



DEPARTMENT OF THE ARMY  
MOBILE DISTRICT, CORPS OF ENGINEERS  
P.O. BOX 2288  
MOBILE, ALABAMA 36628-0001

REPLY TO  
ATTENTION OF:

**PUBLIC NOTICE NO. FP13-AB03-05  
CESAM-PD-EC**

**August 30, 2013**

### **JOINT PUBLIC NOTICE**

**U. S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT  
AND  
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
FOR  
EASTPOINT NAVIGATION CHANNEL  
CONTINUED OPERATIONS AND MAINTENANCE DREDGING  
FRANKLIN COUNTY, FLORIDA**

#### **A FEDERALLY AUTHORIZED NAVIGATION PROJECT**

Interested persons are hereby notified that the U. S. Army Corps of Engineers (USACE), Mobile District proposes continued maintenance dredging and placement activities associated with the federally authorized Eastpoint navigation project, Franklin County, Florida.

This Public Notice is issued in accordance with the rules and regulations published in the Federal Register on April 26, 1988. These regulations provide for the review of the dredging programs for federally authorized projects. These laws are considered whenever dredged or fill materials may enter navigable waters. We request that the recipient of this notice review the proposed action as it may impact water quality, relative to the requirements of Section 404(b)(1) of the Clean Water Act. Comments on any other potential impacts are also requested.

**WATERWAY AND LOCATION:** Apalachicola Bay, Gulf Intracoastal Waterway (GIWW), St. George Sound, Eastpoint, Franklin County, Florida (Figure 1).

**DESCRIPTION OF ENTIRE AUTHORIZED PROJECT:** This project was federally authorized by the Rivers and Harbors Act of September 3, 1954. It consists of a channel parallel to shore at Eastpoint, Florida that is 6 feet deep, 100 feet wide and approximately 6,000 feet long, with a connecting channel 6 feet deep and 100 feet wide to water of the same depth in St. George Sound.

**DESCRIPTION OF THE PROPOSED ACTION:** The proposed action is the periodic maintenance dredging of the federally authorized Eastpoint navigation channel located in St. George Sound. Maintenance of the project consists of the removal and placement of approximately 244,000 cubic yards of silts, clays, and poorly graded sand. The maximum dredge depth includes a design depth of -6 feet mean lower low water (MLLW), two (2) feet of advance maintenance and an over dredge depth of two (2) feet for a total depth of -10 feet MLLW. In addition, a new 26 acre dredged material placement site will be constructed of a geotextile-fabric covered sand base, sand-filled geotubes and sand berms using sandy material from the bottom of St. George Sound adjacent to the sand structures. The elevation of the sand and geotube berms will be approximately +3 feet MLLW, and the base of the berms will be approximately 30 to 40 feet wide. The containment cell will be approximately 2,500 feet long and between 400 and 500 feet wide. It will be constructed adjacent to and on the south side of the existing western breakwater. Dredging is typically conducted via a hydraulic pipeline or mechanical dredge. The sediment removed during maintenance activities would be placed in the contained placement area shown in Figure 2. See Environmental Assessment (EA) on the web at address <http://www.sam.usace.army.mil/Missions/PlanningEnvironmental.aspx> for additional details.

**WATER QUALITY CERTIFICATION:** Pursuant to the Clean Water Act, state water quality certification is required for the proposed action. Water quality certification for the proposed activities associated with the Eastpoint navigation project was requested from and approved by the Florida Department of Environmental Protection (FDEP) for a five-year period. Water Quality Certification under Section 401 of the Clean Water Act was granted from the State of Florida for the proposed action on April 5, 2013 (19-0270106-003-E1).

**COASTAL ZONE CONSISTENCY:** Pursuant to the Coastal Zone Management Act, the proposed action is consistent with the FDEP's program to the maximum extent practicable. Coastal zone consistency was requested from and approved by the FDEP for a five-year period. Coastal Zone Consistency under Section 307 of the Coastal Management Act was granted from the State of Florida for the proposed action on April 5, 2013 (19-0270106-003-E1).

**NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) CONSIDERATIONS:** An Environmental Impact Statement (EIS) was prepared in 1978 for breakwater construction and maintenance dredging activities for the portion of the waterway within the USACE, Mobile District's jurisdiction. In 1983, a document titled, *Detailed Project Report and Environmental Impact Statement on Breakwater at Eastpoint, Florida, May 1983* was approved and signed by the District Commander. State water quality was issued on June 20, 1983 and the breakwater was constructed in the fall of 1984. Since completion of this NEPA documentation, several changes in the environmental setting and laws and regulations have resulted, such as the listing of Essential Fish Habitat

(EFH) and the threatened Gulf sturgeon and its designated critical habitat, delisting of the bald eagle to protection under the Bald and Golden Eagle Protection Act, and implementation of Executive Order 12898 – Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations and Executive Order 13045 - Protection of Children from Environmental Health Risks and Safety Risks. The Draft EA is available for review upon request and a copy is located on the web at address <http://www.sam.usace.army.mil/Missions/PlanningEnvironmental.aspx>. Based on comments to this public notice, the District Commander will determine the need to incorporate those comments and update the NEPA documents.

**SECTION 404(b)(1) EVALUATION:** A Draft Section 404(b)(1) Evaluation Report has been prepared in accordance with guidelines promulgated by the U.S. Environmental Protection Agency (USEPA) under Section 404(b)(1) of the Clean Water Act to address the impacts associated with the continued operations and maintenance activities. The Draft Section 404(b)(1) Evaluation Report is available for review upon request and is also on the web at address <http://www.sam.usace.army.mil/Missions/PlanningEnvironmental.aspx>. Should comments be received that warrant consideration, the Section 404(b)(1) report will be updated. Based on comments to this public notice, the District Commander will determine the need to incorporate those comments and update the NEPA documents.

**ENDANGERED AND THREATENED SPECIES:** In compliance with Section 7 of the Endangered Species Act, the proposed action will be coordinated with the U.S. Department of Commerce, National Marine Fisheries Service (NMFS), Protected Resources Division (PRD) and the U.S. Department of the Interior, Fish and Wildlife Service (USFWS). Based on review of the threatened and endangered species that could occur within the Eastpoint project area in the State of Florida, USACE Mobile District has determined that the proposed action is not likely to adversely affect any listed species or adversely modify associated critical habitat.

**ESSENTIAL FISH HABITAT:** EFH is defined in the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) as "those waters and substrate necessary to fish spawning, breeding, feeding, or growth to maturity." The Gulf of Mexico Fishery Management Council in accordance with the MSFCMA (PL 94-265) has developed management plans for the following fisheries: shrimp, red drum, reef fish, stone crab, spiny lobster, coral and coral reef and coastal migratory pelagic. The Gulf of Mexico Fishery Management Plans (2012) identifies EFH in the project area to be inter-tidal wetlands, submerged aquatic vegetation, non-vegetated bottoms, shell reefs and the estuarine water column. Major fisheries landed along the Gulf Coast include red drum, mullet, croaker, shrimp, blue crab, and oyster. Habitat associated with these species include estuarine areas, such as estuarine emergent wetlands, seagrass beds, algal flats, and mud, sand, shell and rock substrates. The habitat within the vicinity of

the project consists of estuarine waters, shell, sand, and silt substrate, estuarine emergent wetlands, seagrass beds, and oyster reefs.

The draft EA describes the proposed action and analyzes the direct and indirect effects on EFHs for the managed fish species, their habitat and their major food sources. The proposed action will not significantly affect coastal habitat identified as EFH in the project area because most of the impacts will be temporary in nature. Species identified to be present within the project area are motile and will likely exit the area upon initiation of dredging and placement operations. However, since the proposed project involves constructing a new 26 acre sediment placement area adjacent to the existing west breakwater, there will be permanent impacts to this area. Previous open-water areas will be raised to elevations ranging from +1 to -2 MLLW, which will make conditions favorable for the establishment of submerged aquatic vegetation, wetland vegetation and marsh creation. Based on an overall assessment of the project, USACE, Mobile District found the impacts to fisheries resources associated with the proposed project would not have a long-term adverse effect on EFH. Coordination for EFH procedures is being initiated through publication of this public notice and official letter.

**CULTURAL AND HISTORIC RESOURCES CONSIDERATIONS:** The Eastpoint navigation project was authorized by Congress and completed more than 50 years ago. The existing channel and original disposal area was constructed and operated prior to the enactment of the National Historic Preservation Act (NHPA), which was signed into law in 1966. The USACE Mobile District has previously considered the effect that continued use and maintenance of the navigation channel may have on historic properties. This project was consulted with the Florida Department of State Division of Archives, History and Records Management in 1982. A “no effect” on historic properties was concurred on by the agency (letter dated October 27, 1982). However, since the proposed project will be using a new 26 acre disposal area that is adjacent to the west breakwater, the USACE, Mobile District will coordinate with the State Historic Preservation Officer (SHPO) during the recertification process to obtain concurrence. Copies of this notice are being forwarded to the Florida State Historic Preservation Officer and the U.S. Department of the Interior, National Park Service in Atlanta, Georgia.

**FARMLAND PROTECTION POLICY ACT (FPPA) CONSIDERATIONS:** The proposed action does not involve the placement of dredged material in any additional upland placement areas. Therefore provisions of the FPPA are not applicable.

**USE BY OTHERS:** Portions of the proposed project area are adjacent to developed shoreline. The proposed action for the Eastpoint navigation project is not expected to cause any significant land use changes in the adjacent areas. Use of waters in the vicinity of the navigation channel and sediment placement site includes fishing, recreational boating, oyster harvesting, and seafood processing.

**EVALUATION:** The decision whether to proceed with the proposed action will be based on evaluating 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 that may be reasonably expected to occur from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are general environmental concerns, wetlands, historic properties, fish and wildlife values, navigation, recreation, water quality, and in general the needs and welfare of the people. The proposed action will proceed unless it is found to be contrary to the overall public interest.

**COORDINATION:** Agencies receiving copies of this public notice include but is not limited to:

U.S. Environmental Protection Agency, Region 4  
U.S. Department of the Interior, Fish and Wildlife Service,  
Panama City, Florida Field Office  
U.S. Department of the Interior, National Park Service  
U.S. Department of Commerce, National Oceanic and Atmospheric  
Administration, National Marine Fisheries Service, Habitat Conservation  
Division Panama City, Florida  
U.S. Department of Commerce, National Oceanic and Atmospheric  
Administration, National Marine Fisheries Service, Protected Species  
Management Branch, St. Petersburg, Florida  
State of Florida, Department of Environmental Protection  
State of Florida, Fish and Wildlife Commission  
State of Florida, State Historic Preservation Officer  
Gulf of Mexico Fishery Management Council  
Commander, Eighth Coast Guard District  
U.S. Department of Agriculture, Natural Resources Conservation Service  
Native American Tribal Interests

Other Federal, State and local organizations, United States Senators and Representatives of Florida are being sent copies of this notice and are requested to participate in coordinating review of this proposed action. The USACE, Mobile District requests that parties communicate information included in this public notice to others that may have an interest in the proposed action.

**CORRESPONDENCE:** Any party that has an interest that may be affected by this proposed activity may request a public hearing. Any comments or request for hearing must clearly set forth the interests that may be affected and the manner in which the interest may be affected. Correspondence concerning this public notice should be received within 30 days of this publication. Correspondence should reference Public

**August 30, 2013**

Notice No. FP13-AB03-05 and should be addressed to the District Commander, U.S. Army Engineer District, Mobile, P.O. Box 2288, Mobile, Alabama 36628-0001, Attention CESAM-PD-EC. Mr. Michael Malsom, Planning and Environmental Division, Coastal Environment Team may be contacted at 251-690-2023 or michael.f.malsom@usace.army.mil for additional information.



**CURTIS M. FLAKES**  
U.S. Army Corps of Engineers  
Mobile District

Enclosure

Figure 1 – Project Map of Mobile District Federally Authorized Eastpoint Navigation Channel

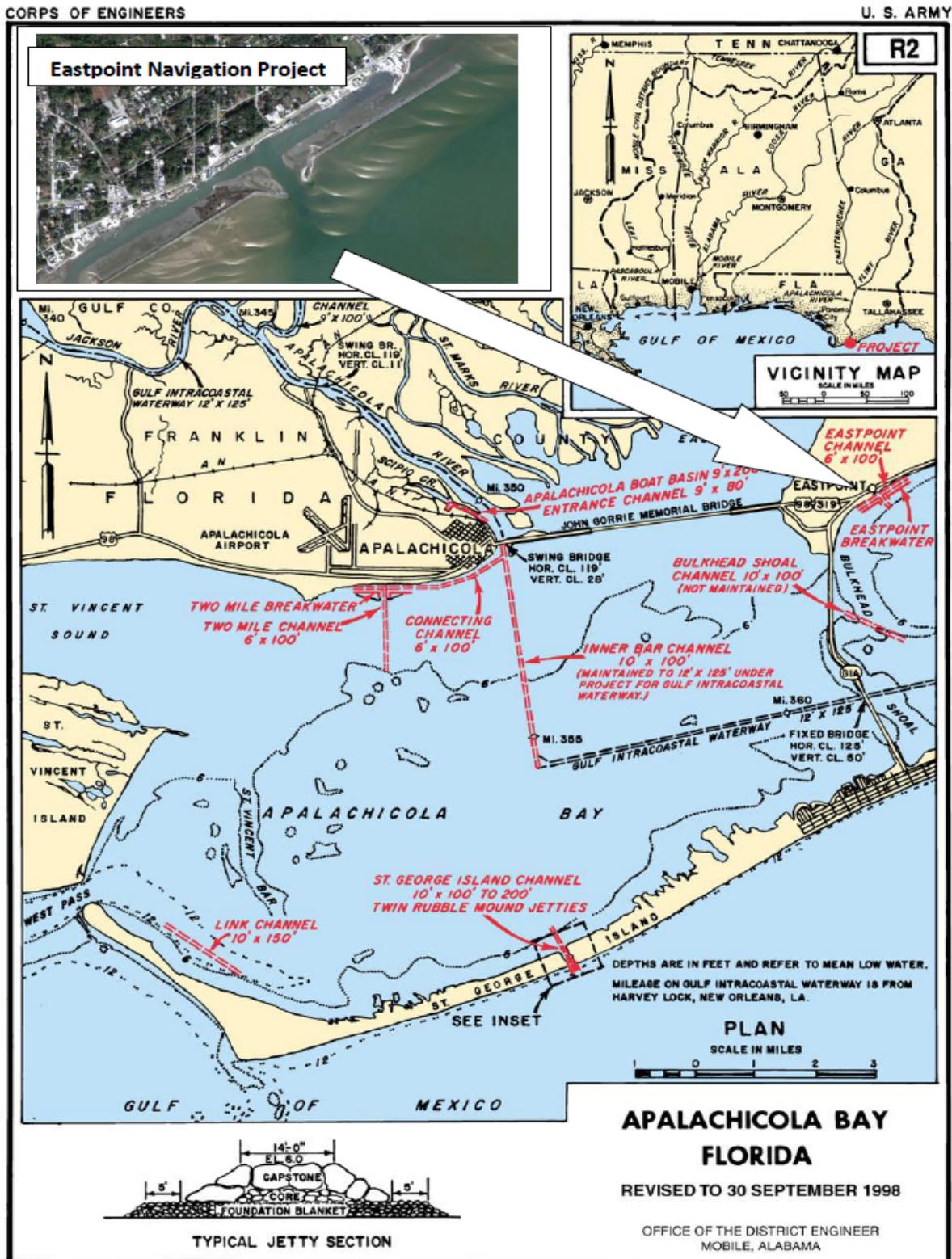


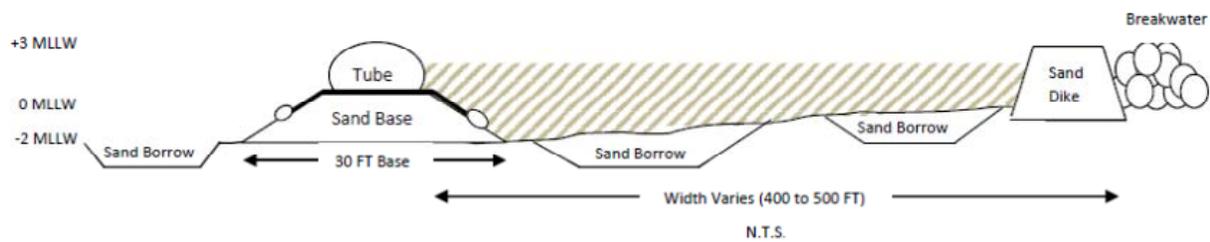
Figure 2. Eastpoint Navigation Project Dredged Material Placement Area

Eastpoint Plan View



- 3,000 LF Geotubes (30 Ft circumference tubes)
- 2,500 LF Sand Dikes
- 450 LF Turbidity Curtains
- 1,200 LF Sand Spur Dikes (top elevation +3 MLLW, base width 40 FT)

Eastpoint Cross Section



- Sand Base constructed to approx +0.5 MLLW
- Perimeter Tube and Sand Dike top elevation approx +3.0 MLLW