



August 18, 2016

Department of Environmental Protection
Re: Joint Coastal Permit (File No. 0333315-001-JC) USACE RAI#2 Response
Via email to Gregory.Garis@dep.state.fl.us

Dear Mr. Garis,

We write on behalf of Siesta Key Association of Sarasota, Inc., a civic organization representing residents of Siesta Key (unincorporated Sarasota County) and Bay Island (City of Sarasota). Our residents continue to express concerns regarding potential adverse impact of this Permit Application and Project in its current design.

Our following comments reference the US Army Corps of Engineers' (USACE) response to FDEP RAI#2, submitted on August 1, 2016. We believe this USACE response to be inadequate and incomplete. We suggest FDEP consider responses to this Application which would ensure a 'Best Practices'¹ and Value Engineering design for this Outstanding Florida Waterway of Sarasota Bay Estuary. Based upon the Applicant's response, we suggest the FDEP consider 1) rejecting the Application, 2) request additional information in a new RAI#3 or, 3) request an EIS prior to any Permit issuance.

Our concerns and objections are:

1. **The project has increased the volume of the proposed beach sand placement without justification or updated modeling.** The Project description in RAI #2 Response Attachment 5 (pdf page 2) states the plan is to place 950,000 cubic yards of sand onto 1.6 miles of Lido Key Beach. However, the RAI #1 Response Attachment 5 (pdf page 2) states the plan is to place 775,000 cubic yards. No explanation is provided as to why there is a 175,000 (23%) cubic yard increase in the proposed sand placement nor is any justification provided for this dramatic increase in sand placement (and associated sand dredged). This evolving design should also raise questions and perhaps invalidate the previous modeling, which appears to be on a different and much smaller basis.
2. **The sea grass mitigation site is too distant and not of similar characteristics; it should be rejected.** The proposed sea grass mitigation RAI #2 Response Attachment #37-1 is over 15 miles away from the proposed dredge site and relies only on the assertion that the dredge site and the mitigation sites are part of the "Sarasota Bay watershed" (Attachment #37-1, page 5). No analysis is made of how this proposed site can possibly mitigate **local** impacts of the dredging on local sea grass and the fauna that rely on it, e.g., manatee, spotted eagle rays, sea turtles. The Attachment 37-1, Appendix A, Part I (pdf page 16) lists only keyhole sand dollars as being

¹ BEST MANAGEMENT PRACTICES FOR SHORELINE STABILIZATION TO AVOID AND MINIMIZE ADVERSE ENVIRONMENTAL IMPACTS, Prepared for the USFWS, Panama City Ecological Services Field Office (2009)
<https://www.fws.gov/charleston/pdf/PIPL/BMPs%20For%20Shoreline%20Stabilization%20To%20Avoid%20And%20Minimize%20Adverse%20Environmental%20Impacts.pdf>

present in the disturbed sea grass. This is a result of a two-year old, single sample survey and likely is **not representative** of current and year average conditions. Part 1 (pdf page 18) describes the proposed mitigation site at Perico Preserve as shallow, former fallow farmland. It is not credible to conclude that sea grass in the mitigation site will somehow offset the impact to manatee, spotted eagle rays, sea turtles to the 1.68 acre loss of sea grass in the proposed dredge site of Big Sarasota Pass.²

The Uniform Mitigation Assessment Method analysis relied upon should be rejected due to its use in comparing such dissimilar sites. Per 62-345.200 Definitions (1): “Assessment area” means all or part of a wetland or surface water impact site, or a mitigation site, that is **sufficiently homogeneous in character**, impact, or mitigation benefits to be assessed as a single unit. Trying to compare Big Pass to a distant, newly man-made (2015) created salt marsh fails this test even if they are reported to be part of the very diverse “...Sarasota Bay watershed”³ (emphasis added).

The September, 2014 benthic resource investigation (which is not included in the FDEP list of permit documents) normally focuses on bottom dwelling algae and invertebrates and would not be expected to identify marine species (manatee, spotted eagle rays, sea turtles) that rely on the sea grasses. We request that the project be required to assess and mitigate the local loss of sea grass to these species in a mitigation site that is similar in character and location. We request that Sarasota County Natural Resources staff and Mote Marine be contacted to offer a relevant opinion of mitigation sites similar in character to the sea grass sites in Big Sarasota Pass.

3. **No modeling is provided of projected turbidity increase within Siesta Key adjacent waters as the result of dredging and inadequate monitoring is proposed.** The project description in Attachment 5 (pdf page 2) lists plans to place 950,000 cubic yards of sand on Lido Beach but the RAI #2 Response to question 5 (and Attachment 5 (pdf page 4)) lists plans to remove/dredge 1,199,000 cubic yards and indicates the difference of 249,000 cubic yards (20%) is lost between the dredging location and the placement location.

No modeling is provided as to where this lost sand slurry will be deposited nor the impacts of this large volume of sand on turbidity of nearby beaches, swim areas or sea floor. These areas will likely contain threatened and or endangered flora and fauna, e.g., sea grass and manatee. We request a study, by modeling, of this currently unknown impact caused by this lost sand

² Paradoxically, sea grass mitigation of 2.5 acres will be harvested from existing sea grass currently within Perico Bayou (RAI#2 attachment 37-1 pg 5) and transplanted to the mitigation site. How is transplanting a net add of sea grass?

³ Undisclosed personal communication from Edwards with no scientific basis of comparability of the two sites provided. RAI#2 Response- Attachment #37-1 pg 5

before an arbitrary judgment is made that there is a Finding of No Significant Impact. After-the-fact monitoring and compliance with FDEP turbidity standards as proposed are only reactive. Alternative dredging technology is likely available. This could be more targeted with smaller volume placement resulting in a reduction for net loss of sand. Another alternative, inland mined sand delivered by truck, should have little to no impact on the nearby waters and associated sea floor.

The proposed Water Quality Monitoring Plan (attachment 34) for turbidity monitoring during dredging should be expanded to include the northern and mid beaches of Siesta Key⁴. This expanded monitoring should include a linear extension of base line survey and the monitoring plan to determine turbidity degradation during dredging. It should include the beaches of Siesta Key from R-45 at the north end (to well past R-55) to Point of Rocks. The focus should not just be the impact on sea grasses but also assess and control impact on the public use and enjoyment of the crystal-clear water of the 2011 number 1 beach in the US. In all advertising representing Florida beaches and in particular, Siesta Key, water clarity is a prominent promise and a priority for tourists.

4. **RAI#2 Comment 20 response - new access point via South Lido Park and Proposed Mitigation needs local approval which is unlikely.** The plan proposes to utilize portions of Sarasota County Ted Sperling South Lido Park. The plan describes utilizing large sections of the parking lot and dune trail to access the groin construction site, destroying then replacing up to 3130 square feet of naturally accreting dune area. This is land owned by Sarasota County and its use requires formal approval. This action also is likely to require FDEP and County permissions to destroy dunes and for driving any equipment onto the beach. The project should be required to produce a Sarasota County agreement for use of the public parking lot, dune trail and beach access (which is problematic).

5. **The project should restore protections for Ted Sperling South Lido Park by establishing an Adaptive Management Plan.** Costs and permits for a third groin were eliminated during USACE project evolution based on modeling which indicated it might not be needed. While the modeling may be correct, the design of the third groin and all required permits (FDEP and Sarasota County lease) and funding should be approved **now** and included as part of an Adaptive Management Plan. USACE proposes ongoing monitoring of Ted Sperling Park shoreline. However, if post project monitoring detects shoreline impacts to the Park, mitigation funding

⁴ The proposed monitoring is only to monitor turbidity 150 meter upstream and downstream of the dredging site; this is inadequate to protect the beaches of Siesta Key

and Permitting would not be available in a timely basis without an Adaptive Management Plan developed now, approved and in place.

During a March 23, 2016 presentation to the Sarasota County Board of County Commissioners of the Atkins Report, Commissioners expressed concern there was no committed contingency plan should the beach erosion at Ted Sperling Park be worse than projects expects. During that meeting the City of Sarasota Engineer said an Adaptive Management Plan would be developed. An example of an Adaptive Management Plan was suggested by Atkins and is reflected within the approved plan for the Stump Pass project⁵. Charlotte County committed to an Adaptive Management Plan for that project⁶. Sarasota County deserves nothing less and should not be left in a precarious position should this proposed project be approved and later finding an unpermitted and unfunded third groin is needed to protect Ted Sperling Park.

The Sarasota County's Board of County Commissioners concerns should be respected and the City of Sarasota required to honor its commitment for an Adaptive Management Plan acceptable to Sarasota County before this current Project Permit is issued by FDEP.

Please consider our comments and provide a response to us prior to completion of the permit review process. Should you conclude a RAI#3 is not needed, we wish to remind you of our previous timely communicated concerns:

- Big Sarasota Pass has not previously been dredged and this proposed dredging should be considered experimental. We also have concerns whether dredging Big Sarasota Pass for up drift beach renourishment is consistent with existing State regulations⁷. The requested permit, if approved, should only be for one time and not for 15 years. Following the post dredging monitoring (committed to by the applicant), FDEP approval for any future dredging should be by a separate, new permit that can benefit from the results of this monitoring. It would also be inappropriate to consider dredging of this site for other beach re-nourishment projects until that data is available.
- The alternative sand source studies failed to consider other sources including trucked sand as they were deemed by the USACE not (economically) feasible. The USACE should disclose their

⁵ FDEP Permit 0194790-017-JC

⁶ Attachment 23C, page 6 <https://www.charlottecountyfl.gov/projects/Project%20Documents/StumpPass-QMMPlanAtt23C.pdf>

⁷ This plan may not be consistent with Rule 62B-441.005(5) of the Florida Administrative Code. This stipulates structures such as groins which interfere with natural alongshore movement of sediments shall not be allowed unless a net positive benefit to the coastal system can be reasonably expected to occur.

economic studies and document the full cost of dredging Big Sarasota Pass including mitigation costs and the reduction in sand volume proposed versus other alternatives.

- The use of pier-type permeable adjustable groins (PAG) was not considered by the USACE despite RAI#1 comment 5, part iii. This design alternative was approved by the FDEP for use on the adjacent Longboat Key⁸ and has been very successful. The **arbitrary** exclusion of this alternative should be readdressed by FDEP and USACE required to evaluate PAG's (with comparable design and modeling) as an alternative to the proposed groin structures. Similarly, the alternative of removing the existing rock groin just north of the proposed groins was not studied. It is clear that down drift scalloping of the existing groin (which is ironically used to model the scalloping of the proposed two new groins) is likely responsible for some of the beach loss driving this project.
- The modeling of beach erosion post the construction of the proposed rock groins forecasts that, while initially buried, after one year they will be substantially exposed along the water line. They would then impede public enjoyment of a 'sunset walk along the beach' and create an obtrusive appearance on the open beach profile. The USACE should be required to provide an artist's rendition of the groin appearance from the perspective of a beach walker in the years following construction. This would allow FDEP and the local beach users to judge their impact versus an alternative Permeable Adjustable Groins (PAGs) currently on Longboat Key.

Respectfully submitted on behalf of the Board of Directors,

Catherine E Luckner, 2nd Vice President and Environmental Chair

Robert Stein, 1st Vice President

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⁸ FDEP Permit Number 0255697-002-JC