



United States Department of the Interior

OFFICE OF THE SECRETARY
OFFICE OF ENVIRONMENTAL POLICY AND COMPLIANCE

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ER 02/871

October 25, 2002

Mr. Dale Beter
Phipps SEIS Project Manager
U.S. Army Corps of Engineers
Regulatory Branch
400 North Congress Avenue, Suite 130
West Palm Beach, FL 33401

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Dear Mr. Beter:

This is in response to your request for the Department of the Interior comments on the Draft Supplemental Environmental Impact Statement (DSEIS), Phipps Ocean Park Restoration Project, Town of Palm Beach, Palm Beach County, Florida. We provide the following specific comments for your consideration.

SPECIFIC COMMENTS

Page iii, Executive Summary - The projected toe of fill extends approximately 280 feet to 500 feet offshore and will impact approximately 3.1 acres of nearshore hardbottom. To ensure those impacts to hardbottom habitats are adequately documented, we request that the applicant provide a detailed description of the method used to calculate the equilibrium toe of fill for the project site.

Pages 4-6, Proposed Action - The proposed alternative plan does not show the pipeline corridor that will transport sand from the borrow areas to the beach. We recommend that the pipeline corridor(s) be located outside of areas containing hardbottom reef. The Department also recommends the pipeline be visually inspected frequently during operations to prevent the accidental leakage of sand.

The creation of beach dunes has not been proposed as part of the proposed action. Beach dunes provide an important habitat to federally-listed nesting sea turtles. Appropriate vegetation established on dunes also helps prevent erosion and provides habitats for coastal wildlife species. Accordingly, we urge the applicant to create and vegetate a sand dune in areas lacking natural dunes. A created dune should be at least 30 feet wide, and contain a slope of no less than 1V (vertical) to 3H (horizontal). The dune should be vegetated with about 90 percent sea oats (*Uniola paniculata*) and a 10 percent mixture of seashore paspalum (*Paspalum distichum*), seashore dropseed grass (*Sporobolus virginicus*), seashore elder (*Iva imbricata*), railroad vine, (*Ipomoea pes-caprae*) and beach bean (*Canavalia maritima*).

Pages 18-23, Project Alternatives - The DSEIS presents the results of "Genesis" model simulations to predict the future condition of the shoreline under the various project alternatives. However, the elements of the model are not presented or discussed in the DSEIS. Accordingly, we cannot determine the appropriateness of the model in predicting beach erosion. The applicant should provide a general discussion of the Genesis model, including the assumptions of the model and parameters used.

Appendix C, Cumulative Impact Assessment - The assessment considered the cumulative impacts of the proposed project and all other past, present, and future actions that could potentially impact nearshore hardbottom resources in the project area. The assessment concludes that the cumulative effects should be considered adverse, but not significant, because adjacent hardbottom habitat is clearly not limited. The Department believes that hardbottom habitat in the project area may be limited. Data presented in the assessment suggest that hardbottom habitat within the project area has significantly declined within recent years. The results of a multi spectral image analysis of nearshore hardbottom habitats within the project area indicate that hardbottom habitat has decreased by 30 acres from 1985 to 2000 (Table 5, page 23).

Several beach renourishment projects are proposed in the project vicinity (Table 1, page 11). These projects, as well as future renourishment projects, will continue to impact hardbottom ecosystems in the region by introducing fine sediments into the nearshore environment. We note that the cumulative impacts to nearshore habitats including elevated sedimentation and turbidity by this project and other renourishment projects in the region are not well understood. Based on the data provided, we believe the cumulative impacts of the beach renourishment projects to marine resources may be significant. The applicant proposes to compensate for direct impacts to hardbottom habitats by providing one acre of reef mitigation for each acre of impacted hardbottom. To fully compensate for all impacts, including temporal lags, we recommend the applicant provide a mitigation ratio of 2:1.

Page 1, Appendix E, Reef Mitigation Plan - The DSEIS indicates that approximately 3.1 acres of hardbottom habitat would be impacted by the project. Hardbottom impacts were based on averaging summertime hardbottom surveys dating back to 1994. Wintertime surveys were not included in the analysis. The Department believes that this technique underestimates impacts to hard bottom resources, and we recommend that data from both summer and winter surveys are considered in the analysis.

Page 4, Appendix E, Reef Mitigation Plan - As indicated in the DSEIS, biota occurring within the nearshore hardbottom impacts include algae, sabellariid worms, sponges, hydroids, and hard corals. To offset impacts to nearshore hardbottom, an artificial reef will be constructed at least six months prior to the project commencement. However, we believe it will likely take more than six months for the artificial reef to function at the same level as the existing onsite hardbottom communities. Again, to fully compensate for the temporal loss of marine resources, we recommend the applicant provide mitigation at a ratio of 2:1.

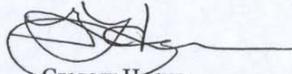
Page 3, Appendix F, Physical and Biological Monitoring Program - A visual assessment of the benthic hardbottom community adjacent to borrow areas will be conducted by a qualified SCUBA

diver at least once a week, during periods of dredging. Dredging could be considered an impact to benthic organisms, if the diver observes significant accumulation of sediments, or if benthic organisms exhibit signs of stress, such as excessive mucous production, extended polyps, or discoloration. The proposed monitoring plan states that the Florida Department of Environmental Protection will be contacted if impacts to reefs are observed. However, the plan did not indicate whether dredging activities would be suspended, and, if so, for how long. In addition, the applicant should provide mitigation for any permanent damage to hardbottom reefs due to sedimentation.

To provide greater protection to hardbottom reefs adjacent to the borrow areas, we recommend those monitoring efforts are increased to biweekly underwater inspections. In addition, the monitoring protocol should include direct measurements of sediment accumulation. Dredging should be stopped for at least one week in areas where sediment levels on the reef, are found to exceed 1.5 mm average daily depth. Sediment levels above 1.5 mm average daily depth have been observed to significantly stress corals (Kolemainen, 1978). Dredging could resume when monitoring demonstrates that corals are no longer stressed.

Thank you for the opportunity to provide these comments. If you have any questions concerning these comments, I can be reached at (404) 331-4524.

Sincerely,



Gregory Hogue
Regional Environmental Officer

cc:
OEPC, WASO
FWS, R4

