



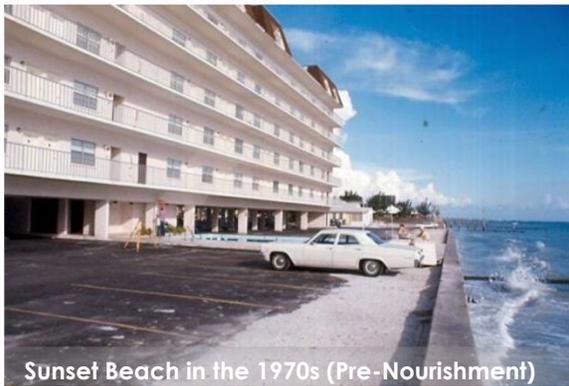
US Army Corps
of Engineers®
Jacksonville District

PINELLAS COUNTY, FLORIDA COASTAL STORM RISK MANAGEMENT STUDY

TREASURE ISLAND AND LONG KEY SEGMENTS

Draft Integrated Feasibility Report and
Environmental Assessment

APPENDIX F: COASTAL ZONE MANAGEMENT CONSISTENCY



August 2020



COASTAL ZONE MANAGEMENT CONSISTENCY

PINELLAS COUNTY, FLORIDA

TREASURE ISLAND AND LONG KEY SEGMENTS

COASTAL STORM RISK MANAGEMENT PROJECT

INTEGRATED FEASIBILITY STUDY AND ENVIRONMENTAL ASSESSMENT

1. Chapter 161, Florida Statute (2018) Beach and Shore Preservation. The intent of the coastal construction permit program established by this chapter is to regulate construction projects located seaward of the line of mean high water and which might have an effect on natural shoreline processes.

Response: The proposed study investigates alternatives for a unified plan that addresses vulnerabilities such as shoreline damage from waves, erosion, and inundation caused by coastal storms, as well as provides incidental opportunities for habitat restoration and recreation for Treasure Island and Long Key along the Gulf Coast shorelines of Pinellas County, Florida. This study will not violate the intent of this chapter. The proposed plans and information will be submitted to the State in compliance with this chapter.

2. Chapters 186 and 187, Florida Statute (2018) State and Regional Planning. These chapters establish the State Comprehensive Plan which sets goals that articulate a strategic vision of the State's future. Its purpose is to define in a broad sense, goals, and policies that provide decision-makers directions for the future and provide long-range guidance for an orderly social, economic and physical growth.

Response: The proposed project has been coordinated with various Federal, State and local agencies during the planning process. The study meets the primary goal of the State Comprehensive Plan through preservation and protection of the shorefront development and infrastructure through erosion control.

3. Chapter 252, Florida Statute (2018) Emergency Management. This chapter creates a State emergency management agency with authority: in order to ensure that preparations of this State will be adequate to deal with, reduce vulnerability to, and recover from such emergencies and disasters; to provide for

the common defense; to protect the public peace, health and safety; and to preserve the lives and property of the people of Florida.

Response: The proposed study investigates alternatives for a unified plan that addresses vulnerabilities such as shoreline damage from waves, erosion, and inundation caused by coastal storms, as well as provides incidental opportunities for habitat restoration and recreation for Treasure Island and Long Key along the Gulf Coast shorelines of Pinellas County, Florida. The proposed study involves resiliency design refinements as a protective means for residents, development, and infrastructure through erosion control located along Treasure Island and Long Key along the Gulf Coast shorelines of Pinellas County, Florida; therefore, the proposed work would be consistent with the efforts of Division of Emergency management.

4. Chapter 253, Florida Statute (2018) State Lands. This chapter governs the management of State of Florida Board of Trustees of the Internal Improvement Trust Fund State Lands, including submerged State lands and resources within State lands. This includes archeological and historical resources; water resources; fish and wildlife resources; beaches and dunes; submerged grass beds and other benthic communities; swamps, marshes and other wetlands; mineral resources; unique natural features; submerged lands; spoil islands; and artificial reefs.

Response: The proposed project complies with State regulations pertaining to the above resources; therefore, it would comply with the intent of this chapter.

5. Chapters 259, 260, and 375, Florida Statute (2018) Land Acquisition for Conservation and Recreation, Greenways and Trails, Outdoor Recreation and Conservation Lands. These chapters authorize agencies of the State of Florida to acquire land: to protect environmentally sensitive areas for conservation; and for outdoor recreation, including greenways and trails.

Response: The proposed project will not have an adverse effect on State-owned environmentally sensitive or recreational lands. It does not require land acquisition for the stated purposes.

6. Chapter 258, Florida Statute (2018) State Parks and Aquatic Preserves. This chapter authorizes the State to manage State parks and preserves. Consistency with this statute would include consideration of projects that would directly or indirectly adversely impact park property, natural resources, park programs, management, or operations.

Response: The proposed project will comply with this chapter and will not directly or indirectly adversely impact park property, natural resources, park programs, management, operations or preserves.

7. Chapter 267, Florida Statute (2018) Historical Resources. This chapter establishes the procedures for implementing the Florida Historic Resources Act responsibilities.

Response: Consultation with the Florida SHPO, the Miccosukee Tribe of Indians of Florida, the Seminole Nation of Oklahoma, and the Seminole Tribe of Florida was initiated in a letter dated April 10, 2020 (Appendix E). Consultation will be concluded prior to project implementation. The proposed action shall be in compliance with the goals of this Act upon completion of coordination as stated above.

8. Chapter 288, Florida Statute (2018) Commercial Development and Capital Improvements. This chapter directs the State Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability to evaluate existing State economic development programs (e.g., tax credits, tax refunds, sales tax exemptions, etc.) for effectiveness and value to taxpayers.

Response: This chapter is not applicable as the project does not involve any of the economic incentive programs listed in Chapter 288.

9. Chapters 334, 335, 336, 337, 338, and 339, Florida Statute (2018) Public Transportation. These chapters authorize the planning and development of a safe, balanced, and efficient transportation system.

Response: No public transportation systems would be impacted by this project.

10. Chapter 379, Florida Statute (2018) Saltwater Fisheries. This chapter directs the State to preserve, manage and protect the marine, crustacean, shell and anadromous fishery resources in State waters; to protect and enhance the marine and estuarine environment; to regulate fishermen and vessels of the state engaged in the taking of such resources within or without State waters; to issue licenses for the taking and processing products of fisheries; to secure and maintain statistical records of the catch of each such species; and, to conduct scientific, economic, and other studies and research.

Response: The material (sediment) proposed for the resiliency evaluation for Treasure Island and Long Key along the Gulf Coast shorelines of Pinellas County, Florida have been evaluated in the prior NEPA documents and would not have a substantial adverse effect on saltwater fisheries. The proposed study is consistent with the goals of this chapter.

11. Chapter 379, Florida Statute (2018) Wildlife. This chapter establishes the Florida Fish and Wildlife Conservation Commission and directs it to manage freshwater aquatic life and wild animal life and their habitat to perpetuate a diversity of species with densities and distributions which provide sustained ecological, recreational, scientific, educational, aesthetic, and economic benefits.

Response: The study is expected to have no significant effect on freshwater aquatic life or wild animal life. Consultation for the Endangered Species Act and the Magnuson-Stevens Fishery Conservation and Management Act was coordinated with the USFWS and NMFS (Appendix H).

12. Chapter 373, Florida Statute (2018) Water Resources. This chapter provides the authority to regulate the withdrawal, diversion, storage, and consumption of water.

Response: This study does not involve water resources as described by this chapter.

13. Chapter 376, Florida Statute (2018) Pollutant Discharge Prevention and Removal. This chapter regulates the transfer, storage, and transportation of pollutants and the cleanup of pollutant discharges.

Response: The contract specifications will prohibit the Corps and/or its contractor from dumping oil, fuel, or hazardous wastes in the work area and will require that the contractor adopt safe and sanitary measures for the recycling or disposal of solid wastes. A spill prevention plan will be required. The proposed project is consistent with the intent of this chapter.

14. Chapter 377, Florida Statute (2018) Energy Resources. This chapter authorizes the regulation of all phases of exploration, drilling, and production of oil, gas, and other petroleum products.

Response: The proposed study does not involve the exploration, drilling or production of gas, oil or petroleum product and therefore, this chapter does not apply.

15. Chapter 380, Florida Statute (2018) Land and Water Management. This chapter establishes criteria and procedures to assure that local land development decisions consider the regional impact nature of proposed large-scale development.

Response: The proposed study will not have any regional impact on resources in the area. Therefore, the project is consistent with the goals of this chapter.

16. Chapter 388, Florida Statute (2018) Mosquito Control. This chapter provides for a comprehensive approach for abatement or suppression of mosquitoes and other pest arthropods within the State.

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

17. Chapter 403, Florida Statute (2018) Environmental Control. This chapter authorizes the regulation of pollution of the air and waters of the State by the FDEP.

Response: An Environmental Assessment addressing the proposed study effects has been prepared and will be reviewed by the appropriate resource agencies including the FDEP. Environmental protection measures will be implemented to ensure that no lasting adverse effects on water quality, air quality, or other environmental resources will occur. Coordination with the Florida Department of Environmental Protection shall occur prior to construction. The proposed study complies with the intent of this chapter.

18. Chapter 582, Florida Statute (2018) Soil and Water Conservation. This chapter establishes policy for the conservation of the State soil and water through the Department of Agriculture. Land use policies will be evaluated in terms of their tendency to cause or contribute to soil erosion or to conserve, develop, and utilize soil and water resources both onsite or in adjoining properties affected by the project. Particular attention will be given to projects on or near agricultural lands.

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