

# FINAL DRAFT ENVIRONMENTAL ASSESSMENT

For

## ESTABLISHMENT OF A RESTRICTED AREA WITHIN THE ST. JOHNS RIVER FOR SEARCH AND RESCUE TRAINING AT NAS JACKSONVILLE, FLORIDA



May 2014

Abstract: The U. S. Navy proposes to establish a restricted area in the St. Johns River offshore of Naval Air Station Jacksonville, Florida, to better support on-going search and rescue training. Little or no environmental effects are expected from the Proposed Action, apart from restricting public access to a 260-acre portion of the river, which includes prohibiting placement and anchoring of crab traps.

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## Acronyms and Abbreviations

CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CO	Commanding Officer
EA	Environmental Assessment
ESA	Endangered Species Act of 1973
FONSI	Finding of No Significant Impact
FWC	Florida Fish and Wildlife Conservation Commission
NAS	Naval Air Station
NEPA	National Environmental Policy Act
NMFS	National Marine Fisheries Service
OPNAVINST	Chief of Naval Operations Instruction
PSU	Practical Salinity Units
SAR	Search and Rescue
USACE	U.S. Army Corps of Engineers
USC	United States Code
USFWS	U.S. Fish and Wildlife Service

# 1 Introduction

This Environmental Assessment (EA) evaluates the environmental effects of establishing a restricted area in the St. Johns River, just offshore of Naval Air Station (NAS) Jacksonville (see Figure 1), to better support on-going search and rescue (SAR) training. This EA is prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, the President's Council on Environmental Quality regulations implementing NEPA in 40 Code of Federal Regulations (CFR) Parts 1500-1508, Department of the Navy regulations implementing NEPA (32 CFR 775), and Naval Operations Instruction (OPNAVINST) 5090.1C CH-1. This EA focuses on the analysis of the effects of restricting public access to a portion of the river, since the SAR training itself has previously been analyzed for compliance with the NEPA (Appendix A).

SAR training involves use of one or two helicopters (typically a type of SH-60 or MH-60 Sea Hawk) and one 40-foot (12 meters) harbor patrol boat. The boat remains on location as a safety precaution and to maximize training by transporting additional swimmers to the jump site. Swimmers on board the boat could initially play the "survivor" role and those on board the helicopter could serve as the "swimmer" during a rescue simulation. The boat typically remains stationary during the event once on location, with intermittent movements based on the need to alternate swimmers and survivors. Alternating roles helps maximize the number of persons able to obtain rescue swimmer qualification during a single training event. Swimmers are required to complete multiple day and night jumps and hoisting events to become a qualified SAR swimmer.

Each training evolution begins with a survivor entering the water and a helicopter descending to a stationary hover near the survivor at an altitude of 15 feet (4.6 meters) or establishing itself at approximately 10 feet (3 meters) making 10 knots headway. The helicopter stays at this low altitude just long enough to "jump" (deploy) a swimmer. Once the swimmer signals his or her safety, the helicopter climbs to and maintains an altitude of 40 – 80 feet (12.2 – 24.4 meters) to avoid rotor wash spray. Once in the water, the swimmer completes a simulated rescue, and the helicopter uses its winch to hoist the swimmer and survivor back aboard the helicopter. Each helicopter is capable of carrying up to eight swimmers to complete multiple jumps during a single event.

The overwater flight portion of a SAR swimmer training event by a squadron helicopter is typically four hours. As many as 24 jumps could be completed over the course of the four-hour event, with only one event occurring on any given day. SAR training events are usually scheduled to start two to three hours prior to and end one to two hours after sunset, so that day and night jumps can be completed during a single event while allowing the boat and helicopter to remain on station. There are a total of approximately 36 days of training per year, held at various times throughout the year.

The current policy for SAR training is that the training jumps are to be relocated closely nearby if one or more anchored crab traps are found in the SAR jump area. SAR training jumps must be done in at least 8 – 10 feet of water for safety reasons, and deeper water towards the middle of

the river is typically avoided to minimize the risk of the swimmers being hit by passing boat traffic. But if there are too many obstructions, such that they cannot be safely avoided, the SAR training event must be postponed or cancelled.

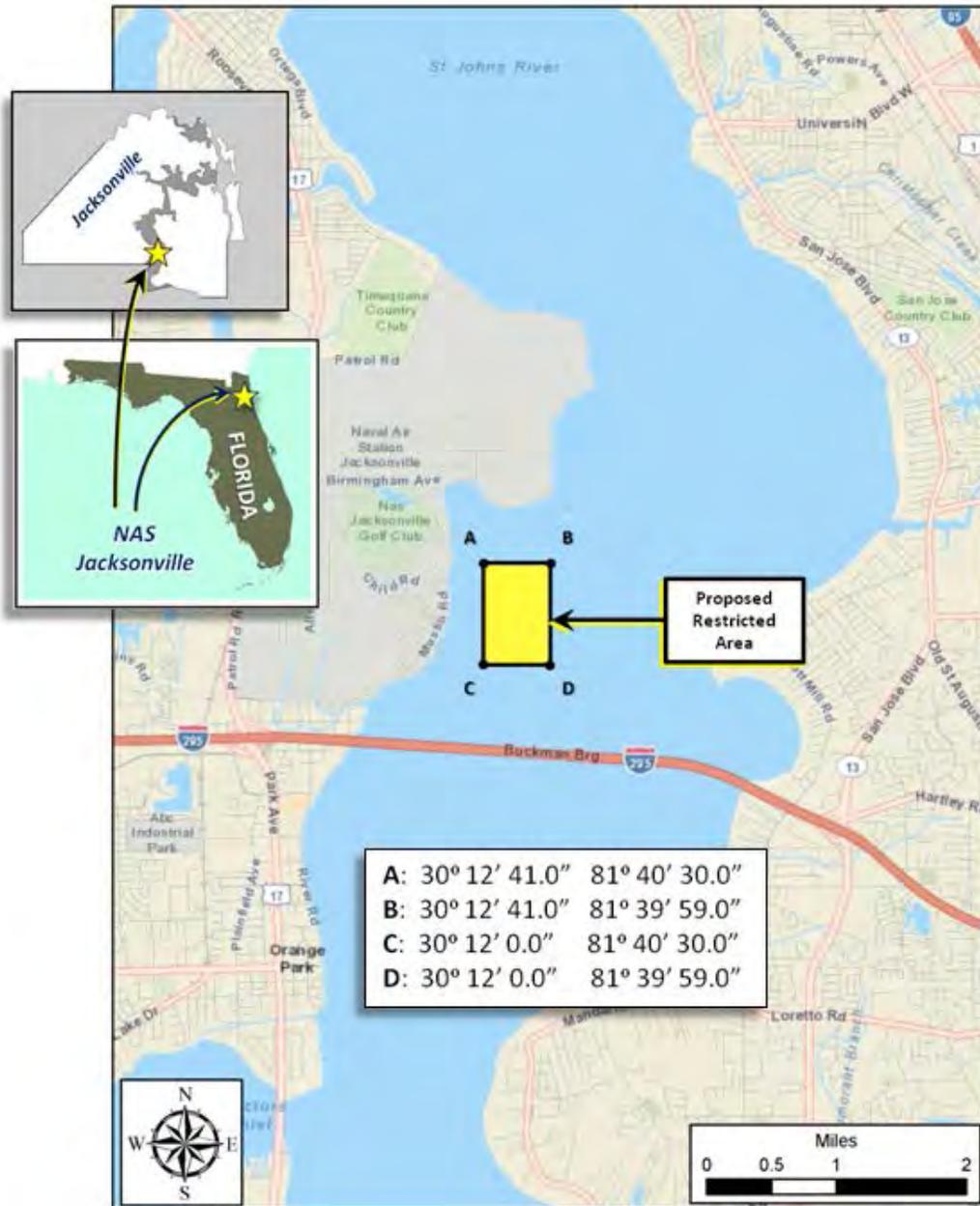


Figure 1 - Site Location Map

## **2 Proposed Action, Purpose and Need**

### **2.1 Description of the Proposed Action**

The proposed action is to establish a restricted area in the St. Johns River offshore from NAS Jacksonville in which to conduct SAR training. Section 334.2(b) of Title 33 of the CFR defines a restricted area as: "A defined water area for the purpose of prohibiting or limiting public access to the area. Restricted areas generally provide security for Government property and/or protection to the public from the risks of damage or injury arising from the Government's use of that area."

The U.S. Army Corps of Engineers (USACE) may, when safety, security, or other national interests dictate, establish restricted areas to control access to and movement within certain areas under their jurisdiction, in accordance with 33 CFR § 334.4. Installation Commanding Officers (COs) desiring a restricted area in their installation's waterfront or adjacent waterway must provide a written request (application) to the appropriate District Engineer. Requests must include complete justification and details regarding the type of designation desired and area(s) to be designated. It is the responsibility of the CO to ensure that designated restricted areas are patrolled or observed to ensure appropriate protection. The CO of NAS Jacksonville, through the installation's Director of Security, would work closely with the Florida Fish and Wildlife Conservation Commission (FWC) and the U.S. Coast Guard to manage and enforce conditions of the proposed restricted area in the river.

### **2.2 Purpose and Need**

The purpose of the proposed action is to restrict the placement or anchoring of objects or devices, such as crab traps, within the proposed restricted area at all times, and prohibit public access during training exercises. The proposed action is needed because the presence of obstructions in the SAR training area cause unsafe training conditions and can cause the SAR training to be delayed or cancelled. The reason these activities constitute safety hazards is that they increase risk of damage, mishap, or injury to the trainees, support staff, equipment, and to the public. Unauthorized vessels or swimmers, and anything anchored to the river bottom, have the strong potential to cause severe injury to a SAR training swimmer, especially when deploying from an overflying helicopter. They also detract from the value of training by requiring cancellation of exercises if there are vessels, swimmers, objects, or devices transiting, entering, moored in, located in, or anchored in the training area, which cause unsafe training conditions.

## **3 Coordination and Permits**

Since there is no actual construction involved with the proposed action, no federal or state permits would be necessary. However, coordination with the USACE is required for the process

of establishing a restricted area, in accordance with restricted area establishment procedures listed in 33 CFR § 334.4.

## **4 Public Input / Scoping**

Scoping letters describing the proposed action were sent to the USACE, the U.S. Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), the Florida State Clearinghouse, the Florida Fish and Wildlife Conservation Commission (FWC), the City of Jacksonville, the local Chamber of Commerce, the Northeast Florida Regional Planning Council, the St. Johns Riverkeeper, and made available to the public online to solicit local stakeholders' comments and input. Responses were received from the FWC and the City of Jacksonville (Appendix B). The Pre-Final Draft version of the Environmental Assessment is being made available for a 30-day public review as an additional public outreach opportunity.

## **5 Alternatives**

Alternatives to be evaluated in this EA include:

Alternative 1 - Preferred Alternative; the proposed action to restrict public access as described above. The anchoring of objects, such as crab traps, would be prohibited at all times, but it would not be prohibited for manned recreational vessels to temporarily anchor in the restricted area, except during training exercises.

If an obstruction is found in the proposed restricted area, the NAS Jacksonville Air Operations Officer (or designee) would notify NAS Jacksonville Security, who would then notify the U.S. Coast Guard to enforce the restricted area. However, a manned vessel in the proposed restricted area prior to or during a SAR training event would first be asked to vacate. Security and the U.S. Coast Guard would only be invited to intervene if the vessel refused to leave the area.

Alternative 2 – discontinue all SAR training in the St. Johns River, thereby eliminating the need to establish a restricted area.

Alternative 3 - allowing the placement of crab traps within the restricted area at times when SAR training was not being held. Crab traps, or other obstructions, would be prohibited in the proposed restricted area during times SAR training is scheduled.

Alternative 4 – No Action alternative; includes continuing SAR training but without establishing a restricted area. The No Action alternative provides a baseline for the analysis and comparison to the action alternatives. The evaluation of the No Action alternative is required by CEQ and Navy regulations, and involves the Navy taking no action regarding the status of establishing a restricted area. There would be no restricted area established for SAR training under the No Action alternative.

## **6 Alternatives Eliminated from Detailed Study**

Adjusting the scale of the proposed action to increase or decrease the size of the proposed restricted area was also considered as an alternative. Making the proposed restricted area larger would not be necessary, since 260 acres (size as currently proposed) is what is utilized currently with no apparent disadvantage and making it smaller than 260 acres would reduce its effectiveness or usability for training purposes. Therefore, this alternative was eliminated from further consideration and detailed study in this EA.

## **7 Affected Environment and Environmental Effects**

### **7.1 Physical Environment**

NAS Jacksonville is located in northeast Florida, on the west bank of the St. Johns River, about 30 – 35 miles from the Atlantic Ocean. The proposed restricted area is offshore from NAS Jacksonville within the St. Johns River at depths of approximately 5 to 13 feet (1.5 to 3.9 meters). NAS Jacksonville operates under a Title V Air Permit (#0310215-042-AV, effective through May 31, 2014). Duval County, Florida, is in attainment for all National Ambient Air Quality Standard criteria, and neither a General Conformity Analysis nor record of Non-Conformity are required under the Clean Air Act.

### **7.2 Physical Environment Environmental Effects**

Alternative 1 (Preferred Alternative), Alternative 2 (Discontinue SAR Training), Alternative 3 (only prohibit obstructions during SAR training), and Alternative 4 (No Action Alternative): There would be no expected effects on land or soil resources, air resources, water resources, or noise and sound, except that Alternative 2 (Discontinue SAR Training) would eliminate all noise and sound generated by SAR training. No effects to Florida's Coastal Zone are reasonably anticipated as a result of the proposed action.

### **7.3 Facilities and Infrastructure**

The proposed restricted area is offshore of NAS Jacksonville, in the St. Johns River. There are no installation facilities or infrastructure associated with that location. The helicopters used in SAR training are usually housed in Hangar 1122. The St. Johns River Security Zone, as described in 33 CFR § 165.722, is located between the proposed restricted area and the river shoreline. The security zone boundary is typically 400 feet from the mean high water line of the river. The Security Zone prohibits all entry; no person or vessel may enter or remain in the zone without the permission of the Coast Guard's Captain of the Port, Jacksonville, Florida.

## 7.4 Facilities and Infrastructure Environmental Effects

Alternative 1 (Preferred Alternative), Alternative 2 (Discontinue SAR Training), Alternative 3 (only prohibit obstructions during SAR training), and Alternative 4 (No Action Alternative): None of the alternatives would have an effect on installation facilities or infrastructure. The helicopters used in SAR training would be housed in the same hangar on base (Hangar 1122), in the same manner, and under the same conditions, regardless of which alternative is implemented. The St. Johns River Security Zone would remain in effect regardless of which alternative is implemented.

## 7.5 Biological Environment

The St. Johns River in this vicinity is estuarine in nature, providing habitat for a variety of fish and other aquatic and marine biota.

The West Indian (Florida) manatee (*Trichechus manatus latirostris*) can be found throughout most the St. Johns River system. Manatees are listed as endangered under the Endangered Species Act of 1973 (ESA), and the St. Johns River is federally designated as critical habitat for the manatee.

The proposed restricted area is within the range of the wood stork (*Mycteria americana*), but does not directly overlap with their typical feeding or nesting habitat.

The St. Johns River was historically habitat for the Atlantic sturgeon (*Acipenser oxyrinchus*), but that species is no longer expected to occur in the St. Johns River due to habitat loss and degradation and the extirpation of the spawning subpopulation (Naval Facilities Engineering Command Atlantic 2010).

## 7.6 Biological Environment Environmental Effects

Alternative 1 (Preferred Alternative), Alternative 3 (only prohibit obstructions during SAR training), and Alternative 4 (No Action Alternative):

By letter dated November 1, 2010 (Appendix C), Naval Facilities Engineering Command, Atlantic, initiated informal Section 7 consultation with the USFWS for potential environmental impacts associated with Navy SAR jump area training operations at two study areas: (1) the area of the St. Johns River currently being proposed as a restricted area, and (2) in the Atlantic Ocean offshore from Seminole Beach, which is adjacent to Naval Station Mayport, Florida. The Navy determined that with the inclusion of its special measures as originally proposed or modified (identified in Appendix D), the SAR training operations may affect, but is not likely to adversely affect, the manatee or its federally designated critical habitat, as well as the piping plover (*Charadrius melodus*), wood stork (*Mycteria americana*), and nesting and hatching green (*Chelonia mydas*), leatherback (*Dermochelys coriacea*), and loggerhead (*Caretta caretta*) sea turtles. By letter dated January 13, 2010 [*sic* 2011] (Appendix D), the USFWS concurred with the Navy's determination. In addition, since no take of manatee is anticipated, no such authorization is required under the Marine Mammal Protection Act.

By letter dated November 1, 2010 (Appendix E), Naval Facilities Engineering Command, Atlantic, initiated informal Section 7 consultation with the NMFS for potential environmental impacts associated with Navy SAR jump area training operations at the same two study areas as listed above. The Navy determined that the SAR training operations would have no effect on the humpback whale (*Megaptera novaeangliae*), North Atlantic right whale (*Eubalaena glacialis*), Atlantic sturgeon, shortnose sturgeon (*Acipenser brevirostrum*), smalltooth sawfish (*Pristis pectinata*), and green, hawksbill (*Eretmochelys imbricata*), Kemp's ridley (*Lepidochelys kempii*), leatherback, and loggerhead sea turtles at the St. Johns River study area. The Navy further determined that the SAR training operations would not adversely modify North Atlantic right whale critical habitat and is not likely to jeopardize the continued existence of proposed Atlantic sturgeon and loggerhead sea turtle Distinct Population Segments. By letter dated April 6, 2011 (Appendix F), the NMFS concurred with the Navy's determinations.

Alternative 2 (Discontinue SAR Training):

There would be no effects associated with Alternative 2 (Discontinue SAR Training).

## **7.7 Aquatic Systems**

The St. Johns River in the location of the proposed restricted area is a brackish estuary, about 30 miles upstream from the Atlantic Ocean. Average salinities in the area vary between approximately 2 - 8 Practical Salinity Units (PSU), depending on rainfall and other conditions. Typical seawater is about 30 to 35 PSU, whereas freshwater is considered less than about 3 PSU (Campbell 2010). According to the NOAA Navigation Chart (#11492), river depths in the proposed restricted area vary between 5 feet in the northwest corner to 13 feet in the southwest (1.5 to 3.9 meters), but the majority of the area is about 10 to 11 feet (3 to 3.3 meters) deep (see Figure 2).

## **7.8 Aquatic Systems Environmental Effects**

Alternative 1 (Preferred Alternative), Alternative 3 (only prohibit obstructions during SAR training), and Alternative 4 (No Action Alternative):

The proposed restricted area establishment should have no effect on the St. Johns River itself. The SAR training involves the use of a boat in the river, some swimmers in the river, and a helicopter flying above the river. The helicopter produces some periodic strong, but short-term, downdrafts of air from the rotors causing waves and other wind effects in the immediate vicinity of the helicopter, but this already occurs currently, and would continue to occur with essentially the same frequency and intensity under Alternative 1 (Preferred Alternative), Alternative 3 (only prohibit obstructions during SAR training), and Alternative 4 (No Action Alternative).

The only difference between Alternative 1 and Alternative 4 would be the frequency of SAR training events that would be cancelled or postponed due to obstructions being in the way, as a possible result of Alternative 4 (No Action Alternative). Alternative 3 (only prohibit obstructions during SAR training) may be expected to exhibit a medium amount of SAR training cancellations between Alternative 1 and Alternative 4 (there would be expected to be more

cancellations with Alternative 3 than with Alternative 1 and fewer than with Alternative 4) due to the expectation that on average there might be some crab traps remaining in the proposed restricted area that were not removed despite a SAR training event taking place, due to

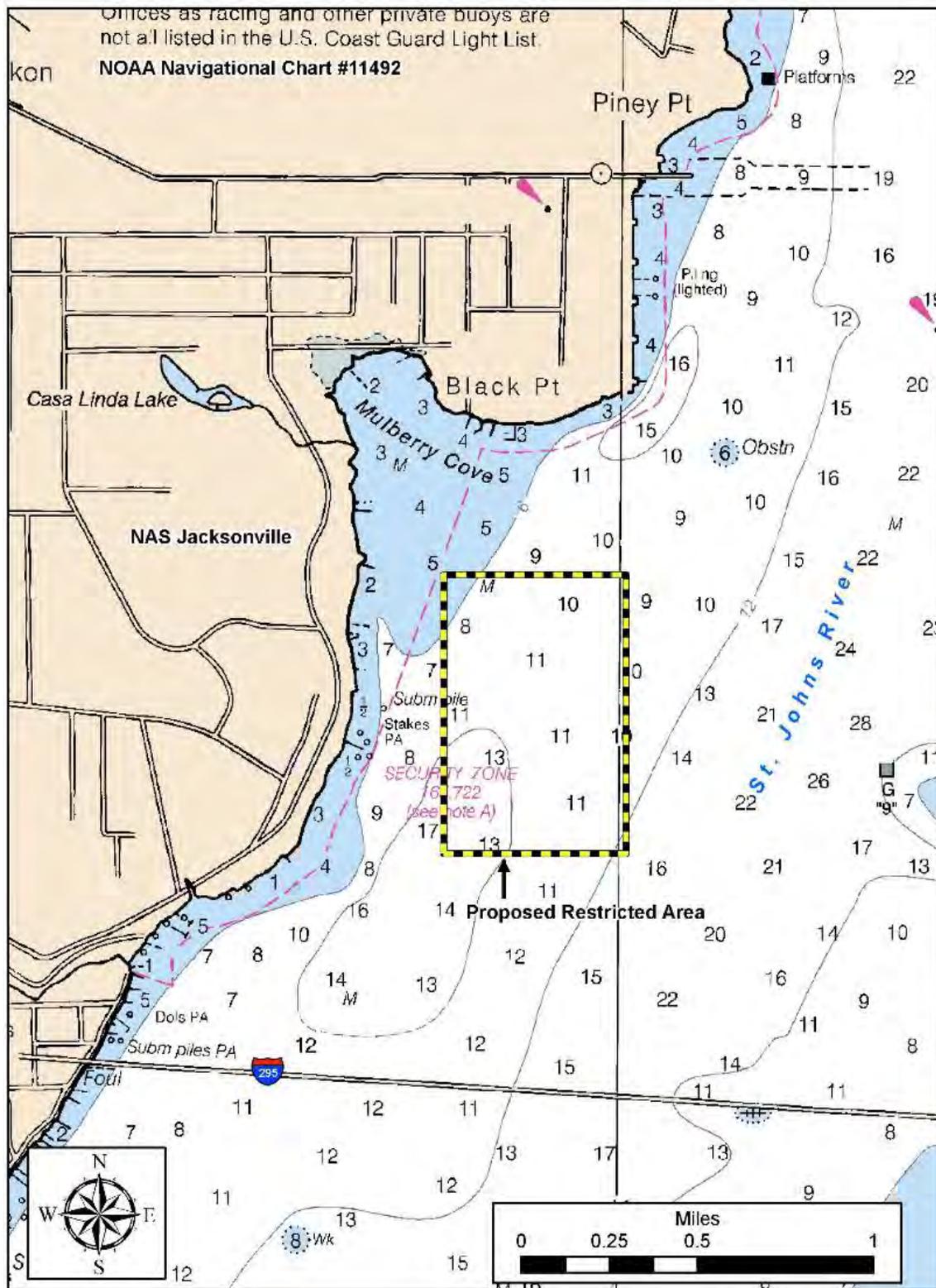


Figure 2 - NOAA Navigation Chart

difficulties and/or time lags in communication or SAR training schedule changes that occur rapidly enough that crab fishermen are less likely to be able to respond to remove traps in time.

Alternative 2 (Discontinue SAR Training):

There would be no effect on the river except that the SAR training would cease. There would be no such boat or helicopter use, and no wind effects from the helicopter. This could potentially create situations where a lack of SAR training would adversely impact Navy readiness or safety.

## 7.9 Socioeconomic Environment

The St. Johns River is used by recreational boaters as well as recreational and professional fishers. The blue crab (*Callinectes sapidus*) is beneficial in terms of its value as a commercial and recreational fishery species. The blue crab is a high value fishery species both within Florida and nationally. The statewide commercial catch of blue crab between the years 1987 - 2001 was 217.3 million pounds, with a dollar value of over \$142.5 million (Hill 2004). Since 2007, Florida's commercial blue crab fishery harvested an average of 7 million pounds per year, which produced an average \$8.5 million per year (Sempstrott 2011).

There are a limited number of commercial blue crab traps and fishers in the state of Florida. The blue crab effort management plan for the commercial blue crab fishery limits both the number of fishermen and traps in the blue crab fishery (FWC webpage: Commercial Regulations for Blue Crab 2013). In 2011, there were a total of 668 hardshell crab license (endorsement) holders who could place traps throughout the waterways of the state of Florida (Sempstrott 2011). According to the FWC, there are 45 licenses issued to license holders in the greater Jacksonville area that may potentially conduct blue crab fishing activities in the proposed restricted area.

## 7.10 Socioeconomic Environment Environmental Effects

Alternative 1 (Preferred Alternative):

The establishment of the proposed restricted area would prohibit the placement of crab traps within the boundaries of the restricted area. This may cause an adverse effect on blue crab fishermen by reducing the areas in which they may place their traps. However, the effects of prohibiting the placement of crab traps in a relatively small area of the St. Johns River would be negligible, especially when considering how small the proposed restricted area is compared to all the areas in the St. Johns River, or even all the waters in the state of Florida, within which blue crab traps could be located.

According to the FWC, there are 45 licenses issued to license holders in the greater Jacksonville area that may potentially conduct fishing activities in the proposed restricted area. The portion of the 310-mile long St. Johns River that flows through Duval County is approximately 35 miles long, from the border with Clay County to the Atlantic Ocean. The length of the proposed restricted area is approximately 4,150 feet, as measured north to south. The length of the proposed restricted area is approximately 2.24% of the length of the river in Duval County alone, and when further compared to the combined length of the river flowing through both Duval and Clay Counties, the proposed restricted area is approximately 1.25%. When one considers that

the width of the river can reach about 3 miles, that leaves a large amount of river in which crab fishermen can still place their traps.

With 45 licenses and 35 miles of St. Johns River in Duval County available, each license holder currently has, on average, 0.77 mile (4,066 feet) of river length in which to place their traps. By reducing the available river length by the length of the proposed restricted area (even though the proposed restricted area would not take up the entire width of the river), each license holder would still have, on average, 4,014 feet of river length in which to place their traps, a reduction of only 52 feet (1.29%). Even though the data are not readily available, if total river area in the county was to be accounted for, rather than just river length, the amount of river area available to each license holder in the county would be shown to be reduced even less.

Recreational boaters would be restricted from entering the proposed restricted area during SAR training exercises, which may cause an adverse effect on boaters by reducing the areas which they could access while boating. However, the effects of prohibiting their access to a relatively small area of the St. Johns River would be negligible, especially when considering how small the proposed restricted area is compared to the size of the river which they could access, and the fact that their access would only be restricted during the actual SAR training events, which only occur relatively infrequently.

Alternative 2 (Discontinue SAR Training):

There would be no effects on the blue crab fishery or recreational boaters.

Alternative 3 (only prohibit obstructions during SAR training):

This alternative would allow crab traps to be placed within the proposed restricted area except during SAR training events. In theory this alternative appears equitable, but in practice the Navy considers it to be problematical from a logistical and communications standpoint.

SAR training is scheduled between a particular squadron and the NAS Jacksonville Air Operations Officer. Sometimes, such schedules need to be modified or changed on short notice based upon a variety of factors, such as the weather or any number of things outside the control of either the squadron or NAS Jacksonville. At such times, SAR training may be either cancelled or initiated with little or no prior notice. If on a particular day SAR training is scheduled but then cancelled, crab fishermen would not have been able to have placed their traps in the proposed restricted area, thus not being able to take advantage of the opening of availability. If on a particular day SAR training is not scheduled in advance but is able to be arranged to take place on short notice, crab fishermen may have already placed traps in the proposed restricted area for that day, and may be unable or unwilling to timely remove them in order to accommodate that day's newly arranged SAR training event.

There is no existing method or means of rapid simultaneous communication or coordination between the NAS Jacksonville Air Operations Officer and State of Florida crab trap license holders, either just the 30 to 45 local license holders or all the license holders statewide. The most realistic means of quickly contacting crab fishermen to alert them to remove crab traps from the proposed restricted area is via telephone. Making 30 to 45 or more phone calls is a slow, unwieldy, and labor intensive method, even if each license holder is able to be contacted

directly at the first attempt (without having to leave messages). Even if all license holders were alerted to remove their crab traps, and if they were all willing and able to relocate their traps to outside the proposed restricted area, there could be a delay of hours which could impact the Navy's ability to train rescue swimmers.

Alternative 4 (No Action Alternative):

There would be no restricted area but SAR training would still be periodically held in the river. Crab traps would not be prohibited in that area of the river but if there were visible traps placed where the SAR training would be held, the training would either be relocated to a nearby trap-free area or the training itself would have to be cancelled or postponed, thus adversely impacting the readiness of those SAR trainees and potentially creating gaps in availabilities of properly SAR-trained personnel.

Recreational boaters would not be legally required to vacate that area of the river during training exercises, but it would be reasonable to assume that most boaters would probably not be likely to get too close if the SAR training exercises were underway.

## **7.11 Health and Safety**

Currently, the St. Johns River is as safe as any large river would be which hosts periodic SAR training events. Holding SAR training exercises while recreational boaters were in the area would not be a safe practice for the trainees or the boaters, so the current policy is that SAR training would be cancelled or postponed if there were recreational boaters in the training area, or they would be asked to leave to allow the training to occur or continue.

Holding SAR training exercises with anchored crab traps in the vicinity is also not safe for the trainees and may cause damage to the boats and traps. Blue crab traps in Florida are required to have a floating buoy attached to each trap or each end of a weighted trotline (FWC Commercial Blue Crab Trap and Boat Inspection Sheet 2013). The buoy and/or the buoy line are what a SAR training boat or swimmer could hit when deploying from an overflying helicopter. Hitting a buoy could cause an injury and getting entangled in the buoy line could create unsafe swimming conditions for the swimmer, and could cause damage to a boat or its propeller, struts, or shafts (CDR Mark McManus, Air Operations Officer, NAS Jacksonville, personal communication, 31 May 2013).

## **7.12 Health and Safety Environmental Effects**

Alternative 1 (Preferred Alternative):

Establishing a restricted area would improve safety for boaters and SAR trainees by eliminating the sources of potential injury (boaters and crab traps), and prevent interruptions to SAR training by allowing the SAR training jumps to continue on schedule.

Alternative 2 (Discontinue SAR Training):

There would be no adverse health and safety effects because there would be no SAR training.

Alternative 3 (only prohibit obstructions during SAR training)

Similar to the effects of Alternative 1 (Preferred Alternative), establishing a restricted area would improve safety for boaters and SAR trainees by eliminating the sources of potential injury (boaters and crab traps), and prevent interruptions to SAR training by allowing the SAR training jumps to continue on schedule. However, the Navy expects there to be occasions when unanticipated changes to the SAR training schedule would allow SAR training to be initiated with little or no prior advance notice to the crab fishery community, which may result in the SAR training participants likely encountering anchored crab traps in the proposed restricted area. This may cause either cancellations of the SAR training or delays in training while NAS Jacksonville Security Office coordinates with the FWC and/or the U.S. Coast Guard to remove the traps from the proposed restricted area.

Alternative 4 (No Action Alternative):

There would be a continuation of the existing policy to relocate SAR training jumps if needed to avoid obstructions in the river, or to cancel or postpone SAR training if there were obstructions that could not be avoided.

### **7.13 Cultural Resources**

The Navy has determined that Alternative 1 (Preferred Alternative), Alternative 2 (Discontinue SAR Training), Alternative 3 (only prohibit obstructions during SAR training), and Alternative 4 (No Action Alternative) would have no potential to incur effects upon historic properties. The State Historic Preservation Office has not replied to the scoping letter sent to the State of Florida Clearinghouse on 18 March 2013 and the Navy has concluded that they do not contest the proposed undertaking.

## **8 Cumulative Impacts and Other Consequences**

There are not likely to be any other restricted areas to be proposed in the river offshore from the installation in the near future; there are none currently planned. The proposed restricted area does increase access restrictions in combination with the installation's Security Area, but there are also not likely to be any other security areas proposed in the river in the near future.

## **9 Summary**

Alternative 1 (Preferred Alternative) allows both SAR training exercises in the river to continue and a high level of safety to be maintained. The only drawback is prohibiting public access to a certain extent, but the restrictions are limited and the proposed restricted area is a relatively small area in a very large river. For these reasons, Alternative 1 is recommended as the preferred alternative.

Alternative 2 (Discontinue SAR Training) would maintain current levels of public access to the river at all times, even during times when SAR training would have been undertaken, but at the cost of eliminating the benefits of SAR training in the river.

Alternative 3 (only prohibit obstructions during SAR training) would allow anchored objects (such as crab traps) to be in the proposed restricted area at all times except during SAR training events. This alternative would minimize adverse effects upon crab fishermen, but would place a logistical burden upon the Navy and would only moderately reduce the safety risk to those participating in SAR training compared to the No Action Alternative.

Alternative 4 (No Action Alternative) continues current practices; continuing SAR training in the river but at the risk of occasionally having to relocate training jumps or to cancel or postpone training events as a result of anchored objects, such as crab traps, in the SAR training area which could cause unsafe training conditions and potentially damage the anchored objects.

## 10 EA Preparer

Preparer: Stephen Biemiller, Naval Facilities Engineering Command Southeast, NEPA Compliance Section (EV21), Biologist/Environmental Planning (21 yr).

## 11 References

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## 12 Appendices

### Appendix A – Record of Categorical Exclusion

DEPARTMENT OF THE NAVY  
UNITED STATES FLEET FORCES

#### RECORD OF CATEGORICAL EXCLUSION

##### **Search And Rescue Procedure Training at Seminole Beach, Naval Station Mayport and St. Johns River, Naval Air Station Jacksonville**

Encl: (1) U.S. Fish and Wildlife Service Concurrence letter of 13 Jan 2011  
(2) National Marine Fisheries Service Concurrence letter of 6 Apr 2011

#### **1. Background**

The Navy's mission is to maintain, train, and equip combat-ready naval forces capable of winning wars, deterring aggression, and maintaining freedom of the seas. Title 10 United States Code (U.S.C.) 5062 directs the Chief of Naval Operations (CNO) to train all naval forces for combat. CNO meets that direction, in part, by conducting at-sea training exercises and ensuring naval forces have access to ranges, Operating Areas (OPAREAs), and airspace where the Navy can develop and maintain skills for wartime missions.

The use of St. Johns River near Naval Air Station (NAS) Jacksonville as a primary location to conduct Search and Rescue (SAR) training has been a critical aspect of Navy operational readiness training for more than 25 years. A secondary/alternate training location is needed to help alleviate logistical issues, including range scheduling conflicts, water quality/diver health and safety concerns due to algae blooms, and the presence of commercial and recreational fishing gear, such as crab pots. Additionally, the Navy has identified an operational need to train SAR swimmers in a realistic ocean environment as well as calmer riverine waters. The Seminole Beach site at Naval Station Mayport has been proposed as the secondary/alternate SAR training location due to its ability to provide a realistic open ocean training environment, free of issues associated with the St. Johns River. Combined, these locations would provide redundant capability, enhance the preparation and readiness of Commander Helicopter Maritime Strike Wing Atlantic Fleet rescue swimmers, and improve training at the Commander Helicopter Maritime Strike Wing Atlantic Fleet Surface Rescue Swimmer School.

#### **2. Applicable Exclusion**

The proposed action is not reasonably likely to cause significant environmental impacts within the meaning of the National Environmental Policy Act (NEPA) of 1969. Therefore, neither an Environmental Assessment (EA) nor an Environmental Impact Statement (EIS) will be prepared. The proposed action is consistent with Categorical Exclusion (#45) which states:

*Routine military training associated with transits, maneuvering, safety and engineering drills, replenishments, flight operations, and weapons systems conducted at the unit or*

*minor exercise level,; similar in type, intensity and setting, including physical location and time of year, to other actions for which it has been determined, through NEPA analysis where the Department of the Navy was a lead or cooperating agency, that there are no significant impacts; and conducted in accordance with all applicable standard operating procedures protective of the environment.*

**3. Proposed Action**

The proposed action is to continue SAR training operations at the St. Johns River site situated off NAS Jacksonville in the lower St. Johns River, and establish and conduct SAR training at a secondary/alternate training site situated in the Atlantic Ocean off Seminole Beach at Naval Station Mayport. SAR training operations at the St. Johns River site would occur approximately 0.25 – 0.68 mile (0.4 – 1.1 kilometers) from the river's west bank. Water depth there is approximately 35 feet (10.7 meters). The Seminole Beach site is located just south of the Jacksonville Harbor federal navigation channel and the St. Johns River south jetty, and adjacent to the Jacksonville OPAREA in waters approximately 0.25 – 1.25 miles (0.4 – 2 kilometers) from shore. Water depth at this site ranges from approximately 30 – 40 feet (9.1 – 12.2 meters).

SAR training events involve one or two helicopters (SH-60B or MH-60R) and one harbor patrol boat with an approximate length of 40 feet (12 meters). The boat would remain on location as a safety precaution and to maximize training by transporting additional swimmers to the jump site. Harbor patrol boats will maintain appropriate lookouts and operate at a safe speed. Swimmers on board the boat could initially play the "survivor" role and those on board the helicopter could serve as the "swimmer" during a rescue simulation. The boat typically remains stationary during the event once on location, with intermittent movements based on the need to alternate swimmers and survivors. Alternating roles helps maximize the number of persons able to obtain rescue swimmer qualification during a single event. Swimmers are required to complete multiple day and night jumps and hoisting events to become a qualified SAR swimmer. Each training evolution begins with a survivor entering the water and a helicopter descending to a stationary hover near the survivor at an altitude of 15 feet (4.6 meters) or establishing itself at approximately 10 feet (3 meters) making 10 knots headway. The helicopter stays at this low altitude just long enough to "jump" (deploy) a swimmer. Once the swimmer signals his or her safety, the helicopter climbs to and maintains an altitude of 40 – 80 feet (12.2 – 24.4 meters) to avoid rotor wash spray. Once in the water, the swimmer completes a simulated rescue, and the helicopter uses its winch to hoist the swimmer and survivor back aboard the helicopter. Each helicopter is capable of carrying up to eight swimmers to complete multiple jumps during a single event. The overwater flight portion of a SAR swimmer training event by a squadron helicopter is typically four hours. As many as 24 jumps could occur over the course of the four-hour event, with only one event occurring on any given day. The length of the event is ultimately dependent upon the number of rescue swimmers requiring jumps. SAR training events are usually scheduled to start two – three hours prior to, and end one – two hours after sunset so that day and night jumps can

be completed during a single event while allowing the boat and helicopter to remain on station. Training would occur year-round approximately 36 days annually at the St. Johns River site and 42 days annually at the Seminole Beach site.

**4. Exceptions to use of a Categorical Exclusion are not applicable:**

The proposed action will not:

- a) Adversely affect public health or safety;
- b) Involve effects on the human environment that are highly uncertain, involving unique or unknown risks, or are scientifically controversial;
- c) Establish precedents or make decisions in principle for future actions that have the potential for significant impacts;
- d) Threaten a violation of federal, state, or local law or requirements imposed for the protection of the environment;
- e) Have an adverse effect on federally-listed endangered/threatened species or marine mammals. The action may affect, but is not likely to adversely affect threatened or endangered species or critical habitats. The U.S. Fish and Wildlife Service (USFWS) agreed with this determination for the West Indian (Florida) Manatee and its designated critical habitat, the piping plover, wood stork, and nesting or hatching green, leatherback, and loggerhead sea turtles as per their letter at Enclosure (1). The National Marine Fisheries Service (NMFS) also provided concurrence in their letter at Enclosure (2) for a may affect, but not likely to adversely affect determination for the humpback whale, North Atlantic right whale, green sea turtle, hawksbill sea turtle, Kemp's ridley sea turtle, leatherback sea turtle, and loggerhead sea turtle. In addition, concurrence was provided for the determination that the proposed action will have no effect on North Atlantic right whale critical habitat, or have an adverse impact on coral reefs or on Federally-designated wilderness areas, wildlife refuges, marine sanctuaries, or parklands;
- f) Adversely affect the size, function or biological value of wetlands and is not covered by a nation-wide or regional permit;
- g) Have an adverse effect on archaeological resources or resources listed or determined to be eligible for listing in the National Register of Historic Places;
- h) Result in an uncontrolled or unpermitted release of hazardous substances or require a conformity determination under the standards of the Clean Air Act General Conformity Rule.

**5. Protective Measures**

Protective measures to be implemented during SAR training exercises, as identified during Endangered Species Act consultation with USFWS and NMFS, are described below. These measures will help minimize potential impacts to endangered species, and are consistent with those identified for similar activities in the Jacksonville and Atlantic Fleet Active Sonar Training EISs, Biological Opinions, and Concurrence Letters:

- a) Report all damaging and non-damaging bird strikes to the Naval Safety Center;

- b) Dependent upon current military operations and security threat level, during routine transit in estuarine waters associated with the St. Johns River, vessels will comply with all Federal, State, and local Manatee Protection Zones as long as it is operationally safe to do so; and will adhere to the best management practices regarding manatees in accordance with the 2005 NAS Jacksonville Integrated Natural Resources Management Plan (INRMP) and 2007 Naval Station Mayport INRMP, where applicable;
- c) If any marine mammals or sea turtles are observed within the helicopter flight path, or 500 feet on either side of the flight path, a SAR jump will not commence until the animal moves out of this area under its own volition; if a right whale is observed within the helicopter flight path, or 1,500 feet on either side of the flight path, a SAR jump will not commence until the animal moves out of this area under its own volition;
- d) Navy vessels and helicopters will report all whale sightings in the Seminole Beach site to FACSFAC Jacksonville. FACSFAC Jacksonville will alert all Navy units in the area of the sighting; and
- e) In case of any harassment, injury, or death involving a manatee from the action, the Navy will immediately halt all remaining sorties and report the incident, including dead or injured animals, to the Florida Fish and Wildlife Conservation Commission, Law Enforcement Division, at 1-888-404-3922. The Navy shall also report the incident to the United States Fish and Wildlife Service, Jacksonville Ecological Field Office, at 904-731-3336.

**6. Summary**

No significant environmental impacts would occur as a result of the proposed action; therefore, neither an EA nor an EIS will be prepared.

**7. Review**

This project was reviewed for compliance with NEPA of 1969, as implemented by OPNAVINST 5090.1C, by Greg Thompson, U.S. Fleet Forces Operational Environmental Support.

Date: 4 MAY 2011

*G. L. Edwards*

G. L. EDWARDS  
 Head, Environmental Readiness Division  
 U.S. Fleet Forces Command

## Appendix B – Scoping Letter Responses



### Florida Fish and Wildlife Conservation Commission

#### Commissioners:

**Kenneth W. Wright**

Chairman  
Winter Park

**Bo Rivard**

Panama City

**Ronald M. Bergeron**

Fort Lauderdale

**Richard A. Corbett**

Tampa

**Aliese P. "Liesa" Priddy**

Immokalee

**Charles W. Roberts III**

Tallahassee

**Brian S. Yablonski**

Tallahassee

#### Executive Staff

**Nick Wiley**

Executive Director

**Greg Holder**

Assistant Executive Director

**Karen Ventimiglia**

Chief of Staff

#### Division of Marine

Fisheries Management

**Jessica McCawley**

Director

(850) 487-0554

(850) 487-4847 FAX

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

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

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

MyFWC.com

April 8, 2013

Commanding Officer  
Naval Facilities Engineering Command Southeast  
ATTN: Mr. Stephen Biemiller  
Project Manager, NEPA Compliance Section (EV21)  
Box 30, Building 903  
NAS Jacksonville, FL 32212-0030

Re: Scoping Notice in Advance of Preparation of an Environmental Assessment (EA) for the Establishment of a Restricted Area within the St. Johns River for Search and Rescue (SAR) Training at Naval Air Station Jacksonville (NASJAX) Florida.

Dear Mr. Biemiller:

The Division of Marine Fisheries Management of the Florida Fish and Wildlife Conservation Commission (FWC) has conducted agency review of the above referenced Scoping Notice, and provides the following comments and recommendations.

### Background

The Department of the Navy is preparing an EA for the proposed establishment of a restricted area for Search and Rescue training just offshore of NASJAX in the St. Johns River within the City of Jacksonville. The proposed restricted area forms a 260-acre rectangle, and the actions proposed are to restrict the placement or anchoring of objects or devices (e.g., crab traps) at all times, and prohibit public access only during training exercises.

### Fisheries Resources

The FWC has coordinated internally with staff and externally with FWC stakeholders regarding this proposal and has identified that there does not appear to be any impacts to the commercial American eel or the commercial shrimp fisheries, and that the potential impacts to the recreational fishery will remain as status quo and are likely acceptable. The FWC has also identified that there will be significant impacts to the commercial blue crab fishery.

It is not apparent whether or not NASJAX has conducted stakeholder communication and coordination at this time. The FWC is an agency with a rich history of engaging affected parties in the decision-making process, therefore the FWC requests that an opportunity for discussion of the Navy's needs and desires be offered to the boating/fishing public, commercial interests in the area, and involved governmental agencies prior to any attempt to establish a restricted area. The FWC

also requests that the Navy fully consider the development of additional alternatives not already described in the proposal, primarily regarding the proposed year-round restriction from the placement of crab traps as the area would only be used for training approximately 36 days per year and only up to 4 hours on any given training day. The FWC expects that a reasonable, additional alternative could be formulated between NASJAX and the commercial blue crab fishery through stakeholder coordination, and has attached a list of blue crab fishers that may potentially conduct fishing activities in the proposed restricted area to support this effort. FWC, Division of Marine Fisheries Management, Regulatory Outreach staff is available to assist NASJAX with these efforts, and may be contacted as follows:  
Dan Ellinor  
[Daniel.ellinor@mfwc.com](mailto:Daniel.ellinor@mfwc.com)  
(850) 617-9629

The FWC additionally recommends clarification of the proposed restriction regarding the placement of objects or devices within the proposed restricted area at all times, so that it is not interpreted to mean that vessels cannot temporarily anchor for purposes of fishing or boating activities.

#### **Law Enforcement Resources**

Establishing a method by which the vessel exclusion zone would be enforced will require some effort. Pursuant to Section 327.461, Florida Statutes, state and local law enforcement may enforce these zones if: 1) the zone is defined in and established pursuant to 33 CFR Part 165; 2) a request from a federal authority has been made to the FL Dept. of Law Enforcement (FDLE) through the Florida Mutual Aid Plan; and 3) if the enforcement is intended to augment federal enforcement. If agreed upon through FDLE in compliance with Florida's Mutual Aid Plan, state and local law enforcement would rely on the appropriate federal agency(ies) to take the lead in enforcement of the vessel exclusion zone. Significant coordination would have to occur prior to the establishment of such a zone to lay the foundation for appropriate enforcement. At this time, the FWC cannot determine how active of a role our law enforcement personnel would play in enforcing such a restricted area due to commitments which are critical to our mission.

If such a vessel exclusion zone is established in the area, the area must be properly marked using uniform waterway markers. If NASJAX initiates the installation of waterway markers, FWC requests coordination with the Boating and Waterways Section so a Florida Uniform Waterway Marker Permit can be issued for all signs and/or buoys placed in the water. Ensuring that markers are consistent with both state and federal regulations will greatly enhance the ability of boaters to see and understand the markers and any associated regulations. Additionally, the issuance of marker permits allows local, state and federal agencies to more efficiently deal with damaged markers following a catastrophic event.

Stephen Biemiller  
Page 3  
April 8, 2013

Appropriate marking of the proposed restricted area will be quite challenging given that the area may have both permanent, year-round restrictions against the anchoring of items (e.g. crab traps), yet there are other uses such as recreational boating and fishing which are conditionally allowed any time other than when training is taking place. Consideration should be given to what methods can and will be used to inform vessel operators who may be fishing in the proposed area or simply passing through at such time when use restrictions go into effect or expire.

#### Summary

The FWC appreciates the opportunity to provide input on this Scoping Notice. Please keep us informed of any agency action regarding development of the EA, and please do not hesitate to contact us if you have any questions. The FWC, Division of Marine Fisheries Management and Division of Law Enforcement is available to provide technical support for any aspect of this proposal, and look forward to working with NASJAX on future activities. If you need any further assistance, please contact Ms. Lisa Gregg with the Division of Marine Fisheries Management at [Lisa.Gregg@myfwc.com](mailto:Lisa.Gregg@myfwc.com) or (850) 617-9621, or Captain Richard Moore with the Division of Law Enforcement at [Richard.Moore@myfwc.com](mailto:Richard.Moore@myfwc.com) or (850) 617-9544.

Sincerely,



Jessica McCawley  
Director

jm/lg/jd/rm  
Enclosure

Name	Edit #	Street 1	City	State	Zip	Telephone Number
BARKER, JOE J	VHI-2502	2101 JORK RD	JACKSONVILLE	FL	32207	(904) 651-0261
BARKER, JOSEPH B	VHI-3892	2101 JORK RD	JACKSONVILLE	FL	32207	(904) 300-9523
BARKER, SIMON P	VHI-4830A	3349 HENDRICKS AVE.	JACKSONVILLE	FL	32207	(904) 233-1770
BARTCHLETT, DAVID J	VHI-560	13990 BRADHAM RD	JACKSONVILLE	FL	32226	(904) 751-3149
BARTCHLETT, MARTIN L	VHI-502	14004 BRADHAM RD	JACKSONVILLE	FL	32226	(904) 612-1490
BARTCHLETT, TOMMY J	VHI-504	14099 BRADHAM RD	JACKSONVILLE	FL	32226	(912) 258-2182
BROWN, ROBERT J	VHI-4665A	3327 QUEEN PALM DR	JACKSONVILLE BEACH	FL	32250	(904) 233-1719
CHEW, THOMAS J	VHI-461	5006 HECKSCHER DR	JACKSONVILLE	FL	32226	(904) 751-1530
CLARK, JAMES C	VHI-6419	4104 JULINGTON CREEK RD	JACKSONVILLE	FL	32223	(904) 268-5335
CLARK, WILLIAM R	VHI-298	4106 JULINGTON CREEK RD	JACKSONVILLE	FL	32223	(904) 268-6513
DANFORTH, JERRY M	VHI-7724	5720 CR 210 W	JACKSONVILLE	FL	32259	(904) 522-1716
DAVIDSON, KENNETH W	VHI-35	6250 SPRING HAMMOCK RD	JACKSONVILLE	FL	32226	(904) 757-5508
DAVIS, JAMES T	VHI-8444B	1714 HAMMOCK CIRCLE WEST	JACKSONVILLE	FL	32225	(904) 483-1507
DAVIS, JAMES T	VHI-8455A	1714 HAMMOCK CIRCLE WEST	JACKSONVILLE	FL	32225	(904) 483-1507
DAVIS, JAMES T	VHI-8680B	1714 HAMMOCK CIRCLE WEST	JACKSONVILLE	FL	32225	(904) 483-1507
DOBSON, DARIEN V	VHI-6909	11426 HOBART BLVD	JACKSONVILLE	FL	32218	(904) 759-8398
DOBSON, DARIEN V	VHI-7420B	11426 HOBART BLVD	JACKSONVILLE	FL	32218	(904) 759-8398
DOBSON, DARIEN V	VHI-7105	11426 HOBART BLVD	JACKSONVILLE	FL	32218	(904) 759-8398
DUKES, GRESS A	VHI-950	10934 PINE ACRES ROAD	JACKSONVILLE	FL	32257	(904) 268-5993
EMMETT, ROBIN D	VHI-2388	1529 BASSETT RD	JACKSONVILLE	FL	32208	(904) 303-5093
FLETCHER, WILLIAM M	VHI-7703	2478 WEST END CT	ATLANTIC BEACH	FL	32233	(904) 249-2647
HAYFORD, STANLEY B	VHI-8457	13241 CURRITUCK DR N	JACKSONVILLE	FL	32225	(904) 221-6299
HULBERT, JOSEPH E	VHI-3793	9177 WASHINGTON AVE.	JACKSONVILLE	FL	32208	(904) 625-4016
KING, RAYMOND E	VHI-8478	1444 FERRIS ST	ATLANTIC BEACH	FL	32233	(904) 237-3883

Name	Edt #	Street 1	City	State	Zip	Telephone Number
LAWRENCE, BOBBIE L	VHL-8450B	619 E 27TH ST	JACKSONVILLE	FL	32206	(904) 235-2138
LEEK, MARK A	VHL-1719B	2857 MAYPORT RD	ATLANTIC BEACH	FL	32233	(904) 246-2413
LUTGENS JR, DAVID D	VHL-2189	2808 LAKESHORE BLVD	JACKSONVILLE	FL	32210	(904) 654-0706
LUTGENS JR, DAVID D	VHL-8217	2808 LAKESHORE BLVD	JACKSONVILLE	FL	32210	(904) 654-0706
LUTGENS SR, DAVID D	VHL-8479	5517 SEABOARD AVE	JACKSONVILLE	FL	32244	(904) 771-0347
MILLER, BRIAN K	VHL-6314	1315 GANDY ST	JACKSONVILLE	FL	32208	(904) 879-9415
MILLER, BRIAN K	VHL-8610A	1315 GANDY ST	JACKSONVILLE	FL	32208	(904) 879-9415
MONTGOMERY, MICHAEL J	VHL-6067	583 RENNE DR N	JACKSONVILLE	FL	32218	(904) 647-9927
NORTH FLORIDA SEAFOOD & CRAB LLC	VHL-8312B	1841 NIGHTFALL DR	NEPTUNE BEACH	FL	32266	(904) 246-4244
POWELL, TYRONE	VHL-9496A	1011 GLEN ECHO ROAD	JACKSONVILLE	FL	32211	(321) 508-7202
PRICE, KIM P	VHL-7333	9844 HOOD RD	JACKSONVILLE	FL	32257	(904) 268-8214
PRICE, MILES S	VHL-1179	9844 HOOD RD	JACKSONVILLE	FL	32257	(904) 268-8214
PRICE, MILES S	VHL-8085	9844 HOOD RD	JACKSONVILLE	FL	32257	(904) 268-8214
PUMPHREY, STEPHEN G	VHL-9606	5855 HECKSCHER DR	JACKSONVILLE	FL	32226	(904) 696-8913
REED, KIMBERLY	VHL-1083A	9205 FREDERICK ST	JACKSONVILLE	FL	32226	(904) 312-8611
REEVES, PAUL O	VHL-8501B	1632 LANDING LN	NEPTUNE BEACH	FL	32266	(904) 509-2371
TRUONG, SANG V	VHL-8444A	707 CLEARVIEW LANE	ATLANTIC BEACH	FL	32233	(863) 409-2749
URBAN, DENNIS M	VHL-581B	10051 AGAVE CIRCLE NORTH	JACKSONVILLE	FL	32246	(904) 449-4370
WAYSON, NICHOLAS D	VHL-8260B	11507 RENNE DRIVE EAST	JACKSONVILLE	FL	32218	(904) 351-9415
WICKER JR, ROBERT D	VHL-8524A	442 MOBY DICK DR S	JACKSONVILLE	FL	32218	(904) 757-2115
CHANNEY, DUSTY	VHL-2988	3079 CO RD 209 RIVERSIDE	Green Cove Springs	FL	32043	(904) 284-0145

NEIGHBORHOODS DEPARTMENT



April 11, 2013

Stephen Biemiller  
Project Manager  
NEPA Compliance Section (EV 21)  
Box 30, Building 903  
NAS Jacksonville, FL 32212-0030

(via email: Stephen.biemiller@navy.mil)

Dear Mr. Biemiller:

The City of Jacksonville has always supported our naval community and worked closely on a number of initiatives impacting the greater Jacksonville area. The Department of the Navy's proposal to establish a Restricted Area for SAR training off NASJAX appears reasonable and contributes to the safety of training operations which are vital in support of ongoing naval missions and objectives.

The Neighborhoods Department does operate aircraft assigned to the Mosquito Control Division (MCD) which could be affected by the proposal. These aircraft are utilized for the purpose of aerial inspection, larviciding and adulticiding operations in support of mosquito control efforts and are flown throughout the county.

Upon a review of the project description and graphic location of the proposed Restricted Area, our MCD Aerial Operations Supervisor has concluded that the implementation of a Restricted Area, as depicted, presents no problems and would have little or no impact on Jacksonville Mosquito Control aviation operations. In the event a ULV, larvicide or air inspection mission is scheduled in NASJAX airspace, he will continue to coordinate with NASJAX by phone prior to the mission and again by radio prior to entering adjacent airspace.

The Environmental Quality Division has a water quality monitoring station (monthly) in proximity to the letter "D" on the rectangular restricted area drawing. Staff has observed SAR activities while sampling. We do not believe there is any conflict nor do we have any objection to the proposed restricted area.

I see no other issues or concerns relative to the proposal and neighborhood operations which would require additional information. I appreciate the opportunity to review the proposal and submit comments. If you need any additional information, please feel free to contact me.

Sincerely,

Terrance Ashanta-Barker  
Director

TAB/ac

*Office of the Director*

214 North Hogan Street, 5<sup>th</sup> Floor | Jacksonville, FL 32202 | Phone: 904.255.7245 | Fax: 904.588.0519 | www.coj.net

## Appendix C – Section 7 Consultation Letter to the USFWS



**DEPARTMENT OF THE NAVY**  
NAVAL FACILITIES ENGINEERING COMMAND, ATLANTIC  
8506 HAMPTON BLVD  
NORFOLK VA 23508-1278

IN REPLY REFER TO:  
5090  
Ser EV53SPB/447  
November 1, 2010

Ms. Linda Walker, Deputy Field Supervisor  
U. S. Fish & Wildlife Service  
North Florida Field Office  
7915 Baymeadows Way, Suite 200  
Jacksonville, Florida 32256-7517

Dear Ms. Walker:

**SUBJECT: INFORMAL ESA SECTION 7 CONSULTATION FOR THE SEARCH AND RESCUE JUMP AREA TRAINING INITIATIVE AT ST. JOHNS RIVER AND SEMINOLE BEACH**

Naval Facilities Engineering Command Atlantic has prepared an Informal Section 7 Consultation package in accordance with the Endangered Species Act (ESA) to assess the potential environmental impacts associated with Navy Search and Rescue Jump Area Training Initiative operations at two Study Areas: St. Johns River adjacent to Naval Air Station Jacksonville, and Seminole Beach adjacent to Naval Station Mayport.

In accordance with legal requirements set forth under regulations implementing Section 7 of the ESA, this consultation package includes descriptions of the proposed action, species accounts and status of the species, effects of the action, conclusions, and references. Potential stressors analyzed in this consultation include helicopter overflights and vessel movements. An overview of the proposed action is provided in Chapter 1, and more specific details, including mitigation measures to help reduce the potential impacts to listed species and critical habitats, are provided in Chapters 2 and 3.

The Navy has initiated a separate Informal Section 7 Consultation with the National Marine Fisheries Service Southeast Regional Office for species under its jurisdiction, including the humpback whale; North Atlantic right whale and its critical habitat; Atlantic sturgeon; shortnose sturgeon; smalltooth sawfish; and green, hawksbill, Kemp's ridley, leatherback, and loggerhead sea turtles.

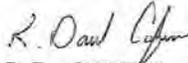
The species and critical habitats addressed in this consultation include the West Indian manatee and its critical habitat; piping plover; wood stork; and nesting green, leatherback, and loggerhead sea turtles. The Navy has determined that the proposed action may affect but is not likely to adversely affect the species addressed in this consultation. The proposed action would not adversely modify West Indian manatee critical habitat and is not likely to jeopardize the

5090  
Ser EV53SPB/447  
November 1, 2010

continued existence of the proposed Northwest Atlantic Ocean Distinct Population Segment of the loggerhead sea turtle.

We look forward to your timely review of the enclosed consultation package, and request your concurrence that the proposed action may affect, but is not likely to adversely affect listed species under your jurisdiction. My staff point of contact for this matter is Ms. Sarah Bellau, who can be reached at (757) 322-4085 or via email at sarah.bellau@navy.mil.

Sincerely,



R.D. CURFMAN  
Environmental Business Line Manager  
By direction of the Commander

Enclosure: 1. Informal ESA Section 7 Consultation for the Search and Rescue Jump Area Training Initiative at St. Johns River and Seminole Beach

Copy to: (w/ encl)  
NAVFAC SE (EV BLC)  
COMUSFLTFORCOM NORFOLK (N45)

## Appendix D – USFWS Concurrence Letter



### United States Department of the Interior

U. S. FISH AND WILDLIFE SERVICE

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

IN REPLY REFER TO:

FWS Log Nos. 41910-2011-I-0039

January 13, 2010

Mr. R. David Curfman, Manager  
Environmental Business Line  
Department of the Navy  
Naval Facilities Engineering Command, Atlantic  
6506 Hampton Blvd.  
Norfolk, Virginia 23508-1278  
(Attn: Sarah Bellau)

Re: Response to Effects Determination on Federally Listed Species from the Search and Rescue (SAR) Jump Area Training Initiative within the St. Johns River (SJR) and Atlantic Ocean (AO), Jacksonville, Duval County, Florida

Dear Mr. Curfman:

Our office has reviewed your correspondence, dated November 1, 2010, and its accompanying information on subject SAR training. The Navy proposes to conduct the preceding training operations using up to two helicopters and a 40-foot harbor patrol boat per training event. The primary training site will be within the St. Johns River just south of Naval Air Station Jacksonville, with a secondary site located within the Atlantic Ocean 0.25 to 1.25 miles offshore of Seminole Beach near Naval Station Mayport. Each event is approximately four hours long, and usually scheduled to start 2 - 3 hours prior to and end 1 - 2 hours after sunset. Helicopters will be operating at altitudes between 10 and 80 feet above the water within the training areas. The patrol boat will remain on location as a safety precaution, and to maximize training by transporting additional swimmers to the training area. No more than one event will be scheduled per day, with an annual total of 35 events scheduled within the SJR, and another 42 within the AO. Training will occur year-round.

We submit the following comments in accordance with section 7 of the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*), and the Marine Mammal Protection Act of 1972, (MMPA) as amended (16 U.S.C. 1461 *et seq.*).

The Navy determined that the proposed SAR training initiatives occur within the range of a number of federally listed species. Those within our jurisdiction include the West Indian (Florida) manatee (*Trichechus manatus latirostris*) and its designated critical habitat, the piping plover (*Charadrius melodus*), wood stork (*Mycteria americana*), and nesting and hatching green (*Chelonia mydas*), leatherback (*Dermochelys coriacea*), and loggerhead (*Caretta caretta*) sea turtles.

Based on a review of their biology, ecology, and distribution within the areas affected by the proposed training, the Navy concluded that any direct behavioral effects to piping plovers and wood storks will be temporary and minimal. In addition, direct physical impacts are unlikely due to the expected location and abundance of these species relative to affected areas. As a result, the Navy determined that the proposed SAR training may affect, but is not likely to adversely affect, the piping plover or wood stork. We concur with this determination.

With respect to the manatee and sea turtles, the Navy proposed special measures that it will implement as part of the SAR training that it believes will reduce any potential effects to these species to insignificant or discountable levels. We responded with questions concerning these measures, as well as noting an absence of an assessment of potential lighting impacts to sea turtles. The Navy in turn provided an addendum to its original response, dated December 7, 2010. That addendum included an assessment of such lighting, as well as minor changes to some of the special measures. Regarding the lighting, the Navy concluded that the use and duration of artificial lighting (individual light sticks and helicopter hover and search lighting) employed and potentially employed during a SAR training event within the AO scheduled during the sea turtle nesting and hatching season, are such that the probability of take of sea turtles from such lighting is minimal.

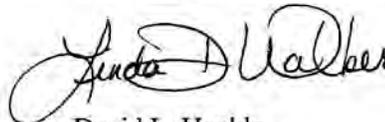
Based on the preceding, the Navy determined that with the inclusion of its

special measures as originally proposed or modified, the proposed SAR training is not likely to adversely affect the manatee or nesting or hatching sea turtles. We concur with this determination. In addition, since no take of manatee is anticipated, no such authorization is required under the MMPA.

Although this does not represent a biological opinion as described in section 7 of the Act, it does fulfill the requirements of the Act and no further action is required. If the Navy modifies the project; it fails to implement the special measures mentioned above and described more specifically in its accompanying documentation; if additional information involving potential effects to the above or other listed species potentially affected by the action becomes available; or if unauthorized take of the above species occurs during the activities identified and considered previously, consultation will be reinitiated.

If you have any questions regarding this response, please contact Mr. John Milio of my staff at the address on the letterhead, by e-mail at [john\\_milio@fws.gov](mailto:john_milio@fws.gov), or by calling 904-731-3098.

Sincerely,



David L. Hankla  
for Field Supervisor

cc:  
Carol Knox/Dr. Robbin Trindell

## Appendix E – Section 7 Consultation Letter to the NMFS



**DEPARTMENT OF THE NAVY**  
NAVAL FACILITIES ENGINEERING COMMAND, ATLANTIC  
8506 HAMPTON BLVD  
NORFOLK VA 23506-1278

IN REPLY REFER TO:

5090  
Ser EV53SPB/446  
November 1, 2010

Mr. David Bernhart  
Assistant Regional Administrator for Protected Resources  
National Marine Fisheries Service  
Southeast Regional Office  
263 13<sup>th</sup> Avenue South  
Saint Petersburg, Florida 33701

Dear Mr. Bernhart:

**SUBJECT: INFORMAL ESA SECTION 7 CONSULTATION FOR THE SEARCH AND RESCUE JUMP AREA TRAINING INITIATIVE AT ST. JOHNS RIVER AND SEMINOLE BEACH**

Naval Facilities Engineering Command Atlantic has prepared an Informal Section 7 Consultation package in accordance with the Endangered Species Act (ESA) to assess the potential environmental impacts associated with Navy Search and Rescue Jump Area Training Initiative operations at two Study Areas: St. Johns River adjacent to Naval Air Station Jacksonville, and Seminole Beach adjacent to Naval Station Mayport.

In accordance with legal requirements set forth under regulations implementing Section 7 of the ESA, this consultation package includes descriptions of the proposed actions, species accounts and status of the species, effects of the actions, conclusions, and references. Potential stressors analyzed in this consultation include helicopter overflights and vessel movements. An overview of the proposed action is provided in Chapter 1, and more specific details, including mitigation measures to help reduce the potential impacts to listed species and critical habitats, are provided in Chapters 2 and 3.

The Navy has initiated a separate Informal Section 7 Consultation with the United States Fish and Wildlife Service North Florida Field Office for species under its jurisdiction, including the West Indian manatee and its critical habitat; piping plover; wood stork; and nesting green, leatherback, and loggerhead sea turtles.

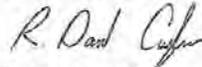
The species and critical habitats addressed in this consultation include the humpback whale; North Atlantic right whale and its critical habitat; Atlantic sturgeon; shortnose sturgeon; smalltooth sawfish; and green, hawksbill, Kemp's ridley, leatherback, and loggerhead sea turtles. The Navy has determined that the proposed action would not adversely modify North Atlantic right whale critical habitat, is not likely to jeopardize the continued existence of proposed Atlantic sturgeon and loggerhead sea turtle Distinct Population Segments, and would have no effect on the species listed above, except as indicated below:

5090  
Ser EV53SPB/446  
November 1, 2010

Seminole Beach Study Area: The proposed action may affect, but is not likely to adversely affect the humpback whale, North Atlantic right whale, green sea turtle, hawksbill sea turtle, Kemp's ridley sea turtle, leatherback sea turtle, and loggerhead sea turtle.

We look forward to your timely review of the enclosed consultation package, and request your concurrence that the proposed action may affect, but is not likely to adversely affect listed species under your jurisdiction. My staff point of contact for this matter is Ms. Sarah Bellau, who can be reached at (757) 322-4085 or via email at sarah.bellau@navy.mil.

Sincerely,



R.D. CURFMAN  
Environmental Business Line Manager  
By direction of the Commander

Enclosure: 1. Informal ESA Section 7 Consultation for the Search and Rescue Jump Area Training Initiative at St. Johns River and Seminole Beach

Copy to: (w/encl)  
NAVFAC SE (EV BLC)  
COMUSPLTFORCOM NORFOLK (N45)

## Appendix F – NMFS Concurrence Letter



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
Southeast Regional Office  
263 13<sup>th</sup> Avenue South  
St. Petersburg, FL 33701-5505  
727.824.5312, FAX 824.5309  
<http://sero.nmfs.noaa.gov>

APR 06 2011

F/SER31:MCB

Mr. R.D. Curfman  
Naval Facilities Engineering Command, Atlantic  
Department of the Navy  
6506 Hampton Boulevard  
Norfolk, VA 23508-1278

Dear Mr. Curfman:

This responds to your letter dated November 1, 2010, requesting National Marine Fisheries Service (NMFS) concurrence with your determinations pursuant to section 7 of the Endangered Species Act (ESA) for the Navy's Search and Rescue (SAR) Jump Area Training Initiative. You determined the activity may affect, but is not likely to adversely affect, the humpback and North Atlantic right whales, and green, hawksbill, Kemp's ridley, leatherback, and loggerhead sea turtles. You also stated that the proposed activity would not adversely modify North Atlantic right whale critical habitat. NMFS' determinations regarding the effects of the proposed action are based on the description of the action in this informal consultation. You are reminded that any changes to the proposed action may negate the findings of the present consultation and may require reinitiation of consultation with NMFS.

The project is located in the lower St. Johns River immediately south of Naval Air Station Jacksonville and off Seminole Beach east of Naval Station Mayport, Florida. As documented in the submitted consultation package, activities at the St. Johns River Study Area would occur approximately 0.25 - 0.68 miles from the river's west bank, while activities at the Seminole Beach Study Area would occur approximately 0.25 - 1.25 miles offshore in the Atlantic Ocean. The Navy proposes to continue SAR Jump Area Training Initiative operations at the St. Johns River Study Area, and establish a secondary training site (i.e., Study Area) situated off Seminole Beach. SAR training is conducted by one or two squadron helicopters (SH-60B or MH-60R) and one harbor patrol boat with an approximate length of 40 feet. The boat would remain on location as a safety precaution and to maximize training by transporting additional swimmers to the Study Area. Harbor patrol boats are capable of operating at a maximum speed of approximately 40 knots, but would likely operate at much lower speeds during the entire training event. Swimmers on board the boat could initially play the "survivor" role and those on board the helicopter could serve as the "swimmer" during a rescue simulation. The boat typically remains stationary during the event once on location, with intermittent movements based on the need to alternate swimmers and survivors. Alternating roles helps maximize the number of persons able to obtain rescue swimmer qualification during a single event. Swimmers are required to complete multiple day and night jumps and hoisting events to become a qualified SAR swimmer.





**Figure 1. Proposed Search and Rescue Jump Area Training Initiative Study Areas.**

Each training evolution begins with a survivor entering the water and a helicopter descending to a stationary hover near the survivor at an altitude of 15 feet, or establishing itself at approximately 10 feet, making 10 knots headway. The helicopter stays at this low altitude just long enough to “jump” (deploy) a swimmer. Once the swimmer signals his or her safety, the helicopter climbs to and maintains an altitude of 40 - 80 feet to avoid rotor wash spray. Once in the water, the swimmer completes a simulated rescue, and the helicopter uses its winch to hoist the swimmer and survivor back aboard the helicopter.

Each helicopter is capable of carrying up to eight swimmers to complete multiple jumps during a single event. The overwater flight portion of a SAR swimmer training event by a squadron helicopter is typically 4 hours. As many as 24 jumps could occur over the course of the 4-hour

event, with only one event occurring on any given day. The length of the event is ultimately dependent upon the number of rescue swimmers requiring jumps. SAR training events are usually scheduled to start 2 - 3 hours prior to, and end 1 - 2 hours after, sunset so that day and night jumps can be completed during a single event while allowing the boat and helicopter to remain on station. Training would occur year-round approximately 36 days annually at the St. Johns River Study Area and 42 days annually at the Seminole Beach Study Area.

Four species of sea turtles (loggerhead, green, Kemp's ridley, and leatherback) and the North Atlantic right whale, protected by the ESA, can be found in or near the action area and may be affected by the project. Additionally, the Seminole Beach Study Area is located within North Atlantic right whale critical habitat. However, as the proposed activities will not affect water temperature and bathymetry, the proposed project will have no effect on right whale critical habitat.

Helicopter overflights would produce airborne noise and some of this energy would be transmitted into the water. Sea turtles and marine mammals could be exposed to noise associated with helicopter operations while at the surface or while submerged. In addition to sound, sea turtles and marine mammals could react to the shadow of a low-flying helicopter and surface disturbance from the downdraft. Based on knowledge of sea turtle sensory biology, sound from low-flying aircraft could be heard by a sea turtle at or near the water's surface.<sup>1,2,3,4,5</sup> Very little data are available regarding reactions of sea turtles and marine mammals to helicopters. Green sea turtles may rely more on visual cues than auditory cues when reacting to approaching vessels, which also suggests that the species might not respond to helicopter overflights based on noise alone.<sup>6</sup> Sea turtles exposed to helicopter overflights may exhibit no response, or may display behavioral reactions such as quick diving at the approach of helicopter downdrafts. Likewise, one study observed that sperm whales showed no reaction to a helicopter until the whales encountered downdrafts from the rotors.<sup>7</sup> Other marine mammal species, such as bowhead and beluga whales, showed a range of reactions to helicopter overflights, including diving, breaching, changing direction, and altering breathing patterns.<sup>8</sup> Such responses are not expected to result in biological consequences because any behavioral avoidance reactions would

<sup>1</sup> Bartol S.M. and J.A. Musick. 2003. Sensory biology of sea turtles. Pages 79-102 in Lutz, P.L., J.A. Musick, and J. Wyneken, eds. The biology of sea turtles, Volume 2. Boca Raton, Florida: CRC Press.

<sup>2</sup> Ketten D.R. and S.M. Bartol. 2006. Functional measures of sea turtle hearing. ONR Award Number N00014-02-1-0510 Arlington, VA: Office of Naval Research. Prepared by Woods Hole Oceanographic Institution, Woods Hole, Massachusetts.

<sup>3</sup> Lenhardt M.L. 2004. Seismic and very low frequency sound induced behaviors in captive loggerhead marine turtles (*Caretta caretta*). Pages 238-241 in Bjorndal, K.A., A.B. Bolten, D.A. Johnson, and P.J. Eliazar, eds. Proceedings of the Fourteenth Annual Symposium on Sea Turtle Biology and Conservation. NOAA Technical Memorandum NMFS-SEFSC-351.

<sup>4</sup> Ridgway S.H., E.G. Wever, J.G. McCormick, J. Palin, and J.H. Anderson. 1969. Hearing in the giant sea turtle, *Chelonia mydas*. Proceedings of the National Academy of Sciences of the United States of America 64:884-890.

<sup>5</sup> Moein Bartol S.M., J.A. Musick, and M.L. Lenhardt. 1999. Auditory evoked potentials of the loggerhead sea turtle (*Caretta caretta*). *Copeia* 1999(3): 836-840.

<sup>6</sup> Hazel J., I.R. Lawler, H. Marsh, and S. Robson. 2007. Vessel speed increases collision risk for the green turtle *Chelonia mydas*. *Endangered Species Research* 3: 105-113.

<sup>7</sup> Clarke R. 1956. Marking whales from a helicopter. *Norsk Hvalfangst-Tidende* 45(6): 311-318.

<sup>8</sup> Patenaude N.J., W.J. Richardson, M.A. Smultea, W.R. Koski, and G.W. Miller. 2002. Aircraft sound and disturbance to bowhead and beluga whales during spring in the Alaskan Bering Sea. *Marine Mammal Science* 18(2): 309-335.

be short-term, and helicopter overflights would not permanently displace animals or result in physical harm. Furthermore, the increased ability of Navy helicopters to potentially observe and avoid marine mammals from a significant distance, as well as participation in the North Atlantic right whale Early Warning System (EWS), where ships are alerted to the presence of North Atlantic right whales in a project area during the calving season with the aid of aerial surveys, are expected to help avoid potential low-altitude overflights by Navy helicopters; the Navy is a partner in the funding and implementation of the EWS. Green, loggerhead, and leatherback sea turtles could potentially exhibit these short-term responses while at sea during transit to nesting beaches; however, helicopter overflights are not likely to affect the overall nesting behaviors since overflights will occur intermittently and for only a few hours after dusk. Therefore, we do not expect natural behavioral patterns, including nesting, to be abandoned or significantly altered by the proposed activities.

The proposed SAR training includes small-vessel movements within the St. Johns River and Seminole Beach Study Areas. Vessel movements have the potential to affect sea turtles and marine mammals by directly striking or disturbing individual animals. SAR training generally involves one vessel operating in a Study Area per training event. Operations involving vessel movements occur intermittently and are variable in duration, usually lasting up to 4 hours. When supporting SAR training, vessels generally remain stationary or undergo occasional movements based on the need to alternate swimmers and survivors; therefore, it is likely that vessels will operate at the low end of their speed capability after reaching their position within a Study Area. While vessel traffic has the potential to strike a sea turtle or marine mammal, leading to injury or death, we believe the amount of vessel activity to be a discountable effect to sea turtles and marine mammals; based on an extremely conservative analysis of available information,<sup>9</sup> it would take more than 300-500 active vessels operating in an area to present a risk of a single strike of a sea turtle in a given year. Furthermore, with the presence of Navy helicopters in the area associated with SAR training, the likelihood of observing and avoiding sea turtles and marine mammals is increased. According to mitigation measures, should a sea turtle or marine mammal be observed within the helicopter flight path, or 500 feet on either side of the flight path, a SAR jump will not commence until the animal moves out of this area under its own volition. Additionally, mitigation measures specify that if a right whale is observed within the helicopter flight path, or 1,500 feet on either side of the flight path, a SAR jump will not commence until the animal moves out of this area under its own volition.

We conclude the effects of the proposed activities will be discountable or insignificant and concur with your determination that the proposed action may affect, but is not likely to adversely affect, the humpback and North Atlantic right whales, and green, hawksbill, Kemp's ridley, leatherback, and loggerhead sea turtles. We also conclude that the activity will have no effect on North Atlantic right whale critical habitat. This concludes your consultation responsibilities under the ESA for species under NMFS' purview. Consultation must be reinitiated if a take occurs or new information reveals effects of the action not previously considered, or the identified action is subsequently modified in a manner that causes an effect to the listed species

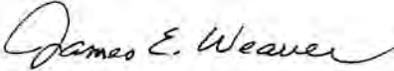
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<sup>9</sup> Barnette, M. NMFS Memorandum dated January 12, 2009, Threats and Effects Analysis for Protected Resources on Vessel Traffic Associated with Dock and Marina Construction. NMFS Southeast Regional Office, St. Petersburg, FL.

or critical habitat in a manner or to an extent not previously considered, or if a new species is listed or critical habitat designated that may be affected by the identified action.

We have enclosed additional information on other statutory requirements that may apply to this action, as well as NMFS' Public Consultation Tracking System to allow you to track the status of ESA consultations. If you have any questions, please contact Michael Barnette at (727) 551-5794 or by e-mail at michael.barnette@noaa.gov. Thank you for your continued cooperation in the conservation of listed species.

Sincerely,

  
for Roy E. Crabtree, Ph.D.  
Regional Administrator

Enclosure

File: 1514-22.g  
Ref: I/SER/2010/05441

**PCTS Access and Additional Considerations for ESA Section 7 Consultations  
(Revised 7-15-2009)**

**Public Consultation Tracking System (PCTS) Guidance:** PCTS is an online query system at <https://pcts.nmfs.noaa.gov/> that allows federal agencies and U.S. Army Corps of Engineers' (COE) permit applicants and their consultants to ascertain the status of NMFS' Endangered Species Act (ESA) and Essential Fish Habitat (EFH) consultations, conducted pursuant to ESA section 7, and Magnuson-Stevens Fishery Conservation and Management Act's (MSA) sections 305(b)2 and 305(b)(4), respectively. Federal agencies are required to enter an agency-specific username and password to query the Federal Agency Site. The COE "Permit Site" (no password needed) allows COE permit applicants and consultants to check on the current status of Clean Water Act section 404 permit actions for which NMFS has conducted, or is in the process of conducting, an ESA or EFH consultation with the COE.

For COE-permitted projects, click on "Enter Corps Permit Site." From the "Choose Agency Subdivision (Required)" list, pick the appropriate COE district. At "Enter Agency Permit Number" type in the COE district identifier, hyphen, year, hyphen, number. The COE is in the processing of converting its permit application database to PCTS-compatible "ORM." An example permit number is: SAJ-2005-000001234-IPS-1. For the Jacksonville District, which has already converted to ORM, permit application numbers should be entered as SAJ (hyphen), followed by 4-digit year (hyphen), followed by permit application numeric identifier with no preceding zeros. For example: SAJ-2005-123; SAJ-2005-1234; SAJ-2005-12345.

For inquiries regarding applications processed by COE districts that have not yet made the conversion to ORM (e.g., Mobile District), enter the 9-digit numeric identifier, or convert the existing COE-assigned application number to 9 numeric digits by deleting all letters, hyphens, and commas; converting the year to 4-digit format (e.g., -04 to 2004); and adding additional zeros in front of the numeric identifier to make a total of 9 numeric digits. For example: AL05-982-F converts to 200500982; MS05-04401-A converts to 200504401. PCTS questions should be directed to Eric Hawk at [Eric.Hawk@noaa.gov](mailto:Eric.Hawk@noaa.gov). Requests for username and password should be directed to [PCTS.Usersupport@noaa.gov](mailto:PCTS.Usersupport@noaa.gov).

**EFH Recommendations:** In addition to its protected species/critical habitat consultation requirements with NMFS' Protected Resources Division pursuant to section 7 of the ESA, prior to proceeding with the proposed action the action agency must also consult with NMFS' Habitat Conservation Division (HCD) pursuant to the MSA requirements for EFH consultation (16 U.S.C. 1855 (b)(2) and 50 CFR 600.905-930, subpart K). The action agency should also ensure that the applicant understands the ESA and EFH processes; that ESA and EFH consultations are separate, distinct, and guided by different statutes, goals, and time lines for responding to the action agency; and that the action agency will (and the applicant may) receive separate consultation correspondence on NMFS letterhead from HCD regarding their concerns and/or finalizing EFH consultation.

**Marine Mammal Protection Act (MMPA) Recommendations:** The ESA section 7 process does not authorize incidental takes of listed or non-listed marine mammals. If such takes may occur an incidental take authorization under MMPA section 101 (a)(5) is necessary. Please contact NMFS' Permits, Conservation, and Education Division at (301) 713-2322 for more information regarding MMPA permitting procedures.