

4.6 WETLANDS AND MUDFLATS

4.6.1 NO-ACTION ALTERNATIVE

There would be no impact to wetlands and mudflats if the proposed widener were not constructed.

4.6.2 DREDGING ALTERNATIVE

Adverse impacts to wetlands and mudflats in the project area are not anticipated.

4.7 ESSENTIAL FISH HABITAT

4.7.1 NO-ACTION ALTERNATIVE

There would be no impact to Essential Fish Habitat if the proposed widener were not constructed.

4.7.2 DREDGING ALTERNATIVE

The proposed project would impact approximately 16.0 acres of estuarine substrata possibly utilized by various life stages of red drum, penaeid shrimp, snappers, as well as other species. Because the project area has a soft bottom and is naturally dynamic, impacts to Essential Fish Habitat caused by the proposed dredging would be short-term and minor in nature. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with NMFS.

4.8 BENTHOS

4.8.1 NO-ACTION ALTERNATIVE

There would be no impact to benthos if the proposed widener were not constructed.

4.8.2 DREDGING ALTERNATIVE

4.8.2.1 AREA TO BE DREDGED

Dredging the widener would result in minor impacts to benthos. The bottom of the channel should be quickly recolonized with organisms from adjacent similar habitats. As previously stated, sub-tidal oyster beds do not occur within the project footprint.

4.8.2.2 DISPOSAL SITE

Recolonization of the upper beach and the swash zone by less mobile indigenous biota, i.e. haustoriids, should occur within months after placement of the dredged material (Charvat, Nelson, and Allenbaugh 1990). Species within the littoral zone,

such as polychaetes, typically are not significantly impacted by beach nourishment (Collins 1987).

4.9 CULTURAL RESOURCES

4.9.1 NO-ACTION ALTERNATIVE

There would be no impact to cultural resources eligible for listing on the National Register of Historic Places if the proposed widener were not constructed.

4.9.2 DREDGING ALTERNATIVE

Consultation with the Florida State Historic Preservation Officer is on-going. In accordance with the National Historic Preservation Act and its implementing regulation, 36CFR800, a determination of no effect to cultural resources is anticipated.

4.10 NAVIGATION

4.10.1 NO-ACTION ALTERNATIVE

There would be a major long-term impact to commercial shipping interests that utilize the IWW as well as recreational boating if the navigable capacity of the channel was not maintained.

4.10.2 DREDGING ALTERNATIVE

Dredging of the widener would help maintain the navigable capacity of the project channel for commercial and recreational vessels.

4.11 SOCIO-ECONOMICS

4.11.1 NO-ACTION ALTERNATIVE

There would be a major long-term impact to commercial shipping interests that utilize the IWW as well as local services that support recreational boating if the navigable capacity of the channel was not maintained.

4.11.2 DREDGING ALTERNATIVE

The transportation of commodities via the IWW supports local businesses and creates a stimulus for attracting new business to the area. Recreational boaters generate revenue for the surrounding community through the purchase of goods and services.

4.12 RECREATION

4.12.1 NO-ACTION ALTERNATIVE

There would be no impact to recreation if the proposed widener were not constructed.

4.12.2 DREDGING ALTERNATIVE

Recreational activities would temporarily be disrupted due to construction activities in the project area.

4.13 AESTHETICS

4.13.1 NO-ACTION ALTERNATIVE

There would be no impact to aesthetics if the proposed widener were not constructed.

4.13.2 DREDGING ALTERNATIVE

Construction activities within the project area would temporarily impact the aesthetics of the area.

4.14 CUMULATIVE IMPACTS

Cumulative impact is the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions (40 CFR 1508.7). As previously stated, maintenance of the IWW has provided a positive stimulus for adjacent regional economies resulting in growth and development. Conversely, growth and development is also the most significant factor affecting sensitive ecosystems. In St. Johns County, where this particular project is located, a major increase in population growth occurred or is projected to occur between 1970 and 2010 as depicted in the following chart.

Population Data & Projections 1960-2010	Census Year	Total
3.2% increase	1960	30,034
3.2% increase	1970	31,034
39.5% increase	1980	51,303
38.8% increase	1990	83,829
28.1% increase	2000	116,444
21.8% increase	2010	148,892

Source: St. Johns County website

Most of this growth appears to have taken place along the coastline. Additional development in the vicinity of Matanzas Inlet is restricted due to the presence of submerged land, flood prone areas, and publicly owned property.

4.15 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

4.15.1 IRREVERSIBLE

An irreversible commitment of resources is one in which the ability to use and/or enjoy the resource is lost forever. The only irreversible commitments of resources associated with the proposed project would be the expenditure of federal funds to complete the work. However, there is \$955 worth of cargo transported for each federal dollar spent on maintenance dredging in the IWW.

4.15.2 IRRETRIEVABLE

An irretrievable commitment of resources is one in which, due to decisions to manage the resource for another purpose, opportunities to use or enjoy the resource as they presently exist are lost for a period of time. Dredging activities would temporarily disrupt channel navigation as well as disrupt recreational activities on the beach at Summer Haven.

4.16 ENVIRONMENTAL COMMITMENTS

The U.S. Army Corps of Engineers and contractors would commit to avoiding, minimizing or mitigating for adverse effects during construction activities by taking the following actions:

1. The contractor would comply with all terms and conditions set out in the Water Quality Certification issued by the Florida Department of Environmental Protection as well as the Biological Opinion of the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for those federally endangered or threatened species identified in this Environmental Assessment. Specifically, the standard manatee protection measures would be implemented as well as sea turtle monitoring and, if necessary, relocation of turtle nests. In addition, the standard migratory bird protection measures would also be implemented.
2. The contractor would establish and maintain quality control for environmental protection of all items set forth in the project plans and specifications. The contractor would record on daily quality control reports or attachments thereto, any problems in complying with laws, regulations and ordinances, and corrective action taken.
3. The contracting officer would notify the contractor in writing of any observed noncompliance with federal, state, or local laws or regulations, permits and other elements of the contractor's Environmental Protection Plan. The contractor would, after receipt of such notice, inform the contracting officer of proposed corrective action and take such action as may be approved. If the contractor fails to comply promptly, the contracting officer would issue an order stopping all or part of the

work until satisfactory corrective action has been taken. No time extensions would be granted or costs or damages allowed to the contractor for any such suspension.

4. The contractor would train his personnel in all phases of environmental protection. The training would include methods of detecting and avoiding pollution, familiarization with pollution standards, both statutory and contractual, and installation and care of facilities to insure adequate and continuous environmental pollution control. Quality control and supervisory personnel would be thoroughly trained in the proper use of monitoring devices and abatement equipment, and would be thoroughly knowledgeable of federal, state, and local laws, regulations, and permits as listed in the Environmental Protection Plan submitted by the contractor.

5. The environmental resources within the project boundaries and those affected outside the limits of permanent work under this contract would be protected during the entire period of this contract. The contractor would confine his activities to areas defined by the drawings and specifications.

6. As stated in the standard contract specifications, the disposal of hazardous or solid wastes would be in compliance with federal, state, and local laws. A spill prevention plan would also be required.

Additional actions would be taken in order to comply with the following environmental requirements.

4.17 UNAVOIDABLE ADVERSE ENVIRONMENTAL EFFECTS

There would be short-term degradation of water quality due to turbidity caused by dredging activities and the placement of dredged material at SJ-MB.

4.18 COMPLIANCE WITH ENVIRONMENTAL REQUIREMENTS

4.18.1 NATIONAL ENVIRONMENTAL POLICY ACT OF 1969

Environmental information on the project has been compiled and this Environmental Assessment has been prepared. The project is in compliance with the National Environmental Policy Act.

4.18.2 ENDANGERED SPECIES ACT OF 1973

Consultation was initiated with the US Fish and Wildlife Service on 02 February 2001, and completed on 06 March 2001 (see Appendix C). Dredging operations and dredged material disposal has also been coordinated with the National Marine Fisheries Service (NMFS) during the Public Notice period. The project is in compliance with the Act.

4.18.3 FISH AND WILDLIFE COORDINATION ACT OF 1958

This project has been coordinated with the U.S. Fish and Wildlife Service (USFWS). A Coordination Act Report was not required for this project. This project is in full compliance with the Act.

4.18.4 NATIONAL HISTORIC PRESERVATION ACT OF 1966 (as amended)

Consultation in accordance with the implementing regulation (36CFR800) with the SHPO is on-going. The project is in compliance with the Act.

4.18.5 CLEAN WATER ACT OF 1972

Pursuant to this Act, a Section 401 Water Quality Certification has been obtained from the Florida Department of Environmental Protection. All state water quality standards will be met. A Section 404(b) evaluation is included in this report as Appendix A. A Public Notice was issued in a manner that satisfies the requirements of Section 404 of the Clean Water Act.

4.18.6 CLEAN AIR ACT OF 1972

No air quality permits would be required for this project.

4.18.7 COASTAL ZONE MANAGEMENT ACT OF 1972

A Federal consistency determination in accordance with 15 CFR 930 Subpart C is included in this report as Appendix B. The Corps has determined that the project would have no unacceptable impacts and would be consistent with the Florida Coastal Management Plan. In accordance with the Memorandum of Understanding (1979) and the Addendum to the Memorandum (1983) concerning acquisition of Water Quality Certifications and other state authorizations, the Environmental Assessment and Section 404 (b)(1) Evaluation would be submitted to the state in lieu of a summary of environmental impacts to show consistency with the Florida Coastal Zone Management Plan.

4.18.8 FARMLAND PROTECTION POLICY ACT OF 1981

No prime or unique farmland would be impacted by implementation of this project. This Act is not applicable.

4.18.9 WILD AND SCENIC RIVER ACT OF 1968

No designated Wild and Scenic River reaches would be affected by project related activities. This Act is not applicable.

4.18.10 MARINE MAMMAL PROTECTION ACT OF 1972

Incorporation of the safe guards used to protect threatened or endangered species during dredging and disposal operations would also protect any marine mammals in the area, therefore, this project is in compliance with the Act.

4.18.11 ESTUARY PROTECTION ACT OF 1968

No designated estuary would be affected by project activities. This Act is not applicable.

4.18.12 FEDERAL WATER PROJECT RECREATION ACT

There would be no recreational development as a result of this project. Therefore, this Act does not apply.

4.18.13 FISHERY CONSERVATION AND MANAGEMENT ACT OF 1976

The project has been coordinated with the National Marine Fisheries Service (NMFS). The project is in compliance with this Act.

4.18.14 SUBMERGED LANDS ACT OF 1953

The project would occur on submerged lands of the state of Florida. The project has been coordinated with the state.

4.18.15 COASTAL BARRIER RESOURCES ACT AND COASTAL BARRIER IMPROVEMENT ACT OF 1990

There are no designated coastal barrier resources in the project area that would be affected by this project. These Acts are not applicable.

4.18.16 RIVERS AND HARBORS ACT OF 1899

The proposed work would not obstruct navigable waters of the United States. The planned action has been described in the public notice, a public hearing would be held if requested, and other evaluations have been performed for activities subject to the Act. The project is in full compliance.

4.18.17 ANADROMOUS FISH CONSERVATION ACT

Anadromous fish species would not be affected. The project has been coordinated with the National Marine Fisheries Service.

4.18.18 MIGRATORY BIRD TREATY ACT AND MIGRATORY BIRD CONSERVATION ACT

A qualified bird monitor will inspect the project on a daily basis and nesting areas will be avoided. The project is in compliance with these Acts.

4.18.19 MARINE PROTECTION, RESEARCH AND SANCTUARIES ACT

Dredged material would not be taken to a Ocean Dredged Material Disposal Site nor would any "dumping" as defined in the Act (33 U.S.C. 1402)(f) in respect to this project be performed. Therefore, the Marine Protection, Research and Sanctuaries Act does not apply to this project.

4.18.20 MAGNUSON-STEVENSON FISHERY CONSERVATION AND MANAGEMENT ACT

The proposed dredging and disposal activities have been coordinated with the National Marine Fisheries Service (NMFS) via the Public Notice.

4.18.21 E.O. 11990, PROTECTION OF WETLANDS

Impacts to wetlands caused by project activities are not anticipated. This project is in compliance with the goals of this Executive Order.

4.18.22 E.O. 11988, FLOOD PLAIN MANAGEMENT

No activities associated with this project would take place within a floodplain, therefore this project is in compliance with the goals of this Executive Order.

4.18.23 E.O. 12898, ENVIRONMENTAL JUSTICE

The proposed action would not result in adverse health or environmental effects. Any impacts of this action would not be disproportionate toward any minority. The activity does not (a) exclude persons from participation in, (b) deny persons the benefits of, or (c) subject persons to discrimination because of their race, color, or national origin. The activity would not impact "subsistence consumption of fish and wildlife."

4.18.24 E.O. 13089, CORAL REEF PROTECTION

No coral reef or coral reef organism would be impacted by this project.

5 LIST OF PREPARERS

5.1 PREPARERS

Preparer	Discipline	Role
Paul Stodola	Biologist	Principal Author
Don Fore	Engineer	Project Management
Al Fletcher	Engineer	Construction/Operations
Thomas Birchett	Archaeologist	Historic Properties

5.2 REVIEWERS

The Planning Division and Construction Operations Division of the Corps reviewed this Environmental Assessment.

6 PUBLIC INVOLVEMENT

6.1 SCOPING

A Public Notice (PN-CO-IWW-216a) dated March 7, 2001, was issued for the project (Appendix C). Notices were mailed to appropriate local, state, and federal agencies as well as environmental groups.

6.2 COMMENTS RECEIVED AND RESPONSE

The only comment received as a result of the Public Notice was from the National Marine Fisheries Service (NMFS). The NMFS reviewed the project plans advertised in the Notice and stated "we anticipate that any adverse effects that might occur on marine and anadromous fishery resources would be minimal and, therefore, do not object to issuance of the permit(s)."

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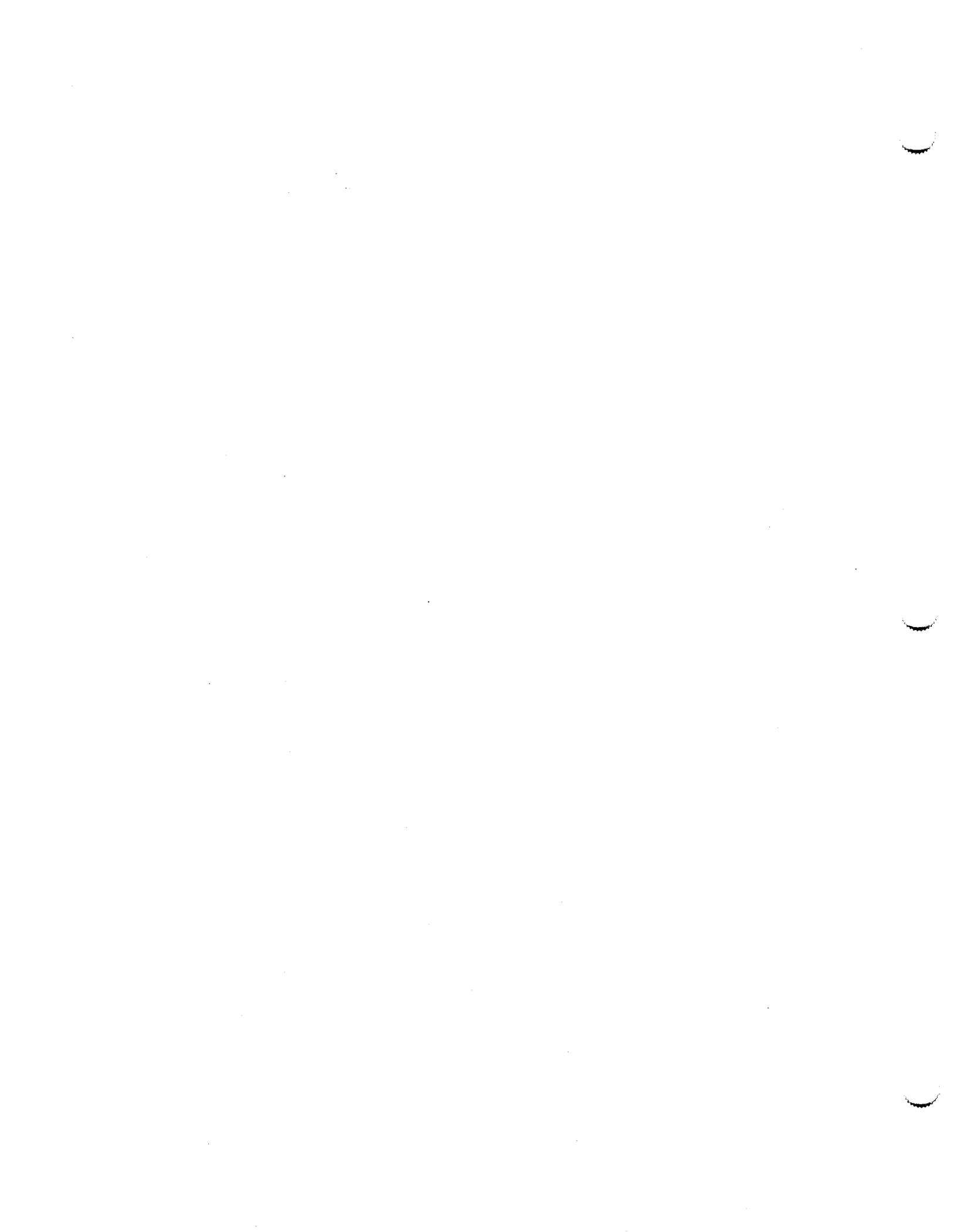
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APPENDIX A - SECTION 404(B) EVALUATION



SECTION 404(b) EVALUATION
MAINTENANCE DREDGING
INTRACOASTAL WATERWAY (IWW)-MATANZAS INLET VICINITY
ST. JOHNS COUNTY, FLORIDA

I. Project Description

a. Location. The proposed work would be performed adjacent to a portion of cut SJ-60 and along the entire length of cut SJ-61 of the IWW in the vicinity of Matanzas Inlet, St. Johns County, Florida.

b. General Description. The proposed plan calls for the construction of an widener or settling basin adjacent to the IWW. Dimensions of the widener are approximately 3000-feet long by 250-feet wide with a depth of 12-feet plus 2-feet of allowable overdepth. However, the proposed widener will taper offshore from Station 17+00 to Station 12+00 of cut SJ-60 in order to stay at least 100-feet from the existing shoreline (see Figure 2). An estimated 175,000 cubic yards of shoal material consisting of sand, with less than 10% silt, would be dredged from this location and placed onto the beach just south of Summer Haven (between DNR monuments R-200 and R-208). Dredged material would also be placed in 5 blowouts within this area caused by hurricane "Floyd."

c. Authority and Purpose. Maintenance dredging of the IWW is authorized under Section 107 of the River and Harbor Act of 1960, as amended. Authorization for advanced maintenance dredging of the widener was obtained from the Corps' South Atlantic Division office. The purpose of the project is to maintain safe navigation conditions.

d. General Description of Dredged or Fill Material.

(1) General Characteristics of Material. The material to be dredged is comprised primarily of sand, fine quartz, shell fragments and a trace of silt suitable for beach renourishment. There are no hazardous or toxic elements present in substrate to be dredged.

(2) Quantity of Material. Approximately 175,000 cubic yards of sediment would be removed from the project channel.

(3) Source of Material. The area adjacent to cuts SJ-60 and 61 of the IWW in the vicinity of Matanzas Inlet would be dredged to a depth of 12-feet plus 2-feet allowable overdepth (total of 14-feet).

e. Description of the proposed Discharge Site.

(1) Location. SJ-MB is a beach site located at Summer Haven south of Matanzas Inlet in St. Johns County. This area lies between DNR Monuments R-200 and R-208, approximately 7,800-feet in length.

(2) Size. The recommended beach fill design specification includes a berm crest to MHW of +8.0-feet NGVD (+5.6-feet MHW); a berm width of 250-feet; and a beach slope of 1:20 from the berm crest to MHW. Also, 5 blowout areas caused by storm surge from hurricane "Floyd" will also be filled.

(3) Type of Site. Beach. This area continues to be eroded by storm generated waves and longshore currents.

(4) Type of Habitat. Beach habitat which has been extensively modified by renourishment and adjacent development.

(5) Timing and Duration of Discharge. The schedule for dredging is April 2001. Discharge would occur for approximately three weeks.

f. Description of Disposal Method. The IWW will be dredged (probably cutter head suction pipeline dredge) and the existing pipeline will be used to discharge the material onto the beach at Summer Haven. The pipeline runs south along the IWW, and then eastward over a narrow neck of Rattlesnake Island to the south arm of the Matanzas River on federal property previously used by the Corps. The area is essentially unvegetated with sparse coppice nearby. The pipeline route then follows the Matanzas River southward and crosses under the S.R. A1A bridge. The pipeline crosses the dunes in a designated easement 60-feet wide and approximately 350-feet long and enters the beach at the north end of the placement area. Minimal dune vegetation will be impacted at this crossing.

II. Factual Determinations

a. Physical Substrate Determinations.

(1) Substrate Elevation and Slope. The project channel has a sloped bottom with depths ranging from 1.4 to 17-feet.

(2) Sediment Type. Sand, fine quartz, shell fragments and a trace of silt making the material suitable for beach renourishment.

(3) Dredge/Fill Material Movement. Material would be placed on the beach at Summer Haven and within the 5 blowouts in the area.

(4) Physical Effects on Benthos. Benthic organisms would be impacted by dredging activity. Recolonization should occur fairly rapidly, within one year.

b. Water Circulation, Fluctuation and Salinity Determination.

(1) Water Column Effects. There would be a temporary increase in turbidity at the dredge site and at the beach placement area.

(2) Current Patterns and Circulation. Currents in the project area are primarily tidal. Dredging and disposal operations would not affect the currents.

(3) Normal Water Level Fluctuations and Salinity Gradients. Tides in the project area are semi-diurnal with varying levels throughout the year. Dredging and disposal operations would not affect normal tide fluctuations or salinity.

c. Suspended Particulate/Turbidity Determinations.

(1) Expected Changes in Suspended Particulates and Turbidity Levels in the Vicinity of the Disposal Site. There will be a minor temporary increase in turbidity at the beach placement site.

(2) Effects on the Chemical and Physical Properties of the Water Column.

(a) Light Penetration. Light penetration would decrease during dredging and beach placement due to increased levels of turbidity. This effect would be temporary and would have no adverse impact on the environment.

(b) Dissolved Oxygen. Dissolved oxygen levels would not be altered by this project.

(c) Toxic Metals, Organics, and Pathogens. No toxic metals, organics, or pathogens should be disturbed or released at levels that exceed state standards.

(d) Aesthetics. Aesthetic quality would be reduced during construction activities.

(3) Effects on Biota.

(a) Primary Productivity and Photosynthesis. Impacts to primary productivity during dredging operations would be short-term and insignificant.

(b) Suspension/Filter Feeders. There would be no long-term adverse impact to suspension/filter feeders.

(c) Sight Feeders. There would be no long-term adverse impact to sight feeders.

d. Contaminant Determinations.

e. Aquatic Ecosystem and Organism Determinations.

(1) Effects on Plankton. Levels of contaminants within the dredged material should not adversely impact these organisms.

(2) Effects on Benthos. Levels of contaminants within the dredged material should not adversely impact these organisms.

(3) Effects on Nekton. Levels of contaminants within the dredged material should not adversely impact these organisms.

(4) Effects on the Aquatic Food Web. No negative effects are anticipated.

(5) Effects on Special Aquatic Sites.

(a) Hardground and Coral Reef Communities. Hardground and coral reef communities do not exist within the project area. Coquina rock outcroppings occur south of the beach placement area.

(b) Sanctuaries and Refuges. No sanctuaries or refuges would be impacted by the proposed project.

(c) Wetlands. Construction should not impact wetlands.

(d) Mud Flats. No mud flats would be impacted by this project.

(e) Vegetated Shallows. No vegetated shallows would be impacted by this project.

(f) Riffle and Pool Complexes. No riffle and pool complexes would be impacted by this project.

(6) Endangered and Threatened Species. The manatee should not be adversely affected by the proposed project with the implementation of the standard protection measures. The USFWS biological opinion on sea turtles for beach disposal at SJ-MB will be adhered to during placement activities.

(7) Other Wildlife. Project impacts to other wildlife in the construction area are expected to be minimal.

(8) Actions to Minimize Impacts. All practicable actions to minimize adverse impacts to natural resources that are found in the proposed construction area will be included in the project plans and specifications.

f. Proposed Disposal Site Determinations.

(1) Mixing Zone Determination. This determination will be in accordance with the Water Quality Certification issued by the state.

(2) Determination of Compliance with Applicable Water Quality Standards. The work would be conducted in accordance with the state of Florida Water Quality Certification issued for this project.

(3) Potential Effects on Human Use Characteristics.

(a) Municipal and Private Water Supplies. No effects are anticipated.

(b) Recreational and Commercial Fisheries. Impacts caused by dredging and disposal activities would be minor and short-term.

(c) Water Related Recreation. Construction activities would temporarily disrupt recreational opportunities. Creation of the widener would help maintain the navigational capacity of the project channel for recreational boaters.

(d) Aesthetics. Construction would temporarily adversely impact the aesthetics of the area.

(e) Parks, National and Historic Monuments, National Seashores, Wilderness Areas, Research Sites, and Similar Preserves. No such sites would be impacted by the proposed project.

g. Determination of Cumulative Effects on the Aquatic Ecosystem. Cumulative effects that would adversely impact the aquatic ecosystem as a result of dredging and disposal activities are not anticipated.

h. Determination of Secondary Effects on the Aquatic Ecosystem. Secondary effects that will adversely impact the aquatic ecosystem as a result of dredging and disposal activities are not anticipated.

III. Findings of Compliance or Non-compliance with the Restrictions on Discharge.

a. No significant adaptations of the guidelines were made relative to this evaluation.

b. No practicable alternative exists which meets the study objectives that do not involve discharge of fill into waters of the United States.

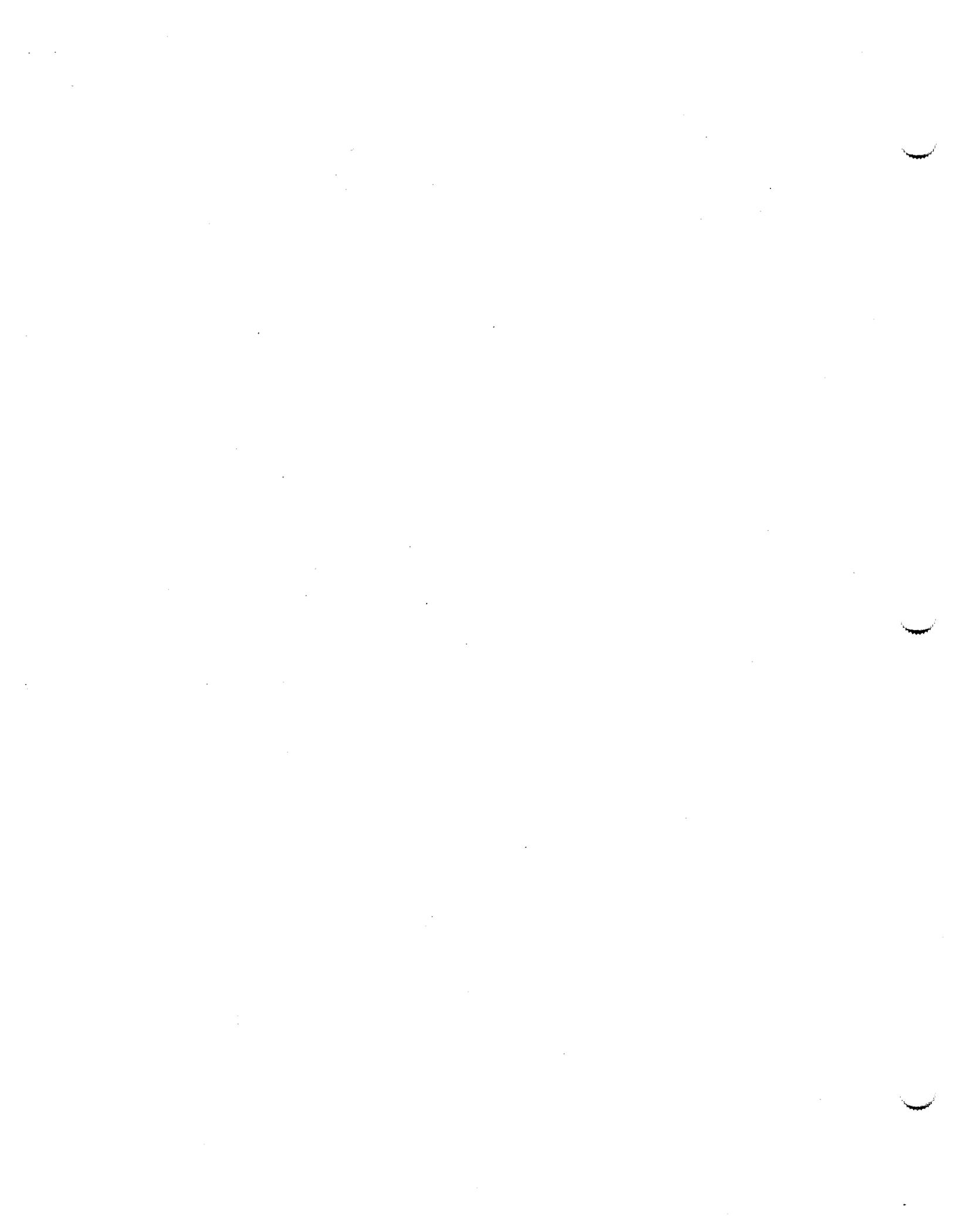
c. After consideration of disposal site dilution and dispersion, the discharge of fill materials would not cause or contribute to, violations of any applicable state water quality standards for Class III waters. The discharge operation would not violate the Toxic Effluent Standards of Section 307 of the Clean Water Act.

d. The proposed project would not jeopardize the continued existence of any species listed as threatened or endangered or result in the likelihood of destruction or adverse modification of any critical habitat as specified by the Endangered Species Act of 1973, as amended.

e. The placement of fill material would not result in significant adverse effects on human health and welfare, including municipal and private water supplies, recreational and commercial fishing, plankton, fish, shellfish, wildlife, and special aquatic sites. The life stages of aquatic species and other wildlife would not be adversely affected. Significant adverse effects on aquatic ecosystem diversity, productivity and stability, and recreational, aesthetic, and economic values would not occur.

f. On the basis of the guidelines, the proposed disposal site for the discharge of dredged material is specified as complying with the requirements of these guidelines.

APPENDIX B - COASTAL ZONE MANAGEMENT CONSISTENCY



**FLORIDA COASTAL ZONE MANAGEMENT PROGRAM
FEDERAL CONSISTENCY EVALUATION PROCEDURES**

**MAINTENANCE DREDGING
INTRACOASTAL WATERWAY (IWW)-PALM VALLEY VICINITY
ST. JOHNS COUNTY, FLORIDA**

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 plans and information will be submitted to the state in compliance with this chapter.

2. Chapters 163(part II), 186, and 187, County, Municipal, State and Regional Planning. These chapters establish the Local Comprehensive Plans, the Strategic Regional Policy Plans, and the State Comprehensive Plan (SCP). The SCP 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 project will be coordinated with various federal, state and local agencies during the planning process. The project meets the primary goal of the State Comprehensive Plan through preservation and protection of the shorefront development and infrastructure.

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 proposed project involves the dredging of cuts SJ-60 and 61 of the IWW in order to maintain safe navigation conditions. 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 features; submerged lands; spoil islands; and artificial reefs.

Response: The proposed project will comply with state regulations pertaining to the above resources. The project 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 or is under an easement for disposal use, 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: The proposed project would not affect any state parks or preserves, and therefore would be consistent with this chapter.

7. Chapter 267, Historic Preservation. This chapter establishes the procedures for implementing the Florida Historic Resources Act responsibilities.

Response: This project will be coordinated with the State Historic Preservation Officer (SHPO). There are no known archaeological or historical sites within the project area. Therefore, the work will be consistent with 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 IWW encourages commercial and recreational use that in turn provides economic benefits to the area. Therefore, the work would be consistent with the goals of this chapter.

9. Chapters 334 and 339, Transportation. This chapter authorizes the planning and development of a safe balanced and efficient transportation system.

Response: The maintenance dredging of the IWW promotes commercial navigation within the area and therefore is consistent 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 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 and research.

Response: Dredging activities should not adversely impact saltwater living resources. Based on the overall impacts of the project, the project would be 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: No living land or freshwater resources would be impacted by the proposed dredging. 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 project 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: The contract specifications would prohibit the contractor from dumping oil, fuel, or hazardous wastes in the work area and would require that the contractor adopt safe and sanitary measures for the disposal of solid wastes. A spill prevention plan would be required.

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, this chapter 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. This

chapter also deals with the Area of Critical State Concern program and the Coastal Infrastructure Policy.

Response: The proposed dredging of the IWW would be coordinated with the local regional planning commission. Therefore, the project would be consistent with the goals of this chapter.

16. Chapters 381 (selected subsections on on-site sewage treatment and disposal systems) and 388 (Mosquito/Arthropod Control). Chapter 388 provides for a comprehensive approach for abatement or suppression of mosquitoes and other pest arthropods within the state.

Response: The project would not increase the potential 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 Florida Department of Environmental Regulation (now a part of the Florida Department of Environmental Protection).

Response: Environmental protection measures would be implemented to ensure that no lasting adverse effects on water quality, air quality, or other environmental resources would occur. Water Quality Certification would be sought from the state prior to construction. The project would comply 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 projects on or near agricultural lands.

Response: The proposed project is not located near or on agricultural lands; therefore, this chapter does not apply.

APPENDIX C - PERTINENT CORRESPONDENCE





Jeb Bush
Governor

Departmen Environment

Marjory Stone
3900 Commc
Tallahassee, I

Post-it* Fax Note	7671	Date	4/27	# of pages	9
To	Jim McAdams		From	Keith Mille	
Co./Dept.			Co.		
Phone #			Phone #		
Fax #	904/232-3442		Fax #		

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

April 27, 2001

Mr. Richard E. Bonner, P.E.
Jacksonville District
U. S. Army Corps of Engineers
Post Office Box 4970
Jacksonville, Florida 32232

Permit Modification No. 0128851-002-JC
Permit No.: 0128851-001-JC, St. John's County
Permittee: U.S. Army Corps of Engineers, Jacksonville District
Atlantic IWW Maintenance Dredging, Vicinity of Matanzas Inlet

Dear Mr. Bonner:

Your March 2, 2001 request to modify this permit has been received and reviewed by Department staff. The proposed permit modification is to 1) construct a channel widener and settling basin located immediately adjacent to a portion of cut SJ-60 and the entire length of cut SJ-61 of the Intracoastal Waterway near Matanzas Inlet, St. John's County; and 2) use a portion of the dredged material to reconstruct the primary dune at 5 blowout areas between R-200 and R-201.

A natural channel has become established to the west of cuts SJ-60 and 61 of the IWW and is being used by local boat traffic. Shoaling in the area has resulted in the formation of a large delta of sediment between the natural channel and the IWW creating a navigation hazard. In 1994, the Corps dredged 214,000 cubic yards of sediment from the authorized channel in this location and within 6 months the channel had completely shoaled in. Boat traffic was forced to use the very narrow, twisting, natural channel to the west. Boat owners reported damage to their vessels due to grounding. In 1999, the Corps dredged approximately 212,000 cubic yards from this reach with the same results. The average annual dredging requirement for the two cuts is probably in excess of 1 50,000 cubic yards per year. The objective of constructing this widener is to remove the delta so that the two channels merge, thereby eliminating the navigational hazard. Creation of the planned widener should decrease the frequency of future dredging within this reach of the IWW as well as provide a more stable channel for boat traffic.

Dimensions of the widener are approximately 3000-feet long by 250-feet wide with a depth of 12-feet plus 2-feet of allowable overdepth. The proposed widener will taper from Station 17+00 to Station 12+00 of cut SJ-60 in order to stay at least 100-feet from the existing shoreline and thereby avoid any destabilization of the shoreline. An estimated 175,000 cubic yards of shoal

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material consisting of sand, with less than 10% silt, would be dredged from this location and placed onto the beach just south of Summer Haven (between DNR monuments R-200 and R-208) as previously authorized. Dredged material would also be placed in 5 blowout areas (between DNR monuments R-200 and R-201) to repair the damage to the dune caused by hurricane "Floyd". The beach south of Summer Haven has been nourished on multiple occasions in the past. The most recent fill placement, which was just completed (April 2001), was associated with the offloading of the SJ-1 DMMA. The channel widener project is also tentatively scheduled for this month (April 2001).

There are no seagrasses, oysters, or other submerged aquatic resources found within the proposed channel widener.

The project description shall be revised as follows (underlines are additions):

The project is to maintenance dredge the Atlantic Intracoastal Waterway in the vicinity of Matanzas Inlet in accordance with final plans and specifications. Up to 250,000 cubic yards are expected to be removed every other year to restore the channel depths. Channel Cut SJ-60 through Cut SJ-61 and the channel widener (as shown on the attached drawing) will be maintained to a depth of -12 ft. MLW, plus 2 ft. allowable overdepth. The dredged material consists of fine grained sand with less than 5% passing through the #200 sieve.

The dredged sand will be placed at a 1.5 mile beach placement area located south of Matanzas Inlet between DEP monuments R-200 and R-208, berm elevation +8.0 NGVD. The 1999 dredge event of the IWW (193,000 cubic yards) will be conducted in conjunction with the excavation of approximately 765,000 cubic yards of beach quality sand by the Florida Inland Navigation District from the MSA SJ-1 dredged material management site located adjacent to the IWW, for a total of 958,000 cubic placed on the beach between DEP monuments R-200 and R-208. For the 1999 dredge event, the berm width shall not exceed 250 ft. During subsequent dredge events, the berm width shall not exceed 150 ft. In 2001 Dredged material will also be placed in 5 blowout areas between R-200 and R-2001 to reconstruct the dune.

The pipeline will be submerged along the western shore of the IWW, cross the IWW and Rattlesnake Island south of Matanzas Inlet, proceed along the western shore of the Matanzas River beneath State Road A1A bridge, and cross the river and adjacent barrier island to the beach approximately 100 feet south of the rock revetment.

After thorough review the staff has determined that the proposed alteration does not increase the potential for adverse impact on the coastal system, public beach access seaward of the mean-high water or nesting sea turtles and hatchlings and their habitat, and that the proposed alteration does

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not reduce the design adequacy of the project. Since the proposed modification is not expected to result in any adverse environmental impact or water quality degradation, the permit is hereby modified as requested. By copy of this letter and the attached drawings, we are notifying all necessary parties of the modification.

This letter of approval does not alter the December 7, 2008 expiration date, the Specific or General Conditions, or monitoring requirements of the permit. This letter and accompanying drawings must be attached to the original permit.

RIGHTS OF AFFECTED PARTIES

This permit is hereby modified unless a sufficient petition for an administrative hearing is timely filed under sections 120.569 and 120.57, Florida Statutes, as provided below. The procedures for petitioning for a hearing are set forth below. Mediation under Section 120.573, F.S., is not available for this proceeding.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the permit modification or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this permit modification automatically becomes only proposed agency action on the application subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities under this permit modification until the time frames noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under rules 28-106.111(3) and 62-110.106(4) of the Florida Administrative Code, a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000 prior to the applicable deadline. Such requests for extensions of time must contain a certificate that the requesting party has consulted with all other parties, if any, concerning the requested extension of time and that all other parties agree to the requested extension. A timely request for extension of time shall toll the running of the time