



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>

February 9, 2015

F/SER47:ZS/pw

(Sent via Electronic Mail)

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

Attention: Jim Carr

Dear Colonel Dodd:

NOAA's National Marine Fisheries Service (NMFS) reviewed public notice SAJ-2014-03567 (NW-JLC), dated January 8, 2015. Brevard County proposes to use a 12-inch diameter (or smaller) hydraulic suction dredge equipped with a cutterhead or similar device to remove approximately 330,000 cubic yards of organic rich sediments and muck from approximately 40 acres of Turkey Creek and Palm Bay. The depths of the dredge areas range from -2 to -20 feet (NAVD 88). The County would pump the spoil approximately one mile northward into an upland facility known as Dredged Material Management Area (DMMA) BV-52 on the western shoreline of the Indian River Lagoon. The dredge would operate from a shallow draft barge. No compensatory mitigation is proposed. The Jacksonville District's initial determination is that the proposed impacts to 40 acres of estuarine bottom 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).

The South Atlantic Fishery Management Council (SAFMC) designates shallow estuarine waters with unconsolidated sediments as EFH under the fishery management plans for penaeid shrimp and the snapper/grouper complex. SAFMC designates this habitat as EFH because it often promotes high rates of survival and growth for snappers and shrimp. The general area also includes seagrass, mangroves, and oysters. SAFMC identifies seagrass, mangrove, and oyster habitats as EFH or a Habitat Area of Particular Concern (HAPC) for several species, including adult white grunt (*Haemulon plumieri*), juvenile and adult gray snapper (*Lutjanus griseus*), juvenile mutton snapper (*Lutjanus analis*), juvenile goliath grouper (*Epinephilus itijara*), and larval and juvenile pink shrimp (*Farfantepenaeus duorarum*). HAPCs are subsets of EFH that are rare, particularly susceptible to human-induced degradation, especially important ecologically, or located in an environmentally stressed area. Seagrass, mangroves, and oysters directly benefit fishery resources by providing nursery habitat. SAFMC provides additional information on EFH and HAPCs and their support of federally managed fishery species in *Fishery Ecosystem Plan of the South Atlantic Region*, which is available at www.safmc.net.

Recommendations

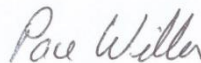
NMFS has no objection to the proposed dredging and agrees with the applicant that removal of the muck will likely benefit the local ecosystem provided the County is able to maintain the proposed 15-foot buffer



from mangroves and oysters. However, NMFS is concerned the one-mile pipeline from the mouth of Palm Bay to the DMMA BV-52 may impact seagrass habitat. While the public notice indicates two pipeline routes may be used (an upland route on portions of the FEC railroad right-of-way ROW and an in-water route), the County informed NMFS during a meeting on January 29, 2015, it is only pursuing the in-water route. The seagrass map provided with the application shows only a small bed near the mouth of Palm Bay, and the County committed to keep the pipeline and work boats at least 100 feet away from the seagrass bed. This contrasts with historical data showing extensive beds of seagrass along the proposed pipeline route. NMFS recommends a new seagrass survey be conducted just prior to the work beginning, and the 100-foot buffer be required for all seagrass founds in that survey.

NMFS appreciates the opportunity to provide these comments. Please direct related correspondence to the attention of Pace Wilber at our Charleston Area Office, 219 Ft Johnson Road, Charleston SC 29412. He also may be reached at (843) 762-8601 or at Pace.Wilber@noaa.gov.

Sincerely,



/ for

Virginia M. Fay
Assistant Regional Administrator
Habitat Conservation Division

cc:

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