



FLORIDA SHORE & BEACH PRESERVATION ASSOCIATION

A League of Cities and Counties on Beach and Coastal Issues

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South Atlantic Fishery Management Council
4055 Faber Place Drive, Suite 201
North Charleston, SC 29405

Re: Written Comments on the Policies for the Protection and Restoration of EFH from Beach Renourishment and Associated Large-Scale Coastal Engineering

Dear Council Members,

Thank you for the opportunity to comment on the SAFMC's Policies for the Protection and Restoration of Essential Fish Habitats from Beach Renourishment and Associated Large-Scale Coastal Engineering, Draft Revised February. In reviewing the draft, FSBPA continues to have concerns about the policy recommendations, including those initially expressed in our comment letter dated December 7, 2022. The Council's stated policy finds that beach nourishment project activities *may* cause impacts to essential fish habitat and recommends new and updated best management practices for these activities – some appearing to be based on limited, selective, and dated references. FSBPA requests further investigation by the Council before adopting new policies on beach nourishment for the protection of EFH. The result of adopting any unsubstantiated policies will cause delays in projects intended to protect critical infrastructure and cultural and environmental resources from coastal flooding and erosion impacts.

Before adopting new policies and best management practices, I respectfully recommend the Council conduct a comprehensive review of the available data from beach nourishment programs and assess the best management practices that are already in place in each of the effected states. By law, Florida's joint coastal permitting program has extensive resource protection measures and monitoring protocols in place to help protect natural resources. Permit applicants are required to assess potential impacts to EFH and often consult directly with NMFS. In this situation, it would be helpful if the Council would provide FSBPA with data collected on a Florida beach nourishment project in the past 10-15 years with impacts to nearshore habitats, and which were not adequately addressed through extensive avoidance, minimization, and as a last resort, mitigation measures.

Once you have had an opportunity to evaluate Florida's coastal construction regulatory programs, it will be apparent that several of the recommended BMPs are already being employed in this state. With that said, there are also recommended BMPs that have no basis for adoption and will not produce useful results. For example, BMP #2 is the identification of cumulative impacts that includes impacts of associated other regional dredge projects that are geographically and ecologically related. What useful data can be collected for evaluation when there are short term decreases in abundance and changes in composition of species at most areas, coupled with inconsistent sampling designs across state

programs? As to BMP #3, why should dredging be limited to bathymetric peaks when oceanographic characteristics were found to play a larger role in influencing distribution of certain fishes than geomorphological ones? FSBPA further disagrees with BMP #6, which states habitats designated as EFH-HAPC or recognized in state-level natural resource management plans should not be used as borrow areas for sand mining. There is no basis for a wide-sweeping exclusion zones of these public resources. This is especially concerning given large sections of the South Atlantic Ocean are identified as EFH or EFH-HAPC by SAFMC.

In closing, FSBPA formally requests the recommended policies and BMPs not be adopted as stated in the February draft document. FSBPA disagrees with EFH consultations being used to direct potential research by the regulated community at its cost and recommends the Council perform a comprehensive review of existing beach nourishment monitoring programs and post construction reports in the effected states to help inform the direction of future BMPs. We further encourage funding be made available for independent research for the identified research needs of the Council, the results of which should be re-evaluated by the Habitat Protection & Ecosystem Advisory Panel with updated recommendations. Further, we are resubmitting our original comments in full.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Uchino".

Pepper Uchino
President, FSBPA