

**DEPARTMENT OF DEFENSE
DEPARTMENT OF THE NAVY**

**SUPPLEMENT TO ENVIRONMENTAL ASSESSMENT AND FONSI FOR FLEET
SUPPORT AND INFRASTRUCTURE IMPROVEMENTS AT KEY WEST, FLORIDA**

Pursuant to Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508) implementing the procedural provisions of the National Environmental Policy Act, the Department of the Navy gives notice that the Navy has prepared a Supplement to the Environmental Assessment (EA) and that an Environmental Impact Statement is not required for Fleet support and infrastructure improvements at Naval Air Station, Key West, FL. Navy signed a Finding of No Significant Impact (FONSI) on 14 April 2003, published a Notice of Availability of the EA on 19 April 2003, and signed an addendum to the FONSI on 23 April 2003.

The Navy has since identified a need to modify certain aspects of the project and has therefore prepared a Supplement to the EA. Project modifications and proposed actions are limited to the selection of new dredge material placement alternatives for the dredging of the Federal Channel and Truman Harbor. These modifications do not affect the remaining actions/projects proposed in April 2003 EA and subsequent FONSI and Addendum. The requirement to modify the project is based on the fact that the initial proposed dredge material placement site (Rockland Key) no longer meets the originally understood engineering and design capabilities. The Army Corps of Engineers (ACOE) through industry comments on the various proposals obtained this new information. The type and availability of equipment required made the Rockland Key alternative potentially not possible, from an engineering perspective, and if possible not economically feasible. As a result of this discovery, we learned through the Environmental Protection Agency (EPA) and ACOE permitting personnel that a one time ocean disposal authorization and permit may be viable.

This Supplement evaluates the impacts based on the purpose and need of selecting new dredge material placement alternatives for the dredge project described in the April 2003 EA. Alternatives considered included:

1. All material placed at an upland location on Fleming Key.
2. All material placed at a one time Ocean Dredge Material Disposal Site (ODMDS) near Key West.
3. Split disposal, with non-exempt material (silt and fines) being placed upland on Fleming Key and exempt material (rock and sand) being placed at the one time ODMDS.
4. All material at the upland and beneficial use site at Rockland Key.
5. No Action Alternative

After fully analyzing the impacts of both alternatives 1 and 3, Navy determines that neither alternative (one or three) would have a significant impact on the quality of the human and natural environment. Therefore, both alternatives are available for contracting actions through the ACOE, Jacksonville District.

The proposed one time ODMDS is located approximately 13 nautical miles from Key West and will be approximately a 0.25 square nautical mile area. The location and requirements for the proposed ODMDS will be in compliance with the Federal permit as described below.

The Navy has completed further investigations in conjunction with the ACOE into the estimated dredge material that will be required for placement since the April 2003 EA. Additional data shows that the total material that will require placement is approximately 850,000 cubic yards, with a minimum of approximately 200,000 cubic yards that could be placed on Fleming Key, the remaining material could be placed at the ODMDS (only EPA exempt material would be authorized for ocean placement).

The Navy was issued a Florida Department of Environmental Protection (FDEP) Water Quality Certification (WQC) Permit/Authorization No. 0207625-001-EI on June 17, 2003 for the project as described in the April 2003 EA. The state of Florida concurred in their WQC that the Navy's proposed action is consistent to the maximum extent practicable with a federally approved and enforceable state coastal zone management plan. A request for modification to the WQC was submitted to FDEP on June 24, 2003 addressing the modifications described in the Supplemental EA. This FONSI acknowledges that the Navy will abide by the legal and enforceable conditions contained within the final permit.

The Navy has applied for a Federal Permit (Application # 200300203 IP-PK) addressing the actions described in the Supplemental EA. A Public Notice for this application was issued by the ACOE on June 13, 2003. The Federal permit application is pursuant to Section 10 of the Rivers and Harbors Act, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection, Research, and Sanctuaries Act. This FONSI acknowledges that the Navy will abide by the legal and enforceable conditions contained within the final permit.

The Navy through ACOE permitting process has determined that this project is not likely to adversely affect listed endangered/threatened species. The National Marine Fisheries Service (NMFS) has concurred with this determination in their March 28, 2003 letter to ACOE. The concurrence letter stated that any take of sea turtles resulting from the operation of hopper dredges by the ACOE South Atlantic Division is covered under the Incidental Take Statement of the 1997 biological opinion. The United States Fish and Wildlife Service (USFWS) has informally indicated their agreement that this project is not likely to adversely affect listed endangered/threatened species. ACOE awaits USFWS written concurrence.


The Navy initiated Essential Fish Habitat (EFH) consultation per the Magnuson-Stevens Fishery Conservation and Management Act. The Navy determined that both alternative one and three would have no adverse impacts on EFH and Federally managed fisheries. The NMFS has provided EFH Conservation Recommendations in a letter to the ACOE dated July 9, 2003. The Navy is currently evaluating the recommendations and will provide comments prior to the 30-day required response time.

Concurrence from EPA to place dredge material in the one time ODMDS is required and the Navy will comply with EPA ocean placement criteria. Special conditions of the Federal Permit may include applicable requirements of the resource agencies including but not limited to the Florida Keys National Marine Sanctuary (FKNMS), NMFS, and EPA. This FONSI acknowledges that the Navy will abide by the legal and enforceable conditions contained within the final permit.

National Historic Preservation Act, Section 106 determinations will be completed as part of the permitting process for both the proposed ODMDS as well as for the proposed upland site at Fleming Key. The Navy is currently completing a literature review for the proposed open ocean location and as well as assessing the potential effects on the historical structures (Bunker F-26 series) on Fleming Key. The Navy will complete Section 106 determinations with the State Historic Preservation Officer (SHPO) prior to the dredge project mobilization.

The EA, FONSI, FONSI Addendum, EA Supplement and FONSI addressing the proposed action may be obtained from: Commanding Officer, Southern Division, Naval Facilities Engineering Command, P.O. Box 190010, North Charleston, SC 29419-9010 (Attn: Mr. Will Sloger, Code ES12), telephone (843) 820-5797, FAX (843) 820-7472.

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Date


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