



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

FINDING OF NO SIGNIFICANT IMPACT

**INTEGRATED SECTION 203 NAVIGATION STUDY REPORT &
ENVIRONMENTAL ASSESSMENT**

CANAVERAL HARBOR, BREVARD COUNTY, FLORIDA

I have reviewed the Environmental Assessment (EA) for the proposed action. 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 (EIS). Reasons for this conclusion are in summary:

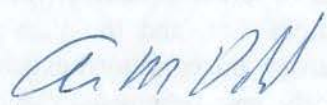
- a) The proposed work includes deepening and widening the channels, wideners, and turning basins at Canaveral Harbor. Although eight acres of man-made uplands will be lost as a result of this project, these resources are not considered to be significant and mitigation is not appropriate. No wetland habitats will be affected by the proposed action. Impacts to marine resources include loss of benthic organisms at the dredge sites and the removal of one acre of algal community associated with the existing riprap. These impacts are anticipated to be temporary in nature.
- b) The U.S. Fish and Wildlife Service (USFWS) letter dated 29 June 2012, indicates no objection by the Department of the Interior, and the project is in full compliance with the Endangered Species Act (ESA), the Coastal Barrier Resources Act, and the Fish and Wildlife Coordination Act. The proposed action will not jeopardize the continued existence of any threatened or endangered species, or adversely modify any designated "critical habitat." USFWS determined that the proposed action may affect, but is not likely to adversely affect nesting or hatchling sea turtles, the Eastern indigo snake, the southeastern beach mouse, and the West Indian manatee. The National Marine Fisheries Service (NMFS) concurred with the Corps' determination that the project may affect, but is not likely to adversely affect sea turtles, smalltooth sawfish, and North Atlantic right whales. Measures to prevent or minimize impacts to these species will be implemented during project construction, in accordance with consultations with USFWS and NMFS.
- c) The State provided interim concurrences with the Coastal Zone Management (CZM) Consistency Determination (provided in the Environmental Appendix of the Report) on 9

May 2007 and 19 June 2012, finding the action to be consistent with the Florida Coastal Management Program (FCMP). The State will issue their final determination of the project's consistency with the FCMP during the environmental permitting stage of the project. The Corps will obtain an environmental resource permit or joint coastal permit from the Florida Department of Environmental Protection to comply with Section 401 of the Clean Water Act of 1972 prior to project construction.

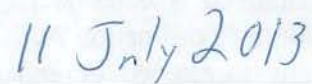
- d) Consultation with the State Historic Preservation Officer (SHPO) indicates that the project will not impact any sites of cultural or historical significance. To ensure there is no impact to cultural resources adjacent to the project area, an archaeological monitor will be utilized during ground clearing operations to ensure that no archeological materials are present. In addition, while no adverse effects to significant historic properties are anticipated with this project, the Corps will finalize its determination of effects under Section 106 of the National Historic Preservation Act prior to project implementation.
- e) Measures to eliminate, reduce, or avoid potential impacts to environmental and cultural resources include the following: (1) turbidity monitoring will be conducted during construction to ensure turbidity levels comply with State water quality standards; (2) the standard Eastern indigo snake protection measures will be followed if any indigo snakes are present; (3) the standard manatee protection measures and additional conditions outlined in consultations with USFWS will be followed to ensure the protection of the West Indian manatee; (4) the standard construction conditions for sea turtle and smalltooth sawfish will be implemented pursuant to consultations with NMFS.

The point of contact for this finding is Aubree Hershorin at 904-232-2136 or Aubree.G.Hershorin@usace.army.mil.

The draft FONSI was coordinated with the public and agencies on 10 April 2012 with a 30-day comment period pursuant to 40 CFR 1501.4(e) and 1508.13. Any resulting comments or concerns have been adequately addressed in the Final EA and/or this FONSI.



Alan M. Dodd
Colonel, U.S. Army
District Engineer



Date