

APPENDIX D: ENVIRONMENTAL

D-1

Project Correspondence

Integrated Feasibility Report/Environmental Assessment
St. Francis Barracks Seawall Shoreline Erosion Protection
Continuing Authorities Program (CAP) Section 14 Project at
Florida National Guard Facilities in
St. Johns County, Florida



US Army Corps of Engineers
JACKSONVILLE DISTRICT

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DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
701 SAN MARCO BLVD
JACKSONVILLE, FL 32207-8915

Planning and Policy Division
Environmental Branch

JUL 08 2019

To Whom It May Concern:

Pursuant to the National Environmental Policy Act and the U.S. Army Corps of Engineers Regulation (33 CFR 230.11), this letter constitutes the Notice of Availability of the Proposed Finding of No Significant Impact (FONSI) and Draft Integrated Feasibility Report/Environmental Assessment (IFR/EA) for the St. Francis Barracks Seawall Shoreline Erosion Protection Continuing Authorities Program (CAP) Section 14 project. The project is located at Florida National Guard Facilities in the city of St. Augustine in St. Johns County, Florida.

The Recommended Plan includes improvements and repairs to the St. Francis Barracks seawall as well as the installation of a stone revetment at the seawall's south corner to provide a wave break. Implementation of the Recommended Plan will address shoreline erosion at the seawall and reduce wave-induced erosion to the south waterside corner of the wall, ultimately protecting the existing public infrastructure from continued erosion and storm damages. Details on the Recommended Plan can be found in the draft IFR/EA.

The Proposed FONSI, draft IFR/EA, and associated appendices are available for your review on the Jacksonville District's Environmental planning website, under St. Johns County:

<http://www.saj.usace.army.mil/About/Divisions-Offices/Planning/Environmental-Branch/Environmental-Documents/>

(On that page, click on the "+" next to "St. Johns". Scroll down to the project name.)

Questions or comments can be submitted to Kristen Donofrio at the letterhead address or via email to Kristen.L.Donofrio@usace.army.mil within 30 days from the date of this Notice of Availability. Ms. Donofrio may also be reached by telephone at 904-232-2918.

Sincerely,

A handwritten signature in black ink, appearing to read "Angela E. Dunn", is written over a faint, illegible typed name.

Angela E. Dunn
Chief, Environmental Branch



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
701 SAN MARCO BLVD
JACKSONVILLE, FL 32207-8915

Planning and Policy Division
Environmental Branch

JUL 08 2019

Mr. Jay Herrington
Field Supervisor
North Florida Field Office
U.S. Fish and Wildlife Service
7915 Baymeadows Way, Suite 200
Jacksonville, Florida 32256

Dear Mr. Herrington:

Pursuant to the National Environmental Policy Act of 1969, as amended, (NEPA) and the U.S. Army Corps of Engineers Regulation (33 CFR 230.11), this letter constitutes the U.S. Army Corps of Engineers, Jacksonville District's (Corps) Notice of Availability of the Proposed Finding of No Significant Impact (FONSI) and Draft Integrated Feasibility Report/Environmental Assessment (IFR/EA) for the St. Francis Barracks Seawall Shoreline Erosion Protection Continuing Authorities Program (CAP) Section 14 project. The project is located at Florida National Guard Facilities in the city of St. Augustine in St. Johns County, Florida.

The Recommended Plan includes improvements and repairs to the St. Francis Barracks seawall as well as the installation of a stone revetment at the seawall's south corner to provide a wave break. Implementation of the Recommended Plan will address shoreline erosion at the seawall and reduce wave-induced erosion to the south waterside corner of the wall, ultimately protecting the existing public infrastructure from continued erosion and storm damages. The Corps has determined that the proposed project will have no effect to federally listed species under U.S. Fish and Wildlife Service (USFWS) jurisdiction. Details on the Recommended Plan can be found in the draft IFR/EA, which is available for your review on the Jacksonville District's Environmental planning website, under St. Johns County:

<http://www.saj.usace.army.mil/About/Divisions-Offices/Planning/Environmental-Branh/Environmental-Documents/>

(On that page, click on the "+" next to "St. Johns". Scroll down to the project name.)

In addition to notifying USFWS of the draft documents, the Corps respectfully requests that the USFWS sign the enclosed memorandum for the record (MFR). The MFR documents an informal understanding between the two agencies to utilize the project's NEPA review process to complete coordination responsibilities under the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq., March 10, 1934, as amended 1946, 1958, 1978, and 1995). This agreement will avoid duplicate analysis and documentation as authorized under 40 CFR section 1500.4 (k), 1502.25, 1506.4.

The Corps respectfully requests that USFWS sign the enclosed MFR within 30 days of the receipt of this letter. Questions or comments on the draft IFR/EA may be submitted to Kristen Donofrio at the letterhead address, via email to Kristen.L.Donofrio@usace.army.mil, or by telephone at 904-232-2918 within 30 days from the date of this Notice of Availability. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Angela E. Dunn". The signature is fluid and cursive, with the first name being the most prominent.

Angela E. Dunn
Chief, Environmental Branch

Enclosure



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
701 SAN MARCO BLVD
JACKSONVILLE, FL 32207-8915

CESAJ-PD-E (ER 200-2-2)

MEMORANDUM FOR THE RECORD

SUBJECT: Compliance with the Fish and Wildlife Coordination Act for the St. Francis Barracks Seawall Shoreline Erosion Protection Continuing Authorities Program (CAP) Section 14 project at Florida National Guard Facilities in St. Johns County, Florida.

PURPOSE: To document an informal understanding between the U.S. Army Corps of Engineers, Jacksonville District (Corps), and the U.S. Fish and Wildlife Service (USFWS), North Florida Ecological Services Office.

BACKGROUND. The Florida Department of Military Affairs (DMA) requested that the Corps provide assistance in addressing erosion issues at the St. Francis Barracks seawall. Section 14 of the Flood Control Act of 1946, as amended, provides for implementation of projects to protect known historic properties whose significance has been demonstrated by a determination of eligibility for listing on, or actual listing on, the National Register of Historic Places (NRHP) and are in imminent threat of damage or failure related to natural erosion processes on shorelines.

The purpose of the St. Francis Barracks Seawall Shoreline Erosion Protection Continuing Authorities Program (CAP) Section 14 project is to provide emergency shoreline protection to the St. Francis Barracks seawall, which is located between the Matanzas River and the DMA property, specifically the Judge Advocate General Corps (JAG) building, parade grounds, and parking lot. The tidal range in the project area averages approximately 5 ft, with the low tide exposing the shoreline in front of the seawall and high tide occasionally overtopping the seawall, if accompanied with strong winds. When the St. Francis Barracks seawall is overtopped, sediments landward of the seawall are eroded as the overwash drains through large cracks, holes, and/or voids in the seawall. Despite the erosion, facilities in the project area continue to be operational and are properly maintained. The JAG building was recently repaired due to storm damages from hurricanes; however, the building remains at risk for structural failure as the ongoing erosion continues to increase stability concerns at the seawall's southeast corner.

RECOMMENDED PLAN. The Recommended Plan includes improvements and repairs to the St. Francis Barracks seawall as well as the installation of a stone revetment at the seawall's south corner to provide a wave break. Implementation of the Recommended Plan will address shoreline erosion at the seawall and reduce wave-induced erosion to the south waterside corner of the wall, ultimately protecting the existing public infrastructure from continued erosion and storm damages.

CESAJ-PD-E (ER 200-2-2)

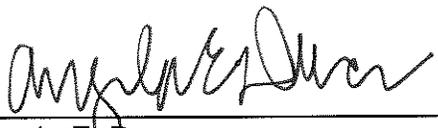
SUBJECT: Compliance with the Fish and Wildlife Coordination Act for the St. Francis Barracks Seawall Shoreline Erosion Protection Continuing Authorities Program (CAP) Section 14 project at Florida National Guard Facilities in St. Johns County, Florida.

The Corps has determined that the proposed project will have no effect to federally listed species under USFWS jurisdiction. (Details on the Recommended Plan can be found in the project's draft IFR/EA.)

COORDINATION. The Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq., March 10, 1934, as amended 1946, 1958, 1978, and 1995) (FWCA) requires Federal agencies to consult with USFWS regarding the impacts to fish and wildlife resources and the proposed measures to mitigate these impacts. Additional coordination authorities exist through the review process of the National Environmental Policy Act (NEPA; 42 U.S.C. 4321-4347, January 1, 1970, as amended 1975 and 1982) and the Endangered Species Act of 1973 (ESA; 7 U.S.C. 136, 16 U.S.C. 1531 et seq. December 28, 1973). USFWS continues to coordinate and consult with the Corps through NEPA and the ESA in which impacts to fish and wildlife resources are adequately addressed via these two authorities. USFWS will include comments relevant to FWCA in the USFWS review and response to this project's draft IFR/EA.

AGREEMENT. The undersigned, the Corps and USFWS, agree to utilize the project's NEPA review process to complete coordination responsibilities under the FWCA. This agreement will avoid duplicate analysis and documentation as authorized under 40 CFR section 1500.4 (k), 1502.25, 1506.4, and is consistent with Presidential Executive Order for Improving Regulation and Regulatory Review, released January 18, 2011.

Jay Herrington
Field Supervisor
North Florida Ecological Services Field Office



Angela E. Dunn
Chief, Environmental Branch



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
701 SAN MARCO BOULEVARD
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Planning and Policy Division
Environmental Branch

JUL 08 2019

Virginia Fay
Asst. Regional Administrator
NMFS-SERO-HCD
263 13th Ave South
St. Petersburg, FL 33701

Dear Ms. Fay:

Pursuant to the National Environmental Policy Act (NEPA), this letter constitutes the Notice of Availability of the draft Integrated Feasibility Report/Environmental Assessment (IFR/EA) for the St. Francis Barracks Seawall Shoreline Erosion Protection Continuing Authorities Program (CAP) Section 14 project at Florida National Guard Facilities in St. Johns County, Florida. This letter also serves to convey the Essential Fish Habitat (EFH) Assessment incorporated in the project's IFR/EA.

The District is initiating coordination with NMFS under the EFH provisions of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA). Per the May 3, 1999 EFH Finding between NMFS and the USACE-Jacksonville District, the EFH Assessment for the project is integrated within the draft EA. Per the 1999 Finding, the February 2004 "Preparing Essential Fish Habitat Assessments: A Guide for Federal Action Agencies" document and 50 CFR 600.920(e)(3), an EFH Assessment must include the specific items. Each item will be addressed in the table below with a reference to where the information is located in the draft EA.

EFH Required Item	Draft Supplemental EA Location(s)
Description of the Proposed Action	What is the action? - <i>Section 4 The Recommended Plan</i> What is the purpose of the action? - <i>Section 1.4 Study Purpose and Need</i> How, when and where will it be undertaken? - <i>Section 4 The Recommended Plan</i> What will be the result of the action? - <i>Section 5 Effects of the Recommended Plan</i>

Analysis of the potential adverse effects (individual and cumulative) of the action on EFH and the management species	<p>What EFH will be affected by the action?</p> <ul style="list-style-type: none"> - Section 2.2 Vegetation and Wetlands - Section 2.4 Fish and Other Wildlife - Section 2.5 Essential Fish Habitat <p>What are the adverse effects to EFH that could occur as a result of this action?/ How would they impact managed species?/ What would be the magnitude of effects?/What would the duration be?</p> <ul style="list-style-type: none"> - Section 5.2 Vegetation and Wetlands - Section 5.4 Fish and Other Wildlife - Section 5.5 Essential Fish Habitat - Section 5.17 Unavoidable Adverse Environmental Effects - Section 5.18 Cumulative Impacts
Proposed Compensatory Mitigation	- None required
Avoidance and Minimization	- Section 6 Environmental Compliance

Additionally, the Guidance states that for projects that may have substantial impacts on EFH, additional information may be necessary. These additional items are addressed throughout the draft EA and the information provided in the table below.

EFH Additional Information Item	Supplemental EA Location(s)
Results of on-site inspections to evaluate the habitat and the site-specific effects of the project	- Appendix E: Environmental Appendix
Review of pertinent literature and related information	- Literature cited throughout draft IFR/EA

The Corps has determined that the effects of the St. Francis Barracks Seawall Shoreline Erosion Protection CAP Section 14 project at Florida National Guard Facilities in St. Johns County, Florida would have minimal adverse effects on EFH and no adverse effects on federally managed fish species. The magnitude of the impacts are minor and insignificant.

The Corps respectfully requests all comments under NEPA and the MSFCMA to the draft IFR/EA within 30 days of the receipt of this letter. If you have any questions, or need additional information, please contact Kristen Donofrio by email Kristen.L.Donofrio@usace.army.mil or telephone 904-232-2918. Thank you for your assistance.

Sincerely,



Angela E. Dunn
Chief, Environmental Branch



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
701 SAN MARCO BLVD
JACKSONVILLE, FL 32207-8915

Planning and Policy Division
Environmental Branch

JUL 08 2019

Chris Stahl
Coordinator
Florida State Clearinghouse
Florida Department of Environmental Protection
2600 Blair Stone Road, M.S. 47
Tallahassee, FL 32399

Dear Mr. Stahl:

Pursuant to the National Environmental Policy Act of 1969, as amended, (NEPA) and the U.S. Army Corps of Engineers Regulation (33 CFR 230.11), this letter constitutes the U.S. Army Corps of Engineers, Jacksonville District's (Corps) Notice of Availability of the Proposed Finding of No Significant Impact (FONSI), draft Integrated Feasibility Report/Environmental Assessment (IFR/EA), and Federal Consistency Determination (FCD) for the St. Francis Barracks Seawall Shoreline Erosion Protection Continuing Authorities Program (CAP) Section 14 project. The project is located at Florida National Guard Facilities in the city of St. Augustine in St. Johns County, Florida.

The Recommended Plan includes improvements and repairs to the St. Francis Barracks seawall as well as the installation of a stone revetment at the seawall's south corner to provide a wave break. Implementation of the Recommended Plan will address shoreline erosion at the seawall and reduce wave-induced erosion to the south waterside corner of the wall, ultimately protecting the existing public infrastructure from continued erosion and storm damages. The Corps has determined that the proposed project will have no effect to federally listed species under U.S. Fish and Wildlife Service (USFWS) jurisdiction. Details on the Recommended Plan can be found in the draft IFR/EA, which is available for your review on the Jacksonville District's Environmental planning website, under St. Johns County:

<http://www.saj.usace.army.mil/About/Divisions-Offices/Planning/Environmental-Branch/Environmental-Documents/>

(On that page, click on the "+" next to "St. Johns". Scroll down to the project name.)

The Corps has determined that the proposed project is consistent with Florida's approved Coastal Zone Management Program. The Corps respectfully requests concurrence on this FCD within 60 days of receipt of this letter and attached documentation. Any questions concerning the project or FCD should be submitted to Kristen Donofrio at the letterhead address, via email to Kristen.L.Donofrio@usace.army.mil, or by telephone at (904)232-3662 within 60 days from the date of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Angela E. Dunn". The signature is fluid and cursive, with a long horizontal stroke at the end.

Angela E. Dunn
Chief, Environmental Branch

Enclosures

**Florida Coastal Zone Management Program Evaluation Procedures
Federal Consistency Determination (FCD)**

**St. Francis Barracks Seawall Shoreline Erosion Protection
Continuing Authorities Program (CAP) Section 14 Project**

June 2019

Enforceable Policy. Florida Statutes considers “enforceable policy” under the Coastal Zone Management Act (www.dep.state.fl.us/cmp/federal/24_statutes.htm).

Applicability of the Coastal Zone Management Act. The following table summarizes the process and procedures under the Coastal Zone Management Act for federal actions and for non-federal applicants*.

Item	Non-federal Applicant (15 CFR 930, subpart D)	Federal Action (15 CFR 930, subpart C)
Enforceable Policies	Reviewed and approved by NOAA (in FL www.dep.state.fl.us/cmp/federal/24_statutes.htm)	Same
Effects Test	Direct, Indirect (cumulative, secondary), adverse or beneficial	Same
Review Time	6 months from state receipt of Consistency Certification (30-days for completeness notice) Can be altered by written agreement between state and applicant	60 Days, extendable (or contractible) by mutual agreement
Consistency	Must be Fully Consistent	To Maximum Extent Practicable**
Procedure Initiation	Applicant provides Consistency Certification to state	Federal Agency provides “Consistency Statement” to state
Appealable	Yes, applicant can appeal to Secretary (NOAA)	No (NOAA can “mediate”)
Activities	Listed activities with their geographic location (State can request additional listing within 30 days)	Listed or Unlisted Activities in State Program
Activities in Another State	Must have approval for interstate reviews from NOAA	Interstate review approval NOT required
Activities in Federal Waters	Yes, if activity affects state waters	Same

* There are separate requirements for activities on the Outer Continental Shelf (subpart E) and for “assistance to an applicant agency” (subpart F).

** Must be fully consistent except for items prohibited by applicable law (generally does not count lack of funding as prohibited by law, 15 CFR 930.32).

Coastal Zone Consistency Statement by Statute/Enforceable Policy

1. CHAPTER 161, F.S., BEACH AND SHORE PRESERVATION.

Coastal areas are among the state's most valuable natural, aesthetic, and economic resources. The state is required to protect coastal areas from imprudent activities that could jeopardize the stability of the beach-dune system, accelerate erosion, provide inadequate protection to upland structures, endanger adjacent properties, or interfere with public beach access. Coastal areas used, or likely to be used, by sea turtles are designated for nesting, and the removal of vegetative cover that binds sand is prohibited. This statute provides policy for the regulation of construction, reconstruction, and other physical activities related to the beaches and shores of the state. Additionally, this statute requires the restoration and maintenance of critically eroding beaches.

RESPONSE: The proposed plans and information will be submitted to the state in compliance with this chapter. The purpose of the proposed project is to provide emergency shoreline protection at the St. Francis Barracks seawall and reduce wave-induced erosion to the south waterside corner. The seawall is located between the Matanzas River and the Department of Military Affairs (DMA) property, and provides protection to the Florida National Guard (FLNG) facilities and infrastructure (e.g. Judge Advocate General Corps (JAG) building, parade grounds, and parking lot).

2. CHAPTER 163, PART II, F.S., INTERGOVERNMENTAL PROGRAMS: GROWTH POLICY; COUNTY AND MUNICIPAL PLANNING: LAND DEVELOPMENT REGULATION

The purpose of this statute is to provide for the implementation of comprehensive planning programs to guide and control future development in the state. The comprehensive planning process encourages units of local government to preserve, promote, protect, and improve the public health, safety, comfort, good order, appearance, convenience, law enforcement and fire prevention, and general welfare; prevent the overcrowding of land and avoid undue concentration of population; facilitate the adequate and efficient provision of public facilities and services; and conserve, develop, utilize, and protect natural resources within their jurisdictions.

RESPONSE: The proposed project will be coordinated with federal, state, federally-recognized Native American tribes, local agencies, and other interested parties during the planning process. The proposed project meets the goals of the State Comprehensive Plan through preservation and protection of the adjacent FLNG facilities and infrastructure. The proposed project is consistent with the goals of this chapter.

3. CHAPTER 186, F.S., STATE AND REGIONAL PLANNING

The state comprehensive plan provides basic policy direction to all levels of government regarding the orderly social, economic, and physical growth of the state. The goals, objectives, and policies of the state comprehensive plan are statewide in scope and are consistent and compatible with each other. The statute provides direction for the delivery of governmental services, a means for defining and achieving the specific goals of the state, and a method for evaluating the accomplishment of those goals.

RESPONSE: The proposed project will be coordinated with federal, state, federally-recognized Native American tribes, local agencies, and other interested parties during the planning process. The proposed project meets the goals of the State Comprehensive Plan through preservation and protection of the adjacent FLNG facilities and infrastructure. The proposed project is consistent with the goals of this chapter.

4. CHAPTER 252, F.S., EMERGENCY MANAGEMENT

The state of Florida is vulnerable to a wide range of emergencies, including natural, technological, and manmade disasters. This vulnerability is exacerbated by the tremendous growth in the state's population. This statute directs the state to reduce the vulnerability of its people and property to natural and manmade disasters; prepare for, respond to and reduce the impacts of disasters; and decrease the time and resources needed to recover from disasters.

Disaster mitigation is necessary to ensure the common defense of Floridians' lives and to protect the public peace, health, and safety. The policies provide the means to assist in the prevention or mitigation of emergencies that may be caused or aggravated by the inadequate planning or regulation. State agencies are directed to keep land uses and facility construction under continuing study and identify areas that are particularly susceptible to natural or manmade catastrophic occurrences.

RESPONSE: The purpose of the proposed project is to provide emergency shoreline protection at the St. Francis Barracks seawall and reduce wave-induced erosion to the south waterside corner. The proposed project is consistent with the efforts of Division of Emergency Management and the goals of this chapter.

5. CHAPTER 253, F.S., STATE LANDS

The Board of Trustees of the Internal Improvement Trust Fund (Trustees) is vested and charged with the acquisition, administration, management, control, supervision, conservation, protection, and disposition of all lands owned by the state. Lands acquired for preservation, conservation and recreation serve the public interest by contributing to the public health, welfare and economy. In carrying out the requirements of this statute, the Trustees are directed to take necessary action to fully: conserve and protect state lands; maintain natural conditions; protect and enhance natural areas and ecosystems; prevent damage and depredation; and preserve archaeological and historical resources.

All submerged lands are considered single-use lands to be maintained in natural condition for the propagation of fish and wildlife and public recreation. Where multiple-uses are permitted, ecosystem integrity, recreational benefits and wildlife values are conserved and protected.

RESPONSE: The Recommended Plan includes improvements and repairs to the St. Francis Barracks seawall as well as the installation of a stone revetment at the seawall's south corner to provide a wave break. No effects to submerged resources are anticipated to be caused by the improvements and repairs to the seawall. Infaunal resources that live inside the boundaries of the revetment footprint will be lethally affected during the placement of rock revetment; however, colonization of the rock by

neighboring communities is expected to occur quickly. The Corps intends to comply with the state water quality standards and will seek the necessary approvals during the Design and Implementation (D&I) phase of the project. Environmental protection measures will be implemented to ensure that no lasting adverse effects on water quality, air quality, or other environmental resources will occur. The U.S. Army Corps of Engineers, Jacksonville District (USACE) and the Florida State Historic Preservation Officer (SHPO) are executing a programmatic agreement, which will outline the process in which USACE will avoid, minimize, or mitigate adverse impacts to historic properties. All terms and conditions resulting from the agreement will be implemented in order to minimize adverse impacts to historic properties. The proposed project will be coordinated with federal, state, federally-recognized Native American tribes, local agencies, and other interested parties during the planning process. The proposed project is consistent with the goals of this chapter.

6. CHAPTER 258, F.S., STATE PARKS AND PRESERVES

The statute addresses the state's administration of state parks, aquatic preserves, and recreation areas, which are acquired to emblemize the state's natural values and to ensure that these values are conserved for all time. Parks and preserves are managed for the non-depleting use, enjoyment, and benefit of Floridians and visitors and to contribute to the state's tourist appeal.

Aquatic Preserves are recognized as having exceptional biological, aesthetic, and scientific value and are set aside for the benefit of future generations. Disruptive physical activities and polluting discharges are highly restricted in aquatic preserves. State managed wild and scenic rivers possess exceptionally remarkable and unique ecological, fish and wildlife, and recreational values and are designated for permanent preservation and enhancement for both the present and future.

RESPONSE: No state parks or preserves exist in the project area or will be affected by the project.

7. CHAPTER 259, F.S., LAND ACQUISITION FOR CONSERVATION OR RECREATION

The statute addresses public ownership of natural areas for purposes of maintaining the state's unique natural resources; protecting air, land, and water quality; promoting water resource development to meet the needs of natural systems and citizens of this state; promoting restoration activities on public lands; and providing lands for natural resource based recreation. Lands are managed to protect or restore their natural resource values, and provide the greatest benefit, including public access, to the citizens of this state.

RESPONSE: The proposed project will be coordinated with federal, state, federally-recognized Native American tribes, local agencies, and other interested parties during the planning process. Environmental protection measures will be implemented to ensure that no lasting adverse effects on water quality, air quality, or other environmental resources will occur. The proposed project will not permanently effect public access to natural

areas. This project does not involve real property acquisition and/or displacement of property owners or tenants. The proposed project complies with the goals of this chapter.

8. CHAPTER 260, F.S., FLORIDA GREENWAYS AND TRAILS ACT

A statewide system of greenways and trails is established in order to conserve, develop, and use the natural resources of Florida for healthful and recreational purposes. These greenways and trails provide open space benefiting environmentally sensitive lands and wildlife and provide people with access to healthful outdoor activities. The greenways and trails serve to implement the concepts of ecosystem management while providing, where appropriate, recreational opportunities such as horseback riding, hiking, bicycling, canoeing, jogging, and historical and archaeological interpretation. As of August 29th, 2016, Chapter 260, F.S., does not contain any enforceable policies for federal consistency purposes.

RESPONSE: No Florida greenways or trails exist in the project area or will be affected by the project.

9. CHAPTER 267, F.S., HISTORICAL RESOURCES

The management and preservation of the state's archaeological and historical resources are addressed by this statute. This statute recognizes the state's rich and unique heritage of historic resources and directs the state to locate, acquire, protect, preserve, operate and interpret historic and archeological resources for the benefit of current and future generations of Floridians.

Objects or artifacts with intrinsic historic or archeological value located on, or abandoned on, state-owned lands or state-owned submerged lands belong to the citizens of the state. The state historic preservation program operates in conjunction with the National Historic Preservation Act of 1966 to require state and federal agencies to consider the effect of their direct or indirect actions on historic and archeological resources. These resources cannot be destroyed or altered unless no prudent alternative exists. Unavoidable impacts must be mitigated.

RESPONSE: In compliance with Section 106 of the NHPA, as amended (54 U.S.C. §306108 *et seq.*) and its implementing regulations (36 CFR Part 800), USACE initiated consultation with the Florida SHPO and federally-recognized tribes regarding the proposed work. USACE is executing a Programmatic Agreement with the Florida SHPO, which will outline the process in which USACE will consult with the agency to avoid, minimize, and mitigate effects of this project. Coordination was initiated with City of St. Augustine Archaeology Program on January 21, 2019 and the City of St. Augustine Historic Preservation Officer on February 22, 2019. The proposed project is consistent with the goals of this chapter.

10. CHAPTER 288, F.S., COMMERCIAL DEVELOPMENT AND CAPITAL IMPROVEMENTS

The framework to promote and develop general business, trade, and tourism components of the state economy are established in this statute. The statute includes requirements to protect and promote the natural, coastal, historical, and cultural tourism

assets of the state; foster the development of nature-based tourism and recreation; and upgrade the image of Florida as a quality destination. Natural resource-based tourism and recreational activities are critical sectors of Florida's economy. The needs of the environment must be balanced with the need for growth and economic development.

RESPONSE: Implementation of the project will provide emergency shoreline protection at the St. Francis Barracks seawall and reduce wave-induced erosion to the south waterside corner. The proposed project will protect the FLNG facilities and infrastructure and retain the historical resources. The proposed project is consistent with the goals of this chapter.

11. CHAPTER 334, F.S., TRANSPORTATION ADMINISTRATION

The statute addresses the state's policy concerning transportation administration. It establishes the responsibilities of the state, the counties, and the municipalities in the planning and development of the transportation systems; and the development of an integrated, balanced statewide transportation system. This is necessary for the protection of public safety and general welfare and for the preservation of all transportation facilities in the state. As of October 9th, 2017, Chapter 334, F.S., does not contain any enforceable policies for federal consistency purposes.

RESPONSE: Public transportation systems will not be affected by the proposed project.

12. CHAPTER 339, F.S., TRANSPORTATION FINANCE AND PLANNING

The statute addresses the finance and planning needs of the state's transportation system.

RESPONSE: Public transportation systems will not be affected by the proposed project. The proposed project is consistent with the goals of this chapter.

13. CHAPTER 373, F.S., WATER RESOURCES

The waters in the state of Florida are managed and protected to conserve and preserve water resources, water quality, and environmental quality. This statute addresses sustainable water management; the conservation of surface and ground waters for full beneficial use; the preservation of natural resources, fish, and wildlife; protecting public land; and promoting the health and general welfare of Floridians. The state manages and conserves water and related natural resources by determining whether activities will unreasonably consume water; degrade water quality; or adversely affect environmental values such as protected species habitat, recreational pursuits, and marine productivity.

Specifically, under Part IV of Chapter 373, the Department of Environmental Protection, water management districts, and delegated local governments review and take agency action on wetland resource, environmental resource, and stormwater permit applications. These permits address the construction, alteration, operation, maintenance, abandonment, and removal of any stormwater management system, dam, impoundment, reservoir, or appurtenant work or works (including dredging, filling and construction activities in, on, and over wetlands and other surface waters).

RESPONSE: The proposed project will be coordinated with federal, state, federally-recognized Native American tribes, local agencies, and other interested parties during the planning process. The Corps intends to comply with the state water quality standards and will seek the necessary approvals during the D&I phase of the project. Applicable environmental protection measures and state water quality standards will be implemented to ensure that no lasting adverse effects on water quality, air quality, or other environmental resources will occur. The proposed project is consistent with the goals of this chapter.

14. CHAPTER 375, F.S., OUTDOOR RECREATION AND CONSERVATION LANDS

The statute addresses the development of a comprehensive outdoor recreation plan. The purpose of the plan is to document recreational supply and demand, describe current recreational opportunities, estimate the need for additional recreational opportunities, and propose the means to meet the identified needs.

RESPONSE: Although the FLNG facilities and seawall are not open to the public, the FLNG does use the parade grounds for various agency functions. Implementation of the project will have no long-term effects on recreation in the project area. The proposed project is consistent with the goals of this chapter.

15. CHAPTER 376, F.S., POLLUTANT DISCHARGE PREVENTION AND REMOVAL

Regulating the transfer, storage, and transportation of pollutants, and the cleanup of pollutant discharges is essential for maintaining coastal resources (specifically the coastal waters, estuaries, tidal flats, beaches, and public lands adjoining the seacoast) in as close to a pristine condition as possible. The preservation of the seacoast as a source of public and private recreation, along with the preservation of water and certain lands are matters of the highest urgency and priority.

This statute provides a framework for the protection of the state's coastline from spills, discharges, and releases of pollutants. The discharge of pollutants into or upon any coastal waters, estuaries, tidal flats, beaches, and lands adjoining the seacoast of the state is prohibited. The statute provides for hazards and threats of danger and damages resulting from any pollutant discharge to be evaluated; requires the prompt containment and removal of pollution; provides penalties for violations; and ensures the prompt payment of reasonable damages from a discharge.

Portions of Chapter 376, F.S., serve as a complement to the national contingency plan portions of the federal Water Pollution Control Act.

RESPONSE: The proposed beach nourishment does not involve the transportation or discharge of pollutants. The contract specifications will prohibit the contractor from dumping oil, fuel, or hazardous wastes in the work area and will include conditions on how to handle inadvertent spills of pollutants, such as vehicle fuels. A spill prevention plan will be required of the contractor. The proposed project is consistent with the goals of this chapter.

16. CHAPTER 377, F.S., ENERGY RESOURCES

The statute addresses the regulation, planning, and development of the energy resources of the state. The statute provides policy to conserve and control the oil and gas resources in the state, including products made therefrom and to safeguard the health, property and welfare of Floridians. The Department of Environmental Protection (DEP) is authorized to regulate all phases of exploration, drilling, and production of oil, gas, and other petroleum products in the state.

The statute describes the permitting requirements and criteria necessary to drill and develop for oil and gas. DEP rules ensure that all precautions are taken to prevent the spillage of oil or any other pollutant in all phases of extraction and transportation. The state explicitly prohibits pollution resulting from drilling and production activities. No person drilling for or producing oil, gas, or other petroleum products may pollute land or water; damage aquatic or marine life, wildlife, birds, or public or private property; or allow any extraneous matter to enter or damage any mineral or freshwater-bearing formation.

Penalties for violations of any provisions of this chapter are detailed.

RESPONSE: The proposed project does not involve the development of energy resources.

17. CHAPTER 379, F.S., FISH AND WILDLIFE CONSERVATION

The framework for the management and protection of the state of Florida's wide diversity of fish and wildlife resources are established in this statute. It is the policy of the state to conserve and wisely manage these resources. Particular attention is given to those species defined as being endangered or threatened. This includes the acquisition or management of lands important to the conservation of fish and wildlife.

This statute contains specific provisions for the conservation and management of marine fisheries resources. These conservation and management measures permit reasonable means and quantities of annual harvest (consistent with maximum practicable sustainable stock abundance) as well as ensure the proper quality control of marine resources that enter commerce.

Additionally, this statute supports and promotes hunting, fishing and the taking of game opportunities in the State. Hunting, fishing, and the taking of game are considered an important part in the state's economy and in the conservation, preservation, and management of the state's natural areas and resources.

RESPONSE: The following threatened and endangered (T&E) species may occur in the project's vicinity for transit or foraging: Florida manatees, American alligators, sea turtles (green, loggerhead, and Kemp's ridley), smalltooth sawfish, and sturgeon (Atlantic and shortnose). These species are not likely to be near or using the project area during low tide as the seawall and proposed revetment footprint are exposed; however, the species may occur in the project area during high tide events. No effects to these species will occur from improvements to the seawall and/or construction activities taking place landward of the seawall. Dewatering activities and revetment construction will occur seaward of the seawall. However, no effects to the listed species are anticipated because these species are highly mobile and can easily move away from and avoid these types of construction activities. Additionally, to ensure the safety of manatees and/or sea turtles

in the project area, the project will adhere to National Marine Fisheries Service (NMFS) Sea Turtle and Smalltooth Sawfish Construction Conditions (dated 2006) and U.S. Fish and Wildlife Service's (USFWS) Standard Manatee Conditions for In-Water Work (2011) which provide additional protection by requiring in-water work to stop if a manatee or sea turtle is observed within 50 feet of operating machinery. Implementation of these standard protection measures may extend protection to other T&E species that may be in the area as well.

Additionally, implementation of the Recommended Plan may temporarily affect fish, migratory birds, and wildlife foraging and/or resting in the project area. This effect would be temporary, ceasing with the completion of construction, and limited to the immediate area of construction activities. Fish, migratory birds, and wildlife are capable of relocating during construction operations to avoid any physical impacts. There is sufficient habitat nearby that could be used by the displaced fish, birds, and/or other wildlife during construction.

Infaunal resources that live inside the boundaries of the revetment footprint will be lethally affected during the placement of rock revetment; however, colonization of the rock by neighboring communities is expected to occur quickly.

The proposed project will be coordinated with federal, state, federally-recognized Native American tribes, local agencies, and other interested parties during the planning process. The project is consistent with the goals of this chapter.

18. CHAPTER 380, F.S., LAND AND WATER MANAGEMENT

Land and water management policies are established to protect natural resources and the environment; and to guide and coordinate local decisions relating to growth and development. The statute provides that state land and water management policies be implemented by local governments through existing processes for the guidance of growth and development. The statute also provides that all the existing rights of private property be preserved in accord with constitutions of this state and of the United States.

The chapter establishes the Areas of Critical State Concern designation, the Florida Communities Trust as well as the Florida Coastal Management Act. The Florida Coastal Management Act provides the basis for the Florida Coastal Management Program which seeks to protect the natural, commercial, recreational, ecological, industrial, and aesthetic resources of Florida's coast.

RESPONSE: The proposed project will provide emergency protection to the existing FLNG facilities and infrastructure and retain the historical resources. The proposed project is consistent with the goals of this chapter.

19. CHAPTER 381, F.S., PUBLIC HEALTH: GENERAL PROVISIONS

The statute establishes public policy concerning the state's public health system, which is designated to promote, protect, and improve the health of all people in the state.

RESPONSE: The state's public health system will not be affected by the proposed project.

20. CHAPTER 388, F.S., MOSQUITO CONTROL

Mosquito control efforts of the state are to achieve and maintain such levels of arthropod control as will protect human health and safety; promote the economic development of the state; and facilitate the enjoyment of its natural attractions by reducing the number of pestiferous and disease-carrying arthropods.

It is the policy of the state to conduct arthropod control in a manner consistent with protection of the environmental and ecological integrity of all lands and waters throughout the state.

RESPONSE: The proposed project will not further the propagation of mosquitoes or other pest arthropods. The proposed project is consistent with the goals of this chapter.

21. CHAPTER 403, F.S., ENVIRONMENTAL CONTROL

Environmental control policies conserve state waters; protect and improve water quality; and maintain air quality. This statute provides wide-ranging authority to address various environmental control concerns, including air and water pollution; electrical power plant and transmission line siting; the Interstate Environmental Control Compact; resource recovery and management; solid and hazardous waste management; drinking water protection; pollution prevention; ecosystem management; and natural gas transmission pipeline siting.

RESPONSE: The proposed project will be coordinated with federal, state, federally-recognized Native American tribes, local agencies, and other interested parties during the planning process. The Corps intends to comply with the state water quality standards and will seek the necessary approvals during the D&I phase of the project. Environmental protection measures will be implemented to ensure that no lasting adverse effects on water quality, air quality, or other environmental resources will occur. The proposed project complies with the goals of this chapter.

22. CHAPTER 553, F.S., BUILDING AND CONSTRUCTION STANDARDS

The statute addresses building construction standards and provides for a unified Florida Building Code.

RESPONSE: The proposed project does not include building construction.

23. CHAPTER 582, F.S., SOIL AND WATER CONSERVATION

It is the state's policy to preserve natural resources; control and prevent soil erosion, prevent floodwater and sediment damages; and to further the conservation, development and use of soil and water resources, and the disposal of water.

Farm, forest, and grazing lands are among the basic assets of the state; and the preservation of these lands is necessary to protect and promote the health, safety, and general welfare of its people.

These measures help to preserve state and private lands, control floods, maintain water quality, prevent impairment of dams and reservoirs, assist in maintaining the navigability of rivers and harbors, preserve wildlife and protect wildlife habitat, protect the tax base, protect public lands, and protect and promote the health, safety, and general welfare of the people of this state.

RESPONSE: The project is not located on or near agricultural lands. The proposed project will include appropriate erosion control plans and measures where applicable. The proposed project is consistent with the goals of this chapter.

24. CHAPTER 597, F.S., AQUACULTURE

The statute establishes public policy concerning the cultivation of aquatic organisms in the state. The intent is to enhance the growth of aquaculture, while protecting Florida's environment. This includes a requirement for a state aquaculture plan which provides for: the coordination and prioritization of state aquaculture efforts; the conservation and enhancement of aquatic resources; and mechanisms for increasing aquaculture production.

RESPONSE: The proposed project does not include aquaculture.

APPENDIX D: ENVIRONMENTAL

D-2

Clean Water Act Section 404(b)(1) Guidelines Evaluation

Integrated Feasibility Report/Environmental Assessment
St. Francis Barracks Seawall Shoreline Erosion Protection Study
Continuing Authorities Program (CAP) Section 14



US Army Corps of Engineers
JACKSONVILLE DISTRICT

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Final Evaluation of 404(b)(1) Guidelines

St. Francis Barracks Seawall Shoreline Erosion Protection Continuing Authorities Program (CAP) Section 14 Project

June 2019

1. Technical Evaluation Factors

a. Physical and Chemical Characteristics of the Aquatic Ecosystem (40 CFR §§ 230.20-230.25)(Subpart C)

	N/A	Not Significant	Significant
(1) Substrate impacts	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(2) Suspended particulates/turbidity impacts	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(3) Water Quality Control	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) Alteration of current patterns and water circulation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5) Alteration of normal water fluctuations/hydroperiod	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(6) Alteration of salinity gradients	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Implementation of the Recommended Plan will address shoreline erosion at the St. Francis Barracks seawall and reduce wave-induced erosion to the south waterside corner of the seawall.

The Recommended Plan consists of installation of weepholes spaced approximately every 10 feet. Each weephole will include gravel drainage. Grout will be used to fill the large voids on the waterside of the Barracks in order to prevent the flowable fill (or an equivalent granular, free-draining material) from discharging into the Intracoastal Waterway (ICW). Flowable fill (or an equivalent granular, free-draining material) will be placed at the voids from the ground surface and allowed to flow into the voids beneath the surface. The broken concrete sidewalk at the Judge Advocate General Corps (JAG) building, extending between the JAG building to the seawall, will be removed for easier access to the voids beneath the building. In order to ensure the existing soil loading conditions on the landside of the wall are maintained, only minimal localized excavation of soil from the landside of the wall is planned to gain better access to the voids. Flowable fill (or an equivalent granular, free-draining material) will be placed at the five main areas of erosion concern where large voids exist. Topsoil and sod will be placed on top of flowable fill (or an equivalent granular, free-draining material) in order to restore and maintain the original appearance. The concrete sidewalk in front of the JAG building will be replaced. Shotcrete will be applied on the waterside of the south corner in

order to add additional erosion control. In order to ensure that the shotcrete remains in place, an anchoring frame will be connected to the wall. Lastly, stone revetment will be placed at the corner of the seawall in order to provide a wave break to reduce any wave-induced erosion to the structure. The stone revetment will have a maximum radius of 25 feet from the corner and the adjacent damaged wall sections. Based on the wave climate in this area, the appropriate stone size to handle the waves generated during a 100-year flood surge is granite stone with a diameter of 2.5 feet. The design includes only one layer of stone against the wall.

b. Biological Characteristics of the Aquatic Ecosystem (40 CFR §§ 230.30-230.32) (Subpart D)

	N/A	Not Significant	Significant
(1) Effect on threatened/endangered species and their habitat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(2) Effect on the aquatic food web	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) Effect on other wildlife (mammals, birds, reptiles, and amphibians)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Pursuant to Section 7 of the Endangered Species Act of 1973, as amended, the U.S. Army Corps of Engineers, Jacksonville District (USACE) evaluated the potential effects from implementation of the Recommended Plan to federally threatened and endangered (T&E) species that may occur in the project area. USACE determined the project would have no effect on federally listed T&E species potentially occurring in the project vicinity. No U.S. Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS) designated critical habitat (DCH) is located within the project footprint.

Temporary displacement of birds and other wildlife foraging or resting in the area may occur during construction due to noise and/or construction activities; however, these effects are expected to be minor and will cease with the completion of construction. Dewatering activities for installation of shotcrete may temporarily affect fish. These effects are expected to be temporary and minor as there is suitable habitat nearby for displaced species. Revetment construction would lethally affect infaunal resources within the revetment footprint; however, recolonization of the rock by nearby communities is expected to occur quickly.

c. Special Aquatic Site (40 CFR §§ 230.40-230.45) (Subpart E)

	N/A	Not Significant	Significant
(1) Sanctuaries and refuges	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) Wetlands	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(3) Mud flats	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) Vegetated shallows	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5) Coral reefs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(6) Riffle and pool complexes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The USFWS National Wetlands Inventory (NWI) identifies the Matanzas River as “Estuarine and Marine Deepwater”. Two areas seaward of and adjacent to the seawall are identified as “Estuarine and Marine Wetland”. The area at the north end of the seawall contains a small mangrove stand and grasses. The area at the southern end of the seawall, located just north of the JAG building, contains sparse amounts of mangroves and grasses. Both of these areas are exposed at low tide and covered by water at high tide. The project will have no effect on wetlands.

d. Human Use Characteristics (40 CFR §§ 230.50-230.54) (Subpart F)

	N/A	Not Significant	Significant
(1) Effects on municipal and private water supplies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) Recreational and Commercial fisheries impacts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) Effects on water-related recreation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) Aesthetic impacts	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(5) Effects on parks, national and historical monuments, national seashores, wilderness areas, research sites, and similar preserves	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Installation of shotcrete and the revetment would result in a permanent change to the project site’s southeast corner aesthetics, which may be more noticeable at low tide than at high tide. USACE has determined that repairs and improvements to the St. Francis Barracks seawall may have an adverse effect on cultural resources potentially eligible for inclusion in the National Register of Historic Properties (NRHP). A cultural resources assessment is necessary to identify and evaluate such resources and determine the effects of the Recommended Plan on historic properties. USACE is executing a Programmatic Agreement with the State Historic Preservation Officer (SHPO) to outline the process in which the USACE will consult with SHPO to avoid, minimize, and mitigate adverse effects to historic resources.

2. Evaluation of Dredged or Fill Material (40 CFR § 230.60) (Subpart G)

- a. The following information has been considered in evaluating the biological availability of possible contaminants in dredged or fill material. **(Check only those appropriate)**

- (1) Physical characteristics
- (2) Hydrography in relation to known or anticipated sources of contaminants
- (3) Results from previous testing of the material in the vicinity of the project
- (4) Known, significant, sources of persistent pesticides from land runoff or percolation
- (5) Spill records for petroleum products or designated (Section 311 of CWA) hazardous substances
- (6) Other public records of significant introduction of contaminants from industries, municipalities or other sources
- (7) Known existence of substantial material deposits of substances which could be released in harmful quantities to the aquatic environment by man-induced discharge
- (8) Other sources (specify)

Dredging is not a component of this project. Flowable fill, topsoil, and sod will be used for backfill. 2.5-ft diameter stone and bedding stone will be used for the revetment. Using the Florida Department of Environmental Protection's (FDEP) Map Direct tool, a search for contamination sites was conducted in the project area. The Map Direct tool lists one petroleum site; an underground storage tank, at the Florida National Guard. Other petroleum sites and waste sites (i.e. gas stations, convenience stores, dry cleaners, etc.) are listed as sources of hazardous wastes within approximately 1 mile of the project area. No brownfields or superfund sites were located in the project vicinity.

- b. An evaluation of the appropriate information in 2a above indicated that there is reason to believe the proposed dredged or fill material is not a carrier of contaminants, of that levels of contaminants are substantively similar at extraction and disposal sites and not likely to exceed constraints. The material meets the testing exclusion criteria.

YES NO

3. Disposal Site Delineation (40 CFR § 230.11(f))

a. If applicable, the following factors, as appropriate, have been considered in evaluating the disposal site.

- (1) Depth of water at disposal site
- (2) Current velocity, direction, and variability at disposal site
- (3) Degree of turbulence
- (4) Water volume stratification
- (5) Discharge vessel speed and direction
- (6) Rate of discharge
- (7) Dredged material characteristics (constituents, amount, and type of material, settling velocities)
- (8) Number of discharges per unit of time
- (9) Other factors affecting rates and patterns of mixing (specify)

Dredging and dredged material disposal are not components of the project; therefore, this section is not applicable to this project.

b. An evaluation of the appropriate factors in 4a above indicates that the disposal site and/or size of mixing zone are acceptable.

YES NO

4. Actions to Minimize Adverse Effects (40 CFR §§ 230.70-230.77)(Subpart H)

All appropriate and practicable steps have been taken, through application of recommendation of Section 230.70-230.77 to ensure minimal adverse effects of the proposed discharge or fill.

YES NO

5. Factual Determination (40 CFR § 230.11)

A review of appropriate information as identified in items 2-5 above indicates that there is minimal potential for short or long-term environmental effects of the proposed discharge or fill as related to:

- a. Physical substrate at the disposal or fill site (review sections 2a, 3, 4, & 5)
- b. Water circulation, fluctuation & salinity (review sections 2a 3, 4, & 5)
- c. Suspended particulates/turbidity (review sections 2a, 3, 4, & 5)
- d. Contaminant availability (review sections 2a, 3, & 4)
- e. Aquatic ecosystem structure and function (review sections 2b, c; 3, & 5)
- f. Disposal or fill site (review sections 2, 4, & 5)
- g. Cumulative impact on the aquatic ecosystem
- h. Secondary impacts on the aquatic ecosystem

6. Review of Compliance (40 CFR § 230.10(a)-(d) (Subpart B)

A review of the permit application indicates that:

- a. The discharge or fill represents the least environmentally damaging practicable alternative and if in a special aquatic site, the activity associated with the discharge or fill must have direct access or proximity to, or be located in the aquatic ecosystem to fulfill its basic purpose (if no, see section 2 and information gathered for EA alternative); YES NO
- b. The activity does not appear to 1) violate applicable state water quality standards or effluent standards prohibited under Section 307 of the CWA; 2) jeopardize the existence of Federally designated marine sanctuary (if no, see section 2b and check responses from resource and water quality certifying agencies); YES NO
- c. The activity will not cause or contribute to significant degradation of waters of the U.S. including adverse effects on human health, life stages of organisms dependent on the aquatic ecosystem, ecosystem diversity, productivity and stability, and recreational, aesthetic, and economic values (if no, see section 2); YES NO
- d. Appropriate and practicable steps have been taken to minimize potential adverse impacts of the discharge or fill on the aquatic ecosystem (if no, see section 5); YES NO

7. Findings

- a. The proposed location of fill or disposal site for discharge of dredged material complies with the Section 404 (b)(1) guidelines
- b. The proposed location of fill or disposal site for discharge of dredged material complies with the Section 404(b)(1) guidelines with the inclusion of the following conditions:

c. The proposed location of fill or disposal site for discharge of dredged material does not comply with the Section 404(b)(1) guidelines for the following reason(s):

- (1) There is a less damaging practicable alternative
- (2) The proposed discharge or fill will result in significant degradation of the aquatic ecosystem
- (3) The proposed discharge or fill does not include all practicable and appropriate measures to minimize potential harm to the aquatic ecosystem

APPENDIX D: ENVIRONMENTAL

D-3

Public and Agency Project Comments and USACE Responses

Integrated Feasibility Report/Environmental Assessment
St. Francis Barracks Seawall Shoreline Erosion Protection Study
Continuing Authorities Program (CAP) Section 14



US Army Corps of Engineers
JACKSONVILLE DISTRICT

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This appendix will be updated following the 30-day public and agency review and comment period.