



US Army Corps
of Engineers®

PUBLIC NOTICE

Applicant:
Raymond Boss
Lee County Electric Cooperative

Published: August 11, 2025
Expires: September 11, 2025

Jacksonville District
Permit Application No. SAJ-2025-00355

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). The purpose of this public notice is to solicit comments from the public regarding the work described below:

If you are interested in receiving additional project drawings associated with this public notice, please send an e-mail to the project manager by electronic mail at Allison.J.Cala@usace.army.mil.

APPLICANT: Raymond Boss
Lee County Electric Cooperative
PO Box 3455
North Fort Myers, Florida 33918

WATERWAY AND LOCATION: The project would affect aquatic resources associated with Sanibel Bayou. The project site is located at 5050 Sanibel Captiva Road; at latitude 26.464° and longitude -82.149°; in Sanibel, Lee County, Florida.

EXISTING CONDITIONS: The site is located on a barrier island and currently contains an existing 1,353 square foot building. The surrounding ecosystem to the north and east of the site is characterized by mangrove swamp and is part of the J.N. "Ding" Darling National Wildlife Refuge, an Outstanding Florida Waterbody. To the south and west of the site is Sanibel Captiva Road and several residential developments.

PROJECT PURPOSE: After Hurricane Ian, Lee County Electric Cooperative Inc., determined the need to increase response times after a storm event. The proposed improvements will allow Lee Electric Cooperative, Inc. to house trucks and heavy equipment during a storm, provide temporary staff housing and office space after a storm event.

Basic: Sanibel Substation Improvements

Overall: Proposed activities include new buildings, storage, parking, and storm water management areas at an existing facility in Lee County, Florida

PROPOSED WORK: Lee County Electric Cooperative, Inc., is requesting approval for improvements to an existing electrical substation that currently contains a 1,353 square foot building and proposes a 6,244 square foot two story building for a total of 7,597 square feet, 0.17 acres of structures. Additionally, the site proposes 0.52 acres of pavement, 0.29 acres of concrete, and 0.97 acres of gravel. The proposed project includes the construction of a 0.84-acre dry retention stormwater treatment area. The proposed activities would result in wetland fill impacts to 0.75 acres of wetlands.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The applicant has reduced the amount of impacts to wetlands by adjusting the positioning of the proposed Facility and Stormwater Management Systems as far as possible to the west which allows the preservation of 0.55 acres of better quality onsite wetlands. The applicant cannot reduce or eliminate the impacts further due to both the project needs and the South Florida Water Management District and the City of Sanibel County Land Development Code requirements. These include site configuration, ingress-egress requirements, required setbacks, parking, and storm water management requirements.

COMPENSATORY MITIGATION: The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: to compensate for the loss of wetland function associated with the proposed project, the applicant proposes the purchase of 0.75 mitigation bank credits from Little Pine Island Mitigation Bank

CULTURAL RESOURCES:

The Corps evaluated the undertaking pursuant to Section 106 of the National Historic Preservation Act (NHPA) utilizing its existing program-specific regulations and procedures along with 36 CFR Part 800. The Corps' program-specific procedures include 33 CFR 325, Appendix C, and revised interim guidance issued in 2005 and 2007, respectively the District Engineer consulted district files and records and the latest published version of the National Register of Historic Places and initially determines that No historic properties (i.e., properties listed in or eligible for inclusion in the National Register of Historic Places) are present within the Corps' permit area; therefore, there will be no historic properties affected. The Corps subsequently requests concurrence from the SHPO and/or THPO.

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

ENDANGERED SPECIES: The Corps has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) and the NMFS Critical Habitat Mapper to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final

designated critical habitat may occur in the vicinity of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project may affect species and critical habitat listed below. No other ESA-listed species or critical habitat will be affected by the proposed action.

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402. The Army Corps of Engineers is the lead Federal agency for ESA consultation for the proposed action. Any required consultation will be completed by the Army Corps of Engineers.

This notice serves as request to the U.S. Fish and Wildlife Service and National Marine Fisheries Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

ESSENTIAL FISH HABITAT: Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act 1996, the Corps reviewed the project area, examined information provided by the applicant, and consulted available species information.

The Corps has determined the proposal would have no effect on any Essential Fish Habitat (EFH). The mean high waterline does not extend to the subject property and therefore, no consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996 is required.

NAVIGATION: The proposed structure or 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 of 1899 (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

WATER QUALITY CERTIFICATION: Water Quality Certification may be required from the South Florida Water Management District. The project is being reviewed under Application No. 250217-50234.

COASTAL ZONE MANAGEMENT CONSISTENCY: Coastal Zone Consistency Concurrence is required from the South Florida Water Management District. In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan.

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 geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has not been verified by Corps personnel.

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. 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 or 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.

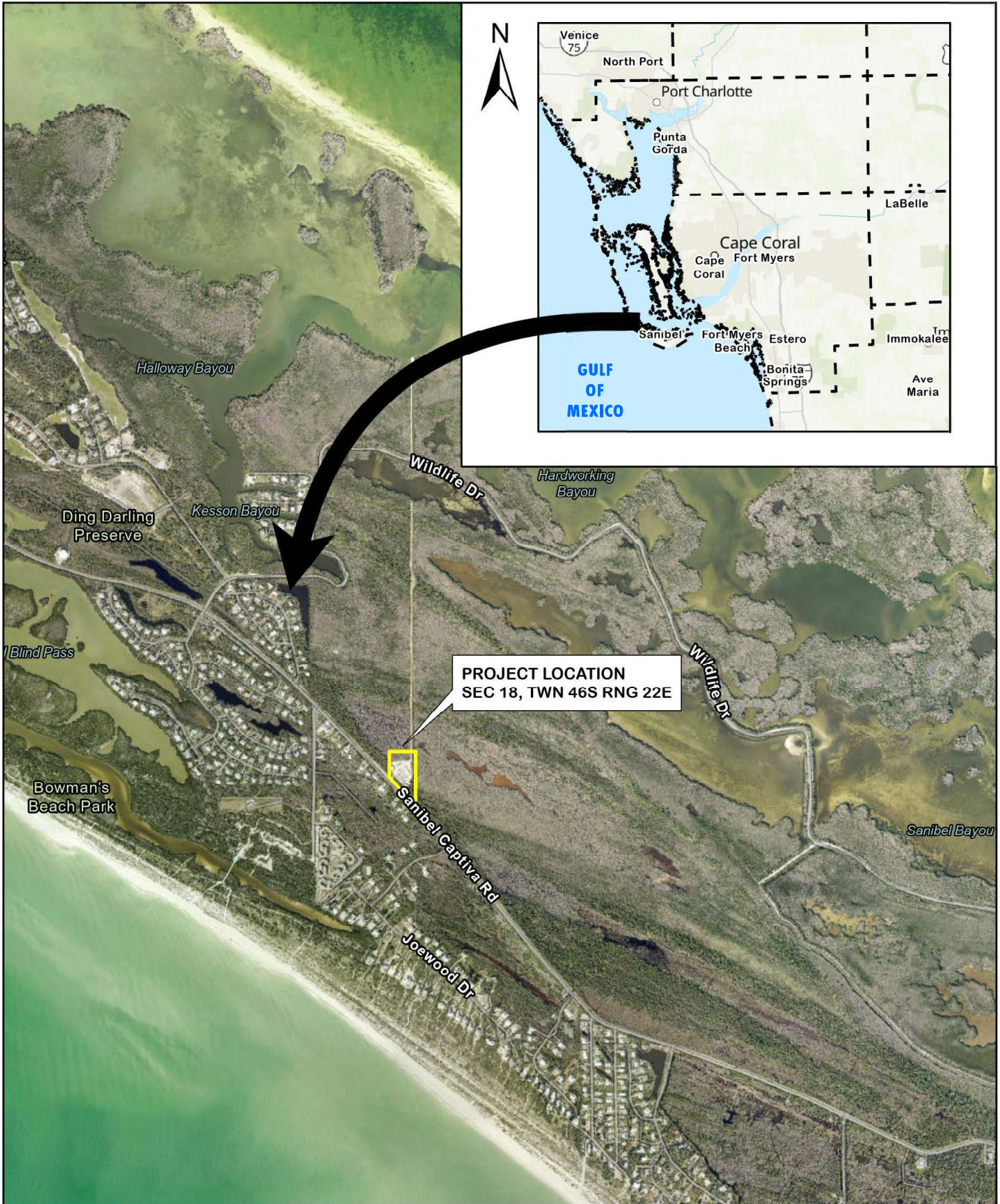
COMMENTS: The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether 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 used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Jacksonville District will receive written comments on the proposed work, as outlined above, until September 11, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Allison J. Cala at Allison.J.Cala@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Jacksonville District, Attention: Allison J. Cala at the Fort Myers Permits Section at 701 San Marco Blvd, Jacksonville, FL 32207. Please refer to the permit application number in your comments.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

LCEC Sanibel Captiva Road Substation

24-029



Project Location Map

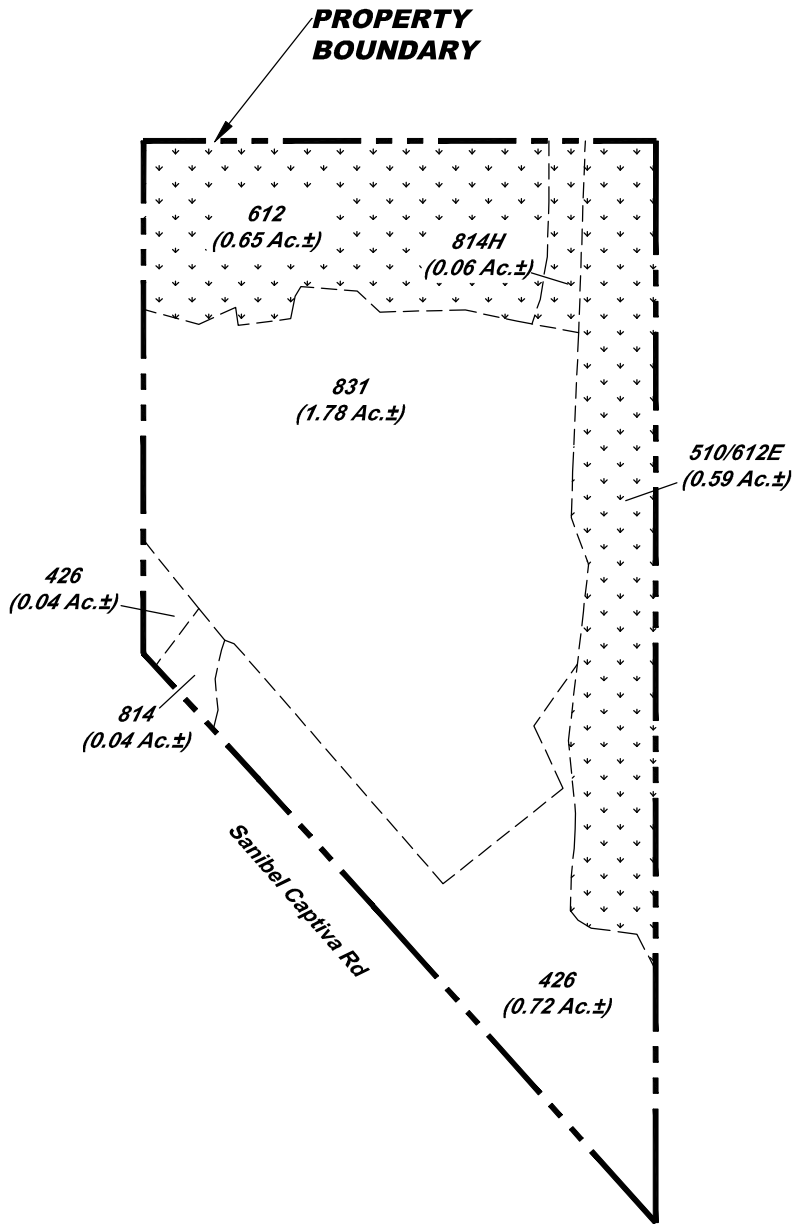
**OWEN ENVIRONMENTAL
CONSULTING, LLC.**
FORT MYERS 239-994-9007

LCEC Sanibel Captiva Road Substation



SECTION: 18
TOWNSHIP: 46S
RANGE: 22E

0 40 80
SCALE FEET



Legend:



Potential Jurisdictional Wetlands
(1.30 Ac.±)

Notes:

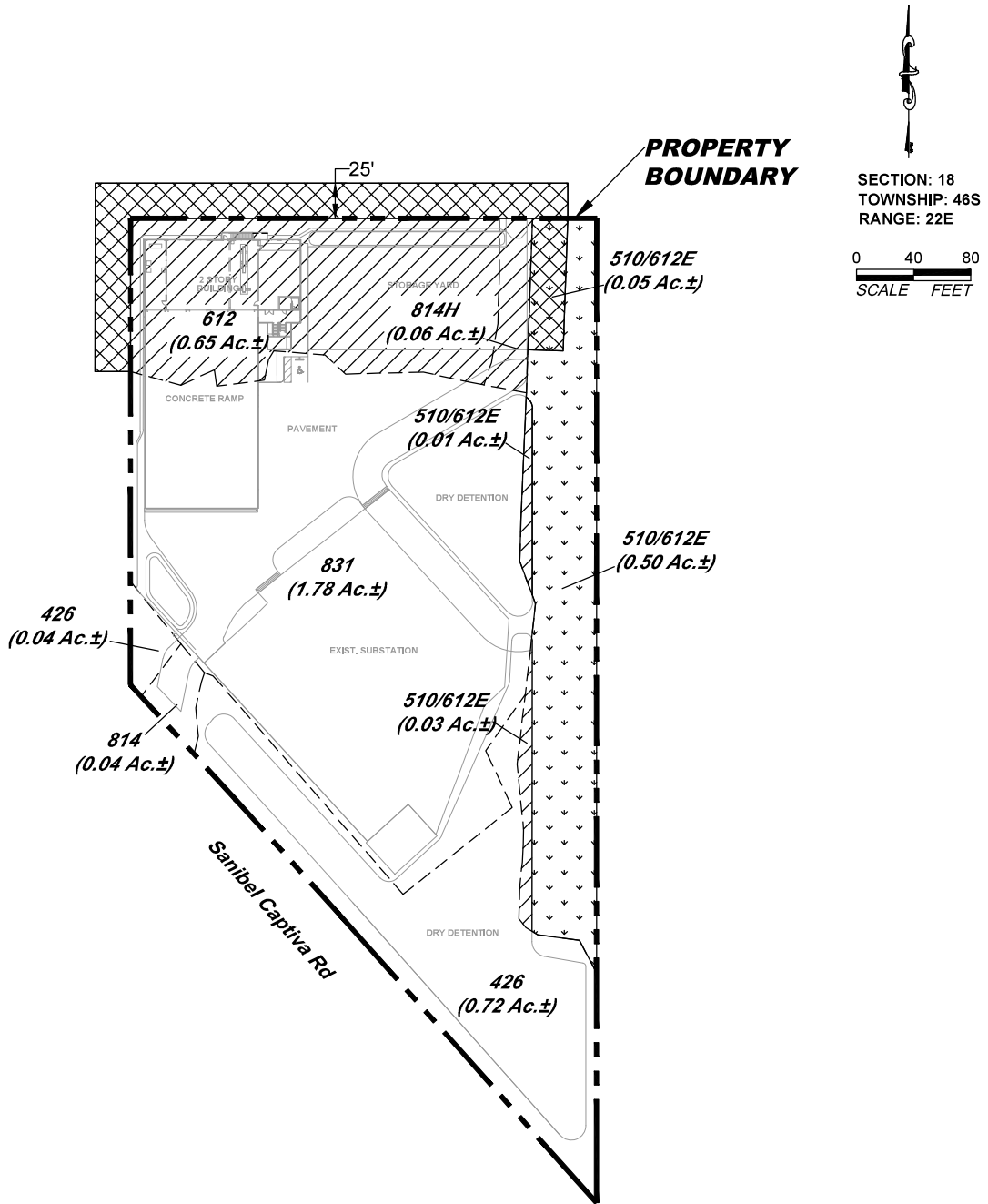
1. Property boundary per Avalon Engineering, Inc.
2. Mapping based on photointerpretation of 2024 aerial photography and ground truthing in October 2024.
3. Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.

FLUCCS	Description	Acreage
426	Tropical Hardwoods	0.76 Ac.±
510D/612E*	Ditch/Mangrove Swamp Invaded by Exotics (5-9%)	0.59 Ac.±
612*	Mangrove Swamps	0.65 Ac.±
814	Roads and Highways	0.04 Ac.±
814H*	Roads and Highways, Hydric	0.06 Ac.±
831	Electric Power Facilities	1.78 Ac.±
Total		3.88 Ac.±




* Potential Jurisdictional Wetland

24-029

LCEC Sanibel Captiva Road Substation



Legend:

-  **Preserved Wetlands**
(0.55 Ac.±)
-  **Wetland Impacts**
(0.75 Ac.±)
-  **Secondary On-Site and Off-Site Wetland Impacts**
(0.30 Ac.±)

Notes:

1. Property boundary and Site Plan per Avalon Engineering, Inc.
2. Mapping based on photointerpretation of 2024 aerial photography and ground truthing in October 2024.
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