IN REPLY REFER TO:

United States Department of the Interior

National Park Service
Gulf Islands National Seashore
1801 Gulf Breeze Parkway
Gulf Breeze, Florida 32563

FINDING OF NO SIGNIFICANT IMPACT

FORT PICKENS PIER AND FERRY SERVICE

Fort Pickens, Escambia County, Florida

Based on the following summary of effects, and as discussed in the attached environmental assessment (EA), it has been determined the selected action (preferred alternative) will not have a significant adverse effect on the human environment. Mitigation measures will be incorporated into the selected action to reduce or eliminate impacts. There are no foreseen significant adverse impacts to public health, public safety, threatened or endangered species or other unique characteristics of the region. There is an adverse impact to historic properties, either listed or eligible for listing in the National Register of Historic Places, which have been mitigated through design features to locate the pylons and bridge the artifacts to avoid impacts to the resource. No highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence were identified. Implementation of the selected action will not violate any federal, state, or local environmental protection laws, nor will it cause impairment of park resources or values. The selected action (preferred alternative) does not constitute an action that normally requires preparation of an Environmental Impact Statement (EIS). Therefore, it has been determined that an EIS is not required for this project and thus will not be prepared.

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal actions are consistent with existing national environmental policies and objectives as set forth in section 101(a) of the National Environmental Policy Act of 1969 (NEPA) and that they will not significantly affect the quality of the human environment or otherwise include any condition requiring consultation pursuant to Section 102 (2)(c) of NEPA.

Recommended: _____ Date: 10/19/11
Daniel R. Brown
Superintendent
Gulf Islands National Seashore

Approved: _____ Date: 10/31/11
for David Vela
Regional Director
Southeast Region

FINDING OF NO SIGNIFICANT IMPACT

FORT PICKENS PIER AND FERRY SERVICE
Fort Pickens, Escambia County, Florida

This finding of no significant impact (FONSI) and the Fort Pickens Pier and Ferry Service Environmental Assessment (EA), prepared by MACTEC Engineering and Consulting, Inc., constitute the records of the environmental impact analysis and decision-making process for the Gulf Islands National Seashore (GUIS) Fort Pickens Pier and Ferry Service project. The National Park Service (NPS) has selected and will implement the preferred alternative with mitigations as indicated in this document.

INTRODUCTION

The NPS owns and administers Fort Pickens as part of the GUIS and must make a decision related to this project occurring on National Park Service lands. The Fort Pickens Historic District of GUIS is located near Pensacola Beach, Escambia County, Florida, and covers over 1,700 acres of Santa Rosa Island, a long, narrow barrier island. Fort Pickens is a pentagonal historic U.S. military fort on Santa Rosa Island, and the Fort Pickens Historic District represents one of the largest concentrations of historic coastal defense fortifications in the country. In addition to unique cultural artifacts, the Fort Pickens portion of Santa Rosa Island also contains diverse marine and barrier island ecosystems.

This project consists of construction of a new ferry pier to accommodate a passenger ferry service to the Fort Pickens Historic District. The ferry pier and service will provide an alternative means of visitor access, in addition to the existing roadway. Establishing a passenger ferry pier and service at Fort Pickens will augment existing vehicular access, which can be and has been susceptible to interruption due to major impacts to roadways caused by various tropical storm events. Hurricane Ivan and subsequent storms significantly damaged the Fort Pickens Road and prevented its use from September 2004 to May 2009. Extensive interagency coordination, rerouting of the roadway, planning, design, environmental compliance, contracting, and eventual road reconstruction took place during this period. The only access to Fort Pickens during this period was by foot, bicycle, authorized commercially operated over-sand shuttle or boats, or private boat. Access to the Fort Pickens Historic District in the past has been exclusively by established roadway or private vessel.

PURPOSE AND NEED

The purpose of the proposed action is to provide an alternative means of visitor access, in addition to the existing roadway, and to meet the NPS obligation under the Organic Act (16 U.S. Code [USC] § 1 et seq.) to provide opportunities for visitor use and enjoyment of the national parks while protecting park resources unimpaired for future generations. The action is also intended to fulfill the Seashore's enabling legislation, which directs NPS to preserve for public use and enjoyment certain areas possessing outstanding natural, historic and recreational values (Public Law [PL] 91-660 [1971]), and to preserve Fort Pickens for the inspiration and benefit of the people of the United States (16 USC § 461). Establishing a passenger ferry pier at Fort Pickens will augment existing vehicular access via the Fort Pickens road, which can be and has been susceptible to interruption due to major impacts to roadways caused by various tropical storm events.

The need for water transportation/ferry service at Fort Pickens was identified over 30 years ago in the Park's 1978 General Management Plan (GMP), and is also addressed in the new GMP, currently under

development. In addition to filling the transportation need, the proposed ferry service will also provide a maritime recreational experience for those without access to a private boat, which is not currently offered within the Florida district of GUIS.

High visitation levels, especially during weekends, major national holidays, and during the summer vacation period, lead to traffic congestion on Fort Pickens Road, and the parking capacity of the area is frequently exceeded. Providing water access to the park will help GUIS and the region to better manage these issues successfully by offering an alternative means to access Fort Pickens, a key destination area within the park that is highly sought after by local, national, and international visitors.

THE SELECTED ACTION

The selected action (preferred alternative) is Alternative C, Construct a New Fixed Pier Along the Fort Pickens Seawall. Under Alternative C, GUIS will construct a 3600 foot docking facility with a 120 foot long by 16 foot wide access pier, a 60 foot long by 16 foot wide finger pier, and a 60 foot long by 12 foot wide finger pier, and support structures. The pier will be located approximately 1,250 feet east of the existing fishing pier. The pier will be oriented approximately perpendicular to the shoreline and existing seawall. The proposed pier will tie into the existing seawall and will access existing walking trails that connect to the seawall and guide visitors to the activity areas within Fort Pickens. The pier will be constructed from a floating barge using floating turbidity barriers, emergency response spill kits, and other appropriate aquatic construction BMPs (see appendix 1). The ferry pier will be designed to withstand or sustain Category 3 or 4 storm damage, and provide far more reliable access to the island for visitors.

Through the EA process, the NPS has determined that this alternative successfully fulfills identified objectives without resulting in a significant impact to the human environment.

ACTION COMMON TO ALL ALTERNATIVES:

- Operation of a passenger ferry that will make two to three roundtrip runs daily between the landward terminus and Fort Pickens ferry pier, using 2 to 3 boats holding maximum 150 passengers each boat, year round, 12 to 25 knots maximum ferry speed.
- Installation or retrofit of a permanent pier (floating or fixed) for the ferry that measures up to 260 by 20 feet. Installation of a smaller, floating "T" pier attached to the ferry pier, to accommodate smaller boats
- Permanent installation of pilings constructed of concrete
- Construction activities taking place from barges and other equipment conducted from the water as much as possible.
- Occasional docking of additional NPS vessels at the pier during emergencies only.
- Improvement of existing walkways that already connect to the Fort Pickens Historic District trail system, including the Florida National Scenic Trail, a component of the National Trails System, as well as comply with the Americans with Disabilities Act (ADA).
- Improvement of existing facilities and paths and trails to make them ADA-compliant,
    - Installation of pavilion on existing concrete pad as a ferry passenger meeting location,

- Replacement of existing dirt parking area with asphalt paving.

OTHER ALTERNATIVES CONSIDERED

The three action alternatives and the no-action alternative were evaluated by determining which of the alternatives would best meet the purpose and need for providing ferry service to the Fort Pickens Historic District. Alternative C as the preferred alternative will best meet the project purpose and need of the four alternatives evaluated while still minimizing environmental impacts and will provide the widest range of benefits to GUIS visitors, the natural and cultural environments, and GUIS maintenance, with minimal environmental degradation. Alternative A would not meet the purpose and need of the proposed project. Alternative B would meet the need of providing ferry access, but it would conflict with existing visitor use by interfering with existing fishing pier activities. Alternative D would also meet the need of providing ferry access, but the floating pier would not be as stable as the fixed pier and would be more likely to be damaged during tropical storms and hurricanes, which would limit its longevity and overall usefulness for emergency access.

Alternative A: No Action/Continue Current Management

Under Alternative A, GUIS would continue current management operations and conditions. In this case, "No Action" means that the proposed ferry pier would not be constructed. The major public means of access to Fort Pickens would be by vehicle, via the Fort Pickens Road, and additional means of transportation would include private boats, bicycles, and walking. Although this alternative would not meet project objectives, it would be retained for full evaluation to satisfy the requirements of the National Environmental Policy Act.

Alternative B: Retrofit the Existing Fort Pickens Fishing Pier

Under Alternative B, the existing fishing pier at Fort Pickens would be retrofitted to allow for docking of boats. Retrofits to this pier would include gangways to floating docks for the loading and unloading of pedestrians onto the ferry and other vessels, potential upgrade of existing pylons where the boats would be docking, and the addition of pylons to protect the existing pier. The pier retrofits would be constructed from a floating barge using floating turbidity barriers, emergency response spill kits, and other appropriate aquatic construction best management practices (BMPs). The ferry pier retrofit would be designed to withstand or sustain Category 3 or 4 storm damage, and provide far more reliable access to the island for visitors.

Alternative D: Construct a New Floating Pier Along the Fort Pickens Seawall

Under Alternative D, GUIS would construct a new floating ferry dock approximately 260 feet long by 20 feet wide. As with Alternative C, the pier would be approximately perpendicular to the shoreline and existing seawall and would be located approximately 1,250 feet east of the existing fishing pier. This dock would provide pedestrian access to a ferry or other vessels. A gangway would be designed to span from the seawall to the new floating dock. The proposed pier would tie into the existing seawall and would access existing walking trails that connect to the seawall and guide visitors to the activity areas within Fort Pickens. The floating dock would be constructed from a floating barge using floating turbidity barriers, emergency response spill kits, and other appropriate aquatic construction BMPs.

Alternatives Considered but Dismissed

Another alternative considered but dismissed consisted of retrofitting the existing Lifesaving Station pier located approximately 2 miles east of the existing fishing pier. This alternative was dismissed because of

the distance from the Lifesaving Station pier to the Fort Pickens activity area. Visitors would have to walk approximately 2 miles from the pier to Fort Pickens, or the park would have to run periodic shuttles to and from Fort Pickens. Also, seagrass beds exist in the vicinity of the existing Lifesaving Station pier, and construction of a pier addition and additional boat traffic in the area could damage the sensitive seagrass beds.

ENVIRONMENTALLY PREFERRED ACTION

In accordance with DO-12, the NPS is required to identify the "environmentally preferred alternative" in all environmental documents, including EAs. The Environmentally Preferred Action is determined by applying the criteria from Section 2.7 (D) of NPS Director's Order 12. These are the same criteria outlined in NEPA, which is guided by the Council of Environmental Quality (CEQ) regulations. CEQ regulations provide direction that "the environmentally preferable alternative is the alternative that will best promote the national environmental policy" as expressed in Section 101(b) of NEPA. This includes alternatives that, when compared with other alternatives under consideration, better meet the following criteria:

- Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
- Assure for all generations safe, healthful, productive, and esthetically and culturally pleasing surroundings;
- Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;
- Preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity, and variety of individual choice;
- Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and
- Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources (42 United States Code (USC) 4321-4347).

Simply put, "this means the alternative that causes the least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources" (Question 6a in CEQ 1981). The No Action Alternative may also be considered in identifying the environmentally preferred alternative.

For this project, the Environmentally Preferred Alternative is Alternative A (No Action). By not constructing the ferry pier, that portion of the island will remain in a more natural state, with barrier island processes allowed to function more naturally. This alternative will also generate no additional footprint and will have the lowest maintenance needs. However, this alternative does not meet the project purpose and need.

The preferred alternative is Alternative C, Construct a New Fixed Pier Along the Fort Pickens Seawall. Through the EA process, the NPS has determined that this alternative successfully fulfills identified objectives without resulting in a significant impact to the human environment, and is the environmentally preferred alternative, because it will meet park purposes and national environmental policy goals by

protecting important natural resources and enhancing visitor enjoyment and safety. This alternative will also maintain an environment that supports diversity and a wide sharing of life's amenities.

MITIGATION

Mitigation is defined in the Code of Federal Regulations (40 CFR 1508.20) as:

(a) Avoiding the impact altogether by not taking a certain action or parts of an action.

(b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.

(c) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.

(d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.

(e) Compensating for the impact by replacing or providing substitute resources or environments.

The following is a summary list of mitigations which will be applied to the selected action (preferred alternative). See Mitigations section for complete list. Receipt of USACE permit is pending and USACE permit conditions would be included.

- Water quality: Standard construction best management practices (BMPs) will be implemented, to include the use of turbidity curtains during in-water construction.

- Floodplains: No mitigation proposed for floodplain impacts because the pier will not obstruct floodwater or result in changes of base flood elevations. Safety mitigation measures during operation will include ferry and dock closures, warning signs, and evacuations as appropriate for protecting life and minimizing damage.

- Wetlands: Wetland mitigation measures will include erosion and sedimentation control to protect the adjacent surf zone wetlands during and after construction activities.

- Protected Species: Mitigation measures for manatee, sea turtles, gulf sturgeon, essential fish habitat, Santa Rosa beach mouse, shorebirds, and seagrass beds include appropriate erosion, sedimentation, and siltation controls, installing appropriate turbidity barriers, limiting in-water construction specific months during daylight hours only, training and instruction on the identification and avoidance of protected species, minimizing construction noise, and other appropriate measures.

- Important Wildlife and Habitat: Mitigation measures (see Mitigations list) will minimize impacts to wildlife and wildlife habitat associated with construction and ferry operation.

- Marine/Estuarine Resources: Mitigation measures include BMPs for avoiding any discharge of any materials from the ferry. Lookout and avoidance procedures will be in place to avoid marine species strikes. Mitigation measures will minimize impacts to marine and estuarine resources associated with construction and the ferry operation.

- Unique Ecosystems, World Heritage Sites, and Biosphere Reserves: Mitigation measures include BMPs, include the use of turbidity curtains during in-water construction.

- Non-native Species: Appropriate BMPs, such as controlling or eradicating infestations prior to construction, cleaning of vehicles and other equipment prior to leaving an infested site, and post-construction monitoring, will be used during construction and ferry operation to avoid the spread of non-native species.

- Archaeological Resources:

    - Completion of a Memorandum of Agreement (MOA) with the Florida SHPO, in association with the Advisory Council on Historic Preservation (ACHP), will be executed for the project.
    - Fulfillment of commitments stipulated in the MOA.
    - Recover and describe the archaeological discoveries encountered in a technical report(s) and provide to SHPO.
    - Design pier construction to shift pylon locations or bridge the artifacts to avoid impacts to the resource.
    - During construction, an archaeologist will be on site to monitor.
    - Coordination with the NPS Historic Architecture program before removal of the concrete slab foundations in the pavilion area.
    - Take care to avoid damaging historic features, including Buildings 15, 16 and 17, the remaining portions of the narrow gauge rail, and the Spanish American War period seawall.
    - If other unknown archaeological resources are uncovered during construction, appropriate BMPs will be utilized to avoid, reduce, and mitigate any disturbances.

- Historic Resources: Design will be consistent and compatible with the look and materials of other recreational structures and historic resources within Fort Pickens Historic District.

WHY THE SELECTED ACTION (PREFERRED ALTERNATIVE) WILL NOT HAVE A SIGNIFICANT EFFECT ON THE HUMAN ENVIRONMENT

As defined in 40 CFR §1508.27, significance is determined by examining the following criteria:

Impacts that may have both beneficial and adverse aspects and which on balance may be beneficial, but that may still have significant adverse impacts which require analysis in an EIS:

No major adverse or beneficial impacts were identified that will require analysis in an environmental impact statement.

Impacts associated with the selected action include long-term impacts from implementation of the project and short-term impacts from construction activities. The preferred alternative will provide a long-term, beneficial impact to recreation, aesthetics, public health and safety, park operations, visitor use/experience, air quality, water quality, socioeconomics, and energy resources.

The selected action (preferred alternative) will have no impacts on streamflow characteristics, land use, rare or unusual vegetation, cultural landscapes, ethnographic resources, museum collections, environmental justice (minority and low income populations), other agency or Tribal land use plans or policies, and other important environmental resources, e.g., geothermal or paleontological resources.

The construction period may cause short-term, impacts that will be temporary and minor in nature and will only occur during the construction period of the project. The selected action (preferred alternative) will have short-term, negligible impacts on geologic resources, air quality and non-native species; negligible to minor impacts on water quality, floodplains, protected species, wildlife and wildlife habitat, marine and estuarine resources, unique ecosystems, historic resources; short-term minor impacts on energy resources; and short-term minor to moderate impacts on soundscapes, wetlands, and archaeology.

Long-term impacts will be negligible for soundscapes, protected species, wildlife and wildlife habitat, and non-native species; negligible to minor for water quality, floodplains, marine and estuarine resources, unique ecosystems, historic resources, energy resources, and long-term management; minor for geologic resources; and moderate for wetlands and archaeology.

Impacts to geologic resources will result from construction of the new pier which may influence how geologic features and processes are affected by tides, currents, ship wakes, overwash, sea level rise, and wind, and will affect littoral drift and modify sediment transport.

Impacts to air quality will result from vehicle emissions from equipment used during construction of the pier, will be localized to the construction area and expected to return to pre-existing conditions shortly after the alternative has been implemented, however beneficial long-term impacts to air quality will be decreased shoreline parking by personal boaters and fewer automobiles driving and parking in the Fort Pickens Area.

Impacts to soundscapes will result from noise generated from the construction of the pier, will be localized to the construction area and expected to return to pre-existing conditions shortly after the alternative has been implemented.

Impacts to water quality will result from turbidity and risk of spills associated with construction and ferry operation, and additional vessel traffic of proposed ferry service, however, beneficial long-term impacts to water quality will be decreased shoreline parking by personal boaters and fewer automobiles driving and parking in the Fort Pickens Area.

Impacts to 0.16 acre of floodplains, and 0.03 acre of wetlands will result from construction of the pier in water and permanent placement of square concrete pylons and associated shading from the decking of the pier within the pier footprint but the total impervious surface or flood storage volumes within the 100-year floodplain will not increase.

Impacts to protected species will result from noise and activity associated with the proposed construction activity (*e.g.*, construction equipment, personnel, work boats, and placing and securing the pier structure) which may temporarily disturb certain species in the vicinity of the project area through temporary impacts on prey abundance, water quality (turbidity), and underwater noise, and may temporarily increase the potential for boat collisions with certain species in the project area during construction. The use of vehicles on the beach in the vicinity of the project area may disturb certain species.

Impacts to wildlife and their habitats will result from possible additional pedestrian traffic through the dunes.

Impacts to marine and estuarine resources will result from additional vessel traffic from approximately three to four round trip ferry trips daily, however, currently, recreational and commercial boating traffic is high within Pensacola Bay.

Impacts to unique ecosystems of Fort Pickens aquatic preserve will result from turbidity and potential spills associated with construction and ferry operation.

Impacts by non-native species will result from construction vehicles and watercraft have the potential to inadvertently transport non-native species to the area. Construction activities will be conducted using BMPs to avoid the introduction of non-native species.

Impacts to recreation resources will result from the passenger ferry providing additional recreation resources to park visitors. The ferry pier will tie into the existing seawall and will allow access to existing walking trails that connect to the seawall and guide visitors to the activity areas within Fort Pickens.

Impacts to Visitor Experience and Aesthetic Resources will result from the ferry and shuttle system providing an alternative means of access to the island, even during times when Fort Pickens Road is impassible by vehicle. For many visitors, the experience will be beneficial, especially to those seeking a more "natural" experience. Other visitors, however, will dislike having their movements on the island governed in large part by ferry and shuttle schedules. Arriving at the park by ferry will provide a memorable and historically significant means of visiting Fort Pickens and serve as an excellent interpretive opportunity for the Seashore. The Pensacola Bay area developed around maritime and naval activities, and the forts of GUIS, including Fort Pickens, are an integral part of the maritime history of the area. Visitors coming to the park by water will be able to experience the coastal fortifications of Fort Pickens and related naval history against the backdrop of the existing NAS across the bay, in addition to natural marine and shore habitats. This will improve the sense of arrival from the congested roads that visitors typically experience on special events and weekends when the park road is open. However, because the proposed construction may affect the use of the existing fishing pier, minor, long-term, adverse impacts will occur to visitors interested in fishing, birding, or other uses not related to ferry operation. An addition or modification to the existing fishing pier will not change the aesthetics of the bayfront, as the fishing pier and other piers in the area are a common element in a marine environment.

Impacts to archaeology and historic Resources are discussed in the section below.

Impacts to socioeconomics will result from the ferry service providing an alternative means to access Fort Pickens, a key destination area within the park that is highly sought after by local, national, and international visitors.

Impacts to energy resources will result from fabrication of construction materials and in the actual pier construction process. The ferry service will provide an alternative means to access Fort Pickens, reducing Vehicle Miles Traveled (VMT) and vehicle time spent idling in traffic or waiting for parking to become available. After construction, maintaining additional structures will require additional energy consumption and costs than will the current condition or the no action alternative.

Impacts to long-term management of resources will include additional resources for maintenance and upkeep of a new pier in the park. The park will continue to manage the Fort Pickens Area as it is currently managed but will have to increase funding and staff time to cover the new pier, manage a commercial use authorization for the ferry service, and manage a new visitor access point into the park. Park staff will have the flexibility to conveniently access the Fort Pickens Area via a dedicated ferry pier in the event of temporary Fort Pickens Road closures.

The mitigations proposed and the long-term benefits of protecting these resources through the implementation of the selected action (preferred alternative) are expected to outweigh the adverse effects.

The degree to which the action affects public health and safety:

All short-term, negative impacts to public health and safety can be mitigated (see Mitigation section). The implementation of the selection action (preferred alternative) will be carefully designed to avoid disturbing park visitors during construction as much as possible. The public will be excluded from the project area while work on the ground is in progress.

The selected action (preferred alternative) will provide long-term, beneficial impacts to public health and safety when completed, and will enhance public safety by providing a means for emergency access to and from the Fort Pickens Historic District.

Based on these considerations, there will be no adverse effects to public health and safety.

Unique characteristics of the geographic area such as proximity to historic or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas:

The proposed project is located within the Fort Pickens Historic District; see below section for more discussion about cultural resources. The proposed project is located within the Fort Pickens Aquatic Preserve, an important marine/estuarine area. The project area contains designated Gulf sturgeon habitat and Essential Fish Habitat. Based on the EA findings, it has been determined that the selected action (preferred alternative) will not have significant impacts to unique characteristics in the immediate vicinity or regionally. Specific mitigation actions will be implemented to offset any adverse impacts to resources (see Mitigations section).

Floodplains, wetlands, and ecologically critical areas will not be majorly affected. There are no known prime farmlands, wild and scenic rivers, or designated natural areas in the project area.

Degree to which the action may adversely affect districts, sites, highways, or objects listed on the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources:

There are known archeological sites and historic sites in the project area, which is located within Fort Pickens Historic District Complex (State ID 08ES0070, ASMIS ID GUIS00029), a historic district listed in the National Register of Historic Places. Fort Pickens was part of a three-fort defensive system that was started in 1834 to defend the U.S. Navy naval yard in Pensacola, Florida. The area of potential effect (APE) extends approximately 2000 feet (610 meters) along the bayside shore of Santa Rosa Island, and projects into the bay a maximum of 250 feet (76 meters). The selected action (preferred alternative) will require surface disturbing activities within the APE.

The NPS Southeast Archaeological Center (SEAC) and the University of West Florida Archaeology Institute (UWF) archaeologists conducted several phases of underwater and beach investigations. Unrecorded historic resources were identified in the near shore area as well as in the beach area. UWF's investigations involved background research, Florida Master Site File reviews, remote sensing (using magnetometer, sidescan sonar and sub-bottom sonar), diver investigation of magnetic and sonar anomalies, ground penetrating radar (GPR), and excavation. UWF conducted an underwater reconnaissance-level cultural resources survey for the proposed pier construction area investigations, during the fall of 2009 and spring of 2010, and conducted follow-up Phase II archaeological

investigations of the proposed ramp from the seawall to the proposed Ferry Pier and in spring 2011. UWF archaeologists conducted additional fieldwork to investigate the GPR anomalies from March 29 through April 6, 2011, and using a backhoe, uncovered a previously undiscovered and undocumented feature, a structure composed of a series of granite blocks, cement in the shape of barrels, and brick and concrete rubble and identified in the interim report as Feature 1, that may be the remnants of gun platform debris, associated with one or two events that occurred at Fort Pickens (1) In 1899, the Northwest Bastion exploded and the rubble from the bastion and north curtain casemates was used for riprap to protect Battery No. 3 in 1904-05. In 1916, the breastwork, gun platforms, and parapet of the south wall of Fort Pickens were removed and the rubble was used to riprap the seawall. It may be possible in the future to correlate the Feature 1 granite blocks with one of these two events by comparing the size and morphology of the blocks to still extant features of the fort. SEAC conducted a Phase I assessment of the pavilion area on September 19, 2011,

The U.S. Army Corps of Engineers, Mobile District, has been contracted to prepare the design and construction for the implementation of this project, In coordination with the U.S. Army Corp of Engineers Mobile District Office design team, design and location of the pier, pavilion, walkway, and parking lot components of the project will avoid underwater near-shore resources and have no direct and adverse effects to on-land archeological resources. The location and layout for the pylons of the pier have been configured so they avoid the granite blocks of Feature 1, but because the undertaking could not completely avoid the artifacts in Feature 1 and some will be removed from their historic location, the undertaking will have an adverse impact on the resources in Feature 1. The new construction of the support structures and the pier pylons will undoubtedly impact riprap and wharf rubble throughout the pier corridor, however these rubble features should not be considered significant elements of the National Register District.

In accordance with Section 106 of the National Historic Preservation Act of 1966 (as amended) and 36 CFR 800, consultation was initiated with the Florida SHPO in May 2011. The SHPO concurred with the NPS determination of an adverse effect to cultural resources that can be mitigated for Feature 1 of the pier construction, in a letter dated May 17, 2011; and also concurred with the NPS determination of a no adverse effect to cultural resources for the support structures in a letter dated September 23, 2011.

The NPS and the SHPO have agreed on measures to resolve and mitigate the adverse effects to the historic property and a Memorandum of Agreement (MOA) between GUIS and SHPO was signed October 7, 2011, as well as correspondence to the Advisory Council on Historic Preservation (ACHP). With the completion of the MOA and fulfillment of commitments stipulated in the MOA to recover and describe the archaeological discoveries encountered in a technical report to be provided to SHPO, adverse effects to historic resources that are unavoidable will be properly and adequately mitigated.

Degree to which the effects on the quality of the human environment are likely to be highly controversial:

Department of the Interior NEPA regulations provide that the term "controversial" refers to "circumstances where a substantial dispute exists as to the environmental consequences of the proposed action and does not refer to the existence of opposition to a proposed action, the effect of which is relatively undisputed." 46 CFR § 46.30. No substantial dispute exists as to the environmental consequences of the selected action (preferred alternative). Commenters did not identify any substantial environmental impacts omitted from or mischaracterized by the EA. Therefore, the effects from the selected alternative are not likely to be highly controversial.

The overall effects on the human environment will be beneficial as a result of the implementation of the project. The selected action (preferred alternative) will offer a safer recreational area for visitors and will enhance visitor enjoyment as natural systems are maintained. The proposed project will result in short-term, minor, impacts to recreation during construction activities, but long-term, beneficial impacts are anticipated following the implementation of the selected action (preferred alternative).

There were no highly controversial effects identified during either the preparation of the environmental assessment or the public review period.

Degree to which the possible effects on the quality of human environment are highly uncertain or involve unique or unknown risks:

The effects of the selected alternative are relatively straightforward and easily predicted. The selected action (preferred alternative) attempts to compensate for these risks by including specific mitigation actions that protect as much as possible the cultural and natural resources of the park. The extent and degree of uncertainty regarding impacts or unique or unknown risks is not significant.

There were no highly uncertain, unique, or unknown risks identified during either preparation of the environmental assessment or the public review period. There will be no highly uncertain, unique, or unknown risks associated with implementation of the preferred alternative.

Degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration:

The selected action (preferred alternative) neither establishes a National Park Service precedent for future actions with significant effects nor represents a decision in principle about a future consideration. Nothing in the selected alternative establishes a precedent that will result in significant effects in the management of the Gulf Islands National Seashore or any other areas in the National Park System. The construction and operation of a ferry pier has been completed at another unit within GUIS in the past, and the new ferry pier construction and operation will be conducted within existing park management guidelines.

Whether the action is related to other actions with individually insignificant but cumulatively significant impacts:

The environmental assessment analyzed impacts of the selected action (preferred alternative) to geologic resources and geohazards, air quality, soundscapes, water quality, floodplains, wetlands, protected species, important wildlife and wildlife habitation, marine and estuarine resources, unique ecosystems, world heritage sites and biosphere reserves, non-native species, recreation resources, visitor experience and aesthetic resources, archaeology, historic resources, socioeconomics, energy resources, and long-term management of resources.

As described in the environmental assessment, cumulative impacts were determined by combining the impacts of the preferred alternative with other past, present, and reasonably foreseeable future actions.

Current and reasonably foreseeable future actions include:

- *Dredging of Lower Pensacola Harbor Federal Navigation Channel* with dredge material placed in designated Perdido Key beach swashzone areas every 2 to 3 years, with the first placement scheduled for November 2011.

- *City of Pensacola, Community Maritime Park* construction is a waterfront development consisting of a maritime museum, a baseball stadium, and entertainment and dining facilities near the South Palafox Pier - one of the proposed docking sites being considered for a GUIS ferry service. The project is in the long-range planning stages.

Cumulative impacts for the majority of the natural resources in the vicinity of the project will be negligible, because the footprint of the selected action (preferred alternative) is small in magnitude compared to the natural resources in the surrounding area. Changes to sediments, shoreline erosion, water resources, bathymetry, and coastal zone as a result of the proposed project may occur during construction, but the project as a whole is viewed as a beneficial action. Cumulative impacts to threatened and endangered species are not expected as a result of this project when considered with other past, present, and reasonably foreseeable future actions.

Cumulative impacts to archaeological resources, historic resources, or the cultural landscape are negligible, and the proposed action does not imply, lead, or require any additional or other actions that could impact archaeological resources. Other than possible channel dredging activities by other entities, or beach renourishment actions by NPS or other entities, none are planned within the Fort Pickens Historic District and no other past, present, or future reasonable actions are seen that could lead to impacts, cumulative or otherwise. Operation of the ferry will not create additional impacts to historic resources, as there is already substantial boat traffic within Pensacola Bay. No other past, present, or future reasonable actions are seen that could lead to impacts, cumulative or otherwise.

The selected action (preferred alternative), along with past, present, and reasonably foreseeable future actions, will have no significant cumulative effects on any resource analyzed in the EA.

Degree to which the action may adversely affect an endangered or threatened species or its critical habitat:

With mitigation actions (see Mitigations section), implementation of the selected action (preferred alternative) will have **no effect** on the American alligator and **may affect, but not likely to adversely affect** the Florida manatee, Atlantic green turtle, Atlantic loggerhead sea turtle, Kemp's Ridley sea turtle, Leatherback sea turtle, Hawksbill turtle, Gulf sturgeon, Gulf sturgeon critical habitat, Essential Fish Habitat, Santa Rosa beach mouse, American oystercatcher, black skimmer, brown pelican, least tern, little blue heron, osprey, piping plover, reddish egret, snowy egret, southeastern snowy plover, tricolored heron, white ibis, seagrass and seagrass habitat.

In accordance with Section 7 of the Endangered Species act of 1973, the park initiated consultation with the U.S. Fish and Wildlife Service in March 2010. The Service was sent a Biological Assessment for review and comment. The Service concurred with the park's analysis and affects determination for protected plants and animals - may affect, not likely to adversely affect - by a stamped letter dated April 1, 2010.

In accordance with Section 7 of the Endangered Species act of 1973, the park initiated consultation with the National Marine Fisheries Service, Protected Resources Division, March 5, 2010. The Service was sent the Biological Assessment for review and comment. The Service concurred with the park's analysis and affects determination for protected plants and animals - may affect, not likely to adversely affect - by a stamped letter dated August 22, 2011.

In accordance with the Magnuson-Stevens Act, Essential Fish Habitat provisions, the park initiated consultation with the National Marine Fisheries Service Habitat Conservation Division on August 22,

2011. The Service was sent the Biological Assessment for review and comment. The Service concurred with the park's analysis and our effects determination for essential fish habitat on August 23, 2011, and did not have an EFH conservation recommendation to offer and had no objections to the project.

Whether the action threatens a violation of federal, state, or local environmental protection law:

The selected action violates no federal, state, or local environmental protection laws.

PUBLIC INVOLVEMENT AND AGENCY CONSULTATION

Scoping is an effort to involve agencies and the general public in determining issues to be addressed in the environmental assessment. Scoping is used to determine important issues to be given detailed analysis in the environmental assessment and eliminate issues not requiring detailed analysis; allocate assignments among the interdisciplinary team members and/or other participating agencies; identify related projects and associated documents; identify permits, surveys, consultations, etc., required by other agencies; and create a schedule that allows adequate time to prepare and distribute the environmental assessment for public review and comment before the final decision is made. Scoping includes any interested agency, or any agency with jurisdiction by law or expertise (including the SHPO, Indian tribes, and the U.S. Fish and Wildlife Service) to obtain early input.

During internal scoping, the park interdisciplinary team defined the purpose and need, identified potential actions to address the need, determined likely issues and impact topics, and identified the relationship of the proposed action to other planning efforts at GUIS.

In 2009, GUIS prepared a Fort Pickens Historic District/Gateway Community Alternative Transportation Study as part of the planning process intended to support decisions regarding park management (NPS, 2009e). The Fort Pickens Historic District/Gateway Community Alternative Transportation Study examined the feasibility of alternative modes of transportation in the Fort Pickens Historic District, centering on variations and combinations of water-based transportation and land-based shuttle systems.

A public information open house meeting on the transportation study was conducted on September 10, 2008, provided information regarding the alternatives being examined in the transportation study and provided the opportunity for the public to provide comments and ideas regarding alternative transportation modes and the study. Information collected from these initial meetings and studies was determined sufficient to meet NPS requirements for the public scoping process.

The environmental assessment was made available for public and agency review and comment from October 24, 2010 to November 30, 2010. Notice of availability of the environmental assessment was announced through the local media and published in the local newspaper (the Pensacola News Journal) on October 24, 2010, through the park web page at http://www.nps.gov/guis, and through the NPS Planning, Environment and Public Comment (PEPC) website at http://parkplanning.nps.gov/guis. A newsletter about availability of the draft environmental assessment was prepared and mailed to 54 interested agencies, organizations, and individuals on October 25, 2010. A public open house to discuss the draft environmental assessment was conducted on November 4, 2010.

A total of seven (7) comments were received. All stated support of the proposed project. None were opposed. One comment from a representative of the Santa Rosa Island Authority expressed support for the preferred alternative, and the second comment from a representative of the West Florida Regional Planning Council provided additional information that the proposed project is included in a regional

transportation plan, supporting the need for the project. Neither comment required additional consideration nor affected the analysis of the preferred alternative.

The U.S. Army Corps of Engineers, Jacksonville District (SAJ), published and mailed a Public Notice 20110603-SAJ-2011-01150.doc on June 3, 2011.

Agency Coordination and Consultation:

1) Early coordination letters were sent December 17, 2009, to the U.S. Fish and Wildlife Service (USFWS), the Florida State Historic Preservation Officer (SHPO), the National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS), and the Florida Fish and Wildlife Conservation Commission (FWC) to ask for their input on the proposed project. Responses were received from USFWS, December 4, 2009, January 12, 2010, and January 21, 2009 (should be 2010), SHPO January 19, 2010, NMFS December 17, 2009 and FWC January 25, 2010,
2) In accordance with Section 10 of the Rivers and Harbors Act of 1899, the park initiated consultation with the U.S. Army Corps of Engineers, Mobile District on March 30, 2011. The joint permit application was submitted April 5, 2011. Permit SAJ-2011-01150 (IP-HMM), issued October 17, 2011constitutes compliance.
3) In accordance with Section 373.414(1)(b)3 of the Florida Statutes and Section 401 of the Clean Water Act, USACE on behalf of the park initiated consultation with the Florida Department of Environmental Protection on April 5, 2011. Permit 17-0305621-001-E1 issued August 2, 2011, constitutes certification of compliance with state water quality standards and a waiver of federal water quality standards under the net improvement provisions of Section 373.424(1)(b)3 of Florida Statutes.
4) In accordance with Article X, Section 11 of the Florida Constitution and Sections 253.002 and Chapter 258 of the Florida Statutes, USACE on behalf of the park initiated consultation with the Florida Department of Environmental Protection for a Sovereignty Submerged Lands Authorization on April 5, 2011. Permit 17-0305621-001-E1 issued August 2, 2011, constitutes authorization under an existing dedication dated January 8, 1974, since dedication allows use of sovereign lands for public recreation as long as work performed is consistent as described in Permit 17-0305621-001-E1.
5) In accordance with Section 307 of the Coastal Management Act, USACE on behalf of the park initiated consultation with the Florida Department of Environmental Protection on March 30, 2011. Permit 17-0305621-001-E1 issued August 2, 2011, constitutes a finding of consistency with Florida's Coastal Zone Management Program and the Section 307 of the Coastal Management Act.
6) In accordance with Section 7 of the Endangered Species act of 1973 , the park initiated consultation with the U.S. Fish and Wildlife Service in March 2010. The Service was sent a Biological Assessment for review and comment. The Service concurred with our analysis and our effects determination for protected plants and animals - may affect, not likely to adversely affect - by a stamped letter dated April 1, 2010.
7) In accordance with Section 7 of the Endangered Species act of 1973, the park initiated consultation with the National Marine Fisheries Service Protected Resources Division on March 5, 2010. The Service was sent the Biological Assessment for review and comment. The Service concurred with our analysis and our effects determination for protected plants and animals - may affect, not likely to adversely affect - by a stamped letter dated August 22, 2010.
8) In accordance with the Magnuson-Stevens Act, Essential Fish Habitat provisions, the park initiated consultation with the National Marine Fisheries Service Habitat Conservation Division on August 22, 2011. The Service was sent the Biological Assessment for review and comment.

The Service concurred with our analysis and our effects determination for essential fish habitat on August 23, 2011, and did not have an EFH conservation recommendation to offer and had no objections to the project.

9) In accordance with Section 106 of the National Historic Preservation Act of 1966 (as amended) and 36 CFR 800, consultation was initiated with the Florida SHPO in May 2011. The SHPO concurred with our determination of an adverse effect to cultural resources that can be mitigated for Feature 1 of the pier construction, in correspondence dated May 17, 2011; and also concurred with our determination of a no adverse effect to cultural resources for the support structures, in correspondence dated September 23, 2011. A Memorandum of Agreement (MOA) #5325-11-0031 between GUIS and SHPO was signed October 7, 2011.
10) In accordance with Section 106 of the National Historic Preservation Act of 1966 (as amended) and 36 CFR 800, coordination was not initiated with the Native American Tribes when a copy of the scoping newsletter was mailed on October 25, 2010. No Tribal representatives commented on this project.