
A

Correspondence

This page intentionally left blank.



United States Department of the Interior

FISH AND WILDLIFE SERVICE

P.O. BOX 2676

VERO BEACH, FLORIDA 32961-2676

RECEIVED

MAY 26 1998

May 21, 1998

Douglas W. Heatwole, Project Manager
Ecology and Environment, Inc.
316 South Baylen Street
Pensacola, FL 32501

FWS Log No.: 4-1-98-I-444

Project: Environmental Assessment for the
disposal of U.S. Navy property

County: Monroe

Dear Mr. Heatwole:

Thank you for your letter regarding the proposed disposal and reuse of the Truman Waterfront property located at Key West Naval Air Station, Monroe County, Florida. According to your letter, your firm is preparing an Environmental Assessment of the proposed action (*i.e.*, disposal and reuse of the property). The U.S. Fish and Wildlife Service (FWS) has reviewed your information and submits this letter 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 National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*). We have assigned FWS Log Number 4-1-98-I-444 to this consultation.

The information contained within your letter indicates that the property in question is a 44.9-acre tract consisting of a pier with breakwater and wharf, several buildings, and associated operational infrastructure. The proposed redevelopment plan for reusing the property includes a combination of commercial activities, residential housing opportunities, preserving onsite historic features, and providing recreational and educational amenities. In your letter, you specifically requested a listing of threatened and endangered species on Key West as well as locational information on federally-listed species that could be potentially affected by the proposed action.

The FWS has reviewed your information as well as information available to us on the presence of threatened or endangered species and designated critical habitat in the vicinity of the project site. Based on this review, we find no evidence of federally-listed species either on or near the project site. Thus, the FWS concludes that the proposed action is not likely to affect threatened and endangered species. There is no designated critical habitat present in the vicinity of the project site; therefore, none shall be affected. The above determinations have not been verified by a site inspection.

Although this does not constitute a Biological Opinion described under section 7 of the ESA, it does fulfill the requirements of the ESA, and no further action is required. If changes are made to the proposed action or if additional information involving potential effects on listed species becomes available, reinitiation of consultation may be necessary. Since our findings do not include state-listed species, the Florida Game and Fresh Water Fish Commission should be contacted to identify those species potentially present in the vicinity.

We are providing you with a list of species that we would be considering during our review of the final Environmental Assessment of the proposed action. This list represents species that the FWS is required to protect and conserve under other authorities, such as the Fish and Wildlife Coordination Act (16 U.S.C. 661 *et seq.*) and the Migratory Bird Treaty Act (16 U.S.C. 701 *et seq.*). We are providing this list as technical assistance only.

Thank you for the opportunity to provide these comments on threatened and endangered species and their designated critical habitats. If you have any questions regarding these comments, please contact Kalani Cairns of our office at (561) 562-3909.

Sincerely,



James J. Slack
Project Leader
South Florida Field Office

cc:
GFC, Marathon, FL

MIGRATORY BIRDS OCCURRING IN SOUTH FLORIDA

ORDER GAVIIFORMES

FAMILY GAVIIDAE

- Gavia stellata*, Red-throated Loon
- Gavia immer*, Common Loon
- Gavia pacifica*, Pacific Loon

ORDER PODICIPEDIFORMES

FAMILY PODICIPEDIDAE

- Tachybaptus dominicus*, Least Grebe
- Podilymbus podiceps*, Pied-billed Grebe
- Podiceps auritus*, Horned Grebe
- Podiceps nigricollis*, Eared Grebe

ORDER PROCELLARIIFORMES

FAMILY PROCELLARIIDAE

- Calonectris diomedea*, Cory's Shearwater
- Puffinus gravis*, Greater Shearwater
- Puffinus griseus*, Sooty Shearwater
- Puffinus puffinus*, Manx Shearwater
- Puffinus lherminieri*, Audubon's Shearwater

FAMILY HYDROBATIDAE

- Oceanites oceanicus*, Wilson's Storm-Petrel
- Oceanodroma leucorhoa*, Leach's Storm-Petrel
- Oceanodroma castro*, Band-rumped Storm-Petrel

ORDER PELECANIFORMES

FAMILY PHAETHONTIDAE

- Phaethon lepturus*, White-tailed Tropicbird
- Phaethon aethereus*, Red-billed Tropicbird

FAMILY SULIDAE

- Sula dactylatra*, Masked Booby
- Sula leucogaster*, Brown Booby
- Sula sula*, Red-footed Booby
- Sula bassanus*, Northern Gannet

FAMILY PELECANIDAE

- Pelecanus erythrorhynchos*, American White Pelican
- Pelecanus occidentalis*, Brown Pelican

FAMILY PHALACROCORACIDAE

- Phalacrocorax carbo*, Great Cormorant
- Phalacrocorax auritus*, Double-crested Cormorant

FAMILY ANHINGIDAE

- Anhinga anhinga*, Anhinga

FAMILY FREGATIDAE

- Fregata magnificens*, Magnificent Frigatebird

ORDER CICONIIFORMES

FAMILY ARDEIDAE

- Botaurus lentiginosus*, American Bittern
- Ixobrychus exilis*, Least Bittern
- Ardea herodias*, Great Blue Heron
- Casmerodius albus*, Great Egret
- Egretta thula*, Snowy Egret

- Egretta caerulea*, Little Blue Heron
- Egretta tricolor*, Tricolored Heron
- Egretta rufescens*, Reddish Egret
- Bubulcus ibis*, Cattle Egret
- Butorides striatus*, Green-backed Heron
- Nycticorax nycticorax*, Black-crowned Night Heron
- Nycticorax violaceus*, Yellow-crowned Night Heron

FAMILY THRESKIORNITHIDAE

- Eudocimus albus*, White Ibis
- Eudocimus ruber*, Scarlet Ibis
- Plegadis falcinellus*, Glossy Ibis
- Plegadis chihi*, White-faced Ibis
- Ajaia ajaja*, Roseate Spoonbill

FAMILY CICONIIDAE

- Mycteria americana*, Wood Stork

ORDER PHOENICOPTERIFORMES

FAMILY PHOENICOPTERIDAE

- Phoenicopterus ruber*, Greater Flamingo

ORDER ANSERIFORMES

FAMILY ANATIDAE

- Dendrocygna bicolor*, Fulvous Whistling-Duck
- Dendrocygna autumnalis*, Black-bellied Whistling-Duck
- Anser albifrons*, Greater White-fronted Goose
- Chen caerulescens*, Snow Goose
- Branta bernicla*, Brant
- Branta canadensis*, Canada Goose
- Aix sponsa*, Wood Duck
- Anas crecca*, Green-winged Teal
- Anas rubripes*, American Black Duck
- Anas fulvigula*, Mottled Duck
- Anas platyrhynchos*, Mallard
- Anas bahamensis*, White-cheeked Pintail
- Anas acuta*, Northern Pintail
- Anas discors*, Blue-winged Teal
- Anas cyanoptera*, Cinnamon Teal
- Anas clypeata*, Northern Shoveler
- Anas strepera*, Gadwall
- Anas penelope*, Eurasian Wigeon
- Anas americana*, American Wigeon
- Aythya valisineria*, Canvasback
- Aythya americana*, Redhead
- Aythya collaris*, Ring-necked Duck
- Aythya marila*, Greater Scaup
- Aythya affinis*, Lesser Scaup
- Somateria mollissima*, Common Eider
- Somateria spectabilis*, King Eider
- Histrionicus histrionicus*, Harlequin Duck
- Clangula hyemalis*, Oldsquaw
- Melanitta nigra*, Black Scoter
- Melanitta perspicillata*, Surf Scoter
- Melanitta fusca*, White-winged Scoter
- Bucephala clangula*, Common Goldeneye

Bucephala albeola, Bufflehead
Lophodytes cucullatus, Hooded Merganser
Mergus merganser, Common Merganser
Mergus serrator, Red-breasted Merganser
Oxyura jamaicensis, Ruddy Duck
Oxyura dominica, Masked Duck

ORDER FALCONIFORMES

FAMILY CATHARTIDAE

Coragyps atratus, Black Vulture
Cathartes aura, Turkey Vulture

FAMILY ACCIPITRIDAE

Pandion haliaetus, Osprey
Elanoides forficatus, American Swallow-tailed Kite
Elanus caeruleus, Black-shouldered Kite
Rhostrhamus sociabilis, Snail Kite
Ictinia mississippiensis, Mississippi Kite
Haliaeetus leucocephalus, Bald Eagle
Circus cyaneus, Northern Harrier
Accipiter striatus, Sharp-shinned Hawk
Accipiter cooperii, Cooper's Hawk
Buteo lineatus, Red-shouldered Hawk
Buteo platypterus, Broad-winged Hawk
Buteo brachyurus, Short-tailed Hawk
Buteo swainsoni, Swainson's Hawk
Buteo jamaicensis, Red-tailed Hawk

FAMILY FALCONIDAE

Polyborus plancus, Crested Caracara
Falco sparverius, American Kestrel
Falco columbarius, Merlin
Falco peregrinus, Peregrine Falcon

ORDER GRUIFORMES

FAMILY RALLIDAE

Coturnicops noveboracensis, Yellow Rail
Literallus jamaicensis, Black Rail
Rallus longirostris, Clapper Rail
Rallus elegans, King Rail
Rallus limicola, Virginia Rail
Porzana carolina, Sora
Porphyryla martinica, Purple Gallinule
Gallinula chloropus, Common Moorhen
Fulica americana, American Coot

FAMILY ARAMIDAE

Aramus guarauna, Limpkin

FAMILY GRUIDAE

Grus canadensis, Sandhill Crane

ORDER CHARADRIIFORMES

FAMILY CHARADRIIDAE

Pluvialis squatarola, Black-bellied Plover
Pluvialis dominica, Lesser Golden-Plover
Charadrius alexandrinus, Snowy Plover
Charadrius wilsonia, Wilson's Plover
Charadrius semipalmatus, Semipalmated Plover

Charadrius melodus, Piping Plover
Charadrius vociferus, Killdeer
Charadrius montanus, Mountain Plover

FAMILY HAEMATOPODIDAE

Haematopus palliatus, American Oystercatcher

FAMILY RECURVIROSTRIDAE

Himantopus mexicanus, Black-necked Stilt
Recurvirostra americana, American Avocet

FAMILY SCOLOPACIIDAE

Tringa melanoleuca, Greater Yellowlegs
Tringa flavipes, Lesser Yellowlegs
Tringa solitaria, Solitary Sandpiper
Catoptrophorus semipalmatus, Willet
Actitis macularia, Spotted Sandpiper
Bartramia longicauda, Upland Sandpiper
Numenius phaeopus, Whimbrel
Numenius americanus, Long-billed Curlew
Limosa limosa, Black-tailed Godwit
Limosa haemastica, Hudsonian Godwit
Limosa fedoa, Marbled Godwit
Arenaria interpres, Ruddy Turnstone
Aphriza virgata, Surfbird
Calidris canutus, Red Knot
Calidris alba, Sanderling
Calidris pusilla, Semipalmated Sandpiper
Calidris mauri, Western Sandpiper
Calidris minutilla, Least Sandpiper
Calidris fuscicollis, White-rumped Sandpiper
Calidris bairdii, Baird's Sandpiper
Calidris melanotos, Pectoral Sandpiper
Calidris acuminata, Sharp-tailed Sandpiper
Calidris maritima, Purple Sandpiper
Calidris alpina, Dunlin
Calidris ferruginea, Curlew Sandpiper
Calidris himantopus, Stilt Sandpiper
Tryngites subruficollis, Buff-breasted Sandpiper
Philomachus pugnax, Ruff
Limnodromus griseus, Short-billed Dowitcher
Limnodromus scolopaceus, Long-billed Dowitcher
Gallinago gallinago, Common Snipe
Scolopax minor, American Woodcock
Phalaropus tricolor, Wilson's Phalarope
Phalaropus lobatus, Red-necked Phalarope
Phalaropus fulicaria, Red Phalarope

FAMILY LARIDAE

Stercorarius pomarinus, Pomarine Jaeger
Stercorarius parasiticus, Parasitic Jaeger
Stercorarius longicaudus, Long-tailed Jaeger
Larus atricilla, Laughing Gull
Larus pipixcan, Franklin's Gull
Larus minutus, Little Gull
Larus ridibundus, Common Black-headed Gull
Larus philadelphia, Bonaparte's Gull
Larus delawarensis, Ring-billed Gull
Larus argentatus, Herring Gull

Larus thayeri, Thayer's Gull
Larus fuscus, Lesser Black-backed Gull
Larus hyperboreus, Glaucous Gull
Larus marinus, Great Black-backed Gull
Rissa tridactyla, Black-legged Kittiwake
Xema sabini, Sabine's Gull
Sterna nilotica, Gull-billed Tern
Sterna caspia, Caspian Tern
Sterna maxima, Royal Tern
Sterna sandvicensis, Sandwich Tern
Sterna dougallii, Roseate Tern
Sterna hirundo, Common Tern
Sterna paradisaea, Arctic Tern
Sterna forsteri, Forster's Tern
Sterna antillarum, Least Tern
Sterna anaethetus, Bridled Tern
Sterna fuscata, Sooty Tern
Chlidonias niger, Black Tern
Anous stolidus, Brown Noddy
Anous minutus, Black Noddy
Rynchops niger, Black Skimmer

FAMILY ALCIDAE

Alle alle, Dovekie
Alca torda, Razorbill

ORDER COLUMBIFORMES

FAMILY COLUMBIDAE

Columba squamosa, Scaly-naped Pigeon
Columba leucocephala, White-crowned Pigeon
Columba fasciata, Band-tailed Pigeon
Zenaida asiatica, White-winged Dove
Zenaida aurita, Zenaida Dove
Zenaida macroura, Mourning Dove
Columbina passerina, Common Ground-Dove
Geotrygon chrysis, Key West Quail-Dove
Geotrygon montana, Ruddy Quail-Dove

ORDER CUCULIFORMES

FAMILY CUCULIDAE

Coccyzus erythrophthalmus, Black-billed Cuckoo
Coccyzus americanus, Yellow-billed Cuckoo
Coccyzus minor, Mangrove Cuckoo
Crotophaga ani, Smooth-billed Ani
Crotophaga sulcirostris, Groove-billed Ani

ORDER STRIGIFORMES

FAMILY TYTONIDAE

Tyto alba, Common Barn-Owl

FAMILY STRIGIDAE

Otus asio, Eastern Screech-Owl
Bubo virginianus, Great Horned Owl
Athene cunicularia, Burrowing Owl
Strix varia, Barred Owl
Asio otus, Long-eared Owl
Asio flammeus, Short-eared Owl

Aegolius acadicus, Northern Saw-whet Owl

ORDER CAPRIMULGIFORMES

FAMILY CAPRIMULGIDAE

Chordeiles acutipennis, Lesser Nighthawk
Chordeiles minor, Common Nighthawk
Chordeiles gundlachii, Antillean Nighthawk
Caprimulgus carolinensis, Chuck-will's-widow
Caprimulgus vociferus, Whip-poor-will

ORDER APODIFORMES

FAMILY APODIDAE

Chaetura pelagica, Chimney Swift
Tachornis phoenicobia, Antillean Palm Swift

FAMILY TROCHILIDAE

Amazilia yucatenensis, Buff-bellied Hummingbird
Calliphlox evelynae, Bahama Woodstar
Archilochus colubris, Ruby-throated Hummingbird
Archilochus alexandri, Black-chinned Hummingbird
Selasphorus rufus, Rufous Hummingbird

ORDER CORACIIFORMES

FAMILY ALCEDINIDAE

Ceryle alcyon, Belted Kingfisher

ORDER PICIFORMES

FAMILY PICIDAE

Melanerpes erythrocephalus, Red-headed Woodpecker
Melanerpes carolinus, Red-bellied Woodpecker
Sphyrapicus varius, Yellow-bellied Sapsucker
Picoides pubescens, Downy woodpecker
Picoides villosus, Hairy woodpecker
Picoides borealis, Red-cockaded woodpecker
Colaptes auratus, Northern Flicker
Dryocopus pileatus, Pileated Woodpecker
Campephilus principalis, Ivory-billed Woodpecker

ORDER PASSERIFORMES

FAMILY TYRANNIDAE

Contopus borealis, Olive-sided flycatcher
Contopus virens, Eastern Wood-Pewee
Empidonax flaviventris, Yellow-bellied Flycatcher
Empidonax virescens, Acadian Flycatcher
Empidonax alnorum, Alder Flycatcher
Empidonax traillii, Willow Flycatcher
Empidonax minimus, Least Flycatcher
Sayornis nigricans, Black Phoebe
Sayornis phoebe, Eastern Phoebe
Sayornis saya, Say's Phoebe
Pyrocephalus rubinus, Vermilion Flycatcher
Myiarchus cinerascens, Ash-throated Flycatcher
Myiarchus crinitus, Great Crested Flycatcher
Myiarchus tyrannulus, Brown-crested Flycatcher
Tyrannus vociferans, Cassin's Kingbird
Tyrannus verticalis, Western Kingbird
Tyrannus tyrannus, Eastern Kingbird

Tyrannus dominicensis, Gray Kingbird
Tyrannus caudifasciatus, Loggerhead Kingbird
Tyrannus forficatus, Scissor-tailed Flycatcher
Tyrannus savana, Fork-tailed Flycatcher

FAMILY ALAUDIDAE

Eremophila alpestris, Horned Lark

FAMILY HIRUNDINIDAE

Progne subis, Purple Martin
Tachycineta bicolor, Tree Swallow
Tachycineta cyaneoviridis, Bahama Swallow
Stelgidopteryx serripennis, Northern Rough-winged Swallow
Riparia riparia, Bank Swallow
Hirundo pyrrhonota, Cliff Swallow
Hirundo fulva, Cave Swallow
Hirundo rustica, Barn Swallow

FAMILY CORVIDAE

Cyanocitta cristata, Blue Jay
Aphelocoma coerulescens, Scrub Jay
Corvus brachyrhynchos, American Crow
Corvus ossifragus, Fish Crow

FAMILY PARIDAE

Parus carolinensis, Carolina Chickadee
Parus bicolor, Tufted Titmouse

FAMILY SITTIDAE

Sitta canadensis, Red-breasted Nuthatch
Sitta pusilla, Brown-headed Nuthatch

FAMILY CERTHIIDAE

Certhia americana, Brown Creeper

FAMILY TROGLODYTIDAE

Thryothorus ludovicianus, Carolina Wren
Troglodytes aedon, House Wren
Troglodytes troglodytes, Winter Wren
Cistothorus platensis, Sedge Wren
Cistothorus palustris, Marsh Wren

FAMILY MUSCICAPIDAE

SUBFAMILY SYLVIINAE

Regulus satrapa, Golden-crowned Kinglet
Regulus calendula, Ruby-crowned Kinglet
Poliophtila caerulea, Blue-gray Gnatcatcher

SUBFAMILY TURDINAE

Oenanthe oenanthe, Northern Wheatear
Sialis sialis, Eastern Bluebird
Catharus fuscescens, Veery
Catharus minimus, Gray-cheeked Thrush
Catharus ustulatus, Swainson's Thrush
Catharus guttatus, Hermit Thrush
Hylocichla mustelina, Wood Thrush
Turdus migratorius, American Robin
Ixoreus naevius, Varied Thrush

FAMILY MIMIDAE

Dumetella carolinensis, Gray Catbird
Mimus polyglottos, Northern Mockingbird

Toxostoma rufum, Brown Thrasher

FAMILY MOTACILLIDAE

Anthus spragueii, Sprague's Pipit

FAMILY BOMBYCILLIDAE

Bombycilla cedrorum, Cedar Waxwing

FAMILY LANIIDAE

Lanius ludovicianus, Loggerhead Shrike

FAMILY VIREONIDAE

Vireo griseus, White-eyed Vireo
Vireo bellii, Bells' Vireo
Vireo solitarius, Solitary Vireo
Vireo flavifrons, Yellow-throated Vireo
Vireo gilvus, Warbling Vireo
Vireo philadelphicus, Philadelphia Vireo
Vireo olivaceus, Red-eyed Vireo
Vireo altiloquus, Black-whiskered Vireo

FAMILY EMBERIZIDAE

SUBFAMILY PARULINAE

Vermivora bachmanii, Bachman's Warbler
Vermivora pinus, Blue-winged Warbler
Vermivora chrysoptera, Golden-winged Warbler
Vermivora peregrina, Tennessee Warbler
Vermivora celata, Orange-crowned Warbler
Vermivora ruficapilla, Nashville Warbler
Parula americana, Northern Parula
Dendroica petechia, Yellow Warbler
Dendroica pensylvanica, Chestnut-sided Warbler
Dendroica magnolia, Magnolia Warbler
Dendroica tigrina, Cape May Warbler
Dendroica caerulescens, Black-throated Blue Warbler
Dendroica coronata, Yellow-rumped Warbler
Dendroica nigrescens, Black-throated Gray Warbler
Dendroica townsendi, Townsend's Warbler
Dendroica virens, Black-throated Green Warbler
Dendroica fusca, Blackburnian Warbler
Dendroica dominica, Yellow-throated Warbler
Dendroica pinus, Pine Warbler
Dendroica kirtlandii, Kirtland's Warbler
Dendroica discolor, Prairie Warbler
Dendroica palmarum, Palm Warbler
Dendroica castanea, Bay-breasted Warbler
Dendroica striata, Blackpoll Warbler
Dendroica cerulea, Cerulean Warbler
Mniotilta varia, Black-and-White Warbler
Setophaga ruticilla, American Redstart
Protonotaria citrea, Prothonotary Warbler
Helmitheros vermivorus, Worm-eating Warbler
Limnothlypis swainsonii, Swainson's Warbler
Seiurus aurocapillus, Ovenbird
Seiurus noveboracensis, Northern Waterthrush
Seiurus motacilla, Louisiana Waterthrush
Oporornis formosus, Kentucky Warbler
Oporornis agilis, Connecticut Warbler
Oporornis philadelphia, Mourning Warbler

Geothlypis trichas, Common Yellowthroat
Wilsonia citrina, Hooded Warbler
Wilsonia pusilla, Wilson's Warbler
Wilsonia canadensis, Canada Warbler
Icteria virens, Yellow-breasted Chat

SUBFAMILY THRAUPINAE

Spindalis zena, Stripe-headed Tanager
Piranga rubra, Summer Tanager
Piranga olivacea, Scarlet Tanager
Piranga ludoviciana, Western Tanager

SUBFAMILY CARDINALINAE

Cardinalis cardinalis, Northern Cardinal
Phenicticus ludovicianus, Rose-breasted Grosbeak
Phenicticus melanocephalus, Black-headed Grosbeak
Guiraca caerulea, Blue Grosbeak
Passerina amoena, Lazuli Bunting
Passerina cyanea, Indigo Bunting
Passerina ciris, Painted Bunting
Spiza americana, Dickcissel

SUBFAMILY EMBERIZINAE

Pipilo erythrophthalmus, Rufous-sided Towhee
Tiaris bicolor, Black-faced Grassquit
Aimophila aestivalis, Bachman's Sparrow
Spizella passerina, Chipping Sparrow
Spizella pallida, Clay-colored Sparrow
Spizella pusilla, Field Sparrow
Pooecetes gramineus, Vesper Sparrow
Chondestes grammacus, Lark Sparrow
Calamospiza melanocorys, Lark Bunting
Passerculus sandwichensis, Savannah Sparrow
Ammodramus savannarum, Grasshopper Sparrow
Ammodramus henslowii, Henslow's Sparrow
Ammodramus leconteii, Le Conte's Sparrow
Ammodramus caudacutus, Sharp-tailed Sparrow
Ammodramus maritimus, Seaside Sparrow
Melospiza melodia, Song Sparrow
Melospiza lincolni, Lincoln's Sparrow
Melospiza georgiana, Swamp Sparrow
Zonotrichia albicollis, White-throated Sparrow
Zonotrichia leucophrys, White-crowned Sparrow
Zonotrichia querula, Harris' Sparrow
Junco hyemalis, Dark-eyed Junco
Calcarius lapponicus, Lapland Longspur

SUBFAMILY ICTERINAE

Dolichonyx oryzivorus, Bobolink
Agelaius phoeniceus, Red-winged Blackbird
Sturnella magna, Eastern Meadowlark
Sturnella neglecta, Western Meadowlark
Xanthocephalus xanthocephalus, Yellow-headed Blackbird
Euphagus carolinus, Rusty Blackbird
Euphagus cyanocephalus, Brewer's Blackbird
Quiscalus major, Boat-tailed Grackle
Quiscalus quiscula, Common Grackle
Molothrus bonariensis, Shiny Cowbird

Molothrus aeneus, Bronzed Cowbird
Molothrus ater, Brown-headed Cowbird
Icterus spurius, Orchard Oriole
Icterus galbula, Northern Oriole

FAMILY FRINGILLIDAE

SUBFAMILY CARDUELINAE

Carpodacus purpureus, Purple Finch
Carduelis pinus, Pine Siskin
Carduelis tristis, American Goldfinch



United States Department of the Interior

FISH AND WILDLIFE SERVICE

National Key Deer Refuge
P. O. Box 430510
Big Pine Key, FL 33043-0510
(305) 872-2239
FAX 305-872-3675
EMAIL: barry_stieglitz@FWS.GOV

May 5, 1998



RECEIVED

MAY 26 1998

Douglas W. Heatwole
Project Manager
Ecology and Environment, Inc.
316 South Baylen St.
Pensacola, FL 32501

Re: Environmental Assessment for the Disposal and Reuse of the Truman Waterfront Property, Naval Air Station Key West, FL

Dear Mr. Heatwole:

Thank you for your correspondence of April 10 on the above subject. U.S. Fish and Wildlife Service staff have been involved with the LRA BRAC planning process thus far, and as a cooperating agency in the Environmental Education Center we are familiar with the proposed plan.

Primary concerns of the Refuge for the redevelopment of this property have to deal specifically with two issues:

- 1) the increase in user traffic adjacent to and possibly through the Key West National Wildlife Refuge. The Refuge was established as a "preserve and breeding ground for native birds" (Executive Order 923 dd. August 8, 1908), and in 1975 all the islands were designated "Wilderness" with Public Law 93-632. Significant increases in Refuge visitation and public use could result in increased wildlife disturbance, loss of wilderness character, and in extreme cases - degradation of habitat and
- 2) landscaping of the property. Any landscaping in the property redevelopment should use only native species - not invasive exotic plants (as defined by Florida Exotics Pest Plant Council). Waterborne seeds of exotic species could easily spread to Refuge islands and threaten their ecological integrity. Using native plant species will increase the usefulness of this area by native fauna and increase its attractiveness to the local community.

Finally, additional concerns that should be addressed in the EA include water quality degradation resulting from increased boater and cruise ship traffic.

Please feel free to contact me for further information.

Sincerely,

A handwritten signature in black ink that reads "Robert Fraher". The signature is written in a cursive style with a long horizontal flourish at the end.

for Barry W. Stieglitz
Project Leader



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office
9721 Executive Center Drive N.
St. Petersburg, Florida 33702

July 20, 1998

RECEIVED

JUL 22 1998

Pensacola

Douglas W. Heatwole
Ecology and Environment, Inc.
316 South Baylen Street
Pensacola, Florida 32501

Dear Mr. Heatwole:

This responds to your June 18, 1998, letter regarding the Naval Engineering Command's proposal to prepare an environmental assessment (EA) for the disposal and reuse of the Truman Waterfront Property at the Naval Air Station (NAS), Key West, Florida.

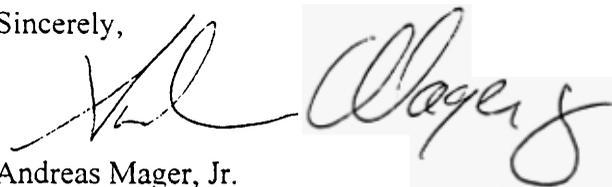
Project plans are not developed enough yet for us to provide detailed information or issues for discussion in the EA. We also defer to the Florida Department of Environmental Protection and the Army Corps of Engineers regarding applicable environmental laws. They would be able to more precisely identify laws that are applicable to the disposal and reuse of the NAS. Because an existing developed facility will be converted, habitat concerns under purview of the National Marine Fisheries Service (NMFS) should not be extensive. Our interests could best be accommodated in the EA by descriptions of the wetlands and deepwater habitats found at the site, and how these areas and the fishery resources that use them will be impacted by the various alternatives under consideration. Depending on the extent of environmental impact anticipated with the various alternatives, on- and off-site mitigation proposals should be presented for review and discussion. We believe this would be a better context to discuss impact and mitigation scenarios rather than to generically identify issues, options, or monitoring plans that turn out to be irrelevant.

The EA also should detail anticipated effects associated with operation of any new facilities. Any predicted increase in vessel usage should be identified. Water quality issues such as point and non-point source pollution, pollution abatement plans, oil spill response plans, and control of marine debris and trash also should be addressed. If your analysis reveals that reuse scenarios involve changes in the number and size of vessels using the project site, then the affects of this change also should be discussed. Potential increases in groundings and their impacts on submerged habitats such as seagrasses and coral reefs, that may be close to the facility, should be addressed. Further, the potential for increased collisions with endangered or threatened species of whales or sea turtles, or marine mammals protected under the Marine Mammal Protection Act, should be identified. If there is a potential for collision with endangered or threatened species, then consultation may ultimately be required under the Endangered Species Act. We recommend that, at some point, our Protected Resources Division be contacted at the letterhead address or at (727) 570-5312 to obtain a list of protected resources that may be found in the project area.



We appreciate the opportunity to provide these initial thoughts and look forward to future consultations with you and the Navy as more specific plans are developed. If you need additional information, please contact Mr. Mark Thompson at (850) 234-5061.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Mager, Jr.", is written over a light gray rectangular background.

Andreas Mager, Jr.
Assistant Regional Administrator
Habitat Conservation Division



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office
9721 Executive Center Drive North
St. Petersburg, FL 33702

JUL 20 1998

F/SER3:JBM

Mr. Douglas W. Heatwole
Project Manager
Ecology and Environment, Inc.
316 South Baylen Street
Pensacola, Florida 32501

Dear Mr. Heatwole:

This is in response to your letter of May 18, 1998 concerning the proposed redevelopment of property that has been declared surplus by the U.S. Navy, located in Key West, Florida. You are preparing an environmental assessment (EA) to analyze the impacts for the disposal and reuse of 44.9 acres of the Truman Waterfront property. Since the proposed development incorporates many land-use activities, vessel traffic may be a concern. Endangered sea turtles or marine mammals are not likely to be found in the immediate area of the project, however; but the possibility does exist. Please refer to the enclosed list of *Endangered and Threatened Species and Critical Habitats Under the Jurisdiction of the National Marine Fisheries Service* in preparing your EA. Once we have had an opportunity to review the EA, we will consider impacts to Federally-listed endangered or threatened species under Section 7 of the Endangered Species Act of 1973, as amended. We look forward to the opportunity to consult on this project.

If you have any questions, please contact Colleen Coogan at 727-570-5312.

Sincerely yours,

Charles A. Oravetz
Division Chief, Protected Resources

Enclosure



Endangered and Threatened Species and Critical Habitats
Under the Jurisdiction of the National Marine Fisheries Service

Florida - Atlantic Coast

Listed Species	Scientific Name	Status	Date Listed
Marine Mammals			
finback whale	<i>Balaenoptera physalus</i>	Endangered	12/02/70
humpback whale	<i>Megaptera novaeangliae</i>	Endangered	12/02/70
right whale	<i>Eubalaena glacialis</i>	Endangered	12/02/70
sei whale	<i>Balaenoptera borealis</i>	Endangered	12/02/70
sperm whale	<i>Physeter macrocephalus</i>	Endangered	12/02/70
blue whale	<i>Balaenoptera musculus</i>	Endangered	12/02/70
Turtles			
green sea turtle	<i>Chelonia mydas</i>	Endangered ¹	07/28/78
hawksbill sea turtle	<i>Eretmochelys imbricata</i>	Endangered	06/02/70
Kemp's ridley sea turtle (Atlantic)	<i>Lepidochelys kempii</i>	Endangered	12/02/70
leatherback sea turtle	<i>Dermochelys coriacea</i>	Endangered	06/02/70
loggerhead sea turtle	<i>Caretta caretta</i>	Threatened	07/28/78
Fish			
shortnose sturgeon	<i>Acipenser brevirostrum</i>	Endangered	03/11/67

Species Proposed for Listing

Seagrass			
Johnson's seagrass	<i>Halophila johnsonii</i>	Threatened	

Proposed Critical Habitat

None

Designated Critical Habitat

Right whale: Between 31°15'N (approximately the mouth of the Altamaha River, Georgia) and 30°15'N (approximately Jacksonville, Florida) from the coast out to 15 nautical miles offshore; the coastal waters between 30°15'N and 28°00'N (approximately Sebastian Inlet, Florida) from the coast out to 5 nautical miles.

¹ Green turtles are listed as threatened, except for breeding populations of green turtles in Florida and on the Pacific Coast of Mexico, which are listed as endangered.

**Endangered and Threatened Species and Critical Habitats
Under the Jurisdiction of the National Marine Fisheries Service**

Florida - Atlantic Coast

Listed Species	Scientific Name	Status	Date Listed
Marine Mammals			
finback whale	<i>Balaenoptera physalus</i>	Endangered	12/02/70
humpback whale	<i>Megaptera novaeangliae</i>	Endangered	12/02/70
right whale	<i>Eubalaena glacialis</i>	Endangered	12/02/70
sei whale	<i>Balaenoptera borealis</i>	Endangered	12/02/70
sperm whale	<i>Physeter macrocephalus</i>	Endangered	12/02/70
blue whale	<i>Balaenoptera musculus</i>	Endangered	12/02/70
Turtles			
green sea turtle	<i>Chelonia mydas</i>	Endangered ¹	07/28/78
hawksbill sea turtle	<i>Eretmochelys imbricata</i>	Endangered	06/02/70
Kemp's ridley sea turtle (Atlantic)	<i>Lepidochelys kempii</i>	Endangered	12/02/70
leatherback sea turtle	<i>Dermochelys coriacea</i>	Endangered	06/02/70
loggerhead sea turtle	<i>Caretta caretta</i>	Threatened	07/28/78
Fish			
shortnose sturgeon	<i>Acipenser brevirostrum</i>	Endangered	03/11/67

Species Proposed for Listing

Seagrass			
Johnson's seagrass	<i>Halophila johnsonii</i>	Threatened	

Proposed Critical Habitat

None

Designated Critical Habitat

Right whale: Between 31°15'N (approximately the mouth of the Altamaha River, Georgia) and 30°15'N (approximately Jacksonville, Florida) from the coast out to 15 nautical miles offshore; the coastal waters between 30°15'N and 28°00'N (approximately Sebastian Inlet, Florida) from the coast out to 5 nautical miles.

¹ Green turtles are listed as threatened, except for breeding populations of green turtles in Florida and on the Pacific Coast of Mexico, which are listed as endangered.



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
Florida Keys National Marine Sanctuary
P.O. Box 500368
Marathon, FL 33050
Phone: 305) 743-2437
Fax: (305) 743-2357

May 13, 1998

Douglas Heatwole
Ecology and Environment, Inc.
316 South Baylen Street
Pensacola, FL 32501

Re: Comments for Environmental Assessment for the Disposal and Reuse of the Truman Waterfront Property, Naval Air Station Key West, Florida

Dear Mr. Heatwole:

I have reviewed the proposed redevelopment plan for the Truman Annex Property and the activities therein that are proposed. Most of the activities proposed are upland activities. The activities therein that will need Sanctuary approval include construction of a second cruise ship berth and marina siting.

The boundary of the Florida Keys National Marine Sanctuary (FKNMS) consists of all submerged land and waters from the mean high water mark out to the designated boundary past the reef line to the south (Atlantic) and the published boundary line to the north (Gulf of Mexico). The Sanctuary does not include any uplands within its jurisdiction. There are existing state and federal regulations that address upland issues.

The Final Reuse Plan proposed berthing for cruise ships along the outer Mole Pier. As cruise ships are currently berthing along the outer mole, the primary cruise ship berth is not in question. However, the addition of a secondary cruise ship berth may have significant impacts. The area proposed for the secondary cruise ship berth is not of adequate depth and would require dredging. This would require further review by FKNMS.

An additional environmental impact from the cruise ship activity would be the additional sediment plumes produced during docking and disembarking activities. Sanctuary Managers have received numerous complaints about the volume and intensity of suspended sediments in the water column during docking and maneuvering of cruise ships. In response to these complaints, we have observed these impacts first-hand. An increase in cruise ship activity would have to include proposals to lessen this impact to coral reef inhabitants.

Many of the existing federal and state regulations either partially or entirely address some regulatory components of the various management strategies within the FKNMS Final Management Plan. We would advise in preparation of the final EA, the FKNMS Final Management Plan and regulations be addressed.

The LRA proposed marina uses for the Truman Annex Waterfront property. The Florida Keys National Marine Sanctuary Water Quality Protection Plan describes a suite of activities and includes corrective actions. These corrective actions are proposed to deal with water quality issues that could arise from an activity. The following comments provided are strategies reflected under the

Florida Keys National Marine Sanctuary Water Quality Protection Plan that would apply to the proposed use activity discussed within the final reuse plan.

Domestic Wastewater Strategies

This section defines strategies for reducing pollution from land-based sources of domestic wastewater. Within the final reuse plan, the LRA called for the development of housing, retail operations and neighborhoods. The strategy for the City of Key West calls for the evaluation of disposal and reuse options and upgrading effluent disposal. With the added impacts on the Key West facility, evaluation of the existing facility is critical.

Stormwater Strategies

This section of the management plan addresses reducing the amount of pollution from stormwater runoff within the Florida Keys. Stormwater runoff currently accounts for 40% of the nutrients that enter our nearshore waters, so this issue must be taken into account. Within the final reuse plan, the LRA called for a large scale development of housing, and port related activities. This included warehousing and marine industrial activities. This section within the management plan advocates identifying stormwater runoff hot spots and alter their layout to reduce impacts. This could involve using grass parking areas, pollution control structures, and detention/retention facilities to control pollutants with the stormwater.

Marina and Live-Aboard Strategies

The final use plan proposed two separate marinas, one on the west quay wall and another along the east quay wall. One can speculate that the marinas could also contain "live-aboard" activity. Within the Marina and Live-Aboard Section within the final management plan, seven strategies were developed. Within these seven strategies, five involved reducing pollution by restricting discharges and educating the public.

- Strategy one requires all marinas, 10 or more slips as defined by the State of Florida, install pump-out facilities. This activity would increase the number and accessibility of pump-out facilities in the Florida Keys and thus increase usage.
- Strategy two involves marina siting and design.
- Strategy three reduces pollution from marina operations by establishing containment areas for boat maintenance operations. This activity would establish paved and curbed containment areas for boat maintenance activities such as hull scraping, repainting, mechanical repairs, fueling and lubrication. The LRA must identify the Best Management Practices they intend to use. These activities are considered industrial and therefore all marinas involved in these activities must apply for a National Pollutant Discharge Elimination System stormwater permit.
- Strategy four develops opportunities for instruction and training to heighten the environmental awareness of how human activities adversely affect water quality in the Keys.
- Strategy six establishes a mobile pump-out service through the local government, or a franchise with a private contractor, which would serve to pump out live-aboard vessels moored outside of marina facilities.

Hazardous Materials Strategies

The final management plan defines an area for "light industrial marine maintenance". One can deduce that through marine maintenance activities, there could be the possibility of pollution from spills of hazardous materials. The Hazardous Materials Strategies describes methods to reduce the impacts from spills of hazardous materials in and near the Keys. Strategy one of this plan calls for the improvement of response and containment techniques. This strategy also calls for the revision of the contingency plan for the Sanctuary that includes crew and equipment staged in the Keys.

Utilizing the above sections, consisting of a well designed marina in-conjunction with pollutant reducing methods, should decrease the overall environmental impacts from the proposed activities. Further, as there is not a mobile pump-out facility in or around Key West, establishing one would be an asset to this plan. Historically, there are several live-aboard areas. To name a few; Rat Island, Cow Key Channel, Boca Chica and Christmas Tree Island. These areas are ideal for the operation of a mobile station. The addition of the mobile pump-out facility to the LRA final reuse plan would directly reduce the amount of sewage discharged into the environment.

Thank you for giving me the opportunity to suggest items to be included in the environmental assessment that you are preparing on the Truman Waterfront Property at the Naval Air Station - Key West. Feel free to contact me to discuss these issues or others related to the proposal. I can be reached at 305.743.2437x26.

Sincerely,



Billy D. Causey
Superintendent



16000
15 May 98

Ecology And Environment, Inc.
Attn: Douglas W. Heatwole
316 South Baylen St.
Pensacola, FL 32501

Gentlemen:

This is in response to your letter of April 3, 1998 requesting Coast Guard Marine Safety Office input into the Environmental Assessment (EA) for the reuse/redevelopment of Truman Annex in Key West, Florida.

This office welcomes the economic redevelopment of this property, particularly for maritime use, and offers the following input, as appropriate, for the EA.

1. Coast Guard enforced laws and regulations and permitting and regulatory requirements:

a. 33 CFR 128, entitled SECURITY OF PASSENGER TERMINALS, and implementing instructions from Coast Guard Headquarters, requires entities which operate passenger vessel terminals and cruise ship landings to provide for the safety and security of persons and property in the terminal or landing area and on board each passenger vessel moored at the facility, to take measures that prevent the unlawful introduction of weapons or explosives onto the moored passenger vessel, and to prevent the unauthorized entry of persons onto passenger vessels and secure areas of the facility. This regulation requires that the operator provide to the Coast Guard Marine Safety Office a detailed written security plan, subject to Coast Guard review for adequacy, that contains measures to accomplish the above. It must be submitted at least 60 days prior to using the facility for passenger loading or landing. There are no permit requirements.

b. 33 CFR 158, entitled RECEPTION FACILITIES FOR OIL, NOXIOUS LIQUID SUBSTANCES, AND GARBAGE, applies generally to all ports and terminals that are used by certain oceangoing ships carrying residues or mixtures containing oil, by oceangoing ships for the transfer of noxious liquid substances as identified in the regulations, and by all vessels for the transfer of garbage. An application for a Coast Guard issued Certificate of Adequacy must be submitted to the Marine Safety Office. The certificate must be issued and current and the reception facilities must meet Coast Guard inspection standards at all times in order for the port or terminal to be in compliance with these regulations. There are no other permit requirements.

3-21-1998 8:42AM 305 535 8704 305 535 8704

c. 33 CFR 154, entitled FACILITIES TRANSFERRING OIL OR HAZARDOUS MATERIAL IN BULK, requires that any facility that intends to transfer, in bulk, oil or certain regulated hazardous materials to or from any vessel that has a combined bulk capacity of 10,500 gallons or more, must submit to the Marine Safety Office a letter of intent to operate as such at least 60 days prior to the start-up of operations. Along with the letter of intent, generally the operator must also submit two copies each of a detailed operations manual and a detailed oil spill reponse plan that meets the requirements stated in the regulation for Coast Guard review. Notice of favorable review by the Coast Guard serves as the facility's permit to operate. Failure to operate within the provisions of the reviewed operations manual will result in suspension of the permit by the Coast Guard.

d. 33 CFR 126, entitled HANDLING OF CLASS 1 EXPLOSIVES OR OTHER DANGEROUS CARGOES WITHIN OR CONTIGUOUS TO WATERFRONT FACILITIES, requires that any waterfront facility that handles, stores, stows, or transfers to or from any vessel certain explosives or other regulated dangerous cargoes or hazardous materials must meet the permit requirements of the regulation. Failure to maintain the facility in a condition that meets the requirements of the regulation will result in the suspension or revocation of the permit. In addition no hot work (welding or cutting by torch) may be conducted at such a facility without adequate advance notification to the Marine Safety Office and the express consent of that office.

e. 33 U.S.C.A. 2701-2761, entitled OIL POLLUTION ACT OF 1990 ("OPA90"), 33 U.S.C.A. 1251-1387, entitled FEDERAL WATER POLLUTION CONTROL ACT ("FWPCA"), and 42 U.S.C.A. 9601-9675, entitled COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT OF 1980 ("CERCLA") generally require that any person who spills oil or releases hazardous materials into the marine environment or creates the threat of a spill or release to the marine environment, must make immediate notification to the Coast Guard and take immediate steps to mitigate, contain and clean up the spilled or released substance. Failure on the part of the responsible party ("RP") to take prompt response action will result in the Coast Guard assuming response actions ("federalizing the project"). In all cases, the RP must reimburse the U.S. Government for its federalized efforts and in certain cases the RP will be liable for payment of THREE TIMES THE COST of the clean up. OPA90 gives citizens the ability to be reimbursed for their clean up efforts in the absence of an RP. In most cases, the RP will be required to pay a monetary penalty. Willful or intentional acts may result in criminal charges that could result in both monetary penalty and prison.

f. Title 46 of the Code of Federal Regulations contains numerous requirements for the Coast Guard conducted safety inspection of both U.S. and foreign flag commercial vessels during U.S. port visits.

2.

2. We do not find at this time any conflict between the proposed reuse of this property and the Federal laws and regulations enforced by the Marine Safety Office.

3. There is a potential for adverse environmental impacts in the area due to the planned use of the waters by both commercial and non-commercial waterborne craft. These impacts will come from marine fuel and oil spills as well as the dumping of sewage, garbage and plastics into area waters.

4. Recommended measures to mitigate, monitor and otherwise prevent adverse environmental impacts primarily include pollution prevention efforts in the form of public information outreach and aggressive pollution response when a spill or release occurs or threatens to occur. The Coast Guard and the Florida Department of Environmental Protection have recently engaged in the posting of spill notification signs throughout the south Florida area's marinas and small boat harbors. These signs are available through the local Coast Guard Auxiliary.

Perhaps unrelated to EA but a major concern nonetheless is the adequacy of port mooring infrastructure for the size vessels that will use the Truman Annex property. Our harbor safety patrols periodically discover large vessels moored to insufficiently sized or wasted mooring fixtures. The existing fixtures at Truman Annex should be examined by qualified port engineers to ensure they will safely hold in the event of a surging moored vessel.

If we can be of any further assistance please contact Commander Miles at (305)535-8766.

Sincerely,



R. M. MILES
Commander, U. S. Coast Guard
By direction of the
Captain of the Port



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
FLORIDA KEYS NATIONAL MARINE SANCTUARY
P.O. BOX 500368
5550 OVERSEAS HIGHWAY - MAIN HOUSE (SHIPPING ADDRESS)
MARATHON, FLORIDA 33050

May 1, 1998

Douglas W. Heatwole
Ecology and Environment, Inc.
316 South Baylen Street
Pensacola, FL 32501

MAY 05 1998

Dear Mr. Heatwole: *Doug*

Thank you for meeting with me on March 10, 1998 to discuss the preparation of an Environmental Assessment for the "Disposal and Reuse of Truman Waterfront Property, Naval Air Station Key West, Florida." I am writing to reiterate the concerns that I expressed to you at our meeting to assure that they are addressed in the Environmental Assessment.

The redevelopment plan incorporates the following land-use activities:

- Recreation and open space areas and multi-modal greenways
- Berth(s) for cruise ships
- Professional marina (west) and public marina (east)
- Ferry terminal
- Mixed use development
- Preservation of Ft. Zachary Taylor
- Interagency visitor/education center
- Port-related industrial, warehouse, service or repair

All proposed construction that require dredging or filling activities will require federal authorization under Section 10 Rivers and Harbor Act and Section 404 Clean Water Act. The U.S. Environmental Protection Agency will review those permit applications to assure that proposed activities conform to the Section 404(b)(1) Guidelines. Activities will be evaluated based upon project purpose, water dependency, practicable alternatives, significance of the resource, and minimization of impacts. Cumulative and secondary impacts will be considered in that analysis.

We have several specific concerns over water quality and damage to biological resources that must be addressed. Cruise ships are deep-drafted, ocean-going vessels. Although the depths at the proposed berthing facility may be adequate for docking one cruise ship, turbidity plumes from ships utilizing that dock will result in degraded water quality. Turbidity plumes generated at that location have the potential to detrimentally impact nearby seagrass and hard bottom biological resources. Construction of second berth for cruise ships at this location will require dredging and will exacerbate this concern.

Construction of two marina facilities at this location will undoubtedly increase the boat traffic in the area. Key West is surrounded by shallow waters and increased boat traffic will undoubtedly

increase the number of vessel groundings. Damage to biological resources by increased vessel groundings must be evaluated.

Disposal of wastewater from vessels docked at the marina facilities must also be addressed. We recommend that use of sewage pumpout facilities be mandated for use by all vessels using the marinas. This action will require active education and enforcement efforts.

Stormwater from the development must be collected and treated before it is discharged into surface waters. Fueling facilities must be properly located and constructed to minimize spillage. Also, we are particularly concerned over runoff from the unspecified service or repair establishments proposed for the south waterfront. Boat scraping, painting, and repair facilities generate toxic and hazardous wastes which must be collected and properly disposed.

Please call me at (305) 743-0537 if you have any questions about our concerns with the proposed project.

Sincerely yours,

A handwritten signature in cursive script that reads "Bill".

William L. Kruczynski, Ph.D.
Program Scientist
Water Quality Protection Program



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Helping Floridians create safe, vibrant, sustainable communities"

LAWTON CHILES
Governor

JAMES F. MURLEY
Secretary

June 12, 1998

RECEIVED

JUN 16 1998

Pensacola

Mr. Douglas W. Heatwole
Ecology and Environment, Inc.
316 South Baylen Street
Pensacola, Florida 32501

RE: U.S. Air Force - Scoping Document Regarding the Draft
Environmental Assessment for the Disposal and Reuse of
the Truman Waterfront Property Naval Air Station - Key
West, Monroe County, Florida
SAI: FL9804060154C

Dear Mr. Heatwole:

The Florida State Clearinghouse, pursuant to Presidential Executive Order 12372, Gubernatorial Executive Order 95-359, the Coastal Zone Management Act, 16 U.S.C. §§ 1451-1464, as amended, and the National Environmental Policy Act, 42 U.S.C. §§ 4321, 4331-4335, 4341-4347, as amended, has coordinated a review of the above-referenced project.

The Department of State (DOS) indicates that the nature and/or location of the construction/rehabilitation/street scaping activities proposed by the applicant is such that significant archaeological or historic sites may be adversely affected by these activities. Therefore, DOS recommends that future funding of the referenced activities be conditioned upon the applicant's willingness to fully comply with the conditions stipulated by DOS, as enclosed.

The Department of Environmental Protection (DEP) identified several environmental concerns for consideration in the preparation of the Environmental Assessment for the proposed reuse of the U.S. Navy properties being turned over to the City of Key West. The applicant is advised to consider the impact of all proposed uses on the Florida Keys National Marine Sanctuary (FKNMS) and the requirements of the FKNMS Management Plan. The strategies within the Management Plan should be addressed in any assessment of land uses, and impacts to the sanctuary must be minimized. In addition, the DEP's comments note the regulatory requirements which may relate to the proposed project. Please refer to the enclosed DEP comments.

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100

Phone: 850.488.8466/Suncom 278.8466 FAX: 850.921.0781/Suncom 291.0781

Internet address: <http://www.state.fl.us/comaff/dca.html>

FLORIDA KEYS
Area of Critical State Concern Field Office
2796 Overseas Highway, Suite 212
Marathon, Florida 33050-2227

GREEN SWAMP
Area of Critical State Concern Field Office
A-25
Bartow, Florida 33830-4641

SOUTH FLORIDA RECOVERY OFFICE
P.O. Box 4022
8600 N.W. 36th Street
Miami, Florida 33159-4022

Mr. Douglas W. Heatwole
June 12, 1998
Page Two

The South Florida Water Management District (SFWMD) offers comments to be addressed in preparation of the draft environmental assessment. Any proposed activity which alters surface water flows will require an Environmental Resource Permit. Any activities proposed in waters classified as an Outstanding Florida Water must be in the public interest and must meet stringent water quality criteria. The SFWMD expresses concerns regarding the extent of existing contamination within and adjacent to the Truman Waterfront Property and regarding re-suspension of pollutants in the marina sediments. The proposed marina facilities may result in adverse impacts to listed species, and the potential cruise ship berth may result in adverse impacts to sea turtles, reefs, sea grasses or other aquatic beds. Impacts to sea grasses and aquatic beds should be avoided and minimized. Any unavoidable impacts will require appropriate mitigation. The draft EA should include a survey of reefs, sea grasses and aquatic beds in the vicinity of the proposed berth. In addition, the applicant must coordinate with the DEP, the Florida Marine Fisheries Commission and/or the U.S. Fish and Wildlife Service regarding manatees, sea turtles, and other listed species issues. Please refer to the enclosed SFWMD comments.

The Department of Community Affairs (Department) notes that the Truman Waterfront Property is currently designated "Military" on the Future Land Use Map included in the current 1994 City of Key West Comprehensive Plan. The proposed reuse of the aforementioned military lands is not addressed in the current City of Key West Comprehensive Plan. The City of Key West and the Department are, at present, addressing the future use of the site in the ongoing Chapter 288, Florida Statutes (F.S.), Base Reuse Planning Process. However, the Base Reuse Planning process is not yet complete, and in order to address the proposed redevelopment, the existing comprehensive plan must be amended. In addition, the Department offers several recommendations which may prevent potential conflicts with the requirements of section 380.05, F.S., Rule 28-36, Florida Administrative Code, and the City of Key West Comprehensive Land Use Plan regarding the reuse and redevelopment of the Truman Waterfront Property. Please refer to the enclosed Department comments.

Based on the information contained in the scoping document and the enclosed comments provided by our reviewing agencies, at this stage the state does not object to continued development of the project. All subsequent environmental documents prepared for this project must be reviewed to determine the project's

Mr. Douglas W. Heatwole
June 12, 1998
Page Three

consistency with the requirements of the Florida Coastal Management Program. The state's continued concurrence with the project will be based, in part, on the adequate resolution of issues identified during this and subsequent reviews. Comments received from the South Florida Regional Planning Council are also enclosed for your review.

Thank you for the opportunity to review the scoping document. If you have any questions regarding this letter, please contact Ms. Cherie Trainor, Clearinghouse Coordinator, at (850) 922-5438.

Sincerely,



for Ralph Cantral, Executive Director
Florida Coastal Management Program

RC/cc

Enclosures

cc: George Percy, Department of State
Robert Hall, Department of Environmental Protection
Jim Golden, South Florida Water Management District
Eric Silva, South Florida Regional Planning Council



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Helping Floridians create safe, vibrant, sustainable communities"

LAWTON CHILES
Governor

JAMES F. MURLEY
Secretary

MEMORANDUM

TO: Ms. Cherie Trainor
State Clearinghouse

FROM: G. Steven Pfeiffer *ASL*
Assistant Secretary

SUBJECT: Ecology and Environment, Inc. - Scoping Document Regarding Draft Environmental Assessment for the Disposal and Reuse of the Truman Waterfront Property, Naval Air Station - Key West, Monroe County, SAI# FL9804060154C

DATE: June 9, 1998

The Department of Community Affairs (Department), pursuant to its role as the State's land planning agency, has reviewed the above-referenced permit application for consistency with its statutory responsibilities under the Florida Coastal Management Program (FCMP), which includes Chapter 163, Part II, and Chapter 380, Florida Statutes (F.S.). The proposed project is located in the City of Key West Area of Critical State Concern (ACSC). Therefore, the project must be consistent with Chapter 380, F.S.; the Principles for Guiding Development of the City of Key West ACSC, as delineated in Rule 28-36.003, Florida Administrative Code (F.A.C.); and Chapter 163, Part II, F.S. The Department has determined that, at this stage, the project, as described in the referenced scoping document, complies with the FCMP.

The applicant is preparing an environmental assessment (EA) for the disposal and reuse of the Truman Waterfront Property. This property contains 44.9 acres of land currently designated "Military" on the Future Land Use Map included in the current 1994 City of Key West Comprehensive Plan. The proposed reuse of the aforementioned military lands is not addressed in the current City of

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100

Phone: 850.488.8466/Suncom 278.8466 FAX: 850.921.0781/Suncom 291.0781

Internet address: <http://www.state.fl.us/comaff/dca.html>

FLORIDA KEYS
Area of Critical State Concern Field Office
2796 Overseas Highway, Suite 212
Marathon, Florida 33050-2227

GREEN SWAMP
Area of A-28 Office
Bartow, Florida 33830-4641

SOUTH FLORIDA RECOVERY OFFICE
P.O. Box 4022
8600 N.W. 36th Street
Miami, Florida 33159-4022

Key West Comprehensive Plan. The City of Key West and the Department are, at present, addressing the future use of the site in the ongoing Chapter 288, F.S., Base Reuse Planning Process. However, the Base Reuse Planning process is not yet complete, and in order to address the proposed redevelopment, the existing comprehensive plan must be amended. The base reuse plans produced after the Environmental Assessment (EA) will not be consistent with the FCMP until those amendments are adopted.

We also raise the following issues and potential conflicts in regard to the comprehensive plan concerning the reuse and redevelopment of the Truman waterfront property, which will need more detailed review before a final consistency determination can be made. In order to prevent potential conflicts with the requirements of section 380.05, F.S., Rule 28-36, F.A.C., and the City of Key West Comprehensive Land Use Plan regarding the reuse and redevelopment of the Truman waterfront property, the following should be considered:

1. Impacts to water quality from the construction and regular use of a second cruise ship mooring facility and two marinas at and along the outer mole. Key West Comprehensive Plan Policies: 5-1.1.1 through 5-1.13.4; 5A-1.1.1 through 5A-5.1.2; 6-1.1.1 through 6-1.12.4.
2. The limited potential for new residential and transient unit construction due to the constraints of the City of Key West Building Permit Allocation System as related to the Monroe County Hurricane Evacuation Model. Key West Comprehensive Plan Policies: 1-2.1.1 through 1-3.12.4; 5-1.3.1 through 5-1.8.7.
3. The impact of new commercial development of waterfront lands on the need for additional affordable housing, which currently is at a deficit in the City of Key West. Key West Comprehensive Plan Policies: 3-1.1.1 through 3-1.8.4.
4. Impacts to City infrastructure and levels of service concurrent with future development including wastewater, stormwater, traffic circulation, parking, and alternative transportation. Key West Comprehensive Plan Policies: 2-1.1.1 through 2-1.8.1; 4-1.1.1 through 4-4.2.2; 7-1.1.1 through 7-1.5.10; 8-1.3.1 through 8-1.3.3; and 9-1.1.1 through 9-1.6.3.
5. The preservation and revitalization of the residential and cultural character of the Bahama Village neighborhood abutting the Truman Waterfront, located in the Key West Historic District. Key West Comprehensive Plan Policies: 1A-1.1.1 through 1A-1.6.1; 7-1.1.1 through 7-1.5.10.

Ms. Cherie Trainor
June 9, 1998
Page Three

Other issues may arise during the Base Reuse planning process which may impact the consistency of the proposed action(s).

Thank you for the opportunity to comment on this project. If you require additional information, please contact either Alan Woolwich, Division of Community Planning, Marathon Office at (305) 289-2402 or Cindi Brown, Florida Coastal Management Program, at (850) 414-6830, or at the address above.

SGP/cm/cb

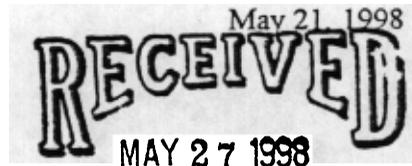


Department of Environmental Protection

Lawton Chiles
Governor

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Virginia B. Wetherell
Secretary



Ms. Cherie Trainor
Florida State Clearinghouse
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

State of Florida Clearinghouse

Re: Scoping for the Draft Environmental Assessment, Disposal and Reuse of the Truman Annex Waterfront Property, U.S. Naval Air Station, Key West, Monroe County

SAI: FL9804060154C

Dear Ms. Trainor:

This Department has reviewed the above-described project proposal and based on the information provided, we request that the following environmental concerns be considered in the Environmental Assessment of the project to develop a plan for reuse of the U.S. Navy properties being turned over to the City of Key West.

Florida signed onto the Florida Keys National Marine Sanctuary (FKNMS) Management Plan in January 1997; therefore, strategies within the Management Plan should be addressed in any assessment of land uses which may impact the sanctuary. The following comments relate to the Management Plan strategies, as well as some regulatory comments and recommendations for minimizing adverse environmental impacts related to this proposal.

Domestic Wastewater Strategies

Within the conceptual Truman Annex reuse plan, the Land Redevelopment Authority (LRA) has proposed development of housing, retail operations and neighborhood revitalization. This strategy for the City of Key West will require evaluation of wastewater disposal and reuse options as well as upgrading effluent disposal. With the added impacts on the Key West wastewater treatment plant, evaluation of that existing capacity is critical.

Any new wastewater connections from the reuse sites to the municipal sewer system will most likely require collection system permits from this Department in accordance with Chapter 62-604, F.A.C. Before any new permits can be issued, the wastewater flow which is generated from the new development at these sites will have to be evaluated in order to

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

provide reasonable assurances that the permitted capacity of the existing municipal collection and treatment facilities can handle the additional wastewater flow. Also, the municipal sewer system is currently in disrepair and subject to high levels of groundwater infiltration. This problem has resulted in violations of the State permit which has required enforcement action by this department. As a result, the City of Key West is operating under a Consent Judgment which requires complete rehabilitation of the municipal sewer collection system within a five year schedule. Any new connections to the municipal sewer system will have to be consistent, and shall not interfere with, the requirements of this Consent Judgment.

Stormwater Strategies

The stormwater management section of the FKNMS Management Plan addresses reducing the amount of pollution from stormwater runoff, by identifying hot spots and altering land use layouts to reduce impacts to surface waters. This could also involve using grassed parking areas, and pollution control structures to include detention and retention facilities to reduce stormwater pollutants. The LRA has proposed a large scale development of housing, and port related activities in its conceptual reuse plan, as well as warehousing and marine industrial activities, all of which have the potential for increasing stormwater discharge pollutants. In order to remedy this potential problem the city should confer with this department's Marathon office, as well as the South Florida Water Management District on stormwater strategies which will avoid direct discharges that may violate water quality standards of the surrounding Outstanding Florida Waters. If stormwater retention systems are inadequate to reduce pollutants, the city may need to consider the use of injection wells or implement a reuse plan for Stormwater runoff.

Marina and Live-Aboard Strategies

The city's conceptual use plan proposed two separate marinas, one on the west quay wall and another along the east quay wall. One can speculate that the marinas could also contain "live-aboard" activity. Within the Marina and Live-Aboard Section of the final FKNMS Management Plan, seven strategies were developed for protecting the environment. These seven strategies involve a variety of pollution reduction approaches, ranging from a restriction of discharges to educating the public on proper methods of contaminant disposal. The following is a discussion of some of those strategies.

All marinas with 10 or more boat slips, as defined by the State of Florida, are required to install pump-out facilities which would increase the number and accessibility of these facilities in the Florida Keys; and, hopefully, encourage proper sewage disposal practices. Other strategies involve optimizing marina siting as well as design and reduction of pollution

from marina operations by establishing containment areas for boat maintenance operations¹. The LRA needs to identify the Best Management Practices it intends to use in order to meet surface water quality standards where marinas are proposed.

Marina and live-aboard activities may generate pollutants, and it is recommended that all marinas seek assistance from this department in developing the necessary stormwater treatment systems which will utilize the most current technology for protecting surface waters from pollution. Opportunities for instruction and training of residents and tourists to heighten the environmental awareness of how human activities adversely affect water quality in the Keys should also be utilized. Well designed marinas, in-conjunction with pollutant reducing methods, should decrease the overall adverse environmental impacts from the activities being proposed.

A Mobile sewage pump-out service and related utilization requirements should be developed by the local government to serve areas where permanent marina pump-out facilities are not yet available. With local supervision of the quality and cost of this service, it could be operated by (a) private contractor(s) who would provide this service for live-aboard vessels moored outside of marina facilities. Historically, there are several live-aboard areas around Key West that could use this service, including Rat Island, Cow Key Channel, Boca Chica and Christmas Tree Island. These areas are ready for and could support a mobile sewage pump out station operation. The addition of a mobile pump-out facility to the LRA final reuse plan would directly reduce the amount of sewage discharged into the keys environment, and provide a major benefit to the community.

Hazardous Materials Strategies

The proposed conceptual land use plan defines an area for “light industrial marine maintenance.” One might expect that marine maintenance activities may result in accidental spills of hazardous materials. Strategies in the Sanctuary Plan describe methods of reducing the impacts from hazardous material spills in and near the Keys. Among others, strategy one calls for the improvement of response and containment techniques with a revision of the contingency plan that includes the location of a crew and equipment in the Keys. These activities need to be coordinated with this department’s Waste Management Program through the pollution prevention process. Based upon the information provided, there may be additional permitting requirements that evolve as particulars are developed. For additional assistance on this requirement please contact Mr. Ron Blackburn in this department’s South District office, at (941)332-6975.

¹ This activity would establish paved and curbed containment areas for boat maintenance activities such as hull scraping, repainting, mechanical repairs, fueling and lubrication.

The Final Conceptual Plan for reuse proposes berthing for cruise ships along the outer Mole Pier. Since cruise ships are currently berthing along the outer mole, the primary cruise ship berth is not in question. However, the addition of a secondary cruise ship berth may have significant impacts. The area proposed for the secondary cruise ship berth is not of adequate depth and would require dredging. The added ship activity could also increase water turbidity, thus decreasing overall water quality of the area. This proposed activity should undergo further review to determine ways in which adverse impacts may be minimized.

Proposals for public and professional marinas would likely involve State Lands Environmental Resource Permitting (SLERP) issues, in conjunction with a determination of submerged land ownership. It should not be assumed that all proprietary issues have been resolved with regard to ownership of submerged lands which have been under the control of the U.S. Navy. The permitting process will need to incorporate an appropriate title search of submerged land ownership prior to an official transfer of the properties, or preparation of submerged land lease agreements.

Implementation of all aspects of the Clean Vessel Act and the Florida Keys National Marine Sanctuary Management Plan should be minimum considerations for the city's reuse of the property, with clarification as needed by the agencies that are charged with regulating land use activities impacting that environment.

Thank you for the opportunity of commenting on this proposal. If you have any questions regarding this letter please give me a call at (850) 487-2231.

Sincerely,



Robert W. Hall
Office of Intergovernmental
Programs

cc: G.P. Schmall
A. M. Hartman
R.J. Helbling
Fritz Wettstein
Gus Rios
Ron Blackburn



RECEIVED
MAY 22 1998

FLORIDA DEPARTMENT OF STATE
Sandra B. Mortham
Secretary of State

DIVISION OF HISTORICAL RESOURCES

State of Florida Clearinghouse

May 15, 1998

Ms. Cherie Trainor
State Clearinghouse
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

In Reply Refer To:
Scott B. Edwards
Historic Sites Specialist
Project File No. 982049

RE: Cultural Resource Assessment Request
SAI# FL9804060154C
Scoping Document Regarding the Draft Environmental Assessment for the Disposal
and Reuse of the Truman Waterfront Property
Naval Air Station, Key West, Monroe County, Florida

Dear Ms. Trainor:

In accordance with the provisions of Florida's Coastal Zone Management Act and Chapter 267, *Florida Statutes*, as well as the procedures contained in 36 C.F.R., Part 800 ("Protection of Historic Properties"), we have reviewed the referenced projects for possible impact to historic properties listed, or eligible for listing, in the *National Register of Historic Places*, or otherwise of historical or architectural value.

We note that there are a number of known historic properties within and adjacent to the project area. It is the opinion of this office that the nature and/or location of the proposed project activities (i.e., any new construction/rehabilitation/street scaping) is such that they could have an adverse effect on historic properties listed, or eligible for listing, in the National Register.

Therefore, it is the recommendation of this agency that future project funding be conditioned upon the applicant agreeing to comply with the following conditions:

- To notify this agency upon receipt of project approval that the applicant intends to comply with efforts to identify, evaluate and appropriately design project activities to avoid or minimize adverse project impacts to any historic properties listed, or which satisfy the criteria of eligibility for listing (36 CFR 60.4), in the National Register of Historic Places. Such notification will include the name and telephone number of the individual designated by the applicant to fulfill these conditions.

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250 • (850) 488-1480
FAX: (850) 488-3353 • WWW Address <http://www.dos.state.fl.us>

ARCHAEOLOGICAL RESEARCH
(850) 487-2299 • FAX: 414-2207

HISTORIC PRESERVATION
A-35

HISTORICAL MUSEUMS
(850) 488-1484 • FAX: 921-2503

Ms. Trainor
May 15, 1998
Page 2

- To consult with this agency in the identification and evaluation of any archaeological sites and/or pre-1948 structures which may be impacted by scheduled project activities, or such properties located adjacent to the activity areas.
- To consult with this agency for project activities that involve any new construction or street scaping, including open space improvements.
- To consult with this agency concerning measures to avoid or minimize impacts of any project activities adversely affecting properties listed, or eligible for listing, in the National Register, or otherwise of historical or archaeological value. In cases where project activities adversely impact historic properties, avoidance by way of project modifications is the preferred alternative. If project plans cannot be modified, then measures to minimize or mitigate impacts may be warranted.

Provided the applicant concurs with the condition, the proposed activities will be consistent with the historic preservation laws of Florida's Coastal Management Program.

If you have any questions concerning our comments, please do not hesitate to contact us. Your interest in protecting Florida's historic properties is appreciated.

Sincerely,



George W. Percy, Director
Division of Historical Resources
and
State Historic Preservation Officer

GWP/Ese

xc: Jasmin Raffington, FCMP-DCA



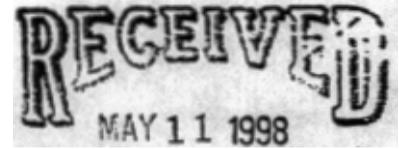
South Florida Water Management District

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045

TDD (561) 697-2574

GOV 04-12 RF: 98411

May 8, 1998



Ms. Cherie Trainor
Florida State Clearinghouse
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

State of Florida Clearinghouse

**Subject: Key West Naval Air Station (SAI #9804060154C)
Proposed Disposal and Reuse of the Truman Waterfront Property
Scoping Document For Environmental Assessment**

Dear Ms. Trainor:

In response to your request, the South Florida Water Management District (SFWMD) has reviewed the Scoping Document submitted by Ecology and Environment, Inc. in connection with the preparation of an Environmental Assessment (EA) for the above-referenced project.

Projects reviewed by the SFWMD pursuant to the FCMP are reviewed for consistency with the provisions of Chapter 373, F.S. (Florida Water Resources Act of 1972, as amended), as well as the programs and regulations developed thereunder. Chapter 373, F.S. provides the authority to regulate the withdrawal, diversion, storage, and consumptive uses of water, the construction and operation of stormwater management systems, and work in, on, or over surface waters or wetlands. Chapter 373, F.S. also provides authority to acquire and manage land, to conduct research and investigations into all aspects of water resource management, and to disseminate information relating to the water resources of the state to public and private users.

Based on an analysis of the mandatory enforceable provisions and recommended policies of the core FCMP statutes and implementing rules administered by the SFWMD, insufficient information is available at this time in order for staff to determine whether or not this project is consistent with the achievement of the SFWMD's projects, programs, and objectives.

The following comments should be addressed by the applicant in preparation of the Draft EA.

- (1) Any proposed activity which alters surface water flows (e.g., the proposed docking facilities) will require an Environmental Resource Permit.

Governing Board:

Frank Williamson, Jr., Chairman
Eugene K. Pettis, Vice Chairman
Mitchell W. Berger

Vera M. Carter
William E. Graham
William Hammond

Richard A. Machek
Michael D. Minton
Miriam Singer

Samuel E. Poole III, Executive Director
Michael Slayton, Deputy Executive Director

Mailing Address: P.O. Box A-37

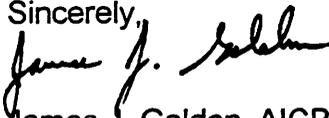
Beach, FL 33416-4680

Ms. Cherie Trainor
May 8, 1998
Page 2

- (2) The waters north and west of the Truman Waterfront are within Florida Bay which is classified as an Outstanding Florida Water (OFW). Consequently, any activities proposed in these waters must be in the public interest and must meet stringent water quality criteria, pursuant to Sections 62-4.242(2) and 62-302.700, F.A.C. In addition, please note that the SFWMD's Basis of Review for ERP applications (BOR) provides additional water quality criteria for docking facilities (Section 4.2.4.3).
- (3) District staff has concerns regarding the extent of existing contamination within and adjacent to the Truman Waterfront property. Detailed information should be provided regarding the extent of contamination as well as any remediation activities proposed.
- (4) District staff has concerns regarding re-suspension of pollutants in the marina sediments. If any dredging, pier construction, or other activity is proposed which disturbs sediment, analysis of pollutants in the sediment may be required. Carefully controlled dredging procedures may also be required.
- (5) The proposed marina facilities may result in adverse impacts to listed species, including manatees and sea turtles. The potential future cruise ship berth may result in adverse impacts to sea turtles, reefs, sea grasses, or other aquatic beds. Impacts to sea grasses and aquatic beds should be avoided and minimized to the extent practicable. Once avoidance and minimization has been addressed, any unavoidable impacts will require appropriate mitigation. The Draft EA should include a survey of reefs, sea grasses, and aquatic beds in the vicinity of the proposed berth. In addition, it will be necessary for the applicant to coordinate with the Department of Environmental Protection's Office of Protected Species Management, the Florida Marine Fisheries Service, and/or the U.S. Fish and Wildlife Service regarding manatees, sea turtles, and other listed species issues.

If any of the above requires additional clarification, please give me a call at (561) 682-6862.

Sincerely,



James J. Golden, AICP
Senior Planner
Regulation Department

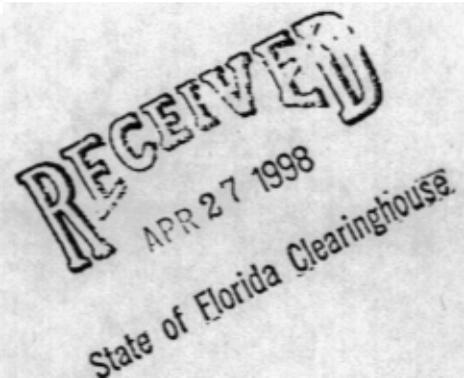
/jg

South
Florida
Regional
Planning
Council



April 24, 1998

Ms. Cherie Trainor
Florida State Clearinghouse
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100



RE: SFRPC #98-0420, SAI #FL9804060154C - Response to a request for comments on the scoping document regarding the Draft Environmental Assessment (EA) for the disposal and reuse of the Truman Waterfront Property, Naval Air Station, Ecology and Environment, Inc., Key West, Monroe County.

Dear Ms. Trainor:

We have reviewed the above-referenced environmental assessment and have the following comments:

- Council staff is concerned about the cumulative impacts of this and similar projects. Staff recognizes the location of this project in the Florida Keys National Marine Sanctuary, a natural resource of regional significance as designated in the *Strategic Regional Policy Plan for South Florida*. The Florida Keys ecosystem is sensitive and is subject to significant growth pressures. While this project may have little effect on the system by itself, the cumulative impacts on the water quality and ecological integrity of the region are of concern to Council staff and need to be considered with all projects. In addition, the project must be consistent with the goals and policies of the City of Key West comprehensive plan and its corresponding land development regulations.
- Staff recommends that, if this permit is granted, 1) impacts to the natural systems be minimized to the greatest extent feasible and 2) the permit grantor determine the extent of sensitive marine life and vegetative communities in the vicinity of the project and require protection and or mitigation of disturbed habitat. This will assist in reducing the cumulative impacts to native plants and animals, wetlands and fisheries that the goals and policies of the *Strategic Regional Policy Plan for South Florida* seek to protect.
- The goals and policies of the *Strategic Regional Policy Plan for South Florida*, in particular those indicated below, should be observed when making decisions regarding this project.

Strategic Regional Goal

- 3.1 Eliminate the inappropriate uses of land by improving the land use designations and utilize land acquisition where necessary so that the quality and connectedness of

3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021
Broward (954) 985-4416, Area Codes 305, 407 and 561 (800) 985-4416
SunCom 473-4416, FAX 17, SunCom FAX 473-4417
e-mai A-39 pc.com

Natural Resources of Regional Significance and suitable high quality natural areas is improved.

Regional Policies

- 3.1.1 Natural Resources of Regional Significance and other suitable natural resources shall be preserved and protected. Mitigation for unavoidable impacts will be provided either on-site or in identified regional habitat mitigation areas with the goal of providing the highest level of resource value and function for the regional system. Endangered faunal species habitat and populations documented on-site shall be preserved on-site. Threatened faunal species and populations and species of special concern documented on-site, as well as critically imperiled, imperiled and rare plants shall be preserved on-site unless it is demonstrated that off-site mitigation will not adversely impact the viability or number of individuals of the species.
- 3.1.9 Degradation or destruction of Natural Resources of Regional Significance, including listed species and their habitats will occur as a result of a proposed project only if:
- a) the activity is necessary to prevent or eliminate a public hazard, and
 - b) the activity is in the public interest and no other alternative exists, and
 - c) the activity does not destroy significant natural habitat, or identified natural resource values, and
 - d) the activity does not destroy habitat for threatened or endangered species, and
 - e) the activity does not negatively impact listed species that have been documented to use or rely upon the site.
- 3.1.10 Proposed projects shall include buffer zones between development and existing Natural Resources of Regional Significance and other suitable natural resources. The buffer zones shall provide natural habitat values and functions that compliment Natural Resources of Regional Significance values so that the natural system values of the site are not negatively impacted by adjacent uses. The buffer zones shall be a minimum of 25 feet in width. Alternative widths may be proposed if it is demonstrated that the alternative furthers the viability of the Natural Resource of Regional Significance, effectively separating the development impacts from the natural resource or contributing to reduced fragmentation of identified Natural Resources of Regional Significance.

Strategic Regional Goal

- 3.4 Improve the protection of upland habitat areas and maximize the interrelationships between the wetland and upland components of the natural system.

Regional Policies

- 3.4.4 Require the use of ecological studies and site and species specific surveys in projects that may impact natural habitat areas to ensure that rare and state and federally listed plants and wildlife are identified with respect to temporal and spatial distribution.
- 3.4.5 Identify and protect the habitats of rare and state and federally listed species. For those rare and threatened species that have been scientifically demonstrated by past

or site specific studies to be relocated successfully, without resulting in harm to the relocated or receiving populations, and where *in-situ* preservation is neither possible nor desirable from an ecological perspective, identify suitable receptor sites, guaranteed to be preserved and managed in perpetuity for the protection of the relocated species that will be utilized for the relocation of such rare or listed plants and animals made necessary by unavoidable project impacts. Consistent use of the site by endangered species, or documented endangered species habitat on-site shall be preserved on-site.

- 3.4.8 Remove invasive exotics from all Natural Resources of Regional Significance and associated buffer areas. Require the continued regular and periodic maintenance of areas that have had invasive exotics removed.
- 3.4.9 Required maintenance shall insure that re-establishment of the invasive exotic does not occur.

Strategic Regional Goal

- 3.8 Enhance and preserve natural system values of South Florida's shorelines, estuaries, benthic communities, fisheries, and associated habitats, including but not limited to, Florida Bay, Biscayne Bay and the coral reef tract.

Regional Policies

- 3.8.1 Enhance and preserve natural shoreline characteristics through requirements resulting from the review of proposed projects and in the implementation of ICE, including but not limited to, mangroves, beaches and dunes through prohibition of structural shoreline stabilization methods except to protect existing navigation channels, maintain reasonable riparian access, or allow an activity in the public interest as determined by applicable state and federal permitting criteria.
- 3.8.2 Enhance and preserve benthic communities, including but not limited to seagrass and shellfish beds, and coral habitats, by allowing only that dredge and fill activity, artificial shading of habitat areas, or destruction from boats that is the least amount practicable, and by encouraging permanent mooring facilities. Dredge and fill activities may occur on submerged lands in the Florida Keys only as permitted by the Monroe County Land Development Regulations. It must be demonstrated pursuant to the review of the proposed project features that the activities included in the proposed project do not cause permanent, adverse natural system impacts.
- 3.8.3 As a result of proposed project reviews, include conditions that result in a project that enhances and preserves marine and estuarine water quality by:
 - a) improving the timing and quality of freshwater inflows;
 - b) reducing turbidity, nutrient loading and bacterial loading from wastewater facilities and vessels;
 - c) reducing the number of improperly maintained stormwater systems; and
 - d) requiring port facilities and marinas to implement hazardous materials spill plans.

- 3.8.4 Enhance and preserve commercial and sports fisheries through monitoring, research, best management practices for fish harvesting and protection of nursery habitat and include the resulting information in educational programs throughout the region. Identified nursery habitat shall be protected through the inclusion of suitable habitat protective features including, but not limited to:
- a) avoidance of project impacts within habitat area;
 - b) replacement of habitat area impacted by proposed project; or
 - c) improvement of remaining habitat area within remainder of proposed project area.
- 3.8.5 Enhance and preserve habitat for endangered and threatened marine species by the preservation of identified endangered species habitat and populations. For threatened species or species of critical concern, on-site preservation will be required unless it is demonstrated that off-site mitigation will not adversely impact the viability or number of individuals of the species.

Thank you for the opportunity to comment. We would appreciate being kept informed on the progress of this project. Please do not hesitate to call if you have any questions or comments.

Sincerely,



Eric Silva
Regional Planner

ES/kj

cc: Ralph Cantral, FCMP
Julio Avel, City of Key West

Message:

STATE AGENCIES

WATER MANAGEMENT DISTRICTS

OPB POLICY UNITS

Agriculture
Community Affairs
Environmental Protection
Game and Fresh Water Fish Comm
OTTED
State
Transportation

South Florida WMD

X Environmental Policy/C & ED

*Also routed by M.
to: EOG-OPB-
Growth mgmt
General Gov't
Paul Allen*

RECEIVED
APR 15 1998

State of Florida Clearinghouse

The attached document requires a Coastal Zone Management Act/Florida Coastal Management Program consistency evaluation and is categorized as one of the following:

- Federal Assistance to State or Local Government (15 CFR 930, Subpart F). Agencies are required to evaluate the consistency of the activity.
- X Direct Federal Activity (15 CFR 930, Subpart C). Federal Agencies are required to furnish a consistency determination for the State's concurrence or objection.
- Outer Continental Shelf Exploration, Development or Production Activities (15 CFR 930, Subpart E). Operators are required to provide a consistency certification for state concurrence/objection.
- Federal Licensing or Permitting Activity (15 CFR 930, Subpart D). Such projects will only be evaluated for consistency when there is not an analogous state license or permit.

Project Description:

Ecology and Environment, Inc. - Scoping Document Regarding the Draft Environmental Assessment for the Disposal and Reuse of the Truman Waterfront Property, Naval Air Station Key West, Monroe County, Florida.

To: Florida State Clearinghouse
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100
(850) 922-5438 (SC 292-5438)
(904) 414-0479 (FAX)

EO. 12372/NEPA

Federal Consistency

- No Comment
- Comments Attached
- Not Applicable

- No Comment/Consistent
- Consistent/Comments Attached
- Inconsistent/Comments Attached
- Not Applicable

From:

Division/Bureau: EOG-OPB-Env. Policy
Reviewer: [Signature]
Date: 4/14/98

Message:

STATE AGENCIES

WATER MANAGEMENT DISTRICTS

OPB POLICY UNITS

Agriculture
 Community Affairs
 Environmental Protection
 Game and Fresh Water Fish Comm
 OTTED
 State
 Transportation

South Florida WMD

X Environmental Policy/C & ED

RECEIVED
 APR 22 1998

State of Florida Clearinghouse

The attached document requires a Coastal Zone Management Act/Florida Coastal Management Program consistency evaluation and is categorized as one of the following:

- Federal Assistance to State or Local Government (15 CFR 930, Subpart F). Agencies are required to evaluate the consistency of the activity.
- X Direct Federal Activity (15 CFR 930, Subpart C). Federal Agencies are required to furnish a consistency determination for the State's concurrence or objection.
- Outer Continental Shelf Exploration, Development or Production Activities (15 CFR 930, Subpart E). Operators are required to provide a consistency certification for state concurrence/objection.
- Federal Licensing or Permitting Activity (15 CFR 930, Subpart D). Such projects will only be evaluated for consistency when there is not an analogous state license or permit.

Project Description:

Ecology and Environment, Inc. - Scoping Document Regarding the Draft Environmental Assessment for the Disposal and Reuse of the Truman Waterfront Property, Naval Air Station Key West, Monroe County, Florida.

To: Florida State Clearinghouse
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, FL 32399-2100
 (850) 922-5438 (SC 292-5438)
 (904) 414-0479 (FAX)

EO. 12372/NEPA

- No Comment
- Comments Attached
- Not Applicable

Federal Consistency

- No Comment/Consistent
- Consistent/Comments Attached
- Inconsistent/Comments Attached
- Not Applicable

From:

Division/Bureau: EOG/OPB/KNV

Reviewer: Dr. Paula Allen

Date: April 20, 1998

Message:

STATE AGENCIES	WATER MANAGEMENT DISTRICTS	OPB POLICY UNITS
Agriculture Community Affairs Environmental Protection X Game and Fresh Water Fish Comm OTTED State Transportation	South Florida WMD	Environmental Policy/C & ED <div style="border: 1px solid black; padding: 5px; text-align: center;"> RECEIVED BY GFC APR 07 1998 OFFICE OF ENVIRONMENTAL SERVICES </div>

The attached document requires a Coastal Zone Management Act/Florida Coastal Management Program consistency evaluation and is categorized as one of the following:

- Federal Assistance to State or Local Government (15 CFR 930, Subpart F). Agencies are required to evaluate the consistency of the activity.
- Direct Federal Activity (15 CFR 930, Subpart C). Federal Agencies are required to furnish a consistency determination for the State's concurrence or objection.
- Outer Continental Shelf Exploration, Development or Production Activities (15 CFR 930, Subpart E). Operators are required to provide a consistency certification for state concurrence/objection.
- Federal Licensing or Permitting Activity (15 CFR 930, Subpart D). Such projects will only be evaluated for consistency when there is not an analogous state license or permit.

Project Description:

Ecology and Environment, Inc. - Scoping Document Regarding the Draft Environmental Assessment for the Disposal and Reuse of the Truman Waterfront Property, Naval Air Station Key West, Monroe County, Florida.

RECEIVED
APR 14 1998

State of Florida Clearinghouse

To: Florida State Clearinghouse
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100
(850) 922-5438 (SC 292-5438)
(904) 414-0479 (FAX)

EO. 12372/NEPA

Federal Consistency

- No Comment
- Comments Attached
- Not Applicable

- No Comment/Consistent
- Consistent/Comments Attached
- Inconsistent/Comments Attached
- Not Applicable

From:

Division/Bureau: Office of Environmental Services
Reviewer: Brian Bennett
Date: 4/8/98

Message:

STATE AGENCIES

WATER MANAGEMENT DISTRICTS

OPB POLICY UNITS

Agriculture
Community Affairs
Environmental Protection
Game and Fresh Water Fish Comm
X OTTED
State
Transportation

South Florida WMD
RECEIVED
MAY 06 1998
State of Florida Clearinghouse

Environmental Policy/C & ED

The attached document requires a Coastal Zone Management Act/Florida Coastal Management Program consistency evaluation and is categorized as one of the following:

- Federal Assistance to State or Local Government (15 CFR 930, Subpart F). Agencies are required to evaluate the consistency of the activity.
- X Direct Federal Activity (15 CFR 930, Subpart C). Federal Agencies are required to furnish a consistency determination for the State's concurrence or objection.
- Outer Continental Shelf Exploration, Development or Production Activities (15 CFR 930, Subpart E). Operators are required to provide a consistency certification for state concurrence/objection.
- Federal Licensing or Permitting Activity (15 CFR 930, Subpart D). Such projects will only be evaluated for consistency when there is not an analogous state license or permit.

Project Description:

Ecology and Environment, Inc. - Scoping Document Regarding the Draft Environmental Assessment for the Disposal and Reuse of the Truman Waterfront Property, Naval Air Station Key West, Monroe County, Florida.

To: Florida State Clearinghouse
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100
(850) 922-5438 (SC 292-5438)
(904) 414-0479 (FAX)

EO. 12372/NEPA

Federal Consistency

- No Comment
- Comments Attached
- Not Applicable

- No Comment/Consistent
- Consistent/Comments Attached
- Inconsistent/Comments Attached
- Not Applicable

From:

Division/Bureau: OTTED
Reviewer: Debra Ann Cookhill
Date: 4-30-98 A-46

Reef Relief[®]

a non-profit membership organization dedicated to
Preserve and Protect Living Coral Reef Ecosystems
through local, regional and global efforts

RECEIVED

MAY 11 1998

Pensacola

May 4, 1998

To: Douglas Heatwole, Project Manager

From: DeeVon Quirolo, Project Director 

Date: May 4, 1998

Re: Environmental Assessment for the Disposal and Reuse of the
Truman Waterfront Property, Naval Air Station, Key West, FL.

Enclosed please find the comments of our organization, as written
and presented to you by board member Robin Orlandi.

Thank You

Reef Relief Environmental Center & Store
201 William Street, P.O. Box 430, Key West, FL 33041
(305) 294-3100 fax (305) 293-9515
www.reefrelief reef@bellsouth.net

RECEIVED

MAY 11 1998

Pensacola

27 April 1998

Douglas Heatwole, Project Mgr.
Ecology and Environment Inc.
316 South Baylen St.
Pensacola FL 32501

Re: Environmental Assessment for the Disposal and Reuse of the Truman Waterfront Property,
Naval Air Station Key West, FL

Dear Mr. Heatwole:

In response to your letter soliciting input regarding significant environmental and social issues that should be addressed in the Environmental Assessment for the reuse of the Truman Annex Waterfront Property, we are submitting the following list of concerns we feel are critical to preserving the ecological health of both marine and land based habitats. As part of the Florida Keys National Marine Sanctuary, the marine habitat surrounding Key West has been designated an "Outstanding Florida Water" and as such is permitted to suffer no degradation in water quality. In any Environmental Assessment this should be kept foremost in mind. We are at a time in the Keys when the immediate future health of our coral reefs and nearshore waters can be sustained only through the best environmental management practices that result in the perpetuation of a clean, clear, unpolluted and nutrient-free water flow. In order for the Truman Waterfront Property's reuse to conform to those requirements, the following issues should be addressed:

Completion of the assessment and cleanup of several CERCLA/SARA sites located at Truman Annex that are currently being addressed through NASKW's Installation Restoration Program. Because of the Truman Properties' extreme proximity to our marine waters, it is imperative that all environmental cleanups and restorations utilize the most conservative standards protective of both human and environmental health. In the event that suitable environmental / ecological standards are not available, every effort should be made to determine, through consultation with scientists and researchers familiar with the unique environmental requirements of the Florida Keys, appropriate threshold exposure levels protective of marine and land based biota specific to this area. The cleanup of these IR and SWMU sites must be to the highest protective standard and not use fallback measures such as controlled access.

Stormwater runoff must be contained and properly treated. Parking lots should be constructed of porous paving material to allow for the absorption of rainwater.

At the marina and cruiseship facilities, bilge, human waste and other potentially harmful discharges must be eliminated. Sanitary pumpout and emergency containment facilities should be provided to encourage vessel compliance; All vessels should be required to provide proof of compliance as a condition of marina access; and enforcement of clean vessel requirements needs to be made a priority. The facilities should be constructed so as to be sufficient to meet the full capacity needs of the marina. Any existing fuel storage, piping lines or other potentially hazardous, prior use infrastructure must be removed and any spillage remediated. Fuel docks need to be spill and runoff proofed and have adequate emergency response planning.

the impacts of vessel propwash on seagrasses, patch reefs, and other bottom communities should be studied and appropriate measures taken to prevent negative impacts; vessels should be taxed for remediation and mitigation fees.

All vessels should pay an annual per foot or per tonnage fee for coral reef restoration and research programs addressing the impacts of, and for emergency response in the event of,

groundings, leakage or other incidents adversely affecting the health of surrounding marine habitats.

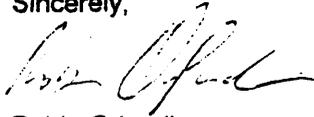
Impacts from increased traffic, sanitation, water and other resource uses need to be quantified and infrastructure funding established to compensate for the demand that the reuse of the Truman Waterfront will generate. Environmentally sound and sustainable practices should be emphasized.

Preservation of sufficient greenspace is absolutely imperative to protect threatened species and provide adequate habitat. The Truman Property should emphasize the importance of the natural environment in the Florida Keys and restrict buildout; the natural history of the area should be incorporated into educational facilities and emphasized in public spaces; the health and efficiency of the greenspaces should be monitored regularly by qualified scientists to assure their productive function for both wildlife and human users.

The use of synthetic pesticides and fertilizers in green areas should be restricted or banned to protect both human and wildlife receptors and to address the problem of contaminated runoff. Integrated Pest Management provides a workable, environmentally sound alternative that should be used on both the grounds and inside buildings.

Please send us copies of the EA and any supporting documents concerning the Truman Waterfront as they are developed. We request that we be placed on any relevant mailing lists.

Sincerely,



Robin Orlandi
Acting NASKW Restoration Advisory Board community member for Reef Relief