



UNITED STATES DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office

263 13th Avenue South

St. Petersburg, Florida 33701-5505

<http://sero.nmfs.noaa.gov>

October 7, 2014

F/SER47:BH/pw

(Sent via Electronic Mail)

Colonel Alan M. Dodd, Commander
Jacksonville District Corps of Engineers
Cocoa Regulatory Field Office
400 High Drive, Suite 600
Cocoa, Florida 32926

Dear Colonel Dodd:

Attention: Andrew W. Phillips

NOAA's National Marine Fisheries Service (NMFS) reviewed public notice SAJ-2009-06182 (SP-AWP), dated September 17, 2014. The Volusia County Board of County Commissioners requests authorization from the Department of the Army to impact permanently 0.09 acre of bare sand and 0.27 acre of surface waters and to impact temporarily 0.37 acre of unvegetated substrate in order to replace the Veterans Memorial Bridge and to construct a fishing pier in Daytona Beach. Disposal of the demolished bridge would take place within Volusia County artificial reef sites (permit SAJ-1997-06823). No compensatory mitigation is proposed for the bridge replacement and fishing pier. The Jacksonville District's initial determination is replacing the bridge and constructing a fishing pier would not have a substantial adverse impact on essential fish habitat (EFH) or federally managed fishery species. As the nation's federal trustee for the conservation and management of marine, estuarine, and anadromous fishery resources, the following comments and recommendations are provided pursuant to authorities of the Fish and Wildlife Coordination Act and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

Project History

NMFS participated in an interagency site inspection on May 12, 2009, and provided the Florida Department of Transportation (FDOT) with comments on June 4, 2009, through FDOT's Environmental Screening Tool. The comments requested an EFH assessment, which FDOT provided September 30, 2010, and NMFS commented on October 18, 2010.

Essential Fish Habitat within the Project Area

FDOT's EFH assessment accurately describes EFH in the project area. Project modifications have eliminated the need to impact the high quality fringing mangrove communities along the eastern shoreline. NMFS maintains its opinion that onsite mitigation would not be possible due to limited right-of-way. There are no mitigation banks in the area providing estuarine credits. Mitigation in the form of water quality improvements, such as treatment of stormwater runoff from the bridge would adequately mitigate impacts to sand bottom. NMFS supports this approach due to the minimal nature of the impacts. Best management practices, including use of turbidity curtains, staked hay bales, proper barge operation, and staging outside of wetlands and EFH, should be incorporated into the project design.

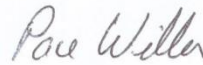


Endangered Species Act Consultation

On September 18, 2014, NMFS received an Endangered Species Act (ESA) biological assessment, checklist, and noise evaluation report. The documentation appears to be complete and ESA Section 7 consultation is ongoing.

NMFS appreciates the opportunity to provide these comments. Questions should be directed to the attention of Mr. Brandon Howard in our West Palm Beach Field Office, located at 400 North Congress Avenue, Suite 120, West Palm Beach, FL 33401. He also may be reached by telephone at (561) 249-1652, or by email at Brandon.Howard@noaa.gov.

Sincerely,



/ for

Virginia M. Fay
Assistant Regional Administrator
Habitat Conservation Division

cc:

COE, Andrew.W.Phillips@usace.army.mil

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