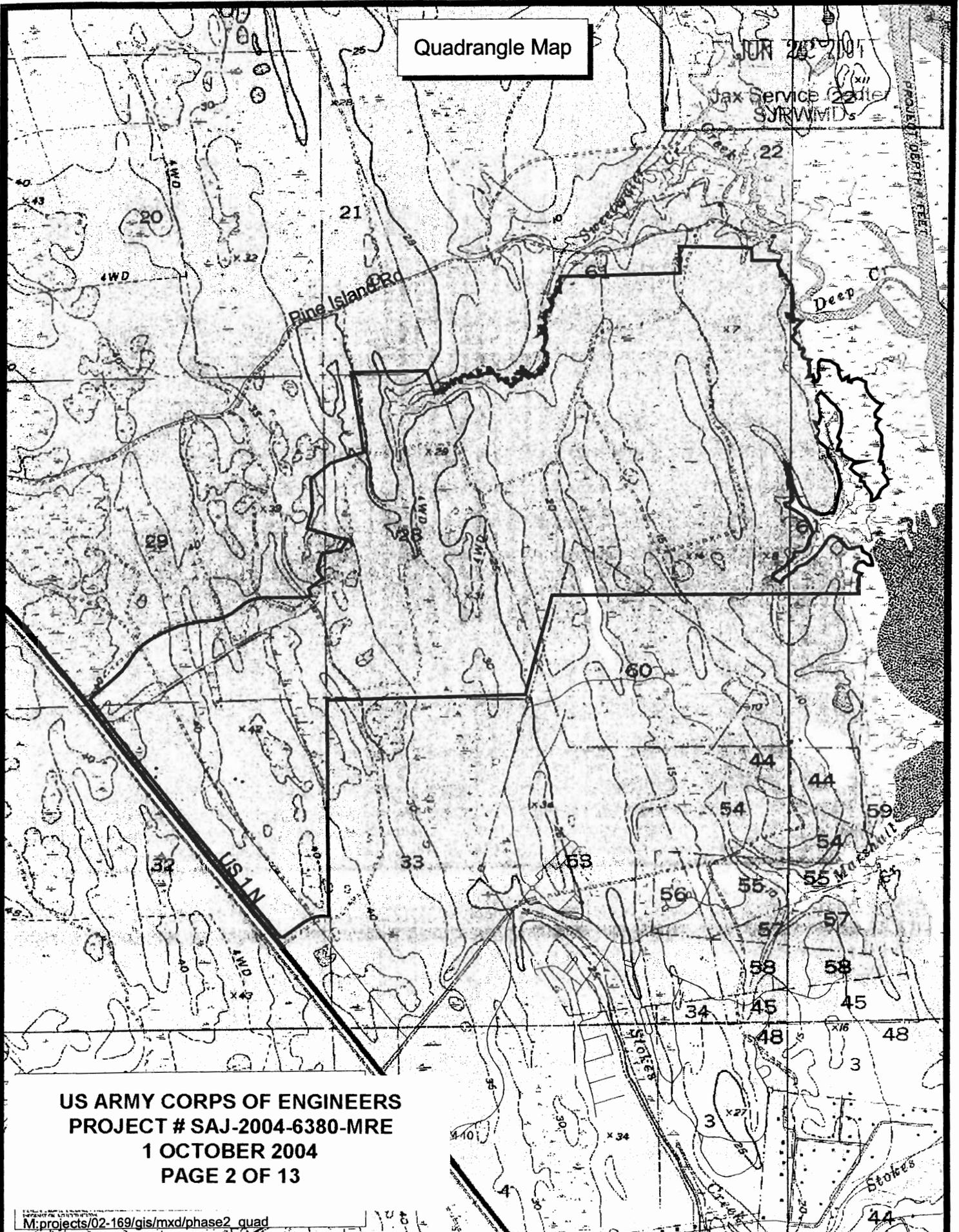
If you have any questions concerning this application, you may contact Mr. Mark R. Evans by mail at the letterhead address, by electronic mail at Mark.R.Evans@saj02.usace.army.mil, by facsimile transmission at 904-232-1684, or by telephone at 904-232-2028.

**SAJ-2004-6380-MRE
Las Calinas: Phase I and Phase II**

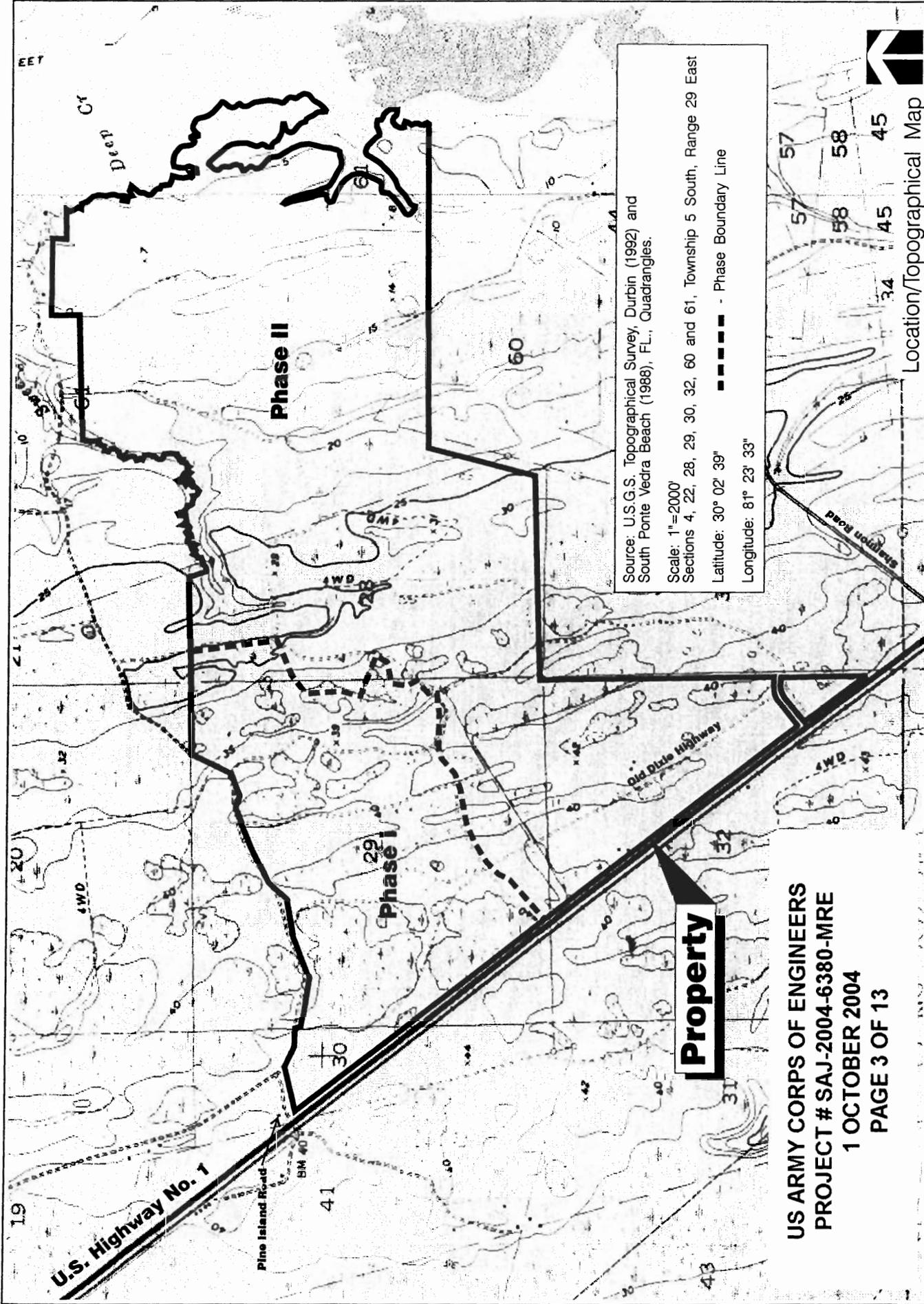


Quadrangle Map

JUN 26 2004
Tax Service Center
SYRWARDs



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Location/Topographical Map

Source: U.S.G.S. Topographical Survey, Durbin (1992) and South Ponte Vedra Beach (1988), FL., Quadrangles.
 Scale: 1"=2000'
 Sections 4, 22, 28, 29, 30, 32, 60 and 61, Township 5 South, Range 29 East
 Latitude: 30° 02' 39"
 Longitude: 81° 23' 33"

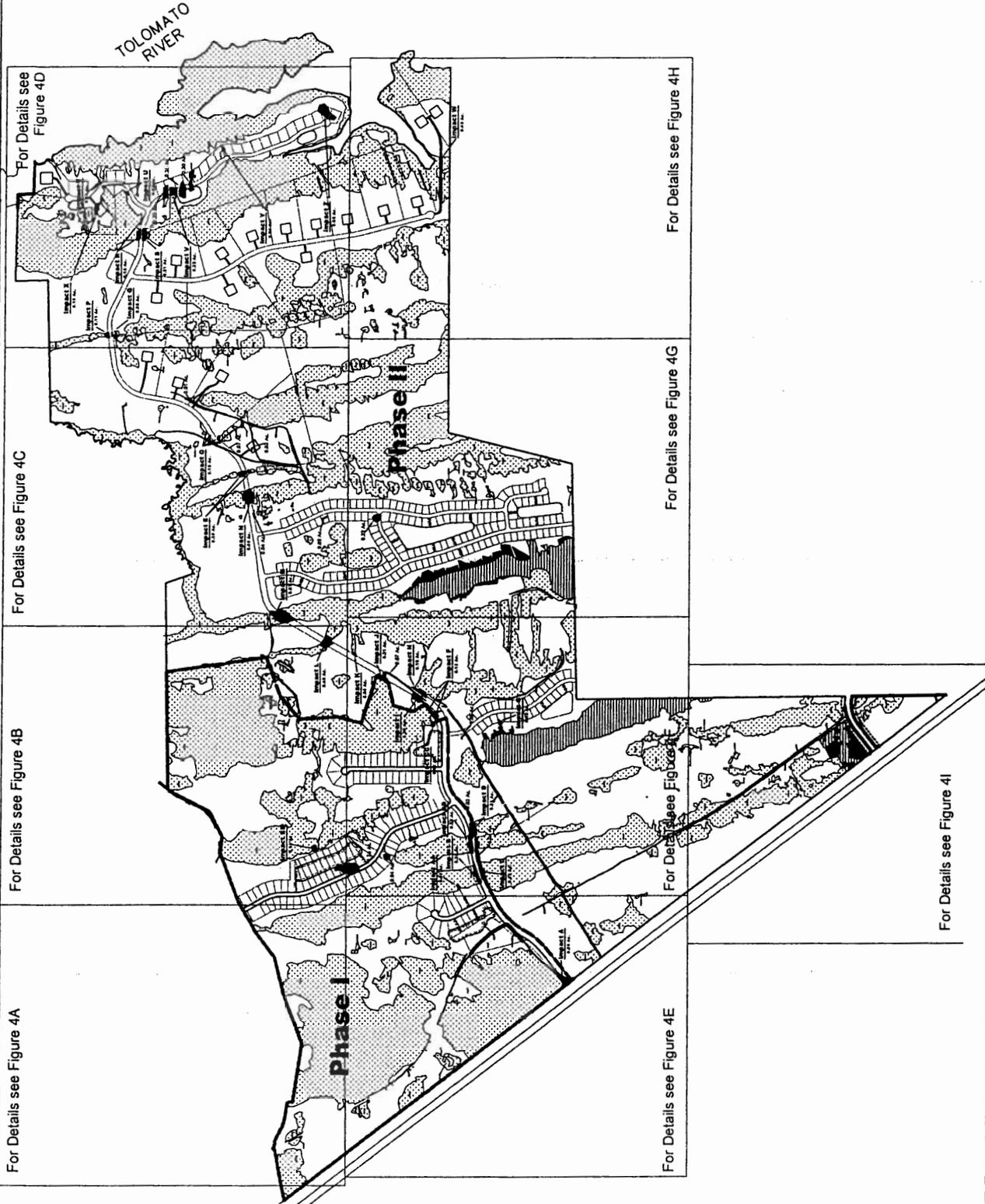
Property

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Project No.	EJ02393.00
Date	May 2004
Figure 1	

Las Calinas
 St. Johns County, Florida





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Key Map
Las Calinas
 St. Johns County, Florida

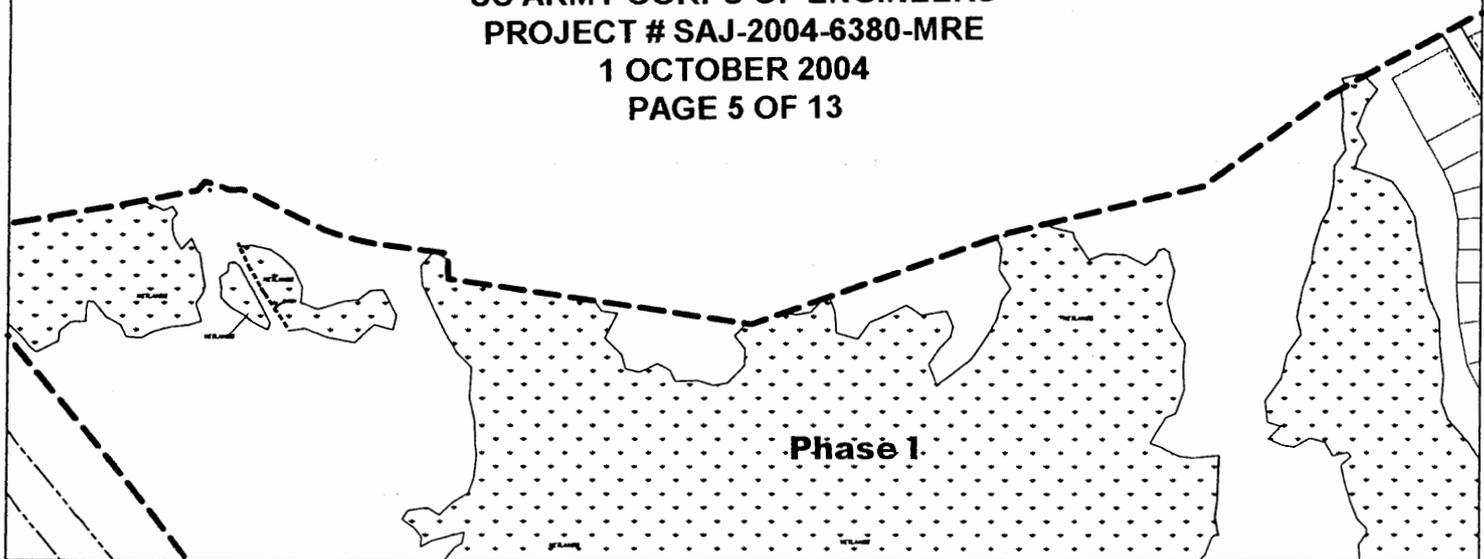
Figure: 4
Scale: 1"=2000'
Project: EJ02393.00
Date: May 2004

Legend:

-  - Proposed Wetland Impacts, ±6.64 ac.
-  - Proposed Impacts Non-Jurisdictional Wetlands, ±2.01 ac.
-  - Proposed Ditch Impacts, ±0.43 ac.
-  - Wetland Preservation, ±38.75 ac.
-  - Wetland Enhancement, ±4.98 ac.
-  - Wetland Creation, ±2.00 ac.
-  - Upland Preservation, ±0.55 ac.
-  - Wetlands to Remain
-  - Phase Boundary Line



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Phase 1



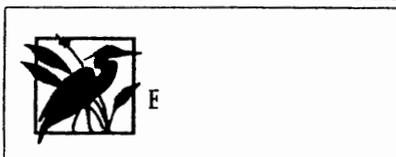
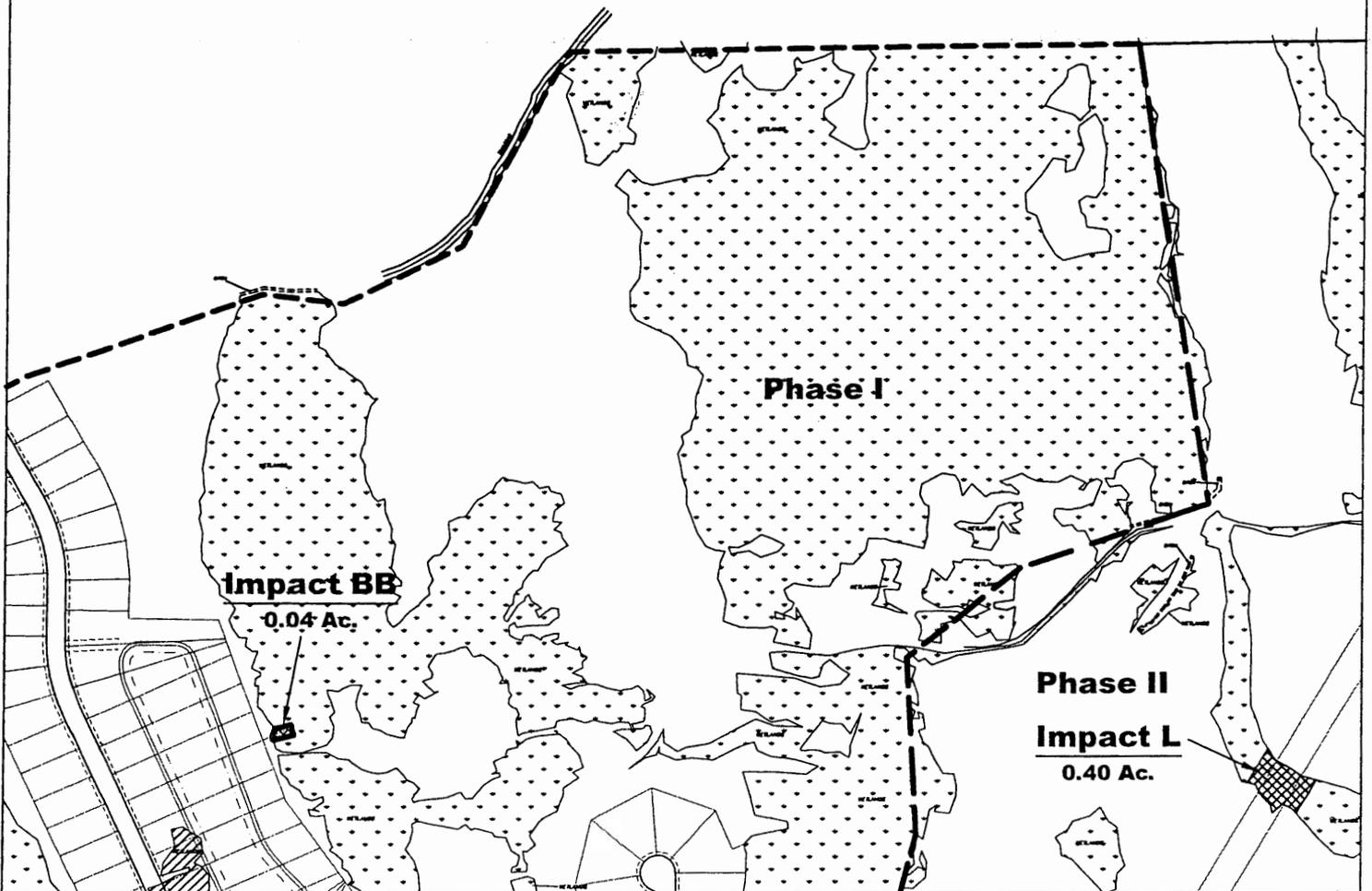
Proposed Site Conditions
Las Galinas
 St. Johns County, Florida

Figure:	4A
Scale:	1"=800'
Project:	EJ02393.00
Date:	May 2004

Legend:

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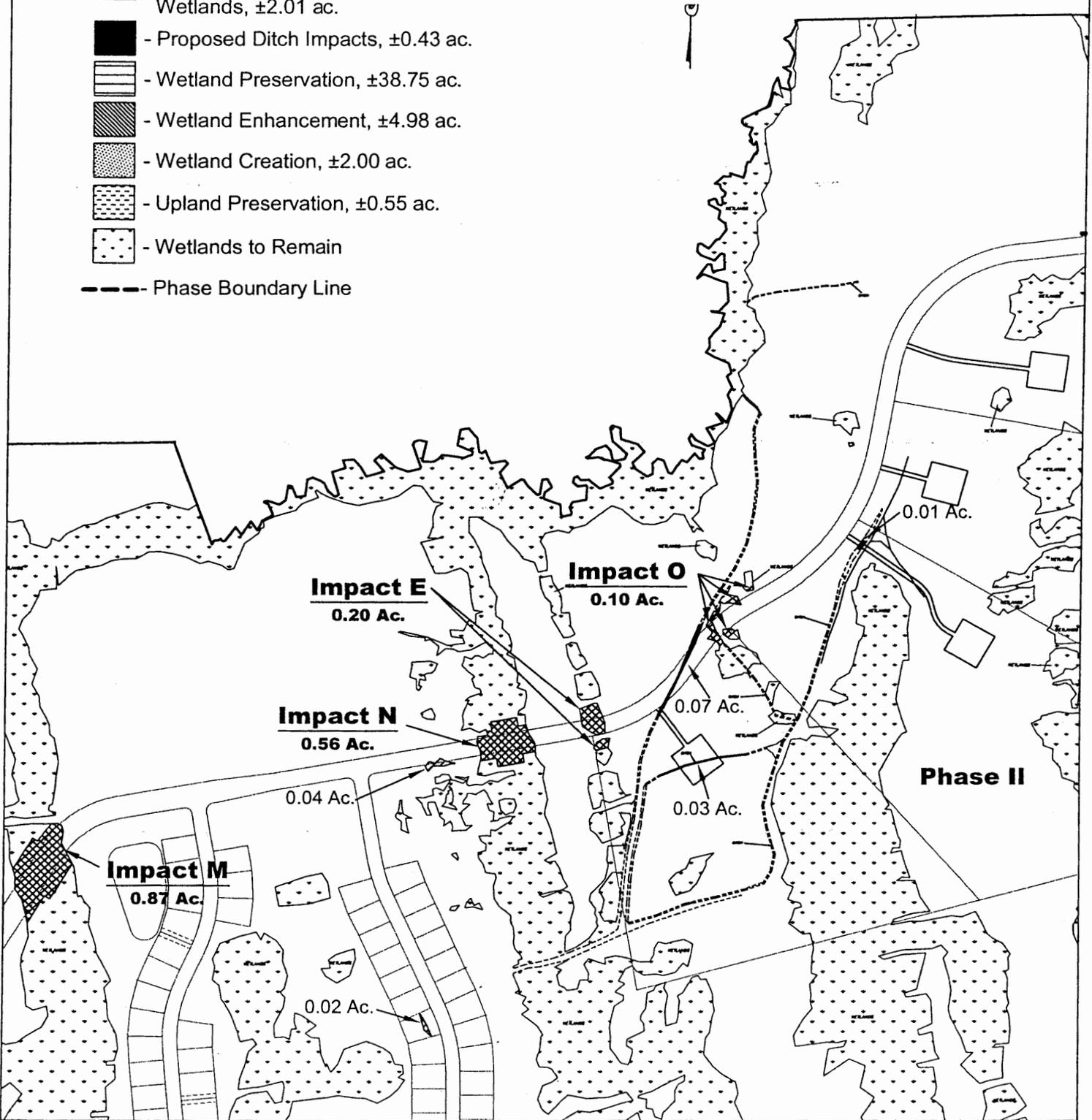
Proposed Site Conditions
Las Calinas
St. Johns County, Florida

Figure:	4B
Scale:	1"=800'
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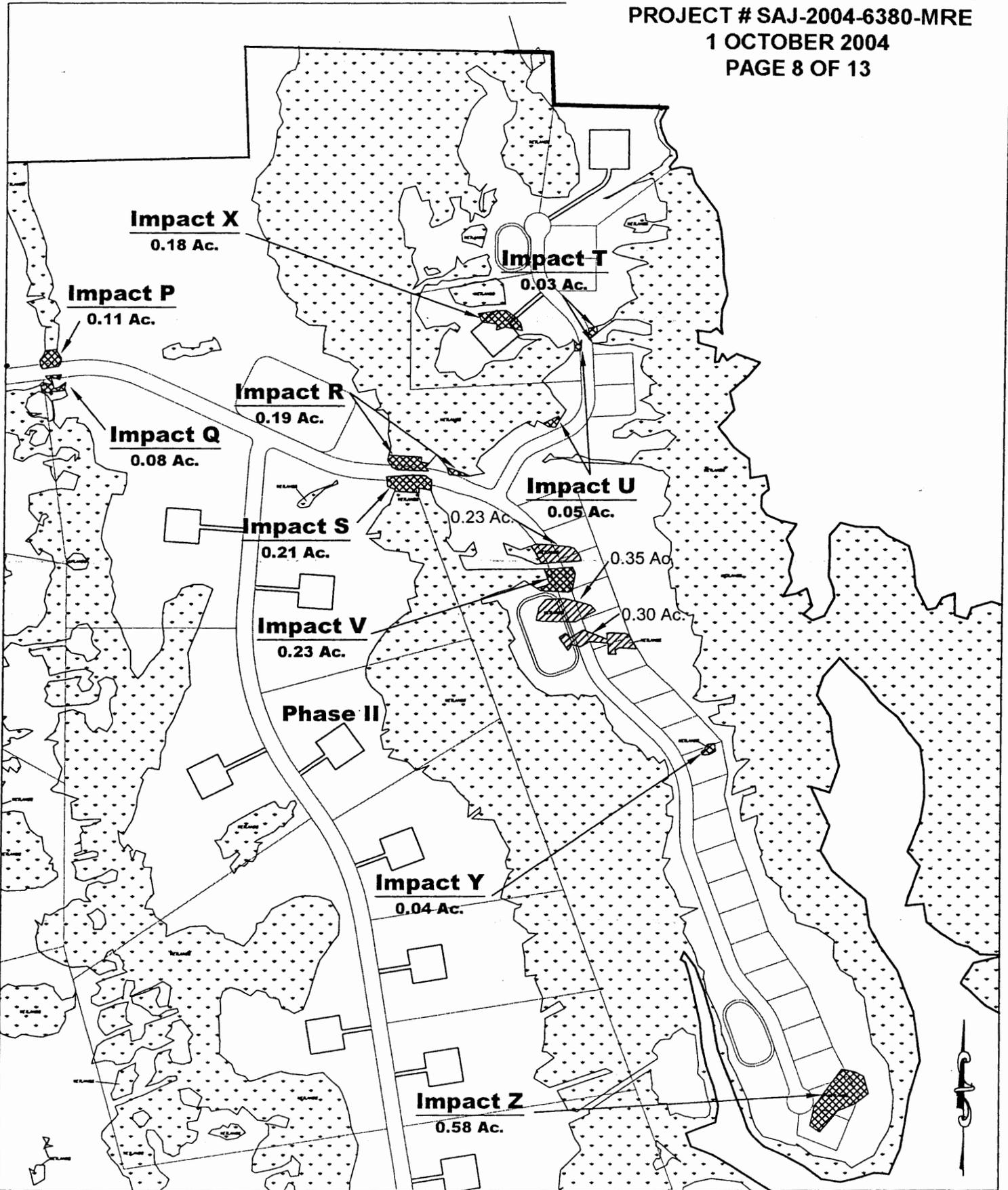
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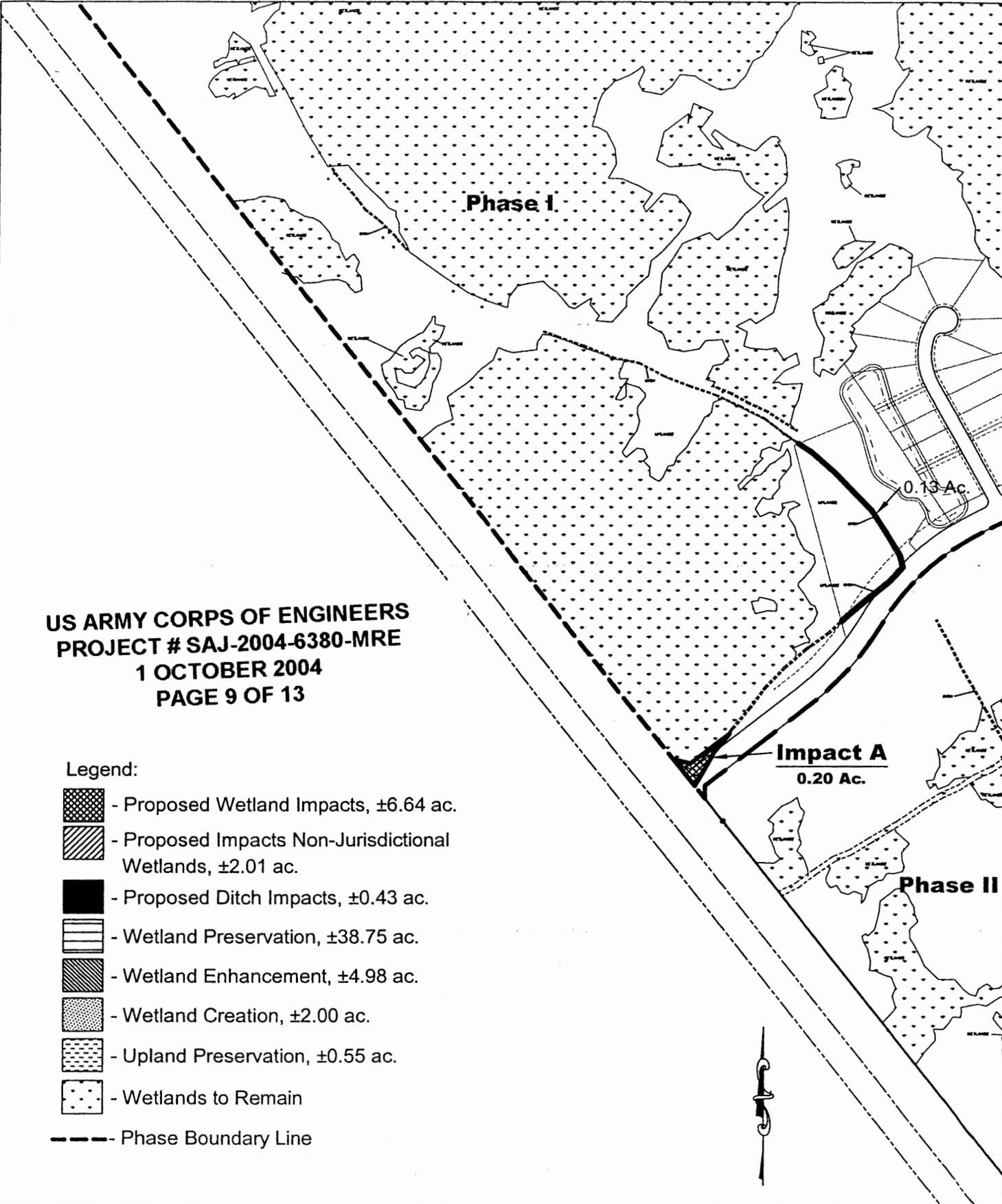
Proposed Site Conditions
Las Calinas
 St. Johns County, Florida

Figure:	4C
Scale:	1"=800'
Project:	EJ02393.00
Date:	May 2004



Proposed Site Conditions
Las Calinas
 St. Johns County, Florida

Figure:	4D
Scale:	1"=800'
Project:	EJ02393.00
Date:	May 2004

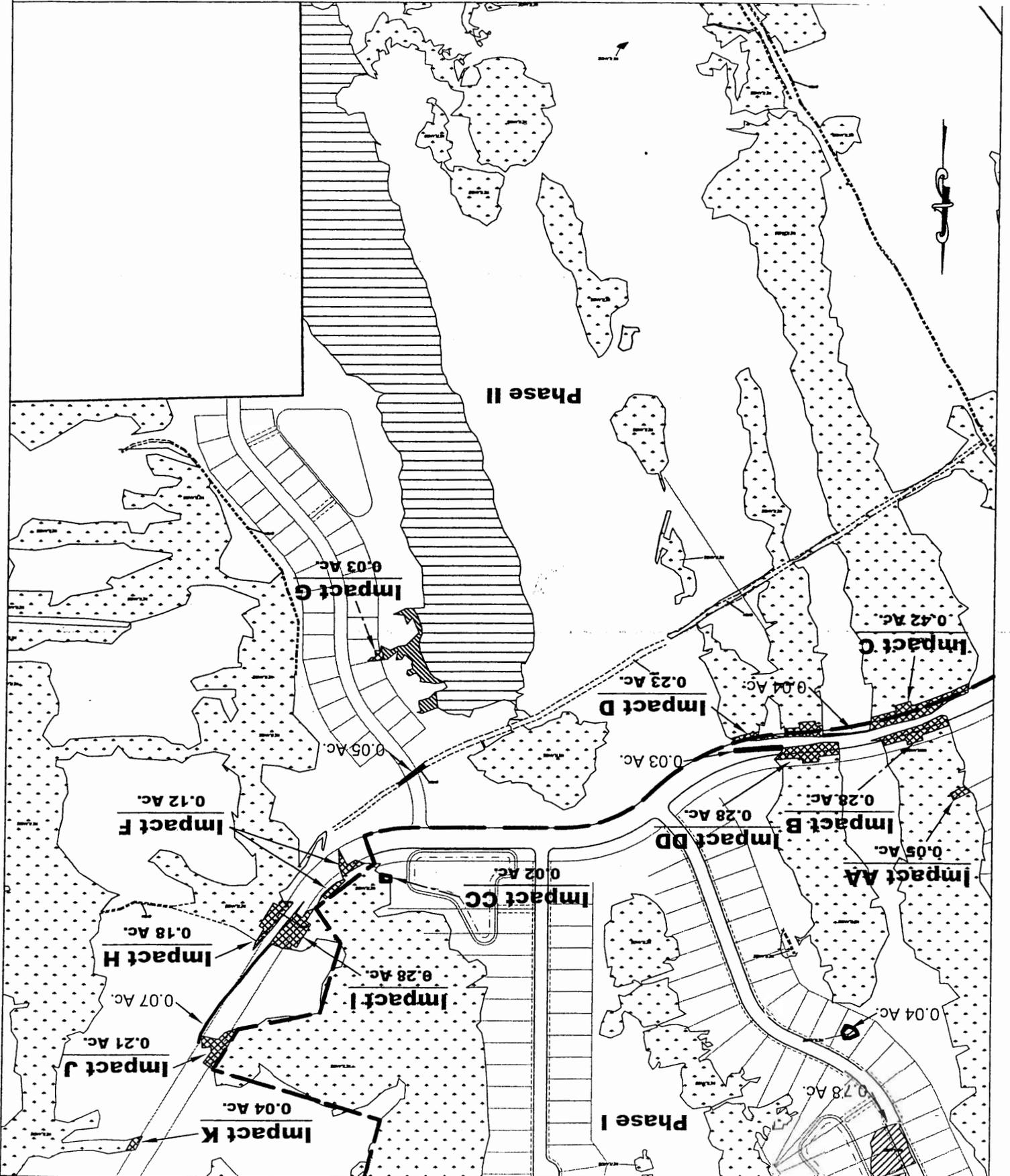


Proposed Site Conditions
Las Calinas
 St. Johns County, Florida

Figure: 4E
 Scale: 1"=800'
 Project: EJ02393.00
 Date: May 2004

Proposed Site Conditions
 Las Calinas
 Johns County, Florida

Figure:	4F
Scale:	1"=800'
Project:	EJ02393.00
Date:	May 2004



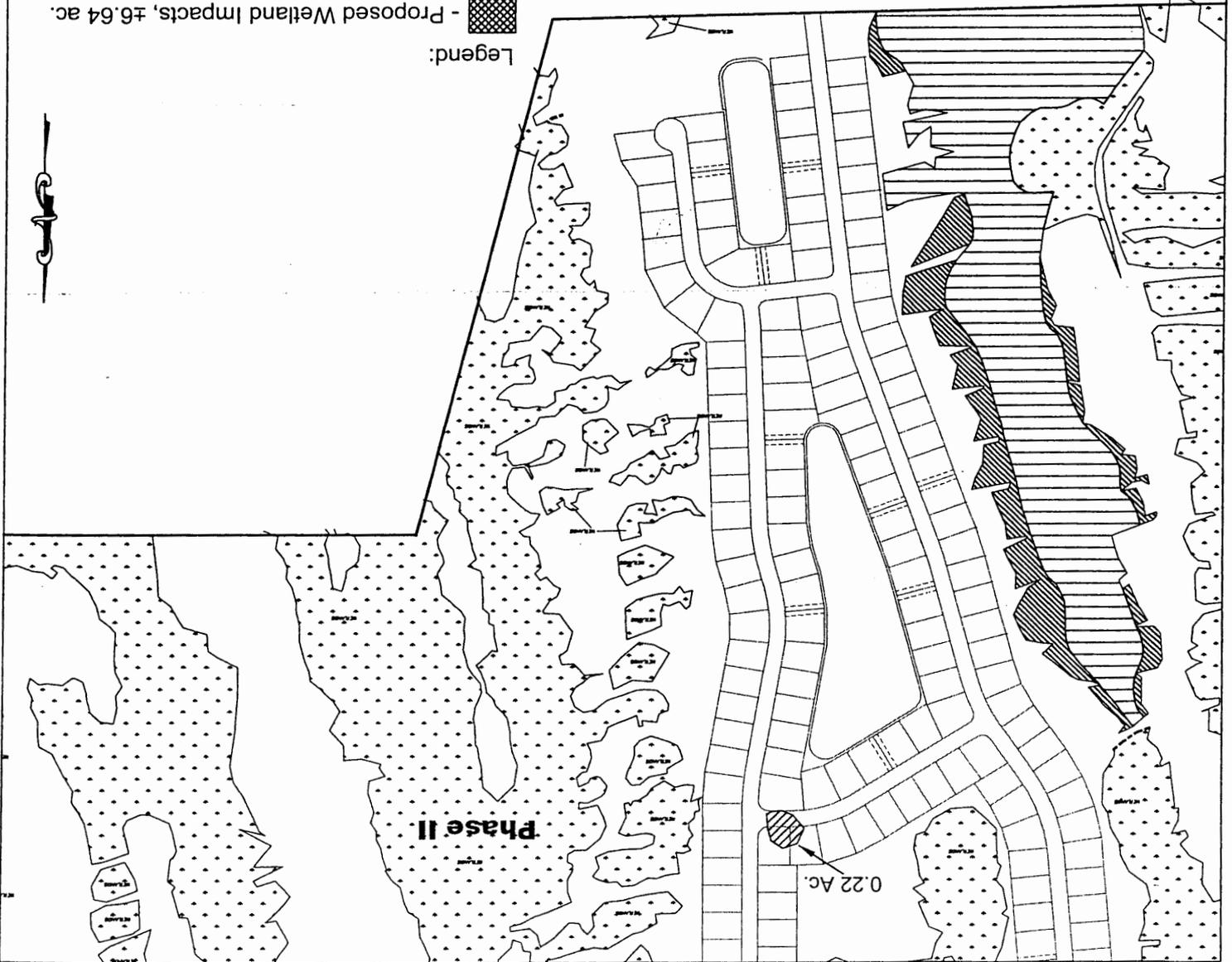


Proposed Site Conditions
Las Calinas
 St. Johns County, Florida

Figure:	4G
Scale:	1"=800'
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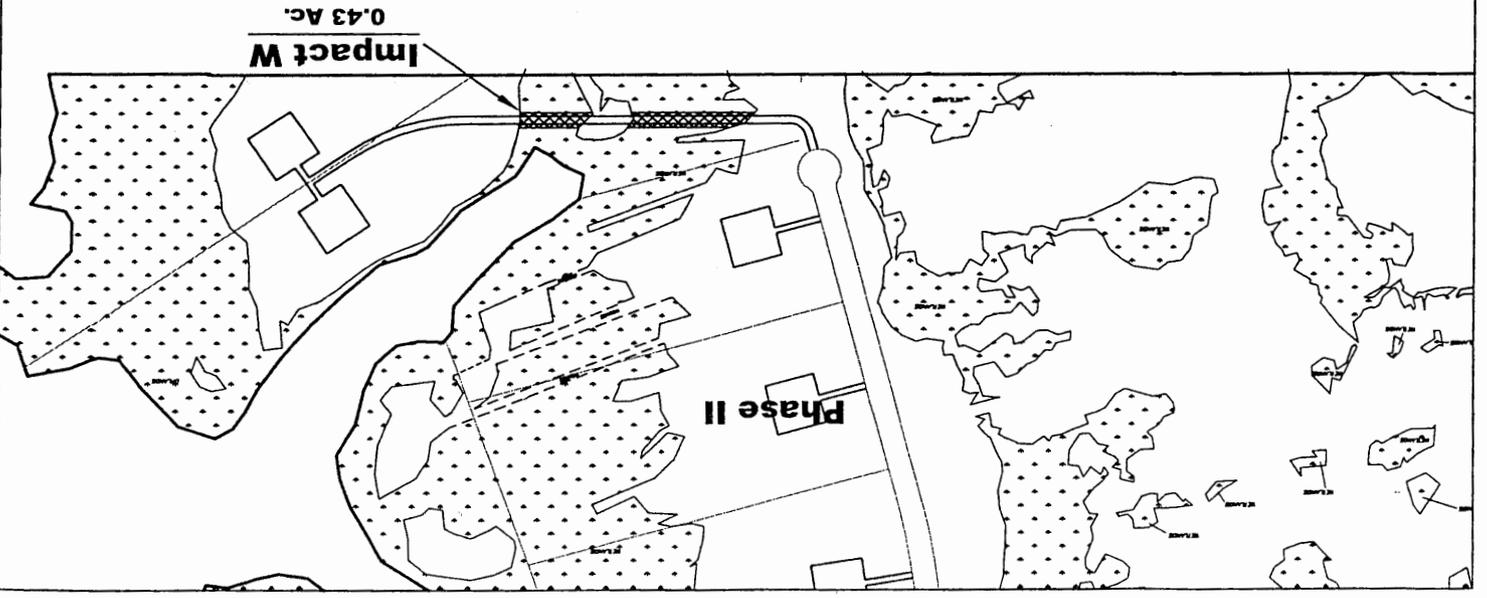
Proposed Site Conditions
Las Calinas
 St. Johns County, Florida

Figure:	4H
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St. Johns County, Florida

Las Calinas

Proposed Site Conditions

Date: May 2004

Project: EJ02393.00

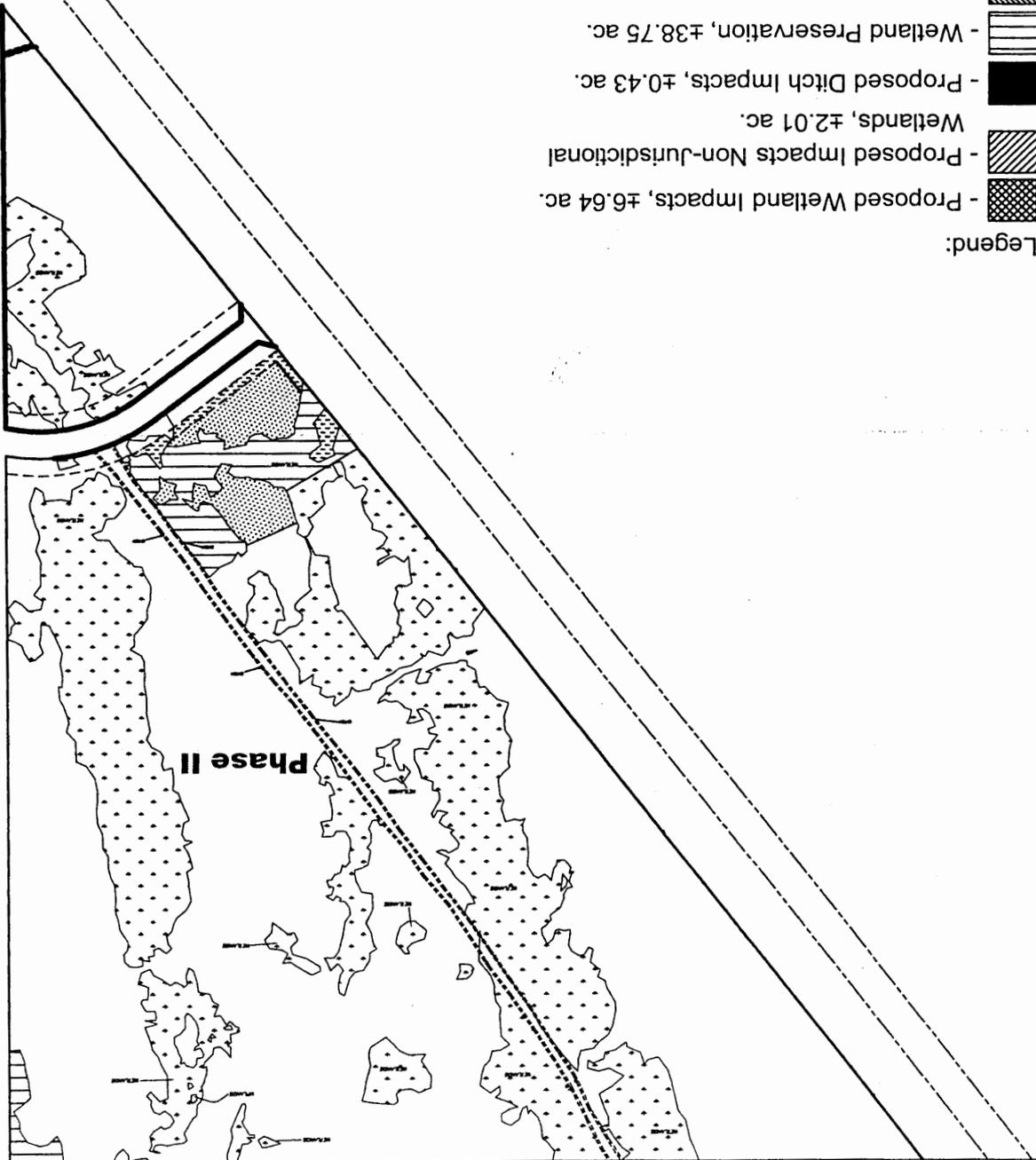
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Figure: 41

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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.

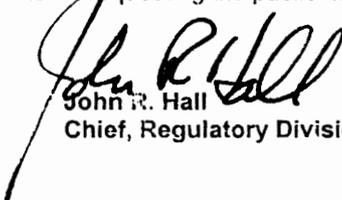
IMPACT ON CULTURAL RESOURCES: Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible or inclusion therein, are located at the site of the proposed work. Presently, unknown archeological, scientific, 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