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 23, 2015 F/SER47:BH/pw

(Sent via Electronic Mail)

Colonel Alan M. Dodd, Commander
Jacksonville District Corps of Engineers
Jacksonville Permits Section
PO Box 4970
Jacksonville, Florida 32232-0019

Attention: Bev A. Lawrence

Dear Colonel Dodd:

NOAA's National Marine Fisheries Service (NMFS) reviewed public notice SAJ-2003-04783 (SP-BAL), dated February 2, 2015. The Range at Crane Island, LLC, requests authorization to construct a residential development on Crane Island within the South Amelia River, Nassau County. The public notice states the project would impact 0.49 acre of salt marsh and 0.64 acre of freshwater wetlands. The salt marsh impacts would be for a roadway. Compensatory mitigation would be provided on site by restoring 1.10 acres of salt marsh and creating 0.5 acre of forested freshwater wetlands. The initial determination by the Jacksonville District is the proposed impacts to salt marsh would not have a substantial adverse impact on essential fish habitat (EFH) or federally managed fishery species based on the mitigation. 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 site of the proposed development, specifically the access road, includes estuarine emergent vegetation, marsh edge, and mud bottom. The South Atlantic Fishery Management Council (SAFMC) has identified these habitats as EFH for white shrimp (*Litopenaeus setiferus*), brown shrimp (*Farfantepenaeus aztecus*), and estuarine-dependent species of the snapper/grouper complex, such as grey snapper (*Lutjanus griseus*). Coastal salt marshes are EFH for these species because larvae and juveniles concentrate and feed extensively within these habitats. As a consequence, growth rates are high and predation rates are low, which makes these habitats effective nursery areas for shrimp and snapper. Shrimp are especially abundant in the project area and the target of a substantial recreational fishery. The site of the proposed project includes estuarine waters. The Mid-Atlantic Fishery Management Council (MAFMC) has identified estuarine waters as EFH for bluefish. SAFMC provides additional information on EFH and how it support federally managed fishery species in *Fishery Ecosystem Plan of the South Atlantic Region*, which is available at *www.safmc.net*. MAFMC provides detailed information on types and locations of EFH for the species it manages within individual amendments to fishery management plans within reports available at *www.nefsc.noaa.gov/nefsc/habitat/efh/*.

Impacts to Essential Fish Habitat
The applicant proposes to impact salt marsh habitat by constructing an access road for the development. The current proposal is to use fill for the access road and to maintain connectivity via one 4-foot box

culvert at each crossing. Bridges should be constructed or larger and more box culverts should be installed to facilitate water movement and access by organisms using the marsh.

Conservation Recommendations
NMFS concludes the proposed roadway would adversely impact EFH. Section 305(b)(4)(A) of the Magnuson-Stevens Act requires NMFS to provide EFH conservation recommendations when an activity is expected to adversely impact EFH. In consideration of this requirement, provides the following:

EFH Conservation Recommendations

- The permit shall require bridges, in lieu of culverts, at the two crossings of tidal waters.
- The permit shall include a detailed mitigation plan that includes an evaluation using the Uniform Mitigation Assessment Method (UMAM) comparing impacts and mitigation sites. The mitigation plan should demonstrate no net loss of ecological function.

Section 305(b)(4)(B) of the Magnuson-Stevens Act and implementing regulation at 50 CFR Section 600.920(k) require the Jacksonville District to provide a written response to this letter within 30 days of its receipt. If it is not possible to provide a substantive response within 30 days, in accordance with the "findings" with the Jacksonville District, an interim response should be provided to NMFS. A detailed response then must be provided prior to final approval of the action. The detailed response must include a description of measures proposed by the Jacksonville District to avoid, mitigate, or offset the adverse impacts of the activity. If the response is inconsistent with the EFH conservation recommendations, the Jacksonville District must provide a substantive discussion justifying the reasons for not following the recommendations.

NMFS appreciates the opportunity to provide these comments. Please direct related questions to the attention of Mr. Brandon Howard at our Palm Beach Office, 400 N Congress Ave, Suite 110, West Palm Beach, Florida 33401, at 561-249-1652, or at Brandon.Howard@noaa.gov.

Sincerely,

Paul Willer

/ for

Virginia M. Fay
Assistant Regional Administrator
Habitat Conservation Division

cc:

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