

SECTION 404(b)(1) EVALUATION DREDGED MATERIAL

I. Project Description

a. Location. Longboat Pass, Manatee County, Florida.

b. General Description.

Alternative 1. Dredging and North Beach Placement Site A. The maintenance dredging would include the excavation of between 200,000 and 250,000 cubic yards of sandy material, approximately once every two years, from Longboat Pass and the placement of that material on the beach north of the Pass on Anna Maria Island. Longboat Pass is 150 feet wide and 14 feet deep. An allowable 2-foot project over dredge with an additional 50-foot width is authorized. The disposal area would include a 4,000 foot beach area located 2,000 north of the north terminal jetty.

Alternative 2. Dredging and South Beach Placement. The maintenance dredging would include the excavation of between 200,000 and 250,000 cubic yards of sandy material, approximately once every two years, from Longboat Pass and the placement of that material on Whitney Beach south of the Pass on Longboat Key. Longboat Pass is 150 feet wide and 14 feet deep. An allowable 2-foot project over dredge with an additional 50-foot width is authorized. The beach disposal area would extend south 5,000 feet south of the northern tip of Longboat Key.

Alternative 3. Dredging and North Beach Placement Site B. The maintenance dredging would include the excavation of between 200,000 and 250,000 cubic yards of sandy material, approximately once every two years, from Longboat Pass and the placement of that material on the beach north of the Pass on Anna Maria Island. Longboat Pass is 150 feet wide and 14 feet deep. An allowable 2-foot project over dredge with an additional 50-foot width is authorized. The disposal area would include a 4,000 foot beach area located adjacent to the north terminal jetty.

c. Authority and Purpose. When a Federal navigation project is authorized, it is generally the responsibility of the U.S. Army Corps of Engineers to maintain that channel. As part of that responsibility, the channels are monitored for shoaling and the situation warrants it maintenance dredging is performed. As part of the Federal standard for the project disposal areas are acquired by the local sponsor. The disposal option with the least cost is designated the baseline for the project. If the local sponsor should desire another option then, this option is cost shared. The authorization for maintenance of the Federal channel was authorized by the Rivers and Harbors Act of 14 July 1970 and approved by the Chief of Engineers on 20 April 1976 under Section 107 of the Act.

d. General Description of Dredged or Fill Material

(1) General Characteristics of Material. The material is sandy shoal material deposited in the inlet channel.

(2) Quantity of Material. Between 200,000 and 250,000 cubic yards would be dredged once every two years.

(3) Source of Material. The dredged material would come from the Longboat Pass Navigation channel.

e. Description of the Proposed Discharge Site.

(1) Size and Location. The disposal area is between 4,000 and 5,000 feet of beach located north, 2,000 feet north or south of the inlet.

(2) Type of Site. The disposal area is a beach environment along the Gulf coast.

(3) Type of Habitat. The habitat at the discharge site is sandy beach, dunes and surf.

(4) Timing and Duration of Discharge. The dredging would occur for approximately 90 days at a dredging frequency of every other year.

f. Description of Disposal Method. The material would be slurried and pumped to the beach through a pipeline. As the sandy material settles out of solution and is deposited on the beach, a berm is constructed between the discharge and the surf using a front end loader or bulldozer. The return water from the bermed area returns to the surf zone.

II. Factual Determinations

a. Physical Substrate Determinations.

(1) Substrate Elevation and Slope. Gentle sloped beach and littoral zone.

(2) Sediment Type. The material is graded coarse sand dredged from the Longboat Pass. The tidal flows and littoral transport cause the sedimentation of coarse grained materials in the navigation channel.

(3) Dredged/Fill Material Movement. The material would be placed in the beach/littoral drift zone. During the yearly cycle, the beach accretes and erodes with a general southern movement of material along the beach.

(4) Physical Effects on Benthos. There would be a covering and smothering of clams and worms that inhabit the surf zone. These organisms would not be significantly affected because of the small amount of sediments covering these organisms and their ability to burrows towards the surface.

(5) Other Effects. After the beach placement there is a general compacting and erosion process which establishes the equilibrium state of the beach. Sometimes escarpments form along the beach during this erosion process.

(6) Actions Taken to Minimize Impacts. Tilling is conducted if beach compaction exceeds 500 PSI or if escarpments form prior to sea turtle nesting season.

b. Water Circulation, Fluctuation and Salinity Determinations

(1) Water

(a) Salinity. No impacts to salinity at disposal site.

(b) Water Chemistry. There would be no affect because the] is clean sand.

(c) Clarity. Effluent out of the return water from the bermed area will meet State water quality criteria for turbidity.

(d) Color. There would be no relative differences to receiving water color expected other than localized turbidity.

(e) Odor. The disposal site is located adjacent to inhabited areas and any odors will be temporary. The effluent return to the Gulf should have little or no odor and is not expected to cause either short of long-term odor problems in the Gulf.

(f) Taste. Not applicable.

(g) Dissolved Gas Levels. There would be no impact because the

surf zone has a high level of atmospheric mixing.

(h) Nutrients. None.

(i) Eutrophication. None.

(2) Current Patterns and Circulation. Not applicable.

(3) Normal Water Level Fluctuations. Not applicable.

(4) Salinity Gradients. Not applicable.

(5) Actions That Will Be Taken to Minimize Impacts. The disposal site will be operated to maintain state water quality standards.

c. Suspended Particulate/Turbidity Determinations

(1) Expected Changes in Suspended Particulate and Turbidity Levels in Vicinity of Disposal Site. There will be a short-term increase in the suspended particulate/turbidity in the return effluent from the bermed area. Levels should not exceed state standard.

(2) Effects (degree and duration) on Chemical and Physical values

(a) Light penetration. Slight light penetration reduction will be temporarily experienced at the disposal site effluent return in the surf zone.

(b) Dissolved Oxygen. None.

(c) Toxic Metals and Organics. None.

(d) Pathogens. Not Applicable.

(e) Aesthetics. There would be construction activities along beaches used for recreational activities. Some beach activities such as sea shell gathering increase because of the disposal operations. The operation also becomes recreation as it is a curiosity to beach goers.

(f) Others as Appropriate. None.

(3) Effects on Biota (consider environmental values in

sections 230.21, as appropriate)

(a) Primary Production, Photosynthesis.

(b) Suspension/Filter Feeders. Little or no impact is expected.

(c) Sight Feeders. Little or no impact is expected.

(4) Actions taken to Minimize Impacts. Dredged material will be dewatered in the bermed area and most suspended particulates will settle out before the effluent is returned to the surf zone.

d. Contaminant Determinations. No sources of pollution have been identified in the project area, therefore, no contaminants are expected to be encountered. In addition, the sandy material has a relatively low capacity for bonding with many contaminants.

e. Aquatic Ecosystem and Organism Determinations

(1) Effects on Plankton. No significant effects.

(2) Effects on Benthos. There would be no significant impacts on benthos in the area from the return water plume.

(3) Effects on Nekton. None.

(4) Effects on Aquatic Food Web. There would be no significant impact on the aquatic food web within the surf zone.

(5) Effects on Special Aquatic Sites.

(a) Sanctuaries and Refuges. Not applicable.

(b) Wetlands. Not applicable.

(c) Mud Flats. None.

(d) Vegetated Shallows. None would be affected.

(e) Coral Reefs. Even though there are no coral reefs in the project area, hardbottom communities located adjacent to the north beach from the jetties 2000 feet north could be affected by the beach

placement (Alternative 3). No hardbottoms would be impacted by the other alternatives.

(f) Riffle and Pool Complexes. Not applicable.

(6) Threatened and Endangered Species. Sea turtles use the beach for nesting. A nest monitoring and relocation program would minimize the affects of beach placement on these species. Manatees use the intracoastal waterways. There would be no affects on manatees because standard state and federal conditions for dredging will be implemented to protect the manatees.

(7) Other Wildlife. There would be an increase in the amount of migratory bird nesting and sea turtle nesting habitat available.

(8) Actions to Minimize Impacts. Work schedules would try to avoid migratory bird and sea turtle nesting periods. However, should the dredging be delayed precautions will be taken to avoid impacting nesting until the project is complete. Also precautions will also be taken to avoid impacting manatees within the work area.

f. Proposed Disposal Site Determinations

(1) Mixing Zone Determination. Not applicable.

(2) Determination of Compliance with Applicable Water Quality Standards. The discharge return water must comply with State water quality standards.

(3) Potential Effects on Human Use Characteristic

(a) Municipal and Private Water Supply. Not applicable.

(b) Recreational and Commercial Fisheries. Immediate impacts to commercial fisheries resources will be insignificant.

(c) Water Related Recreation. There would be a disruption of normal beach recreational activities during placement of sand along the beach.

(d) Aesthetics. There would be aesthetic impacts during beach placement activities from the presence and operation of

heavy equipment, the pipeline, and the discharge of slurried material along the shoreline. There will be a minor temporary adverse impacts to project area aesthetics because of the smoke from the dredge engine and placement of slurried sand on the beaches to the north and south of the Pass. This operation is not located near inhabited areas.

(e) Parks, National and Historical Monuments, National Seashores, Wilderness Areas, Research Sites, and Similar Preserves. The north disposal area is located along the beach within the boundaries of the Manatee County park system.

g. Determination of Cumulative Effects on the Aquatic Ecosystem. None are apparent.

h. Determination of Secondary Effects on the Aquatic Ecosystem. Not applicable.

APPENDIX II

ENDANGERED SPECIES CONSULTATION

October 25, 1994

Planning Division
Environmental Branch

Mr. David L. Ferrell
Field Supervisor
U.S. Fish and Wildlife Service
P.O. Box 2676
Vero Beach, Florida 32961-2676

Dear Mr. Ferrell:

This is in reference to your September 19, 1994, response to our "No effects" determination regarding impacts on the federally listed piping plover from the maintenance dredging and beach disposal at Longboat Pass, Florida.

We do not concur with the condition that we abide by the recommendations of the Florida Game and Freshwater Fish Commission (FG&FWFC) regarding migratory bird nesting. While we acknowledge potential effects to migratory birds, this is clearly not an Endangered Species Act issue and not an appropriate condition. Please reconsider this issue and provide your response by November 24, 1994.

Our policy on migratory birds is clear. This policy has been coordinated with both your office and the FG&FWFC and will be implemented on all our projects. Where possible we will try to avoid the nesting season. If timing and conflicts do not allow nesting season avoidance, we will avoid the nesting areas by establishing buffer zones and having qualified personnel monitor nesting activities within our disposal areas to ensure that no impacts will occur. We will not impact nests unless we obtain appropriate authorization under the statutes of the Migratory Bird Treaty Act.

Thank you for your comments. If you have any questions, please feel free to contact me or my staff.

Sincerely,

A. J. Salem
Chief, Planning Division

Copy Furnished:

Office of Protected Species, Tallahassee, Florida
Florida Game and Freshwater Fish Commission, Punta Gorda, Florida
bcc:
CESAJ-CO-ON
CESAJ-DP

Fonferek/CESAJ-PD-ES/ljd
Kurzbach/CESAJ-PD-ES 10/25
Smith/CESAJ-PD-E
Salem/CESAJ-PD

10/25



United States Department of the Interior

FISH AND WILDLIFE SERVICE

P.O. BOX 2676

VERO BEACH, FLORIDA 32961-2676

September 19, 1994

Colonel Terry Rice
District Engineer
U.S. Army Corps of Engineers
P.O. Box 4970
Jacksonville, FL 32232-0019

Attn: Planning Division

FWS Log No.: 4-1-94-462

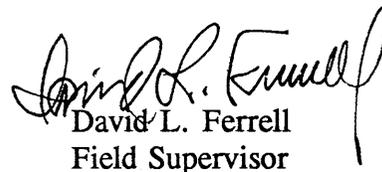
Dear Colonel Rice:

Thank you for your letter of August 31, 1994, regarding the Longboat Pass Maintenance Project and beach nourishment in accordance with Section 7 of the Endangered Species Act of 1973, as amended. The Corps of Engineers proposes to place material dredged from Longboat Pass onto beaches south of the pass. The Corps also proposes to construct a groin at the southern end of the fill area.

In the letter, the Corps determined that this action would have "no affect" on the piping plover. Piping plovers have been observed on these beaches during winter. The Florida Game and Freshwater Fish Commission (FGFWFC) has requested that these areas be surveyed for piping plovers from November 25 to March 15 and no beach construction should occur at the South Beach site during the nesting season (spring and summer months) for least tern, snowy plover, and black skimmer. The Service concurs with your determination of "no affect" for the piping plover, provided that the Corps follows the recommendations provided by the FGFWFC in their letter dated June 16, 1994.

Although this does not constitute a Biological Opinion described under Section 7 of the Endangered Species Act, it does fulfill the requirements of the Act and no further action is required. If modifications are made to the project or if additional information involving potential impacts on listed species becomes available, please contact Chuck Sultzman at (407)562-3909.

Sincerely Yours,


David L. Ferrell
Field Supervisor

cc:

NMFS, St. Petersburg, FL

FWS, Jacksonville, FL

FGFWFC, Punta Gorda, FL

DEP, Tallahassee, FL



United States Department of the Interior

FISH AND WILDLIFE SERVICE

P.O. BOX 2676

VERO BEACH, FLORIDA 32961-2676

PD

April 3, 1990

Colonel Bruce A. Malson
District Engineer
U.S. Army Corps of Engineers
P.O. Box 4970
Jacksonville, FL 32232-0019

Attn: Planning Division RE: Longboat Pass Maintenance Project

Dear Colonel Malson:

This is in response to a letter dated January 24, 1990, from Mr. A.J. Salem, Chief of your Planning Division, requesting our concurrence with a "no effect" determination on the following threatened and endangered species: West Indian manatee, green turtle, loggerhead turtle, hawksbill turtle, leatherback turtle, bald eagle, wood stork, Arctic peregrine falcon, and Florida scrub jay, that occur in the area of the Longboat Pass Maintenance Project, Manatee County, Florida. The U.S. Fish and Wildlife Service disagrees with your determination in regard to sea turtles and, therefore, is providing this Biological Opinion. This Opinion satisfies the consultation requirements of Section (7)(a)(2) of the Endangered Species Act, as amended (16 U.S.C. 1531 et seq.). An administrative record of this consultation is on file in the Vero Beach, Florida, Field Office.

PROJECT DESCRIPTION

The Corps of Engineers (Corps) proposes to maintenance dredge Longboat Pass, Manatee County, Florida. The project involves the removal of approximately 150,000 cubic yards of sandy beach material which would be placed on one of two permitted beach disposal sites.

CONSULTATION HISTORY

In Mr. Salem's letter, dated January 24, 1990, the Corps provided their determination of "no effect" on sea turtles. The Service does not concur with this determination and has prepared the following Biological Opinion.

BIOLOGICAL OPINION

Adverse impacts resulting from this project would be mainly from sand deposition. The adverse effects resulting from this project include the potential for burying sea turtle nests under sands used for beach renourishment. Even with a nest relocation program, some nests will likely

remain undetected and subsequently be buried by nourishment material or crushed by heavy equipment. Increased false crawls, aberrant nests, and broken nests are among the possible effects resulting from beach nourishment, depending on the quality of material being used (Raymond, 1984). In spite of the best intentions or efforts by persons relocating nests; wind, rain and tides can quickly obscure tracks and prevent workers from finding nests. Turtle activities themselves can often obscure nest locations, making them difficult to find, especially if the searchers are inexperienced or lack motivation. If not properly conducted, relocation of nests to hatcheries can result in reduced hatching rate (Limpus et al., 1979). In summary, although relocation of nests during beach nourishment is preferably to allowing destruction of the nests, the avoidance of adverse impacts is not absolute.

It is the Service's Biological Opinion that the project as proposed is not likely to jeopardize the continued existence of listed sea turtles. However, adverse effects on sea turtles, as discussed above, may occur. The Reasonable and Prudent Measure and Terms and Conditions provided below with the Incidental Take statement, and the Conservation Recommendations, will reduce the degree of adverse impacts on sea turtles.

INCIDENTAL TAKE

Section 7(b)(4) of the Act requires that when a proposed agency action is found to be consistent with Section 7(b)(2) of the Act and the proposed action is likely to result in the take of some individuals of the listed species incidental to the action, the Service will issue of statement that specifies the impact (amount or extent) of such incidental taking. It also states that reasonable and prudent measures, coupled with terms and conditions to implement these measures, be provided to minimize such impacts. The Service must also specify procedures to be used to handle or dispose of any individual specimens taken. Reasonable and prudent measures are requirements of the action agency.

In regard to sea turtles, although the Corps has assured us that sea turtle conservation measures will be taken, the Service considers that some level of incidental take will be unavoidable. We have reviewed the biological information and other information relevant to this action, and based on our review, incidental take is authorized for all nests missed by a nest relocation program within the project boundary. This is inclusive of the direct impacts on nest burial and crushing and the indirect impacts of aberrant nests and broken eggs which may result from sand compaction in nesting seasons subsequent to nourishment activities.

REASONABLE AND PRUDENT MEASURES

The following reasonable and prudent measures are appropriate and necessary to minimize the incidental taking of sea turtles by the Longboat Pass dredging and nourishment project. The reasonable and prudent measures do not alter the basic intent or function of the project.

1. Nourished beaches will be tilled if compaction occurs.
2. Nest relocation will begin 65 days prior to any deposition of material on the beaches that occurs during the nesting season.

TERMS AND CONDITIONS

Section 9 of the Act prohibits the taking of listed species without a special exemption. In order to be exempt from the prohibitions of Section 9 of the Act, the following terms and conditions, which implement the Reasonable and Prudent Measure described above, must be complied with:

1. Nourished beaches will be plowed to a depth of at least 36 inches immediately following completion of beach nourishment if sand compaction after nourishment is greater than 500 cone penetrometer units.
2. Nest relocation activities must begin 65 days prior to any nourishment activities that occur within the nesting season (March 1 to November 30), or by March 1, whichever is later. If any disposal occurs between October 5 and November 30, nest relocation must also be done in the fall, up to November 30.
3. Nest surveys and relocation will be conducted by personnel with prior experience and training in nest survey and relocation procedures, and with a valid Florida Department of Natural Resources permit. This is essential to reduce the number of undetected nests.
4. Nests shall be relocated between sunrise and 10 A.M. each day, and relocation will be to a nearby self-release beach hatchery in a location where artificial lighting will not interfere with hatchling orientation. The hatchery must be secure from human vandalism and natural predators.
5. In the event that a turtle nest is dug up during beach construction work, the individual responsible for nest relocation in the project area must be immediately notified, so that the contents of the nest can be relocated to the hatchery.

6. Any dead specimens will be immediately recovered and held until instructions are received by telephone from the Service's Vero Beach Field Office at (407) 562-3909.
7. A report describing the actions taken to implement the terms and conditions will be submitted to this office within 60 days of completion of the proposed project. This report will include dates of actual nourishment activities, names, and qualifications of personnel involved in nest surveys and relocations, description and location of hatcheries, results of nest surveys and relocations, and hatching success of relocated nests.

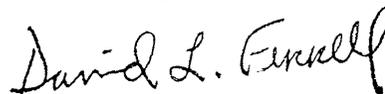
CONSERVATION RECOMMENDATIONS

The following conservation recommendations are provided to further reduce the potential for adverse impacts on sea turtles, and we request that the Corps include them as conditions in the permit.

1. Because turtle nesting density is relatively low along this stretch of beach, the Service has decided that an absolute prohibition of sand deposition during the nesting season is not essential. However, we still recommend, if at all possible, that the work be performed outside the peak period of turtle nesting (i.e. the project should be started after October 5 and completed before June 1.).
2. Sea oats or other appropriate dune vegetation should be planted on nourished beaches to enhance dune restoration. The Florida Department of Natural Resources, Division of Beaches and Shores, can provide technical assistance on the specifications for the design and implementation.
3. Lighting on dredge equipment and beach equipment should be minimized by installation of shielding around the bulbs, use of low pressure sodium lights, reduction in intensity, or by eliminating lighting where possible, to reduce adverse impacts to nesting turtles and hatchlings.

This concludes consultation under Section 7 of the Act, as amended. If there are modifications made in the project or if additional information becomes available relating to threatened and endangered species, reinitiation of consultation may be necessary.

Sincerely yours,



David L. Ferrell
Field Supervisor

CC:

EPA, Atlanta, GA

NMFS, St. Petersburg, FL

NMFS, Panama City, FL

FG&FWFC, Tallahassee, FL

FG&FWFC, Vero Beach, FL

DER, Tallahassee, FL

FWS, Jacksonville, FL (Attn: Earl Possardt)

CE, Tampa, FL

FG&FWFC, Punta Gorda, FL

DNR, Stuart, FL (Attn: Barbara Schroeder)

LITERATURE CITED

- Limpus, C.J., V. Bake, and J.D. Miller. 1979. Movement induced mortality of loggerhead eggs. *Herpetologica* 35:335-338.
- Raymond, P. 1984. The effects of beach restoration on marine turtles nesting in south Brevard County, Florida. M.S. thesis, University of central Florida. 121 pp.

file

August 31, 1994

Planning Division
Environmental Branch

Mr. David L. Ferrell
Field Supervisor
U.S. Fish and Wildlife Service
P.O. Box 2676
Vero Beach, Florida 32961-2676

Dear Mr. Ferrell:

This is in reference to previous Section 7 consultation concerning the Longboat Pass Maintenance Project, Manatee County, Florida (USFWS correspondence dated October 17, 1988; December 20, 1988; April 3, 1990; March 14, 1991; March 21, 1994).

Based on the Florida Game and Fresh Water Fish Commission letter (enclosed) dated June 16, 1994, which states that the Piping Plover winters over in the northern Longboat key area south to the southern boundary of the Whitney Beach Condominium (the South Beach spoil disposal site), we would like to reinitiate Section 7 consultation with you.

Because the Piping Plover only winters over and does not nest in the Longboat Pass area, beach renourishment would pose no threat to this species and could possibly be of benefit by providing food organisms during disposal. Therefore, we have made a No Effects determination concerning the impacts of the proposed maintenance dredging project on this species and ask for your concurrence in this determination.

Sincerely,

A. J. Salem
Chief, Planning Division

Enclosure

Copy furnished:

Mr. Bradley J. Hartman, Director, FGFWFC
Mr. Pat Rose, Biological Administrator, FDEP
Demarco/CESAJ-PD-ES
Fonferek/CESAJ-PD-ES
Kurzbach/CESAJ-PD-ES 8/31
Smith/CESAJ-PD-E
Davis/CESAJ-PD-A
Salem/CESAJ-PD



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office
9450 Koger Boulevard
St. Petersburg, FL 33702

September 20, 1988 F/SER23:TAH:td

Mr. A. J. Salem
Chief, Planning Division
Environmental Resources Branch
Jacksonville District, COE
Post Office Box 4970
Jacksonville, Florida 32232-0019

Dear Mr. Salem:

This responds to your September 16, 1988, letter regarding the proposed plan to maintenance dredge the Federal Project channel through Longboat Pass, Manatee County, Florida. A Biological Assessment (BA) was transmitted pursuant to Section 7 of the Endangered Species Act of 1973 (ESA).

We have reviewed the BA and concur with your determination that populations of endangered/threatened species under our purview would not be adversely affected by the proposed action.

The COE is advised that the green turtle, Chelonia mydas, occurs in the project area and should be included in your list of species. Nesting populations of green turtles are listed as endangered in Florida waters. Although we do not anticipate any take of sea turtles during this dredging operation because a hydraulic dredge will be used, green turtles are known to be as vulnerable to dredges as the other species.

This concludes consultation responsibilities under Section 7 of the ESA. However, consultation should be reinitiated if new information reveals impacts of the identified activity that may affect listed species or their critical habitat, a new species is listed, the identified activity is subsequently modified or critical habitat determined may be affected by the proposed activity.

If you have any questions, please contact Dr. Terry Henwood, Fishery Biologist at FTS 826-3366.

Sincerely yours,

Charles A. Oravetz, Chief
Protected Species Management
Branch

cc: F/PR2
F/SER1



January 24, 1990

Planning Division
Environmental Resource Branch

Mr. David Wesley
U.S. Fish and Wildlife Service
3100 University Boulevard South
Suite 120
Jacksonville, Florida 32216-5023

Dear Mr. Wesley:

The Corps of Engineers, Jacksonville District, is planning the next maintenance dredging of the Federal Project channel through Longboat Pass, Manatee County. The project involves the dredging of approximately 150,000 cubic yards of clean sand with beach disposal. The maintenance dredging of Longboat Pass was originally scheduled during FY 89, but was postponed. The U.S. Fish and Wildlife Service and National Marine Fisheries Service both concurred with the Corps' no effect determination. The dredging is now scheduled for FY 90 with a slight alteration in disposal plans, as described and shown in the enclosed Biological Assessment (BA) and project location map.

The BA indicates there would be no effect on any listed species as a result of the planned work. Please provide your written concurrence to end the consultation process if you are in agreement with the Corps' findings, or provide the appropriate references and/or information to support a contrary opinion.

Informal consultation questions may be directed to Dr. Gerald Atmar, of my staff, at telephone number (904) 791-2615.

Sincerely,

A. J. Salem
Chief, Planning Division

Enclosures

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ATMAR/CESAJ-PD-ES
PKP 1/24/90
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SMITH/CESAJ-PD-E
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DAVIS/CESAJ-PD-A
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GREN/CESAJ-CO
SA
SALEM/CESAJ-PD

January 24, 1990

Planning Division
Environmental Resource Branch

Mr. Charles A. Oravetz
Chief, Protected Species Branch
National Marine Fisheries Service
9450 Koger Boulevard
St. Petersburg, Florida 33702-2495

Dear Mr. Oravetz:

The Corps of Engineers, Jacksonville District, is planning the next maintenance dredging of the Federal Project channel through Longboat Pass, Manatee County. The project involves the dredging of approximately 150,000 cubic yards of clean sand with beach disposal. The maintenance dredging of Longboat Pass was originally scheduled during FY 89, but was postponed. The U.S. Fish and Wildlife Service and National Marine Fisheries Service both concurred with the Corps' no effect determination. The dredging is now scheduled for FY 90 with a slight alteration in disposal plans, as described and shown in the enclosed Biological Assessment (BA) and project location map.

The BA indicates there would be no effect on any listed species as a result of the planned work. Please provide your written concurrence to end the consultation process if you are in agreement with the Corps' findings, or provide the appropriate references and/or information to support a contrary opinion.

Informal consultation questions may be directed to Dr. Gerald Atmar, of my staff, at telephone number (904) 791-2615.

Sincerely,

A. J. Salem
Chief, Planning Division

Enclosures

gja
ATMAR/CESAJ-PD-ES
PKP 1/24/90
R
SMITH/CESAJ-PD-E
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DAVIS/CESAJ-PD-A
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BIOLOGICAL ASSESSMENT
FOR SECTION SEVEN ENDANGERED
SPECIES COORDINATION

LONGBOAT PASS MAINTENANCE DREDGING
WITH SHORELINE DISPOSAL
* MANATEE COUNTY, FLORIDA

1. Location:

The proposed work would be carried out in waters of the United States, Sections 9,10,15,16, Township 35S, Range 16E, Manatee County, Florida.

2. Listed Species Whose Ranges Include the Project Area:

Endangered

West Indian (Florida) manatee	<u>Trichechus manatus</u>
Bald eagle	<u>Haliaeetus leucocephalis</u>
Wood stork	<u>Mycteria americana</u>
Green turtle	<u>Chelonia mydas</u>
Hawksbill turtle	<u>Eretmochelys imbricata</u>
Leatherback turtle	<u>Dermochelys coriacea</u>

Threatened

Loggerhead turtle	<u>Caretta caretta</u>
Arctic peregrine falcon	<u>Falco peregrinus tundrius</u>
Florida scrub jay	<u>Apelocoma coerulescens</u> <u>coerulescens</u>

The project area is not critical habitat for any of the listed species.

3. Description of the Proposed Activity:

The Corps proposes to carry out maintenance dredging of Longboat Pass between Anna Maria Island and Longboat Key. Approximately 150,000 cubic yards of clean sand will be removed from the channel. Previous dredging projects in the pass involved disposal on one of two approved beach disposal sites. The project, as now proposed, includes the transporting of dredge material to both approved beach sites, one North of Longboat Pass and one South of the pass. The volume of material will be evenly distributed between the two sites. At the southern beach disposal site, all material will be concentrated on the very southern end, not evenly disbursed along its full extent as with the northern site. The disposal material consists of predominantly fine to coarse sand with a grain size ranging from 0.1 millimeter to 0.5 millimeter. No clay or silt material is present.

4. Assessment of Potential Impacts of the Proposed Activity on Listed Species:

Manatees occur in the planned aquatic work areas (U.S. Fish and Wildlife Service, 1983) and project watercraft operations in shallow water could result in boat/manatee collisions. The pass is not prime manatee habitat and would probably not attract manatees. Any applicable Federal contracts let for this project would include requirements for informing work crews of the presence of manatees, their characteristics and protected status, and would also require protective procedures. No effect would occur as a result of this project and the planned protective procedures.

The disposal beaches may be used for nesting by sea turtles. However, according to Fish and Wildlife Service (Turner, 1988), only a relatively small number of turtles (approximately 12) utilize the proposed disposal beaches on an annual basis. The sea turtle nesting period generally begins in April and continues through September. Beach disposal activities during the nesting period could damage the nests. To safeguard sea turtles, the Corps proposes to implement the following sea turtle protection measures:

a. Nest relocation programs will be conducted for any nourishment activities performed between March 1 and November 30.

b. Surveys and nest relocations will be conducted by individuals permitted by the Florida Department of Natural Resources, and nests will be relocated to a self-release beach hatchery, secure from vandals, or in an environment protected from artificial lighting.

c. The nourished beach will be measured with a penetrometer for compaction and, if necessary, disced or plowed to a depth of at least 30 inches to facilitate turtle nesting. These protective measures will be required in any applicable contract let for this project. Because of these measures, no effect on sea turtles would occur as a result of this project.

All the bird species are highly motile and can easily avoid the project area. Therefore, the planned activities do not appear capable of causing adverse effect on the applicable listed birds.

5. Efforts to Eliminate Impacts on Listed Species:

The proposed action is a repetition of previous maintenance dredging of Longboat Pass. However, the disposal site plans have been slightly altered. Listed species information was obtained from appropriate literature and regulations. In a letter to U.S. Fish and Wildlife Service dated 14 September 1988, the Corps determined that the originally proposed project would have no effect on any listed species. The Service concurred with the Corps' determination by letter

dated 20 December 1988.

REFERENCE MATERIAL CONSULTED

Endangered and threatened species of the Southeastern United States, January, 1983. U.S. Fish and Wildlife Service, Atlanta, Georgia.

Mr. Robert Turner, 1988. U.S. Fish and Wildlife Service, Vero Beach, Florida. Documented telephone conversation between Mr. Turner and Ronnie Tapp, Army Corps of Engineers.

Conley, W., and B.A. Hoffman, 1986. Florida Department of Natural Resources Bureau of Marine Research, St. Petersburg, Florida.

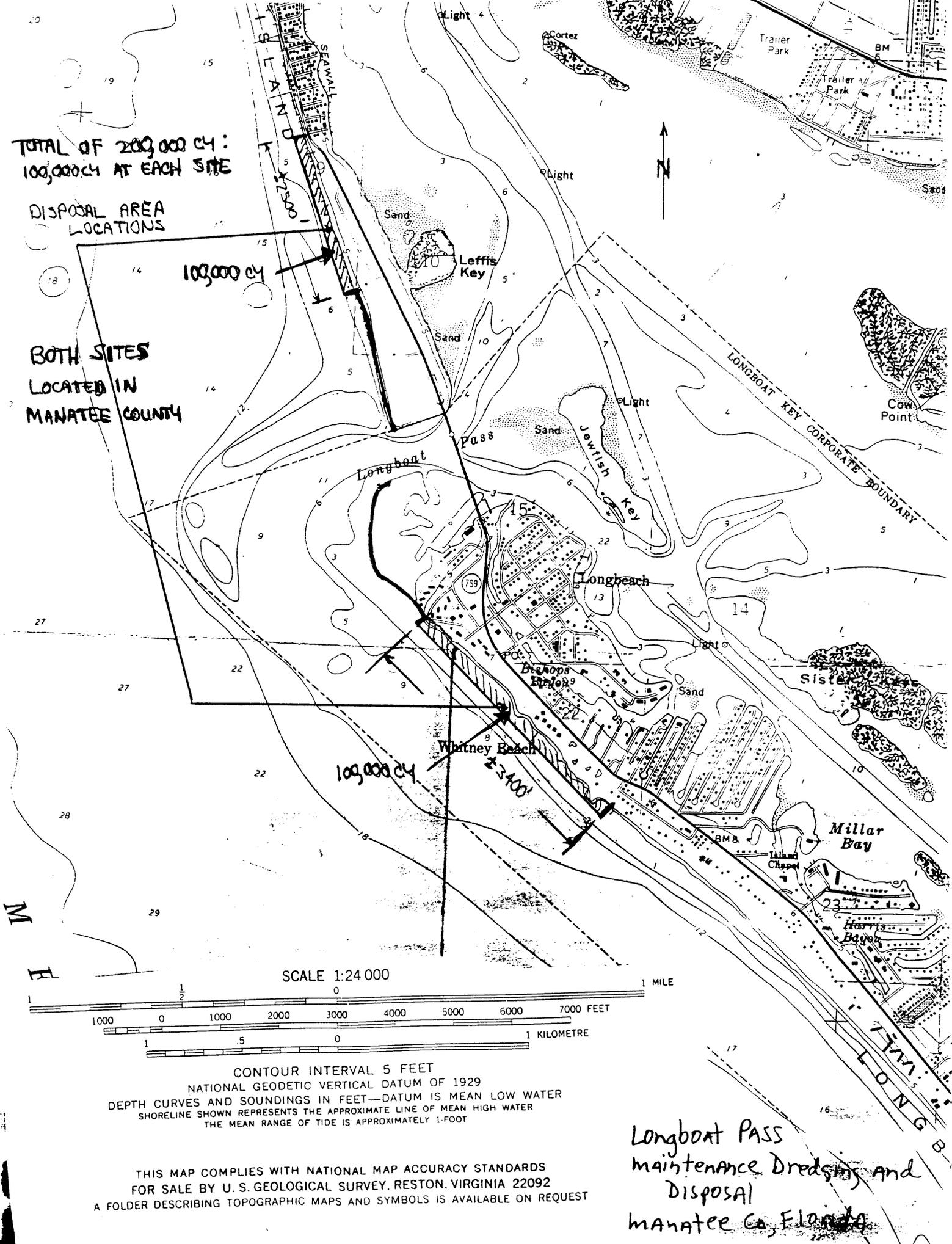
TOTAL OF 200,000 CY:
100,000 CY AT EACH SITE

DISPOSAL AREA
LOCATIONS

BOTH SITES
LOCATED IN
MANATEE COUNTY

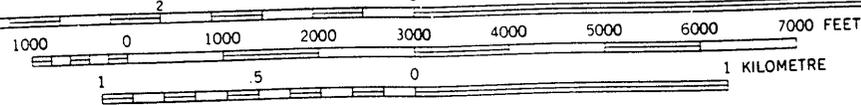
100,000 CY

100,000 CY



SCALE 1:24 000

1 MILE



CONTOUR INTERVAL 5 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929
DEPTH CURVES AND SOUNDINGS IN FEET—DATUM IS MEAN LOW WATER
SHORELINE SHOWN REPRESENTS THE APPROXIMATE LINE OF MEAN HIGH WATER
THE MEAN RANGE OF TIDE IS APPROXIMATELY 1-FOOT

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

Longboat Pass
maintenance Dredging and
Disposal
Manatee Co, Florida

APPENDIX III

COORDINATION



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

REPLY TO
ATTENTION OF

Construction-Operations Division
Public Notice Number PN-LBP-182

November 23, 1993

PUBLIC NOTICE

TO WHOM IT MAY CONCERN: The District Engineer, Jacksonville District, U.S. Army Corps of Engineers, has forwarded a request to the State of Florida Department of Environmental Protection pursuant to Section 401 of the Clean Water Act of 1977. This Federal project is being evaluated and coordinated pursuant to 33 CFR 335 through 338.

Comments regarding the project should be submitted in writing to the District Engineer at the above address within 30 days from the date of this notice. Any person who has an interest which may be affected by the construction of this project may request a public hearing. The request must be submitted in writing to the District Engineer within 30 days of the date of this notice and must clearly set forth the interest which may be affected and the manner in which the interest may be affected by this activity.

If you have any questions concerning this application, you may contact Mr. Mark Wolff of this office, telephone 904-232-2530.

WATERWAY & LOCATION: Longboat Pass, Manatee County, Florida

WORK & PURPOSE: To perform routine maintenance dredging of the navigation channel as needed. The channel will be maintained to a maximum dept of - 14 feet Mean Low Water. The shoal material in the channel is beach quality sand. The material will be placed at the beach disposal sites located on Anna Maria Island and Longboat Key. The purpose of the work is to maintain safe navigation between the Gulf of Mexico and the Intracoastal Waterway in Sarasota Bay.

PROJECT AUTHORIZATION: The project was authorized on April 20, 1976 under Section 107 of the River and Harbors Act of 1960.

EVALUATION:

A preliminary determination of the impacts of the project has lead us to conclude that an Environmental Impact Statement pursuant to the National Environmental Policy Act is not required. A final determination will be made when all comments are reviewed and an environmental assessment made.

APPLICABLE LAWS: The following laws are, or may be, applicable to the review of the proposed disposal sites and to the activities affiliated with this Federal project:

1. Section 404 of the Clean Water Act of 1977 (PL 95-217) (33 U.S.C. 1344).
2. Section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972 (PL 92-532) (33 U.S.C. 1413, 86 Stat. 1052).
3. Section 302 of the Marine Protection, Research, and Sanctuaries Act of 1972 (PL 92-532, 86 Stat. 1052).
4. The National Environmental Policy Act of 1969 (PL 91-190) (42 U.S.C. 4321-4347).
5. Sections 307(c) (1) and (2) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456 (c)(1) and (2), 86 Stat. 1280).
6. The Fish and Wildlife Act of 1956 (16 U.S.C. 472a et seq.).
7. The Migratory Marine Game-Fish Act of 1959 (16 U.S.C. 760c-760g).
8. The Fish and Wildlife Coordination Act of 1958 (16 U.S.C. 661-666c).
9. The Endangered Species Act of 1973 (PL 93-205) 16 U.S.C. 668aa-668cc-6, 87 Stat. 884).
10. The National Historic Preservation Act of 1966 (16 U.S.C. 470, 80 Stat. 915).
11. Section 313 of the Clean Water Act of 1977 (33 U.S.C. 1323, 82 Stat. 816).

COASTAL ZONE MANAGEMENT: The proposal has been evaluated in accordance with the Florida Coastal Zone Management Act and was determined to be consistent with the goals and intent of the appropriate State statutes. Full compliance will be achieved by issuance of the necessary permits from the State.

ENDANGERED SPECIES: Consultation with the National Marine Fisheries Service and the US Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act will be conducted. West Indian Manatees (Trichechus manatus) may be located in the project area.

EVALUATION FACTORS: All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

DISSEMINATION OF NOTICE: You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have an interest in this matter.

COORDINATION: This notice is being sent to, and coordinated with, the following agencies:

FEDERAL AGENCIES:

Commander, Seventh Coast Guard District, Miami, FL
Director, Atlantic Marine Cnt., NOAA, Norfolk, VA
FDA, Regional Shellfish Specialist, Atlanta, GA
Director, National Park Ser., Southeast Region, Atlanta, GA
Regional Director, National Park Ser., SE Region, Atlanta, GA
Regional Director, Fish & Wildlife Service, Atlanta, GA
Field Supervisor, Fish & Wildlife Service, Jacksonville, FL
Field Supervisor, Fish & Wildlife Service, Vero Beach, FL
Regional Hydrologist, U.S. Geological Survey, Atlanta, GA
District Chief, U.S. Geological Survey, WRD, Tallahassee, FL
Regional Hydrologist, NOAA, National Weather Ser., Fort Worth, TX
Southeast River Forecast Cnt., NOAA, National Weather Service,
Atlanta, GA
Environmental Protection Agency, Office of Federal Activities,
Washington, D.C.
Environmental Protection Agency, Region IV, Atlanta, GA
Federal Energy Regulatory Commission, Atlanta, GA
National Marine Fisheries Service, EA Branch, Panama City, FL
National Marine Fisheries Service, EA Branch, St. Petersburg, FL
Federal Maritime Commission, Office of Environmental Impact,
Washington, D.C.
USDA, Soil Conservation Service, Gainesville, FL
Federal Highway Administration, Tallahassee, FL
Water Resources Coordinator, National Marine Fisheries Service,
Tallahassee, FL

STATE AGENCIES:

Executive Director, DEP, Tallahassee, FL
DEP, Division of Beaches and Shores, Tallahassee, FL
Florida Game & Fresh Water Commission, Lakeland, FL
Secretary, Dept of Environmental Protection, Tallahassee, FL
Department of Agriculture, bureau of Soil & Water Conservation,
Gainesville, FL
Director, Div of Archives, History & Records Management,
Tallahassee, FL
Secretary, Department of Transportation, Tallahassee, FL
State Clearinghouse, Office of Planning & Budgeting,
Tallahassee, FL

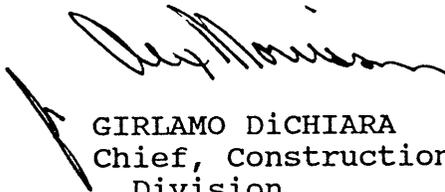
ENVIRONMENTAL ORGANIZATIONS:

Executive Director, Florida Audubon Society, Maitland, FL
Executive Director, Florida Wildlife Federation,
West Palm Beach, FL
Tampa Bay Regional Planning Council, St. Petersburg, FL
National Estuary Program, St. Petersburg, FL

LOCAL GOVERNMENTS:

City Manager, City of Tarpon Springs, Tarpon Springs, FL
Board of County Commissioners, Hernando County, Brooksville, FL
Ports Authority, PO Box 267, Cape Canaveral, FL
City Manager, City of Everglades, Everglades, FL
Mr. Jim Terry, Pinellas County, Coastal Management Division,
Clearwater, FL
Mr. Jim Armstrong, West Coast Inland Navigation District,
Venice, FL
Mr. John White, Sarasota County, Sarasota, FL

FOR THE COMMANDER:



GIRLAMO DiCHIARA
Chief, Construction-Operations
Division