



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, JACKSONVILLE DISTRICT  
701 SAN MARCO BOULEVARD  
JACKSONVILLE, FL 32207-8137

December 4, 2024

Regulatory Division  
West Branch  
Tampa Permits Section

## ***PUBLIC NOTICE***

Permit Application No. SAJ-2024-04876 (SP-EWG)

TO WHOM IT MAY CONCERN: The Jacksonville District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) as described below:

APPLICANT: Ms. Kelly Hammer Levy  
Director, Pinellas County Public Works  
22211 US HWY 19 N Bldg. 10  
Clearwater, FL 33765

WATERWAY AND LOCATION: The project would affect waters of the United States associated with the Gulf of Mexico. The dredging component of the project is taking place at one or more of the following locations: Johns Pass (federal channel), Blind Pass (non-federal channel), Pass-A-Grille (federal channel), and the Egmont Shoals Borrow Areas. The beach nourishment (disposal) portion of the project is located at Sunset & Upham Beach, Pinellas County, Florida.

Directions to the site are as follows: From I-275 in Tampa to St. Petersburg, approximately 26 miles. Take Exit 23 and turn right onto FL-595. Continue west on FL-595/5th Ave until the end. Turn Left on Park St. North, then right onto Central Ave (west) that converts into Treasure Island Causeway. Drive until the end of Treasure Island Causeway and turn left onto Gulf Blvd. Sunset Beach is 1 mile on your right. To reach Upham Beach on Central Avenue, turn left onto Pasadena Avenue, which converts into 75th Street. Continue on 75th Street to Sunset Way and turn right onto 69th Avenue; Upham Beach is at the end.

APPROXIMATE CENTRAL COORDINATES:

Project Component	Approximate Location	
	Latitude	Longitude
Johns Pass Borrow Area - Dredging	27.779123°N	-82.786397°W
Blind Pass Borrow Area – Dredging	27.737435°N	-82.756166°W
Pass-A-Grill Borrow Area – Dredging	27.676459°N	-82.744370°W
Egmont Shoals Borrow Area – Dredging	27.622115°N	-82.778154°W

Project Component	Approximate Location	
	Latitude	Longitude
Sunset & Upham Beach - Beach Nourishment (Disposal)	27.747518°N	-82.761549°W

## PROJECT PURPOSE:

Basic: Dredging & Beach Nourishment

Overall: To perform emergency dredging and beach nourishment at Sunset & Upham Beach to repair the severe damage caused by recent storms and mitigate storm risks to upland properties.

EXISTING CONDITIONS: The Sunset Beach disposal area underwater landscape is mainly made up of unconsolidated materials, resulting in a dynamic and shifting environment. Within the designated fill template previously established for Sunset and Upham Beach, there is a significant lack of benthic resources, such as thriving seagrass beds or solid hard bottom substrates.

Throughout the years, sand donor sites such as Johns Pass, Blind Pass, and Pass-A-Grille, as well as the Egmont Shoals Borrow Areas have repeatedly been tapped for sand to support various beach nourishment projects initiated by the Corps in this region. These vital donor areas have been meticulously delineated and mapped, ensuring effective management of the region's beach nourishment efforts.

Hurricanes Helene and Milton significantly affected the shoreline of Pinellas County. The storms destroyed the coastal dune system and caused severe beach erosion, resulting in the complete loss of beach material and the shoreward movement of sand. As a result, nearby homes, businesses, and communities experienced extreme flooding and suffered catastrophic damage.

The shorelines of Sand Key, Treasure Island, and Long Key are characterized by extensive development that hugs the water's edge. This close proximity of buildings and infrastructure to the coastline has intensified the ongoing issue of coastal erosion, preventing the beach and dune systems from undergoing their natural cycles of fluctuation and migration. The Pinellas County coastline has been the subject of comprehensive evaluations in several planning documents created by both the Corps of Engineers and the Pinellas County Beach Erosion Control Project (PCBEC). The Corps of Engineers and Pinellas County have plans to re-nourish the beaches in Pinellas County. However, in order to use federal funds for this project, certain requirements outlined in Section 103(d) of the Water Resources Development Act (WRDA) of 1986, titled "Public Ownership and Use," must be met before any work can begin.

**PROPOSED WORK:** The applicant is seeking authorization to carry out critical beach nourishment operations aimed at protecting and restoring coastal integrity. This project entails dredging of sand from select donor sites, including Johns Pass, Blind Pass, Pass-A-Grille, and Egmont Shoals Borrow Areas. The dredged material will be deposited onto Sunset & Upham Beach, addressing urgent needs for beach nourishment along approximately 1.18 miles of Sunset Beach and along 0.41 miles of Upham Beach coastline. The project would mitigate erosion, enhance habitat, and safeguard the coastal environment for both residents and wildlife.

The Sunset Beach fill placement area, designated for beach nourishment, spans 6,240 linear feet (LF) and covers approximately 39 acres below Mean Higher High Water (MHHW). The County estimates that 255,000 cubic yards (CY) of material dredged from various borrow areas will be placed between the beach monument markers R-136 and R-143. It is anticipated that 140,000 CY will be required to adequately fill the beach area below MHHW.

The Upham Beach fill placement area covers about 2,160 linear feet (LF) and approximately 10.5 acres below MHHW. The County estimates that 58,000 CY of material dredged from various borrow areas will be placed between the beach monument markers R-144 and R-147. It is expected that 20,000 CY will be needed to fill the beach area below MHHW.

The dredging operation will be carried out using either a hydraulic cutter head or a clamshell dredge. If a hydraulic dredge is used, the contractor will implement a submerged pipeline to navigate around seagrass beds (seagrass aquatic vegetation) while following designated pipeline corridors to reach the beach disposal area. The dredge will connect to the submerged pipeline through a floating line. To complete the project, booster pumps and additional vessels may be required. If the clamshell dredge method is selected, the dredger will extract material from the borrow areas and place it into a scow, which will then be towed to the disposal area for unloading. The sand will be pumped onto the beach fill area and graded to meet the approved lines and grades.

The County has obtained current permits from the Florida Department of Environmental Protection (FDEP) for this project: FDEP Permit 0221569-020-JM for Treasure Island/Long Key and FDEP Permit No. 0238664-001-JC for Sand Key.

**AVOIDANCE AND MINIMIZATION INFORMATION** – The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment:

Dredging of the proposed borrow areas will be completed using either a hydraulic cutterhead or mechanical dredge. Dredging and disposal activities will be planned to avoid or minimize impacts to navigation and benthic resources. Pipeline corridors previously approved by the FDEP and utilized by the USACE in renourishment project will be used, including implementing a 300-foot buffer around benthic resources. The survey and location tracking for any dredge or disposal operations will be controlled

using FDEP standards. It is anticipated that 24/7 dredging and disposal operations will occur.

Pinellas County will adhere to all requirements outlined in the U.S. Fish and Wildlife Service (USFWS) Statewide Programmatic Biological Opinion (SPBO) and the National Marine Fisheries Service (NMFS) South Atlantic Regional Biological Opinion (2020 SARBO), and the Protected Species Construction Conditions. Additionally, the county will follow the guidance for avoiding and minimizing impacts on resources as detailed in the USFWS Biological Opinion, revised on February 10, 2023, and originally dated August 7, 2017. Hopper dredging will not be used for this project.

**COMPENSATORY MITIGATION** – The applicant has offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment:

Pinellas County will follow the guidance for avoidance/minimization of impacts to resources according to the USFWS Biological Opinion revised February 10, 2023, and dated August 7th, 2017. If impacts could not be avoided or minimized, Pinellas County and its contractor will seek consultation with FDEP and USFWS for guidance on best practices.

**CULTURAL RESOURCES:** The Corps has evaluated the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act and has followed the guidelines of 33 CFR Part 325, Appendix C. The footprints of the entire undertaking and adjacent Federal channel have surveyed, and all been approved for dredging and beach nourishment in the past. Potential to cause effects to historic properties based upon prior dredging of the footprint, which constitutes very little likelihood for retaining historic properties. As the footprints for this undertaking include prior dredged areas the Corps has determined that the project would have No Potential to Cause Effects to Historic Properties.

**ENDANGERED SPECIES:** The Corps made the following determinations pursuant to Section 7 of the Endangered Species Act. The Corps has determined the proposed project “May affect, not likely to adversely affect” the West Indian manatee (*Trichechus manatus*), Piping Plover (*Aphelocoma coerulescens*), Green sea turtle (*Chelonia mydas*), Kemp’s ridley sea turtle (*Lepidochelys kempii*), Loggerhead sea turtle (*Caretta caretta*), Smalltooth sawfish (*Pristis pectinata*) (STSF) and the Red knot (*Calidris canutus rufa*).

**Piping Plover (*Aphelocoma coerulescens*):** The project area is located within the Piping Plover Consultation Area. According to the 22 May 2013 Programmatic Piping Plover Biological Opinion, Piping Plover habitat includes publicly owned land where coastal processes are allowed to function, mostly unimpeded. It generally does include public lands consisting of parks, preserves, and natural undeveloped shorelines and dunes. Piping Plover wintering habitat includes beaches, mudflats, sandflats, and barrier island beaches and spoils islands (Haig 1992). Piping Plover can be seen on ocean beaches

and sand or algal flats in protected bays (Wilkinson and Spinks 1994). The project boundaries are within such habitats. The Applicant agreed that the Corps would include Reasonable and Prudent measures in the P3BO to the project proposal. Therefore, based on the P3BO, the Corps has determined that the proposed project “May affect, not likely to adversely affect” is appropriate, and consistent with the P3BO. No further consultation for the Piping Plover is not required. On August 7, 2017, FWS issued a Biological Opining (BO) FWS Log No. 04EF1000-2017-F-0070 that covers the Piping Plover.

Red knot (*Calidris canutus rufa*): The Corps has made the determination of “may affect, not likely to adversely affect” (MANLAA) for the Red knot. Critical habitat for the red knot has been designated. Consultation with USFWS is complete by Biological Opining (BO) FWS Log No. 04EF1000-2017-F-0070 received by correspondence dated August 7, 2017. In addition, On 10 February 2023 the Service by letter modified the 2017 BO and determined that following avoidance and minimization protocol included in the modified BO “would not destroy or adversely modify proposed critical habitat as a whole.” The applicant will follow the Reasonable and Prudent Measures, and requirements of the BO for all work areas.

West Indian (Florida) manatee (*Trichechus manatus latirostris*): The Corps has made the determination of “may affect, not likely to adversely affect” (MANLAA) for the West Indian manatee and its designated critical habitat. The Corps has concurrence with this determination pursuant to the Corps of Engineers, Jacksonville District, Statewide Programmatic Biological Opinion (SPBO). This determination is based on the addition of Special Conditions described in the SPBO.

Nesting Sea Turtles: The Corps has determined the proposed project “May affect, not likely to adversely affect” the Green sea turtle (*Chelonia mydas*), Kemp’s ridley sea turtle (*Lepidochelys kempii*), and the Loggerhead sea turtle (*Caretta caretta*). Consultation with USFWS is complete by Biological Opining (BO) FWS Log No. 04EF1000-2017-F-0070 received by correspondence dated August 7, 2017. In order to minimize take of nesting and hatchling sea turtles, the USACE will abide by the terms and conditions in the Statewide Programmatic Biological Opinion (SPBO; USFWS, 2015).

Note: On September 30, 2020, FWS Log No. 04EF1000-2020-E-01929 reviewed the Integrated Feasibility Report and Environmental Assessment (EA) with Proposed Finding of No Significant Impact (FONSI) Manatee County Supplemental Environmental Assessment (SEA) for the Pinellas County, Florida Coastal Storm Risk Management (CSRM) feasibility study and its effects on nesting sea turtles: loggerhead sea turtle (*Caretta caretta*), green sea turtle (*Chelonia mydas*), leatherback sea turtle (*Dermochelys coriacea*), Kemp’s ridley sea turtle (*Lepidochelys kempii*), hawksbill sea turtle (*Eretmochelys imbricata*), piping plover (*Charadrius melodus*), rufa red knot (*Calidris canutus rufa*) and West Indian (Florida) manatee (*Trichechus manatus latirostris*). The minimization measures, reasonable and prudent measures, and terms and conditions in the SPBO, P3BO, and Standard Manatee Conditions for In-Water

Work must be adhered to. The FWS determined that it is appropriate to apply to the SPBO and the P3BO by the Corps and concurred with these defeminations.

Smalltooth sawfish and Swimming Sea Turtles: The Corps utilized the National Marine Fisheries Service (NMFS) South Atlantic Regional Biological Opinion for Dredging and Material Placement Activities in the Southeast United States (2020 SARBO) to analyze the effects of dredging and material placement activities under the jurisdiction of the United States Army Corps of Engineers (USACE) Civil Works and Regulatory Program on sea turtles (loggerhead, leatherback, Kemp's ridley, hawksbill, and green); smalltooth sawfish; Nassau grouper; scalloped hammerhead shark, Johnson's seagrass; sturgeon (Gulf, shortnose, and Atlantic); corals (elkhorn, staghorn, boulder star, mountainous star, lobed star, rough cactus, and pillar); whales (North Atlantic right whale, sei, blue, fin, and sperm); and designated critical habitat for Johnson's seagrass; smalltooth sawfish; sturgeon (Gulf and Atlantic); sea turtles (green, hawksbill, leatherback, loggerhead); North Atlantic right whale; and corals (elkhorn and staghorn) in accordance with Section 7 of the Endangered Species Act. The Corps has determined that the proposed project falls within the scope of the 2020 SARBO.

The Corps consulted with USFWS, USEPA, NMFS-HCD & NMFS-PRD under emergency permitting procedures.

ESSENTIAL FISH HABITAT (EFH): This notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in the Gulf of Mexico. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

NAVIGATION: Based on the Florida State Plane coordinates provided by the applicant, the waterward edge of the proposed project is 0.0 Nautical Miles away from the near bottom edge of the Intracoastal Waterway Federal channel.

SECTION 408: The applicant will require permission under Section 14 of the Rivers and Harbors Act (33 USC 408) because the activity, in whole or in part, would alter, occupy, or use a Corps Civil Works project.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The jurisdictional line has not been verified by Corps personnel.

COMMENTS regarding the potential authorization of the work proposed should be submitted in writing to the attention of the District Engineer through the Tampa Permits Section, by electronic mail to Mr. Edgar W. Garcia at the following email: [Edgar.W.Garcia@usace.army.mil](mailto:Edgar.W.Garcia@usace.army.mil) with the project number, SAJ-2024-04875, in the

subject line. Comments can also be submitted by mail at 10117 Princess Palm Avenue, Suite 120, Tampa, Florida 33610-8302 within 2 days from the date of this notice.

The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to the associated wetlands. This is based on an analysis of the applicant's avoidance and minimization efforts for the project, as well as the compensatory mitigation proposed.

QUESTIONS concerning this application should be directed to Edgar W. Garcia, Senior Project Manager, by electronic mail at [Edgar.W.Garcia@usace.army.mil](mailto:Edgar.W.Garcia@usace.army.mil), or in writing at the Tampa Permits Office at 10117 Princess Palm Avenue, Suite 120, Tampa, Florida 33610, or by telephone at 813-769-7062.

**IMPACT ON NATURAL RESOURCES:** Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area. The Corps consulted with USFWS, EPA, NMFS-HCD & NMFS-PRD under emergency permitting procedures.

**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical 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, considerations of property ownership, and in general, the needs and welfare of the people.

The US Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

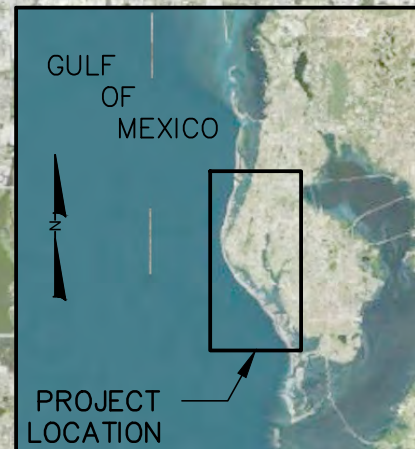
**WATER QUALITY CERTIFICATION:** Water Quality Certification was required from the Florida Department of Environmental Protection (FDEP). FDEP Permit 0221569-020-JM for Treasure Island/Long Key and FDEP Permit No. 0238664-001-JC for Sand Key.

**COASTAL ZONE MANAGEMENT CONSISTENCY:** In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with the Coastal Zone Management Plan.

**REQUEST FOR PUBLIC HEARING:** Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.



# SUNSET & UPHAM BEACH RENOURISHMENT PROJECT, PINELLAS COUNTY, FLORIDA



SUNSET BEACH

UPHAM BEACH

PINELLAS COUNTY  
BEACH NOURISHMENT PROJECT  
PROJECT LOCATION

**Aptim Environmental & Infrastructure, LLC**  
6401 CONGRESS AVENUE, SUITE 140  
BOCA RATON, FLORIDA 33487  
www.aptim.com  
PH (561) 391-8502  
FAX (561) 391-9116  
C.O.A. FL #9317

DATE:  
11/01/24

BY:  
JEB

PRO. NO.:  
631034846

SHEET:  
2 OF 61

NOT FOR CONSTRUCTION  
FOR REGULATORY REVIEW ONLY

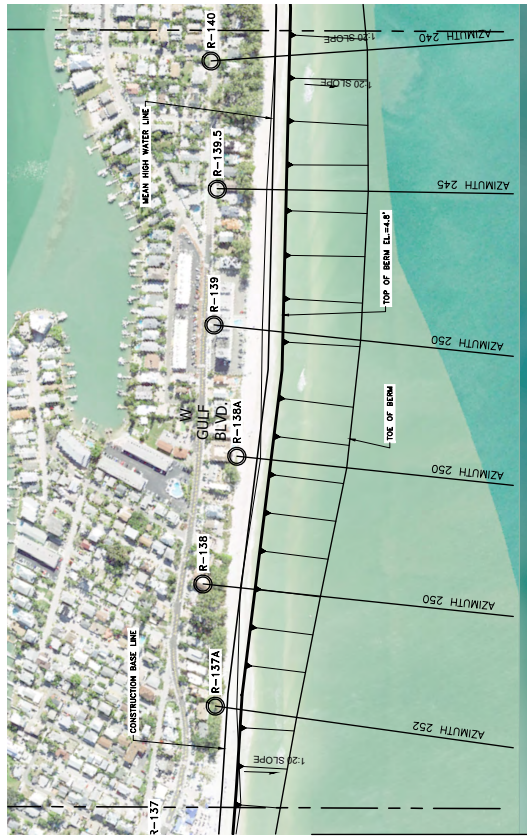
JACOB BROOKS RICE P.E. NO. 98529

DATE

U.S. ARMY CORPS OF ENGINEERS  
PERMIT NUMBER: SAJ-2024-04876  
DRAWING 1 of 3 12/2024

REVISIONS		
DATE	BY	DESCRIPTION

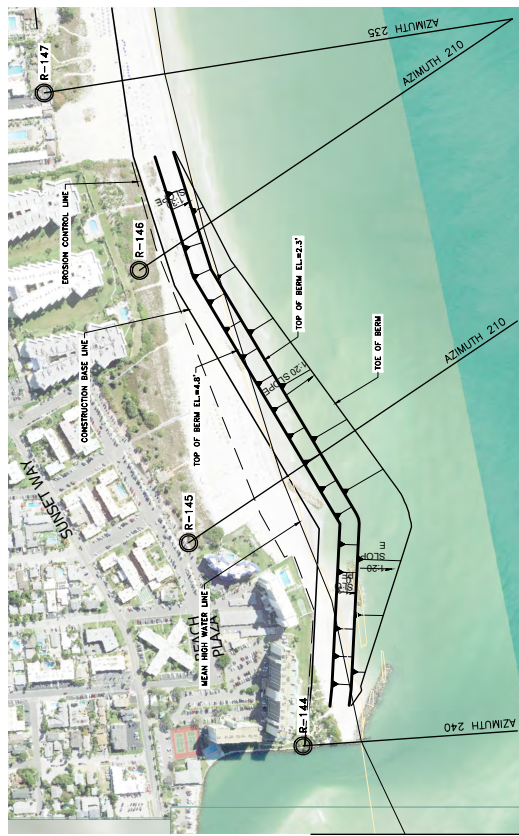




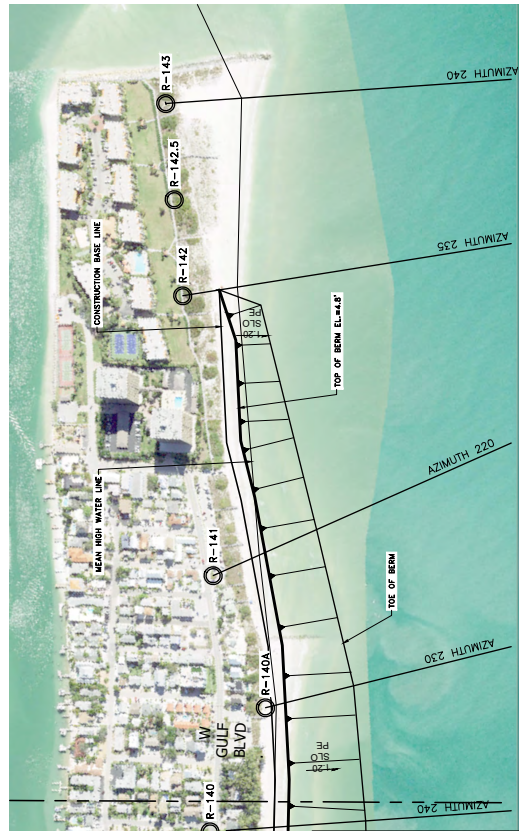
SUNSET BEACH 2H



SUNSET BEACH 1H



UPHAM BEACHHH



SSUNSET BEACH 3H

NOT FOR CONSTRUCTION  
FOR REGULATORY REVIEW ONLY

JACOB BROOKS RICE P.E. NO. 98529

DATE

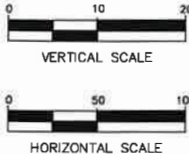
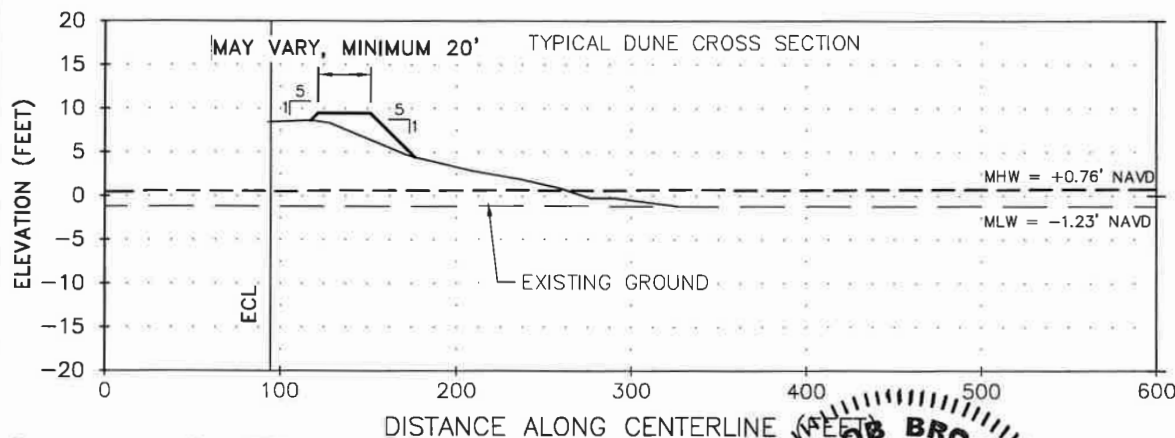
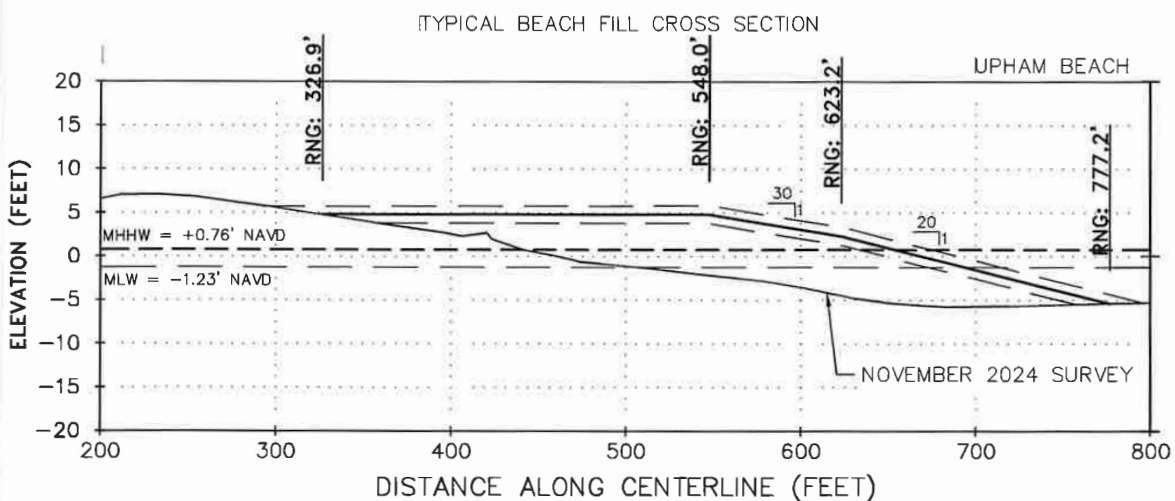
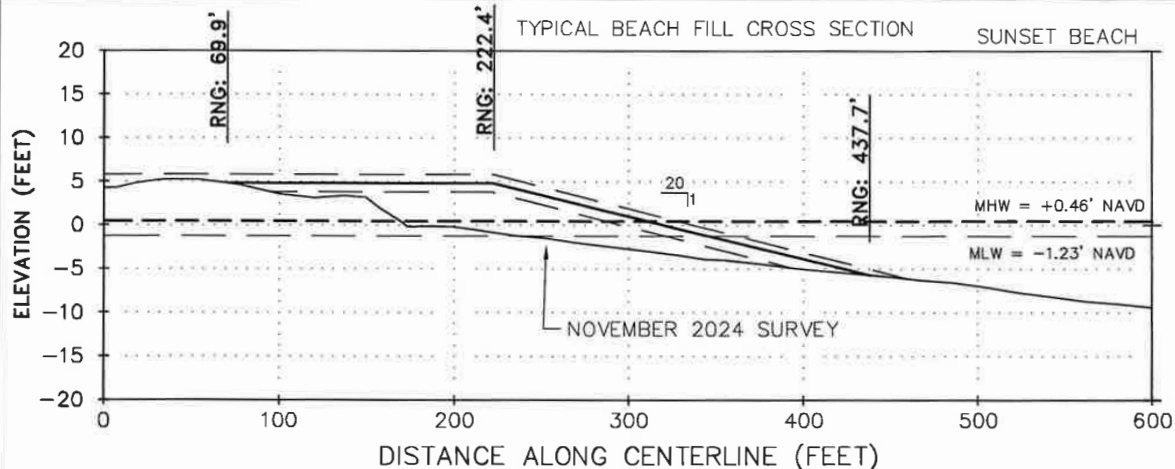
REVISIONS		
DATE	BY	DESCRIPTION

PINELLAS COUNTY  
BEACH NOURISHMENT PROJECT  
PLAN VIEW SUNSET & UPHAM BEACH PROJECT AREA

**Aptim Environmental & Infrastructure, LLC**  
6401 CONGRESS AVENUE, SUITE 140  
BOCA RATON, FLORIDA 33487  
www.aptim.com  
PH (561) 391-8902  
FAX (561) 391-9116  
C.O.A. FL #9317

DATE: 11/01/24  
BY: JEB  
PRO. NO.: 631034846  
SHEET: 22 OF 61

P:\PINELLAS\631034846 - PINELLAS COUNTY BEACH NOURISHMENT PROJECT\CAD\PERMIT SUNSET-UPHAM\631034846-PINELLAS-S-U-PERMIT-XS.DWG - 11/20/2024 3:59:55 PM - BARNOT, JULIUS



- NOTES:
1. HYDROGRAPHIC AND TOPOGRAPHIC SURVEY CONDUCTED NOVEMBER 2024, BY APTIM.
  2. ELEVATIONS ARE IN FEET BASED ON NORTH AMERICAN VERTICAL DATUM 1988 (NAVD88).
  3. TOP OF BERM ELEVATION 4.80 FEET.
  4. DUNES WILL BE A FEATURE OF THE PROJECT AND WILL BE FIELD FIT.

NOT FOR CONSTRUCTION  
FOR REGULATORY REVIEW ONLY

*Jacob Brooks Rice*

JACOB BROOKS RICE P.E. NO. 98529

DATE



LEGEND

BERM WITH 0.05' TOLERANCE
MEAN HIGH WATER
MEAN LOW WATER

Aptim Environmental & Infrastructure, LLC

PH: (813) 351-4022  
FAX: (813) 381-6116  
www.aptim.com

DATE: 11/20/24

BY: JEB

PRO. NO.: 631034846

SHEET: 5 OF 10