

DRAFT SUPPLEMENTAL FINDING OF NO SIGNIFICANT IMPACT

**ROSE BAY SECTION 206 ECOSYSTEM RESTORATION PROJECT
VOLUSIA COUNTY, FLORIDA**

I have reviewed the information provided in this Finding as well as the Environmental Assessment (EA) for the proposed action. This Finding incorporates by reference all discussions and conclusions contained in the Environmental Assessment enclosed hereto. Based on information analyzed in this Finding and the EA, reflecting pertinent information obtained from agencies having jurisdiction by law and/or special expertise, I conclude that the proposed action will not significantly impact the quality of the human environment and does not require an Environmental Impact Statement. Reasons for this conclusion are in summary:

a. This Finding supplements the Finding and EA that were completed in 2004.

b. The objective of the Rose Bay Section 206 Ecosystem Restoration Project is to dredge accumulated sediment in order to restore benthic habitat within the estuary. As stated in the EA, dredged material was to be placed within a temporary disposal site adjacent to the bay. This would have impacted 18.02 acres of marsh, 0.52 acres of mangroves, and 0.52 acres of uplands. The government now proposes to place this material within an existing upland disposal site next to the Intracoastal Waterway. This 20 acre site is a disturbed upland area that has been used for disposal purposes in the past. Dredged material from Rose Bay would be piped to the site, and the pipeline corridor would follow open water as well as the FP&L right-of-way through salt marsh. The right-of-way is a straight line opening through the marsh. All pipes would be removed upon completion of the project. Placing dredged material within this existing disposal site would have fewer environmental impacts than the original plan, and would be the least cost disposal option.

c. The Florida Department of Environmental Protection issued a Noticed General Permit for this project on June 25, 2002. A modification to this permit approving the use of the existing upland disposal site adjacent to the Intracoastal Waterway was issued on September 21, 2007.

d. State concurrence with the Coastal Zone Consistency (CZM) Determination (Appendix B of the EA) was given with the issuance

of the Noticed General Permit and the subsequent permit modification.

e. The work would be performed in compliance with the coordination conducted with the US Fish and Wildlife Service and NOAA Fisheries. The proposed action would not jeopardize the continued existence of any threatened or endangered species or impact any designated "critical habitat." Use of the disposal site adjacent to the Intracoastal Waterway would have no effect on threatened and endangered species.

f. The Corps has determined that the use of the existing upland disposal site would have no effect on cultural resources. This determination is being coordinated with the Florida State Historic Preservation Officer.

g. Measures to eliminate, reduce, or avoid potential impacts to fish and wildlife resources, including the following: (1) gopher tortoises would be relocated per state requirements; (2) The Jacksonville District's Migratory Bird Protection Policy would be followed if any migratory birds are encountered.

Paul L. Grosskruger
Colonel, U.S. Army
District Engineer

Date

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