

estuary-dependent because their juvenile stages use a low salinity estuarine nursery region. Specific migration routes are not known in the Tampa area. The site is not known to include any major breeding or spawning area. Due to the motility of finfish, it is unlikely that disposal activities will have any significant impact on any of the species found in the area.

3. *Location in relation to beaches and other amenity areas (40 CFR 228.6(a)(3)).* The proposed site is located approximately 18 nautical miles from the coast. Amenity areas for recreational fishing and diving are present throughout the nearshore region, particularly at scattered hard-bottom reefs. Some diving and fishing may occur near the site, although less frequently than at sites closer to shore. Considering the distance that the proposed disposal site is offshore of beach areas, dredged material disposal at the site is not expected to have an effect on the recreational uses of these beaches. Modelling performed by the EPA indicates that disposed material will not impact these areas.

4. *Types and quantities of wastes proposed to be disposed of, and proposed methods of release, including methods of packing the waste, if any (40 CFR 228.6(a)(4)).* It is anticipated that the proposed site will be used primarily for disposal of maintenance material from the federal channels leading into Tampa Bay. Maintenance dredging of the entrance channel has not occurred since it was deepened in 1985. Estimated volumes for this maintenance is expected to be about 2 million cubic yards. For each future dredging project, each disposal plan must be evaluated on a case-by-case basis to ensure that ocean disposal is the best alternative and that the material meets the Ocean Dumping Criteria in 40 CFR part 227.

5. *Feasibility of surveillance and monitoring (40 CFR 228.6(a)(5)).* Due to the relative proximity of the site to shore and its depth, surveillance will not be difficult. The Site Management and Monitoring Plan (SMMP) for the Tampa ODMDS has been developed and was included as an appendix in the FEIS. This SMMP establishes a sequence of monitoring surveys to be undertaken to determine any impacts resulting from disposal activities. The SMMP may be modified for cause by the responsible agency. A copy of the SMMP may be obtained at the any of the addresses given above.

6. *Dispersal, horizontal transport and vertical mixing characteristics of the area including prevailing current direction and velocity, if any (40 CFR 228.6(a)(6)).* Prevailing currents parallel

the coast and are generally oriented along a north-south axis. Southerly flow predominates. A dredged material dispersion study conducted by the EPA for the short-term fate of material disposed at the proposed site indicates little possibility of disposed material affecting nearby habitats. Measures as discussed in the Site Management and Monitoring Plan will be instituted during disposal operations to minimize the possibility of material being transported to any habitats of concern.

7. *Existence and effects of current and previous discharges and dumping in the area (including cumulative effects) (40 CFR 228.6(a)(7)).* The proposed site has only been used to dispose of the material from the Tampa Harbor Deepening project. Subsequent monitoring of this disposal and the long-term effects show that no adverse impacts have, or are likely to occur to the area.

8. *Interference with shipping, fishing, recreation, mineral extraction, desalination, fish and shellfish culture, areas of special scientific importance and other legitimate uses of the ocean (40 CFR 228.6(a)(8)).* While shipping is heavy in the Tampa area, the infrequent use of this site and its distance from shore should assure that no significant disruption of either commercial shipping or recreational boating will occur. Commercial and recreational fishing activities are concentrated in inshore and nearshore waters. No mineral extraction, desalination, or mariculture activities occur in the immediate area. Scientific resources present throughout this area are not geographically limited to the proposed Tampa ODMDS or nearby waters.

9. *The existing water quality and ecology of the site as determined by available data or by trend assessment or baseline surveys (40 CFR 228.6(a)(9)).* Appropriate water quality and ecological assessments have been performed at the site. Site-specific information concerning the water quality and ecology at the proposed ODMDS is presented in the FEIS. A copy of the FEIS may be obtained at any of the addresses given above.

10. *Potentiality for the development or recruitment of nuisance species in the disposal site (40 CFR 228.6(a)(10)).* The disposal of dredged materials should not attract or promote the development of nuisance species. No nuisance species have been reported to occur at previously utilized disposal sites in the vicinity.

11. *Existence at or in close proximity to the site of any significant natural or cultural features of historical importance (40 CFR 228.6(a)(11)).* No

known natural or cultural features of historical importance occur at or in close proximity to the site.

E. Site Management

Site management of the Tampa ODMDS is the responsibility of EPA as well as the COE. The COE issues permits to private applicants for ocean disposal; however, EPA/Region IV assumes overall responsibility for site management.

The Site Management and Monitoring Plan (SMMP) for the proposed Tampa ODMDS was developed as a part of the process of completing the EIS. This plan provides procedures for both site management and for the monitoring of effects of disposal activities. This SMMP is intended to be flexible and may be modified by the responsible agency for cause.

F. Proposed Action

The EIS concludes that the proposed site may appropriately be designated for use. The proposed site is compatible with the 11 specific and 5 general criteria used for site evaluation.

The designation of the Tampa site as an EPA-approved ODMDS is being published as Proposed Rulemaking. Overall management of this site is the responsibility of the Regional Administrator of EPA/Region IV.

It should be emphasized that, if an ODMDS is designated, such a site designation does not constitute EPA's approval of actual disposal of material at sea. Before ocean disposal of dredged material at the site may commence, the COE must evaluate a permit application according to EPA's Ocean Dumping Criteria. EPA has the right to disapprove the actual disposal if it determines that environmental concerns under MPRSA have not been met.

The Tampa ODMDS is not restricted to disposal use by federal projects; private applicants may also dispose suitable dredged material at the ODMDS once relevant regulations have been satisfied. This site is restricted, however, to suitable dredged material from the greater Tampa, Florida vicinity.

G. Regulatory Assessments

Under the Regulatory Flexibility Act, EPA is required to perform a Regulatory Flexibility Analysis for all rules that may have a significant impact on a substantial number of small entities. EPA has determined that this proposed action will not have a significant impact on small entities since the designation will only have the effect of providing a disposal option for dredged material. Consequently, this Rule does not