



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>

August 7, 2015

F/SER47:BH/pw

(Sent via Electronic Mail)

Colonel Jason A. Kirk, Commander
Jacksonville District Corps of Engineers
Jacksonville Permits Section
PO Box 4970
Jacksonville, Florida 32232-0019

Attention: Mark R. Evans

Dear Colonel Kirk:

NOAA's National Marine Fisheries Service (NMFS) reviewed public notice SAJ-1991-02061 (SP-MRE) dated July 8, 2015. St. Augustine Shipyards, LLC, requests authorization from the Department of the Army to fill approximately 0.02 acre of salt marsh, to fill 0.15 acre of upland-cut (not tidal) ditches, and to dredge 0.72 acre of salt marsh associated with the San Sebastian River, St Johns County, in order to install a bulkhead, replace a dock with a multi-slip dock, construct four multi-slip docks, construct four dual-slip docks, and establish a kayak and canoe launch. The applicant would mitigate these impacts by creating a 0.98 acre salt marsh onsite. The initial determination by the Jacksonville District is the proposed loss of 0.90 acre of salt marsh wetlands designated essential fish habitat (EFH) by the South Atlantic Fishery Management Council (SAFMC) 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).

Essential Fish Habitat in the Project Area

Jurisdictional waters within the project area include moderate to high quality tidal salt marsh and mud bottom. Dominant vegetation within the tidal salt marsh is smooth cordgrass (*Spartina alterniflora*), seashore saltgrass (*Distichlis spicata*), and black needle-rush (*Juncus roemerianus*). Other vegetation present within the marsh includes glasswort (*Salicornia* sp.), seashore dropseed (*Sporobolus virginicus*), and saltwort (*Batis maritima*). The salt marsh is directly connected to the San Sebastian River near its confluence with the Matanzas River and approximately four miles from St. Augustine Inlet.

The SAFMC identifies 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 and mud bottom 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. Salt marshes in close proximity to tidal inlets are especially valuable because they serve as staging areas for shrimp and fish migrating between the ocean and estuary. SAFMC provides additional information on EFH and how it supports federally managed fishery species in *Fishery Ecosystem Plan of the South Atlantic Region*, which is available at www.safmc.net.




The site of the proposed project also includes estuarine waters. The Mid-Atlantic Fishery Management Council (MAFMC) identifies estuarine waters as EFH for bluefish. The MAFMC provides detailed information on types and locations of EFH for the species it manages via individual amendments to fishery management plans and in technical reports available at www.nefsc.noaa.gov/nefsc/habitat/efh/.

Recommendation

Due to limited staff, the NMFS is unable to evaluate fully the proposed action, however, the NMFS will comment on the proposed mitigation. The applicant proposes to directly impact, by filling and dredging, 0.74 acre of salt marsh habitat. The mitigation proposed by the applicant is likely to meet the performance standards the Jacksonville District commonly requires for permittee-responsible salt marsh creation. The NMFS recommends lowering of the Uniform Mitigation Assessment Method (UMAM) scores provided by the applicant. The location and landscape support score for mitigation polygon C1 should be lowered from 8 to 6 given the applicant will build a hotel adjacent to this polygon. This will result in a functional gain of 0.44 functional capacity units (FCU), which would offset the loss of 0.405 FCU. It is unclear from the mitigation plan and drawings what or where the 0.08-acre mitigation polygon C2 is and how it relates to the 0.98-acre mitigation polygon C1. The NMFS recommends the location of C2 be clear in the permit should one be issued.

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, Mark.R.Evans@usace.army.mil
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