AUGUST 2019

# ENVIRONMENTAL ASSESSMENT

# OPERATION AND MAINTENANCE DREDGING AND DREDGED MATERIAL PLACEMENT FOR THE SOUTH CHANNEL EXTENSION OF THE MANATEE HARBOR FLORIDA NAVIGATION PROJECT AT PORT MANATEE, FLORIDA

US Army Corps of Engineers
JACKSONVILLE DISTRICT

# TABLE OF CONTENTS

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# FINDING OF NO SIGNIFICANT IMPACT

# ENVIRONMENTAL ASSESSMENT FOR OPERATION AND MAINTENANCE DREDGING AND DREDGED MATERIAL PLACEMENT FOR THE SOUTH CHANNEL EXTENSION OF THE MANATEE HARBOR, FLORIDA NAVIGATION PROJECT AT PORT MANATEE, FLORIDA

1. The U.S. Army Corps of Engineers, Jacksonville District (Corps) has prepared an environmental assessment (EA) in accordance with the National Environmental Policy Act of 1969, as amended (NEPA), dated August 2019, for the operation and maintenance (O&M) dredging and dredged material placement of the south channel extension of the Manatee Harbor Florida Navigation Project at Port Manatee, Florida.

2. The Preferred Alternative's proposed work consists of the inclusion of the south channel extension into the continued O&M dredging of the entrance channel and turning basin and the associated dredged material placement into the Manatee Harbor Dredged Material Management Area (DMMA). The Manatee Harbor Florida Navigation Project was authorized through the Water Resources Development Act (WRDA) of 1986, which was further modified by later WRDAs and the 2004 Energy and Water Appropriation Act. The navigation project was constructed in three phases:

a. Phase I: Completed in 1997 and consisted of construction of the entrance channel;

b. Phase II: Completed in late 2005 and consisted of widening of the Manatee Harbor entrance channel, expansion of the turning basin, and modifications to the upland placement site;

c. Phase III: Completed in 2012 and consisted of construction of the south channel extension.

3. Dredging of the Manatee Harbor Florida Navigation Project occurs on both a four to five year cycle for O&M or on an "as needed" basis for the emergency removal of shoals. An estimated 330,000 cubic yards (CY) of mixed sand, silt, clay, limestone, and mud could be removed to maintain an authorized depth of 40 feet mean lower low water

(plus one foot allowable overdepth).

4. Details on the final recommendation is contained in the EA and is incorporated herein by reference. The Corps evaluated a final array of three placement option alternatives, including the "No Action" and Preferred Alternative, with varying levels of benefits and costs.

5. The Corps incorporated all practicable means to avoid and minimize adverse environmental effects into the recommended plan. The Corps will implement the environmental commitments as detailed in the EA to minimize impacts.

6. The project has two components implicated pursuant to Section 7 of the Endangered Species Act of 1973, as amended (ESA): O&M dredging and placement of dredged material into the existing Manatee Harbor DMMA. The dredging component of the project has been coordinated with National Marine Fisheries Service (NMFS) through the Gulf Regional Biological Opinion dated 19 November 2003, as amended. No effects to federally listed threatened and endangered species under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction are expected from placement activities. The Corps has determined that O&M dredging may affect but is not likely to adversely affect the West Indian (Florida) manatee. The USFWS 2011 Standard Manatee Conditions for In-Water Work will be included in the project plans and specifications and will be implemented by the contractor during in-water work. Applicable terms and conditions resulting from the ESA consultation will be implemented. Pertinent correspondence is found in Appendix A.

7. Pursuant to the Coastal Zone Management Act (CZMA) the Corps has determined that the project is consistent to the maximum extent practicable with the enforceable policies of Florida's approved Coastal Zone Management Program. Maintenance dredging and placement into an upland site meets the requirements for exemption from state water quality permitting under Section 403.813, Florida Statutes. An exemption verification was received from the state of Florida on 8 April 2019. This project's exempted activities are deemed to be consistent with the State of Florida's Coastal Management Program under the CZMA, as verified by the State of Florida in written correspondence (email dated 12 July 2019). The project will be conducted in a manner that meets state water quality standards per Chapter 62-302, State of Florida, Florida Department of Environmental Protection.

8. The Corps prepared this EA consistent with the 2 October 2018 guidance provided by the NMFS Southeast Regional Office regarding coordination of Essential Fish Habitat (EFH) consultation requirements with NEPA. The Corps has determined that the project would have temporary effects to EFH through turbidity in the water column. Applicable terms and conditions resulting from the EFH consultation will be implemented. Pertinent correspondence is found in Appendix A.

9. O&M dredging and placement of dredged materials into Manatee Harbor DMMA was previously coordinated with the Florida State Historic Preservation Officer (SHPO) and appropriate federally-recognized tribes. The Corps has determined that maintenance dredging of the south extension channel poses no effect to historic properties eligible or potentially eligible for listing in the National Register of Historic Places.

10. This EA evaluates the action for the Corps to maintenance dredge, and continue to maintain, the south access channel extension. The action was previously reviewed by Corps Regulatory Division for a Department of Army permit to conduct the exact effects described and considered in this FONSI. As the Corps has already determined the action would not significantly affect the human environment and signed a FONSI, Corps Civil Works will execute the FONSI and then disclose the decision for public consumption. The Corps understands if substantive comments are received post FONSI execution, a re-evaluation of NEPA may be warranted.

11. The Corps considered all applicable laws, executive orders, and regulations in the evaluation of the alternatives. Based on this EA, previous reports, the reviews by other Federal, State and local agencies, and the review by my staff, it is my determination that the Preferred Alternative would not significantly affect the human environment; therefore, preparation of an Environmental Impact Statement is not required.

KELLY.ANDREW.DONALD.JR.1025510875 Digitally signed by KELLY.ANDREW.DONALD.JR.1025510875 Date: 2019.09.05 08:46:33 -04'00'

Date

ANDREW D. KELLY, JR.
COL, EN
Commanding

## LIST OF APPENDICES



## LIST OF FIGURES



## LIST OF TABLES

# ENVIRONMENTAL ASSESSMENT

# OPERATION AND MAINTENANCE DREDGING AND DREDGED MATERIAL PLACEMENT FOR MANATEE HARBOR FLORIDA NAVIGATION PROJECT IN PORT MANATEE, FLORIDA

# 1 PROJECT PURPOSE AND NEED

## 1.1 PROJECT DESCRIPTION

The U.S. Army Corps of Engineers, Jacksonville District (Corps), proposes to continue to periodically maintenance dredge the Manatee Harbor Florida Navigation Project at Port Manatee, Florida with the non-federal sponsor (NFS), Manatee Port Authority, consistent with the Council on Environmental Quality (CEQ) regulations that define federal actions to include those actions "subject to Federal control and responsibility" (40 CFR 1508.18).

Manatee Harbor is located on Florida's west central Gulf Coast within the greater Tampa Harbor area and is the closest U.S. port to the Panama Canal. The Federal navigation project is within the southern portion of the Tampa Bay Estuary in Manatee County, just south of the Hillsborough County line, and in between two designated Aquatic Preserves, Cockroach Bay Aquatic Preserve to the north and Terra Ceia Aquatic Preserve to the south. The Port Manatee channel extends northeast from the terminal facilities and intersects the main Tampa Bay channel just east of the Sunshine Skyway Bridge (*see* **Figures 1** and **2**).

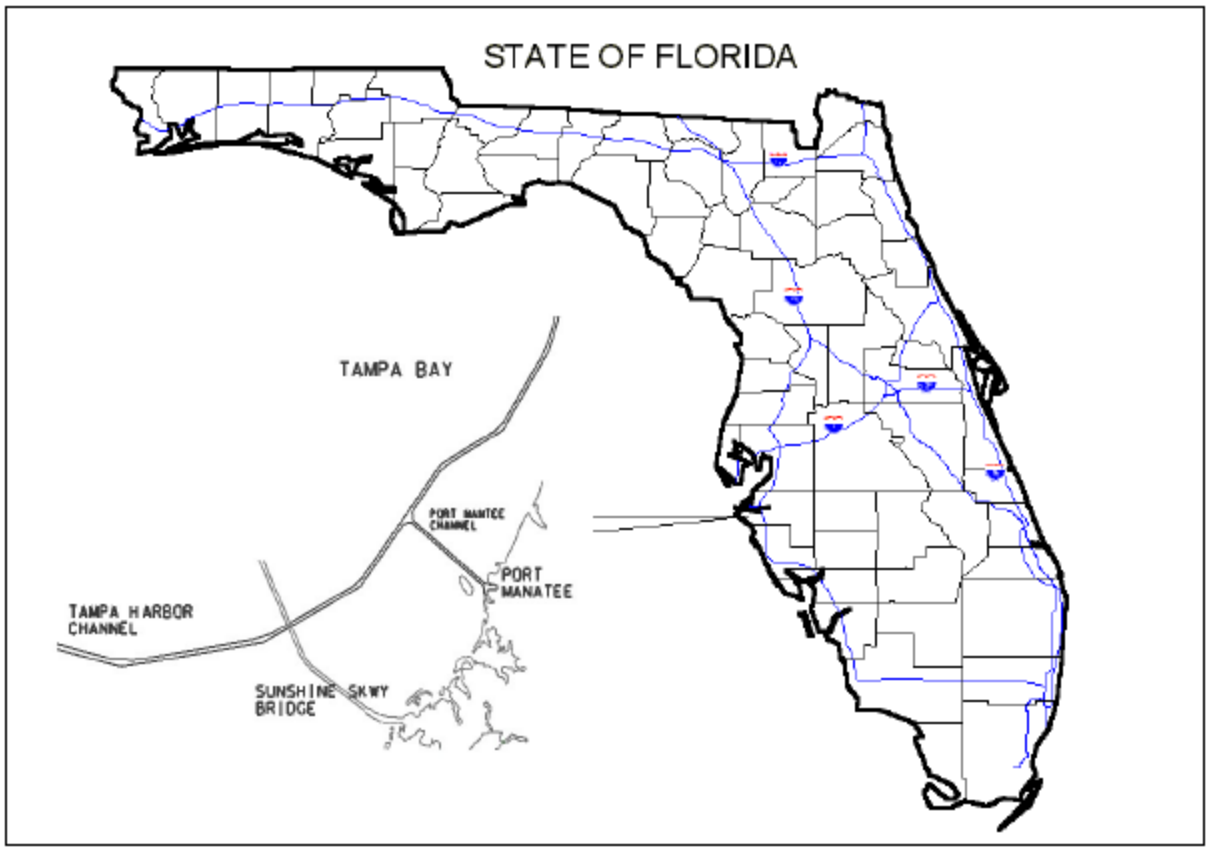


**Figure 1. Manatee Harbor Florida Navigation Project vicinity map.**
(SOURCE: Corps 2018)

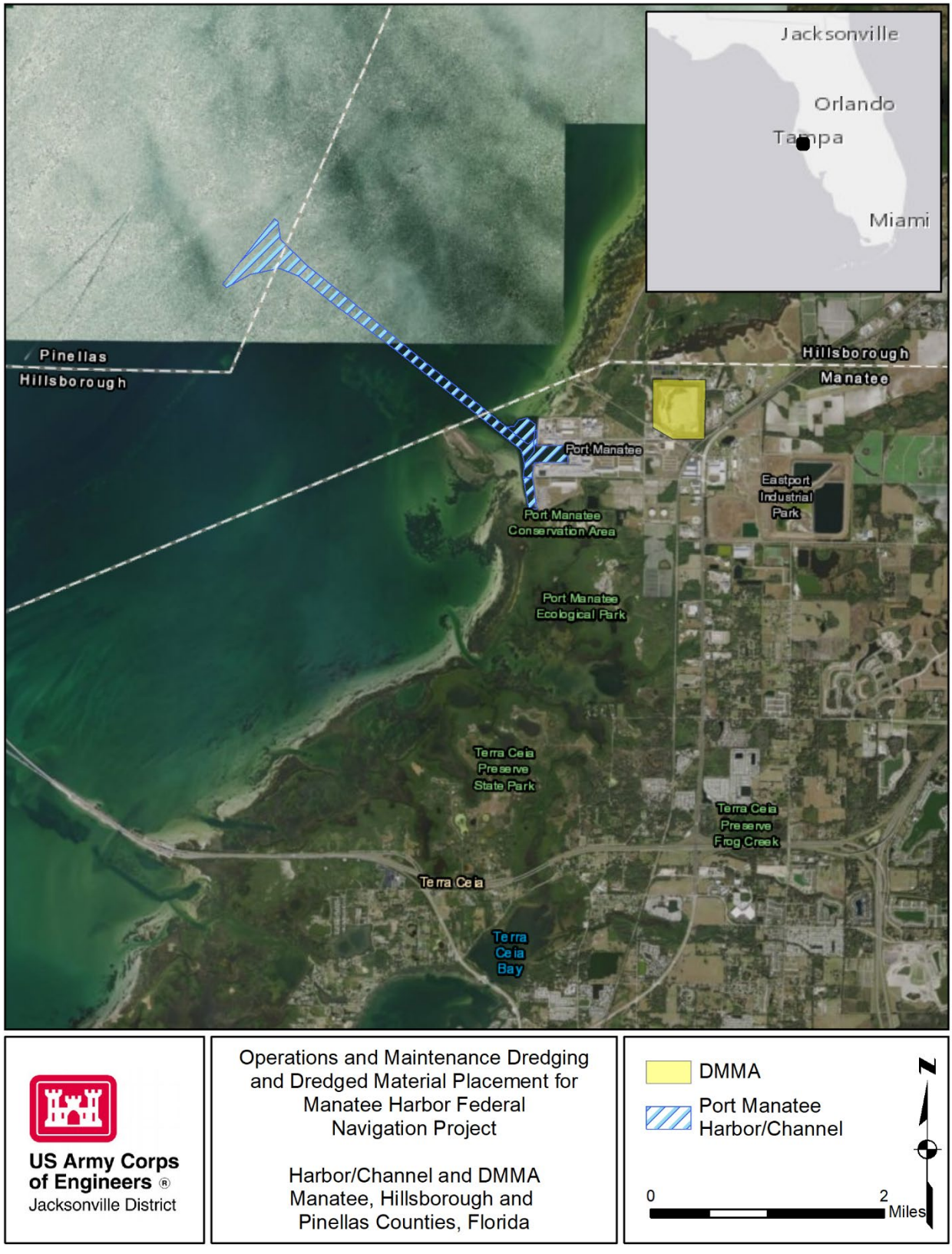


**Figure 2. Manatee Harbor Florida Navigation Project location.**

The proposed work consists of routine operation and maintenance (O&M) dredging, which occurs on both a four to five year cycle or on an as-needed basis for the emergency removal of shoals. O&M dredging could remove up to an estimated 330,000 cubic yards (CY) of mixed sand, silt, clay, limestone, and mud from the Manatee Harbor Florida Navigation Project to maintain an authorized depth of 40 feet mean lower low water (MLLW) (plus one foot allowable overdepth). The Manatee Harbor Florida Navigation Project was constructed in the following phases:

- Phase I: Construction of the entrance channel, which was completed in 1997.
- Phase II: Completed in late 2005 and consisted of widening of the Manatee Harbor entrance channel, expansion of the turning basin, and modifications to the upland placement site.
- Phase III: Construction of the south channel extension, which was completed in 2013 by the NFS.

The entrance channel is approximately 400 feet wide and extends approximately 15,850 feet in length from the turning basin to its intersection with the Tampa Harbor Main Channel. The existing turning basin is an estimated 900 feet by 1,300 feet in size. The south channel extension is approximately 275 feet wide and approximately 1,584 feet long.

A more detailed description of the project can be found in the 2003 Manatee Harbor Limited Reevaluation Report (LRR), 2002 Environmental Assessment (EA), and 2018 Manatee Harbor Phase III Integral Determination Report (IDR) and Section 156 Reimbursement Report.

### 1.1.1 PHASE III: SOUTH CHANNEL EXTENSION

The Manatee Harbor Phase III Section 156 Reimbursement Report (included in Appendix D) includes evaluation of Phase III, south channel extension, to determine the Federal and non-federal costs, including Federal width/depth/length of the channel and the non-federal berthing areas. The south channel extension was authorized in Section 156 of the Energy and Water Development Appropriations Act, 2004, Public Law 108-137, and amended in Section 126 of the Consolidated Appropriations Act, 2008, Public Law 110-161. The NFS constructed the south channel extension under this authority in 2011 to 2013. The south channel extension was approved as integral to the project by U.S. Army Corps of Engineers, South Atlantic Division (SAD) on April 10, 2019. Per the Section 156 authorization, as amended, and per the approval by SAD, the south channel extension is eligible for reimbursement or credit and is included in the Manatee Harbor Federal Channel for future maintenance of the harbor. This EA is prepared in anticipation of executing an agreement with the NFS for Federal assumption of O&M responsibility of the south channel extension.

## 1.2 PROJECT AUTHORITY

The construction of the Manatee Harbor Florida Navigation Project at Port Manatee, Florida was authorized by Section 202 of the Water Resources Development Act of 1986, Public Law 99-662, by Section 102(j) of the Water Resources Development Act of 1990, Public Law 101-640, and by Section 156 of the Energy and Water Development

Appropriations Act, 2004, Public Law 108-137, as amended by Section 126 of the Consolidated Appropriations Act, 2008, Public Law 110-161.

## 1.3 PROJECT NEED OR OPPORTUNITY

The purpose of the O&M of the Manatee Harbor Florida navigation project is to continue to maintain safe and efficient vessel navigation. The accumulation of sediment, commonly referred to as shoaling, within the limits of the Federal channel created the need to complete this project. The shoaling has reduced channel depths, hindering safe, efficient vessel navigation. Periodic dredging and dredged material placement is required to remove accumulated sediments and thus maintain the channel to its federally authorized dimensions.

The 2002 EA evaluated periodic operation and maintenance (O&M) dredging for Phase I and Phase II of the project. This 2019 Environmental Assessment (EA) evaluates the periodic O&M dredging of Phase III, the south channel extension, of the Manatee Harbor Florida navigation project at Port Manatee, and placement of dredged material in several different potential placement locations, depending on the quality and quantity of the dredged material, placement site capacity, and funding. The 2019 EA adopts the analysis conducted in the 2002 EA where the information is valid and applicable to this evaluation. This EA also completes the required analysis under National Environmental Policy Act (NEPA).

## 1.4 RELATED ENVIRONMENTAL DOCUMENTS

Related design and planning reports for the Manatee Harbor project includes the following documents. Documents denoted with an asterisk are available on the Corps' environmental website, under Manatee County, at the following link:

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

(On that page, click on the "+" next to "Manatee" and scroll down to the project name.) Other documents listed here are available by request.

- Feasibility Report and Environmental Impact Statement (EIS). Corps, January 29, 1979.
- Manatee Harbor, Florida Chief of Engineers' Report. Corps, May 2, 1980.
- General Design Memorandum. Corps, 1983.
- Manatee Harbor, Florida Navigation Study General Design Memorandum Supplement 1. Environmental Assessment (EA) and Finding of No Significant Impact (FONSI). Corps, April 3, 1992.
- Department of the Army (DOA) Individual Permit #199801210. Statement of Findings. Corps, Regulatory Division. February 22, 2001.
- Engineering Design Report (EDR) and Environmental Assessment (EA) for Phase II. Corps, August 5, 2002.
- Manatee Harbor LRR and EA. Corps, May 2003.
- Manatee Harbor General Reevaluation Report and EA. Corps, August 2004.

- Manatee Harbor Regional Sediment Management (RSM) Implementation Report. Corps, March 2, 2018.
- Manatee Harbor Phase III IDR and Section 156 Reimbursement Report. Corps, August 2018.

## 1.5 DECISIONS TO BE MADE

This document evaluates whether the O&M dredging of the south channel extension of the Manatee Harbor Florida Navigation Project will result in significant effects on the human environment. The need for mitigation measures or best management practices (BMPs) to reduce any potentially adverse effects will be determined based upon the analysis contained within this EA.

This document includes discussion of public interest, effects to the quality of the human environment, and potential needs for compensatory mitigation with respect to the alternatives described in Section 2. Chapter 4 includes discussion of the effects of the Preferred Alternative. The Corps and its contractors commit to avoiding and minimizing adverse effects during construction activities. Environmental commitments, as discussed in Chapter 6, will be included in the contract specifications.

## 1.6 SCOPING AND ISSUES

### 1.6.1 RELEVANT ISSUES

The Corps identified the following issues as relevant to the Preferred Alternative and appropriate for further evaluation: vegetation, wetlands, endangered and threatened species, hardbottoms, fish and wildlife resources, essential fish habitat (EFH), coastal barrier resource systems (CBRS), water quality, hazardous, toxic, and radioactive waste (HTRW), air quality, noise, aesthetic resources, recreation resources, socio-economic resources, navigation, Native American resources, cultural resources, unavoidable adverse environmental effects, and cumulative effects. The Corps analyzed many of these issues in the 2002 EA for O&M dredging of the entrance channel and turning basin as well as the associated dredged material placement in the existing Manatee Harbor Dredged Material Management Area (DMMA). The analysis in the 2002 EA is incorporated by reference to this document.

### 1.6.2 ISSUES ELIMINATED FROM FURTHER ANALYSIS

No issues were identified for elimination.

## 1.7 WATER QUALITY CERTIFICATION AND COASTAL ZONE MANAGEMENT ACT (CZMA) FEDERAL CONSISTENCY DETERMINATION (FCD) CONCURRENCE

The construction of the project's three phases (e.g. entrance channel, turning basin, and south channel extension) and O&M dredging events for the entrance channel and turning basin were evaluated via the 1999 DOA individual permit #199801210 and Florida Department of Environmental Protection (FDEP) permit #0129291-001-EC. In compliance with the Clean Water Act of 1972, as amended, (CWA), a Section 404(b) (1) Guidelines evaluation has been completed and is included in the Environmental Appendix C. Pursuant to the Coastal Zone Management Act (CZMA) the Corps has determined that the project is consistent to the maximum extent practicable with the enforceable

policies of Florida's approved Coastal Zone Management Program. Maintenance dredging and placement into an upland site meets the requirements for exemption from state water quality permitting under Section 403.813, Florida Statutes. An exemption verification was received from the state of Florida on April 8, 2019. This project's exempted activities are deemed to be consistent with the State of Florida's Coastal Management Program under the CZMA, as verified by the State of Florida in written correspondence (email dated July 12, 2019). The project will be conducted in a manner that meets state water quality standards per Chapter 62-302, State of Florida, Florida Department of Environmental Protection.

## 1.8 PUBLIC INTEREST FACTORS

While the Corps does not process and issue permits for its own activities, pursuant to 33 C.F.R. 336.1, the Corps meets all applicable substantive legal requirements, including public notice, and opportunity for public hearing where its activities result in regulated discharges. As part of its review, the Corps evaluates potential effects, including cumulative effects, of the proposed activity and its intended use and/or effect on public interest. All factors which may be relevant to the proposal must be considered including the cumulative effects thereof. These factors may include:

- Economics;
- Aesthetics;
- General Environmental Concerns;
- Historic Properties;
- Fish and Wildlife Values;
- Navigation;
- Recreation;
- Water Quality;
- Wetlands;
- Shore Erosion and Accretion;
- Energy Needs;
- Mineral Needs;
- Safety;
- Consideration of Property Ownership;
- Needs and Welfare of the People.

The following factors were considered, but were determined to be not applicable to this project:

- Conservation;
- Flood Hazards;
- Flood Plain Values;
- Land Use;
- Water Supply and Conservation;
- Food and Fiber Production;

The proposed action will result in short term adverse effects to aesthetics, fish and wildlife, recreation, safety, and water quality. These short term adverse effects will cease with the completion of construction. Long-term beneficial effects associated with the action are expected to shore erosion and accretion, fish and wildlife, recreation, navigation, safety, and needs and welfare of the people. These long term benefits would be expected to remain for years following construction.

Based on the analysis provided in Section 4 of this EA, the Corps concludes that the proposed activity is in the public interest.

# 2 ALTERNATIVES

The alternatives section describes the No Action Alternative, the Preferred Alternative, and other reasonable alternatives that were evaluated. Section 4 (Environmental Effects) compares the alternatives and placement options in more detail, providing a clear basis for choice to the decision maker and the public. The project's Preferred Alternative best meets the project objectives and constraints, has the least environmental concerns, and is economically justified. Including the "No Action" and Preferred Alternative, which are described in sections 2.1 and 2.2 below, the Corps evaluated a final array of three placement option alternatives with varying levels of benefits and costs.

## 2.1 NO ACTION ALTERNATIVE

NEPA regulations refer to the No Action Alternative as the continuation of existing conditions of the affected environment without implementation of, or in the absence of, the Preferred Alternative. 40 C.F.R. §6.205 requires an agency to assess the No Action Alternative in an EA. Under this alternative, the Manatee Harbor south channel extension (Phase III) would not be subject to periodic Federal O&M events. The Federal channel would likely continue to experience shoaling rates and result in continued reduction of operational depths. The channel would eventually reach hydrodynamic equilibrium, eliminating the benefits of the waterway, as it would be expected that shoaling would create a hazard to safe navigation and cause a potential human health and safety issue.

## 2.2 ALTERNATIVE 1 (PREFERRED ALTERNATIVE) – O&M DREDGING WITH DREDGED MATERIAL PLACEMENT OPTIONS

One component of the Preferred Alternative, Alternative 1, is to conduct periodic maintenance dredging of the Manatee Harbor Florida Navigation Project via hydraulic or mechanical dredge on a four to five year cycle or as needed for emergency removal of shoals. Additional information on the O&M dredging can be found in the 2002 EA, 2004 GRR and EA, and the 2018 IDR. The second component of the Preferred Alternative includes the placement of dredged material. In order to determine which placement option(s) will be used, the following factors are considered: available funds, location and CY of sediments to be dredged, placement site capacity, authorizations/approvals, and location(s) in relationship to the dredging location(s). The following placement options considered for Alternative 1 are summarized below:

**<u>PLACEMENT OPTION A (PREFERRED ALTERNATIVE PLACEMENT OPTION)</u>: PLACEMENT OF O&M DREDGED MATERIAL IN THE MANATEE HARBOR DMMA**

Placement of dredged material from the construction of the project's Phase III and O&M dredged material from the entrance channel and turning basin have been historically placed in the existing Manatee Harbor DMMA. Although the DMMA is nearing capacity, dredged material from the upcoming cycle, including the south channel extension O&M, will be placed into the DMMA.

**<u>PLACEMENT OPTION B:</u> OFFLOADING OF MANATEE HARBOR DMMA SEDIMENTS TO WASHINGTON PARK AND PLACEMENT OF O&M DREDGED MATERIAL IN THE**

**MANATEE HARBOR DMMA**

Placement of dredged material from the construction of the project's Phase III and O&M dredged material from the entrance channel and turning basin have been historically placed in the existing Manatee Harbor DMMA. Due to the DMMA's limited storage capacity, the Corps would excavate, truck haul, and offload material from the Manatee Harbor DMMA to Washington Park[1]. Washington Park, which is owned by Manatee County, is located approximately 8 miles from the existing DMMA. While this option is feasible, Manatee County would need to obtain a Department of Army permit for impacts to wetlands. Should the County obtain this permit, the placement option may be viable in future cycles and may require further NEPA analysis as part of the permitting process through the Department of Army Regulatory program. This option is not selected as the preferred placement option at this time as it does not align well with the project's need to dredge; therefore, this placement option is not part of the Preferred Alternative.

**PLACEMENT OPTION C: MULTIPLE DREDGE HOLE LOCATIONS WITHIN THE TAMPA BAY ESTUARY**

Through ongoing efforts, the Tampa Bay Estuary Program (TBEP) and other stakeholders will identify holes that are devoid of oxygen (anoxic) or otherwise limited in their habitat value and coordinate restoration by filling the hole to surrounding bay bottom depths. Restoration in this area would allow for natural colonization and/or the planting of seagrasses at the newly filled sites. If this option is selected in future dredge cycles, additional details, such as evaluation on the effects of harvesting seagrasses, identification of who would conduct the plantings, and coordination with pertinent agencies, would need to be considered. This placement option is described in more detail within the Manatee Harbor RSM Implementation Report, found in Appendix D, which is available on the Corps' environmental website, under Manatee County. While this option is feasible, the time required to perform the additional analysis does not align well with the project's need to dredge; therefore, this placement option is not part of the Preferred Alternative.

**PLACEMENT OPTION D: EGMONT KEY NEARSHORE PLACEMENT**

O&M material from the Gulf Intracoastal Waterway Federal Navigation Project was placed in the nearshore region of Egmont Key in 2012. Because Egmont Key experiences significant erosion, the Corps coordinated with agencies to allow for the placement of sediments that exceeded the criteria outlined in state regulations as part of the Gulf Intracoastal Waterway Federal Navigation Project. It is reasonable to assume that FDEP may make similar allowances for material from Manatee Harbor. Coordination on sediment suitability and permitting would be needed. This placement option is described

[1] Manatee County plans to fill the wetland pits in Washington Park with the offloaded material and complete additional earth work to create an educational/public interest amenity with wetland habitat restoration and enhancement proposed with passive recreational uses. Creation of the park to its full construction template will require use of roughly 1,000,000 CY of material. Offloading is a guaranteed alternative for creating capacity in the Manatee Harbor DMMA and the use of offloaded material to create the planned park could result in a number of benefits (e.g. positive environmental, community, and social effects, increased real estate values, etc.). Any mitigation necessary as a result of Manatee County filling wetlands in Washington Park would be the responsibility of the County and would be coordinated with the appropriate regulatory agencies.

in more detail within the Manatee Harbor RSM Implementation Report, found in Appendix D, which is available on the Corps' environmental website, under Manatee County. While this option is feasible, the time required to perform the additional analysis does not align well with the project's need to dredge; therefore, this placement option is not part of the Preferred Alternative.

## 2.3 ISSUES AND BASIS FOR CHOICE

**Table 1** lists factors considered in the alternatives comparison process and provides an evaluation of the major features and consequences of the No Action Alternative, O&M dredging alternative, and each placement option in comparison to one another.

The No Action Alternative would not meet the navigation mission. It is carried forward as a basis for comparison against the preferred alternative. Although Placement Option B is feasible, Manatee County would need to obtain a Department of Army permit for impacts to wetlands. Should the County obtain this permit, the placement option may be viable in future cycles and may require further NEPA analysis as part of the permitting process. This option is not selected as the preferred placement option at this time as it does not align well with the project's need to dredge; therefore, this placement option is not carried forward as part of the Preferred Alternative. Placement Options C and D are not carried forward as part of the preferred plan due to the need for additional surveys, evaluations, and coordination with resource agencies. These items (e.g. cultural resource surveys, effects on seagrass harvesting, sediment suitability analysis) are necessary to fully assess effects on potential resources in the area. These placement options, while feasible, do not align well with the project's need to dredge to reduce the risks associated with shoaling of the channel and maintain open and safe navigation.

Alternative 1A, O&M dredging with placement of O&M dredged material in the Manatee Harbor DMMA, is carried forward as the Preferred Alternative as it meets the navigation mission and need for dredging. Additionally, Alternative 1A is the least cost, environmentally acceptable alternative. In consideration of applicable factors listed in 33 CFR section 320.4, the Corps has determined this proposed plan is not contrary to public interest and is therefore, carried forward as the Preferred Alternative.

**Table 1. Comparison of alternatives.**

| Environmental Consideration | No Action Alternative | Alternative1: O&M Dredging | Placement Option A: Manatee Harbor DMMA | Placement Option B: Washington Park | Placement Option C: Dredge Holes | Placement Option D: Egmont Key Nearshore |
|---|---|---|---|---|---|---|
| Vegetation | No effect. | No effect. | No effect. | Lethal affects to vegetation being buried, however, vegetation from neighboring areas would be expected to recolonize the area quickly. | Placement may restore and enhance available habitat for seagrasses, which would create habitat for associated invertebrates and provide additional foraging opportunities for marine wildlife. | No effect. |
| Wetlands | No effect. | No effect. | No effect. | Offloading activities would fill wetlands. Manatee County will use the offloaded sediments to fill existing pits and complete additional earthwork. The County will obtain a DA permit and complete required mitigation. | No effect. | No effect. |

| Environmental Consideration | No Action Alternative | Alternative1: O&M Dredging | Placement Option A: Manatee Harbor DMMA | Placement Option B: Washington Park | Placement Option C: Dredge Holes | Placement Option D: Egmont Key Nearshore |
|---|---|---|---|---|---|---|
| Threatened and Endangered Species | No effect. | O&M dredging may affect listed sea turtles, Gulf sturgeon, smalltooth sawfish, and the West Indian (Florida) manatee. Hopper dredging may adversely affect listed sea turtles and Gulf sturgeon. The use of hopper dredges is not likely to adversely affect smalltooth sawfish. Dredging with mechanical or cutterhead dredges may affect, but is not likely to adversely affect any of the previously listed species. Implementation of standard protection measures and terms and conditions (T&Cs) from the applicable Biological Opinions (BOs) would ensure that potential adverse effects to listed species are reduced to the maximum extent practicable. | No effect. | Offloading activities may affect the Eastern Indigo Snake. Implementation of standard protection measures would ensure that potential adverse effects are reduced to the maximum extent practicable. | Placement may affect sea turtles, Gulf sturgeon, smalltooth sawfish, and the West Indian (Florida) manatee. Implementation of standard protection measures and T&Cs from the applicable Biological Opinions (BOs) would ensure that potential adverse effects to listed species are reduced to the maximum extent practicable. Placement in and subsequent restoration of dredge holes may result in more seagrasses, which would benefit manatees. | Placement in the nearshore may affect sea turtles, Gulf sturgeon, smalltooth sawfish, and the West Indian (Florida) manatee. Implementation of standard protection measures and T&Cs from the applicable Biological Opinions (BOs) would ensure that potential adverse effects to listed species are reduced to the maximum extent practicable. |
| Hardbottoms | No effect. | No effect. | No effect. | No effect. | No effect. | No effect. |

| Environmental Consideration | No Action Alternative | Alternative1: O&M Dredging | Placement Option A: Manatee Harbor DMMA | Placement Option B: Washington Park | Placement Option C: Dredge Holes | Placement Option D: Egmont Key Nearshore |
|---|---|---|---|---|---|---|
| Other Fish and Wildlife Resources | Shoaling will increase the area available to macroinfaunal benthos already in the sediment. The number of benthic invertebrates may increase in proportion to the available substrate. Increased turbidity associated with vessel operations in a shoaled channel may also decrease ability of sight feeders to locate prey species. | Temporary increases in turbidity and sedimentation, removal and burial of benthic species, and displacement of fish and other marine wildlife due to noise and activity in the area. | Temporary displacement and noise related to use of heavy construction equipment during placement activities could disturb nesting and foraging birds and other wildlife. Return water from the DMMA may temporarily increase turbidity. However, these elevated turbidity levels would be limited to the duration of construction. | Temporary displacement and noise related to use of heavy construction equipment during offloading activities could disturb nesting and foraging birds and other wildlife. | Filling in of dredged holes may increase the amount of shallow water habitat in the bay system available for fish and wildlife usage. | Temporary displacement and noise related to use of heavy construction equipment during placement activities could disturb nesting and foraging birds and other wildlife. Nearshore placement may widen the emergent shoreline if sediments move onshore through wave action. A widened shoreline may provide more habitat for invertebrates and result in additional foraging opportunities for marine wildlife. |
| EFH | Shoaling may bury any non-motile organisms that have colonized inside the channel. Shoaling may also result in the colonization of the channel by seagrasses as the channel shallows and more light reaches the bottom of the channel. This would be a beneficial effect to seagrasses, both of which are designated as EFH. | Temporary increase in turbidity levels at the dredge areas during construction. No significant effects to seagrasses that may be in the project vicinity are expected to occur. | No effect. | No effect. | Temporary increase in turbidity levels at the placement site during construction. Filling of dredge holes may improve habitat for seagrasses, associated invertebrates, and provide additional foraging opportunities for marine wildlife. | Temporary increase in turbidity levels at the placement site during construction. |
| CBRS | No effect. | No effect. | No effect. | No effect. | No effect. | No effect. |

| Environmental Consideration | No Action Alternative | Alternative1: O&M Dredging | Placement Option A: Manatee Harbor DMMA | Placement Option B: Washington Park | Placement Option C: Dredge Holes | Placement Option D: Egmont Key Nearshore |
|---|---|---|---|---|---|---|
| Water Quality | Continued reduction of operational depths. Vessel transit through the shallow depths may stir up the shoaled sediments in the channel, resulting in increased turbidity. | Temporary increase in turbidity levels at the dredge areas during construction. | Temporary increase in turbidity levels at the upland dewatering sites. | No effect. | Temporary increase in turbidity levels at the placement sites during construction. | Same as Placement Option C. |
| HTRW | No effect. | No effect. | No effect. | No effect. | No effect. | No effect. |
| Air Quality | No effect. | Minor, temporary degradation of air quality will occur due to emissions from dredging operations. | Minor, temporary degradation of air quality will occur due to emissions from use of heavy equipment and placement operations. | Minor, temporary degradation of air quality will occur due to emissions from use of heavy equipment and truck haul and offloading operations. | Same as Placement Option A. | Same as Placement Option A. |
| Noise | No effect. | Temporary increase in the noise level in the project area would occur during dredging operations. | No effect. | Temporary increase in the noise level in the project area would occur during excavating, transporting, and offloading operations. | Temporary increase in the noise level in the project area would occur during placement operations. | Same as Placement Option C. |

| Environmental Consideration | No Action Alternative | Alternative1: O&M Dredging | Placement Option A: Manatee Harbor DMMA | Placement Option B: Washington Park | Placement Option C: Dredge Holes | Placement Option D: Egmont Key Nearshore |
|---|---|---|---|---|---|---|
| Aesthetic Resources | No effect. | Equipment used during dredging and operations will be visible during construction, which may be considered unsightly by members of the public, resulting in a temporary reduction in the aesthetic value in the construction area. | No effect. | Equipment used during truck haul and offloading operations will be visible during construction, which may be considered unsightly by members of the public, resulting in a temporary reduction in the aesthetic value in the construction area. Excavated sediments offloaded into Washington Park will be placed to specific elevations and grading. Future plans to convert Washington Park from low-grade wetlands into a public park will improve aesthetics. | Equipment used during placement operations will be visible during construction, which may be considered unsightly by members of the public, resulting in a temporary reduction in the aesthetic value in the construction area. | Same as Placement Option C. |
| Recreation Resources | No effect. | Minor, temporary restrictions in recreation (i.e. vessel traffic) during operations. | No effect. | No effect from offloading activities. Increase in recreational opportunities in the area following the creation of a public park with restored and enhanced wetlands. Manatee County would construct the park by filling the existing pits and completing additional earth work in Washington Park. | Minor, temporary restrictions in recreation (e.g. vessel traffic, fishing/swimming, etc.) during placement operations. | Same as Placement Option C. |

| Environmental Consideration | No Action Alternative | Alternative1: O&M Dredging | Placement Option A: Manatee Harbor DMMA | Placement Option B: Washington Park | Placement Option C: Dredge Holes | Placement Option D: Egmont Key Nearshore |
|---|---|---|---|---|---|---|
| Socio-Economic Resources | Continued reduction of operational depths may result in a loss of revenue due to decreased use of the port. | Continued use of the port, which will maintain economic benefits. | No effect. | Truck haul operations to transport excavated material from the Manatee Harbor DMMA to the proposed Washington Park site will increase traffic and road wear and tear from. | No effect. | No effect. |
| Navigation | Continued reduction of operational depths would result in decreased public safety for commercial and recreational vessels transiting the area. | Ensures safe navigation for the public. Operations may temporarily restrict vessel access/transit. | No effect. | No effect. | Placement and restoration activities may temporarily restrict vessel access/transit in this area. | Placement activities may temporarily restrict vessel access/transit in this area. |
| Native American Resources | No effect. | No effect. | No effect. | No effect. | All potentially significant anomalies within beneficial use sites would be avoided or buffered. Additional cultural resource surveys and consultation with SHPO and the appropriate federally-recognized tribes may be required. | No adverse effect to cultural resources, contingent on archaeological monitoring. Additional cultural resource surveys and consultation with SHPO and the appropriate federally-recognized tribes may be required. |

| Environmental Consideration | No Action Alternative | Alternative1: O&M Dredging | Placement Option A: Manatee Harbor DMMA | Placement Option B: Washington Park | Placement Option C: Dredge Holes | Placement Option D: Egmont Key Nearshore |
|---|---|---|---|---|---|---|
| Cultural Resources | No effect. | No effect. | No effect. | No effect. | All potentially significant anomalies within beneficial use sites would be avoided or buffered. Additional cultural resource surveys and consultation with SHPO and the appropriate federally-recognized tribes may be required. | No adverse effect to cultural resources, contingent on archaeological monitoring. Additional cultural resource surveys and consultation with SHPO and the appropriate federally-recognized tribes may be required. |

# 3 EXISTING ENVIRONMENT

The Existing Environment section describes the existing environmental resources of the areas that would be affected if any of the alternatives were implemented. This section describes only those environmental resources that are relevant to the decision to be made. It does not describe the entire existing environment, but only those environmental resources that will affect or that will be affected by the alternatives if they were implemented. This section, in conjunction with the description of the "No Action Alternative," forms the baseline conditions for determining the environmental effects of the reasonable alternatives.

## 3.1 SUMMARY OF THE EXISTING MANATEE HARBOR O&M PROJECT AND EXISTING UPLAND DMMA

A brief summary of existing conditions is included in this section; however, a full detailed analysis is provided within the 2002 EA and is hereby incorporated by reference within this EA. (The 2002 EA is included in Appendix D, which is available on the Corps' environmental website, under Manatee County.)

*Natural Setting (Vegetation, Wetlands, Endangered and Threatened Species, Hardbottoms, Fish and Wildlife Resources, EFH)*

Tampa Bay is the largest open-water estuary in Florida and home to a variety of habitats, such as seagrass meadows, tidal marshes, and mangrove stands. Seagrass beds are extremely productive and although turtlegrass (*Thallasia testudinum*) is the predominate species, multiple species can be found in the bay. Only two hardbottom communities on native limestone outcroppings have been located in Tampa Bay estuary. One is located in the central portion of Tampa Bay near Gandy Bridge. The other is located south of Bishop Harbor to Terra Ceia in the lower Tampa Bay (Corps 2002). Federally listed threatened and endangered species that may be present in or around the Manatee Harbor project area include Loggerhead sea turtles (*Caretta caretta*), Kemp's ridley sea turtles (*Lepidochelys kempii*), and/or green sea turtles (*Chelonia mydas*) as well as the West Indian (Florida) manatee (*Trichechus manatus latirostris*). Fish and other wildlife resources include migratory birds, invertebrates, demersal fishes, and infaunal and epifaunal species. The Bay area also supports recreational and commercial fisheries.

*Physical Setting (Coastal Barrier Resource Systems (CBRS), Water Quality, Hazardous, Toxic, and Radioactive Waste (HTRW), Air Quality, Noise)*

Waters surrounding Manatee Harbor are classified by the state of Florida as Class II Waters. Congress designated Tampa Bay Estuary an estuary of national significance in 1990. CBRS Unit FL-82 (Bishop Harbor) is located immediately south, but not within, the project's Federal channel (see **Figure 3**). The project and placement area is highly developed; therefore, hazardous waste sources such as gas stations, dry cleaners, etc., exist around the harbor and existing DMMA. The HTRW database review conducted as a part of the 2002 EA indicated that no contamination exists at Manatee Harbor or the existing DMMA. A review of the FDEP's resource mapper in November 2018 confirmed there are no superfund sites or brownfields around the harbor and existing DMMA.

Manatee County is considered as being in attainment with the National Ambient Air Quality Standards. Sources of noise within the project area include recreational activities (boating and fishing), commercial vessels transiting up and down the coast, and natural sounds from the physical and biological environment.

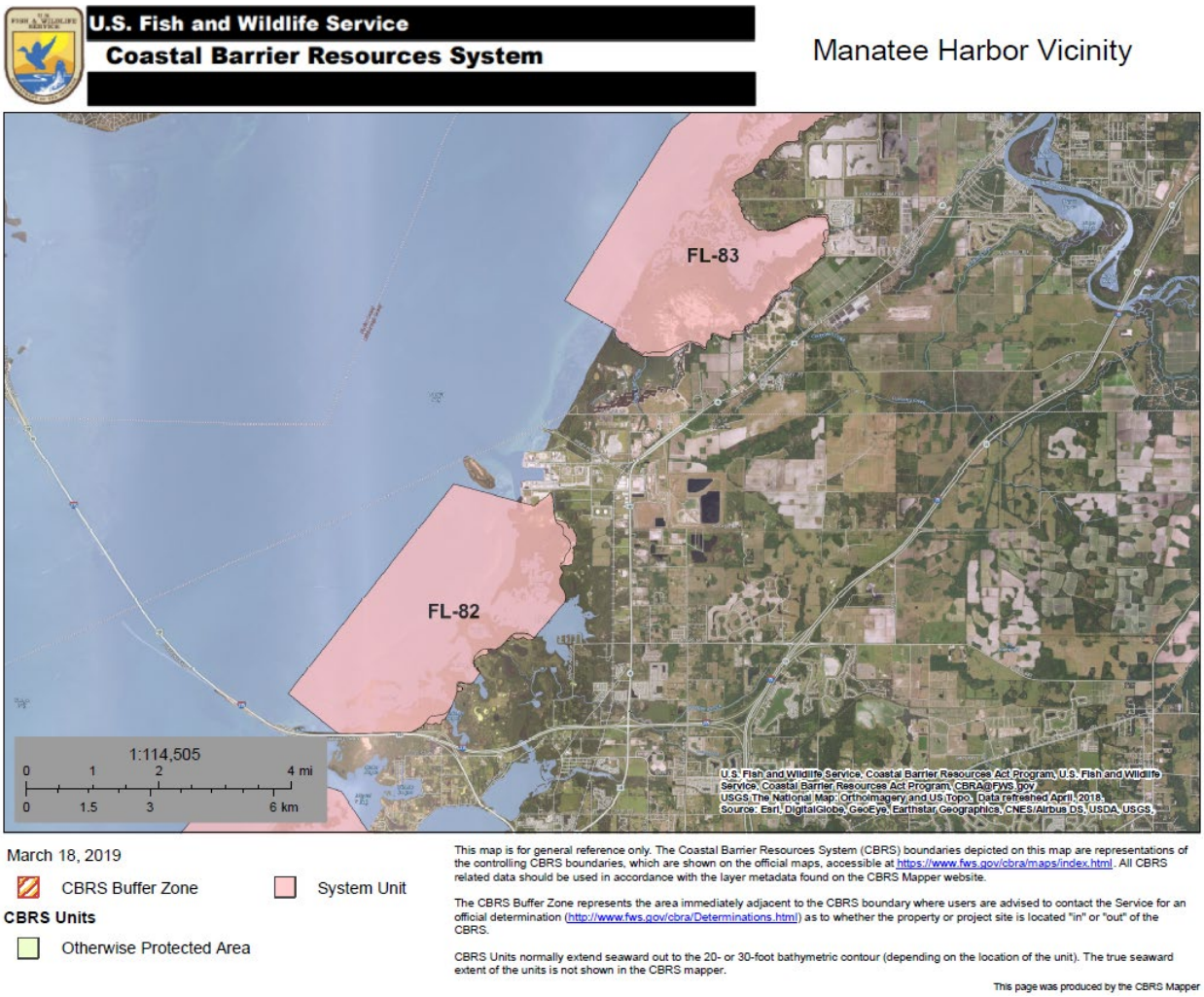


**Figure 3. CBRS units in project vicinity.**
(SOURCE: USFWS CBRS Mapper.)

*Socioeconomic Resources (Aesthetic Resources, Recreation Resources, Navigation)*
Waters surrounding Manatee Harbor provide some recreational value for activities, such as fishing, boating, and kayaking. Visual aesthetic resources are not of significant value; however, commercial activities, such as the import and export of goods, provide significant value to the economics and navigation in and around the port area. Primary imports include tropical fruits and vegetables, citrus juices and beverages, forestry products, refined petroleum products, finished phosphate fertilizers, non-ferrous metals, cement and cement clinker, steel, and project cargo such as power plant and bridge components, heavy machinery and over-sized vehicles. Primary exports include finished phosphate products, citrus juices, construction and road building equipment, used vehicles, liquefied natural gas heat exchangers, and power generation units.

*Cultural and Native American Resources*

Port Manatee, which includes the channel and turning basin, was constructed by the Manatee County Port Authority (MCPA) in 1969. The Federal navigation channel extends approximately 15,850 feet in length from Port Manatee to the Tampa Bay Ship Channel and provides navigation access. During initial construction of the channel, dredged material was sidecast to form a 65-acre island. Material from dredging the federally authorized features was deposited on Port property in a DMMA. The DMMA area was constructed between 1970 and 1973 and utilized during the last emergency dredging of the channel and turning basin in 2018.

The Port Manatee area of potential effects (APE) are not located within or adjacent to known Native American-owned lands, reservation lands, or Traditional Cultural Properties. However, Native American groups have lived throughout this region in the past, and their descendants continue to live within the State of Florida and throughout the U.S. The Port Manatee APE has been subject to numerous cultural resources surveys (Burns 2008, Janus 2001, Hall 2000, and Faught 2000). No cultural resources have been identified within the APE as a result of these surveys. More detailed discussion on the existing cultural and Native American resources is included in the 2002 EA.

# 4 ENVIRONMENTAL EFFECTS

The anticipated changes to the existing environment (including direct and indirect effects) for the No Action Alternative and the Preferred Alternative with Placement Options are included in **Table 2**. Cumulative effects are also discussed in **Tables 3** and **4** of this section. Potential effects from the O&M dredging and dredged material placement into the Manatee Harbor DMMA are expected to be the same for all three phases of the Manatee Harbor Florida Navigation Project; therefore, the analysis conducted in the 2002 EA for the dredging methodologies and potential effects from O&M dredging of Phase I and Phase II is herein incorporated and also applies to O&M dredging of Phase III, the south channel extension.

**Table 2. Summary and comparison of the potential environmental consequences associated with the implementation of the No Action Alternative and the Preferred Alternative.**

| Environmental Resource | No Action Alternative | Preferred Alternative 1A: O&M Dredging with Placement in the DMMA |
|---|---|---|
| Vegetation | No effect. | No effect. |
| Wetlands | No effect. | No effect. |
| Threatened and Endangered Species | No effect. | O&M dredging of the south channel extension with a hopper dredge may adversely affect listed sea turtle and Gulf sturgeon. However, due to the implementation of the applicable terms and conditions (T&Cs) of the Gulf Region Biological Opinion (GRBO), the potential adverse effects to these species are reduced to the maximum extent practicable. The GRBO has determined that the use of hopper dredges is not likely to adversely affect smalltooth sawfish, and that dredging with mechanical or cutterhead dredges is not likely to adversely affect any listed species included in the GRBO. Standard protection measures will be implemented to protect any West Indian (Florida) manatees that may be in or near the project area. No effect to listed species is anticipated from placement in the DMMA. |
| Hardbottoms | No effect. | No effect. |
| Fish and Wildlife Resources | As the channel fills in with sediment, the area available to macroinfaunal benthos already in the sediment will increase. The number of benthic invertebrates may increase in proportion to the available substrate. Increased turbidity associated with vessel operations in a shoaled channel may also decrease ability of sight feeders to locate prey species. | Dredging may result in temporary increases in turbidity and sedimentation, removal and burial of benthic species, and displacement of fish and marine mammals.<br>Temporary displacement and noise related to use of heavy construction equipment during placement activities could disturb nesting and foraging birds and other wildlife. Return water from the DMMA may temporarily increase turbidity. However, these elevated turbidity levels would be limited to the duration of construction. |

| Environmental Resource | No Action Alternative | Preferred Alternative 1A: O&M Dredging with Placement in the DMMA |
|---|---|---|
| EFH | As the channel shoals, any non-motile organisms that have colonized inside the channel could be buried in sediment. The shoaling of the channel may also result in the colonization of the channel by seagrasses as the channel shallows and more light reaches the bottom of the channel. This would be a beneficial effect to seagrasses, both of which are designated as EFH. | There will be a temporary increase in turbidity levels at the dredge areas during construction. Effects to EFH include temporary effects to the water column through turbidity. Seagrasses are not located within the channel but may be near the project vicinity. No significant effects to seagrasses that are in the project vicinity are expected to occur. Hardbottoms are not located within the project area. |
| CBRS | No effect. | No effect. |
| Water Quality | Ongoing shoaling will result in shallow channel depths. It is likely that vessel transit through the shallow depths will stir up the shoaled sediments in the channel, resulting in increased turbidity. | There will be a temporary increase in turbidity levels at the dredge areas during construction and at upland dewatering sites. These elevated turbidity levels will be temporary and are not expected to be significant. Dredging and dewatering will meet state water quality turbidity requirements. No long-term adverse effects to water quality are expected. |
| Air Quality | No effect. | Minor, temporary degradation of air quality will occur due to emissions from dredging and placement operations and heavy equipment. |
| Noise | No effect. | A temporary increase in the noise level in the project area would occur during dredging and placement operations. |
| Aesthetic Resources | No effect. | Equipment used during dredging and placement operations will be visible during construction, which may be considered unsightly by members of the public, resulting in a temporary reduction in the aesthetic value in the construction area. |
| Recreation Resources | No effect. | Dredging may cause minor, temporary restrictions in recreation during operations. Boat traffic may be temporarily interrupted due to dredging. |

| Environmental Resource | No Action Alternative | Preferred Alternative 1A: O&M Dredging with Placement in the DMMA |
|---|---|---|
| Socio-economic Resources | As shoaling continues, there may be a loss of revenue due to decreased use of the port. The No Action Alternative eliminates environmental effects to the human environment associated with dredging and placement; however, continued shoaling of the project areas would result in continued reduction of operational depths. The channel would eventually reach hydrodynamic equilibrium, eliminating the benefits of the waterway, as it is expected that shoaling will create a hazard to safe navigation and cause a potential human health and safety issue. | O&M dredging will allow for continued use of the port, which will maintain economic benefits. |
| Navigation | As shoaling continues, the channel will cease to provide safe navigation for commercial and recreational vessels, which will decrease public safety for vessels transiting the area. | Continued O&M dredging of the Federal channel assures safe navigation for the public. Dredging operations may temporarily restrict vessel access/transit. |
| Native Americans | No effect. | No effect. |
| Cultural Resources | No effect. | No effect. |
| Unavoidable Adverse Environmental Effects | Shallow depths in the Federal channel may result in adverse effects if vessels collide or run aground and spill fuel or other fluids. Additionally, vessels navigating in the shoaled channel will stir up shoal material increasing turbidity in the vicinity. | Marine animals (including fishes, reptiles, and mammals) may experience increased noise and turbidity associated with dredging; however, this is no different from the typical activities already occurring in the project area. Infaunal resources that live inside the boundaries of the channel will be lethally affected but are expected to recolonize shortly after dredging operations have ceased. Migratory birds may avoid nesting or foraging in the DMMA during placement activities. Effects are expected to be short-term and minor. |

## 4.1 CUMULATIVE EFFECTS

Cumulative effects are defined in 40 C.F.R. §1508.7 as those effects that result from "...the incremental effect of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or nonfederal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time."

Past, present and reasonably foreseeable actions and plans are summarized below in **Table 3**. Section 1.4 of this EA contains more details on environmental reports completed in/around the project's vicinity. Aside from maintenance dredging of the Manatee Harbor Florida Navigation Project, O&M dredging of the Tampa Harbor also occurs in the project vicinity and intersects with the northern end of the Manatee Harbor channel. In addition, it is expected that the public, state of Florida, and local governments could have permitted activities in or around the project area. Federal activities are evaluated under NEPA directly for each project. Other projects that take place in-water or would affect wetlands are evaluated under a permit issued by the Corps' Regulatory Division.

The continued periodic maintenance of the Manatee Harbor Florida Navigation Project, when considered with past projects in the area and potential future projects, has no significant cumulative impact on the environmental conditions of the project area. A summary of cumulative effects on environmental factors from past, present, and reasonably foreseeable actions and plans is provided in **Table 4**.

**Table 3. Past, present, and reasonably foreseeable actions and plans affecting the project area.**

| Past Actions/Authorized Plans | Current Actions and Operating Plans | Reasonably Foreseeable Future Actions and Plans |
|---|---|---|
| - Construction of Phase III Manatee Harbor Florida Navigation Project<br>- Beach nourishment projects<br>- General urbanization | - No known current projects. | - Manatee Harbor O&M dredging and associated dredged material placement<br>- Tampa Harbor O&M dredging and associated dredged material placement |

**Table 4. Summary of cumulative effects.**

| Natural Setting (Vegetation, Wetlands, Fish and Wildlife, Threatened and Endangered, and EFH) | |
|---|---|
| **Past Actions** | Construction of residential and commercial/public infrastructure, including the dredging and filling of the bay bottom, has decreased the amount of habitat available for fish, wildlife, and threatened and endangered species use in the area. |
| **Present Actions** | No known present actions are occurring in the project vicinity. |

| | |
|---|---|
| **Preferred Alternative** | Dredging and associated placement may result in temporary impacts to fish, wildlife, and threatened and endangered species during construction due to noise and/or construction activities; however, these impacts are expected to be minor and will cease with the completion of construction. Maintaining Manatee Harbor with a hopper dredge may adversely affect listed sea turtles and the Gulf sturgeon; however, due to the implementation of the applicable T&Cs of the GRBO, the potential adverse effects to these species are reduced to the maximum extent practicable. Benthic species located in the channel would be lethally impacted due to dredging or placement operations, as typically expected in dredging projects. These impacts, although lethal, are expected to be minor and temporary as recolonization from adjacent communities will occur almost immediately. |
| **Future Actions** | Any Federal and/or state/local projects will be required to follow regulations to maintain and protect threatened and endangered species and their habitats within the area. |
| **Cumulative Effect** | No cumulative effects to the natural setting of this area are expected. |
| **Physical Setting (Sediment Characteristics, HTRW, Air Quality, and Water Quality)** | |
| **Past Actions** | Ongoing erosion in the bay area has likely contributed to shoaling of the channel. Erosion and continued development of residential and/or commercial infrastructure may contribute to the degradation of water quality. |
| **Present Actions** | No known present actions are occurring in the project vicinity. |
| **Preferred Alternative** | Temporary, minor turbidity impacts caused by dredging and dewatering at the DMMA may occur. Construction equipment may release negligible amounts of pollutants, including oils and grease. Best management practices will be used to limit the possibility of adverse effects, and detailed pollution control plans will be developed during the design phase. |
| **Future Actions** | Maintenance dredging and dewatering can temporarily elevate localized levels of suspended solids and turbidity. Projects implemented would maintain and meet regulated water quality standards within the area. |
| **Cumulative Effect** | Ongoing channel shoaling, seasonal weather, and storm event effects on water quality are unlikely to be eliminated; however, implementation of the Preferred Alternative will maintain safe operational depths and navigation. The Corps is committed to ensuring that projects will not result in violations of water quality standards. No cumulative effects to the physical setting of this area are expected. |
| **Socioeconomic Resources (Aesthetic Resources, Recreation Resources, Economic Resources)** | |

| | |
|---|---|
| **Past Actions** | General urbanization of the region has increased the aesthetic, recreation, and economic resources in this area. |
| **Present Actions** | No known present actions are occurring in the project vicinity. |
| **Preferred Alternative** | Maintenance dredging and associated placement of dredged material will ensure continued use of Manatee Harbor, which provides benefits to the recreation and economy in this area. |
| **Future Actions** | Continued urbanization and projects to increase benefits to the economy (e.g. tourism), recreation, and aesthetics are likely in this region. |
| **Cumulative Effect** | Continuation of benefits to socioeconomic resources may be anticipated when considering the cumulative effects of projects in this area. |
| **Native Americans** | |
| **Past Actions** | Ongoing dredging and maintenance activities have not impacted known Native American-owned lands, reservation lands, or Traditional Cultural Properties. Prior consultation on the project has not indicated any historic use of the project area. |
| **Present Actions** | Currently no portion of the proposed dredging locations or upland sites exists within or adjacent to any Native American properties. |
| **Preferred Alternative** | There are no known impacts. |
| **Future Actions** | Future actions are not anticipated to impact any known tribal resources in the project area. |
| **Cumulative Effect** | Ongoing dredging and upland disposal will not have any impact on tribal resources and are unlikely to in the future; implementation of the Preferred Alternative will not impact any known resources in the APE. No cumulative impacts are expected. |
| **Cultural Resources** | |
| **Past Actions** | Ongoing dredging and maintenance activities have not added to the degradation of any known historic properties. |
| **Present Actions** | No known present actions are occurring in the vicinity of known cultural resources. |
| **Preferred Alternative** | There are no known impacts. |
| **Future Actions** | Future actions are not anticipated to impact any known historic properties in the project area. |
| **Cumulative Effect** | Ongoing dredging and upland disposal will not have any impact on cultural resources in proximity to Manatee Harbor or Washington Park and are unlikely to in the future; implementation of the Preferred Alternative will not impact any known sites in the APE. No cumulative impacts are expected. |

# 5 PUBLIC AND AGENCY COORDINATION

This EA evaluates the action for the Corps to maintenance dredge, and continue to maintain, the south access channel extension (Phase III). The action was previously reviewed by Corps Regulatory Division for a Department of Army permit to conduct the exact effects described and considered in this EA and FONSI. As the Corps Regulatory Division has already determined the action would not significantly affect the human environment and signed a FONSI, Corps Civil Works will execute the FONSI and then disclose the decision for public consumption. The Corps understands if substantive comments are received post FONSI execution, a re-evaluation of NEPA may be warranted.

The following summarized comments were received during interagency coordination (agency correspondence can be found within Appendix A):

**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION**
COMMENT: The Department has determined that the proposed maintenance dredging of the Manatee Harbor Entrance Channel and Turning Basin, Southern Access Channel, and the Local Sponsor Berthing Areas meet the requirements of Section 403.813(3), F.S. (attached for reference) and would be exempt from the need for an Environmental Resource Permit. ***Therefore, the Department hereby acknowledges your intention to use the exemption and your certification that you meet the requirements of the statute***.

RESPONSE: Exemption verification acknowledged.

COMMENT: In order to be exempt, the project must not cause significant impacts to previously undisturbed resources (pursuant to 403.813(3) F.S.). The shallow shoals immediately adjacent to the areas to be dredged (channels and turning basin) are submerged aquatic vegetation (SAV) habitat. Therefore, to be exempt, the project must be executed in a manner that ensures that these SAV habitats are not impacted. As specified in the Environmental Protection document submitted with the exemption verification:

• The contractor shall notify personnel that SAV habitats shall be avoided, and no work shall occur in, on, or over SAV habitats, including no anchoring, staging of equipment, or pipeline placement.
• If construction activities cause any impacts to SAV resources, then work shall cease, and impacts shall be immediately reported to the Department.
• The Contractor shall conduct operations in a manner that minimizes turbidity, specifically over SAV resources.

RESPONSE: Concur. The above SAV protection measures shall be implemented.

COMMENT: It is recommended that a copy of the turbidity monitoring plan also be sent to the Department. The Department will provide written confirmation that the information provided is consistent with best management practices for controlling turbidity and that the monitoring equipment and protocols are sufficient to conduct monitoring at any location, and under any condition. Additionally, please be advised, that the mixing zone shall end at the edge of the nearest SAV habitat pursuant to 403.813(3) (b) F.S. Since a recent SAV survey is not available, the boundaries for SAV habitat should be defined as the edge of the authorized dredging areas, including the channels and turning basin.

RESPONSE: Concur. A copy of the turbidity monitoring plan shall be provided to the Department. The mixing zone shall end at the nearest SAV habitat as stated above.

COMMENT: The work is statutorily exempt, therefore it is consistent with the Florida Coastal Management Program.

RESPONSE: Consistency determination acknowledged.

**FLORIDA DEPARTMENT OF STATE, FLORIDA STATE HISTORIC PRESERVATION OFFICER**

COMMENT: It is the opinion of this office that the proposed project is unlikely to affect historic properties. However, the permit, if issued, should include the following special condition regarding unexpected discoveries:

- If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The applicant shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850)-245-6333. Project activities shall not resume without verbal and/or written authorization. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, *Florida Statutes*.

RESPONSE: Concur. If artifacts, as described above, are encountered than all activities involving subsurface disturbance in the vicinity of the discovery shall cease. The Corps shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section and project activities shall not resume without verbal and/or written authorization. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, *Florida Statutes*.

# 6 ENVIRONMENTAL COMMITMENTS AND COMPLIANCE

The Corps will comply with all T&Cs of the GRBO, SPBO, and P3BO for the Preferred Alternative. O&M dredging and dredged material placement into the existing DMMA was previously coordinated for the entrance channel and turning basin in the 2002 EA. Potential effects are expected to be the same for all three phases of the Manatee Harbor Florida Navigation Project; therefore, the analysis and determinations in the 2002 EA is herein incorporated and also applies to O&M dredging of Phase III, the south channel extension. The Corps and its contractors also commit to avoiding and minimizing adverse effects during offloading activities by including the commitments in **Table 5** in the contract specifications:

**Table 5. Corps' environmental commitments.**

| Environmental Commitment | Corps' Commitment |
|---|---|
| Protection of Fish and Wildlife Resources | Construction activities will be kept under surveillance, management, and control to minimize interference with, disturbance of, and damage to fish and wildlife. Prior to the start of construction, the Contractor will submit their Environmental Protection Plan (EPP) that will include protective measures for species that require specific attention. |
| Endangered and Threatened Species Protection | Adverse effects to endangered and threatened species will be avoided and/or minimized. The Corps will include applicable T&Cs of the GRBO and other appropriate BOs in the project plans and specifications. Endangered and threatened species protection criteria will be included in the Contractor's EPP. |
| Water Quality | Implementation of design and procedural controls will prevent oil, fuel, or other hazardous substances from entering the air or water. All wastes and refuse generated by project construction will be removed and properly disposed. Contractors will implement a spill contingency plan for hazardous, toxic, or petroleum material. Project activities will be conducted in a manner that meets state water quality standards per Chapter 62-302, State of Florida, FDEP. |
| Cultural Resources | An unexpected cultural resources finds clause will be included in the project specifications. In the event of an archaeological resource discovery, work in the area will be suspended at the site until compliance with all Federal and state regulations is successfully completed and Corps staff members provide further directive. |
| Protection of Migratory Birds | Standard migratory bird protection protocols will be incorporated into the project plans and specifications. The contractor will be required to abide by those protocols and all monitoring timeframes as specified by all applicable licenses and permits. |

This EA has been prepared pursuant to NEPA and its implementing regulations. The status of the proposed project's compliance with environmental acts and Executive Orders (E.O.) are provided in **Table 6**:

**Table 6. Proposed project's environmental act and E.O. compliance status.**

| Environmental Act or E.O. | Project Compliance Status |
|---|---|
| National Environmental Policy Act of 1969 (42 U.S.C. §4321 *et seq*.) | This EA has been prepared pursuant to NEPA and its implementing regulations. This EA evaluates the action for the Corps to maintenance dredge, and continue to maintain, the south access channel extension. The action was previously reviewed by Corps Regulatory Division for a Department of Army permit to conduct the exact effects described and considered in this FONSI. As the Corps Regulatory Division has already determined the action would not significantly affect the human environment and signed a FONSI, Corps Civil Works will execute the FONSI and then disclose the decision for public consumption. The Corps understands if substantive comments are received post FONSI execution, a re-evaluation of NEPA may be warranted. |
| Endangered Species Act of 1973 (16 U.S.C. §1531 *et seq*.) | Pursuant to Section 7 of the Endangered Species Act of 1973, as amended, the project has been coordinated with National Marine Fisheries Service (NMFS) through the Gulf Regional Biological Opinion dated November 19, 2003, as amended. The Corps has determined that O&M dredging may affect but is not likely to adversely affect the West Indian (Florida) manatee. The USFWS 2011 Standard Manatee Conditions for In-Water Work will be included in the project plans and specifications and will be implemented by the contractor during in-water work. Applicable terms and conditions resulting from the ESA consultation will be implemented. Placement activities occur upland and will not affect Federally listed threatened and endangered species under NMFS or USFWS jurisdiction. Pertinent correspondence is found in Appendix A. The project complies with this Act. |
| Fish and Wildlife Coordination Act of 1958 (16 U.S.C. §661 *et seq*.) | A Coordination Act Report was prepared for Manatee Harbor in 1991. The project complies with this Act. |

| Environmental Act or E.O. | Project Compliance Status |
|---|---|
| National Historic Preservation Act of 1966 (*Inter Alia*) | The proposed project is in compliance with Section 106 of the National Historic Preservation Act (NHPA), as amended. As part of the Corps' compliance with the requirements and consultation process contained within the NHPA implementing regulations of 36 CFR Part 800, the Corps has ensured that the proposed project is also in compliance with the Archaeological Resources Protection Act (16 U.S.C. §§470aa-470mm) (PL 96-95), American Indian Religious Freedom Act (PL 95-341), Native American Graves Protection and Repatriation Act (NAGPRA) (25 U.S.C. §3001 et. seq.) and its implementing regulations, Executive Orders (EO) 11593, 13007, and 13175, the Presidential Memo of 1994 on Government to Government Relations and appropriate Florida Statutes, and the Abandoned Shipwrecks Act (43 U.S.C. §§2101-2106). Consultation with the Florida State Historic Preservation Office (SHPO) and appropriate federally recognized tribes is complete. Pertinent correspondence can be found in Appendix A. The project complies with this Act. |
| Clean Water Act of 1972, Section 401 and Section 404(B) (33 U.S.C. §1341 *et seq*. and 33 U.S.C. §1344(b) *et seq*.) | The construction of the project's three phases (e.g. entrance channel, turning basin, and south channel extension) and O&M dredging events for the entrance channel and turning basin were evaluated via the 1999 DOA individual permit #199801210 and FDEP permit #0129291-001-EC. In compliance with the CWA, a Section 404(b) (1) Guidelines evaluation has been completed and is included in the Environmental Appendix C. Maintenance dredging and placement into an upland site meets the requirements for exemption from state water quality permitting under Section 403.813, Florida Statutes. An exemption verification was received from the state of Florida on April 8, 2019. Implementation of the project will meet water quality standards per Chapter 62-302, State of Florida, FDEP. The project is in compliance with this Act. |
| Clean Air Act of 1972 (42 U.S.C. §7401 *et seq*.) | Manatee County is not designated as a nonattainment or maintenance area for any criteria pollutant and therefore USEPA's General Conformity Rule to implement Section 176(c) of the CAA [42 U.S.C. §7506(c)] does not apply. No air quality permits nor a conformity determination are required for this project. |

| Environmental Act or E.O. | Project Compliance Status |
|---|---|
| Coastal Zone Management Act of 1972<br>(16 U.S.C. §1451 *et seq*.) | The Corps has determined that the project is consistent to the maximum extent practicable with the enforceable policies of Florida's approved Coastal Zone Management Program. Maintenance dredging and placement into an upland site meets the requirements for exemption from state water quality permitting under Section 403.813, Florida Statutes. An exemption verification was received from the state of Florida on April 8, 2019. This project's exempted activities are deemed to be consistent with the State of Florida's Coastal Management Program under the CZMA, as verified by the State of Florida in written correspondence (email dated July 12, 2019). The project will be conducted in a manner that meets state water quality standards per Chapter 62-302, State of Florida, Florida Department of Environmental Protection. The project complies with this Act. |
| Farmland Protection Policy Act of 1981<br>(7 U.S.C. §4201 *et seq*.) | No prime or unique farmland will be affected by implementation of this project. This Act is not applicable. |
| Wild and Scenic River Act of 1968<br>(16 U.S.C. §1271 *et seq*.) | No designated Wild and Scenic river reaches would be affected by the proposed project; therefore, the Act is not applicable. |
| Marine Mammal Protection Act of 1972<br>(16 U.S.C. §1361 *et seq*.) | To ensure the protection of any manatees or dolphins present in the project area, the USFWS 2011 Standard Manatee Conditions for In-Water Work will be included in the project plans and specifications and will be implemented by the contractor during in-water work. The project complies with this Act. Placement activities will have no effect on marine mammals. The project complies with this Act. |
| Estuary Protection Act of 1968<br>(16 U.S.C. §§1221-26) | Congress designated Tampa Bay Estuary an estuary of national significance in 1990. The project's activities may have adverse effects to water quality during dredging and post-placement dewatering. These effects are expected to be temporary and minor and will not result in long-lasting negative effects on the Tampa Bay Estuary. The project complies with this Act. |
| Federal Water Project Recreation Act<br>(16 U.S.C. §460(L) (12)-460(L) (21) *et seq*.) | Recreational resources and opportunities are discussed in Section 4 of this report. The project complies with this Act. |
| Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended<br>(16 U.S.C. §1801 *et seq*.) | An EFH assessment was previously coordinated with NMFS under the 2002 EA and 1999 DOA permit #199801210 for maintenance dredging of the entrance channel and turning basin and upland placement of dredged material into the existing DMMA. An EFH assessment for the south channel extension has been submitted to NMFS. The project complies with this Act. |

| Environmental Act or E.O. | Project Compliance Status |
|---|---|
| Submerged Lands Act of 1953 (43 U.S.C. § 1301 *et seq*.) | The project will occur on submerged lands of the State of Florida. Maintenance dredging and placement into an upland site meets the requirements for exemption from state water quality permitting under Section 403.813, Florida Statutes. An exemption verification was received from the state of Florida on April 8, 2019. The project complies with this Act. |
| Coastal Barrier Resources Act and Coastal Barrier Improvement Act of 1990 (16 U.S.C. §3501 *et seq*.) | CBRS Unit FL-82 (Bishop Harbor) is located immediately south of the project's Federal channel; however, this CBRS Unit will not be affected by the project as the dredging and placement activities do not extend into the CBRS unit. The project complies with this Act. |
| Rivers and Harbors Act of 1899, Section 10 (33 U.S.C. §403 *et seq*.) | The proposed work could temporarily obstruct navigable waters of the U.S. during construction. The proposed action will be subjected to the public notice and other evaluations normally conducted for activities subject to the Act. The project complies with this Act. |
| Anadromous Fish Conservation Act (16 U.S.C. §§757A-757G) | The GRBO discusses and covers incidental take of the Gulf sturgeon by hopper dredges; however, dredging will likely occur via mechanical clamshell or hydraulic cutterhead. The project will be coordinated with NMFS and USFWS through the appropriate BOs. The project complies with this Act. |
| Migratory Bird Treaty Act (16 U.S.C. §§703-712) and Migratory Bird Conservation Act (16 U.S.C. §§715-715D, 715E, 715F-715R) | The USACE will include standard migratory bird protection measures in the project plans and specifications and will require the Contractor to abide by those requirements. The project is being coordinated with USFWS and complies with these Acts. |
| Marine Protection, Research, and Sanctuaries Act (16 U.S.C. §1431 *et seq*. AND 33 U.S.C. §1401 *et seq*.) | Ocean disposal is not a component of this project. This Act is not applicable. |
| Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. §4601 *et seq*.) | This project will not be acquiring any real estate interests from private property owners. This Act is not applicable. |
| E.O. 11988, Flood Plain Management | Based on the analysis in the EA, the Corps concludes that the proposed project will not result in harm to people, property, and floodplain values, will not induce development in the floodplain, and the project is in the public interest. The project complies with the Order. |
| E.O. 11990, Protection of Wetlands | Wetlands will not be affected by the project. The project complies with the Order. |

| Environmental Act or E.O. | Project Compliance Status |
|---|---|
| E.O. 12898,<br>Environmental Justice | Based on the information provided by the USEPA EJAssist tool, the project is located within an area of high minority (61% versus the state average of 41%) and/or low-income populations (53% versus the state average of 37%). The dredging and placement of dredged material into the existing DMMA will continue to allow economic growth and benefits into the port. This project will not cause any disproportionate and long-term adverse effects to minority or low income populations. Details on the environmental justice analysis are provided in Appendix B. The project complies with the Order. |
| E.O. 13045,<br>Protection of Children from Environmental Health Risks and Safety Risks | The proposed action does not affect children disproportionately from other members of the population and would not increase any environmental health or safety risks to children. The project complies with the Order. |
| E.O. 13089,<br>Coral Reef Protection | No corals or hardbottom habitat exists within the project area. The project complies with the Order. |
| E.O. 13112,<br>Invasive Species | The project's plans and specifications will include conditions to avoid the introduction and/or promotion of non-native species to the region. The Corps will require the Contractor to abide by those requirements. The project complies with this Order. |
| E.O. 13186,<br>Responsibilities of Federal Agencies to Protect Migratory Birds | This E.O. requires, among other things, a MOU between the Corps and USFWS concerning migratory birds. Neither the Department of Defense MOU nor the Corps' Draft MOU clearly address migratory birds on lands not owned or controlled by the Corps. For many Corps' civil works projects, the real estate interests are provided by the non-Federal Sponsor. Control and ownership of the Project lands remain with a non-Federal interest. Measures to avoid the destruction of migratory birds and their eggs or hatchlings are described in Section 4 of this EA and are incorporated by reference. The Corps will include standard migratory bird protection requirements in the Project plans and specifications and will require the contractor to abide by those requirements. The project complies with the Order. |

# 7 LIST OF PREPARERS

| Name | Organization | Expertise | Role in Preparation |
|---|---|---|---|
| Kristen Donofrio, Biologist | Corps | NEPA/Biologist | Primary Author |
| Ryan Clark, Archeologist | Corps | Cultural and Native American Resources | Contributing Author |
| Paul DeMarco, Biologist | Corps | NEPA/Biologist | Document Reviewer |
| Mike Hollingsworth, Senior Water Quality Specialist | Corps | Water Quality | Document Reviewer |
| Meredith Moreno, Senior Archeologist | Corps | Cultural and Native American Resources | Document Reviewer |
| Jason Spinning, Coastal Section Chief | Corps | Supervisory Biologist | Document Reviewer |
| Angie Dunn, Environmental Branch Chief | Corps | Supervisory Biologist | Document Reviewer |
| Rebecca Onchaga, Tech Writer/Editor | Corps | Technical Editor | Technical Edits |

# 8 ACRONYM LIST

| | |
|---|---|
| BMPs | Best Management Practices |
| BO | Biological Opinion |
| C.F.R. | Code of Federal Regulations |
| CBR | Coastal Barrier Resource |
| Corps | U.S. Army Corps of Engineers |
| CWA | Clean Water Act |
| CY | Cubic Yards |
| CZMA | Coastal Zone Management Act |
| DMMA | Dredged Material Management Area |
| E.O. | Executive Order |
| EA | Environmental Assessment |
| EFH | Essential Fish Habitat |
| EIS | Environmental Impact Statement |
| EJ | Environmental Justice |
| ESA | Endangered Species Act |
| FCD | Federal Consistency Determination |
| FDEP | Florida Department of Environmental Protection |
| FONSI | Finding of No Significant Impact |
| HTRW | Hazardous, Toxic, and Radioactive Waste |
| MBTA | Migratory Bird Treaty Act |
| NEPA | National Environmental Policy Act |
| NHPA | National Historic Preservation Act |
| NMFS | National Marine Fisheries Service |
| NRHP | National Register of Historic Places |
| O&M | Operation and Maintenance |
| SHPO | State Historic Preservation Office |
| T&C | Terms and Conditions |
| U.S. | United States |
| U.S.C. | United States Code |
| USEPA | U.S. Environmental Protection Agency |
| USFWS | U.S. Fish and Wildlife Service |

# 9 REFERENCES


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Faught, Michael et. al. 2000. Submerged Cultural Resources Evaluation of Fifteen Geomorphic Anomalies, Florida and Federal Waters, Within the Gulfstream Natural Gas Pipeline Corridor. Prepared for the ENSR. Survey No. 6734, on file, Florida Division of Historical Resources, Tallahassee.

Hall, Wes. 2000. A Cultural Resources Marine Remote Sensing Survey and Terrestrial Survey at Manatee Harbor, Manatee County, Florida. Prepared for the Corps. Survey No. 6709, on file, Florida Division of Historical Resources, Tallahassee.

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Tampa Bay Estuary Program (TBEP). (2005). Technical Publication #04-05, Tampa Bay Dredged Hole Habitat Assessment Project, Final Report, A report to the U.S. Environmental Protection Agency Region 4 By the Tampa Bay Dredged Hole Habitat Assessment Advisory Team.

U.S. Army Corps of Engineers (Corps). 2018. Manatee Harbor Regional Sediment Management (RSM) Implementation Report.

U.S. Army Corps of Engineers (Corps). 2002. Manatee Harbor Limited Reevaluation Report and Environmental Assessment. Manatee County, Florida.

# APPENDIX A

## Project Correspondence

## Environmental Assessment
**Operation and Maintenance Dredging and Dredged Material Placement for the South Channel Extension of the Manatee Harbor Florida Navigation Project at Port Manatee, Florida**

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**FLORIDA DEPARTMENT OF**
**Environmental Protection**

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, FL 32399-2400

**Ron DeSantis**
Governor

**Jeanette Nuñez**
Lt. Governor

**Noah Valenstein**
Secretary

April 8, 2019

File No. 0129291-020-BE

U.S. Army Corp of Engineers
Attn: Michael Hollingsworth
701 San Marco Boulevard
Jacksonville, Fl, 32207

**Re: Deepwater Port Maintenance Dredging - Manatee Harbor**

Dear Mr. Hollingsworth:

We are in receipt of your verification of exemption request sent on March 8, 2019, to use the Deepwater Port Maintenance Dredging Exemption in Section 403.813(3), Florida Statutes. The Department of Environmental Protection acknowledges your intention to use the exemption and wishes to advise you of the following:

In order to be exempt, the project must not cause significant impacts to previously undisturbed resources (pursuant to 403.813(3) F.S.). The shallow shoals immediately adjacent to the areas to be dredged (channels and turning basin) are submerged aquatic vegetation (SAV) habitat. Therefore, to be exempt, the project must be executed in a manner that ensures that these SAV habitats are not impacted. As specified in the Environmental Protection document submitted with the exemption verification:

- The contractor shall notify personnel that SAV habitats shall be avoided, and no work shall occur in, on, or over SAV habitats, including no anchoring, staging of equipment, or pipeline placement.
- If construction activities cause any impacts to SAV resources, then work shall cease, and impacts shall be immediately reported to the Department.
- The Contractor shall conduct operations in a manner that minimizes turbidity, specifically over SAV resources.
- Prior to construction, a turbidity monitoring plan shall be provided by the contractor.

It is recommended that a copy of the turbidity monitoring plan also be sent to the Department. The Department will provide written confirmation that the information provided is consistent with best management practices for controlling turbidity and that the monitoring equipment and protocols are sufficient to conduct monitoring at any location, and under any condition.

Additionally, please be advised, that the mixing zone shall end at the edge of the nearest SAV habitat pursuant to 403.813(3)(b) F.S. Since a recent SAV survey is not available, the boundaries for SAV habitat should be defined as the edge of the authorized dredging areas, including the channels and turning basin.

**REGULATORY REVIEW – EXEMPTION VERIFIED**

The Department has determined that the proposed maintenance dredging of the Manatee Harbor Entrance Channel and Turning Basin, Southern Access Channel, and the Local Sponsor Berthing Areas meet the requirements of Section 403.813(3), F.S. (attached for reference) and would be exempt from the need for an Environmental Resource Permit.

***Therefore, the Department hereby acknowledges your intention to use the exemption and your certification that you meet the requirements of the statute.***

Working under an exemption does not relieve you from the need to comply with all applicable water quality standards during construction and operation. Activities conducted under the above exemption must be constructed and operated using appropriate best management practices and in a manner that does not cause water quality violations, pursuant to Rule 62 302, F.A.C. This letter does not relieve you from the responsibility of obtaining other permits (Federal, State, or local) that may be required for the project.

The determination that your project qualifies for an exemption is based upon forms, drawings and documents provided to the Department as of March 8, 2019, and the statutes and rules that were in effect at that time. This determination is effective only for the specific activity proposed and may be invalid if site conditions materially change or if the governing statutes or rules are amended. In addition, any substantial alterations to the construction plans or location of the project should be submitted to the Department for review prior to commencement of work, as changes may result in the need for a permit

This exemption determination shall not be valid if the project results in water quality violations, significant impacts to submerged aquatic vegetation or if the basis for the exemption is found to be materially incorrect.

Sincerely,

Sean Green

Sean Green
Environmental Specialist III
Beaches, Inlets & Ports Program
Division of Water Resource Management.

**Attachments**:
Exception Citation – Section 403.813(3), Florida Statutes

cc: Greg Garis, FDEP, DWRM
Ivana Kenny Carmola, FDEP, DWRM
Jennifer Peterson FDEP, DWRM
Roxane Dow, FDEP, DWRM
Carla Burrmann, FDEP, Southwest District
Jason Spinning, USACE, Jacksonville
Angie Dunn, USACE, Jacksonville
Paul Karch, USACE, Jacksonville
JCP Compliance Officer, FDEP, DWRM
BIPP Permit File
ConservationPlanningServices@myfwc.com
MarineTurtle@myfwc.com

-----Original Message-----
From: Garis, Gregory [mailto:Gregory.Garis@FloridaDEP.gov]
Sent: Friday, July 12, 2019 8:57 PM
To: Hollingsworth, Michael J CIV USARMY CESAJ (US) <Michael.J.Hollingsworth@usace.army.mil>
Subject: [Non-DoD Source] FW: Manatee Harbor O&M and Miami Harbor O&M CZMA Question for Exempted Activities

It looks like it is technically waived.

-----Original Message-----
From: Hewitt, Betsy
Sent: Friday, July 12, 2019 4:45 PM
To: Garis, Gregory <Gregory.Garis@FloridaDEP.gov>
Subject: RE: Manatee Harbor O&M and Miami Harbor O&M CZMA Question for Exempted Activities

If this applies, then yes. bh

62-330.062 Water Quality Certification and Coastal Zone Consistency Concurrence.
(1) A State Water Quality Certification under Section 401 of the Clean Water Act, 33 U.S.C. Section 1341, shall be provided as described below.
(a) A complete application for an individual or conceptual approval permit shall constitute an application for certification of compliance with state water quality standards for activities that require an associated Department of the Army permit or license under Section 404 of the Clean Water Act, 33, U.S.C. 1344. Issuance of the individual or conceptual approval permit under this chapter shall constitute certification of compliance with water quality standards, unless water quality certification is waived in accordance with paragraph (1)(c), below.
(b) State water quality certification is granted when an activity meets all the terms and conditions of a general permit under rule 62-330.052, F.A.C., and the applicable rules 62-330.401 through 62-330.635, F.A.C.
(c) State water quality certification is waived for activities:
1. That are not regulated under rule 62-330.020, F.A.C.
2. That are exempt under rule 62-330.051 or 62-330.0511, F.A.C.
3. That require net improvement of water quality under section 373.414(1)(b), F.S., including permits issued under rule 62-330.055, F.A.C.
4. When the individual or conceptual approval permit is not issued or denied within 365 days of the date the application is deemed complete by the Agency.
5. When the permit or authorization expressly waives water quality certification.

Betsy Hewitt
Florida Department of Environmental Protection Office of General Counsel Assistant General Counsel
Betsy.Hewitt@FloridaDEP.gov
Office: 850-245-2267
Fax: 850-245-2298

-----Original Message-----
From: Garis, Gregory

Sent: Friday, July 12, 2019 4:23 PM
To: Hewitt, Betsy <Betsy.Hewitt@dep.state.fl.us>
Subject: FW: Manatee Harbor O&M and Miami Harbor O&M CZMA Question for Exempted Activities

See below... Is this correct? Happy Friday!

-----Original Message-----
From: Garis, Gregory
Sent: Friday, July 12, 2019 4:23 PM
To: Hollingsworth, Michael J CIV USARMY CESAJ (US) <Michael.J.Hollingsworth@usace.army.mil>; Dow, Roxane <Roxane.Dow@FloridaDEP.gov>
Subject: RE: Manatee Harbor O&M and Miami Harbor O&M CZMA Question for Exempted Activities

Let me confirm with legal. My answer would be yes, because the work is statutorily exempt, it should be determined consistent.

Greg
-----Original Message-----
From: Hollingsworth, Michael J CIV USARMY CESAJ (US) <Michael.J.Hollingsworth@usace.army.mil>
Sent: Friday, July 12, 2019 2:20 PM
To: Garis, Gregory <Gregory.Garis@FloridaDEP.gov>; Dow, Roxane <Roxane.Dow@FloridaDEP.gov>
Subject: Manatee Harbor O&M and Miami Harbor O&M CZMA Question for Exempted Activities

Greg and/or Roxanne,

A hopefully quick question for you: for the recent exemption of the Manatee Harbor Maintenance Dredging project (attached) and the pending acknowledgement of the Miami Harbor Maintenance Dredging project, does the Department's issuance of the 403.813(3) acknowledgement letter also verify by default that the project is consistent with the Florida Coastal Management Program?

Thanks.

Mike H.
[Dep Customer Survey]<Blockedhttp://survey.dep.state.fl.us/?refemail=Gregory.Garis@FloridaDEP.gov>

CLASSIFICATION: UNCLASSIFIED

FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

District Engineer
Tampa Permits Section
10117 Princess Palm Avenue, Suite 102
Tampa, Florida 33610-8302

January 2, 2018

RE: DHR Project File No.: 2009-2320-B, Received by DHR: November 26, 2018
Project: *Environmental Assessment for Operations and Maintenances Dredging and Dredged Material placment for Manatee Harbor federal Navigation Project*
County: Manatee

To Whom It May Concern:

The Florida State Historic Preservation Officer reviewed the referenced project for possible effects on historic properties listed, or eligible for listing, on the *National Register of Historic Places*. The review was conducted in accordance with Section 106 of the *National Historic Preservation Act of 1966*, as amended, and its implementing regulations in *36 CFR Part 800: Protection of Historic Properties*.

It is the opinion of this office that the proposed project is unlikely to affect historic properties. However, the permit, if issued, should include the following special condition regarding unexpected discoveries:

- If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The applicant shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850)-245-6333. Project activities shall not resume without verbal and/or written authorization. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, *Florida Statutes*.

If you have any questions, please contact Eric Griffis, Historic Sites Specialist, by email at *Eric.Griffis@dos.myflorida.com*, or by telephone at 850.245.6366 or 800.847.7278.

Sincerely,

For
Timothy A Parsons, Ph.D.
Director, Division of Historical Resources & State Historic Preservation Officer

**Division of Historical Resources**
**R.A. Gray Building • 500 South Bronough Street• Tallahassee, Florida 32399**
**850.245.6300 • 850.245.6436 (Fax) FLHeritage.com**

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
701 SAN MARCO BOULEVARD
JACKSONVILLE, FLORIDA 32207-8175

Planning and Policy Division
Environmental Branch

AUG 13 2019

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

Dear Mr. Herrington:

In order to comply with Section 7 of the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.), the Jacksonville District, U.S. Army Corps of Engineers, (Corps), respectfully requests a letter of concurrence from the U.S. Fish and Wildlife Service (USFWS) for proposed Operations and Maintenance (O&M) dredging and dredged material placement associated with the Manatee Harbor Florida Navigation Project at Port Manatee, Florida.

The Manatee Harbor Florida Navigation Project was authorized through the Water Resources Development Act (WRDA) of 1986, which was further modified by later WRDAs and the 2004 Energy and Water Appropriation Act. The navigation project extends northeast from the terminal facilities and intersects the main Tampa Bay channel and was constructed in three phases:

a. Phase I: Construction of the entrance channel, which was completed in 1997.

b. Phase II: Completed in late 2005 and consisted of widening of the Manatee Harbor entrance channel, expansion of the turning basin, and modifications to the upland placement site.

c. Phase III: Construction of the south channel extension, which was completed in 2013 by the project's non-Federal sponsor, Manatee Port Authority.

The accumulation of sediment, commonly referred to as shoaling, has restricted the width of the project channel and reduced its depths hindering safe and efficient vessel navigation. Periodic dredging is required to remove accumulated sediments and thus maintain the channel at its federally authorized depth. Most recently, the Corps conducted emergency dredging and upland placement in 2018 for phases I and II of the navigation project.

Construction of the south channel extension was coordinated with USFWS through the Department of the Army Permit #199801210. Inclusion of the south channel extension for Federal assumption of maintenance in the Federal Harbor for future O&M has been approved. The Corps prepared an Environmental Assessment to address potential effects from the continued periodic O&M of this portion of the project.

Phases I and II were previously coordinated with your office under the 2002 Environmental Assessment. The Corps determined that the project may affect, but is not likely to adversely affect the West Indian (Florida) manatee (*Trichechus manatus manatus*). The Corps has determined that by continuing to incorporate standard manatee conditions for in-water work, effects to these species will be minimized and/or eliminated. Therefore, the addition of the south channel extension to the federally maintained portion of the project will not result in new effects to threatened and endangered species under USFWS jurisdiction.

The Corps respectfully requests that USFWS provide a letter of concurrence within 30 days of the receipt of this letter. If you have any questions, or need additional information, please contact Mr. Paul Stodola by email paul.e.stodola@usace.army.mil or telephone 904-232-3271. Thank you for your assistance.

Sincerely,

Angela E. Dunn
Chief, Environmental Branch

# APPENDIX B

## Environmental Justice Analysis

## Environmental Assessment
**Operation and Maintenance Dredging and Dredged Material Placement for the South Channel Extension of the Manatee Harbor Florida Navigation Project at Port Manatee, Florida**

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**Operation and Maintenance Dredging and Dredged Material Placement for the South Channel Extension of the Manatee Harbor Florida Navigation Project at Port Manatee, Florida**

**ENVRIONMENTAL JUSTICE ANALYSIS**
**JULY 2019**

On February 11, 1994, the President of the U.S. issued Executive Order (E.O.) 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. This E.O. mandates that each Federal agency make environmental justice (EJ) part of the agency mission and to address, as appropriate, disproportionately high and adverse human health or environmental effects of the programs and policies on minority and low-income populations. Significance thresholds that may be used to evaluate the effects of a proposed action related to EJ are not specifically outlined. However, Council on Environmental Quality (CEQ) guidance requires an evaluation of a proposed action's effect on the human environment and the Corps must comply with Executive Order 12898. The Corps has determined that a proposed action or its alternatives would result in significant effects related to EJ if the proposed action or an alternative would disproportionately adversely affect an EJ community through its effects on:

- Environmental conditions such as quality of air, water, and other environmental media; degradation of aesthetics, loss of open space, and nuisance concerns such as odor, noise, and dust;
- Human health such as exposure of EJ populations to pathogens;
- Public welfare in terms of social conditions such as reduced access to certain amenities like hospitals, safe drinking water, public transportation, etc.; and
- Public welfare in terms of economic conditions such as changes in employment, income, and the cost of housing, etc.

The Corps conducted an evaluation of EJ impacts using a two-step process: as a first step, the study area was evaluated to determine whether it contains a concentration of minority and/or low-income populations. The second step includes evaluation to determine whether the proposed action would result in a disproportionately, high adverse effect on these populations.

As defined in Executive Order 12898 and the CEQ guidance, a minority population occurs where one or both of the following conditions are met within a given geographic area:

- The American Indian, Alaskan Native, Asian, Pacific Islander, Black, or Hispanic population of the affected area exceeds 50 percent; or
- The minority population percentage of the affected area is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis.

An affected geographic area is considered to consist of a low-income population (i.e. below the poverty level for purposes of this analysis) where the percentage of low-income persons:

- is at least 50 percent of the total population; or
- is meaningfully greater than the low-income population percentage in the general population or other appropriate unit of geographic analysis.

Step 1: Study Area's Minority and Low-Income Population Average Percentages

Using the USEPA EJAssist Tool, the project area was user-defined (*see* **Figure 1**) and a 1 mile buffer was added to calculate the average percentages for EJ criteria. **Table 1** compares the average percentages for the project area, state of Florida, and U.S...

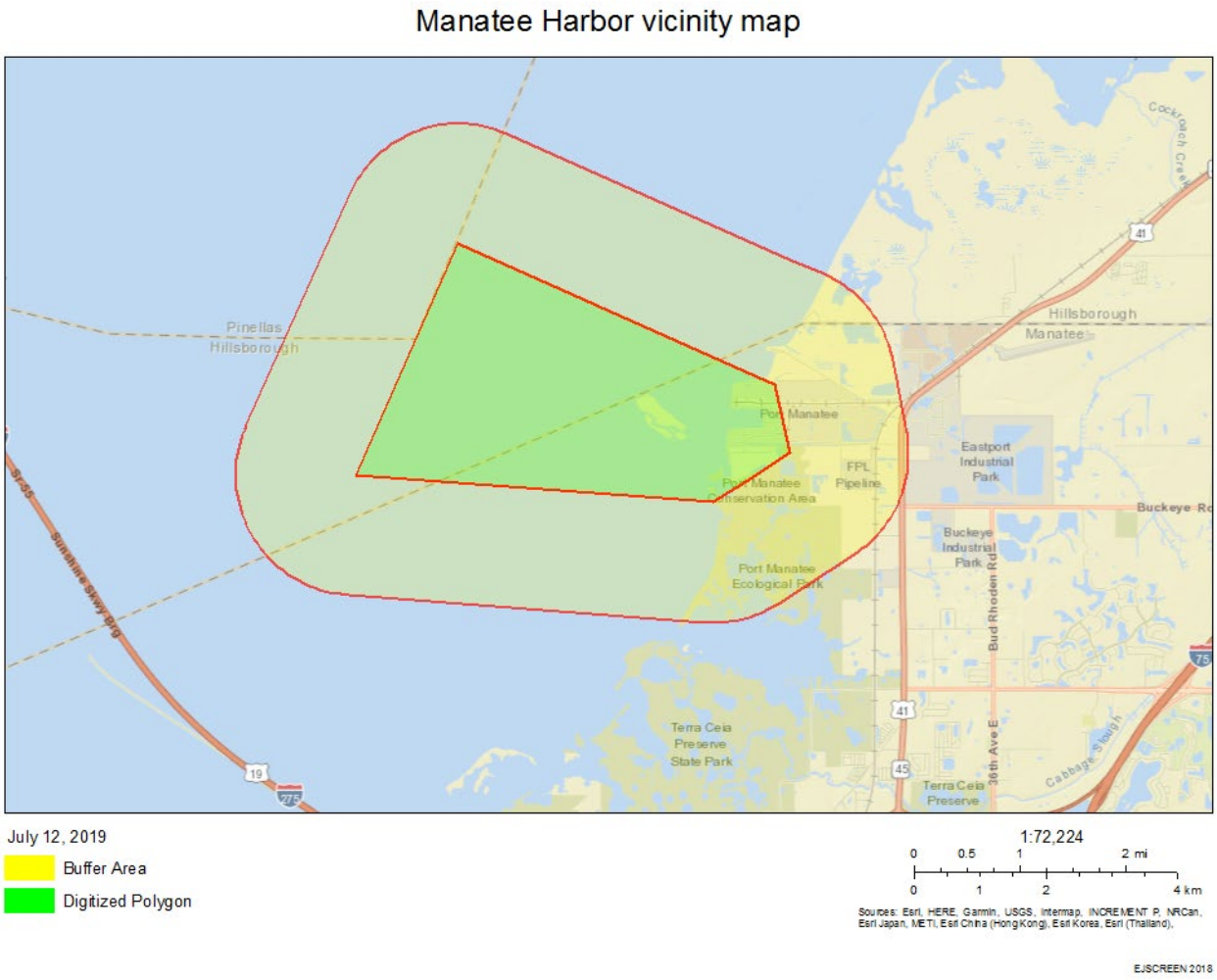


**Figure 4. User-defined project area used for EJ analysis.**

**Table 7. USEPA EJAssist environmental justice criteria percentages.**

| | User-Defined Project Area % | Florida Average % | U.S. Average % |
|---|---|---|---|
| **Minority Population** | 32% | 44% | 38% |
| **Low Income Population** | 27% | 37% | 34% |

Based on the information provided by the USEPA EJAssist tool, the average minority population is approximately 32% of the total population and approximately 27% of the individuals in the project area are considered below the poverty level. Therefore, the study area which comprises the Manatee Harbor Florida Navigation project does not constitute an EJ community because the population percentages are below 50 percent.

Step 2: Recommended Plan's Effect on EJ Community

The study area is not comprised of an EJ community.

## REFERENCES

U.S. Environmental Protection Agency (USEPA). 2019. EPA EJScreen EPA'S Environmental Justice Screening and Mapping Tool (Version 2018). https://ejscreen.epa.gov/mapper/. Website accessed July 12, 2019.

# APPENDIX C

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

## Environmental Assessment
**Operation and Maintenance Dredging and Dredged Material Placement for the South Channel Extension of the Manatee Harbor Florida Navigation Project at Port Manatee, Florida**

U.S. Army Corps of Engineers
JACKSONVILLE DISTRICT

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**Final Evaluation of 404(b) (1) Guidelines**

**Operation and Maintenance Dredging and Dredged Material Placement for the South Channel Extension of the Manatee Harbor Florida Navigation Project at Port Manatee, Florida**

**May 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 | ☐ | ☒ | ☐ |
| (2) Suspended particulates/turbidity impacts | ☐ | ☒ | ☐ |
| (3) Water Quality Control | ☒ | ☐ | ☐ |
| (4) Alteration of current patterns and water circulation | ☒ | ☐ | ☐ |
| (5) Alteration of normal water fluctuations/hydroperiod | ☒ | ☐ | ☐ |
| (6) Alteration of salinity gradients | ☒ | ☐ | ☐ |

The Preferred Alternative's proposed work consists of the inclusion of the south channel extension into the continued O&M dredging of the entrance channel and turning basin and the associated dredged material placement into the Manatee Harbor Dredged Material Management Area (DMMA). The Manatee Harbor Florida Navigation Project was authorized through the Water Resources Development Act (WRDA) of 1986, which was further modified by later WRDAs and the 2004 Energy and Water Appropriation Act. The navigation project was constructed in three phases:

- Phase I: Completed in 1997 and consisted of construction of the entrance channel;
- Phase II: Completed in late 2005 and consisted of widening of the Manatee Harbor entrance channel, expansion of the turning basin, and modifications to the upland placement site;
- Phase III: Completed in 2012 and consisted of construction of the south channel extension.

Dredging of the Manatee Harbor Florida Navigation Project occurs on both a four to five year cycle for O&M or on an "as needed" basis for the emergency removal of shoals. An estimated 330,000 cubic yards (CY) of mixed sand, silt, clay,

limestone, and mud could be removed to maintain an authorized depth of 40 feet mean lower low water (plus one foot allowable overdepth).

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 | ☐ | ☒ | ☐ |
| (2) Effect on the aquatic food web | ☐ | ☒ | ☐ |
| (3) Effect on other wildlife (mammals, birds, reptiles, and amphibians) | ☐ | ☒ | ☐ |

The project has two components implicated pursuant to Section 7 of the Endangered Species Act of 1973, as amended (ESA): O&M dredging and placement of dredged material into the existing Manatee Harbor DMMA. The dredging component of the project has been coordinated with National Marine Fisheries Service (NMFS) through the Gulf Regional Biological Opinion dated November 19, 2003, as amended. No effects to Federally listed threatened and endangered species under the U.S. Fish and Wildlife Service (USFWS) jurisdiction are expected from placement activities. The Corps has determined that O&M dredging may affect but is not likely to adversely affect the West Indian (Florida) manatee. The USFWS 2011 Standard Manatee Conditions for In-Water Work will be included in the project plans and specifications and will be implemented by the contractor during in-water work. Applicable terms and conditions resulting from the ESA consultation will be implemented.

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

| | N/A | Not Significant | Significant |
|---|---|---|---|
| (1) Sanctuaries and refuges | ☒ | ☐ | ☐ |
| (2) Wetlands | ☒ | ☐ | ☐ |
| (3) Mud flats | ☒ | ☐ | ☐ |
| (4) Vegetated shallows | ☒ | ☐ | ☐ |
| (5) Coral reefs | ☒ | ☐ | ☐ |
| (6) Riffle and pool complexes | ☒ | ☐ | ☐ |

No special aquatic sites exist in the project.

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 | ☒ | ☐ | ☐ |
| (2) Recreational and Commercial fisheries impacts | ☐ | ☒ | ☐ |

| | | | |
|---|---|---|---|
| (3) Effects on water-related recreation | ☐ | ☒ | ☐ |
| (4) Aesthetic impacts | ☒ | ☐ | ☐ |
| (5) Effects on parks, national and historical monuments, national seashores, wilderness areas, research sites, and similar preserves | ☒ | ☐ | ☐ |

Equipment used during dredging and placement operations will be visible during construction, which may be considered unsightly by members of the public, resulting in a temporary reduction in the aesthetic value in the construction area.

Dredging may cause minor, temporary restrictions in recreation during operations. Boat traffic may be temporarily interrupted due to dredging.

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/fill
☒ (8) Other sources (specify)

The project and placement area is highly developed; therefore, hazardous waste sources such as gas stations, dry cleaners, etc., exist around the harbor and existing DMMA. The HTRW database review conducted as a part of the 2002 EA indicated that no contamination exists at Manatee Harbor or the existing DMMA. A review of the FDEP's resource mapper in November 2018 confirmed there are no superfund sites or brownfields around the harbor and existing DMMA.

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. 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 or fill speed and direction
☒ (6) Rate of discharge/fill
☒ (7) Dredged material characteristics (constituents, amount, and type of material, settling velocities)
☐ (8) Number of discharges/fill per unit of time
☒ (9) Other factors affecting rates and patterns of mixing (specify)

There will be a temporary increase in turbidity levels at the dredge areas during construction and at upland dewatering sites. These elevated turbidity levels will be temporary and are not expected to be significant. Dredging and dewatering will meet state water quality turbidity requirements. No long-term adverse effects to water quality are expected.

Maintenance dredging and placement into an upland site meets the requirements for exemption from state water quality permitting under Section 403.813, Florida Statutes. An exemption verification request was submitted to the state of Florida on March 13, 2019. Implementation of the project will meet water quality standards per Chapter 62-302, State of Florida, Florida Department of Environmental Protection (FDEP).

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/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/fill as related to:

☒ a. Physical substrate at the disposal 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 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/fill represents the least environmentally damaging practicable alternative and if in a special aquatic site, the activity associated with the discharge/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/fill on the aquatic ecosystem (if no, see section 5);
YES ☒ NO ☐

7. Findings

☒ a. The proposed disposal site for discharge of dredged or fill material complies with the Section 404 (b) (1) guidelines

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

c. The proposed disposal site for discharge of dredged or fill 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/fill will result in significant degradation of the aquatic ecosystem

☐ (3) The proposed discharge/fill does not include all practicable and appropriate measures to minimize potential harm to the aquatic ecosystem

# APPENDIX D

## Other Reports and Related Documents

## Environmental Assessment
**Operation and Maintenance Dredging and Dredged Material Placement for the South Channel Extension of the Manatee Harbor Florida Navigation Project at Port Manatee, Florida**

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**Operation and Maintenance Dredging and Dredged Material Placement for the South Channel Extension of the Manatee Harbor Florida Navigation Project at Port Manatee, Florida**

## OTHER REPORTS AND DOCUMENTS LIST

The following items may be viewed and/or downloaded from the U.S. Army Corps of Engineers, Jacksonville District's (Corps) Environmental planning website, under "Manatee", which can be accessed by visiting the link: http://www.saj.usace.army.mil/About/Divisions-Offices/Planning/Environmental-Branch/Environmental-Documents/

- Corps. August 2018. Manatee Harbor Phase III IDR and Section 156 Reimbursement Report.
- Corps. March 2018. Manatee Harbor Regional Sediment Management (RSM) Implementation Report.
- Corps. May 2003. Manatee Harbor Limited Re-evaluation Report and Environmental Assessment.
- Corps. February 2001. Department of the Army (DOA) Individual Permit #199801210, Statement of Findings.