



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

REPLY TO
ATTENTION OF

MAINTENANCE DREDGING
JOHNS PASS
PINELLAS COUNTY, FLORIDA
FINDING OF NO SIGNIFICANT IMPACT

I have reviewed the Environmental Assessment (EA) of the proposed action. This Finding incorporates by reference all discussions and conclusions contained in the Environmental Assessment attached hereto. Based on information analyzed in the EA, reflecting pertinent information obtained from other agencies and special interest groups having jurisdiction by law and/or special expertise, I conclude that the proposed action will have no significant impact on the quality of the human environment. Reasons for this conclusion are in summary:

1. The proposed work would not jeopardize the continued existence of any endangered or threatened species.
2. The State Historic Preservation Officer concurred with the U.S. Army Corps of Engineers' determination that there would be no effect on sites of cultural or historical significance.
3. State water quality standards will be met.
4. The proposed project has been determined to be consistent with the Florida Coastal Zone Management Program.
5. Measures to eliminate, reduce, or avoid potential impacts to fish and wildlife resources will be implemented during project construction.
6. Benefits to the public will be maintenance of the navigation channel and continued local economic stimulus.

In consideration of the information summarized, I find that the proposed action will not significantly affect the human

environment and does not require an Environmental Impact Statement.

22 NOV 02

Date

JAMES G. MAY
Colonel, U.S. Army
District Engineer

September 2002

Environmental Assessment

**Maintenance Dredging
Johns Pass
Pinellas County, Florida**



**U.S. Army Corps
of Engineers
Jacksonville District**

U.S. ARMY CORPS OF ENGINEERS

JACKSONVILLE DISTRICT

ENVIRONMENTAL ASSESSMENT

for

Maintenance Dredging Of Johns Pass
Pinellas County, Florida

For Further Information Contact:

Mr. William J. Fonferek
U.S. Army Corps of Engineers
Jacksonville District
P.O. Box 4970
Jacksonville, FL 32232-0019
Telephone: 904-232-2803

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1. PURPOSE AND NEED

1.1 BACKGROUND

Johns Pass is a federal project under the responsibility of the U.S. Army Corps of Engineers (USACE). The local sponsor for the project is the West Coast Inland Navigation District. They are responsible for lands, easements, right of ways, relocations, and disposal areas (LERRDs) for construction and maintenance of the placement areas. The USACE is responsible for maintenance of the waterway. Both actions of the local sponsor and the USACE are federal actions requiring NEPA compliance and documentation.

1.2 PROJECT LOCATION

The project is part of the Intracoastal Waterway, Caloosahatchee River to Anclote River, Johns Pass in Pinellas County, Florida (Figure 1). The precise location is about 25 miles south of the entrance to the Anclote River and 9.5 miles west of St Petersburg Harbor.

1.3 AUTHORIZATION

Authorization for maintenance dredging operations of the Federal project at Johns Pass is given in Section 107 of the River and Harbor Act of 1960.

1.4 PURPOSE.

The federal objective of this project is to maintain the waterway for navigation. For this project, the designated reaches of the waterway would be dredged and material placed either on the beach south or north of the pass. The authorized project provides for:

- (1) An entrance channel 10 feet deep with a bottom width of 150 feet from the Gulf of Mexico to State Road 699 Bridge;
- (2) A channel eight feet deep with a 100 foot bottom width from State Road 699 Bridge north to Mile 0.92;
- (3) A channel six feet in depth with a 100 foot bottom width from Mile 0.92 north to the intersection with the Gulf Intracoastal Waterway; and
- (4) Maintenance of the authorized channel.

The total length of the project is 2.6 miles.

1.5 METHODOLOGY.

An interdisciplinary team used a systematic approach to analyze the affected area, to estimate the environmental effects, and to write the environmental impact assessment. This included literature searches, coordination with agencies and private groups having expertise in particular areas, and field investigations.

1.6 RELEVANT ISSUES

- Water Quality
- Submerged Aquatic Vegetation
- Mangroves
- Hardbottoms
- Beaches and Dunes
- Wetlands
- Fish and Wildlife
- Migratory Birds
- West Indian Manatee
- Sea Turtles
- Cultural Resources
- Socio-economics
- Navigation
- Recreation
- Aesthetics

1.7 PERMITS REQUIRED

The maintenance dredging and placement of the dredged material will require a modification of a Florida Department of Environmental Protection Water Quality Certification in accordance with the Memorandum of Understanding between DEP and the US Army Corps of Engineers, and in accordance with Section 401 of the Clean Water Act. In addition, the work must be consistent with the Florida Coastal Zone Management Program to the maximum extent possible.

U. S. ARMY



**JOHNS PASS,
PINELLAS COUNTY, FLA.**

SCALE IN FEET

0 500 1000 1500

ENGINEERING DISTRICT, CORPS OF ENGINEERS
JACKSONVILLE, FLORIDA

7-30-97



2. ALTERNATIVES

2.1 INTRODUCTION.

The Alternatives section is the heart of this Environmental Assessment. This section describes in detail the no-action alternative, the proposed action, and other reasonable alternatives that were studied in detail. Then based on the information and analysis presented in the sections on the Affected Environment and the Probable Impacts, this section presents the beneficial and adverse environmental effects of all alternatives in comparative form, providing a clear basis for choice among the options for the decision-maker and the public. A summary of this comparison is located in the alternative comparison chart, Table 2.1, page 3. This section has five parts:

- a. A description of the process used to formulate alternatives.
- b. A description of alternatives that were considered but were eliminated from detailed consideration.
- c. A description of each alternative.
- d. A comparison of the alternatives.
- e. The identification of the preferred alternative.

2.2 HISTORY OF ALTERNATIVE FORMULATION.

During construction and initial maintenance, dredged material was side-cast adjacent to the channel forming shallow sandbars and islands. Due to the increased water quality and solid substrate seagrasses colonized these areas. As seagrasses were considered more important and beach near the navigation channel became eroded, beach placement the best alternative. So much so that the State of Florida entered into a Memorandum of Understanding with the Corps to pay any additional cost should this cost be more than the normal method.

2.3 ELIMINATED ALTERNATIVES.

Side-casting of material was eliminated due to its adverse impact on seagrass beds.

2.4 DESCRIPTION OF ALTERNATIVES

2.4.1 Alternative 1 (No Action)

The no action alternative consists of allowing the navigational channel at Johns Pass to continue to become more shallow and less navigable.

2.4.2 Alternative 2 (Dredging and North Beach Placement)

This alternative consists of conducting maintenance dredging the navigational channel and placement of the dredged material on the beach north of the pass (Figure 2). This area is located on Reddington Shores approximately 27,000 feet north of the inlet for reach of 2500

feet. Approximately 100,000 cubic yards of material would be excavated every 3 to 4 years. The standard state and Federal manatee protection conditions would be implemented during dredging. This includes monitoring of manatee movements around dredges and if a manatee comes within the construction zone, the dredging operation will cease until the manatee moves outside the zone. The contractor would not be able to anchor in or store equipment in seagrass beds. During sea turtle nesting season (March 1 through October 5), a sea turtle nest monitoring and relocation program will be implemented not only for the placement area but also for the pipeline easement area.

2.4.3 Alternative 3 (Dredging and South Beach Placement Area #1)

This alternative consists of conducting maintenance dredging the navigational channel and placement of the dredged material on the beach south of the pass (Figure 2). This area is located on Treasure Island approximately 1,000 feet south of the inlet for a reach of 3000 feet. Approximately 100,000 cubic yards of material would be excavated every 3 to 4 years. The standard state and Federal manatee protection conditions would be implemented during dredging. This includes monitoring of manatee movements around dredges and if a manatee comes within the construction zone, the dredging operation will cease until the manatee moves outside the zone. The contractor would not be able to anchor in or store equipment in seagrass beds. During sea turtle nesting season (March 1 through October 5), a sea turtle nest monitoring and relocation program will be implemented not only for the placement area but also for the pipeline easement area

2.4.4 Alternative 4 (Dredging and South Beach Placement Area #2)

This alternative consists of conducting maintenance dredging the navigational channel and placement of the dredged material on the beach south of the pass (Figure 2). This area is located on Treasure Island immediately south of 97th Street for a reach of 2000 feet. Approximately 100,000 cubic yards of material would be excavated every 3 to 4 years. The standard state and Federal manatee protection conditions would be implemented during dredging. This includes monitoring of manatee movements around dredges and if a manatee comes within the construction zone, the dredging operation will cease until the manatee moves outside the zone. The contractor would not be able to anchor in or store equipment in seagrass beds. During sea turtle nesting season (March 1 through October 5), a sea turtle nest monitoring and relocation program will be implemented not only for the placement area but also for the pipeline easement area.



LEGEND	
	Disposal Areas
	Johns Pass Project Area



Source: Land Boundary Information System (LABINS)

Project Area Boundary Map	
Johns Pass Maintenance Dredging Project	
Scale: 1" = 5,000'	Drawn By: MR
Date: 03/00	Approved By: LS
 DIAL CORDY AND ASSOCIATES INC. <small>2000 International Court</small>	00-357
Figure 2	

2.5 COMPARISON OF ALTERNATIVES

Table 1 provides a summary of potential impacts for each of the project alternatives. Further analysis is provided in Section 4.0.

Table 1. Comparison of Alternatives

Resource	Alternative 1 (No Action)	Alternative 2 (Dredging and North Beach Placement)	Alternative 3 (Dredging and South Beach Placement Area #1)	Alternative 4 (Dredging and South Beach Placement Area #2)
Water Quality	No direct impacts. Potential sporadic increase in turbidity due to groundings.	Temporary, minor adverse impact due to increased turbidity due to dredging. Use of BMPs to minimize impacts.	Temporary, minor adverse impact due to increased turbidity due to dredging. Use of BMPs to minimize impacts.	Temporary, minor adverse impact due to increased turbidity due to dredging. Use of BMPs to minimize impacts.
Submerged Aquatic Vegetation	No impact.	No impact	No impact	No impact
Mangroves	No impact.	No impact	No impact	No impact.

Resource	Alternative 1 (No Action)	Alternative 2 (Dredging and North Beach Placement)	Alternative 3 (Dredging and South Beach Placement Area #1)	Alternative 4 (Dredging and South Beach Placement Area #2)
Hardbottom	No impact.	No impact	No impact	No impact.
Beaches and Dunes	No impact.	Addition of sandy material retard erosion and supplement renourishment of downdrift beaches	Addition of sandy material retard erosion and supplement renourishment of downdrift beaches	Addition of sandy material retard erosion and supplement renourishment of downdrift beaches
Wetlands	No impact.	No impact	No impact	No impact
Fish and Wildlife	No impact.	May effect bird nesting on beaches and nearby island rookeries. Implementation of Migratory Bird Protection Plan to offset impacts.	May effect bird nesting on beaches and nearby island rookeries. Implementation of Migratory Bird Protection Plan to offset impacts.	May effect bird nesting on beaches and nearby island rookeries. Implementation of Migratory Bird Protection Plan to offset impacts.

Resource	Alternative 1 (No Action)	Alternative 2 (Dredging and North Beach Placement)	Alternative 3 (Dredging and South Beach Placement Area #1)	Alternative 4 (Dredging and South Beach Placement Area #2)
Protected Species	No impact.	May effect migratory bird nesting. Monitoring plan implemented during nesting season 1 April through 31 August.	May effect migratory bird nesting. Monitoring plan implemented during nesting season 1 April through 31 August.	May effect migratory bird nesting. Monitoring plan implemented during nesting season 1 April through 31 August.
West Indian Manatee	No impact.	May effect manatees. Standard manatee protection conditions implemented.	May effect manatees. Standard manatee protection conditions implemented	May effect manatees. Standard manatee protection conditions implemented.
Sea Turtles	No impacts.	May effect sea turtles. Nest monitoring and relocation program (March 1 through October 5)	May effect sea turtles. Nest monitoring and relocation program (March 1 through October 5)	May effect sea turtles. Nest monitoring and relocation program (March 1 through October 5)
Cultural Resources	No impacts.	No impacts	No impacts	No impacts.

Resource	Alternative 1 (No Action)	Alternative 2 (Dredging and North Beach Placement)	Alternative 3 (Dredging and South Beach Placement Area #1)	Alternative 4 (Dredging and South Beach Placement Area #2)
Recreation	Adverse impact from reduced beach area and navigation channel capacity.	Short-term disruption to beach recreation and recreational navigation from presence and operation of dredging equipment.	Short-term disruption to beach recreation and recreational navigation from presence and operation of dredging equipment.	Short-term disruption to beach recreation and recreational navigation from presence and operation of dredging equipment.
Navigation	Adverse impact on navigation from decreased channel capacity.	Short-term disruption to navigation from presence and operation of dredging equipment. Long-term benefit from providing safe navigation.	Short-term disruption to navigation from presence and operation of dredging equipment. Long-term benefit from providing safe navigation.	Short-term disruption to navigation from presence and operation of dredging equipment. Long-term benefit from providing safe navigation.
Aesthetics	No impact	Short-term adverse impact to aesthetics from the presence and operation of construction equipment.	Short-term adverse impact to aesthetics from the presence and operation of construction equipment.	Short-term adverse impact to aesthetics from the presence and operation of construction equipment.
Socioeconomics	Adverse impacts to economy due to loss ability to navigate channel and to reduced beach area.	Beneficial impacts to economy and recreation by keeping channel open for safe navigation. Short-term adverse economic impacts to navigation and	Beneficial impacts to economy and recreation by keeping channel open for safe navigation. Short-term adverse economic impacts to navigation and	Beneficial impacts to economy and recreation by keeping channel open for safe navigation. Short-term adverse economic impacts to navigation and

Resource	Alternative 1 (No Action)	Alternative 2 (Dredging and North Beach Placement)	Alternative 3 (Dredging and South Beach Placement Area #1)	Alternative 4 (Dredging and South Beach Placement Area #2)
		recreation during construction and a short-term benefit from the sale of goods and services in support of the construction..	recreation during construction and a short-term benefit from the sale of goods and services in support of the construction..	recreation during construction and a short-term benefit from the sale of goods and services in support of the construction..

2.6 PREFERRED ALTERNATIVE

The preferred alternative would be to select all the action alternatives detailed above.

3. AFFECTED ENVIRONMENT

3.1 PHYSICAL RESOURCES

3.1.1 Water Quality

Water quality within Tampa Bay and Boca Ciega Bay are considered good. The Environmental Protection Commission of Hillsborough County and the Pinellas County Department of Environmental Management conduct water quality monitoring programs for the area. A recent studies (Myers, et al. 2000) provide water quality data for the area including south Boca Ciega Bay, which includes Johns Pass. The benthic community can serve as an excellent indicator of water quality, and the 1998 report by Grabe describes Boca Ciega Bay as diverse and heterogenous, and that less than less than 15% of the benthic habitat of the bay is classified as degraded.

Sediment chemical analysis has revealed little evidence that the area has been significantly impact from a water and chemical quality standpoint. Recent tests (Grabe 1999) summarized that the overall contamination of Boca Ciega Bay with regard to selected heavy metals in minimal.

3.2 BIOLOGICAL RESOURCES

A Natural Resource Assessment Report was prepared describing the existing environmental conditions of the project area and identified resources which could potentially be affected by the proposed project (Dial Cordy 2000). The following sections summarize the resources covered in the report

3.2.1 Submerged Aquatic Vegetation

Submerged aquatic vegetation (SAV) within Boca Ciega Bay and Johns Pass are associated with tidal flats and shoal areas surrounding mangrove islands or along the shoreline. There are four main species of SAV in the area; shoal grass (*Halodule wrightii*), manatee grass (*Syringodium filiforme*), widgeon grass (*Ruppia maritima*), and turtle grass (*Thalassia testudinum*). Figure 3 (based on 1996 aerial photography) depicts the presence of seagrass and tidal flats within the project area of Johns Pass. Seagrasses are present around the mangrove islands east and south of the channel. Seagrass patches are also associated with portions of the shoreline and canals in the area.



3.2.2 Mangroves

Mangrove communities are important aquatic resources in providing nursery and feeding habitat for fish and crustaceans, nesting and refuge for bird species, and acting as sediment and pollutant filtration systems for aquatic habitat. Mangroves are prevalent in the south west coast of Florida and Boca Ciega Bay

The mature flood shoal within Johns Pass consists of emergent mangrove islands which have persisted since at least to the early 1900s based on historical aerial photographs. Figure 3 depicts the mangrove islands and associated tidal flats within the pass.

3.2.3 Hardbottoms

The Natural Resource Assessment investigated the project area to determine if hardbottom habitat was located within or in the near vicinity of the proposed project. Field investigations failed to identify any hardbottom resources, and the local representatives of the resource agencies indicated that no hardbottom was located in this area.

3.2.4 Beach and Dune System

The beach and dune system consists of a narrow dune with very little to no vegetation fronting a highly developed upland. The system is constantly shaped by wind, tidal flux, and waves. It remains, however, highly utilized by shorebirds and invertebrates, and remains viable nesting habitat for Loggerhead sea turtles.

3.2.5 Wetlands

Wetlands within the project area occur as seagrass beds, tidal wetlands, or emergent mangrove islands. These wetland types are described in Section 3.2.1.1, and 3.2.1.2.

3.2.6 Fish and Wildlife Resources

A variety of fish and wildlife species utilize the terrestrial and aquatic habitat in the Boca Ciega Bay and Johns Pass vicinity. Almost 100 species of fish are known to inhabit Boca Ciega Bay. Many of these are important game species and commercially exploited species such as red drum, black drum, spotted sea trout, snook, and mullet. Shellfish are also abundant in the area.

Wading birds are common throughout the area and make use of the mangrove islands and tidal flats in the pass. Figure 4 shows the location of the most recent wading bird nesting habitat. According to the local Audubon Society, some nesting of aquatic birds has occurred on the major mangrove islands at Johns Pass, but no nesting has occurred within the last two



years. This was probably due to the presence of raccoon on the islands, which raided the nests and feed on the eggs.

3.2.7 Protected Species

A list of state and federally listed protected species is included in Table 2 (FNAI 2000). The protected species of particular concern with the proposed action are described in the sections below. Of special concern is migratory birds and their nesting activity. Other species listed below are covered in other section or not present at this site.

Table 2. Federally and State Protected Species for Pinellas County.

Species	Scientific Name	Federal Status	State Status
Gulf sturgeon	<i>Acipenser oxyrinchus desotoi</i>	T	S
American alligator	<i>Alligator mississippiensis</i>	T	S
Loggerhead turtle	<i>Caretta caretta</i>	T	T
Green turtle	<i>Chelonia mydas</i>	E	E
Leatherback turtle	<i>Dermochelys coriacea</i>	E	E
Eastern indigo snake	<i>Drymarchon corais couperi</i>	T	T
Gopher tortoise	<i>Gopherus polyphemus</i>	-	S
Kemp's ridley	<i>Lepidochelys kempii</i>	E	E
Short-tailed snake	<i>Stilosoma extenuatum</i>	-	T
Roseate spoonbill	<i>Ajaia ajaia</i>	-	S
Limpkin	<i>Aramus guarauna</i>	-	S
Snowy plover	<i>Charadrius alexandrinus</i>	-	T
Piping plover	<i>Charadrius melodus</i>	T	T
Little blue heron	<i>Egretta caerulea</i>	-	S
Reddish egret	<i>Egretta rufescens</i>	-	S
Snowy egret	<i>Egretta thula</i>	-	S
Tricolored heron	<i>Egretta tricolor</i>	-	S
White ibis	<i>Eudocimus albus</i>	-	S
Peregrine falcon	<i>Falco peregrinus</i>	E	E
Southeastern American kestrel	<i>Falco sparverius paulus</i>	-	T
American oystercatcher	<i>Haematopus palliatus</i>	-	S
Bald eagle	<i>Haliaeetus leucocephalus</i>	T	T
Wood stork	<i>Mycteria americana</i>	E	E
Brown pelican	<i>Pelecanus occidentalis</i>	-	S
Black skimmer	<i>Rynchops niger</i>	-	S
Florida burrowing owl	<i>Speotyto cunicularia floridana</i>	-	S
Least tern	<i>Sterna antillarum</i>	-	T
Florida mouse	<i>Podomys floridanus</i>	-	S
Sherman's fox squirrel	<i>Sciurus niger shermani</i>	-	S
West Indian manatee	<i>Trichechus</i>	E	E

E= endangered; T= threatened; S= species of special concern; - = not listed

3.2.8 West Indian Manatee

The West Indian Manatee (*Trichechus manatus*) is present in many of the coastal waterways, rivers, and near-shore areas along the coast of Florida. The number of manatees has decreased dramatically over the years, leading to the manatee's listing as an endangered species. The manatee frequents the warm waters in the bays and streams during the winter months and leads to higher frequencies of interactions with people.

Pinellas County maintains records of manatee sightings within the county. Manatees frequent Johns Pass and have been spotted often, if sporadically within the pass during recent years.

3.2.9 Sea Turtles

Five species of sea turtles are known to occur within the waters in and in the near-shore areas in the gulf. Of these species, only the loggerhead (*Caretta caretta*) actively nests on the beaches of the county. Nesting data for sea turtles is maintained by Pinellas County, with assistance from the Clearwater Marine Aquarium. A recent report (Harman 1999) documents nesting information including location, nesting success, and false crawl data for 1999.

3.3 CULTURAL RESOURCES

According to the Florida Department of State, Division of Historical Resources, no cultural or historic resources have been identified in the project area.

3.4 SOCIOECONOMIC RESOURCES

General.

The gulf beach area consists of nine communities which make up the barrier island strip between the Gulf of Mexico and the Clearwater-St. Petersburg mainland: Belleair Beach, Belleair Bluffs, Belleair Shore, Indian Rocks Beach, Indian Shores, Madiera Beach, North Redington Beach, Redington Beach, and Redington Shores. The communities consist of residential bedroom communities, with seasonal and daily rentals for the ever-present tourist population.

Navigation.

The Boca Ciega Bay area is one of the principal centers of boating activity on the gulf coast of Florida. The local fishing industry accounts for large amounts of fin fish, invertebrates, shrimp and bait shrimp. Boca Ciega Bay and Pinellas County provide an important source of seafood, recreational boating, and tourism for the state. The existing boat traffic utilizing Johns Pass consists primarily of recreational craft, commercial fishing, and charter boats. According to the National Marine Fisheries Service (NMFS), in 1996, 125 resident documented commercial fishing vessels and 25 Florida-registered commercial boats, chiefly grouper-snapper boats using facilities in the tributary area, made an estimated 38,425 trips

annually to the Gulf of Mexico (USACE 1997). Almost all of those trips were through Johns Pass. Cruise ships also use the pass for trips into the gulf.

Recreation. Recreational vessels use this channel to transit to and from various mooring facilities throughout the Bay and the Gulf of Mexico or other recreational parts of the Bay. The beach placement areas provide recreational opportunities for tourism and the local community

Aesthetics. The aesthetics of the dredging area is a mix of recreational, residential and commercial dwellings. The terminus of the project is located at a public launching ramp and dock. The channel connects with the Gulf Intracoastal Waterway. The GIWW is used by boats to travel up and down the Gulf Coast of Florida and access the Gulf of Mexico

4. ENVIRONMENTAL CONSEQUENCES

4.1 INTRODUCTION.

This section describes the probable consequences of implementing each alternative upon selected environmental resources. These resources are directly linked to the relevant issues listed in Section 1.4 that have served to fine-tune the environmental analysis. The following narrative includes predicted changes to the existing environment including both direct and indirect effects, irreversible and irretrievable commitment of resources, unavoidable effects, and cumulative impacts.

4.1.1 Cumulative Impacts.

Cumulative impact is “the impact upon the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions ...” (40 CFR §1508.7).

4.1.2 Irreversible and Irretrievable Commitment of Resources

- a. **Irreversible.** An irreversible commitment of resources is one in which the ability to utilize a resource is lost forever (e.g., the mining of a mineral resource).
- b. **Irretrievable.** An irretrievable commitment of resources is one in which the ability to utilize a resource in its present state or configuration is lost for a period of time (e.g., restricting the flow of a river with a dam).

4.2 ALTERNATIVE 1 (NO ACTION)

4.2.1 Physical Resources

4.2.1.1 Water Quality

The no action alternative would have no direct impact on water quality. However, increased groundings by boat traffic would periodically cause increased, localized turbidity for brief periods of time

4.2.2 Biological Resources

4.2.2.1 Submerged Aquatic Vegetation

Alternative 1 would have no impacts to submerged aquatic vegetation..

4.2.2.2 Mangrove

Alternative 1 would have no impacts to mangroves.

4.2.2.3 Hardbottom

Alternative 1 would have no impacts to harbottom.

4.2.2.4 Beach and Dune System

Alternative 1 would have no impacts to beaches or dunes.

4.2.2.5 Fish and Wildlife Resources

Alternative 1 would have no impacts to fish or wildlife.

4.2.2.6 Protected Species

Alternative 1 would have no impacts to protected species.

4.2.2.7 West Indian Manatee

Alternative 1 would have no impacts to manatees.

4.2.2.8 Sea Turtles

Alternative 1 would have no impacts to sea turtles.

4.2.3 Cultural Resources

Alternative 1 would have no impacts to cultural or historical resources.

4.2.4 Socioeconomic Resources

The no action alternative would lead to loss of fishing time, increased cost of damage repair and maintenance due to groundings in the channel. In addition, much of the local economy revolves around the boating and fishing industry, and the failure to keep Johns Pass navigable could cause loss of income for many of the local businesses.

4.2.5 Cumulative Impacts

Alternative 1, in conjunction with other recent and future federal projects, would not have significant cumulative impacts to resources of the region. If the channel is not maintained to its authorized depths, however, it could have a long-term effect on the economy of the area. The local fishing and recreational use of the Intracoastal Waterway could be altered if Johns

Pass becomes less navigable, particularly for larger vessels such as cruise ships and large commercial fishing boats.

4.2.6 Unavoidable effects.

There would be no unavoidable impacts.

4.2.7 Irreversible and Irrecoverable Resource Commitments.

There would be no irreversible or irretrievable commitment of resources from the selection of this alternative.

4.3 ALTERNATIVE 2 (DREDGING AND NORTH BEACH PLACEMENT)

4.3.1 Physical Resources

4.3.1.1 Water Quality

The preferred alternative would result in some temporary, short-term impacts to water quality. Elevated turbidity levels would occur during the dredging activities and at the dredged material disposal sites during deposition. The material to be dredged consist predominately of sand, so rapid settling should occur. Since the sediments do not appear to contain elevated levels of heavy metals, water quality should not be compromised once settling has occurred. No long-term effects are expected.

Best Management Practices (BMPs) to minimize excessive turbidity would be implemented as the project design. Past agreements with the state have included conditions regarding placement of turbidity barriers, erosion and pollution control plans, and turbidity monitoring.

4.3.2 Biological Resources

4.3.2.1 Submerged Aquatic Vegetation

Alternative 2 would not have a significant adverse impact on submerged aquatic vegetation. There could be some loss of SAV where growth of various seagrasses have encroached into the authorized channel, but this loss would be minimal. Impacts to SAV in locations other than the authorized channel are not expected.

4.3.2.2 Mangrove

No impacts to mangrove communities are expected with Alternative 2.

4.3.2.3 Hardbottom

Alternative 2 would not impact any hardbottom habitat.

4.3.2.4 Beach and Dune System

Alternative 2 would not have a significant adverse impact to beaches or dunes. The proposed beach disposal sites for the dredged material have been previously used for this purpose and would benefit from the proposed action.

4.3.2.5 Fish and Wildlife Resources

Fish and wildlife resources would not be significantly affected by the preferred alternative. The authorized channel does not provide optimal breeding or feeding habitat for aquatic and marine fish and invertebrate species, and adjacent habitat would not experience significant adverse impact from dredging activities. BMPs to prevent excessive turbidity would be implemented with the proposed project.

Wading bird nesting would not be impacted by Alternative 2. The mangrove islands within the pass would not be directly affected by the project, and only slight noise increases associated with dredging activities would occur. The noise levels would not likely be much greater than those currently experienced in the area.

4.3.2.6 Protected Species

Protected species would not be significantly adversely affected by Alternative 2. State listed wading birds are periodically identified within the project area, but their activities are limited to foraging or passing through to other areas.

4.3.2.7 West Indian Manatee

Manatees would not be significantly affected by Alternative 2. As part of the federal project, the contractor would be required to prepare an approved manatee plan to ensure compliance with federal and state regulations. All personnel would be instructed as to the criminal penalties for harming, harassing, or killing manatees. The contractor would also provide all appropriate safety personnel to conduct manatee watches during dredging activities.

The contractor would be responsible for maintaining proper records and submittal of any reports or incidents in accordance with the approved manatee watch plan.

4.3.2.8 Sea Turtles

Sea turtles would not be significantly affected by Alternative 2. Sea turtle nesting habitat would benefit from the additional sand material being placed on the beach. During construction, sea turtle nests could be affected by the placement of material on the beach. However, this impact would be mitigated by the implementation of a sea turtle monitoring and relocation program. (March 1 through October 5).

4.3.3 Cultural Resources

No cultural resources would be affected by Alternative 2.

4.3.4 Socioeconomic Resources

The economic resources of the area would benefit from Alternative 2. Maintenance of a safe, navigable channel is important to many of the local businesses that rely on the fishing and tourist industries for their livelihood. The commercial activities, in particular, would be affected by the pass not being maintained. The U.S. Coast Guard search and rescue operations would also be affected without maintenance dredging of the pass.

Short-term adverse impacts to navigation would occur with Alternative 2 due to dredging activities. In addition, recreation and aesthetics would be adversely affected during the deposition of the dredge spoil material on the selected disposal site. These impacts, however, would be temporary and minor in nature.

4.3.5 Cumulative Impacts.

The preferred alternative would allow the continued use of the pass and ensure safe passage for fishing, commercial, and recreational vessels. No long-term cumulative impacts would be expected to any of the natural resources of the area

4.3.6 Unavoidable effects.

There would be localized turbidity at both the dredging site and the placement area and disruption of commercial navigation in the channel.

4.3.7 Irreversible and Irrecoverable Resource Commitments.

There would be no irreversible or irretrievable commitment of resources from the selection of this alternative.

4.4 ALTERNATIVE 3 (DREDGING AND SOUTH BEACH PLACEMENT AREA #1)

4.4.1 Physical Resources

4.3.1.1 Water Quality

The preferred alternative would result in some temporary, short-term impacts to water quality. Elevated turbidity levels would occur during the dredging activities and at the dredged material disposal sites during deposition. The material to be dredged consist predominately of sand, so rapid settling should occur. Since the sediments do not appear to contain elevated levels of heavy metals, water quality should not be compromised once settling has occurred. No long-term effects are expected.

Best Management Practices (BMPs) to minimize excessive turbidity would be implemented as the project design. Past agreements with the state have included conditions regarding placement of turbidity barriers, erosion and pollution control plans, and turbidity monitoring.

4.4.2 Biological Resources

4.3.2.1 Submerged Aquatic Vegetation

Alternative 3 would not have an adverse impact on submerged aquatic vegetation. Impacts to SAV in locations other than the authorized channel are not expected.

4.3.2.2 Mangrove

No impacts to mangrove communities are expected with Alternative 3.

4.3.2.3 Hardbottom

Alternative 3 would not impact any hardbottom habitat.

4.3.2.4 Beach and Dune System

Alternative 3 would not have a significant adverse impact to beaches or dunes. The proposed beach disposal sites for the dredged material have been previously used for this purpose and would benefit from the proposed action.

4.3.2.5 Fish and Wildlife Resources

Fish and wildlife resources would not be significantly affected by the preferred alternative. The authorized channel does not provide optimal breeding or feeding habitat for aquatic and marine fish and invertebrate species, and adjacent habitat would not experience significant adverse impact from dredging activities. BMPs to prevent excessive turbidity would be implemented with the proposed project.

Wading bird nesting would not be impacted by Alternative 3. The mangrove islands within the pass would not be directly affected by the project, and only slight noise increases associated with dredging activities would occur. The noise levels would not likely be much greater than those currently experienced in the area.

4.3.2.6 Protected Species

Protected species would not be significantly adversely affected by Alternative 3. State listed wading birds are periodically identified within the project area, but their activities are limited to foraging or passing through to other areas.

4.3.2.7 West Indian Manatee

Manatees would not be significantly affected by Alternative 3. As part of the federal project, the contractor would be required to prepare an approved manatee plan to ensure compliance with federal and state regulations. All personnel would be instructed as to the criminal penalties for harming, harassing, or killing manatees. The contractor would also provide all appropriate safety personnel to conduct manatee watches during dredging activities.

The contractor would be responsible for maintaining proper records and submittal of any reports or incidents in accordance with the approved manatee watch plan.

4.3.2.8 Sea Turtles

Sea turtles would not be significantly affected by Alternative 3. Sea turtle nesting habitat would benefit from the additional sand material being placed on the beach. During construction, sea turtle nests could be affected by the placement of material on the beach. However, this impact would be mitigated by the implementation of a sea turtle monitoring and relocation program. (March 1 through October 5).

4.4.3 Cultural Resources

No cultural resources would be affected by Alternative 3.

4.4.4 Socioeconomic Resources

The economic resources of the area would benefit from Alternative 3. Maintenance of a safe, navigable channel is important to many of the local businesses that rely on the fishing and tourist industries for their livelihood. The commercial activities, in particular, would be affected by the pass not being maintained. The U.S. Coast Guard search and rescue operations would also be affected without maintenance dredging of the pass.

Short-term adverse impacts to navigation would occur with Alternative 3 due to dredging activities. In addition, recreation and aesthetics would be adversely affected during the deposition of the dredge spoil material on the selected disposal site. These impacts, however, would be temporary and minor in nature.

4.4.5 Cumulative Impacts

The preferred alternative would allow the continued use of the pass and ensure safe passage for fishing, commercial, and recreational vessels. No long-term cumulative impacts would be expected to any of the natural resources of the area.

4.4.6 Unavoidable effects.

There would be localized turbidity at both the dredging site and the placement area and disruption of commercial navigation in the channel.

4.4.7 Irreversible and Irrecoverable Resource Commitments.

There would be no irreversible or irretrievable commitment of resources from the selection of this alternative.

4.5 ALTERNATIVE 4 (DREDGING AND SOUTH BEACH PLACEMENT AREA #2)

4.5.1 Physical Resources

4.5.1.1 Water Quality

The preferred alternative would result in some temporary, short-term impacts to water quality. Elevated turbidity levels would occur during the dredging activities and at the dredged material disposal sites during deposition. The material to be dredged consist predominately of sand, so rapid settling should occur. Since the sediments do not appear to contain elevated levels of heavy metals, water quality should not be compromised once settling has occurred. No long-term effects are expected.

Best Management Practices (BMPs) to minimize excessive turbidity would be implemented as the project design. Past agreements with the state have included conditions regarding placement of turbidity barriers, erosion and pollution control plans, and turbidity monitoring.

4.5.2 Biological Resources

4.5.2.1 Submerged Aquatic Vegetation

Alternative 3 would not have a adverse impact on submerged aquatic vegetation.

4.5.2.2 Mangrove

No impacts to mangrove communities are expected with Alternative 3.

4.5.2.3 Hardbottom

Alternative 3 would not impact any hardbottom habitat.

4.5.2.4 Beach and Dune System

Alternative 3 would not have a significant adverse impact to beaches or dunes. The proposed beach disposal sites for the dredged material have been previously used for this purpose and would benefit from the proposed action.

4.5.2.5 Fish and Wildlife Resources

Fish and wildlife resources would not be significantly affected by the preferred alternative. The authorized channel does not provide optimal breeding or feeding habitat for aquatic and marine fish and invertebrate species, and adjacent habitat would not experience significant adverse impact from dredging activities. BMPs to prevent excessive turbidity would be implemented with the proposed project.

Wading bird nesting would not be impacted by Alternative 3. The mangrove islands within the pass would not be directly affected by the project, and only slight noise increases associated with dredging activities would occur. The noise levels would not likely be much greater than those currently experienced in the area.

4.5.2.6 Protected Species

Protected species would not be significantly adversely affected by Alternative 3. State listed wading birds are periodically identified within the project area, but their activities are limited to foraging or passing through to other areas.

4.5.2.7 West Indian Manatee

Manatees would not be significantly affected by Alternative 3. As part of the federal project, the contractor would be required to prepare an approved manatee plan to ensure compliance with federal and state regulations. All personnel would be instructed as to the criminal penalties for harming, harassing, or killing manatees. The contractor would also provide all appropriate safety personnel to conduct manatee watches during dredging activities.

The contractor would be responsible for maintaining proper records and submittal of any reports or incidents in accordance with the approved manatee watch plan.

4.5.2.8 Sea Turtles

Sea turtles would not be significantly affected by Alternative 3. Sea turtle nesting habitat would benefit from the additional sand material being placed on the beach. During construction, sea turtle nests could be affected by the placement of material on the beach. However, this impact would be mitigated by the implementation of a sea turtle monitoring and relocation program. (March 1 through October 5).

4.5.3 Cultural Resources

No cultural resources would be affected by Alternative 3.

4.5.4 Socioeconomic Resources

The economic resources of the area would benefit from Alternative 3. Maintenance of a safe, navigable channel is important to many of the local businesses that rely on the fishing and tourist industries for their livelihood. The commercial activities, in particular, would be affected by the pass not being maintained. The U.S. Coast Guard search and rescue operations would also be affected without maintenance dredging of the pass.

Short-term adverse impacts to navigation would occur with Alternative 3 due to dredging activities. In addition, recreation and aesthetics would be adversely affected during the deposition of the dredge spoil material on the selected disposal site. These impacts, however, would be temporary and minor in nature.

4.5.5 Cumulative Impacts

The preferred alternative would allow the continued use of the pass and ensure safe passage for fishing, commercial, and recreational vessels. No long-term cumulative impacts would be expected to any of the natural resources of the area.

4.5.6 Unavoidable effects.

There would be localized turbidity at both the dredging site and the placement area and disruption of commercial navigation in the channel.

4.5.7 Irreversible and Irretrievable Resource Commitments.

There would be no irreversible or irretrievable commitment of resources from the selection of this alternative.

5. LIST OF PREPARERS

William J. Fonferk	USACE	Environmental Project Manager/Document Review
Lee A. Swain	Dial Cordy and Associates Inc	Document Preparation/Resource Assessment and Impact Analysis
Kelley T. Grimm	Dial Cordy and Associates Inc	Document Review/Resource Assessment

6. COORDINATION WITH OTHERS

6.1 GENERAL

Numerous federal, state, and local agencies were consulted during the preparation of this EA. In addition, appropriate agencies will be forwarded a copy of the Draft EA for review and comment. Written advertisements will be published in readily available and visible sources to inform the public of the Corps proposed action.

Appendix A includes endangered species consultation and Appendix B includes all other pertinent coordination correspondence with the appropriate agencies. Table 3 lists the various persons contacted with regard to project resources and potential impacts.

Table 3. List of Persons Consulted

Name	Affiliation	Information
David Dale	National Marine Fisheries Service	Seagrass, fish, hardbottom,
Bryan Pridgeon	U.S. Fish and Wildlife Service	Seagrass, fish, hardbottom, wading birds, protected species
David Tomasko	Southwest Florida Water Management District	Seagrass, water quality
Diana Burdick	Southwest Florida Water Management District	GIS database information
Glen Harman	Clearwater Marine Aquarium	Sea turtle data
Keri Powell	Florida Marine Research Institute	Sea turtle data
Andy Squires	Pinellas County, Department of Environmental Management	Water quality, sediment quality, benthos
Laura Potter	Pinellas County, Department of Environmental Management	GIS database, manatees, sea turtles
Ann Napa	Audubon Society	Wading bird nesting

6.2 PUBLIC NOTICE.

A public notice (PN-JPA-201) was issued for a 30-day comment period dated June 21, 1995.

6.3 COMMENTS.

- The National Marine Fisheries Service responded to the public notice by letter dated July 13, 1995, stating that any impacts would be minimal and temporary.

7. COMMITMENTS

2.7 SEA GRASSES.

Special conditions will be placed in the construction plans and specification prohibiting the contractor from anchoring in, scaring or staging equipment in seagrass areas.

2.8 WATER QUALITY.

Water quality standards contained in the water quality certificate issued by the Florida Department of Environmental Protection will be met.

2.9 SEA TURTLE NESTING.

A sea turtle nest monitoring and relocation program will be implemented during the sea turtle nesting season March 1 through October 5.

2.10 MANATEE PROTECTION

The standard State and Federal manatee protection conditions would be implemented. These include an observer onboard the dredge to look for the presence of manatees. If a manatee comes within the construction zone, operations will cease until the manatee exits the area.

8. REFERENCES

Dial Cordy and Associates Inc. 2000. Natural Resource Assessment of Johns Pass, Pinellas County, Fl. U.S. Army Corps of Engineers, Jacksonville District, Jacksonville, FL.

Florida Natural Areas Inventory. 2000. Species and Natural Community Summary for Pinellas County. Tallahassee, FL.

Grabe, Stephen A. 1999. Overview of Boca Ciega Bay Sediment Metals Data: 1996-1998. Environmental Protection Commission of Hillsborough County, Tampa, FL.

Grabe, Stephen A. 1998. Overview of Boca Ciega Bay Benthos: 1997. Environmental Protection Commission of Hillsborough County, Tampa, FL.

Harman, Glenn R. 1999. Sea Turtle Conservation Program, Pinellas County, Florida, 1999 Report. Pinellas County Board of County Commissioners, Clearwater, FL.

Myers, Sue, Nancy Page, and Andy Squires. 2000. Ambient Surface Water Quality Monitoring Report 1991-1997, Pinellas County, Florida. Pinellas County Department of Environmental Management, Clearwater, FL.

U.S. Army Corps of Engineers. 1997. Preliminary Assessment, Johns Pass, Florida. National Harbors Program: Dredged Material Management Plans. Jacksonville District, Jacksonville, FL.

Appendix A – Endangered Species Consultation

December 8, 1989

Bill

Planning Division
Environmental Resources Branch

Mr. Charles Oravetz
Chief, Protected Species Management Branch
National Marine Fisheries Service
9450 Koger Boulevard
St. Petersburg, Florida 33702

Dear Mr. Oravetz:

Enclosed is the Biological Information for the maintenance dredging of Johns Pass, Pinellas County, Florida, pursuant to Section 7 of the Endangered Species Act.

Based on our evaluation of the impacts and coordination with your office, we have determined that the proposed maintenance dredging and beach disposal would not adversely affect the species listed under your jurisdiction. Therefore, we are asking for your concurrence in this matter.

If you have any further questions, contact Mr. Bill Fonferek by telephone at (904) 791-1690.

Sincerely,

181

A. J. Salem
Chief, Planning Division

Enclosures

Fonferek/CESAJ-PD-ES
wjf/1690 12/04/89
Atmar/CESAJ-PD-ES
Smith/CESAJ-PD-E
Davis/CESAJ-PD-A
Salem/CESAJ-PD

8 December 1989

BIOLOGICAL INFORMATION
JOHNS PASS, PINELLAS COUNTY, FLORIDA

1. The US Army Corps of Engineers, Jacksonville District, has scheduled the maintenance dredging of Johns Pass, Pinellas County, Florida, for February 1990 (Enclosure 1). Approximately 100,000 cubic yards of material would be excavated from the entrance channel. The dimensions of the dredging would be 2200 feet long, 200 feet wide and 12 feet below bottom elevation, which includes a two foot overdepth advanced maintenance dredging. The disposal site would be located 2,000 feet south of Johns Pass on a 2,000 foot segment of beach on Treasure Island (Enclosure 2).
2. Copies of the core-boring data and sediment analysis will be forwarded to the DNR and DER prior to commencement of work as part of the conditions for the DER permit. The state has issued water quality certification by permit; DER Permit No. 520890849.
3. Coordination with the US Fish and Wildlife Service and the National Marine Fisheries Service for Pinellas County, Florida, Beach Erosion Control Project revealed that the following threatened or endangered species frequented or inhabited the area: Florida manatee, four species of turtle (Loggerhead, Leatherback, Hawksbill, Kemp's Ridley), and four species of whale (Right, Sei, Fin, and Humpback). Of these, only the manatee and the loggerhead turtle require special plans for protection within the work area.
4. Manatee. The proposed maintenance dredging of Johns Pass would not likely cause impacts on manatees. However, there would be potential to cause injuries to manatees from collision with work boats traveling to and from the dredge. If precautionary measures are taken then, these impacts would be reduced to the extent possible if not eliminated entirely. Contracts let for this action would be appropriately conditioned to require crews to be briefed on the presence, characteristics, protected status, and precautionary actions needed to avoid contact. Appropriate reporting procedures will also be required should contact occur.
5. Loggerhead Turtle. The loggerhead turtle would not likely be found in the channel dredging area. The placement of dredge material on the beach for nourishment purposes could impact turtle nesting activities. If special measures are used for insuring the beach material is suitable for turtle nesting and the work is completed prior to turtle nesting season, then there would be no affect on the species. Should the dredging extend into the turtle nesting season, special measures will be used to monitor and move nests encountered. Crews will be briefed on the presence, characteristics, protected status, and precautionary

actions needed to avoid contact. Appropriate reporting procedures will also be required should contact occur.

6. Conclusion. If the above procedures are incorporated into the plans and specifications, there would be no affects on species listed by the US Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act.



United States Department of the Interior
FISH AND WILDLIFE SERVICE
P.O. BOX 2676
VERO BEACH, FLORIDA 32961-2676

PD

January 26, 1990

Colonel Bruce A. Malson
District Engineer
U.S. Army Corps of Engineers
P.O. Box 4970
Jacksonville, FL 32232-0019

Dear Colonel Malson:

This is in response to A.J. Salem's (Chief, Planning Division) request, dated December 8, 1989, for our comments on the proposed maintenance dredging of Johns Pass, Pinellas County, Florida. Specifically, you asked if we concurred with your determination of no effect on the manatee. Your letter states that the standard manatee construction conditions would be implemented; therefore, we can concur that the project would have no effect on the manatee.

Dredged material would be deposited along 2,000 linear feet of beach, that according to our information, supports a relatively low density of nesting by loggerhead turtles.

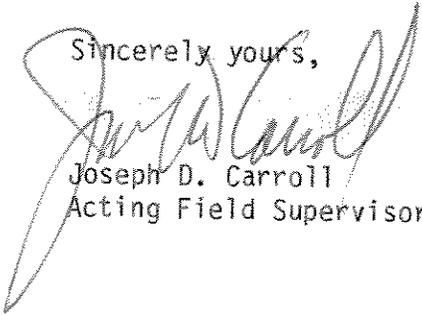
Although your letter identified some turtle protection measures, we are of the opinion that further measures are needed to adequately protect the threatened loggerhead turtle. In order to resolve our concerns in this regard, Mr. Fonferek of your staff stated in a telephone conversation on January 18, 1990, that he would include the following turtle protection measures in the project's plans and specifications:

1. Treasure Island beaches will be nourished and completed before May 30 or after October 5 (preferably before May 1 or after October 31), in order to minimize the need for nest relocation and, therefore, reduce the possibility of nest burial or crushing of undetected nests.
2. Nourished beaches will be plowed to a depth of at least 36 inches immediately following completion of beach nourishment if sand compaction is greater than 500 p.s.i.
3. Nest relocation activities will begin 65 days prior to the date of commencement of construction activities occurring within the nesting season, or by March 1, whichever is later.

4. Nest surveys and relocations will be conducted by personnel with a) prior experience and training in survey and relocation procedures, and b) a valid Florida Department of Natural Resources permit. This is essential to reduce the number of undetected nests.
5. Nests shall be relocated between sunrise and 10 a.m. each day, and the relocation will be to a nearby self-release beach hatchery in a location where artificial lighting will not conflict with hatchling orientation.
6. A report describing the actions taken to implement the aforementioned measures will be submitted to this office within 60 days of completion of the proposed project. This report will include dates of actual construction activities, names and qualifications of personnel involved in nest surveys, relocation results, and hatching success of nests.

Since the above project manager agreed that turtle protection measures will be included in the Corps' plans and specifications, we can concur with your no effect determination for the loggerhead turtle.

Sincerely yours,



Joseph D. Carroll
Acting Field Supervisor

cc:
FWS, Jacksonville, FL



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southeast Region
9450 Koger Boulevard
St. Petersburg, FL 33702

December 18, 1989

F/SER23:TLD

Mr. A. J. Salem
Chief, Planning Division
U.S. Dept. of the Army
Jacksonville District, COE
Post Office Box 4970
Jacksonville, FL 32232-0019

Dear Mr. Salem:

This responds to your December 8, 1989, letter regarding the proposed maintenance dredging of Johns Pass, Pinellas County, Florida. A Biological Assessment (BA) was submitted pursuant to Section 7 of the Endangered Species Act of 1973 (ESA).

We have reviewed the BA and concur with your determinations that populations of endangered/threatened species under our purview would not be adversely affected by the proposed action.

This concludes consultation responsibilities under Section 7 of the ESA. However, consultation should be reinitiated if new information reveals impacts of the identified activity that may affect listed species or their critical habitat, a new species is listed, the identified activity is subsequently modified or critical habitat determined that may be affected by the proposed activity.

If you have any questions, please contact Dr. Terry Henwood, Fishery Biologist at 813/893-3366.

Sincerely yours,

Charles A. Oravetz, Chief
Protected Species Management Branch

cc: F/SER1
F/PR2





PD

United States Department of the Interior
FISH AND WILDLIFE SERVICE
P.O. BOX 2676
VERO BEACH, FLORIDA 32961-2676

March 6, 1990

Colonel Bruce A. Malson
District Engineer
U.S. Army Corps of Engineers
P.O. Box 4970
Jacksonville, FL 32232-0019

FWS Log No. 4-1-90-239

Dear Colonel Malson:

This is to modify our letter, dated January 26, 1990, concerning the proposed maintenance dredging in Johns Pass, Pinellas County, Florida. The turtle protection measures numbered 2 and 3 in that letter are amended to read:

1. Nourishment to Treasure Island beaches will be avoided, if possible, during turtle nesting season, May 30 through October 5 (preferably May 1 or after October 31) in order to minimize the need for nest relocation and, therefore, reduce the possibility of nest burial or crushing of undetected nests.

3. However, should nourishment be required during the turtle nesting season, nest relocation procedures will be implemented. Nest relocation activities will begin 65 days prior to the date of commencement of construction activities occurring within the nesting season, or by March 1, whichever is later.

Our recommended turtle protection measures, numbered 2, 4, 5, and 6 in our previous letter, remain unchanged.

Since our turtle expert Earl Possardt has stated that extremely low levels of turtle nesting occurs in this area and because the Project Manager has agreed to include the above measures in the project plans, we can concur with your determination that the project is not likely to adversely affect any threatened or endangered species.

Although this does not constitute a Biological Opinion described under Section 7 of the Endangered Species Act, it does fulfill the requirements of the Act, and no further action is required. If modifications are made in the project or if additional information involving potential impacts on listed species becomes available, please notify our office (407-562-3909).

Sincerely yours,

David L. Ferrell
Field Supervisor

cc:
FWS, Jacksonville, FL

Appendix B – Correspondence



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



REPLY TO
ATTENTION OF

JUN 21 1995

Construction-Operations Division
Public Notice Number PN-JPA-201

CE5A5-10-ER
(Fonferck)

PUBLIC NOTICE

TO WHOM IT MAY CONCERN: The District Engineer, Jacksonville District, U.S. Army Corps of Engineers, has submitted an application to the State of Florida Department of Environmental Protection pursuant to Section 401 of the Clean Water Act of 1977. This Federal project is being evaluated and coordinated pursuant to 33 CFR 335 through 338.

Comments regarding the project should be submitted in writing to the District Engineer at the above address within 30 days from the date of this notice. Any person who has an interest which may be affected by the construction of this project may request a public hearing. The request must be submitted in writing to the District Engineer within 30 days of the date of this notice and must clearly set forth the interest which may be affected and the manner in which the interest may be affected by this activity.

If you have any questions concerning this application, you may contact Ms. Patricia Hanson of this office, telephone 904-232-1640.

WATERWAY & LOCATION: Johns Pass, Pinellas County, Florida

WORK & PURPOSE: The work to be performed is routine maintenance dredging of Johns Pass as needed. It is estimated that the quantity of material to be dredged from the channel will be a maximum of 100,000 per dredging event. It is anticipated that dredging of the channel will be required every 3 to 4 years. The dredged material would be placed on the beach at any of three locations. The placement locations are an area on Treasure Island beginning about 1000 feet south of Johns Pass continuing south for 3000 feet, 2000 feet of beach immediately south of 97th Street on Treasure Island, and on 2500 feet of beach at Reddington Shores Beach approximately 27000 feet north of Johns Pass.

The purpose of the work is to restore the channel to authorized depths and provide a safe navigation channel from the Gulf of Mexico to the Intracoastal Waterway.

PROJECT AUTHORIZATION: River and Harbor Act, 27 October 1965, House Document Number 214, 89th Congress, First Session.

EVALUATION: An environmental assessment has been previously prepared to evaluate the impacts of the project. That environmental evaluation indicated that the proposed action would

have no significant impact on the quality of the human environment and an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA), would not be required. The previously prepared assessment will be updated to evaluate the current project. Copies of the NEPA documentation will be made available upon request.

APPLICABLE LAWS: The following laws are, or may be, applicable to the review of the proposed disposal sites and to the activities affiliated with this Federal project:

1. Section 404 of the Clean Water Act of 1977 (PL 95-217) (33 U.S.C. 1344).
2. Section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972 (PL 92-532) (33 U.S.C. 1413, 86 Stat. 1052).
3. Section 302 of the Marine Protection, Research, and Sanctuaries Act of 1972 (PL 92-532, 86 Stat. 1052).
4. The National Environmental Policy Act of 1969 (PL 91-190) (42 U.S.C. 4321-4347).
5. Sections 307(c) (1) and (2) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456 (c)(1) and (2), 86 Stat. 1280).
6. The Fish and Wildlife Act of 1956 (16 U.S.C. 472a et seq.).
7. The Migratory Marine Game-Fish Act of 1959 (16 U.S.C. 760c-760g).
8. The Fish and Wildlife Coordination Act of 1958 (16 U.S.C. 661-666c).
9. The Endangered Species Act of 1973 (PL 93-205) 16 U.S.C. 668aa-668cc-6, 87 Stat. 884).
10. The National Historic Preservation Act of 1966 (16 U.S.C. 470, 80 Stat. 915).
11. Section 313 of the Clean Water Act of 1977 (33 U.S.C. 1323, 82 Stat. 816).

COASTAL ZONE MANAGEMENT: The proposal has been evaluated in accordance with the Florida Coastal Zone Management Act and was determined to be consistent with the goals and intent of the appropriate State statutes. This determination is based on the preliminary environmental evaluation, the Section 404(b)(1) Evaluation, and the Coastal Zone Consistency Determination. Full compliance will be achieved by issuance of the necessary permits from the State.

ENDANGERED SPECIES: Consultation with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act has been conducted. Based on our evaluation, a "No Effects" determination has been made regarding sea turtles and manatees. National Marine Fisheries Service concurred that no endangered or threatened species under their purview would be effected by the project. U.S. Fish and Wildlife Service concurred that the project will have no effect on any listed species with the provision that certain measures be taken to protect the nesting of sea turtles.

OTHER IMPORTANT RESOURCES: Other important resources which will be considered during the updating of the environmental assessment include seagrasses and hardbottoms. It is believed that the project will not effect any of these resources.

EVALUATION FACTORS: All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, 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, consideration of property ownership and, in general, the needs and welfare of the people.

DISSEMINATION OF NOTICE: You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have an interest in this matter.

COORDINATION: This notice is being sent to, and coordinated with, the following agencies:

FEDERAL AGENCIES:

Commander, Seventh Coast Guard District, Miami, FL
Director, Atlantic Marine Ctr., NOAA, Norfolk, VA
FDA, Regional Shellfish Specialist, Atlanta, GA
Director, National Park Ser., Southeast Region, Atlanta, GA
Regional Director, National Park Ser., SE Region, Atlanta, GA
Regional Director, Fish & Wildlife Service, Atlanta, GA
Field Supervisor, Fish & Wildlife Service, Jacksonville, FL
Field Supervisor, Fish & Wildlife Service, Vero Beach, FL
Regional Hydrologist, U.S. Geological Survey, Atlanta, GA
District Chief, U.S. Geological Survey, WRD, Tallahassee, FL
Regional Hydrologist, NOAA, National Weather Ser., Fort Worth, TX
Southeast River Forecast Ctr., NOAA, National Weather Service,
Atlanta, GA
Environmental Protection Agency, Office of Federal Activities,

Environmental Protection Agency, Region IV, Atlanta, GA
Federal Energy Regulatory Commission, Atlanta, GA
National Marine Fisheries Service, EA Branch, Panama City, FL
National Marine Fisheries Service, EA Branch, St. Petersburg, FL

Federal Maritime Commission, Office of Environmental Impact,
Washington, D.C.
USDA, Soil Conservation Service, Gainesville, FL
Federal Highway Administration, Tallahassee, FL
Water Resources Coordinator, National Marine Fisheries Service,
Tallahassee, FL

STATE AGENCIES:

Executive Director, DEP, Tallahassee, FL
DEP, Division of Beaches and Shores, Tallahassee, FL
Florida Game & Fresh Water Commission, Lakeland, FL
Secretary, Dept of Environmental Protection, Tallahassee, FL
Department of Agriculture, Bureau of Soil & Water Conservation,
Gainesville, FL
Director, Div of Archives, History & Records Management,
Tallahassee, FL
Secretary, Department of Transportation, Tallahassee, FL
State Clearinghouse, Office of Planning & Budgeting,
Tallahassee, FL

ENVIRONMENTAL ORGANIZATIONS:

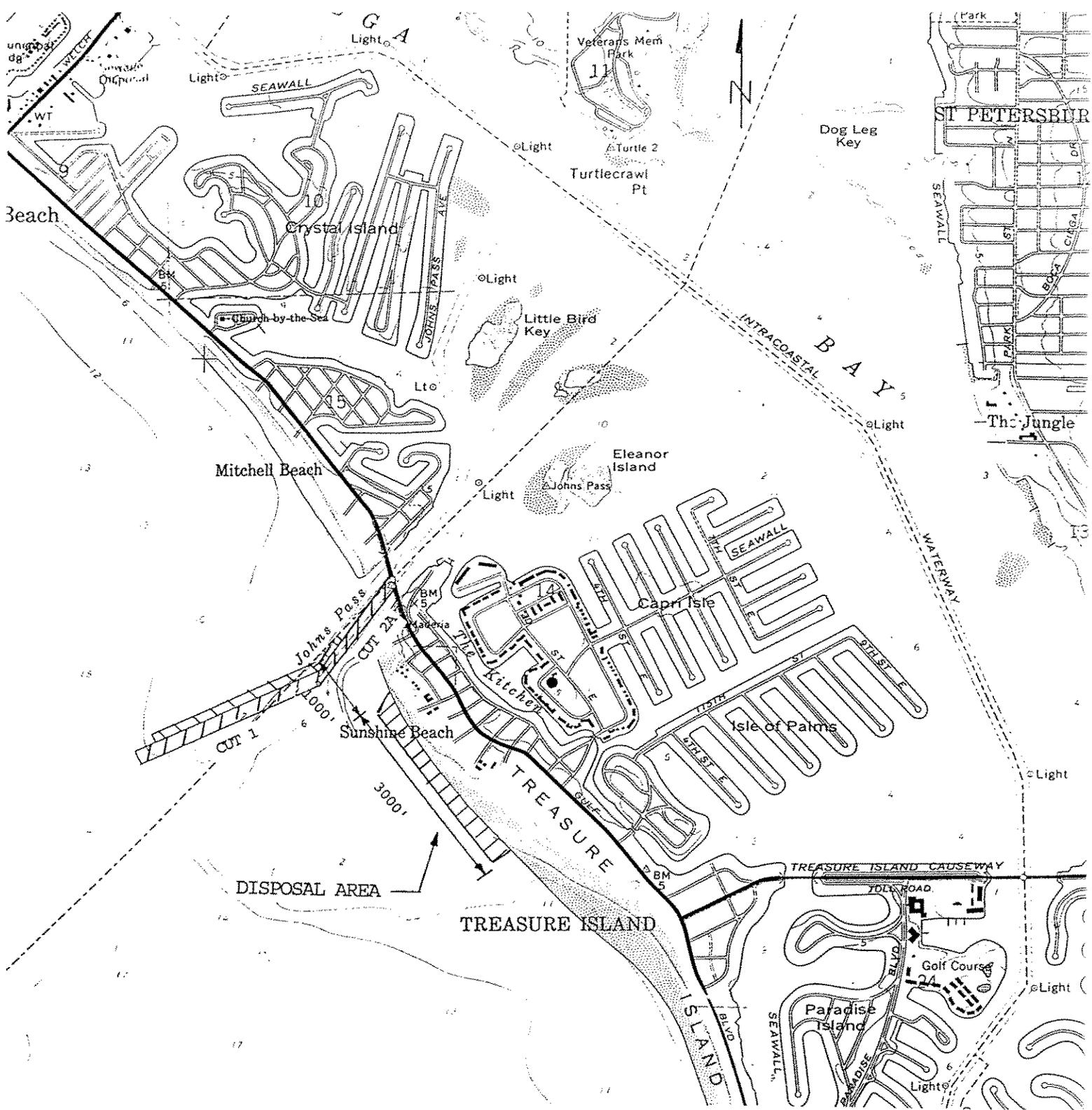
Executive Director, Florida Audubon Society, Maitland, FL

LOCAL GOVERNMENTS:

Board of Commissioners, Pinellas County
Postmaster, St. Petersburg, Florida

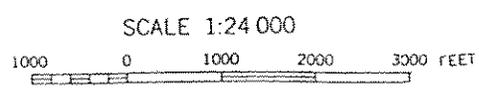
FOR THE COMMANDER:

G. M. DiChiara
GIROLAMO DiCHIARA
Chief, Construction-Operations
Division



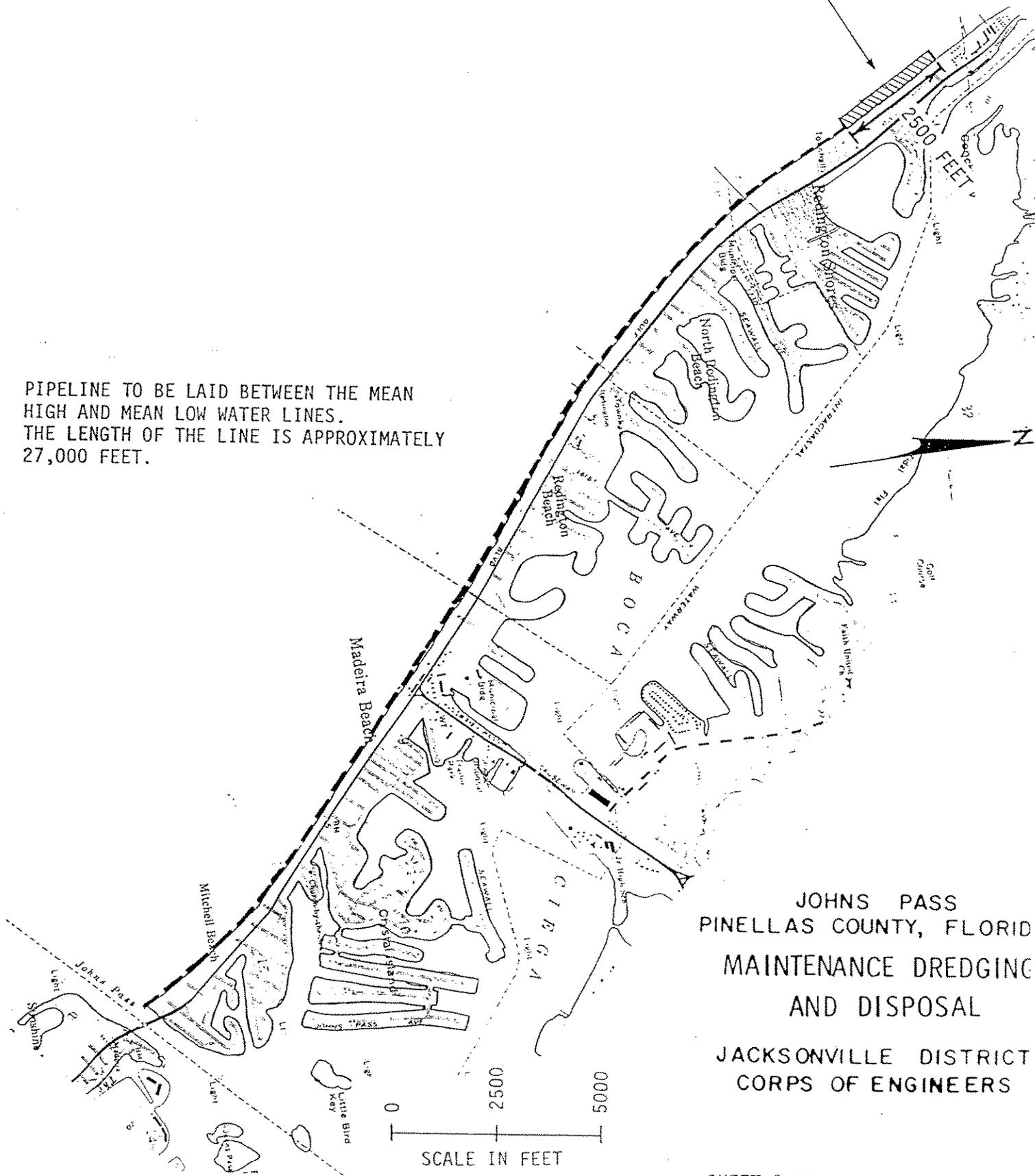
JOHNS PASS
 PINELLAS COUNTY, FLORIDA
 MAINTENANCE DREDGING
 AND DISPOSAL

JACKSONVILLE DISTRICT
 CORPS OF ENGINEERS



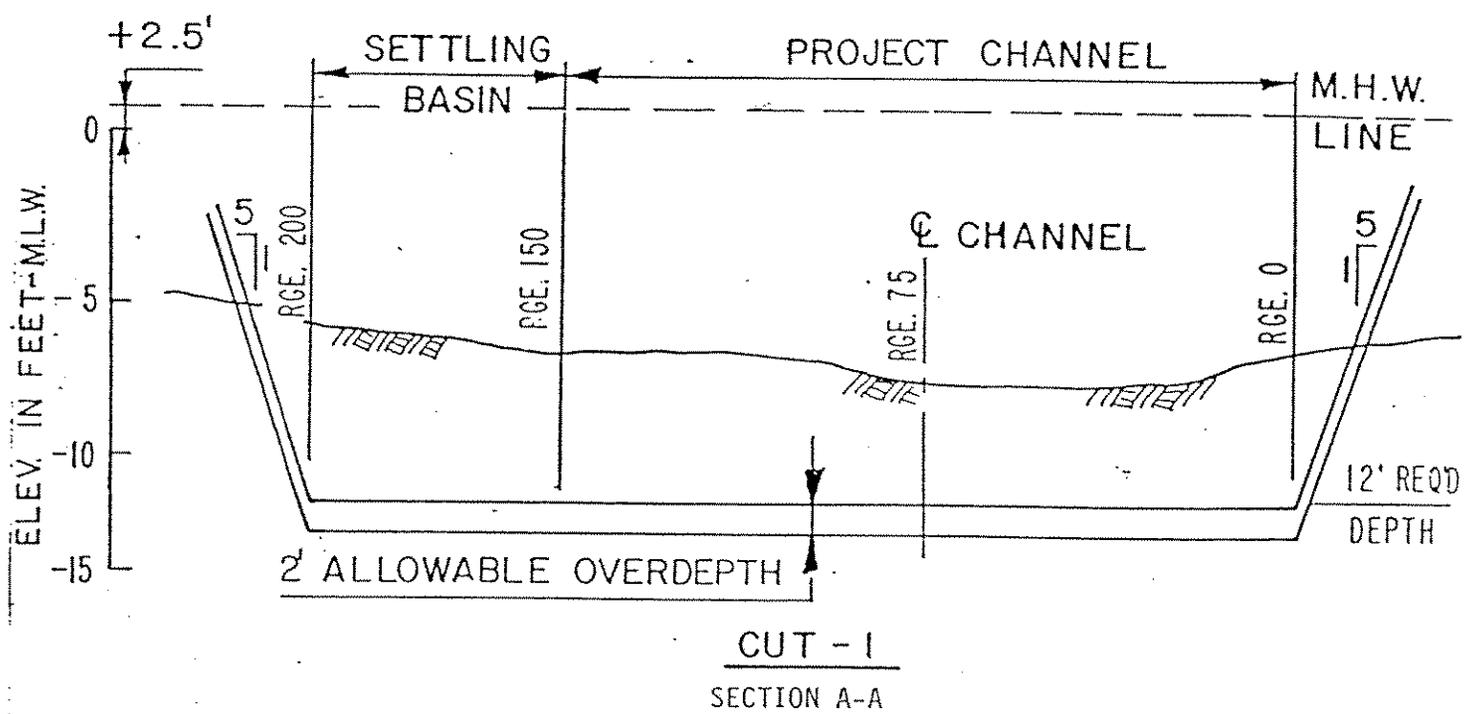
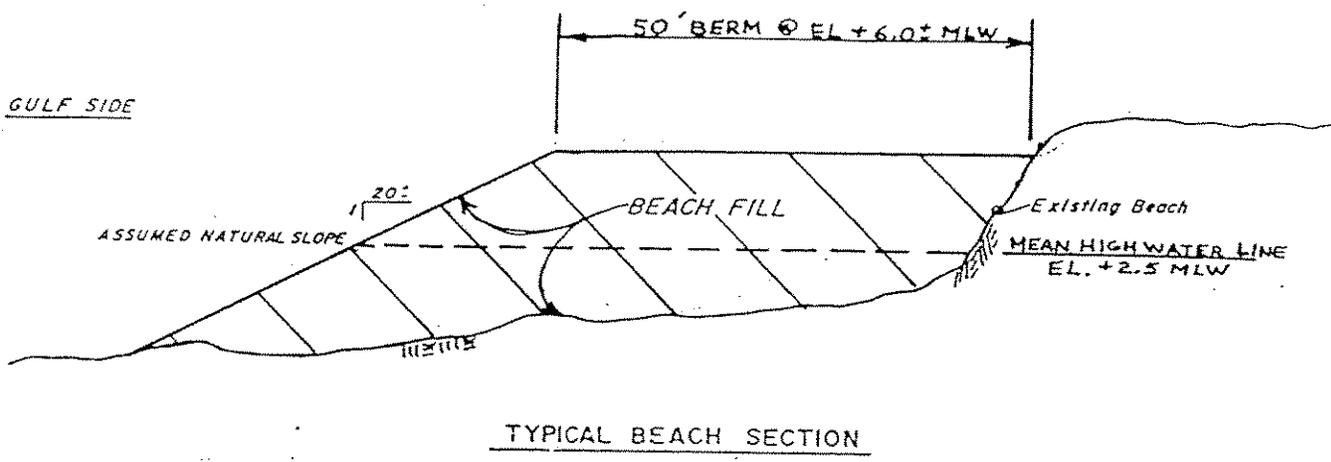
DISPOSAL AREA

PIPELINE TO BE LAID BETWEEN THE MEAN HIGH AND MEAN LOW WATER LINES.
THE LENGTH OF THE LINE IS APPROXIMATELY 27,000 FEET.



JOHNS PASS
PINELLAS COUNTY, FLORIDA
MAINTENANCE DREDGING
AND DISPOSAL

JACKSONVILLE DISTRICT
CORPS OF ENGINEERS



NOTE: MEAN LOW WATER (M.L.W.) DATUM AND MEAN HIGH WATER (M.H.W.) LINE RELATIONSHIP IS APPROXIMATE AND ARE REFERRED TO MEAN SEA LEVEL DATUM ESTABLISHED BY U.S. COAST AND GEODETIC SURVEY.

JOHNS PASS
 PINELLAS COUNTY, FLORIDA
 MAINTENANCE DREDGING
 AND DISPOSAL
 JACKSONVILLE DISTRICT
 CORPS OF ENGINEERS



D. Dale
DP PD

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office
9721 Executive Center Drive North
St. Petersburg, Florida 33702

July 13, 1995

Colonel Terry Rice
District Engineer, Jacksonville District
Department of the Army, Corps of Engineers
Construction-Operations Division
P.O. Box 4970
Jacksonville, Florida 32232-0019

Dear Colonel Rice:

The National Marine Fisheries Service (NMFS) has reviewed the information contained in public notice number PN-JPA-201, dated June 21, 1995, regarding the proposed maintenance dredging of Johns Pass in Pinellas County, Florida. The following comments are provided in accordance with the Fish and Wildlife Coordination Act. At this time, we anticipate that any adverse effects that might occur on marine fishery resources would be minimal and temporary.

We appreciate the opportunity to provide these comments. As indicated in the public notice, we would appreciate a copy of the Environmental Assessment and other NEPA documentation available sent to Mr. David N. Dale at the letterhead address. Please direct related comments or questions to Mr. Dale; he may be contacted at 813/570-5317.

Sincerely,

E Andreas Mager, Jr.
Assistant Regional Director
Habitat Conservation Division

cc:
F/SEO2
F/SEO23-ST PETE



DIVISIONS OF FLORIDA DEPARTMENT OF STATE

- Office of the Secretary
- Office of International Relations
- Division of Elections
- Division of Corporations
- Division of Cultural Affairs
- Division of Historical Resources
- Division of Library and Information Services
- Division of Licensing
- Division of Administrative Services



- MEMBER OF THE FLORIDA CABINET
- State Board of Education
 - Trustees of the Internal Improvement Trust Fund
 - Administration Commission
 - Florida Land and Water Adjudicatory Commission
 - Siting Board
 - Division of Bond Finance
 - Department of Revenue
 - Department of Law Enforcement
 - Department of Highway Safety and Motor Vehicles
 - Department of Veterans' Affairs

FLORIDA DEPARTMENT OF STATE
Katherine Harris
 Secretary of State
 DIVISION OF HISTORICAL RESOURCES

Mr. James C. Duck
 Planning Division
 Department of the Army
 Jacksonville District Corps of Engineers
 P.O. Box 4970
 Jacksonville, Florida 32232-0019

November 17, 1999

RE: DHR Project File No. 997155
 Submerged Cultural Resources Remote Sensing Survey of Johns Pass
 Navigational Channel, Pinellas County, Florida
 Submitted by: Mid-Atlantic Technology and Environmental Research, Inc.
 441 Blossoms Ferry Road, Castle Hayne, North Carolina, 28429

Dear Mr. Duck:

In accordance with the procedures contained in 36 C.F.R., Part 800 ("Protection of Historic Properties"), as well as those contained in Chapter 267.061, *Florida Statutes*, as implemented through 1A-46 *Florida Administrative Code*, we have reviewed the results of the field survey of the referenced project and find them to be sufficient. Based upon these results, we are recommending that further investigations be conducted.

The survey, conducted by Mid-Atlantic Technology and Environmental Research, indicates the identification and recording of 15 magnetic anomalies within the project's area of potential effect. Of these 15 magnetic anomalies, seven are identified as having the potential to be associated with a significant cultural resource. The survey further states that additional investigations are recommended for each of these anomalies. We concur with these recommendations and suggest that the identified significant anomalies (JP-A, C, E, F, G, I, and K) be further investigated by ground truthing for definitive identification (see attached map).

Because of the historic nature of the nearby Johns Pass and popular usage of the inlet for both commercial and recreational maritime navigation recorded as early as 1848, the area has been witness to decades of sea-going activities. This rich maritime history provides potential for the loss, and eventually re-discovery, of historic watercraft. The magnetic signatures for the recorded anomalies are large enough and of sufficient intensity to indicate materials possibly associated with historic shipwrecks that are potentially eligible for inclusion in the *National Register of Historic Places*.

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250 • <http://www.flheritage.com>

- | | | | |
|--|---|---|--|
| <input type="checkbox"/> Director's Office
(850) 488-1480 • FAX: 488-3355 | <input type="checkbox"/> Archaeological Research
(850) 487-2299 • FAX: 414-2207 | <input checked="" type="checkbox"/> Historic Preservation
(850) 487-2333 • FAX: 922-0496 | <input type="checkbox"/> Historical Museums
(850) 488-1484 • FAX: 921-2503 |
| <input type="checkbox"/> Historic Pensacola Preservation Board
(850) 595-5985 • FAX: 595-5989 | <input type="checkbox"/> Palm Beach Regional Office
(561) 279-1475 • FAX: 279-1476 | <input type="checkbox"/> St. Augustine Regional Office
(904) 825-5045 • FAX: 825-5044 | <input type="checkbox"/> Tampa Regional Office
(813) 272-3843 • FAX: 272-2340 |

Mr. James C. Duck
November 17, 1999
Page 2

Additionally, we are requesting that a completed Florida Master Site File Survey Log Sheet be completed for this project. Please advise Mid-Atlantic Technology and Environmental Research, Inc. of the need to complete this documentation for any archaeological survey conducted in the State of Florida (**see attachments**).

If you have any questions concerning our comments, please contact Brian Yates, Historic Sites Specialist at (850) 487-2333 or 1-(800) 847-7278. Your interest in protecting Florida's historic properties is appreciated.

Sincerely,

A handwritten signature in black ink that reads "Janet Snyder Matthews". The signature is written in a cursive style with a large initial "J".

Janet Snyder Matthews, Ph.D.
State Historic Preservation Officer

JSM/Yby
Encl. (3)

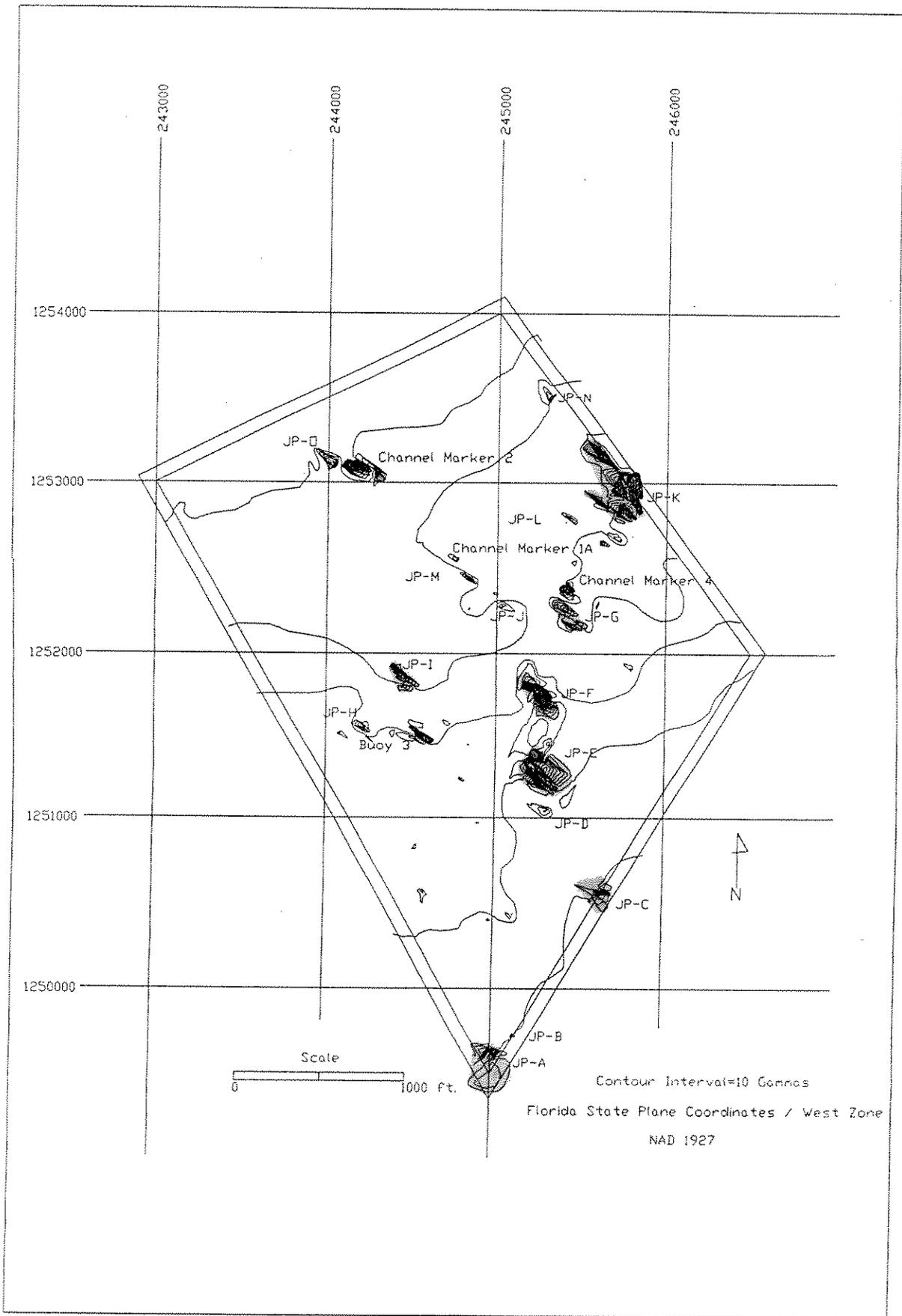


Figure 2. Magnetic Contour and Target Location Map.

DIVISIONS OF FLORIDA DEPARTMENT OF STATE

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Office of International Relations
Division of Elections
Division of Corporations
Division of Cultural Affairs
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FLORIDA DEPARTMENT OF STATE

Katherine Harris

Secretary of State

DIVISION OF HISTORICAL RESOURCES

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State Board of Education
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Administration Commission
Florida Land and Water Adjudicatory Commission
Siting Board
Division of Bond Finance
Department of Revenue
Department of Law Enforcement
Department of Highway Safety and Motor Vehicles
Department of Veterans' Affairs

Mr. James C. Duck
Jacksonville District US Army Corps of Engineers
P.O. Box 4970
Jacksonville, Florida 32232-0019

October 9, 2001

Re: DHR No. 2001-08376 / Date Received by DHR: August 29, 2001
Archeological Diver Investigation and Evaluation of Seven Potentially Significant Submerged Targets in the Johns Pass Navigation Channel, Pinellas County, Florida

Dear Mr. Duck:

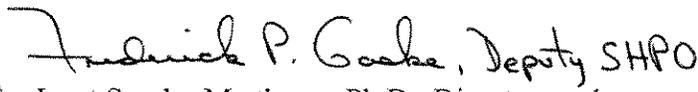
Our office has received and reviewed the above referenced project in accordance with Section 106 of the *National Historic Preservation Act of 1966* (Public Law 89-665), as amended in 1992, and *36 C.F.R., Part 800: Protection of Historic Properties*. The State Historic Preservation Officer is to advise and assist federal agencies when identifying historic properties listed or eligible for listing in the *National Register of Historic Places*, assessing effects upon them, and considering alternatives to avoid or minimize adverse effects.

Results of the survey indicate that seven magnetic anomalies were relocated, identified, and assessed. All of these anomalies were identified as modern debris, and are considered ineligible for listing in the *National Register of Historic Places*. The project archaeologist recommends no further investigations or restrictions for the project area. Based on the information provided, this office concurs with these determinations and finds the submitted report complete and sufficient. Please note, however, that the following information, or an explanation detailing reasons for its absence, must be provided in future survey reports submitted to this office:

- Pertinent environmental and paleoenvironmental data

If you have any questions concerning our comments, please contact Mary Beth Fitts, Historic Sites Specialist, at mbfitts@mail.dos.state.fl.us or (850) 245-6333. Your interest in protecting Florida's historic properties is appreciated.

Sincerely,


Janet Snyder Matthews, Ph.D., Director, and
State Historic Preservation Officer

Xc: Mr. Wes Hall, Mid-Atlantic Technology and Environmental Research, Inc.

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

Director's Office
(850) 245-6300 • FAX: 245-6435

Archaeological Research
(850) 245-6444 • FAX: 245-6436

Historic Preservation
(850) 245-6333 • FAX: 245-6437

Historical Museums
(850) 245-6400 • FAX: 245-6433

Palm Beach Regional Office
(561) 279-1475 • FAX: 279-1476

St. Augustine Regional Office
(904) 825-5045 • FAX: 825-5044

Tampa Regional Office
(813) 272-3843 • FAX: 272-2340

Appendix C – Natural Resource Assessment

**Resource Inventory
For
Johns Pass**

March 24, 2000

**Prepared for:
Jacksonville District
U.S. Army Corps of Engineers
400 West Bay Street
Jacksonville, FL 32202**

**Prepared by:
Dial Cordy and Associates Inc.
115 Professional Drive, Suite 104
Ponte Vedra Beach, FL 32082**

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1.0 INTRODUCTION

Dial Cordy and Associates Inc. (DC&A) was contracted by the U.S. Army Corps of Engineers (USACE), Jacksonville District to prepare a Resource Inventory for Johns Pass, Pinellas County, Florida. The purpose of the inventory was to identify potential sensitive natural resource areas that may be affected by activities associated with the maintenance dredging Johns Pass (Figure 1). Potential dredge material disposal sites and adjacent marine and terrestrial habitat were also investigated under the current study. DC&A collected preliminary data/resource information and conducted field investigations during January and February 2000.

2.0 BACKGROUND INFORMATION

Johns Pass is located in Pinellas County and is part of the Intracoastal Waterway from Caloosahatchee River to Anclote River. The federal objective of this project is to maintain the waterway for navigation (Figure 2). Designated reaches of the project would be dredged and material would be placed on a beach in the vicinity of the project. The local sponsor for this project is the West Coast Inland Navigation District, which is responsible for construction of and maintenance of placement areas for lands, easements, right-of-ways, relocations, and disposal areas. The USACE is responsible for maintenance of the waterway.

3.0 METHODOLOGY

Prior to conducting the field survey, 1996 infrared aerial photographs were obtained from the Southwest Florida Water Management District (SWFWMD). Historical literature and relevant project information were also obtained to identify potential significant resources and issues that could be affected by this project. Review for protected species and their critical habitat was also included in the historical search. Listed species included on the Florida Natural Areas Inventory can be found in Appendix A.

6.4 3.1 Data Search

Local, state and federal agencies were contacted regarding available natural resource data for the project area. Agencies contacted are listed in Appendix B.

Figure 1 Location Map

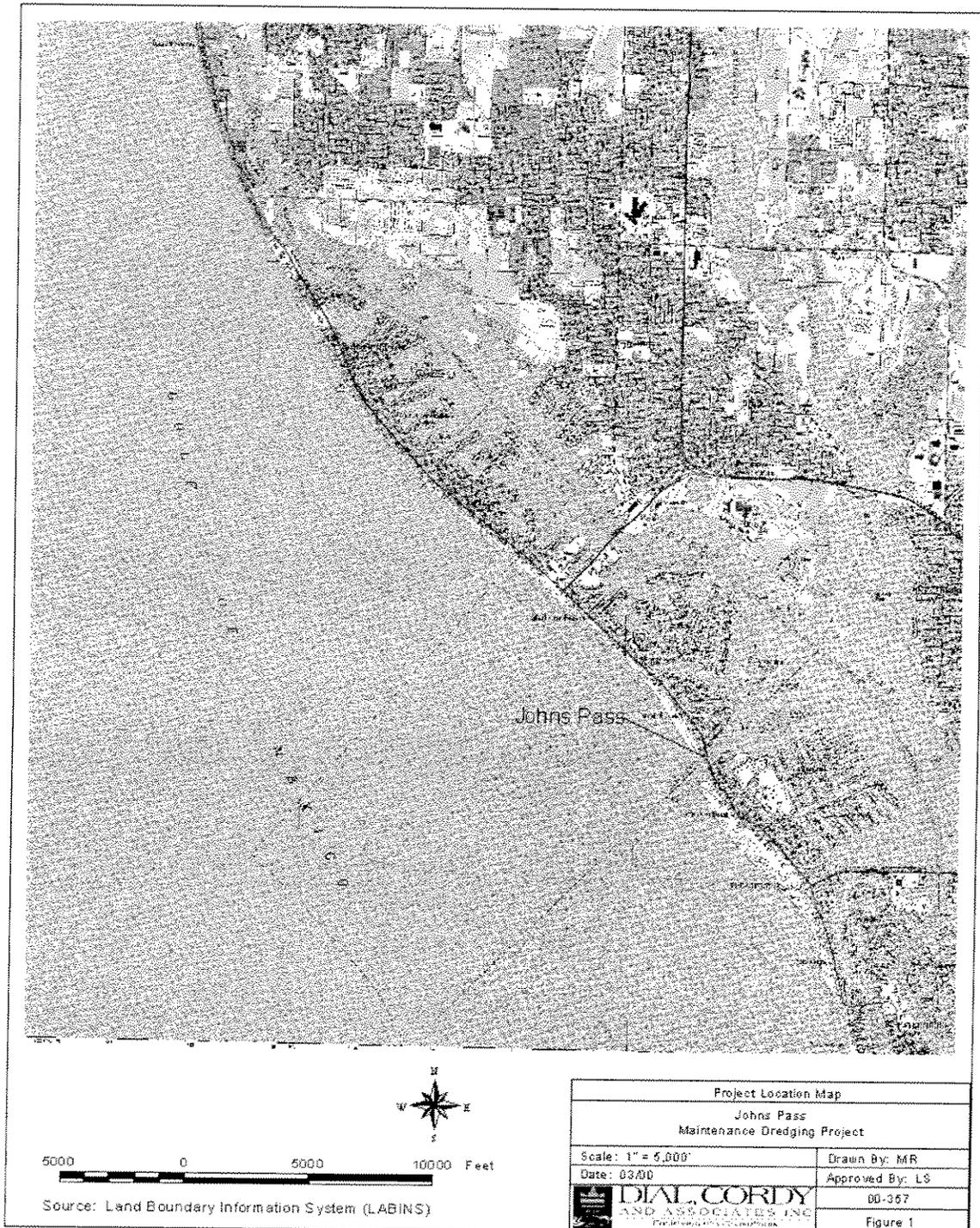
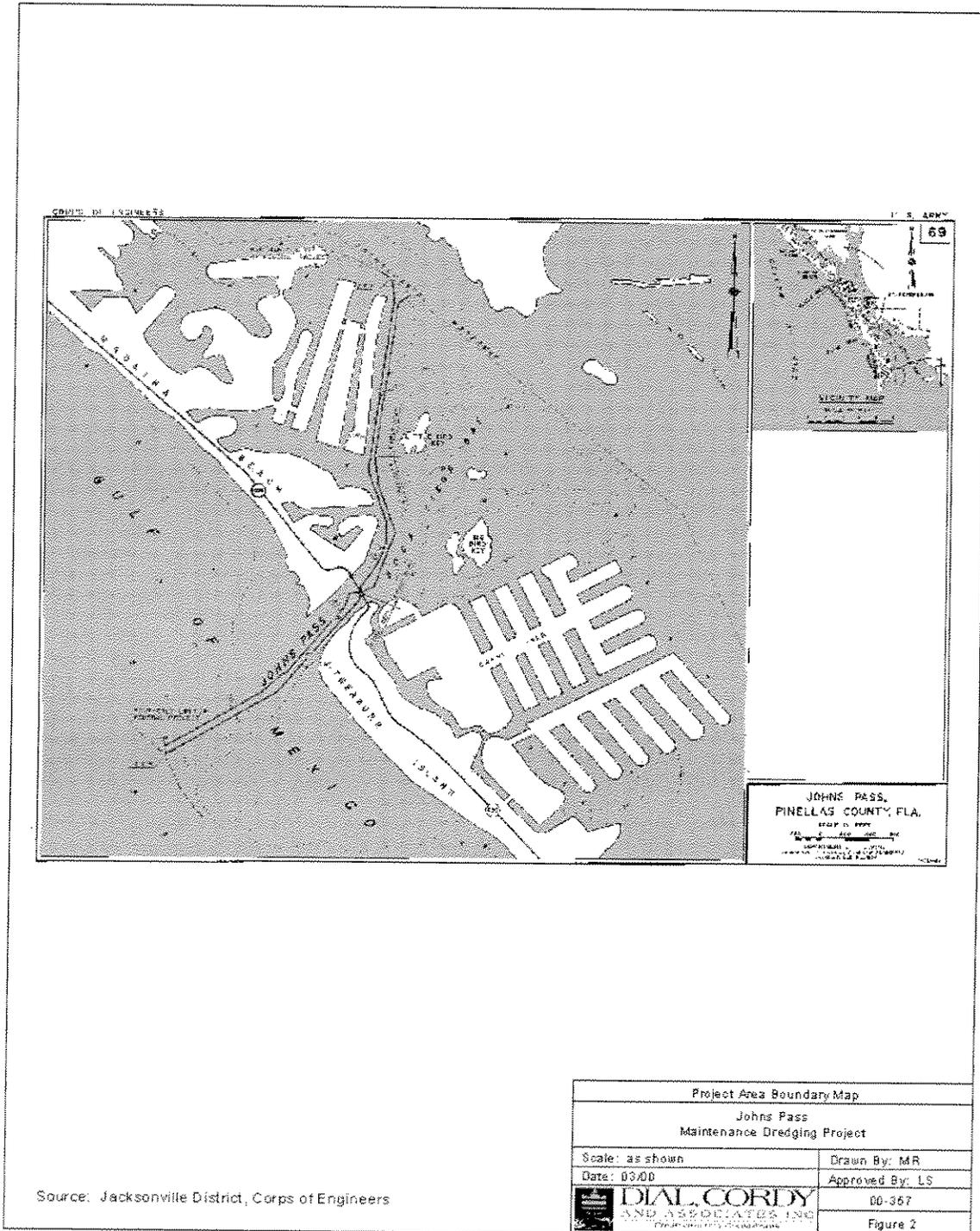


Figure 2' Project Boundary Map



6.5 3.2 Field Investigation

After review of available data, approximate locations of sensitive areas were verified in the field. Areas of concern were specifically observed for the occurrence of seagrasses, hardbottom, bird habitat and nesting areas, and potential sea turtle nesting sites.

4.0 RESULTS

Pinellas County natural resources have been well documented by local, state and federal agencies. These sources were utilized in preparation of this inventory (Figures 3 and 4).

6.6 4.1 Data Search

4.1.1 Seagrass

Numerous seagrass beds have been identified by the Bureau of Protected Species Management (BPSM), Florida Marine Research Institute (FMRI) and SWFWMD in the vicinity of the project area. Species occurring within the mapped areas include *Halodule wrightii* (shoal grass), *Syringodium filiforme* (manatee grass), *Ruppia maritima* (widgeon grass), and *Thalassia testudinum* (turtle grass). These sea grasses are associated primarily with the mangrove islands east of the pass and along the shorelines. The SWFWMD and Pinellas County are currently updating the aerial photography and seagrass mapping for the area, but the maps will not be available until later in the year. No known beds of *Halophila johnsonii*, a federally protected seagrass, have been identified in the project area by SWFWMD.

4.1.2 Hardbottom

Data search did not identify any hardbottom habitats within the project boundaries. (SWFWMD, BPSM)

4.1.3 Bird Habitat and Nesting

There were no bird nesting areas currently located within the project area. However, two of the mangrove islands located within the Johns Pass area have been utilized in the past for nesting. The Audubon Society indicated that no nesting activities have been present on the islands for the past two years due to encroachment by raccoons. The U.S. Fish and Wildlife Service (USFWS) service concurred with this assessment.

Figure 3 Seagrass/Hardbottom/Vegetation Map



Figure 4 Fauna Resource Map



Species potentially utilizing the area for foraging included *Ardea herodias* (great blue heron), *Egretta caerulea* (little blue heron), *Egretta tricolor* (tricolor heron), *Casmerodius albus* (great egret), *Egretta thula* (snowy egret), *Egretta rufescens* (reddish egret), *Nycticorax nycticorax* (black crowned night heron), *Eudocimus albus* (white ibis), *Ajaia ajaja* (roseate spoonbill), *Recurvirostra americana* (American oystercatcher), *Rynchops niger* (black skimmer), *Pelecanus occidentalis* (brown pelican), *Mycteria americana* (wood stork), *Sterna antillarum* (least tern), *Phalacrocorax auritus* (double-breasted cormorant), and *Larus atricilla* (laughing gull).

4.1.4 Manatee

Utilization of Johns Pass by *Trichechus manatus latirostris* (West Indian manatee) was identified by Pinellas County, Department of Environmental Management. However, utilization has been sporadic, and manatees do not tend to congregate in the area.

4.1.5 Turtle Nesting

Clearwater Marine Aquarium has identified *Caretta caretta* (loggerhead sea turtle) nesting areas on the beaches, south and north of Johns Pass. Loggerhead nesting is known to occur on these beaches, but deposition of dredged materials from previous maintenance dredging from Johns Pass has not adversely affected nesting.

4.1.6 Other Saltwater Resources

Additional saltwater resources were identified within the project area consisting mainly of the mangrove islands and tidal flats east of the pass. These islands have apparently persisted for many years and are clearly visible on historical aerial photographs from the 1920s.

6.7 4.2 Field Investigation

Field investigations were conducted from along the shore to confirm results of the data search of the dredging project and proposed dredged material disposal sites. Field investigations confirmed mapped areas of sea grasses, bird nesting sites, and locations of other potential natural resources.

4.2.1 Seagrass

Seagrass beds observed within the vicinity of the project area appeared to be consistent with the data provided from the SWFMWD. No *Halophila johnsonii* was observed within the project area.

4.2.2 Hardbottom

No hardbottom habitats were observed within the project boundaries.

4.2.3 Bird Habitat and Nesting

Bird utilization of the mangrove islands were limited, consisting of roosting such as *Ardea herodias* (great blue heron), *Casmerodius albus* (great egret), *Pelecanus occidentalis* (brown pelican), and *Larus atricilla* (laughing gull).

4.2.4 Manatee

No manatees were observed during the field investigation.

4.2.5 Turtle Nesting

No sea turtles were observed during the field investigation. However, the beaches located north and south of the pass remain suitable habitat for turtle nesting in the summer.

4.2.6 Other Saltwater Resources

The mangrove islands have not undergone any significant or visible changes from the 1996 aerial photographs. The field observations confirmed the existing data and did not provide any additional information.

5.0 SUMMARY AND CONCLUSION

Sensitive natural resources are located throughout the project area (Seagrass beds, mangroves, bird habitat and nesting areas, and potential sea turtle nesting areas). Harbottom habitats were not identified during this investigation and no further coordination is required for project implementation

Numerous seagrass beds are located throughout the project site. In addition, the potential wetland creation site should not be utilized due to substantial seagrass beds and marine resources utilizing the area. Dredging operations should be conducted in such a manner as to minimize impacts to these seagrass beds.

Manatees utilize the pass during winter months. Prior to conducting dredging activities a manatee watch plan, as required by USFWS and the Florida Department of Environmental Protection should be submitted and approved by the dredging contractor.

Potential turtle nesting beaches are located adjacent to the project limits and within the proposed dredged material disposal areas. Coordination with the local monitoring program should be conducted prior to dredging activities to avoid adverse impacts to nesting sea turtles or nesting habitat.

6.0 LIST OF PREPARERS

Lee A. Swain	Vice President	Dial Cordy and Associates Inc.
Kelley T. Grimm	Project Ecologist	Dial Cordy and Associates Inc.

Appendix A

Florida Natural Areas Inventory Report

Appendix B
Data and Information Sources

Seagrass

SWFWMD Dave Tomasko 813.985.7481
Provided digitized 1996 aerial seagrass maps of the project area. 1999 aerial photographs will not be available until August 2000.

FFWCC, BPSM Todd McGee 850.922.4330
Provided Marine Atlas containing data for seagrasses, hardbottoms, beaches, manatees, sea turtles.

FFWCC, FRMI Gail MacAulay 727.896.8626
Provided data gathered by SWFWMD

NMFS David Dale 727.570.5311
Concurred with SWFWMD sea grass maps and hard bottom mapping

Bird Nesting

Tampa Audubon Society Ann Napa 813.623.6826
Provided 1999 Colonial Waterbird Monitoring report

USFWS Bryan Pridgeon 727.570.5398
Confirmed data collected from Audubon Society.

Sea Turtle Nesting

FFWCC, BPSM Todd McGee 850.922.4330
Provided Marine Atlas containing data for seagrasses, hardbottoms, beaches, manatees, sea turtles.

Clearwater Marine Aquarium Glenn Harman 724.441.1790 ext. 24
Provided 1999 report on the Sea Turtle Conservation Program

FFWCC, FRMI Anne Maylan 727.896.8626
Provided Sea Turtle Nesting Activity in the State of Florida (1979-1992) report and addendum for the years 1993-1998

Manatee

FFWCC, BPSM Todd McGee 850.922.4330
Provided Marine Atlas containing data for seagrasses, hardbottoms, beaches, manatees, sea turtles.

Pinellas County, Dept. of Environmental Management Laura Potter 813.464.3190

Appendix D – Coastal Zone Management Consistency Determination

FLORIDA COASTAL ZONE MANAGEMENT PROGRAM FEDERAL CONSISTENCY EVALUATION PROCEDURES

1. Chapter 161, Beach and Shore Preservation.

The intent of the coastal construction permit program established by this chapter is to regulate construction projects located seaward of the line of mean high water and which might have an effect on natural shoreline processes.

Response: The proposed project is located in an area seaward of the mean high water line. However, this placement is regarded as beneficial to the shoreline processes by placing sandy material on the beach. Therefore, the project would not apply to this chapter.

2. Chapters 186 and 187, State and Regional Planning.

These chapters establish the State Comprehensive Plan which sets goals that articulate a strategic vision of the State's future. Its purpose is to define in a broad sense, goals, and policies that provide decision-makers directions for the future and provide long-range guidance for an orderly social, economic and physical growth.

Response: A public notice was coordinated with the State Clearinghouse. No adverse State comments were received. Therefore, this project would comply with the intent of this Chapter.

3. Chapter 252, Disaster Preparation, Response and Mitigation.

This chapter creates a state emergency management agency, with the authority to provide for the common defense; to protect the public peace, health and safety; and to preserve the lives and property of the people of Florida.

Response: The dredging and placement would be consistent with the intent of this Chapter.

4. Chapter 253, State Lands.

This chapter governs the management of submerged state lands and resources within state lands. This includes archeological and historical resources; water resources; fish and wildlife resources; beaches and dunes; submerged grass beds and other benthic communities; swamps, marshes and other wetlands; mineral resources; unique natural features; submerged lands; spoil islands; and artificial reefs.

Response: The maintenance dredging and placements would affect state lands. State resources

would not be affected. The material is being placed on the beach at the request of the State of Florida. The proposal would comply with the intent of this chapter.

5. Chapters 253, 259, 260, and 375, Land Acquisition.

This chapter authorizes the state to acquire land to protect environmentally sensitive areas.

Response: Since the affected property already is in public ownership, this chapter would not apply.

6. Chapter 258, State Parks and Aquatic Preserves.

This chapter authorizes the state to manage state parks and preserves. Consistency with this statute would include consideration of projects that would directly or indirectly adversely impact park property, natural resources, park programs, management or operations.

Response: The proposed work would not affect any State parks or preserves, and would, therefore, be consistent with this chapter.

7. Chapter 267, Historic Preservation.

This chapter establishes the procedures for implementing the Florida Historic Resources Act responsibilities.

Response: The maintenance of this existing navigation channel has been coordinated with the Florida State Historic Preservation Officer. Procedures will be implemented to avoid affects on unidentified historic properties which may be located within the affected areas. No known historic properties, included or eligible for inclusion in the National Register of Historic Places, have been identified in the navigation channel or in the proposed upland disposal area. Therefore, the work will be consistent with the goals of this chapter.

8. Chapter 288, Economic Development and Tourism.

This chapter directs the state to provide guidance and promotion of beneficial development through encouraging economic diversification and promoting tourism.

Response: The maintenance dredging of the navigation channel encourages the development of Sarasota Bay and economic growth of the area. Therefore, the work would be consistent with the goals of this chapter.

9. Chapters 334 and 339, Public Transportation.

This chapter authorizes the planning and development of a safe balanced and efficient transportation system.

Response: The maintenance dredging of the navigation channel promotes recreational navigation. Therefore, the work would comply with the goals of this chapter.

10. Chapter 370, Saltwater Living Resources.

This chapter directs the state to preserve, manage and protect the marine, crustacean, shell and anadromous fishery resources in state waters; to protect and enhance the marine and estuarine environment; to regulate fisherman and vessels of the state engaged in the taking of such resources within or without state waters; to issue licenses for the taking and processing products of fisheries; to secure and maintain statistical records of the catch of each such species; and, to conduct scientific, economic, and other studies and research.

Response: The maintenance dredging of this area would not adversely affect saltwater living resources. No saltwater living resources are found in the placement area. Based on the overall impacts of the work, the work is consistent with the goals of this chapter.

11. Chapter 372, Living Land and Freshwater Resources.

This chapter establishes the Game and Freshwater Fish Commission and directs it to manage freshwater aquatic life and wild animal life and their habitat to perpetuate a diversity of species with densities and distributions which provide sustained ecological, recreational, scientific, educational, aesthetic, and economic benefits.

Response: No living land or freshwater resources are located in the project area. Therefore, the work would comply with the goals of this chapter.

12. Chapter 373, Water Resources.

This chapter provides the authority to regulate the withdrawal, diversion, storage, and consumption of water.

Response: This work does not involve water resources as described by this chapter.

13. Chapter 376, Pollutant Spill Prevention and Control.

This chapter regulates the transfer, storage, and transportation of pollutants and the cleanup of pollutant discharges.

Response: This work does not involve the transportation or discharging of pollutants.

14. Chapter 377, Oil and Gas Exploration and Production.

This chapter authorizes the regulation of all phases of exploration, drilling, and production of oil, gas, and other petroleum products.

Response: This work does not involve the exploration, drilling or production of gas, oil or petroleum product and therefore, does not apply.

15. Chapter 380, Environmental Land and Water Management.

This chapter establishes criteria and procedures to assure that local land development decisions consider the regional impact nature of proposed large-scale development.

Response: Since this is management of an existing project the work would be consistent with the goals of this chapter.

16. Chapter 388, Arthropod Control.

This chapter provides for a comprehensive approach for abatement or suppression of mosquitoes and other pest arthropods within the state.

Response: The work would not further the propagation of mosquitoes or other pest arthropods.

17. Chapter 403, Environmental Control.

This chapter authorizes the regulation of pollution of the air and waters of the state by the DEP.

Response: A request was sent to the Florida Department of Environmental Protection to reissue an existing permit for maintenance dredging. Final compliance would come with the permit issuance. Therefore, the work is complying with the intent of this chapter.

18. Chapter 582, Soil and Water Conservation.

This chapter establishes policy for the conservation of the state soil and water through the Department of Agriculture. Land use policies will be evaluated in terms of their tendency to cause or contribute to soil erosion or to conserve, develop, and utilize soil and water resources both onsite or in adjoining properties affected by the work. Particular attention will be given to work on or near agricultural lands.

Response: The proposed work is not located near or on agricultural lands and would therefore, this chapter would not apply.

Appendix E – Section 404(b)(1) Evaluation

SECTION 404(b)(1) EVALUATION DREDGED MATERIAL

I. Project Description

- a. Location. Johns Pass, Pinellas County, Florida.
- b. General Description. The project is part of the Intracoastal Waterway, Caloosahatchee River to Anclote River, Johns Pass in Pinellas County, Florida (Figure 1). The precise location is about 25 miles south of the entrance to the Anclote River and 9.5 miles west of St Petersburg Harbor .
- c. Authority and Purpose. Authorization for maintenance dredging operations of the Federal project at Johns Pass is given in Section 107 of the River and Harbor Act of 1960. Since the initial maintenance, sand and sediments have periodically accumulated in the channel reducing the navigable capacity of the project. The navigation channel is used by recreational vessels. The channel depths are reduced by sedimentation. In order to maintain the Federal standard, the channel must be dredged..
- d. General Description of Dredged or Fill Material
 - (1) General Characteristics of Material. The excavated material to be placed on the beach would be sandy material that shoaled in the waterway
 - (2) Quantity of Material. Approximately 350,000 cubic yards of dredged material excavated from the navigation entrance channel per dredging cycle.
 - (3) Source of Material. The material will be excavated from Johns Pass Navigation Project.
- e. Description of the Proposed Discharge Site.
 - (1) Size and Location. This north beach alternative consists of conducting maintenance dredging the navigational channel and placement of the dredged material on the beach north of the pass (Figure 2). This area is located on Reddington Shores approximately 27,000 feet north of the inlet for reach of 2500 feet. Approximately 100,000 cubic yards of material would be excavated every 3 to 4 years. This south beach alternative consists of conducting maintenance dredging the navigational channel and placement of the dredged material on the beach south of the pass (Figure 2). This area is located on Treasure Island approximately 1,000 feet south of the inlet for a reach of 3000 feet. Approximately 100,000 cubic yards of material would be excavated every 3 to 4 years. This south beach alternative consists of

conducting maintenance dredging the navigational channel and placement of the dredged material on the beach south of the pass (Figure 2). This area is located on Treasure Island immediately south of 97th Street for a reach of 2000 feet. Approximately 100,000 cubic yards of material would be excavated every 3 to 4 years.

- (2) Type of Site. The placement areas are beach and surf areas adjacent to the beach.
- (3) Type of Habitat. The habitat is a surf area with a sandy bottom.
- (4) Timing and Duration of Discharge. The dredging cycle would occur approximately every 4 years.

f. Description of Disposal Method. The dredging would likely be conducted by a hydraulic dredge.

II. Factual Determinations

a. Physical Substrate Determinations.

- (1) Substrate Elevation and Slope. The placement area bottom is relatively flat..
- (2) Sediment Type. The bottom is sandy material..
- (3) Dredged/Fill Material Movement. The material is being placed in the shoreline/littoral drift area. Movement is expected.
- (4) Physical Effects on Benthos. Placement will result in the loss of benthic organisms at the placement site. These communities will reestablish quickly upon completion of work. Disruption of marine life at the placement area will be short term.
- (5) Other Effects. Standard manatee construction conditions will be required of all contractors. The work as proposed will not jeopardize protected species. No known historical properties will be affected by this project. The proposed work will result in some temporary disruption of normal vessel traffic in the harbor, but its completion will have a favorable impact on the operation of the port with a resulting beneficial effect on the local and regional economy. Temporary degradation in water quality at the dredging and disposal sites will also occur. Turbidity would be controlled to not impact adjacent seagrass beds. Beach

placement of material would affect sea turtle nesting. A nest relocation and monitoring program would be implemented during the nesting season 1 March through 30 November. There would also be an escarpment and compaction monitoring program after completion of the project.

(6) Actions Taken to Minimize Impacts. Turbidity curtains could be employed to reduce impacts on seagrass beds. The standard manatee protection conditions would also be employed to reduce potential for impacts.

b. Water Circulation, Fluctuation and Salinity Determinations

(1) Water

(a) Salinity. No impacts to salinity at disposal site.

(b) Water Chemistry. There will be no changes in water chemistry at the site.

(c) Clarity. There will be a temporary increase in turbidity level at the disposal site and immediately adjacent to the disposal area during the disposal operations.

(d) Color. Due to the minor silt content, there will be a brown turbidity plume associated with the discharge operations.

(e) Odor. There would be no odor problems associated with the dredged material since the material contains few organics and would not be exposed to the air.

(f) Taste. Not applicable.

(g) Dissolved Gas Levels..

(h) Nutrients. The material to be discharged is mainly sand with shell fragment, therefore no nutrients would be bound in the material and no release of nutrients would be anticipated.

(i) Eutrophication. No eutrophication is anticipated.

(2) Current Patterns and Circulation. Not applicable.

(3) Normal Water Level Fluctuations. Not applicable.

(4) Salinity Gradients. Not applicable.

(5) Actions That Will Be Taken to Minimize Impacts. The disposal site will be operated to maintain state water quality standards.

d. Suspended Particulate/Turbidity Determinations

(1) Expected Changes in Suspended Particulate and Turbidity Levels in Vicinity of Disposal Site. No changes are anticipated because the dredged material is sandy material containing few fines.

(2) Effects (degree and duration) on Chemical and Physical values

(a) Light penetration. Light penetration would be reduced during disposal operations. This would be short-term in duration and would not cause any significant adverse effects.

(b) Dissolved Oxygen. There would be no reduction in dissolved oxygen levels from the discharge of the sandy dredged material.

(c) Toxic Metals and Organics. No toxic materials are anticipated to be encountered.

(d) Pathogens. Not Applicable.

(e) Aesthetics. There will be an increase in noise levels and aesthetic degradation from the presence and operation of dredging equipment at the disposal site.

(f) Others as Appropriate. None.

(3) Effects on Biota (consider environmental values in sections 230.21, as appropriate)

(a) Primary Production, Photosynthesis. No photosynthesis occurs at this site.

(b) Suspension/Filter Feeders. Little or no impact is expected.

(c) Sight Feeders. Little or no impact is expected.

(4) Actions taken to Minimize Impacts. None required.

d. Contaminant Determinations. No contaminants have been previously encountered and therefore none are anticipated.

e. Aquatic Ecosystem and Organism Determinations

(1) Effects on Plankton. No significant effects.

(2) Effects on Benthos. No significant benthic populations are located in the disposal site and therefore no significant adverse impacts are anticipated.

(3) Effects on Nekton. None are anticipated.

(4) Effects on Aquatic Food Web. None are anticipated.

(5) Effects on Special Aquatic Sites. No special aquatic sites are located within the disposal site.

(a) Sanctuaries and Refuges. Not applicable.

(b) Wetlands. Not applicable.

(c) Mud Flats. Not applicable.

(d) Vegetated Shallows. Seagrasses could be affected. However, special conditions protecting this resource will be implemented to avoid seagrasses.

(e) Coral Reefs. Not applicable.

(f) Riffle and Pool Complexes. Not applicable.

(6) Threatened and Endangered Species. Manatees and sea turtles nesting on the beach could be affected.

(7) Other Wildlife. Not applicable.

(8) Actions to Minimize Impacts. The standard state and Federal manatee protection conditions would be implemented during dredging. This includes monitoring of manatee movements around dredges and if a manatee comes within the construction zone, the dredging operation will cease until the manatee moves outside the zone. During sea turtle nesting season (March 1 through October 5), a sea turtle nest monitoring and relocation program will be implemented not only for the placement area but also for the pipeline easement area

f. Proposed Disposal Site Determinations

(1) Mixing Zone Determination. No mixing will likely occur due to the sandy nature of the dredged material, the shallow water and the small quantity of fines associated with the material.

(2) Determination of Compliance with Applicable Water Quality Standards. Water quality certification has been issued by the State. Monitoring of the discharge site will be conducted to insure State standards met.

(3) Potential Effects on Human Use Characteristic

(a) Municipal and Private Water Supply. Not applicable.

(b) Recreational and Commercial Fisheries.

(c) Water Related Recreation. Not applicable.

(d) Aesthetics. The proposed discharge would increase noise and scenic degradation along the ocean front during disposal operations.

(e) Parks, National and Historical Monuments, National Seashores, Wilderness Areas, Research Sites, and Similar Preserves. Not applicable.

g. Determination of Cumulative Effects on the Aquatic Ecosystem. There would be no cumulative adverse impact on the aquatic environment.

h. Determination of Secondary Effects on the Aquatic Ecosystem. Not applicable.

4.2.6.1.1.1 Appendix F – Environmental Compliance

COMPLIANCE WITH ENVIRONMENTAL REQUIREMENTS.

1. **National Environmental Policy Act of 1969, as amended.** Environmental information on the project has been compiled and the draft Environmental Assessment, was made available for public review through public notice PN-JPA-201 dated June 21, 1995, in compliance with 33 CFR Parts 335-338. These regulations govern the Operations and Maintenance of US Army Corps of Engineers Civil Works Projects involving the Discharge of Dredged or Fill Material into Waters of the US or Ocean Waters. No adverse comments were received. This public coordination and environmental impact assessment complies with the intent of NEPA. The process will fully comply with the Act once the District Commander has signed the recommended Findings of No Significant Impact.
2. **Endangered Species Act of 1973, as amended.** Consultation with the US Fish and Wildlife Service and National Marine Fisheries Service for this project was conducted by letter dated December 8, 1989. In a response dated January 26, 1990, the USFWS concluded that the work would not likely jeopardize the continued existence of the manatee if the Standard manatee protection conditions are implemented. However, by letter dated March 6, 1990, the USFWS prepared a biological opinion for impacts to nesting sea turtles. A nest monitoring and relocation program will be conducted during the nesting period 1 March through October 31. In addition, an escarpment and compaction monitoring program will be conducted after beach placement to determine if tilling is necessary. The National Marine Fisheries Service concurred by letter dated December 18, 1989, in our no effects determination. A public notice (PN-JPA-201) coordinating the project on June 21, 1995, was sent to the US Fish and Wildlife Service and the National Marine Fisheries Service (NMFS) indicating nothing had changed since we previously coordinated. The NMFS responded concurring by letter dated July 13, 1995. A new resource survey was conducted March 24, 2000, of the area which indicated no new information about endangered species existed. This project was fully coordinated under the Endangered Species Act; therefore, this project is in full compliance with the Act.
3. **Fish and Wildlife Coordination Act of 1958, as amended.** The project has been coordinated with the USFWS during the public notice period. The USFWS did not respond during the public notice period so therefore, it is assumed they had no comments. Therefore, the project is in compliance with the Act.
4. **National Historic Preservation Act of 1966, as amended (PL 89-665).** An archival and literature review (including review of the current National Register of Historic Places listing and Master Site File records), a remote sensing survey and diver evaluations have been completed to determine if significant cultural resources are located within the area of impact for the proposed project. No significant cultural resources were located, therefore, it is not likely that significant cultural resources will be affected by advanced maintenance of the existing Federal channel. This determinations has been coordinated with the Florida State Historic Preservation Officer (SHPO). Therefore, the project is in compliance with this Act and with the Archeological and Historic Preservation Act, as amended (PL 93-291).

5. Clean Water Act of 1972, as amended.

Section 401. (Water Quality) A Florida Department of Environmental Protection (DEP) Water Quality Certificate (WQC) has been issued for the project. State water quality standards will be adhered to during construction. Various protective measures and monitoring programs will be conducted during construction to ensure compliance with State water quality standards

Section 404 (b)(1). The purpose of Section 404(b)(1) of the Clean Water Act is to restore and maintain the chemical, physical, and biological integrity of the waters of the United States through the control of discharges of dredged or fill material. Controls are established through restrictions placed on the discharges in Guidelines published in 40 CFR 230. An evaluation of the dredged material was conducted (Appendix I). The impacts are addressed in the Environmental Assessment and are primarily related to the covering of benthic organisms and impacts to sea turtle nesting.

Based on the probable impacts addressed in the draft environmental assessment, the 404(b)(1) evaluation and Inland Testing Manual requirements concerning the dredged material to be used, the proposed work would comply with the Guidelines and the intent of Section 404(b)(1) of the Clean Water Act.

6. Clean Air Act of 1972, as amended. No air quality permits will be required for this project. Therefore, this Act would not be applicable.

7. Coastal Zone Management Act of 1972, as amended. The project has been evaluated in accordance with Section 307 of the Coastal Zone Management Act. It has been determined that the project would have no unacceptable impacts and would be consistent with the Florida Coastal Management Plan (Appendix V). In accordance with the 1979 Memorandum of Understanding and the 1983 Addendum to the Memorandum concerning acquisition of water quality certifications and other State of Florida authorizations, the preliminary Environmental Assessment and Section 404(b)(1) Evaluation have been submitted to the State in lieu of a summary of environmental impacts to show consistency with the Florida Coastal Zone Management Plan. Final state concurrence is issued concurrently with the issuance of the Water Quality Certification.

8. Farmland Protection Policy Act of 1981. No prime or unique farmland will be impacted by implementation of this project. This act is not applicable.

9. Wild and Scenic River Act of 1968, as amended. No designated Wild and Scenic river reaches will be affected by project related activities. This act is not applicable.

10. Marine Mammal Protection Act of 1972, as amended. Incorporation of the safe guards

used to protect manatees during dredging and disposal operations will be implemented during construction, therefore, this project is in compliance with the Act.

11. **Estuary Protection Act of 1968.** No designated estuary will be affected by project activities. This act is not applicable.

12. **Federal Water Project Recreation Act, as amended.** There is no recreational development proposed for maintenance dredging or disposal. Therefore, this Act does not apply.

13. **Resource Conservation and Recovery Act of 1976, (PL 94-580; 7 U.S.C. 100, et seq.** This law has been determined not to apply, as there are no items regulated under this act being disposed of or affected by this project.

14. **Toxic Substances Control Act of 1976, (PL 94-469; U.S.C. 2601, et seq.** This law has been determined not to apply, as there are no items regulated under this act being disposed of or affected by this project.

15. **E.O. 11990, Protection of Wetlands.** No wetlands will be affected by project activities. This project is in compliance with the goals of this Executive Order.

16. **E.O. 11988, Floodplain Management.** No activities associated with this project will take place within a floodplain; therefore this project is in compliance with the goals of this Executive Order.

17. **E.O. 12898, Environmental Justice.** This project has been evaluated in accordance with the subject E.O. The project would not result in adverse human health or environmental effects. There would be no impacts on subsistence consumption of fish or wildlife from this project. Therefore, the work would comply with this E.O.

18. **Essential Fish Habitat, Magnuson-Stevens Fishery Conservation and Management Act.** The affects of the maintenance dredging of an existing federal navigation project have been identified in the Environmental Assessment. This project is exempt from EFH coordination since the public notice was issued prior to the Act.