



United States Department of the Interior

FISH AND WILDLIFE SERVICE
South Florida Ecological Services Office
P.O. Box 2676
Vero Beach, Florida 32961-2676



May 5, 2000

Dianne S. Griffin
Jacksonville District Corps of Engineers
P.O. Box 4970
Jacksonville, Florida 32232-0019

Log No.: 4-1-00-I-497
Application No.: 200000380 (IP-DSG)
Dated: March 22, 2000
Applicant: Town of Palm Beach.
County: Palm Beach County

Dear Ms. Griffin:

The Fish and Wildlife Service (Service) has reviewed the public notice for the application referenced above. This letter represents the Service's view on the effects of this proposed action in accordance with section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (ESA), and with the provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*).

PROJECT DESCRIPTION

The applicant is proposing to restore and stabilize approximately 10,032 feet (1.9 miles) of beach shoreline along Phipps Ocean Park Beach. Approximately 1.5 million cubic yards of sand will be used to provide a berm height of +9 feet NGVD with a design profile consisting of a 1:10 (V:H) foreshore slope. The beach fill design profile includes a berm width of approximately 110 feet to 330 feet. The dry beach width, extending from the berm to the mean high water line would be approximately 180 feet to 400 feet. The toe of fill extends approximately 430 feet to 570 feet offshore. According to the public notice the area of impact at the fill site will be approximately 78 acres of marine intertidal, unconsolidated shore and nearshore hardbottom.

On April 21, 2000, we received additional information including hard bottom mapping dated March 17, 2000, revised permit sketches and a draft mitigation reef plan. We understand that you have also received these documents. According to the submittal of April 21, 2000, the applicant will mitigate for 5.04 acres of impacts to the nearshore hardbottom by constructing 2.19 acres of artificial reef constructed of stacked limestone boulders.

The public notice states that the project is needed to provide storm protection and control erosion threatening a recreational beach. The project site is located in the Atlantic Ocean from monument R-116 to R-1236 in sections 11, 14, and 23, Township 44S, Range 43E, Palm Beach County, Florida.

THREATENED AND ENDANGERED SPECIES

The Army Corps of Engineers (Corps) determined that the proposed work is not likely to adversely affect the federally endangered West Indian Manatee (*Trichechus manatus*) provided the applicant abides by the Standard Manatee Construction Precautions. Based on the location of the project and the nature of the work, the Service concurs with this determination. This written concurrence fulfills the requirements of section 7 of the ESA for this species, and no further action is required. If modifications are made to the project, if additional information involving potential effects to listed species becomes available, if a new species is listed, or if designated critical habitat may be adversely affected by the project, reinitiation of consultation may be necessary.

The Corps also determined the proposed project is not likely to adversely affect marine sea turtles. Based upon the information provided, the Service has not received all of the information necessary to initiate formal consultation as outlined in the regulations governing interagency consultations (50 CFR §402.14). To complete the initiation package, we will require the following information:

- 1) A description of any listed species that may be affected by the action;
- 2) A description of the manner in which the action may affect any listed species or critical habitat and an analysis of any cumulative effects;
- 3) Relevant reports including any environmental impact statements, environmental assessments, biological assessments or other analyses prepared on the proposal and;
- 4) Any other relevant studies or other information available on the action, the affected listed species or critical habitat.

The formal consultation process for the project will not begin until we receive all of the information or a statement explaining why that information cannot be made available. We will notify you when we receive this additional information; our notification letter will also outline the dates within which formal consultation should be complete and the biological opinion delivered on the proposed action.

FISH AND WILDLIFE RESOURCES

Nearshore hardbottom reef is essential for epifaunal organisms including corals, molluscs, echinoderms, algae, worms, and arthropods which flourish on the stationary foothold it

Literature Cited

U.S. Fish and Wildlife Service 1999. Multi-Species Recovery Plan. Atlanta, Georgia