



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
P. O. BOX 4970  
JACKSONVILLE, FLORIDA 32232-0019



12 JAN 1998

## PUBLIC NOTICE

Environmental Impact Statement

Scoping Process

Invitation for Comments and to Public Meeting

TO WHOM IT MAY CONCERN: The purpose of this notice is to invite written comments and to announce public meetings as part of the Scoping Process for an Environmental Impact Statement (EIS). The Jacksonville District of the U.S. Army Corps of Engineers (Corps) intends to prepare a Draft Environmental Impact Statement for improving the regulatory process in Lee and Collier Counties in Southwest Florida. The regulatory process, in part, is that by which the Corps reviews and issues decisions on applications for Department of Army permits for the discharge of dredged or fill material into the waters of the United States pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344, 33 CFR Parts 320 through 330). The purpose of the Scoping Process is to provide an early and open process to determine the scope of the issues to be addressed and analyzed in the EIS, pursuant to Section 102 of the National Environmental Policy Act (NEPA) (42 U.S.C. 4371 et seq., 43 CFR Section 1501.7).

PROJECT NAME: Environmental Impact Statement for the U.S. Army Corps of Engineers Regulatory Process in Southwest Florida

LOCATION: Lee and Collier Counties in Southwest Florida.

BACKGROUND: Southwest Florida is experiencing rapid growth that has resulted in concern whether the individual permit-by-permit review process is adequate to provide appropriate consideration of resulting impacts. Public and agency comments on permit applications in this region repeatedly raise similar questions on several issues. These questions need to be addressed in a manner to ensure both fairness and legal sufficiency in the Corps decision making process. The Corps discussed five options to address this need in a White Paper titled "Options for Southwest Florida" dated April 22, 1997. The Corps met with the Boards of County Commissioners of both Lee and Collier Counties (BOCCs) to discuss the concept of broad based participation in the EIS. The Corps distributed, by letter dated July 28, 1997, a draft of a Memorandum of Understanding (MOU), the draft dated July 17, 1997. The MOU describes the basis for, the process, and the expectations from the preparation of the EIS. A synopsis of the

comments received was distributed by the Corps by letter dated August 25, 1997. A revised draft MOU, dated September 26, 1997, was distributed by letter dated October 10, 1997. The BOCCs will be meeting in a joint session in February to continue discussing the EIS.

PURPOSE. The purpose of this EIS is to: (1) establish a better foundation of information and knowledge of existing conditions; and, (2) identify and assess alternative measures. Alternative measures being considered include, but are not limited to, the following: (1) "no action"; (2) establishing overall conditions or concepts for permit approval; (3) identifying critical concerns, important natural resources, and sensitive ecological areas; (4) identifying an opportunity for one or more regional permits for expedited permitting of actions meeting established criteria; (5) establishing better communication and coordination among the regulating and planning agencies; and (6) other measures identified through scoping, public involvement, and interagency coordination.

PROCESS. The following summarizes into nine steps the Corps' proposed plan for preparation of the EIS.

<u>Step</u>	<u>Estimated Duration</u>
1. Solicit public comments on and then determine the scope of the EIS.	Two months.
2. Gather and review existing information.	Three months.
3. Identify the factors to evaluate alternatives.	Concurrent with step 2.
4. Develop a variety of alternatives and evaluate each.	Three months.
5. Publish Draft EIS and solicit comments.	Three months.
6. Prepare revisions.	Three months.
7. Publish Final EIS and solicit comments.	Three months.
8. Consider comments, reach a determination of actions to be taken to improve the Corps regulatory process, and prepare a Record of Decision (ROD) describing changes to permit decision process.	One month.

<u>Step (continued)</u>	<u>Estimated Duration</u>
9. Implement the changes.	Four months.

The Corps intends to form and host an Alternative Development Group (ADG) composed of interested citizens, organizations, and agencies to assist the Corps in steps three and four. The ADG will be professionally facilitated to focus and expedite the group's deliberations through a fixed number of meetings. The Corps will, in the near future, formally solicit letters of interest in the ADG.

The Estero Bay Agency on Bay Management (ABM) of the Southwest Florida Regional Planning Council will assist by collecting existing information, describing the information, and recommending how to fill information gaps.

The Southwest Florida Issues Group (SWIG) of the Governor's Commission for Sustainable South Florida will, through its public forum, provide comments to the Corps on the scope, process, and interim work products.

Comments on this proposed process are welcomed.

COMMENTS. The Corps hereby solicits comments from the public, Federal agencies, Indian Tribes, State and local agencies and officials, and any other interested parties on the scope of this EIS. If possible, please provide within the body of the comments a one sentence synopsis of the particular issue concerned and the geographic area germane to that issue. Comments may be made on more than one issue. After consideration of the comments, the Corps will define the scope of the EIS.

In the evaluation of the alternatives, 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.

Any other views, opinions, or information are also welcomed and will be considered by the Corps in the determination of the scope.

SUBMISSION OF COMMENTS. Comments should be submitted in writing to the District Engineer at the letterhead address not later than February 20, 1998.

PUBLIC MEETINGS. Two Public Meetings will be hosted by the Corps on February 9, 1998. The first is scheduled from 10:00 a.m. to 12:30 p.m. The second meeting is scheduled from 5:30 p.m. to 8:00 p.m. Both meetings will be at the South County Regional Library, 21100 Three Oaks Parkway, Estero, Florida. The purpose of the meetings is to provide an opportunity for interested citizens to verbally present their comments in addition to or in lieu of written comments. Attendees are requested to be prepared to limit verbal statements to no more than 5 minutes each in order to ensure all attendees who wish to speak will have an opportunity to do so. This may be adjusted depending on the number of attendees. Speakers will not be sworn in and cross-examination will not be permitted. Groups should select a spokesperson. For accuracy of record, all relevant information should be submitted in writing at the hearing or be previously mailed to the District Engineer. Written statements and information will be accepted until February 20, 1998. The Lee County Library System has an FM assistive listening system for use of hard of hearing persons. Check with the library before the meeting. A sign language interpreter is available with a 48 hour notice. Please call the Deaf Service Center at 936-3060 or (TDD) 936-5535.  Sign language interpreter available with 48-hour notice; call Deaf Service Center: 936-3080, or (TDD) 936-5535. Assistive listening system available; request at desk.

QUESTIONS. If you have any questions on this public notice, you may contact Bob Barron at the letterhead address or by telephone at (904) 232-2203.

  
Hanley K. Smith  
Acting Chief, Regulatory Division

**DIRECTIONS TO THE**

**South County Regional Library**  
21100 Three Oaks Pkwy  
Estero, FL 33928  
(941) 498-4940

**If you are traveling on I-75:**

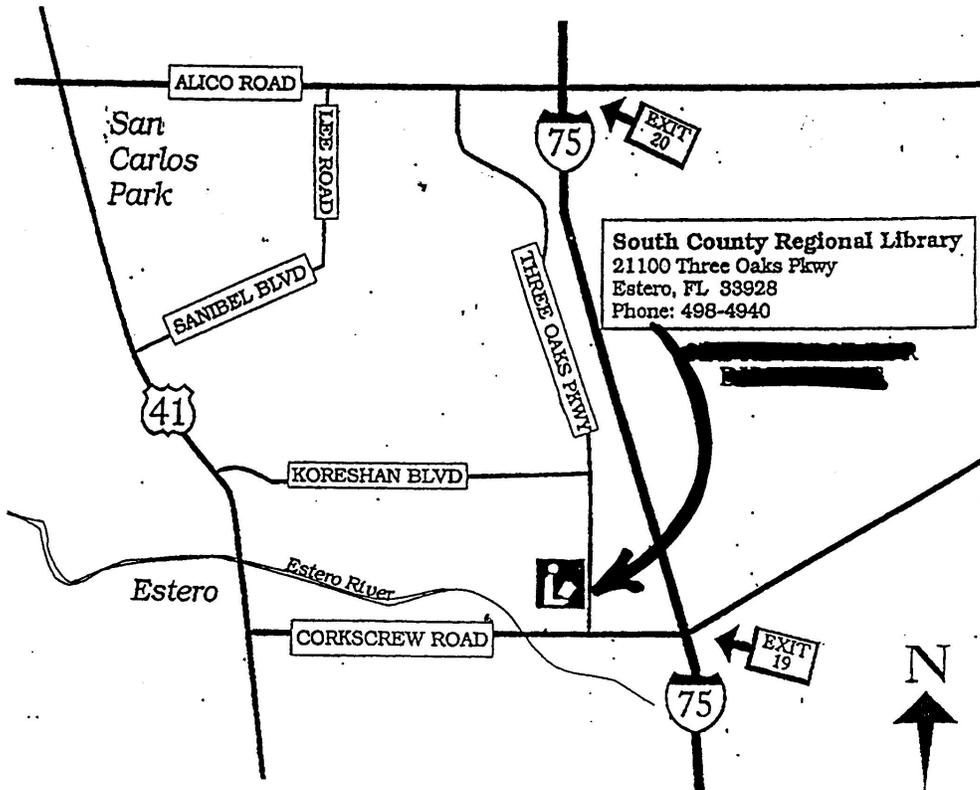
1. Take Exit 19 off of I-75 at Corkscrew Rd.
2. Proceed west on Corkscrew Rd. about .5 miles.
3. Turn right on Three Oaks Parkway. Proceed north .1 mile.
4. Turn left into the library parking lot.

**If you are traveling South on 41:**

1. Proceed south on US 41 to Koreshan Blvd.
2. Turn left onto Koreshan Blvd. Proceed east for 1.7 miles.
3. Turn right onto Three Oaks Parkway. Proceed south 1.1 miles.
4. Turn right into the library parking lot.

**If you are traveling North on 41:**

1. Proceed north on US 41 to Corkscrew Road light.
2. Turn right onto Corkscrew Road. Proceed east for 1.3 miles.
3. Turn left onto Three Oaks Parkway. Proceed north .1 mile.
4. Turn left into the library parking lot.





BOARD OF COUNTY COMMISSIONERS

P.O. Box 398  
Fort Myers, Florida 33902-0398  
(941) 335-2111

Writer's Direct Dial Number

John E. Manning  
District One

Douglas R. St. Cery  
District Two

Ray Judah  
District Three

Andrew W. Coy  
District Four

John E. Albion  
District Five

Donald D. Silve  
County Manager

James G. Yeager  
County Attorney

Diana M. Parker  
County Hearing Examiner

January 13, 1997

Joe R. Miller, Colonel  
U.S. Army District Engineer  
Department of Army  
Jacksonville District Corps of Engineers  
Post Office Box 4970  
Jacksonville, FL 32232-0019

Dear Colonel Miller:

In order to continue the dialogue regarding the Environmental Impact Statement (EIS), please be advised that the Lee County Board of County Commissioners, the Collier County Board of County Commissioners, and the U.S. Army Corps of Engineers will be holding a joint meeting on Wednesday, February 11, 1998. The meeting is scheduled to begin at 9:00 a.m. and is to be held at the Bonita Springs Recreation Center located at 26740 Pine Avenue in Bonita Springs. Enclosed is a map of the meeting site for your review. I am also enclosing a listing of available motels in this area for overnight accommodations.

If you should have any questions, please feel free to contact me or Nan Summerall, my Executive Assistant, at 941/335-2224.

Sincerely,

John E. Manning, Chairman  
Lee County Board of Commissioners

JEM/mns

cc: John Hall  
Brenda Chalifour  
Richard Bonner  
Rob Robbins

Enc.

24/11

**MEMORANDUM**  
**FROM**  
**THE OFFICE OF**  
**BOARD OF COUNTY COMMISSIONERS**  
**DISTRICT NO. 1**

**DATE:** January 13, 1998

**TO:** Lee County Board of  
Commissioners, District #2, #3,  
#4 & #5

**FROM:**

John E. Manning  
Commissioner, District #1

**RE:** Joint Meeting of Lee County Board of Commissioners, Collier County Board of  
Commissioners and the U.S. Army Corps of Engineers.

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If you should have any questions, please feel free to contact me or Nan Summerall, my Executive Assistant, at 335-2224.

JEM/mns

cc: Don Stilwell, County Manager  
Bill Hammond, Assistant County Manger  
Jim Yaeger, County Attorney  
Tim Jones, Assistant County Attorney  
Anita Flaitz, Director of Lee Cares  
Mary Armentrout, Minutes, Clerk of Courts

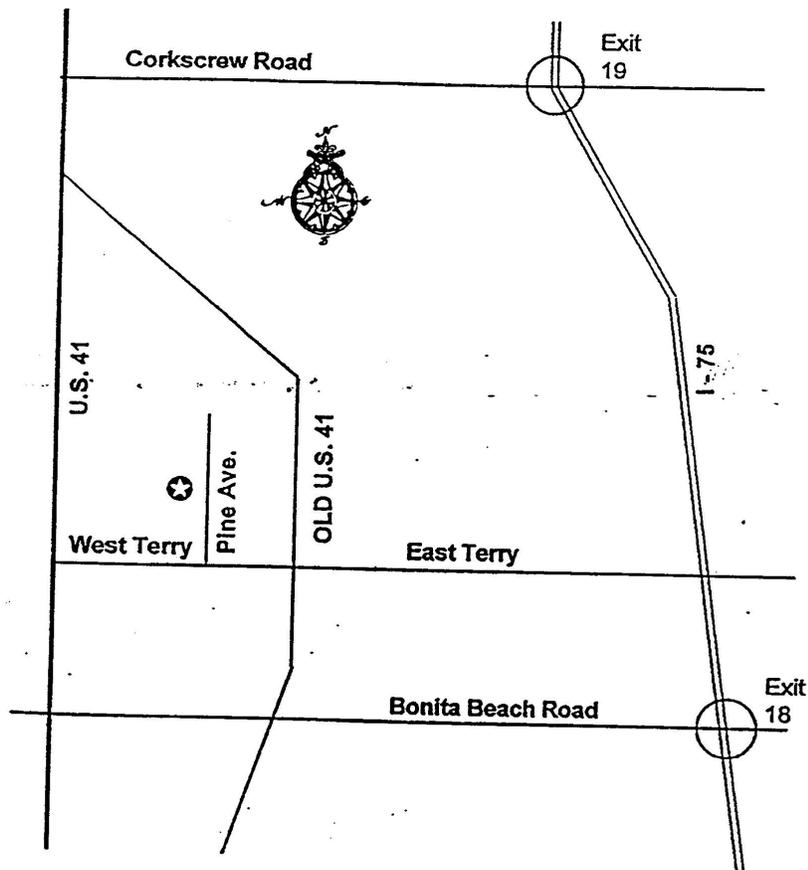
Enc.

5/11

**Lee-Collier-Army Corp. of Engineers  
Meeting**

26740 Pine Avenue  
Bonita Springs, FL  
Wednesday, February 11, 1998, 9:00 A.M.

⊙ Indicates Meeting Site



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