

PROPOSED WORK: The applicant seeks authorization to impact a total of 22.43 acres of aquatic resources (1.5 acres in Area 1, 20.82 acres in Area 2, and 0.11 acre in Area 3) for the construction of three dragline and utility crossings, each approximately 350 feet wide. By general type, the impacts are to 0.02 acre of herbaceous wetland, 0.1 acre of open water, and 22.31 acres of forested wetlands. The drawings attached to this public notice show the location and extent of each of the three crossings, and include tables showing the impacts by FLUCFS code. The applicant proposes to use the crossings for approximately eight years, followed by removal of the fill material and reclamation of the impacted areas to previous land uses.

The Corps previously authorized impacts to waters of the United States associated with mining the parcels to be accessed in its July 11, 2003 modification of the original permit for the applicant's phosphate mine. The July 1987 Memorandum of Understanding (MOU) between the applicant (then, Occidental Chemical Agricultural Products, Inc.), the Environmental Protection Agency, and the Florida Department of Environmental Protection (then, Department of Environmental Regulation) allowed for the permitting of corridors through areas otherwise considered as preservation areas in the MOU.

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 proposed project areas were assessed for potential adverse impacts to wetlands and listed species. Impact avoidance and minimization measures were utilized in the proposed project design. Based on limited easement access, the dragline walkpath and utility corridor has been combined into a single corridor of the minimum width necessary to allow access, and positioned to avoid surface water and wetland impacts to the greatest extent practicable. In the specific case of Area 3, the applicant located the corridor on the eastern side of the easement, which reduced the wetland impacts from 4.2 acres to 0.11 acre.

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

The applicant will remove the corridors and reclaim the impacted areas on an acre-for-acre, type-for-type basis; 22.43 acres of impact, 22.43 acres of mitigation.

CULTURAL RESOURCES:

The Corps is not aware of any known historic properties within the permit area. By copy of this public notice, the Corps is providing information for review. Our final determination relative to historic resource impacts is subject to review by and coordination with the State Historic Preservation Officer and those federally recognized tribes with concerns in Florida and the Permit Area.