

Appendix B
Florida Coastal Zone Management Program
Federal Consistency Evaluation Procedures

The intent of the coastal construction permit program established by this chapter is to regulate construction projects located seaward of the line of mean high water and what might have an effect on natural shoreline processes.

Response: The primary purpose of this project is to provide shore protection. Consideration is given during the planning process to impacts upon natural coastal processes, activity and use criteria, natural vegetation, and adjacent property. Detailed analyses of each of these areas are presented in the 1978 General Design Memorandum (GDM) and Final Environmental Impact Statement (FEIS). The goals set forth in this chapter have been met through continuous consultation with appropriate Federal, State, and local agencies.

2. Chapters 186 and 187, State and Regional Planning.

These chapters establish the State Comprehensive Plan which sets goals that articulate a strategic vision of the State's future. Its purpose is to define in a broad sense, goals, and policies that provide decision-makers directions for the future and provide long-range guidance for an orderly social, economic and physical growth.

Response: This proposed project has been coordinated with appropriate Federal, State, and local governmental agencies. The project meets the primary goal of the State Comprehensive Plan for beaches through preservation of a protective beach. As this project would increase recreational opportunities in the area, it is also considered advantageous to the local economy and would provide for economic growth.

reduce potential damage resulting from storms to the property and roads adjacent to the Atlantic coast at Fort Pierce Beach. Therefore, this project would be consistent with the efforts of the Division of Emergency Management.

4. Chapter 253, State Lands.

This chapter governs the management of submerged state lands and resources within state lands. This includes archeological, and historical resources; water resources; fish and wildlife resources; beaches and dunes; submerged grass beds and other benthic communities; swamps, marshes and other wetlands; mineral resources; unique natural resources; merged lands; spoil islands; and artificial reefs.

Response: The proposed beach nourishment project would create a wider recreational beach and provide necessary storm protection for development and infrastructure along the Atlantic shoreline of Fort Pierce Beach. In a letter dated 10 October 1991, the Florida State Historic Preservation Officer (SHPO) stated that a review of the Florida Site File revealed that an historic shipwreck site is located approximately 1,000 feet offshore midway between the northern and southern boundaries of the shore protection project. Although this site is located beyond any expected impact (seaward of the equilibrium toe line), consultation with the SHPO regarding avoidance or mitigation of the shipwreck site will be required prior to undertaking any bottom disturbing activities such as dredging or placement of fill material on the beach. Motile forms such as fish and epifaunal crustaceans should experience insignificant short-term adverse impacts. The short-term adverse impact is likely to be felt primarily by the non-motile infaunal invertebrates and sessile autotrophic organisms. Because of the high fecundity and high turnover rate of these organisms, it is not anticipated that a numerically significant loss of these communities would be a long-term condition. Previous benthic investigations have concluded that benthic communities normally recolonize the area seaward of a renourished beach within a matter of a few months. The nearshore hardbottom habitats in this area

5. Chapters 253; 259, 260, and 375, Land Acquisition.

This chapter authorizes the state to acquire land to protect environmentally sensitive areas.

Response: Fort Pierce Beach is in public ownership and the beach has numerous public access points from adjacent parking areas. Therefore, this chapter does not apply.

6. Chapter 258, State Parks and Aquatic Preserves.

This chapter authorizes the state to manage state parks and preserves. Consistency with this statute would include consideration of projects that would directly or indirectly adversely impact park property, natural resources, park programs, management or operations.

Response: There are three (3) locally managed (County/City) parks along the Atlantic coast in the Fort Pierce Beach project area. Beach disposal would provide protection for these parks from storm generated wave energy as well as have a positive influence on recreational opportunities in the park/beach area. The addition of beach compatible fill material would quickly be invaded by opportunistic grasses and other salt tolerant vegetation. This beach flora would add refuge and foraging areas for the small mammal and reptile inhabitants of the project area. Therefore, the project is consistent with the intent of this chapter.

7. Chapter 267, Historic Preservation.

This chapter establishes the procedures or implementing the Florida Historic Resources Act responsibilities.

This chapter directs the state to provide guidance and promotion of beneficial development through encouraging economic diversification and promoting tourism.

Response: The proposed beach disposal would provide more area for recreational opportunities and protection of development and infrastructure along Fort Pierce Beach. This would be compatible with tourism for this area and would be consistent with the goals of this chapter.

9. Chapters 3~4 and 339, Public Transportation.

.This chapter authorizes the planning and development of a safe and efficient transportation system.

Response: No long-term adverse impacts to public transportation systems are anticipated by this project.

10. Chapter 370, Saltwater Living Resources.

This chapter directs the state to preserve, manage and protect the marine, crustacean, shell and anadromous fishery resources in state waters; to protect and enhance the marine and estuarine environment; to regulate fishermen and vessels of the state engaged in the taking of such resources within or without state waters; to issue licenses for the taking and processing products of fisheries; to secure and maintain statistical records of the catch of each such species; and, to conduct scientific, economic, and other studies of research.

Response: Motile species such as fish and epifaunal crustaceans will be able to avoid the area during construction and seek favorable environmental conditions. Non-motile autotrophic organisms and epifaunal invertebrates would be temporarily lost. As demonstrated from past scientific

This chapter establishes the Game and Freshwater Fish Commission and directs it to manage freshwater aquatic life and wild animal life and their habitat to perpetuate a diversity of species with densities and distributions which provide sustainedecological, recreational, scientific, educational, aesthetic, and economic benefits.

Response: The proposed beach disposal has been coordinated with the U.S. Fish and Wildlife Service and National Marine Fisheries Service for compliance under Section 7 of the Endangered Species Act. Both agencies have concurred with the Corps determination that populations of threatened/endangered species under their purview would not be adversely affected by the proposed action. Further explanation is provided by documents included in Appendix C (Fish and wildlife Planning Report) and Appendix D (Relevant Correspondence) of this report. There exists adjacent forested areas where small mammals and reptiles could actively seek temporary shelter during beach construction activities. Placement of sand on the beach will be quickly invaded by opportunistic grasses and beach vegetation. This new habitat will provide refuge and foraging opportunities for small species and promote biodiversity in the project area. This project complies with the goals of this chapter.

12. Chapter 373, Water Resources.

This chapter provides the authority to regulate the withdrawal, diversion, storage, and consumption of water.

Response: This project does not involve groundwater or surface water resources as described by this chapter.

expelled into the environment by dredging or earthmoving equipment.

14. Chapter 377, Oil and Gas Exploration and Production.

This chapter authorizes the regulation of all phases of exploration, drilling, and production of oil, gas, and other petroleum products.

Response: This project does not involve the exploration, drilling or production of gas, oil or petroleum product and therefore does not apply.

15. Chapter 380, Environmental Land and Water Management.

This chapter establishes criteria and procedures to assure that local land development decisions consider the regional impact nature of proposed large-scale development.

Response: Beach disposal on a 1.3 mile section of Fort Pierce Beach is unlikely to have any regional impact on resources found along the southeastern Atlantic coast of Florida. The project is consistent with the established goals of this chapter.

16. Chapter 388, Arthropod Control.

This chapter provides for a comprehensive approach for abatement or suppression of mosquitoes and other pest arthropods within the state..

Response: The project would not further the propagation of .mosquitoes or other pest arthropods.

Response: Air pollution problems are expected to be insignificant due to strong prevailing coastal winds, and only due to increased vehicular traffic during the construction phase. Water pollution is expected to be minor and short-term, manifesting in construction generated nearshore and borrow area turbidity increases. Monitoring for turbidity during the beach nourishment process will assure compliance with all applicable water quality standards. A Water Quality Certificate (WQC) dated 15 January 1993 was received for the Fort Pierce Shore Protection Project from the Florida Department of Environmental Regulation. With adherence to the conditions set forth in the WQC, this project is in full compliance with the intent of this chapter.

18. Chapter 582, Soil and Water Conservation.

This chapter establishes policy for the conservation of the state soil and water through the Department of Agriculture. Land use policies will be evaluated in terms of their tendency to cause or contribute to soil erosion or to conserve, develop, and utilize soil and water resources both onsite or in adjoining properties affected by the project. Particular attention will be given to the project on or near agricultural lands.

Response: The project is not located near or on any agricultural lands. The proposed project is designed to restore and protect eroding public beach which offer both recreational opportunities as well as protection for both property and human health against storm generated wave energy.