blooms, subsequent low dissolved oxygen, a benthic saltwater wedge throughout the river, and reduced oligohaline habitat due to minimal freshwater input from an upstream dam. It appears an overall substrate change is necessary to restore dissolved oxygen levels. Fish species found are mullet, tarpon, snook, and redfish. Other aquatic species such as crabs and other fish, are limited due to the problems listed above (T. Cardinale, P. Clark, B. Musser, pers. comm., 1996).

Conceptual restoration for the three and one-half mile segment of the river includes using suitable spoil material to reduce the current depth, and remove the sill in the river channel to improve mixing. Flood control protection would remain a consideration, thus approval from the Corps and SWFMD is required. The spoil would also be used to create shallows and substrate for intertidal wetland habitat.

Whiskey Key/Green Key

These are two natural islands in a biologically rich area known as "The Kitchen". The area consists of mangrove and marsh shorelines, and shallow sand flats with water depths of 1-3 feet. Seagrasses have recently begun to reestablish. The islands are part of the National Audubon Society Sanctuaries. The impact area consists of two dredge cuts to the west and east of Whiskey Key. The holes cover 8 hectares, and are approximately 9 feet deeper than the surrounding substrate. A low dissolved oxygen environment is the primary concern. Both keys have low, but consistent bird usage. Whiskey Key serves as nesting grounds; Green Key does not.

The restoration plan includes filling the holes to surrounding elevations. This would benefit the benthic community, provide a euphotic zone for seagrasses, and improve the dissolved oxygen level. However, appropriate silt content of the dredge material is crucial, as resulting turbidity could hamper recovery efforts (Dial and Deis 1986; R. Paul 1996; TBRPC 1996).

8.0 Service Recommendations

The Service has evaluated the following sites for beneficial use of dredge spoil material. The selection combines sites suggested for previous projects, with new sites suggested by key agency restoration personnel. The following are prioritized recommendations for the enhancement of fish and wildlife resources:

1. The Alafia Banks- Renourishment of this area would be most beneficial to regional, as well as Tampa Bay avian resources. The priority of this site was agreed upon by representatives from the Tampa Bay National Estuary Program, the National Marine Fisheries Service, EPCHC, FDEP, Tampa Baywatch, and the National Audubon Society. The addition of spoil material to create additional wetland and upland habitat will attract and maintain a diversity of bird and aquatic species. Erosion would be inhibited as well. This project is also advantageous economically, for its location, and its requirement for a significant amount of material, which help to minimize transport costs.

Issues to address are a construction window for nesting birds, sediment quality, and agreement from the Corps to utilize more than one placement point for dredge material. Construction activities would be allowed during the non-nesting season only. If unacceptable sediment contaminant levels are found, other uses should be considered to avoid potential environmental hazards.

2. The Palm River- The Service believes the river has significant environmental restoration potential, and will offer multi-faceted wildlife benefits once completed. Issues of low DO, increased tidal flushing, and creation of oligohaline habitat need to be addressed.

The distance between the location of the river and the project site is a major consideration due to transport costs. Barging the spoil material to the river would most likely be cost prohibitive. Possible alternatives include hydraulic pipeline transport, or truck hauling it to the site. The restoration would, however, require large amounts of material, which helps justify costs incurred. Sponsorship and funding are also critical obstacles to overcome. Efforts are currently underway to secure sponsorship from interested parties. SWFMD is a possible candidate, but has not yet committed. The Corps' Section 1135 program is a possible funding source, based on eligibility. A revision of the Corps river management plan from one of flood control, to one of restoration is necessary. Once resolved, we support full restoration of this system.

3. MacDill AFB- the filling in of old runway dredge scars is considered beneficial in this area due to the large, established seagrass beds nearby which support significant numbers of nursery fish and invertebrates. We believe the expansion of suitable substrate and proximity to the established beds will promote future seagrass establishment. This will aid in the TBNEP's efforts to increase seagrass acreage in Tampa Bay (TNEP 1996).

Transport costs could be prohibitive due to the transport distance from the Alafia site, however, the scars require large amounts of material to shallow up depths of up to 13 feet. Turbidity could be a problem unless precautionary measures are taken. Studies of shoreline wave patterns, erosion rates, etc. should be conducted to avoid future hazards.

4. Cockroach Bay- the old shell pits could be filled to create wildlife habitat, and achieve overall landscape assimilation. Past visits to this area indicate extensive use by wading birds and raptors. The addition of wetland habitat would help native, as well as migratory species. This would work in conjunction with current plans of the SWIM program. Another suggestion is to create upland habitat for endemic species traveling north from southern displacement. This would also benefit the threatened Florida scrub-jay (*Aphelocoma coerulescens*) (J. Beever, pers. comm. 1996).

Transporting material to this area is probably cost prohibitive. However, there are several pits which need restoration. The benefits to be gained would justify the costs incurred.

5. Whiskey Key/Green Key- the filling of old dredge scars would benefit the benthic community, promote seagrass establishment, and raise the dissolved oxygen level of the nearby water column.

The economics of transport are a consideration as the project requires only minimal amounts of material. Location is a minor consideration. A construction window may be necessary. This could be considered an auxiliary project to a larger one.

6. Spoil Islands 2D and 3D- this is the least preferred choice based on the minimal environmental to be benefits gained. This would be encouraged only if nesting areas were in need of nourishment. Timing of spoil placement is critical, and could disrupt nesting patterns. Management of the islands to maintain it as suitable habitat would be required.

Summary

The Corps requested a Fish and Wildlife Coordination Act Report from the Service regarding the environmental impacts of widening and deepening the existing Alafia River Main Shipping Navigation Channel, and potential beneficial uses from the resultant spoil material. Channel dredging will have minimal adverse effect on fish and wildlife resources. Adequate protection for the manatee is outlined in the biological opinion. Sediment studies are recommended to determine their local characteristics and suitability for beneficial use.

The Service advocates renourishment of the Alafia Banks. This would inhibit erosion and preserve the island chain, thereby increasing habitat for several endangered/threatened birds in the bay. The logistics and costs are minimal. The second choice is the restoration of the Palm River which, due to present funding and political constraints, may not be eligible. Thirdly, filling the holes at MacDill warrants serious consideration, but may have some constraints. We are opposed to filling spoil islands 2D and 3D. The other projects discussed offer greater benefits under similar economic concerns.

9.0 Biological Opinion

The following represents the biological opinion of the U.S. Fish and Wildlife Service (Service) pursuant to Section 7(a) of the Endangered Species Act of 1973, as amended (Act) regarding the U.S. Army Corps of Engineers (Corps) expansion dredging of the Alafia River main shipping navigational channel, and its effects of that action on the West Indian manatee (*Trichechus manatus latirostris*). An administrative record of this consultation is on file in the Jacksonville, Florida, Field Office.

Consultation History

The Service's Vero Beach Field Office provided a biological opinion in February 1994, addressing the status and protection of the West Indian manatee for the Tampa Harbor-Big Bend Navigation Feasibility Study. The Corps determined the project would "not effect" the

manatee. The Service did not concur with the determination, and made a "likely to adversely affect" determination based on the number of manatee mortalities in the area. Conservation recommendations included a "no dredge" window (November 15-March 31), and the standard manatee conditions be implemented during off-season activities. An incidental take permit was not issued.

BIOLOGICAL OPINION

Description of Proposed Action

The Corps has proposed to expand the main shipping channel to the Alalfia River in Hillsborough County, Florida. The mouth of the Alafia is located on the eastern shore of Hillsborough Bay, where a harbor serves Cargill Fertilizer, a private phosphate manufacturer. The present facilities offer a 3.6-mile channel, 200 feet wide and 30 feet deep. The berthing wharf is 2200 feet long with depths of 30 feet. The Corps Reconnaissance Report (January 1991) indicates an expanded channel, berthing, and turning area is necessary to accommodate the newer, larger incoming vessels.

Status of the Species

The West Indian manatee is a native marine mammal restricted to the coastal waters of Florida and Georgia. Manatees are commonly found in bays, inlets, and rivers occurring in fresh, brackish, and salt water environments. They are herbivorous, and prefer to feed on submerged aquatic vegetation.

At present, there are at least 2,639 manatees in Florida and Georgia. The only year-round populations of manatees in the United States occur throughout the coastal and inland waterways of peninsular Florida, and a small group that overwinters in extreme southeast Georgia. The population appears to be evenly divided between the Gulf and east coasts of Florida.

Aerial survey counts in Tampa Bay indicate a steady population increase since 1984, mostly due to better visibility from improved equipment, refined methodology, immigration from Crystal River, and a marginal population increase. Surveys from 1987-1994 indicate a total of 5358 sightings in Tampa Bay. A record high of 190 animals have been observed at one time (1994). Hillsborough Bay, Big Bend, and MacDill Air Force Base (project area) has documented 229, 1539, and 95 manatee sightings respectively in a 7-year period (1987-1994) (B. Ackerman 1996).

Manatee deaths resulting from human activities are well documented through a carcass recovery program initiated in 1974. Causes of death include collision with large and small boats, crushing by barges and man-made water control structures and navigation locks, entanglement in nets and lines, entrapment in culverts, poaching, and entanglement in and ingestion of marine debris (e.g., monofilament).

From 1974 through 1994, 2,456 manatee carcasses were recovered in the southeastern United States. Eight hundred and two (33 per cent) were attributed to human-related causes. Of these 613 were caused by collisions with watercraft, 111 were flood gate/canal lock-related, and another 78 were categorized as other human-related. Collision with watercraft accounted for 83 per cent of human-related causes of death during this period.

ENVIRONMENTAL BASELINE

Action Area

The action area for this biological opinion is defined as the immediate area of the project site. The project location is on the east side of Tampa Bay, in Hillsborough Bay, at the mouth of the Alafia River. Hillsborough Bay is a estuarine, open water environment with generally low tidal amplitudes, and extensive shallows. Characteristic vegetative shoreline communities are lacking in most areas due to the presence of heavy urbanization and industry. The bay bottom is extensively and routinely dredged for berthing and shipping channels. Few areas of submerged aquatic vegetation (SAV) exist, however some does occur in the shallows immediately south of the project site. The Alafia River is heavily traveled by small watercraft, which travel at high speeds once in the bay. Large ships also frequent the area. A public marina is located upstream.

Status of Species in the Action Area

Manatees are present in Tampa and Hillsborough Bay to forage, frequent freshwater drinking sites, and to seek refuge in warm water outfall areas during the winter months. Manatees are also known to travel the Alafia River. The immediate action area receives year round use, with higher numbers in the warmer months. In winter, the animals typically travel a north-south route along the shoreline to commute between the Big Bend power plant and the Port Sutton plant. Most gather at the TECO Big Bend power plant, however, the Bartow power plant is used alternately, and necessitates travel along the MacDill area. They are also sighted along the east-west shipping channel, mouth, and nearby shallows in the warmer months.

Three warm-water discharge sites (Big Bend, Bartow, and Pt. Sutton) attract 75% of the total population, compared with 25% in the warmer months. The animals disperse in spring, and spend the summer months at favorite foraging and watering sites. The onset of autumn signals winter aggregating behavior for 40% of the animals, with the remainder arriving in December.

Thirty-two manatee mortalities were documented for Hillsborough Bay over a 18-year period (1977-1995). Many factors are attributed including watercraft, natural, perinatal, and undetermined. In that time, there were 8 manatee mortalities in the action area. Two were determined as natural, four were undetermined, 1 was caused by watercraft, and 1 was perinatal. There are no designated manatee zones, or speed zones (Ackerman et al.1995, Wright et al.1995)

Manatee presence and protection at potential "beneficial use" sites is also a concern. MacDill AFB, Whiskey Key, Cockroach Bay, and the south and west sides of the Alafia banks possess seagrass beds which act as attractants for manatees. The Palm River and spoil island areas have no seagrass, but do harbor traveling manatees. There are documented mortalities for the years 1977-1995 for MacDill AFB, Cockroach Bay, Palm River, and the spoil islands. To adequately protect the manatees at these locations, we recommend the standard manatee construction conditions be made a condition of any work contract or Corps proposal for beneficial spoil placement.

Effects of the Proposed Action

Dredging activities typically involve the use of either a standard clamshell dredge with a sealed bucket, or a hydraulic dredge with a cutter head. The possibility of the dredge head making contact with a manatee as it moves through the water column is a possibility, though rarely occurs. Manatees usually avoid areas of ongoing dredging operations. We also believe the 100-yard observation zone required in the standard construction conditions eliminates this hazard.

Vehicles used in standard operations include a barge which houses the dredge, a tugboat to tow the barge, a storage barge to transport dredge material, and ancillary crew boats to service the barge. Barges in themselves are not considered a threat to manatees, as they move slowly through the water, giving adequate warning to manatees. Tugboats are more hazardous due to their powerful engines and propellers, which can "draw" a manatee to it, or cause injury from blades. Since the tugs are also relatively slow moving, manatees should be able to avoid impact. Small watercraft which commute through the work area several times a day to move personnel, or perform environmental monitoring, pose the most threat. Their small size and high speed prevent slow-moving manatees from avoiding a collision. This may result in injury or mortality. The standard conditions state all watercraft travel at idle/no wake speeds while in the construction area, and in water where the draft of the vessel provides less than a four-foot clearance from the bottom. Adherence to this condition is critical to avoid injury and /or mortality to manatees.

Cumulative Effects

Cumulative effects include the effects of future, state, local, or private actions that are reasonably certain to occur in the action area considered in this biological opinion. Future Federal actions that are unrelated to the proposed action are not considered in this section because they require separate consultation pursuant to Section 7 of the Endangered Species Act.

The cumulative effect of actions that will increase the likelihood of manatees being struck by boats or dredge equipment include those actions that are not accounted or monitored for in the action area. We are aware that the Tampa Port Authority has jurisdiction over the Alafia turning basin, and will periodically perform maintenance dredging. The standard manatee conditions will be implemented. We are not aware of any other proposed private or state

projects in the immediate vicinity. Adverse cumulative impacts on the endangered manatee can be minimized through crew awareness, education, and strict adherence to the standard manatee precaution conditions.

Conclusion

After reviewing the current status of the West Indian manatee, the environmental baseline for the action area, the effects of the proposed action, cumulative effects, and the fact that there are no documented watercraft-related or dredge-related mortalities in the action area, it is the Service's biological opinion that this project is not likely to jeopardize the continued existence of the West Indian manatee.

INCIDENTAL TAKE

Sections 4(d) and 9 of the Endangered Species Act, as amended, prohibit taking (harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct) of listed species of fish and wildlife without a special exemption. Harm is further defined to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing behavioral patterns such as breeding, feeding, or sheltering. Incidental take is any take of listed animal species that results from, but is not the purpose of, carrying out an otherwise lawful activity conducted by the Federal agency or the applicant. Under the terms of section 7 (b) (4) and 7 (o) (2), taking that is incidental to and not intended as part of the agency action is not considered a prohibited taking provided that such taking is in compliance with the terms and conditions of this incidental take statement.

The Service does not anticipate that the proposed action will incidentally take any manatees. In the accompanying biological opinion, the Service determined that this is not likely to result in jeopardy to the species or destruction or adverse modification of critical habitat. If death or injury of a manatee occurs, dredging operations must cease, and the incident reported immediately to the Florida Marine Patrol at 1-800-DIAL-FMP and to the Service Jacksonville Field Office at (904) 232-2580 or Tampa sub-office (813) 840-2907.

CONSERVATION RECOMMENDATIONS

Section 7 (a)(1) of the ESA directs Federal agencies to utilize their authorities to further the purposes of ESA by carrying out conservation programs for the benefit of endangered and threatened species. Conservation recommendations are discretionary agency activities to minimize or avoid adverse affects of a proposed action on listed species or critical habitat, to help implement recovery plans, or to develop information.

To minimize potential impacts to the manatee, the Service recommends that the following be made special conditions of the permit, if issued:

1. The standard manatee construction conditions be included in any contract issued for the work, and/or in the final Corps EIS, and implemented by all crew personnel.

2. Education pertaining to the manatee, including appearance, behavior, and actions which constitute a "taking" under the ESA be made a part of crew training.

3. The use of hydraulic dredge, especially in the winter months.

4. If a clamshell dredge is used in the winter months, we recommend its use during daylight hours only.

REINITIATION

This concludes formal consultation on the action outlined in the request. As provided in 50 CFR 402.16, reinitiation of formal consultation is required where discretionary Federal agency involvement or control over the action has been retained (or is authorized by law) and if: (1) the amount or extent of incidental take is exceeded; (2) new information reveals effects of the action that may effect listed species or critical habitat in a manner or to an extent not considered in this opinion; (3) the agency action is subsequently modified in a manner that causes an affect to the listed species or critical habitat not considered in this opinion; or (4) a new species is listed or critical habitat designated that may be affected by the action. In instances where the amount or extent of incidental take occurs, any operations causing such take must cease pending reinitiation. Please call Ms. Deborah Manz of my staff at (813) 840-2907 if you require additional assistance.

_____

Assistant Field Supervisor

_____

Date

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APPENDIX III

COASTAL ZONE MANAGEMENT CONSISTENC DETERMINATION

FLORIDA COASTAL ZONE MANAGEMENT PROGRAM
FEDERAL CONSISTENCY EVALUATION PROCEDURES

1. **Chapter 161, Beach and Shore Preservation.**

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 which might have an effect on natural shoreline processes.

Response: The proposed project is not located in a beach area. Therefore, the project would not apply to this chapter.

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. It's 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: The proposed work has been recommended by the Agency on Bay Management, Tampa Bay Regional Planing Council. A public notice was coordinated with the State Clearinghouse. Therefore, this project would comply with the intent of this Chapter.

3. **Chapter 252, Disaster Preparation, Response and Mitigation.**

This chapter creates a state emergency management agency, with the authority to provide for the common defense; to protect the public peace, health and safety; and to preserve the lives and property of the people of Florida.

Response: The dredging and placement would be consistent with the intent of this Chapter.

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 features; submerged lands; spoil islands; and artificial reefs.

Response: The maintenance dredging and placements would not affect state lands. The proposal

would comply with the intent of this chapter.

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

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

Response: Since the affected property already is in public ownership, this chapter would 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: The proposed work would not affect any parks or preserves, and would, therefore, be consistent with this chapter.

7. **Chapter 267, Historic Preservation.**

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

Response: The maintenance of this existing navigation channel has been coordinated with the Florida State Historic Preservation Officer. Procedures will be implemented to avoid affects on unidentified historic properties which may be located within the affected areas. No known historic properties, included or eligible for inclusion in the National Register of Historic Places, have been identified in the navigation channel or in the proposed upland disposal area. Therefore, the work will be consistent with the goals of this chapter.

8. **Chapter 288, Economic Development and Tourism.**

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

Response: The maintenance dredging of the navigation channel encourages the development Tampa Harbor and economic growth of the area. Therefore, the work would be consistent with the goals of this chapter.

9. **Chapters 334 and 339, Public Transportation.**

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

Response: The maintenance dredging of the navigation channel promotes recreational and commercial navigation within Tampa Harbor. Therefore, the work would comply with the goals of this chapter.

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 fisherman 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 and research.

Response: The maintenance dredging of this area would not adversely affect saltwater living resources. No saltwater living resources are found in the placement area. Based on the overall impacts of the work, the work is consistent with the goals of this chapter.

11. **Chapter 372, Living Land and Freshwater Resources.**

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 sustained ecological, recreational, scientific, educational, aesthetic, and economic benefits.

Response: The placement of material in the hole would cause a change in the species and size distribution of fish in this area. The filling of the hole would create potential for colonization by seagrasses; an important Bay resource that has been lost by certain dredging activities. The placement of dredge material in Harbor Isle Lake would benefit fisheries within the lake by improving water quality.. Therefore, the work would comply 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 work does not involve water resources as described by this chapter.

13. **Chapter 376, Pollutant Spill Prevention and Control.**

This chapter regulates the transfer, storage, and transportation of pollutants and the cleanup of pollutant discharges.

Response: This work does not involve the transportation or discharging of pollutants.

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 work 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: The maintenance dredging and placement of the navigation channel has been coordinated with the local regional planning commission. In fact, both proposals were recommended by the Habitat Restoration Committee of the Agency on Bay Management, Tampa bay Regional Planning Council. Therefore, the work would be consistent with the 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 work would not further the propagation of mosquitoes or other pest arthropods.

17. **Chapter 403, Environmental Control.**

This chapter authorizes the regulation of pollution of the air and waters of the state by the DEP.

Response: A request was sent to the Florida Department of Environmental Protection to modify an existing permit for maintenance dredging of the navigation channel to allow placement of material in this hole and lake. Final compliance would come with the permit modification. Therefore, the work is complying 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 work. Particular attention will be given to work on or

near agricultural lands.

Response: The proposed work is not located near or on agricultural lands and would therefore, this chapter would not apply.

APPENDIX IV

COORDINATION DOCUMENTATION

NOV 7 1994

Construction-Operations Division
Public Notice Number PN-SPH-193

PUBLIC NOTICE

TO WHOM IT MAY CONCERN: The District Engineer, Jacksonville District, U.S. Army Corps of Engineers, has forwarded an application to the State of Florida Department of Environmental Protection pursuant to Section 401 of the Clean Water Act of 1977. This Federal project is being evaluated and coordinated pursuant to 33 CFR 335 through 338.

Comments regarding the project should be submitted in writing to the District Engineer at the above address within 30 days from the date of this notice. Any person who has an interest which may be affected by the construction of this project may request a public hearing. The request must be submitted in writing to the District Engineer within 30 days of the date of this notice and must clearly set forth the interest which may be affected and the manner in which the interest may be affected by this activity.

If you have any questions concerning this application, you may contact Mr. David Gerland of this office, telephone 904-232-3600.

WATERWAY & LOCATION: St. Petersburg Harbor, Pinellas and Hillsborough Counties, Florida

WORK & PURPOSE: The work to be performed is routine maintenance dredging of the Port of St. Petersburg Entrance Channel and turning basin as needed. The material is to be dredged from the channel and turning basin and transported by barge to Grande Bayou. From that location, the dredged material will be transported by a pipeline laid along the bottom of the Grande Bayou channel to the disposal site. The dredged material will be disposed of in an upland lake known as Harbor Isles Lake. The dredged material is being used to fill a deep sediment trap and is considered beneficial use. The purpose of the work is to maintain safe navigation between the Tampa Bay entrance channel and the maritime facilities at the Port of Saint Petersburg, Florida.

PROJECT AUTHORIZATION:

Rivers and Harbors Act of 1950, P.L. 516,
House Document No. 70, 81st Congress, First Session

St. Pete Harb

EVALUATION:

An environmental assessment is being prepared to evaluate the impacts of the project. A preliminary environmental evaluation indicates that the proposed action would have no significant impact on the quality of the human environment and an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA), would not be required. Copies of the NEPA documentation will be made available upon request.

APPLICABLE LAWS: The following laws are, or may be, applicable to the review of the proposed disposal sites and to the activities affiliated with this Federal project:

1. Section 404 of the Clean Water Act of 1977 (PL 95-217) (33 U.S.C. 1344).

2. Section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972 (PL 92-532) (33 U.S.C. 1413, 86 Stat. 1052).

3. Section 302 of the Marine Protection, Research, and Sanctuaries Act of 1972 (PL 92-532, 86 Stat. 1052).

4. The National Environmental Policy Act of 1969 (PL 91-190) (42 U.S.C. 4321-4347).

5. Sections 307(c) (1) and (2) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456 (c)(1) and (2), 86 Stat. 1280).

6. The Fish and Wildlife Act of 1956 (16 U.S.C. 472a et seq.).

7. The Migratory Marine Game-Fish Act of 1959 (16 U.S.C. 760c-760g).

8. The Fish and Wildlife Coordination Act of 1958 (16 U.S.C. 661-666c).

9. The Endangered Species Act of 1973 (PL 93-205) 16 U.S.C.668aa-668cc-6, 87 Stat. 884).

10. The National Historic Preservation Act of 1966 (16 U.S.C. 470, 80 Stat. 915).

11. Section 313 of the Clean Water Act of 1977 (33 U.S.C. 1323, 82 Stat. 816).

COASTAL ZONE MANAGEMENT: The proposal has been evaluated in accordance with the Florida Coastal Zone Management Act and was determined to be consistent with the goals and intent of the appropriate State statutes. This determination is based on the Preliminary Environmental Assessment, the Section 404(b)(1) Evaluation, and the Coastal Zone Consistency Determination. Full compliance will be achieved by issuance of the necessary permits from the State.

ENDANGERED SPECIES: Consultation with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act has been conducted. Based on our evaluation, a "No Effects" determination has been made regarding sea turtles and manatees.

OTHER IMPORTANT RESOURCES: Other important resources considered in the environmental assessment will include seagrasses and mangroves. It has been determined that the project will not effect either of these resources.

EVALUATION FACTORS: All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

DISSEMINATION OF NOTICE: You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have an interest in this matter.

COORDINATION: This notice is being sent to, and coordinated with, the following agencies:

FEDERAL AGENCIES:
Commander, Seventh Coast Guard District, Miami, FL
Director, Atlantic Marine Ctr., NOAA, Norfolk, VA
FDA, Regional Shellfish Specialist, Atlanta, GA
Director, National Park Ser., Southeast Region, Atlanta, GA
Regional Director, National Park Ser., SE Region, Atlanta, GA
Regional Director, Fish & Wildlife Service, Atlanta, GA
Field Supervisor, Fish & Wildlife Service, Jacksonville, FL
Field Supervisor, Fish & Wildlife Service, Vero Beach, FL
Regional Hydrologist, U.S. Geological Survey, Atlanta, GA
District Chief, U.S. Geological Survey, WRD, Tallahassee, FL
Regional Hydrologist, NOAA, National Weather Ser., Fort Worth, TX
Southeast River Forecast Ctr., NOAA, National Weather Service, Atlanta, GA

Environmental Protection Agency, Office of Federal Activities, Washington, D.C.
Environmental Protection Agency, Region IV, Atlanta, GA
Federal Energy Regulatory Commission, Atlanta, GA
National Marine Fisheries Service, EA Branch, Panama City, FL
National Marine Fisheries Service, EA Branch, St. Petersburg, FL
Federal Maritime Commission, Office of Environmental Impact, Washington, D.C.
USDA, Soil Conversation Service, Gainesville, FL
Federal Highway Administration, Tallahassee, FL
Water Resources Coordinator, National Marine Fisheries Service, Tallahassee, FL

STATE AGENCIES:
Executive Director, DEP, Tallahassee, FL
DEP, Division of Beaches and Shores, Tallahassee, FL
Florida Game & Fresh Water Commission, Lakeland, FL
Secretary, Dept of Environmental Protection, Tallahassee, FL
Department of Agriculture, Bureau of Soil & Water Conservation, Gainesville, FL
Director, Div of Archives, History & Records Management, Tallahassee, FL
Secretary, Department of Transportation, Tallahassee, FL
State Clearinghouse, Office of Planning & Budgeting, Tallahassee, FL

ENVIRONMENTAL ORGANIZATIONS:
Executive Director, Florida Audubon Society, Maitland, FL
Tampa Bay Regional Planning Council, St. Petersburg, FL
National Estuary Program, St. Petersburg, FL

LOCAL GOVERNMENTS:
Board of Commissioners, Pinellas County
Board of Commissioners, Hillsborough County
Director, Tampa Port Authority
City of St. Petersburg
City of Tampa

LOCAL PROPERTY OWNERS:
Harbor Isles Home Owners Association, St. Petersburg, FL

FOR THE COMMANDER:

GIRLAMO DiCHIARA
Chief, Construction-Operations Division

CF:
CESAJ-PD-EE
CESAJ-PD-ES
CESAJ-EN-DL

Gerland/CESAJ-CO-ON DJG 10/31/94
klt/2539/sphpn94.djg
Wolff/CESAJ-CO-ON
Chine/CESAJ-CO-ON 10/31/94
Beasley/CESAJ-CO-ON
Smith/CESAJ-PD-E
Adams/CESAJ-CO-O
McGehee/CESAJ-CO-A TOY
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Tampa Bay Regional Planning Council

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Commissioner
Richard A. Fitzgerald

Executive Director
Julia E. Greene

January 23, 1995

Mr. David Gerland, Chief
Construction Operations Division
Department of the Army
Jacksonville District Corps of Engineers
P. O. Box 4970
Jacksonville, Florida 32232-0019

Subject: Recommended for APPROVAL, IC&R #278-94, St. Petersburg Harbor Maintenance Dredge, COE Public Notice #PN-SPH-193, Hillsborough and Pinellas Counties

Dear Mr. Gerland:

The enclosed agenda item regarding the above-referenced matter was considered and staff comments approved by the Clearinghouse Review Committee of the Tampa Bay Regional Planning Council at its January 23, 1995 meeting.

Please contact me, or Sheila Benz of our Council staff, if further information regarding this item is desired.

Sincerely,

John M. Meyer/bj

John M. Meyer, Project Manager
Intergovernmental Coordination & Review

JMM/bj

Enclosure

tampa bay regional planning council

Agenda Item #7.E.
CRC - 1/23/95

Clearinghouse Review

ST. PETERSBURG HARBOR MAINTENANCE DREDGING D/F PERMIT APPLICATION, FDEP #522363069, PINELLAS COUNTY, IC&R #278-94.

The Florida Department of Environmental Protection has requested review and comment on a proposal by the U.S. Army Corps of Engineers to obtain a ten-year permit to perform maintenance dredging of the Entrance Channel and Turning Basin of the Port of St. Petersburg.

The project would entail removal of approximately of 250,000 cubic yards of sandy material per dredging event over a period of ten years from scattered shoals within the 21 acre area of the port's channels. The spoil would be piped from an off-loading site in western Tampa Bay approximately 2.5 miles to an upland borrow pit (Harbour Isles Lake) within Grande Bayou. The shallowing of the borrow pit will improve water quality within the lake.

Council Comments/Concerns

The dredging proposal is part of Port of St. Petersburg project federally-authorized in 1950. The entire harbor project entails:

> An entrance channel 24 X 300 feet from Tampa Bay southwesterly and thence westerly along the south side of Port of St. Petersburg basin to Bayboro Harbor; a 24-foot depth in the port basin and in the area between the entrance channel and the Maritime Service south bulkhead; a channel 15 X 100 feet in Bayboro Harbor along southwesterly 300 feet of the Maritime Service bulkhead; a basin 12 X 800 X 700 feet - 1,400 feet in Bayboro Harbor; a channel 12 X 75 X 300 feet in the mouth of Salt Creek; an entrance channel 20 X 200 feet extending northerly about 5.5 miles from deep water in lower Tampa Bay, and thence a channel 19 X 250 feet leading westward to the 24-foot depth entrance channel, and a channel 16 X 200 X 6,200 feet on the easterly side of the Point Pinellas lighted beacon.

The following concerns have been identified with the project:

- The method of dredging has not been specified in the permit application. Although the material is expected to be primarily sand, mechanical dredging has the potential to result in severe turbidity, with resulting loss of adjacent seagrass beds.

- The application does not include any information about the proposed route of the pipeline which will transport the dredged material from the off-loading barge to the disposal site. Grande Bayou is a shallow backwater area with abundant seagrass beds. Care must be taken to prevent direct and indirect impact to this valuable habitat.