



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

February 4, 2020

Regulatory Division
North Permits Branch
Jacksonville Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2018-03349 (SP-TMM)

TO WHOM IT MAY CONCERN: The Jacksonville District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) as described below:

APPLICANT: St. Johns County
Attn: Mr. Damon Douglas
2750 Industry Center Road
St. Augustine, Florida 32084

WATERWAY AND LOCATION: The project would affect waters of the United States associated with the Atlantic Ocean. The proposed project site is located between Florida Department of Environmental Protection (FDEP) range (R) monuments R-76 and R-104, a 5.5-mile-long section of beach within Sections 6, 7, 17, 18 and 20, Township 6 South, Range 30 East and Sections 30 and 31, Township 5 South, Range 30 East, South Ponte Vedra Beach and Vilano Beach, St. Johns County, Florida. The borrow area associated with this project is located approximately 8 nautical miles east of the shoreline, 6 miles north of the St. Augustine Inlet. The borrow area is located in federal waters. The U.S. Department of Interior (DOI), Bureau of Ocean Energy Management (BOEM), has the sole regulatory authority over the use and conveyance of Outer Continental Shelf (OCS) sand resources under the OCS Lands Act. The applicant is coordinating with BOEM for authorization of use of federal sand resources from the borrow area.

Directions to the site are as follows: From Jacksonville, take A1A south to South Ponte Vedra Beach. R-76 monument is located 1.35 miles north of the Guana Tolomato Matanzas National Estuarine Research Reserve (GTMNERR) Education Center Entrance at Guana Dam. R-104 is located 4.16 miles south of the GTMNERR entrance and 3.3 miles north of the Vilano Beach Causeway. The project lies along the Atlantic Ocean shoreline.

APPROXIMATE CENTRAL COORDINATES:

Site Locations	Latitude	Longitude	R Monuments
Beach Segment	30.003202°	-81.318570°	R-76 to R-104
Borrow area	30.039419°	-81.187081°	Due East in the Atlantic Ocean

PROJECT PURPOSE:

Basic: The basic project purpose is shoreline protection.

Overall: The overall project purpose is shoreline stabilization along South Ponte Vedra Beach and Vilano Beach in St. Johns County.

EXISTING CONDITIONS: From R-76 – R-82.5 there are single family or multi-family homes and vacation rentals located east of A1A. The homes are set on small dunes with 0 feet to 50 feet of xeric vegetation. Beach habitat vegetation consists of plants adapted to salt air and poor nutrient soils such as sea oats, sea oxeye daisy, morning glory, cactus, saw palmetto, wildflowers and more. From north of R-82 to R-82 there are short, vegetated dunes with no houses. From R-82 – R-84, the beach is preserved as part of the Guana Tolomato Matanzas National Estuarine Research Reserve (GTMNERR); the undeveloped dunes are vegetated. From R-84 to north of R-94 homes and vacation rentals are present with vegetated dunes. From north of R-94 to north of R-95 the area is undeveloped and is part of the GTMNERR boundary. From north of R-95 to north of R-102 there are single-family and vacation rentals. From north of R-102 to north of R-104 there are multi-family residences consisting of condominiums. From north of R-104 to R-104 the area is undeveloped dunes with vegetation. From R-84 through R-93.5 and again starting at R-95 and running through R-100.5, various single-family residences with seawalls are present. The nearshore and offshore environments of the project area consist of sand and/or shell hash. The entire ocean front boundary from the shoreline to three miles out into the ocean are part of the GTMNERR preserve boundary.

Hurricane Matthew impacted Florida between October 3, 2016 and October 19, 2016, bringing strong winds, storm surge, and flooding. President Obama signed a disaster declaration (FEMA-4283-DR-FL) on October 8, 2016 authorizing the Department of Homeland Security's (DHS) Federal Emergency Management Agency (FEMA) to provide federal assistance to the designated areas of Florida. Subsequently, Hurricane Irma impacted the State of Florida between September 4, 2017 and September 18, 2017, also bringing strong winds, storm surge, and flooding. President Trump signed a disaster declaration (FEMA-4337-DR-FL) on September 10, 2017 authorizing federal assistance in Florida. This assistance is provided pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), and Public Law (PL) 93-288, as amended. Section 403 of the Stafford Act authorizes FEMA's Public Assistance (PA) Program to provide assistance essential to meeting immediate threats to life and

property resulting from a major disaster. St. Johns County, Florida was designated in both disasters to receive federal assistance, which will be utilized in this project.

PROPOSED WORK: The applicant seeks authorization to construct the St. Johns County South Ponte Vedra Beach Beach/Dune Restoration Project utilizing offshore sand to stabilize approximately 5.5 miles of Atlantic Ocean Shoreline between beach R-monuments R-76 and R-104 (reference Figure 1). The project would result in the dredging of approximately 600,000-cubic-yards of compatible beach sand material from an offshore borrow area and the placement of approximately 585,396-cubic-yards, an average of 20-cubic-yards per linear foot along the shoreline. The project will taper into the northern boundary of the Federal Project that spans R-102.5 south to R-117.5 (FDEP Permit # 0377120-001-JC, not yet issued) for a combined total of 8.5 miles of beach renourishment. The project would utilize a hopper dredge with use of relocation trawler as needed.

The applicant proposes the use of material from an offshore borrow area located in federal waters approximately 8 nautical miles offshore of South Ponte Vedra Beach. The borrow area is roughly 700 acres in size. The excavation of the borrow area would be completed with the hopper dredge and directly pump-out to the shore and near shore. The project would result in the dredging of approximately 600,000-cubic-yards of beach-compatible sand from offshore borrow site N-3 (reference Figure 1).

The proposed construction template includes a uniform dune crest width of 15 feet, a straight berm with an overall average fill density of 20-cubic-yards per foot, variable dune crest elevation of 14 feet to 16 feet-North American Vertical Datum (NAVD) based on existing conditions throughout the project area, and a 1V:4H dune face. In areas with seawalls, the dune would tie into the seawalls, but not cover the tops of the seawalls. In areas without seawalls, the dune would tie into the existing dune escarpment where possible or slope 1V:4H landward where a back slope is required. In areas with mature native vegetation at the north end of the project area, the dune template would lie further seaward of the existing dune to reduce impacts to the well-established vegetation while still allowing for a protective berm. The berm would be predominantly 30 feet wide, but would extend to 40 feet at the south end of the Project Area to allow more flexibility for tying in with the Federal Project. The foreshore slope would extend 1V:10H from the berm to the existing seafloor.

The southern boundary of the project would tie into the upcoming Federal Project, which includes a fill taper overlap into the Federal Project from R-102.5 to R-103.5. Depending on conditions during construction, the actual southern limit of fill for the St. Johns County project will likely fall somewhere between R-103 and R-104. This overlap in the Corps Federal Project has been reviewed and approved by Corps engineers. If the overlap causes dune vegetation within the Federal Project to be covered, dune vegetation would be required to be replaced by St. Johns County.

The project is expected to begin in fall of 2020 and is projected to last approximately 3 to 5 months.

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

No hardbottom impacts are proposed or anticipated. According to the *Florida Fish and Wildlife Conservation Commission-Fish and Wildlife Research Institute Coral and Hard Bottom Habitats Florida Geographic Information System Database 2013*, and Southeast Area Monitoring and Assessment Program (SEAMAP) hardbottom survey, hardbottom is not present within the project area.

Additionally, the applicant has provided the following information in support of efforts to minimize impacts to the aquatic environment:

Sand: The fill material would be beach compatible and meet the specifications required by Florida Administrative Codes 62B-41.007 (2)(j) and 62B-33.002 (8). The Florida Department of Environmental Protection (FDEP) would review geotechnical data of the borrow area sand and current beach sand provided by the applicant to ensure the borrow area sand would demonstrate compatibility with existing beach sediments in terms of color and grain size distribution prior to construction and include a special condition relating to the required mean grain size and silt content, as approved in the FDEP permit for the project.

Wildlife: In order to avoid and minimize impacts to wildlife, the applicant would follow relevant minimization measures, Reasonable and Prudent Measures, and Terms and Conditions associated with the following programmatic consultation documents:

- U.S. Fish and Wildlife Service Statewide Programmatic Biological Opinion (SPBO)(March 13, 2015);
- U.S. Fish and Wildlife Service Programmatic Piping Plover Biological Opinion (P3BO)(May 22, 2013)
- National Marine Fisheries Service South Atlantic Regional Biological Opinion (SARBO) (1997)
- The Corps of Engineers, Jacksonville District, and the State of Florida Effect Determination Key for the Manatee in Florida (Manatee Key) (May 13, 2019 and April 2013)
- The Corps of Engineers, Jacksonville District, U.S. Fish and Wildlife Service, Jacksonville Ecological Services Field Office and State of Florida Effect Determination Key for the Woodstork in Central and North Peninsular Florida (September 2008)
- The Corps of Engineers, Jacksonville District, U.S. Fish and Wildlife Service, Eastern Indigo Snake Programmatic Effect Determination Key (January 25, 2010)

Aesthetics: Best management practices would be executed to minimize the presence of equipment and personnel in the Project Area and related habitats.

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

The applicant noted that the work proposed would not result in the loss of aquatic functions or services. Therefore, the applicant expressed an opinion that compensatory mitigation is not warranted.

CULTURAL RESOURCES:

Borrow Area: The applicant contracted for a survey of borrow area N-3 by Panamerican Consultants, Inc. in September 2019. The Corps is currently reviewing the survey in coordination with BOEM to determine the presence or absence of culturally significant resources within the borrow area. The Corp's final determination relative to project impacts on historic resources is subject to review by and coordination with the SHPO and, if applicable, those federally recognized tribes with concerns in Florida and the permit area.

Beach Area: Previous St. Johns County cultural resources surveys have been conducted within the boundary of the proposed beach nourishment. The Corps Regulatory Archaeologist has determined that no historic properties would be affected by sand placement activities for the beach area. Additionally, the SHPO reviewed the FEMA – Emergency Beach Berms, St. Johns County Florida projects *PA 04-FL-4283-PW-001061-PN SCBAK40* and *PA 04-FL-4337-PW-002743-PN 26097* boundaries. In a letter provided May 21, 2019, the SHPO stated they concur with the FEMA determination that the proposed project will have no effect on historic properties listed, or eligible for listing, in the National Register of Historic Places. The final project boundary of this proposed project is subject to review by and coordination with the SHPO and, if applicable, those federally recognized tribes with concerns in Florida and the permit area.

Pipeline Areas: The Corps Regulatory archaeologist, in coordination with BOEM, has requested that St. Johns County conduct surveys of any pipeline corridors seaward of the beach project area, to include hard bottom as well as historical and cultural resources. The data would be utilized to verify the presence or absence of culturally significant resources within the designated pipeline corridors and identify the potential need and scope of any buffers around resources, should any be present. Regulatory Division's final determination relative to historic resource impacts is subject to review by and coordination with the SHPO, and, if applicable, those federally recognized tribes with concerns in Florida and the permit area.

ENDANGERED SPECIES: The following is a table of species and critical habitat that may appear in the Project Area (reference Table 1). The table includes the associated federal listing status of each species, the managing agency, the programmatic biological opinion or programmatic key in which the species may fall under for this project, and the Corps determination of whether each species is covered under the biological opinion based on use of hopper dredge, potential use of relocation trawler if needed, and dredge placement on the beach per the fill templates. The Corps determinations are

based on analysis by the Corps, information provided by the applicant, programmatic keys, and current biological opinions. The Corps will consult with U.S. Fish and Wildlife (USFWS) to determine that the USFWS concurs that the proposed project falls under the requirements of the respective biological opinions, according to Section 7 of the Endangered Species Act. Within the letter, the Corps will request concurrence that the Rufus Red Knot may fall under the P3BO. In accordance with current procedures, the Corps does not need to initiate additional consultation with the NMFS to request concurrence that the project is within the scope of, and covered by, the 1997 SARBO, or any subsequent SARBO, as the Corps is able to make this determination programmatically.

Species/Critical Habitat	Status*	Agency *	Biological Opinion*	Covered Under Biological Opinion or Key	Corps Initial Effect Determination*
Anastasia Island Beach Mouse (<i>Peromyscus polionotus phasma</i>)	E	USFWS	SPBO	Yes	MANLAA
West Indian Manatee (<i>Trichechus manatus</i>)	T	USFWS	SPBO	Yes	MANLAA
Red-Cockaded Woodpecker	E	USFWS	N/A	N/A	No Effect
Eastern Indigo Snake	T	USFWS	Eastern Indigo Snake Key	Yes	NLAA
WoodStork	E	USFWS	WoodStork Key	Yes	No Effect
Sea Turtles Nesting:					
Loggerhead (<i>Caretta caretta</i>) Northwest Atlantic Ocean Distinct Population Segment	T	USFWS	SPBO	Yes	MANLAA
Green (<i>Chelonia mydas</i>)	T	USFWS	SPBO	Yes	MANLAA
Kemp's Ridley (<i>Lepidochelys kempii</i>)	E	USFWS	SPBO	Yes	MANLAA
Leatherback (<i>Dermochelys coriacea</i>)	E	USFWS	SPBO	Yes	MANLAA
Hawksbill (<i>Eretmochelys imbricata</i>)	E	USFWS	SPBO	Yes	MANLAA
Loggerhead Sea Turtle Critical terrestrial Habitat Unit LOGG-T-FL-03		USFWS	SPBO	Yes	NLAM
Piping Plover (<i>Charadrius melodus</i>)	T	USFWS	P ³ BO	Yes	MANLAA
Rufa Red knot (<i>Calidris canutus rufa</i>)	T	USFWS	P ³ BO	Yes	MANLAA

North Atlantic Right Whale	E	NMFS	SARBO	Yes	MANLAA
North Atlantic Right Whale Critical Habitat Unit 2		NMFS	SARBO	Yes	NLAM
Sea Turtles Swimming:					
Green (<i>Chelonia mydas</i>);	T	NMFS	SARBO	Yes	MALAA
Kemp's Ridley (<i>Lepidochelys kempi</i>);	E	NMFS	SARBO	Yes	MALAA
Leatherback (<i>Dermochelys coriacea</i>);	E	NMFS	SARBO	Yes	MALAA
Loggerhead (<i>Caretta caretta</i>);	T	NMFS	SARBO	Yes	MALAA
Hawksbill (<i>Eretmochelys imbricata</i>)	E	NMFS	SARBO	Yes	MALAA
Loggerhead Sea Turtle Neritic Habitat Unit LOGG-N-15		NMFS	SARBO	Yes	NLAM
Atlantic sturgeon (<i>Acipenser oxyrinchus oxyrinchus</i>)	E	NMFS		No	MALAA
Smalltooth Sawfish (<i>Pristis pectinata</i>)	E	NMFS		No	MANLAA
Giant Manta Ray (<i>Manta birostris</i>)	T	NMFS		No	MANLAA
Scalloped Hammerhead Shark (<i>Sphyrna lewini</i>)	T	NMFS		No	NE
Oceanic White Tip Shark (<i>Carcharhinus longimanus</i>)	T	NMFS		No	NE

Table 1. Endangered Species and Corps Effect Determinations

*Key:

NMFS: National Marine Fisheries Service

USFWS: United States Fish and Wildlife Service

T: Federal Listing Status Threatened

E: Federal Listing Status Endangered

SPBO: Statewide Programmatic Biological Opinion 2015

SARBO: South Atlantic Region Biological Opinion 1997

P³BO: Piping Plover Programmatic Biological Opinion

MANLAA: May Affect, Not Likely to Adversely Affect

MALAA: May Affect, Likely to Adversely Affect

NLAM: Not Likely to Adversely Modify

NE: No Effect

ESSENTIAL FISH HABITAT (EFH): This notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. The proposal would impact a 5.5-mile stretch of unconsolidated bottom utilized by various life stages of shrimp complex and snapper/grouper complex associated with mud, shell, sand substrate and water column EFH. A 1994 side-scan sonar survey was conducted over 2.7 square miles of nearshore substrate within the Federal Project Study area ranging from R-84 to R-209, which covers R-84-R104 of the local project, to determine the presence and extent of hard bottom areas in the vicinity of the project. Based on core borings, it was determined that rock formations did not exist within the placement area. The existing geologic formation was covered with approximately 10-20 feet of sand, and no features such as hard bottom or rock outcrops were located between R-84 to R-209. Additionally, data from the *Florida Fish and Wildlife Conservation Commission-Fish and Wildlife Research Institute Coral and Hard Bottom Habitats Florida Geographic Information System Database 2013*, and Southeast Area Monitoring and Assessment Program (SEAMAP) hardbottom survey provided by the applicant, hardbottom has not been identified within the project area between R-76 – R-104. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or federally managed fisheries in the South Atlantic Region. Our final determination relative to project impacts and the need for additional survey or mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

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

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

Bureau of Ocean Energy Management: The U.S. DOI, BOEM, is serving as a cooperating agency, per the Memorandum of Understanding Between Army Corps of Engineers U.S. Department of the Army and Bureau of Ocean Energy Management U.S. Department of the Interior to Coordinate the Use Of Sand, Gravel, and Shell Resources from the Outer Continental Shelf, 2017, with the Corps with respect to implementation of the required NEPA process, the ESA Section 7 consultations, the Magnuson-Stevens Fishery and Conservation Management Act Essential Fish Habitat consultation (Section 305), the National Historic Preservation Act Section 106 process, and the Coastal Zone Management Act Section 307 consistency determination. BOEM has sole regulatory authority over the use of OCS sand resources and conveyance on the OCS under the OCS Lands Act. BOEM is authorized under Public Law 103-426 [43 United States Code (U.S.C.) 1337(k)(2)] to negotiate on a non-competitive basis the rights to OCS sand resources for shore protection projects. BOEM's connected action is to issue a non-competitive negotiated agreement (NNA) authorizing use of federal sand resources from Borrow Area N-3 at the request of St. Johns County. If you have any

questions regarding BOEM's action(s), you may contact Mr. Doug Piatkowski by electronic mail at douglas.piatkowski@boem.gov or by telephone at 703-787-1833.

COMMENTS regarding the potential authorization of the work proposed should be submitted in writing to the attention of the District Engineer through the Jacksonville Permits Section within 30 days from the date of this notice. For electronic mail (preferred) submit comments to Terri.M.Mashour@usace.army.mil. For standard mail submit comments to Post Office Box 4970, Jacksonville, Florida 32232. Please reference this permit number, SAJ-2018-03349 (SP-TMM), on all submittals.

The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to the associated wetlands. This is based on an analysis of the applicant's avoidance and minimization efforts for the project, as well as the compensatory mitigation proposed.

QUESTIONS concerning this application should be directed to the project manager, Terri Mashour, by electronic mail at Terri.M.Mashour@usace.army.mil or by telephone at (904) 570-4512.

[OPTIONAL FOR ATF APPLICATIONS] ADDITIONAL INFORMATION: After reviewing all available information pertaining to the completed work, the Department of the Army has not recommended legal action at this time. Final determination regarding legal action will be made after review of the project through the permit procedure.

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

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research

and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

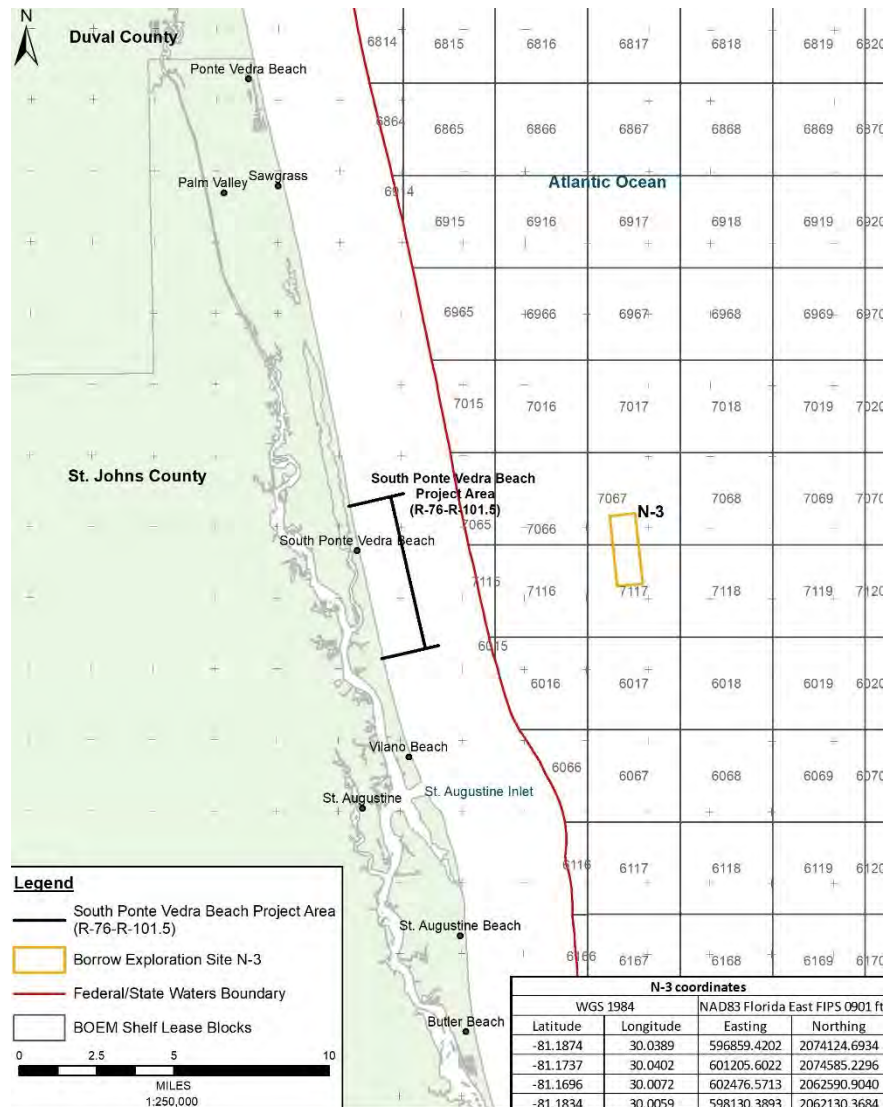
The US Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to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

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

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

Use of Outer Continental Shelf Sand from Borrow Site N-3 for the South Ponte Vedra Beach Dune Restoration Project

Draft Environmental Assessment



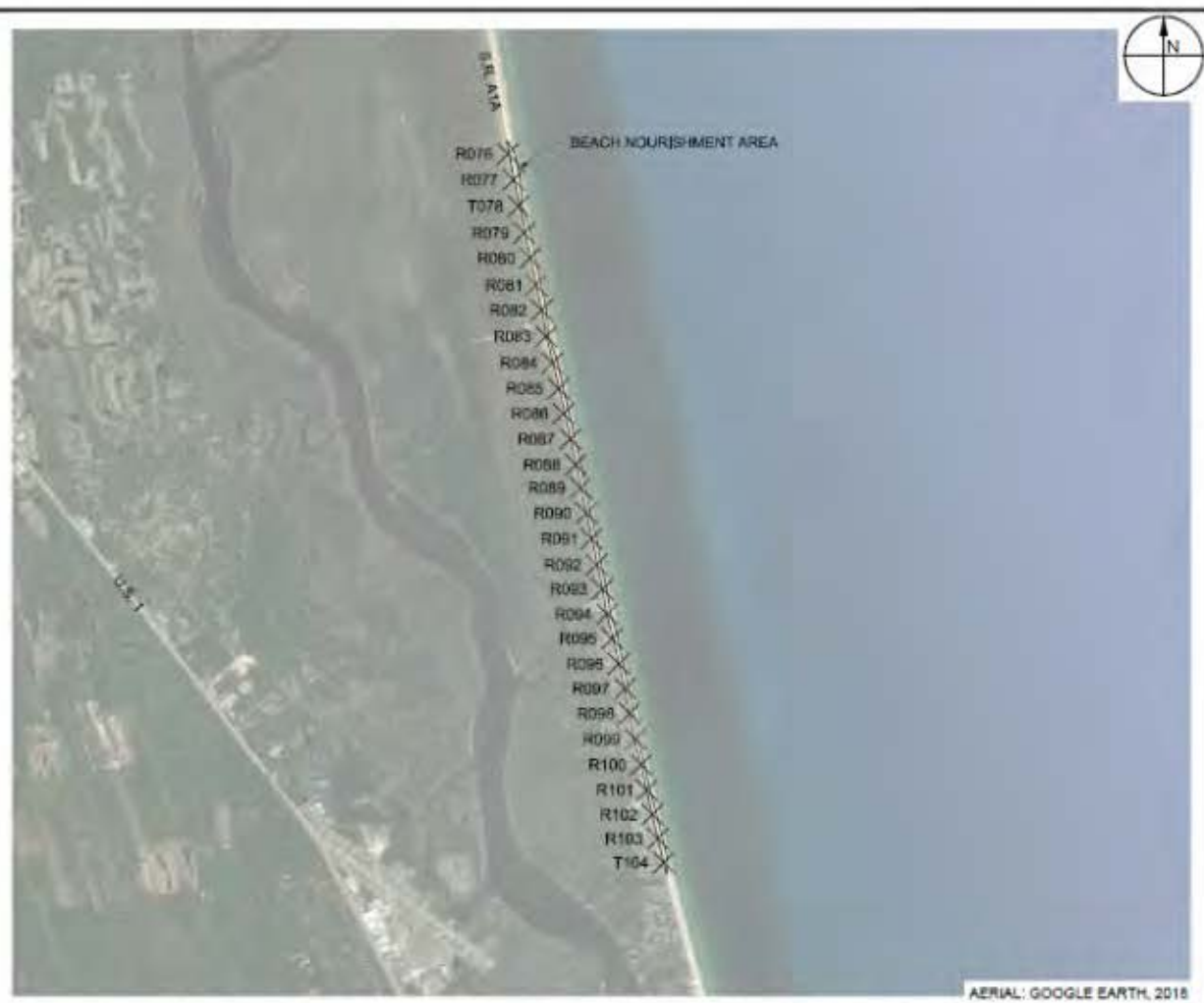
Prepared by:



Taylor Engineering, Inc.
10199 Southside Blvd, Suite 310
Jacksonville, Florida 32256

December 2019

MONUMENT TABLE		
POINT	EASTING	NORTHING
R076	552333,33	2075781,23
R077	552544,79	2074717,61
T078	552749,38	2073673,59
R079	552986,84	2072587,46
R080	553221,69	2071589,43
R081	553451,43	2070504,14
R082	553687,17	2069511,51
R083	553869,00	2068498,47
R084	554120,03	2067396,82
R085	554366,02	2066379,26
R086	554566,60	2065377,36
R087	554819,38	2064355,48
R088	555042,04	2063334,80
R089	555233,72	2062396,22
R090	555472,62	2061397,66
R091	555664,56	2060368,96
R092	555876,17	2059333,59
R093	556112,12	2058361,01
R094	556301,45	2057366,72
R095	556495,90	2056383,43
R096	556780,02	2055374,38
R097	557002,40	2054378,39
R098	557200,08	2053382,52
R099	557426,03	2052366,00
R100	557661,96	2051340,16
R101	557879,74	2050324,86
R102	558103,42	2049348,97
R103	558321,91	2048381,47
T104	558557,68	2047420,03



TAYLOR ENGINEERING INC.

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JACKSONVILLE, FLORIDA 32258
INDUSTRY 4-4815

REGISTRATION # 4815

FIGURE C-3
PROJECT OVERVIEW
SOUTH PONTE VEDRA BEACH RESTORATION
ST. JOHNS COUNTY, FLORIDA

PROJECT	C2018-055
ORGANIZATION	AF
WASST	3 of 15
DATE	DEC 2018

5	1994
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DRAFT

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CONTINUED

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PRELIMINARY DRAWINGS: THESE DRAWINGS ARE NOT IN FINAL FORM, BUT ARE BEING TRANSMITTED FOR AGENCY REVIEW