



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
U.S. Integrated Ocean Observing System (IOOS®)  
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Silver Spring, Maryland 20910

**FINDING OF NO SIGNIFICANT IMPACT**  
**for the**  
**U.S. INTEGRATED OCEAN OBSERVING SYSTEM (IOOS®)**  
**PROGRAM OFFICE**  
**HIGHTOWER PARK, SATELLITE BEACH, FLORIDA**  
**ENVIRONMENTAL ASSESSMENT**

**Purpose of Finding of No Significant Impact (FONSI):** The National Environmental Policy Act (NEPA) requires the preparation of an Environmental Impact Statement (EIS) for any proposal for a major federal action significantly affecting the quality of the human environment. 42 U.S.C. § 4332(C). The Council on Environmental Quality (CEQ) Regulations direct agencies to prepare an environmental assessment and Finding of No Significant Impact (FONSI) when an action not otherwise excluded will not have a significant impact on the human environment. 40 CFR §§, 1500.5(a), & 1501.6. To evaluate whether a significant impact on the human environment is likely, the CEQ regulations direct agencies to analyze the potentially affected environment and the degree of the effects of the proposed action. 40 CFR § 1501.3(b). In doing so, agencies should consider the geographic extent of the affected area (i.e., national, regional or local), the resources located in the affected area (40 CFR § 1501.3(b)(1)), and whether the project is considered minor or small-scale (NOAA Administrative Order (NAO) 216-6A Companion Manual (CM), Appendix A-2). In considering the degree of effect on these resources, agencies should examine, as appropriate, short- and long-term effects, beneficial and adverse effects, and effects on public health and safety, as well as effects that would violate laws for the protection of the environment (40 CFR § 1501.3(b)(2)(i)-(iv); NAO 216-6A CM Appendix A-2 - A-3), and the magnitude of the effect (e.g., negligible, minor, moderate, major). CEQ identifies specific criteria for consideration. 40 CFR § 1501.3(b)(2)(i)-(iv). Each criterion is discussed below with respect to the proposed action and considered individually as well as in combination with the others.

In preparing this FONSI, we reviewed the Hightower Park, Satellite Beach, Florida Environmental Assessment (EA) which evaluates the affected area, the scale and geographic extent of the proposed action, and the degree of effects on those resources (including the duration of impact, and whether the impacts were adverse and/or beneficial and their magnitude). The EA is hereby incorporated by reference. 40 CFR § 1501.6(b).

This EA is being prepared using the 2020 CEQ NEPA Regulations. The effective date of the 2020 CEQ NEPA Regulations was September 14, 2020, and reviews begun after these dates are required to apply the 2020 regulations unless there is a clear and fundamental conflict with an applicable statute. 85 Fed. Reg. at 43372-73 (§§ 1506.13, 1507.3(a)). This EA began on July 7, 2021, and accordingly proceeds under the 2020 regulations.



**Has the agency considered both beneficial and adverse effects? (A significant effect may exist even if the Federal agency believes on balance the effect will be beneficial.)**

The U.S. Integrated Ocean Observing System (IOOS) Program Office considered both adverse and beneficial effects of the Proposed Action (Preferred Alternative). The proposal to undertake the proposed action—to provide funding for the installation of the Hightower Beach Park High Frequency Radar (HFR) to the Florida Institute of Technology (FIT) through a subcontract with the Southeast Coastal Ocean Observing Regional Association (SECOORA) — would have short-term, negligible to minor, adverse impacts on the physical and biological resources within the project area. Although there are no direct beneficial effects to resources evaluated from the U.S. IOOS Program Office itself, there would be indirect beneficial effects, including filling the HFR coverage gaps and expanding surface current mapping for the SECOORA region. HFR is a key technology supported by U.S. IOOS. Surface current mapping is integral to research, supporting oceanographic, fisheries, and meteorological forecasting activities. Surface current mapping is also vital for U.S Coast Guard search and rescue activities, monitoring and tracking hazardous materials, monitoring water quality which includes tracking harmful algal blooms, and it supports marine navigation.

**To what degree would the proposed action affect public health and safety?**

The Proposed Action (Preferred Alternative) would not be expected to result in any adverse impacts to public health and safety. The HFR to be installed under the Proposed Action is a technology already in use throughout the SECOORA region and does not pose any risk to public health or safety. Therefore, it is reasonable to assume that the addition of these assets would not add health or safety risks.

**To what degree would the proposed action affect unique characteristics of the geographic area in which the proposed action is to take place?**

The Proposed Action (Preferred Alternative) would be expected to result in short-term, negligible to minor, adverse impacts on unique characteristics within the project area. The Proposed Action (Preferred Alternative) would not be expected to adversely affect threatened or endangered species, their critical habitat, marine mammals, or other species. Through informal consultation with the U. S. Fish and Wildlife Service (USFWS), the agency concurred with the U.S. IOOS determination that this project may affect, but is not likely to adversely affect, the: Red Knot (*Calidris canutus rufa*); Piping Plover (*Charadrius melodus*); Green Sea Turtle (*Chelonia mydas*); Gopher Tortoise (*Gopherus polyphemus*); Hawksbill Sea Turtle (*Eretmochelys imbricata*); Leatherback Sea Turtle (*Dermochelys coriacea*); Loggerhead Sea Turtle (*Caretta caretta*); and their respective designated suitable habitat on November 04, 2021. The finding fulfilled the requirements of the Endangered Species Act (ESA).

**To what degree would the proposed action have effects on the human environment that are likely to be highly controversial?**

The Proposed Action (Preferred Alternative) would not be expected to affect the human environment in a highly controversial manner because there is no substantial dispute regarding the location, nature or effect of the proposed action and there is no known scientific controversy over the potential impacts of the proposed action. In addition, U.S. IOOS published the Draft EA in the Federal Register on July 26, 2022 ([FR Doc. 2022-15897](#)) to allow other agencies and the public the opportunity to review and comment on the Proposed Action. One comment was received from the U.S. Environmental Protection Agency which indicated that they did not have any significant environmental concerns regarding the proposed action.

**What is the degree to which effects are highly uncertain or involve unique or unknown risks?**

The effects of the Proposed Action (Preferred Alternative) are not highly uncertain and do not involve unique or unknown risks. The activities are based on proven observing platform technologies and operational characteristics, for which the effects on the environment and risk posture are well known. Best Management practices were for installation as identified in the Final 2016 U.S. IOOS Programmatic Environmental Assessment (PEA) to avoid adverse effects on ESA-listed species and designated critical habitat. For the installation there is a known potential for some effect to the environment, proven mitigation measures and best management practices would be implemented in, such as:

- Installations must occur during daylight hours.
- All installation material must be removed upon completion of the installation; all instruments/installations must be removed when no longer in use to avoid the creation of marine debris and the potential for entanglement.
- Avoid use of impact/vibratory hammers.
- Avoid installations in designated critical habitat.
- Installation will take place outside of turtle nesting season which runs from April 1 – October 31.
- All antennas will be painted a flat green color (or other color, as appropriate) to blend in with the surrounding vegetation. Additionally, painting the antennas assures that moonlight does not reflect off them and potentially cause a visual disturbance for newly hatched sea turtles.

**What is the degree to which the action establishes a precedent for future actions with significant effects or represents a decision in principle about a future consideration?**

The Proposed Action (Preferred Alternative) only includes the activities assessed in this EA and does not establish a precedent for future action or represent a decision in principle about a future consideration. In addition, any activities conducted by the SECOORA that are not assessed in this EA would require a tiered environmental review for adherence to applicable Federal, State, local, and tribal laws, and regulations, and if necessary, the appropriate NEPA analysis will be prepared prior to awarding funds.

**Does the proposed action have individually insignificant but cumulatively significant impacts?**

The Proposed Action (Preferred Alternative) would have short term, negligible adverse impacts that are not expected to have cumulatively significant impacts when combined with impacts of other activities that occur in the vicinity.

**What is the degree to which the action adversely affects entities listed in or eligible for listing in the National Register of Historic Places, or may cause loss or destruction of significant scientific, cultural, or historic resources?**

The Proposed Action (Preferred Alternative) is not expected to adversely affect, or cause loss or destruction of districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places. The Florida State Historic Preservation Office (SHPO) was contacted on June 30, 2021, and did not respond to the U.S. IOOS determination that the installation of the HF Radar system will have no effect on historic properties or cultural resources. The U.S. IOOS will assume concurrence under 36 CFR Section 800.4 Identification of historic properties due to the Florida SHPO did not object within 30 days of receipt of an adequately documented finding, the U.S. IOOS responsibilities under section 106 are fulfilled.

**What is the degree to which endangered or threatened species, or their critical habitat, as defined under the Endangered Species Act of 1973, are adversely affected?**

The Proposed Action (Preferred Alternative) would not be expected to adversely affect endangered or threatened species or their critical habitat. Through informal consultation, USFWS concurred with the U.S. IOOS determination that this project may affect, but is not likely to adversely affect, endangered or threatened species or their critical habitat.

**Does the proposed action have a potential to violate Federal, State, or local law for environmental protection?**

The Proposed Action (Preferred Alternative) does not have the potential to violate Federal, State, or local laws for environmental protection. SECOORA would adhere to all applicable Federal, State, local, and tribal environmental protection laws, and regulations in carrying out their activities. Additionally, the proposed HFR installation was presented at the City of Satellite Beach City Council on January 20, 2021. The City Council unanimously approved the installation of the HFR with the comment that the Florida Department of Environmental Protection (FDEP), Florida Communities Trust (FCT) Governing Board also approved the installation.

**Will the proposed action result in the introduction or spread of a non-indigenous species?**

The Proposed Action (Preferred Alternative) would not reasonably be expected to result in the introduction or spread of any non-indigenous species.

**DETERMINATION**

The CEQ NEPA regulations, 40 CFR § 1501.6, direct an agency to prepare a FONSI when the agency, based on the EA for the proposed action, determines not to prepare an EIS because the action will not have significant effects. In view of the information presented in this document and the analysis contained in the supporting EA prepared for to undertake the proposed action—to provide funding for the installation of the Hightower Beach Park HFR to the FIT through a subcontract with the SECOORA—it is hereby determined that the installation of the HFR will not significantly impact the quality of the human environment. The Hightower Park, Satellite Beach, Florida EA is hereby incorporated by reference. In addition, all beneficial and adverse impacts of the proposed action as well as mitigation measures have been evaluated to reach the conclusion of no significant impacts. Accordingly, preparation of an EIS for this action is not necessary.

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9/14/2022  
Date