

May 14, 2015

U.S. Army Corps of Engineers

Jacksonville District

Planning and Policy Division, Environmental Branch

Attn: Aubree Hershorin, PhD

Re: Lido Key Hurricane and Storm Damage Reduction Project, Sarasota County, Florida—Draft Finding of No Significant Impact (FONSI)

Via email to: [Aubree.G.Hershorin@usace.army.mil](mailto:Aubree.G.Hershorin@usace.army.mil)

Dear Dr. Hershorin,

I am writing you to express my concern/objection to this proposed Lido Key Hurricane and Storm Damage Reduction Project, Sarasota County, Florida—Draft finding of no Significant Impact (FONSI) and the draft Environmental Assessment (EA) of additional sand sources. I am raising questions that I believe should be considered as a part of your decision making process prior to concluding a FONSI. I believe that the issues raised are so significant that the when these issues are considered the proper conclusion is the need for a Environmental Impact Statement. I am a resident of Siesta Key, Sarasota County, Florida and am concerned because I believe I may be significantly negatively impacted by the proposed project in its current form.

My concerns and objections are:

1. The proposed sand source is proposed to be the Big Sarasota Pass ebb shoal and the New Pass borrow area (Draft Environmental Assessment ("EA"), pages 5 and 6 and figure 5). However, the Joint Permit Application for Joint Coastal Permit ("JCP") proposed dredging plan of Big Pass (D2-C-B) is to dredge (FDEP JPA, Attachment 5, Project Description, page 3) 300,000 cubic yards of sand from the existing channel ("Area B") just offshore of the north end of Siesta Key and up to 985,000 cubic yards of sand from the "ephemeral channel" ("Cut C") down the middle of Big Pass shoal.
  - a. The broad declaration of the EA to mine the Big Pass Shoal should be clarified as to the priority of the use of D3, C and B and schedule of mining of these various sources should be detailed and alternative priorities and schedules should be explained. Also the difference between D3 and D2 should be clarified. This is consistent with the FDEP RAI#1, page 9.
  - b. The EA proposes dredging and renourishment every five years for 50 years (EA, page 1) is inconsistent with the requested 15 year permit (JCP, Attachment 5, page 1). This will remove a significant amount of sand that is currently the primary source of the natural refurbishment of mid-Siesta Key beach (Siesta

Key Beach Access 3 to the public beach). What is the real length of activities of the EA?

- c. The Big Pass shoal is the source of the natural renurishment of the Mid Beach of Siesta Key between Access 3 and the Public Beach. The proposed mining areas in the Big Pass shoal have never been dredged before and there is no modeling presented in the EA to demonstrate no significant impact to a the Mid beach of Siesta Key which includes the recently rated #1 beach in the US and a significant public asset and source of tourism related economy. Thus, modeling should be expanded to show no the impact for 5 years of the proposed dredging of the Siesta Key mid-beach (between Siesta Key Access 3 and the public beach).
2. The requested FDEP permit application requests a 15-year permit (proposing to pre-approving not only the initial dredging but also additional dredging to permit planned future nourishments of Lido every five years).
    - a. This first time dredge should instead be viewed as an “**experiment**” and further dredging of this area should not be pre-approved but instead await proof (based on actual data after this initial dredging) that the current and supplemental requested models are correct and the impacts are not significant.
    - b. There is no plan to monitor the actual impact on the Mid Beach of Siesta Key of the proposed dredging. Monitoring actual impacts versus modeled impacts should be done and include the Siesta Key Mid Beach area. This is consistent with the FDEP RAI#1, item 33a, page 15.
  3. The EA modeling in Appendix G demonstrates that within 1.5 years of the dredging D2-CB “there will be **significant accretion** in Cut C and the main navigation channel” (page 122 (emphasis added). Figure 133 predicts that a fill in of Cut C by 3 meters (about 9 feet) and a fill in of the existing pass near the northwest shore of Siesta Key (Area B) by 5 meter (about 15 feet) in 1.5 years after dredging. Versus the no action alternative there is plus or minus 0.5 meter change which is likely beyond the accuracy of the model. No modeling is disclosed for longer periods up to the proposed five years between dredging but should be preformed to properly assess the impact the proposed permit and any required mitigations.
  4. The EA contains a request an opinion from the US Fish and Wildlife Service (USFW) (pdf page 117).
    - a. I assume no EA finding can be completed until the opinion is obtained. Please provide a copy of the response from USFW.
    - b. The Florida Fish and Wildlife Conservation Commission (“FWC”) has declared the Snowy Plover (“SNPL”) as a state designated threatened species ([http://myfwc.com/media/1515251/threatened\\_endangered\\_species.pdf](http://myfwc.com/media/1515251/threatened_endangered_species.pdf) ).

Siesta Key and Lido beach is a known nesting location for this species. The EA should coordinate with the FWC to develop an assessment of the impact to SNPLs on Lido and Siesta Key and appropriate mitigation steps. FWC is currently working on this in developing a draft Florida Beaches Habitat Conservation Plan (<http://www.flbeacheshcp.com/>) and its recommended mitigations steps should be included.

- c. Sarasota has an Adaptive Management Plan for SNPL (<https://www.scgov.net/EnvironmentalPlanning/Documents/Snowy%20Plover%20Adaptive%20Management%20Strategy.pdf>). The EA should include a consultation with Sarasota County on their plan to protect nesting SNPLs on Lido and Siesta Key.
5. The FDEP JCP contained a Value engineering Report (10/31/2013). The report failed to consider three significant items that should have been studied as part of the EA. They are:
- a. The EA has failed to study an alternative to the proposed fixed groins of inflexible porosity. The EA should study using the alternative of using Permeable Adjustable Groins ('PAG') (see FDEP permit 0300119-004-JC, 1/31/2014). As is obvious from the varying groin designs of this EA, designing the degree of permeability is not based science. Having the ability to easily adjust the permeability using a PAG is more likely to be successful and should be less expensive. The successful use of PAG on Longboat Key suggests this is the proper design for Lido.
  - b. The elimination of the third terminal groin is not based on exact science and should be reconsidered. EA Appendix G Figure 96, page 99 indicates without periodic renourishment the south tip of Lido will be significantly eroded. The EA has no guaranteed funding for future renourishments; instead a required mitigation step should be included to build the third groin if future renourishments are eliminated or significantly delayed. The FDEP permit should be modified to request a permit for the third groin and a Sarasota County easement obtained for the third groin.
  - c. The scope of the beach renourishment in terms of length and with has not been evaluated. The test minimum project with the least impacts and must have benefits would be to build the two groins using a PAGs fill the area with sand between them and immediately adjacent. The results of this design should be then studied before moving on the much larger proposed project. This minimum project will reduce the need for the proposed extensive dredging, protect the condo of concern and hold the recently renourishment just north of the first groin. The costs of this project should be significantly less. This test pilot project should be evaluated.

I would appreciate a response to my concern before the permit review is complete.

Yours truly,

A handwritten signature in dark ink, appearing to read "Robert C. Luckner". The signature is written in a cursive style with a large initial 'R' and a distinct 'C'.

Robert C Luckner, PhD  
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