



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
4400 PGA BOULEVARD SUITE 500
PALM BEACH GARDENS, FLORIDA 33410

REPLY TO
ATTENTION OF

February 14, 2019

Regulatory Division
South Permits Branch
Palm Beach Gardens Permits Section

PUBLIC NOTICE

Permit Application Number SAJ-2014-02065 (SP-SLR)

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 103 of the Marine Protection, Research and Sanctuaries Act (33 U.S.C. §1401 – 1445) as described below:

APPLICANT: St. Lucie County Erosion District
3150 Will Fee Road
Ft. Pierce, Florida 34928

WATERWAY AND LOCATION: The Fort Pierce ODMDS is located approximately 4 nautical miles from the entrance to the Fort Pierce Inlet. The site coordinates are given in Table 1 below.

Table 1. Fort Pierce ODMDS Boundary Coordinates

ODMDS Boundaries	Latitude, Longitude (NAD 83)		State Plane (ft, FL East, NAD 83)	
NW Corner	27° 27.00' N	80° 11.45' W	1133608.9 N	918595.4 E
NE Corner	27° 27.00' N	80° 12.55' W	1133570.6 N	912649.3 E
SW Corner	27° 28.00' N	80° 11.45' W	1139668.1 N	918555.9 E
SE Corner	27° 28.00' N	80° 12.55' W	1139629.8 N	912610.7 E

Source: Fort Pierce ODMDS SMMP (USEPA and USACE 2000). State plane converted from latitude/longitude using the website www.earthpoint.us/stateplane.aspx.

PROPOSED WORK: The applicant seeks authorization to transport 180,000 cubic yards of dredged material from the initial construction of the Fort Pierce Inlet Sand Bypass to the Fort Pierce ODMDS.

FORT PIERCE ODMDS: The Fort Pierce ODMDS was designated by the EPA, pursuant to Section 102(c) of the Marine Protection, Research, and Sanctuaries Act (MPRSA) of 1972, as amended, as suitable for the ocean disposal of dredged material. A SMMP was developed for the Fort Pierce ODMDS as part of the final site designation in 1993. The SMMP was revised in 2000 and replaced by the *Southeastern United States Inactive ODMDS SMMP* in 2013 as the Fort Pierce ODMDS had not been used since 2002. The Inactive SMMP requires a site specific SMMP to be developed within one year if a site becomes active. The Fort Pierce ODMDS became active in October, 2014 with the

disposal of 246,930 cubic yards of maintenance dredged material from Fort Pierce Harbor. A public notice for the site specific SMMP was posted on August 27, 2015. Physical and biological conditions at the Fort Pierce ODMDS are described in the *Final Environmental Impact Statement for the Designation of an Ocean Dredged Material Disposal Site located Offshore Fort Pierce, Florida*.

The Fort Pierce ODMDS has an area of approximately one square nautical mile. Depths within the ODMDS range from approximately 12 to 16 meters below mean lower low water. Disposal of dredged materials in the ODMDS has been and in the future is expected to be associated primarily with the maintenance of Fort Pierce Harbor.

TESTING: EPA Region 4 previously provided a MPRSA Section 103 concurrence for the Fort Pierce Harbor Federal Navigation Project in 2014. That concurrence approved the suitability of dredged material for placement at the Fort Pierce Ocean Dredged Material Disposal Site (ODMDS) to existing and authorized project dimensions plus two-feet of advanced maintenance and plus two-feet of allowable overdepth. Total dredging volumes for the prior proposed project are expected to be 200,000 to 300,000 cubic yards (*in situ*) of sand, silty sands, silts and clays. Two feet of paid allowable overdepth dredging is allowed throughout the project. No work has commenced for the project as proposed.

The sediments within the proposed project footprint of the sediment basin were analyzed in 2009. The geotechnical data analysis included data from cores SPT-3 through SPT-6 located within Alternative 2 and SPT-7 and SPT-8 within Alternative 1. Alternative 3 is being carried forward which includes sampling areas SPT-4 through SPT-6. The western boundary of the basin currently lies between SPT-4 and SPT-5. The suitability of dredge materials for disposal in the ODMDS was assessed using the tiered approach standards as outlined in the “**Evaluation of Dredged Material Proposed for Ocean Disposal - Testing Manual**”, otherwise known as the 1991 “**Green Book**”. The material meets the exclusionary criteria for testing. The dredged material is composed predominately of sand, gravel, rock or any other naturally occurring bottom material with particle sizes larger than silt and is found in areas of high current or wave energy.

The data for the evaluation of the suitability of the dredge material for disposal at the Fort Pierce ODMDS is contained in the ***Fort Pierce Inlet Sand Bypass Project – MPRSA 103 Evaluation for Permits***. The report documents the analytical results derived from field data and test results from boring activities. Review of the field data and sample collection process and laboratory data show that all data are usable for project purpose of the Section 103 pre-dredging sediment evaluation.

CONCURRENCY: The Corps has determined that based on the analysis of the dredge materials, as required, the dredge material is acceptable for ocean disposal because it meets the exemption criteria. This determination is based on the analysis that followed the process outlined in the Green Book and summarized in the Testing section above and attached to this public notice. The Corps would submit to the EPA a 103 Evaluation

Report and a request of concurrence that the dredged materials are suitable for disposal at the Port Everglades ODMDS. The permit, if issued, would contain the draft Regulatory special conditions that are attached to the 103 Evaluation Report.

CULTURAL RESOURCES: The Corps is not aware of any known historic properties within the permit area. By copy of this public notice, the Corps is providing information for review. Our final determination relative to historic resource impacts is subject to review by and coordination with the State Historic Preservation Officer and those federally recognized tribes with concerns in Florida and the Permit Area.

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

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

COMMENTS regarding the potential authorization of the work proposed should be submitted in writing to the attention of the District Engineer through the Palm Beach Gardens Permits Section, 4400 PGA Boulevard, Suite 500, Palm Beach Gardens, Florida 33410 within 15 days from the date of this notice.

The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to 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, Samantha L. Rice, in writing at the Palm Beach Gardens Permits Section, 4400 PGA Boulevard, Suite 500, Palm Beach Gardens, Florida 33410; by electronic mail at Samantha.L.Rice@usace.army.mil; or, by telephone at (561)472-3536.

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.

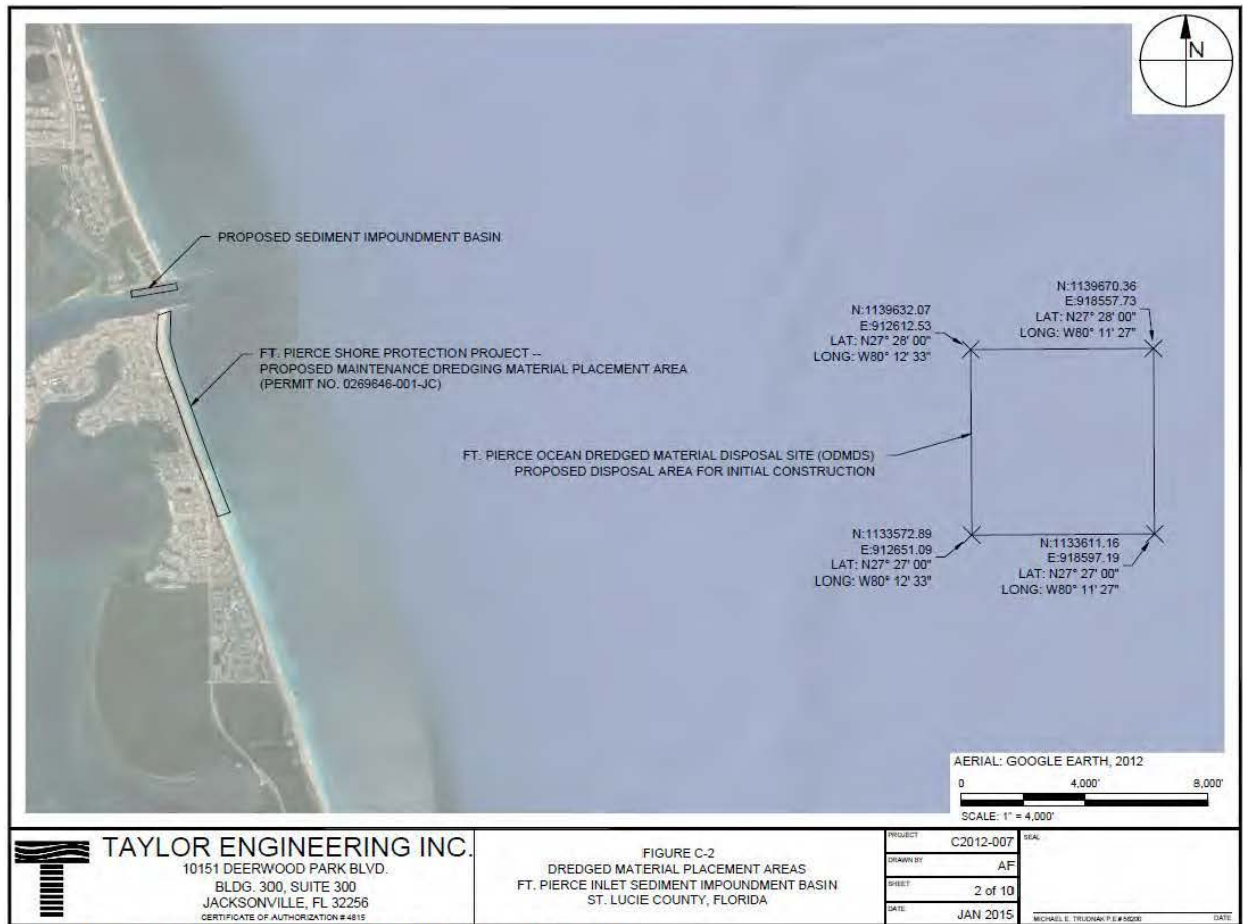
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, 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.



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