



**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>

June 29, 2015

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(Sent via Electronic Mail)

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

Attention: Paul Demarco

Dear Colonel Dodd:

NOAA's National Marine Fisheries Service (NMFS) reviewed the Jacksonville District's public notice dated May 1, 2015, and Draft *Supplemental Environmental Assessment, Maintenance Dredging St. Augustine Inlet and Adjacent Intracoastal Waterway, St. Johns County, Florida* (SEA), dated April 2015. The Jacksonville District proposes to maintenance dredge approximately 200,000 cubic yards of material from Cuts 27A to 30A of the Intracoastal Waterway (IWW) and the St. Augustine Inlet entrance channel and settling basins. The IWW would be dredged to -12 feet mean lower low water (MLLW) plus 2 feet of allowable over dredge, and the inlet entrance channel and settling basins would be dredged to -16 feet MLLW plus 2 feet of allowable over dredge. Dredge material disposal alternatives include:

- Beach placement above mean high water on St. Augustine Beach or Anastasia State Park between Florida Department of Environmental Protection (FDEP) monuments R-131A to R148.
- Nearshore (subtidal) placement between FDEP monuments R-141 to R-146.
- Placement in FDEP-designated critically eroding areas in South Ponte Vedra and Vilano Beach between FDEP Monuments R-84 to R-98 and between R109 to R-117, respectively. Adding this disposal area is the primary reason for the SEA.

The initial determination by the Jacksonville District is the proposed maintenance dredging of sand from St. Augustine Inlet, which the South Atlantic Fishery Management Council designates a Habitat Area of particular Concern (HAPC) and the IWW and disposal onto the beach and into nearshore waters SAFMC designates essential fish habitat (EFH), would not have a substantial adverse impact on EFH or federally managed fishery species. As the nation's federal trustee for the conservation and management of marine, estuarine, and anadromous fishery resources, NMFS provides the following comments and recommendations pursuant to authorities of the Fish and Wildlife Coordination Act and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

#### *Consultation History*

The Jacksonville District initiated EFH consultation by letter dated November 18, 2009, and provided a the Draft *Environmental Assessment, St. Augustine Inlet and Atlantic Intracoastal*



*Waterway, Maintenance Dredging with Beach Placement, St. Johns County, Florida* (EA), dated October 2009. By letter dated March 2, 2010, the NMFS provided three EFH conservation recommendations for the work, and the Jacksonville District responded to the EFH conservations recommendations by letter on May 10, 2010:

- The NMFS recommended Best Management Practices, such as restricting the time of year the dredging is done, be followed to reduce impacts to EFH and vulnerable life stages of federally managed fishery species. The Jacksonville District responded indicating it would follow to the extent practicable a schedule of seasonal sediment placement (August to March) to reduce these impacts.
- The NMFS requested the Final EA provide additional information supporting the District's contention that impacts to benthic communities at the nearshore disposal area would be minimal or, better, include a monitoring program to evaluate the impacts from nearshore disposal. The Jacksonville District provided additional citations of scientific reports concluding impacts to nearshore benthic communities may be minimal.
- The NMFS requested the Final EA provide additional information supporting the District's contention that benthic communities in the beach disposal areas would recover between dredging events, or better, include a monitoring program to evaluate the impacts from frequent disposal on the beach communities. The Jacksonville District provided additional citations of scientific reports concluding impacts to the beach communities may be minimal despite the frequent disposal events.

Due to staffing limitations, the NMFS did not further pursue the recommended monitoring programs, and the Jacksonville District released the Final EA and Finding of No Significant Impact (FONSI) on January 19, 2011.

#### *Essential Fish Habitat in the Project Area*

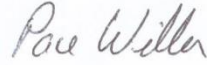
As is normal for an SEA, the discussion of impacts to EFH rely heavily on the discussion in the Final EA and focus on the areas not covered previously, i.e., the new disposal areas South Ponte Vedra Beach and Vilano Beach (Draft SEA Sections 3.5 and 4.3). Hardbottom habitat is not present near the new disposal area and the predominant EFH present is sandy bottom. Draft SEA Section 3.5 lists hard clams and menhaden as federally managed fishery species. While these species are important components of marine food webs in the project area, they are not federally managed. Additionally, this section identifies flounder (*Paralichthys* sp.) as a federally managed fishery species. Summer flounder (*Paralichthys dentatus*) is a federally managed species; however, it is not abundant in the area and could be removed from the EFH section of the Final SEA. Draft SEA Sections 4.3.2 and 4.3.3 affirm the Jacksonville District's commitment made in the Final EA to minimize impacts to vulnerable life stages of federally managed fishery species by restricting dredging to the fall and winter as funding and scheduling allow.

#### *Recommendations*

The NMFS affirms its earlier recommendations for monitoring programs to guide appropriate balancing of the timing and frequency of dredging needed for safe navigation with the time periods needed for recovery of foraging areas used by fishery species. In the absence of such monitoring to guide development of best management practices for this inlet, the proposed environmental window is acceptable.

Thank you for the opportunity to provide comments. Please direct related questions or comments to the attention of Brandon Howard at 400 N Congress Avenue, Suite 110, West Palm Beach, Florida 33401. He may be reached by telephone at 561-249-1652 or by e-mail at Brandon.Howard@noaa.gov.

Sincerely,



/ for

Virginia M. Fay  
Assistant Regional Administrator  
Habitat Conservation Division

cc: COE, Paul.M.Demarco@usace.army.mil  
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