



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
P.O. BOX 4970  
JACKSONVILLE, FLORIDA 32232-0019

REPLY TO  
ATTENTION OF

May 25, 2019

Regulatory Division  
North Permits Branch  
Jacksonville Permits Section

## ***PUBLIC NOTICE***

Permit Application Number: SAJ-2007-00265 (SP-SCW)

TO WHOM IT MAY CONCERN: The Jacksonville District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) as described below:

APPLICANT: City of Jacksonville  
Environmental Quality Division  
Ms. Melissa M. Long  
214 N. Hogan Street  
Jacksonville, Florida 32202

WATERWAY AND LOCATION: The proposed project would affect waters of the United States associated with the Atlantic Ocean. The location of the proposed project are listed in the table below.

### APPROXIMATE CENTRAL COORDINATES:

Site	Latitude Decimal Degrees	Longitude Decimal Degrees	Latitude Decimal Minutes	Longitude Decimal Minutes
Jax Beach Wreck (SAJ-2007-00265) NW Corner	30.29138°	-81.24028°	30° 17.483'N	81° 14.417'W
Jax Beach Wreck (SAJ-2007-00265) NE Corner	30.29083°	-81.22778°	30° 17.450'N	81° 13.667'W
Jax Beach Wreck (SAJ-2007-00265) NE Corner	30.28167°	-81.22083°	30° 16.900'N	81° 13.250'W
Jax Beach Wreck (SAJ-2007-00265) SW Corner	30.26333°	-81.24667°	30° 15.800'N	81° 14.800'W
Jax Beach Wreck (SAJ-2007-00265) SE Corner	30.25833°	-81.22667°	30° 15.500'N	81° 13.600'W

### PROJECT PURPOSE:

Basic: The basic project purpose is marine fisheries enhancement.

Overall: The overall project purpose is to re-authorize and existing artificial reef site to enhance fisheries resources, to provide additional marine life habitat, recreational fishing locations and scuba diving sites off of the coast of Jacksonville, Florida.

#### EXISTING CONDITIONS:

PROPOSED WORK: The applicant seeks authorization to re-authorize a previously permitted artificial reef site. The applicant proposes to deploy materials consistent with the *Guidelines for Marine Artificial Reef Materials 2<sup>nd</sup> Edition*. The proposed materials to be deployed are described below.

Site	Size (square miles)	Shape	Deployment materials
Jax Beach Wreck (SAJ-2007-00265)	2.48	Irregular polygon	Concrete rubble, beams, culverts, steel and concrete reef balls, steel and concrete bridge demolition materials, and utility poles.

AVOIDANCE AND MINIMIZATION INFORMATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment:

The proposed project sites are devoid of submerged aquatic vegetation, corals, natural rock outcrops or hard bottom formations. To ensure that the deployed materials remain in place within the authorized boundaries, the applicant agrees to deploy materials that weigh a minimum of 500 pounds. Additionally, the applicant agrees to deploy only materials clean and free from asphalt, creosote, petroleum, other hydrocarbons and toxic residues, loose free floating material or other deleterious substances.

#### COMPENSATORY MITIGATION:

The applicant has provided the following explanation why compensatory mitigation should not be required:

The does not proposed impacts to any submerged aquatic vegetation, corals or live hardbottom; therefore the applicant did not provide a compensatory mitigation plan.

#### DEPTH, PROFILE & CLEARANCE:

Site	Depth in feet below Mean Lower Low Water	Clearance in feet below Mean Lower Low Water
Jax Beach Wreck (SAJ-2007-00265)	55	50

CULTURAL RESOURCES: Benthic surveys of the proposed project sites reveal sand depth ranges from 4 inches to 2 feet. The applicant has not observed any evidence that

the proposed deployment site contains any cultural resources or sites listed or eligible for listing on the National Register of Historic Places. Furthermore, the Corps is not aware of any known historic properties within the permit area. By copy of this public notice, the Corps is providing information for review. Our final determination relative to historic resource impacts is subject to review by and coordination with the State Historic Preservation Officer and those federally recognized tribes with concerns in Florida and the Permit Area.

#### ENDANGERED SPECIES:

(a) *U.S. Army Corps of Engineers Jacksonville District's Programmatic Biological Opinion*, NMFS, November 2017 (JAXBO): JAXBO analyzes the effects from 10 categories of minor in-water activities occurring in Florida and the U.S. Caribbean on sea turtles (loggerhead, leatherback, Kemp's ridley, hawksbill, and green); smalltooth sawfish; Nassau grouper; scalloped hammerhead shark, Johnson's seagrass; sturgeon (Gulf, shortnose, and Atlantic); corals (elkhorn, staghorn, boulder star, mountainous star, lobed star, rough cactus, and pillar); whales (North Atlantic right whale, sei, blue, fin, and sperm); and designated critical habitat for Johnson's seagrass; smalltooth sawfish; sturgeon (Gulf and Atlantic); sea turtles (green, hawksbill, leatherback, loggerhead); North Atlantic right whale; and elkhorn and staghorn corals in accordance with Section 7 of the Endangered Species Act. The Corps has determined that the proposed project falls within the scope of the JAXBO. The Corps will request concurrence with this determination with National Marine Fisheries Service pursuant to Section 7 of the Endangered Species Act by separate correspondence.

(b) Manatee: The Corps has determined that the proposed project may affect, but is not likely to adversely affect the West Indian manatee (*Trichechus manatus*). Since the proposal by the applicant is for in-water construction, potential impacts to the endangered West Indian manatee were evaluated using *The Corps of Engineers, Jacksonville District, and the State of Florida Effect Determination Key for the Manatee in Florida, April 2013* (Key). Use of this Key resulted in the following sequential determination: A→B→C→G→N→O→P5 *may affect, not likely to adversely affect*. The proposed project neither involves dredging, nor increases watercraft access to the project site. Furthermore, the applicant elects to adhere to the *Standard Manatee Conditions for In-Water Work, 2011*. Therefore, according to the key, a *may affect but is not likely to adversely affect* determination is appropriate. By letter dated 25 April 2013, the FWS stated that for proposed in-water activities analyzed with the April 2013 version of the Manatee Key in which the Corps reaches a *may affect, not likely to adversely affect* determination with respect to the manatee and/or its designated critical habitat, the FWS concurs with the Corps determination in accordance with 50 CFR 402.14(b)1 and no further consultation with the FWS is required.

ESSENTIAL FISH HABITAT (EFH): This notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. The deployments would occur over marine bottom potentially utilized by various life stages of the following species covered within

the South Atlantic Fisheries Management Council Plan: Corals, Snapper/Grouper complex, spiny lobster, and Coastal Migratory Pelagics. According to the applicant, all materials proposed for deployment would be consistent with the *Guidelines for Marine Artificial Reef Materials* 2<sup>nd</sup> edition. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or federally managed fisheries within the Gulf of Mexico. The proposed deployment areas support a bare bottom as described above. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The jurisdictional line has not been verified by Corps personnel.

AUTHORIZATION FROM OTHER AGENCIES: Water Quality Certification may be required from the Florida Department of Environmental Protection and/or one of the state Water Management Districts.

COMMENTS regarding the potential authorization of the work proposed should be submitted in writing to the attention of the District Engineer through the Jacksonville Permits Section, P.O Box 4970, Jacksonville, FL 32232 within 21 days from the date of this notice.

The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to waters of the U.S and navigation.

QUESTIONS concerning this application should be directed to the project manager, Shannon White, in writing at the Jacksonville Permits Section, P.O. Box 4970, Jacksonville, FL 32232; by electronic mail at [shannon.c.white@usace.army.mil](mailto:shannon.c.white@usace.army.mil); or, by telephone at (904)232-1681.

IMPACT ON NATURAL RESOURCES: Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area.

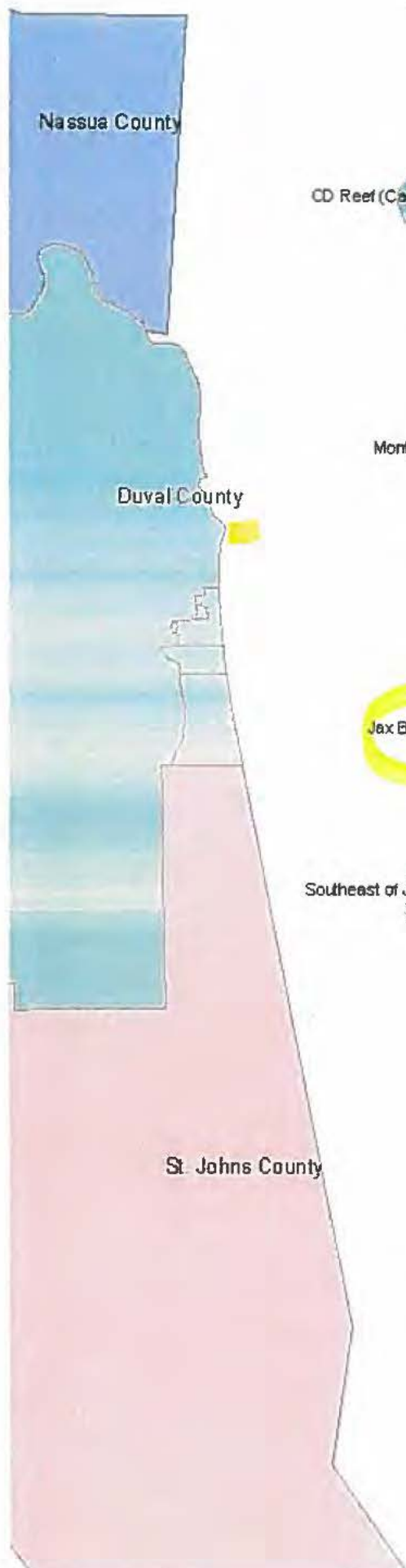
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative

impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical 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, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

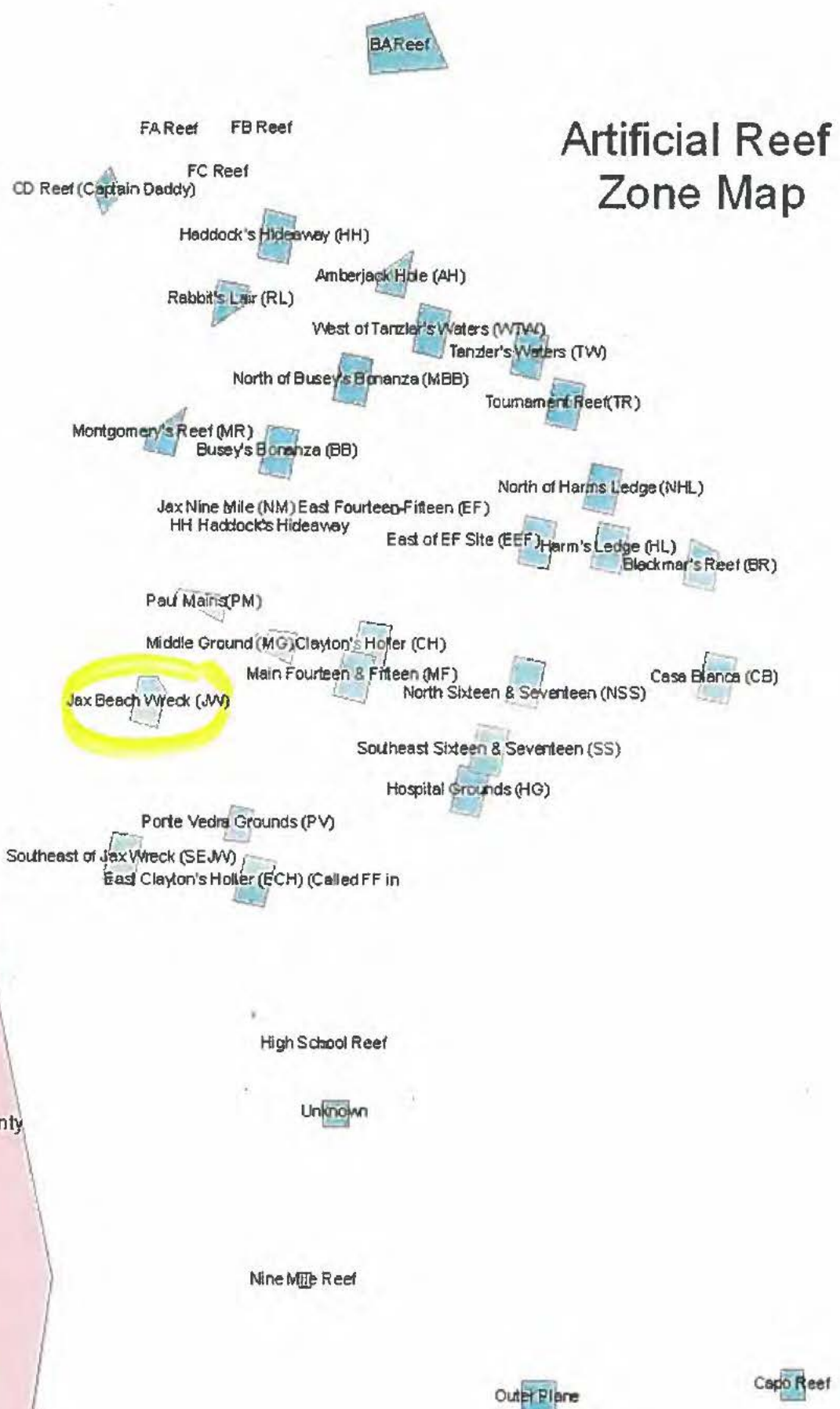
The US Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**COASTAL ZONE MANAGEMENT CONSISTENCY:** In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with the Coastal Zone Management Plan.

**REQUEST FOR PUBLIC HEARING:** Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.



# Artificial Reef Zone Map



# Jax Beach Wreck

## Artificial Reef Site Map

Reef Name	1 <sup>st</sup> Coord.	2 <sup>nd</sup> Coord.	3 <sup>rd</sup> Coord.	4 <sup>th</sup> Coord.	5 <sup>th</sup> Coord.
JW	30 17.450	30 16.900	30 15.500	30 15.800	30 17.483
Jax Beach Wreck	-81 13.667	-81 13.250	-81 13.600	-81 14.800	-81 14.417

Maximum Depth - 55 ft

Minimum Depth

Distance to St. Johns River jetties - 10.8 miles

30 17.483  
-81 14.417

30 17.450  
-81 13.667

30 16.900  
-81 13.250

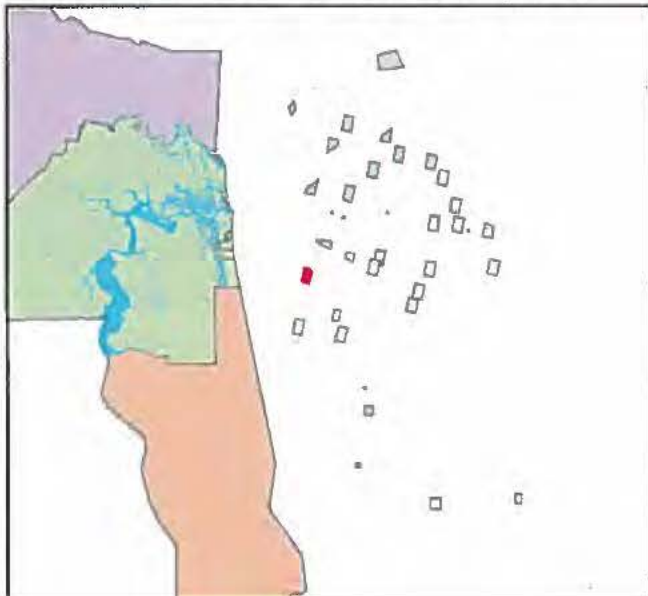
Jax Beach Wreck (JW)  
2.48 square miles

30 15.800  
-81 14.800

30 15.500  
-81 13.600

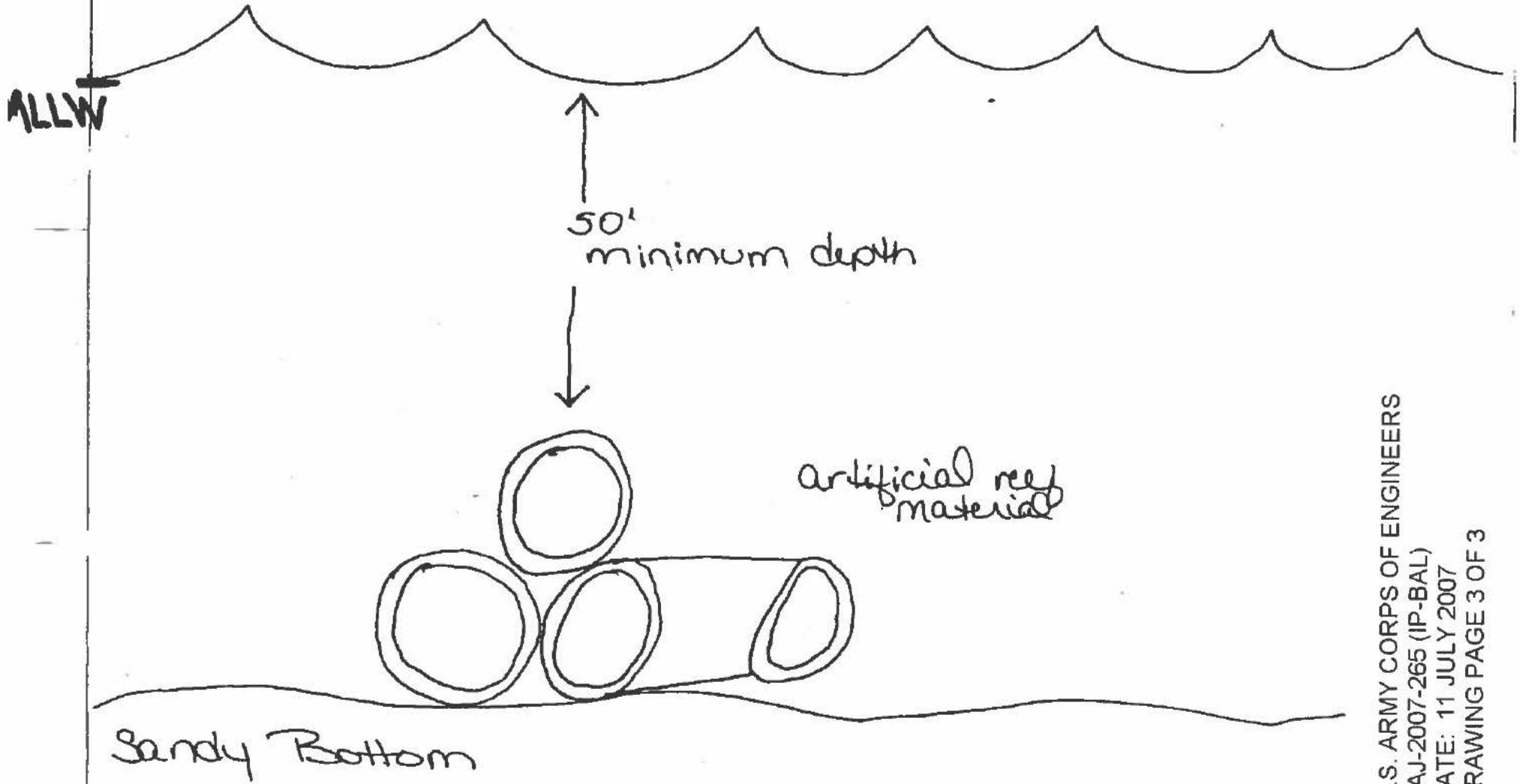
### Location Map

10.8 miles from the St. Johns River jetties



# Typical Cross Section

Section C # 3



U.S. ARMY CORPS OF ENGINEERS  
SAJ-2007-265 (IP-BAL)  
DATE: 11 JULY 2007  
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