



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT  
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JACKSONVILLE, FL 32207-8175

**FINDING OF NO SIGNIFICANT IMPACT**

**INSTALLATION OF PEDESTRIAN DUNE WALKOVERS CONSTRUCTED BY OTHERS  
OVER FEDERAL COASTAL STORM RISK MANAGEMENT PROJECTS AND SHORE  
PROTECTION PROJECTS**

**STATE OF FLORIDA**

This Finding documents compliance with the National Environmental Policy Act (NEPA) and is prepared by the U.S. Army Corps of Engineers (Corps), Jacksonville District for authorization of the installation of private, pedestrian dune walkovers constructed over Corps Federal Coastal Storm Risk Management (CSRM) projects or Shore Protection Projects (SPP). The action area consists of the entire area of responsibility (AOR) for the Jacksonville District Civil Works (CW) program. The pedestrian walkovers are required for individual landowners to access the beach from their residence without walking directly on the dune system.

This Finding of No Significant Impact (FONSI) and associated Programmatic Environmental Assessment (PEA), incorporated by reference, address the Federal review and approval process for dune walkover Section 408 requests that do not require a Corps Section 404/10 Regulatory permit but are still subject to the Jacksonville District Commander's approval authority. The Section 408 approval addresses only dune walkovers that have a Coastal Construction Control Line (CCCL) permit from the Florida Department of Environmental Protection (FDEP).

This FONSI addresses any pedestrian dune walkovers which will ultimately impact a Corps Federal CSRM project, or Shore Protection Project throughout all Florida counties within the Jacksonville District AOR. This includes ongoing construction projects and projects that have not been commenced, designed, or planned at the time this FONSI is signed. Based on information analyzed in the PEA reflecting pertinent information obtained from agencies having jurisdiction by law and/or special expertise, I conclude that the proposed action will not significantly impact the quality of the human environment and does not require an EIS. Reasons for this conclusion are below.

The project will be implemented in compliance with Section 7 of the Endangered Species Act (ESA) of 1973, 16 U.S.C. §1531 et seq. as amended. The Corps has reviewed the effects analysis and determinations for endangered and threatened nesting sea turtles (*Chelonia mydas*, *Dermochelys coriacea*, *Caretta caretta*). The Corps made the determination that the proposed action may affect, but is not likely to adversely affect nesting sea turtles. The Corps requested concurrence with this determination from the U.S. Fish and Wildlife Service (FWS) on April 16, 2021 and provided updated information

on June 28, 2021. The FWS provided concurrence with the Corps' determination on July 14, 2021 and concluded consultation.

Pursuant to Section 106 of the National Historic Preservation Act of 1966, 54 U.S.C. 306108, as amended, the Corps has determined that the dune walkovers pose no effect to historic properties eligible or potentially eligible for listing in the National Register of Historic places. Consultation with the Florida State Historic Preservation Office (SHPO) and appropriate federally recognized tribes was conducted by letter. Consultation was initiated on June 24, 2021. On July 21, 2021, the Seminole Tribe of Florida responded by email, noting concern regarding the eastern edge of site 8PB15297 within Palm Beach County. Review of the site location shows that impact of the categorical permission will be outside the site boundary. The Corps received no comments or objections and, per 36 CFR §800.3.c.4, the Section 106 review process was concluded on July 24, 2021.

Public benefits will be provided with recreation access. Measures will be taken during construction to eliminate, reduce, or avoid impacts below the threshold of significance to fish and wildlife resources.

In view of the above, I conclude that the proposed action for the Federal authorization of Section 408 permission to install pedestrian dune walkovers over Corps Federal CSRM projects and SPP projects will not significantly affect the human environment and does not require an EIS. This FONSI incorporates by reference all discussions and conclusions contained in the documents enclosed herewith. A copy of these documents will be made available to the public at the following website:  
<http://www.saj.usace.army.mil/About/DivisionsOffices/Planning/EnvironmentalBranch/EnvironmentalDocuments.aspx>

3 November 2021  
Date

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James L. Booth  
Colonel, U.S. Army  
District Commander

OCTOBER 2021

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**PROGRAMMATIC ENVIRONMENTAL  
ASSESSMENT**

**INSTALLATION OF PEDESTRIAN DUNE  
WALKOVERS CONSTRUCTED BY  
OTHERS OVER USACE FEDERAL  
COASTAL STORM RISK MANAGEMENT  
PROJECTS AND  
SHORE PROTECTION PROJECTS**

***IN ACCORDANCE WITH* SECTION 14 OF  
THE RIVERS AND HARBORS ACT OF  
1899, AS AMENDED (CODIFIED AT 33  
U.S.C. § 408 (“SECTION 408”))**

**STATE OF FLORIDA**

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# **PROGRAMMATIC ENVIRONMENTAL ASSESSMENT**

## **INSTALLATION OF PEDESTRIAN DUNE WALKOVERS BY OTHERS CONSTRUCTED OVER USACE FEDERAL COASTAL STORM RISK MANAGEMENT PROJECTS AND SHORE PROTECTION PROJECTS**

### ***IN ACCORDANCE WITH SECTION 14 OF THE RIVERS AND HARBORS ACT OF 1899, AS AMENDED (CODIFIED AT 33 U.S.C. § 408 (“SECTION 408”))***

## **STATE OF FLORIDA**

# **1 PROJECT PURPOSE AND NEED**

## **1.1 INTRODUCTION**

The U.S. Army Corps of Engineers (USACE), Jacksonville District, and its associated non-Federal sponsors have constructed federally authorized Civil Works projects across the jurisdiction of the District. Typically, these projects encompass large areas and serve multiple purposes such as flood reduction, water supply, navigation, and storm risk management. Many are operated and maintained by the non-Federal sponsors; however, the USACE is responsible for ensuring the integrity and primary functions of these projects are maintained. Requests by non-Federal sponsors or independent entities (i.e., private, public, tribal, or other Federal entities) to make alterations to, or temporarily or permanently occupy or use, any Federally authorized Civil Works project must be processed in accordance with Section 14 of the Rivers and Harbors Act of 1899, as amended, 33 U.S.C. Section 408 (Section 408). Specifically, this Programmatic Environmental Assessment (PEA) evaluates the environmental effects of installation of pedestrian dune walkovers constructed over USACE Federal Coastal Storm Risk Management (CSRM) projects or USACE Federal Shore Protection Projects (SPP) with dune features. The review is to ensure compliance with the National Environmental Policy Act and Section 408 authorizations provided by the USACE.

## **1.2 PROJECT AUTHORITY**

The authority to grant permission for temporary or permanent alterations to Civil Works projects is contained in Section 14 of the Rivers and Harbors Act of 1899, as amended, and codified in 33 U.S.C. Section 408. In accordance with Section 408, the Jacksonville District Commander shall review each requested alteration to ensure that it does not adversely impact the USACE Federal Civil Works project. Section 408 provides that USACE may grant permission for another party to alter a USACE Federal Civil Works project upon a determination that the alteration proposed will not be injurious to the public interest and will not impair the usefulness of the USACE Federal Civil Works project. The

District Commander also has the authority to approve certain minor Section 408 requests in accordance with the delegation of authority contained in Engineer Circular (EC) 1165-2-220, *Policy and Procedural Guidance for Processing Requests to Alter U.S. Army Corps of Engineers Civil Works Projects Pursuant to 33 USC 408* (30 Sep 2018). Major alterations are reviewed by the USACE Director of Civil Works in Washington, D.C. The below listed individual CSRM projects have been authorized on a project specific basis.

### 1.3 PROJECT LOCATION

This assessment applies to proposed pedestrian dune walkovers impacting USACE Federal CSRM or SPP projects, specifically Federal dune features, within the jurisdiction of the Jacksonville District. Table 1-1 lists the current and proposed USACE Federal CSRM or SPP projects with a dune feature, or planned dune feature to be incorporated into the Federal project. Projects within the scope of this PEA also include those projects where dune features are potential features of the project and have not yet been designed or planned.

**Table 1-1. Coastal Storm Risk Management (CSRM) Projects and Shore Protection Project (SPP) Projects and Locations**

Project Name	County	FDEP Coastal Monuments Reach	Notes
Brevard County SPP, North Reach	Brevard	R-1 to R-53	Engineering Documentation Report complete. Dune to be incorporated as part of the next renourishment.
Brevard County SPP, Mid-Reach	Brevard	R-75 to R-118	Initial construction completed 2019-2020. Incorporation of dune possible.
Brevard County SPP, South Reach	Brevard	R-118 to R-139	Engineering Documentation Report complete. Dune to be incorporated as part of the next renourishment.
Broward County SPP, Segment II	Broward	R-25 to R-72	Engineering Documentation Report not complete. Incorporation of dune possible.
Broward County SPP, Segment III	Broward	R-86 to R-128	Engineering Documentation Report not complete. Incorporation of dune possible.
Duval County SPP	Duval	R-31 to R-80	Authorization extends from St. Johns River south jetty to St. Johns County line. Dune proposed for future incorporation into Federal project via dune

Project Name	County	FDEP Coastal Monuments Reach	Notes
			resiliency Engineering Documentation Report.
Flagler County CSRM	Flagler	R-80 to R-94	Initial construction planned 2021-2022. Incorporation of dune possible.
Manatee County SPP, Anna Maria Island	Manatee	R-12 to R-33.4	0.5-mile taper extending to R-36, but not cost-shared by the Federal Government. Incorporation of dune possible.
Martin County SPP	Martin	R-1 to R-25	Construction completed and renourished in 2018, including dune.
Miami-Dade County CSRM, Bakers Haulover to Government Cut	Miami-Dade	R-27 to R-74	Ongoing feasibility study. Reasonable likelihood for dune proposal.
Miami-Dade County CSRM, Key Biscayne	Miami-Dade	R-101 to R-108	Ongoing feasibility study. Reasonable likelihood for dune proposal.
Nassau County SPP	Nassau	R-13 to R-33	Engineering Documentation Report approved to incorporate dune into Federal project
Palm Beach County SPP, Delray	Palm Beach	R-175 to R-188.3	Engineering Documentation Report complete, but not finalized. Incorporation of dune possible.
Pinellas County CSRM, Treasure Island and Long Key	Pinellas	R-126 to R-143 and R-144 to R-166	Ongoing feasibility study. Reasonable likelihood for dune proposal.
Sarasota County SPP, Venice	Sarasota	R-116 to R-133	Engineering Documentation Report complete, but not finalized. Incorporation of dune possible.
St. Johns County CSRM, South Ponte Vedra Beach and Vilano Beach	St. Johns	R-103.5 to R-116.5	Includes 1000' tapers on both ends. Incorporation of dune possible.
St Johns County SPP, St. Augustine	St. Johns	R-137A to R-151	Includes 600' taper on both ends. Dune proposed for future incorporation into Federal project via



Project Name	County	FDEP Coastal Monuments Reach	Notes
			dune resiliency Engineering Documentation Report.
St. Lucie County CSRM, South Hutchinson Island	St. Lucie	R-98.5 to R-001	Initial construction planned 2021-2022. Incorporation of dune possible.

#### 1.4 PROJECT NEED OR OPPORTUNITY

There are numerous existing pedestrian dune walkovers over USACE Federal CSRM or SPP projects with dune features planned throughout the state and more dune walkovers are expected each year. These walkovers are or will be primarily constructed by private homeowners with properties located landward of the dunes and would be considered an alteration to the USACE Federal CSRM or SPP dunes. The purpose of this programmatic environmental assessment (PEA) is to evaluate the environmental effects to the dune features of the USACE Federal CSRM or SPP projects in conjunction with the issuance of the Section 408 review of dune walkovers. A PEA will allow quicker decisions within the Section 408 review without individual NEPA reviews for every dune walkover proposed around the USACE area of responsibility. This PEA completes the required analysis under NEPA for planned and future dune walkover alterations to USACE Federal CSRM or SPP dunes.

#### 1.5 RELATED ENVIRONMENTAL DOCUMENTS

U.S. Army Corps of Engineers, Jacksonville District, *Programmatic Environmental Assessment on Low-Impact Alterations to USACE Federally Authorized Civil Works Projects Conducted by Non-Federal Sponsors or Independent Requestors* in accordance with Section 14 of the Rivers and Harbors Act of 1899 (codified at 33 U.S.C. Section 408) – June 2016

U.S. Army Corps of Engineers, Jacksonville District, *Draft Categorical Permission for Section 408 Dune Walkover Requests*

#### 1.6 DECISIONS TO BE MADE

In order to expedite the Federal review and approval process, USACE Jacksonville District has prepared this PEA to address NEPA compliance for pedestrian dune walkover Section 408 requests that do not require a USACE Section 404/10 Regulatory permit but are still subject to the Jacksonville District Commander's approval authority. Though this document addresses the environmental effects for these requests, it does not circumvent the USACE review process to determine whether a proposed alteration is subject to approval.

The decision to be made within this PEA is whether to authorize under Section 408 the

proposed dune walkovers throughout the USACE Jacksonville District Civil Works boundary if an applicant provides a Section 408 request with a Coastal Construction Control Line (CCCL) permit from the Florida Department of Environmental Protection (FDEP). This includes all current Federal dunes, planned Federal dunes, and existing dunes if they are incorporated into Federal projects in the next five years. This PEA assesses the direct effects from the proposed actions on the human environment. A PEA assesses the overall environmental effects multiple individual projects over a large geographical area. Because the proposed actions cover a large geographic area and include a standard suite of proposed alterations and potential future alterations of USACE Federal CSRM or SPP projects across the Jacksonville District, a PEA is appropriate.

## **1.7 SCOPING AND ISSUES**

### **1.7.1 ISSUES EVALUATED**

The following issues were identified to be relevant to the proposed known or future dune walkover alterations: (1) vegetation; (2) threatened and endangered species; (3) migratory birds; (4) other fish and wildlife resources; (5) wetlands; (6) air quality; (7) noise; (8) recreation; (9) aesthetics; (10) cultural, historic, and archaeological resources; (11) Native Americans; and (12) socioeconomics.

### **1.7.2 ISSUES ELIMINATED FROM FURTHER ANALYSIS**

All Section 408 requests covered under this PEA would result in alterations with small footprints. The requests would occur within the boundaries of USACE Federal CSRM or SPP projects. The following issues have been eliminated from further analysis: (1) physical conditions; (2) Essential Fish Habitat; (3) water quality; (4) hazardous, toxic, and radioactive waste; (5) scientific resources; (6) solid waste; (7) drinking water; (8) urban quality; (9) energy requirements and conservation; (10) natural or depletable resources; (11) re-use and conservation potential; and (12) environmental justice. The above issues have been eliminated since they will be sufficiently reviewed and permitted through the receipt of the State authorization of the individual projects. Due to the nature of the projects covered within this PEA (above mean high water), there will be no attributable impacts to Essential Fish Habitat, water quality, scientific resources, solid waste, drinking water, urban quality, energy conservation potential, or environmental justice.

## **1.8 FEDERAL LAWS, STATE STATUTES, AND PERMITS**

The FDEP typically issues Coastal Construction Control Line permits for proposed dune walkovers. If a USACE Federal CSRM or SPP includes dunes, these walkovers would then be subject to Section 408 review. The entities seeking approval for the proposed dune walkovers will be required to obtain all necessary permits from state and local governments. The USACE approval of Section 408 requests is also subject to the requirements of a number of laws including, but not limited to, NEPA, Endangered Species Act, Sections 401, 402, and 404 of the Clean Water Act, the Coastal Zone Management Act, the Coastal Barrier Resources Act, and the National Historic Preservation Act which are addressed in this PEA.

## **2 ALTERNATIVES**

The Alternatives Section describes the no-action alternative and the proposed action. The beneficial and adverse environmental effects of the alternatives are presented in comparative form, providing a clear basis for choice for the decision maker and the public. A preferred alternative was selected based on the information and analysis presented in the sections of the Affected Environment and Environmental Effects.

### **2.1 CRITERIA EXAMINED FOR ALTERNATIVE SELECTION**

USACE examined the criteria within FDEP's Beach and Dune Walkover Guidelines (Jan 2016) the CCCL General Permit Conditions to determine applicability to Federal interests and protection of the constructed dune features. The CCCL permits could be accepted as written, with USACE adopting all conditions; or USACE would implement additional conditions and/or refine existing ones. In order to protect the Federally constructed dune systems, the USACE Engineering Division reviewed the conditions in the CCCL permit language and determined they would ensure the stability of the Federal project with three refinements to the condition language. USACE determined the addition of conditions was unnecessary and the refinements to the language would provide the clarification needed for Section 408 authorization. Descriptions of the refinements is contained below in Section 2.2.2, within Alternative 1. Additional alternatives were not evaluated due to the comprehensive nature of the CCCL conditions, USACE agreement with these conditions, and refinements to the three conditions that would incorporated in to Alternative 1.

### **2.2 DESCRIPTION OF ALTERNATIVES**

#### **2.2.1 NO-ACTION ALTERNATIVE (STATUS QUO)**

Under the "No-Action" alternative, the USACE would not have programmatic approval of proposed dune walkover alterations of USACE Federal CSRM or SPP dune features located within the jurisdiction of the Jacksonville District. This would result in the dune walkovers not being constructed, individual NEPA reviews for each proposed dune walkover, or the walkovers being constructed outside of the dune footprint. Additionally, the potential for dune degradation due to direct pedestrian traffic without a walkover could result in damage to the dunes and destruction of vegetation.

#### **2.2.2 ALTERNATIVE 1: APPROVE DUNE WALKOVER SECTION 408 REQUESTS**

This PEA addresses only those dune walkover Section 408 requests within the Jacksonville District Civil Works jurisdiction which are affecting a USACE Federal CSRM or SPP dune feature and require District-level approval. Additionally, this PEA does not address the Section 408 requests that are also subject to Regulatory review under Section 10 of the Rivers and Harbors Act of 1899 or Section 404 of the Clean Water Act (Public Law 92-500), 33 U.S.C. § 1344, as amended. Under Alternative 1, the USACE would approve currently proposed dune walkovers and future dune walkovers that are within the scope of this PEA and have the necessary state and local permits.

Section 408 requests for dune walkovers would be covered by this PEA if the following criteria are met:

- No permanent impacts to wetland, upland, or restored vegetation.
- No significant impacts to threatened or endangered species to ensure Endangered Species Act (ESA) compliance.
- No significant impacts to cultural resources.

The FDEP operates the CCCL Program to regulate structures and activities which can cause beach erosion, destabilize dunes, damage upland properties, or interfere with public access. CCCL permits also protect sea turtles and dune vegetation. The Program is designed to protect the coastal system from improperly sited and designed structures which can destabilize or destroy the beach and dune system. The standards within the CCCL may be more stringent than those already applied in the rest of the coastal building zone because of the greater forces expected to occur in the more seaward beach zone during a storm event.

Chapter 62B-33, Florida Administrative Code (F.A.C.) is the primary CCCL rule and provides the general design and siting criteria for dune walkovers authorized by FDEP CCCL permits. Approval or denial of the CCCL permit is based upon a review of the potential impacts to the beach dune system, adjacent properties, native salt-resistant vegetation, and marine turtles.

According to the design and siting criteria set forth in the CCCL requirements, the walkovers shall be designed and sited to protect dune features, minimize disturbance of native vegetation, not restrict lateral beach access, and minimize the amount of construction material that may become debris during a storm. The walkovers should be post-supported and elevated a sufficient distance above the existing or proposed vegetation to allow for sand build-up and clearance. Single-family dwelling walkovers should not exceed four feet in width and support posts shall not be greater than 4-inch-wide posts. Multi-family dwelling walkovers shall not exceed 6 feet in width and support posts shall not exceed 6 inches in width. Support posts shall not be encased in concrete nor installed in dune slopes that are steeper than approximately 30 degrees. Support posts should have a minimum 5 feet of soil penetration.

The USACE Engineering Division has refined the CCCL requirements for the dune walkovers in order to receive Section 408 approval. The walkover must be a minimum of 3 feet above the federally authorized dune crest height and seaward slope. This clarified a minimum distance and marker (authorized dune crest height and slope) for construction. The second is the walkover landing cannot go farther than 10 feet seaward of the authorized dune toe. This refinement identified a set position for the 10-foot mark, at the authorized dune toe instead of the existing vegetation line. The third refinement is the walkover landing cannot be landward of the authorized dune toe. This sets a landward limit of the walkover landing to ensure no encroachment on the Federal dune.

If the proposed dune walkover Section 408 request does not meet the above criteria, or implicates issues eliminated from analysis in this PEA as identified above in Section 1.7.2, the request may be denied or a standalone or supplemental EA or Environmental Impact Statement (EIS) may be required.

### **2.3 ISSUES AND BASIS FOR CHOICE**

Selecting the No-Action Alternative would not authorize construction of the dune walkovers and may result in the proposed action being located outside the USACE Federal CSRM or SPP project boundaries. Due to the purpose of the dune walkovers being specifically for pedestrian access over USACE Federal CSRM or SPP dune features, this is impractical. If the walkover were located outside of a USACE Federal CSRM or SPP dune feature, there would be no requirement for a Section 408 and no NEPA documentation would be necessary. Individual NEPA reviews for each proposed dune walkover would be required with each Section 408 authorization. The No-Action Alternative may also result in significant impacts to the dune systems, as pedestrian traffic on the dunes without walkovers could degrade the dunes and destroy vegetation.

Alternative 1 would allow approval of the construction of the dune walkover Section 408 requests after the USACE has determined that the alteration would not adversely affect the function or alter the purpose of the USACE Federal CSRM or SPP dune without further NEPA evaluation. The proposed dune walkovers would enhance or improve recreation, public safety, and mitigate the chances of dune degradation from foot traffic. In addition, the USACE has determined that these requests would not have a significant adverse environmental effect. If the USACE determines that future requests would result in significant impacts and the alteration is necessary, then the request would fall outside the scope of this PEA and a separate or supplemental NEPA document may be required. Alternative 1, approving the dune walkover Section 408 requests, is the preferred alternative or proposed action.

### 3 AFFECTED ENVIRONMENT

The Affected Environment section succinctly describes the existing environmental resources of the areas that would be affected if the dune walkovers are constructed. This section describes only those environmental resources that are relevant to the decision to be made. It does not describe the entire existing environment, but only those environmental resources that would affect or that would be affected by the alternative if they were implemented. This section, in conjunction with the description of the “no-action” alternative forms the baseline conditions for determining the environmental impacts of the proposed action and reasonable alternatives.

#### 3.1 GENERAL ENVIRONMENTAL SETTING

The proposed Section 408 requests are located within the footprint of the USACE Federal CSRM or SPP dune features. These dune features provide flood reduction, storm damage protection, and wildlife habitat. The dunes are located adjacent to the beach, usually between the open beach and residential or commercial properties. In some areas, roadways are adjacent to the dune. The dunes throughout the project area are at different levels of construction and/or natural deterioration. Natural processes remove and shift the dunes and the USACE regularly renourishes and maintains USACE Federal CSRM or SPP dunes.

#### 3.2 VEGETATION

The vegetation within the footprint of the Section 408 requests would typically consist of planted dune grasses and other dune vegetation within the dune systems. Other areas, especially in newly created dunes would be devoid of any vegetation or have newly planted vegetation. Common vegetation found in Florida dune systems include, but is not limited to, saltgrass (*Distichlis spicata*), bitter panicum (*Panicum amarum*), seacoast bluestem (*Schizachyrium* spp.), seaoats (*Uniola paniculata*), railroad vine (*Ipomoea pes-caprae*), seapurslane (*Sesuvium portulacastrum*), and seagrape (*Coccoloba uvifera*).

#### 3.3 THREATENED AND ENDANGERED SPECIES

Threatened and endangered species that may occur within locations of the dune walkovers are listed in Table 3-1.

**Table 3-1. Threatened and Endangered Species**

Common Name	Scientific Name	Listing Status
Anastasia Island Beach Mouse	<i>Peromyscus polionotus phasma</i>	Endangered
Florida Salt Marsh Vole	<i>Microtus pennsylvanicus dukecampbelli</i>	Endangered
Southeastern Beach Mouse	<i>Peromyscus polionotus niveiventris</i>	Threatened
Eastern Black Rail	<i>Laterallus jamaicensis ssp. jamaicensis</i>	Threatened
Piping Plover	<i>Charadrius melodus</i>	Threatened

Common Name	Scientific Name	Listing Status
Red Knot	<i>Calidris canutus rufa</i>	Threatened
Atlantic Salt Marsh Snake	<i>Nerodia clarkii taeniata</i>	Threatened
Gopher Tortoise	<i>Gopherus polyphemus</i>	Candidate*
Green Sea Turtle	<i>Chelonia mydas</i>	Threatened
Hawksbill Sea Turtle	<i>Eretmochelys imbricata</i>	Endangered
Kemp's Ridley Sea Turtle	<i>Lepidochelys kempii</i>	Endangered
Leatherback Sea Turtle	<i>Dermochelys coriacea</i>	Endangered
Loggerhead Sea Turtle	<i>Caretta caretta</i>	Threatened

\*Candidate for listing as endangered or threatened

### 3.4 MIGRATORY BIRDS

Migratory birds would typically include passerine species or perching birds, as well as aquatic species and shorebirds. Common species of perching birds may nest in disturbed habitats (i.e., eroded dunes, renourished dunes). Aquatic species may utilize the dunes for resting habitat and colonial nesting shorebird species (least terns, black skimmers) may also nest in the project areas.

### 3.5 OTHER FISH AND WILDLIFE RESOURCES

A wide variety of native and non-native mammals, reptiles, amphibians, fish, and invertebrates have adapted to living within the dune systems, including the potential inter-dune wetlands. The species that are likely to be present within the project areas include gopher tortoises, shorebirds, several snake and lizard species, a large array of insect, invertebrate, and amphibian species including migrating monarch butterflies, small rodents, and advantageous foraging species like raccoons and opossums.

### 3.6 WETLANDS

The USACE defines wetlands as “those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.” There is little likelihood of wetlands being present within the project footprints. There may be impounded inter-dune wetlands present in some of the project locations, but these are expected to be minimal.

### 3.7 AIR QUALITY

All areas of Florida are now attainment areas. Attainment areas are in reference to any area that meets the national primary or secondary ambient air quality standard for the pollutant.

### 3.8 NOISE

Within natural areas external sources of noise are limited. The Section 408 locations are located next to residential areas and roadways. The sources of noise include vehicular traffic, construction and landscape equipment, and minimal residential noises.

### **3.9 RECREATION**

The areas throughout the project sites are used for recreational activities including nature study, jogging, walking, saltwater fishing, and leisure.

### **3.10 AESTHETICS**

Aesthetics are very subjective, and change based on the viewpoint. The areas within the project site consist of natural beach systems and dunes with adjacent residential properties. Some might value the natural features associated with the beach and the ocean, while others might appreciate the architectural construction of the homes adjacent to the dunes.

### **3.11 CULTURAL, HISTORICAL, AND ARCHAEOLOGICAL RESOURCES**

The earliest widely accepted date of occupation by aboriginal inhabitants of Florida dates from around 12,500 years ago, and new evidence suggests that people were present in the region even earlier. This earliest cultural period, called the Paleo-Indian period, lasted until about 7500 B.C. Few Paleo-Indian archeological sites are recorded in south Florida. During this period, the continental shelves were exposed, and the Florida peninsula encompassed an area approximately twice the current size of the state Florida. Gradual sea level rise which occurred between about 10,000 years ago to 6,000 years ago resulted in the submergence of many terrestrial archaeological sites along the Gulf Coast. Throughout this steady shoreline transgression, activity and occupation along the coast was consistently reestablished.

During the Archaic period (ca. 7500 B.C. to ca. 500 B.C.), prehistoric people exploited a wider range of resources and may have led a more sedentary existence than earlier periods. Most Archaic period archeological sites recorded in the Florida Master Site File (FMSF) are clustered along the Atlantic and Gulf coasts, near rivers and along old remnant lake shorelines. Sea levels continued to rise until reaching approximate modern levels during this period. The stabilization of sea levels resulted in the formation of estuaries where Archaic period populations heavily exploited coastal resources. This activity continued through subsequent periods and including following contact with European colonists.

European exploration and colonization of Florida began in the sixteenth century. The earliest recorded historic maritime activity in the project area dates to 1513, when Ponce de Leon led the first “authorized discovery” of Florida. Before that documented voyage, it is likely that the Spanish were using the region a staging ground for provisioning, as had been practiced extensively in the Bahamas though the same period. After Ponce de Leon’s initial landfall, near present day St. Augustine, he then explored south along the coast, around the Florida Keys and north up the west coast of the peninsula, before returning to Puerto Rico. Later, other explorers including Panfilo de Narvaez, and Hernando de Soto landed near present day Tampa Bay, and the Tristan de Luna expedition arrived in Pensacola Bay.

Through the periods of Spanish and British colonial control, the Florida coastline remained a focus of settlement and activity by both European and Native American



populations. Additionally, regular shipping routes and storm activity along the Atlantic coast resulted in lost vessels near shore. This leads to remnants or large portions of wrecked ships periodically washing shore and being captured within the beach and dunes sands. When encountered, these archaeological sites have the potential to provide insights into ship activity and technology of the time. Though the frequency of these wrecks decreased as seafaring technology and methods evolved, the potential for remnants of offshore wrecks arriving onshore continues into Florida's American statehood.

The Corps has reviewed the reaches and identified 20 known archaeological sites within the affected environment. This includes resources in Brevard, Broward, Duval, Martin, Palm Beach, and St. Johns counties. This includes 11 sites associated with historic shipwrecks and nine associated with precontact Native American activity.

### **3.12 NATIVE AMERICANS**

No portion of the categorical permission is located within or adjacent to known Native American owned lands, reservation lands, or Traditional Cultural Properties. However, Native American groups have lived throughout the region in the past and their descendants continue to live within the State of Florida and throughout the United States. Pursuant to Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. §306101 et. seq.) obligations regarding Corps' Trust Responsibilities to Federally recognized Native American Tribes, and in consideration of the Burial Resources Agreement between the Corps and the Seminole Tribe of Florida, consultation is ongoing with Native American tribes having ancestral ties to this region, including the Seminole Tribe of Florida, the Seminole Nation of Oklahoma, Thlopthlocco Tribal Town and the Miccosukee Tribe of Indians of Florida. Consultation was initiated by letter on June 24, 2021. On July 21, 2021, the Seminole Tribe of Florida responded by email, noting concern regarding the eastern edge of site 8PB15297 within Palm Beach County. Review of the site location shows that impact of the categorical permission will be outside the site boundary. The Corps received no additional comments or objections and, per 36 CFR §800.3.c.4, the Section 106 review process was concluded on July 24, 2021.

### **3.13 SOCIO-ECONOMICS**

Generally, a strong wholesale and retail trade, government and service sectors characterize Florida's economy. Compared to the national economy, the manufacturing sector has played less of a role in Florida, but high technology manufacturing has begun to emerge as a significant sector over the last decade. Agricultural production is an important sector of Florida's economy. The project sites are not directly tied to economic infrastructure, since the dune walkovers are mainly private homeowners requiring beach access. However, rental and timeshare properties could be impacted with the availability or lack of beach access. This would link the project to the tourism industry, a large driver of the Florida economy.

## 4 ENVIRONMENTAL EFFECTS

The FDEP CCCL Program, the USACE Engineering Division requirements, and the Section 408 authorization provides for three levels of evaluation of the proposed dune walkovers. The effects resulting from the construction of the dune walkovers are minor and the design and siting criteria ensure minimal impacts to dune systems, vegetation, threatened and endangered species, and the general environment. Table 4-1 summarizes the expected effects of the No Action Alternative and the Preferred Alternative.

**Table 4-1. Potential effects to resources for No Action Alternative and Alternative 1**

Resource	No Action Alternative (Status Quo)	Alternative 1 (Approve Dune Walkover Section 408 Request) (Preferred Alternative)
Vegetation	Vegetation could be negatively impacted through the unregulated pedestrian use of the dunes. Vegetation could also be removed through construction of unreviewed dune walkovers where no vegetation replanting was required and no requirement for avoidance.	Minor and temporary impacts to vegetation. Certain instances will require replacement (planting or reseeding) of vegetation where necessary to restabilize the construction footprint.
Threatened and Endangered Species	Potential effect to T&E species with no construction of walkovers and degradation of the dune from pedestrian disturbance of the dunes.	Projects may affect, not likely to adversely affect nesting sea turtles. Protection measures would be required during construction and all work will be completed outside of turtle nesting season. No effects to other listed species. A request for concurrence with these determinations was sent to the U.S. Fish and Wildlife Service (USFWS) on April 16, 2021. USFWS concurred with the Corps determination of may affect, not likely to adversely affect on July 14, 2021.
Migratory Birds	No effects to migratory birds.	Effects to migratory birds would be minimal and limited to the construction window of the dune walkovers. Effects to habitat used by migratory birds is negligible.
Other Fish and Wildlife Resources	Potential effects to fish and wildlife resources with no construction of the dune walkovers and degradation of the dunes from pedestrian traffic directly on the dune systems.	Effects to other wildlife resources would be minimal and limited to the construction window. Appropriate and reviewed construction of the dune walkovers would maintain the integrity of the dune and accompanying habitat.
Wetlands	No effects to wetlands.	Likelihood of wetland presence in the project areas is low. No effects to wetlands would result from the proposed actions.
Air Quality	No effect to air quality.	The restricted size and short duration of

Resource	No Action Alternative (Status Quo)	Alternative 1 (Approve Dune Walkover Section 408 Request) (Preferred Alternative)
		the construction of the dune walkovers would result in only temporary and minimal effects to air quality.
Noise	No effect to noise.	Noise generated by construction activities would be temporary and minor. The project sites are generally located within single residence areas.
Recreation	Loss of access to the beach for recreation activities.	Effects to recreation would be minimal and limited to the areas where construction is occurring as well as limited to the duration of the construction window.
Aesthetics	Aesthetics would be uninterrupted, as the dunes would remain in a natural state with no construction.	The construction of the dune walkovers would have a temporary effect to aesthetics due to the presence of construction equipment on the beach and construction related noise. Addition of the dune walkovers would have a minor negative effect on the natural state of the dunes.
Cultural Resources	No effect to cultural resources	No adverse effects to the 20 known cultural resources within the reaches, as they are either deeply buried or have been previously removed or disturbed. Due to the height of renourishment deposits and the limit to subsurface impacts set by the categorical permission, there is no significant potential for adverse effects to unknown cultural resources.
Native American Lands and Concerns	No effect to Native American lands or traditional cultural properties.	No adverse effect to Native American lands or traditional cultural properties.
Socioeconomics	Minor reduction in recreation in the area without the beach access would discourage some economic benefits to the immediate area. Due to the fact that the Section 408 requests will come from private homeowners, there is little likelihood of a large economic impact (i.e., reduction in tourism due to lack of beach access).	Minor increase in recreation in the immediate area of the proposed walkover would have a potential positive effect on the local economy. A significant increase in the economic benefits is unlikely due to the private nature of the proposed walkovers.

## 4.1 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

### 4.1.1 IRREVERSIBLE

An irreversible commitment of resources is one in which the ability to use and/or enjoy the resource is lost forever. The only irreversible commitment of resources with selecting the Preferred Alternative would be the minor consumption of energy resources resulting from construction activities.

#### 4.1.2 IRRETRIEVABLE

An irretrievable commitment of resources is one in which, due to decisions to manage the resource for another purpose, opportunities to use or enjoy the resource as they presently exist are lost for a period of time. There would be no irretrievable commitment of resources from selecting the Preferred Alternative.

#### 4.2 COMPATIBILITY WITH FEDERAL, STATE, AND LOCAL OBJECTIVES

The Federal objective is to contribute to national economic development consistent with protecting the nation's environment, pursuant to national environmental statutes, applicable executive orders, and other Federal planning requirements. Federal planning concerns other than economic include environmental protection and enhancement, human safety, social well-being, and cultural and historical resources. The Preferred Alternative would be compatible with the Federal objective. It is also consistent with Federal and local objectives and with the State's Coastal Zone Management Plan. The approval of the individual Section 408 requests will be coordinated through the Florida Department of Environmental Protection's (DEP) Coastal Construction Control Line (CCCL) Program. USACE Section 408 authorization could be granted upon verification of the issuance of the CCCL permit.

#### 4.3 CONFLICTS AND CONTROVERSY

There are no known conflicts or controversy associated with the Preferred Alternative.

#### 4.4 UNCERTAIN, UNIQUE, OR UNKNOWN RISKS

There are no uncertain, unique, or unknown risks associated with the Preferred Alternative.

#### 4.5 PRECEDENT AND PRINCIPLE FOR FUTURE ACTIONS

The Preferred Alternative is consistent with, and/or adaptations of, prior permitted activities conducted by the USACE.

#### 4.6 ENVIRONMENTAL COMPLIANCE

Table 4-2 provides a summary of the project's compliance with environmental laws and executive orders.

**Table 4-2. Summary of Environmental Compliance**

Law / Executive Order (E.O.)	Compliance Status
National Environmental Policy Act of 1969	Compliant
Endangered Species Act of 1973	May affect, not likely to adversely affect sea turtles, no effect to other listed species. USACE coordinated determination with U.S. Fish and Wildlife Service on April 16, 2021 and received concurrence on July 14, 2021.
Fish and Wildlife Coordination Act of 1958	Not applicable

National Historic Preservation Act of 1966	Compliant. Consultation initiated with SHPO and Tribes on June 24, 2021. Review concluded on July 24, 2021.
Clean Water Act of 1972	FDEP CCCL Permit will document Section 401 compliance
Clean Air Act of 1972	Will not interfere with the State's attainment of National Ambient Air Quality Standards because all Florida counties are currently in attainment.
Coastal Zone Management Act of 1972	FDEP CCCL Permit will document Section 401 compliance
Farmland Protection Policy Act of 1981	Not applicable
Wild and Scenic Rivers Act of 1968	Not applicable
Marine Mammal Protection Act of 1972	Not applicable
Estuary Protection Act of 1968	Not applicable
Federal Water Project Recreation Act	Not applicable
Submerged Lands Act of 1953	Not applicable
Coastal Barrier Resources Act and Coastal Barrier Improvement Act of 1990	Not applicable
Rivers and Harbors Act of 1899	Not applicable
Anadromous Fish Conservation Act	Not applicable
Marine Protection, Research, and Sanctuaries Act	Not applicable
Magnuson-Stevens Fishery Conservation and Management Act	Not applicable
E.O. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970	Not applicable
E.O. 11990, Protection of Wetlands	Not applicable
E.O. 11988, Flood Plain Management	Compliant
E.O. 12898, Environmental Justice	Compliant
E.O. 13089, Coral Reef Protection	Not applicable
E.O. 13112, Invasive Species	Compliant via best management practices
E.O. 13186, Migratory Birds	Compliant; Where appropriate, protective measures shall be implemented.

Under the No Action Alternative there would be no changes to the existing USACE Federal CSR or SPP dunes throughout the USACE Civil Works boundaries in the State of Florida due to construction activities. Without authorization, it is reasonable to assume the dunes would be damaged from pedestrian traffic directly on the dune systems or from unregulated and unapproved walkovers. This would degrade the dune and destroy the vegetation. The individual dune walkovers would require individual NEPA documentation with each Section 408 request.

Under Alternative 1, the approval of Section 408 dune walkover requests, the dune

walkovers would be constructed in accordance with CCCL permit requirements and USACE engineering standards and subject to review by the Jacksonville District. This alternative would result in no significant adverse impacts to the beach/dune areas or to adjacent properties. It is not expected to adversely impact nesting sea turtles, their hatchlings, or their habitat. Work will be completed within the dune itself and extend only a short distance on to the waterside of the beach. Work will be authorized to be completed outside of turtle nesting season. Alternative 1 will allow for the maintenance of the integrity of the USACE Federal CSR or SPP dunes throughout the USACE Civil Works boundary in Florida.

## **5 PUBLIC AND AGENCY COORDINATION**

### **5.1 SCOPING AND DRAFT EA**

Pursuant to the National Environmental Policy Act and USACE Regulation, The Draft PEA and Proposed Finding of No Significant Impact (FONSI) were made available to interested agencies and stakeholders for their review and comment on August 20, 2021. Additional information for property owners was received on September 13, 2021 and the comment period was extended to September 29, 2021 to allow for additional public comments.

### **5.2 COMMENTS RECEIVED AND RESPONSES**

Pertinent comments received and any project related correspondence in response to the draft PEA is incorporated into the Final Programmatic Environmental Assessment within Appendix A.

## Appendix A – Pertinent Correspondence





DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT  
701 SAN MARCO BOULEVARD  
JACKSONVILLE, FLORIDA 32207-8175

June 28, 2021

Planning Division  
Environmental Branch

Jay Herrington, Field Supervisor  
North Florida Ecological Services Office  
US Fish and Wildlife Service  
7915 Baymeadows Way, Suite 200  
Jacksonville, Florida 32256-7517



FWS Log No 2021-I-0885  
The Service concurs with your effect determination(s) for resources protected by the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.). This finding fulfills the requirements of the Act.

JAY HERRINGTON

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HERRINGTON  
Date: 2021.07.08 17:35:10 -04'00'

Jay B. Herrington  
Field Supervisor

Date

Dear Mr. Herrington:

The U.S. Army Corps of Engineers (Corps) requests to initiate informal consultation in order to address the effects of a Federal action to approve construction of pedestrian dune walkovers by others that could impact Federal Coastal Storm Risk Management projects in the State of Florida. The Corps is coordinating the approval of the structures through the Florida Department of Environmental Protection (DEP) Coastal Construction Control Line (CCCL) Program.

The Corps, in partnership with local sponsors, has been implementing beach nourishment projects in Florida since 1969. The designs for most of these projects were developed in the 1960s through the 1980s. These projects were designed to control beach erosion and prevent the landward retreat of the shoreline that would cause property and infrastructure damage. The general understanding at the time was that the best way to address the problem of landward erosion was to build a wider beach berm. Dunes were often investigated as an alternative in the plan formulation process for these projects, but typically were eliminated from further consideration. Dunes were thought only to protect against storm surge flooding and vertical erosion which were not considered to be significant problems along the coast in the project areas. Beach recreation was also an important consideration in the development of these projects. The general understanding at the time was that wider beach berms would increase recreational opportunities while dunes would take up beach space that could otherwise provide recreational value.

The state of the science of coastal engineering has evolved to recognize that dunes are integral components of a beach system and play a critical role in landward erosion. Observations regarding how beaches with dunes have performed during recent storm events, as well as research conducted by the Corps Engineer Research and Development Center (ERDC) and others, have led to an improved understanding of how the dune and beach function as one interconnected system and the role that dunes play in storm

response and overall beach morphology. It is now understood that dunes not only address storm surge flooding issues, but that they contribute to erosion control above and beyond the erosion control provided by a beach berm alone. It is also now understood that vegetated dunes with established root systems better withstand erosion than dunes consisting only of sand. When the beach is actively eroded during storms, sand removed from the dunes is deposited onto the beach, serving as an immediate natural sand source. They also serve as the ultimate line of defense against storm surge inundation by acting as a natural buffer to protect inland infrastructure. In addition to being integral to a beach's storm damage reduction function, dunes provide important habitat for many plants and animals.

The Corps is performing a programmatic environmental assessment to evaluate the effects of minor modifications to the current Federally constructed dunes within the State of Florida and area of responsibility of the Jacksonville District. Specifically, the Corps is evaluating the effects of pedestrian dune walkovers by private homeowners. In order to comply with Federal regulations, the stakeholders must receive authorization from the Corps in accordance with Section 14 of the Rivers and Harbors Act of 1899 (Mar. 3, 1899, 30 Stat. 1152) (codified at 33 U.S.C. § 408) (commonly referred to as "Section 408"). The programmatic environmental assessment will provide permission for the construction of the walkovers throughout the state, minimizing the need for individual environmental assessments, to ensure 408 compliance for the minor projects. The construction will be coordinated through the DEP's CCCL permitting program and Federal authorization will be granted upon verification of the issuance of the CCCL permit.

The Corps has completed an evaluation of the proposed work's effect(s) on any species and/or critical habitat protected under the Endangered Species Act. We believe that the direct or indirect effects of the action will have no likelihood of adverse effect, including evaluation of effects that may be beneficial, insignificant, or discountable. Based on the best available information, the Corps' preliminary determination is that the project as proposed *may affect but is not likely to adversely affect* the following listed species:

Green Sea Turtle (*Chelonia mydas*)  
Leatherback Sea Turtle (*Dermochelys coriacea*)  
Loggerhead Sea Turtle (*Caretta caretta*)  
Hawksbill Sea Turtle (*Eretmochelys imbricata*)  
Kemp's Ridley Sea Turtle (*Lepidochelys kempii*)

The Corps believes the proposed projects do not constitute a significant threat to nesting sea turtles, and subsequently, managing and protecting the dune systems from unimpeded construction and modification provides greater protection to the habitat for sea turtle nesting. The structures will be constructed per the Corps' Engineering Division design criteria that

has been provided to the DEP and will be incorporated into the CCCL permits. Additionally, the work is not likely to adversely modify loggerhead sea turtle terrestrial designated critical habitat. With these conditions, impacts to sea turtles would be avoided and minimized to the maximum extent practicable.

The projects with dune features for which the Section 408 authorizations will be required, and this programmatic environmental assessment will cover projects that have been completed, are under active construction, and are expected to receive authorization in the near future. These projects include:

Table 1. Projects for inclusion within the Programmatic Environmental Assessment

Project Name	County	FDEP Coastal Monuments Reach	Notes
Pinellas County CSRM, Treasure Island and Long Key	Pinellas	R-126 to R-143 and R-144 to R-166	Ongoing feasibility study. Reasonable likelihood for dune proposal.
St. Johns County CSRM, South Ponte Vedra Beach and Vilano Beach	St. Johns	R-103.5 to R-116.5	Includes 1000' tapers on both ends
Flagler County CSRM	Flagler	R-80 to R-94	Initial construction planned 2021-2022
Martin County SPP	Martin	R-1 to R-25	
Manatee County SPP, Anna Maria Island	Manatee	R-12 to R-33.4	0.5-mile taper extending to R-36, but not cost-shared by the Federal Government.
Duval County SPP	Duval	R-31 to R-80	Authorization extends from St. Johns River south jetty to St. Johns County line. Dune proposed for future incorporation into Federal project via dune resiliency Engineering Documentation Report.
St Johns County SPP, St. Augustine	St. Johns	R-137A to R-151	Includes 600' taper on both ends. Dune proposed for future incorporation into Federal project via dune resiliency Engineering Documentation Report.
Nassau County SPP	Nassau	R-13 to R-33	Engineering Documentation Report approved to

Project Name	County	FDEP Coastal Monuments Reach	Notes
			incorporate dune into Federal project
St. Lucie County CSRM, South Hutchinson Island	St. Lucie	R-98.5 to R-001	Initial construction planned 2021-2022.
Miami-Dade County CSRM, Bakers Haulover to Government Cut	Miami-Dade	R-27 to R-74	Ongoing feasibility study. Reasonable likelihood for dune proposal.
Miami-Dade County CSRM, Key Biscayne	Miami-Dade	R-101 to R-108	Ongoing feasibility study. Reasonable likelihood for dune proposal.
Palm Beach County SPP, Delray	Palm Beach	R-175 to R-188.3	Engineering Documentation Report complete, but not finalized. Incorporation of dune possible.
Broward County SPP, Segment II	Broward	R-25 to R-72	Engineering Documentation Report not complete. Incorporation of dune possible.
Broward County SPP, Segment III	Broward	R-86 to R-128	Engineering Documentation Report not complete. Incorporation of dune possible.
Brevard County SPP, North Reach	Brevard	R-1 to R-53	Engineering Documentation Report complete. Dune to be incorporated as part of the next renourishment.
Brevard County SPP, Mid-Reach	Brevard	R-75 to R-118	Initial construction completed 2019-2020.
Brevard County SPP, South Reach	Brevard	R-118 to R-139	Engineering Documentation Report complete. Dune to be incorporated as part of the next renourishment.
Sarasota County SPP, Venice	Sarasota	R-116 to R-133	Engineering Documentation Report complete, but not finalized. Incorporation of dune possible.

We request your concurrence in this matter pursuant to Section 7 of the Endangered Species Act. The Corps is committed to meeting its responsibilities under the ESA. If you have questions or need additional information, please contact Michael Ornella at 94-232-1498 or via electronic mail at [Michael.Ornella@usace.army.mil](mailto:Michael.Ornella@usace.army.mil).

Sincerely,



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Date: 2021.04.16 15:10:21  
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Angela E. Dunn  
Chief, Environmental Branch

**From:** [Ornella, Michael A II CIV USARMY CESAJ \(USA\)](#)  
**Subject:** Notice of Availability - Pedestrian Dune Walkovers Programmatic Environmental Assessment  
**Date:** Friday, August 20, 2021 9:18:05 AM

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To Whom It May Concern:

Pursuant to the National Environmental Policy Act (NEPA) and the U.S. Army Corps of Engineers (Corps) Regulation (33 CFR 230.11), this letter constitutes the Notice of Availability of the draft Programmatic Environmental Assessment (PEA) and Proposed Finding of No Significant Impact (FONSI) for the installation of pedestrian dune walkovers constructed over Federal Coastal Storm Risk Management Projects and Shore Protection Projects conducted by non-Federal sponsors or independent requestors in the State of Florida.

A copy of the draft EA is available to the public on the Corps' Environmental planning website, under "Multiple Counties":

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

(On that page, click on the "+" next to "Multiple Counties" and scroll down to Row 43, "Installation of Pedestrian Dune Walkovers Constructed over USACE Federal Coastal Storm Risk Management Projects and Shore Protection Projects Conducted by Non-Federal Sponsors or Independent Requestors" The documents available for download include the draft FONSI and draft PEA).

Due to current circumstances with COVID-19, the Corps is requesting that any questions or comments you may have be submitted in writing via email to [Michael.Ornella@usace.army.mil](mailto:Michael.Ornella@usace.army.mil) within 30 days of the date of this letter. Correspondence may also be sent to the letterhead address above, however due to limited staff availability at the District office, electronic submittal comments via email is preferred.

**From:** [Ornella, Michael A II CIV USARMY CESAJ \(USA\)](#)  
**Subject:** Notice of Availability - Dune Walkover Programmatic Environmental Assessment  
**Date:** Wednesday, September 15, 2021 7:27:09 AM

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Good Morning,

You are receiving this email because your property has been identified as having a proposed dune walkover. The U.S. Army Corps of Engineers has prepared a Programmatic Environmental Assessment and is soliciting comments from property owners with a stake in the project. See below for more information.

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To Whom It May Concern:

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