

RECORD OF DECISION

PORT EVERGLADES HARBOR NAVIGATION STUDY BROWARD COUNTY, FLORIDA

The Final Feasibility Report and Environmental Impact Statement (FR/EIS), dated March 2015 (revised May 2015), for the Port Everglades Feasibility Study, addresses the Federal interest in navigational improvements to reducing transportation costs and increasing channel safety and maneuverability for the existing fleet and future vessels at Port Everglades, Florida. Based on the Final FR/EIS, the reviews of other Federal, State, and local agencies, input from the public, and the review by my staff, I find the plan recommended by the Chief of Engineers to be technically feasible, economically justified, in accordance with environmental statutes, and in the public interest.

The Final FR/EIS, incorporated herein by reference, evaluated various structural and non-structural alternatives that would provide deeper and/or wider channels for more efficient transit of large commercial vessels. In addition to a "no action" plan, five alternatives with varying dredge depths with structural and non-structural measures were analyzed. The recommended plan is the Locally Preferred Plan (LPP), and includes:

- Deepening the existing -42 foot Mean Lower Low Water (MLLW) channel to -48 feet MLLW from the Outer Entrance Channel (OEC) through the Southport Access Channel (SAC);
- Widening the OEC from the existing 500-foot channel width to 800 feet and extending it 2,200 feet seaward;
- Widening the southeast corner of the Main Turning Basin, referred to as the widener, by 300 feet;
- Widening the SAC by 250 feet (including reconfiguration of the U.S. Coast Guard (USCG) facility easterly on USCG property);
- Shifting the existing 400-foot-wide channel by 65 feet to the east;
- Widening the Turning Notch (TN) by 100 feet parallel to the channel on the eastern edge of the SAC;
- Widening the western edge of the SAC that provides access to the TN from the existing federal channel edge by 130 feet at the north edge of the TN; and
- Implementing the environmental compensatory mitigation and associated monitoring and adaptive management plan.

All dredged material, approximately 5.5 million cubic yards, would be placed in the Ocean Dredged Material Disposal Site (ODMDS) located offshore of Ft. Lauderdale, Florida and managed by U.S. Environmental Protection Agency (EPA). EPA is scheduled to complete the formal designation process for expansion of the ODMDS boundaries including rulemaking in 2016.

The -47 foot dredge depth alternative was the National Economic Development (NED) plan. The recommended plan would be one foot deeper than the NED plan and was requested by the sponsor. In accordance with U.S. Army Corps of Engineers policy, I approved the LPP for consideration as the recommended plan on September 30, 2014.

The recommended plan is the environmentally preferred plan, the least environmentally damaging practicable alternative that accomplishes all the project objectives. All practicable means to avoid or minimize adverse environmental effects have been incorporated. The recommended plan will result in unavoidable impacts to 4.21 acres of seagrass habitat; 1.16 acres of mangrove habitat; and 14.62 acres of hardbottom and reef habitats. To mitigate for these unavoidable impacts, the Corps will purchase one "functional unit" of mangrove habitat and 2.4 "functional units" of seagrass habitats generated by an ecosystem restoration project within West Lake Park, a Broward-County-operated natural area. The Corps will construct approximately five acres of boulder-reefs that will be used to support approximately 11,500 corals transplanted from the area of the dredged channel. The exact location of the boulder-reefs will be determined during pre-construction engineering and design (PED). The boulder reefs will be located offshore of Broward County, most likely in the sand trough between reefs 2 and 3. The Corps will enhance approximately 18 acres of hardbottom and reef habitats by installing over 103,000 coral colonies grown by coral nurseries. The exact location of these enhancement sites will be determined during the project construction phase, but will most likely be in ship grounding areas, inshore of the former anchorage, or in areas where coral densities have dropped due to disease or some other factor on either reefs 1 or 2. The mitigation plan for the hardbottom and reef habitats was developed in coordination with the National Marine Fisheries Service (NMFS). During the PED phase, the Corps will consider all practicable and applicable technology to potentially avoid and minimize environmental effects.

A water quality certification pursuant to Section 401 of the Clean Water Act will be obtained from the State of Florida. The Florida State Clearinghouse stated that the proposed deepening is conditionally consistent with the Florida Coastal Management Program. In accordance with Section 7 of the Endangered Species Act, the NMFS issued a biological opinion determining that the proposed project will not jeopardize the continued existence of federal listed species managed by NMFS. The U.S. Fish and Wildlife Service (USFWS) concurred with the Corps' determination that the project would not adversely affect federal listed species managed by USFWS. All terms and conditions resulting from these consultations shall be implemented in order to minimize take of endangered species.

Public Review of the Draft FR/EIS was completed on August 12, 2013. All comments submitted during the public comment period were responded to in the Final FR/EIS. A 30-day review of the Final FR/EIS was completed on April 15, 2015. Comments from the state and Federal agencies did not result in any changes to the Final FR/EIS.

Technical and economic criteria used in the formulation of alternative plans were those specified in the Water Resources Council's 1983 Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies. All applicable laws, executive orders, regulations and local government plans were considered in the evaluation of alternatives. Based on review of these evaluations, I find that the benefits of the recommended plan outweigh the costs and any adverse effects. This Record of Decision completes the National Environmental Policy Act process.

Jan. 29, 2016
Date

Jo-Ellen Darcy
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Assistant Secretary of the Army
(Civil Works)