



United States Department of the Interior

National Park Service
Timucuan Ecological and Historic Preserve
Fort Caroline National Memorial
13165 Mt. Pleasant Road
Jacksonville, Florida 32225



L7617 (TIMU-RM)

April 2, 2010

Mr. David Hankla
U.S. Fish and Wildlife Service
7915 Baymeadows Way, Suite 200
Jacksonville, FL 32256-7517

Dear Mr. Hankla:

Pursuant to Section 7(a) of the Endangered Species Act, please find enclosed the Environmental Assessment for the Ribault Monument Shoreline and Embankment Stabilization, addressing the concerns of the threatened and endangered species under the purview of the U.S. Fish and Wildlife Service (USFWS). Listed species which may occur in the vicinity of the proposed work and are under the jurisdiction of the USFWS include the West Indian manatee (*Trichechus manatus*, E). Based on information included in the EA and incorporation of the USFWS standard "Manatee Protection Measures" into each alternatives plans and specifications, the National Park Service has determined that the proposed action may affect, but is not likely to adversely affect the West Indian Manatee. The NPS requests your written concurrence on this determination.

If you have any questions or need further information, please contact Richard Bryant at (904) 568-4939 or by email: Richard_Bryant@partner.nps.gov, or Pat Griffin at (904)232-2286 or by email: Patrick.M.Griffin@usace.army.mil.

Sincerely,

Barbara Goodman
Superintendent

Enclosure



United States Department of the Interior

U. S. FISH AND WILDLIFE SERVICE

7915 BAYMEADOWS WAY, SUITE 200
JACKSONVILLE, FLORIDA 32256-7517

IN REPLY REFER TO:

FWS Log No. 41910-2010-I-0297

May 10, 2010

Ms. Barbara Goodman
U.S. Department of the Interior
Timucuan Ecological and Historic Preserve
13165 Mt. Pleasant Road
Jacksonville, Florida 32225
(Attn: Richard Bryant)

Re: Response to Request for Concurrence with Determination of Effects on Federal Trust and other Natural Resources from Shoreline Stabilization at the Ribault Monument, Duval County

Dear Ms. Goodman:

Our office has reviewed your correspondence and accompanying information, dated April 2, 2010 and received in this office, for the following project.

The applicant (the National Park Service, NPS) proposes to conduct shoreline stabilization and embankment work in the vicinity of the Ribault Monument within the Timucuan Ecological and Historic Preserve. The Ribault Monument is found at the Fort Caroline National Memorial along the south bank of the St. Johns River. In order to protect the Ribault Monument, the NPS needs to replace an existing seawall at the base of St. Johns Bluff, and has posed six alternatives to accomplish the work. However, the NPS lists Alternative 4 (sheet pile seawall only with bench) as the preferred alternative, partly due to its avoidance of archaeological resources and minimal natural resource impacts. This alternative would entail the construction of a sheet pile seawall and a bench along 500 feet of shoreline. A barge would likely be utilized in the construction phase for Alternative 4 to transport construction materials and equipment to the project site from the St. Johns River. The project is located within the Fort Caroline National Memorial property at St. Johns Bluff, immediately west of the junction of St. Johns Creek with the St. Johns River, Jacksonville, Duval County.

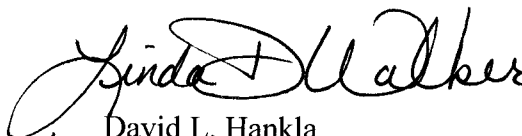
The NPS has agreed to adhere to the Standard Manatee Construction Conditions for In-water Work (2009). We submit the following comments in accordance with section 7 of the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*), the Marine Mammal Protection Act of 1972, (MMPA) as amended (16 U.S.C. 1361 *et seq.*).

The NPS evaluated this project for potential impacts to federally-listed species and determined that the proposed project occurs within the range of the West Indian (Florida) manatee (*Trichechus manatus latirostris*). As a result, the NPS determined that the proposed project "may affect but is not likely to adversely affect" the manatee and requested concurrence with this determination.

Based on the preceding, as well as our own review of manatee mortality, telemetry, and aerial survey data and other sources of information, it is our position that the likelihood of take of a manatee or its habitat is insignificant or discountable. We concur with the NPS determination that the project may affect, but is not likely to adversely affect, the manatee. In addition, because no incidental take of manatees is anticipated, no such authorization under the MMPA would be needed.

If you have any questions regarding this response, please contact Ms. Terri Calleson of my staff at the address on the letterhead, or by calling (850) 617-6064.

Sincerely,


for David L. Hankla
Field Supervisor

cc:

Ms. Carol Knox
Fish and Wildlife Conservation Commission
Division of Habitat and Species Conservation
Imperiled Species Management Section
620 South Meridian Street
Tallahassee, Florida 32399



IN REPLY REFER TO:

United States Department of the Interior

National Park Service
Timucuan Ecological and Historic Preserve
Fort Caroline National Memorial
13165 Mt. Pleasant Road
Jacksonville, Florida 32225



L7617 (TIMU-RM)

April 2, 2010

Mr. George Getsinger
National marine Fisheries Service
9741 Ocean Shore Drive
St. Augustine, FL 32080

Dear Mr. Getsinger,

The National Park Service, Timucuan Ecological and Historic Preserve has prepared an Environmental Assessment (EA) to evaluate the potential impacts of various alternatives to replace and extend the existing seawall/bulkhead on St. Johns Creek below Ribault Column. As an addendum to that EA, attached to this letter is an Essential Fish Habitat (EFH) assessment as required by the Magnuson-Stevens Act.

As funding to construct this project is currently not available, the National Park Service is not seeking permits at this time. However, completion of the EA is a necessary step in seeking construction funds and we seek the review of the EA and the EFH assessment. Please review these documents and forward any comments to our office. If there are any questions, please do not hesitate to contact Richard Bryant at (904) 568-4939 or at Richard_Bryant@partner.nps.gov.

Sincerely,

Barbara Goodman
Superintendent

enclosures

ESSENTIAL FISH HABITAT SUMMARY

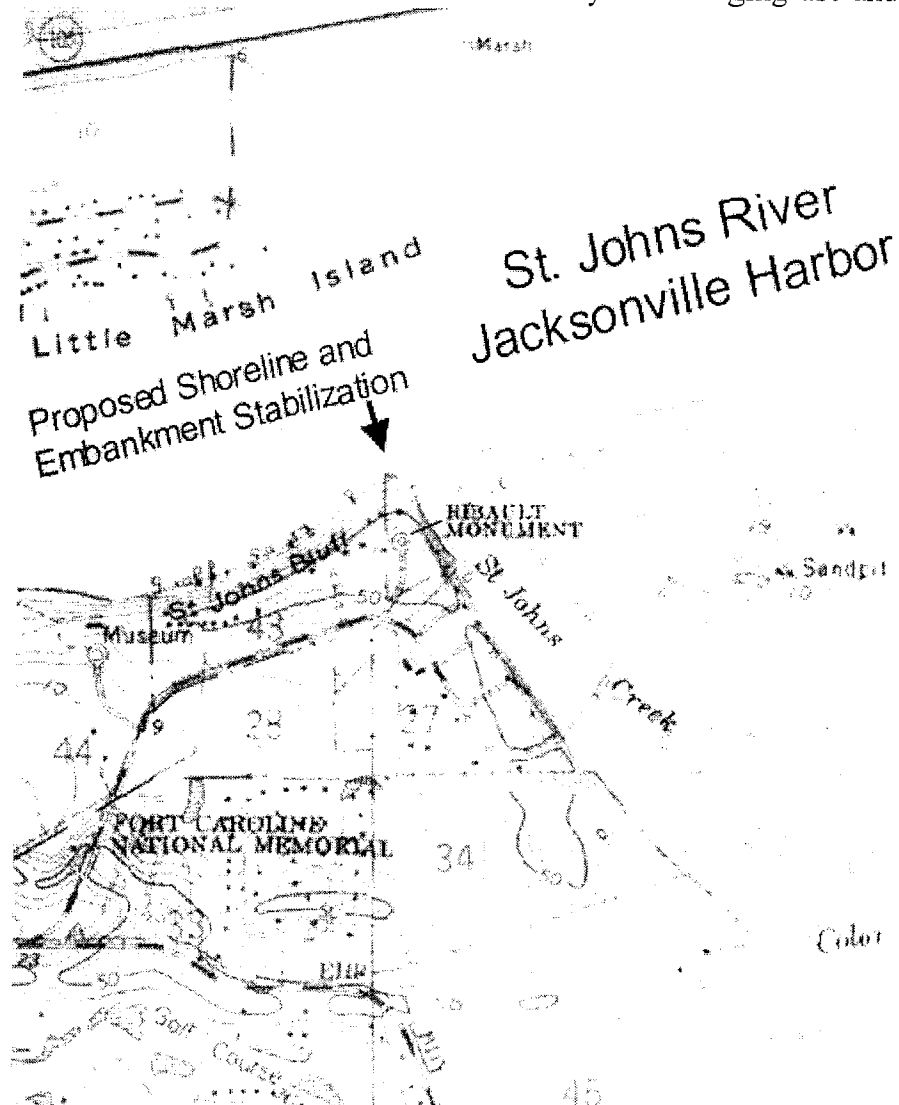
RIBAUT COLUMN SHORELINE AND EMBANKMENT STABILIZATION

Project Location and Need:

The Ribault Monument commemorates the 1562 landing of Jean Ribault near the mouth of the St. Johns River. Ribault erected a stone column bearing the coat of arms of his French King Charles IX to claim Florida for France. The current Ribault Monument donated in 1957 by the Daughters of the American Revolution, is located on a sandy bluff about 84 feet above the St. Johns River and Jacksonville Harbor. Situated atop St. Johns Bluff, the monument provides a commanding view of the St. Johns River. On a clear day, you can see the Atlantic Ocean and Mayport Naval Station five miles to the east, and river activity, wildlife, and marshes below.

The sandy nature and steep slope make this embankment subject to the erosive forces of runoff, currents, tides, waves, and ship wake. A portion of the shoreline is protected by an ageing wooden sea wall and rip rap. The unprotected portion is showing loss of embankment to erosion. The protected portion is showing limited erosion. However, the wooden sea wall was originally built in the 1960's and is reaching the end of its useful life without major rehabilitation or replacement. Erosive forces of the St. Johns River could be affected by the changing use and configuration of Jacksonville Harbor (changes in current patterns and ship wake). Potential climate change (resulting in rise in sea level and/or increase in storm activity) could further increase erosive forces. In its current condition, the shoreline will continue to erode, destabilizing the slope further. Resulting shoreline erosion increases slope substrate (soil, shrubs, trees) sliding towards the riverbank.

Increased erosion of the riverbank and associated slope has the potential to impact resources, infrastructure, and visitor enjoyment of the facility.



Several archeological and cultural resources have been identified in the Ribault Monument area, which are sensitive to continued slope erosion. Water quality and sediment load in St. Johns Creek are being negatively impacted by continued sloughing of slope material into the creek due to undercutting of the creek bank. Long-term protection of the column and surrounding facilities are necessary to continue operations and allow visitor enjoyment of the column and bluff.

Management Objectives:

The preserve's 1996 Final General Management Plan (GMP) provides management guidance for concerns of the preserve related to protection of the important ecosystem; impacts on plant and animal species, especially those listed as threatened, endangered, or of special concern; threats to important cultural resources; land ownership or land control and land uses; interpretation of the preserve's diverse resources and unique ecology for residents and visitors; and appropriate types and levels of use by humans for residing, working, commuting, recreating, learning, hunting, and fishing.

As part of management at the preserve, shoreline stabilization is an important aspect. Objectives and benefits of shoreline stabilization include:

Reduced shoreline erosion: Continued erosion around the monument banks contributes to increased shoaling of the mouth of St. Johns Creek.

Slope stabilization: Undercutting of sediments from erosion has resulted in soil and vegetation sliding down towards the waterline. Areas of the failed slope show loss of vegetation and habitat. Increased sediments from failed slopes contribute to siltation of St. Johns Creek.

Protection of historical and cultural resources: The area around Ribault Monument is included in the National Register of Historic Places. The close proximity of the monument to St. Johns Creek increases the likelihood of disturbing or damaging historical/cultural resources in the area from erosion and failing of slopes.

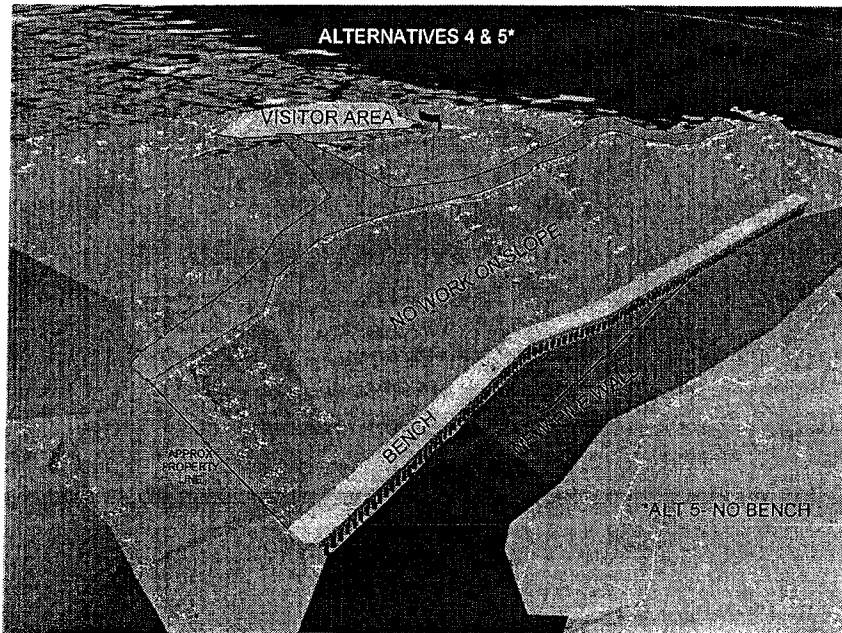
Safety: Continued erosion and slope failure could affect the visitors area at the monument site, including monument, parking area, and viewing platform. Erosion of surrounding soils could undermine concrete and asphalt structures resulting in unsafe conditions.

Preferred Alternative:

Sheet Pile Seawall Only with Bench (Preferred Alternative)

Under this alternative, no vegetation removal would occur on the bluff slope. The entire 500 feet of shoreline would have a bench up to 15 feet wide and sheet pile seawall constructed as discussed in alternative 2 (Full Slope Stabilization) and 3 (Partial Slope Stabilization). The bench would be cut into the slope face by excavating soils and vegetation resulting in a flat platform.

The permanent bench would also include a system to allow water pressure equalization across the sheet pile wall due to tidal fluctuation and rainfall accumulation. Lower slope access for construction equipment would be by barge and placement of multiple temporary timbers within the creek to allow vehicle access from Buck Island. Additional access would be provided by roads through Buck Island, located directly across St. Johns Creek to the east.



EFH Assessment:

Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act of 1996, waters and substrate within the study area have been identified as Essential Fish Habitat (EFH) by the South Atlantic Fishery Management Council (1998). EFH is defined as those waters and substrate necessary for fish to spawn, breed, feed, or grow to maturity. Estuarine/inshore EFH within the study area consists of estuarine water column with an unconsolidated substrate. Salt marsh, which has been designated as a habitat area of particular concern, and a small tidal channel are also present within the proposed project footprint at the mouth of St. Johns Creek. Species managed by the National Marine Fisheries Service that may occur within the study area can be found in Table 1, and possible prey species in Table 2.

Table 1. Federally Managed Species of Fish that May Occur within the Study Area.

Species	Life Stage	Substrate Preference*	
		Unconsolidated Sediment	Salt Marsh and Tidal Channel
Brown shrimp <i>Farfantepenaeus aztecus</i>	A, J, L	A, J, L	J, L
Pink shrimp <i>Farfantepenaeus duorarum</i>	A, J	A, J	J
White Shrimp <i>Litopenaeus setiferus</i>	A, J	A, J	J, L

Black seabass <i>Centropristis ocyurus</i>	A, J	A, J	
Gag <i>Mycteroperca microlepis</i>	A, J	A, J	
Crevaille jack <i>Caranx hippos</i>	A, J	A, J	A, J
Spotted seatrout <i>Cynoscion nebulosus</i>	A, J	A, J	A, J
Weakfish <i>Cynoscion regalis</i>	A, J	A, J	A, J
Gray snapper <i>Lutjanus griseus</i>	A, J, L	A, J, L	A, J, L
Atlantic spadefish <i>Chaetodipterus faber</i>	A, J	A, J	
Sheepshead <i>Archosargus probatocephalus</i>	A, J, L	A, J	J, L
Red drum <i>Sciaenops ocellatus</i>	A, J, L	A, J, L	J, L
Black drum <i>Pogonias cromis</i>	A, J	A, J	

Table 2. Prey Species that May Occur within the Study Area.

Species	Life Stage	Substrate Preference*	
		Unconsolidated Sediment	Salt Marsh & Tidal Channel
Ladyfish <i>Elops saurus</i>	A	A	
Striped anchovy <i>Anchoa hepsetus</i>	A, J, L	A, J, L	
Bay anchovy <i>Anchoa mitchilli</i>	A, J, L	A, J, L	
Scaled sardine <i>Harengula jaguana</i>	J	J	
Atlantic thread herring <i>Opisthonema oglinum</i>	A, J, L	A, J, L	
Sheepshead minnow <i>Cyprinodon variegatus</i>	A, J, L	A, J, L	A, J, L
Atlantic menhaden <i>Brevoortia tyrannus</i>	A, J, L	A	J, L

Table 2 continued. Prey Species that May Occur within the Study Area.

Species	Life Stage	Substrate Preference*	
		Unconsolidated Sediment	Salt Marsh & Tidal Channel
Yellowfin menhaden <i>Brevoortia smithi</i>	A, J, L	A	J, L
Bay scallop <i>Argopecten irradians</i>	A, J, L	A, J	L
Atlantic rangia <i>Rangia cuneata</i>	A, J, L	A, J, L	A, J, L
Quahog <i>Mercenaria sp.</i>	A, J	A, J	
Grass shrimp <i>Palaemonetes pugio</i>	A, J		A, J
Striped mullet <i>Mugil cephalus</i>	A, J	A, J	
Spot <i>Leiostomus xanthurus</i>	A, J	A	
Atlantic croaker <i>Micropogonias undulates</i>	A, J	A, J	
Silversides <i>Menidia sp.</i>	A, J, L	A, J, L	A, J, L
American eel <i>Anguilla rostrata</i>	A, J, L	J, L	A, J, L
Hardhead catfish <i>Arius felis</i>	A, J, L	A, J, L	

Gafftopsail catfish <i>Bagre marinus</i>	A, J, L	A, J, L	
Inshore lizardfish <i>Synodus foetens</i>	A, J, L		A, J, L
Oyster toadfish <i>Opsanus tau</i>	J	J	
Atlantic needlefish <i>Strongylura marina</i>	A, J, L	A, J, L	
Timucu <i>Strongylura timucu</i>	J	J	
Killifish <i>Fundulus sp.</i>	A, J, L		A, J, L
Sailfin molly <i>Poecilia latipinna</i>	A, J, L		A, J, L
Pipefish <i>Syngnathus sp.</i>	A, J, L		A, J, L
Sea robin <i>Prionotus sp.</i>	J	J	
Mojarra <i>Eucinostomus sp.</i>	A, J	A, J	
Pinfish <i>Lagodon rhomboides</i>	A, J, L	A, J, L	A, J, L
Silver perch <i>Bairdiella chrysoura</i>	A, J, L	A, J, L	
Kingfish <i>Menticirrhus sp.</i>	A, J	A, J	
Gobies <i>Bathygobius sp.</i> , <i>Gobionellus sp.</i>	A, J, L	A, J, L	A, J, L

Source: Dennis et al 2001; SAFMC 1998; University of Florida 2008.

*Substrate preference, unconsolidated sediment and salt marsh habitats occur in or near the project area.

A=adult; J=juvenile; L=larvae

No-action Alternative

There would be no effect to EFH, such as salt marsh, within the project footprint if the no-action alternative were selected. However, erosion of the bluff would continue, and salt marsh would be lost to burial during episodes of sloughing. Potential collapse of the slope would bury all marsh within the project area and could also alter the current channel of St. Johns Creek.

Preferred Alternative

The National Park Service (NPS) has determined that the proposed action would not have a substantial adverse impact on EFH or federally managed fisheries along the eastern coast of Florida. This determination was based on the fact that project related impacts to salt marsh would be on a small scale, approximately 0.2-acre, the NPS will commit to replanting the area of emergent vegetation impacted by the construction (see "Mitigation Measures" below) and the proposed project should provide a significant increase in salt marsh functions and values as the bluff would be stabilized, reducing the sloughing of sediments currently impacting the salt marsh at the toe of the bluff. Impacts to the water column would occur during the construction operations (primarily when the temporary bridge is installed and removed) but these effects should be temporary. This project shall be fully coordinated with the National Marine Fisheries Service.

Salt Marsh Impacts

The proposed installation of a seawall at the project site would impact approximately 0.2-acre of mainly low, with some high salt marsh, along St. Johns Creek, which has been identified as a habitat of particular concern per EFH criteria. The low marsh is generally dominated by saltmarsh cord grass (*Spartina alterniflora*) transitioning in slightly elevated areas to high marsh species such as sea oxeye (*Borrchia spp.*) and salt grass (*Distichlis spicata*). During construction activities, burial of all marsh vegetation would occur on the bluff side of the creek while vegetation on Buck Island across from the bluff would be partially buried.

Mitigation Measures

Final engineering designs are not yet completed and there is no current funding for this project at this time, therefore the NPS is not yet seeking permits at this time. Once funding is obtained and final engineering drawings are produced, the exact expanse of impacts to the emergent vegetation will be determined. At the construction stage, the NPS will include in contract specifications mitigation of the impacted areas to included replanting of *Spartina* at the same area where current vegetation now exist and that will be impacted by the construction of the seawall.

April 2, 2010

From: Pace Wilber
To: Griffin, Patrick M SAJ; shauna_allen@nps.gov
Cc: George Getsinger
Subject: Re: Other NPS project.
Date: Friday, August 27, 2010 5:03:38 PM

Hi Patrick and Shauna.

Sorry for any misunderstandings, hopefully this note will clarify.

We view the EFH consultation closed as of July 21, 2010. The earlier draft EA did not have an EFH assessment, and our letter dated March 19, 2010, to NPS indicated an EFH assessment was needed. NPS subsequently provided an EFH assessment that we reviewed and commented upon in the letter dated July 21, 2010. Our evaluation of the EFH assessment showed EFH conservation recommendations were not necessary and, instead, we offered suggestions to improve the design and evaluation of the mitigation project. If EFH conservation recommendations had been provided, the Magnuson-Stevens Act and its supporting regulations would require the responses described below. Bottom line . . . from the perspective of the Magnuson-Stevens Act, NPS can finalize the EA and complete its NEPA review. One caveat: if changes are made to the project as it moves through later design stages and those changes would adversely affect EFH, the EFH consultation would need to be reopened.

If you have any questions, please give me a call.

Pace



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office
263 13th Avenue South
St. Petersburg, Florida 33701-5505
(727) 824-5317; FAX (727) 824-5300
<http://sero.nmfs.noaa.gov/>

July 21, 2010

F/SER4:GG/jk

(Sent via electronic mail)

Barbra Goodman, Superintendent
National Parks Service, Resource Management
Timucuan Ecological and Historic Preserve
13165 Mt. Pleasant Road
Jacksonville, FL 32225

Attention: Shauna Allen

Dear Ms. Goodman:

NOAA's National Marine Fisheries Service (NMFS) reviewed the Essential Fish Habitat (EFH) assessment prepared by the National Park Service (NPS) for the replacement and expansion of an existing bulkhead below the Ribault Column on St. Johns Creek. This work would occur within the Timucuan Ecological and Historic Preserve (Duval County, Florida). Although final construction plans are not yet available, NPS indicates that a temporary causeway will need to be constructed across St. Johns Creek in order to construct the bulkhead. The EFH assessment states that 0.2 acres of salt marsh will be filled for construction of the replacement bulkhead and an undetermined amount of salt marsh will be temporarily impacted by construction of the causeway. According to the information provided, impacts to salt marsh from the placement of fill associated with the causeway construction are considered to be temporary because the fill will be removed after construction and the impacted salt marsh will be restored to pre-existing conditions. The NPS expects that recovery of this area of salt marsh will occur within one year. The following comments present a summary of coordination that has occurred between the Jacksonville District, NMFS, and NPS, and the recommendations that have been provided, to date, by NMFS.

Consultation History

NMFS received the EFH assessment via email dated May 5, 2010. By email dated May 19, 2010, NMFS sent a request for additional information. NMFS participated in a teleconference with the Jacksonville District and NPS on June 7, 2010. In addition, we participated in a teleconference with the NPS on July 20, 2010. This letter summarizes and updates the issues discussed in the recent teleconferences and via electronic mail. Once we receive additional information we may provide additional comments including EFH conservation recommendations.

Comments on the Conceptual Mitigation Plan

NPS and the Jacksonville District have discussed several mitigation options and propose the creation of 0.2 acres of fringing salt marsh in front of a portion of the constructed sheet pile wall. NMFS recommends several design and monitoring recommendations to be included in final mitigation plan.



Marsh creation: NMFS recommends the following items be included in the design of the created salt marsh habitat.

- Created fringing marsh elevations should be determined by existing elevations of *Spartina alterniflora* marsh across the St. Johns Creek.
- Sediment used to create the littoral fringe could be derived from accretional areas at the confluence of St. Johns Creek and the St. Johns River, or from accretional areas adjacent to creation site. This could increase the probability of success of the mitigation by using endemic sediments while also improving hydrology in the area.
- In order to increase sediment stability and increase the probability of success, the area of littoral shelf should be planted with plugs of *Spartina alterniflora* at two-foot centers.
- To stabilize and reduce erosion in the creation area, staked bags of oyster cultch could be attached to the new bulkhead and extended in front of the tapered ends of the created littoral fringe. This could also provide additional mitigation credit, if needed.

Biological monitoring: NMFS recommends monitoring based on NOAA's National Centers for Coastal Ocean Science's, *Science-Based Restoration Monitoring of Coastal Habitats* manual¹. The monitoring should include the following components:

- Establishment and monitoring of at least two salt marsh pre-construction reference sites proximal to the creation area that could serve as success indicators.
- Post-construction monitoring of both the reference sites and creation area should be done bi-annual for three years or until success has been demonstrated.
- Monitoring should include marsh vegetation stem counts (density) and photo surveys at randomly selected areas (for example, PVC meter squares placed randomly) within both the creation area and the control sites.
- In the case the mitigation credit is given for oyster habitat creation, annual monitoring of the oyster reef should also take place to determine if spat recruitment has occurred.
- If the mitigation is not successful, the NPS should develop a contingency mitigation plan that would be subject to review and approval by NMFS.

Closing

Thank you for the opportunity to provide comments. Related correspondence should be directed to the attention of Mr. George Getsinger at the Northeast Florida Office. He may be reached at 9741 Ocean Shore Drive, St. Augustine, Florida 32080, by telephone at (904) 461-8674, or by email at George.Getsinger@noaa.gov.

Sincerely,



/ for

Miles M. Croom
Assistant Regional Administrator
Habitat Conservation Division

¹ Thayer, Gordon W., Teresa A. McTigue, Russell J. Bellmer, et al. 2003. *Science-Based Restoration Monitoring of Coastal Habitats, Volume One: A Framework for Monitoring Plans Under the Estuaries and Clean Waters Act of 2000 (Public Law 160-457)*. NOAA Coastal Ocean Program Decision Analysis Series No. 23, Volume 1. NOAA National Centers for Coastal Ocean Science, Silver Spring, MD. 35 pp. plus appendices. Available on-line at: <http://coastalscience.noaa.gov/documents/restorationmntg.pdf>

cc:

NPS, shauna_allen@nps.gov

NPS, Richard_Bryant@partner.nps.gov

COE, Patrick.M.Griffin@usace.army.mil

EPA, Hughes.Eric@epa.gov



FLORIDA DEPARTMENT OF STATE
Kurt S. Browning
Secretary of State
DIVISION OF HISTORICAL RESOURCES

Ms. Barbara Goodman
Timucuan Ecological and Historic Preserve
Fort Caroline National Memorial
13165 Mt. Pleasant Road
Jacksonville, Florida 32225

February 8, 2010

RE: DHR Project File No: 2010-299
US Department of the Interior – National Park Service
Timucuan Ecological and Historic Preserve
St. Johns Bluff Slope Stabilization Project Environmental Assessment
Duval County

Dear Ms. Goodman:

This office reviewed the referenced environmental assessment for possible impact to historic properties listed, or eligible for listing, in 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, 36 CFR Part 800: Protection of Historic Properties, and the National Environmental Policy Act of 1969, as amended.

We have reviewed the sections of the environmental assessment that deal with cultural and historical resources, and it is our opinion that such resources have been adequately addressed in this document. We concur with the choice of preferred alternative, and agree with your determination that the preferred alternative will have no adverse effect on the Fort Caroline Historic District (8DU111).

However, if fortuitous finds or unexpected discoveries such as prehistoric or historic artifacts that are associated with the Fort Caroline Historic District are encountered at any time within the project site area, all activities involving subsurface disturbance in the immediate vicinity of such discoveries should cease pending review by the Park Service Cultural Resource Specialist.

For any questions concerning our comments, please contact Samantha Earnest, Historic Preservationist, by phone at 850.245.6333, or by electronic mail at swearnest@dos.state.fl.us.

Sincerely,

Laura A. Kammerer
Deputy State Historic Preservation Officer
For Review and Compliance

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

☐ Director's Office
850. 245.6300 • FAX: 245.6436

☐ Archaeological Research
850. 245.6444 • FAX: 245.6452

☒ Historic Preservation
850. 245.6333 • FAX: 245.6437



Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

March 15, 2010

Ms. Barbara Goodman, Superintendent
Resource Management
Timucuan Ecological & Historic Preserve
13165 Mt. Pleasant Road
Jacksonville, FL 32225

RE: National Park Service - Environmental Assessment (EA) for Ribault Monument
Shoreline and Embankment Stabilization Project at Timucuan Ecological and
Historic Preserve - Jacksonville, Duval County, Florida.
SAI # FL201001295099C

Dear Ms. Goodman,

[Handwritten signature] 3/19/10

The Florida State Clearinghouse has coordinated a review of the subject EA under the following authorities: Presidential Executive Order 12372; Section 403.061(40), *Florida Statutes*; the Coastal Zone Management Act, 16 U.S.C. §§ 1451-1464, as amended; and the National Environmental Policy Act, 42 U.S.C. §§ 4321-4347, as amended.

The Florida Fish and Wildlife Conservation Commission (FWC) agrees that Alternative 4 will result in the smallest impacts to sensitive wildlife species that may use the area and the current vegetative community. To ensure that the project will not adversely affect the West Indian manatee, the Standard Manatee Construction Conditions for In-Water Work should be followed for all in-water activities. Staff advises that gopher tortoise surveys will be necessary and all burrows should be marked to avoid impacts by construction equipment. Burrow identification, re-checking, avoidance and possible tortoise relocation are recommended under the FWC's guidelines. In addition, if shorebirds or seabirds attempt to nest on Buck Island, precautions should be taken to avoid disturbance. A suitable buffer distance for nesting shorebirds is a minimum of 100 meters. Please see the enclosed FWC letter for further detailed recommendations.

The Florida Department of Environmental Protection's (DEP) Northeast District Office staff indicates that, according to its Operating agreement with the St. Johns River Water Management District, the DEP will review and take final agency action on the required Environmental Resource Permit (ERP) application to construct the shoreline protection structure. The DEP advises that the ERP application will need to include a detailed design

Ms. Barbara Goodman
March 15, 2010
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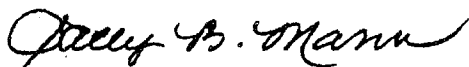
analysis of the embankment stabilization project. Please see the enclosed DEP memorandum for additional information on the state's ERP requirements.

The Florida Department of State (DOS) notes that cultural and historical resource issues have been adequately addressed in the document. Staff concurs with the preferred alternative choice and agrees with the determination that the preferred alternative will have no adverse effect on the Fort Caroline Historic District (8DU111). If fortuitous finds or unexpected discoveries of prehistoric or historic artifacts are encountered during construction, however, all ground disturbing activities should cease pending review by the Park Service Cultural Resource Specialist. Please refer to the enclosed DOS letter and contact Ms. Samantha Earnest, Historic Preservationist, at (850) 245-6333 or swearnest@dos.state.fl.us for further information.

Based on the information contained in the EA and the enclosed state agency comments, the state has determined that, at this stage, the proposed activities are consistent with the Florida Coastal Management Program (FCMP). To ensure the project's continued consistency with the FCMP, the concerns identified by our reviewing agencies must be addressed prior to project implementation. The state's continued concurrence will be based on the activity's compliance with FCMP authorities, including federal and state monitoring of the activity to ensure its continued conformance, and the adequate resolution of issues identified during this and subsequent reviews. The state's final concurrence of the project's consistency with the FCMP will be determined during the environmental permitting process.

Thank you for the opportunity to review the proposed project. Should you have any questions regarding this letter, please contact Ms. Suzanne E. Ray at (850) 245-2172.

Yours sincerely,



Sally B. Mann, Director
Office of Intergovernmental Programs

SBM/ser
Enclosures

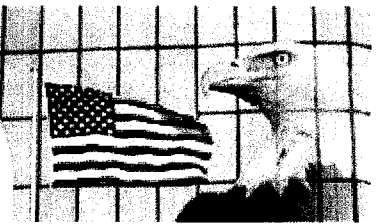
cc: Mary Ann Poole, FWC
Beth Weatherford, DEP, Northeast District
Steve Fitzgibbons, SJRWMD
Laura Kammerer, DOS



Florida

Department of Environmental Protection

"More Protection. Less Process"



Categories

[DEP Home](#) | [OIP Home](#) | [Contact DEP](#) | [Search](#) | [DEP Site Map](#)

Project Information

Project: FL201001295099C

Comments Due: 03/05/2010

Letter Due: 03/15/2010

Description: NATIONAL PARK SERVICE - ENVIRONMENTAL ASSESSMENT FOR RIBAUT MONUMENT SHORELINE AND EMBANKMENT STABILIZATION PROJECT AT TIMUCUAN ECOLOGICAL AND HISTORIC PRESERVE - JACKSONVILLE, DUVAL COUNTY, FLORIDA.

Keywords: NPS - RIBAUT MONUMENT SHORELINE STABILIZATION, TIMUCUAN PRESERVE - DUVAL CO.

CFDA #: 15.910

Agency Comments:

FISH and WILDLIFE COMMISSION - FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

The FWC agrees that Alternative 4 will result in the smallest impacts to sensitive wildlife species that may use the area and the current vegetative community. To ensure that the project will not adversely affect the West Indian manatee, the Standard Manatee Construction Conditions for In-Water Work should be followed for all in-water activities. Staff advises that gopher tortoise surveys will be necessary and all burrows should be marked to avoid impacts by construction equipment. Burrow identification, re-checking, avoidance and possible tortoise relocation are recommended under the FWC's guidelines. In addition, if shorebirds or seabirds attempt to nest on Buck Island, precautions should be taken to avoid disturbance. A suitable buffer distance for nesting shorebirds is a minimum of 100 meters.

STATE - FLORIDA DEPARTMENT OF STATE

The DOS indicates that cultural and historical resource issues have been adequately addressed in the document. Staff concurs with the preferred alternative choice and agrees with the determination that the preferred alternative will have no adverse effect on the Fort Caroline Historic District (8DU111). If fortuitous finds or unexpected discoveries of prehistoric or historic artifacts are encountered during construction, however, all ground disturbing activities should cease pending review by the Park Service Cultural Resource Specialist.

ENVIRONMENTAL PROTECTION - FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida Department of Environmental Protection (DEP), Northeast District states that, according to the Operating agreement with the St. Johns River Water Management District, the DEP will review and take final agency action on the Environmental Resource Permit (ERP) application to construct a shore protection structure. The DEP advises that the ERP application will need to include a detailed design analysis for the embankment stabilization project. Please see the enclosed DEP memorandum detailing the ERP requirements.

ST. JOHNS RIVER WMD - ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

This project may require an Environmental Resource Permit (ERP) from the SJRWMD. Please contact District Jacksonville Service Center Compliance Manager, Dale Lovell, at (904) 448-7919 or dlovell@sjrwmd.com for further information.

For more information or to submit comments, please contact the Clearinghouse Office at:

3900 COMMONWEALTH BOULEVARD, M.S. 47
TALLAHASSEE, FLORIDA 32399-3000
TELEPHONE: (850) 245-2161
FAX: (850) 245-2190

Visit the [Clearinghouse Home Page](#) to query other projects.



**Florida Fish
and Wildlife
Conservation
Commission**

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Rodney Barreto
Chairman
Miami

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Executive Staff
Nick Wiley
Executive Director
Greg Holder
Assistant Executive Director

Karen Ventimiglia
Deputy Chief of Staff

Office of Planning and
Policy Coordination
Nancy Linehan
Director
(850) 487-3794
(850) 410-5265 FAX
(850) 410-5272
(850) 922-5679 FAX

*Managing fish and wildlife
resources for their long-term
well-being and the benefit
of people.*

620 South Meridian Street
Tallahassee, Florida
32399-1600
Voice: (850) 488-4676

Hearing/speech impaired:
(800) 955-8771 (T)
(800) 955-8770 (V)

MyFWC.com

March 5, 2010

Ms. Lauren Milligan
Florida State Clearinghouse
Florida Department of Environmental Protection
3900 Commonwealth Boulevard, Mail Station 47
Tallahassee, FL 32399-3000

RECEIVED

MAR 09 2010

**DEP Office of
Intergov't Programs**

Re: SAI #FL201001295099C; Ribault Monument Shoreline and Embankment
Stabilization at Timucuan Ecological and Historic Preserve Environmental
Assessment (EA), Duval County

Dear Ms. Milligan:

The Imperiled Species Management Section of the Florida Fish and Wildlife Conservation Commission (FWC) has coordinated agency review of the referenced document, and provides the following comments and recommendations.

Upon review of the EA and a visit to the site, staff agrees with the assessment by the National Parks Service (NPS) staff in choosing the preferred Alternative 4. Alternative 4 causes the smallest impacts to sensitive wildlife species that may use the area and the current vegetative community.

The West Indian manatee (*Trichechus manatus latirostris* - endangered) use of this area is documented by aerial survey and mortality data. In order to not adversely affect this species, the Standard Manatee Construction Conditions for In-water Work (2009 - enclosed) should be followed for all in-water activity.

Though Alternative 4 has one of the least impact potential on the local gopher tortoises as they occur mainly on the upper slopes, potential impacts should still be assessed. Gopher tortoise surveys are necessary and all burrows should be marked to avoid being impacted by equipment. To ensure the proper protection for gopher tortoises in the project area, the site should be re-checked prior to clearing. All of the working crew should be made aware of the location of the known gopher tortoise burrows. The crew should also know how to identify a gopher tortoise or its burrow and avoid direct mortality avoiding driving over them during the construction. According to our guidelines, if burrows cannot be avoided by 25 feet, the gopher tortoises occupying them will need to be relocated.

Depending on the time of year, there is the potential to have a negative effect on the nesting attempts by shorebirds and seabirds near the project area. While there does not appear to be documented nesting of shorebirds or seabirds on Buck Island, least terns are attracted to disturbed sites and have the potential to nest on the spoil island. If birds attempt to nest, precautions should be taken to avoid disturbance. Upon visiting the project site, FWC staff noted that the proposed project road runs adjacent to a large berm that encloses the spoil cells within Buck Island. This visual buffer should provide some protection to nesting shorebirds. A suitable buffer distance for nesting shorebirds is a minimum of 100 meters (Rodgers and Smith 1997).

If you would like to coordinate further on this review, I would be happy to make arrangements. I can be reached at phone (850) 410-5272 or by email at MaryAnn.Poole@myfwc.com. If you or your staff has specific questions regarding manatee issues, please do not hesitate to contact Ms. Sella at Kristen.Sella@myfwc.com, or if they are concerning other wildlife species issues, please contact Ms. Mitchell at Anni.Mitchell@myfwc.com. If burrows need to be moved, please work with Ms. Daphne McCann, who is the Regional Gopher Tortoise Permit Biologist in charge of Duval County. She can be reached by phone at (850) 488-1653 or by e-mail at Daphne.McCann@myfwc.com. Thank you for the opportunity to provide input on this proposal.

Sincerely,



Mary Ann Poole
Commenting Program Administrator

map/ks

ENV 1-3-2

NPS-Ribault Monument Stabilization_2637_030410

Enclosure

cc: Ms. Anni Mitchell, FWC
Ms. Daphne McCann, FWC

References Cited

Rodgers, J.A., Jr. and H.T. Smith. 1997. Buffer zone distances to protect foraging and loafing waterbirds from human disturbance in Florida. *Wildlife Society Bulletin* 25 (1):139-145.

Memorandum

Florida Department of Environmental Protection

TO: Florida State Clearinghouse

FROM: Suzanne Ray, Office of Intergovernmental Programs

DATE: March 15, 2010

SUBJECT: National Park Service – Environmental Assessment for Ribault Monument Shoreline and Embankment Stabilization Project at Timucuan Ecological and Historic Preserve – Jacksonville, Duval County, Florida.
SAI # FL201001295099C

The Department's Northeast District Office in Jacksonville has reviewed the referenced project and offers the following comments:

The Environmental Assessment (Jan 2010) documents the potential environmental impacts from actions proposed in the Timucuan Ecological and Historic Preserve for shoreline and embankment stabilization at the Ribault Monument. In accordance with the Department's Operating Agreement with the St. Johns River Water Management District, the DEP Northeast District will review and take final action on Environmental Resource Permit (ERP) applications for shore protection structures not associated with residential or commercial development. Because a detailed design analysis has not been conducted and/or provided, the ERP application package must include the following information:

1. The preferred alternative described in the EA, Alternative 4, indicates that a sheet pile seawall with only a 15-ft. wide bench will be proposed for the entire 500 feet of shoreline stabilization along the St. Johns Creek. Due to erosion upstream and the advanced age of the existing seawall, steel sheet piles will be driven creek-side of the existing seawall (left in place) to construct the new wall. Therefore, please provide the following design information:
 - a) Separation between the existing bulkhead and new seawall.
 - b) Final elevation of the new seawall and 15-ft. wide bench.
 - c) Details for water pressure equalization (i.e., underdrains) across the sheet pile.
 - d) Seawall design details, including lateral earth pressures and stresses exerted on the wall.
 - e) Amount of backfill necessary to construct the 15-ft. wide bench.
 - f) Reasonable assurance that existing flow conveyance capacity in St. Johns Creek will not be impacted or reduced by the proposed shoreline stabilization project.

Residents Of St. Johns Creek

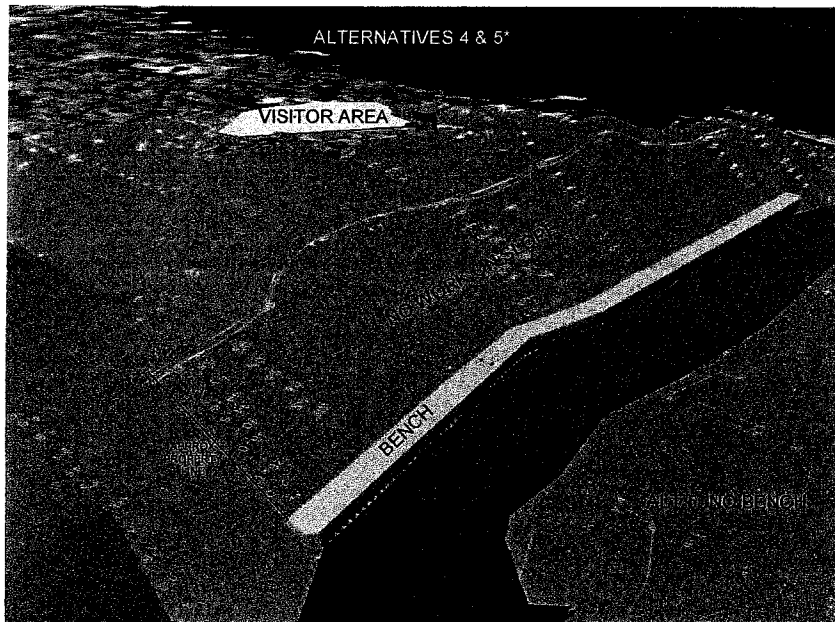
13075-13263 Ft. Caroline Road, Jacksonville, FL 32225

February 15, 2010

United States Department of the Interior
National Park Service
Resource Management
Timucuan Preserve
Fort Caroline National Memorial
13165 Mt. Pleasant Road
Jacksonville, FL 32225

Re: St. Johns Creek, Replace Bulkhead at Ribault Monument

After review of the PEPC regarding the referenced project; we the undersigned residents of property contiguous to St. Johns Creek do agree and support plans set forth and described as Alternative 4, bulkhead with bench.



Although we applaud the National Park Service effort to eradicate this long standing problem we noted that the project failed to address damages already done to St. Johns Creek and damage that might occur from construction of the bulkhead.

The following are excerpts from the PEPC, areas hi-lighted are of grave concern.

Chapter 1, Section 1.2, excerpt thereof:

Increased erosion of the riverbank and associated slope has the potential to impact resources, infrastructure, and visitor enjoyment of the facility. Water quality and sediment load in St. Johns Creek are being negatively impacted by continued sloughing of slope material into the creek due to undercutting of the creek bank. Long-term protection of the column and surrounding facilities are necessary to continue operations and allow visitor enjoyment of the column and bluff. In a worst-case scenario, a massive land slide could cause the Ribault Monument/Column to be destabilized and block the water flow in St. Johns Creek.

Chapter 1, Section 1.4, excerpt thereof:

As part of management at the preserve, shoreline stabilization is an important aspect. Objectives and benefits of shoreline stabilization include:

Reduced shoreline erosion: Continued erosion around the monument banks contributes to increased shoaling of the mouth of St. Johns Creek.

We offer this photo as testament to the sustained damages at the mouth of SJC.



Slope stabilization: Undercutting of sediments from erosion has resulted in soil and vegetation sliding down towards the waterline. Areas of the failed slope show loss of vegetation and habitat. Increased sediments from failed slopes contributes to siltation of St. Johns Creek

We offer these photos as testament to the sustained damages within SJC.



Sand continues upstream 100 feet beyond Park boundary.



The following is a section of an official NOAA Navigation Chart of the St. Johns River at St. Johns Creek, complete with depth soundings at MLW (Mean Low Water). It is important to note the surveyed depth of (4) four feet compared with the photos above.



Based on the findings of the PEPC and our own research we request the St Johns Creek bulkhead project include a clean-up dredging that would remove the slope material referenced above in 1.2 and 1.4 and any new construction deposits to the chartered depth of (4) four feet MLW for the length of the new bulkhead and width of the creek, including deposits at the mouth into the St. Johns River.

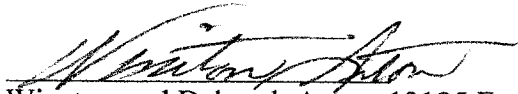
Historically St. Johns Creek has been a navigable waterway since the times of Jean Ribault himself. Several residences have had boat houses and/or docks occupied with boats on the creek since the 1950s. The docks remain, but the boats do not as access has been blocked due to the siltation.

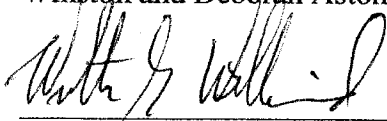
We the residents of St. Johns Creek claim riparian rights for access to the St. Johns River and failure to remove the blockage as requested would be an unwarranted violation of those riparian rights.

Respectfully yours,


The undersigned residents of St. Johns Creek:

CC: Rep. Ander Crenshaw 1061 Riverside Ave., Jacksonville, FL 32204


Winston and Deborah Aston, 13125 Ft. Caroline Rd


Walter and Jan Williard, 13077 Ft. Caroline Rd

David and Maureen Page, 13075 Ft. Caroline Rd


Fred and Kibbee Akel, 13131 Ft. Caroline Rd

Joyce Shelly, 13139 Ft. Caroline Rd

William Guthrie, 13147 Ft. Caroline Rd

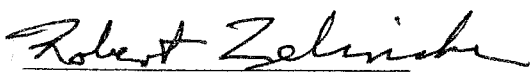
Carolyn Hottinger, 13157 Ft. Caroline Rd

✓
Jimmy and Ekaterina Mitsios, 13217 Ft. Caroline Rd

✓
James and Teresa Hale, 13229 Ft. Caroline Rd

✓
Genella Beaumont, 13241 Ft. Caroline Rd

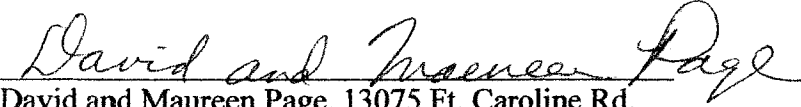
Yano Takatoski, 13250 Ft. Caroline Rd


Robert and Bonnie Zelinske, 13263 Ft. Caroline Rd

Residents of St. Johns Creek

Re: St. Johns Creek, Replace Bulkhead at Ribault Monument

February 22, 2019



David and Maureen Page, 13075 Ft. Caroline Rd.

Winston and Deborah Aston, 13125 Ft. Caroline Rd

Walter and Jan Williard, 13077 Ft. Caroline Rd

David and Maureen Page, 13075 Ft. Caroline Rd

Fred and Kibbee Akel, 13131 Ft. Caroline Rd


Joyce Shelly, 13139 Ft. Caroline Rd

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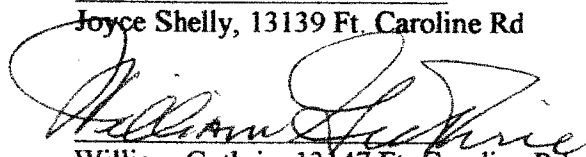
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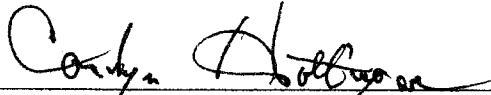
Yano Takatoski, 13250 Ft. Caroline Rd

Robert and Bonnie Zelinske, 13263 Ft. Caroline Rd

Residents of St. Johns Creek

Re: St. Johns Creek, Replace Bulkhead at Ribault Monument

February 22, 2010



Carolyn Hottinger, 13157 Ft. Caroline Rd

Resident of St. Johns Creek

Re: St. Johns Creek, Replace Bulkhead at Ribault Monument

February 23, 2010

A handwritten signature in black ink, appearing to read 'Jimmy and Ekaterina Mitsios', written over a horizontal line.

Jimmy and Ekaterina Mitsios, 13217 Ft. Caroline Rd.

Winston and Deborah Aston, 13125 Ft. Caroline Rd

Walter and Jan Williard, 13077 Ft. Caroline Rd

David and Maureen Page, 13075 Ft. Caroline Rd

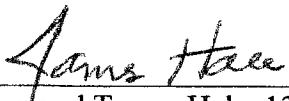
Fred and Kibbee Akel, 13131 Ft. Caroline Rd

Joyce Shelly, 13139 Ft. Caroline Rd

William Guthrie, 13147 Ft. Caroline Rd

Carolyn Hottinger, 13157 Ft. Caroline Rd

Jimmy and Ekaterina Mitsios, 13217 Ft. Caroline Rd


James and Teresa Hale, 13229 Ft. Caroline Rd

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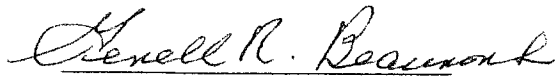
Joyce Shelly, 13139 Ft. Caroline Rd

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James and Teresa Hale, 13229 Ft. Caroline Rd


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Yano Takatoski, 13250 Ft. Caroline Rd

Robert and Bonnie Zelinske, 13263 Ft. Caroline Rd



Debra LaCoste/TIMU/NPS
02/19/2010 07:00 AM

To Barbara Goodman/TIMU/NPS@NPS, Richard
Bryant/Partner/NPS@NPS
cc
bcc
Subject Fw: Extending bulkhead on St. Johns Creek below the
Ribault Column

----- Forwarded by Debra LaCoste/TIMU/NPS on 02/19/2010 07:00 AM -----



cwhatley@realtors.org
02/18/2010 07:21 PM

To TIMU_Resource_Management@nps.gov
cc
Subject Extending bulkhead on St. Johns Creek below the Ribault
Column

To Whom It May Concern:

I wish to provide the following comments in response to the request by the National Park Service to extend the bulkhead (seawall) on the St. Johns Creek below the Ribault Column in Jacksonville, FL. My family originally owned all of the property now known as St. Johns Bluff Estates (which is where the Ribault Column is located), and my husband and I still own the lots at the very end of Ft Caroline Rd. overlooking Buck Island. All of these lots are on St. Johns Creek. I support efforts to minimize future erosion to the bluff embankment around the Ribault monument area. However, I only do so provided the bulkhead that is to be constructed in no way further blocks access to St. Johns Creek or somehow further allows St. Johns Creek to fill with sediment.

A number of years ago the Corp of Engineers was willing to dredge St. Johns Creek because the buildup of sediment had been caused by all of the dredging in the river over years. The only stipulation the Corp of Engineers put on the dredging was that all property owners had to sign an agreement that they wanted the dredging to be done. Every resident and lot owner along St. Johns Creek signed to have the creek dredged, with one exception. The sole hold-out was the National Park Service. Therefore, the creek was not put back to its natural condition and it continues to further erode due to buildup. If this new bulkhead in any way will further impede the creek's water flow and/or its depth, I strongly urge that the National Park Service find another way to solve its erosion problem. In fact, I encourage the National Park Service to proactively work with the Corp of Engineers to have St. Johns Creek dredged and to create their new bulkhead to withstand erosion from the weather and from the flow of the creek and the river.

Our family has always been good citizens - and good stewards - to the environment and to the St. Johns Bluff Estates area. We value the Park Service as a neighbor but we ask that their ongoing maintenance requirements have no impact at all on the benefits we gain by having use and access to St. Johns Creek.

Catherime Buck Whatley
10932 Raley Creek Dr. S.
Jacksonville, FL 32225

Owner of Lots 40, 40A, 41 and 42, St. Johns Bluff Estates



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office
263 13th Avenue South
St. Petersburg, Florida 33701-5505
(727) 824-5317; FAX (727) 824-5300
<http://sero.nmfs.noaa.gov/>

March 19, 2010

F/SER4:GG/pw

(Sent via Electronic Mail)

Barbra Goodman, Superintendent
c/o Resource Management
Timucuan Preserve
13165 Mt. Pleasant Road
Jacksonville, FL 32225

Dear Ms Goodman:

3/22/10

NOAA's National Marine Fisheries Service (NMFS) reviewed the letter dated January 27, 2010, from the National Park Service (NPS), Timucuan Ecological and Historic Preserve, regarding the draft Environmental Assessment (EA) for the replacement and expansion of an existing bulkhead below the Ribault Column on St. Johns Creek, Duval County, Florida. The EA describes six alternatives and identifies Alternative 4 as NPS' preferred alternative: placement of a 500-foot-long, sheet-metal bulkhead waterward of an existing 300-foot bulkhead, adding a 200-foot extension to the bulkhead along St. Johns Creek, and excavating a 15-foot bench behind the bulkhead to allow for equipment access and to trap eroding sediments from the bluff. As the nation's federal trustee for the conservation and management of marine, estuarine, and diadromous fishery resources, NMFS provides the following recommendations pursuant to authorities of the Fish and Wildlife Coordination Act and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

The EA does not include an essential fish habitat (EFH) assessment. Section 305(b)(2) of the Magnuson-Stevens Act requires federal agencies to consult with NMFS regarding any of their actions authorized, funded, or undertaken, or proposed to be authorized, funded, or undertaken that may adversely affect EFH. We were not able to find a plan view drawing or similar depiction that precisely shows the location of the proposed bulkhead in relation to St. Johns Creek and the creek's adjoining wetland habitat. However, from the descriptions in the EA, it appears that EFH (specifically smooth cordgrass and black needlerush) would be adversely impacted, and NMFS believes an EFH assessment is needed.

The South Atlantic Fishery Management Council (SAFMC) designates salt marsh as EFH for gray snapper and penaeid shrimp because these habitats promote high rates of survival and growth for individuals within these habitats. The project area also provides nursery and forage habitat for other species, including red drum, black drum, Atlantic menhaden, and blue crab, that serve as prey for other species (e.g., mackerels, snappers, groupers, billfishes, and sharks) managed by SAFMC or NMFS.

Our regulations allow the EFH assessment to be included in the EA or to be a separate, stand-alone document, and NPS has the option of choosing the approach that works best for this case. Regardless of which approach is taken, the required components of an EFH assessment are described at 50 CFR

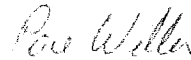


600.920(e)(3) and include: (i) a description of the action, (ii) an analysis of the potential adverse effects of the action on EFH and managed species, (iii) the federal agency's conclusions regarding the effects of the action on EFH, and (iv) proposed mitigation, if applicable.

We cannot complete the EFH consultation until this information is provided. We would be happy to provide NPS with technical assistance in the development of the EFH assessment and to scope potential mitigation options, should mitigation be necessary for this project.

Please direct related questions to the attention Mr. George Getsinger at our Northeast Florida field office. He may be reached at 9741 Ocean Shore Drive, St. Augustine, Florida, 32080; by telephone at (904) 461-8674; or by email at George.Getsinger@noaa.gov.

Sincerely,



/ for

Miles M. Croom
Assistant Regional Administrator
Habitat Conservation Division

cc:

NPS, Debra_LaCoste@nps.gov, TIMU_Resource_Management@nps.gov
NPS, Richard_Bryant@partner.nps.gov
COE, Patrick.M.Griffin@usace.army.mil
EPA, Eric.Hughes@usace.army.mil
SJRWMD, cwenzel@sjrwmd.com
SAFMC, Roger.Pugliese@safmc.net
F/SER47, George.Getsinger@noaa.gov

STANDARD MANATEE and MARINE TURTLE CONDITIONS FOR IN-WATER WORK 2009

The permittee shall comply with the following conditions intended to protect manatees and marine turtles from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of marine turtles, manatees and manatee speed zones, and the need to avoid collisions with or injury to marine turtles and manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing marine turtles or manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which marine turtles or manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid marine turtle or manatee entanglement or entrapment. Barriers must not impede marine turtle or manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of marine turtles or manatees. All in-water operations, including vessels, must be shutdown if a marine turtle(s) or manatee(s) comes within 50 feet of the operation. Activities will not resume until the marine turtle(s) or manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the marine turtle(s) or manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a marine turtle or manatee shall be reported immediately to the FWC Hotline at 1-888-404-FWCC. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida.
- f. Temporary signs concerning marine turtles and manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Awareness signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used (see MyFWC.com). One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut-down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities.

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:



Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC