

CESAJ-RD-NC (1145b)
SAJ-2008-1387(IP-AWP)

26 August 2008

MEMORANDUM FOR RECORD

SUBJECT: Department of the Army Statement of Findings for the
Above-numbered Permit Application

1. Applicant: Florida Department of Transportation, District 3
Attn: Joy Giddens
1074 Highway 90
Chipley, Florida 32428

2. Location, Project Description, Existing Conditions: The project is the removal of the abandoned DuPont Bridge which traverses the Gulf Intracoastal Waterway (GWII) (St. Andrews Bay) between Tyndall Air Force Base and Parker, Florida. The bridge is located adjacent to the Tyndall Parkway, in Sections 25 and 35, Township 4 South, Range 14 West, Bay County, Florida.

The applicant proposes to remove the abandoned DuPont Bridge. No blasting is proposed. The center spans of the bridge have already been removed. The bridge is being demolished because it was deemed a potential safety hazard by the Florida Department of Transportation. The demolition involves the removal of two (2) end bents, twenty (20) intermediate bents and seven (7) piers. The existing end bents will be removed entirely or below the mud line in areas where seagrass may recruit. In areas outside of potential seagrass recruitment, the end bents will be removed below the mud line or cut at the mud line. A barge mounted crane will be utilized to remove the existing end bents and intermediate bents. The substrate will be restored to initiate recolonization by seagrass. The applicant has developed a Seagrass Protection and Substrate Restoration Plan to aid in the avoidance/minimization of seagrass impacts.

The seven (7) large piers supporting the truss spans will be removed. The piers are attached to a "caisson" (a concrete and steel foundation) which supports bridge piers. The applicant will remove the piers and caissons to an elevation of -20 feet Mean Low Water (MLW) leaving 20 feet of navigable clearance. The applicant proposes to cut the caissons and remove the

CESAJ-RD-NC SAJ-2008-1387(IP-AWP)
SUBJECT: Department of the Army Statement of Findings on the
Above-Numbered Permit Application.

caisson and pile in-place which will eliminate the need for
blasting.

The applicant has documented seagrass bed within 200-feet of the
shoreline. No seagrass was observed around the caisson
locations. Water depth within the Gulf Intracoastal Waterway
is approximately 44-feet deep and decreases as you move toward
the shorelines.

3. Basic Project Purpose: Basic: The removal of the abandoned
DuPont Bridge.

Overall: The removal of the abandoned DuPont Bridge, and
authorization of the abandoned pier caissons which will remain
after construction.

4. Statutory Authority: Section 10 of the Rivers and Harbors
Act of 1899 (33 U.S.C. 403)

5. Other Federal, State, and Local Authorizations Obtained or
Required and Pending:

a. State Permit/Certification: The Department of
Environmental Protection (DEP) issued permit number 03-0288372-
001 on XXXX.

b. Coastal Zone Management (CZM) consistency/permit: There
is no evidence or indication from the State of Florida that the
project is inconsistent with the Florida Coastal Zone Management
Plan. Issuance of a DEP permit certifies that the project is
consistent with the CZM plan.

c. Other Authorizations: No information has been received
regarding any other authorizations that may be required.

6. Date of Public Notice and Summary of Comments

a. The application was received and considered completed on
28 April 2008. A 30-day public notice was issued on 5 May 2008,
and sent to all interested parties including appropriate State
and Federal agencies. All comments received on this application
have been reviewed and are summarized below:

CESAJ-RD-NC SAJ-2008-1387(IP-AWP)

SUBJECT: Department of the Army Statement of Findings on the Above-Numbered Permit Application.

(1) Environmental Protection Agency (EPA): The EPA had did not respond to the coordination letter.

(2) U.S. Fish and Wildlife Service (FWS): By electronic mail dated 20 May 2008, the FWS had no objection to the proposed project.

(3) National Marine Fisheries Service (NMFS): By electronic mail dated 3 June 2008, the NMFS had no objection to the proposed project.

(4) State Historic Preservation Officer (SHPO): By phone conversation with Sherry Anderson on 5 June 2008, SHPO did not have any objects to the issuance of a permit. The bridge is on the SHPO list; however the applicant has worked with SHPO to resolve all concerns regarding removal.

(5) U.S. Coast Guard (USCG): The USCG responded via electronic mail dated 15 May 2008, stating the Department of the Army issued a permit in 1963 which authorized the removal of the center spans of the bridge and removal of the piers and caissons to an elevation of -20 feet MLW. The USCG recommended that any permits authorized require the removal of the piers to the mud line. The USCG stated any portion of the pier or caisson remaining is considered a possible hazard to navigation and the U.S. Army Corps of Engineers (Corps) will be responsible for any vessels that may strike the piers or caisson.

(6) Construction Operations (Con-Ops): The Corps, Jacksonville District has coordinated with the Corps, Mobile District Con-Ops Division who maintains the navigable channel at the project location. Con-Ops has determined the proposed activities occur outside of the federal right-of-way and the project will not impact the Gulf Intracoastal Waterway. Con-Ops has no objection to the issuance of a Department of the Army permit.

(7) No comments were received from State or Local agencies, organizations, individuals or any other interested party.

CESAJ-RD-NC SAJ-2008-1387(IP-AWP)
SUBJECT: Department of the Army Statement of Findings on the
Above-Numbered Permit Application.

b. Applicant's response to the comments: The comments were coordinated with the applicant via teleconference on 12 June 2008. In response to the comments, the applicant submitted project revisions on 17 June 2008. The revised plans require the removal of the pier and caissons to an elevation of -20 feet below MLW. No blasting is proposed and the applicant will incorporate the Endangered Species Watch Plan.

7. Public Interest Review: The Corps reviewed all of the public interest factors including, but not limited to, the effects the work might have on conservation, economics, esthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, land use, navigation, shore erosion and accretion, recreation, water quality, safety, and consideration of property ownership. The Corps has determined there is a public and private need for the proposed work due to the safety hazards which exist. Due to the type of work there should be no adverse cumulative or secondary impacts. No detrimental impacts are expected in the construction area. All in-water impacted areas will be restored to allow recolonization of seagrass. The removal of the abandoned bridge will reduce the possibility of vessel strikes to the bridge itself. All debris that will remain on the bay bottom will be identified on National Oceanic and Atmospheric Association navigational charts which inform the public of possible navigational hazards. The applicant will remove all material to an elevation of -20 feet MLW which will provide sufficient navigational clearance. The beneficial effects associated with the project include increased public safety and removal of navigation hazards. There are no unresolved conflicts regarding resource use. Therefore, the Corps has determined that the proposed work is not contrary to public interest and should not pose any hazards to navigation.

8. Threatened or Endangered Species: The proposed project will not jeopardize the continued existence or critical habitat of any threatened or endangered species. Since the project involves in-water work activities in waters accessible to the West Indian manatee the Corps determined the project "may affect, but is not likely to adversely affect" the West Indian manatee. The applicant has agreed to incorporate the Manatee Construction Conditions. The FWS responded via electronic

CESAJ-RD-NC SAJ-2008-1387(IP-AWP)

SUBJECT: Department of the Army Statement of Findings on the Above-Numbered Permit Application.

letter dated 20 May 2008, stating with the incorporation of the applicant's Endangered Species Watch Plan, and inclusion of the Manatee Construction Conditions, they concur with our determination. The FWS also provided the following comments in response to the Fish and Wildlife Act. The applicant should mark the limits of seagrass areas, all vessels should be excluded from seagrass areas, once demolition is complete the substrate shall be restored back to existing conditions prior to demolition.

9. Essential Fish Habitat: The public notice included a determination that the project would not have an adverse impact on EFH or Federally managed fisheries based on the project's design. The NMFS did not provide any EFH conservation recommendations in response to the coordination letter. Therefore, the Corps is satisfied that the consultation procedures outlined in 50 CFR Section 600.920 of the regulation to implement the EFH provisions of the Magnuson-Stevens Act have been met.

10. Determinations:

a. Section 176(c) of the Clean Air Act General Conformity Rule Review: The proposed permit action has been analyzed for conformity applicability pursuant to regulations implementing Section 176(c) of the Clean Air Act. It has been determined that the activities proposed under this permit will not exceed *de minimis* levels of direct emissions of a criteria pollutant or its precursors and are exempted by 40 CFR Part 93.153. Any later indirect emissions are generally not within the Corps' continuing program responsibility and generally cannot be practicably controlled by the Corps. For these reasons a conformity determination is not required for this permit action.

b. Public interest determination: I find that issuance of a Department of the Army permit is not contrary to the public interest.

PREPARED BY:

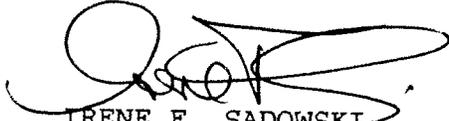
CESAJ-RD-NC SAJ-2008-1387(IP-AWP)
SUBJECT: Department of the Army Statement of Findings on the
Above-Numbered Permit Application.

PREPARED BY:



ANDREW W. PHILLIPS
Project Manager

REVIEWED BY:



IRENE F. SADOWSKI
Chief, Cocoa Permits
Section

APPROVED BY:


for PAUL L. GROSSKRUGER
Colonel, Corps
of Engineers Commanding