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[Notices]

[Page 1834-1835]

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DEPARTMENT OF DEFENSE

Corps of Engineers, Department of the Army

Intent to Prepare a Draft Environmental Impact Statement (DEIS) for Improving the Regulatory Process in Lee and Collier Counties in Southwest Florida

AGENCY: U.S. Army Corps of Engineers, Department of Defense.

ACTION: Notice of intent.

SUMMARY: The Jacksonville District, U.S. Army Corps of Engineers intends to prepare a Draft Environmental Impact Statement for improving the regulatory process in Lee and Collier Counties in Southwest Florida. The study is a cooperative effort among the U.S. Army Corps of Engineers and other government entities being invited to participate. The invited parties include the two counties and certain other government agencies at the local, regional, state, and Federal level.

FOR FURTHER INFORMATION CONTACT: Kenneth Dugger, 904-232-1686, Environmental Branch, Planning Division, P.O. Box 4970, Jacksonville, Florida 32232-0019.

SUPPLEMENTARY INFORMATION: Pursuant to Section 404 of the Clean Water Act, the Corps of Engineers has regulatory authority to permit the discharge of dredged or fill material into wetlands and other waters of the United States. The guidelines pursuant to Section 404(b) of the act require that impacts to the aquatic environment be avoided and minimized to the extent practicable. Also, unavoidable impacts are to be compensated (mitigated) to the extent practicable. In determining whether to issue a permit, the Corps must also comply with other requirements including, but not limited to, the Endangered Species Act, the National Environmental Policy Act, the Coastal Zone Management Act, Section 401 of the Clean Water Act, and other applicable Federal laws. Modifying land for new uses also involves zoning, land use planning, water management, and other regulatory/planning requirements at the local, regional, state, and Federal level.

The purpose of this effort is to establish a better foundation of information and knowledge of existing conditions and identification of future alternatives for balancing the demands of growth

and conservation. The goal of this effort is a more effective, timely, streamlined, cost-conscious, objective, productive, and predictable environmental permitting process for projects within the study area. The proposed action consists of one or more of several measures (see Alternatives below). The purpose of these measures is to facilitate efficient, timely, and appropriate planning and permitting while affording an appropriate level of environmental protection and wise use of natural resources.

Alternatives

In addition to "no action", alternative measures being considered include the following: (1) Establishing overall conditions or concepts for permit approval; (2) identification of critical concerns, important natural resources, and sensitive ecological areas; (3) identifying an opportunity for one or more regional permits for expedited permitting of actions meeting established criteria; (4) establishing better communication and coordination among the regulating and planning agencies; and (5) other measures identified through scoping, public involvement, and interagency coordination.

Issues

The EIS will consider impacts on protected species, health, conservation, economics, aesthetics, general environmental concerns, wetlands (and other aquatic resources), historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people, and other issues identified through scoping, public involvement, and interagency coordination. At the present time, our primary areas of environmental concern are endangered species, wetland loss, mitigation, habitat fragmentation, surface water management, and surface water quality.

Scoping

A Memorandum of Understanding (MOU) among the proposed cooperating and participating agencies is being developed concerning the EIS. A draft of this MOU was circulated for comment in July 1997. Comments on the draft were shared by notice of August 25, 1997. We expect additional public meetings will be held by the Corps and/or other cooperating agencies prior to completion of the Draft EIS. If a formal public scoping meeting is held by the Corps, it will be announced. In addition, all parties are invited to participate in the scoping process by identifying any additional concerns on issues, studies needed, alternatives, procedures, and other matters related to the scoping process.

Public Involvement

We invite the participation of affected Federal, state and local agencies, affected Indian tribes, and other interested private organizations and individuals.

Coordination

The proposed action is being coordinated with a number of Federal, state, regional, and local agencies including but not limited to the following: U.S. Fish and Wildlife Service, National Marine Fisheries Service, U.S. Environmental Protection Agency, Florida Department of

Environmental Protection, State Historic Preservation Officer, South Florida Water Management District, Lee and Collier Counties, Florida Department of Community Affairs, Florida Game and Freshwater Fish Commission, Florida Department of Transportation, Estero Bay Agency for Bay Management, Southwest Florida Regional Planning Council, Governor's Commission for Sustainable South Florida (Southwest Florida Issues Group), and other agencies as identified in scoping, public involvement, and agency coordination.

Other Environmental Review and Consultation

The proposed action would involve evaluation for compliance with guidelines pursuant to Section 404(b) of the Clean Water Act, application (to the State of Florida) for Water Quality Certification pursuant to Section 401 of the Clean Water Act, and determination of Coastal Zone Management Act consistency.

Agency Role

Cooperating agencies include the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, and other Federal, state, and local agencies. The cooperating agencies will (1) help define and develop alternatives, (2) participate in or sponsor public meetings, and (3) provide technical assessment of impacts and benefits. [[Page 1835]]

DEIS Preparation

We estimate that the DEIS will be available to the public on or about October 1998.

John R. Hall,
Acting Chief, Planning Division.

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