

Deepwater Horizon Oil Spill Natural Resource Damage Assessment

FLORIDA TRUSTEE IMPLEMENTATION GROUP

Phase V.3 Florida Coastal Access Project: Draft Restoration Plan and Supplemental Environmental Assessment

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List of Acronyms

| Acronym | Definition |
|--------------------|---|
| AR | Administrative Record |
| BMPs | Best Management Practices |
| BP | BP Exploration and Production Inc. |
| CEQ | Council on Environmental Quality |
| CWA/RHA | Clean Water Act Section 404 and Rivers and Harbors Act |
| DOI | United States Department of the Interior |
| DWH | <i>Deepwater Horizon</i> |
| EA | Environmental Assessment |
| EFH | Essential Fish Habitat |
| EIS | Environmental Impact Statement |
| EO | Executive Order |
| EPA | United States Environmental Protection Agency |
| ESA | Endangered Species Act |
| FDEP | Florida Department of Environmental Protection |
| FEMA | Federal Emergency Management Agency |
| FL TIG | Florida Trustee Implementation Group |
| FONSI | Finding of No Significant Impact |
| FWC | Florida Fish and Wildlife Conservation Commission |
| GEBF | Gulf Environmental Benefit Fund |
| GHG | Greenhouse Gas |
| MSFCMA | Magnuson-Stevens Fishery Conservation and Management Act |
| NEPA | National Environmental Policy Act |
| NFWF | National Fish and Wildlife Foundation |
| NHPA | National Historic Preservation Act of 1966, as amended |
| NOAA | National Oceanic and Atmospheric Administration |
| NOI | Notice of Intent |
| NPS | National Park Service |
| NRDA | Natural Resource Damage Assessment |
| OPA | Oil Pollution Act |
| PDARP/PEIS | <i>Deepwater Horizon</i> Oil Spill: Final Programmatic Damage Assessment and Restoration Plan/Programmatic Environmental Impact Statement |
| Phase III ERP/PEIS | Final Programmatic and Phase III Early Restoration Plan and Early Restoration Programmatic Environmental Impact Statement |
| Phase V ERP/EA | Final Phase V Early Restoration Plan and Environmental Assessment |
| Phase V.2 RP/SEA | Final Phase V.2 Restoration Plan and Supplemental Environmental Assessment |
| Phase V.3 RP/SEA | Phase V.3 Florida Coastal Access Project Draft Restoration Plan and Supplemental Environmental Assessment |
| RESTORE | Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States |
| ROD | Record of Decision |
| RP | Restoration Plan |

| Acronym | Definition |
|---------|---|
| RP1/EA | Final Restoration Plan 1 and Environmental Assessment: Habitat Projects on Federally Managed Lands; Nutrient Reduction; Water Quality; and Provide and Enhance Recreational Opportunities |
| SCAT | Shoreline Cleanup Assessment Technique |
| SEA | Supplemental Environmental Assessment |
| TPL | Trust for Public Land |
| U.S.C. | United States Code |
| USDA | United States Department of Agriculture |
| USFWS | United States Fish and Wildlife Service |

Executive Summary

ES.1 Introduction

On April 20, 2010, the *Deepwater Horizon* (DWH) mobile drilling unit exploded, caught fire, and eventually sank in the Gulf of Mexico, resulting in a massive release of oil from the BP Exploration and Production Inc. (BP) Macondo well, causing loss of life and extensive natural resource injuries. Pursuant to the Oil Pollution Act (OPA), Title 33 United States Code (U.S.C.) § 2701 *et seq.*, and the laws of individual affected states, federal and state agencies, Indian tribes, and foreign governments act as trustees on behalf of the public to assess injuries to natural resources and their services¹ that result from an oil spill incident, and to plan for restoration to compensate for those injuries. Under the authority of OPA, the Trustees conducted a natural resource damages assessment (NRDA) to assess the impacts of the DWH oil spill on natural resources and the services those resources provide; and determine the type and amount of restoration needed to compensate the public for these impacts. OPA further instructs the designated trustees to develop and implement a plan for the restoration, rehabilitation, replacement, or acquisition of the equivalent of the injured natural resources under their trusteeship (hereafter collectively referred to as “restoration”).

ES.2 Purpose of this Document

This document, the Phase V.3 Florida Coastal Access Project Draft Restoration Plan and Supplemental Environmental Assessment (Phase V.3 RP/SEA), was prepared by the Florida Trustee Implementation Group (FL TIG). The FL TIG includes two state trustee agencies and four federal trustee agencies: the Florida Department of Environmental Protection (FDEP); the Florida Fish and Wildlife Conservation Commission (FWC); the United States Department of Commerce, represented by the National Oceanic and Atmospheric Administration (NOAA); the United States Department of the Interior (DOI), represented by the United States Fish and Wildlife Service (USFWS), National Park Service (NPS), and Bureau of Land Management (BLM); the United States Department of Agriculture (USDA); and the United States Environmental Protection Agency (EPA) (collectively the FL TIG).

This document serves as the Draft Restoration Plan (RP) under OPA and contains the associated Supplemental Environmental Assessment (SEA) for the third phase of the Florida Coastal Access Project under the National Environmental Policy Act (NEPA; collectively referred to as the “Phase V.3 RP/SEA”). The first and second phases of the Florida Coastal Access Project were evaluated and ultimately selected in the *Deepwater Horizon* Oil Spill Phase V Early Restoration Plan and Environmental Assessment (Phase V ERP/EA)² and the *Deepwater Horizon* Oil Spill Phase V.2 Florida Coastal Access Project: Final

¹ Services (or natural resource services) means the functions performed by a natural resource for the benefit of another natural resource and/or the public (15 C.F.R. § 990.30).

² The Phase V ERP/EA is available at www.gulfspillrestoration.noaa.gov/restoration-planning/phase-v.

Restoration Plan and Supplemental Environmental Assessment (Phase V.2 RP/SEA)³, respectively. The FL TIG prepared this Phase V.3 RP/SEA to inform the public about the restoration planning efforts for the third phase of the project and to seek public comment on the proposed alternative.

Following public notice, the draft Phase V.3 RP/SEA will be available to the public for a 30-day comment period. The deadline for submitting written comments on the draft Phase V.3 RP/SEA is specified in the public notice published in the *Federal Register* and the Florida DWH and the DWH Trustee websites.⁴ During this time, the Trustees plan to host a public meeting in Santa Rosa County, on July 18, 2019. At the public meeting, the Trustees will accept verbal comments, which will be documented, and written comments. In addition, the Trustees will accept public comments through a web-based comment submission site (www.gulfspillrestoration.noaa.gov/restoration-areas/florida) and through U.S. Mail. Chapter 1 of this Phase V.3 RP/SEA provides further detail on the public comment process.

The public, government agencies, and other entities have identified and continue to identify a large number of potential restoration projects for consideration during the restoration planning process. Projects not identified for evaluation in this draft Phase V.3 RP/SEA may continue to be considered for inclusion in future restoration planning.

ES.3 Summary of the Proposed Third Phase of the Florida Coastal Access Project

This Phase V.3 RP/SEA continues the restoration planning process begun prior to the settlement of the DWH oil spill NRDA and includes discussion of the third phase of the Florida Coastal Access Project.

Analyses of alternatives were conducted in the previous phases of the Florida Coastal Access Project and are incorporated by reference and summarized herein. In this Phase V.3 RP/SEA, the FL TIG is evaluating in detail one action alternative (Navarre Beach Marine Park Addition) and the No Action Alternative. The proposed action alternative includes the acquisition of a coastal inholding parcel within existing Navarre Beach Marine Park property in Santa Rosa County (see Figure ES-1). The primary goal of the proposed action alternative is to enhance the public's access to the surrounding natural resources and increase recreational opportunities. Additional details are provided in Chapter 2, the OPA evaluation is provided in Chapter 3, and the NEPA environmental impact analysis is provided in Chapter 4. Based on the OPA and NEPA evaluations, the FL TIG identified the implementation of the proposed action, the Navarre Beach Marine Park Addition, as the preferred alternative.

The proposed action is estimated to cost approximately \$2 million. Acquisition of the parcel would create further recreational uses and coastal access for the public and enhance the public's recreational experiences.

³ The Phase V.2 RP/SEA is available at www.gulfspillrestoration.noaa.gov/2018/02/florida-trustee-implementation-group-releases-phase-v2-final-restoration-plan.

⁴ Florida DWH website: www.deepwaterhorizonflorida.com; DWH Trustee website: www.gulfspillrestoration.noaa.gov

Figure ES-1. Location of the Proposed Alternative



Navarre Beach Marine Park Addition

SANTA ROSA COUNTY, FLORIDA

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ES.4 Summary of OPA Evaluation and Environmental Assessment

This Phase V.3 RP/SEA addresses the third phase of the Florida Coastal Access Project, and supplements the Phase V ERP/EA and Phase V.2 RP/SEA.⁵ The proposed action identified in this Phase V.3 RP/SEA was screened based on the OPA-defined criteria (described in Chapter 3) and an environmental assessment was conducted to determine the type and severity of potential environmental impacts that might result from implementation of the proposed action (described in Chapter 4). Chapter 4 supplements the Phase V ERP/EA with site-specific information on the action alternative and provides a NEPA analysis for potential impacts for site-specific concerns anticipated from implementation of the action alternative and the No Action Alternative, described as follows:

1. **Navarre Beach Marine Park Addition**, Santa Rosa County (Preferred): This alternative would involve acquiring an approximately 4.75-acre private inholding within the existing Navarre Beach Marine Park. Approximate cost for this alternative is \$2 million.
2. **No Action**: Under the No Action Alternative, the proposed alternative would not be implemented, and the parcel would not be acquired for preservation for recreational purposes. The privately owned property could ultimately be sold for other purposes.

Alternatives analyses conducted in previous phases of the Florida Coastal Access Project are incorporated by reference and summarized in Chapter 4, NEPA Analysis. As described below, the FL TIG has determined that the action alternative would have no adverse environmental effects.

- **Navarre Beach Marine Park Addition**: The FL TIG's NEPA analysis of the environmental consequences determined that this alternative would have no adverse environmental effects. The alternative would not involve any ground-disturbing activities and therefore would have no adverse impacts on the physical or biological environment or cultural resources. The acquisition and protection of this site could result in long-term benefits to the habitat and biological resources. Further, visitation and human use of the site is not expected to increase substantially as there are no restrictions to public access in place currently. Also, permanent shorebird signs are placed on the adjoining park breeding habitat and would be placed on the Navarre Beach Marine Park Addition site if needed to minimize disturbance during the breeding season. Finally, environmental justice is not a factor in this proposed action as there is no potential for adverse environmental, economic, social, or health impacts to communities and groups that meet environmental justice criteria under Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority and Low Income Populations" (1994).
- **No Action Alternative**: Under the No Action Alternative, the proposed alternative would not be implemented, and the parcel would not be acquired for preservation for recreational purposes. The privately owned property could ultimately be sold for other purposes.

⁵ The Phase V ERP/EA, Phase V.2 RP/SEA, and this Phase V.3 RP/SEA tier from the Final Programmatic and Phase III Early Restoration Plan and Early Restoration Programmatic Environmental Impact Statement (Phase III ERP/PEIS), which is available at www.gulfspillrestoration.noaa.gov/restoration/early-restoration/phase-iii.

Ultimately the Trustees identified the Navarre Beach Marine Park Addition action alternative as preferred for implementation in this Phase V.3 RP/SEA. Alternatives previously analyzed as part of the Florida Coastal Access Project that were not selected for implementation could be identified as preferred in future restoration plans.

The Trustees are required under NEPA to evaluate a No Action Alternative, which provides a benchmark enabling decision makers to compare the magnitude of environmental effects of the action alternatives (CEQ 1502.14(d)). Under this alternative, no additional parcels would be acquired as part of the Phase V Florida Coastal Access Project. The FL TIG has determined that the No Action Alternative would not provide additional recreational use benefits. Without active NRDA restoration, the public would not be compensated for losses to natural resources and their services during this recovery period (“interim” losses). The No Action Alternative is described and analyzed in Chapter 4.

Chapter 1. Introduction and Background

1.1 Introduction

The Florida Trustee Implementation Group (FL TIG) has prepared this Draft Restoration Plan and Supplemental Environmental Assessment (RP/SEA) for the third phase of the Florida Coastal Access Project to address part of the restoration of lost recreational use in the Florida Restoration Area as a result of the *Deepwater Horizon* (DWH) oil spill (Phase V.3 RP/SEA).

The 2016 *Deepwater Horizon* Oil Spill Phase V Early Restoration Plan and Environmental Assessment (Phase V ERP/EA) included an analysis and funding for the first phase of the Florida Coastal Access Project (DWH Trustees 2016a) and the *Deepwater Horizon* Oil Spill Phase V.2 Florida Coastal Access Project: Final Restoration Plan and Supplemental Environmental Assessment (Phase V.2 RP/SEA) included an analysis and funding for the second phase of the Florida Coastal Access Project (FL TIG 2018). Both the Phase V ERP/EA and the Phase V.2 RP/SEA are incorporated herein by reference.⁶ The Florida Coastal Access Project was allocated approximately \$45.4 million in Early Restoration funds. The first phase of the project involved the acquisition and/or enhancement of four coastal project locations in the Florida Panhandle and the second phase included the acquisition and enhancement of one coastal project location. The project proposed in this Phase V.3 RP/SEA would be funded using the remaining funds not utilized for the first and second phases of the Florida Coastal Access Project. The primary goal of the project is to enhance the public's access to the surrounding natural resources and increase recreational opportunities. In this Phase V.3 RP/SEA, the FL TIG identified the proposed action, the Navarre Beach Marine Park Addition, as the preferred alternative which consists of the acquisition of a coastal inholding parcel at Navarre Beach Marine Park in the Florida Panhandle. No recreational amenities are proposed as part of this project.

The purpose of restoration, as discussed in the Phase V ERP/EA, the Phase V.2 RP/SEA, and the 2016 *Deepwater Horizon* Oil Spill: Final Programmatic Damage Assessment and Restoration Plan/Programmatic Environmental Impact Statement (PDARP/PEIS),⁷ is to make the environment and the public whole for injuries resulting from the DWH oil spill by implementing restoration actions that return injured natural resources and services to baseline conditions and compensate for interim losses, in accordance with the Oil Pollution Act of 1990 (OPA) and associated natural resource damage assessment (NRDA) regulations. The PDARP/PEIS also sets forth the process for subsequent DWH restoration planning, including a post-settlement DWH Trustee governance structure that established a

⁶ 40 C.F.R. §1502.21 states "Agencies shall incorporate material into an environmental impact statement by reference when the effect will be to cut down on bulk without impeding agency and public review of the action. The incorporated material shall be cited in the statement and its content briefly described." The Phase V ERP/EA contains information on the Early Restoration process and the first phase of the Florida Coastal Access Project, available at www.gulfspillrestoration.noaa.gov/restoration-planning/phase-v/; the Phase V.2 RP/SEA contains information on the second phase and is available at www.gulfspillrestoration.noaa.gov/2018/02/florida-trustee-implementation-group-releases-phase-v2-final-restoration-plan/.

⁷ The PDARP/PEIS and Record of Decision (ROD) are available at www.gulfspillrestoration.noaa.gov/restoration-planning/gulf-plan/.

TIG for each of the eight Restoration Areas, including the Florida Restoration Area (described in Chapter 5 of the PDARP/PEIS). Each TIG conducts restoration planning for the funding allocated to its Restoration Area. The FL TIG is responsible for restoring the natural resources and services within the Florida Restoration Area that were injured by the DWH oil spill.

1.2 Authorities and Regulations

1.2.1 OPA Compliance

As an oil pollution incident, the DWH oil spill is subject to the provisions of OPA, 33 U.S.C. § 2701 *et seq.* The DWH Trustees are the government entities authorized under OPA to act as trustees on behalf of the public to assess the natural resource injuries resulting from the DWH oil spill and develop and implement restoration plans to compensate for those injuries.⁸ Collectively, these Trustees make up the DWH Trustee Council and the TIGs comprise different Trustees depending on the Restoration Area they represent. The FL TIG comprises six of the DWH Trustees, two state and four federal trustee agencies: FDEP, FWC, DOI, NOAA, EPA, and USDA.

NRDA is described under Section 1006 of OPA (33 U.S.C. § 2706) and the OPA NRDA implementing regulations (15 C.F.R. Part 990). In accordance with the OPA NRDA regulations, this Phase V.3 RP/SEA identifies a proposed action alternative to implement the third phase of the Florida Coastal Access Project, evaluates the alternative under various criteria, and proposes a preferred alternative for implementation.

1.2.2 NEPA Compliance

Under the OPA regulations, federal trustees are to comply with the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. § 4321 *et seq.*, and the Council on Environmental Quality's (CEQ) NEPA implementing regulations, 40 C.F.R. § 1500 *et seq.*, when planning restoration projects. NEPA requires federal agencies to consider the potential environmental impacts of planned actions.

Lead and Cooperating Agencies

CEQ NEPA implementing regulations require a federal agency to serve as lead agency to supervise the NEPA analysis when more than one federal agency is involved in the same action (40 C.F.R. § 1501.5(a)). DOI serves as the lead federal agency for NEPA compliance on this Phase V.3 RP/SEA and has reviewed this document in accordance with the CEQ's NEPA implementing regulations and DOI NEPA

⁸ The following federal and state agencies are designated Trustees under OPA for the DWH oil spill: The U.S. Department of Commerce, represented by the National Oceanic Atmospheric Administration (NOAA); U.S. Department of the Interior (DOI), represented by the U.S. Fish and Wildlife Service (USFWS), National Park Service (NPS), and Bureau of Land Management (BLM); U.S. Environmental Protection Agency; U.S. Department of Agriculture; Florida Department of Environmental Protection and Florida Fish and Wildlife Conservation Commission; Alabama Department of Conservation and Natural Resources and Alabama Geological Survey; Mississippi Department of Environmental Quality; Louisiana Coastal Protection and Restoration Authority Oil Spill Coordinator's Office, Louisiana Department of Environmental Quality, Louisiana Department of Wildlife and Fisheries, and Louisiana Department of Natural Resources; Texas Parks and Wildlife Department, Texas General Land Office, and Texas Commission on Environmental Quality.

implementing procedures (43 C.F.R. Part 46). Each of the other federal and state co-Trustees on the FL TIG is participating as a cooperating agency pursuant to NEPA (40 C.F.R. § 1508.5).

Supplemental NEPA Analysis

This Phase V.3 RP/SEA provides NEPA analysis for the third phase of the Florida Coastal Access Project by supplementing the NEPA analysis for the first and second phases of the project discussed in the Phase V ERP/EA and Phase V.2 RP/SEA, respectively. The CEQ and DOI regulations (40 C.F.R. § 1502.9(c) and 43 C.F.R. §§ 46.120, 46.320) provide that, when a proposed action differs from the proposed action described in an existing EA, an agency may augment the EA to make it consistent with the proposed action. The supplemental NEPA analysis provided in this Phase V.3 RP/SEA augments the Phase V ERP/EA and Phase V.2 RP/SEA. This Phase V.3 RP/SEA incorporates by reference the applicable Phase V ERP/EA and Phase V.2 RP/SEA NEPA analyses. This supplemental analysis considers any additional environmental impacts that would result from the third phase of the Florida Coastal Access Project that are not described and analyzed in the Phase V ERP/EA and Phase V.2 RP/SEA.

Intent to Adopt the Phase V.3 RP/SEA NEPA Analysis by Federal Agency Members of the FL TIG

Each federal cooperating agency on the FL TIG intends to adopt, if appropriate, the NEPA analysis in this Phase V.3 RP/SEA. In accordance with 40 C.F.R. § 1506.3(a), each of the three federal cooperating agencies participating on the FL TIG will review the Phase V.3 RP/SEA for adequacy in meeting the standards set forth in its own NEPA implementing procedures. Each agency will then make a decision whether to adopt the analysis to inform its own federal decision-making and fulfill its responsibilities under NEPA.

More information about OPA and NEPA, as well as their application to DWH oil spill restoration planning, can be found in Chapters 5 and 6 of the PDARP/PEIS⁹; applications to Early Restoration can be found in Chapters 1 through 3 of the Phase V ERP/EA.

1.3 Relationship of this Phase V.3 RP/SEA to Early Restoration and Post-Settlement Restoration Planning

This section briefly summarizes the background and chronology of important events affecting the DWH Trustees restoration planning and implementation and describes the relationship of this Phase V.3 RP/SEA to both Early Restoration and the Post-Settlement phases of DWH restoration planning.¹⁰ It is the FL TIG's intent to remain consistent with the analysis and decision documented in the Phase V ERP/EA in proposing the third phase of the Florida Coastal Access Project. The FL TIG also intends that this Phase V.3 RP/SEA is consistent with the restoration goals and types analyzed and described in the PDARP/PEIS as the programmatic plan for all current and future DWH restoration planning.

⁹ Chapters 5 and 6 of the PDARP/PEIS are available at www.gulfspillrestoration.noaa.gov/sites/default/files/wp-content/uploads/Chapter-5_Restoring-Natural-Resources_508.pdf and www.gulfspillrestoration.noaa.gov/sites/default/files/wp-content/uploads/Chapter-6_Environmental-Consequences_508.pdf

¹⁰ For a more detailed summary, see Chapter 1 of the Phase V.2 RP/SEA (www.gulfspillrestoration.noaa.gov/2018/02/florida-trustee-implementation-group-releases-phase-v2-final-restoration-plan).

1.3.1 Early Restoration and Relationship to the Phase V ERP/EA

On April 20, 2010, the DWH mobile drilling unit exploded, caught fire, and eventually sank in the Gulf of Mexico, resulting in a massive release of oil from the BP Macondo well, causing loss of life and extensive natural resource injuries. On April 20, 2011, BP agreed to provide up to \$1 billion toward Early Restoration projects in the Gulf of Mexico to address injuries to natural resources caused by the DWH oil spill.¹¹ A programmatic Early Restoration plan and environmental impact statement was prepared in 2014 by the DWH Trustees to analyze the environmental impacts from the implementation of a suite of Early Restoration projects (Final Phase III ERP/PEIS).

The Phase V ERP/EA with a Finding of No Significant Impact (FONSI) was published in January 2016. The NEPA analysis of the first phase of the Florida Coastal Access Project in the Phase V ERP/EA was “tiered”¹² from the Phase III ERP/PEIS. As explained in the Phase V ERP/EA, the FL TIG anticipated expending the balance of the total estimated Florida Coastal Access Project funding in future phases of the project. The second phase of the project, as described in the Phase V.2 RP/SEA, uses an estimated \$3.2 million. These funds include acquiring the Salinas Park Addition property, constructing passive recreational amenities, and ten years of operation and maintenance costs. The Phase V.2 RP/SEA stated that the Trustees’ intent for the third phase of the Florida Coastal Access Project would be described, proposed, and selected by the Trustees in a future restoration plan, in the same manner and using the same criteria as described in the Phase V ERP/EA and in accordance with OPA, NEPA, and other applicable laws, and after public review of the proposed actions. This Phase V.3 RP/SEA fulfills the Trustees’ intent by proposing a preferred alternative for the third phase of the project and supplementing the environmental analysis in the Phase V ERP/EA and Phase V.2 RP/SEA with impacts anticipated from the proposed third phase.

1.3.2 Settlement and Relationship to the PDARP/PEIS

In February 2016, the DWH Trustee Council issued a PDARP/PEIS detailing a specific proposed plan to select and implement restoration projects across the Gulf of Mexico region over the next 15 years. As a programmatic restoration plan, the PDARP/PEIS provides direction and guidance for identifying, evaluating, and selecting future restoration projects to be carried out by the TIGs (Section 5.10.4 and Chapter 7 of the PDARP/PEIS).

In April 2016, the United States District Court for the Eastern District of Louisiana entered a Consent Decree resolving civil claims by the DWH Trustees against BP arising out of the DWH oil spill.¹³ Under the Consent Decree, BP agreed to pay, over a 15-year period, a total of \$8.1 billion in natural resource

¹¹ The Early Restoration Framework Agreement can be found at www.gulfspillrestoration.noaa.gov/sites/default/files/wp-content/uploads/2011/05/framework-for-early-restoration-04212011.pdf

¹² When a federal agency prepares a programmatic NEPA analysis, such as a PEIS, the agency may “tier” subsequent, narrower environmental analyses on site-specific plans or projects from the programmatic analysis (40 C.F.R. § 1502.4(b); 40 C.F.R. § 1508.28).

¹³ See *United States v. BXP et al.*, Civ. No. 10-4536, centralized in MDL 2179, In re: Oil Spill by the Oil Rig “*Deepwater Horizon*” in the Gulf of Mexico, on April 20, 2010 (E.D. La.)

damages (which includes \$1 billion that BP previously committed to pay for Early Restoration projects), and up to an additional \$700 million (some of which will be in the form of accrued interest) for adaptive management or to address injuries to natural resources that are presently unknown but may come to light in the future.

Once a settlement was achieved, Early Restoration concluded, and planning responsibilities transitioned from the overall Trustees to the specific TIGs. The balance of funding originally pledged for Early Restoration has been incorporated into the settlement; however, projects begun under Early Restoration will be completed as originally planned under their respective funding stipulations. And, decisions concerning any unexpended Early Restoration funds are made by the appropriate TIG for that project.

1.4 Purpose and Need

The purpose of the proposed action for this third phase of the Florida Coastal Access Project is to restore part of the lost recreational use in Florida due to the DWH oil spill, consistent with the Phase V ERP/EA and the PDARP/PEIS. A summary of the DWH oil spill-related recreational use losses is provided in Section 2.1.1 of this Phase V.3 RP/SEA and in Section 4.10 of the PDARP/PEIS. The Trustees initiated recreational use restoration under the Framework Agreement with an emphasis on infrastructure and improving fishing access. In Phase V and Phase V.2, access to natural resources was increased through land acquisition including recreational infrastructure improvements in Florida. The proposed action is needed to continue implementation of the Florida Coastal Access Project described, analyzed and approved in Phase V of Early Restoration. The proposed action is needed to fulfill the commitment made to the public in Phase V of Early Restoration and is also consistent with the PDARP/PEIS programmatic goal to “Provide and Enhance Recreational Opportunities” through the restoration approach “Enhance public access to natural resources for recreational use.”

1.5 Proposed Action: Implementation of the Third Phase of the Florida Coastal Access Project

To meet the above stated purpose and need, the FL TIG proposes to implement the third phase of the Florida Coastal Access Project through the acquisition of one coastal parcel of land described in this Phase V.3 RP/SEA, the Navarre Beach Marine Park Addition, to provide compensatory restoration of lost recreational use in Florida. This would be accomplished using the funds remaining from implementation of the first and second phases of the Florida Coastal Access Project.

This alternative consists of the acquisition of an approximately 4.75-acre coastal inholding parcel in Santa Rosa County within the existing Navarre Beach Marine Park property. The approximate cost is \$2 million. The purchase of the Navarre Beach Marine Park Addition parcel would be achieved via a partnership between the FL TIG and The Trust for Public Land (TPL), a non-profit organization working to create parks and protect land for the benefit of the public. The property would be donated to the County to be operated and managed as a public park. Additional details on the proposed action are provided in Chapter 2.

The analyses of alternatives from the earlier phases of the Florida Coastal Access Project are incorporated by reference herein and are briefly summarized in Chapter 4 (NEPA Analysis).

Under the No Action Alternative, the proposed action alternative would not be implemented, and the parcel would not be acquired or preserved for recreational purposes. The privately owned property could ultimately be sold for other purposes. The No Action Alternative, inclusion of which is a NEPA requirement, provides a benchmark, enabling decision-makers to compare the magnitude of environmental effects of the action alternatives (40 C.F.R. § 1502.14(d)).

1.6 Public Involvement

1.6.1 Public Involvement in the Phase V ERP/EA and Phase V.2 RP/SEA: First and Second Phases of the Florida Coastal Access Project

The public comment period for the first phase of the Florida Coastal Access Project proposed in the Draft Phase V ERP/EA opened on December 1, 2015 and closed on December 31, 2015 (80 Fed. Reg. 75126-75128; December 1, 2015). During that time, the DWH Trustees (the TIGs had not been established yet) hosted one public meeting in Panama City, Florida on December 14, 2015. At the public meeting, the Trustees accepted written and oral comments that were recorded by a court reporter. In addition, the Trustees hosted a web-based comment submission site and provided a P.O. Box and email address as other means for the public to provide comments. Ultimately, the Trustees only received comments provided at the public meeting and web-based submissions. A summary of the comments and Trustee responses can be found in Chapter 4 of the Phase V ERP/EA.¹⁴

The public comment period for the second phase of the Florida Coastal Access Project proposed in the Draft Phase V.2 RP/SEA opened on November 8, 2017 and closed on December 8, 2017 (82 Fed. Reg. 51858-51860; November 8, 2017). During that time, the FL TIG hosted a public meeting in Port St. Joe, Gulf County, on November 16, 2017. As with the Draft Phase V ERP/EA, the FL TIG accepted written and oral comments at the public meeting, hosted a web-based comment submission site, and provided a P.O. Box for comments submitted through U.S. Mail. Ultimately, the FL TIG received comments at the public meeting and via the web-based submission site, and a summary of the comments and FL TIG responses are provided in Chapter 6 of the Phase V.2 RP/SEA.¹⁵

1.6.2 Public Involvement in this Phase V.3 RP/SEA: Third Phase of the Florida Coastal Access Project

Following public notice, this draft Phase V.3 RP/SEA will be available to the public for a comment period of no less than 30 days. An electronic copy of this draft Phase V.3 RP/SEA is available at www.gulfspillrestoration.noaa.gov/restoration-areas/florida. A hard copy of this draft Phase V.3 RP/SEA will be made available during the public comment period at the Santa Rosa County Library. Further,

¹⁴ The Phase V ERP/EA is available at www.gulfspillrestoration.noaa.gov/restoration-planning/phase-v.

¹⁵ The Phase V.2 RP/SEA is available at www.gulfspillrestoration.noaa.gov/2018/02/florida-trustee-implementation-group-releases-phase-v2-final-restoration-plan.

during the public comment period time, the FL TIG plans to host a public meeting at the Navarre Beach Marine Science Station in Navarre, Florida on July 18, 2019 (see details below).

Comments on the draft Phase V.3 RP/SEA must be submitted during the comment period using one of the methods listed below. The deadline for submitting written comments on the draft Phase V.3 RP/SEA is specified in the public notice published in the *Federal Register* and on the Florida DWH and the DWH Trustee websites.¹⁶

Online: www.gulfspillrestoration.noaa.gov

Via U.S. Mail: U.S. Fish and Wildlife Service, P.O. Box 29649, Atlanta, GA 30345. Please note that mailed comments must be postmarked on or before the comment deadline of 30 days following publication of this notice to be considered.

In Person: Written and oral comments may be submitted at the public meeting. Details are below.

| Date | Time | Location |
|----------------------------|--|--|
| Thursday, July 18, 2019 | 5:30 - 6:00 PM Open House 6:00 - 7:30 PM Public Meeting | Navarre Beach Marine Science Station 8638 Blue Heron Court Navarre, FL 32566 |

1.6.3 Next Steps

As noted above, the FL TIG will host a public meeting to facilitate the public review and comment process for the actions proposed in this Phase V.3 RP/SEA. This information is also specified in the *Federal Register* notice announcing the release of this Phase V.3 RP/SEA. After the close of the public comment period, the FL TIG will consider all input received during the public comment period and then finalize the Phase V.3 RP/SEA. If appropriate, the federal Trustees of the FL TIG will prepare a FONSI. A summary of comments received and the FL TIG's responses will be included in the Final Phase V.3 RP/SEA.

1.6.4 Administrative Record

The Trustees opened a publicly available Administrative Record (AR) for the NRDA for the DWH oil spill, including restoration planning activities, concurrently with publication of the 2010 Notice of Intent (NOI) (pursuant to 15 C.F.R. § 990.45). DOI is the lead federal Trustee for maintaining the AR.¹⁷ This AR site is also used by the FL TIG for DWH restoration planning.

Information about restoration project implementation is being provided to the public through the AR and other outreach efforts, including at www.gulfspillrestoration.noaa.gov.

¹⁶ Florida DWH website: www.deepwaterhorizonflorida.com; DWH Trustee website: www.gulfspillrestoration.noaa.gov

¹⁷ The AR can be found at www.doi.gov/deepwaterhorizon/adminrecord.

1.7 Decision to be Made

This Phase V.3 RP/SEA is intended to provide the public with information and analysis needed to enable meaningful review and comment on the FL TIG's proposal to proceed with implementing the third phase of the Florida Coastal Access Project. This Phase V.3 RP/SEA and public review process will guide the selection of additional lost recreational use restoration that best meet the purpose and need using remaining DWH Early Restoration NRDA funds approved by the Trustees for the Florida Coastal Access Project.

1.8 Document Organization

- **Chapter 1 (Introduction):** Introductory information and context for this Phase V.3 RP/SEA;
- **Chapter 2 (Restoration Planning Process and Restoration Alternatives):** Background on the NRDA restoration planning process, current status of the Florida Coastal Access Project, coordination with other restoration planning efforts, screening process, and a description of the restoration alternatives;
- **Chapter 3 (OPA Evaluation):** Evaluation of the restoration alternatives and rationale for preferred restoration alternative;
- **Chapter 4 (NEPA Analysis of the Reasonable Range of Alternatives):** Discussion of the affected environment and environmental impacts from the restoration alternatives, basis for supplementary NEPA analysis, cumulative impacts, and compliance with federal and state environmental protection laws that may apply to the proposed action;
- **Literature Cited:** A list of literature used in the development of this Phase V.3 RP/SEA;
- **Appendix A (Phase V.3 RP/SEA List of Preparers and Reviewers):** Identification of individuals who substantively contributed to the development of this Phase V.3 RP/SEA;
- **Appendix B (Phase V.3 Florida Coastal Access Project Monitoring and Adaptive Management Plan):** Project-specific monitoring plan for the third phase of the Florida Coastal Access Project.

Chapter 2. Restoration Planning Process and Restoration Alternatives

As described in Chapter 1, this Phase V.3 RP/SEA continues the restoration planning process begun prior to the settlement of the DWH oil spill NRDA. Previous steps in this process included evaluating the injury from the DWH oil spill, selecting and implementing pre-settlement restoration projects as part of the Early Restoration program undertaken jointly by the DWH Trustees and BP, and planning for programmatic restoration as part of the PDARP/PEIS (DWH Trustees, 2016).¹⁸ Upon completion of the settlement with BP, the DWH Trustees created the FL TIG to implement comprehensive DWH restoration planning in the Florida Restoration Area.

2.1 Restoration Planning Context

The proposed restoration project considered in this Phase V.3 RP/SEA is intended to partially compensate for DWH oil spill-related recreational use losses in Florida. The DWH oil spill resulted in losses to the public's use of natural resources for outdoor recreation, such as boating, fishing, going to the beach, and generally using and enjoying the Gulf's environment.

Recreational losses in Florida have been partially addressed through Early Restoration projects, which includes the \$45.4 million allocated to the Florida Coastal Access Project in Phase V of Early Restoration.¹⁹ In addition to the Early Restoration projects selected in Florida, the FL TIG has selected a number of recreational use projects to restore a portion of the recreational use losses in Florida in the FL TIG's first post-settlement restoration plan, the *Final Restoration Plan 1 and Environmental Assessment: Habitat Projects on Federally Managed Lands; Nutrient Reduction; Water Quality; and Provide and Enhance Recreational Opportunities* (RP1/EA).²⁰

Additional detail on the injury assessment for recreational use losses is provided in Chapter 4 of the PDARP/PEIS, and on the restoration planning context, in Chapter 2 of the Phase V.2 RP/SEA.

2.1.1 Current Status of Florida Coastal Access Project

Early Restoration funds included \$45.4 million allocated to the Florida Coastal Access Project. The third phase of the Florida Coastal Access Project, covered in this Phase V.3 RP/SEA, will draw funds from those that remain after implementation of the first and second phases of the Florida Coastal Access Project.

The first phase of the Florida Coastal Access Project provided for the acquisition and/or creation and enhancement of four waterfront parks: Innerarity Point Park, Captain Leonard Destin Park, Lynn Haven Bayou Park and Preserve, and Island View Park (Figure 2-1). At the time of publication of this Phase V.3 RP/SEA, the construction of the park amenities has begun at Innerarity Point Park, Captain Leonard

¹⁸ The PDARP/PEIS is available at: www.gulfspillrestoration.noaa.gov/restoration-planning/gulf-plan/.

¹⁹ The Phase V ERP/EA is available at: www.gulfspillrestoration.noaa.gov/restoration-planning/phase-v.

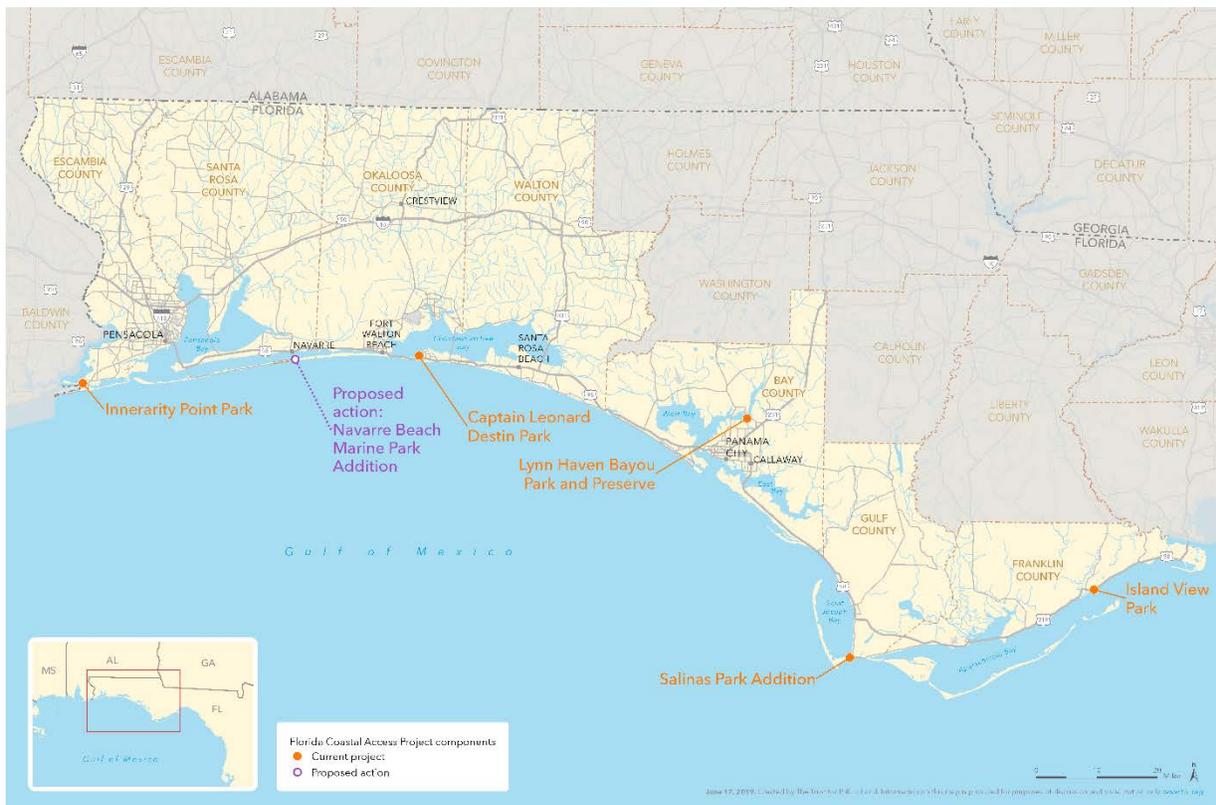
²⁰ The RP1/EA is available at: www.gulfspillrestoration.noaa.gov/2019/03/florida-trustees-approve-final-restoration-plan-1

Destin Park, and Lynn Haven Bayou Park and Preserve. The Island View Park was substantially completed in August 2018, but was destroyed by Hurricane Michael on October 10, 2018. Franklin County, the owner of Island View Park, is seeking Federal Emergency Management Agency (FEMA) reimbursement to reconstruct the amenities.

The second phase of the Florida Coastal Access Project provided for the acquisition and enhancement of one waterfront parcel: the Salinas Park Addition (Figure 2-1). The Salinas Park Addition parcel was acquired in February 2018. At the time of publication of this Phase V.3 RP/SEA, the design development for the park has been completed and construction of the elevated boardwalk on the new parcel has begun. However, Hurricane Michael caused extensive damage to the Gulfside parcel and minor damage to the existing bayside parcel. The damage caused by the hurricane prompted Gulf County to re-evaluate the placement of the amenities to be constructed and to request a change to the scope of the project that would place all amenities on the existing bayside parcel.

Based on the most recent cost estimates for construction of the park amenities associated with the first and second phases of the Florida Coastal Access Project, approximately \$40.3 million will be utilized for the first phase and \$3.2 million for the second phase. More information on the status of other DWH NRDA restoration projects, including a summary of funds obligated and expended on each project, can be found on NOAA’s Gulf Spill Restoration Project Atlas, www.habitat.noaa.gov/storymap/dwh/

Figure 2-1. Location of Existing Phase V Projects (orange font) and the Proposed Action (purple font)



Florida Coastal Access Project

2.1.2 Coordination with Other Gulf Restoration Programs

As discussed in Section 1.5.6 of the PDARP/PEIS, coordination with other Gulf of Mexico restoration programs will promote successful implementation of restoration projects and optimize ecosystem recovery. During the course of the restoration planning process, the FL TIG has coordinated and will continue to coordinate with other DWH oil spill and Gulf of Mexico restoration programs, including the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States (RESTORE) program and the National Fish and Wildlife Foundation (NFWF) Gulf Environmental Benefit Fund (GEBF). The FL TIG hopes to develop synergies with these programs to ensure effective use of funds and to achieve maximum benefit to natural resources in Florida.

2.2 Screening Process

The Early Restoration project selection process included project solicitation and project screening in addition to negotiation with BP, evaluation and environmental review of proposed projects under OPA and NEPA, and public review and comment. This process resulted in the Trustees and BP agreeing to the Florida Coastal Access Project for incorporation into a restoration plan for public review and comment.

As part of planning for the Florida Coastal Access Project, the Trustees identified potential alternatives from many sources, including but not limited to: project submissions to the state project portal by the public; Gulf restoration reports, research, management plans and related efforts; and Trustee information collection activities. FDEP and FWC hosted public meetings to inform the public about the DWH NRDA process and, in particular, the Early Restoration process. As part of these meetings, the FL TIG solicited specific ideas that could be implemented as part of the Early Restoration process. In addition to the public meetings, FDEP also set up a website, where members of the public could submit and view restoration proposals.²¹ The FL TIG compiles, and regularly updates, a list of proposals received for consideration when developing potential projects to be part of future restoration efforts. When identifying potential Early Restoration projects, the FL TIG only considered projects that would occur within the limited geographic area of the eight coastal counties of the Panhandle region (Escambia – Wakulla County), the area in which boom were deployed and that was impacted by response and Shoreline Cleanup Assessment Technique (SCAT) activities related to the DWH oil spill. This process led to the selection of the alternatives that were included in each phase of the Florida Coastal Access Project.

To select the specific alternative for consideration in this third phase of the Florida Coastal Access Project, the FL TIG evaluated the compiled list of proposals for properties for potential acquisition and assessed the willingness of property owners to sell; the cost; political and civic conditions; approximate property value, size, and configurations; habitat conditions; and proximity to existing parks.

As stated in Chapter 1, the FL TIG anticipated expending the balance of the total estimated Florida Coastal Access Project funding in future phases of the project. The screening process the FL TIG utilized

²¹ Florida DWH website: www.deepwaterhorizonflorida.com

to select the specific alternative considered in this third phase of the Florida Coastal Access Project is described in more detail in the Phase V ERP/EA and the Phase V.2 RP/SEA.

2.3 Restoration Alternatives

Based on the screening process described above, the FL TIG identified the proposed action, implementation of the Navarre Beach Marine Park Addition, for analysis in the third phase of the Florida Coastal Access Project evaluated in this Phase V.3 RP/SEA. The alternatives that were not selected in the Phase V.2 RP/SEA for implementation at that time are incorporated by reference into this RP/SEA and summarized below. The FL TIG also evaluates the No Action Alternative as a benchmark to compare the magnitude of environmental effects of the action alternative. The proposed action alternative and the No Action Alternative are described below.

2.3.1 Alternatives Evaluated and Identified as Non-Preferred

The FL TIG identified two additional alternatives as part of the reasonable range of alternatives for the Florida Coastal Access Project: Alligator Point Park and Little Redfish Addition to Grayton Beach State Park. Alligator Point Park would involve acquiring 7.4 acres in Franklin County and providing recreational use amenities; and Little Redfish Addition to Grayton Beach State Park would involve acquiring 7.06 acres adjacent to Grayton Beach State Park in Walton County. These alternatives were evaluated in accordance with OPA and NEPA and identified as non-preferred. These alternatives each have potential for providing public natural resource benefits but are less likely to succeed than the preferred alternative due to a lack of support from the local communities. The evaluation of these alternatives is provided in the Phase V.2 RP/SEA.

2.3.2 Navarre Beach Marine Park Addition (Preferred)

The proposed action, implementation of the Navarre Beach Marine Park Addition, includes the acquisition of an approximately 4.75-acre undeveloped parcel on the north side of Santa Rosa Island in Santa Rosa County, Florida, as shown in Figure 2-2. The parcel is a private inholding within the existing Navarre Beach Marine Park property, which is owned and operated by Santa Rosa County. The parcel includes approximately 0.1 miles of frontage along Santa Rosa Sound and consists of a mixture of sandy beach and beach dune habitat. Wetland habitat also exists near the west side of the parcel.

The FL TIG proposes to purchase this privately owned parcel as an extension of the existing park. This would enhance the public's access to the surrounding natural resources and increase recreational opportunities within Navarre Beach Marine Park. The new parcel would be accessible from the existing park property, Gulf Boulevard on the south side, and via boat or kayak in Santa Rosa Sound. In addition to the proposed action, two DWH NRDA Early Restoration Phase III projects are in progress in the area

and involve the construction of additional recreational amenities on existing Gulfside and Santa Rosa Sound side parcels of the Navarre Beach Marine Park.²²

The proposed purchase of the Navarre Beach Marine Park Addition would be achieved via a partnership between the FL TIG and TPL. TPL currently holds an option agreement to buy the property. If this proposed alternative is selected, TPL would exercise its option and acquire a fee simple title to the property. After acquiring the title, TPL would, at the direction and under the oversight of the FL TIG, donate the property to Santa Rosa County to be operated as a new addition to the Navarre Beach Marine Park. The property deed would include restrictions on future use and designate that the land be continually used as a public park to maintain public access to natural resources. Further, the property would be managed in accordance with the applicable federal and state laws, as a public park for passive outdoor recreation.

The parcel's natural resources and habitat (Figure 2-3) would be conserved for the benefit of wildlife using the area for foraging, shelter, and burrowing. Existing dune habitat would be protected using sand fencing and/or kiosks with informational signage to educate visitors about the wildlife in the area such as shorebirds and beach mice.

The proposed purchase of the property would be consistent with the Early Restoration goals to "Enhance Public Access to Natural Resources for Recreational Use" and "Enhance Recreational Experiences" as well as the goal of the PDARP/PEIS to "Provide and Enhance Recreational Opportunities." The proposed purchase and addition to the park would provide the public with access to the natural resources in and near Navarre Beach Marine Park, enhancing the public's access to natural resources for recreational purposes and enhancing the public's recreational experiences.

2.3.3 No Action Alternative

The No Action Alternative, inclusion of which is a NEPA requirement, provides a benchmark enabling decision-makers to compare the magnitude of environmental effects of the action alternatives (40 C.F.R. § 1502.14(d)). In this case, the No Action Alternative is to leave the existing property in its current conditions. This means that the property considered above would not be acquired for recreational purposes with DWH NRDA funds. The property could ultimately be sold for other purposes.

²² The DWH NRDA Phase III Early Restoration projects near the Preferred Alternative include the Navarre Beach Park Coastal Access and Dune Restoration project (www.gulfspillrestoration.noaa.gov/navarre-beach-park-coastal-access-and-dune-restoration) and the Navarre Beach Park Gulfside Walkover Complex (www.gulfspillrestoration.noaa.gov/navarre-beach-park-gulfside-walkover-complex).

Figure 2-2. Location of the Proposed Navarre Beach Marine Park Addition Alternative



Navarre Beach Marine Park Addition

SANTA ROSA COUNTY, FLORIDA

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Figure 2-3. Navarre Beach Marine Park Addition



Chapter 3. OPA Evaluation

3.1 Introduction

According to the OPA NRDA regulations, trustees are responsible for identifying a reasonable range of restoration alternatives (15 C.F.R. § 990.53(a)(2)) that can be evaluated according to the OPA evaluation standards (15 C.F.R. § 990.54). Chapter 2 describes the screening and identification of a reasonable range of alternatives for evaluation under OPA. The following section describes the considerations the FL TIG included when performing the OPA evaluation of these alternatives. This evaluation process is informed by the OPA criteria found in 15 C.F.R. § 990.54(a), as well as the PDARP/PEIS.

For each alternative in the reasonable range of alternatives, the OPA criteria are evaluated independently, and a determination is made regarding how well the alternative meets that element. Trustees then identify preferred restoration alternatives based on their evaluation using the OPA criteria (15 C.F.R. § 990.54). The FL TIG applied each of the OPA criteria to the reasonable range of alternatives. This section provides the following: (1) a summary of the considerations and questions evaluated under each of the OPA criteria, and (2) a narrative summary of each alternative’s evaluation with respect to those criteria.

3.2 OPA Evaluation of the Reasonable Range of Alternatives

The OPA criteria considered by the FL TIG when evaluating each alternative are:

- The cost to carry out the alternative (“Cost-Effectiveness”);
- The extent to which each alternative is expected to meet the FL TIG’s goals and objectives in returning the injured natural resources and services to baseline and/or compensating for interim losses (“Restoration Goals and Objectives”);
- The likelihood of success of each alternative (“Likelihood of Success”);
- The extent to which each alternative will prevent future injury as a result of the incident, and avoid collateral injury as a result of implementing the alternative (“Prevent Future Injury and Avoid Collateral Injury”);
- The extent to which each alternative benefits more than one natural resource and/or service (“Benefits Multiple Resources”); and
- The effect of each alternative on public health and safety (“Public Health and Safety”).

These criteria, and how the FL TIG evaluated them, are described in the table below.

| OPA Evaluation Criteria | Description of Evaluation Considerations |
|-------------------------|--|
| Cost-Effectiveness | The FL TIG considered the anticipated costs of the alternative, including the costs for land acquisition and monitoring and maintenance. The FL TIG also considered whether the costs were reasonable and comparable to other equivalent restoration alternatives. |

| OPA Evaluation Criteria | Description of Evaluation Considerations |
|---|---|
| Restoration Goals and Objectives | The FL TIG considered how well the alternative addresses the recreational use injuries described in the PDARP/PEIS. The FL TIG also evaluated the nature, magnitude, and distribution of recreational use benefits expected to be provided to the public. This evaluation includes each alternative's nexus to injury; nature and scale of anticipated benefits from the alternative; and the alternative's location and accessibility to the public. |
| Likelihood of Success | In determining the likelihood of success, the FL TIG considered the approach to implementing each alternative including whether the alternative utilizes techniques previously implemented successfully by the FL TIG or other Trustees. The FL TIG also considered the local community and landowners support for the project, willingness of the landowner to sell, and the suitability of the site for a public park. |
| Prevent Future Injury and Avoid Collateral Injury | The FL TIG evaluated whether the restoration alternative has direct or indirect collateral environmental impacts and whether those impacts are positive or negative. Additional information on these considerations is provided in Chapter 4 of this Phase V.3 RP/SEA. |
| Benefits Multiple Resources | The FL TIG considered whether each alternative provided benefits to multiple resources or multiple resource services that may make the alternative more valuable to the public (e.g., by providing both recreational and non-use (ecological) values, storm-protection benefits, or habitat improvements that may benefit ecological resources injured by the DWH oil spill). |
| Public Health and Safety | The FL TIG considered whether there are any aspects of the alternative that could negatively affect public health and safety that cannot be mitigated. |

Additional criteria:

- **Geographic location:** The geographic location of the alternative was a consideration. The FL TIG evaluated the geographic distribution along the Florida panhandle of projects planned for during Early Restoration planning, the locations of the sites in the first and second phases of the Florida Coastal Access Project, and whether the proposed alternative would occur within the limited geographic area of the eight coastal counties in the Florida Panhandle, as discussed in Section 2.2.
- **Complementing and Enhancing Existing Public Access:** The FL TIG considered whether the proposed alternative would complement or enhance existing public access points (e.g., public parks). In particular, the FL TIG considered whether each proposed alternative was near or adjacent to any existing parks, the distribution of existing public access points, and whether the alternatives were in areas where the public may be more likely to benefit from expanded park amenities and additional access to the natural resources.

3.2.1 Navarre Beach Marine Park Addition OPA Evaluation

The OPA evaluation of the proposed Navarre Beach Marine Park Addition alternative using the criteria established by the OPA regulations in 15 C.F.R. § 990.54(a) is described below.

Cost-Effectiveness

The estimated cost for the land acquisition of the Navarre Beach Marine Park Addition parcel is approximately \$2 million. TPL currently holds an option agreement with the landowner to purchase the property. This is a preliminary cost estimate based on the contract between TPL and the landowner for the parcel acquisition and estimated oversight costs based on similar past projects. This cost estimate is consistent with FDEP's past experience acquiring comparable properties. Based on these estimates, the project actions would be able to be conducted at a reasonable cost.

Restoration Goals and Objectives

This proposed action alternative meets the following restoration goals identified in the Phase III ERP/PEIS: the "Enhance Public Access to Natural Resources for Recreational Use" and "Enhance Recreational Experiences" which can include enhancing or constructing infrastructure and providing or improving access to natural resources in publicly owned areas. This proposed alternative is also consistent with the PDARP/PEIS and the goal of the "Provide and Enhance Recreational Opportunities" Restoration Type, to "increase recreational opportunities such as fishing, beach-going, camping, and boating with a combination of ecological restoration and creation of infrastructure, access, and use opportunities." The purchase of the property would enhance public access to natural resources for recreational purposes by providing additional lands along the coast where the public can access the natural resource and habitat along Santa Rosa Sound. The additional parcel would also enhance the public's recreational experiences for beach-going and boating in the area.

This project has a clear nexus to the injuries described in the PDARP/PEIS because it would provide recreational use benefits to the public by enhancing public access to the coastal natural resources and recreational opportunities.

Likelihood of Success

The parcel proposed for acquisition has a willing seller and TPL holds an option agreement to buy the property, increasing the likelihood of this alternative's success. The FL TIG has successfully implemented similar acquisition projects as part of its day-to-day natural resource management responsibilities at public parks and other state-owned properties along the Florida coast, and is currently in the process of constructing recreational amenities at adjacent parcels within the Navarre Beach Marine Park. Further, based on conversations with local leaders, we understand that the local community supports the acquisition of the proposed inholding parcel within the existing Navarre Beach Marine Park property. Therefore, the alternative's goal of enhancing public access to natural resources for recreational use and enhancing recreational experiences has a high likelihood of success.

Prevent Future Injury and Avoid Collateral Injury

This proposed alternative is not expected to contribute to preventing future injury from the DWH oil spill. The PDARP/PEIS indicates that recreational uses have recovered (DWH Trustees 2016b).²³ The purpose of the alternative is only to provide compensatory restoration for losses that occurred between April 2010 and November 2011, after which the Trustees concluded that recreational use returned to baseline levels (DWH Trustees 2016b). Implementation of the alternative is also not expected to cause collateral damage to the environment. In fact, acquisition of the parcel would prevent future development and construction of the habitat along Santa Rosa Sound and would conserve the natural resources in the parcel. Implementation of the alternative would also provide additional protection for natural resources. Chapter 4 of this Phase V.3 RP/SEA provides additional analyses of the environmental consequences of this alternative.

Benefits Multiple Resources

The primary NRDA benefit of this proposed action is to provide and enhance recreational uses. The property proposed for acquisition is adjacent to the Santa Rosa Sound. The acquisition would maintain and protect the natural resources adjacent to the Sound and provide habitat benefits to species that utilize the dune habitat and adjacent aquatic areas.

Public Health and Safety

Adverse impacts on public health and safety are not expected from this proposed action. To minimize public health impacts, Santa Rosa County would provide and regularly maintain trash receptacles in the park. Implementation of this project would be managed to prevent impacts to health and safety.

Summary of Evaluation of Navarre Beach Marine Park Addition

The land acquisition costs for the Navarre Beach Marine Park Addition are well documented, reasonable, and appropriate. The alternative has a strong nexus to the recreational injury from the DWH oil spill and can reasonably be expected to provide benefits to the public over an extended timeframe. The alternative would provide enhanced public access to resources that were injured by the DWH oil spill. This alternative would protect valuable shoreline and dune habitat from future development and provide for the effective management of ongoing recreational use. Public safety issues are not expected to be a concern. Finally, the action alternative has a high probability of success since TPL holds an option agreement to buy the property, the FL TIG has successfully implemented similar acquisition and recreational park projects, and the alternative has local community support.

3.2.2 Summary of OPA Evaluation of Alternatives from Phase V.2 RP/SEA

The FL TIG evaluated Alligator Point Park and Little Redfish Addition to Grayton Beach State Park alternatives using the criteria established by the OPA regulations in 15 C.F.R. § 990.54(a). The OPA evaluations provided in the Phase V.2 RP/SEA are incorporated by reference herein and summarized below.

²³ PDARP/PEIS: www.gulfspillrestoration.noaa.gov/restoration-planning/gulf-plan/.

Alligator Point Park - Franklin County: This alternative would involve land acquisition, recreational amenity design planning, construction, management, and monitoring and maintenance and was estimated to cost approximately \$3.7 million. The costs are reasonable and appropriate. The alternative has a strong nexus to the recreational injury caused by the DWH oil spill. The alternative would provide new and enhanced public access to the natural resources on Alligator Point and would enhance the recreational experiences of visitors to the proposed park and would also protect habitat and resources from future development. While the FL TIG has successfully implemented other similar acquisition and recreational park projects, those projects had strong local support. This alternative is not anticipated to have local community support, which significantly reduces the likelihood of success.

Little Redfish Lake Addition to Grayton Beach State Park - Walton County: This alternative would involve land acquisition and the planning, design and construction of park amenities and infrastructure improvements. The land acquisition was estimated to cost approximately \$4.7 million. The land acquisition costs of the alternative are reasonable and appropriate (infrastructure costs would have an alternate funding source). The alternative has a strong nexus to the recreational injury caused by the DWH oil spill. The alternative would provide new and enhanced public access to the natural resources adjacent to Grayton Beach State Park and would enhance the recreational experiences of visitors to the new parcel and improved areas. The proposed alternative would protect habitat and resources from future development along Little Redfish Lake. Although the FL TIG has successfully implemented other similar acquisition and recreational park projects, this alternative does not have local community support, which significantly reduces the likelihood of success.

3.3 Monitoring and Adaptive Management

The restoration objective for the third phase of the Florida Coastal Access Project is to restore a portion of lost recreational opportunities caused by the DWH oil spill by increasing the public's access to the natural resources and enhancing the public's recreational experiences. The specific objectives relevant to project monitoring are 1) to acquire the parcel and 2) to provide visitors with park access. The project will be deemed successful once the property has been acquired and the new parcel is incorporated into the Navarre Beach Marine Park. As such, performance criteria for this project are the satisfactory acquisition of the property and transfer of the property to the County with a deed restriction ensuring public use.

Project monitoring would be conducted consistent with the monitoring and adaptive management plan provided in Appendix A, which is consistent with the monitoring plan provided in the Phase V ERP/EA.²⁴

3.4 Evaluation of Natural Recovery

Pursuant to the OPA regulations, the PDARP/PEIS considered a "natural recovery alternative in which no human intervention would be taken to directly restore injured natural resources and services to

²⁴ The Phase V ERP/EA is available at: www.gulfspillrestoration.noaa.gov/restoration-planning/phase-v.

baseline” (40 C.F.R. § 990.53[b][2]).²⁵ Under a natural recovery alternative, no additional restoration would be done by the Trustees to accelerate recovery of injured natural resources or to compensate for lost services using DWH NRDA funding at this time. The Trustees would allow natural recovery processes to occur, which could result in one of four outcomes for injured resources: 1) gradual recovery, 2) partial recovery, 3) no recovery, or 4) further deterioration.

According to Section 4.10.3.3.4 of the PDARP/PEIS recreational injury assessment (page 4-657), the recreational use injury began in May 2010 and lasted through November 2011. The entire recreational use injury quantified in the PDARP/PEIS represents interim loss that occurred during this period. Because visitation returned to pre-spill levels by the end of November 2011, future natural recovery is not available to provide compensation for remaining interim losses. The PDARP/PEIS (Section 5.8.2, page 5-92) also notes that interim losses of natural resources would not be compensated under a natural recovery alternative. Based on this determination, the FL TIG did not further evaluate natural recovery as a viable alternative under OPA, and natural recovery is not considered further in this draft Phase V.3 RP/SEA.

3.5 OPA Evaluation Conclusion

The FL TIG completed its OPA evaluation of the set of reasonable alternatives and concluded that the following alternative best meets the goals of the Phase V ERP/EA and the PDARP/PEIS, at this time, and is therefore identified as the FL TIG’s preferred alternative:

- Navarre Beach Marine Park Addition.

The OPA analysis indicates that this alternative would provide recreational benefits with a strong nexus to the recreational use injuries caused by the DWH spill. The alternative occurs within the eight coastal county region of the Florida Panhandle, which is described in Section 2.2. This alternative provides recreational benefits from the land acquisition of the coastal parcel, which protects valuable habitat and creates additional public access to coastal natural resources. These benefits would be broadly available to the public over an extended timeframe.

The Navarre Beach Marine Park Addition alternative would also benefit other natural resources and services. Specifically, land protection prevents the negative environmental impacts of development (e.g., habitat loss, impaired water quality). This approach would also ensure that any collateral damage to the environment is minor and mitigated. Furthermore, no adverse impacts on public health are anticipated from the alternative.

Based on similar experience in Florida, the FL TIG determined that the action alternative could be implemented at a reasonable cost and would have a high probability of success. Further, deed

²⁵ NEPA requires evaluation of a No Action Alternative. This differs from the natural recovery alternative under OPA. The environmental consequences of the NEPA No Action Alternative are considered separately and described in Chapter 4 of this Phase V.3 RP/SEA.

restriction would be included to ensure that the purpose of compensating for lost recreational use as described in this Phase V.3 RP/SEA is maintained in perpetuity. As described above, the FL TIG also incorporated by reference the evaluation of two additional alternatives as part of the set of reasonable alternatives: Alligator Point Park and Little Redfish Lake Addition to Grayton Beach State Park. The OPA evaluation indicates that these alternatives have potential for providing public natural resource benefits but are less likely to succeed due to a lack of support from the local communities.

Chapter 4. NEPA Analysis of the Reasonable Range of Alternatives

4.1 Approach to the NEPA Analysis

The Phase V ERP/EA describes the Trustees’ decision to expend the approved funds for the Florida Coastal Access Project in phases to help meet the project goals and public expectations. The NEPA analysis provided in this Phase V.3 RP/SEA for the third phase of the Florida Coastal Access Project supplements the analysis completed for the first two phases of the project.²⁶ This chapter describes the environmental impacts of the proposed action (implementation of the preferred alternative) and provides a brief description and summary of impacts from the alternatives analyzed. This Phase V.3 RP/SEA incorporates by reference all relevant background information on the Florida Coastal Access Project, the NEPA analysis of the Florida Coastal Access Project conducted in the Phase V ERP/EA, and the NEPA analysis of the non-preferred alternatives conducted in the Phase V.2 RP/SEA. The NEPA analyses for all phases of the Florida Coastal Access Project tier from the Phase III ERP/PEIS.

This chapter provides a brief summary of the NEPA analysis for the Florida Coastal Access Project from Phase V and Phase V.2 and presents a NEPA analysis for Phase V.3. The proposed action in this Phase V.3 RP/SEA consists of land acquisition only; no recreational amenities or habitat restoration is planned. As such, the NEPA analysis presented in this chapter is concise with sufficient evidence and analysis for determining whether to prepare an environmental impact statement or FONSI, and to aid the FL TIG’s compliance with NEPA (40 CFR § 1506.3, 40 CFR § 1508.9).²⁷

Context and intensity of environmental effects resulting from the action are considered in the NEPA analysis. Context refers to area of impacts (local, statewide, etc.) and duration (e.g., whether they are short- or long-term impacts). Intensity refers to the severity of impacts. Intensity is described in terms of whether the impact would be beneficial or adverse. Impact definitions (minor, moderate, major) are consistent with the use in the Phase III ERP/PEIS and PDARP/PEIS. Based on the scope of the proposed action, the NEPA analysis described below anticipates either no impact, or beneficial impacts to affected natural resources resulting from implementation of the Phase V.3 proposed action.

Consistent with the Phase III ERP/PEIS and the PDARP/PEIS, the FL TIG considered the following physical, biological, and socioeconomic resources:

- Physical Resources: Geology and Substrates, Hydrology and Water Quality, Air Quality, Noise;
- Biological Resources: Habitats, Wildlife Species (Including Birds), Marine and Estuarine Fauna (Fish, Shellfish, Benthic Organisms), Protected Species;

²⁶ CEQ regulations and DOI NEPA implementing procedures provide for supplementing NEPA analyses when a proposed action differs from the proposed action analyzed in a previous document (40 C.F.R. § 1502.9(c) and 43 C.F.R. § 46.320).

²⁷ Agencies should “focus on significant environmental issues” and for other than significant issues there should be “only enough discussion to show why more study is not warranted” (40 CFR §§ 1502.1 and 1502.2).

- Socioeconomic Resources: Socioeconomics and Environmental Justice, Cultural Resources, Infrastructure, Land and Marine Management, Tourism and Recreational Use, Fisheries and Aquaculture, Marine Transportation, Aesthetics and Visual Resources, Public Health and Safety, including Flood and Shoreline Protection.

4.2 Summary of NEPA Analysis for Florida Coastal Access Project Phases V and V.2

4.2.1 Phase V ERP/EA

The Trustees selected the Florida Coastal Access Project in Phase V of Early Restoration and conducted site-specific NEPA analysis on the first phase, which involved the acquisition and/or enhancement of four coastal project locations in the Florida Panhandle: Innerarity Point Park, Captain Leonard Destin Park, Lynn Haven Bayou Park and Preserve, and Island View Park. All four were ultimately selected for implementation.

The Trustees determined that the acquisition stages of the project would have no adverse environmental effects, and therefore could proceed independent of and prior to the completion of all compliance reviews required for the final design and construction stages of the alternatives (including those conducted under the Endangered Species Act [ESA], Magnuson-Stevens Fishery Conservation and Management Act [MSFCMA], National Historic Preservation Act [NHPA], and Clean Water Act [CWA], among others).

NEPA analysis of the environmental consequences determined that the construction stages of the project would result in short-term and long-term minor to moderate adverse impacts to many resources (including geology and substrates, water quality and hydrology, noise, biological environment, as well as socioeconomics and cultural resources). Moderate short-term adverse impacts could occur to tourism and recreation, and aesthetics and visual resources; however, long-term benefits are expected for those resources after construction completion. The Phase V ERP/EA FONSI stipulated that coordination on required compliance reviews would be completed prior to initiating construction at any of the project component sites. After the completion of these reviews, designs for each of the project components would be modified as necessary to avoid and/or minimize adverse impacts to natural resources, including protected species, essential fish habitat (EFH), cultural resources, and wetlands. The project components in Phase V are not expected to substantially contribute to adverse cumulative impacts on affected resources.

4.2.2 Phase V.2 RP/SEA

The Phase V.2 RP/SEA addresses the second phase of the Florida Coastal Access Project, and supplements the Phase V ERP/EA. The alternatives identified in the document were screened based on the OPA-defined criteria (described in Chapter 3 of the document) and an environmental assessment was conducted to determine the type and severity of potential environmental impacts that could result from implementation of the proposed alternatives (described in Chapter 4 of the document). Chapter 4 of the document supplements the Phase V ERP/EA and provides NEPA analysis for potential impacts for site-specific concerns anticipated from implementation of the action alternatives and the No Action

Alternative. The alternatives that were not selected in the Phase V.2 RP/SEA for implementation at that time are incorporated by reference into this Phase V.3 RP/SEA and summarized below.

Alligator Point Park - Franklin County: This alternative would involve acquiring 7.4 acres and providing recreational use amenities. Approximate cost for this alternative is \$3.7 million. The SEA anticipated that impacts to physical resources (geology and substrates; hydrology and water quality; air quality and greenhouse gas (GHG) emissions; noise) resulting from construction and site preparation activities would include short-term and long-term minor adverse impacts, as impacts would be localized and best management practices (BMPs) would be implemented.

Impacts to biological resources (habitat; migratory birds; protected species; EFH; invasive species) would include short-term and long-term minor adverse impacts, primarily during the construction period, but also as a result of increased visitation to the site over the longer term. Impacts to protected species would be unlikely. If any protected species would be present at the Alligator Point Park site, appropriate measures and BMPs to minimize impacts would be followed.

Some minor adverse impacts to socioeconomic resources (socioeconomics; environmental justice; cultural resources; infrastructure; land and marine management; aesthetics and visual resources; tourism and recreation; public health and safety) could occur as a result of impacts on aesthetics, localized disruptions to services, and additional burdens on the public infrastructure expected as part of construction activities. Short-term beneficial impacts to employment are anticipated during construction. Long-term impacts are generally anticipated to be beneficial to socioeconomic resources as a result of more lands being accessible for public use, and positive impacts to visitor experience and public access. However, if local residents consider the increased park use to be a detriment, this minor adverse effect would be long-term. Threats to public health and safety from construction activities would be minimized through construction BMPs.

Little Redfish Lake Addition to Grayton Beach State Park - Walton County: This alternative would involve acquiring 7.06 acres. A separately funded connected action that involves providing recreational use amenities in lands within the park area is also evaluated.²⁸ Approximate cost for this alternative (from DWH NRDA funds) is \$4.7 million. No adverse impacts would occur from the acquisition of the Little Redfish Lake Addition. The following NEPA analysis summary addresses the impacts associated with the connected action to construct recreational amenities inside the park if the Little Redfish Lake Addition were approved for implementation.

Little Redfish Lake Addition Connected Action

The Phase V.2 RP/SEA anticipates that impacts to physical resources (geology and substrates; hydrology and water quality; air quality and GHG emissions; noise) resulting from construction and site preparation

²⁸ Connected actions include actions that are closely related to the alternative and therefore should be discussed in the same impact statement or NEPA analysis (40 CFR § 1508.2).

activities would include short-term and long-term minor adverse impacts, as impacts would be localized and BMPs would be implemented.

Impacts to biological resources (habitat; migratory birds; protected species; EFH; invasive species) would include short-term and long-term minor adverse impacts, primarily during the construction period, but also as a result of increased visitation to the site over the longer term. Impacts to protected species could be short-term and minor, but appropriate measures and BMPs to minimize impacts to species and critical habitat would be followed. Restoration activities to restore parts of the existing park to oak and pine scrub would have short-term minor adverse impacts due to ground disturbances during the restoration process, but overall would have long-term beneficial impacts on habitat.

Some minor adverse impacts to socioeconomic resources (socioeconomics; environmental justice; cultural resources; infrastructure; land and marine management; aesthetics and visual resources; tourism and recreation; public health and safety) could occur as a result of impacts on aesthetics, localized disruptions to services, and additional burdens on the public infrastructure expected as part of construction activities. Short-term beneficial impacts to employment are anticipated during construction. Long-term impacts are generally anticipated to be beneficial to socioeconomic resources as a result of more lands being accessible for public use, and positive impacts to visitor experience and public access. However, if local residents consider the increased park use to be a detriment, this minor adverse effect would be long-term. Threats to public health and safety from construction activities would be mitigated through construction BMPs.

4.3 Proposed Action – Acquisition of the Navarre Beach Marine Park Addition

4.3.1 Affected Environment

The proposed project area is an approximately 4.75-acre, privately owned inholding within the Santa Rosa County Navarre Beach Marine Park, which is located on a barrier island with a gently sloping sandy beach and dune system, between the Gulf of Mexico and Santa Rosa Sound (Figure 2-1). Santa Rosa Sound is a waterway in the Pensacola Bay system connecting Pensacola Bay and Choctawhatchee Bay in Florida. The project area has a gently sloping sandy beach and dune system along the Gulf of Mexico side of Navarre Beach Marine Park, and a gently sloping sandy beach and dune system on the Santa Rosa Sound side (Phase III ERP/PEIS, Chapter 12, Sections 12.71 and 12.72).

The parcel is characterized by a small, but well-developed scrub dune system consisting of sea oats and scrub oak (Figure 2-2). Approximately 300 linear feet of beach area is on the Santa Rosa Sound and is not known to attract nesting sea turtles. However, sea turtles do nest on the Gulfside, south of the project area. Occasionally nesting females crawl north and could end up near the project area. The beach and dunes provide suitable habitat for terrestrial mammals, such as the Santa Rosa beach mouse, skunks, raccoons, coyotes, and other predators. The existing habitat is of good quality and no invasive plant species were observed during a March 2019 site visit. The beaches provide habitat for shorebirds, and species protected under the ESA that could occur at the site include the federally threatened piping plover and red knot, which utilize the area for winter foraging. The site does not fall within Critical Habitat (CH) for the piping plover; however, piping plover CH Unit FL-3 includes approximately 118 acres

of lands between 0.09 and 0.76 miles east of the eastern end of State Road 399 on the Santa Rosa Sound side, near the project area (66 Federal Register 36038). Permanent shorebird signs are placed at the Phase III Early Restoration Gulfside and Santa Rosa Sound side project locations to help minimize disturbance to breeding birds.

There is currently no visible restriction on public access to the property and signs of human presence (footprints, minimal trash) are present. Small pieces of gravel and asphalt from storm surge events are pervasive in the sand over approximately half of the site (and adjoining properties), with larger pieces of asphalt (6 to 36 inches long) present in some areas. No cultural resources protected under Section 106 of the NHPA are known to occur on the site.

4.3.2 Environmental Consequences

Physical Resources – Consistent with the analysis previously completed in the Phase V ERP/EA and the Phase V.2 RP/SEA, due to the lack of any planned ground-disturbing activities, use of equipment or machinery, acquisition of the parcel would have no adverse impacts on the physical environment. The potential for long-term beneficial impacts exists, due to protection of the land in perpetuity and adjacent waters of Santa Rosa Sound from development.

Biological Resources - The PDARP/PEIS states that conservation of habitat through fee title acquisition, use restrictions, and improved management could have a long-term benefit to any habitat on the property acquired or protected. These habitats can be important for food supply and various life stages of some species. These benefits would depend on project-specific goals and the location of acquired land. Consistent with the analysis previously completed in the Phase V ERP/EA and the Phase V.2 RP/SEA, an important benefit from the acquisition and resultant protection of this site from development is the continuance, in perpetuity, of non-fragmented habitat currently provided by the site. Visitation and human use of the site is not expected to increase substantially as there are currently no restrictions to public access in place. Bringing the parcel under Santa Rosa County park ownership in perpetuity would benefit habitats by including it in existing Santa Rosa County park management activities for trash removal, landscape maintenance, and enforcement of prohibited activities. Also, permanent shorebird signs are placed on adjoining park breeding habitat and would be placed on the Navarre Beach Marine Park Addition site if needed to minimize disturbance during the breeding season.

The FL TIG is currently coordinating with the appropriate regulatory agencies for technical assistance related to compliance with applicable laws and regulations (e.g., ESA).

Socioeconomic Resources and Environmental Justice – Environmental Justice is not a factor in this proposed action as there is no potential for adverse environmental, economic, social, or health impacts to communities and groups that meet environmental justice criteria under Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority and Low Income Populations” (1994). Due to the lack of planned ground-disturbing activities, there is no potential for effect to any cultural resources. Consistent with the analysis previously completed in the Phase V ERP/EA and the Phase V.2 RP/SEA, placement of the site under the protection of the Santa Rosa County park system, in perpetuity, would ensure that any as yet undiscovered cultural resources would remain protected and available for

future data collection. Benefits to recreational use would occur due to the addition of the site to the Santa Rosa County park system. The public's access to the beach and adjoining county park recreational facilities would remain unhindered. Finally, acquisition of the parcel would have only minimal impacts on the County task base.

4.4 No Action Alternative

Under the No Action Alternative, none of the alternatives would be acquired or improved for recreational purposes. All three privately owned properties could ultimately be sold for other purposes. Long-term benefits from the preferred alternative, acquisition of the Navarre Beach Marine Park Addition, to all resources analyzed would not be realized. Not placing the parcel under ownership and management of the Santa Rosa County park system would continue the threat of development or other uses that could ultimately have adverse impacts to natural resources and to the public's use of the area for recreational purposes and access to recreational facilities in the adjacent areas.

4.5 Cumulative Impacts of the Alternatives Summary

This third phase of the Florida Coastal Access Project cumulative impacts analysis tiers from the Phase III ERP/PEIS, Phase V ERP/EA, and Phase V.2 RP/SEA analyses of cumulative impacts relevant to this phase of the Florida Coastal Access Project are incorporated by reference.

The proposed action, acquisition of the Navarre Beach Marine Park Addition, would not contribute to adverse cumulative impacts, either locally or regionally as no adverse impacts to physical or biological resources would occur if the project is implemented. Long-term beneficial impacts to physical and biological resources would occur if the project is implemented. The only adverse impact to socioeconomic resources would be from the removal of the parcel from private ownership contribution to the county tax base, and the potential of those taxes that would occur if the property were to be developed. This adverse socioeconomic impact, when taken into consideration of the total taxation from private property would be minor, especially when balanced with the benefits that would occur to all other socioeconomic resources. The NEPA analysis of the alternatives summarized in this Phase V.3 RP/SEA found no significant adverse cumulative impacts from implementation of any of the alternatives.

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Appendix A. Phase V.3 RP/SEA List of Preparers and Reviewers

| Agency/Firm | Name | Position |
|--|-------------------|---|
| State of Florida | | |
| Florida Department of Environmental Protection | Leslie Ames | Office of Secretary, Deputy Chief of Staff |
| Florida Department of Environmental Protection | Phil Coram | Program Administrator, DWH Program |
| Florida Department of Environmental Protection | James Reynolds | Environmental Consultant, DWH Program |
| Florida Department of Environmental Protection | Lisa Robertson | Program Administrator, DWH Program |
| Florida Fish and Wildlife Conservation Commission | Gareth Leonard | Gulf Restoration Coordinator |
| Florida Fish and Wildlife Conservation Commission | Amy Raker | Assistant Gulf Restoration Coordinator |
| The Trust for Public Land | Kate Brown | Senior Project Manager |
| The Trust for Public Land | Doug Hattaway | Senior Project Manager |
| Industrial Economics, Incorporated | Leslie Genova | Principal |
| Industrial Economics, Incorporated | Nadia Martin | Senior Associate |
| National Oceanic and Atmospheric Administration | | |
| National Oceanic and Atmospheric Administration | Stella Wilson | Marine Habitat Restoration Specialist |
| National Oceanic and Atmospheric Administration | Laurie Rounds | Marine Habitat Resource Specialist |
| National Oceanic and Atmospheric Administration | Ramona Schreiber | Marine Habitat Resource Specialist |
| National Oceanic and Atmospheric Administration | Christina Fellas | Marine Habitat Resource Specialist |
| National Oceanic and Atmospheric Administration | Grant Blumberg | Attorney-Advisor, Office of General Counsel |
| U.S. Department of the Interior | | |
| U.S. Department of the Interior | Dianne Ingram | DOI DWH Restoration Biologist |
| U.S. Department of the Interior | Robin Renn | DOI DWH NEPA Coordinator |
| U.S. Department of the Interior | Ben Frater | DOI DWH Assistant Restoration Manager |
| U.S. Department of the Interior | Erin Chandler | Fish and Wildlife Biologist |
| U.S. Department of the Interior | Kevin Chapman | DOI NHPA Consultation and Permits Coordinator |
| U.S. Department of the Interior | Lisa Stevens | Attorney-Advisor |
| U.S. Department of the Interior | Nanciann Regalado | DOI DWH Public Affairs and Outreach Coordinator |
| U.S. Department of Agriculture | | |
| U.S. Department of Agriculture | Ron Howard | Senior Technical Advisor |
| U.S. Department of Agriculture | Mark Defley | Biologist, NRCS Gulf Coast Ecosystem Restoration Team |
| U.S. Department of Agriculture | Benjamin Battle | FL TIG Member |
| U.S. Environmental Protection Agency | | |
| U.S. Environmental Protection Agency | Amy Newbold | FL TIG Member |
| U.S. Environmental Protection Agency | James Bove | Attorney-Advisor |
| U.S. Environmental Protection Agency | Dan Holliman | NEPA Program Office |

Appendix B. Phase V.3 Florida Coastal Access Project Monitoring and Adaptive Management Plan

B.1 Introduction

This monitoring and adaptive management plan identifies the monitoring needed to evaluate progress toward meeting project objectives and to support any necessary adaptive management of the restoration project. Where applicable, it identifies key sources of uncertainty and incorporates monitoring data and decision points that address these uncertainties. As not all projects will have the same sources and degree of uncertainty, this monitoring and adaptive management plan is scaled according to level of uncertainty, scope, scale, and Restoration Type associated with this project.

This monitoring and adaptive management plan is a living document and may be updated as needed to reflect changing conditions and/or new information. Any future revisions to the Phase V.3 RP/SEA will be made publicly available through the Trustee Council Restoration Portal and accessible through the *Deepwater Horizon* (DWH) Trustee website.²⁹

B.1.1 Overview of the Proposed Project

The third phase of the proposed Florida Coastal Access Project continues the restoration planning process begun prior to the settlement of the DWH oil spill natural resource damage assessment. In this phase, the Florida Trustee Implementation Group (FL TIG) has evaluated one proposed action alternative: Navarre Beach Marine Park Addition.

The Navarre Beach Marine Park Addition alternative includes the acquisition of an approximately 4.75-acre undeveloped coastal parcel on the north side of Santa Rosa Island in Santa Rosa County, Florida. The purpose of this project is to acquire the parcel through a fee simple purchase by the Trust for Public Land (TPL) and transfer it to Santa Rosa County. The acquisition of the parcel would include an appropriate land protection restriction in the deed to ensure the land is managed in accordance with the applicable federal and state law and ensure the property is not used for purposes other than conservation and restoration of natural resources and for passive outdoor recreation without sufficient approvals.

The parcel is a private inholding within existing Navarre Beach Marine Park property and near wetland habitat which is on the west side of the parcel. The parcel includes approximately 0.1 miles of frontage along Santa Rosa Sound and includes a mixture of sandy beach and beach dune habitat. The primary goal of this alternative is to enhance the public's access to the surrounding natural resources and increase recreational opportunities.

²⁹ Trustee Council Restoration Portal: www.diver.orr.noaa.org; DWH Trustee website: www.gulfspillrestoration.noaa.gov

B.1.2 Restoration Goal and Objectives

The overall goal of Navarre Beach Marine Park Addition alternative is to enhance the public’s access to the surrounding natural resources and increase recreational opportunities in order to restore for a portion of the lost recreation use injuries sustained on lands in Florida. The specific restoration objectives relevant for this monitoring plan are: (1) to acquire the parcel; and (2) to provide visitors access to the natural resources.

B.1.3 Conceptual Setting and Anticipated Outcomes

Table 1 below outlines the conceptual setting for the Navarre Beach Marine Park Addition alternative, which forms the basis of this monitoring plan and includes a summary of the proposed activities, the expected outcome, and the desired outcomes.

Table 1. Conceptual Setting for Navarre Beach Marine Park Addition

| Activity | Output | Short-term outcome | Long-term outcome |
|--|--|---|---|
| <ul style="list-style-type: none">• Acquire the coastal parcel | <ul style="list-style-type: none">• The parcel is acquired | <ul style="list-style-type: none">• Parcel is managed as a park | <ul style="list-style-type: none">• The public are able to use the area as a park in perpetuity |

B.1.4 Roles and Responsibilities

The Implementing Trustee from the FL TIG, through their third-party agent, the TPL, would be responsible for acquiring the proposed parcel. During the first year following acquisition, TPL and/or Florida Department of Environmental Protection (FDEP) employees would document the use of the park by the public.

B.2 Project Monitoring, Performance Criteria, and Potential Corrective Actions

The proposed monitoring for this restoration project was developed to evaluate project performance, key uncertainties, and potential corrective actions, if needed. Performance criteria will be used to determine restoration success or the need for corrective action (15 C.F.R. § 990.55(b)(1)(vii)).

Information on each monitoring parameter is provided below. Note that Table 2 does not include all possible options for corrective actions; rather, it includes a list of potential actions for each individual parameter to be considered if the project is not performing as expected once implemented. Other corrective actions may be identified post-implementation, as appropriate.

Table 2. Monitoring Parameters

| Parameter | Monitoring Questions/Purpose of Parameter | Method | Timing, Frequency, Duration | Sample Size and/or Sites | Performance Criteria | Potential Corrective Action(s) |
|---|---|--|---|---|---|--|
| Acquisition of the selected parcel for public use | Has the coastal parcel been acquired? Was the project infrastructure and amenities constructed and completed as designed and contracted? | TPL would exercise option on the property and acquire the coastal parcel | The closing would occur within four months of selecting the alternative | 1; at the selected alternative location | The land parcel is acquired | Resolution with seller so the parcel is acquired |
| Number of acres acquired | Documentation of the number of acres acquired for public use and access | FL TIG would document the number of acres acquired | Deed document and/or field-based survey | 1; at the selected alternative location | 4.75 acres acquired | N/A |
| Number of public access points provided | Are the public able to access the parcel and are they using the area as a park? | Visual observation | Visual observations conducted once per quarter for one year | 4 times; at the selected alternative location | 1 new public access point provided, and public are able to use the area as a park | N/A |

B.3 Monitoring Schedule

The schedule for the restoration monitoring is shown in Table 3, separated by monitoring activity. Post-implementation monitoring would occur during closing and after the parcel is transferred to the County for use as a public park.

Table 3. Monitoring Schedule

| Monitoring Parameters | Monitoring Timeframe |
|------------------------------|--------------------------------|
| | Post-Implementation Monitoring |
| Review the closing documents | X |
| Observations of visitors | X |

B.4 Reporting and Data Requirements

Reporting would occur after the parcel is acquired. The monitoring report would summarize the information collected, document whether the parcel was acquired, and if the park is being used by the public.