

**APPENDIX G-3**  
**CORRESPONDENCE**



## Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Ryan E. Matthews  
Interim Secretary

February 22, 2017

Aubree Hershorin, Ph.D.  
Plan Formulation Branch  
Coastal/Nav Section Planning and Policy Division  
U.S. Army Corps of Engineers  
701 San Marco Blvd.  
Jacksonville, FL 32207

RE: Department of the Army - District Corps of Engineers - Integrated Draft Feasibility Study and Environmental Assessment of a Coastal Storm Risk Management Project, St. Johns County, Florida.  
SAI # FL201602247563C

Dear Ms. Hershorin:

The Florida State Clearinghouse has coordinated the state's review of the Draft IFS/EA under the following authorities: Presidential Executive Order 12372; Section 403.061(42), *Florida Statutes*; the Coastal Zone Management Act (16 U.S.C. §§ 1451 *et seq.*, as amended); and the National Environmental Policy Act (42 U.S.C. §§ 4321-4347, as amended).

The Florida Department of Environmental Protection and the Florida Fish and Wildlife Conservation Commission submitted comments, concerns and recommendations regarding the Draft IFS/EA in the attached memorandum, letter and Clearinghouse database report, which are incorporated herein by this reference and made an integral part of this letter.

Based on the information contained in the Draft IFS/EA and the enclosed state agency comments, the state has determined that, *at this stage*, the proposed federal activities are consistent with the Florida Coastal Management Program (FCMP) and should not compromise state water quality standards. To ensure the project's continued consistency with the FCMP, the concerns identified by our reviewing agencies must be addressed prior to project implementation. The state's continued concurrence will be based on the activities' compliance with FCMP authorities, including federal and state monitoring of the activities to ensure their continued conformance, and the adequate resolution of issues

Aubree Hershorin  
SAI# FL201602247563C  
February 22, 2017  
Page 2

identified during this and subsequent regulatory reviews. The state's final concurrence of the project's consistency with the FCMP and water quality certification will be determined during the environmental permitting process, in accordance with Section 373.428, *Florida Statutes*.

Thank you for the opportunity to review the draft document. Should you have any questions regarding this letter, please don't hesitate to contact me at [Chris.Stahl@dep.state.fl.us](mailto:Chris.Stahl@dep.state.fl.us) or (850) 717-9076.

Yours sincerely,

*Chris Stahl*

Chris Stahl, Coordinator  
Florida State Clearinghouse  
Office of Intergovernmental Programs

Enclosures

cc: Roxane Dow, DEP BMESP  
Scott Sanders, FWC



## Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Ryan E. Matthews  
Interim Secretary

### Memorandum

**TO:** Chris Stahl, Coordinator, Florida State Clearinghouse  
**FROM:** Roxane Dow, Beaches, Inlets and Ports Program  
**SUBJECT:** Draft Integrated Feasibility Study and Environmental Assessment (EA) for St. John's County.  
**DATE:** February 22, 2017

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The Army Corps of Engineers (Corps) examined opportunities to reduce the risk of coastal damages and improve conditions on roughly 9.8 miles of beach. The study area consisted of 3.8 miles in the South Ponte Vedra area, 3.7 miles in Vilano Beach and 2.3 in Summer Haven.

The tentatively selected plan (TSP) includes beach and dune nourishment within the Vilano Beach reach and a small portion of the South Ponte Vedra Beach reach ( R103.5-116.5). During the study process, the team screened out the Summer Haven area because St. Johns County is already conducting managed retreat; and, most of the South Ponte Vedra area due to its lack of public parking and access.

The TSP design consists of a 60-foot seaward berm extension and maintenance of the existing dune along 2.6 miles, approximately from the southern end of the Serenata Beach Club to San Pelayo Court. Initial construction would use about 1.3 million cubic yards of material and the periodic nourishments would use roughly 866,000 cubic yards each. The sand source is the St. Augustine Inlet system, in accordance with the St. Augustine Inlet Management Plan.

Staff from the Division of Water Resource Management worked with the Corp on the study and concur that the study and EA are consistent with our authorities under the Coastal Zone Management Plan. Final consistency for construction will be in the form for a permit issued by the Department.

cc. Lainie Edwards



## Florida Fish and Wildlife Conservation Commission

### Commissioners

**Brian Yablonski**  
Chairman  
Tallahassee

**Aliese P. "Liesa" Priddy**  
Vice Chairman  
Immokalee

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**Robert A. Spottswood**  
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*Managing fish and wildlife  
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March 31, 2016

Chris Stahl, Coordinator  
Florida State Clearinghouse  
Florida Department of Environmental Protection  
3900 Commonwealth Blvd, M.S. 47  
Tallahassee, FL 32399-3000  
[Chris.Stahl@dep.state.fl.us](mailto:Chris.Stahl@dep.state.fl.us)

Re: SAI #FL201602247563C, Department of the Army, Jacksonville District Corps of Engineers, Draft Integrated Feasibility Study and Environmental Assessment, Coastal Storm Risk Management Project, St. Johns County

Dear Mr. Stahl:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the above-referenced project, and provides the following comments and recommendations for your consideration in accordance with Chapter 379, Florida Statutes, and the Coastal Zone Management Act, Florida's Coastal Management Program.

### Project Description

The U.S. Army Corps of Engineers (USACE) is conducting a feasibility study to investigate alternatives for coastal storm risk management of three reaches along the Atlantic coast of St. Johns County: 1) South Ponte Vedra from Florida Department of Environmental Protection (FDEP) monuments R-84 to R-104 (3.8 miles), 2) Vilano Beach from R-104 to R-117 (2.6 miles) and R-117 to the St. Augustine Inlet North Sand-trap Groin (1.1 miles), and 3) Summer Haven from R-197 to R-209 (2.3 miles). The USACE has prepared an interim Draft Integrated Feasibility Study and Environmental Assessment report that describes existing conditions of these three areas: projected conditions if a project is not implemented to address impacts from storm-induced beach erosion; formulation of plan alternatives; and environmental effects that may be associated with a plan.

The USACE has examined and conducted modeling of structural and non-structural management measures with the goal of arriving at a plan that would address erosion-related problems while maximizing benefits, including protection and enhancement of natural resources. The tentatively selected plan consists of:

- Construction of a 60-foot berm extension, a portion reflecting the average 2015 dune position, and tapers extending from monument R-102.5 to R-117.5.
- Dune construction material will consist of sand hydraulically dredged from the St. Augustine Inlet system, including the ebb, flood, Vilano Point Shoals, federal navigation channel, and associated shoals.
- Construction will include an initial event and four periodic nourishment events over 12-year intervals.

As discussed in Section 3.8 of the report, the USACE has eliminated the Summer Haven reach from further analysis based in part on the following:

- Major infrastructure, such as State Road A1A, has already been relocated landward due to erosion.
- The project's local sponsor, St. Johns County, has been purchasing properties within the Summer Haven beach area and is precluding them from development.
- With the number of structures in the area getting smaller, the USACE believes it unlikely that damages would justify a federal Coastal Storm Risk Management project.

### Potentially Affected Resources

Section 2.3.3 of the draft report identifies the following as species for which the proposed project areas may provide habitat:

- Green sea turtle (*Chelonia mydas*, Federally Endangered [FE])
- Loggerhead sea turtle (*Caretta caretta*, Federally Threatened [FT])
- Leatherback sea turtle (*Dermochelys coriacea*, FE)
- Kemp's ridley sea turtle (*Lepidochelys kempii*, FE)
- Hawksbill sea turtle (*Eretmochelys imbricate*, FE)
- West Indian manatee (Florida manatee, *Trichechus manatus latirostris*, FE)
- Smalltooth sawfish (*Pristis pectinate*, FE)
- Piping plover (*Charadrius melodus*, FT)
- Red knot (*Calidris canutus*, FT)
- Anastasia Island beach mouse (*Peromyscus polionotus phasma*, FE)
- North Atlantic right whale (*Eubalaena glacialis*, FE)

In addition, portions of the proposed project area are known to provide habitat for least terns (*Sterna antillarum*, State Threatened).

### Comments

Section 4 of the report addresses anticipated effects that may result from the tentatively selected plan. The USACE has determined that the tentatively selected plan "may affect but is not likely to adversely affect" sea turtles in the water, manatees, right whales, or the smalltooth sawfish. FWC staff recognizes that a number of measures for avoiding and minimizing potential impacts to these species are identified in the report, including:

- Adherence to the terms and conditions of the National Marine Fisheries Service (NMFS) South Atlantic Division Regional Biological Opinions (SARBO) that are intended to minimize incidental take of marine turtles.
- Adherence to the U.S. Fish and Wildlife Service's revised State Programmatic Biological Opinion, dated August 22, 2011, for the USACE planning and regulatory sand placement activities and their effects on sea turtles and beach mice.
- Specific protective measures for manatees and North Atlantic right whales.
- Implementation of USACE migratory bird protection measures if construction occurs in summer months.

FWC staff is available to assist in refining measures discussed in the report, as well as formulating additional avoidance and minimization measures for fish and wildlife resources as project specifications are developed.

While the Summer Haven reach has been excluded from further consideration, FWC staff provides the following information should this beach area be discussed at some future point in the

project study. FDEP issued Joint Coastal Permit (JCP) Number 0313002-001-JC to the St. Augustine Port, Waterway, and Beach District on February 6, 2014, for excavation of sand from the Summer Haven River, placement of the sand onto the adjacent beach for restoration of a dune system between monuments R-200 and R-208, and creation of least tern habitat. In 2008, a breach occurred on the south side of R-200 and natural coastal processes subsequently deposited sand into the river closing the breach in 2011. Since 2010 the beach area between R-200 and R-202 has provided habitat for a nesting colony of least terns. The project authorized by the JCP will result in "take" of the state-listed least tern (as defined in Chapter 68A-27, Florida Administrative Code), and therefore necessitated issuance of an Incidental Take Permit from FWC. Should a project be proposed by the USACE in the Summer Haven reach or any other area within least tern or other listed species habitat, the requirements of Chapter 68A-27 would apply.

We appreciate the opportunity to review the Draft Feasibility Study and EA and we look forward to further coordination during preparation of the final reports to ensure that potential impacts to fish and wildlife resources are minimized. We find the information submitted in this conceptual Draft Integrated Feasibility Study and Environmental Assessment consistent with FWC's authorities under Chapter 379, F.S. We will continue to work with the applicant as new information is incorporated into the Draft Integrated Feasibility Study and Environmental Assessment to help ensure the project remains consistent with Chapter 379, F.S. If you need any further assistance, please do not hesitate to contact Jane Chabre either by phone at (850) 410-5367 or by email at [FWCConservationPlanningServices@MyFWC.com](mailto:FWCConservationPlanningServices@MyFWC.com). If you have specific technical questions regarding the content of this letter, please contact Laura DiGruttolo by phone at (352) 732-1225 or by email at [Laura.DiGruttolo@MyFWC.com](mailto:Laura.DiGruttolo@MyFWC.com).

Sincerely,



Jennifer D. Goff  
Land Use Planning Administrator  
Office of Conservation Planning Services

jdg/lld  
ENV 1-3-2  
Coastal Storm Risk Management Project EA\_30540\_033116

cc: Aubree Hershorin, Ph.D., USACE, [Aubree.G.Hershorin@usace.army.mil](mailto:Aubree.G.Hershorin@usace.army.mil)



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
701 SAN MARCO BOULEVARD  
JACKSONVILLE, FLORIDA 32207-0019

REPLY TO  
ATTENTION OF

Planning and Policy Division  
Environmental Branch

FEB 14 2017

Ms. Virginia Fay  
Assistant Regional Administrator  
Habitat Conservation Division  
National Marine Fisheries Service  
263 13<sup>th</sup> Avenue South  
St. Petersburg, Florida 33701-5505

Dear Ms. Fay:

This letter acknowledges the U. S. Army Corps of Engineers (Corps), Jacksonville District, receipt of your January 20, 2017 letter regarding the Essential Fish Habitat (EFH) consultation for the Integrated Feasibility Study and Environmental Assessment, Coastal Storm Risk Management Project, South Ponte Vedra Beach, Vilano Beach, and Summer Haven Reaches, St. Johns County, Florida. The National Marine Fisheries Service (NMFS) continues to express concern regarding potential impacts to EFH resulting from this project. The Corps reviewed and considered the remaining concerns presented by NMFS in its most recent letter, and has prepared the enclosed responses as required under the Magnuson-Stevens Fisheries Conservation and Management Act [MSFCMA; 50 CFR § 600.920(k)].

The Corps appreciates the input provided by NMFS on this project to develop measures that avoid impacts to National Oceanic and Atmospheric Association's trust resources. The submission of the enclosed responses completes the Corps' requirements for EFH consultation under the MSFCMA's EFH provisions. Any questions regarding this project should be directed to Dr. Aubree Hershorin at the letterhead address, or by telephoning 904-232-2136.

Sincerely,

Gina Paduano Ralph, Ph.D.  
Chief, Environmental Branch

Enclosure

Copy Furnished:

Dr. Ken Riley, 101 Pivers Island Road, Beaufort, North Carolina, 28516-9722

FEB 14 2017

**INTEGRATED FEASIBILITY STUDY AND ENVIRONMENTAL ASSESSMENT  
COASTAL STORM RISK MANAGEMENT PROJECT  
South Ponte Vedra Beach, Vilano Beach, and Summer Haven Reaches  
St. Johns County, Florida**

**U.S. Army Corps of Engineers (Corps) Responses to  
National Marine Fisheries Service 10-Day Letter (January 20, 2017)**

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National Marine Fisheries Service (NMFS) conservation recommendations are listed below in bold, with their subsequent comments in italics and the U.S. Army Corps of Engineers Jacksonville District (Corps) response is provided for each.

**1. Best management practices, such as restricting the time of year that construction activities including sand mining, beach and dune nourishment, and berm erection, should be included to reduce impacts to EFH and vulnerable life stages of federally managed fishery species.**

*The District's letter indicates the CSRM project will implement best management practices during project construction to minimize impacts to EFH while also considering risks to other protected species. The NMFS believes the District's letter minimally addresses the specific timing or environmental window for scheduling in-water construction and dredging. The NMFS believes the CSRM project would minimize impacts to larval and juvenile fishes as well as benthic fauna by maintaining the requirement for in-water construction to occur only during the winter months (November 1 to April 30). Adherence to this window would ensure sediment removal and placement occurs before the spring recruitment period for fish and invertebrates and seasonal peaks in biological productivity. The NMFS concludes more information is needed on build plans and construction timing to fully address conservation recommendation 2.*

The Corps maintains that the impacts that may occur to larval fishes, juvenile fishes, and benthic fauna are temporary in nature and limited in scope to a small dredge area. Turbidity impacts are anticipated to be minimal and localized in nature due to the coarse sand located in the sand source area. Further, the renourishment interval for this project is 12 years; therefore, impacts will occur infrequently.

The Corps will attempt to manage construction timeframes to minimize impacts to EFH while also considering the risks to other protected species (including sea turtles and shorebirds). Funding restrictions and limitations must also be taken into account when managing construction schedules. The NMFS-recommended windows will be taken into consideration to the maximum extent practicable. The Corps maintains that the temporary, limited, and infrequent dredging proposed at the ebb shoal of the St. Augustine Inlet will have minimal effects on essential fish habitat.

**2. A scientifically supported rationale should be provided for concluding impacts to benthic communities at beach nourishment sites would be minimal. Alternatively, best management practices should be included in the design of beach and dune nourishment and a monitoring program should be in place to evaluate the effectiveness of those best management practices.**

*The District indicates a substantial number of studies demonstrate the effects of beach nourishment on benthic invertebrates. While we generally agree, there is a need for regional appraisal of impacts on nourished beaches and indirect impacts on prey resources and foraging habitat provided by the beach shoreline complex. The District's letter references two peer-reviewed studies that are quite distant from the project location (i.e., North Carolina and Australia). The District should base its recovery rate forecasts on relevant peer-reviewed studies conducted within the same biogeographic province as the project. The CSRMP project should include a biological monitoring and adaptive management plan that reflects substantive input from NMFS to assess degradation of benthic habitats along the 60-foot equilibrated seaward berm extension. Additionally, the NMFS recommends the Jacksonville District consider modifications to engineering and construction practices referenced in Schlacher et al. (2012) to minimize ecological impacts. Most notable is the guidance for sand fill to minimize mortality by burial and preservation of unfilled intertidal areas that foster re-colonization of resident fauna. The NMFS concludes more information and a scientifically supported rationale is needed to conclude impacts to benthic communities at beach nourishment sites would be temporary and minimal.*

While the Corps generally agrees that additional site-specific information on impacts to benthic communities at beach nourishment sites would be beneficial, studies conducted at other sites provide adequate basis for concluding that minimal, temporary impacts to the benthic communities at the placement site would occur. While these studies may have limitations, it is outside of the authority provided under the Corps' flood risk management program to conduct research.

In addition to the studies previously cited, Bowen and Marsh (1988) studied benthic faunal colonization of a borrow pit associated with the Delray Beach, Florida, beach nourishment project. They found abundance of organisms peaked at 170 days post-dredging, and species richness peaked at 296 days post-dredging.

The recovery after 296 days was found to mimic that of a five-year-old borrow pit, although they noted differences in species composition between the two pits. Wilber et al. (2003) conducted extensive sampling of surf zone fisheries between 1995 and 1999 on the northern coast of New Jersey. They noted that the impacts of beach nourishment on the species monitored were primarily attraction and avoidance responses to the construction operation. They recommended future studies focus on specific mechanisms of impacts to species of concern. An unpublished study by Lacharmoise, Barrailler, and Horwell (2003) found that *Emerita* and *Donax* spp. populations, while impacted during nourishment, had fully recovered by the year following nourishment. Finally, Hayden and Dolan (1974) suggested that beach nourishment most likely causes the redistribution of sand crabs (*Emerita talpoida*) rather than massive mortality, which is more apparent with higher fines content. Since the time of the Hayden and Dolan study, most states have implemented strict standards and sand grain size and color for sediments intended for beach placement. The sediment located in the St. Augustine Inlet system is within the sand sharing system of the adjacent beaches, and is compatible with the sediment at the placement site.

Sand placement occurs primarily above the mean low water line. Sand movement during the beach equilibration process is gradual, and impacts to benthic species are likely to be similar to those experienced during a large storm event. The purpose of this project is to provide flood protection to coastal infrastructure from coastal storms. While the recommendations made in Schlacher, et al. (2012), may be implementable for projects beneficially using dredged materials, their implementation as part of a coastal storm risk management project would not meet the project's objectives.

#### REFERENCES:

- Bowen, P. R., & Marsh, G. A. (1988). Benthic faunal colonization of an offshore borrow pit in Southeastern Florida. US Army Corps of Engineers, Environmental Laboratory.
- Hayden, B., & Dolan, R. (1974). Impact of Beach Nourishment on Distribution of *Emerita Talpoia*, the Common Mole Crab. Journal of the Waterways, Harbors and Coastal Engineering Division, 100(2), 123-132.
- Lacharmoise, F., V. Barrailler, and T. Horwell. (2003). Beach Nourishment on Invertebrate Population Densities. (unpublished) Brevard County, Florida.
- Wilber, D. H., Clarke, D. G., Ray, G. L., & Burlas, M. H. (2003). Surf zone fish responses to beach nourishment on the northern coast of New Jersey. *Marine Ecology Progress Series*, 250, 231-246.



## United States Senate

WASHINGTON, DC 20510-0905

BILL NELSON  
FLORIDA

February 2, 2017

Lieutenant General Todd Semonite  
Commanding General and Chief of Engineers  
U.S. Army Corps of Engineers  
441 G Street NW  
Washington, DC 20314

Dear Lieutenant General Semonite,

I urge you to expedite two important beach renourishment projects in St. Johns that are critical to helping the county recover from Hurricane Matthew and protect coastal infrastructure against future storms.

The first project, the St. Johns County Coastal Storm Risk Management Project, needs federal funding for the design phase, which can be paid for with disaster relief funding that Congress provided the Army Corps in the recently passed Continuing Resolution (P.L. 114-254).

The second project, the St. Johns County Beach Erosion Control Project, is scheduled to receive renourishment funding this spring. I ask that you do everything in your power to ensure this renourishment is completed as quickly as possible.

Together, these two projects would bolster the shoreline in St. Johns County, protect the area from future storm damage, and provide important habitat for nesting sea turtles. The Army Corps should work with the local community to complete them in a timely manner.

Thank you for consideration of this request.

Sincerely,

A handwritten signature in blue ink that reads "Bill Nelson". The signature is fluid and cursive, with a long, sweeping underline.



**UNITED STATES DEPARTMENT OF COMMERCE**  
National Oceanic and Atmospheric Administration  
**NATIONAL MARINE FISHERIES SERVICE**  
Southeast Regional Office  
263 13th Avenue South  
St. Petersburg, Florida 33701-5505  
<http://sero.nmfs.noaa.gov>

January 20, 2017

F/SER47:KR/pw

(Sent via Electronic Mail)

Colonel Jason A. Kirk, Commander  
Jacksonville District Corps of Engineers  
PO Box 4970  
Jacksonville, Florida 32232-0019

Attention: Aubree G. Hershorin

Dear Colonel Kirk:

NOAA's National Marine Fisheries Service (NMFS) reviewed the letter dated, December 28, 2016, from the Jacksonville District regarding the draft *Integrated Feasibility Study and Environmental Assessment, Coastal Storm Risk Management Project, South Ponte Vedra Beach, Vilano Beach, and Summer Haven Reaches, St. Johns County, Florida (CSRM)*. The Jacksonville District proposes projects to increase beach and shoreline protection along 9.8 miles of beach in St. Johns County. The letter replies to conservation recommendations the NMFS provided by letter dated April 4, 2016, to protect essential fish habitat (EFH).

The NMFS recommended:

1. A scientifically supported rationale should be provided for assessment of alternative sand sources not included in the TSP; preferably from offshore sources or upland dredged material management areas; and capable of providing the required beach compatible sand while reducing impacts to critically important EFH associated with tidal inlets.
2. Best management practices, such as restricting the time of year that construction activities including sand mining, beach and dune nourishment, and berm erection, should be included to reduce impacts to EFH and vulnerable life stages of federally managed fishery species.
3. A scientifically supported rationale should be provided for concluding impacts to benthic communities at beach nourishment sites would be minimal. Alternatively, best management practices should be included in the design of beach and dune nourishment and a monitoring program should be in place to evaluate the effectiveness of those best management practices.
4. A scientifically supported rationale should be provided for concluding impacts to nearshore hardbottom communities within the project area would be minimal. Alternatively, environmental and geological surveys would assess the extent of nearshore hardbottom habitat that would be impacted and a monitoring program should be in place to avoid and minimize sand placement on nearshore hardbottom habitats.



The District describes the extensive sand search undertaken to locate sand resources suitable for placement at the project site. Available offshore sand sources are distant and insufficient in quantity to be cost effective. The NMFS concludes the rationale provided addresses conservation recommendation 1.

The District's letter indicates the CSRM project will implement best management practices during project construction to minimize impacts to EFH while also considering risks to other protected species. The NMFS believes the District's letter minimally addresses the specific timing or environmental window for scheduling in-water construction and dredging. The NMFS believes the CSRM project would minimize impacts to larval and juvenile fishes as well as benthic fauna by maintaining the requirement for in-water construction to occur only during the winter months (November 1 to April 30). Adherence to this window would ensure sediment removal and placement occurs before the spring recruitment period for fish and invertebrates and seasonal peaks in biological productivity. The NMFS concludes more information is needed on build plans and construction timing to fully address conservation recommendation 2.

The District indicates a substantial number of studies demonstrate the effects of beach nourishment on benthic invertebrates. While we generally agree, there is a need for regional appraisal of impacts on nourished beaches and indirect impacts on prey resources and foraging habitat provided by the beach shoreline complex. The District's letter references two peer-reviewed studies that are quite distant from the project location (i.e., North Carolina and Australia). The District should base its recovery rate forecasts on relevant peer-reviewed studies conducted within the same biogeographic province as the project. The CSRM project should include a biological monitoring and adaptive management plan that reflects substantive input from NMFS to assess degradation of benthic habitats along the 60-foot equilibrated seaward berm extension. Additionally, the NMFS recommends the Jacksonville District consider modifications to engineering and construction practices referenced in Schlacher et al. (2012<sup>1</sup>) to minimize ecological impacts. Most notable is the guidance for sand fill to minimize mortality by burial and preservation of unfilled intertidal areas that foster re-colonization of resident fauna. The NMFS concludes more information and a scientifically supported rationale is needed to conclude impacts to benthic communities at beach nourishment sites would be temporary and minimal.

The District's letter indicates there are no known nearshore hardbottom communities located in the project area. In email correspondence with the project manager, dated January 9, 2017, the Jacksonville District provided supplemental information and reports including the 1994 sidescan sonar survey and geological surveys. The NMFS concludes the data and rationale provided fully addresses conservation recommendation 4.

Based on the information provided, the NMFS concludes the Jacksonville District could take additional steps to conserve EFH, and the NMFS continues to recommend the final CSRM include a focused discussion of EFH and Habitat Areas of Particular Concern (HAPCs) within the project area to satisfy fully the NEPA and complete the EFH consultation. In accordance with the intentions of 50 CFR 600.920(k)(2), the NMFS requests continued coordination


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<sup>1</sup> Schlacher, T. A., Noriega, R., Jones, A., and Dye, T. (2012). The effects of beach nourishment on benthic invertebrates in eastern Australia: Impacts and variable recovery. *Science of the Total Environment*, 435, 411-417.

between the Jacksonville District and the NMFS Habitat Conservation Division on the issues pertaining to the EFH recommendations for the reasons provided above.

The NMFS looks forward to further cooperation with the Jacksonville District on this project to ensure conservation and protection of fish habitat. Please direct related questions or comments to the attention of Dr. Ken Riley at our Beaufort Field Office, 101 Pivers Island Road, Beaufort, North Carolina 28516-9722, or at (252) 728-8750.

Sincerely,



/ for

Virginia M. Fay  
Assistant Regional Administrator  
Habitat Conservation Division

cc: COE, Aubree.G.Hershorin@usace.army.mil  
EPA, Miedema.Ron@epa.gov  
USFWS, John.Milio@fws.gov  
SAFMC, Roger.Pugliese@safmc.net  
F/SER4, David.Dale@noaa.gov  
F/SER47, Ken.Riley@noaa.gov



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
701 SAN MARCO BOULEVARD  
JACKSONVILLE, FLORIDA 32207-0019

DEC 28 2016

Planning and Policy Division  
Environmental Branch

Ms. Virginia Fay  
Assistant Regional Administrator  
Habitat Conservation Division  
National Marine Fisheries Service  
263 13<sup>th</sup> Avenue South  
St. Petersburg, Florida 33701-5505

Dear Ms. Fay:

This letter acknowledges the U.S. Army Corps of Engineers (Corps) receipt of your April 4, 2016 letter regarding the Essential Fish Habitat (EFH) consultation for the Integrated Feasibility Study and Environmental Assessment, Coastal Storm Risk Management (CSRM) Project, South Ponte Vedra Beach, Vilano Beach, and Summer Haven Reaches, St. Johns County, Florida. In that letter, the National Marine Fisheries Service (NMFS) staff expressed concern regarding potential impacts to EFH resulting from this project. The Corps has reviewed and considered the concerns and recommendations presented by NMFS in its letter and has prepared the enclosed responses to these recommendations as required under the Magnuson-Stevens Fisheries Conservation and Management Act [MSFCMA; 50 CFR § 600.920(k)].

The Corps appreciates the input provided by NMFS on this project to develop measures that avoid impacts to NOAA trust resources. The submission of the enclosed responses completes the Corps' requirements for EFH consultation under the MSFCMA's EFH provisions. Any questions regarding this project should be directed to Aubree Hershorin at the letterhead address or by telephoning 904-232-2136.

Sincerely,

Gina Paduano Ralph, Ph.D.  
Chief, Environmental Branch

Enclosure

cc:

Dr. Ken Riley, 101 Pivers Island Road, Beaufort, North Carolina 28516-9722

**INTEGRATED FEASIBILITY STUDY AND ENVIRONMENTAL ASSESSMENT  
COASTAL STORM RISK MANAGEMENT PROJECT  
South Ponte Vedra Beach, Vilano Beach, and Summer Haven Reaches  
St. Johns County, Florida**

**U.S. Army Corps of Engineers (Corps) Responses to  
National Marine Fisheries Service Conservation Recommendations**

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National Marine Fisheries Service (NMFS) conservation recommendations are listed below in italics, and the U.S. Army Corps of Engineers Jacksonville District (Corps) response is provided below each recommendation.

- 1) *A scientifically supported rationale should be provided for assessment of alternative sand sources not included in the TSP; preferably from offshore sources or upland dredged material management areas; and capable of providing the required beach compatible sand while reducing impacts to critically important EFH associated with tidal inlets.*

The Corps conducted an extensive sand search in an attempt to locate sand resources that would be suitable for placement at the project site. Available offshore sand sources were too far from the project area to be cost effective. There are no dredged material management areas with sufficient sand located in the vicinity of the project area. In addition, the use of the St. Augustine Inlet system is consistent with state guidance for the management of the inlet. The FDEP "Final Order Adopting St. Augustine Inlet Management Implementation Plan," directs that strategies should be implemented to:

- Continue to transfer sediment from the inlet system to the adjacent beaches, meeting a bypassing objective of 278,000 cubic yards per year, as determined by the Inlet Sink Analysis, provided in the document, Regional Sediment Budget for St. Augustine Inlet and St. Johns County, FL, 1998/1999-2010 (USACE, 2012). The material obtained from the inlet system shall be distributed to the adjacent Atlantic Ocean-fronting beaches, with a placement ratio of approximately one-third of material placement to the north and two-thirds of material placement to the south.
- Inlet sand transfer material shall be placed in designated critically eroded areas to the north or south of the inlet between R84 and R152, St. Johns County, in accordance with Implementation Strategy #1.
- Inlet dredge material may be obtained from the Federal navigation channel, the intracoastal waterway channel, and encroaching flood shoals adjacent to the Federal channel, including the Porpoise [Vilano] Point borrow area, for placement in accordance with Implementation Strategies #1 and #2.

Finally, the use of the inlet system implements a Regional Sediment Management (RSM) strategy where maintenance of Federal navigation features can be combined with a Federal CSR project. The beneficial use of maintenance material from the navigation channel minimizes the frequency in which dredging occurs, since the projects are dredged concurrently.

- 2) *Best management practices, such as restricting the time of year that construction activities including sand mining, beach and dune nourishment, and berm erection, should be included to reduce impacts to EFH and vulnerable life stages of federally managed fishery species.*

The Corps will implement best management practices during the construction of the project. The timing of project construction will be managed to minimize impacts to EFH while also considering the risks to other protected species (including sea turtles and shorebirds). Only beach quality sand that is compatible with the native sediment on the existing beach will be used for placement at the project site. The use of beach compatible sand will minimize turbidity impacts associated with fine sediments during dredging and placement operations. Turbidity monitoring will be implemented at the dredge and placement sites to ensure compliance with Florida's state water quality guidelines and confine turbidity values to under 29 NTUs above ambient levels. Additionally, sediment placed on the beach will be managed to reduce turbidity and sedimentation impacts by constructing parallel dikes at the discharge pipe to allow for settling of sediment before return water enters the swash zone.

- 3) *A scientifically supported rationale should be provided for concluding impacts to benthic communities at beach nourishment sites would be minimal. Alternatively, best management practices should be included in the design of beach and dune nourishment and a monitoring program should be in place to evaluate the effectiveness of those best management practices.*

While the Corps generally agrees that additional site-specific information on impacts to benthic communities at beach nourishment sites would be beneficial, studies conducted at other sites provide adequate basis for concluding that minimal, temporary impacts to the benthic communities at the placement site would occur<sup>12</sup>. While these studies may have limitations, it is outside of the authority provided under the Corps' flood risk management program to conduct research. Physical monitoring (bathymetric and beach topographic surveys) will occur to monitor the status of the project, including any erosion of placed material in the project area.

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<sup>1</sup> Schlacher, T., et al. 2012. The effects of beach nourishment on benthic invertebrates in eastern Australia: Impacts and variable recovery. *Science of the Total Environment*, 435-436: 411-417.

<sup>2</sup> Stull, K.J., Cahoon, L.B. and Lankford, T.E., 2015. Zooplankton Abundance in the Surf Zones of Nourished and Unnourished Beaches in Southeastern North Carolina, USA. *Journal of Coastal Research*, 32(1), pp.70-77.

- 4) *A scientifically supported rationale should be provided for concluding impacts to nearshore hardbottom communities within the project area would be minimal. Alternatively, environmental and geological surveys would assess the extent of nearshore hardbottom habitat that would be impacted and a monitoring program should be in place to avoid and minimize sand placement on nearshore hardbottom habitats.*

There are no known nearshore hardbottom communities located in the project area. As discussed in the report, a side-scan sonar survey was conducted over 2.7 square miles of nearshore substrate in 1994 to determine the presence and extent of hard bottom areas in the vicinity of the project. There were no distinguishable bottom features that could be classified as exposed hard bottom or outcrops. Based on core borings, there are no rock formations existing within the placement area. The existing geologic formation is covered with approximately 10-20 feet of sand.



# United States Department of the Interior

## U. S. FISH AND WILDLIFE SERVICE

7915 BAYMEADOWS WAY, SUITE 200  
JACKSONVILLE, FLORIDA 32256-7517

IN REPLY REFER TO:

FWS Log No. 04EF1000-2016-E-00081

FWS Log No. 04EF1000-2011-F-0170

December 22, 2016

Ms. Gina Paduano Ralph, Chief  
Environmental Branch  
Planning and Policy Division  
Department of the Army  
Jacksonville District Corps of Engineers  
P.O. Box 4970  
Jacksonville, FL 32232  
(Attn: Aubree Hershorin)

Re: St. Johns County Coastal Storm Risk Management Project– Usinas Beach and Vilano Beach, St. Johns County, Florida

Dear Ms. Paduano:

The U.S. Fish and Wildlife Service (Service) has reviewed the U.S. Army Corps of Engineers' (Corps) letter dated May 25, 2016, and its accompanying information. The Corps proposes to construct a 60-foot beach berm along 2.6 miles of beach from Florida Department of Environmental Protection (DEP) monument R-103.5 to R-116.5. One thousand foot tapers at either end connecting the berm to the existing shorelines extend the area of sand placement to between monuments R-102.5 and R-117.5, along 3 miles of shorelines. The project template includes a dune feature that reflects the average 2015 dune season. The initial construction would require approximately 1.3 mcy of sand, which would be obtained from the St. Augustine Inlet System, including the ebb, flood, and Vilano (Porpoise Point) shoals, the Federal navigation channel, and any associated shoals. The anticipated duration of the initial construction would be approximately 3.3 months. Future nourishments would require approximately 866,000 cy of material, and the nourishment interval for this project is about 12 years. The project site is located in the vicinity of the St. Augustine Inlet and Atlantic Ocean shoreline within Sections 4/5/9/16, Township 7 South, Range 30E, and Sections 29/32/44, Township 6S, Range 30E within Usinas and Vilano Beaches, St. Johns County, Florida. We provide the following comments in accordance with Section 7 of the Endangered Species Act of 1973, as amended (Act) (16 U.S.C. 1531 *et seq.*), and the Fish and Wildlife Coordination Act, as amended (16 U.S.C. 661 *et seq.*)

## Endangered Species Act

The Corps determined that the proposed project occurs within the range of the federally listed, West Indian (Florida) manatee (*Trichechus manatus latirostris*), the Anastasia Island beach mouse (*Peromyscus polionotus phasma*), piping plover (*Charadrius melodus*), rufa red knot (*Calidris canutus rufa*), and loggerhead (*Caretta caretta*), green (*Chelonia mydas*), leatherback (*Dermochelys coriacea*), and Kemp's ridley, (*Lepidochelys kempii*) sea turtles. The Corps has determined that the proposed work is likely to adversely affect nesting sea turtles, and that the Statewide Programmatic Biological Opinion (SPBO) for beach placement and shore protection is appropriate to apply to this project. The Corps also determined that the project is not likely to adversely affect the manatee, beach mouse, piping plover, and rufa red knot. The determination of effect for the piping plover was based on a review of the Programmatic Piping Plover Biological Opinion, and a finding that the activity will not occur in "optimal" piping plover habitat. The Corps as a conservation measure for the manatee will incorporate the 2011 Standard Manatee Conditions for In-Water Work into the project plans and specifications.

### West Indian (Florida) Manatee

We agree, with qualifications, with the Corps' application of the SPBO to this project for the manatee and sea turtles. Regarding the manatee, there are three additional conditions provided in the "Introduction" section of the SPBO that the Corps must incorporate into the project plans and specifications **"for all dredging activities within estuaries and adjacent to the shore, inlets, and/or inshore areas including channels associated with submerged borrow areas and navigation channels"**. Based on the project's proposed sand sources, this stipulation applies to the dredging of all sand sources except for the offshore borrow site and its borrow channel. According to the SPBO, the Service can concur with the Corps' effects determination only if it makes the conditions part of the project plans and specifications. The Corps has agreed to do this, and the Service as a result concurs with the "may affect, not likely to adversely affect" determination for the manatee. The conditions are as follows.

1. Barges shall install mooring bumpers that provide a minimum 4-foot standoff distance under maximum compression between other moored barges and large vessels, when in the vicinity of inlets, river mouths, and large estuaries where manatees are known to congregate.
2. Pipelines shall be positioned such that they do not restrict manatee movement to the maximum extent possible. Plastic pipelines shall be weighted or floated. Pipelines transporting dredged material within the vicinity of inlets, river mouths, and large estuaries where manatees are known to congregate shall be weighted or secured to the bottom substrate as necessary to prevent movement of the pipeline and to prevent manatee entrapment or crushing.
3. In the event that such positioning has the potential to impact submerged aquatic

vegetation (SAV) or nearshore hardbottom, the pipeline may be elevated or secured to the bottom substrate to minimize impacts to SAV.

### **Sea Turtles**

The addition of beach quality sand to a critically eroded shoreline is expected to benefit nesting sea turtles over the project's estimated 12-year nourishment interval. However, it was not clear from the accompanying information if the proposed construction of a dune feature based on the average 2015 dune position will cover existing hardened shoreline stabilization structures such as bulkheads, riprap, etc. within the project footprint. Construction of such structures along ocean shorelines historically has occurred at or near the toe end of a natural dune, or at the waterward end of improved grounds. Such positioning usually places these structures at the landward end of sea turtle nesting habitat. Past and current information within St. Johns County and other Florida coastal counties indicates that sea turtles emerging from the ocean to nest and encountering such structures may abandon the nesting attempt, or false crawl, even if suitable sand occurs contiguous to the structure. False crawls are a form of harassment, which is part of the definition of "take" under the Act. The proposed sand placement is expected to increase the availability of suitable nesting habitat compared to the existing beach. Post-construction monitoring of other renourished beaches has revealed an increase in false crawls during the first nesting season post-construction. Since the distance a nesting turtle crawls on a nourished beach before nesting or abandoning a nesting attempt is variable, it is our view that increased nesting attempts on a nourished beach also increase the probability of a false crawl resulting from an encounter with a hardened shoreline. Landward gaps between hardened shorelines and eroded dune features also may present an entrapment hazard to nesting sea turtles where the height of the beach berm enables turtles to access the top of the hardened structure.

Based on the preceding, the Corps provided additional information that demonstrated that any hardened shoreline would be behind the reconstructed dune crest, which would range in height between 14 and 20 feet to match the 2015 dune profile. The dune face would be constructed at a slope of 5H:1V for approximately 20 feet, ending in a beach berm having a typical slope of between 10:1 and 20:1 and a width of at least 8 feet. These dune and beach profiles are consistent with the relative dimensions of these coastal features north of the St. Augustine Inlet compared to south of the inlet. Although the proposed dune profile is different than that required in Term and Condition 5 of the SPBO for high erosion beaches, following discussion with the Corps, we have concluded that its desire to match the proposed project area to the local natural dune and beach profiles meets the intent of the SPBO.

Regarding potential entrapment, the Corps stated that where gaps exist behind the hardened structure and eroded dune, these gaps would have to be filled in with comparable material by the landowner or St. Johns County, the local sponsor, prior to dune reconstruction. The importance of this fill is to insure that the integrity and position of the hardened structure is not compromised by the weight of material used to construct the beach and dune. If no backfilling occurs, due to the potential liability issue, the Corps is unlikely to place dune and beach material at that location. Based on this scenario, we have concluded that the likelihood of entrapment of a nesting sea turtle behind a hardened structure is insignificant or discountable.

The Corps as part of the project plans and specifications will monitor and maintain the constructed beach and dune throughout the project's estimated lifecycle. The physical monitoring will consist of 7 beach profile surveys; a pre-construction, post-construction, and 5 annual monitoring surveys. After 5 years, survey requirements are extended to every other year or as needed. When 50% of the berm portion of the project template has eroded at any point along the project (if a profile survey at any of the FDEP R-monuments shows that the berm has eroded to within 30 feet of the dune), and the total volume eroded from the entire length of the project has reached 750,000 cubic yards, then a renourishment event takes place. Since the Corps works on a 3-year budget cycle process, regular monitoring is critical to insure that if the monitoring detects erosion trends, a funding request is made before these triggers are reached. If a major storm causes the thresholds to be reached or exceeded, the Corps will pursue an emergency nourishment/dune reconstruction as needed.

In case of delays in funding authorization requests that respond to chronic or acute erosion events that could expose nesting sea turtles to hardened shorelines, it is our view that the following additional take statement addressing this possibility needs to be added to the SPBO for this project. (*italics*). We have also modified the SPBO's reasonable and prudent measure and associated term and condition that address dune reconstruction to reflect the project's response to the presence of hardened shorelines within the dune reconstruction footprint (*italics*).

## **AMOUNT OR EXTENT OF ANTICIPATED TAKE**

### **Sea Turtles**

Take is expected to be in the form of.....(6) behavior modification of nesting females due to escarpment formation and encounters with exposed, *post-construction hardened shoreline stabilization structures within the project area during a nesting season*, resulting in false crawls or situations where they choose marginal or unsuitable nesting areas to deposit eggs; .....

### **REASONABLE AND PRUDENT MEASURES for:**

A. Projects involving sand placement from beach nourishment, sand bypass, *dune reconstruction*, and sand back pass activities primarily for shore protection (these projects are usually larger scaled) shall include the following measures:

A6. *For dune reconstruction*, the placement and design of the dune shall emulate the natural dune system to the maximum extent possible, including the dune configuration and shape, *and burial of any existing hardened shoreline stabilization structures contiguous to the beach berm*.

### **TERMS AND CONDITIONS for:**

A. Projects involving sand placement from beach nourishment, sand bypass, *dune reconstruction*, and sand back pass activities primarily for shore protection shall include the following conditions:

A5. ....Dunes and other construction features must be constructible without impacting other resources. If a recommended dune is not possible, the Corps will contact the Service to see if consultation needs to be reinitiated or discuss features incorporated with the profile *that will restore the dune system to pre-storm conditions. If such information is not available*, dune features will include a slope of 1.5:1 followed by a gradual slope of 4:1 for approximately 20 feet seaward on a high erosion beach (**Figure 13**) or a 4:1 slope (**Figure 14**) on a low erosion beach. The seaward toe of the dune should be at least 20 feet from the waterline. *Where a hardened shoreline structure occurs, the recommended dune slopes and distances of the seaward toe of the dune from the waterline may need to be adjusted to insure sufficient burial of the structure beneath the reconstructed dune feature. No part of the top and waterward end of the hardened structure shall to the maximum possible extent be less than three feet beneath the surface of the dune.*

### **Piping Plover and Red Knot**

With respect to the piping plover, the available information indicates that wintering individuals have been observed within and in the immediate vicinity of the St. Augustine Inlet. Their number and frequency of use suggest that this area does not represent a season-long, overwintering location but rather a temporary stopover in route to the species' historic wintering sites along the Florida Atlantic Coast. Habitats within the area affected by the action that represent suitable roosting and/or foraging sites include emergent flood shoals, emergent islands, estuarine, inlet, and ocean shorelines within Anastasia State Park, the inlet shoreline associated with Porpoise Point, and ocean shorelines within Usinas Beach and Vilano Beach. Estimates of linear shoreline lengths and widths (mean low water through the upper beach) of these habitats since 1999 using Google Earth imagery indicated that except for Porpoise Point, shoreline lengths exhibited little change between 1999 and 2015. Changes in width were more pronounced and varied, particularly within the ocean-fronting shorelines north and south of the inlet. At Porpoise Point, both shoreline length and widths varied significantly over the same timeframe, with the length near the end of 2015 approximately 700 feet less than at the beginning of 1999. Although total length fluctuated between 1999 and 2010, a consistent decrease has been occurring since 2011. This trend roughly coincided with the mining of the inner harbor shoal borrow area and navigation channel adjacent to Porpoise Point for the 2012 beach renourishment project. The combined decrease in shoreline length and width at Porpoise Point along the north side of the St. Augustine Inlet represents in our view a decrease in both foraging and roosting habitat for piping plovers.

Regarding the red knot, like the piping plover, emergent shoals and shorelines in the vicinity of inlets represent important roosting and foraging habitats during the species' spring and fall migrations. Red knots also occur along beaches not associated with inlets. Available information revealed a few red knot sightings around the St. Augustine Inlet, and larger numbers on Anastasia Island south of the St. Augustine Beach Pier. Red knots often alternate among different, co-located roosting and foraging sites whose availability is dictated by the local tides. The emergent shoals and shorelines associated with the St. Augustine Inlet represent such alternative habitats.

The proposed project initially is expected to require approximately 1.3 mcy of sand, and take approximately 3.3 months to construct. Unless the construction is limited to the months of June

through August, there is a possibility that construction will temporarily displace foraging and roosting piping plovers and red knots from the sand placement site and emergent flood shoals inside the St. Augustine Inlet. If such displacement does occur, due to the availability of other roosting and foraging habitat within the area affected by the action, it is our view that any such temporary displacement will not rise to the level of “take” of either species.

Proposed dredging of the emergent portions of the flood shoal has the potential to directly impact roosting and foraging piping plovers and red knots that may use this site as a temporary stopover in route to traditional wintering and migratory sites, respectively. Likewise, mining of the Porpoise Point borrow area (shoal) within the inlet may further reduce the length of shoreline along the north shore of the inlet, and represent a further reduction in roosting and foraging habitat for these species. The most recent updated St. Augustine Inlet Management Implementation Plan, which prescribes sand bypass objectives and limits on the annual removal of sand from the south lobe of the ebb tidal shoal, does not include individual removal limits from the other sand sources within the system. It is our view that limits to the removal of the emergent portion of the flood shoal and Porpoise Point shoals are needed to reduce the probability of adverse effects to roosting and foraging piping plovers and migrating red knots from habitat loss. As a result, we recommend that the following conditions be added to the project plans and specifications.

- Restrict dredging of the Porpoise Point borrow area (shoal) along the north side of the St. Augustine Inlet, to that area encroaching on, and expected to encroach on between the maintenance dredging cycles, the authorized navigation channel
- Restrict dredging of the flood tidal shoals to those sections that remain submerged ( $\geq 1$  foot) at mean low lower water (MLLW)

The addition of these conditions will reduce the probability of take of piping plover and red knot through habitat loss, to insignificant or discountable levels. The Corps has agreed to include these conditions in its project plans and specifications. Based on this response, with the inclusion of these conditions, we concur with the Corps’ determination that the project is not likely to adversely affect the piping plover or red knot.

### **Anastasia Island Beach Mouse**

A review of the history of Anastasia Island beach mouse dune habitat within Anastasia State Park (ASP) since reauthorization of the St. Johns County Shore Protection Project (SJCSPP) in 1999, and the subsequent beach renourishments, has revealed the following.

- Stability or increase in such habitat from DEP monument T-129 to R-141, the southern boundary of ASP, through November 2015
- A minor to significant net loss of beach mouse habitat from DEP monument R-123 to T-129.

The two SJCSPP projects completed in January 2003 and September 2012 removed 6.3 mcy of material from the St. Augustine Inlet sand system. An additional project authorized due to storm impacts in 2004, and completed in November 2005, removed 2.8 mcy from the system. The

southern lobe of the ebb tidal shoal was used as a sand source in each of those projects. The total amount of sand removed from that location for all three projects is undetermined. The north lobe of the ebb tidal shoal also was used in the 2003 and 2005 projects, but not the 2012 project due to concerns over impacts to the inlet and north beach shorelines, as well as a reduction in natural bypassing of inlet sediment. Some of the sand placement occurred within ASP for all three projects, but not north of T-132. Subsequent nourishments in 2012 and 2013 from maintenance dredging of the AICW and inlet navigation channels resulted in additional sand placement of approximately 300,000 cy within ASP, including between R-127 and R-131A. No sand had been placed north of the R-127, yet some net accretion occurred between R-127 and R-123 through November 2015 following these events. This was likely the result of northward sand transport typical along a shoreline immediately south of an inlet, and the eventual advancement of sand landward from the north and south lobes of the ebb shoal following Hurricane Sandy and nor'easters.

The significant net loss of beach mouse habitat at the northern end of ASP began about a year and a half after the unplanned 2005 beach renourishment event, and continued at certain locations through the beginning of 2014. The assumed high volumes of sand removed from the south lobe of the ebb tidal shoal in 2003, 2005, and 2012, coupled with the lack of significant storms aiding natural beach sand recruitment from 2005 through October 2012, and the incomplete infilling of that offshore sand source likely combined to contribute to the severe net erosion of habitat along the northernmost section of ASP. The DEP in its 2104 updated St. Augustine Inlet Management Implementation Plan (SAIMIP) admitted its concern about potential erosion impacts to the beaches adjacent to the inlet from exceedance of the original, average annual bypass objective of 510, 000 cy of sand from the inlet shoals. As a result, and consistent with the 1998/1999 – 2010 U.S. Army Corps of Engineers' regional sediment budget and analysis, and the DEP's 2011 Inlet Management Restudy for the St. Augustine Inlet, the updated plan adopted strategies that reduced the annual average bypassing objective to 278, 000 cy, and limited (except for maintenance dredging of the federal navigation channel) the amount of sand removed from the south lobe of the ebb shoal and that channel to a maximum of 179,000 cy per year times the number of years between beach nourishment events. The DEP also recognized that the future sediment budget is dependent upon meteorological conditions and the resulting wave climate, which cannot be predicted with any reasonable accuracy, and that it is not appropriate to modify the fill placement protocol as a result of the impact of major storms or short term influences (< 5 years). It is our view, however, that it is the frequency, extent, and timing of such meteorological conditions that combined with the sand bypass strategies, can significantly influence the accretion/erosion cycle of beach mouse habitat at the northern end of ASP.

Based on the preceding, it is our position that the proposed reductions in the annual sand bypassing volume and sand removal from the south lobe of the ebb tidal shoal for the proposed project cannot guarantee under all circumstances that a loss of beach mouse habitat within the northern section of ASP, will not re-occur during the project's approximate 12-year nourishment interval. In addition, the observed and projected renourishment intervals for sand placement south of the inlet have been seven and five to eight years, respectively. Shorter sand retention intervals than projected suggest a potential for a modification of the SAIMIP to allow for more frequent use of the St. Augustine Inlet shoal system. More frequent use, especially of the south lobe of the ebb tidal shoal, could under certain meteorological conditions, result in additional net loss of beach mouse habitat at the northern end of ASP.

In order to reduce the probability of future habitat loss from the northernmost section of ASP under certain meteorological conditions, we recommend periodic beach placement of about 225,000 cy of state-qualified sand between DEP monuments R-127 and R-131A. This recommendation is identical to the 2013 beach placement of 184,000 cy of material from the Federal navigation channel between R-127 and R-131A. Since the SAIMIP allows additional sand above the annual, two-source limit to be removed from the authorized navigation channel when necessary for required interim navigation channel maintenance dredging, we further recommend that this be the source for this additional beach sand placement. The frequency of placement therefore would coincide with the approximate need for interim navigation channel maintenance dredging. The expectation is that some of this placement would both increase the dune structure within the placement area, and also enter the northward littoral drift, eventually moving towards and onto the northernmost beaches landward and enhancing or stabilizing the existing dune structure in that area.

It is our view that the recommendation to periodically renourish the beach within the northern section of ASP will reduce to insignificance or discountability, the probability of take of occupied beach mouse habitat from the coincidence of certain meteorological conditions with the dredging of the south lobe of the ebb tidal shoal as part of the proposed project. The Corps has agreed to include this recommendation in its project plans and specifications. We as a result concur with the Corps' determination that the proposed project is not likely to adversely affect the Anastasia Island beach mouse.

#### **Fish and Wildlife Coordination Act**

The proposed project will relocate sand in and around the St. Augustine Inlet. The actions will remove submerged sand from the flood and ebb (south lobe) tidal shoals, the inlet and Intracoastal Waterway navigation channels, and a portion of the Porpoise Point/Vilano inlet shoal encroaching on the inlet, and transport it to a critically eroded beach beginning approximately one mile north of the inlet, for a distance of 3.1 miles. This action is consistent with the Corps' 2010 sediment budget analysis of the St. Augustine Inlet area, and the Florida Department of Environmental Protection's updated 2014 St. Augustine Inlet Management Plan.

The proposed actions and the habitat impact minimization requirements described in the ESA section of this letter are expected to result in only temporary effects on beach and benthic invertebrates, and foraging and loafing shorebirds and seabirds. Beneficial effects are expected for nesting sea turtles within the renourished section of critically eroded beach, as well as to Anastasia Island beach mouse habitat within the northern section of Anastasia State Park.

Based on the preceding analysis, we have concluded that the proposed project will not result in significant temporary or permanent negative impacts to other Federal Trust and natural resources within the area affected by the action.

This concludes section 7 consultation and FWCA comment on subject action. If you have any questions regarding this response, please contact Mr. John F. Milio of my staff at [john\\_milio@fws.gov](mailto:john_milio@fws.gov), or by calling 904-731-3098.

Sincerely,

  
for Jay B. Herrington  
Field Supervisor

cc: FWC, Tallahassee, Florida (Ron Mezich)  
DEP, Parks and Recreation, Tallahassee (Parks Small)



# United States Department of the Interior

## U. S. FISH AND WILDLIFE SERVICE

7915 BAYMEADOWS WAY, SUITE 200  
JACKSONVILLE, FLORIDA 32256-7517

IN REPLY REFER TO:

**FWS Log No. 04EF1000-2016-CPA-0042**

October 25, 2016

Gina P. Ralph, Ph.D.  
Jacksonville District Corps of Engineers  
Planning and Policy Division Environmental Branch  
701 San Marco Boulevard  
Jacksonville, FL 32207

Re: St. Johns County Storm Risk Feasibility Study CBRA Consistency

Dear Dr. Ralph:

Thank you for your email correspondence and attachments received on May 25, 2016 and October 12, 2016 requesting the U.S. Fish and Wildlife Service determine whether the U.S. Army Corps of Engineers (USACE) St. Johns County Storm Risk Feasibility Study (Recommended Plan) is consistent with the Coastal Barrier Resources Act (CBRA).

Your request of October 12, 2016 stated: "The Recommended Plan includes the construction of a 60 ft. berm along 2.6 miles of beach from R-103.5 to R-116.5. The project template will include a dune feature that reflects the average 2015 dune position. One thousand foot tapers will extend from the northern and southern ends of the berm extension, connecting the extension to the existing shoreline. The addition of tapers results in sand placement from R102.5 to R117.5 along three miles of shoreline. The initial construction would require approximately 1.3 mcy of sand, which would be obtained from the St. Augustine Inlet system, including the ebb, flood, and Vilano Point shoals, the Federal navigation channel, and any associated shoals. The anticipated duration of the initial construction would be approximately 3.3 months. Future nourishments would require approximately 866,000 cy of material, and the nourishment interval for this project is approximately 12 years.

Your May 25, 2016, consultation request stated: "The placement site is located adjacent to and within two designated units of the John H. Chafee Coastal Barrier Resources System (CBRS), including Usinas Beach (Unit P04A) and Conch Island (Unit P05; see enclosed map of the CBRS units). The Coastal Barrier Resources Act (CBRA) of 1982 and the Coastal Barrier Resources Improvement Act (CBRIA) of 1990 limit federally subsidized development in CBRS Units to limit the loss of human life by discouraging development in high risk areas, to reduce wasteful expenditures of Federal resources, and to protect the natural resources associated with coastal barriers."

USACE included a map of the CBRS unit boundaries with the consultation letter using the boundaries found on the USFWS website. However, the USACE noted that the GIS layers did

not extend to the -30 ft. contour, which is the actual extent of the CBRS unit. We have reviewed the revised map that shows the full extent of the CBRS unit boundary and the inclusion of the inlet system sand source in CBRS unit P05.

The USACE has indicated the Recommended Plan is consistent with the current St. Augustine Inlet Management Plan, which has been ongoing since it was first approved by the Florida Department of Environmental Protection (FDEP) in 2014.

The St. Augustine Inlet was created and stabilized in the early 1940s. Since the stabilization and prior to the CBRA of 1982, maintenance of the inlet and associated Federal navigation channel has affected transport of sand in the surrounding areas. The south lobe of the ebb shoal and the inlet complex have been used for the Federal St. Augustine Beach project since its authorization in 1998. Since the initial nourishment, St. Augustine Beach has stabilized and the seawall has been almost constantly buried by sand, ensuring the beach is resilient to storm events. Following the removal of sediment from the ebb shoal in the early 2000s, FDEP and USACE have conducted significant modeling of the inlet system to identify its sediment transport mechanisms.

As a result, sea turtle nesting habitat has improved at St. Augustine Beach due to beach nourishment. Similarly, material placed at Anastasia Island State Park has helped the formation of dune habitat through direct placement (during initial project construction) and through Aeolian transport of beach sand. Cooperation between State and Federal agencies has improved sand management of the inlet complex in a way that contributes to habitat for protected species, while mitigating for the change to sediment transport caused by the creation of the inlet in the early 1940s.

After careful review of the June 12, 1995 letter from the Department of the Interior to the USACE regarding CBRA and a beach renourishment project at Folly Beach, SC; section 6 of CBRA which allows nonstructural projects for shoreline stabilization that are designed to mimic, enhance, or restore a natural stabilization system; and the best available scientific information regarding the history of sand management, renourishment, and its effects on trust resources, the Service has determined that the Recommended Plan is consistent with CBRA. The Service, in accordance with section 7 of the Endangered Species Act of 1973, will continue to work with the USACE to ensure that impacts will be minimized and benefits maximized in regard federally threatened and endangered species.

If you have any questions or concerns about this consultation, please feel free to contact Zakia Williams of my staff at 904-731-3119.

Sincerely,



105 Jay B. Herrington  
Field Supervisor



## FLORIDA DEPARTMENT of STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

Ms. Gina P. Ralph, Ph.D.  
Chief, Environmental Branch  
Jacksonville District USACE  
701 San Marco Boulevard  
Jacksonville, Florida 32207-8175

October 24, 2016

RE: DHR Project File No.: 2016-3627 / Received by DHR: September 6, 2016  
Project: St. Johns County Shoreline Risk Management Study  
Tentatively Selected Plan (TSP) Beach and Dune Nourishment within Vilano Beach Reach and  
Small Portion of South Ponte Vedra Reach, St. Johns County

Dr. Ralph:

The Florida State Historic Preservation Officer reviewed the referenced project for possible effects on historic properties listed, or eligible for listing, on the *National Register of Historic Places*. The review was conducted in accordance with Section 106 of the *National Historic Preservation Act of 1966*, as amended, and its implementing regulations in *36 CFR Part 800: Protection of Historic Properties*.

This office concurs that the proposed project will have no adverse effect on historic properties if the following conditions are met:

- Buffer areas are maintained around any untested targets during dredging activities.
- 150 Foot buffer is maintained around the Dixie Crystal shipwreck site 8SJ4889.
- 300 foot buffer is maintained around the North Shoals Vessel, 8SJ4784.

For questions, please contact Robin Jackson, Historic Preservationist, Compliance and Review at [Robin.Jackson@dos.myflorida.com](mailto:Robin.Jackson@dos.myflorida.com), or by telephone at 850.245.6496 or 800.847.7278.

Sincerely,

Timothy A. Parsons, Ph.D., RPA  
Director, Division of Historical Resources and  
State Historic Preservation Officer

**From:** [John Milio](#)  
**To:** [Hershorin, Aubree SAJ](#)  
**Cc:** [Heath Rauschenberger](#); [Billy Brooks](#); [AnnMarie Lauritsen](#)  
**Subject:** [EXTERNAL] RE: St. Johns County Coastal Storm Risk Management Project  
**Date:** Friday, August 05, 2016 2:49:58 PM

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Aubree:

I have reviewed the U.S. Army Corps of Engineers' (Corps) letter, dated May 25, 2016, and its accompanying information, regarding the Corps' determination of effects on federally-listed species from the proposed St. Johns County Coastal Storm Risk Management project. The Corps proposes to dredge approximately 1.3 million cubic yards (mcy) of beach quality sand (bqs) from the St. Augustine Inlet sand system for the purpose of constructing a 60- foot beach berm with 1000-foot tapers at each end, and dune features reflecting the average 2015 dune position, along a three-mile long section of beach north of the St. Augustine Inlet. This work will be done in accordance with the State of Florida's St. Augustine Inlet Management Implementation Plan (SAIMIP). The SAIMIP includes implementation strategies that call for a sand bypassing objective of 278,000 cubic yards per year, with no more than 179,000 cubic yards per year times the number of years between nourishment events, coming from the south lobe of the ebb tidal shoal and federal navigation channel. This was based on a 2011 inlet restudy that recommended no sand be removed from the north lobe of the ebb shoal, and dredging of the south lobe of the ebb shoal be limited. According to the Draft Integrated Feasibility Study and Environmental Assessment for this project, dated February 2016, the estimated quantities of dredgeable beach quality sand within the St. Augustine Inlet system is 2mcy each for the flood shoal and south lobe of the ebb shoal, 0.1-0.2 mcy from the federal navigation channel, and an undetermined quantity from the Vilano Point shoals.

Based on the above, the progressive loss of Anastasia Island beach mouse habitat within the northern third of Anastasia State Park (ASP) over the last 10-12 years that roughly coincides with ebb shoal dredging and beach placement within central and southern sections of ASP and St. Augustine Beach, and concerns over the impacts of the project on shoreline stabilization structures within the project footprint and sea turtle nesting, we request the Corps provide the following additional information.

- quantitative estimates of the amount of material dredged from the south lobe of the ebb tidal shoal during the 2003 and 2005 dredging and beach nourishment events
- quantitative estimates of the amounts (and location in the case of the flood shoal) of sand from the St. Augustine inlet system proposed to be dredged from the flood shoal, Federal navigation channel, Vilano Point shoals, and south lobe of the ebb shoal for the currently proposed project
- statement as to the use/non-use of the north lobe of the ebb shoal for this project, and if used, how many mcy of bqs
- rationale for using the average 2015 dune position as the reference point for construction of a dune feature
- how dune feature construction will occur where shoreline stabilization structures are present

Please don't hesitate to call me if you need any clarification regarding these requests. Thanks.

John

\*\*\*\*\*

John F. Milio  
U.S. Fish and Wildlife Service  
North Florida Ecological Services Office  
7915 Baymeadows Way, Suite 200  
Jacksonville, Florida 32256-7517

Phone: (904)-731-3098  
Email: john\_milio@fws.gov

-----Original Message-----

From: Hershorin, Aubree SAJ [<mailto:Aubree.G.Hershorin@usace.army.mil>]  
Sent: Friday, July 29, 2016 3:01 PM  
To: John Milio  
Cc: Spinning, Jason J SAJ; Williams, Zakia  
Subject: RE: St. Johns County Coastal Storm Risk Management Project

Hi John,

I just wanted to touch base with you on the status of the consultation for the St. Johns Feasibility Study. Zakia and I had coordinated on the CBRS unit concerns, which I think we have finalized. We do not plan to cost-share in the portion of the project located in the CBRS unit.

For the ESA species, we plan to use the SPBO for impacts to marine turtles. We determined the project was not likely to adversely affect plovers or red knots.

Please let me know if there's anything else we need to do to complete consultation.

Thanks, and have a great weekend!  
Aubree

-----Original Message-----

From: Hershorin, Aubree SAJ  
Sent: Wednesday, May 25, 2016 1:22 PM  
To: John Milio <[john\\_milio@fws.gov](mailto:john_milio@fws.gov)>; Williams, Zakia <[zakia\\_williams@fws.gov](mailto:zakia_williams@fws.gov)>  
Cc: Spinning, Jason J SAJ <[Jason.J.Spinning@usace.army.mil](mailto:Jason.J.Spinning@usace.army.mil)>  
Subject: St. Johns County Coastal Storm Risk Management Project

John/Zakia,

Please find attached the ESA/CBRA consultation letter for the St. Johns County Coastal Storm Risk Management project. This project proposes to dredge material from the St. Augustine Inlet complex and place it north of the inlet. The 2015 dune profile will also be maintained as part of this project.

If you have any questions, please let me know.

Thanks,  
Aubree

~~~~~  
Aubree Hershorin, Ph.D.  
Environmental Branch, Coastal Section  
Planning and Policy Division  
U.S. Army Corps of Engineers  
701 San Marco Blvd.  
Jacksonville, FL 32207  
Office: (904) 232-2136

**From:** [Hershorin, Aubree SAJ](#)  
**To:** [chris.stahl@DEP.state.fl.us](mailto:chris.stahl@DEP.state.fl.us)  
**Subject:** St. Johns County Feasibility Study  
**Date:** Monday, August 01, 2016 11:15:35 AM  
**Attachments:** [Review Request for 16-7563C.pdf](#)

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Chris,

We have not yet received a response from the Clearinghouse for the St. Johns County Feasibility Study on our determination of consistency with the state's Coastal Management Program per the CZMA. The SAI# is FL201602247563C (see attached), and comments were due on 3/25/2016. Would it be possible to get an update on it? We're finalizing the document now.

Thank you for your assistance,  
Aubree

~~~~~  
Aubree Hershorin, Ph.D.  
Plan Formulation Branch, Coastal/Nav Section  
Planning and Policy Division  
U.S. Army Corps of Engineers  
701 San Marco Blvd.  
Jacksonville, FL 32207  
Office: (904) 232-2136



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
701 San Marco Boulevard  
JACKSONVILLE, FLORIDA 32207-8175

REPLY TO  
ATTENTION OF

Planning and Policy Division  
Environmental Branch

MAY 25 2016

Mr. Jay Herrington  
U.S. Fish and Wildlife Service  
North Florida Ecological Services Office  
1339 20th Street  
Vero Beach, FL 32960-3559

Dear Mr. Herrington:

The U.S. Army Corps of Engineers, Jacksonville District (USACE), is evaluating the feasibility of providing coastal storm risk management to the shores of St. Johns County, Florida. The most immediate and critical needs of the local communities are to address beach and dune erosion and to protect State Road A1A and environmental attributes. The Federal interest in participating in a locally supported, cost-shared shore protection project to address St. Johns County's coastal issues is under consideration.

The Tentatively Selected Plan (TSP) includes the construction of a 60 ft. berm along 2.6 miles of beach from R-103.5 to R-116.5. The project template will include a dune feature that reflects the average 2015 dune position. One thousand foot tapers will extend from the northern and southern ends of the berm extension, connecting the extension to the existing shoreline. The addition of tapers results in sand placement from R102.5 to R117.5 along 3 miles of shoreline. The initial construction would require approximately 1.3 mcy of sand, which would be obtained from the St. Augustine Inlet system, including the ebb, flood, and Vilano Point shoals, the Federal navigation channel, and any associated shoals. The anticipated duration of the initial construction would be approximately 3.3 months. Future nourishments would require approximately 866,000 cy of material, and the nourishment interval for this project is approximately 12 years.

### ***Endangered Species Act***

This letter notifies your office that the Corps has determined that the Statewide Programmatic Biological Opinion (SPBO) for beach placement and shore protection is appropriate to apply to the St. Johns County Coastal Storm Risk Management project. The Corps determination is that the proposed activity is likely to adversely affect nesting sea turtles, and is not likely to adversely affect manatees or beach mice. There are no identified terms and conditions, or any other criteria outlined in the SPBO, that would not be followed. Standard manatee protection measures would be imposed on activities in the water. With respect to sea turtles, all other terms and conditions of the SPBO would be followed.

This letter also notifies your office with respect to the Programmatic Piping Plover Biological Opinion (P3BO). The activity will not occur in "optimal" Piping Plover habitat and is not likely to adversely affect the Piping Plover.

Finally, the Corps has determined that the project is not likely to adversely affect the *rufa* red knot.

Should you determine that the proposed activity is not within the scope of the SPBO or the P3BO, please consider this letter initiation of consultation pursuant to Section 7 of the Endangered Species Act. For consultation on the red knot, we request that you review our determination and provide your concurrence as appropriate.

### ***Coastal Barrier Resources Act***

The placement site is located adjacent to and within two designated units of the John H. Chafee Coastal Barrier Resources System (CBRS), including Usinas Beach (Unit P04A) and Conch Island (Unit P05; see enclosed map of the CBRS units). The Coastal Barrier Resources Act (CBRA) of 1982 and the Coastal Barrier Resources Improvement Act (CBRIA) of 1990 limit federally subsidized development in CBRS Units to limit the loss of human life by discouraging development in high risk areas, to reduce wasteful expenditures of Federal resources, and to protect the natural resources associated with coastal barriers.

The TSP includes placement of sand on P04A to protect Highway A1A from storm-related damages. Highway A1A is the primary hurricane evacuation route for the island, and is an essential link to the larger hurricane evacuation network. As the project is intended to maintain this roadway and prevent it from being undermined as a result of storm damage, federal expenditures in this area would be excepted from the requirements under CBRA pursuant to 16 U.S.C. § 3505(a)(3).

In addition to protecting and maintaining Highway A1A, the proposed project is a nonstructural project that is designed to mimic and restore the natural stabilization system. The project includes the maintenance of the 2015 dune profile, which is important for nesting green turtles. The beach profile will be sloped to reduce the likelihood of escarpments from forming and to more closely mimic the natural beach profile.

For the reasons stated above, USACE determined that the project is consistent with the three purposes of CBRA, which are to minimize: (1) the loss of human life; (2) wasteful expenditure of federal revenues; and (3) the damage to fish, wildlife, and other natural resources associated with coastal barriers. As such, the project meets the criteria outlined in 16 U.S.C. § 3505(a)(6).

Therefore, Corps has determined that the proposed project is consistent with CBRA and CBRIA, and we request your confirmation of this determination.

If you have any questions, please contact me at (904) 232-2336 or the technical point of contact. The technical point of contact for this action is Aubree Hershorin, who can be reached at (904) 232-2136.

Sincerely,

A handwritten signature in black ink, appearing to read "Gina Paduano", with a large, stylized flourish extending from the end of the signature.

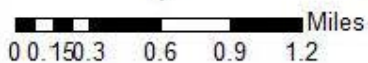
Gina Paduano, Ralph, Ph.D.  
Chief, Environmental Branch

Enclosures



**Legend**

- Fill Template
- 1000 ft. Taper
- Sand Source
- CBRS Polygons



DEPARTMENT OF THE ARMY  
U.S. Army Engineer District, Jacksonville, Florida  
**St. Johns County Coastal Storm Risk Management Project**  
**Coastal Barrier Resources System**



®



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

REPLY TO  
ATTENTION OF

Planning and Policy Division  
Environmental Branch

MAY 20 2015

Geoffrey Wikel, Chief  
Branch of Environmental Coordination  
Division of Environmental Assessment  
Office of Environmental Programs  
Bureau of Ocean Energy Management  
45600 Woodland Road, VAM OEP  
Sterling VA 20166

Dear Mr. Wikel:

In accordance with regulations pertaining to the National Environmental Policy Act (Title 40 of the Code of Federal Regulations, part 1501.6), I am formally inviting your agency to become a cooperating agency for an Environmental Assessment for evaluation of the feasibility of providing shoreline erosion protection, hurricane and storm damage reduction, and related purposes to the shores of St. Johns County, Florida.

Please note that cooperating agency status involves actions and responsibilities beyond that normally associated with a commenting or permitting agency. Your agency is being specifically requested to provide special expertise on natural resources in this area.

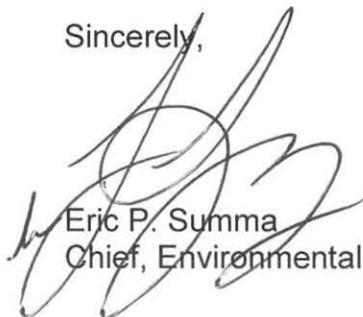
The formulation of the project, alternatives, and mitigation will be in accordance with Engineer Regulation ER 1105-2-100 and will fully consider a range of environmental, economic, and social factors. As a cooperating agency, you must fully consider the views, needs, and benefits of competing interests.

No cooperating agency will have "veto" over the selection of the project plan, alternatives, or mitigation measures. Under your status as a commenting agency, you may recommend actions not ultimately adopted or implemented by the lead agency. You may also impose requirements to the extent allowed under your legal authority as a permitting agency. Conflict with the lead agency may be resolved through mediation, placing a dissenting opinion in the EA, withdrawing your cooperating agency status, or the Lead agency pursuing an EA without you as a cooperating agency.

For additional information see the enclosed "Rights and Responsibilities of Lead and Cooperating Agencies" (Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations, Council on Environmental Quality, 1981).

Please indicate whether you accept this invitation to become a cooperating agency (as described above) within 30 days of the date of this letter. If you have any questions, please contact Mr. Paul DeMarco at 904-232-1897.

Sincerely,

  
Eric P. Summa  
Chief, Environmental Branch

Enclosure

Dinkens/CESAJ-PD/1867  
DeMarco/CESAJ-PD-EC/1897  
2 Spinning/CESAJ-PD-EC  
Burch/CESAJ-DP-C  
2 Summa/CESAJ-PD-E

L: group/pdec/DeMarco/St. Johns Co/BOEM St. Johns GI CoopAgency ltr.docx

**Excerpt: Forty Most Asked Questions Concerning CEQ's  
National Environmental Policy Act Regulations  
(Council on Environmental Quality, 1981)**

**14a. Rights and Responsibilities of Lead and Cooperating Agencies.** What are the respective rights and responsibilities of lead and cooperating agencies? What letters and memoranda must be prepared?

A. After a lead agency has been designated (Sec. 1501.5), that agency has the responsibility to solicit cooperation from other federal agencies that have jurisdiction by law or special expertise on any environmental issue that should be addressed in the EIS being prepared. Where appropriate, the lead agency should seek the cooperation of state or local agencies of similar qualifications. When the proposal may affect an Indian reservation, the agency should consult with the Indian tribe. Section 1508.5. The request for cooperation should come at the earliest possible time in the NEPA process.

After discussions with the candidate cooperating agencies, the lead agency and the cooperating agencies are to determine by letter or by memorandum which agencies will undertake cooperating responsibilities. To the extent possible at this stage, responsibilities for specific issues should be assigned. The allocation of responsibilities will be completed during scoping. Section 1501.7(a)(4).

Cooperating agencies must assume responsibility for the development of information and the preparation of environmental analyses at the request of the lead agency. Section 1501.6(b)(3). Cooperating agencies are now required by Section 1501.6 to devote staff resources that were normally primarily used to critique or comment on the Draft EIS after its preparation, much earlier in the NEPA process -- primarily at the scoping and Draft EIS preparation stages. If a cooperating agency determines that its resource limitations preclude any involvement, or the degree of involvement (amount of work) requested by the lead agency, it must so inform the lead agency in writing and submit a copy of this correspondence to the Council. Section 1501.6(c).

In other words, the potential cooperating agency must decide early if it is able to devote any of its resources to a particular proposal. For this reason the regulation states that an agency may reply to a request for cooperation that "other program commitments preclude any involvement or the degree of involvement requested in the action that is the subject of the environmental impact statement." (Emphasis added). The regulation refers to the "action," rather than to the EIS, to clarify that the agency is taking itself out of all phases of the federal action, not just draft EIS preparation. This means that the agency has determined that it cannot be involved in the later stages of EIS review and comment, as well as decision making on the proposed action. For this reason, cooperating agencies with jurisdiction by law (those which have permitting or other approval authority) cannot opt out entirely of the duty to cooperate on the EIS. See also Question 15, relating specifically to the responsibility of EPA.

14b. How are **disputes resolved between lead and cooperating agencies** concerning the scope and level of detail of analysis and the quality of data in impact statements?

A. Such disputes are resolved by the agencies themselves. A lead agency, of course, has the ultimate responsibility for the content of an EIS. But it is supposed to use the environmental analysis and recommendations of cooperating agencies with jurisdiction by law or special expertise to the maximum extent possible, consistent with its own responsibilities as lead agency. Section 1501.6(a)(2).

If the lead agency leaves out a significant issue or ignores the advice and expertise of the cooperating agency, the EIS may be found later to be inadequate. Similarly, where cooperating agencies have their own decisions to make and they intend to adopt the environmental impact statement and base their decisions on it, one document should include all of the information necessary for the decisions by the cooperating agencies. Otherwise they may be forced to duplicate the EIS process by issuing a new, more complete EIS or Supplemental EIS, even though the original EIS could have sufficed if it had been properly done at the outset. Thus, both lead and cooperating agencies have a stake in producing a document of good quality. Cooperating agencies also have a duty to participate fully in the scoping process to ensure that the appropriate range of issues is determined early in the EIS process.

Because the EIS is not the Record of Decision, but instead constitutes the information and analysis on which to base a decision, disagreements about conclusions to be drawn from the EIS need not inhibit agencies from issuing a joint document, or adopting another agency's EIS, if the analysis is adequate. Thus, if each agency has its own "preferred alternative," both can be identified in the EIS. Similarly, a cooperating agency with jurisdiction by law may determine in its own ROD that alternative A is the environmentally preferable action, even though the lead agency has decided in its separate ROD that Alternative B is environmentally preferable.

14c. What are the specific responsibilities of federal and state **cooperating agencies to review draft EISs**?

A. Cooperating agencies (i.e., agencies with jurisdiction by law or special expertise) and agencies that are authorized to develop or enforce environmental standards, must comment on environmental impact statements within their jurisdiction, expertise or authority. Sections 1503.2, 1508.5. If a cooperating agency is satisfied that its views are adequately reflected in the environmental impact statement, it should simply comment accordingly. Conversely, if the cooperating agency determines that a draft EIS is incomplete, inadequate or inaccurate, or it has other comments, it should promptly make such comments, conforming to the requirements of specificity in section 1503.3.

14d. How is the lead agency to treat the comments of another agency with jurisdiction by law or special expertise which has **failed or refused to cooperate or participate in scoping or EIS preparation**?

A. A lead agency has the responsibility to respond to all substantive comments raising significant issues regarding a draft EIS. Section 1503.4. However, cooperating agencies are generally under an obligation to raise issues or otherwise participate in the EIS process during scoping and EIS preparation if they reasonably can do so. In practical terms, if a cooperating agency fails to cooperate at the outset, such as during scoping, it will find that its comments at a later stage will not be as persuasive to the lead agency.



# United States Department of the Interior

BUREAU OF OCEAN ENERGY MANAGEMENT  
WASHINGTON, DC 20240-0001

JUN 04 2015

Mr. Eric Summa, Chief  
Environmental Branch  
U.S. Army Corps of Engineers-Jacksonville District  
P.O. Box 4970  
Jacksonville, Florida 32232-0019

Dear Mr. Summa:

Thank you for your May 20, 2015, letter requesting that the Bureau of Ocean Energy Management (BOEM) become a cooperating agency during the preparation of an Environmental Assessment (EA) for evaluation of the feasibility of providing shoreline erosion protection and hurricane and storm damage reduction along the shores of St. Johns County, Florida. The U.S. Army Corp of Engineers Jacksonville District (Corps) is currently evaluating alternatives, consisting of an array of various structural and non-structural measures, to accomplish the identified project planning goals and objectives. Beach nourishment and dune construction were included among the structural measures carried forward within the final array of alternative plans being evaluated. These measures may require use of federal sand resources located within the Outer Continental Shelf (OCS). Section 8(k) of the Outer Continental Shelf Lands Act (OCSLA) grants BOEM the authority to convey, on a noncompetitive basis, the rights to OCS sand, gravel, or shell resources for shore protection, beach or wetlands restoration, or for use in construction projects funded in whole or part or authorized by the federal government.

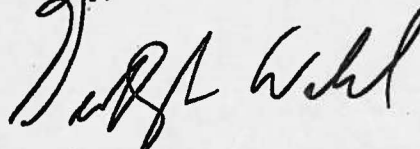
BOEM welcomes the opportunity to participate in this National Environmental Policy Act (NEPA) effort and agrees to serve as a cooperating agency since BOEM has sole jurisdiction over mineral leasing on the OCS. As a cooperating agency, BOEM expects to: participate and provide input in the NEPA process at the earliest possible time; assume, on the request of the Corps, responsibility for developing information and preparing environmental analyses for which BOEM has special expertise; make available staff support, at the lead agency's request, to enhance the interdisciplinary capability of the Corps; provide comment on draft versions of the EA when requested; and use our own funds to accomplish these responsibilities. Several NEPA documents have been previously prepared by the Corps and/or BOEM considering the potential environmental effects of dredging offshore sand resources within the vicinity of the project area. BOEM expects to collaborate with the Corps to identify the existing NEPA analyses that can be used to ensure the most efficient and effective treatment of potential effects, while also considering and incorporating new information and science when appropriate.

BOEM recognizes the importance of initiating and agrees to participate in the required Endangered Species Act (ESA) Section 7 consultation; the Magnuson-Stevens Fishery and Conservation Management Act Essential Fish Habitat (EFH) consultation (Section 305); the National Historic Preservation Act Section (NHPA) Section 106 process; and the Coastal Zone Management Act (CZMA) Section 307 consistency process. The lead agency in ESA Section 7

consultation for potential impacts on protected species will be designated by jurisdiction and in accordance with 50 CFR §402.07. BOEM is a joint consulting agency with the Corps in the ongoing re-initiated consultation for the South Atlantic Regional Biological Opinion (SARBO), for which this project would be included as a component of the proposed action. BOEM anticipates that this consultation will be concluded prior to any planned construction date for this project and will serve as the consultation mechanism for the in-water dredging and placement activities of both agencies. The Corps would be the lead agency and consult with the U.S. Fish and Wildlife Service (FWS) concerning effects from placement activities for species under their purview (i.e., nesting sea turtles) and will notify FWS of BOEM's interconnected action and cooperating role. BOEM and the Corps will consult jointly with NMFS Habitat Conservation Division on essential fish habitat. BOEM anticipates that the Corps will be the lead federal agency for ensuring NHPA Section 106 compliance. BOEM expects to act in a consulting role, especially when coordinating with the Florida State Historic Preservation Officer (SHPO) concerning the use of OCS sand resources and all related cultural resource survey activities. BOEM requests that the Corps involve BOEM in all deliberations with the SHPO or Tribal Historic Preservation Officers so that BOEM's involvement in the undertaking is understood. The Corps will be following Subpart C procedures to obtain a consistency concurrence from the Florida Department of Environmental protection through the Joint Coastal Permit process in compliance with Section 307 of the Coastal Zone Management Act (CZMA).

BOEM looks forward to working with the Corps during this process. We would greatly appreciate it if the Corps would include us on all public notices and correspondence to other federal and state agencies concerning this project. If you would like to discuss any of these items further, please contact Doug Piatkowski at (703) 787-1833 or by e-mail at [douglas.piatkowski@boem.gov](mailto:douglas.piatkowski@boem.gov).

Sincerely,



Geoffrey Wikel  
Chief, Branch of Environmental Coordination  
Division of Environmental Assessment

cc: Jeffrey Reidenauer, Leasing Division  
Bureau of Ocean Energy Management



# Florida Department of Environmental Protection

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Interim Secretary

June 24, 2015

Mr. Eric P. Summa, Chief  
Environmental Branch, Jacksonville District  
U.S. Army Corps of Engineers  
P.O. Box 4970  
Jacksonville, FL 32232-0019

RE: Department of the Army, Jacksonville District Corps of Engineers –  
Draft Supplemental Environmental Assessment, North Beach and  
Nearshore Placement, Maintenance Dredging St. Augustine Inlet and  
Adjacent Intracoastal Waterway – St. Johns County, Florida.  
SAI # FL201505017280C

Dear Mr. Summa:

The Florida State Clearinghouse has coordinated a review of the subject Draft Supplemental Environmental Assessment (SEA) under the following authorities: Presidential Executive Order 12372; § 403.061(42), *Florida Statutes*; the Coastal Zone Management Act, 16 U.S.C. §§ 1451-1464, as amended; and the National Environmental Policy Act, 42 U.S.C. §§ 4321-4347, as amended.

The following agencies submitted comments, concerns and recommendations regarding the Draft SEA, all of which (memorandum and letters) are attached hereto, incorporated herein by this reference, and made an integral part of this letter:

- Florida Department of Environmental Protection
- Florida Fish and Wildlife Conservation Commission
- Florida Department of State, Division of Historical Resources

Based on the information contained in the Draft SEA and enclosed state agency comments, the state has determined that, at this stage, the proposed federal action is consistent with the Florida Coastal Management Program (FCMP). To ensure the project's continued consistency with the FCMP, the concerns identified by our reviewing agencies must be addressed prior to project implementation. The state's continued concurrence will be based on the activities' compliance with FCMP authorities, including federal and state monitoring of the activities to ensure their continued conformance, and the adequate resolution of issues

Mr. Eric P. Summa  
Page 2 of 2  
June 24, 2015

identified during this and any subsequent reviews. The state's final concurrence of the project's consistency with the FCMP will be determined during the environmental permitting process, in accordance with Section 373.428, *Florida Statutes*.

Thank you for the opportunity to review the draft document. Should you have any questions regarding this letter, please don't hesitate to contact me at [Lauren.Milligan@dep.state.fl.us](mailto:Lauren.Milligan@dep.state.fl.us) or (850) 245-2170.

Yours sincerely,



Lauren P. Milligan, Coordinator  
Florida State Clearinghouse  
Office of Intergovernmental Programs

Enclosures

cc: Roxane Dow, DEP, DWRM  
Rebecca Prado, DEP, FCO  
Cheri Albin, DEP, FPS  
Scott Sanders, FWC  
Timothy Parsons, DOS



# Florida

Department of Environmental Protection

"More Protection, Less Process"



## Categories

[DEP Home](#) | [OIP Home](#) | [Contact DEP](#) | [Search](#) | [DEP Site Map](#)

Project Information	
Project:	FL201505017280C
Comments Due:	06/12/2015
Letter Due:	06/30/2015
Description:	DEPARTMENT OF THE ARMY, JACKSONVILLE DISTRICT CORPS OF ENGINEERS - DRAFT SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT, NORTH BEACH AND NEARSHORE PLACEMENT, MAINTENANCE DREDGING ST. AUGUSTINE INLET AND ADJACENT INTRACOASTAL WATERWAY - ST. JOHNS COUNTY, FLORIDA.
Keywords:	ACOE - MAINTENANCE DREDGING ST. AUGUSTINE INLET AND IWW - ST. JOHNS CO.
CFDA #:	12.107
Agency Comments:	
<b>ENVIRONMENTAL PROTECTION - FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION</b>	
<p>The DEP's Division of Water Resource Management finds the Draft SEA to be consistent with its authorities under the FCMP. The document addresses recommendations in the St. Augustine Inlet Management Plan, and one nearshore placement event has already been permitted under Joint Coastal Permit Modification No. 0251706-006-JN. The DEP's Florida Coastal Office also offers the following specific comments: The proposed South Ponte Vedra placement areas (between R-84 and R-98) are within the Guana River Marsh Aquatic Preserve and the Guana Tolomato Matanzas NERR. This area is a State Sea Turtle Index beach with a monitoring dataset beginning in 1987; any artificial manipulation during sea turtle nesting season could compromise the integrity of this long-standing data. The waters of the aquatic preserve are also classified as an OFW. The Draft SEA uses data collected between 2001 and 2008. Since that time, the area has seen a significant increase in nesting. Staff suggests that more recent data be used, including this year's nests: a Leatherback nest documented near R-105 on May 17, 2015, and a Kemp's Ridley nest documented near R-102 on May 23, 2015. It is likely that the "nest per kilometer" ranking has changed as well. Although alterations to the beach could compromise the beach as an index beach, staff will defer to the FWC's recommendations, as they are the lead agency for protected species. The beaches within the Guana River Marsh Aquatic Preserve have not been previously nourished. Therefore, it is recommended that that sand placed on these beaches be carefully selected and monitored to ensure that the original grain size is preserved. Sediment samples used to determine the native beach grain size should be obtained from beaches within the aquatic preserve that have not been previously nourished....</p>	
<b>FISH and WILDLIFE COMMISSION - FLORIDA FISH and WILDLIFE CONSERVATION COMMISSION</b>	
<p>The FWC notes that Section 4 of the draft SEA addresses environmental effects, proposed minimization measures, and environmental commitments. The USACE has determined that the nearshore placement "may affect but is not likely to adversely affect" sea turtles in the water, manatees, right whales, or the smalltooth sawfish, and that the north beach placement is "not likely to adversely affect" these species. FWC staff offers the following additional recommendations for consideration in the final SEA. Placement of sand in the nearshore along a marine turtle nesting beach from May 1 through October 31 can interfere with nesting or hatchling marine turtles. Vessels operating along the nesting beach at night can block access to or from the beach. Lights on the dredge and other vessels operating in proximity to the nesting beach could be visible for miles along the shoreline, causing disorientation of nesting and/or hatchling sea turtles. Minimization measures need to be proposed to ensure that nesting and hatchling marine turtles are protected if nearshore placement occurs at night during the nesting season. FWC staff may provide more specific recommendations once project specifications have been finalized, such as during the permit review process. The draft SEA states that the USACE would implement its migratory bird protection policy should dredged sand be placed on the beach during the April 1 through August 31 seabird and shorebird nesting season. It is stated that the policy requires monitoring and a buffer of at least 200 feet around nests. FWC's standard shorebird conditions recommend a buffer distance of 300 feet. Buffer zones and other avoidance measures can be used to reduce the potential for "take" of state-listed species, as defined in Chapter 68A-27, F.A.C., which would eliminate the need to obtain an Incidental Take Permit from the FWC. Staff is available to assist with determining avoidance and minimization measures or discuss permitting alternatives.</p>	
<b>STATE - FLORIDA DEPARTMENT OF STATE</b>	
<p>The DOS notes that a new cultural resource assessment survey will be conducted by the USACE of the South Ponte Vedra (SPV) Near Shore Placement Area. Staff looks forward to receiving a copy of this survey for review. Regarding the proposed maintenance dredging activities, the DOS' May 8, 2015 comments concerning the maintenance of buffers around known targets and magnetic anomalies are still applicable. DOS notes that these concerns are addressed in the Draft SEA (April 2015). If the above conditions are met, the DOS concurs with the USACE's determination that the proposed undertakings will have no adverse effect on historic properties.</p>	
<b>ST. JOHNS RIVER WMD - ST. JOHNS RIVER WATER MANAGEMENT DISTRICT</b>	
<p>SJRWMD has no comments.</p>	
<b>NE FLORIDA RPC - NORTHEAST FLORIDA REGIONAL PLANNING COUNCIL</b>	
<p>The NEFRC and St. Johns County have no comments on the proposal.</p>	



# Florida Department of Environmental Protection

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Interim Secretary

## MEMORANDUM

**TO:** Lauren Milligan, Office of Intergovernmental Programs

**FROM:** Roxane Dow, Division of Water Resource Management  
Rebecca Prado, Florida Coastal Office  
Cheri Albin, Florida Park Service

**SUBJECT:** Department of the Army, Jacksonville District Corps of Engineers –  
Draft Supplemental Environmental Assessment (SEA), North Beach and  
Nearshore Placement, Maintenance Dredging St. Augustine Inlet and  
Adjacent Intracoastal Waterway – St. Johns County, Florida.  
SAI # FL201505017280C

**DATE:** June 15, 2015

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Staff of the Department's Division of Water Resource Management finds the Draft SEA to be consistent with its authorities under the Florida Coastal Management Program. The document addresses recommendations in the St. Augustine Inlet Management Plan (IMP), and one nearshore placement event has already been permitted under Joint Coastal Permit Modification No. 0251706-006-JN.

The Department's Florida Coastal Office also offers the following specific comments:

The proposed South Ponte Vedra placement areas (between range monuments R-84 and R-98) are within the Guana River Marsh Aquatic Preserve and the Guana Tolomato Matanzas National Estuarine Research Reserve. This area is a State Sea Turtle Index beach with a monitoring dataset beginning in 1987; any artificial manipulation during sea turtle nesting season could compromise the integrity of this long-standing data. The waters of the aquatic preserve are also classified as Outstanding Florida Waters (OFW).

The Draft SEA uses data collected between 2001 and 2008. Since that time, the area has seen a significant increase in nesting. Staff suggests that more recent data be used, including this year's nests: a Leatherback sea turtle nest documented near monument R-105 on May 17, 2015, and a Kemp's Ridley sea turtle nest documented near R-102 on May 23, 2015. It is

likely that the “nest per kilometer” ranking has changed as well. Although alterations to the beach could compromise the beach as an index beach, staff will defer to the Florida Fish and Wildlife Conservation Commission’s recommendations, as they are the lead agency for protected species.

The beaches within the Guana River Marsh Aquatic Preserve have not been previously nourished. Therefore, it is recommended that that sand placed on these beaches be carefully selected and monitored to ensure that the original grain size is preserved. Sediment samples used to determine the native beach grain size should be obtained from beaches within the aquatic preserve that have not been previously nourished. This should not only help reduce turbidity to the OFW classified waters, but also lead to quicker stabilization of the beach profile, reduce erosion and serve to maximize the interval between future nourishments.

For further information and assistance, please contact Mr. Mike Shirley or Ms. Andrea Noel in the Florida Coastal Office’s East Coast Region at (904) 823-4500.

The following comments are provided by the Department’s Florida Park Service (FPS):

The FPS recognizes the St. Augustine IMP and will work with the Division of Water Resource Management to provide support and further the objectives of the plan, particularly optimizing the protection of beach habitat and beach front recreation at Anastasia State Park.

In recent years, FPS staff has observed increased erosion on the north end of Anastasia State Park following dredging projects north of and offshore the park. These alterations have led to the loss of significant beach front, and endangered beach mouse and shorebird nesting habitat in the northernmost strand of the park. The FPS, therefore, requests that sand transfer material be placed south of the inlet between R-125 and R-127 in an effort to replace loss of this significant habitat and recreational area on the park’s north end. Placement of sand as noted above would further the objective to replicate the natural drift of sand that has been interrupted or altered, and to place sand on adjacent eroding beaches put forward in the IMP.

If you have any questions, please contact Ms. Cheri Albin in the FPS Bureau of Natural and Cultural Resources at (850) 245-3105.



## Florida Fish and Wildlife Conservation Commission

### Commissioners

**Richard A. Corbett**  
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Tampa

**Brian Yablonski**  
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Tallahassee

**Ronald M. Bergeron**  
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**Nick Wiley**  
Executive Director

**Eric Sutton**  
Assistant Executive Director

**Jennifer Fitzwater**  
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**Nick Wiley**  
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MyFWC.com

June 16, 2015

Lauren P. Milligan, Coordinator  
Florida State Clearinghouse  
Florida Department of Environmental Protection  
3900 Commonwealth Blvd, M.S. 47  
Tallahassee, FL 32399-3000  
[Lauren.Milligan@dep.state.fl.us](mailto:Lauren.Milligan@dep.state.fl.us)

Re: SAI #FL201505017280C, Department of the Army, Jacksonville District Corps of Engineers, Draft Supplemental Environmental Assessment (SEA), Maintenance Dredging of St. Augustine Inlet with Beach and Nearshore Placement, St. Johns County

Dear Ms. Milligan:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the above-referenced project, and provides the following comments and recommendations for your consideration in accordance with Chapter 379, Florida Statutes, and the Coastal Zone Management Act, Florida's Coastal Management Program.

### Project Description

The U.S. Army Corps of Engineers (USACE) proposes to conduct periodic maintenance dredging of the St. Augustine Inlet, including Intracoastal Waterway (IWW) Cuts SJ-28 to SJ-30, a portion of the inlet flood shoal, and a portion of the inlet entrance channel along Porpoise Point. The proposed project includes placement of beach-compatible dredge spoil along the shorelines of: 1) Anastasia State Park and St. Augustine Beach from Florida Department of Environmental Protection (FDEP) monuments R-132 to R-152 located south of the inlet, 2) South Ponte Vedra from R-84 to R-98 located north of the inlet, and 3) Vilano Beach from R-109 to R-117 north of the inlet. Dredge spoil that is not beach-compatible is proposed to be placed in near-shore placement areas from FDEP monuments R-141 to R-146 south of the inlet or from R-84 to R-98 and R-109 to R-117 north of the inlet.

An Environmental Assessment was completed in 2011 for the proposed maintenance dredging with spoil disposal on the beach and nearshore areas south of the inlet with a Finding of No Significant Impact. In 2014 the FDEP issued the "Critically Eroded Beaches in Florida" report, which identified 11.5 miles of critically eroded shoreline in St. Johns County and a revision to the St. Augustine Inlet Management Plan. The plan recommended placement of dredged beach-compatible dredge spoil on designated critically eroded shorelines to the north or south of the inlet. The subject draft SEA is intended to only evaluate placement of dredge spoil north of the inlet. It is noted that the FDEP issued Joint Coastal Permit (JCP) Modification No. 0251706-006-JN on April 21, 2015, for nearshore placement of dredge spoil at Vilano Beach.

## Potentially Affected Resources

As discussed in Section 3.3 of the draft SEA, the project areas may provide habitat for the following federally listed species:

- Green sea turtle (*Chelonia mydas*, Federally Endangered [FE])
- Loggerhead sea turtle (*Caretta caretta*, Federally Threatened [FT])
- Leatherback sea turtle (*Dermochelys coriacea*, FE)
- Kemp's ridley sea turtle (*Lepidochelys kempii*, FE)
- Florida manatee (*Trichechus manatus latirostris*, FE)
- Smalltooth sawfish (*Pristis pectinate*, FE)
- Piping plover (*Charadrius melodus*, FT)
- Anastasia Island beach mouse (*Peromyscus polionotus phasma*, FE)
- North Atlantic right whale (*Eubalaena glacialis*, FE)

The draft SEA notes that the project area is located within critical habitat for the loggerhead sea turtle, designated by the U.S. Fish and Wildlife Service and the National Marine Fisheries Service (NMFS) in July 2014. It is also noted that the project site is located within NMFS-designated critical habitat for the North Atlantic right whale. Section 3.6 of the draft SEA notes that species common to northeast Florida may be found within the dredge spoil placement areas, including wading birds, shorebirds and other colonial nesting birds, gopher tortoises, and benthic organisms.

## Comments and Recommendations

Section 4 of the draft SEA addresses environmental effects, proposed minimization measures, and environmental commitments. The USACE has determined that the nearshore placement “may affect but is not likely to adversely affect” sea turtles in the water, manatees, right whales, or the smalltooth sawfish, and that the north beach placement is “not likely to adversely affect” these species.

### Marine Turtles

The draft SEA notes that the terms and conditions of the NMFS South Atlantic Division Regional Biological Opinions (SARBO) that are intended to minimize incidental take of marine turtles will be followed. The draft SEA also includes measures to minimize potential adverse impacts to marine turtles. FWC staff offers the following additional recommendations for consideration in preparing the final SEA. Placement of sand in the nearshore along a marine turtle nesting beach from May 1 through October 31 can interfere with nesting or hatchling marine turtles. Vessels operating along the nesting beach at night can block access to or from the beach. Lights on the dredge and other vessels operating in proximity to the nesting beach could be visible for miles along the shoreline, causing disorientation of nesting and/or hatchling sea turtles. Minimization measures need to be proposed to ensure that nesting and hatchling marine turtles are protected if nearshore placement occurs at night during the nesting season. FWC staff

may provide more specific recommendations once project specifications have been finalized, such as during the permit review process.

#### Seabirds and Shorebirds

The draft SEA states that the USACE would implement its migratory bird protection policy should dredged sand be placed on the beach during the April 1 through August 31 seabird and shorebird nesting season. It is stated that the policy requires monitoring and a buffer of at least 200 feet around nests. The FWC standard shorebird conditions recommends a buffer distance of 300 feet. Buffer zones and other avoidance measures can be used to reduce the potential for "take" of state-listed species, as defined in Chapter 68A-27, Florida Administrative Code (Rules Relating to Endangered or Threatened Species), which would eliminate the need to obtain an Incidental Take Permit from the FWC. FWC staff is available to assist with determining avoidance and minimization measures or to discuss permitting alternatives.

We appreciate the opportunity to review the draft SEA and FWC staff is available to provide technical assistance as needed in preparation of the final SEA to ensure that potential impacts to fish and wildlife resources are minimized. We find the information submitted in the draft SEA consistent with FWC's authorities under Chapter 379, F.S. If you need any further assistance, please do not hesitate to contact Jane Chabre either by phone at (850) 410-5367 or by email at [FWCConservationPlanningServices@MyFWC.com](mailto:FWCConservationPlanningServices@MyFWC.com). If you have specific technical questions regarding the content of this letter, please contact Laura DiGruttolo by phone at (352) 732-1225 or by email at [Laura.DiGruttolo@MyFWC.com](mailto:Laura.DiGruttolo@MyFWC.com).

Sincerely,



Jennifer D. Goff  
Land Use Planning Administrator  
Office of Conservation Planning Services

jdg/ld

ENV 1-3-2

St Augustine Inlet and IWW North Placement Draft EA\_21077\_061615

cc: Paul Demarco, USACE, [paul.m.demarco@usace.army.mil](mailto:paul.m.demarco@usace.army.mil)



## FLORIDA DEPARTMENT of STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

Mr. Eric P. Summa  
Jacksonville USACE, Planning & Policy Division  
Environmental Branch  
701 San Marco Boulevard  
Jacksonville, Florida 32207-8175

June 2, 2015

Re: DHR Project: 2015-2095/ Received by DHR: May 4, 2015  
Sponsor: Florida Inland Navigation District, St. Augustine Port, Waterway and Beach District  
Project: U.S. Army Corp of Engineers, Maintenance Dredging for Proposed Cuts 27A to 30A of the IWW and the St. Augustine Inlet Channel and Settling Basins  
Disposal Alternatives for Beach Placement above Mean High Water: St. Augustine Beach or Anastasia State Park (Between DEP Monuments R-131-A to R-148)  
Nearshore Placement Alternatives below Mean Lower Low Water between DEP Monument R-141 to R-146  
Additional Placement Areas for Critically Eroding Areas in South Ponte Vedra (SPV) and Vilano Beach (VB) St. Johns County

Dear Mr. Summa:

This office reviewed the referenced project for possible effects on historic properties listed, or eligible for listing, on the *National Register of Historic Places*. The review was conducted in accordance with Section 106 of the *National Historic Preservation Act of 1966*, as amended, and its implementing regulations in *36 CFR Part 800: Protection of Historic Properties*.

We note that a new cultural resource assessment survey will be conducted by the Corps of the South Ponte Vedra (SPV) Near Shore Placement Area. We look forward to receiving a copy of this survey for review. Regarding the above referenced maintenance dredging activities: our comment of May 8, 2015 (DHR Project File # 2015-1661 copy attached) still stand. We note that these concerns are addressed in the Draft Environmental Assessment (April 2015).

If the above conditions are met, we concur with the Corps' determination that the proposed undertakings will have no adverse effect on historic properties.

For any questions concerning our comments, please contact Robin Jackson, Historic Preservationist, Compliance and Review, by electronic mail at [robin.jackson@dos.myflorida.com](mailto:robin.jackson@dos.myflorida.com), or at 850.245.6333, or 800.847.7278.

Sincerely

Robert F. Bendus, Director  
Division of Historical Resources  
& State Historic Preservation Officer



Division of Historical Resources  
R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399  
850.245.6300 • 850.245.6436 (Fax) [flheritage.com](http://flheritage.com)  
Promoting Florida's History and Culture [VivaFlorida.org](http://VivaFlorida.org)





## FLORIDA DEPARTMENT of STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

Mr. Eric P. Summa  
Jacksonville USACE, Permits Section  
701 San Marco Boulevard, RM 372  
Jacksonville, Florida 32207

May 08, 2015

Re: DHR No.: 2015-1661/ Received by DHR: April 09, 2015  
Applicant: U.S. Army Corps of Engineers  
Project: St. Augustine Maintenance Dredge – Cuts SJ 28, 29, 29A, 30 and 30A

Dear Mr. Summa:

Our office received and reviewed the project in accordance with Section 106 of the *National Historic Preservation Act of 1966*, as amended and the *National Environmental Policy Act of 1969*. The State Historic Preservation Officer is to advise and assist federal agencies when identifying historic properties (archaeological, architectural, and historical resources) listed, or eligible for listing, in the National Register of Historic Places, assessing the project's effects, and considering alternatives to avoid or minimize adverse effects.

- Maintain a 200 foot buffer from these four known targets (SA-T-5, SA-OS-2, SA-OS-3 & SA-OS-4)
- We would like to remind the applicant of our previous recommendation regarding dredging of the St. Augustine Inlet Channel. There are 20 magnetic anomalies (Cluster SR 1-6) within the South Reach Cuts SJ-29, 29A and 30. Our recommendation for a 100 foot buffer to be maintained still stands.
- Maintain a 150 foot buffer around site 8SJ4889, Target 1 (Dixie Crystal Wreck)
- We recommend that the applicant make contingency plans in the case of fortuitous finds or unexpected discoveries during ground disturbing activities within the project area:

*If prehistoric or historic artifacts are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the immediate vicinity of the discovery. The applicant shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850)-245-6333. Project activities shall not resume without verbal and/or written authorization. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes.*



**Division of Historical Resources**  
**R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399**  
**850.245.6300 • 850.245.6436 (Fax) flheritage.com**  
**Promoting Florida's History and Culture VivaFlorida.org**

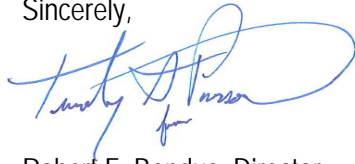


Mr. Summa  
DHR No.: 2015-1661  
May 08, 2015  
Page 2

- Any anomalies that cannot be avoided by project activities will need to be subjected to diver investigation to determine if they represent significant cultural resources that may be impacted by the proposed undertaking.

For any questions concerning our comments, please contact Mary Berman, Historic Preservationist, Compliance and Review at 850.245.6333, or by electronic mail at [Mary.Berman@dos.myflorida.com](mailto:Mary.Berman@dos.myflorida.com).

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert F. Bendus", with a stylized flourish extending from the end.

Robert F. Bendus, Director  
Division of Historical Resources  
and State Historic Preservation Officer



RECEIVED

JUN 09 2015

DEP Office of  
Intergov'tl Programs

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June 5, 2015

Lauren P. Milligan  
Florida State Clearinghouse  
Florida Department of Environmental Protection  
3900 Commonwealth Boulevard, MS 47  
Tallahassee, Florida 32399-3000

**SAI** # FL201505017280C  
**NEFRC** # FSC-15-R004

**Project Description:** Department of the Army, Jacksonville District Corps of Engineers – Draft Supplemental Environmental Assessment, North Beach and Nearshore Placement, Maintenance Dredging St. Augustine Inlet and Adjacent Intracoastal Waterway – St. Johns County, Florida .

Attn: Florida State Clearinghouse

Pursuant to the provisions of Presidential Executive Order 12372, Governor's Executive Order 95-359 and Chapter 29E-6 Florida Administrative Code, the staff of the Northeast Florida Regional Council (NEFRC) has reviewed the above referenced project for dredging and nearshore replacement in St. Johns County. After review, staff at the Northeast Florida Regional Council has no comments.

All the best,

Eric B. Anderson, AICP  
Senior Regional Planner  
Intergovernmental Coordination & Review  
**Northeast Florida Regional Council**  
**(904) 279-0885 x178**  
**eanderson@nefrc.org**



**UNITED STATES DEPARTMENT OF COMMERCE**

National Oceanic and Atmospheric Administration

**NATIONAL MARINE FISHERIES SERVICE**

Southeast Regional Office

263 13th Avenue South

St. Petersburg, Florida 33701-5505

<http://sero.nmfs.noaa.gov>

June 29, 2015

F/SER47:BH/pw

(Sent via Electronic Mail)

Colonel Alan M. Dodd, Commander  
Jacksonville District Corps of Engineers  
PO Box 4970  
Jacksonville, Florida 32232-0019

Attention: Paul Demarco

Dear Colonel Dodd:

NOAA's National Marine Fisheries Service (NMFS) reviewed the Jacksonville District's public notice dated May 1, 2015, and Draft *Supplemental Environmental Assessment, Maintenance Dredging St. Augustine Inlet and Adjacent Intracoastal Waterway, St. Johns County, Florida* (SEA), dated April 2015. The Jacksonville District proposes to maintenance dredge approximately 200,000 cubic yards of material from Cuts 27A to 30A of the Intracoastal Waterway (IWW) and the St. Augustine Inlet entrance channel and settling basins. The IWW would be dredged to -12 feet mean lower low water (MLLW) plus 2 feet of allowable over dredge, and the inlet entrance channel and settling basins would be dredged to -16 feet MLLW plus 2 feet of allowable over dredge. Dredge material disposal alternatives include:

- Beach placement above mean high water on St. Augustine Beach or Anastasia State Park between Florida Department of Environmental Protection (FDEP) monuments R-131A to R148.
- Nearshore (subtidal) placement between FDEP monuments R-141 to R-146.
- Placement in FDEP-designated critically eroding areas in South Ponte Vedra and Vilano Beach between FDEP Monuments R-84 to R-98 and between R109 to R-117, respectively. Adding this disposal area is the primary reason for the SEA.

The initial determination by the Jacksonville District is the proposed maintenance dredging of sand from St. Augustine Inlet, which the South Atlantic Fishery Management Council designates a Habitat Area of particular Concern (HAPC) and the IWW and disposal onto the beach and into nearshore waters SAFMC designates essential fish habitat (EFH), would not have a substantial adverse impact on EFH or federally managed fishery species. As the nation's federal trustee for the conservation and management of marine, estuarine, and anadromous fishery resources, NMFS provides the following comments and recommendations pursuant to authorities of the Fish and Wildlife Coordination Act and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

*Consultation History*

The Jacksonville District initiated EFH consultation by letter dated November 18, 2009, and provided a the Draft *Environmental Assessment, St. Augustine Inlet and Atlantic Intracoastal*



*Waterway, Maintenance Dredging with Beach Placement, St. Johns County, Florida* (EA), dated October 2009. By letter dated March 2, 2010, the NMFS provided three EFH conservation recommendations for the work, and the Jacksonville District responded to the EFH conservation recommendations by letter on May 10, 2010:

- The NMFS recommended Best Management Practices, such as restricting the time of year the dredging is done, be followed to reduce impacts to EFH and vulnerable life stages of federally managed fishery species. The Jacksonville District responded indicating it would follow to the extent practicable a schedule of seasonal sediment placement (August to March) to reduce these impacts.
- The NMFS requested the Final EA provide additional information supporting the District's contention that impacts to benthic communities at the nearshore disposal area would be minimal or, better, include a monitoring program to evaluate the impacts from nearshore disposal. The Jacksonville District provided additional citations of scientific reports concluding impacts to nearshore benthic communities may be minimal.
- The NMFS requested the Final EA provide additional information supporting the District's contention that benthic communities in the beach disposal areas would recover between dredging events, or better, include a monitoring program to evaluate the impacts from frequent disposal on the beach communities. The Jacksonville District provided additional citations of scientific reports concluding impacts to the beach communities may be minimal despite the frequent disposal events.

Due to staffing limitations, the NMFS did not further pursue the recommended monitoring programs, and the Jacksonville District released the Final EA and Finding of No Significant Impact (FONSI) on January 19, 2011.

#### *Essential Fish Habitat in the Project Area*

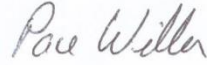
As is normal for an SEA, the discussion of impacts to EFH rely heavily on the discussion in the Final EA and focus on the areas not covered previously, i.e., the new disposal areas South Ponte Vedra Beach and Vilano Beach (Draft SEA Sections 3.5 and 4.3). Hardbottom habitat is not present near the new disposal area and the predominant EFH present is sandy bottom. Draft SEA Section 3.5 lists hard clams and menhaden as federally managed fishery species. While these species are important components of marine food webs in the project area, they are not federally managed. Additionally, this section identifies flounder (*Paralichthys* sp.) as a federally managed fishery species. Summer flounder (*Paralichthys dentatus*) is a federally managed species; however, it is not abundant in the area and could be removed from the EFH section of the Final SEA. Draft SEA Sections 4.3.2 and 4.3.3 affirm the Jacksonville District's commitment made in the Final EA to minimize impacts to vulnerable life stages of federally managed fishery species by restricting dredging to the fall and winter as funding and scheduling allow.

#### *Recommendations*

The NMFS affirms its earlier recommendations for monitoring programs to guide appropriate balancing of the timing and frequency of dredging needed for safe navigation with the time periods needed for recovery of foraging areas used by fishery species. In the absence of such monitoring to guide development of best management practices for this inlet, the proposed environmental window is acceptable.

Thank you for the opportunity to provide comments. Please direct related questions or comments to the attention of Brandon Howard at 400 N Congress Avenue, Suite 110, West Palm Beach, Florida 33401. He may be reached by telephone at 561-249-1652 or by e-mail at Brandon.Howard@noaa.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Poe Willa".

/ for

Virginia M. Fay  
Assistant Regional Administrator  
Habitat Conservation Division

cc: COE, Paul.M.Demarco@usace.army.mil  
FWS, Ashleigh\_Blackford@fws.gov  
EPA, Eric.H.Hughes@usace.army.mil  
SAFMC, Roger.Pugliese@safmc.net  
F/SER4, David.Dale@noaa.gov, Brandon.Howard@noaa.gov



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
701 San Marco Boulevard  
JACKSONVILLE, FLORIDA 32207-8175

Planning and Policy Division  
Environmental Branch

**FEB 17 2016**

TO WHOM IT MAY CONCERN:

Pursuant to the National Environmental Policy Act (NEPA) and U.S. Army Corps of Engineers (Corps) regulation (33 CFR 230.11), this letter constitutes the Notice of Availability of the proposed Finding of No Significant Impact (FONSI) and integrated draft Feasibility Study and Environmental Assessment (EA) of a Coastal Storm Risk Management project in St. Johns County, Florida. The Tentatively Selected Plan includes the use of material from the St. Augustine Inlet system for placement on approximately three miles of shoreline in South Ponte Vedra and Vilano Beaches.

The draft Feasibility Study and EA is available for review online at:

<[http://www.saj.usace.army.mil/About/DivisionsOffices/Planning/EnvironmentalBranch/EnvironmentalDocuments.aspx#St\\_Johns](http://www.saj.usace.army.mil/About/DivisionsOffices/Planning/EnvironmentalBranch/EnvironmentalDocuments.aspx#St_Johns)>.

We welcome your views and comments on the draft report, as well as information about resources and important features within the described project area. **Please provide any written comments by April 4, 2016 to:**

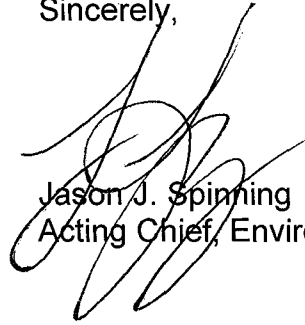
U.S. Army Corps of Engineers  
Jacksonville District  
Planning and Policy Division, Environmental Branch  
Attn: Aubree Hershorin, Ph.D.  
P.O. Box 4970  
Jacksonville, FL 32232-0019

Or via email to:

[Aubree.G.Hershorin@usace.army.mil](mailto:Aubree.G.Hershorin@usace.army.mil)

Questions concerning the EA and FONSI should be directed to Aubree Hershorin at (904) 232-2136 or via e-mail at [Aubree.G.Hershorin@usace.army.mil](mailto:Aubree.G.Hershorin@usace.army.mil).

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Spinning', written over the printed name.

Jason J. Spinning  
Acting Chief, Environmental Branch

Enclosure

COUNTY: ST. JOHNS

DATE: 2/22/2016

COMMENTS DUE DATE: 3/25/2016

CLEARANCE DUE DATE: 4/22/2016

SAI#: FL201602247563C

MESSAGE:

<b>STATE AGENCIES</b>	<b>WATER MNGMNT. DISTRICTS</b>	<b>OPB POLICY UNIT</b>	<b>RPCS &amp; LOC GOVS</b>
* ENVIRONMENTAL PROTECTION			
FISH and WILDLIFE COMMISSION			
STATE			
TRANSPORTATION			

The attached document requires a Coastal Zone Management Act/Florida Coastal Management Program consistency evaluation and is categorized as one of the following:

- ☐ Federal Assistance to State or Local Government (15 CFR 930, Subpart F). Agencies are required to evaluate the consistency of the activity.
- ☒ Direct Federal Activity (15 CFR 930, Subpart C). Federal Agencies are required to furnish a consistency determination for the State's concurrence or objection.
- ☐ Outer Continental Shelf Exploration, Development or Production Activities (15 CFR 930, Subpart E). Operators are required to provide a consistency certification for state concurrence/objection.
- ☐ Federal Licensing or Permitting Activity (15 CFR 930, Subpart D). Such projects will only be evaluated for consistency when there is not an analogous state license or permit.

**Project Description:**

DEPARTMENT OF THE ARMY - DISTRICT  
CORPS OF ENGINEERS - INTEGRATED DRAFT  
FEASIBILITY STUDY AND ENVIRONMENTAL  
ASSESSMENT OF A COASTAL STORM RISK  
MANAGEMENT PROJECT, ST. JOHNS COUNTY,  
FLORIDA.

**To: Florida State Clearinghouse**

AGENCY CONTACT AND COORDINATOR (SCH)  
3900 COMMONWEALTH BOULEVARD MS-47  
TALLAHASSEE, FLORIDA 32399-3000  
TELEPHONE: (850) 245-2161  
FAX: (850) 245-2190  
EMAIL: state.clearinghouse@dep.state.fl.us

**EO. 12372/NEPA Federal Consistency**

- ☐ No Comment
- ☐ Comment Attached
- ☐ Not Applicable

- ☐ No Comment/Consistent
- ☐ Consistent/Comments Attached
- ☐ Inconsistent/Comments Attached
- ☐ Not Applicable

**From:**

Division/Bureau: \_\_\_\_\_

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_





REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
701 San Marco Boulevard  
JACKSONVILLE, FLORIDA 32207-8175

RECEIVED  
FEB 22 2016  
DEP Office of  
Intergovt'l Programs

Planning and Policy Division  
Environmental Branch

FEB 17 2016

TO WHOM IT MAY CONCERN:

Pursuant to the National Environmental Policy Act (NEPA) and U.S. Army Corps of Engineers (Corps) regulation (33 CFR 230.11), this letter constitutes the Notice of Availability of the proposed Finding of No Significant Impact (FONSI) and integrated draft Feasibility Study and Environmental Assessment (EA) of a Coastal Storm Risk Management project in St. Johns County, Florida. The Tentatively Selected Plan includes the use of material from the St. Augustine Inlet system for placement on approximately three miles of shoreline in South Ponte Vedra and Vilano Beaches.

The draft Feasibility Study and EA is available for review online at:

<[http://www.saj.usace.army.mil/About/DivisionsOffices/Planning/EnvironmentalBranch/EnvironmentalDocuments.aspx#St\\_Johns](http://www.saj.usace.army.mil/About/DivisionsOffices/Planning/EnvironmentalBranch/EnvironmentalDocuments.aspx#St_Johns)>.

We welcome your views and comments on the draft report, as well as information about resources and important features within the described project area. **Please provide any written comments by April 4, 2016 to:**

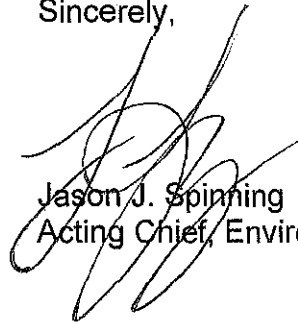
U.S. Army Corps of Engineers  
Jacksonville District  
Planning and Policy Division, Environmental Branch  
Attn: Aubree Hershorin, Ph.D.  
P.O. Box 4970  
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Or via email to:

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Questions concerning the EA and FONSI should be directed to Aubree Hershorin at (904) 232-2136 or via e-mail at [Aubree.G.Hershorin@usace.army.mil](mailto:Aubree.G.Hershorin@usace.army.mil).

Sincerely,

A handwritten signature in black ink, appearing to read "J. Spinning", written over the typed name and title.

Jason J. Spinning  
Acting Chief, Environmental Branch

Enclosure



**DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
701 San Marco Boulevard  
JACKSONVILLE, FLORIDA 32207-8175**

REPLY TO  
ATTENTION OF

**PROPOSED FINDING OF NO SIGNIFICANT IMPACT**

**ST. JOHNS COUNTY COASTAL STORM RISK MANAGEMENT PROJECT  
SOUTH PONTE VEDRA BEACH, VILANO BEACH, AND SUMMER HAVEN  
REACHES**

**ST. JOHNS COUNTY, FLORIDA**

I have reviewed the Environmental Assessment (EA) of the alternatives for providing coastal storm damage reduction to the South Ponte Vedra Beach, Vilano Beach, and Summer Haven reaches of the St. Johns County Coastal Storm Risk Management project in St. Johns County, Florida. The proposed activity includes sand placement from Florida Department of Environmental Protection (FDEP) reference monuments 102.5 to 117.5. The sand source is the St. Augustine Inlet system; however, the EA also evaluates offshore sand sources. The Draft EA for the project has been forwarded to the U.S. Environmental Protection Agency Region 4, the U.S. Fish and Wildlife Service, Vero Beach Field Office, the National Marine Fisheries Service, Southeast Region, the Florida Department of Environmental Protection, Florida Fish and Wildlife Conservation Commission, and the State Historic Preservation Officer, as well as all other known interested parties for review and comment.

This Finding incorporates by reference all discussions and conclusions contained in the EA enclosed hereto. Based on information analyzed in 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. The work will be conducted in accordance with Biological Opinions issued by the US Fish and Wildlife Service for impacts to nesting sea turtles and endangered Piping Plovers and the Regional Biological Opinion issued by the National Marine Fisheries Service for impacts to sea turtles in the water. The U.S. Army Corps of Engineers, Jacksonville District (Corps), will take measures to minimize the effects to threatened and endangered species, including sea turtles. The project will not jeopardize the continued existence of any federally listed species or adversely modify designated critical habitat, and the Preferred Alternative will have beneficial effects to protected species habitat within the project area. Reasonable and prudent measures will be taken to substantially minimize the impact of incidental take to listed species.

b. I have determined that the Recommended Plan, as proposed, will have no adverse effect on significant historic properties. Coordination with the Florida State Historic Preservation Officer and appropriate federally recognized tribes has been initiated. As stated in the EA, identified targets will be buffered where possible; otherwise, additional investigations will be conducted prior to construction.

c. This project is being coordinated with the State of Florida, and all applicable water quality standards will be met. Water Quality Certification in the form of a Joint Coastal Permit will be obtained by the FDEP prior to construction.

d. The Corps has determined that the proposed project is consistent with the Florida Coastal Zone Management Program. The final concurrence from the State will be issued with the FDEP permit.

e. The proposed project has been evaluated pursuant to the Migratory Bird Treaty Act. The Jacksonville District's Migratory Bird Protection procedures will be implemented for this project. These procedures have been coordinated with the U.S. Fish and Wildlife Service (USFWS) and the State of Florida.

f. Benefits to the public will include the restoration of habitat for protected species, fish, and wildlife; protection of upland structures from storm damage; and enhanced opportunity for recreation.

g. Measures in place during construction to eliminate, reduce, or avoid adverse impacts to below the threshold of significance to fish and wildlife resources include the following:

1. Dredging and placement activities will occur within the template of authorized and permitted areas;
2. Water-based activities will follow standard sea turtle and smalltooth sawfish protection measures and the conditions of the National Marine Fisheries Service (NMFS) South Atlantic Regional Biological Opinion (SARBO);
3. Dredged material placement will comply with the shoreline protection measure conditions of any biological opinion issued by the USFWS; and
4. Any water based activity would follow standard manatee protection measures.

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. This document will be available to the public at the following website:

[http://www.saj.usace.army.mil/About/DivisionsOffices/Planning/EnvironmentalBranch/EnvironmentalDocuments.aspx#St\\_Johns](http://www.saj.usace.army.mil/About/DivisionsOffices/Planning/EnvironmentalBranch/EnvironmentalDocuments.aspx#St_Johns).

---

JASON A. KIRK  
Colonel, Corps of Engineers  
Commanding

---

Date





## Florida Fish and Wildlife Conservation Commission

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Chairman  
Tallahassee

**Aliese P. "Liesa" Priddy**  
Vice Chairman  
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### Executive Staff

**Nick Wiley**  
Executive Director

**Eric Sutton**  
Assistant Executive Director

**Jennifer Fitzwater**  
Chief of Staff

### Office of the Executive Director

**Nick Wiley**  
Executive Director

(850) 487-3796  
(850) 921-5786 FAX

*Managing fish and wildlife resources for their long-term well-being and the benefit of people.*

620 South Meridian Street  
Tallahassee, Florida  
32399-1600  
Voice: (850) 488-4676

Hearing/speech-impaired:  
(800) 955-8771 (T)  
(800) 955-8770 (V)

MyFWC.com

March 31, 2016

Chris Stahl, Coordinator  
Florida State Clearinghouse  
Florida Department of Environmental Protection  
3900 Commonwealth Blvd, M.S. 47  
Tallahassee, FL 32399-3000  
[Chris.Stahl@dep.state.fl.us](mailto:Chris.Stahl@dep.state.fl.us)

Re: SAI #FL201602247563C, Department of the Army, Jacksonville District Corps of Engineers, Draft Integrated Feasibility Study and Environmental Assessment, Coastal Storm Risk Management Project, St. Johns County

Dear Mr. Stahl:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the above-referenced project, and provides the following comments and recommendations for your consideration in accordance with Chapter 379, Florida Statutes, and the Coastal Zone Management Act, Florida's Coastal Management Program.

### Project Description

The U.S. Army Corps of Engineers (USACE) is conducting a feasibility study to investigate alternatives for coastal storm risk management of three reaches along the Atlantic coast of St. Johns County: 1) South Ponte Vedra from Florida Department of Environmental Protection (FDEP) monuments R-84 to R-104 (3.8 miles), 2) Vilano Beach from R-104 to R-117 (2.6 miles) and R-117 to the St. Augustine Inlet North Sand-trap Groin (1.1 miles), and 3) Summer Haven from R-197 to R-209 (2.3 miles). The USACE has prepared an interim Draft Integrated Feasibility Study and Environmental Assessment report that describes existing conditions of these three areas: projected conditions if a project is not implemented to address impacts from storm-induced beach erosion; formulation of plan alternatives; and environmental effects that may be associated with a plan.

The USACE has examined and conducted modeling of structural and non-structural management measures with the goal of arriving at a plan that would address erosion-related problems while maximizing benefits, including protection and enhancement of natural resources. The tentatively selected plan consists of:

- Construction of a 60-foot berm extension, a portion reflecting the average 2015 dune position, and tapers extending from monument R-102.5 to R-117.5.
- Dune construction material will consist of sand hydraulically dredged from the St. Augustine Inlet system, including the ebb, flood, Vilano Point Shoals, federal navigation channel, and associated shoals.
- Construction will include an initial event and four periodic nourishment events over 12-year intervals.

As discussed in Section 3.8 of the report, the USACE has eliminated the Summer Haven reach from further analysis based in part on the following:

- Major infrastructure, such as State Road A1A, has already been relocated landward due to erosion.
- The project's local sponsor, St. Johns County, has been purchasing properties within the Summer Haven beach area and is precluding them from development.
- With the number of structures in the area getting smaller, the USACE believes it unlikely that damages would justify a federal Coastal Storm Risk Management project.

### Potentially Affected Resources

Section 2.3.3 of the draft report identifies the following as species for which the proposed project areas may provide habitat:

- Green sea turtle (*Chelonia mydas*, Federally Endangered [FE])
- Loggerhead sea turtle (*Caretta caretta*, Federally Threatened [FT])
- Leatherback sea turtle (*Dermochelys coriacea*, FE)
- Kemp's ridley sea turtle (*Lepidochelys kempii*, FE)
- Hawksbill sea turtle (*Eretmochelys imbricate*, FE)
- West Indian manatee (Florida manatee, *Trichechus manatus latirostris*, FE)
- Smalltooth sawfish (*Pristis pectinate*, FE)
- Piping plover (*Charadrius melodus*, FT)
- Red knot (*Calidris canutus*, FT)
- Anastasia Island beach mouse (*Peromyscus polionotus phasma*, FE)
- North Atlantic right whale (*Eubalaena glacialis*, FE)

In addition, portions of the proposed project area are known to provide habitat for least terns (*Sterna antillarum*, State Threatened).

### Comments

Section 4 of the report addresses anticipated effects that may result from the tentatively selected plan. The USACE has determined that the tentatively selected plan "may affect but is not likely to adversely affect" sea turtles in the water, manatees, right whales, or the smalltooth sawfish. FWC staff recognizes that a number of measures for avoiding and minimizing potential impacts to these species are identified in the report, including:

- Adherence to the terms and conditions of the National Marine Fisheries Service (NMFS) South Atlantic Division Regional Biological Opinions (SARBO) that are intended to minimize incidental take of marine turtles.
- Adherence to the U.S. Fish and Wildlife Service's revised State Programmatic Biological Opinion, dated August 22, 2011, for the USACE planning and regulatory sand placement activities and their effects on sea turtles and beach mice.
- Specific protective measures for manatees and North Atlantic right whales.
- Implementation of USACE migratory bird protection measures if construction occurs in summer months.

FWC staff is available to assist in refining measures discussed in the report, as well as formulating additional avoidance and minimization measures for fish and wildlife resources as project specifications are developed.

While the Summer Haven reach has been excluded from further consideration, FWC staff provides the following information should this beach area be discussed at some future point in the

project study. FDEP issued Joint Coastal Permit (JCP) Number 0313002-001-JC to the St. Augustine Port, Waterway, and Beach District on February 6, 2014, for excavation of sand from the Summer Haven River, placement of the sand onto the adjacent beach for restoration of a dune system between monuments R-200 and R-208, and creation of least tern habitat. In 2008, a breach occurred on the south side of R-200 and natural coastal processes subsequently deposited sand into the river closing the breach in 2011. Since 2010 the beach area between R-200 and R-202 has provided habitat for a nesting colony of least terns. The project authorized by the JCP will result in "take" of the state-listed least tern (as defined in Chapter 68A-27, Florida Administrative Code), and therefore necessitated issuance of an Incidental Take Permit from FWC. Should a project be proposed by the USACE in the Summer Haven reach or any other area within least tern or other listed species habitat, the requirements of Chapter 68A-27 would apply.

We appreciate the opportunity to review the Draft Feasibility Study and EA and we look forward to further coordination during preparation of the final reports to ensure that potential impacts to fish and wildlife resources are minimized. We find the information submitted in this conceptual Draft Integrated Feasibility Study and Environmental Assessment consistent with FWC's authorities under Chapter 379, F.S. We will continue to work with the applicant as new information is incorporated into the Draft Integrated Feasibility Study and Environmental Assessment to help ensure the project remains consistent with Chapter 379, F.S. If you need any further assistance, please do not hesitate to contact Jane Chabre either by phone at (850) 410-5367 or by email at [FWCConservationPlanningServices@MyFWC.com](mailto:FWCConservationPlanningServices@MyFWC.com). If you have specific technical questions regarding the content of this letter, please contact Laura DiGruttolo by phone at (352) 732-1225 or by email at [Laura.DiGruttolo@MyFWC.com](mailto:Laura.DiGruttolo@MyFWC.com).

Sincerely,



Jennifer D. Goff  
Land Use Planning Administrator  
Office of Conservation Planning Services

jdg/ld  
ENV 1-3-2  
Coastal Storm Risk Management Project EA\_30540\_033116

cc: Aubree Hershorin, Ph.D., USACE, [Aubree.G.Hershorin@usace.army.mil](mailto:Aubree.G.Hershorin@usace.army.mil)



**UNITED STATES DEPARTMENT OF COMMERCE**

National Oceanic and Atmospheric Administration

**NATIONAL MARINE FISHERIES SERVICE**

Southeast Regional Office

263 13th Avenue South

St. Petersburg, Florida 33701-5505

<http://sero.nmfs.noaa.gov>

April 4, 2016

F/SER47:KR/pw

(Sent via Electronic Mail)

Colonel Jason A. Kirk, Commander  
Jacksonville District Corps of Engineers  
PO Box 4970  
Jacksonville, Florida 32232-0019

Attention: Aubree G. Hershorin

Dear Colonel Kirk:

NOAA's National Marine Fisheries Service (NMFS) reviewed the draft *Integrated Feasibility Study and Environmental Assessment, Coastal Storm Risk Management Project, South Ponte Vedra Beach, Vilano Beach, and Summer Haven Reaches, St. Johns County, Florida* (CSRM), dated February 2016, and the corresponding public notice dated February 17, 2016. The Jacksonville District proposes projects to increase beach and shoreline protection in the interest of hurricane protection, storm damage reduction, beach erosion control, and protection of public trust natural resources for three reaches along the Atlantic shoreline of St. Johns County. The St. Johns County shoreline is approximately 42 miles long, and the tentatively selected plan (TSP) would reduce the long-term risk of storm damage due to erosion, inundation, and wave damage for approximately 9.8 miles of beach. The study area for the draft CSRM consisted of 3.8 miles of shoreline in South Ponte Vedra between Florida Department of Environmental Protection (FDEP) Monuments R84 and R104; 3.7 miles of shoreline in Vilano Beach between R104 to the St. Augustine North Sand-trap Groin; and 2.3 miles of shoreline in Summer Haven between R197 and R209. The District developed the draft CSRM and TSP using a 50-year planning horizon with sea level rise considerations up to the year 2120. A significant component of the draft CSRM addresses efforts to reduce shoreline erosion affecting Florida State Road A1A, the only north-south evacuation route for coastal communities.

The Jacksonville District proposes to provide beach and dune nourishment within the Vilano Beach reach and the South Ponte Vedra Beach reach. The TSP also includes construction of a 60-foot equilibrated seaward berm extension from South Ponte Vedra (R103.5) to Vilano Beach (R116.5). The Jacksonville District has determined the TSP would require an initial construction event requiring 1.3 million cubic yards of sand material and four periodic nourishment events requiring 866,000 cubic yards of material each distributed at 12-year intervals. Sand material, meeting Florida's standards for beach compatibility, would be sourced from the St. Augustine Inlet system, Vilano Point Shoals, and the federal navigation channel. The Jacksonville District's initial determination is the environmental effects associated with the TSP would be temporary in nature and the proposed action would not have a substantial adverse impact on essential fish habitat (EFH) or federally managed species along the eastern coast of Florida. As the nation's federal trustee for the conservation and management of marine, estuarine, and anadromous fishery resources, the NMFS provides the following comments pursuant to authorities of the Fish and Wildlife Coordination Act and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).



### *Consultation History*

The Jacksonville District initiated EFH consultation through a request for scoping comments dated August 17, 2005. The National Marine Fisheries Service (NMFS) provided initial comments on September 13, 2005, and requested any National Environmental Policy Act (NEPA) document associated with the project include a comprehensive EFH assessment noting the importance of nearshore waters in the study area as foraging habitat for federally managed fishery resources.

Similarly, the NMFS provided consultation by letter dated March 2, 2010, on a related project, *Environmental Assessment, St. Augustine Inlet and Atlantic Intracoastal Waterway, Maintenance Dredging with Beach Placement, St. Johns County, Florida*. The NMFS provided EFH conservation recommendations for the work, and several of these recommendations are pertinent to draft CSRM because the dredged areas are considered sources of material for beach and dune nourishment within the TSP. The EFH conservation recommendations pertinent to the draft CSRM include: (1) best management practices restricting the time of year for dredging to reduce impacts to EFH and vulnerable life stages of federally managed fishery species, and (2) development of a scientifically supported rationale and monitoring program to assess impacts of beach disposal (nourishment) to benthic shoreline communities.

### *Essential Fish Habitat within the Project Area*

Pursuant to the Magnuson-Stevens Act, the South Atlantic Fisheries Management Council (SAFMC) has designated EFH within the study area to encompass nearshore hardbottom habitat, unconsolidated substrate, and high salinity ocean surf zones. Section 2.3.4 of the draft CSRM describes EFH within the project area.

The NMFS believes the draft CSRM minimally addresses EFH and Habitat Areas of Particular Concern (HAPC) considerations and the topic receives no focused discussion. Substantial review of these considerations should be included in preparation of materials to satisfy the NEPA and to assess the potential environmental impacts by proposed actions outlined in the draft CSRM. The EFH and HAPC characterizations should include a summary of designations for each federally managed species in the project area including habitats required during each life stage (including egg, larval, postlarval, juvenile, and adult stages) and time of year of occurrence. The draft CSRM fails to recognize the project area includes an HAPC for penaeid shrimp and species among the snapper-grouper complex. Additionally, coastal inlets are considered EFH and provide critical habitat functions for Coastal Migratory Pelagics, which include king mackerel (*Scomberomorus cavalla*), Atlantic Spanish mackerel (*Scomberomorus maculatus*), and cobia (*Rachycentron canadum*). The ecological function of tidal inlets (including their ebb and flood tide shoals) is widely recognized for its contributions to spawning, egg and larval dispersal, juvenile recruitment, and as foraging habitat. The SAFMC provides additional information on EFH and its support of federally managed fishery species in *Fishery Ecosystem Plan of the South Atlantic Region*, which is available at [www.safmc.net](http://www.safmc.net).

In St. Johns County, the nearshore hardbottom habitats, such as coquina and worm reefs, occurring along the shoreline provide unique natural habitat and serving a variety of ecosystem functions (Lindemann et al. 2009<sup>1</sup>). It is unclear if the CSRM project area includes nearshore natural hardbottom habitats, although reference is made to a neighboring shoreline reach with “a long and relatively significant headland feature” that extends from FDEP monuments R15 to R75. The draft CSRM suggests nearshore hardbottom habitats may exist in the vicinity of the project area as determined by the presence of coquina-derived shell along the shoreline. It is likely the subtidal nearshore hardbottom habitats are ephemeral, meaning they are periodically covered and uncovered by natural sediment transport, and mapping would

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<sup>1</sup> Lindeman, K., D. McCarthy, K. Holloway-Adkins, and D. Snyder. 2009. Ecological Functions of Nearshore Hardbottom Habitat in East Florida: A Literature Synthesis. Florida Department of Environmental Protections Bureau of Beaches and Coastal Systems, Tallahassee, FL. 186 pages.

be required to determine the exact location of nearshore hardbottom habitats. The extent and complexity of these structural forms and their contributions to EFH within the project area should be described (*e.g.*, connectivity in recruitment from inshore areas to offshore hardbottom reefs).

The draft CSRM does not adequately describe the technical details of the TSP and alternatives required for a comprehensive EFH assessment. Among the most notable omissions are technical analyses of individual and cumulative effects on EFH, federally managed fisheries, and associated species such as major prey species, including affected life stages. The final CSRM and its environmental assessment (EA) should include these discussions.

#### *Impacts to Essential Fish Habitat*

The NMFS primary concern with the TSP is a comprehensive sand search and inventory was not preformed to locate alternative sources of beach compatible sand within the region. The draft CSRM largely focuses on mining sand from the St. Augustine Inlet, including the ebb and flood shoal complexes. Frequent mining of the inlet may have cumulative impacts on EFH when considered with the frequency of inlet dredging utilized in navigation projects and other shoreline protection projects in the region. Secondly, the NMFS is concerned about the impacts of beach nourishment on sand coverage of nearshore hard grounds and impacts of prey resources and foraging habitat provided by the beach shoreline complex.

St. Augustine Inlet Sand Sources: Inlets serve as migratory corridors for larvae entering nursery areas and for sub-adults leaving nursery areas for maturation and spawning offshore; there is no alternative location for this ingress or egress. Systematic mining of the inlet and the federal navigation channel may result in unanticipated changes in habitat quality, including increasing the concentration of suspended sediments that may clog gills in young, less mobile fish and invertebrates and thereby increasing their mortality rate<sup>2</sup>. The extent of negative effects is dependent on the life history stages of the species present and the duration of exposure to high concentrations of suspended sediments. Adherence to the Florida State Water Quality Criteria for turbidity at the edge of a 150-meter mixing zone is normally sufficiently protective of fishery resources. The NMFS requests the Jacksonville District evaluate in the final CSRM whether a seasonal restriction on mining and dredging would be a practicable way to minimize impacts to larvae entering the estuary areas and for juveniles leaving the estuary. Additionally, the NMFS requests the Jacksonville District survey and monitor mining activities along the southeast ebb-tidal shoal and bypassing bar. Surveys of hardbottom habitat indicate that hardbottom is present approximately 0.8 miles southeast of St. Augustine Inlet (SEAMAP-SA 2001<sup>3</sup>). If hardbottom is present, an appropriate buffer between it and dredging areas should be used.

Beach Nourishment: The Jacksonville District should continue to consult with the NMFS regarding sand placement templates as well as the downdrift areas for beach nourishment within the Vilano Beach reach and the South Ponte Vedra Beach reach. Intertidal and subtidal communities along the shoreline provide feeding, resting, and staging habitat for a variety of commercially, recreationally, and ecologically important fish species<sup>4</sup>. While beachfront and shoreline are subject to erosion caused by storms and

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<sup>2</sup> Wilber, D., and D. Clarke. 2001. Biological effects of suspended sediments: A review of suspended sediment impacts on fish and shellfish with relation to dredging activities in estuaries. *North American Journal of Fisheries Management* 21:855-87.

<sup>3</sup> Southeast Area Monitoring and Assessment Program - South Atlantic (SEAMAP-SA). 2001. Distribution of Bottom Habitat on the Continental Shelf from North Carolina through the Florida Keys. SEAMAP-SA Bottom Mapping Project, Atlantic States Marine Fisheries Commission, Washington, DC. 166 pages.

<sup>4</sup> Hackney, C., M. Posey, S. Ross, and A. Norris (editors). 1996. A Review and Synthesis of Data on Surf Zone Fishes and Invertebrates in the South Atlantic Bight and the Potential Impacts from Beach Renourishment. Prepared for the U.S. Army Corps of Engineers Wilmington District, Wilmington, NC. 119 pages.

natural shoreline processes, the beachfront, intertidal, and surf zone are nonetheless established seascape features providing valuable habitat for fishery resources migrating between nearshore and offshore habitats as part of their life cycle. The NMFS requests the Jacksonville District evaluate in the final CSRM whether a seasonal restriction on beach nourishment would be a practicable way to minimize impacts to larvae and juveniles migrating along the shoreline. If a seasonal restriction is not practicable, an evaluation of the duration the larvae and juvenile fish would be exposed to high levels of suspended sediments should be provided.

Benthic infaunal communities within beach shoreline communities are composed of populations of opportunistic invertebrates that may repopulate after sand nourishment if certain biotic and abiotic conditions exist. The NMFS requests the Jacksonville District evaluate and monitor long-term degradation of benthic habitats within the project area, especially along the 60-foot equilibrated seaward berm extension. While many studies of beach nourishment projects report benthic communities recover quickly, many of these studies are technically flawed or define recovery in overly simplistic manners (e.g., total abundance rather than community composition)<sup>5</sup>. The draft CSRM was developed to address long-term shoreline stabilization and the TSP prescribes periodic nourishment events. Adverse environmental impacts at nourishment sites include desiccation of organisms, machinery crushing organisms, burial of habitat, and physical damage to the intertidal and surf zone from fill equilibrating over time. The NMFS requests the Jacksonville District evaluate the degree to which recovery of benthic communities are likely to occur or measures that may minimize impacts to shoreline communities.

Nearshore Hardbottom Habitat: Nearshore hardbottom habitats are present in the vicinity of the project area. The NMFS requests that the Jacksonville District complete a baseline environmental assessment of the project area, including an acoustic survey to produce a photo mosaic to detect the presence of nearshore hardbottom habitat. Fish assemblages at nearshore hardbottom habitats are not only biologically diverse and juvenile dominated, but they are also reef-species dominated. The NMFS requests the Jacksonville District avoid sand placement on nearshore hardbottom habitats to the extent practicable.

### **EFH Conservation Recommendations**

Section 305(b)(4)(A) of the Magnuson-Stevens Act requires NMFS to provide EFH Conservation Recommendations for any federal action or permit which may result in adverse impacts to EFH. Therefore, NMFS recommends the following to ensure the conservation of EFH and associated fishery resources:

- A scientifically supported rationale should be provided for assessment of alternative sand sources not included in the TSP; preferably from offshore sources or upland dredged material management areas; and capable of providing the required beach compatible sand while reducing impacts to critically important EFH associated with tidal inlets.
- Best management practices, such as restricting the time of year that construction activities including sand mining, beach and dune nourishment, and berm erection, should be included to reduce impacts to EFH and vulnerable life stages of federally managed fishery species.
- A scientifically supported rationale should be provided for concluding impacts to benthic communities at beach nourishment sites would be minimal. Alternatively, best management practices should be included in the design of beach and dune nourishment and a monitoring program should be in place to evaluate the effectiveness of those best management practices.

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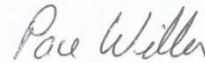
<sup>5</sup> Peterson, C., and M. Bishop. 2005. Assessing the environmental impacts of beach nourishment. *BioScience* 55:887-896. Wilber, D., D. Clarke, R. VanDolah, and G. Ray. 2009. Pages 262-274 in: Lessons learned from biological monitoring of beach nourishment projects. Proceedings of the Western Dredging Association's Twenty-Ninth Technical Conference, Tempe, Arizona.

- A scientifically supported rationale should be provided for concluding impacts to nearshore hardbottom communities within the project area would be minimal. Alternatively, environmental and geological surveys would assess the extent of nearshore hardbottom habitat that would be impacted and a monitoring program should be in place to avoid and minimize sand placement on nearshore hardbottom habitats.

Section 305(b)(4)(B) of the Magnuson-Stevens Act and implementing regulation at 50 CFR Section 600.920(k) require the Jacksonville District to provide a written response to this letter within 30 days of its receipt. If it is not possible to provide a substantive response within 30 days, in accordance with the “findings” with the Jacksonville District, an interim response should be provided to the NMFS. A detailed response then must be provided prior to final approval of the action. The detailed response must include a description of measures proposed by the Jacksonville District to avoid, mitigate, or offset the adverse impacts of the activity. If the response is inconsistent with the EFH conservation recommendations, the Jacksonville District must provide a substantive discussion justifying the reasons for not following the recommendations.

Thank you for the opportunity to provide these comments. Please direct related questions or comments to the attention of Dr. Ken Riley at our Beaufort Field Office, 101 Pivers Island Road, Beaufort, North Carolina 28516-9722, or at (252) 728-8750.

Sincerely,



/ for

Virginia M. Fay  
Assistant Regional Administrator  
Habitat Conservation Division

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**SEMINOLE TRIBE OF FLORIDA  
TRIBAL HISTORIC PRESERVATION OFFICE  
AH-TAH-THI-KI MUSEUM**

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April 4, 2016

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**Subject:** St. Johns County Coastal Storm Risk Management Draft Feasibility Study and EA/FONSI, St. Johns County, Florida  
**THPO#:** 0029084

Dear Ms. Hershorin:

Thank you for contacting the Seminole Tribe of Florida's Tribal Historic Preservation Office (STOF-THPO) regarding the St. Johns County Coastal Storm Risk Management Draft Feasibility Study and EA/FONSI in St. Johns County, Florida. This letter is to acknowledge that the STOF-THPO has reviewed EA and FONSI and has no immediate concerns regarding cultural or historic resources at this time. However, as specified in the document, STOF-THPO would like to be consulted prior to project implementation in accordance with Section 106 of the National Historic Preservation Act and as part of the Corps' trust responsibility to the Tribe. Thank you and we look forward to working with you throughout the course of this project.

Respectfully,

Andrew J. Weidman, MA, RPA  
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