



**US Army Corps of Engineers
JACKSONVILLE DISTRICT**

**PROPOSED FINDING OF NO SIGNIFICANT IMPACT
OPERATIONS AND MAINTENANCE DREDGING AND DREDGED MATERIAL
PLACEMENT
HORSESHOE COVE FEDERAL NAVIGATION CHANNEL
DIXIE COUNTY, FLORIDA**

The U.S. Army Corps of Engineers, Jacksonville District (Corps), has prepared a supplemental environmental assessment (EA) in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended, and the White House's Council on Environmental Quality regulations to assess environmental effects of the continued periodic operations and maintenance (O&M) dredging and dredged material placement for the Horseshoe Cove federal navigation channel in Dixie County, Florida. The Corps assessed the effects of the following actions in the supplemental EA, dated September 2017, for O&M dredging and dredged material placement for Horseshoe Cove federal navigation channel in Dixie County, Florida. The Preferred Alternative consists of the following:

- Routine O&M dredging on an "as needed" basis of an estimated 120,000 cubic yards of silt and silty sand from the federal channel and turning basin to obtain a depth of seven feet (six feet required project depth plus one foot allowable over depth).
- Dredged material will be hydraulically pumped and placed in the previously used upland site, which is provided by the project stakeholder, Dixie County. The upland site is approximately 30 acres and is located approximately 4,000 feet northeast of the dredging area.

In addition to the "No Action" alternative, the Corps evaluated one alternative as the Preferred Alternative. This channel was authorized by P.L. 81-516, the River and Harbors Act of 17 May 1950, Section 101. This plan proposes to continue to maintain the channel as it has been maintained since at least 1993, based on available records. The Jacksonville District completed an EA for the ongoing periodic O&M dredging and upland placement in 1995. Based on available records, this is the only NEPA assessment previously completed for the channel. The 2017 supplemental EA updates that analysis and adopts the 1995 EA where the information is valid and applicable to this evaluation.

I have reviewed the supplemental EA for the Preferred Alternative. This Finding incorporates by reference all discussions and conclusions contained in the EA enclosed hereto. Based on the information analyzed in the EA, which reflects pertinent information obtained from agencies having jurisdiction by law and/or special expertise, I conclude that the Preferred Alternative will not significantly affect the quality of the human environment and does not require an Environmental Impact Statement. Reasons for this conclusion are in summary:

- a. The Preferred Alternative is in compliance with the Endangered Species Act of 1973, as amended. This project has been coordinated with National Marine Fisheries Service (NMFS) through the Gulf Region Biological Opinion dated November 19, 2003, as amended on January 9, 2007. The Corps initiated coordination with the U.S. Fish and Wildlife Service (USFWS) in conjunction with providing the draft NEPA document in August 2017. In a letter dated September 6, 2017, the USFWS concurred with the Corps' determination that the project may affect but is not likely to adversely affect the following listed species: wood stork (*Mycteria Americana*), West Indian (Florida) manatee (*Trichechus manatus latirostris*), and the eastern indigo snake (*Drymarchon corais couperi*).
- b. The State of Florida originally permitted the project in 1993 under the Wetland Resource Management Permit No. 152332769 and required the Corps to comply with State of Florida water quality standards. By the issuance of the permit in 1993, and with the issuance of subsequent exemptions, the State concurred with the Corps' Coastal Zone Management Program federal consistency determination that the Preferred Alternative is consistent with the enforceable policies of the Florida Coastal Management Program. The Corps coordinated both a Federal Consistency Determination and Section 404(b)(1) analysis under the Clean Water Act with the State under the 1995 EA for compliance with the CZMA. The Corps received a maintenance dredge exemption verification in 2000. In 2008, the FDEP again determined this activity was exempt per exemption verification letter May 29, 2008 (DEP File NO. 15-163891-002-EE). The exemption verification letter was valid for only one year. The Corps will request another exemption verification from FDEP prior to the next dredging event as well as for future dredging events as required. Under s. 308.23(1) and s. 308.23(7), Florida Statutes (2017), verification of the exemption will also constitute state concurrence that the project is consistent with the CZMA. If an exemption is not provided, the Corps will pursue a water quality permit to comply with Section 404(b)(1) and request a Federal Consistency review to comply with CZMA.
- c. The Corps has coordinated the Preferred Alternative with the Florida State Historic Preservation Officer and the appropriate federally-recognized tribes in accordance with the National Historic Preservation Act and consideration given under the National Environmental Policy Act. The Corps determined that the Preferred Alternative will have no effect on historic properties eligible or potentially eligible for listing in the National Register of Historic Places.
- d. The Corps prepared this supplemental EA consistent with 1999 guidance provided by the NMFS Southeast Regional Office to the Corps regarding coordinating Essential Fish Habitat (EFH) consultation requirements with NEPA. The Corps sent the EFH consultation letter, along with the draft NEPA document, to NMFS in August 2017. In an email dated August 16, 2017, NMFS concurred with the Corps' determination that the project will not adversely affect EFH, and did not provide any EFH conservation recommendations.
- e. Benefits to the public will be to maintain safe navigation through the channel for recreational and commercial use.

The Corps incorporated all practicable means to avoid and minimize adverse environmental effects into the Preferred Alternative. Measures will be in place during construction to eliminate, reduce, or avoid adverse impacts below the threshold of significance to fish and wildlife resources including the following:

- The Corps or its authorized agent will have a Protected Species Observer on the project during any clamshell dredging to ensure protection of listed species, with particular attention paid to manatees;
- The Corps will hire an approved/permitted contractor to determine absence/presence of gopher tortoise burrows and relocate any gopher tortoises present in the upland placement site prior to the start of construction;
- The Corps or its authorized agent will adhere to the applicable terms and conditions of the Gulf Region Biological Opinion;
- The Corps or its authorized agent will protect water quality by adherence to the State of Florida water quality criteria; and
- The Corps will incorporate the standard migratory bird protection protocols into the project plans and specifications and will require the contractor to abide by those requirements.

In view of the above and the attached supplemental EA, and after consideration of public and agency comments received on the project, I conclude that the Preferred Alternative would not result in a significant effect on the quality of the human environment. This Finding of No Significant Impact incorporates by reference all discussions and conclusions contained in the supplemental EA enclosed herewith. A copy of these documents will be made available to the public on the Corps' Environmental planning website, under Dixie County:

<http://www.saj.usace.army.mil/About/DivisionsOffices/Planning/EnvironmentalBranch/EnvironmentalDocuments.aspx>.

(On that page, click on the "+" next to "Dixie County" and scroll down to "Horseshoe Cove". The documents available for download include the 2017 supplemental EA, associated appendices, and FONSI.)



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Colonel, U. S. Army
District Commander

20 SEP 2017

Date