

Planning Division

Environmental Branch

TO WHOM IT MAY CONCERN:

Pursuant to the National Environmental Policy Act and

U.S. Army Corps of Engineers Regulation (33 CFR 230.11), this letter constitutes the Notice of Availability of the Finding of No Significant Impact (FONSI) for the Critical Project, Southern CREW. This also constitutes a notice pursuant to Section 404(a) of the Clean Water Act. If the sponsor applies for an individual Department of the Army Permit, a public notice of the permit application will be issued by our Regulatory Division.

Your comments must be submitted in writing to the letterhead address within 30 days of the date of this letter. Any request for a public hearing must be in writing and state specifically the reasons for holding a public hearing.

Questions concerning this notice should be directed to

Mr. Kenneth Dugger, Chief of the Environmental Coordination Section, at 904-232-1686, or fax 904-232-3442. A copy of the Environmental Assessment (EA) will be available at the Reference Desk of the South County Regional Library at 21100 Three Oaks Parkway in Estero, Florida. The library hours are 9 a.m. to 9 p.m. on Monday through Thursday and 9 a.m. to 6 p.m. on Friday and Saturday. The point of contact at the library is Ms. Linda Holland at 941-498-6420.

I have enclosed a copy of the preliminary FONSI and a description of the project. Portions of the EA can also be viewed on the internet at <http://www.saj.usace.army.mil/pd/env-doc.htm>.

Sincerely,

James C. Duck
Chief, Planning Division

Enclosures

PRELIMINARY FINDING OF NO SIGNIFICANT IMPACT**SOUTHERN CREW, CRITICAL PROJECT****LEE COUNTY, FLORIDA**

I have reviewed the Environmental Assessment (EA) for the proposed action. This Finding incorporates by reference all discussions and conclusions contained in the EA enclosed hereto. Based on information analyzed in the EA, reflecting pertinent information obtained from agencies having jurisdiction by law and/or special expertise, I conclude that the proposed action will not significantly impact the quality of the human environment and does not require an Environmental Impact Statement. Reasons for this conclusion are in summary:

- a. The proposed action would be to restore landscape and hydrology to a flood prone area associated with the Corkscrew Regional Ecosystem Watershed. The site is currently disturbed with agricultural and residential activity. Roadways, ditches, culverts, and other unnatural features and structures would be removed from the site.
- b. The Fish and Wildlife Coordination Act Report of 16 October 1998, indicates no objection by the Department of the Interior and full compliance with the Endangered Species Act, the Coastal Barrier Resources Act, and the Fish and Wildlife Coordination Act.
- c. Pending the State's concurrence with the Coastal Zone Consistency (CZM) Determination (Appendix B of the EA), the action is consistent with the State's CZM programs.
- d. Pending completion of consultation with the State Historic Preservation Officer, sites of cultural or historical significance will not be affected.
- e. Certification of water quality from the state of Florida would be obtained pursuant to Section 401 of the Clean Water Act.
- f. Measures to eliminate, reduce, or avoid potential impacts to fish and wildlife resources, including the following: (1) Monitoring of hydrology and corrective measures to protect habitat. (2) Operation and maintenance of the project to further the goals of ecosystem restoration, water quality, water supply, and avoid increased flooding of private land. (3) Use of appropriate fill materials and proper disposal of excavated or demolition materials. (4) Measures to avoid the spread or release of contaminants, petroleum products, or other harmful substances. (5) State concurrence with the Coastal Zone Consistency Statement prior to the final EA and FONSI. (6) Afford the State Historic Preservation Officer a reasonable opportunity to comment concerning any eligible historic resources prior to the final EA and FONSI.

Joe R. Miller Date
Colonel, U.S. Army
District Engineer

Critical Project, Southern CREW

Project Description

The project would consist of the following features: (1) removal of the Imperial Bonita Estates one-way bridge (44' long), removal of the associated approach fill, and replacement with a two-way bridge (88' long); (2) replacement of the Kehl Canal Weir; (3) change in regulation schedule of the Kehl Canal Weir (the current weir with a fixed crest elevation at 9.8' would be replaced by a weir with a gated spillway adjustable from 10' maximum elevation to 3' minimum water release elevation); (4) purchase of 4,670 acres (which may be in two or more phases); and (5) filling of agricultural ditches and removal of structures (buildings, septic tanks, road fills, culverts, etc.) on the 4,670 acres. Features 1 and 2 above are considered minor activities authorized by nationwide permits. In addition, item 1 is being pursued but is no longer part of the Critical Project. Item 2 remains part of the Critical Project but is authorized by nationwide permit and therefore, has met environmental requirements through the regulatory permitting process. The Environmental Assessment deals primarily with items 3, 4, and 5 and combinations of or alternatives to these three items. See also attached figures 1 and 2.

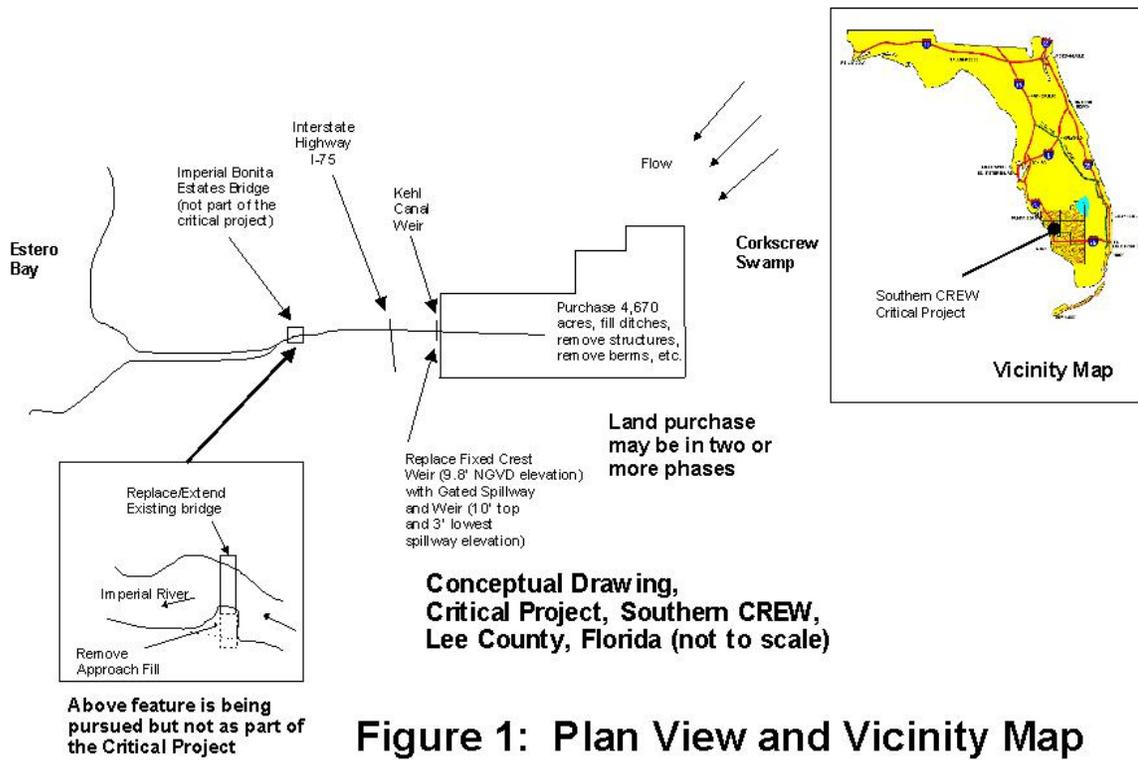
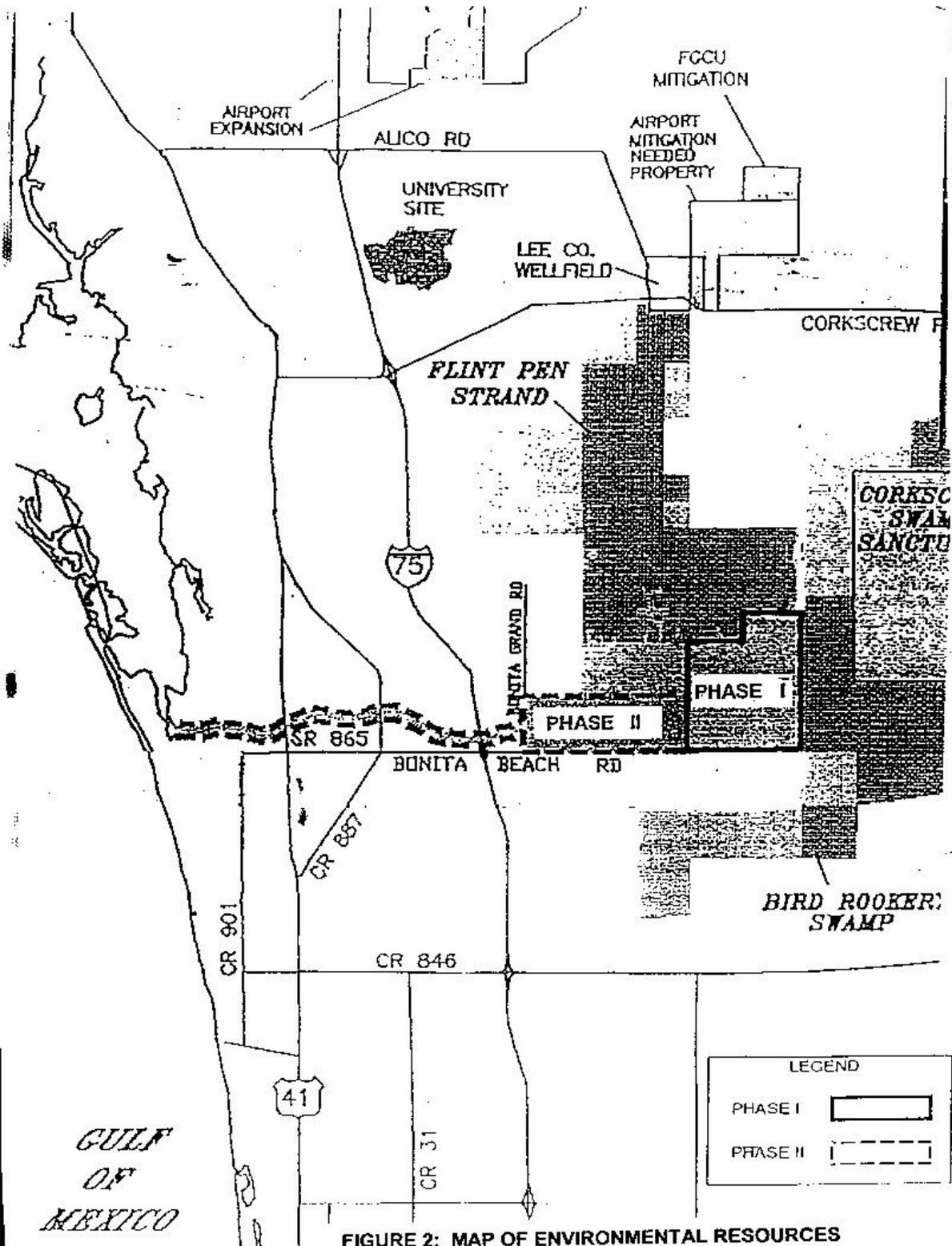


Figure 1: Plan View and Vicinity Map Southern CREW Critical Project



Created: February 5, 1999