

Subject: DWH-Early Restoration- Essential Fish Habitat Consultation Initiation-City of Parker – Oak Shore Drive Pier Project-FL

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Date: 4/14/2014 3:57 PM

To: Mark Thompson <Mark.Thompson@noaa.gov>

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Mr. Thompson,

Attached is the Essential Fish Habitat Assessment for the City of Parker – Oak Shore Drive Pier project. This project is being proposed in the Deepwater Horizon Draft Phase III Early Restoration plan and Programmatic Environmental Impact Statement. Please consider this our initiation of our Essential Fish Habitat consultation. If you anticipate this consultation requiring more than 30 days (May 14, 2014) please let me know.

If you have any questions or require additional information, please contact me at [409-621-1248](tel:409-621-1248) or at jamie.schubert@noaa.gov.

Thanks,

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— Attachments: —

EFH-Oakshore.Drive.Pier.2014-04-03.docx

1.1 MB

Determination of Effect on Essential Fish Habitat from Florida City of Parker – Oak Shore Drive Pier project

EFH overview from Magnuson Stevens Act

The 1996 Magnuson-Stevens Act requires cooperation among the National Marine Fisheries Service (NMFS), anglers, and federal and state agencies to protect, conserve, and enhance Essential Fish Habitat (EFH). EFH is defined as those waters and substrates necessary to fish for spawning, breeding, feeding, or growth to maturity. The designation and conservation of EFH seek to minimize adverse effects on habitat caused by fishing and non-fishing activities.

Project description

The proposed project is to construct a 500-foot long fishing pier that will provide fishing and recreational access opportunities to residents of the City of Parker and Tyndall Air Force Base; neither location currently has publically accessible fishing facilities. The pier would provide access to St. Andrew Bay. Figure 1 illustrates the project location.

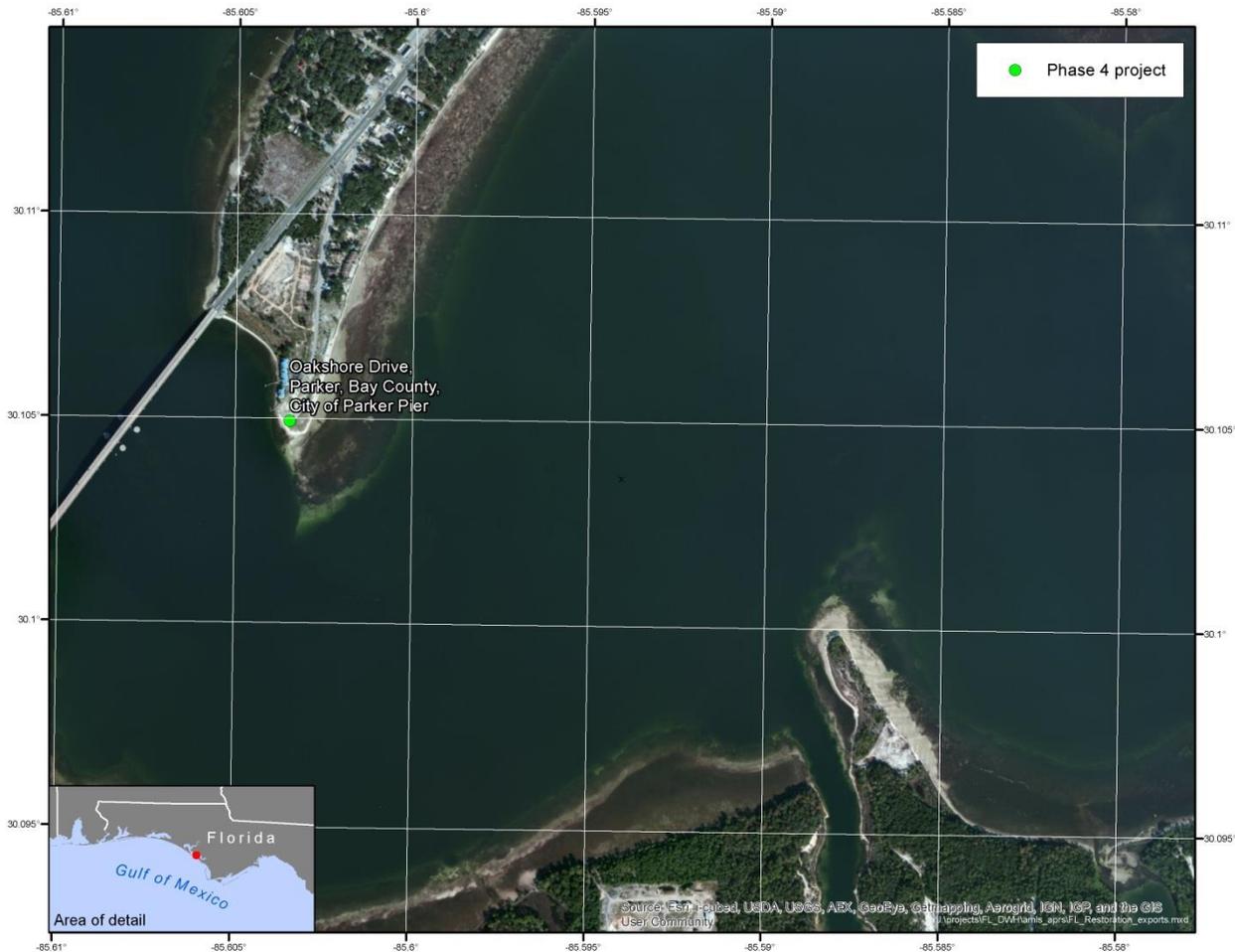


Figure 1. Location of the City of Parker, Oakshore Drive pier.

Federally managed fisheries and EFH

Information on designated EFH in the Gulf of Mexico was obtained in September, 2013 from the NMFS’ EFH web site at <http://www.habitat.noaa.gov/protection/efh/newInv/index.html>. Table 1 provides a summary of the species identified as having designated EFH for one or more life stages within the area of potential affect for the proposed project.

Table 1. Federally managed fisheries with designated Essential Fish Habitat (EFH) in the proposed project area.

| EFH Category | Species |
|--|----------------------------------|
| Atlantic Highly Migratory Species | |
| | Atlantic Sharpnose Shark-Neonate |
| | Bull Shark-Juvenile |

| | |
|--|-------------------------------------|
| | Nurse Shark-Juvenile |
| | Sandbar Shark-Adult |
| | Scalloped Hammerhead Shark-Juvenile |
| | Scalloped Hammerhead Shark-Neonate |
| | Spinner Shark-Juvenile |
| | Spinner Shark-Neonate |
| | Tiger Shark-Juvenile |
| Coastal Migratory Pelagics of the Gulf of Mexico AND South Atlantic | |
| | Spanish Mackerel |
| | Cobia |
| | King Mackerel |
| Gulf of Mexico Red Drum | |
| | Red Drum |
| Gulf of Mexico Shrimp | |
| | Pink Shrimp |
| | Rock Shrimp |
| | Seabob Shrimp |
| | White Shrimp |
| | Brown Shrimp |
| Reef Fish Resources of the Gulf of Mexico | |
| | Lane Snapper |
| | Lesser Amberjack |
| | Mutton Snapper |
| | Nassau Grouper |
| | Queen Snapper |
| | Red Grouper |
| | Red Snapper |
| | Scamp |
| | Silk Snapper |
| | Snowy Grouper |
| | Speckled Hind |
| | Tilefish |
| | Vermilion Snapper |
| | Warsaw Grouper |
| | Wenchman |
| | Yellowedge Grouper |
| | Yellowfin Grouper |
| | Yellowmouth Grouper |
| | Almaco Jack |
| | Banded Rudderfish |
| | Black Grouper |
| | Blackfin Snapper |
| | Blueline Tilefish |
| | Cubera Snapper |
| | Gag |

| | |
|--|-------------------------|
| | Goldface Tilefish |
| | Gray (Mangrove) Snapper |
| | Gray Triggerfish |
| | Greater Amberjack |
| | Hogfish |

Assessment of effects to EFH

Construction of the new pier at Oakshore Drive is unlikely to adversely affect EFH. Constructing the new pier would convert an area of habitat from un-obstructed open water habitat to habitat interrupted by pilings and minimally shaded by the new pier structure.

Final plans the proposed fishing pier have not been completed. However, a limited set of conceptual drawings is available (see Figure 2) that provides approximate dimensions and a proposed orientation of the pier on the project site. Based on this drawing, the proposed fishing pier would be approximately 500 feet long and 16 feet wide extending southwest from end of Oak Shore Drive adjacent to and on the south side of the existing boat ramp. At the end of the pier a small section would be oriented perpendicular to the rest of the pier and have dimensions of approximately 60 feet long by 16 feet wide. Based on these dimensions the pier would have an overall total area of 8,960 square feet.



Figure 2. Conceptual design and initial proposed location for the proposed Oak Shore Drive Pier.

However, the exact dimensions of the pier will be ultimately determined during the final design for the project.

The orientation of the pier will also be evaluated as part of the effort to develop final plans. As part of this engineering and orientation assessment, a survey of submerged aquatic vegetation

(SAV) in the area would be completed. Existing information suggests SAV is in the area around the point where the pier will be constructed (see Figure 2 above and Figure 8 in *Environmental Baseline* section). Should the site assessment for the project identify SAV in the proposed project area, the conditions in the *Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat* (U.S. Army Corps of Engineers/National Marine Fisheries Service, 2001) would be implemented. Among other elements this would require placing pilings for the dock expansion a minimum of 10 feet apart. Orientation options for the fishing pier will also consider site specific features such as the generation of the shallow sand bars off the point (see Figure 2) and the Intracoastal Waterway which runs offshore of the point in Figure 2. As Figure 2 shows, the SAV coverage at the point is not complete as the combination of current and other conditions leave an area off of the South of the point going out into deeper water where there is effectively a “path” that is free of SAV.

As presented in Figure 2, the current plan is to construct the pier in this path to avoid impacts to SAV habitat at the site. Because of this SAV free path at the site, there is confidence the pier can be built without affecting the SAV habitat.

Based on conceptual plans for similar fishing piers it is assumed that the pier will be constructed using 8” diameter fiberglass pilings that are pre-filled with concrete. Based on the length and shape of the pier up to 150 pilings may be required. These pilings will be placed using a combination of water-jetting to initially set the piles to within 5 feet of their desired final depth. For the remaining five feet, the pilings will be set using a vibratory hammer. Final construction plans will also consider and account for options would minimize disruption to the aquatic environment including available BMPs (e.g., use of bubble curtains). All decking, cross members and railings for the pier will be made of timber. Following placement of the pilings the timber cross members will be placed from the water and then the rest of the pier will be built out from shore. In total, the in-water work associated with this project is expected to last no more than 6 months.

During all in-water construction activity, the conditions and guidelines of the *Sea Turtle and Smalltooth Sawfish Construction Conditions* (NOAA, 2006) would be implemented and adhered to. Among the significant aspects of these provisions is the requirement to stop operation of any equipment if sea turtles or Smalltooth sawfish come within 50 feet of the equipment until the time when animals leave the project area of their own volition.

During construction BMPs for erosion control would also be implemented and maintained at all times during upland activity to prevent siltation and turbid discharges into surface waters. Methods could include, but are not limited to, the use of staked hay bales, staked filter cloth, sodding, seeding, and mulching; staged construction; and installation of turbidity screens around the immediate project site. The direct goal of these actions is to limit sediment discharges into

the water that would adversely affect turbidity. Staging of most construction materials would occur in the parking area at the site (see Figure 2), with the potential that some materials may be delivered by barge for installation (the Intracoastal Waterway is offshore at the project site).

Finally, prior to the opening of the pier to the public, fixed signs that are consistent with National Oceanic and Atmospheric Administration (NOAA) and State of Florida guidelines with instructions on what to do in the event of hooking a listed species (e.g., sea turtle) would be placed at the entrance to the fishing pier and strategically at fixed intervals along its length. Additionally, a kiosk/booth would be placed at the entrance to the pier with additional information for best practices on catch and release and other fishing practices (e.g., placing cut line and hooks for disposal in trash cans, not feeding dolphins) designed to limit potential adverse impacts to species. The signage in this kiosk would include the NMFS “Dolphin Friendly Fishing and Viewing Tips” sign with NMFS’ “Protect Dolphin” signs along the pier. Monofilament recycling bins will be installed at regular intervals along the pier. These would be emptied regularly by city/county staff as part of the project maintenance activities, and fishing line recycled. Further, any lighting installed on the pier or addressed as part of the project will be wildlife friendly and comply with the guidance provided in the current edition of the FWC’s *Lighting Technical Manual*. Finally, no fish cleaning stations will be included in the design and construction of these piers to help mitigate/avoid issues of species attraction to the pier.

Total construction time is estimated to take approximately 12 months. The Florida Fish and Wildlife Commission (FWC) and Department of Environmental Protection (DEP) recognize that conducting the in-water construction elements of this project from May to September could reduce risk of adverse impacts to Gulf sturgeon as they are generally in freshwater riverine habitats during this period. However, the FWC and DEP currently face considerable uncertainty regarding project implementation timing as a result of multiple sequential factors including: the need to finalize the draft ERP/PEIS, reach agreements on project stipulations with BP, receive initial funding from BP, develop bid and procurement documents and select contractors. As a result of these and other factors, such as the additional cost that would be associated with shutting down projects and timing issues with other species, FWC and DEP are unable to commit to conducting in-water activities during the period from May to September. However, as previously noted, in order to mitigate any increased risk arising from conducting in-water work outside of the May to September period, FWC and DEP will ensure the conditions included in NOAA’s *Sea Turtle and Smalltooth Sawfish Construction Conditions* (NOAA, 2006) and *Vessel Strike Avoidance Measures and Reporting for Mariners* (NOAA, 2008) are implemented and adhered to during periods of in-water project-related activity.

During construction, adjacent areas with equivalent or better habitat will be available and undisturbed and organisms could move away from temporarily disturbed areas.

Conclusion

The project is not likely to adversely affect EFH. The proposed pier construction will take place adjacent to the existing boat ramp and dock. A small area of subtidal habitat would be converted with the placing of pilings for the new pier, however, this would be a relatively small area compared with the surrounding habitat and would not completely convert or block habitat in the area where the pier is constructed. SAV habitat is in the area of the pier but the initial survey will be used to ensure impacts to this habitat are minimized and potentially avoided completely as there appear to be areas free of SAV where the pier could be constructed. Ultimately, disturbance to species and their habitats will be minor and brief.