



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
MERRITT ISLAND REGULATORY OFFICE
2460 NORTH COURTENAY PARKWAY, SUITE 204
MERRITT ISLAND, FLORIDA 32953

REPLY TO
ATTENTION OF

Regulatory Division
North Permits Branch
Merritt Island Field Office

PUBLIC NOTICE

Permit Application No. SAJ-2004-7472 (IP-EPB) **SEP 30 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: TCR NF Properties, Inc.
201 N. New York Avenue, Suite 200
Winter park, FL 32789

WATERWAY & LOCATION: The project is located south of Riverside Park Road, west of Keller Road, between Lake Shadow and Lake Lovely, in Section 34, Township 21 South, Range 29 East, Maitland, Orange County, Florida.

LATITUDE & LONGITUDE: Latitude ...28°37'25" North
Longitude....81°24'30" West

PROJECT PURPOSE:

Basic: The basic project purpose is residential development.

Overall: The overall project purpose is construction of a multifamily residential development in the Orlando area.

PROPOSED WORK: The applicant proposes to impact 2.93 acres of wetlands for the construction of Shadow Lake, a 20-acre townhome development. The project will include a surface water management system that will serve the project and an adjoining 17.5-acre city park. The total project site is 45.65 acres.

To mitigate for impacts from this project, the applicant proposes to preserve 20.86 acres of onsite wetlands. The permittee will also purchase 1.27 federal mitigation credits from a mitigation bank.

EXISTING CONDITIONS: The 45.65 acre project site has six habitat types. The uplands consist of 1.64 acres of Residential (FLUCCS 110), 1.55 acres of Herbaceous Upland Non-forested (FLUCCS 310), and 13.28 acres of Upland Mixed Coniferous Hardwood (FLUCCS 434).

The wetlands include a 5.38-acre lake (FLUCCS 520). The 15.39 acre of Mixed Wetland Hardwoods (FLUCCS 617) are vegetated with Pond Pine, Camphor Tree, Golden Rain Tree, Ear Pod Tree, Boston Fern, Caesarweed, Air Potato, Nettle Chainfern, Swamp Fern, and Virginia Willow. They will have 1.7 acres of impacts. The 8.41 acres of Willow and Elderberry (FLUCCS 618) are vegetated with Camphor Tree, Chinaberry, Laurel Oak, Sweetbay, Elderberry, Wax Myrtle, Carolina Willow, Winged Sumac, Muscadine, Blackberry, Cinnamon Fern, Chalky Bluestem, Ragweed, Elephant's Foot, Air Potato, Wild Bamboo, Meadowbeauty, Witchgrass, Dog Fennel, and Japanese Climbing Fern. This wetland will have 1.23 acres of impact.

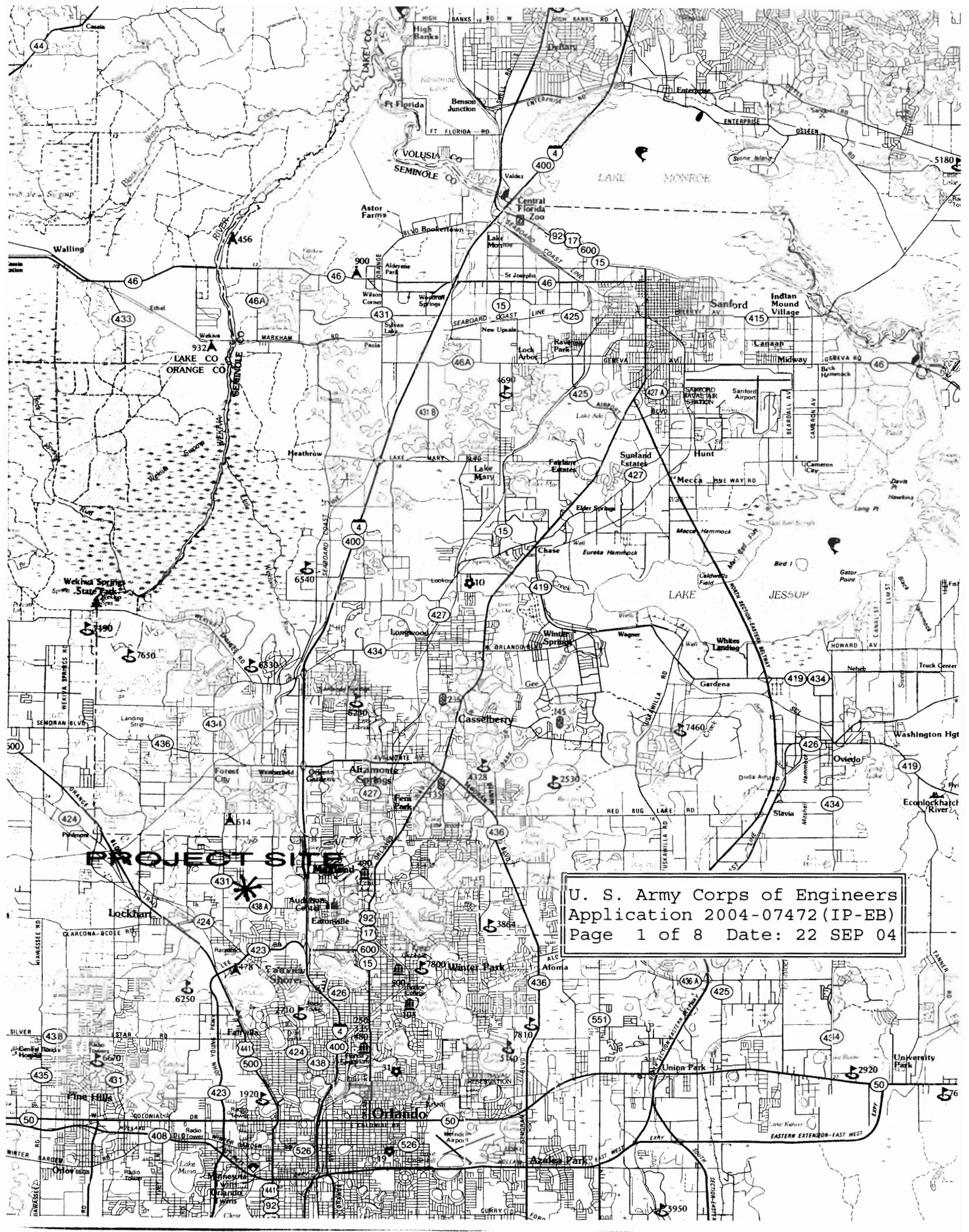
Endangered Species: The U.S. Army Corps of Engineers (Corps) has determined the proposed project may affect, but is not likely to adversely affect the Eastern Indigo Snake or its designated critical habitat as the special conditions for protection of this species will be included as a condition of the permit. The Corps will request Fish and Wildlife's concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

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

AUTHORIZATION FROM OTHER AGENCIES: Water Quality Certification may be required from the Florida Department of Environmental Protection and/or one of the state Water Management Districts.

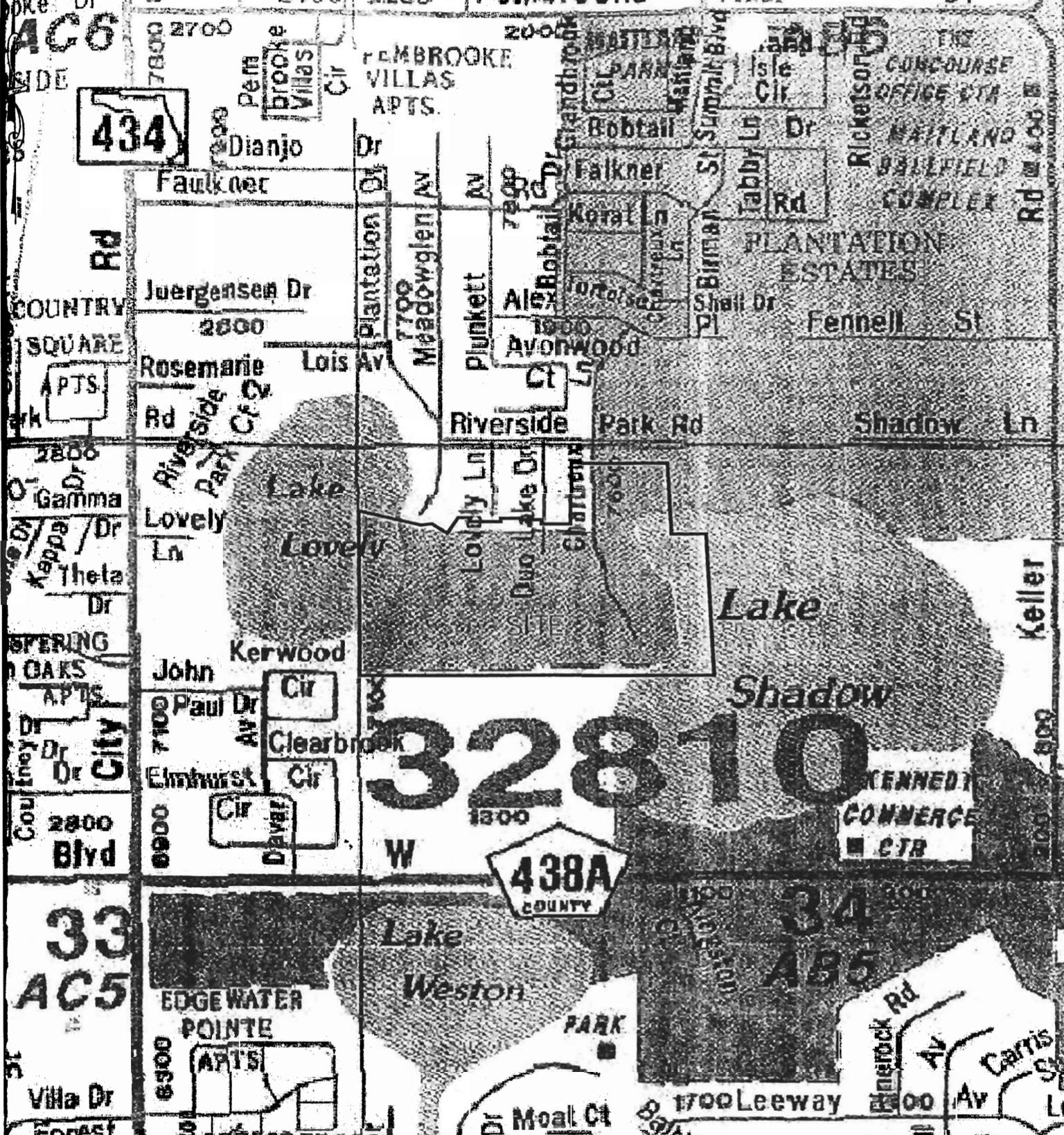
Comments regarding the application should be submitted in writing to the District Engineer at the above address within 30 days from the date of this notice.

If you have any questions concerning this application, you may contact Elizabeth Bishop at the letterhead address, by electronic mail at Elizabeth.p.bishop@saj02.usace.army.mil, by telephone at 321-453-7655 X16, or by fax at 321-453-5220.



PROJECT SITE

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MADDEN
 engineering, inc.
 CIVIL ENGINEERS

1 E. HORATIO AVE., STE. 260, MAITLAND, FL 32751 • (407) 629-8330

JOB NO. 23142
 SEC. 34, TWP. 21S, RANGE 29E
 DRAWN BY: JAW
 APPROVED BY: CMM
 DATE: 10/09/03
 SCALE: 1" = 800'

RECEIVED
 TRAMMELL CROW MAITLAND SITE

NOV 18 2004
 LOCATION MAP
 MAP & GLOBE STORES, INC.
 PDS ORLANDO, FLORIDA
 ALTA MONTE SVA PAGE 63

20756 2 X3

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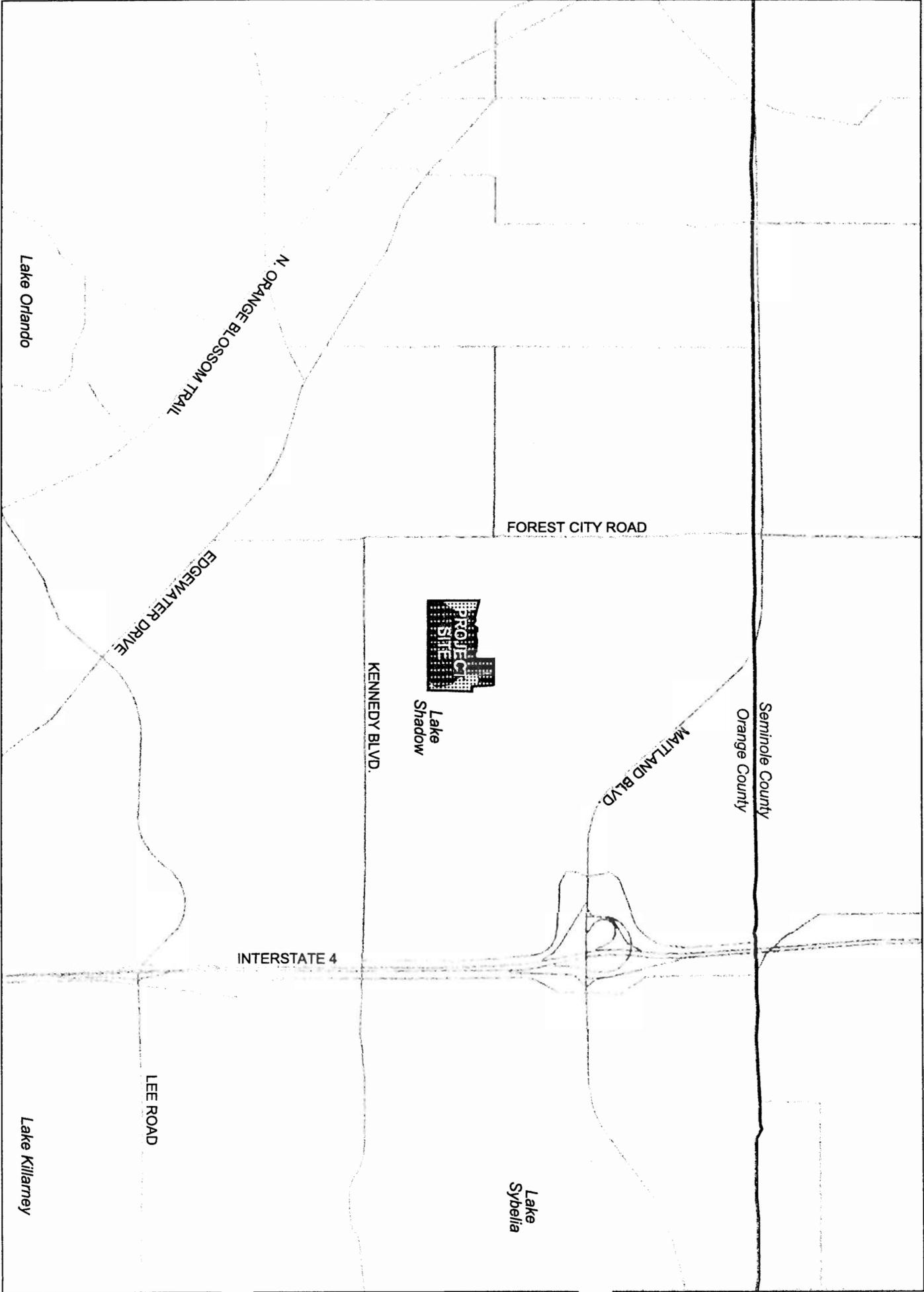


GRATTING
JACKSON
KIRCHER
ANGLIN
LOPEZ
RINEHART

GJ# 15063
June 2004
Sources: FDOT, USGS

0

0.5 Miles



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Figure 1
Location Map
Shadow Lake ERP Application
Orange County, Florida - Section 34, Tshp. 21 South, Range 29 East

Vegetative Community	Average
110 Pastureland, low density	1.84
310 Herbaceous upland nonforested	1.55
434 Upland mixed coniferous/hardwood	13.28
520 Loblaws	5.38
617 Mixed wetland hardwoods	15.39
618 Willow and Elderberry	8.41
Total:	45.85



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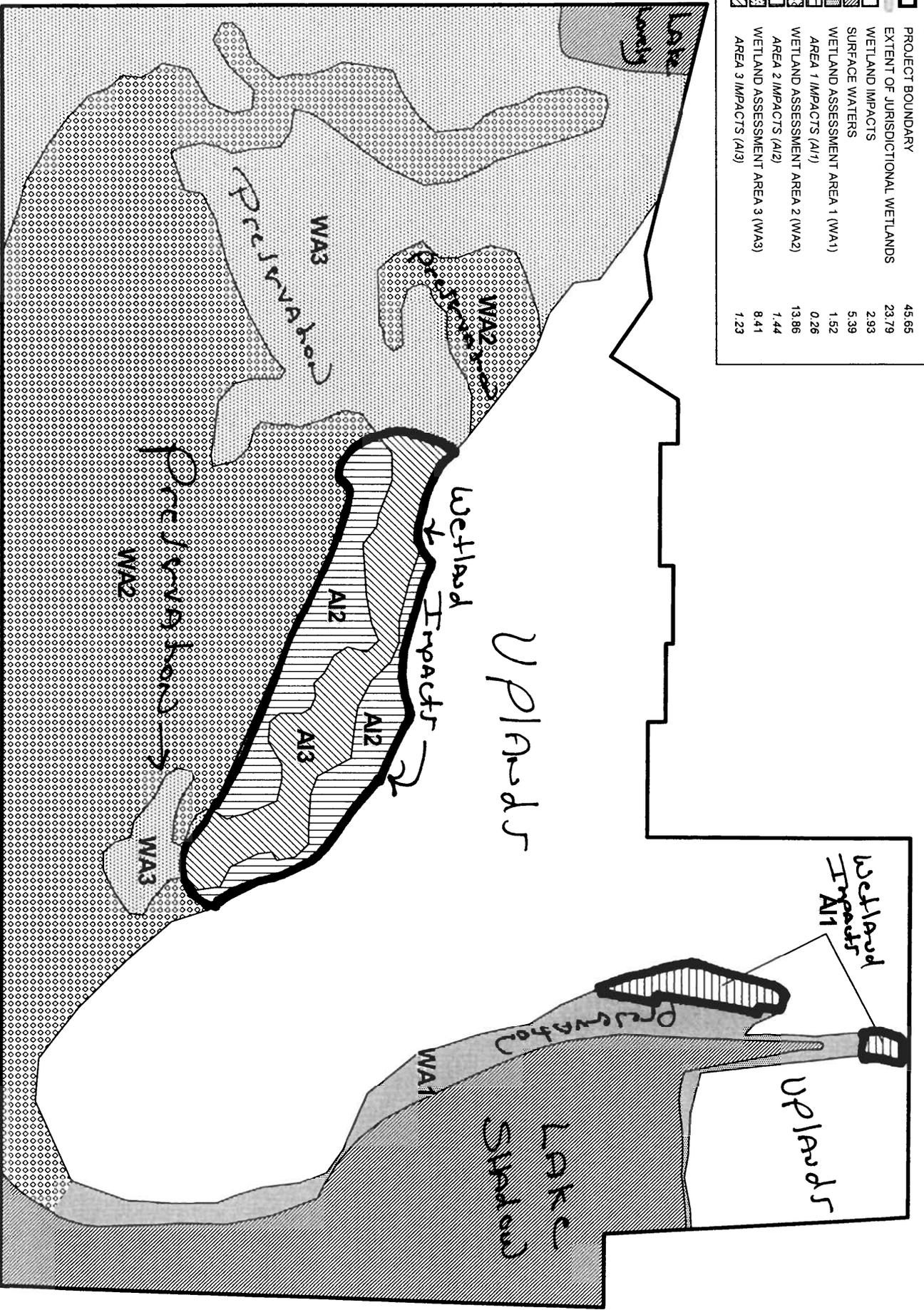


CAULFIELD,
 JACKSON,
 MILLER,
 HRITZ,
 ISHIZAKI

GJ# 15053
 June 2004
 Sources: SJRWMD Land Use (2000); Fla. Land Use, Cover and Forms Classification System (1999); Mark S. Caulfield, PSM (Surveyor, 9/2003)
 Aerial Source: Aerials Express (11/2003)

Figure 2
 Vegetative Communities
 Shadow Lake ERP Application

LEGEND	ACREAGE
PROJECT BOUNDARY	45.65
EXTENT OF JURISDICTIONAL WETLANDS	23.79
WETLAND IMPACTS	2.93
SURFACE WATERS	5.39
WETLAND ASSESSMENT AREA 1 (WA1)	1.52
AREA 1 IMPACTS (A1)	0.26
WETLAND ASSESSMENT AREA 2 (WA2)	13.86
AREA 2 IMPACTS (A2)	1.44
WETLAND ASSESSMENT AREA 3 (WA3)	8.41
AREA 3 IMPACTS (A3)	1.23



GLATTIG JACKSON KERCHER LANGLIN LOPEZ KINSHART
 G.# 15053
 June 2004
 Sources: Mark S. Caulfield, PSM (Surveyor, 9/2003); Glattig Jackson

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Figure 4
 Jurisdictional Wetlands and Impacts

**Table 1:
PROJECT WETLAND (WL) AND OTHER SURFACE WATER (SW) SUMMARY**

WL & SW ID	WL & SW TYPE	WL & SW SIZE	WL & SW NOT IMPACTED	TEMPORARY WL & SW IMPACTS			PERMANENT WL & SW IMPACTS		MITIGATION ID	
				WL & SW TYPE	IMPACT SIZE	IMPACT CODE	IMPACT SIZE	IMPACT CODE		
Area 1	617	1.37	1.11				617	0.26	F	
Area 2	617	14.01	12.57				617	1.44	O	
Area 3	618	8.41	7.18				618	1.23	O	
Lake Shadow	Lake	4.97	4.97				-	-	-	
Lake Lovely	Lake	0.42	0.42				-	-	-	
PROJECT TOTALS:		29.18	26.25					2.93		

Comments:

CODES (multiple entries per cell not allowed):

Wetland Type: from an established wetland classification system (see Section E.111b.)

Impact Type: D=dredge; F=fill; H=change hydrology; S=shading; C=clearing;

O=both dredging and filling of berms for stormwater treatment pond

FORM NUMBER 40C-4.900(1)

Reviewer: _____

Table 6:
PROJECT ON-SITE MITIGATION SUMMARY
 Shadow Lake
 June 2004

MITIGATION ID	CREATION		RESTORATION		ENHANCEMENT		WETLAND PRESERVE		UPLAND PRESERVE		OTHER	
	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE
Wetland Preservation (Area #1)							1.11	617				
Wetland Preservation (Area #2)							12.57	617				
Wetland Preservation (Area #3)							7.18	618				
PROJECT TOTALS:							20.86					

Comments:

CODES (multiple entries per cell not allowed):
 Target Type or Type = target or existing habitat type from an established wetland classification
 system or land use classification for non-wetland mitigation
 Form number 40C-4.900(1)

Reviewer: _____

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.

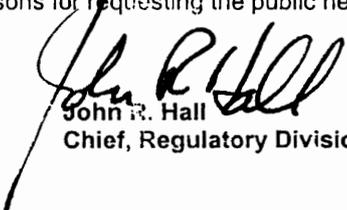
IMPACT ON CULTURAL RESOURCES: Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible or inclusion therein, are located at the site of the proposed work. Presently, unknown archeological, scientific,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