

**FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)
FINDING OF NO SIGNIFICANT IMPACT
MACARTHUR BOULEVARD ROADWAY ELEVATION
MARTIN COUNTY, FLORIDA
HMGP 4283-0064**

BACKGROUND

On October 8, 2016, President Obama signed a disaster declaration (FEMA-4283-DR-FL) for the State of Florida due to damages caused by Hurricane Matthew between October 3, 2016 and October 19, 2016. This disaster declaration authorized the Department of Homeland Security's Federal Emergency Management Agency (FEMA) to provide federal assistance to the designated areas. Martin County is seeking funding from FEMA in the form of Hazard Mitigation Grant Program (HMGP) funding to elevate and widen a portion of SE MacArthur Boulevard, install sheet pile retaining walls, and install dry stormwater retention areas in the adjacent area.

Southeast (SE) MacArthur Boulevard experienced previous road washouts in 2004 resulting in loss of vehicular access to public recreation areas and residential communities. Martin County also experienced significant flooding impacts on December 9, 2014 when several road washouts were reported as a result of a breach along the beach dunes. The adjacent area to SE MacArthur Boulevard also experienced dune washouts in 2008, 2010, 2012 (Tropical Storm Isaac and Hurricane Sandy), 2013, 2016 (Hurricane Matthew), 2017 (Hurricane Irma), 2019 (Hurricane Dorian), and 2020. SE MacArthur Boulevard is the sole access road and evacuation route for Bathtub Reef Beach Park and the Sailfish Point community. Martin County has identified the need to mitigate against vehicular access loss due to future storm events. The proposed action provides protection against storm surge and flooding to this portion of SE MacArthur Boulevard and Bathtub Reef Beach Park.

The proposed work is to elevate approximately 1,100 feet of SE MacArthur Boulevard to above the Base Flood Elevation (BFE), widen a section of SE MacArthur Boulevard by 12 feet to add an additional lane in order to improve traffic safety, installation of a 1,038 linear feet (LF) sheet pile retaining wall along the east side of Bathtub Reef Beach Park with a crest flood elevation above the Zone V BFE, relocation of any utilities to coincide with the wall installation, elevation of approximately 460 LF of an existing retaining wall to the west of SE MacArthur Boulevard, and construction of 2 new retention areas located along the east side of SE MacArthur Boulevard. Project activities also include the removal and replacement of existing driveways and the installation of inlet and storm pipes. The proposed project would provide protection against a 100-year storm event. See Table 1.0 for project locations.

Table 1.0: Project Location GPS Coordinates for Proposed Work along SE MacArthur Boulevard

Project Locations	GPS Coordinates	
Road Elevation	Start	27.188181, -80.160623
	End	27.185111, -80.160839
Sheet Pile Retaining Wall Installation	Start	27.187829, -80.1608332
	End	27.1851285, -80.1604447
Sheet Pile Wall Elevation	Start	27.1867667, -80.1608909
	End	27.1855317, -80.1608023
North Retention Area	N	27.1876897, -80.1608646
	E	27.1873122, -80.1607882
	S	27.1869300, -80.1608107
	W	27.1872117, -80.1608315
South Retention Area	NE	27.1859559, -80.1606701
	NW	27.1859492, -80.1607318
	SE	27.1858195, -80.1606453
	SW	27.1857953, -80.1607168

A public notice is posted on Martin County’s (Applicant) website, at the project location, and on FEMA’s website. The Florida Division of Emergency Management (FDEM) and FEMA draft Environmental Assessment (EA) is available for viewing by visiting the following website:

<https://www.fema.gov/sites/default/files/documents/fema-oehp-macarthur-boulevard-roadway-elevation-draft-ea.pdf>

This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator (772) 320-3131, the County Administration Office (772) 288-5400, Florida Relay 711, or by completing our accessibility feedback form at www.martin.fl.us/accessibility-feedback.

FINDINGS

The Proposed Action as described in the EA will impact noise, geology and soils, surface water and wetlands, floodplains, vegetation, fish and wildlife, threatened and endangered species, utilities, and transportation and traffic. Short term impacts to noise, fish and wildlife, threatened and endangered species, and utilities are anticipated. Impacts to air quality, groundwater, cultural resources, hazardous material, wastes, and solid wastes, land use, occupational health and safety, and environmental justice and protection of children are negligible and not anticipated to be long-term. Long-term positive impacts to socioeconomics and transportation and traffic are expected.

In consideration of the overall impacts of the proposed action in relation to impacts from past, present, and reasonably foreseeable future activities, the proposed action is not expected to have significant adverse cumulative impacts on any resource.

CONDITIONS

1. Under Alternative 1 and 2, prior to construction, an appropriate Stormwater Pollution Prevention Plan (SWPPP), Erosion Control Plan, and National Pollution Discharge Elimination System (NPDES) permit must be obtained, and Martin County must comply with all of the conditions prescribed by the permit.
2. Martin County has obtained FDEP CCCL Permit Number MI-584 AR (Corrected) for activities pertaining to the sheet pile wall installation in Alternative 1. Martin County will follow the general and project specific conditions prescribed by the permit. See pages 2 to 5 for all applicable conditions and requirements in Appendix B. An additional CCCL Permit is required for other activities pertaining to Alternative 1 and all activities under Alternative 2, and Martin County must comply with all of the conditions prescribed by the permit.
3. Martin County has obtained notification that no permit is required by USACE under application # SAJ-2020-00373 (NPR-LCK) for activities related to the sheet pile wall installation under Alternative 1. Additional consultation is required for all other activities under Alternative 1 and 2, and Martin County must comply with all of the conditions prescribed by the permit if issued.
4. An Environmental Resource Permit from FDEP is required for Alternative 1 activities and Martin County must comply with all of the conditions prescribed by the permit.
5. If necessary, appropriate dewatering permits are required prior to dewatering activities and Martin County must comply with all of the conditions prescribed by the permit.
6. Under Alternative 1 and 2, the following measures would be adopted from USFWS *Programmatic Biological Opinion* with FEMA, *FEMA-funded repair and replacement of preexisting facilities in Florida*, and included in an informal consultation with USFWS:
 - a. Piping Plover and Red Knot:
 - i. Prior to construction, a survey for optimal non-breeding piping plover habitat shall be conducted in the project area. Optimal piping plover habitat whether existing or newly created by storm events shall be avoided to the maximum extent practicable. Surveys shall be performed by personnel having knowledge and experience in identification of piping plovers and knowledge of their roosting and feeding habits and requirements.
 - ii. Surveys for non-breeding piping plover shall be conducted daily starting two weeks prior to project initiation for the duration of the project between July 15 and May 15 if optimal non-breeding piping plover habitat is documented in the project area. If the project does not begin until after July 15, then surveys must start on July 15 and continue throughout the project construction period until May 15, whichever comes first. Locations of observed piping plovers shall be documented and reported. Surveys shall be conducted by trained personnel and must be conducted in accordance with monitoring guidelines supplied by the USFWS (except daily

versus twice monthly surveys are required). Data sheets must be completed for each daily survey, including negative reports. Locations of observed piping plovers must be recorded using latitude and longitude (GPS points preferred) and reported to the USFWS following project completion.

- iii. Piping plover surveys shall be required following construction if piping plovers were documented prior to or during construction. These surveys shall be conducted daily for two weeks following completion of the entire project. Survey shall be conducted in accordance with survey guidelines.
 - iv. The results of the daily piping plover survey shall be submitted to the USFWS with maps documenting the locations of piping plovers (with GPS coordinates or latitude and longitude coordinates) if seen during the survey period.
 - v. When piping plovers are observed “Disturbance-Free Zones” will be posted and roped off at least 300 feet away from the construction areas where potential bird nesting and feeding are occurring.
 - vi. No boardwalks shall be reconstructed or repaired that funnel pedestrians to a washover area or other optimal piping plover habitat.
- b. Sea Turtles:
- i. Repair or replacement of structures shall occur in the same location or footprint of the previously permitted structure unless it has been determined to be environmentally better to relocate the structure.
 - ii. All activity shall be confined to daylight hours and shall not occur prior to 9:00 a.m. following the completion of all necessary sea turtle surveys and conservation activities. No construction related lights shall be used during the nesting season.
 - iii. During the early and late periods of the sea turtle nesting season (March 1 to April 30 and November 1 to November 30) but, outside the peak period, surveys for early and late nesting turtles must be conducted. If nests are reported in the area of construction, the nest must be marked and avoided with a 10-foot buffer.
 - iv. During the sea turtle nesting season (May 1 through October 31) work shall be allowed, except as noted, provided the following measures are implemented.
 - a. Repair and restoration work shall only be conducted from a position landward of the dune vegetation with no physical intrusion onto the beach or dunes.
 - b. Fence shall be installed to designate the construction work areas off the beach and all equipment and activities shall be kept inside these areas.
7. Under Alternative 2 and 3, State Historic Preservation Office (SHPO)/National Historic Preservation Act (NHPA) Conditions are applicable:
- a. If human remains or intact archaeological deposits are uncovered, work in the vicinity of the discovery will stop immediately and all reasonable measures to avoid or minimize harm to the finds will be taken. The applicant will ensure that archaeological discoveries are secured in place, that access to the sensitive area is restricted, and that all reasonable measures are taken to avoid further disturbance of the discoveries. The applicant’s contractor will provide immediate notice of such discoveries to the applicant. The applicant shall contact the Florida Division of Historic Resources and FEMA within 24 hours of the discovery. Work in the vicinity of the discovery may not resume until FEMA has

- completed consultation with SHPO, Tribes, and other consulting parties as necessary. In the event that unmarked human remains are encountered during permitted activities; all work shall stop immediately, and the proper authorities notified in accordance with Florida Statutes, Section 872.05.
- b. Construction vehicles and equipment will be stored onsite during the project or at existing access points within the Applicant's right-of-way.
 - c. Any changes to the approved scope of work will require submission to, and evaluation and approval by, the State and FEMA, prior to initiation of any work, for compliance with Section 106.
 - d. In the event of inadvertent discoveries of human remains and related Native American Graves Protection and Repatriation Act (NAGPRA) items occur in areas of existing or prior development, work shall cease and the Seminole Nation of Oklahoma, the Muscogee (Creek) Nation, and other appropriate agencies shall be notified immediately.
 - e. If any archaeological, historical, or burial resources are inadvertently discovered during project implementations, the Seminole Tribe of Florida will be contacted immediately.
8. Handling, storage, and disposal of hazardous materials and waste during construction activities, including measures to prevent releases, must be conducted in accordance with applicable environmental compliance regulations.

CONCLUSION

Based on the findings of the EA, coordination with the appropriate agencies, comments from the public, and adherence to the project conditions set forth in this FONSI, FDEM and FEMA have determined that the proposed project qualifies as a major federal action that will not significantly affect the quality of the natural and human environment, nor does it have the potential for significant cumulative effects. As a result of this FONSI, and in accordance with FEMA Instruction 108-1-1, an EIS will not be prepared and the proposed project as described in the attached EA may proceed.

APPROVAL

Stephanie D. Everfield
Regional Environmental Officer
FEMA, Region 4

William F. Arwood
Disaster Implementation Branch Chief
FEMA, Region 4