



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
SOUTH ATLANTIC DIVISION, CORPS OF ENGINEERS  
ROOM 9M15, 60 FORSYTH ST., S.W.  
ATLANTA GA 30303-8801

## **RECORD OF DECISION**

### **LEE COUNTY SHORE PROTECTION PROJECT GASPARILLA AND ESTERO ISLANDS LEE COUNTY, FLORIDA**

#### **DECISION**

We have reviewed the General Reevaluation Report (GRR) and Final Environmental Impact Statement (FEIS) for the Lee County Shore Protection Project, Gasparilla and Estero Islands, Lee County, Florida. We have also reviewed all correspondence, including comments on the Draft Environmental Impact Statement (DEIS) and FEIS. Based on this review and views of the interested agencies and the concerned public, I find that the recommended plan as presented in the GRR and FEIS is economically justified, technically feasible, environmentally acceptable, and in the public interest.

#### **PROJECT AUTHORITY AND NEED FOR PROPOSED ACTION**

The shore protection project for Lee County, Florida, was authorized in accordance with recommendations of the Chief of Engineers in House Document number 91-393, under the provisions of Section 201 of the Flood Control Act of 1965 enacted by House Resolution dated December 15, 1970, and Senate Resolution dated December 17, 1970.

Erosion of the shoreline has been a continuous problem in Lee County. Major damages are the result of severe storms that occasionally sweep across the Gulf of Mexico impacting the Lee County shoreline. These storms have caused severe erosion and damage by undermining and destroying structures. Sections of public roads have been washed out, undermined or abandoned.

#### **ALTERNATIVES AND RECOMMENDED PLAN**

The recommended plan includes the combination of beach nourishment and the construction of a terminal groin. For the Estero Island segment, the plan consists of a protective beach, estimated berm width of 40-feet along 4.7- miles on Estero Island. A total volume of 1,023,000 cubic yards of sand would be placed on Estero Island from a borrow area located offshore. In addition to sand placement, a 240-foot long rubble mound groin structure would be placed at the northern end of Estero Island. For the Gasparilla Island segment, the plan consists of a protective beach, estimated berm width of 20-feet, along 2.8-miles of shoreline. A total fill volume of 803,000 cubic yards of sand would be placed on Gasparilla Island from the Gasparilla Island borrow area located in the Gulf north of Boca Grande Pass.

In addition to the "no action" alternative, several design alternatives were proposed. These alternatives included the placement of beach fills at varying widths, structural options such as revetments and groins, and a combination of beach fill and structural options. The alternative plans were evaluated based on analyses of historic shoreline trends, numerical coastal modeling, analyses of costs and benefits, and effect on the environment. The recommended plan is the

alternative that provides shore protection and erosion control on Gasparilla and Estero Islands in a manner that provides the greatest National Economic Development (NED) benefits.

### **PUBLIC COORDINATION**

The FEIS was coordinated with pertinent agencies and interested members of the public. A Notice of Availability of the FEIS was published in the Federal Register on April 18, 2003. The Florida Fish and Wildlife Conservation Commission, by letter dated June 17, 2003, surfaced an issue related to critical habitat for the endangered piping plover. Resolution of this issue is discussed in the following paragraphs. No other substantive new issues were raised during coordination of the FEIS.

### **FACTORS CONSIDERED TO MINIMIZE ADVERSE IMPACTS**

Some environmental concerns associated with this shore protection project are potential impacts to sea turtles, manatees, nesting and wintering migratory birds, and the designated critical habitat for the endangered piping plover. This project was fully coordinated under the Endangered Species Act. The U.S. Fish and Wildlife Service (FWS) issued a biological opinion (BO), dated September 29, 1999, which addresses manatees and sea turtles and the effects of the proposed action on these species. To minimize potential impacts to manatees, the standard protection measures will be followed during project construction. It was determined that the project may affect nesting sea turtles. As such, the Corps has accepted all terms and conditions outlined in the FWS BO to minimize any impacts to sea turtles.

After coordination of the DEIS, an area on North Estero Island, overlapping the project boundary, was designated critical habitat for the piping plover. The Corps reinitiated consultation with the FWS during the public coordination period of the FEIS. To minimize adverse affects to wintering birds, including the piping plover and its designated critical habitat, conservation measures provided by the FWS in their letter dated September 25, 2003 will be adhered to. The species would most likely benefit from this project because the eroding beach is being restored providing additional habitat for the species.

Recommendations of the FWS as provided in the Fish and Wildlife Coordination Act Report will also be applied during project implementation. In particular, this includes measures to minimize adverse impacts to nesting migratory birds, and compensatory mitigation for impacts to 0.3 acres of nearshore hard bottoms at Gasparilla Island. Mitigation includes construction of artificial reef habitat to compensate for damage

Consultation with the National Marine Fisheries Service (NMFS) under Section 7 of the Endangered Species Act was initiated on April 29, 1999 regarding the possible adverse affects to sea turtles if a hopper dredge is used. The NMFS has elected to include the project in the Gulf of Mexico (GOM) Regional Biological Opinion (RBO). The RBO is still in draft form. By correspondence dated July 25, 2003, the NMFS provided the terms and conditions of the latest draft version of the GOM RBO. To minimize adverse impacts to sea turtles, the term and conditions will be met.

This project has been coordinated with the State Historic Preservation Officer (SHPO). To protect possible adverse effects caused by obtaining sand from the offshore borrow area at

Gasparilla Island, a 200-ft. no-work buffer zone will be established around archaeological materials found on-site. As a result, no cultural or archeological resources are likely to be impacted by the project.

Upon review of the General Reevaluation Report and FEIS, the Florida State Clearinghouse, in a letter dated June 20, 2003, has determined that the NED plan is consistent with Florida's Coastal Zone Management Program. The Department of Environmental Protection has authorized the proposed beach nourishment project via issuance of two Joint Coastal Permits (Nos. 0173059-001-JC and 0174403-001-JC). The permits constitute certification of compliance with state water quality standards pursuant to Section 401 of the Clean Water Act, 33 U.S.C. 1341.

**SUMMARY**

In view of the above, I find the adverse affects of the proposed action have been minimized, to the extent practicable, and the proposed action is consonant with national policy, statutes, and administrative directives. In consideration of all pertinent factors, the overall public interest will best be served by providing the improvements as described in the General Reevaluation Report and Final Environmental Impact Statement.

22 Oct 03  
Date

  
RANDAL R. CASTRO  
Brigadier General, US Army  
Commanding