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

November 4, 2014 F/SER47:BH/pw

(Sent via Electronic Mail)

Colonel Alan Dodd, Commander
U.S. Army Corps of Engineers, Jacksonville District
Cocoa Permit Section
400 High Point Drive, Suite 600
Coco, Florida 32926

Attention: James Carr

Dear Colonel Dodd:

NOAA's National Marine Fisheries Service (NMFS) reviewed public notice SAJ-1996-05253 (SP-JLC), dated September 29, 2014. The City of Cocoa Beach proposes to suction dredge approximately 261,000 cubic yards of muck from 120.6 acres of residential canals and to place the spoil into three self-contained upland disposal sites. The dredging would occur in three phases, and each phase is expected to require one year to complete. All dredging would occur during weekdays. No marsh, mangroves, or seagrass would be impacted directly by the dredging. The City requests a 10-year permit. The dredging would be adjacent to the Banana River Aquatic Preserve, which the South Atlantic Fishery Management Council (SAFMC) designates a Habitat Area of Particular Concern (HAPC). The initial determination of the Jacksonville District is the proposed dredging 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 made pursuant to authorities of the Fish and Wildlife Coordination Act and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

Essential Fish Habitat
The public notice indicates no marsh, mangroves, or seagrass would likely be directly impacted by the dredging, and NMFS agrees with this conclusion. Seagrass and salt marsh, however, occur immediately westward of the canal openings, as does the Banana River Aquatic Preserve. SAFMC designates salt marsh, intertidal estuarine bottom, or seagrass as EFH for gray snapper, white shrimp, brown shrimp, and pink shrimp. SAFMC designates these habitats as EFH because they promote high rates of survival and growth for snappers and shrimp. SAFMC also identifies state-designated nursery areas, such as Banana River Aquatic Preserve, and seagrass as an HAPC under the fishery management plan for shrimp and/or the snapper/grouper complex. HAPCs are subsets of EFH that are rare, particularly susceptible to human-induced degradation, especially important ecologically, or located in an environmentally stressed area. Detailed information on the EFH requirements of species managed by SAFMC is provided in amendments to fishery management plans and in *Fishery Ecosystem Plan of the South Atlantic Region* (all available at *www.safmc.net*).

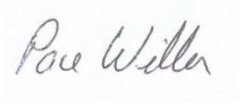
In addition to serving as EFH for federally managed fishery species, this area serves as nursery habitat for other commercially or recreationally important species, including red drum (*Sciaenops ocellatus*), Atlantic croaker (*Micropogonias undulatus*), spot (*Leiostomus xanthurus*), Atlantic menhaden

(*Brevoortia tyrannus*), striped mullet (*Mugil cephalus*), and blue crabs (*Callinectes sapidus*). These fish and crab serve as prey for species managed by SAFMC or NMFS.

Recommendations
NMFS has no objection to the maintenance dredging provided all practicable measures are taken to limit turbidity generated by the dredge and dewatering the spoil from entering the Banana River Aquatic Preserve. To control turbidity, the City proposes to use a suction dredge. The public notice does not discuss other measures to control turbidity, such as silt curtains at the canal mouths, or if the effluent from the disposal areas will be treated before discharge to tidal waters. NMFS requests the Jacksonville District closely evaluate the terms of the Water Quality Certification and augment if needed with permit conditions to ensure turbidity is as low as practicable.

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 110, 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:

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